



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, August 13, 2012
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses, Lauren Jacoby, Ron Hebert, Cora Quisumbing-King, Kevin Perron, Deborah Calabro

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Mindy Bubier, Dean Peschel, Bruce Crawford, Chris Berry, Charlie Alty, Mario Eade, others

The meeting was convened by Chair Hunt at 5:30 PM.

1. APPROVAL OF THE PRIOR MINUTES

Quisumbing-King had a correction to page 2, under item B, a statement by Hebert – add “be” between “would” and “to”.

Quisumbing-King moved to approve the July 9, 2012 minutes as corrected, Jacoby seconded. Vote: Unanimous

2. OLD BUSINESS- NONE

3. NEW BUSINESS

- A. City of Dover Conditional Use Permit and NHDES Permit by Notification for Jerry and Lori Terpstra, (Agent: Bruce Crawford, Ambit Engineering), Assessor’s Map B, Lot 8-D, zoned R-40, located at 620 Sixth Street.

Crawford of Ambit Engineering was present to explain that the proposed work involves the installation of a six inch diameter drain in a wetland and wetland buffer to alleviate a drainage problem near house. Total disturbance is 100 sq. ft. for wetlands and 360 sq. ft. for wetlands buffer. The backyard would be excavated down about a foot and the clay layer of soil would be replaced by sandy soil so that it drains better and the topsoil would be put back over that.

Gasses: How big is the lot?

Crawford: I think it is at least 40,000 square feet.

Gasses: We do not normally see this type of plan that takes water from a wet area and redirects it.

Crawford: This plan does not drain a wetland.

Calabro: Where is the water currently draining to now?

Crawford: It sheet flows off the lawn to the wetlands at the rear of the lot.

Gasses: What is the necessity to impact wetlands and buffer? Could you achieve it with less impact?

Crawford: The alternative would be to redirect the drain pipe to the north but that would more directly impact the neighbors.

Bird: Why can the pipe not daylight sooner so that it does not impact the wetlands?

Crawford: The pipe cannot end sooner due to the flat grade of the land and the required slope of the pipe.

Hunt: What is the area of the lawn disturbance?

Crawford: It is about 6,000 square feet.



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Gasses: I would support this request if the impacts were lessened by the planting of trees and other vegetation in the wetlands buffer and stop mowing the buffer area.

Crawford: I am sure my clients would agree to that type of condition.

Bird: We would need a planting plan developed prior to the Planning Board meeting.

Gasses: I would be comfortable have staff review the plan and not make the applicant come back to the Conservation Commission.

Gasses moved to endorse the Conditional Use Permit and NHDES Permit by Notification with the condition that a planting and vegetation plan for the wetland buffer area be prepared be reviewed by staff prior to the Planning Board meeting, Quisumbing-King seconded. Vote: Unanimous

Gasses left the meeting at 6:15 PM.

- B. City of Dover Conditional Use Permit for Dean Peschel (Owner: Sixth Street Station Association) Assessor's Map 31, Lot 103, zoned RMU, located at 10 Station Drive.

Bird reminded the members that Bubier was here last month to give them an update of the project.

Bubier of the UNH Stormwater Center and Peschel were present to explain that this project will remove an undersized culvert which will be replaced with a footbridge and coir fiber logs will be placed upstream of the culvert to restabilize the eroding bank, as part of the Berry Brook Restoration Project. A total disturbance of 6,750 sq. ft. is proposed within the Conservation District.

They have been working with the homeowners of the condominium to develop a Memorandum of Understanding. The work will remove a 12" culvert that is the outlet for Berry Brook. A pedestrian bridge would be installed and wetlands upstream would be restored.

Quisumbing-King asked about the MOU.

Peschel: It is an agreement with the homeowners association that sets forth the work to be done and the obligation to not disturb he work in the future,

Bubier: The total impact area is 150 lineal feet of the brook. The project could be completed by September or October.

Hebert moved to endorse the Conditional Use Permit as requested, Calabro seconded. Vote: Unanimous

- C. Preliminary Discussion with Chris Berry of Berry Surveying & Engineering on a proposed major open space subdivision (20 lots) for River Valley Development Corp. on Gulf Road that will have wetland and wetland buffer impacts.

Berry was present to give the Commission a preliminary presentation on the wetland and steep slope impacts associated with the proposed subdivision. The project was before the Technical Review Committee last week on August 9th. The wetland impacts equal 6,430 square feet due to road construction proposed and will require a major dredge and fill permit from the state. The road



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location was chosen due to safe sight distance considerations. We are using an existing driveway crossing in the middle of the parcel to reduce wetland impacts. Buffer impacts are equal to 12,564 square feet. Blue sections are 20% steep slope impacts which equal 8,852 square feet. We are proposing low impact development designs to handle storm water.

Hunt: Is the lot tree covered and is there a house on the lot?

Berry: It is mostly tree covered and there is one house.

Calabro: I don't know why so much wetland has to be impacted to build houses.

Hunt: Why could you not move the road closed to Wysteria Lane at the point where the wetlands are narrower?

Berry: These wetlands include streams and DES prefers to lessen impacts in those areas.

Hunt: They had to put a bridge in at Wysteria to cross wetlands.

Hebert: Will there be a site walk?

Bird: Yes, the Planning Board will most likely do a site walk in the future and I will make sure to inform Conservation Commission members so they can attend.

Hunt: What percent of the lot will be open space?

Berry: Not sure of the exact number, but it well over 50%.

Hunt: There is no action that needs to be taken at this time.

Bird: They will likely be back in September once they have filed the state wetlands permit.

4. REPORT FROM THE CHAIR: None

5. OTHER BUSINESS

A. Information on a Notification of Forest Management or Timber Harvest Activities Having Minimum Wetlands Impact for Donna and Richard Ambrose of 210 Tolend Road.

Bird informed members about a Complete Forestry Notification that was received from DES for Map F, Lot 3 on Tolend Road. They are working with the NRCS on a cottontail habitat restoration project and will be removing trees and vegetation.

Hebert stepped down on the next agenda item.

B. Discussion of Washington Highlands Easement Management Plan

Calabro made a motion to limit the amount of time to discuss this item. Motion seconded by Jacoby.

Hunt asked for any discussion.

Jacoby: Why can't we just wait to see how things are going?

Calabro: The last meeting this discussion went on for too long and it was not productive.

Vote: Motioned passed 4 to 1, with Hunt opposed.

Hunt: What is a reasonable time?

Calabro: I was thinking 30 minutes.

Quisumbing-King: Lets see where we are at the end of 30 minutes and we can vote to extend.



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Hunt asked Bird if anything has happened since the previous meeting.

Bird: I have not heard back from the Board of Directors in response to the idea of expanding the lot sizes to deal with the encroachments.

Calabro: What would it take to accomplish the lot enlargements?

Bird: It would be complicated and take some time and cooperation from homeowners.

Hunt: The management plan submitted is fairly minimal in terms of what we wanted.

Mario Eade, a resident of the development asked if the Commission assumed that the plan was representative of what the homeowners wanted.

Hunt: The plan was signed by all members of the Board of Directors so we have no reason to think that it is not legitimate.

Bird: The Conservation Commission received the plan and has to review the plan and accept or reject it.

Alty: Most homeowners did not realize that a plan was submitted and do not support the plan. We talked about hiring someone like Mark West to prepare a plan. We are going to ask for meeting of all homeowners to discuss this further.

Quisumbing-King: The easement deed gives us guidelines for what to expect, as does the letter that was sent to the association last year.

Hunt: The challenge is for the homeowners to come to a consensus.

Quisumbing-King: There is room for creativity in drawing up a plan that meets the easement.

Hebert: They have mowed again and wetlands have been impacted again.

Hunt: The mowing needs to be limited to the upland areas.

After a lengthy discussion, no action was taken by the Commission. Members thanked the homeowners for attending the meeting and voicing their opinions.

Hebert: I have more to say about this.

Bird: I would caution members from continuing to speak too much about this since most of the homeowners have left.

Hebert: If I am not allowed to speak about this I am going to have submit my resignation. Perron should not even be sitting on this issue due to a conflict of interest resulting from his job.

Perron: I have no conflict of interest on this.

Hunt: We need to wrap up our discussion on this.

Quisumbing-King: I think we should do another site walk on the property.

Hebert: You should get rid the management plan that was submitted and start over.

Hebert rejoined the Commission.

6. ADJOURNMENT

Calabro motioned to adjourn at 7:40 PM. Perron seconded. Vote: Unanimous