



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, April 8, 2013
Meeting Time: 5:30 pm

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

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Tobin Greer, Doug Larosa, Robert Stowell, John O'Neill, Scott O'Neill, Jeff Rowe, Laura Rowe, Rick Hebbard, Mary Hebbard, others

The meeting was convened by Chair Hunt at 5:33 PM.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Jacoby moved to approve the March 11, 2013 minutes, Quisumbing-King seconded. Vote: Unanimous

2. OLD BUSINESS - NONE

3. NEW BUSINESS

- A. NHDES Wetlands Permit for Gary Boukus (Agent: Tobin Greer, Ambrose Marine Construction), Assessor's Map L, Lot 36, zoned R-20, located at 139 Spur Road.

Tobin Greer was present to explain the proposal, which is to conduct work adjacent to the Bellamy River in a tidal wetland to extend an existing dock by adding a 4 foot by 25 foot permanent piling pier. The permanent impact will be 220 square feet and the temporary impact will be 146 square feet. The construction would require the placement of swamp mats to allow an excavator to install the pilings. The extra length is needed to access tidal water. The neighbors are also applying for dock permits and have been told by the state that they need to use a barge and crane. Only four pilings are needed for the dock addition. The barge method also has impacts because the barge sits on the bottom.

Gasses: We need to review the letters from DES to see what their objections are.

Houle: Would homeowners be open to replanting the area impacted by the mats?

Greer: Yes they would. The DES application includes that information.

Perron: When was original dock built?

Greer: I think it was built in the late 1990's or early 2000's.

Gasses: The mat would impact the area.

Quisumbing-King: How does this impact compare to the other two applications in the area?

Greer: It probably has similar or less impact because this pier addition only requires four more pilings.

Gasses: This puts us in a difficult position given our previous decisions.

Greer: The other two homeowners had preconstruction meetings with DES staff and thought that the construction method was allowed. They plan on appealing the decisions.

Hebert: Could we endorse only the pier but not the construction method?

Houle: Could we endorse with the condition that they replant the impacted area?

Perron: Is it premature for us to decide until DES makes a final decision on the other applications?



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Greer: We think the standard is open to interpretation. Are there any objections to the design?

Hunt: Lets go around the table to see what people think.

Gasses: I don't object to the 25 foot expansion but you will have to convince the state.

Bird: The Natural Heritage Bureau recommended the use of a barge in their letter.

Perron: I think we should wait.

Houle: I think we should endorse; the applicant has demonstrated the need. We could add a condition that replanting takes place.

Gasses: How many feet of mat are required?

Greer: It is about 30 feet long.

Gasses: I don't see why we can not endorse just the dock.

Hunt: Maybe the three owners should get together on hiring a barge if the state insists on that method.

Gasses moved to endorse the expansion of the dock portion of the NHDES Wetlands Permit, with the understanding that DES will determine the method of construction, Hebert seconded. Vote: Unanimous

- B. Preliminary Discussion with TriTech Engineering Corporation on a City of Dover Conditional Use Permit for a proposed major subdivision (15 lots) for Changing Places, LLC on Thornwood Lane that will have 6,061 square feet of wetland buffer impacts.

Bob Stowell of TriTech Engineering was present to present the project. This is the next phase of the Thornwood Commons development. We still have to go to the Planning Board for site plan review. There are no structures in the wetlands buffer and ne wetlands fill proposed. A sewer easement runs through the property. We are proposing a lot line adjustment with the neighbor, the Preston's. We are looking for feedback. Stowell passed out pictures of the site.

Gasses: How much vegetation would be removed?

Stowell: Behind units #9 and 10 the trees would be cut and behind units 13 and 14 some trees would remain.

Houle: Have you considered shared driveways or combined units to reduce the impacts?

Stowell: The buildings have to stay 25 feet apart. We have not considered using duplexes.

Jacoby: Can the driveways be shortened at all?

Stowell: We have to maintain a 30 foot right-of-way.

Gasses: What is the total impervious surface?

Stowell: We have not calculated that yet, but it is only 1 ½ acres approximately.

Hunt: Is there further building planned for the property?

Stowell: This is the last of the land on the Middle Road side of Varney Brook.

Houle: What are your drainage plans?

Stowell: Not finished with the drainage study yet, but the plans will have to go to the state. Most of the drainage goes into catch basins in the road to percolate into the ground.

Gasses: Is this on the Planning Board agenda yet?

Bird: Not yet, they still need to go to TRC first.



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There was a discussion about wanting to do a site walk before they come back and trying to coordinate with a potential Planning Board site walk. Bird will keep the members informed about any proposed site walk.

C. Discussion on NH Fish & Game Plans Related to City Parcel (J-3) off Garrison Road

1. Request for Release of New England Cottontail Rabbits Onto Parcel
2. Request for Invasive Species Plant Control -Herbicide Treatment of Phragmites (Common Reed)

Bird distributed a copy of a letter from NH Fish and Game inviting abutters to a meeting on April 10, 2013 at 7:00 PM in Durham. Bird has spoken with the City Attorney and the City Manager about this topic and the City Manager has asked for a recommendation from the Conservation Commission. The conservation easement granted by the City and held by the state makes no mention of the Conservation Commission having any responsibilities for the land.

Bird informed the members that the Conservation Commission had received a letter from James Oehler of the NH Fish and Game Department asking for permission to treat a patch of phragmites, an invasive species, with a herbicide. This patch is partially on the City parcel. Similar to the previous issue, the City Manager has asked for a recommendation from the Conservation Commission

Gasses: I would like to hear from the neighbors and wait until after the meeting to be held this week.

Members reviewed the letter and map sent by Mr. Oehler.

Members of the audience had questions about the plans for applying the herbicide, what chemicals would be used, the application methods, and potential impacts on wells and crops.

Hunt: These are good questions that would more appropriately be directed to the folks from Fish and Game on Wednesday night. My understanding is that the application is by hand and that cutting the phragmites by hand would not eradicate the plant.

Perron: We need more information before we can make any recommendations on either issue.

Mary Hebert: We are concerned about the rabbits being released. They are not native to the area and will have lots of impacts.

Rick Hebbard: This should be the City Council's decision, not the City Mangers. This program is a waste of taxpayer money.

The consensus was to wait until after the Wednesday meeting and put these items on the next agenda. We may want to invite someone from Fish and Game to the next meeting depending on how the meeting this week goes.



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4. REPORT FROM THE CHAIR

A. Discussion on Land Use Board Meet and Greet Meeting – April 30, 2013

Bird reminded the members about the e-mail he sent out last month inviting them to the meeting and reminded them to rsvp and go on-line to complete the questionnaire.

5. OTHER BUSINESS

Quisumbing-King: Why don't we have a public comment period during our meeting like some other boards do?

Gasses: We don't have a formal public hearing process like other boards. We are more advisory.

Hunt: I allow some public comments during the agenda items but I like to have the members get a chance to make comments and ask questions before opening it up to the public.

Perron: It would be helpful to have an easel available for applicants to use during their presentations so we can see the map and the public can see what is being shown.

Hunt: We can use the easel in the room and have the applicant stand behind us.

6. ADJOURNMENT

Perron motioned to adjourn at 7:00 PM. Houle seconded. Vote: Unanimous