



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Tuesday, October 14, 2014
Meeting Time: 5:30 pm

MEMBERS PRESENT: Marcia Gasses (Vice Chair), Kevin Perron, Richard Erickson, Michael Joyce, Tristan Donovan (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Aimee Dion, Zachary Taylor, Dan Olone, Robert Stowell, Doug Larosa, Scott O’Neil, Rick Lundborn

The meeting was convened by Gasses at 5:35 PM.

Gasses welcomed new alternate member Tristan Donovan.

Gasses announced that agenda item 3-E for the Green’s at 124 Dover Neck Road has been postponed.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Erickson moved to approve the September 8, 2014 minutes, Perron seconded. Vote: Unanimous

2. OLD BUSINESS

3. NEW BUSINESS

- A. Amendment to City of Dover Conditional Use Permit for Aimee & Jeremy Dion, Assessor’s Map 40, Lot 12, zoned R-12, located at 3 Earle Street. Proposal is to increase the size of the house addition from 482 sq. ft. to 564 sq. ft. The addition would be no closer than 50 feet to Willand Pond, in the Conservation District.

Aimee Dion was present to explain that the previous CUP was approved on August 12, 2014, but we have now decided to increase the addition. The application is on the ZBA agenda for October for a side line setback variance.

Gasses confirmed that the applicant has received a NHDES Shoreland Permit

Joyce confirmed that the addition is no closer to the pond.

Erickson made a motion to endorse the application with the condition that the prior recommendations hold, Perron seconded. Vote: Unanimous.

- B. NHDES Permit by Notification for Robert & Ann Marie Gregerson (Agent: Riverside & Pickering Marine Contractors), Assessor’s Map L, Lot 58-Q, zoned R-20, located at 25 Cote Drive.

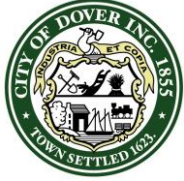
Zach Taylor was present to explain the proposal to conduct work adjacent to the Piscataqua River in a tidal wetland to replace an existing permanent pier (204 sq. ft.) and 12 pilings in the same locations and to replace the gangway (40 sq. ft) and float (200 sq. ft.) in the same location.

Joyce: How will the pilings be replaced?

Taylor: We will use a crane barge to extract the pilings and install the new pilings.

Bird asked about the existing rip rap shown on the plan.

Taylor: We are not touching that rock pile, which was likely used to stabilize the shore.



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Donovan: Why are the pilings being replaced?

Taylor: They are old and in need of replacement.

Joyce made a motion to endorse the application, Erickson seconded. Vote: Unanimous.

- C. City of Dover Conditional Use Permit for Changing Places, LLC (Owner: Jeffrey & Darlene White), Assessor's Map F, Lot 15, zoned R-40, located at Emerald Lane. Proposal is to build a subdivision road and associated utilities that will impact 7,000 sq. ft. of the 50-foot wetlands buffer.

Stowell and Larosa were present to review the proposal.

Stowell: This is a project from 9 years ago that was never built and expired. The project has changed a little. There is a wetland buffer encroachment on lots 22 and 23. The open space regulations allow us to reduce the wetlands and buffer impacts. The road grading would impact the buffer.

Perron: How many units were approved before?

Stowell: 37 houses, but it is 49 houses now.

Gasses: I am concerned that some of the lots are smaller and you are setting up some lots for wetland buffer issues.

Stowell: This is a whole different project with smaller houses.

Gasses: We have to look at avoidance. There has to be a way to avoid impacts.

Larosa: To offset the impacts we are setting aside 41 acres of open space, as mitigation that will allow for protection of wildlife and walking trails.

Stowell: We have dealt with NH Fish & Game on wildlife impacts.

Gasses: I think the impacts could be avoided.

Larosa: It is not a significant wetland. It is a forested wetland.

Gasses: I would like to see the whole site and topo. We have no idea how drainage will work.

Joyce: How close is the road to the wetlands?

Stowell: About 18 feet to the pavement.

Larosa: Each home and driveway will have bioretention design. The catch basins from the road drain into area #2 bioretention.

Joyce: Will the clearing for each house stay 50 feet from wetlands?

Larosa: We place a silt fence on the buffer line to keep work out of the buffer. The city inspects the silt fence. This will require an EPA Notice of Intent Permit.

Gasses: What about the steep slope impacts?

Bird: Steep slope impacts of less than 2,000 square feet do not need a CUP.

Gasses: What about the driveways?

Larosa showed the driveway locations on the plan set.

Gasses: The wetland finger is part of a large wetland complex. I would like to see how drainage works when you visit us again after the site walk.

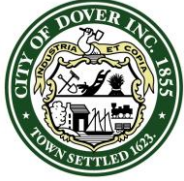
Larosa: Post development flow will be less than pre development flow.

Stowell: The landscaping will be done by one contractor.

Gasses confirmed that all lots will have municipal water and sewer.

Stowell: We have placed wetland buffer placards on metal posts in other projects that have worked well.

Gasses: I am worried about future homeowners and their sheds and yards.



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Stowell: There will be a homeowners association to deal with drainage infrastructure and open space.

Gasses: What about the drainage maintenance on a city street?

Larosa: The city doesn't want the cost of maintenance of these drainage areas.

Stowell: The HOA will be responsible for maintenance.

Donovan: Have you done a full drainage study for your AOT permit?

Larosa: We just finished a section of wildlife for Fish & Game and mailed it off today. We are using stone filled basins for water storage.

Donovan: Where is bedrock and the water table?

Larosa: It varies throughout the site. Suitable material will be brought in to help drainage.

Perron: What size will the houses be?

Stowell: They will be in the 2,200 to 2,800 square foot range, same as he is building in Thornwood.

Joyce: Have you done a function and values impact study?

Larosa: No need since no wetland is actually impacted.

Perron: Can you bring in pictures of the type of drainage system? Could one of the abutters ask a question?

Gasses: I have problem with that.

Jen MacNeil of 87 Emerald Lane: For the original development there were variances and lot line adjustment given. Trees were removed on the Ezra Green lot for rabbit habitat. What have been the impacts on wetlands?

Gasses: When are monuments set?

Stowell: Usually not until the road is accepted.

MacNeil: That is part of the problem.

Larosa: The wetland placards are now set before lot clearing. This site is higher than phase 2.

Bird will notify members of the date of the Planning Board site walk which will be decided tonight.

- D. City of Dover Conditional Use Permit for STF Development Corp. (Agent: Chris Berry) regarding a proposal to build a single family house on a vacant lot on Tolend Road, owned by Debra Shevelin, Assessor's Map C, Lot 39-B. The driveway would have 101 sq. ft. of 50-foot wetlands buffer impact and the septic system is within the 75-foot wetlands buffer.

Dan Olone of Berry Surveying explained that this is a vacant lot of record that can't be built on without relief from the wetland setbacks for the driveway and septic system. We are proposing a 4 bedroom house with a garage and using the existing driveway cut. A rain garden is proposed for driveway run-off and roof infiltration. The house location was revised based on input last month.

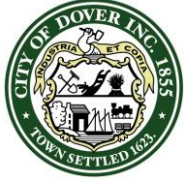
Bird explained that the wetlands ordinance provided for the placement of a house of a lot of record without needing a CUP but does not have the same allowance for other impacts such as driveways and septic systems. There is no way to comply with the 75 foot septic system buffer.

Gasses: It seems that you listened to us from last meeting.

Joyce confirmed that the septic system is 57 feet from the wetlands.

Olone: We will have to ask for a waiver from the state requirement for a 3 to 1 slope, but that should not be a problem. We need a NHDES septic system design permit.

Gasses: We should require erosion and sediment controls.



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Olone: We would install silt fences around the wetlands.

Erickson made a motion to endorse the application, Joyce seconded. Vote: Unanimous.

- E. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Margaret and William Green, Assessor's Map M, Lot 95B, zoned R-40, located at 124 Dover Neck Road. Proposal is to remove an existing house and septic tank within the Conservation District adjacent to the tidal Piscataqua River and build a new house and garage in a single structure outside the Conservation District. Work in the district includes the repair of wood stairs and re-grading the area of house and septic removal.

Gasses explained that this application has been postponed until the November meeting.

- F. City of Dover Conditional Use Permit for Nathan Riggs at 53 Littleworth Road (Agent: Norway Plains Associates), Assessor's Map G, Lot 29-A. The septic system is within the 75-foot wetlands buffer.

Rick Lundborn was present to explain the proposal to build a replacement septic system for a house built in 1959. The new owner wants to expand the living space into the garage. The property only has a cinder block cesspit that is not functioning. It is on city water. In order to move the septic system to the front of the lot, you would have to re-plumb the entire house. This will be a big improvement over what is there.

Discussed where the closest sewer line was to the property.

Bird: The city requires lots within 100 feet of an existing sewer line to tie in.

Perron: This is an improvement from the existing situation.

Joyce made a motion to endorse the application with the condition that the distance to the municipal sewer is more than 100 feet from the lot, Erickson seconded. Vote: Unanimous.

4. REPORT FROM THE CHAIR

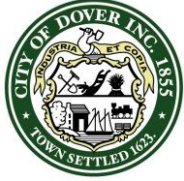
- A. Discussion on Easement Monitoring for Washington Highlands/Morrison Lane

Bird explained that he and Hunt consulted with the City Attorney on September 29th to discuss the lack of a response from the HOA after the 60 days had passed. Given Hunt's absence, he recommended that this discussion be postponed until the next meeting.

- B. Review of Correspondence Received From NH Department of Environmental Services

Bird reviewed the following letters from DES Wetlands Bureau:

1. Approved application for seawall – Kelley – 31 Wentworth Terrace
2. Approved Shoreland Permit For White for Glenhill Rd. house
3. Approved application for rip rap and dock – Fritz, 33A Boston Harbor Road
4. Approved application for house – Fogg, 25 Nute Road
5. Approved application for patio and retaining wall– Lomastro, 163 Spur Road
6. Approved application – City of Dover, 50 Garrison Road



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7. Approved Shoreland Permit For City of Dover for Tolend Rd. & Watson Road project
8. Request for More Information – Bell and Meloney, 157 Spur Road

C. Sign Up for NH Association of Conservation Commission Annual Meeting and Sponsor a Student
Bird stated that the annual conference is coming up on November 1st and the Commission can sponsor one student from Dover for free.

Joyce: I would reach out to the High School principal.

D. Climate Change in Dover Workshop

Bird reminded members to sign up for this workshop.

5. OTHER BUSINESS: NONE

6. ADJOURNMENT

Perron motioned to adjourn at 7:30 PM. Erickson seconded. Vote: Unanimous