



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, July 14, 2014
Meeting Time: 5:30 pm

MEMBERS PRESENT: Marcia Gasses (Vice Chair), Cora Quisumbing-King, Kris Houle, Richard Erickson, Michael Joyce, Nicole Andrews (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Roy Darling, Tyler Matteson, Janice Gardner, Adam Fogg, Laurie Fogg, Scott Hogan, Aimee Dion, Eric Weinrieb, Chad Kageleiry, Zach Taylor, Tracy Tarr, John Lomastro, Kristen Lomastro, others

The meeting was convened by Gasses at 5:34 PM.

Gasses: Agenda item 3-G for the City has been withdrawn by the City.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Quisumbing-King moved to approve the June 9, 2014 minutes, Erickson seconded. Vote: Unanimous

2. OLD BUSINESS

- A. City of Dover Conditional Use Permit for Paul Delisle, Assessor's Map 8, Lot 17, zoned R-20, located at 20 Leighton Road. Proposal is to add approximately 200 sq. ft. of additional porch to an existing house, within the Conservation District adjacent to the tidal Bellamy River.

Darling: I am the contractor for the project. Delisle contacted Ambit Engineering to prepare this updated plan that shows the property. This is an existing house that we are adding a second story on. The porch is being expanded around the back.

Houle confirmed that the footprint of the house was remaining the same.

Gasses: What steps are you taking for erosion control?

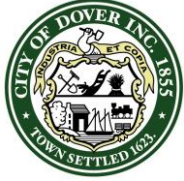
Bird: The house already exists, so there is not much new construction.

Houle made a motion to endorse the Conditional Use Permit, Joyce seconded. Vote: Unanimous.

3. NEW BUSINESS

- A. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Adam, Jade and Cheryl Fogg, Assessor's Map L, Lot 13, zoned R-20, located at 25 Nute Road. Proposal is to replace an existing house and garage with a new house and garage in a single structure, within the Conservation District adjacent to the tidal Bellamy River. The total permanent impact is 3,900 square feet.

Hogan: I am the attorney for the Fogg family. This property is at the end of Nute Road, with an existing house and separate garage. This is a net reduction in impervious surface in the end. We had to get a variance for the side setback to keep the house as far away from the river as possible. There is not wetland impact. The direct abutter submitted a letter in support of the variance. The original proposal was much larger with a bigger footprint, but he scaled it back after getting input from the



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City. The freestanding garage will be removed and a garage will be incorporated into the house. House will be serviced by new municipal water and sewer.

Houle: Can you point out the new driveway location?

Fogg: It is a three car garage at the front of the house.

Gasses: I would like to see the dimensions showing the distance of the house from the reference line.

Hogan: The pre-development coverage is 4,400 sq. ft. and the post is 4010 sq. ft.

Houle: What will happen with the old driveway?

Fogg: A landscape plan will be developed for DES as required by the Shoreland Permit.

Joyce: Did you propose any storm water detention on the plan?

Fogg: Not yet, but I anticipate that DES will ask us to do something.

Houle: The driveway material should be permeable.

Joyce: The plan is lacking any details on how storm water is going to be managed.

Hogan: We know we have some more information to prepare, but we are looking for some feedback.

Houle: I would be looking for plans showing erosion control features, a landscape plan, a storm water management plan, and a porous driveway.

Gasses: I want to see the distances from the high water mark of the house.

Hogan: The Planning Board may want to do a site walk on this, so the Conservation Commission could come along. We can work on getting you the information you have asked for by the next meeting.

Gasses: I would be looking for a motion to list what information we are requesting.

Joyce motioned that the Conservation Commission request that the applicant return with information on erosion control, infiltration/ storm water plan, landscape plan and setback of building from reference line, Houle seconded. Vote: Unanimous.

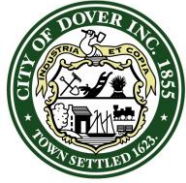
- B. Request for Approval of a Forest Management Plan for Timber Harvest on Conservation Easement Lots – Tender Crop Farms, Dover Point Road, Assessor's Map L, Lot 1; Map M, Lots 52, 53-A, and 54. Conservation easement (98.8 acres) obtained in 2006 and 2007, held by City of Dover Conservation Commission, Strafford Rivers Conservancy and NH Department of Transportation.

Tyler Matteson was present to review the revised proposal to conduct a timber harvest on approximately 37 acres of the farm to convert the forest to active farming uses such as orchards, cattle, and crops. He distributed a new harvest and clearing plan that shows the area to be cleared and the 75 foot no cut buffer along Varney Brook. He referred to the letter they had received from the City and was concerned with some of the requirements. He said that points #1 and #3 have already been taken care of. Point #2 seems very prescriptive and is not required by the easement. We should not be told what crops we can grow and where.

Gasses: The concern here is related to water quality impacts.

Matteson: Point #4 is very prescriptive. We may change how we water the cattle. That may change over time.

Gasses: You must know where the cattle are going to be placed.



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Matteson: They would be in the cleared area south of Nute Road, near the turnpike in an area that was used to grow corn.

Gasses: That is a good location away from many abutters. Do you have an issue with the water monitoring?

Matteson: I guess I am not sure what exactly is being asked for. It seems to be a heavy handed requirement.

Joyce: I don't think water monitoring is heavy handed.

Quisumbing-King: My suggestion is that you take a less combative approach.

Matteson: This is my seventh month dealing with this issue.

Andrews: I would suggest that you contact DES to find out about what water monitoring might entail.

Joyce: We are trying to monitor nitrogen.

Matteson: If we were going to do water monitoring, I would think we would do a pre timber harvest test and then a post condition test, and maybe on the one year anniversary. Who will perform the test and who will pay for it?

Houle: You could perform best management practices to reduce nitrogen impacts.

Gasses recognized Anna Boudreau, OLC Chair, who was asking to speak.

Boudreau: You all have really valid questions and this is a good process, but we should have started the review process earlier. Other forestry plans were for harvest, not clear cutting. I am also concerned about the Great Bay. You can approve the forestry plan and can continue to work out the details on the agricultural plan. I apologize to Tender Crop Farms for not thinking the process through earlier.

Gasses: We want the farm to be successful.

Joyce: There has to be existing nitrogen testing protocol.

Houle: I would like to see basic calculations of nitrogen loading and how BMP's can manage them. I am not sure if water quality testing is necessary if BMP's are used.

Gasses: This plan is a huge change in the level of information from the last meeting and you are going in a positive direction.

Matteson: The area for the cattle used to be a corn field and we will plant clover to feed the cattle.

We want to keep the cattle out of the water, but fence locations could change. A dug well could be used to water the cattle. On point #6, the small pockets have some large oak trees. We want to make the property more scenic from Route 16.

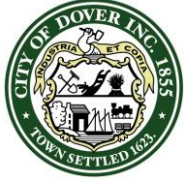
Bird: I would recommend that you not make any final decisions until the executor interest holders have made written recommendations. The City wants to have the Conservation Commission hold a public informational meeting where abutters would be invited to learn firsthand about the plans and have a chance to ask questions.

Matteson: We would be willing to host a neighborhood meeting at the farm stand and will coordinate a letter to be sent to abutters. I have a list of abutters.

Gasses: I think you could have your neighborhood meeting at the farm first and then we could have the meeting on the 28th.

Matteson: What do you mean by monitoring?

Gasses: Bird should check with Dean Peschel to see what he would recommend for testing protocol. We will wait to see what you come up with for a meeting at the farm and will coordinate with Bird on the 28th meeting.



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- C. City of Dover Conditional Use Permit for Aimee & Jeremy Dion, Assessor's Map 40, Lot 12, zoned R-12, located at 3 Earle Street.

Aimee Dion was present to explain the proposal to construct a 482 sq. ft. addition to a house that would be no closer than 50 feet to Willand Pond, in the Conservation District. The addition comes no closer to the pond than the existing house. Their lot abuts a City owned parcel. We are staying 15 feet from the side lot line. I am working on finalizing the Shoreland Permit for submission to DES.

Houle: What is the number of bedrooms?

Dion: We are adding two small bedrooms but also taking one away, so we end up with three bedrooms. The septic system was replaced two years ago and can handle four bedrooms.

Houle: I would like to see erosion control in place during construction.

Gasses: This is a modest sized addition on a lot that is good sized for the neighborhood.

Houle made a motion to endorse the application with the condition that erosion control using best management practices be used during construction, Quisumbing-King seconded. Vote: Unanimous

- D. NHDES Wetlands Permit Amendment for Summit Land Development, Assessor's Map K, Lot 19, zoned ETP, located at Thornwood Lane.

Eric Weinrieb and Chad Kageleiry were present to explain the proposed amendment to Wetland Permit #2007-00288 to modify design of 2 stream culverts to allow for wildlife and aquatic life passage and reduce wetland impacts by 1,763 sq. ft.

Weinrieb: This an active permit that was extended. We are downsizing the culverts that were originally approved and they will be box culverts to support the migration of wildlife. We met at the site with Fish & Game and this is what they agreed to.

Houle: It is my understanding that arch culverts are better for wildlife.

Kageleiry: Not according to the Fish & Game on site.

Weinrieb: We something in writing from Fish & Game that I get you.

Houle: What kind of wildlife is it good for?

Weinrieb: Primarily eel and turtle. The smooth bottom is preferred.

Gasses: Why did you propose the change in culverts?

Kageleiry: We were doing a value engineering analysis and found that they were over designed.

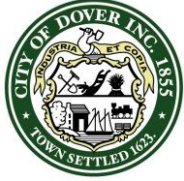
Houle: What is the full bank width of the stream?

Weinrieb: Upstream is a 30" culvert that is not changing. There is very little increase in impervious surface on the entire site and very little treatment is required.

Joyce made a motion to endorse the application amendment with the condition that official correspondence from NH Fish & Game be supplied, Andrews seconded. Vote: 5 in favor, 1 abstained (Houle). Motion passes.

- E. NHDES Wetlands Permit Amendment for John Fritz, Assessor's Map 7, Lot 13-B, zoned R-20, located at 33A Boston Harbor Rd.

Zach Taylor was present to explain the proposed amendment to Wetland Permit #2010-03458 to change the location of the dock ten feet to the south and reduce the impact area in Little Bay from



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360 sq. ft. to 320 sq. ft. The previous permit included rip rap for the shore which has been completed. The new owner wants to decrease the size of the dock so that he can remove it himself.

Gasses: I am glad to see the dock has moved away from the deck.

Andrew: What are the plans for installing pilings?

Taylor: There will be four pilings installed by barge.

Taylor: We are also looking for the Conservation Commission to agree to waive the 30 day appeal period. Both abutters have already done that.

Erickson made a motion to endorse the application amendment and waive the appeal period as requested, Quisumbing-King seconded. Vote: Unanimous

- F. NHDES Wetlands Permit and City of Dover Conditional Use Permit for the City of Dover, Assessor's Map I, Lot 2-G, zoned RM-SU, located at 50 Garrison Road. Proposal is to fill and stabilize three washed out ravines adjacent to the Garrison School play field. The total permanent impact to wetlands is 1,620 sq. ft.

Gasses: This agenda item was withdrawn by the City.

- G. NHDES Wetlands Permit and City of Dover Conditional Use Permit for the John Lomastro, Assessor's Map L, Lot 43, zoned R-20, located at 163 Spur Rd.

Tracy Tarr was present to explain the proposal that includes the addition of a permeable patio and associated retaining wall, permeable walkway, infiltration steps and landscaping. The total permanent impact to the Conservation District adjacent to the Bellamy River is 1,026 sq. ft., with 1,920 sq. ft. of temporary impact for construction access. There is no increase in impervious surface.

Gasses confirmed that the deck is staying but is being firmed up.

Tarr: We will be installing standard erosion control.

Houle: Do you have a dewatering plan for the retaining wall?

Tarr: Not planning for it but we could add temporary dewatering basin.

Houle: What are infiltration steps?

Tarr showed a detail depicting the steps.

Houle: Is there any impervious surface that is not directed to treatment?

Tarr: No.

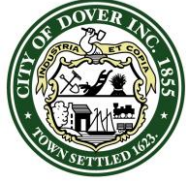
Houle made a motion to endorse the application with the condition that the dewatering basin be added, Quisumbing-King seconded. Vote: Unanimous

- H. Green Hill Road – Proposed conversion from Class VI Road to Class A Trail per RSA 231-A – Discussion of Conservation Commission being assigned management responsibility.

Bird distributed copies of a draft City Council resolution prepared by the City Attorney and a copy of RSA 231-A, related to Class A Trails. Road will be closed to prevent dumping of trash.

Gasses: I would not want to see the Conservation Fund used to clean up or maintain the road.

Joyce: Will it be gated on both ends?



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Bird: It would have to be or you could come from the Barrington end.

A discussion was held on if the Conservation Commission was the correct board for this responsibility.

Quisumbing-King motioned to decline the request to have the Conservation Commission take over the responsibility for the Class A Trail, Houle seconded. Vote: Unanimous.

I. Request for expenditures from the Conservation Fund for:

1. Cassily Parcel Field Mowing by Bob Sherwood Landscape Co.
2. Apple Harvest Day Expenditures for New Tent, OLC Brochure Printing and Booth Rental
3. OLC Request for \$600 for Natural Resource Assessment for Potential Easement Parcel

Bird explained that the City hires a local company to mow the fields on the Cassily property to keep the fields from being overgrown. The bill is in the amount of \$520. Bird reviewed the AHD funding request for a pop-up tent (\$175), brochure (\$250), and booth rental (\$75). Bird explained that the OLC is requesting \$600 to have a natural resource assessment prepared by a consultant for a property that is coming forward for a conservation easement.

Quisumbing-King motioned to approve the requested expenditures from the Conservation Fund, Erickson seconded. Vote: Unanimous.

4. REPORT FROM THE CHAIR

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

Bird explained that he drafted a letter to the HOA after consulting with the City Attorney that was mailed on July 1st. No response has been received as of this date.

5. OTHER BUSINESS

Bird reported that he had received a Permit by Notification from DES for 16 Leighton Road. The owner is replacing a generator and installing underground electric, with less than 100 sq. ft. of temporary impact.

The members discussed holding the extra meeting on July 28th. Bird has reserved the McConnell Center, room 306, which has air conditioning. It would be good for the neighborhood meeting on Tender Crop Farms.

Bird proposed holding the public hearing on the conservation easement at 6:00 pm and the neighborhood meeting at 6:30 pm. Notices will be sent out.

6. ADJOURNMENT

Quisumbing-King motioned to adjourn at 8:01 PM. Erickson seconded. Vote: Unanimous