

CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 11, 2015
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses (Vice Chair), Kristopher Houle, Richard Erickson, Tristan Donovan (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Dana Lynch, Anne Nichols, Tracy Degnan, Miles Cook, Chris Berry, others

The meeting was convened by Hunt at 5:32 PM.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Gasses moved to approve the April 13, 2015 minutes, Erickson seconded. Vote: Unanimous

2. OLD BUSINESS:

3. NEW BUSINESS

- A. City of Dover Conditional Use Permit for K-9 Kaos (Owner: Fastdogs Realty, LLC) Assessor's Map E, Lot 32, zoned ETP, located at 432 Sixth Street. Proposal is to construct a rain garden in a wetlands buffer, with 3,650 sq. ft. of impact.

Dana Lynch of Civilworks was present to explain the proposal, which involves the relocation of the rain garden to allow for the outdoor fenced area for dogs to be expanded. A lot line adjustment was done in 2013 to add land. The rain garden was built smaller than shown on the original plan. The purpose of wetlands is to act as a filter to purify water so this puts a wetlands in a wetlands buffer. The rain garden is designed to DES best management standards. At TRC more detail was requested on the planting in the rain garden. We were asked to move the rain garden to the east, but that is uphill and we didn't want to cut down trees.

Hunt confirmed that the building is unchanged.

Gasses: I am concerned with moving the fenced in area closer to wetlands due to dog waste.

Lynch: The rain garden will intercept that runoff.

Anne Nicholas: As the owner, I can say that we have a water management plan.

Houle: Did you do test pits and what are the groundwater elevations?

Lynch: We did test pits but I don't have the logs with me. Groundwater is about 2 feet below the surface. The bottom of the rain garden was held to handle the extension of the existing drain pipes at the correct pitch.

Houle: Why not pull the rain garden to the north to the edge of the fence to reduce buffer impacts?

Lynch: We could look at that.

Houle: I would like to see the test pit logs.

Hunt: How much could you reduce the buffer impact by redesigning the rain garden?

Lynch: Maybe by 30 to 40 percent.

Donovan: I would like you to extend the rip rap to the bottom of the slope. What kind of infiltration will there be in the rain garden?

Lynch: The rain garden will infiltrate the 50 year storm before the water would spill over. We are correcting the undersized rain garden that were built.

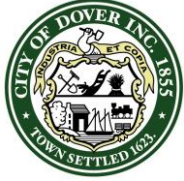
Gasses: I want to make sure the infiltration is not so fast that the benefits of cleaning contamination is lost.

Bird: How does the rain gardens work now?

Nichols: They have worked fine. During Irene was the only time it filled up.

Houle: You are very close to the water table. I am concerned that the rain garden will not operate correctly.

Donovan: If you move the rain garden you will have to cut more of an area.



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Houle made a motion to endorse the application with the condition that they relocate the rain garden closer to the fence line to minimize impacts to the wetlands buffer and provide test pit logs, Donovan seconded. Vote: Unanimous

- B. City of Dover Conditional Use Permit and NHDES Agricultural Permit for Rockingham County Conservation District (Owner: Luke & Kristina Paradis), Assessor's Map F, Lot 2, zoned R-40 & I-4, located at 180 Tolend Road.

Tracy Degan of the Rockingham County was present to explain that the proposal is to conduct work in wetlands to repair and improve three existing wetland/stream crossings for agricultural uses (3,366 sq. ft. of work in wetlands and intermittent streams). This land is under a conservation easement. We act as the landowner for all aspects of the project. We are doing best management practices to improve the water quality. We provide exclusionary fencing to keep the cows out of the streams. Plants have been added for habitat for New England cottontail.

Gasses: I have no issue with these improvements. It is a very thorough and complete application.

Hunt confirmed that the crossings are stone fords, not culverts.

Houle pointed out a reference to a culvert on one of the detail sheets that should be removed and recommended a non-phosphorous fertilizer be used.

Donovan: Is crossing #1 going through a wetland or a stream?

Degan: It is only a wetland.

Gasses made a motion to endorse both of the applications with a condition that the fertilizer be non-phosphorous, Donovan seconded. Vote: Unanimous

The Chair signed five copies of the DES Agriculture Permit and returned them to the applicant.

- C. NHDES Wetlands Permit for Miles Cook III, Assessor's Map M, Lot 90D-10, zoned R-40, located at 22 Isaac Lucas Circle.

Miles Cook was present to explain his proposal to install a dock, ramp and float adjacent to the tidal Piscataqua River, with a permanent impact of 600 square feet and temporary impact of 1,200 square feet. A dock was built in 2006 but it was too short to reach open water and the boat sits on the mud flats more than 50% of the time. DES denied a permit in 2012 due to the float system design and the impact on non-motorized boats. The pilings would be spaced wider than normal at 40 feet apart and the deck would be only 4 feet wide.

Gasses: The dock seems very long. What are other like in the area?

Cook: We looked at 18 docks that were permitted and built in the area and looked at total area of impact. DES doesn't regulate length.

Houle: I see your application references Rhode Island, how do they regulate length?

Cook described the RI rules and how they regulate length in two ways.

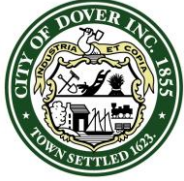
Hunt confirmed that the owner was a member of the Brickyard Estates HOA but not the dock owners association.

Cook: The jointly owned dock has only one boat slip to be shared by all owners. One other lot owner with river front has a dock.

Houle: How will the dock be constructed?

Cook: I will hire a local contractor and will likely use a barge because we have to install pilings.

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



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- D. City of Dover Conditional Use Permit for STF Development, Assessor's Map I, Lot 12, zoned RM-SU, located at 72 Durham Road/Clancy Drive.

Chris Berry was present to explain that owner has constructed a stone wall in a wetlands buffer, with 169 sq. ft. of impact. This project was before you previously for a CUP. These units have a first story deck a few feet off the ground with no access to the ground. During the process of preparing as-built plans, we discovered that a retaining wall was replaced by a sloped stone wall. The wall will be reinforced and the holes will be filled in. Roof runoff will be captured in a gutter and directed to a rip rap apron. The removal of the existing wall will cause more disturbance.

Gasses: I would like to see pictures of the stone wall.

Donovan: The proposed design changes will mitigate the impacts.

Bird: I had discussed the issue with Gretchen Young, Assistant City Engineer, and while she does not like to see after the fact permits, she agreed that the disturbance required to install the original wall would not be worth it.

Hunt: How did this happen?

Berry: I think there was a communication breakdown in the field.

Houle: Could you add a level spreader lip at the end of the rip rap to spread out the runoff?

Berry: Yes, with a narrow apron.

Houle made a motion to endorse the application with the condition that a level spreader lip be added at the edge of the rip rap, Erickson seconded. Vote:

- E. Preliminary Discussion with Chris Berry and River Valley Development Corp. regarding a proposal to build an office building with 10 residential units on a vacant lot off Central Avenue, owned by Gulf Landing Properties, LLC, Assessor's Map 38, Lot 9-A-2. Parking, drive aisles and drainage improvements are within the 50-foot wetlands buffer.

Berry explained that he had been before the Conservation Commission previously. The parking regulations are being revised to reduce the number of required spaces. We have obtained a lease agreement for 20+/- parking spaces on the Dover Bowl lot. We redesigned the plan to reduce wetland buffer impacts and change the driveways and rain gardens. We are proposing a buffer enhancement planting plan.

Donovan: I like the planting idea.

Houle: Make sure the rain garden will be able to handle all the flow.

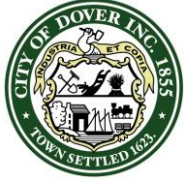
There was a general discussion about the improvements to the design.

4. REPORT FROM THE CHAIR

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

Bird reviewed the following letters from DES Wetlands Bureau:

1. Approval of Restoration Plan from NH Wetlands Bureau for the restoration of 4,220 sq. ft. pf the bank along the Cochecho River for First Street at Garrison, LLC at 100 First Street.
2. Approval of a Shoreland Permit for Robert Boucher at 54 Waterloo Circle and subsequent letter sent by Bird to owner and DES about the conservation easement in place that would not permit the patio.
3. Approval of a DES Wetlands Permit for a dock for Robert Boucher at 54 Waterloo Circle
4. Approval of an amended DES Wetlands Permit for Louise Kelley Estate at 31 Wentworth Terrace.



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B. Update on Timber Harvest by David Paolini at 195 Longhill Road

Bird explained that he and Anna Boudreau had inspected the timber harvest on April 23rd. The OLC is going to be meeting on May 21st with the owner and a neighbor who was concerned and Conservation Commission members are welcome to attend.

Gasses: I have talked with Anna about this and there will be an educational component to this.

C. E-mail from Chris Wyskiel of Washington Highlands regarding progress on management plan

Bird read e-mail he received from Chris Wyskiel that indicated they are making progress and will have something for the June meeting. Ron Hebert had requested to be removed from the agenda.

Houle: If they are going to submit a revised plan and map, maybe Mr. Hebert will wait for that meeting also.

5. OTHER BUSINESS:

Bird passed around a flyer for the Southeast Land Trust of NH Annual Meeting on Saturday, June 6th.

6. ADJOURNMENT

Gasses motioned to adjourn at 7:52 pm, Donovan seconded. Vote: Unanimous