



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, September 14, 2015
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Cora Quisumbing-King, Richard Erickson, Tristan Donovan, Michael Joyce

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Janet Gross, Suzi Strange, Charlie Alty, John Romps, Chris Wyskiel, Ron Hebert, Chris Berry, others

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

1. APPROVAL OF THE PRIOR MEETING MINUTES

Quisumbing-King noted on page 2, section 3-A, that she did not attend the site walk but Gasses did.

Quisumbing-King moved to approve the August 10, 2015 minutes as corrected, Erickson seconded. Vote: Unanimous

Hunt announced that Kris Houle has resigned due to a new job and his move to Massachusetts. He sends his best wishes to all members.

Bird: We now have one vacancy for a regular member and two alternate vacancies so spread the word if you know of anyone interested in joining.

2. OLD BUSINESS:

A. Review of Revised Conservation Land Management Plan with Representatives from Washington Highlands Homeowners Association/Morrison Lane

Chris Wyskiel: I am here to represent the HOA in the absence of Peter Beauregard and I am a unit owner. I have a series of aerial photographs from Google for 198 to 2015, showing the mowing history of the parcel. The photos were reviewed by members.

Hunt: Is this the plan the HOA wants to adopt as the final management plan?

Wyskiel: The HOA will adopt the plan formally once you approve. We will have to modify the paragraph of adoption on page 4.

Joyce: What are we being asked to do tonight?

Wyskiel: The plan is not mandatory so I don't think you have outright authority to approve or deny the plan. We are trying to work with you.

Joyce: Okay that is my understanding also.

Quisumbing-King: There were some pending items that Bird mentioned during the site walk in terms of area where mowing was not needed.

Bird: Those were areas near the bridge, but since there was only one member at the site walk, I don't know if there is consensus on that issue.

Hebert received permission from the Chair to speak.

Hebert: I sent in a letter and some photographs on August 17th, showing the damage caused by mowing. Did you all receive those?

Bird: The members received that information via e-mail prior to this meeting.

Hebert: The plan before you has never been voted on the members of the association. You never voted on the plan I submitted previously.

Bird: The commission received a letter from the HOA stating that Hebert was not representing the HOA anymore.

Wyskiel: I would represent that the plan before you tonight is the plan of the HOA.



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Bird: On page 3, paragraph 4, the term buffer is used in relation to the stream but no distance is specified.

Wyskiel: The whole property is conserved so a buffer is not needed.

Donovan: Is the stream subject to the state shoreland regulations?

Bird: It is not a fourth order stream, so no.

Hunt: What about trees that might grow up near the stream?

Wyskiel: Maybe we need to allow some tree removal in that circumstance.

Donovan: Trees will not grow in a wetland in the middle of a field.

Hunt: There are some mowers that use an arm to reach into areas where you don't want to drive a tractor.

Joyce: In paragraph 4, replace buffer with protection of stream and riparian areas. Add a new paragraph to require application of a native wetlands seed mix. We need some demarcation along the stream with stakes and flags to alert the person doing the mowing.

Hunt: The plan needs to be flexible due to changing weather conditions.

Donovan: If damages occur, like rutting and compaction, it needs to be corrected immediately.

Hunt: We would like to see the final plan with all the exhibits.

Bird: It would be good to have the affidavits signed. I would recommend that the HOA submit the final plan for the commission to take a vote on next meeting. Not so much to approve but to endorse.

Strange: We are having our annual meeting on September 26th so that timing would work.

- B. City of Dover Conditional Use Permit for River Valley Development Corp. (Agent: Chris Berry), Assessor's Map 38, Lot 9-A-2, located off Central Avenue. Proposal is to build an office building with 8 residential units on a vacant lot, owned by Gulf Landing Properties, LLC. Parking, drive aisles and drainage improvements are within the 50-foot wetlands buffer.

Chris Berry was present to explain the proposal for an office building with 8 residential units on a vacant lot, owned by Gulf Landing Property. Parking, drive aisles and drainage improvements are within the 50-foot wetlands buffer. The site walk was held on Thursday, August 6th. We went to TRC in September. We did a drainage analysis that showed that there is a large contribution area that can't be handled on-site. There were two issues brought up last month – dewatering of wetlands potential and going back to TRC. We are asking for an endorsement to have for the Planning Board meeting.

Bird asked about what communications they have had with Shaw's and their response.

Berry: I have been trying to speak with them for the last year and I finally received a response this week so I have sent them our plans and studies.

Joyce: Can we pass on the concern about the potential impacts on wetlands from dewatering caused by lowering the water table?

Donovan: There is nothing in the state or city rules that required a dewatering analysis.

Erickson made a motion to endorse the application, Donovan seconded.

Joyce wanted to propose an amendment to the motion related to the dewatering.

Joyce made a motion to amend the motion on the floor to add "with an observation that the potential exists that there might be a water table draw down that could impact adjacent wetlands", Quisumbing-King seconded. Vote on the amendment: 3 yes, 1 no (Donovan) and 1 abstention (Erickson), motion passes. Vote on original motion as amended: 5-0, motion passes.

3. NEW BUSINESS



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- A. Preliminary discussion on a NHDES Wetlands Permit and City of Dover Conditional Use Permit for Mark and Suzanne Jones (Agent: Chris Berry), Assessor's Map 11, Lot 14, located on Arch Street. Proposal is for a 12 lot Open Space Subdivision with wetland and 50-foot buffer impacts.

Berry was present to explain the proposal. It is a 12 acre parcel with one access point. It is 13 lots, not 12 as stated on the agenda. The OSS plan eliminates the major wetland crossing required by a conventional subdivision. There are wetland and buffer impacts. 250 square feet of wetlands impact and 7,980 square feet of buffer impact. We are trying to reduce impacts to abutters. We will prepare the CUP permit application and the State Wetlands Permit application for you to review next month.

Hunt: What about the buffer impact for the driveway to lot #13?

Berry: There will be a shared driveway to avoid impacts.

Hunt: Do all the houses comply with the wetland buffers?

Berry: All the houses meet the buffer requirements. If the board wants to see the site you should go before your next meeting.

The members discussed the need for a site walk and potential times and dates.

Hunt: The site walk will be Monday, September 21, 2015 at 5:30 pm.

Berry agreed to stake out the wetland and buffer impact areas.

- B. Request for expenditures from the Conservation Fund for expenses related to donation of land from John Valyo (Title search, current use penalty and partial property taxes).

Bird explained that John Valyo was donating a 78.17 acre parcel to the city for conservation purposes. The property is already preserved by a conservation easement to the Natural Resource Conservation Service. The city is interested in the parcel for the conservation values as Blackwater Brook runs through the parcel and for the future potential of municipal water supply. There are some potential closing costs even with a donation, such as title search, current use penalty fee and partial property taxes. The total of all closing costs could be as much as \$1,500 and since he is donating this parcel, we wanted to cover the expenses for him.

Joyce confirmed with Bird that there was adequate funding available in the Conservation Fund.

Erickson made a motion to approve an expenditure from the Conservation Fund to cover up to \$1,500 associated with the closing costs for the Valyo parcel donation, Quisumbing-King seconded. Vote: 5-0.

4. REPORT FROM THE CHAIR

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

Bird reviewed the following letters from the DES Wetlands Bureau:

1. Enforcement letter from NHDES for logging operation for Richard Kay at 45 Littleworth Rd.
2. Response to request for more information from NHDES for dock for Miles Cook at 22 Isaac Lucas Circle.
3. Response to request for more information from NHDES for dock for Bob Witkop at 17 Landing Way.
4. Restoration plan approval from NHDES for Tam and Nancy Doan at 16 Dover Point Road.

- B. NH Association of Conservation Commissions Annual Meeting – November 7, 2015 – Pembroke Academy



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Bird indicated that a save the date postcard was received for this conference. Let him know if you want to attend. Bird distributed a letter from the Association outlining their accomplishments over the last year.

Erickson: Please send us a reminder when you get the registration information.

5. OTHER BUSINESS:

Bird distributed a copy of an annual report from the Strafford County Conservation District and an annual report and newsletter from the Southeast Land Trust of NH.

6. ADJOURNMENT

Quisumbing-King moved to adjourn the meeting at 7:26 pm, Erickson seconded. Vote: Unanimous

DRAFT