



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, January 11, 2016
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses (Vice Chair), Michael Joyce, Tristan Donovan, Isaac Epstein (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Ben Clark, Frank Leichthammer, Jim Gove, Ari Pollack, Bob Clark, Alex Valais

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

1. ANNUAL NOMINATIONS AND ELECTION OF OFFICERS FOR 2016

Hunt: It is time to elect officers for this year. If you have any interest in being an officer, please indicate so now. I would be willing to serve as chair and Gasses has indicated that she would agree to serve as Vice Chair again. We do need to elect someone to serve as Secretary, which has been vacant since Chris Houle resigned. Donovan said that he would agree to that position.

Gasses moved to elect the following slate of officers – Hunt as Chair, Gasses as Vice Chair and Donovan as Secretary, Epstein seconded. Vote: Unanimous.

2. APPROVAL OF THE PRIOR MEETING MINUTES

Gasses moved to approve the December 14, 2015 minutes, Epstein seconded. Vote: Unanimous.

3. OLD BUSINESS:

- A. Request for Amendment to Timber Harvest Plan on Conservation Easement Lots – David Paolini, 195 Long Hill Road, Assessor's Map A, Lots 18M & 37. Original timber harvest plan approved on 11/13/12. Conservation easement (55.17 acres) held by Dover Conservation Commission. Tabled on 12/14/15.

Epstein moved to remove the application from the table, Gasses seconded. Vote: Unanimous.

Ben Clark of Berry Surveying was present and stated that they have been hired to prepare a plan and to delineate wetlands. A site walk has been done. Silt fences will be placed around each wetland area and no stumps will be removed from wetlands. Asked for the item to be continued until February.

Bird explained that he contacted Dave Price of the NH Wetlands Bureau and found out that you can't fill in wetlands to plant hay or Christmas trees and that stumping in wetlands is not allowed unless a permit is applied for. He also contacted Keri Neal, the District Conservationist for Rockingham and Strafford counties and found out that a conservation plan is not required unless the landowner is participating in a USDA administered program.

Epstein moved to table the application, Donovan seconded. Vote: Unanimous.

4. NEW BUSINESS

- A. NHDES Wetlands Permit by Notification for Frank Leichthammer at 15 Cote Drive, Assessor's Map L, Lot 58G, zoned R-20. Proposal is to repair an existing dock and install four new piles in the tidal Piscataqua River, with a temporary impact of 8 square feet.



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Leichthammer was present to explain that he is proposing to repair an existing dock and install four new piles in the tidal Piscataqua River, with a temporary impact of 8 square feet. Riverside and Pickering Marine Contractors will do the work from a barge.

Donovan confirmed that the dock size and location will remain the same.

Bird confirmed that the four piles to be replaced are the ones shown in the picture.

Gasses made a motion to endorse the NHDES Wetlands Permit by Notification application, Joyce seconded. Vote: Unanimous

The Chair signed three copies of the application and returned two copies to the applicant.

- B. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Vitas Management and Development Company, LLC (Owner: Profero Management and Holdings, LLC), (Agent: Gove Environmental Services, Inc.), Assessor's Map 11, Lot 2, located at 181 Silver Street.

Bob Clark and Jim Gove were present to explain the proposal for a non-residential development with a wetland impact of 24,454 square feet. The proposed compensatory mitigation is an In-Lieu-Fee payment into the Aquatic Resource Management Fund (ARM Fund).

Clark: We received two variances from the ZBA. We have been to the TRC last week and are working to revise the plan to address some of the comments received. We have to raise the site elevation to get the drainage to work. There is a lot of clay on the site.

Gove distributed an aerial photograph of the site and talked about the types of wetlands on the site. We stayed out of the larger wetlands that are more valuable in terms of form and function. Impacts are to some wetlands that were created by runoff from parking lots. He reviewed the functions and values of the impacted wetlands. No rare or endangered species were present. No eastern cottontail rabbits were found by Mark West.

Hunt: How much wetlands is being impacted?

Gove: About 24,000 square feet of wetlands will be filled. Some areas were disturbed many years ago.

Bird: Have you calculated the amount of wetland buffer impact? The state doesn't have buffers but Dover does. If the wetland is being filled in, you do not have to include that buffer area.

Clark: We can get you that figure. We have 12 acres of impervious cover on the site.

Bird: The applicants are looking for initial comments and feedback. You could go with the Planning Board on a site walk in February after the first public hearing.

Joyce: I want to see a plan showing the wetland buffer impacts and more information on the plans for handling storm water. Phasing plans would be helpful.

Gasses: Are you going to bury the building demolition or remove it off site?

Clark: It will all be removed off site.

Hunt: Are the wetlands impacted natural or created?

Gove: I think they are mostly not natural. The area looks like it was manipulated at some point. The area is too flat to be natural.

Hunt: What are your plans for changing the topography?

Clark: We are going to raise the site about three feet.

Clark reviewed the elevations proposed on the site plan.

Donovan: What is the elevation of the bottom of the rain garden?

Clark: It is about 87 feet.

Donovan: I am concerned about drawing down the water table of the adjacent wetlands.

Clark: These are perched wetlands. There will be no issues with the water table. We are filing a full AOT report and the City will be doing a peer review.

Hunt: Have you given any consideration for porous pavement?



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Clark: We are working on that issue with the city engineer.

Donovan: You could shrink the size of the detention basins and rain garden if you include some porous pavement as part of the plan.

Hunt: Could you explain the compensatory mitigation?

Gove: We had a preliminary meeting with DES, EPA and the Army Corps about this project. We first have to try to minimize the impacts and avoid to the greatest extent possible. The ARM fund payment is an option if you can't avoid all the impacts. The money goes to DES to be spent on wetland protection projects in the watershed. It is usually a timing issue for funding to be provided to the municipality instead of going into the ARM fund. The project has to be ready to go by the time the project starts.

Bird: What is the ratio of protected wetlands to impacted wetlands?

Gove: The DES rules require a minimum of 10 to 1, but the EPA is involved and they require 15 to 1.

Bird: I would like to explore the option of keeping the money in Dover to protect some conservation property that is under consideration, as long as it doesn't cause any delay.

Pollack: We are willing to work with you but we do not want to have any delay in the project. We had asked Dover for any shovel ready projects but we were told that there were none.

Gasses: While Dover comes first, I will let you know that there is a conservation project in Barrington where the Southeast NH Land Trust is working to preserve a large property. It is within the watersheds that would benefit Dover in the long run. It is ready to go and they are looking for additional funding.

Hunt: We will ask Bird to let us know when the site walk is scheduled and then put this item on a future agenda.

C. City of Dover Conditional Use Permit for Oak Bluff Realty (Agent: Berry Surveying & Engineering), Assessor's Map 40, Lot 38A, located at 56 New Rochester Road.

Ben Clark was present to explain the proposal to construct a parking lot, drainage and utilities within the Conservation District of Willand Pond, which is across the street from the subject parcel. Proposal will impact 1,000 sq. ft. within the Conservation District. The storm water will go to the rain garden in the rear of the lot. There will be no impacts to Willand Pond.

Joyce: How much of the existing area is impervious now?

Clark: The existing driveway is gravel. About 500 square feet is proposed, which will be the paved driveway.

Joyce: Is there any subsurface drainage proposed?

Clark pointed out the drainage shown on sheet #4, including catch basins in the driveway and the rain garden. The erosion and sediment control plan was reviewed.

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

5. 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. Restoration plan monitoring report approval from NHDES for Tam and Nancy Doan at 16 Dover Point Road.
2. Response from Louis Berger Group to NHDES for Whittier Street Bridge for City of Dover.

6. OTHER BUSINESS:

7. ADJOURNMENT

Gasses moved to adjourn the meeting at 7:00 pm, Donovan seconded. Vote: Unanimous