

Parker, Christopher G.

From: Diers, Ted <Ted.Diers@des.nh.gov>
Sent: Tuesday, July 05, 2016 4:00 PM
To: Parker, Christopher G.
Cc: Soule, Sally
Subject: RE: Berry Brook

Chris,
Thanks for sending that along.

We have reviewed Dover's new municipal stormwater regulations. The regulations require the use of low impact development (LID) approaches to limit development footprints, preserve natural vegetation, and mimic natural hydrology. For example, a setback requirement in the regulations helps keep development away from waterbodies. Additionally, the regulations require the use of innovative stormwater control measures, such as rain gardens, to remove pollutants and increase infiltration. Strict limitations on impervious cover (IC) are imposed for new development and re-development. Limiting IC and managing stormwater runoff from developed areas are important strategies for protecting sensitive waterways. The regulations also include provisions for management of salt and other de-icing materials – a critical step toward keeping chlorides out of nearby waterbodies.

Dover's stormwater regulations are impressive and consistent with the Southeast Watershed Alliance's Model Stormwater Standards for Coastal Communities. The model standards were developed to provide standard and effective levels of stormwater management and water quality protection within the region. Local water quality experts agree that the SWA model ordinance provides a solid foundation for ensuring that communities adopt regulations that are protective of water quality and quantity (http://southeastwatershedalliance.org/wp-content/uploads/2013/05/Final_SWA_SWStandards_Dec_20121.pdf). In addition, Dover's regulations are triggered at a lower threshold of development impact area than state requirements (20,000 SF vs. 100,000 SF).

Effective stormwater management is accomplished by limiting land disturbance, slowing down the flow of stormwater to maintain peak flows and increase infiltration, and treating stormwater on-site to maintain and protect the quality of receiving waters. In our opinion, Dover's regulations fulfill these core principles. In short, the City has adopted cutting-edge ordinances designed to be protective of water quality and quantity.

Your email specifically referenced Berry Brook. Both the state and City have invested a great deal of time and money in the restoration of the Berry Brook watershed, and it is a success story of effective collaboration. The successful implementation and enforcement of this new ordinance should provide adequate protection of water quality in Berry Brook. It will also provide an excellent example of ways that in-fill development can occur in the least impacting manner.

Please let me know if you wish to discuss this further.
Ted

Ted Diers, Administrator
Watershed Management Bureau
NH Department of Environmental Services
PO Box 95
Concord, NH 03302-0095
603-271-3289

From: Parker, Christopher G. [C.Parker@dover.nh.gov]
Sent: Wednesday, June 29, 2016 4:14 PM
To: Diers, Ted
Subject: Berry Brook

Good afternoon Ted,

I hope this email finds you well.

I wanted to connect relative to some concerns raised by abutters to a proposed rezoning of land at the corner of Glenwood Ave and Central Ave. The resulting project will be adjacent to the Berry Brook here in Dover, and as I understand it the abutters have expressed concerns to you that this redevelopment will lead to potential impairment of the brook. I'd like to chat with you about that, and how I believe that the City's stormwater regulations (attached) which are based upon the model developed by Jamie Houle and Julie LaBranche as part of the Southeast Watershed Alliance, should allow us to expect that all stormwater will be correctly treated and discharged. Furthermore, I believe that the regs give the City the means by which we can hold the developer accountable for the stormwater discharge and protect the Brook.

I'd like to chat with you about this further and get your feedback. Please let me know if you have time over the next week to connect.

Chris

Christopher G. Parker, AICP
Assistant City Manager: Director of Planning and Strategic Initiatives City of Dover, NH
288 Central Avenue
Dover, NH 03820-4169
e: c.parker@dover.nh.gov<mailto:c.parker@dover.nh.gov>
p: 603.516.6008 f: 603.516.6049

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Parker, Christopher G.

From: Houle, James <James.Houle@unh.edu>
Sent: Tuesday, July 05, 2016 8:07 AM
To: Parker, Christopher G.
Subject: Re: Dover Stormwater

Dear Director Parker

Thank you for your letter. I have not fully reviewed the city's development regulations but agree with your interpretation of Dr. Ballesteros's letter. All developments are site specific. The Berry Brook watershed is impaired for aquatic life use (it has a very low population of aquatic insects that are normally present in clean water) and secondary contact (the brook also has high amounts of *E.coli* bacteria during heavy rain events). In these instances proposed developments should take measures to ensure that their project's do not add to the existing causes of the impairment which in this case is primarily due to stormwater.

We have been working with city personnel over the past eight years to correct historic problems associated with development with lack of proper controls. Our approach is simple: reduce the amount of run-off that reaches the brook untreated, and return the brook to its natural flow patterns through the implementation of green infrastructure (filtration and infiltration practices) which mimic the pre-development hydrology.

Any new development, or redevelopment in the watershed should implement a comprehensive stormwater management strategy to do the same.

A benefit to the close partnership UNHSC and the City have forged over the years is that we get to work directly with City staff. Gretchen Young has been our engineering contact with the City for a number of years now. She is extremely qualified and has helped the Berry Brook project implement improvements that are more effective and economical. The City and the health of its water resources are best served by highly qualified and professional staff such as Ms. Young who understand the issues with respect to stormwater management and how best to address them.

Sincerely

James Houle
UNH Stormwater Center
603-767-7091
james.houle@unh.edu

From: Parker, Christopher G. <C.Parker@dover.nh.gov>
Sent: Thursday, June 30, 2016 12:22 PM
To: Houle, James
Subject: FW: Dover Stormwater

Good afternoon Dr. Houle,

I am following up on the email conversation with Dr. Ballestero.

Would you be willing to comment on the email below, and/or draft a response to me before next Wednesday?

Chris

Christopher G. Parker, AICP
Assistant City Manager: Director of Planning and Strategic Initiatives
City of Dover, NH
288 Central Avenue
Dover, NH 03820-4169
e: c.parker@dover.nh.gov
p: 603.516.6008 f: 603.516.6049

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From: Parker, Christopher G.

Sent: Wednesday, June 29, 2016 4:04 PM

To: 'tom.ballestero@hnu.edu'

Subject: Dover Stormwater

Good afternoon Dr. Ballestero,

I hope this email finds you well. I am following up on the phone message I left earlier today.

At last week's City Council meeting abutters to the proposed rezoning of the corner of Glenwood and Central Ave presented the attached letter from you. As I read it, the opening of the letter discusses the need for modern stormwater regulations to address stormwater runoff and ensure that post development conditions are equal to pre development. The next section of the letter reviews the need for the repair work on the Brook and the efforts which have taken place. The tone of the letter is to take caution and be aware of the impact development would have and to provide BMPs and design elements which would continue the present conditions, relative to stormwater. As I read it, the letter isn't anti-development, it is pro intelligent design solutions, recognizing the context of any project that occurs on the site.

I believe, as I read Dover's recently adopted storm water regulations, using the model Jamie Houle and Julie LaBranche drafted as a guide, that we have sufficient regulations in place. I believe that during the site plan process these elements would be addressed and that at the end of the day, we would expect any developer to provide for the continued success of the Brook.

I am writing to ask that you review our stormwater regulations (see attached). After your review, can you please comment back, on if you believe they are in line with your philosophy of development and the need to be mindful of the intended and unintended concerns of development – relative to stormwater. As I see it, if we have the regulations in place, and use them to guide technical review of a site, we have the tools to hold developers (here or anywhere in Dover) accountable for proper treatment of runoff.

I wanted to pass along as well, that the developer has offered to place a restrictive easement over the wetlands and non-developed portion of the site, in favor of the City, to prevent any future development, or encroachment. This would be above the City's restriction that no development occur within 50' of a wetland, without Conservation Commission and Planning Board approval. Furthermore, the developer, who is using TEC out of Hampton as his engineer, has offered to bring the Stormwater Center into the discussions if the rezoning is approved, and work with your team to ensure the infrastructure designs are complimentary to the Brook. They expect to use the same stormwater infrastructure that the team used on the Berry Brook project to treat the run off.

Any feedback you can give would be appreciated. I am discussing this topic with the City Council on July 6, and would like to share any feedback with them then.

Please feel free to call me back, if speaking on the phone is advantageous (516-6008).

Chris

Christopher G. Parker, AICP
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