



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Wednesday, February 22, 2017
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Tristan Donovan (Vice-Chair), Richard Erickson, Amy Kramer Perry, Steve Fellows

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Cory Belden, Chad Kageleiry, Steven Riker, Richard Friberg, Ken Anderson, Jim Mitchell, Mike Seekamp

The meeting was convened by Hunt at 5:35 PM. Hunt welcomed new member Steve Fellows.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Donovan moved to approve the December 12, 2016 minutes, Perry-Kramer seconded. Vote: Unanimous

2. OLD BUSINESS: NONE

3. NEW BUSINESS:

- A. City of Dover Conditional Use Permit for Summit Land Development (Agent: Cory Belden, Altus Engineering), Assessor's Map K, Lot 19-6, zoned RCM & ETP, located on Pointe Place.

Cory Belden and Chad Kageleiry were present to explain the proposal for the construction of an assisted living facility with grading, drainage outfall, driveway and storage shed in the 50-foot wetlands buffer. There is 9,000 square feet of wetland buffer impact, but no wetlands are impacted. Some of the buffer impact was approved by a previous CUP.

Kageleiry: The buffer has been previously impacted because it is the location of a municipal sewer line that is annually cleared of vegetation.

Donovan: What is the closest point of new construction to a wetland?

Belden: It is about 30 feet.

Donovan determined that the applicant was going to apply for an Alteration of Terrain Permit and would need to prepare a SWMPP.

The foot trails along the pond were discussed.

The height of the retaining wall was determined to be 7 ½ feet at its highest point.

Belden: The amount of buffer impact is about 9,000 square feet.

Donovan made a motion to endorse the City of Dover CUP, Erickson seconded. Vote: Unanimous

- B. NHDES Wetlands Permit for Norman and Beth Hildreth (Agent: Damon Burt, Fraggie Rock Environmental), Assessor's Map M, Lot 93A-1, zoned R-40, located at 5 Cullen Bay Road. Proposal is to add 490 s.f. to an existing house and add a 439 s.f. deck, 75 feet from the tidal Cochecho River.



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Bird explained that this item is being withdrawn because the applicant has already received the DES Wetlands Permit so it was unnecessary for the Conservation Commission to review.

- C. NHDES Wetlands Permit for Samuel and Jane Pollard (Agent: Steven Riker, Ambit Engineering), Assessor's Map 7, Lot 13C, zoned R-20, located at 33B Boston Harbor Road.

Steven Riker and Ken Anderson were present to explain the proposal to install a dock, consisting of a 4' x 30' fixed wood pier, a 3' x 20' aluminum ramp and a 6' x 20' float adjacent to the tidal Little Bay, with a permanent impact of 300 s.f.. Project also includes the replacement of an existing wood timber retaining wall, with 28 s.f. of permanent impact and 63 s.f. of temporary impact. The ramp and float are seasonal. Float stop is included to prevent float from resting on the mud at low tide. Work will be done by barge.

Hunt confirmed that the retaining wall will be constructed from the barge.

Anderson: We will use the crane but the workers will be on land. The retaining wall be pressure treated lumber.

The number of piers was discussed.

Donovan made a motion to endorse the NHDES Wetlands Permit application, Erickson seconded. Vote: Unanimous

- D. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Okad of Dover, LLC (Agent: Richard Friberg of TEC), Assessor's Map 37, Lots 35, 36, 37 & 38, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave..
- E. City of Dover Conditional Use Permit for Okad of Dover, LLC (Agent: Richard Friberg of TEC, Inc.), Assessor's Map 37, Lots 35, 36, 37 & 38, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave.. The proposal is for a retail development with an impervious cover of 50.6%, where 20% is allowed in the Secondary Groundwater Protection Zone.

Hunt: we will hear both these application together.

Richard Friberg, Jim Mitchell and Mike Seekamp were present to explain the proposal for retail development that impacts 2,850 s.f. of wetlands & 23,650 s.f. of wetlands buffer. A wetlands replication area of 5,700 s.f. is proposed.

Friberg: UNH and the city have done a project to restore Berry Brook and we are fully aware of the sensitive nature of the property. The UNH Stormwater Center is doing a peer review of the storm water. We are proposing a 2:1 wetland replication area to mitigate the wetland impact. 1.4 acres is being proposed to be placed in a conservation easement. We plan to clean up some fragmities on the site. The setbacks requirements limit building locations. The storm water treatment proposed is much better than exists today.

Seekamp: I delineated the wetlands last spring. The wetlands has an odd shape, likely impacted by the sewer line that runs through the property. These are not high functioning wetlands.

Hunt: Explain the large green area on the plan.

Friberg: That is a 1.4 acre area proposed as a conservation easement. We are expanding an existing wetland.



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Donovan: It looks like most the easement area is either already wetlands, has a sewer easement or is mostly undevelopable. It is not a very desirable area for natural resources.

Mitchell: It is a redundant protection.

Donovan: I like what you are doing with the storm water design and addressing our CUP criteria, but I don't see why the Conservation Commission would want the burden of the conservation easement.

Bird: I would recommend that instead of the conservation easement, which would place a long term monitoring burden on the City, you look at placing a deed restriction on that area.

Hunt: Describe the construction sequence proposed.

Friberg: The first thing would be the erosion and sedimentation control measures would be installed. We will need to file for an AOT permit from DES and prepare a SWMPP plan.

Seekamp: The wetlands created will be a brushy area that will provide good habitat.

Bird distributed a peer review letter from the UNH Stormwater Center that analyzed the drainage design, which contains a few recommendations.

Hunt: Have you seen and read the report from Dr. Houle?

Friberg: Yes we did receive the report this week and we are still analyzing the report and his recommendations. We will try to meet with him to discuss the report. At this point we don't see any major issues that we can't address.

Bird: Do you see any significant changes that would be required to the layout of parking, buildings, or any increase in wetlands impacts?

Friberg: It is still early to be sure but I can say that any changes we make will lessen the impacts. We realize that we have to address his concerns in order for us to get Planning Board approval.

Bird asked the applicants to explain how they are addressing the Groundwater Protection Ordinance requirements.

Friberg: By meeting the storm water regulations, which are very thorough, we are required to infiltrate the water into the ground, which helps with recharging the wells and meeting the intent of the ordinance and protecting groundwater.

Hunt: Where is the snow storage?

Friberg: We are using non-toxic ice treatment products to minimize impacts. There are snow storage areas on the plan.

Bird: The Planning Board held the first public hearing on this project last week and they decided they did not need to hold a site walk. So you can make a decision tonight if you have enough information.

Donovan made a motion to endorse the NHDES Wetlands Permit application, the City of Dover CUP related to wetlands, and the City of Dover CUP related to groundwater protection with the condition that the requirements of the UNH Stormwater Center review letter be adequately addressed by the applicant and that if there are any increases to impacts to wetlands, wetlands buffers or impervious surface, the applicant will have to return to the Conservation Commission, Erickson seconded. Vote: Unanimous



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F. Discussion on NH Fish & Game Request for Invasive Species Plant Control -Herbicide Treatment of Phragmites (Common Reed) on City Parcel (J-3) off Garrison Road.

Hunt explained that this request is similar to one that Fish & Game made in 2013 to use herbicide to treat the invasive species phragmites australis on a city-owned parcel off of Garrison Road.

Bird: This time they are asking for this year and the following years as necessary. Bird distributed a copy of the request letter and a follow-up e-mail Bird had written to Jim Oehler confirming that the treatment would be done by a licensed herbicide contractor, that the treatment would be done by hand not by aerial spraying and that they would obtain a permit from the NH Division of Pesticide Control. The City Manager is looking for a recommendation from the Conservation Commission.

Perry: What is left over for the herbicide after the plant dies?

Hunt: The herbicide is absorbed by the root system and that is why they apply it by hand.

Fellows made a motion to recommend to the City Manager approval of the proposed herbicide treatment of the invasive species phragmites australis on the city-owned parcel off of Garrison Road, Erickson seconded. Vote: Unanimous

4. REPORT FROM THE CHAIR

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

1. DES request for more information for Wetlands Permit for City of Dover for Dover High School.
2. Approval of DES Wetlands Permit for James and Karen Duffy for a dock permit at 536 Middle Road.

5. OTHER BUSINESS:

Bird passed around the 2016 Annual Report from Strafford County Conservation District. Bird distributed a summary of the January activities of the Dover land use boards which the Planning Department compiled. These will be distributed on a regular basis.

6. ADJOURNMENT

The Chair declared the meeting adjourned at 7:03 pm.