

Approved: August 8, 2007

**Hanover Conservation Commission
July 11, 2007 Meeting
Minutes**

Attending: Carpenter (presiding), Hogue, Mcllroy, Morris, White (recording), Baschnagel (Selectboard), Smith (Staff)

Meeting was convened at 5:15 p.m.

1. Minutes. Morris moved to accept the minutes of June 13, 2007. Mcllroy seconded. Passed unanimously.
2. Baschnagel reported that the Selectboard did abate the timber tax on timber harvested at the Town Forest.
3. Stewardship. a) Regarding the email that was sent from Barbara Mcllroy regarding invasives, and specifically the massive wild chervil on the golf course, Doug Mcllroy asked the Commission to recommend to the Girl Brook Committee that it be eradicated. Carpenter suggested first alerting Dartmouth to the problem via a letter which Smith will draft. b) Garlic mustard is spreading through hay bales used in development as seen at Wheelock Terrace and between the Richmond and Ray schools. The town should refrain from using hay bales and instead use straw bales. Baschnagel suggested writing a letter to the planning board to include in the site plan regulations. Mcllroy will provide the language. He will find out if it is possible to buy weed-free hay, as straw may be twice as expensive as hay bales. Smith will draft the letter.
4. Open Space. Morris said that there are several projects under discussion with the next steps in the hands of others but nothing to report. Baschnagel reported that one project under discussion, the Ruddsboro property, doesn't have waterfront access on the Lebanon part of the property.
5. Trails. a) Mcllroy would like the Commission to send a letter of endorsement to the Selectboard, which Smith will draft, naming the new trail at the top of Velvet Rocks Drive connecting to the AT in honor of the Boy Scout Troop that built it: Troop 45 Trail (or the troop's nickname if it is preferred). b) Mcllroy has written something to be read at Oliver Simpson's Eagle Scout ceremony on Sunday. Oliver's project was the Troop 45 Trail. b) Mcllroy will ask UNH for permission to move the trail by the television tower more in the woods and less on the road.
6. Stranded property. Property off Pleasant Street, owned by the Lewin family, is wet, steep, and thick with plants. There is little use for it. Smith will ask a land use attorney to begin a writ to quiet title which identifies and contacts the Lewin heirs to ask them to release any rights to the property to the Town so that the Town can own the land as everyone has thought.
7. Chieftain Dock. The applicant resubmitted the application on June 25. The Commission reviewed it in light of their June 14 memo to the Hanover Zoning Administrator. It was found that the resubmission addresses underlying concerns raised in points 1, 2, 3 (vehicle traffic, gasoline storage, removal and installation of docks), although the Commission may have preferred more specificity.
 - point 4, an accurate plan, has been given.
 - point 5, a full plan of the features needed to support the use of the dock as a rowing facility, has been addressed.
 - point 6, structural integrity -- more information has been provided but the Commission needs to discuss it further.
 - point 7, lack of information describing the necessity of two docks, has been satisfied but the Commission would have preferred to see a map.

-the last point, delineation of the setback with a low fence of vegetation, has been addressed.

Specifically, concerns are below, corresponding to each point on the Commission's June 14 memo:

1) wording is somewhat confusing. The motel must have a maximum number of cars allowed. Each boating vehicle takes two spaces. Is there enough parking area at the motel? There is concern that the stated contention to have parking in the upper lot be strictly adhered to. No parking and only essential vehicular traffic on the flood plain. The application is internally not entirely consistent in specific details, such as the anchors in image 3 and the diagram preceding it not being consistent. It raises questions about what's really happening. Suggest hiring CLD, or another engineering firm, to design the dock or state that the design looks stable.

2) Where will the gas for the chase boats be stored? Fuels and related petroleum products cannot be stored in the setback. Appropriate care must be taken in carrying gas to boats.

3) Leave submerged anchors of any kind in the water. Was the rowing dock illustration provided to the State? On the back of the Regate Dock Systems letter of 5.14.07: What are the pilings? Are they deep water hardware?

4) The Commission takes strong exception that some of the work has been undertaken without benefit of review by the town. There has been disturbance of soils in the setback.

5) The full plan of all the features needed to support the use of the dock as a rowing facility has been addressed.

6) The Commission has no professional knowledge or experience to verify the integrity of engineering of the dock system. There has been no third party professional opinion. The Commission would like an independent engineer to vouch for the proper engineering of the dock system on this stretch of the Connecticut River which is subject to regular variations of water level and flow.

7) Environmental impacts lessen with one dock, but the Commission can see the need for two docks to accommodate needs. Is there any concern that the sluiceway between the docks and the bank will erode?

The Commission acknowledges that the physical delineation has been shown on the map.

The Commission does not support the application but will submit the following comments to the Zoning Board.

1) the application is not entirely consistent. For example, there is some variation in the details represented in the drawings and those in the text, or between drawings and photos. This makes for confusion about what is actually and specifically proposed.

2) the applicant states that no driveway will be developed. The Commission understands this to mean that the applicant does not plan to make any improvements to create a driveway, or to extend the driveway currently leading downhill to the floodplain area. The Commission is concerned about regular vehicular use wearing "tracks" in the floodplain area. The Commission recommends that only essential vehicle traffic be permitted in the floodplain and waterbody setback areas.

3) the Commission recommends that the applicant diligently enforce the stated intention of allowing parking only in the existing parking area near Route 10. No parking should occur in the waterbody setback or floodplain areas.

4) the Commission recommends that the applicant be required to store fuel and related petroleum products outside of the waterbody setback and floodplain areas and that appropriate care be taken when transferring fuel to the docks and motor boats, in order to protect water quality.

5) the applicant has specified an annual removal and installation sequence for the docks. The Commission could not determine what the applicant meant in reference to deep "water hardware" and "piling loops". The Commission would like the submerged anchors to remain in the water to minimize the disturbance of the river bank and bottom.

6) the Commission takes strong exception to applicant's disregard for permitting in relation to the work that has already been done in anticipation of this project. Specifically, concrete blocks have been installed without the benefit of notice to abutters and application to and review by the Town. These were not a permitted feature of the previously approved bank stabilization project.

7) the applicant has not satisfied the Conservation Commission that the dock system as designed has structural integrity. The Commission notes that the only professional opinion about the adequacy of the dock and its anchor system is from the dock manufacturer. The Commission perceives a potential conflict of interest and believes independent professional opinion would be necessary for confident approval. The Connecticut River has strong currents and is unusual in the almost tidal effect of the water rising and lowering. Since there has been no independent professional judgment of the structural integrity, the Commission cannot offer an informed opinion and recommends that an engineer review the plans, both for environmental and safety concerns.

8) the Commission supports that the physical delineation of the waterbody setback and floodplain areas with a low fence or vegetation so that vehicles do not park in the setback or floodplain areas and do not routinely travel into these areas or onto the septic system.

This application has been particularly difficult to review and assess. The Commission understands that the applicant's interest in managing and representing the project. However, the project would have benefited materially had an appropriately qualified independent engineer been involved through the design and permitting process.

8. Trails. McIlroy and Larry Kelly of the Dartmouth Real Estate Office visited a section of the Girl Brook Trail that the Trails Committee would like to relocate. The normally wet section was dry on the day of the visit, so they agreed to look again when it is wet.

9. Morris moved and White seconded a motion to adjourn. Passed unanimously. The Commission adjourned at 7:05 pm.