



City of Keene, New Hampshire

AMENDED AGENDA

CONSERVATION COMMISSION

Monday, August 21, 2017

4:30 PM

**2nd Floor Conference Room
City Hall**

Commission Members

Thomas P. Haynes, Chair
Sadie Butler, Vice Chair
Councilor George Hansel
Councilor Jan Manwaring
Denise Burchsted

Andrew Madison
Brian Reilly
Eloise Clark, Alternate
Alexander Von Plinsky IV, Alternate

SITE VISIT: At 3:15 pm before the meeting, a site visit will be conducted at Kendall Road bridge over Black Brook, followed by a site visit of 55 Old Summit Rd.

- 1. Call to Order**
- 2. Minutes – July 17, 2017**
- 3. Communication and Notifications**
 - a) Kendall Road Water Main Replacement - Wetland Permit Application – City of Keene
 - b) 55 Old Summit Rd Detention Basin Maintenance - Wetland Permit By Notification Application – City of Keene
- 4. Request for Support of Letter Related to Upholding Federal Guidelines for ATV Use on NH Rail Trails – *Chuck Redfern***
- 5. Greater Goose Pond Forest Stewardship Plan RFQ Update**
- 6. Public Education and Outreach**
- 7. Aquatic Resource Mitigation Subcommittee Update**
- 8. Conservation Master Plan Retreat Discussion**
- 9. West Street Hydro Update**
- 10. New or Other Business**
- 11. Adjournment - Next meeting date Monday, September 18, 2017**

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, July 17, 2017

4:30 PM

2nd Floor Conference Room,
City Hall

Members Present:

Thomas Haynes, Chair
Sadie Butler, Vice Chair
Councilor Jan Manwaring
Councilor George Hansel
Andrew Madison
Brian Reilly
Denise Burchsted
Eloise Clark, Alternate

Staff Present:

Tara Kessler, Planner

Members Not Present:

Alexander Von Plinksy IV, Alternate

1) Call to Order

Chair Haynes called the meeting to order at 4:30 PM.

2) Approval of Minutes – June 19, 2017

Councilor Hansel made a motion to approve the minutes of June 19, 2017, which was seconded by Dr. Burchsted.

Dr. Burchsted noted the subcommittee is working on the “ARM fund priority list” not the ARM Fund itself. Chair Haynes noted on page 3/5 in the third paragraph it should read, “staff can only do so much.”

The motion to approve the minutes of June 9, 2017 carried unanimously as amended.

3) Communication and Notifications

a. Eversource Utility Maintenance Notification

Ms. Kessler noted this Commission has seen similar utility maintenance notifications from Eversource for different locations in the past year for work in the right of way. She noted there is a topographic map of the area in question in the meeting packet. While this Commission has no ability to intervene in these matters, they can provide comments if necessary. This right of way runs through the Greater Goose Pond Forest. Councilor Manwaring said these maintenance activities are usually messy, but perhaps that is how they are supposed to look like. She clarified that they are messy in terms of what they leave behind after their work. She said it looks like trees are being taken down, though perhaps they are not finished yet. Ms. Clark said similar maintenance took place on her property and they did leave a lot of trimmed trees, logs, etc. behind.

Ms. Clark asked what type of work is proposed by Eversource in the right of way. Ms. Kessler replied that to her knowledge it is routine clearing and maintenance but she will ask for further details from NH DES. Dr. Burchsted said it is hard to comment on this notification as the work described is so ambiguous. The Commission members agreed that given how often these notifications come before them, it would be nice to have clearer details on the nature of the maintenance taking place. It has been several years since Eversource made a presentation about maintenance to this Commission. Ms. Kessler will speak with the Wetlands Permit Liaison at NH DES to learn more about the Commission's role in providing comments on Utility Maintenance Notifications. She will get more details about this type of application, DES jurisdiction, and will ask Eversource to return and present to this Commission again on general maintenance practices in the right of way.

b. Kendall Road Water Main Replacement

There is still no update on this matter as the Wetland Permit application has yet to be submitted.

4) Greater Goose Pond Forest Stewardship Plan RFQ Update

Ms. Kessler reported the RFQ process has been closed with two applicants – NE Forestry Consultants and Moosewood Ecological. Interviews begin on July 18. If the selection Committee is satisfied with the top ranked firm, Ms. Kessler will seek permission from City Council to enter a contract with the chosen firm. Once approval is received, the City can move forward with cost negotiations and signing a contract.

There was a significant difference in scoring between the two submissions; one firm scored an average of 2 out of 5, while the other scored an average of 4.7 out of 5. The firm ranked highest is aware of the \$30,000 implementation limit approved by City Council for this project. There will be an update at the August meeting and by then a project schedule may be in place. The intention of the higher ranked firm is to start in late summer/fall providing a full year to sample in all seasons. The ideal end date for this project is July 2018. The higher ranked firm includes a forester and a trails consultant, who can specialize in recreational use of the forest.

A Steering Committee will be formed for this project at the discretion of the Mayor. The Commission has recommended Tad Lacey if he is willing to serve because of his experience with this project. It will be an Ad Hoc Committee so this Commission can still function separately and receive regular updates. Ms. Butler and Mr. Madison offered to act as Commission liaisons on that Committee. Ms. Kessler will pass those recommendations onto Mayor Lane.

5) Aquatic Resource Mitigation Subcommittee Update

Dr. Burchsted reported she has met with Barbara Skully and Ms. Clark. Additionally, she and Mr. Von Plinsky met with the Planning Director and the Director of Parks, Recreation and Facilities about possible projects in the City that align with the ARM Fund priorities. She said it seemed that different projects and ideas could be lumped into "target areas" within the City.

- Most Prominent Target Areas
 - Beaver Brook
 - There is interest from many here in terms of increasing flood storage and flood control. There are possibilities for wetland restoration and conservation, especially in Woodland Cemetery. There is also interest in Carpenter Field, which is already programmed in the Capital Improvement Program (CIP). Bridge replacements on the Brook are also

possibilities as infrastructure is important to the City and this would also contribute to improving flood water management and riparian zones. There are additional possibilities for restoration off Baker Street and several other small projects along the Brook.

- Ashuelot River Corridor
 - The West Street Dam
 - Land acquisition of the property behind Hannford's
 - Acquisition of land along Court Street that could help connect Tenant Swamp and Goose Pond
 - Work on Jonathan Daniels Trail water crossings
 - Possible culvert replacements
- Additional Possible Target Areas
 - Black and Hurricane Brooks
 - Among the highest priority for wildlife protection in the State
 - Fairly unprotected
 - Potential parcels for watershed protection along the brooks, less for restoration but to add to protected land near Stearn's Hill
 - Tannery Brook
 - A previous project created for restoration near Pearl Street

Dr. Burchsted will continue working with Mr. Von Plinsky and follow-up with the Planning Director, the Director of Parks, Recreation and Facilities, the City Engineer, and the Public Works Director. She hopes they can help designate projects of greatest importance to the City so she can come back to the Commission with a shorter list of possible projects. Once she has a more concise list, she will consult again with Lori Sommer at the NH DES ARM Fund and cross check with the CIP. She noted it makes sense to promote priority projects that are on both lists.

It came up again in these discussions that many parcels are zoned for conservation but are not permanently protected by Conservation Easements – Tenant Swamp, Beech Hill, etc. Dr. Burchsted said the Commission should be pursuing easements on those parcels to be managed by the Nature Conservancy or other organizations. Ms. Kessler provided an update on the Stacey Cole Trust – there is a deed restriction in place and the land cannot be developed.

Dr. Reilly commented that many parcels along the different brook watersheds are private landowner lots. Dr. Burchsted clarified they would just been looking at preservation along the river. Councilor Hansel added that many property owners along Hurricane Brook, for example, bought those parcels to contribute to conservation though they do not have formal easements. Dr. Burchsted said there was also conversation about the lower Ashuelot River areas at the edge of Keene into Swanzey.

Ms. Clark noted that a management plan was started for Beech Hill. Chair Haynes stated that the plan was completed by an Antioch student, though nothing has taken place in terms of implementation. Ms. Clark said if an easement was recommended in that management plan, this Commission can move forward on placing an easement at any time. Councilor Hansel cautioned against jumping into an easement without considering the other factors – cost, development pressure, etc. Councilor Manwaring added this has been a topic for many years because while parts of Beech Hill are not developable, there has always been pressure to place telecommunication towers there. Ms. Kessler added another consideration is that the City owns three parcels on Beech Hill so if easements were placed on those parcels, a different easement holder would have to be found such as the Nature Conservancy or the Society for Protection of NH Forests.

Ms. Clark acknowledged that while this is part of a long process, the Commission is empowered to make moves to start. Councilor Hansel said he would feel better having priority lists first so the Commission can objectively say a parcel meets priorities as one of the most at-risk places in Keene. Mr. Madison agreed an easement is a significant undertaking, especially with the high development pressure on the parcel in question. The Commission agreed to first develop a list of criteria for priority areas and then begin ranking and identifying those areas. Councilor Manwaring will do some research for the August meeting on possible criteria and this could be a part of discussion in the upcoming Conservation Master Plan Retreat.

6) Conservation Master Plan Retreat Discussion

At the last meeting two options were identified: hire a consultant to work with the Commission through the entire master plan process, including the retreat, or hire a consultant just to lead the retreat. The Commission agreed to move on this item sooner and all agreed Jeff Littleton is the ideal choice to hire and lead the retreat.

Councilor Hansel made a motion that staff negotiate with Jeff Littleton to facilitate the Conservation Master Plan Retreat, which was seconded by Mr. Madison and carried unanimously.

Ms. Kessler is unsure it will be possible to arrange the retreat by August, so it would more likely be September. Mr. Madison noted he has scheduling conflicts in September. Evenings that work best for the Commission include Wednesday, Thursday, and Tuesday after 6:00 PM. Ms. Kessler will move forward on this motion and coordinate with Mr. Littleton and the Commission to schedule the retreat.

7) New or Other Business

8) Adjournment – Next meeting date Monday, August 21, 2017

Hearing no further business, Chair Haynes adjourned the meeting at 5:18 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker

Reviewed and edited by,
Tara Kessler, Planner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management



Check the status of your application: www.des.nh.gov/onestop

RSA/Rule: [RSA 482-A/ Env-Wt 100-900](#)

<i>Administrative Use Only</i>	<i>Administrative Use Only</i>	<i>Administrative Use Only</i>	File No:
			Check No.:
			Amount:
			Initials:

1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to [Guidance Document A](#) for instructions.

- Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:
If mitigation is required a Mitigation-Pre Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if Mitigation is Required, please refer to the [Determine if Mitigation is Required Frequently Asked Question](#).

Mitigation Pre-Application Meeting Date: Month: ___ Day: ___ Year: ___
 N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: KENDALL ROAD		TOWN/CITY: KEENE	
TAX MAP: 131	BLOCK: 07	LOT: 108	UNIT: 0000
USGS TOPO MAP WATERBODY NAME: BLACK BROOK	<input type="checkbox"/> NA	STREAM WATERSHED SIZE:	<input type="checkbox"/> NA
LOCATION COORDINATES (if known): 42.943416, -72.321433		<input checked="" type="checkbox"/> Latitude/Longitude <input type="checkbox"/>	

4. PROJECT DESCRIPTION:
Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

TO REPAIR LEAKING WATER MAIN IN THE STREAM BED OF BLACK BROOK

5. SHORELINE FRONTAGE:
 NA This does not have shoreline frontage. SHORELINE FRONTAGE:
Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:
Please indicate if any of the following permit applications are required and, if required, the status of the application.
To determine if other Land Resources Management Permits are required, refer to the [Land Resources Management Web Page](#).

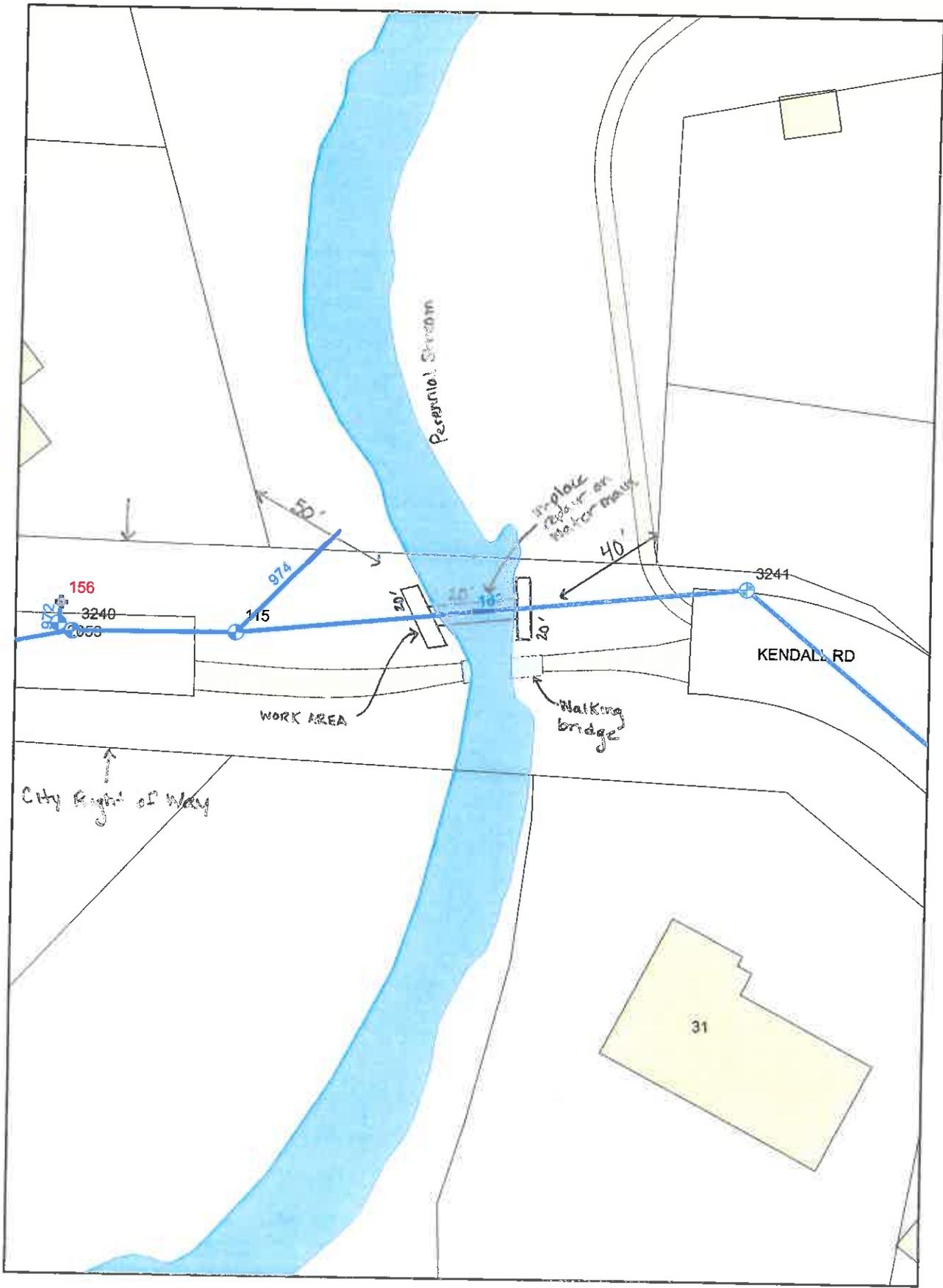
Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:
See the Instructions & Required Attachments document for instructions to complete a & b below.

- a. Natural Heritage Bureau File ID: NHB 17 - 1911
- b. [Designated River](#) the project is in ¼ miles of _____; and
date a copy of the application was sent to the [Local River Management Advisory Committee](#): Month: ___ Day: ___ Year: ___
 N/A

Need, Minimization, and Avoidance

1. In 1958, the town of Keene, NH installed water main under Kendall Road. When they approached the brook, they crossed the main through the river incased in concrete. The water main is now leaking chlorinated water into the brook and is need of repair.
2. This is not believed to be applicable as we are a municipality and the work will be completed by such. This will be an in-place repair. To reroute the water system would not be feasible and could leave residents without water for an extended period of time.





New Hampshire Natural Heritage Bureau

To: Ryan Kaulbach
350 Marlboro St
Keene, NH 03431

Date: 6/15/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 6/15/2017

VALID ONLY FOR NOTIFICATION OR MINIMUM EXPEDITED APPLICATIONS SUBMITTED TO
THE NHDES WETLANDS BUREAU

NHB File ID: NHB17-1911

Applicant: Don Lussier - City Engineer

Location: Tax Map(s)/Lot(s):
Keene

Project Description: Kendall Rd water main repair across Black Brook

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

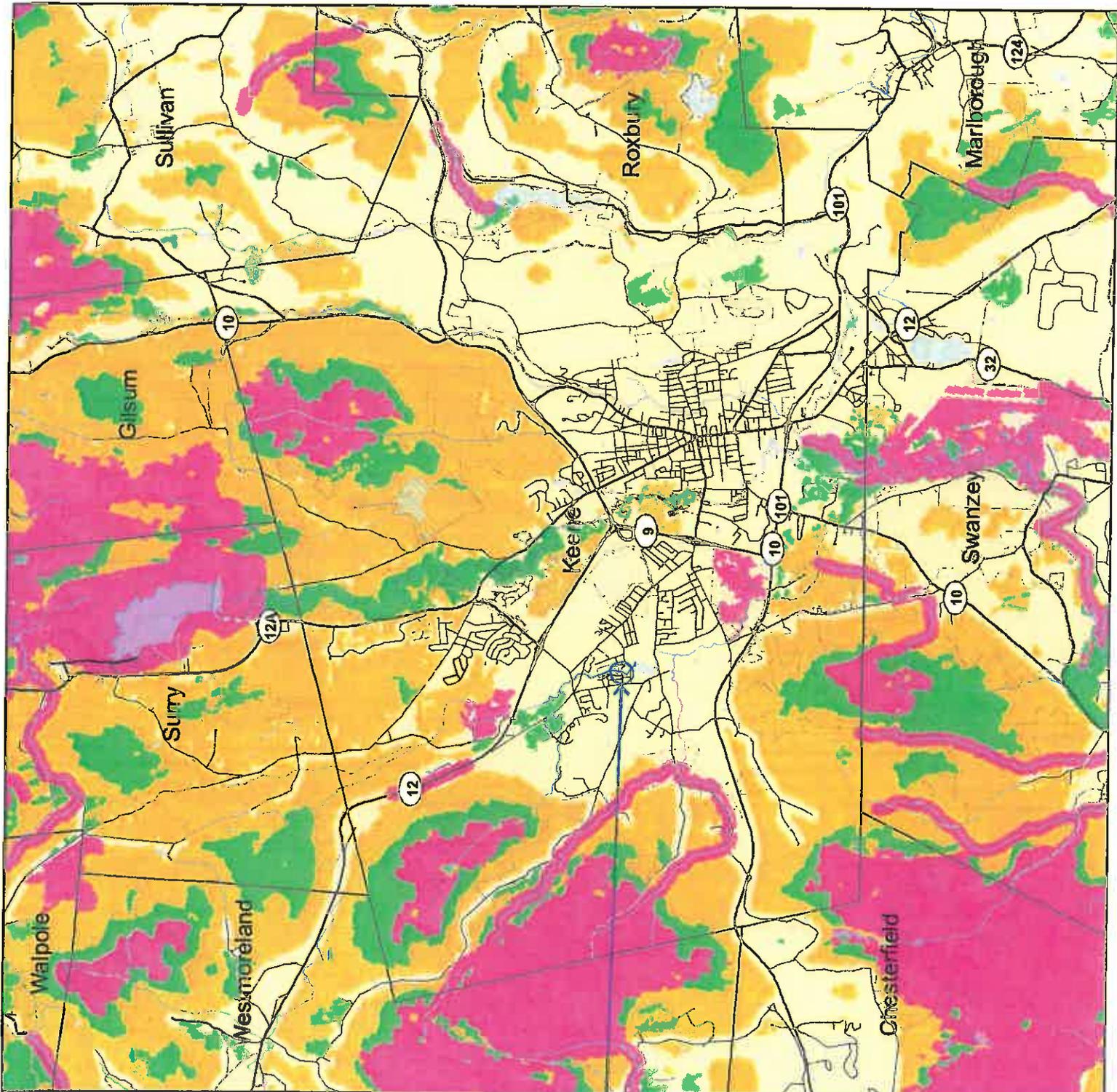
This report is valid through 6/14/2018.

2015 HIGHEST RANKED WILDLIFE HABITAT BY ECOLOGICAL CONDITION

- Highest Ranked Habitat in New Hampshire
- Highest Ranked Habitat in the Biological Region
Biological region = TNC ecoregional subsection for terrestrial habitats or Aquatic Resource Mitigation region for wetlands and floodplain forest.
- Supporting Landscapes
- Conservation or public

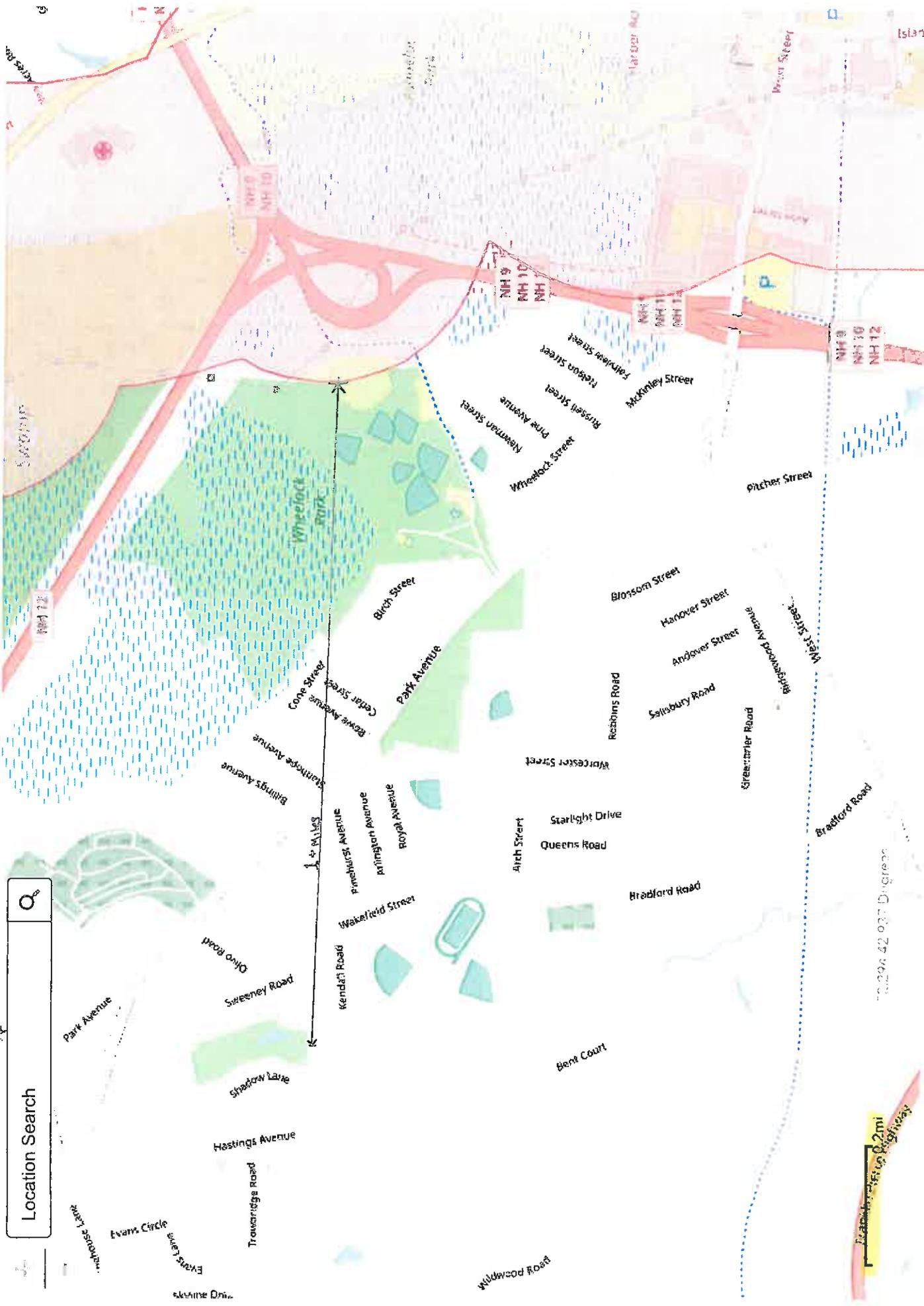
Area of proposed work

Base map data provided by NH GRANIT (2015)
Not intended for legal use.





Location Search



Scale: 1 inch = 0.2 mi







WETLANDS PERMIT BY NOTIFICATION (PBN)

Land Resources Management

Check the status of your submitted notification: www.des.nh.gov/onestop/index.htm



RSA/Rule: RSA 482-A/ Env-Wt 100-900

1. PROJECT TYPES

The PBN process is limited to the 14 project types listed below. Using the [Project Specific Criteria Documents](#), confirm your project proposal qualifies to use this Permit by Notification process and check the qualifying project type(s) listed below:

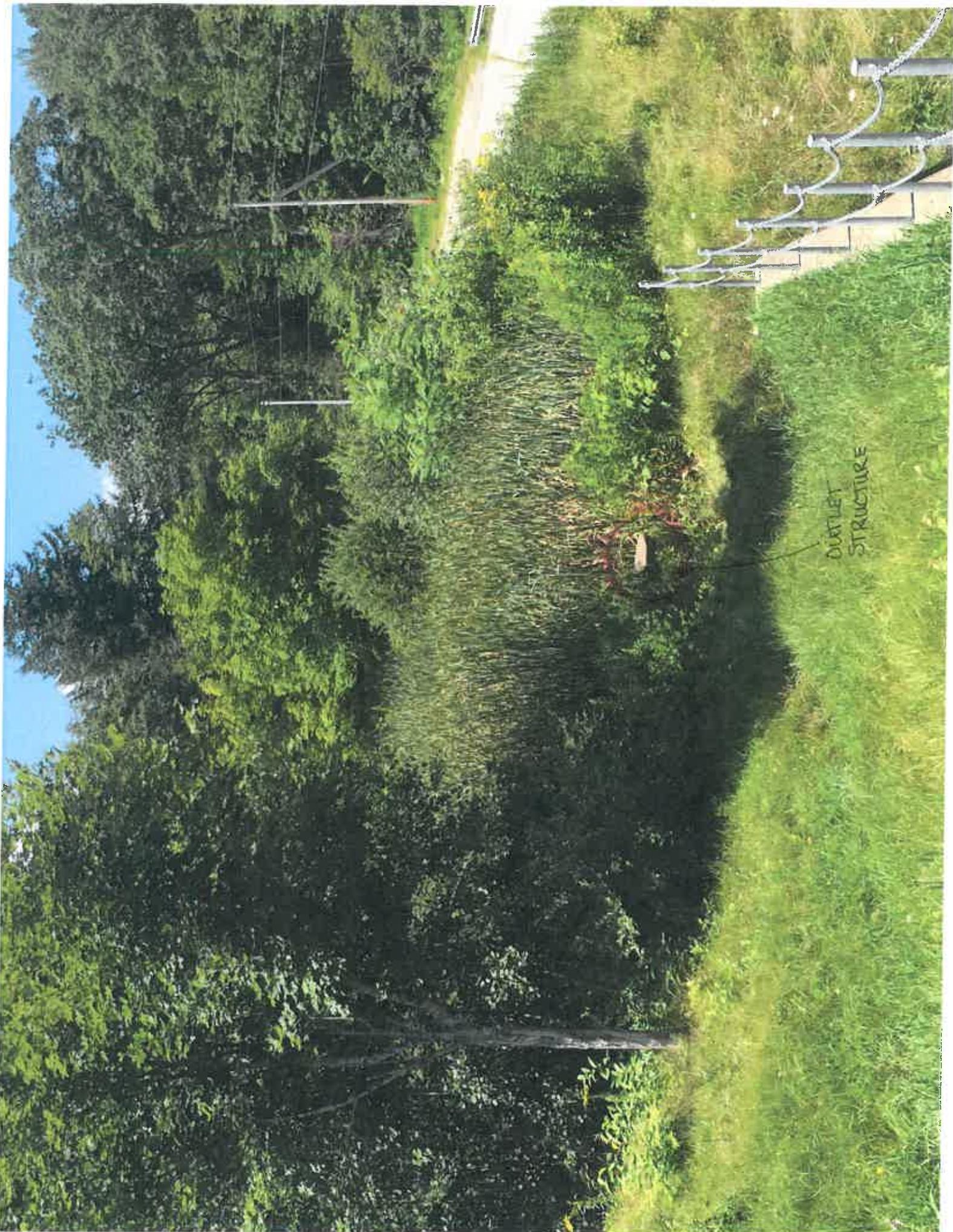
<input type="checkbox"/> 1	Freshwater Seasonal Dock: Construction or modification of a seasonal pier or wharf (dock), located on a non-tidal stream or river or in a lake or pond.	<input type="checkbox"/> 8	Culvert/Bridge Replacement: The replacement of a culvert/bridge on a watercourse with a contributing watershed less than or equal to 25 acres to permit vehicular access to one single family lot or for noncommercial recreational use.
<input type="checkbox"/> 2	Retaining Wall Repair and Replacement: Repair or replacement in-kind of a retaining wall (<i>in the dry during draw down</i>).	<input type="checkbox"/> 9	Beach Replenishment: Replenishment of an existing non-tidal beach with less than 10 cubic yards of sand.
<input checked="" type="checkbox"/> 3	Maintenance Dredge: Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways <i>Stormwater detention ponds, fire ponds, or agricultural ponds may be exempt from permitting pursuant to RSA 482-A:3, IV-b. See the project specific criteria document for further information.</i>	<input type="checkbox"/> 10	Seasonal Dock Anchoring Pad: Construction of an anchoring pad for a seasonal dock in non-tidal waters.
<input type="checkbox"/> 4	Temporary Cofferdams: Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. All work must be designed, and supervised by a professional engineer (PE).	<input type="checkbox"/> 11	Boatlift: Installation of <i>one</i> seasonal boatlift in non-tidal waters and not within 20 feet of abutter's property line.
<input type="checkbox"/> 5	Docking Structure Repair: Repair of <u>existing</u> tidal docking structures or repair of non-tidal docking structures.	<input type="checkbox"/> 12	Watercraft Lift: Installation of <i>one or two</i> personal watercraft lift(s) in non-tidal waters adjacent to a dock.
<input type="checkbox"/> 6	Dry Hydrant: For a dry hydrant ONLY, excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed.	<input type="checkbox"/> 13	Residential Utilities: Installation of a residential utility line. Stream impacts limited to a contributing watershed of 25 acres.
<input type="checkbox"/> 7	Maintenance of a Non-Docking Structure: Maintenance, repair or replacement of a non-docking structure.	<input type="checkbox"/> 14	Utility Right-of-Ways: Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right of way. <i>Use the Utility Maintenance Notification form for this project type.</i>

2. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:

Please indicate if any of the following permit applications are required and, if required, the status of the application.

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Permit Type	Permit Required	File Number	Permit Application Status
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Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED





OUTLET STRUCTURE





TO ROUTE 12

TOWN LINE SURRY KEENE

EXISTING OUTLET STRUCTURE
OLD SUMMIT RD

2000 FT²
DETENTION BASIN
FILLED W/ VEGETATION
AND SILT. NEEDS TO
BE CLEARED AND
DREDGED

55

LANDFILL

