

**City of Keene**  
**New Hampshire**

**CONSERVATION COMMISSION**  
**MEETING MINUTES**

**Monday, May 18, 2015**

**4:30 PM**

**2nd Floor Conference Room, City Hall**

**Members Present:**

Thomas Lacey  
Matthew Walton  
Bill Fleeger (Arrived at 4:45 PM)  
Councilor Janis Manwaring  
Brian Reilly

**Staff Present:**

Rhett Lamb, Planning Director  
Kurt Blomquist, Public Works Director

**Members Not Present:**

George Hansel  
Thomas P. Haynes

**Others Present:**

**3:30 SITE VISIT – 3 Mile Dam**

**4:30 Regular Meeting**

**1. Call to order**

Mr. Lacey called the meeting to order at 4:33 PM.

**2. Minutes – April 20, 2015**

Councilor Manwaring made a motion to accept the minutes of April 20, 2015. Mr. Walton seconded the motion which carried unanimously.

**3. NHDES Permits & Surface Water Referral**

**a) Woodland Cemetery Restoration Project Expedited Permit**

Mr. Lacey referred the Committee Members to the agenda. Mr. Lamb stated that the city was not able to get extra funding necessary. He continued, stating that there were two phases to the project. Mr. Lamb stated that Area A included removing waste and Area B included establishing a new stream channel. He continued, stating that the project in Area A will occur. Mr. Lamb stated that a pre-proposal for Area B was submitted for the next round of funding. He continued, stating that the record will not include Area B for the permit. Mr. Lamb stated that the only environmental impact will be from the restoration of Area B to the wetland area. Mr. Lacey asked if the permit he signed will need to be revised. Mr. Lamb stated that he will find out more information on this inquiry. Mr. Lacey requested that the Committee give him permission to sign an updated permit if necessary. All Committee Members that are present agreed.

Mr. Lamb stated that the City will be going forward with the grant application for the project in Area B in the fall once the bids come back. Mr. Walton asked if a lot of work will have to be done to the wetland area. Mr. Lamb stated that most of the area where the stream will be directed is upland and most of the impacts to the wetland would be gaining access to it. He continued, stating the equipment gaining access would be a temporary impact.

**b) KEAP – Conditional Use Permit Referral**

Mr. Lamb stated that at the last meeting, the Committee asked to view the site although the Planning Board decided to move forward. He continued, stating that the Planning Board requested KEAP to have plantings between the buffer and the wetlands. Mr. Lamb stated that the buffer is required to be 75 feet but since the project will be built on a cut slope, one section will be within 40 feet of the wetlands. Mr. Lamb stated that there will be a minimum amount of impact on the wetland. Mr. Blomquist stated that the wetland is actually above the cut slope.

Mr. Lamb stated that trees will be cut to have access to the sun for the greenhouse. Mr. Reilly asked why there is a discussion of pests increasing with shrubbery in the plan. Mr. Lamb stated that KEAP is trying to minimize shrubbery in close proximity to the building which may affect the greenhouse and the crops. Mr. Lamb stated that the clearing around the building was to increase solar access. Mr. Lamb spread out a map of the building and pointed out the wetland for the Committee Members. He continued, stating that the upland area towards the North that would be affected and the trees would be cut down. Mr. Blomquist stated that the wetland is above the site and runoff would not be a major factor. Mr. Reilly asked what would be the difference in pests if the shrubbery was 10 feet or 40 feet away. Mr. Blomquist stated that the probability of pests and pollen decreases as distance increases.

Mr. Lamb stated that in order to not place a burden on the applicant, the Planning Board disconnected the recommendation from the Conservation Committee. He continued, stating that if the Planning Board waited, it would have postponed the applicant many months. Mr. Lacey stated that to postpone the Conservation Commission's opinion is not right especially if it is part of the process. He continued, stating that if it is part of the process and requested, then it needs to be there.

Mr. Walton made a motion to accept the item as informational. Councilor Manwaring seconded which carried unanimously.

**c) NHDES Permit by Notification – 3 Mile Dam Repair Road**

Mr. Lacey stated that there was a site visit. He continued, stating that an access road will be going across the brook. Mr. Lacey stated that there is a current bridge but because of the weight of the trucks- no one wants to go over it. Mr. Lacey asked if there are any additional comments.

Mr. Walton made a motion to authorize the Chair of the Conservation Commission to sign the NHDES Permit for the 3 Mile Dam Repair Road. Councilor Manwaring seconded the motion which carried unanimously. Mr. Tad Lacey then signed the Permit.

#### **4. City Council Referral – Stacey Ward Cole Trust**

Mr. Lamb stated that a deed has been added to the original packet and the image of the land is on pg. 38. He continued, stating that there are two separate parcels separated by the old rail line. Mr. Lamb stated that it is now owned by Fairpoint Communications and there are two areas of frontage. He continued, stating that on the uphill side there are two points of access. Mr. Lamb stated that it is a total of 85 acres. Mr. Lacey stated that it states 100 acres. Mr. Lamb stated that he will look into the exact size. He continued, stating that the intent is conservation. Mr. Walton asked if an easement is necessary for this to be conserved. Mr. Lamb replied that it would not be necessary because conservation is the intent from the gift. Mr. Blomquist stated that in order to change the status of conservation, legal procedures would have to take place.

Mr. Lacey asked if it is open space usage. Mr. Blomquist stated that the department in charge of maintaining this land has not been determined. Mr. Lacey asked if anyone has walked the property. Mr. Lamb stated that the City would do at least a Level 1 Due Diligence. Mr. Lacey stated that subject to that requirement, he is in favor of accepting this land. Mr. Walton asked if the land is worth the City taking it. Mr. Lamb stated that there is always a cost to maintaining land and it is likely a time cost. Mr. Lamb stated that most parcels that are accepted will require a grant to maintain. Mr. Reilly asked if property taxes are being taken. Mr. Fleeger stated that it looks to be \$5,000. Mr. Lacey stated that number is very high for current use status. Mr. Lamb stated that that the land is across the way from where Antioch University purchased a land and is adjacent to Beech Hill and a wildlife corridor. Mr. Fleeger stated that there also seems to be a watershed area as well.

Mr. Fleeger made a motion with a recommendation that City Council accept the donation subject to environmental review. Mr. Reilly seconded the motion which carried unanimously.

#### **5. Discussions**

##### **a) Beech Hill Master Plan update**

Mr. Lamb stated that this plan will be going forward to City Council on Thursday night, May 21, 2015.

##### **b) West Street Hydro update**

Mr. Lamb stated that staff is currently working with a consultant. Mr. Blomquist stated that this is one of the projects that Ms. Purinton was working on and will be distributed to other staff.

#### **6. Communications**

##### **a) ARLAC – request for donation**

Mr. Lamb stated that this is in the agenda packet. Mr. Fleeger made a motion to approve the donation of \$100 to ARLAC. Mr. Lacey seconded the motion which carried unanimously.

## **7. Reports from Committees / Liaisons**

### **a) SWPO Amendments Subcommittee Report**

Mr. Walton stated that there was a recommendation to amend the Surface Water Ordinance and remove Exemption Item G. He stated that it may be best to wait until all Committee members are present. Mr. Lacey suggested that Committee Members review Item G. Mr. Blomquist stated that a lot of these rights were purchased by the City. Mr. Lacey stated that he would like to review the agreement with Beaver Brook and the Army Corps. Mr. Lacey stated that it should be discussed at the Sub-committee Meeting. Mr. Lamb stated that it is important to hear Mr. Blomquist's view on it. Mr. Lamb stated that he will set up the Sub-committee Meeting.

## **8. Staff Updates**

Mr. Lamb stated that Ms. Purinton is no longer on staff and approval for solicitation of this position has been approved.

## **9. New or Other Business**

The retreat has been moved to June. Mr. Walton stated that the recommendations at the end of the document are great.

## **10. Adjournment – next meeting date Monday, June 15, 2015**

Meeting adjourned at 5:18.

The retreat to follow regular meeting in the 2nd Floor Committee Room.

Respectfully submitted by:  
Lana C. Bluege, Minute-taker  
May 18, 2015  
Edits, Lee Langella