



**City of Keene, New Hampshire**

**AGENDA**

**CONSERVATION COMMISSION**

**Monday, June 18, 2018**

**4:30 PM**

**City Hall  
2<sup>nd</sup> Floor Conference Room**

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**Commission Members**

Thomas P. Haynes, Chair  
Brian Reilly  
Councilor George Hansel  
Alexander Von Plinsky, IV

Andrew Madison, Vice Chair  
Denise Burchsted  
Eloise Clark  
Art Walker, Alternate  
Kenneth Bergman, Alternate

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1. Call to Order
  2. Minutes – April 16, 2018 and May 21, 2018
  3. Communication & Notifications
  4. Updates
    - a) Request for City's Top 10 ARM Priority Projects RE. Signal Mast Arm Sign Structures Project on NH Rt. 101/12/9 – NHDOT
    - b) Aquatic Resource Mitigation Fund Pre-Proposal
    - c) Greater Goose Pond Forest Stewardship Plan
    - d) Commission Functions/Roles
  5. New or Other Business
  6. Adjournment - Next meeting date Monday, July 16, 2018

**DRAFT**

**City of  
Keene  
New  
Hamps  
hire**

**CONSERVATION  
COMMISSION MEETING  
MINUTES**

**Monday, April 16, 2018**

**4:30 PM**

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

**Members Present:**

Thomas Haynes, Chair  
Andrew Madison  
Eloise Clark  
Brian Reilly  
Art Walker, Alternate  
Denise Burchsted  
Ken Bergman, Alternate  
Alexander Von Plinsky IV  
George Hansel, Councilor

**Staff Present:**

Tara Kessler, Planner  
Don Lussier, City Engineer  
Michele Chalice, Planner

**Members Not Present:**

**1) Call to Order**

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

**2) Minutes – March 19, 2018**

Councilor Hansel made a motion to approve the minutes of March 19, 2018 as presented. Mr. Reilly seconded the motion which carried unanimously.

**3) Communications & Notifications**

**a. Wetlands Permit Application – City of Keene Maintenance of  
Drainage Upgrades Along Ralston Street**

Don Lussier, City Engineer explained he was before the Commission last month regarding the drainage ditch work application. At that time he also provided an overview of the Ralston Street work. Mr. Lussier noted copies of the application were submitted to the Commission by Ms. Kessler. Mr. Lussier reiterated his overview of the project for Commission members not present at last month's meeting. In an attempt to address the frequent flooding seen around Winchester/Ralston Streets the City proposes installation of a 36-inch storm water

line from Ralston Street to the Ashuelot River; and a 24-inch line from the Ralston/Winchester Streets intersection up Davis Street. The piece the Commission will be most interested in is where it empties into the Ashuelot River. He reported a temporary bank impact of 73 square feet and 94 square feet below the ordinary water line. The embankment is riprapped below the ordinary high water line and the same material will be put back which is why we are calling it a temporary impact.

Ms. Clark asked if there was any cause to worry about impact of the amount of water to flow out of there; like erosion on the opposite bank. Mr. Lussier replied the width of the Ashuelot is such that it would not cause erosion on the opposite bank. All of this water flows through the KSC campus and goes to the Ashuelot River. We are adding capacity to get it out of that neighborhood a little bit. Our expectation is to stop the street flooding in maybe up to a 10-year storm event.

Mr. Walker asked if it was going down further to accommodate the pipe diameter. Mr. Lussier reiterated the system drains out through KSC campus and the existing 15-inch pipe starts at the bike path (high point); when you are draining it all the way back up to Ralston/Davis Streets neighborhood the whole system has to be a bit lower.

Councilor Hansel asked if other communities are doing anything to filter some of this storm water and in the future would we be able to retrofit any of that technology. Mr. Lussier reported there are systems that treat water at the discharge end. He explained he and Ms. Kessler have been discussing applying for some ARM funding for some of those systems. Instead of designing the system for a 36-inch pipe it would be designed for what is called the first flush; the first inch of rain would get treated through a system. These systems allow the sediments, floatable materials, and oil/grease to get trapped while the water continues on its way. Mr. Lussier also noted the consultant looked at other green systems that were not economically feasible.

Mr. Bergman asked for clarification on whether or not the water that exits this pipe upstream of the Winter Street Bridge includes some from the KSC campus as well. Mr. Lussier replied in the negative and provided a whiteboard diagram. He noted the installation of the bigger pipe is to improve the capacity not to eliminate the connection to campus (split flow).

Mr. Madison wondered if there were any longer term strategies to deal with flooding there; he shared what may be a 10-year storm today might be an annual storm 10-20 years from now. Mr. Lussier explained we used the Cornell Storm Water data for the analysis we did (most recent). He reiterated long term we have to find a way to manage it on our sites instead of just putting it into the street. Mr. Lussier noted the challenges as Keene is built on an ancient lake bed and people rely on dumping it into the street drains.

In response to Ms. Clark, Mr. Lussier explained this project does not include any filtration and will not be increasing negative elements into the Ashuelot. The

filtration discussion was talking about future projects; and Mr. Lussier was describing hydrodynamic separator systems. Mr. Lussier then explained how these systems function.

After Ms. Kessler explained the Commission's options Mr. Lussier said as the applicant he is here requesting the Commission authorize the Chair to sign the application so it can be put out as an expedited permit application. Mr. Lussier also noted the intent to get the work done while KSC is not in session.

Councilor Hansel motioned for the Conservation Commission to sign the application without comment. Mr. Madison seconded the motion which carried on a 7-1 vote. Ms. Clark voted in opposition.

**b. Otter Brook Master Plan Review- Army Corps of Engineers**

Ms. Kessler referred to the communication in the packet noting when the Army Corps enters the planning phase for the Master Plan they will keep this Commission in the loop. The Commission will be provided an opportunity to comment on the draft Master Plan when it is available.

**4) Aquatic Resource Mitigation Fund**

Mr. Von Plinsky reported the ARM Fund is accepting applications. He noted Commission discussions regarding potential projects. He distributed copies of his proposal entitled "Tenant Swamp Project", an opportunity to permanently protect more than 180 acres of wetland within the City. The map depicts three parcels; only parcels #1 and #2 are included in the proposal. Mr. Von Plinsky said should the Commission decide to move forward with this project a pre-proposal would need to be submitted by April 30<sup>th</sup>; which is non-binding. The actual proposal date is August 31, 2018. Mr. Von Plinsky presented the following questions.

1. Who will take up the easement? Monadnock Conservancy is the only realistic option reported by Mr. Von Plinsky.
2. If we were to get an easement donated and get funding what would the easement look like (currently part of Ashuelot River Park)? What uses are still available and who has responsibility for certain aspects of the property?
3. Is the City even interested in donating this easement?

Mr. Von Plinsky feels the upside of this project (permanently protecting almost 200 acres of wetlands) is really big. He also suggested connecting to parcel #3 which would be a big bonus.

Ms. Burchsted said she endorses Mr. Von Plinsky's idea; adding there is value in storing water- these sites provide a service we do not pay for.

Mr. Madison asked if parcel #3 was privately owned. Mr. Von Plinsky replied it is owned by Emily Shaw's family with oversight by the City. In response to Mr. Bergman, Mr. Von Plinsky said the parcel numbering is his means of identifying each one. Parcels #1 and #2 are currently City owned with a utility easement through them. Mr. Bergman indicated he could provide Mr. Von Plinsky three years of trail camp data for parcel #1. Mr. Von Plinsky noted this would be very helpful if the Commission decides to move forward with this project; he outlined the sales pitch to be utilized.

Playing the devil's advocate, Mr. Reilly affirmed most of this is wetlands. He then asked what is the likelihood anyone else would ever be interested in this area. Mr. Von Plinsky agreed that was a good question. He noted his motivation for this project is that he has been other places where land cannot be developed; until it does. Mr. Reilly then asked who would set the price. Mr. Von Plinsky indicated there were two ways this could go forward.

1. The City could sell the easement to an easement holder.
2. The City could donate the easement to an easement holder.

Mr. Von Plinsky continued the money we would be going after (ARM Fund) would pay for the administrative costs of that easement. Ms. Burchsted echoed the concerns about City land getting chipped away at. Ms. Burchsted reiterated the value of the project noting her support. Mr. Madison initiated a discussion regarding how City land gets chipped away at; the Middle School, the hospital, and the Eversource substation were mentioned.

Chair Hay asked Mr. Von Plinsky what the next steps would be if the Commission decided to go forward with this project. Mr. Von Plinsky reiterated his earlier comments regarding the pre-proposal submitted by April 30<sup>th</sup> and the actual proposal submitted by August 31<sup>st</sup>. Mr. Von Plinsky continued the pre-proposal is non-binding. He noted the actions that would take place and pointed out if Council is not interested then there would be no need to continue with this effort. Mr. Von Plinsky also explained once the actual proposal is submitted we would be competing against the rest of the watershed (from Lebanon to Hinsdale) for the money with a decision made in late fall.

Ms. Kessler reported she spoke with the City Manager who would like to see the Commission go before City Council after submitting the pre-proposal to gain their thoughts, input, and willingness to grant the easement. Ms. Kessler also explained the Commission would have to do the work to pull the application together and play a significant role in managing this grant. Questions the City Manager wanted to be clear on were:

- How this easement would impact the use of the land as it is today.
- How restrictions would impact the use of that land into the future.

As the discussion continued Councilor Hansel asked how much the administrative costs would be. Mr. Von Plinsky said he was advised that with a survey approximately \$50,000 to \$70,000 would be needed for the whole transaction, as a ballpark figure. Ms. Chalice asked if that included the monitoring funds; Mr. Von Plinsky replied in the affirmative. Ms. Chalice then asked if the easement would protect from future utility requests for additional land/disturbances. Mr. Von Plinsky said he feels it would. Ms. Clark commented we have a Conservation Easement on our land and we have a Right-of-Way that runs through it with power lines. Mr. Von Plinsky clarified the power lines were there before the easement was obtained. Ms. Kessler and the Commission members thanked Mr. Von Plinsky for his efforts.

There being no further questions or comments Chair Hay asked if the Commission wanted to move forward with the pre-proposal application.

Councilor Hansel moved to approve a pre-application to the ARM Fund for the Tenant Swamp Project. Ms. Burchsted seconded the motion which carried unanimously.

Mr. Von Plinsky said he would draw up the 1,000 word pre-application and obtain the USGS map. By consensus the Commission agreed to let the subcommittee review the draft. Mr. Von Plinsky said by the next meeting he would have a better idea of what the next concrete steps are.

Ms. Clark suggested the Friends of Open Space and the Ashuelot River Local Advisory Committee would be favorable to this proposal.

With a quorum still present Mr. Von Plinsky left the meeting at 5:22 PM.

### **5) Land Prioritization Criteria**

Noting this item was tabled at the last few meetings Chair Hay asked if there were any additional comments before approval.

Ms. Burchsted suggested adding vernal pools under section 1.c.

Mr. Bergman asked if it was premature to ask how such a list of priorities would be used. Councilor Hansel indicated it could potentially be used on several projects; this would be a guiding document for the Commission. Mr. Bergman continued its use would depend on the context we find ourselves in so this discussion is premature. Chair Hay explained the reasoning behind the development of the list. Mr. Bergman raised the question of weighing the properties which Chair Hay agreed was a good question. Ms. Clark added the Conservancy has a similar list and an evaluation committee. Ms. Kessler suggested it could also be used if the Commission is approached by an outside entity looking to give land to the City.

Councilor Hansel moved to adopt the City of Keene's Conservation Commission' Land Protection Criteria as amended; adding the vernal pools to section 1.c. Mr. Madison seconded the motion which carried unanimously.

Chair Hay said the next question is do we want a working group to look at this and City owned land for conservation easements. Ms. Clark suggested the Commission put its efforts towards Mr. Von Plinsky's proposal. Chair Hay and Ms. Burchsted agreed.

### **6) Updates**

#### **a. Greater Goose Pond Forest Stewardship Plan Update-**

Mr. Madison reported the group did meet but he was unable to attend. Ms. Kessler reported there was no quorum. Mr. Madison advised he will no longer be available to attend these meetings because of taking a new position. Ms. Kessler asked if there were any other Commission members interested in attending these meetings in Sadie Butler's position. She also noted Ms. Butler's resignation from the Commission. Ms. Kessler advised she needs a resignation letter from Mr. Madison and a letter of interest from Chair Hay and Ms. Burchsted if they are interested for approval by City Council.

Ms. Kessler reported there is a quorum available for the meeting tomorrow at 6:30 PM, at the Rec Center. A flyer was distributed for the Goose Pond Walks. Ms. Kessler reported there will be a presentation and opportunity for public input. The walks will take place April 28<sup>th</sup>, May 12<sup>th</sup>, May 26<sup>th</sup>, and June 2<sup>nd</sup>. Ms. Kessler noted she is looking for volunteers from the Commission to serve as an ambassador at each of the walks.

Volunteers are as follows:

- Mr. Madison – April 28<sup>th</sup>
- Ms. Burchsted – needs to confirm for May 12<sup>th</sup>
- Chair Hay – possibly May 12<sup>th</sup> and May 26<sup>th</sup>
- Mr. Reilly – possibly May 26<sup>th</sup> and June 2<sup>nd</sup>

Commission members agreed to check their calendars and advise Ms. Kessler of their availability.

**b. Commission Function/Roles**

Add to next meeting agenda.

**7) New or Other Business**

Ms. Burchsted reported some beavers have moved into the cemetery at Beaver Brook, and they are both: (a) restoring some really excellent wetland and riparian habitat; (b) about to cause serious havoc for the road and the cemetery. Ms. Burchsted is asking the Commission to consider investigating the use of Beaver Deceivers. Ms. Burchsted feels Skip Lisle, the Beaver Deceiver originator would be willing to visit Keene and assist with the research. Ms. Burchsted reported the water is running over the culvert and there is a risk to the road and graves.

Chair Hay asked which Department oversees these operations. Ms. Kessler replied Parks & Recreation. Not knowing if Andy Bohannon is aware of the situation Ms. Kessler advised she would forward Ms. Burchsted's email to him.

Mr. Madison reported the damage is more urgent than it sounds as he discovered when walking through the cemetery on Saturday. He noted the water is just a few inches from some of the graves. Although he thinks the Beaver Deceiver might be a good solution, Mr. Madison noted his concern with some of the bigger storms we may get and if we can keep up with incoming water. He and Ms. Burchsted agreed this is new beaver activity (late this fall). Ms. Burchsted echoed Mr. Madison's comments regarding the imminent damage. Mr. Bergman shared the beaver history at the cemetery.

Mr. Reilly asked had the budget to support this. No one present had the answer nor did anyone have information on the cost of the Beaver Deceiver. Ms. Kessler indicated she would report back on Mr. Bohannon's response to her email. Chair Hay suggested it might be beneficial to have Mr. Lisle come to Keene. Councilor Hansel said it would be nice to know how many wild animal removals the City actually does; Ms. Burchsted agreed.

Ms. Kessler reported with new staff in the office and varied responsibilities she will be transitioning away from the Commission. Michele Chalice will be her replacement.

Charles Daloz, of Keene said he wanted to make his usual pitch for an agricultural piece. Mr. Daloz posed two questions he would like the Commission's input on.

1. How much land needs to be in production to feed the City?
2. What is the interaction between the agricultural land use and conservation land use?

Chair Hay asked if Mr. Daloz was in the midst of a study. Mr. Daloz reported on the

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difficulty he has run into obtaining the necessary data. Ms. Clark suggested contacting the Cooperative Extension.

**8) Adjournment** - Next meeting date Monday, May 21, 2018

Hearing no further business, Chair Haynes adjourned the meeting at 6:02 PM.

Respectfully submitted by,

Mary Lou Sheats-Hall, Minute Taker

April 17, 2018

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

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

**Monday, May 21, 2018**

**4:30 PM**

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

**Members Present:**

Thomas Haynes, Chair  
Art Walker, Alternate  
Brian Reilly  
Alexander Von Plinsky IV  
George Hansel, Councilor  
Eloise Clark (Late)  
Andrew Madison (Late)

**Staff Present:**

Tara Kessler, Planner  
Michele Chalice, Planner

**Members Not Present:**

Denise Burchsted  
Ken Bergman, Alternate

**Call to Order**

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

**1) Minutes – April 16, 2018**

Councilor Hansel made a motion to table the minutes of April 16, 2018 until the June meeting. Mr. Reilly seconded the motion which carried unanimously.

**2) Communications & Notifications**

**a. Request for City's Top 10 ARM Priority Projects RE. Signal Mast Arm Sign Structures Project on NH Rt. 101/12/9 – NHDOT**

Ms. Chalice reported the NH Department of Transportation (NHDOT) is planning the subject project to replace signs at various locations in Keene. The project will replace three signal mast arm sign structures with cantilever sign structures on NH Route 9 westbound at the NH Route 101 intersection and NH Route 101 east/westbound at the junction of NH Route 12 and replace overhead signs on an existing sign structure on in NH Route 9 westbound at the junction of NH Route 12. All proposed work is within the state right-of-way. The Department's Bureau of Environment is in the process of evaluating the potential environmental impacts associated with the project.

As a proactive measure the Department would like to request a list of the City's preferred/priority mitigation efforts that the Department may evaluate and consider undertaking (if it is determined that the project does in fact require mitigation. Please let us know if your Town has identified such priorities. If it's determined that no viable options exist through the SPIP, the Department will pursue a payment into the Aquatic Resource Mitigation Fund (ARM Fund), at which time those funds will become competitively available through the ARM fund grant process.

As such, does the City have a list of priority mitigation efforts (Top 10 Priority List) that the DOT may evaluate and consider undertaking if it is determined that the project does in fact require mitigation.

May 21, 2018

Ms. Chalice reported the City Engineer does not anticipate mitigation will be required for the scope of this work. She noted the Commission's most recent list is dated September 17, 2017. Ms. Chalice is seeking the Commission's authority to send the list onto the City Engineer so he can send it along. Although this is a NHDOT project the list would go directly to NHDES.

As discussion continued regarding the 2017 list Ms. Kessler noted she was unsure if the Commission voted to adopt the ARM Fund list. Chair Haynes asked when the City Engineer needs this information. Ms. Chalice indicated no date was specified.

Chair Haynes suggested a more concise list was needed. As Commission members did not receive the meeting packet Councilor Hansel suggested waiting until the next meeting to vote on this issue. Chair Haynes suggested the subcommittee could meet and prepare a draft prioritized list to present at the June meeting. Ms. Chalice advised she will need the date of the subcommittee meeting so she can post the notice.

Commission members agreed to table this item until the June meeting.

### **3) Updates**

#### **a. Aquatic Resource Mitigation Fund Pre-Proposal**

Mr. Von Plinsky reported the preproposal was submitted and confirmation of receipt has been received. He noted they made recommendations on how we should proceed if we decide to proceed. Mr. Von Plinsky will forward the email to Michele for distribution. Mr. Von Plinsky added if the Conservancy is not interested in taking on the easement the project is essentially dead. He also noted there were 13 preproposal submissions in competition for the grant. It was determined this issue could also be discussed at the subcommittee meeting. Chair Haynes suggested adding it to their agenda.

Ms. Kessler thanked the subcommittee and specifically Mr. Von Plinsky for their work on the preproposal.

#### **b. Greater Goose Pond Forest Stewardship Plan**

Ms. Kessler reported over 100 people attended the forum and summary results are posted on the Goose Pond Forum website. There are two more walking tours coming up; May 26<sup>th</sup> and June 2<sup>nd</sup>. Ms. Kessler reported the Ad-hoc Committee met last week; Chair Haynes and Ms. Burchsted are now officially members. Noting the Consultant got a later start Ms. Kessler provided the following timeline.

- July – draft report produced
- September – host second community forum
- Soon after produce the final report with Council presentations.

Ms. Kessler also noted the next meeting date for the Ad-hoc Committee has yet to be determined. She also reported data collection is still happening in the forest. Chair Haynes commented one of the things that came up in the meeting was the importance of educating the public in what the stewardship plan intends to accomplish. Mr. Madison reported attending the vernal pool walk and noted it also was very well attended and people seemed genuinely interested. Chair Haynes commended Swift Corwin and Mr. Madison commended Jeff Littleton for the job they did on the walks answering questions and keeping people engaged.

#### **c. Commission Function/Roles - Add to next month's agenda.**

#### **d. Land Prioritization Criteria**

Chair Haynes reported we are still waiting to have that group get together. As the staff transitions Ms. Chalice will take the lead. Ms. Kessler will remain on the Goose Pond project. Ms. Kessler advised she will get all the necessary information to Ms. Chalice. Ms. Chalice will

May 21, 2018

advise subcommittee members when she has everything so a meeting can be scheduled.

**4) New or Other Business**

1. Ms. Chalice asked if everyone received Ms. Clark's email request for more information (Goose Pond/Winchester Street drainage). Ms. Clark advised the email was in response to what ARLAC had comments about. Ms. Chalice will forward the email to Commission members.
2. Ms. Clark reported Friends of Open Spaces will be planting at the pocket park on June 11<sup>th</sup>.
3. Mr. Von Plinsky initiated a discussion regarding easement monitoring and asked if this is something the Commission can do. He reported the City holds five easements. Mr. Von Plinsky suggested an Adopt an Easement idea for Commission members. Ms. Kessler noted the City does not own the land it just holds the easements. Councilor Hansel liked the idea of Commission members performing this duty; he also asked if this was not already part of the Commission's duties. Ms. Chalice advised that property owners would need to be contacted before any visits. Ms. Kessler advised the Commission of the materials that exist in the Planning Department for the easements (binders). She also noted there is no formal process for the monitoring. She recommended creating a City specific checklist. Councilor Hansel agreed to create the language for this to present at the next meeting. Ms. Kessler also reported equipment was purchased last year (vests, compasses, etc.). Chair Haynes also agreed to review the materials to start the discussion at the next meeting.
4. Chair Haynes suggested the Commission think about an education outing/walk later in the summer; something other than Goose Pond. Perhaps a walk in the water shed. Mr. Madison noted projects going on with the Public Works Department and suggested collaborating. Ms. Chalice agreed to contact Public Works. Ms. Kessler reported on the Horatio Colony collaboration with the Historical Society. Chair Haynes agreed to contact Anita Carroll-Weldon. Ms. Clark made the suggestion of walking Sterns Hill in the fall.

**5) Adjournment** - Next meeting date Monday, June 18, 2018

Hearing no further business, Chair Haynes adjourned the meeting at 5:03 PM.

Respectfully submitted by,  
Mary Lou Sheats-Hall, Minute Taker  
My 21, 2018