

ADOPTED

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, May 16, 2016**4:30 PM****2nd Floor Conference Room, City Hall****Members Present:**

Chair Thomas P. Haynes
 George Hansel (Departed at 5:15 pm)
 Thomas Lacey
 Brian Reilly
 Sadie Butler
 Councilor Janis Manwaring (Departed at 5:15 pm)
 Denise Burchsted
 Andrew Madison, Alternate

Staff Present:

Tara Kessler, Planner
 Rhett Lamb, Planning Director
 Don Lussier, City Engineer

Members Not Present:**1. Call to order**

Chair Haynes called the meeting to order at 4:30 PM and introductions were made. Andrew Madison, a newly appointed alternate to the Commission, shared information on his educational and professional background.

2. Minutes – April 18, 2016

Mr. Reilly made a motion to accept the minutes of April 18, 2016. Councilor Manwaring seconded the motion, which carried unanimously.

3. Notifications

Ms. Kessler noted that the Planning Department received a wetland permit application last week, after the meeting packet had been sent to members and posted publically. The application is for the Route 12 bridge over the Beaver Brook and was submitted by the City Public Works Department. Ms. Kessler passed out a summary of the application and stated that the Conservation Committee has 14 days to notify DES if they would like to intervene and 40 days thereafter to conduct further research. Ms. Kessler noted that the application is for the temporary and permanent impacts to wetlands/shoreline as a result of replacing the bridge on NH Route 12 over Beaver Brook. Some of this work includes replacing two metal pipe arches, headwalls, wingwalls and constructing two side-by-side precast concrete boxes, wingwalls and headwalls. The work will also involve permanent slope stabilization of the south stream bank. Ms. Kessler noted that the anticipated permanent wetland impact is 1,509 square feet.

Mr. Hansel asked why the Committee is receiving this application at such a late date. Ms. Kessler noted that the timing of wetland permit applications is not always in line with the Commission's meeting schedule. She continued, noting that it is possible for the Commission to have more time for review if necessary. Chair Haynes noted that there is time for the Committee to have a site visit if they choose to intervene. Mr. Hansel asked if there is a deadline for the construction to begin. Mr. Lamb noted that there is no set date to start the project, but the City would like to have a short period from start to end of

construction. Chair Haynes noted that it is hard to understand the impact to the wetlands without visiting the site. Mr. Reilly inquired if the application went before the NH Department of Environmental Services (DES). Ms. Kessler stated that she believes it was filed with DES.

Mr. Reilly asked if the Planning Department can review applications and then flag potential problems for the Conservation Commission to review. Ms. Kessler stated that she will inquire with Mr. Lamb on what Planning Department staff has done in the past. Ms. Burchsted questioned why the application was not brought before the Committee earlier since it is a city project.

City Engineer Don Lussier was contacted to see if he could answer questions regarding the application. Mr. Lussier was able to attend the meeting at the last minute, and provided a brief overview of the project. Chair Haynes inquired about how the project timeline would be impacted if the Conservation Commission chooses to intervene. Mr. Lussier noted that construction is planned for 2016, and if DES utilizes the full statutory limit for a response, the project will likely be pushed out to the next construction season in 2017. Mr. Hansel asked if the funding for the project was in the previous year's CIP. Mr. Lussier replied in the affirmative and stated that it did not come before the Commission sooner because the engineer had to conduct an investigation before submitting an application. He continued, noting that he was not with the City when the project began, but in his opinion, the project is being expedited as quickly as possible. Mr. Hansel asked when the contract was signed. Mr. Lussier stated that the project was discussed in 2013 but he is unsure as to when the contract was signed.

Mr. Lamb suggested Commission members question Mr. Lussier about the proposed wetland impacts and then make an informed decision on whether to intervene. Mr. Lussier noted that the project will impact approximately 2,400 square feet of wetland. He continued, stating that the twin arch culverts will be replaced with a twin box concrete culvert. Don noted that the project will be in two stages and the majority of the impact will be from creating permanent conditions due to an emergency authorization last year from a washout in the southern channel embankment. He stated that the embankment was very close to gas tanks at a nearby station and the City received authorization from DES to do work on the embankment. The project would eliminate the temporary riprap and will involve installing riprap gabion baskets as well as vegetation. Mr. Lussier noted that excessive sediment will also be cleaned and that alternate structures were researched as well but is unsure of the details.

Mr. Lacey asked how the project is being funded. Mr. Lussier noted that it is being funded through the State Aid Bridge Program with 80% state funding and 20% local funding. He continued, stating that the state may delay their review if local agencies have concerns and are reviewing the matter in greater detail. Ms. Burchsted asked if the Committee could review the application without intervening. Mr. Lussier suggested filing an intervening status and after a site review is conducted, the Commission should submit comments to DES. Mr. Lamb stated that the Commission should follow through with their process of reviewing the site, but if there is no concern with the wetland impacts then that comment should be noted tonight. He noted that the Commission could also intervene and conduct a site walk. Mr. Lamb noted that the Commission has until May 20th to submit comments. Chair Haynes suggested that the Commission intervene and hold a special meeting to conduct a site walk. Chair Haynes suggested an email be sent to determine when members are available.

Mr. Hansel made a motion to intervene in the project pending the Conservation Commission making a site visit. Ms. Burchsted seconded the motion, which carried unanimously.

4. Conservation Master Plan Report

Chair Haynes noted that he and Ms. Kessler discussed the process and overall goals of the Conservation Master Plan in advance of the meeting. He noted that Ms. Kessler suggested that the group address questions regarding the structure and scope of the Plan to ensure that there is consensus. Chair Haynes noted that during their 2014 Retreat, the Commission determined goals for the plan. He distributed a handout that contained these goals as well as a content outline for the plan, which was developed by the previous Chairperson, Ann Shedd.

a) Audience

Ms. Kessler suggested each member discuss who they feel is the primary audience for this plan. Ms. Kessler noted that the audience and goals are related and one may influence the other. Mr. Hansel noted that he sees the plan as a reference document for the City Council, the Conservation Commission, and City staff. Mr. Reilly noted that the audience should go beyond the Commission given that it is only an advisory board. Mr. Lacey noted that the plan could be a working reference document for City staff. The Commission agreed with Mr. Hansel's comments. Ms. Burchsted inquired about the public outreach aspect of the plan. Mr. Lacey gave an example of installing an educational kiosk at Goose Pond. Mr. Hansel noted that this plan would have specific details to hone. Mr. Reilly asked Ms. Kessler if an organization like Southwest Region Planning Commission would find the plan helpful. She responded that the organization would likely refer other towns to the document as a guide. Chair Haynes noted that the plan could include other communities and gave an example of the Ashuelot Greenway running through several towns.

b) Goals/Objectives

Ms. Kessler inquired about the overarching goals/purpose of the Conservation Plan. She asked members to share their thoughts on how the Plan would be used. She questioned whether the Plan is to be used as a guide for the management of City-owned conservation land, and for how to determine future conservation-related priorities; or, is the Plan a guide for the Conservation Commission and how it conducts its activities and identifies new projects.

Ms. Burchsted suggested adding management of land as an objective. Ms. Kessler asked if this entails City-owned land or all land in Keene. Ms. Burchsted noted that she is not sure how broad the topic should be. Mr. Lacey noted that the Commission discussed the topic of City- vs. private-land previously and it was decided that the initial focus should be City owned land due to its abundance. Mr. Lacey noted that private land stewardship should be encouraged as well.

Ms. Burchsted suggested breaking study of the parcels down into categories such as forests and wetlands. Ms. Kessler noted that the Commission has identified some categories such as greenways and wildlife corridors and noted that these topics promote a City-wide focus. Chair Haynes agreed that the Commission should review City-owned parcels and then consider how the private land connects to these areas. Mr. Reilly noted that it is important to take a step back from the process and ask why the Commission is creating a Master Plan. Ms. Butler stated that the plan could help private land owners who may not know how to manage and protect their land.

Ms. Kessler noted that the Commission has discussed looking at the City's resources from a broad view as well as pinpointing specific parcels to create management plans. She inquired if both of these goals could be attained in one plan. Chair Haynes noted that the actions steps should be attainable.

c) Structure

Ms. Kessler inquired about the objectives and overall structure of the plan. Mr. Lacey noted that the plan should have attainable goals and positive outcomes. Mr. Reilly noted that each goal might have a different structure associated with it. Mr. Reilly discussed NRIs and noted that there are several maps available online for a larger overview of resources and if the Commission wanted more specific details on a resource (e.g. timber) they would have to conduct field work. Ms. Butler noted that conducting detailed NRIs for the entire city would be an enormous amount of work and suggested creating an outline of potential areas in Keene where data should be collected. She noted that an NRI of the entire city is not necessary for the desired projects of the Conservation Commission. Mr. Reilly noted that if the Commission has questions about specific parcels of land an NRI could be conducted. Mr. Reilly handed out documents showing the difference between a basic NRI and a more advanced NRI. Chair Haynes reminded Commission Members of the comprehensive document created by Keene State College students.

Chair Haynes noted that he does not want to lose track of the action steps from each working group. He noted that the Committee can work on projects and the plan simultaneously as things come forward. Mr. Lacey stated that determining the true acreage of open space in Keene would be a good project for a student. Chair Haynes noted that this could be done with a summer aerial photograph. Ms. Kessler noted that Committee Members should be thinking about the preferred plan structure when reviewing other plans.

d) Potential Partners

Ms. Kessler asked the group to consider potential partners or groups that might be doing similar work in the City. She suggested that Monadnock Conservancy as a potential partner, given their involvement with several towns in the area, and that they might have plans or studies that could be reference documents for the Commission. She suggested the Ashuelot River Local Advisory Commission as another potential partner and noted that they have a river and watershed management plan in place that should be referred to. Chair Haynes noted that Anne Shedd had created a list of potential partners. Ms. Kessler noted that the reason for working with partners is so the Commission does not reinvent the wheel and can utilize current strategies and information contained in planning documents or studies developed by these groups. Ms. Kessler noted that it is important to determine what groups the Commission chooses to consult with early in the process. She noted that both the Bicycle Pedestrian Pathways Advisory Committee is in the process of creating master plan.

Mr. Lacey asked if there are recreational groups working with other city departments on City land without the Conservation Commission's knowledge. He gave an example of mountain bikers. Ms. Kessler noted that she is unsure of long-term usage with any group and will look into this item. Mr. Lacey noted that there are many groups using the land/trails and that more management and oversight needs to occur. Ms. Kessler noted that she will look into existing arrangements with outside groups and the city. Mr. Lacey noted that the trails are not in bad shape but some locations are being destroyed by recreational use.

Chair Haynes stated that the master plan could provide a foundation for items like this. Ms. Burchsted inquired about other cities similar to Keene and their satisfaction with their conservation plans. Ms. Kessler noted that this is a focus for the Commission to look into. Chair Haynes noted that the NH Association of Conservation Commissions has available on its website links to other community conservation plans. Mr. Reilly noted that he came across plans from smaller towns.

Mr. Lacey noted that Keene has more land than other towns. He suggested reviewing Concord's plan. Ms. Butler suggested talking with towns and asking about their satisfaction with their plan. Ms. Kessler noted that the Commission should review other community plans. Chair Haynes suggested the Committee create a list of similar towns with plans and then reach out to applicable communities. Ms. Butler and Mr. Reilly volunteered to create a list of potential towns. Mr. Reilly suggested sending links to the town's plan via email so others can review the document first. Ms. Kessler noted that she will share the list of potential partners for Committee Members to review and edit.

e) Other

Ms. Burchsted asked how idea to develop a Conservation Master Plan was generated. Chair Haynes noted that Anne Shedd, the former chair of the Commission, discovered that Keene did not have a master plan to guide conservation efforts. He noted that the document will be very helpful to the City and the Commission. Mr. Lacey noted that the document will help create action steps. Chair Haynes noted that he is not sure what sparked the idea for Dr. Shedd. Ms. Burchsted inquired about cultural resources. Chair Haynes noted that he would like to include that item but believes it would be another document. Ms. Kessler noted that cultural and historic resources are more closely related to work of the City's Heritage Commission and Historic District Commission. Chair Haynes noted that this is an item to review in the future.

5. Surface Water Protection Ordinance-Proposed Amendments Discussion

The Commission decided to postpone discussion on this agenda item until the next meeting due to lack of time.

6. ARLAC Donation

Chair Haynes noted that the Ashuelot River Local Advisory Committee is seeking a donation of \$125 to support their volunteer water quality monitoring program. Ms. Kessler noted that there are funds remaining in the FY2016 budget to accommodate this donation.

Ms. Burchsted made a motion to approve the donation of \$125 to ARLAC. Mr. Reilly seconded the motion, which carried unanimously.

7. West Street Dam-VHB Report Update

Ms. Kessler noted that the final report was distributed in the packet for the meeting. She noted that VHB will be presenting on the report at the June 2, 2016 City Council meeting along with representatives from West Street Hydro.

Ms. Burchsted inquired about a question raised at the previous meeting regarding the level of wetland impact study that would be required by the state in the event of dam removal or dam modification. She continued, reiterating that the water level dropping will affect the wetlands and further research is going to be necessary to assess the impacts. Ms. Kessler responded that she was not able to obtain an answer to this question in advance of the meeting.

Mr. Lacey asked when other alternatives, such as a bypass channel, can be discussed. Ms. Kessler noted that the upcoming City Council meeting is not the appropriate time. She noted that this presentation is informational and is intended to be an update on the work that City Council has authorized with respect to the West Street Dam. Ms. Kessler noted that the City Council is not being asking to make any decisions

on June 2, 2016. Mr. Reilly asked if the State's Dam Bureau can put pressure on the City Council. Ms. Kessler noted that there is no current pressure from the Bureau but she will keep the Commission up to date on this topic.

8. New or Other Business

Mr. Lacey stated that surveys should be conducted on specific city-owned parcels in order to use some of the funds available in the Land Use Change Tax budget. Chair Haynes noted that actions items like this can be completed while the Conservation Master Plan is being developed. Chair Haynes noted that he believed a perimeter survey was conducted at both the Goose Pond and Beech Hill parcels after 2009. He continued, stating that this should be further investigated. Ms. Kessler stated that she would look into this item. Ms. Kessler noted that if the Committee wants to use the money in the Land Use Change Tax fund, a request would have to go before the City Council. Ms. Kessler noted that the plan could be a way to prioritize which projects are funded by the Land Use Change Tax fund.

Mr. Lacey stated that thank you cards should be sent out to those that actively created conservation easements at the California Brook/West Hill. He noted that there have been several completed, including one on Hurricane Road. Mr. Lacey stated that this should become a policy to send thank you notes to private land owners that create conservation easements.

Mr. Lacey stated that the Commission has a stake in what happens to the watershed in Roxbury and should be updated from City staff as to new developments. Ms. Kessler stated that she would talk with the Public Works Department about the idea of having a routine report for the Commission on the Watershed project. Chair Haynes noted that communication from the City in regard to these items should be more efficient. Mr. Lacey noted that the City's watershed is under the purview of the Commission. Mr. Lacey noted that the Commission has expertise on many topics and should not be overlooked. Ms. Kessler suggested that the discussion about communication with the City staff and departments should continue at a future meeting.

9. Adjournment-Next meeting date - June 20, 2016

Chair Haynes noted that he would not be present at the June meeting.

Chair Haynes adjourned the meeting at 6:45 PM

Respectfully submitted by:

Lana C. Bluege, Minute-taker
May 16, 2016

Reviewed and edited by:

Tara Kessler, Planner
June 10, 2016