

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, October 17, 2016

4:30 PM

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

Members Present:

Thomas P. Haynes, Chair
George Hansel, Councilor
Thomas Lacey
Sadie Butler
Brian Reilly

Staff Present:

Tara Kessler, Planner

Members Not Present:

Jan Manwaring, Councilor
Denise Burchsted
Andrew Madison, Alternate

Before the meeting, Commission members visited sites at Production Avenue and NH Route 9, and at 99 and 0 Wyman Road.

1) Call to Order

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

2) Minutes – September 19, 2016

Councilor Hansel made a motion to accept the minute of September 19, 2016, which was seconded by Mr. Lacey and carried unanimously.

3) Communications and Notifications

a. Wetland Permit Application – Liberty Utilities Gas Line Extension to Production Avenue

Chair Haynes noted that Commission members visited this site before the meeting. He welcomed Mr. Kris Wikes of VHB, and Mr. Mark Frost from Liberty Utilities.

Mr. Frost explained that Liberty Utilities is investigating a new gas plant for Keene on Production Avenue. Gas pipes are currently located adjacent to Chili's on the north side of Route 9. To extend gas service to Production Avenue, the gas lines will have to cross

Route 9 and will impact two adjacent wetlands using conventional boring and trenching techniques.

Ms. Butler asked about the boring and trenching. Mr. Frost explained the trenches will be one to two feet wide and three feet deep.

Mr. Wikes continued that the proposal is for approximately 2,700 square feet of temporary impacts to wetlands. They hope to have the DES Wetland Permit expedited because the proposed wetland impact is less than 3,000 square feet. They hope to begin construction on the HDE section in December which could reduce impacts to the wetlands if the ground is more impacted in winter. He said they usually place a sandy material around the pipe but they have looked into using native soils instead.

Councilor Hansel asked when the trenching will take place. Mr. Frost replied that they anticipate next spring because NH DOT prefers fewer disturbances in the winter months. Ms. Butler asked how long the work will take once it begins. Mr. Frost replied one week.

Chair Haynes noted there were questions about the Surface Water Protection Ordinance. Ms. Kessler replied that even though the land in question is State owned, the exemption would not necessarily apply because the use is private. The property owner will have to move forward with a Conditional Use Permit through the Surface Water Protection Ordinance. This application only considers the wetland buffers. The property owner will have to go through the Planning Board process at the November meeting and if the Commission has comments, they will be sent to the Planning Board.

Mr. Lacey made a motion to not intervene in this application, which was seconded by Councilor Hansel and carried unanimously.

Chair Haynes thanked Mr. Wikes and Mr. Frost for their presentation.

b. Surface Water Protection Ordinance Conditional Use Permit – Hillside Village – 99 Wyman Road

Mr. Lacey recused himself for this agenda item.

Chair Haynes welcomed Mr. Jim Phippard from Brickstone Land Use Consultants, LLC. Dr. Reilly asked if the berms around the surface water treatment would be a few feet tall. Mr. Phippard replied yes, so when vegetation grows up the surface water treatment will not be visible.

Councilor Hansel stated that having seen this project evolve, he appreciates how much work went into mitigating the wetland issues. Mr. Lacey asked if they abandoned the idea of smaller buildings to reduce the wetland impact. Mr. Phippard replied yes, because of the wetlands and steep slopes they chose to build upward instead of more buildings.

Ms. Kessler reminded the Commission that this application is just for wetland buffers and in the future, the Commission will see a wetlands application from Mr. Phippard.

Ms. Butler asked what the next steps are. Ms. Kessler replied that the Planning Board review on this matter continues until October 24 until which time the Commission can make comments or recommendations.

Chair Haynes stated that he does not have concern regarding the buffers in this application so he has no comment to the Planning Board. Dr. Reilly stated the description sounds as though it has been well thought out and takes into account the new impervious surfaces and water treatment.

Councilor Hansel made a motion to comment to the Planning Board that after review of the application, the Conservation Commission is impressed with the planning of this project and its considerations of the impacts to buffers. Ms. Butler seconded the motion which carried unanimously.

Chair Haynes thanked Mr. Phippard. Mr. Lacey returned to the meeting.

4) Conservation Master Plan
a. Scope of Work

Chair Haynes recalled the next step was to discuss a scope of work for Goose Pond with regard to the existing management plan for the property and to build on the recommendations in that document. Councilor Hansel stated that Goose Pond is a large piece of City land so it makes sense to begin there. He suggests determining what the Commission would like to do with that property and use that as a model for the rest of the City. Ms. Kessler clarified that members were discussing a forest inventory for Goose Pond and not the Conservation Master Plan.

Mr. Lacey said the first step is to determine what the Commission is allowed to do at Goose Pond within the conservation easement on the property. He said from that easement, there are notes about not cutting timber on public lands and reluctance toward forest inventories because of public perception that they lead to cutting. He said there are multiple historical NRIs for that property. He envisions the scope of work as a complete forest inventory as well as for someone with wildlife management expertise. He suggests using the easement as a guideline for Commission plans for the property. He provided an example of the White Mountain National Forest management which describes “habitat management units.” He said that could be a model for how to approach Goose Pond. Ms. Butler said that is a nice way to look at it. Chair Haynes said that could be more appealing from the public point of view as an important consideration of the Commission is public education on City conservation efforts. Dr. Reilly added that if presented to the public as a comprehensive wildlife management plan, which may include some tree removal, it could provide a different perspective.

Ms. Kessler shared page 17 of the Goose Pond Management Plan with a list of practices that address hiring a licensed forester to do both passive and active management. A contribution to that plan was a public survey which indicated forest health, recreation, and the pond were the most prominent public concerns. Active management ranked low on the list; she said if the plan does not fully address the disconnect between forest cutting and forest health, it could be an opportunity for education. She said the plan also addresses the need to have a licensed forester do an inventory and the return of timber profit to conservation efforts. She said the plan is a starting point to begin pursuing the Councils permission for a scope of work and RFP.

Chair Haynes asked the components of a scope of work. Ms. Kessler replied it is important to know the goals of the work, the defined location of the work, the activities you want the forester to perform, and any qualifications sought. Councilor Hansel and Mr. Lacey noted there are many organizations, like LandVest, who do similar things for private landowners. Mr. Lacey continued that he would like to see a wildlife expert hired at the same time or for the forester to have an expert in their team to collaborate. He would like to see more than just a straight forward management plan; he wants to know not just about the timber but also the habitats and where there is potential for forest management within those habitats. He also noted he would like anyone hired to be familiar with the easement, the history of the pond, and use of the property. Councilor Hansel agreed with Mr. Lacey and added that the Commission wants to explore comprehensive report options, not just timber management.

Ms. Butler noted that in her experience, most foresters have wildlife knowledge as well. She said if it is clear the Commission wants to actively manage the forests at all stages, they can keep that in mind and include that in the final report. Mr. Lacey agreed that most foresters do have that ability, but another expert might be warranted after the initial inventory. Ms. Kessler added that the Commissions desire for an applicant to already have a team is something to list in the RFP. Councilor Hansel added they could also hire a wildlife consultant in addition to the forester.

Dr. Reilly added there are specialists in the field of outdoor recreation who could give advice to the Commission or the forester in addition which could be positive for the public as well. Mr. Lacey said he would rather have a forest inventory first to describe the forest dynamics because ultimately the forester will be actively managing and implementing in the future. Chair Haynes added that in the end, there may be no forest cutting; he suggested perhaps an ecologist is better suited to look at Goose Pond holistically as the Commission wants.

Chair Haynes asked if the Commissions task is to review the historical assessments of the property. Dr. Reilly noted that he and Mr. Lacey have done some of that; he suggested first hiring someone to review that history to see what information the Commission really needs before hiring a forester. Ms. Kessler replied that the Goose Pond Management Plan is the most recent survey of the property and draws from previous work and studies done there. While there are many recommendations in that plan, there are no actionable items listed. However, what can be learned from that document is there are guidelines to set the

City up for a harvest. She suggested starting with the recommendations in that document. Councilor Hansel added that perhaps the Goose Pond inventory can be a springboard for the rest of the Conservation Master Plan and will ultimately just be one portion of that Master Plan. Dr. Reilly agreed that once the Commission knows what is there it will help determine a direction to take with the Master Plan.

Ms. Kessler recalled that Steve Roberge spoke to the Commission to find out what information a forester would need to start work. He suggested narrowing to one or two parcels where it makes sense to begin. She said the Commission has focused on Goose Pond because of its size, history, and past planning; what the Commission has not discussed is the bigger picture of the Conservation Master Plan and if the Commission is pursuing both at the same time. Dr. Reilly replied the Commission is looking at an action plan by utilizing historical evaluations on Goose Pond and working toward the next step in evaluating that property. He agreed that enough evaluations have already been done and now is the time for an inventory; Chair Haynes agreed.

Councilor Hansel asked the process for an RFP at this point. Ms. Kessler replied the Commission will have to seek Council approval, which she will confirm with the Planning Director. She said the Land Use Tax Fund has money for conservation purposes but the Council has to approve access to those funds.

Chair Haynes asked what a scope of work should look like for the forest inventory. Commission members provided the following list for the scope of work:

- Maps
- Identification of prevalent species abundances
- Age classes of forest sections
- Potential cutting schedule
- Stand dynamics
- Basal area/level of stocking
- Understory details
- The Commission's goal/what the Commission wants from the forester
- Commission identified limits for inventory (for example, growth under four inches)
- Stand cover types, their locations, and volume (allows projections of values)

Chair Haynes asked if these are things the Commission will list in the scope of work or the RFP. Ms. Kessler replied the scope of work should include the minimum of what the Commission wants and as people respond to the RFP, they will offer their own proposals that build off what the Commission wants. She said if the Commission is unclear on what they want from the beginning, it will be harder to rank proposals as they come in and proposed cost estimates may be inaccurate.

Dr. Reilly asked what document goes to Council for approval of funds. Ms. Kessler replied she will confirm with the Planning Director but she believes staff just drafts a memo to Council that addresses the nature of the request. Councilor Hansel added that the request will go before the FOP and potentially the PLD. Ms. Kessler continued there

are two other forest inventories taking place in the City which could be used for reference. Mr. Lacey said he would be interested to know the parameters of the Roaring Brook forest inventory. Ms. Kessler will share that with the Commission. Mr. Lacey noted that in addition to wanting to capture diversity, he also wants the forester to run transects, capture trails, and take note of habitat and wildlife signs. He would like more plots sampled closer together to gain more than just forest volume data.

b. Next Steps

Ms. Kessler will share the Roaring Brook and Airport forest management plans with the Commission for review. Chair Haynes asked Commission members look at these forest management plans in addition to the Goose Pond plan to build specifics for Goose Pond.

Mr. Lacey said he thinks now is the appropriate time for someone like Jeff Littleton or Rick van de Poll to advise the Commission. He would like them to share what they could do for the Commission and how they envision the overall Conservation Master Plan. Councilor Hansel commented that is a good idea as long as they will not be bidding on the RFP. Chair Haynes said this can be hard because the Commission does not have a clear Master Plan vision right now, but he is ok with moving forward. Dr. Reilly suggested inviting someone from a state agency because they would not be competing for the RFP.

Mr. Lacey said now that they have the Merrimack and Concord documents, he can visualize what is lacking in them. He asked at what point the Commission is ready to hire a forester for the inventory. Ms. Kessler advised, as staff, that the Commission only take on one project at a time. Chair Haynes suggested working on the discussed next steps and the Goose Pond forest inventory keeping in mind it is connected to the bigger picture and next steps. Mr. Lacey added that any forester hired should have an understanding of the historical NRIs so the final document is consistent with how things have evolved at Goose Pond.

5) New or Other Business

Chair Haynes received an email from Ms. Burchsted noting she has students working on different Conservation Commission topic areas. She is reaching out to the Commission for advice on how to guide these students. Ms. Kessler noted one of the proposed areas of study is a preliminary assessment of a bypass channel at the West Street Dam. She said it might not be appropriate for the Commission to endorse that right now because the City has not been exploring a bypass channel and West Street Hydro is still conducting their feasibility study. Mr. Lacey said he thought the issue at West Street Dam was whether to remove the dam or not, not whether to remove the dam or let West Street Hydro take over. Ms. Kessler replied from a financial standpoint, it will be what the City can afford: remove the dam, keep the dam, or West Street Hydro. She said before endorsing that study, she wants to discuss it with the Public Works Director who oversees that work. She will also ask the Public Works Director if the site is safe for such a study.

Chair Haynes will reply to Ms. Burchsted giving the go ahead on the other two study options and noting the Commission will get more information regarding the West Street Dam option. The Commission is available to provide any information students may need and to answer questions. Councilor Hansel added the Commission would like to see student presentations on the results of any of the projects that go ahead.

Ms. Kessler will share date and time information about the public meeting to present the new Airport Forest Management Plan.

6) Staff Updates

a. Woodland Cemetery Wetland Restoration

Ms. Kessler noted this project is now complete and shared before and after photos. Construction is finished and large mounds of planted earth have been built to create more realistic wetland topography. However, because it has been such a dry year, the mounds are higher than initially designed for. They excavated deeper between mounds to make sure the water table was reached and restore hydraulic connection with the adjacent wetland. The area has been seeded with a wetland mix of over 160 species. The area has also been built to foster two turtle nesting areas and other habitats. Signs will be placed shortly to explain the work to the public and KSC will be monitoring for invasive species for three years. They have already treated invasive species on the site and could witness 99% die off. They may begin another pilot program with KSC to study the introduction of Loosetrife Beetle to control for invasive Loosestrife. They also have a stockpile of clean fill at the Cheshire County Shooting Sports Education Foundation and are committed to making sure no knotweed grows on those piles. The project came in significantly under budget which allowed reserve money for treatment but the project is now closed with DES.

7) Adjournment – Next Meeting Date Monday, November 21, 2016

Hearing no further business, Chair Haynes adjourned the meeting at 6:00 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker