

ADOPTED

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

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

**Monday, March 19, 2018**

**4:30 PM**

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

**Members Present:**

Thomas Haynes, Chair  
Andrew Madison  
Eloise Clark  
Brian Reilly  
George Hansel, Councilor  
Art Walker, Alternate

**Staff Present:**

Tara Kessler, Planner  
Don Lussier, City Engineer

**Members Not Present:**

Denise Burchsted  
Alexander Von Plinsky IV  
Ken Bergman, Alternate

**1) Call to Order**

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

**2) Minutes – February 20, 2018**

Councilor Hansel made a motion to approve the minutes of February 20, 2018 as presented. Mr. Madison seconded the motion which carried unanimously.

**3) Communications & Notifications**

**a. Wetlands Permit Application – City of Keene Maintenance of Drainage  
Ditches**

Don Lussier, City Engineer, addressed the wetland permit application submitted by the City for maintenance and vegetative cutting / clearing in the tax ditches near the area of Production Avenue. Mr. Lussier explained the work proposed in the application is an effort to reinvigorate the maintenance of the City's manmade tax ditch system. Mr. Lussier noted the history of these ditches and who constructed them to make certain pieces of land around the city developable. Mr. Lussier said most of the ditches came with conditions that the City was obligated to maintain them for a certain period of time. Because of the dense development that occurred around many of these ditches, the City has become obligated to maintain them into the future to prevent against flooding of property adjacent to these ditches. In 2013, the City undertook the Beaver Brook restoration project to remove some of the sediment and invasive species that built up over time. A condition of the Wetlands Permit for this project was for the City to commission and prepare a citywide stream inventory. The goal of NH Department of Environmental Services (DES) was to get us to look at our natural and manmade streams and make recommendations regarding the maintenance needed. The inventory was prepared by Weston & Sampson and submitted to NH DES. Mr. Lussier continued, stating the City uses this as a roadmap for its ongoing maintenance efforts. Mr. Lussier described the section to be worked on this year noting a permit by notification was submitted under the category maintenance dredge for manmade drainage features. The project is centered on Production Avenue. The majority of work will be south of Route 9 up to the edge of Ash Swamp Brook. Mr. Lussier noted that since the inventory was completed, the City has abandoned interest in some of these drainage easements;

specifically #43 and #43 south as depicted on the map.

Mr. Lussier noted the maintenance tasks recommended by the Consultant. Except for invasive species removal, this work will be done in-house by the City's Highway Department crews. The work is to be done throughout the summer (June 1<sup>st</sup> through mid-August) and includes: sediment removal, access mowing, debris removal, invasive species control, and bank repair and stabilization.

Mr. Reilly referred to the ditches now under private ownership (#43 and #43 south) and asked if the owners do not maintain them will this jeopardize the others. Mr. Lussier replied in the negative. At one time this was two separate lots and the ditches provided drainage to each and they are now one lot.

Mr. Madison asked if there was any tiling accompanying the drainage ditches. Mr. Lussier replied in the negative; adding there are no underdrains.

Ms. Clark clarified that this is just an informational, courtesy presentation to the Commission. Mr. Lussier replied in the affirmative. In response to Chair Haynes, Mr. Lussier noted he is open to hearing recommendations from the Commission on the selection of seeds for revegetating the area and making these areas more attractive to birds. Ms. Clark noted her concerns with the plan and suggested what grows there now already prevents erosion. Mr. Lussier pointed out there are businesses there today and the vegetation there now is obstructing the flow; hence, not letting the ditches serve the purpose they were built for.

Mr. Walker asked when this work was done last to these ditches. Mr. Lussier advised he had no idea and suggested perhaps 10 or 20 years ago for these specific ditches. Mr. Lussier added this is a test case for moving forward. He conveyed that he hopes the City can come back to these ditches in five years and will not have to cut or remove the vegetation.

Charles Daloz, a member of the public asked if this was agricultural land in the past. Mr. Lussier said he thinks it has been mostly a wetlands area; he has not seen any photos showing this as an agricultural area.

Chair Haynes referred to the previous efforts of NH DES at encouraging the City not to maintain these ditches and asked if this was addressed when the stream inventory plan was submitted. Mr. Lussier replied the plan was submitted last May to NH DES for review and comment and to date the City has not received any feedback. There is an interest on the part of the City in allowing some areas to revert to natural conditions. Mr. Lussier noted that the City is looking at reversions to natural conditions at Ash Brook, Black Brook, and Beaver Brook to the extent that is feasible. The tax ditches spurred a development pattern that now requires those systems to be maintained making reversion more difficult. In response to Mr. Madison, Mr. Lussier noted there are six areas of tax ditch work:

- Edgewood to Airport tax ditches
- Meadowlands
- Production Avenue
- River Street
- East side
- Tannery Brook

Mr. Lussier also noted that Meadowlands may take a couple of years to complete.

Mr. Walker asked what a tax ditch is. Mr. Lussier replied it is a term used for a manmade drainage ditch network. The City has easements or access rights to maintain these ditches. Mr. Lussier agreed with Chair Haynes that the City's obligation to maintain these ditches has faded; it is more

of a choice at this point.

There being no further questions/comments/suggestions from the Commission Chair Haynes thanked Mr. Lussier for his presentation on the application.

Ms. Kessler noted there would be another City wetland permit coming before the Commission and Mr. Lussier would like to provide the Commission information on that while he is here.

Addressing the second project permit which has not yet been submitted, Mr. Lussier explained the City will be installing an upgrade to the drainage system near Ralston and Davis Streets, where the storm drains let out into the Ashuelot River. The upgrade entails replacing the existing 18 inch pipe with a 36 inch pipe at a lower elevation and following the existing line. There will be 73 square feet of impact on the embankment and 94 square feet of channel impacts; this will be submitted as a major Wetlands Permit because the work impacts the Ashuelot River.

Ms. Clark asked if the object is to drain the water off quicker. Mr. Lussier replied in the affirmative, noting the intent is to provide additional drainage. He explained the catch basins in this area are filling up/overflowing at the 1-year storm rate. Mr. Lussier pointed to the catch basins on the map for Mr. Reilly. Ms. Clark asked if Mr. Lussier thought the catch basins would be sufficient to carry all the contaminants that will be flushed along. Mr. Lussier replied in the affirmative, stating that they are calling for six-foot diameter catch basins to be installed with as much sump as possible. They are trying to avoid a lot of excavation below the water table. He also noted the City's more aggressive program of cleaning the catch basins; approximately, every four years.

Mr. Lussier noted discussing the Aquatic Resource Mitigation Fund with Ms. Kessler last week. He continued, stating that they are looking for some places around the City to put in some off-line storm water treatment systems. He is mostly interested in Beaver Brook.

Ms. Clark indicated the Ashuelot River Advisory Committee would be very interested in this. Mr. Lussier said a letter was sent to them.

Returning the discussion to the Production Avenue site, Chair Haynes said he would be interested in hearing the comments from NH DES when received. Ms. Kessler said she would bring them back to the Commission when received.

#### **4) Land Prioritization Criteria**

Ms. Kessler reported this item was put off last month in hopes of having more members present. Chair Haynes noted the same number of members were present at the meeting as there had been at the previous meeting. After discussion, Commission members agreed to table this issue until next month when there might be more voices present.

#### **5) Aquatic Resource Mitigation Fund**

Chair Haynes reported that the NH Department of Environmental Services is seeking pre-proposals for the upcoming round of Aquatic Resource Mitigation (ARM) grants funds. Ms. Kessler noted pre-application proposals are due April 30<sup>th</sup>. Chair Haynes said he will meet with Ms. Burchsted and Mr. Von Plinsky when they return to see what projects they can identify for a grant application. Ms. Kessler reported she reviewed the draft list of ARM priority projects developed by the Commission's ARM Subcommittee with the Public Works Director and City Engineer. The purpose of this meeting was to identify any projects that align well with the Public Works Department priorities over the next year. Ms. Kessler stated that she will provide an update on this meeting with the ARM Subcommittee. This Subcommittee will meet at the end of March or first week in April. She indicated that any other Commission members wishing to attend the Subcommittee meeting should let her know. She also noted the results of that meeting will be brought back to the Commission at the April meeting. Ms. Kessler noted August 30<sup>th</sup> as the final application deadline.

## **6) Conservation Master Plan Discussion**

Mr. Reilly reported he is awaiting a meeting of the Land Prioritization Subcommittee to see what geospatial information is available. Chair Haynes indicated this item is currently on hold.

## **7) Updates**

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

Mr. Madison reported no meeting was held last month. He reported the “Winter Wildlife” public walking tour was held last month. Mr. Walker said the tour lasted two hours and was very informative. Ms. Kessler reported there will be four more walking tours; and, potentially, a mountain bike tour, which was suggested by an attendee of the Winter Wildlife walking tour. Ms. Kessler noted that the Ad-hoc Committee for this project will be meeting on Thursday and there is a public forum scheduled for April 17<sup>th</sup>.

### **b. Commission Function/Roles**

Councilor Hansel will bring his edited version of the Commission’s functions/roles as outlined in Chapter 2 of the City Code to the next meeting for discussion.

### **c. City Staff Support to Commission**

Ms. Kessler reported she is still waiting on information from other Committees; once that is obtained she will report back to the Commission.

### **d. Goose Pond Dam Repairs**

Ms. Kessler shared an update from Brett Rusnock, one of the City’s Civil Engineers, in response to the question raised at the last meeting on the effects of drawing down Goose Pond during construction on the Dam. Mr. Rusnock reported that, in the absence of bathymetry, they are estimating that the pond is about 19-feet at its deepest spot. Mr. Rusnock developed contours of the lake using information from the original records and from a 1980 U.S. Army Corps inspection report on the height of the dam, surface area of water, and volume of the reservoir at normal water elevation, and maximum impoundment volume. With this information, Mr. Rusnock provided a map that shows the estimated impact of a 4-foot and 10-foot drawdown of the pond on surface water area. Ms. Rusnock noted that they are actively looking for ways to avoid drawdown of 10 feet.

Chair Haynes deferred to Mr. Madison for his opinion on the impact of drawdown on aquatic habitat. Mr. Madison said it depends on many factors, including impacts to dissolved oxygen and temperature, but it would probably impact the fisheries in some way. Warm water species (bass and sunfish) would be less affected than cold water species (trout), which would be heavily impacted. There might be some die-off but it would not be catastrophic. The biggest concern would be rift in the lake bottom. Mr. Reilly and Mr. Madison commented they do not know how accurate this can be without knowing the actual depth. Mr. Madison commented that there will probably not be any stratification as a result of a 10-foot drawdown. Mr. Madison noted that there may be an increase in turbidity, which affects the clarity of water and algal blooms. Mr. Madison said it seems like the big issues are going to be: lack of dissolved oxygen, phosphorus increase, and algae increase. Ms. Clark provided a glimmer of hope by sharing information about a pond in Walpole that was drawn down and things grew back. Mr. Madison reiterated none of the impacts should be catastrophic.

## **8) New or Other Business**

1. Charles Daloz said there is talk of using goats on the Eversource Right-of-Ways. He questioned what could happen when these corridors become broken up with potential agricultural lands. Mr. Daloz is looking for feedback on where the corridors should go and what should be paid attention to. Chair Haynes clarified that Mr. Daloz was referring to wildlife corridors. Mr. Daloz provided his suggestions on the tax ditch issue.

2. Ms. Clark reported NH DES is revising their Wetlands Standards and suggested this is something the Conservation Commission might want to be cognizant of. Ms. Clark will forward the links to Ms. Kessler. Ms. Kessler said she would contact NHDES and see what information can be shared at this point and report back to the Commission.

**9) Adjournment – Next meeting date Monday, April 19, 2018**

Hearing no further business, Chair Haynes adjourned the meeting at 5:27 PM.

Respectfully submitted by,  
Mary Lou Sheats-Hall, Minute Taker  
March 20, 2018

Reviewed and edited by,  
Tara Kessler, Planner