

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Tuesday, February 19, 2019

4:30 PM

2nd Floor Conference Room,
City Hall

Members Present:

Alexander Von Plinsky, IV, Chair
Eloise Clark, Vice Chair
Brian Reilly
Thomas Haynes, Alternate

Staff Present:

Rhett Lamb, Community Development
Director/Assistant City Manager
Andy Bohannon, Director of Parks, Recreation
& Facilities
Brett Rusnock, Civil Engineer

Members Not Present:

Councilor George Hansel
Denise Burchsted
Ken Bergman
Art Walker

1) Call to Order

Chair Von Plinsky called the meeting to order at 4:33 PM.

2) Approval of Minutes – January 22, 2019

In his absence, Mr. Bergman submitted corrections to the minutes via email. On page one, the following sentence, “Mr. Bergman noted the membership fee for Conservation Commissions is actually only \$20; the \$125 fee is for individual memberships,” should be edited to say, “Mr. Lamb noted the membership fee...” On page seven, in the following sentence the word *suppressing* should be changed to *compressing*: “Mr. Bergman added his concern about suppressing all the proposed operations into a 10 year period.”

Additionally, on page two, Mr. Lamb’s name is misspelled and should be corrected. Finally, throughout the minutes, in some instances the acronym GGPF is misspelled as GGFP and should be corrected.

Mr. Reilly moved to approve the Minutes of January 22, 2019 as amended, which Ms. Clark seconded and the Conservation Commission carried unanimously.

3) Informational

- a. **Aquatic Resource Management Subcommittee Update**

Mr. Haynes reported that he and Ms. Burchsted met to talk about the potential Aquatic Resource Management (ARM) fund projects they discussed with the City Engineer. He said Ms. Burchsted has continued interest in working with the City Engineer on the City's culvert projects; she also has students whose interests align with these projects. Chair Von Plinsky will continue working with the University of Massachusetts, Amherst on the Victoria Street extension. Mr. Haynes is leaving the ARM subcommittee to participate in other Commission efforts. If anyone else on the Commission is interested in joining the subcommittee, it could likely benefit from a third member.

b. Updates to Section 2-774 of the City Code of Ordinances Related to Conservation Commission Powers, Duties, and Guidelines

Mr. Lamb said he submitted revisions the Commission approved in January to the Finance, Organization, and Personnel Committee, which recommended unanimously that the Council adopt. The revisions would be presented to Council for final adoption on February 21.

c. Commission Presentation to Planning, Licenses, and Development Committee

Mr. Von Plinsky reported he would present the Commission's work over the last few years and goals for the next few years to the Planning, Licenses, and Development (PLD) Committee. The presentation was scheduled for February 27.

4) Discussion Items

a. DES Wetlands Roxbury Street/Beaver Brook

Brett Rusnock, a civil engineer for the City, provided an overview of the Wetlands Permit Application submitted recently to NH Department of Environmental Services (NHDES). The City is working with consultants (McFarland Johnson) to redesign the bridge, which was built in the late 1800s; there have been some updates to the bridge since but it has never been reconstructed fully. The bridge is rated in poor condition by NH Department of Transportation (NHDOT) due to concrete and steel deterioration; therefore the state is paying for 80% of the reconstruction. The City is moving forward with the final design and construction methods approved by Council and scheduled for summer 2019. Mr. Rusnock shared the wetlands impact plan and narrative therein about the existing conditions of Beaver Brook at this location, which is a rectangular concrete channel that will be restored at the end of construction. Staff envisions temporary impacts to the channel bottom during construction. He explained that is it usually up to the contractor to recommend a water diversion method during construction and he showed photos of the different possible methods from the 2018 RT-12 bridge reconstruction. Mr. Rusnock described the different diversion possibilities, of which staff believe the third option is most likely:

1. Upstream cofferdam to temporarily pond the water upstream of the work area with pump intake hoses and pipes running through the work area. A filter bag at

- discharge would ensure clean water reenters the system; a turbidity barrier downstream of construction would reinforce the filtering process.
2. Temporary flume system using an upstream cofferdam with a temporary pipe running through the work area and another cofferdam downstream for discharge

Mr. Rusnock continued explaining that the nature of this construction requires the bottom slab of the channel to remain dry because utilities will be installed (water, sewer, and gas mains) at the same time. After the utilities are replaced, a mud slab will be constructed to improve soils under the bridge foundation; that foundation will then act as the new channel bottom. The bridge itself will be a three sided (top and two sides) precast structure that will be placed onto the new foundation. The Roxbury Street roadway surrounding the bridge will be closed for the entirety of construction; the contractor has 45 days to complete construction and two months total to reopen the roadway. The project is near going to bid and construction should begin by the end of July 2019; the bidding, solicitation, award, and drawing process will take three or four months before construction can begin.

Ms. Clark asked if it is possible to request the contractor use the flume filtration system. Mr. Rusnock said it is possible but water diversion is unique and the practices depend highly on what equipment contractors have; thus staff does not usually force a method. He thinks the flume system is likely because it is less expensive and preferable because no fuel or pump rentals are necessary.

Mr. Haynes asked, of the various diversion methods possible, if any are more effective at catching sediment. Mr. Rusnock said all possibilities involve one upstream cofferdam and downstream discharge. He thinks the greatest risk with any water diversion system is ensuring the flow velocities are reduced in the outlet pipe so the discharge does not scouring the downstream channel; this risk is less for this project because it is a concrete channel. Regardless, a turbidity barrier might be installed downstream of the diversion with an additional filtering device. Any sediment filtration must balance flow and filtration capacity; the consultants and staff thinks all options presented will provide sufficient sediment filtration.

Chair Von Plinsky noted this concrete channel is not an ideal streambed for organisms. Still, he said the diversion methods do not seem to facilitate passage during construction for what organisms are in Beaver Brook. Mr. Rusnock said the pump option is the least friendly to organisms. The flume gravity pipe system would be friendlier despite some turbulence; the upstream cofferdam pipe inversion and velocity would likely make the organism's passage faster than in a natural channel. Natural diversion would be the best option for organisms, but that is not possible in this concrete channel. The current sewer in the concrete foundation rises 15" into the stream, which organisms traveling along the streambed encounter. The new sewer will be flush with the concrete streambed and thus facilitate better organism passage after construction.

Chair Von Plinsky asked about the width of bridge openings. Mr. Rusnock explained that the channel is 16' wide on the upstream and downstream ends of the bridge. The new

hydraulic bridge opening will be 22' wide in the concrete channel and return to 16' on either side of the bridge.

Chair Von Plinsky recognized Jeff Littleton, who said he created a restoration plan for Beaver Brook a few years ago. The Brook is only a few feet deep in the summer, so he is happy to hear the sewer will be lowered. He said Eric Swope has fish survey data for Beaver Brook if the Commission is interested.

Mr. Lamb recalled the Commission could choose to intervene on this Wetlands Permit Application, which would put the application on hold while the Commission investigates further impacts. He recommended that the Commission not intervene.

Mr. Reilly moved for the Conservation Commission to not intervene in the Roxbury Street bridge replacement Wetlands Permit Application, which Ms. Clark seconded and the Conservation Commission carried unanimously.

b. Greater Goose Pond Forest Stewardship Plan Presentation/Discussion

Mr. Littleton (project consultant) said he worked on revisions to the plan based on the Commission's feedback at the January meeting. The substance of the plan is the same but is revised to clarify terms, add images and definitions, and further clarify that proposed management is ecologically-based. He welcomed a conversation with the Commission to prepare for a public presentation in March. Mr. Littleton recalled the goal is for this to be an adaptive 10-year plan, during which time the Commission can adapt to what is working best. At the 10th year, the Commission should assess the work completed and how to move forward responsibly.

Ms. Clark felt the revisions made the plan more readable. Mr. Haynes agreed and said the new language regarding ecologically-based management is a better description overall. Ms. Clark also liked the stronger language suggesting an endowment because it was unclear in the previous draft what the endowment would be used for; now it is clear that an endowment is important for forest maintenance and much more than the Commission can predict now. Mr. Littleton agreed that a self-sustaining fund can also help with educational and recreational activities to get the public involved in the forest; an endowment allows more flexibility and does not burden taxpayers with supporting the park. Mr. Haynes also liked the additional language about education and invasive species. Mr. Littleton said he is sensitive to invasive species information and striking a balance with the complexity of the forest.

The Commission listed additional revisions to the plan before public presentation:

1. The action plan (pg. 50-55):
 - a. The year and description should be boldface (not underlined) and the compartments should be underlined (not boldface). This should help make the most important information prominent.
2. The map on page 58:

- a. Move it closer to the Active Forest Management section. This could help people get a full sense of possible management, recreation, and preservation areas; this could also help show that the management areas are not overwhelming in the context of the entire forest acreage. Specifically, making the map available closer to the beginning of the document could make it a more helpful reference while reading the rest of the plan. This could help those familiar with the park in particular to visualize the proposals in the plan.
 - b. The term *forest thinning* on the map is the only time that term is used in the whole document and thus it could be confusing to readers. Consistent terminology defined clearly is essential so the public cannot misinterpret the meaning of forest stewardship proposed. It should be clearer that the wildlife clearing and forest thinning listed on the map are generalized timber harvesting techniques. While forest thinning may be a familiar term to some, the plan needs to be comprehensible for all lay people. Definitions of terms could be briefly included at the beginning of the section for readers to refer to with the map.
 - i. Regarding forest thinning, it is not clear enough in the plan that selectively harvesting beech and hemlock benefits the successional understory, providing opportunities for less shade tolerant species like maple, birch, and oak, and thereby diversifying the forest.
3. For the public presentation:
- a. Table 2 (beginning on pg. 59) should be condensed to the information most relevant to the public and color coded.
 - b. For each compartment, a presentation slide could show the zoomed in portion of the map on page 58 next to text highlighting the respective compartment. This could help the public visualize walking through the forest.
 - c. Emphasize the endowment as a self-sustaining funding mechanism for management. The endowment will also help with intermediate treatments to guide regeneration and new species without requiring Council approval at each step of the process.
 - d. Mr. Littleton will bring two hardcopies of the whole plan to Mr. Lamb for the public presentation in addition to a thumb drive that includes an estimated price list for various items in the plan.

More than 150 pages of trails appendix will be available on the website soon; it includes significant photo documentation of the forest degradation trails can cause. Mr. Bohannon said there is an open space and trails project working through the Council approval process. This project will designate \$25,000 annually from the Capital Improvement Plan (CIP) for recreational trail improvements. There have been significant conversations regarding trails as a part of developing this forest plan; for example, keeping the maintenance road from dam/dike reconstruction as a part of the recreational trails. Tad Lacey, a member of the stewardship plan subcommittee, said the trails report proved that most mountain biking trails are well-constructed and in good condition, despite there being an excess of them. The plan provides great recommendations for how to control

unauthorized bike trails such as on-site volunteer surveys or log books at access points. Chair Von Plinsky added that part of the problem is a phone application mountain bikers use to document every new cut-through trail so others can try it. Still, the New England Mountain Bike Association has worked 500-700 hours annually to maintain those trails, which is demonstrated in their good condition despite intense use. Consistent signage throughout the forest could also make it clear to the bikers that someone is paying attention, which could promote a better standard. Mr. Bohannon is looking forward to working with Peter Poanessa to develop those signs.

Charles Daloz, a member of the Agricultural Commission, recalled the importance of balancing productivity and land use management with respect to agriculture. Mr. Littleton agreed and noted that agriculture is allowed in the Conservation Easement on the property and there are productive soils that could facilitate agriculture if the City chooses.

The Commission, consultants, and staff members agreed to schedule the next public presentation for March 19, which will provide sufficient time to publicize. The Commission can review public comments at their April meeting and make a recommendation to Council. Mr. Littleton will share revisions based on this meeting's feedback with the Commission before the public meeting via Mr. Lamb. There were more than 100 people at the first public meeting and those who provided contact information will be invited to this meeting. The Forest Society will also review the plan and need to sign-off on it as a part of the Conservation Easement.

c. NHDES Shoreland Tree Cutting – Ashuelot River

Mr. Lamb noted that Mr. Bergman observed tree cutting by the bridge over the Ashuelot River on RT-101. Mr. Bergman notified NHDES because that is the second tree clearing along the river brought to Commission attention recently. NHDES replied saying, "the activity might qualify as maintenance of an existing right-of-way for safety along the bridge corridor. The Department will reach out to the local NHDOT to find out who is doing the cutting." Regarding the cutting observed near the medical center in December, NHDES will inspect that area in the spring. Mr. Bergman may have more information to share at the March meeting.

d. Beauregard Property Acquisition

Mr. Lamb will provide an update at the March meeting after he has discussed with the City Manager. After that discussion, the City Manager can begin negotiating with the new appraisal, which is similar to the one in 2010. Because the Commission already recommended that Council approve acquiring this property with the Land Use Change Tax fund in 2010, Mr. Lamb is unsure if the Commission will have to make that recommendation to Council again; he will inquire.

e. Community Development Department Mission Statement

Because Mr. Bergman was not in attendance, the Commission agreed to table this matter until the March meeting.

5) 2019-2020 Commission Priorities

Chair Von Plinsky thanked Mr. Haynes for helping him transition into his position as Chair. In preparation for his presentation to the PLD Committee, he wanted to discuss Commission goals for the next few years. Commission members shared and agreed upon the following goals:

1. (Chair Von Plinsky) Regarding the new focus on easement monitoring in the Commission's duties, invite a member of the Monadnock Conservancy to demonstrate how they do easement monitoring; they could walk through an easement with Commission members. With that training, Commission members can volunteer to monitor the different easements annually for anything that competes with the easement. This is something the Commission can contribute easily to the City.
2. (Chair Von Plinsky) If the Goose Pond Forest Stewardship Plan is successful, begin applying that template to important properties across the City such as Robin Hood Park and Beech Hill; this process could arrive at the conclusions of a master plan without committing the City and staff to the full-time commitments and finances of that process. Mr. Bohannon has expressed the benefit of having stewardship plans for the other parks he oversees and he might have a priority list of properties to help guide the Commission. Focusing on individual properties has proven more successful than trying to create a conservation master plan for the whole City; to have more of a global impact, the Commission should be more involved in the City's master plan update in 2023/2024.
3. (Chair Von Plinsky) More proactive decision-making; for example, the ARM subcommittee working with the City Engineer to identify possible projects sufficiently in advance so the Commission can effect change. The Commission should be aware of what the City is trying to accomplish by working through the CIP to identify congruent projects. Working proactively will help the Commission best support the City, citizens, and staff.
4. (Mr. Haynes) Renewed commitment to education and outreach. Mr. Haynes, Ms. Clark, and Mr. Reilly volunteered to be members of an outreach subcommittee to create programs that could benefit City-owned lands and conservation. The Commission should have more of a presence in the community; for example, educating the public about the Goose Pond plan and promoting understanding of conservation measures versus fear. There are many regional partners that can help with networking and publicity as well as enhance participation such as: Friends of Open Space, Antioch Bird Club, Harris Center, Ashuelot River Local Advisory Board.

Chair Von Plinsky thanked Ms. Clark for reviewing the last few years of Commission work to help prepared for the PLD presentation.

6) New or Other Business

Mr. Lamb recalled the Commission was unsure about continuing membership in the NH Association of Conservation Commissions. Mr. Haynes said he does not think the Commission takes full advantage to warrant paying the \$900 annual membership fee. Ms. Clark thinks the Association would be content if the Commission only paid \$400; she learned that the town of Walpole only pays approximately \$275 annually for the same membership. Mr. Reilly thinks it is important to support the Association because they do statewide presentations and are involved with conservation advocacy and legislation. Commission members agreed they might be benefitting more from the membership than is obvious; this membership has been a standard part of the Commission operating budget for many years. The Commission agreed to table this matter until the March meeting.

7) Adjournment

Hearing no further business, Chair Von Plinsky adjourned the meeting at 6:06 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker