



**City of Keene, New Hampshire**

**CONSERVATION COMMISSION**

**City Hall**

**Monday, June 17, 2019**

**4:30 PM**

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

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**Commission Members**

Alexander Von Plinsky, IV, Chair  
Eloise Clark, Vice Chair  
Kenneth Bergman  
Denise Burchsted  
Councilor George Hansel

Brian Reilly  
Art Walker  
Thomas P. Haynes, Alternate  
Steven Bill, Alternate

1. Call to Order
2. Approval of Meeting Minutes – May 20, 2019
3. Informational
  - a. Subcommittee reports
4. Discussion Items
  - a) Wetland Permit – 55 Old Summit Road (Permit by Notification)
  - b) West Street Dam
  - c) Greater Goose Pond Forest Stewardship Plan implementation
  - d) Easement monitoring – schedule
5. New or Other Business
6. Adjournment – Next meeting date Monday, July 15, 2019

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City of Keene  
New Hampshire

CONSERVATION COMMISSION  
MEETING MINUTES

**Monday, May 20, 2019**

**4:30 PM**

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

**Members Present:**

Alexander Von Plinsky, IV, Chair  
Eloise Clark, Vice Chair  
Councilor George Hansel  
Ken Bergman  
Art Walker  
Tom Haynes, Alternate

**Staff Present:**

Rhett Lamb, Community Development  
Director

**Members Not Present:**

Denise Burchsted  
Brian Reilly  
Steven Bill, Alternate

**1) Call to Order**

The Chairman called the meeting to order at 4:30 PM.

**2) Approval of Meeting Minutes – April 15, 2019**

The Chairman noted the meeting start time should change from 4:02 to 4:30 PM.

Mr. Haynes noted a correction on page 4/10, where the phrase, “*He visited the Ashuelot River Park Advisory Board...*” should instead say, “*He attended the Ashuelot River Park Advisory Board meeting.*”

Mr. Lamb recalled that when a Commission member is absent, the Chairman should appoint an alternate to vote. At this meeting, the Chairman appointed Mr. Haynes as a voting member.

Councilor Hansel moved to approve the minutes of April 15, 2019 as amended, which Mr. Walker seconded and the Conservation Commission carried unanimously.

**3) Informational**

**a. West Street Dam – Rhode Island School of Design**

Mr. Lamb recalled that staff has worked with the consortium of researchers—in particular from the Rhode Island School of Design—studying public decision making about dams. The researchers and staff are facilitating a public engagement session on June 11 from 6:00 PM to 8:00 PM at the Recreation Center. Despite not sponsoring the event, Mr. Lamb encouraged Commission members to participate. The researchers will present the public with (approximately) five different future scenarios for the West Street Dam from leaving the dam alone, to introducing fish diversion opportunities, to removing the dam entirely. Mr. Haynes said he has seen some of the visual representations of dam options the researchers developed, which Mr. Lamb said are computer generated visualizations of how each dam option would look and work. Even though this dam is very important and divisive in Keene, Mr. Lamb said this forum is for the research team to learn about effective decision making around dams, but it still has the potential to help people decide what projects to support in the future. The outcome of the forum is arguably unimportant because City decisions about the dam are still several years out.

Mr. Bergman asked if the researchers will clarify to the public participants that this is a not a decision making process. Mr. Lamb replied in the affirmative and added that he and Councilor Hansel wrote a memo to the Municipal Services, Facilities & Infrastructure Committee clarifying the research purpose of this event, though there would still undoubtedly be confusion, which can ultimately promote further discussion.

**b. Subcommittee Reports**

Mr. Haynes recalled that he and Ms. Clark are working on the Education and Outreach Subcommittee. They met a few months ago to brainstorm near- and long-term possibilities and identified some targeted areas to pursue, which Mr. Haynes discussed with the Commission:

1. Beech Hill:
  - a. An event to commemorate acquiring the Beaugard property (pending), which will enhance conservation of Beech Hill.
2. Goose Pond:
  - a. A tour or hike in early fall, with an ultimate goal of having a similar event each season to introduce people to the park throughout the year.
  - b. Pursuing an opportunity to collaborate with the New England Mountain Bike Association for events such as bike tours or to discuss ethics of using the park recreationally.
  - c. An opportunity to generate baseline data on bird populations to support the goal of protecting wildlife in the stewardship plan. Timber harvesting is also a part of the stewardship plan and bird data will allow the Commission to track that stewardship goal as cutting begins. This presents an opportunity to collaborate with local groups and schools.
3. Airport:
  - a. From recreational use (e.g., birding) of Airport Road, to wetland ecology, to the Waste Water Treatment Plant, there are opportunities for public education and outreach.
4. Ladies' Wildwood & Dinsmoor Woods Parks:
  - a. The Director of Parks & Recreation indicated these parks are a priority because they have evolved into monocultures and similar to Goose Pond, there might be opportunities to enhance diversity and thus minimize risks to species in the park.
5. Transfer Station:
  - a. The Director of Parks & Recreation also mentioned opportunities at the Transfer Station where four or five acres of forest were cut to accommodate a greenhouse fish farm that never came to be. The Commission could have a role in outreach opportunities toward restoration of the denuded landscape.

The Director of Parks & Recreation also indicated to Mr. Haynes that Robin Hood Park and its connection to the Beech Hill plan is a good location for the next stewardship plan; following the Goose Pond Stewardship Plan, he is happy with the Commission creating stewardship plans for City lands.

Mr. Bergman expressed support for a bird study at Goose Pond and suggested Antioch University students could be knowledgeable partners for education and research in the forest. He was previously also an outside mentor to an Antioch student focused on ornithology. Mr. Haynes agreed that Mr. Bergman would be an ideal conduit for that project. Mr. Bergman also shared that he frequents Airport Road as a recreational birder, as many others do. He spoke with Councilor Steve Hooper about the Airport Master Plan priority to enclose the runways with a chain link fence with barbed wire at the top. There are two proposals for the fence: 1) placed

closer to the end of the north runway with impacts on wetlands, and 2) along the pavement of Airport Road, which will minimize wetland impacts but eliminate parking and photography for birders and safe shoulder recreational walking space used actively by the Edgewood neighbors. Councilor Hooper informed Mr. Bergman that no design or construction would begin until 2020 at the earliest. The fence is an FAA mandate. Councilor Hansel, who chaired the committee tasked with developing the Airport Master (AMP), said that the fence project is to minimize demonstrated threats that wildlife pose to aviation; he confirmed that project is not in the capital budget until fiscal year 2020/2021. Mr. Lamb confirmed that no plans are yet developed but a wetlands permit will be necessary regardless and there could be a conflict between preserving wetlands and maintaining recreation.

Mr. Haynes said the subcommittee would work these ideas into something more tangible. Mr. Bergman agreed to share the fence maps from the AMP with the Committee. Councilor Hansel said this conversation is interesting because criteria like wildlife, wetlands, and conflicts between conservation and recreation should be the impetus of a stewardship plan. He said there could be motivating factors to support a stewardship plan at the airport.

Chair Von Plinsky said the Aquatic Resource Mitigation (ARM) Subcommittee has not met in some time. He no longer thinks the subcommittee name suits it because it has evolved more into a priorities ranking. This evolution and the Chairman's conversations with the Monadnock Conservancy clarified the need for a subcommittee focused on prioritizing specific areas of town like the airport, into a readily available list for when ARM funds become available. These priorities can also help when other grants and opportunities arise, such as the Drinking Water and Ground Water Trust Fund, which has different criteria than the ARM fund but represents a significant pool of funds. The Chairman said that if the subcommittee meets again soon they could focus on mapping these priority areas.

#### **4) Discussion Items**

##### **a. Ashuelot River Local Advisory Committee (ARLAC) donation**

Mr. Lamb noted \$1,375 remaining in the Commission's fiscal year 2019 budget and any unused funds will revert to the City's General Fund and do not roll over into the Commission's 2020 budget. ARLAC requested \$125 as in past years for water quality testing of the Ashuelot River. Ms. Clark noted that ARLAC is also seeking donations toward replacing pH meters, which cost \$1,500. Mr. Haynes asked if the budget ends June 31 and Mr. Lamb replied in the affirmative. The Chairman confirmed the only remaining expense is the Society for Protection of NH Forests membership and said it makes sense to contribute for the pH meters as well because the remaining funds go back into the General Fund on July 1 if unused.

Mr. Haynes moved to contribute \$250 to ARLAC for \$125 for E.coli testing and \$125 for pH meters, which Councilor Hansel seconded.

With questions if that amount was sufficient, Councilor Hansel withdrew his second and Mr. Haynes withdrew his motion. Mr. Haynes agreed the Commission could make a nicer donation if the budget is unspent in the next few months since the budget does not roll over; Mr. Bergman agreed. The Chairman also recalled that by population, Keene is the greatest beneficiary of ARLAC's work. Regarding the Society for Protection of NH Forests membership, Mr. Lamb and Ms. Clark agreed that the membership is only \$40-\$50 and Ms. Clark said the Commission should pay that membership because the Society monitors Goose Pond.

The Commission continued discussing donation possibilities with the remaining budget and arrived at the following motion, noting that it makes sense to assist ARLAC's immediate needs, and agreed to revisit the remaining budget in June and augment the donation if possible.

Chairman Von Plinsky moved for the Conservation Commission to donate \$625 to ARLAC: \$500 for pH pumps and \$125 for E.coli monitoring, which Ms. Clark seconded. The motion passed with a unanimous vote.

The Chairman asked Ms. Clark who to contact about testing the Ashuelot River for micro plastics; broken down plastics photo degrade into smaller and smaller pieces. Ms. Clark suggested contacting Barbara Skully and Mr. Bergman suggested Ms. Burchsted.

**b. Society for the Protection of NH Forests membership dues**

The Commission agreed it is odd the reminder letter did not list the membership cost. Mr. Lamb believed the Commission paid \$45 last year and said the matter could be tabled until the June meeting.

Councilor Hansel moved for the Conservation Commission to send \$45 to the Society for the Protection of NH Forests, which Mr. Haynes seconded. The motion carried unanimously.

**c. Greater Goose Pond Forest Stewardship Plan implementation ideas**

Chair Von Plinsky said now that Council adopted the stewardship plan it is time to do something with it. The plan suggested forming a Stewardship Committee to handle the endowment and other pond issues. He asked if the Commission should take on that responsibility or develop a dedicated Committee.

Mr. Haynes suggested that Andy Bohannon, Director of Parks & Recreation, should be a part of this conversation because he oversees Goose Pond and Mr. Haynes encouraged Mr. Bohannon to develop a Stewardship Committee to enhance outreach potential. Mr. Walker said Mr. Bohannon supervises activities like seasonal hikes that the Commission implemented. The Chairman agreed to work with Mr. Bohannon; regarding a Stewardship Committee, he does not think that is something the Commission should take on. Ms. Clark recalled that the plan recommended one member of the Commission serve on the Stewardship Committee.

Mr. Lamb said there is a list of significant actions in the Stewardship Plan starting at a list for 10 years. For instance, the first four actions are: 1) mark boundary lines, 2) Endowment, 3) Stewardship Committee, 4) improve property access. The actions continue into more active forest management pieces with compartments of work to do. As this plan comes out of City Council, Mr. Lamb said that Mr. Bohannon owns this plan to some degree but the Commission still has a significant role to play. He said Mr. Bohannon will handle the long-term forest management but the endowment should be a collaboration between Parks & Recreation and the Conservation Commission. Mr. Bergman recalled that the plan called for Parks & Recreation to develop an Outdoor Education Recreation Committee, which Mr. Lamb said is a more detailed element versus the 10-year broader actions. Mr. Lamb suggested considering if the Commission could take on a role on some of this work to avoid creating a new Committee; the City is hesitant to support new public bodies and the staff support they require.

Mr. Haynes suggested there could be a subcommittee of the Commission to take these actions. Mr. Lamb said it depends on what the Commission wants to accomplish. For example, a

Stewardship Committee warrants being a second group because it should be comprised of stakeholders immediately affected by decisions; like an abutter, a trails expert, and the mountain bikers. The Commission agreed this classic model of diverse citizen participation that will be a unique and good way to get actions moving on the list of tasks in the plan. Mr. Walker noted that this would be a complex and diverse Advisory Committee unlike anything he has seen in the City. Mr. Lamb agreed that it is broad and said the only similar one is the Ashuelot River Park Advisory Board, which is a City-created Board dedicated to a specific parcel.

Mr. Bergman asked about the contract for easement management with the Society for Protection of NH Forests, for which Mr. Lamb said the Commission does not pay. Mr. Haynes said when an easement is established there is an up-front contribution to cover future long-term expenses. Mr. Lamb thinks the endowment fund is for local improvements that help public access and Mr. Haynes agreed that any timber management would stay to support the park.

The Chairman was hesitant for the Commission to take on a task as big as implementing the plan but thinks the Commission can help Mr. Bohannon and other City staff to establish the Stewardship Committee. The Chairman suggested inviting Mr. Bohannon, someone from the New England Mountain Bike Association, and other stakeholders to the June meeting to work on details of what this public body should look like. Ultimately, he said it is the City Council's decision to form the Stewardship Committee but the Commission can advise on stakeholders and other details; Mr. Haynes agreed. Mr. Lamb clarified that a subcommittee of this Commission requires virtually the same research and staff time as a regular open meeting. Mr. Lamb added it might be clear over time that this new committee only needs to operate for a few key years to sell the idea of an endowment. Mr. Haynes agreed the new committee could play an outreach role when chainsaws start running, which Mr. Bergman said could be mitigated, perhaps, by signs in the park warning and educating on timber harvest.

A lot of work will fall to staff and that is ok, but the Commission could have this initial convening role to determine the best ways to pick priorities and create momentum behind them. Mr. Lamb will work with staff to invite stakeholders to the June meeting, such as members of the Society for Protection of NH Forests (who own the easement) and members of the old Goose Pond advisory group. There will be trails money for the Parks & Recreation Department this year so it might be a good time to build this framework.

Mr. Lamb will move forward with invitations to the June meeting with the immediate priorities in mind because tasks like a boundary survey and improving a road, which require money as Mr. Haynes noted. Mr. Bergman added that monitoring the effects of timber harvesting on birds means starting baseline monitoring now before harvesting begins, which means reaching out to sources like Antioch and others because it has to be done in a systematic reproducible way for several years. Ms. Clark noted that SPNHF (Society for the Protection of NH Forests) did all the boundary work but did not mark very well, which would be a reason to contact them.

**d. Community Development Mission Statement**

Mr. Lamb recalled that Mr. Bergman initiated this idea to add the phrase “and the environment” to the end of the Community Development Department’s mission statement. Mr. Lamb recalled how the Community Development department and its mission statement were formed: annually, every department writes an operating budget and evaluates its charge/mission/direction for that year to meet both primary responsibilities and fiscal objectives. In 2018 the Planning, Code Enforcement/Inspections, and Health Departments merged and the language cited in the meeting packet was used to reflect this new department’s mission. He is unsure why the environment was not included in the new statement. As the department head, he is comfortable making that revision moving into next year’s budget. The Finance, Organization & Personnel Committee already reviewed this year’s budget, so this administrative and editorial change will be reevaluated in the next budget cycle and Mr. Lamb thinks he has enough information captured in the April minutes to do so. Ultimately, it is the City Manager’s budget and City Council will approve any changes.

**e. Easement monitoring**

The Chairman recalled speaking with a Monadnock Conservancy representative who provided good resources (in the meeting packet) to start monitoring the five easements the City holds. He hoped to form an informal group of Commission members to walk the easements together on a regular basis. Monitoring the easements requires very little prep work, such as talking to the landowner, followed by walking in the woods and taking photos. He suggested monitoring a new property every few months and perhaps starting at the end of summer to avoid vegetation and insects. The Chairman was happy to take the lead on this work and Mr. Bergman expressed interest in helping. Mr. Lamb will share a list of easements that date to a variety of times and are cases where the City owns the easement but not the land. Examples include Concord Hill in 1987, the Emily Shaw property, two recent easements resulting from wetland permits in the late 1990s—Blackbird Field and NH Gas property that was never developed at the end of Production Avenue. The final easement is Cheshire Medical Center, which Mr. Lamb is unsure the project it was associated with ever occurred regarding a wetland fill project prior to the ARM fund process. Before the ARM fund, developers had to mitigate wetland impacts such as developing an easement somewhere or recreating a wetland somewhere. With the ARM fund, developers can pay for mitigation. Ms. Clark questioned a parcel off Darling Court, which Mr. Lamb said is a Conservation Residential Development (limited development) that has no easement but is dedicated as open space and preserved by a homeowners association.

Mr. Lamb will share the list of easement details, though the Commission agreed to table monitoring until the end of summer. Mr. Bergman asked if there are concerns or clauses in the easements about invasive species to address more prudently sooner. The Chairman said the first step of the process is to look through the easement contracts to determine priorities. Mr. Lamb said most monitoring is typical for physical encroachment or changes in land use.

**5) New or Other**

Mr. Haynes asked for an update on the Beaugard property. Mr. Lamb said the closing is scheduled in June.

Mr. Haynes recalled the Stacey Cole property on the border of Keene and Marlborough on RT-101, which was gifted to the City. Mr. Lamb said the City owns the land that the Commission might want to consider for stewardship. Ms. Clark said it is substantial at nearly 240 acres.



Mr. Lamb agreed it would be good to mention to Mr. Bohannon when developing the next Stewardship Plan list.

Ms. Clark referred to the northwest corner of Keene where there are large chunks of land contiguous with Goose Pond that flow into Gilsum, which the Nature Conservancy is trying to raise \$3 million to protect. There is another parcel the Conservancy owns near Goose Pond that she will communicate with ARLAC members about; Mr. Lamb heard it was for sale in Keene. The land was logged heavily throughout the years and Mr. Haynes said the land must be a high priority if the Nature Conservancy is involved. Ms. Clark agreed that the parcels are high on the Wildlife Action Plan.

Mr. Bergman recalled that the Commission was awaiting a list/database of undeveloped City land. Ms. Clark said the Friends of Open Space have a list from the City and Mr. Haynes recalled the Commission trying previously to prioritize City-owned property. The Chairman agreed that having a list and a map would be helpful to take action on many efforts. The Chairman segued into needing members for the ARM subcommittee, which Mr. Bergman has the expertise to contribute. Mr. Bergman agreed to discuss the possibility when Mr. Lamb produces the agreed upon list. Ms. Clark will share her list with the Commission to compare. Mr. Lamb said the Commission would likely be most interested in conservation lands that have no real definition, but the City owns lands for a variety of purposes, including land outside Keene. Ms. Clark recommended that Dick Berry might have the information in addition to Will Schoeffmann. Mr. Lamb believed he could recreate the information.

**6) Next meeting – June 17, 2019**

**7) Adjournment**

Hearing no further business, Chair Von Plinsky adjourned the meeting at 5:43 PM.

Respectfully submitted by,  
Katrina Kibler, Minute Taker May 27, 2019

Reviewed by Rhett Lamb, ACM/Community Development Director  
Edits, Lee Langella

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Construction



# WETLANDS PERMIT BY NOTIFICATION (PBN)

Land Resources Management

Check the status of your submitted notification: [www.des.nh.gov/onestop/index.htm](http://www.des.nh.gov/onestop/index.htm)



RSA/Rule: RSA 482-A/ Env-Wt 100-900

## 1. PROJECT TYPES

The PBN process is limited to the 14 project types listed below. Using the Project Specific Criteria Documents, confirm your project proposal qualifies to use this Permit by Notification process and check the qualifying project type(s) listed below:

<input type="checkbox"/> 1	<b>Freshwater Seasonal Dock:</b> Construction or modification of a seasonal pier or wharf (dock), located on a non-tidal stream or river or in a lake or pond.	<input type="checkbox"/> 8	<b>Culvert/Bridge Replacement:</b> The replacement of a culvert/bridge on a watercourse with a contributing watershed less than or equal to 25 acres to permit vehicular access to one single family lot or for noncommercial recreational use.
<input type="checkbox"/> 2	<b>Retaining Wall Repair and Replacement:</b> Repair or replacement in-kind of a retaining wall ( <i>in the dry during draw down</i> ).	<input type="checkbox"/> 9	<b>Beach Replenishment:</b> Replenishment of an existing non-tidal beach with less than 10 cubic yards of sand.
<input checked="" type="checkbox"/> 3	<b>Maintenance Dredge:</b> Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways <i>Stormwater detention ponds, fire ponds, or agricultural ponds may be exempt from permitting pursuant to RSA 482-A:3, IV-b. See the <u>project specific criteria document</u> for further information.</i>	<input type="checkbox"/> 10	<b>Seasonal Dock Anchoring Pad:</b> Construction of an anchoring pad for a seasonal dock in non-tidal waters.
<input type="checkbox"/> 4	<b>Temporary Cofferdams:</b> Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. All work must be designed, and supervised by a professional engineer (PE).	<input type="checkbox"/> 11	<b>Boatlift:</b> Installation of <i>one</i> seasonal boatlift in non-tidal waters and not within 20 feet of abutter's property line.
<input type="checkbox"/> 5	<b>Docking Structure Repair:</b> Repair of <u>existing</u> tidal docking structures or repair of non-tidal docking structures.	<input type="checkbox"/> 12	<b>Watercraft Lift:</b> Installation of <i>one or two</i> personal watercraft lift(s) in non-tidal waters adjacent to a dock.
<input type="checkbox"/> 6	<b>Dry Hydrant:</b> For a dry hydrant <u>ONLY</u> , excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed.	<input type="checkbox"/> 13	<b>Residential Utilities:</b> Installation of a residential utility line. Stream impacts limited to a contributing watershed of 25 acres.
<input type="checkbox"/> 7	<b>Maintenance of a Non-Docking Structure:</b> Maintenance, repair or replacement of a non-docking structure.	<input type="checkbox"/> 14	<b>Utility Right-of-Ways:</b> Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right of way.  <i>Use the <u>Utility Maintenance Notification form</u> for this project type.</i>

## 2. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:

Please indicate if any of the following permit applications are required and, if required, the status of the application.

To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

<i>Administrative Use Only</i>	<i>Administrative Use Only</i>	<i>Administrative Use Only</i>	File No.:
			Check No.:
			Amount:
			Initials:

**3. PROJECT LOCATION**  
A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 55 OLD SUMMIT RD		TOWN/CITY: KEENE	
TAX MAP: 919	BLOCK: 10	LOT: 034	UNIT: 0000
US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME: N/A			
LOCATION COORDINATES (if known): 42.978658, -72.351874		<input checked="" type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input type="checkbox"/> State Plane	

**4. PROJECT DESCRIPTION:**  
Provide a brief description of the project, outlining the scope of work to be performed, including a narrative that describes the sequence of construction including pre-construction through post-construction activities and the relative timing and progression of all work. Do not write "see attached."

Performing a maintenance dredge in a man made detention basin to restore the basin back to its original state. The work will consist of removing vegetation to allow water to drain and trimming/cutting small trees that directly affect the detention basin.

**5. IMPACT AREA:**  
For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact  
*Temporary = impacts not intended to remain (and will be fully restored to pre-construction conditions) after the project is completed*

Jurisdictional Area	Permanent Sq. Ft.	Temporary Sq. Ft.	Jurisdictional Area	Permanent Sq. Ft.	Temporary Sq. Ft.
Forested wetland			Lake		
Emergent wetland			Pond		
Wet meadow			Tidal water		
Intermittent stream			Previously-developed upland in TBZ		
Perennial stream / river			Other	2000	

NHDES-W-06-027

**6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:**

See the Project Specific Criteria document for instructions to complete a &amp; b below.

a. Natural Heritage Bureau File ID: NHB 19 - 1280 .b.  Designated River the project is in ¼ miles of: \_\_\_\_\_ ; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_\_\_ NA**7. APPLICANT INFORMATION (Desired permit holder)**

NAME: KURT BLOMQUIST, PUBLIC WORKS DIRECTOR

TRUST / COMPANY NAME: CITY OF KEENE PUBLIC WORKS DEPARTMENT

MAILING ADDRESS: 350 MARLBORO ST.

TOWN/CITY: KEENE

STATE: NH

ZIP CODE: 03431

PHONE: 603 352 6550

EMAIL or FAX: KBLOMQUIST@CI.KEENE.NH.US

ELECTRONIC COMMUNICATION: By initialing here:  I hereby authorize NHDES to communicate all matters relative to this application electronically**8. PROPERTY OWNER INFORMATION (If different than applicant)**

NAME:

COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

PHONE:

EMAIL or FAX:

ELECTRONIC COMMUNICATION: By initialing here:  I hereby authorize NHDES to communicate all matters relative to this application electronically**9. AUTHORIZED AGENT INFORMATION**

NAME: DON LUSSIER, CITY ENGINEER

COMPANY NAME: CITY OF KEENE PUBLIC WORKS DEPARTMENT

MAILING ADDRESS: 350 MARLBORO ST.

TOWN/CITY: KEENE

STATE: NH

ZIP CODE: 03431

PHONE: 603 352 6550

EMAIL or FAX: DLUSSIER@CI.KEENE.NH.US

ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_, I hereby authorize NHDES to communicate all matters relative to this application electronically

NHDES-W-06-027

shoreland@des.nh.gov or (603) 271-2147  
 NHDES Wetlands Bureau, 29 Hazen Drive, PO BOX 95, Concord, NH 03302-0095  
[www.des.nh.gov](http://www.des.nh.gov)

**10. CONDITIONS AND SIGNATURE**

- a. I have reviewed the Project Specific Criteria documents for each project type checked on page 1 of this form and by signing below, I am confirming the project meets all of the outlined project specific criteria (Env-Wt 506.03(k)).
- b. Within 10 days following completion of the project, the applicant shall submit to the department confirmation of completion of the project, by either paper copy or electronically, with dated, labeled, photograph(s), mounted on 8½" x 11" sheets if paper copy, or digital photo(s) if electronic, depicting the areas where the impact occurred.
- c. All abutters have been notified in accordance with RSA 482-A:3, I.
- d. The project is at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests. This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.
- e. I authorize the municipal conservation commission to inspect the site of the proposed project.
- f. I have reviewed the information being submitted, and to the best of my knowledge, the information is true and accurate.
- g. I understand that the willful submission of falsified or misrepresented information to NHDES is a criminal act, which may result in legal action.
- h. I am aware that the work I am proposing may require additional state, local or federal permits.
- i. I will confirm the PBN is complete or disqualified by checking the "One-Stop Wetland Permits Query" as outlined in the project specific document or by telephone at (603) 271-2147 before starting work, and I will record the Wetlands File Number on the Notification Conditions page in the Project Specific Criteria document.
- j. I will post the completed Notification Conditions at a location on the project property visible to representatives from NHDES and/or the municipal conservation commission.
- k. If this Permit by Notification project is for the installation, construction, or repair of a dock, docking facility, or marina, I will record each permit granted in the registry of deeds for the county or counties in which the real estate is located and provide the department with a copy of the permit stamped by the registry with the book and page and date of receipt. I understand that the permit shall not be effective until so recorded (RSA 482-A:3, VI and Env-Wt 402.20).
- l. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail.
- m. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.44.

Signature of Applicant (Required) 	Applicant name <b>KURT BLOMQUIST</b> <i>Public Works Dir</i>	Date <b>05/17/2018</b>
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The applicant signing and certifying acknowledgement and comprehension of permit conditions a through m above is the: (check one below):

- Property Owner
- Agent acting on behalf of the Property Owner

**11. APPLICATION SUBMITTAL DIRECTIONS**

1. Review the Project Specific Criteria document for the project type checked on page 1, Section 1. Confirm your project qualifies for the PBN process and that you have included all required attachments with your Permit by Notification Form. If the required attachments are not included, your Permit by Notification Form will be returned to you.
2. If you would like your Permit by Notification Form processed by NHDES within 10 days, you must obtain the municipal conservation commission or local governing body signature **prior** to submitting the final Permit by Notification Form to the Town/City Clerk for signature.
3. If the expedited process is sought, obtain the Conservation Commissions signature as outlined within Section 12 below.
4. Submit four copies of the Permit by Notification Form and the required attachments to the Town/City Clerk and submit the original Permit by Notification Form bearing the signature of the Town/City Clerk, the required attachments and the application fee (\$200) to NHDES by mail or hand delivery. **Please make checks payable to "Treasurer State of NH"**
5. To confirm completion or disqualification of your Permit by Notification Form (PBN), monitor the NHDES Wetlands Database by logging on to: <http://www.des.nh.gov/onestop/> and selecting, "Wetland and Shoreland Permits". If file status indicates, "PBN IS COMPLETE" the permit is approved and nothing more is required of you. **YOU WILL NOT RECEIVE A HARD COPY PERMIT APPROVAL BY MAIL.** If the file status indicates, "PBN IS REJECTED" the permit was not approved and Permit by Notification Form and the attachments will be returned to you via mail.

**MUNICIPAL SIGNATURES**

**12. CONSERVATION COMMISSION SIGNATURE - REQUIRED FOR 10 DAY PROCESSING ONLY**

[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov) or (603) 271-2147  
 NHDES Wetlands Bureau, 29 Hazen Drive, PO BOX 95, Concord, NH 03302-0095  
[www.des.nh.gov](http://www.des.nh.gov)

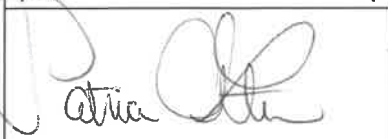
The Conservation Commission is not required to sign. The Conservation Commission signs this statement if the applicant is seeking the Permit by Notification Form to be processed within 10 days. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for 10 day processing but the Permit by Notification will be processed within 25 days.

The signature below certifies that the municipal conservation commission or local governing body has reviewed this application, and:  
**a) waives its right to intervene per RSA 482-A:11; b) believes that the application and submitted plans accurately represent the proposed project; and c) has no objection to permitting the proposed work.**

Authorized Commission Signature	Print name legibly	/ / Date
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**13. TOWN / CITY CLERK - All applications require this section to be completed by the Town/City Clerk**

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans and four USGS location maps with the town/city indicated below.

 Town/City Clerk Signature	Patricia A. Little Print name legibly	5/24/2019 Date	Keene Town/City
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**DIRECTIONS FOR TOWN/CITY CLERK** Per RSA 482-A:3,I:

1. IMMEDIATELY sign the original Permit by Notification Form (PBN) and four copies in the signature space provided above.
2. Return the signed original Permit by Notification Form (PBN) and attachments to the applicant so that they may submit the Permit by Notification Form and attachments to NHDES by mail or hand delivery.
3. IMMEDIATELY distribute a copy of the Permit by Notification Form with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board.
4. Retain one copy of the Permit by Notification Form (PBN) and one complete set of attachments and make them reasonably accessible for public review.

**DIRECTIONS FOR APPLICANT**

1. IMMEDIATELY submit the original Permit by Notification Form (PBN) bearing the signature of the Town/ City Clerk, the required attachments, and the application fee to NHDES by mail or hand delivery.
2. Retain a copy of the Permit by Notification Form (PBN) for your records and review the permit conditions.
3. Monitor the NHDES Wetlands Database by logging on to: <http://www.des.nh.gov/onestop/> and selecting, "Wetland and Shoreland Permits." If the file status indicates "**PBN IS COMPLETE,**" the permit is approved and nothing more is required of you. **YOU WILL NOT RECEIVE A HARD COPY PERMIT APPROVAL BY MAIL.** If the file status indicates "**PBN IS DISQUALIFIED,**" the permit was not approved and the Permit by Notification Form and the attachments will be returned to you by mail.



**14. PERMIT BY NOTIFICATION ATTACHMENT CHECKLIST & INSTRUCTIONS**

This application will be returned to you if items noted with a (☐) are not provided with your notification. Refer to the Wetlands Bureau Technical Assistance webpage for a list of the links provided below.

Link: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

Provide attachments in the order listed.

**A. Application Fee**

Check or money order for \$200 payable to "Treasurer – State of NH" (RSA 482-A:3, I (c)).

**B. Completed Permit by Notification form**

Application form with applicant's name, mailing address and daytime telephone number and the street address of the proposed project site.

**C. Required Signatures**

Property Owner (page 4 PBN form) and Municipal Clerk (page 5 PBN form).

**D. USGS Map**

A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map).

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

**E. NHB Review**

Refer to the link below to answer no. 5.a. on the PBN form.

1. Required letter/memo from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: [https://www2.des.state.nh.us/nhb\\_datacheck/](https://www2.des.state.nh.us/nhb_datacheck/) or by phone (603) 271-2215 x 323. *Questions related to completing this process should be directed to the Natural Heritage Bureau.*

2. Copies of any additional comments received from NHB and/or the New Hampshire Fish and Game Department.

**F. Designated River Check RSA 482-A:3,I(d)(2)**

1. Refer to the designated river list and map link below to answer no. 5.b on the PBN form.

<http://des.nh.gov/organization/divisions/water/wmb/river/designriv.htm>

2. If you are within ¼ mile of a designated river, notify the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail

LAC informational link: <http://des.nh.gov/organization/divisions/water/wmb/river/lac/index.htm>

**G. Tax Map (Env-Wt 501.02(a)(1)& 505.01(e))**

A legible copy or tracing of the tax map from the municipal office.

**H. Abutter Notification (Env-Wt 101.03, 501.01(c), 501.02(a)(1)& 505.01(f))**

Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map.

Sample Abutter Notification Letter: <http://des.nh.gov/organization/divisions/water/wetlands/documents/abutter-notification.doc>

**Abutter:** any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than one-quarter mile from the limits of the proposed project.

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO BOX 95, Concord, NH 03302-0095

[www.des.nh.gov](http://www.des.nh.gov)



**I. Permission for work within 20 feet (Env-Wt 304.04, Env-Wt 402.04 and RSA 482-A:3, XIII)**

If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water, signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04).

A notarized, written agreement with any abutter(s) when the proposed seasonal pier or wharf is located within 20 feet of the property line or imaginary extension thereof over surface waters.

**J. Photographs (Env-Wt 501.02(a)(3) & 505.01(i))**

Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets.

**K. Plans: A plan showing the proposed project, including the plan requirements listed below:**

1. An overview of the property and proposed impact areas in relation to the property lines.
2. The scale, if any, used on the plan. If the drawing is not to scale, the dimensions of all existing and proposed structures and all other relevant features necessary to clearly define the project.
3. A labeled north-pointing arrow to indicate orientation.
4. A legend that clearly indicates all symbols, line types, and shading used on the plan.
5. The location of the 100-year floodplain, if applicable to the proposed project.
6. If the topography is to be permanently altered, the existing and proposed topography, including a reference to elevation.
7. Proposed methods of erosion and siltation control indicated graphically and labeled or annotated as necessary. \* See the Erosion Prevention and Sedimentation Control Practices Guide: <http://des.nh.gov/organization/divisions/water/wetlands/documents/pbn-erosion-guide.pdf>
8. The general shape of the shoreline including the shoreline frontage length and either;
  - a. The full water body elevation; or
  - b. The highest observable tidal line for tidal waters.

*Shoreline frontage determination: add the length of the natural navigable shoreline (which may be shown on the tax map) to the length of a straight line drawn between the two side property boundaries, and divide by two. Both lengths are measured at the normal high water line.*

9. The footprint of all existing and proposed structures on the property.
10. The intended use of each proposed structure.
11. The distance from existing and proposed work to abutting property lines.
12. For projects that include work in the protected shoreland (SWQPA); the reference line; the primary building line, 50 feet from the reference line; and any local setbacks.
13. The location of wetlands delineated in accordance with Env-Wt 301.01, shoreline, surface waters, areas within 100 feet from the highest observable tideline, and sand dunes on site, and their relation to the proposed project.

## POST THIS PAGE

**NHDES WETLANDS BUREAU FILE #:**

(File # obtained here: [http://www2.des.state.nh.us/OneStop/Wetland\\_Permits\\_Query.aspx](http://www2.des.state.nh.us/OneStop/Wetland_Permits_Query.aspx))

**PROPERTY OWNER NAME:**

**PROJECT DESCRIPTION:** (description from the completed NHDES PBN form)

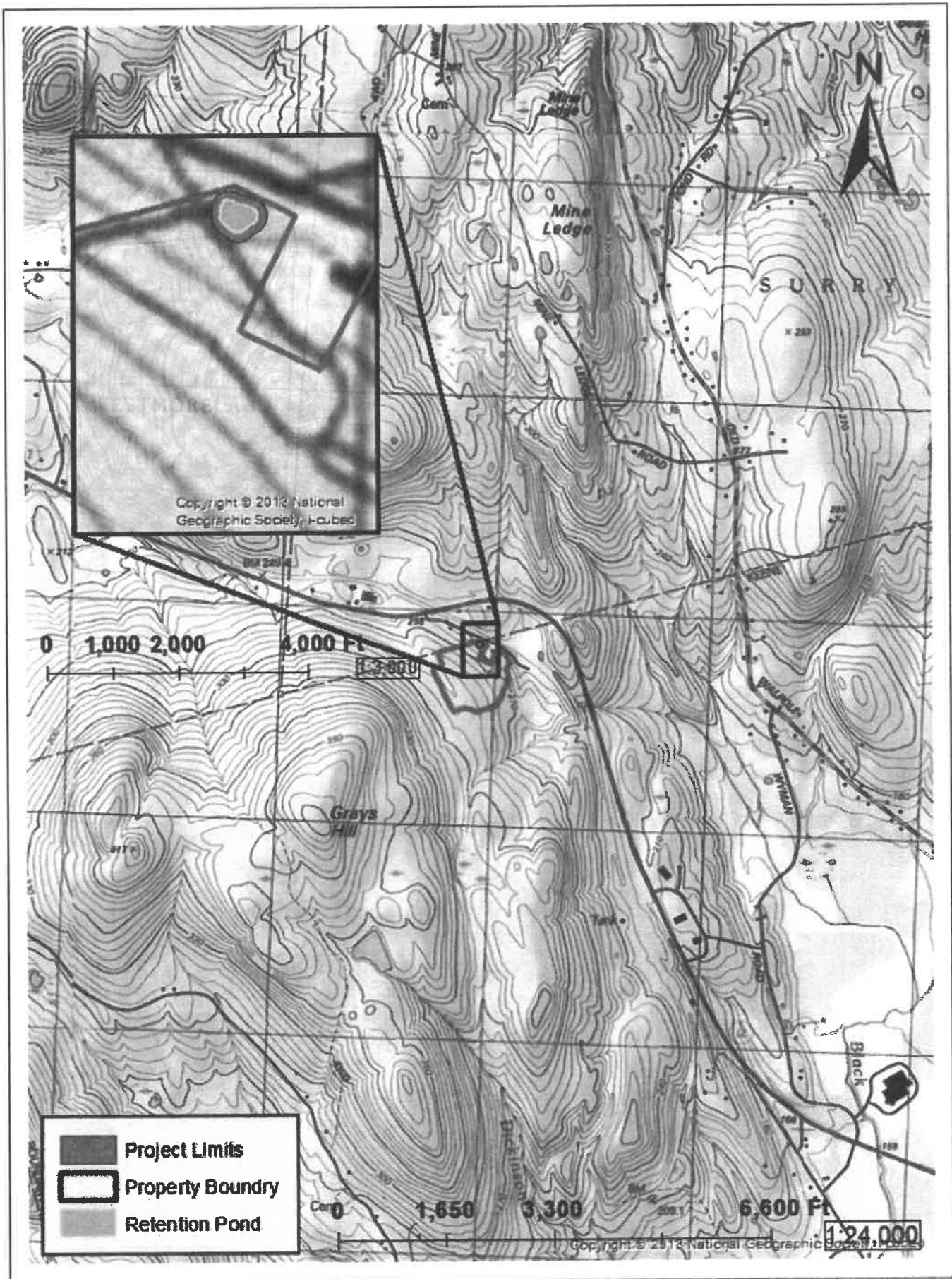
### NOTIFICATION CONDITIONS

If you are not able to comply with the conditions listed below, your project does not qualify for the PBN process. Please discuss these conditions with your contractor prior to construction. **By signing the PBN Form you are certifying that you understand all of these conditions and will adhere to them.** Failure to adhere to these conditions may result in DES pursuing enforcement against you and/or your contractor. If you need clarification, please contact the regional reviewer for your project type or call (603) 271-2147. Keep this page for your records.

1. The applicant shall post the completed and signed Permit By Notification (PBN) Form at the site prior to commencing the project;
2. All work shall be conducted in accordance with plans dated 5/16/19, submitted with the PBN Form;
3. For projects involving the construction of a temporary cofferdam, indicate the name of P.E. who stamped plans: N/A ;
4. All work in jurisdiction shall be located at least 20 feet from abutting property boundaries unless written permission is submitted in compliance with Env-Wt 304.04(a);
5. Work shall be conducted during low water conditions. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank;
6. Work shall not cause violation (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Wq 1700;
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland;
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity;
9. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized. Temporary erosion controls must be removed once the area is stabilized;
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting;
11. Repair/replacement projects shall maintain existing size, location, configuration and construction type;
12. This permit to replace or repair existing structures shall not preclude DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. All construction related debris and material shall be placed outside of the DES Wetlands Bureau jurisdiction.
14. The proposed project will be maintained so as to be useable for its intended purpose.
15. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. For culvert replacements, proper headwalls shall be constructed within seven calendar days of culvert installation.
17. This permit is contingent on approval by the DES Dam Safety Bureau, **if required by that program's rules**. The applicant shall contact the DES Dam Bureau at: <http://des.nh.gov/organization/divisions/water/dam/index.htm> / (603) 271-3406 to ensure that a dam permit is not required. 5/16/19 (date of contact) Jim Weber (name of DES Dam Bureau staff person);
18. Within 10 calendar days following the completion of the project, photographs shall be submitted to DES depicting the areas where the impact occurred. Mount or print dated and labeled photos on 8-1/2" x 11" sheets of paper.

D.

# USGS Map: City of Keene Dredging Project



BY: Joe Martino  
City of Keene Engineering



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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**To:** Joseph Martino, City of Keene  
400 Marlboro St.  
Keen, NH 03431

**From:** NH Natural Heritage Bureau

**Date:** 5/14/2019 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 4/26/2019

**NHB File ID:** NHB19-1280

**Applicant:** Kurt Blomquist

**Location:** Surry, Keene  
Tax Maps: 919100340000

**Project**

**Description:** Maintenance dredging of man made detention basin

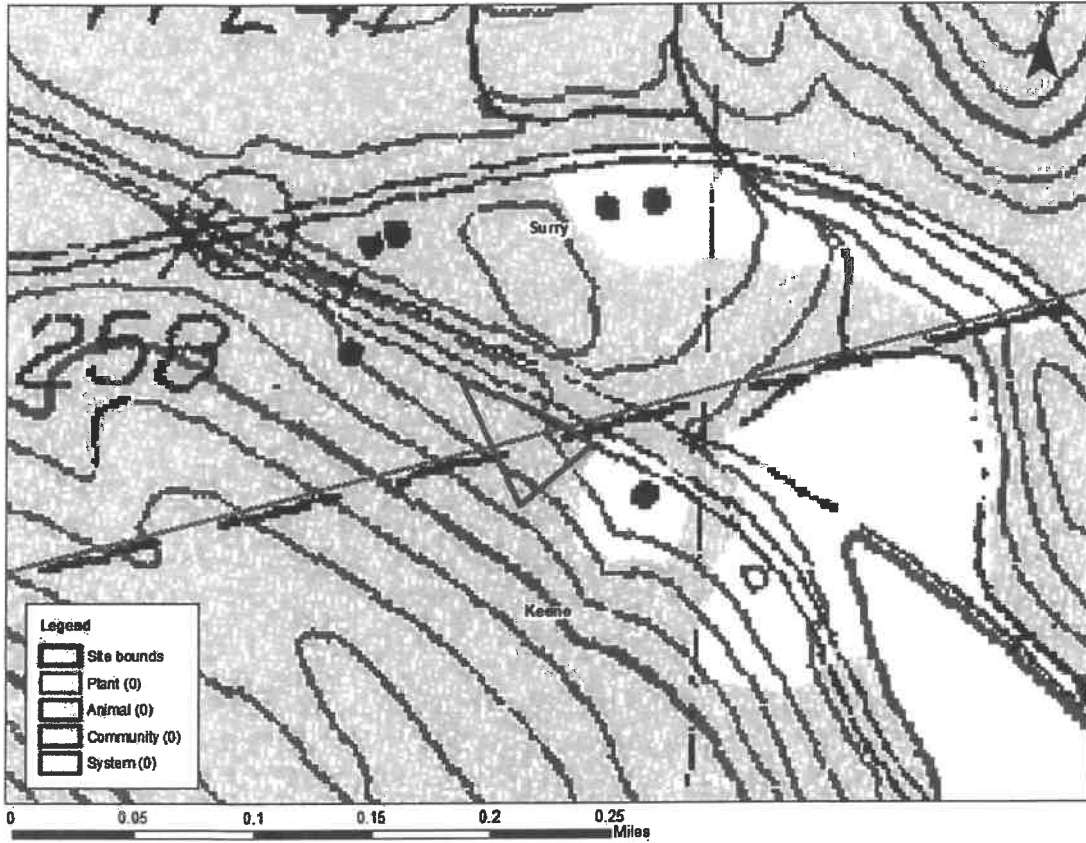
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 4/26/2019, and cannot be used for any other project.



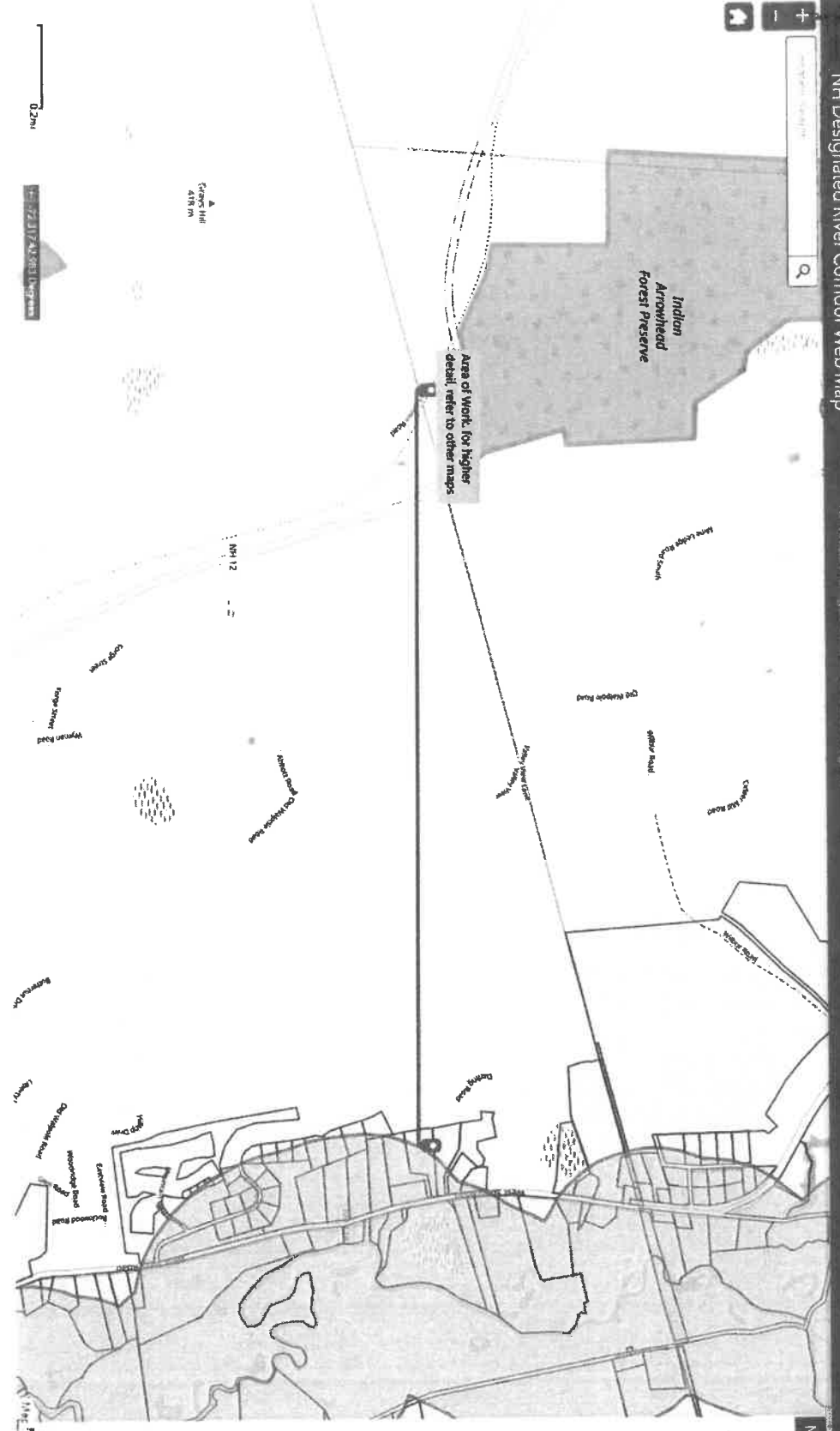
MAP OF PROJECT BOUNDARIES FOR: NHB19-1280

**NHB19-1280**





Search



Measurement Tools



Miles

Measurement Result

1.8 Miles

Clear

Press CTRL to enable snapping

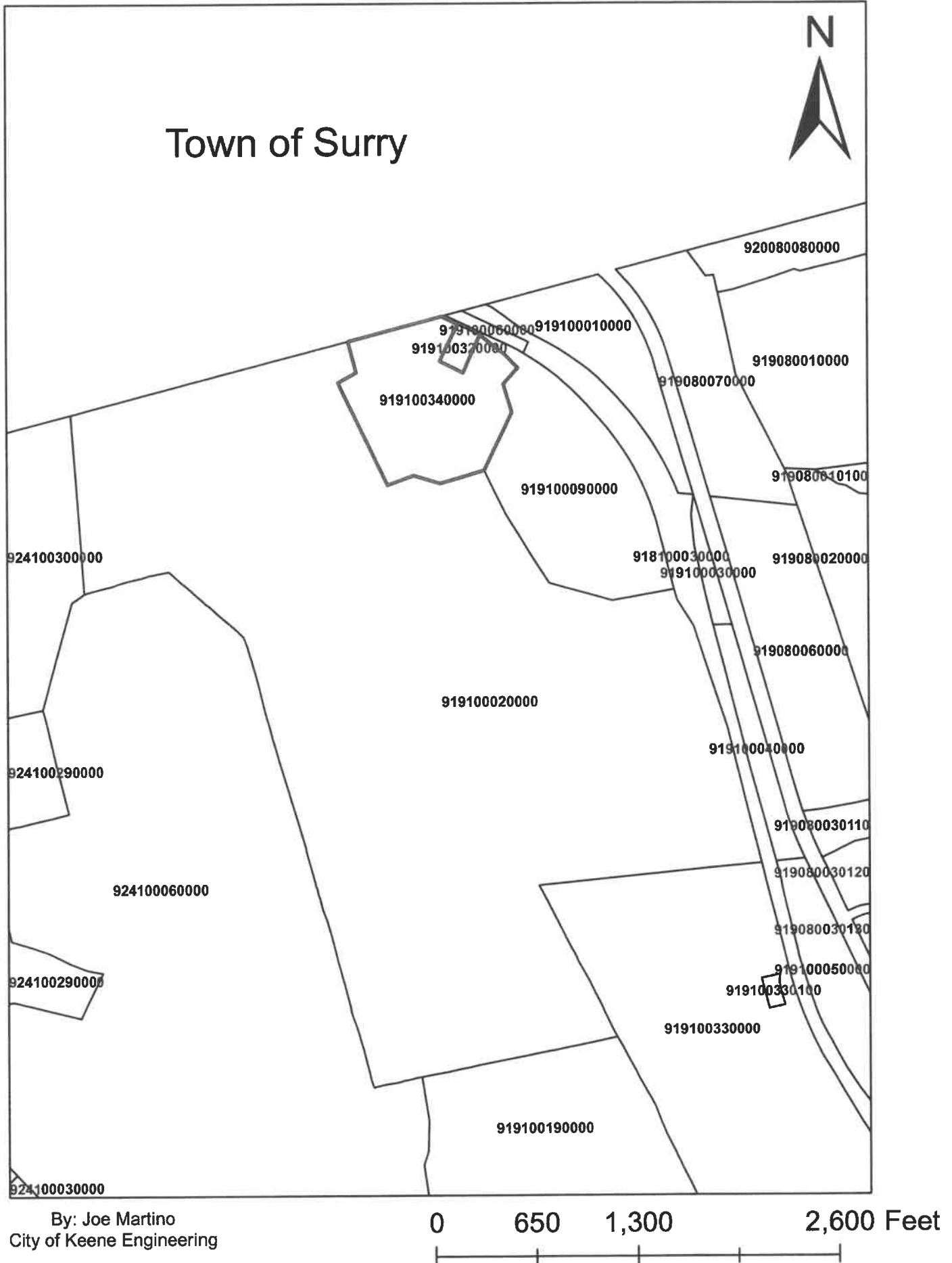
F.

## **ABUTTER LIST**

Below is the abutters list, the Tax Map Code column will refer to the attached map.

<b><u>name</u></b>	<b><u>C/O</u></b>	<b><u>number</u></b>	<b><u>street</u></b>	<b><u>city</u></b>	<b><u>state</u></b>	<b><u>zip</u></b>	<b><u>Tax Map Code</u></b>
Deborah Barrett		49	Jacqueline Dr.	New Ispwitch	NH	03071	9191000200000
Mathew Barrett		1	Route 12A	Surry	NH	03431	9191000200000
NH Department of Environmental Services	C/O Mark Stevens	29	Hazen Drive	Concord	NH	03431	9191000600000

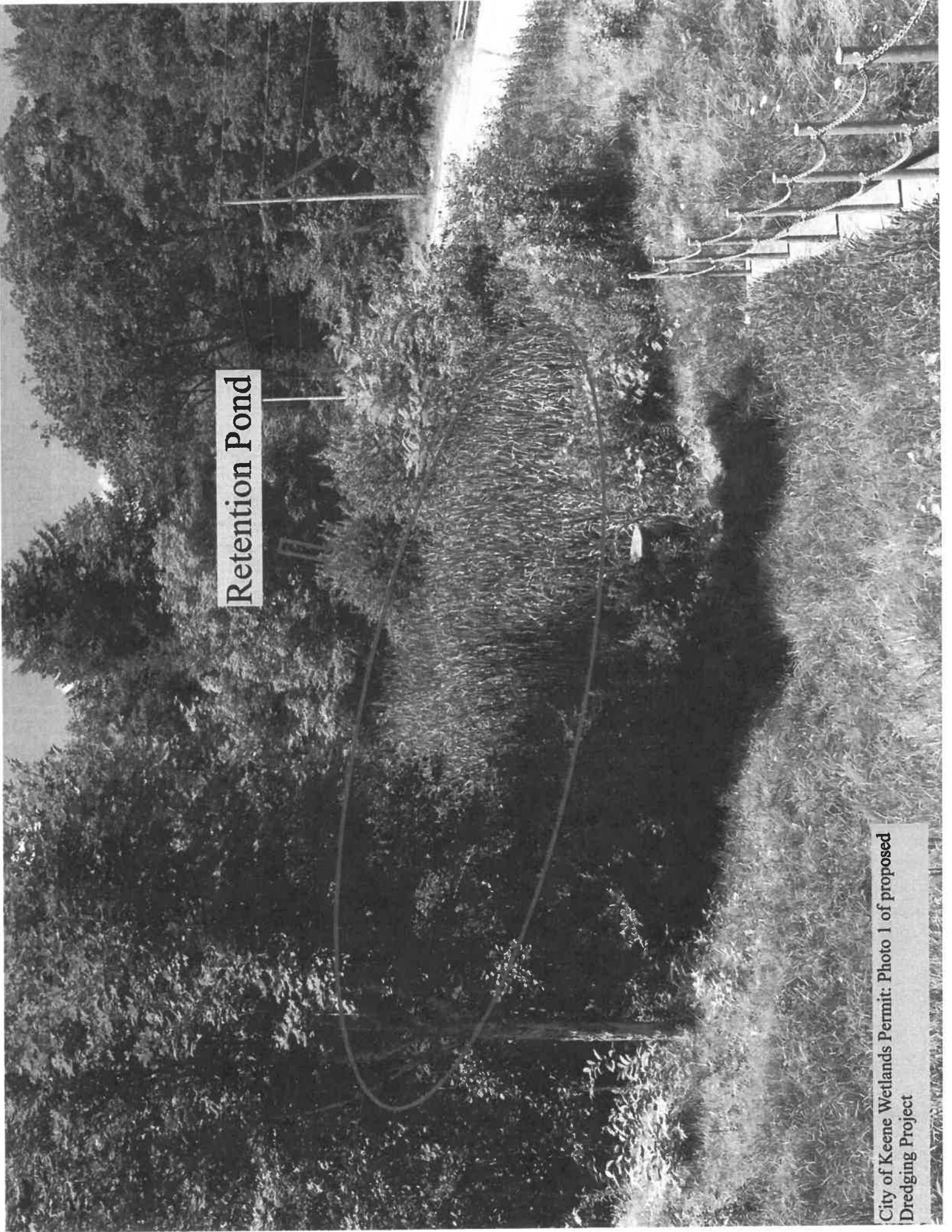
# Tax Map Keene May 9th 2019

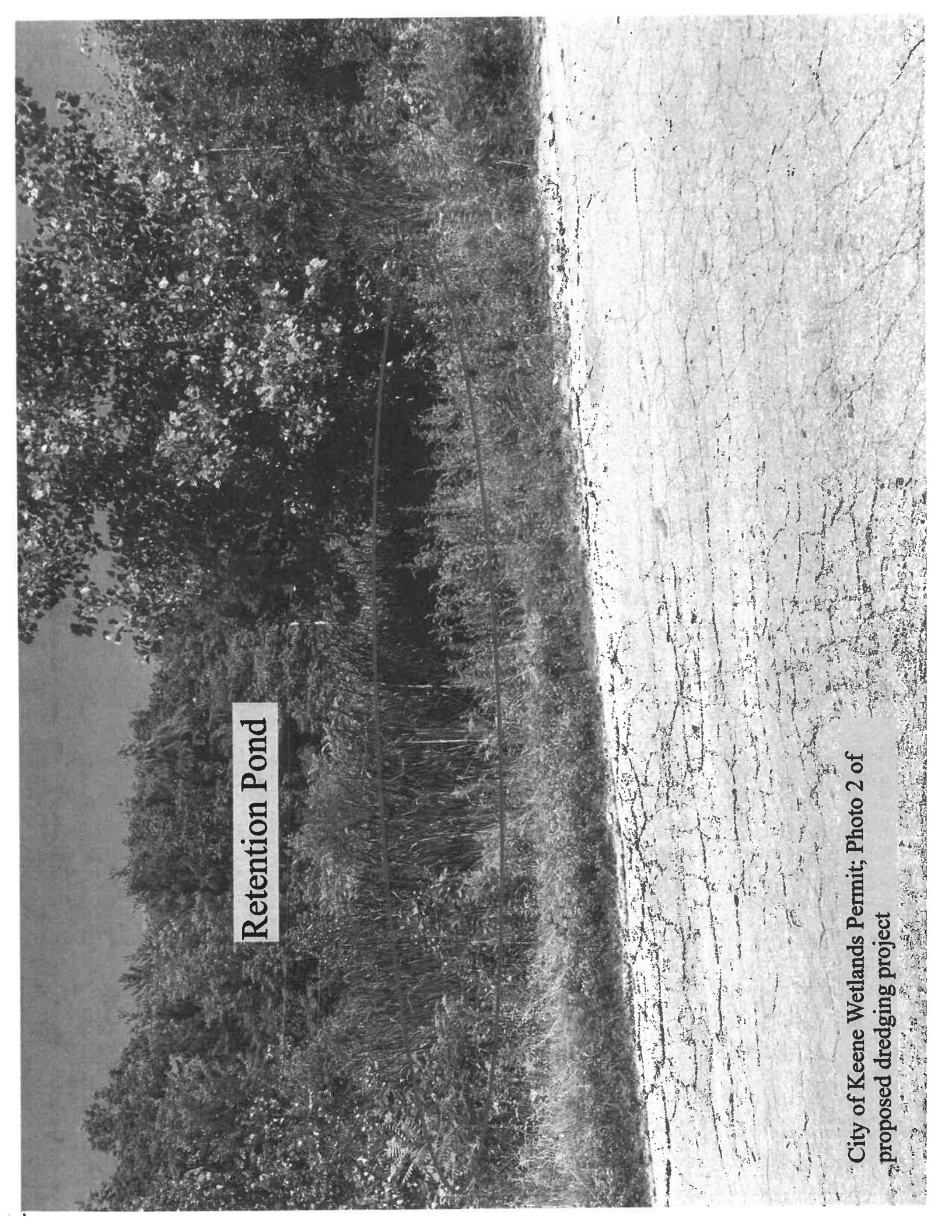




Retention Pond

City of Keene Wetlands Permit: Photo 1 of proposed  
Dredging Project





Retention Pond

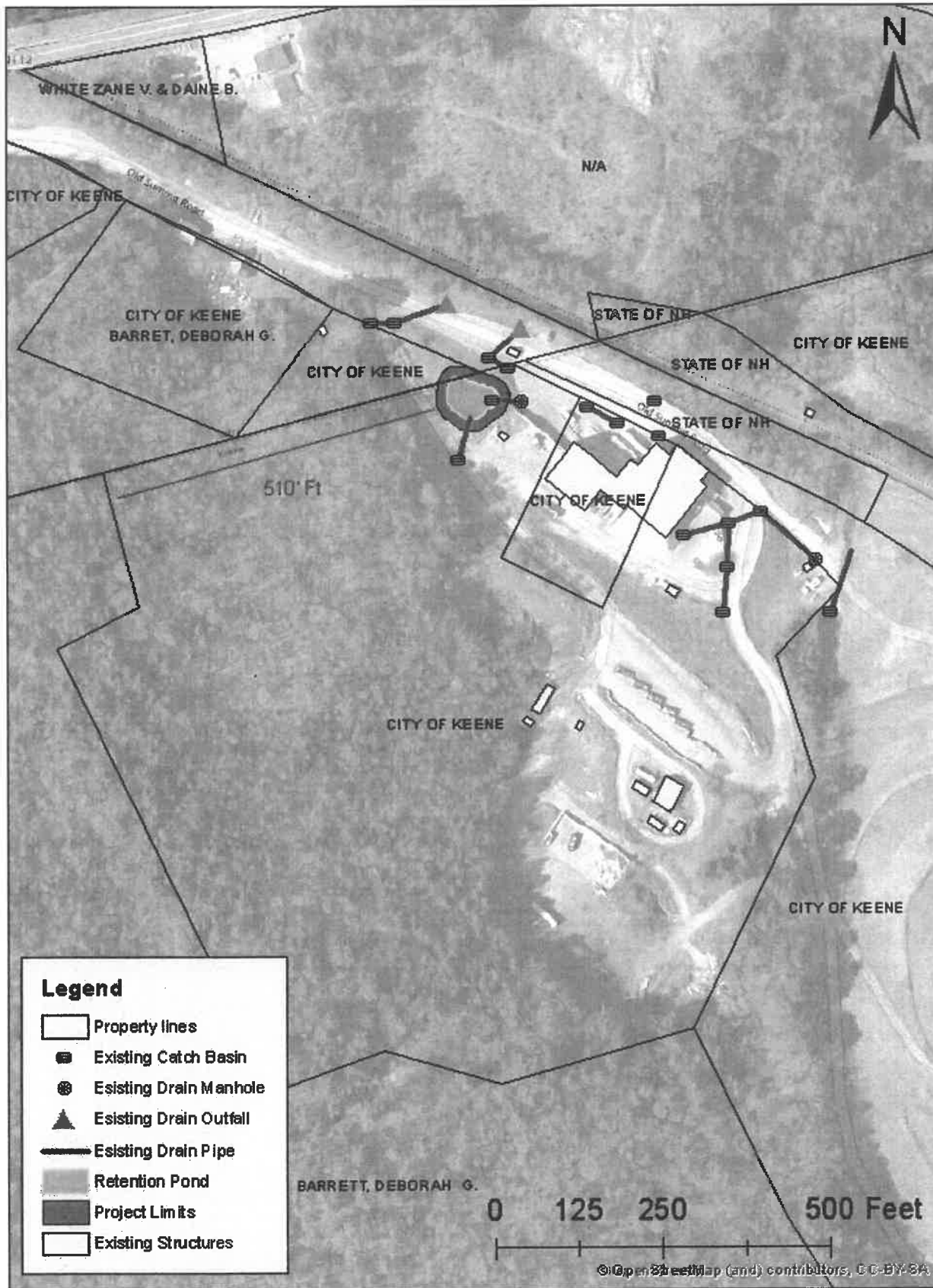
City of Keene Wetlands Permit; Photo 2 of  
proposed dredging project



J.

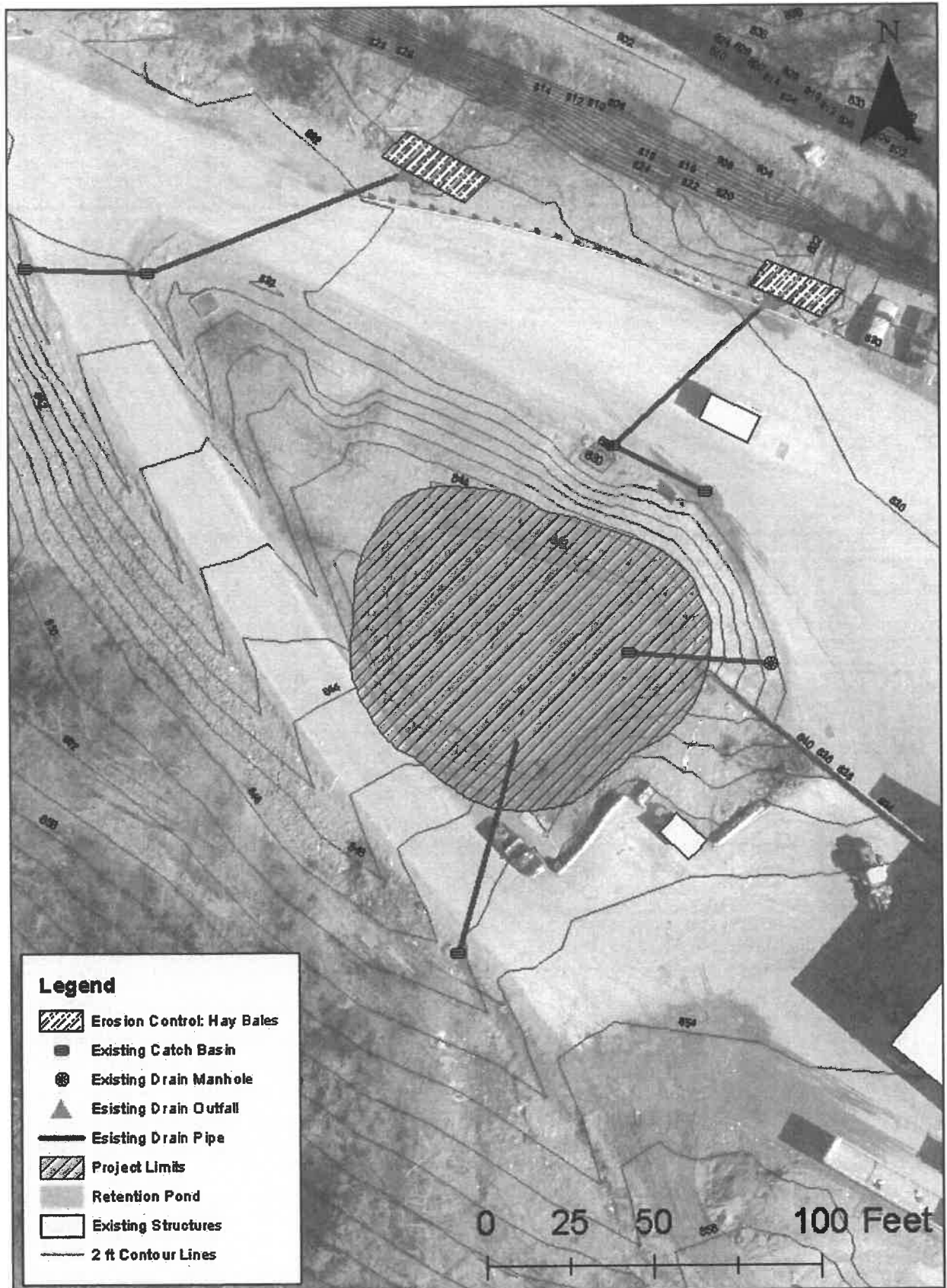
# Transfer Station Retention Pond Site Plan

5/16/2019



BY: Joe Martino  
City of Keene Engineering

# Transfer Station Retention Pond Dredging Project Erosion Control Plan



BY: Joe Martino  
City of Keene Engineering