



City of Keene, New Hampshire

CONSERVATION COMMISSION

City Hall

Monday, December 16, 2019

4:30 PM

2nd Floor Conference Room

Commission Members

Alexander Von Plinsky, IV, Chair
Eloise Clark, Vice Chair
Kenneth Bergman
Councilor George Hansel
Brian Reilly

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

1. Call to Order
2. Approval of Meeting Minutes – October 21, 2019
3. Informational
 - a. Subcommittee reports
 1. Outreach Subcommittee
 2. ARM Fund Subcommittee
 - b. Project Update: Unified Development Ordinance (Building Better Together)
<https://www.keenebuildingbetter.com/>
 - c. NHDOT Floodplain Letter
 - d. Society for the Protection of NH Forests – easement monitoring
4. Discussion Items
 - a. Conservation easement monitoring – Concord Hill Easement
 - b. Airport Road habitat
5. New or Other Business
6. Adjournment – Next meeting date Monday, January 13, 2020

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City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, October 21, 2019

4:30 PM

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

Members Present:

Alexander Von Plinsky, IV, Chair
Eloise Clark, Vice Chair
Art Walker
Councilor George Hansel
Ken Bergman
Brian Reilly
Steven Bill, Alternate
Tom Haynes, Alternate (Arrived Late)

Staff Present:

Rhett Lamb, Community Development
Director/Assistant City Manger

Members Not Present:

Denise Burchsted

1) Call to Order

Chair Von Plinsky called the meeting to order at 4:29 PM and appointed Mr. Bill as a voting member in Ms. Burchsted's absence.

2) Approval of Meeting Minutes – September 16, 2019

On the first page in the third paragraph, *Mr. Burchsted* should be corrected as *Ms. Burchsted*.

Councilor Hansel moved to approve the minutes of September 16, 2019, which Mr. Bergman seconded and the Conservation Commission carried unanimously.

3) Informational

a. Subcommittee Reports

i. Outreach Subcommittee

Mr. Haynes and Ms. Clark reported that Jeff Littleton would lead a walk around Goose Pond on Saturday October 26 (10:00 AM to 12:00 PM) to discuss natural history, ecology, and the Goose Pond Stewardship Plan. The Director of Parks, Recreation & Facilities, Andy Bohannon, told Mr. Haynes that he would advertise the event on the Department's social media and web page; Commission members had yet to see those announcements and so Mr. Haynes would follow-up. The walk would commence at the new parking lot where trucks have been entering for dam work; Mr. Bohannon said the parking area would be open to the public by the 26th. Mr. Bergman said that on a recent visit to the Pond, dam workers laying concrete said trails would be open in two weeks.

Mr. Haynes reported that he attended the Source to Sea Cleanup that was good fun. He saw Andrew Madison, a former Vice Chair of the Conservation Commission, who has moved back to Keene and was interested in returning to the Committee. This is good timing with Ms. Burchsted's resignation, as his is also a water specialist

Mr. Haynes referenced a survey on the West Street Dam, which Mr. Lamb said was per the Rhode Island School of Design, and the advertisement listed Keene State College. He shared the website with Commission members; the deadline to participate was the date of this meeting, and Councilor Hansel said that participants received \$20 Amazon gift cards.

The Chairman questioned if the Commission must have a City Councilor as a member. Mr. Lamb referenced § 2-771 of Chapter 2, Article V - Division 7 of the Keene City Code: *The Conservation Commission shall consist of seven regular voting members, one of whom shall be a member of the City Council.* Recommendations for new Commissioners should be directed in writing to the Mayor (Cc Mr. Lamb), who would work with the City Clerk to appoint new members. Councilor Hansel suggested that Commissioners should invite recruits to experience a meeting.

Mr. Haynes questioned the procedure to pay Mr. Littleton \$200 for his services guiding the walk around Goose Pond; Mr. Lamb suggested a motion for Mr. Littleton to send an invoice to the Community Development Department.

Mr. Haynes moved to approve Jeff Littleton sending an invoice to the City for \$200 to be paid by the Conservation Commission budget for the walk at Goose Pond on October 26, 2019. Councilor Hansel seconded the motion, which passed unanimously.

ii. ARM Fund Subcommittee

The Chairman and Mr. Bergman met to familiarize themselves with GIS details on conservation parcels provided by City staff, documents from Ms. Clark and the Ashuelot River Local Advisory Committee (ARLAC), and the NH Wildlife Action Plan. He said the goal is to prioritize areas of the City for conservation so that when funding sources arise, the Commission is ready to recommend that the City apply for funding. He suggested changing subcommittee name to something such as the Conservation Prioritization Subcommittee. Mr. Bergman also received the City's database of tax map parcels. He said that of the 7892 parcels, 44 are zoned as agriculture (which he thinks could be of Commission interest) totaling 3.86% of all acreage, and 55 are zoned as conservation representing 12.06% of all acreage. The focus will likely be on conservation parcels moving forward. Mr. Bergman cited addresses listed for parcels such as *00 Main Street*; Mr. Lamb said that "0" addresses indicate that there is a parcel, but because there is no structure, there is no true mailing address.

b. 44 Black Brook Road – Surface Water Protection Ordinance Referral from the Planning Board – Update

Mr. Lamb recalled that the Commission visited this site at 44 Black Brook Road in September and Rob Hitchcock visited the Commission to describe the project. The Commission recommended that the Planning Board consider hooded outlets for the catch basin(s) to minimize the entrance of petroleum, or any technique that would have the same effect. That recommendation was carried through by the Planning Board as a condition of approval for the site plan and Conditional Use Permit.

4) Discussion Items

a. **Airport Road Habitat**

Mr. Bergman provided a draft report about the wetlands along Airport Road, which provide habitat for several rare and unique species, and would be disturbed by either of the two wildlife-fencing options provided in the Airport Master Plan (AMP). These wetlands attract birders from throughout the region, who utilize Airport Road for bird watching. Airport Road and its aesthetic surroundings are used by many local residents for walking and recreation. Thus, this important area will be impacted by fencing plans at the Airport. He shared his research on these wetlands, and the ecosystem and recreation services that they provide. He would share an updated draft via email with new graphics he created showing where the fencing options would be located with respect to the smaller crosswind runway 14-32 (running SE-NW), looking east.

Mr. Bergman said that the AMP suggested Option 2 as the preferred alternative, but he said it was unclear if the options provided in the AMP were final. Mr. Lamb said they were not; there are just possible alternatives and any fencing design/construction is not planned until at least 2023. Mr. Bergman was concerned with who would make the ultimate decision. Ultimately, Mr. Lamb said that selecting an FAA-sanctioned alternative is the City Council's decision based on estimates approved in the Capital Improvement Program (CIP). He added that the Town of Swanzey and their Conservation Commission would be involved with permitting but not selecting an alternative. Mr. Bergman described how the fencing options provided in the AMP would disturb wetlands and/or recreation along Airport Road; a fence along Airport Road would prevent parking on the shoulder for bird watching. He noted suggestions in the AMP for two gates in the fence to allow access to the other side for birding, which Mr. Bergman thought was possible; activity on the other side of the fence, however, could cause shy species to disappear from view.

Mr. Bergman noted another suggestion in the AMP to construct platforms and blinds for birding and recreation. Mr. Bergman suggested researching the cost and cited some possible locations. He said that they would likely be used by a limited number of highly motivated citizens from Keene and Swanzey, though the public might not see the value. He thought the effort would align well with the Commission's mission and the City's environmental commitments. Commission members agreed with the value of possible blinds, and cited the Commission's budget as a possible source of funding in addition to fundraising. The blinds could include educational information and could attract casual walkers along Airport Road to learn and better appreciate the habitat. Mr. Bergman will include educational information on blinds in the next draft of his report.

Mr. Bergman listed questions included in his report that would be valuable for the Commission to have answers to as the Airport plans progress in upcoming years. The Chairman asked Commissioners to consider these questions for discussion at the November meeting:

1. Is the decision to follow Alternative 2 final, or could it be reviewed? If so, by whom? Which public bodies would influence or make the final decision? Would public comment be allowed? Would the town of Swanzey be consulted?
2. Under either option, would fencing that runs along Airport Road be placed at the top of the embankment (next to the road pavement), thus eliminating the road shoulder, or near the bottom of the embankment, close to the water?
3. Could gates be installed in the fence to allow people to move onto the embankment and gain an unobstructed view of the marsh? Gates could be spring-loaded or weighted to assure

automatic closure. Gates could be simple or of the “kissing gate” style common in British sheep pastures.

4. Could one or more wooden platforms with blinds be placed along Airport Road to permit wildlife viewing and photography with sightlines uninterrupted by a fence?
5. Would the gate that formerly restricted vehicle traffic on Airport Road beyond the terminal area be re-introduced, or would vehicle passage onto Airport Road remain unrestricted.
6. Would the existing perimeter fence along RT-32 be replaced by a 10’ high one?
7. If the primary function of the fence would be to exclude deer, what would be the purpose of the three strands of barbwire at the fence-top? Would airport staff be prepared to rescue deer snagged by the barbwire, or otherwise?
8. The proposed fencing is expected to include a “ground deterrent” to exclude burrowing animals. Do burrowing animals pose a distinct threat to aircraft?
9. When would construction of the new fencing commence and during what season?

With plans not until 2023, Mr. Lamb noted that some of these questions might not yet be asked or answered. He noted that the alternative with fencing along Airport Road was proposed to minimize wetland impacts, so he anticipated it would be high enough on the embankment to do so. He anticipated that these minute details were not yet designed.

Councilor Hansel thought that researching blind design and cost would be worthwhile. He did not think it ideal to sink a fence into the wetland to mitigate visual obstruction. He thought fundraising or using Commission funds could save work later. Mr. Haynes said it would also be important to document the wildlife habitat there when making a case for such an option. Mr. Lamb added that the mission of this Commission is to create better space for people to use and enjoy; promoting options that align with the mission would be more effective than just opposing a fence. Blinds could be a positive alternative to provide greater access to the natural resources and educate the community. Mr. Lamb noted there could be some pushback as to the cost of this option for the City to maintain; still, he said this Commission’s charge is to highlight the value of the area and the many possibilities. Keene High School and the Boy Scouts were cited as possibilities to help with construction, which would not be a sophisticated project. The Chairman agreed that the idea of a fence through the wetlands is challenging, so he supported opportunities for recreation that allow wildlife to be comfortable. Mr. Bergman noted that each alternative in the AMP has some amount of fence crossing wetlands. The Chairman agreed that all alternatives will have pros and cons, but he recalled the importance of minimizing actual wetland impact and not just viewing impact.

Mr. Bill recalled discussion of turtles on the runways and questioned what populations of turtle species are posing a threat to aircraft. Mr. Lamb said the Airport Operations Manager, Mike Moriarty, cites daily battles with wildlife on the runways and trying to keep airport operations safe. Mr. Bergman agreed that he has camera trap information on many species there, including turtles crossing Airport Road from one wetland to another.

Chair Von Plinsky suggested that NH Fish and Game would likely have estimates for blind construction costs. Mr. Bergman would continue researching and Commissioners would review the draft report for the November meeting.

b. Easement Monitoring Schedule

The Chairman reported easement monitoring of the Concord Hill property along Beaver Brook Falls scheduled for December 4 beginning at 9:00 AM. He would work with Mr. Lamb to notify the property owner of the walk.

Ms. Clark recalled that ARLAC members are working with KSC seniors as interns who are surveying different parts of the 60-mile Ashuelot River Corridor. She walked the Emily Shaw property with the Keene intern, who will document the conditions. Ms. Clark said the property is in good form and she identified no incursions. She recently walked her own property with an Easement Monitor from the Monadnock Conservancy, who said the primary focus what monitoring is to ensure that there are no new incursions on the property, such as building a shed or dumping.

5) New or Other Business

Ms. Clark reported that ARLAC was concerned about erosion at the Speedway Petroleum Gas Station on Lower Main Street on the banks of Beaver Brook since the work there. ARLAC submitted a report to the City Engineer requesting that whoever worked there last replace the matting to prevent erosion in that area. She added that the Source to Sea Cleanup identified many tires where the Branch and Ashuelot Rivers meet, which were not visible the prior year. She questioned if there are ways the Commission could help to identify the source of the tires, whether it is wholesale dumping or erosion from the old dump along the Branch River. Ms. Clark continued sharing upcoming events:

- October 29 – Cheshire County Conservation District Annual Meeting. At the Keene Country Club, with guest Jim Rubineer. \$30 to attend, including dinner.
- November 12 – NH Association of Conservation Commissions Annual Meeting. Ms. Clark, Mr. Haynes, and Mr. Reilly attended in the past and found it valuable. Interested Commissioners should contact Mr. Lamb to attend.
- November 16 – The first Monadnock Natural History Conference. At KSC, with Antioch University and the Harris Center. 8:30 AM - 4:30 PM. \$15 to attend.

Mr. Lamb shared that the Roaring Brook Watershed Management Plan final draft is nearly complete and he anticipates it being presented to the Municipal Services, Facilities & Infrastructure Committee in November, after which the Commission should see the draft. He recalled the unique situation with the whole 2500-acre watershed in Roxbury.

Mr. Bergman recalled walking the rail bed through the golf course, where he noticed a large tree leaning over the path that will fall soon. Mr. Lamb will report that to Mr. Bohannon and he recommended the YourGov app, which allows citizens to report such issues in the City right from their phones and notifies the Public Works Department.

6) Adjournment

Hearing no further business, Chair Von Plinsky adjourned the meeting at 5:18 PM.

Respectfully submitted by,
Katrnya Kibler, Minute Clerk
October 22, 2019

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54 Portsmouth Street
Concord, NH 03301

Tel. 603.224.9945
Fax 603.228.0423

info@forestsociety.org
www.forestsociety.org

December 9, 2019

City of Keene
3 Washington Street
Keene, NH 03431

Re: Keene, City of CE: Conservation Easement Monitoring Visit

Dear Commission or Board Members:

This letter serves as our annual communication regarding your Town's Conservation Easement Property.

As you may know, the Forest Society is a land conservation organization founded in 1901 with a dual mission of land conservation and responsible forest management. We hold conservation easements and conservation deed restrictions on over 750 properties protecting more than 130,000 acres in New Hampshire. As part of our easement stewardship program, we monitor our conservation easements annually from the air and on the ground every few years.

As an easement steward and the individual who monitors your Town's conservation properties, I serve as your link to the Forest Society regarding the conservation easement. My role is to answer any questions about the easement you may have and work with you to ensure any plans for the property meet the terms of the easement.

The following are the town owned Properties in which the Forest Society holds a Conservation Easement or Deed Restrictions:

Keene, City of CE

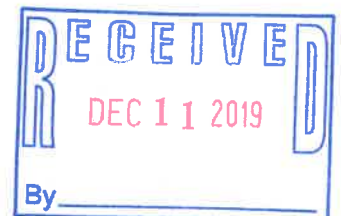
While I did not see the entirety of the property, the monitoring visit did not reveal any new activities that conflict with the terms of your conservation easement. The remainder of the Properties that did not receive a ground-monitoring visit this year were aerial monitored via ortho imagery taken during leaf off conditions this fall.

To assist us in our easement administration and stewardship efforts, we ask that you take a moment to notify us of any management changes or plans to exercise of any reserved rights permitted by the easement. Please be sure to review your Property's Conservation Easement before planning any new management activities.

Please feel free to contact me at zpearo@forestsociety.org or 603-224-9945 with any questions or concerns you may have.

Sincerely,

Zach Pearo
Conservation Easement Steward



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City of Keene

Conservation Easement Monitoring Report

1. General Information:

Easement Name and Number: Concord Hill Easement

Location (Street of Access, town): Concord Hill Drive, Keene

Date(s) of Monitoring Visit(s): December 4, 2019

Current Landowners: Concord Hill Association (Land) and the City of Keene (Easement)

Landowner contact information (address/email and/or telephone): Carl DeMatteo (Resident and Member of Concord Hill Association)
carldematteo@gmail.com

All persons attending the monitoring visit: Sparky Von Plinsky (Commission Chair), Eloise Clark (Commission Vice-Chair), Tom Haynes (Commission Member) & Kevin Oxford (Neighbor and partial landowner)

2. How was the landowner contacted prior to the monitoring visit?

After looking over the parcel map we came upon Carl's name. As I (Sparky) already have a relationship with Carl, I emailed him and he agreed to pass the word of our visit on to the other members of the Concord Hill Association via email.

3. Describe your interaction(s) with the landowner(s). Indicate the extent and location of any plans or future activities the landowner(s) mentioned, particularly regarding reserved rights.

A member of the neighborhood group, Kevin Oxford, reached out to me to offer his driveway for parking and expressing his wish to join us on our walk. The only plans or uses he mentioned were the posting of No Trespassing Signs to discourage hunting on the property. He and another neighbor had already posted around 50 signs but after the walk he said that he wanted to add a few more on the southern end of the property.

4. Describe, in detailed narrative form, where you went on the property. Include boundaries, trails and roads you followed and any other interior features you visited.

After meeting up on the cul-de-sac at the north end of Concord Hill Drive the four of us made our way along the property that abuts the access corridor (32 Concord Hill Drive). After making our way to the rough eastern edge of the property we proceeded north to the northeast corner of the property. From here we turned west and walked along the northern boundary that runs along NH Route 9. After nearing the northwest corner of the property near where Beaver Brook crosses under Route 9 we turned south and walked along the brook just outside of the western edge of the property. At the southwestern corner of the property we turned up hill and eastward before nearing the southeastern corner of the property and turning north to return to our point of entry. (Note: The recent heavy snowfall made finding exact positions of the property lines (i.e. pins or markers) impossible. Additionally, the deep snow made certain areas of the property difficult to traverse necessitating our more circuitous route.)

We made a few jaunts into the interior of the property to investigate odd looking elements. Among these were a couple of old forts built by/ for children and what appeared to be a couple of old farm tanks (~30 gallons each).

5. Did you notice anything that suggested concern with respect to the Use Limitations section of the easement? No. The land was, aside from the aforementioned forts, largely without direct impact.

6. Describe the current land use(s). Include ongoing forestry, recreational, and agricultural activities and any other uses you observed on your visit. The only land use at all was very minor hiking trail usage. The landowner, mentioned some neighborhood children running into some hunters in the past which precipitated the posting of the No Trespassing signs.

7. **Indicate which portions of the property, if any, were posted against trespassing, hunting, motorized vehicles, or other uses (also mark on an attached map):** As mentioned, the landowner posted the entire property against trespassing for the express purpose of prohibiting hunting on the property. The signage was posted along the south, west and north edges of the property.
8. **List any manmade alterations observed (i.e. construction, dumping, filling, timber harvest, clearing of fields etc.) Describe the activity or alteration, noting the extent, location, purpose and individual responsible, if known. Take rough measurements of the scope of the activity and attach maps, photos and illustrations if possible.** There were no manmade impacts on the property. The only possible exception being the boundary fencing along the northern (Route 9) boundary.
9. **List natural alterations observed such as flooding or fire. Note the location and nature of the changes. Attach maps, photos, and illustrations if possible.** Aside from some very old tree falls there was little to no natural alterations to the property.
10. **Describe any boundaries or corners that are not clear on the survey map or on the land itself (include a map or drawing as reference if necessary):** As stated above the snow made identifying boundary markers impossible.
11. **List any other observations or comments, management needs, or information requests:** While exploring the southern end of the property we came upon a significant amount of evidence of deer. Tracks leading to and away from bedding areas being the most obvious of these.

12. Final Report Information:

1. **Please circle any of the following that are attached to this report:**
 1. Ground Photographs
 2. Maps
 3. GPS points/tracks
 4. Illustrations
 5. Aerial Photographs

2. **How long did it take to monitor?** Two Hours
3. **How long did it take to prepare for your visit and to write this report?**
1.5 Hours
4. **Name of Land Steward(s) - Please Print:** Sparky Von Plinsky, Eloise Clark, Tom Haynes (all members of the Keene Conservation Commission).
5. **Contact information for Land Steward(s):** Sparky Von Plinsky
sparky.vonplinsky@gmail.com
6. **Signature(s) of Land Steward(s):** 

Additional Notes



REMNANTS OF WHAT APPEARS TO BE AN OLD KIDS PLAY AREA JUST IN FROM THE EASTERN BOUNDARY OF THE PROPERTY.



TREE FALL ON THE NORTHERN BOUNDARY FENCE ALONG ROUTE 9.



POSTED NO TRESPASSING SIGN ALONG NORTHERN BOUNDARY.



RECENTLY "CONSTRUCTED" SHELTER. PERHAPS BY/FOR CHILDREN OR FOR MORE LONGER TERM USE.



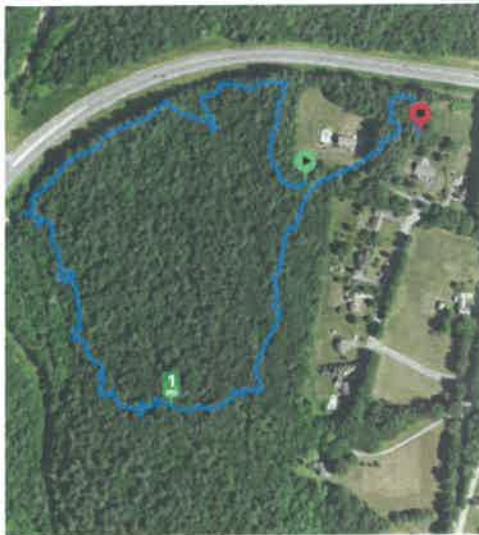
BEAVER BROOK VIEWED FROM NEAR THE WESTERN BOUNDARY OF THE PROPERTY



**EVIDENCE OF DEER USAGE ALONG
THE SOUTHERN BOUNDARY**



OLD FARM EQUIPMENT LOCATED NEAR THE EASTERN BOUNDARY OF THE PROPERTY.



ROUGH GPS TRACK OF OUR ROUTE AROUND AND INTO THE PROPERTY.