

City of Keene, New Hampshire

CONSERVATION COMMISSION

City Hall 2nd Floor Conference Room

TUESDAY, January 21, 2020

4:30 PM

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 December 16, 2019
- 3. Welcome and Introduction from Mayor Hansel
- 4. Informational
 - a. Subcommittee reports
 - Outreach Subcommittee
 - ARM Fund Subcommittee
 - b. Concord Hill Easement Letter
 - c. Society for the Protection of NH Forests letter re: easement monitoring donation
- 5. Discussion Items
 - a. Old Gilsum Road Land
 - b. Planning Board referral re Surface Water Ordinance Eversource
 - c. NHDOT Floodplain compensation meeting 1/21/20
 - d. Airport Road habitat
- 6. New or Other Business
 - a. Adoption of 2020 Meeting Calendar
- 7. Adjournment Next meeting date <u>Tuesday</u>, February 18, 2020

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<u>City of Keene</u> New Hampshire

CONSERVATION COMMISSION MEETING MINUTES

2nd Floor Conference Room,

City

Monday, December 16, 2019

4:30 PM

Hall

Members Present:

Alexander Von Plinsky, IV, Chair Eloise Clark, Vice Chair Brian Reilly Kenneth Bergman Art Walker Thomas Haynes, Alternate

Staff Present:

Rhett Lamb, Community Development Director/Assistant City Manager Tara Kessler, Senior Planner

Members Not Present:

Councilor George Hansel Steven Bill, Alternate

1) Call to Order

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

2) Approval of Meeting Minutes – October 21, 2019

Mr. Walker moved to approve the minutes of October 21, 2019, which Mr. Reilly seconded.

Revisions:

- Correct any instances of "Mr. Bergan" to "Mr. Bergman"
- Page 2 of 5: Ashuelot Local Advisory Committee should be changed to Friends of Open Space in Keene.
- Page 3 of 5: "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," should be replaced with, "The report that Mr. Bergman submitted to the Conservation Commission suggested the introduction of gates in the fencing."
- Page 3 of 5: "Mr. Bergman noted another suggestion in the AMP to construct platforms and blinds for birding and recreation," should be replaced with, "Mr. Bergman's report also suggested the construction of blinds or hides to allow birding and photography."
- Page 4 of 5: "Mr. Bergman agreed that he has camera trap information on many species there, including turtles crossing Airport Road from one wetland to another," should be replaced with, "Mr. Bergman agreed that he has camera trap information on many species there and has images of bitterns crossing the road and has often seen turtles cross the road."
- Page 5 of 5: the name Rubnieer should be changed to Rousmaniere.

The Conservation Commission voted unanimously to approve the minutes of October 21, 2019 as amended.

3) Informational

a. Subcommittee Reports

i. Outreach Subcommittee

Mr. Haynes reported that he, Ms. Clark, and Mr. Reilly met recently to discuss next steps. The anticipated fall walk at Goose Pond was postponed because it was not advertised through the Parks and Recreation Department in time. Jeff Littleton was okay postponing in favor of a possible springtime activity at the Pond.

Ms. Clark has offered to lead a Tracks and Trees winter walk to look for viable animal tracks and to identify tree bark and buds in the winter. She anticipates this activity happening the first weekend in February.

The subcommittee also discussed a possible Tap to Toilet tour of where water comes from in Keene including the Waste Water Treatment Plant (WWTP). Jim Rubineer is writing a book about the region's water and could provide an overview. This could be an annual spring tour. Mr. Bergman suggested the tour could visit Martell Court before the WWTP because it is an area of concern. Mr. Lamb said that Martell Court is more so the heart of the system whereas the WWTP is as a point of reliability, redundancy, and cost.

Steven Bill also offered to lead a geology activity and the subcommittee considered asking him to lead a walk on Beech Hill, possibly next fall when the leaves have fallen and the outlook most open.

The City's Industrial Water Pretreatment Coordinator, Eric Swope, invited the Commission to participate in the annual NH 4th Grade Science Fair celebrating water. The Fair is a contest between elementary schools' water projects and the top two projects progress to the State Fair. This year, the event is at Keene State College (KSC) and Commission members were invited to lead some hands-on activities. Ms. Clark happily offered to participate. Mr. Bergman recalled that Mr. Swope has great musical pieces available on YouTube about water conservation, such as what cannot be flushed.

Mr. Haynes reported that he is now a member of the Ashuelot River Park Advisory Board, which met last in November and discussed current initiatives:

- Bartlett Tree is creating signs for trees in the arboretum with QR codes and the tree species name, which can be scanned using a smart device to learn more detailed information about that specific tree
- Bat houses are installed in the park and the Board is looking for educational opportunities on bats.
- The Board is working with the Conway School of Landscape Design graduate students to rethink a future vision for the park.

Chair Von Plinsky questioned if the Conway School also did a project when the park was first established. Mr. Lamb said that project was for the former Carpenter Field, no Patricia T. Russel Park.

ii. Aquatic Resource Management (ARM) Fund Subcommittee

Chair Von Plinsky reported that he and Mr. Bergman met as a part of this Subcommittee, which might be renamed as the Land Prioritization Subcommittee. The goal is to identify large areas of City land that are ideal for conservation, investigate smaller parcels of priority land therein, and report to the Commission in the next few months. Ms. Clark asked if the Subcommittee was using the NH Wildlife Action Plan (WAP), which is one of many important resources available. Chair Von Plinsky agreed there are many resources but noted that some challenges are administrative, such as understanding how a parcel is zoned.

Mr. Bergman said the Subcommittee is off to a good start and they are learning a lot. He asked for clarification of the mechanism through which the Commission hopes to achieve land protection, whether by conservation easement or land purchase. He recalled areas like Concord Hill with some level of protection but that are still zoned as agriculture or rural; Mr. Lamb said there are no plans to change those two zones. Mr. Bergman was unclear whether the Subcommittee should prioritize areas the City does not need to purchase; meaning, would it be a barrier against protection if the City must purchase a parcel. Chair Von Plinsky thought the different funding sources the Commission is preparing for would have different rules and qualifications. He imagined this that identifying rough areas of City land would be more beneficial that getting into the weeds now and later learning the money the Commission seeks has a complicated stipulation. He suggested documenting why the biogeographic elements of the properties are important. Ms. Clark agreed that there should be criteria. Chair Von Plinsky hopes to discuss findings with the Commission no later than the end of February.

Mr. Reilly asked if any existing land trusts in the region (e.g., Harris Center or Monadnock Conservancy) conduct this sort of pre-work, or if they wait until property/funding opportunities arise. Chair Von Plinsky said that in his experience, such organizations have land priorities established in advance because funding opportunities arise and disappear very quickly. He recalled that the Commission identified an ARM project a few years past and if there had been a prioritized land list like this one, the Commission would have been in a better position to apply. Mr. Reilly asked if those organizations would share information about the Keene properties that they have already identified to save the Commission some work. The Chairman said that he imagines they would and he will inquire. He noted, however, that they might not have as much specific information for Keene because they serve the entire region. Mr. Lamb added that the Conservancy, for example, works on larger properties with characteristics requiring the attention of a conservation entity like theirs; they tend not to filter out smaller parcels that might be more specific to Keene, which is where the Commission could step in. While the Commission should work with the Conservancy, the City might have interest in land that they do not. Ms. Clark added that the Conservancy is seeking a lot of agricultural land, such as a recent 27 acres in Walpole. Mr. Bergman added that south of the airport in Swanzey, the Conservancy protected a farm with adjacent riparian woodlands a few years past. Ms. Clark recalled that the Friends of Open Space have made lists of priority lands in the past, but the challenge often is to find willing landowners.

Ms. Clark also noted that ARLAC is following the taxiway expansion at the Keene Dillant Hopkins Airport. In choosing the expansion option that the Conservation Commission advised against, the lairport? or City? they are one in the same, yes?] will incur more than \$300,000 in ARM fund penalties, but she was unsure when that would enter the funding stream. Mr. Lamb thought the taxiway project was still a few years out. Mr. Haynes said it is good to know in advance so the Commission can have a project ready to use those funds locally, which ARM prefers. Beyond land conservation, Mr. Lamb said the Commission could also consider mitigation projects. The City was recently contacted by the consultant for Liberty Utilities, which is finally pursuing their project at the end of Production Avenue and so they will come forward soon through the NH Wetlands Permit process and City's Site Plan Review process. Their consultants contacted the City about possible mitigation sites to pursue within the City, thus avoiding the ARM fund process. That project now has a potential funding source if the City wants to pursue it and all agencies move forward.

Mr. Bergman asked if the taxiway extension is the same as the runway extension he recalled in the Airport Master Plan (AMP). Mr. Lamb said the taxiway is different from the Runway 14-32 extension called for in the AMP. Mr. Lamb said that only one end of Runway 14-32 can be extended toward the road to the WWTP. Mr. Bergman asked what the magnitude of the obstruction would be. Mr. Lamb replied that he has a hard time believing the runway would be extended with federal funds

and if that were the case, it would never be extended by the City acting alone. Other airport projects will likely take priority.

Mr. Haynes recalled a few years past when the Commission had a land prioritization project and considered what land values to rate; they are in the record to update as necessary. Ms. Clark recalled that before her term ended, Councilor Jan Manwaring developed something similar on her own time. Mr. Haynes agreed that the Commission should not need to begin from scratch. Chair Von Plinsky said an added benefit of this process is becoming more familiar with some areas of the City that he does not personally drive past daily.

b. Project Update: Unified Development Ordinance (Building Better Together) https://www.keenebuildingbetter.com/

Mr. Lamb recalled that the funds were dispersed one year ago to begin this project, which was prioritized in the 2010 Keene Comprehensive Master Plan. With the help of planning consultants, staff has been reviewing all of the City's land use ordinances, like the Planning Board and Zoning Board standards. This includes review of all rules that establish how land and roads are developed in Keene, including minor details like the Historic District and issuance of Building Permits and the Floodplain Ordinance. Therefore, this review overlaps with Commission interests and Mr. Lamb wanted all to be aware that the revised documents will be introduced to the public likely in March/April 2020; members can follow the project more closely at the link listed above. At the January or February meeting, Mr. Lamb will provide a more detailed description of the changes so the Commission is prepared when the document enters the review process.

Mr. Bergman recalled public hearings about the downtown zoning but not the whole City and asked the difference from this project. Mr. Lamb said that one aspect of the Unified Development Ordinance is that there is no change to the fundamental zoning pattern across the City; if you live in a rural district today, for example, very little will change about the overall zoning pattern. However, a group was charged to reevaluate all of the downtown zoning, for which a definition of downtown was established. The public meetings that Mr. Bergman referenced were all about the specific task of redoing zoning districts in downtown Keene but the whole project is much broader. The overall project was mostly to reorganize and streamline the development process in Keene.

c. NHDOT Floodplain Letter

Mr. Lamb said the City had not received the letter yet but he provided an overview. He recalled the bypass project in the late'90s and early '00s when NH DOT evaluated improvements to the state Route system around Keene (Routes 9, 10, 12, and 101). The City understood that much of the work would be in the City's 100-year floodplain. Because the City has an Ordinance for fill in the floodplain, NH DOT agreed to compensate for their fill like all other entities disturbing the floodplain. The work on that project concluded many years ago (including the RT-101 rotary and the bridge over Ash Swamp Brook, among others) but the fill has yet to be compensated. The state has now budgeted to plan and construct the fill compensation in 2020. NH DOT reached out to the City recently to schedule a public forum in early January; Mr. Lamb will share the date via email. This forum will kick-off the study phase that will evolve over the next year before any shovels break ground.

Ms. Clark asked if they are in effect trying to create wetlands. Mr. Lamb clarified that they are creating storage in the floodplain by lowering the grade next to existing floodplains, to replace storage eliminated by DOT work; this could create or alter wetlands. Because they seek City input on where to compensate, he said the Commission should find locations for them to live up to that commitment. Ms. Clark asked who decides where it will happen. Mr. Lamb replied that ultimately, DOT decides but they must comply with the City's Floodplain Ordinance. He is unsure if they will

receive the permit to comply as promised, which is why the Commission's input will be important to ensure all relevant information is shared to guide their decision. Mr. Lamb thinks DOT is trying to do an honest job with the help of their consultant, Peter Walker from BHB Consulting Engineers, who has worked with the City before.

Chair Von Plinsky asked how they are measuring the fill. Mr. Lamb said the measurement is in cubic yards and DOT is trying for a one-to-one replacement.

d. Society for the Protection of NH Forests – Easement Monitoring

Mr. Lamb referred to a letter included in the meeting packet. All members agreed it is unclear what the Society monitored and Mr. Lamb will follow-up seeking more details.

4) Discussion Items

a. Conservation Easement Monitoring – Concord Hill Easement

On December 4, Chair Von Plinsky, Ms. Clark, and Mr. Haynes walked a conservation easement on Concord Hill. The Chairman reported a successful walk just after the snowstorm, with one of the residents guiding the walk. A draft monitoring report was included in the meeting packet. He said this went well for a first attempt at what should become a regular effort moving forward. The report documents that there were no major encroachments on the property, which is bounded by RT-9 to the north with fences and is mostly open in other directions. He recalled walking into a deeryard and seeing impressions from where they recently laid in the snow. He hopes to monitor one more property before the end of winter; he suggested an easement off Production Avenue potentially in February if members are interested in participating.

Ms. Clark recalled encountering a sort-of children's fort built with pressure treated lumber, including an excavated pit and the decaying remnants of a trampoline. She was unsure if Commission members could access the private property to disassemble it. The resident who guided the walk identified who constructed the fort and Chair Von Plinsky agreed to speak with the landowner to see if it they are willing to remove it. He added that this is a good opportunity for the Commission to determine what violates an easement and how to fix it. Ms. Clark recalled that there is an easement on her property; she is notified via letter if any violations are found and she suggested sending a letter in this instance as well. Mr. Lamb agreed and Chair Von Plinsky will send the report and a letter to the Concord Hill Neighbors Association. The letter can indicate that the structure may or may not be a problem per the easement and please to remove it when no longer needed. Mr. Lamb agreed that it would be the Commission's judgement call whether kids' bringing in lumber for a fort is a true easement violation. Mr. Walker noted that while the pressure-treated wood will decompose faster than most lumber, the trampoline materials would not, and thus Mr. Lamb agreed it is fair to ask them to remove the materials. Chair Von Plinsky agreed and noted that ruins from a structure mentioned in the 2012 report can still be seen today.

Mr. Bergman asked if members referenced a checklist from the easement when walking the property. Chair Von Plinsky said there were walks of this property in 2004 and 2012 and those same questions were used. The binder of property information also included a topographic map and the actual legal easement details.

Chair Von Plinsky also recalled that a property owner had marked boundaries to curb hunting activities and he assumed that was a good practice because it is their property. He said this further clarifies the need for criteria to determine what qualifies as a violation.

Mr. Reilly asked how close this property is to Beaver Brook Falls and the Chairman replied that the property line is a few hundred feet uphill from the Brook. While there were camps seen near this location in the past, this seems too far from anything to be one.

Mr. Haynes also recalled that the group found a sitting chair across the Brook but did not investigate, assuming it was just used for recreation and enjoying the sights. The Chairman did not mention this in the monitoring report because it was not actually on the easement property.

b. Airport Road Habitat

Mr. Bergman continued discussion about the Airport Road wetland habitats in light of the plans to construct a wildlife fence around the Airport. He recalled feedback from the October meeting stating that it would be helpful to have a record of wildlife observations from the area. He consulted eBird via Cornell University, which is an electronic data collection and presentation software used globally to record bird sightings. He said that these records are systematic and anything unusual would have to be verified. He compiled reports for the airport and especially Airport Road (he said since 2007) and found reports of 187 bird species sighted at the airport, including 147 species sighted specifically from Airport Road; some of which are specifically wetland or grassland birds. He assumed that a high fraction of all reports from the airport came from Airport Road. He can make that species list available or append it to any recommendation the Commission makes in addition to a list of mammal species he has personally seen there and reports available on amphibian species of concern in that marsh.

Mr. Bergman stated that he contacted a biologist from NH Audubon in the summer, who responded in a somewhat diffident way and so more recently he emailed the Director of Conservation and five other senior biologists there. The Director of Conservation, Carol Fosse, responded quickly saying that this is an amazing story and important issue. He shared his draft report and asked her to not share it with the other biologists until he knew that was okay per this Commission, although there is nothing therein that is not public knowledge. She also wanted to share the report with a biologist at NH Fish & Game. Her concern was about the siting of the fence and the potential wetland impacts because she had not heard of this possibility before; she has also birded there personally. He requested any models, designs, contractors, or estimates that she has for blinds/hides to help guide recommendations. If these entities can be a resource, he would like their involvement to whatever degree is appropriate. He asked for the Commission's input as a matter of protocol before advising her to share the draft report.

Mr. Haynes said part of the intention of Mr. Bergman's report was to demonstrate the high quality value of wildlife and habitat there. If these biologists can provide feedback to bolster that argument, Mr. Haynes feels that is ok. He added that the Commission does not know if the FAA or Airport is open to recommendations beyond the two alternatives listed in the AMP for the fence location. Initially, it seemed these two alternatives were firm. Mr. Bergman said he could solicit testimonies of the extreme recreational benefit of Airport Road. He added that the FAA regulations must be strict to have necessitated the recent tree cutting that was resisted in many Swanzey and Keene neighborhoods. Thus, he said it is tough to imagine there are many other options available for routing such a fence if wildlife incursions are in fact such a problem as airport staff report. However, when visiting the official FAA clearinghouse online that lists wildlife incursion events, there is almost nothing listed for Keene. Perhaps the airport does not contribute their data but he imagined that staff has some record. He thinks all incidents of incursions are reported. Mr. Lamb suspected that was not true but more likely pilot-reported strikes or near misses. He agreed that airport staff report a daily occurrence, there is no reason to doubt them, and it is clear the fence is needed. Mr. Bergman said he just wants to mitigate the impact partly on wildlife but also wildlife study, photography, and public enjoyment of a resource.

Mr. Reilly said that the presence of an alternative means the AMP writers must have been amenable to more than one possibility.

Mr. Walker asked if the report is part of an official record. Mr. Lamb replied no. Therefore, Mr. Walker said there should be no stipulation to sharing it. Alternatively, he questioned if the Commission should accept it as a working document to avoid these issues moving forward.

Mr. Bergman said the report should not be shared alone, but in addition to documentation of what the Commission knows about the history and circumstances at the airport. Mr. Reilly agreed the aim is for the report to be understood in context.

Mr. Lamb confirmed that at the time of this meeting, the fence project is in the CIP for FY-21 and while there is no answer yet on what alternative will be chosen, he recalled a productive conversation with Councilor Steve Hooper, who understood both the importance of a fence and the values to which Mr. Bergman was speaking. Mr. Lamb also spoke with the City Manager, who understands this conflict. He recalled that the City Council reviews all projects in the CIP annually, which is an opportunity to bring in people to support another alternatives and present alternate funding sources to gauge whether the Council is receptive. Mr. Lamb, Mayor-Elect Hansel, and Councilor Hooper know the Commission's interest, which can also be shared with the new Airport Director beginning in 2020. The CIP process begins in January, typically for three nights of review at the Finance, Organization and Personnel Committee leading to adoption of the CIP in late February/early March. FY-21 begins on July 1, 2020 and so this project could arise sooner than initially anticipate. Members are willing to attend in Mr. Bergman's absence.

Mr. Walker queried the recommendation in the AMP for barbed wire atop the fence, noting that it would likely deter a human but not a deer. He questioned if airport staff are prepared to remove animals caught in the wires. He added that anything that prevents burrowing under the fence would also prevent creatures like turtles, for example.

Mr. Bergman said that his most urgent question is whether the airport staff is amenable to gates in the fence to allow humans through at selected points while still preventing wildlife. Then, he wants to know if blinds and/or hides can be constructed. He said his outreach was only to determine if the individuals have models on file of these blinds/hides and their footing to determine what cost and construction would entail. All Commission members agreed that Mr. Bergman should move forward because he is only seeking information. He also created maps to circulate among his peers who use the area to generate ideas for gate locations that would help minimize recreational impact. Mr. Haynes and Ms. Clark agreed that the report should cite the NH WAP, which is highly referenced throughout the state.

Mr. Lamb and Mr. Haynes agreed that it would be important to have this information ready to present concisely to Council at the CIP hearings. If enough Councilors are concerned, they will direct staff to develop an alternative for final adoption. Mr. Bergman will send the draft report to Mr. Lamb so it can be circulated to members for feedback; Mr. Lamb recalled that all emails about Commission business should be sent via staff. Mr. Lamb will keep members informed of the CIP review dates so that members can participate. He suggested that if the Commission has concerns about the alternatives printed in the CIP, then the report should be finalized and adopted as a statement of preferences of the Commission and members should present alternatives at the CIP hearings.

Formalizing the report will be agendized in January.

5) New or Other Business

Ms. Clark reported that new wetland rules that Conservation Commissions and local advisory committees must follow would be published on December 15. She said that ARLAC would discuss the impact of these new rules on local committees. She suggested that the Commission could dedicate upcoming meeting time to discuss the impacts. She suggested that Barbara Richter, Director of NH Association of Conservation Commissions, would be helpful to invite to answer questions; she was influential in developing the rules.

Ms. Clark recalled that visitors from Eversource attended the last ARLAC meeting to discuss utility pole replacements that will occur beginning with the sand pit off RT-12 and across the wetlands. Eversource sought permission from the Planning Board and ARLAC had to provide feedback. They will replace the existing poles with ones 10'-15' taller and made of rusted steel. It is a complex wetland area and so Eversource will follow best management practice and use mats. However, they will construct maintenance roads that open the whole area to off-road vehicles. The current wooden poles have been in place for 65 years and are deteriorating due to woodpeckers. The poles will not be stabilized with concrete but instead 40' wide pipes will be placed in the ground with the 30' pole inside, which is then packed with fill; Ms. Clark suggested this could be a good location for the NH DOT fill compensation discussed earlier in the meeting. The work is set to begin in spring 2020 and there will be some major disturbance because the roads will not be removed.

Mr. Haynes questioned Commission membership, noting that since Mayor-Elect Hansel will be leaving, there will be a vacancy for a Councilor, and Councilor Hooper expressed interest. Ms. Burchsted resigned and Andrew Madison wants to come back. Steve Bill is currently an alternate member and might be interested in active membership. Mr. Haynes is willing to remain as an alternate. The vacancies are for three-year terms. Mr. Lamb will report with whether there is a limit on the number of alternates.

6) Adjournment – Next Meeting Date: TUESDAY, January 21, 2020

Hearing no further business, Chair Von Plinsky adjourned the meeting at 5:55 PM.

Respectfully submitted by, Katryna Kibler, Minute Taker December 23, 2019



54 Portsmouth Street Concord, NH 03301 Tel. 603.224.9945 info@forestsociety.org www.forestsociety.org City of Keene Keene Conservation Commission 3 Washington St. Keene, NH 03431

Dear Friends,

Your organization's annual membership in the Society for the Protection of New Hampshire Forests is coming up for renewal. We are grateful for your continued support.

During the past year, we conserved more than 3,000 acres through several projects across the state. With your help, the Forest Society's recent accomplishments include –

- Creating a new Forest Society reservation the 215-acre Stillhouse Forest in Canterbury and Northfield – with more than a mile of frontage along the Merrimack River, providing a scenic meandering stretch for paddlers to enjoy and the opportunity for hiking, cross-country skiing, birdwatching and other low-impact recreation.
- Working with Manchester Water Works to permanently conserve 1,942 acres of forestland surrounding Tower Hill Pond, a treasured place in Candia and Hooksett, for recreation, special habitats, and the protection of drinking water for more than 160,000 people.
- Adding key properties to our existing forest reservations, including a 28-acre
 parcel to Sharon Bog, an exemplary natural community in the town of Sharon
 with frontage on the Gridley River; and 268 acres to Dudley Pond Forest in
 Deering and Henniker, with 70 acres of wetlands providing exceptional
 wildlife habitat.
- Engaging hundreds of students in our Mount Major Outdoor Classroom, which provides an educational component to their school's hiking field trips, including the mountain's land-use history, wildlife, hiker safety, trail etiquette, and stewardship of the highly impacted trails of this beloved peak in Alton.

Our work continues with land purchases and conservation easements across New Hampshire, our commitment to the long-term stewardship of the lands we protect, and advocacy efforts which focus on finding effective, balanced solutions to conservation issues.

Please take a minute right now to renew. That way, your membership gift will go right back to work – protecting New Hampshire's most beautiful and threatened lands for you and future generations to enjoy.

With appreciation,

Jack Savage President



JS:oa

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Gary . Boes

652 Old Homestead Hwy.

Swanzey , N.H. 03446

Dear Elizabeth Dragon,

Many years ago the city expressed interest in purchasing our lot in Keene N.H.

This lot is the only piece near Goose Pond that the City of Keene does not own. The hikers have made a good trail through it. Due to my health my cousin and I have had disucssions and we both agree it is time to let go. We also agreed to ask the city before we list it. Here is the book & page

1969/0632. We are thinging about \$12k but willing to listen.

Please let me know your thoughts and you are more then welcome to call me at 352-3609.

Lang C. Box

Best regards, Gary A. Boes

0 OLD GILSUM RD.

Location 0 OLD GILSUM RD.

Map/Lot # 213/ / 005/000 000/000

Acct# 213005000000000

Owner BOES GARY A.

Assessment \$7,800

Appraisal \$7,800

PID 6932

Building Count 1

Current Value

		Appraisal			
	Valuation Year	Improvements		Land	Total
2019			\$0	\$7,800	\$7,800
		Assessment			to e andefense fet
	Valuation Year	Improvements		Land	Total
2019			\$0	\$7,800	\$7,800

Parcel Addreses

Additional Addresses

No Additional Addresses available for this parcel

Owner of Record

Owner

BOES GARY A.

Co-Owner TOMLIN JEFF J.

Address

652 OLD HOMESTEAD HWY.

EAST SWANZEY, NH 03446

Sale Price

Book & Page 1969/0632

Sale Date

01/15/2003

Ownership History

	Ownership History		
Owner	Sale Price	Book & Page	Sale Date
BOES GARY A.	\$0	1969/0632	01/15/2003
CHAMPAGNE LEROY I.	\$0	0754/0427	01/01/1900

Building Information

Building 499slethfn32

No Data for Extra Features

Land

Land Use

Use Code

Description

Res Non-Bld Vacant

Zone

CON

10N

Neighborhood 50

Category

Land Line Valuation

Size (Acres)

6.2

Depth

Assessed Value

Appraised Value \$7,800

\$7,800

Outbuildings

Outbuildings

Legend

No Data for Outbuildings

Valuation History

	Appraisal		nu:
Valuation Year	Improvements	Land	Total
2018	\$0	\$7,800	\$7,800
	Assessment		
Valuation Year	Improvements	Land	Total
2018	\$0	\$7,800	\$7,800

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Rhett Lamb

From:

Andrew Bohannon

Sent:

Monday, January 6, 2020 8:16 AM

To:

Rhett Lamb

Subject:

Conservation Commission Jan Mtg

Rhett -

The City has been sent a letter asking to purchase a plot of land within the Greater Goose Pond Forest. This small 6.2 acre lot fits within the recent Goose Pond Sustainability project to acquire additional land. I would like to present the opportunity to the Conservation Commission.

The land owner has also expressed an opportunity to be present if appropriate.

Should you need additional information for the meeting agenda, please let me know.

Thanks! Andy

Andy Bohannon, CPRP, AFO
Parks, Recreation & Facilities Director
City of Keene
312 Washington Street
P: 603-357-9829
Visit keeneparks.com



Bedford, NH 03110



December 23, 2019 File No. 04.0190923.05

City of Keene Planning Board Attn: Chris Cusack, Chairman 3 Washington Street Keene, New Hampshire 03431

Re: Conditional Use Permit Application
Eversource Energy

2020 L163 Transmission Line Structure Replacement Project

Keene, New Hampshire

Dear Chairman Cusack:

This letter transmits a Conditional Use Permit Application on behalf of Public Service Company of New Hampshire doing business as Eversource Energy (Eversource), for the L163 Transmission Line Structure Replacement Project (see attached **Figure 1**, **Locus Plan**). On behalf of Eversource, GZA GeoEnvironmental, Inc. (GZA) is requesting consideration of a Conditional Use Permit Application for required impacts within the City of Keene Surface Water Protection Overlay District.

The proposed project includes the replacement of 25 utility structures along the existing L163 Transmission Line leading from the North Keene Substation, approximately 0.25 miles south of Route 12 in Keene, for approximately 4 miles to the Keene and Sullivan, New Hampshire Town Line. The existing L163 Transmission Line corridor is approximately 150 to 225-feet in width. See **Figure 3 – Access and Permitting Plans** for a depiction of the proposed project. The Site is located along the existing Eversource L163 Transmission Line Right-of-Way (ROW) and crosses through residential and rural upland shrublands and wetland emergent and scrubshrub habitats, as well as four public roads.

In total, the proposed project requires 175 sq. ft. of permanent wetland impact for structure replacements and 84,574 sq. ft. of temporary wetland impact for equipment access and work pad placement. The proposed project also requires 184,364 sq. ft. of buffer impact for access and work pad placement. A summary of wetland and buffer impacts is provided in the table below.

DEGEIVED DEC 27 2019

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Table 1 – Summary of Wetland and Surface Water Buffer Impacts

Wetland ID	Classification	Temporary Wetland Impact	Permanent Wetland Impact	Buffer Impact
KW-17	PSS1E	10,132		
KW-18	PSS/PEM1E	4,764	75	12,170
KW-19	PSS/PEM1E, R2UB	18,837	50	•
KW-20	R2UB	-		49,235
KW-21	PSS1B		-	3,071
KW-22	PSS1E	3,291	-	2,895
KW-23	PEM1F, PFO1F	1,832		2,604
KW-28	PEM1E	322		
KW-29	PSS1E, PFO1/4E	-	-	1,354
KW-30	PSS1E	-	I	3,046
KW-31	PSS1E/F, PFO1/4E			9,395
KW-32	PSS1E, PFO1/4E	2,221	-	3,303
KW-33	PSS1E	270	-	3,113
KW-34	PFO1/4E, PEM/SS1E	3,408	-	4,786
KW-36	PSS1E	-	-	2,387
KW-39	R2UB, PSS1E	1,599		
KW-40	PSS1E, R4SB	20,236	50	
KW-41	PSS1E	1,413	-	
KW-42	PSS1E	6,949	-	
KW-43	PSS1E	-	-	
KW-44	PEM/PSS1E	4,285	-	
KW-45	PEM/PSS1E	1,408	-	58,160
KW-46	PEM1E	-	-	
KW-47	PEM1E		-	
KW-48	PEM1E	-	-	
KW-49	PEM1E	×	-	7,293
KW-50	PSS1Fg	3,491	-	
KW-51	PSS1E		-	
KW-52	PSS1E	-	-	21,552
KW-53	PEM1Ex	116	-	-
	Total	84.574	175	184,364





December 23, 2019 04.0190923.05 2020 L163 Transmission Line Structure Replacement

Page | 3

Key to classifications:

P = palustrine wetland system

UB = unconsolidated bottom

FO = forested, 1 = broad-leaved deciduous, 4 = needle-leaved evergreen

SS = scrub-shrub, 1 = broad-leaved deciduous

EM = emergent, 1= persistent

R = riverine

2 = lower perennial

3 = upper perennial

4 = intermittent

UB = unconsolidated bottom

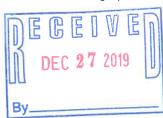
SB = stream bed

Modifiers

E = nontidal, seasonally flooded/saturated

F = nontidal, semi permanently flooded

g = organic soil



The proposed project is necessary in order to support current and future electricity demands in the region. The proposed structure replacements were selected based on site visit evaluations of the existing L163 Transmission Line Structures. The L163 Transmission Line is approximately 65 years old. The structures proposed for replacement have been damaged by woodpeckers and the poles are beginning to split, necessitating replacement to ensure reliability of the line. The existing wood structures will be replaced with wood equivalent steel structures in order to increase the long-term reliability of the line. There are no proposed expansions to the ROW or construction of new lines associated with this project.

In addition to this Conditional Use Permit, Eversource will also be filing a Standard Dredge and Fill Permit with the Department of Environmental Services (DES); Wetlands Bureau. Eversource will also be required to file an Alteration of Terrain (AoT) Permit associated with consecutive expanses of ground disturbance within the Rightof-Way off Route 12, Old Gilsum Road and Ferry Brook Road. Shoreland Permits by Notification will also be filed for impacts to protected shoreland adjacent to the Ashuelot River. Eversource and GZA met with the Ashuelot River Local Advisory Committee on November 19, 2019 to discuss impacts within the quarter mile corridor of the River. The committee did not have any significant concerns with the proposed project. A Temporary Driveway Permit for access off of Route 12 will be filed with the Department of Transportation to access various utility structures. Temporary driveway permits will also be filed through the Keene Department of Public Works for access off Court Street, Old Gilsum Road and Ferry Brook Road. Total permanent wetland impacts are below the 10,000 sq. ft. threshold for State and federal wetland mitigation. Based on feedback from DES, mitigation is not required as part of this project.

Wetlands were delineated by GZA in 2016 in accordance with the United States Army Corps of Engineers (ACOE) Wetlands Delineation Manual using the Routine Determinations Method, and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual as required by the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau and the ACOE. GZA photographed resources and recorded data relevant to functions and values provided by these natural resources within the ROW in August 2019. GZA performed a wetlands functions and values assessment in accordance with the ACOE's "Highway Methodology Workbook Supplement," September 1999, and classified wetlands in accordance with the "Classification of Wetlands and Deepwater Habitats of United States" (Federal Geographic Committee, 2013). The area of evaluation included approximately 5 miles of ROW. The wetland function-value assessment was conducted by GZA on September 5, 6 and 9, 2019.





In accordance with Section 102-1488 of the Keene Zoning Ordinance, a conditional use permit (CUP) issued by the planning board shall be required for a proposed use listed in section 102-1489 when the proposed use is located on land within the Surface Water Overlay Protection District. The proposed L163 Transmission Line Replacement Project includes the installation of replacement structures and creation and/or improvement of existing dirt/gravel access roads and work pads in the Surface Water Overlay Protection District, and would thus fall under 102-1489 (b) "Construction of a new structure or expansion of an existing structure that expands the footprint of that structure within the Surface Water Protection Overlay District.," and 102-1489 (c) "Construction of new roads, driveways for non-residential uses, and parking lots within the Surface Water Protection Overlay District." In accordance with the Surface Water Protection Conditional Use Permit (SWP CUP) Application form, the following criteria are addressed below.

- A. Why proposed use or activity cannot be placed outside of Overlay District. The proposed work area is located within the existing cleared L163 Transmission Line ROW which is generally bordered by mature forest communities. The ROW width ranges from approximately 150 to 225 feet and has limited access points off four public roads in the City of Keene including Route 12, Court Street, Old Gilsum Road, and Ferry Brook Road. Many of the proposed structure replacements are located in remote stretches of ROW that are 0.5 miles or more from the nearest access point. Due to these various site constraints, some travel through the Surface Water Overlay District is required. Additionally, some structure replacements and associated work pads must be located in the Surface Water Overlay District due to span requirements, which are required to meet electrical safety standards. Wherever possible, structure replacements, work pads, and access roads are proposed to be outside of wetlands and the Surface Water Overlay District.
- B. How encroachment into buffer zone has been minimized to maximum extent possible. The project area is an existing ROW and therefore there are inherent limitations to significant changes in work locations. However, Eversource and the project team analyzed alternative structure replacement locations and access routes in order to minimize buffer impacts to the extent practicable. Where possible, access is designed at existing trails in the ROW. To the extent practicable, buffer zone impacts were avoided by a careful design of the project. Structure replacement locations were placed in uplands, outside the buffer zone to the greatest extent practicable. Specifically, permanent buffer zone impacts related to structure replacements were avoided in wetlands KW-20, KW-21, KW-24, KW-33, KW-34, and KW-36. Impacts were minimized to the extent practicable by utilizing existing access roads and avoiding permanent impacts to wetlands by placing structures outside of the wetland and buffer zone where possible. Best Management Practices (BMP) will be implemented along work areas in the ROW to reduce/limit potential effects.
- C. How proposed use was designed to avoid adverse impacts to surface water resources. The least impacting alternative is to utilize the existing Eversource ROW to the greatest extent possible, which was accomplished by utilizing an existing ROW. The project has been designed to utilize existing access routes along the ROW, where possible, to minimize impacts to wetlands. Where temporary wetland impacts are proposed, the contractor will use wetland matting to minimize impacts. Disturbed wetland and upland areas will be graded and seeded with an appropriate seed mix, as necessary. The utility structures have been sited to avoid direct impacts to wetlands to the extent practicable. Permanent wetland impacts are required in Wetlands KW-18, KW-19 and KW-40 for utility structure replacement. Due to the size of these wetlands and span requirements between utility structures, permanent wetland impacts could not be avoided. However, utility structures 174, 210 and 212 have been sited to be replaced outside of wetlands in order to minimize permanent wetland impact to the greatest extent practicable.







- D. How the buffer will be maintained in a natural state. The proposed project will maintain the natural state of surface water buffers to the extent practicable. The vast majority of the proposed impact is temporary, and permanent impact in wetlands is limited to small areas associated with the installation of utility structures. Access roads installed within the surface water buffer shall be restored to the greatest extent practicable by regrading existing topsoil over the gravel access roads. Seed and mulch will be applied to promote vegetation growth of all disturbed areas. During construction, appropriate siltation prevention measures will be implemented along with additional BMPs such as perimeter controls (straw wattle, silt fence, etc.), stabilized construction entrances, check dams, water bars, sediment traps, and restoration methods such as seeding with native seed mixes, and mulching, as necessary, to prevent sedimentation and siltation impacts to surface waters and wetlands within the project area.
- E. Location and connectivity of surface water in relation to surrounding watershed. The project area is located in the Middle Ashuelot River and the Branch watersheds. The majority of wetlands in the ROW are large scrub-shrub and scrub-shrub/emergent systems. Wetlands in the project area typically drain in a southerly direction into the Ashuelot River, which ultimately drains to the Connecticut River.
 - 1. Extent to which buffer serves as wildlife habitat. The buffers in the proposed work area are located within the existing cleared Eversource ROW and are scrub-shrub/early successional dominated due to vegetation maintenance practices. This cover type can be important wildlife habitat for a variety of bird, mammal, and reptile species. The project is not converting any large cover type areas. As a result, the project is not expected to impact wildlife utilization in the larger landscape. The ROW will continue to provide early successional habitat to a variety of wildlife. Early successional habitat provides important breeding, foraging, and overwintering habitat to a variety of declining songbird species. As a result, the ROW will continue to provide important habitat components. The Natural Heritage Bureau (NHB) determined that although there are NHB records of rare wildlife, plant, and/or natural communities present in the vicinity of the L163 ROW, it is not anticipated that there will be impacts as a result of the proposed structure replacement project.

Two rare species of turtle were identified [i.e., wood turtle (*Glyptemys insculpta*) and spotted turtle (*Clemmys guttata*] within the vicinity of the ROW. Prior to daily construction activities, timber matting will be reviewed for turtles and snakes. Observed turtles and snakes will be moved off of construction access roads to limit and prevent mortality to turtles and snakes during construction. Erosion control matting, if utilized, will consist of jute matting. Matting with plastic mesh will be avoided to limit unintentional mortality to snakes. At the conclusion of the project, a summary report of any rare species observations will be provided to the NHFG Nongame Program. In addition, the U.S. Fish & Wildlife Service (USFWS) identified the potential presence of the northern long-eared bat (*Myotis septentrionalis*) and the dwarf wedge mussel (*Alasmidonta heterodon*) near the ROW. However, the proposed project does not involve tree clearing (e.g. within a quarter mile of a known hibernaculum or clearing of maternity roost trees). As a result, there are no anticipated impacts to the northern long-eared bat. In addition, the current range of the dwarf wedge mussel is contained to Ashuelot River. Since the proposed project avoids crossing the Ashuelot River, there are no anticipated impacts to the dwarf wedge mussel.





December 23, 2019 04.0190923.05 2020 L163 Transmission Line Structure Replacement Page | 6

SWA/CUP 2020-01

Please feel free to contact us with any questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Anthony Damiano

Assistant Project Manager

Tracy Tarr, CWS, CWB, CESSWI

Consultant/Reviewer

AJD/TLT

P-\04/obs\0190900\04.0190923.00 - Eversource M5A\04.0190923.05 - L163 Transmission Line - Structure Replmnt Pro\Work\Local Permitting\Keene CUP\L163 Strucutre Replacement 2020 Keene CUP Narrative 122319.docx

Attachments: Conditional Use Permit Application Form

List of Abutters

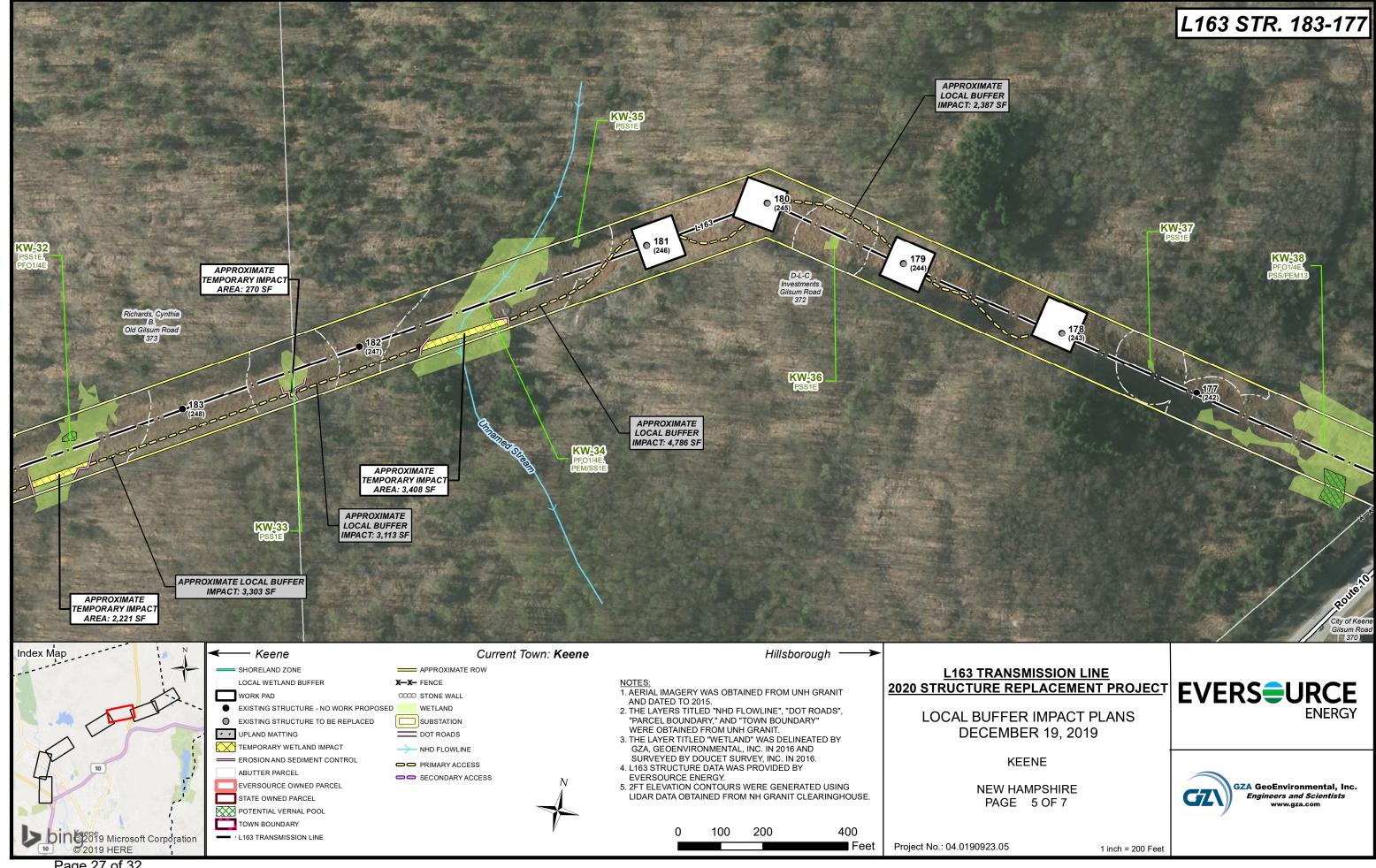
Figure 1 – Locus Plan

Figure 2 - Permitting and Impact Plans

Application Fee



Page 23 of 32



100

Feet

Project No.: 04.0190923.05

1 inch = 200 Feet

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L163 TRANSMISSION LINE



THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



William Cass, P.E. Assistant Commissioner

Victoria F. Sheehan Commissioner

> KEENE-SWANZEY 40100 X-A004(345)

Bureau of Highway Design Room 200 Tel: (603) 271-2171 Fax: (603) 271-7025

January 7, 2020

Chief Steven Russo Keene Police Department 400 Marlboro Street Keene, NH 03431

Dear Chief Russo:

Arrangements have been made by the New Hampshire Department of Transportation to hold a Public Informational Meeting to introduce a project that will identify appropriate floodplain mitigation site(s) within the Ashuelot River watershed for 19.9 acre-feet of compensatory floodplain storage. This is mitigation for impacts caused during the series of 10309 projects that made improvements to Routes 9, 10, 12 & 101. The history of the project and the process for selection of sites will be presented. The possible need to form a technical review committee for review of site alternatives will also be discussed.

The meeting is scheduled for Tuesday, January 21, 2020, at 6:00pm, at the Michael E. Blastos Building, 380 Marlborough Street, Keene.

Additionally, the purpose of this meeting is to present citizens and public officials with information regarding the proposed project and to solicit public input to ensure that project decisions meet public transportation needs and community goals, and protect and enhance the environment. Accordingly, NHDOT assures that this project will be administered according to the requirements of Title VI of the Civil Rights Act of 1964 and all related statutes to ensure nondiscrimination.

This project may have an effect on cultural or historic resources that are potentially eligible for or listed on the national register of historic places. Individuals or organizations with a demonstrated interest in the potential impacts to historic resources have an opportunity to become consulting parties under Section 106 of the national Historic Preservation Act. Additional information will be provided at the public informational meeting.

Any individuals needing assistance or auxiliary communication equipment due to sensory impairment or other disability, should contact the Bureau of Right-of-Way, NHDOT, PO Box 483, Concord, New Hampshire 03302-0483 or call 603-271-3222 – TDD Access: Relay NH 1-800-735-2964. Notification for the need of assistance should be made at the earliest convenience.

If you have any questions or need any additional information regarding the proposed project, call (603) 271-2171. Other information about the project can be found on the NHDOT web site at http://www.nh.gov/dot/projects/specifics.htm. I hope you will plan to attend this meeting.

Sincerely,

Kirk O. Mudgett P.E. Project Manager



CONSERVATION COMMISSION

2019 Meeting Schedule

All meetings are on the 3rd Monday of each month at 4:30PM in City Hall, 2nd Floor Conference Room

Site Visit, if needed, at 3:30PM

TUESDAY, January 21 (Monday Holiday)

TUESDAY, February 18 (Monday Holiday)

Monday, March 16

Monday, April 20

Monday, May 18

Monday, June 15

Monday, July 20

Monday, August 17

Monday, September 21

Monday, October 19

Monday, November 16

Monday, December 21