

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, June 17, 2024

4:30 PM

**Room 22,
Recreation Center**

Members Present:

Councilor Andrew Madison, Vice Chair
Councilor Robert Williams
Art Walker
Ken Bergman
Steven Bill (via Teams; 4:48 PM–5:25 PM)
Barbara Richter
Eloise Clark, Alternate (voting)
Thomas Haynes, Alternate (voting)
Lee Stanish, Alternate
Deborah LeBlanc, Alternate

Staff Present:

Mari Brunner, Senior Planner
Corinne Marcou, Administrative Assistant

Members Not Present:

Alexander Von Plinsky, IV, Chair
John Therriault, Alternate

1) Call to Order

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

2) Approval of Meeting Minutes – May 20, 2024

Revisions: lines 61 and 68, change “Elm City Rotary” to “Keene Rotary.” Lines 485–486 should refer to the streambed of Beaver Brook, not a bed of Japanese knotweed.

A motion by Mr. Walker to adopt the May 20, 2024 minutes as amended was duly seconded by Mr. Haynes. The motion carried unanimously.

3) Public Hearing:

- A) **Acquisition of property located at 0 Washington St. Extension for Conservation Purposes – TMP #229-006-000: In accordance with the requirements of RSA 36-A:5 the Keene Conservation Commission will conduct a public hearing to evaluate whether to expend funds from the Conservation**

Land Acquisition Fund for the purpose of purchasing 30 acres of forested uplands located adjacent to Beaver Brook Falls.

Vice Chair Madison opened the public hearing at 4:34 PM. With no members of the public present, he closed the public hearing at 4:35 PM. The Commission deliberated about this long strip of land along Rt-9. The Commission needed a new motion recommending purchase to the Council, as the previous recommendation included both properties that had since been logged by Hull Forest Products; one of the properties was recently sold to another entity.

Mr. Bergman asked if this purchase would come from the Conservation Land Acquisition Fund, and if so, whether it would be compatible with the prior limits for what the City was willing to pay. Ms. Brunner said yes, there was still \$135,000 remaining in that fund, which is the same fund that would have been used for the original bid. The Council can adjust the limit when they authorize the City Manager to negotiate the purchase. Ms. Clark asked if the Commission could recommend how much the City should spend and Ms. Brunner said yes.

Ms. Richter asked how the property was appraised, given the steep slopes and heavy logging. Ms. Brunner recalled that when the City had tried to purchase the 2 properties at auction, the City Council authorized the City Manager to pay up to the assessed value, and they sold to Hull Forest Products for more than that. The second attempt at purchase last year fell through because the owner asked for more money than the City Manager was authorized to spend. The Council might choose to authorize up to the assessed value again.

Ms. Clark thought it might fall through again, because she did not think the owners would accept the assessed value. Mr. Bergman agreed given that the owners rejected the assessed value before. Ms. Richter added that “assessed” is different than “appraised,” and properties commonly sell for more than the assessed value. Keene does update its assessments annually. Ms. Richter cautioned against going above the appraised value because it could provide a private benefit to the landowner by paying above fair market value. Ms. Clark thought the owner was asking for fair market value. Ms. Richter thought that was correct, but still cautioned against offering more than the appraised value. She said it is challenging because not everyone understands the nuances of this parcel, with timber already harvested, very steep slopes, and no access road. So, Ms. Richter did not think the parcel could be developed. Discussion ensued briefly about the owner restoring the berm at the access point that was used during logging. It was also noted that there is a well drilled onsite in an area where various types of vegetation are growing.

Discussion ensued about the procedure for making this recommendation to City Council. Vice Chair Madison was comfortable making a recommendation during this meeting, given how many times the Commission had discussed this. He cautioned against recommending a price to the Council, because they like to keep what they are willing to pay private until negotiated.

Mr. Haynes motioned to recommend that the City Council authorize the City Manager to negotiate a price and purchase and sale agreement with the owner of this lot, Hull Forest Products: TMP #229-006-000. Mr. Walker seconded the motion. Discussion continued.

Ms. Clark thought it would be important for the Council to understand the importance of this property because it is contiguous with Beaver Brook Falls, has steep slopes, and provides watershed protection because Beaver Brook is prone to flooding, making it important to keep these slopes forested. When Ms. Clark and Mr. Haynes hiked to the site, they found that most of the steeper slopes were not logged and the viewshed was still intact. Vice Chair Madison said he would highlight the flood protection in his letter to the Council, and he and Councilor Williams would be present to advocate.

Mr. Haynes also thought the letter to Council should highlight recreational opportunities. Despite the steep slopes, there are portions of the parcel that could be developed as hiking and biking trails. Vice Chair Madison agreed.

Mr. Bergman asked where Beaver Brook is in relation to the property across the Washington Street Extension from the parcel in question. The property Mr. Bergman referred to also included steep slopes and ravines. The Commission reviewed a map of the property, confirming that the City owns the property he referred to, and finding that Beaver Brook runs along the roadway. The Commission reviewed other surrounding properties on the map; the gated entrance into the Extension is before the power lines. Mr. Bergman also asked if the City Council could place a limit on what the City Manager is allowed to negotiate and Vice Chair Madison said yes, that would happen in a non-public session.

Mr. Bill arrived via Teams (non-voting).

The motion to recommend to authorize the City Manager to negotiate a price and purchase and sale agreement with the owner the property in question: TMP #229-006-000 carried unanimously.

4) **Report-Outs:**

A) **Greater Goose Pond Forest Stewardship Subcommittee**

Mr. Haynes reported that the Subcommittee had not met recently as a group, and moving forward, they would likely meet at the park for trail work. On June 14, four members of the Subcommittee had a workday on the Mattson Trail, near the junction of the Loop Trail. On June 15, two members worked to complete water bars there. The Mattson Trail is steep and there is some erosion, particularly with springtime snow melt, so the water bars would help divert some of that water away from the trail.

Mr. Haynes also reported that June 1 was National Trails Day, when six volunteers worked on the 2–3 re-routes of the Wild Things Trail. The week of June 24 would be Goose Pond Trail Days, with volunteers led by Lew Shelley of SnowHawk LLC working on the Lower Drummer Trail.

The Department of Parks & Recreation had all of the information to advertise the Goose Pond Trail Days.

B) Invasive Species

Councilor Williams reported that the next invasives event would be Monday, June 24 at 6:00 PM at Ellis Harrison Park to address Japanese knotweed along Beaver Brook. Ms. Clark agreed that between Ellis Harrison Park and the new proposed George Street Bridge, there is a corridor of knotweed.

Ms. Richter asked if there were any plans for the knotweed in Pat Russell Park because the knotweed was regrowing along Beaver Brook; this is a challenge because the invasive also covers the entire bank of Beaver Brook across the stream from the Park. Councilor Williams said no, his understanding was that the City's contractor for the Russell Park project should be responsible for 5 visits to conduct that management (possibly for 1 year, but he was not positive). Ms. Richter saw landscapers working there in the flat landscaped area. Ms. Richter and Councilor Williams agreed that knotweed requires multiple years of effort to eradicate, which is why Ms. Richter was pointing it out now, before it spreads further from the lower bank.

Ms. Stanish mentioned wanting to talk to a neighbor about the knotweed in their yard, and asked if the Commission had any resources she could share. Ms. Clark appreciated Ms. Stanish's focus. Ms. Clark agreed that it is great to address invasives like knotweed on public lands, but said there will not be substantial change if private landowners ignore the invasives, allowing them to spread further throughout the City. Ms. Clark thought there was a great opportunity for an educational campaign and Councilor Williams agreed. Vice Chair Madison thought the Commission's invasives efforts over the past few years were making headway on public lands, but he recalled that it requires a focused, long-term effort. Having resources to share with new homeowners, for example, would be ideal. Realtors might be willing to share the resources too. The Commission encouraged Ms. Stanish to develop a proposal. She would seek input on the draft from the Commission before sharing it.

Ms. Marcou recalled that in the past, Ms. Clark would create educational resources, called "Nature Nuggets," that staff would share on the City's social media accounts. If the Commission would like to do that with Ms. Stanish's resources, Ms. Marcou would share them with the Audio/Visual Staff to post on social media. The Commission supported this effort. Councilor Williams noted that the Library might be helpful in developing and sharing these resources with the community too.

C) Land Conservation

Chair Von Plinsky was not present to report.

D) Pollinator Updates

Mr. Therriault was not present to report. Vice Chair Madison shared that there would be a Pollinator Palooza & Plant Sale, to support the Cheshire County Conservation District, on Tuesday, June 25 from 11:00 AM–2:00 PM at Ashuelot River Park.

5) **Discussion Items**

A) Airport Proposed Wildlife Control Fence

Mr. Bergman reported on his attendance at the Swanzey Conservation Commission meeting two weeks before this meeting, when the Dillant Hopkins Airport Director, David Hickling, presented on the proposed wildlife control fence. The environmental consultant from McFarland Johnson was also present to answer questions. Mr. Bergman's impression was that not many Swanzey Commissioners had been following this project. Much of the discussion was about a 3-way balancing of interests: (1) aviation safety, (2) wetlands protection, and (3) public recreation and wildlife viewing along Airport Road. He referred to the secondary, angled runway (not the one that parallels Rt-32), and said that when driving down Airport Road, past the Airport terminal, and down to the Wastewater Treatment Plant, on the left side of the road there is a very large marsh and on the right side there are wet meadows and a swamp. That whole area is within the 100-year floodplain, is the highest priority wetland status, and will thus require mandatory attention.

Mr. Bergman continued, explaining that the project consultants had just delineated the wetlands and found them to be larger than previously estimated in the Airport Master Plan. Mr. Bergman said the real crux of this issue is that the City—via Mr. Hickling—rejected the original plan to run the fence all the way down Airport road. This would be problematic because: (1) it would contain the habitat and wildlife within the fence and Airport property, which is the antithesis of the intention to keep wildlife off the runways; (2) it would interfere with public support for Airport projects because people use the area for recreation and wildlife viewing daily. So, Mr. Hickling proposed an alternative to the Federal Aviation Administration (FAA) through the NH Department of Transportation (DOT) consultants to confine the fence as close and parallel to the runways as possible. The wetland impacts from this option would mostly be during construction, which would occur during winter, non-breeding time for important species.

One problem with moving the fence close to the shorter runway is that the fence must be 500' wide, centered on the midline of the runway, and extend downstream from the runway over the marsh; the grade descends down to the water. Mr. Bergman said the fence must be 8' tall with razor wire at the top. The FAA was resisting a suggestion to move the fence to the nearby grassy slope, because their priority is airplane safety. Mr. Hickling and the consultant believed they could seek a waiver that might require extending the fence into that marshland. A brook runs from the entry of Airport Road (runway side), parallel to it, from the Edgewood neighborhood, and enters the Airport property before feeding into the marsh. It was still unclear how close to the runways the FAA might allow the fence.

Mr. Bergman continued, recalling that Mr. Hickling's goal to complete fence construction during one season, as constructing throughout multiple seasons would have a greater impact on the wetlands and contain wildlife within the fence. At this time, it seemed unlikely that the FAA would approve funding the construction in one year. One question raised by the Swanzey Conservation Commission was who would be paying for the fence. Mr. Bergman recalled that 95% of the project would be funded by the FAA (or a similar public fund) and the remaining 5% funded by the City of Keene (i.e., the taxpayers). There would be no impact on the Swanzey taxpayers. One Swanzey Commissioner questioned whether there could be a gap at the bottom of the fence if it runs through the marsh to allow small wildlife through (precluding deer). There was a discussion about anchoring the fence in the marsh's mucky soil, and whether it would interfere with beavers, muskrats, fish, frogs, and more. In some locations, fences must extend underground with burrowing shields to exclude small animals, like foxes. Mr. Bergman mentioned that the Swanzey Commission's Chair, Cheri Domina, is an avid birder and pointed out grassland bird issues at the Airport. She said that all wildlife resources within the fenced area must be assessed for hazards and species of special concern. Mr. Bergman said it was unclear how comprehensive the wildlife survey would be. Mr. Bergman mentioned just a few of many species of concern in the area (bird sightings are tracked by eBird): grasshopper sparrows, bobolinks, and vesper sparrows, in addition to reptiles, amphibians, and plants.

NH Department of Environmental Services (DES) would be a part of the wetlands evaluation and is the entity that would grant the necessary waivers for engaging in wetlands impacts. The National Environmental Policy Act (NEPA) also requires an environmental assessment review by wildlife specialists; this work would occur in the near future after this meeting. The wildlife specialist advised Mr. Hickling to collaborate with the directors of the Concord and Manchester airports as well as the Pease Air National Guard base to understand how they established their well-known populations of grassland birds, including a mowing regiment to protect them and keep them away from the runways. Mr. Hickling noted that in addition to animals like deer and coyote on the runways, Airport staff regularly have to remove snapping turtles.

Mr. Bergman recalled that the fence plan called for some tree cutting, mostly small saplings and bushy growth; Mr. Hickling did not think the project would require too much cutting. Mr. Bergman asked if Mr. Hickling was willing to stake out the lateral margins of the proposed fence at the end of the runway facing Airport Road—either in the runway area, on the grassy banks, or the road itself—so it would be easier to visualize if the FAA requires the fence closer to Airport Road; some cutting could be required to the right of that area, where there is a lot of swampy, bushy, and woody wetland vegetation. Keeping the fence away from that area is among the listed project priorities. Mr. Bergman did not state how Mr. Hickling replied about staking the lateral margins of the proposed fence. Mr. Hickling would meet with the Keene Conservation Commission in the near future either individually or jointly with the Swanzey Commission. He was asked to speak with the Swanzey Planning Board, to which he responded that is not required, but the Swanzey Town Manager encouraged him to do so because it would be good politically.

Mr. Walker asked the purpose of the razor wire. Mr. Bergman thought it might be more to discourage people than animals. He said deer could easily jump over a 10' high barrier, but he did not think that would be as possible on the soft substrate of a swamp or marsh. He recalled another suggestion to seek a waiver for the fence height at the far end of the runway; if the fence was in the marsh, deer could only get to the fence through the marsh. He was unsure if it was proven that razor wire deters deer.

Ms. Richter asked if the primary wildlife concerns were deer and coyotes. Mr. Bergman said yes, primarily. Deer are widely present and there had been aircraft impacts. Canada geese are also a problem at many airports. He imagined other wildlife in the area like river otters, beavers, and muskrats, which would be impeded if the fence is extended to Airport Road. Mr. Bergman's impression was that Mr. Hickling was very open to hearing concerns. Ms. Richter noted that Lebanon and Concord both have wildlife management plans for their airports; Mr. Bergman added that Boston Logan Airport has a serious problem with deer, raptors, geese, and snowy owls.

The Commission would continue following this project.

B) Keene Meadow Solar Station Project Update

No update.

C) NH DOT Route 101 Project

No update.

D) Master Plan Steering Committee

Ms. Brunner shared some details from the City's Master Plan update. The week of this meeting, there were several public visioning sessions (same information at all sessions). Community Night was scheduled for June 18 and the Master Plan consultant would be there to gather input. If unable to attend any of the visioning sessions, Ms. Brunner said that the consultants were training City staff and volunteers to lead similar sessions with community groups throughout July. Also, the presentation slides from the think tank workshop (i.e., scenario planning) that occurred in May were available on the project website: www.KeeneMasterPlan.com. The visioning sessions were intended to test and validate the outcomes of the think tank. Ms. Brunner added that the community survey had closed, and the results were available on the project website. There, a data visualization portal is available to see how people responded to each question; the questions on land use are very relevant to this Commission. She recalled that the Conservation Commission is an advisory body to the Planning Board for land use issues and the Master Plan. This phase of the Master Plan update is to update the Community Vision. In August/September, the project will move into Phase 2, when the Master Plan Steering Committee will identify "strategic pillars," or the key focus areas of the Master Plan. Then, a focus group will be formed for each pillar identified, before a community forum on Saturday, October 5.

Vice Chair Madison mentioned the importance of trying to schedule some of these public sessions in the evenings or on weekends, when more could attend.

Ms. Clark reported on her participation in the two think tank sessions. The group identified a lot of areas of concern and importance. She focused on Keene's future adaptations to climate change. She was disappointed by some of the conversations she heard, and that the environment/climate was in one of the lower categories, with very little interest from the other participants. She agreed with Chair Von Plinsky that voices for conservation in the community are really important.

E) Outreach

No updates.

F) Budget

Councilor Williams was asked to bring a proposal for using remaining funds in the budget (\$135) for invasive species eradication efforts. He felt it was not an ideal time to acquire shrubs to plant where invasives have been removed because of the imminent high summer heat. When he visited Fassett Farm Nursery in Jaffrey (which he recommended visiting), he found a promising yellow birch sapling for \$25 that he hoped could be useful in shading out an area of knotweed at Ellis Harrison Park; he would work to keep the tree alive in the heat. He also realized that the Commission has not donated to support the Edgewood neighborhood pollinator garden project, so he recommended donating toward the seeds they plan to purchase this fall. Discussion ensued about the financial support for the pollinator garden. Ms. Clark thought they received a \$2,500 grant from the Cheshire County Conservation District (CCCD), who did not recommend seeding, but using whole plants that were already established. She said in her experience, seeding was not as successful. Councilor Williams cited his recent conversation with the Edgewood neighbors, who indicated that they might do seeds in the fall and shrubs in the spring. Then, he recalled the Commission's intention to donate anything remaining in the budget to the Ashuelot River Local Advisory Committee. Mr. Bergman checked the past minutes and recalled that the CCCD grant was to rent a sod cutter. Councilor Williams said that had occurred and he thought finances were the reason they were waiting to purchase shrubs.

Councilor Williams made the following motion, which was duly seconded by Mr. Walker. The Conservation Commission unanimously approved spending \$25 on a yellow birch sapling, donating \$50 to the Edgewood neighborhood pollinator garden for seeds, and donating \$60 to the Ashuelot River Local Advisory Committee.

6) New or Other Business

None presented.

7) Adjournment

There being no further business, Vice Chair Madison adjourned the meeting at 5:28 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker
June 19, 2024

Reviewed and edited by,
Mari Brunner, Senior Planner