

**City of Keene**  
**New Hampshire**

**CONSERVATION COMMISSION**  
**MEETING MINUTES**

**Monday, August 15, 2022**

**4:30 PM**

**Room 22,  
Recreation Center**

**Members Present:**

Alexander Von Plinsky, IV, Chair  
Councilor Andrew Madison, Vice Chair  
Eloise Clark  
Councilor Robert Williams  
Art Walker  
Ken Bergman  
Thomas Haynes, Alternate  
Brian Reilly, Alternate  
John Therriault, Alternate

**Staff Present:**

Mari Brunner, Senior Planner

**Members Not Present:**

Steven Bill, Alternate

**1) Call to Order**

Chair Von Plinsky called the meeting to order at 4:32 PM.

**2) Approval of Meeting Minutes – July 18, 2022**

Mr. Bergman said that the minutes state that Sparky adjourned the meeting (line 193), but in fact he was absent from the meeting, and Andrew Madison, who was presiding, adjourned the meeting.

Mr. Bergman made a motion to approve the minutes of July 18, 2022 with the aforementioned corrections. Mr. Walker seconded the motion, which passed unanimously.

**3) Applications**

**A) Planning Board referral – Earth Excavation Permit Application – 0 Rt 9  
(TMP# 215-007-000-000-000)**

Chair Von Plinsky stated they have seen the site and it is now time to ask any questions they have thought of. He invited the applicant to review the project and the waiver requests.

Jeffrey Kevan, with TF Moran's office, summarized the waivers requested. Mr. Kevan stated they are working with changes that had already been made to the property, mentioning a traversed driveway up the hillside and an opened up lay-down area at the top. Between the changes from the previous owner and the topography of the site, there's a natural flat area where they are proposing the gravel pit be placed.

The first waiver is in regards to the requirement that the excavation perimeter be at least 200 feet from any public Right of Way (ROW), unless such excavation is a highway excavation. Mr. Kevan briefly explained the following explanation for a requested waiver on this matter: The proposed bottom of the excavation area is 54 feet higher than Route 9 at the access drive intersection, so the vertical separation increases the effect of the horizontal setback provided. The existing forested buffer between the access drive and the ROW is steeply sloped. Part of the 200' buffer was previously cleared of trees as part of the site's previous logging history. Also, the edge of the ROW is approximately 78-feet back from the Route 9 edge of pavement line, because Route 9 has a 160' wide (wider than normal) ROW along most of the project's frontage, which pushes the 200' buffer further back into the site. In addition, the best soils and deepest soils above the seasonal high water table on-site are located near that 200' ROW setback line. Not excavating into the 200' ROW setback would result in a tall soil berm being left in between the ROW and the excavation area, which would be deleterious to future reuse of the property following reclamation.

The second waiver is in regards to the requirement that the access driveway be at least 150 feet from the boundary line of any public ROW, except where the driveway intersects the public ROW. Mr. Kevan briefly explained the following explanation for a requested waiver on this matter: The existing driveway is being improved in place, within the 150' buffer. Improvements include widening by 2 to 4 feet and the addition of a 14-foot-wide armored riprap swale on the uphill side to convey any storm water runoff downhill, minimizing erosion. The proposed bottom of the excavation area is 54 feet higher than Route 9 at the access drive intersection. The existing forested buffer between the access drive and the ROW is steeply sloped, varying from 3:1 to 1.5:1. An access drive that did not angle across the steeply sloped and forested frontage of the property would require a vast excavation and mass of new tree clearing to construct, which in turn would impact the groundwater table of the site.

The third waiver is in regards to the requirement that the excavation perimeter be set back at least 250 feet, and the access drive be setback at least 150 feet from any surface water resource. Mr. Kevan briefly explained the following explanation for a requested waiver on this matter: There is an existing wetland water resource in the Route 9 ROW, between the driveway and Route 9. There is a second existing wetland tracing down the hillside just above the existing drive intersection with Route 9. The two wetlands are 363 feet apart at their closes proximity. The existing access road must pass through the 150' buffers of these two wetlands to reach the excavation area. The existing access drive needs to be improved by widening and resurfacing for trucking safety and by adding an armored ditch to convey channelized storm water basin overflows down the hill without causing erosion. These improvements slightly further encroach

into surface water resource setbacks. There is an existing forested wetland 127.7 feet east of the excavation perimeter. There is another hillside wetland 75' west of the excavation perimeter. These two wetlands are 801 feet apart at their closest proximity. The 250' setbacks from these 2 wetland areas represents an unwarranted taking of a huge portion of the "excavatable" material located here. The Keene Zoning Board of Adjustment (ZBA) on March 7, 2022 approved the earth excavation use at this location, in full knowledge of these setback encroachments.

The fourth and fifth waivers are in regards to the groundwater quantity and quality baseline measurement. Mr. Kevan briefly explained the following explanation for requested waivers on these matters: Article 24.3.4 (of the Land Development Code, of "LDC") clearly states "When the applicant proposes excavation below the seasonal high ground water table, the applicant shall complete a hydro-geologic analysis to demonstrate that the excavation activities will not affect ground water levels so as to adversely impact public or private wells, surface water levels, or wetlands. This analysis shall include pre-excavation ground water level measurements, a constant discharge pump test, and ongoing ground water level monitoring." Since this project does not propose to excavate below the seasonal high water table, Mr. Kevan thought they shouldn't need this waiver/exception. However, in case the City decides to use a different definition of 'seasonal high water table' other than the definition established for the project by the SLR Limited Hydrogeologic Report dated 3/25/2022, they are requesting this waiver as a safeguard to prevent any permitting delays related to re-advertising the public hearing. The project as proposed uses all appropriate measures to protect groundwater and wetlands, including but not limited to armored cutoff swales, separation berms, buffer setbacks, storm water basin with infiltration sump, and sedimentation ponds. Furthermore, Article 24.3.4 (of the LDC) clearly states "When the proposed operation includes the excavation of bedrock materials, the applicant shall collect and analyze pre and post excavation water quality data, as set forth below..." Since this project no longer proposes to excavate into bedrock, Mr. Kevan said they shouldn't need this waiver/exception. However, they are requesting this waiver as a safeguard to prevent any permitting delays related to re-advertising the public hearing. If the Board concurs that this waiver is not needed, then this request can be disregarded.

The sixth waiver is in regards to the requirement that the total combination of any unreclaimed inactive and active excavation area shall not exceed 5-acres at any time. Mr. Kevan briefly explained the following explanation for a requested waiver on this matter: It is the applicant's intent to minimize open excavation area at all times, in order to minimize maintenance work for dust control and perimeter erosion controls. However, a 5-acre limit is not practical at all times for the site because of the need to have access areas for truck maneuvering and equipment placement. Stockpiles, the steep slopes in parts of the site enlarge the excavation area due to chasing the slope uphill. It takes time to prepare an area for reclamation since hydro-seed subcontractors are not located on site. Sediment traps, swales and basins take up significant land area within the excavation and often cannot be stabilized immediately due to wet weather conditions (it takes 2 weeks of sunshine to dry out the area, spread loam, and hydro-seed) in order to stabilize. Multiple stockpiles on site each require significant open land area; stockpile of loam for reclamation purposes, the need to stockpile excavated product for export, the need to

stockpile boulders for process where on a site like this the mobile crusher will only be in use for a maximum of 1 day per week.

The seventh waiver is in regards to the annual noise monitoring requirement. Mr. Kevan briefly explained the following explanation for a requested waiver on this matter: Continuous noise monitoring for the life of the project is not needed because there are basically no neighbors within 1800' of the excavation area. The closest residence to the excavation is approximately 3800 feet northwest on Sullivan Road, on the other side of the hill. The closest commercial building is 720' from the excavation and is owned by the applicant. The next closest commercial use is Granite Gorge ski area, which is closed and the closest ski trail is 2000 feet from the excavation area. The entrance to Otter Brook recreation area is 660 feet away, but the picnic grounds are the closest amenity within the park at over 1800 feet from the excavation area. The project has eliminated blasting from the proposal, so the loudest sound producer has been eliminated. The second loudest sound producer at a gravel pit is typically the stone crusher. This project only plans to run the crusher 1 day per week, at most.

Eloise Clark joined the meeting via Zoom at 4:38pm.

Chair Von Plinsky stated he was happy with the site visit which cleared up a lot of his concerns. The only concern he still has is with regards to the northern end of the site, stopping the water coming off of the slope and deciding where it's going from there. Mr. Kevan stated what's coming off of the natural vegetated area will be intercepted and directed to where it's naturally going, which is over towards the wetland. Additionally, they will intercept anything within the operation area and bring it to the front pond. Mr. Kevan mentioned that there will be weekly inspection and monitoring of erosion and control measures.

Mr. Bergman asked for confirmation on whether or not they are going to cantilever the entry road and the upper diagonal section of it to promote drainage to the right side, if you're going downhill. Mr. Kevan stated that is correct and the idea is to direct all the runoff away from the natural tree coverage. Mr. Bergman asked if this work could be done without narrowing the road itself. Mr. Kevan stated the trees on the downhill side of the driveway will stay as is and not get touched and on the uphill side, as they start lowering grade, the tree cover will decrease, but the road itself will not narrow.

Ms. Clark mentioned that Jim Fougere, their environmental consultant for wildlife, recommended avoiding welded plastic netting or thread because it traps snakes and other wildlife. His alternative suggestion was to use more wildlife friendly options made of woven organic material. She went on to state that she noticed the tubes they have up at the site all have welded plastic netting and stated her one recommendation would be to switch that material when doing the reclamation. Mr. Kevan stated that is consistent with what the state requires and mentioned they did do a wildlife assessment on the property which reported potentially turtles and that was the extent of it.

Mr. Haynes mentioned the sound study and stated some of the folks using Otter Brook and the picnic area might be impacted and wondered if the study will take that location into account. Mr. Kevan stated they will likely get background noise at that location, similar to the noise that comes off of the highway from traffic. He explained that they will run the operation and see what the noise levels are at the property line and will take into consideration the closest public area. Chair Von Plinsky added that the disc golf course is closer than the picnic area at Otter Brook and should be considered as well.

Mr. Bergman mentioned the retention pond and the findings that showed a good part of the sides of it had an underlying clay layer. Mr. Kevan stated some of the material on the site has a very high fine content, 15-20%, and he explained that the pond will get shifted parallel to the highway at the top so everything gets brought down around it. The intent is to infiltrate most of the runoff and then have an emergency overflow that would take it down to the lower level. Mr. Bergman commented that the sump area collected a lot of water with recent rain but it didn't submerge the basin that much.

Mr. Haynes reminded everyone of Councilor Madison's recommendation to consider some sort of riprap in the area up by the road to stabilize slopes and help with any erosion. Ms. Brunner clarified that the area they are referring to is the logging road that goes up at the site.

Chair Von Plinsky summarized that they are recommending to the Planning Board that the slope stabilization measures will be taken on the northern logging road. The motion was moved by Councilor Madison and seconded by Mr. Bergman. The motion passed unanimously.

**4) Correspondence**

**A) Complaint – East Surry Road**

Ms. Brunner explained that there was an email with a letter from the NH Department of Environmental Services and the Conservation Commission and City Council were copied. She noted that the letter is included in the packet so the Commission can be aware of the complaint and if anyone has comments they are welcome to share. Chair Von Plinsky explained the area of concern is off of East Surry road in one of the lots that butts up against the Ashuelot River. Councilor Madison stated it may be a temporary swimming spot built up by rocks, which people tend to do in the summer when the water gets low. Ms. Brunner added that the state will follow up on the complaint. There were no further comments.

**B) Dredge and Fill Permit – Wilson Pond Dam**

Ms. Brunner explained that the Wilson Pond Dam has been deemed by NH DES to be in poor condition and the objective of the project is to make improvements to the dam to provide additional hydraulic capacity and stability to the dam. She noted that the pond is used for recreation in the northern residential neighborhood of Keene and gave some history about the dam as well as an overview of the project details, which she pointed out can be found in the

packet online and at City Hall. Ms. Brunner mentioned that there was a small area of wetlands delineated, which is the area that will be impacted by the proposal.

Jim Phippard of 81 Arch Street stated he has lived near the dam since 1999 and is very familiar with the dam and its history. He gave a brief history and stated the owners of the dam, the Alumni Association, originally had an agreement with the school district that they have free use of the fields but have to maintain the property, including the dam. He explained that this wasn't an issue for quite some time because the state classified the dam as low-risk or no-risk because the pond is so small and the roadway would preclude a lot of flood water if the dam washed up, protecting downstream properties. He went on to state that there was a long debate between the school district and the City of Keene with the school district's stance being that they do not operate or maintain dams and it does not match with their mission. They requested that the City of Keene take it over and a group of neighbors near the dam, including himself, supported that request. He went on to explain that the City of Keene didn't want the additional burden of caring for another dam so they tried to negotiate an agreement where the school district would pay to repair the dam and then the City would take over the maintenance. Negotiations eventually fell apart and the school district took on the job of hiring a consultant for the dam repairs. Mr. Phippard ended by stating he is looking for information because the school stopped communicating with the group of neighbors regarding the dam and he saw that the consultant's permit was incomplete because they failed to notify the public and did not pay their application fees. He stated, as neighbors, they are concerned about the schedule of construction/repairs and what the level of water will be when the work is complete. He noted that the current water level is too low to support wildlife right now and the dam is regularly visited by many migratory birds, eagles, deer, bear, and other wildlife.

Chair Von Plinsky invited questions and comments.

Mr. Bergman stated he lives fairly close to the dam and noted a pocket park on Kendall Lane where there's a brook and Shadow pond, which he mentioned are already low and will be further impacted by any work done on the dam. He added that those areas are also home to a lot of wildlife.

Chair Von Plinsky asked if they could expand their comments beyond the wetland area to the larger scope. Ms. Brunner stated they can comment on the project, which is the dam replacement, as long as the comments are relating to the wetland, since the item is on the agenda because of a permit triggered by wetland impact.

Mr. Therriault brought up Mr. Phippard's comment about lowering the water level of the dam and asked how one would describe the historical water level. Mr. Phippard stated the contractors would know what the original elevation was and the comment period has been extended because their application was deemed incomplete. He added that they originally lowered the water level to keep the pond in the low-risk category and the neighbors are wondering what level they will restore it to after construction.

Mr. Haynes suggested they table the item and have the contractor come to their meeting in September to have a discussion and reveal more details. Councilor Madison suggested this sounds more like a matter for the school district since they are the ones paying and contracting. Chair Von Plinsky agreed but stated it could still be useful to have the conversation with the contractor so they can obtain more information and then make their comments from an educated standpoint. Mr. Walker commented that the engineering company doesn't have any obligation to the Conservation Commission and that the school district should be made aware if they have them at a meeting so they can participate as well if they so choose. Ms. Brunner and Mr. Therriault suggested inviting a staff member from the school board. Mr. Reilly commented that depending upon where they decide to set the water level that is going to impact what the wetland looks like behind the dam, which falls within their purview. Short discussion ensued and there was general agreement to invite the school district and their contractor to the Conservation Commission's September meeting for discussion.

Mr. Phippard commented that NH DES relies on local organizations like the Conservation Commission to help with matters like this and encouraged their involvement. He added that if they are interested in commenting on the final application they should tell DES now so that they don't miss the window.

Chair Von Plinsky summarized that they will table this item and he will correspond with DES and invite the contractor to join them in September, as well as the school board.

**5) Report-outs**

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

Mr. Haynes stated they haven't met yet and aren't meeting in August; however, they will meet in September. He explained that the work they are doing now is looking at having a fall workshop focused on bridge and walkway construction, hopefully around the end of September or early October.

Chair Von Plinsky mentioned that there had been complaints about lack of signage at the new parking area and wondered if that's on the horizon. Mr. Haynes stated they have a long list of signage which is being completed by a local business that is very busy, so it will take some time.

**B) Outreach**

Mr. Haynes stated the only thing going on is a walk at the end of October with Jeff Littleton titled "Reading the Forested Landscape." He added that they have partnered with the Parks and Recreation Department for this as usual.

**C) Invasive Species**

Councilor Williams stated they took off the month of August and reported their next event is on Labor Day at the Stone Arch Bridge, north of town on Court Street. He stated there are all sorts of invasive species over there and they need to decide which they'll be going after. He added that he'll get Ms. Brunner some social media items to share once they finalize the details.

6) **Discussion Items**

**A) Ordinance O-2022-09- Proposed changes to Rural District and Conservation Residential Development (CRD) Subdivision Regulations**

Ms. Brunner stated the ordinance was submitted to City Council on July 21<sup>st</sup> for a first reading, it was then referred to the Joint Planning Board and Planning Licenses and Development Committee for a public workshop that was held one week ago. The next step is for it to go back to City Council for a public hearing which is expected to take place on September 1<sup>st</sup>. She went on to state that once it leaves the public hearing phase it will go to PLD, then back to City Council for a final vote. Ms. Brunner mentioned that it is a good time to send comments if there are any. She then explained that staff were directed to go through the residential zoning districts to identify opportunities for housing, which is a critical issue at very different scales. She noted that the Commerce District was recently amended and now the City has moved on to the Rural District.

Ms. Brunner explained that the 5 acre minimum lot size in the Rural District was identified as a barrier to housing development, so staff did months of research and noted that right now there are a high number of parcels in the district that are non-conforming with respect to lot size, either because they were created before the minimum lot size was raised up to 5 acres or because they were created as part of a Planned Unit Development (PUD), which is a subdivision option that used to be allowed in the City of Keene. Ms. Brunner explained that a PUD meant the Planning Board could override the underlying zoning district and come up with whatever lot sizes they wanted as long as the developer presented a holistic plan for what the neighborhood should look like. She added that if you see really small lot sizes in the Rural District, those were most likely created as part of a PUD. Currently, 58% of the lots in the Rural District are non-conforming because they are smaller than 5 acres.

Ms. Brunner stated staff also researched lowering the lot size from 5 acres to 2 acres, which is what they are proposing. She noted that they still have the Surface Water Protection and Hillside Protection Ordinances in place and explained what that entails for new lots. Alongside this, Mr. Brunner stated the City of Keene has a Conservation Residential Development Subdivision (CRD) option and any subdivision in the specified districts that are 3 lots or more have to comply with CRD regulations. These regulations state that at least 50% of your starting piece of land has to be permanently conserved as open space and any steep slopes, wetlands, springs, and other sensitive natural features have to be included in that open space area. In return, development has to be concentrated on the remaining portion of land. Additionally, CRD regulations protect the surrounding area by having a buffer that goes around the outer edge of the tract between the developable area and the road and any residential areas that abut or are adjacent



to it. Staff are proposing to change the density factor and the minimum lot size in the rural district to make it more consistent with the proposed lot size change in the underlying district. In other words, if changing the minimum lot size from 5 acres to 2 acres, they want to change the density factor down to 2 acres as well so that a developer would be able to get the same number of units as if they were developing it as a conventional subdivision.

Ms. Brunner went on to state that since they were already modifying regulations, they saw an opportunity to build in incentives for other community goals, one of them being open space. They have an option where a developer could voluntarily choose to put 65% of the tract into permanent conservation and in return would get a density bonus of 10% or one unit, whichever is greater. The second incentive option is for solar. For this option, at least 50% of the lots in the development have to be solar-oriented and they have to install at least 4 kilowatts of solar PV per dwelling unit on those solar oriented lots, and in return would get a density bonus of 10% or one unit, whichever is greater. The final incentive option is for workforce housing and Ms. Brunner stated workforce housing rates are set based on the area median income. She explained that the 2021 values for Cheshire County for 80% of the area median income for a family of 4 is around \$242,500. However, units of that type are currently selling for more like \$400,000. In order for a developer to make the choice to willingly sell at such a loss, they were trying to build in a greater incentive for them, and thus are proposing that they would create 20% of the units as workforce housing for sale or for rent and in return would get a 20% density bonus or one unit, whichever is greater. Additionally, they are proposing that developers would also be able to build triplexes for workforce housing.

Councilor Madison asked what is expected from the Commission with regards to this agenda item. Chair Von Plinsky stated this is strictly a discussion item that was brought to his attention by Ms. Clark.

Ms. Clark stated there are a lot of really innovative ideas with regards to these incentives but wondered if the City did a thorough evaluation of how many of the proposed 2 acre lots really could be developable without having to have the land owner or developer apply for a variance. She questioned if in a 2 acre lot they are really going to be able to accommodate the kind of development they are hoping for as well as protect some of those inherent conservation values that Keene has strongly stood behind for quite some time. She added that she doesn't support decreasing lot size from 5 acres to 2 acres in a rural area because she believes it will lead to further degradation of Keene's environment.

Chair Von Plinsky stated they can make comments and recommendations as a Commission but they are welcome and encouraged to make comments personally as well.

Thomas Lacey of Daniels Hill Road stated he has lived in all zones, including a considerable amount of time in the rural zone. He feels the aforementioned proposals are not consistent with the Master Plan, which overwhelmingly has the concept and spirit of open space in the Rural District, and this proposal by staff is really going to interrupt that. He gave the example of

Darling Road which is a Planned Unit Development with mostly 2 acre lots and noted that's what the rural zone would look like. He added that those at least have a lot of frontage but staff's current proposal has 2 acres plus only 50 feet of frontage. He went on to state that when you have 5 acre zoning you're talking in multiples of 5, so if you went up Hurricane Road you'd have 6, 7 and 8 acre lots and there's still one lot. If you divide that one lot by two you're suddenly going to see multiple houses in the open spaces which will really interrupt the landscape of the rural zone as we know it. Mr. Lacey ended by stating he is available to take anyone interested on a tour in the rural area.

Councilor Williams stated he understands the concern about having more housing and density – people like elbow room, and it is good for nature. However, we are facing a housing crisis. He referred to an earlier comment about high housing costs, and noted that part of the reason is the large land area required in addition to the cost of building materials. Young people are having difficulty finding places to live and things like 5-acre zoning, which went through in the 1970s when there was a movement to make everything single-family housing, and we are now living with that legacy of expensive housing. He sees the drawbacks in 2 acre lots and would much rather have that density downtown. Additionally he suggested they make the workforce housing happen some other way such as developers paying into a fund that would build workforce housing closer to downtown, which would also be more commutable. However, he is appreciative of the idea that we need more places for people to live, because the cost is really prohibitive for young families. He does like the idea of the CRD – he's less enthusiastic about 2 acre lots on Hurricane Road – but if they were CRDs, nice communities where there's open space leftover, kids can ride their bikes around, and there are benefits such as solar incentives, that is the right thing to do.

Councilor Madison stated he is in agreement with Councilor Williams and noted that a 5-acre minimum lot size is extremely large for a city like Keene, and two acres sounds more reasonable. He said he appreciates Mr. Lacey's concerns – he doesn't want to see “McMansions piled on top of one another” – but he reiterating that we are in a housing crisis. The state vacancy rate is 0.5% whereas the national average is 5%, which is 10 times more apartment vacancies than New Hampshire. He said he sees his friends who make a good living struggle to find housing, and even when they do find a place they can afford, someone from Massachusetts buys it and then either abandons it, or turns it into an AirBnB so they can avoid income taxes in their own state. It has been extremely frustrating for people like him who are arguably working class. He added that he understands Mr. Lacey's concerns but he is more concerned with his neighbors, his friends and colleagues who can't find a place to put a roof over their head and oftentimes are working jobs that make close to \$100,000, but are looking at homelessness because they can't find a place to live. He's more concerned with protecting them than protecting the sunset view of someone who owns a mansion on the outskirts of town. That is a reality of living in this current housing market.

Mr. Haynes asked if there was discussion regarding the 5 acre lots that get grandfathered in and a condition that they can't be subdivided, so that only larger, new developments are impacted, to

try and find a middle ground. Ms. Brunner stated they did not have a discussion with regards to this. She explained that if the City changes the minimum lot size from 5 acres to 2 acres, then that would allow property owners to create new lots that are at least 2 acres in size. For example, if someone had a 9 acre lot, today there could only be one single family home and it could not be subdivided because the minimum lot size is 5 acres per lot. However, with this change to 2 acres, if you have a 9 acre lot and enough frontage and buildable areas you could theoretically subdivide that lot into 4 lots to have the existing single family home and add 3 new homes. Ms. Brunner made note that they are not proposing to change any of the other dimensional standards, mentioning that right now the frontage in the Rural District is 50 feet and they are not proposing to change that. Ms. Brunner went on to state that they looked at other development constraints. Some of which include that you have to have at least 50 feet of frontage on a class 5 road or better and you have to be able to demonstrate to the Planning Board that the land is developable. For example, you cannot create a lot that is all steep slopes – you have to be able to access the lot and build on it.

Councilor Williams left the meeting at 5:54 PM.

Mr. Haynes stated he is attempting to think of alternatives so smaller lots don't become even smaller and that housing development doesn't become tighter. If you have a new 20 acre parcel then some of the things staff have proposed might be fine because there's no current development there. He added that the ideas are quite innovative but there's still the question of how they protect some of the smaller parcels from becoming multi-housing units. Ms. Brunner clarified that if you're doing a conventional subdivision, meaning you're taking your parcel and splitting it up into lots with a minimum of 2 acres, you can only do a single-family home. In order to get the duplex or triplex or some of the other incentives of a CRD, you have to have a minimum starting tract size of 10 acres, you cannot do a CRD on anything that's less than 10 acres to begin with. You can subdivide a lot that's smaller than 10 acres but it would have to be a conventional subdivision.

Mr. Lacey stated he understands the housing issue but you can make a mistake in thinking your solving an issue. He noted that he has been through three serious real estate cycles and they are dealing with supply chain issues so they have to make sure they protect open spaces and preserve them as development happens. He also brought up the fact that those who own more acres will be taxed more when assessing notes that their land could be subdivided. He reiterated that stacking 2 acre lots with 50 feet of frontage will be a problem.

Chair Von Plinsky stated he likes the idea of CRDs in lower density areas and understands they are in a housing issue but does not think the staff proposal of subdividing at 2 acres is the solution. There were no further comments.

## **B) Conservation Commission Speaking Events**

Councilor Madison stated he is going to try and connect with the outreach committee and enlist some help. Mr. Therriault stated he did a reading at the Keene Public Library last week about pollinators and it was attended by about 40 people.

**C) Airport Proposed Wildlife Control Fence**

Ms. Brunner reported that she hadn't heard back from the airport director on an update yet.

**D) Budget Planning**

Chair Von Plinsky stated they included this item because of a great suggestion from one of the members of the commission, but will table it for the meeting next month due to time. He added that there is value in this and it will be an important conversation to have.

**7) New or Other Business**

Chair Von Plinsky announced that he may not be in a position to continue on with the Chair position for the next round due to schedule changes. He encouraged members of the commission to consider if they'd like to take the position when elections take place.

**8) Adjournment – Next meeting date: Monday September 19, 2022**

There being no further business, Chair Von Plinsky adjourned the meeting at 6:07 PM.

Respectfully submitted by,  
Nicole Cullinane, Minute Taker

Reviewed and edited by,  
Mari Brunner, Senior Planner

Additional edits by,  
Katryna Kibler, Clerk's Office