

City of Keene
New Hampshire

CONSERVATION COMMISSION
MEETING MINUTES

Monday, June 19, 2023

4:30 PM

**Room 22,
Recreation Center**

Members Present:

Alexander Von Plinsky, IV, Chair
Eloise Clark
Councilor Robert Williams
Art Walker
Thomas Haynes, Alternate (Voting)
John Therriault, Alternate (Voting)
Deborah LeBlanc, Alternate (Voting)
Brian Reilly, Alternate
Steven Bill, Alternate (Arrived Late, via Zoom)
Lee Stanish, Alternate (Arrived Late)

Staff Present:

Mari Brunner, Senior Planner

Members Not Present:

Councilor Andrew Madison, Vice Chair
Ken Bergman

1) Call to Order

Chair Von Plinsky called the meeting to order at 4:31 PM.

2) Approval of Meeting Minutes – May 15, 2023

Revision: Line 251 should be changed to reflect that Mr. Haynes understood the City’s preferred method, but he did not “confirm” that he would wait for the application. Change “would have to” to “may have to.”

A motion by Mr. Therriault to approve the May 15, 2023 minutes as amended was duly seconded by Mr. Walker and the motion carried unanimously.

3) Report-Outs

A) Greater Goose Pond Forest Stewardship Subcommittee

Mr. Haynes reported that the Subcommittee met on Friday, June 9, at Goose Pond for a working meeting. The group did some trail maintenance and noticed that some of the new signs were

ripped off or hanging from trees. Mr. Haynes recreated the signs and replaced them. He said that the new signage around Goose Pond was essentially complete until further trail work occurs; he said it felt good to have that project done. Mr. Haynes said there would be another workday on Friday, July 14, meeting again at 8:30 AM; anyone interested in helping should give Mr. Haynes their email to add to his list and receive details about where to meet and activities. He hoped that work on the loop trail would begin the week of this meeting, but Lew Shelley had not confirmed yet. Once Mr. Haynes hears from Mr. Shelley, Mr. Haynes would email everyone with the schedule so they could volunteer if interested.

Ms. Clark asked what work Mr. Shelley would be doing. Mr. Haynes said the work would be fairly extensive and would not be in just one part of Goose Pond, but in 7–8 different locations. He said that when walking the loop trail, one would notice a new boardwalk just past the dam. Future work would include creating another boardwalk just up from the current one in another wet area. There would also be 300–400 feet of trail relocation on the north side of the pond, including a new bridge. At a spot just past the north trailhead entrance—when arriving at the pond—a “burrito wrap” would be installed in a wet area, which includes digging a small trench and filling it with fabric and gravel so that the water stays away from the treaded part of the trail. Mr. Haynes added that on the very east end of the park—farthest from the parking areas—there would be another trail reroute to mitigate sediment entering the pond. Otherwise, Mr. Shelley would be working on general trail maintenance.

B) Outreach

Mr. Haynes said the Outreach workgroup had not met in the last month. The group had not decided on a summer walk for Goose Pond Through the Seasons and he welcomed ideas. He said Steven Lamonde led a bird walk at Goose Pond on May 28 from 8:00–10:00 AM. Ms. Clark attended the bird walk and noted that there were fewer participants than last year. Ms. Clark said Mr. Lamonde did an excellent job and it was fun to hear him talk about different bird calls; he is very knowledgeable. She added that it was nice to see a young person so interested in birds. Ms. Clark mentioned that she never saw the event advertised in print media. She understood that sometimes those sources are choosy about what they include, but she believed that advertising in the Sentinel and Monadnock Shopper News would boost attendance.

Ms. LeBlanc attended a different bird course with Mr. Lamonde the day before his walk at Goose Pond. She said Mr. Lamonde mentioned the walk at Goose Pond and Ms. LeBlanc wanted to go, but Mr. Lamonde did not have details on where to meet. Ms. LeBlanc said she looked for information, but could not find the meeting place, so she could not attend. Mr. Haynes said that in theory, participants could sign up via the Parks and Recreation Department. Ms. LeBlanc said she looked for it via Parks and Recreation, but was alerted that the sign-up was closed, and thus she could not access the event details. Ms. Brunner said these events are open to the public, so she suggested adding the events to the official calendar on the City of Keene’s website. Mr. Haynes said he had assumed that when he sent the press releases to Andy Bohannon (Director of Parks, Recreation, and Facilities), that Mr. Bohannon’s Staff would send the information to all of

the relevant outlets. Ms. Brunner said that the City calendar is managed by the IT and City Clerk's Departments, who are a little choosier and only include City events open to the public, but Ms. Brunner thought these events could qualify. Mr. Haynes said this was good information and he would try to share the details with more people for future events.

Mr. Reilly thought the key was trying to limit the events to 20–25 participants, and he was not sure how to walk the fine line between engaging more participation, while avoiding groups of 50 people, for example. Mr. Haynes said the previous press releases encouraged people to call Parks and Recreation to register, with the understanding that there could be participants that do not register. He thought Ms. LeBlanc could not access the details because the sign-up had closed, and it was not on the City calendar. Ms. Clark said only 5–6 people attended the May 28 bird walk. Ms. LeBlanc said she was disappointed because Mr. Lamonde is lovely. Mr. Haynes said that spreading this information was always a challenge. Chair Von Plinsky thought that print media would be a good way forward to reach a different audience.

C) Invasive Species

Councilor Williams said he liked the idea about print media, noting that he wanted to spread the word about invasive species activities, which had not been getting as much participation as he liked; the more the better. The next event was occurring right after this meeting (6:30–8:00 PM) at the Ellis-Harrison Park, where Japanese knotweed was blocking access to the creek. He wanted to create a path so that kids/families could access the creek. Councilor Williams noted that in the past, the volunteers used trash bags to collect the knotweed, but said the bagging takes more time than actually pulling the knotweed. So, he wanted to try a new method this time using tarps, which he had some success with at a previous event (he was still waiting to get those tarps back). The tarps would be wrapped around the plants on site in the sun for a while until a City crew takes them away.

Mr. Therriault noted that there was a lot of knotweed on White Brook at the Keene Country Club. He said that a frost event earlier this year killed all of the knotweed to the ground, and it had reached knee-high again. He was surprised the frost did that and it made him wonder if there was research on freezing techniques (e.g., liquid nitrogen or carbon dioxide) that could kill the knotweed without the normal extensive manual labor required. The Chair recalled seeing knotweed along RT-5 in VT and thought the frost impacted that area too. Ms. Clark clarified that it was not a frost event that harmed the knotweed, it was actually a hard freeze. Mr. Therriault said he would do some research on whether methods exist for extreme cold to mitigate Japanese knotweed. Councilor Williams recalled that hard freeze causing a lot of knotweed to drupe and turn brown before it started regrowing. Still, anything that removes energy from the roots helps with mitigation.

Chair Von Plinsky mentioned that he talked with the Keene City Republican Committee at their request, and most of the conversation focused on invasive species. The Chair thought that Councilor Williams could anticipate being contacted by some of those Republican Committee

members with questions or with interest in volunteering. Councilor Williams said the invasives effort was getting more volunteers. The Councilor invited his fellow Commissioners to the 2nd Annual Keene East Side Block Party on Saturday, June 24, from 1:00 PM to approximately 4:00 PM. The Block Party would be on North Lincoln Street, where it is typically closed for the annual salamander crossing. Councilor Williams said his intent was to have these parties in different neighborhoods each year, but this year was in his neighborhood, where there was a lot of knotweed to address during the event.

D) Land Conservation

The workgroup had not met recently but Chair Von Plinsky hoped to schedule a meeting soon.

4) Discussion Items

A) Budget Discussion & Membership Renewal Requests

- i) *Society for the Protection of NH Forests***
- ii) *NH Association of Conservation Commissions***

Chair Von Plinsky reminded the Commission that its budget would turnover at the end of the City's fiscal year on June 30. On the date of this meeting, the Commission had \$1,350 remaining in its budget, which would return to the City's General Fund if not allocated by the end of the fiscal year. The Chair recalled that the Commission's budget began the fiscal year with \$2,000 and the Commission had already voted to approve payments for trail building (\$300), Bee City USA annual dues (\$200), and a one-time payment to Jeff Littleton for a Goose Pond Through the Seasons walk (\$150; there was an effective date in May 2023 because the payment was lost in the cracks for some time). From the \$1,350 remaining, there were pending payments that the Commission already voted to approve for the Ashuelot River Local Advisory Committee's (ARLAC) E. coli testing (\$150) and for Steven Lamonde's bird walk (\$150). That left the Commission with \$1,050. The Chair said the NH Association of Conservation Commissions (NHACC) had requested their annual dues (\$900; the dues are \$950/year, but the Commission overpaid \$50 last year). If the Commission paid the NHACC dues, that would leave \$150 in the Commission's budget, which the Chair thought they could donate to the Society for the Protection of NH Forests, which had requested funds.

A motion by Ms. Clark for the Conservation Commission to pay \$900 of dues to the NH Association of Conservation Commissions was duly seconded by Mr. Therriault. The motion carried unanimously.

Councilor Williams noted that he had recently spent \$37.98 on tarps for invasive species removal, and he hoped to be reimbursed. He gave the receipt to Ms. Brunner. Mr. Haynes asked if Councilor Williams would also need to purchase seeds/shrubs to replace the invasive species removed. Councilor Williams welcomed that contribution and thought he could acquire a general wildflower seed mix. Ms. Clark noted that shrubs could get expensive, and it would be helpful to have a replacement plan first. Councilor Williams said he could do more research on the

appropriate seeds to buy and request that expense from the next fiscal year's budget beginning on July 1. Chair Von Plinsky agreed that would be a good use of the Commission's budget.

Mr. Haynes asked how much the Society for the Protection of NH Forests requested. Ms. Brunner said the Society did not specify and she had not researched how much the Commission contributed in the past. Mr. Haynes thought it was good to contribute to the Society because they hold easements for so much land around Goose Pond. Since the Commission had already allocated \$150 to ARLAC, Ms. Clark thought donating the remaining funds to the Society for the Protection of NH Forests would be welcomed by the Society for their land conservation and easement monitoring initiatives this year; she was unsure how much the Commission had contributed to that monitoring since the easement(s) began in 2009. Discussion ensued about letting any minimal funds remaining (e.g., \$12) roll back into the City's General Fund. Chair Von Plinsky wanted to ensure the Commission was being a good steward of the taxpayers' money and he thought the Society for the Protection of NH Forests was a worthy recipient of any remaining funds.

A motion by Mr. Haynes was duly seconded by Mr. Therriault for the Conservation Commission to donate \$112 to the Society for the Protection of NH Forests and to reimburse Councilor Robert Williams for \$38 to cover the cost of tarps for the invasive species program. The motion carried unanimously.

Ms. Brunner clarified that as long as an expense was incurred before June 30, it would still come out of this fiscal year's budget.

B) Recent U.S. Supreme Court Decision – [Sackett v. Environmental Protection Agency](#)

Chair Von Plinsky said Mr. Bill brought it to his and Ms. Brunner's attention, questioning how this would impact the City's wetland protections in the short-term and long-term. The Chair said that this Supreme Court decision substantially weakened federal wetlands protections. Ms. Brunner said she spoke with the City Attorney, Tom Mullins, about this and he had little input. Ms. Brunner said this was a topic at the NH Planners spring meeting and she said people were scrambling. She thought everyone would learn more later on about how this would impact NH. She said that local municipalities are allowed to have more stringent regulations, so she did not think this decision would impact those local regulations. This decision could, however, impact what the State of NH does if there is a federal "pass through" program. She said it was estimated that this decision reduced the reach of the Clean Water Act by 51%. Before this decision, the Clean Water Act applied to "adjacent" surface waters, but with this ruling the Supreme Court has interpreted "adjacent" to mean "adjoining." Thus, under this decision, the actual surface of the water must be continuous with a navigable water body; so, if a wetland does not have a continuous surface with a navigable water body it would no longer be covered by the Clean Water Act. Ms. Clark said goodbye to vernal pools. Chair Von Plinsky said there was not much for the Commission to discuss because there was no way to appeal the Supreme Court's decision.

Still, he said it was something for the Commissioners to keep an eye on as private citizens by reaching out to lawmakers. The Chair said that there was the potential for a lot of opportunistic legislation that could weaken NH's wetland protections.

C) Keene Meadow Solar Station Project Update

Chair Von Plinsky recalled that the Commission sought clarification on whether it could hold a public site visit outside the normal City process as explained by Ms. Brunner at the last meeting. Ms. Brunner said she spoke with the City Attorney, Tom Mullins, who said the Commission should absolutely not hold any kind of site visit outside of this typical application process. However, Ms. Brunner explained that Community Development Department Staff met with representatives from Glenvale Solar, who she said were appreciative of the idea. Ms. Brunner shared some of Mr. Haynes' concerns about community members not understanding what was proposed and how close to Goose Pond the installation would be. Ms. Brunner said that the Glenvale Solar representatives were nervous about a public walk before all the details were finalized. Glenvale Solar intended to discuss these things internally and get back in touch with the Community Development Department. Still, Ms. Brunner said Glenvale representatives supported the idea of a community walk that Conservations Commissioners could attend as individual members of the community. Mr. Haynes appreciated the update. Chair Von Plinsky said this would stay on the agenda for the foreseeable future so the Commission could stay apprised of developments.

D) Potential Land Purchase Update – (Rt 9/Washington St. Ext. properties)

Chair Von Plinsky said the City Council approved the City Manager negotiating the purchase of these properties for no more than what the City Council approved during the last purchase attempt. Now, it was in the hands of the City Manager, Elizabeth Dragon, and Hull Forest Products to negotiate. The City Manager had reached out with an initial offer, but Ms. Brunner said she was still waiting for a response. Mr. Reilly asked if the properties were out for bid or if the owners approached the City. Chair Von Plinsky said Hull Forest Products reached out to the City when they were done with the land.

E) Airport Proposed Wildlife Control Fence Update

Chair Von Plinsky said there were no new developments, and the project was working through stage one of the planning process, which is supposed to conclude by the end of 2023. The Commission would await an update.

F) Conservation Commission Speaking Events

No comments as Councilor Madison was not present.

G) Educational Resources for Invasive Species Removal

Ms. Brunner recalled that this had been on the agenda a few times. The topic arose originally when discussing creating resources about invasive species, but the Commission had since decided to share resources that exist already.

5) **Correspondence: Society for the Protection of NH Forests – 2023 Annual Bulletin**

This correspondence was in the agenda packet and the Commission approved a donation earlier in the meeting under agenda item 4.A.

6) **New or Other Business**

Mr. Therriault said he was called by maintenance employees to the Keene Library, where there is a honeybee hive in the southwest corner of the Masonic building. He took photos of the hive with an infrared camera from inside and outside the building to locate the colony. To Mr. Therriault's knowledge, the Library Staff were talking to other City Staff to determine if they want to spend the money to remove the hive. He said the hive was within the masonry and would not be possible to access from the inside. Mr. Therriault said it looked like wood molding under the roofline could be removed to access the colony, but that would require a lift or bucket truck for a few days to remove it completely.

Ms. Clark hoped everyone would take time to look at the garden by the Veteran's Memorial, where the poppies were in full bloom.

Ms. Brunner referred to a brochure in the agenda packet from the Society for the Protection of NH Forests: the Conservation Easement Stewardship Annual Bulletin. She said the Society was asking for comments on their re-accreditation application by November 18. They were first accredited in July 2013 by the National Land Trust Accreditation Commission. Chair Von Plinsky thought it would be good for the Commission to send some supporting comments. This would remain on the agenda to discuss again next month.

7) **Adjournment – Next Meeting Date: Monday July 17, 2023**

There being no further business, Chair Von Plinsky adjourned the meeting at 5:12 PM.

Respectfully submitted by,
Katrnya Kibler, Minute Taker
June 20, 2023

Reviewed and edited by,
Mari Brunner, Senior Planner