

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

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

**Monday, October 16, 2023**

**4:30 PM**

**Room 22,  
Recreation Center**

**Members Present:**

Alexander Von Plinsky, IV, Chair  
Councilor Andrew Madison, Vice Chair (4:35 PM)  
Eloise Clark  
Art Walker  
Ken Bergman  
Steven Bill  
Thomas Haynes, Alternate (Voting)  
Lee Stanish, Alternate (4:32 PM)  
Deborah LeBlanc, Alternate (Voting)

**Staff Present:**

Mari Brunner, Senior Planner

**Members Not Present:**

Councilor Robert Williams  
Brian Reilly, Alternate  
John Therriault, Alternate

**1) Call to Order**

Chair Von Plinsky called the meeting to order at 4:31 PM and roll call ensued.

**2) Approval of Meeting Minutes – September 18, 2023**

Revisions: line 29, change “trail signs” to “trail maps.” Lines 114–115, delete “of Hull Forest Products.”

A motion by Mr. Walker to approve the September 18, 2023 minutes as amended was duly seconded by Mr. Bergman. The motion carried unanimously.

**3) Report-Outs**

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

Mr. Haynes reported that the Subcommittee’s next meeting would be on Friday, October 20, at 8:30 AM in the Recreation Center, room 22. Ms. Brunner would follow-up to see if this meeting needs to be publicly noticed. Mr. Haynes said the trail looked good now that the leaves were

changing colors and falling, hiding some of the construction work that had occurred. During the prior month, an old boardwalk was completely removed on the east side of the trail, which is a lower trail along the pond that the Subcommittee hopes will restore itself. While the lower trail is harder to maintain (e.g., water issues) users still seem to want to use it, though all users are encouraged to use the new trail that is on the hillside above this one. Mr. Haynes said the Subcommittee had a few more projects that they wanted to complete before winter. Mr. Bergman noted that he had visited Goose Pond since the last meeting and he commended the great improvements to signage, trail routing, boardwalks, bridges, and more. He felt it was much easier to use now.

## **B) Outreach**

Mr. Haynes announced that Mr. Bill offered to lead a geology walk at Goose Pond this fall. Because of the NH Association of Conservation Commissions annual meeting on November 4, Mr. Bill was okay with leading this walk on November 11, beginning at the north trailhead at 10:00 AM. Mr. Bill would lead the walk in the opposite direction of his last walk so the group could see new things. He requested that there be a way for participants to sign-up in advance, so he knows what to anticipate.

Chair Von Plinsky recalled that Mr. Haynes needed to step back from leading this work group. Mr. Haynes said it does not require a lot of work. He recalled possible activities, like Councilor Madison's ideas for speaking events and Ms. Clark's Tap to Toilet idea, the latter of which never occurred due to the pandemic. There had also been an event planned with Jim Rousmaniere, but unfortunately, he passed away.

Chair Von Plinsky asked if anyone was interested in leading the Outreach work group. Mr. Haynes said it is not a lot of work. Ms. LeBlanc said she wanted to be involved but felt like she needed someone to mentor her as she learns the role. She asked who else was in the work group, and Mr. Haynes said it had been him, Ms. Clark, Mr. Reilly, and more recently, Ms. Stanish helped with one project. Mr. Haynes noted that a work group with 3 members is easier, as 4 members constitutes a Conservation Commission quorum, for which there would need to be public notice and public minutes (while City minute takers are trained in the law, etc., that does not preclude a Commissioner possibly learning to document those proceedings if needed). Mr. Haynes was happy to help Ms. LeBlanc get started. Chair Von Plinsky suggested that Ms. LeBlanc compile her questions and the Commission would work to formalize this next month.

In response to Mr. Bergman's question about sharing outreach ideas via email, Ms. Brunner notified the Commission that no business should be conducted via email, as using the "reply all" function constitutes a quorum of the Commission without public notice (required 24 hours in advance in 2 physical locations), per NH RSA 91-A. If the work group is unable to meet monthly, outreach ideas could be discussed during the regular Commission meetings.

The Commissioners agreed to continue this conversation at the November meeting.

**C) Invasive Species**

Councilor Williams was not present to report. Mr. Haynes recalled that on October 9, volunteers cut and stacked some bittersweet at the entryway off Eastern Avenue, in an effort to keep that invasive species away from the bike path.

**D) Land Conservation**

The work group had not met.

**4) NH Association of Conservation Commissions: Request for Annual Dues & Invitation to Annual Meeting & Conference on November 4, 2023**

Chair Von Plinsky noted that the NH Association of Conservation Commissions (NHACC) would be holding its annual meeting/conference on Saturday, November 4, at the Pembroke Academy. The Conservation Commission's budget could be used to pay the registration fees for anyone who wanted to attend. Ms. Clark and Mr. Haynes agreed that it is very worth attending. There was a discounted fee (\$60) for early registration by October 27. The Commission requested that anyone who attends report back to the Commission afterward. Ms. LeBlanc, Ms. Stanish, Mr. Bill, and Mr. Bergman were interested in attending.

A motion by Mr. Haynes for the Conservation Commission to pay for up to 4 Keene Conservation Commissioners to attend the NH Association of Conservation Commissions Annual Meeting & Conference on November 4, 2023, was duly seconded by Councilor Madison. The motion carried unanimously.

Chair Von Plinsky also noted that the NHACC requested its annual dues of \$950, which the Commission had generally paid for (or in part) in the past.

A motion by Councilor Madison for the Conservation Commission to approve paying the annual NH Association of Conservation Commissions dues of \$950 was duly seconded by Mr. Walker. The motion carried unanimously.

Chair Von Plinsky noted that the NHACC is active in tracking relevant bills in Concord, like some last year on wetland buffer rules, for example. While these dues would use approximately half of the Commission's budget, he thought it was a good way to spend those funds. Mr. Bill said the NHACC also sends out emails on recent legislation. Ms. Clark added that the NHACC provides excellent online classes during lunchtime that are free to Commissioners. Councilor Madison said the NHACC also provides education, outreach, and technical guidance to Commissions; they also published a handbook.

5) **Discussion Items**

A) **Keene Meadow Solar Station Project Update**

Chair Von Plinsky and Councilor Madison had not heard any updates on this.

B) **Potential Land Purchase Update (Rt-9/Washington St. Ext.)**

Councilor Madison said there was no update on this from the City Manager and his understanding was that the City had not changed its position. Chair Von Plinsky recalled that Hull Forest Products wanted \$150,000 for both properties together. Last month, the Commission discussed options. Mr. Haynes offered to talk with the Director of Parks, Recreation, & Facilities, Andy Bohannon, on October 20 to determine if the City would have greater interest in purchasing only one of the parcels; he would report back at the November meeting. If the Commission supported purchasing one parcel over the other, Chair Von Plinsky wondered which the Commission would choose and how to make that decision.

Ms. Clark recalled that the City is obligated to not pay more than the value of the land. Councilor Madison agreed that City Council authorized the City Manager to spend up to a certain amount and anything over that would require a new motion. Ms. Clark thought that was NH law. Councilor Madison agreed that the municipality cannot pay more than the assessed value.

Mr. Bergman reiterated his perspective that the steep slopes and rocky nature of the Washington Street Extension property would make it far less likely to be developed, but the City might be able to create recreation opportunities there. Conversely, he thought the other, larger property is much more valuable for wildlife habitat.

Mr. Bill mentioned some properties on Court Street, across from the hospital, where the hillside was developed. There is another 9.6-acre property near the hospital that is on a hillside, and he cited many other properties on hillsides being developed. Mr. Bill was unsure that there was a strong precedent of properties on hillsides being undevelopable or undesirable. Mr. Bergman thought there was a maximum slope limit for developments. Chair Von Plinsky added that in some situations, only part of a property is undevelopable because of steep slopes.

Mr. Haynes said he would talk with Mr. Bohannon about this, and Councilor Madison agreed to follow-up with the City Manager. The Chair thought that with a little more information, the Commission would be better prepared to discuss this in November and consider prioritizing one of the parcels with a formal vote.

Mr. Bergman wondered if it was appropriate to ask the Monadnock Conservancy whether they had appraised wildlife or conservation value of those two parcels, especially the one to the north of the highway. Ms. Clark said all of those details were available in the NH Wildlife Action Plan.

Mr. Bergman wondered if supporting another entity purchasing one or both of these parcels could be another way forward.

**C) Airport Proposed Wildlife Control Fence Update**

This project was in the grant stage and the Airport Director would report to the Commission when there is new progress.

**D) Conservation Commission Speaking Events**

Councilor Madison had nothing to report.

**E) Wantastiquet-Monadnock Coalition – Request for Commission Assistance with Construction of a Bathroom Along the Wantastiquet-Monadnock Trail**

Chair Von Plinsky recalled that the Wantastiquet-Monadnock Coalition requested the Commission's help to build a campsite and privy on the south side of the Horatio Colony Nature Preserve. They requested money, time, or both. He was told that \$700 in supplies were needed for the site and privy. Given that this part of the Wantastiquet-Monadnock Trail goes through Keene, the Chair thought it was reasonable for the Commission to donate to that effort.

Chair Von Plinsky recalled that the Commission has a \$2,000 annual budget. This donation (if \$200) and the NHACC dues would leave the Commission with \$1,050 (not including the NHACC Conference registration fees). There was a question of whether certain past outreach events were paid for already. Ms. Brunner said she checked, and those honorariums were paid for with last year's budget. The Commission would also have upcoming requests, which the Commission paid in the past: Bee City USA dues (approximately \$200) and the Ashuelot River Local Advisory Committee's E. coli testing (\$125 request in the past).

A motion by Chair Von Plinsky to donate \$200 to the Wantastiquet-Monadnock Coalition for building a privy on the Horatio Colony Nature Preserve site was duly seconded by Ms. LeBlanc. The motion carried unanimously.

Mr. Haynes asked about the timeline for constructing this site. Ms. LeBlanc said that trail work had been scheduled for the same day as this meeting but was canceled due to weather conditions. The next workday was planned for Tuesday, October 24, beginning at the Horatio Colony Nature Preserve parking lot at 9:00 AM; labor and equipment were welcome. Anyone else interested in attending should let Ms. LeBlanc know. Councilor Madison said it might be useful to have another workday on the weekend when more volunteers might be available. The Commission thanked Ms. LeBlanc for her attention to this effort.

**F) Neighborhood Pollinator Garden Update**

Mr. Therriault was not present to report on this. Chair Von Plinsky recalled the request from the Edgewood neighborhood (south of the cemetery off RT-12, near the airport) to plant a pollinator garden. Mr. Haynes had spoken to one of the neighbors, who said the effort was progressing. Chair Von Plinsky would check-in with Mr. Therriault for an update.

**G) Antioch University CSI Proposal**

Ms. Brunner said that the Commission missed the opportunity to submit an Antioch University New England Community Service Initiative (CSI) proposal. After a conversation with Mr. Bohannon, she learned that he was trying to get funds added to the City's Capital Improvement Plan (CIP; the City's long-term capital project planning document for larger expenditures) for more comprehensive studies. Mr. Bohannon was enthusiastic about getting help for a preliminary project, so Ms. Brunner consulted with Chair Von Plinsky and Ms. Clark before this meeting to submit a CSI proposal, which did not promise the Commission's participation. If the Conservation Commission does not want to take this project on, the Community Development Department would. Included in this meeting's agenda packet was the proposal submitted for a student team to study the Ladies' Wildwood Park and develop short-term and long-term forest management strategies for the City to consider. If Mr. Bohannon can get something formal in the CIP, it will help to determine what this project could look like.

Mr. Bergman thought this idea was interesting. He wondered if the students would be expected to consult with a licensed forester to evaluate the site and develop the plan. Ms. Brunner said that each student group has a faculty advisor, who would likely be experienced in this type of work. She also thought the Cheshire County Forester, Matt Kelly, could be consulted. If selected, Chair Von Plinsky thought that there would be very close interactions between the students and City Staff, and the Conservation Commission could participate in those interactions too. The Commission could request a presentation on the students' results.

Importantly, the Chair noted that this was all dependent on a student group choosing this proposed project, which would occur over 4 months during the spring semester, for a total of 400 hours. The students should make their decision by the end of November or early December. If this proposal is selected, Chair Von Plinsky said the Commission could decide how much they want to be involved. This is an opportunity to help the next generation of conservationists.

**H) NHDOT Floodplain Compensatory Storage Project (Rt-101)**

Ms. Brunner recalled Mr. Bergman discussing the compensatory storage project on RT-101 at the last meeting. While Ms. Brunner had not yet spoken with NH Department of Transportation (DOT), she did attend the Southwest Region Planning Commission's Energy and Natural Resources Advisory Committee meeting during the summer 2023. She showed some presentation slides that a DOT representative shared at that meeting. She said this project was to

compensate for fill that was placed in the floodplain for 4 projects (Winchester Street roundabout, Multi-Use Trail over NH 12/101, Base Hill Road intersection, and the bypass/West Street interchange) over many years. Because the City participated in the Federal Emergency Management Agency's (FEMA) Community Rating System program, anytime a development places fill in the floodplain, compensatory storage is required to offset the fill, so that the amount of water that can be held in the floodplain remains the same. DOT had been waiting a fairly long time to compensate for these 4 projects, which placed a bit more than 20-acre-feet of fill in the floodplain. DOT surveyed certain sites in the floodplain where they could accomplish those 20-acre-feet without disturbing wetlands.

Ultimately, DOT chose the site on RT-9, which Ms. Brunner showed on the presentation slides. This location allows there to be just one compensatory storage site (Site 9 on the slides). Initially, DOT planned to dig just one hole at the same elevation, but public input led them to vary the elevation and contours to look more natural, and also to leave a section of the forest standing. Based on an acoustic survey of the site, DOT did not find the northern long eared bat. In addition, after conducting surveys of the habitat on the site, no suitable habitat was found for the dwarf wedgemussel or the greater fringed gentian. Ms. Brunner thought that one of DOT's biggest concerns was invasive species management on the site, where they had already found a lot. They would be planting native species and managing those for 1 year, after which invasive species management would be a concern.

Mr. Bill recalled NH DOT presenting to the Commission a few years ago. Ms. Clark noted that ARLAC had an opportunity to weigh in on this project; there were several meetings, and Ms. Clark recalled being pleased because DOT was very responsive to ideas that would vary their plans. Mr. Bergman mentioned that the Keene Sentinel had an article a few weeks before this meeting that indicated DOT would be removing their equipment soon; it had not occurred by the date of this meeting. He added there were some initial plantings, but DOT would return to do more in the spring, and Ms. Clark agreed that there would be more herbaceous plantings.

Ms. Stanish asked what the DOT would do with all the fill. Ms. Clark said it gets moved around. She said they made hummocks but did not take anything away. Mr. Bergman said there were a lot of large trucks carrying soil and rocks, but he did not know where that went. Ms. Stanish asked if the fill was supposed to remain in the floodplain but moved elsewhere. Ms. Clark thought DOT was leaving fill on site and just building it up. Mr. Bergman said the excavations were all down to a point that is still above "some average water level." Ms. Clark thought there was already some water there. Ms. Brunner said DOT's goal was to stay above the water table so it would grow into a wetland, without becoming a pond. Mr. Bergman thought that a lot of people around town were wondering what was going on with this project; he talked to some Filtrine employees near Best Western and they had no idea what was going on with the project. Within 1–2 years, Mr. Bergman thought deer, egrets, herons, and spotted sandpipers might be seen at this site. In response to Mr. Bill, Ms. Clark explained that DOT would remain responsible for this land. Ms. Brunner did not think DOT planned to actively manage the site, but to let it

grow in as scrub-shrub. If invasives were to enter the site, Ms. Brunner did not think DOT had budgeted for managing invasives.

6) **New or Other Business**

Mr. Bergman explained that his neighborhood submitted a request to the City for a sidewalk so he attended a Municipal Services, Facilities, and Infrastructure Committee meeting. He explained that at the same meeting, he heard the plan for RT-101 east toward Marlboro, where DOT is trying to reconfigure the Swanzey Factory Road exit, in addition to culvert work and more. He spoke with one of the DOT engineers because he was curious. While it seemed like the work would be just east of Optical Avenue, he learned that most of the work is further east. However, he noted that just east of Optical Avenue is a small pond beside the road that is on both NH right-of-way land and the two private properties behind the pond, one of which he thought was the old drive-in theater. Discussion ensued about what pond Mr. Bergman was referring to. After clarification, Mr. Haynes and Ms. Clark agreed that the pond is not next to the old drive-in property. Ms. Clark said the drawings sent by DOT showed that they would be mainly working on the south side of RT-101 in the vicinity of the Stone Arch Bridge, at one point even proposing a new bridge passage over it and one just south. Ms. Clark raised many concerns about those plans. Discussion ensued on the various locations that DOT had proposed in the vicinity of the Stone Arch Bridge. Mr. Bergman recalled the City Council urging DOT to stay away from this historic landmark, which all Commissioners agreed was important for that entrance to Keene. Mr. Bergman also recalled the City purchasing an older bridge from northern NH for \$1, which is to be placed at the end of Eastern Avenue across RT-101 to join with the Stone Arch Bridge landing. He also thought the City planned to reinforce some features of the Stone Arch Bridge in the future. Ms. Clark thought the Conservation Commission was involved, because all land south of RT-101—between the Stone Arch Bridge and Swanzey Factory Road intersection—is considered conservation land. Chair Von Plinsky and Ms. Brunner would add this to future Commission agendas to stay aware of this project. Mr. Bergman could share the contact information for DOT’s chief engineer on the project.

7) **Adjournment – Next Meeting Date: Monday, November 20, 2023**

There being no further business, Chair Von Plinsky adjourned the meeting at 5:33 PM.

Respectfully submitted by,  
Katrinya Kibler, Minute Taker  
October 23, 2023

Reviewed and edited by,  
Mari Brunner, Senior Planner