

City of Keene
New Hampshire

CONSERVATION COMMISSION
WORKSHOP MINUTES

Monday, May 19, 2026

4:00 PM

**Room 22,
Recreation Center**

Members Present:

Gary Flaherty, Chair
Barbara Richter, Vice Chair
Ken Bergman
Bob Milliken, Alternate (Voting)
Thomas Haynes, Alternate (arrived at 4:25 PM)

Staff Present:

Mari Brunner, Senior Planner

Members Not Present:

William White
Councilor Michele Chalice
Steven Bill
John Therriault, Alternate
Alexander Von Plinsky, IV, Alternate

1. Call to Order

Chair Flaherty called the workshop to order at 4:00 PM.

2. Workshop:

- a. Conservation Land Protection Criteria – The Keene Conservation Commission will hold a workshop to discuss priorities for acquiring conservation land, guidelines for acquiring legal interest in conservation land, and potential updates to the Commission’s adopted Land Protection Criteria.**

Discussion ensued about the introductory material. As a former instructor, Mr. Bergman wanted to write it in more active tense, especially one sentence to make the statement more of a declaration. The Commission agreed that the following would be more refreshing and represent the Commission as agents of what the City should do: *“The City of Keene Conservation Commission, in making recommendations for land protection and acquisition to the City Council, shall give priority to land that supports or enhances the following resources or features. Land directly abutting existing conservation land is a high priority for protection. Expanding existing conservation areas is an efficient use of City resources and makes it easier to steward and manage land. The Conservation Commission will review potential land purchases that score high on the Priority Checklist.”* The Commission confirmed that the italicized section is a summary of what follows, not redundant; it is a declaration.

Discussion continued about defining abutting lands. Ms. Brunner thought it was a high priority as listed in the italicized section. Vice Chair Richter did not think it was clearly listed in the priorities below, so she added it as the overarching theme in the introduction, since it seemed to come up in all the Commission's conversations about land purchases. The Commission discussed whether abutting land should be its own priority and Chair Flaherty was unsure it needed to be repeated again. The Commission reviewed the existing priorities to see where it could fit. Mr. Bergman looked at the sentence, "*Expanding existing areas...*" and thought it already covered abutting properties and the Commission agreed that it did not need to be more explicit. When looking to expand existing areas, they are looking to acquire or protect abutting lands; they are two different ways of looking at the same thing. Ms. Brunner confirmed that the Commission will entertain non-abutting lands for conservation purposes with this language. Chair Flaherty said any property that is essential for conservation purposes he would want to consider. The Commission chose not to make abutting land its own land protection criteria. They decided that it was covered with corridors under Wildlife, in particular. They added that it could be a Conservation Priority Checklist item; the checklist would mirror these priorities. Vice Chair Richter would rework the Checklist based on the new priorities.

Discussion continued reviewing the Land Protection Criteria that commissioners revised at the last workshop. Mr. Bergman noted that at least two of these criteria must be addressed by any potential purchase, and asked if abutting land would be like a super overarching category, then. Vice Chair Richter said it would be in the Checklist to rank lands higher. Chair Flaherty thought that was reasonable. Chair Flaherty thought the Commission did not want to lock itself into abutting lands having to explicitly be one of these criteria to meet.

Discussion ensued about checklist items #1. Protect Surface Water Resources and #2. Protect Groundwater Resources. Breaking these in two criteria was one of the bigger changes from the last workshop; it is why "drinking water" is listed twice. Mr. Bergman thought it implied high quality, clean drinking water.

#3. Protect Forest Ecology is where the Commission made the most changes at the prior workshop. It used to be more focused on timber and wood lots, and they changed it to be more focused on the ecological benefits. Vice Chair Richter noted that a lot of this language evolved from how the Commission originally wrote it historically and it was good to evolve with different priorities.

On priority #4. Protect Agricultural Resources, Mr. Bergman asked if soil is covered and Ms. Brunner said yes, it points out state and locally important soils. Ms. Brunner said there is not a lot of prime soil in Keene. She said community gardens were listed for urban agriculture too.

Chair Flaherty reminded the Commission these priorities can be edited again in the future if they find they are not as effective as needed when purchasing properties.

On #5. Protect Wildlife and Natural Areas, Mr. Bill added "Unique Geologic Features," at the last workshop. Mr. Bergman noted that wildlife means a broad, inclusive view of the word (i.e., all living vertebrates, not just bears and wolves, for example). Discussion ensued on the term "natural habitat" vs. "undeveloped habitat." Chair Flaherty said the group discussed this at the

last workshop and the issue is that most of the land around Keene has been developed in some way in the past and is no longer truly natural. They discussed “undeveloped or natural habitat” as an option, but ultimately landed on “undeveloped habitat.” Some people may interpret “natural” differently.

The Commission continued on priority #6. Protect Cultural, Recreational, and Scenic Value. Mr. Bergman asked for an example of “d. Land that promotes connectivity of recreational networks.” Ms. Brunner recalled mention about the lower half of a Drummer Road property with wetlands and some City trails on it. All she could think about was trails. Vice Chair Richter said even kayaking by trails. Discussion ensued about the proliferation of e-bikes and e-scooters on the trails not following speed limits (i.e., the various classes). Some require registration but some have combustion engines seen on the rail bed (not allowed) and need to watch for pedestrians. Discussion ensued briefly about the liabilities of e-bikes.

For #7. Collaboration and Leverage, Ms. Brunner noticed that “a” had a different grammatical format than the others and the group revised it to read: “Land with landowners or other collaborators interested in protection.”

A lengthy discussion ensued about the conclusion material on the Land Protection Criteria: “Further Directions and Considerations,” which the Commission did not review at the prior Workshop. Mr. Bergman asked the meaning of “*will determine whether the proposed project by itself fully protects the intended resource*”: the resource will refer to the priorities listed above? Vice Chair Richter agreed, especially in the case of a water resource, and protecting downstream resources from industrial uses, for example.

Mr. Haynes arrived at 4:25 PM.

They all agreed it was odd to have the following statement and proceeded to revise it: “*All costs associated with preparing a proposal initiated by the Conservation Commission for City Council consideration, whether initiated by the City Government or by a private person or group, will be borne by the City unless a third party, including the landowner, is willing to fund all or part of these costs.*” Reasons for revision and comments included:

- The City Council and City Manager are the ones to decide funding as the fiduciary agents of the City.
- The Commission cannot force somebody to pay to do a study for them to determine if the Conservation Commission wants to purchase land.
- This might have been included in case landowners who want to negotiate with the City get “cold feet.” Discussion ensued about scenarios in which this may occur with a third party to justify maintaining it.
- The Commission discussed striking the statement entirely but decided to revise it.
- Ms. Brunner said that at present, it read that if someone were trying to convince the City to buy their land and the City wanted more information, the City would have to pay for it, which did not make sense to her.
- The Commission discussed this being a case-by-case basis and how that could complicate things, but with this paragraph, things will be naturally evaluated case-by-case.

- Discussion continued as the Commission considered revisions. Most of the revisions did not make sense to Ms. Brunner from the City’s perspective and she still thought about striking it. Chair Flaherty thought about sitting with the revision until the next workshop before deciding whether to delete it.
- The Commission discussed whether the City Council would have to review/approve these amendments and Ms. Brunner was unsure whether they were adopted by the City Council to start. Right now, they are a Policy of the Conservation Commission. Vice Chair Richter did not think it would be bad to have the Council’s backing on these Priorities, so they are at least aware, as the Commission is somewhat speaking for them.
- Revision: *“The City will consider on a case-by-case basis who will bear any costs associated with preparing a proposal for land protection.”*

The Commission reviewed the final statement of the document and proceeded revising it: *“The recommendation put forward by the City Administrator shall weigh the benefits of the proposed acquisition against the broader tax implications and municipal priorities that currently exist in the community.”* Reasons for revision and comments included:

- The Commission is not the one weighing the benefits against the broader tax implications.
- This statement might have been written by a higher Committee and adopted by the City Council.
- The Commission’s responsibility is to send a recommendation to the City Council that shall include a description of the resources as to why a property is worth protecting.
 - Mr. Bergman asked if the Council receives these recommendations for land purchase. Ms. Brunner said they receive a memo from her that summarizes the different items discussed as being important and why they are valuable properties to conserve. She said that is very helpful because they do scrutinize these decisions. Mr. Bergman suggested including the Checklist with the memo and Vice Chair Richter said they should also ideally receive a map with the high wildlife corridors, etc. Ms. Brunner said they could receive a GIS map of how the parcel fits within others conserved already.
 - Discussion diverted briefly to incorporating parcels through easements. It is an easy, administrative process, as long as they are under common ownership. Mr. Haynes suggested a conversation with the Society for the Protection of New Hampshire Forests.
 - The City Council should also receive a list of how the property meets the Land Protection Criteria, even if in map form, and the Checklist.
- Final Revision: *“The Conservation Commission’s recommendation to City Council shall include a description of the natural resources and how the property meets the criteria in this checklist.”*

General discussion continued. Ms. Brunner would find out whether the City Council had adopted this document before and would need to therefore adopt the amendments. Chair Flaherty said there would be another workshop to finalize these changes and to start reviewing the Conservation Priorities Checklist.

Mr. Bergman mentioned wildlife corridors and how they are made usable by the nature of the terrain, soil, and vegetation; they are not demonstrated by actual observed wildlife traffic. Vice Chair Richter said New Hampshire Fish and Game has a wildlife corridor map. However, Mr. Bergman said it is not based on actual monitoring of traffic. Chair Flaherty said that is unaffordable. Discussion ensued about how Mr. Bergman ran wildlife cameras for many years along the Ashuelot River and acquired a lot of evidence and the associated difficulties.

Before the next workshop, Vice Chair Richter would ensure that the Conservation Priority Checklist mirrors these specific Land Protection Criteria. The Commission thanked her. Ms. Brunner would send the updated Land Protection Criteria to the Commission.

3. Adjournment

There being no further business, Chair Flaherty adjourned the workshop at 4:54 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker

Reviewed and edited by,
Mari Brunner, Senior Planner