



## CONSERVATION COMMISSION

### AGENDA

**Monday, March 18, 2024**

**4:30 PM**

**Room 22, Recreation Center**

---

#### Commission Members

Alexander Von Plinsky, IV, Chair  
Councilor Andrew Madison, Vice Chair  
Art Walker  
Councilor Robert Williams, Ex-Officio  
Steven Bill  
Kenneth Bergman  
Barbara Richter

Deborah LeBlanc, Alternate  
Thomas P. Haynes, Alternate  
John Therriault, Alternate  
Lee Stanish, Alternate  
Eloise Clark, Alternate

1. Call to Order
2. Approval of Meeting Minutes – February 20, 2024
3. Report-outs:
  - 1) Greater Goose Pond Forest Stewardship Subcommittee
  - 2) Invasive Species
  - 3) Land Conservation
  - 4) Neighborhood Pollinator Garden
4. Discussion Items:
  - a) Letter to City Council re: recommendation to purchase land on Old Gilsum Rd.
  - b) Update on the Downtown Infrastructure trees
  - c) Keene Meadow Solar Station project update
  - d) Potential Land Purchase update (Rt 9/Washington St. Ext. properties)
  - e) Airport proposed wildlife control fence update
  - f) NHDOT Route 101 Project
  - g) Outreach
5. New or Other Business  
Chronolog <https://www.chronolog.io/>  
Letter from Society for the protection of NH forest
6. Adjourn – Next meeting date: **Monday, April 15, 2024**

Page intentionally left blank

1 City of Keene  
2 New Hampshire

3  
4  
5 CONSERVATION COMMISSION  
6 MEETING MINUTES  
7

Tuesday, February 20, 2024

4:30 PM

Room 22,  
Recreation Center

**Members Present:**

Councilor Andrew Madison, Vice Chair  
Councilor Robert Williams  
Art Walker  
Steven Bill  
Barbara Richter  
Eloise Clark, Alternate  
Thomas Haynes, Alternate (Voting)  
John Therriault, Alternate (Voting)  
Lee Stanish, Alternate (arrived at 4:54 PM)

**Staff Present:**

Corinne Marcou, Administrative Assistant

**Members Not Present:**

Alexander Von Plinsky, IV, Chair  
Ken Bergman  
Brian Reilly, Alternate  
Deborah LeBlanc, Alternate

8  
9  
10 **1) Call to Order**

11  
12 Vice Chair Madison called the meeting to order at 4:31 PM.

13  
14 **2) Approval of Meeting Minutes – January 16, 2024**

15  
16 A motion by Mr. Therriault to adopt the January 16, 2024 meeting minutes was duly seconded  
17 by Mr. Walker. The motion carried unanimously.

18  
19 **3) Planning Board Referral: Surface Water Conditional Use Permit Application, 186**  
20 **Gunn Road Applicants/owners Ashley & Peter Greene request a reduction in the**  
21 **Surface Water Protection buffer from 75' to 30' to allow for the future subdivision**  
22 **and development of the parcel at 186 Gunn Rd (TMP #205-013-000). The parcel is 11**  
23 **ac and is located in the Rural District.**

24  
25 The Commission welcomed Ashley Greene, the applicant, and her representative, Jason Bolduc,  
26 of Meridian Land Services, Inc. The Greene's were seeking a Conditional Use Permit from the

27 Planning Board to reduce the wetland buffer from 75' to 30' for a subdivision of their property.  
28 The Planning Board relies on the Conservation Commission for advice on these applications.  
29 There was a site visit on February 12 and the Commission was able to converse with the owners  
30 and ask questions. Commissioners shared their thoughts.

31  
32 Mr. Therriault said the parcel is on the left side of the road going uphill. There is a small wetland  
33 on the right side of the road that, in essence, drains through a culvert under the road and into one  
34 of the wetland areas on the parcel. There is another wetland area (varies 40'–120' to the north  
35 side of the property) that slopes downhill. There is also a wetland near the bottom of the hill and  
36 a streambed. Mr. Bolduc confirmed that the stream mentioned is year-round, not ephemeral. Mr.  
37 Therriault felt that granting the waiver for the buffer reduction was reasonable given that the  
38 wetlands on site are not as high value as some. So, given that the reduction is allowable by law,  
39 Mr. Therriault maintained his position that the waiver should be granted, especially given that  
40 mitigation (dry wells and swales) was proposed for the driveway runoff.

41  
42 Mr. Bolduc added that he received an email from Evan Clements, City Planner, on February 13,  
43 and Mr. Clements stated that the City Engineer reviewed the driveway profile Mr. Bolduc  
44 submitted and confirmed that the plans meet the driveway regulations, with no further comment.  
45 Otherwise, Mr. Bolduc had nothing new to share; everything was covered on the site visit.

46  
47 Ms. Richter said the site visit was helpful. Because of how the wetlands onsite drain, she did not  
48 think the wetland in question would not be particularly helpful for flood retention or filtration of  
49 any excess nutrients. The wetland is pretty far from the Sturtevant stream, so she did not think it  
50 was an issue. Ms. Richter did notice that the location of the storage buildings on site would be  
51 one of the best locations for the new subdivision. She thought it would be helpful if the  
52 landowners looked into that possibility (e.g., ask a realtor how easy it would be to develop),  
53 because it is right off the road, and high and dry. Mr. Bolduc said the problem with that location  
54 is that there is another large culvert to the left of the storage buildings (between the barn and the  
55 house) that has more stream characteristics because it is channelized; another larger culvert  
56 drains directly into this stream. So, Mr. Bolduc thought there would be the same issues impacting  
57 the wetland buffer if the driveway was constructed at that location. Ms. Richter countered that  
58 the alternate site would not require such a long driveway and associated mitigation. Mr. Bolduc  
59 agreed.

60  
61 Ms. Greene explained that the alternate site Ms. Richter mentioned is their pole barn, which they  
62 share with a neighbor. The barn is in the Greene's yard, where the children play, so she was  
63 nervous about developing the subdivision where the barn is located.

64  
65 Councilor Williams was not comfortable with the idea of such a long driveway in between the  
66 two wetlands and the exceptional adjustment of the buffer from 75' to 30'. He thought this  
67 would be pushing the envelope. He recalled that when the Surface Water Protection Ordinance  
68 was enacted, the City considered 100' buffers in rural areas to preserve wildlife. He understood  
69 that the reduction to a 30' buffer would be necessary sometimes, but to do so with two wetlands

70 so close together would interrupt wildlife moving between the wetlands. Councilor Williams was  
71 also concerned with how steep the driveway would be, which would require more salt in the  
72 winter that would drain into the wetlands downstream, affecting water quality. He added that it  
73 appeared as though the driveway would create a lot of runoff, and the wetland in question has the  
74 role of absorbing that runoff, which was concerning. While the dry wells would be a good  
75 solution for the next 10–15 years, Councilor Williams said they would eventually be silted, and  
76 he questioned what would happen then, when the dry wells stop providing services. Given what  
77 he saw during the site visit, Councilor Williams thought that there was a better place for the  
78 driveway—adjacent to the pole barn and cut across the slope below the first wetland, rather than  
79 going across or between the wetlands. While the site of the pole barn would be a better home  
80 site, the site picked downhill could work, but he did not recommend the proposed driveway  
81 configuration to make that happen.

82

83 Ms. Clark reviewed the Surface Water Protection Overlay District’s exemptions for new  
84 driveways, which are allowed if the driveway serves to access the uplands. She asked if the  
85 proposed driveway access is in an upland area. Mr. Bolduc said yes, noting that the stipple  
86 pattern on the plans reflected the actual wetland delineations. The area the group walked on the  
87 site visit was nearly entirely within the upland. The flags seen on site marked the wetland area.  
88 Where the group stood on top of the test pits was the highest point of the upland. Mr. Bolduc  
89 reiterated that the proposal was to impact the wetland buffer, but no actual direct impacts to the  
90 wetland were proposed. Ms. Clark asked if they would need a Wetlands Permit from the State of  
91 NH and Mr. Bolduc explained that the permit was not needed unless crossing a jurisdictional  
92 line.

93

94 Ms. Clark was also concerned about high rain events with the driveway some distance from  
95 where the rivulet comes out of the culvert. Mr. Bolduc replied that the runoff would come out of  
96 the culvert and down the slightly depressed scoured area. Then, because of the vegetation, it  
97 would not meet the hydraulic vegetation indicator. Therefore, it is not a jurisdictional wetland  
98 and no direct impacts to the wetland were proposed. Mr. Bolduc added that—regarding  
99 comments on the swales—a culvert would also be needed below the other in order to put the  
100 driveway between the pole barn and the other culvert. Alternatively, the proposed building site  
101 would not require another culvert; the dry wells should be sufficient.

102

103 Ms. Clark also commented on the fact that on site, in the scoured area, there was an exceptional  
104 amount of deer droppings. Given the characteristics of the site, she felt confident that it was  
105 likely a heavily used wintering deer yard, which she wanted on the record. Lastly, Ms. Clark said  
106 that if the Planning Board approves this application, they should ensure the landowner follows  
107 the mitigation plans Mr. Bolduc included, which accounted very well for the roof runoff, called  
108 for the wetland to remain forested, and suggested the red spruce fence. Her primary concern  
109 aligned with Councilor Williams’ comments on the steepness of the driveway and sending  
110 sediment further down slope. Otherwise, she thought Mr. Bolduc’s plans were well done.

111

112 Ms. Richter said this was the plan the current landowner was presenting, but whoever purchases  
113 the subdivided parcel might seek a Wetland Fill Permit for a larger lawn. Mr. Bolduc said he had  
114 never encountered that situation. For Wetlands Permits, he said avoidance and minimization are  
115 required. He thought that would only be allowed for a wetland running parallel to a right-of-way,  
116 meaning the only way to access the property's upland is to cross the wetland. In such a situation,  
117 he thought it was likely that the State would grant a waiver. Given that this was for approval to  
118 reduce the wetland buffer from 75' to 30', the new owner would not be able to do anything  
119 closer than 30' away from the wetland without the City's approval.

120  
121 Ms. Stanish arrived.

122  
123 Mr. Bill noticed that the west side of Gunn Road is largely undeveloped and abuts Surry  
124 Mountain, a wide tract of territory that probably has high ecological value. His concern was for  
125 the septic system and trenches collecting water. He wondered how effective those would be 100  
126 years from now, for example, and how they might impact the surrounding area. Mr. Bolduc said  
127 he could add maintenance to the plans for the sediment concerns. The only way to mitigate  
128 future use is to include a maintenance schedule on the plans. He recommended cleaning the dry  
129 wells every spring, which benefits the homeowner by keeping the wells working. He would  
130 include this on the plans.

131  
132 Ms. Greene thanked the Commission for their time, attention, and visit to her property.

133  
134 Vice Chair Madison accepted public comment. Thomas Lacy of Daniels Hill Road said he was  
135 present because the 2-acre zoning was new, and he believed this application had the potential to  
136 set a precedent. He trusted the Commission's opinions since they had reviewed the application in  
137 greater detail.

138  
139 Ms. Clark said there was a lot of conversation at the previous meeting about setting a precedent  
140 in this regard. She thought the site was marginal for development and she did not feel good about  
141 approving it. Still, if approved, she recommended that the Planning Board scrupulously follow  
142 Mr. Bolduc's plans and disallow any vegetation cutting anywhere near the wetland.

143  
144 Vice Chair Madison said he would draft the letter of recommendation to the Planning Board.

145  
146 Mr. Therriault motioned to recommend that the Planning Board approve the exemption to the 75'  
147 Surface Water Protection Buffer, with the stipulation that all mitigations in Mr. Bolduc's plans  
148 are followed and that maintenance is instituted for the dry wells on the property annually. Mr.  
149 Walker seconded the motion.

150  
151 Vice Chair Madison recalled that this application was specifically about reducing the wetland  
152 buffer from 75' to 30', which limited the Commission's scope to comment on other concerns  
153 about the site.

154

155 Councilor Williams reiterated that he would vote in opposition because he was uncomfortable  
156 with the shortened buffer on both sides of the driveway.

157  
158 On a vote of 2 in favor and 5 opposed, the motion to recommend that the Planning Board  
159 approve the exemption failed. Mr. Therriault and Mr. Walker voted in the minority.  
160

161 The Commission's letter of decision would be forwarded to the Planning Board for their hearing  
162 on February 26, along with the draft minutes.

163  
164 Ms. Greene asked the Commission to explain in their letter what the applicants failed to adhere  
165 to in accordance with the law, which would be helpful to understand moving forward given that  
166 driveways are exempt.

167  
168 Ms. Clark noted that the Planning Board could still approve the application if they feel it fits  
169 within their standards. Ms. Richter wanted the letter to mention that the property is a supporting  
170 landscape in the NH Wildlife Action Plan (available online), which helped her make her  
171 decision. This is not the highest ranked habitat, but it is a supporting landscape.

172

173 **4) Downtown Infrastructure Project: Tree Assessment & Recommendations**

174 **A) Review Letter of Support**

175  
176 Chair Von Plinsky had submitted a letter on behalf of the Commission regarding trees and the  
177 downtown project. This is different from another letter on urban forest management. There were  
178 no further comments on the letter. Councilor Williams did note that if the City is not awarded the  
179 RAISE grant, the Keene taxpayers would be paying a lot more for this \$6–\$7 million project.

180  
181 **B) Review List of Trees**

182  
183 A lengthy discussion ensued as the Commission debated the best trees to be included on this list,  
184 and those to remove or add. Ms. Clark visited the sites of all trees on the list, and it seemed that  
185 just under half of the trees standing today would be removed—there are 118 total and 53 will be  
186 removed (4 were removed already). No high value trees would be removed. Of the trees  
187 downtown today, 13 were in poor condition, 24 in good condition, and 17 in fair condition.  
188 Downtown, Ms. Clark found: 14 callery pear, 12 green ash, 6 Japanese zelkova, 5 ginkgo, 3 pin  
189 oak, 3 red oak, 2 crabapple, 2 little leaf linden, 1 sugar maple, 1 hackberry, 1 flowering cherry  
190 (very poor condition), 1 Japanese lilac, and 1 red maple. The Commission did not recommend  
191 replanting the existing Norway maple or the green ash [this was stated but these are not on the  
192 list below].

193  
194 Ms. Stanish commented on historical recommendation to only plant male trees in urban areas  
195 because they are lower maintenance, as female trees produce pollen and impact people's  
196 allergies. For this reason, it had become more challenging to source female trees. She wondered  
197 if the City had considered this before. While there are tradeoffs, she thought it was worth

198 considering more of a mix. Ms. Clark noted that the male ginkgoes, which do not produce much  
199 pollen, were doing well downtown. Councilor Williams added that 2 nice ginkgoes would be  
200 removed. Ms. Clark did not understand why trees would be removed for “surface treatments.”  
201 Councilor Williams said those would be for things like bike lanes or expanding pavement. A lot  
202 of the trees in the existing center median would be removed.

203

204 From the list provided by City Staff, the Commission suggested *removing* the following species:

- 205     ▪ Pin oak
  - 206         ○ The Commission was surprised that the pin oaks were not in great condition (2
  - 207             poor condition, 10 fair condition, and 2 good condition). They might do better
  - 208             with drier conditions.
- 209     ▪ Cleveland pear
- 210     ▪ Sugar maple
  - 211         ○ The existing one was really struggling.
- 212     ▪ Crimson maple (a cross between red and silver maples)

213

214 The Commission recommended *keeping* the following species on the list:

- 215     ▪ Red maple
- 216     ▪ Linden
- 217     ▪ Birch luster
- 218     ▪ Crabapple
  - 219         ○ Those existing were healthy.
- 220     ▪ Blue spruce
- 221     ▪ White oak
- 222     ▪ Japanese zelkova
  - 223         ○ They were doing well downtown.

224

225 The Commission recommended *adding* the following species to the list:

- 226     ▪ Red oak
  - 227         ○ The northern red oaks downtown were doing well.
- 228     ▪ Ginkgo
- 229     ▪ Yellowwood
  - 230         ○ There was one healthy one on Railroad Square. While it is more of a southern
  - 231             tree, it might be a good inclusion with the warming climate, and downtown being
  - 232             a warmer location.
- 233     ▪ Dogwood

234

235 Ms. Marcou would share these lists with the Public Works Department.

236

237             **C) Provide Comment to Invasive/Disease Prone Species**

238

239 The list above accounts for invasive and disease prone species.

240



241 **D) March 6, 2024: Streetscape Workshop, Recreation Center, 3:00 PM–4:30 PM**  
242 **& 5:30 PM–7:00 PM**

243  
244 There would be an upcoming public workshop on the downtown project, specifically about the  
245 streetscape, on March 6, with two sessions: 3:00 PM–4:30 PM and 5:30 PM–7:00 PM.

246  
247 **5) Report-Outs:**

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

249  
250 Mr. Haynes reported that the Subcommittee met on February 9 and reviewed normal updates,  
251 like trail maps and signage. The Subcommittee also started reviewing baseline data from the  
252 Stewardship Plan. For summer projects, work is planned for the Lower Drummer Hill and the  
253 Mattson Trails.

254  
255 Mr. Haynes continued, noting that the Subcommittee was also considering constructing a bridge  
256 over the outlet at Goose Pond, and how to pay for that work. The Subcommittee discussed doing  
257 this as a community project, given that the community uses the Greater Goose Pond Forest a lot.

258  
259 Mr. Haynes also reported that the Subcommittee discussed various ways to recruit volunteers for  
260 trail work.

261  
262 Ms. Clark asked if there were any plans for the Cheshire County Forester, Matt Kelly, to lead a  
263 walk this winter. Mr. Haynes replied that he was awaiting follow-up communication from Mr.  
264 Kelly. If he is willing, Mr. Kelly’s walk would likely be on a Sunday. Mr. Haynes noted that he  
265 was also reaching out to individuals about another bird walk this spring.

266  
267 **B) Invasive Species**

268  
269 While it was still the offseason, Councilor Williams was trying to make headway. He met with  
270 Peter Hansel of the Elm City Rotary about working together on these invasive species activities.  
271 They talked about a project in Ellis-Harrison Park, where volunteers pulled a lot of knotweed in  
272 2023. There was still a lot of knotweed on site, preventing access to Beaver Brook from the park.  
273 The Rotary might consider donating funds to purchase shrubs for planting where the knotweed is  
274 removed.

275  
276 Commissioners should bring ideas to the next meeting for where else in the City to address  
277 invasive species this year.

278  
279 **C) Land Conservation**

280  
281 The work group was not present to report updates.

282  
283 **D) Neighborhood Pollinator Garden**

284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326

Mr. Therriault said there were no new updates. He would have an update again in May or June as the project progresses.

**6) Discussion Items:**

**A) Letter to Keene City Council re: Recommendations for Urban Forest Management**

Vice Chair Madison reported that a few weeks prior, the Commission’s letter on urban forest management was sent to the City Council. The hope is for more funds allocated to replacing trees during the next budget cycle. Further, Councilor Bryan Lake contacted Chair Von Plinsky and they discussed a cost sharing program for street trees. For example, if someone wants a tree in front of their house, the City could cover half the cost and arrange for the planting. Councilor Lake took the lead on this effort, which is based on similar models in Manchester and Nashua. Councilor Lake forwarded the information to the City Manager for a meeting on February 29. Councilor Williams imagined an advertisement to homeowners, who could sign-up, and then the City would arrange the suppliers to do the plantings. He imagined there would be an additional cost if a homeowner wanted to have a tree removed and replaced. Mr. Bill noted that the budget seemed limited given the high cost of taking trees down. Councilor Williams agreed that would not be a service the City would offer, but a supplier might at their cost. Ms. Clark asked if this would include trees on private lawns. Councilor Williams replied that the idea is for anywhere within 20’ of the street, so he imagined there could be some on private land. Trees would not be planted in the exact location of the previous tree.

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

No updates.

**C) Potential Land Purchase Update (Rt 9/ Washington St. Ext. Properties)**

No updates.

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

No updates.

**E) NH DOT Route 101 Project: February 8, 2024, 6:00 PM at Heberton Hall, 60 Winter Street**

The project is still years away and the plans were not yet finalized. Mr. Therriault attended and said it was mostly planning for a plan, but some members of the public made recommendations.

**F) Outreach**

327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351

No updates.

7) **New or Other Business**

Mr. Bill mentioned the wetlands near Best Western and what appeared to be permanent standing water, which raised concern about mosquitoes breeding there, particularly given that there is no good access for predatory species. He wondered if the Department of Transportation planned any mosquito control. Mr. Therriault noted that as a beekeeper, he is registered with the State of NH and he is notified any time there is broad spectrum insect control. Essentially, granules (not airborne pesticides that inhibit larvae) are sprayed along the City’s tax ditches.

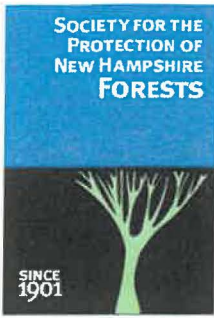
8) **Adjournment – Next Meeting Date: Monday, March 18, 2024**

There being no further business, Vice Chair Madison adjourned the meeting at approximately 5:35 PM.

Respectfully submitted by,  
Katrinya Kibler, Minute Taker  
February 26, 2024

Reviewed and edited by,  
Corinne Marcou, Staff

Page intentionally left blank



54 Portsmouth Street  
Concord, NH 03301

Tel. 603.224.9945  
Fax 603.228.0423

info@forestsociety.org  
www.forestsociety.org

January 31, 2024

Conservation Commission  
City of Keene  
3 Washington Street  
Keene, NH 03431

Dear Commissioners:

This letter serves as our annual communication regarding your City's conservation properties, including any Shifting Executory Interest Properties.

As you may know, the Forest Society is a land conservation organization founded in 1901 with a dual mission of land conservation and responsible forest management. We hold conservation easements and conservation deed restrictions on over 750 properties protecting more than 130,000 acres in New Hampshire. As part of our Easement Stewardship program, we monitor our conservation easements annually from the air and on the ground every few years. We include shifting executory interests in our monitoring activities because we hold a "backup" interest conveyed from the Grantor to the Grantee with certain deed restrictions. If the Grantee fails to meet the restrictions, ownership shifts to the Executory Interest Holder.

As a regional stewardship manager and the individual who monitors the City's conservation properties associated with the Forest Society, I serve as your link to the Forest Society regarding the conservation easements and deed restrictions. My role is to answer any questions about the easements or restrictions you may have and work with you to ensure any plans for the properties meet the terms of the easements or deed restrictions.

The following are the City-owned Properties in which the Forest Society holds a Conservation Easement or Shifting Executory Interest:

**Keene, City of Conservation Easement**  
**Faulkner & Colony Manufacturing Shifting Executory Interest**  
**Dinsmoor Shifting Executory Interest**

I ground-monitored the City of Keene Conservation Easement on November 8, 2023. While I did not see the entirety of the Property, I observed no issues in the areas travelled.

The Dinsmoor Shifting Executory Interest and Faulkner & Colony Manufacturing Shifting Executory Interest were monitored using satellite imagery. No issues were observed in the imagery.

To assist us in our easement administration and stewardship efforts, we ask that you take a moment to notify us of any management changes or plans to exercise of any reserved rights permitted by the easement or deed restrictions. Please be sure to review your properties' conservation easement or deed restrictions before planning any new management activities.

Please feel free to contact me at [jminich@forestsociety.org](mailto:jminich@forestsociety.org) or (603) 931-2386 with any questions or concerns you may have.

Sincerely,

Jack Minich  
Regional Stewardship Manager