

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

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

**Monday, June 19, 2017**

**4:30 PM**

**2nd Floor Conference Room,  
City Hall**

**Members Present:**

Sadie Butler, Vice Chair  
Denise Burchsted  
Brian Reilly  
Andrew Madison  
Eloise Clark, Alternate  
Alexander Von Plinsky IV, Alternate

**Staff Present:**

Tara Kessler, Planner

**Members Not Present:**

Thomas Haynes, Chair  
George Hansel, Councilor  
Jan Manwaring, Councilor

**1) Call to Order**

Vice Chair Butler called the meeting to order at 4:33 PM.

**2) Minutes – May 15, 2017**

Mr. Madison made a motion to approve the minutes of May 15, 2017, which was seconded by Dr. Reilly.

Dr. Reilly noted a correction to the minutes. On page 4/6 in the third paragraph, “Society for the Protection of Natural Forests,” should be changed to, “Society for the Protection of NH Forests.” Additionally, on page 2/6, “The Natural Heritage Bureau is aware...” should be changed to, “The National Heritage Bureau is not aware...”

The motion to approve the amended minutes carried unanimously.

**3) Communication and Notifications**

**a. NH DOT Road Resurfacing**

Ms. Kessler indicated the NH Department of Transportation (DOT) is resurfacing sections of Routes 101 and 12. They have asked the Commission to share any concerns or comments regarding conservation and this project. Mr. Von Plinsky asked what “PJ” stood for in the communication. Ms. Kessler replied, Pavement Joints. Mr. Von Plinsky asked Ms. Kessler to inquire of NH DOT where the equipment for the project will be staged because there are wetlands on both sides of Route 12; Dr. Burchsted agreed. Ms. Clark noted NH DOT has an area by the North Pedestrian Bridge, approximately 17 acres, that she believes the State uses for staging. The Commission agreed they do not imagine a new staging area will need to be created but NH DOT should be aware of the extensive wetlands along Route 12 in making that decision. Ms. Kessler will pass those comments to NH DOT.

b. **Kendall Road Water Main Replacement**

The City of Keene was not yet ready to present on this wetland application, someone from Public Works will likely present to the Commission at the July meeting.

4) **Greater Goose Pond Forest Stewardship Plan RFQ Update**

Ms. Kessler indicated the RFQ was issued and responses are due on June 26. A Selection Committee was formed and hopefully by August City Council will have approved the selected firm. The Selection Committee includes: Ms. Kessler, Vice Chair Butler, The Director of Parks & Recreation, and the Assistant Public Works Director. Ms. Kessler noted that contrary to what she previously thought, citizens cannot be a part of selecting the firm.

5) **Commission Budget**

The Commission discussed how to disperse the \$663 remaining in their budget because if unused by June 30, the Commission will no longer have access to that money.

a. **Easement Monitoring Tools & Equipment**

The Commission had discussed acquiring equipment for easement monitoring at previous meetings. Ms. Kessler presented a list of necessary equipment and costs. Ms. Burchsted asked where this equipment would be stored. Ms. Kessler replied in the Planning Department, where members can check-out materials for use in monitoring. Dr. Burchsted noted, in looking at the list of equipment, that she has most of these items unused in her lab at Keene State College that the Commission could use; though she noted this could be unsustainable when her Commission term has ended. Still, she said in the meantime, it could save the Commission that money. Ms. Kessler noted the items on the list are ones the City cannot currently offer to the Commission. Other needs, such as binders to organize easement sites, the Planning Department could provide. Mr. Madison said he liked the idea of owning waterproof notebooks for Commission records.

Dr. Reilly made a motion for the Conservation Commission to allocate \$122.50 to obtain one of each of the following items: flagging tape, field notebook, orange field vest with pockets, and a compass with mirror. The motion was seconded by Dr. Burchsted and carried unanimously.

Following this motion, \$540.50 remained in the Commission budget for allocation.

b. **Ashuelot River Local Advisory Committee Donation**

c. **Friends of Open Space Donation**

The Ashuelot River Local Advisory Committee (ARLAC) has requested \$125, an annual request from each member town in the watershed, as well as additional funds, if available, for new dissolved oxygen meters, which have exceeded their lifespan. The Friends of Open Space have indicated any amount would be appreciated, though the funds would likely be used toward acquiring a bench for the new Pocket Park on Carpenter Street; each bench costs \$500. Because Ms. Clark is a member of ARLAC and Friends of Open Space, she recused herself from this decision.

Dr. Burchsted made a motion to distribute the remaining \$540.50 evenly between ARLAC and Friends of Open Space - \$270.25 to each organization. The motion was seconded by Dr. Reilly.

Mr. Madison noted that ARLAC only requested \$125 and if that were donated, the remaining \$415 is nearly what Friends of Open Space needs for the bench. He said he is more in favor of that distribution of funds. Dr. Burchsted said she suggested splitting the remaining funds evenly because ARLAC indicated there are other important things they could use additional funds for. She said, though, either way the money is well spent.

Vice Chair Butler asked if either organization is receiving funds from elsewhere. Mr. Madison said he believes ARLAC receives some funding from NH DES. Ms. Clark noted that she does not believe that amount from NH DES is very much. She indicated the \$125 they receive from each member town is critical. The Friends of Open Space have not received any other funding.

Ms. Kessler noted the budget will renew on July 1 and the Commission will then have \$1,500 in their budget. Mr. Von Plinsky and Dr. Reilly agreed with splitting the remaining funds between the two organizations.

The motion carried unanimously.

**6) City Board/Commission Survey**

Ms. Kessler explained the City Manager has issued a survey of all Committee/Commission/Board members and Chairs asking them to evaluate member and staff commitments and contributions. She noted that although the memo in the meeting packet about this survey and many of the survey questions indicate it is about staff time, work, and resources, staff did not issue this survey. Also, staff members will not see the individual results of the surveys; they are being collected impartially by Minute Takers. The Clerk's Office will analyze the responses to share with the City Manager, who will meet with all Chairs to discuss ways that staff support can be restructured to best benefit Committees and staff.

Dr. Reilly asked if some Commissions are mandated by the State. Ms. Kessler replied that not every community has to have a Conservation Commission, but within State statutes there are clear roles for quasi-judicial committees like the Conservation Commission, Zoning Board of Adjustment, Heritage Commission, City Council, etc.

Mr. Von Plinsky asked, for example, how much time Ms. Kessler spends on Conservation Commission business each month. Ms. Kessler replied it depends on the needs of the Commission but it is a fair amount of time spent scheduling meetings, reviewing minutes, creating agenda packets, meeting with the Chair, and creating communications. Additional time is spent on things such as reports or gathering information or supporting projects like the Greater Goose Pond Forest Stewardship Plan RFQ. She said she tries to be fair and provide the Commission with support while being realistic that staff can only do so much. She does not think there will be any significant impacts to the Commission because of this survey. Ms. Kessler left the meeting room to allow the Commission members to discuss any group responses to this survey.

The Commission members made the following notes in response to the survey:

- Ms. Kessler is essential to the efficiency of the Commission. There are some things legally that the Commission members cannot do themselves.
- There are some things the Commission members could do instead of staff
  - The Commission suggested appointing a secretary for these matters, such as reviewing minutes.
- There are many ambiguities as to what members can and cannot do. It seems some things Ms. Kessler must do legally, such as the RFQ.

- The term limits inhibit the ability of members to understand bureaucratic elements of the City, which could limit staff burden if they understood better.
- The Commission unanimously agreed their roles are ambiguous, as is the City structure and processes of addressing matters. The Commission would benefit from a clearer overview of how City process work and why. A general orientation was suggested.
- The Commission needs clarification on exactly how Right to Know laws impact their abilities on the Commission.
- The Commission would like a better understanding of how much time Ms. Kessler can support the Commission compared to how much time she actually spends doing so.

Ms. Kessler returned to answer any questions. She indicated that Commission members can invite speakers to Commission meetings. She will share resources with the Commission again: State Statutes, City Code, etc. She said it makes the most sense for staff to handle minutes and agendas because she has access to the required databases within the City.

#### **7) Aquatic Resource Mitigation Subcommittee Update**

Dr. Burchsted indicated that she and Mr. Von Plinsky met to work on this and she also met with Ms. Clark to begin identifying potential projects. Dr. Burchsted and Ms. Kessler will meet with relevant City staff in July to begin discussing these potential projects.

Aside from the ARM fund priority list, there was additional discussion about many areas in the City that are zoned as conservation but are not truly protected with an easement. There was also discussion of the Stacey Cole property (over 200 acres) in town and the Tenant Swamp area. Ms. Kessler replied the property was surveyed as a standard practice; she will follow-up but does not believe the City has interest in a permanent conservation easement at this time. She thinks a deed restriction was placed on the land in 2015 to prevent development but she will follow-up. Dr. Burchsted indicated those parcels are separate from the ARM Fund, though it is logical for the Commission to advocate for their permanent easement. Ms. Kessler will request information on these parcels for the July meeting and speak with the City Manager about the best way for the Commission to address this inquiry. Additionally, because the City owns those parcels they cannot hold potential easements, so an outside organization like the Conservancy would have to accept.

There will be more updates on the ARM Fund in July.

#### **8) Conservation Master Plan Retreat Discussion**

Vice Chair Butler indicated that she, Chair Haynes, and Ms. Kessler met with Jeff Littleton about leading a retreat to discuss the Conservation Master Plan, and his thoughts on the Commission's questions. She felt it was a productive meeting. Ms. Kessler said from Mr. Littleton's perspective as a consultant he offered insight on how to structure a goal setting workshop. He said they could hire a consultant for the Conservation Master Plan first and have them lead the retreat, or have an independent consultant, like himself, lead a two-hour workshop to develop goals and objectives of the Plan, which can then be integrated into an RFP. The first option could save the Commission money. Mr. Littleton noted that he just completed a Conservation Master Plan for Concord, which took approximately one year. The timeline he proposed for this Commission is to set goals in the winter in order to commence work the following spring/summer.

This discussion will continue with Chair Haynes in July.

#### **9) New or Other Business**

**10) Adjournment – Next Meeting Monday, July 17, 2017**

Hearing no further business, Vice Chair Butler adjourned the meeting at 5:53 PM.

Respectfully submitted by,  
Katie Kibler, Minute Taker

Reviewed and edited by,  
Tara Kessler, Planner