

**Town of Auburn
Conservation Commission
September 1, 2015**

7:00 p.m.

Members Present: Jeff Porter (chair), Dian Heaton, Peg Donovan, Rick Burnham, Stephanie Hanson

I. Proposal for new subdivision, "Liberty Woods", on Dearborn Road – Keith Martel of Sterling Homes, Inc. Keith Coviello of Long Beach Development Associates, LLC, Doug MacGuire, Dubai Group

K. Martel started by explaining the parcel of land did not meet the criteria to create a cluster development, and while they met with the Planning Board to ask to be able to do a cluster, they did not find support for one. The Planning Board preferred they pursue a conventional grid development.

The parcel has frontage in the middle, in front and down low. A wetland scientist verified a vernal pool, which had not been flagged originally, is present, they have asked for a cul de sac waiver to avoid encroaching into the buffer for the vernal pool. The general topography of the parcel is a consistent downward slope towards Manchester Water Works property which abuts this parcel, road water and water from this parcel flows to the lower side where MWW abuts.

They will need to go to the ZBA to seek relief for a wetland crossing and drainage, they expect impact too get driveway access for lot 42-9, 42-10, and then road construction at end of cul de sac around lots 42-8, and 42-11. They created a new design of the cul de sac that places the vernal pool at the furthest line they could from the homes. Total wetland buffer impact occurs in three areas, 19,500 s.f., 3,250 s.f., and 78,500 s.f.

J. Porter asked about drainage saying he was not in favor of this design

K. Martel said the project is comprised of open drainage swales and an infiltration area (this one comes into the buffer). They say a number of lots will be outside the 125' buffer. J. Porter noted that there are fingers of wetlands going into a highly valued level one wetland he wondered how they are planning to treat the drainage and disturbance that would occur here.

D. MacGuire said the disturbance will be large enough to require an alteration of terrain permit, they are looking at the recharge requirement and 100 year storm, they will meet Auburn's and the State's requirements for drainage. At the level one wetland fingers they have maintained all of those buffers and all the drainage practices are out of those areas. All water will be fully treated before it is released to move onto existing drainages patches, uniformly graded site

J. Porter replied that for a highly valued level one wetland, the concerns are multiple, from septic failures, to salt, and fertilizer use, there is no buffer so if contamination hits these fingers, it goes straight into the larger wetland.

D. MacGuire answered that they understand the importance of the level one wetland are thus not proposing a lot of disturbance, there are no septic systems within the 125' buffer, detention pond will gather all run off they have storm reductions at outlets discharging to a level spreader located outside of the buffer, creating a sheet flow scenario into buffer, which is sufficient treatment before the water reaches the fingers. In the eyes of the state, we are meeting and exceeding treatment before runoff even gets to the wetland. Drainage provisions will be maintained by the town as it will be a town road.

J. Porter we are concerned with pools and other development within the buffer, requests we see all the time.

K. Martel answered we sold them the lot with the engineering within the buffer for a pool, the planning board granted them the relief, in referring to a particular scenario.

J. Porter we are concerned about what controls can be put into place to make it clear where boundaries are, we are looking for solutions to isolate the protected area to make a more permanent separation. We have seen in other developments the creation of berms.

K. Martel we have an issue with creating a berm because that would be changing the natural direction of the flow of the water.

D. MacGuire the benefit of going to a standard subdivision rather than cluster is we have more space, larger lots so can avoid places.

J. Porter understood but pointed out that everything slopes down to the wetlands.

D. MacGuire answered, correct, but the houses are so far apart, they can have their own elevation which is different when they are so close to one another, you have to work them together, here they will be worked separately.

J. Porter replied that their tree line fits nicely when they start clearing, but the Commission would want to see something to clearly mark the wetland buffer, otherwise the landowner will inevitably clear the buffer if they have access.

K. Martel thought it would feel weird to have a fence in your back yard, just beyond the tree line.

J. Porter answered that never the less, it gets the question out there, landowner asks what is that for, and are told it is the wetland buffer which needs to be maintained as is, gets the question asked and answered.

D. MacGuire answered that placards can be moved and we talk about someone who is intentionally removing the placard, I think then they will remove the fence as well.

K. Martel wondered if there were any town wide suggestions.

D. MacGuire does it help that the 125' buffer is being maintained during construction?

J. Porter answered no, because the homeowners are the issue, they claim to be unaware of the restrictions placed on development in the buffer once they have bought the property and look for relief to use the area as they wish.

D. MacGuire we have provided treatment provisions to deal with runoff from road or roof, those are the concerns from a pollution aspect.

J. Porter said fertilizers, Chem lawn applications, those types of things are also a concern.
D. Heaton said it looks as though the driveway on some of these lots are going through the wetlands

D. MacGuire answered that yes that is the case suggesting they get to those points because they will have an impact on some wetlands. We are proposing one driveway access to access the wetlands on a finger at the top, and the termination of cul de sac. The driveway access comes around an infiltration pond 3,200 sq. ft. and 19,500 sq. ft. impact to get to the uplands. This looks like a large impact but we are creating a drainage swale that is collecting runoff so will still be protecting the buffers, however we will be coming in to ask for relief.

He continued, there is no impact for lot development beyond the driveway, we are not putting in pools, homes, yards, impact only for access and drainage mitigation. The detention pond is placed in that area because of the design and the topography of site. We needed to choose an area lower than the road and flat enough to shape a pond and still be three feet above the water table, no side to use. Need the flatter area to meet criteria, we are doubling up buffer area, and intentionally placed treatment and driveway in same vicinity to minimize impact.

S. Hanson asked if a standard catch basin was being used.

D. MacGuire answered that yes, the road side swales will be used to collect runoff.

S. Hanson suggested that if they used a leaching catch basin to leach further up the road so less would be coming into the basin they could minimize the size of the detention pond. She also noted that, she has seen a cul de sac being used as a retention pond area

D. MacGuire said that was a good idea, but the soils on site have shallow water table, the average 24 inches to water table everywhere on site so they do not have enough separation from the water table to use catch basins. They needed a flat area because they cannot cut more than two feet into the ground without hitting water. The detention

pond is in the flattest area because they couldn't catch the grade in a more steep area, he said he did like idea of infiltrating water elsewhere but they do not have anywhere else on site to do that.

J. Porter said he thought it was hard to believe that the uplands have a 24 inch water table. Sai they can outlet both sides of the road when downstream.

D. MacGuire said he could show you the reports (did not present them) where they needed separation on the low side because the road was going down.

They continued to talk about heights and what would work best in this regard.

K. Martel said they would have to dig deeper to do a detention pond in the cul de sac area.

D. MacGuire said he was having a heck of a time finding the ability to infiltrate water on the site, wondered about asking for a waiver because I could not find an area flat enough and with enough water table to work. The client said did not think that would fly, so kept looking and this spot made sense. Fully keeping water quality, containment and treatment within this detention pond.

S. Hanson asked if they can make it a naturalized basin with planting included for what they anticipate the environment to be so it can serve more as a wildlife habitat

K. Martel replied that the way it is currently designed, they do not have a fence around it but will need to ask for a waiver, they have spoken with the road agent about that.

D. MacGuire - the pond is intended by design to dewater at highest point looking at two feet of water, so we do not see a need for a fence, by design I think you are switching us more to a bio retention which I am not opposed to, we can look into that.

S. Hanson - have you thought about OMN as far as design and size, how often will the road agent need to go out.

D. MacGuire - we have that as part of our drainage package with a checklist of what to look for. Both right on the road so much easier from a maintenance perspective, they are comfortable with open drainage as far as swales, everything the road agent is comfortable with maintaining

J. Porter noted a driveway crossing the wetland and asked what can they could tell the Commission about that.

D. MacGuire - proposed healthy impact to make sure have room for riprap, sized to allow for crossing of 16000 sq. ft., will be paved, about 800 ft. long, the Planning Board is concerned about a fire truck being able to turn around.

J. Porter asked what are they needed from the Commission. In terms of us having a favorable opinion what are you looking for?

K. Martel answered that while they will need to go to the ZBA for waivers, they have not compiled their wetland application as of yet, but would welcome input from the Commission.

D. MacGuire - we will be request the ZBA grant relief for impact into buffer, a 98,000 sq. ft. impact into the wetland buffer, anything that left our property as a wetland finger, we assumed was a level one so left a 125 buffer to maintain.

J. Porter asked if he could show the crossing and how much the impact would be into the 125' buffer.

D. MacGuire drew on a map where the impact would occur

P. Donovan noted that they are taking up the whole buffer for those wetland fingers

D. MacGuire replied that yes, we are impacting both sides of those fingers impacting it with necessary items for this development we are not trying to be egregious, we tried to give as much buffer to the vernal pool and this pushed our design down towards a different wetland.

J. Porter wondered if there was a different way to look at lot 42-9, could they come up with a U shape.

K. Martel answered that the curves in the land did not allow them to get far enough away. Continuing that their plan has the town minimum radius would otherwise they would need to come in and curve back around and a tangent line could not get to where it needs to be and avoid the vernal. Because of the truncated road we need the long driveway

D. MacGuire we have less actual wetland impact with this design

K. Martel we changed where we will gather water from the road, our general method is to avoid waivers as much as possible.

J. Porter losing buffer area for a level one concerns me, you are asking for support of where the level one backs to the buffer.

D. MacGuire correct or at least recognize what we are proposing and why

P. Donovan I can appreciate all your work but I think I would have a hard time standing up and saying I approve this if I was on the planning board

D. MacGuire – we are looking for the Commission to weigh in on the alternatives we have offered and ask that you recognize these buffer impacts are more preferable to the

impacts of a through road and what alternatives might impose. This is buffer impact, not an actual wetland impact, we are trying to minimize the impacts into the highest value areas.

K. Martel – there is a lot of talk of level one versus level two wetland, so as a team we had a lot of discussion because when I read your ordinance I don't see how you ever get a level two wetland, we didn't think the fight of level one vs. level two as worth the fight.

J. Porter -understood, but in this case, this is a highly valued and well known wetland with Manchester Water Works land abutting it.

D. Heaton - you did say we were just looking at buffer impact, but I am looking at your plan and you are going right up to the edge of the actual wetland, you have three spots where that occurs, I would have a really tough time supporting this, the driveway and what is happening, the impact I can't support.

P. Donovan - is there any place on this parcel where you could put this rather than a house?

J. Porter - considering the valuation at the low end of this, what about take lots 42- 8 42 - 10, turn into conservation area and move detention pond?

K. Martel - we came with a cluster plan that had 6 more lots but kept everything out of the buffers and they would not accept it. We offered to decrease the lot count and that was not supported, they are forcing the density away from property line.

J. Porter - we are trying to look at this from a conservation stand point which is different from the planning's perspective.

Discussion followed about the difference between what the planning board wanted and what the commission would like to see.

J. Porter - to have full removal of the wetland setbacks I am against, although I understand the level of work you have put into this, but as a Conservation Commission, I cannot support this. I understand the concerns of all involved but given the potential impacts we will have issues. I think we need a greater discussion with planning and zoning regarding this plan. Understand the plan as presented has full impact into level one for driveway construction, so we struggle with these impacts and will be looking to have discussions with planning and zoning to make it more palatable for all involved.

II. NH Association of Conservation Commissions – No show

III. Closed Session

Motion to go into closed session – D. Heaton rick

Second – R. Burnham

Enter closed at 8:25 p.m.

Motion to come out of closed session– D. Heaton

Second – R. Burnham

Motion to seal minutes - D. Heaton

Second – R. Burnham

8:38 p.m.

IV. Master plan – J. Porter spoke about the Planning Boards eagerness to get this moving, are having discussions with the Zoning, Planning and Conservation. Money was needed to do complete. There is a need to deal with capital improvements and a ground swell to remove cluster developments.

V. Other Business –

a. Parks and Recreation – They are planning on redoing the road at the town ball fields, they are talking about driveway improvements and expanding the fields. There needs to be intense discussions about this as this whole area is not one that should be developed further, it is surrounded by wetland.

b. South East land -The trust did monitoring of Audubon Easement and, saw evidence of bobcats.

c. Alteration of terrain permit – Eric Mitchell They have plans to disturb 150,000 sq. ft. of earth

d. J. Porter went through the mail

e. S. Hanson – saw someone dumping yard waste into the Long Meadow Church corner of Wilson's Crossing

Motion to adjourn – P. Donovan

Second – D. Heaton

Meeting adjourn -8:46 p.m.