

**Town of Auburn
Conservation Commission
March 2, 2021**

Members present: Jeff Porter-Chairman. Peg Donovan, Vice Chair. Richard Burnham & Diana Heaton (7:20pm), Member. Mark Ampuja & Stephanie Hanson, Alternate Member. Minutes recorded by Denise Royce.

Absent: Ed Fehrenbach, Member.

Mr. Porter called the meeting to order at 7:01 p.m. and moved into reading the preamble to everyone present.

MEETING PREAMBLE DURING COVID-19 EMERGENCY

Good Evening, as Chairman of the Conservation Commission, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that any public gathering of people may pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19 and is reinforced by Emergency Order #16 issued by the Governor on March 23rd. In concurring with their determination, I also find that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency.

Governor Sununu issued Emergency Order #12 on March 23rd which provides local government boards the ability to conduct business using technology to hold remote meetings and not provide a public place of meeting but provide for the public's ability to listen to the meeting. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting

will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote as required by RSA 91-A:2, III (e).

Let's start the meeting by taking a Roll Call attendance. When each member is called, please state your name, and also please state whether you are physically attending the meeting or are remotely attending the meeting. If you are remotely in attendance, is there is anyone in the room with you during this meeting, which is required under the Right-to-Know law (RSA 91-A:2, III (c)).

Also Present: Bill Parker, Amy Flournoy, Bill & Lisa McCarty. Doug McGuire of the Dubay Group.

The following members were absent: Ed Fehrenbach, Member.

Mr. Porter moved right into the following discussions and began with Bill and Lisa McCarty.

PUBLIC HEARING

**Parker Garden Design
On Behalf of Bill & Lisa McCarty
6 Hook Road, Tax Map 13, Lot 14-1
Zoned Rural
Discuss Wetland Buffer (Hook Brook)
Continued from March 2, 2021**

Mr. Porter began by turning the meeting over to whoever would be presenting on behalf of Bill and Lisa McCarty and pick up where we left off last month. Mr. Parker began by saying that, we had our site visit which was great and believed that a lot of good information came out of that and there was such great attendance as well. Mr. Parker stated that, with that information they put together an updated drawing which shows some of their updated management practices of roof water and particularly roof water coming off the porch and showing approximate locations of dry wells that would accept that roof water and any overflow that would come from the pool. Mr. Parker did not know what the next steps would be and would be happy to answer any questions.

Mr. Porter turned it over to the Board members for any questions or comments and then they would look to have a vote to either support or not support the plan and with that said, turned to the Board members. Mr. Porter started with Ms. Hanson. Ms. Hanson talked about the Board minimizing impact to the wetlands and asked if it was possible to move it further away from the wetland and asked if the project would not move forward if that was a request. Mr. McCarty responded by saying that if they could move it a little bit but the problem with that is the location of the septic and they probably would not proceed with the plunge pool. Mr. Parker talked about the dry wells and the addition of the downspout and best management practices that would take place as well as erosion control during construction. Ms. Hanson asked what type of maintenance would take place for the dry wells. Mr. Parker said none. A brief discussion ensued with regard to best management practices that would take place.

Mrs. Donovan talked about future owners coming in and asked how long these plunge pools last. Mr. Parker explained that it's basically a reinforced concrete tank and did not know the life expectancy of this but believed that it would be equal to the life of a septic tank and probably even longer. This is a tile, heavy duty six-inch-thick reinforced concrete tank. Mrs. Donovan asked if it was way sturdier than a swimming pool. Mr. Parker said yes that it is very sturdy. Mrs. Donovan asked about the maintenance on these pools. Mr. Parker stated that, there is very little maintenance, and it was relatively maintenance free. Because of the salt chlorine system there is very few chemicals that go into it and except for topping it off for any evaporation that it was nonexistent. Mrs. Donovan thanked Mr. Parker.

Mr. Porter asked Mr. Ampuja to comment. Mr. Ampuja asked about failure. Mr. Parker reiterated what he had stated above that it was a heavy-duty pool. Mr. Ampuja commented about failure and if there were any signs. Mr. Parker could not think of any reason why it would fail because nothing would be able to puncture it as it was concrete. A brief discussion ensued with regard to chlorine and concrete. Mr. Porter wasn't worried about the pool as much as the location to the buffer and the concerns they had were if something were to happen then what. Mr. Porter believed that this was a sensitive area.

In conclusion, Mr. Porter pointed out that, the board members have concerns regarding the possible failure of the pool and that the concerns were germane. Mr. Parker understood what the Board was saying and commented that, it makes sense and understood that that was the job of the Conservation Commission. Mr. Parker also stated that, the McCarty's were trying to go about things the right way and are looking to enhance their outdoor experience as a lot of people are today. Mr. Porter indicated that, the Board will either vote to support or to not support the plan. Based on their recommendations and whether or not they go before the ZBA then either, come back before the Conservation Commission and they can talk about other options in terms or redesigning where you want to put the patio on and if you look into the buffer area and doing the disturbance that's where the Cons Com comes back into play. If you put the pool outside

the buffer area there is no impact and there is no discussion with the Con Com. A brief discussion ensued with regard to the 125-foot wetland buffer as shown on the plan presented. Mr. Porter asked the McCarty's and Mr. Parker if they wanted the Board to vote on it tonight or did, they want to come back before the Cons Com. Mr. Parker asked the Board if their concern was the saline and if there was a total collapse and it rushed down to the wetlands. Mr. Porter stated that would be one of the devastating issues and whether it's chlorine or saline in terms of vegetation that it would definitely impact it. That brook goes straight into the Manchester watershed. Mr. Porter commented that, the Board is a steward in terms of that watershed and that those are things that they would be concerned with. Mr. McCarty commented that, this is the plan that they like and that they would like to proceed with a vote from the Board and then decide what they want to do going forward.

Mr. Porter wanted to give Mr. Burnham a chance to comment. Mr. Burnham asked what the overall length of the gutter would be. Mr. McCarty stated that, they currently have gutters on the house now and that they were looking to add approximately 40-feet. A brief discussion ensued with regard to the gutters. Mr. Burnham asked what the number of gallons were for the plunge pool. It was noted that, at a previous meeting that it was 2,380 gallons. A brief discussion ensued with regard to the retaining wall and height.

With that said, Mr. Porter asked for the Board to vote on whether to support or not support the plunge pool plans for Hook Road.

Mr. Ampuja voted to not support the plan, Ms. Heaton voted to not support the plan, Mr. Burnham voted to not support the plan, Mr. Porter voted to not support the plan, and Mrs. Donovan voted to not support the plan. The Conservation Commission is not in support of this project as proposed tonight.

The Board was very pleased to see the changes and thought that the plans were well done and informed the applicant that, if they choose to move the pool and talk about a deck that they would love to work with them on this as they believe they have some great design ideas. Mr. Porter explained that, the way the pool is set was the reason why he could not support the plans. Mr. Parker wanted to thank the Board for their time on this and that they would regroup with Mr. and Mrs. McCarty and decide what they want to do.

A brief discussion ensued with regard to if they would be going before the Planning Board tomorrow night. Ms. Royce indicated that they were on the Agenda for the ZBA and not the Planning Board for Tuesday, April 20th. Mr. McCarty indicated that he just paid the fees for the ZBA yesterday. Mr. Parker again thanked the Board members for their time. Mr. Burnham suggested that, they still add the piece of gutter to the back of the house whether or not they move forward with the pool project and just wanted to put that out there. Mr. McCarty thanked everyone, and the discussion ended.

Mr. Porter indicated that, the Board had one more case to hear tonight and moved on to Maine Drilling & Blasting.

**Maine Drilling & Blasting
Rattlesnake Hill, LLC
Gold Ledge Avenue, Tax Map 1, Lots 4 & 5
Zoned Industrial & Residential Two
Discuss Wetland Buffer Disturbance**

Mr. Porter asked if there was anyone representing Maine Drilling & Blasting. At this time, Mr. MacGuire with the Dubay Group gave a brief overview of what they are proposing to do. Mr. MacGuire stated that he was representing Maine Drilling & Blasting which is Rattlesnake Hill, LLC and they have been doing some of their most recent work over the last several years. Mr. MacGuire indicated that, the property houses a portion of their headquarters and also houses some of their explosive storage and those are in pod areas that are all designed and spaced out for safety purposes to meet all ATF requirements for the storage for those types of material. Mr. MacGuire added that, they came a few years ago to expand that area and were able to create batching plant and were successful with that moving forward. What they are looking to do now is much more minor and are looking to expand an existing gravel pad area another 2 acres and the purpose of this pad area will not be to house any form of explosives. Mr. MacGuire explained that, what they do is footing creations for existing buildings which is basically to re-sure up existing buildings from inside by drilling foundation pylons into the floor to upgrade and restabilize and allow for enhancement of existing structures. This part of their business has grown they are looking for some additional area for storage of some of those drilling rigs and those materials. Basically, an expanded platform to house that material. Mr. MacGuire informed the Board that, just because the nature of this site and expanding that use that they were looking for a number of Variances for expanding that use. Mr. MacGuire stated that, the most important one was the impact to the buffer for the 125-foot wetland buffer and informed the Board that, they should already have copies of. At this time, Mr. MacGuire went through the plan with the Cons Com Board and what they are looking for is, only relief for the area that is already developed to allow for a connection point to the uplands that they would be looking to expand. All the 125-foot setbacks will be preserved and maintained in the areas that are unaltered. They would not be encroaching into those buffers. The only encroachment is into an area that is already existing developed and being used as pad storage currently, so they are just looking to allow for that expansion to be able to get to those uplands without any new impact proposed to the wetland area. In conclusion, as far as erosion control, they will be installing silt fence to protect the buffer area during construction. Also, the pad area is designed to be a compacted surface but of a porous material.

A brief discussion ensued with regard to the plan and the area to be impacted. Basically, the intent is to have the water drain through the gravel surface.

Mr. Porter turned to the Board members for any questions or comments. Ms. Hanson had a question for the Board and asked if any of them were present when this came before them and thought there was some sort of vernal pool or mitigation that they had to do with the last expansion that was proposed. Mr. Porter explained that, he remembers it well and they did do the vernal pool reclamation and that we still get reports from them.

Mrs. Donovan wanted to make a comment about the previous project and wanted to say how pleased she has been with Maine Drilling & Blasting and how they have well thought out plans. Mr. MacGuire stated that, he would pass that along to the company and that they take pride in doing things right. Mr. MacGuire also talked about the conservation land as well.

With that said, Mr. Porter stated that, if there are no more questions that he would suggest moving to a vote. Ms. Heaton did have one question and asked what the total encroachment would be with the new project included. Mr. MacGuire stated that, he did not get into the specifics with that but would say with the grading that it would be approximately 30-feet into the 125-foot buffer and would be actually restoring a portion of the gravel drive because they would be filling that in with the sloped area that's leveling out the pad.

At this time, Mr. Porter moved to a vote of the Board members.

Mrs. Donovan voted to support the project, Ms. Heaton voted to support the project, Mr. Burnham voted to support the project, Mr. Ampuja voted to support the project, and Mr. Porter also voted to support the project. The Conservation Commission is in support of this project as proposed tonight.

Mr. Porter stated to Mr. MacGuire that, the Conservation is in support of this project and that he would be present at the ZBA meeting. Mr. MacGuire thanked the Board for their time and the discussion ended.

Mr. Porter moved on to ask for a motion to accept the minutes of the last meeting held on March 2, 2021.

MINUTES

Mrs. Donovan moved to approve the minutes of March 2, 2021 as written. Ms. Heaton seconded the motion. A roll call vote was taken as follows: Mrs. Donovan voted yea, Mr. Burnham voted yea, Ms. Hanson voted yea and, Mr. Ampuja voted yea. All were in favor, the motion passed unanimously.

OTHER BUSINESS

Mr. Porter asked if anyone had any new business. None were noted. Mr. Porter welcomed Ms. Hanson back to the Conservation Commission as an alternate member of the team. Ms. Hanson thanked Mr. Porter.

Mr. Burnham asked about Auburn clean-up day and if the Board had any involvement in it. Mr. Porter said yes that he and Auburn Fire have been doing this for many years. They used to have a lunch at the end but that will not happen this year. Mr. Porter stated that he has been working on getting a map put together.

With that said, Mr. Porter asked for a motion to adjourn.

ADJOURN

Mrs. Donovan moved to adjourn the meeting. Mr. Burnham seconded the motion. A roll call vote was taken as follows: Mrs. Donovan voted yea, Mr. Burnham voted yea, Ms. Hanson voted yea, Mr. Ampuja voted yea and, Mr. Porter voted yea. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 8:13pm.

The next Conservation Commission meeting is currently scheduled for Tuesday, May 4th, 2021 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.