

**Town of Auburn
Conservation Commission
May 3, 2022**

Members present: Jeff Porter-Chairman. Diana Heaton (7:05pm) & Richard Burnham, Members. Minutes recorded by Denise Royce.

Absent: Peg Donovan, Vice Chair. Ed Fehrenbach, Member. Stephanie Hanson & Mark Ampuja, Alternate Members.

Also Present: Doug MacGuire & Bill Purington.

Mr. Porter called the meeting to order at 7:01 p.m. and informed the applicants that they did not have a quorum but that they would listen to their presentation on an informal basis. Mr. MacGuire agreed, and they moved onto the presentation.

GENERAL BUSINESS

**Doug MacGuire
Maine Drilling & Blasting
Rattlesnake Hill, LLC
88 Gold Ledge Avenue, Tax Map 1, Lots 5, 18-3 & 18-4
Zoned Industrial
Lot Line Adjustment**

Mr. MacGuire began by passing out copies of what they are proposing to do. Mr. MacGuire explained the location of the property which only frontage is off of Leppert Way which was created from a subdivision on Leppert Way. Mr. Purington gave a little background about Rattlesnake Hill, LLC and Maine Drilling & Blasting who has been leasing the property. Maine Drilling & Blasting has been slowly acquiring property from Rattlesnake Hill, LLC of which they recently acquired and would like to do a Lot Line Adjustment. Mr. MacGuire gave a scenario of entering through Leppert Way which they cannot do as Leppert Way is not a town accepted road.

At this time, Ms. Heaton joined the other Board members at 7:05pm.

Mr. MacGuire continued his presentation showing the additional piece that they recently acquired and are in the process of doing a Lot Line Adjustment. Mr. Purington explained their new business that they have established in 2014 which does pilings in the ground for either holding up a foundation or buildings. They presently own three (3)

drills that do that kind of work and needed laydown space to store these drills. Mr. Purington stated that this business has grown and that they are looking for more space. Discussion ensued with regard to the business itself. Mr. Purington explained that they are looking to own the property instead of leasing it as they would like to build a building on that is theirs instead of leasing the building from Rattlesnake Hill, LLC. Mr. Purington added that they are running out of office space in the double wide that they are in now.

Mr. MacGuire moved on to talk about the wetland impact if they were to go off of Leppert Way would be 2,270 square feet and that the wetland buffer impact would be 38,823 square feet. Mr. MacGuire went on to point out that the wetland impact if they were to go off of the new lot located off of Gold Ledge Avenue would be 0 square feet of wetland impact and 18,795 square feet of wetland buffer impact. So there would be less than half the buffer impact coming off of Gold Ledge Avenue which would be their preference. Mr. MacGuire pointed out the way they would go about entering the land and utilizing the uplands and to use a portion of the woods road and go up to a certain section and then discontinue the woods road at a certain section and allow it to naturalize. They are proposing it to be a gravel access and not pavement and proposing it to be 20 feet wide as long as the Planning Board allows them to do that. Mr. MacGuire also explained that they are proposing to go to the Zoning Board with this same proposal and they are not interested in pursuing the Leppert Way access for two reasons, 1) it makes more sense to come off of Gold Ledge Avenue and 2) there are legal issues that they would have to address if they were to come off of Leppert Way. They believe this is a better alternative to minimize the impact as much as they can.

Mr. MacGuire talked about the building which would be a two (2) story building set into the rock slope and utilize the connection to provide access the second level, but this was part of the future master plan idea. Again, Mr. MacGuire talked about no wetland impact and less buffer impact going this route. With that said, Mr. MacGuire stated that he would be happy to answer any questions.

Mr. Porter commented that, if they purchased a portion of property off of Leppert Way they could avoid buffer impacts entirely. Mr. Porter asked what was stopping them from getting access to the 3-acre parcel from the existing building. Mr. MacGuire explained that there would be no wetland buffer impact with doing it from Gold Ledge Avenue and that it was over 30-feet difference in grade which makes it impossible to go in that direction. Mr. MacGuire explained the process that they would take to go further up the road which would bring them up 20-feet of grade and then work their way over still climbing at a 6% grade and continuing on up to then access the uplands. A brief discussion ensued with regard to the grade changes and the buffer impact. Mr. MacGuire commented that, they are restoring the woods road area and believed that this would be an improvement to the buffer system and that they will have a drainage system in place as well. Basically, Mr. MacGuire stated that this was their preferred method of access. Mr. MacGuire reiterated that, they have nothing to hide, and this is

the same proposal that they plan to present to the ZBA and the Planning Board. Mr. MacGuire pointed out that, they do not have the option to purchase another piece of land and that he believed that the hardship was clear with this piece of land with the swamp bisecting them away from this upland and that this is the way they are proposing to do and believe it's the best way to go about it.

Ms. Heaton asked Mr. MacGuire why he was unable to use the existing woods road. Mr. MacGuire pointed out that, they only owned to a section of the woods road and then the property was owned by Rattlesnake Hill, LLC and explained how the woods road begins on the property and then goes onto someone else's property. Mr. Porter asked if they would have to widen the woods road. Mr. MacGuire stated that they would definitely have to widen it a bit to about 18-feet or 16-feet, but the plan is to fully upgrade that access to pave the beginning of the road and then from one point on it would be an upgraded gravel because the uplands would be used as a laydown space only. They are also proposing to let the section of the wood's road naturalize and grow up naturally.

Mr. MacGuire informed the Board that this was a multi-step process with a Lot Line Adjustment that they are doing because they need that piece for access and then they need a Variance to get through a portion to access the laydown space and then they need to prepare a site plan of that laydown space. Mr. MacGuire also informed the Board that they were hoping to get on the ZBA for May, but Ms. Royce informed them that the ZBA was packed with cases and that they would not be able to be on the ZBA until the June hearing.

Discussion ensued with regard to the two (2) Level One wetland areas and the area in between the two (2) areas and what they would be doing to work between them. Mr. MacGuire informed the Board members that the area between the two (2) was a natural break between the two (2) and shows as being an upland and if they needed that they could insert a culvert to let the water flow between them but would look at that in more detail.

In conclusion, Mr. Porter commented that, in his opinion this was a good plan but definitely wanted to see details of the two (2) Level One wetlands and what they would be doing from a mitigation standpoint. Mr. Porter believed that the direction they are going was great but wanted to see more details of the flow area of the two (2) Level One Wetlands and what they would be doing for mitigation. Mr. MacGuire understood and believed he could get that information to them but that tomorrow night they would present this to the Planning Board and hopefully get the Lot Line Adjustment piece taken care of. Mr. MacGuire also stated that, he would be happy to come back next month to this commission with the information on the wetland for the first Tuesday in June. It was determined that the Conservation Commission's next meeting would be Tuesday, June 7th. Everyone was in agreement with meeting again on June 7th.

At this time, Mr. MacGuire and Mr. Purington thanked the Board for their time. Mr. Porter reiterated that he thought they were going in a good direction and that he looked forward to seeing the final plans and also thanked Mr. MacGuire and Mr. Purington for their presentation.

Mr. Porter moved on to acceptance of the minutes for April 5, 2022.

MINUTES

Mr. Burnham moved to approve the minutes of April 5, 2022 as written. Ms. Heaton seconded the motion. A vote was taken, all were in favor and the motion passed unanimously.

OTHER BUSINESS

Mr. Porter asked if there was any further business to discuss. None was noted. With that said, Mr. Porter thanked the Board members that attended tonight and asked for a motion to adjourn.

ADJOURN

Mr. Burnham moved to adjourn the meeting. Ms. Heaton seconded the motion. A vote was taken, 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, June 7, 2022 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.