

**Town of Auburn
Conservation Commission
December 2, 2014**

Meeting opened at 7:08 p.m.

Present: Chuck Joy (chair), Jeff Porter, Alan Villeneuve, Ed Fehrenbach, Peg Donovan, Diana Heaton, Stephanie Hanson, John and Janet Wasiejko, Mickey Rolf

11 Palimino Drive (Off Chester Turnpike) John and Janet Wasiejko

The Wasiejkos had done some “restoration work” within the buffer of a wetland and were at the meeting to discuss what was done and how it might be rectified.

J. Wasiejko spoke about his property, saying “It is an oddly shaped lot, comes in wide, gets narrow, and then widens again. Several years back we had a big storm and lost a bunch of trees, we felt it was a hazard for the children, since there were about 10-15 leaning or down trees. We spoke with a logger who was going to come in and remove the trees, he wanted to enter from the cul de sac along property that belonged to the neighbor. We spoke to the neighbor, asked if it was okay if the logger went across her property. The neighbor spoke to the logger, and he would not do the work. We ended up paying for someone to just come in and chop the trees down. Now we have all this debris, behind which is a natural pond that had dried up. Simultaneously we had someone willing to come in with an excavator to clean up the debris. We asked if the guy would clean up around the pond, the builder had put stones, stumps etc. around the pond. The excavator guy defined the perimeter of the pond, took the trees down and made piles for burning in the winter. The same neighbor came by and complained that the excavator guy was on her property, he was not, and she was upset that she was not notified about the work being done.

E. Fehrenbach asked if the logger pulled stumps out of the ground. To which J. Wasiejko replied “Yes.”

C. Joy said that according to the building inspector, they removed stuff from within the wetland buffer, and this may have required a DES permit based on the size of the pond and the amount of work done within the buffer. J.P. Richmond of Boxwood Drive ended up needing to do a restoration plan.

J. Wasiejko said, yes, the work was from within the buffer, we needed to get the area cleaned up.

E. Fehrenbach explained that since it is a pond, even if trees are falling in that area you are not supposed to pull stumps out of it.

J. Wasiejko said the amount of difference that occurred due to defining the pond was minimal, he may have changed a few feet. Most of the trees were all over the place, not just in the buffer.

C. Joy noted that changing the bed of the pond requires a permit regardless. E. Fehrenbach suggested a site walk was in order.

The Commission decided to do a site walk and attempted to schedule one. D. Heaton asked how accessible is it presently? J. Wasiejko said it was very accessible, adding it was not our intent to make a roadway, just define the pond a little more, we wanted to clear the path of debris to get to the pond

J. Wasiejko said, I did not do this with reckless abandon, I called the planning board spoke with Denise explained the situation and she suggested I contact the Conservation Commission, I sent an email to A. Villeneuve, we were unable to connect and I just went ahead and had the work done because the opportunity came up. We're not trying to turn everything upside down.

C. Joy should we postpone a site walk until April?

J. Wasiejko asked, if we want to cut more trees, can we as long as we do not pull the stumps?

E. FEHRENBACH responded by explaining, if you have a pond you can only cut fifty percent of the basal area within the wetland buffer. You need to figure out what the high water mark is and go from there. Spring time is a better time for high water. Disturbance is to the ground. I would check the rules on a class one wetland. You can get rid of everything eventually, takes about seven years. Town regulations say you cannot cut, prune or trim within seventy – five feet of a wetland.

A. VILLENEUVE asked how big the pond is. J. Wasiejko said it is probably about the size of half a hockey rink – 75' or so.

A. VILLENEUVE- motion to table this issue until April

J. PORTER– second

All in favor, Motion passes

J. WASIEJKO said we moved some rocks I believe were put there by the builder. A. VILLENEUVE replied that the issue of who put them there does not matter it is that the area requires permitting to remove earth or vegetation. Adding that the commission typically meets the first Tuesday of the month and if they intend to be at the April meeting, it would be handy if you bring a plan of what you want to do.

Approval of Minutes from November 2014 meeting

Motion to approve minutes – J. PORTER

Second A. VILLENEUVE.

All in favor, Motion passes

Motion to go into nonpublic – A. VILLENEUVE

Second – J. PORTER

All in favor, Motion passes

Went into non – public session at 7:41 p.m.

Old/New Business

A.) C. Joy mentioned the planning board has a working session tomorrow night and they

would like the Conservation Commission to attend as they are discussing some potential cluster development changes and some set back changes. Currently, the only way to get relief from 125' setback is to go to the zoning board and get relief. Perhaps this could be changed for some areas

J. PORTER asked "what about when the action precedes the approval?"

C. JOY answered this consideration is for cluster developments only, and this should be logistically easier and more beneficial potentially.

There was discussion about this, C. Joy and J. Porter both wanted to stress that they were not in favor of reducing buffers.

B.) E. Mitchell and all his projects are on the planning board meeting for December 19 and they have not presented to the Commission as of yet, which regulations require them to do. This should be made clear to the planning board. They must present to Conservation before they go to the planning board.

C.) A. VILLENEUVE went to budget meeting and approved the Conservation Commission's budget was approved for next year. C. Joy noted there is money for map overlays.

D.) C. JOY Resigned from the Conservation Commission thereby making J. Porter acting chair. There was discussion about the change of the leadership.

A. VILLENEUVE nominate J. Porter to become chair

Second – P. Donovan

All in favor, Motion passes

A. VILLENEUVE nominate P. Donovan to become vice chair

Second – E. Fehrenbach

All in favor, Motion passes

C. JOY said he would formally resign tomorrow, and suggest Diana Heaton be raised up to full member.

Motion to adjourn – A. VILLENEUVE

Second – J. PORTER

All in favor, Motion passes

Meeting closes at 8:20 p.m.