

**Town of Auburn
Conservation Commission
March 5, 2019**

Members present: Jeff Porter-Chairman. Peg Donovan, Vice Chair. Diana Heaton & Richard Burnham, Members. Minutes recorded by Denise Royce.

Absent: Ed Fehrenbach & Stephanie Hanson, Members.

Mr. Porter called the meeting to order at 7:00 p.m. and introduced the Board members to everyone present. Mr. Porter informed everyone that there were a couple of things on the agenda tonight and moved right into the first discussion with Mr. Rolfe.

NEW BUSINESS

**Bruce Rolfe
543 Bunker Hill Road, Tax Map 5, Lot 85-3
Discuss Wetland Reduction**

Mr. Rolfe began by saying that he would like to get a couple of easements on a piece of property that he bought and that the place is kind of a junk yard right now which is an eyesore for the neighbors around it. Mr. Rolfe further added that the house is inhabitable and that the existing house is too close to the road. Mr. Rolfe continued by saying that he would like to be able to push the house back and relocate the driveway and that he was pretty much in state specs but that he was not within town specs. Mr. Rolfe would like to clean up the property as it is an eyesore right now. Mrs. Donovan asked where exactly the property was located on Bunker Hill. Mr. Rolfe stated that it was 543 Bunker Hill Road. Mr. Rolfe pointed out that there were many houses in that area that had to get easements to build. Mr. Porter asked Mr. Rolfe if he was planning to tear down the existing house and rebuild. Mr. Rolfe said yes. Mr. Rolfe stated that he made the building area bigger than it needs to be to make sure that he had enough room as he did not want to have to come back before the Board.

At this time, the Board and Mr. Rolfe reviewed the plan that showed the proposed location of the house, septic and driveway. Mr. Rolfe commented that it was 85 feet from the septic system to the water and the state is 75 feet and then he was 56 feet from a Level Two from the corner of the house. Mr. Rolfe also informed the Board members that he will also have to get a dredge and fill permit for the culvert which will be through NH DES. The Board noted that he would be crossing a Level One wetland. Mr. Rolfe reiterated that he would have to go through the state for a dredge and fill permit for that and that they would tell him what size he would need for a culvert in that area. Mr. Porter wanted

to talk about mitigation with regard to the culvert because everything that he would be moving with the dredge and fill permit has to follow not only the state setbacks but also what the Board would be looking at to permit. Mr. Porter wanted to know what they would be doing for mitigating controls for the dredge and fill for crossing a Level One wetland. Mr. Rolfe turned it over to his brother Mr. Michael Rolfe who stated that he would be putting in whatever they design to be installed there as he is just an installer that follows a set of plans and is not a designer. Mr. Rolfe pointed out that it was Roscoe Blaisdell that would be designing the culvert. Discussion ensued with regard to the dredge and fill as they will be able to go through with the equipment and just rebuild something after. Mr. Rolfe gave an example down the road from this property which had to do the same thing which was the Picard property. Mrs. Donovan was curious as to why Mr. Rolfe chose this area to place the house. Mr. Porter believed because the previous house was too close to the road and that if they move it, they are away from the Level One and that there are also two Level Two wetlands.

Mr. Porter asked Mr. Rolfe when he was looking to go to the Zoning Board of Adjustment. Mr. Rolfe said this month which would be Tuesday, March 26th. Mr. Porter pointed out that he would like to see more of the design for the culvert before they can actually weigh in because they do not see any of the DES requirements and regarding any of the controls for the Level One wetland. Mr. Rolfe indicated that was one of them and asked about the rest of them. Mr. Porter stated that, with regard to the setbacks from the Level Two Wetlands that he was less concern about that knowing that he would need the waivers and was more concern about the Level One wetland crossing and would like to see more information about that and what controls he would have to put in place. Mr. Rolfe indicated that Mr. Blaisdell is doing all that work and he has to send that to the state and was unsure he has already done that and that he would check to see how far along he is with the design. Mr. Porter commented that, his concern is that they are looking to do some sort of a blessing that they would be okay with the plan but they can't say yes or no because they haven't seen any plans. Mr. Porter did not believe the information provided was adequate to receive a blessing from their perspective but believes what Mr. Rolfe is doing is totally appropriate but they still need to see a plan and speak with Mr. Blaisdell about this to make sure everything comes into play. Mr. Rolfe believed that it would all be determined by the state. Mr. Porter stated that, the Conservation Commission looks at things a little more restrictive and even though the study says 75 feet the Town is 125 feet so they look at trying to mitigate as much as they can for a Level One wetland crossing and do the best thing that they can for the Town of Auburn. Mr. Rolfe pointed out that the driveway right next to it goes right across the Level One wetland. Mr. Porter added that they have to look at this as new construction and try to do the best they can with it and can't change what everyone else has done that is currently there.

Ms. Heaton asked Mr. Rolfe if he would be razing the existing house. Mr. Rolfe said yes that he would be putting it in a dumpster. Ms. Heaton asked what his plans were for the area once the house is gone. Mr. Rolfe stated that he wants to clean it up and reclaim it

and would be seeded and mulched to prevent erosion. Ms. Heaton noted that it was really close to the wetlands and would like to see a plan in place to return it to as close to a natural state would be along with erosion control. Mr. Rolfe was looking at disturbing a 40-foot radius around the house and then would be loamed and seeded and mulched. Mr. Rolfe added that they would have either hay bails or silt fence which would be on the plan.

Mr. Porter suggested that Mr. Rolfe come back in April with a plan and scheduled the Zoning Board of Adjustment after that. Mr. Porter stated that Mr. Blaisdell is pretty good and would get the stuff to the Conservation Commission and then they would go from there.

Mrs. Donovan asked about the shed. Mr. Rolfe indicated that everything on the property would be removed and the plan is to clean up the whole property. Mr. DiPietro suggested that the Board do a site walk. Mr. Porter indicated that they have not seen a plan for the culvert yet. Mr. Burnham asked about the driveway and the width of the driveway. Mr. Rolfe believed that a good driveway is usually about 12-feet to 14-feet wide.

In conclusion, Mr. Porter informed Mr. Rolfe that they are looking forward to seeing the plans and bring in anything that he can from the state and then they can move on it in April. Mr. Porter thanked Mr. Rolfe and Mr. Rolfe for their time and exited the meeting.

Christopher Duggan
56 Nutt Road, Tax Map 14, Lot 7
Discuss Business near wetlands

Mr. Duggan began by saying that he was just checking in with the Board with regard to the use of a piece of his land that is on the other side of the brook on his property which he's not disturbing it or changing anything but only parking a small trailer on it. He purchased the house 5 years ago and it was the same way as he has not changed it at all but just parking a small trailer on it. Mr. Porter asked Mr. Duggan if he had any pictures or diagrams to show the Board members. Mr. Duggan said no, that he was not sure he had to bring anything with him.

At this time, the Board reviewed documentation from Mrs. Rouleau-Cote, the Building Inspector regarding the parking of a small trailer. Mrs. Donovan asked if he's been parking the trailer there for a while. Mr. Duggan said yes because he didn't know and then when Mrs. Rouleau-Cote approached him, he was informed to go before the Conservation Commission and that's why he was before the Board tonight. Mrs. Donovan asked how long a while was. Mr. Duggan said four (4) years. A brief discussion ensued with regard to parking the trailer in the location. Mr. Duggan asked to be able to leave it there as there is no oil or anything and that he's not disturbing anything by leaving it there.

Mr. Porter explained that, there were two (2) things that Mrs. Rouleau-Cote sited him with was the operation of a home business within a Residential One zone and she also noted the continued use of an un-permitted driveway which was supposed to be eliminated and restored back to vegetation per conditions of driveway permit #17-403 issued in 2017. Mr. Duggan stated that, that was separate. Mr. Porter also pointed out that the wetland protection area because it was an active stream and believed that the Board should conduct a site walk just to see what was going on. Mr. Duggan indicated that, it is exactly as it was when he purchased the house five (5) years ago and was informed by the previous owner that her husband used to put his truck there. A brief discussion ensued with regard to the use of the trailer which Mr. Duggan pulls out during the winter months and only stores the trailer during the summer months in the location near the wetlands. Mr. Porter indicated that in Mrs. Rouleau-Cote's perspective is that, she is looking at the home business and her concern about the wetland protection and asked Mr. Duggan what he wanted to do with the property and what was he looking at the Conservation Commission to assist him with. Mr. Duggan stated that he would like to keep the trailer where it is and he doesn't want to change anything and that he would do anything that the Board wanted him to do but it was used that way before and wants to keep utilizing it in the same manner. Ms. Heaton read a portion of Mrs. Rouleau-Cote's letter which says, *"At this time you are advised to remove any items stored in the un-permitted driveway/parking area and restore the area to a vegetative state to remain undisturbed."* Mr. Duggan said that he was told to restore it to the way it was and he did as he has not done anything to it. A brief discussion ensued with regard to what the Building Inspector was requesting to occur. Mr. Duggan commented that he would do whatever was needed to be done. Ms. Heaton added that, she believes the request is to allow the vegetation to regrow the area and sometimes it requires plantings which is a concern being so close to the brook. Mr. Duggan indicated that, when he moved in there that there was no vegetation there at all and suggested that the Board members to drive by the property. Mrs. Donovan asked Mr. Porter if they should go out there to see it. Mr. Porter said that there were two things and that a site walk would be fine but that he would like some understanding of the expectation from Mrs. Rouleau-Cote for their review. Mr. Porter indicated that, if the plan is to continue to use it as a parking area then the mitigating controls for that buffer area, that's where they can come in and say that they have some ideas to make things better. Mr. Porter further added that, he has a note into Ms. Royce to talk to Mrs. Rouleau-Cote to see what exactly they are trying to mitigate. If has to be restored then great they can talk about a restoration plan. If it's going to continue to be used as a parking area then okay, they may have some other options they can look at. Ms. Heaton informed Mr. Duggan that, parking was not permitted within wetland buffers so we have to figure out where Mrs. Rouleau-Cote is going with this.

In conclusion, Mr. Porter stated that, he would be getting in touch with Mrs. Rouleau-Cote and that they would schedule with them for next month and have a site walk and go from there. Mr. Duggan appreciated the time with the Board members and exited the meeting.

Jeremy Lougee/SELT
Jim Dowd
Pingree Hill Road
Discuss Possible Conservation Easement

Mr. Porter believed that as long as they did not discuss monies at this time that they could remain in public discussion and asked Mr. Lougee of South East Land Trust to begin the discussion.

Mr. Lougee introduced himself to everyone present and began talking about some grant opportunities to make projects like this happen. Mr. Lougee talked about a few projects that have used NRCS (Natural Resources Conservation Service) funding. Mr. Lougee began talking about the specific project in Auburn which sits atop an aquifer, which has a lot of frontage on Cohas Brook. Mr. Lougee believed that this property would fit really well with this program but the only question is whether or not the homeowner could live with the program long term. It's more of a let nature be program that does allow forestry activities that is called "compatible use authorization". The easement itself does not allow you to do timber harvest but this "compatible use authorization" does so it's issued individually when you need to do a timber harvest as opposed to just giving you that right forever on any given year. Mr. Lougee went on to explain further about the program.

Mr. Porter explained what he and Mr. Lougee had talked about was in terms of the entrance criteria for this would be that the existing properties would be restored to its natural state which is one of the conditions about going into this program. So, everything is returned to its natural state and if this is something that Mr. Dowd and his family can get behind then this is a really nice opportunity. The big thing that we were looking to do is to get you guys talking and see if it's something that he would be interested in.

Mr. Dowd stated that this is something different then what we talked about previously and pointed out that they ride their dirt bikes back there and they walk the trail and that was basically it. Mr. Dowd talked about potentially subdividing off a lot for his kids because he has the lot of land, a lot with the house on it and another lot with a barn on it and they technically did not want to do anything else with the property as they are enjoying it. A brief discussion ensued with Mr. Lougee and also Mr. Lougee believed that the best thing would be for Mr. Dowd to sit down and speak with Brooke at NRCS about the easement to see if they type of uses are acceptable. Mr. Porter further pointed out to Mr. Dowd that it would be a good idea if he spoke with Brooke at NRCS and then move forward from there.

In conclusion, Mr. Lougee indicated that he would check with Brooke to set up a meeting with Mr. Dowd. Mr. Porter thanked Mr. Lougee and Mr. Dowd for their time and the discussion ended.

Mr. Porter asked Mr. Lougee if he's spoken with Mr. and Mrs. Sanborn. Mr. Lougee indicated that he had spoken with him but he was away on vacation at the time and stated that he would call him when he returned but he has not called him yet. Mr. Lougee indicated that they should be ready to put out an RFP pretty soon. Again, Mr. Porter thanked them both for coming in to talk with the Board members.

MINUTES

Mr. Burnham moved to approve the minutes of January 8, 2019 as written. Ms. Heaton seconded the motion. All were in favor, the motion passed unanimously.

OTHER BUSINESS

Mr. Porter asked the Board members if there was any new business to discuss. None was noted. Mr. Porter asked if there was any old business to discuss. None was noted.

ADJOURN

Ms. Heaton moved to adjourn the meeting. Mrs. Donovan seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:05 p.m.

The next Conservation Commission meeting is currently scheduled for Tuesday, April 2, 2019 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.