

**Town of Auburn
Conservation Commission
October 1, 2019**

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

Absent: Diana Heaton & Stephanie Hanson, Members.

Mr. Porter called the meeting to order at 7:01 p.m. and asked each of the Board members to introduce themselves to everyone present tonight.

NEW BUSINESS

Mr. Porter moved on to the only item on the agenda for tonight which was Mr. and Mrs. John Bondaruk of 98 Forest Drive.

**John & Alexandra Bondaruk
98 Forest Drive, Tax Map 7, Lot 25-27
Zoned Residential Two (Cluster Subdivision)
Discuss placement of inground pool within wetland buffer**

Mr. Bondaruk began by explaining to the Board that they would like to put in an inground swimming pool and it was pointed out that the location that they were looking to place the pool was within the wetland buffer. Mr. Bondaruk went on to say that, he was not sure if it was going to be completely within the buffer or if it was going to be half in and half out. At this time, the Board members discussed where the property was located and noted that it was within the Village of Lake Forest which was one of the first cluster subdivisions with common land. Mr. Bondaruk stated that, they were in the process of having the land surveyed in order to find out where their property lines were truly located. It was noted that the lot had .5 acres. Mr. Bondaruk explained that there is some confusion of where the house was truly located on the property. Discussion ensued with regard to the location of the house, deck, well and septic. Mr. Porter indicated that, the plan shown to the Board members tonight showed a deck on it and asked Mr. Bondaruk when it was built. Mr. Bondaruk stated that the deck was built last year. Mr. Porter also asked if they went before the Zoning Board of Adjustment for the deck because the deck was built completely within the wetland buffer. Mr. Bondaruk commented that, he wasn't sure because he had a contractor build the deck. Mr. Porter asked who the contractor was. Mr. Bondaruk stated that it was Alan Digusto. Mr. Porter asked if they pulled permits for the deck. Mr. Bondaruk stated that he believed that they had pulled permits for the deck as he was a licensed contractor. There was some discussion with regard to the three-

season porch. Mr. Bondaruk stated that the three-season porch was already there when they bought it. Mr. Bondaruk pointed out that the pool would be in front of the well as the well was in the rear of the property. Mrs. Donovan suggested that they get a survey done of the property to be sure of the location of everything on the property.

Mr. Porter explained that, because the house was partially in the buffer that it precluded them from doing anything else at all. Mr. Porter went on to say that, the deck was now completely within the buffer and believed if the house was moved forward a bit that it would help but basically they didn't have any room to the rear of the property to really do anything and that they could not breach the common land that was located behind their property because it wasn't their property. Mr. Bondaruk understood that and explained that, that was why they want a survey done. Mr. Porter informed Mr. Bondaruk that, he would be very concerned that the deck was put on by a fully licensed contractor and that he did not pull any permits. Mr. Bondaruk asked what he needed to do to make it right. Mr. Bondaruk was informed to contact the Building Inspector to see what he needed to do to correct the problem. Mr. Bondaruk understood that he could not use the common land and reiterated that they would be getting a survey done of their property to know exactly where their property lines were.

A brief discussion ensued with regard to the Village of Lake Forest and the fact that there was a Homeowner's Association and that there were covenants and suggested that they review those covenants to make sure that what they are proposing was allowed within that development.

Mr. & Mrs. Bondaruk were asked what they wanted to do and if they wanted to move forward with the ZBA and they indicated that they would be holding off until further notice. They first needed to contact a surveyor and have a survey done first. Mr. Porter indicated that a pool at this time did not look promising. In conclusion, Mr. Porter agreed with the applicant and hold off until further notice from the surveyor on whether or not they would move forward. Mr. Bondaruk commented that, the pool guy would not touch this until a survey was done.

In conclusion, Mr. Bondaruk stated that he would contact the Building Inspector with regard to the deck being built without the benefit of a permit. Ms. Royce gave Mr. Bondaruk Mrs. Rouleau-Cote, Building Inspector's number and to contact her in the morning. Mr. Bondaruk thanked the Board for their time and input. Ms. Royce asked Mr. and Mrs. Bondaruk how they wanted to proceed and they indicated that they would hold off until November for now until they were able to obtain a survey of the property. Ms. Royce understood and stated that she would hold off on processing their application until further notice.

Mr. and Mrs. Bondaruk again thanked the Board members and exited the meeting.

OLD/OTHER BUSINESS

Mr. Porter gave a brief overview of the Sanborn property and the Conservation Easement and informed the Board that he would keep them up to date with what was going on.

Mr. Porter asked if there was anything else to discuss. There was no other business to discuss tonight. Mr. Porter informed the Board that the next meeting is scheduled for Tuesday, November 5th. No one had anything else to add and therefore, Mr. Porter asked for a motion to adjourn.

ADJOURN

Mr. Burnham moved to adjourn the meeting. Mr. Fehrenbach seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:28 p.m.

The next Conservation Commission meeting is currently scheduled for Tuesday, November 5th, 2019 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.