

**Town of Auburn
Conservation Commission
January 10, 2023**

Members present: Jeff Porter-Chairman. Peg Donovan, Vice Chair. Richard Burnham, Member. Patricia Elwell & Lindsey White, Alternate Members. Minutes recorded by Denise Royce.

Absent: Diana Heaton & Ed Fehrenbach, Members. Stephanie Hanson, Alternate Member.

Also Present: Michael Flaherty & Jesse Edwards.

Mr. Porter called the meeting to order at 7:00 p.m. and informed everyone present that there were a few new alternate members added to the Board and asked everyone to introduce themselves. Mr. Porter moved into the discussion for 26 Hawthorne Drive and turned the meeting over to Mr. Flaherty.

GENERAL BUSINESS

**Michael & Tina Flaherty
26 Hawthorne Drive, Tax Map 5, Lot 69-29
Zoned Rural
Discuss Shed within Wetland & Cluster Buffer**

Mr. Flaherty began by saying that, he did bring some pictures of the property showing the location of the shed. Mr. Flaherty began by explaining the photo on the screen that was highlighted in yellow and green that had been provided by Carrie Rouleau-Cote, Building Inspector. Mr. Flaherty went on to say that, they purchased the house in July 2022 and they were sitting around the fire with the neighbors one night and talked about the few dead trees that he had out front. At that time, Mr. Flaherty stated that he had commented that he wanted to cut them down and was informed by his neighbor to check with the town first because that was kind of a protected area. Mr. Flaherty further stated that, that was when Mrs. Rouleau-Cote, Building Inspector for the Town of Auburn came out to visit and said to tag them up and that he would be good to go. Then she opened a folder and asked where the shed came from as there was no building permit pulled for the shed. Mr. Flaherty then stated that he informed Mrs. Rouleau-Cote that he did not know because it was there when he purchased the home back in July. Mr. Flaherty commented that it was advertised that way in the MLS as private backyard paradise with a lovely paver patio, garden shed, deck and above ground pool all ready for summer fun. Mrs. Rouleau-

Cote then informed him that the shed was located in two (2) bad areas as it is within the wetland buffer and cluster buffer. Also, Mrs. Rouleau-Cote added that no inspections for the electrical for the pool or pool deck had been done. At this time, Mr. Flaherty presented the Board with some photos of the shed from different directions and the Board members reviewed those photos. Discussion ensued with regard to the placement of the shed. The Board understood that, Mr. Flaherty was unaware that the shed was placed in a bad location. The Board discussed the fact that there was grass all around the shed and trees had possibly been removed. Mr. Flaherty informed the Board that he did look into having the shed moved but the cost was astronomical (\$2,500) and that he was told that the shed could also be damaged while moving it. Mr. Flaherty also added that he would also need to get trucks back there which would damage the lawn which would be something else he would need to repair. Mr. Flaherty was trying to avoid moving it and asked if he could plant some trees and let the area grow back except for the entrance to the shed. The Board commented that, it's not like it's just touching the buffer that it was totally into the buffer. Mr. Porter asked Mr. Flaherty about the pool location. Mr. Flaherty informed the Board that they did get a permit for the pool and location but they never obtained a final inspection for the pool deck or the electrical for the pool.

The Board briefly discussed possibly moving it to another location. Mr. Flaherty pointed out that there was an issue of where the propane tank was located and it being an eyesore from the road. At this time, Mr. Flaherty asked the Board if they would like to do a site walk of the area so they could better see the location. A brief discussion ensued with regard to doing a site walk. In conclusion, the Board decided to do a site walk of the property on Saturday, January 14th at 9:30am. Mr. Porter explained to Mr. Flaherty that he would also have to go to the Zoning Board of Adjustment for a Variance and the Planning Board for permission to be within the cluster buffer.

Mr. Flaherty thanked the Board for their time and the discussion ended. The Board will meet onsite Saturday, January 14th at 9:30am.

Mr. Porter moved on to the next discussion on the agenda.

Jesse Edwards
33 Rattlesnake Hill Road, Tax Map 5, Lot 10-6
Zoned Residential Two
Discuss Wetland Buffer for Pool

Mr. Edwards indicated that he had presented the Board of Selectmen with documentation. Mr. Edwards believed it was a low impact request and what he would like to do is place a bench in memory of his wife by the pond located off of Nutt Road. Mr. Edwards showed the Board members what type of bench he would like to place at that location and explained that the bench would be built by someone who lives in Auburn. Mr. Edwards

also pointed out that the water could go right through the slats of the bench. Mr. Edwards showed the Board members a photo of the pond and wanted to know how far from the wetland would he need to be. Mr. Porter stated that it was a Level One wetland and that he would need to remain 125-feet from the wetland. Mr. Porter also pointed out that there was a Conservation Easement on this property. A brief discussion ensued with regard to the area. Mr. Edwards commented that he has seen these benches by Lake Massabesic and thought maybe there was a 15-foot buffer and did not think the bench would be a problem. Mr. Porter did not think the Board could give him permission and thought it would be the landowner.

In conclusion, Mr. Edwards believed he would have to rework this idea and thanked the Board for their time.

Mr. Porter moved on to acceptance of the minutes for October 4, 2022.

MINUTES

Mr. Burnham moved to approve the minutes of October 4, 2022 as written. Mrs. Donovan 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 asked for a motion to adjourn.

ADJOURN

Mr. Burnham moved to adjourn the meeting. Mrs. Donovan seconded the motion. A vote was taken, all were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:47pm.

The next Conservation Commission meeting is currently scheduled for Tuesday, February 7, 2023 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.