

**Town of Auburn
Conservation Commission
August 13, 2014**

Commission Present: Chuck Joy, Chairman; Jeff Porter, Vice Chair; Ed Fehrenbach, Alan Villeneuve and Peg Donovan, members; Diana Heaton, alternate member

Mr. Joy called the meeting to order at 7:04 pm.

Daniel's Equipment, Priscilla Lane – Proposal to Expand Existing Building

Barry Gyer was present to talk about a 5,760 square foot expansion to his existing building. The expansion would include a retention basin but will be within the 75 foot wetland buffer on their property. The wetland is tier 4 with a level 2 setback. The setback delineation was done by Chris Albert. Mr. Gyer and Mr. Daniel have been before the Planning Board twice and are looking for endorsement of their plan from the commission.

. Diana Heaton asked exactly how many feet into the wetland buffer they would be building, B. Gyer answered that it would be 37ft. A. Villeneuve pointed out that that would be almost half of the buffer and asked to have some of the construction explained. B. Gyer explained that the lot is extremely flat so the concrete would be built in a "V" structure. A Villeneuve asked how the retention basin will be maintained. B. Gyer says that it will have to be mowed once or twice a year and the grates throughout will have to be cleared of debris. It will be the owner's responsibility to take care of all maintenance of the basin. Jeff Porter pointed out that in the past they have had problems with some of these not being maintained, making them hesitant about approving this.

It was decided that a site walk would not be necessary due to a recent site walk right next door.

Alan Villeneuve was concerned about run off from the buildings and parking lot. The run off from the old building currently goes in both directions but all run off will be routed to the lowest part of the property, collecting everything and draining it through the wetland which will be increased to handle the extra. Some of the existing parking drains into Bypass 28. There is also a proposed emergency access off of Bypass 28 that was requested by the Fire Department. They are currently in the process of receiving a DOT permit. This access will be all gravel and without use will grow grass overtime, A. Villeneuve pointed out that more grass would make the land more permeable.

Mr. Daniel is called to the front as the commission asks what he will be doing in the new building. He says that it is cold storage without liquids. This expansion will allow them to purchase whole truckloads of products instead of half, keeping his company competitive.

A. Villeneuve – Motion to endorse building plans as presented

J. Porter – Second

All in favor pass.

Maine Drilling and Blasting: Working on a Project that May Entail Wetland Impacts

John Capasso came before the commission to present a plan to relocate the truck loading facility at Maine Drilling and Blasting due to housing developments being built within their

magazine site set by the ATF. J. Capasso is proposing to move the truck loading facility into a wetland area as a last resort with no other possible options. They are looking for feedback before going in front of the Zoning and Planning Boards. 70% of business is done out of the facility and therefore is absolutely necessary to keep the company in town.

Doug McGuire with Dubang Group said they are proposing to add 9 additional storage pods which all must be 2000ft away from occupied structures. The truck loading facility has the widest radius set by the ATF. The radius of each pod or facility depends on the pounds stored; all current pods will continue to be used but will hold fewer pounds. D. McGuire said that the existing pods were constructed 16 years ago.

Cindy Balcuis, environmental scientist, walked and studied the wetlands on the property in April and found three low producing vernal pools. She also reviewed these pools in May and July. C. Balcuis found less than ten egg masses in the vernal pool that would be affected and three egg masses total in the other pools nearby. Also less than 10% of forested areas would be disturbed with this build. Chuck Joy asked exactly how much wetland area would be impacted and was told there would be 40,000 square feet inside the buffer of the adjacent pool and 8,000 and 3,500 square feet in the buffers of other vernal pools in the area. C. Joy asked exactly where the impact was to the vernal pool. C. Balcuis said the vernal pool is on a ledge that leads to wetland drainage and the flows into a larger wetland system. J. Porter mentioned that they would prefer not to dissect the vernal pool into smaller sections.

C. Balcuis went to the Wetlands Bureau, EPA, and Armored Core of Engineers and they said mitigation would be necessary if the vernal pools were affected. C. Balcuis said that they have spoken about conserving a piece of land already owned by the company that protects a larger wetland system with a lot of open space and a corridor to Lake Massabesic. Another option would be to conserve around 11 acres with wetland that has a beaver dam and many other species. A. Villeneuve was still concerned about erasing a vernal pool. C. Balcuis said that the pool will not be replaced but there will be some replacement. The development will be low key with dirt roads and pods embedded in the ground. C. Joy asked if the roads are treated during the winter and was told that they grate them before the frost hits and then only sand and plow.

P. Donovan asked what the plan was to keep something like this from happening again. What if people continue to build around the area, inside of the ATF boundary? D. McGuire said that the surrounding area is mostly owned by Manchester Water Works or the Town of Auburn and the likelihood of that being developed is extremely low. C. Joy wanted to know who owns Tax Map Lot 3 so that they can determine the likelihood of that being developed. The answer was not known at the time.

C. Joy proposed a site walk.

Tuesday at 6pm was decided.

Maverick Development Discussion of Cluster vs Traditional Development Layouts

Eric Mitchell was present to discuss a development of properties within an R1 zone that would need a special exception to be built as a cluster development. E. Mitchell presented this idea to the Zoning Board and came to the commission to discuss the proposal after members had questions at the Zoning Board meeting. E. Mitchell said that they are still reviewing the wetland setbacks but would like to show the group the open space development plan. There is a stream

through the site that connects to Cohas and the open space plan would allow the land to be conserved.

J. Porter asked why the development can't connect through Cohas instead of interrupting the vernal pool. E. Mitchell said that off of Cohas there is a 12% grade with no slope easements, there is also another wetland that is 150ft wide that would have to be crossed, and the road would be in extremely close proximity to existing houses on Cohas. J. Porter asked what an alternative to the Cohas Drive easement could be. E. Mitchell said that the Planning Board was behind a through road to Pingree Hill Rd but C. Joy pointed out that that through road could be moved to a different part of Pingree Hill. J. Porter thought the Planning Board may not have realized the wetland impact and said that vernal pools should not be crossed.

C. Joy said that E. Mitchell was there because the Commission members spoke against the special exception for cluster development being presented at the Zoning Board, and it doesn't seem like a good place for a cluster development based on the site walk and plan. C. Joy said that it didn't meet the conservation needs and no one owns the open area to post it, giving people an opportunity to recklessly harm the area. A. Villeneuve also said that this parcel doesn't meet regulations and standards. C. Joy said that step by step of Article 7.01 in the Zoning Ordinances, this proposal does not meet the requirements. A. Villeneuve believes that cluster developments are supposed to be lollipop shaped and not on a through road. E. Mitchell said that the through road was wanted by the Planning Board but he has not filed an application with the state yet.

J. Porter pointed out that setbacks for our wetlands are necessary because Auburn is dependent upon its own water systems. We do not have town water or septic and therefore it is not always appropriate to lessen the buffers. E. Mitchell presented that a grid development would require more disturbance as well as more road build with the same number of wells and septic systems.

C. Joy realized based on the charts, there would be fewer houses in front of the stream crossing if the development was built as a grid. The fewer houses would mean fewer disturbances for the stream corridor. A. Villeneuve agreed that five houses versus four houses in the area before the stream means cluster would be more damaging. E. Mitchell asked the Commission "If cluster is not a good idea are you in favor of a grid subdivision?" A. Villeneuve said that they can't stop it either way but it definitely does not seem like a cluster lot. Steve Febonio stood up and spoke to say that they were steered in this direction and would prefer not to go through a vernal pool at all. They have information about current mitigation and Tim Ferwerda can answer any questions they have. T. Ferwerda handed out packets of information about mitigation. T. Ferwerda said that stream crossing regulations require large enough span for wildlife crossing and overall the stream is affected less in the cluster proposal.

A. Villeneuve said he does not believe that the town is better served with a cluster development. D. Heaton could see the point that one acre could keep people within setbacks as far as extra building go. S. Febonio said he had hoped they would like the design but will do grid if he has to and will develop either way. P. Donovan didn't think that the cluster was really a cluster because it is bisected by the stream.

A. Villeneuve – motion to support cluster subdivision as presented

E. Fehrenbach – second

Three opposed, 1 abstains

Eric Mitchell – New Project to Discuss on TM 5 Lot 19

E. Mitchell presented a development that would entail wetland impacts. He was at the meeting looking for a preference as to whether the development could be cluster or grid before going to Zoning Board. The development has 27 acres and would have wetland impact either way it was built. The area is mostly forested and also consists of old farm land with overgrown fields, large wetland areas, and an existing two family home. The proposed road would go through a level 2 wetland set back to avoid impacting a vernal pool. A grid development would require more roadways and would reach halfway to route 121 with potential for a through road in the future.

Thomas Sokoloski, a soil scientist, said the most prominent wetland on the property is to the south and the grade runs north to south, draining into the larger wetland. The large wetland then drains into an even larger wetland off of the property. There are also two isolated wetlands in the center of the site which have been subject to disturbance in the past. The vernal pool on the northern side of the property is almost certainly an old farm pond for livestock. With the road configuration presented, direct impacts to the only vernal pool on the property would be prevented.

J. Porter said that the original classifications of all of the wetlands on the property were level 1, if this plan was looked at with that knowledge it is overzealous. He would like to preserve as much buffer area as possible. T. Sokoloski said he looked at the land at the macro level and did a fine tuned assessment of the wetland levels. C. Joy asked about the actual size of the wetlands and chart and picture explanations ensued. After being asked, E. Mitchell said that “upstream” is poorly drained soil and that there are about 16 acres of open space on the property. C. Joy asked why lots one and two could not be built as conventional lots with the rest a cluster. E. Mitchell said that cluster is supposed to take traffic off the main road and E. Fehrenbach agreed that the Planning Board prefers fewer driveways off main roads.

E. Mitchell said that to reach lots seven and eight there would either be driveways or a road. The impact of the stream crossing would be similar with both options. A driveway would require about 12ft of pavement with a road requiring 22-24ft and one culvert either way.

E. Mitchell suggested that a conservation easement could be taken on the open space which is in current use. The current use penalty funds could be used for maintenance. C. Joy said that all current use penalty funds are already earmarked and the parcel of land is too small to be held in easement by a third party like the Southeast Land Trust.

Mike DiPietro spoke up to say that he believes natural buffers are good. They provide throughways for wildlife and also discourage encroachment and fences. A. Villeneuve said that a cluster doesn't have buffers within itself. E. Mitchell pointed out that the buffers haven't been shown on the conceptual map yet but there would be a buffer around the entire development. A. Villeneuve said he believes that people on various boards in town need to have a more open dialogue of what a cluster is. They were originally created for larger lots that would provide more open space for the town. Clusters are meant to maintain the character of Auburn because the town wasn't originally put together tight. E. Mitchell showed his chart suggesting that starting with this open space, the town can acquire more area around it creating a much larger open space area.

A site walk was planned at 77 Pingree Hill Rd for Monday the 18th at 5pm.

The Conservation Commission reviewed the plan and has decided not to offer an official opinion to the Zoning Board for or against a special exception for cluster development.

Old/New Business

A. Villeneuve had a citizen complaint about the Wethersfield common area that was being used for equipment storage. The citizen believes that material is being taken out of the area and the grade of the land is lower than it used to be. This will be discussed at the next meeting to set up a site walk and will be brought to Carrie Cote, code enforcement officer.

C. Joy mentioned agenda items to discuss for the next meeting: Property lines within a clustered should be located outside of all wetland setbacks. There should be a minimum width for connection corridors within cluster developments for Open Spaces to be considered contiguous. Require open space easements to be held by a third-party or establish a stipend for future restoration. A brief discussion ensued.

Members continued to discuss pros and cons of some of the proposals presented during the meeting.

A. Villeneuve – Motion to adjourn

P. Donovan – Second

All in favor, motion passes

Meeting adjourned at 10:32 p.m.