

**Town of Auburn
Conservation Commission
February 6, 2024**

Members present: Jeff Porter-Chairman. Richard Burnham & Patricia Elwell, Members. Stephanie Hanson, Alternate Member. Minutes recorded by Denise Royce.

Absent: Peg Donovan, Vice Chair. Diana Heaton, Member.

Also Present:

Mr. Porter called the meeting to order at 7:00 p.m. and moved to the approval of the meeting minutes for December 5, 2023.

MINUTES

Mr. Burnham moved to approve the minutes of December 5, 2023 as written. Mrs. Elwell seconded the motion. A vote was taken, all were in favor and the motion passed unanimously.

Mr. Porter moved into the discussion for 420 Manchester Road and turned the meeting over to Ms. King.

GENERAL BUSINESS

**Mandy King
420 Manchester Road, Tax Map 25, Lot 37
Zoned Residential Two
Discuss Garage within Wetland Buffer**

Ms. King began by saying that she is looking to obtain a Variance to remove the woodshed that is very close to the stream and to build a two-stall garage closer to her home. Ms. King explained that it would contain all of her equipment away from the stream which would include her lawn mower, ATV and generator. Ms. King stated that Mrs. Rouleau-Cote informed her that she would exceed lot coverage because she has a small lot and that the lot coverage would be 8.2% where 5% is required. Mr. Porter asked what the size of the shed is currently. Mrs. Elwell pointed out that on the Zoning Determination it says 14 feet by 16 feet. Ms. King stated that right now the shed holds an ATV, lawn

mowers and generator. The Board members reviewed the plan submitted that shows the stream, the location of the proposed garage and the existing shed. Mr. Porter asked if there was anything about water collection on the plan. Ms. King did not know if there was anything about water collection, but she could talk to her contractor about that. Mr. Burnham explained that they usually would like to see gutters to collect the water and to have the water go into a dry well. Mrs. Elwell thought they should see if it was appropriate for this site because you're increasing the lot coverage and increasing the impervious surface and it's even closer to the setbacks and that there was a lot going on this small lot. Mr. Burnham commented that the existing shed is much closer to the stream than the new structure would be. Ms. King explained that her house was a camp at one time and that she does not have a basement or attic and if this was not granted that she would have no other choice but to renovate the current shed in its current location which is close to the stream. She indicated that she's trying to pull everything away from the stream to make the property look better. Mr. Porter asked Ms. King if she obtained DES approval. Ms. King indicated that she had spoken with DES and the fact that she is 244 feet where 250 feet is required for shoreland that he did not see that it would be a problem but told her to go through the town process first. Discussion ensued with regard to the grade of the property. Ms. King indicated that it sloped slightly up from the road.

Mr. Porter stated that Ms. King is looking for the Board to accept the Variance just for the wetland buffer. Ms. King said yes, and DES is waiting for town approval first but did not believe it would be a problem. Mr. Burnham asked Ms. King what the distance is from the dotted line that goes through the garage to the edge of the garage. Mr. Burnham believed that the Board usually likes to have a number to go by. Mr. Porter pointed out that there was already an impact into the buffer with the shed. At this time, the Board reviewed the plan and noted that there was 29.8 feet from the wetland. Mrs. Hanson asked Ms. King if the area where the proposed garage was vegetated. Ms. King stated that it was a grassy area where she currently mows that has some tiny trees growing. A brief discussion ensued with regard to an invasive species that is located along the stream which was noted to be Japanese knot weed.

At this time, the Board discussed the Variance requests for reduction in the wetland buffer, lot coverage and for the garage to be within the setback. Mr. Porter believed that with some modifications to the plan with gutters and a dry well that they would be in favor of this with full DES approval as well. Mrs. Elwell asked if it needed to be a two-car garage and could she go smaller because she would be more favorable with a smaller garage than what is being proposed. Mr. Porter pointed out that the buffer is already impacted with the current shed and she's still mowing near the stream and going down to one stall reduces the footprint but in terms of storage and having both cars inside the garage is better than having them outside. Having everything contained in one area and the current shed removed and the new garage further away from the stream would be an improvement. Mr. Porter also mentioned the possibility of having the area revegetated naturally once the existing shed is removed.

A brief discussion ensued with regard to the vegetation and Japanese knotweed. Ms. King stated that she takes a chainsaw to cut it down in order to see coming out of her driveway, but it grows right back. Mr. Burnham commented that gutters, dry well and the shed going away would all help and that he would be okay with that. A brief discussion ensued with regard to what conditions to put on if they were to approve this.

Mrs. Hanson brought up another garage that the Board reviewed back in December for 172 Coleman Road and read a portion of what was discussed at that hearing. The Board discussed restoration of the site once the existing shed was removed but also leaving a safe turnaround area for the applicant. The Board took into consideration the fact that there was an invasive species near the stream which was thought to be Japanese knotweed.

Mr. Brian Pratt of Fuss & O'Neill wanted to speak but was not associated with this meeting. Mr. Pratt wanted to point out that she is actually removing some of the asphalt in one area where the garage is going. The Board thanked him for pointing that out. Mr. Pratt also wanted to point out that, he did not believe a dry well would work here because of the depth of the water table that close to the stream and basically no gutters is sometimes better than having gutters because it doesn't concentrate the water. The reason being is that it allows the water to stay as sheet flow and sheet flows through the lawn. If you put gutters on it will allow the water to concentrate, then it would erode a channel and you'll get sediment. If he were building this, he would do no gutters and just leave the vegetation there to allow sheet flow. A brief discussion between the Board members and Mr. Pratt took place regarding gutters.

With that said, Mr. Porter asked the Board what they would like to do? Mr. Burnham stated that he would be willing to make a motion. Mr. Porter added that we either accept or deny the building of the garage to be 29.8 feet from the wetlands, with the removal of the existing shed, DES approval and to the revegetation of the area of where the existing shed to be removed for 420 Manchester Road. The Board members were in agreement and the following motion was made.

Mr. Burnham made a motion to support the building of the proposed garage as shown on the plan presented to the Conservation Commission tonight with the conditions that; 1) that the garage is to be 29.8 feet from the wetlands; 2) that the existing shed is to be removed; 3) obtaining DES approval; and, 4) revegetation of the area of where the existing shed will be removed for 420 Manchester Road, Tax Map 25, Lot 37. Mrs. Elwell seconded the motion. A vote was taken, all were in favor and the motion passed unanimously.

Ms. King thanked the Board for their time and the discussion ended. Mr. Porter moved on to the next discussion on the agenda which was R & L Carriers.

R&L Carriers

Londonderry Turnpike, Tax Map 1, Lots 22-23

Zoned Industrial

Discuss Potential Warehouse Trucking Facility within a Wetland Buffer

Mr. Brian Pratt of Fuss & O'Neill introduced himself to everyone present tonight and indicated that Mr. Luke Hurley, who is a wetland scientist, was also present tonight as well. Mr. Pratt began by saying that they were before this Board a few months ago and stated that the property is located in Auburn on the Londonderry town line. Mr. Pratt gave an overview of all the parcels which consist of Tax Map 1, Lot 23, 22 and 24-1 and then there's 240 acres in Londonderry. Mr. Pratt stated that the property contained 120 acres in Auburn with three existing parcels which are all owned by Governor's Hill Corp. Mr. Pratt went through and pointed out the location of the lots to the Board members. Mr. Pratt indicated that they are before the Board tonight to show their progress and to get a little more feedback. Mr. Pratt believed that when they were before the Board last time that some of the big topics were erosion control, stormwater, wildlife and protecting Cohas Brook. Mr. Pratt informed the Board that there were some scattered wetlands and vernal pools throughout the site. They have completed the wetland delineations as well as the vernal pools have been delineated. Mr. Pratt added that they have started their roadway design and they started some of the site grading which was preliminary the last time they were before the Board. They have had some additional meetings with DES along with DOT and they have reviewed the wildlife. They would be doing two (2) separate projects of which Fuss & O'Neill will be doing a subdivision and the roadway designs and R & L Carriers will be concurrently designing a site plan for their facility. Basically, there will be two (2) applications submitted simultaneously. Mr. Pratt pointed out that there were three lots that were existing so it would be like a merger/resubdivision just to kind of reconfigure the lots. Mr. Pratt pointed out the locations of the three (3) contiguous lots to the Board members. The lot to the right was approximately 30 acres and the lot to the left was approximately 47 acres which is coming in off the By-pass 28. The property is located directly across from Morton Builders. They don't have anything yet that would be going there but they just wanted to show what impacts would be there if they had these types of pads. Mr. Pratt started with the roadway and stated that they will be phasing the project and that Phase One is where they plan to build 1,200 feet of road to start and there would be a temporary cul de sac which would give R&L Carriers the frontage for their lot and efficient access to their facility. Mr. Pratt pointed out that Phase II of the roadway would be to connect it all the way to the Londonderry town line. Mr. Pratt indicated the location on the plan shown to the Board tonight which is the Brook Hollow gravel pit. They do have some proposed future development in Londonderry that contains 240 acres. They are working on some plans for that and will keep the town informed of that when we do have them drawn up.

Mr. Pratt stated that there is a vernal pool next to the existing driveway, but they will come in at a ninety-degree angle to try to avoid that but will definitely have some buffer impacts. Vernal pools are Tier One, so they have 125-foot buffer for Tier One. Mr. Pratt indicated that they would have to go before the Zoning Board of Adjustment for Variances and Special Exceptions so they will be looking at the Conservation Commission feedback for these buffer impacts and wetland impacts.

Mr. Pratt moved on to the site plan and informed the Board that were before the Planning Board a few weeks ago and did receive some feedback from them and revised the plan based on some of their comments. Basically, R&L Carrier is planning to construct a terminal for shipping and there is a representative from R&L Carrier here tonight if anyone has any questions. A brief discussion ensued with regard to hazardous materials and the only thing they would have is a maintenance bay to work on trucks. Mr. Pratt stated that there was approximately 20 acres of impervious, so they truly need a huge site. Mr. Pratt went on to say that there would be 37,000 square feet of wetland impact and there are some scattered wetlands. They have 120 acres and will be disturbing about one acre of wetlands to make this happen.

Mr. Pratt wanted to answer Mr. Burnham's question about future pads and Mr. Pratt reiterated that they do not have anything yet to put on these but wanted to show what could potentially go in there and what impacts there would be. Mr. Pratt also pointed out the stormwater impacts to wetlands which have yet to be designed. Mr. Burnham asked what the width of the road would be and the number of bays. Mr. Pratt stated that they would be starting with 70 bays and the potential for another 50 more. Mr. Pratt added that they would be designing to the town's collector road standards which would be 12-foot lanes in each direction with paved shoulders so the roadway would basically be 34 feet of pavement curb to curb.

Mr. Pratt stated that their traffic is actually quite low because their morning peak they leave before 7:00am and it's approximately 65 trucks and they will be heading north on the by-pass. Mr. Pratt informed the Board that he will be meeting with DOT tomorrow to discuss the traffic count. There may be some improvements to the by-pass that may need to be made in the future but that would be years down the road. A brief discussion ensued with regard to road construction and turn lanes. Mrs. Elwell believed there was an aquifer in that location and asked how the building would impact the aquifer.

At this time, Mr. Luke Hurley of the BSC Group wanted to speak on behalf of the question regarding the aquifer and they will take the aquifer into account, and they will also have to meet all the AOT standards with their stormwater design and the stormwater basins and they are still in the designing stages. Mr. Hurley did not think there would be a problem because there would not be a lot of draw on the aquifer. Mr. Pratt indicated that there would be water brought in from Londonderry from Manchester Water Works through the gravel pit as Londonderry has a 16-inch water main. Mr. Pratt commented that they

currently don't have that design but when they start in Londonderry, they've already started conversations with Manchester Water Works, and they are willing to serve this development. Mr. Pratt reviewed the location of the aquifer on the Town of Auburn's website and noted that the aquifer was not located on this site. They do have an AOT permit for R&L Carriers because any project that disturbs over 100,000 square feet needs to get this permit. A brief discussion ensued with regard to the aquifer. Mr. Pratt mentioned a gravel wetland which is basically a bioretention basin where the water flows into certain bays and then it flows down to a gravel area for treatment. There will be a buffer impact because there is no other way to capture it and treat it. Mr. Porter commented that even if it does not impact the R&L Carrier site it would impact the other pad sites. Mr. Pratt stated that each individual pad would have its own AOT application. A brief discussion ensued with regard to wetland buffers and development.

Mr. Pratt believed that this was pretty much what he wanted to cover and introduced Mr. Luke Hurley to talk about the wildlife corridors. Mr. Hurley pointed out the wildlife corridors on the screen and the paths that the wildlife has taken. Mr. Hurley also pointed out the areas that would still be open after development of the facility. Mr. Hurley also talked about smaller wildlife animals around the vernal pools to maintain a wildlife corridor by using box culverts. Mr. Hurley explained that they have not been sized yet, but this will allow critters to cross without crossing the roads. Mr. Porter asked about DES and the endangered Blanding turtles. Mr. Hurley believed it was all turtles including Blanding turtles, spotted turtle and the wood turtle. Mr. Pratt also pointed out that they would have to coordinate with Fish and Game. They will also have to meet again with DES and the Army Corp of Engineers as well. With that said, Mr. Hurley asked if there were any questions. Mr. Pratt stated that they are looking for feedback from the Conservation Commission so that they meet all of the comments and concerns. Mr. Pratt also indicated that they would be submitting a ZBA application later this month to get on the agenda for March. Mr. Porter asked if they were going for ZBA approval for plans they don't have designed yet. Mr. Pratt stated that they are working on the buffer impacts, and they already know the wetland impacts which would be the Variance (for R&L and the roadway).

Mr. Pratt asked the Board for their input with regard to the future pad sites. Mr. Porter had some concerns with regard to the future pad sites because of the wildlife corridor they would be displacing in the area of Cohas Brook. Mr. Burnham stated that a lot has changed since the last time they presented. A brief discussion ensued with regard to what had changed. Mr. Burnham asked about the individual pad sites and whether or not they would be sold. Mr. Pratt indicated that most likely they would be sold and most likely it would be a 6 or 7 lot subdivision when it's all said and done. For now, it would be a 3-lot subdivision with the understanding that there may be further subdivisions.

Mr. Burnham asked about the future development in Londonderry. Mr. Pratt informed the Board that Londonderry has a planned unit development overlay district of which parcels of 100 acres or more basically can write their own zoning with limited dimensional requirements. There is a 50-foot perimeter buffer around the outside of the tract and there's a maximum for the planned units is 6 units per acre. This property has access to Auburn Road which is through the Brook Hollow Gravel Pit, and it has an access through the Mill Pond Subdivision. Mr. Pratt believed the bulk traffic would stay in Londonderry but there would still be some traffic using Auburn. They are working with DOT with regard to the traffic study. Mr. Pratt indicated that R & L Carriers is ready to go.

Mrs. Elwell talked about the triangle in the middle and where they talked about culvert in and culvert out and asked if it would become a dead zone where things wouldn't be able to get out. Mr. Hurley again talked about the box culverts that are not sized yet so that critters can go through and wanted to make any critter crossing with light in it because if it's a dark long tunnel critters won't go through it. Mr. Hurley talked about possibly putting grates on the top to allow natural light to go through. A brief discussion ensued about critter crossing. Mrs. Elwell asked how big the triangle was. Mr. Pratt stated that it was 400 feet by 400 feet and 250 feet which was about 2 acres. Mr. Pratt stated that this area would remain wooded, and they would include box culverts. This site will include open drainage and will be fully treated.

Mrs. Hanson asked about the trucking facility itself and what the impervious lot coverage would be. Mr. Pratt indicated that there would be 51% impervious which will require a Variance for lot coverage because their lot is 40 acres, and they have a pretty significant impervious coverage. The pad sites would be 25% including the roads. There was some discussion with regard to possibly having a conservation easement on the remainder of the lot. Mr. Porter asked if the lots were in current use. Mr. Pratt assumed they were in current use. Part of the property is listed to be in current use.

Mr. Pratt concluded by saying that that was a lot of information and believed that was all they had. Mr. Pratt thanked the Board for their time and reiterated that they would be submitting an application for Variance for the wetland impacts and a Special Exception for the buffer impacts and a Variance for the lot coverage. Mr. Porter indicated that, when they come in with the formal plans, they would talk about those articles for zoning, and they can make the recommendation for approval from the Conservation Commission side. Mr. Pratt went on to say that once they go to zoning that they would then go before the Planning Board with site plan and subdivision and they will need a number of permits from DES wetlands bureau, AOT and underground storage permitting, septic systems or sewer from DES but the ultimate intent would be to have water and sewer.

Mr. Porter asked Mr. Pratt if they tentatively wanted to be scheduled to meet back with the Conservation Commission in March. Mr. Pratt said yes. It was noted that the next meeting is scheduled for March 5th and that they would then go before zoning on March

26th. Mr. Pratt did not believe that Mr. Tatem would have time to review the plans in time for the March 5th meeting.

Attorney Gandia indicated that they would be preparing the ZBA application and asked the Board if there were any areas that the Board wanted to focus on when they come back in March. Mr. Porter stated the review of the stormwater detentions and all of the areas that Stantec usually reviews with the Planning Board. These are things that they would like to see from their perspective before it hits Zoning Board so they can make a recommendation for approval or not to support. Mr. Porter stated that they had not seen any plans yet, so he did not know how to respond to this question. A brief discussion ensued with regard to what would be required for the Zoning Board which will show what the encroachment will be just not as detailed as it would be for site plan approval.

Mr. Porter thanked everyone for their presentation. Mr. Pratt and Mr. Hurley thanked the Board for their time and the discussion ended at 9:10pm.

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. Elwell seconded the motion. A vote was taken, all were in favor, the motion passed unanimously, and the meeting stood adjourned at 9:11pm.

The next Conservation Commission meeting is currently scheduled for Tuesday, March 5, 2024 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.