



## Auburn, Maine

Conservation Commission

60 Court Street | Auburn, Maine 04210

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### Minutes- May 21, 2019

- 1) Roll Call
  - a) Chair: Jordan Tate, Vice Chair: Rhyanna Larose, Commissioners: Ben Low, Maurice Keene, Johnna Flood. Staff: Tony Beaulieu
  - b) Excused Absence: Tizz Crowley
  - c) Guests: Chris Carson, Michelle Malaragno
- 2) Review and Approve April Minutes
  - a) Try to find guest list to add to minutes, otherwise approve as presented
  - b) Rhyanna Motioned, Ben seconded, unanimously approved
- 3) Public Comment/Guest Visitors
  - a) Michelle Malaragno commented that her composting operation, which takes place on two adjacent parcels and comprises approximately 60 acres, is considered a small ag related operation and the proposed AGRP ordinance changes would put her out of business, despite the goal of the ordinance being to promote small agricultural businesses.
- 4) Work In Progress
  - a) AGRP ordinance discussion accounted for the majority of the meeting. The primary objective of the discussion was to go through line by line to provide specific feedback to the Mayor and City Council.
    - i) Jordan Tate indicated that generalized feedback the Commission has previously provided expressing concern and requesting more information has not been adequately addressed and we have been ignored. Jordan suggested that the Mayor seems to respond more readily to specific feedback.
    - ii) Mr. Keene expressed concern about providing line by line feedback on the proposed changes when we don't support the ordinance changes without the formation of an Agriculture and Resource Protection Commission first.
    - iii) The Commission came to the conclusion that although we do not support the proposed ordinance changes without the formation and involvement of an AGRP commission, we should specifically address which parts and why we disagreed with that lead us to this recommendation
    - iv) Specific feedback regarding the ordinance consisted of:

- (1) Sec. 60-144 Purpose: The definition of “Resources” protected in the zone needs to be added to the definitions section
- (2) Sec. 60-145 (a) Permitted Uses:
  - (a) There need to be more qualitative measures added that an applicant would be required to submit to show their commitment to farming.
  - (b) Sec. 60-145 (a)(1)(b). Allowing for subdivisions does not address the original issue of existing non-conforming lots, which was one of the primary drivers for the ordinance changes. Allowing for subdivision after five years from the adoption of this amendment is not congruent with the purpose of the ordinance.
  - (c) Sec. 60-145 (a)(1)(f). Residential structures should be sited to avoid all protected resources under the ordinance and not just farmland soils. Again, the definition of things considered as “resources” (e.g. wetlands, vernal pools, rare species habitat, etc.) would have to be added to the definitions section.
  - (d) Sec. 60-145 (a)(7). Define Truck Garden
- (3) Sec. 60-145 (b) Special Exception Uses
  - (a) : Sec. 60-145 (b)(4). Agricultural Advisory Board would need to have some level of authority to ensure that their recommendations are considered and have clout. Otherwise, without authority they would be ineffective. Additionally, suggest that it be an Agriculture and Resource Protection Board or Commission to ensure the equal consideration of other natural resources.
  - (b) Sec. 60-145 (b)(15). Add adaptive reuse into the definitions section.
- (4) Sec. 60-146 - Dimensional Regulations
  - (a) Sec. 60-146 (1). Keep the 10 acre lot and allow those wanting to construct on non-conforming lots or non-conforming uses to petition/appeal and be reviewed by the proposed Agriculture and Resource Protection Commission on a case by case basis. Especially since the City does not know how many people who cannot build on their land under the existing ordinance want to, as we have been told by city staff this information would be hard to collect.
  - (b) Sec. 60-146 (1). Define street frontage to be limited to city owned and maintained roads and add it to the definitions section.
- (5) Sec. 60-2. - Definitions.

- (a) Tree farmers and foresters need to be added to the definition of a “farmer”
- (b) The \$1000 requirement is too low and needs to at least match state and federal standards.

5) Work Completed

- a) Rhyanna attending the Maine Association of Conservation Commissions annual conference which focused on climate change and invasive species. She was able to make a contact with an employee from Maine Department of Inland Fisheries and Wildlife. Rhyanna will forward information from the conference to attach in May minutes

6) Subcommittee Updates

- a) LACFB: Arbor week included Auburn being recognized as a Tree City for 16 years, the Arbor Week banners were hung, information on arbor week and invasive insects was displayed in both city halls, and trees were planted in both Pettingill Parks, with Mayor Levesque attending the Auburn planting and declaring an official proclamation for arbor week.
- b) LA Trails will be having a meeting this week. Ben Low, who will no longer be on the Commission after this month, recommended keeping a liason in LA Trails to stay informed and aware of potential ways to collaborate.
- c) Mt. Apatite Group: Have designated themselves as Friends of Mt. Apatite and have a facebook page. How the group is categorized remains slightly unclear, functioning independently but housed under the Recreation Department.

7) New Business/Commissioner Comments

- a) This is Ben Low’s last meeting as anticipated. Johnna Flood also announced that she is also leaving the Commission and will not be fulfilling her reappointed term that expires in 2022.

8) Adjourn

- a) Jordan motioned to adjourn, Rhyanna seconded. Unanimously voted with the exclusion of Johnna who left prior to the adjournment.

Respectfully Submitted,  
Jordan Tate, Chair