



## City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

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To: Auburn Planning Board

From: John Blais, Deputy Director

Re: Workshop & Public Hearing proposed update to agricultural buffers, subsurface wastewater systems and phosphorus control.

Date: April 12, 2022

**PROPOSAL:** Updating Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in Division 4- Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure.

- I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board workshop to help draft the new section under:
- II. Sec. 60-952 (c) *Agricultural buffer strip*. Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.
- III. (f) *Private sewage disposal systems*. The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:
- IV. (1) ~~Subsurface absorption Disposal~~ areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36—12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area. In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.~~
- V. (2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain ~~70 percent sand or gravel outwash or stratified drift~~ as shown on table- ~~4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 9-3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.
- VI. (3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

- VII. (4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.
- VIII. (5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

(6)The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.

(7)The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.

e.Sec. 60-1066 -**Applicability** (1) Any new building or structure with more than 5 200 square feet of ground floor area.

**Additional Considerations through Comprehensive Plan/Community Conversations and City Council:**

- 1.) Limit additional suitable natural soil or fill material to 12”
- 2.) Require a septic inspection at point of sale in the Auburn Watershed Overlay Area.
- 3.) Map and text amendment to include minimum lot size to 3 acres and 1 dwelling unit per 3 acres.

**Staff Recommendation (workshop):** Planning board reviews this document and power point presentation and make suggestions to improve the recommendation provided by staff that was generated out of the 2021 Auburn Lake Study-A Regulatory Environmental, and Economic Analysis of Water Supply Protection, Comprehensive Plan, Community Conversations and Council considerations.

**Staff Recommendation (public hearing):** Allow for continued conversation and clarification about agricultural buffers, subsurface wastewater systems and phosphorus control as it pertains to potential ordinance changes, water quality protection and homeowners. Allow for a public hearing and make favorable recommendation to the council to allow for amended text changes as written above to Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in Division 4- Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure.

**Additional Staff Recommendation:** Recommend to council to move zoning map and text amendment forward for all residential lots within the Auburn Lake Watershed to Rural Development District as recommended in the 2021 Comprehensive Plan. This map and text amendment to include minimum lot size to 3 acres and 1 dwelling unit per 3 acres.