

**Town of Auburn, Massachusetts**  
**Minutes of the Meeting**  
**Conservation Commission**  
**Auburn Town Hall Planning Board Room**  
**Wednesday April 22, 2020**

**In attendance: Michael Garland; Chairman, Thomas Fallon; Vice Chair, Michelle Culross, Carolyn Corriveau, Alison Holmes, Nathan Rand, Antonios Rominiou**

**Also Present: Caleb Moody; Building Commissioner, Adam Menard; Town Planner, Darlene Doyle; DDIS Director.**

**5:00PM called meeting to order.** The Town cable staff was present and the meeting was recorded. The meeting could be watched on the town's website live streaming.

**5:00 PM Applicant JW Land & Development LLC (John Stelmok) Notice of Intent for the construction of a duplex dwelling, driveway, underground water and sewer lines** at 1 & 3 Whitman Bailey Drive Auburn, MA Map 67 Parcel 20. [DEP # 098-0803](#)

Carolyn Corriveau motioned to open the public hearing, seconded by Michelle Culross. The vote was all in favor.

John Stelmok from JW Land & Development, LLC was present for the hearing. Mr. Stelmok informed the Commission that the plan submitted shows the largest dwelling they can build on the lot. Justin Stelmok said if there are changes to the size of the dwelling once it is sold, he will have his engineer provide the Commission with an updated grading plan and building layout. Michael Garland asked the applicant if he expects the footprint to change. Mr. Stelmok said he is not positive if the size will change. Michael Garland confirmed with the applicant that Margaret Washburn flagged the wetlands on the property. Mr. Stelmok stated he did use Margaret Washburn initially to flag the wetlands but EcoTec took over the project. Michael Garland mentioned that when Margaret Washburn initially flagged the wetlands she noted a questionable area. Justin Stelmok said he was aware of the area in question. Michael Garland asked the applicant if that area in question is within 100 feet of the proposed building area. Mr. Stelmok said he assumes the area in question is 100 feet away from the proposed building but he is not completely sure without checking the site. Michael Garland expressed that the Commission would like to visit the site and asked if Mr. Stelmok would have a problem with the Commission continuing the hearing until the second or fourth week of May. Justin Stelmok had no objections to the continuation or site visit. Carolyn Corriveau asked the applicant if the waterway on the right hand side of Whitman Bailey Drive extended to the left side of the road. Mr. Stelmok said the wetlands do extend to the left side of the road and there are flagged wetlands in that area. There were no further questions or comments from the public or Commission.

Carolyn Corriveau made a motion to continue the public hearing until the next meeting in May, seconded by Thomas Fallon. The vote was all in favor.

**5:10 PM Applicant Wood Environment and Infrastructure Solutions, Inc. on behalf of CSX Transportation, Inc. Request for Determination of Applicability for confirmation of the boundaries of wetland resource areas adjacent to the CSX railroad right of way** in Auburn Massachusetts as part of the railroads five-year

Vegetation Management Plan.

Michelle Culross made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

Steve Herzog from Wood Environment and Infrastructure Solutions was present for the hearing on behalf of CSX Transportation. CSX performs vegetation management yearly to keep their rails clear. Every five years CSX is required to renew their Vegetation Management Plan. As part of the five-year Vegetation Management Plan, CSX must receive Conservation Commission approval for the demarcation of wetland boundaries along the railroad. The Auburn Conservation Commission issued a determination in 2015. The applicant said since the last determination in 2015, the locations of the wetlands have not changed. The applicant reviewed the submitted documentation and site plan showing the existing wetlands adjacent to the CSX railroad right of way. Michael Garland asked the applicant how he is certain that the wetlands have not changed since 2015. Mr. Herzog explained that Wood Environment and Infrastructure Solutions flagged the wetlands along the right of way last fall and identified the wetland areas. He expressed that based on the information they obtained in 2015 compared to the data they collected recently, there were no changes in the wetland boundaries or locations. Michelle Culross asked if the Commission ever receives a list of the herbicides that are used for vegetation management. The applicant said that no herbicide use is permissible near the wetlands. Outside of the wetlands, the herbicides they use change yearly. They do provide the Conservation Commission and Board of Health a yearly operational plan which identifies what herbicides will be used as part of their vegetation management. The applicant further explained the herbicide process. Alison Holmes asked the applicant for more clarity regarding the methodology used to delineate the wetlands. Mr. Herzog explained that the consultants who are collecting data on the wetlands walk the site and manually measure how far the wetlands are from the railroad. Discussion continued regarding the maps and corresponding wetlands. Alison Holmes said that she would like more detail on the maps in the future. Antonios Rominiou asked the applicant how many “no spray zones” are located in Auburn along the railroad. The applicant stated that there are five “no spray zones” in Auburn. Michael Garland had a follow up question from the concerns mentioned by Alison Holmes. Michael Garland referenced Figure 240 on the maps which shows the presence of wetlands that are within ten feet of the right of way. He asked Steve Herzog if there are additional protection measures that could be taken to protect the wetlands that are close to the right of way. Steve Herzog said that they are only allowed to spray herbicide one-time per year in those areas according to the regulations. Michael Garland asked if there were any further questions from the public or Commission. There was no public comment. Alison Holmes asked if the Commission planned on visiting the right of way. Michael Garland asked Steve Herzog if the site was easily accessible. Mr. Herzog said a visit is not customary but he could set up a site visit with the appropriate representatives if that was the desire from the Commission. Michael Garland said that he thinks a site visit could be useful to verify the wetlands. Michael Garland asked the applicant if he had any objections to continuing the public hearing to allow the Commission to visit the site. Steve Herzog had no objections.

Carolyn Corriveau made a motion to continue the hearing to the next meeting in May, seconded by Michelle Culross. The vote was all in favor.

**5:15pm Applicant: VHB, Inc. on behalf of the Town of Auburn a Notice of Intent for the proposed roadway improvements on Auburn Street between Millbury Street and Walsh Avenue in Auburn Massachusetts. DEP # 098-0806**

Michelle Culross made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

Greg Russell and Dan Cannata from VHB were present for the hearing. Greg Russell gave an overview of the Auburn Street reconstruction project. The project is contained to Auburn Street between Millbury Street and

Walsh Ave. Auburn Street will be completely milled and overlaid. Additionally, streetscape improvements, ADA compliant sidewalks and crosswalks and pocket parks will be included as part of the project. The project is primarily funded through Mass DOT funds. They hope to start construction in the late fall of 2020 or spring of 2021. Dan Cannata, Environmental Scientist from VHB discussed the resource area boundaries primarily focusing on Dark Brook and Ramshorn Brook which run adjacent to the project limits. Mr. Cannata noted that no work will take place within the waterways. Additionally, the floodplain will not be impacted by the project. Erosion and sediment controls are proposed along the project limits to prevent any secondary impacts during construction. Michael Garland asked Mr. Cannata if there will be an increase in impervious surfaces as a result of this project. Mr. Cannata said there will be a net increase of approximately .13 acres of impervious area. Mr. Russell mentioned that the increase of impervious is primarily due to the reconstruction of the sidewalks and walkways in the park areas. Alison Holmes asked if there are any proposed improvements to the waterways within the project limits such as trash cleanup or vegetation management. Mr. Russell explained that they are replacing the existing guardrail near the brooks but there is no trash cleanup or vegetation management proposed along the brooks. Alison Holmes asked what type of erosion control is proposed for the project. Mr. Cannata said that they proposed using compost filter tubes as their control method. There were no additional questions from the public or Commission.

Michelle Culross made a motion to close the hearing, seconded by Antonios Rominiou. The vote was all in favor.

**5:20pm Applicant: Webster Five Cents Savings Bank for a Notice of Intent for the proposed 1270 sf addition to an existing building, modifications to the existing parking, drainage and landscaping** at 31 and 35 Millbury Street in Auburn Massachusetts. [DEP # 098-0807](#)

Thomas Fallon made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

Randy Miron with Bohler Engineering was present for the hearing. Mr. Miron discussed the proposed site plan for the new Webster Five Cents Savings Bank Headquarters. The site has a large wetland to the left of the building. As part of the project they plan to renovate the existing building and add a small addition to the south east corner of the building. There are proposed parking lot improvements as well. The proposed project decreases impervious areas by 65,000 square feet. As a result of the significant decrease in impervious area, the project will also decrease runoff rates. They are also adding deep sump catch basins to the property to catch additional runoff. Michael Garland expressed that he would like to visit the site prior to issuing any Notice of Intent. He asked Randy Miron if he had any opposition to continuing the hearing. Mr. Miron did not express any opposition. Alison Holmes asked if there was any discussion about removing the asphalt on the left hand side of the site closest to the wetlands. Mr. Miron said that in order to comply with parking requirements they need 181 spaces. If asphalt was removed from that location the applicants would not be able to fit all the necessary spaces. There were no additional comments from the public or Commission.

Carolyn Corriveau made a motion to continue the hearing to the next meeting in May, seconded by Thomas Fallon. The vote was all in favor.

**5:25 PM Applicant Scott Henderson, Request for Determination of Applicability, to construct a three car detached garage**, located at 7 Hilltop Farm Road in Auburn, MA Map 67 Parcel 45.  
(Cont. from 2/26/2020 & 3/11/2020)

Thomas Fallon made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

Michael Garland said that he had an opportunity to visit 7 Hilltop Farm Road. He explained that the proposed construction is well outside the 100 foot buffer zone. He asked if any of the members felt the need to visit the site. The Commission said they were comfortable with Michael Garland's observations and did not feel it was necessary to visit the site.

Michelle Culross made a motion to issue a negative determination of applicability, seconded Thomas Fallon. The vote was all in favor.

**5:30 PM Applicant Matt Hopkinson, Notice of Intent for the replacement of Bridge A-17-046** to accommodate a revised lane configuration of two 12ft lanes in the southbound direction and one 16ft lane in the northbound direction, located at the I-90 Interchange 10 Ramp in Auburn, MA 01501. [DEP # 098-0804](#) (Cont. from 01/08/20, 01/22/20, 02/12/2020, 2/26/2020 & 3/11/2020)

Michelle Culross made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

There was no applicant present for the hearing. Michael Garland said that on January 8<sup>th</sup> the project was presented to the Commission. Since that time there has been very little communication from Mass DOT. On March 30<sup>th</sup> the proposed project did receive a DEP number. The Department of Environmental Protection had numerous comments regarding the application. The applicants did provide comments back to DEP. Michael Garland expressed he would like the applicant present to review the recent changes to the project. Michael Garland and the Commission agreed to continue the hearing.

Carolyn Corriveau made a motion to continue the hearing to the next meeting in May, seconded by Alison Holmes. The vote was all in favor.

**5:35pm Applicant: EcoTec, Inc. on behalf of J-Jill Development a Notice of Intent for the construction of a Single Family dwelling, driveway, underground water and sewer lines at 58 Pakachoag Street in Auburn Massachusetts.** [DEP # 098-0805](#)

Thomas Fallon made a motion to open the hearing, seconded by Carolyn Corriveau. The vote was all in favor.

Arthur Allen from EcoTec was present for the hearing. Jay Gadoury from J-Jill Development was present as well. Mr. Allen stated that this project was approved back in 2015 under 56 Pakachoag Street Lot 2. Back in 2015 the applicants tore down an old barn and found an underground storage tank on the site. The site was remediated by DEP. Due to the remediation, the order of conditions expired before they could build the single family dwelling. The applicant asked EcoTec to re-file the project. The applicant is proposing to build the house outside the 50 foot buffer zone. Mr. Allen said that erosion control measures are already in place on the property. Michael Garland asked if there was any documentation from DEP stating that they were satisfied with the removal of the underground storage tank and that the site was remediated. Mr. Allen said that DEP issued closure documents and issued a permanent solution number of #1184564. Mr. Gadoury mentioned that DEP issued those documents in February 2020. Michael Garland informed the Commission that he visited the site and saw that erosion control measures were in place. Michael Garland asked if the commission would like to visit the site. Commission members expressed a desire to visit the site. Alison Holmes asked if there are currently wetland flags still on the site. Mr. Allen said there are no flags currently but he could reflag the site prior to the site visit. Michael Garland asked if the applicant was agreeable to continue the hearing until the next meeting in May to allow Commission members to visit the site. Mr. Gadoury agreed to continue the hearing. There were no additional comments from the public or Commission.

Carolyn Corriveau made a motion to continue the hearing to the next meeting in May, seconded by Alison Holmes. The vote was all in favor.

**Complaints:**

Michael Garland brought up the complaint the Commission received about **341/343 Leicester Street**. The complaint stated that there is a PVC pipe going down the hill at 341 Leicester Street and draining into the pond at 343 Leicester Street. The proposed site visit did not take place due to Covid-19 restrictions. Michael Garland said that the Commission should investigate the complaint and still make a site visit. Michael Garland said that due to Covid-19 restrictions the Commission should not visit the site in a group. He encouraged members to individually visit the site prior to the next meeting.

**Other Business:**

Michael Garland informed the Commission that there was a geotechnical investigation done on **Sword Street**. The Commission was supplied with a map that identified where the borings were done but no additional details were provided. Adam Menard, Town Planner, explained to the Commission that the borings were done as a result of a grant the Town received from the Municipal Vulnerability Preparedness Program. Part of the grant includes funding for a conceptual design to replace the culverts on Sword Street with a bridge. Additionally, part of the funding went towards delineating the wetlands in the area which was done recently. Mr. Menard said he hopes to receive a conceptual plan by June.

Michael Garland said he received a letter from Bill and Barbara Ela looking for guidance on how they can save trees from erosion at the shoreline of **278-280 Bryn Mawr Ave**. The pictures supplied by Bill and Barbara Ela showed trees in distress due to the deteriorating shoreline. Michael Garland stated that perhaps there are grants or DEP guidance that could help with this issue. Michael Garland said he would investigate possible solutions. Michelle Culross stated that the water was high recently so she is unsure when the pictures were taken. Michael Garland confirmed that there are no dates on the pictures so it might be useful to reach out to Bill and Barbara Ela to collect some more information.

**Issued Order of Conditions:**

**7 Hilltop Farm Road, Auburn MA:** Carolyn Corriveau made a motion to issue a negative determination to Scott Henderson to construct a three car detached garage, located at 7 Hilltop Farm Road in Auburn, MA Map 67 Parcel 45, seconded by Thomas Fallon. The vote was all in favor.

**Auburn Street between Millbury Street and Walsh Avenue in Auburn MA:** Thomas Fallon made a motion to issue a Standard Order of Conditions with special conditions 1, 2, 3, 5, 7, 8, 9, 10 & 13. The motion was seconded by Carolyn Corriveau. The vote was all in favor.

Darlene Coyle, DDIS Director, informed the Commission that once the documents are prepared for both 7 Hilltop Farm Road and Auburn Street she will notify the members. Commission members can come to the Town Offices one at a time and sign the orders.

Carolyn Corriveau expressed her thanks to the Chair, Commission Members and Town Staff for conducting such a great virtual meeting.

The Commission discussed the next meeting date. The Commission will hold a virtual meeting on **May 13<sup>th</sup> at 7:00pm**.

**6:40 PM Thomas Fallon motioned to adjourn**, seconded by Carolyn Corriveau. The vote was all in favor.

Respectfully submitted,  
Shannon Regan

**APPROVED ON 06/24/20**