

Town of Auburn, Massachusetts

Minutes of the Meeting

Conservation Commission

Virtual Meeting

Wednesday May 13, 2020

In attendance: Michael Garland- Chairman, Thomas Fallon- Vice Chair, Carolyn Corriveau, Alison Holmes and Antonios Rominiou

Absent: Nathan Rand and Michelle Culross

Also Present: Caleb Moody- Building Commissioner, Darlene Doyle- DDIS Director.

7:00PM called meeting to order. This meeting was conducted by utilizing the Gotomeeting platform due to COVID-19 restrictions. The meeting was also recorded and can be watched on the town's website.

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](#)

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

Justin Stelmok from JW Land and Development was present for the hearing. Michael Garland and Thomas Fallon were able to visit the site. Mr. Garland said the erosion control measures were installed properly and the work being done by the applicant was permissible based on the plans and submission to the Conservation Commission. Carolyn Corriveau stated she was able to visit the site as well and agreed with the Chair's observations. Carolyn Corriveau mentioned that she identified water on the right side of Whitman Bailey Drive near the culvert. Michael Garland said the culvert was part of the original submission. Mr. Garland also stated that he noticed debris on either side of Whitman Bailey Drive near the culvert and wetland areas. He would like the applicant to clean up the area and continue to keep the area free of debris. Alison Holmes asked if the clearing that took place within the 25ft buffer was already approved previously. Michael Garland said the work that is currently underway is outside of the 25ft buffer zone. Alison Holmes responded and said she thinks the clearing might have gone into the buffer zone. Mr. Garland stated that the Commission can put a condition for the applicant to restore any areas that were impacted within the buffer zone. Michael Garland asked the applicant, Justin Stelmok, if he was aware of any clearing within the 25ft no build zone. Mr. Stelmok said that there was no work done within the 25ft no build zone. All the clearing of the entire parcel was done under the original approved order. Since the initial clearing that took place in 2014/2015 there has been no additional tree clearing on the site. Mr. Garland asked Mr. Stelmok what certificates of compliance will still be needed after 1 & 3 Whitman Bailey Drive is built out. Mr. Stelmok said they will need to close out 1 & 3 Whitman Bailey Drive and once landscaping is complete they will need to close out 30 & 32 Whitman Bailey Drive. Mr. Garland asked the applicant if the project will be completed once the landscaping is finished at 30 & 32 Whitman Bailey Drive and construction is completed at 1 & 3 Whitman Bailey Drive. Mr. Stelmok said that is correct. Mr. Stelmok said his goal is to have everything wrapped up by the fall of 2020. There was no public comment.

Carolyn Corriveau made a motion to close the hearing for 1 & 3 Whitman Bailey Drive, seconded by Antonios Rominiou. 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.

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

Steve Herzog from Wood Environment was present for the hearing. Michael Garland said there was some discussion regarding the wetlands at the last meeting. Carolyn Corriveau stated that at the last meeting there were also questions regarding the no spray zones. The applicant, Steve Herzog explained that there are zones in Auburn where the company sprays herbicide. The sprayings take place every year. On the plans that were submitted, the no spray zones are identified. Alison Holmes said she visited the site and explored as much as she could. She said she has concerns regarding the map that was submitted because it does not provide much detail about the wetlands. Alison Holmes said she would also prefer to see larger buffer zones around the wetland areas due to the use of herbicides. Steve Herzog said that he understands the concerns. Mr. Herzog also stated that the updated plan includes more information than the plan that was approved five years ago by the Conservation Commission. A handheld GPS was utilized to identify the no spray zones in addition to information collected from MA GIS and DEP. In response to the preference for larger buffer zones, Mr. Herzog said that the buffer zones are in compliance based on the regulations CSX Transportation must follow for herbicide spraying. Michael Garland asked the applicant when the field measurements were taken for the wetlands along the railroad track. Steve Herzog said that the measurements were taken last fall. Michael Garland asked the applicant how the information and measurements from the field gets translated on to the maps. Mr. Herzog said the company utilizes a handheld GPS to track the areas, which are then translated on to the maps. Alison Holmes asked if the person identifying the wetlands walks the site or uses a vehicle. Steve Herzog said that the consultants walk the site and use a vehicle when identifying the wetlands. Discussion continued regarding how the consultants identify the wetlands. There was no further comments from the Commission and their questions were answered. There was no public comment.

Carolyn Corriveau made a motion to close the hearing, seconded by Alison Holmes. 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](#)

Antonios Rominiou made a motion to open, seconded by Carolyn Corriveau. The vote was all in favor.

Randy Miron from Bohler Engineering was present for the hearing. Michael Garland and Thomas Fallon were able to visit the property. Randy Miron explained that Webster Five is proposing to remove the existing overflow parking area to the right of the property because the bank does not need any more additional parking spots for their operation. They are proposing to convert the existing overflow parking lot into greenspace. The project will reduce impervious area and incorporate more landscaping to the site. Antonios Rominiou stated he was able to visit the site as well. Mr. Rominiou asked if the conversion of the existing overflow parking lot to greenspace would impact the trees behind the lot. Mr. Miron said there is no proposed work outside the existing parking lot. Carolyn Corriveau asked the applicant where the proposed addition is

located. The applicant stated that the proposed addition is to the front right side of the property. The Commission had no additional comments. There was no public comment.

Thomas Fallon made a motion to close the hearing, seconded by Alison Holmes. 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](#)

Thomas Fallon made a motion to open, seconded by Antonios Rominiou. The vote was all in favor.

Paul Smith from WSP Engineering and David Goldstein from MASSDOT were present for the hearing. Michael Garland stated that the Commission would like an opportunity to walk the site. Mr. Garland also mentioned the Commission could possibly use a drone to view the wetland areas since the site is difficult to access. Paul Smith said that a person physically walked the site to identify the wetlands and mentioned that the site is currently built up and has been in its current state for a long time. Paul Smith asked the Commission if there was a specific concern regarding the site. No members cited any specific concerns, but Michael Garland said he would like to walk the site to analyze the possible wetland impacts. Michael Garland asked the applicants if they had any objections with continuing the hearing. Paul Smith said that they are under a deadline and are at risk of losing funding for the project. David Goldstein asked if photos of the areas in question would be sufficient for the Commission, rather than a site walk. Michael Garland asked if the applicants already have pictures of the wetlands on site. Paul Smith said he will look to see if he has any pictures of the site. Alison Holmes asked if there are proposed replication areas. Paul Smith said that the project has three replication areas. Michael Garland asked when work is expected to begin on the site. David Goldstein said that ideally work would begin in the spring but the project may be delayed if they cannot secure all the necessary approvals in a timely manner. Additional continuations may hinder their ability to secure funding for the project. David Goldstein said that he would like to see this approval process move as quickly as possible. Due to unforeseen circumstances the hearings were delayed. Michael Garland expressed that this hearing was the first time since January that the Commission was able to review the project with the applicants due to external delays. Michael Garland also said he was willing to ask the Commission if they would consider closing the hearing rather than continuing the hearing until the next meeting. Alison Holmes mentioned that the site can be seen pretty clearly utilizing Google Maps. Alison Holmes shared her screen which allowed the Commission to view the site on Google Maps. Paul Smith reviewed the wetlands and drainage outlets on the site utilizing Google Maps. He said there are two wetlands that will be disturbed. Paul Smith also explained how the site will be reconfigured. Michael Garland expressed that he was satisfied with the Google Map images and in his opinion, a site walk would no longer be necessary. The Commission agreed.

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

5:40pm 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](#)

Carolyn Corriveau made a motion to open, seconded by Antonios Rominiou. The vote was all in favor.

Arthur Allen from EcoTec was present for the hearing. Michael Garland said he visited the site and did not see any issues. Alison Holmes asked if there was a site plan that identified the wetlands. Mr. Allen said that a site plan was supplied that delineated the wetlands on the site. Carolyn Corriveau asked about the entrances to

the site. Arthur Allen said that there will be a gravel driveway to the single family dwelling. Mr. Allen continued to review the site plan. Alison Holmes asked when the wetlands were delineated. Mr. Allen said that the wetlands were originally delineated in 2015 and again in 2020. There were no other comments.

Thomas Fallon made a motion to close, seconded by Antonios Rominiou. The vote was all in favor.

5:50PM Applicant: Christopher Halliday Request for Determination of Applicability for reconstruction of a deck and construction of a shed at 235 Leicester Street Auburn, MA 0 Map 39 Parcel 9.

Carolyn Corriveau made a motion to open, seconded by Antonios Rominiou. The vote was all in favor.

Christopher Halliday was present for the hearing. Michael Garland said that he was able to visit the site and that the proposed construction of the deck and shed is outside of the Commission's jurisdiction. Carolyn Corriveau also visited the site and agreed with Mr. Garland's observations. There were no further comments.

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

Issued Order of Conditions:

JW Land & Development LLC , 1&3 Whitman Bailey Drive: Thomas Fallon made a motion to issue a Standard Order of Conditions with special conditions 1, 2, 3, 5, 8, 9, 11 & 13. The motion was seconded by Alison Holmes. The vote was all in favor.

Wood Environment and Infrastructure Solutions, Inc. on behalf of CSX Transportation, Inc.: Carolyn Corriveau made a motion to issue a negative determination, seconded by Thomas Fallon. The vote was all in favor.

Webster Five Cents Savings Bank , 31 & 35 Millbury Street: Thomas Fallon made a motion to issue a Standard Order of Conditions with special conditions 1, 2, 3, 5, 8, 9, 11 & 13. The motion was seconded by Carolyn Corriveau. The vote was all in favor.

Matt Hopkinson, Notice of Intent for the replacement of Bridge A-17-046: Thomas Fallon made a motion to issue a Standard Order of Conditions with special conditions 1, 2, 3, 4, 5, 6, 8, 11, 12 & 13. The motion was seconded by Carolyn Corriveau. The vote was all in favor.

EcoTec, Inc. on behalf of J-Jill Development, 58 Pakachoag Street: Thomas Fallon made a motion to issue a Standard Order of Conditions with special conditions 1, 2, 3, 5, 8, 9, 11 & 13. The motion was seconded by Antonios Rominiou. The vote was all in favor.

Christopher Halliday, 235 Leicester Street: Alison Holmes made a motion to issue a negative determination of applicability for reconstruction of a deck and construction of a shed at 235 Leicester Street Auburn, MA. The motion was seconded by Carolyn Corriveau. The vote was all in favor.

Complaints:

Complaint about a PVC pipe noticed coming from the slope of 341 Leicester St and going into the pond located on **343 Leicester St.**

This complaint will be discussed at the next meeting in May to give the Commission the opportunity to visit

the site.

Other Business

1. **278-280 Bryn Mawr Ave** Bill and Barbara Ela looking for guidance on how they can save trees from erosion at shoreline.

Michael Garland suggested that the Commission should visit the site. The Commission agreed.

2. **Deborah Nurse of 17 Goddard Dr.** "I'm writing because I am experiencing extensive runoff into my back yard. This has caused damage to my plantings (several large trees and two raised beds) and pools of water extending the length of my property line. Part of my property line is shared with Grace Cutting Park."

Michael Garland suggested that the Commission should visit the site. The Commission agreed.

3. procedure recommended for municipal boards and committees that wish to execute documents in accordance with Massachusetts General Laws chapter 110G (Uniform Electronic Transaction Act) which documents are then to be recorded at the registry of deeds

Caleb Moody, Building Commissioner said that the Commission could send a picture of their signature to the Department of Development and Inspectional Services if they would like to sign the orders virtually. Members of the Commission can also go to the Town Manager's Office to physically sign the orders. Members stated that they are comfortable with utilizing electronic signatures.

Alison Holmes made a motion to permit electronic signatures in accordance with Massachusetts General Law Chapter 110G Section 7 & 9, seconded by Carolyn Corriveau. The vote was all in favor.

The Commission discussed the next meeting date. The Commission will hold a virtual meeting on **May 27th at 7:00pm.**

8:20 PM Thomas Fallon motioned to adjourn, seconded by Antonios Rominiou. The vote was all in favor.

Respectfully submitted,
Shannon Regan

APPROVED ON 06/24/20