

DEC 0 2004

BOARD OF APPEALS

**CONSERVATION COMMISSION**

Town of Hopkinton, Massachusetts 01748

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www.hopkinton.org/town/government/departments/conservation/index.htm

29 November 2004

Mr. John Regan, Solid Waste Section Chief
DEP Central Region
627 Main Street
Worcester, MA 01608

Re: CERO-SWM, Old Westborough Landfill, Post-Closure Use, Determination of Technical
Completeness, BWP SW 37, Transmittal No. W056285
Amended Comments

Dear Mr. Regan:

On behalf of the Hopkinton Conservation Commission I am offering the following **amended** comments on the Provisional Permit issued for the above-referenced project. The post-closure use of the landfill will require the filing of a Notice of Intent under both the Massachusetts Wetlands Protection Act (Mass. G.L. Ch. 131, s. 40) and the Town of Hopkinton Wetlands Protection Bylaw (Chapter 206) only if any of the proposed work falls within 100 feet of an adjacent bordering vegetated wetland or other wetland resource area. The current site plan ("Site Development Plan for Post Closure Use Application, Old Westborough Sanitary Landfill" prepared for E.L. Harvey, Inc. by Brown and Caldwell and dated 1 September 2004) indicates that work is intended to be outside of the 100-foot buffer zone of any Hopkinton wetlands. If all work and all proposed erosion control is outside of the 100-foot buffer zone, no filing will be necessary under either the Act or the Bylaw.

If you have any questions regarding these amended comments, please do not hesitate to contact me at the Conservation Office.

Sincerely,
Ellen M. Chagnon, M.S.
Conservation Scientist

for the Hopkinton Conservation Commission

cc: Hopkinton Board of Health
Hopkinton Board of Appeals
Elizabeth Sorenson, DCR, ACEC Program
Gerry Cushing, Brown & Caldwell
John Craycroft, Cedar Swamp Conservation Trust