



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

TOWN HALL
18 MAIN STREET
HOPKINTON, MASS. 01748
(508) 497-9755

February 27, 2004

Wayne Davies, Chairman
Zoning Board of Appeals
18 Main St.
Hopkinton, MA 01748

Re: **Stagecoach Heights Comprehensive Permit Application**

Dear Mr. Davies:

The Planning Board has reviewed revised plans dated through February 6, 2004, relative to the comprehensive permit application submitted by Stagecoach Heights LLC for 44 multi-family units on Wood St. The Board has the following comments and recommendations:

1. In its letter dated January 28, 2004, the Planning Board expressed concern relative to the design of the long straight section of roadway through the project. The plan has been revised to address these concerns, and its design has been improved.
2. The Board notes that there are still very significant cuts and fills proposed for the roadway, which exceed the maximum cut or fill allowed in the Subdivision Rules and Regulations (8 feet). The Board continues to recommend that extensive cuts and fills be avoided, because of the modification to drainage patterns, the increased risk of erosion and sedimentation, and the general disturbance to natural terrain. If the Board of Appeals does allow larger cuts and fills, the Planning Board recommends that these areas be closely monitored during construction by an inspector working on behalf of the Town, so that any problems can be quickly and effectively addressed.
3. The Board continues to feel that the proposed development is too dense of this site, given the amount of site disturbance required to accommodate it.
4. The Board has noted that the applicant is requesting a waiver of an evaluation of compliance with the 2001 Open Space and Recreation Plan (OSRP). The applicant requests a waiver because the Town has not approached them to purchase the land. The purpose of the OSRP is more than just to identify parcels the Town is interested in purchasing for open space purposes, and inclusion in the inventory does not mean that the Town will approach every land owner for outright purchase. Parcels (or portions of parcels) selected are important to

the Town for open space, recreation, or water supply protection purposes, and purchase by the Town is not the only way to protect the important values identified on a parcel. One of the purposes of the list is so that when development of a parcel is proposed, the Town can look at the resources or values on the parcel and negotiate with the applicant for their preservation within the development plan. The Board recommends that the Board of Appeals not grant the waiver at this time, and require the applicant to conduct an evaluation of the resources listed on this property within the OSRP and indicate whether or not they will be preserved within the development plan.

5. The applicant is requesting a waiver of the entire Earth Removal Bylaw. In general, an earth removal permit is not required for residential and commercial construction projects. However, the Bylaw contains several General Requirements (Sec. 96-3) which must be met by all, whether an earth removal permit is required or not. Attached is the full list of the requirements. The Board recommends that items A, C, H, and I be waived and that items B, D, E, F, and G not be waived if a comprehensive permit is granted.

In its January 28, 2004 letter to the Board of Appeals, item #8 included a recommended condition of approval relative to the stockpiling of earth on the property. The Board's recommendation remains unchanged in that regard.

6. The Planning Board recommends that the evergreen species proposed to be planted on the three foot tall berm along Rt. 495 be varied. Currently, the plan shows only Jack Pines. The Planning Board and Tree Warden's policy has been to vary species, which prevents a disease or insects from killing all of the plant materials in an area. Please refer to the Board's adopted Street Tree Policy, at www.hopkinton.org.
7. The Board has reviewed the unit lighting detail on the plan, and believes that the number of floodlights proposed on the units are excessive. The Board recommends that light only be directed where needed for safety and security and that additional thought be put into the lighting plan.
8. The Board recommends that a fund be established by the developer which could be used by the condominium association in the future to erect a sound barrier along Rt. 495, if desired. The Board has noted that such barriers appear to be increasingly erected along highways at residential neighborhoods, and the barriers are sometimes constructed at State or possibly municipal expense. The Board feels that some means should be available to the association to erect such a barrier in the future if it decides to do so, at no cost to the Town or State.
9. The Board recommends that if approved, the applicant should provide a schedule for construction to the Town prior to the commencement of construction.

Thank you for the opportunity to review and comment on the revised plans. Please contact the Board or Elaine Lazarus, Planning Director, if you have any questions or need additional information.

Sincerely,

John H. Coolidge
Chairman

Cc: Stagecoach Heights, LLC

§ 96-3. General Requirements

The following requirements shall apply to all earth removal activities, whether or not a permit is required. The Board shall have the authority to waive any of the requirements listed below, on a case-by-case basis.

- A. Grades at the conclusion of the earth removal operation shall not be in excess of one foot in vertical rise for every 3 feet of horizontal distance (3:1). Grades in excess of 3:1 may be allowed only with a waiver from the Board. When reviewing waiver requests, the Board will consider the final appearance of the lot and surrounding areas with the intent that a natural appearance, natural drainage patterns and sufficient erosion control will be maintained or established.
- B. Proper and reasonable surface drainage of the land affected by earth removal operations shall be assured during and after the removal operations. The applicant shall provide assurance that earth is kept out of streams and drainageways, and that accumulated earth shall be removed at periodic intervals during and upon the conclusion of the earth removal operation. If the erosion control system includes any structural devices, these structural devices shall be in place and stabilized before excavation can begin in the affected area. All structures shall be inspected and maintained by the owner in accordance with the approved plan and the capacity of the structural device.
- C. At the conclusion of the earth removal operation, or of such portion thereof as the Board deems appropriate, the whole area where removal has taken place shall be covered with not less than 8 inches of loam and seeded with a suitable cover crop, except where ledge rock is exposed, and all large stones and boulders which protrude above the finished grade shall be removed or buried. Alternatives to this method of restoration shall be subject to the prior approval of the Board.
- D. In no event shall any loam be stripped and/or removed from any land in an amount which exceeds the 8 inches of loam required by Subsection. C of this chapter.
- E. The depth of excavation for any earth removal operation shall not be closer than seven feet above the spring high water table, as determined by observation of soil profiles or test wells.
- F. All earth that is stripped and piled, and that will be left exposed for a period of greater than 60 days, within 200 feet of a wetland, stream, river or other body of water, shall be stabilized. Such stabilization may consist of temporary seeding, anchored mulch or other method approved by the Board or its Agent.
- G. Provisions for dust control shall be provided for any earth removal operation.
- H. A buffer strip of undisturbed land not less than 100 feet wide shall be maintained at all boundaries of the lot, including at all street lines, on which an earth removal operation occurs. In the event that an earth removal permit is issued for adjoining lots under the same

ownership, the Board may waive the buffer strip requirement in such locations as it deems appropriate.

- I. No earth removal permit shall be issued for a period in excess of 24 months. The duration of the permit, including dates of commencement and termination, shall be set forth on the permit.