

**MINUTES- 06 March 2006
Hopkinton Town Hall, Room 216**

**Called to Order: 7:30 PM
Adjourned: 9:45 PM**

Members Present: Robert Murphy, David Teitelman, Jack Speranza, Steven Radel, Jeffrey Barnes, Michael Carmody, Craig Nation, Ellen Chagnon: Conservation Scientist, Don MacAdam: Conservation Administrator

7:30 PM Commission Business

- Mr. Murphy welcomed Mr. Carmody and Mr. Nation to the Commission as new members.
- The Commission signed the following documents:
 - Four Zero One R.T., 17 Oak St. – 2nd Extension Permit (188-1187)
 - Blanchard, 276 Pond St. – negative Determination of Applicability (RDA 2006-4)
- Mr. Barnes made a motion to approve the minutes of 21 February 2006. The motion was seconded by Mr. Speranza and it was passed by everyone except Mr. Carmody, Mr. Nation and Mr. Teitelman who abstained.
- Mr. Barnes made a motion to approve the minutes of 30 August 2004. The motion was seconded by Mr. Teitelman and it was passed by everyone except Mr. Carmody and Mr. Nation who abstained.

7:45 PM Town Of Hopkinton DPW, Town-wide Gravel Roads Request for Determination of Applicability RDA 2006-5

J.T. Gaucher and Mike Mansir, Town of Hopkinton DPW

Mr. Mansir stated that the Hopkinton Department of Public Works (DPW) is seeking a negative Determination of Applicability to perform maintenance work on existing gravel roads, similar to the previous Determinations for maintenance of paved roadways and drainage structures. Ms. Chagnon stated that conditions similar to the Determination on Piazza Lane can be included in the Determination. A discussion was held regarding the assessment of consultant fees for future consultant review. The Commission determined that they will leave the issue of assessing consultant fees for future reviews under the Determination open.

A discussion was held regarding the type of gravel used for maintenance. Mr. Gaucher stated that the DPW utilizes gravel that meets state specifications, which is a processed gravel with a maximum size of $\frac{3}{4}$ to 1 $\frac{1}{2}$ inches. Mr. Gaucher stated that he will forward a copy of the specifications to the Commission. Mr. Mansir stated that the DPW usually puts the gravel in place with a loader and spreads the gravel with a grader. Ms. Chagnon stated that erosion controls can be utilized as need and determined at a pre-construction meeting that will be held before work is done on each road.

Mr. Carmody made a motion to close the hearing and issue a negative Determination of Applicability with the standard and above-noted special conditions. The motion was seconded by Mr. Radel and it passed unanimously.

8:15 PM Town of Hopkinton DPW
(8:00 PM) Informal

J.T. Gaucher and Mike Mansir, Town of Hopkinton DPW

A discussion was held regarding wetland filling that has occurred at the town snow dump. Ms. Chagnon stated that the wetland filling has occurred over a long period of time and results from the road sand that is included in the snow that is deposited on the site. Mr. Gaucher stated that The Jillson Company has completed a plan showing the current slope conditions, which can be compared to the plan of the area that was prepared for Capital Group Properties last year. The Commission determined that Mr. Gaucher and Ms. Chagnon will meet to review the information at a later date.

A discussion was held regarding an erosion gully on the town-owned Fruit Street property. Mr. Gaucher stated that he will review options to alleviate the erosion problem and coordinate with the Commission regarding the permitting of any proposed remediation.

8:10 PM Commission Business

- A discussion was held regarding the appeal of the Order of Conditions by Christiana and Philip Trudeau, 16 Falcon Ridge Drive (DEP File No. 188-1311) to Middlesex Superior Court. Mr. Speranza made a motion to submit a request to the Board of Selectmen to retain Attorney George Hall as legal counsel to respond to the appeal. The motion was seconded by Mr. Radel and it passed unanimously.
- A discussion was held regarding the Appropriation Committee's recommended FY 2007 budget for the Commission. Mr. Murphy stated that he will draft a response to the Appropriation Committee for the Commission's review and signature.

8:30 PM Klay, 26 Twin Island Road
Informal

David Klay, owner

Mr. Klay submitted a letter dated 06 March 2006 that identified his rationale for removing a tree growing adjacent to his storage shed. Mr. Klay stated that the tree is growing on the bank of Lake Maspenock. Mr. Klay stated that he believes the roots of the tree may damage the foundation of the storage shed. Mr. Speranza asked what the environmental concerns are. Ms. Chagnon stated that relative concerns are bank stabilization, wildlife values, and lack of shading to the lake. A discussion was held regarding the existing foundation of the shed. Mr. Klay stated that he intends to do maintenance work on the existing windows and doors of the shed. Mr. Speranza stated that Mr. Klay may need to retain an expert to provide a scientific rationale that identifies how the removal of the tree will not have a negative affect to the interests of the Wetlands Protection Act and the Hopkinton Wetlands Protection Bylaw. Mr. Barnes stated that Mr. Klay should try to document clearly any current damage to the existing shed foundation from the tree.

Chuck Scott, CFS Engineering; Martin Loiselle Jr., Capital Group Properties

Mr. Scott presented an amended proposed plan for Deerfield Estates, Phase IV that includes the addition of one housing unit. Mr. Scott stated that there is no major impact proposed to the resource areas or the buffer zone. Mr. Scott stated submitted revised stormwater calculations that he stated meet the requirements under DEP stormwater regulations and the Bylaw and that the detention basin configuration will remain the same as that approved under the last project change.

Ms. Chagnon stated that the plans have been submitted to the Planning Board (PB) and will be reviewed by the PB's engineering consultant. Ms. Chagnon recommended that the Commission wait until the PB's consultant has finished their review. Ms. Chagnon stated that the Commission may wish to convey any favorable inclination to approve the proposed work as an insignificant project change subject to the favorable review from the PB's consulting engineer.

A discussion was held regarding the foundation drains that were shown on the most recent plan. Ms. Chagnon stated that the housing units' foundation drains discharge to the stormwater basins and may affect the groundwater recharge of the site. Ms. Chagnon recommended that Provencher Engineering review the effect of the foundation drains on the groundwater recharge calculations for the site. Mr. Scott stated that he will contact Provencher Engineering to review the matter and provide an opinion to the Commission.

Mr. Murphy stated that the Commission will likely handle the proposal as an insignificant project change following input for the PB's consulting engineer.

9:30 PM Commission Business

- Ms. Chagnon stated that she observed a shed and a gazebo during a Certificate of Compliance site inspection at 7 Lyford Road, (DEP File No. 188-757) that was not identified on the as-built plan. The Commission determined that an after-the-fact permit is not required for the deck, shed and gazebo but that a revised as-built plan identifying all existing structures must be submitted as part of the Certificate of Compliance application.
- A discussion was held regarding how other town boards and Commissions post minutes on the town's website. The Commission determined that approved minutes shall be sent to the webmaster as PDF documents for posting on the website.
- Mr. Barnes provided an update of the Zoning Advisory Committee activities. He stated that ZAC has approved the Zone I and Zone II water supply protection maps for the town and that the Commission should review these.
- Mr. Speranza made a motion to nominate Mr. Carmody to serve as the Commission's representative on the Open Space Committee. The motion was seconded by Mr. Radel and it was passed by everyone except Mr. Carmody who abstained.

Minutes Approved: 20 March 2006