

MINUTES- 24 April 2006
Hopkinton Town Hall, Senior Center

Called to Order: 7:30 PM
Adjourned: 9:15 PM

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

Member Absent: Michael Carmody

7:30 PM Commission Business

- Mr. Peter & Ms. Karen McDermott, 17 Oakhurst Road, presented proposed plans and a letter requesting a minor project change under their existing Order of Conditions (DEP File No. 188-1267). Mr. McDermott stated they wish to remove existing refuse from the property; relocate the approved retaining wall, install two additional retaining walls (one of which is proposed to go beyond the existing limit of work), install a permeable brick patio, remove dead trees, and prune dead branches. Mr. Barnes made a motion to approve the proposed changes as identified in the letter dated 20 April 2006 and on the plans titled "Attachment A" and "Attachment B" as an insignificant project change. The motion was seconded by Mr. Teitelman and it passed unanimously.
- The Commission signed the following documents:
 - Hopkinton DPW, town gravel roads – Corrected negative Determination of Applicability (RDA 2006-5)
 - Kotob, 73 Clinton St (formerly Lot 2, 71 Clinton St) – Certificate of Compliance (188-1268)
 - Tarca, 20 Wedgewood Dr – Order of Conditions (188-1344)
 - Basoli, 53 Granite St – Certificate of Compliance (ERO).
- Mr. Speranza made a motion to approve the Request for Payment dated 24 April 2006. The motion was seconded by Mr. Teitelman and it passed unanimously.

7:45 PM NSTAR, South Mill Street
Abbreviated Notice of Resource Area Delineation

DEP File No. 188-1340

Stacy Minihane, John Thomas, Beals & Thomas, Inc.

Ms. Minihane presented revised resource area site plans. Ms. Chagnon stated that she has reviewed the delineation in the field and is in agreement with the flagging but that she has not reviewed the revised plans. Ms. Minihane stated that the current site plans do not conform to the required color scheme under the Bylaw. Ms. Chagnon stated that amended plans with the correct color scheme and a more discernable vernal pool identification must be submitted. Mr. Speranza

made a motion to close the hearing and issue an Order of Resource Area Delineation subject to further review of the plans by the Conservation Scientist and the submittal of amended plans subject to the approval by the Conservation Scientist. The motion was seconded by Mr. Barnes and it was passed by everyone except Mr. Nation who abstained.

7:55 PM Commission Business

- Mr. Barnes made a motion to cancel the meeting scheduled for 15 May 2006. The motion was seconded by Mr. Teitelman and it passed unanimously.
- Mr. Barnes made a motion to approve the minutes of 03 April 2006. The motion was seconded by Mr. Speranza and it was passed by everyone except Mr. Radel who abstained.
- Mr. Speranza stated that he plans to attend the Board of Selectmen Quarterly meeting on behalf of the Commission.
- A discussion was held regarding the Request for Determination of Applicability filing submitted for the installation of an in-ground pool at 7 North Mill Street. The Commission determined that the pool will be installed greater than 50 feet away from the bordering vegetated wetland on the property and is eligible for a minor project exemption.

**8:00 PM Beck, 201 Spring Street RDA 2006-11
Request for Determination of Applicability**

Steven Beck, applicant/owner

Mr. Beck presented proposed plans to expand and pave the existing driveway and to pave an existing crushed stone walkway. Mr. Beck stated that he was not sure if the walkway will require any excavation prior to installation of the asphalt. The Commission determined that an erosion control barrier (consisting of either hay bales or silt fence) will be required if excavation is required. Mr. Radel made a motion to close the hearing and issue a negative Determination of Applicability with the standard conditions. The motion was seconded by Mr. Barnes and it passed unanimously.

**8:15 PM MA Laborer's Training Center, 37 East Street DEP File No. 188-1342
Notice of Intent- continuation**

Mark Houle, Connorstone Engineering, Inc.

Mr. Houle presented proposed plans for the installation of an irrigation line within the 200-foot Riverfront buffer zone of Cold Spring Brook and along the existing culvert crossing of the brook. Mr. Houle stated that a portion of the irrigation line will be trenched to a depth of five feet and the extension lines will be installed at a shallower depth by a ditch-witch machine. Ms. Chagnon reviewed a memo dated 11 May 2001 from Connorstone Engineering regarding previous Orders of Conditions issued to the applicant. The applicant has only submitted one incomplete Request for Certificate of Compliance application to date. Mr. Murphy stated that the applicant must submit completed Request for Certificate of Compliance applications for all the expired Orders of Conditions before the current hearing is continued. Mr. Houle will contact Ms. Chagnon to set up a time for a site inspection. The hearing was continued to 05 June 2006 at 8:15 PM.

**8:30 PM Capital Group Properties, 124 Lumber Street
Violation Hearing**

DEP File No. 188-1295

Michael Cremin, Capital Group Properties

Mr. Cremin presented a site plan identifying the approved location of the driveway and the current location of the existing gravel driveway on lot 4. Mr. Cremin stated that the existing gravel driveway was not installed in the approved location and was installed beyond the approved limit of work and within a portion of the bordering vegetated wetland (BVW). Mr. Cremin stated that the fill involved 450 square feet of BVW. Mr. Cremin stated that a survey error resulted in the incorrect alignment for the driveway. Mr. MacAdam stated that the existing gravel driveway is stabilized by the existing erosion control barrier. Mr. MacAdam stated that the installation of the correctly-surveyed erosion control barrier will then surround the portion of the gravel driveway that is in violation of the Order of Conditions. Ms. Chagnon stated that the Commission can issue an Enforcement Order requiring the submittal of a wetland restoration plan from a wetland scientist, which then can be followed by an Enforcement and Restoration Order to condition the restoration work. Mr. Radel made a motion to issue an Enforcement Order requiring the submittal of a wetland restoration plan by a wetland scientist. The motion was seconded by Mr. Teitelman and it passed unanimously.

8:40 PM Commission Business

- Mr. Speranza made a motion to approve the proposed relocation of the well for Kunst, 214 Winter Street (DEP File No. 188-1298), as identified in the letter dated 24 April 2006 and on the sketch plan submitted on 24 April 2006, as an insignificant project change with a condition in the approval letter requiring that a sump and erosion control barrier be installed around the well site. The motion was seconded by Mr. Barnes and it passed unanimously.
- The Commission determined that letters requiring the submittal of a Request for Certificate of Compliance application for Orders of Conditions that have expired prior to January 2006 shall be mailed out as office work-flow allows.

**8:45 PM Collins, 108 Hayward Street
Request for Determination of Applicability**

RDA 2006-12

Janet Heyde, Architect

Ms. Heyde presented proposed plans to install a new deck within a previously disturbed area. Ms. Heyde stated that the holes for the sono tubes shall be dug by hand. Mr. Speranza made a motion to close the hearing and issue a negative Determination of Applicability with the standard conditions. The motion was seconded by Mr. Radel and it passed unanimously.

8:55 Commission Business

- A discussion was held regarding the Notice of Intent continuation hearing for Hannaco, 0 North Street (DEP File No. 188-1330). The Commission determined that audience members who submitted an attendance sheet shall be contacted prior to the new hearing.
- A discussion was held regarding the Abbreviated Notice of Resource Area Delineation continuation hearing for the Town of Hopkinton, Fruit Street (DEP File No. 188-1314). The

Commission determined that no attendance sheet for audience members from the previous hearing was submitted and the hearing shall be continued without further notification procedures.

- A discussion was held regarding an e-mail message the Commission received on 10 April 2006 from Brian Morrison, Piazza Lane, regarding a potential buffer zone violation on Piazza Lane. Mr. MacAdam stated that he performed a site inspection and observed roadway degradation in the area of the water bar, as reported in Mr. Morrison's e-mail, but that he also observed roadway degradation in the areas where the previous pot-holes were filled when he last inspected the area during a DEP site review on 09 March 2006. Mr. MacAdam stated that the Commission determined under the Request for Determination of Applicability (RDA 2005-26) review that the gravel roadway is expected to degrade and erode over time from vehicular traffic and stormwater runoff. The Commission required Mr. MacAdam to document his site inspection in a memo to the RDA 2005-26 file.
- A discussion was held regarding how to increase the Commission Members' knowledge of the Conflict of Interest Law, possibly creating some guidelines for Commission Members' conduct under the law and the creation of an annual review program.

Minutes Approved: 08 May 2006