

**MINUTES- 08 May 2006**  
**Hopkinton Town Hall, Room 216**

**Called to Order: 7:30 PM**  
**Adjourned: 9:10 PM**

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

**7:30 PM          Commission Business**

- The Commission signed the following documents:
  - Schofield, 2 Whalen Rd. – negative Determination of Applicability (RDA 2006-08)
  - Beck, 201 Spring St. – negative Determination of Applicability (RDA 2006-11)
  - Collins, 108 Hayward St – negative Determination of Applicability (RDA 2006-12)
  - NSTAR, 0 South Mill St. – Order of Resource Area Delineation (188-1340)
  - Cedar R.T., 11 Cedar St. Ext. – Certificate of Compliance (188-1256)
  - Cedar R.T., 13 Cedar St. Ext. – Certificate of Compliance (188-1263)
  - Capital Group Properties, 124 Lumber St. – Enforcement Order (188-1295)
  - Issadore & Associates, LLP, Hopkinton Highlands III – Enforcement and Restoration Order (188-1179)
- Mr. Speranza made a motion to approve the minutes of 24 April 2006. The motion was seconded by Mr. Teitelman and it was passed by everyone except Mr. Carmody who abstained.
- Mr. Speranza made a motion to execute a contract with EMC Environmental Services, Inc. for another year. The motion was seconded by Mr. Carmody and it passed unanimously.

**7:45 PM          Hannaco, North Street**  
**Notice of Intent – continuation**

**DEP File No. 188-1330**

Jeffrey Gusha, owner

Ms. Chagnon stated that Oxbow Associates submitted a report identifying the presence of fish and vernal pool species in the potential vernal pool on the property thereby eliminating the area as a vernal pool. Ms. Chagnon noted that the resource areas on the site now include: bordering vegetated wetland, bank, land under water. Ms. Chagnon stated that the Hyla Associates fish report refers to the stream as perennial but that the USGS map shows the stream as intermittent and the stream statistics calculations submitted by Connorstone Engineering identify the stream as intermittent. Ms. Chagnon stated that it appears the filing meets the status of a limited project in that access to the buildable, upland area on the lot can be made only via a wetland crossing with no other access being available from adjacent parcels.



delineation of the intermittent and perennial portions of the stream and the bordering vegetated wetland.

Mr. Speranza made a motion to close the hearing and issue an Order of Resource Area Delineation. The motion was seconded by Mr. Carmody and it passed unanimously.

**8:45 PM Sheard, 28 Pond Street**  
**(8:20 PM) Informal**

Ann Sheard, owner

Ms. Sheard presented a sketch plan for a proposed above-ground pool and photographs of the proposed location on her property. Ms. Sheard stated that the area for the proposed pool is sloped and that some excavation into the slope will be required along with some filling to create a level area. Ms. Sheard stated that a retaining wall will be constructed to hold the excavated slope. The Commission noted that the pool is proposed to be located within 50 feet of the bordering vegetated wetland and will require the filing of a Notice of Intent. The Commission noted that if all the site work can be relocated within the existing lawn area, then the site work may qualify for a minor project exemption.

**8:30 PM Elder, 170 Hayden Rowe Street RDA 2006-14**  
**(8:35 PM) Request for Determination of Applicability**

Paul Elder, applicant/owner; Richard Brousseau, Brousseau Architect, Inc.

Mr. Speranza stated for the record that he is acquainted with both Mr. Elder and Mr. Brousseau and that he is voluntarily choosing not to participate in the hearing or to vote on any motions raised. Mr. Nation stated that he is acquainted with Mr. Elder but that it will not affect his ability to make a judgment on the matter.

Mr. Brousseau presented proposed plans to replace an existing 4,000 square foot structure with a new 4,000 foot structure no closer to the wetland resource area than the existing structure. Mr. Brousseau stated that he utilized the delineation of the abutting property from a plan on record with the Commission (RDA 2003-15) and the existing grade of the subject property to identify the limit of the existing wetland resource areas. Mr. MacAdam stated that he inspected the site and observed evidence of historic fill on both the subject and abutting properties. Mr. MacAdam stated that the wetland edge identified on the plan is predominately in line with the edge of fill and site disturbance. Ms. Chagnon stated that an erosion control barrier must be identified on the plan. Mr. Brousseau stated that an erosion control barrier can be shown to the rear of the existing pavement and angled towards the structure and terminating at the toe of the existing earthen berm.

Mr. Radel made a motion to close the hearing and issue a negative Determination of Applicability with the standard conditions, subject to the submittal of an amended plan. The motion was seconded by Mr. Carmody and was passed by everyone except Mr. Speranza who abstained.

**8:50 PM Commission Business**

- Mr. Teitelman made a motion to have Ms. Chagnon review and prepare a comment letter in response to a request from the Planning Board regarding an earth removal permit for the

Fletcher Granite Company on Lumber Street. The motion was seconded by Mr. Carmody and it passed unanimously.

- Mr. Teitelman made a motion to have Ms. Chagnon review and prepare a comment letter in response to a request from the Planning Board regarding a preliminary subdivision plan for the proposed East Hopkinton Meadows subdivision. The motion was seconded by Mr. Carmody and it passed unanimously.
- Mr. Teitelman made a motion to have Ms. Chagnon review and prepare a comment letter in response to a request from the Planning Board regarding a preliminary subdivision plan for Weston Nurseries. The motion was seconded by Mr. Carmody and it passed unanimously.

**Minutes Approved:** 22 May 2006