

**MINUTES- 18 September 2006
Hopkinton Town Hall, Room 216 & 211**

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

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

Members Absent: Michael Carmody, Steven Radel

7:30 PM Commission Business

- The Commission signed the following documents:
 - Town of Hopkinton, 66 Fruit St – Order of Resource Area Delineation (188-1314)
 - Takacs, Lot 4, 9 Cedar Street Ext – Extension Permit (188-1255)
 - Town of Hopkinton DPW, 0 Mayhew St (Mt Auburn Cemetery) – Order of Conditions (188-1356)
- Mr. Speranza made a motion to forward the signed Conservation Restriction Application for the Whitehall land to the Town Planner. The motion was seconded by Mr. Teitelman and it was passed by everyone except Mr. Nation who recused himself.
- A discussion was held regarding the proposed purchase of the Whitehall land by the Town.
- The Commission did not wish to disturb the meeting being held in Room 215 and relocated the Commission meeting to Room 211.

**7:45 PM Sanborn, 2 McKay Road
Notice of Intent**

DEP File No. 188-1354

Peter Bemis, Engineering Design Consultants, Inc.; Randall and Amy Sanborn, applicants/owners

Mr. Bemis presented proposed plans to construct additions to the existing home and garage and to enlarge the existing driveway.

Ms. Chagnon stated that the wetland delineation is accurate and that the work is proposed within a previously-disturbed area. Ms. Chagnon stated that, in a matter not related to the proposed work, she observed that unauthorized fill has been placed along the existing driveway up to the edge of the wetland. The Commission reviewed survey plans from DEP File No. 188-587 for the original construction of the home. Mr. Sanborn stated that he purchased the property in that condition. A discussion was held regarding the installation of signage to identify the location of the wetland and to deter future disturbance to the area. Mr. Sanborn stated that he would not be averse to installing signage to identify the wetlands on his property.

Mr. Speranza made a motion to close the hearing and issue an Order of Conditions with the standard and above-noted special conditions. The motion was seconded by Mr. Barnes and it passed unanimously.

**8:00 PM RREEF America REIT III Corp Z1,
Elmwood Industrial Park
Notice of Intent**

DEP File No. 188-1355

Elizabeth Mainini, Guerriere & Halnon, Inc.

Ms. Mainini presented a proposed plan to extend an existing sewer line. Ms. Mainini stated that the proposed site work will occur in a previously-disturbed area and requested a waiver of the portion of the Bylaw filing fee for disturbance within the 50-foot setback.

Ms. Chagnon asked whether the excavated trench will be filled at the end of each work day. Ms. Mainini stated that she will check this with the applicant.

Mr. Speranza made a motion to waive the 50-foot buffer zone filing fee because the area is previously disturbed and to approve issuing an Order of Conditions, subject to the confirmation of back-filling the trench daily, and with the standard and above-noted special conditions. The motion was seconded by Mr. Barnes and it passed unanimously.

**8:15 PM Pyne, 191 Pond Street
Informal**

James Pyne, owner

A discussion was held regarding a family subdivision plan that was approved in 1990 for a sixty acre parcel. Mr. Pyne stated that the access road will follow the existing haul road, which is located directly adjacent to the pond that he constructed on the property many years ago.

8:23 PM Commission Business

- The Commission continued the discussion regarding the proposed purchase of the Whitehall land by the Town. Mr. Barnes made a motion to support the purchase of the Whitehall land regarding the Community Preservation Committee's interest and subject to legal review of the purchase procedure. The motion was seconded by Mr. Teitelman and it was passed by everyone except Mr. Nation who recused himself.
- A discussion was held regarding the Request for Certificate of Compliance applications for Emerald Hills East (188-863) and Emerald Hill West (188-835). Ms. Chagnon stated that she reviewed the stormwater calculations submitted by H.W. Moore, Inc. Ms. Chagnon stated that sediment forebays were installed but that they were not included in the stormwater calculations. Ms. Chagnon stated that both filings were prior to the DEP Stormwater Guidelines and that only a stormwater policy was in effect at the time.

Ms. Chagnon stated that the Certificate of Compliance application for Emerald Hills West was for the bridge crossing as an Amended Order of Conditions under the Bylaw only and that that DEP was the issuing authority for the Superceding Order of Conditions for Emerald Hills West and is the issuing authority for the Certificate of Compliance.

Mr. Speranza made a motion to waive the requirement for catch basin hoods at Emerald Hills East as an insignificant project change. The motion was seconded by Mr. Nation and it passed unanimously. The Commission determined that a memo shall be included with the file.

**8:30 PM Town of Hopkinton, 66 Fruit Street
Informal**

Michael Wierbonics, Thomas Parece, Rosemary Blacquier, Bethany Leavitt, Earth Tech; J.T. Gaucher, Hopkinton DPW Director

A discussion was held regarding a proposed sewage treatment facility at 66 Fruit Street. Mr. Wierbonics presented survey plans that identified the proposed location for the sewage treatment facility and sewer main.

A discussion was held regarding proposed horizontal directional drilling to install the sewer main under Whitehall Brook.

A discussion was held regarding the proposed location of the sewer main throughout the Fruit Street property.

A discussion was held regarding the existing temporary culvert crossing and the proposed replacement culvert crossing. Mr. Wierbonics stated that the replacement culverts will meet the current stream crossing requirements under the wetlands regulations.

A discussion was held regarding the proposed wetland replication for the proposed culvert crossing. Mr. Wierbonics stated that the proposed crossing will need to be larger than the current temporary crossing and that they are considering locating the wetland replication area near the well. Ms. Chagnon stated that the compensatory floodplain/wetland replication ideally should be located within the same wetland/floodplain that was filled. Ms. Chagnon stated that the wetland replication area must be sized to replace wetland lost for the temporary (existing) crossing as well as any additional area proposed for the replacement crossing.

A discussion was held regarding the proposed disturbance for the wastewater treatment facility treatment, specifically the detention basin that will be located within the 50 to 100-foot buffer zone, the subsurface disposal beds that will be located within the Riverfront, and the future subsurface disposal beds that will be located within the wetland buffer zone and the Riverfront. Mr. Murphy stated that he is concerned with the amount of disturbance proposed within these areas. Mr. Speranza stated that the town was informed prior to the purchase of the property that any and all proposed work would be located outside of all wetland resource areas and their buffer zones.

A discussion of potential alternatives was held. Mr. Speranza stated that the applicant may want to provide alternatives that will show any other impacts and what that would entail.

8:45 PM **Toll Brothers, Lot B2, Overlook Road**
(9:05 PM) **Extension Permit**

DEP File No. 188-1251

Bryan Weiner, Tom Betts, Bill MacIntosh, Toll Brothers, Inc.

Mr. Weiner provided a current status of the site development to date. Mr. Weiner stated that the site construction was delayed by septic issues. Mr. Weiner stated that the driveway will be paved and the site clearing shall be stabilized for the winter season.

Mr. Speranza made a motion to issue an Extension Permit for three years. The motion was seconded by Mr. Barnes and it passed unanimously.

9:15 PM **Commission Business**

- A discussion was held regarding the Joint Meeting with the Board of Appeals. Mr. Speranza made a motion to request permission from the Board of Selectmen to retain a legal opinion from Attorney George Hall regarding zoning land use law of up to \$1,000.00. The motion was seconded by Mr. Barnes and it passed unanimously.
- The Commission determined to schedule a Joint Meeting with the Planning Board and the Hopkinton DPW Director to discuss issues of stormwater best management practices and future development permitting.

Minutes Approved: 16 October 2006

Revised Minutes Approved: 20 November 2006