

MINUTES- 9 April 2007
Hopkinton Town Hall, Room 216

Called to Order: 7:30 PM
Adjourned: 9:35 PM

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

7:30 PM Commission Business

- The Commission signed the following documents:
 - Carlson, 111 Pond St. – negative Determination of Applicability (RDA 2007-3)
 - Tarca, 16 Westcott Dr. – Enforcement and Restoration Order
- Mr. Speranza made a motion to approve the 53E ½ Request for Payment dated 9 April 2007. The motion was seconded by Mr. Carmody and it passed unanimously.
- A discussion was held regarding the appeal to Superior Court for the DPW Fruit St. wastewater treatment facility Order of Conditions (188-1365). Mr. Radel made a motion to request \$5,000.00 from the Board of Selectmen’s legal fund to retain Attorney George Hall of Anderson & Kreiger to represent the Town for the appeal. The motion was seconded by Mr. Barnes and it passed unanimously.

7:45 PM Hunt, 223 Hayden Rowe Street
Request for Determination of Applicability

RDA 2007-4

Daniel Hunt, applicant/owner

Mr. Hunt presented a proposed plan to re-grade his existing property, install a deck, a wall and a garage overhang. Mr. Hunt’s plan includes a 25-foot wetland setback that will be allowed to vegetate natural and in which he may plant some native woody species.

Mr. Speranza made a motion to close the hearing and issue a negative Determination of Applicability with the standard conditions and the requirement for a 25-foot undisturbed wetland setback and sign medallions as a permanent, immovable barrier. The motion was seconded by Mr. Teitelman and it passed unanimously.

**8:00 PM MetroWest Engineering, 44 Wilson Street
Informal**

John Finnegan, MetroWest Engineering

Mr. Finnegan presented survey plans of the property and stated that the septic system is failing. Mr. Finnegan stated that site testing is required immediately and that testing is proposed outside the Commission's jurisdiction, but that some testing within the 100 foot buffer zone may be required.

Mr. Speranza made a motion to issue an Emergency Certificate for site testing and septic system construction, with submittal of the septic design plan as soon as it is completed and a Notice of Intent to be filed within 30 days of the system construction. The motion was seconded by Mr. Barnes and it passed unanimously.

**8:15 PM Guerriere & Halnon, 0 South Mill Street
(8:05 PM) Informal**

Louis Guerriere, Guerriere & Halnon

Mr. Guerriere submitted a parcel plan of two lots off South Mill Street owned by his client, Dominic Afonso. Mr. Guerriere stated that Mr. Afonso is seeking to develop one single-family home on one lot (77,000 square feet) and to donate the second, 17-acre lot to the Town or to HALT if the Town does not want to accept the donation. The Commission determined that they will consult with the other relevant Town boards on the matter.

Commission Business

- The Commission determined that the proposed lawn extension for Olney, 114 Ash Street, required a Request for Determination of Applicability and that the other work proposed qualifies as a minor project exemption.
- The Commission approved Mr. MacAdam's estimates for WPA fund expenditures for the next quarter.

**8:30 PM Hakansson, 67, 71, 73 Front Street; 6, 16, 18, 20, 22 South Mill Street
DEP File No.'s 188-1331, 188-1332, 188-1372, 188-1373, 188-1374, 188-1375,
188-1376, 188-1377
Notices of Intent – continuation for two lots
Notices of Intent – new for six lots**

Timothy Paris, Connorstone Engineering; John Hakansson, applicant/owner

Mr. Paris presented an overview plan of lots 3 through 13 on Front and South Mill Streets. A discussion was held regarding the cumulative impact of the combined lots. Mr. Paris stated that Mr. Hakansson's attorney advised that an impact report for each individual lot should be submitted but that a cumulative report should not be submitted. Mr. Paris stated that the cumulative information for the entire proposed disturbance in the Commission's jurisdiction has been compiled. Mr. Murphy stated the Commission will require the requested cumulative information for review prior to issuing a decision on the individual filings.

Ms. Chagnon stated that the filings submitted by Mr. Hakansson for the lots west of South Mill Street and the subsequent filings submitted by Mr. Braim for the proposed lots east of South Mill Street were until recently under common ownership and a single report on the cumulative impacts should be submitted for all the lots. Mr. Speranza stated that the burden is on the applicant to overcome the presumption that the proposed buffer zone work will impact the adjacent wetlands and that a cumulative report may help the applicant to overcome that presumption.

Ms. Chagnon stated that the hydrologic analysis submitted for the filings was on a macro scale (looking at the whole Cold Spring Brook watershed) and that an analysis based on a micro scale is required (looking at the immediate tributary drainage area of the site to the brook).

Mr. Paris stated that he understands what information the Commission is requesting for review. Mr. Paris provided an overview of the proposed development for each individual lot. The Commission noted concern relative to the scale of the houses, the disturbance areas of the garages, and the side entry driveway disturbance areas within the 50-foot setback. Ms. Chagnon stated that Parcel A is to remain undisturbed as mitigation for the buffer zone disturbance then a proposal for a permanent development restriction should be submitted for review.

The hearing was continued to 14 May 2007 at 8:45 PM.

Minutes Approved: April 30, 2007