

MINUTES- 14 May 2007
Hopkinton Town Hall, Room 216

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

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

Members Absent: Jeffrey Barnes, David Teitelman

7:30 PM Commission Business

- Mr. Speranza stated that he has an ongoing conflict with the meeting schedule for the Community Preservation Committee (CPC) for which he is a Conservation Commission representative. The Commission determined to have Mr. Murphy become the Commission's representative on the CPC, effective immediately.
- The Commission signed the following documents:
 - Herlihy, 5 Stagecoach Way – Enforcement and Restoration Order
 - Pyne Sand & Stone, 131 Fruit St – Signature Page for Certificate of Compliance (188-43)
- A discussion was held regarding the affidavit submitted by Ken Shatz, 31 Downey Street relative to the retaining wall drainage system installed on his lot. The Commission determined to issue a Certificate of Compliance for the Enforcement and Restoration Order on the property. The Commission signed the Certificate of Compliance.
- Mr. Carmody made a motion to approve the 53E ½ Request for Payment dated 14 May 2007. The motion was seconded by Mr. Speranza and it passed unanimously.

7:45 PM Casasanta/PM Realty Trust DEP File No. 188-1384
0 & 18 Ridge Road, 0 Saddle Hill Road, 3 & 5 Appaloosa Circle
Abbreviated Notice of Resource Area Delineation – continuation

Chuck Scott, CFS Engineering

Ms. Chagnon stated that she has reviewed the supplemental information that was submitted at the last public hearing and is in agreement with the wetland and vernal pool delineation on the site.

Mr. Carmody made a motion to close the hearing and issue an Order of Resource Area Delineation (ORAD). The motion was seconded by Mr. Speranza and it passed unanimously. The Commission signed the signature page for the ORAD.

8:00 PM **Cowart, 34 North Mill Street**
(7:50 PM) **Request for Determination of Applicability**

RDA 2007-6

Margaret Cowart, applicant/owner

Ms. Cowart presented pictures of their previously existing shed which collapsed during the past winter. Ms. Cowart stated that they removed the remains of the shed and are seeking to replace the old shed with a new shed of an equal size. Ms. Cowart stated that they may utilize the existing concrete slab foundation or replace it with a new slab foundation. The Commission determined that an erosion control barrier will be necessary only if the existing concrete slab foundation will be removed and replaced.

Mr. Speranza made a motion to close the hearing and issue a negative Determination of Applicability with the standard and noted special conditions. The motion was seconded by Mr. Carmody and it passed unanimously. The Commission signed a signature page for the negative Determination of Applicability.

7:55 PM **Commission Business**

- A discussion was held regarding the written request by Mr. Dan McIntyre of M.E.S.S., Inc, for comments on the RDA submittal for Ward, 207 Wood St. (RDA 2007-08). The Commission determined that the scope of the work will require the submittal of a Notice of Intent under the Wetlands Protection Act and the Hopkinton Wetlands Protection Bylaw.
- A discussion was held regarding the request for comments from the Planning Board (PB) for the Major Project Site Plan Application by CJPM Development LLC, on South and West Main Streets. Mr. Carmody made a motion to have Ms. Chagnon draft and submit a comment letter to the PB based on the Commission's review comments for the project.
- A discussion was held about the current status of the Weston Nursery land sale and the Board of Selectmen's request for a recommendation for the Town's Chapter 61 right of first refusal. The Commission determined to schedule a public meeting on Thursday, 24 May 2007 at 7:00 PM to discuss the matter.

8:45 PM **Hakansson, 67, 71, 73 Front Street; 6, 16, 18, 20, 22, 42 South Mill Street**
DEP File Nos. 188-1331, 188-1332, 188-1372, 188-1373, 188-1374, 188-1375,
188-1376, 188-1377, 188-1385
Notices of Intent – continuation for eight lots
Notice of Intent – new for one lot

8:45 PM **Braim, Lots 17-22 South Mill Street** **DEP File No.'s 188-1378-1383**
Notices of Intent – continuation for six lots

Timothy Paris, Connorstone Engineering; John Hakansson, applicant

Mr. Paris provided an overview of 42 South Mill Street, which is a new filing, and then provided an overview of each filing submitted by Mr. Hakansson and Mr. Braim. Mr. Paris provided an overview of the Wetland Impact Analysis report, dated 24 May 2007, that was submitted in response to the Commission's request for cumulative information on all of the proposed disturbance within the Commission's jurisdiction on all of the properties.

Mr. Paris provided an overview of mitigation for the proposed disturbance with the 0 to 50-foot buffer zone on the subject parcels. Mr. Paris identified two parcels that are proposed to be placed under a Conservation Restriction as mitigation for the proposed buffer zone disturbance on all the lots. Mr. Paris submitted a revised hydrologic report dated 14 May 2007.

Ms. Chagnon requested a review of acreage data for disturbance within the 0 to 50-foot buffer zone and the 50 to 100-foot buffer zone. Ms. Chagnon stated that the report also should identify the amount of the 125-foot vernal pool buffer zone is proposed to be disturbed. Ms. Chagnon noted that according to the report 4.6% of the total 0 to 50-foot buffer zone and 34.3% of the 50 to 100-foot buffer zone is proposed to be disturbed. Ms. Chagnon stated that the cumulative analysis is currently deficient and that the groundwater impact analysis identified in the report was not attached. Ms. Chagnon stated that the proposed mitigation measures should be noted in the cumulative report.

Mr. Arthur Riseman, 16 North Mill Street, asked what the significance of the 0 to 50-foot and the 50 to 100-foot buffer zones are. Mr. Murphy provided an overview in response.

Mr. Tom Buckley, 10 North Mill Street asked what the significance of the 125-foot vernal pool buffer zone is. Mr. Speranza provided an overview in response.

Ms. Ellen Deutsch, 16 North Mill Street, stated that she believes that too many single-family homes are proposed and that fewer homes should be allowed in order to protect the wetland resource areas.

Mr. Buckley stated that he is concerned that the proposed disturbance may direct more water towards his property. Mr. Buckley stated that past storm events have caused water to overtop North Mill Street adjacent to his house and he is concerned the proposed construction will exacerbate the current conditions. Mr. Paris stated that the proposed stormwater detention measures for the site work will actually decrease the amount of water running towards North Mill Street.

All the hearings were continued to 4 June 2007 at 8:45 PM, subject to the submittal of the required supplemental information a minimum of one week prior to the hearing.

Minutes Approved: 25 June 2007