

**MINUTES- 6 August 2007**  
**Hopkinton Town Hall, Lower Level**

**Called to Order: 7:30 PM**  
**Adjourned: 8:50 PM**

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

**7:30 PM Commission Business**

- The Commission signed the following documents:
  - MassHighway, I-495 North, Exit 22 – negative Determination of Applicability (RDA 2007-11)
  - Restifo, 11 Fruit St – negative Determination of Applicability (RDA 2007-12).
  - Prime Properties, Stoney Brook Rd (Highland Park IV) – Extension Permit (188-1186).
  - Weston Nurseries, 0 East Main St – Certificate of Compliance (188-322)
  - Meyer Homes, 5 Sylvan Way – Certificate of Compliance (188-1325)
  - Formula One R.T., 24 Kruger Rd- Certificate of Compliance (188-1141)
  - Town of Hopkinton, town-wide road maintenance – Extension negative Determination of Applicability (RDA 2004-07)
- Mr. Teitelman made a motion to approve the 53E ½ Request for Payment dated 6 August 2007. The motion was seconded by Mr. Carmody and it passed unanimously.
- Mr. Radel made a motion to approve the minutes of 23 July 2007. The motion was seconded by Mr. Nation and it was passed by everyone except Mr. Barnes and Mr. Teitelman who abstained.
- A discussion was held regarding the proposed relocation of a portion of the driveway at 6 College Street, DEP File No. 188-1358. Mr. Radel made a motion to determine the relocation of a portion of the driveway as an insignificant project change. The motion was seconded by Mr. Nation and it passed unanimously.

**7:45 PM CJPM Development, Hopkinton Square**  
**West Main Street & South Street**  
**Notice of Intent- continuation**

**DEP File No. 188-1389**

Daniel McIntyre, MESS, Inc.; Scott Jordan, EcoTec, Inc.; Chuck Joseph, Peter Markarian, CJPM Development, LLC.

Mr. McIntyre presented an overview of the information identified in his submittal dated 06 August 2007. Ms. Chagnon stated that Mr. McIntyre has submitted adequate responses to her

memo. Ms. Chagnon stated that the notation for erosion control must be updated to indicate silt fence and haybales. Ms. Chagnon stated that haybales and silt fence notation must also be incorporated into the SWPP application for the site. A discussion was held regarding the review of the project by the Planning Board's engineering consultant, Fay, Spofford, and Thorndike (FS&T). Mr. McIntyre stated that he believes that FS&T's concerns have been met. A discussion was held regarding the proposed site work within the 75 and 50 foot setbacks. Mr. McIntyre stated that the current Ryder Truck building will be converted into a parking area with stormwater treatment and a nonfunctioning detention basin will be converted into a bio-retention area. Mr. Peter Oram, Lake Maspenock Association, asked if the applicant was proposing to fix the impaired detention basin off-site. Mr. McIntyre stated that MassHighway and the Hopkinton DPW are reviewing the matter and that CJPM Development is not proposing any work to the detention basin. A discussion was held regarding the outstanding filing fee under the Bylaw. Mr. McIntyre requested to have the 0-50 foot proposed disturbance portion of the Bylaw filing fee waived because the entire area has been previously disturbed. Ms. Chagnon stated that the applicant has identified that 3,800 square feet of the buffer zone to be developed is currently wooded. Ms. Chagnon stated that historically all of New England has been previously disturbed and that the Commission has typically recognized currently wooded areas as non-disturbed areas under the bylaw. The Commission determined that the outstanding filing fee was required to be submitted prior to the issuance of an Order of Conditions. Mr. Carmody made a motion to close the hearing and approve issuing an Order of Conditions subject to the submittal of the requested information and the standard and noted special conditions. The motion was seconded by Mr. Teitelman and it passed unanimously.

**8:00 PM          Commission Business**

- A discussion was held regarding the request for an Extension Permit for Deerfield Estates, DEP File No. 188-1220. Mr. Nation made a motion to issue a one year Extension Permit subject to the completion of the proposed detention basin prior to the construction of any new building units. The motion was seconded by Mr. Carmody and it passed unanimously.
- A discussion was held regarding the Planning Board's request for comments for the proposed Hopkinton Village Center. The Commission noted that all the proposed work is outside the Commission's jurisdiction. The Commission determined to have Ms. Chagnon forward a letter regarding the need for adequate stormwater management and erosion control measures.

**8:15 PM          Toll Brothers, Inc., 3 Overlook Road          DEP File No. 188-1251**  
**Amended Notice of Intent- continuation**

Anthony DelGaizo, Fred Fish, Raggs, Inc.

Mr. DelGaizo provided an overview of the proposed dimensions for a reinforced concrete wall to eliminate the proposed grading for the septic systems within the 50-foot buffer zone. Mr. DelGaizo stated that the wall will require maintenance and eventual replacement in the future. A discussion was held regarding future disturbance for maintenance of the wall. A discussion was held regarding restoring the grading disturbance area with native vegetation. Ms. Chagnon stated that six inches of high quality loam, a planting plan and a planting schedule will be required if a graded slope is approved. Ms. Chagnon stated that native trees, shrubs and seed mix will be required. The hearing was continued to 27 August 2007.

**8:40 PM          Commission Business**

- A discussion was held regarding MassHighway's 2007 Yearly Operational Plan and the use of herbicides for vegetation management. Mr. Barnes made a motion to issue a comment letter requesting permanent wetland markers, visual inspection for wetlands within the proposed spray zones, alternative vegetation removal practices instead of herbicide use and use of herbicide treatment at the lowest persistence and lowest toxicity levels. The motion was seconded by Mr. Nation and it passed unanimously.
- A discussion was held regarding the Certificate of Compliance application for DEP File No. 188-914. Ms. Chagnon noted that proposed boulder and shrub permanent immovable barrier was not installed but that the installation of sign medallions is appropriate for the site.

**Minutes Approved:** 27 August 2007