

**MINUTES- 10 March 2008  
Hopkinton Town Hall, Room 216**

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

**Members Present:** Robert Murphy, Jeffrey Barnes, Craig Nation, Michael Carmody, Andre Griben, Ellen Chagnon: Conservation Scientist, Don MacAdam: Conservation Administrator

**Members Absent:** Steven Radel, David Teitelman

**7:30 PM           Mastroianni, 77 West Main Street  
Enforcement Discussion**

Paul Mastroianni, owner; Robert Poxon, Guerriere & Halnon, Inc.

Mr. Poxon stated that the refuse and debris have been removed and disposed of from within the resource areas. Mr. Poxon presented a plan and provided an overview of proposed snow management on the site. Mr. Poxon stated that snow will no longer be pushed of into the wetlands. Mr. Poxon stated that the proposed snow management plan will be submitted at the next public hearing scheduled for the property on 28 April 2008. The Commission determined that the site issues have been adequately addressed.

**7:40 PM           Commission Business**

- A discussion was held regarding the Request for Certificate of Compliance application for Rodenhiser, 1 Wilson St. (DEP File No. 188-1144). The Commission determined to waive condition number 42.
- The Commission signed the following documents:
  - Pellegrini, 11 Clinton St – 2<sup>nd</sup> Extension Permit (188-1278).
  - Burleigh, 73 Winter St – Certificate of Compliance (188-1058).
  - Rodenhiser, 1 Wilson St – Certificate of Compliance (188-1144)
  - Rodenhiser, 1 Wilson St – Certificate of Compliance (188-712) (Invalid Order)
  - Rodenhiser, 1 Wilson St – Certificate of Compliance (188-1051) (Invalid Order).

**7:45 PM           Southborough Rod & Gun Club, Fruit Street  
Informal Discussion**

David Therrien, Director; Mark Monique, President; Steve Chouinard, Vice President

Mr. Nation stated for the record that he is a member of the Southborough Rod & Gun Club and wishes to participate in the informal discussion.

Mr. Therrien provided an overview of the site and described the proposed safety upgrades and improvements to the existing shooting range that the Club would like to undertake. He stated that all of the proposed work will take place within existing disturbed areas, but that some of the work will occur within the 50-foot wetland setback. Mr. Therrien stated that the last improvement on the site required an Order of Conditions form the Commission and that a Certificate of Compliance is currently outstanding. A discussion was held regarding the Notice of Intent filing fees. The Commission agreed that the \$1,500.00 commercial filing fee will be required under the Bylaw and that a \$300.00 minimum consultant fee will be required.

**7:55 PM          Commission Business**

- A discussion was held regarding the request from the DPW to waive the filing fees and the notification of abutters requirement for the Request for Determination of Applicability filing for tree maintenance and removal on all town properties and roadway right of ways. Mr. Barnes made a motion to waive the notification of abutters and the filing fee requirements, but not to waive the consultant filing fee. The motion was seconded by Mr. Carmody and it passed unanimously.
- A discussion was held regarding the request from the Drowne Family Trust to waive the minimum consultant fee required under the Notice of Intent (NOI) for DEP File No. 188-1406) that has been filed for site work associated with a five lot subdivision off Saddle Hill Road. Mr. MacAdam stated that the Commission has incurred consultant fee costs to date for review of the NOI Filing. The Commission determined that waiving the consultant fees would set a precedent. Mr. Barnes made a motion to not waive the NOI consultant fee. The motion was seconded by Mr. Carmody and it passed unanimously.

**8:00 PM          Perna, 73 Winter Street  
Notice of Intent**

**DEP File No. 188-1405**

Thomas Perna, applicant; Joseph D. Marquedant, Sr., J.D. Marquedant & Associates, Inc.

Mr. Marquedant presented a proposed plan to raze the existing structures and construct a two-bedroom single family home. Mr. Marquedant stated that the Board of Health has given approval for the lot pending the filing of a deed restriction limiting the house to two bedrooms.

Ms. Chagnon stated that the wetland delineation is accurate and that the wetland is upgradient from the work area. Ms. Chagnon stated that she observed seven trees were recently cut down within the wetland and adjacent buffer zone. Mr. Perna stated that the current property owner performed the tree cutting and that he told her to cease the activity. The Commission noted that a permanent immoveable barrier (PIB) must be installed along the existing tree line at the rear of the lot. Mr. Perna agreed to install sign medallions along the exiting tree line as a PIB and to submit an amended plan identifying the PIB.

Mr. Marquedant stated that an existing well on site will be abandoned and existing rubble and refuse will be properly disposed. Mr. Perna stated that he will install an erosion control barrier along the front of the property to prevent any sediment from eroding out onto Winter Street and into the existing catch basins.

Mr. Barnes made a motion to close the hearing and issue an Order of Conditions subject to the submittal of an amended plan with the standard and special conditions. The motion was seconded by Mr. Carmody and it passed unanimously.

**8:10 PM          Commission Business**

- The Commission determined to have Ms. Chagnon notify the Planning Board that the Commission has no comments for the Veteran's Memorial Gazebo Minor Site Plan Review.
- A discussion was held regarding the Enforcement Order issued to Bethoney Builders at 182 & 184 Fruit Street on 29 February 2008. The Commission determined that fines will be levied against Mr. Bethoney if no progress is made in compliance to the Order.

**8:15 PM          Weston Nurseries, E. Main Street/Frankland Road    DEP File No. 188-1403  
Abbreviated Notice of Resource Area Delineation – continuation**

David Pickart, VHB, Inc.

Mr. Pickart submitted amended resource area plans and provided an overview of the noted changes. Ms. Chagnon stated that the revised wetland delineation is complete and accurate, except for the vernal pool determinations.

A discussion was held regarding recent site disturbance within a wetland area in Wetland A, along East Main Street and within the wetland buffer zone at two other locations. Mr. Pickart stated that he can submit a restoration plan for the wetland disturbance by the end of the month and that Weston Nurseries will install an erosion control barrier between the buffer zone disturbance and wetlands at the other locations.

Ms. Chagnon stated that the Commission can issue an Order of Resource Area Delineation (ORAD) approving all of the resource area delineations except for the vernal pools, which will be determined when the season allows.

Mr. MacAdam stated that the Commission has incurred consultant costs in excess of the minimum submitted consultant fee. Mr. Pickart stated that the applicant will reimburse the Commission for those costs.

Mr. Barnes made a motion to close the hearing and issue an ORAD as discussed. The motion was seconded by Mr. Griben and it passed unanimously.

**8:25 PM          Southborough Conservation Commission, Route 85 Bridge Replacement  
Informal Joint Discussion**

Bob Haijar, EarthTech; Mark Possemato, Richard Upjohn, Rhonda Russian, John Leeds, Southborough Conservation Commission; Beth Rosenblum, Southborough Conservation Administrator

Mr. Hajjar presented proposed plans for the replacement of the existing Route 85 roadway bridge. A discussion was held regarding the replacement bridge and the placement of the temporary roadway bridge for use during the removal and replacement of the existing bridge. Both the Southborough and Hopkinton Commissions determined that the proposed downstream location for the temporary bridge represented the least disturbance to the resource areas and the greater potential for successful restoration.

The Commissions discussed and agreed to hold joint hearings for the Notice of Intent that will be filed for this project.

**9:05 PM          Reinertson, 101 Ash Street  
Informal Discussion**

Bill Reinertson, representative

A discussion was held regarding the proposed construction of a two-car garage within the existing lawn and within approximately ten feet of an existing wetland resource area. The Commission determined that a proposal of such scale will require the filing of a Notice of Intent.

**9:30 PM          Commission Business**

- Mr. MacAdam described his site visit to 72 North Mill St. in response to neighborhood complaints that there were wetland violations on the property, where a cell tower is proposed. Mr. MacAdam stated that all work on the site is outside the Commission's jurisdiction.
- A discussion was held regarding the letter and sketch plan submitted by Mr. Hanna, 34 Wood Street, regarding a proposed five feet long trench to create a sewer connection to serve the conversion of an existing barn into a housing unit. The Commission determined that such a project will require the filing of a Request for Determination of Applicability.
- A discussion was held regarding the High School loop road vernal pool protection measures that were conditioned under the Order of Conditions (188-951). The Commission determined to send Dr. Phelan a letter requesting the information he agreed to submit at the 4 April 2005 public discussion. Mr. MacAdam will review the Certificate of Compliance files for both the High School and Hopkins School to see what is required relative to as-built plans.

**Minutes Approved:** 24 March 2008