

MINUTES- 01 June 2009
Hopkinton Town Hall, Room 216

Called to Order: 7:30 PM
Adjourned: 9:10 PM

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

Members Absent: David Teitelman

7:30 PM Hopkinton DPW, Lake Maspenock/Sandy Beach DEP File No. 188-1433
Notice of Intent

J.T. Gaucher, DPW Director; Eric Carty, Water Department; Briscoe Lang, Pare Corporation; Malcolm Page, Lake Maspenock Association

Mr. Lang provided an overview of the Notice of Intent (NOI) filing and stated that the DPW is seeking a five-year Order of Conditions for the seasonal drawdown of the lake. Mr. Lang stated that the NOI filing covers annual four to five-foot drawdown, a triennial eight-foot drawdown, and repair of the boat ramp and parking lot re-paving at Sandy Beach. A discussion was held regarding the records of the water levels for past drawdowns.

Mr. Lang stated that copies of the NOI have been sent to the Massachusetts Natural Heritage & Endangered Species Program, Division of Fish & Wildlife and Office of Dam Safety. The Commission determined that it would allow the identified programs thirty days to submit comments, if any, for review.

Ms. Chagnon stated that the minimum downstream flow rates during refill have not been provided. Mr. Carty stated that there are no required rates but that a constant flow must be maintained during refill. Ms. Chagnon stated that a drawdown manual, which can be modified as necessary, must be drafted as a common reference document for all parties.

Mr. Lang stated that the repair and expansion of the boat launch does not qualify as a Limited Project.

A discussion was held regarding the boat launch site work.

Mr. Barnes reminded Mr. Gaucher that the stormwater basins adjacent to the lake are in need of cleaning. The Commission determined to send a reminder letter to Mr. Gaucher.

The hearing was continued to 29 June 2009 at 8:00 PM.

**7:45 PM High School, Hayden Rowe Street
Informal Discussion**

DEP File No. 188-951

Nobody from the Hopkinton School Department attended the hearing.

**8:00 PM Trudeau, 16 Falcon Ridge Drive
Informal Discussion**

DEP File Nos. 188-1064; 188-1311

Paul McManus, EcoTec, Inc.

Mr. McManus submitted a letter dated 29 May 2009 and a partial consultant fee payment of \$500.00 from the Trudeaus toward the total outstanding consultant fee of \$2,325.00. The Commission informed Mr. McManus that the entire outstanding consultant fee must be submitted prior to any further discussions about settling the Enforcement and Restoration Order.

**8:15 PM Steir, 21 Greystone Lane
Request for Determination of Applicability**

RDA 2009-4

Stephen Steir, applicant/owner

Mr. Steir provided an overview of the proposed new well and shed. The Commission determined that a bermed sump area and erosion controls must be utilized to contain the drilling spoils.

Mr. Carmody 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. Waldron and it passed unanimously.

The Commission signed a signature page for the negative Determination of Applicability.

8:25 PM Commission Business

- The Commission signed the following documents:
 - Chirco, 45 Granite St. – 2nd Extension Permit (188-1248)
 - EMC Corp., 228 South St. – Certificate of Compliance (188-1037)
 - Weston Nurseries, 0 East Main St. – Enforcement and Restoration Order (no file #)
 - CAB RT, 154 East Main St. – Certificate of Compliance (188-1427)
 - Deneen, 13 Deneen Rd. – Extension Permit (188-1348).
- Mr. Waldron made a motion to approve the Request for Payment dated 01 June 2009. The motion was seconded by Mr. Griben and it passed unanimously.
- Mr. Carmody made a motion to approve the Minutes of 11 May 2009. The motion was seconded by Mr. Waldron and it was passed by everyone except Mr. Nation who abstained.
- Mr. Carmody made a motion to approve, as an insignificant project change, the use of the Ultra-StormWattle as an alternative to haybale and silt fence erosion control barriers as identified in the letter from Brown and Caldwell dated 14 May 2009 for E.L. Harvey, Padik

Cir. (188-1367; 188-1430). The motion was seconded by Mr. Barnes and it passed unanimously.

- A discussion was held regarding the request for an Extension Permit from Deneen, 13 Deneen Rd. (188-1348). Mr. Barnes made a motion to issue a three-year Extension Permit for the Order of Conditions. The motion was seconded by Carmody and it passed unanimously.
- A discussion was held regarding the request for minor project exemption from Thomas, 84 Pine Island Road. The Commission determined the request qualified as a minor project exemption.
- Mr. Barnes made a motion to request an additional \$1,000.00 of funds under the Request for Legal Assistance (Tracking # 40-09). The motion was seconded by Mr. Carmody and it passed unanimously.
- A discussion was held regarding the Hopkinton Trails Club request to prune branches on existing hiking trails within 50 feet of Lake Whitehall.

**8:45 PM Environmental Pools, 60 North Mill Street
Informal Discussion**

Nobody from Environmental Pools attended the hearing.

**8:45 PM P.M. Realty Trust, Bridle Path Subdivision
Informal Discussion**

Nobody from the P.M. Realty Trust attended the hearing.

**8:45 PM Golden Pond, 58, 60 West Main Street
Informal Discussion**

Joseph P. Marquedant, J.D. Marquedant & Associates, Inc.; Wayne R. Davies, Attorney at Law

Mr. Marquedant and Mr. Davies presented revised plans for the expansion of the Golden Pond facility in anticipation of a NOI filing at the end of June. An informal discussion was held regarding the proposed Phase II and Phase III expansion of the existing facility.

Minutes Approved: 29 June 2009