



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

TOWN HALL
18 MAIN STREET
HOPKINTON, MASS. 01748
(508) 497-9755

July 11, 2006

Bryan J. Weiner
Toll Brothers, Inc.
83 Cedar St.
Milford, MA 01757

Re: **Hopkinton Highlands II/Estates at Highland Ridge**

Dear Mr. Weiner:

The Hopkinton Planning Board held a duly noticed public hearing on June 19, 2006, continued to July 10, 2006, on Toll Brothers request for a two-year extension of time to complete the Hopkinton Highlands II/Estates at Highland Ridge subdivision. The Planning Board issued a Certificate of Planning Board Action on June 9, 2000 approving the Hopkinton Highlands II definitive subdivision plans with several conditions. Condition #4 of the Certificate of Planning Board Action is as follows:

4. Roadway and infrastructure construction shown on the Plan shall be completed within 4 years from the start of construction or this approval shall be automatically rescinded unless such time is extended after public hearing by the Board at the request of the Applicant. If construction has not commenced within 4 years from the date of this approval, such approval shall be automatically rescinded.

When construction on the project began in August, 2002, the date of completion was set for the end of August, 2006.

At the public hearing on June 19, 2006 the Board discussed with Toll Brothers representatives the work items remaining and a timetable for completion. Residents of the subdivision in attendance indicated that there were several problem areas within the subdivision related to stormwater runoff, water supply, development appearance and roadway safety issues. At the hearing, the Board decided to walk the subdivision with the developer to view the area before making a decision, so a site walk was scheduled for July 7, 2006 and the public hearing was continued to July 10, 2006. At the site walk, Board members viewed the areas where additional work is needed to complete the subdivision within the proposed extension period. Board members also noted several areas of uncontrolled stormwater runoff and erosion problems.

At the continued hearing on July 10, 2006, the Board discussed the present condition of the subdivision and its desire for the roadway and infrastructure work to be completed, plus the need for the stormwater and erosion issues to be resolved as soon as possible. Representatives of Toll Brothers also indicated their desire to complete the subdivision as soon as possible.

A letter dated July 10, 2006 was submitted to the Board at the hearing by Mark A. Kablack, attorney for Toll Brothers. The letter outlined a general schedule of construction completion for the roadway and infrastructure and other outstanding issues within the subdivision. The latest date for completion was identified as "late fall 2006". The letter indicated that the two year request for extension "is to provide adequate time for the completion of inspections, preparation of as-builts and town acceptance through Town Meeting". However, condition #4 of the Planning Board's June 9, 2000 Certificate of Planning Board Action only required the completion of the roadway and infrastructure construction within the four year time period. The letter submitted to the Board indicated that all of the roadway and infrastructure work would be completed by the fall of 2006.

The Planning Board certifies that at a public hearing on July 10, 2006, it voted to grant an extension of time to complete the Hopkinton Highlands II subdivision to October 1, 2006, with specific work to be completed as outlined in the July 10, 2006 letter from Mark A. Kablack, as indicated in items #1 through 7 below, with the change from "late fall" to October 1, 2006:

1. General Construction Schedule – Roadways and Utility Infrastructure:
Final roadway, curbing, landscaping and utility work shall be completed by October 1, 2006. This will include cleaning, and removal of sediment from all detention basins, planting of all street trees, final paving of all roadways, completion of all sidewalks, final curbing, and final grading, loaming and seeding of shoulder areas. Completion of the drainage improvements at the Overlook Road/Cedar St. intersection will also be completed.
2. Storage of Construction Material in the Designated Parking Area:
All construction material will be removed by mid-August, 2006.
3. Stop Signs at Intersections:
The two Stop signs will be reinstalled by the end of July, 2006.
4. Drainage and Erosion at Lots 19 and 20, Summit Way:
The drainage improvements proposed in this area, including work on lots 19 and 20 (4 and 6 Summit Way) and work on Lots 21 and 23 (2 Summit Way and 29 Overlook Rd.) will occur in several stages as follows:
 - a) The disturbed area between the common side yard of lots 19 and 20 and the area immediately around the driveway of lot 20 will be improved with a French drain, graded, loamed and seeded by the end of July, 2006.
 - b) The drainage swale on lots 21 and 23 will be installed, graded, loamed and seeded by mid-August, 2006.
 - c) The final drainage improvements, which will run behind lots 19 and 20, requiring installation 10 ft. below grade will be installed as soon as groundwater levels permit, but in no event later than October 1, 2006.

5. Individual Mailbox Installation:
Individual mailboxes will continue to be installed with a projected completion date for all homes by October 1, 2006.
6. Community Water System:
All homeowners will be provided with a written status report on issues regarding the Community Water System in connection with the planned upgrade approved by the Mass. Dept. of Environmental Protection. The Planning Board shall be copied on the correspondence to homeowners.
7. Homeowners Association/General Appearance and Amenity Issues:
There were a number of comments made regarding the mowing and watering of roadway shoulders, pickup of roadside trash and general appearance issues. All matters with respect to completion of construction of these areas will be concluded by October 1, 2006. Toll Brothers will also provide homeowners with an update on the Homeowners Association and explore alternative transition dates to include homeowners in the governance of the Association before the current planned transfer date.
8. A drainage problem not identified in the July 10, 2006 letter or on the site walk was detailed in correspondence dated July 7, 2006 from the owner of 14 Overlook Rd. to the Board. Toll Brothers shall complete work necessary to solve this problem by October 1, 2006, as well as any other items which arise on other lots before that date as final grading is completed.

Please note that the Board has established dates by which certain work shall be completed. This should not be construed to mean that the Board expects the work to be completed on that date and on no other date – the Board would be extremely pleased if any of the work is completed prior to its deadline. The Board would also like to remind Toll Brothers that the common open space conveyance to the Hopkinton Area Land Trust is expected to proceed as previously discussed.

The Board has scheduled Toll Brothers on its agenda of August 28, 2006 for a progress report and update as to the status of completion.

Sincerely,

Mark A. Abate
Chairman

Cc: Bayassociates Consulting Engineers
Director of Municipal Inspections
Board of Health
Conservation Commission

Hopkinton Area Land Trust
Director of Public Works
Mark A. Kablack