

HOPKINTON PLANNING BOARD

Monday, February 10, 2003 7:00 PM

MINUTES

PRESENT: John H. Coolidge, Chairman, Sandy K. Altamura, Vice Chairman, Mark Abate, Pamela Duffy, Jaime Goncalves, Brian Herr, Tina Rose, Claire Wright
.....Elaine C. Lazarus, Town Planner

1. Joint Meeting with Conservation Commission

Conservation Commission Members Present: Brian Morrison, Chairman, Ed Beckett, Michael Carmody, Mark Bullinger, Christopher Lee, Richard Litchfield

Others Present: Ellen Chagnon, Conservation Scientist, Don Macadam, Conservation Administrator, J. T. Gaucher, DPW Director

A. J. T. Gaucher, DPW Director

A meeting of the Conservation Commission was convened.

Mr. Gaucher addressed the Subdivision Rules and Regulations, noting that he has seen new subdivisions being built and is curious why contractors use bituminous concrete berm (cape cod berm) instead of granite curb. He stated he thinks granite is better, but it is more expensive for developers to use. He stated it is more durable than cape cod berm which gets gouged and becomes an aesthetic and maintenance problem. He stated there is less problem with granite, noting that vertical or sloped granite could be used. He stated that the sloped granite is at a 45 degree angle and is more durable than cape cod berm. He stated that granite blends better with the granite guttermouths at catch basins, where the transitions can be a problem for snow plows. He addressed paved widths of streets, noting that there is a problem with 20 ft. widths where snow plows and cars need to pass. He stated the plows are 11 ft. wide and with snow banks, roads are narrower than their paved width. He stated that serpentine roads can slow traffic as well as narrow road widths, if the concern is that people will go too fast on wider roads. He addressed cul-de-sac dimensions, noting that the diameter required is sufficient, but some of the existing ones are too small. He added that the turning radius around the circles is important.

He stated he would like to get the DPW involved in the inspection of subdivisions under construction as well as in working with the engineers hired by the Board, to be more consistent and to make sure they know how the DPW wants things done. He addressed underdrains, stating that they should always be required and they prevent groundwater from causing problems in the future. He stated it would pay off in the long run. He noted that only a few roads in Town are in bad shape, and the cost to upgrade all roads is estimated to be \$3,800,000, but this isn't much compared to the cost of roadwork, and the Town has done a good job.

Ms. Altamura asked if he prefers granite curb, and Mr. Gaucher replied yes. Ms. Altamura stated she is amenable to that, but DPW Directors have gone back and forth on this over the

years. Ms. Wright noted that cape cod berm gives more of a rural feel and vertical granite has a cold hard look. She noted that sloped granite could be a compromise as it has a softer look. She noted that where she has seen it, there tends to be weeds growing between the sections and it has an unkempt appearance. Mr. Gaucher stated that if no one maintains it, weeds will grow.

Mr. Gaucher addressed the Phase II Stormwater Program, noting that the Town needs to treat stormwater discharge as a permitted discharge. He stated that in March they will have to submit a plan for doing that, as required by the EPA and the State. He stated they will need to educate and raise the awareness of people relative to stormwater discharges. He stated they will also need to look for illicit discharges. He added that every construction site causing over 1 acre of disturbance must be permitted and have a sedimentation control plan. He stated they need to follow up on mitigation measures too, such as maintenance. He stated the DPW has hired Fay, Spofford & Thorndike (FST) to prepare the plan for the Town.

Mr. Coolidge noted the Board needs to look at site plan approval in this regard.

Ms. Chagnon stated it would be useful for Ms. Lazarus, Mr. Gaucher, and herself to work on a stormwater management Best Management Practices (BMP) handbook to look at the comprehensive effects of BMPs, maintenance needs, etc. Mr. Morrison stated that more recent requirements for stormwater discharge facilities will require regular maintenance. Mr. Gaucher stated that FST should have a draft this week, and that SUASCO BMP's will be used as a template.

Mr. Morrison noted that other areas that need discussion include road salting and snow dumps. Mr. Gaucher stated that the DPW has a 9 route system relative to sand and salt. He stated that the drivers are aware of where the restricted salt use areas are, and they turn down the spinner when they are there. He noted that the restrictions have to balance public safety. He stated they need to inventory the areas and look into it more. Mr. Morrison asked if there is a master list of low salt areas. Ms. Duffy asked about private plowers and if they know about restricted areas.

Mr. Gaucher noted that there are restrictions relative to snow dumps developed by DEP.

Mr. Herr arrived at this time, making a quorum of the Planning Board and the official start of the Planning Board meeting.

Mr. Coolidge noted that Mr. Gaucher has agreed to serve as the Earth Removal Agent. The Board voted unanimously to appoint Mr. Gaucher as the Earth Removal Agent.

B. ACEC

Mr. Morrison noted the Board and the Commission need to set a time line for discussing and working on an ACEC designation as previously discussed.

Ms. Rose arrived at this time.

Mr. Morrison suggested that they try to discuss it at a joint meeting in June or July with the goal of getting public comments in September. Ms. Lazarus and Ms. Chagnon will work on the schedule and gather the data previously collected relative to the Whitehall area.

2. Administrative Business

The Board voted unanimously to pay outstanding bills.

3. BioMap

Joanne Singfield, Comm. of Mass. Natural Heritage and Endangered Species Program, made a presentation to the Board and the Conservation Commission relative to the state's BioMap project. She stated that they have mapped natural communities across Massachusetts and the work was completed in June, 2001. She stated the need for the biomap arose out of a concern for species and habitats. She stated there are several listed species and some common species are threatened by fragmented habitat and other problems. She stated the goal was to identify and delineate areas most important for long-term viability of biodiversity. She stated they evaluated records from 1970, analyzed habitat requirements, and analyzed new data collected.

Mr. Abate arrived at this time.

Ms. Singfield described the process for mapping habitat. She described the mapping for core habitats for rare plants and natural communities, such as grasslands, etc. She noted that they connected the mapped areas, identifying core habitats and supporting natural landscapes. She stated that the results showed that 23% of the state is core habitat and 19% is supporting natural landscape. She stated that of these areas, 9% of the core habitat is protected and 4% of the supporting natural landscape is protected. She noted that they are now working on a "Living Water" project for fresh water. She stated that the individual town biomaps are being done, and they will be distributed in late spring.

The Boards thanked Ms. Singfield for the presentation.

4. Comprehensive Wastewater Management Plan

The Board of Selectmen joined the Planning Board and Conservation Commission. The Board of Selectmen convened a public hearing on Phase 2 of the Comprehensive Wastewater Management Plan. Eric Sonnett, Chairman of the Board of Selectmen, stated that the purpose of this public information session is to have EarthTech present its phase II findings and to initiate a 30 day public comment period.

Tom Parece, EarthTech, described the purpose of a Comprehensive Wastewater Management Plan, noting it is a 20 year study of looking at the Town's water and wastewater needs. He stated it gives the Town planning direction for the future. He noted that phase 1 identified 7 needs areas, and phase 2 involved the screening of alternatives for areas with long term sustainability problems. He stated they looked at local, innovative, and regional alternatives.

Mr. Parece explained the criteria used to screen the 4 alternative sites for groundwater discharge, and they will do some in-depth analysis in the next phase. He stated that reuse opportunities will be reviewed. He stated there are 9 sites possible for treatment facilities. He noted they need to

evaluate these further with regard to the watershed initiative, which means that there has to be recharge to the area where the water comes from. He stated they are also looking at more flow to Westborough, but the Town would have to bring some water back for discharge. He stated there will be a report in the fall on their next phase.

Mary Pratt, Board of Selectmen, noted that if reclaimed water was discharged it would have to be higher quality water and there would have to be a minimum 2 year travel time to a public water supply well. She asked if Hopkinton's soils will allow for this and if there would have to be a storage tank.

Mr. Parece stated they will be looking at the travel time in the next phase. He stated they do not anticipate a need for a storage tank.

Mr. Sonnett asked if they had met with the property owners of the sites. Mr. Parece stated they had spoken to two of them so far.

Len Holden, Board of Selectmen, asked for an explanation of how the water is discharged to the ground. Mr. Parece noted there could be leaching beds under playing fields, for example, or there could also be open sand beds that look like detention ponds.

Ron Roux, Affordable Housing Task Force, asked if discharge to the Milford municipal system was still being considered. Mr. Parece replied that it is and they will look at this as a regional option. He noted that Milford hasn't done a CWMP and Westborough is doing one now, and one would be required to have a regional solution. He stated they could rule out the option if no CWMP was done in Milford. He added that going out of Town requires an interbasin transfer.

Mr. Roux asked about industrial wastewater discharge. Mr. Parece stated that the industry in Hopkinton doesn't produce high metals, etc., and it is more of a commercial wastewater, so it isn't anticipated to be a problem.

Russ Phipps, Winter St., asked about discharge on the Fruit St. property the Town recently purchased. He asked about private wells in the area and if they become contaminated by the discharge, the people will get free town water. Mr. Parece stated that would be a policy decision of the Town.

Mr. Gaucher asked who would be responsible for the reporting per the Westborough/Shrewsbury agreement – Hopkinton or Westborough. Mr. Parece stated they would follow the DEP regulations.

Bob Clark, Affordable Housing Task Force, cited concerns about discharge of viruses, and what the safeguards are. Mr. Parece stated that ultraviolet disinfection could be used and it works well. He added that some viruses don't live long, either.

Dick Joubinville, Earth Tech, stated that current technology catches a lot of the viruses that used to get through systems.

Mr. Clark asked if there are ways to monitor at the discharge point. Mr. Parece stated that monitoring is typically done at the plant. He added that there can be sampling or monitoring wells at the discharge point, which are typical.

Mrs. Pratt cited concerns with mutations of viruses that aren't anticipated. She noted if the Town brings water back from Westborough, would its maximum of 400,000 gallons per day be increased. Mr. Sonnett replied it would. He stated the Town needs to evaluate all solutions.

The public information session was adjourned by the Board of Selectmen.

Members of the Board of Selectmen, Conservation Commission, and others left the meeting at this time. The Planning Board resumed its regular meeting.

5. Deerfield Estates – 148 Lumber St.

Ted Fiffy and Bill Depietri, Capital Group Properties, appeared before the Board. Mr. Fiffy stated they want to explain what they have been doing and get feedback on the latest Deerfield Estates plan. He stated they have reduced density to 46 units, protected the 100 ft. buffer, and modified the units to have more first floor master suites. He stated the architect has redesigned the units to provide more 1st floor bedrooms and the building footprints got larger. He stated they met with the Conservation Commission for feedback and it was positive. He stated they are looking to request a waiver for side setbacks for new units closer than 100 ft., noting the adjacent land is open space and they will make sure it is screened. He stated there is a possible waiver request for centerline radius of the roadway.

Mr. Coolidge stated that the DPW Director is concerned about the radius, and he thinks the current regulations aren't sufficient. He recommended that they discuss this with the public safety officials.

Mr. Fiffy described the portions of buildings within the 100 ft. buffer, noting it is much reduced. He stated the Board wanted the looping road paved, so that is what they propose. He stated the dwellings in the setback will add visual interest to the roadway. Mr. Depietri noted that since the number of units was reduced, the septic system got smaller. Mr. Fiffy stated there will be a walking trail in the open space. He stated that the Con. Comm. noted that the changes in the well area were an improvement, since the pump house was moved to upland.

Mr. Abate asked what the maximum number of cars per unit is. Mr. Depietri stated the center units would have one-car garages and other units would have two-car garages. Mr. Fiffy stated they have some pull-off areas for visitor parking. Ms. Altamura noted that there could be two cars for units with one-car garages, and asked if there will be enough parking. Mr. Depietri noted the residents can also park in their driveway. Ms. Altamura asked about the total number of spaces exclusive of those only for units. Mr. Depietri stated there would be 37 visitor spaces. Mr. Herr asked if the covenants would prohibit on-street parking. Mr. Depietri stated they could do that, and they could also limit the number of cars per unit. Mr. Abate cited safety concerns with a narrow road and possible parking in the street. Ms. Altamura stated she doesn't know what the right number is, but she doesn't want parking in the road. Mr. Depietri stated their 40-unit project in Southborough has all two-car garages plus 30-35 paved spaces for visitors, plus an

area set aside for future parking expansion if needed. Ms. Altamura stated it would be a good idea to have an expansion area here too, for the association to build later, and it would be all pre-approved for them. Mr. Fiffy noted they can address it in the covenants too.

Ms. Rose referred to condition #3 of the Board's special permit relative to buildings within the 100 ft. buffer. She noted that the plan still shows 13 units in the buffer. Mr. Fiffy noted that the special permit also says the Board could consider minor incursions in the buffer, and they eliminated work there where they could. Mr. Coolidge noted that the amount of disturbance is a lot less than before. Ms. Wright stated the plan is a big improvement.

Ms. Duffy asked how much distance there would be between any clearing and Rt. 495. Mr. Fiffy stated it would be 100 to 200 ft. Ms. Altamura noted they will be opening up the entire neighborhood to noise when the property is cleared. She asked how dense the woods is. Mr. Fiffy replied it is an oak forest. Ms. Duffy stated the people on Breakneck Hill Rd. and Glen Rd. already have noise problems. Ms. Altamura asked if there could be planting in the buffer zone for some screening. Mr. Fiffy stated he thought the Con. Comm. would allow some.

Mr. Coolidge asked about a response from the Natural Heritage and Endangered Species Program. Mr. Fiffy stated they made a negative determination. He added that they would certify the vernal pool as part of the process. He stated the Con. Comm. is excited about creating the vernal pool habitat. Mr. Coolidge noted the educational aspects of that are important, and recommended that they work with the Con. Comm. with regard to permanent protection of the open space.

Mr. Fiffy addressed the sidewalk on Lumber St., noting they are looking at meandering it to improve the lines of sight there. He stated they don't want it to be noticed as people pass by. He stated they will have a good lighting plan.

Ms. Wright asked about plans for the existing house. Mr. Depietri stated it would be one of the units, and it will be re-done to fit with the rest of the development. Ms. Wright stated they should keep the historic character of the house, and it contributes to the streetscape. She stated they should maintain the historic exterior and re-do the interior. Mr. Fiffy stated that its present condition is structurally challenging. He stated that cedar clapboards of the period could be used. Ms. Wright stated there are a lot of ways to maintain the exterior and keep the historic character of the property while meeting modern needs. She stated they should keep the appearance of the house, and it is a town treasure. She asked if they would be willing to talk to the Historical Commission or people with expertise in doing that. Mr. Herr asked if there is a written plan for the house, and Mr. Fiffy replied no. Mr. Coolidge recommended contacting the Historical Commission and working with them. He noted there may be grants available for the rehabilitation.

Vince Dempsey, 148 Lumber St., stated the house was built in 1745.

Mr. Fiffy stated they would be willing to work with the Town.

6. Hopkinton Highlands II

Eric Gardner, Toll Brothers, appeared before the Board. Ms. Lazarus described the revised performance guarantee estimate distributed this evening. Mr. Abate asked how the 20% contingency amount was chosen. Mr. Coolidge noted that it is in the Subdivision Rules and Regulations, and was recently increased from 15%.

The Board voted unanimously to set the performance guarantee amount for Overlook Rd. and Summit Way at \$1,756,205.00.

Mr. Gardner requested the release of 6 lots on Overlook Rd., lots B1, B3, B4, A2, A3, and A4.

Ms. Rose asked if the cistern for fire protection has been tested and is operational. Mr. Gardner replied yes, and the Fire Dept. should have sent out a letter today. It was noted that a letter had not been received.

Ms. Duffy noted that lot 7 did not have enough frontage, and if that had been corrected. Mr. Gardner replied yes, and an 81-P plan tonight will fix that.

The Board voted unanimously to release lots A2, A3, A4, B1, B3, and B4 upon receipt of a letter from the Fire Dept. stating that the cistern has passed the tests, the performance guarantee is deposited with the Town, and the temporary pavement is removed as described in the letter received from Toll Brothers.

81-P Plan – Overlook Rd., Lots 34/A6, 35/A5, 36/A4, 37/A3, 38/A2, 39/A1, 2/B2, and 1/B1
Mr. Gardner described the history of the parcel shown on the approval not required plan, noting it was previously approved as two Garden Apartment developments. He stated the plan creates another parcel of open space on the west side of Overlook Rd. which will connect the Hopkinton Highlands II open space to Cedar St. Ext. He stated they couldn't carve any open space out of the land on the east side because the developable area is on the backs of the lots and there is wetlands in the front. He stated there will be an easement on the backs of these lots for a future trail connection if desired. Mr. Coolidge recommended that the open space be conveyed to HALT since it will own the adjacent open space.

The Board voted unanimously to endorse the plan as not requiring approval under the subdivision control law.

7. Hopkinton Woods

Residents of Trailside Lane (Hopkinton Woods subdivision) appeared before the Board. It was noted that the road was intended to remain a private way and that members of the Board had visited the site on Saturday. Mr. Coolidge noted that he visited the site today with the DPW Director and he thought that whoever is doing the plowing and sanding could be doing better. He suggested that the residents can get some sand to place on the road from the DPW.

Steve Rosseel, 1 Trailside Ln., stated they can hear water running in the basins. He stated the problem is that the land was to retain the water in a pond and it doesn't seem to be working. He stated the developer and builder are gone and it's a problem. He stated the catch basin at the top of the road was put in for construction purposes but it was allowed to remain because it might

help, and the pipe connected to it is inadequate to handle the runoff. He stated the problem is that water runs into the road and freezes.

Scott Hollinger, 3 Trailside Ln., asked where they go from here. He stated they wrote to the Board about the problem before and nothing happened. He stated the issue is possibly related to how the lots were graded, and there is only a \$3,450 bond left for the subdivision. He stated the developer has been non-cooperative.

Mr. Coolidge noted the Town can take the bond and try to fix the problem. He added that it will remain a private road, however.

Mr. Hollinger stated they want to move forward and need to address the problem. He stated there should be some recourse. Mr. Rosseel questioned the process of engineering review during the approval process. The Board discussed the possible problems and potential solutions with the residents. Mr. Hollinger stated he wants to know what to do now.

Mr. Coolidge suggested looking at it in the spring when the snow has melted. Ms. Lazarus suggested getting quotes from engineers as to the possible cost to look into the problem, and then deciding what to do. Mr. Hollinger stated that water is blocked from its former path by the new septic system and house at 3 Trailside Ln. Mr. Rosseel stated his basement isn't as wet as it was. He stated that he wants the road to be a public way. Mr. Herr stated the Board should push the Town's engineering consultant to look at it.

The Board decided to 1) send a letter to Paula Aschettino, the developer, inviting her to a meeting to address the problem, and to arrive at that meeting after hiring an engineer to review the problem and propose a solution; 2) ask FST to look at the problem at no cost to the Town; 3) ask the DPW Director to look at in the spring.

Mr. Hollinger stated he wants it resolved before next winter. Mr. Rosseel stated that the people can access their property if they need to.

8. Street Acceptance

The Board discussed the streets for which as-built/street acceptance plans had been submitted, with the intention of having them accepted as public ways at the May annual town meeting. The streets are Alprilla Farm Rd., Brook Hollow Ln., Emerson Way, Emma Dr., Longwood Dr., Meadowland Rd., and Ralph Rd.

Adjourned: 10:45 PM

Elaine C. Lazarus, Town Planner

Approved: March 24, 2003