

HOPKINTON PLANNING BOARD

Monday, October 1, 2007 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: Sandy Altamura, John Coolidge, Carol DeVeuve, Ken Weismantel, Claire Wright

.....Elaine C. Lazarus, Planning Director
.....Anna Rogers, Secretary

A quorum was present at 7:40 PM.

1. Public Hearing – Hopkinton Highlands II/Estates at Highland Ridge – Extension of Time

Bryan Weiner, Tony Casapulla, Toll Brothers, Inc. and Mark Kablack, attorney, appeared before the Board. Mr. Coolidge asked for justification in requesting another extension of time to complete the subdivision. Mr. Kablack stated the list of items to be completed has been narrowed down to five items. He stated the updated as-built plans should be submitted shortly. He stated that Dave Goldman, Hopkinton Area Land Trust (HALT), is reviewing the conservation restriction (CR) before the open space is deeded to HALT and before the State reviews the CR. He stated the punch list of items the Board's engineer provided after the draft as-built was submitted have all been completed. He stated the damaged pavement on Summit Way has been fixed. He stated the box inlet structure on Summit Way is still being worked on to make it more aesthetically pleasing and should be ready for review in a week or so. He stated they are very close to being done.

Mr. Kablack stated they are still working on some well issues with DEP. He stated they have hired a hydrogeologist and are looking into the well problems. He stated out of the three existing wells, only two are pumping right now. He stated they are looking into three new wells northwest of the existing wells. He stated they held an information session with the homeowners in September to keep them updated on what is going on. He stated the cost that Toll Brothers is incurring to fix the water problems will not be put onto the homeowners. He stated they are not sure yet how they are going to fix the problems, but they are still working on it.

Mr. Kablack stated there are a few lot specific issues that have not been completed, mostly drainage issues. He stated lots 2 & 3 had septic trouble and the Conservation Commission approved a new septic location and the permit should be issued shortly. He stated five driveways didn't have the top coat of asphalt on the them, but two have been completed now. He stated there has been septic breakout grading problems between lots 33 & 34 and they are continuing to work with the homeowners to get construction easements to fix the problem. He stated there have been some drainage problems between lots 4 & 5 and they think those problems have been resolved and the washout area on lot 4 has been seeded and is stabilized.

Mr. Kablack stated they are asking for an extension to December 15, 2007. He stated that will give them time to complete and submit the final as-built plans and report back to the Board when all work has been completed. Mr. Weismantel stated he wouldn't want to give final approval of the subdivision until the well problems have been resolved. Mr. Kablack stated the new well site will not affect the roadway or the drainage systems in the subdivision.

Dave Goldman, HALT, stated the exploration area for the new wells is in the open space area and they are working out an exchange of land and easements. He stated the new site won't affect the CR.

Mr. Weismantel stated he is concerned the sediment buildup in the wells will be a reoccurring problem. Mr. Kablack stated the problems last year were sediment related but once they installed a new filter system there haven't been those kind of problems. He stated the problem this summer was a rapid drawdown of the well without enough water being pumped to keep up with the demand. He stated a possible fix to the problem could be sealing the wells or drilling them deeper. Mr. Weiner stated there was sediment in the wells but they were flushed out and the filter is working properly. He stated the drawdown is a capacity issue. Mr. Weismantel stated that filtration can help get rid of sediment in the water but it can cause problems with well function in general. Ms. DeVeuve stated the sediment problem seems to be taken care of but the yield isn't enough. Mr. Coolidge stated the Town could end up with homes that have no water if Toll Brothers can't fix it. Ms. Altamura asked about open space disturbance. Mr. Kablack stated they are deeper into the open space and are extending the existing access roadway from the current well site. He stated 6/10 of an acre will be disturbed. He stated the hydrogeologist has determined that it is a better location to tap into the aquifer and they will be able to protect the zone 1. He stated that DEP will have to approve the new wells before they could be put online. Mr. Weismantel asked if they had looked into the possibility of Town water. Mr. Kablack stated they did in their response to DEP but it looked too costly and they are looking into other onsite options.

Mr. Coolidge stated the discussion would continue after the next scheduled public hearing.

2. Continued Public Hearing – Hopkinton Village Center, 25 & 35 Main St. – Site Plan Review

Ron Roux, applicant, appeared before the Board. The Board voted unanimously to continue the public hearing until October 15, 2007 at 8:30 PM as there weren't enough members present who were eligible to vote on the application.

3. Continued Public Hearing – Hopkinton Highlands II/Estates at Highland Ridge – Extension of Time

The discussion was continued at this time.

Mr. Coolidge asked why it has taken a year to get the revised as-built plans submitted. Mr. Weiner stated they have been addressing comments made by the Board's engineer in response to the first set of as-built plans. He stated they needed to make the changes on the plan after the punch list had been completed. Mr. Kablack stated the as-built plan needed to incorporate all the

changes and it made no sense to submit it if things were still outstanding. Mr. Coolidge stated it just seemed that Toll Brothers was dragging it out.

Tom Collentine, 10 Summit Way, stated he is concerned about costs associated with filter replacement and maintenance of the wells if having to re-bore and pump sediment out of it is a common occurrence. He stated it is good they are exploring other means of water but the homeowners are concerned about maintenance costs. He stated the system needs to be affordable to the 39 homeowners and that is a big concern. He stated the curbing and berms throughout the subdivision are scarred. He asked why there isn't granite curbing throughout the development. Mr. Coolidge stated granite curbing is only required at curves with a certain radius and at catch basins. Mr. Casapulla stated they will take core samples of the berm to see why they are so easily damaged. Mr. Goldman stated the DPW also requests asphalt berms to help protect the snow plows.

Jason Anjoorian, 7 Overlook Rd., stated there is a water loss of 5-6 gallons per minute and Toll Brothers hasn't identified where that is. He asked how the roadway would be affected by that. Mr. Casapulla stated that when they figure out where the water is coming from, they will fix it. Mr. Anjoorian asked what the impact of excavation would be for fixing it. It was stated that if it was under the roadway, it would need to be dug up and fixed.

Mr. Coolidge stated that Toll Brothers is asking for a 2 ½ month extension. He stated if extended, they should come to the Board and discuss their status in November.

The Board voted unanimously to extend the time to complete the subdivision to December 15, 2007. The Board asked Toll Brothers to come to its meeting on November 19, 2007 for an update.

4. Scenic Road Public Hearing – 112 Ash St. – O'Connor

Matthew O'Connor, homeowner, appeared before the Board. He stated since purchasing the historic house 7 years ago, he has done a lot of restoration work. He stated when adding on another garage, the current driveway didn't line up with the garage door properly and it was difficult to get into the garage. Referring to the fact that the wall has already been removed, he stated he had no knowledge that he needed approval to remove the existing stone wall to allow more room for the driveway. He stated he had planned from the beginning to replace the wall and make it more traditional looking. He stated he is planning to make it match the stone wall on the right side of the property and it will be a dry wall. Ms. Wright stated it should be loosely fitted together and natural looking. Mr. Coolidge suggested a field stone wall. Mr. Weismantel stated he was disappointed in the original wall and the new wall will probably be an improvement to the site. It was asked if the steps Mr. O'Connor was building onto the driveway were in the right of way. Mr. O'Connor stated they are not in the right of way as far as he knows. Ms. Altamura asked if the wall was going to be in the same location as before. Mr. O'Connor stated it would be the same alignment along the front but the driveway opening would be wider.

Ms. Wright stated that buyers should be made aware of bylaws and such from their realtors when purchasing a house. Ms. Altamura stated that usually the work in violation is done in good faith.

A suggestion was made to send notices to all people on scenic roads. Ms. Lazarus noted that could be very expensive. She suggested they could keep an eye out when the new sales come through and send letters to the buyers.

Mr. O'Connor stated he had no intention of doing anything wrong. He stated he believes the changes will be good.

Mary Pratt, 102 Fruit St., stated it should be noted on a municipal lien certificate if a house is in the historic district or on a scenic road, etc. Ms. Wright stated people could be made aware of it at the closing at least.

The Board, after consideration of the criteria contained in the Scenic Roads bylaw, voted unanimously to approve the removal of the stone wall as presented with the following conditions:

1. All work shall be completed within 6 months of the start of the work. The Planning Board shall be notified within 48 hours of when work on removing the stones will begin.
2. The new stone wall shall be constructed as a dry field stone wall in the same style as the stone wall on the north side of the driveway opening, with no visible mortar.

5. Liaison Reports

Mr. Weismantel stated the Board had received an invitation from Community Harvest to visit the farm in Grafton and he recommends everyone going to see it, noting that he is a direct abutter to their land in Hopkinton. He stated there will be a program there on October 16th at 5:00 PM.

Mr. Weismantel stated at the last Zoning Advisory Committee meeting they discussed four main items for the annual town meeting in May. He stated the Board of Appeals had suggested having concurrent reviews of plans and Ms. Lazarus is working on drawing up a bylaw proposal if necessary. He stated Ms. Lazarus is also working on changes to the Stormwater Management Bylaw as discussed by the Committee. He stated they discussed off-street parking in the Downtown area and Ms. Lazarus is working on that proposal. He stated the last thing they discussed was re-zoning the Terry Property. He stated the Committee is looking at smaller items now before they receive the expected Legacy Farms proposal.

Mr. Coolidge stated the Community Preservation Commission (CPC) will not have articles for the fall town meeting because there isn't enough time to advertise hearings before then.

Ms. Wright stated the Design Review Board will be reviewing Hopkinton Village Center on Tuesday night, October 2, 2007.

Mr. Coolidge stated there has been recent talk at the CPC about using CPA funds for the housing behind the new Senior Center and affordable housing on Fruit St.

Mr. Weismantel asked if there were any updates on the Whitehall property and the Parks and Recreation Commission. Mr. Coolidge stated the meeting scheduled last week was cancelled.

Ms. Wright stated the mailbox at Colella's supermarket had been removed and she was told the Post Office will be removing all the mailboxes in the downtown area. She stated downtown is very congested and they don't need more cars there which would result if everyone had to drive to the Post Office. She asked if the Board could send a letter requesting some more information on it and asking that the boxes stay, and the Board asked Ms. Lazarus to send a letter.

Adjourned: 8:50 PM

Anna Rogers, Secretary

Approved: October 15, 2007