

TOWN OF HOPKINTON

CONSERVATION COMMISSION

TOWN HALL 18 MAIN STREET
HOPKINTON, MASSACHUSETTS 01748
Tel: 508-497-9745

October 18, 2022
Hopkinton Senior Center, 28 Mayhew Street

Called to Order: 7:00 PM
Adjourned: 8:25 PM

Members Present: Ted Barker-Hook, Jeffrey Barnes, Jim Ciriello, Ed Harrow, Melissa Recos, Kerry Reed, Kim Ciaramicoli: Conservation Administrator, Anna Rogers: Administrative Assistant

Members Absent: Janine LeBlanc

7:00 PM Commission Business

- Draft Minutes for review. Mr. Ciriello made a motion to approve the Minutes of September 13 and September 27, 2022. The motion was seconded by Mr. Harrow and it passed unanimously.
- 188-1784, Town of Hopkinton DPW, Lake Maspenock – Request to use Tool Box Item – continuation. John Westerling, DPW Director. Mr. Westerling stated the Commission approved the standard drawdown at the last meeting, and he is requesting the approval to allow the drawdown to continue to 8 feet. It was noted the full drawdown only lasts 2 weeks before the levels start to rise. Mr. Westerling stated he may ask the Commission for additional time to keep the levels low if the weather isn't cooperating. Mr. Barker-Hook made a motion to approve the 8 foot drawdown. The motion was seconded by Mr. Ciriello and it passed unanimously.
- 188-1682, Johnson, 132 Lumber St – Request for Extension Permit. Ed Johnson, owner. Mr. Barnes stated with the Covid Extension the permit is valid until February 3, 2024. Mr. Johnson stated he is confident the work will be completed by then, but is unsure if it will be stabilized. Ms. Ciaramicoli suggested planting in the Spring of 2023 and if the plantings aren't doing well in the Fall of 2023, then Mr. Johnson can ask for an extension. The Commission determined not to act on the Extension Permit request at this time.
- Goel, 56 Downey Street – Cease & Desist Discussion. Ms. Ciaramicoli gave an overview of the Cease & Desist issued by Staff last week:
 - Property on Lake Maspenock
 - Staff reviewed the property and evaluated the trees in Spring 2022, giving approval for 9 trees to be removed.
 - Neighbor reported tree cutting
 - Staff found violations of the approval letter

Ms. Reed arrived at this time.

- Verbal Cease & Desist was issued on site to tree company.

The Commission expressed the need for the trees that were cut without approval to be replaced with trees of substance. The Commission expressed an Enforcement and Restoration Order be issued. Ms. Ciaramicoli suggested the replacement trees be clustered adjacent to the Bank of the Lake. She stated the Commission would be getting a better vegetated buffer and bank stabilization.

The Commission requested Staff send American Climbers a friendly reminder letter regarding work within their jurisdiction.

Mr. Water Garland, 50 Downey St., asked the next steps are for the property as the owner has proposed replacing the house. A discussion was held regarding what would constitute a permit application being required on the property. A discussion was held regarding adding a PIB as part of the ERO.

Mr. Tom Towle, 55 Downey St, asked what size trees will be required and how many. The Commission discussed a two to one replacement with 3-4" diameter trees. A discussion was held regarding 6" diameter trees.

The Commission stated based on the preliminary plans they have seen, a Request for Determination of Applicability filing would likely be required for additional work on the property. The Commission noted the neighbors are welcome to contact the Commission if they continue to see tree work and/or construction activity.

**7:37 PM Lasher, 172 Spring Street
Notice of Intent**

DEP File No. 188-_____

Jennifer Lasher, owner/applicant; Dave Marquedant, JD Marquedant & Associates

Mr. Marquedant gave an overview of the Notice of Intent and site plans dated September 13, 2022. He reviewed the following points:

- Proposing to replace porch/deck with an addition on footings
- Pool has already been removed
- Existing lawn up to and through the wetlands

The Commission reviewed the Lucas Environmental memo and photos dated October 14, 2022.

Ms. Ciaramicoli stated Lucas Environmental suggested the Permanent Immovable Barrier (PIB) be continued further. A discussion was held regarding the country swale that is being maintained and mowed with two bridges crossing it and a shed being on the far side of it. It was noted a DEP File number has not been assigned to date.

A discussion was held regarding the PIB location and Mr. Marquedant stated the applicant can move it to the front side of the proposed wildflower meadow.

The hearing was continued to November 1, 2022.

**7:52 PM The Trails, LLC, 0 Legacy Farms North
Amended Notice of Intent - continuation**

DEP File No. 188-1649

The hearing was continued without discussion to November 1, 2022.

7:53 PM Commission Business – continued

- Ratify Emergency Certification – Whitehall Upper Dam; 0 Wood St (U16 16 0). Allen Orsi & Sarah Pierce, Pare Corp. A discussion was held regarding sinkholes forming in the top of the Whitehall Dam and stone that have fallen off the Dam. Mr. Orsi stated DCR is anxious to get the repair work done with the water levels low. Ms. Ciaramicoli stated she approved the Emergency Certificate, but asked the Commission to ratify the document and determine whether an After-the-

fact application is required. Mr. Orsi stated the work should take a few days to complete and the area will be accessed from the top of the Dam only. Mr. Ciriello made a motion to Ratify the Emergency Certificate and not to require a filing. The motion was seconded by Ms. Reed and it passed unanimously.

- 188-848, White Oak Estates, Spring St at Ralph Road and Longwood Drive. Mr. Barnes asked Mr. Orsi and Ms. Pierce if they could help get a contact at DCR to help the Commission. He stated there are two detention basins in disrepair that are located on DCR land that are directly discharging into a vernal pool and adjacent to Lake Whitehall. Mr. Orsi stated they will attempt to get a contact for the Commission.
- 188-1655, Dileo, 44 Stoney Brook – Project Change Request. Josh Detweiler, Top Notch Contracting & Dave Marquedant, JD Marquedant & Associates. Mr. Marquedant gave an overview regarding 3 requests:
 - Proposing to connect the rear and side deck, requiring an additional two footings
 - Need to install a riprap (larger than standard rocks) slope to hold up the tank and pump chamber
 - 2nd retaining wall, closer to Stoney Brook Rd for leaching field break out

Mr. Harrow made a motion to approve the project change request as presented. The motion was seconded by Mr. Barker-Hook and it passed unanimously.

- PIB Option Discussion. A discussion was held regarding how other local Conservation Commission demarcate No Disturbance Zones. Specifically, what types of materials or signage is used to discourage further development/encroachment into the buffer zone. Members expressed concerns that the medallions currently used by the HCC themselves don't seem sufficient enough. A discussion was held regarding changing the language on the medallions and making them larger. A discussion was held regarding requiring medallions in addition to fencing, boulders, etc.

Mr. Dave Marquedant stated his company orders them from a company in Holliston and he is happy to share that information. He suggested maybe a bright neon color would also help them stand out better.

A discussion was held regarding Easton's post detail being very helpful. The Commission asked Staff to continue some research into ordering Medallions and some additional designs.

- Mr. Barker-Hook stated the Zoning Advisory Committee will be holding a public forum on Monday and the tree protection bylaw will be a topic.

Adjourn: 8:25 PM