



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

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

September 25, 2014

CERTIFICATE OF PLANNING BOARD ACTION

Application for approval of a definitive subdivision plan entitled “**203 POND STREET**” filed by John Coolidge and Anne Richards, 203 Pond Street, Hopkinton, MA, located off Pond Street, Hopkinton Assessors Map R21 Block 12 Lot 0.

The Planning Board of the Town of Hopkinton (the “Planning Board”) held a duly noticed public hearing on August 11, 2014, continued to September 22, 2014, on the application of John Coolidge and Anne Richards (the “Applicants”), submitted on June 30, 2014, for approval of a 12-lot definitive subdivision plan entitled “203 Pond Street” (the “Subdivision Plan”). The land is owned by John Coolidge and Anne Richards. The Subdivision Plan was prepared by Tunison Dias, Inc., dated June 30, 2014 and revised September 17, 2014.

The land shown on the Subdivision Plan is subject to a Special Permit issued by the Planning Board dated March 18, 2013, granting a Special Permit pursuant to Article XVII of the Hopkinton Zoning Bylaw, Open Space and Landscape Preservation Development (“OSLPD”) and Article XI, Flexible Community Development.

The 43.2 acre site is located within the Agricultural Zoning District and the Water Resources Protection Overlay District. The Subdivision Plan shows a 950 foot long dead end street off Pond Street. The site consists of land in residential use, wooded land and wetland resource areas. The new roadway has been designed to follow the contour of the land as much as possible, in order to minimize site disturbance. The Subdivision Plan would create 32.43 acres of permanent common open space in one parcel. The common open space will be adjacent to existing open space.

Written comments and recommendations on the Subdivision Plan were received the BETA Group, Inc., the Board’s consulting engineer, the Hopkinton Fire Department and the Board of Health, Sudbury Valley Trustees, and Michael and Margaret Bower. Several residents provided verbal comments and recommendations at the public hearing. The Applicant submitted the information necessary to demonstrate that the definitive plan standards in the OSLPD Bylaw had been met. Throughout the process, the Planning Board has been mindful of the statements of the Applicants and the comments of the general public, all as made at the public hearing.

The Planning Board certifies that at a public meeting on September 22, 2014 it voted to approve the Subdivision Plan and Profile revised through September 17, 2014, drawn by Tunison Dias, Inc. and submitted by the Applicants, subject to the following conditions:

1. After finding that it was in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law, the Planning Board waives strict compliance with the following provisions of the Rules and Regulations Relating to the Subdivision of Land ("Subdivision Regulations"), in accordance with Section 81-R of the Subdivision Control Law and Section 7.1 of the Subdivision Regulations:
 - a) Curbing is not required in specific areas, to allow for country drainage and to provide for additional water quality treatment and stormwater recharge/low impact development techniques (8.2.2.A, B and C). Cape cod berm shall be provided in the locations shown on the Subdivision Plan.
 - b) Cuts or fills for road construction may exceed 8 feet in depth where shown on the Subdivision Plan, so that a roadway section near Lot 2 may have a cut of up to 10 feet from existing grade in order to meet sight distance requirements of the sag vertical curve proposed at the culvert replacement (8.2.7.A).
 - c) Section 9.12.1 requires the planting of street trees at 40 foot intervals. Trees shall be planted as indicated on the plan, with the exception that a variety of species shall be used, reducing vulnerability to disease and insects. The Tree Warden shall be consulted as to appropriate species and location prior to planting. The Board encourages the Applicants to retain trees in the road right of way when possible.
 - d) Construction of a portion of the proposed road, infrastructure and driveway may be within an area with an existing slope in excess of 25% (8.2.7.B), as shown on the Subdivision Plan.
2. Development of the land shown on the Subdivision Plan shall be consistent with the Special Permit issued by the Planning Board on March 18, 2013. This condition shall be written on the Subdivision Plan prior to endorsement.
3. The common open space shall be deeded to the Sudbury Valley Trustees in accordance with the provisions of the OSLPD Bylaw. A conservation restriction shall be placed on the open space.
4. Roadway and infrastructure construction shown on the Subdivision Plan shall be completed within three (3) years from the start of construction or this approval shall be automatically rescinded unless such time is extended by the Board at the request of the Applicant. If construction has not commenced within six (6) years from the date of this approval, such approval shall be automatically rescinded.
5. There shall be a maximum of twelve (12) building lots in the subdivision. This condition shall be written on the Subdivision Plan prior to endorsement.
6. Prior to the Planning Board's endorsement of the Subdivision Plan, the Applicants shall execute an Agreement with the Planning Board, that no lot depending on the new roadway for their legal frontage shall be sold, or buildings or structures erected or placed on, or

building permits issued with respect to any such lot, until:

- a) The work on the ground necessary to adequately serve such lot has been completed in accordance with the contents of the Subdivision Plan and Profile and with the Subdivision Regulations and that all other requirements of the Subdivision Regulations have been fully complied with; or
 - b) The Applicants have executed a contract with the Planning Board, accompanied by appropriate security to secure performance, to complete construction of the roadway in accordance with the Subdivision Rules and Regulations, on or before a date specified in the contract;
 - c) The Applicants have recorded in the Registry of Deeds (or Land Court) a certificate executed by the Planning Board that the above conditions with respect to any such lot have been completed or have been amended, modified, revoked, waived or released by the Planning Board.
 - d) In order to facilitate compliance with Section 12.1.4 of the Subdivision Regulations, the Applicants shall provide the Board with an estimate of the cost to maintain the stormwater management system for a period of five (5) years from the date of street acceptance. Such estimate shall be provided to the Board for review at the time a performance guarantee estimate is submitted in accordance with Section 7.6 of the Subdivision Regulations.
7. Tree stumps and building scrap materials shall be removed and shall not be buried on the site. However, material intended for future use may be stockpiled on the site and maintained in a neat and workmanlike manner.
 8. The Applicants shall maintain all portions of any public way used for construction access free of soil, mud or debris deposited due to use by construction vehicles associated with the subdivision, and shall regularly sweep such areas as necessary.
 9. All potential safety hazards that may exist in the subdivision from time to time during the period of construction shall be adequately secured prior to the end of each work day.
 10. No earth products shall be delivered to the site which are not for use on the property. No earth shall be stripped or excavated and removed from areas of the site unless for road, infrastructure, home or lawful accessory use construction. No earth processing operations shall occur on the site, unless earth products are to be combined and/or mixed for use on the property. All piles of stockpiled earth shall be stabilized with adequate dust and erosion controls. All piles of earth shall be removed from the subdivision upon completion of construction of the road and infrastructure. Any piles remaining after that time shall be solely in conjunction with an active permit for construction of sewage disposal system, building or lawful accessory use. Any violation of this provision may result in a stop work order or plan rescission.
 11. Erosion control measures to prevent siltation onto wetlands, neighboring properties and roads during construction shall be implemented. Erosion and sediment control provisions are shown on the Subdivision Plan. The erosion control documentation submitted shall be implemented and followed during construction. During construction, if these plans are found

to be inadequate by the Planning Board, a new erosion and sediment control plan shall be submitted to the Board for review and approval. In the event that erosion and sedimentation problems arise during construction, the Planning Board may require that all work cease until measures necessary to ensure prevention are implemented.

12. No building permits shall be issued or any construction in the subdivision allowed until approval for such work has been obtained from the Conservation Commission for areas affected by the Wetlands Protection Act and the Hopkinton Wetlands Protection Bylaw (Chapter 206 of the Bylaws of the Town of Hopkinton).
13. Drain easements shown on the Subdivision Plan shall be defined by metes and bounds, deeded to the Town, recorded at the Registry of Deeds (or Land Court) at the Applicant's expense, and copies furnished to the Town Clerk, Department of Public Works and Planning Board.
14. Areas disturbed for roadway and infrastructure construction shall be loamed and seeded during construction as soon as possible.
15. The street name shall be approved by the Board of Selectmen prior to endorsement and recording of the Subdivision Plan. The street sign shall be erected by the Applicant prior to the issuance of building permits.
16. During construction, streets shall be swept and catch basin sumps shall be cleaned regularly, at least twice a year.
17. During construction, the common open space shall not be used for storage of construction vehicles, stockpiling of loam or other material, or any other use incompatible with its future use.
18. Each lot shall be assigned a street number by the Director of Municipal Inspections, and such number shall be noted on the Subdivision Plan prior to endorsement.
19. An accurate compilation of quantities of the site improvements to be installed and constructed shall be provided to the Board prior to the commencement of construction.
20. The sight distance associated with the two driveways on Pond Street shall be evaluated by the Director of Municipal Inspections at the time of building permit application. The applicant shall be responsible for undertaking any recommended improvements, which shall consider the status of Pond St. as a designated scenic road. This condition shall not relieve the Applicants of the need for any required approvals pursuant to the Scenic Roads Bylaw (Ch. 160 of the Bylaws of the Town of Hopkinton).
21. The Subdivision Plan shows proposed plantings for screening purposes on the property at 199 Pond Street. No such planting shall be undertaken without the written agreement from the owner of 199 Pond St. allowing the planting on the property. In the event that approval is not received from the owner prior to the completion of all other work shown on the

Subdivision Plan and the Applicants are unable to accomplish the planting, said planting shall not be required.

22. The Applicants shall provide additional details, design calculations and other supporting information for review for the proposed culvert and retaining walls stamped by a Massachusetts registered professional structural engineer, prior to the commencement of construction. The design shall be in accordance with the AASHTO LRFD Bridge Design Specifications, including the use of a crash railing system.
23. A copy of the final signed Operations and Maintenance Plan for the stormwater management system shall be submitted to the Planning Board prior to the commencement of construction.
24. The Subdivision Plan shall be revised prior to endorsement in order to provide a delineation of the 4" PVC outlet at the ecological restoration area, such as stone pads at inlet/outlet, to allow for ease of location during maintenance operations.
25. Prior to endorsement, the Subdivision Plan shall be revised to include the kettle hole drainage area on Lot 1 within the drainage easement.
26. The Subdivision Plan shows a proposed trail network and existing trails. The actual location of the new trails within the open space shall be at the discretion of the recipient of the open space, and shall not be limited to the locations indicated on the plan. The Board encourages trail route planning that connects to adjacent and nearby open space areas, including areas across any street, and which allows users to view natural features.



Kenneth Weismantel
Chairman

This decision is subject to appeal in accordance with MGL c.41, § 81-BB within 20 days after the decision is filed with the Town Clerk.

cc: Town Clerk
Tunison Dias, Inc.
Conservation Commission
Board of Health
Board of Selectmen

BETA Group
Director of Municipal Inspections
Police Chief
Fire Chief
Public Works Director