

ERB
Approved
2/3/10



Town of Northborough

Earth Removal Board

Wednesday, December 2, 2009

Present: Janet Sandstrom, Nick Howorth, Fred Philcox, and Anthony Ziton

Absent: Tom Beals

Also Present: Fred Litchfield - Town Engineer; Eileen Dawson - Recording Secretary; Dimitrios Voyiatzis and John Voyiatzis – 73-85 West Main Street; Peter Carlino – CBA; and Steve Poole – Lakeview Engineering; Brad Bigelow – Bigelow Nurseries; William Brossi – J.S. Brossi; Kevin Quinn – Quinn Engineering Inc.; Kalpana Samuel – 19 Liberty Drive.

At 7:32 pm, Ms. Sandstrom called to order the Earth Removal Board meeting.

Public Hearings:

7:33 pm Permit Application for Bigelow Nurseries, 455 Main Street, Map 80, Parcel 34

Mr. Bigelow gave the signature cards and abutter list to Mr. Litchfield. Mr. Bigelow gave an update on the materials (composted) already taken off site – approximately 10,000 cubic yards and the plans to remove some of the materials (top soil and rocks) through the Loop access road, down Route 20, Route 9, and onto Route 140 to Boylston and possibly Sterling. Earth Removal Board members discussed the duration of the project. Mr. Bigelow explained that the removal would begin in the spring, and then the area would be seeded and stabilized. Board members discussed the site plan and decided that a bond amount would not be necessary for this project. Board members asked Mr. Bigelow to keep the street clean and swept as needed, and to install a tire scrubber for the Loop area road (once paved). Board members discussed and agreed to have the applicant return to the Board in 6 months with an update.

Mr. Howorth motioned, Mr. Philcox seconded, and it was unanimously voted, “To issue an Earth Removal Board permit to Bigelow Nurseries, 455 Main Street, Map 80, Parcel 34 without a bond amount with the stipulation that the applicant return in 6 months with an update.”

7:52 pm Renewal Permit Application for Joseph S. Brossi, L.P., 11 Monroe St., Map 63, Parcel 161

Bill Brossi gave the abutter list and signature cards to Mr. Litchfield. Bill Brossi gave an update on the project at 11 Monroe Street and commented that no changes are being requested in the renewal. Board members discussed the project and had no concerns.

Mr. Howorth motioned, Mr. Ziton seconded, and it was unanimously voted, “To renew the Earth Removal Permit for Joseph S. Brossi, L.P. for property at 11 Monroe Street, Map 63, Parcel 161 with the bond remaining at \$4,000.”

7:53 pm Amended Permit Application for Dimitrios Voyiatzis, 73-85 West Main St., Map 63, Parcels 11, 12, 13

Mr. Poole gave Mr. Litchfield the abutter list and signature cards. Mr. Poole gave an update on the ZBA approval for the proposed project of two buildings on the 73-85 West Main Street property. Mr. Poole explained that Mass Highway has not approved the permit yet to tie into the

Route 20 drainage system. Board members discussed the current permit that only allows erosion control, a temporary swale, and large detention basin. Mr. Poole explained the request to build a retaining wall, grade the back slope (2:1), and install building pads. Board members discussed the 10' tall proposed retaining wall (currently under permit application with the building inspector), 6' to 2' taper. Mr. Carlino explained the desire to get the slope down, put up both retaining walls, and add matting before the spring rains occur. Board members discussed concerns with the delays that this project has had since inception, the concern with erosion on the site over the winter, and the desire to have matting down as soon as possible. Mr. Litchfield commented that the matting should have been done already, but due to financial issues, the matting installation on the back slope has been delayed.

Board members discussed the water on the site, concern with drainage plans, and concern with the detention basin's ability (too small) to contain water over the winter and spring. Mr. Poole explained that a structural engineer is very involved with the water and drainage plans. Mr. Poole agreed to enlarge the pond toward the front of the property to allow more water and runoff containment.

Ms. Sandstrom asked for audience sharing; Mr. Fouracre commented on the erosion control issues, the back wall erosion, and the back slope. Ms. Samuel, 15 Liberty Street, asked questions regarding the impact of this property on her property. Board members explained their concern with the back hill regarding sloping, adding walls, and adding matting to stabilize the site from runoff onto Route 20.

Board members discussed the disturbed area and agreed that the bond amount could remain the same to cover 1 day of bulldozing if applicant defaulted on the project.

Mr. Litchfield and Board members discussed a limited amount of wall that could be built over the next 30 days and the need for matting to be installed on the remaining back slope. Board members agreed that 150' of wall (bottom of the wall would go another 20') could be installed and disturbed, and the remaining back of property would need to be matted.

Mr. Philcox motioned, Mr. Howorth seconded, and it was unanimously voted, "To amend the current permit to allow excavation and erection of 150' of wall (measured along top of wall) in order to allow pending building permit approval and the Board would review progress at the January 6, 2010 meeting."

FYI:

Tentative date for the next meeting Wednesday, January 6, 2010 at new time of 7:00pm; Board members discussed the new time, some conflicts in the coming months, and agreed to meet at the old time of 7:30 pm for the next few months.

Review Minutes of September 30, 2009

Board members discussed and had no changes.

Mr. Philcox motioned, Mr. Howorth seconded, and it was unanimously voted, "To approve the minutes of September 30, 2009."

Old Business:

- **Copley Woods** – Mr. Litchfield gave an update on the applicant missing the deadline for the town meeting this year (due to water issues in neighbor's property), the grading and water problem being resolved, and the applicant's plan to obtain street acceptance at the next town meeting. Mr. Litchfield explained that the site has been stabilized and as-builts received.

- **Signature Homes** – Board members discussed the applicant’s being in default with the Planning Board. Mr. Litchfield suggested waiting until the Planning Board has made a decision before the Earth Removal Board takes any action on the bond amount of \$11,000 being held by the ERB.
- **Galahad Estates** – Mr. Litchfield gave an update that the paperwork has been completed (street accepted at the last town meeting).
- **Richard Hight’s Plaque Recognition** - Board members discussed Richard Hight’s many years of service and contribution to the Earth Removal Board. Board members discussed the plaque created for Mr. Hight and best way to present to him; Ms. Sandstrom agreed to call Mr. Hight and ask how he prefers to receive the plaque (town meeting, Board of Selectman, or more informally).

Bond Releases: (none at this time)

Adjourn:

Board member agreed that no further business needed to be discussed. Board members agreed to adjourn.

Mr. Howorth motioned, Ms. Sandstrom seconded, and it was unanimously voted: “To adjourn the Earth Removal Board meeting.”

The Earth Removal Board adjourned at 9:12 pm.

Respectfully submitted,

Eileen Dawson
Board Secretary