



Town of Northborough
Earth Removal Board
65 Main Street, Northborough, MA 01532
Conference Room B
Wednesday, December 1, 2010

Present: Janet Sandstrom, Fred Philcox, Tom Beals, and Anthony Ziton

Absent: Nick Howorth

Also Present: Fred Litchfield - Town Engineer; Eileen Dawson - Recording Secretary; Peter Carlino – CBA; Wayne and Bob Kimball – Kimball Sand; Bob D’Amelio – Borggaard Construction; John Grenier – J.M. Grenier Associates; David Gillespie – AvalonBay Communities; Jared Gentileschi – Nitsch Consulting; and Kurt Sjotkest – New England Development.

At 7:05 pm, Ms. Sandstrom called to order the Earth Removal Board meeting.

Public Hearings:

7:06 p.m. Permit Application

Mo Bayou
1C Belmont Street
Map 109, Parcel 2

Mr. Grenier gave the legal advertisement, signature cards, and abutter list to Mr. Litchfield.

Mr. Grenier gave an update including: meetings with the ZBA, Planning Board, and Conservation Commission, details of the redevelopment (plans for building a 2-story building, parking plans along Route 9 for vehicles, front wall, retaining wall, working with grades of property to prevent erosion into protected areas, and erosion plans (Conservation Commission approved). Board members asked questions. Mr. Grenier explained the plans to bring in structural materials for under the building (current material is fill, not appropriate for building a 2 story structure upon), removing 3,500 cubic yards, plans for same footprint (redevelopment of previously disturbed area), and plans to begin in mid to late spring of 2011.

Mr. Litchfield gave the calculations of \$2,000 for bulldozing, \$3,340 for hydro seeding, \$1,500 for as built, and 15% contingency for a bond amount of \$8,000.

Ms. Sandstrom asked for audience sharing; no one responded.

Mr. Beals motioned, Mr. Philcox seconded, and it was unanimously voted, “To issue an Earth Removal permit to Mr. Mo Bayou of 240 Turnpike Road, Inc. for 1C Belmont Street, Map 109, Parcel 2 with the bond amount at \$8,000.”

Old Business:

- Informal discussion with Robert Kimball regarding status of Kimball Sand - Mr. Bob Kimball explained the plans for the property and distributed new plans dated 8/6/10. Mr. Kimball gave an update including: changes to the driveway (improved drainage flow into the catch basins), no water erosions issues, catch basins are working correctly, and water absorbs into the ground (no issues of erosion on Route 20). Mr. Litchfield commented that the site has been stable; he requested the desire to review plans as the rock blasting continues to bring the site elevation down closer to the street level. Mr. Litchfield wants to ensure that drainage continues to flow properly. Mr. Kimball and Board members discussed the remaining time needed for an earth removal permit (1 to 1 ½ years until the road would be opened and several years until the site work would be completed).
- Informal discussion with Kevin Giblin regarding status of The LOOP/Northborough Crossing - Mr. D'Amelio and Board members discussed the site progress. Mr. D'Amelio explained that 89% of the site work has been completed (curbs in, detention ponds in, catch basins in place and functioning well). Mr. D'Amelio explained that most pads are built (Burger King, office building, BJ's gas station, and 3 restaurant pads are not built yet). Board members asked about the rented retail pads; Mr. D'Amelio commented that 90% of the spaces have been rented to retail companies. Mr. Sjostedt, New England Development representative, asked for a bond reduction for the Northborough Crossing project. Mr. Litchfield and Board members discussed the competence and quality leadership of Borggaard and others involved with the project and the potential for a bond reduction in the coming year.
- Request for extension permit from Brad Bigelow for Bigelow Nurseries' permit # 2009-11. Mr. Bigelow gave an update on the materials still on the site and asked for an extension permit to continue earth removal. Board members and Mr. Bigelow discussed that 25% of the material still needs to be screened and moved to Northborough Crossing. Mr. Litchfield explained that grading plans would need to be discussed with the Earth Removal Board once the pile has been removed to ensure site stability without erosion issues. Board members agreed to continue Mr. Bigelow's earth removal permit and asked for him to come to their meeting in a year, if not before. Mr. Litchfield agreed to send a letter confirming that Mr. Bigelow's permit has been renewed.
- Informal discussion with Jimmy Voyiatzis regarding progress on 73-85 West Main Street - Mr. Carlino, contractor for the project, gave an update on the progress of the site including: paving plans for next Tuesday, roof drains to be tied into the drainage system within the week, curbing plans for next week, and overflow piping to be tied into the street next week. Board members and Mr. Litchfield asked questions about drainage and asked Mr. Carlino for the as-built plans for the slope and wall. Mr. Litchfield explained that a stone-tracking pad should be put in place to keep the street clean at the entrance for trucks moving on and off the site. Mr. Litchfield expressed concerns with Mr. Fouracre's property and possible erosion since the berm between the properties has been temporarily taken down. Mr. Carlino commented that he has been in weekly conversations with Mr. Fouracre to ensure that any issues and concerns are addressed.

FYI:

Tentative date for the next meeting Wednesday, January 5, 2011 that will start at 7:00 pm.
Board members agreed to meet.

Bond Releases

- Avalon Bay has requested a bond release – Mr. D’Amelio, Borggaard Construction, gave an update on the AvalonBay project including: 89% of the site work has been completed, curbs are in, catch basins and detention pond are complete and working, 90% of the retail has been rented, and most pads are built (Burger King, Office building, gas station, and 3 restaurant pads are not built yet). Mr. Gillespie, AvalonBay representative, explained that the as built for phase 1 has been submitted and phase 2 for the fixtures and gates has just been submitted.

Board members and Mr. Litchfield discussed and the Board agreed to release the bond contingent on the final site approval.

Mr. Philcox motioned, Mr. Beals seconded, and it was unanimously voted, “To release Brendon Properties bond amount of \$100,000 for AvalonBay project contingent on Nitsch Consulting’s final review and approval.”

Review Minutes of October 6, 2010:

Board members discussed the minutes and had no changes.

Mr. Philcox motioned, Mr. Ziton seconded, and it was unanimously voted, “To approve the minutes of October 6, 2010.”

Old Business:

- 0 Whitney Street (432 Whitney Street) – Mr. Litchfield gave an update on Mr. Santo Anza, the property owner, whom has been soil testing due to arsenic in the rock (the rock is not hazardous unless crushed). Neighbors’ have file complaints with town officials due to noise of trucks on and off property and concerns with property being used for agricultural use (feel the property is being used for commercial or industrial). Mr. Litchfield explained that town counsel and the building inspector have been involved. Board members and Mr. Litchfield discussed the property being outside of the Earth Removal Board’s jurisdiction because the property is zoned for agricultural use. Mr. Litchfield explained that he would let the Earth Removal Board members know the outcome of the Planning Board’s meeting with Mr. Anza later this month.

Adjourn:

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

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

The Earth Removal Board adjourned at 8:25 pm.

Respectfully submitted,

Eileen Dawson
Board Secretary