



## Town of Northborough

Earthwork Board  
63 Main Street, Northborough, MA 01532  
Conference Room B  
Wednesday, February 26, 2014

---

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

Also Present: Fred Litchfield - Town Engineer; Attorney Mark Donahue - 318 Main Street; Tim Shay - Stoneridge Development; Dimitrios and Joanna Voyiatzis - Hillside Grill; Nick Muskopf - Stoneridge Development; Jackie and Derek Chowaniel - 4 Brody Way; Chuck Black - 296 West Main Street.

At 7:00 pm, Ms. Sandstrom called to order the Earthwork Board meeting.

### **Public Hearings:**

7:05 pm New Permit (continued)  
Tim Shay Trustee  
338A Main Street  
Map 47, Parcel 74

Mr. Shay, representative for 338A Main Street project, explained that the abutters were notified and the green cards submitted.

Board members discussed the plans last month and a calculated a bond of \$2,000. Ms. Sandstrom asked if any abutters were present; no one responded. Ms. Sandstrom requested action.

***Mr. Ziton motioned, Mr. Philcox seconded, and it was unanimously voted, "To issue an Earthwork Board permit for Tim Shay Trustee for the property at 338A Main Street, Map 47, Parcel 74 with a bond amount of \$2,000."***

Mr. Litchfield commented to Mr. Shay that a copy of the ad and the abutters' signature cards are needed for the file.

7:10 pm New Permit  
Tshay LLC  
137 West Main Street  
Map 63, Parcel 89

Mr. Shay, representative for the 137 Main Street project, explained that he notified abutters and the engineer has the signature cards (an abutter in the audience commented that she received notification, so the Board decided to continue the public hearing). Mr. Litchfield explained that the notification cards need to be sent tomorrow or Mr. Shay would need to re-advertise and notify abutters for the meeting next month.

Mr. Shay explained the plans for the property and commented that he does not have prospective tenants at this point. Board member discussed the property.

Ms. Sandstrom asked for audience comment; Ms. Karen Richardson, abutter at 145 West Main Street, asked questions about the plans near her property, water table, and concern with flooding; Mr. Shay agreed to meet with this neighbor to discuss. Mr. Litchfield commented that she could come to the engineering department to review the plans and discuss in more detail as well.

Mr. Litchfield calculated the bond amount for a total of \$5,500 including: bull dozing, hydroseeding, as-built, and contingency.

***Mr. Ziton motioned, Mr. Pini seconded, and it was unanimously voted, "To issue an Earthwork Board permit for TShay LLC for the property at 137 West Main Street, Map 63, Parcel 89 with a bond amount of \$5,500."***

Mr. Litchfield explained that the green cards/signature cards need to be submitted tomorrow or Mr. Shay would need to re-advertise and re-notify abutters.

**FYI:**

- Informal Discussion with Attorney Mark Donahue regarding the pending Earthwork Application at 318 Main Street which will be on the March 26, 2014 Agenda. Attorney Donahue explained the plans to remove 1,500 cubic yards of earth in the front, pave the property, and add a nitrogen reduction septic system in the back of the property; he explained the time sensitivity for the Tavern on the Square restaurant wanting to open in early April. Mr. Litchfield explained the building inspector's need for the Earthwork Board's approval before construction could begin and the time sensitivity of the project for the owner.

Mr. Litchfield explained that the bond amount would be \$20,000 based on the work proposed; Attorney Donahue explained that the owner has already invested over \$1,000,000 in the property and would unlikely walk away from the project.

***Mr. Philcox motioned, Mr. Ziton seconded, and it was unanimously voted, "To anticipate a permit issued for 318 Main Street property with a bond amount of \$20,000 and a formal decision rendered at the March 26, 2014 meeting."***

- Tentative date for the next meeting, Wednesday, March 26, 2014. Board members discussed and agreed to meet on March 26th. Mr. Litchfield commented on the new permit request for 318 Main Street.
- Walmart – Mr. Litchfield explained that Walmart planned to call Bohler, amend the contract, and complete an as-built. Board members discussed the bond being held at \$33,000.
- Town Meeting – begins Monday April 28<sup>th</sup>.

**Bond Releases/Reductions:**

- 269 West Main Street – Mr. Litchfield discussed the property and Mr. Black's request for a bond release; Mr. Litchfield commented on the incomplete work (drainage, digging, light posts, and plantings needed) and the as-built drawing updated/completed. Board members discussed the bond amount and agreed to reduce by \$15,000. Ms. Sandstrom asked for a motion.

***Mr. Philcox motioned, Mr. Pini seconded, and it was unanimously voted, "To reduce the Earthwork Board bond amount for 269 West Main Street from \$30,000 to \$15,000."***

- Northborough Crossing – Mr. Litchfield explained that he has all the as-builts and off-site work including the drainage and roadway; he recommended releasing the \$100K bond. Earthwork Board members discussed the property. Ms. Sandstrom requested action.

*Mr. Ziton motioned, Mr. Beals seconded, and it was unanimously voted, “To release the Earthwork Board bond for Northborough Crossing in the amount of \$100,000.”*

- 73-85 West Main Street – Mr. Voyiatzis asked for a bond release. Board members discussed the need to fix the bank and submit a proper as-built before releasing the bond. Mr. Litchfield explained that the drainage and retaining wall need to be on the plan. Board members agreed to keep the \$10,000 bond until the above mentioned items have been done.

**Review Minutes of January 22, 2014:**

Board members discussed. Ms. Sandstrom requested action.

*Mr. Beals motioned, Mr. Ziton seconded, and it was unanimously voted, “To approve the January 22, 2014 minutes of the Earthwork Board.”*

**Adjourn:**

Board members agreed that no further business needed to be discussed. Ms. Sandstrom requested action.

*Mr. Philcox motioned, Mr. Ziton seconded, and it was unanimously voted, “To adjourn the Earthwork Board meeting.”*

The Earthwork Board meeting ended at 8:30 pm.

Respectfully submitted,

Eileen Dawson  
Board Secretary