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By KWilber/Assistant Town Clerk at 9:26 am, Oct 20, 2023

# Town of Northborough

## Office of the Town Engineer

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**Earthwork Board  
Remote Meeting Minutes  
April 13, 2023  
6:00 p.m.  
Approved June 7, 2023**

**Members/Staff Remote:** Janet Sandstrom (Chair), Tony Pini, Tom Beals, Fred Litchfield (Town Engineer)

**Members Absent:** Chris Deacetis, Ronald Doucett

**Attendees Remote:** Charles Freeman, Barry Yaceshyn (WDA Design Group)

The Chair opened the meeting at 6:14 p.m.

The open meeting of the Northborough Earthwork Board is being conducted remotely consistent with Governor Healy's Executive Order of March 29, 2023 an Act relative to extending certain COVID-19 measures adopted during the State of Emergency. All members of the Northborough Earthwork Board are allowed and encouraged to participate remotely. The Order allows the Northborough Earthwork Board to meet entirely remotely so long as reasonable public access is afforded so the public can follow along with the deliberations of the meeting. The public is encouraged to follow along using posted agenda unless the Chair notes otherwise. Members of the public who wish to view the livestream may do so by going to the Northborough remote meeting on YouTube via the link listed on the agenda. Ensuring Public Access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

Member & Staff Roll Call: Tony Pini, Tom Beals, Janet Sandstrom; Fred Litchfield (Town Engineer)

Review Meeting Minutes of December 8, 2022 – Mr. Pini made a motion to approve the Meeting Minutes of December 8, 2022; Mr. Beals seconded; roll call vote: Pini-yes; Beals-yes; Sandstrom-yes; motion approved.

### **Public Hearing(s)**

#### New Permit:

Owner: Brant Viner/Margaret Harling

Applicant: Charles Freeman, CC Construction Consultant, LLC

95 West Street

Map 54, Parcels 34 & 35

Charles Freeman and Barry Yaceshyn (WDA Design Group) were in attendance. Is it an approved Common Driveway on West Street; a 10.5± acre 6-lot parcel; one of the lots is the existing house at 85 West Street. A common drive will be constructed; the first 300 feet of the water main was installed in 2021. The applicant will continue clearing the land and constructing the rest of the common drive from station 300 to station 970. It will contain installation of the common drive (removing the top soil, putting in sub-material and rebuilding the road); it will be cleared for each individual lot; construction of foundations, installation of utility lines, electric and water; drainage structures are needed for stormwater and infiltration. Most of the material on the top surface will be maintained on the property for landscaping, etc.; the applicant will bring in 3,000-4,000 cubic yards of structural fill for the road and 2,000-3,000 cubic yards of crushed stone for road bedding. The applicant said no material will leave the site; the only additional material incoming will be 1,700-feet of water line coming down West Street for the hydrant on the corner of Cherry Street which will also feed the common drive. The material that comes out of the trench will be brought in and used on the side of the common drive for the slope.

Mr. Litchfield said it's a common driveway, not a subdivision. There is one existing home that will be accessed off the common driveway; one will access directly off of West Street; there is a total of five lots off the common driveway. The work done so far didn't trigger an Earthwork Permit because they didn't meet the three or more units; the bulk of work for the common driveway was done in 2021.

The Chair asked for public comment; there was none. Mr. Pini asked if the 900-feet of road was to the cul-de-sac and before the driveway for each house. Mr. Yaceshyn said 970-feet is the total length of the common drive from West Street to the back of the cul-de-sac to the common drive. Mr. Pini asked if the driveways are in addition to the common drive and not part of the 900-feet and was told that was correct. Mr. Beals said this was before Conservation and asked if it triggered a Land Disturbance Permit; Mr. Litchfield said it was reviewed and it was not needed but said there will be a bond and the permit will have to be renewed annually.

Mr. Litchfield recommended a \$59,000 bond. Mr. Pini asked about the amount of the bond since there is a lot of fill being brought in. Should something happen and the houses haven't been started, he asked if the fill would remain and be seeded or would it be removed. Mr. Litchfield said it depends on the condition of the site at that time they were to walk away; whatever is not stabilized, paved or grassed would be hydroseeded for stabilization.

Mr. Beals made a motion to close the public hearing; Mr. Pini seconded; roll call vote: Beals-yes; Pini-yes; Sandstrom-yes; motion approved. Mr. Beals made a motion to issue an Earthwork Permit for 95 West Street with a \$59,000 bond; Mr. Pini seconded; roll call vote: Beals-yes; Pini-yes; Sandstrom-yes; motion approved.

Discuss possible date for the next meeting and set meeting schedule for the remainder of Calendar Year 2023 – The members agreed to meet on the 1<sup>st</sup> Wednesday of the month from this point forward with the next meeting be June 7<sup>th</sup>. Mr. Litchfield will confirm with Chris Deacetis and Ronald Doucett before posting on the web.

### **Bond Release/Reduction Discussion:**

180 Bearfoot Road (2022-3) Madelyn Properties - \$6,500: The area is stabilized; the drainage is in; the as-builts have been received. Mr. Beals made a motion to release the bond for 180 Bearfoot Road in the amount of \$6,500; Mr. Pini seconded; roll call vote: Beals-yes; Pini-yes; Sandstrom-yes; motion approved.

55 Bearfoot Road (2017-6) National Grid - \$7,700: Solar panels were put in; there was an ice issue; they have since installed gutters and downspouts; the final plans have been received. Mr. Pini made a motion to release the bond for 55 Bearfoot Road in the amount of \$7,700; Mr. Beals seconded; roll call vote: Beals-yes; Pini-yes; Sandstrom-yes; motion approved.

**Review Bond Spreadsheet:** Mr. Litchfield will review the list to see what can be released so the board can vote on it at the next meeting.

**New Business:**

Discuss Article 36 regarding Earthwork Board Bylaw Amendment – Ms. Sandstrom will attend. A board member will have to read the motion; Mr. Litchfield will make the presentation. The town adopted a Land Disturbance Permit and Bylaw in 2021; it's similar to what the Earthwork Board looks for. It was assigned to the Conservation Commission because most of the projects that are required for a permit of that nature are also required to get a permit from the Conservation Commission. We neglected to take into account that all the projects that are over an acre would have to go to Conservation but the projects under one acre would still have to come to the Earthwork Board. Article 36 provides an exemption from the Earthwork Board requirement to get a permit if they are going to need a permit from the Conservation Commission because the project is going to disturb more than one acre. In the second section, Earthwork Permits were previously required to be issued by the Planning Board in the industrial district. It was amended a number of years ago; that requirement was never stricken from the second section of Article 2-28-040; it's a housekeeping issue. Ms. Sandstrom will contact Mr. Doucett to ask if he would read the motion. Mr. Pini made a motion to recommend approval of Article 36 as written; Mr. Beals seconded; roll call vote: Pini-yes; Beals-yes; Sandstrom-yes; motion approved.

The Annual Town Meeting is scheduled for April 24, 2023, at 6:00 p.m. at ARHS.

Having no further business to discuss, Mr. Pini made a motion to adjourn; Mr. Beals seconded; roll call vote: Pini-yes; Beals-yes; Sandstrom-yes; motion approved.

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Melanie Rich  
Board Secretary