



TOWN OF NORTHBOROUGH PLANNING DEPARTMENT

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

May 11, 2021

SPECIAL PERMIT COMMON DRIVEWAY DECISION

Location: 85 & 95 West Street
Northborough MA 01532
Map 57 Parcels 34 & 35

NORTHBOROUGH TOWN CLERK
RCUD 2021 MAY 11 PM6:51

Applicant/Owner: Brant L. Viner and Margaret Harling
PO Box 295
Ellsworth ME 04605

PROCEDURAL BACKGROUND:

A Special Permit Common Driveway Application was submitted on December 23, 2020 for property located at 85 & 95 West Street for the purpose of constructing a Common Driveway to service five residential lots. The site is in the Residential B zoning district.

PUBLIC MEETINGS:

Public Hearing:

A public hearing was held on January 19, 2021 and continued to February 2, 2021, March 3, 2021, March 16, 2021, April 20, 2021 and May 4, 2021. The hearing was advertised in the December 29, 2020 and January 5, 2021 editions of the Worcester Telegram & Gazette.

The public hearing was closed on May 4, 2021.

EXHIBITS:

Submitted for the Board's deliberation were the following exhibits:

1. Common Drive Special Permit Application for Hearing before the Planning Board, including:
 - a. A certified abutters list for parcels 300 feet from 85 & 95 West Street, Map 57 Parcels 34 & 35, including a cover sheet signed by Julie Brownlee for the Town of Northborough Board of Assessors, and Town of Northborough, MA, identified as 85 & 95 West Street, dated December 9, 2020;
 - b. A Quitclaim Deed for 85 West Street, Northborough, Mass., recorded at the Worcester District Registry of Deeds, on July 30, 1993, Book 15417, Page 232;

- c. Plans titled "Site Plans for Common Drive Special Permit for Brant L. Viner & Margaret Harling, 85 & 95 West Street, Northborough MA (Worcester County)", dated 11/20/20 with revision dates of 12/14/20, 2/24/21, 3/16/21, 4/14/21, 4/26/21 and 5/3/21, prepared by WDA Design Group.
 - d. Stormwater Management Report for Common Driveway, 85 & 95 West Street, Brant L. Viner and Margaret Harling, PO Box 295, Ellsworth ME 04605, prepared by WDA Design Group, revised May 3, 2021.
2. Letters dated March 8, 2021, April 7, 2021 and April 16, 2021 prepared by James Tetreault, PE, CPESC, AZIMUTH LAND DESIGN, LLC on behalf of Mitchell Cook, 67 Cherry Street.
 3. Town Engineer review letters dated January 19, 2021, April 19, 2021, and May 4, 2021.

FINDINGS:

1. The proposal is in substantial harmony with the Northborough Master Plan and with the purposes of the Northborough Zoning bylaw.
2. The proposed site is an appropriate location for five residential lots.
3. The development of five residential lots served by one common driveway will not adversely affect the neighborhood.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
5. There is adequate sight distance exiting the proposed common driveway.
6. The proposed common driveway will not cause any nuisance or serious hazard to vehicles or pedestrians.

DECISION:

At the May 4, 2021 Planning Board meeting, the Planning Board voted four in favor, none opposed to approve the Special Permit Common Driveway Application with the following conditions.

CONDITIONS:

1. Construction of the Common Driveway shall conform to the plans titled "Site Plans for Common Drive Special Permit for Brant L. Viner & Margaret Harling, 85 & 95 West Street, Northborough MA (Worcester County)", dated 11/20/20 with revision dates of 12/14/20, 2/24/21, 3/16/21, 4/14/21, 4/26/21 and 5/3/21, prepared by WDA Design Group.

2. A sign shall be provided at the common driveway entrance of sufficient height to be out of the snow and with a character size large enough that the houses served by the common driveway are immediately visible to public safety personnel responding to these addresses. House numbers on individual homes shall also be provided.
3. The Declaration of Common Driveway Easements, Covenants, Conditions and Restrictions explaining the use and maintenance of the common driveway for future lot owners including an Operation and Maintenance Plan for the drainage system clearly explaining the role and responsibility of each land owner shall be referenced in each parcel deed and shall be recorded prior to the issuance of the certificate of occupancy for the first home. A copy of the recorded Declaration shall be provided to the Planning Board.
4. An Earthwork Board permit will be required prior to any site work.
5. A road opening permit will be required from the DPW prior to any construction.
6. Water betterments will be due to the DPW prior to the start of any construction.
7. The applicant shall submit a final plan for signature by the Planning Board indicating property lines and easements, suitable for recording at the Registry of Deeds. All emergency vehicle turnarounds shall be located within common drive easements which shall be permanently marked with concrete bounds at all horizontal changes in direction.
8. The applicant shall also be responsible for installing iron pins at all horizontal changes in directions of all proposed property lines, which shall be shown on the as-built plan.
9. The Operation and Maintenance Plan, Long Term Pollution Prevention Plan shall be recorded as part of this Special Permit decision.
10. A final plan with all revisions as required by the Board shall be submitted for final review and approval by the Town Engineer prior to the issuance of any permits.
11. The 8-inch water line in West Street shall be extended to the intersection of West Street and Cherry Street in accordance with the Northborough DPW standards prior to the issuance of any occupancy permits.
12. The existing drainage culverts under Cherry Street and West Street shall be replaced in accordance with the Northborough DPW standards prior to the issuance of any occupancy permits.
13. An as-built site plan shall be submitted to the Town Engineer for approval prior to the issuance of the certificate of occupancy for the first home. The as-built plan shall include, at a minimum, and applicable to the project, elevation of all pipe inverts and outlets, pipe sizes, materials, slopes; all other drainage structures; limits of clearing, grading and fill; all structures, pavement, contours and all dates of fieldwork. The

drainage system shall also be certified by a Professional Engineer stating the drainage system was built substantially in accordance with the design and will perform as designed. A completed Operation and Maintenance inspection report shall be submitted with the as-built plan.

14. Upon approval by the Town Engineer, one (1) mylar and three (3) paper copies of the as-built plan shall be submitted in addition to an electronic copy compatible with the Town's GIS system. The as-built shall be based on the Town's vertical datum (NAVD 88) and the horizontal datum (NAD 83).

NORTHBOROUGH PLANNING BOARD



Kerri Martinek, Chairperson