

Marlborough Planning Board

An Abutter's Guide:

The Planning Board has prepared this guide to explain what an abutter to a proposed development project can expect during the Board's review of that project. This summary is not intended to be a legal guide or to provide legal advice, but is intended only to help a person who lives near a proposed project to understand the Board's review process, how to participate in a Public Hearing, obtain information about a project, and to effectively communicate concerns about a proposed project.

To reach the Planning Board, please contact our office at 508-624-6910 ext 33200. The Planning Board Administrator's office is located on the second floor at the Department of Public Works Engineering Office, 135 Neil Street.

What is the Planning Board and when does the Board meet?

The Planning Board has seven members who are appointed by the Mayor. The Planning Board is responsible for reviewing proposed development projects. The Board follows the City Council meeting schedule, and holds its regular meetings at 7:00 P.M. on the third floor of City Hall, in Memorial Hall. Special Meetings may be called in the Board's discretion. Notice of Special Meetings will be published in the newspaper, and will be posted on the official website for the City of Marlborough (www.marlborough-ma.gov).

The current members of the Planning Board have a variety of professional backgrounds and areas of expertise, and volunteer their time to serve on the Board. They are assisted by professional staff members from the Department of Public Works Engineering Division and the Legal Department.

Why am I receiving a mail notice?

All abutters to a proposed development project being reviewed by the Planning Board will receive notice of a Public Hearing by mail. Who must receive notice of the Public Hearing is dictated by statute. Participation at a Public Hearing is not limited to those who qualify as abutters by applicable law.

How can I find out more about a proposed development project?

All materials filed in connection with a proposed development project are public records. Any interested party may review the application, plans, and supporting materials for a proposed project. All of the pertinent documents are on file at the Planning Board office. Interested parties are welcome to review this information during normal office hours. Normal office hours are weekdays from 7:00 A.M. to 3:30 P.M. It is recommended, but not required, that you call the Planning Board office to make sure that the Planning Board Administrator will be available to assist you and answer questions. The plans for a proposed development project are also on file at the City Clerk's Office.

What happens at a Public Hearing?

Information about the Public Hearing is contained in the notice sent to abutters, and is also published in the legal notices section of the *Marlborough Enterprise*, *MetroWest Daily News* or the *Main Street Journal*. The notice specifies the purpose of the Public Hearing and the time that the Public Hearing is set to begin.

At the beginning of the Public Hearing, the Planning Board Chair will state the legal guidelines for the hearing, and the ground rules for participating in the hearing. As a courtesy to the Planning Board Chair and members, please try to abide by the rules stated by the Planning Board Chair. The first presenter at the Public Hearing will be the applicant for the project. The applicant will present the project plans and will explain the proposed project in detail to the Board and the members of the public in attendance. When the applicant's presentation is finished, the Planning Board members will have an opportunity to direct questions to the applicant.

Once the board has asked questions, any member of the public who wishes to speak in favor of the project may make comments. Next, anyone who wishes to speak in opposition to the project may make comments. Finally, anyone who wishes to make general comments will have an opportunity to speak. Please do not speak for a second time until everyone else has had an opportunity to comment. Once all members of the public who wish to comment have had an opportunity to speak, that portion of the Public Hearing will be closed.

Please remember to direct all questions to the Board Chair. The Board Chair will redirect the question to the appropriate individual.

Most Public Hearings are completed in one evening and are closed. Once a Public Hearing is closed, no further testimony will be taken. At the discretion of the Planning Board, a Public Hearing may be continued. This typically happens only if revisions to the plans are necessary, or if more information is needed. Continued Public Hearings may be re-convened at the next regularly scheduled meeting, or when all members who are present at the initial hearing date are able to attend.

Public Hearings may be delayed at the applicant's request or due to inclement weather. Cancellations will be posted on the City of Marlborough's official website (www.marlborough-ma.gov). Interested parties may also call the Planning Board Administrator to check for last minute cancellations.

Are written comments from the public accepted as an alternative to speaking at a Public Hearing?

If done in a timely manner, any member of the public may submit written comments concerning a proposed development project. Written comments concerning a particular project must be submitted prior to the closing of the agenda for the meeting during which the Public Hearing for that project is being held. Written comments should be submitted to the Planning Board Administrator. Copies will be provided to the Planning Board members prior to the meeting. The comments will be read into the public record by the Planning Board Clerk during the hearing process. Written comments, and all statements made during the Public Hearing, are part of the public record of the hearing.

What happens after the Public Hearing?

After the Public Hearing is closed, no new information can be submitted. The Board will recommend a full review of the project from the City Engineer. After the City Engineer completes the requested review, the Planning Board will receive the City Engineer's comments and recommendations. The Planning Board will then vote on any waivers requested by the applicant, and will either approve or disapprove the plan. Once the Planning Board votes on a project, the Board is required to send notice of the decision to the City Clerk for a mandatory appeal period of 20 days.

Will I be notified of the Planning Board's decision?

Notice of the Planning Board's decision on a subdivision project is not sent to abutters. As required by statute, notice of the Planning Board's decision on a special permit application is sent to all abutters. Any interested party may request a copy of any decision from the Planning Board office.

Is it possible to appeal a Planning Board decision?

Subdivision decisions can be appealed for 20 days from the date the decision is filed with the City Clerk. Abutters will not receive notice of any appeals filed by the applicant or other abutters.

Suggestions for presenting testimony at Public Hearings:

- Always state your name and address for public record at the beginning of your comments, and provide the spelling of your last name;
- Feel free to use the proposed plan to point out any concerns you may have or to clarify questions that you may have;
- Please try to be concise, and state all of your questions or comments at once, and then allow the next person to speak;
- Please be polite and respectful of the applicant, Planning Board Members and other members of the public in attendance;
- Please follow all instructions provided by the Planning Board Chair;
- If you have questions for the applicant, please direct those questions to the Planning Board Chair. The Board Chair will redirect the question to the appropriate individual;
- Please avoid personal attacks;
- Please limit your comments to issues related to the proposed project and matters within the Planning Board's authority;
- If a previous speaker has stated your concerns, it is perfectly acceptable to limit your comments to: "I agree with Ms. Towner about the traffic." You need not restate the same position;
- When the Public Hearing has concluded, if you do not intend to stay for the remainder of the meeting, please leave in a quiet and orderly fashion so that the Planning Board can move on the next agenda item without delay.