



City of Marlborough

Planning Board

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MEMO

Date: April 10, 2023
To: Record
From: Marlborough Planning Board
Re: Subdivision Waiver Requests

Massachusetts Subdivision Control Law Chapter 41 Section 81R provides that a Planning Board may in any particular case, where such action is in the public interest and not inconsistent with the intent of the Subdivision Control Law

- waive strict compliance with its Rules and Regulations, and
- with the frontage or access requirements specified in said law, and may,
- where the ways are not otherwise deemed adequate, approve a plan on conditions limiting the lots upon which building may be erected and the number of buildings that may be erected on particular lots and the length of time for which particular buildings may be maintained without further consent by the Planning Board to the access provided.

To make this determination, the Planning Board will consider:

- How does a conforming plan compare to the plan requesting waivers?
- Did the Board receive sufficient input from the Applicant, Development Team and Public to make a reasoned determination?
- Are the waivers requested consistent with adjacent neighborhoods?
- Did the Board receive favorable recommendations from the City Engineer and other relevant City Departments?
- Are there benefits to the City, Public, Neighborhood, and/or Environment?

The procedures outlined in this memorandum shall be interpreted consistently with, and shall not modify, the Planning Board Rules and Regulations, any City Ordinance and any other applicable local, state, or federal laws.



Sean N. Fay
Chairperson