

**MINUTES  
MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

**Call to Order**

**January 22, 2018**

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Colleen Hughes, Sean Fay, Brian DuPont and George LaVenture. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

**2018 Organizational Meeting:**

Chairperson Fenby offered the floor to member George LaVenture. The floor was opened to receive nominations for Planning Board Chairperson. Member DuPont nominated Ms. Fenby to continue to serve as Chairperson. No other nominations were offered. The floor was closed for nominations. Mr. Dupont moved to appoint nominee, Barbara Fenby, to serve as Chairperson for 2018; nomination seconded by Mr. LaVenture. Votes in favor: Hughes, Fay, LaVenture and DuPont; Votes opposed: None. Motion Carried.

Mr. LaVenture opened the floor to receive nominations for Planning Board Clerk. Member DuPont nominated Ms. Hughes to continue to serve as Clerk. No other nominations were offered. The floor was closed for nominations. Mr. Dupont moved to appoint nominee, Colleen Hughes, to serve as Clerk for 2018; nomination seconded by Mr. LaVenture. Votes in favor: Fenby, Fay, LaVenture and DuPont; Votes opposed: None. Motion Carried.

**1. Meeting Minutes**

**A. December 18, 2017**

On a motion by Mr. LaVenture, seconded by Mr. DuPont, the Board voted to accept and place on file the Planning Board meeting minutes of December 18, 2017. Motion carried.

**2. Chair's Business**

**A. Public Hearings**

The City Council recently referred several proposed zoning amendments to the Planning Board. Since the Board is not fully staffed, Chairperson Fenby polled the members on their availability for public hearings. Proponent Brian Falk of Mirick O'Connell was present. Mr. Falk requested that the Board set public hearing dates for the two proposed zoning amendments which were presented in past Planning Board public hearings - The Rail Trail Overlay District and The Retirement Community Overlay District. New hearings are required since these amendment requests were not carried over from the City Council's previous legislative session. Based on member availability, March 19 was chosen for both hearings.

**B. Board Membership Update**

Chairperson Fenby acknowledged that this evening was Mr. DuPont's final meeting. Ms. Fenby indicated that Mr. Greg Gallaher had submitted a letter of interest to the Mayor's Office. She is hopeful that the Mayor will make an appointment and approve a new member quickly. With Mr. DuPont's departure, the Board is two members short (5 of 7 seats filled). Sitting members are also seeking the Mayor's reappointment, as most members' terms have expired.

**3: Approval Not Required (None)**

**4: Public Hearings (None)**

**5. Pending Subdivision Plans (None)**

**A. Engineer's Report**

No general updates. Individual subdivision updates are detailed in the next sections.

### **B. Howe's Landing Extension**

As a condition of the Howe's Landing extension request to June 30, 2018, Attorney Paul Galvani provided proof that the following documents were recorded by the December 31, 2018 deadline: 1) Extension of Performance Secured by Tripartite Agreement and 2) Performance secured by Tripartite Agreement Second Revision. On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to accept the documents and place on file. Motion carried. The Board expressed its appreciation for the confirmation.

### **C. Slocumb Lane Bond Reduction Request and Street Acceptance**

Developer's Attorney, Paul Beattie, was present for the discussion. Ms. Hughes read the January 3, 2018 letter from Assistant City Engineer Collins into the record. The letter details three requirements for the elimination (reduction to zero) of the bond to secure completion of the subdivision:

1. Mylar of the As-Built Plans for the construction of the street and associated municipal easements.
2. Mylar of the Acceptance Plans for the street and associated municipal easements. (two copies).
3. Deed descriptions to the roadway and associated municipal easements used to transfer ownership to the City of Marlborough.

On a motion by Mr. LaVenture, seconded by Mr. DuPont, the Board voted to accept the correspondence and place on file. Motion carried. Mr. Beattie indicated that Guerriere and Hanlon (the project's engineering firm) is making several changes requested by Mr. Collins, and the Mylars should be ready in time for the next meeting on February 5. Solicitor Rider requested clarification of the third point regarding the deed. City Engineer DiPersio indicated that Mr. Collins requested that the deed provide a metes and bounds description of the land vs. a simple reference to the acceptance plan. Mr. DiPersio would defer to Legal for a determination whether this metes and bounds description is necessary on the deed.

### **D. Cider Mill Request for (1) Year Maintenance and Bond Review**

Developer's Attorney, Paul Beattie, was present for the discussion. Ms. Hughes read the January 4, 2018 letter from Assistant City Engineer Collins into the record. Mr. Collins has determined that the bond securing the Cider Mill Estates may be reduced from its current bond amount of \$410,000 to a Maintenance Bond of \$185,000. The remaining amount represents the estimated cost for miscellaneous clean up, production of as-built plans, installation of a single street light, and a retainage amount equal to 10% of the original bond. On a motion by Mr. LaVenture and seconded by Ms. Hughes, the Board voted to accept the correspondence regarding the recommended bond reduction, place on file and reduce the bond to \$185,000. Motion carried.

### **6. Preliminary Subdivisions (None)**

### **7. Definitive Subdivision Submission: (None)**

### **8. Signs: (None)**

### **11. Correspondence: (None)**

### **12. Public Notices of other Cities and Towns:**

On a motion made by Ms. Hughes, seconded by Mr. Fay, item 12 was voted accepted and placed on file. Motion carried.

Adjournment: On a motion made by Mr. DuPont, seconded by Mr. LaVenture, it was voted to adjourn at 7:25 pm. Motion carried.

/kih

Respectfully submitted,

  
Colleen Hughes / Clerk