

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

Call to Order

April 4, 2016

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Sean Fay, Brian DuPont, & Philip Hodge.

Also in attendance were Board Secretary Melissa Peltier & Assistant City Engineer Timothy Collins.

Edward Coveney, Shawn McCarthy and Colleen Hughes were absent

Mr. DuPont was appointed Acting Clerk for the meeting.

1. Meeting Minutes:

A. Regular Meeting March 21, 2016

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept and place on file the minutes of the March 21, 2016 Regular Meeting as amended. Motion carried.

2. Chair's Business: None

3. Approval Not Required:

A. Court Street Extension

Attorney Arthur Bergeron was in attendance to answer any questions the Board may have.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted based on the recommendation of the Engineering Department as provided at the last regular meeting of the Planning Board to accept and endorse the plan as presented. Motion carried.

Mr. DuPont questioned why exactly this was being done?

Attorney Bergeron responded that his issue was discovered during the Site Plan Review process. There were two alternatives to mediate the discovered issue, the first was to amend the zoning ordinance that would take considerable time or reconfigure the road layout for Court Street that was already in place which is the much shorter time frame option.

Mr. DuPont acknowledged the response however he is not in agreement that this was the proper way to achieve the desired result.

A motion was made by Mr. DuPont to send a letter to the City Council as an unfavorable recommendation to the alteration of Court Street. There was no second to the motion. The motion was withdrawn by Mr. DuPont.

Mr. Fay noted that he believes this slight change is in keeping with the Intent of the Downtown Village Zoning District.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to send a favorable recommendation to the City Council regarding the alteration of Court Street as proposed. Motion carried.

B. Quad Rink Limited Partnership Donald J Lynch Blvd

Mr. DuPont read the request of Quad Rink Limited Partnership into the record.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept the request and place it on file. Motion carried.

Mr. Chip Orcutt presented the plan to the Board and walked them through the intention. The New England Sports Center is looking to expand and will incorporate a section of this parcel into the main parcel that the rink is on. This will leave the bulk of the second parcel open for future development.

i) Quad Rink ANR Decision (Engineering)

Mr. DuPont read the favorable recommendation into the record.

On a motion made by Mr. Hodge, seconded by Mr. Fay it was voted to accept the recommendation from the Engineering Department and place it on file. Motion carried.

On a motion made by Mr. DuPont, seconded by Mr. Hodge it was voted to endorse the Approval Not Required Plan titled:

Plan of Land
Marlborough Massachusetts
Prepared for:
Quad Rink Limited Partnership
84 South Street
Carlisle, MA 01741

Prepared by:
GLM Engineering Consultants, Inc
19 Exchange Street
Holliston, MA 01746

Motion carried.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to move up Items 9B & 9A. motion carried.

9. Unfinished Business:

B. Decision from Public Hearing Zone Change (June 5, 2016) Attorney Bergeron

Attorney Bergeron was in attendance to answer any questions from the Board regarding the requested Zoning Change (Overlay).

Attorney Bergeron noted that the overlay as it is presented was structured utilizing the existing Mixed Use Overlay District as a guide. The requested overlay district allows for all uses that are

currently allowed within the Business (B) District already.

The requested language has already had some modifications made to it from the City Council subcommittee review that is presently under way. It is the preference of the Council that multifamily housing not be allowed in this overlay district.

The proposed overlay district will allow for lot coverage to be calculated as one number instead of individual calculations per lot. There is proposed to be one master signage plan as well as one master landscape plan.

At the request of the Board, Attorney Bergeron will submit electronically the plan for the proposed project that is looking to be placed in this entire parcel taking into effect layouts with both the overlay in place as well as by right uses and zoning, for comparison.

The Board will keep this item on the next regularly scheduled agenda for discussion and or decision, April 25, 2016.

9. Unfinished Business:

A. Goodale Farms (June 19, 2016) Update if Available

Attorney Austin was in attendance to answer any questions the Board members may have regarding the project.

Mr. DuPont read the correspondence from Conservation Officer Priscilla Ryder into the record. On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept the correspondence and place it on file. Motion carried.

Mr. Fay noted that the Tree Warden should go out and look at the trees in the potential open space parcel to determine if any of the trees need to be removed for various reasons by the developer prior to deeding the space over to the City.

Discussion also concentrated on the requirement for continuous sidewalks to connect the entire neighborhood to the potential open space parcel. As well as the potential for landscaping to soften the appearance of the pump station located on Goodale Street adjacent to the proposed project.

Mr. DuPont read the favorable recommendation from the Engineering Department into the record. On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept the recommendation and place it on file. Motion carried.

Mr. Fay requested that draft findings be prepared for review at the next regularly scheduled meeting (April 25, 2016). Attorney Austin agreed that she would have the draft findings available for review for the next meeting.

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Assistant City Engineer Collins handed out an updated Subdivision Status Report to the Board.

Assistant City Engineer Collins also noted the following:

The Blackhorse Farms Subdivision is again being used to stored hauled in material.

The Mauro Farms Subdivision is set to expire next month and may not be adequately finished by the expiration date of May 10, 2016.

The Walker Brook Estates Subdivision is moving along as well as The Howe's Landing Subdivision.

The Cider Mill Subdivision roadways need to be reexamined for deterioration of the pavement.

Regarding the proposed changes to Macomber Lane, it is the opinion of the Engineering Department that an 81W Plan will not be needed. The Road layout itself will not be changing only the pavement width is proposed to be changed.

It is the request of Chairperson Fenby that the Board members go out and look at the location of Macomber Lane and be prepared to discuss the proposal for the next meeting.

Also of note the Commonwealth Heights Subdivision has not started or met any of its own imposed benchmarks. There has been no communication with the developer since last Summer.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business:

A. Goodale Farms (June 19, 2016) Update if Available

This item was taken up earlier in the agenda

B. Decision from Public Hearing Zone Change (June 5, 2016) Attorney Bergeron

This item was taken up earlier in the agenda

C. Discussion Unresolved Detention Basin Issue (Bresslough)

Mr. DuPont read the communication from Code Enforcement Officer Wilderman into the record. On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to accept the communication and place it on file. Motion carried.

The discussion ranged between the need to relocate the existing gate, adding a second gate, easement law, the blight ordinance, potential deed restrictions, and exclusive right of access. After much discussion/debate the following action was taken:

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to explore the issue of relocating the gate with the DPW Commissioner for public safety and security reasons. Motion carried.

10. Informal Discussions: None

11. Correspondence: None

12. Public Notices of other Cities and Towns:

A. Town of Hudson zoning Board of Appeals, Notices (5)

B. Town of Framingham Planning Board, Notices (4)

On a motion made by Mr. DuPont, seconded by Mr. Fay it was voted to accept notices A-B and place them on file. Motion carried.

Adjournment: On a motion made by Mr. DuPont, seconded by Mr. Fay it was voted to adjourn at 9:00pm. Motion carried.

Respectfully submitted,

Brian DuPont
Acting Clerk

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