

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

Call to Order

April 25, 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, Colleen Hughes, Shawn McCarthy & Philip Hodge.

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

Edward Coveney & Brian DuPont were absent

1. Meeting Minutes:

A. Regular Meeting April 4, 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 April 4, 2016 Regular Meeting with Ms. Hughes abstaining. Motion carried.

2. Chair's Business:

A. Internet Access Forms

Chairperson Fenby presented the access forms. She has asked the City to work with Mr. DuPont on the creation of the sub division calendar to ensure that this version has all the information in a format that the Board would like to see.

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

9. Unfinished Business:

B. Decision from Public Hearing Zone Change (Overlay District HRMUOD)

Attorney Bergeron and Joseph Pezznola of Hancock Engineering were in attendance to discuss the proposal.

The changes involved regarding this overlay district include but are not limited to:

Master Landscape Plan, Master Sign Plan, Additional Trees along Rte. 20, Three entrances to the project 2 to be right turn in and right turn out only. Distance to parking lot island up to 90', Water Supply District disturbance changes from 50' to 20'.

After a significant discussion between the Board members and the Attorney/Engineer the Board came to the following decision:

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to:

Submit to the City Council a favorable recommendation regarding the proposed Hospitality and Recreation Mixed Use Overlay District (HRMUOD) with the following suggestions:

- The addition of mature trees installed to create additional buffer for the Glenn Street neighborhood.
- Creation of separate gateway signage

- Prohibit wire-framed or A-frame style signs on the property at any time
- Require strict adherence to the Sign Ordinance is requested
- Remove inclusion of the by right use for a car wash

Generally, the Planning Board is in favor of the Overlay District specifically pertaining to the Landscaping, Building Height, and Water Supply District with the exceptions of the placement of Buildings 10A & 10B.

The Board suggests a Site Plan be created showing the “by right” development with full compliance to the current zoning in place for the existing parcels(s).

The motion carried.

3. Approval Not Required: None

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Assistant City Engineer Collins reported that there was no work of note happening at the following sub divisions: Cider Mill Estates, Walker Brook Estates, Back Horse Farms or Hoes Landing. The Mauro Farms Subdivision was working it appears on the punch list items they were given. The Commonwealth Heights sub division still has not started and is continuing to miss its own imposed benchmark dates. Regarding the Graves Lane detention basin issue Commissioner Ghiloni is not willing to expend City funds to relocate the access gate in question. The developer may do that work on their own should they choose to.

B. Goodale Farms (June 19, 2016) DRAFT Certificate of Vote

Attorney Austin and Thomas DiPersio Engineer of record for the project were in attendance to present the Draft Certificate of Vote to the Board.

Mr. Fay questioned if 2 of the proposed lots were reconfigured if there could be additional land available for the Open Space Parcel?

Mr. DiPersio noted that he would look at the possibilities prior to the submission of the Definitive subdivision plan.

Mr. Fay requested that Paragraph 2 be changed to state that dedicated open space shall be no less than 5.02 acres.

Attorney Austin noted that the provision for \$5,000.00 for landscaping improvements to screen the existing sewer pump station was included.

The Board asked Assistant City Engineer Collins to come back to the Board with recommendations as to what would be acceptable to screen the enclosure.

Mr. Hodge questioned if there was a name associated with this subdivision yet?

Attorney Austin questioned the need for the 21E Assessment.

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted to request from the Engineering Department the feasibility and estimated cost to install sidewalks from Goodale

Street to gain access into the dedicated open space parcel. Motion carried.

This item is to appear on the next regularly scheduled agenda May 9, 2016.

**C. Correspondence from Conservation Officer to Mauro Farms (May 10, 2016)
Developer**

Colleen read the correspondence from Conservation Officer Ryder in the record.

On a motion made by Mr. McCarthy, seconded by Mr. Fay the correspondence was accepted and placed on file.

Assistant City Engineer Collins presented to the Board an excerpt for a letter sent to then City Council President Vigeant from Attorney Pezzoni regarding the zone change and the dedicated opens space parcel.

Assistant City Engineer noted that there is no reason the developer should not finish the subdivision in the remaining time allotted.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to send a letter to the developer reminding the developer of the impending deadline (May 10) as well as a reminder of the promise to install park benches in the open space parcel. Motion carried.

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

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business:

A. Discussion Black Horse Farms (April 29, 2016) (Attorney Beattie)

Attorney Paul Beattie was in attendance to represent the developer.

Colleen read the communication into the record that Attorney Beattie passed out to all the members present.

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

Attorney Beattie noted that the development has multiple house lots in various departments for review and or determinations (ie: conservation) With that being so the developer is requesting an extension of the subdivision until April 28, 2017.

Mr. Fay stated that the developer and the Board have very different views concerning what it means to have a completed subdivision. He stated that the Board is only concerned with roadways, sidewalks, and infrastructure, not the status of building permits or the construction of homes. Mr. Fay stated that the developer has been put on notice several times that the Board would be requiring the developer to complete the roadways and infrastructure, and that there was no room for misunderstanding on the part of the developer when their last extension was granted. The Board consensus was that developer has been given much latitude, that the developer had not adhered to the commitments that they had made in the past, and that the subdivision should

have been finished already.

Neither Ms. Hughes, Mr. McCarthy or Mr. Fay will be supporting the request of the developer for and extension until anytime in 2017.

Mr. Hodge questioned if there was enough funding left in the remaining bond to complete the work that the developer has not?

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to allow for a 2week extension until May 10, 2016 only, for the City Engineer to give the Board perspective and an estimate on the cost to complete the subdivision. To make sure there is enough in the remaining bond to cover the work. Motion carried.

D. Decision from Public Hearing Zone Change

This item was moved up in the agenda.

10. Informal Discussions: None

11. Correspondence:

A. Citation sent from Code Enforcement Officer to 8 Graves Lane Continued Use of Detention Basin

Ms. Hughes read the correspondence from Code Enforcement Officer Wilderman into the record. On a motion made by Mr. McCarthy, seconded by Mr. Hodge the correspondence was accepted and placed on file. Motion carried.

12. Public Notices of other Cities and Towns:

A. Town of Framingham Planning Board, Notices (3)

B. Town of Hudson Planning Department Public Hearing April 19, 2016

C. Town of Sudbury Planning Board Special Town Meeting April 27, 2016

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept notices A-C and place them on file. Motion carried.

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to adjourn at 8:40pm. Motion carried.

Respectfully submitted,

Brian DuPont
Acting Clerk

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