

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

September 13, 2021

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Sean Fay, Barbara Fenby, William Fowler, Phil Hodge, and George LaVenture. Meeting support provided by City Engineer, Thomas DiPersio and City Solicitor, Jason Grossfield.

1. Draft Meeting Minutes

A. August 23, 2021

On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to accept and file the August 23, 2021 meeting minutes. Yea: Fay, LaVenture, and Fenby. Nay: 0. Abstained: Fowler. Absent at time of vote: Hodge. Motion carried.

2. Chair's Business

A. Scenic Roads Bylaw

City Engineer Thomas DiPersio updated the Board on discussions he had with the Legal Department and reviewed the Town of Weston's Scenic Roads Bylaw for reference.

The Board had a discussion on extending the coverage and refining the scope within the ordinance. The Board determined, Engineering and the Legal Department are on the right track and that they could continue their discussions on outlining a sample for amendments to the City ordinance.

On a motion by Mr. Fay, seconded by Mr. LaVenture, the board voted to move up (Signs 8-A). Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

8. Signs

A. Sunoco: Sign Variance Application 121 Bolton Street, Marlborough, MA 01752 - Continued from June 7, 2021

Mr. LaVenture read the correspondence from City Solicitor Jason Grossfield into the record.

On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to accepted and file the correspondence. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

City Solicitor Jason Grossfield went over key points within the sign ordinance and the board's authority in granting the sign variance based on the board's determination on whether this situation is contemplated.

City Engineer Thomas DiPersio and City Solicitor Jason Grossfield discussed how the strict prohibition could be waived from the ordinance if the Board believes the scenario is not contemplated.

The Board reviewed the street view location of the proposed signed and correspondence from the Legal Department.

The Board ask Brian Falk, Mirick O'Connell (100 Front Street, Worcester, MA 01608) to reach out the applicant to discuss the potential of lower the height of the proposed sign.

The Board determined they wanted to work further with City Solicitor Jason Grossfield on the sign variance.

3. Approval Not Required (None)

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4. Public Hearings

A. Proposed Changes to Amend the Marlborough Planning Board Subdivision Rules and Regulations

Chairperson Fenby opened the hearing. Mr. LaVenture read the public hearing legal notice into the record. Chairperson Fenby provided instructions to those in attendance. The hearing was conducted in the following stages: 1) Presentation 2) Those speaking in favor 3) Those speaking in opposition 4) Comments and questions from the Board members.

Presentation:

Mr. LaVenture acknowledged the support from Engineering, Legal Department, and the Working Group. Mr. LaVenture went over the proposed changes with the Board.

Speaking in Favor of the Amendment:

(No one spoke in favor)

Dr. Fenby closed this portion of the Public Hearing.

Speaking in Opposition to the Amendment:

(No one spoke in opposition)

Dr. Fenby closed this portion of the Public Hearing.

Questions and Comments from the Planning Board:

(No questions or comments were presented by the Board)

Dr. Fenby closed the public hearing.

On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to approve the changes to the Marlborough Planning Board's Subdivision Rules and Regulations. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

5. Subdivision Progress Reports (None)

6. Preliminary/Open Space/Limited Development Subdivision

A. Preliminary Subdivision Application - 209 Cullinane Drive Extension

Mr. LaVenture read the correspondence from Conservation, Engineering, and the Board of Health into the record.

Dr. Fenby and William Tirrell, Chappell Engineering Associates, LLC (201 Boston Post Road West, Suite 101, Marlborough, MA 01752) discussed the access point on the proposed cul-de-sac to an existing recreation path that runs from Longfellow Terrace to Cullinane Drive.

City Engineer Thomas DiPersio explained this proposed subdivision would require a waiver for the 40-foot right-of-way. From an engineering standpoint alternative 3 is favorable because utilities are not being extended and it would eliminate the need for a zoning variance for the front yard setback.

The Board, City Engineer Thomas DiPersio and the applicant had discussions on the title 5 requirements from the Board of Health with respect to the septic systems on the remaining Red Spring Road property.

On a motion by Mr. Hodge, seconded by Mr. Fay, the Board voted to accepted and file the correspondence. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

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B. Informal Discussion of potential subdivision - 342 Sudbury Street, Marlborough, MA 01752

Mr. LaVenture read the correspondence from Robert J. Parenete into the record.

Robert J. Parenete, (21 Chapin St., Northboro, MA 01532) went over the revised two alternatives described below:

- A private roadway that would require many waivers and would have a “hammerhead” turn-around.
- A public roadway that would require minimal waivers and have cul-de-sac turn-around.

City Engineer Thomas DiPersio and Dr. Fenby had a discussion regarding concerns on the road being private and where the frontage of the proposed second lot would be. Dr. Fenby also questioned whether the house could have a Sudbury street address.

On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted to refer the informal subdivision for 342 Sudbury Street to Engineering. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

7. Definitive Subdivision Submissions (None)

9. Correspondence (None)

10. Unfinished Business

A. Order #21-1008344, Proposed Zoning Amendment to Chapter 650, Section 5 and Section 18(36) by adding “Hobby Vehicle Storage” as a warehousing use in the Limited Industrial District

Mr. Fay discussed concerns on parking, large crowds, zoning use “museums” and future potential use for commercial auto sales.

On a motion by Mr. Fay seconded by Mr. LaVenture, the Board voted to make a favorable recommendation to the City Council for the amendment to Chapter 650, Section 5 and Section 18(36) by adding “Hobby Vehicle Storage” as a warehousing use in the Limited Industrial District. Motion Carried.

The Board provided the following reasons in reaching its recommendation:

The developer established the proposed Zoning Amendment is consistent with the character of the surrounding neighborhood; In the Planning Board’s opinion, approval of the Zoning Amendment would not be overly burdensome to the neighbors; The developer established the proposed Zoning Amendment would provide the City with a type of warehousing use that is not already available in the City and that the Zoning Amendment would benefit the City; The developers established the proposed Zoning Amendment would be keeping with the intent and purposes of the City Zoning Ordinance.

The Planning Board suggests the following limitations if the City Council sees fit to approve the Zoning Amendment:

Strictly prohibit commercial automotive sales in the definition of Hobby Vehicle Storage. Multiple Board members expressed concerns that the new definition could be exploited in the future by a business seeking to sell such vehicles in an indoor setting.

11. Calendar Updates (None)

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12. Public Notices of other Cities & Towns

A. Misc. surrounding Cities/Towns Planning Board – Notices of Public Hearings

On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to accepted and file the notice of public hearing from surrounding town. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted to adjourn the meeting. Yea: Fay, Fowler, Hodge, LaVenture, and Fenby. Nay: 0. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'G. LaVenture', written over a horizontal line.

George LaVenture/Clerk

/kmm