

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

1A

**Call to Order**

**November 22, 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: Barbara Fenby, George LaVenture, Chris Russ, Matthew Elder and William Fowler. Sean Fay was not present at the meeting but was listening in remotely. Meeting support provided by City Engineer, Thomas DiPersio.

**1. Draft Meeting Minutes**

**A. November 8, 2021**

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the November 8, 2021 meeting minutes with minor typo corrections. Yea: Elder, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

**2. Chair's Business (None)**

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

**4. Public Hearings (None)**

**5. Subdivision Progress Reports**

**A. Goodale Estates – ongoing discussion**

Mr. LaVenture read the November 17, 2021 correspondence from Kevin Gillis into the record.

Mr. LaVenture read the November 22, 2021 correspondence from Code Enforcement Officer, Pamela Wilderman into the record. – See attached.

Mr. Gillis provided an update, he explained the final coat of paving is finished, the trees have been installed, the as-built plans have been distributed and the monuments are in place. Mr. Gillis explained he is requesting the bonds be reduced to the 10% contingency warranty amount for the one-year period.

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the correspondence and to refer the bond reduction request to Engineering. Yea: Elder, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

Mr. Gillis and the City Engineer, Thomas DiPersio had a discussion regarding specifications on the one-year maintenance period and the street acceptance process.

**B. Commonwealth Heights Subdivision – no discussion**

**6. Preliminary/Open Space/Limited Development Subdivision (None)**

**7. Definitive Subdivision Submissions**

**A. 342 Sudbury Street, Marlborough, MA 01752 – Definitive Subdivision Plan – ongoing discussion**

Owner of Land: The 342 Sudbury Street Trust

Name of Engineer: Robert Parente

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Mr. LaVenture read the November 19, 2021 correspondence from John Garside, Board of Health into the record.

Mr. LaVenture read the November 22, 2021 correspondence from Priscilla Ryder, Conservation into the record.

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Mr. LaVenture read the November 19, 2021 correspondence from City Engineer, Thomas DiPersio, Engineering Division into the record.

The Board decided to waive the reading of the three letters from abutters:

- John and Ann Bracket (45 Harper Circle) in opposition.
- Rose Marie Boniface (24 Harper Circle) in opposition.
- Christie Herlihy-Starr and William Starr (98 Prendiville Way) in favor.

Mr. LaVenture asked Mr. Vigeant and Mr. Parente if they have had the opportunity to review the September 13, 2021 revisions to the Subdivision Rules and Regulations and if the current plans submitted follow the new requirements.

Mr. Parente explained he believes the 342 Sudbury Street definitive subdivision was submitted under the old Subdivision Rules and Regulations.

Mr. LaVenture emphasized with several key points that the new rules and regulations were approved and adopted on September 13, 2021. At the November 8, 2021 Planning Board meeting the Board decided any definitive plan submitted since September 13, 2021 would be held under the new rules and regulations.

Mr. Vigeant asked if he could have a waiver of the arborist portion of the new rules and regulations explaining the forest is a pine forest vs a hardwood forest.

Mr. Russ addressed several concerns/questions:

- Existing conditions plan needs to show all the trees on the property.
  - o Asking, are there other trees you are planning to remove?
- Are you planning on doing any site work on lot 1?
  - o Mr. Vigeant explained lot 1 is staying the way it is.
- Are you planning on developing lot 2 yourself?
  - o Mr. Vigeant explained if everything goes as planned, yes.
- Are you clearing lot 2 other than the buffer zone?
  - o Mr. Parente explained they have to.
- Providing some natural vegetation such as oak trees and maple trees to the property line area for the abutters Mooers and Feddersohn.
- Does the Planning board allow the 18-foot-wide roadway with the berms or go to the proposed 20-foot?
  - o Mr. DiPersio explain the 18-foot width is adequate and coincides with keeping it minimal.
- The cul-de-sac system proximity to the 200-foot river front buffer.
  - o Mr. Parente explained he can move it closer to the cul-de-sac radius moving it further away from the river front.
- Existing conditions plan doesn't show the retaining wall on the right-of-way.

On a motion by Mr. Elder, second by Mr. LaVenture the Board voted to refer the 342 Sudbury Street definitive subdivision to legal for written guidance on which version of the rules and regulations the board can use. Yea: Elder, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

The Board had a discussion and requested Mr. Vigeant provide a by-right plan for the next meeting.

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Mr. DiPersio explained he has reviewed the flooding information that was provided and is in the process of reviewing the original subdivision plans for the Carisbrooke homes.

Rose Marie Boniface (24 Harper Circle, Marlborough, MA 01752) and Gregory Garson (36 Harper Circle, Marlborough, MA 01752) addressed concerns on the flooding issues.

Mr. DiPersio explained he doesn't think the 342 Sudbury Street development would make the flooding issue worse. The infiltration systems they have for the new pavement will not change anything regarding the runoff. The storm water system will catch the water and the soil will be able to infiltrate it. He explained it is Mr. Parente's design challenge to show that the development on the lot won't make the runoff more in volume or velocity, which the Engineering Division will review.

Mr. DiPersio addressed holding the 342 Sudbury Street subdivision to the new rules and regulations and requested the Board members to determine which aspects of the changes were most important for this subdivision.

Mr. Vigeant and the Board members had a discussion regarding a site visit.

On a motion by Mr. Elder, seconded by Mr. LaVenture, the board voted to accept and file all correspondence. Yea: Elder, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

- 8. **Signs (None)**
- 9. **Correspondence (None)**
- 10. **Unfinished Business (None)**
- 11. **Calendar Updates (None)**
- 12. **Public Notices of other Cities & Towns (None)**

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

Respectfully submitted,



George LaVenture/Clerk

/kmm

*City of Marlborough*  
*Commonwealth of Massachusetts*



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November 22, 2021

Barbara L. Fenby, Chairperson  
Marlborough Planning Board  
135 Neil Street  
Marlborough, MA 01752

RE: Blight Inspection  
Goodale Estate Subdivision

Dear Chairperson Fenby and Members:

Please excuse the delay in getting this correspondence to you. I have inspected the above referenced subdivision as requested and find no concern under Chapter 485 of the City of Marlborough General Code, "Blight".

As always, please feel free to contact this office if you have any further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela A. Wilderman".

Pamela A. Wilderman  
Code Enforcement Officer

Cc: File