

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

**Call to Order**

**May 23, 2016**

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Colleen Hughes, Sean Fay, Brian DuPont, Shawn McCarthy & Philip Hodge. Also in attendance were Board Secretary Melissa Peltier & City Engineer Thomas DiPersio. Edward Coveney was absent

**1. Meeting Minutes:**

**A. Regular Meeting April 25, 2016**

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to table the minutes of the April 25, 2016 Regular Meeting. Motion carried.

**B. Regular Meeting May 9, 2016**

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to table the minutes of the May 9, 2016 Regular Meeting. Motion carried.

**2. Chair's Business:**

**A. Signs on Display Beyond Approvals**

Chairperson Fenby requested that the following sign locations be relayed to the Code Enforcement Office due to the signs are no longer allowed they have been up longer than the variances allowed.

1. Signage for the Rivers Edge development at the intersection of Donald Lynch Boulevard and River Road in Berlin.
2. Sign at the Gulf Gas station on East Main Street advertising coffee and pastry.

**B. Discussion Regarding Indian Hill Subdivision**

Ms. Hughes read City Solicitor Riders communication into the record.

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to refer the request to the Engineering Department, and place the request on the next agenda (June 6, 2016). Motion carried.

**3. Approval Not Required:**

**A: Apex Center 180 Boston Post Rd West (June 13, 2016)**

Mr. Joseph Pezznola of Hancock Associates was in attendance to present the requested ANR plan to the Board.

The request for the ANR endorsement is in regards to the financing required to create lots to place the hotels (2) and the office building on.

As the plan is drawn, lots 11 & 12 will each have one hotel per lot, lot 14 will have a five (5) story office building on it and lot 13 will have 9 individual buildings on it. The total acreage of the site is 43 acres, there will be 12 buildings consisting of 450,000 square feet. The entire project including all individual lots will be owned by the developer, Walker Realty LLC.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to refer the Plan to the Engineering Department for Review. Motion carried

**4. Public Hearings (7:15):** None

**5. Pending Sub Division Plans: Updates and Discussion:**

**A. Engineers Report**

City Engineer Thomas DiPersio reported that the information he has pertains to items further along in the agenda, specifically Black Horse Farms and Mauro Farms.

Mr. DuPont noted that both the Cider Mill Estates and the Walker Brook Estates subdivisions have impending expiration dates. City Engineer DiPersio noted that his office would be in contact with both developers.

**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 (May 10, 2016)**

Ms. Hughes read the communication from the Code Enforcement Officer into the record.

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

Mr. Fay expressed his extreme displeasure at the lack of progress this subdivision has displayed since the last meeting on May 9, 2016. The last directive that Attorney Beattie was given to relay to his client was the following; "...requirement that significant progress be completed as well as all proper documentation to request an extension must be submitted and a project engineer from the developer must be assigned and be in at least weekly contact with Assistant City Engineer Collins." As it happens the project engineer to be assigned has NOT yet made contact with Assistant City Engineer Collins as directed as well as no notable progress has been made on the subdivision.

Mr. Fay continued that since the developer has not seen fit to supply the Board with an updated completion schedule as required and with the expiration date imminent the Board will assign the dates for the completion schedule and the developer will be bound by those dates effective this evening.

On a motion made by Mr. DuPont, seconded by Ms. Hughes it was voted to recess for 5 minutes (7:26pm) to copy and distribute the most recent completion schedule received (June 19, 2015). Motion carried

Meeting reconvened at 7:37pm

On a motion made by Mr. Fay, seconded by Ms. Hughes, it was voted to institute the following completion deadlines as noted below, as well as to grant an extension for the completion of the subdivision until September 13, 2016:

On or before June 20, 2016, all street lighting must be in place.

On or before June 20, 2016, the executed deed associated with the roadway and appurtenant municipal easements, if any, must be received.

On or before July 25, 2016, the drain pipes shall be inspected by video camera, and any pipes found to be broken shall be properly repaired.

On or before July 25, 2016, any utilities (i.e., electricity, water, sewer, telephone and cable) that need to be relocated based upon approved house site plans shall be properly relocated.

On or before July 25, 2016, any driveway openings that need to be relocated based upon approved house site plans shall be relocated by removing and resetting granite curbing, and reconstructing sidewalks and aprons in accordance with City specifications.

On or before August 29, 2016, all trees must be installed or replaced if they failed to thrive after initial planting.

On or before August 29, 2016, all final paving of Slocumb Lane and adjacent sidewalk must be completed.

On or before August 29, 2016, all miscellaneous clean-up must be completed.

On or before September 12, 2016, the final as-built plans for the subdivision must be received.

As noted in the above timeline, all items are completion deadlines that must be met in order to continue the project. Failure to timely meet such completion deadlines will result in the Board taking action against the security bond in place. Motion carried.

Mr. McCarthy left the meeting at 8:00pm.

#### **B. Discussion Mauro Farms (May 10, 2016)**

Mr. Fay noted his perceived conflict for the record.

Ms. Hughes read the correspondences from the developer as well as the Code Enforcement Officer into the record.

Mr. Daniel Ruiz was in attendance to answer any questions the Board may have.

Mr. Ruiz noted for the Board that the final paving was scheduled to be completed tomorrow however, due to the forecasted rain for tomorrow that may actually be postponed by a day or so. Chairperson Fenby noted that she had taken a pass through the subdivision and noted the

placement of the benches that were installed in the Open Space Parcel and wondered if the Conservation Officer had been consulted on the placement?

Mr. Ruiz noted that he was unsure where the “seating design” came from, however he would be more than willing to meet with the Conservation Officer as well as the City Engineer on the site to determine the best placement options of said seating.

Chairperson Fenby also asked that the Conservation Officer provide the Board with what was planned for the Use of the Open Space.

Mr. Ruiz also noted that the only lot presently unimproved with a residence upon it is still to be considered a buildable lot however it is not intended to be built currently. That lot in its entirety will be seeded.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to grant an extension until June 7, 2016 for the completion of the subdivision. Motion carried.

**10. Informal Discussions:** None

**11. Correspondence:**

**A. Marlborough Regional Chamber of Commerce City Officials Welcome Reception**

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

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

**A. Town of Framingham Planning Board, Notices (2)**

**B. Town of Sudbury Planning Board Special Meeting Notice**

On a motion made by Ms. Hughes, seconded by Mr. Hodge 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 Ms. Hughes it was voted to adjourn at 8:09pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

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