

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

1A

**Call to Order**

**April 11, 2022**

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, Sean Fay, Phil Hodge, George LaVenture, Chris Russ, Matthew Elder and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio.

**1. Draft Meeting Minutes**

**A. March 28, 2022**

On a motion by Mr. LaVenture, seconded by Mr. Elder, the Board voted to accept and file the March 28, 2022, meeting minutes. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried 7-0.

On a motion by Mr. LaVenture, seconded by Mr. Russ the Board voted to move up item 5.) Subdivision Progress Reports, A.) 342 Sudbury Street, new bond request/release of cash bond request. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried 7-0.

**5. Subdivision Progress Reports**

**A. 342 Sudbury Street, new bond request/release of cash bond request**

**i. Correspondence from City Solicitor Jason Grossfield, Legal Department**

Mr. LaVenture read the April 11, 2022, correspondence from Jason Grossfield into the record. – See attached.

On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board voted to approve and authorize signing of the Novation and the Subdivision Performance Agreement Secured by Bond, and authorize release of the currently held cash bond, effective upon receipt of proof of recorded deed to KCO Realty Trust. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

The Board signed the following documents – see attached.

- Novation
- Subdivision Performance Agreement Secured by Surety Bond

**2. Chair's Business**

**A. Correspondence from City Engineer, Thomas DiPersio – Update on Subdivision Road Names**

Mr. LaVenture read the April 14, 2022, correspondence from Mr. DiPersio in the record.

On a motion by Mr. Elder, seconded by Mr. LaVenture, the board voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried 7-0.

**B. Referred from City Council: Proposed Zoning Map Amendment for parcels of land location on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcel 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157, & 158. Public Hearing Date set for April 25, 2022 – No discussion took place at this meeting.**

**3. Approval Not Required**

**A. 547 Stow Road**

Map: 20

Parcel: 4

Map: 20

Parcel: 150

Applicant: McCabe Family Irrevocable Trust and Judith Mello McCabe

Deed Reference: Book: 66136 Page: 582

Deed Reference: Book: 78814 Page: 591

Surveyor: Robert Parente, P.E., P.L.S. (328 Desimone Drive, Marlborough, MA 01752)

**i. Form A**

**ii. Correspondence from Bill Paynton, Inspectional Services/Building Department**

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iii. Plan of Land                      Dated: April 5, 2022

Robert Parente went over the April 5, 2022, ANR Plan and explained that one property line was changed so the homeowner could keep the shed on lot 3. The Applicant contacted the Building Department and were told the shed can be deemed an accessory structure which is allowed to be 5 feet off the property line. The shed situated mainly on parcel 4A is to be removed.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to refer the 547 Stow Road Approval Not Required to Engineering for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried 7-0.

ii. Correspondence from Bill Paynton, Inspectional Services/Building Department

***(This was read after 3.) Approval Not Required B.) 36 Jefferson Street, time stamp: 15:16)***

Mr. LaVenture read the April 7, 2022, correspondence from Bill Paynton, Inspectional Services/Building Department into the record.

On a motion by Mr. LaVenture, seconded by Mr. Russ, the board voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried 7-0.

B. 36 Jefferson Street              Map: 56              Parcel: 153  
Deed Reference:                      Book: 65099          Page: 275  
Name of Applicant:                  Raimundo Coelhoaraujo Neto  
Name of Surveyor:                  William Tirrell, Chappell Engineering (201 Boston Post Rd W, Marlborough, MA, 01752)

i. Form A

ii. ANR Plan                              Dated: March 31, 2022

William Tirrell went over the March 31, 2022, ANR Plan and explained the purpose of this plan is to separate the proposed lot 2 from the residential property on the proposed lot 1 due to the zoning requirements restricting commercial uses on the property because of the already an existing residential structure.

Barbara Fenby asked Mr. Tirrell if he was aware this property is to be rezoned. He explained he was unaware.

Mr. Russ and Mr. DiPersio discussed the 50-foot setback requirements in a CA zone and determined it would be up to the Tin Htway, Building Commissioner on whether the proposed lot 2 would be subject to the 50-foot setback requirement.

Mr. Fowler asked Mr. Tirrell if he would be gaining access to the property from the residential proposed lot 1 and Mr. Tirrell explained no, they would be gaining access from the corner of the proposed lot 2.

On a Motion by Mr. Elder, seconded by Mr. Russ the Board voted to refer the ANR submission for 36 Jefferson Street to the Legal Department and Engineering for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay 0 Motion carried 7-0.

Mr. Fay requested the previous denial letter for 36 Jefferson Street be included on the next agenda.



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May 9, 2021, 7:15 pm was selected for the Planning Board's public hearing on the Beauchemin Estates, Preliminary Open Space Concept Plan.

*(This was discussed after 7.) Definitive Subdivision Submission A.) Colchester Drive, Definitive Subdivision Plan time stamp: 35:30)*

Daniel Koravos went over the revised plans and explained the change in the wetland set back, lot reconfigurations and the revisions made to address the concerns regarding adequate access to lot 6.

Mr. Russ pointed out a cross country drain on one of the plans which needs to be removed to match the other plan. Mr. Russ addressed concerns on the wetland replication piece and the 30-foot set back on lot 4 and discussed specifications on the building foot prints on the open space plan with Mr. Koravos.

On a Motion by Mr. LaVenture seconded by Mr. Elder, the Board voted to refer the 689 Pleasant Street Open Space Development Plan to the Conservation Commission and Engineering for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay 0 Motion carried 7-0.

**7. Definitive Subdivision Submissions**

**A. Colchester Drive, Definitive Subdivision Plan - Public Hearing Date set for May 9, 2022**

Map 44, Parcel 148 (0 Stevens Street), Marlborough, MA 01752

Owner of Land: James & Rebecca Chaousis (283 Bolton Street, Marlborough, MA 01752)

Name of Applicant: Charles Bourque (P.O. Box 642, Weston, MA 02493)

Name of Engineer: Jason Lavoie, WSP, (100 Summer Street, 13<sup>th</sup> Floor, Boston, MA 02110)

Deed Reference: Book: 9742 Page: 148

**i. Correspondence from John Garside, Board of Health**

Mr. LaVenture read the April 5, 2022, correspondence from John Garside, Board of Health into the record.

On a motion by Mr. Elder, seconded by Mr. Russ, the voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay 0 Motion carried 7-0.

**8. Signs (None)**

**9. Correspondence (None)**

**10. Unfinished Business (None)**

**11. Calendar Updates**

**A. Colchester Drive, Definitive Subdivision Plan, 135 days is Sunday July 24, 2022, vote by June 27, 2022, meeting.**

**12. Public Notices of other Cities & Towns (None)**

In other discussion, Mr. Russ suggested a compilation of accurate complete submissions be provided for reference, for projects such as, ANR, Open Space Developments, Definitive Subdivision, including all items like the covenant, certificate of vote and or special permits. He requested these be available for the public to model their submissions off of. The Board Administrator determined she would compile these documents and post them on the Planning Board Website for public viewing.

On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to put in a request to the IT Department for each planning board member to have a City of Marlborough email address. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay 0 Motion carried 7-0.

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On a motion by Mr. Fowler, seconded by Mr. Elder, the Board voted to adjourn the meeting. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay 0 Motion carried 7-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George LaVenture', with a stylized flourish extending to the right.

George LaVenture/Clerk

/kmm