

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

May 9, 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, and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio. Sean Fay arrived at 7:05 PM, Phil Hodge arrived at 7:06 PM.

1. Draft Meeting Minutes

A. April 25, 2022

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the April 25, 2022, meeting minutes. Yea: Fowler, LaVenture, Russ, and Fenby. Yea: Fowler, LaVenture, Russ, and Fenby. Absent during time of vote: Fay and Hodge. Nay: 0. Motion carried. 4-0.

2. Chair's Business

A. Open Meeting Law Guidance

i. Correspondence from Assistant City Solicitor, Jeremy McManus, Legal Department

Mr. LaVenture read the May 3, 2022, correspondence from Jeremy McManus into the record.

On a motion by Mr. Russ, seconded by Mr. LaVenture the Board voted accept and file the correspondence and to defer discussion regarding Open Meeting Law until later in the meeting. Yea: Fowler, LaVenture, Russ, and Fenby. Absent during time of vote: Fay and Hodge. Nay: 0. Motion carried. 4-0.

B. *Public Hearing Date set for May 23, 2022*- Referred from City Council, Order #22-1008571: Proposed Zoning Amendment to Chapter 650 to amend Section 39 Neighborhood Business District. – **No discussion took place.**

3. Approval Not Required

A. 401 & 405 Maple Street Map: 93 Parcel: 52

Map: 93 Parcel: 51

Applicant: Fazza Properties, LLC (708 Boston Post Road, Sudbury, MA 01776)

Deed Reference: Book: 79591 Page: 128

Book: 79591 Page: 135

Surveyor: Norman G. Hill, P.L.S., Land Planning, Inc. (214 Worcester St., N. Grafton, MA 01536)

i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division

Mr. LaVenture read the May 5, 2022, correspondence from Mr. DiPersio into the record.

ii. 2 Lot Combination ANR Plan Dated: April 14, 2022

On a motion Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept, file, and endorse the above referenced 2 Lot Combination ANR Plan dated April 14, 2022, as Approval Not Required under the Subdivision Control Law. Yea: Fowler, LaVenture, Russ, and Fenby. Absent during time of vote: Fay and Hodge. Nay: 0. Motion carried. 4-0.

4. Public Hearings

A. Colchester Drive, Definitive Subdivision Plan

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, 13th Floor, Boston, MA 02110)

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Speaking in Opposition to of Project:

- Patricia Cutone (11 Dirardo Drive) spoke in opposition because of proximity, draining and foliage.
- Colin Daley 4 (Old Charter Road) spoke in opposition because of traffic.
- Robert Colombo (39 Fowler Street) spoke in opposition because of traffic.
- John Cutone (11 Dirado Drive) spoke in opposition because of blasting, ground water and the potential of his property taxes increasing.
- Susan Mohran (158 Stevens Street) spoke in opposition because of privacy, drainage, increase in accidents, blasting, wildlife, current sewage back up issues, environmental impact and traffic. Ms. Mohran explained she was previously denied a building permit because of traffic concerns.
- Maratina Colombo (39 Fowler Street) spoke in opposition because of traffic and environmental concerns.
- Susan Mellace (23 Dirado Drive) spoke in opposition because of blasting, the proximity of the infiltration basin to her home and flooding concerns.
- Roger Barnum (172 Stevens Street) spoke in opposition because of traffic, specifically during the construction period and questioned the current gas line capabilities.

Dr. Fenby closed this portion of the Public Hearing.

Questions and Comments from the Planning Board:

Mr. Russ explained he would like to see the infiltration basins be as natural as possible, with screening around them and putting a restriction on some trees within the housing area.

Mr. Fay confirmed with the Mr. Lavoie and Mr. Carney they are not requesting any waivers and the plan is in full compliance with the Planning Board rules and regulations. He expressed concerns on the screening around the infiltration basins, blasting, communication with the neighbors and drainage on the property.

Mr. Fay asked about timing on the Arborist letter. Mr. Carney explained the report should be done within the next 2-4 week.

Dr. Fenby closed the Public Hearing.

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

B. Beauchemin Estates, Preliminary Open Space Concept Plan

689 Pleasant Street, Marlborough, MA 01752

Owner of Land: Joyce Beauchemin Realty Trust, Timothy L. Beauchemin, Trustee
(P.O. Box 1067, Townsend, MA 01469)

Name of Engineer: Daniel Koravos, P.E. (59 Granite Lane, Chester, NH 03036)

Deed Reference: Book: 45210 Page: 560

iv. Plan set

Dated: 02/10/22, Revised Date: 05/02/22

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.

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Presentation:

Daniel Koravos went over the plan set and explained the parcel is approximately 5.4 acres with an existing house and wetland that runs through the center of the property. The proposed open space development is a 7-lot subdivision with an open space area on the Pleasant Street. Mr. Koravos went over the process of filing for the special permit, and explained they submitted a conventional plan and an open space concept development plan to demonstrate the ability to fit the same number of lots on both plans. He went over the conventional, open space and the existing conditions plans and explained the proposed sites would be serviced by municipal water and sewer. He believes all the properties would require filing a notice of intent due to its proximity to the wetland. He explained during the final design of the open space concept plan he wants to speak with the Conservation Commission about alternative options to the detention basin.

- i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division
Mr. LaVenture read the May 5, 2022, correspondence from Mr. DiPersio into the record.
Mr. DiPersio pointed out an error within the letter which reads "meets the minimum area of 33%" which should read 30%. The Plan displays 33%.
- ii. Correspondence from Priscilla Ryder, Conservation/Sustainability Officer, Conservation Commission
Mr. LaVenture read the May 4, 2022, correspondence from Priscilla Ryder into the record.
- iii. Correspondence from Daniel Koravos
Mr. LaVenture read the May 2, 2022, correspondence from Daniel Koravos into the record.

On a motion by Mr. Fay, seconded by Mr. Russ, the Board voted to accept and file all the correspondence.
Yea: Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Speaking in Favor of the Project or having questions:

- Christine Devona (705 Pleasant St) expressed concerns on existing drainage issues on her property, tree removal along the proposed roadway, the ability to connect to the new sewer line and fencing to maintain her privacy.
- Leonard Solo (37 Avebury Ln #18) asked about the proximity to the condo association and the removal of trees.
- Christine Devona (705 Pleasant St) asked about the estimated values and size of the proposed homes.

Dr. Fenby closed this portion of the Public Hearing.

Speaking in Opposition to the Project:

- Christine Devona (705 Pleasant St) spoke in opposition.
- Paula Guz (669 Pleasant St) spoke in opposition because of privacy, wildlife, traffic, increase in accidents and noise concerns.
- Dr. Fenby closed this portion of the Public Hearing.

Questions and Comments from the Planning Board:

Mr. Fay explained to Mr. Koravos he must provide a list of draft findings to the Board for their review prior to the 90-day clock expiration with adequate time for review.

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So the public could have a better understanding, Mr. DiPersio went over the definition of an open space development and explained the purpose of the plans that were presented and what the applicants next steps are in the process.

Dr. Fenby closed the Public Hearing.

- 5. **Subdivision Progress Reports (None)**
- 6. **Preliminary/Open Space/Limited Development Subdivision (None)**
- 7. **Definitive Subdivision Submissions (None)**
- 8. **Signs (None)**
- 9. **Correspondence (None)**

10. Unfinished Business

A. Working Group Discussion – Update

Mr. LaVenture updated the Board on checklists and concluded the checklist would be combined and consolidated and will be presented at the May 23, 2022, meeting for the Board's comment. He explained flowcharts would be discussed at the next working group meeting.

i. Rules and Regulations – updated/formatted forms

The Planning Board Administrator reviewed the formatting and minor editing changes that were made to the forms and appendices, which consisted of pagination and uniform changes throughout the documents.

On a motion by Mr. Fay, seconded by Mr. Russ the Board voted to include the revised forms in the new rules and regulations based on the fact that they are better formatted and look consistent. Yea: Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Mr. LaVenture discussed the future of amending the rules and regulations and keeping them update to date and revising them as things arise.

Mr. Fay suggested separating the flow charts to make them easier to follow.

11. Calendar Updates – No discussion took place.

- 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)

The Board decided to discuss Open Meeting Law at the May 23, 2022, meeting.

Mr. LaVenture endorse the 401 & 405 Maple Street ANR Plan.

On a motion by Mr. Fowler, seconded by Mr. Russ, the Board voted to adjourn the meeting. Yea: Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Respectfully submitted,


George LaVenture/Clerk

/kmm