

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

October 3, 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. August 22, 2022

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the August 22, 2022, meeting minutes. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

B. September 12, 2022

On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to accept and file the September 12, 2022, meeting minutes with minor typo corrections. Yea: Fay, Hodge, LaVenture, and Fenby. Nay: 0. Abstain: Elder, Fowler and Russ. Motion carried. 4-0.

2. Chair's Business

A. Council No. 22-1008679 – Proposed Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches.

The Board set the public hearing date for November 7, 2022.

City Council President, Michael Ossing said he would present the proposed zoning change at the public hearing.

B. Unaccepted Streets

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

Mr. LaVenture read the September 29, 2022, correspondence into the record.

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

Mr. Fay requested this agenda item remain on the agenda until further notice.

Dr. Fenby and Mr. DiPersio discussed the developer's acceptance procedures when submitting to City Council.

Mr. LaVenture suggested a procedural sheet be created for easier processing/tracking of the acceptance process.

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports

A. 342 Sudbury Street

i. Correspondence from Kevin O'Malley

Mr. LaVenture read the September 26, 2022, correspondence into the record.

On a motion by Mr. LaVenture, seconded by Mr. Elder, the Board vote to accept and file the correspondence.

Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

Mr. LaVenture requested the full address be included on the subject line of update correspondences.

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B. Commonwealth Heights

- i. Correspondence from Chief Code Enforcement Officer, Pamela Wilderman, Code Enforcement
Mr. LaVenture read the September 27, 2022, correspondence into the record.
On a motion by Mr. Elder, seconded by Mr. Russ, the Board vote to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

C. Goodale Estates

- i. Correspondence from Kevin Gillis, Northborough Capital Partners, LLC
Mr. LaVenture read the September 20, 2022, correspondence into the record.
On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board vote to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

Mr. Gillis explained, Mr. DiPersio provided the following comments that needed to be addressed:

- Paving at the top of the circle
- A couple of landscaping areas that didn't perform well
 - o Mr. Gillis explained he hired two people to address this.
- Final adjustments to the acceptance plans
 - o Mr. Gillis explained the adjustments have been made and revised plans were submitted to Engineering for review.

Mr. Fay addressed concerns regarding some deterioration near a catch basin and a depression in the pavement at the bottom of the road. – See photos attached.

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board vote to accept and file the September 20, 2022, correspondence from Kevin Gillis. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

- ii. Correspondence from City Engineer, Thomas DiPersio, Engineering Division
Mr. LaVenture read the September 29, 2022, correspondence into the record.
On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board vote to accept and file the correspondence and to move forward with the next steps in the acceptance process. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

Mr. DiPersio assured the Board that Engineering would complete an in-depth investigation of the subdivision. He explained, the legal department has the documentation for the right-of-way transfer to the City and that he would confirm with the Legal Department that these documents are in proper legal form.

6. Preliminary/Open Space/Limited Development Subdivision

A. Informal Discussion

547 Stow Road Sketch Plan of Land Open Space Development

Name of Engineer: Vito Colonna, Connorstone Engineering (59 Granite Lane, Chester, NH 03036)

- i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division
Mr. LaVenture read the September 29, 2022, correspondence into the records.
On a motion by Mr. Elder, seconded by Mr. Russ, the Board vote to accept and file the correspondence. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

- ii. Locus/Roadway Widths Plan

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- iii. Open Space Concept Plan
- iv. Conventional Plan
- v. Truck Turning Exhibit

Mr. Colonna confirmed the Truck Turning Exhibit included fire trucks.

Chuck Black, Kendal Homes, Inc. (PO Box 766, Southborough, MA 01772) spoke on behalf of 547 Stow Road. Mr. Black explained Mr. Colonna has confirmed that emergency vehicles could safely enter and leave the proposed subdivision with the current road width of Stow Road of 17 feet, and asked for confirmation that the Board would grant a waiver for a 17-foot pavement width on Stow Road if/when they submit a formal submission.

Mr. Fay explained the Board is not against the subdivision but until the Board sees the plan as whole in a formal submission, the Board cannot guarantee the waiver will be granted. The Board members agreed with Mr. Fay. Dr. Fenby explained the Board isn't saying no at his time, and that the Board is looking forward to working with Mr. Black and Mr. Colonna.

7. Definitive Subdivision

A. Tobin 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)

Deed Reference: Book: 9742 Page: 148

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

Mr. LaVenture read the September 29, 2022, correspondence into the record.

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

ii. Draft Covenant

The Planning Board Administrator explained additional revisions were made to the covenant which clarified ownership and corrected grammar. Michael Carney explained the changes are regarding the assignee being transferred from the estate to the developers. He explained their attorney is reviewing the documents.

iii. Draft Certificate of Vote

The Administrator and explained the same changes were made to the certificate of vote.

Mr. Carney explained right now they are acting as representatives of the owners of property, and that the property transaction will happen "once approved", so the developers are the assignee.

The Board requested confirmation from the Legal Department that both the covenant and certificate of vote are in proper legal form.

Mr. DiPersio explained the owner needs to provide a municipal lien certificate as required in the rules and regulations in § A676-10 F.(5). He reminded the board they will need to vote at the October 17, 2022, meeting.

iv. Revised plans

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8. Signs (None)

9. Correspondence (None)

10. Unfinished Business

A. Working Group

- i. Memo – Special Permit Standards for Open Space Developments
- ii. Memo – Waiver Standards
- iii. Memo – Zoning Standards

Mr. LaVenture explained the memos include Mr. Fay's revisions.

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to adopt the three individual memoranda for the record, which are items to be used in the review of various applications. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

11. Calendar Updates

- A. Tobin Drive (FKA: Pettes Drive/Colchester Drive) (0 Stevens Street), Definitive Subdivision Plan, 135 days is Sunday July 24, 2022. Extension granted, vote by **October 17, 2022**, meeting.

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

Dr. Fenby endorsed the following memos:

- i. Memo – Special Permit Standards for Open Space Developments
- ii. Memo – Waiver Standards
- iii. Memo – Zoning Standards

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,



George LaVenture/Clerk

/kmm