

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

November 21, 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, George LaVenture, Chris Russ, and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio. Members Absent: Mathew Elder, Sean Fay, and Phil Hodge.

1. Draft Meeting Minutes

A. November 7, 2022

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the November 7, 2022, meeting minutes. Yea: LaVenture, Russ, and Fenby. Nay: 0. Abstained: Fowler. Motion carried. 3-0.

2. Chair's Business

A. Millham Estates – Request to amend 1995 special permit

i. Correspondence from Assistant City Solicitor, Jeremy McManus

Mr. LaVenture read the November 17, 2022, correspondence from Mr. McManus into the record.

ii. Correspondence from Joseph P. Anderson, Esq. (Crowley & Cummings, LLC)

iii. Recorded special permit

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file all the correspondence under agenda item 2A and to declare that the maximum price restriction contained within Condition 5 of the Millham Estates Subdivision open space development special permit, granted by the Planning Board On February 27, 1995 and recorded at the Middlesex South Registry of Deeds in Book 25295, Page 595, if applicable at all, is unenforceable relative to sales subsequent to the original purchaser. Additionally, any amendment to the special permit will require the submission of an application for an amendment using the Planning Board's form for a special permit application. Yea: Fowler, LaVenture, Russ and Fenby. Nay: 0. Motion carried. 4-0.

B. Unaccepted Streets – *No Updates*

Dr. Fenby proposed December 19, 2022, for the Planning Board Holiday gathering.

3. Approval Not Required

A. 57 Main Street, Marlborough, MA 01752, Map 70, Parcel 291

Owner of Land: Marlborough TOTG, LLC (206 Ayer Rd. Suite 5, Harvard, MA 01451)

Name of Applicant: JW Capital Partners, LLC (34 Washington St. Suite 230, Wellesley, MA 02481)

Name of Surveyor: Bruce Saluk & Associates, Inc. (576 Boston Post Rd E, Marlborough, MA 01752)

Deed Reference: Book: 74006 Page: 273

Book: 74006 Page: 276

i. Form A

ii. Plan of Land Dated: November 9, 2022

Bruce Saluk spoke on behalf of the ANR and explained it is made up of three parcels, which are on two separate deeds. He explained the boundaries would not change and that he wants to combine the parcels into one and put the parcel on one deed. Mr. DiPersio explained to the Board, this plan could be recorded without an ANR endorsement, but that it is not incorrect to have the ANR endorsement on the plan.

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On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to refer the November 9, 2022, Plan of Land to the Engineering Division for review. Yea: Fowler, LaVenture, Russ and Fenby. Nay: 0. Motion carried. 4-0.

4. Public Hearings (None)

5. Subdivision Progress Reports

A. 342 Sudbury Street

i. Correspondence from Kevin O'Malley

Mr. LaVenture read the November 10, 2022, correspondence from Mr. O'Malley into the record.

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

Yea: Fowler, LaVenture, Russ and Fenby. Nay: 0. Motion carried. 4-0.

6. Preliminary/Open Space/Limited Development Subdivision

A. Goodale Estates

i. Correspondence from Kevin Gillis, Northborough Capital Partners, LLC

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

Mr. LaVenture read the November 17, 2022, correspondence from Mr. DiPersio into the record.

On a motion by Mr. Russ, second by Mr. Fowler, the Board voted to accept and file all the correspondence under agenda item 6A and to notify the developer to make a formal request to the City Council to accept the roadway as a public way as indicated in Thomas DiPersio's correspondence. Yea: Fowler, LaVenture, Russ and Fenby. Nay: 0. Motion carried. 4-0.

7. Definitive Subdivision (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business

A. Working Group

i. Approval Not Required (ANR) Flowchart

ii. Preliminary Plan Flowchart

Mr. LaVenture discussed the ANR and Preliminary Plan flowcharts and explained the language provided (see attached) would be used to generate flowcharts for the Acceptance Procedure, one for "Start of Maintenance Period" and one for "After Maintenance Period".

The Board agreed they would vote on all four flowcharts once completed.

11. Calendar Updates (None)

12. Public Notices of other Cities & Towns

A. 2 Notices - City of Framingham

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On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence under agenda item 12A and to adjourn the meeting. Yea: Fowler, LaVenture, Russ and Fenby. Nay: 0. Motion carried. 4-0.

Respectfully submitted,



George LaVenture/Clerk

/kmm