

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

1A

**Call to Order**

**December 19, 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. December 5, 2022

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the December 5, 2022, meeting minutes. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

**2. Chair's Business**

A. Unaccepted Streets – *No Updates*

**3. Approval Not Required (None)**

**4. Public Hearings (None)**

**5. Subdivision Progress Reports (None)**

**6. Preliminary/Open Space/Limited Development Subdivision**

A. Stow Road, Open Space Development Special Permit Application

Map 20, Parcel 4A, Stow Road, Marlborough, MA 01752

Name of Applicant: Kendall Homes, Inc. (P.O. Box 766, Southborough, MA 01772)

Name of Owner: McCabe Family Irrevocable Trust and Judith McCabe (6 Erie Drive, Hudson, MA 01749)

Name of Engineer: Connorstone Engineering, Inc. (10 Southwest Cutoff, Northborough, MA 01532)

Deed Reference: Book: 66136 Page: 582

Book: 78814 Page: 590

i. Form B-1

ii. Abutter's list

iii. List of requested waivers

iv. Truck Turning Exhibit – Cluster Concept Plan Dated: December 2, 2022

v. Plan Set Dated: December 2, 2022

Vito Colonna of Connorstone Engineering, Inc. and Chuck Black of Kendall Homes, Inc. spoke on behalf of the application. Mr. Colonna explained this submission is step one for an Open Space Development (approval of the special permit) and went over the plan set.

Existing conditions:

- 6.4 undeveloped acres
- Mix of fields and wetland
- Back portion of parcel abuts City owned property

Conventional Plan

- 3 Lots
- 2 ANR lots along Stow Road (which are part of the parcel but not part of this project)
- Roadway length of 500 Feet
- Waiver Request:
  - o to allow access off Stow Road a roadway width of 18.6 feet

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

**Open Space Plan**

- 3 Lots that would require minimum fill
- 2 ANR lots along Stow Road (which are part of the parcel but not part of this project)
- 1 Open space parcel (likely to be conveyed to the City)
- Roadway length of 290 Feet with a 1.5% road slope
- Waiver Request:
  - o to allow access off Stow Road a roadway width of 18.6 feet
  - o to allow a sidewalk along one side of the roadway instead of both

Mr. Colonna went over the drainage system and explained there was discussions to include the detention basin on privately own property vs an easement on the open space parcel. Water was stubbed onto the property prior to Stow Road being paved and there is already an existing sewer line that runs through the property. He explained they flared out the entrance of the proposed roadway to accommodate the WB-40 truck and the site distance in both directions is at least 250 feet. There are no trees within the City right of way that require a public hearing, however a public hearing would be required for the roadway opening in the stonewall. The stones would be relocated and used to repair other portions of the stonewall.

Mr. Black explained the two ANR lots would gain access from the proposed roadway and the Board addressed concerns on the sidewalk waiver request.

Mr. Russ pointed out that the drainage system is within the 30 foot no-disturb zone of the wetland.

Dr. Fenby and Mr. Colonna discussed an access easement to the open space parcel.

Mr. LaVenture addressed concerns on how a house could be built on Lot S2 within the conventional plan. Mr. DiPersio explained when the plans are reviewed by Engineering, one of the comments to the developer will likely be to show the access within the plan.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to refer the Stow Road plan set dated December 2, 2022, to Engineering for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 7-0.

The Board set the public hearing date for January 23, 2023.

**7. Definitive Subdivision (None)**

**8. Signs**

- A. 405 Maple Street (Fazza Group, Inc.)
  - i. Application
  - ii. Denial letter, Ethan Lippitt, Code Enforcement Officer
  - iii. Proposed Sign

Jim Dovan, representative for Fazza Realty, Diego Plenary, Property Manager and Elias DeAquino, Sign Designer, spoke on behalf of the sign variance application.

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

Mr. Plenary explained the existing signs on the property are a 24-inch-high lettering which reads "Fazza". Mr. Dovan explained they are looking to add their logo to the exterior of the building which exceeds the allowable signage area by about 9 feet. He explained the property abuts three streets and that 401 and 405 Maple Street companies had merged. Mr. Plenary explained the pylon sign and Fazza name sign have already been approved.

Dr. Fenby asked the Board members to take a drive out to the site to review the existing signage. The Board reviewed the google map images of the property. Mr. Fay asked if the sign could be smaller. Mr. Dovan agreed to work with the Board on the size. Dr. Fenby asked the applicants to attend the January 9<sup>th</sup> meeting.

Mr. Russ questioned if the building department was aware of the newly filed ANR which combined the two lots at 401 and 405 Maple Street into one and explained there is a bonus for allowable signage for corner lots. Mr. DiPersio agreed to confirm with the Building Department that this was taken into consideration when reviewing the original permit application for the signs.

**9. Correspondence (None)**

**10. Unfinished Business**

**A. Council No. 22-1008721 – Proposed Zoning Amendment to Chapter 650, Mixed Use and Affordable Housing**

Mr. Fay discussed his concerns on the proposed zoning amendment being an impediment to some of what the City envisions for mixed-used developments and used the site E on Main as an example.

Mr. Russ asked for more information regarding MBTA communities and the Board discussed their concerns on the definition of affordability not being in the zoning amendment.

Council Vice President Kathleen Robey went over the Boards concerns and explained its likely the Council will review these concerns and explained there would be language within the individual special permits regarding the State's calculation for what is considered affordable.

On a motion by Mr. LaVenture seconded by Mr. Russ, the Board voted to send a favorable recommendation to the City Council on the above-referenced Proposed Zoning Amendment, with the following recommendations:

- That "Affordability" be defined within the zoning amendment
- That the possibility that the amendment may cause impediments to site development be considered
- That the Council consider that this may change when the MBTA information is provided

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

**B. Working Group**

Mr. LaVenture updated the Board and explained he would follow up with the City Solicitor for further clarification.

**11. Calendar Updates (None)**

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

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

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.

Respectfully submitted,



George LaVenture/Clerk

/kmm