

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

January 9, 2023

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, Chris Russ, and Matthew Elder. Meeting support provided by City Engineer, Thomas DiPersio. Absent: George LaVenture and William Fowler

First Order of Business: Planning Board Organization Meeting – Election of Chairperson and Clerk

Dr. Fenby opened the organizational meeting.

Dr. Fenby opened the nominations for the Planning Board Clerk. Mr. Russ nominated Mr. George LaVenture, seconded by Mr. Hodge. There were no additional nominations. On a motion by Mr. Russ, seconded by Mr. Hodge the board voted to elect Mr. George LaVenture, as Clerk of the Marlborough Planning Board for the year 2023. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

Dr. Fenby explained documentation has been placed on file confirming Mr. LaVenture's willingness to serve as Planning Board Clerk for 2023.

Dr. Fenby opened the nominations for the Planning Board Chairperson. Dr. Fenby nominated Mr. Sean Fay, seconded by Mr. Elder. There were no additional nominations. On a motion by Dr. Fenby, seconded by Mr. Elder the board voted to elect Mr. Sean Fay as Chairperson of the Marlborough Planning Board for the year 2023. Yea: Elder, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 4-0.

1. Draft Meeting Minutes

A. December 19, 2022

On a motion by Dr. Fenby, seconded by Mr. Elder, the Board voted to accept and file the December 19, 2023 meeting minutes. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

2. Chair's Business

A. Unaccepted Streets – *No Updates*

- B. Council Order No. 22-1008767: Order to accept Jenks Lane as a Public Way and to accept the municipal easements**
Mr. DiPersio explained Engineering had previously provided the Board with correspondence indicating all punch list items had been completed by the developer and explained the Council is now looking for a formal recommendation to the Public Service Committee.

Mr. Fay explained he visited the site and had concerns regarding the plug on the catch basin and a depression area within the road. Mr. DiPersio explained this depression is likely from a trench that was done by the Gas Company and that the Gas Company would be responsible for this repair.

On a motion by Dr. Fenby, seconded by Mr. Elder, the Board voted to the refer the acceptance of Jenks Lane as a Public Way to Engineering or review. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports (None)

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6. Preliminary/Open Space/Limited Development Subdivision

A. Stow Road, Open Space Development Special Permit Application – *No discussion (public hearing set for 1/23/23)*

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

No discussion took place.

7. Definitive Subdivision (None)

8. Signs

A. 405 Maple Street (Fazza Group, Inc.)

i. Application

ii. Denial letter, Ethan Lippitt, Code Enforcement Officer

iii. Correspondence from Ethan Lippitt

Mr. Russ read the December 22, 2022, and December 24, 2022, email correspondence into the record.

On a motion by Mr. Elder, second by Dr. Fenby the Board voted to accept and file the correspondence. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

iv. Proposed Sign

Jim Donovan spoke on behalf of the sign variance and explained the proposed non lit sign is 105 square feet, roughly 90 square feet over the allowed square feet of signage.

Mr. Hodge and Dr. Fenby spoke in opposition of the proposed signed and discussed concerns of setting a precedent.

Mr. Elder and Mr. Russ both discussed reducing the size of the sign.

Mr. Fay went over the reasons why past variances were approved by the Board. Primarily safety concerns for motorists having poor site visibility and adequate time to read the signage before entering the lot. Mr. Fay explained in all directions the existing signs on the building can be seen and read clearly.

Mr. Russ asked for more information to be provided regarding the existing signs on site.

Mr. Donovan asked the Board to table the consideration.

On motion Mr. Elder, second by Mr. Russ, the Board voted to table the consideration of the sign variance application until the February 13, 2023, meeting. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

9. Correspondence (None)

10. Unfinished Business

A. Working Group

Mr. Russ explained there are no updates at this time.

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11. Calendar Updates (None)

12. Public Notices of other Cities & Towns

A. Public Hearing Notices

i. Town of Southborough (3)

ii. Town of Sudbury

On a motion by Mr. Elder, second by Dr. Fenby, the Board voted to accept and file all the correspondence under item 12. Public notices of other Cities and Towns. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

Mr. Elder notified the Board that he would be resigning, and he explained he would coordinate with the Administrator and the Mayor to avoid any quorum issues for upcoming meetings. His intentions were to make the resignation effective January 9th but with other members leaving he wanted to make sure there would not be any issues with any future meetings.

Mr. Fay acknowledged the work of Dr. Fenby and Mr. Hodge and thanked them for their 30+years of service.

Mr. Fay notified the Board that in about a year he would be resigning and asked to not be reappointed.

On a motion by Dr. Fenby, seconded by Mr. Elder, the Board voted to adjourn the meeting. Yea: Elder, Fay, Hodge, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

Respectfully submitted,



George LaVenture/Clerk

/kmm