

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

March 13, 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: Sean Fay, Barbara Fenby, James Fortin, William Fowler, Dillon LaForce, and George LaVenture. Meeting support provided by City Engineer, Thomas DiPersio. Members absent: Chris Russ.

Mr. Fay welcomed the two new Planning Board members James Fortin and Dillon LaForce.

1. Draft Meeting Minutes

A. February 27, 2023

On a motion by Dr. Fenby, seconded by Mr. LaVenture, the Board voted to accept and file the February 27, 2023, meeting minutes. Yea: Fay, Fenby, Fowler, and LaVenture. Nay: 0. Motion carried. 4-0. Abstained: Fortin and LaForce.

2. Chair's Business

A. Street Acceptance - No updates

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports

A. Goodale Estates – Jenks Lane – Bond Update

i. Correspondence from Thomas DiPersio

On a motion by Dr. Fenby, seconded by Mr. LaVenture, the board voted to accept and file the March 7, 2023, recommendation letter from City Engineer, Thomas DiPersio and to release the bond securing the Goodale Estates Subdivision from \$84,000.00 to \$0.00. Yea: Fay, Fenby, Fortin, Fowler, LaForce, and LaVenture. Nay: 0. Motion carried. 6-0.

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. Request for Extension

Mr. LaVenture read the March 8, 2023, correspondence into the record.

On a motion by Dr. Fenby, second by Mr. LaVenture, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, Fowler, LaForce, and LaVenture. Nay: 0. Motion carried. 6-0.

On a motion by Dr. Fenby, seconded by Mr. LaVenture, the Board voted to grant the extension for the decision on the Open Space Special Permit Application for the Preliminary Subdivision on Stow Road (547 Stow Road) to April 27, 2023. Yea: Fay, Fenby, Fortin, Fowler, LaForce, and LaVenture. Nay: 0. Motion carried. 6-0.

ii. Correspondence from Vito Colonna

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7. Definitive Subdivision

A. 689 Pleasant Street, Marlborough, MA 01752 – No Discussion

Open Space Development Definitive Subdivision Plan

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

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

Name of Surveyor: Hugo Findeisen, (P.O. Box 612 Sandown, NH 03873)

Deed Reference: Book: 45210 Page: 560

8. Signs (None)

The Board discussed the Harbor Freight sign application for 230 East Main Street, that was on the February 27, 2023, agenda. The Administrator informed the Board the application was withdrawn, and that a permit has been issued through the Building Department for a smaller sign that is in full compliance with the sign ordinance.

Mr. Fay asked for the Fazza sign application for 405 Maple Street to be included on the March 27, 2023, agenda.

9. Correspondence (None)

10. Unfinished Business

A. Working Group

i. Draft Memo - Sign Ordinance Variance Procedures

Mr. LaVenture went over the language within the draft memo:

Due to the highly specific requirements for sign ordinance variances under 526.12.C.(2), the Planning Board requires that the applicant for a sign ordinance variance be the business owner or the responsible executive of the business requesting the variance. The applicant and/or their legal counsel will appear before the Planning Board at the agreed date and time to present their case for the variance. At a minimum the applicant must address:

- how they believe their proposed sign was not contemplated by the ordinance, and
- how enforcement of the existing ordinance requirements would involve practical difficulties, and
- how desirable relief might be granted without substantially derogating from the intent and purposes of the ordinance

Applicant must be specific in their responses as 526.12.C.(2) allows variances under these three conditions and none other.

Mr. LaVenture explained a representative for the sign vendor or installer may attend to address any issues of construction or installation that the Board may have.

ii. Draft Sign Variance Application Edits

Mr. LaVenture went over the change under #5 and explained originally it listed [] Other as an option, which has been removed.

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Mr. LaVenture explained the Legal Department is reviewing the draft memo. Mr. Fay requested this item remain on the agenda for the March 27, 2023, meeting.

The Administrator suggested once the memo is approved, to include the memo with the application documents on the City's website. The Board agreed.

11. Calendar Updates

- A. Stow Road, Open Space Development Special Permit Application – 90 days expires Sunday, March 19, 2023 – Vote on or before **March 13, 2023**, meeting

Mr. Fay reminded the Board the Stow Road date has changed from March 19, 2023 to April 27, 2023.

- B. Beauchemin Estates, 689 Pleasant Street Definitive Subdivision – 90 days expires Sunday May 14, 2023 – Vote on or before **May 8, 2023**, meeting

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

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

Respectfully submitted,



George LaVenture/Clerk

/kmm