

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

Call to Order

September 12, 2016

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included: Barbara Fenby, Colleen Hughes, Sean Fay, Philip Hodge & Brian DuPont. Also in attendance were Board Secretary Melissa Peltier & City Engineer Thomas DiPersio. Shawn McCarthy & Edward Coveney were absent.

1. Meeting Minutes:

A. Regular Meeting August 29, 2016

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to approve the minutes of the August 29, 2016 Regular Meeting. Motion carried with Dr. Fenby and Mr. DuPont Abstaining.

2. Chair's Business:

A. Update regarding Planning Board Page – Calendar

This item will be carried over to the next regularly scheduled meeting (September 26, 2016)

3. Approval Not Required: None

4. Public Hearings (7:15):

A. Proposed Zoning Amendment 650-5.B, 650-17, 650-18.A(44) & 650-48.A

The Public Hearing was opened at 7:15pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in favor-questions

Those speaking in opposition

Questions from Board Members

Presentation:

Attorney David McCay Attorney with Mirick O'Connell

Mr. Eric Gardner, Director of Development, Benchmark Senior Living

Mr. Luke DiStephano, Project Engineer, Bohler Engineering

Mr. David Udelsman, Project Engineer, Udelsman Associates

Mr. Jason Adams, Traffic Engineer, McMahon Associates

All gentlemen were in attendance for the presentation. Attorney McCay lead the discussion starting with a Power Point presentation outlining the changes requested to the zoning ordinance.

There was additional information available in regards to the proposed project that is to benefit from this intended zone change however the Board was determined to keep the discussion to the

matter at hand the requested amendment.

Attorney McCay noted the 4 points that the proposed amendment will affect they are:

- Add “Assisted Living Facility” to the table of uses.
- Limit the locations available for proposed “Assisted Living Facilities” to Maple St/Rte 85 Corridor.
- Minimum lot size of 10 Acres
- Required frontage of 250 feet

Speaking In Favor or Questions:

Question: Ms. Katie Robey, 97 Hudson Street, At-Large City Councilor

Ms. Robey questioned the requested qualifier for the location on Route 85/Maple Street. That qualification is very limiting and has the appearance of spot zoning. If that qualifier was removed would the impression of spot zoning, then be removed?

Speaking In Opposition: None

Questions from the Board Members:

Mr. DuPont requested that the proponent develop and distribute a map showing all parcels in the City that would qualify for the zoning designation if the Route 85/Maple Street qualifier was removed.

Mr. Fay also requested that the Route 85/Maple Street qualifier be removed.

Mr. Hodge questioned the dimensional requirement why only 10 acres or larger?

Mr. Hodge noted that he was willing to expedite this proposed project but not to the exclusion of any and all other potential projects of the same type.

The Public Hearing was closed at 7:44pm

B. Definitive Subdivision Goodale Estates (Attorney Austin)

The Public Hearing was opened at 7:45pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in favor

Those speaking in opposition

Questions from Board Members

Presentation:

Attorney Austin, Paul and Alex Ricciardi and Mr. Bruce Saluk, project engineer were in attendance to present the proposed subdivision to the Board.

The proposed project consists of 11.6 acres of which 5.1 will be dedicated to Open Space per the Open Space Special Permit that was approved in February. The proposed road will be named Jenks Lane and will be situated opposite Hutchinson Dr. There will be 7 lots in total 5 of which will back towards the Charter Oaks Golf Course. There are 4 Waivers Being requested.

- Sidewalk width (Article V, Section A676-26 (A)(1) and cross section in appendix “F” requires a 6’ sidewalk width. This request is for a 5’ width.

- A waiver to Article V, Section A676-26(A) is requested to allow for elimination of the sidewalk on the right side of the road between the rounding at station 0+50 to the driveway on lot #7.
- A waiver is requested to allow a reduction of the right of way width required in Article V, Section 676-12c(1)(a) from 50 Ft to 40 Ft.
- A waiver is requested to allow the reduction of the paved road width required in Article V, Section 676-24(B)(2)(a) from 26 Ft to 24Ft.

There will be one street light installed as located on the plan. All utilities will be situated underground, the overhead electrical service will be brought into the site and then buried underground.

Speaking In Favor or Questions:

Mr. Peter Kennan, 10 Hutchinson Drive, (questions)

Mr. Kennan questioned the placement of the roadway he is concerned traffic will be considerable there are already perceived speed issues on the road. Will there be blasting involved he was lead to believe that the area in question was mostly ledge. How will the developer minimize the impacts of construction?

Mr. Saluk responded that relocating the placement of the roadway would cause more issues with constant braking and required turning. As to the perceived ledge issue some ledge was noted in the initial testing however it will need to be determined the type of ledge in the area in order to decide which way to clear some of it blasting is not the only option available.

Ms. Susan Noble, 133 Goodale Street, (questions)

Ms. Noble questioned how will the impact be mitigated for the school aged children of the neighborhood (busses) and her handicapped child? She is concerned about the traffic and traffic patterns.

Mr. Saluk responded that there is a traffic management plan in place with the DPW and as necessary Detail Police Officers will be placed at the construction to control the traffic pattern.

Mr. John Graham, 45 Hutchinson Drive, (question)

Mr. Graham questioned the water runoff issues. As it is currently there is a significant water problem especially in the Spring.

Mr. Saluk responded that there will be a large detention basin provided to channel the flow of water properly from the abutting site as well as the subdivision to eradicate the exisiting water issue.

Speaking In Opposition: None

Questions from the Board Members: None

The Public Hearing was closed at 15pm

On a motion made by Mr. Fay, seconded by Mr. DuPont the plan was referred to the Engineering

Department for review. Motion passed.

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

City Engineer DiPersio reported out to the Board that Cider Mill Estates and Howes Landing are working on homes but not the roadway at this time. Regarding Long Drive, the Developer (Charles Freeman) still needs to provide and sign documents to proceed with the Acceptance of the roadway through the City Council.

B. Walker Brook Estates Bond Reduction Request

Ms. Hughes read the communication from Mr. Melanson into the record.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to refer the request to the Engineering Department for review. Motion passed.

Note, Mr. Melanson is not required to be in attendance at the next meeting when this is reported out.

C. Blackhorse Farms Bond Reduction Request

Ms. Hughes read the communications (3) from Attorney Beattie into the record, as well as the communication from the City Tree Warden Christopher White.

On a motion made by Mr. Fay, seconded by Mr. DuPont the communications (3) were accepted and placed on file. Motion passed.

On a motion made by Mr. Fay, seconded by Mr. DuPont the additional information from the Tax Collector as well as the Code Enforcement Officer were accepted and placed on file. Motion passed.

Attorney Beattie was in attendance to answer any questions the Board may have.

City Engineer DiPersio reported to the Board that the As-Built plans for this subdivision have been received by the Engineering Department the plan review has not been completed however.

On a motion made by Mr. Fay, seconded by Mr. DuPont it was voted to extend the subdivision completion deadline to October 4, 2016 in order to allow time for the Engineering Department to complete its review, as well as review the bond reduction request. Motion passed.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission:

A. Jelico Homes 626 Stow Rd (Attorney Rowe)

This submission was deemed incomplete and held over to the next regularly scheduled meeting (September 26, 2016) to allow the attorney time to acquire the missing information.

8. Signs: None

9. Unfinished Business:

A. Blackhorse Farms (September 13, 2016)

This item was taken up earlier in the agenda.

B. Macomber Lane continued discussion.

After much discussion which produced more questions than answers amongst the Board. Topics which included the road was created within a subdivision layout, the condition of the existing roadway, the use of the cul de sac portion of the road as a party zone and the potential to install a gate prior to the cul de sac to thwart the potential unwelcome activity. Solicitor Rider noted that he would do some research and report back to the Board at the next regularly scheduled meeting (September 26, 2016) regarding the procedure to follow in order to divest the City of the public way in question.

10. Informal Discussion:

Mr. DuPont informed the Board that he is part of the School Building Committee that has just been established for the new school building. Mr. DuPont will be making periodic reports to the Board on the progress.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

- A. Town of Framingham, Planning Board Notices (5)**
- B. Town of Framingham, Zoning Board of Appeals Notices (1)**
- C. Town of Southborough, Planning Board Notices (2)**
- D. Town of Southborough, Board of Appeals Notice (1)**

Item 4A was revisited briefly prior to adjournment.

The Board was reminded that there is a 21-day window to forward a recommendation to the Full City Council for action. A recommendation will have to be voted upon at the next regularly scheduled meeting (September 26, 2016).

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept notices A-D and place them on file. Motion carried.

Adjournment: On a motion made by Mr. DuPont, seconded by Ms. Hughes it was voted to adjourn at 8:48pm. Motion carried.

Respectfully submitted,

Colleen Hughes
Clerk

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