

**MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

**Call to Order**

**October 3, 2016**

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

**1. Meeting Minutes:**

**A. Regular Meeting September 26, 2016**

On a motion made by Mr. Fay, seconded by Mr. Hodge it was voted to approve the minutes of the September 26, 2016 Regular Meeting. Motion carried with Ms. Hughes abstaining.

**2. Chair's Business:**

**A. Update regarding Planning Board Page – Calendar**

This item was carried over to the next regularly scheduled agenda. (October 17, 2016)

**3. Approval Not Required: None**

**4. Public Hearings (7:15): None**

**5. Pending Sub Division Plans: Updates and Discussion:**

**A. Engineers Report**

City Engineer DiPersio reported out to the Board that he has no items to report that are not already on the agenda.

**B. Discussion/Decision Goodale Estates (October 23, 2016)**

Attorney Austin as well as Bruce Saluk were in attendance to answer any questions the Board may have.

Chairperson Fenby noted that she had met with the City Engineer and Assistant City Engineer to garner a broader understanding of what the Engineering Department was looking for in a set of plans for review that were requesting waivers.

It was requested from the Engineering Department that the Board give an overall sense of approval or denial of specific requested waivers earlier on in the process rather than waiting until the final votes are ready to happen.

With that request in mind the Board took the following action on each requested waiver.

- 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.

On a motion made by Mr. McCarthy, seconded by Ms. Hughes it was voted to allow this waiver. Motion passed.

- 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.

This waiver request was withdrawn by the developer.

- 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.

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to allow this waiver. Motion passed.

- 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.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to deny this waiver request. Motion passed.

It was noted that the original plan as presented had the property lines is a much straighter configuration the what was shown during discussion this evening. The Board questioned the change. Mr. Saluk noted that he would look into reconfiguring the lots into the shape/size of the original submittal.

Ms. Hughes read the communication from Conservation Officer Priscilla Ryder into the record. On a motion made by Mr. Fay, seconded by Mr. Hodge the communication was accepted and placed on file.

#### **C. Discussion/Decision Certificate of Vote Goodale Estates**

#### **D. Discussion/Decision Covenant Goodale Estates**

Agenda items 5C and 5D were taken up together.

On a motion made by Mr. Fay, seconded by Ms. Hughes these 2 items were taken up together it was voted to place these items for action on the next agenda. Motion passed.

These items will be placed on the next regularly scheduled agenda (October 17, 2016)

#### **E. Discussion if Necessary Marlborough Hub (November 27, 2016) (Howe & Valley Streets)**

Discussion ensued between Solicitor Rider and the Board regarding the ownership or lack of ownership by the proposed developer for the intended roadway. On the original application Marlborough Hub LLC never represented that they owned the parcel in question.

In discussions the Board looked to revert the question of the legal ownership and ability to use the parcel of land which shows the roadway on it to the developer for clarification, as well as require the developer to show a 50' wide roadway on the subdivision plans as required by the Subdivision Rules and Regulations.

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

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to send correspondence to

the developer to request an extension of time to review the Marlborough Hub subdivision plan until December 5, 2016 due to this perceived ownership issue. Motion passed.

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

**7. Definitive Subdivision Submission:** None

**8. Signs:** None

**9. Unfinished Business:**

**A. Blackhorse Farms (October 4, 2016)**

Ms. Hughes read the communication from Assistant City Engineer Tim Collins into the record. As noted in the communication the As-Built Plans for the Subdivision have been received and reviewed and are acceptable. The Tree Warden has noted that the time to be planting the required trees is now and the planting should commence.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to extend the subdivision completion date until November 15, 2016 and request that Attorney Beattie be present at the meeting on November 14, 2016. Motion passed.

**10. Informal Discussion:** None

**11. Correspondence:** None

**12. Public Notices of other Cities and Towns:**

**A. Town of Framingham, Planning Board Notices (3)**

On a motion made by Ms. Hughes seconded by Mr. Hodge it was voted to accept and place on file item A. Motion carried.

**Adjournment:** On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to adjourn at 7:58pm. Motion carried.

Respectfully submitted,

Colleen Hughes  
Clerk

/mai