

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

Call to Order

July 24, 2017

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, Brian DuPont and George LaVenture. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes:

A. June 19, 2017

On a motion made by Mr. Fay, seconded by Mr. LaVenture, the Board voted to approve the June 19, 2017, Planning Board meeting minutes. Motion carried.

2. Chair's Business: None

3. Approval Not Required: None

5. Pending Subdivision Plans: Updates and Discussion: Engineer's Report

A. Mauro Farm:

Developer has completed most items on the department's punch list. Weather has delayed crack sealing. There are two remaining action items relating to deeds that are being worked on by Legal Department. Mr. Fay inquired about the outcome of a lawsuit between the developer and an open-space parcel behind the property. Mr. DiPersio stated that he would research that question.

B. Cider Mill Estates:

Attorney Beattie informed Engineering and the Planning Board Administrator that due to impacts of the rainy weather, the developer anticipates a 1-month delay from the previously stated construction schedule. The Board expressed their appreciation for Attorney Beattie's proactive communication. The subdivision completion date is currently July 1, 2018.

C. Commonwealth Heights:

On a motion by Mr. Fay, seconded by Mr. DuPont, it was voted to waive the reading and place on file the letter dated June 19, 2017, from Scott Weiss of The Gutierrez Company Re: Commonwealth Heights Subdivision – Completion of Work & Request for Extension. Motion carried. Mr. Fay read into the record the letter dated July 12, 2017, from Code Enforcement Officer Wilderman Re: Blight Review, Commonwealth Heights Subdivision. The letter stated that blight issues on the property have been addressed. On a motion by Mr. Fay, seconded by Mr. DuPont, it was voted to waive the reading and place on file the correspondence dated May 8, 2017, from Assistant City Engineer, Tim Collins, Re: Commonwealth Heights- Request for Subdivision Approval Extension. Motion carried.

On Monday, July 24, the Marlborough Planning Board took the following action with respect to The Gutierrez Company's request for extension of the Commonwealth Heights Subdivision:

On a motion by Mr. Fay and seconded by Mr. DuPont, the Board voted that an extension to the

Commonwealth Heights Subdivision be granted until November 27, 2017.

The Board also voted to inform the developer that prior to the extension date of November 27, 2017, the developer must provide proof that they have secured a development partner and provide the Board a construction calendar based upon actual development plans. Motion carried.

Mr. Weiss arrived late in the proceeding. Given the many extensions granted to the developer, the Board reiterated its expectation that an approved subdivision plan be followed by actual development. The developer will be informed by letter that this will be the last extension granted unless the Gutierrez Company demonstrates development activity consistent with the completion schedule provided.

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

7. Definitive Subdivision Submission:

A. 72 Hager St.- Applicant Rep., Peter Bemis, Engineering Design Consultants, Inc.

Mr. Fay read the letter from applicant representative, Peter Bemis, into the record. On a motion by Brian DuPont and seconded by Mr. Fay, the correspondence was voted accepted and placed on file. Mr. Bemis introduced his submitted plan for a definitive subdivision at 72 Hager St. in Marlborough. Mr. Bemis explained that the project will require numerous waivers by the Planning Board, but was the preferred plan with only three building lots and an open space for cow grazing. Mr. Bemis provided an overview of each of the waiver requests. Waivers are summarized below:

- Request waiver from the required 25-foot radius at property line intersections with Hager St. (to 12' and 0')
- Request waiver from the required width of 50' Right of Way (to 30')
- Request waiver from Dead-End-Streets required 100' property line diameter (to 40'-described as adequate to accommodate the turning around of the City's largest emergency vehicle - an aerial ladder truck.)
- Request waiver from the maximum 3% slope requirement (5% requested around cul-de-sac.)
- Waiver from required width of 26' (to 18' – only three lots and width still allows 2-way passage of cars.)
- Request waiver of sidewalks, curbs and gutter as road is private and has only three dwellings.
- Request waiver from providing street trees as road remains private and individual lots will be landscaped.
- Request waiver from providing monuments as road will remain private.
- Request waiver from providing street signs as dwelling addresses will be off Hager St.
- Request waiver from providing street lights as road will remain private in a rural setting.

Mr. Bemis indicated that he has already met with Conservation Officer Ryder to discuss the open space area and the desired barn and cow pond. Plans have also been submitted to the Board of Health for comment. Mr. Bemis also indicated that he has met with the Fire Dept. to discuss the waivers and explained to the Board that no concerns were expressed. (Formal comment will be obtained prior to the Board's decision.)

In addition to the definitive plan, Mr. Bemis presented an ANR plan (approval under the subdivision control law not believe to be required) that was previously submitted to the Town of Framingham. Mr. Bemis explained that the ANR plan creates "Lot 1", a building lot which has land in Marlborough and Framingham, and two parcels in Marlborough which are the subject of the definitive plan. At the request of the applicant, the ANR plan will be addressed concurrently with the definitive plan, so that the definitive plan will not have to be signed by the Framingham Planning Board. Mr. Bemis stated that he would send a letter to the City Clerk and Planning Board explaining that a decision on the ANR is not required prior to the August 28 meeting date.

On a motion by Brian DuPont and seconded by Mr. Fay, it was voted to accept and place on file all portions of the submittal (including drawings, appendices, checklists and stormwater calculations). Motion carried.

A public hearing on the matter was set for Monday, August 28, 2017, at 7:15 p.m. in Memorial Hall, 140 Main St. Marlborough.

8. Signs: None

9. Unfinished Business: None

10. Informal Discussion: None

11. Correspondence: None

12. Public Notices of other Cities and Towns:

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

Adjournment: On a motion made by Mr. LaVenture and seconded by Mr. DuPont, it was voted to adjourn at 7:45 pm. Motion carried.

Respectfully submitted,


Colleen Hughes
Clerk

/kih