

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

**Call to Order**

**December 18, 2017**

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Philip Hodge, Colleen Hughes, 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. December 4, 2017**

On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to approve the Planning Board meeting minutes of December 4, 2017. Motion carried.

**2. Chair's Business**

**A. Shaughnesy Estates Lot/Covenant Releases**

Mr. Fay read the December 7 letter from Attorney William Carroll on behalf of the seller of 17 Labrache Lane in the Shaughnesy Estates Subdivision. Mr. Carroll advised the Board that during the sale, a "Release of Covenants" appeared to be missing from the recorded documents for the subdivision. The Release was prepared by the seller's attorney and reviewed by the City of Marlborough Legal Dept.

On a motion by Mr. Fay, seconded by Mr. DuPont, the Board voted to sign the prepared Release. Motion carried. Board members signed the Release document to enable recording by the seller's attorney.

**B. Board Membership Update**

Chairperson Fenby offered the floor to Mr. DuPont. Mr. DuPont informed the Board that he would not be seeking an additional term to the Marlborough Planning Board upon his term's expiration in February. Mr. DuPont explained that the meeting times for the Board conflict with his family obligations. He enjoyed his time on the Board and wished the Board well in the future. Chairperson Fenby expressed her regret and thanked Mr. DuPont for his service to the Board.

**3: Approval Not Required**

**A. 245 Stow Rd. Decision**

Owner's representative, Robert Parente, was in attendance. Ms. Hughes read the letter from Assistant City Engineer Collins into the record. The letter detailed the Engineering Division's favorable recommendation for the Planning Board's endorsement of the ANR plan submission dated November 10, 2017. On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to accept the correspondence, place on file and endorse the 11-10-17 ANR plan. Motion carried.

**4: Public Hearings (None)**

**5. Pending Subdivision Plans: Updates and Discussion**

**A. Engineer's Report**

No general updates. Individual subdivision updates are detailed in the next sections.

**B. Howe's Landing Extension**

Attorney Galvani had requested an extension until June 30, 2018 to complete the subdivision. Included in the agenda packet were an updated construction schedule, proof of tax status, a blight determination from the Code Enforcement Officer, as well as two recordable documents: 1) Extension of Performance Secured by Tripartite Agreement and 2) Performance secured by Tripartite Agreement Second Revision. On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the correspondence and place on file. On a motion by Mr. Fay and seconded by Ms. Hughes, it was duly voted to execute the above documents (1 and 2).

**C. Slocumb Lane Bond Reduction Request and Street Acceptance**

On a motion by Ms. Hughes, seconded by Mr. Fay, the Board voted to accept the correspondence regarding a request for reduction in bond and street acceptance, place on file and refer the matter to Engineering for review. Motion carried.

**D. Cider Mill Request for (1) Year Maintenance and Bond Review**

On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the correspondence regarding a request for reduction in bond, place on file and refer the matter to Engineering for review. Motion carried.

**6. Preliminary Subdivisions**

A. **215 Simarano Drive-** Stamski and McNary, Engineer, on behalf of Jeremiah 29, LLC

Matthew Watsky, Council for Jeremiah 29, LLC, was in attendance.

Ms. Hughes read the December 18, 2017 letter from Assistant City Engineer Collins into the record.

On a motion by Mr. Fay and seconded by Mr. DuPont, it was duly voted:

To accept and place on file correspondence from Assistant City Engineer Collins regarding the Engineering Department review of the preliminary plan for the property conveyed to Jeremiah 29 LLC by deed recorded in the Middlesex South District Registry of Deeds in Book 64769, Page 352.

On a motion by Mr. Fay and seconded by Ms. Hughes, it was duly voted:

To disapprove the preliminary plan submission by Stamski and McNary, Inc. on behalf of Jeremiah 29 LLC.

The Board based its disapproval on the reasons set forth in the December 18, 2017 letter by Timothy Collins, Assistant City Engineer.

Attorney Watsky reiterated that there is no intention of building the proposed preliminary plan (given the filing was procedural in nature to lock in previous zoning for the site.)

The Planning Board expressed its willingness to work with the applicant's representative in refining the design in conjunction with an anticipated submission of a definitive subdivision plan.

**7. Definitive Subdivision Submission: (None)**

**8. Signs: (None)**

**11. Correspondence: (None)**

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

On a motion made by Ms. Hughes, seconded by Mr. Fay, item 12 was voted accepted and placed on file. Motion carried.

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

/kih

Respectfully submitted,

  
Colleen Hughes  
Clerk