

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

1A

**Call to Order**

**June 04, 2018**

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, Colleen Hughes, Phil Hodge, George LaVenture, Greg Gallagher, and Chris Russ. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

**1. Meeting Minutes**

**A. May 21, 2018**

Prior to the meeting, the draft minutes were amended to include Ms. Hughes in the list of members in attendance. On a motion by Ms. Hughes, seconded by Mr. Gallagher, the Board voted to accept and file the amended minutes of May 21, 2018. Motion carried.

**2. Chair's Business**

A. Ms. Fenby explained several timelines shared by Mr. LaVenture. The three timelines provide a visual representation of the following: 1) MGL Ch 41 - Residential Subdivision when a Preliminary Plan is Submitted before a Definitive Plan 2) MGL Ch 41 - Residential Subdivision when Definitive Plan is Submitted without a Preliminary Plan 3) MGL Ch. 40A - Special Permits. Ms. Holmi will forward electronic copies to all members.

**3. Approval Not Required**

A. **615 Williams St.** - Engineer Bruce Saluk and Associates, Inc. on behalf of Williams Street Holdings, LLC. (Neither the applicant nor the representative were present at the meeting.)

Ms. Hughes read the May 31, 2018 letter from Assistant City Engineer Collins into the record. In the letter, Mr. Collins indicates the property has sufficient area and frontage, meets the lot shape requirement for a Limited Industrial Zone and has "present adequate access". The property itself, containing 2.60 acres with 208.0 feet of frontage, lacks the required area and frontage for the Retirement Community Overlay District. After completing its review of the subject plan, Engineering provided a favorable recommendation to the Marlborough Planning Board to endorse the ANR plan. On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the correspondence from Assistant City Engineer Collins and voted to endorse the plan with the determination that approval by the Board under the Subdivision Control Law is not required. Motion carried.

B. **421 Bolton St.** - Mirick O'Connell and Control Point Associates on behalf of Richard and Jill Cochrane and the City of Marlborough. ANR plan at 421 Bolton St., the proposed site of Benchmark Senior Living (BSL).

Owner representative, David McCay of Mirick O'Connell, was present.

Ms. Hughes read the May 31, 2018 letter from Assistant City Engineer Collins into the record. Mr. Collins indicated that the purpose of the plan is to subdivide a portion of the sewer taking owned by the City of Marlborough that is contiguous to two parcels of land that make up #421 Bolton St., to be conveyed to the owners of #421 Bolton St. Frontage on Bolton St. would be increased from 58.42 feet to 315.30 feet. The plan also subdivides the property into two lots: Lot 1, containing 5.530 acres, which will be the site of an assisted living facility (Council Order 16-1006631D), and Lot 2, containing 10.018 acres, which is to be deeded to the City of Marlborough. The City will retain a sewer easement over the sewer taking parcel (shown as parcel A on the plan). In the letter, Mr. Collins indicates that both Lot1 and Lot 2 have the required area, frontage and meet the lot shape requirement for a Residential A-1 Zone and have "present adequate access". After completing its review of the subject plan, Engineering provided a favorable recommendation to the Marlborough Planning Board to endorse the ANR plan.

On a motion by Ms. Hughes, seconded by Mr. Gallagher, the Board voted to accept and file the correspondence from Assistant City Engineer Collins and voted to endorse the plan with the determination that approval by the Board under the Subdivision Control Law is not required. Motion carried.

#### **4. Public Hearings (None)**

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

##### **A. Subdivision Status Report- Engineer's Report**

**Slocumb Lane:** City Engineer DiPersio recommends that the Planning Board provide a favorable recommendation to the City Council to accept Slocumb Lane as a public way. On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to make a favorable recommendation to the City Council to accept Slocumb Lane as a public way, along with its appurtenant easement as a municipal easement (Acceptance described in Council Order 2018-1007285.) Motion carried.

**Mauro Farm:** Solicitor Rider had previously indicated that before the City accepts the deeds to the roadway, its easements, and the open space parcels, the City will want to make sure there is a Certificate of Compliance on record indicating the all orders of Conditions have been met. Mr. DiPersio stated that the developer has made a formal request for this Certificate. Mr. DiPersio anticipates that conditions will be met and a Certificate will be issued. Engineering is following up on any other items that need to be complete prior to acceptance.

**Walker Brook Estates:** The one-year maintenance period ends on June 5, 2018. Engineering will inform the developer of final steps necessary for acceptance.

**Howes Landing:** Howe's Landing subdivision approval expires at the end of June. At the next meeting, it is recommended that the Board vote to begin the one-year maintenance period, or have the developer request an extension.

**Goodale Estates:** Abutters have made inquiries on the status of the subdivision. Little has been done on the site (recently rocks were removed). Engineering will reach out to the developer to inquire about the project status. Engineering had previously heard that the developer may be working to refinance.

**Marlborough Hub:** City Engineer DiPersio indicated he had met with the project engineer (Hancock Associates). Hancock is working on creating a plan that does not require waivers. Mr. DiPersio anticipates providing Engineering feedback to the Planning Board for the June 18 Planning Board meeting.

#### **6. Preliminary/Open Space/Limited Development Subdivisions**

##### **A. 72 Hager St. Open Space Special Permit Application.**

After an initial discussion suggesting that the matter be tabled until the June 18 meeting, the Board moved forward with setting a public hearing on the matter. On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to schedule a public hearing on the special permit request for July 23, 2018. The applicant must first resolve the four open-space issues detailed in a May 24, 2018 email from Conservation Officer Ryder to Mr. Bemis:

- 1) What is the "public value" of the open space?
- 2) How will the open space be protected in both Marlborough and Framingham?
- 3) Work with Framingham to determine whether the open space works with any open space corridor or farm land in Framingham.
- 4) Confirm wetlands in both Marlborough and Framingham.

In her email, Ms. Rider indicated that once the Special Permit is filed, the Conservation Commission will do a more formal review and provide detailed comments.

**7. Definitive Subdivision Submission**

- A. 215 Simarano Drive, Definitive Subdivision Plan, Stamski and McNary, Inc. on behalf of Jeremiah 229, LLC -Set Public Hearing Date. A Public Hearing on the proposed definitive subdivision plan was scheduled for July 23, 2018.

**8. Signs**

- A. 175 Lakeside Avenue, Thomas Energy – Application for Sign Appeal/Variance to Planning Board

Peter Armanious, property General Manager, was present to discuss the sign variance request. The proponent is requesting a digital display mounted on the freestanding sign to show price changes. He also indicated they wish to add a pump number to each pump. Following a discussion of the design characteristics of the digital display, Solicitor Rider summarized section 526. 13 (12) of the Marlborough City Code. As detailed in Code Enforcement Officer Wilderman's letter of May 22, 2018, the current sign is closer than the 200' residential setback required by the ordinance. The sign in question is approximately 140 feet from the residential district. Relocation of the sign allowing a 200' setback was explored. Several hardships were detailed by Mr. Armanious: The existing sign is already wired for power and due to its aging condition, a completely new sign would be required if it was moved, as well as a new electrical service to the new location. There may also be visibility issues with trees lining the westerly section of the property. The Board asked whether the residential property owner was consulted about the addition of the sign. Mr. Armanious indicated that a public hearing was held previously with abutter notification. No one spoke in favor or against the proposed sign. The ordinance states the Planning Board may grant a variance for closer placement, provided that the digital display portions of the sign are oriented so that no portion of the sign is visible from an existing primary residential structure in that district. Since it appears the sign would be visible from the residential neighbor, various conditions of allowance were discussed; for example, limiting the hours of display, or illuminating the sign only on the westerly facing sign face (for eastbound traffic). On a motion by Ms. Hughes, seconded by Mr. Gallagher, the Board voted to accept and file the communication from Code Enforcement Officer Wilderman and to continue the discussion at the next meeting, June 18. Motion carried. Chairperson Fenby requested that members visit the location of the variance request to evaluate the matters discussed.

**9. Informal Discussion (None)**

**10. Unfinished Business (None)**

**11. Correspondence: (None)**

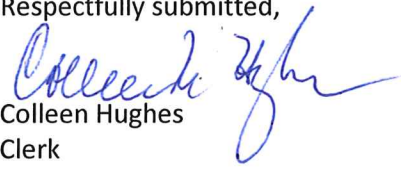
**12. Public Notices of other Cities and Towns:**

On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to accept and file the notices. Motion carried.

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

/kih

Respectfully submitted,

  
Colleen Hughes  
Clerk