

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

1A

**Call to Order**

**October 21, 2019**

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, Phil Hodge, Sean Fay, George LaVenture, Chris Russ and Matthew Elder. City Engineer, Thomas DiPersio, and Planning Board Administrator, Krista Holmi, were also present.

**1. Meeting Minutes**

**A. October 07, 2019**

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to approve and file the meeting minutes of October 07, 2019. Motion carried.

**2. Chair's Business**

- A. Set Public Hearing Date – Council Order Number 19-1007738C, Proposed Zoning Amendment Section 650-8, 269 Mechanic Street. Proposed change from Limited Industrial to Residence B. (Assessor's Map 56, parcel 126, plus a small area behind the parcel within an easement area.) Attorney Norris Present.**  
November 18, 2019 was chosen for the hearing date.
- B. Set Public Hearing Date – Council Order Number 19-1007716A, Proposed Zoning Amendment, Section 650-7, entitled "Districts Enumerated"; Section 650-17, entitled "Table of Uses"; New Section, Section 650-40, entitled "Special Provisions Applicable to the Route 20 East (R20E) Zoning District.**  
December 2, 2019 was chosen for the hearing date.
- C. Open Space/Recreation Plan Update**  
Chairperson Fenby informed the Board that the Open Space Committee will accept final comment on the City's open space plan. The plan was developed during the last year, and they anticipate releasing the report in March of 2020. The Board will invite Conservation Officer Ryder to an upcoming meeting in the February timeframe to review the work prior to publishing the report.

**3. Approval Not Required**

- A. Engineering Review, ANR Application: Filomena Connor, Paul Connor, Paul DiTullio; Engineer: Connorstone Engineering, Inc. 10 SW Cutoff, Northborough, MA 01532; Description of Property: Middlesex South Registry of Deeds, Book 19669, Page 89; Book 20809, Page 350; Book 40262, Page 318; Book 40726, Page 371. Lots and description of property: Lots located between 297 DeSimone Drive & 3 LaRose Drive.**  
Mr. LaVenture read a portion of the October 16, 2019 favorable recommendation letter from Assistant City Engineer Collins into the record. Prior to taking the vote, Chair Fenby asked City Engineer DiPersio to review the driveway easement on two of the new lots. Mr. DiPersio explained that the plan creates an Access and Egress Easement over Lot-1 and Lot-2 to correct a driveway encroachment for Lot-4. The driveway leading to the barn on Lot-4 (23 LaRose Dr.) is on a portion of both Lot-1 and Lot-2. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to endorse and file the referenced plan of land believed to be Approval Not Required under the Subdivision Control Law. Motion carried.

**4. Public Hearings (None)**

**5. Subdivision Progress Reports (City Engineer, Updates and Discussion)**

- A. Goodale Estates- Kevin Gillis, Managing Director, Northborough Capital Partners, LLC**
  - i. City Engineer DiPersio began by reviewing the proposed roadway profile. The plan prepared by Bohler Engineering shows a slightly higher profile than the original plan.**

City Engineer DiPersio said the new profile changes the grade from 3% to 4.5%, which is still within the design criteria of the City's regulations. The new road profile would be about 1' higher. The Board asked the City Engineer if he had any concerns about the proposed grade. Mr. DiPersio said the new vertical grade allows greater utility coverage. This new grade will further protect the water line. The Board agreed. The Board wondered whether there were enough materials on site to change the grade. Mr. Gillis indicated that about 1' of gravel is needed at the base of the roadway, but other sections of the roadway are where they need to be. On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to accept and file the new roadway profile prepared by Bohler Engineering. Motion carried.

- ii. Letter from Kevin Gillis regarding subdivision extension request (Blight Determination, Tax Status, New Schedule) Current expiration: 11-24-19

Mr. LaVenture read the October 16, 2019 extension request letter from Mr. Gillis, who seeks a one-year extension on the Goodale Estates subdivision approval. Mr. LaVenture reviewed the required extension supplements which included the following: The 10-16-19 letter from Code Enforcement Wilderman confirming the site is free from blight; The 10-17-19 email from Collector, Eileen Bristol, indicating that the property taxes are up to date; The revised subdivision completion schedule.

Mr. Gillis said that the current priorities are getting a roadway base layer completed, continued catch basin construction and the installation of fencing around the catch basin. Mr. LaVenture noted that relocating the access road was not included in the new schedule. What impact will that have on the schedule? Mr. Gillis was not concerned about that. He said that work on the left side of the property (the area of the temporary access road) will continue once the base layer of the subdivision road is complete. Mr. DiPersio commented that the two are closely related, since once there is pavement down, the site's drainage will completely change. He did feel that the completed portion of the detention basin does have some capacity to accept runoff now, but the basin work should continue.

Mr. Fay expressed concern with the lack of progress in the past year. He speculated that approving a one-year extension without the developer meeting benchmarks could result in history repeating itself. Mr. Gillis acknowledged that he is a banker, and that subdivision development is not his specialty. He is similarly concerned with the delays but is committed to making meaningful progress. Mr. Russ asked Mr. DiPersio how much "actual work" time is necessary to complete the subdivision? (roadway and utility infrastructure) Mr. DiPersio estimated three months of concerted effort. On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to accept and file the items under 5A ii and to extend the subdivision approval on the Goodale Estates Subdivision until 06-30-20. Motion carried. The Board will monitor progress from now through spring. For the benefit of the neighborhood, the Board is expecting meaningful progress from the developer.

**B. Howe's Landing – Release of Tripartite Agreement**

Mr. LaVenture read the 8-30-19 letter from Attorney Paul Galvani. While the subdivision bond was reduced to zero at the Planning Board meeting on 9-23, the release of the Tripartite Agreement was still outstanding. Ms. Fenby asked if Legal had reviewed the release. Ms. Holmi confirmed yes. The Legal Department confirmed the release was in proper legal form. On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to accept and file the correspondence and to sign Exhibit "B", Certificate of Release for the Howe's Landing development.

**6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)**

**7. Definitive Subdivision Submissions (None)**

**8. Signs (None)**

**9. Informal Discussion (None)**

**10. Unfinished Business (None)**

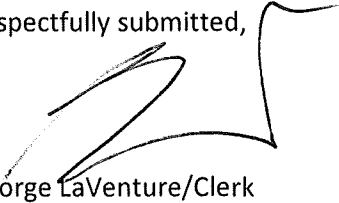
**11. Calendar Updates**

- A. Goodale Estates Subdivision Extension Approval until June 30, 2020.
- B. Public Hearing - Council Order Number 19-1007738C, Proposed Zoning Amendment Section 650-8, 269 Mechanic Street. November 18, 2019
- C. Public Hearing - Council Order Number 19-1007716A, Proposed Zoning Amendment RT 20 East Zoning District. December 2, 2019

**12. Public Notices of other Cities & Towns (None)**

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting of the Planning Board. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George LaVenture', written over a horizontal line.

George LaVenture/Clerk

/kih