

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

September 27, 2021

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, Phil Hodge, Chris Russ, Matthew Elder and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio.

1. Draft Meeting Minutes

A. September 13, 2021

On a motion by Mr. Fay, seconded by Mr. Hodge, the Board voted to accept and file the September 13, 2021 meeting minutes. Yea: Fay, Fowler, Hodge, and Fenby. Nay: 0. Abstain: Elder and Russ. Motion carried.

2. Chair's Business

A. Marlborough Planning Board Subdivision Rules and Regulations discussion

On a Motion by Mr. Fay, seconded by Mr. Russ, the Board voted to refer the Marlborough Planning Board's Subdivision Rules and Regulation to the Legal Department, requesting the Rules and Regulations be put into final legal form. The Board also requested that Legal advise them on the proper procedure and language for their final vote to adopt the new regulations and to put them into effect. Yea: Elder, Fay, Fowler, Hodge, Russ, and Fenby. Nay: 0. Motion carried.

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports (None)

6. Preliminary/Open Space/Limited Development Subdivision

A. Preliminary Subdivision Application - 209 Cullinane Drive Extension – Continued from August 23, 2021

Applicant: J. Mor Realty Trust (209 Cullinane Drive, Marlborough, MA 01752)

Engineer: William Tirrell, Chappell Engineering Associates, LLC (201 Boston Post Road West, Suite 101, Marlborough, MA 01752)

Mr. Elder read the correspondence from John Garside into the record.

The Board had a discussion regarding the Title 5 and sewer connection concerns addressed in John Garside's letter. Mr. Fay and City Engineer Thomas DiPersio had a discussion on the gravity sewer easement and the concerns on whether the subdivision would prevent potential sewer connections from Red Spring Road through to Cullinane Drive. Mr. Russ and City Engineer Thomas DiPersio addressed concerns on potential future roadway connection to Red Spring Road.

On a Motion by Mr. Fay, seconded by Mr. Hodge, the board voted to approve alternative 3 of the preliminary subdivision plan with the following conditions:

1. Satisfactory Septic inspections and or approval of sewer connections consistent with communications from John Garside dated September 24th, 2021.
2. The applicant shall work with the Planning Board on connection of the existing recreational path that runs from Longfellow Terrace to Cullinane Drive.
3. The subdivision shall not connect through to Red Spring Road because it would change the character of its surrounding neighborhood, which was not contemplated.

Yea: Elder, Fay, Fowler, Hodge, Russ, and Fenby. Nay: 0. Motion carried.

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B. Informal Discussion of potential subdivision - 342 Sudbury Street, Marlborough, MA 01752 – Continued from July 19, 2021

Representative: Neal Vigeant

Engineer: Robert Parente, P.E.

Mr. Elder read the correspondence from Engineering into the record.

The Board had a discussion regarding concerns on the proposed road being a private way and setting a precedent.

City Engineer Thomas DiPersio and Dr. Fenby addressed the previous discussions the City has had in trying to push to have all current private ways be accepted as public ways. Mr. DiPersio explained these roads ways are private due to faults in the process such as never getting the plans, deeds not being record, and or easement issues. These roads being accepted as public ways would credit the City more Chapter 90 allotment.

The Board determined the applicant by right could do a full road construction with no waivers, but it would require a higher priced house be built to become profitable and would also eliminate the 40-foot no cut buffer zone which is being proposed to appease the abutters.

Mr. Russ discussed setting a precedent on “pork-chop” lots and how some surrounding cities/towns have zoning by-law’s that require the back lot to be x percentage larger than the front lot. The Board requested he provide an example of this at the next meeting.

Mr. Fowler spoke in opposition to the proposed subdivision because the proposed roadway is private.

The Board requested the applicant determine how many lots there are within the City that have the same or more acres with the ability to fit the rectangle lot shape requirements within the zoning, where a similar project could be proposed.

The Board determined they are generally in favor of the proposed subdivision if the Board has the ability to control the precedent.

City Councilor Laura Wagner spoke in favor of this proposed subdivision and expressed the want to conserve the land and the character of the neighborhood.

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business (None)

11. Calendar Updates (None)

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12. Public Notices of other Cities & Towns

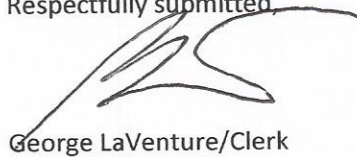
A. Misc. surrounding Cities/Towns Planning Board – Notices of Public Hearings

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to and accept and file the correspondence under number 12. Yea: Elder, Fay, Fowler, Hodge, Russ, and Fenby. Nay: 0. Motion carried.

The Board had a discussion on the Commonwealth Heights Subdivision and requested the City Engineering reach out for an update.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting. Yea: Elder, Fay, Fowler, Hodge, Russ, and Fenby. Nay: 0. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'G. LaVenture', written over the printed name.

George LaVenture/Clerk

/kmm