

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

1A

**Call to Order**

**February 12, 2024**

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: Sean Fay, Barbara Fenby, James Fortin, Dillon LaForce, and Chris Russ. Meeting support provided by City Engineer, Thomas DiPersio. Members Absent: Patrick Hughes and George LaVenture.

**1. Draft Meeting Minutes**

**A. January 22, 2024**

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the January 22, 2024, meeting minutes. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

**2. Chair's Business (None)**

Mr. Fay congratulated Mr. Russ and Dr. Fenby on their nominations for reappointment.

Mr. LaForce agreed to act as Clerk for the meeting.

**3. Approval Not Required (None)**

**4. Public Hearings (None)**

**5. Subdivision Progress Reports**

**A. 342 Sudbury Street**

Mr. LaForce read the January 19, 2024, correspondence into the record.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

Mr. DiPersio updated the Board and explained the Engineering Division is in the process of reviewing the as-built plan and believes it is in pretty good shape. He reminded the Board that they are still holding money for the final paving and cleanup, which he anticipates will be completed in the Spring and that this subdivision will not petition for City acceptance and that it will remain private. The Board agreed the members should swing by to review the site.

**B. 689 Pleasant Street (Jewel Road)**

Mr. LaForce read the February 7, 2024, correspondence into the record.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

Mr. DiPersio explained this update is from the developer that bought the project, they started work and have done some clearing, but the site is muddy. He met with the contractor, the owner and abutter next door that had concerns throughout the approval process. He explained he would work with the developer on getting updates for the Board that are easier to follow.

**C. Correspondence from Farooq Ansari RE**

- Waters Edge – Beauregard Circle, Worster Drive, Gaucher Circle, Perolman Drive
- Sterling Woods – Brazeau Circle, Peltier Street, Wyman Lane

Mr. LaForce read the January 29, 2024, correspondence into the record.

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On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

Mr. Fay and Mr. DiPersio discussed how it is the developer's responsibility to be diligent on getting the roadway accepted and that there is a lot of paper and referrals that go back and forth. Mr. DiPersio explained with these two subdivisions in particular, there is a long history of periodic correspondences. He explained with the referral to Engineering he would go through and try to summarize what was done and when and then to decide on whether or not to proceed with the acceptance process after the fact.

Mr. Fay explained he did a site visit at the Water's Edge subdivision and that it is still in pretty good shape and that the trails are maintained. He explained he remembers the Sterling Wood's subdivision having some issues and that he hadn't been out there in a long time.

The subdivisions consist of the following streets:

Water's Edge – Perolman Drive, Worster Drive, Beauregard Circle, Gaucher Circle

Sterling's Woods – Wyman Lane, Peltier Street, Brazeau Circle

Mr. Fay found that the Board sent a letter to City Council in 2016 recommending the street acceptance for Water's Edge, based on the previous City Solicitor's and previous City Engineer's recommendation. He explained he is not sure what happened after that, but that the Board did ask for proof of payment and taxes.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to send the Water's Edge and Sterling's Woods subdivision to the Engineering division for review, to provide a status update on the acceptance process. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

Mr. Fay suggesting checking to see if Farooq Ansari has any other subdivisions that are being held up.

**6. Preliminary/Open Space/Limited Development Subdivision**

**A. Open Space Definitive Subdivision Application, Stow Road, Map and Parcels 8-164, 8-163, and 20-150A**

Name of Applicant: Kendall Homes, Inc. (P.O. Box 766, Southborough, MA 01772)

Name of Owner: McCabe Family Irrevocable Trust & Judith McCabe  
(6 Erie Drive, Hudson, MA 01749)

Name of Surveyor: Connorstone Engineering, Inc. (10 Southwest Cutoff, Northborough, MA 01532)

i. Flowchart

ii. Correspondence from Assistant City Solicitor, Jeremy McManus

Mr. LaForce read the February 8, 2024, correspondence into the record.

iii. Draft Covenant

iv. Draft Certificate of Vote

v. Engineering Review - Correspondence from City Engineering, Thomas DiPersio Jr.

Mr. LaForce read the February 6, 2024, correspondence into the record.

vi. Plan Set Revised: January 12, 2024

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence under item 6.A. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

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Mr. Fay confirmed everyone would attend the February 26, 2024, meeting and that the Stow Road extension is through February 26, 2024.

Daniel Burger (Connolly Burger, P.C.) confirmed he had no objection on pushing the Board's vote to the February 26<sup>th</sup> meeting when the full Board would be in attendance.

Mr. Fay and Mr. Burger discussed how the Board would determine the value of the lot. Mr. Burger suggested providing BPO broker's price opinion from Scott Adams. Mr. Burger explained Mr. Adams would collect values from similar lots and say I've been a realtor for X amount of year, here are my qualifications and this is my estimated value of the lot. The Board agreed this was a good option.

The Board confirmed they all reviewed the certificate of vote and covenant and that they had no questions.

Mr. DiPersio went over the last revisions on the plan, which were as follows:

- Finalization to the vegetated island
- Note added stating, before the vegetated island is constructed, a panted plan will be provided
  - o This plan will be reviewed by the City Engineer and the Conservation Officer
  - o This note was added to the plan and the covenant

**7. Definitive Subdivision (None)**

**8. Signs (None)**

**9. Correspondence (None)**

**10. Unfinished Business**

**A. Working Group – Porous pavement memo from City Engineer, Thomas DiPersio Jr.**

Mr. DiPersio summarized his memo and explained at the request of the Board the Working Group has been in research mode investigating porous pavement and the ability to require or suggest that it be used in some capacity as part of future projects. He explained there is not a lot of local examples of it being used in roadways, but that there are a handful of pilot projects that are summarized in the memo. Bottom line is, if all the conditions of the site are "perfect" it potentially could be used in some areas. He explained the Working Group would likely have a final opinion at the February 26, 2024, after the Working Group has had time to review the memo.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

Mr. Fortin addressed concerns on maintenance costs and who would be responsible.

Mr. Fay asked if the City has a "vacuum" vehicle to clear the salt from the roadway? Mr. DiPersio explained the City has street sweepers and that he suspect the sites in other Cities/towns are likely not vacuumed regularly and that they are likely cleaned with sweepers and leaf blowers.

Mr. Russ addressed concerns on future utility maintenance and putting the layers back correctly so that the porous pavement is working property. He argued the goal of using porous pavement would be to reduce our retention basins on sites but has concerns that no one wants to take on the liability of the maintenance.

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The Board concluded to implement the porous pavement on site, the site would need to be a flat lot with sandy soil that doesn't have a high-water table.

Mr. Fay asked if this would also require alterations in drainage. Mr. DiPersio explained he would be cautious about the drainage requirements and that there should be a plan in place for when the porous pavement infiltration starts to fail. Whether it be country drainage or curbs and gutters like we have now, but in some reduced amount.

The Board discussed the use of the porous pavement for sidewalks and or driveways and how this likely would only be beneficial for larger lot subdivisions.

The Board discussed drainage outfall and how DEP doesn't allow porous asphalt in aquifer areas.

The Board discussed situations where the porous pavement has been implemented and the difficulties these locations pose with site conditions, maintenance costs/responsibility and drainage and where the use would be best suited and agreed the Board should be turning their attention away from roadways and more towards sidewalks, driveways, and parking areas.

Mr. DiPersio agreed to share the information with the Conservation Commission and that he would keep this in mind during site plan review submissions for commercial projects. He agreed to reach out to the University of Rhode Island to find out what their maintenance has looked like for their existing porous pavement parking lot.

Mr. Fortin addressed concerns on the increase in heavy rain fall events, and what would happen with this excess in runoff.

The Board concluded they would like a recommendation from the Working Group on where/when this would be the best application, even if the result is "we're not ready to use this, unless the site is in "perfect" condition".

**11. Calendar Updates (None)**

**12. Public Notices of other Cities & Towns**

- A. (2) Town of Southborough
- B. (2) Town of Hudson

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, LaVenture, and Russ. Nay: 0. Motion carried. 5-0.

On a motion by Mr. LaForce, seconded by Mr. Fortin, the Board voted to adjourn the meeting. Yea: Fay, Fenby, Fortin, Hughes, LaForce, LaVenture, and Russ. Nay: 0. Motion carried. 7-0.

Respectfully submitted,



George LaVenture/Clerk

/kml