

1. 3-9-26 Agenda

Documents:

[AGENDA 3-9-26.PDF](#)

2. 3-9-26 Agenda Packet

Documents:

[AGENDA PACKET 3-9-26.PDF](#)

CITY OF MARLBOROUGH MEETING POSTING

RECEIVED
CITY CLERK'S OFFICE
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Meeting: **Planning Board**

Date: Monday, March 9, 2026

Time: **7:00 PM**

Location: Memorial Hall, 3rd Floor, City Hall, 140 Main Street, Marlborough, MA 01752

2026 MAR -5 PM 12:46

This meeting of the Planning Board will be held in Memorial Hall on Monday, March 9, 2026, at 7:00 PM.

PUBLIC ATTENDANCE IS PERMITTED

Agenda Items to be Addressed:

1. **Draft Meeting Minutes**

- A. February 9, 2026

2. **Chair's Business**

- A. Mosher Lane, Forest Trail Subdivision – No updates
- B. Informal Discussion - 0 Howe Street and 0 Valley Street
 - Applicant & Owner: Matthew Evangelous, 6 Butternut Lane, Bolton, MA 01740
 - Engineer: Jacob T. Lemieux, P.E., Hancock Associates, 315 Elm Street, Marlborough, MA 01752
 - Deed: Book: 64574 Page: 193
Map: 82 Parcel: 125
 - i. Correspondence from Jacob Lemieux, Hancock Associates – Response to Planning Board's letter
 - ii. Correspondence from previous Assistant City Solicitor, Cynthia Panagore Griffin
 - iii. April 21, 1896, Plan of Land
 - iv. No waiver concept plan
- C. Informal Discussion – 297 Concord Road/Hemenway Street Frontage – No discussion required

3. **Approval Not Required**

- A. 235-237 & 249 Pleasant Street, Marlborough, MA 01752
 - Applicant & Owner: GMP Development, Corp. 65 Boston Post Road West, Suite 220, Marlborough, MA 01752
 - Surveyor: John D. Bremser, P.E., Hancock Associates, 315 Elm Street, Marlborough, MA 01752
 - Deed: Book: 58789 Page: 337
Book: 66056 Page: 493
Map: 55 Parcel: 141
Map: 55 Parcel: 143
 - i. Flowchart
 - ii. Form A
 - iii. Plan of Land Dated: December 2, 2025

4. **Public Hearings (None)**

5. **Subdivision Progress Reports**

- A. 547 Stow Road (Quinn Road)
 - i. Correspondence from City Engineer, Thomas DiPersio – Bond reduction estimate
- B. 689 Pleasant Street (Jewell Road)
 - i. Correspondence from Assistant City Solicitor, Jeremy McManus
 - ii. Redline, release of lot(s)
 - iii. Clean, release of lot(s)
 - iv. Correspondence from William Limberopoulos – Bond release request

CITY OF MARLBOROUGH MEETING POSTING

C. 0 Stevens Street (Tobin Road) – No updates

D. 76 Broad Street (Pettes Road)

E. Water's Edge & Sterling Woods (Farooq Ansari)

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

7. Definitive Subdivision (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business

A. Working Group – No updates

B. Paper Street – No updates

11. Calendar Updates

A. 547 Stow Road (Quinn Road) Chuck & Tim Black

Approved: February 26, 2024 Next Steps: - Lot S2, or \$228,000 cash deposit held for street acceptance
Current Status: - Roadway under construction

B. 689 Pleasant Street (Jewell Road) William Limberopoulos

Approved: June 26, 2023 Next Steps: - (Lot 6 held for street acceptance)
Current Status: - Roadway construction complete, with Council for acceptance

C. 0 Stevens Street (Tobin Road) Charles Bourque & Michael Carney

Approved: November 7, 2022, extension approved through December 2, 2027
Next Steps: - (Lot 4 held for street acceptance)
Current Status: - Roadway under construction

D. 76 Broad Street (Pettes Road) Camila & Garrett Marino

Certificate of Vote Approved: February 8, 2021, Covenant Signed: July 14, 2023 (**OLD RULES AND REGS**)
Next Steps: - Preconstruction meeting

E. Stratton Woods

Current Status: Waiting on developer to respond to correspondence

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

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CITY OF MARLBOROUGH MEETING POSTING

C. 0 Stevens Street (Tobin Road) – No updates

D. 76 Broad Street (Pettes Road)

E. Water's Edge & Sterling Woods (Farooq Ansari)

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

7. Definitive Subdivision (None)

8. Signs (None)

9. Correspondence (None)

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A. Working Group – No updates

B. Paper Street – No updates

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MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

February 9, 2026

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, Patrick Hughes, James Fortin, George and Chris Russ. Meeting support provided by City Engineer, Thomas DiPersio. Member absent: George LaVenture.

1. Draft Meeting Minutes

A. January 12, 2026

On a motion by Dr. Fenby, seconded by Mr. Fortin, the Board voted to accept and file the January 12, 2026, meeting minutes. Yea: Fay, Fenby, Fortin and Hughes. Nay: 0. Motion carried. 4-0. Abstain: Russ.

B. February 2, 2026

On a motion by Dr. Fenby, seconded by Mr. Fortin, the Board voted to accept and file the February 2, 2026, meeting minutes. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

2. Chair's Business

A. Mosher Lane, Forest Trail Subdivision – No updates

The Board requested the Administrator reach out to Mr. Daniel Burger and request he attend the February 23, 2026, meeting.

B. Informal Discussion – Mount Royal Avenue/Glen Street

i. GIS Exhibit

ii. ANR Exhibit

Kevin Capaldo of Allen & Major Associates, along with Bob McNamara and John Conley representing CB Equities spoke on behalf of the Mount Royal Avenue and Glen Street informal discussion.

Mr. Capaldo explained he has been working with Mr. DiPersio on this ANR and that CB Equities is proposing and ANR for their properties on Glen Street and Lakeside Avenue. The proposed lot being along Lakeside Avenue on the northerly side, colored in magenta on the ANR exhibit. He explained they are here today for an informal discussion of lot's frontage. A portion of the frontage is along the MA DOT "no access" on the on ramp for Route 495. However, it does have unobstructed adequate access to the site via the "access allowed" portion of Lakeside Avenue.

Mr. Capaldo went over the GIS and ANR exhibit and pointed out the existing lot lines and the proposed changes. Specifically noting the dashed lines on the ANR exhibit would go away with the ANR filling. The blue lot would gain frontage on Lakeside Avenue, and the grey lot would maintain frontage on Glen Street. The orange lot is being reduced in size, and a portion of this lot is zoned Single-Family.

Mr. Conley explained they are negotiating a lease with a small coffee shop. They are looking to separate their lot. He explained the visitors of the coffee shop will enter via Route 20 and can enter via Glen Street.

Mr. DiPersio explained for the Board to endorse a plan as an ANR and not a subdivision plan, all of the lots must have frontage on a way and have adequate access. All of the frontage is on MA DOT owned highway but a portion of it is on the ramp of Route 495. He explained Route 495 is considered a no access highway, but not all of it. The ANR plan will detail how much of their frontage is within the no access portion and how much

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

is within the access portion. He explained in his opinion because there's enough frontage within the access allowed portion of Route 20, this would satisfy the Board's ANR criteria on having adequate access.

The Board requested the applicant provide a memo from their counsel establishing for the Board that this parcel does in fact have present adequate access according to MA law. Mr. Capaldo and Mr. Conley agreed.

Mr. Fay explained when the plan is submitted the memo would then be sent to the Legal Department for review. Mr. Fay requested the applicant not to start the clock on the application until the memo from their counsel has been provided. Mr. Capaldo agreed.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file Items 2.B.i and 2.B.ii. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

C. Informal Discussion – 297 Concord Road/Hemenway Street Frontage

- i. Previously Approved ANR Plan Dated: April 30, 2021
- ii. Plan of Proposed House

Mr. Fay explained Mr. Bob Parente is sick and unable to attend tonight's meetings.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to table this discussion until the February 23, 2026, meeting. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

Mr. Fay requested members visit Hemenway Extension prior to their next meeting.

Mr. Fay had an informal discussion with the Board members and reminded them to be disciplined in their conversations and to only comment on matters before the Board and to avoid commenting online. He explained he anticipates zoning changes to come before the Board soon.

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports

A. 547 Stow Road (Quinn Road)

- i. Bond reduction request

Mr. Russ read the February 6, 2026, 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, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

The Administrator explained there was previous email requesting the bond reduction and that that correspondence should have also been included.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to refer the bond reduction request to Engineering for review. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

B. 689 Pleasant Street (Jewell Road)

- i. Recommendation letters to City Council, from the Board, Engineering, and Legal

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

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MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

C. 0 Stevens Street (Tobin Road)

i. Progress Report, 12/22/25

Mr. Russ read the December 22, 2025, correspondence into the record.

Mr. DiPersio explained the subdivision plan had 5 lots. The plan had some land that had enough frontage and area but couldn't fit the zoning rectangle to be considered a buildable lot. The applicant did a swap with an abutting property and now the lot can fit the zoning rectangle. He explained when there is mortgage on the property the banks have to approve a change like this, so this is what Mr. Bourque is referring to in their progress report. Mr. DiPersio confirmed this swap has nothing to do with the lot that is currently held for street acceptance.

Mr. DiPersio explained come Spring he plans to ask the applicant to clean up the site and explained it's a bit of a rough site because of the ledge.

ii. Progress Report, 2/4/26

Mr. Russ read the February 4, 2026, correspondence into the record.

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

D. 76 Broad Street (Pettes Road) – No updates

E. Water's Edge & Sterling Woods (Farooq Ansari) – No updates

Dr. Fenby mentioned that this has been on the agenda for some time, with no updates.

Mr. DiPersio explained to the Board that Mr. Ansari is trying to get his money back from the City however, its been 30+ years since those roads were built. He explained if Mr. Ansari can clean up the City's questions on easements, titles, rights to easements and actually get the paperwork in a place where the City could consider accepting it, that the Board would then need to make a decision on whether or not to release the funds the City is holding.

Mr. Fay reminded the Board this is another example of why the Board must be careful on how they apply the home rule petition procedure because the Board has a developer who is still alive and on the hook. There is no reason to bail him out.

The Board requested the Administrator to invite Mr. Ansari to the February 23, 2026, meeting.

6. Preliminary/Open Space/Limited Development Subdivision

A. 0 Howe Street and 0 Valley Street, Preliminary Subdivision Plan

Applicant & Owner: Matthew Evangelous, 6 Butternut Lane, Bolton, MA 01740

Engineer: Jacob T. Lemieux, P.E., Hancock Associates, 315 Elm Street, Marlborough, MA 01752

Deed: Book: 64574 Page: 193
Map: 82 Parcel: 125

i. Correspondence from Jacob Lemieux, Hancock Associates – Withdrawal

Mr. Russ read the January 21, 2026, correspondence into the record.

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MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

The Board discussed the waiving of the fees and the Administrator explained she had not deposited the checks and that there are three checks for the following amounts, \$400.00, \$1,740.00 and \$30.00. The Board concluded it would be best not to deposit the checks and to send them back to the applicant.

On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence and to approve the withdrawal without prejudice. The Board further agreed to waive the fees associated with this submission, noting that this waiver would be granted as a one-time occurrence. The Administrator agreed to return the submitted checks. Yea: Fay, Fenby, Fortin, LaForce, LaVenture, and Russ. Nay: 0. Motion carried. 6-0.

- ii. Chronology of Marlborough Hub
- iii. Correspondence from previous Assistant City Solicitor, Cynthia Panagore Griffin
- iv. Council Order No. 20-1007976D

Mr. Fay explained it doesn't appear that any of issues detailed with the Chronology of Marlborough Hub document have been resolved. Mr. Fay and the Board requested a letter be sent to the applicant and went over the following issue the applicant must address:

- Demonstrate to the Board, to its satisfaction, that the applicant has the legal right to construct the proposed roadway. The Board specifically addressed concerns about staying within the right-of-way during construction.
- Provide the Board with an "allowed-by-right" plan showing exactly what the applicant is permitted to build by right.
- Demonstrate that all necessary easements and agreements with abutting property owners required for completion of the proposed development are in place.
- Establish that the applicant has the legal right to utilize the land zoned Industrial for any portion of the subdivision without rezoning.
- The Board emphasized that for all of the issues outlined herein, it is the applicant's responsibility through counsel to establish the applicant's legal rights. The Board will then refer the applicant's documentation to the City Solicitor.
- The Board expressed concern regarding the suggestion of sub-surface stormwater management systems. The Board has typically not allowed these types of systems without a homeowner's association and significant reserves for maintenance.
- Provide written confirmation from the City of Marlborough Fire Chief, permitting the T-turn around.
- The Board also referenced an issue discussed at the January 9, 2017, meeting as reflected in the minutes. As noted in the chronology document, the current developer is intending to utilize the "contemplated easement" as the roadway to access the proposed subdivision. Since the railway property (section zoned Industrial) was acquired by one of the developer's predecessors in title in the 1960s, decades after the appurtenant easement had been conveyed to provide access to Mary Howe Property, the legal problem is that the after-acquired railway property cannot legally be added to the dominant estate, which is the former Mary Howe property, at least not without consent of the owners of the properties abutting the other (west) side of the proposed subdivision road. Absent that consent, use of the easement to access the portion of the development parcel consisting of the after-acquired railway property would impermissibly "overload the easement." This issue will also need to be addressed by the applicant's counsel.

- 7. **Definitive Subdivision (None)**
- 8. **Signs (None)**

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

9. Correspondence

- A. Correspondence from Joseph & Ashley Holmes, 359 Brigham Street, RE: Opposition to proposed development at 279 South Street
On a motion by Dr. Fenby, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 5-0.

10. Unfinished Business

- A. Working Group – No updates
B. Paper Street – No updates

11. Calendar Updates

- A. 547 Stow Road (Quinn Road) Chuck & Tim Black
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Certificate of Vote Approved: February 8, 2021, Covenant Signed: July 14, 2023 **(OLD RULES AND REGS)**
Next Steps: - Preconstruction meeting
- E. Stratton Woods
Current Status: Waiting on developer to respond to correspondence

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

Mr. Hughes asked about the vacant Board seat. Mr. Fay explained he has reached out to City Councilors asking them to recommend people if they know someone who is interested in being on the Board and that they have a meeting with Mayor to talk about the Board's membership. Dr. Fenby stressed the need to find a new member who is willing to be on the Board for a minimum of 2 terms.

On a motion by Mr. Hughes, seconded by Mr. Russ, the Board voted to adjourn the meeting. Yea: Fay, Fenby, Fortin, Hughes, LaVenture and Russ. Nay: 0. Motion carried. 6-0.

Respectfully submitted,

/kml

George LaVenture/Clerk



2-17-26

Mr. Sean Fay

Chair, Planning Board
City of Marlborough
135 Neil Street
Marlborough, MA 01752

Dear Mr. Fay and members of the Board,

On behalf of our client, Matthew Evangelous, and in support of the planned subdivision application for Map 82, Parcels 125A and B (Howe and Valley Street), Hancock Associates is pleased to submit the below response memo with to the comments contained in the Letter issued by the Board via letter dated February 10, 2026. Board comments will be shown with Hancock responses below in blue.

Planning Board Comment #1: *Demonstrate to the Board, to its satisfaction, that the applicant has the legal right to construct the proposed roadway. The Board specifically addressed concerns about staying within the right-of-way during construction.*

HSA Response #1: We respectfully refer to the July 26, 2018 opinion issued by Assistant City Solicitor Cynthia Panagore Griffin regarding the legal interests of Marlborough Hub, LLC in Map 82, Parcels 125A and 125B (the “paper street”) .

In that letter, the Legal Department expressly states:

“MH and the other paper street abutters possess easement rights to pass and repass over and along the entire width and length of the paper street, which includes the right to make it passable (by paving, for example). By deed, MH has the additional right to install utilities in the paper street, including electricity, sewer and drains...”

Based on this clear legal determination by the City’s Legal Department, it is our understanding that:

1. The applicant possesses easement rights over the entire width and length of the paper street;
2. Those rights expressly include the ability to make the way passable, including paving;
3. The applicant holds deeded rights to install utilities within the paper street; and
4. The City has formally acknowledged and affirmed these rights.

Accordingly, we believe the applicant has the legal authority to construct the proposed roadway improvements within the paper street, consistent with the rights outlined in the City Solicitor's opinion.

Planning Board Comment #2: *Provide the Board with an “allowed-by-right” plan showing exactly what the applicant is permitted to build by right.*

HSA Response #2: While we maintain the legal grandfathered status of the right-of-way, The design submitted herewith depicts a three-lot subdivision, with a duplex dwelling proposed on each lot. The proposed roadway is designed in full compliance with the current dimensional requirements of the Subdivision Regulations, including the applicable standard roadway cross section set forth in Appendix F.

All principal residential structures are located entirely outside of the Industrial-zoned portion of the property. The Industrial-zoned strip is proposed to remain passive in nature and will be utilized only for accessory structures or uses permitted as of right under the Zoning Ordinance, such as garages or sheds.

Planning Board Comment #3: *Demonstrate that all necessary easements and agreements with abutting property owners required for completion of the proposed development are in place.*

HSA Response #3: As the applicant possesses the legal right to access and improve the existing right-of-way, and as any required widening will occur entirely within land under the applicant's ownership, no additional easements or agreements with abutting property owners are necessary to complete the subdivision. The proposed improvements will expand the existing right-of-way to meet the dimensional requirements of the current zoning and subdivision regulations.

Planning Board Comment #4: Establish that the applicant has the legal right to utilize the land zoned Industrial for any portion of the subdivision without rezoning.

HSA Response #4: While the zoning regulations do not allow single family homes within the industrial zoned portion, the ordinance does allow accessory residential uses by right within industrial land, such as garages and sheds. It would not make any sense for the parcel with the allowed accessory use to be non-contiguous with the residential use it serves.

Planning Board Comment #5: *The Board emphasized that for all of the issues outlined herein, it is the applicant's responsibility through counsel to establish the applicant's legal rights. The Board will then refer the applicant's documentation to the City Solicitor.*

□ *The Board expressed concern regarding the suggestion of sub-surface stormwater management systems. The Board has typically not allowed these types of systems without a homeowner's association and significant reserves for maintenance.*

HSA Response #5: The proposed stormwater management system will utilize surface stormwater detention/infiltration basins located within a dedicated stormwater easement, as illustrated on the enclosed plan. No subsurface stormwater management systems are proposed.

Planning Board Comment #6: Provide written confirmation from the City of Marlborough Fire Chief, permitting the T-turn around.

HSA Response #6: The T-turnaround previously shown has been removed. The revised plan incorporates a fully compliant 100-foot diameter turnaround, consistent with the requirements of the Zoning Ordinance applicable to dead-end roadways.

Planning Board Comment #7: *The Board also referenced an issue discussed at the January 9, 2017, meeting as reflected in the minutes. As noted in the chronology document, the current developer is intending to utilize the “contemplated easement” as the roadway to access the proposed subdivision. Since the railway property (section zoned Industrial) was acquired by one of the developer’s predecessors in title in the 1960s, decades after the appurtenant easement had been conveyed to provide access to Mary Howe Property, the legal problem is that the after-acquired railway property cannot legally be added to the dominant estate, which is the former Mary Howe property, at least not without consent of the owners of the properties abutting the other (west) side of the proposed subdivision road. Absent that consent, use of the easement to access the portion of the development parcel consisting of the after-acquired railway property would impermissibly “overload the easement.” This issue will also need to be addressed by the applicant's counsel.*

HSA Response #7: Pursuant to the 1896 Plan of Land depicting the subject roadway, the right-of-way was originally contemplated to provide frontage to as many as twenty (20) parcels. With duplex dwellings permitted, this configuration could have resulted in up to forty (40) residential dwelling units accessing the right-of-way.

By contrast, the present proposal consists of only three (3) parcels containing a total of six (6) dwelling units. Accordingly, the proposed use represents a substantial reduction in intensity relative to what was originally contemplated under the recorded plan.

The Industrial-zoned portion of the property is not proposed for any principal residential use. That area is limited to accessory structures or uses permitted as of right within the district, such as garages or sheds, which are customary and incidental to residential development. No

independent principal use or additional traffic-generating use is proposed within that portion of the parcel.

The roadway is not merely a “contemplated easement.” It is a right-of-way shown on a plan recorded on April 21, 1896, which predates the enactment of the Subdivision Control Law (M.G.L. c. 41, §§ 81K–81GG) by several decades.

Under §81L, a lot is not considered part of a subdivision if it has frontage on:

- A public way; or
- A way shown on a plan recorded prior to the effective date of subdivision control in the municipality, provided such way is in existence and has sufficient width, suitable grades, and adequate construction to provide access.

Because this right-of-way was recorded well before subdivision control and carries grandfathered status, it meets the statutory definition of a qualifying “way” under the Subdivision Control Law. The Planning Board may not retroactively impose modern subdivision dimensional standards to invalidate frontage on a pre-existing way.

The only reason a portion of the proposed roadway lies within the Industrial zoning district is that the intersecting public way is located within that district, and the Board has required the applicant to meet current zoning dimensional width requirements at that intersection. The zoning boundary does not alter the historic legal status of the recorded right-of-way, nor does it convert the roadway into a newly created subdivision street subject to present-day dimensional expansion requirements.

The claim that the proposal would “overload” the easement is inconsistent with (1) the development intensity contemplated under the original 1896 plan—up to 20 parcels and 40 dwelling units—and (2) the substantially reduced intensity now proposed—6 dwelling units. Massachusetts courts evaluate overburdening based on whether the proposed use materially increases the burden beyond what was reasonably contemplated at the time of the grant. Here, the present proposal represents a significant reduction from the originally contemplated residential buildout.

Further, no separate industrial access is being created. The industrial-zoned portion remains accessory and incidental to the residential use of the dominant estate and does not constitute an expansion of the easement’s intended scope.

If the City were to deny subdivision or ANR endorsement solely on the basis that the historic 40-foot right-of-way does not meet a subsequently adopted 50-foot width requirement, and the way otherwise qualifies under §81L, such action would effectively deprive the parcel of its lawful development potential by retroactively applying modern dimensional standards to a grandfathered way.

In summary, we believe that it has been shown that the applicant possesses the legal right to access and utilize the parcels and the right-of-way as shown on the recorded plan, and that the proposed development can comply with the applicable dimensional requirements of the Subdivision Regulations.

We would be pleased to attend the February 23, 2026 meeting and look forward to discussing these matters further with the Board.

Thank you for your time and consideration.

Jacob T. Lemieux, PE,

Jacob T. Lemieux



City of Marlborough
Legal Department

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 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
 PARALEGAL

July 26, 2018

Dr. Barbara Fenby, Chair, and
 Members of the Planning Board
 140 Main Street
 Marlborough, MA 01752

RE: Legal Interests of Marlborough Hub, LLC
 in Map 82, Parcel 125A and Map 82, Parcel 125B (Paper Street)

Dear Dr. Fenby and Members of the Planning Board:

You have asked the Legal Department to provide an opinion concerning legal matters attendant to Marlborough Hub, LLC's (hereinafter, "MH") proposed subdivision of land located off Valley Street and Howe Street. As you know, MH owns land identified as Assessors Map 82 Parcel 125, which land abuts a t-shaped paper street identified as Assessors Map 82 Parcels 125A and 125B.

In particular, we have determined that the fee interest is split down the middle of said paper street, with title thereto running to abutters on each side. MH owns the fee interest from its abutting property line to the centerline of the paper street. Likewise, the abutters opposite from MH own the fee from their property lines to the centerline of the paper street. Accordingly, along the length of the paper street, MH owns one-half and the other abutters own the other half.

Additionally, MH and the other paper street abutters possess easement rights to pass and repass over and along the entire width and length of the paper street, which includes the right to make it passable (by paving, for example). By deed, MH has the additional right to install utilities in the paper street, including electricity, sewer and drains, subject to the rights of other abutters to pass and repass. By § 5 of chapter 187 of the Massachusetts General Laws, however, all abutters (including MH) have rights to install utilities in the paper street subject to the rights of other abutters to pass and repass.

If you have any additional concerns, please let us know.

Very truly yours,


 Cynthia Panagore Griffin
 Assistant City Solicitor

Cc: Thomas DiPersio, City Engineer

THIS PLAN HAS BEEN ALTERED OVER A PERIOD OF YEARS BY PARTIES UNKNOWN AND THEREFORE RESPONSIBILITY FOR ITS ACCURACY CANNOT BE ASSUMED BY THE REGISTRY OF DEEDS.

12 A 146 RODS

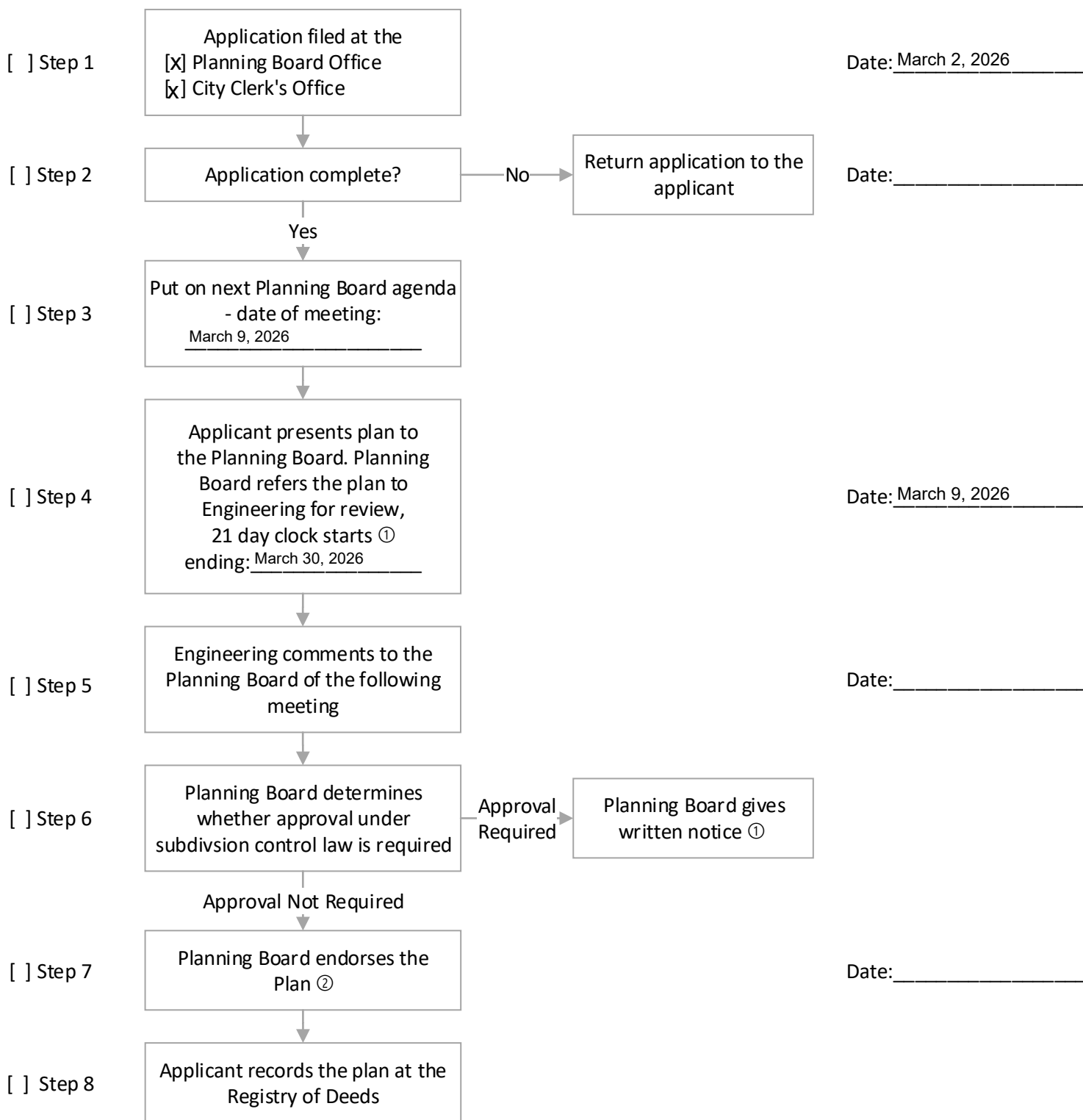


Recorded APR. 21, 1896 at 10 h 15 m A M
In Plan Book 96 Plan 22

Attest

Register

Procedure for Approval Not Required (ANR) Plans
235-237 & 249 Pleasant St, Marlborough, MA 01752



① Planning Board must give written determination to the City Clerk and the applicant if it determines that the plan requires approval under the Subdivision Control Law, within 21 Days.

② Planning Board endorsement is forthwith, without a public hearing, that approval under the subdivision control law is not required.

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

2026 MAR -2 PM 2:09

file one completed form with the Planning Board and then file a copy
with the City Clerk in accordance with the requirements of §A676-3.

Marlborough, Massachusetts

Note: Use as many sheets as necessary to fully describe all
of the properties affected in this plan submission.

Date: 12/29/2025

To the Marlborough Planning Board:

The undersigned, believing that the accompanying plan of their property in the City of Marlborough does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submit said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: GMP Development, Corp.
Address: 65 Boston Post Road West, Suite 220, Marlborough, MA 01752
Email: srose@icanthrive.org Telephone: 508-485-4227 x.1001
2. Name of Owner (If different): _____
Address: _____
Email: _____ Telephone: _____
3. Name of Surveyor: Hancock Survey Associates
Address: 315 Elm Street Marlborough, MA 01752
Email: dbremser@hancockassociates.com Telephone: 508-460-1111
4. Property(ies) Information
Deed References (South Middlesex Registry of Deeds): Book 58786 Page 337
Book 66056 Page 493
Assessors Reference(s): Map: 55 Parcel: 141
Map: 55 Parcel: 143
Property Address(es): 235-237 Pleasant Street Marlborough, MA 01752
249 Pleasant Street Marlborough, MA 01752
Property Description: "A certain parcel of land, with the buildings thereon, situated on the easterly side of Pleasant Street in Marlborough Massachusetts, containing 54,729 S.F. and . . . being shown on 'Plan of Land in Marlborough, Mass., Owned by India Howe, December 1952, George D. White, Surveyor' recorded with Middlesex South District Registry of Deeds as Plan #2312 if 1952"

5. Number of lots altered: 2 Number of lots created: 1

Signature of Owner: [Signature]Print: SEAN BOSSAddress: 65 Boston Post Rd Marlborough, MA 01752Signature of Owner: [Signature]Print: Brian D. StevensAddress: 249 Pleasant St.Marlborough, MA 01752

PLANNING BOARD

DATE 3/2/26 KL CHECK #2532AGENDA 3/9/26

ACTION _____

	STONE WALL
	EDGE OF PAVEMENT
	WOOD/VINYL FENCE
☐ DHSB	DRILL HOLE IN STONE BOUND
☐ IP	IRON PIPE
☐ IRC	IRON ROD W/ CAP
ASW	ASPHALT SIDEWALK
CONC.	CONCRETE
BUT.	BITUMINOUS
(C)	CALCULATED
(R)	RECORD
(S)	SET
(F)	FOUND

MAP 55, LOT 141
MAP 55, LOT 143

RESIDENCE A-3

DEED BOOK 58786, PAGE 337
PLAN 2312 OF 1952

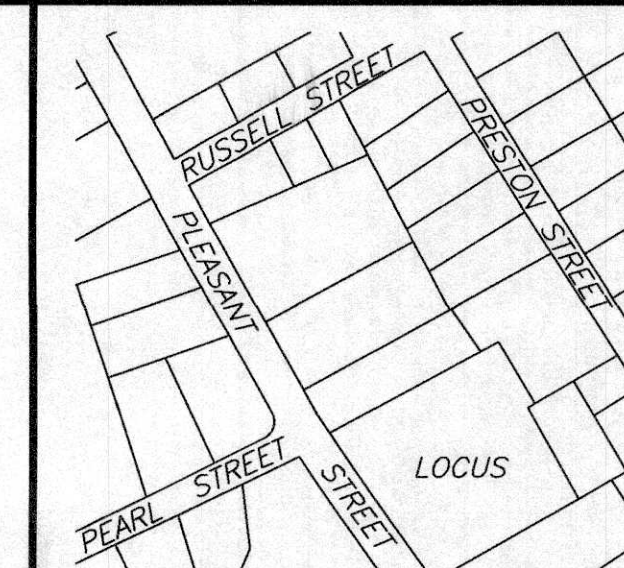
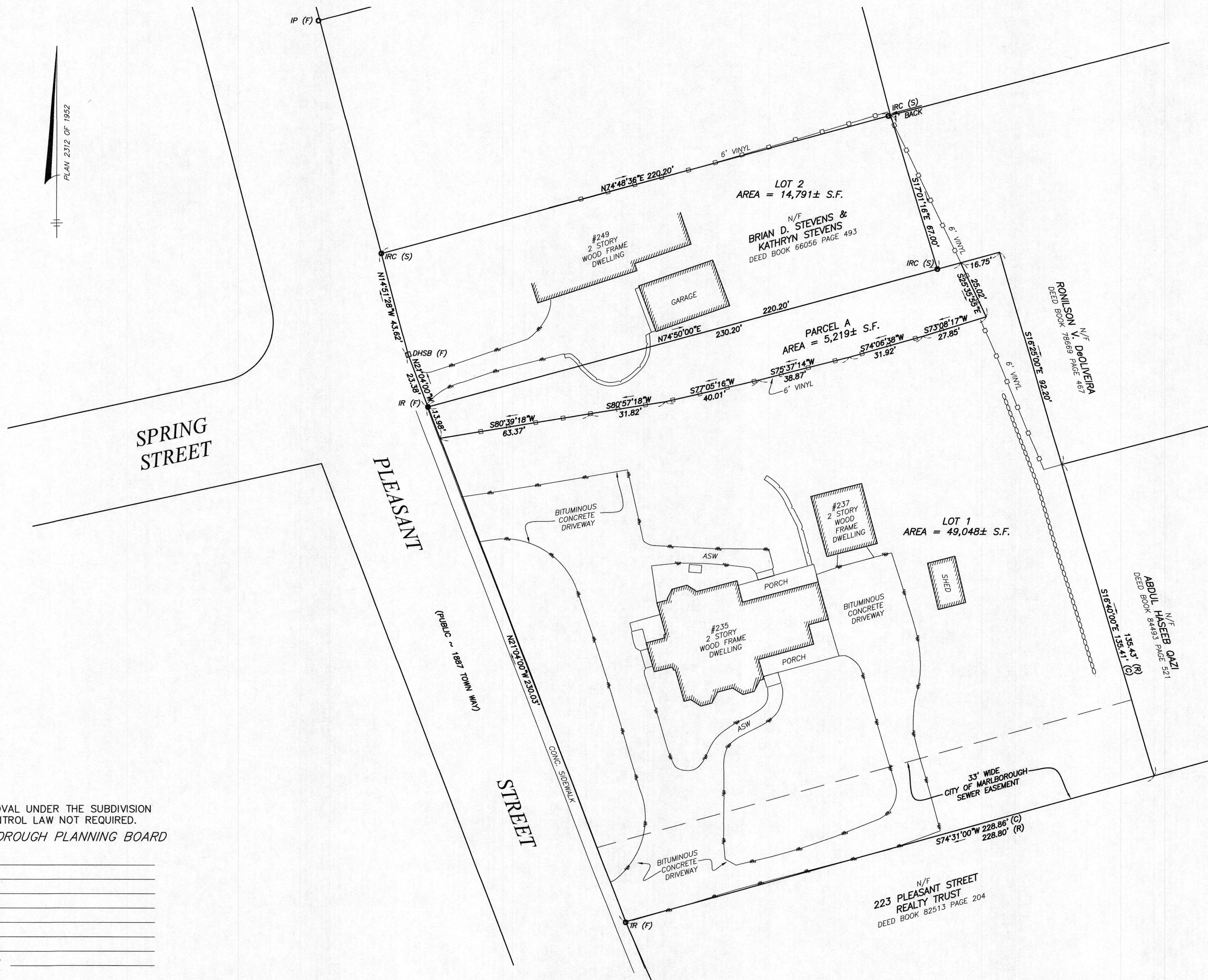
GMP DEVELOPMENT, CORP.
65 BOSTON POST ROAD WEST, SUITE 220
MARLBOROUGH, MA. 01752

1. THE PURPOSE OF THIS PLAN IS TO CREATE PARCEL A FROM THE LOT THAT GOES WITH #235-237 PLEASANT STREET ALONG THE EXISTING FENCE LINE.
2. THE CURRENT LOT AT #235-237 PLEASANT STREET HAS A LOT COVERAGE OF 26.1% WHERE 30% IS REQUIRED IN THE A-3 DISTRICT. AFTER REMOVING PARCEL A, THE REMAINING LOT 1 HAS A SITE COVERAGE OF 28.9%.
3. NO UTILITY RESEARCH WAS INCLUDED IN THE SCOPE OF THIS WORK.

FOR [✓]REGISTRY USE

MARLBOROUGH PLANNING BOARD

NOTE: PLANNING BOARD ENDORSEMENT DOES NOT IMPLY CONFORMANCE WITH ZONING BYLAWS.



LOCUS MAP SCALE: 1" = 25

SITE ADDRESS:

235
PLEASANT
STREET

Marlborough, Massachusetts 01752

PREPARED FOR:

BRIAN D.
STEVENS

249 Pleasant Street
Marlborough, MA 01752

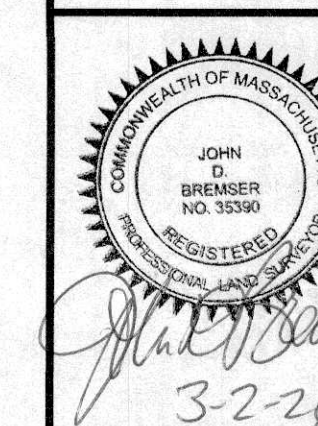
HANCOCK
ASSOCIATES

Civil Engineers

Land Surveyors

Environmental Consultants

315 Elm Street, Marlborough, MA 01752
Voice (508) 460-1111, Fax (508) 460-1121
www.hancockassociates.com



NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION

DATE: 12/2/25	DRAWN BY: CRI
SCALE: 1" = 20'	CHECK BY: JDE

PLAN OF LAND IN MARLBOROUGH, MA

PLOT DATE: Mar 02, 2026 1:24 pm
PATH: \\HAM02\Vol1\HSA\Civil 3D Projects\28006-Stevens-Marlborough\

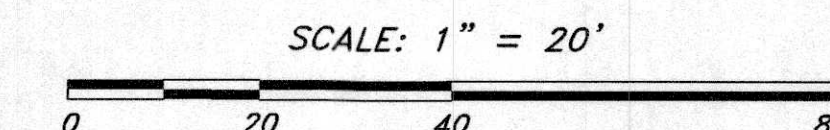
DWG: 28006sv.dwg

LAYOUT: ANR

SHEET: 1 OF 1

ANF

PROJECT NO.:	28006
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City of Marlborough
Department of Public Works

135 NEIL STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. 508-624-6910

THEODORE L. SCOTT P.E.
COMMISSIONER

CHRISTOPHER S. LAFRENIERE
ASST. COMMISSIONER, UTILITIES

JAMES E. DASCOLI
ASST. COMMISSIONER, OPERATIONS

THOMAS DIPERSIO, JR. P.E., P.L.S.
CITY ENGINEER

MARK J. DASCOLI
CAPITAL PROJECTS MANAGER

February 19, 2026

Marlborough Planning Board

RE: Bond Estimate
Quinn Road Subdivision (Off Stow Road)

Chair Fay and Board Members,

Pursuant to your request, this office has recalculated the amount of security that should remain held to assure the completion of the above referenced subdivision, considering construction work that has been completed to date. Attached for your reference is a summary of the construction items, their values, and which have been completed. Based upon this, we have determined that the bond in place securing the completion of the subdivision, which was reduced to \$151,000.00 on November 17, 2025, can now be reduced to \$142,000.00.

Please contact me with any questions.

Sincerely,

Thomas DiPersio, Jr., PE, PLS
City Engineer

**CITY OF MARLBOROUGH, MASSACHUSETTS
ESTIMATE FOR BONDING PURPOSES**

SUBDIVISION:						DATES			
547 STOW ROAD						12/12/24			
Kendall Homes						12/24/24			
						02/19/26			
ITEM	DESCRIPTION	UNIT	TOTAL QTY.	UNIT COST	TOTAL COST	QTY. LAST EST.	QTY. THIS EST.	TOTAL COST TO DATE	% COMPLETE
Earth Work									
	Clearing, grubbing	AC.	1.1	\$62,000.00	\$68,200.00	1.1	1.1	\$68,200.00	100.00%
	Excavation	C.Y.	400	\$50.00	\$20,000.00	400	400	\$20,000.00	100.00%
	Sub-base	C.Y.	150	\$80.00	\$12,000.00	150	150	\$12,000.00	100.00%
	Ledge excavation	C.Y.	110	\$150.00	\$16,500.00	110	110	\$16,500.00	100.00%
	Stone Wall at Entrance	C.Y.	6	\$1,470.00	\$8,820.00	3	6	\$8,820.00	100.00%
	Construction Entrance	TON	19	\$69.00	\$1,311.00	19	19	\$1,311.00	100.00%
	Erosion Control Barrier	L.F.	1150	\$12.00	\$13,800.00	1150	1150	\$13,800.00	100.00%
Water									
1	Hydrants	EA.	1	\$10,000.00	\$10,000.00	1	1	\$10,000.00	100.00%
2	Gates	EA.	1	\$5,000.00	\$5,000.00	1	1	\$5,000.00	100.00%
3	3/4-in. Copper service (stub)	L.F.	152	\$150.00	\$22,800.00	152	152	\$22,800.00	100.00%
4	Corporation and Curb Stop	EA.	5	\$1,550.00	\$7,750.00	5	5	\$7,750.00	100.00%
5	8-in. CL52 DI main	L.F.	270	\$225.00	\$60,750.00	270	270	\$60,750.00	100.00%
Sewer									
6	6 in. Service	L.F.	206	\$207.50	\$42,745.00	100	206	\$42,745.00	100.00%
Drainage									
7	Catch basin	EA.	5	\$8,468.50	\$42,342.50	5	5	\$42,342.50	100.00%
8	Drain manhole	EA.	4	\$8,612.50	\$34,450.00	4	4	\$34,450.00	100.00%
10	12-in. RCP	L.F.	228	\$145.00	\$33,060.00	228	228	\$33,060.00	100.00%
11	15-in. RCP	L.F.	264	\$137.50	\$36,300.00	264	264	\$36,300.00	100.00%
12	15-in. RCP Flared end	EA.	1	\$1,585.00	\$1,585.00	1	1	\$1,585.00	100.00%
13	Headwalls	C.Y.	1.5	\$1,500.00	\$2,250.00	1.5	1.5	\$2,250.00	100.00%
14	Detention basins	C.Y.	750	\$135.00	\$101,250.00	750	750	\$101,250.00	100.00%
15	Outlet Structure	EA.	1	\$9,412.50	\$9,412.50	1	1	\$9,412.50	100.00%
16	Rip-Rap for Basin	C.Y.	15	\$85.00	\$1,275.00	15	15	\$1,275.00	100.00%
17	Gravel Access Drive to Det. Basin	C.Y.	87	\$67.00	\$5,829.00	87	87	\$5,829.00	100.00%
Roadway/Layout									
18	Gravel base (compacted)	C.Y.	430	\$70.00	\$30,100.00	430	430	\$30,100.00	100.00%
19	Bit. Conc. Pavement	Ton	265	\$190.00	\$50,350.00	150	150	\$28,500.00	56.60%
20	Granite curbing	L.F.	680	\$99.50	\$67,660.00	340	680	\$67,660.00	100.00%
21	Sidewalk gravel (compacted)	C.Y.	90	\$70.00	\$6,300.00	0	45	\$3,150.00	50.00%
22	Sidewalk pavement	Ton	65	\$220.75	\$14,348.75	0	0	\$0.00	0.00%
23	Misc. clean up	L.S.	1	\$10,000.00	\$10,000.00	0.25	0.75	\$7,500.00	75.00%
24	Granite (stone) bounds	E.A.	21	\$500.00	\$10,500.00	0	0	\$0.00	0.00%
25	Roadside trees	E.A.	15	\$600.00	\$9,000.00	0	0	\$0.00	0.00%
26	Street signs w/ breakaway posts	E.A.	1	\$500.00	\$500.00	0	1	\$500.00	100.00%
27	Street lighting	E.A.	2	\$3,000.00	\$6,000.00	1.5	2	\$6,000.00	100.00%
28	Elec/Tel/Cable	L.F.	300	\$75.00	\$22,500.00	300	300	\$22,500.00	100.00%
29	As-built plans	E.A.	1	\$4,000.00	\$4,000.00	0	0	\$0.00	0.00%
30	Acceptance plans	E.A.	1	\$4,000.00	\$4,000.00	0	0	\$0.00	0.00%
TOTAL					\$792,688.75			\$723,340.00	

TOTAL COST TO COMPLETE SUBDIVISION: \$792,688.75
 TOTAL COST OF WORK COMPLETED TO DATE: \$723,340.00
 TOTAL COST OF WORK REMAINING: \$69,348.75
 10% RETAINAGE \$72,334.00
 \$141,682.75
TOTAL BOND FIGURE, THIS ESTIMATE: \$142,000.00

SUMMARY TABLE

BOND NO. **Reduction #5**

547 STOW ROAD

Kendall Homes

\$142,000.00

BOND AMOUNT FOR:

19-Feb-26

\$142,000.00

Katlyn LeBold

From: Jeremy McManus
Sent: Thursday, March 5, 2026 11:35 AM
To: Katlyn LeBold
Cc: Jennifer Martin
Subject: 689 Pleasant St Subdivision - Release of Lots
Attachments: Release of Lot_6 Draft -Legal Dept Edits 3-5-26.pdf; Release of Lot_6 - 3-5-26.docx

Hi Katlyn,

Attached are my edits to the lot release you sent over (track changes in the PDF and clean version in Word). I'm copying Attorney Martin so that she is aware of the edits.

Best,
Jeremy

Jeremy P. McManus
Assistant City Solicitor
City of Marlborough
City Hall, 4th Floor
140 Main Street
Marlborough, MA 01752
T: (508) 460-3771
F: (508) 460-3698
jmcmanus@marlborough-ma.gov

This e-mail message is generated from the City of Marlborough Legal Department. It may contain information that is privileged as an attorney-client communication or as attorney work-product, or that is otherwise confidential. The information is intended to be disclosed solely to, and received solely by, the intended recipient, and delivery of this message to any person other than the intended recipient shall not compromise or waive such privilege or confidentiality. If you are not the intended recipient, please be advised that any distribution, disclosure, printing, copying, storage, modification or use of the contents of this e-mail, or the taking of any action in reliance thereon, is prohibited. If you have received this e-mail in error, please notify the sender by return e-mail and delete it from your computer system. Thank you for your cooperation.

RELEASE OF LOT(S)

The undersigned, representing the Planning Board of the City of Marlborough, Massachusetts, hereby certifies that ~~adequate security in the form of a cash deposit has been provided to secure performance of the construction of ways and installation of municipal services required to serve certain lot(s), as designated below~~ all requirements of the City of Marlborough to complete the street acceptance process have been met, in accordance with the Covenant dated July 10, 2023 and recorded in the Middlesex South District Registry of Deeds, Book 82006, Page 58, said ~~lot(s)-street~~ being shown on a plan entitled "Open Space Development Definitive Subdivision Plan – Beauchemin Estates – A Single Family Development in Marlborough, Massachusetts" dated February 6, 2023 and last revised on April 30, 2023, prepared by D.K. Engineering LLC, 59 Granite Lane, Chester, NH 03036 and Findeisen Survey & Design, LLC, Box 612, Sandown, NH 03873, recorded with said Registry of Deeds in Plan Book No. 524 of 2023, and that restrictions as to building and sale specified in said Covenant are hereby released as to the following enumerated lot(s):

Lot 6, as shown on said Plan, containing +/- 34,810 s.f.

Executed on this ___ day of _____, 2026.

By _____, Chair

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. _____ 2026

Then personally appeared _____, Chairperson of the Planning Board and acknowledged before me that the foregoing instrument is a free act and deed of said Planning Board.

Notary Public:

My Commission Expires:

RELEASE OF LOT(S)

The undersigned, representing the Planning Board of the City of Marlborough, Massachusetts, hereby certifies that all requirements of the City of Marlborough to complete the street acceptance process have been met, in accordance with the Covenant dated July 10, 2023 and recorded in the Middlesex South District Registry of Deeds, Book 82006, Page 58, said street being shown on a plan entitled "Open Space Development Definitive Subdivision Plan – Beauchemin Estates – A Single Family Development in Marlborough, Massachusetts" dated February 6, 2023 and last revised on April 30, 2023, prepared by D.K. Engineering LLC, 59 Granite Lane, Chester, NH 03036 and Findeisen Survey & Design, LLC, Box 612, Sandown, NH 03873, recorded with said Registry of Deeds in Plan Book No. 524 of 2023, and that restrictions as to building and sale specified in said Covenant are hereby released as to the following enumerated lot(s):

Lot 6, as shown on said Plan, containing +/- 34,810 s.f.

Executed on this ____ day of _____, 2026.

By _____, Chair

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss. _____ 2026

Then personally appeared _____, Chairperson of the Planning Board and acknowledged before me that the foregoing instrument is a free act and deed of said Planning Board.

Notary Public:

My Commission Expires:

Katlyn LeBold

From: Katlyn LeBold
Sent: Tuesday, February 17, 2026 1:20 PM
To: Katlyn LeBold
Subject: FW: 689 Pleasant Street (Jewell Road) subdivision - bond release request

-----Original Message-----

From: William Limberopoulos <prolim2001@yahoo.com>
Sent: Tuesday, February 17, 2026 11:36 AM
To: Katlyn LeBold <klebold@marlborough-ma.gov>
Subject: 689 Pleasant Street (Jewell Road) subdivision - bond release request

Hi Katlyn,

I am writing to formally request the release of the performance bond-secured by cash deposit associated with the 689 Pleasant Street (Jewell Road) subdivision.

Thanks,
Bill Limberopoulos

Sent from my iPhone