

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: March 28, 2016

Time: 5:15 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 MAR 24 A 11:58

02-08-2016 – **Order No.16-1006442:** Communication from Marc Cohen on behalf of Arnco Sign Co., Inc., regarding Sign Application for Hilton Garden Hotel at 170 Forest Street.

-REFER TO URBAN AFFAIRS COMMITTEE

UPDATE:

11-16-2015 – **Order No. 15-1006366A:** Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street.

- REFER TO URBAN AFFAIRS COMMITTEE

UPDATE:

02-08-2016 – **Order No. 16-1006443:** Proposed Zoning Amendment by adding a new Section to Chapter 650 §35, HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT.

-REFER TO URBAN AFFAIRS COMMITTEE

-REFER TO PLANNING BOARD

-PUBLIC HEARING: MONDAY, MARCH 7, 2016

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 8, 2016

ORDERED:

That the Communication from Marc Cohen, on behalf of Arco Sign Co. Inc., re: Sign Applications for Hilton Garden Hotel at 170 Forest St, be and is herewith refer to **URBAN AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 16-1006442

9

ARNCO SIGN CO INC.
1133 SOUTH BROAD ST
WALLINGFORD CT 06492
2/2/16

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2016 FEB -3 A 9:32

City of Marlborough MA
140 Main St
Marlborough MA 01752
att: Steven Kerrigan, City Clerk Office

Mr. Kerrigan

Please place the sign application for the Hilton Garden Hotel at 170 Forest St on the agenda for the next City Council meeting. I understand the meeting is Monday 2/8/16.

If there are any questions, I can be reached at my cell phone, which is 203 494-7429.

Thank you

 2/2/16

Marc R Cohen
Arnco Sign Co Inc.
1133 South Broad St
Wallingford CT 06492

UA



City of Marlborough BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752

RECEIVED
JAN 06 2016
[Handwritten signature]

Date: 1/6/16 Permit No. SP-2016-0001
Address/Location of Sign 170 Forest St
Name of Business HILTON GARDEN INN
Name of Owner of Business HILTON HOTEL Corporation Telephone _____

Type of Sign: (check off which applies)

Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

Is this a replacement of a same size existing sign(s) YES NO

Dimensions Sign: Sign A

Length 57'-5 1/4" Width 5'-6" Height (Free Standing) _____ Area 320 sq'

Location of Sign on Bld. North _____ South _____ East West _____

Dimensions Façade:

Length 260' + Width 55'-0" Area 13,780

[Signature] 203 494-7429
Signature of Responsible Party Telephone

Installer Company ARNO SEN G Telephone 203 265-0851
1133 So Broad St Wallingford CT 06492
ARNO.MARC@gmail.com
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

[Signature] 1/6/16
Signature Date

Cost of Sign(s) 12,000 Permit Fee \$ 50⁰⁰

PROPOSED EAST ELEVATION

**SALES PRESENTATION ONLY
SITE SURVEY REQUIRED PRIOR TO FINAL PRODUCTION!**



FULL EAST ELEVATION
Scale: 1/32" = 1'-0"



PARTIAL EAST ELEVATION
Scale: 1/16" = 1'-0"



Hospitality Headquarters:
334 INDUSTRIAL PARK RD.
BLUEFIELD, VA 24605
877-779-9977
www.mcsign.com

CLIENT: **Hilton Garden Inn**
ADDRESS: **HILTON GARDEN INN**
170 FOREST STREET
MARLBOROUGH, MA 01752

PAGE NUMBER	TICKET NO.	DATE:	DATE:	REVISIONS:
1	361820	6/25/15	10/9/15 SI	Added floret; Added partial elevation enlarged on page
PROJECT MANAGER:		DESIGNER:		
SEAN WESTPHAL LAUREN VERI		CA		
ELECTRONIC FILE NAME:				
HILTON GARDEN INN\2015\MAVHGI - MARLBOROUGH				

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CLIENT SIGNATURE & APPROVAL DATE:

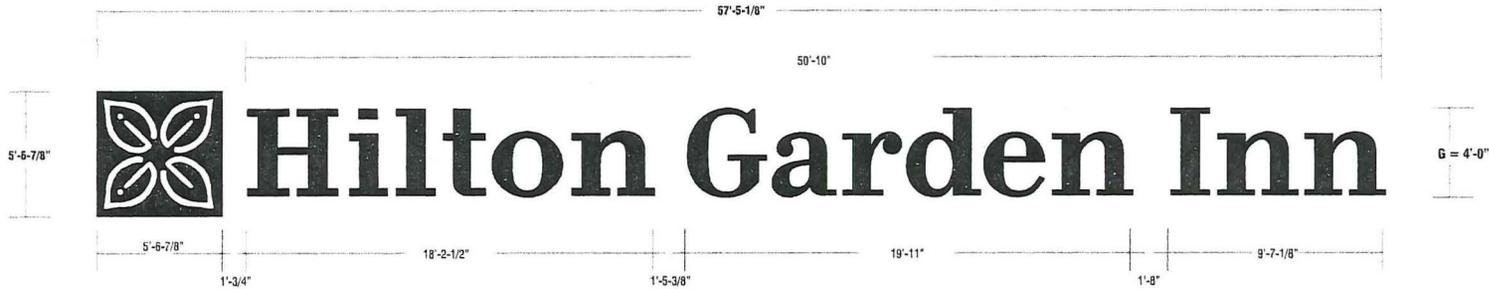
LED ILLUM. CHANNEL LETTERS

Scale: 3/16" = 1'-0"

320 Square Feet

**SALES PRESENTATION ONLY
SITE SURVEY REQUIRED PRIOR TO FINAL PRODUCTION!**

**A EAST ELEVATION
48 inch linear**



LIGHT COLOR BUILDING LETTERS

LIGHT COLORED BUILDING-RED DAY/RED NIGHT

5" (127mm) DEEP LETTERS (REMOTE PWR. SUPPLY)

.040" (1mm) THK. ALUM. RETURNS with .063" (1.6mm) THK. ALUM. CAD CUT BACKS. RETURNS PAINTED AKZO 354C2 SILVER METALLIC (SAMPLE AVAILABLE UPON REQUEST) / GLOSS FINISH. LETTER INTERIORS PAINTED with STARBRIGHT LIGHT ENHANCING PAINT.

.177" (4.5mm) THK 3RK32 RED CYRO SG FACES
1" (25.4mm) STANDARD RED JEWELITE RETAINERS (OR APPROVED EQUIV.) TO BE USED PER MANUFACTURER'S RECOMMENDATIONS.

LETTERS ILLUMINATED with RED L.E.D. (G.E. OR APPROVED EQUIV.).
INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

LOGO:

.177" (4.5mm) THK WRT30 WHITE CYRO SG FACES
with 1st SURFACE 3M (OR APPROVED EQUIV.) 3630-73 RED VINYL BACKGROUND / "FLORET" DESIGN CUT OUT OF RED VINYL OVERLAY - WHITE SHOWS THRU.
1" (25.4mm) STANDARD RED JEWELITE RETAINERS (OR APPROVED EQUIV.) TO BE USED PER MANUFACTURER'S RECOMMENDATIONS.

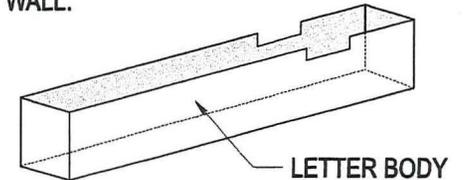
LOGO ILLUMINATED with WHITE L.E.D. (G.E. OR APPROVED EQUIV.).
INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

QUANTITY:

(1) One channel letterset required for east elevation

ALL ILLUMINATED SIGNAGE REQUIRE THE CLIENT'S ELECTRICIAN TO FURNISH & INSTALL A COMPLETE PHOTOCELL AND/OR TIME CLOCK TO ALLOW SIGNS TO OPERATE AT DESIGNATED INTERVALS. HOWEVER, SIGN SHALL NEVER OPERATE ON A 24/7 BASIS.

.040" (1mm) THK. ALUM. BRIDGE COVER. PAINT TO MATCH WALL.



TYPICAL BRIDGE DETAIL



Hospitality Headquarters:

**334 INDUSTRIAL PARK RD.
BLUEFIELD, VA 24605**

877-779-9977

www.mcsgn.com

CLIENT:	Hilton Garden Inn	PAGE NUMBER:	3	TICKET NO.:	361820	DATE:	6/25/15	DATE:		REVISIONS:	
ADDRESS:	HILTON GARDEN INN 170 FOREST STREET MARLBOROUGH, MA 01752	PROJECT MANAGER:	SEAN WESTPHAL LAUREN VERI		DESIGNER:	CA					
		ELECTRONIC FILE NAME:	HILTON GARDEN INN\2015\MAVHGI - MARLBOROUGH								

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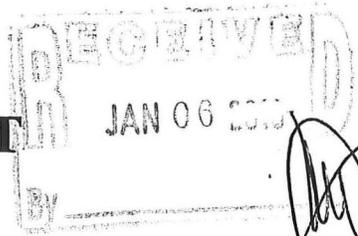


CLIENT SIGNATURE & APPROVAL DATE:



City of Marlborough BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



[Handwritten signature]

Date: 1/6/16

Permit No. SP-2016-0002

Address/Location of Sign 170 Forest St

Name of Business Hilton Garden Inn

Name of Owner of Business Hilton Hotel Corp Telephone _____

Type of Sign: (check off which applies)

Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

Is this a replacement of a same size existing sign(s) YES NO

Dimensions Sign: Sign B

Length 2'-6" Width 2'-6" Height (Free Standing) _____ Area 5 sq.

Location of Sign on Bld. North _____ South _____ East West _____

Dimensions Façade:

Length 750' Width 55'-10" Area 13,750

[Signature] 203 494-7429
Signature of Responsible Party Telephone

Installer Company Arbico Sign Co. Inc. Telephone 203 265-0851
1133 So Broad St Wallingford CT 06492

Arbico Mgmt & Sign Co. Inc
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

[Signature] 1/6/16
Signature Date

Cost of Sign(s) \$1500.00 Permit Fee \$ 50

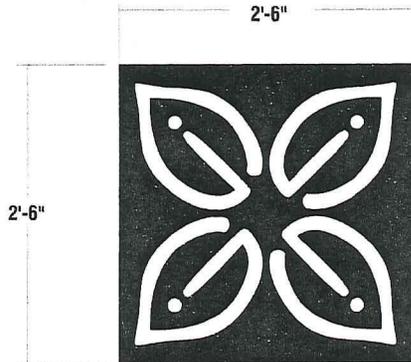
S/F ILLUM. FLORET

Scale: 1" = 1'-0"

6.3 Square Feet

**SALES PRESENTATION ONLY
SITE SURVEY REQUIRED PRIOR TO FINAL PRODUCTION!**

**B EAST ELEVATION
30 inch floret**



FABRICATED 5" (127mm) DEEP PRE-FORMED ALUMINUM CHANNEL LOGO.

1" (25.4mm) RED JEWELITE (OR APPROVED EQUIV.) RETAINERS.
.177" (4.5mm) THK WRT30 WHITE CYRO SG FACE
W/ 1st SURFACE 3M (OR APPROVED EQUIV.) 3630-73 RED VINYL BACKGROUND / "FLORET" DESIGN CUT OUT OF RED VINYL OVERLAY - WHITE SHOWS THRU.

OUTSIDE RETURNS PAINTED AKZO 354C2 SILVER METALLIC (SAMPLE AVAILABLE UPON REQUEST) / GLOSS FINISH
- INSIDE SIGN PAINTED LIGHT ENHANCING WHITE.

SIGN INTERNALLY ILLUMINATED W/ WHITE L.E.D. (G.E. OR APPROVED EQUIV.) TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.

SIGN MOUNTED FLUSH TO BUILDING FASCIA - ATTACH TO WALL WITH NON-CORROSIVE FASTENERS AS REQUIRED PER WALL CONSTRUCTION.

QUANTITY:

(1) One S/F floret required for east elevation

ALL ILLUMINATED SIGNAGE REQUIRE THE CLIENT'S ELECTRICIAN TO FURNISH & INSTALL A COMPLETE PHOTOCELL AND/OR TIME CLOCK TO ALLOW SIGNS TO OPERATE AT DESIGNATED INTERVALS. HOWEVER, SIGN SHALL NEVER OPERATE ON A 24/7 BASIS.

General specification applicable to all LED modules for 1000m family of signs.

LED module construction specifications:
-LED modules assembled with white plastic to create structure and seal elements.
-Use of continuous wire through LED string, using bi-functional insulation displacement connector (IDC) within the rear-mounted module.
-For white LED product, use of beveling-distribution optical lens over top of each LED on the module to create uniformity on the sign face. 127 beamlets, 3 LED per module.
-21 wattly module, loading of at least 40 feet/12-40 power supply.
-For red LED product, use of beveling over the LED section for 150 degree field width half moon viewing angle for uniformity on the sign face 14 beamlets/3 LED per module.
-60 wattly module, loading of at least 60 feet/12-40 power supply.
-Calculable between individual modules, for most flexibility in LED placement within sign.
-Rated ambient temperature range of system (LED strip and LED driver) from -40C to +60C.
-Use manufacturer, independently derived, wire for the LED strip to minimize opportunity for corrosion over time.
-Mounting tab molded into the LED housing, spaced apart from location of the PCB board to isolate incoming stress from PCB. No mounting holes through the PCB board.
-Use of dual VHS, closed cell foam, adhesive tape on the back of each module, in addition to mounting tab.
-Each LED module individually lot jet marked, with product code and production date.
-LED modules have both UL EDP recognized for new signs and UL classified for retrofit applications.
-Low-voltage, Class II (12 or 24VDC) input of the LED modules for safety.

Color control:
-Red - color of 620nm dominant wavelength typical. Average MFT reading of 396 mts at sign face.
-White - 7150K color point for each LED module, within following CCT and CCT color point space: (0.304, 0.330), (0.311, 0.338), (0.3135, 0.3218), (0.296, 0.304). Average MFT reading of 162 mts at sign face.
-LAMP free modules for all LED module system level for any products used in construction.

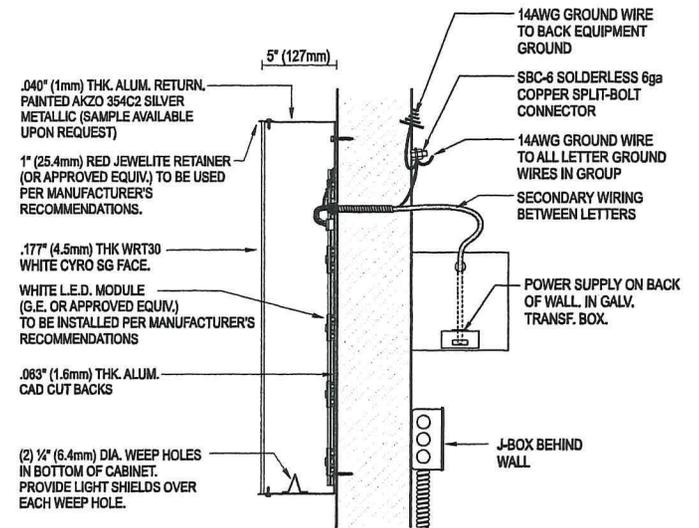
Sign Specific:
-Pixel - Double Sided - white.
-7700K, 504 lumens/module, 6 inch/module, 6.24 watts/module, 16 modules/ 24-100W power supply. LEDs disposed on both sides of the module, opposed 140 degrees, with each LED having a wide angle optical distribution lens located over top of each.
-Pre-drilled mounting holes located on the side of each module, for use in mounting on aluminum extrusion L-angle, to the viewing angle of each LED is not obstructed.

ILLUMINATED LOGO SECTION

(1) 120v, 20a CIRCUIT(S) REQ'D
INSTALL PRIMARY (IES) PER N.E.C.

U.L. LABELS REQUIRED
INSTALL SIGNAGE PER N.E.C.

U.L. 2161 COMPLIANT



Hospitality Headquarters:
334 INDUSTRIAL PARK RD.
BLUEFIELD, VA 24605
877-779-9977
www.mcsign.com

CLIENT: **Hilton Garden Inn**
ADDRESS: **HILTON GARDEN INN
170 FOREST STREET
MARLBOROUGH, MA 01752**

PAGE NUMBER	TICKET NO.	DATE	DATE	REVISIONS:
4	361820	10/9/15		
PROJECT MANAGER:		DESIGNER:		
SEAN WESTPHAL LAUREN VERI		SI		
ELECTRONIC FILE NAME:				
HILTON GARDEN INN\2015\MAVHGI - MARLBOROUGH				



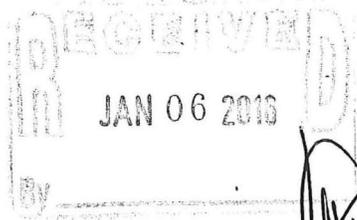
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City of Marlborough

BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 1/6/16

Permit No. SP-2016-0003

Address/Location of Sign 170 Forest St

Name of Business Hilton Garden Inn

Name of Owner of Business Hilton Hotel Corp Telephone _____

Type of Sign: (check off which applies)

Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

Is this a replacement of a same size existing sign(s) YES NO

Dimensions Sign: Sign C

Length 2'-2" Width 1'-8" Height (Free Standing) _____ Area 36 sq

Location of Sign on Bld. North _____ South _____ East _____ West

Dimensions Façade:

Length 250'-" Width 55'-0" Area 13,750 sf

Signature of Responsible Party [Signature]

Telephone 203 494-7429

Installer Company Aerco Sign Co

Telephone 203 265-0551

1133 So Bridge St Wallingford CT 06492
Email AercoManc@gmail.com

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

Signature [Signature]

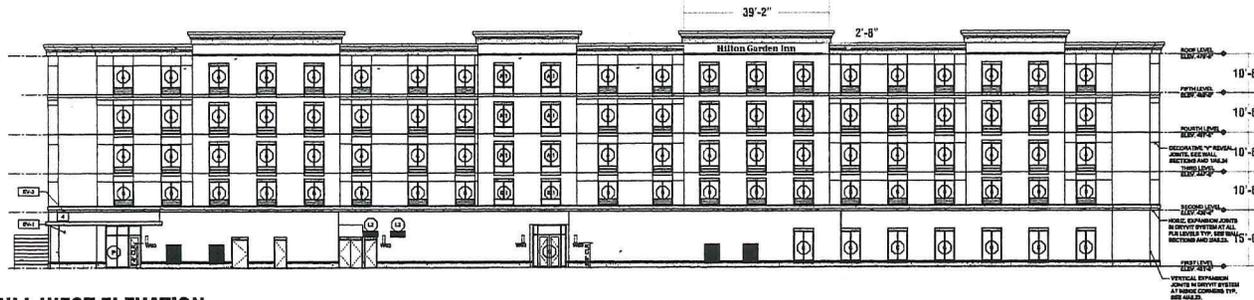
Date 1/6/16

Cost of Sign(s) 6000⁰⁰

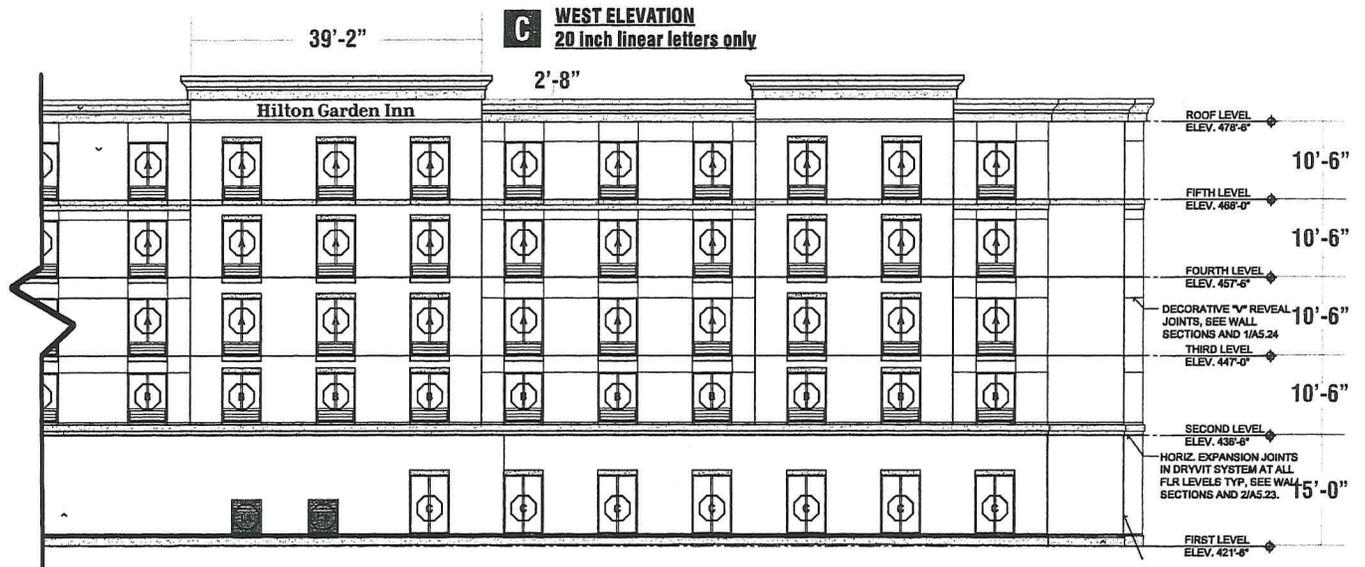
Permit Fee \$ 50⁰⁰

PROPOSED WEST ELEVATION

**SALES PRESENTATION ONLY
SITE SURVEY REQUIRED PRIOR TO FINAL PRODUCTION!**



FULL WEST ELEVATION
Scale: 1/32" = 1'-0"



G WEST ELEVATION
20 inch linear letters only

PARTIAL WEST ELEVATION
Scale: 1/16" = 1'-0"



Hospitality Headquarters:
334 INDUSTRIAL PARK RD.
BLUEFIELD, VA 24605
877-779-9977
www.mcsign.com

CLIENT:
Hilton Garden Inn
ADDRESS:
HILTON GARDEN INN
170 FOREST STREET
MARLBOROUGH, MA 01752

PAGE NUMBER	TICKET NO.	DATE:	DATE:	REVISIONS:
2	361820	10/15/15		
PROJECT MANAGER:		DESIGNER:		
SEAN WESTPHAL LAUREN VERI		AF		
ELECTRONIC FILE NAME:				
HILTON GARDEN INN\2015\MAVHGI - MARLBOROUGH				

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Partner with the best.



CLIENT SIGNATURE & APPROVAL DATE:

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LED ILLUM. CHANNEL LETTERS

Scale: 1/2" = 1'-0"

35.3 Square Feet

**SALES PRESENTATION ONLY
SITE SURVEY REQUIRED PRIOR TO FINAL PRODUCTION!**

G WEST ELEVATION
20 inch linear letters only



LIGHT COLOR BUILDING LETTERS

LIGHT COLORED BUILDING-RED DAY/RED NIGHT

5" (127mm) DEEP LETTERS (REMOTE PWR. SUPPLY)

.040" (1mm) THK. ALUM. RETURNS with .063" (1.6mm) THK. ALUM. CAD CUT BACKS. RETURNS PAINTED AKZO 354C2 SILVER METALLIC (SAMPLE AVAILABLE UPON REQUEST) / GLOSS FINISH. LETTER INTERIORS PAINTED with STARBRIGHT LIGHT ENHANCING PAINT.

.177" (4.5mm) THK 3RK32 RED CYRO SG FACES
1" (25.4mm) STANDARD RED JEWELITE RETAINERS (OR APPROVED EQUIV.) TO BE USED PER MANUFACTURER'S RECOMMENDATIONS.

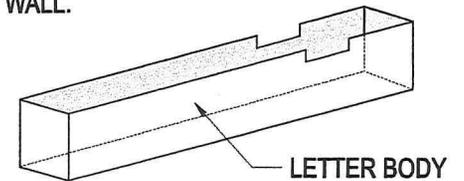
LETTERS ILLUMINATED with RED L.E.D. (G.E. OR APPROVED EQUIV.).
INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

QUANTITY:

(1) One channel letterset required for west elevation

ALL ILLUMINATED SIGNAGE REQUIRE THE CLIENT'S ELECTRICIAN TO FURNISH & INSTALL A COMPLETE PHOTOCELL AND/OR TIME CLOCK TO ALLOW SIGNS TO OPERATE AT DESIGNATED INTERVALS. HOWEVER, SIGN SHALL NEVER OPERATE ON A 24/7 BASIS.

.040" (1mm) THK. ALUM. BRIDGE COVER. PAINT TO MATCH WALL.



TYPICAL BRIDGE DETAIL



Hospitality Headquarters:
334 INDUSTRIAL PARK RD.
BLUEFIELD, VA 24605
877-779-9977
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CLIENT: **Hilton Garden Inn**
ADDRESS: HILTON GARDEN INN
170 FOREST STREET
MARLBOROUGH, MA 01752

PAGE NUMBER	TICKET NO.	DATE	DATE	REVISIONS
5	361820	10/15/15		
PROJECT MANAGER:		DESIGNER:		
SEAN WESTPHAL LAUREN VERI		AF		
ELECTRONIC FILE NAME:				
HILTON GARDEN INN\2015\MAVHGI - MARLBOROUGH				

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Partner with the best.



CLIENT SIGNATURE & APPROVAL DATE:

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IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 16, 2015

ORDERED:

That the Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE**.

ADOPTED

ORDER NO. 15-1006366

MEMORANDUM

TO: ROBERT CAMACHO
FROM: STEPHEN F. REID, FOR BOLTON GRANGER REALTY TRUST/ATRIUM PLACE
SUBJECT: ZONING COMPLIANCE SUMMARY
DATE: MARCH 23, 2016
CC: E. PILACHOWSKI, M. LEONARD, P. RYDER, K. BREEN

Robert: In order to clarify how the site plans have been prepared and how the plans conform to the Zoning requirements for the new created Marlborough Village District, I reviewed the plans with George Voyiatzis and his design professionals. The plans reviewed are as noted below. We believe that the updated plans reflect all the comments made to Attorney Falk at the last siteplan meeting. Also note that we would like to be on the Urban Affairs meeting next week and have been in contact with the City Council Secretary. In order for Councilor Delano provide public notice, he needs to have a "go ahead" from you that the plans are in order. I am hoping that the summary below is sufficient for that to happen ASAP so that notice can be filed with the clerk tomorrow. I will have George provide the most recent plan to you as well. Call me if you need anything.

Cover Sheet C-1 – revised up to 3/21/16

Existing Conditions E-1, revised to 3/21/16

Proposed addition - E-2, revised to 3/21/16

Proposed Landscape Development Plan, Hardscape and Planting - E-5 revised to 3/13/16

650-34 – Marlborough Village District

- A. Purpose and Vision: Atrium Place has been designed to reflect smart growth principles compatible with or complementary to the existing downtown properties. It reflects the uniqueness of the existing building, once a nondescript masonry one story hardware store created after Urban Renewal. The proposal creates a building of commercial and residential and capitalizes on the architectural forms in the downtown district.
- B. Site Plan Review: Since the project construction exceeds 10,000 square feet, it is required to be reviewed by the City Council for its general merits as well as administratively (Chapter 270-2) by the department heads for technical merits authorized by their respective jurisdiction. The site plan process began in November and after much discussion and review is in proper form and detail for final approval and signature.
- C. The project is as of right and as such, no Special Permit is required.
- D. Design Standards: Careful consideration to appropriateness has been the fundamental consideration in this project. The design professionals have looked closely at scale,

keeping the proposed height similar to City Hall and the mixed use building across from the U.S. Post Office on Florence Street and consistent with the historic view of downtown when 4 and 5 story factory buildings that once existed across the street on Maple Street and Granger. The façade is a mix of true brick for an appearance of substance and strength interfaced with EIFS panel for improved energy efficiency and visual variety. It will be similar in appearance and blend as the Marlboro Savings Bank at 91 Granger Boulevard. The façade on each side is created in five distinct bays, three of which are alternately “bumped out” and each building corner features an angled bay with detailed roof cornices. Windows are not repetitious, rather varied in width and mullion configuration. Blank walls have been eliminated from the design and occur in limited amount on the Court Street side of the first floor in the location of the loading and service bays. (See sheets E3.1, and E3.2)

b. Mechanical equipment to be installed above the roof will be attractively screened as noted in the architectural plan. The roof being nearly flat, the view of the screening from the street will be minimal.

c. Entrances/egresses from the street and parking lot will remain as at present. Additional entrances for the residential users are proposed at the northwest corner of the first floor. All will be properly illuminated and will not interfere with any pedestrian walkways.

d. External materials and appearance. As noted in the general comments, the use of brick and stucco type materials and are varied and will favorably complement the surrounding properties.

e. All awnings or canopies will be compatible with the building style and are shown on Sheets E3.1 and 3.2.

f. No reflective materials have been included in the design.

g. Exiting windows on the first floor comply.

h. Site landscaping has been maximized as shown on the plan drawn by landscape architect Gino Pierdomenico. The design includes suitable pathways, walkways, sitting walls, private nodes, a pergola and significant areas of interest to complement the uniqueness of the property. Although being surrounded by 4 streets, one on each side of the property, the amenities have been varied to reflect the sidewalk vision from Granger, Court and South Bolton Street. As per the engineer’s CAD drawings and calculations the planted area on the outside available as private open space equals 5750 square feet. Landscape improvements will total 6467 square feet out of a total combined lot size of 28,118 square feet (23%) and be substantially greater than any other site within the proximity of Atrium Place.

i. The service areas for rubbish removal and product deliveries are carefully integrated into the design from the Court Street façade, the least visible area of the site.

j. and k. Parking and vehicular features remain just about the same as at present, and area all easily accessible on site. Connectivity has been maximized.

l. Bicycle parking has been located near the residential entrance at the corner of Court and Weed Streets and is shown on plan E2.

m. The building will incorporate all reasonable measures to maximize both the energy efficiency and the “green” building techniques.

n.and o. No historic waivers are required. The existing structure does not currently contain any contributing historic features.

E. Parking: The parking quantity required was calculated based on .75 spaces for each one-bedroom residential apartment and 1.25 spaces for each two-bedroom residential apartment. Parking provide on-site accounts for 18 spaces Per the ordinance, the balance of 23 or 24 spaces will be in compliance with the “in lieu of” payment made to the City as provided for in the ordinance.

F. Height: The proposed height of 64’ is less than the maximum allowed by the ordinance.

G. The 40 units proposed is less than the maximum allowed 100 units in any calendar year. None of the units are greater than 2 bedrooms.

H. Private Open Space: Within the building, a 1727 square foot private atrium area is available for use by all residents. The fully usable atrium will rise from floor two upwards to floor five with a glassed in roof area which will allow sunlight into the space. The atrium will provide 43% of the required private open space. As a practical matter, 6467 square feet of landscaping is available to support the 2273 square foot balance of private open space needed. After reduction to account for the required street frontage planting area, 4031 square feet of is still available to count towards the required 4000 square feet of private open space. (4031 + 1727 = 5758. The space exceeds the required by 1758 square feet.) Given the uniqueness of the lots, the existing conditions, and the significant street frontage buffer required, it was a challenge to provide well designed/usable landscape areas. Private spaces have been created in the form of landscaping, pathways, sitting spaces beneath a pergola, sitting spaces in landscaped courts and a sitting wall. All exterior private spaces are integrated into the landscape to provide the best benefit and to meet the intent of the ordinance to the greatest extent practicable.

I. All signs to be erected, installed or modified shall conform to the provision of Chapter 650-34 (I) and Chapter 526 as applicable.



IN CITY COUNCIL

Marlborough, Mass., ~~_____~~ FEBRUARY 8, 2016
~~_____~~ PAGE 1

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended by adding a new Section 650-35 as follows:

ARTICLE VI

§650-35 – HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT

A. Purpose and Objectives

- (1) The Hospitality and Recreation Mixed Use Overlay District (herein, also a “HRMUOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district, subject to City Council approval (hereinafter any reference to City approval shall be deemed to mean approval by the City Council) as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the Hospitality and Recreation Mixed Used Overlay District are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety and welfare, by promoting integrated, pedestrian friendly, mixed use development to allow for the development of housing, retail and workplaces within close proximity of each other consistent with the stated economic development objectives of the City (collectively, herein “Mixed Use Developments” or “MUD”).
- (2) For the purposes of this section, the HRMUOD shall be superimposed on the other districts existing at the time that any land in any said underlying district is also included in the HRMUOD. The HRMUOD district is located on the southerly side of Boston Post Road West (Route 20) to the west of Glenn Street to Ames Street, containing approximately 43.6 acres as indicated on the City Zoning Map and more particularly described in Exhibit “A” annexed hereto and incorporated by reference herein.



IN CITY COUNCIL

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ORDERED:

- (3) For the purposes of the Zoning Ordinance, a “Mixed Use Development” or “MUD” shall include any eligible use set forth in Section E, below, which may be commingled into a single structure or structures with other eligible uses or may be located in separate structures on the site subject to any restrictions and/or limitations set forth in the Development Agreement described in Section C(2) below. Accordingly, Mixed Use Developments shall benefit the public health, safety and welfare, through the sharing of parking lots and driveway curb cuts, to minimize the amount of impervious paved parking areas, to reduce traffic congestion, to reduce automobile trips, and accordingly to improve air quality.

B. Authority of Permit Granting Authority

- (1) The City Council shall be the Permit Granting Authority for Special Permit Approval in the HRMUOD where applicable. In all instances, a development which proceeds under the HRMUOD overlay is subject to Site Plan Approval in accordance §270-2 of the Marlborough City Code, with the exception that the City Council shall be the Permit Granting Authority for Special Permit, where applicable, and Site Plan Approval in the HRMUOD.
- (2) The City Council may elect to vary the dimensional and parking requirements of this Section by Site Plan Approval if, in their opinion, such change shall result in an improved project and will not nullify or substantially derogate from the intent or purpose of this section. This authority continues subsequent to occupancy.

C. Master Concept Plan

- (1) The property owner/developer of the HRMUOD shall, prior to or simultaneously with, the first application for approval of a site plan and/or special permit, where applicable, for the HRMUOD, file the following with the City Council for approval:



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~~_____~~ PAGE 3

ORDERED:

- (a) A Master Concept Plan ("Master Plan") which shall in a general manner show:
 - (i) The location and areas of proposed development;
 - (ii) Proposed open space (usable or natural);
 - (iii) Proposed site access curb cuts off of Boston Post Road West; and
 - (iv) Proposed building "envelope(s)" where construction is anticipated to occur (excluding internal site driveways).

- (b) A table showing approximate acres and calculations of the following:
 - (i) Total land area of each development area (building envelope area);
 - (ii) Total development limitations, if any, of uses in any developable area;
 - (iii) Total maximum development (square footage/use limitations); and
 - (iv) Approximate number of parking spaces for the entire HRMUOD District.

The Master Plan shall be approved by a super majority (2/3) vote of the City Council at a public meeting and shall thereafter become the general development plan governing development at the HRMUOD. The Master Plan may be amended from time to time by a super majority vote (2/3) of the City Council by application from the property owner/developer to reflect changing development conditions.



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~~_____~~ PAGE 6

ORDERED:

- (e) Public or Private commercial establishment, indoor/outdoor commercial recreation, recreation grounds, movie theatres or places of amusement
 - (f) Mixed Use, offices
 - (g) Consumer service establishments complimentary to the other principal uses at the property
 - (g) Restaurant, café with or without table service (including outside seating and service) with or without drive-thru, provided that said facilities have no dedicated driveway with a curb cut on a public way
 - (h) Health, sports and fitness clubs (indoor and/or outdoor) and related facilities
 - (i) Self-service laundry
 - (j) Dry Cleaning (pick up and drop off only)
 - (k) Car Washes
 - (l) Drive through facilities associated with retail (e.g. banks; pharmacies) and food services, provided that said facilities have no dedicated driveway with a curb cut on a public way
 - (m) Veterinary Hospitals
 - (n) Assisted Living
- (2) The following additional uses are also permitted BY-SPECIAL PERMIT in the HRMUOD:
- (a) Multifamily dwelling (non-age restricted)
 - (b) Multifamily Dwelling for Senior Housing/Age Restricted Housing (55+)



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ORDERED:

- b. The height of any freestanding sign shall not exceed thirty (30) feet from the ground measured directly at the sign base;
 - c. No freestanding sign shall be located closer than five (5) feet from any property line provided that there shall be no setback requirements to interior lot lines within the HRMUOD;
 - d. Signs, logos or cabinets may be either externally illuminated or internally illuminated with translucent or transparent faces;
 - e. Electronic Messaging Boards may be included on any freestanding sign provided that the Municipality shall be entitled to 7 hours per week of messaging content during regular business hours for each electronic messaging board provided, provided that there shall be no more than one electronic messaging board per freestanding sign. Full color messages shall be permitted on any electronic messaging board and message content may change at intervals to be determined by the property owner but in no event more frequently than once every ten (10) seconds.
6. During construction, one free standing pole, ground or pylon sign per 500 linear feet of cumulative frontage on a street or way, or wall sign where applicable, may be erected or installed advertising the rental, lease or sale of the premises, or portions thereof provided that said signs shall be removed within seven (7) days of the rental, lease or sale of the premises (or applicable portions thereof).
 7. The City Council may elect to vary the requirements of this Section during the Site Plan Approval process if, in their opinion, such change shall result in an improved project and will not nullify or substantially derogate from the intent or purpose of this section.

I. Application

- (1) Special Permits - An application for a Special Permit for a use in the Mixed Use Development in the HRMUOD shall comply with the requirements of §650-59 et. seq. of the Zoning Ordinance.



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Marlborough, Mass.,

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ORDERED:

L. Amendments

After approval, the owner/developer may seek amendments to the approved permits. Minor amendments to a Special Permit may be granted by a super majority (2/3) vote of the City Council. Major amendments to a Site Plan Approval may be granted by a majority vote of the City Council, and minor amendments to a Site Plan Approval may be granted by the Building Commissioner. It shall be a finding of the City Council, not subject to dispute by the applicant, whether a requested amendment to a Special Permit is deemed to be a major amendment or a minor one. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce more than a material increase in impact on City services, the environment or the neighborhood. A modification shall be considered Minor in all cases if its effect does not result in a ten (10%) percent variation from the applicable approval. If it is determined that revisions to a Special Permit are not minor, per Section 650-59 of the Zoning Ordinance, an application for a revised Special Permit shall be filed, and a public hearing shall be held in the same manner as required for a new application, subject to the fee schedule under Subsection C(3)(f) of Section 650-59. Major amendments to a Site Plan Approval shall not require a public hearing.



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FEBRUARY 8, 2016

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ORDERED:

EXHIBIT A

Assessors Map 78, Parcel 12

Assessors Map 78, Parcel 14

Assessors Map 78, Parcel 38

Assessors Map 78, Parcel 39

Assessors Map 89, Parcel 77

Be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD,
AND ADVERTISE PUBLIC HEARING FOR MONDAY, MARCH 7, 2016**

ADOPTED

ORDER NO. 16-1006443



MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

10

2016 FEB -3 P 4: 55

Arthur P. Bergeron
Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
abergeron@mirickoconnell.com
t 508.929.1652
f 508.463.1385

February 3, 2016

HAND DELIVERED

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

*P.B.
UP
P.H. 3/7/16
Advertise*

Re: Proposed Zoning Amendment

Dear Councilor Clancy:

I represent Ryan Development LLC, the prospective buyer of approximately 43.6 acres of land located along Route 20, opposite R.K. Centre, currently owned by Marlborough/ Northborough Land Realty Trust. The property is located entirely within the Business (B) Zoning District.

As noted in the enclosed Letter of Authorization, Marlborough/ Northborough Land Realty Trust, whose property would be affected by this proposal, requests that the City Council consider amending the Zoning Ordinance as specified in the attached Proposed Order. Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Ryan Development LLC in this matter before the City Council.

Very truly yours,

Arthur P. Bergeron

APB/



200 Wheeler Road
Burlington, MA 01803

January 19, 2016

Office of the City Council
City of Marlborough
City Hall
140 Main Street
Marlborough, Massachusetts 01752

RE: Overlay District Affecting 43.6 Acres, Route 20, Marlborough, MA

Dear Members of the City Council,

Please be advised that the undersigned, Marlborough/Northborough Land Realty Trust c/o The Gutierrez Company (the "Owner") is the owner of the above-referenced property in Marlborough, Massachusetts more particularly described on the plan attached hereto as Exhibit A (the "Property"), and does hereby authorize Mirick, O'Connell, DeMallie & Lougee, LLP, of Westborough, Massachusetts to submit to City Council for consideration the following proposed Overlay District affecting the Property .

Thank you for your time and attention to this matter.

Sincerely,



Arthur J. Gutierrez, Jr., Trustee
Marlborough/Northborough Land Realty Trust