

**Councilors-at-Large**

Sean A. Navin  
Mark A. Oram  
Michael H. Ossing  
Kathleen D. Robey



**Ward Councilors**

Ward 1 – Mark A. Vital  
Ward 2 – David Doucette  
Ward 3 – Robert Preciado  
Ward 4 – Heather M. Gould  
Ward 5 – John J. Irish  
Ward 6 – A. Trey Fuccillo  
Ward 7 – Matthew S. Sargent

**Council President**

Michael H. Ossing

**Council Vice-President**

Sean A. Navin

**CITY OF MARLBOROUGH  
CITY COUNCIL  
MEETING MINUTES  
MONDAY, JANUARY 12, 2026**

The regular meeting of the City Council was held on Monday, January 12, 2026, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Vital, Doucette, Preciado, Gould, Irish, Fuccillo, Sargent, Navin, Oram & Robey. Meeting adjourned at 8:38 PM.

Motion by Councilor Vital, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, DECEMBER 15, 2025, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Vital, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council Organizational meeting, January 5, 2026, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Navin, seconded by the Chair to adopt the following:

ORDERED: That the Communication from City Council President Ossing re: City Council Regular Meeting Schedule and City Council Committee Assignments for Legislative Year 2026, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Navin, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Councilors Ossing & Navin, re: Municipal Aggregation – December 2025 Update, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance for 30 Dell Pro-14 laptops, a charging cart, braille keyboard, a vertical mouse and a trackball mouse from the Massachusetts Broadband Institute awarded to the Public Library to be added to the library’s collection for resident use; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$23,000.00 from the Massachusetts Clean Water Trust awarded to the Department of Public Works to be used for improved cybersecurity to strengthen the Supervisory Control and Data Acquisition systems (SCADA) at the Cedar Hill Water Pumping Station and Standby Facility; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Oram, seconded by the Chair to adopt the following:

ORDERED: That the Appointment of Judy McDonald to the Council on Aging for a 4-year term to expire on May 6, 2030, referred to the **PERSONNEL COMMITTEE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Oram, seconded by the Chair to adopt the following:

ORDERED: That the Reappointment of Raymond Magee to the Council on Aging for a 4-year term to expire on May 6, 2030, referred to the **PERSONNEL COMMITTEE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Proposed Salary Ordinance Amendment pursuant to Chapter 125 “Personnel” §6 “Salary Schedule” relative to the position of City Solicitor, referred to the **FINANCE COMMITTEE**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED “PERSONNEL,” AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
	Start	6 months of service	1 year of service	2 years of service	3 years of service	4 years of service	5 years of service
City Solicitor							\$175,000.00

II. The effective date for the above salary schedule shall be January 1, 2026.

III. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Proposed Salary Ordinance Amendment pursuant to Chapter 125 “Personnel” §6 “Salary Schedule” relative to the position of Assistant Fire Chief, referred to the **FINANCE COMMITTEE**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED “PERSONNEL,” AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	Annual Salary						
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
	Start	6 months of service	1 year of service	2 years of service	3 years of service	4 years of service	5 years of service
Assistant Fire Chief	\$165,000.00	\$168,300.00	\$172,000.00	\$175,500.00	\$179,100.00	\$183,000.00	\$186,700.00

II. The effective date for the above salary schedule shall be October 8, 2025.

III. The above position is 40 hours per week.

IV. This ordinance shall supersede and replace any existing rate for said position(s) (if applicable) in the current salary schedule.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Gould, seconded by the Chair to adopt the following:

ORDERED: That the Certification from Ward 4 Councilor Heather Gould as required under MGL Chapter 39 §23D (“Mullin Rule”), regarding the Application for a Special Permit from Attorney Gemma Cashman, on behalf of JC Residential and Light Commercial LLC, for outdoor storage as an accessory use for the warehouse located at 1000 Nickerson Road, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Gould, seconded by the Chair to adopt the following:

ORDERED: Certification from Ward 4 Councilor Heather Gould as required under MGL Chapter 39 §23D (“Mullin Rule”), regarding the Application for a Special Permit from Lifestyle Fit LLC d/b/a FRVR Athletics, for a proposed gym for physical fitness classes, team strength and performance training, fitness education, nutrition education and training, and the sale of related fitness clothing and merchandise, to be in an existing building at 214 Cedar Hill Street, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Sargent, seconded by the Chair to adopt the following:

ORDERED: That the Certification from Ward 7 Councilor Matthew Sargent as required under MGL Chapter 39 §23D (“Mullin Rule”), regarding the Application for a Special Permit from Attorney Gemma Cashman, on behalf of JC Residential and Light Commercial LLC, for outdoor storage as an accessory use for the warehouse located at 1000 Nickerson Road, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Sargent, seconded by the Chair to adopt the following:

ORDERED: Certification from Ward 7 Councilor Matthew Sargent as required under MGL Chapter 39 §23D (“Mullin Rule”), regarding the Application for a Special Permit from Lifestyle Fit LLC d/b/a FRVR Athletics, for a proposed gym for physical fitness classes, team strength and performance training, fitness education, nutrition education and training, and the sale of related fitness clothing and merchandise, to be in an existing building at 214 Cedar Hill Street, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Fuccillo, seconded by the Chair to adopt the following:

ORDERED: That Communication from Solicitor Jason Grossfield, re: Approval of Home Rule Petition relative to Procedure for Layout and Acceptance of Subdivision Roads, Chapter 85 of the Acts of 2025, **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Application for a Special Permit from Lifestyle Fit LLC d/b/a FRVR Athletics, for a proposed gym for physical fitness classes, team strength and performance training, fitness education, nutrition education and training, and the sale of related fitness clothing and merchandise, to be in an existing building at 214 Cedar Hill Street, in proper legal form, Order No. 25-1009581B, **MOVED TO REPORTS OF COMMITTEE & FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Application for a Special Permit from Attorney Gemma Cashman, on behalf of JC Residential and Light Commercial LLC, for outdoor storage as an accessory use for a warehouse to be located at 1000 Nickerson Road, in proper legal form, Order No. 25-1009540C, **MOVED TO #22 & FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from the Massachusetts School Building Authority (MSBA), re: Approval of Richer Elementary School Project Preferred Schematic **FILE**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) Conservation Commission, November 20, 2025.
- b) Council on Aging, November 18, 2025.
- c) Cultural Council, September 3, 2025.
- d) Historical Commission, October 16, 2025.
- e) Library Trustees, September 2, 2025, October 7, 2025 & November 4, 2025.
- f) OPEB Trust, December 10, 2025.
- g) Planning Board, November 17, 2025.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Navin, seconded by the Chair to adopt the following:

ORDERED: That the following CLAIMS, referred to the **LEGAL DEPARTMENT**; adopted.

- a) Lawrence Barbieri, 96 Blanchette Drive, residential mailbox claim (2a).
- b) Alicia Mills, 47 Boudreau Avenue, pothole or other road defect.
- c) Leah Vincuilla, 175 Blanchette Drive, residential mailbox claim (2a).

**President Ossing declared the vote of 11 – 0.**

Councilor Robey reported the following out of the Urban Affairs Committee:

**City Council Urban Affairs & Housing Committee  
December 22, 2025  
Minutes and Report**

This meeting convened at 7:11 PM and was held in the City Council Chamber and open to the public. The meeting was televised live on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) and available for viewing on their website, <https://www.wmct-tv.com>.

Voting members present: Chairman Katie Robey, Councilor Doucette, Councilor Fuccillo and Councilor Preciado.

Voting member absent: Councilor Navin.

Also present were Councilors Ossing, Sargent, and Vital.

**Order No. 25-1009581: Special Permit Application from Lifestyle Fit LLC d/b/a FRVR Athletics for a proposed gym for physical fitness classes, team strength and performance, fitness education, nutrition education and training and the sale of related fitness clothing and merchandise to be located in an existing building at 214 Cedar Hill Street.**

The chair called the meeting to order at 7:11 PM and welcomed petitioner, Logan Filo-Loos, to the well. With no comments from the petitioner, the chair read the comments from department heads: William Paynton, Building Commissioner-no comments; Jeffrey Emanuelson, Assistant Chief, Fire Department-no comments; Paul Dinwoodie, Board of Health-no comments; Priscilla Ryder, Conservation/Sustainability Officer noted as they are not doing any activities outside the building and it is a simple change of use, she did not see any need for conditions; David Giorgi, Police Chief-no comments; and Thomas DiPersio, City Engineer-no comments.

Reports of Committee Continued:

The chair noted that the draft special permit decision is without written conditions, and she would read through the decision; and, if the committee is without objection refer the draft decision to the City Solicitor.

The chair passed out draft conditions she has to offer for the review of the committee. consensus was to review and discuss the suggested conditions. The consensus of the committee and other councilors was to review the chairs proposed conditions.

The chair read through the draft decision noting the words in title "Amendment to a" should be removed as there is no special permit for this site in existence. In the Finding of Facts, there was consensus to amend #8 2nd sentence reads "As shown in Exhibit A & B" and to strike the word "and" at end of #12.

Discussion was held on conditions with consensus on adding:

- The standard condition on Compliance with Local, State and Federal laws
- A condition for parking using the language on the special permit summary impact statement additional pages, #6- *See the off-street parking plan Exhibit A for the applicant, Lifestyle Fit, LLC. The applicant has access to spots labeled 1-13 and is not precluded from using the other labeled off-street parking spots shown on the plan Exhibit A. There are three (3) total tenants occupying the building including the applicant, and Exhibit B includes the off-street parking plan for the other two (2) Arbor Turf and Patriot Restoration. Exhibit A and the off-street parking plan satisfies the off-street Parking City Zoning 650-48 of one (1) spot per two (2) occupants of off-street parking required for 650-48A (10) small scale assembly, the applicants proposed use.*
- A condition for Signage: *Any signage installed or erected on the site shall meet the requirements of the sign ordinance of the City of Marlborough, without variance*
- A condition on Hours of Operation-*The hours of operation shall be no earlier than 5 AM and no later than 9 PM on any day of the week*
- *Certificate of Occupancy Required- No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Commissioner regarding the use.*
- The standard condition on Recording with Middlesex Registry of Deeds

There was discussion on adding in a condition *Requiring Approval Regarding Sanitary Conditions- Prior to the beginning of operation of the business, the Director of the Marlborough Health Department shall determine in writing what, if any, special sanitary requirements are necessary in order to assure that the facility does not cause unusual health risks to those using the facility or to the public. The Director may later, in writing, amend and/or add to said requirements as he deems necessary. Such determination, and any such amendments and/or additions, shall be provided by the Director to the City Council.*

It was decided to wait to see if this business needs this type of review/letter and if so, the solicitor can add it in.

Councilor Doucette moved to recommend approval of the draft Decision on a Special Permit for Lifestyle Fit LLC dba FRVR Athletics as amended, it was seconded and the motion carried 4-0.

Reports of Committee Continued:

The chair stated she hoped that with there being time between this meeting and the 2nd City Council meeting in January 2026, that the City Solicitor would have this in proper form on that meeting's agenda and with a suspension, the City Council could vote on special permit at that meeting. If it is not on the agenda, she would ask for suspension to refer it to City Solicitor to be put in proper form for the next meeting.

Councilor Doucette moved to adjourn; it was seconded; the vote carried 4-0. The meeting adjourned at 7:34 PM.

**Suspension of the Rules requested – granted. (President Ossing declared the vote of 11-0).**

Motion by Councilor Robey, to move the recommendation of the Urban Affairs Committee, seconded by the Chair to adopt the following:

ORDERED:

**IN CITY COUNCIL  
NOTICE OF DECISION  
DECISION ON A SPECIAL PERMIT  
ORDER NO. 25/26-1009581C**

Special Permit Application of:  
The Lifestyle Fit LLC d/b/a FRVR Athletics  
6 Camelot Circle  
Dudley, MA 01571  
Order No. 25/26-1009581C

Locus:  
214 Cedar Hill Street  
Marlborough, MA 01752  
Assessors Map 115, Parcel 6A

**DECISION ON A SPECIAL PERMIT  
ORDER NO. 25/26-1009581C**

The City Council of the City of Marlborough (the “City Council”) hereby **GRANTS** the application for a Special Permit to The Lifestyle Fit LLC, a Massachusetts limited liability company having a mailing address of 6 Camelot Circle, Dudley, MA 01571, to operate a gym with physical fitness classes and training as provided in this Decision and subject to the following Findings of Fact and Conditions.

**FINDINGS OF FACT**

1. The Lifestyle Fit LLC, a Massachusetts limited liability company having a mailing address of 6 Camelot Circle, Dudley, MA 01571, is herein referred to as “Applicant”.
2. The Applicant is the lessee of a portion (+/- 5700 SF) of certain real property located at 214 Cedar Hill Street, Marlborough, MA, as shown on Marlborough Assessors Maps as Map 115, Parcel 6A (the “Site”).

3. The Applicant, on or about October 16, 2025, filed with the City Clerk of the City of Marlborough an application for a Special Permit (the "Application"). The Applicant intends to operate a gym and physical fitness classes, team strength and performance training, fitness education, nutrition education and training, and the sale of related fitness clothing and merchandise in a portion of an existing building at the Site (the "Use") consistent with the use category "Retail Sales and Service <75,000 square feet gross floor area (19)(43)" as set forth in Section 650-17 and 18 of the zoning ordinance of the City of Marlborough (the "Zoning Ordinance").
4. The Site is located in the Industrial Zoning District.
5. In connection with the Application, Applicant filed a Special Permit Application, certified list of abutters, filing fee and a parking plan dated September 23, 2025 (the "Site Plan," attached hereto as ("ATTACHMENT A")).
6. The Application was certified as complete by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
7. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk of the City of Marlborough caused notice of the same to be advertised said date and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
8. The Marlborough City Council, pursuant to Mass. Gen. Laws c. 40A, held a public hearing on November 17, 2025, concerning said Application. The hearing was held at Marlborough City Hall, 140 Main Street. The hearing was opened and closed at that meeting.
9. The Applicant presented testimony at the public hearing detailing the Use, Application, and describing the nature of its intended services to be provided and its improvements to the Site. No one spoke in opposition to the proposed Special Permit.

**BASED UPON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING  
FINDINGS AND TAKES THE FOLLOWING ACTIONS:**

- A) The City Council finds that Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.
- B) The City Council finds that the proposed Use at the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.
- C) The City Council, pursuant to its authority under Mass. Gen. Laws c. 40A and the Marlborough Zoning Ordinance, **GRANTS** the Applicant a Special Permit for a gym with physical fitness classes and training at the Site, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Compliance With Building Regulations. Buildout and modification of the Site to be occupied shall be in accordance with all applicable building codes and zoning regulations in effect in the City of Marlborough and Commonwealth of Massachusetts. No use of the Site shall be made pursuant to this special permit unless and until a certificate of occupancy is obtained for the Use from the Building Commissioner.
2. Compliance with Local, State and Federal Laws. The Applicant agrees to comply with all rules, regulations, and ordinances of the City of Marlborough, Commonwealth of Massachusetts, and the Federal Government as they may apply to the construction, maintenance, and operation of Applicant's Use at the Site, as supplemented by applicable conditions of this Special Permit.
3. Incorporation of Plans and Drawings. All terms, conditions, requirements, approvals, plans, and drawings provided by the Applicant as part of this Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, including the Site Plan, are herein incorporated into and become part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
4. Compliance of Signs with Sign Ordinance. All signage installed at the Site shall comply with the City of Marlborough Sign Ordinance, without variance.
5. Hours. The maximum hours of operation of the Use shall be Monday through Sunday, 5:00 AM to 9:00 PM.
6. Parking. Parking for the Use shall be consistent with the off-street parking plan as shown in the Site Plan in accordance with Section 650-48 of the Zoning Ordinance, with the Applicant having access to spots labeled 1-13, and the Applicant is not precluded from using the other labeled off-street parking spots shown on the Site Plan subject to any limitations that may exist for use by other tenants of the building.
7. Recording of Decision. In accordance with the provisions of Mass. Gen. Laws c. 40A, § 11, the Applicant, its successors and/or assigns, at its expense, shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

**Yea: 11 – Nay: 0**

**Yea: Vital, Doucette, Preciado, Gould, Irish, Fuccillo, Sargent, Navin, Oram, Ossing & Robey.**

Motion by Councilor Navin, seconded by the Chair to adopt the following:

**ORDERED:** That the Proposed Change to Marlborough City Charter relative to Section 59A for filling vacancies in the office of Mayor and City Council, **POSTPONED UNTIL JANUARY 26, 2026**; adopted.

**President Ossing declared the vote of 11 – 0.**

Motion by Councilor Robey, to move the recommendation of the Urban Affairs Committee, seconded by the Chair to adopt the following:

ORDERED:

**IN CITY COUNCIL**  
**NOTICE OF DECISION**  
**DECISION ON A SPECIAL PERMIT**  
**ORDER NO. 25/26-1009540D**

Special Permit Application of:  
JC Residential and Light Commercial LLC  
2443 Ash Street  
Palo Alto, CA 94306

Locus:  
1000 Nickerson Road  
Marlborough, MA 01752  
Assessors Map 88, Parcel 36

**DECISION ON A SPECIAL PERMIT**  
**ORDER NO. 25/26-1009540D**

The City Council of the City of Marlborough (the “City Council”) hereby **GRANTS** the Application for a Special Permit to JC Residential and Light Commercial LLC (the “Applicant”), for outdoor storage as an accessory use, as provided in this Decision and subject to the following Findings of Fact and Conditions.

**FINDINGS OF FACT**

1. The Applicant, JC Residential and Light Commercial LLC, is a limited liability company organized under the laws of the State of Delaware, registered as a foreign limited liability company in the Commonwealth of Massachusetts, having a principal office at 38000 Hills Tech Drive, Farmington Hills, Michigan 48331.
2. The Applicant is the current tenant of a portion of the property located at 1000 Nickerson Road, Marlborough, Massachusetts 01752, as shown on Marlborough Assessor’s Map 88, Parcel 36 (the “Site”).
3. On August 14, 2025, the Applicant filed with the City Clerk of the City of Marlborough, an Application to City Council for Issuance of Special Permit (hereinafter referred to as the “Application”).
4. Under Article V, Section 650-17 and 650-18(A)(26) of the City of Marlborough Zoning Ordinance (the “Zoning Ordinance”), the Application proposes outdoor storage as an accessory use to one of the permitted uses in the zoning district in which the main building and lot is located – warehousing and light non-nuisance manufacturing (the “Use”).
5. The Site is located in the Limited Industrial Zoning District.
6. As shown on the Plans referenced in paragraph 7 below, the Use will consist of: an outdoor storage area that will occupy a portion of the existing parking lot at the Site, which shall be secured with a twelve (12) foot chain link fence with mesh (the “Project”).

7. In connection with the Application, the Applicant submitted: (a) Application to City Council for Issuance of Special Permit, (b) Filing Fee check in the amount of \$500.00, (c) Abutters List, (d) Special Permit – Summary Impact Statement, (e) Special Permit Application Certification by Planning Department, (f) Tax Payment Certification, (g) Authorization Letter from Owner, and (i) Site plan set dated August 7, 2025, prepared by Bohler (the “Plans”) attached hereto as “**ATTACHMENT A**”.
8. The Application was certified as complete by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
9. The Site has an area of 12 +/- acres, as shown on the Plans.
10. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established October 6, 2025 as the date for a public hearing on the Application and the City Clerk for the City of Marlborough caused to be advertised notice of said hearing and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
11. The City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on October 6, 2025 (the “Public Hearing”). The public hearing was held at Marlborough City Hall, 140 Main Street. The hearing was closed on said date.
12. The Applicant, through its representatives, presented testimony at the Public Hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic. At the Public Hearing, no members of the public spoke in favor or in opposition to the Use.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING  
FINDINGS AND TAKES THE FOLLOWING ACTIONS:**

- A. The Applicant has complied with all Rules and Regulations promulgated by the City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed Use at the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.
- C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance, **GRANTS** the Applicant a Special Permit for outdoor storage as an accessory use at the Site, as shown on the Plans, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
  8. Construction in Accordance with Applicable Laws. Construction of all structures on the Site shall be in accordance with all applicable building codes and zoning regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts and shall be built according to the Plans.

9. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the Site Plan Review Committee, in accordance with the City of Marlborough Site Plan Review Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions of the Use. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.
10. Modification of Plans. Notwithstanding Conditions #1 and #2, the Site Plan Review Committee may approve engineering changes to the Plans, so long as said changes do not change the Use as approved herein, or materially increase the impervious area of the Use, reduce the green area, alter traffic flow, or increase the size of the building, all as shown on the Plans. Any modification of the conditions of this special permit or the Use as approved herein shall first require modification of this special permit.
11. Compliance with Applicable Laws. The Applicant shall comply with all applicable municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance and operation of the Project and the Use at the Site, including, without limitation, compliance with local Conservation Commission orders, the Massachusetts Environmental Policy Act (MEPA), and the State Building Code.
12. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
13. Fencing. In accordance with Section 650-18(A)(26) of the Zoning Ordinance, the Applicant shall install solid fencing to screen areas of the Site used for the storage of equipment and materials from the street and adjacent properties and shall maintain the fencing in good repair. The fencing shall comply with the requirements of all applicable City Ordinances and will require a fence permit from the Building Department.
14. Signs. Signage at the Site shall comply with the City's Sign Ordinance.
15. Noise and Air Quality. The Applicant shall comply with the City's Noise Ordinance and shall comply with all state and federal requirements governing air quality and emissions.
16. Water Supply Protection District. Applicant shall comply with all requirements of the City's Water Supply Protection District (Section 650-24 of the Zoning Ordinance), as applicable, and this decision does not authorize any exception to the prohibitions on uses and requirements of said ordinance.

17. Recording of Decision. In accordance with the provisions of Massachusetts General Laws Chapter 40A, Section 11, the Applicant at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

**Yea: 10 – Nay: 1**

**Yea: Vital, Doucette, Preciado, Gould, Irish, Fuccillo, Sargent, Navin, Oram & Ossing.**

**Nay: Robey.**

Motion by Councilor Navin, seconded by the Chair to adopt the following:

**ORDERED** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:38 PM; adopted.