



# IN CITY COUNCIL

Marlborough, Mass., MARCH 10, 2025  
PAGE 1

**ORDERED:**

**IN CITY COUNCIL  
NOTICE OF DECISION  
GRANT OF SPECIAL PERMIT  
ORDER NO. 24/25-1009317C**

Application of:  
Marlborough Maple Real Estate Trust  
Post Office Box 95  
Newton Upper Falls, MA

Locus:  
420 Maple Street  
Marlborough, MA 01752  
Assessors Map 93, Parcel(s) 67A

## **DECISION ON A SPECIAL PERMIT**

The City Council of the City of Marlborough hereby **GRANTS** the application for a Special Permit to Marlborough Maple Real Estate Trust (the "Applicant") for one (1) drive-through service window for a coffee shop cafe located at 420 Maple Street, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

## **FINDINGS OF FACT AND RULING**

1. The Applicant is a duly organized and existing real estate trust having a mailing address of PO Box 95 Newton Upper Falls, MA 02464.
2. The Applicant is the owner of the property at 420 Maple Street, Marlborough Massachusetts, being shown as Parcel 67A on Assessors Map 93 (the "Site").
3. The Applicant proposes to utilize a portion of an existing structure on the Site to operate a coffee shop cafe with one (1) drive-through service window (the "Project").
4. The Site is located in the Commercial Automotive Zoning District as determined by the Zoning Map of the City of Marlborough.
5. The Applicant's use of the Site as a restaurant with a drive-through service window is allowed by special permit pursuant to Sections 650-14.B(2) and 650-17 of the Zoning Ordinance.



# IN CITY COUNCIL

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PAGE 2

## ORDERED:

6. The Applicant filed with the City Clerk of the City of Marlborough an Application for a Special Permit (“Application”). In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, architectural drawings entitled “Cafe at 420 Maple Street” by LaFreniere Architects, dated October 31, 2024, and subsequently submitted electronically to the City Council a detailed site plan entitled “Drive-Thru Renovation Site Plan” by Samiotes Consultants, Inc., dated October 30, 2024 (the “Plans”), attached hereto as “**ATTACHMENT A.**”
7. The Application was certified 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.
8. 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 a date for public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
9. The Marlborough City Council, pursuant to Massachusetts General Laws, Chapter 40A, held a public hearing on the application on Monday, January 27, 2025. The hearing was closed on January 27, 2025.
10. The Applicant, through its representatives, presented testimony at the public hearing detailing the Project, describing its impact upon municipal services, the neighborhood, and traffic. One member of the public asked clarifying questions including questions regarding roasting on the premises, seating in the café, signs, directional signage and pavement arrows, and parking. No members of the public spoke in opposition to the Project.

## **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 Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough 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.



# IN CITY COUNCIL

Marlborough, Mass., MARCH 10, 2025

PAGE 3

## ORDERED:

- C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby **GRANTS** the Applicant a Special Permit to operate one (1) drive-through service window as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
1. 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 as may be amended during Site Plan Review.
  2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, statutes, and ordinances as they may apply to the construction, maintenance, and operation of the Project.
  3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough Site Plan Review Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. 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.
  4. Modification of Plans. Notwithstanding conditions #1 and #3 above, the Site Plan Review Committee may make engineering changes to the Plans, so long as said changes do not change the use of the Project as approved herein, or materially increase the impervious area of the Project, reduce the green area, alter traffic flow, increase the size, shape or position of the building, or alter the fencing bordering the property, all as shown on the Plans.
  5. Signs and Awnings. The locations and design of signage shall be reviewed and approved by the City of Marlborough in accordance with the Sign Ordinance of the City of Marlborough without variance therefrom except as herein provided. No posters, graphics, lettering or any other form of advertising shall be affixed to windows or hanging inside or in front of windows.



# IN CITY COUNCIL

Marlborough, Mass., MARCH 10, 2025  
PAGE 4

## ORDERED:

6. 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, including exhibits thereto, 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.
7. Hours of Operation. The hours of operation for the restaurant and the drive-through window shall not exceed Monday through Sunday, 5:00 AM to 9:00 PM. There will be no 24-hour operation.
8. Traffic Signage and Pavement Markings. The location and placement of pavement markings and traffic directional signage shall be reviewed and approved by the City of Marlborough during Site Plan Review in accordance with applicable rules and regulations of the City of Marlborough.
9. Parking. Parking areas shall be swept and maintained in good condition by the Applicant, its successors and/or assigns as necessary. The Applicant, its successors and/or assigns shall be responsible for providing, installing and maintaining all signage and pavement markings shown on the Plans and as required by the Site Plan Review Committee. Such signage or markings shall meet the standards of the Manual on Uniform Traffic Control Devices.
10. No Overnight Parking. There shall be no overnight parking at the Site associated with the Project.
11. Drive-Through Speakers. The drive-through window shall employ a pedestal speaker system that automatically adjusts to the ambient noise so as to minimize the noise emanating from the speaker system to levels comporting with the Noise Ordinance of the City of Marlborough. The drive-through audio speakers shall not produce noise at the rear property line of the plaza, shown as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough, greater than that which would be allowed in a residential zone pursuant to the Noise Ordinance of the City of Marlborough.
12. Deliveries. In order to mitigate noise concerns for residential abutters, no deliveries to the Site by semi-trailers shall occur prior to 7:00 AM or after 7:00 PM.
13. Lighting. All lighting and illumination shall be in accordance with the requirements of the Code of the City of Marlborough.



# IN CITY COUNCIL

Marlborough, Mass., MARCH 10, 2025

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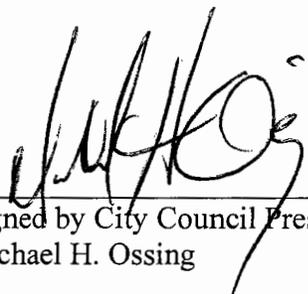
## ORDERED:

14. Landscaping. The Applicant, its successors and/or assigns agrees to plant and maintain in good condition the Project's landscaping substantially in conformance with the Plans and as required by the Site Plan Review Committee. The Applicant, its successors and/or assigns shall comply with all landscaping requirements of the Code of the City of Marlborough.
15. Trash. Applicant, its successors and/or assigns agrees to keep dumpsters covered and to screen the Project's trash area by constructing a dumpster enclosure of a design compatible with the building. Applicant, its successors and/or assigns further agrees that the dumpsters located on the Site shall be covered. No trash pickup shall occur before 7:00 AM or after 7:00 PM.
16. Snow Removal. Applicant, its successors and/or assigns shall maintain and conduct snow storage and removal on the Site and shall store or remove snow as necessary to provide for clear and safe traffic flow on the Site.
17. Recording of Decision In accordance with the provisions of Massachusetts General Laws Chapter 40A, Section 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, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant, its affiliates, successors and/or assigns shall forthwith provide a copy of the recorded Special Permit to the City Council office, the Building Department, and the City Solicitor's office

**Yea: 10 – Nay: 0 – Absent: 1**

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

**Absent: Landers.**

  
Signed by City Council President  
Michael H. Ossing

ADOPTED  
In City Council  
24/25-1009317C

ORDER NO. 24/25-1009317C

# ATTACHMENT

# A

# CAFE AT 420 MAPLE STREET

## 420 MAPLE STREET

### MARLBOROUGH, MASSACHUSETTS 01752

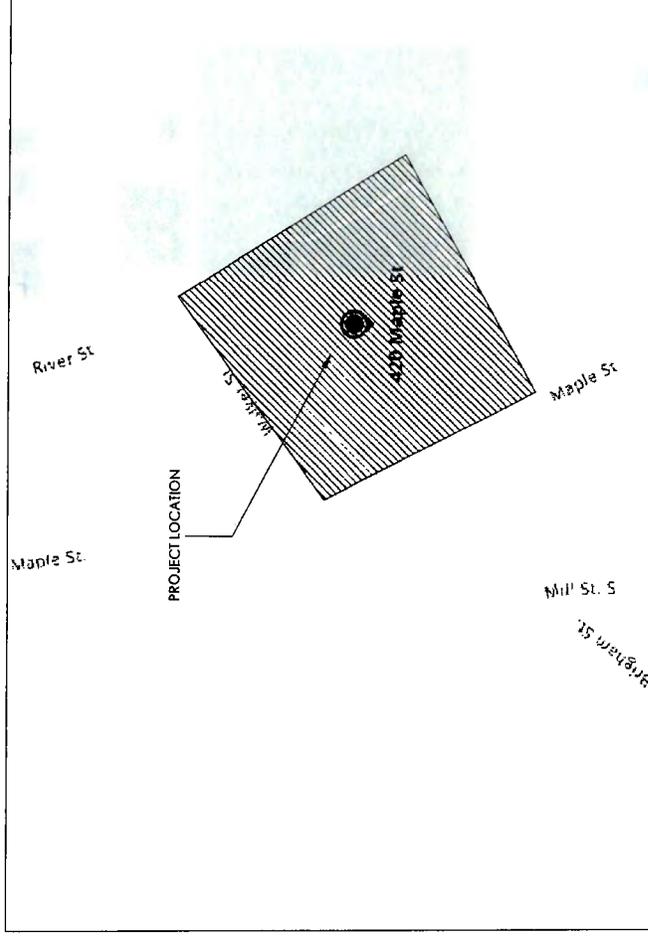
**ARCHITECT:**



tel: 617-661-1022  
 fax: 617-661-4244  
 678 Massachusetts Ave  
 Cambridge, MA 02139

**ARCHITECTURAL DRAWING LIST**

NO	TITLE
	COVER SHEET
A-1	ROP, HVAC, & ADA TOILET ELEVATIONS
A-2	POWER & EQUIPMENT PLANS
A-3	ELEVATIONS & DETAILS
A-4	LIGHTING ELEVATIONS
A-5	LIGHTING SITE PLAN & SPECS



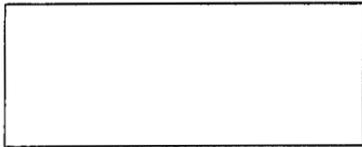
**BUILDING CODE:**

Building Type: 28  
 Previous Occupancy Type: B occupancy  
 Occupancy Type: Business Use.  
 Plumbing Fixtures: New ADA toilet (existing M&F toilets down corridor to remain), New cafe prep area to have new 3-bay sink, prep sink, handwash sink, floor drain, and mop sink.  
 Classification of Work: Alteration Level # 2

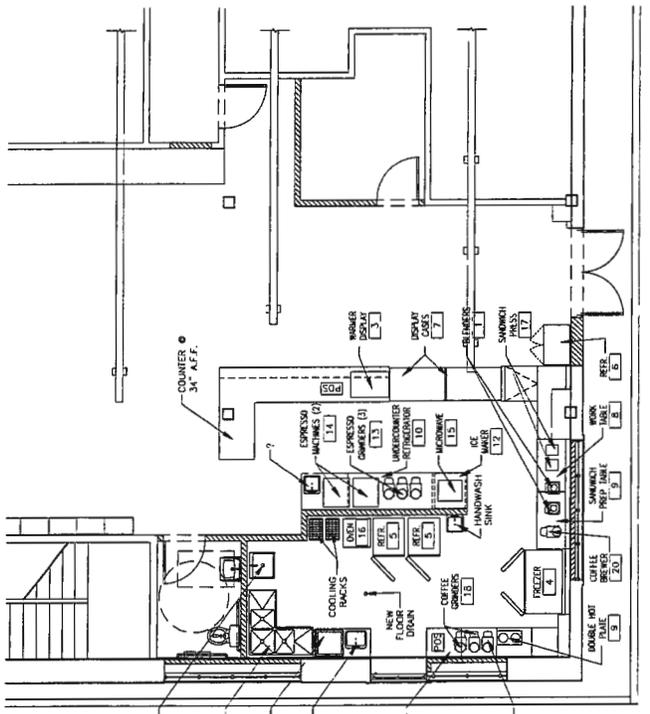
**SCOPE OF WORK**

- Demolition of existing interior partitions
- Construction of new toilet room: new cafe plumbing
- New power for kitchen equipment and mini split A.C.
- New life safety devices as required
- New lighting throughout
- New HVAC distribution
- Turn Up sprinkler heads in existing locations

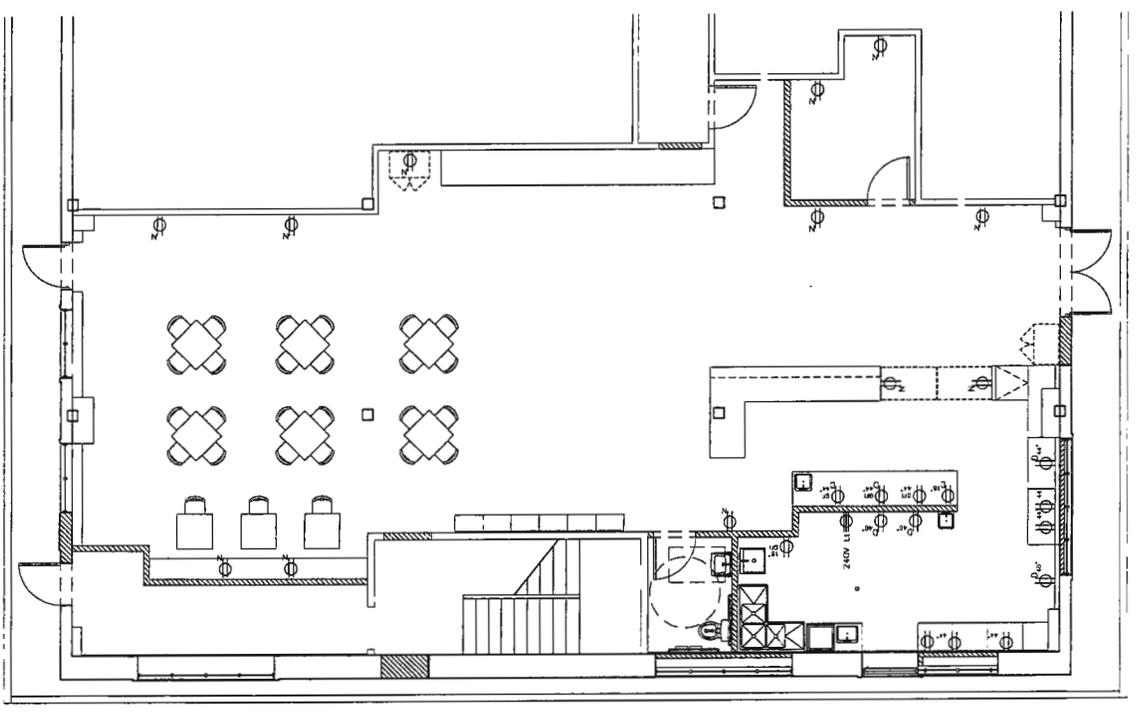
DATE: OCTOBER 31, 2024



REVISIONS:  
 DATE: 08.04.2024  
 PROJECT #: 2049  
 SCALE: AS NOTED



ITEM #	ITEM QUANTITY	ITEM DESCRIPTION	ELECTRICAL	MANUFACTURER & MODEL NUMBER	SIZE
1	2	HIGH PERFORMANCE COMMERCIAL PLATE BEATER	120V, 5AMPS	HAMILTON BEACH - HBT55 SERIES	15.0" x 16.5" x 11.25" x 8.5" x 8.5"
2	1	PORTABLE DOUBLE CAST IRON HOT PLATE	120V, 2AMPS, 1.800W	CARCO - CDR-2E	8.25" x 14.0" x 8.5" x 8.5" x 8.5"
3	1	REACH-IN FREEZER	115V, 150W	DAUKO - 4742B	10.0" x 18.5" x 33.5" x 33.5" x 33.5"
4	2	REACH-IN REFRIGERATOR	115V, 5AMPS, 500W	NORTH AMERICAN REFRIGERATION - 400P	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
5	2	SWING DOOR REFRIGERATOR w/ HYDROCHLOR REFRIGERANT	115V, 7AMPS	NORTH AMERICAN REFRIGERATION - ALUC	24.0" x 24.0" x 33.5" x 33.5" x 33.5"
6	2	CAKE/PAstry DISPLAY CASE	115V, 7AMPS	TRUE MANUFACTURING CO. - GSB-8-14-75-01	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
7	4	COMMERCIAL WORK TABLE w/ UNLIGNED		RETRACT SPEC LNK - PROFESSIONALS	30" x 48"
8	1	MELA-TOP SANDWICH PREP TABLE	6.5AMPS	UNDERCOUNTER REFRIGERATION SERIES - ASP-48-18	20.0" x 14.75" x 33.5" x 33.5" x 33.5"
9	1	3-DOOR UNDERCOUNTER REFRIGERATION SERIES	115V, 4.2AMPS	NORTH AMERICAN REFRIGERATION - WTC-72	30.0" x 24.0" x 33.5" x 33.5" x 33.5"
10	1	UNDERCOUNTER REFRIGERATION SERIES 2-DOOR	115V, 4.2AMPS	NORTH AMERICAN REFRIGERATION - WTC-48	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
11	1	W/DOOR UNDERCOUNTER REFRIGERATION SERIES	115V, 5.00W/10KERS	HAMILTON - UT-3100A	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
12	1	W/DOOR UNDERCOUNTER ICE MACHINE	110V	MAC ON DEMAND - 59	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
13	3	ESPRESSO COFFEE DRAINER	110V	MAC ON DEMAND - 59	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
14	2	ESPRESSO MACHINE	110V	MAC ON DEMAND - 59	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
15	1	MICROWAVE OVEN w/ DUAL CONTROLS	120V, 12AMPS, 1.000W/1.000W	HOLLAND - 60214	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
16	2	COUNTERTOP CONVECTION OVEN	240V, 2AMPS, 2.700W	CARCO - MCF-133	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
17	2	40-SIZE ELECTRIC SANDWICH GRILLS	120V, 20A, 1.800W	GLACE - GRS110	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
18	2	BULK COFFEE GRINDER	120V, 5AMPS	BLANK - G3 110	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
19	1	COFFEE GRINDER	120V, 5AMPS, 500W	BLANK - LPS 531	18.0" x 24.0" x 33.5" x 33.5" x 33.5"
20	1	AUTOMATIC COFFEE BREWER	120V, 14AMPS, 1.070W	CRIFTS-3	18.0" x 24.0" x 33.5" x 33.5" x 33.5"



**POWER LEGEND**  
 Ⓢ EXISTING DUPLEX POWER OUTLET 110 V  
 Ⓢ<sup>N</sup> NEW DUPLEX POWER OUTLET 110 V  
 Ⓢ<sup>N</sup> NEW QUAD POWER OUTLET 110 V

UNSURE OF LOCATION/SPACE FOR 2ND FREEZER

UNSURE OF LOCATION/SPACE FOR 2ND CONVECTION OVEN



**PREMIERE ARCHITECTS**  
 100 STATE STREET  
 10TH FLOOR  
 CAMBRIDGE, MA 02142  
 TEL: 617-552-4232  
 FAX: 617-552-4244  
 LEFRENCH@PREMIEREARCHITECTS.COM  
 WWW.PREMIEREARCHITECTS.COM

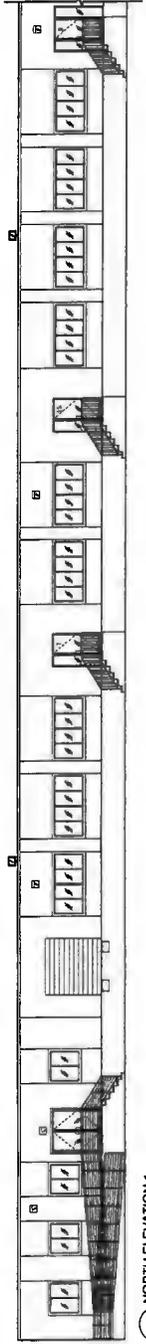
**CAFE AT MAPLE ST**  
 420 MAPLE ST.  
 MARLBOROUGH, MA 01752



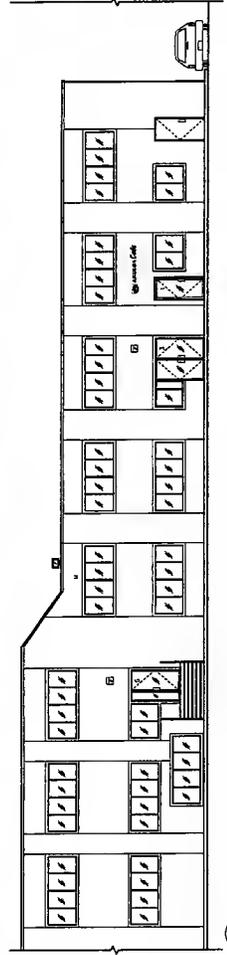
REVISIONS:

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 PROJECT #: 23049  
 SCALE: AS NOTED

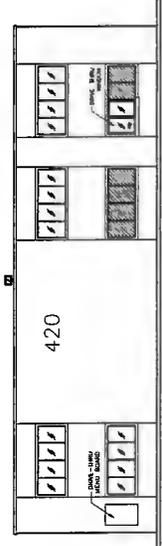
**LIGHTING ELEVATIONS**  
**A-4**



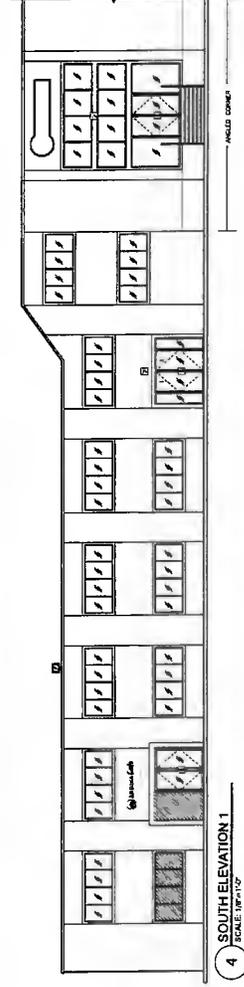
1 NORTH ELEVATION 1  
 SCALE: 1/8"=1'-0"



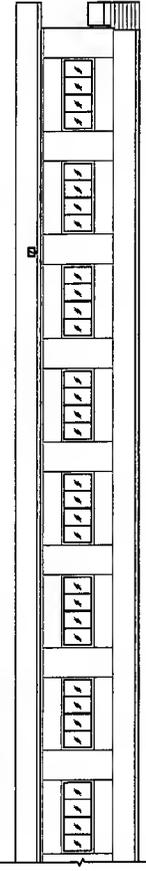
2 NORTH ELEVATION 2 (CONTINUED)  
 SCALE: 1/8"=1'-0"



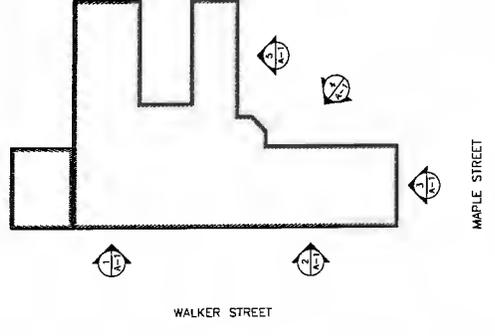
3 WEST ELEVATION  
 SCALE: 1/8"=1'-0"



4 SOUTH ELEVATION 1  
 SCALE: 1/8"=1'-0"



5 SOUTH ELEVATION 2  
 SCALE: 1/8"=1'-0"



6 BUILDING PLAN - ELEVATION KEY  
 SCALE: 1/8"=1'-0"







Samnotes Consultants Inc.  
 400 Highway 108, Suite 100  
 Marlboro, MA 01923  
 P: 508.327.7000  
 F: 508.327.7001  
 www.samnotes.com

420 MAPLE STREET  
 MARLBORO, MA



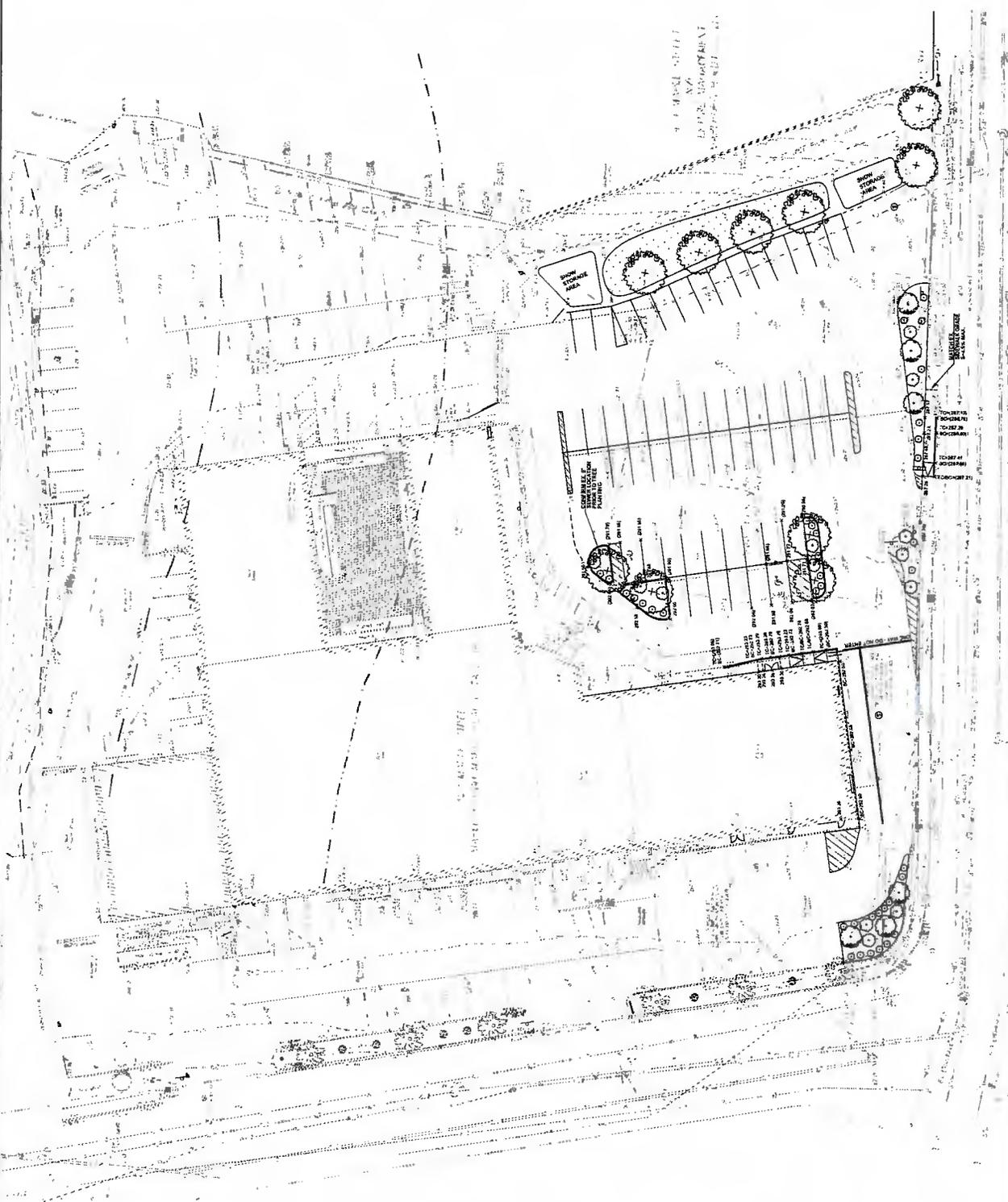
Alice Schubert

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NO. 100	

DRIVE-THRU  
 RENOVATION  
 SITE GRADING

C-2.1

DATE: 08/11/2011  
 SCALE: AS SHOWN  
 DRAWN BY: JAC  
 CHECKED BY: JAC  
 FILE: 041101101.DWG





Samtoles Consulting Inc.  
 200 Corporate Center  
 Framingham, MA 01901  
 Tel: 508.877.4444  
 Fax: 508.877.4444  
 www.samtoles.com

420 MAPLE STREET  
 MARLBORO, MA



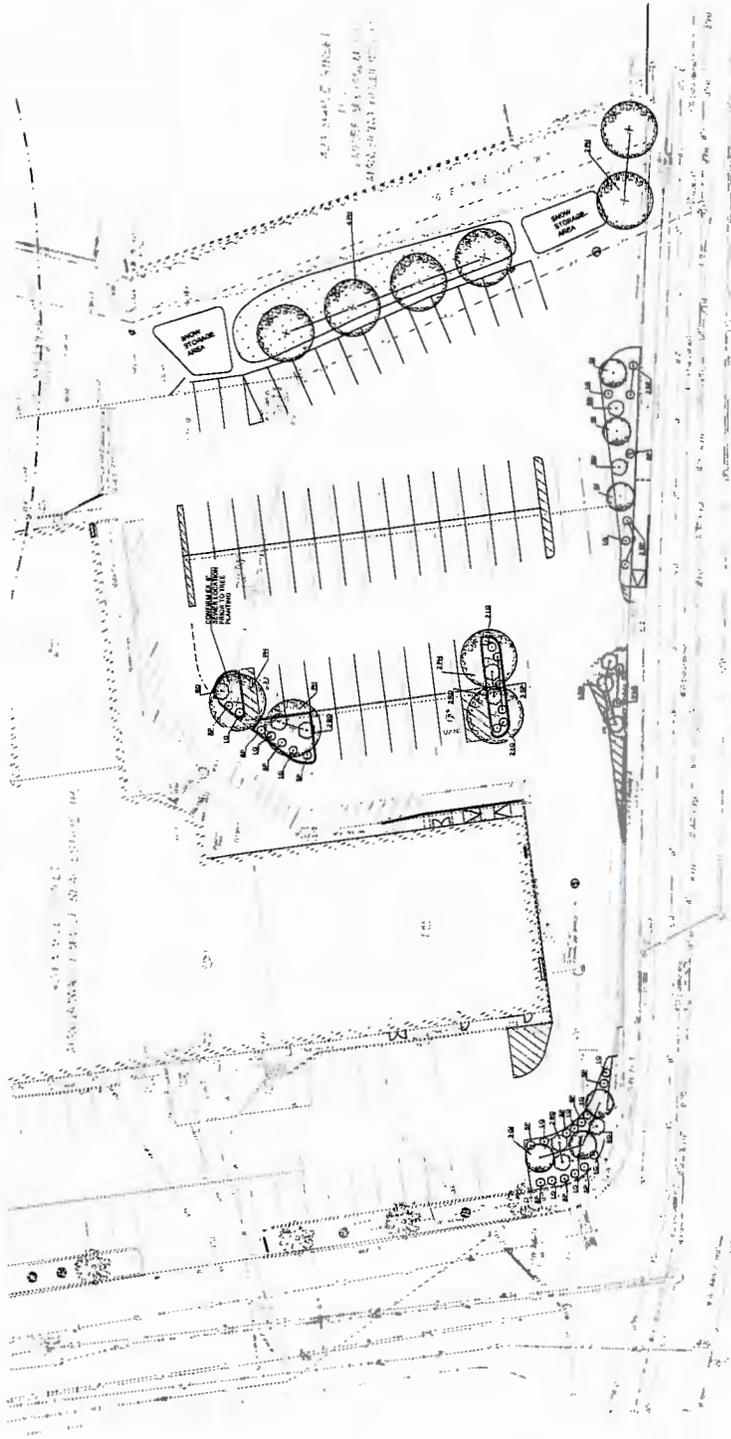
MAE

DRIVE-THRU  
 RENOVATION  
 SITE PLANTING

C-3.1

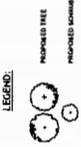
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 CHECKED BY: JAZZ  
 APPROVED BY:

FILE NUMBER: 1014014101.DWG

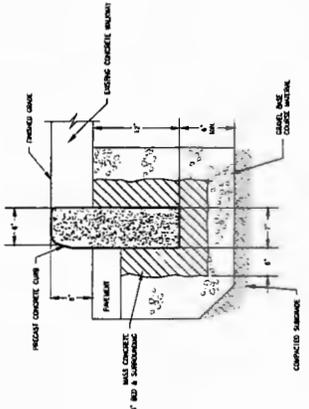


**PLANT SCHEDULE**

TREES	COMMON NAME / BOTANICAL	CAL.	QTY
GI	George Birdsall Pyramidal	28" H	8
PM	Pyramidal European Hornbeam / Chrysantha Pyramidal	38"-48" H	10
SHRUBS	COMMON NAME / BOTANICAL	CAL.	QTY
L1	Red-twigged Dogwood	6'-8" H	13
L2	Black Dogwood	6'-8" H	20
L3	Red-twigged Dogwood / Black Dogwood	3'-5" H	20
L4	Spirea / Spiraea / Japanese Spiraea	3'-5" H	18

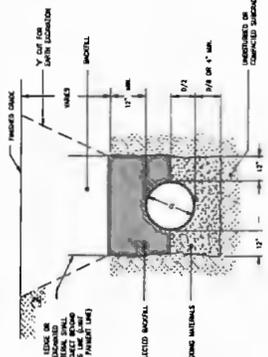




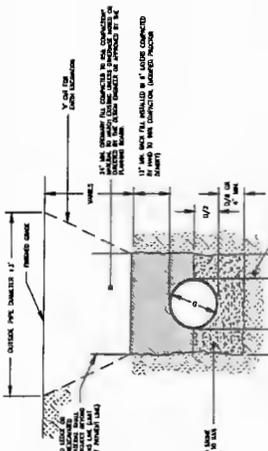


1 PRECAST CONCRETE CURB

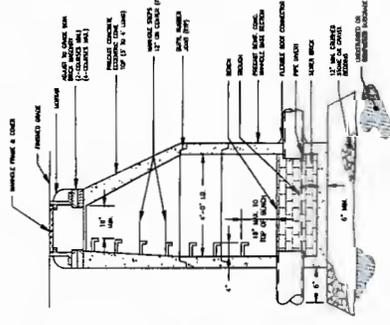
NOTE: ALL WORK SHALL COMPLY WITH THE CITY OF SCARBOROUGH CONSTRUCTION DETAILS.



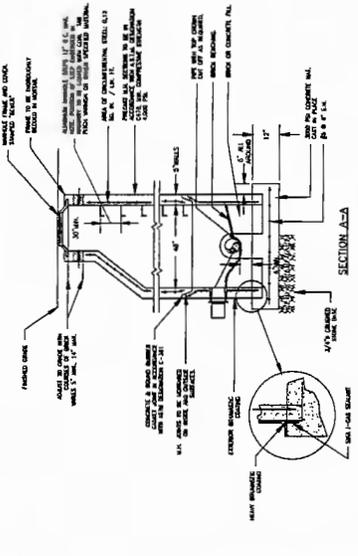
2 TRENCH SECTION - CI GRAVITY PIPE



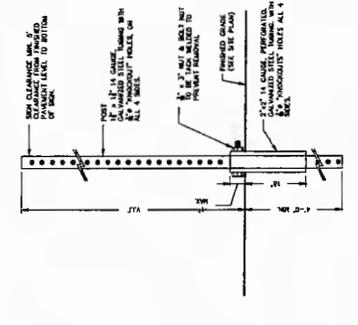
3 TRENCH SECTION - PVC/RCP GRAVITY PIPE



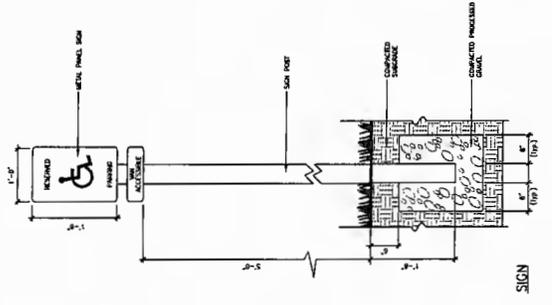
4 PRECAST SANITARY MANHOLE



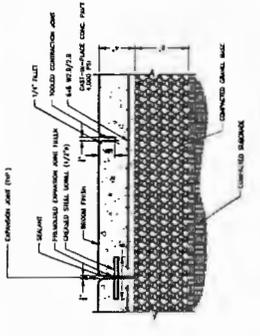
5 DOGHOUSE MANHOLE DETAIL



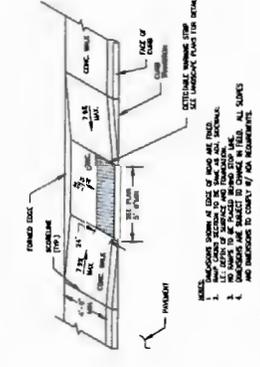
6 TELESCOPING-BREAKAWAY TRAFFIC SIGN POST



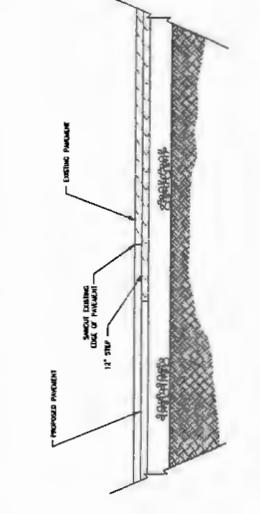
7 HANDICAP SIGN



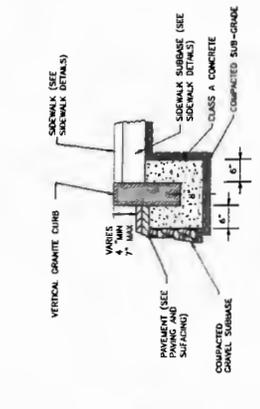
8 BROOM FINISH CONCRETE WALKWAY



9 CURB CUT AND RAMP



10 PAVEMENT PATCHING DETAIL



11 VERTICAL GRANITE CURB