



# IN CITY COUNCIL

Marlborough, Mass., JUNE 23, 2025

**ORDERED:**

**IN CITY COUNCIL  
NOTICE OF DECISION  
GRANT OF SPECIAL PERMIT**

Special Permit Application of:  
Marlborough Hospital & UMASS Memorial Realty, Inc.  
306 Belmont Street  
Worcester, MA 01604  
Order No. 25-1009418D

Locus:  
157 & 209 Union Street  
Marlborough, MA 01752  
Assessors Map 43 Parcel(s) 56& Map 56, Parcel(s) 192

## **DECISION**

The City Council of the City of Marlborough hereby **GRANTS** the Application of Marlborough Hospital and UMASS Memorial Realty, Inc., with a mailing address of 306 Belmont Street, Worcester, Massachusetts, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: **June 23, 2025.**

The Decision of the City Council was filed in the Office of the City Clerk of Marlborough on the **24<sup>th</sup>** day of **June 2025.**

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this **15<sup>th</sup>** day of **July 2025.**

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY

ATTEST:

  
City Clerk



# IN CITY COUNCIL

Marlborough, Mass., JUNE 23, 2025  
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**ORDERED:**

**IN CITY COUNCIL  
NOTICE OF DECISION  
DECISION ON A SPECIAL PERMIT  
ORDER NO. 25-1009418D**

Special Permit Application of:  
Marlborough Hospital & UMASS Memorial Realty, Inc.  
Order No. 25-1009418D

Locus:  
157 & 209 Union Street  
Marlborough, MA 01752  
Assessors Map 43, Parcel (s) 56 & Map 56, Parcel(s) 192

**DECISION ON A SPECIAL PERMIT  
ORDER NO. 25-1009418**

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to Marlborough Hospital and UMASS Memorial Realty, Inc. (together, including their successors and assigns, the "Applicant"), to expand a preexisting nonconforming hospital at 157 and 209 Union Street, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

### **FINDINGS OF FACT**

1. Marlborough Hospital is a Massachusetts hospital corporation with an address of 306 Belmont Street, Worcester, MA. UMASS Memorial Realty, Inc., is a Massachusetts nonprofit corporation with an address of 306 Belmont Street, Worcester, MA.
2. The Applicant is the owner of the property located at 157 and 209 Union Street, Marlborough, Massachusetts, being shown as Parcel 56 on Assessors Map 43 and Parcel 192 on Assessors Map 56 (the "Site").
3. In accordance with Article IV, Section 650-12.B, and Article V, Section 650-17, of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), the Applicant proposes to expand a preexisting nonconforming hospital to add an expanded emergency department and multidisciplinary clinic and add a proton therapy center to the existing cancer treatment center at the Site (the "Use").
4. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use.



# IN CITY COUNCIL

Marlborough, Mass., JUNE 23, 2025  
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## ORDERED:

5. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a site plan entitled "Marlborough Compilation Plan" by Haley Ward dated April 8, 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. The Site has an area of 848,677 square feet +/- as shown on the Site Plan.
8. The Site is located in the A-3 Residential Zoning District.
9. Section 650-17 of the Zoning Ordinance provides that a hospital use is allowed by special permit in the A-3 Zoning District.
10. The Site's current hospital use is preexisting nonconforming, commencing prior to the adoption of the Marlborough Zoning Ordinance.
11. The Site is preexisting nonconforming with respect to the side setback and lot coverage, having total impervious areas of 48.6% (the A-3 District has a maximum lot coverage of 30%). The Site Plan shows that the lot coverage associated with the Use would be 49.2%. Expanded areas of the building on the site would comply with all setback requirements.
12. 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 a 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.
13. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, May 5, 2025. The public hearing was held at the Marlborough City Hall, 140 Main Street. The hearing was closed on May 5, 2025.
14. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.
15. At the public hearing, two members of the public spoke in favor of the Use and no members of the public spoke 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 Marlborough City Council as they pertain to special permit applications.



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Marlborough, Mass., JUNE 23, 2025

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## ORDERED:

- B. The City Council finds that the expansion of the preexisting nonconforming hospital use and structures with an increase in lot coverage of less than 1%, to 49.2%, would not be substantially more detrimental to the neighborhood than the existing nonconforming use and structures.
- C. The City Council finds that the preexisting nonconforming hospital use and structures have not been abandoned for a period of two years or more.
- D. The City Council finds that the proposed Use is not enlarged to more than 25% of the floor and ground area of the preexisting nonconforming hospital use and structures at the Site.
- E. 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 to the conditions more fully set forth herein.
- F. 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 expand the preexisting nonconforming hospital use and structures at the Site as shown on the Site Plan 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 is to 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 Site Plan as may be amended during Site Plan Review.
  2. 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 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 final occupancy permit shall be issued until the Applicant has complied with all conditions, provided, however, that subsequent to the issuance of this Special Permit and Site Plan Approval, the Site Plan Review Committee may authorize the phasing of site and building work depending upon weather conditions and other factors. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Site Plan submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.



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## ORDERED:

3. Modification of Plans. Notwithstanding conditions #1 and #2 above, the City Council or the Site Plan Review Committee may approve engineering changes to the Site Plan 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 Site Plan.
4. 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.
5. Storm Water and Erosion Control Management. The Applicant shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. This individual(s)' credentials shall be acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.
6. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties, with a lighting plan for the Site to be reviewed and further conditioned during the Site Plan Review process. Exterior lighting at the Site shall be shut off outside of operating hours, except for lighting necessary for security and emergency access.
7. Landscaping. As part of formal Site Plan Review, the Applicant shall provide detailed landscaping plans showing additional landscaping to improve the cooling of the parking areas and grass areas at the Site.
8. Gravel Parking Area. As part of formal Site Plan Review, the Applicant shall evaluate options for the gravel parking area near the main entrance of the Site.
9. Compliance with Applicable Laws. The Applicant agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.



# IN CITY COUNCIL

Marlborough, Mass., JUNE 23, 2025  
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## ORDERED:

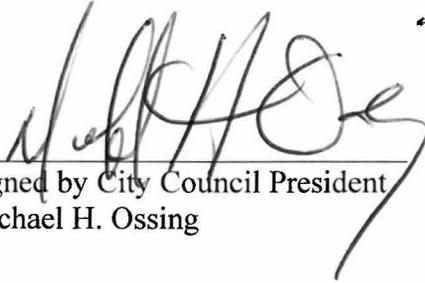
10. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, at its expense, shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this 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: 8 – Nay: 0 – Absent: 1 – Abstain: 1**

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

**Absent: Preciado.**

**Abstain: Robey.**

  
Signed by City Council President  
Michael H. Ossing

ADOPTED  
In City Council  
25-1009418D

ORDER NO. 25-1009418D

# ATTACHMENT

# A

**PROTON CENTER (NORTHERN ADDITION)**  
BUILDING ADDITION FOOTPRINT ±8,000 SQ.FT.

PARKING SPACES	PARKING IMPACTED	PARKING ADDED
PERPENDICULAR PARKING AREA	42 PARKING SPACES	11 PARKING SPACES
<b>TOTAL</b>	<b>42 PARKING SPACES</b>	<b>11 PARKING SPACES</b>
<b>NET IMPACT</b>	<b>LOSS 31 PARKING SPACES</b>	

**HOSPITAL ED ADDITION (WESTERN ADDITION)**  
BUILDING ADDITION FOOTPRINT ±7,070 SQ.FT.

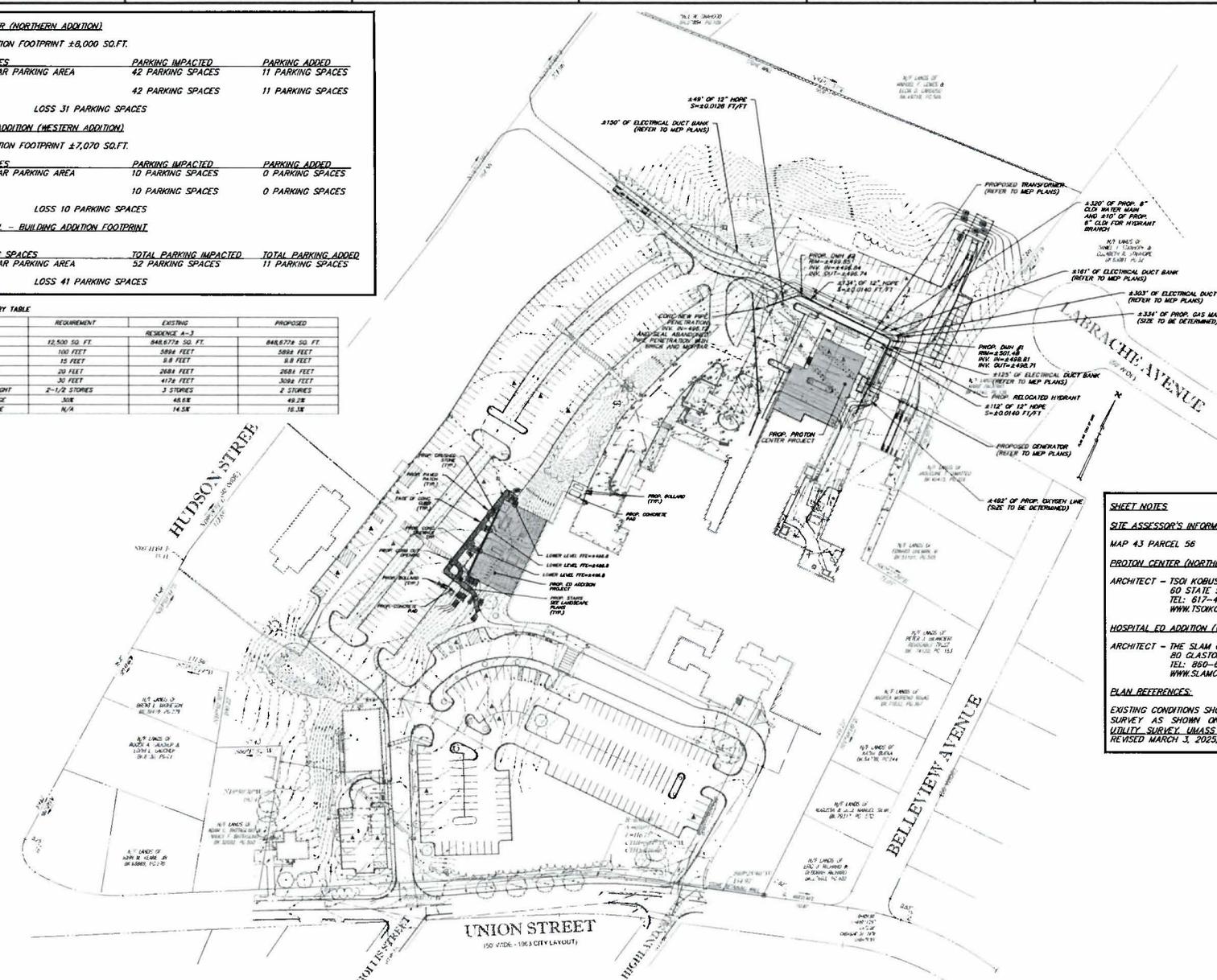
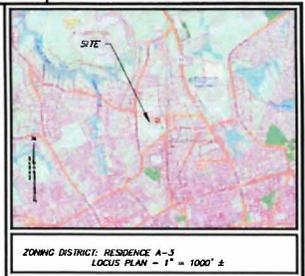
PARKING SPACES	PARKING IMPACTED	PARKING ADDED
PERPENDICULAR PARKING AREA	10 PARKING SPACES	0 PARKING SPACES
<b>TOTAL</b>	<b>10 PARKING SPACES</b>	<b>0 PARKING SPACES</b>
<b>NET IMPACT</b>	<b>LOSS 10 PARKING SPACES</b>	

**PROJECT TOTAL - BUILDING ADDITION FOOTPRINT**  
15,070 SQ.FT.

TOTAL PARKING SPACES	TOTAL PARKING IMPACTED	TOTAL PARKING ADDED
PERPENDICULAR PARKING AREA	52 PARKING SPACES	11 PARKING SPACES
<b>NET IMPACT</b>	<b>LOSS 41 PARKING SPACES</b>	

**ZONING SUMMARY TABLE**

ITEM	REQUIREMENT	EXISTING	PROPOSED
DISTRICT		RESIDENCE A-3	
MIN. LOT AREA	12,500 SQ. FT.	846,575 SQ. FT.	846,575 SQ. FT.
MIN. FRONTAGE	100 FEET	5884 FEET	5884 FEET
MIN. SIDE YARD	15 FEET	8.8 FEET	8.8 FEET
MIN. FRONT YARD	20 FEET	2084 FEET	2084 FEET
MIN. REAR YARD	35 FEET	4928 FEET	5084 FEET
MAX. BUILDING HEIGHT	2-1/2 STORIES	3 STORIES	2 STORIES
MAX. LOT COVERAGE	50%	45.8%	49.2%
BUILDING COVERAGE	N/A	14.5%	15.1%



**SHEET NOTES**

**SITE ASSESSOR'S INFORMATION**  
MAP 43 PARCEL 56  
**PROTON CENTER (NORTHERN ADDITION)**  
ARCHITECT - TSOI KOBUS DESIGN  
60 STATE STREET, SUITE 1800, BOSTON MA 02109  
TEL: 617-475-400 FAX: 617-475-4455  
WWW.TSOIKOBUS.DESIGN

**HOSPITAL ED ADDITION (WESTERN ADDITION)**  
ARCHITECT - THE SLAM COLLABORATIVE  
80 GLASTONBURY BOULEVARD, GLASTONBURY, CT 06033-4410  
TEL: 850-657-8077  
WWW.SLAMCOLL.COM

**PLAN REFERENCES:**  
EXISTING CONDITIONS SHOWN HEREON ARE A RESULT OF AN ON-THE-GROUND SURVEY AS SHOWN ON A PLAN ENTITLED "BOUNDARY, TOPOGRAPHIC & UTILITY SURVEY UMMASS MEMORIAL HEALTH" DATED JANUARY 28, 2025 AND REVISED MARCH 3, 2025, PREPARED BY CONTROL POINT ASSOCIATES, INC.

**DESIGN PHASE**

**HALEY WARD**  
INCORPORATED | ENGINEERING | SURVEYING  
310 MECHANIC STREET  
LEOMINSTER, MASSACHUSETTS 01453-2296  
WWW.HALEYWARD.COM

**UMASS MEMORIAL MARLBOROUGH HOSPITAL**  
157 UNION STREET  
MARLBOROUGH, MA 01752

SEE NOTES ON SHEET

**MARLBOROUGH COMPILATION PLAN**

DATE	BY	APP'D	SCALE
08/06/2025	DFB	DFB	1"=50'
	DFB	DFB	0PM

**C100**

