



# IN CITY COUNCIL

Marlborough, Mass., JANUARY 12, 2026

**ORDERED:**

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

Special Permit Application of:  
JC Residential and Light Commercial LLC  
2443 Ash Street  
Palo Alto, CA 94306  
Order No. 25/26-1009540D

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

## DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to JC Residential and Light Commercial LLC, with a mailing address of 2443 Ash Street, Palo Alto, CA 94306, as provided in the DECISION and subject to the Findings of Fact and Conditions therein.

Decision date: **January 12, 2026.**

The Decision of the City Council was filed in the Office of the City Clerk of Marlborough on the **14<sup>th</sup>** day of **January 2026.**

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 **4<sup>th</sup>** day of **February 2026.**

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

A TRUE COPY  
ATTEST:

City Clerk



# IN CITY COUNCIL

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PAGE 1

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**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.



# IN CITY COUNCIL

Marlborough, Mass., JANUARY 12, 2026  
PAGE 2

## ORDERED:

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.



## IN CITY COUNCIL

Marlborough, Mass., JANUARY 12, 2026

PAGE 3

### ORDERED:

- 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:
  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.
  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. 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.
  3. 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.
  4. 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.
  5. 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.
  6. 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.



## IN CITY COUNCIL

Marlborough, Mass., JANUARY 12, 2026  
PAGE 4

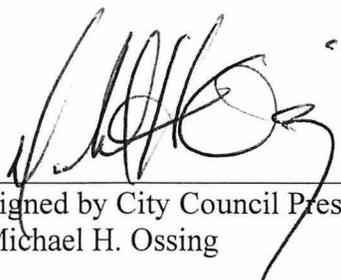
### ORDERED:

7. Signs. Signage at the Site shall comply with the City's Sign Ordinance.
8. 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.
9. 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.
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: 10 – Nay: 1**

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

**Nay: Robey.**

  
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Signed by City Council President  
Michael H. Ossing

ADOPTED  
In City Council  
25/26-1009540D

ORDER NO. 25/26-1009540D

# ATTACHMENT

# A



