

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL 20 P 1:14

1. Minutes, City Council Meeting, June 19, 2017.
2. PUBLIC HEARING On the Petition from NGrid to install 1 new pole and 1 new midspan pole along Boundary Street. Pole installs are part of a project to increase system reliability, Order No. 17-1006960.
3. PUBLIC HEARING On the Application for Special Permit from Bohler Engineering on behalf of McDonald's USA, LLC to modify the existing drive-thru and associated menu boards and propose a new side-by-side drive-thru and menu boards to optimize circulation and restaurant operations at 250 Maple Street, Order No. 17-1006907A.
4. PUBLIC HEARING On the Application for Special Permit from Walker Realty LLC for Proposed Veterinary Hospital, 58 Apex Drive, Order No. 17-1006959, X16-1006633B.
5. From City Council President Clancy: Scheduling of Date for Subsequent Public Hearing on Proposed Zoning Amendment, Expansion and Modification of HRMUOD, Apex Center, Order No. 16/17-1006443R.
6. Communication from the Mayor, re: Salary Ordinance – Principal Assessor.
7. Communication from the Mayor, re: Home Rule Petition Exempting DPW Laborers & Foremen from the Civil Service Law.
8. Communication from the Mayor, re: FY2017 MIIA Rewards.
9. Communication from the Mayor, re: Confirmatory Order of Taking by Eminent Domain of Permanent Sewer Easements for the Sudbury St. Sewer Project.
10. Communication from the Mayor, re: Order to Approve Unique Acquisition & to Authorize Negotiation & Entering into Purchase & Sales Agreement; Order of Appropriation of Funds for Deposit Relating to Purchase & Sales Agreement.
11. Communication from the Mayor, re: Housing Study Report.
12. Communication from Council President Clancy re: Brew Pubs, Wineries, Breweries & Distilleries – Proposed Amendment to Zoning Ordinance.
13. Financial Disclosure from Recreation Director, Charles Thebedo, pertinent to a municipal employee who seeks to provide services to the Recreation Department.
14. Application for Livery License, Katsunori Tanaka, d/b/a Global Limousine & Tour Services, LLC, 17 Eager Ct.
15. Communication from Nicholas Harron, re: applicant's formal request for waiver pursuant to Section 650-35H.(8) to allow for three building signs for the proposed Evvica Cucina restaurant located at 142 Apex Dr., Order No. 16/17-1006443R.
16. Communication from Attorney Eriksen, Walker Realty LLC, re: revised color rendering for proposed building 7 to be constructed at 58 Apex Dr. with previously approved elevation attached, Order No. 16/17-1006443R.
17. Communication from Attorney Eriksen, Walker Realty LLC, re: Apex Center Landscaping Plan, Order No. 16/17-1006443R.

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.

18. Communication from Attorney Falk, Mirick O'Connell, re: Proposed Zoning Amendment – Rail Trail Overlay District and Withdrawal of Zoning Amendment Filed with the City Council on June 15, 2017, Order No. 17-1006961.
19. Communication from Framingham State University re: complimentary copy of *Greater MetroWest Economic Profile 2017*. (Booklet is available in City Clerk's office for viewing)
20. Petition of NGrid to install 7 new poles and removing 5 poles along Boston Post Rd. West. Pole installs are part of a project to accommodate the expansion of Boston Post Rd. West.
21. Petition of NGrid to install 1 new pole along Hayes Memorial Dr. Pole installs are part of a project to accommodate the expansion of Boundary St. & Rt. 20-Boston Post Rd. West.
22. Petition of NGrid to install 2 new poles and remove 1 pole along Boundary St. Pole installs are part of a project to accommodate the expansion of Boundary St.
23. Communication from Central Mass Mosquito Control Project re: investigating resident's complaints about mosquitos on the following dates: July: 7, 12, 19 & 26 & August 2, 9, 16, 23, & 30.
24. Minutes, Conservation Commission, May 18, 2017.
25. Minutes, Public Schools, May 23 & June 13, 2017.
26. Minutes, Assabet Valley Regional Technical High School, June 6, 2017.
27. Minutes, Board of Assessors, May 23, 2017.
28. Minutes, Commission on Disabilities, March 7, April 4, & May 2, 2017.
29. Minutes, Traffic Commission, May 30, 2017.
30. Minutes, Planning Board, June 5, 2017.
31. CLAIMS:
 - a. Christine Flagg, 23 East St., Sudbury, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

32. **Order No. 17-1006795C-1 - Fire Department City Code Changes.** The Finance Committee continued the discussion from the January 30, 2017 Finance Committee meeting which tabled the changes to the city code for the Fire department in order to resolve comments and obtain input from the solicitor. The Finance Committee voted 4- 0 (Councilor Oram was not present) to remove from the table. The Finance Committee reviewed the changes to the City Code submitted to the City Council on June 12, 2017 and voted 4 - 0 (Councilor Oram was not present) to approve the changes.
 - **The Finance Committee agreed to support suspending the rules at the June 19, 2017 City Council meeting to request the City Code changes be advertised. Legal Advertisement was published on July 1, 2017.**
33. **Order No. 17-1006865 - Fiscal Year 2018-2022 Capital Plan.** The Finance Committee reviewed the Mayor's letter dated April 6, 2017 requesting the City Council review the Fiscal Year 2018 - 2022 Capital Plan. The Finance Committee acknowledged that the Mayor will be updating the five-year plan annually and will be submitting the capital plan with future bond requests. **The Finance Committee voted 5- 0 to accept and place on file the FY2018-2022 Capital Plan.**

From Public Services Committee

34. **Order No. 17-1006910 - Application for Renewal of Junk Dealer's License, Gerald Dumais, d/b/a/ Dumais & Sons Second Hand Store, 65 Mechanic Street.** Police Chief Giorgi approved the CORI report for Gerald Dumais of Dumais & Sons Second Hand Store and had no objection to the renewal of his Junk Dealer's License. Gerald Dumais appeared before the committee to request renewal of his license. **Recommendation of the Public Services Committee is to approve the renewal of the Junk Dealer's License for Gerald Dumais of Dumais & Sons Second Hand Store, 65 Mechanic Street. Motion made by Councilor Irish, seconded by Chair, to approve. The motion carried 3-0.**

35. **Order No. 17-1006939 - The Mayor be requested to communicate with TransitX expressing interest in developing a TransitX Public Transportation network in the City of Marlborough; and, it is herewith further Ordered: that the Mayor be requested to forward communications to the Commonwealth's Department of Transportation and Department of Energy Resources, the Mass Clean Energy Center and the Metropolitan Area Planning Council, and others as deemed appropriate and necessary, to help the city evaluate the impact this technology would have on transportation in the city (i.e. traffic studies), allow access to the Route 495 Corridor for this transportation network, the projected transportation emission reduction in relation to achieving the goals of the Massachusetts Global Warming Solutions Act, and identify any state funds that can help fund rail path preparation for the initial network, including the cost for underground wiring of Route 20 west of Interstate 495.** Pursuant to the Order No.17-1006939, the City Engineer supported the request to communicate interest in the development of a TransitX public transportation network, stating it is too early to comment further on the right-of-way and engineering design challenges that would be involved.. **Motion made by Councilor Doucette, seconded by Councilor Irish to recommend that the Mayor be requested to issue a letter of interest in developing TransitX in the City of Marlborough. The motion carried 3-0.**



RECEIVED
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**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

2017 JUL 13 P 4:57

**Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

JUNE 19, 2017

Regular meeting of the City Council held on Monday, June 19, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Ossing, Juaire, Oram, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Meeting adjourned at 8:48 PM.

ORDERED: That the Mayor and City Council President presented City Scholarships certificates to the following students, **FILE**; adopted.

Henry Dilling
Assabet Valley Regional Technical High School

Jillian Rainville
Assabet Valley Regional Technical High School

Nicholas Buckley
Marlborough High School

Meaghan M^cCabe
Marlborough High School

Alan Bryan Turner
Marlborough High School

ORDERED: That the Minutes of the City Council meeting JUNE 5, 2017, **FILE**; adopted.

ORDERED: WHEREAS, having by Order No. 16/17-1006732A taken by eminent domain (hereinafter, "Order of Taking") certain easements in land for the purpose of aerial utility easements relating to the reconstruction of East Main Street, said easements being shown as PUE-2, PUE-3, PUE-4 and PUE-6 on said Order of Taking recorded in the South Middlesex County Registry of Deeds (hereinafter, the "Registry") in Book 68882, Page 250 and more particularly described on a set of plans entitled "RIGHT-OF-WAY PLANS EAST MAIN STREET IN THE CITY OF MARLBOROUGH MIDDLESEX COUNTY" dated July 28, 2016 and recorded in the Registry as Plan No. 141 of 2017, pursuant to M.G.L. c. 40, §15A the City Council of the City of Marlborough (hereinafter, the "City Council"), having charge of the aforementioned easements, hereby determines that said easements are no longer needed by the City of Marlborough for said purpose, and hereby transfers said easements to the City Council for another specific municipal purpose, being assignment of said easements to Massachusetts Electric Company and to Verizon New England, Inc.; **APPROVED**; adopted.

Yea: 11 – Nay: 0. Yea: Delano, Doucette, Elder, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing, & Robey.

WHEREAS, pursuant to M.G.L. c. 40, §15, the City Council of the City of Marlborough hereby authorizes the assignment of said aforementioned easements, for nominal consideration, to Massachusetts Electric Company and to Verizon New England, Inc., and thus authorizes the Mayor, pursuant to Mass. Gen. Laws c. 40, § 3, to execute the Assignment of Easement, **APPROVED**; adopted.

ORDERED: At the Regular Meeting of the Marlborough City Council on June 24, 2017, the following bond, refer to **FINANCE COMMITTEE & ORDERED ADVERTISED**; adopted.

WATER SERVICE LINE REPLACEMENT BOND

That the sum of \$5,000,000 (five million dollars) be and is hereby appropriated for financing the engineering and construction of the replacement of water service lines containing lead piping through the Massachusetts Water Resources Authority (MWRA) Lead Loan Program (LLP).

That to meet said appropriations the Comptroller/Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of the \$5,000,000.00 under and pursuant to the provisions of Chapter 44, Section 8(3) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Further that the Comptroller/Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of the foregoing amount from the MWRA and in connection therewith, to enter into a loan agreement and/or security agreement with the MWRA relative to such loan, and the Commissioner of Public Works, with the approval of the Mayor, is authorized to contract for and expend any Federal, State or other aide available for the project, including any grant related to such program from the MWRA, and the Mayor and/or the Comptroller/Treasurer, with the approval of the Mayor, are authorized to take any other action necessary to carry out this project.

Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ORDERED: That the Fire Department transfer request in the amount of \$80,018.10 which moves funds from Fire Lieutenant to Sick Leave Buy Back to fund retirement payouts for two retirees, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
<u>\$206,384.56</u>	\$80,018.10	<u>12200001</u>	<u>50810</u>	<u>Fire Lieutenant</u>	\$80,018.10	<u>12200003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	\$0.00	
	Reason:	<u>Vacant positions</u>				<u>To fund sick leave buy back for two retirements</u>				
	\$80,018.10	Total			\$80,018.10	Total				

ORDERED: That the Gift Acceptance in the amount of \$100.00 from a Connecticut resident who had requested the assistance of the Police Department and was very satisfied, **FILE**; adopted.

ORDERED: That the Notice of Filing and Public Hearing for the Municipal Aggregation Plan, **FILE**; adopted.

ORDERED: That the City of Marlborough, acting by and through its City Council, does hereby accept from Annette Crossen, Executrix under the Will of Alexander A. Staniunas, a/k/a Antony Alexander Staniunas, a/ka Antoni Staniunas (Middlesex Probate Number MI 12P 0805 EA), the deed of the fee interest in a parcel containing 5.2 acres and located off Fitchburg Street at its intersection with Sasseville Way, further described as Map 16, Parcel 16 of the Marlborough Assessors Maps and as shown on a plan entitled “ ‘Compiled Plan’ of Land in Marlboro, Mass.; Owned by: Thomas W. Callahan, Trustee of the Assabet Industrial Trust; Scale: 1" = 100'; Date: August 23, 1983;” and recorded at Middlesex South District Registry of Deeds, Plan Book 1983, Plan 1149.

The above-described parcel is conveyed to the City under the provisions of Mass. Gen. Laws c. 40, § 8C and is to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation, and conservation of open space, **APPROVED**; adopted.

ORDERED: That the Communication from Code Enforcement Officer, Pam Wilderman, re: Sign Request, Hilton Garden Inn, 170 Forest Street, refer **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 24, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Walker Realty LLC for Proposed Veterinary Hospital use in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), 58 Apex Drive, refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY JULY 24, 2017** as **DATE FOR PUBLIC HEARING** on the Petition from NGrid to install 1 new pole and 1 new midspan pole along Boundary Street in which pole installs are part of a project to increase system reliability, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

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 amending certain provisions of (new text underlined, deleted text in strikethrough):

§650-12 Nonconforming uses.

- A. No building or other structure nor any land shall be used nor shall any building or other structure or part thereof be erected or altered except in conformity with the provisions of this chapter and any amendments thereof which apply to the district in which the building, structure or premises shall be located; provided, however, that this chapter shall not apply to the existing use of any building or structure or of land to the extent to which it was lawfully used at the time of the adoption of this chapter.
- B. This chapter shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration or for its use for the same purpose to a substantially greater extent, provided that the City Council determines, by the grant of a special permit, that expansion or alteration of a nonconforming use or structure is not substantially more detrimental to the neighborhood than the existing nonconforming use, except that no special permit is needed if the alteration or expansion is to a nonconforming single- or two-family dwelling and said alteration or expansion does not increase the nonconforming nature of the dwelling, and subject, however, to the following provisions:
 - (1) Such use has not been abandoned for a period of two years or more, except in the case of land used for agriculture, horticulture or floriculture for a period of less than five years.
 - (2) Such use is not enlarged to more than 25% of the floor and ground areas of use existing at the time of adoption of the original Zoning Ordinance, or any amendments thereto, except that the City Council may waive this requirement in the case of a nonconforming contractor's yard use, outdoor storage use, or other similar use where the outdoor aspect of the use is itself nonconforming and not accessory to an indoor use, and ~~than that~~ any nonconforming farm may be enlarged up to the total area owned by the nonconforming farmer at the time of adoption of this chapter, and there shall be no limit as to the expansion of farm buildings.

- (3) In case the use is destroyed or damaged by fire, explosion or other catastrophe to not greater than 75% of the fair market value of the building or structure, exclusive of foundation, based upon replacement cost immediately prior to such damage, the structure or use may be restored or rebuilt at the same location and used as previously, provided that:
- (a) The building, structure or use of land as restored or rebuilt shall be no greater in floor or land area than the maximum permitted under Subsection B(3)(b) of this section.
 - (b) The restoration or rebuilding shall conform to this chapter so far as practicable and shall be completed within two years of the catastrophe, unless approved by the City Council in writing in accordance with Article VIII.
- (4) The building or structure is completed if a permit for construction was granted prior to the adoption of this chapter and construction is accomplished within two years after the date of adoption of this chapter.
- (5) The provisions of the above Subsection B(1), (2) and (4) shall not apply to a single-family dwelling.

TABLED; adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by extending the Residence C District shown on the City of Marlborough Massachusetts Zoning Map by including in said Residence C District all of Assessors Map 82, Parcel 125, and by extending the Business District shown on the City of Marlborough Massachusetts Zoning Map by including in said Business District all of Assessors Map 82, Parcels 131A and 132, **TABLED**; adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by superimposing the Retirement Community Overlay District over Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15, **TABLED**; adopted.

ORDERED: That the Site Plan Application for 28 South Bolton Street, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from Kristin Regan, re: Permission to park on City property at the top of Emmett Street, X16-1006704, X14-1006035, X12-1005237, X11-1004017 and X03-9919A, refer to **COUNCIL PRESIDENT CLANCY TO DRAFT A LETTER TO THE REGAN'S WHICH EXTENDS AND TRANSFERS THIS ORDER TO A NEW POTENTIAL BUYER OF THE REGAN'S HOME**; adopted.

ORDERED: That the Minutes Conservation Commission, April 20, 2017 & May 4, 2017, **FILE**; adopted.

ORDERED: That the Minutes Planning Board, May 8, 2017 & May 22, 2017, **FILE**; adopted.

ORDERED: That the Minutes Library Board of Trustees, May 2, 2017, **FILE**; adopted.

ORDERED: That the Minutes Assabet Valley Regional Technical School Committee, March 28, 2017 & May 3, 2017, **FILE**; adopted.

ORDERED: That the Minutes Traffic Commission, April 25, 2017, **FILE**; adopted.

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

- a. Frederick Orentlich, 8 Schipper Farm Lane, Southborough, pothole or other road defect.
- b. Claude & Mary Clerc, 47 O'Malley Road, pothole or other road defect.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Marlboro City Council Finance Committee
Monday, June 12, 2017
In Council Chambers

Present: Chairman Ossing; Finance Committee Members Councilors Robey, Oram (arrived at 7:25), Doucette and Irish. Councilors Clancy (Arrived at 8 PM), Juaire and Landers were also in attendance. The meeting convened at 7:04 PM.

Continued Review:

1. **Order #17-1006795C: Fire Department City Code Changes:** The Finance Committee continued the discussion from the January 30, 2017 Finance Committee meeting which tabled the changes to the city code for the Fire department in order to resolve comments and obtain input from the solicitor. The Finance Committee voted 4- 0 (Councilor Oram was not present) to remove from the table. The Finance Committee reviewed the changes to the City Code submitted to the City Council on June 12, 2017 and voted 4 - 0 (Councilor Oram was not present) to approve the changes.
 - **The Finance Committee agreed to support suspending the rules at the June 19, 2017 City Council meeting to request the City Code changes be advertised.**
2. **Order #17-1006865 - Fiscal Year 2018-2022 Capital Plan:** The Finance Committee reviewed the Mayor's letter dated April 6, 2017 requesting the City Council review the Fiscal Year 2018 - 2022 Capital Plan. The Finance Committee acknowledged that the Mayor will be updating the five-year plan annually and will be submitting the capital plan with future bond requests. **The Finance Committee voted 5- 0 to accept and place on file the FY2018-2022 Capital Plan.**

The Finance Committee adjourned at 8:27 PM.

Reports of Committees Cont'd.

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: June 14, 2017

Time: 7:00 PM

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

Convened: 7:01 PM – Adjourned: 8:50 PM

Present: Chairman Landers; Public Services Committee Members Councilor Irish and Doucette; and Councilors Juaire and Elder (Order No. 17-1006939)

Also Present: Gerald Dumais (Dumais & Sons Second Hand Store); Josh Sztabor (National Grid); Mike Stanley (Founder & CEO TransitX); Wes Tuttle (General Manager, New England Sports Center); and Walter Bonin (Marlborough Transportation Committee)

Order No. 17-1006910: Application for Renewal of Junk Dealer's License, Gerald Dumais, d/b/a/ Dumais & Sons Second Hand Store, 65 Mechanic Street. Police Chief Giorgi approved the CORI report for Gerald Dumais of Dumais & Sons Second Hand Store and had no objection to the renewal of his Junk Dealer's License. Gerald Dumais appeared before the committee to request renewal of his license. **Recommendation of the Public Services Committee is to approve the renewal of the Junk Dealer's License for Gerald Dumais of Dumais & Sons Second Hand Store, 65 Mechanic Street. Motion made by Councilor Irish, seconded by Chair, to approve. The motion carried 3-0.**

Order No. 17-1006895: Petition of National Grid to install solely owned Pole 13 to be set approximately 64' from existing Pole 12. New Pole 13 will be used to serve new charging station at corner of parking area for Hannaford's Super Market in the approximate area of 193-199 Boston Post Road West. Pursuant to City Council Order No. 17-1006895, the City Engineer offered the following comments: The new pole shall be located such that it will not interfere with a future sidewalk at this location. The proposed pole location shall be staked on the ground, and approved by DPW/Engineering prior to installation. Josh Sztabor of National Grid explained the petition was for the installation of new Pole 13, set approximately sixty-four feet from existing Pole 12 to serve a new charging station owned by RK Plaza for a location near the corner of the parking area for Hannaford's Super Market. The charging station can charge two cars with the possibility of future expansion.

Motion made and seconded to recommend approval of the installation of new Pole 13 to service charging station at Hannaford's Super Market with the following two conditions:

1) The new pole shall be located such that it will not interfere with a future sidewalk at this location; 2) The proposed pole location shall be staked on the ground and approved by DPW/Engineering prior to installation. The motion carried 3-0.

The Public Services Committee agreed to request a Suspension of the Rules at the June 19, 2017 City Council Meeting to act upon Order No. 17-1006895.

Reports of Committees Cont'd

Order No. 17-1006908: Petition from National Grid to relocate P6, Elm Street, 3.5' North at Marlborough's request for road improvement project. Pursuant to City Council Order No. 17-1006908, the City Engineer offered the following comments: 1) This pole relocation will allow for the reconstruction/realignment of Elm Street and sidewalks as part of the City's 2017 reconstruction project. 2) The utility companies are to expedite the transfer of overhead wires from old to new poles, to minimize any double pole situations left along the street. 3) The new pole location shall be as directed by DPW/Engineering. Josh Sztabor of National Grid explained the petition was for the relocation of Pole 6 on Elm Street at the request of the City of Marlborough for a road improvement project. Mr. Sztabor explained the timeline for the project was at least two weeks from approval by City Council and their utilities could be transferred from the existing pole to the relocated pole on the same day.

Motion made and seconded to recommend approval of the relocation of P6, Elm Street, 3.5' North at Marlborough's request for road improvement project with the following two conditions:

1) The utility companies are to expedite the transfer of overhead wires from old to new poles, to minimize any double pole situations left along the street; 2) The new pole location shall be as directed by DPW/Engineering.

The motion carried 3-0.

The Public Services Committee agreed to request a Suspension of the Rules at the June 19, 2017 City Council Meeting to act upon Order No. 17-1006908.

Order No. 17-1006909: Petition from NGRID to relocate P20, Pleasant Street, 4.5' West, at Marlborough's request for road improvement project. Pursuant to City Council Order No. 17-1006909, the City Engineer offered the following comments: 1) This pole relocation will allow for the reconstruction/realignment of Elm Street and sidewalks as part of the City's 2017 reconstruction project. 2) The utility companies are to expedite the transfer of overhead wires from old to new poles to minimize any double pole situations left along the street. 3) The new pole location shall be as directed by DPW/Engineering. Josh Sztabor of National Grid explained the petition was for the relocation of Pole 20 on Pleasant Street at the request of the City of Marlborough for a road improvement project. Councilor Juairé was concerned about a double pole situation at this site and asked the process of scheduling the transfer of all utilities. Mr. Sztabor explained most utility companies are alerted at the beginning of the process and a plan is formulated that works best for all those involved in the process.

Motion made and seconded to recommend approval of the relocation of P20, Pleasant Street, 4.5' West at Marlborough's request for road improvement project with the following two conditions:

1) The utility companies are to expedite the transfer of overhead wires from old to new poles to minimize any double pole situations left along the street; 2) The new pole location shall be as directed by DPW/Engineering.

The motion carried 3-0.

Reports of Committees Cont'd

The Public Services Committee agreed to request a Suspension of the Rules at the June 19, 2017 City Council Meeting to act upon Order No. 17-1006909.

Order No. 17-1006939: The Mayor be requested to communicate with TransitX expressing interest in developing a TransitX Public Transportation network in the City of Marlborough; and, it is herewith further Ordered: that the Mayor be requested to forward communications to the Commonwealth's Department of Transportation and Department of Energy Resources, the Mass Clean Energy Center and the Metropolitan Area Planning Council, and others as deemed appropriate and necessary, to help the city evaluate the impact this technology would have on transportation in the city (i.e. traffic studies), allow access to the Route 495 Corridor for this transportation network, the projected transportation emission reduction in relation to achieving the goals of the Massachusetts Global Warming Solutions Act, and identify any state funds that can help fund rail path preparation for the initial network, including the cost for underground wiring of Route 20 west of Interstate 495. Pursuant to the Order No.17-1006939, the City Engineer supported the request to communicate interest in the development of a TransitX public transportation network, stating it is too early to comment further on the right-of-way and engineering design challenges that would be involved. The Public Services Committee met with Mike Stanley, TransitX; Wes Tuttle, New England Sports Center (NESC); and Walter Bonin, Marlborough Transportation Committee for a discussion of the development of a TransitX Public Transportation Network within the City of Marlborough starting with a pilot program between the NESC and Solomon Pond Mall. Mr. Stanley discussed the benefits of his transportation system over a traditional roadway system, illustrated by a prepared slide presentation. Among the discussion points were right-of-way and engineering concerns, financing/cost details, and a procedures and timelines for the system. Councilor Elder expressed his concerns for the new, untried technology. Councilor Juaire supported the letter of interest. Wes Tuttle spoke in favor although clarified this was not an 'ask' of NESC. Transportation Committee Chairman Bonin spoke in support stating that Marlborough should be prepared to become a partner if TransitX can prove their technology works and is proven from a safety perspective. Chairman Landers indicated that the Mayor would work closely with the City Solicitor's Office on the requested letter of interest. Mr. Stanley agreed to provide copies of letters of interest received from other municipalities.

Motion made by Councilor Doucette, seconded by Councilor Irish to recommend that the Mayor be requested to issue a letter of interest in developing TransitX in the City of Marlborough.

The motion carried 3-0.

The Public Services Committee agreed to request a Suspension of the Rules at the June 19, 2017 City Council Meeting to act upon Order No. 17-1006939.

Motion made by Councilor Irish, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 8:50 PM.

Suspension of the Rules requested – granted

ORDERED: At the Regular Meeting of the Marlborough City Council on June 24, 2017, the following Ordinance, **ORDERED ADVERTISED**; adopted.

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

- I. The City Code is hereby amended in its entirety by deleting the words "Chief Engineer" as said words appear throughout the City Code, and inserting in place thereof, throughout the entirety of the City Code, the words "Fire Chief."
- II. Chapter 74 is hereby amended by deleting the words "Assistant Engineer" as said words appear throughout Chapter 74, and inserting in place thereof, throughout the entirety of Chapter 74, the words "Assistant Chief."
- III. Chapter 74 is hereby amended by deleting the following sections:
 - (i.) § 74-6 Number of call members
 - (ii.) § 74-24 Board of Engineers reorganized
 - (iii.) § 74-25 Intermittent firefighters
- IV. Section 74-5, entitled "Permanent Department Force," is hereby amended as follows:
 - (i.) By deleting paragraph A in its entirety and inserting in place thereof the following paragraph:
 - A. The permanent force of the Fire Department shall consist of a Fire Chief; Assistant Chiefs; Battalion Chiefs; Captains; Lieutenants; and as many firefighters as the Mayor and City Council may from time to time order.
 - (ii.) By deleting paragraph C in its entirety and inserting in place thereof the following paragraph:
 - C. The Assistant Chiefs shall assist the Fire Chief in the command of the Department.
 - (iii.) By deleting paragraph D in its entirety, thereby revoking Order No. 07-1001476A, dated May 21, 2007, by which order the City Council accepted M.G.L. c. 31, § 58A which statute prohibits a person, other than a veteran, from having his or her name certified to original appointment to the position of firefighter if such person has reached his or her 32nd birthday on the date of the entrance examination. Said revocation shall not affect any civil service or contractual rights that may have come into existence between the City and any current or retired employee thereof as a result of the original acceptance of said law.

V. Section 74-10, entitled "Command of members" is hereby amended as follows:

(i.) By deleting paragraph A in its entirety and inserting in place thereof the following paragraph:

A. The Fire Chief shall have sole and absolute control and command of all the members of the Department and of all persons at fires or whenever the Department is on duty.

(ii.)By deleting paragraph B in its entirety.

VI. Section 125-17, entitled "Overtime Pay," is hereby amended in paragraph D by deleting the words "First Assistant Engineer and Second Assistant Engineer" and inserting in place thereof the words "Assistant Chiefs."

Suspension of the Rules requested – granted

ORDERED: That the Petition of NGrid to install solely owned Pole 13 to be set approximately 64' from existing Pole 12. New Pole 13 will be used to serve new charging station at corner of parking area for Hannaford's Super Market in the approximate area of 193-199 Boston Post Road West, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

- 1) The new pole shall be located such that it will not interfere with a future sidewalk at this location;
- 2) The proposed pole location shall be staked on the ground and approved by DPW/Engineering prior to installation.

Suspension of the Rules requested – granted

ORDERED: That the Petition from NGRID to relocate P6, Elm Street, 3.5' North at Marlborough's request for road improvement project, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted

- 1) The utility companies are to expedite the transfer of overhead wires from old to new poles, to minimize any double pole situations left along the street;
- 2) The new pole location shall be as directed by DPW/Engineering.

Suspension of the Rules requested – granted

ORDERED: That the Petition from NGRID to relocate P20, Pleasant Street, 4.5' West, at Marlborough's request for road improvement project, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

- 1) The utility companies are to expedite the transfer of overhead wires from old to new poles to minimize any double pole situations left along the street;
- 2) The new pole location shall be as directed by DPW/Engineering.

Suspension of the Rules requested – granted

ORDERED: That the Communication from Mirick O'Connell on behalf of BSL Marlborough Development LLC re: request to extend time limitations on Application for Special Permit to construct a 52-Unit, 60,823 +/-square foot Assisted Living Facility with a Special Care Unit, 421 Bolton Street, until 10:00 PM on September 12, 2017, **APPROVED**; adopted.

ORDERED: That the Chief of Police appear before the Operations and Oversight Committee to discuss procedures involved in companies who are applying for door to door permits. It is furthered ordered that the Committee and Council review possible restrictions to the permitting process to help residents not be harassed by salesmen, refer to **OPERATIONS & OVERSIGHT COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 24, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Bohler Engineering on behalf of McDonald's USA, LLC to modify the existing drive-thru and associated menu boards and propose a new side-by-side drive-thru and menu boards to optimize circulation and restaurant operations at 250 Maple Street, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT, UPON THE RECOMMENDATION OF THE MAYOR, THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 67 PURSUANT TO THE PROVISIONS OF § 53E½ OF CHAPTER 44 OF THE GENERAL LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, AS AMENDED BY THE MUNICIPAL MODERNIZATION ACT ST. 2016, C. 218, SECTION 86, AS FOLLOWS:

Chapter 67 is further amended by inserting after § 67-26 a new section, entitled "Departmental Revolving Funds," as follows:

§ 67-27. Departmental Revolving Funds.

- A. Purpose. This ordinance establishes and authorizes revolving funds for use by City departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended.

- B. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against, and spend monies from, a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations:
1. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 2. No liability shall be incurred in excess of the available balance of the fund.
 3. The total amount spent during a fiscal year shall not exceed the amount authorized by the City Council on or before July 1 of said fiscal year, or any increased amount of said authorization which is later approved by the City Council and Mayor during that fiscal year.
- C. Interest. Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the General Fund.
- D. Procedures and Reports. Except as provided in § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended, and this ordinance, the laws, charter provisions, ordinances, rules, regulations, policies or procedures governing the receipt and custody of City monies and the expenditure and payment of City funds shall apply to the use of a revolving fund established and authorized by this ordinance. The City Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the City Auditor provides the department, board, committee, agency or officer on appropriations made for its use.
- E. Authorized Revolving Funds.
1. Parks and Recreation Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Parks and Recreation Revolving Fund for the use of the Department of Public Works.
 - b. Revenues. The City Auditor shall establish the Parks and Recreation Revolving Fund as a separate account and credit to the fund all payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at wireless communications facilities situated on property under the care, custody, management and control of the City of Marlborough.

- c. Purposes and Expenditures. During each fiscal year, the Commissioner of Public Works may incur liabilities against, and spend monies from, the Parks and Recreation Revolving Fund for the purposes of maintenance and improvement of municipal parks and municipal recreational facilities.
- d. Reports. The Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
- e. Fiscal Years. The Parks and Recreation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

2. Council on Aging Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Council on Aging Revolving Fund for the use of the Council on Aging.
- b. Revenues. The City Auditor shall establish the Council on Aging Revolving Fund as a separate account and credit to the fund all donations received by the Council on Aging/Senior Center.
- c. Purposes and Expenditures. During each fiscal year, the Executive Director of the Council on Aging may incur liabilities against, and spend monies from, the Council on Aging Revolving Fund for the purposes of Council on Aging/Senior Center programming.
- d. Reports. The Executive Director of the Council on Aging shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
- e. Fiscal Years. The Council on Aging Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

3. Public Safety Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Public Safety Revolving Fund for the use of the Mayor of the City.
- b. Revenues. The City Auditor shall establish the Public Safety Revolving Fund as a separate account and credit to the fund all emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the Massachusetts General Laws.

- c. Purposes and Expenditures. During each fiscal year, the Mayor may incur liabilities against, and spend monies from, the Public Safety Revolving Fund for the purposes of public safety training.
- d. Reports. The Mayor shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
- e. Fiscal Years. The Public Safety Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: That no more than one hundred thousand dollars (\$100,000.00) shall be expended from the Parks and Recreation Revolving Fund during fiscal year 2018, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

Yea: 11-Nay: 0

Yea: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juairé, Oram, Ossing & Robey

ORDERED: That no more than forty thousand dollars (\$40,000.00) shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2018, unless otherwise authorized by the City Council and Mayor, **APPROVED**; adopted.

Yea: 11-Nay: 0

Yea: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juairé, Oram, Ossing & Robey

ORDERED: That no more than seventy-five thousand dollars (\$75,000.00) shall be expended from the Public Safety Revolving Fund during fiscal year 2018, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

Yea: 11-Nay: 0

Yea: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juairé, Oram, Ossing & Robey

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:48 PM.



IN CITY COUNCIL

Marlborough, Mass., JUNE 19, 2017

ORDERED:

That there being no objection thereto set **MONDAY JULY 24, 2017** as **DATE FOR PUBLIC HEARING** on the Petition from NGrid to install 1 new pole and 1 new midspan pole along Boundary Street in which pole installs are part of a project to increase system reliability, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 17-1006960



IN CITY COUNCIL

Marlborough, Mass., JUNE 19, 2017

ORDERED:

That there being no objection thereto set **MONDAY, JULY 24, 2017** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Bohler Engineering on behalf of McDonald's USA, LLC to modify the existing drive-thru and associated menu boards and propose a new side-by-side drive-thru and menu boards to optimize circulation and restaurant operations at 250 Maple St., be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 10/22/17 which falls on a Sunday, therefore Monday, 10/23/17 would be considered the 90th day.

ADOPTED

ORDER NO. 17-1006907A



IN CITY COUNCIL

Marlborough, Mass., JUNE 19, 2017

ORDERED:

That there being no objection thereto set **MONDAY, JULY 24, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Walker Realty LLC for Proposed Veterinary Hospital use in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), 58 Apex Dr., be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

Ninety days after public hearing is 10/22/17 which falls on a Sunday, therefore 10/23/17 would be considered the 90th day.

ADOPTED

ORDER NO. 17-1006959
X16-1006633B

Steven Kerrigan

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 JUL 11 P 4:51

From: City Council
Sent: Tuesday, July 11, 2017 4:49 PM
To: Lisa Thomas
Cc: Steven Kerrigan; Sara Corbin
Subject: FOR JULY 24, 2017 AGENDA: FROM PRESIDENT CLANCY: RESCHEDULING OF SUBSEQUENT PUBLIC HEARING, Proposed Zoning Amendment - Expansion and Modification of HRMUOD, Apex Center
Attachments: Proposed Zoning Amendment-Expansion and Modification of HRMUOD.pdf

Lisa,

Please place on the July 24, 2017 agenda the following from President Clancy as shown below:

From City Council President Clancy: Scheduling of Date for Subsequent Public Hearing on Proposed Zoning Amendment, Expansion and Modification of HRMUOD, Apex Center.

I have attached the original submittal letter from Kevin S. Eriksen, General Counsel, dated March 2, 2017.

Karen

*Karen A. Boulo
Office of the City Council
City of Marlborough
508-460-3711*

From: Lisa Thomas
Sent: Friday, March 03, 2017 9:57 AM
To: City Council <citycouncil@marlborough-ma.gov>
Subject: Rec'd today for next agenda

Lisa M. Thomas
City Clerk
508-460-3720
www.marlborough-ma.gov

When writing or responding, please remember that the Secretary of State's Office has determined that email is a public record. This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received.

WALKER REALTY LLC

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 MAR -3 A 9 25

March 2, 2017

HAND DELIVERED

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

Re: Proposed Zoning Amendment – Expansion and Modification of HRMUOD

Dear Councilor Clancy,

The undersigned represents Walker Realty, LLC, Marlboro Hospitality, LLC and 11 Apex, LLC (collectively the "Apex Center Owners"), owners of the real property located within the Hospitality and Recreation Mixed Use Overlay District ("HRMUOD") which District was created by Order No. 16-1006443C dated May 9, 2016 (the "HRMUOD Order"). The District currently consists of approximately 43.6 acres of land located on Boston Post Road West (Route 20).

As noted in the enclosed Letters of Authorization, property owners adjacent to the HRMUOD (the "Petitioners"), namely those owners of 176 Boston Post Road West (the so-called "Wendy's Parcel") and 190 Boston Post Road West (the so-called "Bank of America Parcel") desire to incorporate their respective parcels in the HRMUOD. Accordingly, the Petitioners request that the City Council consider amending the Zoning Ordinance as specified in the attached Proposed Order to include the Wendy's Parcel and the Bank of America Parcel in the HRMUOD. Moreover, the Petitioners and the Apex Center Owners request that the City Council consider incorporating additional amendments to "Section E, Eligible Uses" of Order No. 16-1006443C as further detailed in the attached Proposed Order.

Kindly refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

Sincerely,



Kevin S. Eriksen
General Counsel

PROPOSED CITY COUNCIL ORDER

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 as follows.

1. In Section 650-35.A(2), by deleting "43.6 acres" and replacing with "45.2 acres".
2. By Amending Exhibit A of Section 650-35 to include the following additional parcels:

Assessors Map 78, Parcel 14A

Assessors Map 78, Parcel 23

3. In Section 650-35.E(1)(i), adding the following language to the end of the Section:

"except that nothing in this Section shall be deemed to prohibit or limit the existing drive-through facility on Assessors Map 78, Parcel 23, nor to prohibit or limit the existing dedicated driveway with a curb cut onto a public way located on Assessors Map 78, Parcel 23, all as the same may be altered or amended from time to time, the same being preexisting conditions which shall continue to be allowed notwithstanding anything contained in the HRMUOD to the contrary."

4. In Section 650-35.E(1)(j), adding the following language to the end of the Section:

"except that nothing in this Section shall be deemed to prohibit or limit the existing drive-through facility on Assessors Map 78, Parcel 14A, nor to prohibit or limit the existing dedicated driveway with a curb cut onto a public way located on Assessor Map 78, Parcel 14A, all as the same may be altered or amended from time to time, the same being preexisting conditions which shall continue to be allowed notwithstanding anything contained in the HRMUOD to the contrary."

5. In Section 650-35.E(2)(a.), adding the following language to the end of the Section:

"expressly excluding drive-through facilities located on Assessors Map 78, Parcel 23, which facilities are existing and shall not require a Special Permit under this Section."

6. In Section 650-35.E(2)(b.), adding the following language to the end of the Section:

"expressly excluding drive-through facilities located on Assessors Map 78, Parcel 14A, which facilities are existing and shall not require a Special Permit under this Section."

7. In Section 650-35.E(2)(d.), adding the following language to the end of the Section:

“, excluding so-called Dry Cleaning drop stores where no dry cleaning is performed on premise, which shall be permitted in the HRMUOD as of right.”

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

Kathleen M. Luongo
Vice President

February 21, 2017

VIA UPS OVERNIGHT MAIL

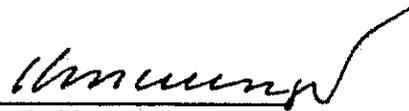
Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

RE: Proposed Zoning Amendment- Expansion of HRMUOD
FILE: MA6-255 190 Boston Post Rd

Dear Councilor Clancy,

Please be advised that the undersigned, Kathleen M. Luongo, authorized representative of Bank of America, N.A., the owner of the property located at 190 Boston Post Road West, Assessors Map 78, Parcel 23 (the "Property") does hereby authorize Walker Realty, LLC and its respective agents and representatives, to submit to the City Council for consideration a proposed zoning amendment expanding the Hospitality and Recreation Mixed Use Overlay District ("HRMUOD") to include and affect the Property.

Sincerely,



By: Kathleen M. Luongo
Title: Vice President

Cc: David Howe, Transaction Manager – CB Richard Ellis
Leigh Cortez, Attorney – Alston & Bird, LLP

T 617-434-5731 kathleen.m.luongo@bankofamerica.com
Bank of America, MA5-100-M5-15
100 Federal Street, Boston, MA 02110

February 15, 2017

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

RE: Proposed Zoning Amendment- Expansion of HRMUOD

Dear Councilor Clancy,

Please be advised that the undersigned, Paul Karapatsas and Mona Karapatsas, trustees of Peak Realty Trust, the owner of the property located at 176 Boston Post Road West, Assessors Map 78, Parcel 14A (the "Property") does hereby authorize Walker Realty, LLC and its respective agents and representatives, to submit to the City Council for consideration a proposed zoning amendment expanding the Hospitality and Recreation Mixed Use Overlay District ("HRMUOD") to include and affect the Property.

Sincerely,



By: Paul Karapatsas
Title: Trustee



By: Mona Karapatsas
Title: Trustee



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
EXECUTIVE AIDE

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

2017 JUL 20
A 11:22

Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Salary Ordinance – Principal Assessor

Honorable President Clancy and Councilors:

Please find enclosed for your review a revision to the salary ordinance to update the salary of the Principal Assessor.

As you know, the comprehensive update we undertook to update our salary ordinance included all active nonunion positions, but we did not include the inactive position of Principal Assessor.

As you may recall, in the past, the Principal Assessor's matched the City Auditor's salary. I am recommending a salary that matches the Auditor's salary again. For your information, the currently vacant Senior Assessor position is a union position in the Marlborough Municipal Employees Association.

This proposal will only update the salary ordinance; it will not fund the position. Funding the position would require additional City Council approval.

Please do not hesitate to contact me with any questions and I look forward to discussing this with you further.

Thank you,


Arthur G. Vigeant
Mayor

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, Salary Schedule as follows:

Position	Effective Date	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 yrs. of service	4 yrs. of service	5 yrs. of service
Principal Assessor	July 1, 2017	\$91,405.26	\$93,233.10	\$95,098.68	\$96,999.96	\$98,940.00	\$100,918.80	\$102,937.38

ADOPTED
In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:
A TRUE COPY
ATTEST:



City of Marlborough

Office of the Mayor

Arthur G. Vigeant
MAYOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Michael J. Milano
EXECUTIVE AIDE

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

www.marlborough-ma.gov

2017 JUL 20 A 11:22

Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Home Rule Petition Exempting DPW Laborers and Foremen from the Civil Service Law

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval a home rule petition to exempt the membership of the DPW Laborers and Foremen from Civil Service. As outlined in their Memoranda of Agreement with the City, both unions agreed to exempt their membership from the Civil Service rules.

Over the past few years, we have negotiated with the various City (and school department) unions to move out of the antiquated Civil Service system. These changes will improve hiring and promotional procedures for the City and for the union membership.

This home rule petition must be adopted by the City Council and submitted to the State Legislature for their adoption in order for the Civil Service revocation to take effect.

I would like to thank both Mike Urato and Mike Volpe for their hard work in reaching agreements that benefit both parties.

To date, we have agreed with all our unions, including the unions in the school system, to move out of Civil Service. This proposed home rule petition will be the final one regarding civil service. The Legislature has approved our legislation timely and we look forward to their approval of this legislation as well.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**An Act exempting positions in the Department of Public Works for the City of
Marlborough from the Civil Service Law.**

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the Department of Public Works in the City of Marlborough shall be exempt from the provisions of chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

ADOPTED
In City Council
Order No. 17 -

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
EXECUTIVE AIDE
2017 JUL 20 A 11:22
Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: FY2017 MIA Rewards

Honorable President Clancy and Councilors:

Please find enclosed a copy of a check from MIA in the amount of \$52,389 for MIA Rewards Credit. These credits are earned for the City's various training initiatives and are applied against the cost of our property and casualty insurance.

I am pleased to note that this year we achieved a record amount of reward credit from MIA for our efforts in 2017, surpassing the \$42,478 we received in 2016. Ensuring that we maximize our credits is a group effort and it is led by managers who identify and assign training opportunities for City employees.

I would like to thank Chief Procurement Officer Beverly Sleeper who is responsible for tracking and submitting all our training initiatives to MIA for credit. Without her efforts imploring City staff to inform her about trainings, we would not receive the credits that we did.

We will continue these efforts in Fiscal Year 2018 to ensure that our staff takes advantage of training opportunities to gain experience and tools to improve their productivity.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



New Invoice Format for July 1, 2017 Policy Year

Dear MIIA Member:

As part of MIIA's mission to provide Members with the best risk protection and services possible, we are always looking for ways to make your MIIA experience better.

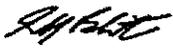
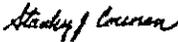
This past year we heard from numerous Members that receiving separate premium invoices for Property & Casualty and Workers' Compensation coverage did not give the Member a *total view of their credits and discounts* earned and a *total bottom line* premium contribution due to MIIA.

Based on that Member feedback, enclosed please find *one* premium invoice showing both the Property & Casualty premium and the Workers' Compensation premium and total credits and discounts earned for *all* of your coverage. This will enable Members to see the savings associated with those MIIA Rewards as well as their *total* insurance coverage spend across all lines of coverage.

We hope that you find this invoice more useful and informative in your management of your community's risk protection and the premium associated with this coverage. If you have any questions, please call your Account Executive at 800-526-6442.

PLEASE NOTE!

- ⊙ You may still make the same choices shown on the voucher below as to how you use the 2017 MIIA Rewards Credit.
- ⊙ **If you decide to take your Rewards Credit as a check**, please make your premium payment in the amount shown on the *Sub-Total* line of the invoice.
- ⊙ **If you decide to file for a Rewards Flex Grant** (see enclosed application), the Flex Grant can be in an amount no greater than 50% of the Rewards Credit shown on your invoice. You will need to indicate how you want to take the balance of your Rewards Credit (credit applied or check issued) and to confirm your revised invoice **Total** after you have chosen a Flex Grant amount. Please email or call Greg McGrath (gmcgrath@mma.org; 800-882-1498 x256).

	<p>MIIA Property and Casualty Group, Inc. July 1, 2017</p>		
<p>Pay to the order of</p>	<p>City of Marlborough</p> <hr/> <p><i>Fifty Two Thousand Three Hundred Eighty Nine Dollars</i></p>	<table border="1" style="margin: auto;"> <tr> <td style="padding: 5px;">\$52,389</td> </tr> </table>	\$52,389
\$52,389			
<p>Re: 2017 MIIA REWARDS CREDIT</p> <p>Apply this credit to enclosed invoice <input type="checkbox"/></p> <p>Issue payment via check <input type="checkbox"/></p> <p>File for a Rewards Flex Grant by filling out the enclosed application. The designation for a MIIA Flex Grant must be made by December 22, 2017 <input type="checkbox"/></p>		<div style="text-align: center;">  Geoffrey C. Beckwith President </div> <div style="text-align: center; margin-top: 20px;">  Stanley J. Corcoran Executive Vice President </div>	
<p>NOT NEGOTIABLE</p>			



MIIA Customer Rewards by Fiscal Year

7/20/20
8:23:39 F

							Grand Total:	\$208,153.96	\$0.00	\$208,153.96
Marlborough							Total:	\$208,153.96	\$0.00	\$208,153.96
Fiscal Year	Prof Lines	W/C	G/L	Auto	Property	Total % Credit	P&C Credits	WC Credits	Total Credits	
2016	18.0%		8.0%	4.5%	6.0%	36.5%	\$42,478.00	\$0.00	\$42,478.00	
2015	20.5%		5.5%	1.5%	5.0%	32.5%	\$28,509.00	\$0.00	\$28,509.00	
2014	20.5%		8.0%	3.0%	4.0%	35.5%	\$29,228.75	\$0.00	\$29,228.75	
2013	9.0%		9.0%	5.0%	4.0%	27.0%	\$30,233.00	\$0.00	\$30,233.00	
2012	11.5%		10.0%	6.5%	2.0%	30.0%	\$25,875.24	\$0.00	\$25,875.24	
2011						16.5%	\$16,634.42	\$0.00	\$16,634.42	
2010							\$17,003.68	\$0.00	\$17,003.68	
2009							\$18,191.87		\$18,191.87	



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Antonio J. Milano
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2017 JUL 20

Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

**Re: Confirmatory Order of Taking by Eminent Domain of Permanent Sewer Easements
for the Sudbury Street Sewer Project**

Honorable President Clancy and Councilors:

On behalf of the Department of Public Works, enclosed herewith please find a proposed Confirmatory Order of Taking by Eminent Domain concerning the Sudbury Street Sewer Project. The Confirmatory Order of Taking is required to record a revised plan of taking which shows a reduction in the width of a significant portion of the sewer easement taken by Order No. 16-1006413A. Accordingly, no damage awards additional to those awarded by Order No. 16-1006413A are necessary.

The Commissioner and/or Engineering will be available to answer any specific questions relative to the project.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

Cc: John Ghiloni, Commissioner
Thomas DiPersio, City Engineer
Mark Dascoli, Associate City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 TDD (508) 460-3610

July 20, 2017

Arthur G. Vigeant, Mayor
City Hall
140 Main Street
Marlborough, MA 01752

**RE: Confirmatory Order of Taking by Eminent Domain of Permanent Sewer Easements
for the Sudbury Street Sewer Project**

Dear Mayor Vigeant:

I request that you send to the City Council, for its action, the attached Confirmatory Order of Taking by Eminent Domain.

By the proposed Confirmatory Order of Taking, the City would confirm its taking of sewer easements at 49 Harper Circle and at 302 Sudbury Street pursuant to Order No. 16-100641A. This confirmation is necessitated by a significant reduction in the width taken and concomitant need to record a plan showing the reduced width. The reduced width of the sewer easement is inclusive of the easements already taken by Order No. 16-100641A, is advantageous to the property owners, does not require an appropriation, and does not reduce the damages awards of Order No. 16-100641A.

I am available to answer any specific questions relative to the project.

Sincerely,

John L. Ghiloni
Commissioner of Public Works

Enclosures

cc: Thomas DiPersio, P.E., City Engineer
Mark Dascoli, Assistant City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor

Confirmatory Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough by the Eminent Domain Order of Taking, Order No. 16-1006431A dated February 8, 2016, recorded with the Middlesex South County Registry of Deeds in Book 66881, Page 431, ("Original Taking") determined that the public welfare and safety necessitated that certain sewer improvements be made to the Sudbury Street area, and that said improvements required the taking by eminent domain of permanent sewer easements in certain parcels of land located on Harper Circle and Sudbury Street as more particularly described therein; and,

WHEREAS, said Original Taking was made in order to promote the public welfare, safety and necessity, it being necessary to take by Eminent Domain said permanent sewer easements in, on, under, over, across and through the therein described land; and,

WHEREAS, the Original Taking was intended to include a permanent sewer easement which varies in width from 35-feet wide to 25-foot wide as shown on a plan entitled "Easement Plan of Land In Marlborough, Massachusetts; Prepared For City of Marlborough; May 18, 2016; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'" (the "Correct Plan") to which plan reference may be made for a more particular description, said plan to be recorded herewith; and,

WHEREAS, the Original Taking instead relied on a plan which depicted a 35-foot wide permanent sewer easement for the entire length of said easement, being entitled "Easement Plan of Land In Marlborough, Massachusetts;" Prepared For City of Marlborough & AECOM; April 15, 2013; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'; Sheet 2 of 3" and recorded with the Middlesex South County Registry of Deeds as Plan 159 of 2016 (the "Incorrect Plan"); and,

WHEREAS, the City of Marlborough has agreed to execute a confirmatory taking, *nunc pro tunc*, the purpose of which is to confirm the City's legal interest in said permanent sewer easement which varies from 35-feet wide to 25-feet wide and concomitantly to modify the Incorrect Plan by recording the Correct Plan herewith, said confirmation and modification being required by the inadvertent inclusion of more land than was necessary to the herein described purposes of the permanent sewer easement in the Origin Taking and Incorrect Plan; and,

WHEREAS, the City of Marlborough anticipates therefor no award of damages to owners additional to those of the Original Taking and restated herein, and that notwithstanding the reduction in total square footage of land so taken, the City of Marlborough not shall not reduce the award of damages to said owners from those amounts provided in the Original Taking; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power

and authority thereto enabling, does hereby confirm, *nunc pro tunc*, it's taking by Eminent Domain said permanent sewer easements in the following described land and all trees and brush thereon.

DESCRIPTION OF LAND TAKEN

1. Property H – Permanent Sewer Easement: A certain parcel of land located on the North Easterly side of Harper Circle in Marlborough, Middlesex County, Massachusetts and being shown as Proposed Easement H on a plan, entitled "Easement Plan Of Land In Marlborough, Massachusetts; Prepared For City of Marlborough; May 18, 2016; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'," said plan to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Confirmatory Order.

Meaning and intending to take and taking by Eminent Domain a permanent sewer easement, shown as Proposed Easement H as described in the aforementioned plan, which is a portion of the land as described in the deed recorded at the Middlesex South District Registry of Deeds in Book 27774, Page 119.

OWNERS: Stephen A. Silen and Pirjo Silen
49 Harper Circle

The land consisting of Proposed Easement H as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of Parcel 81 on Map 23. The total land area being taken consists of 8,776 +/- square feet.

2. Property I – Permanent Sewer Easement: A certain parcel of land located on the Westerly side of Sudbury Street in Marlborough, Middlesex County, Massachusetts and being shown as Proposed Easement I on a plan, entitled "Easement Plan Of Land In Marlborough, Massachusetts; Prepared For City of Marlborough; May 18, 2016; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'," said plan to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Confirmatory Order.

Meaning and intending to take and taking by Eminent Domain a permanent sewer easement, shown as Proposed Easement I as described in the aforementioned plan, which is a portion of the land as described in the deed recorded at the Middlesex South District Registry of Deeds in Book 14954, Page 388.

OWNERS: John D. Nicholson, Jr. and Claire G. Nicholson
302 Sudbury Street

The land consisting of Proposed Easement I as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of Parcel 10 on Map 23. The total land area being taken consists of 4,092 +/- square feet.

3. The ownership of said parcels and each of them are supposed to be as stated herein, but said easements and each of them are hereby taken whether the ownership is as stated herein or otherwise.

4. This Confirmatory Eminent Domain Order of Taking confirms, *nunc pro tunc*, the Eminent Domain Order of Taking, recorded at the Middlesex South County Registry of Deeds in Book 66881, Page 431, and makes clear that said aforementioned plan entitled, "Easement Plan Of Land In Marlborough, Massachusetts; Prepared For City of Marlborough & AECOM; April 15, 2013; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'; Sheet 2 of 3," recorded with the Middlesex South County Registry of Deeds as Plan 159 of 2016, and the square footages of the areas so taken as shown on said Eminent Domain Order of Taking, are hereby modified, for reasons more fully described herein, pursuant to a plan entitled "Easement Plan Of Land In Marlborough, Massachusetts; Prepared For City of Marlborough; May 18, 2016; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40,'" said plan to be recorded together with a certified copy of this Confirmatory Eminent Domain Order of Taking.

AWARDS

The City Council hereby repeats the following awards of damages by the Eminent Domain Order of Taking to the owner or owners of record, said awards of damages having been tendered by the City of Marlborough to said owner or owners of record pursuant to the Eminent Domain Order of Taking, no additional award of damages being anticipated pursuant to this Confirmatory Eminent Domain Order of Taking:

<u>OWNER</u>	<u>MARLBOROUGH ASSESSORS MAP/PARCEL</u>	<u>AREA</u> (reduced from the Eminent Domain Order of Taking)	<u>AWARD</u> (unchanged from the Eminent Domain Order of Taking)
Stephen A. Silen and Pirjo Silen	23/81	8,776 <u>±</u> SF	\$7,645.00
John D. Nicholson, Jr. and Claire G. Nicholson	23/10	4,092 <u>±</u> SF	\$7,585.00

ADOPTED
In City Council
Order No. 17 -
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

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CITY OF MARLBOROUGH
Michelle J. Milano
EXECUTIVE AIDE

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2017 JUL 20 4:11:22
Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Order to Approve Unique Acquisition and to Authorize Negotiation and Entering into Purchase & Sales Agreement; Order of Appropriation of Funds for Deposit Relating to Purchase & Sales Agreement

Honorable President Clancy and Councilors:

Please find enclosed the above captioned proposed orders concerning land which is proposed for acquisition as part of the proposed construction project at the Marlborough Public Library.

As you know, my office previously submitted similar recommendations for 4 parcels in the vicinity of the library, but in the past month another property owner approached the City. To date, we have entered into agreements with owners at 47 West Main Street and 29 Witherbee Street. The owners of 28 Witherbee Street are interested and DPW Commissioner John Ghiloni has had preliminary conversations to confirm interest.

The orders will authorize the City to enter negotiations, establish a purchase price, and make a deposit on a binding purchase and sale, but they do not permit the purchase without prior City Council appropriation for the full cost.

While the grant proposal for the Library was placed on the waiting list, I believe we must continue to pursue options for property in the vicinity of the library to grant us more options on ensuring a successful renovation project.

I will be available to answer any specific questions relative to the project and this proposal.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

City of Marlborough



PROCUREMENT OFFICE

140 Main Street, 3RD Floor, Marlborough, MA 01752

DIRECT DIAL (508) 460-3707 FACSIMILE (508) 460-3747 TDD (508) 460-3610

BSLEEPER@MARLBOROUGH-MA.GOV

July 18, 2017

Arthur G. Vigeant, Mayor
City Hall
140 Main Street
Marlborough, MA 01752

RE: Unique Acquisition of Real Property – Additional Library Parking

Dear Mayor Vigeant:

Pursuant to the provisions of M.G.L. c. 30B, § 16, the City must solicit proposals prior to obtaining real property valued in excess of \$35,000 unless the City Council determines in writing that advertising for the submissions of proposals will not benefit the City's interests because of the unique qualities or location of the property needed (M.G.L. c. 30B, § 16(e)(2)). It is my understanding that the City is interested in acquiring parcels of land, located within close proximity of approximately three hundred feet (300') radius to the existing Marlborough Public Library, identified as follows:

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 235 containing 0.37 acres or 16,117.2 S.F., more or less, located at 28 Witherbee Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 25364, Page 378. The persons having a beneficial interest in this parcel, as tenants by the entirety, are Paulo S. Ribeiro and Katherine R. Ribeiro;

The parcels remain privately-owned and are uniquely located to the existing Marlborough Public Library which can be utilized to increase library parking as the library currently does not have enough parking to meet present or future demands.

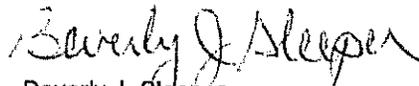
For the City Council's deliberation and approval, I have determined that the locations and/or qualities of the Land satisfy the unique requirements of the City pursuant to M.G.L. c. 30B, § 16(e)(2). Specifically, the Land is uniquely situated because it lies within close proximity to the existing Marlborough Public Library which currently does not have sufficient parking to meet the requirements of the Massachusetts Board of Library Commissioners, making a renovation or new construction project challenged. The only way to increase needed parking is to purchase parcels uniquely located either adjacent to or within close proximity to the existing library site. The City seeks to acquire this property in order to increase parking for access to the public library, which would also increase usage of the Marlborough Public Library. In addition, the acquisition of the parcel would potentially provide more design flexibility for the proposed renovation and addition to the Marlborough Public Library.

Page 2
Letter to Mayor RE: Library Parking Parcels
July 18, 2017

In light of the foregoing, it is my opinion that it is proper to waive the advertisement requirements of M.G.L. c. 30B, § 16 with respect to the acquisition of the Land. Pursuant to M.G.L. c. 30B, § 16, I will publish this determination along with the names of parties having a beneficial interest in the property as required under M.G.L. c. 7C, § 38, the location and size of the property, and the proposed purchase price in the Commonwealth's Central Register not less than thirty (30) days before the City enters into a binding agreement with the current owners to purchase real property identified above under a unique acquisition determination.

If you have any questions or require further information, please let me know.

Sincerely,



Beverly J. Sleeper
Chief Procurement Officer

cc: John L. Ghiloni, DPW Commissioner/Public Facilities Director
Margaret Cardello, Library Director
Cynthia Panagore-Griffin, Assistant City Solicitor/Legal Department

ORDERED:

Pursuant to MGL c. 30B, § 16 (e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of a parcel of land will not benefit the City's interest because of the unique qualities and location of the property as hereinafter defined:

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 235, containing 0.37 acres or 16,117.2 S.F., more or less, located at 28 Witherbee Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 25364, Page 378. The persons having a beneficial interest in this parcel, as tenants by the entirety, are Paulo S. Ribeiro and Katherine R. Ribeiro;

The above-identified parcel satisfies the requirements of said M.G.L. c. 30B, § 16 (e)(2), because: (i) the parcel is uniquely situated because it is located within close proximity to the existing Marlborough Public Library, which does not currently have sufficient parking to meet the requirements of the Board of Library Commissioners in relation to the proposed renovation and addition project; (ii) the only way to increase the amount of parking is to purchase parcels uniquely located either adjacent to, or within close proximity of, the Marlborough Public Library; and (iii) the proposed acquisition of the subject parcel will increase parking for access to, and increased usage of, the Marlborough Public Library. In addition, the acquisition of the parcel would potentially provide more design flexibility for the proposed renovation and addition to the Marlborough Public Library.

It is further ordered that the Mayor is authorized to negotiate and enter into a purchase and sale agreement for the above-identified parcel, subject to the following conditions: (i) that, in accordance with M.G.L. c. 43, § 30, the purchase price of any parcel shall not exceed 25% of the average assessed value of the parcel during the previous three years; (ii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the City to acquire the parcel for the amount stated in the purchase and sales agreement; and (iii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the appropriation of sufficient funds for the purchase of the parcel. As of this date, the average assessed value of the above-described parcel for the previous three years has been calculated as \$383,600.

ADOPTED
In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

ORDERED:

That pursuant to Mass. Gen. Laws c. 43, § 30, the City Council, by a two-thirds vote of all its members hereby authorizes the additional use of the \$75,000 appropriated by Order No. 16006760B from the Undesignated Fund (Account Number 10000-35900), said amount having been appropriated for purposes of binding offers by the City on purchase and sales agreements for the four (4) parcels described in Order No. 16006760A and Order No. 16006760B and relating to the proposed renovation and construction of an addition to the Marlborough Public Library and the need for additional public parking thereat, for like purposes, which are

- (1) a binding offer by the City on a purchase and sales agreement concerning a parcel, said additional parcel being the subject of Order No. 17-_____ and described below:

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 235, containing 0.37 acres or 16, 117.2 square feet of land, located at 28 Witherbee Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 25364, Page 378. The persons having a beneficial interest in this parcel are Paulo S. Ribeiro and Katherine R. Ribeiro.

and

- (2) a binding offer or offers on any additional purchase and sales agreement(s) for parcels relating to said above-described purposes without the need for any additional vote or votes of the City Council regarding the use of said \$75,000, conditional upon an affirmative vote or votes of the City Council authorizing the Mayor to enter into said additional purchase and sales agreement(s).

ADOPTED
In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:
A TRUE COPY
ATTEST:



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

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Nicholas J. Milano
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2017 JUL 20 A
Patricia Bernard
EXECUTIVE SECRETARY

July 20, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Housing Study Report

Honorable President Clancy and Councilors:

Please find enclosed an analysis of the housing market in the City of Marlborough compiled by RKG Associates, Inc. This report is the product of detailed research into the forces driving the housing market in Marlborough. It contains an outline of the state of today's housing market and several recommendations, which are just guidelines, for the City to consider.

Unlike many other communities in Massachusetts, we have been at the forefront of responding to the demand for housing. Together, we have permitted close to 1,000 units of housing in recent years – far and above most other municipalities.

One of the key points of the report is that the City should control and determine where housing developments should grow. Developers are driven by market demand, not necessarily what is best for Marlborough and its future. A developer, even one who has a good track record and proposes a nice overall project should not receive the stamp of approval unless it fits into our broader vision.

Another point is that while there are certainly benefits to approving over 55 housing developments because they would not include the fiscal impact of added school enrollment, we have to be careful not to oversaturate the market. What might appear to be a financially prudent decision today might result in a glut of units tomorrow, driving down the standard of housing in Marlborough.

I encourage you to read the report carefully – it contains new ideas and suggestions for how Marlborough should permit housing units. The overall suggestion is to choose locations close to “work and play” opportunities. We should consider permitting more housing units in the “Southwest Quadrant” close to many of the newest employment opportunities in Marlborough and we should continue to encourage new growth downtown.

I look forward to reviewing and discussing the report with you more closely to make changes to our zoning where the City Council believes is necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arthur G. Vigeant

Mayor

Enclosures



July 20, 2017

Mayor Arthur Vigeant
Marlborough City Hall
140 Main Street
Marlborough, MA 01752

RE: Marlborough Housing Study

Dear Mr. Mayor:

As you know, earlier this year the Marlborough City Council approved a six-month cessation on all special permit housing projects in the city following an influx of proposed projects. The City Council then asked Marlborough Economic Development Corporation (MEDC) to conduct a study that would assess Marlborough's current and future housing needs allowing for the city to strategically plan for future growth.

MEDC worked with RKG Associates, a well-known full service economic, planning and real estate consulting firm. Consultants from RKG reviewed and analyzed the city's current and future housing demand in order to develop a strategic housing plan as it relates to job creation, economic growth and overall impact on quality of life for the residents of Marlborough. I am pleased to inform you that the Housing Study is now complete and attached for your review.

As you will see in the report RKG has provided a detailed analysis pertaining to Marlborough's multifamily market as well as a fiscal impact analysis related to multifamily housing. In addition RKG has provided recommendations that provide guiding principles for decision making which outline different approaches and tools for the city to consider when evaluating multifamily proposals.

Thank you for your kind attention to this matter and should you have any questions please do not hesitate to contact me at your earliest convenience.

Kindest regards,

A handwritten signature in black ink, appearing to read "Meredith Harris", written over a horizontal line.

Meredith Harris
Executive Director

July 2017

MULTIFAMILY MARKET AND FISCAL IMPACT ANALYSIS CITY OF MARLBOROUGH, MASSACHUSETTS



Prepared by:

RKG
ASSOCIATES INC

RKG Associates, Inc.
Economic, Planning and Real Estate Consultants

300 Montgomery Street
Suite 203
Alexandria, VA 22314
703.739.0965
www.rkgassociates.com

**Multifamily Market and
Fiscal Impact Analysis**

City of Marlborough, Massachusetts

July 2017

Prepared for

Meredith Harris, Executive Director
Marlborough Economic Development Corporation
91 Main Street, Suite 204
Marlborough, MA 01752
Phone: 508.229.2010
Email: MHarris@marlboroughedc.com

Prepared by



RKG Associates, Inc.

Economic, Planning and Real Estate Consultants
300 Montgomery Street
Suite 203
Alexandria, VA 22314
703.739.0965



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1 INTRODUCTION

The City of Marlborough has become a very attractive place for people to live, and for people to work. The city's unique location provides easy access to multiple regional roadways including I-495, I-290, the Mass Pike, Route 20, and Route 9. Marlborough is also home a burgeoning downtown with new housing, commercial development, and restaurants. Substantial increases in employment and wages, and access to a skilled labor pool have attracted businesses of all sizes to Marlborough over the last three decades. Economic success has also created a substantial supply pipeline for multifamily housing development across the city.

Faced with these individual multifamily housing development proposals, the City Council and Mayor Vigeant worked to place a six-month stay on the consideration of new housing developments. This provided an opportunity for the city to take a proactive approach to gain insight into the current and future market for housing, as well as assess the potential fiscal impact multifamily housing may have on city finances. This effort will also provide the city with an opportunity to better understand the housing proposals that are before them, assess their effectiveness in addressing housing needs, and determine appropriate locations for housing in Marlborough.

The city retained RKG Associates, Inc. of Boston to perform the market and fiscal impact analyses for multifamily development. RKG Associates analyzed current and future multifamily housing demand within the city, corroborating those findings with local employers and real estate professionals to ensure the findings accurately reflected current and potential supply and demand levels. RKG worked closely with the Marlborough Economic Development Corporation (MEDC), an appointed Steering Committee and two focus groups to vet those findings and present recommendations based on the results. RKG also held a public session to ensure residents and business leaders had the opportunity to hear the results first-hand and provide their vision/feedback on the analysis. The following report summarizes the analysis and its conclusions.

The report includes the following components:

- Chapter 1 – Introduction
- Chapter 2 – Recommendations
- Chapter 3 – Multifamily Market Analysis
- Chapter 4 – Fiscal Impact Analysis



2 SUMMARY OF FINDINGS

RKG Associates was charged with providing the city with recommendations and best practices regarding the need and impact of new multifamily development within Marlborough. The following narrative provides that feedback, organized into two separate discussions. First, this chapter focuses on the ‘lessons learned’ from the empirical analysis, feedback from key stakeholders and the general public, and guidance from the designated working group. This section provides guiding principles for decision making. Second, this chapter assesses various locations within the city on their appropriateness for multifamily development. This effort includes recommended approaches and potential tools the city can use to implement the proposed concepts.

A. GUIDING PRINCIPLES

This section provides the City leadership guiding principles to consider when establishing policies that affect multifamily development. These principles synthesize the market analysis and fiscal impact assessment findings with feedback for key industry and leadership stakeholders and the observations of the consultant team. These guiding principles are intended to help the city’s decision makers to enact policies and make decisions that benefit current and future residents as well as the existing and potential employment base of Marlborough.

- ***Future residential development should balance all market opportunities.*** The market analysis indicates there are opportunities for new development across all residential development types. Currently, multifamily residential offers the most profitable and least risky opportunity for the development community. In contrast, age-restricted housing would provide the most lucrative fiscal impact to the City (greater discussion on this finding is in the Implications section of the Fiscal Impact Analysis chapter). Anecdotal data from local real estate professionals indicate demand for single family detached housing is substantially greater than available supply. All that said, there is substantial research that indicates communities with a diverse housing supply (both in terms of type and price) tend to have greater economic sustainability and resilience over time. To this point, the analysis indicates that the city leadership should continue to encourage a mixture of residential housing development over concentrating growth in one market niche.
- ***Allow vision to guide decisions.*** The City already has experienced substantial interest from residential developers to build a variety of housing projects throughout the City. This is not surprising, given the City leaders’ reputation for supporting new development and the documented unmet demand. However, the proposed development interest is based on market opportunity, and not necessarily guided by a long-term strategic plan that best meets the community’s needs. Rather, it is driven by opportunity and availability. Simply put, there are few developable parcels of any size left in Marlborough. Developers who can acquire these properties are trying to maximize their return by targeting the most lucrative development programs that can be accommodated.

While understandable, allowing development to occur unchecked has the potential to adversely affect the long-term sustainability for both the site in question as well as the surrounding neighborhood. Thus,



the city leaders should codify a vision for the various development areas and use this vision to consider current/future development programs. The following recommendations provide one perspective on defining the vision for certain areas of the city. Additional efforts should be made to refine this proposed vision for areas where other perspectives differ from the prescribed recommendations.

- ***Certain development types are more appropriate than others in certain areas.*** RKG Associates' experience in housing market analysis indicates that multifamily housing development has the longest sustainability when it is integrated with employment, entertainment, and service amenities. Households that seek rental housing typically prefer having work, shopping, and support services within a convenient distance to their homes. Areas that offer this proximity oftentimes are—and typically remain—the most desired locations to live (i.e. Cambridge). Conversely, multifamily rental developments built away from convenient employment, shopping, transportation, and services tend to become less competitive as they age and newer product is built in the marketplace.

In contrast, owner-occupants tend to be more sensitive to the neighborhood context and make location decisions based on a myriad of factors including proximity and convenience. This is not to say there is not overlap of preference in the rental and ownership markets, rather it is a recognition that the city leadership should review its limited land resources strategically to maximize the benefit to the consumers and enhance the city's livability.

- ***Focus should be on quantity AND quality.*** The market analysis revealed that demand for new multifamily housing is strong, and will remain strong into the foreseeable future. Data provided to RKG Associates indicates there are several multifamily projects proposed or under consideration by the city. This amount is consistent with market demand, and likely will be produced at a pace consistent with local absorption patterns. It is not likely this development will 'overburden' the local market, given the projected employment growth locally and regionally. While controlling the amount of development on a year over year basis is prudent to maintaining healthy pricing and absorption levels, the development community shares this concern and wants to preserve the profitability of their investments.

However, location (discussed in the previous bullet) and pace of development should not be the only concerns for the city. The issue of quality also should be a priority when determining the suitability of a proposed residential development. Simply put, a well-located, scale-appropriate development will not maximize the benefit to Marlborough if the looks and quality of the project are not meeting the vision of the community.

- ***New development should support price diversity.*** The employment analysis revealed that the jobs being created within Marlborough range in average wages. The strongest growth areas in the service industries range in average wages from \$31,350 (support services) to \$137,186 (professional services). In comparison, new multifamily development is being built at the highest end of Marlborough's housing market with new rental and ownership product capturing a premium ranging from 25% to 40% above costs for older stock. As with the principle regarding balance of housing type, it is in the city's long-term interest to monitor and promote diversity of cost as well. Considering strategies to encourage a mix of housing prices within larger multifamily developments (similar to the Talia development) will serve a broader range of Marlborough workers while supporting efforts to enhance housing conditions citywide.



B. LOCATION OPPORTUNITIES AND RECOMMENDATIONS

As noted, some of the existing proposed projects do not follow a defined growth vision for the City of Marlborough. The ‘scatter shot’ pattern of these projects reflects the overall strength of the multifamily market combined with the dearth of suitable developable properties within Marlborough. From RKG Associates’ perspective, the city would be best served by establishing and following an overarching vision for the development of new multifamily development. The following section details RKG Associates recommendations for establishing that vision for the city by looking at the various development areas. It is important to note these recommendations reflect a market/economic perspective for the city to consider. There are other perspectives—such as transportation, urban design, and infrastructure, not incorporated into this assessment that could help refine and expand these recommendations. To this point, RKG Associates recommends the city leadership consider these other perspectives when finalizing the residential development vision for the community.

1. Downtown Marlborough

Downtown Marlborough is a unique mix of historic buildings, established residential enclaves, and a highly charismatic commercial core bounded by Main Street and Granger Boulevard. Residential investment already is underway in downtown as a result of the city’s planning and rezoning efforts in 2014, with a few current and proposed projects to intensify underutilized parcels with multi-story mixed-use development buildings. Given the area’s civic and cultural importance to the City, accommodating investments that will secure and enhance downtown’s economic health is encouraged. Specific opportunities include:

- ***Encourage infill development that is consistent with the existing scale of downtown.***

As stated in the recommendations by MAPC in 2014, there are several underutilized parcels—both vacant parcels and currently built parcels—within the downtown that could accommodate additional residential development. The city subsequently underwent a rezoning effort to realize this opportunity. RKG Associates encourages the city’s leadership to continue to support and encourage the (re)development of these properties to increase the live-recreate market in the downtown and enhance the aesthetics of the downtown core. Creating mixed-use buildings with commercial space on the ground floor and residential above—as defined in the previous planning efforts—should remain the preferred approach. RKG Associates recommends the city maximize the development intensity within the downtown, requiring buildings be no less than three stories in the downtown core. Residential uses could either be rental or ownership, depending on market conditions.

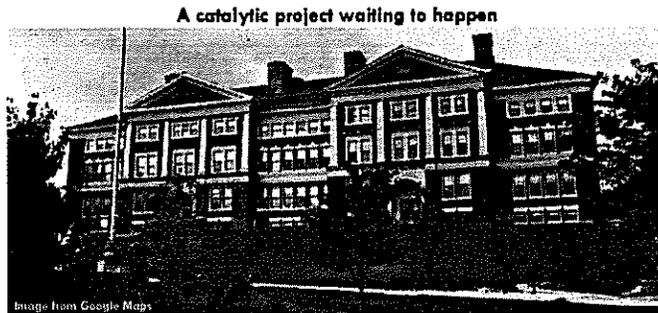
Buildings could be 4-stories on both sides of Main Street.



- ***Capitalize on underutilized commercial sites away from Main Street.*** The commercial core is not the only opportunity to encourage and accommodate additional residential development in the downtown area. A windshield survey of the adjacent neighborhoods witnessed corner parcels where the existing commercial use does not maximize the market potential. These were properties where the building did not maximize the potential for the site and/or the building condition could be a concern. Encouraging these property owners to consider a multi-story, mixed-use redevelopment opportunity could enhance the aesthetics of the surrounding neighborhood while offering new downtown housing opportunities.



- **Consider a housing revitalization program for downtown neighborhoods.** Anecdotal information from local residential brokers indicate there has been substantial conversion of the single-family homes adjacent to downtown that have been converted for multifamily rental use. The city leadership could create a revitalization program for potential owner occupants to acquire converted properties in the downtown area and convert them back into homeownership. These programs oftentimes offer low or no-interest loans, offer matching grants based on the level of investment, and/or provide tax breaks for the incremental increase in value and/or the rehabilitation investment.
- **Continue to encourage the design guidelines for reinvestment.** The existing interest in downtown residential development proves there is market demand for this area. However, accommodating this new development does not serve the city's long-term vision if the building is constructed in a substandard manner. To this point, the city leadership should create design guidelines for new development in the downtown area that ensures any construction is done to a scale, quality, and aesthetic that enhances the existing built environment. There are many tools available to the city including the use of form based codes, planned unit development regulations, overlay districts with design guidelines.
- **Actively support the reactivation of historic properties in the downtown.** There are a few historic and culturally significant buildings in the downtown that currently are underutilized or vacant. These properties, while not necessarily residential opportunities, could help catalyze additional residential development within the downtown area. Increasing commercial activity while strengthening building conditions and perceptions of downtown will only enhance future residential interest. RKG understands the City already is actively engaged in bringing these building assets online. However, RKG also recommends the City be more creative and flexible in [1] potential uses and [2] partnership strategies to accelerate the process. One opportunity is to engage in a design charrette with the community and potential investors to brainstorm possible uses.



2. Commercial Corridors

There are three primary commercial corridors through Marlborough, Route 20, Donald Lynch Boulevard, and Route 85. These corridors have varying development patterns, with clusters of commercial activity interspersed with civic and residential uses. Donald Lynch Boulevard has the mall and larger retail centers on the west side and commerce-based development on the east side adjacent to Interstate 495. The residential market analysis indicates these corridors could support redevelopment and/or infill development to accommodate multifamily uses. Specific recommendations include:

- **Identify potential reinvestment sites along the corridors.** One of the first steps the city can undertake is to identify those commercial and vacant parcels that are prime candidates for reinvestment. This would require analytical research to define the criteria to determine suitability, identification of sites that meet the criteria, and substantial outreach to gauge the interest of property owners to consider reinvestment. Ultimately, this effort would assist the city leadership in making informed decisions while determining whether the community wants to proactively pursue potential opportunities.



- Encourage mixed-use development.** For properties that front these commercial corridors, RKG Associates recommends the city encourage the use of mixed-use development. Integrating a commercial component with residential investment will preserve the commercial presence in areas not well served (i.e. Route 20 west of downtown) while strengthening the commercial market in those locations. For larger sites, the uses can cohabitate the site without integrating uses in the buildings (i.e. a commercial frontage development with multifamily development behind). For smaller parcels, a vertically integrated mix of uses will be necessary. Mixed-use development adjacent to the corridors could be either rental or ownership, to be determined by the marketplace. Assets without visual connectivity to the roads and/or do not have convenient access to the surrounding services should be encouraged to focus on multifamily owner occupants.
- Employ design guidelines like those for downtown.** Similar to the discussion for downtown, development without a focus on the quality and aesthetics of the product does not serve the long-term sustainability of the city's efforts. To this point, the city should consider establishing fixed design guidelines for commercial corridor reinvestment.
- Consider a corridor overlay district.** One method currently used by the city to deliver design guidelines is through an overlay district. RKG Associates envisions the corridor overlay district addressing two needs. First, it establishes the target area for the commercial corridor reinvestment efforts. This is important when considering the potential for encroachment into stable neighborhood areas. Defining the boundaries also helps clarify any differences between areas considered commercial corridors and areas considered downtown. Second, the overlay will be easier than rezoning, by allowing owners to maintain their land rights while offering an alternative for them to consider that allows a greater intensity of use in exchange for aesthetic and design input from the community.

Example of the use of overlay districts to differentiate planning areas; Durham, North Carolina

STATION 1: SUB-DISTRICTS

OVERVIEW

Design Districts are placed around preselected "gate" locations that are intended, over the long term, to develop into areas where increased development density, mixing of land uses, and walkability are encouraged. The intensity of development (as height and density) is intended to decrease or taper down as you travel further away from the "gate" stations to the edge of the district.

THE NINTH STREET EXAMPLE

The Corridor Design Center (CDC) is already in place in the Ninth Street Corridor. Neighborhoods, as the result of an earlier public engagement process, to define sub-district standards and show where that standards are most appropriate given the surrounding neighborhood. A special sub-district, "the downtown business", was created specifically for the "greatest row in Durham".

CORE (C)

The portion of a Design District where the highest, densest urban development, with a mix of vertically integrated uses, is expected and encouraged. The Core includes the end of a segment of the street (to front and to not located at the edge of the Design District).

SUPPORT (S1)

The portion of a Design District where moderate intensity urban development creates a mixed use urban environment of a lesser scale than the Core adjacent development. The S1 District is approximately at the edge where intensity of development is often predicted to taper but remains diverse and vibrant. The S1 District also serves as a transition between the Core and the Support 2 Districts.

SUPPORT 2 (S2)

The portion of a Design District intended to provide a sensitive transition from more intensive development to development adjacent to the district, often residential in nature.

SPECIAL

Special sub-districts can be which need or needed for any of the Design District. Special sub-districts for a special sub-district will be established to accommodate unique conditions identified through the detailed planning of the district to develop control sensitive standards.

Ninth Street Design District Example
Height maximum and density range very vary for each Design District

Surrounding Residential	Support 2	Support 1	Core
Typical Height Range: Approximately 10-15 ft	Height maximum 40 ft	Height maximum (with setbacks) 60 ft	Height maximum (with setbacks) 100 ft
Typical Building Structure: Approximately 1-3	Max Building Structure: Approximately 3-4	Height maximum (with setbacks) 25 ft	Max Building Structure: Approximately 4-6
Typical Density Range: Approximately 1-3 units per acre	Density range: 3-20 units per acre	Max Building Structure: Approximately 4-6	Density range: 10-25 units per acre

* Promote private public benefits such as affordable housing, pedestrian safety, public parking or green space, etc.

WE NEED YOU!

At future public meetings we will be asking for your help in identifying where to draw sub-district boundaries and if there is a need to create a special sub-district unique to Parkerson Place. If you are interested in influencing how these are applied, please plan to attend future meetings and stay engaged with the Planning Department.



Any efforts to create a commercial corridor overlay district should be done to coordinate with the existing overlay district within the downtown area. RKG envisions the commercial corridor overlay district will complement effort already underway in the downtown. The example provided in this section details how other communities have created coordinated overlay districts. Furthermore, any area incorporated into this new overlay district should not be included in other planning overlay districts. Creating multiple overlays can be confusing to the development community and harm the city's attempts to encourage (re)investment.

3. Southwest Quadrant/Commerce Parks

The City of Marlborough is a regional employment center for Metro West. Most of the city's employment concentration is west of Interstate 495 along Donald Lynch Boulevard and in the Southwest Quadrant area of the city. Community assets ranging from Solomon Pond Mall and the New England Sports Center to The Campus at Marlborough, Marlborough Hills, and the Marlborough Technology Park are all located in western Marlborough. Each of these assets is critical to the economic health of the community and helps define Marlborough as an economic engine for the region. However, the development intensity of the area offers the city an opportunity to develop a live-work-play environment that would be unique to Metro West. Specific opportunities include:

- **Create a town center environment in the Southwest Quadrant.**

The various commerce parks located south of Route 20 and west of Interstate 495 were developed in a suburban scale. The buildings were built on large lots with substantial surface parking and open space. While this development pattern was popular in the 1980s and 1990s, it is an inefficient use of land. Given the growth and development pressures facing Metro West and the entire Boston Metropolitan area combined with the

Example of town center development; Robbinsville, NJ

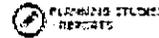
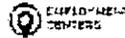


increasing popularity of new urbanist development patterns, employment center communities such as Marlborough are increasingly seeking to maximize the potential of these inefficient development patterns. To this point, the city leadership can encourage infill development within the commerce parks to introduce more living, dining, and support services. This development program will benefit the employees of these parks by providing convenient living opportunities as well as services within walking distance of their jobs. It also will benefit the businesses by providing greater housing choice close to their locations. While the market will dictate ownership/rental patterns, the consultant recommends the city focus on multifamily development for this infill development to maximize the market potential.

- **Consider public-private partnerships to create structured parking.** As mentioned, one of the common characteristics in this area is large parking fields to support the individual buildings. While financial feasibility makes creating structured parking at this scale more challenging, a higher intensity development (i.e. FAR levels at or above 1.0) would make structured parking more feasible. Opening the parking fields for redevelopment creates two primary benefits. First, it helps meet the vision for creating greater activity in this area. Second, it reduces the amount of current greenspace that would need to be consumed to accommodate the infill development. The city leadership would need to review each proposed partnership on a case-by-case basis to ensure the respective project would not be feasible without public involvement. The consultant recommends the city require a pro forma analysis for any applicant seeking public investments.

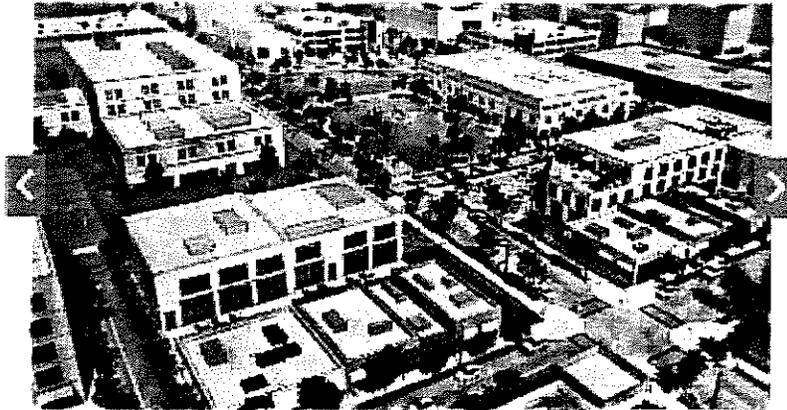


Office park infill development initiative in San Antonio, TX



ABOUT THE PLAN | PROCESS & SCHEDULE | GET INVOLVED | FREQUENTLY ASKED QUESTIONS

Office Park Infill



Place Types

- Regional commercial
- High-density urban/central business district
- Medium-density mixed-use community center
- Neighborhood center
- Transit-oriented development
- Community neighborhood
- Local neighborhood
- Office Park Infill

Suburban-style office parks with large buildings surrounded by parking are very similar to shopping malls in that they are heavily auto-oriented and are frequently focused inward. Infill development should be used to create a denser, more compact development pattern, with integrated plazas and park spaces. Pedestrian connectivity to and within the site should be a major objective. The mix of uses includes office buildings with a better pedestrian-level experience, medium to high density residential and parking garages wrapped with retail and additional office space. Mixed-use commercial edges bring more activity into the immediate area and help to better integrate office parks with other surrounding land uses. Potential locations include Park San Antonio, Brooks and the Westover Hills area.

Major Determinants

Suburban-style office park.

Predominant Land Uses

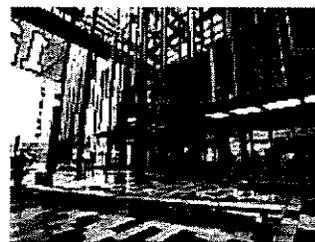
Office, mixed-use, commercial, and linked multifamily and attached single-family residential.

Performance Standards

- Height: 2 to 10-story development or 35 to 128 feet
- Massing and Density: 15 to 40 housing units per acre and 21 to 61 Floor Area Ratio (FAR)
- Street Level Activation: Transparency along primary street of 40%; transparency along side street of 20%
- Connectivity: Maximum block perimeter of 1,250 feet; minimum 90 intersections per square mile
- Public Space: Plazas and park spaces totaling 5 acres per 1,000 residents
- Parking: On-street and off-street parking (most in structures)

Potential Locations

The Office Park Infill place type is most appropriate in suburban-style office parks with large surface parking lots and underutilized landscaped areas.



Big companies - Google, Apple, Amazon, etc. and Facebook (Palmer) are making major efforts to update their traditional office campuses with more urban amenities and mixed-use development.

Source: City of San Antonio, TX

- **Require that infill development enhance multimodal connectivity.** Much of the existing development in the Southwest Quadrant is automobile oriented. Most of the buildings are oriented internally to the parcel (rather than to the road network), and pedestrian and bicycle access between buildings/adjacent developments is not consistent. Any new infill development should be encouraged to orient to the road, and be required to create better intra-connectivity with other buildings on the parcel as well as inter-



connectivity within adjacent developments. Enabling residents, visitors, and workers the means to access these new amenities without their car will enhance the attractiveness of the living and employment centers.

4. Established Neighborhoods/Infill

While this analysis focuses on multifamily (both rental and owner) development, the data indicate there is unmet demand across all housing types. Both empirical and anecdotal data reveal that the demand for owner-occupant housing is greater than the available supply within the City of Marlborough. As noted in the guiding principles, RKG Associates recommends the city strive to retain a balance of residential development across all product types. The current inventory of proposed projects includes some that are located within established neighborhood areas and/or are convenient to the city's commercial, employment, transportation, services, and public amenities. The analysis indicates these land assets are better suited to accommodate new owner-occupant residential development. This could be in the form of garden condominiums, townhomes, or any of the potential single-family detached housing forms available.

- **Consider the use of cottage-scale single family development.** Feedback from residential brokers indicates that the demand for owner-occupant housing ranges in both housing type and cost. This reportedly creates a challenge to lower density homeownership development, as land costs make it financially challenging to build to the market with a low yield of units per acre. Using a development method, such as cottage-scale development, that enables a greater number of units per acre effectively reduces per-unit land costs. Employing this non-traditional approach could encourage greater interest in building more single-family, owner-occupant housing.

Cottage scale houses increase homeownership opportunities



- **Promote owner-occupancy in waterfront areas.** The city has a handful of larger waterbodies, generally located away from the commercial and employment centers of the city. Given this, the city leadership should encourage homeownership for any development or redevelopment projects proposed to be near these water bodies. More strategically, any residential investment in these areas should be encouraged to maximize the unit yield, as access and visibility to water amenities typically have a premium over the rest of the market. Maximizing these assets to promote greater homeownership will help in maintaining development balance within the city.



▪ ***Encourage a mixture of ownership units for larger development projects.***

Whether located near a water body or in an established neighborhood area, larger projects should be encouraged to incorporate a mixture of ownership units. Providing a mix of garden condominium, townhome, cottage units, or traditional single-family detached housing has several benefits. First, encouraging higher intensity ownership types will maximize the yield of the project. Creating a variety of choice will appeal to a broader demand base. To this point, incorporating an age-restricted component to a larger project should be

allowed. Second, varying the product also will vary the range of pricing. Creating a price-diverse program also expands access for the marketplace. As noted, the diversity of housing cost is as important as the diversity of housing supply.

Stacked townhouse concept – alternative to traditional townhouses





3 MULTIFAMILY MARKET ANALYSIS

The multifamily market analysis focuses on understanding the local and regional supply and demand trends, conditions, and projections as they relate to the City of Marlborough. The city leadership currently is considering several proposed multifamily (both rental and ownership) development projects throughout Marlborough. This analysis will shape the recommendations on whether the scale of proposed development is consistent with existing and future market demand. This chapter concludes with an assessment of the proposed development pipeline.

While the analysis focuses on trends and projections in Marlborough, RKG Associates also analyzed three other geographic areas. The first is a collection of the immediate surrounding towns of Hudson, Sudbury, Northborough, Westborough, Southborough, Framingham, and Berlin. For the purposes of this analysis, these communities are referred herein as the “Surrounding Communities.” RKG Associates also analyzed trends for Middlesex and Worcester counties. This regional assessment was completed to identify potential opportunities and challenges for the Marlborough multifamily market resulting from supply and demand changes in neighboring areas.

C. DEMAND ANALYSIS

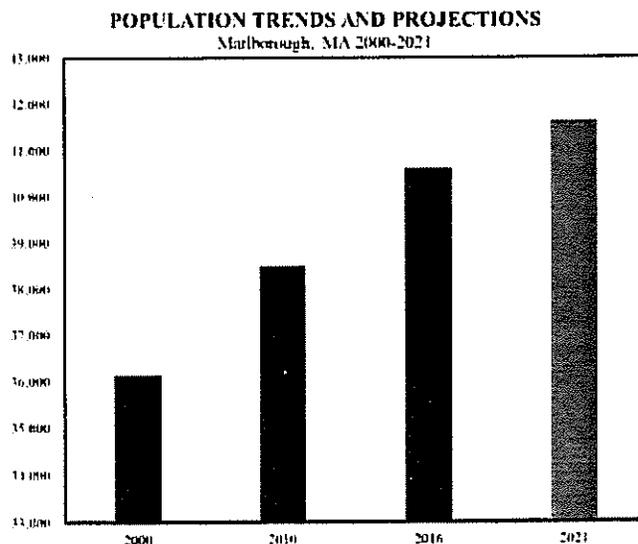
The following section presents an overview of selected socioeconomic trends and projections for the City of Marlborough, Massachusetts and the surrounding market. Understanding socioeconomic changes frames current and projected demand for housing.

1. Population

The population of Marlborough increased by 2,350 persons during the last census decade, from 36,150 to 38,500 persons representing a growth rate of 6.5 percent (Figure 3-1). Population growth continued through 2016, increasing to more than 40,600 residents. Projections provided by Alteryx¹ indicate the city’s population will increase by more than 1,000 new people by 2021. This projection is slightly higher, but still consistent with, MAPC’s population projections (41,140 for the ‘strong’ scenario).

From a regional context, the city’s population has increased faster than each of the other study areas since 2000. Marlborough’s population growth rate has exceeded the

Figure 3-1



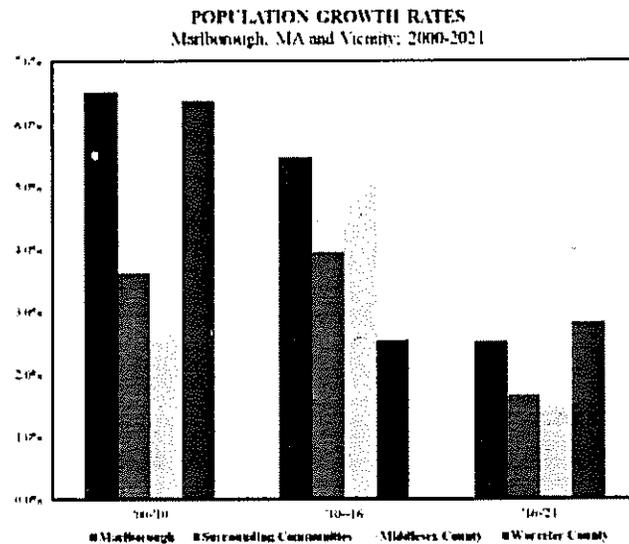
Source: Alteryx 2017

¹ Alteryx is an internationally renowned third-party socioeconomic data vendor. Alteryx uses a proprietary algorithm to forecast demographic and economic changes.



Surrounding Communities, Worcester County and Middlesex County since 2000 (Figure 3-2). Projection data indicate Marlborough likely will continue to grow faster than the Surrounding Communities and Middlesex County, while Worcester County is projected to grow at a slightly faster rate (2.8% compared to 2.5%). This strong pace of growth is consistent with the city's development trends. Marlborough has been progressive in supporting new residential growth—particularly multifamily growth—enabling the healthy population increase. The projection data reflects the city leadership maintaining that progressive approach to development. Regardless, the data indicate that demand to locate in Marlborough is substantial.

Figure 3-2



Source: Alteryx 2017

2. Population by Age

Since 2010, Marlborough has experienced a net increase in each studied age cohort (Table 3-1). The greatest observed is among the pre-retirement age population (55 to 64-years cohort), followed by the retirement aged population at 65 and older. However, the city experienced net gains in each age cohort. In contrast, each of the other study areas experienced a net decline in persons aged 35 to 54. This disparity

reflects the city's strong employment recovery following the Great Recession in 2006-07. The City experienced substantial employment loss prior to 2011, but has recovered to higher than pre-recession levels (detailed in later in this section). Attracting so many jobs back into the community positively impacted the city's growth of working-aged persons.

Table 3-1
 Net Change in Population by Age Trends and Projections
 Marlborough, MA and Vicinity

	Marlborough	Surrounding Communities	Middlesex County	Worcester County
2010-2016				
Under 20	316	733	9,246	(7,133)
20 to 34	68	1,303	26,083	12,616
35 to 54	225	(1,148)	(4,124)	(12,635)
55 to 64	1,263	1,797	20,282	13,979
Over 65	638	2,303	24,320	13,353
Total	2,510	4,888	75,807	20,180
2016-2021				
Under 20	(22)	(825)	(7,324)	(4,096)
20 to 34	(16)	715	(291)	7,769
35 to 54	(57)	(1,625)	(12,862)	(8,651)
55 to 64	379	1,153	9,160	8,183
Over 65	734	2,698	34,403	19,828
Total	1,018	2,116	23,086	23,033

Source: U.S. Census, Alteryx, and RKG 2017

Projection data indicate that future population changes likely will favor the older (55 and up) cohorts. Each of the four study areas are projected to lose population levels for persons under the age of 55, while experiencing substantial gains in the 55 and older cohorts. This data is not surprising, as the Baby Boomer generation continues to age. These individuals constitute the largest portion of the

population, and increasingly surpass the 55-year old threshold. Along these lines, the Millennial cohort—the second largest cohort—is responsible for the projected increase in persons between 20 and 34-years old for the Surrounding Communities and Worcester County.

The growth of the Baby Boomer and Millennial generations likely will increase demand for multifamily housing over the next five to ten years. Most Millennials will still not have begun families by 2021, making multifamily housing (both ownership and rental) an attractive, cost-effective housing alternative. For Baby Boomers, the need for larger single-family homes will continue to decline as they age and their dependents form new households.



3. Household Formation

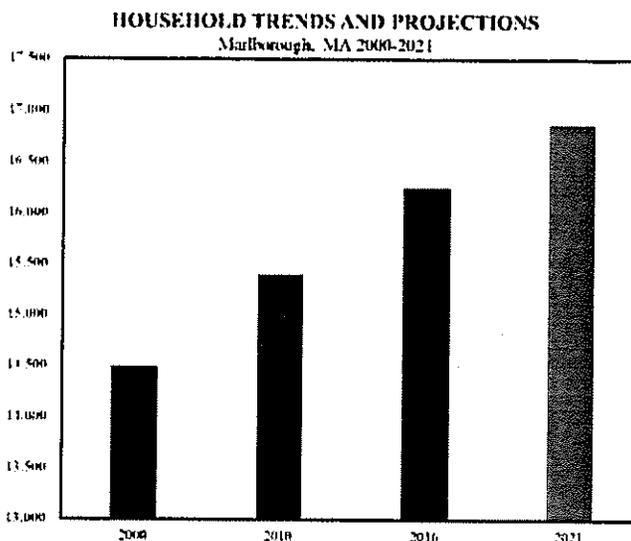
Household formation trends closely reflect those for population changes. The City of Marlborough has experienced steady household formation growth since 2000, and it is projected to continue through 2021. The number of households in the city grew by more than 1,760 between 2000 and 2016, for an increase of 12.2% (Figure 3-3). Alteryx projections indicate there will be approximately 620 new households in Marlborough by 2021. While household formations ultimately will depend upon new residential development (given the low housing vacancy rate), the data indicate there is sufficient demand to support new residential housing.

The regional comparison for household formation is almost identical to the population graphic. Marlborough has experienced faster household formations than the surrounding market since 2000, apart from Worcester County from 2000 to 2010. Worcester County had a slightly higher household formation rate (6.8% compared to 6.4%). However, household formations in Worcester County have slowed substantially since 2010 (Figure 3-4) compared to Marlborough. Projections indicate that Marlborough likely will to continue to outpace the Surrounding Communities and Middlesex County in household formations through 2021 (Figure 3-4). As noted, the data indicate Marlborough's more progressive policy toward residential development has influenced the marketplace.

4. Households by Size

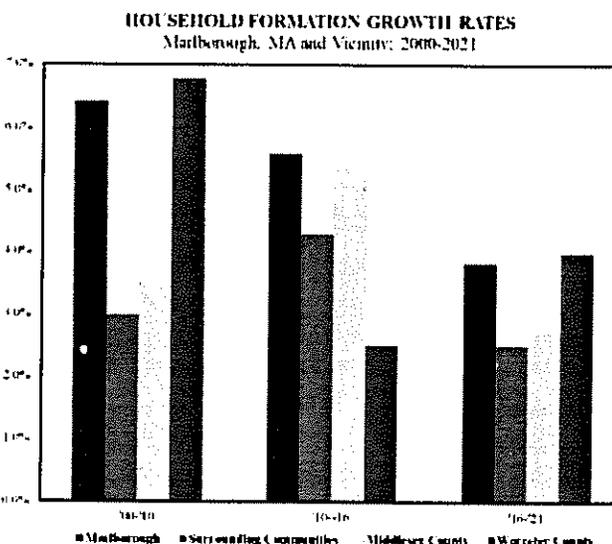
The growth in households has not been uniform across all household sizes. Marlborough historically maintained a smaller average household size than the surrounding area. The average household size for the city has steadily declined from 2.47 in 2000 to 2.44 in 2016. In comparison, the three other study areas have maintained average household sizes between 2.56 persons and 2.48 persons during the study period. That said, almost all new households formed in Marlborough and the immediate market area have been 1-person and 2-person households. More than 1,200 of the approximately 1,800 new households formed in Marlborough between 2000 and 2016 are 1-person or 2-person households (Figure 3-5).

Figure 3-3



Source: Alteryx 2017

Figure 3-4



Source: Alteryx 2017



Regional household formation trends are similar, with households with less than two people accounting for at least 62% of all new household formations since 2000. Projection data for Marlborough indicate this growth pattern likely will continue through 2021. Strong growth of households with one or two people means demand most likely will be for smaller housing units. Simply put, most small households do not seek large (3+ bedroom) units. Thus, the interest to build multifamily units is consistent with demand.

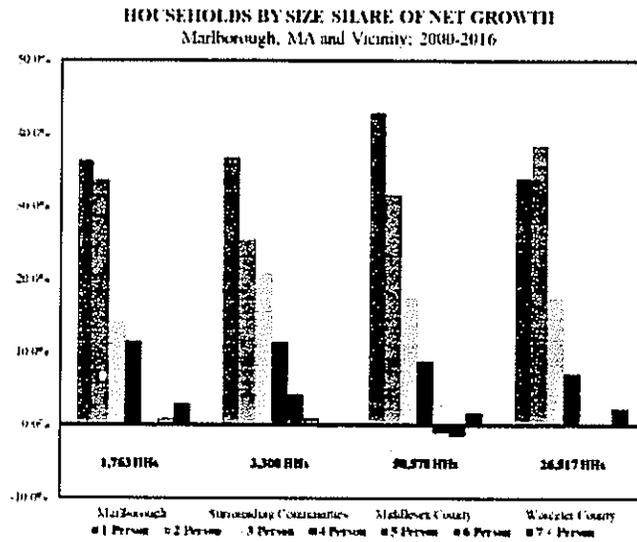
5. Family Households

RKG Associates also assessed the formation of family households to better understand the trends and projections on changes in the number of school-age children. The analysis indicates that Marlborough is experiencing growth in both non-children households and those with children. Approximately 60% of newly formed households since 2010 did not have any children. Of those that did, the predominance were two-spouse households. The data reflect the desirability of Marlborough across all household types. However, very few of the households with children were occupying newly constructed multifamily developments (discussed in more detail in the Fiscal Impact chapter). Only 13 school-aged children in public schools live in the apartments built since 2010 despite a net increase of approximately 350 households with children (Figure 3-6). Projection data provided by Alteryx suggests that the growth in non-children household likely will continue to outpace households with children, continuing to account for approximately 60% of the projected new households.

6. Households by Income

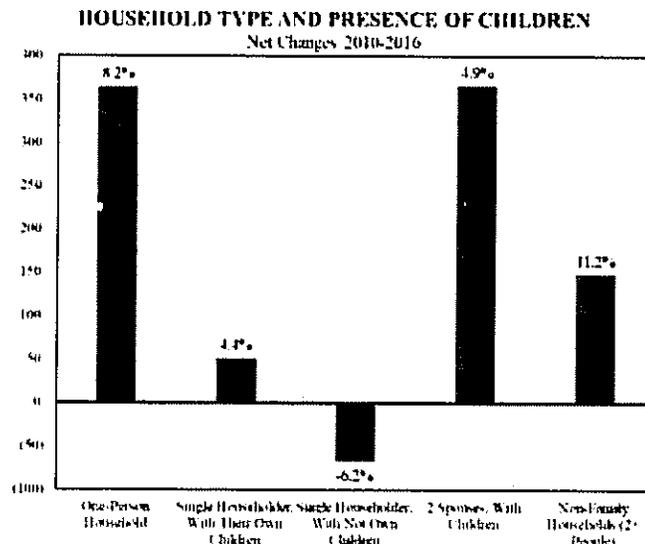
Household income in Marlborough is diverse, and is consistent with the regional marketplace. Approximately 40% of the city’s households earn over \$100,000, compared with 44% for the Surrounding Communities and Middlesex County as a whole (Figure 3-7). Only 30% of households in Worcester County earn over \$100,000. Conversely, less than 28% of households in Marlborough earn less than \$40,000, slightly more than the Surrounding Communities (25%) and Middlesex County (24%). More than 30% of Worcester County households earn less than \$40,000.

Figure 3-5



Source: Alteryx 2017

Figure 3-6

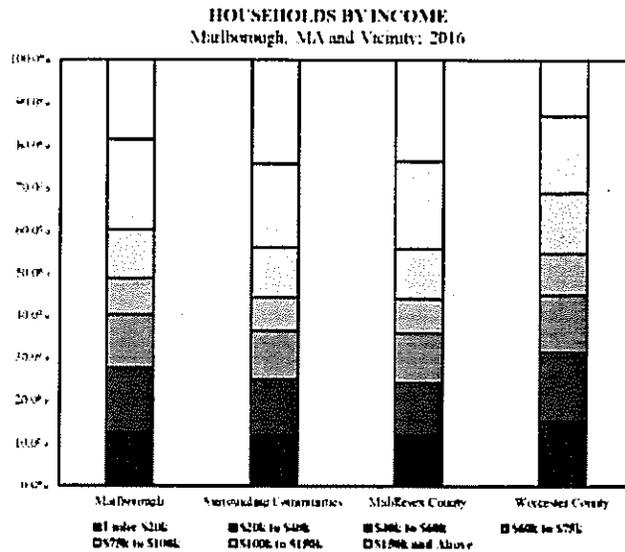


Source: Alteryx 2017



That said, changes in households by income since 2010 have been disproportionate. Within Marlborough, the number of households earning over \$100,000 increased by almost 950 between 2010 and 2016. In contrast, the number of households earning less than \$100,000 declined by 65 households (Table 3-2). While some of this change is due to increasing salaries, local and regional income increase metrics suggest most of this change is due to migration. The city is experiencing substantial increases in more affluent households. This trend is consistent with the region as well. Each of the three other study areas had similar changes, with the net number of households earning over \$100,000 increasing and the net number earning less than \$100,000 decreasing.

Figure 3-7



Source: Alteryx 2017

It is important to note that Marlborough did experience a net increase in households earning less than \$40,000 during this period (approximately 102 households). However, most of that growth was in households headed by people over 45-years old. This likely is due to relative availability of more modest-valued housing as well as natural aging-in-place of households already located in the city. The Surrounding Communities study area experienced a similar trend, gaining households earning below \$20,000. In fact, most of the gains in households earning below \$100,000 regionally were from households headed by people over 45-years old. Anecdotal data from local real estate professionals indicate these households may have greater resources (i.e. equity from the sale of a house elsewhere), enabling them to enter the Marlborough/Metro West market more easily than younger households that have not accrued that wealth. Regardless, the disparity indicates there remains a barrier to entry for the regional housing market that most modest-income households cannot overcome.

Despite this last finding, Alteryx’s projections for households by age and income suggest the disproportionate growth for the wealthiest households will accelerate in the near future. The net change for each income group earning less than \$100,000 is projected to decline in each of the four study areas, including Marlborough (Table 3-3). The limited increase in new housing combined with the projected growth in jobs (detailed later in this chapter) and locational advantages of Metro West will provide more affluent households an advantage in acquiring housing regionally.



Table 3-2
Households by Age of Householder and Income
2010-2016 Net Change

	Under 25	25-34	35-44	45-54	55-64	Over 64	Total	% Change
CITY OF MARLBOROUGH								
Under \$20,000	(50)	(4)	6	20	63	7	42	2.1%
\$20,000 to \$39,999	23	(22)	(26)	16	26	45	62	2.6%
\$40,000 to \$59,999	4	12	(62)	(34)	52	12	(16)	-0.8%
\$60,000 to \$74,999	(9)	1	(44)	(49)	24	31	(46)	-3.2%
\$75,000 to \$99,999	6	5	(82)	(71)	(29)	64	(107)	-5.5%
\$100,000 to \$149,999	9	64	(42)	(42)	48	125	162	4.9%
\$150,000 and Above	3	133	204	177	153	116	786	35.2%
TOTAL	(14)	189	(46)	17	337	400	883	5.7%
SURROUNDING COMMUNITIES								
Under \$20,000	(50)	(3)	(67)	70	116	(35)	31	0.6%
\$20,000 to \$39,999	(2)	(7)	(26)	(59)	81	(9)	(21)	-0.3%
\$40,000 to \$59,999	(9)	141	(129)	(150)	(93)	27	(214)	-3.5%
\$60,000 to \$74,999	(16)	(16)	(157)	(145)	(13)	164	(184)	-4.5%
\$75,000 to \$99,999	(13)	(70)	(329)	(213)	(56)	233	(448)	-7.2%
\$100,000 to \$149,999	15	43	(209)	(328)	195	396	112	1.2%
\$150,000 and Above	13	277	459	781	847	620	2,996	34.3%
TOTAL	(62)	364	(458)	(44)	1,078	1,395	2,273	4.9%
MIDDLESEX COUNTY								
Under \$20,000	(932)	78	(514)	325	1,258	(1,784)	(1,569)	-2.1%
\$20,000 to \$39,999	20	(503)	(713)	(445)	390	(598)	(1,849)	-2.4%
\$40,000 to \$59,999	(365)	956	(1,435)	(1,797)	(666)	1,091	(2,216)	-2.9%
\$60,000 to \$74,999	(158)	(1,126)	(1,657)	(2,299)	(919)	1,478	(4,681)	-8.7%
\$75,000 to \$99,999	(84)	(177)	(2,797)	(3,223)	(461)	2,591	(4,151)	-5.1%
\$100,000 to \$149,999	95	1,869	(609)	(2,085)	2,525	5,021	6,816	5.8%
\$150,000 and Above	197	6,050	7,117	9,238	9,852	8,217	40,671	39.7%
TOTAL	(1,227)	7,147	(608)	(286)	11,979	16,016	33,021	5.7%
WORCESTER COUNTY								
Under \$20,000	(745)	175	(705)	130	1,026	(1,492)	(1,611)	-3.3%
\$20,000 to \$39,999	23	244	(989)	(397)	848	216	(55)	-0.1%
\$40,000 to \$59,999	(137)	832	(1,596)	(1,569)	(560)	958	(2,072)	-4.5%
\$60,000 to \$74,999	(47)	(44)	(1,032)	(788)	642	1,429	160	0.5%
\$75,000 to \$99,999	64	300	(1,699)	(1,035)	1,175	1,809	614	1.4%
\$100,000 to \$149,999	100	370	(1,329)	(1,465)	1,713	2,229	1,618	3.0%
\$150,000 and Above	53	928	1,501	2,917	2,647	2,556	10,602	35.6%
TOTAL	(689)	2,805	(5,849)	(2,207)	7,491	7,705	9,256	3.1%

Source: Alteryx 2017



Table 3-3
Households by Age of Householder and Income
2016-2021 Projected Net Change

	Under 25	25-34	35-44	45-54	55-64	Over 64	Total	% Change
CITY OF MARLBOROUGH								
Under \$20,000	(10)	(35)	(48)	(95)	(29)	(61)	(278)	-13.7%
\$20,000 to \$39,999	(25)	(79)	(65)	(60)	(24)	34	(219)	-8.9%
\$40,000 to \$59,999	(14)	(77)	(50)	(74)	(31)	43	(203)	-10.0%
\$60,000 to \$74,999	(11)	(65)	(46)	(85)	(26)	38	(195)	-13.9%
\$75,000 to \$99,999	(4)	(42)	(64)	(108)	(52)	52	(218)	-11.8%
\$100,000 to \$149,999	13	162	167	55	144	201	742	21.6%
\$150,000 and Above	13	174	269	159	242	141	998	33.0%
TOTAL	(38)	38	163	(208)	224	448	627	3.9%
SURROUNDING COMMUNITIES								
Under \$20,000	(53)	(87)	(107)	(216)	(168)	(168)	(799)	-14.1%
\$20,000 to \$39,999	(40)	(124)	(82)	(178)	(104)	7	(521)	-8.2%
\$40,000 to \$59,999	(27)	(174)	(96)	(226)	(177)	(1)	(700)	-12.5%
\$60,000 to \$74,999	(26)	(110)	(138)	(180)	(133)	8	(580)	-15.0%
\$75,000 to \$99,999	(13)	(81)	(248)	(319)	(179)	189	(651)	-11.4%
\$100,000 to \$149,999	23	352	199	(70)	385	819	1,709	18.0%
\$150,000 and Above	27	261	328	415	992	748	2,770	23.6%
TOTAL	(109)	37	(144)	(774)	615	1,602	1,228	2.5%
MIDDLESEX COUNTY								
Under \$20,000	(963)	(1,310)	(967)	(2,920)	(2,066)	(1,490)	(9,716)	-13.6%
\$20,000 to \$39,999	(535)	(1,748)	(1,055)	(2,102)	(1,206)	327	(6,319)	-8.5%
\$40,000 to \$59,999	(663)	(2,257)	(1,345)	(3,204)	(2,047)	307	(9,209)	-12.9%
\$60,000 to \$74,999	(312)	(1,955)	(1,183)	(2,429)	(1,397)	459	(6,817)	-13.9%
\$75,000 to \$99,999	(499)	(2,219)	(2,565)	(4,762)	(2,992)	1,308	(11,729)	-15.1%
\$100,000 to \$149,999	620	4,785	4,485	207	4,409	9,591	24,097	19.4%
\$150,000 and Above	98	5,098	6,620	4,630	10,153	10,272	36,871	25.7%
TOTAL	(2,254)	394	3,990	(10,580)	4,854	20,774	17,178	2.8%
WORCESTER COUNTY								
Under \$20,000	(500)	(676)	(903)	(2,214)	(1,371)	(791)	(6,455)	-13.7%
\$20,000 to \$39,999	(183)	(702)	(1,077)	(1,527)	(882)	376	(3,995)	-8.0%
\$40,000 to \$59,999	(199)	(774)	(1,228)	(2,275)	(1,261)	676	(5,061)	-12.0%
\$60,000 to \$74,999	(27)	(733)	(1,147)	(1,889)	(860)	683	(3,973)	-13.0%
\$75,000 to \$99,999	63	467	(312)	(1,290)	1,166	2,690	2,784	6.3%
\$100,000 to \$149,999	247	2,980	2,518	1,822	4,056	4,384	16,007	28.6%
\$150,000 and Above	112	1,264	2,038	2,365	3,606	3,758	13,143	32.5%
TOTAL	(487)	1,826	(111)	(5,008)	4,454	11,776	12,450	4.0%

Source: Alteryx 2017



7. Employment Trends and Projections

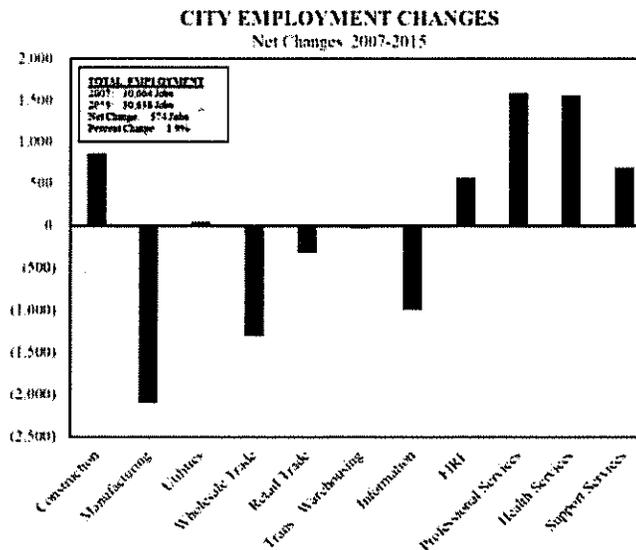
Employment within Marlborough was influenced by the Great Recession. Prior to 2007, the city’s total private sector employment levels were 30,064. During the Recession, employment fell to as low as 27,572 (in 2013). However, the city has experienced substantial recovery since then, with a total employment level of 30,638 in 2015, or 574 jobs more than the city had prior to the recession. Anecdotal data indicate current levels are even higher.

Despite the general recovery within the city, employment changes were not uniform across all market sectors. The city experienced substantial shifts from production-based markets to service-based markets. Most notably, the city experienced a net decline of almost 2,100 manufacturing jobs and 1,300 wholesale trade jobs between 2007 and 2015 (Figure 3-8). In contrast, the city experienced a net increase of nearly 3,600 in office-based employment, led by health care & social assistance (1,553 jobs). This transition is consistent with regional and national trends.

Projection data indicate the city’s positive employment growth and the transition to service-based jobs likely will continue into the near future. Marlborough is projected to experience a net increase of 1,325 jobs by 2025, or a 4.3% increase. However, production-based (except manufacturing) and trade-based sectors are projected to remain stable through 2025, experiencing modest employment growth. Manufacturing is projected to continue to decline by approximately 320 jobs (Figure 3-9). In comparison, service-based sectors, particularly professional services and health services, are projected to continue to experience substantial growth. It is important to note that these figures do not consider the Apex development, which has announced there could be as many as 1,600 service-based and trade-based jobs on site when construction is complete.

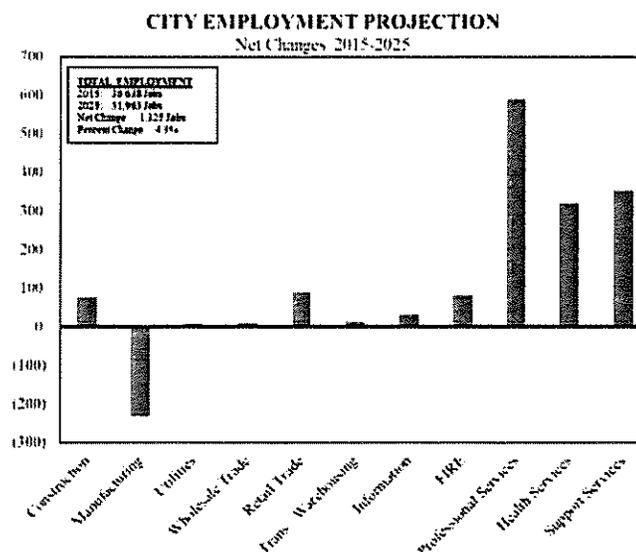
The net growth in employment since 2007 has had a positive impact on housing demand, increasing the number of people working in Marlborough. The projected increase in jobs through 2025 suggest demand will continue to rise. Thus, the development interest expressed in Marlborough is consistent with the changing market demand dynamics.

Figure 3-8



Source: ES-202; 2017

Figure 3-9



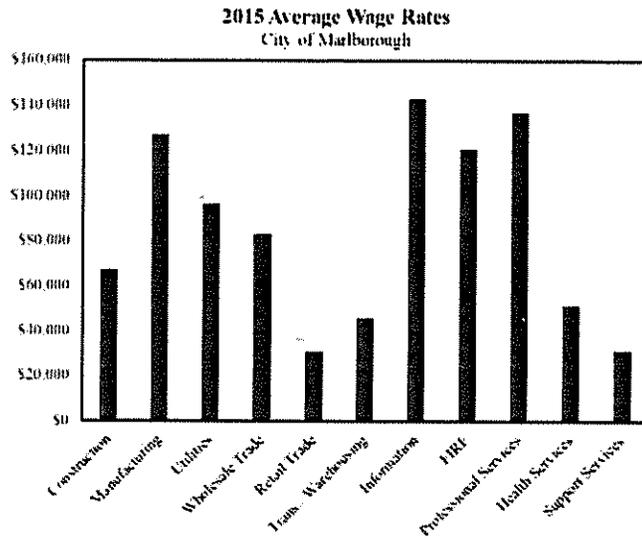
Source: RKG Associates; 2017



8. Employment by Wages

The transition of employment from production-based markets to service-based markets likely is influencing multifamily demand levels. The average annual wage rates for the growth sectors vary from those that are experiencing net declines. The professional services sector, which experienced the strongest growth since 2007 and is projected to have the strongest growth through 2025, has an average annual wage rate of \$137,186. This is higher than the manufacturing sector's average rate of \$127,400. However, the city's second (health services) and third (support services) strongest growth sectors have average wage rates of \$51,324 and \$31,350 respectively (Figure 3-10). While average wage rates are not a complete picture of what new households will see collectively, the data indicate that demand for housing in Marlborough from local workers will be across a broad spectrum of income levels.

Figure 3-10



Source: ES-202; 2017

9. Commuting Patterns

The City of Marlborough is a regional employment center. In 2014, the city had more than 7,500 more in-commuters (people who commuted to Marlborough for work) than it had out-commuters (people who lived in Marlborough and worked elsewhere). Most in-commuters live in Middlesex and Worcester counties, including close to 2,000 from the City of Worcester alone (Table 3-4).

Table 3-4
 City of Marlborough Commuting Patterns
 2014 Census Data

Location	In Commuters	Out Commuters	Difference	% of City Workforce
Marlborough	2,592	2,592	0	9.7%
Worcester	1,963	900	1,063	7.4%
Rest of Middlesex/Worcester Counties	13,786	10,739	3,047	51.7%
Boston	785	1,348	(563)	2.9%
Rest of Massachusetts	5,565	2,728	2,837	20.9%
Out of State	1,971	812	1,159	7.4%
TOTAL	26,662	19,119	7,543	100.0%

Source: U.S. Census 2017

Approximately 4,000 more people from Middlesex and Worcester counties commute into Marlborough than Marlborough residents who work elsewhere in either of the two counties. Another 6,350 commuted from other parts of Massachusetts (Table 3-4). Only 1,348 Marlborough residents, or 7% of the city's working residents, commute into Boston for work. These findings indicate that people who work in Marlborough tend to locate close by. As the city's employment base continues to grow, it is likely that those workers will want to live in or around the city. Providing greater housing type and housing cost choices most likely will draw these households into the city.



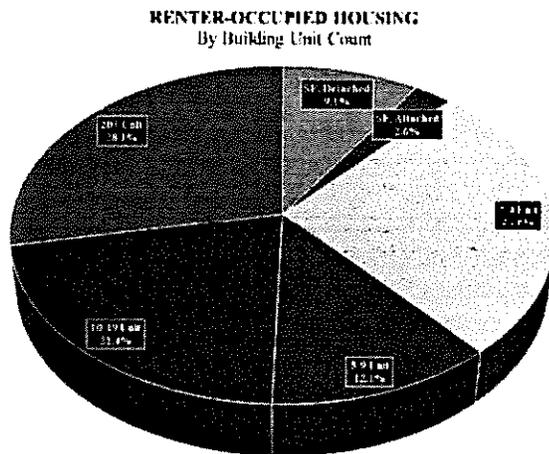
D. SUPPLY ANALYSIS

The supply-side analysis provides the market perspective on whether additional multifamily development (both ownership and rental) is appropriate for Marlborough; and how much can be absorbed if it is appropriate.

1. Housing by Tenure

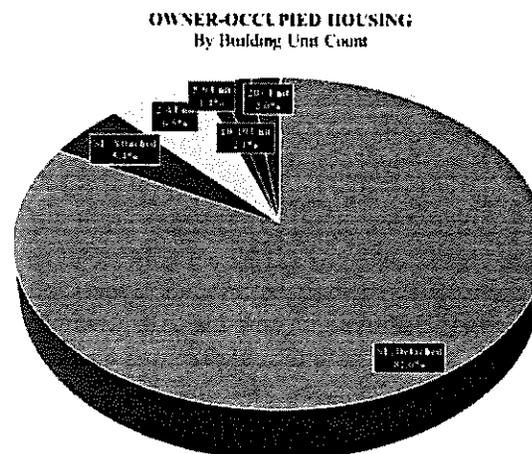
The City of Marlborough has a diverse housing supply. Based on U.S. Census data, approximately 55%, or 8,842 units, of the city's housing is owner-occupied. The remaining 7,291 units are renter-occupied. Slightly less than half of the city's housing is single-family detached units. Multifamily structures with at least five units constitute approximately 4,750 units, or roughly 28% of the supply. However, housing diversity varies for renter-occupied housing and owner-occupied housing. Rental housing is very diverse, with much of rental housing units within larger buildings. This is typical for rental housing, as apartment complexes oftentimes constitute most rental units. That said, more than 11% of the rental housing supply is traditional single-family ownership units converted for rental use (Figure 3-11). Duplexes, triplexes, and quadraplexes constitute more than 25% of the rental housing supply. In contrast, owner-occupied housing is almost exclusively single-family detached and single-family attached housing units (Figure 3-12). Condominium-style units account for 2,392 units of the total housing supply, and less than 10% of the owner-occupied housing supply.

Figure 3-11



Source: U.S. Census 2017

Figure 3-12



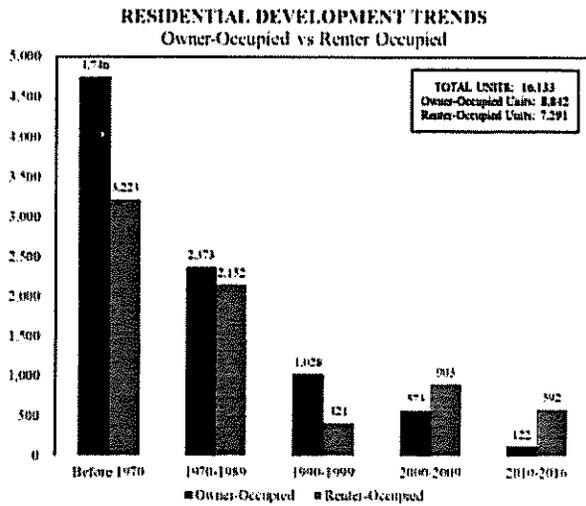
Source: U.S. Census 2017

2. Development Trends

Residential development has been consistent in Marlborough since 1990. Approximately 12,500 of the 16,133 housing units in Marlborough were built prior to 1990. Since then, approximately 145 housing units have been delivered annually. The development pace since 2010 has been slightly behind that of the 1990s and 2000s, but only slightly so. However, the type of development has changed over the years. Prior to 2000, the development of owner-occupied housing outpaced the development of renter-occupied housing (Figure 3-13). Since 2000, rental housing development outpaced ownership housing by a ratio of more than 2 units to 1 unit. Even within the multifamily development activity, Marlborough recently experienced substantially more rental unit development than owner-occupied projects. Multifamily development prior to 2000 was balanced, with condominium units (2,103 units) being more numerous than apartments (1,742 units). In contrast, development of apartments has outpaced condominiums by more than 5 units to 1 unit since 2000 (Figure 3-14).

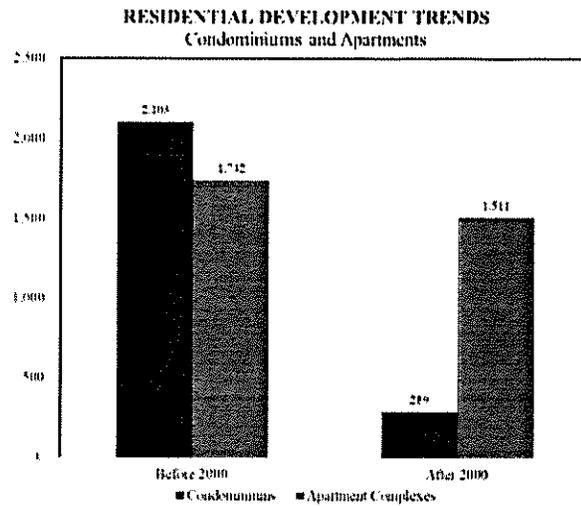


Figure 3-13



Source: U.S. Census 2017

Figure 3-14



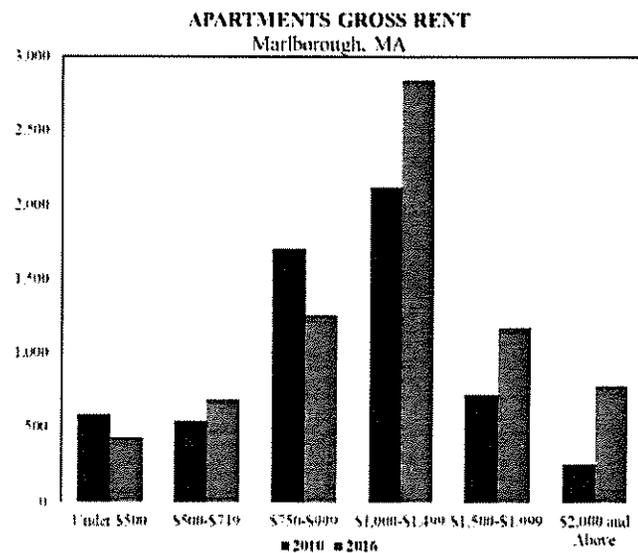
Source: U.S. Census 2017

This shift reflects the changing market dynamics locally, regionally, and nationally. From a broad perspective, the two largest demand markets (Baby Boomers and Millennials) have a higher propensity to rent than other segments. The Baby Boomers are seeking to downsize and become more mobile as they move into retirement. Millennials continue to exhibit typical housing consumption patterns for young adults, with preference towards smaller rental units to accommodate their financial situations and mobile professional life. On a more local level, Metro West has continued to build out and has fewer large-scale greenfield development areas. As growth continues to happen in the area, supply and demand equilibriums for land has continued to push costs higher. As land costs increase, developers need to increase unit yield to make investments financially feasible. This natural market pressure is pushing these traditionally suburban communities towards higher intensity developments, like townhomes, condominiums, and apartment complexes. The focus on apartment development also reflects the recent changes in real estate financing, as banks have become more conservative in condominium financing and federal regulators have tightened lending practices for home purchase.

3. Rental Pricing

The increased development of multifamily rental housing has not kept pace with demand. Despite the increase in the production of multifamily development, rent rates for apartments have continued to increase faster than the pace of inflation. In 2010, there were 2,834 rental units with monthly gross rents below \$1,000. These units constituted approximately 53% of all rental units in Marlborough. By 2016, the number of units with monthly gross rents below \$1,000 had declined by more than 450 and only accounted for 35% of all rental units. While rents continue to range within the City, the pressure from demand has shifted rents higher (Figure 3-15).

Figure 3-15



Source: U.S. Census 2017



Part of this shift is due to the impact of new apartment development and major renovations. Since 2000, four apartment complexes have been built and one has been substantially renovated (Bell Marlborough). None of these complexes offer market-rate rents below \$1,500. Two-bedroom unit rents range from \$2,070 per month to \$2,970 per month (Table 3-5). Rents on a per square foot basis for these complexes range from \$1.57 to \$3.00, with a median value of \$2.10. In contrast, the median rent for the rest of the apartment stock is approximately \$1.60. The average size of unit also has increased over older developments further separating prices between existing and new constructions.

**Table 3-5
 Renter-Occupied Housing
 Pricing of Recent Projects**

Bedroom Count	Minimum Rent	Maximum Rent	Minimum Rent PSF	Maximum Rent PSF
<i>Talia</i>				
1-Bedroom	\$1,845	\$2,785	\$2.24	\$3.01
2-Bedrooms	\$2,380	\$3,300	\$1.92	\$2.68
<i>Avalon Marlborough</i>				
1-Bedroom	\$1,720	\$2,105	\$1.68	\$2.43
2-Bedrooms	\$2,070	\$2,835	\$1.54	\$2.00
<i>Avalon Orchards</i>				
1-Bedroom	\$1,810	\$2,275	\$1.49	\$2.19
2-Bedrooms	\$2,160	\$2,285	\$1.51	\$2.35
<i>Bell Marlborough</i>				
1-Bedroom	\$1,810	\$2,190	\$2.21	\$2.43
2-Bedrooms	\$2,280	\$2,330	\$1.58	\$1.61
<i>Stone Gate</i>				
1-Bedroom	\$1,595	\$2,435	\$2.00	\$3.16
2-Bedrooms	\$2,050	\$2,970	\$1.66	\$2.41
3-Bedrooms	\$2,300	\$3,060	\$1.72	\$2.28

Source: Apartments.com 2017

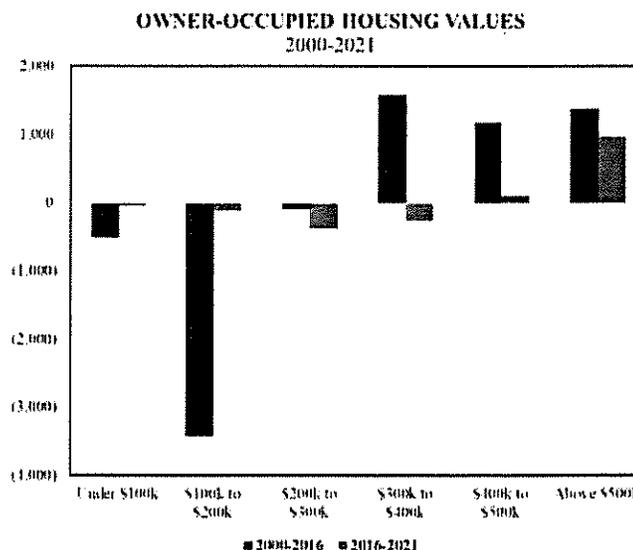
The data indicate that demand for new rental housing continues to outpace the delivery of rental housing. Since 2000, the city has absorbed approximately 100 rental units per year, and new development continues to push price points higher. While the market is not limitless, the projected growth in employment combined with the conveniences of being centrally located to Metro West's economic and employment activity will continue to drive demand to Marlborough.

4. Condominium Pricing

Like the apartment analysis, ownership housing values have continued to appreciate faster than inflation. Since 2000, the median home value has increase from \$181,119 to \$328,430, or an 81% increase. The number of ownership housing units priced below \$200,000 declined by more than 3,900 units. IN contrast, the number of units valued over \$300,000 increased by over 4,100 units (Figure 3-16). The disparity reflects recent development trends, where almost all new ownership units constructed in Marlborough are valued over \$300,000.

Within the condominium market, there is a substantial disparity between newly constructed condominium units and older stock. Condominiums built since 2010 are larger, higher valued, and higher cost than the rest of the supply. The average size for a newly built unit is 41% bigger; the average market value is 76% higher, and the average sale price is 81% higher (Table 3-6). This substantial disparity reflects the disparity between market demand and the availability of supply. Like the rental rate analysis, new condominium units command a sale price more

Figure 3-16



Source: U.S. Census 2017



than 25% higher than existing units on a per square foot basis. That said, the sales data indicate that older units also sell above their market value (104.3%), indicating that demand for smaller, more modest priced units remains greater than the local supply.

Table 3-6
Condominium Sales To Value Comparison
Sales From 2013-2015

	Year Built		Net Difference	Percent Difference
	Prior to 2010	2011-2016		
Total Arms Length Sales	330	84		
Median Sales Price	\$209,422	\$379,089	\$169,667	81.0%
Average Sales Price	\$195,255	\$348,522	\$153,267	78.5%
Average Market Value	\$187,264	\$328,911	\$141,647	75.6%
Sales to Value Ratio	104.3%	106.0%	1.7%	1.6%
Average Size (Living Area)	1,254	1,772	518	41.3%
Average Sales PSF	\$156	\$197	\$40.98	26.3%

Source: City of Marlborough 2017

E. IMPLICATIONS

The data indicate that the demand for multifamily housing has been, and remains, strong within Marlborough. Production of multifamily housing has been consistent for almost 30 years, and pricing for new multifamily housing continues to achieve top-of-the-market values. Continued interest in multifamily development is consistent with existing demand, and will be supported by imminent and projected employment growth in Marlborough.

The pace of multifamily development has been constant at approximately 145 units annually. Pricing, absorption, and vacancy (for rental housing) trends indicate this pace is healthy and has not disrupted (or even stabilized) price and cost escalations. While demand for new multifamily is not limitless, continuing this pace of development most likely will not adversely impact the local market. That said, the push to develop rental housing likely will continue to exceed ownership multifamily development into the near future. As mentioned, the debt financing and mortgage lending markets have adversely impacted profitability for condominium development. While this finding is not absolute across all condominium development types and locations, it is likely that condominium development interest will occur in very select locations (i.e. waterfront property).

Ultimately, the issue for Marlborough is not whether there is sufficient demand for new rental and ownership multifamily housing. From a market perspective, the local and regional market demand for multifamily housing is sufficient to support new development into the foreseeable future. Rather, the issue the city leadership must address is whether a particular multifamily proposal is the most desired development for a specific area or parcel within the city. Multifamily development, particularly rental housing, typically can sustain pricing levels longer when built in areas convenient to employment centers, transportation systems, retail and support services, and entertainment/recreation venues. Creating a pathway to accommodate both ownership and rental multifamily housing in a manner that maximizes their respective sustainability should be the focus for Marlborough's leaders. The Recommendations chapter details RKG Associates proposed approach to making those determinations.



4 FISCAL IMPACT ANALYSIS

As part of this assessment, RKG Associates was tasked with understanding the potential fiscal impacts that new multifamily housing could have on the city’s finances.

A. METHODOLOGY

To complete this analysis, RKG Associates used an incremental impact methodology to assess the potential revenues and expenditures related to ownership and rental multifamily development. The incremental impact methodology assumes that a portion of the cost to administer a governmental body is inherent in the structure, and is ‘fixed.’ The best example is having a City Clerk. The City Clerk position is fixed whether Marlborough has 1,000 residents or 100,000 residents. Thus, adding new housing units or households (from a residential perspective) and new businesses or employees (from a commercial and industrial perspective) will not change these ‘fixed’ costs. That said, adding more residents to Marlborough may require the hiring of an additional assistant city clerk to delegate some responsibilities that build with a larger city. This cost would be an incremental cost that is born by each new housing unit/household or business/employee. For the purposes of this analysis, the incremental revenues and expenditures were calculated on a per household basis.

Furthermore, the incremental impact methodology only considers expenditures and revenues are spent/received directly by the city. External or indirect costs, such as intergovernmental transfers and state appropriations for pupils, that are tied to new development activity are excluded from this analysis since the inflow (income) and outflow (expenditure) of that money will balance out.

Finally, the analysis relies on existing rate rates, and current market valuations to determine impact. Using locally-relevant data ensures the results are relevant to Marlborough. That said, building a model that reflects the unique characteristics of each potential development program is not realistic given this is a theoretical analysis and not based on a specific project.

B. REVENUES

The primary revenues generated by a multifamily development come from real property taxes, automobile excise fees, and the city’s fines and fees collected for various conveniences and infractions. The fiscal impact model used fiscal year 2017 tax rates for real property and automobile excise. The fee and fine calculation allocates the total collected by the city and assigning the proportional share to residential development (which totals 72% of the city’s assessed value), and then allocating that value to each household. Table 4-1 details the inputs used.

Table 4-1
Revenue Sources for Residential Development
Marlborough, MA

Real Property TaxRate (per \$1,000)	\$15.32
Auto Excise TaxRate (per \$1,000)	\$25.69
Fees and Fines per Household	\$38.06
2017 Revenue	\$852,892
Residential Share (72%)	\$614,082
Number of Households	16,133

Source: City of Marlborough and RKG Associates 2017



1. Valuation

For the real property and excise tax, RKG Associates had to calculate an average value per unit as well as an average value for cars per household. For the real property values, RKG Associates used the average market value for new construction apartments and condominiums as reported in the city's property assessment database. The average value for condominium units built since 2011 is \$328,911 (detailed in Table 3-6 in the previous chapter). For the rental multifamily valuation, RKG averaged the total market value (\$180,919,900) for the five complexes that were built/substantially renovated since 2000 (this does not include Talia, since the assessment database did not have a completed value for the project). This came to an average value of \$140,684.

Table 4-2
Apartment Complex Market Valuation
Properties Built/Renovated since 2002 [1]

	Total Value	Units	Average Value
Avalon Orchards	\$21,047,300	156	\$134,919
Heights at Wheeler Hill	\$35,952,900	274	\$131,215
Bell Marlborough	\$19,792,200	164	\$120,684
Stone Gate	\$43,473,000	332	\$130,943
204-206 West Main Street	\$2,049,200	10	\$204,920
Avalon Marlborough	\$58,605,300	350	\$167,444
TOTAL	\$180,919,900	1,286	\$140,684

Source: City of Marlborough and RKG Associates 2017

[1] Talia is not included since it did not have a market value in the assessment database

To determine the average automobile value, RKG used the total passenger vehicle assessment for 2016 and divided it by the total number of registered cars. RKG then applied a 30% income premium to account for the difference in housing value between new construction and existing development (detailed in the Market Analysis chapter). The average car value for new construction multifamily development is \$10,221.

Table 4-3
Calculation of Auto Excise Tax (2017 Dollars)
Marlborough, MA

Number of Passenger Vehicles in 2016	30,675
Total Passenger Vehicle Assessment in 2016	\$241,180,640
New Construction Income Premium	30%
Avg. Assessment per Passenger Vehicle	\$10,221

Source: City of Marlborough and RKG Associates, 2017

2. Calculations

Utilizing the methodology detailed above, RKG Associates could calculate the potential local-sourced revenues for the City of Marlborough. Auto excise tax revenue (\$496 per household) and fees/fines revenue (\$38 per household) were consistent for rental and ownership multifamily units. The disparity resulted from the differential in market value per unit. Rental multifamily is projected to generate \$2,155 per unit in real property tax revenue, while condominiums are projected to generate \$5,039 per unit (Table 4-4). In total, each apartment unit is projected to generate \$2,689, while each condominium generates \$5,573.

Table 4-4
Fiscal Impact Revenue Generation
Apartments and Condominiums

Category	New Construction Apartments	New Construction Condominiums
<i>Real Property</i>	\$2,155	\$5,039
Average Assessed Value	\$140,684	\$328,911
2017 Tax Rate (Per \$1,000)	\$15.32	\$15.32
<i>Auto Excise</i>	\$496	\$496
Average Value Per Vehicle	\$10,221	\$10,221
Vehicles Per Household	1.89	1.89
2017 Excise Tax Rate (per \$1,000)	\$25.69	\$25.69
<i>Fines and Fees (Per Household)</i>	\$38	\$38
Total Revenues	\$2,689	\$5,573

Source: RKG Associates; 2017

C. EXPENDITURES

RKG Associates went through the city's FY2017 budget to determine the proportional share and incremental costs associated with new residential development.



1. Non-School Costs

The base proportional share allocation is 72%, reflecting the pro rata share of residential uses in the city’s total taxable Grand List valuation. That said, several adjustments were made based on the primary beneficiary of various categories. For examples, 100% of the expenditures for human services, library services, celebrations, and parks and recreation were allocated to residents, since residents benefit disproportionately from these services. Similarly, the efficiency adjustment varies by expense category due to RKG Associates’ calculation of fixed cost. Efficiency adjustments range from 20% to 75% for these fiscal cost categories (Table 4-5).

Table 4-5
Calculation of Unit Costs for Residential Land Uses
Marlborough, MA

Expense Category	FY 2017	Residential Proportional Share @ 72%	Efficiency Adjustment	Adjusted Expenses
General Government	\$19,456,704	\$14,051,854	20%	\$2,810,371
Inspection Services [1]	\$703,485	\$0	30%	\$0
All Other Protective & Emergency Services	\$14,723,069	\$10,633,169	75%	\$7,974,876
Public Works	\$6,170,220	\$4,456,203	20%	\$891,241
Health and Licensing [2]	\$359,350	\$107,805	30%	\$32,342
Human Services [3]	\$550,995	\$550,995	30%	\$165,299
Library Services [3]	\$949,485	\$949,485	50%	\$474,743
Celebrations [3]	\$57,800	\$57,800	0%	\$0
Parks & Recreation [3]	\$280,655	\$280,655	20%	\$56,131
Capital Outlays	\$124,500	\$89,915	0%	\$0
Total	\$43,376,263	\$31,177,881		\$12,405,001
Total Housing Units (2015 Estimate)			16,133	
Incremental Fiscal Costs Per Household				\$769

Source: RKG Associates; 2017

[1] 0% of the costs are allocated to residential uses since inspection services are for businesses

[2] 30% of the costs are allocated to residential uses due to the commercial focus of licensing

[3] 100% of the costs are allocated to residential uses due to residents receive 100% of the benefit

Of the \$43,376,263 that Marlborough spends in these departments and cost centers, approximately \$31.2 million has been proportioned to residential uses. The incremental cost related to increases in new households totals approximately \$12.4 million. Based on the 2015 estimate of 16,133 households, this translates into a per household incremental cost of \$769.

2. School Costs

School costs were calculated separately from non-school costs due to the unique nature of education funding for Marlborough pupils. The school cost analysis was brought together through data and feedback from the City of Marlborough, Marlborough Public Schools (MPS), Assabet Valley Regional Technical High School, and the Advanced Math and Science Academy (AMSA) Charter School.

The first step in analyzing the impact of new pupils was to understand the local-share per pupil cost. Based on budget data provided by the City and MPS, the total local cost per pupil is approximately \$15,000. Nearly all education costs are incremental since almost all school expenditures are based on pupil counts, particularly personnel and materials costs. The primary difference is for fixed costs, including administrative staff, that remain fairly constant despite changes in enrollment. RKG Associates estimates that \$13,480 of the \$14,965 per pupil expenditure is incremental (Table 4-6).



The second step in understanding the fiscal impact of new multifamily development was to understand the pupil generation rate for new construction multifamily development. MPS worked with Assabet and AMSA to gather enrollment data by residential community earlier in 2017. The data is confidential, but revealed that the six apartment complexes built/rehabbed since 2002 generated an average of 0.06 pupil per unit, or approximately one pupil per 16.1 units. In comparison, condominium development built since 1990 (excluding age-restricted communities) generated 0.27 pupils per unit, or one pupil per 3.7 units. The higher generation rate for condominiums translates into a higher per household pupil cost. New construction apartments have an estimated local school cost of \$835 per household, while new construction condominiums have a local school cost of \$3,608 per household (Table 4-7).

3. Calculations

Combining the non-school and school costs results in per household costs of \$1,604 for rental multifamily development and \$4,377 for ownership multifamily development.

D. IMPLICATIONS

The data indicate that both condominium and apartment development generate positive fiscal impacts for Marlborough. The higher market value (and therefore real property tax revenue) effectively is offset by the higher pupil generation in the condominium development. The net fiscal impacts are \$1,085 for apartments and \$1,195 for condominiums (Table 4-8). The data table includes the fiscal impact of age-restricted condominiums as well (\$4,804), which is substantially higher than either of the other housing types due to the lack of pupil generation.

Table 4-6
Calculation of Local Costs for Public School Students
Marlborough, MA

Expense Category	2016-2017	Efficiency Adjustment	Adjusted Costs
Personnel	\$6,135	100%	\$6,135
Operating Budget	\$3,867	100%	\$3,867
Fixed Costs	\$1,856	20%	\$371
Outside Expenses	\$1,950	100%	\$1,950
Assabet	\$1,054	100%	\$1,054
Materials	\$103	100%	\$103
Cost per Pupil	\$14,965		\$13,480
Total 2016-17 Enrollment			5,401

Source: MPS, AMSA, Assabet, and RKG, 2017

Table 4-7
Fiscal Impact Expenditure Impacts
Apartments and Condominiums

Category	New Construction Apartments	New Construction Condominiums
<i>General Government Services</i>	\$769	\$769
<i>Schools Impact</i>	\$835	\$3,608
Local Expenditure Per Student	\$14,965	\$14,965
Incremental Cost for New Ppils	\$13,480	\$13,480
Pupil Generation (per Unit)	0.06	0.27
Total Expenditures	\$1,604	\$4,377

Source: RKG Associates, 2017

Table 4-8
Fiscal Impact Expenditure Impacts
Apartments and Condominiums

Category	New Construction Apartments	New Construction Condominiums	New Construction Condominiums Age Restricted
Incremental Revenues	\$2,689	\$5,573	\$5,573
Incremental Expenditures	\$1,604	\$4,377	\$769
NET IMPACT (Per Unit)	\$1,085	\$1,195	\$4,804

Source: RKG Associates, 2017



At face value, this finding suggests age-restricted housing is the most lucrative fiscal strategy, and encouraging age-restricted housing will yield better fiscal benefits. The current market demand for age-restricted housing is substantially stronger because Baby Boomer households (disproportionately numerous compared to the following generations) continue to reach and exceed the typical age threshold (55-years old). Thus, the supply of age-restricted housing is increasing rapidly as communities continue to encourage this development type to capture the fiscal value.

However, the subsequent generations are not as numerous as Baby Boomers, thus these age-restricted communities must capture a greater percentage of the next generation of active adults as Baby Boomers transition to higher-needs facilities and eventually pass away. This means demand for age-restricted housing—particularly for the earlier communities that will have older units—will need to increase on a percent of eligible households for these communities to remain market viable. If demand diminishes compared to the supply of age-restricted housing, communities may experience loss of value and/or need to have the age restriction requirement removed.

While there is no guarantee the disruption of the age-restricted housing market will happen, or even happen in Marlborough, focusing solely on this housing type may not be in the city's best long-term interest. Rather, RKG Associates recommends that Marlborough should focus on encouraging a variety of multifamily housing product including age-restricted housing. Implementing a strategy of diversity enables the city to capture the fiscal benefits of having some additional age-restricted development while minimizing the risk of having to develop a strategy of how to repurpose less competitive projects in the future.



City of Marlborough
Office of the City Council

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CITY OF MARLBOROUGH

2017 JUL 20 A 11:16

140 MAIN STREET
MARLBOROUGH, MA 01752
TELEPHONE (508) 460-3711, FACSIMILE (508) 460-3710

July 20, 2017

Marlborough City Council
City Hall
Marlborough, MA 01752

RE: Brew Pubs, Wineries, Breweries and Distilleries –
Proposed Amendment to Zoning Ordinance

Dear Fellow Councilors:

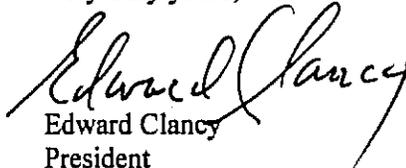
The renewed interest in brew pubs potentially coming to Marlborough has led the City administration to a review of the Zoning Ordinance. Presently, brew pubs are a use allowed by right in the Marlborough Village district and by special permit in the Business district. The enclosed amendment proposes to make brew pubs allowable by right in 5 zoning districts: Marlborough Village, Business, Commercial/Automotive, Industrial and Limited Industrial.

In addition, besides brew pubs, State liquor licensing law also says that there can be such uses as wineries, breweries and distilleries. Each of these uses is meant to encourage the development of Massachusetts vineyards and farms as the sole sources of ingredients a winery, brewery or distillery can use in producing wine, beer or spirits. Therefore, the enclosed amendment also proposes to make wineries, breweries and distilleries – with a tasting room as an accessory use – allowable by right in the same 5 zoning districts.

The Legal Department has drafted the enclosed proposal and, together with the Mayor's office and the Building Commissioner, would be available to answer any questions you may have on this initiative to bring exciting new enterprises to our city.

Thank you for your attention to this matter.

Very truly yours,


Edward Clancy
President

Enclosure

cc: Mayor's Office
Douglas Scott, Building Commissioner

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. Section 650-5, entitled "Definitions; word usage," is hereby amended as follows:
 - a. By deleting in subsection B the definition of "BREW PUB" in its entirety and inserting in place thereof the following definition:

BREW PUB

A facility which is licensed by the United States Alcohol and Tobacco Tax Trade Bureau and the Commonwealth of Massachusetts, under the relevant statutes including M.G.L. c. 138, § 19D, to manufacture malt beverages and which is also authorized by the City and the Commonwealth of Massachusetts to serve alcoholic beverages. The facility may have a restaurant or serve food prepared on site, but shall comply with all applicable Board of Health requirements for kitchens and common victualler licenses; provided, however, that in such a case only beer, spirit or wine products manufactured by the facility, and none by other manufacturers, may be sold, unless an on-premises pouring license has been obtained under M.G.L. c. 138, § 12. Nothing contained herein shall prohibit the facility from having a bring-your-own-food policy.

- b. By inserting in subsection B the following new definitions:

WINERY, BREWERY, OR DISTILLERY WITH TASTING ROOM

A facility licensed under, respectively, M.G.L. c. 138, §§ 19B, 19C and 19E and which is located in a building where the primary use is for the production and distribution of vinous, malt, or spirituous beverages, with the option of a tasting room. Any such facility may provide, at no charge and limited in size as set forth in M.G.L. c. 138, samples of beverages it manufactures on its premises and for this purpose shall have a Commonwealth of Massachusetts issued Farmer Series Pouring Permit. The facility may host marketing events, special events, and/or factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the winery, brewery, or distillery. The facility may sell permitted beverages to consumers for consumption off-premises. The facility may have a restaurant or serve food prepared on site, but shall comply with all applicable Board of Health requirements for kitchens and common victualler licenses; provided, however, that in such a case only beer, spirit or wine products manufactured by the facility, and none by

other manufacturers, may be sold, unless an on-premises pouring license has been obtained under M.G.L. c. 138, § 12. Nothing contained herein shall prohibit the facility from having a bring-your-own-food policy.

TASTING ROOM

A room attached to either a winery, brewery, or distillery, and permitted as an accessory use thereto, that allows patrons to sample or consume wine, beer, and other alcoholic beverages that are produced on the premises in accordance with M.G.L. c. 138. A tasting room is not to exceed 25 percent of the gross square footage of the winery, brewery, or distillery.

II. Section 650-17, entitled "Table of Uses," is hereby amended as follows:

- a. By regulating business uses so as to allow, as of right, a brew pub in the Business (B), Commercial Automotive (CA), Limited Industrial (LI), Industrial (I) and Marlborough Village (MV) districts, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV
Brew pub	N	N	N	N	N	N	N	Y	Y	Y	Y	Y

and

- b. by regulating business uses so as to allow, as of right, a winery, brewery, or distillery with tasting room in the Business (B), Commercial Automotive (CA), Limited Industrial (LI), Industrial (I) and Marlborough Village (MV) districts, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV
Winery, brewery, or distillery with tasting room	N	N	N	N	N	N	N	Y	Y	Y	Y	Y

ADOPTED
In City Council
Order No 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

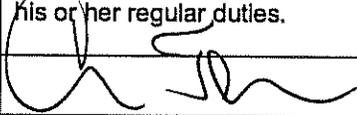
A TRUE COPY
ATTEST:

FOR CONTRACTS FOR PERSONAL SERVICES ONLY:

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

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CITY OF MARLBOROUGH

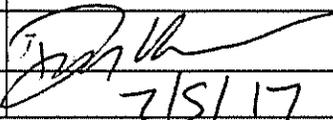
CERTIFICATION BY HEAD OF CONTRACTING AGENCY 2017 JUL -5 P 1:20

INFORMATION ABOUT HEAD OF CONTRACTING AGENCY	
Name:	Charles Thebodo
Title/ Position	Recreation Director
Municipal Agency:	Marlborough Recreation Department
Agency Address:	239 Concord Road, Marlborough, MA 01752
Office Phone:	508-624-6925
CERTIFICATION	
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	
Date:	7/1/17

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN OR TOWN COUNCIL**

INFORMATION ABOUT APPROVING BODY	
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
APPROVAL	
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

Attach additional pages if necessary.
File disclosure, Certification and Approval with the city or town clerk.

What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. Fulltime Teacher, annual salary
Date when you acquired a financial interest	August 2009
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. N/A
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	<p>FOR A CONTRACT FOR PERSONAL SERVICES –</p> <p>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</p> <p>I will have a contract with a municipal agency to provide personal services.</p> <p><input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee.</p> <p><input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee.</p> <p><input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.</p>
Employee signature:	
Date:	7/5/17

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT -- File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

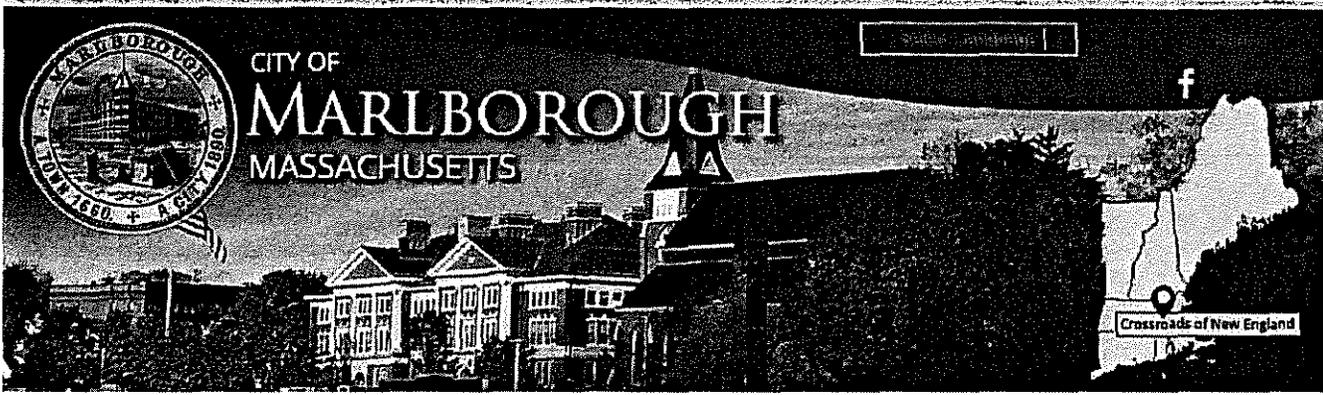
**DISCLOSURE BY MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(b)**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL -5 P 1:21

MUNICIPAL EMPLOYEE INFORMATION	
Name of municipal employee:	Daniel Rudzinsky
Title/ Position	Teacher/Physical Education
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Marlborough Public Schools
Agency Address	17 Washington Street, Marlborough, MA 01752
Office phone:	508-460-3500
Office e-mail:	mmurphy@mps-edu.org
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a municipal employee.	August 2009
BOX # 1 Select either STATEMENT #1 or STATEMENT #2. Write an X beside your financial interest.	<p>ELECTED MUNICIPAL EMPLOYEE</p> <p>I am an elected municipal employee.</p> <p><input type="checkbox"/> STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. OR</p> <p><input checked="" type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a municipal contract is:</p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
BOX # 2 Select either STATEMENT #1 or STATEMENT #2.	<p>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</p> <p>I am a non-elected municipal employee.</p> <p><input type="checkbox"/> STATEMENT # 1: I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.</p>

<p>Write an X beside your financial interest.</p>	<p>My financial interest in a municipal contract is:</p> <p><input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p>-- OR --</p> <p><input checked="" type="checkbox"/> STATEMENT # 2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a municipal contract is:</p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<p>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</p>	
<p>Name and address of municipal agency that made the contract</p>	<p style="text-align: center;">Marlborough Recreation Department</p>
<p>Please put in an X to confirm these facts.</p>	<p>"My Municipal Agency" is the municipal agency that I serve as a municipal employee.</p> <p>The "contracting agency" is the municipal agency that made the contract.</p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<p>FILL IN THIS BOX OR THE BOX BELOW</p>	<p>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</p> <p>- Please explain what the contract is for.</p> <p style="padding-left: 40px;">The contract is for part time work in the summer for the Marlborough Recreation Department. I am currently a teacher for Marlborough Public Schools.</p>
<p>FILL IN THIS BOX OR THE BOX ABOVE</p>	<p>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</p> <p>- Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?</p> <p style="text-align: center;">Chuck Thebodo, Recreation Director</p>



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Job Opening: Assistant Recreation Supervisor

[Printer-Friendly Version](#)

ASSISTANT RECREATION SUPERVISOR

PLEASE SEE PDF BELOW WITH JOB DESCRIPTION. PLEASE FOWARD YOUR RESUME TO CHARLES THEBADO, RECREATION DIRECTOR: 239 CONCORD ROAD, MARLBOROUGH, MA 01752. THIS IS A SEASONAL POSITION.

JOB DESCRIPTION Click [Here](#)

CITIZEN'S ACTION CENTER

- PAY BILLS ONLINE
- SUBSCRIBE TO NEWS
- REPORT AN ISSUE
- PROVIDE FEEDBACK
- TRASH & RECYCLING
- STAY CONNECTED

CONTACTS DIRECTORY

FORMS

GIS/MAPPING

EMPLOYEE PORTAL

PUBLIC RECORDS

JOB DESCRIPTION

SEASONAL ASSISTANT RECREATION SUPERVISOR

GENERAL PURPOSE

Under the general supervision of the Recreation Director, assists with professional duties consisting of, but not limited to planning, scheduling and supervising beach and city turf field facilities and staff.

EXAMPLE OF DUTIES

- *- Assists Recreation Director in planning, organizing, developing, enforcing rules, and assist with overseeing the daily operation of the beach and turf field facilities.
- *- Helps schedules recreation facilities and supervises conditions of the facilities such as set-ups and breakdowns of facility and maintain a clean work environment.
- *-Attends a variety of staff meetings, community and recreation meetings as needed.

MINIMUM QUALIFICATIONS

Education and Experience

-- Graduation from college with a bachelor's degree in recreation administration, physical education, or closely related field, and one (1) year experience in public recreation, or any equivalent combination of education and experience.

Special Requirements

-- Must possess a valid Massachusetts Driver's License; obtain first aid and CPR Certification within six (6) months of employment if needed.

NECESSARY KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of word processing, desktop publishing, spreadsheets, and other recreation related computer software.
- Ability to work evenings, night shifts, split shifts, week-ends, and some holidays.
- Ability to establish and maintain effective working relationships with co-workers, the public, news media and other departments and agencies; ability to follow written and oral instructions; ability to communicate effectively, verbally and in writing; ability to direct the work of others.

PA
\$100.00
@ 2 CHK-103



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

2017 JUL 18 P 3:36

Lisa M. Thomas
City Clerk

CITY OF MARLBOROUGH
TAXI AND/OR LIVERY SERVICE LICENSE APPLICATION

I. TYPE OF LICENSE: _____ TAXI _____ LIVERY

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: Katsunori Tanaka
- B. Address: 17 Eager Ct. Marlborough, MA 01752
- C. Telephone Number: 617-257-5802
- D. Business Name: Global Limousine & Tour Services, LLC
- E. Business Address: 17 Eager Ct. Marlborough, MA 01752
- F. Business Number: _____

3. NUMBER OF VEHICLES: 1

APPLICANT'S SIGNATURE [Signature]

CITY OF MARLBOROUGH
TAXI/LIVERY LICENSE

is hereby granted a Taxi/Livery License as approved by the City Council of the City of Marlborough on . In accordance with the Code of the City of Marlborough, Chapter 568, this License shall expire two (2) years from the date of issue. Application for renewal of said License shall be made to the City Council through the Office of the City Clerk.

EXPIRATION DATE: _____

A TRUE COPY

ATTEST:
City Clerk



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL 12 P 12: 08

July 7, 2017

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

Re: Proposed Zoning Amendment – Expansion and Modification of HRMUOD

Dear Councilor Clancy,

Please allow this letter, the attached proposed draft Order, and the attached signage plans (all attached hereto as Exhibit A) to serve as the Applicant's formal request for waiver pursuant to Section 650-35H.(8) to allow for three (3) building signs for the proposed Evviva Cucina restaurant to be located at 142 Apex Drive.

Accordingly, the Applicant kindly requests the City Council place this matter on your next available agenda on July 24, 2017 for discussion and approval.

Thank you in advance for your attention and consideration to this matter.

Sincerely,

Nicholas Harron
President



158 Greeley Street, Hudson NH 03051-3422
 603-882-2638 / 800-227-5674
 www.barlo signs.com

PROPOSAL

Proposal #: 11874
 Proposal Date: 06/27/17
 Customer #: CRM020923
 Page: 1 of 3
 Sales Contact: Paula Kelley

BILL-TO ADDRESS:	SITE ADDRESS:
Evviva Cucina 142 Apex Drive @ Apex Center of New England Marlborough MA 01752 - Robert Walker	Evviva Cucina 142 Apex Drive @ Apex Center of New England Marlborough MA 01752 - REQUESTED BY: Robert Walker

Barlo Signs is pleased to offer signage/services as outlined below:

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #2177 Manufacture three (3) sets of letters 4'-10" reading "EVVIVA" 3'-3 3/4" reading "CUCINA" on a 10'X9'4"X 2" backer	\$20,205.00	\$20,205.00
1	QUOTE #2177B Install	\$2,736.00	\$2,736.00

TAX & PERMITS ARE ADDITIONAL AS REQUIRED.

TOTAL PROPOSAL AMOUNT: \$22,941.00

THE ABOVE PRICES & SPECIFICATIONS AND THE TERMS&CONDITIONS BELOW ARE SATISFACTORY AND ARE HEREBY ACCEPTED.
 YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

SALESPERSON: Paula Kelley

DATE: 06/27/17

ACCEPTED BY: _____

PRINTED NAME & TITLE: _____

SIGNATURE: _____

DATE: _____



TERMS AND CONDITIONS OF SALE

ACCESS BEHIND WALLS for mounting hardware & electrical wiring must be provided by BUYER.

ADDITIONAL WORK: Authorized by client while crew are on site will be Invoiced on a Time & Materials basis and added to final invoice.

CANCELLATION: This order cannot be cancelled except with the seller's consent, and then only upon payment of the total cost of material received or commitments made, plus labor, overhead, and engineering charges applying to this order at date of cancellation.

CHANGES: Any deviation from specifications involving EXTRA COSTS will be executed upon written change orders and become an extra charge over and above this contract.

COLOR MATCHING cannot be guaranteed. Non-standard or non-compatible colors will be at additional cost.

CREDIT CARD PAYMENTS are accepted on MasterCard, Visa, and American Express. There is a 3% processing fee for amounts over \$10,000.

DELIVERY: Estimated delivery dates given herein are computed from receipt of all details pertaining to the order essential to its proper execution. Shipment dates are approximate and the seller is not responsible for delays or non-performance due to strikes or other abnormal manufacturing conditions, fires, embargoes, or other causes beyond seller's reasonable control.

ELECTRIC POWER: BUYER is responsible for bringing 120V dedicated circuit(s) to base of ground signs & within 10 feet of wall signs. The only electrical connection made by Barlo Signs shall be to the provided outside legal 120V outlets. Any other work must be outlined in the specifications of this contract or will incur additional charges.

IRREGULAR PAYMENTS: The seller may accept late payments, partial payments, or any checks or money orders marked as being payment in full or as being a settlement of any dispute without losing any of their rights under this contract or under the law. If seller accepts such payments, this does not mean an agreement to change this contract in any way. A service charge of 1.5% per month will be added to delinquent accounts.

LANDLORD APPROVAL: Permission for use of any building facilities and/or land for the installation of proposed signage is the responsibility of the BUYER.

LEDGE/FROST CLAUSE: If unusual digging conditions, i.e. ledge, water, heavy frost, unmarked water and/or gas lines, etc. are encountered in ground installations, this contract is binding; however, an additional cost based on additional labor, plus 20% on subcontract labor and materials, will be added to the final price.

OVERAGES/SHORTAGES: We will follow the practice of the graphics industry in shipping (and invoicing) 10% overage or shortage whenever this takes place on printing press runs. EXACT amounts requested are subject to a 5% surcharge.

RELAMPING at time of install is charged on a Time & Materials basis; ballasts only as needed.

REMOVAL/DISPOSAL: Removed signs/letters will be disposed of, if not instructed otherwise. Electric will be capped, holes plugged with paintable silicone This proposal DOES NOT include building repair, painting, or restoration unless outlined specifically. STORAGE of old signs is NOT part of this contract unless specifically stated.

ROOF PENETRATIONS: Rubber roof penetrations are the responsibility of the BUYER and must be executed by a Certified Roofing Contractor. Barlo's only responsibility is to coordinate with the roofer for the LOCATION of the penetrations.

SHIPPING PRICES are quoted on the estimated delivery dates. We reserve the right to recalculate the sale price if order is not completed within twelve months of date of order execution. Deliveries delayed by the BUYER will be invoiced at time display is ready for shipment, and payment made within ten days.

SIGNATURES: Electronic or facsimile copies of this Agreement signed by the parties shall be considered for all purposes as originals.

SITE DAMAGE: It is understood that heavy equipment is involved in sign installations and that tire ruts, outrigger indentations, and other incidental damage may occur. Landscaping repairs are not included unless specifically stated.

SITE LOCATION: It is the responsibility of the BUYER to determine the boundaries for proper location of ground signs.

SITE MEETINGS: Expenses incurred due to mandated site meetings will be added to contract value.

SITE READINESS: Sign installation date will be confirmed with responsible site personnel 48 hours in advance of dispatching equipment. It is the BUYER's responsibility to ensure that the site is clear of obstructions and other subcontractors who would hinder Barlo's installation, and all preparation required by others is completed prior to Barlo's arrival. Should Barlo's personnel be turned away due to the site being unprepared, costs will be incurred for all lost time, including travel, at a minimum of four hours. If only a portion of the scheduled work can be completed, then charges for the return trip will be added to the final invoice.

SOIL CONDITIONS & TOXIC CLEANUP: The parties hereby agree that the contract price is based on the presence of normal soil conditions at the sign location. Buyer hereby warrants that he knows of no unusual soil conditions or underground obstructions at said site, and agrees that in the event that such conditions are encountered, the contract price will be adjusted based on the additional labor or materials required to complete installation.

SPECIAL EQUIPMENT REQUIREMENT: Any signs installed over a height of 70 feet or requiring special equipment, i.e. white tire or interior use lifts, will incur an added cost for "After Sale Servicing," including the time during Barlo's standard warranty period of one year. This cost will be billed separately and carry a 25% mark-up to cover servicing and procurement. Buyer may elect to have these charges billed directly to themselves, however Barlo reserves the right to approve the selection of the vendor and the equipment required.

TAXES: All taxes assessed for this sale are the responsibility of the BUYER; this includes, but is not limited to, Local, State, and Federal USE and SALES taxes. These amounts will be computed according to the regulations mandated by the governing bodies and applied to your final invoice.

TERMS: The terms of this contract shall be subject to and enforceable under the laws of the state of New Hampshire. The parties expressly waive their rights to enforce their rights hereunder in any jurisdiction other than New Hampshire and agree and consent that any dispute arising out of this contract shall be decided by a New Hampshire Court and that trial by jury is specifically waived by each party hereto for themselves or their assigns. In the event a lawsuit for collection of funds unpaid is filed, the debtor agrees that the contract interest rate of 18% shall prevail over any statutory interest rate. The debtor agrees to pay all costs of collection, including reasonable attorneys' fees.

TITLE: Ownership of Display shall at all times remain with Barlo Signs, and Buyer hereby grants Barlo Signs a security interest in Display until all of the payments are made and all of the conditions herein contained are fully satisfied, at which time Buyer shall be vested with full title to Display. Buyer shall bear all risk of loss of Display after delivery or installation has been completed (where installation is part of this Agreement). At the request of Barlo Signs, Buyer will execute and deliver to Barlo Signs for filing wherever it may be required a financing statement evidencing Barlo Signs' security interest in Display. In the event of such removal, BUYER shall be liable to seller for all labor costs and expenses for the removal of the signage. Removal of the signage shall not constitute a waiver of any rights and remedies existing at law for the breach of this agreement, and the seller expressly reserves all such rights. Upon breach of this agreement BUYER agrees to pay all costs of collection including reasonable attorneys' fees.

UNFORESEEN OBSTRUCTIONS/REINFORCEMENT: Buyer shall be responsible and pay for all necessary reinforcement to building or any other structures on which display is installed, for relocating power lines or other obstacles, and for any additional installation cost incurred by Barlo Signs due to unforeseen obstructions. Barlo Signs is not responsible for damage to underground utilities or other unforeseen objects. Every possible effort will be made to determine wall thickness and drilling requirements prior to installation cost estimation. However, Barlo Signs will not be held responsible for unknown wall obstructions such as beams, re-bar, extreme wall thickness and/or density. The additional labor and materials required to complete installations due to these obstructions will be added to the installation price at final invoicing.

UTILITY/DIG SAFE SERVICES: Any costs incurred for services provided to cover overhead lines or verify location of underground utility/sewer/water/phone/gas or other obstructions will be an additional charge at time of billing.

WARRANTY: Signage furnished by Barlo Signs is warranted to be free of manufacturing defects for 1 year, effective from date of substantial completion. EMCs: 5 years LEDs & power supplies, 1 year labor; excludes PC/radio/fiber, repairs due to damages caused by power failure, surges or lightning strikes. Warranty is VOID if account is delinquent.

THIS PROPOSAL DOES NOT BECOME EFFECTIVE UNTIL SIGNED AND DATED BY THE COMPANY; ONCE SIGNED THIS PROPOSAL WILL EXPIRE AFTER 45 DAYS.





158 Greeley Street, Hudson NH 03051-3422
 603-882-2638 / 800-227-5674
 www.barlosigns.com

DEPOSIT INVOICE

Invoice #: DP11874

Inv Date: 06/27/17
 Customer #: CRM020923
 Page: 3 of 3

SOLD TO:	JOB LOCATION:
Evviva Cucina 142 Apex Drive @ Apex Center of New England Marlborough MA 01752 -	Evviva Cucina 142 Apex Drive @ Apex Center of New England Marlborough MA 01752 - REQUESTED BY: Robert Walker

ORDERED BY	PO NUMBER	SALESPERSON	PAYMENT TERMS
Robert Walker		Paula Kelley	50.0% Due Upon Receipt

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #2177 Manufacture three (3) sets of letters 4'-10" reading "EVVIVA" 3'-3 3/4" reading "CUCINA" on a 10'X9'4"X 2" backer	\$20,205.00	\$20,205.00
1	QUOTE #2177B Install	\$2,736.00	\$2,736.00
TOTAL PROPOSAL AMOUNT			-----
*** FINAL INVOICE AMOUNT MAY VARY UPON COMPLETION ***			\$22,941.00

A 3% CREDIT CARD FEE ADDED FOR PAYMENTS OVER \$10K.

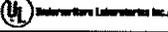
PLEASE PAY THIS DEPOSIT AMOUNT:	\$11,470.50
---------------------------------	-------------

JOB#: _____

SHEET #	SCOPE OF WORK	REV.	RELEASED
0.0	CREW NOTES		
1.0.1	ITEM A-1 OP 1 - FACE-LIT LED CHANNEL LETTERS		
1.0.2	ITEM A-1 OP 2 - FACE-LIT LED CHANNEL LETTERS	DELETED	
2.0.1	ITEM A-2 OP 1 - FACE-LIT LED CHANNEL LETTERS		
2.0.2	ITEM A-2 OP 2 - FACE-LIT LED CHANNEL LETTERS	DELETED	
3.0.1	ITEM A-3 OP 1 - FACE-LIT LED CHANNEL LETTERS		
3.0.2	ITEM A-3 OP 2 - FACE-LIT LED CHANNEL LETTERS	DELETED	
1.1.1	ITEM A OP 1 - FACE-LIT LED CHANNEL LETTERS SPECS		
1.1.2	ITEM A OP 2 - FACE-LIT LED CHANNEL LETTERS SPECS	DELETED	

REVISIONS CHANGE-ORDERS		
Date	Sheet	Revision/Change-order
6-7	ALL	CLIENT CHOSE OPTION 1 ON ALL ELEVATIONS. REMOVE OPTION 2 ELEVATIONS AND SPEC DRAWING.
6-22	ALL	CHANGE BG TO LIGHT BEIGE, CUCINA LETTERS TO WHITE.

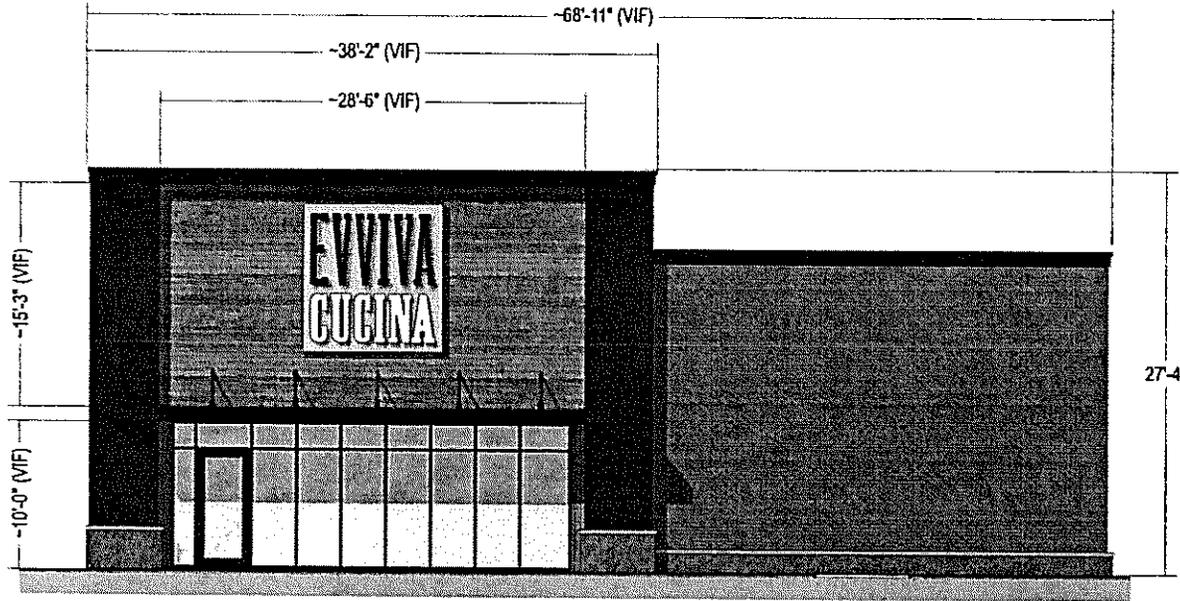
Job Name: EVVIVA CUCINA - MARLBOROUGH		 <p>130 Crowley St., Hudson, MA 01801 (401) 862-2628 Fax: (401) 862-7548 E-mail: barlo@barlo.com</p>
Location: 142 Apex Drive Marlborough, MA 01752		
Design Specifications Accepted By:	Drawn By: LP	
Client:	Sales Rep: KELL	
Landlord:	PM: HL Date: 05/05/17	

PROJECT APPROVAL		© COPYRIGHT 2017 THE BARLO GROUP
Design:	Date:	<small>THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTION AND REPRODUCTION RIGHTS ARE RESERVED BY THE BARLO GROUP. THIS PRINT IS INTENDED FOR YOUR PERSONAL USE AND IS NOT TO BE USED EXCEPT WHEN ORGANIZED BY BARLO IN ANY MANNER.</small>    
Engineering:	Date:	
Estimating:	Date:	
Sales:	Date:	
Production:	Date:	
Installation:	Date:	File Name: Evviva Cucina Marlborough 170502177 6-22 B-17-05-02177 SHEET: Cover

JOB#: _____

ITEM A-1 - FACE-LIT LED CHANNEL LETTERS

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



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



TOTAL SQF = 69.74 SQF
SCALE: 1/4"=1'-0"

COLORS - FABRICATION	COLORS - COPY
FACE - WHITE	FACE - 3630-49 BURGUNDY WHITE
RETURN - PTM BURGUNDY / WHITE	OUTLINE - n/a
TRIM - PTM BURGUNDY / WHITE	
BACKER - PTM 468 C	BACKS - White
LIGHTING - WHITE LEDS	
ALL COLORS ARE FOR REPRESENTATION ONLY. SEE ACTUAL SAMPLES FOR COLOR MATCH.	
<input checked="" type="checkbox"/> Face-Lit <input type="checkbox"/> Back-Lit <input type="checkbox"/> Face-Back-Lit <input type="checkbox"/> Embedded Acrylic Location: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior	
CAP - 4'-10" / 3'-3 3/4" ST. MIN/MAX - 5-3/4"/6-1/4" O.A.L. - 9'-4" O.A.H. - 10'-0" Sq. Ft. - 68.74	
L.C. - N/A	
New Storefront Ht. - 27'-4" Length - 68'-11" Mat. - WOOD PANEL Color - WOOD	
Finish (glass, tex. Etc) - WOOD Trim Color - BLACK	

Scope of Work -
 M&I (1) SET OF LED FACE-LIT CHANNEL LETTERS ON AN ALUMINUM BACKER.
 BACKER AND LETTERS ARE MOUNTED TO THE BUILDING FACADE.
 SEE SHEET 1.1.1 FOR MANUFACTURING SPECIFICATIONS.

GENERAL NOTES: to include all info to locate sign, statement of measurement locations or if no measurements are available describe

1. Sign is to be centered in rectangular facade above the entrance/awning.

LAST REVISION: _____

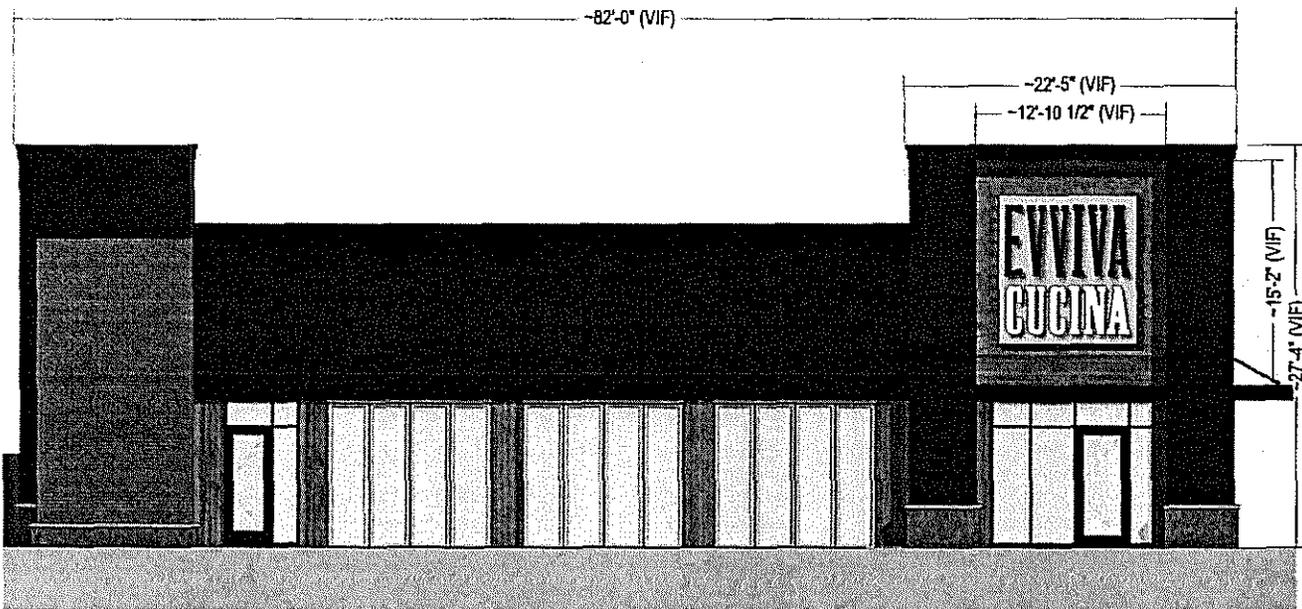


Job Name: EVVIVA CUCINA - MARLBOROUGH		<p>Barlo Signs 88 Crosby St., Hudson, MA 01752 (978) 562-8278 Fax: (978) 562-7988 For Quotes: 978-224-9211</p>
Location: 142 Apex Drive Marlborough, MA 01752		
Design Specifications Accepted By:	Drawn By: LP	
Client:	Estimate Rec: KELL	
Landlord:	PK: HL	Date: 05/05/17
PROJECT APPROVAL Design: _____ Date: _____ Engineering: _____ Date: _____ Estimating: _____ Date: _____ Sales: _____ Date: _____ Production: _____ Date: _____ Installation: _____ Date: _____		© COPYRIGHT 2017 THE BARLO GROUP THE DESIGN CONCEPTS ARE THE PROPERTY OF THE BARLO GROUP. ALL RIGHTS RESERVED. THE BARLO GROUP IS NOT RESPONSIBLE FOR THE CONTENTS OF THIS SHEET UNLESS IT IS SPECIFICALLY IDENTIFIED AS BARLO SIGN GROUP.
File Name: Evviva Cucina Marlborough 170502177 6-22 B-17-05-02177		
		SHEET 1.0.1

JOB#: _____

ITEM A-2 - FACE-LIT LED CHANNEL LETTERS

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



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



TOTAL SQ.F. = 68.74 SQ.F.
SCALE: 1/4"=1'-0"

COLORS - FABRICATION	COLORS - COPY
FACE - WHITE	FACE - 3630-49 BURGUNDY WHITE
RETURN - PTM BURGUNDY / WHITE	OUTLINE - n/a
TRIM - PTM BURGUNDY / WHITE	
BACKER - PTM 488 C	BACKS - White
LIGHTING - WHITE LEDS	
ALL COLORS ARE FOR REPRESENTATION ONLY. SEE ACTUAL SAMPLES FOR COLOR MATCH.	
<input checked="" type="checkbox"/> Face-Lit <input type="checkbox"/> Back-Lit <input type="checkbox"/> Face-Mt/Back-Mt <input type="checkbox"/> Embedded Acrylic Location: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior	
CAP - 4'-10" / 3'-3 3/4" ST. MIN./MAX - 5-3/4"/6-1/4" O.A.L. - 9'-4" O.A.H. - 10'-0" Sq. Ft. - 68.74	
L.C. - N/A	
New Storefront Ht. - 27'-4" Length - 82'-0" Mat. - WOOD PANEL Color - WOOD	
Finish (gloss, tex, Etc) - WOOD Trim Color - BLACK	

Scope of Work -
 M&I (1) SET OF LED FACE-LIT CHANNEL LETTERS ON AN ALUMINUM BACKER.
 BACKER AND LETTERS ARE MOUNTED TO THE BUILDING FACADE.
 SEE SHEET 1.1.1 FOR MANUFACTURING SPECIFICATIONS.

GENERAL NOTES: to include all info to locate sign, statement of measurement locations or if no measurements are available describe

1. Sign is to be centered in rectangular facade above the entrance/awning.



Job Name: EVVIVA CUCINA - MARLBOROUGH
 Location: 142 Apex Drive Marlborough, MA 01752
 Design Specifications Accepted By: _____ Drawn By: LP
 Client: _____ Sales Rep: KELL
 Landlord: _____ PM: HL
 Date: 05/05/17

PROJECT APPROVAL	
Design: _____	Date: _____
Engineering: _____	Date: _____
Estimating: _____	Date: _____
Sales: _____	Date: _____
Production: _____	Date: _____
Installation: _____	Date: _____

BARLO SIGNS
 625 Gandy Rd., Tallahassee, FL 32301
 904.933.2636 Fax 904.933.2637
 For Service: 888.222.8874

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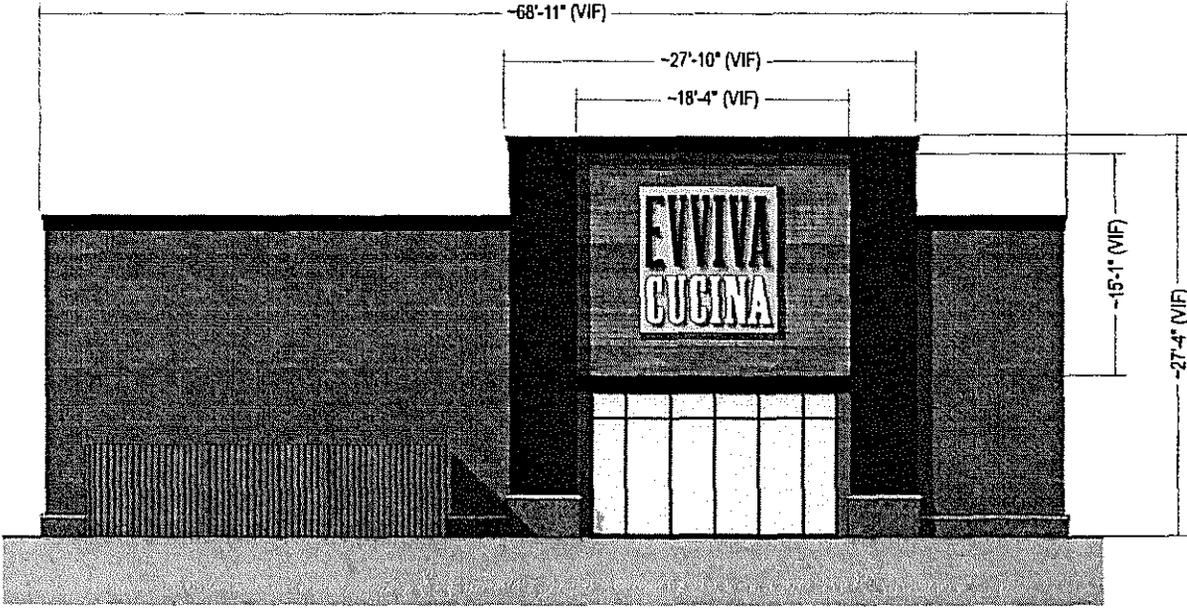
File Name: Evviva Cucina Marlborough 170502177 6-22
B-17-05-02177 SHEET: 2.0.1

LAST REVISION: _____

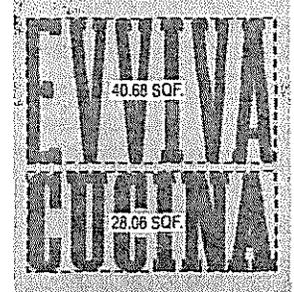
JOB#: _____

ITEM A-3 - FACE-LIT LED CHANNEL LETTERS

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



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



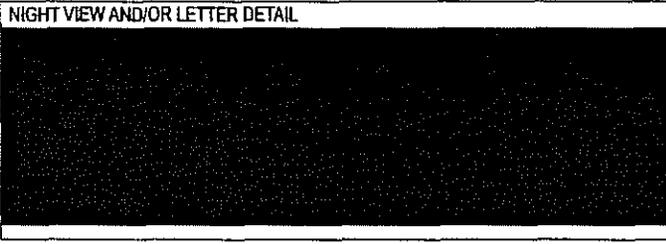
TOTAL SQF = 68.74 SQF
SCALE: 1/4"=1'-0"

COLORS - FABRICATION	COLORS - COPY
FACE - WHITE	FACE - 3630-49 BURGUNDY WHITE
RETURN - PTM BURGUNDY / WHITE	OUTLINE - n/a
TRIM - PTM BURGUNDY / WHITE	
BACKER - PTM 468 C	BACKS - White
LIGHTING - WHITE LEDS	
ALL COLORS ARE FOR REPRESENTATION ONLY. SEE ACTUAL SAMPLES FOR COLOR MATCH.	
<input checked="" type="checkbox"/> Face-Lit <input type="checkbox"/> Back-Lit <input type="checkbox"/> Face-Back-Lit <input type="checkbox"/> Embedded Acrylic Location: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior	
CAP - 4'-10" / 3'-3 3/4" ST. MIN/MAX - 5-3/4"/6-11" O.A.L. - 9'-4" O.A.H. - 10'-0" Sq. Ft. - 66.74	
L.C. - N/A	
New Storefront Ht. - --27'-4" Length - --68'-11" Mat. - WOOD PANEL Color - WOOD	
Finish (glass, tex. Etc) - WOOD Trim Color - BLACK	

Scope of Work -
 M&I (1) SET OF LED FACE-LIT CHANNEL LETTERS ON AN ALUMINUM BACKER.
 BACKER AND LETTERS ARE MOUNTED TO THE BUILDING FACADE.
 SEE SHEET 1.1.1 FOR MANUFACTURING SPECIFICATIONS.

GENERAL NOTES: to include all info to locate sign, statement of measurement locations or if no measurements are available describe

1. Sign is to be centered in rectangular facade above the entrance/awning.



Job Name: EVVIVA CUCINA - MARLBOROUGH
 Location: 142 Apex Drive Marlborough, MA 01752
 Design Specifications Accepted By: _____ Drawn By: LP
 Client: _____ Estimator: KEEL
 Landlord: _____ Pwr: HL
 Date: 05/05/17

PROJECT APPROVAL	
Design:	Date:
Engineering:	Date:
Estimating:	Date:
Sales:	Date:
Production:	Date:
Installation:	Date:

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 PERMISSION OF THE BARLO GROUP. FOR CONTACT: 800-227-8571

Barlo Signs
 6011 Highway 24, Foxboro, MA 01935
 800-227-8571 Fax: 508-548-1111
 For Contact: 800-227-8571

File Name: Evviva Cucina Marlborough 170502177 6-22
B-17-05-02177 SHEET: 3.0.1

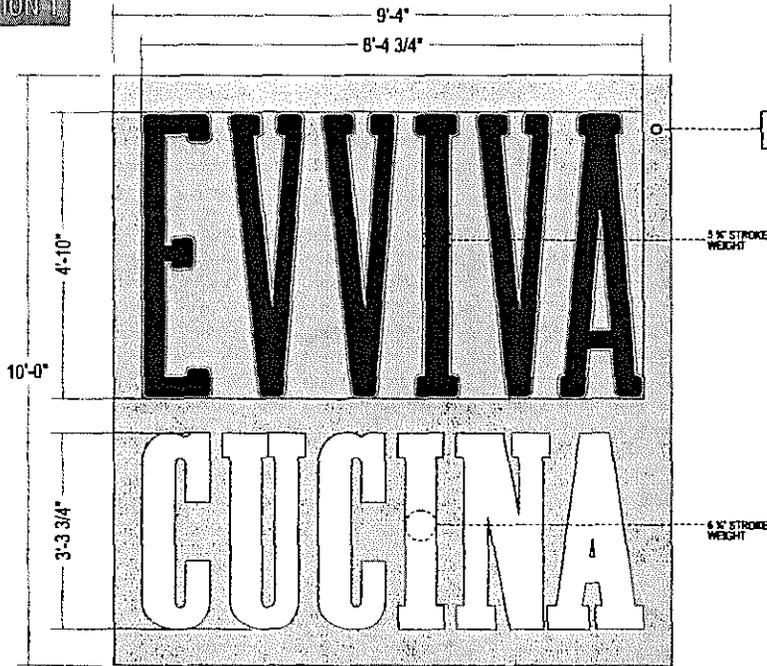
LAST REVISION:

JOB #: _____

ITEM A - FACE-LIT LED CHANNEL LETTERS ON BACKER

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

OPTION 1



(QTY - 3)

ADDITIONAL NOTES

JOB ENTRY BY DESIGN

Access Behind Wall -	See Crew Noted for installation	* Final color #'s, Letter Sizes, Strokes, OAH, OAL
Describe Walkway behind wall-	site review	Corrections to Prints prior to release to Eng.
	Critical Survey Notes:	
LAST REVISION:		

Site Electrical: <input type="checkbox"/> New	Circuits Req:	Amps:	Volts:												
<input type="checkbox"/> Existing	Circuits:	Circuits Req:	Amps: Volts:												
U.L. Req: <input type="checkbox"/> Yes <input type="checkbox"/> No	Location: <input type="checkbox"/> Wet <input type="checkbox"/> Damp <input type="checkbox"/> Dry	<input type="checkbox"/> Time Clock Req.	<input type="checkbox"/> Photo Eye Req.												
Service Switch: <input type="checkbox"/> Yes <input type="checkbox"/> No	Electrical Work by: <input type="checkbox"/> Barlo <input type="checkbox"/> Others														
<small>This sign is intended to be installed in accordance with the requirements of Article 605 of the National Electrical Code unless other applicable local codes. The installer must comply with the requirements of the sign.</small>															
SPECIALITY/LONG LEAD TIME ITEMS - LE, BRICK/BLOCK															
STOCK ITEMS FOR FABRICATION - CHECK SUPPLY LEVELS PRIOR TO ORDER															
<input checked="" type="checkbox"/> Face-Lit <input type="checkbox"/> Back-Lit <input type="checkbox"/> Face-Back-Lit <input type="checkbox"/> Embedded Acrylic Location: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior															
Finished Colors by Design Dept:		Spec's By Engineering include Mfg, Material, size and Part #													
Face:	Color #	Material:	Thickness:												
Laminale:	PTM 468-49 BURGUNDY WHITE		Depth/Size:												
Returns:	PTM 468-49 BURGUNDY WHITE														
Trim:	PTM 468-49 BURGUNDY WHITE														
Back:	WHITE														
Backer:	PTM 468 C														
LED Location:		Location Elec. Out back:													
Whip Length:		Wire Size:													
Mounting:															
Raceway Mfg:		Color:	Size:												
Lighting: Model: Color: Watts/Ft:															
Letters/Logo LED Calculations															
Size:	Avg/Ft:	Qty:	Total Watts:												
Size:	Avg/Ft:	Qty:	Total Watts:												
Size:	Avg/Ft:	Qty:	Total Watts:												
Grand Total Watts:															
Power Supplies: Model:		Watts:													
Legs:															
Letters per Power Supply:															
Job Name: EVVIVA CUCINA - MARLBOROUGH			<p>100 County St., Tolland, CT 06081 860-363-2630 Fax: 860-363-7999 For Service: 860-327-8874</p>												
Location: 142 Apex Drive Marlborough, MA 01752															
Design Specifications Accepted By:		Drawn By: LP													
Client:		Sales Rep: KELL													
Landed:		PL: EA													
<table border="1"> <tr> <td>Design:</td> <td>Date:</td> </tr> <tr> <td>Engineering:</td> <td>Date:</td> </tr> <tr> <td>Estimating:</td> <td>Date:</td> </tr> <tr> <td>Sales:</td> <td>Date:</td> </tr> <tr> <td>Production:</td> <td>Date:</td> </tr> <tr> <td>Installation:</td> <td>Date:</td> </tr> </table>			Design:	Date:	Engineering:	Date:	Estimating:	Date:	Sales:	Date:	Production:	Date:	Installation:	Date:	<p>© COPYRIGHT 2017 THE BARLO GROUP <small>THIS PROJECT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTIONS AND REPRODUCTIONS ARE THE PROPERTY OF THE BARLO GROUP. THE BARLO GROUP IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE BARLO GROUP IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.</small></p> <p> </p> <p>File Name: Evviva Cucina Marlborough 170502177 6-22</p> <p>B-17-05-02177 SHEET: 1.1.1</p>
Design:	Date:														
Engineering:	Date:														
Estimating:	Date:														
Sales:	Date:														
Production:	Date:														
Installation:	Date:														

WALKER REALTY LLC

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

June 19, 2017

2017 JUL -3 P 3:01

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

Re: 58 Apex Drive, Apex Center- Building 7

Dear Councilor Clancy and Councilors:

Enclosed please find the revised color rendering for the proposed Building 7 to be constructed at 58 Apex Drive (attached hereto as Exhibit A). Also attached, please see previously approved elevation presented to this Council last Fall (attached hereto as Exhibit B). Walker Realty LLC kindly requests that the City Council place this matter on your next available agenda for discussion and approval. Thank you in advance for your attention and consideration to this matter.

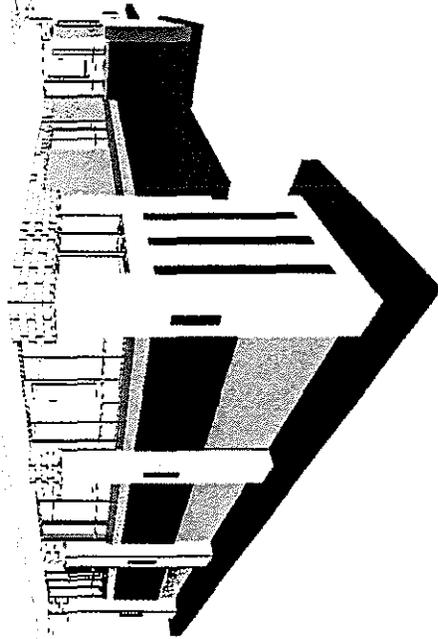
Sincerely,

Walker Realty LLC

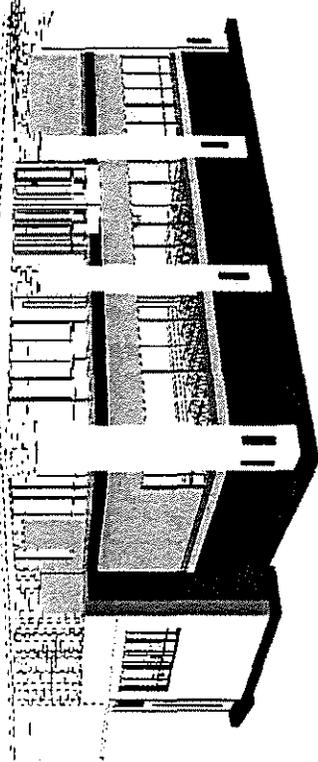


Kevin S. Eriksen, Esq.

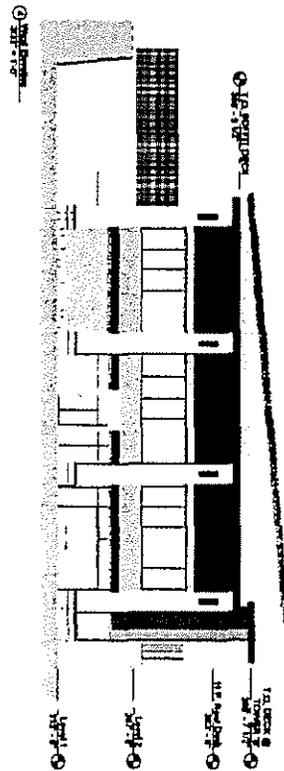
EXHIBIT A



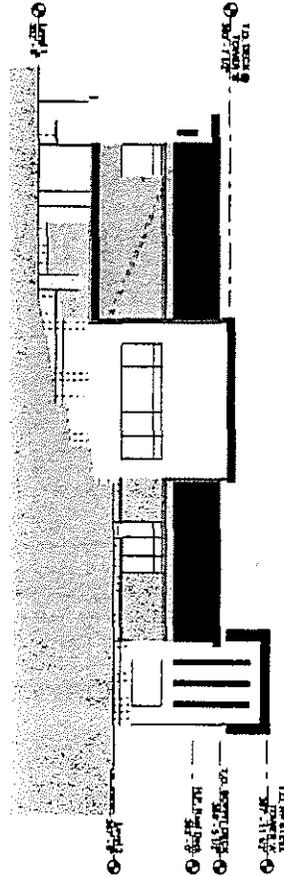
① Elev. 1



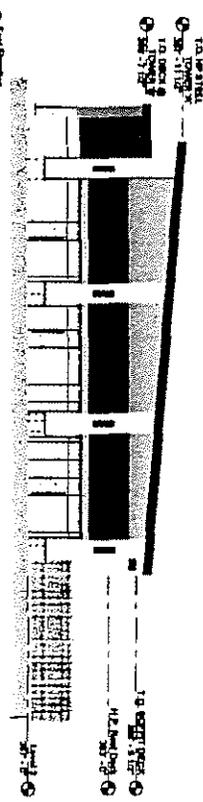
① Elev. 2



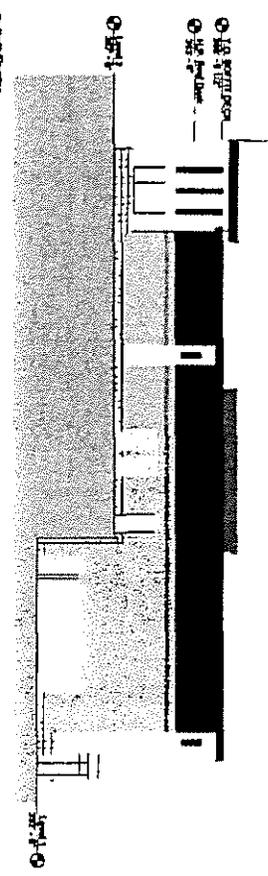
① Elev. 3



① Elev. 4



① Elev. 5



① Elev. 6

J.D. LaGrasse
 & Associates, Inc.
 Architects - Engineers - Planners - Land Planners
 100 The Village, Bedford, MA 01831
 7 Franklin St., Westborough, MA 01581
 Telephone: (508) 865-2121 FAX: (508) 865-2122

APEX CENTER
58 APEX DRIVE
 Boston Post Road West, Westborough, MA 01581

DESIGNED BY: APEX FOR 2000 LLC
 DRAWN BY: J.D. LaGrasse & Associates, Inc.
Building Elevations

NO.	DATE	DESCRIPTION
1		

EXHIBIT B



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

Schematic Elevations

APEX CENTER
Bldg-7

Scale: 1/8" = 1'-0"

J.D. LaGrasse & Associates, Inc.
 Architects, Engineers, Planners, and Interiors
 10000 West 10th Avenue, Suite 1000
 Denver, Colorado 80202
 Phone: (303) 751-1000
 Fax: (303) 751-1001
 Website: www.jdla.com

WALKER REALTY LLC

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL 17 P 4: 54

July 17, 2017

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

Re: Apex Center- Landscaping Plan

Dear Councilor Clancy and Councilors:

Enclosed please find Walker Realty LLC's (the "Applicant") submittal of the Apex Center Landscaping Plan. We look forward to discussing this Landscaping Plan in greater detail with the City Council. Thank you for your attention to this matter. Please do not hesitate to contact me directly with any questions.

Very truly yours,

Walker Realty LLC



Kevin S. Eriksen, Esq.

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL 20 A 8:36

Arthur P. Bergeron
Mirick O'Connell
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
abergeron@mirickoconnell.com
t 508.860.1470
f 508.463.1385

July 20, 2017

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

Re: Proposed Zoning Amendment – Rail Trail Overlay District

Dear Councilor Clancy:

I represent David Skarin, the owner of land located at 19 Ash Street, Assessors Map 43, Parcel 29. On behalf of Mr. Skarin, I respectfully request that the City Council consider amending the Zoning Ordinance of the City of Marlborough by adding a new Section 650-36, Rail Trail Overlay District, as specified in the enclosed Proposed Order.

The amendment would allow modified use and dimensional requirements – by special permit – for projects on parcels that (i) abut the Assabet River Rail Trail, and (ii) contain existing non-residential uses. These “Rail Trail Developments” would be required to improve the appearance of the property as seen from the Rail Trail, encourage the use of the Rail Trail, and provide certain public amenities that enhance the Rail Trail. In accordance with M.G.L. c. 40A, § 5, Mr. Skarin is the owner of land to be affected by this proposed amendment.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

In addition, on behalf of Mr. Skarin, I respectfully withdraw the zoning amendment petition filed with the City Council on June 15, 2017, concerning proposed amendments to Section 650-12 of the Zoning Ordinance (non-conforming uses).

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

MIRICK O'CONNELL

Marlborough City Council
July 20, 2017
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to be 'A. Bergeron', with a long horizontal line extending to the right.

Arthur P. Bergeron

APB/

Encl.

cc: Client
Brian R. Falk, Esq.

PROPOSED CITY COUNCIL ORDER

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 650-36 as follows:

ARTICLE VI §650-36 – RAIL TRAIL OVERLAY DISTRICT

A. Purpose and Objectives

- (1) The Assabet River Rail Trail Overlay District (herein, the “ARRTOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the ARRTOD are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety and welfare, by promoting pedestrian and bicycle friendly development complimentary to the Assabet River Rail Trail.
- (2) For the purposes of this section, the ARRTOD shall be superimposed on the other districts existing at the time of the adoption of this Section, and shall include all parcels of real estate that, as of July 1, 2017, either abutted the Assabet River Rail Trail or were held in common ownership with parcels that abutted the Assabet River Rail Trail.

B. Authority of Permit Granting Authority

- (1) The City Council shall be the Permit Granting Authority for Special Permit Approval in the ARRTOD. In all instances, a development which proceeds under the ARRTOD is subject to Site Plan Approval in accordance §270-2 of the Marlborough City Code.
- (2) The City Council may, by special permit in accordance with Section 650-59, permit a “Rail Trail Development”, defined in Subsection C, on any lot or combination of lots located in the ARRTOD (a “Development Parcel”) provided that:
 - a. A portion of the Development Parcel contained a non-residential use in operation as of July 1, 2017.
 - b. The Development Parcel has a minimum area of 1.5 acres.

- c. The Rail Trail Development compliments the Assabet River Rail Trail by improving the appearance of the Development Parcel as seen from the Assabet River Rail Trail, encourages the use of the Assabet River Rail Trail, and provides certain public amenities (including, but not limited to, landscaping, trash receptacles, public safety enhancements, or other benefits) that enhance the Assabet River Rail Trail.

C. Eligible Uses, Dimensional Controls:

- (1) A Rail Trail Development shall include any use allowed in the underlying zoning district, either as of right or by special permit, in addition to the following:
 - a. Retail sales and services, up to 5,000 square feet of gross floor area per establishment.
 - b. Restaurant, café with or without table service (including outside seating and service) without drive-thru, up to 5,000 square feet of gross floor area per establishment.
 - c. Residential uses, with such density as seemed appropriate by the City Council.
- (2) A Rail Trail Development may include multiple uses, which may be commingled into a single structure or structures or may be located in multiple separate structures on one building lot.
- (3) A Rail Trail Development shall be subject to the dimensional, parking and landscaping requirements of the underlying zoning district and for the use or combination of uses of the Rail Trail Development, provided, however, that the City Council may elect to vary dimensional and parking requirements by Special Permit if, in the City Council's 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 shall continue subsequent to initial occupancy.



Framingham
State University

MetroWest Economic
Research Center

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JUL 17 P 4: 54

June 30, 2017

City Council
City of Marlborough
140 Main St
Marlborough, MA 01752

Dear Councilors:

Enclosed please find your complimentary copy of the *Greater MetroWest Economic Profile 2017*© by Dunne, Lamontagne, Lavigne, MacRitchie, Meaney, Phelan, Rosero, Sjuib, and Soriano with James Alimi, Timothy Bryan, Cameron Coburn, Matthew Diver, JP Dasilva Marinho, Dayna Marchant, John Murphy, and Cecilia Valentine. All are members of the MetroWest Economic Research Center (MERC) at Framingham State University.

This report is MERC's latest update on the state of the Greater MetroWest economy, and includes data and analysis on the state of unemployment, employment, municipal revenue, K-12 enrollment, and housing for the region as well as cost of living in MetroWest. Greater MetroWest includes the municipalities of Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlborough, Natick, Northborough, Sherborn, Southborough, Sudbury, Wayland and Westborough.

We at MERC hope you find our studies informative and helpful. This publication is available on our website: www.merc-online.org.

If you have any questions, please contact us at 508-626-4033. We would be pleased to speak to you.

Sincerely,

Fahlino Sjuib
Beverly Soriano
MERC Co-Directors

Enclosure

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

City Copy

Hopedale, MA 01747

May 30, 2017

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

To the City Clerks Office
of the City of Marlborough, Massachusetts

2017 JUN 19 A 11:25

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

Boston Post Road

National Grid request install of 7 new poles and removing 5 poles along Boston Post Road W. Pole installs are part of a project to accommodate the expansion of Boston Post Road W.

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 23602073 Dated: 3/30/2017

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Raymond
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Alb. E. Dondler
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

May 30, 2017

By the City Clerks Office
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **30th day of May, 2017**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--

Plan No. **23602073** Dated: **3/30/2017** filed with this order.

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:--

Boston Post Road

National Grid request install of 7 new poles and removing 5 poles along Boston Post Road W. Pole installs are part of a project to accommodate the expansion of Boston Post Road W.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2017

Clerk of Council

Received and entered in the records of location orders of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

Pole & UG Petition/Permit Request Form

City Marlborough WR # 23602073
(circle one)

Install 7 SO
(quantity) JO Poles on Boston Post Rd
(circle one) (street name)

Remove 5 SO
(quantity) JO Poles on Boston Post Rd
(circle one) (street name)

Relocate _____ SO
(quantity) JO Poles on _____
(circle one) (street name)

Beginning at a point approximately 200 feet East of the centerline
(distance) (compass heading)

of the intersection of Boston Post Rd W & Boundary St
(street name)

and continuing approximately 600 feet in a Eastern direction.
(distance) (compass heading)

Install underground facilities:

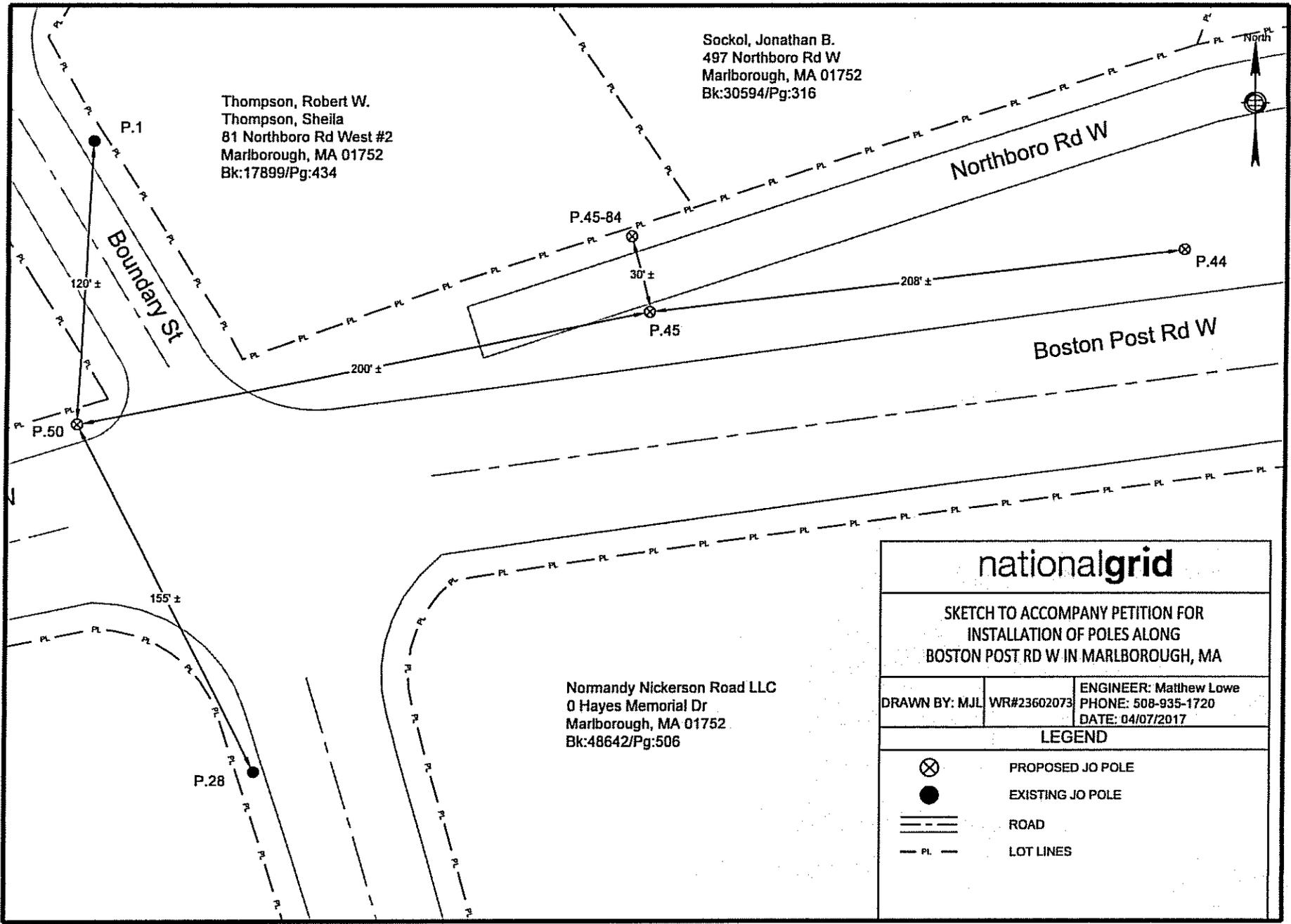
Street(s) _____

Description of Work:

Installing 7 new poles and removing 5 poles along Boston Post Rd W. Pole installs are part of a project to accommodate the expansion of Boston Post Rd W.

ENGINEER Matthew Lowe

DATE 3/31/16



Thompson, Robert W.
 Thompson, Sheila
 81 Northboro Rd West #2
 Marlborough, MA 01752
 Bk:17899/Pg:434

Sockol, Jonathan B.
 497 Northboro Rd W
 Marlborough, MA 01752
 Bk:30594/Pg:316

Normandy Nickerson Road LLC
 0 Hayes Memorial Dr
 Marlborough, MA 01752
 Bk:48642/Pg:506

nationalgrid		
SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF POLES ALONG BOSTON POST RD W IN MARLBOROUGH, MA		
DRAWN BY: MJL	WR#23602073	ENGINEER: Matthew Lowe PHONE: 508-935-1720 DATE: 04/07/2017
LEGEND		
⊗	PROPOSED JO POLE	
●	EXISTING JO POLE	
— — — — —	ROAD	
- PL -	LOT LINES	

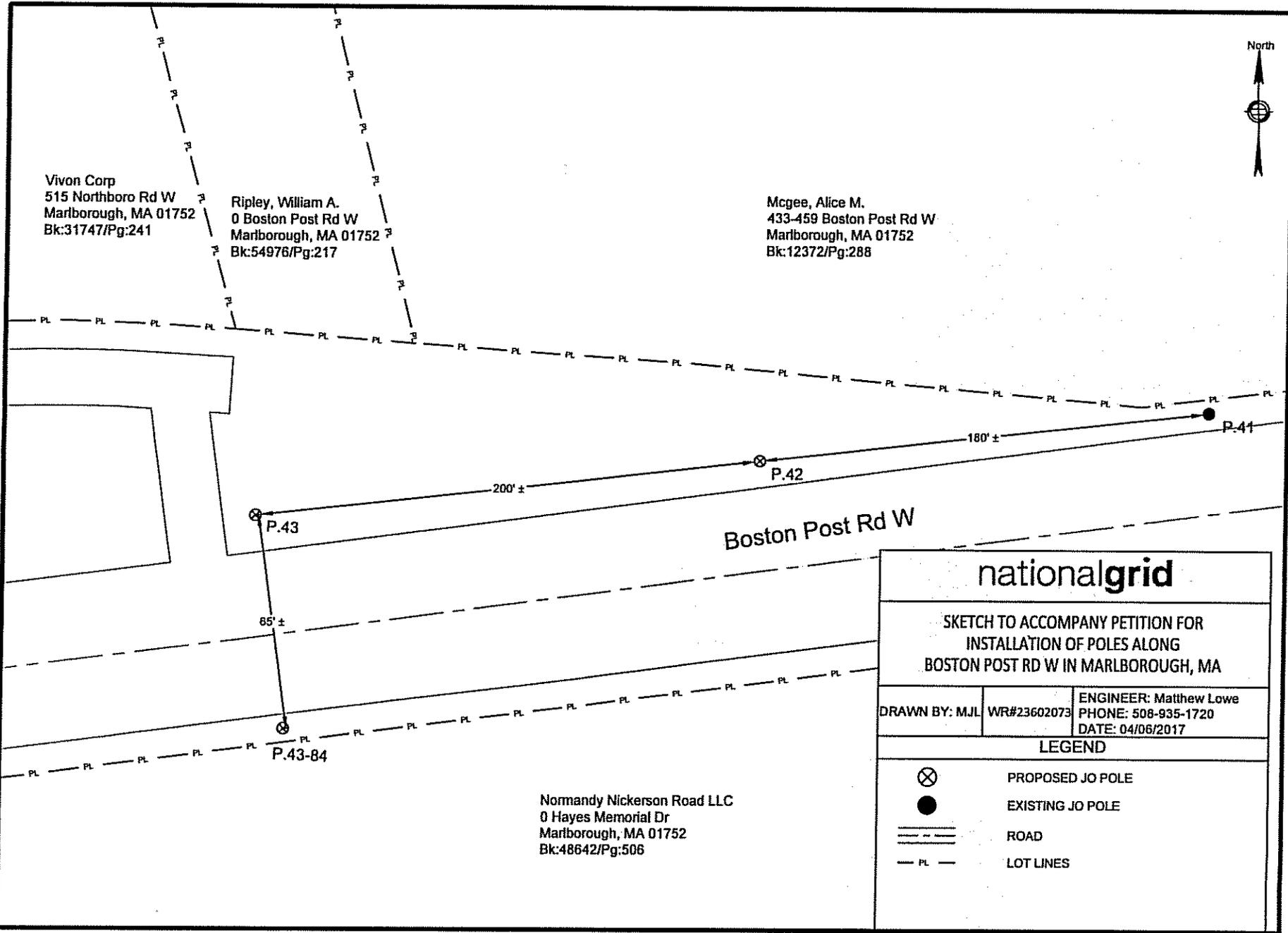


Vivon Corp
515 Northboro Rd W
Marlborough, MA 01752
Bk:31747/Pg:241

Ripley, William A.
0 Boston Post Rd W
Marlborough, MA 01752
Bk:54976/Pg:217

Mcgee, Alice M.
433-459 Boston Post Rd W
Marlborough, MA 01752
Bk:12372/Pg:288

Normandy Nickerson Road LLC
0 Hayes Memorial Dr
Marlborough, MA 01752
Bk:48642/Pg:506



nationalgrid		
SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF POLES ALONG BOSTON POST RD W IN MARLBOROUGH, MA		
DRAWN BY: M.JL	WR#23602073	ENGINEER: Matthew Lowe PHONE: 508-935-1720 DATE: 04/06/2017
LEGEND		
⊗	PROPOSED JO POLE	
●	EXISTING JO POLE	
———	ROAD	
- PL -	LOT LINES	

**ABUTTERS Boston Post Rd W, Boundary St, Hayes Memorial Dr direct & across
MARLBOROUGH, MA**

Tap	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
18	2			MONTEIRO JOHN B	MARIA ADELAIDE C MONTEIRO	85 WASHINGTON ST	HUDSON	MA 01749	48 BOUNDARY ST
18	3			KARALIS DINO TR	SPARTE II REALTY TRUST	34 MAGNOLIA ST	FRAMINGHAM	MA 01701	505 BOSTON POST RD WEST
18	5			CITY OF MARLBOROUGH		140 MAIN ST	MARLBOROUGH	MA 01752	1109 ELM ST
18	7			OLESEN DANIEL M		33 BOUNDARY ST	MARLBOROUGH	MA 01752	33 BOUNDARY ST
18	8			VALARIOTI DOMENIC J TR	C/O JOSEPH VALARIOTI	25 BOUNDARY ST	MARLBOROUGH	MA 01752	25 BOUNDARY ST
18	9	475	1	DUBEAU MICHAEL R	DENISE B CHAMPAGNE	475 NORTHBORO RD WEST #1	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #1
18	9	475	2	CLARK JUSTIN N	CHRISTINE NICOLE CLARK	475 NORTHBORO RD WEST #2	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #2
18	9	475	3	YU YI JUNG TR	M R REALTY TRUST	18 ALLEN CT	NORTHBOROUGH	MA 01532-1616	475 NORTHBORO RD WEST #3
18	9	475	4	BEYERSDORFER LEONARD E		475 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #4
18	9	475	5	NETTO CANDIDO J		475 NORTHBORO RD WEST #5	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #5
18	9	475	6	MEGANATHAN VIJAY		475 NORTHBORO RD WEST #6	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #6
18	9	1102	1	FAGAN ANDREW		481 NORTHBORO RD WEST #1	MARLBOROUGH	MA 01752	481 NORTHBORO RD WEST #1
18	9	1102	2	THOMPSON ROBERT W	SHEILA THOMPSON	481 NORTHBORO RD WEST #2	MARLBOROUGH	MA 01752	481 NORTHBORO RD WEST #2
18	9	1102	3	PICKEFORD ASHLEY E		481 NORTHBORO RD WEST #3	MARLBOROUGH	MA 01752	481 NORTHBORO RD WEST #3
18	9	1102	4	GODDARD ADAM P		481 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	481 NORTHBORO RD WEST #4
18	9	1102	5	VIETH MICHAEL L	DONNA M VIETH	481 NORTHBORO RD WEST #5	MARLBOROUGH	MA 01752	481 NORTHBORO RD WEST #5
18	9	1102	6	GERAGHTY JAMES M		26 LONGFELLOW RD	SUDBURY	MA 01776	481 NORTHBORO RD WEST #6
18	9	1104	1	MCKINNON DARLENE E		103 OLD CHARTER RD	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #1
18	9	1104	2	GUIARAES JANAYNA		479 NORTHBORO RD WEST #2	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #2
18	9	1104	3	MADDEN ROY W	MARIANNE T MADDEN	479 NORTHBORO RD WEST #3	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #3
18	9	1104	4	BERRIOS JORGE	ZOREBEL BERRIOS	479 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #4
18	9	1104	5	MERTHEIM GABRIELLE L	MILA SHUGOL	479 NORTHBORO RD WEST #5	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #5
18	9	1104	6	PAUL RONALD R	URDUJA PAUL	479 NORTHBORO RD WEST #6	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #6
18	9	1104	7	WEAVER CHRISTOPHER T		479 NORTHBORO RD WEST #7	MARLBOROUGH	MA 01752	479 NORTHBORO RD WEST #7
18	9	1124	1	ROSSI TIZIANA		477 NORTHBORO RD WEST #1	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #1
18	9	1124	2	RUDZINSKI CHESTER F	ELUNED T RUDZINSKI	477 NORTHBORO RD WEST #2	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #2
18	9	1124	3	CHINNA DEVENDRA HAIK SUGALI		477 NORTHBORO RD WEST #3	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #3
18	9	1124	4	ALLAN SUSAN P		477 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #4
18	9	1124	5	JENSEN KRISTINE M		477 NORTHBORO RD WEST #5	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #5
18	9	1124	6	DURAND BARBARA A		477 NORTHBORO RD WEST #6	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #6
18	9	1124	7	ANTKOWIAK TED J	DANUTA ANTKOWIAK	273 WEST ST	NORTHBOROUGH	MA 01532	477 NORTHBORO RD WEST #7
18	9	1124	8	LYNCH WILLIAM C		477 NORTHBORO RD WEST #8	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #8
18	9	1124	9	TALLMAN CHANDRA		477 NORTHBORO RD WEST #9	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #9
18	10			OFLC PROPERTIES LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	497 NORTHBORO RD WEST
18	11			OFLC REAL ESTATE LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	515 NORTHBORO RD WEST
18	12			ADRIAN LLC	C/O JON SOCKOL	16 NOTTINGHAM RD	WESTBOROUGH	MA 01581	433-459 BOSTON POST RD WEST
18	35			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	HAYES MEMORIAL DR
18	36			DBK REALTY LLC		583 BERLIN RD	MARLBOROUGH	MA 01752	1000 NICKERSON RD
18	3A			KARALIS DINO TR	SPARTE II REALTY TRUST	34 MAGNOLIA ST	FRAMINGHAM	MA 01701	493 BOSTON POST RD WEST
18	13A			OFLC REAL ESTATE LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	BOSTON POST RD WEST

MARLBOROUGH ASSESSORS

Andrew C. Conway
William R. Silvestri
Paul W. Ho

City Clerk Copy

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

February 20, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

To the City Clerks Office
of the City of Marlborough, Massachusetts

2017 JUN 19 A 11: 25

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

Hayes Memorial Drive

National Grid request install 1 new pole along Hayes Memorial Drive. Pole installs are part of a project to accommodate the expansion of Boundary Street & Route 20- Boston Post Road W.

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 23602073 Dated: 3/30/2017

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Raymond
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Ally E. D... ..
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

February 20, 2013

By the City Clerks Office
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, **IT IS HEREBY ORDERED:**
that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC. be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **30th day of May, 2017**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--

Plan No. **23602073** Dated: **3/30/2017** filed with this order.

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:--

Hayes Memorial Drive

National Grid request install 1 new pole along Hayes Memorial Drive. Pole installs are part of a project to accommodate the expansion of Boundary Street & Route 20- Boston Post Road W.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____ 2013

Clerk of Council

Received and entered in the records of location orders of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

Pole & UG Petition/Permit Request Form

City (circle one) Town of Marlborough WR # 23602073

Install 1 (quantity) SO (circle one) JO Poles on Hayes Memorial Dr (street name)

Remove (quantity) SO (circle one) JO Poles on (street name)

Relocate (quantity) SO (circle one) JO Poles on (street name)

Beginning at a point approximately 100 (distance) feet South (compass heading) of the centerline of the intersection of Boston Post Rd W & Boundary St (street name)

and continuing approximately 50 (distance) feet in a Southern (compass heading) direction.

Install underground facilities:

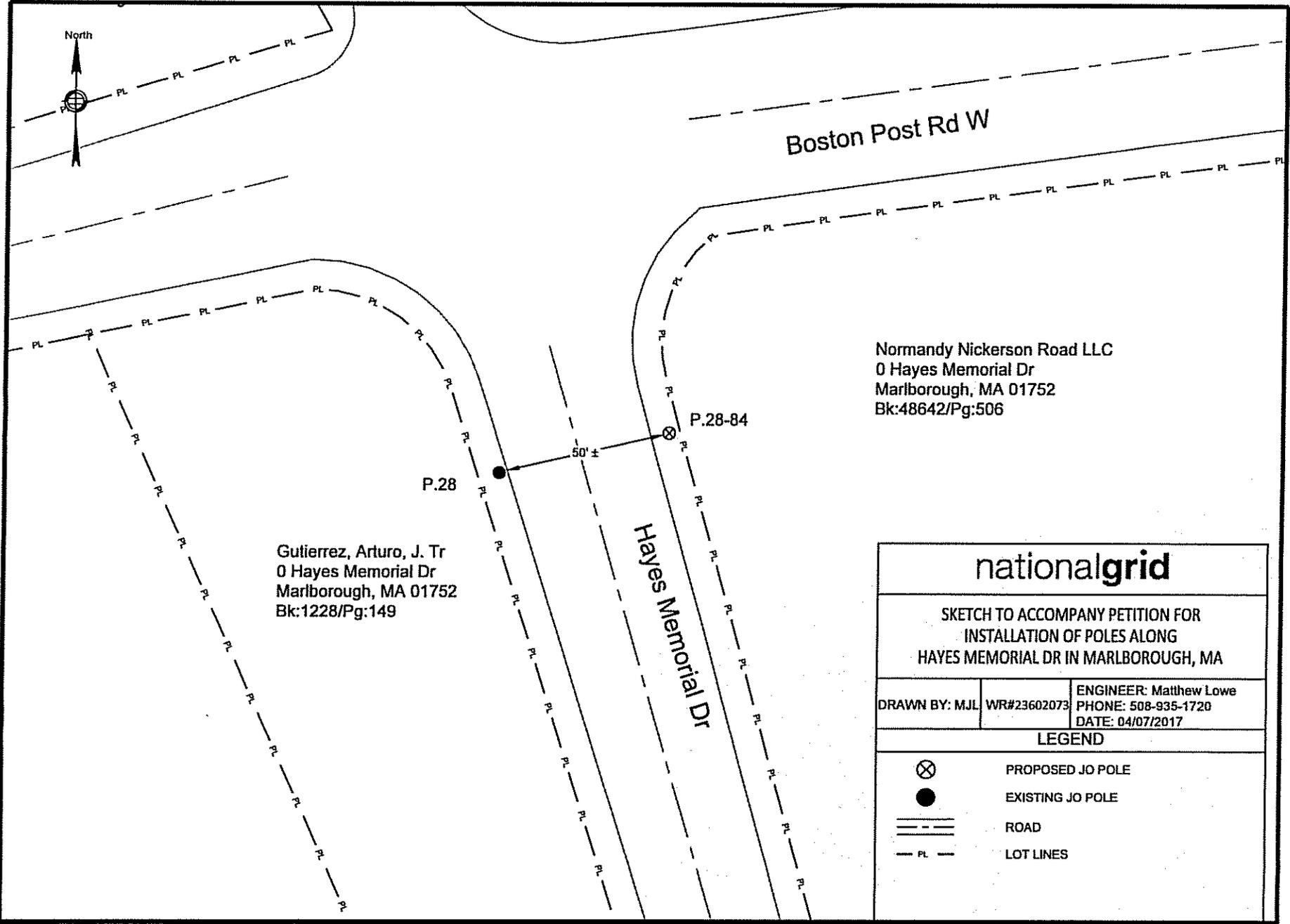
Street(s)

Description of Work:

Installing 1 new pole along Hayes Memorial Dr. Pole installs are part of a project to accommodate the expansion of Boundary St & Rt 20 - Boston Post Rd W.

ENGINEER Matthew Lowe

DATE 3/31/16



nationalgrid

SKETCH TO ACCOMPANY PETITION FOR
INSTALLATION OF POLES ALONG
HAYES MEMORIAL DR IN MARLBOROUGH, MA

DRAWN BY: MJL	WR#23602073	ENGINEER: Matthew Lowe
		PHONE: 508-935-1720
		DATE: 04/07/2017

LEGEND

-  PROPOSED JO POLE
-  EXISTING JO POLE
-  ROAD
-  LOT LINES

ABUTTERS Boston Post Rd W, Boundary St, Hayes Memorial Dr direct & across
MARLBOROUGH, MA

Tap	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
18	2			MONTEIRO JOHN B	MARIA ADELAIDE C MONTEIRO	85 WASHINGTON ST	HUDSON	MA 01749	48 BOUNDARY ST
18	3			KARALIS DINO TR	SPARTE II REALTY TRUST	34 MAGNOLIA ST	FRAMINGHAM	MA 01701	505 BOSTON POST RD WEST
18	5			CITY OF MARLBOROUGH		140 MAIN ST	MARLBOROUGH	MA 01752	1109 ELM ST
18	7			OLESEN DANIEL H		33 BOUNDARY ST	MARLBOROUGH	MA 01752	33 BOUNDARY ST
18	8			VALARIOTI DOMENIC J TR	C/O JOSEPH VALARIOTI	25 BOUNDARY ST	MARLBOROUGH	MA 01752	25 BOUNDARY ST
18	9	475	1	DUBEAU MICHAEL R	DENISE B CHAMPAGNE	475 NORTHBORO RD WEST #1	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #1
18	9	475	2	CLARK JUSTIN N	CHRISTINE NICOLE CLARK	475 NORTHBORO RD WEST #2	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #2
18	9	475	3	YU YI JUNG TR	M R REALTY TRUST	18 ALLEN CT	NORTHBOROUGH	MA 01532-1616	475 NORTHBORO RD WEST #3
18	9	475	4	BEYERSDORFER LEONARD E		475 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #4
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18	9	1102	6	GERAGHTY JAMES H		26 LONGFELLOW RD	SUDBURY	MA 01776	481 NORTHBORO RD WEST #6
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18	9	1124	9	TALLMAN CHANDRA		477 NORTHBORO RD WEST #9	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #9
18	10			OFLC PROPERTIES LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	497 NORTHBORO RD WEST
18	11			OFLC REAL ESTATE LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	515 NORTHBORO RD WEST
18	12			ADRIAN LLC	C/O JOH SOCKOL	16 NOTTINGHAM RD	WESTBOROUGH	MA 01581	433-459 BOSTON POST RD WEST
18	35			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	HAYES MEMORIAL DR
18	36			DBK REALTY LLC		583 BERLIN RD	MARLBOROUGH	MA 01752	1000 NICKERSON RD
18	3A			KARALIS DINO TR	SPARTE II REALTY TRUST	34 MAGNOLIA ST	FRAMINGHAM	MA 01701	493 BOSTON POST RD WEST
18	13A			OFLC REAL ESTATE LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	BOSTON POST RD WEST

MARLBOROUGH ASSESSORS

Anthony C. Amador
William J. Silverstein
Jan 17/17

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

City Copy

Hopedale, MA 01747

RECEIVED
MAY 30 2017
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

To the City Clerks Office
of the City of Marlborough, Massachusetts

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MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

Boundary Street

**National Grid request install 2 new poles and removing 1 pole along Boundary Street
Pole Installs are part of a project to accommodate the expansion of Boundary Street.**

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 23602073 Dated: 3/30/2017

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Raymond
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Alba E. Doolittle
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747

May 30, 2017

By the City Clerks Office
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, **IT IS HEREBY ORDERED:**
that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC. be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **30th day of May, 2017**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--

Plan No. **23602073** Dated: **3/30/2017** filed with this order.

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:--

Boundary Street

**National Grid request install 2 new poles and removing 1 pole along Boundary Street
Pole Installs are part of a project to accommodate the expansion of Boundary Street.**

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council
of the City of Marlborough, Massachusetts held on the _____ day of _____ 2017

Clerk of Council

Received and entered in the records of location orders
of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

We hereby certify that on _____ 2017 at _____ o'clock, _____ M.
at _____ a public hearing was held on the petition of the
MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Council of the City of

Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of _____ 2017 recorded with the records of location orders of said City, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
City Clerk

Pole & UG Petition/Permit Request Form

City Town of Marlborough WR # 23602073

Install 2 SO JO Poles on Boundary St

Remove 1 SO JO Poles on Boundary St

Relocate SO JO Poles on

Beginning at a point approximately 90 feet North of the centerline

of the intersection of Boston Post Rd W & Boundary St

and continuing approximately 700 feet in a Northwest direction.

Install underground facilities:

Street(s)

Description of Work:

Installing 2 new poles and removing 1 pole along Boundary St. Pole installs are part of a project to accommodate the expansion of Boundary St.

ENGINEER Matthew Lowe

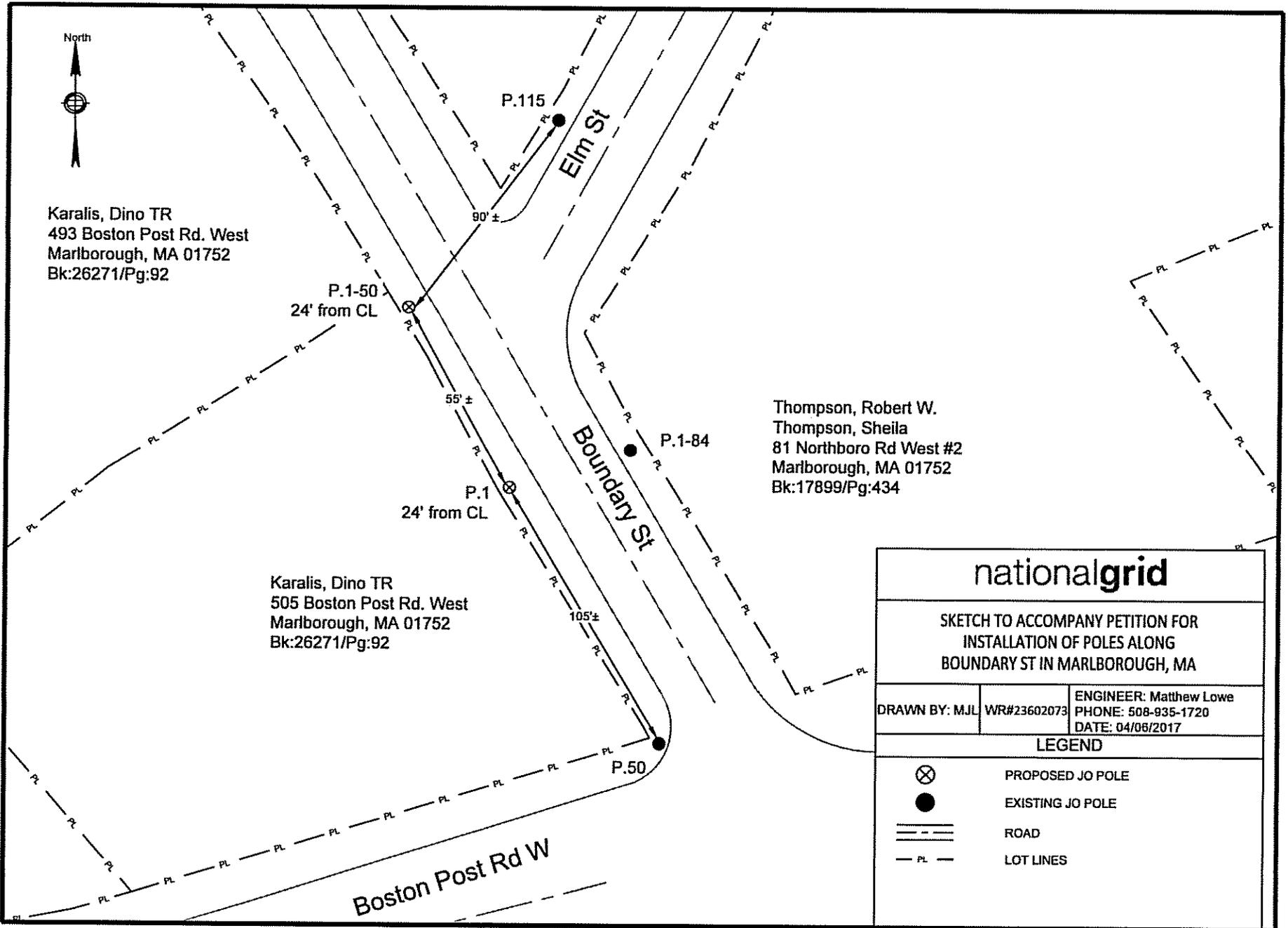
DATE 3/31/16



Karalis, Dino TR
493 Boston Post Rd. West
Marlborough, MA 01752
Bk:26271/Pg:92

Karalis, Dino TR
505 Boston Post Rd. West
Marlborough, MA 01752
Bk:26271/Pg:92

Thompson, Robert W.
Thompson, Sheila
81 Northboro Rd West #2
Marlborough, MA 01752
Bk:17899/Pg:434



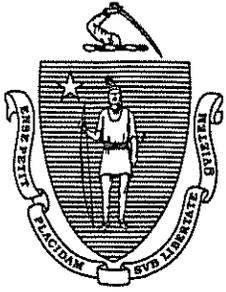
nationalgrid		
SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF POLES ALONG BOUNDARY ST IN MARLBOROUGH, MA		
DRAWN BY: MJL	WR#23602073	ENGINEER: Matthew Lowe PHONE: 508-935-1720 DATE: 04/06/2017
LEGEND		
⊗	PROPOSED JO POLE	
●	EXISTING JO POLE	
— — — — —	ROAD	
— PL —	LOT LINES	

**ABUTTERS Boston Post Rd W, Boundary St, Hayes Memorial Dr direct & across
MARLBOROUGH, MA**

Tap	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
18	2			MONTEIRO JOHN B	MARIA ADELAIDE C MONTEIRO	85 WASHINGTON ST	HUDSON	MA 01749	48 BOUNDARY ST
18	3			KARALIS DINO TR	SPARTE II REALTY TRUST	34 MAGNOLIA ST	FRAMINGHAM	MA 01701	505 BOSTON POST RD WEST
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18	9	475	3	YU YI JUNG TR	M R REALTY TRUST	18 ALLEN CT	NORTHBOROUGH	MA 01532-1616	475 NORTHBORO RD WEST #3
18	9	475	4	BEVERSDORFER LEONARD E		475 NORTHBORO RD WEST #4	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #4
18	9	475	5	NETTO CANDIDO J		475 NORTHBORO RD WEST #5	MARLBOROUGH	MA 01752	475 NORTHBORO RD WEST #5
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18	9	1124	9	TALLMAN CHANDRA		477 NORTHBORO RD WEST #9	MARLBOROUGH	MA 01752	477 NORTHBORO RD WEST #9
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18	11A			OFLC REAL ESTATE LLC		515 NORTHBORO RD WEST	MARLBOROUGH	MA 01752	BOSTON POST RD WEST

MARLBOROUGH ASSESSORS

*Andrew C. Amery
William J. Gilbertson
Dana May*



THE COMMONWEALTH OF MASSACHUSETTS
 STATE RECLAMATION & MOSQUITO CONTROL BOARD
**CENTRAL MASSACHUSETTS
 MOSQUITO CONTROL PROJECT**
 111 Otis Street, Northborough, MA 01532 - 2414
 Telephone (508) 393-3055 Fax (508) 393-8492
 www.cmmcp.org



COMMISSION CHAIRMAN
 RICHARD DAY

EXECUTIVE DIRECTOR
 TIMOTHY D. DESCHAMPS

July 19, 2017

City of Marlboro
 Health Department
 Marlboro MA, 01752

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2017 JUN 21 AM 11:19

Central Massachusetts Mosquito Control Project personnel will be in your community to investigate resident's complaints about mosquitoes on the following dates in

July 7, 12, 19, 26

The above dates are subject to change due to weather conditions, mosquito populations, mosquito virus activity and/or special event spraying. This program will shut down when cool night time temperature becomes predominant in this area. A detailed notice about our spray schedule is posted on the CMMCP phone system after 3:30 p.m. each day, and it is also listed on our website.

Complaints about mosquitoes may be registered by calling the CMMCP office at 508-393-3055 between 7:00 AM - 3:30 PM, Monday through Friday. The results of an investigation may warrant the use of a mosquito insecticide to defined, site-specific areas of the town. Such an application may be accomplished by using hand or truck mounted equipment, depending on the extent of the application.

Per 333CMR13.03(1)(a): "Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board shall not be made to private property which has been designated for exclusion from such application by a person living on or legally in control of said property." Notices were sent to all City and Town Clerks on March 30 and to listed exclusions on April 14 to alert them of changes to the pesticide exclusion process; CMMCP cannot accept exemptions through our office. Residents should contact the Mass. Dept. of Agricultural Resources at 617.626.1723 for more information on the exclusion process.

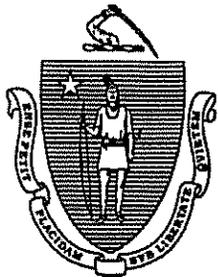
Please list this information in the local newspapers and on the local cable access station if possible. Additional information on CMMCP may be found online at: <http://www.cmmcp.org>

Sincerely,

Timothy D. Deschamps

Executive Director

cc: City/Town Clerk
 Police Department



THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION & MOSQUITO CONTROL BOARD

**CENTRAL MASSACHUSETTS
MOSQUITO CONTROL PROJECT**

111 Otis Street, Northborough, MA 01532 - 2414
Telephone (508) 393-3055 • Fax (508) 393-5492 • 31
www.cmmcp.org



COMMISSION CHAIRMAN
RICHARD DAY

EXECUTIVE DIRECTOR
TIMOTHY D. DESCHAMPS

July 17, 2017

City of Marlboro
Health Department
Marlboro MA, 01752

Central Massachusetts Mosquito Control Project personnel will be in your community to investigate resident's complaints about mosquitoes on the following dates in July/August:

August 2, 9, 16, 23, 30

The above dates are subject to change due to weather conditions, mosquito populations, mosquito virus activity and/or special event spraying. This program will shut down when cool night time temperature becomes predominant in this area. A detailed notice about our spray schedule is posted on the CMMCP phone system after 3:30 p.m. each day, and it is also listed on our website at www.cmmcp.org/pesticide.htm.

Complaints about mosquitoes may be registered by calling the CMMCP office at 508-393-3055 between 7:00 AM - 3:30 PM, Monday through Friday or logging on to www.cmmcp.org. The results of an investigation may warrant the use of a mosquito insecticide to defined, site-specific areas of the town. Such an application may be accomplished by using truck mounted equipment.

Per 333CMR13.03(1)(a): "Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board shall not be made to private property which has been designated for exclusion from such application by a person living on or legally in control of said property." Notices were sent to all City and Town Clerks on March 30 and to all 2016 listed exclusions on April 14 to alert them of changes to the pesticide exclusion process; CMMCP cannot accept exemptions through our office. Residents should contact the Mass. Dept. of Agricultural Resources at 617.626.1723 for more information on the exclusion process.

Please list this information in the local newspapers and on the local cable access station if possible. Additional information on CMMCP may be found online at: <http://www.cmmcp.org>

Sincerely,

Timothy D. Deschamps

Executive Director

cc: City/Town Clerk
Police Department

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

May 18, 2017 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

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2017 JUN 20 P 3:50

Present: Edward Clancy – Chairman, Allan White, John Skarin, Dennis Demers, Karin Paquin, Priscilla Ryder – Conservation Officer.

Absent: Lawrence Roy and David Williams.

Approval of Minutes – The minutes of April 20th and May 4th, 2017 were reviewed and unanimously approved 5-0 as written.

Public Hearings

Request for Determination of Applicability

121 Matheson Dr. – Dennis Popivchak

Mr. Popivchak was present and explained that they wanted to extend their driveway 16' parallel to the deck on the existing yard. It would be located outside the wetland markers which mark the 30' wetland buffer zone established for this subdivision. All excess materials will be removed from site. Ms. Ryder noted that the wetland markers are cement triangles still visible in the ground, she noted that the area is very flat where the expansion is proposed and there should be no issues. After some discussion, the Commission voted unanimously 5-0 to issue a negative determination with standard conditions.

Request for Determination of Applicability

181 Cullinan Dr. – John & Angela Leipold

Mr. Leipold was present and explained that he is back with a formal filing this evening to install a new foundation to the house and completely replace the house. The Commission noted that previously he was going to jack up the house, but Mr. Leipold explained that it was no longer the case and they will be installing the foundation, building a new house and adding the addition the Commission approved previously. All excess materials from the foundation will be removed from the site and some additional erosion controls will be added to the back of the house between the work area and the wetlands. Mr. Demers asked if there were any zoning variances needed, and the response was no. After further discussion, the Commission voted 5-0 to unanimously issue a negative determination with standard conditions.

Discussions:

- DEP 212-1187 Rte. 20 Improvements – Apex Center – Discussion with contractor as required in the Order of Conditions. Jim Shalek from I.W. Harding Construction was present along with

Matt Soltys and Greg Russell from VHB - the project design consultants. Mr. Shalek explained that his company would be starting work next week - erosion controls should be ready for inspections early in the week. He explained that his equipment would be stored near Boundary St. in front of the Children's center on the grass strip next to Rte. 20. He will be doing the drainage connections and there are a few sections of the roadway that must be widened. Most material will be hauled off site, not much stockpiling. He discussed the rip-rap slope where the roadway is to be widened for the sidewalk near Ames St. The Commission expressed concern with the timing of this project and watching the weather, as during some storm events water overtops Rte. 20 at this location.

Greg Russel explained that VHB would be doing the construction inspections and submitting the SWPPP reports. Erosion controls will include silt sacs on all catch basins in the work area. Some already are in place from ETL's work and some will be added. Mr. Demers noted that the area they are staging used to be an old gas station; so, they may want to be sure there are no gas tanks when they are doing the widening. The work will take 2-3 months. They expect to be completed by August. There was some discussion about the sewer line connection into the roadway and the stabilization of the rip-rap slope. After some discussion about planning for the weather, keeping the site clean during construction and a preconstruction meeting on site, the Commission thanked Mr.'s Shalek, Soltys and Russell for coming in and expected this busy roadway to be a challenge; but that they ought to be able to keep things clean and protective of the City's water supply.

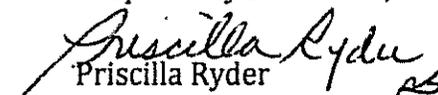
Correspondence/Other Business:

- Letter from DCR, dated May 5, 2017 RE: Operation and Maintenance inspection for the Tyler flood control dam. - this correspondence was reviewed and placed on file.
- Emergency Certificate - Ms. Ryder noted that Beaver Solutions Inc. will be out to the Cider Knoll beaver dam on May 25th to install a beaver pipe in order to lower the water level of the pond 2-3 feet. This will be protective of the septic system that exists on McNeil Circle. The Commission voted 5-0 to issue the emergency certificate and signed the form.
- School Group education - Ms. Ryder has been asked to take kids to the Felton Conservation Land for an outdoor classroom experience. Ms. Paquin will help too.

Adjournment

There being no further discussion, the meeting was adjourned at 7:46 P.M.

Respectfully submitted,


Priscilla Ryder
Conservation Officer



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2017 JUN 23 10:50

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2017 JUN 23 10:53:01

Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

May 23, 2017

1. Chairman Vigeant called the Regular Meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Bodin-Hettinger, Mrs. Ryan, Mrs. Matthews, and Mr. Walter. Also present were Superintendent Maureen Greulich, MEA Representative Eileen Barry, Executive Director of Finance and Operations Michael Bergeron, Administrative Support Donna Marshall and Student Representative Susan Rambridge.
2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.
3. **Presentation**
 - A. **STEM / STEAM Update.** STEM Director Dan Riley presented highlights of the 2016-2017 school year, including the STEAM program at Whitcomb, early college developments at the high school and Skills Grant for the high school and Hildreth.

Mr. Riley also discussed the visit by sixteen school districts to the high school STEM Program earlier in the week.
 - B. **MetroWest Adolescent Health Survey.** Interim Executive Director of Secondary Education Marc Kerble presented results from the 2016 MetroWest Adolescent Health Survey which was administered to grades 6-8 middle school students and grades 9-12 high school students.
4. **Committee Discussion / Directives:** None
5. **Communications:** None

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Marlborough Public Schools

School Committee
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6. Superintendent's Report:

Superintendent Greulich presented her report covering a range of topics which included the Workshop on 21st Century Education, PD Survey results, Superintendent's End of Cycle Summative, Welcome to MPS Video, Whitcomb NEASC report, and an opportunity for a cohort of MPS leaders to take part in UMass Lowell's Ed. D program. Superintendent Greulich also discussed the new, updated format for the Panther Pride publication and upcoming events in the district.

High School EL teacher Jillian Morin presented some background on the creation of the Welcome to MPS videos that she created for the district outlining general rules, policies and practices of the Marlborough Public Schools.

A. Executive Director of Finance & Operations Report

Michael Bergeron presented his report outlining Food Services Account balances, online payments report, a recent meeting with Kevin Dawson (DESE Lunch Program), Superintendent Greulich, Food Service Manager Jenna Plant, Aramark and Mr. Bergeron regarding the Community Eligibility Provision breakfast and lunch program and his recent participation in the 51st annual MASBO institute.

B. Executive Director of Special Education Report

Heather Geary presented her report covering a wide range of topics including the MA DESE mid-cycle review, changes to the CPR Process for 2018-2019, Tiered Focus Monitoring, Impact on Level 3-5 District, EL/Special Education Task Force, Whitcomb Pathways program updates and an update on special education program name changes.

7. Acceptance of Minutes

A. Acceptance of the Minutes of the April 25, 2017 School Committee Meeting

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the minutes of the Regular School Committee Meeting of April 25, 2017. Motion approved 5-0-0.

B. Acceptance of the Minutes of the May 9, 2017 School Committee Meeting

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Marlborough Public Schools

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A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the minutes of the Regular School Committee Meeting of May 9, 2017. Motion approved 5-0-0.

8. Public Participation: None

9. Action Items/Reports

- A. Recommendation to Approve the Appointment of the Director of Student Services.** Superintendent Greulich put forth a recommendation that the School Committee appoint Jody O'Brien as the Director of Student Services.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the appointment of Jody O'Brien as the Director of Student Services pending successful contract negotiations. Motion approved 5-0-0.

- B. Recommendation to Approve the Appointment of the Assistant Superintendent of Teaching & Learning.** Superintendent Greulich put forth a recommendation that the School Committee appoint Mary Murphy as the Assistant Superintendent of Teaching & Learning.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the appointment of Mary Murphy as the Assistant Superintendent of Teaching & Learning pending successful contract negotiations. Motion approved 5-0-0.

- C. Recommendation to Approve the Appointment of the Assistant Superintendent of Finance.** Superintendent Greulich put forth a recommendation that the School Committee appoint Michael Bergeron as the Assistant Superintendent of Finance.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to appoint Michael Bergeron as Assistant Superintendent of Finance pending successful contract negotiations. Motion approved 5-0-0.

- D. Class of 2017 Chromebooks.** Mr. Bergeron is recommending that the School Committee vote to allow the MHS Class of 2017 to keep the Chromebooks they have been using during their high school years.

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Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to allow the MHS Class of 2017 to keep the Chromebooks they have used in high school. Motion approved 5-0-0.

E. Acceptance of Donations and Gifts:

The Commonwealth of Massachusetts District Attorney's Office has made a donation of \$500.00 to the High School All Nighter Program. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$500.00 from the Commonwealth of Massachusetts. Motion approved 5-0-0.

Tracker Systems, Inc. has made a donation of \$10,000.00 to be used for the purchase and installation of a new sign at Marlborough High School. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$10,000.00 from Tracker Systems, Inc. Motion approved 5-0-0.

Lancaster Gardens has made a donation of \$40.00 to the TLC Program Project to beautify the courtyard at the Whitcomb School. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$40.00 from Lancaster Gardens. Motion approved 5-0-0.

10. Reports of School Committee Sub-Committees: None

11. Members' Forum

Mrs. Matthews reported that she had signed the warrant.

Vice Chairperson Bodin-Hettinger distributed the Superintendent's Summative Evaluation to the committee with a two week return deadline, at which point she will collate the results and report out at the final meeting of the 2016-2017 school year.

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Marlborough Public Schools

School Committee
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12. Executive Session

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to go into Executive Session at 8:35 p.m. for the purpose of discussing contract negotiations with non-unit employees. Motion passed 5-0-0.

13. Adjournment

Following Executive Session, the meeting adjourned at 10:10 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Matthews", with a long, sweeping horizontal line extending to the right.

Heidi Matthews
Secretary, Marlborough School Committee

HM/dmm

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2017 JUN 28 A 11: 20

Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

June 13, 2017

1. Vice Chairperson Michelle Bodin-Hettinger called the Regular Meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Ryan, Mrs. Matthews, Mr. Walter and Mr. Geary. Mrs. Hennessy arrived at 7:56 p.m. and Chairman Vigeant arrived at 8:30 p.m. Also present were Superintendent Maureen Greulich, Executive Director of Finance and Operations Michael Bergeron and Administrative Support Donna Marshall.
2. **Pledge of Allegiance:** Vice Chairperson Bodin-Hettinger led the Pledge of Allegiance.
3. **Presentation**
 - A. **1,000 Books before Kindergarten.** Andy Bernabei, Director of the Early Childhood Center discussed the program and recognized the 16 ECC students who have taken part in this program and have read 1,000 books before Kindergarten.
 - B. **Special Olympics Metro West School Day Games.** Brian Ziman presented a slideshow with highlights of the Metro West School Days Games that took place on April 28, 2017. Mr. Ziman also introduced several students who participated in the event.
4. **Committee Discussion/Directives:** None
5. **Communications:** None
6. **Superintendents Report:**

Superintendent Greulich presented her report covering a range of topics which included: the Spring Superintendent Conference she attended on May 18th, the National Alliance of Concurrent Enrollment Partnerships 2017 National Conference in Washington where Daniel Riley and Sharon Buckley will be presenting, the Joint MASS/MASC Conference in November where Daniel Riley, Sharon Buckley and Heidi Matthews be giving a presentation, the China Summer Study program taking place in the summer of 2017 in Chengdu, China, which four MHS students will be taking part in, and the \$240,000 Skills Capital Grant recently awarded to Marlborough Public Schools at the State House.

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Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
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Superintendent Greulich also gave special thanks to Marc Kerble for all of his hard work and effort throughout his interim years at Marlborough Public Schools.

A. Executive Director of Primary and Elementary Education

Mary Murphy presented her report covering topics which included the needs identified as a result of the PD survey distributed to staff and their alignment with FY17 district goals, the PD schedule for the 2017-2018 school year, the Joint Evaluation and Committee survey recently sent to all MEA members, the results of which will be shared with staff in September, the Kindergarten Data Pilot Marlborough Public Schools is participating in, the expansion of the Induction/Mentoring Program, as well as a transitional planning meeting taking place at 450-460 Boston Post Road on June 14, 2017 relative to the re-assignments of students to the Richer Elementary School to Jaworek Elementary School in the fall of 2017.

Attachments: Updated Elementary Enrollment Chart and copy of the Joint Evaluation Feedback Survey. Mrs. Murphy noted that Kindergarten enrollment is lower than indicated on the chart provided.

B. Executive Director of Secondary Education

Marc Kerble presented his report outlining the STEM Leadership Committee meeting held on June 2, 2017 where upcoming expansions to the STEM Program as well as highlights of the 2016-2017 school year with regards to the program. Also discussed were soft skill awareness, successful summer internships and thoughts on how to improve the STEM program moving forward. Dr. Kerble also discussed the High School Case Method Study, a Harvard initiative which three Marlborough High School History teachers are attending in September.

Dr. Kerble also extended his thanks to all those he has worked with during the past year and in his previous experience with Marlborough Public Schools.

7. Acceptance of Minutes

A. Acceptance of the Minutes of the May 23, 2017 School Committee Meeting

A motion was made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve the minutes of the Regular School Committee Meeting of May 23, 2017. Motion approved 7-0-0

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Marlborough Public Schools

School Committee
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8. Public Participation: None

9. Action Items/Reports

A. Three Year Technology Plan 2017-2020. Tom Plati, District Technology Director presented his review of the district's technology needs and outlined a three year technology plan. Mr. Plati also acknowledged the efforts of his staff and introduced Chris Henry as the new High School Technology Specialist replacing Christine Randall, who will be retiring at the end of the school year.

B. 2017-2018 Marlborough High School Student Handbook - A list of suggested changes to the student handbook/planner was previously sent to the School Committee for review and approval.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the handbook changes as submitted. Motion approved 7-0-0.

C. Assabet Valley Collaborative Agreement - the amended agreement, which was approved by the AVC Board of Directors, has been presented for review and approval by the School Committee.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the amended agreement. Motion approved 7-0-0.

D. Private School Policy #8.045. The District Administration is recommending that the School Committee vote to approve the Crossroads School continuing their move to Marlborough.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to allow the Crossroads School to come into the district. Motion opposed 6-1-0. Please let the record reflect that Mr. Walter is abstaining from voting per reasons expressed at a previous meeting.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to refer the policy back to the Policy Committee. Motion approved 7-0-0.

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Marlborough Public Schools

School Committee
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E. Acceptance of Donations and Gifts

Stop & Shop has made a donation of \$133.97 to Richer Elementary School for A+ card rewards to be deposited to the gift account. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$133.97 from Stop & Shop. Motion approved 7-0-0.

Raytheon Company has made a donation of \$2500.00 for the benefit of the student in the STEM Program at Marlborough High School A motion was made by A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$2500.00 from Raytheon Company. Motion approved 7-0-0.

Bank of America has made a donation of \$125.00 to the Whitcomb School for scholarship awards for excellence in History to be presented to five (5) 8th grade students. A motion was made by A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept with gratitude the gift of \$125.00 from Bank of America. Motion approved 7-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Ryan provided an update that the School Building Committee voted to approve Preliminary Design Program (PDP) to be submitted to the MSBA. The proposed new school site is Poirier Drive, near Marlborough High School. The architects will be holding a public meeting on Tuesday, September 5, 2017 at 4:00 p.m. in the Whitcomb auditorium to answer questions.

Mrs. Matthews reported that the district came to an agreement on the contract for the Director of Student Services. Additionally, Mrs. Matthews reported that the warrant had been signed.

11. Members' Forum

Mrs. Hennessy commended the district on a successful graduation ceremony and on the excellent presentation at the STEM Expo held in district on Friday, June 5th.

Mrs. Hennessy also requested closure around schedule changes by the next school committee meeting on June 27, 2017.

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Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Vice Chairperson Bodin-Hettinger reminded committee members of the Superintendent's Evaluation which is due by back to her prior to the next meeting.

12. Adjournment

Motion made by Mrs. Matthews, seconded by Vice Chairperson Bodin-Hettinger to adjourn the meeting at 9:10 p.m. Motion passed 7-0-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Matthews", with a long horizontal stroke extending to the right.

Heidi Matthews
Secretary, Marlborough School Committee

HM/dmm

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**Assabet Valley Regional Technical High School
School Committee
School Committee Meeting
Tuesday, June 6, 2017
School Committee Conference Room**

2017 JUN 26 A 11: 06

Members Present:

Bill Charbonneau; Laura Ross; Lynn Ryan; Paul George; Peggy Ayres; Virginia Simms George

Not In Attendance:

Christopher Evers

Also Present:

Ernest F. Houle; Kris Luoto; Mark Hollick; Dawn Bacon; Emily Blackwood;

The meeting was called to order on the above date at 6:30 p.m. by the Chair.

REORGANIZATION OF THE DISTRICT SCHOOL COMMITTEE

The Superintendent took over the Chair for the reorganization of the School Committee.

Nominations were opened for the position of Chair of the District School Committee. A motion was made by Ms. Simms George and seconded by Ms. Ayres to nominate Mr. Charbonneau for Chair of the District School Committee. Nominations were closed. Mr. Houle cast one vote for Mr. Charbonneau for Chair of the District School Committee. The motion was passed by a vote of 5-0. Voting 'yea' on the motion were Ms. Ayres, Mr. George, Ms. Ross, Ms. Simms George and Mr. Charbonneau. Ms. Ryan voted 'present.'

Mr. Charbonneau took over the Chair.

Nominations were opened for the position of Vice-Chair of the District School Committee. A motion was made by Ms. Ross and seconded by Ms. Ayres to nominate Ms. Simms George for Vice-Chair of the District School Committee. Nominations were closed. The Chair cast one vote for Ms. Simms George for Vice-Chair of the District School Committee. The motion was passed by a vote of 5-0. Voting 'yea' on the motion were Ms. Ayres, Mr. George, Ms. Ross, Ms. Simms George and Mr. Charbonneau. Ms. Ryan voted 'present.'

Nominations were opened for the position of Secretary of the District School Committee. A motion was made by Mr. Charbonneau and seconded by Ms. Ross to nominate Ms. Ayres for Secretary of the District School Committee. Nominations were closed. The Chair cast one vote for Ms. Ayres for Secretary of the District School Committee. The

motion was passed unanimously. Voting 'yea' on the motion were Ms. Ryan, Ms. Ayres, Mr. George, Ms. Ross, Ms. Simms George and Mr. Charbonneau.

APPROVAL OF MINUTES

A motion was made by Ms. Ryan and seconded by Ms. Ayres to approve a correction to the March 28 minutes. The date was incorrectly recorded on the minutes as March 22, it was changed to March 28. The motion was passed unanimously.

A motion was made by Ms. Ayres and seconded by Ms. Simms George to approve the May 3, 2017 meeting minutes as presented. The motion was passed unanimously.

BILLS AND PAYROLL

A motion was made by Ms. Simms George and seconded by Ms. Ayres to approve Warrant Nos. 27, 28, 1123-1136, 5584-5588. The motion was passed unanimously.

AUDIENCE

Auditors were at the table to present the FY16 audit. Bound copies of the financial statements, single audit and management letter were on the table for members to review and retain. The auditors answered questions from the School Committee.

Keith Baldinger was present as JROTC parent liaison to give a report on recent and upcoming JROTC activities and to thank the administration for a successful JROTC school year.

POLICY UPDATE

Mr. Charbonneau notified committee members that policy updates have not been completed. Members agreed that once all the changes and updates are completed, the section G policies will be reviewed, hopefully, at the next meeting.

SUPERINTENDENT-DIRECTOR'S REPORT

Mr. Houle discussed his report as follows:

- FY18 Budget Meetings – Mr. Houle gave an updated on the status of FY18 Budget Meetings.
- MAVA Connecting for Success Conference - The conference and pre-conference will be held at Assabet Monday June 26 through Thursday June 29.
- MA Skills Grant Submission – Mr. Houle notified the committee that Assabet has been awarded a grant award of \$244,510 to enhance and create a state-of-the-art greenhouse with the latest technology. The grant will provide opportunities for

Biotechnology, Computer Programming and Web Development and Advanced Manufacturing.

- Retirement and Recognition Celebration - to be held on June 7 from 3-6 p.m. at the Hudson Elks.
- Visit by an Alaskan Education Delegation – Mr. Houle discussed the visit by the Alaskan group who visited while looking for models to update their own system.
- Superintendent-Director's Goals Update – Mr. Houle directed members to check the BoardPaq Library for the attachments for his goals. Mr. Houle and members reviewed the charts supporting his goals.
- Members received a copy of the State of the Institution Report for the School Year 2016-17 dated June 6, 2017.

DIRECTOR OF BUSINESS OPERATIONS

Mr. Luoto discussed his report as follows:

- Budget - FY18 - Members received a copy of the quarterly report for FY 2017 Budget as well as the appendix. Also included were the proposed FY 2017 budget transfers. Budget transfer recommendations will be made at the next meeting.
- MSBA Final Report - Members received the final report. The final reimbursement is expected over the summer.
- Roof Status Update - Roof leaks are ongoing and a recommendation has been made to bring in a third party engineer to investigate. Litigation in the matter is expected to result. Greg Lefter was present to give an overview of the roof problem and to answer any questions.
- LPN Program Tuition increase - Ellen Santos was present to give an overview of the program's tuition and to answer questions. Mr. Luoto gave a comparison of other programs in the state. Proposal is to increase the in-district tuition from \$3000 to \$6000. More information will be presented at the next meeting to assist committee members in making a decision on increasing the in-district tuition for the LPN program.
- Childcare Rates - FY18 - Discussion of changes in childcare rates for the FY18 school year. A motion was made by Ms. Simms George and seconded by Ms. Ross to approve the changes in childcare rates for the FY18 school year as presented. The motion was passed unanimously

PRINCIPAL'S REPORT

Upcoming Events - Review of recent and upcoming school events

NEASC Site Visit – Members were updated on the NEASC site visit scheduled for October 2-5, 2017.

Staff Retirements – Five staff members are retiring, the Administration is working to fill those positions.

Student Achievement – Review of recent achievements by the Health Technologies students and the Girls' Varsity Lacrosse Team.

Out-of-State Travel Requests – A request was made to allow two students and a chaperone to travel to Louisville, KY to compete at the national level for SkillsUSA June 19-24. A motion was made by Ms. Ayres and seconded by Ms. Ross to approve the request. The motion was passed unanimously.

PERSONNEL

A motion was made by Ms. Ryan and seconded by Ms. Ayres to authorize the administration to post, advertise and fill a paraprofessional position in the CARES program due to a vacancy created by a promotion. The motion was passed unanimously.

Members discussed the Superintendent-Director evaluation resources and received the distributed timeline and evaluation document with addressed, stamped envelope.

Mr. Houle gave an update on the criminal trial of a former volleyball coach.

COMMUNICATIONS

- MCJROTC Unit Probationary Letter response dated May 2, 2017
- Berlin Town Clerk certification
- Senator Eldredge thank you letter dated May 15, 2017
- Fluke Student Contest Finalist notification
- Copy of Habitat for Humanity Letter dated May 24, 2017 that was sent to each student who worked on the house
- MASC Summer Institute on July 28, 2017
- Ms. Ryan asked for an update on who's due for ethics training

NEW BUSINESS

Discussion of the ACTE conference December 6-9, 2017. Members were asked to let Emily know if they would like to attend by June 20 in order to qualify for early bird registration.

Discussion of early bird registration at the Joint Conference in Hyannis November 1-4, 2017. Members will let Emily know by June 20.

Members received a list of proposed meeting dates for 2017-2018.

OLD BUSINESS

The policy on naming a new facility needs to be updated, and Ms. Ayres asked that the policy be updated and approved before the next meeting of the stadium committee.

Discussion of the hearing on "Indian" themed names and mascots for public schools. Ms. Ryan asked that the administration stay updated on the hearings on the topic over the summer.

At 9:30 p.m., a motion was made by Ms. Ryan and seconded by Ms. Ayres to adjourn the meeting. The motion was passed unanimously.

The minutes herein were recorded by the Clerk, approved by the Committee, and so noted in a subsequent record.

Peggy Ayres, Secretary

Accompanying Paperwork for June 6, 2017 School Committee Meeting

- Agenda for School Committee meeting of June 6, 2017
- Amended meeting minutes of March 28, 2017
- Proposed meeting minutes of May 3, 2017
- Memo from Ernie Houle dated June 6, 2017, re: Warrant
- Auditor financial statements
- Auditor single audit documents
- Auditor management letter
- Superintendent-Director's Report dated June 2, 2017
- State of the Institution Report for the School Year 2016-17 dated June 6, 2017
- Fiscal & Operations Update - June 1, 2017
- MSBA Draft Audit Report
- SC Financial Report for 4th quarter meeting
- Tuition PN Technical School Practical Nurse 2017
- In District Trends
- Tuition Agreement 2016-201
- Tuition Agreement 2017-2018
- Principal's Report for June 6, 2017
- Memo from Kerri Baltramaitis re: SkillsUSA Nationals, request to take two students to nationals competition
- Memo from Mark Hollick requesting permission to send 2 students and a chaperone to SkillsUSA competition in Louisville, Kentucky June 19-24, 2017
- Superintendent-Director Evaluation Packet
- MCJROTC Unit Probationary Letter response dated May 2, 2017
- Berlin Town Clerk certification
- Senator Eldredge thank you letter dated May 15, 2017
- Fluke Student Contest Finalist notification
- Copy of Habitat for Humanity Letter dated May 24, 2017 that was sent to each student who worked on the house
- MASC Summer Institute on July 28, 2017
- Proposed meeting dates for 2017-2018

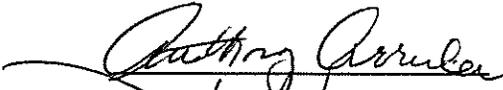
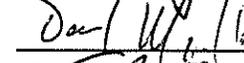
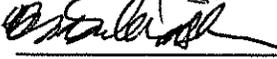
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CITY OF MARLBOROUGH

CITY OF MARLBOROUGH BOARD OF ASSESSORS

MEETING MINUTES: May 23, 2017

2017 JUN 26 P 3:41

1. CALL TO ORDER: 2:14 pm
MEMBERS PRESENT: Anthony Arruda, Ellen Silverstein
Also in attendance: Harald Scheid, Regional Assessor, Paula Murphy, Head Clerk
2. MOTION TO ACCEPT: minutes of the April 12, 2017 meeting: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
3. APPROVE AND SIGN: Motor Vehicle Abatements 3/23 through 5/19/17, Fiscal 2017 Clause Exemptions, Fiscal 2017 Tax Deferrals
4. DISCUSSION AND RATIFICATION: Department of Revenue's Settlement with Verizon New England Inc. for Fiscal Years 2010 through 2017
Motion to Ratify: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
5. DISCUSSION AND VOTE: Settlements on Fiscal 2016 ATB cases for 928 & 934 Boston Post Rd East, 33 Boston Post Rd West, 291-293 Boston Post Rd West, 423 Donald J Lynch Blvd, 123 Felton St and 397 Williams St
Motion to Grant: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
6. Mr. Scheid reported to the Board of the Vacancy Study's conclusion and findings.
7. MOTION TO CONCLUDE – Mr. Arruda, second Ms. Silverstein
Meeting Adjourned – 2:55 pm

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MARLBOROUGH COMMISSION ON DISABILITIES

MINUTES FOR MEETING MARCH 7, 2017 12 A 8:39
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

ATTENDANCE: JOHN USINAS, DEBRA MCMANUS, CHERYL SOUCY, LAURA KYLE, DAVE DOUCETTE.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:04 PM.

CHERYL SOUCY READ THE MINUTES. ACCEPTED 5 TO 0.

JOHN USINAS GAVE THE TREASURER'S REPORT \$7,499.41. ACCEPTED 5 TO 0.

NEW BUSINESS

LAURA KYLE RECEIVED A CALL FROM OFFICER FARIA. HE HELD A LARGE MEETING CONCERNING HOW BEST TO PREPARE THE DEAF COMMUNITY IN CASE OF AN EMERGENCY. THIS WAS A 1ST OF ITS KIND MEETING & VERY EDUCATIONAL. OFFICER FARIA & COMMITTEE MEMBERS ARE WORKING WITH THE BOSTON COMMISSION FOR THE DEAF & HARD OF HEARING.

LAURA WAS ASKED IF AA PAYS FOR INTERPRETERS. JOHN & DAVE WILL FIND OUT.

THE COD RECEIVED A LETTER CONCERNING THE NEW ENGLAND SPORTS CENTER. THE LETTER RAISED SEVERAL ISSUES:

- ABILITY TO VIEW THE GAME
- RIGHT TO HAVE FAMILY SIT WITH PERSON WITH DISABILITY
- ACCESSIBLE RAMP BLOCKED BY PARENTS DROPPING OFF CHILDREN

DEBRA MCMANUS WILL CALL WES TUTTLE TO DISCUSS THESE ISSUES.

DAVE DOUCETTE STATED A LARGE REPORT WAS DONE ON THE WALKER BUILDING & WHAT IT WOULD TAKE TO BRING IT UP TO CODE. THE CITY MUST DECIDE WHETHER TO KEEP OR SELL THE BUILDING.

OLD BUSINESS

ALL WORK AT JOY WILSON'S HOUSE HAS BEEN COMPLETED.

GRAB BARS & HAND RAILS ARE IN. BILL HAS BEEN SUBMITTED.

THE MEETING ADJOURNED AT 4:51 PM.

RESPECTFULLY SUBMITTED,
DEBRA MCMANUS, CHAIRPERSON

OUR NEXT MEETING IS TUESDAY APRIL 4, 2017 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING APRIL 4, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

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CITY OF MARLBOROUGH
2017 JUL 12 A 8:39

ATTENDANCE: JOHN USINAS, DEBRA MCMANUS, CHERYL SOUCY, LAURA KYLE, DEREK CHAVES.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:15 PM.

CHERYL SOUCY READ THE MINUTES. ACCEPTED 5 TO 0.

DEBRA MCMANUS GAVE THE TREASURER'S REPORT \$7,233.04. ACCEPTED 5 TO 0.

NEW BUSINESS

JOHN USINAS REPORTED THAT THE COMMISSION FOR THE DEAF & HARD OF HEARING WOULD PAY FOR INTERPRETERS FOR AA MEETINGS.

DEBRA MCMANUS SPOKE WITH WES TUTTLE CONCERNING A LETTER RECEIVED ABOUT ISSUES AT THE NEW ENGLAND SPORTS CENTER. WES STATED HE SPOKE WITH THE COUPLE CONCERNED & ALL HIGH SCHOOL ATHLETIC DIRECTORS ABOUT THE ISSUES RAISED. WES EXPLAINED THAT A SIGN IS NORMALLY DISPLAYED AT THE ENTRANCE RAMP STATING NO DROP OFF OR PARKING BUT WAS INADVERTENTLY MOVED BY THE SNOW PLOWERS.

THE BILL FOR ALL WORK DONE AT JOY WILSON'S HOUSE HAS BEEN PAID.

THERE IS A BILL BEFORE CONGRESS WHICH WOULD REQUIRE PEOPLE WHO ARE DISCRIMINATED AGAINST UNDER THE ADA TO NOTIFY THE OFFENDERS, TELL THEM HOW TO COMPLY & GIVE THE 60 DAYS TO THINK ABOUT IT. GO TO LINK DON'T TREAD ON MY ADA

MOD IS PRESENTING A 2 DAY COMMUNITY ACCESS TRAINING ON MAY 23 & 24, 2017 FROM 9:00 TO 4:00 @ THE VETERANS MEMORIAL CENTER, LEOMINSTER, MA

OLD BUSINESS

NO OLD BUSINESS.

THE MEETING ADJOURNED AT 4:53 PM.

RESPECTFULLY SUBMITTED,
DEBRA MCMANUS, CHAIRPERSON

OUR NEXT MEETING IS TUESDAY MAY 2, 2017 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING MAY 2, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

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CITY OF MARLBOROUGH
JUL 12 A 8:39

4:03 MEETING CALLED TO ORDER.

IN ATTENDANCE:

- PATTI CARLSON
- DAVE DOUCETTE
- JOHN USINAS
- DEB MCMANUS
- DEREK CHAVES

OLD BUSINESS

4:08 A VOTE TO ACCEPT MINUTES AS AMENDED FROM 4/4/17. 5-0 UNANIMOUS DECISION TO ACCEPT

4:08 PROPOSAL TO AMEND THE MEETING MINUTES TO REFLECT DAVE'S ATTENDANCE. 5-0 UNANIMOUS DECISION TO ACCEPT.

TREASURERS REPORT

BALANCE IN THE ACCOUNT IS \$7,539.19.

4:09: A MOTION TO ACCEPT THE TREASURER'S REPORT ACCEPTED 5-0.

NEW BUSINESS

4:10: A NEW TRANSPORTATION MODE IN MARLBOROUGH. TRANSIT X T WILL HOST A MEETING AT 7:00 ON 6/1/17 AT FIRST BAPTIST CHURCH AT 22 MECHANIC STREET. PUBLIC IS WELCOME TO ATTEND.

4:18: FUNDING FOR SUMMER CAMPS

4:35 JOHN USINAS MOTIONED TO ALLOT \$5,000 FOR SUMMER CAMP SCHOLARSHIPS. MOTION PASSED 5-0.

- \$500 FOR OVERNIGHT CAMP
- \$360 FOR DAY CAMP

MRC HAS A HOME LOAN MODIFICATION PROGRAM FOR ACCESSIBILITY IMPROVEMENTS

MBTA ACCESS ADVISORY COMMITTEE HAS A MEETING TO DISCUSS TRANSIT ACCESSIBILITY ON 5/24 AT 8:30 – NOON. 10 PARK PLAZA, BOSTON, MA

4:40 DEREK CHAVES SENT AN EMAIL TO CROSSROADS SCHOOL WELCOMING THEM TO THE COMMUNITY.

4:43: JOHN USINAS DEMONSTRATED THE USE OF GALAXY ID MATE BY ENVISION AMERICA. IT CAN COMPARE PRICES; SPEAK INGREDIENTS, MANUFACTURER AND CONTACT INFO, AND MUCH MORE.

4:50 DEREK MET WITH MARK GIBBS FROM MARLBOROUGH CITY IT. THEY WILL WORK TOGETHER TO INSTALL NVDA ON THE SENIOR CENTER COMPUTERS. THEY WILL ALSO WORK TOGETHER TO IMPROVE THE ACCESSIBILITY OF THE CITY WEBSITE.

4:56: QUESTION WAS ASKED BY DEB MCMANUS ABOUT WILDWOOD RESTAURANT INSTALLING AN ELEVATOR.

5:01 NIKKI TSONGAS WILL BE AT THE MARLBOROUGH SENIOR CENTER ON MONDAY, MAY 8TH.

5:03 JOHN USINAS MOTIONS TO ADJOURN. MOTION PASSES 5-0.

RESPECTFULLY SUBMITTED,

DEBRA MCMANUS, CHAIRPERSON

OUR NEXT MEETING IS TUESDAY JUNE 6, 2017 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

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CITY OF MARLBOROUGH

2017 JUL 18 P 3:54



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 017**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, May 30, 2017 at 10:00am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins and City Councilor Joe Delano. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, April 25, 2017.

Motion to amend item 3f), last sentence to read "Boston Post Road East from Peters Ave. to the Sudbury town line is scheduled for work in 2019 and that MA DOT is reviewing the area".

MOTION was made, seconded, duly VOTED:

TO APPROVE, as amended – Accept and Place on File

2 – New Business

Chief Giorgi made a motion to suspend the rules to take the new business agenda items out of order and start with Item 2e) as Councilor Delano was in attendance for this item. All in Favor.

2e) Speed Concerns on Hemenway Street (specifically between St. Mathias Church and the Church of LDS).

A local resident of Hemenway Street sent an email to Councilor Delano expressing her concerns about the speed on this stretch of roadway, especially due to the number of elderly walkers coming from the New Horizons Elderly housing area who cross the street

to get to the sidewalk. She also noted that many of the people living in the single-family homes in the area are also elderly. She is asking about the possibility of 1) implementing a lower speed limit on that stretch in both directions (20-25mph) and 2) speed limit warning signs like the ones on Farm Road that light up with a flashing warning when cars are traveling too fast.

Tim Collins said that the speed limit on Hemenway Street to New Horizons is 30mph and beyond that it is 20mph. He thought it was posted that way. He will check on this and if not, he will post. The specific speed warning signs that she is referring to are approx. \$10,000 each. The state paid for those on Farm Road when they were doing the reconstruction project.

Councilor Delano asked how many portable speed warning signs we have and if we could at least get those out there. Chief Giorgi advised that we have two, however, he also mentioned another type of portable warning sign that Officer Larose had mentioned to him. They cost about \$5,000 each and actually count vehicles and record data as well. It would be more helpful because they provide feedback. Councilor Delano said that "from a layman's standpoint" he finds that these types of signs do work. When you actually see the speed you're traveling, it makes you slow down.

Mr. Collins explained that the signs on Farm Road specifically state your actual speed up to five miles over the speed limit. If you are driving above that, it flashes "Slow". This is so people don't try to speed by and see how fast they can go. Regarding the request to lower the speed limit, Mr. Collins advised that a speed study would need to be done along with a determination of the curve of the road. Speed limits are set by the State and are based on the speed of what 85% of the traffic is regularly traveling. If 85% were to travel over 40mph, the speed limit could actually be raised. "Thickly Settled – 30mph" signage does not work here either because it should already be posted at 30mph.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to check that the proper signage is in place and to the POLICE DEPARTMENT to get more information on the portable speed signs that collect data. Councilor Delano will also speak to the Mayor about the new portable signs and Chief Giorgi will respond to the resident who made the request.

2a) Cider Hill Condominiums: Frequent accidents and Traffic Safety.

The City Council received an email from a resident of 148 Boston Post Road East on this issue. The resident explained that he and his neighbors are "unable to enter or to leave our parking lot safely and quickly. There is a long wait, the traffic never stops, you wait for it to stop or for someone to let you move." He said that in the winter it is worse due to the ice and wet roads and mentioned many accidents here also. His is requesting that this "area needs to be widened like the area near the Avalon and a safety island put the whole length of 148 Boston Post Road E to the Sixth Building of Cider Hill or traffic lights allowing Residents of Cider Hill to safely enter and leave their parking lots" or that "maybe Phelps Street should be a right turn only also." He is requesting that something be done before a more serious accident, or possibly fatality occurs.

Chief Giorgi advised that he ran the accident history for the specific location since January 2015 and found 5 accidents, 2 of which had injuries. Commissioner Ghiloni advised that the State is doing a redesign in this area. Tom DiPersio said that MassDOT will be holding a Public Information Hearing on Monday, June 12th at 6:30pm and passed out the memo which included diagrams, photos and crash statistics. He has also now been corresponding directly with this resident and advised that he could come to the hearing.

Tim Collins advised that this is all in the very preliminary stages and that the Central MA Planning Agency has suggested a turning lane that would keep traffic flowing. Chief Giorgi also said that the crest of the hill creates an additional problem. It was discussed that today, the City would never agree to six separate driveways for these condos. Route 20 was not as busy when they were initially built.

MOTION was made, seconded, duly VOTED to REFER ENGINEERING to continue working with the requestor and MassDOT and follow up with the meeting on June 12th.

2b) Intersection: Walker Street / Rte. 85 / Mill Street South – Traffic Concerns.

Chief Giorgi received an email from a local resident asking if the Traffic Commission would consider “changing the lane designation for vehicles accessing Rte. 85 from Walker Street?” He noted that at the Walker Street stop light, the right lane is for right turn only and painted with an arrow and the left lane is left turn onto Rte. 85 or straight to Mill Street South. He is asking if this could be reversed and have the right lane be marked as right turn or straight and the left lane be designated for left turn only.

Tim Collins advised that this section of roadway is under redesign by the State. This is also what they have suggested, an exclusive left turn. He passed out a diagram and light signal plan. The light sequence plan should also alleviate back-ups on Mill Street South. The issue is being addressed it is just a matter of time. Commissioner Ghiloni said the project is supposed to go out to bid this year for reconstruction in the fall.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT (i.e. Chief Giorgi) to communicate this information to the original requestor.

And

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE (the communication). REMOVE FROM AGENDA.

2c) See Click Fix – Request for Dead End Street Sign at Water St. & Hayden St.

Tim Collins passed out a photo which shows that the Dead-End sign is there it is just covered by vines. He said that you can't see the sign from Water Street right now and advised that the DPW would cut back the vines. Engineering will also review the current signage. Maybe it would also help to have better signage directing drivers to Ward Park.

MOTION was made, seconded, duly VOTED to the DPW to cut back the vines and to ENGINEERING to look at signage here in general.

2d) Traffic Concerns at Fremont St. & Highland St.

There was an email from Councilor Irish to Chief Giorgi on this issue, however, Tim Collins thought it started as a See Click Fix Item. This could have just been forwarded to the DPW to check on the proper signage. It is not actually a Traffic Commission issue (as with Dead End sign above).

Mr. Collins passed out a photo of the No Parking Sign. It was leaning on the stone wall and just needed to be set at the corner of Highland and Fremont. All has been fixed.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

3-Old Business**3a) Traffic Commission rules and regulations update.**

Karen Lambert advised that all new amendments (43 in total) have been sent to General Code and that we are just waiting on an estimate. Lisa Thomas asked if we will be using the FY17 or FY18 budget. We will need to wait and see the estimate as we have no idea of the cost at this point. Ms. Thomas would just like to see it done before the City recodification is done in August.

Chief Giorgi advised that we find out the cost and hopefully have a P.O. cut for FY17.

MOTION was made, seconded, duly VOTED to TABLE until we have the estimate.

3b) Traffic Concerns at Wilson & Hemenway Sts.

UPDATE: Tim Collins advised that the traffic island has been painted onto the pavement. It just needs to be constructed. The DPW is in the process of determining who will be doing the work. Discussed and still pending.

MOTION was made, seconded, duly VOTED to TABLE.

.3c) Request for stop signs on Weed St. at Florence St.

Commissioner Ghiloni advised that this issue is still pending. The CDC owns most of Weeds Street and the Masons own the rest. The City would like to own all of Weed Street.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Parking restriction on Forest Street near AMSA.

This item was kept on the Agenda for enforcement. Chief Giorgi had a meeting scheduled with them but AMSA had to cancel.

MOTION was made, seconded, duly VOTED to REMOVE from the AGENDA.

3e) Elm Street @ Bigelow St. intersection concerns.

UPDATE: Tim Collins pointed out that there are two paint lines on the pavement. The one that makes the roadway the widest is the one that is being considered. The suggestion was to try to make the intersection more of a T intersection. Engineering is also proposing a stop sign on both sides of Bigelow to accentuate the stop condition. The crosswalk and stop line would also be painted.

MOTION was made, seconded, duly VOTED to TABLE for all to review.

3f) Signage/stop condition on Diconzo Blvd. at Boston Post Rd.

UPDATE: This issue will be addressed at the MassDOT meeting on June 12th.

MOTION was made, seconded, duly VOTED to TABLE for additional follow-up.

3g) Request to swap stop sign on Bigelow St. from Nashoba Dr. to Shea Dr.

UPDATE: Tim Collins advised that the vegetation is clear. This seems to have been more of a winter issue. The stop signs cannot be moved.

MOTION was made, seconded, duly VOTED ACCEPT and PLACE ON FILE. REMOVE from the Agenda.

3h) Request for turn lane into 894 Boston Post Rd. East.

UPDATE: This issue will be addressed at the MassDOT meeting on June 12th.

MOTION was made, seconded, duly VOTED to TABLE for additional follow-up.

3i) Request to look at parking restrictions on Gay and Witherbee Streets.

UPDATE: Tim Collins advised that he has been out here multiple times and has not seen an issue. It is, however, a basic issue in the core of Marlborough. We used to have neighborhoods where people walked to work. Now we have many multifamily homes where there is not enough parking. Commissioner Ghiloni said that he did not want to make any changes now because all these same issues will be addressed again with the building of the new library.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. REMOVE from Agenda

3j) Public Safety Concerns on Brigham Street.

Chief Giorgi advised that he had directed patrols done here on all shifts and his officers did not find speed to be a real issue. They stopped a random speeder here and there but nothing significant.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. REMOVE from Agenda.

3k) Parking at Gay, Central and Mechanic.

Chief Giorgi advised that this area was checked multiple time and no issue was found.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. REMOVE from Agenda

3l) Request for speed limit signage and sidewalk on Boundary Street (additional follow up).

Tim Collins advised that this area does qualify as "Thickly Settled" which has a speed limit of 30 mph. He can have signs placed, one in each direction. It would be a yellow advisory sign stating, "Thickly Settled – 30 mph". The request for sidewalks was also discussed, however, the City does not have money available for this. It was noted that the homes on Boundary Street are technically in Northboro, though the street is in Marlborough.

MOTION was also made, seconded, duly VOTED to REFER to Chief Giorgi to communicate with the resident who made the initial request.

MOTION was also made, seconded, duly VOTED to REFER to ENGINEERING for proper installation of the Thickly Settled speed signs.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. REMOVE from Agenda.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:00 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-Meeting Agenda for Tuesday, May 30, 2017. (Including City of Marlborough Meeting Posting).

-Draft of Traffic Commission Minutes from April 25, 2017.

-Email forwarded by City Council to Chief Giorgi, dated 5/9/17, re: Cider Hill Condominiums: frequent Accidents and Traffic Safety. (Original email from local resident to City Council on 5/8/17.)

-Email form David Chatalian to Chief Giorgi, dated 5/10/17, re: Intersection: Walker Street / Rte. 85 / Mill Street South

-See Click Fix online request forwarded to Chief Giorgi on 5/15/17.

-Email from Councilor Irish to Chief Giorgi, dated 5/19/17, re: Freemont St./Highland St.

-Email forwarded by City Council to Chief Giorgi, dated 5/21/17, re: Speed Limit on Hemenway Street. (Original email from Eileen Coder to City Council on 5/21/17.)

-Email from Kaitlin Fafard to Carrie Lizotte, dated 5/23/17, re: Boundary St., Marlborough.

Additional Handouts:

-Notice of Public Information Meeting from MassDOT – to discuss the Resurfacing and Related Work on the Route 20 project in Marlborough, MA

-Photo of Dead End Sign on Water Street.

-Photo of No Parking Sign at 83 Highland Street.

-Diagram and signal information for Intersection of Walker Street and Mill Street South.

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

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CITY OF MARLBOROUGH

Call to Order

June 5, 2017

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Philip Hodge, Colleen Hughes, Sean Fay, Shawn McCarthy, Brian DuPont and George LaVenture. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes:

A. May 8, 2017

On a motion made by Ms. Hughes, seconded by Mr. Fay, the Board voted to approve the minutes from the May 22, 2017, regular Planning Board meeting. Motion carried.

2. Chair's Business:

A. Chairperson Fenby introduced and welcomed new Planning Board member, George LaVenture. George will serve a term expiring 02/07/22. The Board thanked departing member, Shawn McCarthy, for his three years of service and wished him well in his future endeavors.

B. Ms. Fenby noted that the subdivision report presented each week contains very similar content from month to month. With an appreciation for the time and resources required to produce the report, she suggested an abbreviated version that would highlight any changes in the report. Planning Board Administrator Holmi offered that the full report could be referenced online with a link provided to the Planning Board.

3. Approval Not Required:

A: Walker Realty LLC and 11 Apex LLC- RT 20 (Boston Post Road West)

Applicant representative, Joe Trolla, was present for the discussion. Mr. Trolla explained the purpose of the ANR was to take the 13,655 SQ FT area referenced as the non-buildable Lot 13B and add it to Lot 14. Mr. Trolla mentioned this action is required for financing purposes. On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the application and place on file. Motion Carried. On a motion by Mr. Fay, seconded by Mr. DuPont, the Board voted to refer the matter to Engineering for review and recommendations. Motion carried. The Planning Board ANR endorsement decision is due by June, 26, 2017. (June 19 meeting of the Planning Board)

B: West Hill LLC (Easterly side of terminus of Dufresne Dr.)

Applicant representative, Jeff Stefanik, was present for the discussion. Mr. Stefanik explained that the intent of the ANR application was to create conforming lot lines. He indicated that there was an error on the original plan that will be rectified by this submission. On a motion by Mr. Fay and seconded by Mr. DuPont, the Board voted to accept the application and place on file. It was further voted to refer the matter to Engineering for review and recommendations.

Motion carried. The Planning Board ANR endorsement decision is due by June, 26, 2017. (June 19 Meeting of the Planning Board)

5. Pending Subdivision Plans: Updates and Discussion:

A: Engineer's Report - Mauro Farm:

Engineering performed a site inspection at the property and developed a small punch list including the cleaning of catch basins. For the June 19 meeting of the Planning Board, Engineering will prepare a favorable recommendation to reduce the bond to zero and the developer will apply for street acceptance.

B: The Walker Brook Estates

Recommendation for Bond Reduction and 1-Year Maintenance Period

Ms. Hughes read a letter into the record from City Engineer DiPersio detailing the Division's recommendation to begin the 1-Year Maintenance Period ending June 5, 2018, as well as acceptance of the developer's request to reduce the bond amount from \$102,000.00 to \$63,000.00. The developer has provided all necessary documentation including an updated schedule, proof of up to date taxes, statement from the Code Enforcement Officer indicating the property is free from blight, and proof of bond status from the developer's bank. The developer must complete the following work items during the 1-Year Maintenance Period:

- Preparation and Submittal of As-Built Plans, Acceptance Plans and Deeds for approval
- Miscellaneous site clean-up - final action prior to recommendation of Street Acceptance to the Marlborough City Council.

On a motion by Mr. Fay and seconded by Mr. DuPont, it was voted to accept the letter and place on file. Motion Carried. On a motion by Mr. Fay and seconded by Mr. DuPont, it was voted to place Walker Brook Estates in the 1-Year Maintenance Period until June 5, 2018, and to reduce the bond from \$102,000.00 to \$63,000.00 under the condition that the developer's bank provide affirmative confirmation of the bond reduction. Motion carried.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission: None

8. Signs: (None)

9. Unfinished Business: None

10. Informal Discussion

A: Discussion of Conceptual Subdivision- 72 Hager Street

On a motion by Ms. Hughes, seconded by Mr. Fay, it was voted to waive the reading of the letter from City Engineer DiPersio detailing their review of the Conceptual Subdivision Plan – Hager Court Farm (72 Hager St.) Motion carried. City Engineer DiPersio lead the discussion of waivers necessary under both Article IV – Design Standards and Article V – Required Improvements for an Approved Subdivision. While the Board agrees with the “spirit” of the conceptual three-lot subdivision plan and preserved open space, there remains concern over the possibility of a precedent setting decision.

It was requested that the applicant reach out to the City Conservation Officer to discuss the open space portion of the plan – particularly the desire to place a barn on the open area for wintering cows. The Board also requested that the applicant consult the Fire Chief regarding the requested waivers to roadway design standards. It was further discussed that City Solicitor Rider provide his

interpretation of the necessary acreage for open space developments allowed by special permit, noting that the parcel of land spans two communities, Marlborough and Framingham.

Applicant representative, Peter Bemis, was present during the discussion. He addressed the Engineering Division's determination that the D.P.W. would not entertain the acceptance of the road shown on the conceptual plan as a public way. Mr. Bemis assured the Board that the roadway would remain private in perpetuity, and that the covenant and deeds would be explicit. Given the moratorium on applications for housing special permits (currently in effect until 8-3-17), as well as the continued desire to preserve open space on the parcel, the applicant representative indicated that they will be proceeding with submission based on the conceptual plan presented to the Board.

B: General Sign Discussion

Mr. Fay began a general discussion about signage in the City of Marlborough. He speculated that a sign variance had not been seen by the Planning Board for years. He had recently brought several non-conforming signs to the attention of the City Code Enforcement Officer, including fence signs near Price Chopper, "temporary" signage at gas stations and convenience stores and a kiosk-style sign structure on Broadmeadow Road. He is awaiting Code Enforcement's response. Mr. Fay requests a statement from Code Enforcement (or a visit to the Board) explaining the status of sign ordinance enforcement within the City.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

A. Framingham Notices

On a motion made by Ms. Hughes, seconded by Mr. McCarthy, it was voted to accept and place on file. Motion carried.

Adjournment: On a motion made by Mr. McCarthy, seconded by Ms. Hughes, it was voted to adjourn at 8 pm. Motion carried.

Respectfully submitted,



Colleen Hughes
Clerk

/kih