

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 FEB -1 P 1:54

1. Minutes, City Council Meeting, January 22, 2018.
2. From City Councilor Delano - Proposed Zoning Amendments - Medical and Recreational Marijuana, X18-1007151.
3. Communication from the Mayor re: various mid-year transfer requests which moves funds from and to various accounts as noted within the agenda packet.
4. Communication from the Mayor re: Executive Office of Elder Affairs grant awarded to the Council on Aging in the amount of \$65,019.00 to provide exercise programs, transportation, additional enrichment opportunities for seniors and administrative support.
5. Communication from the Mayor re: Emergency Management Performance grant awarded to the Fire Department in the amount of \$9,460.00 to purchase additional personal protective equipment.
6. Communication from the Mayor re: FY18 Student Awareness of Fire Education (S.A.F.E.) & FY18 Senior Safe grants awarded to the Fire Department in the amounts of \$5,407.00 & \$2,813.00 respectively to create student and senior awareness of Fire Safety programs.
7. Communication from the Mayor re: Appointments of Christopher Russ & Greg Gallagher to the Planning Board for five-year terms to expire the first Monday in February 2023 and to thank Brian Dupont for his time on the Planning Board as he's not seeking reappointment.
8. Communication from the Mayor re: Reappointments of Barbara Fenby, Colleen Hughes, Sean Fay and Philip Hodge to the Planning Board for five-years terms which expire on the first Monday in February 2023.
9. Communication from Metropolitan Area Planning Council re: 1) Multifamily Design Review Guidelines 2) Multifamily Development Review Criteria, 3) Background information on TDR, 4) MA Subsidized Housing Inventory for Marlborough & 5) Housing Needs Assessment.
10. Communication from City Solicitor, Donald Rider, re: Application for LED Sign Special Permit, Mobile Gas Station, 656 Boston Post Rd. East, in proper legal form, Order No. 17/18-1007068C.
11. Communication from City Solicitor, Donald Rider, re: Application for LED Sign Special Permit, Halfway Café, 820 Boston Post Road East, in proper legal form, Order No. 17/18-1007069C.
12. Communication from Code Enforcement Officer, Pam Wilderman re: for Sign Special Permit, Dalla Nails, 115 Apex Dr., Unit 1., Order No. 16/17/18-1006443.
13. Communication from Code Enforcement Officer, Pam Wilderman re: for Sign Special Permit, Batteries & Bulbs, 58 Apex Dr., Order No. 16/17/18-1006443TT.
14. Communication from Code Enforcement Officer, Pam Wilderman re: for Sign Special Permit, MindTrek, 111-169 Apex Dr., Order No. 16/17/18-1006443UU.
15. Minutes, Conservation Commission, December 7, 2017.
16. Minutes, Planning Board, December 18, 2017.
17. Minutes, School Committee, November 4 & December 12, 2017.
18. Minutes, Traffic Commission, December 19, 2017.

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.

19. CLAIMS:

- a. Ashley Gaulin & Robin Houde, 25 Shane's Lane, pothole or other road defect.
- b. Laurie Wynne, 151 Cameron Dr., residential mailbox claim 2(b).
- c. Thomas Oblak, 87 Fox Run Rd., Bolton, pothole or other road defect.
- d. Carrie Pinkerton, PO Box 14670, Lexington, KY, other property damage and/or personal injury.
- e. Leslie Ruggiero, 122 Taylor Rd., residential mailbox claim 2(a).

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Legislative and Legal Affairs Committee

20. **Order No. 18-1007147 - The City Council Urban Affairs Committee meet with DPW Commissioner Ghiloni and Police Chief Giorgi to consider replacing the seasonal (winter) all night parking ban in the City of Marlborough with an ordinance providing for a Declaration of a Snow Emergency during which no parking of vehicles would be allowed on any streets or ways that are plowed by the City.**

President Clancy moved to recommend a negative vote on replacing the current seasonal winter parking ban with something else. The motion was seconded and carried 2-0. President Clancy also moved to recommend the Council remove this from the Traffic Commission as a majority of its members have had a chance to speak and they have no jurisdiction on the parking ban. The motion was seconded and carried 2-0.

From Personnel Committee

21. **Order No. 17/18-1007051A - The Appointment of William Dunbar to the Conservation Commission for a three-year term. Motion made by Councilor Landers, seconded by chair, to approve the appointment of William Dunbar. The motion carried 3-0.**
22. **Order No. 17/18-1007112A - The Appointment of Joseph Bisol to the Council on Aging for a four-year term. Motion made by Councilor Irish, seconded by Landers, to approve the appointment of Joseph Bisol. The motion carried 3-0.**

From Urban Affairs Committee

23. **Order No. 17/18-1007068 - Application for Sign Special Permit, Mobil, 656 Boston Post Road East, in which the four manual price panels will be removed and replaced with two LED price panels for regular and diesel prices. Motion made by Councilor Juare, seconded by Chair, to approve the sign special permit as amended. The motion carried 5-0.**
24. **Order No. 17-1007069: Application for Sign Special Permit, Halfway Café, 820 Boston Post Road East, for proposed new 90" x 96" x 15" double sided U.L. listed LED internally illuminated sign with 31" x 66" electronic message board. Motion made by Councilor Doucette, seconded by Chair, to approve the sign special permit as amended. The motion carried 5-0.**



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2018 JAN 26 A 11:40

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

JANUARY 22, 2018

Regular meeting of the City Council held on Monday, January 22, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Ossing, Robey, Delano, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 8:59 PM.

ORDERED: That the Minutes of the City Council meeting JANUARY, 8, 2018, **FILE**; adopted. **Councilor Oram recused.**

ORDERED: That the Communication from President Clancy - Amended Proposed Zoning Ordinance as it pertains to powers and procedures of Special Permit granting authority; Execution of Agreement to Extend Time in Which to Act on a Special Permit, refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY FEBRUARY 26, 2017**; adopted.

ORDERED: That the Communication from Councilor Delano: (1) Proposed Amendment Medical Marijuana Ordinance; (2) Proposed Recreational Marijuana Ordinance **WITHDRAWN**; adopted.

ORDERED: That the transfer request in the amount of \$32,960.00 which moves funds from Local Inspector to Assistant Building Commissioner to fund the position of Assistant Building Commissioner, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Inspections					FISCAL YEAR:	2018		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$83,662.63	\$32,960.00	12410001	50260	Local Inspector	\$32,960.00	12410001	50095	Asst Bldg Commissioner		\$0.00
	Reason:	Funds available due to creation of new position					To fund through June 30, 2018			
		and vacancy of Building Commissioner								
	\$32,960.00	Total			\$32,960.00	Total				

ORDERED: That the Appointment of Mike Ossing to the MEDC Executive Board, **FILE**; adopted.

Councilor Ossing abstained.

ORDERED: That the Apex Sign Request, Kelly Services, 58 Apex Drive, **APPROVED**; adopted.

ORDERED: That the Communication from MA State Lottery Commission re: O'Hearn's Tavern, 11 B Florence Street, Keno License, **FILE**; adopted.

ORDERED: That the Communication from Central MA Mosquito Control Project, Board of Commission meetings, **FILE**; adopted.

ORDERED: That the Minutes, Recreation Commission, May 10, 2017 & September 13, 2017, **FILE**; adopted.

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

- a. Elizabeth Newton, 38 B Oak Street, Franklin, pothole or other road defect.
- b. Margarita Alfarodegluarado, 24 Harriman Road, Hudson, pothole or other road defect.

ORDERED: It is moved, in conformance with MGL c. 30A, § 21(a)(3), that the Marlborough City Council conduct an executive session for the purpose of discussing strategy in pending litigation concerning a land use request involving a property off Boston Post Road, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough and the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session

APPROVED; adopted.

Yea: 11 – Nay: 0

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

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Tuesday January 9, 2018
In Council Chambers**

Finance Committee Members Present: Chairman Ossing; Councilors Robey, and Dumais.

Finance Committee Members Absent: Councilors Oram and Irish

Other Councilors in Attendance: Councilors Clancy, Delano, Juaire, Landers and Doucette.

The meeting convened at 6:35 PM.

- 1. Order No. 17-1007120 A&B – Authorize Purchase of 28 Witherbee Street and Transfer \$459,720.84 from Undesignated Fund for Library Project Land Acquisition** - The Finance Committee reviewed the Mayor's letter dated December 14, 2017 requesting the authorization to purchase and the approval of a transfer of \$459,720.84 from the Undesignated Fund to purchase the property at 28 Witherbee Street as part of the land acquisition for the Library Renovation Project. **The Finance Committee voted 3 - 0 to authorize the purchase and approve the transfer.**

The Finance Committee agreed to support suspending the rules at the January 22, 2018 City Council meeting to approve the orders.

The Finance Committee adjourned at 6:47 PM.

Councilor Robey reported the following out of the Legislative and Legal Affairs Committee:

**City Council Legislative and Legal Affairs Committee
Tuesday, January 9, 2018, 6:50 PM– In Council Chambers
Minutes and Report**

Present: Chairman Katie Robey, Councilor Landers, Councilor Delano, & Councilors Clancy, Doucette, Dumais, Juaire, and Ossing. Also attending were Cynthia Panagore Griffin, Assistant City Solicitor, City of Marlborough and John Ghiloni, DPW Commissioner.

Reports of Committee Cont'd:

Order No. 17 1007122-Communication from Mayor Vigeant re: Eminent Order of Taking related to the Public Library project.

The mayor's letter of December 14, 2017 was read. In it he stated that the proposed taking by eminent domain the fee simple interest in the land at 28 and 29 Witherbee Streets effectively clears the title in both of these properties and relieves the owners of the time and expense to do so and the City's right to clear title by taking was reserved in the purchase and sale agreements for each of the properties. He also asked that Council approval of the Eminent domain order not be approved until the transfer for 28 Witherbee Street was approved.

The City Council approved the transfer request for funds to purchase 29 Witherbee Street at its December 18, 2017 meeting. At its January 9th meeting, the Finance Committee voted to recommend approval of a transfer for the 28 Witherbee Street property and to Suspend the Rules for action at the January 22nd meeting.

Councilor Delano moved to approve the Eminent Domain Order of Taking for 28 and 29 Witherbee Streets with monetary award of \$1.00 for each property as adequate compensation and damage for the taking. **The motion was seconded and the motion carried 3-0.**

The committee agreed to ask for a Suspension of Rules for this to be voted on at the January 22nd meeting pending approval of the transfer recommendation from the Finance Committee.

It was moved and seconded to adjourn; motion carried 3-0.

The meeting adjourned at 7:00 PM.

City Council Legislative and Legal Affairs Committee
Tuesday, January 16, 2018, 6:00 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, President Clancy, and Councilors Doucette, Dumais, Juaire, and Ossing. Also attending were John Ghiloni, DPW Commissioner; David Giorgi, Police Chief; and Ted Scott, DPW Assistant Commissioner of Operations.

Order No. 18-1007147 The City Council Urban Affairs Committee meet with DPW Commissioner Ghiloni and Police Chief Giorgi to consider replacing the seasonal (winter) all night parking ban in the City of Marlborough with an ordinance providing for a Declaration of a Snow Emergency during which no parking of vehicles would be allowed on any streets or ways that are plowed by the City.

Reports of Committee Cont'd:

Although the order that was submitted by councilors Juairé and Delano mentioned Urban Affairs committee, this was referred to Legislative & Legal Affairs as well as the Traffic Commission. Councilor Juairé stated his reasons why he had proposed this and discussion occurred by Commissioner Ghiloni and Chief Giorgi and other councilors in attendance. Fire Chief Breen was unable to attend but had submitted a letter to councilors with the chair quoting some of his comments and apprehension for a change. In the end, Commissioner Ghiloni stated he could not recommend a change to the current practice and Chief Giorgi agreed.

President Clancy moved to recommend a negative vote on replacing the current seasonal winter parking ban with something else. The motion was second and carried 2-0. President Clancy also moved to recommend the Council remove this the Traffic Commission as a majority of its members have had a chance to speak and they have no jurisdiction on the parking ban. The motion was seconded and carried 2-0.

The committee also discussed Order No. 17-1007097-1A & 2A, Communication from Mayor Vigeant regarding Proposed Lodging House Ordinances to comprehensively regulate lodging homes. This matter was tabled in committee until the mayor could offer further information.

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: January 22, 2018

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

Convened: 6:47PM – Adjourned: 7:04PM

Present: Chairman Tunnera; Personnel Committee Members Councilors Irish and Landers.

Councilors Clancy, Dumais, Ossing, and Robey; Councilor Oram arrived late; Mayor Vigeant was also present.

Order No. 17/18-1007051: The Appointment of William Dunbar to the Conservation Commission for a three-year term. Recommendation of the Personnel Committee is to approve the appointment of William Dunbar to the Conservation Commission. Mr. Dunbar stated that he has been working with Conservation Office Ryder for many years taking photographs. President Clancy stated that Mr. Dunbar will replace Larry Roy, a 35-year member of the Conservation Commission, and has been attending Conservation Commission meetings since we expressed interest for him to join us. The Conservation Commission is a 7-member board that meets twice a month during the year. There is a longstanding tradition of long term membership by board members.

Motion made by Councilor Landers, seconded by chair, to approve the appointment of William Dunbar. The motion carried 3-0.

Reports of Committee Cont'd:

Order No. 17/18-1007112: The Appointment of Joseph Bisol to the Council on Aging for a four-year term. Recommendation of the Personnel Committee is to approve the appointment of Joseph Bisol to the Council on Aging Board. Mr. Bisol is a 42-year resident of the City and volunteered to serve as a member of the COA. He has been a member of the senior center and visits the fitness center several times during the week. He stated that he looks forward to listening to ideas of Marlborough's seniors. He stated that the city is fortunate to have the beautiful facility at Ward Park and happy that the center is very well maintained.

Motion made by Councilor Irish, seconded by Landers, to approve the appointment of Joseph Bisol. The motion carried 3-0.

Motion made by Councilor Irish, seconded to adjourn. The motion carried 3-0.

The meeting adjourned at 7:04PM.

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

Meeting Name: City Council Urban Affairs Committee

Date: January 9, 2018

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

Convened: 5:33 PM – Adjourned: 6:34 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juairé, Landers, Doucette, and Tunnera; and Councilors Clancy, Dumais, Ossing, and Robey; **Donald Rider (City Solicitor, City of Marlborough); Carolyn Parker; Amy Lynch, Bob Messier, and John Grasso**

Order No. 17-1007068: Application for Sign Special Permit, Mobil, 656 Boston Post Road East, in which the four manual price panels will be removed and replaced with two LED price panels for regular and diesel prices. Carolyn Parker of 3 Lorion Avenue, Worcester, MA, appeared on behalf of Mobil, 656 Boston Post Road East, for a discussion of its request for two LED price panels replacing its current sign of four manual price panels. Chairman Delano received assurance from the applicant that the sign would adhere to the technical specifications as stated in the City code with regards to its brightness levels. The discussion continued regarding the pump toppers which are required by the State and whether they would also need City Council approval. The Urban Affairs Committee agreed to include the pump toppers in the special permit decision and they would be numerical only with no other advertising allowed on the pumps. The committee approved the pump toppers and other signs as strictly numerical allowing for fuel costs only. The Urban Affairs Committee agreed to request a suspension of the rules at their January 22, 2018 City Council meeting to refer the special permit decision to the Legal Department to be placed in proper form.

Motion made by Councilor Juairé, seconded by Chair, to approve the sign special permit as amended. The motion carried 5-0.

Reports of Committee Cont'd:

Order No. 17-1007069: Application for Sign Special Permit, Halfway Café, 820 Boston Post Road East, for proposed new 90" x 96" x 15" double sided U.L. listed LED internally illuminated sign with 31" x 66" electronic message board. Amy Lynch, representative of the sign company, Bob Messier (Daktronics), manufacturer of the product, and John Grasso, proprietor of Halfway Café, appeared before the Urban Affairs Committee for a discussion of their request for a new LED internally illuminated sign with an electronic message board for the Halfway Café. Chairman Delano confirmed the applicant had read the City's sign regulations and understood the requirements for their sign. He stated they were within all stated limits of sixty square feet for their sign of which twenty-five percent or fifteen square feet can be the electronic message board. The electronic message board would have no pictures or moving displays and include words only. It was noted that a condition stating the plans and/or documentation as provided by the applicant would become part of the special permit decision was omitted and would be included in the final version, the language is as follows: "All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the Urban Affairs Committee, are incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council." The Urban Affairs Committee agreed to request a suspension of the rules at their January 22, 2018 City Council meeting to refer the special permit decision to the Legal Department to be placed in proper form.

Motion made by Councilor Doucette, seconded by Chair, to approve the sign special permit as amended. The motion carried 5-0.

Motion made and seconded to adjourn. The motion carried 5-0.

The meeting adjourned at 6:34 PM.

Suspension of the Rules requested – granted.

ORDERED: That by Order No. 16-1006760B the City Council of the City of Marlborough appropriated funds and approved the use of said funds to bind an offer by the City on a purchase and sales agreement for 28 Witherbee Street, and that by Order No.17-1006978-2 the City Council authorized the Mayor to negotiate and enter into said purchase and sales agreement, the performance of which is contingent upon a favorable vote of the City Council authorizing the City to acquire the parcel for the amount stated in said agreement and an appropriation of sufficient funds for said purchase, the Mayor, having thereby negotiated a purchase and sales agreement bound by an offer to purchase, the City Council hereby authorizes the City to acquire the parcel in the total amount of \$483,916.67 as provided in said purchase and sales agreement, and further appropriates the balance due on said purchase by approving the transfer request, as noted below, in the amount of \$459,720.84 which moves funds from the Undesignated Fund to Land Acquisition, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		Mayor				FISCAL YEAR:		2018	
FROM ACCOUNT:					TO ACCOUNT:				
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
Balance									Balance
\$9,029,104.00	\$459,720.84	10000	35900	Undesignated Fund	\$459,720.84	19300006	58120	Land Acquisition	\$0.00
Reason:		Purchase and sale of 28 Witherbee Street							
\$459,720.84	Total				\$459,720.84	Total			

Yea: 11 — Nay: 0

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

Suspension of the Rules requested – granted.

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that the fee simple interest in certain parcels of land located at 28 Witherbee Street and at 29 Witherbee Street, as more particularly described herein, be taken by eminent domain as general corporate property, confirming and making clear the title of the City of Marlborough to said parcels of land and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the fee simple interests in the land for the purposes described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

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, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the fee simple interest in the following described land, including all structures, trees and other vegetation thereon, together with any and all appurtenant easements and interests.

DESCRIPTION OF LAND TAKEN

1. Street address: 28 Witherbee Street, Marlborough, MA 01752

Fee simple interest: Being approximately 16,117.2 square feet, more or less, of land at 28 Witherbee Street, Marlborough, MA, known and numbered as Map 69, Parcel 235 on the Assessors' Map of the City of Marlborough. For further description, see below owners' deed recorded with Middlesex South Registry of Deeds in Book 25364, Page 378.

OWNERS: Katherine A. Ribeiro (fka Katherine R. Ribeiro) and Paulo S. Ribeiro

2. Street Address: 29 Witherbee Street, Marlborough, MA 01752

Fee simple interest: Being approximately 8,698.93 square feet, more or less, of land at 29 Witherbee Street, Marlborough, MA, known and numbered as Map 69, Parcel 245 on the Assessors' Map of the City of Marlborough. For further description, see below owners' deed recorded with Middlesex South Registry of Deeds in Book 47304, Page 279.

OWNERS: Roy E. Hansen and Eileen Maguire

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee simple interest and each of them are hereby taken whether the ownership is as stated herein or otherwise. Owners have waived and released the City of Marlborough from all damages and claims resulting from said taking, and have waived their right to appeal or contest said taking.

TABLE OF AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AWARD</u>
Katherine A. Ribeiro (fka Katherine R. Ribeiro) and Paulo S. Ribeiro	69/235	\$1.00
Roy E. Hansen and Eileen Maguire	69/245	\$1.00

APPROVED; adopted.

Yea: 11 – Nay: 0

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

Suspension of the Rules requested – granted.

ORDERED: That the Application for Sign Special Permit, Mobil, 656 Boston Post Road East, in which the four manual price panels will be removed and replaced with two LED price panels for regular and diesel prices, refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING OF FEBRAURY 5, 2018;** adopted.

Suspension of the Rules requested – granted.

ORDERED: That the Application for Sign Special Permit, Halfway Café, 820 Boston Post Road East, for proposed new 90" x 96" x 15" double sided U.L. listed LED internally illuminated sign with 31" x 66" electronic message board, refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING OF FEBRAURY 5, 2018;** adopted.

ORDERED: That the City Council Operations and Oversight Committee meet with DPW Commissioner Ghiloni, Fire Chief Breen and Police Chief Giorgi to reconsider the seasonal (winter) all night parking ban in the City of Marlborough and whether parking shall be allowed on streets deemed wide enough so as not to constitute a hazard to city emergency vehicles if residents are allowed to park on the street during the winter season or even if they are deemed to be parked illegally during snow emergencies, **TABLED;** adopted.

Councilor Delano opposed.

ORDERED: That the Mayor Vigeant, DPW Commissioner Ghiloni, and Assistant DPW Commissioner Higgins address the Urban Affairs Committee regarding the closing of the Millham Water Treatment Plant last year, including the present status of the facility, associated financial impacts, and future plans for the site, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

Councilor Oram opposed.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:59 PM.

Lisa Thomas

From: City Council
Sent: Thursday, February 1, 2018 11:56 AM
To: Lisa Thomas
Cc: Steven Kerrigan; Sara Corbin
Subject: For February 5, 2018 Agenda from City Councilor Delano - Proposed Zoning Amendments - Medical and Recreational Marijuana
Attachments: 2.1.2018 REV. draft Medical Marijuana.docx; 2.1.2018 Rev. Draft COMBINED Marijuana Zoning Ordinance.docx
Importance: High

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2018 FEB - 1 A 11:57

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 BY ADDING THERETO AS FOLLOWS:

1. Section 650-17, entitled "Table of Uses," is hereby amended by deleting in its entirety the use entitled "Medical Marijuana Treatment Centers" and by inserting in place thereof the following:

	RR	A1	A2	A3	RB	RC	B	CA	LI	I	MV
Medical marijuana treatment centers (45)	N	N	N	N	N	N	SP	N	SP	N	N

2. Section 650-18, entitled "Conditions for Uses," is hereby amended by adding to said section a new paragraph (45), as follows:

(45) Medical marijuana treatment centers:

- (a) Shall only be located within those portions of the B and LI Districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Northborough town line to Massachusetts State Highway Route 495, and within those portions of the B and LI districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Sudbury town line to Phelps Street;
- (b) Shall have frontage on Massachusetts State Highway Route 20 (Boston Post Road); and
- (c) Shall be subject to the provisions of local and state laws, standards and regulations, and ordinances including without limitation § 650-32 of the Zoning Ordinance of the City of Marlborough, any conditions imposed on licenses and permits held by the medical marijuana treatment center, agreements between the medical marijuana treatment center and the City of Marlborough, and a Special Permit from the City Council (the "Special Permit Granting Authority").

3. Section 650-32 entitled "Medical Marijuana Treatment Centers" is hereby deleted in its entirety and inserted in place thereof shall be the following:

§650-32 MEDICAL MARIJUANA TREATMENT CENTER

- A. Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, Chapter 94I of the Massachusetts General Laws,

and 105 CMR 725.000, all as amended, the City of Marlborough Zoning Ordinance will not prohibit the location of a center for medical marijuana treatment within the City of Marlborough, but will instead regulate such centers. A Medical Marijuana Treatment Center should provide medical support, security, oversight by a physician, and standards that meet or exceed 105 CMR 725.000. These Centers should not compete to provide streamlined care to patients and should not provide a location for patients to wait for treatment in the vicinity of children. Therefore, to ensure that these Centers are located in such a way as to not pose a direct threat to the health or safety of either qualifying patients or the public at large, the provisions of this section will apply to all such Centers.

- B. In the interpretation of this chapter, the meanings of words and phrases shall be according to the definitions included in Chapter 94I of the Massachusetts General Laws and 105 CMR 725.00, as amended, unless the context shows another sense to be intended. For purposes of this chapter, the following definitions shall also apply:

MARIJUANA-INFUSED PRODUCT (MIP) means a product infused with marijuana that is intended for use or consumption, including but not limited to edible products, ointments, aerosols, oils, and tinctures. These products, when created or sold by a Recreational Marijuana Retail Sales business, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1.

MEDICAL MARIJUANA shall mean all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes MIPs except where the context clearly indicates otherwise.

MEDICAL MARIJUANA TREATMENT CENTER shall refer to the site(s) of dispensing, cultivation, and preparation of marijuana; shall mean a not-for-profit entity registered under 105 CMR 725.100 and known thereunder as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (MIPs), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers; and shall be subject to the regulations under § 650-32 of this Ordinance.

MEDICAL USE OF MARIJUANA shall mean the acquisition, cultivation, possession, processing (including development of related products such as Marijuana-Infused Products (MIPs) that are to be consumed by eating or drinking, tinctures, aerosols, oils, or ointments), transfer, transport, sale, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

C. In such zoning districts where a Special Permit is required for Medical marijuana treatment center, upon application, the Special Permit Granting Authority shall grant the Special Permit only upon its written determination that any adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include, but is not limited to, consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment;
6. Potential fiscal impact, including impact on City services, tax base, and employment;
7. Hours of operation;
8. Prohibiting the smoking or consumption of marijuana on the premises;
9. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority;
10. Requiring payment of a community impact fee;
11. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Department of Public Health and/or the Cannabis Commission;
12. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or Cannabis Commission;
13. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Police Chief who shall have the authority to disapprove the employment of any person(s) as a result of said background check;
14. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises;
15. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public

Health and/or the Massachusetts Cannabis Commission, including, without limitation, tobacco products, clove cigarettes or e-cigarettes;

16. The ability for the Business to:
 - a. provide a secure indoor waiting area for clients;
 - b. provide an adequate pick-up/drop-off area;
 - c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals; and
 - d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses;
17. Signs and signage; and
18. Names of businesses, business logos and symbols, subject to state and federal law and regulations.

- D. The Special Permit Granting Authority may require the applicant to provide a traffic study, at the applicant's expense, to establish the impacts of the peak traffic demand.
- E. Applicants for a Special Permit shall be subject to Site Plan Review under § 270-2 of the Code of the City of Marlborough.
- F. A medical marijuana treatment center shall not be located:
 - a. Within a radius of five hundred (500) feet of a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough; and
 - b. Within a radius of five hundred (500) feet of a daycare center (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough.

The five hundred (500) foot distance in these section F. is measured in a straight line from the nearest point of the school or daycare center in question to the nearest point of the building within which the proposed Medical Marijuana Treatment Center would be located.

4. Pursuant to section 72 of chapter 55 of the Acts of 2017, Section 650-32 B. is hereby amended by inserting in the definition of the word "Person" and after the words "non-profit entity" the words ", or a for profit entity", as follows:

PERSON

An individual, non-profit entity, or a for profit entity.

5. The effective date of these amendments shall be the date of their passage.

ADOPTED
In City Council
Order No 18-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

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 BY ADDING THERETO AS FOLLOWS:

1. Section 650-17, entitled "Table of Uses," is hereby amended by deleting in its entirety the use entitled "Medical Marijuana Treatment Centers" and by inserting in place thereof the following:

Medical marijuana treatment centers (45)	RR	A1	A2	A3	RB	RC	B	CA	LI	I	MV
	N	N	N	N	N	N	SP	N	SP	N	N

2. Section 650-17, entitled "Table of Uses," is hereby amended by inserting a new section for the use entitled "Recreational (adult use) marijuana retail" as follows:

Recreational (adult use) marijuana retail and marijuana accessories retail (46)	RR	A1	A2	A3	RB	RC	B	CA	LI	I	MV
	N	N	N	N	N	N	SP	N	SP	N	N

3. Section 650-17, entitled "Table of Uses," is hereby amended by inserting a new section for the uses entitled "Medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter" as follows:

Medical and/or recreational marijuana cultivator, independent testing laboratory, product manufacturer or transporter (47)	RR	A1	A2	A3	RB	RC	B	CA	LI	I	MV
	N	N	N	N	N	N	N	N	SP	SP	N

4. Section 650-18, entitled "Conditions for Uses," is hereby amended by adding to said section a new paragraph (45), as follows:

(45) Medical marijuana treatment centers:

- (a) Shall only be located within those portions of the B and LI Districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Northborough town line to Massachusetts State Highway Route 495, and within those portions of the B and LI districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Sudbury town line to Phelps Street;

- (b) Shall have frontage on Massachusetts State Highway Route 20 (Boston Post Road); and
- (c) Shall be subject to the provisions of local and state laws, standards and regulations, local ordinances including without limitation § 650-32 of the Zoning Ordinance of the City of Marlborough, any conditions imposed on licenses and permits held by the medical marijuana treatment center, agreements between the medical marijuana treatment center and the City of Marlborough, and a Special Permit from the City Council (the “Special Permit Granting Authority”).

5. Section 650-18, entitled “Conditions for Uses,” is hereby amended by adding to said section a new paragraph (46), as follows:

(46) Recreational (adult use) marijuana retail and marijuana accessories retail:

- (a) Shall only be located within those portions of the B and LI Districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Northborough town line to Massachusetts State Highway Route 495, and within those portions of the B and LI districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Sudbury town line to Phelps Street;
- (b) Shall have frontage on Massachusetts State Highway Route 20 (Boston Post Road); and
- (c) Shall be subject to the provisions of local and state laws, standards and regulations, local ordinances including without limitation § 650-32 of the Zoning Ordinance of the City of Marlborough, any conditions imposed on licenses and permits held by the recreational (adult use) marijuana retail business or marijuana accessories retail business, agreements between a recreational (adult use) marijuana retail business or marijuana accessories retail business and the City of Marlborough including, with respect to the recreational (adult use) marijuana retail business, a host community agreement, and a Special Permit from the City Council (the “Special Permit Granting Authority”).

6. Section 650-18, entitled “Conditions for Uses,” is hereby amended by adding to said section a new paragraph (47), as follows:

(47) Medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter:

- (a) Shall only be located within those portions of the I and LI Districts located west of Massachusetts State Highway Route 495;
- (b) Shall be limited in number to one (1) of each type (cultivator, independent testing laboratory, product manufacturer or transporter), but in no event fewer than the

number of medical marijuana treatment centers registered to engage in the same type of activity in the City of Marlborough;

- (c) Shall be subject to the provisions of local and state laws, standards and regulations, local ordinances including without limitation § 650-32 of the Zoning Ordinance of the City of Marlborough, any conditions imposed on licenses and permits held by the Medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter, agreements between the Medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter and the City of Marlborough, and a Special Permit from the City Council (the "Special Permit Granting Authority");
- (d) All aspects of a medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter concerning marijuana or products containing marijuana, related supplies or educational materials must take place in a fixed location within a fully enclosed building, with the exception of the actual transport of marijuana, marijuana products and related supplies, and shall not be visible from the exterior of the building;
- (e) No outside storage of marijuana, related supplies, equipment, or educational materials is permitted; and
- (f) No marijuana shall be smoked, vaped, eaten or otherwise consumed, ingested, inhaled, dermally applied or injected on the premises of a medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter.

7. Section 650-32 entitled "Medical Marijuana Treatment Centers" is hereby deleted in its entirety and inserted in place thereof shall be the following:

§650-32 MEDICAL MARIJUANA TREATMENT CENTERS; RECREATIONAL (ADULT USE) MARIJUANA RETAIL AND MARIJUANA ACCESSORIES RETAIL; MEDICAL/RECREATIONAL MARIJUANA CULTIVATOR, INDEPENDENT TESTING LABORATORY, PRODUCT MANUFACTURER OR TRANSPORTER

- A. MEDICAL MARIJUANA TREATMENT CENTER: Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, Chapter 94I of the Massachusetts General Laws, and 105 CMR 725.000, all as amended, the City of Marlborough Zoning Ordinance will not prohibit the location of a center for medical marijuana treatment within the City of Marlborough, but will instead regulate such centers. A Medical Marijuana Treatment Center should provide medical support, security, oversight by a physician, and standards that meet or exceed 105 CMR 725.000. These Centers should not compete to provide streamlined care to patients and should not provide a location for patients to wait for treatment in the vicinity of children.

Therefore, to ensure that these Centers are located in such a way as to not pose a direct threat to the health or safety of either qualifying patients or the public at large, the provisions of this section will apply to all such Centers.

- B. **RECREATIONAL (ADULT USE) MARIJUANA RETAIL AND MARIJUANA ACCESSORIES RETAIL:** Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, Chapter 94G of the Massachusetts General Laws and 935 CMR 500.00, all as amended, the City of Marlborough Zoning Ordinance will not prohibit the location of recreational (adult use) marijuana retail business locations and marijuana accessories business locations within the City of Marlborough, but will instead regulate such businesses. To ensure that these businesses are located in such a way as to not pose a direct threat to the health or safety of children and other vulnerable populations, the provisions of this section will apply to all such businesses.

- C. **MEDICAL/RECREATIONAL MARIJUANA CULTIVATOR, INDEPENDENT TESTING LABORATORY, PRODUCT MANUFACTURER OR TRANSPORTER:** Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, Chapter 94I of the Massachusetts General Laws, Chapter 94G of the Massachusetts General Laws, 105 CMR 725.00 and 935 CMR 500.00, all as amended, the City of Marlborough Zoning Ordinance will not prohibit the location of cultivators, independent testing laboratories, product manufacturers, or transporters, for the purposes of medical marijuana or recreational (adult use) marijuana, within the City of Marlborough, but will instead regulate such businesses. To ensure that these businesses are located in such a way as to not pose a direct threat to the health or safety of children and other vulnerable populations, the provisions of this section will apply to all such businesses.

- D. In the interpretation of this chapter, the meanings of words and phrases shall be according to the definitions included in Chapter 94I of the Massachusetts General Laws, Chapter 94G of the Massachusetts General Laws, and 935 CMR 500.00, and 105 CMR 725.00, all as amended, unless the context shows another sense to be intended. For purposes of this chapter, the following definitions shall also apply:

MARIJUANA shall mean all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 2 of chapter 96G of the Massachusetts General Laws, as amended. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted

therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination, or hemp. The term also includes MIPs except where the context clearly indicates otherwise.

MARIJUANA ACCESSORIES shall mean equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, injecting, inhaling or otherwise introducing marijuana into the body.

MEDICAL AND/OR RECREATIONAL (ADULT USE) MARIJUANA CULTIVATOR, INDEPENDENT TESTING LABORATORY, PRODUCT MANUFACTURER OR TRANSPORTER as used herein, medical and/or recreational (adult use) “marijuana cultivator” means an entity licensed to cultivate, process and package marijuana, to deliver to other marijuana cultivators, independent testing laboratories, product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, but not to consumers; “independent testing laboratory” means a laboratory that is licensed by the Cannabis Control Commission and is (i) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the commission, (ii) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test, and (iii) qualified to test marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94G, s. 34; “marijuana product manufacturer” means an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana cultivators, independent testing laboratories, product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, but not to consumers; “marijuana transporter” means an entity, not otherwise licensed by the Cannabis Commission, that is licensed to purchase, obtain, and possess marijuana and marijuana products solely for the purpose of transporting, temporary storage, sale and distribution to marijuana establishments, not for sale to consumers.

MARIJUANA-INFUSED PRODUCT (MIP) means a product infused with marijuana that is intended for use or consumption, including but not limited to edible products, ointments, aerosols, oils, and tinctures. These products, when created or sold by a Recreational Marijuana Retail Sales business, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1.

MEDICAL MARIJUANA shall mean all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks

of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes MIPs except where the context clearly indicates otherwise.

MEDICAL MARIJUANA TREATMENT CENTER shall refer to the site(s) of dispensing, cultivation, and preparation of marijuana; shall mean a not-for-profit entity registered under 105 CMR 725.100 and known thereunder as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (MIPs), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers; and shall be subject to the regulations under Section 650-32 of this ordinance.

MEDICAL USE OF MARIJUANA shall mean the acquisition, cultivation, possession, processing (including development of related products such as Marijuana-Infused Products (MIPs) that are to be consumed by eating or drinking, tinctures, aerosols, oils, or ointments), transfer, transport, sale, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

RECREATIONAL (ADULT USE) MARIJUANA shall mean all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 2 of chapter 96G of the Massachusetts General Laws, as amended. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination, or hemp. The term also includes MIPs except where the context clearly indicates otherwise.

RECREATIONAL (ADULT USE) MARIJUANA RETAIL shall refer to the retail location(s) accessible to consumers and open to the public where an entity licensed and registered under 935 CMR 500.00, as amended, as a Marijuana Retailer to purchase and deliver marijuana and products and to deliver, sell or otherwise transfer marijuana and marijuana products to consumers and to marijuana establishments, as defined in 935 CMR 500.002, shall be subject to the regulations under Section 650-32 of this ordinance.

E. In such zoning districts where a Special Permit is required for a Recreational (adult use) marijuana retail and marijuana accessories retail, Medical marijuana treatment center, Medical and/or recreational (adult use) marijuana cultivator, independent testing laboratory, product manufacturer or transporter, upon application, the Special Permit Granting Authority shall grant the Special Permit only upon its written determination that any adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include, but is not limited to, consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment;
6. Potential fiscal impact, including impact on City services, tax base, and employment;
7. Hours of operation;
8. Prohibiting the smoking or consumption of marijuana on the premises;
9. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority;
10. Requiring payment of a community impact fee;
11. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Department of Public Health and/or the Cannabis Commission;
12. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or Cannabis Commission;
13. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Police Chief who shall have the authority to disapprove the employment of any person(s) as a result of said background check;
14. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises;
15. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Commission, including, without limitation, tobacco products, clove cigarettes or e-cigarettes;
16. The ability for the Business to:
 - a. provide a secure indoor waiting area for clients;
 - b. provide an adequate pick-up/drop-off area;
 - c. provide adequate security measures to ensure that no individual

- participant will pose a direct threat to the health or safety of other individuals; and
 - d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses;
 - 17. Signs and signage; and
 - 18. Names of businesses, business logos and symbols, subject to state and federal law and regulations.
- F. The Special Permit Granting Authority may require the applicant to provide a traffic study, at the applicant's expense, to establish the impacts of the peak traffic demand.
- G. Applicants for a Special Permit shall be subject to Site Plan Review under § 270-2 of the Code of the City of Marlborough.
- H. The number of Special Permits issued to marijuana retail businesses shall not exceed the number that is 20% of the number of liquor licenses for off-premises alcohol consumption that have been issued by the Licensing Board pursuant to section 15 of chapter 138 of the Massachusetts General Laws.
- I. A medical marijuana treatment center shall not be located:
 - a. Within a radius of five hundred (500) feet of a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough; or
 - b. Within a radius of five hundred (500) feet of a daycare center (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough.
- J. A recreational (adult use) marijuana retail business or a marijuana accessories retail business shall not be located:
 - a. Within a radius of five hundred (500) feet of a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough; or
 - b. Within a radius of five hundred (500) feet of a daycare center (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough.

- K. A medical and/or recreational marijuana cultivator, independent testing laboratory, product manufacturer or transporter shall not be located:
- a. Within a radius of five hundred (500) feet of a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough; or
 - b. Within a radius of five hundred (500) feet of a daycare center (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough.

The five hundred (500) foot distance in these sections I, J. and K. is measured in a straight line from the nearest point of the school or daycare center in question to the nearest point of the building within which the proposed medical marijuana treatment center, recreational (adult use) marijuana retail business, marijuana accessories retail business, or medical and/or recreational marijuana cultivator, independent testing laboratory, product manufacturer or transporter would be located.

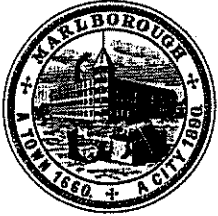
- L. Unless otherwise provided in a City-wide vote pursuant to § 3(b) of chapter 94G of the Massachusetts General Laws to allow the sale of marijuana or marijuana products for consumption on the premises where sold, no marijuana retail business shall allow the consumption of marijuana products in the interior or exterior premises of the establishment.
- M. Chapter 412 of the Code of the City of Marlborough, as amended, prohibiting the smoking, ingesting, or other use or consumption of marijuana in any place accessible to the public shall be construed as applying to the recreational (adult) use of marijuana.
- N. Nothing contained in Chapter 412 of the Code of the City of Marlborough, as amended, prohibiting the smoking, ingesting, or other use or consumption of marijuana in any place accessible to the public shall be construed as applying to the medical use of marijuana inside a medical marijuana treatment center.

8. The effective date of these amendments shall be the date of their passage.

ADOPTED
In City Council
Order No 18-
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

Arthur G. Vigeant
 MAYOR

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

Joseph J. Milano
 EXECUTIVE AIDE

2018 FEB - 1 A 10:24

Patriela Bernard
 EXECUTIVE SECRETARY

February 1, 2018

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

Re: Mid-year Transfer Requests

Honorable President Clancy and Councilors:

Enclosed for your approval are mid-year transfer requests from several City Departments.

As always, Department Heads who have requested transfers will be in attendance at a future Finance Committee meeting to discuss these requests with you in greater detail.

Thank you in advance for your consideration and please do not hesitate to let me know if you have any questions.

Sincerely,

Arthur G. Vigeant
 Mayor

Enclosures



City of Marlborough

Office of the Comptroller

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3731 Facsimile (508) 481-5180

January 30, 2018

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


RE: TRANSFER REQUEST

Dear Mayor Vigeant,

Enclosed herewith is a transfer request for various City Accounts. This transfer is to cover contractual payroll obligations for various employees. Some of the adjustments are due to contracts, anticipated retirements, employee positions filled during the year along with small calculation error's in the payroll budget accounts. The funds are provided by the reserve for salaries line item which was budgeted to cover these items.

Please contact me if you have any questions or require any additional information.

Sincerely,



Brian Doheny
Comptroller



City of Marlborough
Human Resources Department

140 MAIN STREET
 MARLBOROUGH, MA 01752
 TELEPHONE (508) 460-3705, FACSIMILE (508) 481-6354

DAVID BRUMBY
 HR DIRECTOR

MARY WARD
 HR ASSISTANT

DIANE REGO
 HR ADMIN. ASSISTANT

January 30, 2018

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

JAN 31 2018

Re: Transfer Request

Dear Mayor Vigeant:

Enclosed, please find a transfer request for the Human Resources Department. I respectfully request that the Human Resources Conference and Training Account (11520006-57380) be credited the \$9,900 that was spent on the Davis Companies' Interview Skills Training sessions for Department Heads and City managers that was held this past September. That training was not in my original budget. We will be unable to cover budgeted training expenses for the remainder of the year if that money is not replaced.

Please contact me if you have any questions or require additional information.

Sincerely,

David Brumby
 Human Resources Director



CITY OF MARLBOROUGH
Department of Veterans' Services
40 New Street
Marlborough, MA 01752
508.485-6492/508-573-0107

30, January 2018

To: Mayor Vigeant
From: Nick Charbonneau, Veterans' Agent
Subject: Chapter 115 Budget increase

Mayor Vigeant,

At this time, I am requesting additional funding for my "Veterans' Benefits" line item as this benefit has fluctuated through the months, showing positive growth over all.

I am proud to say I continue to identify needy veterans within the City of Marlborough, and leave no stone unturned in my pursuit to provide them with the services they deserve. 80% of our current chapter 115 recipients are retired and living off social security. Finances for these veterans become tight and, in some cases, they must choose between groceries or rent. This benefit provides them with the little extra, so their water bill is paid, medical expenses are covered, or food is in the pantry.

As long as I am continuing to effectively screen veterans for all of their benefits, Chapter 115 will continue to grow. In addition to my retirement population, I have seen needier veterans than I did in my first few months. This may be from usual fluctuations in traffic, however, more and more people are being referred to me than ever before. This has prompted me to begin tracking referral sources, starting next month.

Our non-retired recipients range from veterans in transition out of the service, as well as some who have stumbled on road blocks later in life. With my extensive background in employment services, I have provided direction, job search assistance, and interview preparation to these veterans, resulting in multiple back to work successes. Not all veterans return to work, as some require adequate housing, or substance abuse counseling before moving forward on an occupation. Referrals to partner agencies have placed these veterans into the hands of housing and/or rehabilitation specialists, granting them the care they need. With that being said, as each veteran is removed from the program, another is added. The revolving door of chapter 115 is growing for the good of the veterans of the community. Thank you very much for your time and consideration of this matter!

Nick Charbonneau
Veterans' Agent
City of Marlborough



Nick,

I want to
Thank you & Beth
from the bottom
of my heart.
Please tell her
for me.

It was a
wonderful feeling
to bring money
to Water Dept.
I slept very
good that night



Thank you again

Beverly Starn

L. M. Thomas
 Leroy Thomas
 June 2
 Band 1

1/30/2018

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

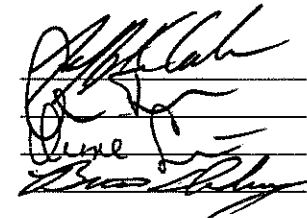
DEPT:		Various		FISCAL YEAR:		2018			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$26,705.00</u>	<u>\$2,400.00</u>	<u>12410004</u>	<u>53140</u>	<u>Bldg-Contract Services</u>	<u>\$2,400.00</u>	<u>12410001</u>	<u>50090</u>	<u>Building Commissioner</u>	<u>\$30,937.17</u>
	Reason:	<u>Outside services not needed thus far</u>				<u>To fund position thru June 30th</u>			
<u>\$851.42</u>	<u>\$700.00</u>	<u>14920003</u>	<u>51920</u>	<u>Recreation Sick Leave Buy</u>	<u>\$700.00</u>	<u>15430001</u>	<u>50080</u>	<u>Veterans Director</u>	<u>\$21,206.52</u>
		<u>Less sick leave bought than budgeted</u>				<u>To fund position thru June 30th</u>			
<u>\$500,000.00</u>	<u>\$92,860.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$8,600.00</u>	<u>11350002</u>	<u>50550</u>	<u>Auditor Head Clerk</u>	<u>\$24,522.20</u>
	Reason:					<u>Retirement payout</u>			
					<u>\$3,000.00</u>	<u>11350003</u>	<u>51920</u>	<u>Auditor Sick Leave Buy</u>	<u>\$6.48</u>
	Reason:					<u>Retirement payout</u>			
					<u>\$1,880.00</u>	<u>11350003</u>	<u>51430</u>	<u>Auditor Longevity</u>	<u>\$2.93</u>
	Reason:					<u>Retirement payout</u>			
					<u>\$2,550.00</u>	<u>11330002</u>	<u>50062</u>	<u>Treasurer Finance Asst</u>	<u>\$53,765.96</u>
						<u>Retirement payout</u>			
					<u>\$22,100.00</u>	<u>11330003</u>	<u>51920</u>	<u>Treasurer Sick Leave Buy</u>	<u>\$2.72</u>
						<u>Retirement payout</u>			
					<u>\$110.00</u>	<u>11330003</u>	<u>51430</u>	<u>Treasurer Longevity</u>	<u>\$1,268.27</u>
						<u>Retirement payout</u>			
					<u>\$15,270.00</u>	<u>12100001</u>	<u>50420</u>	<u>Police Officers</u>	<u>\$1,564,674.91</u>
						<u>Retirement payout</u>			
					<u>\$34,350.00</u>	<u>12100003</u>	<u>51920</u>	<u>Police Sick Leave Buy</u>	<u>\$0.00</u>
						<u>Retirement payout</u>			
					<u>\$5,000.00</u>	<u>12100001</u>	<u>50140</u>	<u>Police Chief</u>	<u>\$69,691.70</u>
						<u>Accreditation stipend per contract</u>			
	<u>\$95,960.00</u>	Total			<u>\$95,960.00</u>	Total			

Department Head signature:

Department Head signature:

Auditor signature:

Comptroller signature:





**City of Marlborough
POLICE DEPARTMENT**

355 Bolton St
Marlborough, Ma. 01752
Phone: 508-485-1212 Fax: 508-624-6949



DAVID A. GIORGI
Chief of Police

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

January 26, 2018

Dear Mayor Vigeant:

Per the attached transfer request form, I am requesting two internal transfers to allow sufficient funds to be properly allocated to the appropriate line items within the police department budget. There are requests to transfer funds into the Vehicle Repair and Maintenance, and Office Supplies accounts to allow for sufficient funds to fully cover these accounts for the remainder of the fiscal year. The attached request form contains a brief reason for each transfer request. All transfer requests are from within the existing police department budget, and I do not anticipate any other significant surpluses or deficits.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Giorgi".

David A. Giorgi
Chief of Police

Cc: D. Smith; B. Doheny

DEPT: Police Department

FY: 2018

Department Head signature:

Auditor signature:

Comptroller signature:



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

January 30, 2018

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

Re: Transfer Requests

Dear Mayor Vigeant:

Enclosed herewith are the Department of Public Works and Public Facilities Department transfers for Fiscal Year 2018. These requests are being funded from surpluses within the operating budgets.

Explanations for the transfers have been included with each line item.

Please contact me if you require any additional information.

Sincerely,

John L. Ghiloni,
Commissioner

**CITY OF MARLBOROUGH
BUDGET TRANSFERS –**

DEPT: Department of Public Works/Public Facilities					FISCAL YEAR: 2018				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$34,140.35</u>	<u>\$10,000.00</u>	<u>14001002</u>	<u>50062</u>	<u>Finance Asst.</u>	<u>\$88,000.00</u>	<u>14001505</u>	<u>54610</u>	<u>General Materials</u>	<u>\$42.21</u>
	Reason:	<u>Vacant Position</u>				<u>Anticipated cost to cover remainder of FY18</u>			
<u>\$35,837.09</u>	<u>\$18,000.00</u>	<u>14001002</u>	<u>50770</u>	<u>Senior Clerk</u>					
	Reason:	<u>Vacant Position</u>							
<u>\$178,022.19</u>	<u>\$60,000.00</u>	<u>14001101</u>	<u>50710</u>	<u>Jr. Civil Engineer</u>					
	Reason:	<u>Vacant Position</u>							
<u>\$401,441.82</u>	<u>\$60,000.00</u>	<u>14001503</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$79,000.00</u>	<u>14001506</u>	<u>54640</u>	<u>Park Maintance</u>	<u>\$13.07</u>
	Reason:	<u>Vacant Position</u>				<u>Anticipated cost to cover remainder of FY18</u>			
<u>\$131,784.22</u>	<u>\$19,000.00</u>	<u>60085001</u>	<u>50850</u>	<u>Sewage Tr Plt Operators</u>					
	Reason:	<u>Vacant Position</u>							
	\$167,000.00	Total			\$167,000.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

Jim L. Ghelie
John P. [Signature]
[Signature]

1/29/2018

**CITY OF MARLBOROUGH
BUDGET TRANSFERS --**

DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2018	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$344,704.28</u>	<u>\$75,000.00</u>	<u>61090001</u>	<u>50740</u>	<u>Equipment Operator</u>	<u>\$75,000.00</u>	<u>14001304</u>	<u>53140</u>	<u>Contract Services</u>	<u>\$275,639.06</u>
	Reason:	<u>Vacant Position</u>				<u>Anticipated cost to cover remainder of FY18</u>			
<u>\$93,541.10</u>	<u>\$25,000.00</u>	<u>11920001</u>	<u>50292</u>	<u>Building Maint. Craftsman</u>	<u>\$25,000.00</u>	<u>11920006</u>	<u>52469</u>	<u>Repair & Maint. Bldgs.</u>	<u>\$99,531.71</u>
	Reason:	<u>Vacant Position</u>				<u>Anticipated cost to cover remainder of FY18</u>			
<u>\$84,370.56</u>	<u>\$60,000.00</u>	<u>14001406</u>	<u>54830</u>	<u>Fuel & Lubricants</u>	<u>\$60,000.00</u>	<u>11920006</u>	<u>53420</u>	<u>Telephone Services</u>	<u>\$26,828.65</u>
	Reason:	<u>Decrease cost of fuel</u>				<u>Anticipated cost to cover remainder of FY18</u>			
	Reason:								
	Reason:								
	Reason:								



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

2018 FEB - 1 A 10:25

Marlborough, Massachusetts 01752

Patricia Bernard
 EXECUTIVE SECRETARY

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlbrough-ma.gov

February 1, 2018

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

Re: Grant Acceptance – Council on Aging

Honorable President Clancy and Councilors:

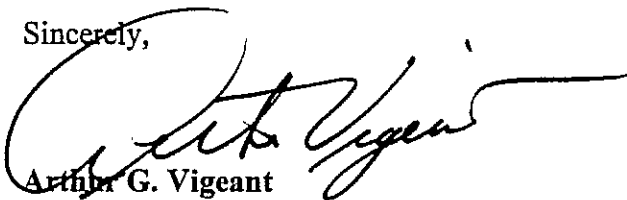
Please find enclosed for your acceptance a grant award for the Council on Aging in the amount of \$65,019.00 from the Executive Office of Elder Affairs.

This annual funding assistance from the Commonwealth of Massachusetts allows the Council on Aging to provide exercise programs, transportation, additional enrichment opportunities for seniors, and administrative support. I have enclosed for your information documentation regarding the grant, as well as the grant award notification and a standard contract form.

Please note that the funding this year is approximately \$2,000 less than last year due to a reduction in the statewide funding to \$9.70 per capita from \$10.00 per capita.

If you have any questions, please do not hesitate to contact me or Executive Director of the Council on Aging Trish Pope.

Sincerely,


 Arthur G. Vigeant
 Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

40 New Street
 Marlborough, Massachusetts 01752
 Telephone (508) 485-6492 Facsimile (508) 460-3726

Patricia A. Pope
 EXECUTIVE DIRECTOR

January 29, 2018

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

Re: EOEI Formula Grant Funding

Dear Mayor Vigeant

I am pleased to submit to you a grant award in the amount of \$65,019.00 from the Executive Office of Elder Affairs. You will notice our grant award for FY'18 was reduced due the statewide reduction in per capita funding of \$9.70. (FY' 17 we were funded \$10.00 per capita.) This essential funding will continue allow our Council on Aging to provide exercise classes, transportation, various programs, administrative support as well as additional enrichment opportunities for our seniors.

We look forward to utilizing this grant to continue to enhance the quality of life of our senior population here in Marlborough. I am available should you or the Council have any questions.

Sincerely,

Patricia A. Pope
 Patricia A. Pope

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: COA DATE: January 29, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: EOEA Formula Grant

GRANTOR: EOEA

GRANT AMOUNT: \$65,019.00

GRANT PERIOD: July 1, 2017- June 30, 2018

SCOPE OF GRANT/
ITEMS FUNDED Programs, transportation, exercise classes, enrichment opportunities
and transportation.

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? No

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO
BE USED:

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: as soon as possible

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

This form is jointly issued and published by the Executive Office for Administration and Finance (ANE), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osc under OSD Forms.

CONTRACTOR LEGAL NAME: CITY OF MARLBOROUGH		COMMONWEALTH DEPARTMENT NAME: Executive Office of Elder Affairs MMARS Department Code: ELD	
Legal Address (W-9, W-4, T&C): 140 MAIN ST MARLBOROUGH MA 01752-3812		Business Mailing Address: 1 Ashburton Place Room 517, Boston, MA 02108	
Contract Manager: Patricia (Trish) Pope		Billing Address (if different):	
E-Mail: ppope@marlborough-ma.gov		Contract Manager: Stacey O'Connell	
Phone: 508-748-3570	Fax:	E-Mail: Stacey.O'Connell@MassMail.state.ma.us	
Contractor Vendor Code: VC6000192112		Phone: 1-617-222-7419	Fax: 1-617-727-9368
Vendor Code Address ID (e.g. "AD001"): AD001.		MMARS Doc ID(s): FY18COAMarlborough00	
Note: The Address ID must be set up for EFT payments.)		RFR/Procurement or Other ID Number: Grant Award	
X NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) Statewide Contract (OSD or an OSD-designated Department) Collective Purchase (Attach OSD approval, scope, budget) Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) Emergency Contract (Attach justification for emergency, scope, budget) Contract Employee (Attach Employment Status Form, scope, budget) X Legislative/Legal or Other (Attach authorizing language/justification, scope and budget)		CONTRACT AMENDMENT Enter Current Contract End Date Prior to Amendment: _____, 20____. Enter Amendment Amount \$ _____, (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) Amendment to Scope or Budget (Attach updated scope and budget) Interim Contract (Attach justification for Interim Contract and updated scope/budget) Contract Employee (Attach any updates to scope or budget) Legislative/Legal or Other (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions _____ Commonwealth Terms and Conditions For Human and Social Services.			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$25,019.00			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days % PPD; Payment issued within 15 days % PPD; Payment issued within 20 days % PPD; Payment issued within 30 days % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle statutory/legal or Ready Payments (G.L. c. 29, § 23A); only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: This contract is to locally distribute a formula grant award to the Councils on Aging of the municipalities of the Commonwealth. The award amount is determined by a census-based allocation of available grant funding. Funds may support Council on Aging activities as identified in the annually published COA Formula Grant Guide. The activity performance period for this award is 7/1/2016 – 6/30/2017. The municipality will complete a final fiscal report accounting for how these grant funds were applied. Ongoing eligibility for formula grant funding is contingent on satisfactory prior year performance.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ___ 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. ___ 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. X 3. were incurred as of July 1st, 2017, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of June 30th, 2018 with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached Contractor Certifications (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form including the Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 2.107, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: _____ Date: 7/6/18 (Signature and Date Must Be Handwritten At Time of Signature) Print Name: Arthur Vincent Print Title: Mayor		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: _____ Print Title: _____	



City of Marlborough
Office of the Mayor

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2018 FEB - 1 A 10:25
Arthur G. Vigeant MAYOR
Nicholas J. Milano DEPUTY MAYOR
Patricia Bernard EXECUTIVE AIDE

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

February 1, 2018

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

Re: MEMA Grant Acceptance – Marlborough Fire Department

Honorable President Clancy and Councilors:

Please find enclosed for your review and acceptance, a grant in the amount of \$9,460 for the Marlborough Fire Department from the Commonwealth of Massachusetts Emergency Management Agency (MEMA).

This 2017 Emergency Management Performance Grant (EMPG) will be utilized for the purchase of additional personal protective equipment for firefighters to be used if issued equipment becomes unserviceable due to an incident exposure. A match is required for this grant, but the funds we use for Blackboard Connect meet the requirement set by MEMA.

As you may recall, the Emergency Management responsibilities for the City of Marlborough are handled by the Fire Department through Assistant Chief Fred Flynn.

If you have any questions, please do not hesitate to contact me, Chief Breen, or Assistant Chief Flynn.

Sincerely,

Arthur G. Vigeant
 Mayor

Enclosures



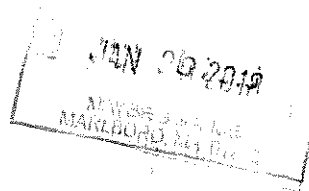
**City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752**

**KEVIN J. BREEN
FIRE CHIEF**

**PHONE: (508) 624-6986
FAX: (508) 460-3795**

January 29, 2018

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



REF: Emergency Management Performance Grant (EMPG)

Dear Mayor Vigeant:

I am pleased to inform you that Marlborough Fire Department has been awarded an Emergency Management Performance Grant (EMPG) from the Commonwealth of Massachusetts in the amount of nine thousand, four hundred and sixty dollars (\$9,460). The purpose of this grant is to purchase personal protective equipment (PPE) for our firefighters. Specifically, we sought EMPG grant support to procure PPE including structural firefighting hoods, boots, gloves, and helmets. We respectfully ask your support as we seek City Council approval to expend funds received through this grant.

Sincerely,

A handwritten signature in black ink, which appears to read "Kevin Breen", is written over the printed name.

Kevin J. Breen
Fire Chief

W/Enclosures

CITY OF MARLBOROUGH NOTICE OF GRANT AWARD

DEPARTMENT: Marlborough Fire Department DATE: 12/13/2017

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Assistant Chief Fred Flynn

NAME OF GRANT: Emergency Management Performance Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$9,460.00

GRANT PERIOD: Fiscal Year 2018

SCOPE OF GRANT/
ITEMS FUNDED Personal protective equipment in case of incident exposure

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? No

ARE MATCHING CITY FUNDS REQUIRED? Yes, the City must spend at least a matching amount of funds on cost allowed under the EMPG. For Marlborough, funds spent on Blackboard Connect meet this requirement

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
N/A

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO BE USED:

11550004-53180 - \$28,652.13 for FY2018 Blackboard Connect service

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL:
No

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT

Nicholas Milano

From: Frederick Flynn
Sent: Wednesday, December 13, 2017 10:00 AM
To: Kevin Breen; Nicholas Milano; Diane Smith
Subject: FW: 17EMPG - Marlborough signed contract
Attachments: Marlborough-signed.pdf

Importance: High

From: Gifford, Lorri (CDA) [mailto:Lorri.Gifford@MassMail.State.MA.US]
Sent: Wednesday, December 13, 2017 9:30 AM
To: Frederick Flynn <fflynn@marlborough-ma.gov>
Cc: Main, Mikael (CDA) <mikael.main@state.ma.us>
Subject: 17EMPG - Marlborough signed contract
Importance: High

Your 17EMPG contract has been finalized and a copy has been attached to this email.

Your contract start date is **12/12/2017**. This means you may not extend grant funds prior to this date.

Your contract end date is **6/30/2018**. This means all grant funded items and/or services must be received, installed and completed by this end date.

17EMPG is a reimbursement based grant program, your Reimbursement, Match, and Close-out Report is due, via email, no later than 30 days after your contract end date, including all backup documentation for your reimbursement and match.

You will find all the MEMA PMO policies, grant guidance and required forms on our website:

<http://www.mass.gov/eopss/agencies/mema/resources/grants/empg/>

Call or email if you have any questions.

Thank you

Lorri Gifford
 Grants Management Specialist
 Massachusetts Emergency Management Agency
 400 Worcester Road
 Framingham, MA 01702-5399
 Desk: 508.820.1407
 Fax: 508.820.2030
lorri.gifford@massmail.state.ma.us

2017 EMPG Application Template

1. Entity submitting this Application

Community(s)/Tribe(s): **City of Marlborough EMA**

Point of Contact Name *(only one POC for joint applications)*: **Assistant Chief Fred Flynn**

Title: **Assistant Chief /EMA Coordinator**

Telephone: **508-624-6984**

Email: **fflynn@marlborough-ma.gov**

Organization DUNS Number *(required)*: **045633484**

Fiscal Point of Contact Name *(if different than above)*: **Diane Smith**

Telephone: **508-460-3713**

Email: **dsmith@marlborough-ma.gov**

2. Project Description

In order for MEMA to ensure all costs and activities are reasonable, allowable, and support the National Preparedness Goal and State Homeland Security Strategy, please provide clear and comprehensive responses to items a-e below:

- a) Provide a description of your project, to include how the funds will be used and a description of the objective(s): **To establish a supply of personal protective equipment to be used when issued equipment becomes unserviceable from an incident exposure.**

- b) Identify the gap and/or capability you are seeking to address, sustain, or build; **To be able to have staff response ready after an incident exposure where gear is not serviceable.**

- c) Provide detail on how this project will enhance all-hazards preparedness, emergency management, or otherwise benefit your community (the anticipated outcomes); **The staffing levels in the department can be made more dependable and consistent with properly equipped staff.**

- d) Please identify below one (or more) of the 32 FEMA Core Capabilities that your project supports. Additional information about FEMA's Core Capabilities may be found on their website here: <https://www.fema.gov/core-capabilities>

Planning		Housing	
Cybersecurity		Forensics & Attribution	
Mass Care Services		Community Resilience	
Infrastructure Systems		Critical Transportation	
Situational Assessment		Economic Recovery	
Operational Coordination		Interdiction & Disruption	
Fire Management and Suppression	X	Risk Management for Protection Programs & Activities	
Fatality Management Services		Health & Social Services	
Operational Communications		Natural & Cultural Resources	
Screening, Search & Detection		Physical Protective Measures	X
Threats & Hazard Identification		Supply Chain Integrity & Security	
On-Scene Security, Protection & Law Enforcement		Intelligence & Information Sharing	
Public Information & Warning		Long-Term Vulnerability Reduction	
Mass Search & Rescue Operations		Access Control & Identity Verification	
Logistic & Supply Chain Management		Risk & Disaster Resilience Assessment	
Environmental Response/Health & Safety		Public Health, Healthcare, Emergency Medical Services	

- e) Please identify below one (or more) of the six Massachusetts State Homeland Security Strategy (SHSS) Goals that your project supports. Additional information about the SHSS may be found on the EOPSS website here: <http://www.mass.gov/eopss/home-sec-emerg-resp/>

Engage Stakeholders to Maintain, Enhance, Formalize, and Integrate the Various Components of the Homeland Security System into a Structure that Identifies and Guides Implementation of Homeland Security Strategy.	
Increase the ability to effectively provide prompt and accurate public information and alerts.	
Protect the Commonwealth from Intentional Acts of Violence and Terrorism.	
Enhance Resilience across the Commonwealth by Preparing for & Mitigating Against Acts of Terrorism, and Natural, Technological, & Intentional Hazards.	
Increase Capacity across the Commonwealth to Effectively Respond to Acts of Terrorism, and Natural, Technological, & Intentional Hazards.	

Enhance Capacity across the Commonwealth to Recover from Acts of Terrorism, and Natural, Technological, & Intentional Hazards.	X
--	---

3. Funding Amount

Please refer to the NOFO's Appendix E on pages 17-18 for your community's proposed award amount.

Insert amount of Community/Tribe FFY 2017 EMPG funding: **\$9,460.00**

4. Budget Detail

All costs must be identified below. Insert additional rows if needed.

Complete this budget table to itemize all proposed grant expenditures from contract start date through 6/30/2018

Description of Each Proposed Expenditure	AEL # (as applicable)	For Equipment, Fixed or Portable	Quantity	Total Cost
Globe Supreme 14" boot	01SF-01-FTWR		10	3,790.00
Gloves, ProTech 8 Fusion	01SF-01-GLOV		25	1,475.00
Helmet, Cairns 1044DS-G	01SF-01-HLMT		10	2,550.00
Hood, PAC II Ultra C6	01SF-01-HOOD		45	1,665.00
Paid from internal budget				(20.00)
TOTAL				9,460.00

As needed, complete this budget table to itemize proposed grant expenditures from 7/1/2018 - 9/30/2018

Description of Each Proposed Expenditure	AEL # (as applicable)	For equipment, Fixed or Portable	Quantity	Total Cost
TOTAL				

5. Match

Per FEMA, the EMPG requires a dollar-for-dollar match. The provided match must be verifiable (i.e.; adequate back-up documentation must be maintained) and relate to an allowable cost under the EMPG. In order for MEMA to ensure each sub-recipient can provide and account for the required match, and to expedite processing of reimbursement requests, please provide responses to each question below as applicable:

a) Insert match amount to be provided (*must equal the amount of the grant*): **\$9,460.00**

b) Please complete the Table below as applicable:

Proposed Match Source	Dates Match will be provided	AEL # (if applicable)	Quantity (if applicable)	Total Match Amount to be Provided
Blackboard Connect	FY 2018	06CC-02-PAGE		9,460.00
TOTAL				9,460.00

c) If salary is to be used as Cash match, please provide confirmation that federal funds are NOT used toward this salary:

d) How will you document (track) your match (e.g., invoice, cancelled check, payroll report showing EM stipend, meeting sign-in sheets, etc.)? **Cancelled Check**

e) For In-Kind match, how will you determine the hourly rate and/or value of service?

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under **Guidance For Vendors - Forms** or www.mass.gov/osc under **OSD Forms**.

CONTRACTOR LEGAL NAME: (and d/b/a): MARBOROUGH, City of		COMMONWEALTH DEPARTMENT NAME: Massachusetts Emergency Management Agency	
Legal Address: (W-9, W-4, T&C): 145 Main Street, Marlborough, MA 01752-3812		Business Mailing Address: 400 Worcester Road, Framingham, MA 01702-5399	
Contract Manager: Fred Flynn		Billing Address: (if different): same	
E-Mail: demith@marlborough-ma.gov		Contract Manager: Lori Gifford	
Phone: 508.624.6884 Fax:		E-Mail: lori.gifford@massmail.state.ma.us	
Contractor Vendor Code: VC6000192111		Phone: 508.820.1407 Fax: 508.820.2039	
Vendor Code Address ID (e.g. "AD001"): AD ____		MMARS Doc ID(s): FY18EMPG1700000MARLB	
(Note: The Address ID must be set up for EFT payments.)		RFR/Procurement or Other ID Number: FFY2017 EMPG	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date Prior to Amendment: ____, 20 ____ Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract.			
<input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$9,480.00			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ____ % PPD; Payment issued within 15 days ____ % PPD; Payment issued within 20 days ____ % PPD; Payment issued within 30 days ____ % PPD. If PPD percentages are left blank, identify reason: ____ agree to standard 45 day cycle ____ statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Funding for this grant is provided via a Federal Fiscal Year 2017 (FFY17) Emergency Management Performance Grant (EMPG), CFDA #97.042 and has a required dollar for dollar match. The Contractor/Subrecipient will perform activities as stated in your approved 17EMPG application and in accordance with DHS/FEMA Terms and Conditions, and MEMA-PMO Special Terms and Conditions.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:			
<input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date . <input type="checkbox"/> 2. may be incurred as of ____, 20 ____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date . <input type="checkbox"/> 3. were incurred as of ____, 20 ____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2019</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached Contractor Certifications (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions , this Standard Contract Form including the Instructions and Contractor Certifications , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>6/1/19</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Arthur J. Giam</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>	



City of Marlborough

Arthur G. Vigeant
MAYOR

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

Nicholas J. Milano
EXECUTIVE AIDE

140 Main Street

2018 FEB -1 A 10 25

Marlborough, Massachusetts 01752

Patricia Bernard
EXECUTIVE SECRETARY

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlbrough-ma.gov

February 1, 2018

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

Re: S.A.F.E. Grants Acceptance – Marlborough Fire Department

Honorable President Clancy and Councilors:

Please find enclosed for your review and acceptance, two grants in the amount of \$5,407.00 and \$2,813.00 for the Marlborough Fire Department from the Commonwealth of Massachusetts Executive Office of Public Safety and Security.

These grants, as described in Chief Breen's letters, will be used for education for our student and senior populations.

If you have any questions, please do not hesitate to contact me or Chief Breen.

Sincerely,

Arthur G. Vigeant
Arthur G. Vigeant
Mayor

Enclosures

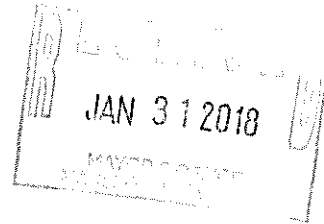


**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

215 Maple Street, Marlborough, MA 01752
Business (508) 624-6986 Facsimile (508) 460-3795

January 30, 2018

The Honorable Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, Ma. 01752



RE: FY18 S.A.F.E. Grant

Dear Mayor Vigeant,

Attached please find documentation in support of a grant in the amount of \$5,407.00 which has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

The FY18 S.A.F.E. Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide student awareness of fire education programs as outlined in the application.

In accordance with Massachusetts General Laws, Chapter 44 Section 53A this grant was applied for and accepted by the Fire Department but in order for it to be expended for the purposes of the grant, the Mayor must recommend and the City Council must vote to approve the expenditure.

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Breen".

Kevin S. Breen
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 1/30/2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: KEVIN J. BREEN, FIRE CHIEF

NAME OF GRANT: FY18 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.)

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$5,407.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL STUDENT AWARENESS OF FIRE SAFETY PROGRAMS
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SCHOOL VISITS, OPEN HOUSE,
SEASONAL SAFETY AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED:

NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED?

NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?

NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LT. GOVERNOR

DANIEL BENNETT
SECRETARY

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services

P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567-3100 Fax: (978) 567-3121

www.mass.gov/dfs



PETER J. OSTROSKY
STATE FIRE MARSHAL

January 9, 2018

Chief Kevin J. Breen
Marlborough Fire Department
215 Maple Street
Marlborough, MA 01752

Dear Chief Breen:

I am pleased to inform you that your FY 2018 Student Awareness of Fire Education (S.A.F.E.) and Senior SAFE grant applications have been approved for funding. The Marlborough Fire Department has been awarded \$5,407.00 for your S.A.F.E. grant and \$2,813.00 for Senior SAFE.

Be sure to alert your treasurer and to check with them to ensure receipt of the funds. We expect the funds to be electronically distributed on or about January 24, 2018.

All grantees are required to submit the FY 2017 year-end report to DFS by January 31, 2018. If there are any unexpended funds, the grantee may apply for a one-time 6-month extension, which will be part of the year-end report form. At the close of the single 6-month extension, all unexpended funds must be returned to the Commonwealth. At this time, any prior year remaining funds must be returned to the Commonwealth.

Twenty-three years ago, the Administration advocated for the creation of the S.A.F.E. Program. Since that time average annual child fire deaths have been reduced by 72%. Three years ago, the S.A.F.E. program was expanded to offer funds to local communities in support of senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. Senior SAFE is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire. It is our hope that with this opportunity we can recreate the success with our older population that we have had with children.

I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

Peter J. Ostroskey
State Fire Marshal

Administrative Services • Division of Fire Safety
Hazardous Materials Response • Massachusetts Firefighting Academy

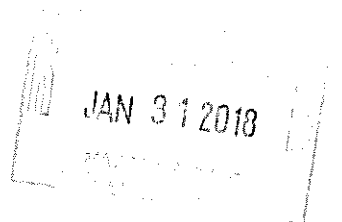


CITY OF MARLBOROUGH
FIRE DEPARTMENT

215 Maple Street, Marlborough, MA 01752
 Business (508) 624-6986 Facsimile (508) 460-3795

January 30, 2018

The Honorable Arthur G. Vigeant, Mayor
 City of Marlborough
 140 Main Street
 Marlborough, Ma. 01752



RE: FY18 Senior S.A.F.E. Grant

Dear Mayor Vigeant,

Attached please find documentation in support of a grant in the amount of \$2,813.00 which has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

The FY18 Senior S.A.F.E. Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide awareness to our senior population for fire education programs as outlined in the application.

In accordance with Massachusetts General Laws, Chapter 44 Section 53A this grant was applied for and accepted by the Fire Department but in order for it to be expended for the purposes of the grant, the Mayor must recommend and the City Council must vote to approve the expenditure.

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

A handwritten signature in black ink that reads "Kevin Breen". The signature is stylized with a large, looped "K" and "B".

Kevin J. Breen
 Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 1/30/2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: KEVIN J. BREEN, FIRE CHIEF

NAME OF GRANT: FY18 SENIOR SAFE

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$2,813.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL SENIOR AWARENESS OF FIRE SAFETY PROGRAMS
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SEASONAL SAFETY AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LT. GOVERNOR

DANIEL BENNETT
SECRETARY

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services

P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

www.mass.gov/dfs



PETER J. OSTROSKY
STATE FIRE MARSHAL

January 9, 2018

Chief Kevin J. Breen
Marlborough Fire Department
215 Maple Street
Marlborough, MA 01752

Dear Chief Breen:

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I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

Peter J. Ostroskey
State Fire Marshal

Administrative Services • Division of Fire Safety
Hazardous Materials Response • Massachusetts Firefighting Academy



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
 RECEIVED MAYOR
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2018 FEB - 1 A 10:25
Patricia Bernard
 EXECUTIVE AIDE
 EXECUTIVE SECRETARY

February 1, 2018

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

Re: Planning Board Appointments

Honorable President Clancy and Councilors:

Please find enclosed for your review and confirmation the appointments of Christopher Russ and Greg Gallagher to the Planning Board for five-year terms to expire the first Monday in February 2023.

Mr. Russ is a longtime Marlborough resident and is interested in getting involved in Marlborough's governance.

As a registered architect in Massachusetts, Mr. Russ works at Jan Gleysteen Architects, Inc., in Wellesley, focusing on single family home design and construction. He has worked with Planning Boards in other communities in his professional capacity. He has a strong understanding of its role and importance to helping shape growth in Marlborough.

Greg Gallagher is also a long time Marlborough resident who spent time teaching in the Marlborough Public Schools. As a teacher from 2002 through 2014, Mr. Gallagher spent two years at Marlborough High School and the rest of his teaching tenure as a social studies teacher at Westborough High School. Prior to becoming a teacher, Mr. Gallagher worked in the private sector with a focus on marketing. After expressing an interest in an open position, Mr. Gallagher met with Planning Board Chair Barbara Fenby to learn more about the role and responsibilities of the Board.

As you may know, Marlborough's Planning Board has one vacant position and Brian Dupont has informed us that he will not be seeking a reappointment when his term expires on February 5, 2018. We thank Brian for his time on the Planning Board.

Sincerely,

Arthur G. Vigeant
 Mayor

CHRISTOPHER P. RUSS, AIA

QUALIFICATIONS

Registered Architect (Massachusetts) License # 20708

EDUCATION

1996–2001

Wentworth Institute of Technology, Boston MA

Bachelor of Architecture, Cum Laude; May 2001.

Associates in Architectural Engineering Technology; May 1998.

EXPERIENCE

Oct. 2005 – Present

Jan Gleysteen Architects, Inc., Wellesley MA

Senior Associate

Design and manage all phases of custom residential homes. Responsibilities include developing design solutions from concept through construction competition. Provide active management of communication with clients and construction teams by answering questions and solving design issues that arise during the design and construction phases. Manage and oversee the production of design and construction documents. Excellent knowledge of building codes and local regulatory review processes. Also responsible for providing and managing IT support to the firm.

May 1999–Oct. 2005

TBA Architects Inc., Waltham MA

Senior Designer

Managed all phases of residential, public, and commercial projects as well as incorporating ADA accessibility into historically significant buildings. Asses clients needs and develop feasibility studies and creating schematic designs. Accountable for developing design solutions and managing the process of design from conceptual through to construction competition. Active in communicating with construction managers in solving questions and issues that arises during the construction phase. Excellent knowledge of building codes, CMR Chapter 149 public procurement laws, and the proposal submittal process to the Massachusetts Designer Selection Board. Responsible for supervising architectural interns and overseeing project timelines to ensure completion deadlines are met.

Summer 1998

The Gillette Company, Boston MA

Facilities Engineering

Worked along side of electrical, mechanical, and architectural engineers to create and design solutions for a wide range of issues that are present in a large scale manufacturing facility. Responsible for preparing bid and construction documents including specifications for general contracting firms. Designed and developed a device for making the automated manufacturing processes more effective and efficient.

ACHIEVEMENTS:

Registered Architect May 2009

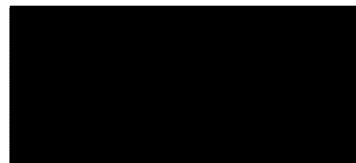
Completed NCARB's Intern Development Program

Dean's List, Wentworth Institute of Technology

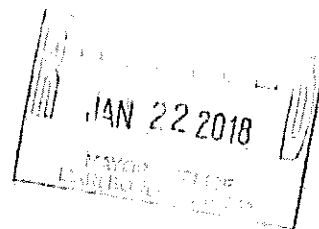
Boy Scouts of America, Eagle Scout Award

References and Portfollo Available upon Request.

Gregory W. Gallagher



January 17, 2018



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

Dear Mayor Vigeant:

I would like to submit my name for consideration for the vacant position on the Planning Board of the City of Marlborough. Please know that I have been a resident of Marlborough for more than twenty years and have benefitted greatly from all of the services that the City has to offer. With my retirement from teaching, I would hope to make a positive contribution to the City through service.

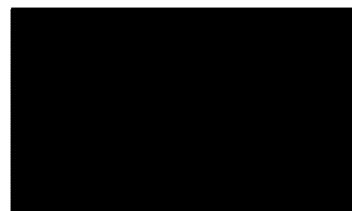
I recently met with Barbara Fenby, Chair of the Planning Board. Barbara was very kind in spending a great deal of time reviewing for me the duties and responsibilities of the Planning Board. There is no question that Barbara feels passionately about the City and the role that the Planning Board plays, working in conjunction with you and the City Council, in helping to make Marlborough a great city in which to live, work and raise a family. Her commitment and passion convinced me that I should apply for the vacant position on the Planning Board.

I look forward to meeting with you in the near future if you think I would be able to contribute, in some small measure, to the Planning Board.

Respectfully,

Gregory W. Gallagher

Gregory W. Gallagher



EXPERIENCE

- | | | |
|---|-----------------|----------------------------|
| WESTBOROUGH HIGH SCHOOL | Westborough, MA | August 2005- June 2014 |
| Social Studies Teacher | | |
| MARLBOROUGH HIGH SCHOOL | Marlborough, MA | February 2003 – May 2005 |
| Social Studies Teacher | | |
| WESTBOROUGH HIGH SCHOOL | Westborough, MA | August 2002-January 2003 |
| Six Month Teaching Position | | |
| FRAMINGHAM STATE COLLEGE | Framingham MA | September 2001-August 2002 |
| Full Time Graduate Student | | |
| <ul style="list-style-type: none"> • Masters of Education with concentration in History program. • Completed twelve graduate courses with a 3.8 grade average. • Inducted into Phi Alpha Theta for historical scholarship in May of 2002. | | |
| CHOICEPOINT DIRECT | Westborough MA | 1997-2001 |
| National Marketing Director | | |
| <ul style="list-style-type: none"> • Company builds, manages, tracks and uses complex databases to communicate unique, highly versioned selling messages to key customer and prospect segments across multiple sales channels. • Proposed strategies and sophisticated direct marketing programs to clients in order to improve their customer acquisition cross selling and retention efforts. | | |
| HARVARD DIRECT | Marlborough MA | 1993-1997 |
| Consultant | | |
| <ul style="list-style-type: none"> • Created and wrote strategic planning models for the development, implementation, and testing of direct-response and database management programs. • Researched potential markets, identified customer product needs for market segmentation, and increased sales activity. | | |
| HMA DIRECT | Boston MA | 1989-1993 |
| Senior Vice President, Corporate Development | | |
| <ul style="list-style-type: none"> • Developed and implemented strategic direct marketing plans and database management programs for new and existing accounts. • Coordinated, supervised, and conducted all agency presentations. | | |

GALLAGHER ADVERTISING AGENCY Boston MA

1976-1989

President and Founder

- Hired and managed a staff of twenty-plus creative, account management, and administrative professionals. Billings were \$25 million a year.
- Supervised the planning, development, production, and implementation of advertising and direct-response marketing campaigns for new and existing accounts.
- Provided clients with market research, corporate identity, communication and collateral materials, co-op programs, and strategic planning.

GOVERNOR'S OFFICE Boston MA

1970-1975

- Promoted to Governor's Appointment Secretary.
- Coordinated legislative, education, and political activities for the Governor and Lt.Governor.
- Lt.Governor's scheduling assistant and legislative aide.

EDUCATION

- Master degree in History, Framingham State College, Framingham, MA
- B.A. Framingham State College, Framingham, MA
- Certified to teach at the secondary school level.

ACCOMPLISHMENTS

- Raised more than twenty thousand dollars for family in Westborough doing relief work in Rwanda.
- Elected President of the Teacher Union in Westborough until my retirement.
- Elected to the Framingham School Committee for three separate terms.
- Elected Chairman and Vice-Chairman of the Framingham School Committee.

MEMBERSHIPS AND INTERESTS

- New England History Teachers Association.
- American Historical Association.
- Member, Smithsonian Institution
- Lived in Panama for seven years of grammar school and attended high school in Seville, Spain.
- Microsoft Beta Tester for Windows 98, Windows Me, Windows XP, Windows Vista, Windows 7 and Windows 10 operating systems and Office 2003 and Office 2007 Program. Proficient in Word, Excel, PowerPoint, Access, and the Windows operating system. I have built my own computers as a hobby.



City of Marlborough

Arthur G. Vigeant
MAYOR

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

Nicholas J. Milano
EXECUTIVE AIDE

140 Main Street

2018 FEB -1 A 11:42

Marlborough, Massachusetts 01752

Patricia Bernard
EXECUTIVE SECRETARY

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

www.marlbrough-ma.gov

February 1, 2018

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

Re: Planning Board Reappointments

Honorable President Clancy and Councilors:


We currently have four dedicated Planning Board members whose appointments have expired and each have expressed their desire to continue their work.

I ask for your consideration in reappointing Barbara Fenby, Colleen Hughes, Sean Fay and Philip Hodge each for a five year term to expire on the first Monday in February, 2023.

I appreciate the professionalism and effort from our Planning Board members.

Thank you in advance for your consideration of these reappointments. If any questions arise, please feel free to contact my office.

Sincerely,


Arthur G. Vigeant
Mayor

Steven Kerrigan

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

From: City Council
Sent: Wednesday, January 31, 2018 9:02 PM
To: Lisa Thomas
Cc: Steven Kerrigan; Sara Corbin
Subject: For February 5, 2018 Agenda: From MAPC: 1) Multifamily Design Review Guidelines 2) Multifamily Development Review Criteria, 3) Background information on TDR, and 4) MA Subsidized Housing Inventory for Marlborough 5) Housing Needs Assessment Guiding document and Point System for Multi-Family Residential Developme...docx; List of Marlborough SHI units 2017.docx; Marlborough Multi-Family Design Guidelines-Progress-01-31-18.pdf

Attachments:

2018 FEB -1 A 11:44

From: James Tarr [mailto:JTarr@marlboroughedc.com]
Sent: Wednesday, January 31, 2018 5:32 PM
To: City Council <citycouncil@marlborough-ma.gov>; joe.delano@lpl.com; Ed Clancy <irishclanc@verizon.net>; Ed Clancy <ward_6@marlborough-ma.gov>
Cc: Meredith Harris <MHarris@marlboroughedc.com>
Subject: FW: Materials for Council and UAC: 1) Multifamily Design Review Guidelines 2) Multifamily Development Review Criteria, 3) Background information on TDR, and 4) MA Subsidized Housing Inventory for Marlborough 5) Housing Needs Assessment

Hello Everyone,

Mark Racicot and the MAPC Team have sent over the following email, attached you will find:

- Guiding Document and Point System for Multifamily Residential Developments
- Multifamily Design Guidelines

Additionally, Mark has provided us with links to some information on transfer of development rights and some various other MAPC projects involving housing development.

Please let us know if there is anything else that we can do. We will be happy to provide a cover sheet or letter, if necessary.

Best,
 Jim

James Tarr
 Deputy Director
 91 Main Street, Suite 204
 Marlborough, MA 01752
 (P): 508.229.2010
 Follow us on **Twitter** & **Facebook**: MarlboroughEDC
 Live, Work, Play! **Marlborough Video**



From: ' [mailto:racicot4243@aol.com]
Sent: Wednesday, January 31, 2018 5:22 PM
To: Meredith Harris <MHarris@marlboroughedc.com>; James Tarr <JTarr@marlboroughedc.com>
Subject: Materials for Council and UAC: 1) Multifamily Design Review Guidelines 2) Multifamily Development Review Criteria, 3) Background information on TDR, and 4) MA Subsidized Housing Inventory for Marlborough 5) Housing Needs Assessment

From: Racicot, Mark
Sent: Wednesday, January 31, 2018 4:22 PM
To: 'Meredith Harris' <MHarris@marlboroughedc.com>; 'James Tarr' <JTarr@marlboroughedc.com>
Cc: Wall, Cynthia <CWall@mapc.org>; Fiala, Josh <JFiala@mapc.org>; Adelman, Karen <KAdelman@mapc.org>
Subject: RE: Materials for Council and UAC: 1) Multifamily Design Review Guidelines 2) Multifamily Development Review Criteria, 3) Background information on TDR, and 4) MA Subsidized Housing Inventory for Marlborough 5) Housing Needs Assessment

Meredith and James,

I am re-sending this email, removing the largest file so that it does not overload your email filter. This file is available through one of the links below.

Attached is the updated version of the Development Review Criteria (DRC) which we believe includes all of the suggested changes from our most recent phone conference. The Development Review Criteria now includes a Point System for Evaluating Responsiveness to City Criteria. HOWEVER, note that this is a DRAFT that is meant to show relative priorities of each element. This point system, IF it is retained, must be evaluated by

- discussions about the relative importance of the criteria (the scores attributed to each element may need adjusting), and
- testing against example developments that the city likes, and some that it does NOT like, to see if the Point System will appropriately score future developments. We also feel that this should be used only as an initial scoring of developments; this should be followed by negotiation with developers regarding the finer grain details of the proposals.

The updated version of the Design Review Guidelines (DRG), which includes changes to clarify the types of developments appropriate for the various locations, is available on the MAPC File Transfer site at <ftp://ftp.mapc.org/Marlborough%202016/Marlborough%20Multi-Family%20Design%20Guidelines-Progress-01-31-18.pdf> (Note that we anticipate being able to make additional changes to the DRG to provide details related to the actual design elements prior to the UAC meeting scheduled for 2-13-18).

Regarding the additional information requested for discussion at the upcoming Council and UAC meetings:

- The best summary of Transfer of Development Rights for the state of Massachusetts is probably the TDR section in the Massachusetts Smart Growth/Smart Energy Tool Kit. The TDR main page is at http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-tdr.html
 A Case study of TDR in Falmouth, MA is found in this Tool Kit at http://www.mass.gov/envir/smart_growth_toolkit/pages/CS-tdr-falmouth.html

- The Subsidized Housing Inventory (SHI) for Marlborough, MA as shown on the September 2017 listing on the Department of Housing and Community Development (DHCD) web site at https://www.mass.gov/files/documents/2017/10/10/shiinventory_0.pdf is 11.4%. See the attached file (List of Marlborough SHI Units 2017) for details. Note that the affordability requirements on SOME of these units are slated to expire in 2018, and many more within the next 5 years, unless they are extended!
- Regarding future housing unit need, the Housing Needs Assessment undertaken by MAPC in 2014 indicated that there is a market demand for continuing housing growth in Marlborough; estimated market demand was for between 1,300 and 1,800 unit growth between 2010 and 2030 (see page 4 of Housing Needs Analysis at ftp://ftp.mapc.org/Marlborough%202016/Marlborough_HOUSING_NEEDS_ANALYSIS_FINAL.pdf). This equates to an average growth of 90 units per year. Note that Marlborough could also CHOOSE to grow more than this; encouraging household growth is one way to support local business growth, as the households will support additional businesses.

And finally, note that neither the Design Review Guidelines nor the Development Review Criteria have yet incorporated sustainability/energy efficiency (e.g., LEED, NetZero); we intend to do that in future editions of the materials.

Mark Racicot
 Director, Land Use Division
 Metropolitan Area Planning Council
 60 Temple Place, 6th Floor
 Boston, MA 02111

Please note that my phone numbers have recently changed:

617-451-2770 ext 752
 Direct dial: 617-933-0752
mracicot@mapc.org

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

Multifamily Development Review Criteria for the City of Marlborough
DRAFT 1-31-18

Note to Council and MEDC reviewers: This DRAFT Development Review Criteria document now includes a Point System for Evaluating Responsiveness to City Criteria. HOWEVER, note that this is a DRAFT that is meant to show relative priorities of each element. This point system, if it is retained, must be evaluated by

- *discussions about the relative importance of the criteria (the scores attributed to each element may need adjusting), and*
- *testing against example developments that the city likes, and some that it does NOT like, to see if it will appropriately score future developments.*

We also feel that this should be used only as an initial scoring of developments; this should be followed by negotiation with developers regarding the finer grain details of the proposals.

The purpose of these Multifamily Development Criteria is to assist developers and the City of Marlborough in the appropriate design and municipal review of multi-family developments proposed in the City. The intent is to provide information to prospective developers regarding the scale, type, design, tenure, and municipal benefits related to multi-family development the City prefers within the various areas and neighborhoods of the City, so that the developments may be designed in a manner that meets municipal goals and needs. Developments that do not meet these standards may not receive the necessary approvals for zoning changes and/or special permits for development from the City Council.

The City of Marlborough recognizes that residential development is beneficial to the City

- to meet the housing needs of the current and projected population growth of the City and the region,
- to provide housing for the future residents/employees needed to continue strong regional and local economic growth, and
- to provide residents whose purchasing power will support the economic vitality of the City's retail and commercial establishments and districts.

Based upon the finding of the 2013 *Marlborough Housing Supply/Demand Needs Analysis* (prepared by Metropolitan Area Planning Council - MAPC) and the 2017 *Multifamily Market and Fiscal Impact Analysis* (prepared by RKG Associates), the City of Marlborough supports proposals for well-constructed and designed residential development that is in keeping with the high standards of the municipality and which meet the contextual design of, and have a positive impact on, the neighborhoods in which the development is proposed.

When evaluating Multifamily Residential Developments in the City, the following questions, without limitation, will be used to evaluate the project under the Special Permit provisions of the zoning ordinance. Project proponents should provide answers to these questions prior to meeting with the City to discuss the proposal. The city may also use this form in evaluating the proposals:

1. Does the proposed development meet the Multifamily Development Design Guidelines (an accompanying document prepared by MAPC for the City) for multifamily development, including

both the type of structure and the design details, for the neighborhood or neighborhood type? For larger developments, does the proposed development provide a diversity of housing types/unit mixes¹, etc. to ensure that it provides for a diversity of residential types as recommended by past planning studies? Copies of Plans should be provided for review.

<u>Proposal Corresponds to Design Review Guidelines (DRG)</u>	<u>30 points</u>
<u>Plan Somewhat/partially consistent with DRG</u>	<u>10 points</u>
<u>Plan not consistent with DRG</u>	<u>0 points</u>

<u>Plan has a diversity of types/units</u>	<u>5 points</u>
<u>Plan does not contain diversity of types/units</u>	<u>0 points</u>

2. Is the overall site design of the development respectful of the neighborhood, inclusive of appropriate landscaping and park space² for residents and guests, and one that integrates parking within an attractive layout that supports walkability? The proposal should detail how the development meets the standards set forth in these Criteria, the accompanying Design Guidelines, and the other provisions of the City Code³. Does the development provide adequate buffer to adjacent residential uses, or does it incorporate lower density/scale elements (e.g., townhomes) to provide a buffer for adjacent uses? Multifamily developments that are proposed at the edges of different types of land uses (e.g., between a commercial/office area and a single-family neighborhood) should be designed so that the multi-family development type proposed (see accompanying Design Guidelines document) is appropriate for the lower-intensity land use (e.g., in the commercial/single family edge example above, the development should be designed to fit with the single family development). In cases where the site to be developed is larger, then a gradation of types may be appropriate, with lower scale development near the abutting lower density adjacent uses, to provide a buffer.

Is the Development proposal appropriate in scale or provide a buffer to adjacent residential uses?

Yes	10 points
No	0 points

Is the development's parking appropriately located to ensure easy walkability to residences, does not form a barrier between sidewalk and any first-floor commercial space in mixed use developments, and is screened from abutting uses?

Yes	10 points
Partially	5 points
No	0 points

¹ Housing type/unit mixes may include such items as live-work units, universal-design units, studios, units with varying numbers of bedrooms, etc.

² For instance, Zoning Code Section 650-40 F (8) states "In all districts in which multifamily dwellings are allowed, there shall be provided with each apartment building a landscaped area equal to the greatest single floor area of the building." Landscaping requirements are also included in Zoning Code Section 650-47.

³ See Marlborough Code 270-2 Site Plan Review and Approval, sub-section D Site Plan Review Criteria, for a list of design elements and standards that should be incorporated into any multifamily proposal review.

3. If proposing a re-zoning to enable residential development – does the proposed project fit with, or conflict with, adjacent land uses. Residential development may be compatible with adjacent retail or office or mixed uses, but may conflict with nearby heavy industrial uses (with potential negative impacts for both uses).

Is there inherent conflict with abutting uses (e.g., placing residential adjacent to heavy industrial or heavy trucking)

Yes -30 points

No 0 points

4. Will the proposed development provide beneficial impacts on abutting or nearby uses, such as providing residents/customers for nearby walkable retail districts?

Are there defined beneficial impacts on nearby uses?

Yes 10 points

No (or limited) 0 points

5. Is the development proposal consistent with a vision for the area as determined by the City through a public planning process (e.g., the Visioning and re-zoning process for the Marlborough Village District)?

Is the proposed development consistent or inconsistent with a recent local planning effort?

Consistent 10 points

Inconsistent -30 points

No recent planning
In area 0 points

6. What are the anticipated impacts of the development (e.g., traffic, water use, sewage generation, school costs⁴, emergency services calls, etc.), and does the City have adequate public infrastructure for such development, or does the developer propose adequate mitigation to offset these impacts (e.g., installation of sidewalk to connect the development to existing sidewalk network to promote walkability and thereby reduce vehicular trips)?

City has adequate public infrastructure capacity	0 points
Developer has proposed to undertake mitigation of inadequate infrastructure to enable development	20 points
Some development mitigation provided	5 points

7. Does the proposed housing tenure (i.e., rental versus ownership of units) meet the needs of the city as outlined in the above-referenced reports (e.g., mix of tenure within larger proposed developments), to maintain a diversity of not only housing types but also a mix of housing tenure.

Is there a mix of housing tenure within the development?

OR

Does the proposed housing tenure within the development meets the goals of the City (based upon the proposed plans and recently approved and built projects elsewhere in the City)?

Yes	10 points
No	0 points

8. What specific benefits to the municipality is the developer proposing in exchange for the special permit for increased density (e.g., retail on ground floor on a main street/commercial area providing for tax revenue from mixed uses, improvements to nearby sidewalk network as part of development construction, sponsorship of annual maintenance of adjacent public park, etc.)?

Are there significant benefits to the City proposed as part fo the development?

Significant	10 points
More limited	5 points
None or very limited	0 points

⁴ See *The Waning Influence of Housing Production on Public School Enrollment*, by MAPC, at <https://www.mapc.org/enrollment/> which indicates that Marlborough, from 2010 to 2016, experienced a reduction in school enrollment of 48 students (-1.05%) during the same time that 173 units were constructed (increase in 1.05%).

9. The City has a goal of providing adequate supply of affordable housing for its residents, and also a goal for remaining above 10% on the State's Subsidized Housing Inventory (SHI). The developer should detail how the proposed development will meet the Affordable Housing requirements of the City Zoning Code, using one of the three methods listed below:

- A) All multi-family residential development proposals are expected to provide the minimum number of affordable units as specified by Zoning Ordinance Section 650-26 A (1) (a), equal to 15% of the total number of units in developments over 20 units; note however, that subsection 650-26 A (2) also states that the City Council may apply these same standards to developments of fewer than 20 units. Does the proposed development include the appropriate number of affordable units (as counted on the state's Subsidized Housing Inventory for the City)?
- B) Zoning Code section 650-26 A (1) (i) allows the project proponent to seek a permit to construct some or all of the Affordable Housing units off-site. In order to maintain diversity of affordability in all neighborhoods of the City, the off-site Affordable Units should be constructed within the same neighborhood/area as the market rate units. Does the proposal comply with this requirement?
- C) The Affordable Housing Bylaw Section 650-26 A (1) (a), does allow for a payment-in-lieu-of-units (PILU) payment, but the City's strong preference is for the production of actual affordable units to ensure that the housing needs of the community are being met, and the City's SHI total does not fall below 10%. Note that the City Code provision for PILU sets a minimum payment of \$50,000 per unit. The City recognizes that this minimum payment is far lower than the cost of providing actual units (either on-site or off-site). Therefore, if a developer proposes a PILU instead of on-site units, the City will look more favorably on proposals for special permits where the PILU offered is equal to the cost of producing units within the development (as determined by the total cost of the development – including but not limited to land, permits and design, and all construction costs) divided by the total number of units within the development.⁵
Are the Required Affordable Units

⁵ See as alternative to the above calculation, the following text from the Maynard Zoning Bylaw that uses comparable sales to set the PILU value:

Payment in lieu of units. As an alternative to construction of affordable units within the locus of the proposed development or at another locus, an equivalent payment in lieu of units (PILU) may be made to the Maynard Affordable Housing Trust Fund.

The payment shall be an amount equal to the required number of affordable housing units multiplied by the median price of a Maynard market-rate home comparable in type, size, and number of bedrooms reported for a minimum of three (3) home sales over a period of twelve (12) months prior to the date of application submission, if available. Median home cost utilized in the formula must be approved by the Maynard Affordable Housing Trust, or designee, or the Town Administrator, or designee. The applicant shall calculate the proposed sum based on an appraisal of the comparable home sales and submit documentation of the relevant data source(s) as part of the application.

If there is not a comparable housing unit, the payment shall be equal to the most current Total Development Cost as articulated in DHCD's Qualified Allocation Plan for Low Income Housing Tax Credit, for the areas described as Within Metro Boston/Suburban Area, as adjusted for the type of project and number of units.

PILU shall not be accepted as part of rental development, either multifamily or mixed-use.

Within the proposed development	30 Points
Off Site	20 points
In cash payments at/near \$50,000/unit	5 points
In cash payment per calculation	10 points

OR (see item #10 below)

- 10) As an alternative to #9 above, is the proposed multi-family residential development a "friendly 40B" comprehensive permit proposal that includes the 20% or 25% affordability requirements of Comprehensive Permit developments? Where re-zoning to allow for residential development is proposed, which will provide significant benefits for the developers by enabling residential uses where they are not currently allowed, preference will be given to projects that propose "friendly 40B" developments which include the appropriate 20 – 25% affordable units (with the percentage based upon the affordability levels within the development).

As an alternative to #9 above:

If the developer is proposing a zoning change, is the proposed development one that is a "friendly 40B" such that units will be countable on the City's Sustainable Housing Inventory?

Yes	30 points
No	0 Points

Maximum Possible Points	145
Minimum Possible Points	-60

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1825	n/a	29 Pleasant St.	Rental	42	Perp	No	DHCD
1826	n/a	397 Bolton St.	Rental	60	Perp	No	DHCD
1827	Liberty Hill Apts	240 Main St.	Rental	125	Perp	Yes	DHCD
1828	n/a	20 Front St.	Rental	7	Perp	No	DHCD
1829	Lambert Street	Lambert St.	Ownership	2	Perp	No	DHCD
1830	Roosevelt Street	Roosevelt Street	Ownership	2	Perp	No	DHCD
1831	182 West Main Street	182 West Main St.	Rental	6	2018	No	MHP
1832	Lincoln St	Lincoln St.	Ownership	2	Perp	No	DHCD
1835	271 Boston Post Road	271 Boston Post Road	Ownership	1	Perp	No	DHCD
1838	Dow Place	Dow Place	Ownership	2	Perp	No	DHCD
1840	35 High Street	35 High Street	Ownership	1	Perp	No	DHCD
1841	Emmett Street	Emmett Street	Ownership	1	Perp	No	DHCD
1842	Academy Knoll	22 Broad Street	Rental	81	2036*	No	MassHousing HUD

10/16/2017

Marlborough
Page 378 of 789

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1843	Coolidge Manor	55 Howland Street	Ownership	2	Perp	No	DHCD
1844	Countryside Village	450-460 Boston Post Road	Rental	118	2029	No	DHCD DHCD HUD
1845	Crystal Brook	Crystal Brook Way	Ownership	4	Perp	No	DHCD
1846	Greater Marlboro Residence B	235 Pleasant St.	Rental	8	2021	No	HUD
1847	Greater Marlboro Residence A	90 Onamog St.	Rental	12	2022	No	HUD
1848	Indian Hill	Dicenzo Boulevard	Ownership	25	Perp	No	DHCD
1849	Lincoln St. in Marlborough	496-498 Lincoln St.	Rental	36	2021	No	DHCD
1851	Mechanic Street	57 Mechanic St.	Rental	27	Perp	No	DHCD
1852	Options Mechanic Street Project	153 Mechanic St	Rental	6	2044	No	FHLBB HUD
1853	Prospect St. Apartments	120 Prospect St.	Rental	7	2035	No	HUD FHLBB

10/16/2017

Marlborough
Page 379 of 789

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1854	The Meadows, The Ledges at New Horizons	370 & 420 Hemenway Street	Rental	120	2032	No	DHCD
1855	Stevens Housing	25 Stevens St.	Rental	8	2034	No	HUD
1856	Jefferson at Wheeler Hill	Donald Lynch Boulevard	Rental	274	2042	Yes	FHLBB
1857	Avalon Orchards	81-119 Boston Post rd East	Rental	156	Perp	Yes	MassHousing
4355	DDS Group Homes	Confidential	Rental	73	N/A	No	DDS
4578	DMH Group Homes	Confidential	Rental	41	N/A	No	DMH
4684	Pleasant Gardens	515 Pleasant Street	Ownership	5	2103	Yes	FHLBB
6703	Fairfield Green	155 Northborough Road (off of Crane Meadow Road)	Rental	302	Perp	Yes	MassHousing
8150	Shane's Lane	37 Russell St	Ownership	2	perp	YES	MassHousing
9386	Christopher Heights	84 Chestnut St	Rental	83	2058	NO	DHCD
10012	The Preserve @ Ames	155 Ames Street	Rental	225	Perp	YES	MassHousing
Marlborough Totals				1,866	Census 2010 Year Round Housing Units		16,347
					Percent Subsidized		11.41%

10/16/2017

Marlborough
Page 380 of 789

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.



Marlborough Multifamily Design Guidelines

Initial Approach and Organization

The City of Marlborough is drafting Multifamily Design Guidelines (MDG) to align residential investments with City goals, elevate the design quality of those investments, and to assist in the review and approval process. Design Guidance is not being provided for single family homes. The MDG build on the recently completed *Multifamily Market and Fiscal Impact Analysis* by RKG Associates in July 2017.

This initial approach and organization memorandum describes the general neighborhood districts that would be the focus of the MDG combined with an approach to the design guidance within each district including a neighborhood area analysis and design review guidelines outline.

Study Context

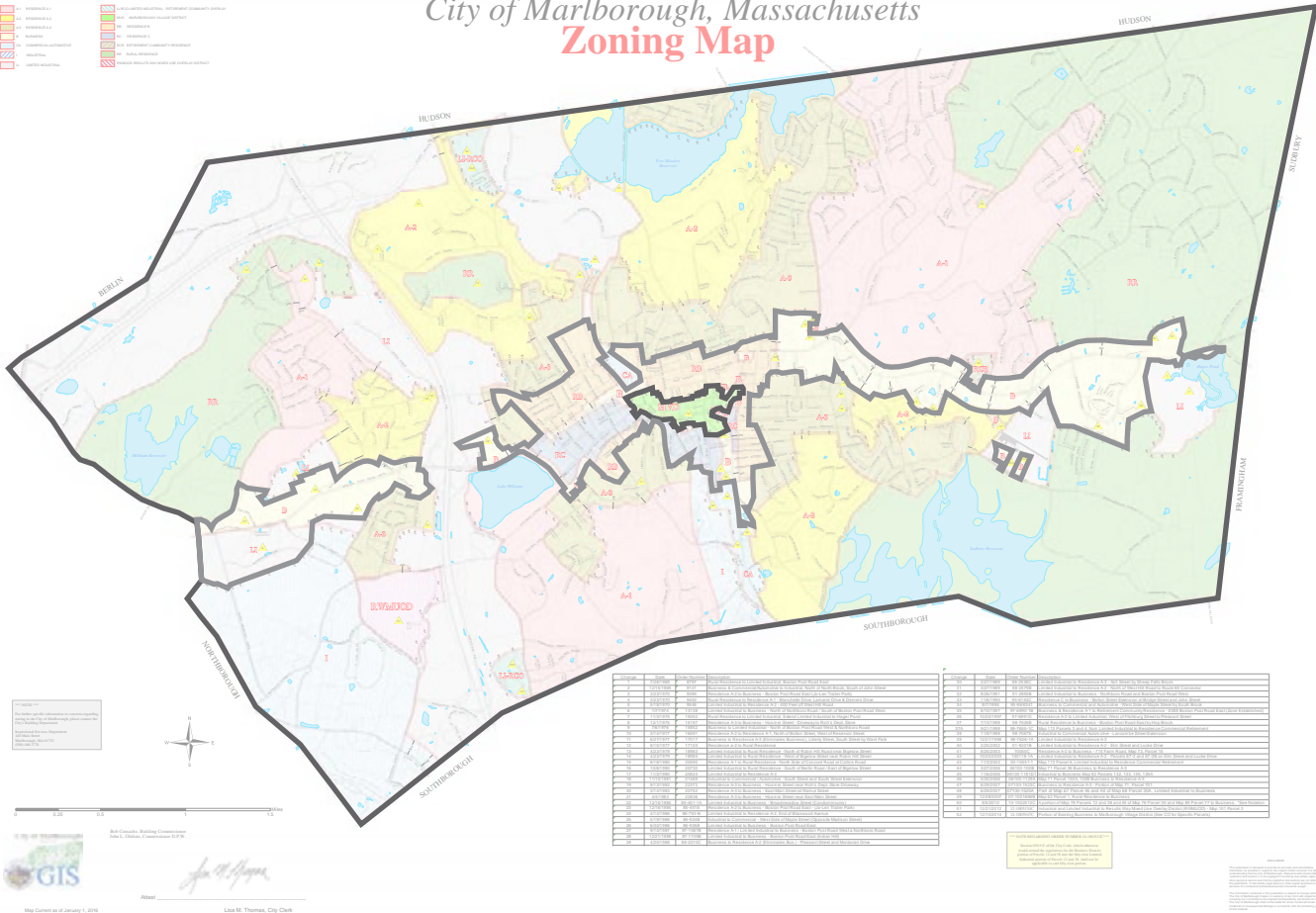
In the City of Marlborough, multifamily housing is allowed through two primary sections of the zoning ordinance - Multifamily by Special Permit and Comprehensive Developments. The applicable locations for these two approaches to multifamily housing are illustrated on the City of Marlborough Zoning Map below. Multifamily by Special Permit is allowed in the Marlborough Village District (MVD), Business Districts (B), Residence B (RB), and Residence C (RC) districts. Comprehensive Developments are allowed anywhere in the City, except the Marlborough Village District (MVD). The districts for the design guidelines respond to this regulatory context.

Legend

- Multifamily by Special Permit
- Comprehensive Developments (Excludes MVD)



City of Marlborough, Massachusetts Zoning Map





Design Guideline Districts

The Multifamily Design Guidelines (MDG) appear to be well-suited to a multiple district approach with design guidance that is specific to the needs of each district. An initial delineation of these districts is based on the *Multifamily Market and Fiscal Impact Analysis*’ “Location Opportunities and Recommendations”, the multifamily regulatory context of the zoning ordinance, and the characteristics of the existing housing patterns in the City.

The ambition of a multiple district approach is to address specific guidance to the specific needs of a particular area within the City and to also apply the same guidance to other parts of the City that may have similar considerations in the future. In other words, it is not necessary to identify different types of districts for the entirety of the City, but to identify districts that are differentiated enough as to provide guidance for most relevant scenarios.

The recommended districts mirror the “Location Opportunities”:

- **Established Neighborhood** (EN, example: French Hill)
- **Commercial Corridor** (CC, example: East Marlborough)
- **Commerce/Industrial Park** (CIP, example: Southwest Quadrant)
- **Large-scale Greenfield** (LG, example: Northwest Quadrant)

The *Multifamily Market and Fiscal Impact Analysis* also identifies Downtown Marlborough as a location opportunity. Downtown is the subject of *Design Review Guidelines for the Marlborough Village District*. The multifamily design guidance will be developed as a companion and complement to the Downtown Marlborough design guidelines drafted in 2014, but will not focus on it as a district.

On November 30th, MAPC undertook a driving photo tour of the context within each of these general areas to build an understanding of the current conditions of each district. The design guidelines will define the most appropriate types of multifamily development for each district and the most suitable design characteristics for the existing context.





A brief summary of thoughts about each district following initial review of recent documents, aerial photographs, driving tour, and discussion with the Marlborough Economic Development Corporation (MEDC).

EN

Established Neighborhood (example: French Hill)

Approach:

Smaller infill to retain scale and character of traditional neighborhood with walkable streets

Housing types to explore:

Multiple units in house, townhouse, multiple unit building

Example aerial:



Example photograph:



CC

Commercial Corridor (example: East Marlborough)

Approach:

Moderate scale to reinforce walkable nodes and attractive corridor frontage

Housing types to explore:

Townhouse, multiple unit building, multiple unit building over parking

Example aerial:



Example photograph:



CIP

Commerce/Industrial Park (example: Southwest Quadrant)

Approach:

Incremental introduction of residential uses to other existing uses integrating multiple housing types, amenities and open space in long term transformation into walkable nodes

Housing types to explore:

Townhouse, multiple unit building, multiple unit courtyard building, multiple unit building over parking, multiple unit building next to parking

Example aerial:



Example photograph:



LG

Large-scale Greenfield (ex: Northwest Quadrant)

Approach:

Large scale development of undeveloped site integrating multiple housing types, amenities and open space to enhance walkability and bikability

Housing types to explore:

Cluster of small houses, multiple units in house, townhouse, multiple unit building, multiple unit courtyard building, multiple unit building over parking, multiple unit building next to parking





Potential Housing Types and Suitability Matrix

List of relevant potential multifamily housing types for design guidelines:

		Established Neighborhood	Commercial Corridor	Commerce / Industrial Park	Large-scale Greenfield	Marlborough Village District
		EN	CC	CIP	LG	MVD
1 Cluster of Small Houses <i>Modest buildings purposefully arranged around small open spaces</i>					✓	
2 Multiple Units in House <i>Multiple units in a larger structure typically accessed from a common entry and stair</i>		✓			✓	
3 Townhouse <i>Units sharing side walls, may shared common entries or stairs, may be stacked on a garage</i>		✓	✓	✓	✓	
4 Multiple Unit Building <i>Multiple units served by a common entry and common interior corridor to access units</i>		✓	✓	✓	✓	✓
5 Multiple Unit Courtyard Building <i>Multiple units served by a common entry and interior corridor that connect to form an interior courtyard</i>	DIAGRAM TO BE COMPLETED			✓	✓	
6 Multiple Unit Over Parking <i>Multiple units served by a common entry and interior corridor that include parking in the building base</i>	DIAGRAM TO BE COMPLETED		✓	✓	✓	✓
7 Multiple Unit Next To Parking <i>Multiple units arranged to conceal a parking structure</i>	DIAGRAM TO BE COMPLETED			✓	✓	



MARLBOROUGH CITY-WIDE CONTEXT

ALL CALCULATIONS ARE APPROXIMATE ESTIMATES

NUMBER OF PARCELS: **10,560**

TOTAL LAND AREA: **14,208 acres**

MEAN PARCEL SIZE: **1.33 acres**

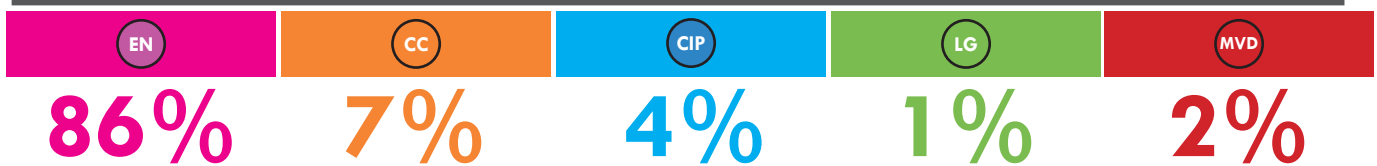
STREET ROW AREA: **1,339 acres** (Source: Marlborough Land Parcel Data 2012, most recent available)

TOTAL NUMBER OF RESIDENTIAL UNITS: **16,560** (Source: US Census ACS Estimate 2011-15)

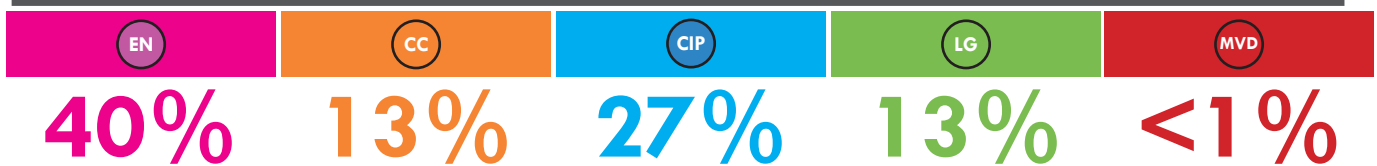
DENSITY OF UNITS: **1.2 units per acre**

APPROXIMATE APPLICABILITY OF GUIDELINES

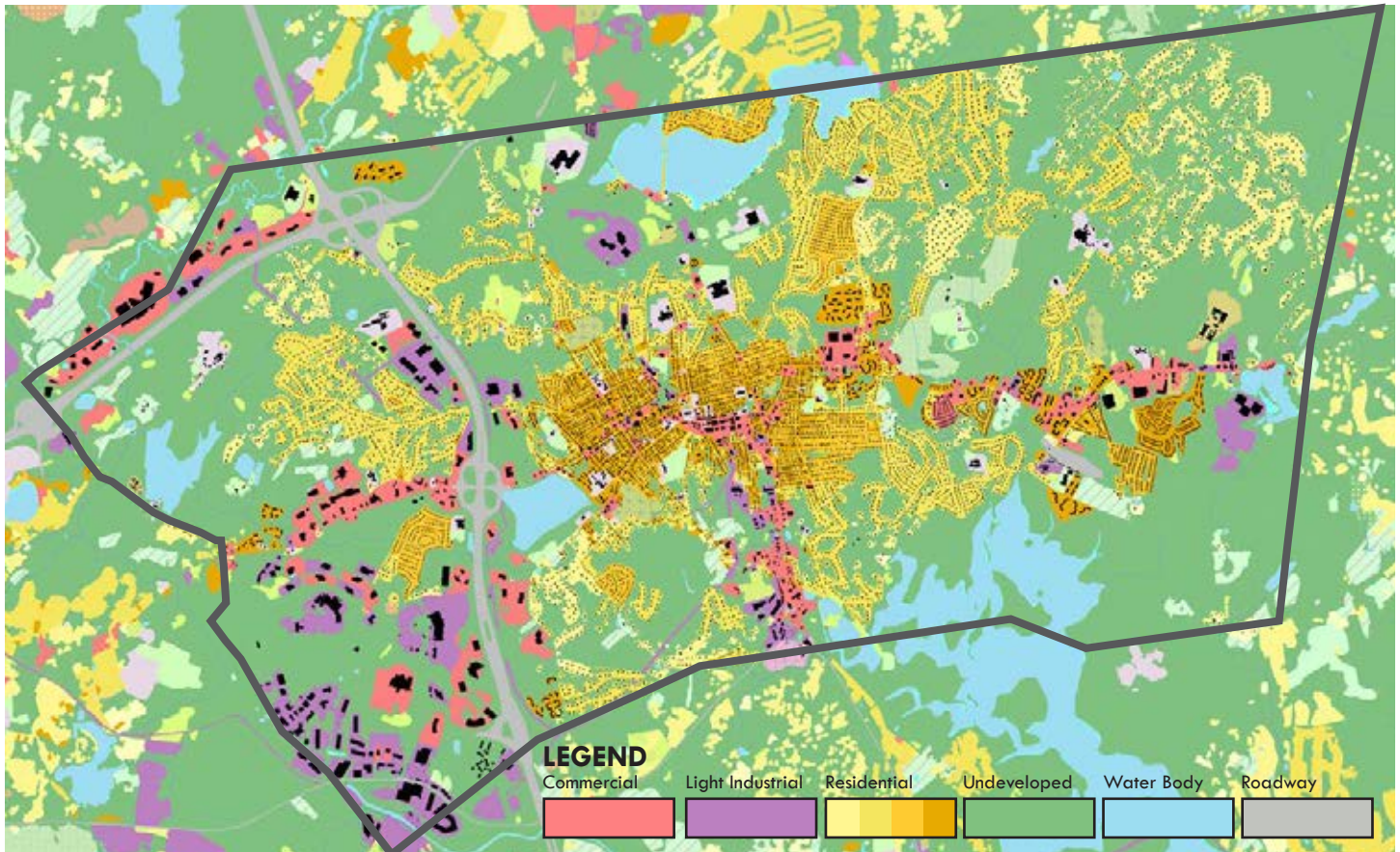
% OF TOTAL PARCELS BY DISTRICT (+/-1.5% MARGIN OF ERROR)



% OF TOTAL LAND AREA BY DISTRICT (BETWEEN 6-8% IS UNACCOUNTED, MAY BE WATER BODIES)



CITY-WIDE LAND USE DIAGRAM





EN

Established Neighborhood (EN)

NUMBER OF PARCELS: 9,020 (approximately)
TOTAL LAND AREA: 5,604 acres (approximately)
MEAN PARCEL SIZE: 0.62 acres (approximately)

APPROACH:

Smaller infill to retain scale and character of traditional neighborhood with walkable streets

POTENTIAL HOUSING TYPES:

Renovation/Adaptive Reuse, Three- or Four-family, Townhouse, Stacked Townhouse, Walk-up

EXAMPLE: FRENCH HILL

DIAGRAM OF HOUSING TYPES



Multiple Units in House



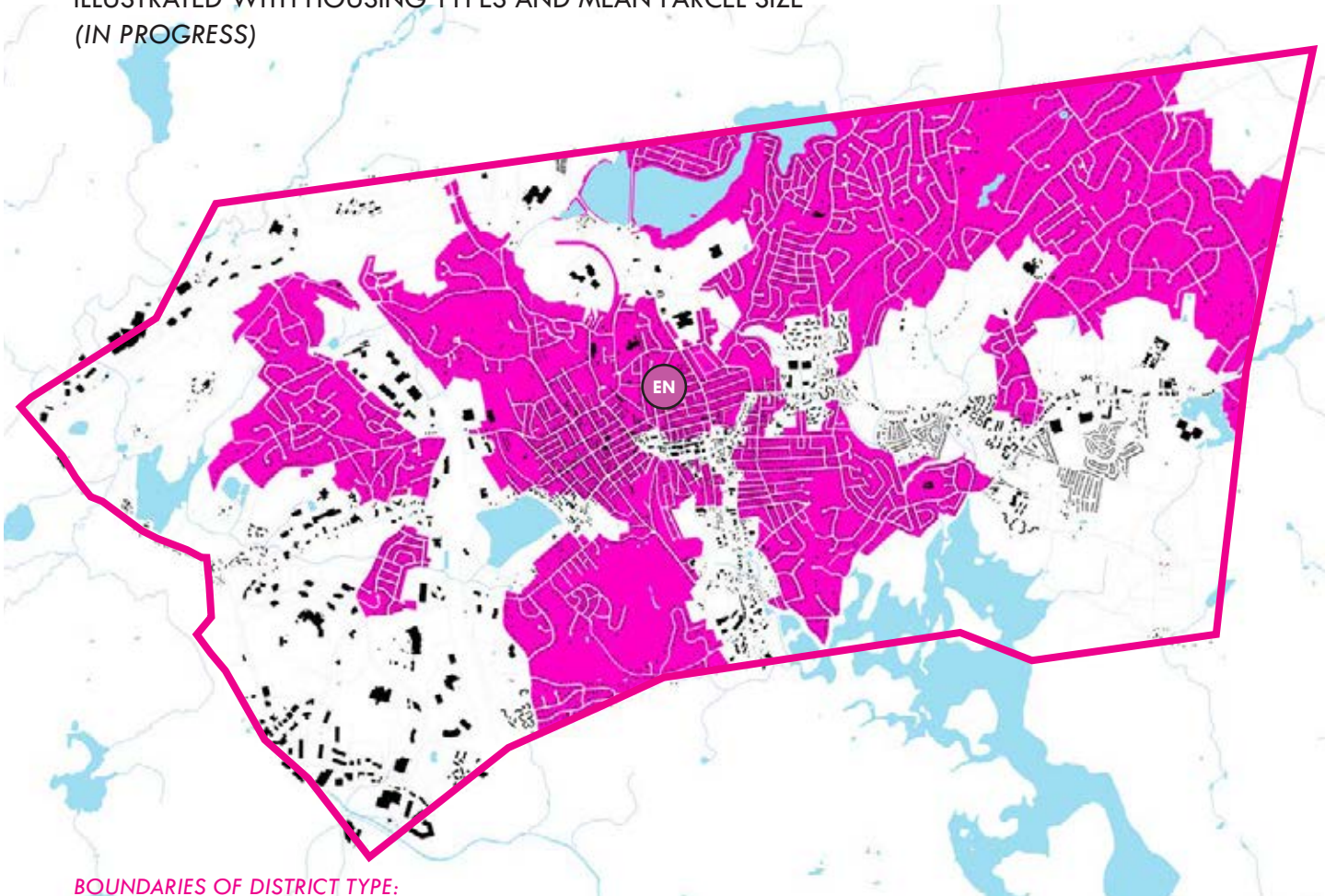
Townhouse



Multiple Unit Building

GUIDELINES

ILLUSTRATED WITH HOUSING TYPES AND MEAN PARCEL SIZE
(IN PROGRESS)



BOUNDARIES OF DISTRICT TYPE:

Generalized boundaries of where this type of design guidance may be applicable in the City



CC Commercial Corridor (CC)

NUMBER OF PARCELS: 700 (approximately)
TOTAL LAND AREA: 1,756 acres (approximately)
MEAN PARCEL SIZE: 2.5 acres (approximately)

APPROACH:

Moderate scale to reinforce walkable nodes and attractive corridor frontage

POTENTIAL HOUSING TYPES: Renovation/adaptive reuse, townhouse, stacked townhouse, walk-up, elevator bar, elevator courtyard, parking podium

EXAMPLE: EAST MARLBOROUGH

DIAGRAM OF HOUSING TYPES



Townhouse



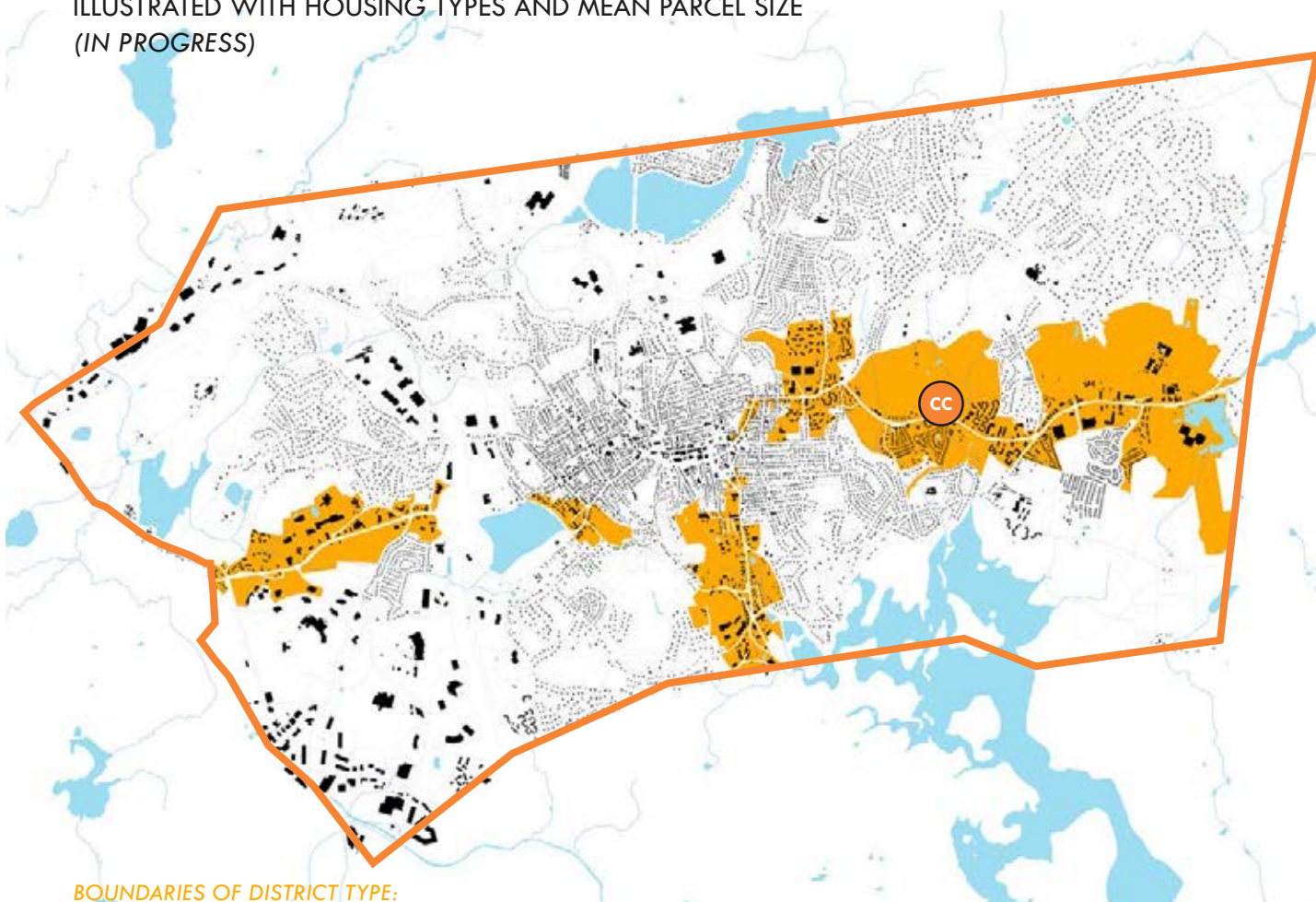
Multiple Unit Building



Multiple Unit Over
Parking

GUIDELINES

ILLUSTRATED WITH HOUSING TYPES AND MEAN PARCEL SIZE
(IN PROGRESS)



BOUNDARIES OF DISTRICT TYPE:

Generalized boundaries of where this type of design guidance may be applicable in the City



CIP COMMERCE/INDUSTRIAL PARK (CIP)

NUMBER OF PARCELS: 418 (approximately)
TOTAL LAND AREA: 3,720 acres (approximately)
MEAN PARCEL SIZE: 8.90 acres (approximately)

APPROACH:
Large scale development integrating multiple housing types, amenities and open space to enhance walkability and bikability

POTENTIAL HOUSING TYPES: Townhouse, stacked townhouse, walk-up, elevator bar, elevator courtyard, parking podium, parking structure

EXAMPLE: SOUTHWEST QUADRANT

DIAGRAM OF OPPORTUNITY TYPES



Townhouse

Multiple Unit Building

DIAGRAM
TO BE
COMPLETED

Multiple Unit
Courtyard Building

DIAGRAM
TO BE
COMPLETED

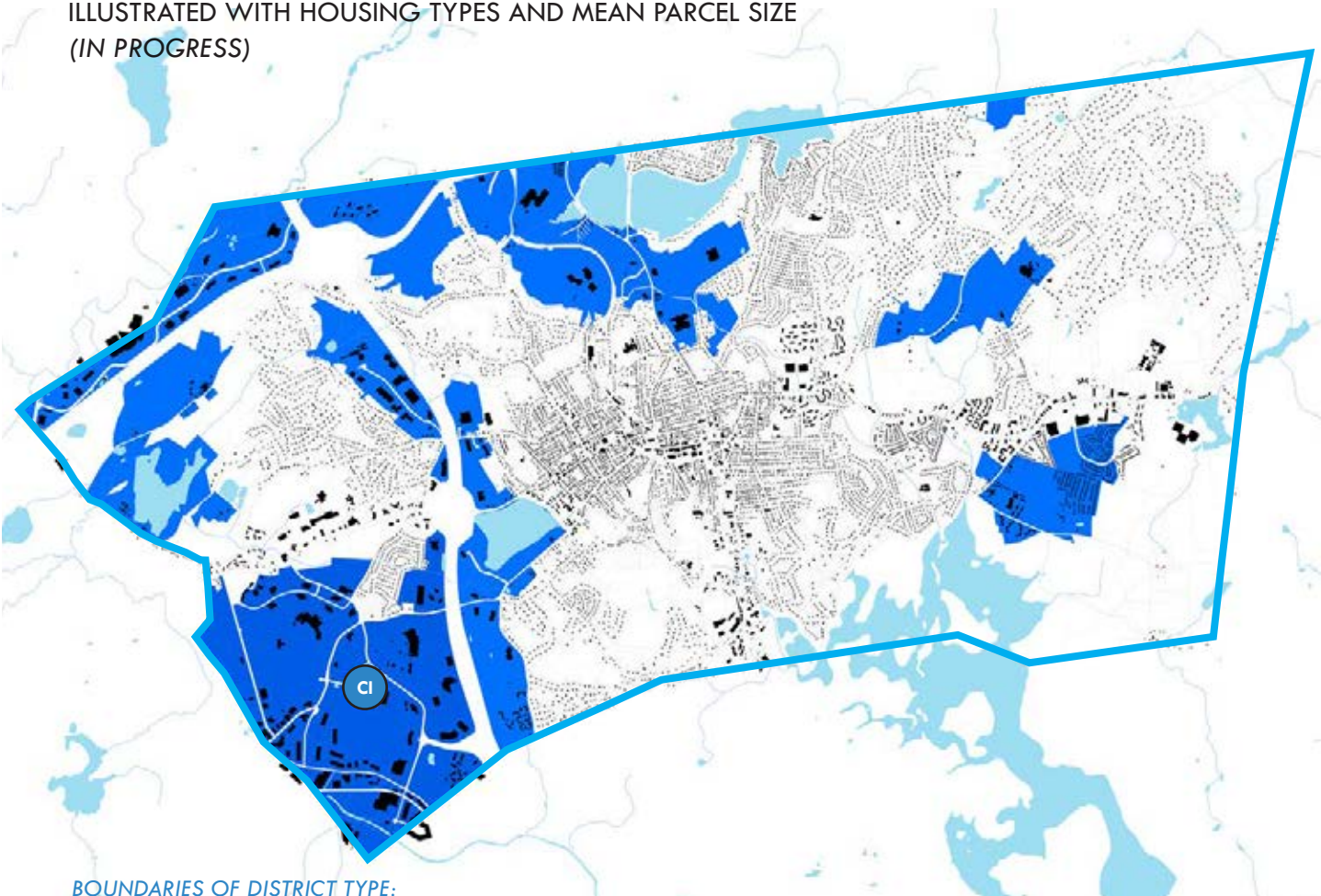
Multiple Unit Over
Parking

DIAGRAM
TO BE
COMPLETED

Multiple Unit Next To
Parking

GUIDELINES

ILLUSTRATED WITH HOUSING TYPES AND MEAN PARCEL SIZE
(IN PROGRESS)



BOUNDARIES OF DISTRICT TYPE:

Generalized boundaries of where this type of design guidance may be applicable in the City



LG

Large-Scale Greenfield (LG)

NUMBER OF PARCELS: 83 (approximately)

TOTAL LAND AREA: 1,831 acres (approximately)

MEAN PARCEL SIZE: 22.06 acres (approximately)

APPROACH:

Incremental introduction of residential uses in long term transformation into walkable nodes

POTENTIAL HOUSING TYPES: Townhouse, stacked townhouse, walk-up, elevator bar, elevator courtyard, parking podium, parking structure

EXAMPLE: NORTHWEST QUADRANT

DIAGRAM OF OPPORTUNITY TYPES



Cluster of Small Houses



Multiple Units in House



Townhouse



Multiple Unit Building

DIAGRAM
TO BE
COMPLETED

Multiple Unit Courtyard Building

DIAGRAM
TO BE
COMPLETED

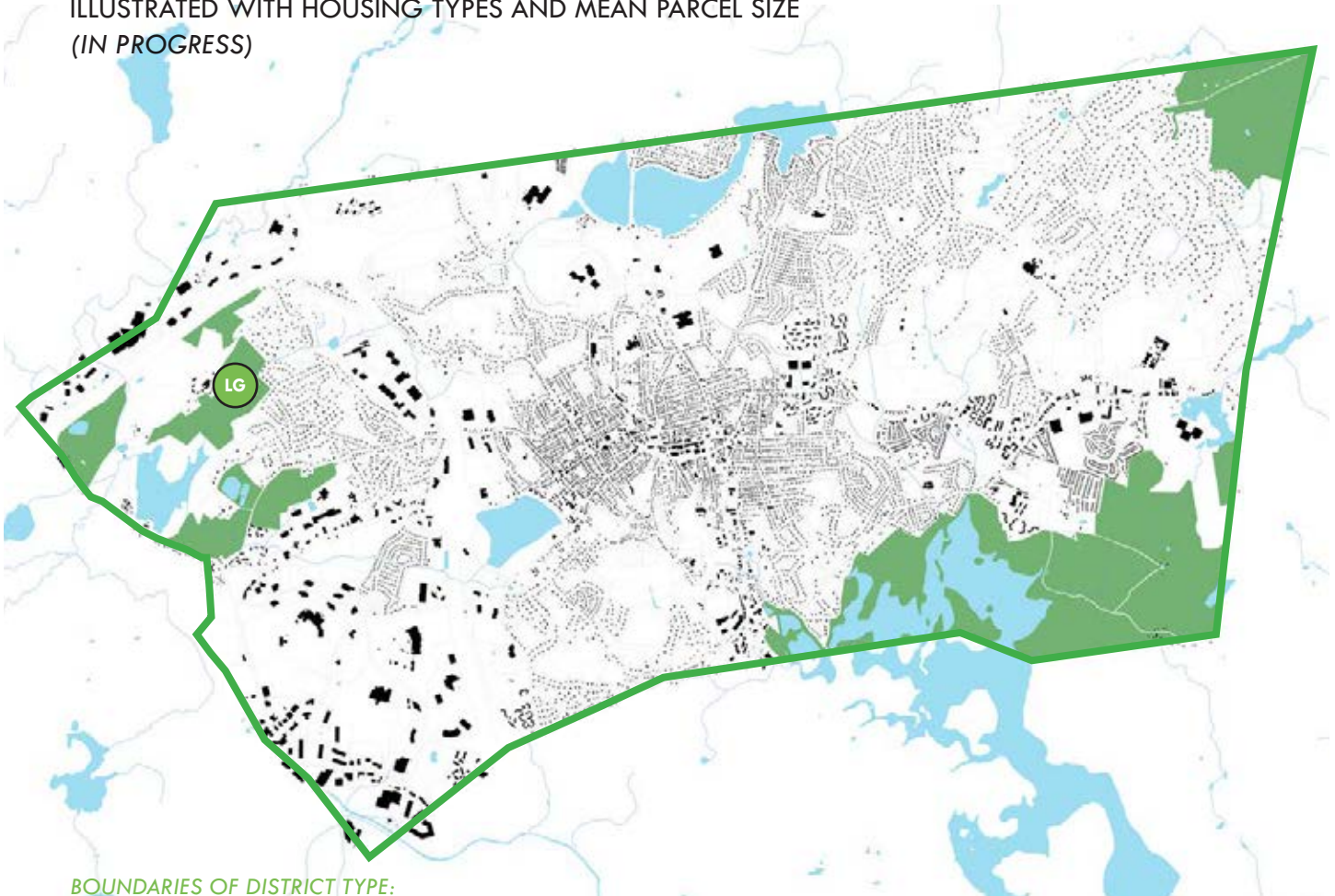
Multiple Unit Over Parking

DIAGRAM
TO BE
COMPLETED

Multiple Unit Next To Parking

GUIDELINES

ILLUSTRATED WITH HOUSING TYPES AND MEAN PARCEL SIZE
(IN PROGRESS)



BOUNDARIES OF DISTRICT TYPE:

Generalized boundaries of where this type of design guidance may be applicable in the City



MVD Marlborough Village District (MVD)

NUMBER OF PARCELS: 192 (approximately)
TOTAL LAND AREA: 48.47 acres (approximately)
MEAN PARCEL SIZE: 0.25 acres (approximately)

APPROACH:
Use current Design Review Guidelines for the Marlborough Village District

POTENTIAL HOUSING TYPES: Mixed-use

EXAMPLE: DOWNTOWN MARLBOROUGH

DIAGRAM OF OPPORTUNITY TYPES:



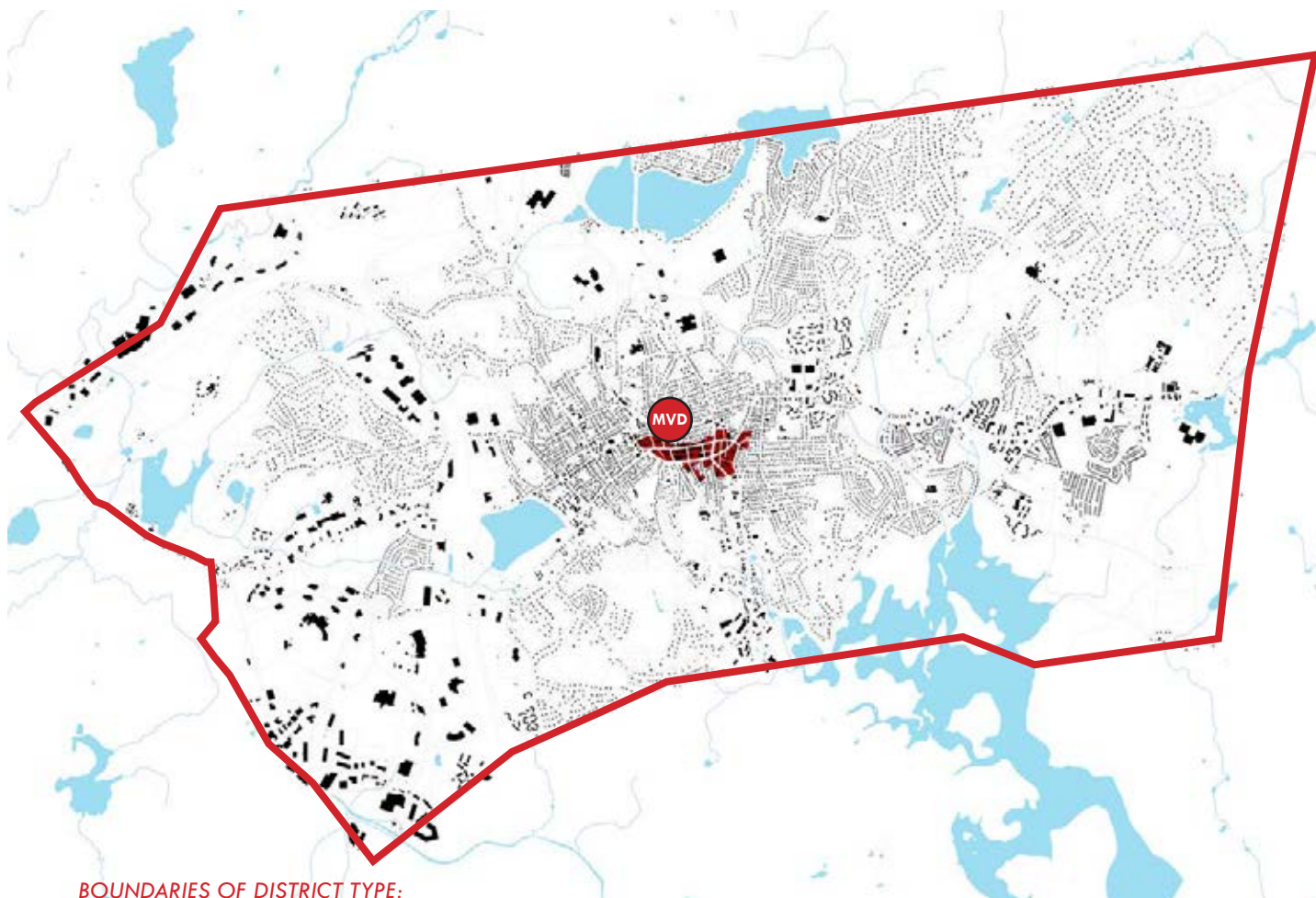
Multiple Unit Building

DIAGRAM
TO BE
COMPLETED

Multiple Unit
Over Parking

GUIDELINES

PREVIOUSLY PREPARED DESIGN REVIEW GUIDELINES FOR THE MARLBOROUGH VILLAGE DISTRICT



BOUNDARIES OF DISTRICT TYPE:

Generalized boundaries of where this type of design guidance may be applicable in the City



City of Marlborough Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 FEB - 1 A 10:00

D. V. RIDER, JR.
CITY SOLICITOR

CATHY M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

February 1, 2018

Edward Clancy
President
Marlborough City Council

RE: Order No. 17/18-1007068C
Application for LED Sign Special Permit
Mobil Gas Station
656 Boston Post Road East, Marlborough

Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the application submitted on behalf of Global Montello Group Corp. for an LED sign special permit at the Mobil gas station located at 656 Boston Post Road East in Marlborough. The application seeks permission to operate an LED sign displaying current fuel prices on a pylon at the gas station as well as LED pump toppers displaying current fuel prices on the fuel pump dispensers.

I have enclosed a copy of the proposed decision. I certify that the decision is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Carolyn Parker, Agent for Global Montello Group Corp.

**DECISION ON AN LED SIGN SPECIAL PERMIT
IN CITY COUNCIL**

LED Sign Special Permit

Global Montello Group Corp.

656 Boston Post Road East

Order No. 17/18-1007068C

**DECISION ON AN LED SIGN SPECIAL PERMIT
CITY COUNCIL ORDER NO. 17/18-1007068C**

The City Council of the City of Marlborough hereby GRANTS the application for Sign Special Permit to Global Montello Group Corp., 800 South Street, Suite 500, Waltham, Massachusetts, as provided in this Decision and subject to the following Procedural Findings, Findings of Facts and Conditions.

PROCEDURAL FINDINGS

1. The owner of the property located at 656 Boston Post Road East in Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 61, Parcel 2 (the "Site"), is Global Montello Group Corp., 800 South Street, Suite 500, Waltham, MA 02454 (the "Owner"). A Mobil gas station and a convenience store are located at the Site.
2. By application dated September 28, 2017, JSP Land Development (the "Applicant"), on behalf of the Owner, applied to the Building Commissioner for approval of changes to signage at the Mobil gas station.
3. On October 11, 2017, the City of Marlborough Code Enforcement Officer notified the Applicant in writing that, in order for the Owner to use an LED (light emitting diode) sign showing current gas prices at the Site, the Applicant would need to obtain from the Marlborough City Council an LED sign special permit under Section 526-13, entitled "Electronic Message Center Signs and Digital Display Signs," of the Sign Ordinance.
4. By application dated October 24, 2017, the Applicant submitted to the City Clerk for the City of Marlborough an LED Sign Permit Application (the "Application"). The Application seeks an LED sign special permit pursuant to Section 526-13, in order for the Owner to use an LED sign displaying current fuel prices at the Site as well as LED pump toppers displaying current fuel prices on the fuel pump dispensers.
5. In connection with the Application, the Applicant submitted a picture of the existing pylon sign at the Site and a drawing of the LED sign as proposed for the Site (the "Pylon Sign") in which the four manual price panels in the main pylon sign is proposed to be removed and replaced with two LED price panels for regular gas and diesel prices.

6. Also in connection with the Application, the Applicant also submitted a drawing of new LED pump toppers proposed to be installed on 4 fuel pump dispensers displaying prices for 3 gas products, and a drawing of new LED pump toppers proposed to be installed on 4 other fuel pump dispensers displaying prices for 4 fuel products (3 gas and 1 diesel) (the "Pump Topper Signs").
7. The Marlborough City Council held a public hearing on the Application on Monday, December 18, 2017.
8. The Applicant presented testimony at the public hearing that the changeable portion of the Pylon Sign would be used to advertise gas prices which the Applicant stated is crucial to the success of the Owner's business. There was no one else speaking in favor, no questions from the public, and no one speaking in opposition.
9. The Applicant further presented its Application at the Urban Affairs Committee meeting held on January 9, 2018.

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

- A. The Applicant has complied with all the rules and regulations promulgated by the Marlborough City Council as they pertain to an application for an LED sign special permit under Section 526-13 of the Sign Ordinance.
- B. The City Council finds that the proposed Pylon Sign and Pump Topper Signs (collectively, the "LED Signs") comply with the standards set forth in Section 526-13.B of the Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the LED Signs do not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the LED Signs do not substantially block visibility of signs on abutting lots; the LED Signs do not substantially block solar access of, or view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the LED Signs is appropriate; and the dimensions of the LED Signs comply with the area limitations of the Sign Ordinance.
- D. The City Council, pursuant to its authority under Section 526-13 of the Sign Ordinance, hereby GRANTS the Applicant an LED Sign Special Permit for the LED Signs, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Owner, its successors and/or assigns:

CONDITIONS

1. The LED Signs shall be operated in accordance with the Sign Ordinance of the City of Marlborough; and in addition a) the LED Signs shall be turned off when the gas station is not open for business, b) the LED Signs shall only display numerical digits for the fuel prices and shall not display or depict any picture, whether moving or static, and c) all other extraneous signage shall be removed from the Site.

2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the Urban Affairs Committee, are incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

ADOPTED

In City Council

Order No. 17/18-1007068C

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



City of Marlborough Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
DONALD V. RIDER, JR.
CITY SOLICITOR

2018 FEB - 1 4:10:00
CYATHA M. ANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

February 1, 2018

Edward Clancy
President
Marlborough City Council

RE: Order No. 17/18-1007069C
Application for LED Sign Special Permit
Halfway Cafe
820 Boston Post Road East, Marlborough

Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the application submitted on behalf of Boston Post Associates, LLC for an LED sign special permit at the Halfway Cafe located at 820 Boston Post Road East in Marlborough. The application seeks permission to operate, on an existing pole at the Cafe, an internally illuminated LED sign with a 31" by 66" (14.2 square feet) electronic message board.

I have enclosed a copy of the proposed decision. I certify that the decision is in proper legal form.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Amy Lynch, Agent for Boston Post Associates, LLC

DECISION ON A SPECIAL PERMIT

IN CITY COUNCIL

LED Sign Special Permit

Boston Post Associates, LLC

820 Boston Post Road East (Halfway Café)

Order No. 17/18-1007069C

DECISION ON AN LED SIGN SPECIAL PERMIT CITY COUNCIL ORDER NO. 17/18-1007069C

The City Council of the City of Marlborough hereby GRANTS the application for an LED Sign Special Permit to Boston Post Associates, LLC, 30 Eastbrook Road, Suite 303, Dedham, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The owner of the property located at 820 Boston Post Road Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 61, Parcel 21 (the "Site"), is Boston Post Associates, LLC, 30 Eastbrook Road, Suite 303, Dedham, MA 02026 (the "Owner").

2. By application dated June 26, 2017, Signarama (the "Applicant"), on behalf of the Owner, applied to the Building Commissioner for approval of an LED sign at the Site.

3. On July 11, 2017, the City of Marlborough Code Enforcement Officer notified the Applicant in writing that, in order for the Owner to use an LED (light emitting diode) sign at the Site, the Applicant would need to obtain from the Marlborough City Council an LED sign special permit under Section 526-13, entitled "Electronic Message Center Signs and Digital Display Signs," of the Sign Ordinance.

4. By application dated October 24, 2017, the Applicant submitted to the City Clerk for the City of Marlborough an LED Sign Permit Application (the "Application"). The Applicant seeks an LED sign special permit pursuant to Section 526-13, to operate on an existing pole an internally illuminated LED sign with a 31" by 66" (14.2 square feet) electronic message board.

5. In connection with the Application, the Applicant has submitted a photograph of the existing pole sign at the Site and a photosimulation of the LED sign as proposed for the Site (the "Sign").

6. The Marlborough City Council held a public hearing on the Application on Monday, December 18, 2017.

7. The Applicant presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

8. The Applicant further presented its Application at the Urban Affairs Committee meeting held on January 9, 2018.

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

- A. The Applicant has complied with all rules and regulations promulgated by the Marlborough City Council as they pertain to application for a special permit under the EMC and Digital Display Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13.B of the EMC and Digital Display Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the EMC and Digital Display Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or the view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the EMC and Digital Display Sign Ordinance.
- D. The City Council, pursuant to its authority under the EMC and Digital Display Sign Ordinance, hereby GRANTS the Applicant an LED special permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Owner, its successors and/or assigns:

CONDITIONS

- 1. The Sign shall be operated in accordance with the EMC and Digital Display Sign Ordinance of the City of Marlborough, and in addition the Sign shall at no time show or depict any picture, whether moving or static.
- 2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the Urban Affairs Committee, are incorporated into and become part of this LED Sign Special Permit, and

become conditions and requirements of the same, unless otherwise altered
by the City Council.

ADOPTED

In City Council

Order No. 17/18-1007069C

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



2018 FEB - 1 A 10:42

Pamela A. Wilderman
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3765
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov

February 1, 2018

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

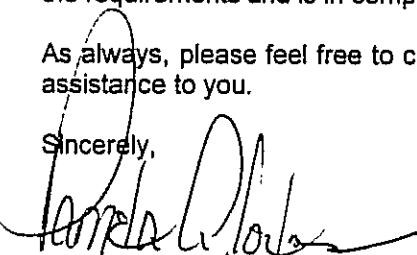
RE: Dalla Nails Sign
Apex Center

Dear President Clancy and Members:

Attached please find the application for a sign at the Apex Center for Dalla Nails. The sign meets the requirements and is in compliance with other approved signs at this location.

As always, please feel free to contact me if you have any questions or if I can be of any further assistance to you.

Sincerely,



Pamela A. Wilderman
Code Enforcement Officer

cc: File



City of Marlborough

BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752

Date: 01/26/18 Permit No. _____

Address/Location of Sign 115 APEX DRIVE UNIT 1

Name of Business DALLA NAILS

Name of Owner of Business SAME Telephone _____

Type of Sign: (check off which applies)

☒ Flat Wall ☐ Free Standing ☐ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☒ YES ☐ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☒ NO

Dimensions Sign: See enclosed plans

Length 18'10" Width 2' Height (Free Standing) _____ Area 39 SF

Location of Sign on Bld. North ☐ South ☐ East ☐ West ☐

Dimensions Façade:

Length 22'2" Width 32' Area 709 SF

Jenn Robichaud JENN ROBICHAUD 603 882 2638 X 333
Signature of Responsible Party Telephone

Installer Company BARLO SIGNS Telephone 603 882 2638 X 333

jenn@barlosigns.com
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

Jenn Robichaud 1/26/18
Signature Date

Cost of Sign(s) _____ Permit Fee \$ _____

JOB#: _____

ITEM A - CHANNEL LETTERS W/ RACEWAY

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



FRONT ELEVATION

GENERAL NOTES:

INSTALL ON ELEVATION FOR BUILDING 5 TO THE RIGHT OF QDOBA.

**SITE SURVEY
REQUIRED**

LAST REVISION: December 26th 2017

NIGHT VIEW

Existing Sign Ht.: N/A		Length: N/A		Sq. Ft.: N/A	
Exist. Storefront Ht.: N/A		Length: N/A		Mat.: N/A Color: N/A Trim: N/A	
Sign Disposition - <input type="checkbox"/> Remove <input type="checkbox"/> Dispose <input type="checkbox"/> Store					
FABRICATION COLORS & #S			COPY COLORS & #S		
FACE COLOR: MILK WHITE # 2447			FACE COLOR: BLUE 3630-87  # _____		
TRIM COLOR: 1" WHITE # _____			OUTLINE COLOR: REVERSE CUT TO WHITE SIZE: 3/8" # 2447		
RETURN COLOR: .040 WHITE BEA # _____			LOGO COLORS: _____ # _____		
BACK COLOR: WHITE # _____					
RACEWAY COLOR: PTM MOUNTAIN RIDGE # BM1456					
LIGHTING COLOR: WHITE # _____					
<input checked="" type="checkbox"/> Face-Lit <input type="checkbox"/> Back-Lit <input type="checkbox"/> Face-W/Back-Lit <input type="checkbox"/> Embedded Acrylic			Location: <input type="checkbox"/> Interior <input checked="" type="checkbox"/> Exterior		
CAP: 2'-3/4" LC: 1'-1" ST. MIN./MAX: 4 3/4" 3" O.A.L.: 18'-10 1/2" O.A.H.: 2'-3/4" Sq. Ft.: 39					

New Storefront HL: _____ Length: _____ Mat.: _____ Finish (gloss, tex. Etc): _____
 Color: GRAY # _____ Trim Color: _____ # _____

Scope of Work - Existing Storefront total remodel by others

TRIP 2 M&I (1) SET OF FACE-LIT CHANNEL LETTERS RACEWAY.

Job Name: Della Nails & Spa

Location: 115 Apex Drive, Unit 1 @ Apex Center of New England

Dorchester, MA 01928

Design/Prepare/Install/Remove/Repair

Client:

Landlord:

Drawn By: AS

Sales Rep: BARN

PM: HL

Date: 01/19/18

PROJECT APPROVAL

Design: AS Date: 1-24

Engineering: Date:

Estimating: Date:

Sales: Date:

Production: Date:

Installation: Date:

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**BARLO
SIGNS**
 120 Gentry St., Hudson, NH 03051
 (603) 882-3630 Fax (603) 882-7962
 For Service: 800-277-4674

File Name: Della Nails & Spa @ Apex 180103484 J

B-18-01-03484

SHEET: 1.0

JOB #: _____

ITEM A - CHANNEL LETTERS W/ RACEWAY

SCALE: 3/4"=1'-0"



Job Name: Dalla Nails & Spa		 <small>139 Greeley St., Hudson, NH 02031 (603) 882-2638 Fax (603) 882-7650 For Service: (603) 271-6674</small>	
Location: 115 Apex Drive, Unit 1 @ Apex Center of New England Andover, MA 01757			
Design Specifications Accepted By:	Drawn By: AS		
Client:	Sales Rep: BARN		
Landlord:	PM: HL	Date: 01/19/18	
PROJECT APPROVAL Design: AS Date: 1-24 Engineering: Date: Estimating: Date: Sales: Date: Production: Date: Installation: Date:		© COPYRIGHT 2017 THE BARLO GROUP THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTION AND REPLICATION RIGHTS ARE RESERVED BY THE BARLO GROUP. THIS PRINT IS ISSUED FOR YOUR PERSONAL USE AND IS NOT TO BE USED WITHOUT YOUR DISCLOSURE OR TRANSFER TO ANY OTHERS.	
 Underwriters Laboratories Inc.		  	
File Name: Dalla Nails & Spa @ Apex 180103484 J		B-18-01-03484	
		SHEET:	

City of Marlborough
RECEIVED
Commonwealth of Massachusetts
CITY OF MARLBOROUGH



2018 FEB -1 A 10:42

Pamela A. Wilderman
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3765
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov

February 1, 2018

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

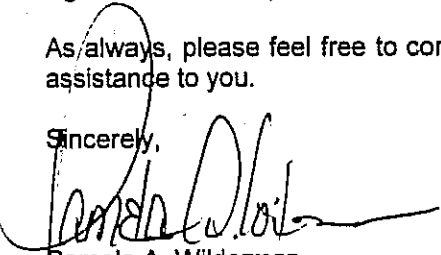
RE: Batteries and Bulbs Sign
Apex Center

Dear President Clancy and Members:

Attached please find the application for a sign at the Apex Center for Batteries and Bulbs. The signs meets the requirements and are in compliance with other approved signs at this location.

As always, please feel free to contact me if you have any questions or if I can be of any further assistance to you.

Sincerely,


Pamela A. Wilderman
Code Enforcement Officer

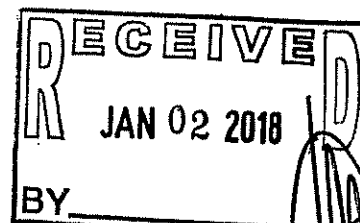
cc: File



City of Marlborough

BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 1/2/2018

Permit No. BP-2018-000003

Address/Location of Sign 58 Apex Drive Boston Post Rd Marlboro ma.

Name of Business Batteries and Bulbs

Name of Owner of Business _____ Telephone _____

Type of Sign (check off which applies)

☒ Signs ☐ Flat Wall ☐ Free Standing ☐ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☐ YES ☐ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☒ NO

Dimensions Sign:

Length 12' 8" Width _____ Height (Free Standing) 5' 8" Area _____

Location of Sign on Bld. North ☒ South _____ East ☒ West _____

Dimensions Façade:

Length _____ Width _____ Area _____

[Signature]
Signature of Responsible Party

978 794 2071
Telephone

Installer Company Harvey sign

Telephone 603 341 0578 (cell.)

info@HarveySigns.com
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

[Signature]
Signature

1/2/18
Date

Cost of Sign(s) 5,500.00

Permit Fee \$ 100.00

**TUBE ART GROUP**

Yakima Office
2323 West Washington Ave
Yakima, WA 98903
509.469.8186
800.562.2854
Fax 509.469.7546

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B+B406
Customer Number

132370
Quote Number
B+B406-MarlboroughMA-370
File Name
Mark McKinlay
Salesperson
Brian Bimbi
Drawn By
ee
Checked By
September 14, 2017 .75
Date

Revisions
[] Approved
[] Approved With Changes Noted

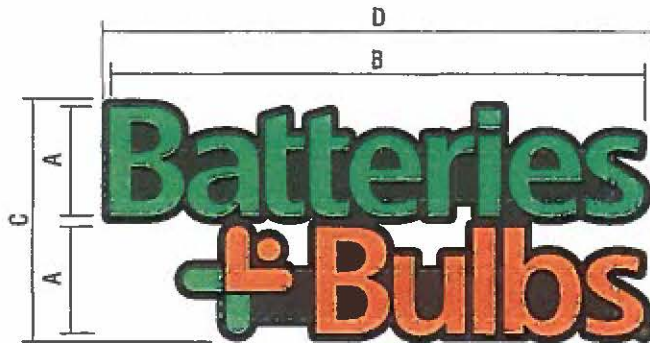
Customer Signature
Date
Landlord Signature
Date



58 Apex Drive Boston Post Rd. West
Marlborough, MA 01752

Colors on print do not accurately
depict specific colors.

SIGN TYPE	A	B	C	D	Sq Ft Bk Dtl	120 volts
B+BRW-30S	30"	12'-3"	5'-8"	12'-8"	71.6	1.3 amps



Stacked Channel Letter Front Detail - Raceway Mounted (RW)
Not To Scale



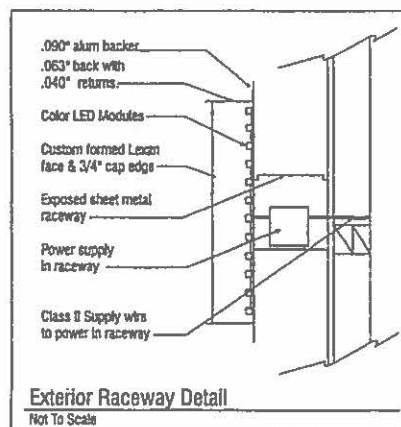
Formed Letter Face

Manufacture and install (1) new illum. channel letters and logo with cutout alum. backer

"Batteries" & "Logo" & "Bulbs" segments fabricated .040 bronze 5"alum. channel coil returns.
Faces to be formed custom cast pigmented .150 polycarbonate to match corporate PMS colors.
"Batteries" - is custom cast green polycarbonate "Bulbs" & "Logo" - will be custom cast .150 tangerine and .150 green polycarbonate.
Illumination: "Batteries" - Green LED modules. "Bulbs" & Logo - Amber & Green LED modules.
Register marks will be vinyl, 3M (3630-84) tangerine overlay onto a .090 black aluminum backer.

Raceway OPTION:

Exposed waterproof raceways fabricated from .090 alum. Paint raceway black with polyurethane finish.



Exterior Raceway Detail
Not To Scale



New- East Elevation
NTS

**TUBE ART GROUP**

Yakima Office
2323 West Washington Ave
Yakima, WA 98903
509.469.8186
800.562.2854
Fax 509.469.7546

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B+B406
Customer Number

132378
Quote Number
B+B406-MarlboroughMA-370
File Name

Mark McKinlay
Salesperson

Brian Bimbi
Drawn By

ee
Checked By
September 14, 2017 .75
Date

Revisions
[] Approved
[] Approved With Changes Noted

Customer Signature

Date

Landlord Signature

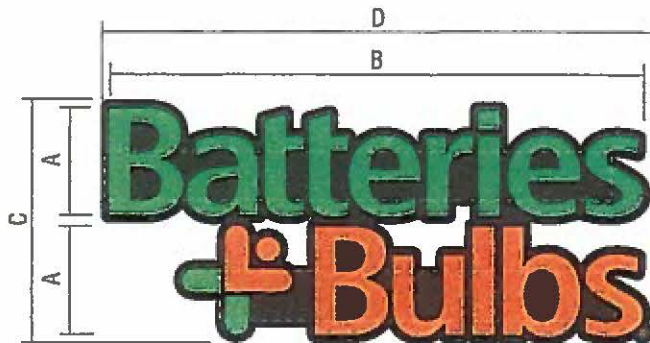
Date



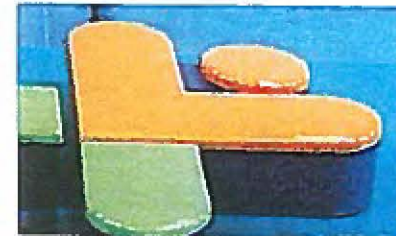
58 Apex Drive Boston Post Rd. West
Marlborough, MA 01752

Colors on print do not accurately
depict specific colors.

SIGN TYPE	A	B	C	D	Sq. Ft. Bx. Ht.	120 volts
B+BRW-30S	30"	12'-3"	5'-8"	12'-8"	71.6	1.3 amps



Stacked Channel Letter Front Detail - Raceway Mounted (RW)
Not To Scale



Formed Letter Face

Manufacture and install (1) new illum. channel letters and logo with cutout alum. backer

"Batteries" & "Logo" & "Bulbs" segments fabricated .040 bronze 5" alum. channel coil returns.

Faces to be formed custom cast pigmented .150 polycarbonate to match corporate PMS colors.

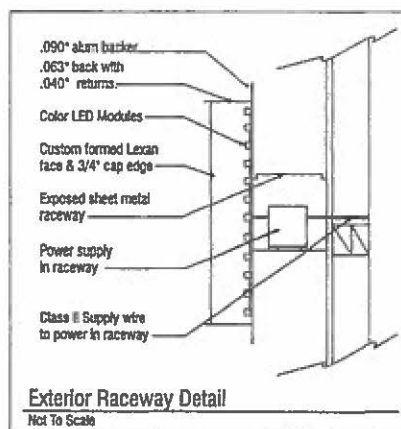
"Batteries" - is custom cast green polycarbonate "Bulbs" & "Logo" - will be custom cast .150 tangerine and .150 green polycarbonate.

Illumination: "Batteries" - Green LED modules. "Bulbs" & Logo - Amber & Green LED modules.

Register marks will be vinyl, 3M (3630-84) tangerine overlay onto a .090 black aluminum backer.

Raceway OPTION:

Exposed waterproof raceways fabricated from .090 alum. Paint raceway black with polyurethane finish.



Exterior Raceway Detail
Not To Scale

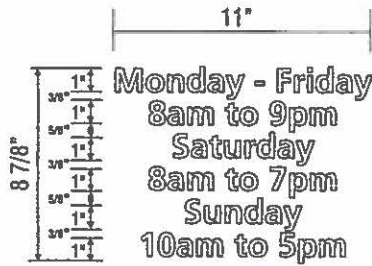


New-North Elevation-Arch. Renderings
NTS

Door/Window Graphics



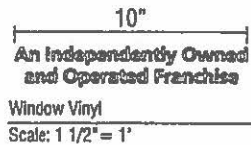
"Batteries" - 3M 3630-136 green vinyl.
Logo - 3M 3630-84 tangerine vinyl & 3M 3630-136 green vinyl.
"Bulbs" - 3M 3630-84 tangerine vinyl.
Register marks - 3M 3630-84 tangerine vinyl.
Applied 1st Surface.



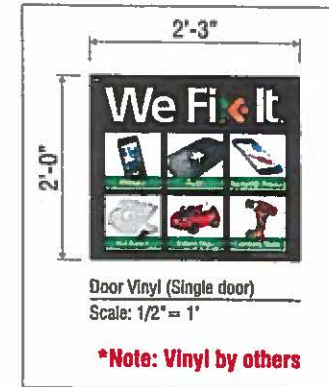
NOTE: M-F (minimum 12 hrs.)
S (minimum 11 hrs.)
Su (minimum 7 hrs.)

Door Hours Vinyl - (Sample Only)
Scale: 1 1/2" = 1'

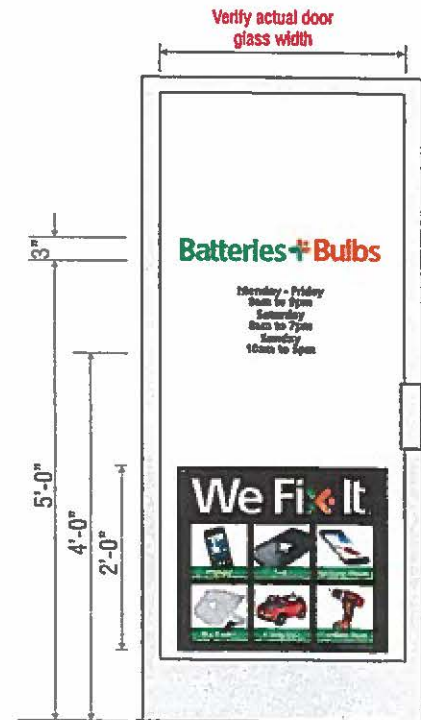
White vinyl - Applied 1st Surface



White vinyl - Applied 1st Surface
*Note: Apply to window next to door - Right side of door preferred.



*Note: Vinyl by others



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Yakima, WA 98903
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800.562.2854
Fax 509.469.7546

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Customer Number

132370
Quote Number
B-8406-MarlboroughMA-370
File Name

Mark McKinlay
Salesperson

Brian Bliml
Drawn By

Checked By

September 14, 2017 .75
Date

Revisions
[] Approved
[] Approved With Changes Noted

Customer Signature

Date

Landlord Signature

Date



58 Apex Drive Boston Post Rd. West
Marlborough, MA 01752

Colors on print do not accurately
depict specific colors.

Phil Naffah

30 Osgood St. Methuen, MA

www.harveysigns.com
info@harveysigns.com



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City of Marlborough

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CITY OF MARLBOROUGH



2018 FEB -1 A 10:42

Pamela A. Wilderman
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3765
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov

February 1, 2018

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

RE: MindTrek Sign
Apex Center

Dear President Clancy and Members:

Attached please find the application for a sign at the Apex Center for MindTrek. The sign meets the requirements and is in compliance with other approved signs at this location.

As always, please feel free to contact me if you have any questions or if I can be of any further assistance to you.

Sincerely,

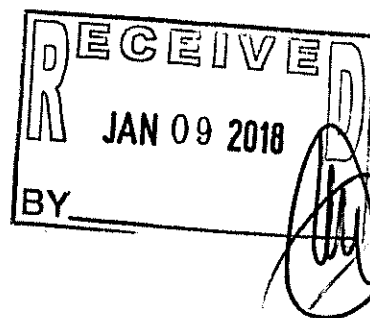
Pamela A. Wilderman
Code Enforcement Officer

cc: File



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 01/03/17

Permit No

BP-2018-000036

Address/Location of Sign 11-169 APEX DRIVE

21 APEX DR.

Name of Business MINDTRECK

Name of Owner of Business SAME

Telephone _____

Type of Sign: (check off which applies)

☒ Flat Wall ☐ Free Standing ☐ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☒ YES ☐ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☒ NO

Dimensions Sign: See enclosed plans

Length 22'8" Width 3'10" Height (Free Standing) _____ Area 88 SF

Location of Sign on Bld. North ☐ South ☐ East ☐ West ☐

Dimensions Façade:

Length 45' +/- Width 20' +/- Area 900

JR
Signature of Responsible Party

JENN ROBICHAUD 603 882 2638 X 333
Telephone

Installer Company BARLO SIGNS

Telephone 603 882 2638 X 333

jenn@barlosigns.com
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

JR
Signature

01/03/17
Date

Cost of Sign(s) _____

Permit Fee \$

50.00

JOB #:

ELEVATIONS

SCALE: 1/32"=1'-0"

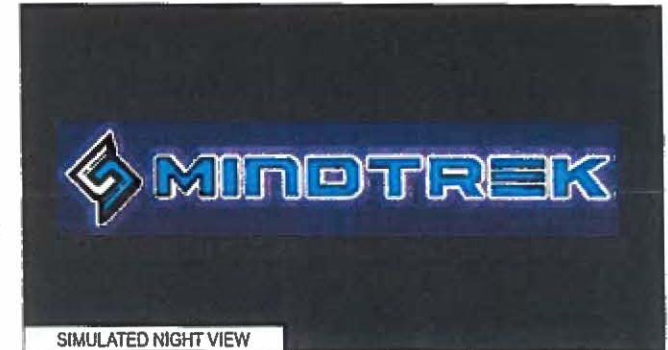
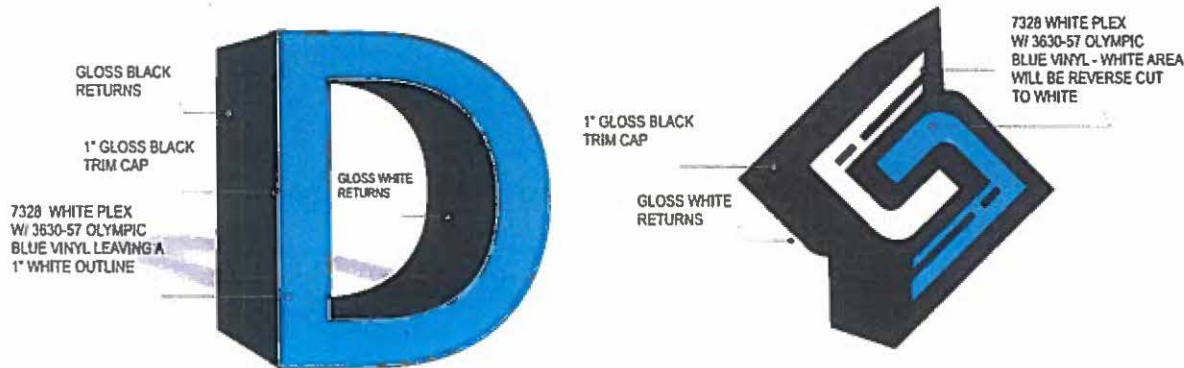
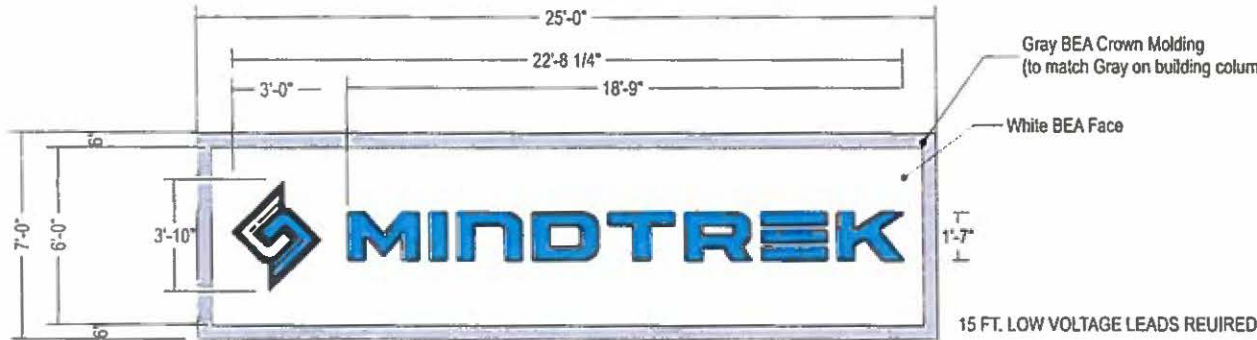


Job Name: MINDTRAK VR @ APEX		BARLO SIGNS 156 Crowley St., Hudson, MA 02534 (508) 922-2638 Fax: (508) 952-7549 Toll Service: 800-277-5871
Location: APEX DRIVE MARLBOROUGH, MA 01752		
Design Specifications Accepted By:	Drawn By: AS	
Client:	Sales Rep: KELL	
Landlord:	Pic: HL	Date: 12-21-07
PROJECT APPROVAL Design: AS Date: 12-21 Engineering: Date: Estimating: Date: Sales: Date: Production: Date: Installation: Date:		© COPYRIGHT 2017 THE BARLO GROUP THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTION AND PUBLICATION RIGHTS ARE RESERVED BY THE BARLO GROUP. THIS PRINT IS INTENDED FOR YOUR PERSONAL USE AND IS NOT TO BE USED WITHOUT YOUR ORGANIZATION OR EMPLOYER'S APPROVAL.  Underwriters Laboratories Inc.
File Name: Mindtrak VR @ Apex 17-12-01627C-2B J		
B-17-12-01627C-2B		SHEET 1.0

ITEM A - FACE-LIT/BACK-LIT LED CHANNEL LETTERS ON BACKER PAN

SCALE: 1/4"=1'-0"

JOB #:

**COLORS: FABRICATION - LETTERS**

FACES: 3/16" 7328 WHITE PLEX W/ 3630-57 OLYMPIC BLUE VINYL LEAVING A 3/8" WHITE OUTLINE
 RETURNS: .040" GLOSS BLACK BEA 5" DEEP
 TRIMCAP: 1" BLACK
 BACKS: 3/16" Clear Polycarbonate sanded
 RACEWAY: N/A

COLORS: FABRICATION - LOGO

FACES: 3/16" 7328 WHITE PLEX W/ 3630-57 OLYMPIC BLUE VINYL - WHITE AREA WILL BE REVERSE CUT TO WHITE
 RETURNS: .040" BLACK BEA 5" DEEP
 TRIMCAP: 1" OR 2" BLACK with metal J-clips as required
 BACKS: 3/16" Clear Polycarbonate sanded
 RACEWAY: N/A

COLORS: COPY

3630-22 BLACK

3630-57 OLYMPIC BLUE

SCOPE OF WORK

Sign Area: 86.9 SQ. FT.

MANUFACTURE AND INSTALL (1) 7'-0" X 25'-0" WALL SIGN WITH ALUMINUM FACE AND FACE-LIT/BACK-LIT LED CHANNEL LETTERS INSTALLED ON THE SURFACE. POWER SUPPLIES TO BE SELF CONTAINED IN CABINET WITH ACCESS DOORS FOR SERVICING.

SEE SHEET 1.1 FOR MANUFACTURING SPE

Job Name: MINDTRAK VR @ APEX

Location: APEX DRIVE MARLBOROUGH, MA 01752

Design Specifications Accepted By:

Drawn By: AS

Client:

Sales Rep: KELL

Landlord:

Plt: HJ

Date: 12-21-07

PROJECT APPROVAL

Design: AS Date: 12-21

Engineering: Date:

Estimating: Date:

Sales: Date:

Production: Date:

Installation: Date:

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Underwriters Laboratories Inc.





File Name: Mindtrak VR @ Apex 17-12-01627C-2B J

Production: Date: B-17-12-01627C-2B

Installation: Date: SHEET: 1.1

BARLO SIGNS
 110 Convent St., Peabody, MA 01961
 978.532.5438 Fax 978.532.5429
 For Service: 800-223-0474



Job Name: MINDTRAK VR @APEX		 150 Gwendolyn St. Malden, MA 02148 (617) 252-5838 Fax: (617) 252-5169 For Service: (800) 273-5275		
Location: APEX DRIVE MARLBOROUGH, MA 01752				
Design Specifications Accepted By:				Drawn By: AS
Client:				Sales Rep: KELL
Landlord:		Plot #: HJ	Date: 12-21-07	
PROJECT APPROVAL		© COPYRIGHT 2017 THE BARLO GROUP THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTIONS AND/OR INSTALLATIONS ARE REQUIRED BY THE BARLO GROUP AND MUST BE REVIEWED FOR YOUR PERSONAL USE. YOU ARE NOT TO BE USED WITHOUT YOUR CREATION/WORK OR OTHERWISE IN ANY MANNER.		
Design: AS	Date: 12-21	 Underwriters Laboratories Inc.  		
Engineering:	Date:			
Estimating:	Date:			
Sales:	Date:			
Production:	Date:			
Installation:	Date:	File Name: Mindtrak VR @ Apex 17-12-01627C-2B J B-17-12-01627C-2B		
		SHEET: 1.2		

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CITY OF MARLBOROUGH

2018 JAN 22 P 3:45

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

December 7, 2017 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

Present: Edward Clancy – Chairman, John Skarin, Lawrence Roy, Allan White, David Williams, Karin Paquin and Priscilla Ryder - Conservation Officer.

Absent: Dennis Demers

Acceptance of Minutes: The minutes of November 16, 2017 were reviewed and unanimously accepted as written.

Public Hearing:

Request for Determination of Applicability

82 Paquin Dr. – Scott Ferrecchia

Scott Ferrecchia, the owner, was present. He explained that he had started work without knowing he needed a wetland permit until Ms. Ryder met with him on site. He is filing the RDA for permission to install a retaining wall and new driveway. Work is just outside of 30' from Ft. Meadow Reservoir. The wall is a concrete block wall 3' high which retains the landscaping. He didn't need a building permit for the wall, so did not triggered to file with the Commission. Ms. Ryder noted that the work is almost complete and that it is stable, exposed areas near the water are stabilized with stone. Some seeding will need to be done in the Spring, but overall the work had no impact on the lake. The wall footings and construction were discussed after which the Commission voted unanimously 6-0 to issue a Negative determination with conditions for the area to be stabilized in the Spring and to notify the Conservation Officer.

Request for Determination of Applicability (RDA)

New England Power Company d/b/a National Grid

Matt Kelly from VHB representing New England Power Company d/b/a National Grid was present. He explained that they will be replacing an existing switch structure on the W23W 69kV transmission line in Marlborough in accordance with the utility maintenance provisions of the Mass. Wetlands Protection Act. National Grid is upgrading the overhead utility lines and had previously notified the Commission of the maintenance work. However, they have discovered that one of the wooden poles needs to be removed and replaced with a steel pole which is not considered a "maintenance" item, so they are filing this RDA for this work. The foundation for the pole is up to 20' deep and they need to

install two footings. They will use erosion controls and a dewatering system. The pole is near the open channel, so care must be taken to be sure only clean water enters this water supply area. After some discussion, the Commission voted unanimously 6-0 to issue a negative determination with standard conditions about dewatering and inspections.

Notice of Intent (continuation)

149 Hayes Memorial Dr. - Marlborough/Northborough Land Realty Trust

At the applicants' request, prior to the meeting, this item was continued to the February 15, 2018 agenda.

Emergency Certificate

- Red Spring Road – Water line extension to #s 3,5,7 and 9 Red Spring Rd. - Ms. Ryder noted that work is almost complete on the waterline (discussed at the previous meeting) but, DPW forgot to file for an RDA to be reviewed. However, given the need for this project to get water to the 4 homes before things freeze, the Commission agreed that an emergency certificate could be issued for this work and voted 6-0 to issue an Emergency Certificate for this waterline work as described at the previous meeting.

Certificates of Compliance

- DEP 212-1172 78 Slocumb Ln. - Ms. Ryder noted that all the work on this lot has been completed per the Order of Conditions, except the installation of a fence at the top of the slope. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance for this lot, but asked Ms. Ryder to hold it until the fence has been installed.

Correspondence and other business:

- Violation notice – 103 Cullinane Dr. - Ms. Ryder noted that the owner had come in and suggested they were only doing work inside the house. However, the building inspector found that outside landscaping, preparation for retaining walls and a deck were also being installed without proper permits from Conservation and Building. Ms. Ryder issued a violation notice and asked the applicant to submit a Request for Determination of Applicability (RDA) for the January 4th meeting. The applicant has indicated that he will.
- Hunting at State Forest near Ghiloni Park - Ms. Ryder got a report of hunters in the State forest near Ghiloni park. After inquiries to the state DCR it was discovered that hunting is permitted in this area. Ms. Ryder will look at the DCR/Recreation Commission agreement for use of this land to see if hunting is restricted in this document or not. She was asked to report back. If hunting is permitted then the Commission may want to post the land to let people know.
- Sudbury-Hudson Transmission Reliability Project; Comments on Draft Environmental Impact Report; EEA# 15703 - Ms. Ryder noted that she, with the help of Commissioner Paquin, drafted comments on the transmission line proposed along a very small corner of the Desert


Natural Area. The Commission reviewed the draft and voted unanimously 6-0 to submit the letter as drafted. Mr. Clancy signed the letter.

- The next meeting on Dec. 21st has been cancelled, next meeting will be January 4, 2018

Adjournment

There being no further business, the meeting was adjourned at 7:41.

Respectfully submitted,


Priscilla Ryder
Conservation Officer.

1A

MINUTES

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CITY OF MARLBOROUGH
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

Call to Order

December 18, 2017

2018 JAN 23 A 9:11

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, 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. December 4, 2017**

On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to approve the Planning Board meeting minutes of December 4, 2017. Motion carried.

2. Chair's Business**A. Shaughnesy Estates Lot/Covenant Releases**

Mr. Fay read the December 7 letter from Attorney William Carroll on behalf of the seller of 17 Labrache Lane in the Shaughnesy Estates Subdivision. Mr. Carroll advised the Board that during the sale, a "Release of Covenants" appeared to be missing from the recorded documents for the subdivision. The Release was prepared by the seller's attorney and reviewed by the City of Marlborough Legal Dept.

On a motion by Mr. Fay, seconded by Mr. DuPont, the Board voted to sign the prepared Release. Motion carried. Board members signed the Release document to enable recording by the seller's attorney.

B. Board Membership Update

Chairperson Fenby offered the floor to Mr. DuPont. Mr. DuPont informed the Board that he would not be seeking an additional term to the Marlborough Planning Board upon his term's expiration in February. Mr. DuPont explained that the meeting times for the Board conflict with his family obligations. He enjoyed his time on the Board and wished the Board well in the future. Chairperson Fenby expressed her regret and thanked Mr. DuPont for his service to the Board.

3: Approval Not Required**A. 245 Stow Rd. Decision**

Owner's representative, Robert Parente, was in attendance. Ms. Hughes read the letter from Assistant City Engineer Collins into the record. The letter detailed the Engineering Division's favorable recommendation for the Planning Board's endorsement of the ANR plan submission dated November 10, 2017. On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to accept the correspondence, place on file and endorse the 11-10-17 ANR plan. Motion carried.

4: Public Hearings (None)**5. Pending Subdivision Plans: Updates and Discussion****A. Engineer's Report**

No general updates. Individual subdivision updates are detailed in the next sections.

B. Howe's Landing Extension

Attorney Galvani had requested an extension until June 30, 2018 to complete the subdivision. Included in the agenda packet were an updated construction schedule, proof of tax status, a blight determination from the Code Enforcement Officer, as well as two recordable documents: 1) Extension of Performance Secured by Tripartite Agreement and 2) Performance secured by Tripartite Agreement Second Revision. On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the correspondence and place on file. On a motion by Mr. Fay and seconded by Ms. Hughes, it was duly voted to execute the above documents (1 and 2).

C. Slocumb Lane Bond Reduction Request and Street Acceptance

On a motion by Ms. Hughes, seconded by Mr. Fay, the Board voted to accept the correspondence regarding a request for reduction in bond and street acceptance, place on file and refer the matter to Engineering for review. Motion carried.

D. Cider Mill Request for (1) Year Maintenance and Bond Review

On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to accept the correspondence regarding a request for reduction in bond, place on file and refer the matter to Engineering for review. Motion carried.

6. Preliminary Subdivisions

A. 215 Simarano Drive- Stamski and McNary, Engineer, on behalf of Jeremiah 29, LLC

Matthew Watsky, Council for Jeremiah 29, LLC, was in attendance.

Ms. Hughes read the December 18, 2017 letter from Assistant City Engineer Collins into the record.

On a motion by Mr. Fay and seconded by Mr. DuPont, it was duly voted:

To accept and place on file correspondence from Assistant City Engineer Collins regarding the Engineering Department review of the preliminary plan for the property conveyed to Jeremiah 29 LLC by deed recorded in the Middlesex South District Registry of Deeds in Book 64769, Page 352.

On a motion by Mr. Fay and seconded by Ms. Hughes, it was duly voted:

To disapprove the preliminary plan submission by Stamski and McNary, Inc. on behalf of Jeremiah 29 LLC. The Board based its disapproval on the reasons set forth in the December 18, 2017 letter by Timothy Collins, Assistant City Engineer.

Attorney Watsky reiterated that there is no intention of building the proposed preliminary plan (given the filing was procedural in nature to lock in previous zoning for the site.)

The Planning Board expressed its willingness to work with the applicant's representative in refining the design in conjunction with an anticipated submission of a definitive subdivision plan.

7. Definitive Subdivision Submission: (None)

8. Signs: (None)

11. Correspondence: (None)


12. Public Notices of other Cities and Towns:

On a motion made by Ms. Hughes, seconded by Mr. Fay, item 12 was voted accepted and placed on file. Motion carried.

Adjournment: On a motion made by Mr. LaVenture, seconded by Ms. Hughes, it was voted to adjourn at 7:45 pm. Motion carried.

/kih

Respectfully submitted,


Colleen Hughes
Clerk



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Marlborough Public Schools

2018 JAN 25 A 11:14

School Committee

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

Minutes from MASC/MASS Joint Conference November 1 – November 4, 2017

Members Attending: Chairman Vigeant, Vice-Chair Bodin-Hettinger, Mrs. Matthews, Mrs. Hennessy and Mrs. Ryan. Also present was Superintendent Maureen Greulich.

November 1, 2017

Members attended multiple workshops and general sessions.

November 2, 2017

Members attended multiple workshops and general sessions.

Lunch Workshop

Members discussed upcoming district initiatives including, but not limited to, FY'19 Budget, School Building Project, District Leadership and Succession Planning, STEAM/STEM development, and Goal Setting.

FY'19 – As the tax rate has not been set as of yet, there isn't an exact number that can be placed on an anticipated budget for FY'19, but with the impending School Building Project, siding on the conservative side fiscally should be followed.

School Building Project – It looks like we are moving forward with the MSBA and model schools have been/will be visited and then an architect will be selected.

District Leadership & Succession Planning – Much was discussed regarding options for leadership once Superintendent Greulich's contract expires in 2019. The current Team of Superintendent, Assistant Superintendents Bergeron & Murphy, Student Services Director O'Brien and HR Director Brown have the full support of the School Committee. Much has been done to train and mentor the Assistant Superintendents for advancement should they wish or be offered the opportunity.

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STEAM/STEM Development – Members were hoping to discuss how the implementation of STEAM Year 2 at Whitcomb has been and the Teaming Model at the High School as well as the Early College Pathways. Superintendent Greulich felt that the applicable Principals should come to a future School Committee meeting to review.

Goal Setting – Much discussion revolved around the School Committee setting goals that align to the District goals, but lead the District in the direction and accountability that the members and community want/need. Further discussion will take place in the Spring with the possibility of bringing someone in to help advise the members.

November 3, 2017

Members attended multiple workshops and general sessions.

November 4, 2017

Members attended multiple workshops and general sessions.

Respectfully submitted,

Heidi Matthews
 Secretary, Marlborough School Committee

HM/cm

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Call to Order

December 12, 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, Mrs. Hennessy, Mr. Walter and Mr. Geary. Also present were Superintendent Maureen Greulich, Assistant Superintendent of Teaching and Learning, Mary Murphy, Student Representative Heidi DiPersio and Administrative Support Christine Martinelli.

Assistant Superintendent of Finance and Operations, Michael Bergeron and MEA Representative Brendan St. George were absent.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

3. **Presentation:**

- A. **2017 – 2018 Marlborough Educator Foundation Grant Awards**

Four Marlborough Public School teachers were recipients of the MEF Grant Award. MEF President Val Cowen presented Susan Rosenthal, from Richer School, \$2,165.02 for ten Sit/Stand tri-cornered desks with baskets and six Junior Ball Chairs. Kelly Hall, from Whitcomb School, was awarded \$1,820 for six iPad minis, and accessories, for the 5th grade students. And Danielle Martins and Erin Casey, from Whitcomb School, who could not attend tonight's meeting, were awarded \$519.80 for four HOKKI Stools to provide more "fidget-friendly" seating options for their 6th grade team classrooms. President Cowen ended her presentation speaking of the many attributes of the MEF, from the volunteers, the number of students that are helped each year and future fundraisers for this year.

4. **Committee Discussion/Directives: None**

5. **Communications: None**

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6. Superintendents Report:

Superintendent Greulich presented her report covering a range of topics including six Marlborough High School students going to Lasell College Diversity Pipeline Project, on December 6th, as part of a grant-funded partnership to increase diversity in educational fields. The MA Board of Elementary and Secondary Education recently approved the highlights of the proposed History and Socials Science Frameworks Revisions, the complete draft will be available in January. The Special Population Update, since September, MPS has received a total of 32 McKinney Vento students. Two grants submitted by MPS were awarded funds, through the Brigham Family Trust. The Richer Elementary School received a \$4,500 grant to continue the Read to a Child Lunchtime Reading Program and Whitcomb School received a \$2,625 grant to help fund costs associated with the Whitcomb School Vex Robotics Teams.

A. Assistant Superintendent of Teaching and Learning Report to School Committee Regular Session December 22, 1017

Assistant Superintendent Mary Murphy presented her report on a range of topics including; December 5th, all district administrators and some members of the Joint Evaluation Committee attended an Administrator Dinner Meeting titled: *Effective Feedback is at the Heart of Great Instructional Leaders*. Also, Mrs. Murphy, along with Superintendent Greulich and other MPS staff attended the Title I CACE Conference November 29th – December 1st. On December 5th, instructional staff participated in *We Teach Surveys* and the week of January 8th, an ICLE representative will be visiting schools and completing an Instructional Practices Review.

B. Assistant Superintendent of Finance and Operations:

In his report, Assistant Superintendent Bergeron, apologized for his absence from this evening's meeting, but did submit a transfer request for the Special Education department.

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Due to recent publicity surrounding Boston Public Schools and the IRS audit that occurred in that district, Mr. Bergeron's report revolved around the student activity account and he shared information as to how MPS is handling these accounts, and the actions that have been taken by the district, for more than three years, to update policy and procedure to these accounts. His report concluded that the district has taken significant steps to secure the accounts, prevent salary payments from these accounts, and provide the highest level of protection from fraud or abuse.

C. Director of Student Services Report:

Director O'Brien presented her report covering a range of topics including, the Educational Team Leaders and challenges that have arisen, since the school year has gotten under way, regarding the ETL structure reported in September. Director O'Brien recommends four specific changes to the ETL assignments to target urgent and critical areas of student instruction and programming. Mrs. O'Brien's recommendation is to close positions not needed in the district and to transfer the salaries to fund additional positions needed elsewhere, that had not originally been budgeted for FY18. Also in her report, the district scheduled visits to observe other alternative high schools with the goal of re-structuring Marlborough's alternative High School. Budget Preparation-ongoing assessment of several areas in Student Services to increase efficiency and effectiveness of service delivery to students and review of transportation and contracted service costs. Also discussed was the attendance at the last two SEPAC events this year have been very low and steps needed to take to address the low attendance at these meetings.

Director O'Brien will get information on the number of students who are aging out and how this will impact the budget, in response to a question Mrs. Hennessey asked.

7. Acceptance of Minutes:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept as submitted, the School Committee minutes of November 14, 2017.

Motion approved 7-0-0.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve as submitted, the School Committee minutes of November 28, 2017.

Motion approved 7-0-0.

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8. Public Participation: None

9. Action Items/Reports:

A. Transfers in the FY18 Operating Budget:

As outlined in Director O'Brien's report, Assistant Superintendent of Finance and Operations Michael Bergeron is recommending the monies be transferred for balance purposes. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the transfers as recommended.

Motion approved 7-0-0.

B. Acceptance of Donations and Gifts:

2016 Hannaford Helps Schools Program donated \$1,000 of funds raised by parents and community members for Marlborough High School to support activities in the school. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to accept with gratitude the \$1,000 donation from the 2016 Hannaford Helps Schools Program.

Motion approved 7-0-0.

Educational Donations from Ohiopyle Prints, Inc. donated \$162.48 to Marlborough High School to be used by the school to promote school spirit. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to accept with gratitude the \$162.48 donation from Ohiopyle Prints Inc.

Motion approved 7-0-0.

CACE Conference Prizes, at the conference vendors had merchandise raffles and awarded prizes. Superintendent Greulich and Assistant Superintendent Murphy were the recipients of \$1,500 in McGraw products. Mr. Sanborn, Jaworek Principal, was the recipient of \$750 in National Geographic products. Mrs. Medailleu, EL Director, was the recipient of \$1,200 from Mind Research Institute. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to accept with gratitude the multiple prizes in merchandise for the school district.

Motion approved 7-0-0.

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2017-2018 Marlborough Educator Foundation Grant Awards, four MPS teachers were recipients for this award. Danielle Martins and Erin Casey, Whitcomb School, \$519.80, Susan Rosenthal, Richer School, \$2,165.02, and Kelly Hall, Whitcomb School, \$1,820. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to accept with gratitude the three awards presented to MPS staff from the Marlborough Educator Foundation. Motion approved 7-0-0.

Brigham Family Trust Read to a Child donation of \$4,500 to Richer School to support the Read to a Child program at the school. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to accept with gratitude the generous donation of \$4,500 from the Marlborough Brigham Family Trust. Motion approved 7-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Ryan updated on the School Building Committee, that met and heard presentations from two potential model school designers as well as the existing architect. The SBC also visited one of the model schools in Athol. Another model school had previously been visited in October. The SBC will explore all options to see what will work best for our district and keep costs down for the new building. Mrs. Ryan will keep the School Committee updated as the School Building Committee continues meeting.

11. Members' Forum:

Mrs. Bodin-Hettinger spoke of Superintendent Greulich's retirement announcement at the end of this school year. Both Mrs. Bodin-Hettinger and Chairman Vigeant thanked Mrs. Greulich for her commitment to the Marlborough community and the district. As well, the School Committee needs to continue the conversation of succession planning and the process for her replacement to ensure a great transition.

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12. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:26 pm.
Motion approved 7-0-0.

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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TRAFFIC COMMISSION

1

December 19, 2017
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2018 JAN 31 P 1:01



**CITY OF MARLBOROUGH
 OFFICE OF TRAFFIC COMMISSION
 140 MAIN STREET
 MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, December 19, 2017 at 10:00 am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins and City Solicitor Donald Ryder. Minutes taken by Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, November 28, 2017.

MOTION was made, seconded, duly VOTED:

TO APPROVE – Accept and Place on File.

2 – New Business

2a) Mayor & DPW Commissioner – Feedback from 11-16-17 – Traffic Commission Issues.

The Agenda packet included a list of 4 items for the Traffic Commission to review:

- a. Stop sign at Peters Ave./Cook Lane
- b. Stop sign Cook Lane and Hildreth Street
- c. Stop sign at Park Street and Newton Street
- d. No Turn on Red sign at Farm Road onto Route 20

Commissioner Ghiloni was not at the meeting, however, Tim Collins was able to provide additional information. He passed out a detailed description of each issue which included a GIS aerial photo or diagram. He found the following:

- a) Peters Ave./Cook Lane – the need for additional STOP conditions is not warranted.

- b) Cook Lane & Hildreth – traffic volumes at this intersection do not meet requirements for an additional STOP condition.
- c) Park Street & Newton – STOP sign at any of the approaches is not warranted.
- d) No Turn on Red sign at Farm Rd. onto Rte. 20 – this area is controlled by MADOT and is being designed for a 2021 reconstruction project.

See Mr. Collins' handout for specifics on each of these issues.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. No further action necessary.

Chief Giorgi made a motion to suspend the rules and move Old Business Agenda Item 3b) up as City Solicitor Don Ryder was in attendance for this issue. All in Favor.

3-Old Business

3b) Unattended trailers parking in public way.

City Solicitor, Don Ryder, drafted new language for the regulation based on Mr. Collins' initial draft and suggestions. The draft copy was provided to the group for review. It included a section for two new definitions, Recreational Vehicles and Trailers, and then included a new section under "Stopping, Standing & Parking" to address the issue of unattended trailers parking in a public way. It also included a 24-hour grace period for parking to allow for packing a vehicle and/or "gearing up" for a vacation etc. Chief Giorgi had also prepared a regulation based on this proposed wording. All agreed with the proposed wording.

MOTION was made, seconded, duly VOTED to APPROVE the regulation as proposed. ALL IN FAVOR.

and

MOTION was made, seconded, duly VOTED to REFER the regulation to Lisa Thomas for advertisement. Chief Giorgi will forward a copy electronically.

2 – New Business (Continued)

2b) Traffic and Speeding on Rte. 85.

Chief Giorgi received several emails from a resident of Commonwealth Ave. She and her husband described how dangerous it has become to take a left turn onto Rte. 85 (Maple Street) from Commonwealth Ave. due to excessive speeding. As soon as she feels it is safe to turn left, "a car comes within seconds over the curved low hill that obstructs the view of St. Mary's bank and any traffic emerging from that area". They suggested that a light be installed near the intersection of John Street to help slow the traffic. They also asked if it would be possible to reduce the speed limit here.

Tim Collins advised that the state is actually planning on reconstructing this intersection. They just opened bids this week. He also explained that specific warrants (i.e. requirements) need to be met in order to install a signalized intersection. Most of the warrants have to do with volume, however, the side street volume at John Street and the lesser part of Maple Street would not meet the warrants for a signalized intersection. The reality is that if they can't take the left from Commonwealth onto Maple there is an alternative. They can also take Church to Hildreth and follow to the signalized intersections.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. Chief Giorgi will contact the residents and explain the warrant requirements.

3-Old Business

3a) Request for stop signs on Weed St. at Florence St.

This issue is still pending and needs to stay on the agenda.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Traffic Regulations at the 1st LT Charles W. Whitman School.

Tim Collins advised that he has "tweaked" the diagram/required regulations with respect to the south parking lot, however, he wanted to sit down and finalize it with Commissioner Ghiloni before presenting it again.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Request regarding speed bumps on private ways.

Tim Collins researched other potential traffic calming measures and prepared a memo explaining these options that could be available to the apartment/condo complexes. His suggestions included Speed Humps, Speed Tables, Raised Intersections and Closures, Neighborhood Traffic Circles, Chicanes, Chokers & Center Island Narrowing. He included a basic explanation and approximate cost in his summary and attached more specific details on each measure, which included photos and diagrams. This can be used as a "handbook" or guideline if someone wanted to try something different on private property, however, they would still need to go before Site Plan Review for approval. Mr. Collins also passed out a photo he received from an assistant in the DPW. It showed a 3D painted crosswalk that looked like raised blocks in the road.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. Tim Collins also advised that he would send the memo to the original reporting party.

3e) Crosswalk – Hildreth @ Curtis Ave.

Chief Giorgi had prepared the regulation for the crosswalks on Hildreth Street, Marlton Drive and Curtis Ave. for a vote.

MOTION was made, seconded, duly VOTED to APPROVE the regulation adding the specific crosswalks to the "Crosswalk Locations" schedule. ALL IN FAVOR.

and

MOTION was made, seconded, duly VOTED to REFER to Lisa Thomas to advertise the regulation.

3f) Elm Street Reconstruction Project (Pleasant to Mechanic) – 2 issues for discussion.

Update:

- 1) **Right on Red** – Tim Collins advised that the lights are not up and fully operational yet. There will be a pedestrian signal for crossing. At the next meeting, a vote can be taken on the traffic signal change that would allow for safe pedestrian crossing.
- 2) **Parking Restriction** – Tim Collins advised that when he went out to check the area with regards to parking, the center line had already been painted. There are two 14 foot lanes. If it had checked before, one side could have been made wider to allow for parking, however, now there is no room.

Most of the street parking there was due to the condos, however, they have plenty of other parking available to them. The group went on to discuss whether to formally restrict parking on both sides. It was decided to leave it unmarked for now and see how it goes.

There are also crosswalks on this section of Elm Street that will need a regulation adding them to the crosswalk schedule.

MOTION was made, seconded, duly VOTED to REFER to Engineering for information on the pedestrian signal.

and

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to prepare the regulation to add the crosswalks to the schedule.

3g) Northboro Rd. East and New Apex Center.

Tim Collins advised that he reviewed the requirements for a Thickly Settled Zone. To be considered Thickly Settled, an average minimum of 200 feet between buildings for a distance of ¼ mile (1,320 ft.) must be met. He passed out a GIS diagram with the distance between the houses marked and highlighted an area in yellow that would be considered Thickly Settled (north side only). The south side has a 600-foot gap between the hotel and the homes.

Two signs indicating "Thickly Settled - 30 mph" can be installed, one at the start of Boston Post Road West and one at Dudley. We have the option for a 25-mph speed limit,

however, this is usually for an extreme case and the State would need to be notified. No regulation is needed.

MOTION was made, seconded, duly VOTED to REFER to the DPW to install the 2 "Thickly Settled" signs. ACCEPT and PLACE ON FILE.

Lisa Thomas asked to follow-up on item that had previously been removed from the Agenda.

25 mph speed limits and designated safety zones.

Ms. Thomas passed out a copy of the City Council Order accepting Section 17C (25 mph speed limits) and Section 18B (designated safety zones) of Chapter 90 of the Massachusetts General Laws as amended. She advised that no advertisement was necessary. This is not part of the Traffic Code but part of the general city wide code establishing speed limits. A copy can be sent to General Code to show that the City is accepting a MA General Law.

MOTION was made, seconded, duly VOTED to REFER to Lisa Thomas to send to General Code.

3h) Warning sign permit for Oakcrest Ave.

Chief Giorgi advised that he spoke with the resident who requested the warning sign. She said that two of her three children are autistic. She is requesting the sign because her youngest will run out into the road without stopping. The neighbors are also supporting the request. Chief Giorgi explained the process to them and advised that they would need to renew the permit every year. They understood and were fine with this requirement. Since it is a warning sign, there is no regulation needed, the sign can just be installed. The group went on to discuss the preferred wording for the sign. "Slow Children Ahead" or "Slow Children at Play" may not be the protection they had in mind. Tim Collins mentioned other areas in the City with specific signs for "Handicap Child Area" or "Deaf Child Area".

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to communicate with the resident as to the best wording for the sign. Leave on Agenda for next meeting to discuss wording.

3i) Parking Issues on Water Terrace.

The issue here is that people are using this area for Senior Center parking. Tim Collins passed out a GIS diagram of Water Terrace and marked the number of parking spaces available on each side. There is room for 9 cars on the east side and 8 cars on the west side, however, the west side also has driveways that can hold multiple cars. He advised that it makes sense to prohibit parking on the east side and allow parking on the west side. Mr. Collins also provided wording for the parking restriction.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to prepare the regulation to restrict parking on the East side for a vote at the next meeting.

3j) 2018 Traffic Commission Meeting Schedule.

The Traffic Commission Meetings in 2018 will be changed from the last Tuesday of each month to the last Wednesday of each month, unless otherwise noted. Tim Collins asked if the location could be changed from the City Council Meeting Room to Memorial Hall. This would allow him to use the street view and overhead projector rather than handouts at the meetings. Lisa Thomas advised that the request to change the location would need to be sent to Karen Boule, City Council Secretary. She is the one who schedules that location. The dates and times can then be reserved for the year.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to communicate with Karen Boule on the request to change the venue.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:48 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- City of Marlborough Meeting Posting with Agenda for Traffic Commission Meeting on December 19, 2017 at 10:00am.
- Draft of Traffic Commission Minutes from Tuesday, November 28, 2017.
- Items requiring feedback, from Mayor and DPW Commissioner, dated 11/16/17.
- Email from Nick Blundo to Chief Giorgi, dated 12/13/17, re: Traffic and Speeding on Rte. 85.
- Amended regulation to the Vehicles and Traffic Section of the Rules and Regulations Manual adding additional definitions and language pertaining to Trailers and Recreational Vehicles.
- Amended regulation adding additional "Crosswalk Locations on Hildreth Street, Marlton Drive and Curtis Ave.
- Proposed Traffic Commission Meeting Schedule for 2018.

Additional Handouts:

- Items referred to the Traffic Commission from Face Book Complaints received by the Mayor's Office including GIS aerial photos,
- Email from Margaret Blundo to Chief Giorgi, dated 12/15/17, re: Intersection of Greendale & John Street.
- Email from Margaret Blundo to Chief Giorgi, dated 12/15/17, re: Intersection of Maple & John Street needs to have traffic light.
- Draft of proposed language for new regulation regarding recreational vehicles and trailers from Legal Dept.

TRAFFIC COMMISSION

7

December 19, 2017

- Memo from Tim Collins to the Traffic Commission, dated 12/19/18, re: Traffic Calming Measures.
- GIS Diagram of Northboro Rd. East with information on "Thickly Settled".
- GIS Diagram of Water Terrace with number of parking spaces available on either side indicated along with wording for revised regulation for "no Stopping, Standing or Parking anytime.
- Photo of example of 3D crosswalk.
- City Council Order accepting Section 17C of Ch. 90 of the Massachusetts General Laws, as amended.