

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 JAN -3 P 1:33

1. Organizational Meeting.
2. Minutes, City Council Meeting, December 17, 2018.
3. PUBLIC HEARING On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, Order No. 18/19-1007460, X09-1002152, X12-1004081C.
4. PUBLIC HEARING On the Application for Sign Special Permit, Main Street Bank, 81 Granger Boulevard Marlborough to operate an electronic message center sign at its bank located at 81 Granger Boulevard, Order No. 18/19-1007462, X18-1007461.
5. Communication from the Mayor, re: Executive Office of Elder Affairs (EOEA) grant in the amount of \$80,436.00 awarded to the Council on Aging which will be enhance the quality of life for the older population.
6. Communication from the Mayor, re: Donation to K-9 Account grant in the amount of \$7,521.27 awarded to the Police Department to support Kaiser and Sargent Ken McKenzie.
7. Communication from the Mayor, re: Appointment of Brendan Downey to the Marlborough Historical Commission for a term to expire three years from date of confirmation.
8. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #35-84, 319 E. Main St., in proper legal form, Order No. 17/18/19-1007034C.
9. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #11-50, Francis St. at or near its intersection with East Main St., in proper legal form, Order No. 18/19-1007321B.
10. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #1, 10 Neil St., in proper legal form, Order No. 18/19-1007322B.
11. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Amendment to Chapter 270-8.1 In Building Fire Department and Police Department Radio Coverage in proper legal form, Order No. 18-1007481A.
12. Communication from Code Enforcement Officer, Pamela Wilderman, re: Application for a temporary, freestanding sign for Ventura X at 11 Apex Dr., along with the approval from Walker Realty LLC, Ordre No. 16/17/18/19-1006443.
13. Communication from Marc Buchan re: Application for Special Permit to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Dr.
14. Communication from Bismark Ohemeng d/b/a West Royal Car Service, to operate a Livery License, 33 Paris St.

**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.**

15. Communication from Massachusetts Electric Company and Nantucket Electric Company, d/b/a National Grid re: Notice of Filing, Public Hearings and Procedural Conference.
16. Minutes, Traffic Commission, November 28, 2018.
17. Minutes, Council on Aging, October 9 & November 13, 2018.
18. Minutes, Zoning Board of Appeals, November 27, 2018.
19. Minutes, Retirement Board, November 27, 2018.
20. Minutes, Planning Board, December 3, 2018.
21. CLAIMS:
  - a) Vanessa DeMasi, 10 Davis St., pothole or other road defect.
  - b) Robert Gustafson, 134 Glen St., other property damage and/or personal injury.
  - c) Rosa Ruiz, 1 Winter St., #1, pothole or other road defect.

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

From Personnel Committee

22. **Order No. 18-1007419 - Communication from the Mayor regarding the Appointment of Fred Haas to the Library Board of Trustees.** Fred Haas has lived in Marlborough since 2006 and is an English teacher at Hopkinton High School. He is a frequent user of Marlborough Public Library and it was suggested to him that he should look into becoming a member of the Library Board of Trustees. **Motion made by Councilor Irish, seconded by the Chair, to approve the appointment of Fred Haas to the Library Board of Trustees. The motion carried 3-0.**

From Public Safety Committee

23. **Order No. 18-1007481 - Communication from Assistant City Solicitor, Cynthia Panagore Griffin, regarding an Order to Amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage.** The Public Services Committee met with Assistant City Solicitor Panagore Griffin to discuss amending City Code §270-8.1 In-building Fire Department and Police Department radio coverage. Assistant City Solicitor Panagore Griffin distributed a copy of the current language with the proposed language and explained the highlighted language was deleted and replaced with more simplified language and more importantly aligned with changes made to the International Fire Code and Massachusetts State Building Code. In 2014 when the City initially adopted the ordinance, the purpose was not to amend the International Fire Code and Massachusetts State Building Code, which the City cannot legally do, but to notify the public that the process and procedure exists. The Building and Fire Departments through their permitting processes determine if a building was renovated to the extent it requires the installation of the system to provide reliable radio communications, the only exceptions are one- and two-family residences.

**Motion made by Councilor Ossing, seconded by the Councilor Tunnera, to approve the order to amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage. The motion carried 3-0.**

From Legislative and Legal Affairs Committee**24. Order No. 18-1007459 - Communication from the Mayor regarding the disposition of Surplus Property-25 East Main St.**

The November 15, 2018 letter from the mayor was read into the record. There was discussion on the zoning, currently Business and Marlborough Village District and what the council and mayor would like to see the property used for in the future.

Councilor Delano moved to 1) transfer the purpose of the land from general municipal purposes to the purpose of disposition by sale and declares that the property is available for disposition by sale; 2) requires that said sale be conducted in accordance with MGL c.30B subject, but not limited to, any terms and re-use restrictions as may be determined by the Mayor, as hereby authorized to so determine, which are in the best interests of the City of Marlborough; and 3) that the City Council sets the price to be paid at not less than \$202,200.00 and thus authorizes the Mayor to execute a deed of sale for said Property.

**The motion was adopted 3-0. (The order specifies that #1 requires a 2/3<sup>rd</sup> vote. A separate vote on #2 & #3, which only require a simple majority, is unnecessary, as they would be subsumed by the 2/3<sup>rd</sup> vote.**

From Finance Committee**25. Order No. 18-1007475 – Two Transfers from Undesignated Fund (Free Cash) to the Stabilization Account and OPEB Trust:** The Finance Committee reviewed the Mayor’s letter dated November 29, 2018 requesting two transfers from the Undesignated Fund each in the amount of \$887,745.00 to the Undesignated Stabilization Account and the Other Post-Employment Benefits (OPEB) Trust. These transfers are keeping with the City’s financial policies that has 10% of the “Free Cash” transferred to the Undesignated Stabilization Account and OPEB Trust. **The Finance Committee took the following actions:**

- **The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the Undesignated Stabilization Account.**
- **The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the OPEB Trust.**

From City Council**26. Order No. 18-1007439B – Library Bond in the Amount of \$23,780,902.00. AT THE DECEMBER 3, 2018 CITY COUNCIL MEETING, ITEM WAS TABLED UNTIL THE JANUARY 7, 2019 CITY COUNCIL MEETING. NOTE: BOND WAS PROPERLY ADVERTISED ON NOVEMBER 29, 2018.**

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CITY OF MARLBOROUGH



2019 JAN -3 A 9:51

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

**DECEMBER 17, 2018**

Regular meeting of the City Council held on Monday, December 17, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juairé, Oram, Ossing, Robey, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 8:47 PM.

ORDERED: That the Minutes of the City Council meeting DECEMBER 3, 2018, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment to Chapter 650, §12, §58 & §159 – Lawful Pre-Existing Nonconforming Single and Two-Family Residential Structures, Order No. 18-1007460, all were heard who wish to be heard, hearing closed at 8:04 PM.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from Melynda Gallagher on behalf of Lost Shoe Brewing and Roasting Company to allow for coffee roasting at their establishment within the Marlborough Village District, 19 Weed Street, Order No. 18-1007462, all were heard who wish to be heard, hearing closed at 8:16 PM.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

ORDERED: That the Tax Increment Financing Agreement (“TIF”) with Candela Corporation, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the transfer of \$6,000.00 which moves funds from Poll Workers account (Election Budget) to Advertising account (City Clerk Budget) to fund future legal advertisements, **APPROVED**; adopted.

BUDGET TRANSFERS -										
DEPT:		City Clerk				FISCAL YEAR:		2018		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$8,385.00	\$6,000.00	11620006	53871	Pollworker	\$6,000.00	11610004	53150	Advertising	\$1,560.98	
	Reason:					To fund high volume of advertising through year-end				
	\$6,000.00	Total			\$6,000.00	Total				

ORDERED:

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require:

that ALLIS ROAD be accepted as a public way

from Framingham Road at Station 0+00 and intersecting Bemis Road (Station 0+00) at Station 1+71.75, and

that BEMIS ROAD be accepted as a public way

from Allis Road (Station 1+71.75) at Station 0+00 and terminating at Station 1+57.88 to the south and Station 1+81.31 to the north,

and that their appurtenant easements be accepted as municipal easements,

as shown on plans thereof and as hereinafter described:

DESCRIPTION

Plan entitled, "Plan of Acceptance of Allis, Bemis Road and Municipal Easements, Marlborough, Massachusetts," Prepared for: The City of Marlborough; Prepared By: Bruce Saluk & Associates, Inc., Civil Engineering & Land Surveying, 576 Boston Post Road East, Marlborough, MA 01752; Dated: June 1, 2018, last revised December 12, 2018; Scale: 1"=120' (Sheet 1 of 2), 1"=60' (Sheet 2 of 2), which plan is to be recorded herewith.

Title to the roadways shown as ALLIS ROAD and BEMIS ROAD on said plan, and title to all the municipal easements shown on said plan as:

**Drain Easements:**

- Drainage Easement #1, over Parcel "A", containing 920 square feet
- Drainage Easement #2, over Lot #9 (1 Bemis Road), containing 730 square feet
- Drainage Easement #3, over 87 Framingham Road, containing 81 square feet
- Drainage Easement #7, over 87 Framingham Road, containing 328 square feet
- Drainage Easement #8, over Lot #9 (1 Bemis Road), containing 4,407 square feet
- Drainage Easement #9, over Lot #4 (4 Allis Road), containing 822 square feet

**Flowage Easements**

- Flowage Easement #4, over 79 Framingham Road, containing 5,059 square feet
- Flowage Easement #5, over 87 Framingham Road, containing 2,882 square feet
- Flowage Easement #6, over Lot #9 (1 Bemis Road), containing 2,751 square feet

**Sewer Easements:**

- Sewer Easement #10, over Lot #8 (7 Bemis Road), containing 1,953 square feet
- Sewer Easement #11, over Lot #9 (1 Bemis Road), containing 467 square feet

**Landscape Easements:**

- Landscape Easement, over Lot #4, containing 3,035 square feet
- Landscape Easement, over Lot #5, containing 2,829 square feet
- Landscape Easement, over Lot #6, containing 1,130 square feet
- Landscape Easement, over Lot #7, containing 1,427 square feet
- Landscape Easement, over Lot #8, containing 1,450 square feet
- Landscape Easement, over Lot #9, containing 1,255 square feet

has been granted to the City of Marlborough in a quitclaim deed from Melanson Development Group, Inc., a Massachusetts corporation with a principal place of business at 5 Robertson Way, Woburn, Massachusetts, said deed to be recorded herewith at the Middlesex County (South District) Registry of Deeds.

**IT IS THEREFORE ORDERED THAT:**

ALLIS ROAD and BEMIS ROAD be accepted as public ways, and their appurtenant easements be accepted as municipal easements, in the City of Marlborough.

Refer to **PUBLIC SERVICES COMMITTEE AND PLANNING BOARD**; adopted.

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

I. Section 650-5, entitled "Definitions; word usage," is hereby amended, as follows:

- a. By amending the definition in subsection B of "HOME OCCUPATION," by inserting at the end thereof the following sentence:

A home occupation shall not include a home office, as defined in Section 650-5.

- b. By amending the definition in subsection B of "OUTDOOR STORAGE," by inserting at the end thereof the following sentence:

Outdoor storage shall not include either a contractor's storage yard or a landscape contractor's storage yard, as defined in Section 650-5.

- c. By inserting the following new definitions: -

CONTRACTOR - Any person or firm engaged in construction, building trades, landscaping services or maintenance, on a contract basis, either licensed or unlicensed.

CONTRACTOR'S STORAGE YARD - An outdoor area used for the storage of equipment and/or materials used for providing contracting services, including but not limited to building construction, heating, plumbing, roofing, and excavation; but not including a landscape contractor's storage yard. A contractor's storage yard shall not include outdoor storage, as defined in Section 650-5.

HOME OFFICE - An activity customarily conducted by the residents of a dwelling unit, inside the dwelling unit or an accessory building. Home offices are permitted if they conform to each of the conditions set forth in Section 650-18(47).

LANDSCAPE CONTRACTOR'S STORAGE YARD - An outdoor area used for the storage of equipment and/or materials used by a business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds, including the installation of hardscape such as stonework, patios, decks, arbors, and other decorative elements of the landscape. Such a business may engage in the installation and construction of underground improvements, but only to the extent that such improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the grounds being otherwise landscaped. A landscape contractor's storage yard shall not include outdoor storage, as defined in Section 650-5.

II. Section 650-17, entitled “Table of Uses,” is hereby amended by adding the following new uses:-

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV	NB
Contractor’s													
Storage Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N
Home Office (47)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Landscape Contractor’s													
Storage Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N

III. Section 650-18, entitled “Conditions for uses,” is hereby amended as follows:

a. By inserting in subsection A thereof a new paragraph (47), pertaining to home offices:-

(47) Home offices.

Home offices are permitted if they conform to each of the following conditions:

- (a) The home office use must be secondary to the principal use of the property as a residence.
- (b) The proprietor of the home office, whether a contractor or otherwise, must reside in the dwelling unit comprising the principal building.
- (c) Anyone associated with the home office must reside in the dwelling unit comprising the principal building, except that not more than two (2) non-residents may be permitted when the home office is on a property principally used as a residence by the proprietor, whether a contractor or otherwise, unless it is located in the Industrial or Limited Industrial zoning districts.
- (d) No more than 25% of the floor area of the residence is to be used for the purpose of the home office.
- (e) There shall be no external evidence of the home office except for a sign that conforms to the requirements for a home occupation sign set forth in City Code Section 526-8.A(2), and no major structural change shall be made to the exterior so as to alter the appearance and character of the residence or that of the accessory building if used for the home office.

(f) Not more than two (2) commercial vehicles, including trailers, shall be permitted in connection with the home office, whether those vehicles are used by the proprietor of the home office and/or by anyone associated with the home office, except that not more than three (3) commercial vehicles, including trailers, may be permitted when the home office is on a property located in the Industrial or Limited Industrial zoning districts. No such vehicle shall exceed a gross vehicle weight rating (GVWR) of 14,000 pounds. No such vehicle, nor any vehicle owned or operated by any employee of the business associated with the home office, shall be parked on the street(s) fronting the premises where the home office is located, but instead shall be parked on the premises.

(g) A home office shall be permitted to store equipment and/or materials, but only indoors in the principal building or accessory building. In no event shall a home office be used for a contractor's storage yard or a landscape contractor's storage yard, except when such a yard is permitted by special permit in the Industrial or Limited Industrial zoning districts. No activity in conjunction with the business associated with the home office, including but not limited to loading and unloading of equipment and/or materials, is permitted Monday through Saturday except from 7:00 a.m. until 7:00 p.m., and no such activity is permitted on Sunday at any hour; provided, however, that all such activity, when permitted during these hours, shall otherwise comply with Chapter 431 of the City Code, entitled "Noise."

b. By inserting in subsection A thereof a new paragraph (48), pertaining to contractor's storage yards and landscape contractor's storage yards: -

(48) Contractor's storage yards and landscape contractor's storage yards.

Contractor's storage yards and landscape contractor's storage yards are allowed in certain zoning districts by special permit only.

Applications for such a special permit shall comply with City Code Section 650-59, as well as with the following additional requirements and design standards.

(a) Applications.

(1) A scaled site plan shall show the following information:

- i. Outdoor storage areas for materials and equipment.
- ii. Parking and maintenance areas for commercial vehicles.
- iii. Location of all buildings and structures on the site.

- iv. Vehicular and pedestrian circulation on the site, including points of access to the site from a public road, loading and unloading areas, and areas for employee and customer parking.
  - v. Required or proposed landscaping and buffer areas.
  - vi. Required or proposed screening and fencing of storage yards.
  - vii. Proposed lighting plan, including location and specifications of light standards, lighting fixtures and lighting directions.
  - viii. All residential abutters within 200 feet of the proposed site.
  - ix. Any other information as might reasonably be required by the City Council for use in making a thorough evaluation of the proposal.
- (2) A description of all vehicles, trailers, and equipment stored, maintained or used on site by the business.
  - (3) A description of all fuel, chemicals or commodities and the amount of each that will be stored on site by the business.
  - (4) The range of number of employees throughout the year and the average number of employees at any time.
  - (5) A noise mitigation plan.
- (b) Design Standards.
- (1) Proximity to existing residential zoning districts. The proposed storage yard shall be not less than two hundred (200) feet from a residential zoning district.
  - (2) Screening. The proposed storage yard shall be adequately screened from the street and adjacent properties to obscure the equipment and/or materials stored therein.
  - (3) Minimum parcel size. The minimum area of the parcel shall be 22,500 square feet.
  - (4) Maximum size of storage area. The maximum size of the contractor's storage yard or landscape contractor's storage yard, when combined with all structures, parking and driveways on the lot being proposed for the storage yard, shall not exceed the percentage of maximum lot coverage permitted under Section 650-41 for the zoning district in which the parcel is located.

IV. All contractor storage yards and all landscape contractor storage yards, as defined in Section 650-5, that are in existence in the City of Marlborough on the effective date of the above amendments to the Zoning Ordinance of the City of Marlborough, shall submit to the City Council a special permit application, conforming with the provisions of Section 650-18(48), within six (6) months of said effective date.

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, FEBRUARY 11, 2019;** adopted.

ORDERED: That the Communication from the Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Grant of Easement to Massachusetts Electric Co. for Electric Distribution System at Marlborough High School, 431 Bolton Street and Proposed Grant of Easement to Massachusetts Electric Co. for Electric Distribution System at New Elementary School, 441 Bolton Street, Order No. 18-1007480, **MOVED TO REPORTS OF COMMITTEE;** adopted.

ORDERED: That the Communication from the Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Grant of Easement to Massachusetts Electric Co. for Electric Distribution System at Marlborough High School, 431 Bolton Street and Proposed Grant of Easement to Massachusetts Electric Co. for Electric Distribution System at New Elementary School, 441 Bolton Street, Order No. 18-1007480, **FILE;** adopted.

ORDERED: That the Communication from the Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Zoning Amendment to Chapter 650, §34 & §41 – Marlborough Village District in proper legal for, Order No. 18-1007404C, **MOVED TO REPORTS OF COMMITTEE;** adopted.

ORDERED: That the Communication from the Planning Board re: Favorable Recommendation of Mauro Farms Subdivision, Acceptance of Nolan Way, Spenser Circle & Reagin Lane as Public Ways, Order No. 18-1007444A, **FILE;** adopted.

**Suspension of the Rules requested – Motion by Councilor Landers to remove from the Table Order No. 18-1007444 – granted.**

ORDERED:

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require:

that NOLAN WAY be accepted as a public way

from COOK LANE to Terminus at Station 8+31.42,

that SPENSER CIRCLE be accepted as a public way

from NOLAN WAY to Terminus at Station 2+83.07, and

that REAGIN LANE be accepted as a public way

from COOK LANE to Terminus at Station 2+87.28,

and that their appurtenant easements be accepted as municipal easements,

as shown on plans thereof and as hereinafter described:

DESCRIPTION

Plan entitled, "Street Acceptance Plan of 'Nolan Way,' Mauro Farms, Marlborough, MA, prepared for: Capital Group Properties, 259 Turnpike Road, Suite 100, Southborough, Massachusetts (2 sheets), Dated: October 26, 2015, Scale: 1" = 20', Prepared by: Engineering Design Consultants, Inc., 32 Turnpike Road, Southborough, Massachusetts, which plan is to be recorded herewith;

Plan entitled, "Street Acceptance Plan of 'Spenser Circle,' Mauro Farms, Marlborough, MA, prepared for: Capital Group Properties, 259 Turnpike Road, Suite 100, Southborough, Massachusetts (1 sheet), Dated: October 26, 2015, Scale: 1" = 20', Prepared by: Engineering Design Consultants, Inc., 32 Turnpike Road, Southborough, Massachusetts, which plan is to be recorded herewith;

Plan entitled, "Street Acceptance Plan of 'Nolan Way & Spenser Circle,' Mauro Farms, Marlborough, MA, prepared for: Capital Group Properties, 259 Turnpike Road, Suite 100, Southborough, Massachusetts (2 sheets), Dated: October 26, 2015, Scale: 1" = 20', Prepared by: Engineering Design Consultants, Inc., 32 Turnpike Road, Southborough, Massachusetts, which plan is to be recorded herewith; and

Plan entitled, "Street Acceptance Plan of 'Reagin Lane,' Mauro Farms, Marlborough, MA, prepared for: Capital Group Properties, 259 Turnpike Road, Suite 100, Southborough, Massachusetts (3 sheets), Dated: October 26, 2015, Scale: 1" = 20', Prepared by: Engineering Design Consultants, Inc., 32 Turnpike Road, Southborough, Massachusetts, which plan is to be recorded herewith.

Title to the roadways shown as NOLAN WAY, SPENSER CIRCLE and REAGIN LANE on said plans, and title to all the municipal easements shown on said plans as:

## Utility Easements:

- Utility Easement A, over Lot 13, containing 1,022 square feet
- Utility Easement B, over Parcel 21, containing 30,320 square feet
- Utility Easement C, over Lot 27, containing 0.04 acres
- Utility Easement D, over Lot 29, containing 0.03 acres
- Utility Easement E, over Parcel 30, containing 0.46 acres

## Drain Easements:

- Drain Easement F, over Lot 29, containing 0.01 acres
- Drain Easement J, over Lot 29, containing 0.02 acres
- Drain Easement K, over Lot 28, containing 0.06 acres
- Drain Easement L, over Parcel 30, containing 0.19 acres
- Drain Easement N, over Lot 12, containing 1,782 square feet
- Drain Easement O, over Lot 10, containing 1,784 square feet

## Sewer Easements:

- Sewer Easement G, over Lot 25, containing 0.03 acres
- Sewer Easement H, over Lot 28, containing 0.06 acres
- Sewer Easement I, over Lot 23, containing 0.05 acres

## Water Easements:

- Water Easement P, over Lot 16, containing 2,195 square feet
- Water Easement Q, over Lot 18, containing 860 square feet

## Landscape Easements:

- L-2, over Lot 2, containing 1,211 square feet
- L-3, over Lot 3, containing 1,227 square feet
- L-4, over Lot 4, containing 1,035 square feet
- L-5, over Lot 5, containing 1,085 square feet
- L-6, over Lot 6, containing 1,513 square feet
- L-7, over Lot 7, containing 1,401 square feet
- L-8, over Lot 8, containing 1,024 square feet
- L-9, over Lot 9, containing 1,570 square feet
- L-10, over Lot 10, containing 1,021 square feet
- L-11, over Lot 11, containing 1,358 square feet
- L-12, over Lot 12, containing 1,008 square feet
- L-13, over Lot 13, containing 1,395 square feet
- L-14, over Lot 14, containing 1,145 square feet
- L-15, over Lot 15, containing 1,963 square feet
- L-16, over Lot 16, containing 1,182 square feet
- L-17, over Lot 17, containing 1,151 square feet
- L-18, over Lot 18, containing 1,054 square feet
- L-19, over Lot 19, containing 1,028 square feet
- L-22, over Lot 22, containing 894 square feet
- L-25, over Lot 25, containing 1,661 square feet
- L-26, over Lot 26, containing 1,018 square feet
- L-27, over Lot 27, containing 1,026 square feet
- L-28, over Lot 28, containing 1,115 square feet
- L-29, over Lot 29, containing 1,086 square feet.

has been granted to the City of Marlborough in a quitclaim deed from Mauro Farms LLC, a Massachusetts limited liability company with a principal place of business at 259 Turnpike Road, Southborough, Massachusetts, said deed to be recorded herewith at the Middlesex County (South District) Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

NOLAN WAY, SPENSER CIRCLE and REAGIN LANE be accepted as public ways, and their appurtenant easements be accepted as municipal easements, in the City of Marlborough.

**APPROVED;** adopted.

**Yea: 11 – Nay: 0**

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

ORDERED: That the Communication from the Planning Board re: Favorable Recommendation of Proposed Zoning Amendment to Chapter 650, §34 & §41 to amend certain provisions of the Marlborough Village District, Order No. 18-1007404C, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from Joseph Deneen re: traffic and public safety concerns pertinent to the Special Permit for Garden Remedies, Inc., **FILE**; adopted.

ORDERED: That the Communication from State Representative, Carmine Gentile, re: response to Joseph Deneen's traffic and public safety concerns pertinent to the Special Permit for Garden Remedies, Inc., **FILE**; adopted.

ORDERED: That the request to extend time limitations on Application for Special Permit from Avalon Marlborough II, to increase the number of units from 350 to 473 on a portion of 200 Forest Street within the Results Way Mixed Use Overlay District (RWMUOD), until 10:00 PM on February 27, 2019, **APPROVED**; adopted.

ORDERED: That the Minutes, Planning Board, November 5, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, September 10, 2018 & October 15, 2018, **FILE**; adopted.

ORDERED: That the Minutes, License Board, October 24, 2018 & November 15, 2018, **FILE**; adopted.

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

- a) Mike Ryan, 36 Grove Street, other property damage.
- b) Anne English, 20 Upland Road, other property damage.
- c) Jacqueline Pilot, 125 Elm Street, Upton, MA, pothole or other road defect.
- d) Linda Bombard, 799 Farm Road, #19, pothole or other road defect.
- e) Dan Robinson, 40 Ethel Avenue, other property damage.
- f) Patricia Laier, 562 Elm St., other property damage.

#### Reports of Committees:

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

Meeting Name: City Council Urban Affairs Committee

Date: December 4, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:30 PM – Adjourned: 6:33 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juaire, Landers, Doucette, and Tunnera; Councilor Clancy; Brian Falk (Attorney, Mirick O'Connell); Ken Feyl (Architect, J.D. LaGrasse and Associates, Inc.); Noah Coughlin (Owner Representative, BLDUP); Arthur Bergeron (Attorney, Mirick O'Connell); Enza Sambataro (Owner, 163-175 Main Street)

**Order No. 18-1007404B: Proposed Zoning Change, amending Chapter 650 §34 and §41 in the Marlborough Village District.** The Urban Affairs Committee met with attorneys Brian Falk and Arthur Bergeron and the project team for 163-175 Main Street (Enza Sambataro, owner; Noah Coughlin, owner representative; and Ken Feyl, architect) for a discussion of the proposed zoning amendment to Chapter 650 §34 and §41 in the Marlborough Village District. Mr. Falk explained the proposed changes would make two changes to the Marlborough Village District (MVD) zoning ordinance both with respect to building height. Currently the MVD zoning allows a building height of up to eighty-feet and six stories and their proposal is to allow up to eighty-five feet and seven stories by special permit. Also, they propose by special permit to allow the rear building height within fifty-feet of a residential district to increase from fifty-feet to eighty-five-feet which would eliminate a step down appearance for the rear of the building. The Councilors discussion centered around the impacts, intended and unintended, this zoning would have not only at this site but throughout the MVD. Councilors were generally in favor of this project but wanted to ensure their actions were slow, methodical, and correct for the City. Chairman Delano read the Planning Board recommendation which supported the zoning but by-right and not special permit, however Councilors preferred the City Council be allowed to review such projects in the downtown and made no changes. The Councilors agreed to allow the zoning change to proceed however they would like the applicant when before them during the special permit process to consider other options for the building as suggested by Councilors.

**Motion made by Councilor Doucette, seconded by the Chair, to approve the proposed zoning change, amending Chapter 650 §34 and §41 in the Marlborough Village District. The motion carried 5-0.**

**Motion made by Councilor Doucette, seconded by the Chair, to request a Suspension of the Rules at the December 17, 2018 City Council Meeting to vote upon the proposed zoning change. The motion carried 5-0.**

**Motion made and seconded to adjourn. The motion carried 5-0. The meeting adjourned at 6:33 PM.**

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

Meeting Name: City Council Public Services Committee

Date: December 10, 2018

Location: City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:35 PM – Adjourned: 5:41 PM

Present: Chairman Landers; Public Services Committee Members Councilors Doucette and Irish; and Councilors Clancy, Dumais, Ossing, and Robey; John Ghiloni (Commissioner of Public Works, City of Marlborough)

## Reports of Committee Continued:

**Order No. 18-1007463: Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service new school at 441 Bolton Street.** The Public Services Committee met to discuss the installation of a new joint owned pole, #47-5, on Bolton Street to service the new school currently under construction at 441 Bolton Street. Chairman Landers read a letter from the City Engineer, Tom DiPersio, which stated the new pole location shall be pre-marked and approved by the Marlborough DPW Engineering Division. The City of Marlborough Department of Public Works Commissioner, John Ghiloni, explained the site does not have power and will run under generator power until this pole is installed and electricity can be supplied to the site.

**Motion made by Councilor Irish, seconded by the Chair, to approve Order No. 18-1007463, Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service the new school. The motion carried 3-0.**

**Motion made by Councilor Irish, seconded by the Chair, to request a Suspension of the Rules at the December 17, 2018 City Council meeting to vote upon this petition. The motion carried 3-0.**

**Motion made and seconded to adjourn. The motion carried 3-0. Meeting adjourned at 5:41 PM.**

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: December 10, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:46 PM – Adjourned: 5:55 PM

Present: Chairman Tunnera; Personnel Committee Members Councilors Irish and Landers; Councilors Clancy, Delano, Doucette, Dumais, Ossing, and Robey

**Order No. 18-1007419: Communication from the Mayor regarding the Appointment of Fred Haas to the Library Board of Trustees.** Fred Haas has lived in Marlborough since 2006 and is an English teacher at Hopkinton High School. He is a frequent user of Marlborough Public Library and it was suggested to him that he should look into becoming a member of the Library Board of Trustees. **Motion made by Councilor Irish, seconded by the Chair, to approve the appointment of Fred Haas to the Library Board of Trustees. The motion carried 3-0.**

**Order No. 18-1007478: Communication from the Mayor, regarding the Appointment of Matt Elder to the Planning Board for a 5-year term to expire the first Monday in February 2024.** Matt Elder spoke to Mayor Vigeant last year about serving on a board and at that time the Planning Board was not an option however Mr. Elder observed a recent appeal for Planning Board members and contacted the Mayor about applying for one of the two openings. Councilors thanked Mr. Elder for applying to serve on the Planning Board and his experience on the City Council would benefit him as a member of the Planning Board.

## Reports of Committee Continued:

**Motion made by Councilor Irish, seconded by the Chair, to approve the appointment of Matt Elder to the Planning Board for a 5-year term to expire the first Monday in February 2024. The motion carried 3-0.**

**Motion Made by Councilor Landers, seconded by the Chair, to request a Suspension of the Rules at the December 17, 2018 City Council Meeting so that the appointment of Matt Elder to the Planning Board may be voted upon. The motion carried 3-0.**

**Motion made and seconded to adjourn. The motion carried 3-0. The meeting adjourned at 5:55 PM.**

Councilor Irish reported the following out of the Public Safety Committee:

Meeting Name: City Council Public Safety Committee

Date: December 10, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 6:02 PM – Adjourned: 6:20 PM

Present: Chairman Irish; Public Safety Committee Members Councilors Tunnera and Ossing; Councilors Clancy, Delano, Doucette, Dumais, Landers, and Robey; Cynthia Panagore Griffin (Assistant City Solicitor, City of Marlborough)

**Order No. 18-1007481: Communication from Assistant City Solicitor, Cynthia Panagore Griffin, regarding an Order to Amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage.** The Public Services Committee met with Assistant City Solicitor Panagore Griffin to discuss amending City Code §270-8.1 In-building Fire Department and Police Department radio coverage. Assistant City Solicitor Panagore Griffin distributed a copy of the current language with the proposed language and explained the highlighted language was deleted and replaced with more simplified language and more importantly aligned with changes made to the International Fire Code and Massachusetts State Building Code. In 2014 when the City initially adopted the ordinance, the purpose was not to amend the International Fire Code and Massachusetts State Building Code, which the City cannot legally do, but to notify the public that the process and procedure exists. The Building and Fire Departments through their permitting processes determine if a building was renovated to the extent it requires the installation of the system to provide reliable radio communications, the only exceptions are one- and two-family residences.

**Motion made by Councilor Ossing, seconded by the Councilor Tunnera, to approve the order to amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage. The motion carried 3-0.**

**Motion made and seconded to adjourn. The motion carried 3-0. The meeting adjourned at 6:20 PM.**

Reports of Committee Continued:

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

City Council Legislative and Legal Affairs Committee  
Monday, December 10, 2018 6:15 PM-- In Council Chambers  
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano and Councilor Landers. Other Councilors present: Councilors Clancy, Doucette, Dumais, Irish and Ossing. Also in attendance were Assistant City Solicitor Panagore Griffin, DPW Commissioner Ghiloni, and Mayor Vigeant.

**Order No. 18-1007480: Communication from Assistant City Solicitor Panagore Griffin regarding an Order to Grant Deeds of Easement to MA Electric Company for Electrical Service to Marlborough High School and to the New Elementary School.**

Members received the order granting permanent utility easements as well as Exhibits A (map) and Exhibit B (Grant of Easement) for both the high school at 431 Bolton St. and the new elementary school at 441 Bolton St. There was discussion about placement of poles and the easement for the high school which was clarified by Commissioner Ghiloni.

Councilor Delano moved to approve the order granting permanent utility easements to MA Electric Co. for electrical service to Marlborough High School and for electrical service to the new elementary school at 441 Bolton St. The motion carried 3-0. It was noted that the Marlborough School Committee must also grant permission for the easement and they are meeting on Tuesday, Dec. 11<sup>th</sup>.

Councilor Delano moved to request a Suspension of the Rules for this matter to be taken up at the Dec. 17<sup>th</sup> City Council meeting. The motion carried 3-0.

**Order No. 18-1007459: Communication from the Mayor regarding the disposition of Surplus Property-25 East Main St.**

The November 15, 2018 letter from the mayor was read into the record. There was discussion on the zoning, currently Business and Marlborough Village District and what the council and mayor would like to see the property used for in the future.

Councilor Delano moved to 1) transfer the purpose of the land from general municipal purposes to the purpose of disposition by sale and declares that the property is available for disposition by sale; 2) requires that said sale be conducted in accordance with MGL c.30B subject, but not limited to, any terms and re-use restrictions as may be determined by the Mayor, as hereby authorized to so determine, which are in the best interests of the City of Marlborough; and 3) that the City Council sets the price to be paid at not less than \$202,200.00 and thus authorizes the Mayor to execute a deed of sale for said Property.

The motion was adopted 3-0. (The order specifies that #1 requires a 2/3<sup>rd</sup> vote. A separate vote on #2 & #3, which only require a simple majority, is unnecessary, as they would be subsumed by the 2/3<sup>rd</sup> vote.

The Committee adjourned at 6:50 PM.

Reports of Committee Continued:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee  
Monday December 10, 2018  
In Council Chambers**

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

Finance Committee Members Absent: None

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

The meeting convened at 7:00 PM.

1. **Order #18-1007475 – Two Transfers from Undesignated Fund (Free Cash) to the Stabilization Account and OPEB Trust:** The Finance Committee reviewed the Mayor's letter dated November 29, 2018 requesting two transfers from the Undesignated Fund each in the amount of \$887,745.00 to the Undesignated Stabilization Account and the Other Post-Employment Benefits (OPEB) Trust. These transfers are keeping with the City's financial policies that has 10% of the "Free Cash" transferred to the Undesignated Stabilization Account and OPEB Trust. The Finance Committee took the following actions:

- The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the Undesignated Stabilization Account.
- The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the OPEB Trust.

**The Finance Committee adjourned at 7:06 PM.**

ORDERED: That the Communication from the Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Zoning Amendment to Chapter 650, §34 & §41 – Marlborough Village District in proper legal for, Order No. 18-1007404C, **FILE**; adopted.

ORDERED: That the Communication from the Planning Board re: Favorable Recommendation of Proposed Zoning Amendment to Chapter 650, §34 & §41 to amend certain provisions of the Marlborough Village District, Order No. 18-1007404C, **FILE**; adopted.

**Suspension of the Rules requested – granted**

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending certain provisions of § 650-34, Marlborough Village District, and § 650-41, Table of Lot Areas, Yards and Height of Structures, as follows:

A. By amending subsection F., Heights of Structures, of said § 650-34 as follows:

1. By inserting at the beginning of the paragraph which presently constitutes said subsection F., so as to newly designate said paragraph as the first paragraph of subsection F., the following parenthetical number: “(1)”;
  2. In the second sentence of said paragraph (1), by inserting after the words “maximum height is” the following words and number: “6 stories and up to”;
  3. In the second sentence of said paragraph (1), by deleting the word “lot” and inserting in place thereof the word “district”;
  4. In the third sentence of said paragraph (1), by inserting after the words “a maximum building height” the following words and punctuation: “, including building areas within 50 feet of a residential district boundary,”; and
  5. In the third sentence of said paragraph (1), by deleting the number “80” and inserting in place thereof the following words and numbers: “7 stories and up to 85”.
- B. By amending § 650-34 F., Heights of Structures, by inserting after said above-described paragraph (1) a new paragraph (2), as follows:
- (2) Roof decks, providing recreation and amenity areas for residents and businesses on the roof above the top story of a building, shall be encouraged in the Marlborough Village District. Roof decks may include open space areas for sitting and gardens; open-air areas covered by permanent roofs (flat or sloped); indoor areas for social gathering, meetings, common kitchens, restrooms, and storage; spaces for mechanical equipment; and enclosures for elevators and stairs. The portions of a building designed as a roofdeck shall be subject to maximum height restrictions, as may be increased by special permit.
- C. By amending § 650-41, Table of Lot Area, Yards, and Height of Structures, in the column designated as “Height” as it pertains to the Marlborough Village District, as follows:
1. By inserting a semi-colon after the first appearance of the word “feet”;
  2. By inserting after said semi-colon the word and punctuation “Maximum:”;
  3. By deleting the colon following the word “stories” and inserting in place thereof a semicolon.
- D. By amending paragraph 12 of the NOTES section as it appears below § 650-41, Table of Lot Area, Yards, and Height of Structures, as follows:
1. By deleting the number “80” and inserting in place thereof the words and numbers “7 stories and up to 85”;
  2. By deleting the words “adjacent to any” and inserting in place thereof the words and number “within 50 feet of a”;
  3. By inserting after the word “district” the word “boundary”
  4. By inserting after the words and number “shall not exceed 52 feet” the words and punctuation “except where allowed by special permit.”; and
  5. By inserting after the words and number “See § 650-34 F.” the following parenthetical number: “(1)”.
- E. The effective date of these amendments shall be the date of their passage.

F. All herein described amendments are also shown and described on Exhibit "A".

**APPROVED**; adopted.

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

**Councilor Dumais recused.**

**Suspension of the Rules requested – granted**

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service new school at 441 Bolton Street, **APPROVED**; adopted.

**Suspension of the Rules requested – granted**

ORDERED: That the Appointment of Matthew Elder to the Planning Board for a 5-year term to expire the first Monday in February, 2024, **APPROVED**; adopted.

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, DECEMBER 17, 2018 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, be further amended by amending Chapter 271-8.1 entitled "**IN-BUILDING FIRE DEPARTMENT AND POLICE DEPARTMENT RADIO COVERAGE**", having been read was **ORDERED ADVERTISED** as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY THE FOLLOWING AMENDMENT TO ARTICLE II OF CHAPTER 270:

1. Section 8.1 of Chapter 270 (§ 270-8.1), entitled "In-building Fire Department and Police Department radio coverage," is hereby amended by striking paragraph A. therefrom and inserting place thereof the following:
  - A. The Marlborough Fire Department requires that, in accordance with 780 CMR 915.1, et seq., of the Code of Massachusetts Regulations, as amended, all new buildings and new additions to existing buildings provide reliable radio communications for emergency responders within the building based upon the existing coverage levels of the Marlborough Fire Department and the Marlborough Police Department communication systems at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
2. The effective date of this amendment shall be the date of its passage.

**Suspension of the Rules requested – granted**

ORDERED: That pursuant to MGL c. 40, § 3, the City of Marlborough grant permanent utility easements, to be executed by the Mayor on behalf of the City, to the Massachusetts Electric Company (a/k/a “NGRID”), as described on Exhibits “A” and “B” hereto concerning, respectively, a Grant of Easement to Massachusetts Electric Company for electrical service to Marlborough High School at 431 Bolton Street, and a Grant of Easement to Massachusetts Electric Company for electrical service to the new elementary school at 441 Bolton Street, said grants of easement having been approved by the Marlborough School Committee on December 11, 2018, **APPROVED**; adopted.

ORDERED: That the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, Francis Street and East Main Street, Utility Pole #11-50, refer to the **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING**; adopted.

ORDERED: That the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, 10 Neil Street Utility Pole 1, refer to the **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING**; adopted.

ORDERED: That the Petition of AT & T to deploy one small cell site which will be mounted on existing utility pole at 319 East Main Street, refer to the **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:47 PM; adopted.

# IN CITY COUNCIL



Marlborough, Mass., NOVEMBER 19, 2018

## ORDERED:

That there being no objection thereto set **MONDAY, JANUARY 7, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Councilor Delano recused.

**Ninety days after public hearing is 04/07/19 which falls on a Sunday, therefore 04/08/19 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007461  
X 09-1002152C  
X 12-1004081C

# IN CITY COUNCIL

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Marlborough, Mass., NOVEMBER 19, 2018



## ORDERED:

That there being no objection thereto set **MONDAY, JANUARY 7, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Sign Special Permit, Main Street Bank, 81 Granger Boulevard Marlborough to operate an electronic message center sign at its bank located at 81 Granger Boulevard, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Councilor Delano recused.**

ADOPTED

ORDER NO. 18-1007423A  
X 18-1007461



*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](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*Nicholas J. Milano*  
2019 JAN -3 A 10:41  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

January 3, 2019

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:

I am pleased to submit for your acceptance a grant from the Executive Office of Elder Affairs in the amount of \$80,436.00 for the Marlborough Council on Aging. This annual grant award is through the Elder Affairs Formula Grant system and will be used to provide exercise classes, transportation, administrative support and other programs and enrichment opportunities for Marlborough's seniors.

As you may recall, the formula grant for Fiscal Year 2018 was \$65,019.00, which was based on per capita funding of \$9.70. For Fiscal Year 2019, per capita funding was increased to \$12.00 statewide, resulting in a significant increase in funds from the state. Thank you, Governor Baker and the Legislature, for your support of our seniors.

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

December 13, 2018

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

Re: EOEA Formula Grant Funding

Dear Mayor Vigeant,

I am pleased to submit to you a grant award in the amount of \$80,436.00 from the Executive Office of Elder Affairs. You will notice our grant award was increased this year to reflect the statewide increase in per capita funding of \$12.00. (FY'18 we were funded \$9.70 per capita.) The essential funding will continue to allow our Council on Aging to provide exercise classes, transportation, various programs, administrative support as well as enrichment opportunities for our older adults.

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

Sincerely,

Patricia A. Pope  
 Executive Director

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: December 113, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: EOEA Formula Grant

GRANTOR: EOEA

GRANT AMOUNT: \$80,436.00

GRANT PERIOD: July 1, 2018 - June 30, 2019

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

IS A POSITION BEING  
CREATED: Yes, part-time Bus Driver and part-time Transportation Coordinator  
(no benefits)

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 (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](http://www.mass.gov/osc) under Guidance For Vendors - Forms or [www.mass.gov/osc](http://www.mass.gov/osc) under OSD Forms.

<b>CONTRACTOR LEGAL NAME:</b> CITY OF MARLBOROUGH		<b>COMMONWEALTH DEPARTMENT NAME:</b> Executive Office of Elder Affairs <b>MMARS Department Code:</b> ELD	
<b>Legal Address:</b> (W-9, W-4, T&C): 140 MAIN ST MARLBOROUGH, MA 01752-3012		<b>Business Mailing Address:</b> 1 Ashburton Place Room 517, Boston, MA 02100	
<b>Contract Manager:</b> Patricia (Trish) Pope		<b>Billing Address (if different):</b>	
<b>E-Mail:</b> ppope@marlborough-ma.gov		<b>Contract Manager:</b> Stacey Anne O'Connell	
<b>Phone:</b> 608-486-6492	<b>Fax:</b>	<b>E-Mail:</b> Stacey.O'Connell@MassMall.state.ma.us	
<b>Contractor Vendor Code:</b> VC 6000192112		<b>Phone:</b> 1-617-222-7410	<b>Fax:</b> 1-617-727-9368
<b>Vendor Code Address ID</b> (e.g. "AD001"): AD001. Note: The Address Id must be set up for <b>EFT</b> payments.)		<b>MMARS Dgc ID(s):</b> FY19COAMarlborough00	
<input checked="" type="checkbox"/> <b>NEW CONTRACT</b>		<input type="checkbox"/> <b>CONTRACT AMENDMENT</b>	
<b>PROCUREMENT OR EXCEPTION TYPE:</b> (Check one option only) <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input type="checkbox"/> <u>Department Procurement</u> (includes State or Federal grants <b>815 CMR 2.00</b> ) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <b>Employment Status Form</b> , scope, budget) <input checked="" type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$_____, (or "no change") <b>AMENDMENT TYPE:</b> (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;G)</b> 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.			
<b>COMPENSATION:</b> (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"/> <u>Rate Contract</u> (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"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or <u>new Total</u> if Contract is being amended). <b>\$80,436.00</b>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through <b>EFT</b> 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 ( <b>G.L. c. 29, § 23A</b> ); only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <u>Prompt Pay Discounts Policy</u> .)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:</b> 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 7/1/2018 – 6/30/2019. 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. All approved obligations incurred prior to the effective date of this agreement (for which payment obligations have been triggered) and are intended to be part of this agreement, are to be funded from the total amount awarded under this agreement.			
<b>ANTICIPATED START DATE:</b> (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 <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ____ 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 3. were incurred as of <u>July 1, 2018</u> , a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> 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.			
<b>CONTRACT END DATE:</b> 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.			
<b>CERTIFICATIONS:</b> 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 <u>Contractor Certifications</u> (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 <u>Commonwealth Terms and Conditions</u> , 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 <b>801 CMR 21.07</b> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: <u>[Signature]</u> Date: <u>12/10/18</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>MARJOR VILCANT</u> Print Title: <u>MAYOR</u>		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Alessandro Vianello</u> Print Title: <u>Chief Financial Officer</u>	

Executive Office of Elder Affairs (ELD)  
 1 Ashburton Place, 5<sup>th</sup> Floor  
 Boston, MA 02108-1518

**ATTACHMENT B**

**COA Formula Grant Budget -FY 2019**

(pg. 1)

Print/Enter Name of COA: **Marlborough**

# Personnel	Municipal Funding* FY 2019 (see below)	(A) PRELIMINARY	(B) Initial if Revision... ( )	Hours/ week w/ELD funds	ID totals for Formula funded position(s), indicate \$/(per hour or unit of svc.) X hours/week X number of Weeks. ID fringe (if applicable). # Towns are eligible to receive at least \$5,000. → All grants depend on final state appropriation.	For ELD Use
___ Director/Coordinator ___ Administrative Ass't ___ Program Coordinator ___ Coord. Of Volunteers ___ Fiscal Manager ___					Monday, Wednesday, Thursday, Friday 8:00am - 4:00pm, Tuesday 8:00am - 7:00pm (40 hours)  Monday - Friday 8:00am - 4:00pm (35 hours) 19 hours per week (flexible)	
___ Senior Clerk ___ Secretary ___ Receptionist ___					Monday - Friday 8:00am - 4:00pm (35 hours)	
___ Chef/Cook ___ Site Manager ___ Custodian ___						
___ Driver ___ Dispatcher ___		\$15,000.00  \$10,140.00			\$15 per hour for 19 hours per week.  \$13 per hour for 15 hours per week.	
___ Outreach Worker ___ Outreach Coord./Spec. ___ Social Service Coord. ___ Social Worker ___					Monday, Wednesday, Thursday, Friday 8:00am - 5:00pm, Tuesday 11:00am - 7:00pm (40 hours)	
Other: e.g. program instructors ___ ___ ___						

**Attachment B** – COA Formula Grant Budget – FY 2019

Print/Enter Name of COA: Marlborough

pg. 2 of 2)

Non-Personnel Cost Category	(A) PRELIMINARY	(B) Revision	ELD & COA Notes
Staff/Volunteer Trans. Client Transportation	2000.00		Rate determined locally.  (Secure & retain contract/agreement for transportation service/s)
Rent/Mortgage			
Utilities			
Renovation/Construction			Describe concisely. Secure and retain quotes/estimates. Note (estimated) completion date/s.
Equipment/furnishings	1000.00		Specify/itemize and attach to budget. Check with the "GREEN GUIDE".
Office/program supplies	2296.00		(Cite representative items, costs).
Facility Maintenance/ supplies			(Cite representative costs, items) Please see "GREEN GUIDE" for exterior work.
Printing/Copying (non-newsletter)			(Cite representative costs)
Postage			
Dues	2700.00		MCO, My Senior Center, movie license
Newsletter Printing	3600.00		ELD is to be recognized as supporting this activity.
Conference/Education Training (Board/Staff)	1200.00		Maximum/eligible costs cited in the ELD "GREEN GUIDE".
<b>Volunteer Recognition*</b>	2500.00		<b>ELD encourages education and/or in-service training associated with recognition.</b> Formula funding may not exceed \$16.50/yr. (PP). A Volunteer Resource Sheet required.* → <b>At least # of 20 hours of volunteer are required for recognition with Formula funds.</b> (Please see notes regarding eligible/ineligible volunteer hours.)
Contractors / Other	\$40,000.00		Cardio & weights, 30/30, Lite and Lo, Zumba, Yoga (floor & chair) TaiChi (2 levels)Meditation, computer classes

For ELD Use
-------------

Sub-total (page 2)    \$55,296.00    \$ \_\_\_\_\_  
 Sub-total (page 1)    \$25,140.00    \$ \_\_\_\_\_  
**TOTAL**                    \$80,436.00    \$ \_\_\_\_\_

Date of this budget    10/01/2018    AIT--B--(W) (retro17)  
 Budget prepared by    \_\_\_\_\_ (please initial)



*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](http://www.marlborough-ma.gov)

RECEIVED  
Arthur G. Vigeant  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
MAYOR  
Nicholas J. Albano  
2019 JAN -3 AM 10:41  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

January 3, 2019

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

**Re: Grant Acceptance – Marlborough Police Department**

Honorable President Clancy and Councilors:

I am pleased to submit for your acceptance a grant in the amount of \$7,521.27 from the Marlborough Country Club in support of the Police Department's K-9 account. Once again, Alexandria Szwarz, a Marlborough Country Club employee, organized a golf tournament fundraiser to support Kaiser and Sgt. Ken McKenzie.

Alexandria's efforts and the support of the community for Kaiser are deeply appreciated by me, Chief Giorgi, and all the members of the Marlborough Police Department.

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

Sincerely,

**Arthur G. Vigeant**  
**Mayor**

Enclosures



# *City of Marlborough*

## *Police Department*

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

*David A. Giorgi*  
Chief of Police

December 19, 2018

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

Dear Mayor Vigeant:

The Marlborough Police Department has received a \$7,521.27 gift award from the Marlborough Country Club designated for the department's K-9 account. As in past years, the Country Club hosted a fundraiser golf tournament to specifically benefit the department's K-9 program and K-9 Kaiser. The Country Club's generosity to the K-9 program is greatly appreciated by not only Sgt. Ken McKenzie and Kaiser, but the entire department as well. In addition, I would like to take this opportunity to individually thank Alexandria Szwarc, an employee of the Country Club, for spearheading the tournament and for her diligent and tireless efforts to make the event a success. Ms. Szwarc's dedication to the department's K-9 program ensure the golf tournament's success each year and make it a special event for all who participate and contribute to the cause.

I have attached a copy of the check submitted by the Country Club and I am requesting that the gift award be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi  
Chief of Police

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: POLICE DATE: 12/19/18

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: CHIEF DAVID A. GIORGI

NAME OF GRANT: DONATION TO K-9 ACCOUNT

GRANTOR: MARLBOROUGH COUNTRY CLUB

GRANT AMOUNT: \$7,521.27

GRANT PERIOD: \_\_\_\_\_

SCOPE OF GRANT/  
ITEMS FUNDED SUPPLIES & TRAINING FOR K-9 PROGRAM

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IS A POSITION BEING  
CREATED: N/A

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? N/A

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?  
N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: N/A

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

2018 K-9	Oct 26, 2018	\$7,356.00	\$7,356.00		\$7,356.00
				<b>This Page Total</b>	\$7,356.00
				<b>Check Total</b>	\$7,356.00

Page 1 of 1

**MARLBOROUGH COUNTRY CLUB, INC.**  
 200 CONCORD ROAD  
 MARLBOROUGH, MA 01752

MAIN STREET BANK  
 MARLBOROUGH, MA 01752

8948  
 53-7075/2113  
 03



Oct 30, 2018 \$7,356.00

DATE

AMOUNT

Seven Thousand Three Hundred Fifty Six Dollars and Zero Cents

City of Marlborough

PAY TO THE ORDER OF

MARLBOROUGH COUNTRY CLUB, INC.

AUTHORIZED SIGNATURE

⑈008948⑈ ⑆211370752⑆ 88 903343 7⑈

Bank of America  
 Bank of America  
 Bank of America

Vendor Company Name		Vendor Number	Check Date	Check No.	
City of Marlborough		1K9	Dec 18, 2018	9164	
Invoice Number	Invoice Date	Invoice Amount	Total Paid	Discount/Adj	Payment Amount
KBK Sports 2018 K9 unit	Dec 14, 2018	\$165.27	\$165.27		\$165.27
Page 1 of 1				<b>This Page Total</b>	\$165.27
				<b>Check Total</b>	\$165.27

**MARLBOROUGH COUNTRY CLUB, INC.**  
 200 CONCORD ROAD  
 MARLBOROUGH, MA 01752

MAIN STREET BANK  
 MARLBOROUGH, MA 01752

9164

53-7075/2113  
 03



Dec 18, 2018

\$165.27

DATE

AMOUNT

One Hundred Sixty Five Dollars and Twenty Seven Cents

City of Marlborough

MARLBOROUGH COUNTRY CLUB, INC.

PAY  
 TO THE  
 ORDER  
 OF

*Rodger Weese*  
 AUTHORIZED SIGNATURE

⑈009164⑈ ⑆211370752⑆ 88 903343 7⑈



*City of Marlborough*  
*Office of the Mayor*

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CITY OF MARLBOROUGH  
Nicholas J. Milana  
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EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

January 3, 2019

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

**Re: Appointment to the Marlborough Historical Commission**

Honorable President Clancy and Councilors:

I am pleased to submit for your review and confirmation the appointment of Brendan Downey to the Marlborough Historical Commission for a term to expire three years from the date of City Council confirmation.

Brendan is a longtime Marlborough resident with an avid interest in Marlborough's local history. I met with Brendan to discuss his interest in the position and experience he would bring to the Commission. Brendan also met with Commission Chair Bob Fagone to discuss the various initiatives the Commission is working on.

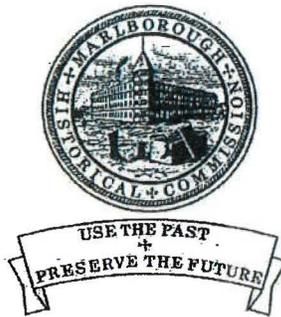
Please see enclosed Brendan's resume as well as a letter from Chairman Bob Fagone supporting this appointment.

Thank you for your consideration of this appointment and please do not hesitate to contact me with any questions.

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosures



December 3, 2018

Mayor Arthur G. Vigeant  
 City of Marlborough  
 City Hall  
 Marlborough, Massachusetts 01752

Re: Brendan Downey, Historical Commission applicant

Dear Mr. Mayor:

Brendan Downey has been interested in becoming a member of the Marlborough Historical Commission. Since Samantha Khosla has stepped down from active participation in the Commission, I am requesting that you consider Brendan as a member to fill Samantha's position.

Brendan is an energetic Marlborough resident with proven managerial skills and the ability to work with team members to complete project assignments. The fact that he is a history buff and a business entrepreneur makes his presence doubly valuable. He understands the nature of economic development as well as the stewardship of a community's history.

Nick Milano has a copy of his resume for your perusal. Please help the Historical Commission in its search for excellent members by expediting your own and the City Council Personnel Committee's approval of Brendan Downey to the Marlborough Historical Commission.

Thank you, again, Mr. Mayor.

Sincerely

Robert A. Fagone, Chair  
 Marlborough Historical Commission

cc: Brendan Downey

140 Main Street  
 Marlborough MA 01752  
 508-624-6910 ext.33215

## Brendan J. Downey

[REDACTED], Marlborough, MA 01752

[REDACTED] [downey.br@gmail.com](mailto:downey.br@gmail.com) LinkedIn: [www.linkedin.com/in/brendanjdowney](http://www.linkedin.com/in/brendanjdowney)

### SUMMARY

Senior digital marketing manager with battle tested skills in using data to generate insights that directly result in product innovation and customer success. Key professional accomplishments include:

- Created a new centralized client reporting team from the beginning, including designing initial studies to execution of the final plan using existing company resources resulting in increased efficiencies.
- Managed various innovation projects including migrating product deliverables from a manual Excel based process to an automated data visualization tool that resulted in a 75% savings in resources as well as a more consistent product.

### PROFESSIONAL EXPERIENCE

**MarketMuse**, Boston, MA September 2018 – Present

#### **Senior Manager – Customer Success**

Responsible for the daily activities of a 3-person customer facing team, including planning, budgeting, training and tactical support. Serve as the “face of Customer Success” at trade shows and on-site with enterprise clients.

- Redefined the team mandate and reprioritized activities to improve customer experience and increase renewal rate.
- Created a value based customer experience focused on supporting enterprise level clients.

**MarketMuse**, Boston, MA February 2018 – September 2018

#### **Program Manager**

Analyzed, built, and refractored internal processes in a high growth, SaaS start-up environment. Responsible for managing relationships for high-touch, top tier clients, including Fortune 100 global enterprises. Ensured that all clients received the most from the MarketMuse platform by gathering and communicating client feedback and monitoring programs to ensure customer success and professional services teams reach milestones and exceed all goals.

- Established and defined the Program Manager role at MarketMuse. Designed internal processes to interface new role with existing sales, development
- On-boarded and serve as the account manager for several major enterprise accounts including GSK & IBM.
- Improved operations by refactoring internal communications resulting in a 10x time saving in custom product production and delivery.
- Provided key support to product development team during major new product launch.

**TechTarget, (NASDAQ: TTGT)**, Newton, MA January 2014 – May 2017

#### **Senior Manager – Strategic Reporting & Analytics**

Responsible for managing the creation and delivery of complex client deliverables for a multi-million dollar portfolio of high value integrated advertising programs that included native advertising, custom content, multi-media banner, and demand generation products. Performed daily program management by coordinating the efforts of the traffic team's PPC campaigns, product developer's site optimization efforts, & sales team's communication with clients. Applied SEO best practices at the program and product level.

- Drove product innovation and defined the value proposition by combining data from multiple sources into a digestible format that resulted in optimization strategies for clients as well as more streamlined internal operations.
- Collaborated with multiple teams to migrate product deliverables into a leading edge data visualization tool that resulted in a more consistent product that took 75% less time to process.
- Developed testing regimens for custom websites as well as individual site features. Produced recommendations for product optimization based on testing results.
- Built custom traffic reporting dashboards for internal as well as external clients.

- Coordinated the migration to Universal Analytics & Google Tag Manager for custom products.
- Hired, trained, and mentored one direct report who was responsible for creation and delivery of custom client deliverables.

**TechTarget, (NASDAQ: TTGT), Newton, MA November 2011 – December 2013**

***Manager-Client Reporting***

Created a centralized team to consolidate all client facing reporting by taking existing resources from within the company as well as adding new hires with the primary mandate of improving reporting standards and quality as well as cost savings by increasing overall efficiency. Responsible for managing the delivery of client reporting for worldwide office locations including domestic, APAC, and EMEA regions.

- Hired, trained and nurtured a team of 9 direct reports in multiple office locations.
- Designed and built corporate reporting standards and delivery templates for all demand generation and branding products resulting in better client communication, streamlined processing, and consistent internal compliance.
- Established and managed relationships with offshore data processing firms resulting in increased efficiency and lower labor costs.
- Won the 2012 Brand Champion Award for creating and implementing standardized corporate client deliverables.

**TechTarget, (NASDAQ: TTGT), Newton, MA January 2011 – November 2011**

***Lead Systems and Integration Specialist***

Tasked with troubleshooting specific client facing product delivery issues. Designed and implemented specific processes in response to client and agency requirements.

- Worked with multiple teams to streamline report delivery company wide by establishing best practices.
- Developed new Excel based custom reporting tools containing advanced analytics that defined the overall standard for client reports across multiple product lines.
- Created project requirements and served as business owner for multiple Agile development projects that created added functionality to existing internal business applications.
- Performed a detailed analysis of company client reporting practices and operations that led to the creation of a centralized reporting team to improve the quality and consistency of products.

**Ziff Davis Enterprise, (<http://www.eweek.com/>), Topsfield, MA September. 2008 – January. 2011**

***Metrics & Reporting Analyst***

Responsible for the collection, formatting and distribution of IT sales leads for a B2B technology marketing solutions provider. Created, maintained, and analyzed complex Excel spreadsheets for both lead delivery and accounting purposes. Project manager for telemarketing efforts and remnant inventory sales. Acted as the liaison between the Client Services department, domestic and international web developers and the national sales team. Developed and manage all aspects of custom lead reporting for multiple Fortune 20 technology clients.

- Developed new custom reporting tools containing advanced analytics that defined the overall standard for client reports across multiple product lines.
- Increased department output by 20% by working with the software development team to design and develop several new web applications to automate daily tasks and streamline reporting functions.
- Created new incremental revenue by re-packaging existing inventory into a high profit new product line.

***Independent Property Manager*, Marlborough, MA 2005 – December 2017**

Manage monthly operations of a multi-unit residential trust; responsible for negotiating with all sub-contractors and utilities for regular services and capital improvements; act as sole liaison between tenants and property owners; negotiate all rental contracts with brokers; market the properties to a variety of different tenants and agents; ensure that all code requirements are met.

- Increased monthly revenue 40% by creating new rentable space within existing structure.
- Created new policies and systems for tenant conduct and financial control.
- Managed the sale of multiple properties including physical preparation, hiring and managing vendors and expediting transactions.

**Reservoir Wine & Spirits, Boston, MA, 1999 – 2006****General Manager / Fine Wine Buyer**

Managed overall operations of a \$4 million business. Negotiated the purchase of goods and services for multiple locations. Managed the day-to-day relationships with local wholesalers as well as national suppliers and importers. Performed daily financial operations for one location as well as hiring and training of new team members.

- Drove 10% average annual sales growth in primary location.
- Designed and implemented corporate purchasing policies resulting in profit increases while lowering average inventory levels.
- Developed innovative in-store marketing initiatives resulting in increased customer loyalty.
- Improved the image of the company by serving as the primary liaison with state, city, and neighborhood officials for code enforcement, policy development, and community relations.

**Upper Falls Discount Liquor Inc., Newton, MA 1996 - 1999****Assistant Manager / Malt Beverage Buyer**

Directed purchasing and merchandising of malt beverages department. Managed the day to day relationship with local vendors. Trained and supervised the activities of a staff of over 20 employees.

- Improved malt beverage category sales and profit by 7% and 8% respectively.
- Increased profitability by implementing a new flow of inventory between the corporation's three locations.

**EDUCATION**

**Boston College**, Chestnut Hill, MA

Bachelor of Arts (*cum laude*), Corporate Systems and Marketing, Cumulative GPA: 3.667/4.0

**TECHNICAL SKILLS**

Power user for Excel, PowerPoint, various web analytics tools (Google Analytics/DoubleClick), and various data visualization tools (GoodData & Tableau). Experienced in Agile project management. Experienced in utilizing PPC campaigns to achieve project goals. Working knowledge of SQL. Fluent in SEO/SEM best practices. Comfortable working in both Windows and Mac environments.



# 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  
2019 JAN -3 A 11:40  
CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

January 3, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 17/18/19-1007034D  
AT&T's Petition to Grant a Location on NGrid Pole #35-84  
319 East Main Street, Marlborough

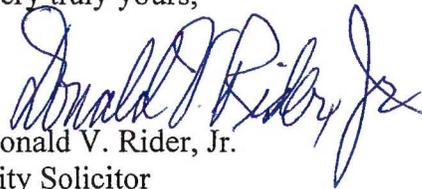
Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the petition submitted on behalf of New Cingular Wireless PCS, LLC ("AT&T"). The petition asks the Council to grant a location on an existing utility pole located at 319 East Main Street in Marlborough, which pole is designated as National Grid pole #35-84. Specifically, AT&T seeks permission to deploy a small cell facility on that pole by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit.

Based on meetings held by the Wireless Communications Committee regarding this petition, I have drafted a proposed decision, which contains various conditions and attaches the plans and photo simulations AT&T submitted for the pole location at 319 East Main Street. The proposed decision is enclosed and in proper legal form for the Council's vote.

Thank you for your attention to this matter.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Michael R. Dolan, Esquire

## ORDERED:

That the City Council for the City of Marlborough, pursuant to M.G.L. c. 166, § 22, does hereby approve the petition of New Cingular Wireless PCS, LLC (“AT&T”) dated August 9, 2017, filed with the City Clerk on September 21, 2017, to grant a location on an existing utility pole located at 319 East Main Street in Marlborough, which pole is designated as National Grid pole #35-84, in order for AT&T to deploy a small cell facility thereon by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit (the “Small Cell Facility”), all as depicted on plans submitted with AT&T’s petition and in photo simulations submitted to the City Council’s Wireless Communications Committee, which plans and photo simulations are attached hereto and incorporated herein;

subject, however, to the following conditions, which conditions shall be binding upon AT&T, its successors and/or assigns:

1. The Small Cell Facility shall be of such material and construction, and all work shall be done in such manner, as to be satisfactory to the City Council and the Engineering Division of the City’s Department of Public Works (the “City Engineering Division”).
2. AT&T shall indemnify and hold harmless the City against all damages, injuries, costs, expenses, and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and equity, allegedly caused by the acts or neglect of AT&T, its employees, agents and servants, in any manner arising out of the rights and privileges granted herein to AT&T for its Small Cell Facility.
3. AT&T shall comply with the requirements of existing City ordinances, including but not limited to Chapter 473 thereof, entitled “Poles, Wires and Conduits,” as may be applicable, and such requirements as may hereafter be adopted governing the construction and maintenance of the Small Cell Facility.
4. AT&T shall not install its Small Cell Facility on double poles. If National Grid pole #35-84 becomes a double pole in the future, AT&T shall remove its Small Cell Facility to a single pole as expeditiously as possible within the guidelines then prescribed by National Grid, but in any event no later than December 31 of the year in which National Grid pole #35-84 becomes a double pole.
5. All cutting of and/or digging into City streets and/or sidewalks by or on behalf of AT&T in conjunction with its Small Cell Facility is prohibited, as is all underground installation associated with the Small Cell Facility.
6. The Small Cell Facility shall be color-coordinated so as to best minimize the visual impact of the Facility.
7. The Small Cell Facility’s equipment cabinet, circuit breaker box, and electric meter main shall be mounted on the side of National Grid pole #35-84 facing away from the roadway.
8. Any future modification of the Small Cell Facility by AT&T shall require further City Council approval.
9. Any future road reconstruction or repair project by the City and/or the Commonwealth requiring the relocation of National Grid pole #35-84 shall result in AT&T’s moving their Small Cell Facility to another pole in a timely fashion after having been notified by

the City Engineering Division about the road project; provided, however, that any such relocation shall require further City Council approval.

- 10. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City Engineering Division with a written construction and/or installation schedule satisfactory to the Division.
- 11. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City’s Chief Procurement Officer (the “City CPO”) with a bond from a surety authorized to do business in Massachusetts and satisfactory to the City CPO in an amount equal to the cost of removal of the Small Cell Facility from National Grid pole #35-84 and for the repair and/or restoration of the public way, in the vicinity of National Grid pole #35-84, to the condition the public way was in as of the date of this order, said amount to be determined by the City Engineering Division. The amount of the bond shall be the total of the estimate by the Division plus an annual increase of 3% for the operating life of the Small Cell Facility. AT&T shall notify the City CPO and the Division of any cancellation of, or change in the terms or conditions in, the bond.
- 12. Failure by AT&T to comply with any of the above conditions to the satisfaction of the City Council or, as applicable, the City Engineering Division or the City CPO shall result in the City Council’s review of AT&T’s petition granted herein.

ADOPTED  
 In City Council  
 Order No. 17/18/19-1007034D  
 Adopted

Approved by Mayor  
 Arthur G. Vigeant  
 Date:

A TRUE COPY  
 ATTEST:

**Node: Area5\_124**  
**Address: 319 East Main St, Marlborough, MA**  
**Target Site: NGRID POLE # 35/84**  
**Coordinates: 42.351291, -71.533434**



# KATHREIN

840 10510 840 10511

## Dual Band Omni Antenna with GPS

	Antenna 1	Antenna 2
Dual Band (MHz)	698-894	1710-2180
Dual Polarization	X	X
HPBW	360°	360°

### General specifications:

Frequency range	698-894 MHz 1710-2180 MHz
VSWR	<1.5:1
Impedance	50 ohms
Intermodulation (2x20w)	IM3: <-150 dBc
Polarization	+45° upper and lower band -45° upper and lower band
Connector	4 x 7-18 DIN female
Isolation Intrasystem	>30 dB
Intersystem	>40 dB (698-894 // 1710-2180 MHz)
Radome color	Brown or grey
Weight	45 lb (20.4 kg)
Height	24 inches (609 mm)
Radome diameter	18 inches (457 mm)
Wind load Side	at 83 mph (150kph) 32 lbf (138 N)
Wind survival rating*	150 mph (241.4 kph)
Shipping dimensions	32 x 20 x 18 inches (813 x 508 x 483 mm)
Shipping weight	52 lb (23.6 kg)
Mounting	Designed to be mounted on top of a utility pole using a custom mounting bracket supplied by the customer.

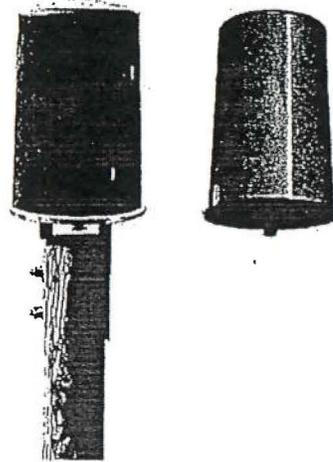
See reverse for order information.

\* Mechanical design is based on environmental conditions as stipulated in TIA-222-G-2 (December 2009) and/or ETS 300 019-1-4 which include the static mechanical load imposed on an antenna by wind at maximum velocity. See the Engineering Section of the catalog for further details.

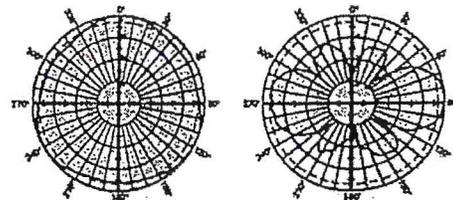
### GPS specifications:

Frequency range	1575.42 ± 3 MHz
LNA gain	27 dB Typical
Pre-amp filtering	-30 dB at ± 100 MHz
Polarization	Righthand circular
H-plane beamwidth	Omni
E-plane beamwidth	105 degrees (half-power)
Connector	N female
DC power	+3-5.5 Vdc, 22 mA ± 3 Through N output connector
Temperature range	-35° C to +70° C

Specifications:	698-806 MHz	806-894 MHz	1710-1880 MHz	1850-1990 MHz	1920-2180 MHz
Gain (typical)	4.5 dBi (with 1-4 dB nulls, typical)	6.5 dBi	9 dBi	9 dBi (with 6-10 dB nulls, typical)	8.5 dBi
Maximum input power	250 watts (at 50°C)	250 watts (at 50°C)	200 watts (at 50°C)	200 watts (at 50°C)	200 watts (at 50°C)
+45° and -45° polarization vertical beamwidth	37° (half-power)	30° (half-power)	19° (half-power)	17° (half-power)	17.5° (half-power)



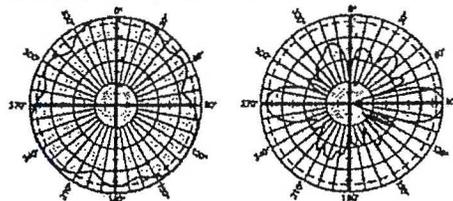
698-894 MHz



Horizontal pattern  
±45°-polarization

Vertical pattern  
±45°-polarization

1710-2180 MHz



Horizontal pattern  
±45°-polarization

Vertical pattern  
±45°-polarization



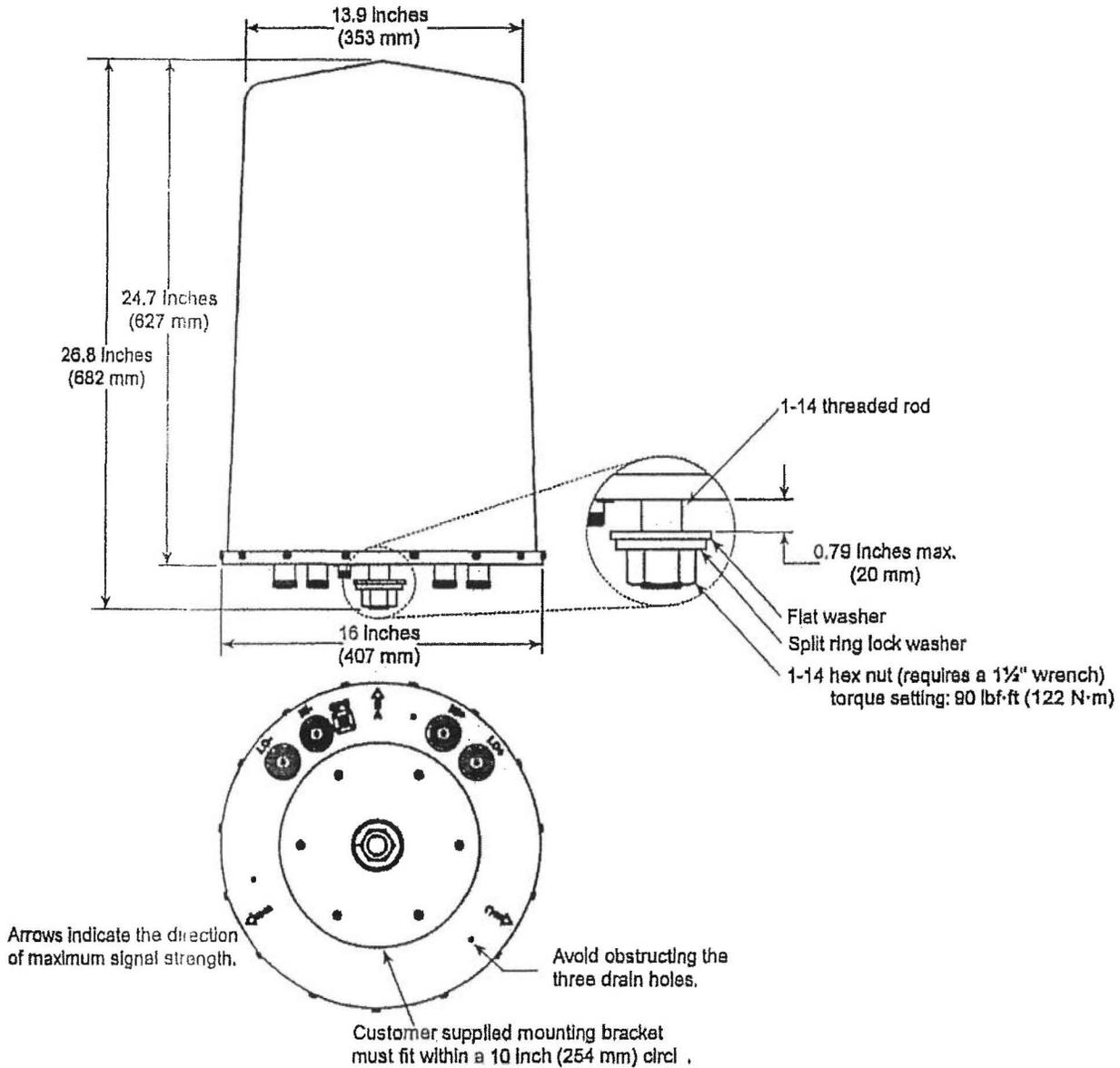
All specifications are subject to change without notice.  
The latest specifications are available at [www.kathreinusa.com](http://www.kathreinusa.com)

Kathrein USA Greenway Plaza II, 2400 Lakeside Blvd., Suite 650, Richardson TX 75082  
Phone: 214.238.8800 Fax: 214.238.8801 Email: [info@kathrein.com](mailto:info@kathrein.com)

# KATHREIN

840 10510 840 10511

Dual Band Omni Antenna with GPS



**Order Information:**

Model	Description
840 10510	Brown Dualband X-pol Omni Antenna
840 10511	Grey Dualband X-pol Omni Antenna

All specifications are subject to change without notice.  
The latest specifications are available at [www.kathreinusa.com](http://www.kathreinusa.com)

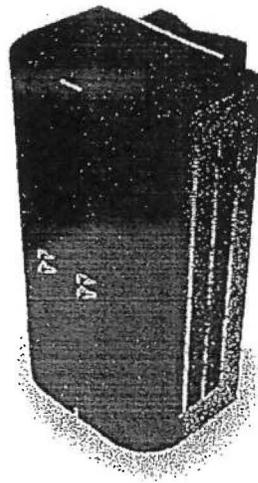
Kathrein USA Greenway Plaza II, 2400 Lakeside Blvd., Suite 650, Richardson TX 75082  
Phone: 214.238.8800 Fax: 214.238.8801 Email: [info@kathrein.com](mailto:info@kathrein.com)



# Curved Shroud

---

## Technical Product Description



### Copyright

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### Disclaimer

The contents of this document are subject to revision without notice due to continued progress in methodology, design, and manufacturing. Ericsson shall have no liability for any error or damage of any kind resulting from the use of this document.

Curved Shroud



## DESCRIPTION

---

The Curved Shroud is a pole mounted radio concealment. Its compact rounded shape design and variable powder coat finishes blends with surrounding infrastructure.

## TECHNICAL SPECIFICATION

---

### COMPLIANCE

Telcordia GR-487-CORE:

Exposure to High-Temperature  
 Environmental Induced Vibration  
 Seismic Test  
 Transportation Vibration (for configuration with up to 4x 2203 radios)

### MECHANICAL

Width x Depth x Height:

18" x 12" x 32"

Weight:

70 lbs. (enclosure only)

Internal Volume:

3.8 cu. ft.

### MOUNTING

Pole Mounting:

Wood/Steel (6" offset available) metal banding or thru bolt

### FINISH

Variable Powder Coat Finishes

### GROUNDING

Isolated ground bar with ¼-in stud, 5/8 ctr-ctr, copper ground bar

### CABLE ENTRY

6 cable egress/Ingress knock-out

### OPTIONAL EQUIPMENT CONFIGURATIONS

Up to 4x Ericsson 2203

Up to 2x 2203 and 1x mRRUS12

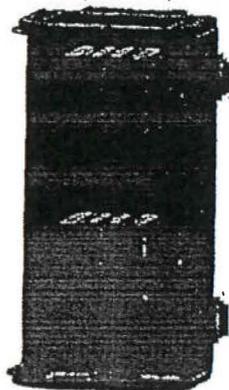
Integrated bracket for up to 2x twin-diplexer

Integrated bracket for outdoor rated fiber termination box

# ENCLOSURE CONFIGURATIONS

---

- 4x 2203, 2x twin-diplexer, 1x Fiber termination box



- 2x 2203, 1x mRRUS12, Fiber termination box, twin-diplexer



- Additional feature: mounting provision for AC distribution box



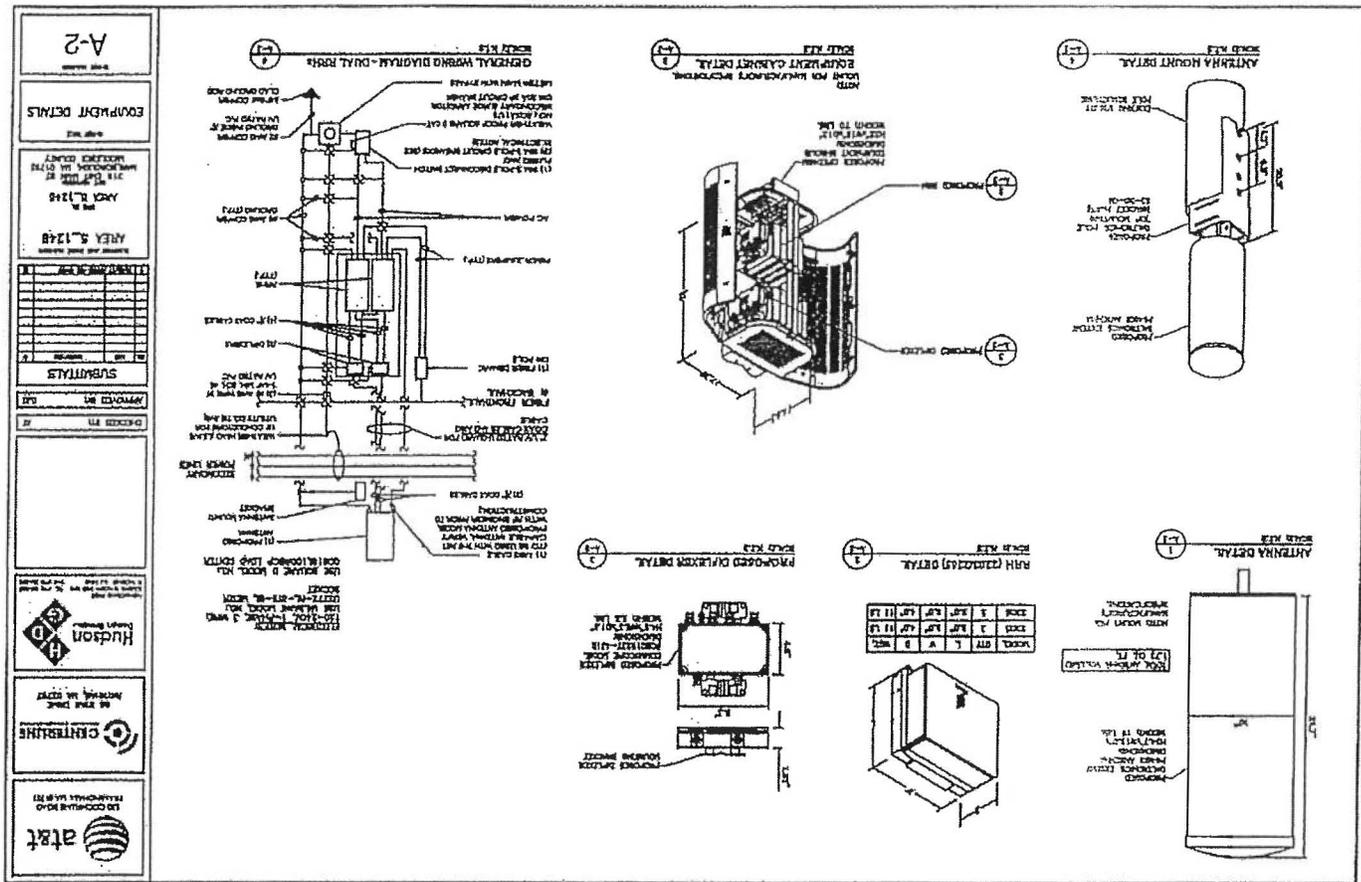












**A-2**

**EQUIPMENT DETAILS**

APR 5, 1948

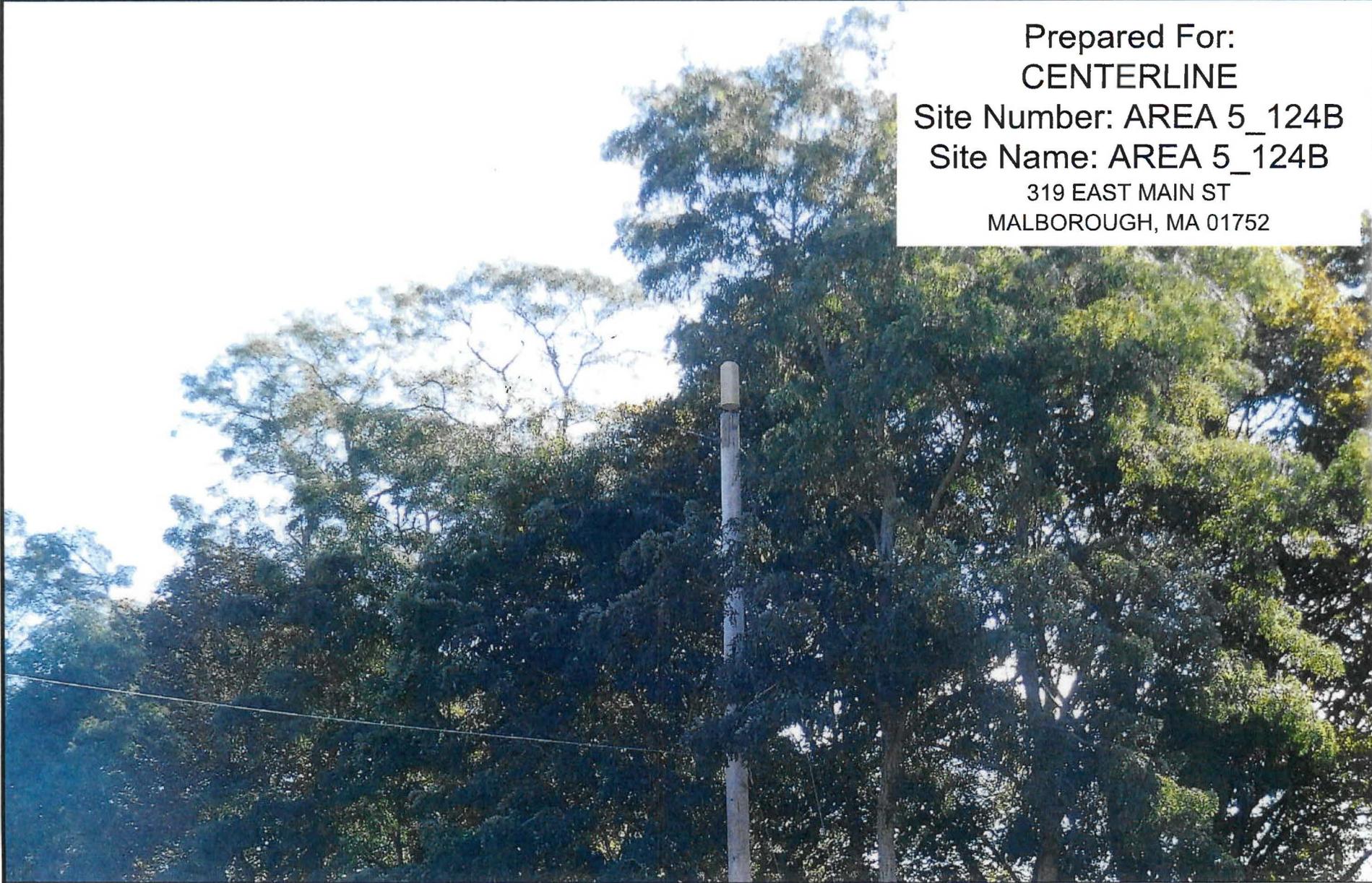
**SUBMITTALS**

**at&t**

**CENTRAL**

**Hudson**

Prepared For:  
**CENTERLINE**  
 Site Number: AREA 5\_124B  
 Site Name: AREA 5\_124B  
 319 EAST MAIN ST  
 MALBOROUGH, MA 01752



**SITE NO:** AREA 5\_124B  
**SITE NAME:** AREA 5\_124B  
**ADDRESS:** 319 EAST MAIN ST  
 MALBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5586

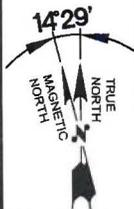
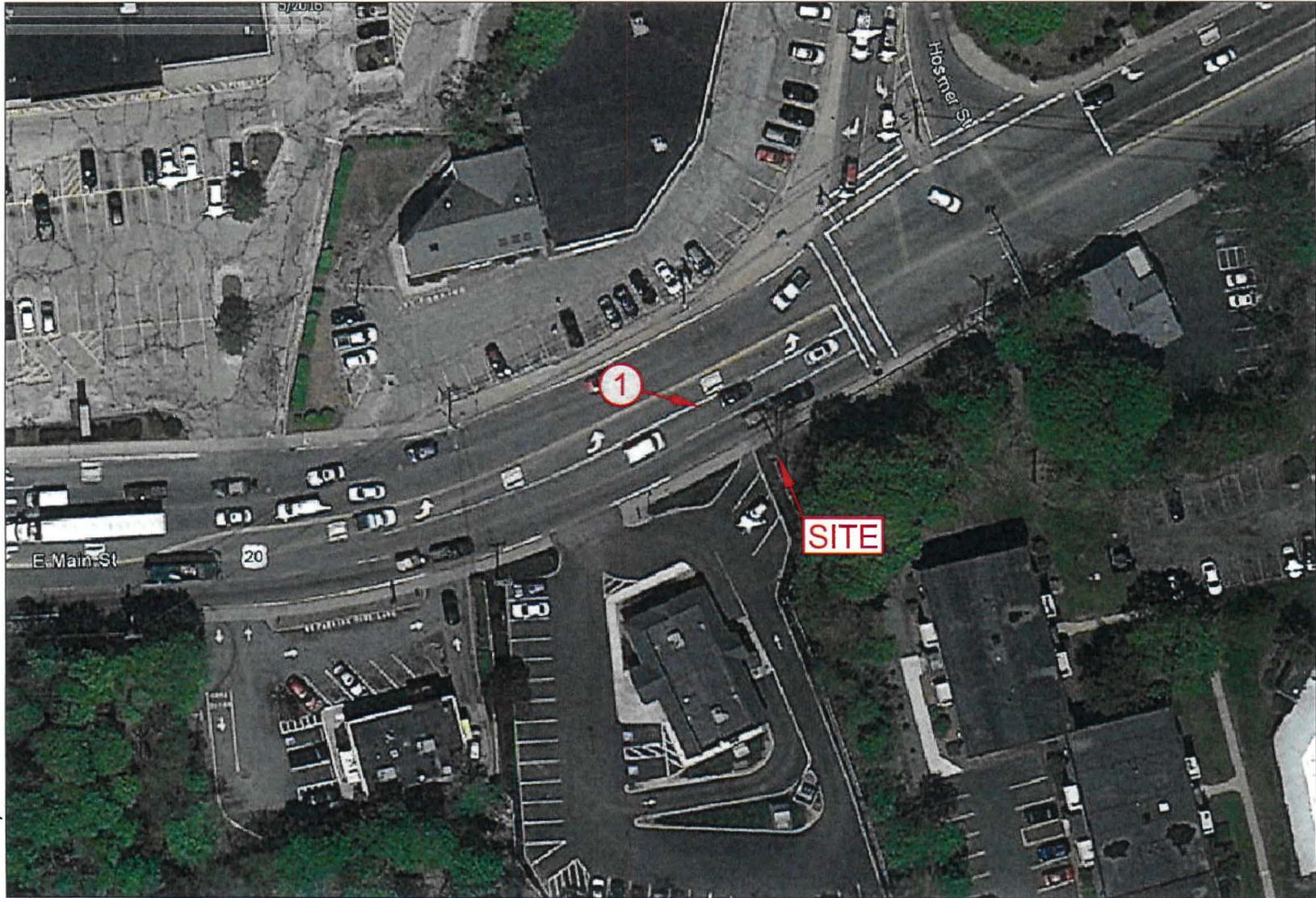
SITE TYPE: UTILITY POLE	
DATE: 10/06/2017	REV: 0
DRAWN BY: KB	
SCALE: N.T.S.	

THIS STUDY DOES NOT CLAIM IN ANY WAY TO SHOW THE ONLY AREAS OF VISIBILITY. IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION LOCATIONS AVAILABLE TO DATE.

PAGE 1 OF 4

**LOCUS MAP**

**TAKEN FROM GOOGLE.COM ON 10-05-17**



# PHOTO LOCATION

**SITE NO:** AREA 5\_124B  
**SITE NAME:** AREA 5\_124B  
**ADDRESS:** 319 EAST MAIN ST  
 MALBOROUGH, MA 01752



**SITE TYPE:** UTILITY POLE  
**DATE:** 10/06/2017 **REV:** 0  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

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EXISTING CONDITIONS

LOCATION # 1

DATE OF PHOTO: 10/05/2017



DETAIL OF EQUIPMENT

**VIEW SOUTHEAST FROM EAST MAIN STREET**

**SITE NO:** AREA 5\_124B  
**SITE NAME:** AREA 5\_124B  
**ADDRESS:** 319 EAST MAIN ST  
 MALBOROUGH, MA 01752



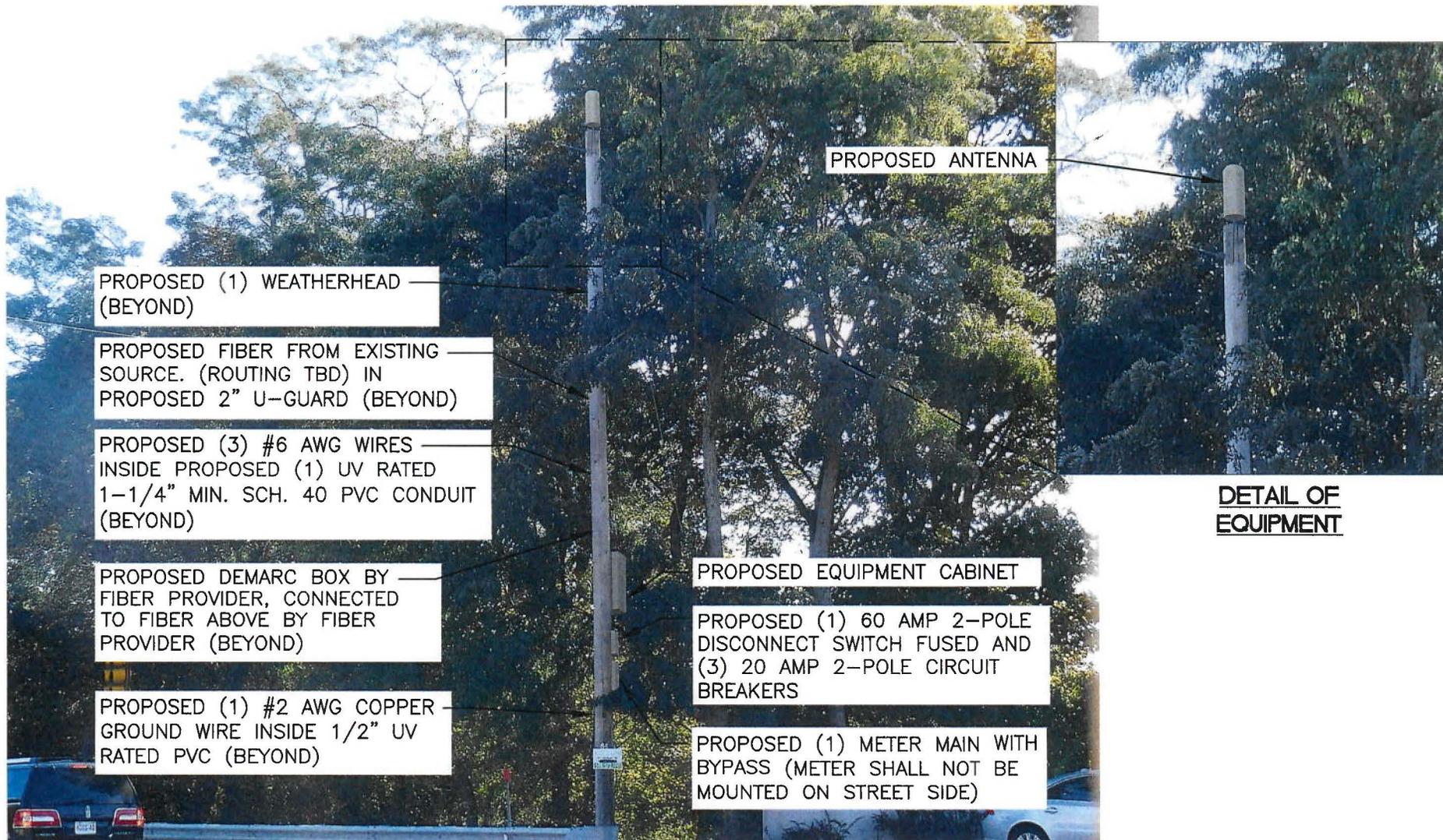
**SITE TYPE:** UTILITY POLE  
**DATE:** 10/06/2017 **REV:** 0  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

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**PROPOSED CONDITIONS**

**LOCATION # 1**

**DATE OF PHOTO: 10/05/2017**



**DETAIL OF EQUIPMENT**

**VIEW SOUTHEAST FROM EAST MAIN STREET**

**SITE NO:** AREA 5\_124B  
**SITE NAME:** AREA 5\_124B  
**ADDRESS:** 319 EAST MAIN ST  
 MALBOROUGH, MA 01752



**SITE TYPE:** UTILITY POLE  
**DATE:** 10/06/2017 **REV:** 0  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

THIS STUDY DOES NOT CLAIM IN ANY WAY TO SHOW THE ONLY AREAS OF VISIBILITY. IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION LOCATIONS AVAILABLE TO DATE.



## 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

CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
DONALD V. RIDER, JR.  
CITY SOLICITOR  
2019 JAN -3 A 11:40  
CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR  
ELLEN M. STAVROPOULOS  
PARALEGAL

January 3, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007321C  
AT&T's Petition to Grant a Location on NGrid Pole #11-50  
Francis Street at or near Its Intersection with East Main Street, Marlborough

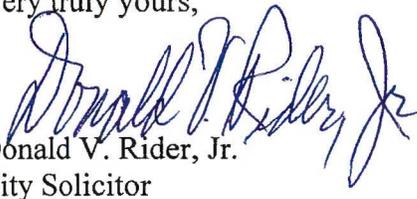
Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the petition submitted on behalf of New Cingular Wireless PCS, LLC ("AT&T"). The petition asks the Council to grant a location on an existing utility pole located on Francis Street at or near its intersection with East Main Street in Marlborough, which pole is designated as National Grid pole #11-50. Specifically, AT&T seeks permission to deploy a small cell facility on that pole by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit.

Based on meetings held by the Wireless Communications Committee regarding this petition, I have drafted a proposed decision, which contains various conditions and attaches the plans and photo simulations AT&T submitted for the pole location on Francis Street at or near its intersection with East Main Street. The proposed decision is enclosed and in proper legal form for the Council's vote.

Thank you for your attention to this matter.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Michael R. Dolan, Esquire

## ORDERED:

That the City Council for the City of Marlborough, pursuant to M.G.L. c. 166, § 22, does hereby approve the undated petition of New Cingular Wireless PCS, LLC (“AT&T”), filed with the City Clerk on June 13, 2018, to grant a location on an existing utility pole located on Francis Street at or near its intersection with East Main Street in Marlborough, which pole is designated as National Grid pole #11-50, in order for AT&T to deploy a small cell facility thereon by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit (the “Small Cell Facility”), all as depicted on plans submitted with AT&T’s petition and in photo simulations submitted to the City Council’s Wireless Communications Committee, which plans and photo simulations are attached hereto and incorporated herein;

subject, however, to the following conditions, which conditions shall be binding upon AT&T, its successors and/or assigns:

1. The Small Cell Facility shall be of such material and construction, and all work shall be done in such manner, as to be satisfactory to the City Council and the Engineering Division of the City’s Department of Public Works (the “City Engineering Division”).
2. AT&T shall indemnify and hold harmless the City against all damages, injuries, costs, expenses, and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and equity, allegedly caused by the acts or neglect of AT&T, its employees, agents and servants, in any manner arising out of the rights and privileges granted herein to AT&T for its Small Cell Facility.
3. AT&T shall comply with the requirements of existing City ordinances, including but not limited to Chapter 473 thereof, entitled “Poles, Wires and Conduits,” as may be applicable, and such requirements as may hereafter be adopted governing the construction and maintenance of the Small Cell Facility.
4. AT&T shall not install its Small Cell Facility on double poles. If National Grid pole #11-50 becomes a double pole in the future, AT&T shall remove its Small Cell Facility to a single pole as expeditiously as possible within the guidelines then prescribed by National Grid, but in any event no later than December 31 of the year in which National Grid pole #11-50 becomes a double pole.
5. All cutting of and/or digging into City streets and/or sidewalks by or on behalf of AT&T in conjunction with its Small Cell Facility is prohibited, as is all underground installation associated with the Small Cell Facility.
6. The Small Cell Facility shall be color-coordinated so as to best minimize the visual impact of the Facility.
7. The Small Cell Facility’s equipment cabinet, circuit breaker box, and electric meter main shall be mounted on the side of National Grid pole #11-50 facing away from the roadway.
8. Any future modification of the Small Cell Facility by AT&T shall require further City Council approval.
9. Any future road reconstruction or repair project by the City and/or the Commonwealth requiring the relocation of National Grid pole #11-50 shall result in AT&T’s moving their Small Cell Facility to another pole in a timely fashion after having been notified by

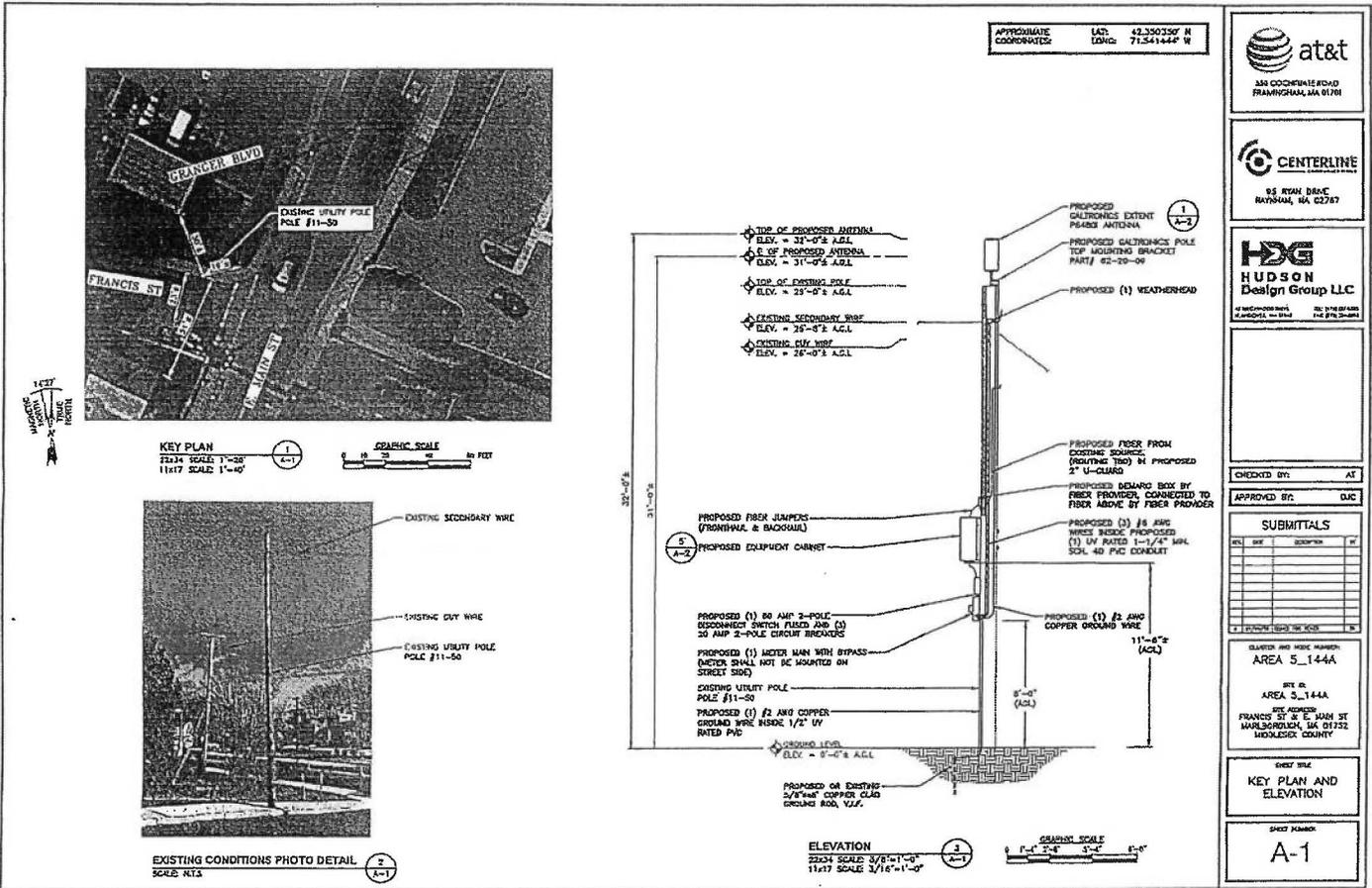
the City Engineering Division about the road project; provided, however, that any such relocation shall require further City Council approval.

- 10. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City Engineering Division with a written construction and/or installation schedule satisfactory to the Division.
- 11. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City’s Chief Procurement Officer (the “City CPO”) with a bond from a surety authorized to do business in Massachusetts and satisfactory to the City CPO in an amount equal to the cost of removal of the Small Cell Facility from National Grid pole #11-50 and for the repair and/or restoration of the public way, in the vicinity of National Grid pole #11-50, to the condition the public way was in as of the date of this order, said amount to be determined by the City Engineering Division. The amount of the bond shall be the total of the estimate by the Division plus an annual increase of 3% for the operating life of the Small Cell Facility. AT&T shall notify the City CPO and the Division of any cancellation of, or change in the terms or conditions in, the bond.
- 12. Failure by AT&T to comply with any of the above conditions to the satisfaction of the City Council or, as applicable, the City Engineering Division or the City CPO shall result in the City Council’s review of AT&T’s petition granted herein.

ADOPTED  
 In City Council  
 Order No. 18/19-1007321C  
 Adopted

Approved by Mayor  
 Arthur G. Vigeant  
 Date:

A TRUE COPY  
 ATTEST:



**at&t**  
350 COCHRAN ROAD  
FRAMINGHAM, MA 01701

**CENTERLINE**  
95 RYAN DRIVE  
NATASHA, MA 02767

**H2G**  
HUDSON  
Design Group LLC  
45 WASHINGTON ST. SUITE 200  
FRAMINGHAM, MA 01701

CHECKED BY: AT  
APPROVED BY: GJC

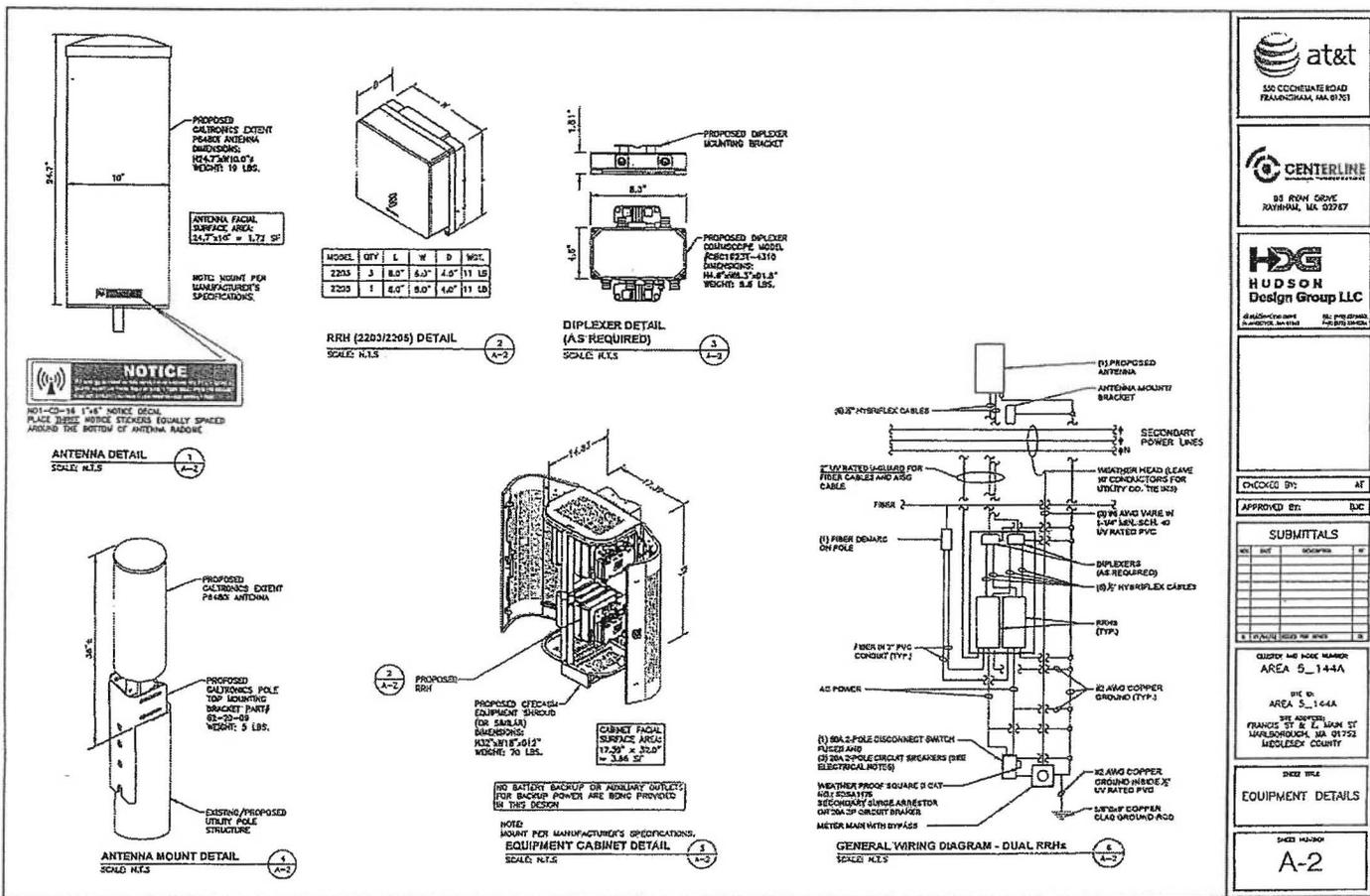
**SUBMITTALS**

REV.	DATE	DESCRIPTION	BY

GLASSER AND WIRE NUMBER:  
**AREA 5\_144A**  
BY: AREA 5\_144A  
SITE ADDRESS:  
FRANCIS ST @ E MAIN ST  
WARREN, MA 01752  
WENDELL COUNTY

SHEET TITLE:  
**KEY PLAN AND ELEVATION**

SHEET NUMBER:  
**A-1**



CHECKED BY: AF

APPROVED BY: DUC

**SUBMITTALS**

NO.	DATE	DESCRIPTION	BY

DESIGN AND WALK NUMBER  
AREA 5\_144A

DATE: 5\_14\_4A

THE OFFICE:  
FRANCIS ST. & E. MAIN ST.  
WILMINGTON, MA 01723  
MIDDLESEX COUNTY

SHEET TITLE  
EQUIPMENT DETAILS

SHEET NUMBER  
A-2



Prepared For:  
**CENTERLINE-AT&T**  
 Site Number:  
**AREA 5\_144A**  
 Site Name:  
**AREA 5\_144A**  
 1 FRANCIS STREET  
 MARLBOROUGH, MA 01752

**SITE NO:** AREA 5\_144A  
**SITE NAME:** AREA 5\_144A  
**ADDRESS:** 1 FRANCIS STREET  
 MARLBOROUGH, MA 01752

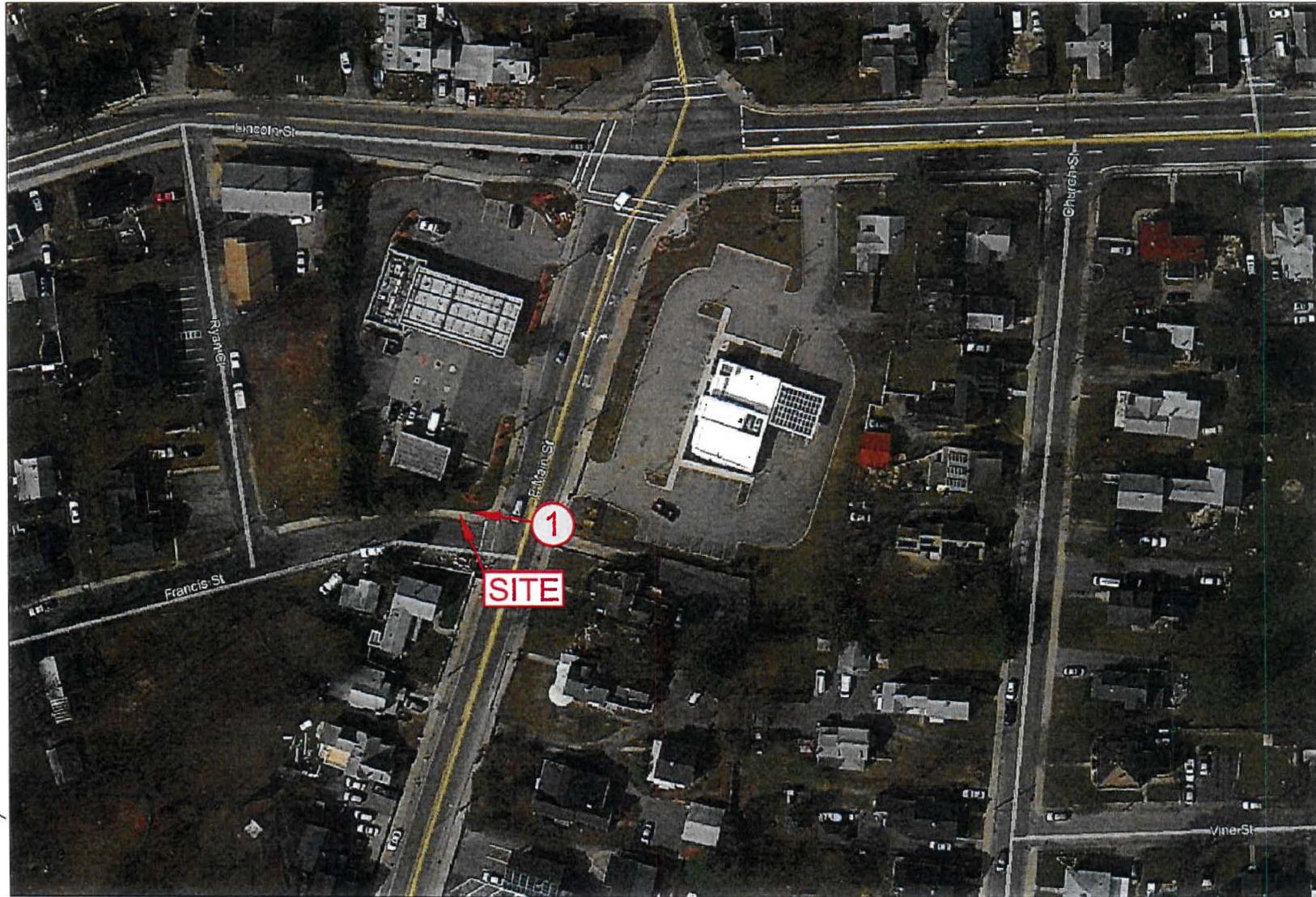


**SITE TYPE:** UTILITY POLE  
**DATE:** 01/11/2018 **REV:** 1  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

THIS STUDY DOES NOT CLAIM IN ANY WAY TO SHOW THE ONLY AREAS OF VISIBILITY. IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION LOCATIONS AVAILABLE TO DATE.

# LOCUS MAP

TAKEN FROM GOOGLE.COM ON 1-11-18



# PHOTO LOCATION

**SITE NO:** AREA 5\_144A  
**SITE NAME:** AREA 5\_144A  
**ADDRESS:** 1 FRANCIS STREET  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
N. ANDOVER, MA 01845

TEL: (978) 557-5553  
FAX: (978) 336-5586

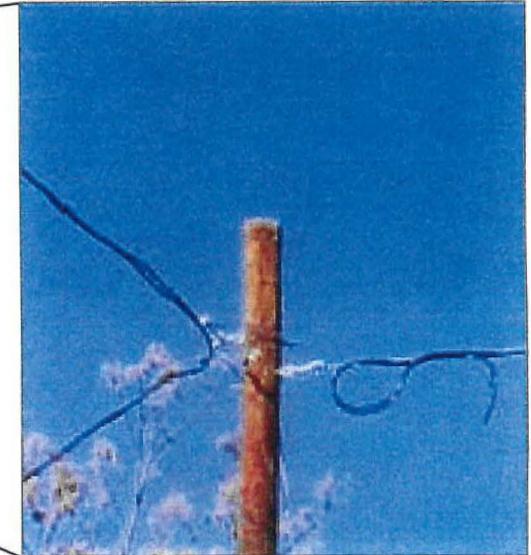
**SITE TYPE:** UTILITY POLE  
**DATE:** 01/11/2018 **REV:** 1  
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**EXISTING CONDITIONS**

**LOCATION # 1**

**DATE OF PHOTO: 12/07/2017**



**DETAIL OF EQUIPMENT**

**VIEW WEST FROM EAST MAIN STREET**

**SITE NO:** AREA 5\_144A  
**SITE NAME:** AREA 5\_144A  
**ADDRESS:** 1 FRANCIS STREET  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5566

**SITE TYPE:** UTILITY POLE

**DATE:** 01/11/2018 **REV:** 1

**DRAWN BY:** KB

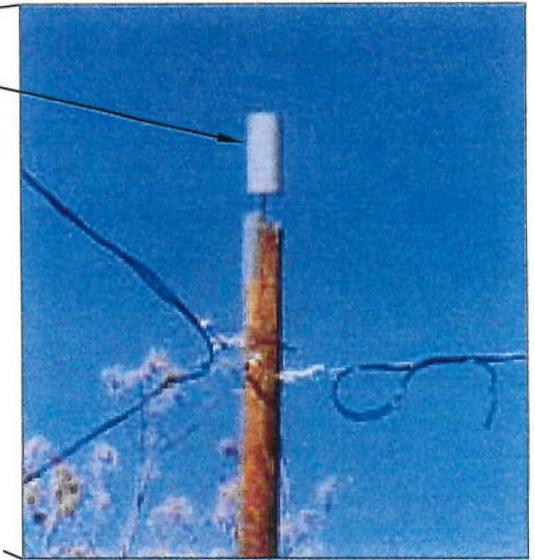
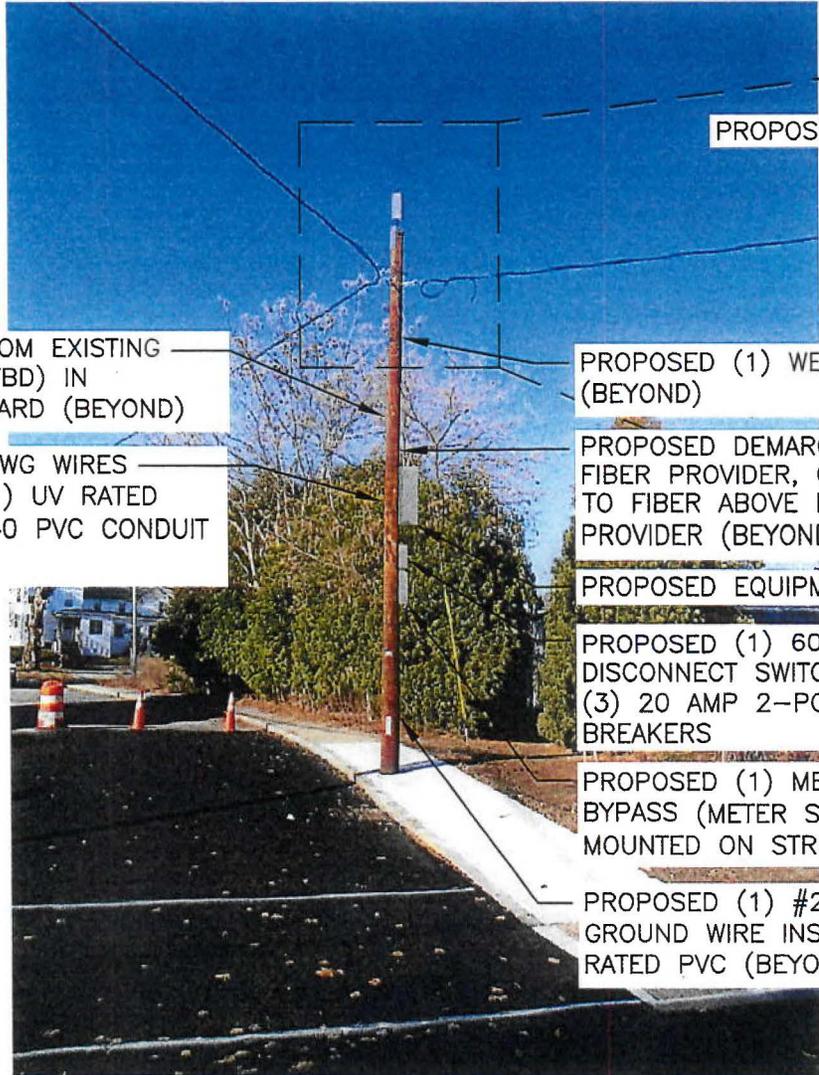
**SCALE:** N.T.S.

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**PROPOSED CONDITIONS**

**LOCATION # 1**

**DATE OF PHOTO: 12/07/2017**



PROPOSED ANTENNA

PROPOSED FIBER FROM EXISTING SOURCE. (ROUTING TBD) IN PROPOSED 2" U-GUARD (BEYOND)

PROPOSED (3) #6 AWG WIRES INSIDE PROPOSED (1) UV RATED 1-1/4" MIN. SCH. 40 PVC CONDUIT (BEYOND)

PROPOSED (1) WEATHERHEAD (BEYOND)

PROPOSED DEMARC BOX BY FIBER PROVIDER, CONNECTED TO FIBER ABOVE, BY FIBER PROVIDER (BEYOND)

PROPOSED EQUIPMENT CABINET

PROPOSED (1) 60 AMP 2-POLE DISCONNECT SWITCH FUSED AND (3) 20 AMP 2-POLE CIRCUIT BREAKERS

PROPOSED (1) METER MAIN WITH BYPASS (METER SHALL NOT BE MOUNTED ON STREET SIDE)

PROPOSED (1) #2 AWG COPPER GROUND WIRE INSIDE 1/2" UV RATED PVC (BEYOND)

**DETAIL OF EQUIPMENT**

**VIEW WEST FROM EAST MAIN STREET**

**SITE NO:** AREA 5\_144A  
**SITE NAME:** AREA 5\_144A  
**ADDRESS:** 1 FRANCIS STREET  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



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 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5586

**SITE TYPE:** UTILITY POLE

**DATE:** 01/11/2018 **REV:** 1

**DRAWN BY:** KB

**SCALE:** N.T.S.

THIS STUDY DOES NOT CLAIM IN ANY WAY TO SHOW THE ONLY AREAS OF VISIBILITY. IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION LOCATIONS AVAILABLE TO DATE.



# 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  
2019 JAN -3 A 11:41  
CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

January 3, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007322C  
AT&T's Petition to Grant a Location on NGrid Pole #1  
10 Neil Street, Marlborough

Dear President Clancy and Members:

I provide this letter as to the legal form of the City Council's proposed decision on the petition submitted on behalf of New Cingular Wireless PCS, LLC ("AT&T"). The petition asks the Council to grant a location on an existing utility pole located at 10 Neil Street in Marlborough, which pole is designated as National Grid pole #1. Specifically, AT&T seeks permission to deploy a small cell facility on that pole by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit.

Based on meetings held by the Wireless Communications Committee regarding this petition, I have drafted a proposed decision, which contains various conditions and attaches the plans and photo simulations AT&T submitted for the pole location at 10 Neil Street. The proposed decision is enclosed and in proper legal form for the Council's vote.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Michael R. Dolan, Esquire

## ORDERED:

That the City Council for the City of Marlborough, pursuant to M.G.L. c. 166, § 22, does hereby approve the undated petition of New Cingular Wireless PCS, LLC (“AT&T”), filed with the City Clerk on June 13, 2018, to grant a location on an existing utility pole located at 10 Neil Street in Marlborough, which pole is designated as National Grid pole #1, in order for AT&T to deploy a small cell facility thereon by constructing and maintaining telecommunications wires and appurtenances, including a pole top antenna, equipment cabinet, circuit breaker box, electric meter main, related wiring, fiber optic cable, and conduit (the “Small Cell Facility”), all as depicted on plans submitted with AT&T’s petition and in photo simulations submitted to the City Council’s Wireless Communications Committee, which plans and photo simulations are attached hereto and incorporated herein;

subject, however, to the following conditions, which conditions shall be binding upon AT&T, its successors and/or assigns:

1. The Small Cell Facility shall be of such material and construction, and all work shall be done in such manner, as to be satisfactory to the City Council and the Engineering Division of the City’s Department of Public Works (the “City Engineering Division”).
2. AT&T shall indemnify and hold harmless the City against all damages, injuries, costs, expenses, and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and equity, allegedly caused by the acts or neglect of AT&T, its employees, agents and servants, in any manner arising out of the rights and privileges granted herein to AT&T for its Small Cell Facility.
3. AT&T shall comply with the requirements of existing City ordinances, including but not limited to Chapter 473 thereof, entitled “Poles, Wires and Conduits,” as may be applicable, and such requirements as may hereafter be adopted governing the construction and maintenance of the Small Cell Facility.
4. AT&T shall not install its Small Cell Facility on National Grid pole #1 unless and until the double poles at that location as of the date of this order have been eliminated. If, after National Grid pole #1 becomes a single pole, it again becomes a double pole in the future, AT&T shall remove its Small Cell Facility to a single pole as expeditiously as possible within the guidelines then prescribed by National Grid, but in any event no later than December 31 of the year in which National Grid pole #1 becomes a double pole.
5. All cutting of and/or digging into City streets and/or sidewalks by or on behalf of AT&T in conjunction with its Small Cell Facility is prohibited, as is all underground installation associated with the Small Cell Facility.
6. The Small Cell Facility shall be color-coordinated so as to best minimize the visual impact of the Facility.
7. The Small Cell Facility’s equipment cabinet, circuit breaker box, and electric meter main shall be mounted on the side of National Grid pole #1 facing away from the roadway.
8. Any future modification of the Small Cell Facility by AT&T shall require further City Council approval.
9. Any future road reconstruction or repair project by the City and/or the Commonwealth requiring the relocation of National Grid pole #1 shall result in AT&T’s moving their Small Cell Facility to another pole in a timely fashion after having been notified by the

City Engineering Division about the road project; provided, however, that any such relocation shall require further City Council approval.

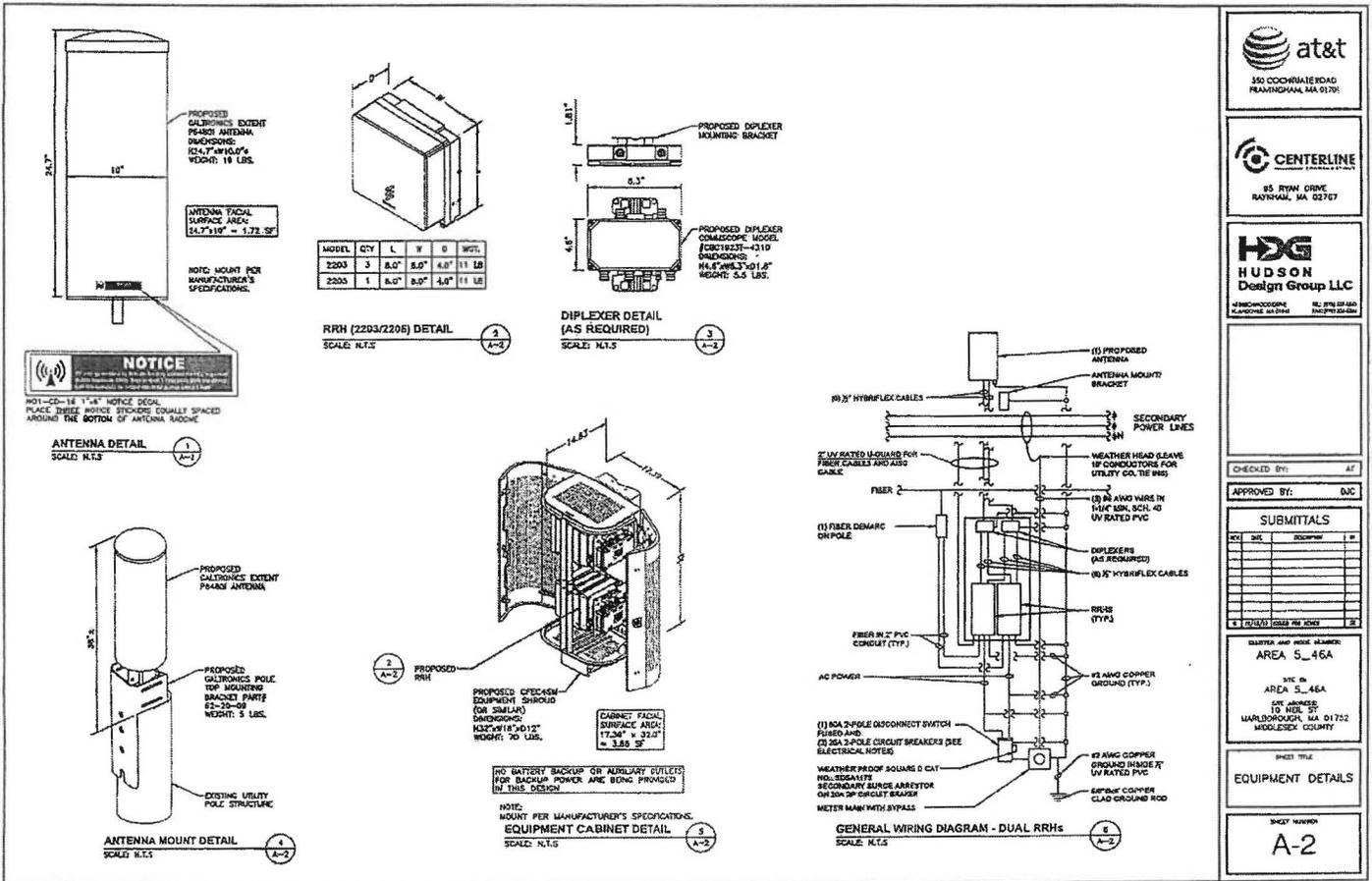
- 10. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City Engineering Division with a written construction and/or installation schedule satisfactory to the Division.
- 11. Prior to the commencement of construction and/or installation of the Small Cell Facility, AT&T shall provide the City’s Chief Procurement Officer (the “City CPO”) with a bond from a surety authorized to do business in Massachusetts and satisfactory to the City CPO in an amount equal to the cost of removal of the Small Cell Facility from National Grid pole #1 and for the repair and/or restoration of the public way, in the vicinity of National Grid pole #1, to the condition the public way was in as of the date of this order, said amount to be determined by the City Engineering Division. The amount of the bond shall be the total of the estimate by the Division plus an annual increase of 3% for the operating life of the Small Cell Facility. AT&T shall notify the City CPO and the Division of any cancellation of, or change in the terms or conditions in, the bond.
- 12. Failure by AT&T to comply with any of the above conditions to the satisfaction of the City Council or, as applicable, the City Engineering Division or the City CPO shall result in the City Council’s review of AT&T’s petition granted herein.

ADOPTED  
 In City Council  
 Order No. 18/19-1007322C  
 Adopted

Approved by Mayor  
 Arthur G. Vigeant  
 Date:

A TRUE COPY  
 ATTEST:





**at&t**  
350 COORNAIER ROAD  
RAYNHAM, MA 01976

**CENTERLINE**  
85 RYAN DRIVE  
RAYNHAM, MA 02767

**H2G HUDSON**  
Design Group LLC  
43 BRIMWOOD RD. RAYNHAM, MA 01976  
TEL: 978-327-5540 FAX: 978-327-5541

CHECKED BY: AT

APPROVED BY: DJC

**SUBMITTALS**

NO.	DATE	DESCRIPTION	BY

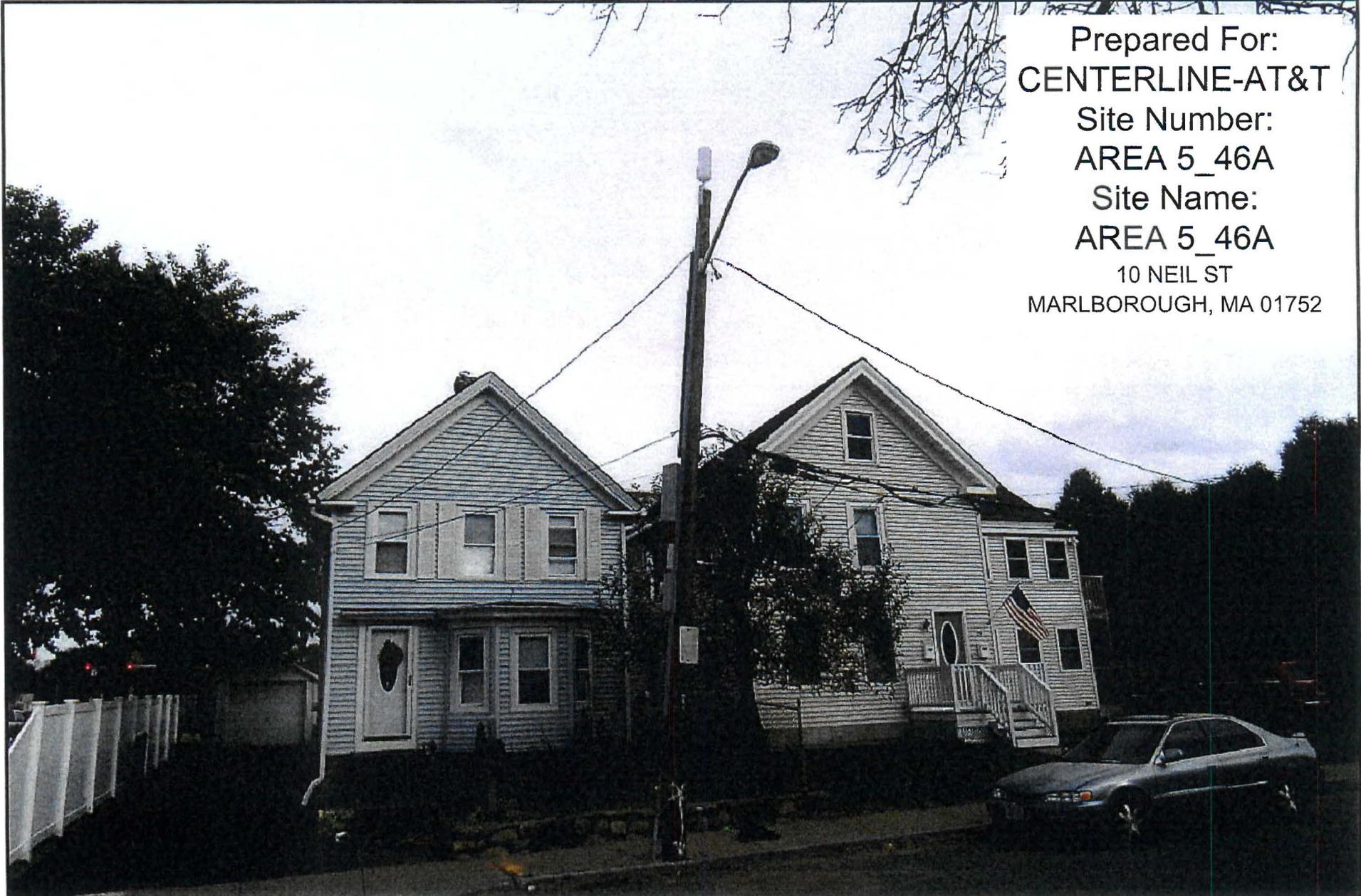
OWNER AND POLE NUMBER:  
AREA 5\_46A

SIC IN:  
AREA 5\_46A

JOB ADDRESS:  
10 NBL ST  
WALDORF, MA 01752  
MIDDLESEX COUNTY

SHEET TITLE:  
**EQUIPMENT DETAILS**

SHEET NUMBER:  
**A-2**



Prepared For:  
**CENTERLINE-AT&T**  
 Site Number:  
**AREA 5\_46A**  
 Site Name:  
**AREA 5\_46A**  
 10 NEIL ST  
 MARLBOROUGH, MA 01752

**SITE NO:** AREA 5\_46A  
**SITE NAME:** AREA 5\_46A  
**ADDRESS:** 10 NEIL ST  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5586

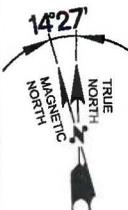
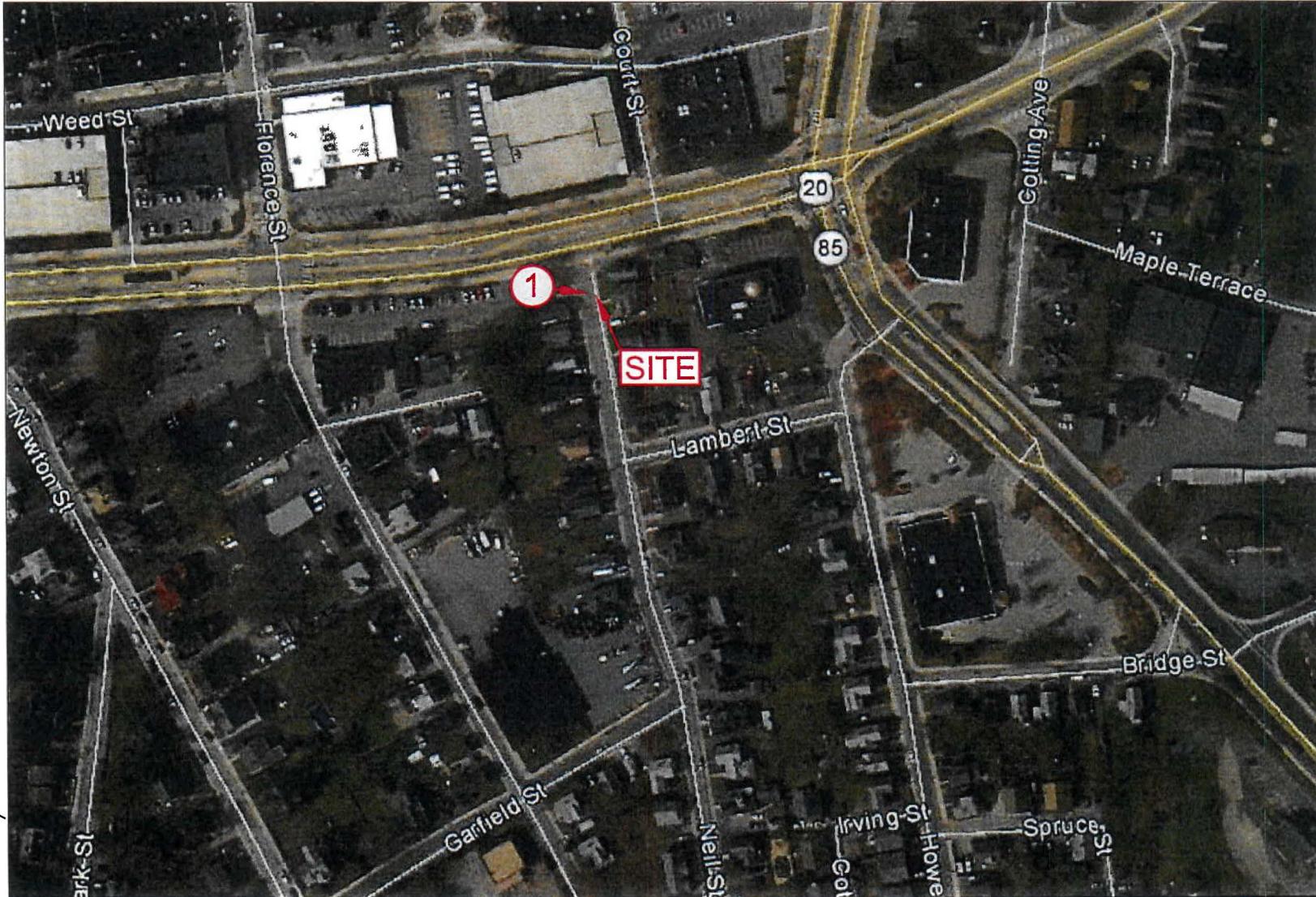
**SITE TYPE:** UTILITY POLE  
**DATE:** 1/11/2018    **REV:** 1  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

THIS STUDY DOES NOT CLAIM IN ANY WAY TO SHOW THE ONLY AREAS OF VISIBILITY. IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION LOCATIONS AVAILABLE TO DATE.

PAGE 1 OF 4

LOCUS MAP

TAKEN FROM GOOGLE.COM ON 01-11-18



# PHOTO LOCATION

**SITE NO:** AREA 5\_46A  
**SITE NAME:** AREA 5\_46A  
**ADDRESS:** 10 NEIL ST  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5586

SITE TYPE: UTILITY POLE

DATE: 1/11/2018      REV: 1

DRAWN BY: KB

SCALE: N.T.S.

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EXISTING CONDITIONS

LOCATION # 1

DATE OF PHOTO: 12/12/2017



DETAIL OF EQUIPMENT

**VIEW EAST FROM NEIL STREET**

**SITE NO:** AREA 5\_46A  
**SITE NAME:** AREA 5\_46A  
**ADDRESS:** 10 NEIL ST  
 MARLBOROUGH, MA 01752



550 COCHITUATE ROAD  
 FRAMINGHAM, MA 01701

PREPARED FOR:



95 RYAN DRIVE  
 RAYNHAM, MA 02767



45 BEECHWOOD DRIVE  
 N. ANDOVER, MA 01845  
 TEL: (978) 557-5553  
 FAX: (978) 336-5586

**SITE TYPE:** UTILITY POLE

**DATE:** 1/11/2018      **REV:** 1

**DRAWN BY:** KB

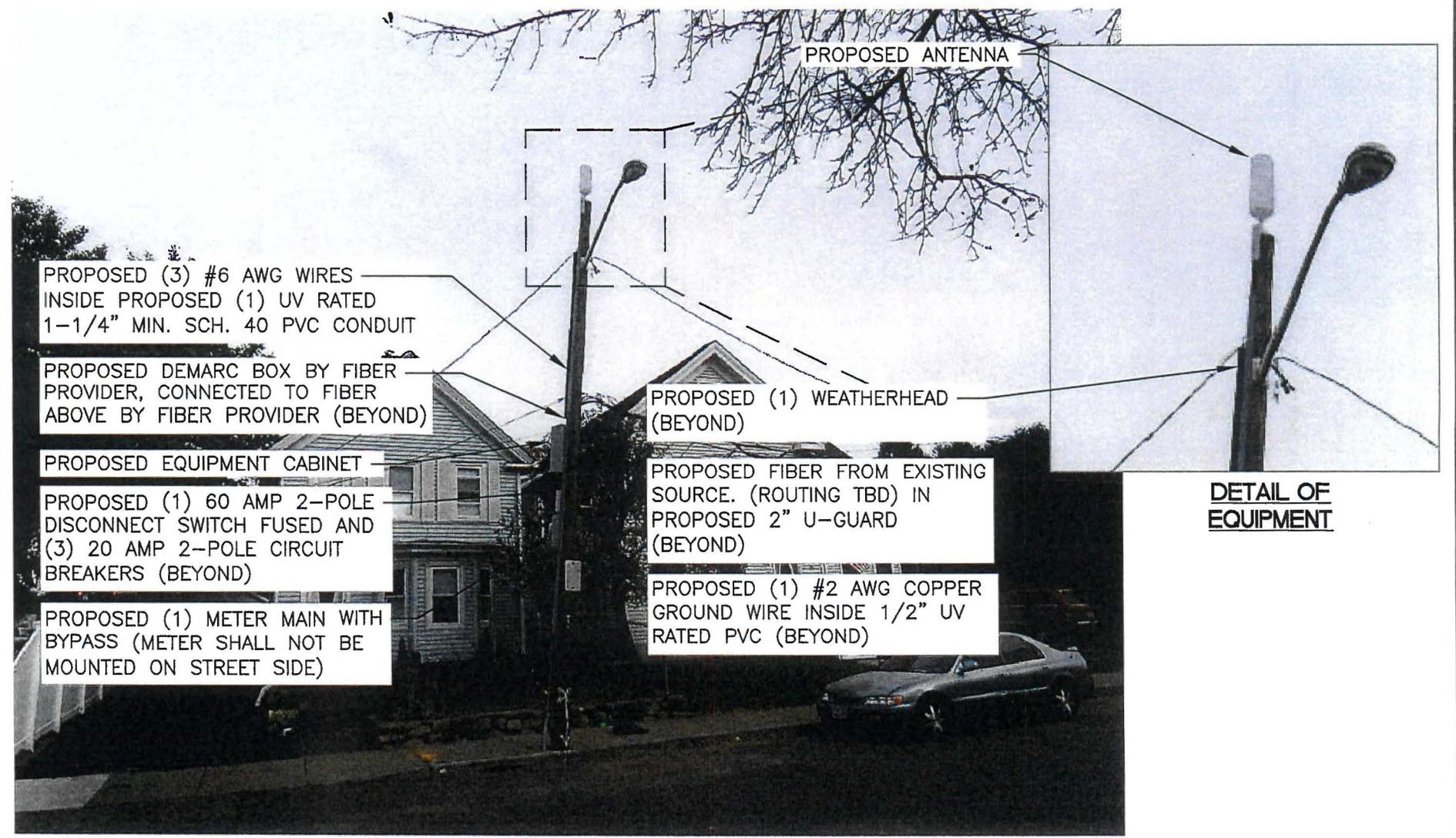
**SCALE:** N.T.S.

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**PROPOSED CONDITIONS**

**LOCATION # 1**

**DATE OF PHOTO: 12/12/2017**



PROPOSED (3) #6 AWG WIRES  
INSIDE PROPOSED (1) UV RATED  
1-1/4" MIN. SCH. 40 PVC CONDUIT

PROPOSED DEMARC BOX BY FIBER  
PROVIDER, CONNECTED TO FIBER  
ABOVE BY FIBER PROVIDER (BEYOND)

PROPOSED EQUIPMENT CABINET

PROPOSED (1) 60 AMP 2-POLE  
DISCONNECT SWITCH FUSED AND  
(3) 20 AMP 2-POLE CIRCUIT  
BREAKERS (BEYOND)

PROPOSED (1) METER MAIN WITH  
BYPASS (METER SHALL NOT BE  
MOUNTED ON STREET SIDE)

PROPOSED ANTENNA

PROPOSED (1) WEATHERHEAD  
(BEYOND)

PROPOSED FIBER FROM EXISTING  
SOURCE. (ROUTING TBD) IN  
PROPOSED 2" U-GUARD  
(BEYOND)

PROPOSED (1) #2 AWG COPPER  
GROUND WIRE INSIDE 1/2" UV  
RATED PVC (BEYOND)

**DETAIL OF  
EQUIPMENT**

**VIEW EAST FROM NEIL STREET**

**SITE NO:** AREA 5\_46A  
**SITE NAME:** AREA 5\_46A  
**ADDRESS:** 10 NEIL ST  
MARLBOROUGH, MA 01752



**SITE TYPE:** UTILITY POLE  
**DATE:** 1/11/2018 **REV:** 1  
**DRAWN BY:** KB  
**SCALE:** N.T.S.

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*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](mailto:LEGAL@MARLBOROUGH-MA.GOV)

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2019 JAN -2 P 15  
 DONALD V. RIDER, JR.  
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN  
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
 PARALEGAL

January 3, 2018

President Edward Clancy and  
 Members of the Marlborough City Council  
 140 Main Street  
 Marlborough, MA 01752

RE: Order No. 18-1007481/ Order to Amend City Code § 270-8.1 In-building Fire  
 Department and Police Department radio coverage

Dear President Clancy and Members:

Enclosed please find the above-referenced Order which amends § 270-8.1 of the City  
 Code, entitled "In-building Fire Department and Police Department radio coverage." Said Order  
 is in proper legal form for consideration by the body.

I am available to answer your questions. Thank you for your attention to this matter.

Very Truly Yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin  
 Assistant City Solicitor

Enclosure

Cc: Kevin Breen, Fire Chief  
 Fred Flynn, Assistant Fire Chief  
 Jeff Cooke, Building Commissioner

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY THE FOLLOWING AMENDMENT TO ARTICLE II OF CHAPTER 270:

1. Section 8.1 of Chapter 270 (§ 270-8.1), entitled "In-building Fire Department and Police Department radio coverage," is hereby amended by striking paragraph A. therefrom and inserting place thereof the following:

- A. The Marlborough Fire Department requires that, in accordance with 780 CMR 916.1, et seq., of the Code of Massachusetts Regulations, as amended, all new buildings and new additions to existing buildings provide reliable radio communications for emergency responders within the building based upon the existing coverage levels of the Marlborough Fire Department and the Marlborough Police Department communication systems at the exterior of the building. This section shall not require improvement of existing public safety communication systems.

2. The effective date of this amendment shall be the date of its passage.

ADOPTED

In City Council  
Order No 18-1007481

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

*City of Marlborough*  
*Commonwealth of Massachusetts*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 DEC 21 P 4:33



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

December 5, 2018

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

RE: Sign Application  
Venture X

Dear Mr. Clancy and Members:

Attached please find an application package for a temporary, freestanding sign for Venture X at 11 Apex Drive along with the letter of approval from Walker Realty LLC.

While the size of the sign is well within the allowed square footage, freestanding signs are usually limited to multiple street entrances. The Apex Center of course has a number of freestanding signs at each of the major entrances so you would need to allow this as an amendment to the sign approvals.

The application also doesn't designate the extent of time they would like to have the temporary sign so you may wish to have the proponent designate a time limitation.

Sincerely,

Pamela A. Wilderman  
Code Enforcement Officer

Cc: File

# 11 APEX, LLC

12-2

Signage – X Formation  
11 Apex Drive, Marlborough, MA 01752  
November 28, 2018

City of Marlborough  
Building Department  
140 Main Street  
Marlborough, MA 01752  
ATTN: Ms. Pam Wilderman

Ms. Wilderman:

This letter is to confirm that 11 Apex, LLC, the Landlord, hereby gives permission to Venture X to install a temporary sign at 11 Apex Drive. Please let me know if there is anything you need from our end. Thank you.



Jeff White  
Asset Manager  
978-799-4289  
jwhite@raventures.net



# City of Marlborough BUILDING DEPARTMENT

140 Main Street  
Marlborough, Massachusetts 01752



Date: 11/27/18 Permit No. \_\_\_\_\_

Address/Location of Sign 11 Apex Drive Suite 300

Name of Business VentureX

Name of Owner of Business Ryan D. Gagne Telephone 508-431-3264

Type of Sign: (check off which applies)  
 Flat Wall  <sup>Temporary</sup> 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 96' Width 42' Height (Free Standing) 96' Area 28 SF

Location of Sign on Bld. N/A North \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

### Dimensions Façade:

Length 122' Width 7' Area 854 SF

[Signature] Telephone 508-431-3264  
Signature of Responsible Party

Installer Company Signarama Frammingham Telephone 508-875-7446

newmanjh@Signarama-Frammingham.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] 11/27/18  
Signature Date

Cost of Sign(s) \$500.00 Permit Fee \$ \_\_\_\_\_



**CITY OF MARLBOROUGH**

**Building Department  
(508) 460-3776**

**BUILDING**

**PERMIT**

**JOB WEATHER CARD**

PERMIT NO

BP-2018-001523

ISSUE DATE

11/28/2018

APPLICANT

Sign-A-Rama Framingham

PERMIT TO

Signage

AT (LOCATION)  ZONING DISTRICT  Bldg. Type:

SUBDIVISION MAP BLOCK LOT  BUILDING IS TO BE:  USE GROUP

**WORK DESCRIPTION**  
Temporary Coming Soon for "Venture X" at 11 Apex Drive.

**CONTRACTOR**  
LICENSE   
Construction Supervisor  
**SIGN INSTALLATION**

AREA (SQ FT)  EST COST(\$) PERMIT FEE (\$)

OWNER   
ADDRESS

BUILDING DEPT BY

PHONE

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE

APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.

WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

**POST THIS CARD SO IT IS VISIBLE FROM STREET**

BUILDING INSPECTIONS APPROVALS

	<b>REQUIRED INSPECTIONS LISTED ON REVERSE</b>	
	OTHER:	

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION

PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE

INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE OR WRITTEN NOTIFICATION.

## City Council

---

**From:** Jeff Newman <newmanjh@signarama-framingham.com>  
**Sent:** Wednesday, December 19, 2018 1:02 PM  
**To:** City Council  
**Subject:** RE: Temporary Freestanding Sign for Venture X at 11 Apex Drive

That wording would be fine, Karen.

Thank you,

**Jeff Newman**  
 President



*Honored as the 2014 #1 Signarama Franchisee Worldwide*  
**PROUD HALL OF FAME FRANCHISE LOCATION**  
*Mentor Location*

280 Worcester Road #118  
 Framingham, MA 01702  
 508-875-7446 Office  
 508-875-7470 FAX  
[newmanjh@thesignbiz.com](mailto:newmanjh@thesignbiz.com)  
[www.FraminghamSigns.com](http://www.FraminghamSigns.com)

#### E-Mail Disclaimer

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**From:** City Council <citycouncil@marlborough-ma.gov>  
**Sent:** Wednesday, December 19, 2018 1:01 PM  
**To:** Jeff Newman <newmanjh@signarama-framingham.com>  
**Subject:** RE: Temporary Freestanding Sign for Venture X at 11 Apex Drive

Will do. I just received from our Engineering Division a scan of the large plan that came with your application. I wanted to include it with the copies to councilors and for the packet on the City Council agenda.

Would it be best to use language for the time, **eight months from the issuance of the building permit?** Feel free to suggest helpful language.

Karen

**From:** Jeff Newman <[newmanjh@signarama-framingham.com](mailto:newmanjh@signarama-framingham.com)>  
**Sent:** Wednesday, December 19, 2018 11:46 AM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>

Cc: [ryan.gagne@venturex.com](mailto:ryan.gagne@venturex.com)

Subject: RE: Temporary Freestanding Sign for Venture X at 11 Apex Drive

Hi Karen,

The temporary sign will be in place for approximately 8 months. The purpose of the sign is to advertise the Venture X business and within 8 months they expect to be at a capacity where other marketing efforts will be in full effect and at that time the roadside temporary sign will become redundant and unnecessary.

Please let me know if you require anything further for the City Council to render an approval for the temporary sign.

Thank you,

Jeff Newman  
President



*Honored as the 2014 #1 Signarama Franchisee Worldwide  
PROUD HALL OF FAME FRANCHISE LOCATION  
Mentor Location*

280 Worcester Road #118  
Framingham, MA 01702  
508-875-7446 Office  
508-875-7470 FAX  
[newmanjh@thesignbiz.com](mailto:newmanjh@thesignbiz.com)  
[www.FraminghamSigns.com](http://www.FraminghamSigns.com)



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**From:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>  
**Sent:** Tuesday, December 18, 2018 4:01 PM  
**To:** Jeff Newman <[newmanjh@signarama-framingham.com](mailto:newmanjh@signarama-framingham.com)>  
**Subject:** Temporary Freestanding Sign for Venture X at 11 Apex Drive

Dear Jeff:

The request for a temporary freestanding sign for Venture X at 11 Apex Drive will be on the January 7, 2019 City Council agenda.

As the application does not indicate a timeline for the temporary sign, the Code Officer has indicated that the applicant should be asked to designate a time limitation.

This information could be included in the agenda packet.

Please email or call me if you have any questions.

Thank you.

Karen



JOB #: 59367

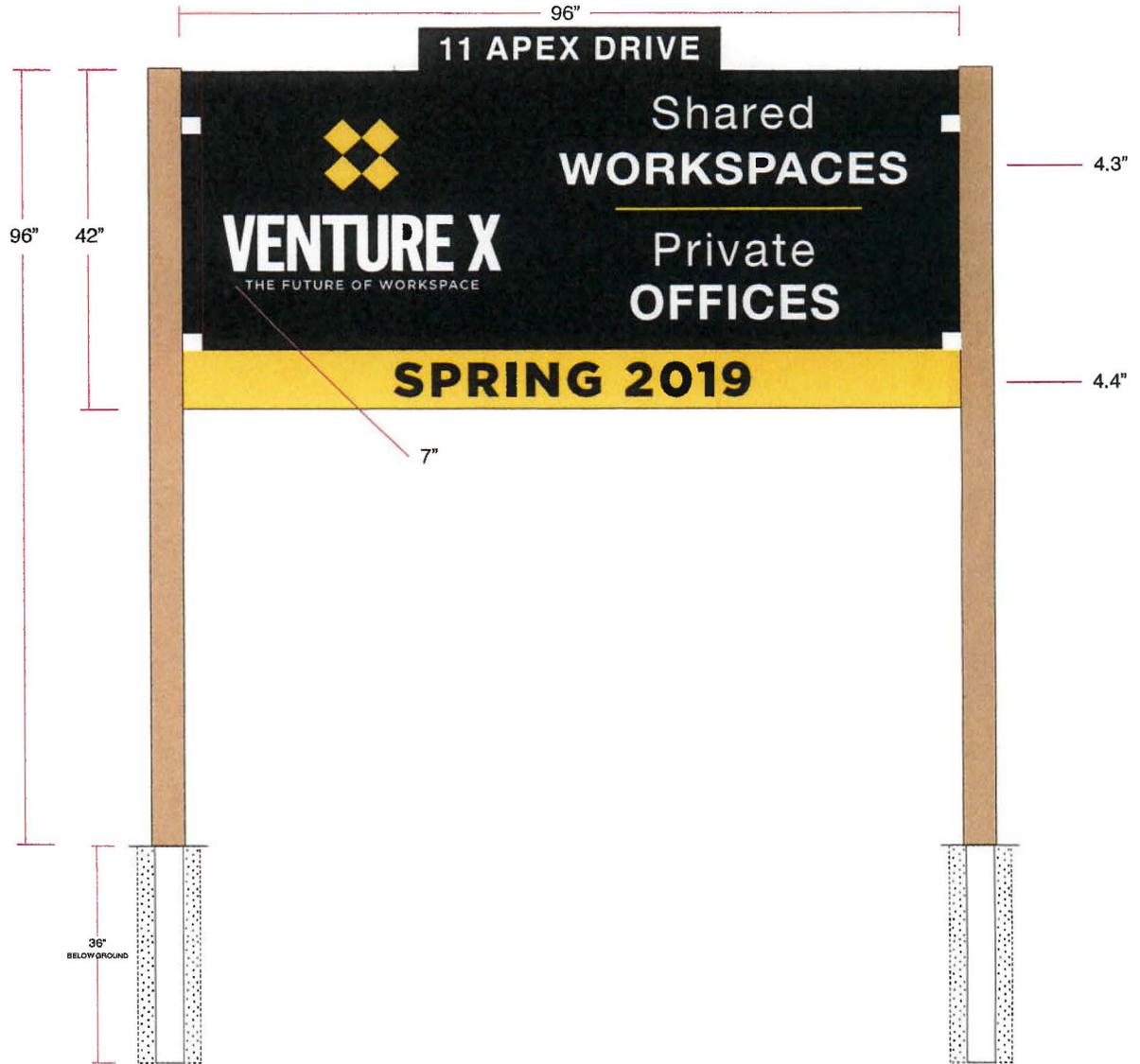
PROJECT TYPE: FREESTANDING

REVISION DATE: 11.20.18

QUANTITY: 1

PROOF DATE: 11.20.18

REVISION #: 1



42" H x 96" W x 6mm (1/2" D) MDO Sign Panel with digitally printed & matte laminated vinyl applied to one (1) side, per the approved sign proof.

Includes:

- \* QTY (2) 4" x 4" x 12' Pressure Treated Posts
- \* QTY (4) White Aluminum Post Clips & galvanized mounting hardware

PLEASE NOTE: PRICING INCLUDES UP TO TWO (2) REVISION CYCLES; AN ADDITIONAL COST MAY BE APPLIED FOR EXTRA DESIGN TIME.

These plans are the exclusive property of Sign\*A\*Rama and are the result of the original work of its employees. Their sole purpose is for client consideration as to whether or not to purchase the proposed plans or to purchase from Sign\*A\*Rama, a sign manufactured according to these plans. Distribution or exhibition of these plans to anyone other than employees of your company, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition occurs, Sign\*A\*Rama expects to be reimbursed for time and effort entailed in creating these plans.

IMPORTANT: SUPERIMPOSED PHOTOS ARE NOT TO BE VIEWED AS 100% ACCURATE DEPICTIONS, THEY ARE SIMPLY A ROUGH REPRESENTATION OF SIGN PLACEMENT.

**Signarama**  
The way to grow your business.

[www.framinghamsigns.com](http://www.framinghamsigns.com)  
280 WORCESTER RD.  
FRAMINGHAM, MA 01702  
508.875.7446 P 508.875.7470 F

JOB #: 59367

PROJECT TYPE: FREESTANDING

REVISION DATE: 11.20.18

QUANTITY: 1

PROOF DATE: 11.20.18

REVISION #: 1



**PLEASE NOTE: PRICING INCLUDES UP TO TWO (2) REVISION CYCLES; AN ADDITIONAL COST MAY BE APPLIED FOR EXTRA DESIGN TIME.**

These plans are the exclusive property of Sign\*A\*Rama and are the result of the original work of its employees. Their sole purpose is for client consideration as to whether or not to purchase the proposed plans or to purchase from Sign\*A\*Rama, a sign manufactured according to these plans. Distribution or exhibition of these plans to anyone other than employees of your company, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition occurs, Sign\*A\*Rama expects to be reimbursed for time and effort entailed in creating these plans.

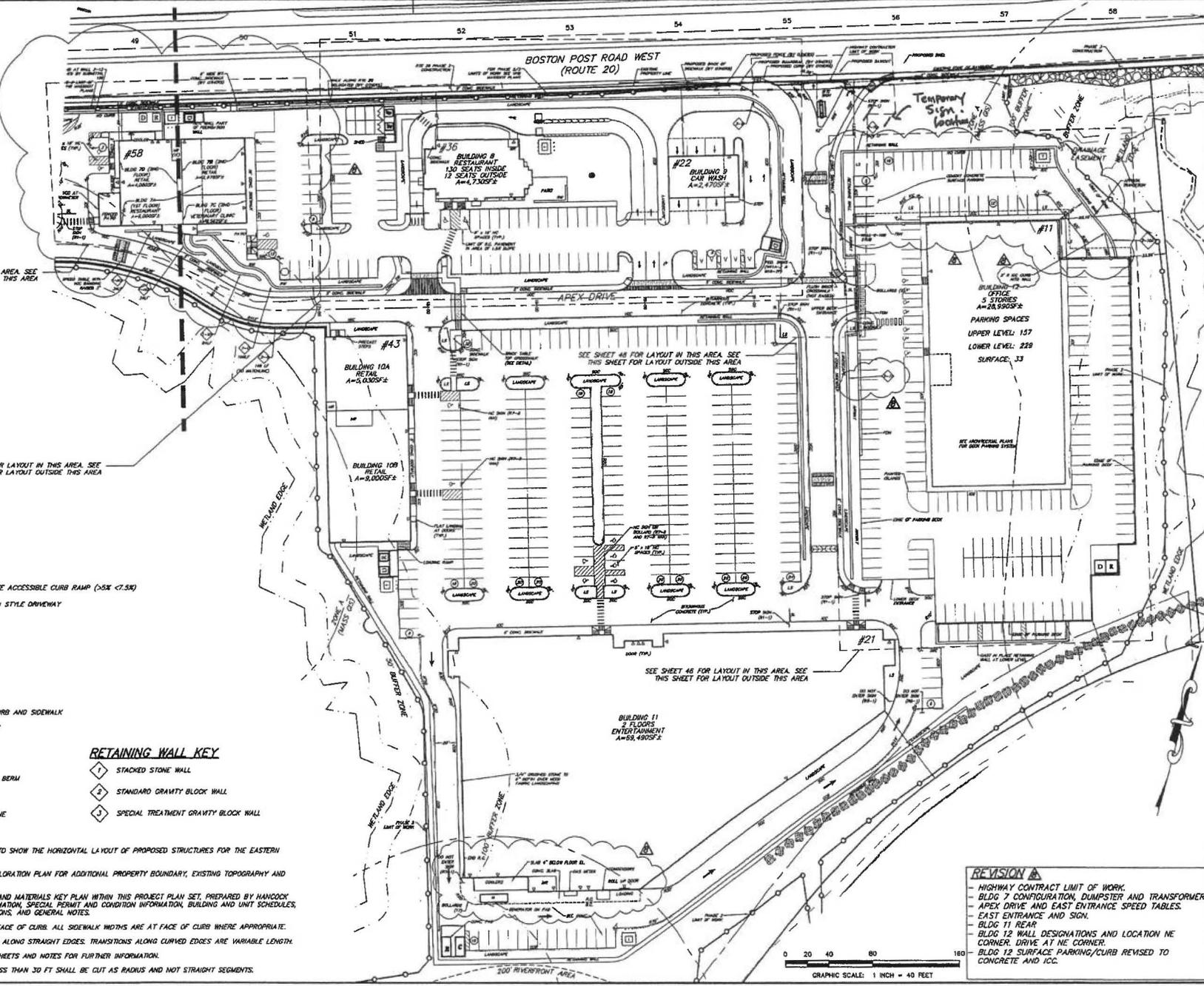
**IMPORTANT: SUPERIMPOSED PHOTOS ARE NOT TO BE VIEWED AS 100% ACCURATE DEPICTIONS, THEY ARE SIMPLY A ROUGH REPRESENTATION OF SIGN PLACEMENT.**

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The way to grow your business.

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EXISTING





SEE SHEET 49 FOR LAYOUT IN THIS AREA. SEE THIS SHEET FOR LAYOUT OUTSIDE THIS AREA.

SEE SHEET 39 FOR LAYOUT IN THIS AREA. SEE THIS SHEET FOR LAYOUT OUTSIDE THIS AREA.

- LEGEND**
- CONCRETE ACCESSIBLE CURB RAMP (>5% <7.5%)
  - CONCRETE APRON STYLE DRIVEWAY
- ABBREVIATIONS**
- 1F FIRST FLOOR
  - 2F SECOND FLOOR
  - BT BITUMINOUS
  - BLDG BUILDING
  - CCD CAPE COD BERM
  - CONC. CONCRETE
  - FF FINISH FLOOR
  - HC HANDICAPPED
  - ICC INTEGRATED CONCRETE CURB AND SIDEWALK
  - LS LANDSCAPE
  - PCC PRECAST CONCRETE CURB
  - MR MECHANICAL ROOM
  - R RADIUS
  - RW RETAINING WALL
  - REST. RESTAURANT
  - SSC SLOPED GRANITE CURB
  - SW SIDEWALK
  - TR TRANSITION TO CAPE COD BERM
  - VGC VERTICAL GRANITE CURB
  - AR ACCESSIBLE CURB RAMP
  - SL STOP LINE
  - SWL SINGLE WHITE LANE LINE
  - DYCL DOUBLE YELLOW CENTERLINE
- RETAINING WALL KEY**
- STACKED STONE WALL
  - STANDARD GRAVITY BLOCK WALL
  - SPECIAL TREATMENT GRAVITY BLOCK WALL

- NOTES**
1. THE PURPOSE OF THIS PLAN IS TO SHOW THE HORIZONTAL LAYOUT OF PROPOSED STRUCTURES FOR THE EASTERN PORTION OF APEX CENTER.
  2. PLEASE REFER TO THE SOIL EXPLORATION PLAN FOR ADDITIONAL PROPERTY BOUNDARY, EXISTING TOPOGRAPHY AND EXISTING UTILITIES INFORMATION.
  3. PLEASE REFER TO THE LAYOUT AND MATERIALS KEY PLAN WITHIN THIS PROJECT PLAN SET, PREPARED BY HANCOCK ASSOCIATES FOR ZONING INFORMATION, SPECIAL PERMIT AND CONDITION INFORMATION, BUILDING AND UNIT SCHEDULES, PARKING COUNT AND CALCULATIONS, AND GENERAL NOTES.
  4. ALL CURB DIMENSIONS ARE AT FACE OF CURB. ALL SIDEWALK WIDTHS ARE AT FACE OF CURB WHERE APPROPRIATE.
  5. ALL CURB TRANSITIONS ARE 8' LF ALONG STRAIGHT EDGES. TRANSITIONS ALONG CURVED EDGES ARE VARIABLE LENGTH.
  6. PLEASE REFER TO THE DETAIL SHEETS AND NOTES FOR FURTHER INFORMATION.
  7. VERTICAL GRANITE CURB RADI LESS THAN 30 FT SHALL BE CUT AS RADIUS AND NOT STRAIGHT SEGMENTS.

**REVISION**

- HIGHWAY CONTRACT LIMIT OF WORK.
- BLDG 7 CONFIGURATION, DUMPSTER AND TRANSFORMER.
- APEX DRIVE AND EAST ENTRANCE SPEED TABLES.
- EAST ENTRANCE AND SIGN.
- BLDG 11 REAR
- BLDG 12 WALL DESIGNATIONS AND LOCATION NE CORNER, DRIVE AT NE CORNER.
- BLDG 12 SURFACE PARKING/CURB REVISED TO CONCRETE AND ICC.

DATE: 6/2/16 DESIGN BY: RAC  
 SCALE: AS SHOWN DRAWN BY: RD  
 APPROVED BY: JF CHECK BY: JF

DWG: 19578P REV: 03  
 LAYOUT: LMS  
 SHEET: 7 OF 49  
 JOB NO.: 19578

**APEX CENTER**

Apex Drive  
 Marlborough, Massachusetts 01752

PREPARED FOR:

**Walker Realty, LLC**

4 Lan Drive  
 Westford, Massachusetts 01886

**HANCOCK ASSOCIATES**

Civil Engineers  
 Land Surveyors  
 Environmental Consultants

315 Elm Street, Marlborough, MA 01752  
 Voice (508) 466-1111, Fax (508) 466-1121  
 www.hancockassociates.com



NO.	BY	DATE	ISSUE/REVISION DESCRIPTION
8	RAC	6/14/17	MISCELLANEOUS
7.1	ETC	RAC/3/17	BLDG 12/WALL ELEV.
7	ETC	3/9/17	MASS DOT/BLDG 6 COMMENTS
6	ETC	1/23/17	MISCELLANEOUS
5	RD	11/30/16	BLDG 1-5 (WEST) REVISIONS
4	RD	10/24/16	GRADING/DRAINAGE REVISIONS
3	ETC	9/16/16	CONSERVATION REVISIONS
2	RD	8/26/16	CONSTRUCTION SET
1	RD	7/12/16	DD SET

**LAYOUT AND MATERIALS PLAN**

**LM-3**

**CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK**

RECEIVED  
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CITY OF MARLBOROUGH  
2018 DEC 18 P 3:22

**APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT**

1. Name and address of Petitioner or Applicant:

Marc Buchan 180 Cullinane Drive, Marlborough

2. Specific Location of property including Assessor's Plate and Parcel Number.

180 Cullinane Drive Parcel ID# 6-115

3. Name and address of owner of land if other than Petitioner or Applicant:

4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.)

5. Specific Zoning Ordinance under which the Special Permit is sought:

Article IV Section 650-12 Paragraph B Sub-paragraph

6. Zoning District in which property in question is located:

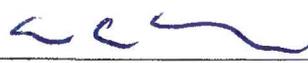
Residence A-3

7. Specific reason(s) for seeking Special Permit

Raze an existing one story single family residence and build a new  
2 story single family residence on the same existing foundation  
footprint. Existing house is on a non conforming lot.

8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

PETITION IS HEREBY MADE FOR THE ISSUANCE OF A SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH AND IS BASED ON THE WITHIN PETITION OR APPLICATION AS FILED HEREWITH AND MADE PART OF SAID PETITION.



Signature of Petitioner or Applicant

Address: 180 Cullinane Drive  
Marlborough MA

Telephone No. 617-908-5558

Date: 10-29-18

LIST OF NAMES AND ADDRESS OF ABUTTERS  
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:

Marc Buchan

---

(Name of Petitioner)

FOR THE ISSUANCE OF SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH UNDER CHAPTER 650, ZONING, OF THE CODE OF THE CITY OF MARLBOROUGH.

(Abutters as defined in §650-59, Section 4H, Powers and Procedure of Special-Permit Granting Authorities



# 400 foot Abutters List Report

Marlborough, MA  
July 24, 2018

**MARLBOROUGH ASSESSORS**

*Anthony C. Conaway*  
*Ellen K. Silverstein*  
*Paul M. DeLo*

## Subject Property:

Parcel Number: 6-115  
CAMA Number: 6-115  
Property Address: 180 CULLINANE DR

Mailing Address: BUCHAN MARC A  
65 COUNTRY LN  
MARLBOROUGH, MA 01752

## Abutters:

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 12 RED SPRING RD

Mailing Address: MORSE JOYCE J  
12 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 0 RED SPRING RD

Mailing Address: MORSE JOYCE J TR  
305 HOSMER ST  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 13 RED SPRING RD

Mailing Address: MORSE WALTER C  
13 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 15 RED SPRING RD

Mailing Address: MORSE WALTER C  
15 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 17 RED SPRING RD

Mailing Address: MORSE WALTER C  
17 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 19 RED SPRING RD

Mailing Address: MORSE WALTER C  
19 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 209 CULLINANE DR

Mailing Address: MORSE WALTER C  
J MOR REALTY TRUST 209 CULLINANE  
DR  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 21 RED SPRING RD

Mailing Address: MORSE WALTER C  
21 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 215 CULLINANE DR

Mailing Address: MORSE WALTER C  
215 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 23 RED SPRING RD

Mailing Address: MORSE WALTER C  
23 RED SPRING RD  
MARLBOROUGH, MA 01752



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7/24/2018

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## 400 foot Abutters List Report

Marlborough, MA  
July 24, 2018

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 25 RED SPRING RD

Mailing Address: MORSE WALTER C  
1657 MAIN ST  
WEST CONCORD, MA 01742

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 27 RED SPRING RD

Mailing Address: MORSE WALTER C  
27 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 29 RED SPRING RD

Mailing Address: MORSE WALTER C  
95 WEST MAIN ST  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 3 RED SPRING RD

Mailing Address: MORSE WALTER C  
169 MORRISSEY RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 31 RED SPRING RD

Mailing Address: MORSE WALTER C  
31 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 33 RED SPRING RD

Mailing Address: MORSE WALTER C  
33 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 35 RED SPRING RD

Mailing Address: MORSE WALTER C  
35 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 37 RED SPRING RD

Mailing Address: MORSE WALTER C  
37 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 39 RED SPRING RD

Mailing Address: MORSE WALTER C  
39 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 41 RED SPRING RD

Mailing Address: MORSE WALTER C  
P O BOX 541  
JACKMAN, ME 04945-0541

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 43 RED SPRING RD

Mailing Address: MORSE WALTER C  
43 RED SPRING RD  
MARLBOROUGH, MA 01752

Parcel Number: 30-10  
CAMA Number: 30-10  
Property Address: 45 RED SPRING RD

Mailing Address: MORSE WALTER C  
45 RED SPRING RD  
MARLBOROUGH, MA 01752



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## 400 foot Abutters List Report

Marlborough, MA  
July 24, 2018

Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 47 RED SPRING RD	Mailing Address: MORSE WALTER C 43 RED SPRING RD MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 49 RED SPRING RD	Mailing Address: MORSE WALTER C 133 SHAWMUT AVE MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 5 RED SPRING RD	Mailing Address: MORSE WALTER C 305 HOSMER ST MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 51 RED SPRING RD	Mailing Address: MORSE WALTER C 178 MAIN ST MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 53 RED SPRING RD	Mailing Address: MORSE WALTER C 178 MAIN ST MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 55 RED SPRING RD	Mailing Address: MORSE WALTER C 55 RED SPRING RD MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 7 RED SPRING RD	Mailing Address: MORSE WALTER C 7 RED SPRING RD MARLBOROUGH, MA 01752
Parcel Number: 30-10 CAMA Number: 30-10 Property Address: 9 RED SPRING RD	Mailing Address: MORSE WALTER C 9 RED SPRING RD MARLBOROUGH, MA 01752
Parcel Number: 6-100 CAMA Number: 6-100 Property Address: 167 CULLINANE DR	Mailing Address: WHITE RICHARD A JR 167 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-101 CAMA Number: 6-101 Property Address: 165 CULLINANE DR	Mailing Address: NOVICKI GREGORY M 165 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-102 CAMA Number: 6-102 Property Address: 161 CULLINANE DR	Mailing Address: WAINWRIGHT DAVID D TR 161 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-103 CAMA Number: 6-103 Property Address: 157 CULLINANE DR	Mailing Address: SCHROW KITTY H 157 CULLINANE DR MARLBOROUGH, MA 01752



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## 400 foot Abutters List Report

Marlborough, MA  
July 24, 2018

Parcel Number: 6-104  
CAMA Number: 6-104  
Property Address: 153 CULLINANE DR

Mailing Address: CURLEY GERALD F JR  
153 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-106  
CAMA Number: 6-106  
Property Address: 147 CULLINANE DR

Mailing Address: NOVICKI DEBORAH L  
147 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-107  
CAMA Number: 6-107  
Property Address: 146 CULLINANE DR

Mailing Address: HEDDERIG CHRISTOPHER  
146 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-108  
CAMA Number: 6-108  
Property Address: 150 CULLINANE DR

Mailing Address: TEMPLE ADRIAN J  
150 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-110  
CAMA Number: 6-110  
Property Address: 156 CULLINANE DR

Mailing Address: CURLEY GERALD F JR  
153 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-111  
CAMA Number: 6-111  
Property Address: 160 CULLINANE DR

Mailing Address: MCCLELLAN GREGG E  
160 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-112  
CAMA Number: 6-112  
Property Address: 166 CULLINANE DR

Mailing Address: SOUCY DAVID L  
166 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-113  
CAMA Number: 6-113  
Property Address: 172 CULLINANE DR

Mailing Address: KASSOY CHERYL A  
172 CULLINANE DR  
MARLBOROUGH, MA 01752

Parcel Number: 6-116  
CAMA Number: 6-116  
Property Address: 25 LONGFELLOW TER

Mailing Address: SABIN MICHAEL E  
25 LONGFELLOW TER  
MARLBOROUGH, MA 01752

Parcel Number: 6-117  
CAMA Number: 6-117  
Property Address: 21 LONGFELLOW TER

Mailing Address: CUNHA ANTHONY V  
21 LONGFELLOW TER  
MARLBOROUGH, MA 01752

Parcel Number: 6-118  
CAMA Number: 6-118  
Property Address: 19 LONGFELLOW TER

Mailing Address: SIMPSON KIMBERLY A  
19 LONGFELLOW TER  
MARLBOROUGH, MA 01752

Parcel Number: 6-119  
CAMA Number: 6-119  
Property Address: 15 LONGFELLOW TER

Mailing Address: COSTIGAN DANIEL  
15 LONGFELLOW TER  
MARLBOROUGH, MA 01752



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## 400 foot Abutters List Report

Marlborough, MA  
July 24, 2018

Parcel Number: 6-120 CAMA Number: 6-120 Property Address: 5 LONGFELLOW TER	Mailing Address: WOOD DOUGLAS S 5 LONGFELLOW TER MARLBOROUGH, MA 01752
Parcel Number: 6-125 CAMA Number: 6-125 Property Address: 14 LONGFELLOW TER	Mailing Address: JOHNSON LEONARD 14 LONGFELLOW TER MARLBOROUGH, MA 01752
Parcel Number: 6-126 CAMA Number: 6-126 Property Address: 18 LONGFELLOW TER	Mailing Address: FRAZEE TIMOTHY 18 LONGFELLOW TER MARLBOROUGH, MA 01752
Parcel Number: 6-127 CAMA Number: 6-127 Property Address: 24 LONGFELLOW TER	Mailing Address: GIAQUINTO MARK 24 LONGFELLOW TER MARLBOROUGH, MA 01752
Parcel Number: 6-128 CAMA Number: 6-128 Property Address: OAK RD	Mailing Address: CURLEY JAMES M P O BOX 841 RAYNHAM, MA 02768
Parcel Number: 6-130 CAMA Number: 6-130 Property Address: 15 OAK RD	Mailing Address: WILKINS CHARLES L 15 OAK RD MARLBOROUGH, MA 01752
Parcel Number: 6-93 CAMA Number: 6-93 Property Address: 189 CULLINANE DR	Mailing Address: WINSHMAN PAUL R PO BOX 53 HOPKINTON, MA 01748
Parcel Number: 6-94 CAMA Number: 6-94 Property Address: 187 CULLINANE DR	Mailing Address: KELLEHER JOHN M 187 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-95 CAMA Number: 6-95 Property Address: 185 CULLINANE DR	Mailing Address: MCCARTHY SHAWN 185 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-97 CAMA Number: 6-97 Property Address: 181 CULLINANE DR	Mailing Address: LEIPOLD JOHN R 181 CULLINANE DR MARLBOROUGH, MA 01752
Parcel Number: 6-99 CAMA Number: 6-99 Property Address: 173 CULLINANE DR	Mailing Address: GAROFALO STEPHEN J TR 159 SHAWMUT AVE MARLBOROUGH, MA 01752



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COSTIGAN DANIEL 15 LONGFELLOW TER MARLBOROUGH, MA 01752	CUNHA ANTHONY V 21 LONGFELLOW TER MARLBOROUGH, MA 01752	CURLEY GERALD F JR 153 CULLINANE DR MARLBOROUGH, MA 01752
CURLEY GERALD F JR 153 CULLINANE DR MARLBOROUGH, MA 01752	CURLEY JAMES M P O BOX 841 RAYNHAM, MA 02768	FRAZEE TIMOTHY 18 LONGFELLOW TER MARLBOROUGH, MA 01752
GAROFALO STEPHEN J TR 159 SHAWMUT AVE MARLBOROUGH, MA 01752	GIAQUINTO MARK 24 LONGFELLOW TER MARLBOROUGH, MA 01752	HEDDERIG CHRISTOPHER 146 CULLINANE DR MARLBOROUGH, MA 01752
JOHNSON LEONARD 14 LONGFELLOW TER MARLBOROUGH, MA 01752	KASSOY CHERYL A 172 CULLINANE DR MARLBOROUGH, MA 01752	KELLEHER JOHN M 187 CULLINANE DR MARLBOROUGH, MA 01752
LEIPOLD JOHN R 181 CULLINANE DR MARLBOROUGH, MA 01752	MCCARTHY SHAWN 185 CULLINANE DR MARLBOROUGH, MA 01752	MCCLELLAN GREGG E 160 CULLINANE DR MARLBOROUGH, MA 01752
MORSE JOYCE J 12 RED SPRING RD MARLBOROUGH, MA 01752	MORSE JOYCE J TR 305 HOSMER ST MARLBOROUGH, MA 01752	WILLIAM PETERS 13 RED SPRING RD MARLBOROUGH, MA 01752
DORA NAVES 133 SHAWMUT AVE MARLBOROUGH, MA 01752	DAVID & DONNA ESTABROOK 15 RED SPRING RD MARLBOROUGH, MA 01752	FRANCIS MASLOWSKI 1657 MAIN ST WEST CONCORD, MA 01742
RICHARD CORMIER 169 MORRISSEY RD MARLBOROUGH, MA 01752	LINDA PAKUS 17 RED SPRING RD MARLBOROUGH, MA 01752	NEAL VIGEANT 178 MAIN ST MARLBOROUGH, MA 01752
PETER E MONGEAU 19 RED SPRING RD MARLBOROUGH, MA 01752	H WESLEY TUTTLE 21 RED SPRING RD MARLBOROUGH, MA 01752	AMANDA MORSE 215 CULLINANE DR MARLBOROUGH, MA 01752
STEPHEN & KATHLEEN BRULE 23 RED SPRING RD MARLBOROUGH, MA 01752	ROBERT & SHIRLEY STEVENS 27 RED SPRING RD MARLBOROUGH, MA 01752	JOYCE MORSE 305 HOSMER ST MARLBOROUGH, MA 01752

STEPHEN VIEIRA  
31 RED SPRING RD  
MARLBOROUGH, MA 01752

DANIEL DURAND  
37 RED SPRING RD  
MARLBOROUGH, MA 01752

DONNA PAOLINI  
45 RED SPRING RD  
MARLBOROUGH, MA 01752

WENDY HOLDSWORTH  
9 RED SPRING RD  
MARLBOROUGH, MA 01752

SANDRA DUNCAN-EVERETT  
P O BOX 541  
JACKMAN, ME 04945-0541

SABIN MICHAEL E  
25 LONGFELLOW TER  
MARLBOROUGH, MA 01752

SOUCY DAVID L  
166 CULLINANE DR  
MARLBOROUGH, MA 01752

WHITE RICHARD A JR  
167 CULLINANE DR  
MARLBOROUGH, MA 01752

WOOD DOUGLAS S  
5 LONGFELLOW TER  
MARLBOROUGH, MA 01752

PAULA SPINZOLA  
33 RED SPRING RD  
MARLBOROUGH, MA 01752

ROBERT DURAND  
39 RED SPRING RD  
MARLBOROUGH, MA 01752

PATRICK SULLIVAN  
55 RED SPRING RD  
MARLBOROUGH, MA 01752

WILLIAM SHORT  
95 WEST MAIN ST  
MARLBOROUGH, MA 01752

NOVICKI DEBORAH L  
147 CULLINANE DR  
MARLBOROUGH, MA 01752

SCHROW KITTY H  
157 CULLINANE DR  
MARLBOROUGH, MA 01752

TEMPLE ADRIAN J  
150 CULLINANE DR  
MARLBOROUGH, MA 01752

WILKINS CHARLES L  
15 OAK RD  
MARLBOROUGH, MA 01752

ROBERT & MICHELE HAUSE  
35 RED SPRING RD  
MARLBOROUGH, MA 01752

THOMAS WHITE  
43 RED SPRING RD  
MARLBOROUGH, MA 01752

MARY & MICHAEL DWYER  
7 RED SPRING RD  
MARLBOROUGH, MA 01752

PAMELA MORSE  
209 CULLINANE DR  
MARLBOROUGH, MA 01752

NOVICKI GREGORY M  
165 CULLINANE DR  
MARLBOROUGH, MA 01752

SIMPSON KIMBERLY A  
19 LONGFELLOW TER  
MARLBOROUGH, MA 01752

WAINWRIGHT DAVID D TR  
161 CULLINANE DR  
MARLBOROUGH, MA 01752

WINSHMAN PAUL R  
PO BOX 53  
HOPKINTON, MA 01748

## SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Marc Buchan Address: 180 Cullinane Drive

Project Name: Residence Address: 180 Cullinane Drive

1. PROPOSED USE: (describe) Single family residence

2. EXPANSION OR NEW: Raze existing and build new

3. SIZE: floor area sq. ft. 2304 1<sup>st</sup> floor 1152 all floors 1,152

# buildings 1 # stories 2 lot area (s.f.) 4,950

4. LOT COVERAGE: 25 %Landscaped area: 70 %

5. POPULATION ON SITE: Number of people expected on site at anytime:

Normal: 5 Peak period: 10

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 2 Peak period: 5

(B) How many service vehicles will service the development and on what schedule?

1 - 8am to 4 pm

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? None

8. NOISE:

(A) Compare the noise levels of the proposed development to those that exist in the area now.

Typical construction noise

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. none

9. AIR: What sources of potential air pollution will exist at the development? none

10. WATER AND SEWER: Describe any unusual generation of waste. none

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? none

**\*Attach additional sheets if necessary**



**CITY OF MARLBOROUGH  
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall  
140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: 12-3-18

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: 180 Cullinane Drive

Project Use Summary: single family residence

Project Street Address: 180 Cullinane Drive

Plate: 6 Parcel: 115

Applicant/Developer Name: Marc Buchan

Plan Date: March 24, 2017 Revision Date: \_\_\_\_\_

Dear President and Members:

In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements of Section 7; that the plan conforms in all aspects to City Code and to these Rules and Regulations, and that any necessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal period concerning said variances have run.

Very truly yours,

  
Jeffrey K. Cooke  
Acting Director of Planning

Application Fee to submit to  
City Clerk's office

\$300<sup>00</sup>/<sub>24</sub>



**City of Marlborough, Massachusetts  
CITY CLERK DEPARTMENT**

**Lisa M. Thomas  
City Clerk**



I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all Municipal tax returns and paid all Municipal taxes required under law.

**Company Name**

Marc Buchan

**Owner Name/Officer Name of LLC or Corporation**

**Owner/Officer Complete Address and Telephone Number**

180 Cullinane Drive

Marlborough MA 01752

617-908-5558

**Signature of Applicant**

**Attorney on behalf of Applicant, if applicable**

The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.

**Tax Collector**



*City of Marlborough*  
**BUILDING DEPARTMENT**

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3776 Facsimile (508) 460-3736  
building\_dept@marlborough-ma.gov

13-14

**JEFFREY COOKE, C.B.O.**  
**BUILDING COMMISSIONER**

**PATRICK DAHLGREN**  
ASSISTANT BUILDING  
COMMISSIONER

**WILLIAM PAYNTON**  
LOCAL BUILDING INSPECTOR

**RICHARD DESIMONE**  
PLUMBING & GAS INSPECTOR

**JOHN CAIN**  
WIRING INSPECTOR

**ZONING DENIAL**

November 20, 2018

Marc Buchan  
180 Cullinane Drive  
Marlborough, MA 01752

Mr. Buchan:

Your application to demolish the existing single story Single Family Dwelling and construct a new 2 story Single Family Dwelling at 180 Cullinane Drive, Marlborough, MA Parcel ID # 6-115, located in the Residence A-3 zoning district (A-3) is denied as it does not comply with Chapter 650- 41 of City Code of Marlborough. The "Table of Lot Area, Yards, and Height of Structures" states that your use requires side yard setback of 15 feet, you have proposed a side yard setback of five feet (5'). Current zoning requires 12,500 SF of area, your lot has 4950 SF +/- . As a pre-existing, non-conforming lot and structure, the construction of a new two story SFD that intensifies a non-conforming requires a "Special Permit" (SP) issued by the Marlborough City Council.

I have determined that the proposed reconstruction of the additional second floor within the setback area intensifies the preexisting non-conformity.

Your use requested requires a Zoning relief issued by the Marlborough City Council.

You have the right to continue to the Marlborough City Council (SPGA) for a Special Permit as stated in the City Code section 650-12B or you have the right to appeal this decision to the Zoning Board of Appeals as per section 650-58.

An appeal from this denial for a SP may be taken to the Marlborough City Council by filling a Notice of Appeal with the City Clerk within 30 days of the date of this denial letter. Further information should be obtained from the Marlborough City Council.

The code in its entirety may be found at [www.ecode360.com/MA1056](http://www.ecode360.com/MA1056)

In your appeal, you may request a Special Permit (SP).

Sincerely,

Jeffrey Cooke, C.B.O.  
Building Commissioner  
Zoning Enforcement Officer



**City of Marlborough, Massachusetts  
CITY CLERK DEPARTMENT**

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CITY OF MARLBOROUGH

2018 DEC 19 P 1:11

**Lisa M. Thomas  
City Clerk**

**CITY OF MARLBOROUGH  
TAXI AND/OR LIVERY SERVICE LICENSE APPLICATION**

I. TYPE OF LICENSE: \_\_\_\_\_ TAXI LIVERY LIVERY

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: BISMARCK OHEMENG
- B. Address: 33 PARIS ST MARLBOROUGH, MA, 01752
- C. Telephone Number: 857-406-8609
- D. Business Name: WEST ROYAL CAR SERVICE
- E. Business Address: 33 PARIS ST MARLBOROUGH, MA, 01752
- F. Business Number: 857-246-3544

3. NUMBER OF VEHICLES: 1

APPLICANT'S SIGNATURE 

**CITY OF MARLBOROUGH  
TAXI/LIVERY LICENSE**

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

EXPIRATION DATE: \_\_\_\_\_

A TRUE COPY

ATTEST:

City Clerk



**City of Marlborough, Massachusetts**  
**CITY CLERK DEPARTMENT**

**Lisa M. Thomas**  
**City Clerk**

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns and paid all State taxes required under law.

\_\_\_\_\_  
 \*Signature of Individual **OR**  
 Corporate Name (Mandatory)

\_\_\_\_\_  
 By: Corporate Officer  
 (Mandatory, if applicable)

\_\_\_\_\_  
 \*\*Social Security # (Voluntary) **OR**  
 Federal identification Number

\*This license will not be issued unless this certification clause is signed by the applicant.

\*\*Your social Security Number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. General Laws Chapter 62C §49A.

City of Marlborough  
Office of the City Clerk  
140 Main St, Marlborough, MA 01752  
(508) 460-3775

Clerk: #19  
Transaction ID: #39227  
12/19/2018 1:10PM

Taxi/Livery - New  
-- Bismark Ohemeng (Money Order)  
\$100.00

**Total: \$100.00**

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW

**vigo Money Order**      **WESTERN UNION FINANCIAL SERVICES INC. - ISSUER**  
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado      **Englewood, Colorado**

17-836304588

A 121120 D 121918  
T 1148 01  
178363045880 L 000000      \$ 100.00

PAY EXACTLY ONE HUNDRED DOLLARS AND NO CENTS

PAY TO THE ORDER OF MARLBOROUGH City of

33 PARIS ST PURCHASER'S ADDRESS

*[Signature]*  
PURCHASER'S SIGNATURE  
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE

⑆⑆⑆102100400⑆⑆ 40178363045880⑆⑆

## KEEGAN WERLIN LLP

ATTORNEYS AT LAW

99 HIGH STREET, SUITE 2900  
BOSTON, MASSACHUSETTS 02110RECEIVED  
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CITY OF MARLBOROUGH

2018 DEC 13 P 1:13

TELECOPIER:

(617) 951-1354

December 11, 2018

City Clerk  
Marlborough City Hall  
140 Main Street  
Marlborough, MA 01752

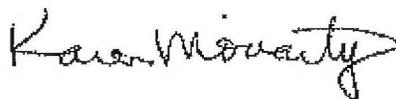
Re: Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, D.P.U. 18-150

Dear City Clerk:

On behalf of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, enclosed please find a copy of a Notice of Filing, Public Hearings and Procedural Conference regarding the above-referenced proceeding before the Massachusetts Department of Public Utilities. You are requested to post this notice for public review in your city/town hall through April 10, 2019.

Please feel free to contact me with any questions.

Sincerely,



Karen Moriarty  
Paralegal

Enclosure



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING, PUBLIC HEARINGS, AND PROCEDURAL CONFERENCE

D.P.U. 18-150

November 29, 2018

Petition of Massachusetts Electric Company and Nantucket Electric Company, each doing business as National Grid, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of General Increases in Base Distribution Rates for Electric Service.

On November 15, 2018, Massachusetts Electric Company (“MECo”) and Nantucket Electric Company (“Nantucket Electric”), each doing business as National Grid (“National Grid” or “Company”), filed a petition with the Department of Public Utilities (“Department”) for an increase in electric base distribution rates. The Department has docketed this matter as D.P.U. 18-150, and has suspended the effective date of the proposed rate increase until October 1, 2019, to investigate the propriety of the Company’s request.

The Company is also proposing to replace its capital investment recovery mechanism with a performance-based ratemaking mechanism that would allow MECo and Nantucket Electric to adjust their distribution rates on an annual basis through the application of a revenue-cap formula and to put into place a set of metrics to evaluate the Company’s performance. Further, the Company proposes to implement an electric vehicles program, gateway access program, and storage program. The Company also proposes to make certain changes to its existing storm fund mechanisms and vegetation management programs. Additional information regarding these and all other proposals can be found in the Company’s filing.

National Grid has requested to delay implementation of changes in rates to November 1, 2019, based on rate increases effective October 1, 2019. The Company was last granted an increase in base distribution rates in 2016. Massachusetts Electric Company/Nantucket Electric Company, D.P.U. 15-155 (2016).

The Company seeks approval for an increase in base distribution rate revenues of \$132.2 million. The Company contends that its petition also includes a \$61.9 million decrease in revenues recovered in charges outside of base distribution rates. Thus, the Company claims that its petition requests a net increase in annual delivery revenues of \$70.3 million. National Grid states that if its petition is approved as requested, the proposed revenue increases will have the following effects:

For MECo Customers:

- a typical residential customer receiving service under Rate R-1, that uses on average 600 kilowatt hours (“kWh”) of electricity per month will experience a monthly bill increase of \$4.07, or 2.6 percent;
- a typical low-income residential customer receiving service under Rate R-2, that uses on average 600 kWh of electricity per month will experience a monthly bill decrease of (\$1.62), or 1.6 percent; and
- Commercial and industrial (“C&I”) customers will experience monthly increases in the range of 0.6 percent to 4.4 percent.

For Nantucket Electric Customers:

- a typical residential customer receiving service under Rate R-1, that uses on average 600 kWh of electricity per month will experience a monthly bill increase of \$4.07, or 2.6 percent;
- a typical low-income residential customer receiving service under Rate R-2, that uses on average 600 kWh of electricity per month will experience a monthly bill decrease of (\$1.68), or 1.6 percent; and
- C&I customers will experience monthly increases in the range of 0.6 percent to 3.9 percent.

The Attorney General of the Commonwealth of Massachusetts (“Attorney General”) has filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E. Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General has filed a notice of retention of experts and consultants to assist in her investigation of the Company’s filing, and has requested Department approval to spend up to \$550,000 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in the Company’s rates.

The Department has scheduled the following public hearings to receive comment on National Grid’s filing:

**Lawrence, MA**

**Tuesday, March 26, 2019, at 7:00 p.m.**  
**South Lawrence East Elementary School Auditorium**  
**165 Crawford Street**  
**Lawrence, MA 01843**

**Brockton, MA**

**Thursday, March 28, 2019, at 7:00 p.m.**  
**South Junior High School Auditorium**  
**105 Keith Avenue Ext.**  
**Brockton, MA 02301**

**Nantucket, MA**

**Tuesday, April 2, 2019, at 7:00 p.m.**  
**PSF Community Room**  
**4 Fairgrounds Road**  
**Nantucket, MA 02554**

**Worcester, MA**

**Thursday, April 4, 2019, at 7:00 p.m.**  
**Worcester Technical High School Auditorium**  
**1 Skyline Drive**  
**Worcester, MA 01605**

**Great Barrington, MA**

**Tuesday, April 9, 2019, at 7:00 p.m.**  
**Great Barrington Fire Station**  
**Meeting Room**  
**37 State Road**  
**Great Barrington, MA 01230**

A procedural conference in this matter will be held at the Department's office on Thursday, January 3, 2019, at 2:00 p.m.

Persons interested in commenting on National Grid's filing may appear at any of the public hearings or may file written comments by the close of business (5:00 p.m.) on Tuesday, April 9, 2019.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene or to participate in the proceeding no later than the close of business (5:00 p.m.) on Friday, December 21, 2018. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To

D.P.U. 18-150

Page 4

be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. Any person who seeks to intervene in this matter and also desires to comment on the Attorney General's notice of retention of experts and consultants must file the comments no later than the close of business (5:00 p.m.) on Friday, December 21, 2018.

Written comments, petitions for leave to intervene or to participate, and comments on the Attorney General's notice of retention of experts and consultants should be addressed to: Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, MA, 02110. Receipt by the Department, not mailing, constitutes filing.

Further, in addition to paper filings with the Department, all documents also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and the Hearing Officer, [carol.pieper@mass.gov](mailto:carol.pieper@mass.gov); or (2) on CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 18-150); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: website at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> (enter "18-150").

A copy of National Grid's filing is available for inspection during regular business hours at the following locations: (1) Brockton Public Library, Main Library, 304 Main Street, Brockton, MA, 02301; (2) Nantucket Atheneum, 1 India St, Nantucket, MA, 02554; (3) Worcester Public Library, 3 Salem Street, Worcester, MA, 01608; (4) Mason Public Library, 231 Main Street, Great Barrington, MA, 01230; and (5) Lawrence Public Library, 51 Lawrence Street, Lawrence, MA, 01841.

National Grid's filing also is available on the Department's website. A copy of National Grid's filing also is available at the offices of National Grid, 40 Sylvan Road, Waltham, MA, 02451, and the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, MA, 02110. To request materials in accessible formats (braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Any person desiring further information regarding National Grid's petition should contact National Grid's counsel, Daniel P. Venora, Esq., Keegan Werlin, 99 High Street, Suite 2900, Boston, MA, 02110, telephone (617) 951-1400.

The Attorney General's notice of retention of experts and consultants is available on the Department's website. A copy of the Attorney General's notice of retention of experts and consultants is also available for inspection during regular business hours at the Attorney General's offices, One Ashburton Place, Boston, MA, 02110, and at the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, MA, 02110. Any person desiring further

D.P.U. 18-150

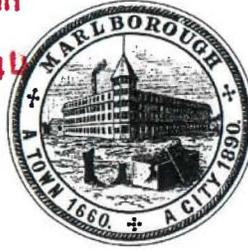
Page 5

information regarding the Attorney General's notice of retention of experts and consultants should contact Joseph W. Rogers, Assistant Attorney General, at (617) 727-2200.

Reasonable accommodations at public or evidentiary hearings for people with disabilities are available upon request by contacting the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Please include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Provide as much advance notice as possible. Last-minute requests will be accepted, but may not be accommodated. Any person desiring further information regarding this notice should contact Carol Pieper, Hearing Officer, Department of Public Utilities, at (617) 305-3500.

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CITY OF MARLBOROUGH

2018 DEC 19 P 2:44



**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 Wednesday, November 28, 2018 at 10:00 am in Memorial Hall, 3<sup>rd</sup> Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen and DPW Commissioner John Ghiloni. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins, Officer Andy Larose – MPD Traffic Services Unit, Officer Nick Lassard, City Solicitor Don Rider and City Councilor Katie Robey. Minutes taken by Karen Lambert, MPD Records Clerk.

#### **1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, October 31, 2018.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

#### **2 - New Business**

##### **2a) Intersection of Granger Blvd. & S. Bolton – Crosswalk Concerns**

Melissa Walsh sent an email on this issue to Chief Giorgi and Mayor Vigeant. She walks her dog in this area several times a day and uses the crosswalk and cross signal here. She said that cars often look left to take the right on red and then just turn with no consideration for the crosswalk signal. She is extremely cautious when she is walking but is especially concerned for others.

Chief Giorgi said that the Police Department did a “crosswalk sting” here and asked Officer Larose for comments. Officer Larose said that it was actually Sgt. Campbell who monitored this crosswalk, however, he did not specifically witness any issues while he was there. Tim Collins passed out a photo on the intersection showing the northbound approach to the right turn lane. He also included language from the RMV with the

“Rules of the Road” for Turns on Red including a section stating the responsibility of the pedestrian. He highlighted the portion stating, “Before you cross a roadway, stop at the curb, look left, look right, and look left again for traffic. Do this even on a one-way street. Be alert while crossing. Be especially alert at intersections that allow motor vehicles to turn right on red.” He also included an example of MUTCD signs and specific language and highlighted the sign that shows “turning vehicles – yield to pedestrians”. He said that this sign could easily be used at this location. The crosswalk is far back and turning vehicles may not realize there is a crosswalk there. Mr. Collins also noted that the crosswalk bell is not for the benefit of cars, it is for the benefit of the pedestrian to alert them that it is time to cross. He thinks that cars making the turn do not even see that someone is in the crosswalk. It was discussed that the DPW can install the new sign, however, it is still on the pedestrian to be careful when crossing.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for the new sign and to REFER to the POLICE DEPARTMENT to step up enforcement. Chief Giorgi advised that he would follow up with Ms. Walsh.

### 3-Old Business

#### **3a) Our Future Learning Center - Traffic Concerns.**

**Update:** Tim Collins advised that he did reach out to Joe Frawley of MA DOT with the concerns presented at the last meeting. He passed out an email with his questions and with Mr. Frawley’s responses. A summary is below – Refer to email for specifics. He also included examples of merging signs.

- 1) **Lane Ends Merge Left Sign is missing.** Can it be replaced and relocated to serve as more of an advance warning of the lane shift?
- 2) **Begin Right Turn Lane with arrow Yield to Bikes.** Can it be relocated to the other side of Northboro Rd. West, closer to Boundary Street?

**Response:** MA DOT is OK with the above changes.

- 3) **Bike Lane** – Can it be extended down to the entrance of the condo complex at Applebriar Lane?

**Response:** MA DOT is OK with this change but noted that if they are asked to perform the striping modifications, it will most likely not happen until the Spring.

- 4) **Hash marks** – Can these be placed in the shoulder area between the bike lane and curb lane to deter it being used as a travel lane?

**Response:** MA DOT is OK with this change. Again, if they are asked to perform striping modifications, it will likely not be completed until the Spring.

- 5) **Signage to not block intersection of Boston Post Rd West and Northboro Rd. West.** Email from parent asking if this was possible. TC did not wish to act on this inquiry.

**Response:** MA DOT can evaluate this if requested by the City.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to Follow up with MA DOT in the Spring.

**3b) Crowley Drive – Speed & Parking Issues.**

Officer Larose had the portable speed sign out from 11/8/18 to 11/14/18 and passed out the summary report generated by the sign. He noted that the average volume per day is almost 400 vehicles. The sign recorded a maximum speed of 44 and a minimum speed of 4. The 85<sup>th</sup> percentile was 26.56 mph. Tim Collins advised that the regular rules of the road here would be 30 mph. The sign recorded vehicles coming out of the complex. There was a problem recording the westbound traffic. He has now put the sign back again to record vehicles going in the opposite direction. This information can be shared with the Trustees. No signs have been put up yet but should be done soon. It was reviewed that No Parking signs were to be installed on the development side. The rail trail side was to be left free for parking.

MOTION was made, seconded, duly VOTED to REFER ENGINEERING to follow up on proper signage and to the POLICE DEPARTMENT to complete the data collection for opposite side of the street.

**3c) Order No. 18-1007436 – Review about Veteran’s Space.**

Tim Collins passed out copies of an email with specific questions from Councilor Robey and responses from Don Rider, which included an example of a sign. The questions were regarding the specific sign language and the requirements for using the space. All the requirements are specifically spelled out in the statute. See the email handout for specifics.

Officer Larose said that if there was any chance of a vehicle being towed for not meeting the requirements, it would need to be noted on the sign. The Chief asked what would happen if a Veteran parked here but did not have the proper license plate. It was further discussed that the statute is very specific and outlines all the requirements, i.e. the vehicle must be owned by a veteran, driven by a veteran and display a veteran’s license plate. It is now up to the City to determine where they want the specific parking space located and up to the Police Department to handle enforcement. Officer Larose said that as long as the sign says, “subject to tow” and that a veteran’s plate is required, enforcement is all set. There was a question however, as to what type of ticket would be issued, a parking ticket issued by the parking clerk or a Chapter 90 ticket issued by a police officer. The issue is that all Chapter 90 offenses are surchargable, with a \$100 fine, and sent to the registry. An appeal would go to the Courthouse not the parking clerk. Councilor Robey said that this falls under Chapter 175, Section 113B and is not a surchargable offence.

Chief Giorgi suggested that the spot be out front of the parking garage so that it would also fall within the two-hour parking window and Tim Collins suggested that a spot next to the current handicapped spot would be preferable. Another proposal was for the two spots to be right next to each other with the loading zone in the middle with shared access.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to determine the specific spot, draft the wording for the sign and corresponding regulation.

*Officer Larose asked to discuss an item not on the Agenda. All in Favor.*

**Yellow painted curbing at intersection of Lincoln St. and Winthrop St.**

Officer Larose has received complaints about the faded paint at this location. Can it be repainted? Councilor Robey said that she has the same issue on Mechanic Street. Tim Collins advised that the City Ordinance states there is no parking allowed within 20 feet on an intersection. This is what is in force throughout the City but we don't paint the curb at every intersection. It is not necessary or required. It will not be repainted by the City but the Police Department can work on enforcement if it continues to be an issue.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:45 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 for Traffic Commission Meeting on Wednesday, November 28, 2018, including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, October 31, 2018.
- Email from Melissa Walsh to Chief Giorgi, dated 11/5/18, re: Intersection of Granger Blvd. and South Bolton.

**Additional Handouts:**

- Copy of MADOT response regarding suggested changes to Boston Post Road West along with examples of signage.
- Photo of South Bolton Street – Northbound approach to right turn lane
- Copy of RMV – Rules of the Road relative to “Right on Red”.
- Example of MUTCD signage relative to Right of Red and Yield to Pedestrians along with wording from the manual explaining options.

- Email from Don Rider to Councilor Robey with responses to her questions regarding Veteran's Parking along with an example of language for signage.
- Copy of Extended Speed Summary Report for Crowley Drive.

City Of Marlborough Meeting Minutes

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2018 DEC 19 A 7:48

Meeting: Council on Aging Board of Directors Meeting  
 Date: October 9, 2018  
 Time: 8:30 AM  
 Location: Senior Center Conference Room; 40 New Street; Marlborough, MA 01752  
 Attendance: Jim Confrey, Jeanne McGeough, Joseph Bisol, Marie Elwood, Pat Gallier, Mike Ossing, Leslie Biggar and Richard Collins  
 Excused: Brenda Costa, Richard Cygan and Trish Pope

1. Called to order at 8:32.
2. Approval of September 11, 2018 Minutes.
3. No Director's Update as Trish was unable to attend.
4. Board Updates:
  - a. No Baypath Elder Service updates as Richard was unable to attend.
  - b. Transportation Report for September 2018 is as follows:
    - Total Number of Trips = 133
    - Supermarket/Shopping/Restaurants = 19
    - Senior Center = 69
    - City Van- Other = 28
    - MWRTA = 17
    - Employment Options = 0
    - New Applicants = 8- 6F, 2M
    - New Riders = 2
    - Returning = 31
5. New/ Old Business
  - a. We have a new Outreach person who will start Oct 11<sup>th</sup>.
  - b. Sr. Center receives a FISH Report quarterly from Larry Vifquain.
  - c. Building being built by Benchmark on Bolton Street will be a 40/40 split for housing Seniors needing assistance and those with Alzheimer needs. It is schedule to open Fall of 2019 and will be called, The Branches at Marlborough.
  - d. Article by Elizabeth O'Brien written July 18,2018 handed out regarding retired seniors without family members and are trying to live alone.
    - i. 22% of seniors 65 and older are already "solo seniors" or "elder orphans" or becoming one. These people don't ask for help.

6. Board Discussion on Seniors with needs:
  - a. Many seniors will not ask for help even if they need it.
  - b. Kathy Murphy runs Friendly Visitors program.
  - c. Doing a survey and perhaps a focus group for single seniors may be helpful.
  - d. Day Break program is set up for Wednesday 11:30- 2:30, includes lunch and activities. This gives caregivers a break and stimulating activities for seniors. Donations is \$15.
  - e. The Time Out Café (memory café) started small and now has expanded due to increased attendance.
  
7. Friends' of Marlborough Seniors discussion:
  - a. An expenditure report tells where the money is used.
  - b. Friends will not run the Hoedown this year.
  - c. Suggestion made that the new Friend's Board talk to other Town Friend's Groups to get additional ideas on how to raise money.
  
8. Membership at Senior Center has increased 44% since the new senior center opened (an average of 15% per year). Programming has increased 50%.
  
9. Pat Gallier, Marie Elwood and Jeanne McGeough's Terms of Service expired as of May 2018.

Name:	Expires:
a. Jim Confrey	2020
b. Brenda Costa	2019
c. Richard Collins	2020
d. Marie Elwood	2018
e. Jeanne McGeough	2018
f. Leslie Biggar	2019
g. Pat Gallier	2018
h. Joe Bisol	2022
i. Richard Cygan	2019
j. Judy Kane	2020
k. Mike Ossing	2021

Mike will talk to the Mayor about reappointments.

10. Meeting adjourned at 9:45 AM.
  
11. The next board meeting is Tuesday, November 13, 2018 at 8:30 AM in the conference room at Senior Center, 40 New Street; Marlborough, MA.

Respectfully Submitted,  
Leslie Biggar (Fill In)

CITY OF MARLBOROUGH MEETING MINUTES

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2018 DEC 19 A 7:48

**MEETING:** Council on Aging Board of Directors Meeting

**DATE:** November 13, 2018

**TIME:** 8:30 A.M.

**LOCATION:** Sr. Center Conference Rm, 40 New Street, Marlborough, MA

**ATTENDANCE:** Leslie Biggar, Joseph Bisol, Richard Collins, Jim Confrey, Brenda Costa, Richard Cygan, Marie Elwood, Pat Gallier, Jeanne McGeough, Mike Ossing, Trish Pope

**EXCUSED:** Judy Kane

- I. CALL TO ORDER at 8:30 a.m.
- II. Discussion of October Meeting Minutes - revisions needed before approval
- III. DIRECTOR'S UPDATE – Trish Pope

For programming on Tuesday evenings, the age requirement will be 55 in the spring.

In January the walls will be installed upstairs. The carpet will be fixed before the walls go up. Yoga will be cancelled for the month due to the construction. Bingo will move downstairs. DayBreak will take place in the fitness room.

A list of observations was sent to the city clerk regarding election day voting. Issues included, parking on site by poll workers, the lack of a constable in the lobby and there was no list to direct people as to where they vote in the city.

The December newsletter will include the snow policy, No School – No Programs. If there is a delay then the classes during the delay are cancelled.

At the MCOA conference one of the breakout sessions was on strategic planning & branding. This is a project to consider.

There is a meeting this week, regarding the senior center as a warming center for the City. A warming center is not a shelter.

FISH produces 400 volunteer hours per qtr.

The EOE grant increased to \$12 per senior. Marlborough has more than 6000 seniors.

An application will be submitted again for the Cummings grant in December.

IV. BOARD UPDATES

- A. BAYPATH ELDER SERVICES UPDATE – Richard Cygan

The BayPath strategic plan is finished. See attached BayPath Oct report with Cy's notes, Att. #1.

B. TRANSPORTATION REPORT FOR JUNE, JULY & AUGUST – Jeanne McGeough

See attached Transportation Reports, Att. #2.

V. NEW/OLD BUSINESS

Joe Bisol brought up for discussion solo seniors. Their demographic is 22% of those over 65. What are the possibilities of serving this group. The idea of developing a resource guide was discussed.

Developing an active senior group was discussed. Possible activities for this type of group include hiking, horseback riding, skydiving, etc. Southborough currently has an active senior group. Trish will contact Southborough to see if Marlborough seniors can participate in their group.

It was brought up that closed captioning should be on the tv's at the center.

Mike Ossing reported back on term limits. The city code states terms are for 4 yrs. According to the by-laws the COA board is advisory only. The board should have 11 members with 51% of its members over 60. The Mayor appoints the board members and the City Council approves the appointments. The members serve until someone else is appointed and approved to replace them.

VI. Meeting adjourned at 9:30 am.

The next board meeting is Tuesday, December 11, 2018 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

**Last two Board Meetings of 2018:**

November 14, 2018  
 December 19, 2018

**BayPath Board of Directors:**

The Board approved Joyce Macknauskas of Southborough being appointed as a Class 1 Representative Director, with a partial term from 10/18 to 6/19. Joyce will then be eligible for two (3) year terms.

**Compliance Training**

Ms. Alessandro completed the compliance training for board members. Ms. Alessandro will supply board members with the Fraud Hotline Phone number along with the specific company number that BayPath has been assigned for reporting purposes.

**Mass Home Care and contracting opportunities**

Ms. Alessandro gave a powerpoint presentation on the proposed Mass Home Care Administrative Services Unit. The presentation included an overview of the program and opportunities for contracting with Medicare Advantage Plans.

**Strategic Plan**

The Strategic Plan has been completed. The next step is to develop a five-person committee (board and staff) to pursue a name change and branding. Ms. Alessandro has found five marketing firms that are local to obtain proposals.

**Area Agency on Aging**

Ms. Bakstran is encouraging COA's that are not taking advantage of funding to reach out to her for further discussion of potential programs.

**Home Care Programs:** Total 1,164 consumers enrolled

**Town Analysis**

Town	Consumer #	Town	Consumer #
Ashland	44	Natick	122
Dover	3	Northborough	34
Framingham	232	Sherborn	1
Holliston	45	Southborough	9
Hopkinton	29	Sudbury	43
Hudson	75	Wayland	22
Marlborough	103	Westborough	30

## Board Meeting Highlights - October 24, 2018

Enhanced Community Options Program (ECOP)	240
Choices Program	153

TOWN	CONSUMER #	TOWN	CONSUMER #
Ashland	44	Natick	122
Dover	3	Northborough	34
Framingham	232	Sherborn	1
Holliston	45	Southborough	9
Hopkinton	29	Sudbury	43
Hudson	75	Wayland	22
Marlborough	103	Westborough	30

**Nutrition - Meal Days - 19**

TOWN	TOTAL	TOWN	TOTAL
Ashland	366	Natick	1179
Dover	20	Northborough	257
Framingham	4041	Sherborn	76
Holliston	494	Southborough	238
Hopkinton	287	Sudbury	424
Hudson	1089	Wayland	595
Marlborough	2163	Westborough	300
		Total	11,529

SCO Consumers = 1,482

OneCare Consumers = 107

TO: Marlboro C.O.A. Board

Nov. 2018

From: Richard Cygan

Subject: My Minutes from the Oct. 24<sup>th</sup> BayPath Board Meeting

The agenda focused on four areas;

- 1) BayPath's Employee of the year was identified at the Board Meeting -all official candidates were in attendance for the first part of this meeting.
- 2) The Board spent a substantial amount of time reviewing each department previous month's activities, (HR, finance, etc.)
- 3) The Area Agency on Aging rep, Ms. Bakstran is urging COA's that are not taking advantage of funding to reach out to her for further discussions of potential programs.
- 4) Ms. Alessandro went thru a power point presentation on BayPath's decision to create a new Mass. Home Care Administrative Services Unit which will focus their efforts on coordinating new rules and regulations from Mass Home Care and their Medicare Advantage Plans in 2019.

Most noted was the fact that, *starting in 2019, Mass. Medicare Advantage plans will start paying for Non-Medical items (in some instances!)*

*An example given was where a Patient with C.O.P.D. has been hospitalized several times in the same year and the case manager has determined that "the patient is suffering relapses because they don't have Air Conditioning in their residence." In this and other similar cases The Home Advantage Program may pay for the installation of the air conditioning at the patient's residence. The specifics of these determinations are still being developed.*

*Sincerely*

*Cy*

**MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT**  
**MONTH OF OCTOBER, 2018**

**TOTAL NUMBER OF TRIPS = 163**

**BROKEN DOWN**

**SUPERMARKET/SHOPPING/RESTAURANTS = 23**

**SENIOR CENTER = 80**

**CITY VAN- OTHER = 39**

**MWRTA = 21**

**NEW APPLICANTS = 5**

**NEW RIDERS = 1**

City of Marlborough  
Zoning Board of Appeals

**Minutes**

November 27, 2018

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CITY OF MARLBOROUGH

2018 DEC 19 P 4:03

**Members Present:** Ralph Loftin-Acting Chairman, Thomas Golden, Thomas Pope and Robert Levine

**Zoning Board of Appeals Case # 1450-1018 – CONTINUATION**

**Applicant:** Colbea Enterprises, LLC

**Location:** 342 Boston Post Rd. East (Shell Station)

**Representative Present:**

- Nicole M. Verdi, Attorney at Law – Adler Pollock & Sheehan P.C. One Citizen Plaza, 8<sup>th</sup> Floor, Providence RI 02903-1345

**Petition:** Applicant - Colbea Enterprises, LLC proposes to demolish the existing structure and construct a 4000 sq. ft. building with 5 fuel dispensing station (10 pumps) at 342 Boston Post Rd. East. (Map 59 Parcel 11) located in Zoning District Business. Seeking variances on the propose deviations are as follows:

1. Section 650-41, Table of Lot Area, Yards and Height" a 50 ft. front yard setback is required vs. the proposed 32.3 ft. for the new canopy over the fuel dispensing area.
2. Section 650-47(D)(5)(a), requires the planting of 1 tree per 30 linear feet of street frontage planting within the front landscaped strip, as per 650-47E.
3. Section 650-47(E)(1)(b), landscaping requirements - requires a frontage landscaped strip of 25 ft. vs. the propose 10 ft. landscaped strip.

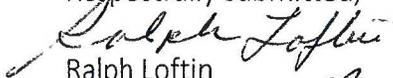
This hearing was continued at the Board's October 31<sup>st</sup>, 2018 meeting at the request of the applicant to this evening, November 27, 2018.

Atty. Nicole Verdi was present to discuss a continuation date; stating a witness availability as the reason for the requested continuance. After much discussion, the Board and the applicant agreed to a December 19<sup>th</sup>, 2018 (Wednesday) at 7:00 PM.

The Board voted 4-0 to continue the hearing to December 19<sup>th</sup>, 2018 at 7:00 PM.

Ralph Loftin made a motion to adjourn the meeting, seconded by Thomas Pope. The Board voted 4-0 to adjourn.

Respectfully submitted,

  
Ralph Loftin  
Acting Chairman

**Minutes  
Retirement Board Meeting of  
November 27, 2018**

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH**

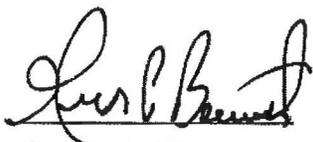
**2018 DEC 21 P 12: 51**

The monthly meeting of the Marlborough Retirement Board was held on November 27, 2018. Gregory Brewster, William Taylor, David Keene, Diane Smith, Daniel Stanhope, and Margaret Shea were present. The City's Treasurer, Brian Doheny, was also in attendance.

1. The meeting was called to order at 8:15 a.m.
2. The Board reviewed the minutes of the meeting of October 30, 2018. A motion was made and seconded to approve. Vote unanimous.
3. Henry Jaung of the Meketa Group met with the Board for a quarterly portfolio review. As of October 31, 2018, the value of the portfolio was approximately \$168 million. All investment classes, except private equity, were within investment policy range. October was a difficult month for the markets. Mr. Jaung spoke about potential shocks to the world-wide markets including Brexit, Italy's potential break from the EU, and the trade war between US and China. The system was down 4.4% for the month with a year-to-date loss of -2.3%. As of September 30<sup>th</sup>, Marlborough's year-to-date return was 2.3%. PRIT's year-to-date return through September 30<sup>th</sup> was 4.5%. The Meketa Group recommended that the Board consider an additional investment in Non-Core Real Estate. Currently, Marlborough's allocation to real estate is currently at 4% but as Colony begins distribution phase of the investment, the allocation will drop. After discussion, a motion was made and second to approve an RFP for non-core real estate investment. Vote unanimous.
4. Approval of refunds and transfers was the next item on the agenda. The Worcester Regional Retirement System had requested the transfer of Kelly Pigott and Christopher Simoneau's annuity savings accounts. The Attleboro Retirement Board requested the transfer of Lori Dumont's annuity savings account. The Teachers' Retirement Board requested the transfer of Reina Rago's account. After discussion, a motion was made and seconded to approve. Vote unanimous.
5. Legal issues was the next item for discussion. Heather Miranda had contacted Michael Sacco and requested that the Board allow installment payments. Mr. Sacco drafted a promissory note for Ms. Miranda to sign. A motion was made and seconded to approve the terms of the promissory note. Vote unanimous. The Board discussed outstanding legal matters such as the Shea appeal and contract reviews.
6. Review of financial information was the next item on the agenda. The Board viewed the operating budget for November 30, 2018 and the cash forecast for the twelve-month beginning November 1st. The Board also reviewed the October cash books, journals, and trial balance. The cash reconciliation for October was not available. A motion was made and seconded to accept and place on file. Vote unanimous.


7. The Board discussed establishing guidelines regarding check re-issue and direct deposit. The director told the members that she would like them to implement an informal policy that would require that two business days pass after the last day of the month before a check can be reported as lost. The Board also discussed a policy that would require all new retirees to have direct deposit. A motion was made and seconded to approve both policies. Vote unanimous.
8. Old Business / New Business was the next item. There was no old business. Under new business, PERAC announced that John Parsons would be PERAC's new Executive Director. The Board also reviewed the FY2020 Appropriation.
9. A motion was made and seconded to approve the following warrants: retiree payroll for November 2018, #282018 and #292018. Vote unanimous.
10. A motion was made and seconded to adjourn the meeting. Vote unanimous.



Gregory P. Brewster  
Chairman



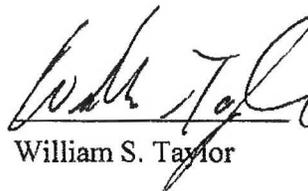
David Keene



Diane Smith



Daniel J. Stanhope



William S. Taylor

MINUTES  
MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752

RECEIVED  
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CITY OF MARLBOROUGH  
December 13, 2018

**Call to Order**

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, Phillip Hodge, Sean Fay, George LaVenture and Chris Russ. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

**1. Meeting Minutes**

A. November 5, 2018

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the minutes of November 5, 2018. Motion carried.

**2. Chair's Business**

- A. Set public hearing date- Proposed Zoning Amendment, Council Order #18-1007460, Modification of Jurisdiction: Lawful Pre-Existing Nonconforming Single and Two-Family Residential Structures. The public hearing was scheduled for January 7, 2018 at 7:00 pm.
- B. Timelines for Planning Board Decisions – On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to move item 2B. to the end of the agenda. Motion carried.
- C. The Planning Board's year-end get together will take place following the December 17<sup>th</sup> meeting. Ms. Holmi will send invitations and make the reservation.

**3. Approval Not Required**

- A. 150 Hayes Memorial Drive, Middlesex South Book 1228, Page 149, Allen & Major Associates on behalf of The Gutierrez Company. David Robinson, Project Engineer Allen & Major Associates, attended to present the plan. Scott Weiss of The Gutierrez Company was also present. The plan removes a lot line between the 14-acre parcel in Marlborough and a 23.8-acre parcel in Northborough, creating a new 37.8-acre parcel. A parcel of roughly 59 acres will remain in Northborough. Mr. Fay asked why the applicant had not filed the plan as an 81X plan. Mr. Robinson stated that in Marlborough, the lot lines remain the same except for the removal of the line dividing the Marlborough and Northborough land, but there will be a new line created in Northborough dividing the parcel added to the land in Marlborough and the remaining land in Northborough. Mr. DiPersio commented that the language in the certification block is written as though the plan was an 81X plan. Mr. Robinson stated that is their usual language, and it has not been a problem in the past. On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to accept and file all correspondence and refer the plan to Engineering. Motion carried.

**4. Public Hearings (Continued)**

- A. Council Order 18-1007404A, Proposed Zoning Amendment to Sections 650 §34 & Section 650 §41 to amend certain provisions of the Marlborough Village District and Table of Lot Areas, Yards and Height of Structures (Main Street Area). Attorney Brian Fay from Mirick O'Connell and Ken Feyl from the project architect were present.  
Ms. Fenby reopened the public hearing. She asked for the Board's input. Mr. Fay restated his previous comment regarding zoning within special districts. Mr. Fay's preference is to set zoning "by right" within the district vs. "by special permit". He noted that part of the appeal to development within these special districts is to offer consistent and predictable zoning. In his opinion, the special permit process introduces uncertainty, which can be an obstacle to redevelopment. He also stated that leaving the zoning open to special permit by an indeterminant makeup of future City Councilors adds additional uncertainty and reduces control. City Councilor Delano asked for permission to address the Board. Mr. Delano offered that allowing for special permits within the zoning district provides flexibility.

No zoning ordinance can foresee each circumstance that may come up. The special permit process allows for a case-by-case review. Mr. LaVenture agreed with Mr. Fay's position that special permits should be kept to a minimum. Mr. Russ expressed that the requested special permit in this project pushes the Marlborough Village District close to existing neighborhoods. This proximity could negatively impact the existing neighborhood. Councilor Ossing added that while all zoning is set up with good intentions, zoning is a "living document". While City Council does their best at framing the zoning districts, sometimes evolving circumstances dictate review and modification. Mr. Falk said that the difference between what is allowed by right and their request is minimally more impactful on the existing neighborhood. He stated that under the special permit request, the back-of-property roof line would only be about 5 feet higher than existing zoning. The special permit allows for an enhanced roof deck. Ms. Fenby asked Mr. Falk whether the rear neighbor had been contacted for potential parking options. She said that parking spaces can be scarce at peak times downtown. He indicated they had not contacted the neighbor about parking. Ms. Fenby declared the public hearing closed and asked for a motion.

On a motion by Mr. Hodge, seconded by Mr. LaVenture, the Board voted to make a generally favorable recommendation on the proposed zoning amendment with the following comments:

The Board expressed that requiring a special permit within the Marlborough Village District introduces a potential deterrent to development. Approval uncertainty may discourage development within the District and lengthen the development cycle. The Board's preference is to set the desired standards within the District and allow developments meeting zoning to proceed by right.

The Board's second comment was directed at the developer and is not related to the proposed zoning amendment. During peak times, downtown parking is scarce. The Board requests that the developer investigate potential parking on the neighboring parcel in the back of the proposed development. Motion carried.

- B. Marlborough Hub. LLC - Definitive Subdivision Application, Assessor's Map 82 Lot 125, Middlesex South Registry of Deeds Book 64574 Page 193. Project Engineer, Jacob Lemieux of Hancock Associates, was in attendance to introduce two plans: A "No Waiver" plan and a "Definitive Subdivision" plan. Mr. Lemieux first reviewed the no waiver concept plan dated November 26, 2018. The plan includes a 25' radius curve to Valley St. and corresponding detail. The plan also demonstrates a full-width sidewalk, 50' right of way and an A.D.A compliant profile. The plan includes a gate to the adjacent park. Sean Fay asked why the applicant isn't going to build the no waiver plan if it had been demonstrated that it can be built. Mr. Lemieux indicated that the no waiver design places lots too close to the former railway property and would also "squeeze" the drainage. Mr. DiPersio was asked whether the no waiver plan was viable. Mr. DiPersio answered yes.

Mr. Lemieux next presented the desired definitive plan which includes the following four waiver requests:

- 1) **Waiver** from Standards Section A676-12(B)(5): "Property Lines at Street Intersections shall be... 25 Feet at other intersections" **Proposed: 25' Roadway Radius Easement proposed on one side.** Note: Mr. Lemieux indicates that an easement agreement has been signed with the resident at the intersection of the proposed private way and Valley St.
- 2) **Waiver** from Standards Section A676-12(c) (1) (a) "The minimum width of roadways shall be as follows: Secondary Streets: Fifty Feet (50') **Proposed: 40' Right-of-way**
- 3) **Waiver** from Standards Section A676-24(B)(2) (b): Minimum Roadway Width shall be... 32 Feet" (secondary streets). **Proposed: 28' Width**

- 4) **Waiver from Standards Section A676-26(A)(1):** "Unless otherwise specified by the Planning Board, the sidewalks shall extend the full length of each side of the street and shall be.... a minimum of six feet including curb." **Proposed: 4' Width on one side.**

Mr. Peznola from Hancock Associates discussed ADA compliance requirements with the Board. The possibility of a "passing area" was brought up. He will review regulations and modify plans accordingly. Mr. Peznola also indicated that the updated definitive plan also contains two ADA compliant parking spaces near the gate to the John Street park. A Request for Determination (RDA) has been issued by the Conservation Commission. On a motion by Mr. Fay seconded by Mr. LaVenture, the Board referred the plans to Engineering for review and recommendations. Motion carried.

## 5. Subdivision Progress Reports (Updates and Discussion)

### A. Subdivision Status Report

Goodale Farms: Mr. DiPersio indicated that the onset of snowy and cold weather has delayed the scheduled roadway paving. It was recommended that this work be rescheduled in the spring.

- B. Mauro Farms: Mr. LaVenture read the November 21, 2018 recommendation letter from City Engineer DiPersio into the record. Engineering Division has determined that the construction of the roadways and installation of municipal utilities and roadside improvements have been satisfactorily completed and can recommend a favorable response to the Marlborough City Council for acceptance. Engineering further recommends that the Planning Board consider reducing the current \$185,000 maintenance bond from \$185,000 to zero. On a motion by Mr. Fay, seconded by Mr. Russ, the Board voted to accept and file the correspondence and reduce the bond securing the subdivision from \$185,000 to zero. Motion carried. On a motion by Mr. LaVenture and seconded by Mr. Hodge, the Board voted to make a favorable recommendation to City Council for acceptance of Nolan Way, Spenser Circle and Reagin Lane as public ways and that their appurtenant easements be accepted as municipal easements. Motion carried.

- C. Home Rule Petition: The Planning Board previously requested the City Engineer and City Solicitor update the Board on the status of a Home Rule Petition on street acceptance. Mr. Rider indicated that the draft petition was last updated in 2017. The Board expressed it is in favor of this legislative remedy for acceptance of older streets in the City.

## 6. Preliminary/Open Space/Limited Development Subdivisions

### A. Hager St. Open Space Special Permit

Peter Bemis from Engineering Design Consultants provided the Board an update on the latest plan, October 25, 2018 (Revised November 15, 2018). The proposed development now contains 5.926 acres - 4.725 acres of the proposed development in Marlborough in zone Rural Residence, and 1.201 acres located in an R4 zone in the City of Framingham. Decision on the special permit is officially due by December 23 (or December 17, the next meeting of the Planning Board.)

Mr. Rider asked Mr. Bemis to explain an apparent inconsistency in the notes section of his plan. Parcel Note 2 refers to Parcel A in support of agricultural use activities on the adjacent open space parcel. The Assistant City Engineer's 11-29-18 letter refers to Parcel A for an ancillary use for the abutting parcel in Framingham. Mr. Rider would like additional clarity on the proposed agricultural use on the open space parcel. There should be a determination that zoning allows such use. Note 2 should be modified to remove reference that the barn on Parcel A and agricultural activities are allowed ancillary uses in Marlborough. There is also a reference to Note 4 in Parcel A, but there is not a Note 4 listed on the plan.

Mr. LaVenture asked where the barn was going to be located. Mr. Bemis indicated a position near the RT 20 entrance to the property. Mr. LaVenture raised a concern that might place it in a position blocking the view of grazing live stock from RT 20, something that was desirable and had been a "selling" point of the proponent. Mr. Bemis indicated they would relook at positioning.

The Board would like Mr. Bemis to return with a legal opinion from the project's attorney outlining how the proposed use meets City zoning. Mr. Fay expressed that the Board would like to see draft findings prepared for review by the City's Legal Department. Ms. Holmi provided two samples to Mr. Bemis.

Mr. LaVenture read the 11-29-18 letter from Assistant City Engineer Collins into the record. The letter provides a favorable recommendation to the Marlborough Planning Board to grant a special permit for an open space development containing 3 building lots off Hager St., an open space parcel and parcel A, an ancillary use for an abutting parcel in Framingham, which is also owned by South Coast Advisors, LLC. On a motion by Mr. Fay, seconded by Mr. Russ, the Board voted to accept and file. Motion carried. On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to refer the open space plan back to Engineering and the Legal Dept. Motion carried.

**7. Definitive Subdivision Submission (None)**

**8. Signs (None)**

**9. Informal Discussion**

- A. Proposed ANR - 91 Bolton St. Map 57 Parcel 255. Applicant Jessica Karina Marin; Engineer, Dennis O'Brien (Land Surveyor) The applicant did not attend the meeting. The applicant's proposed plan requires variances from the ZBA. It was suggested that the applicant also meet informally with the ZBA prior to a formal application.

**10. Unfinished Business**

A. Item 2B – Timelines for Planning Board Decisions

On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to reopen item 2B from earlier in the meeting. Mr. LaVenture acknowledged that Mr. Rider previously provided a clear legal determination establishing filing dates for ANR and subdivision filings. Mr. LaVenture said it would be helpful for a similar determination on Clerk filings. Mr. Rider indicated that action was considered taken by the Board when notice had been properly filed with the City Clerk. The Board also discussed who may vote on matters before the Board. Mr. Rider explained that the determination centers around whether there are adjudicatory rights associated with the hearing. Only members present at the public hearing may vote on adjudicatory matters. City Council may use the Mullin Rule process to "catch up" on a single missed meeting. That option is available since the meetings are recorded. Planning Board meetings are not.

**11. Calendar Updates**

**12. Public Notices of other Cities & Towns (None)**

On a motion by Mr. Russ, seconded by Mr. Laventure, the Board voted to adjourn the meeting of the Planning Board. Motion carried.

Respectfully submitted,

  
George LaVenture/Clerk

/kih