

CITY OF MARLBOROUGH MEETING POSTING

Meeting: **Planning Board**
Date: **September 14, 2020**
Time: **7:00 PM**
Location: **REMOTE MEETING NOTICE**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

In accordance with the March 12, 2020 Executive Order issued by Governor Baker modifying certain requirements of the Open Meeting Law, the City of Marlborough Planning Board will hold a remote meeting on Monday, September 14, 2020 at 7:00 pm. The public may access the meeting by clicking on the link provided in the Planning Board calendar on the Planning Board Website <https://www.marlborough-ma.gov/planning-board> or by dialing in using the following phone number and conference ID : **+1 617-433-9462** United States, Boston (Toll) Conference ID: 900 151 26#

Agenda Items to be Addressed:

- 1) **Meeting Minutes**
 - A. August 24, 2020
- 2) **Chair's Business**
- 3) **Approval Not Required**
 - A. ANR Application: Weixerly Dasilva, and Thresa and Kenley Robison, 159 and 145 Langelier Lane
Land Surveyor: HS & T Group, Inc. 75 Hammond St., Worcester, MA 01610
Location and Description of Property: Middlesex Registry of Deeds Book 68734, page 445
Law Office of Brian W Valanzola, Applicant representative
- 4) **Public Hearings (None)**
- 5) **Subdivision Progress Reports**
 - A. Subdivision Status Report – City Engineer DiPersio
- 6) **Preliminary/Open Space /Limited Development Subdivision Submissions (None)**
- 7) **Definitive Subdivision Submissions**
 - A. 76 Broad St. 4-Lot Subdivision **(Set Public Hearing Date)**
Applicant: W.R.E., LLC, 319 Stow Road, Marlborough, MA 01752
Engineer: Hancock Associates, 315 Elm St., Marlborough, MA 01752
Recorded Deed: Middlesex South Registry of Deeds Book 72215, Pages 106-107
Location and Description of Property: 76 Broad St., Assessor's Parcel 68-123, 1.86 acres
(Note: Submission Date: 09-09-20, Decision Due: Meeting Prior to January 22, 2021)
- 8) **Signs (None)**
- 9) **Informal Discussion (None)**
- 10) **Unfinished Business**
 - A. Working group discussion – Planning Board Rules and Regulations
- 11) **Calendar Updates**
- 12) **Public Notices of other Cities & Towns (See Electronic Packet)**
 - A. Town of Sudbury (4 Notices)
 - B. City of Framingham (4 Notices)

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

Call to Order

August 24, 2020

The **remote meeting** of the Marlborough Planning Board was called to order at 7:00 pm. Members present- Barbara Fenby, Sean Fay, Phil Hodge, George LaVenture, Chris Russ and Matthew Elder. City Engineer, Thomas DiPersio, and Planning Board Administrator, Krista Holmi, also participated in the remote meeting.

1. Meeting Minutes

A. July 20, 2020

On a motion by Mr. LaVenture, seconded by Mr. Elder, the Board voted to accept and file the minutes of July 20, 2020. Yea: Elder, Fay, Hodge, LaVenture, Russ and Fenby. Nay: 0. Carried 6-0.

2. Chair's Business

A. Chair Fenby updated the Board on her assessment of social distancing measures available in Memorial Hall, the Board's usual meeting venue. The current six members could socially distance in the room in a u-configuration, but the City Engineer and support staff would need to sit in the back of the room. Ms. Fenby polled members about their level of comfort meeting in person. While some members are OK with meeting in person, others prefer remaining remote or using a hybrid approach with some members meeting in person and others participating remotely. Mr. Russ added that if a topic had a lot of public interest, it would be difficult to accommodate many people in Memorial Hall. Chair Fenby asked Councilor Robey to comment on how things are going with City Council meetings in City Hall. Councilor Robey said the situation is different. There is much more space in Council Chambers, and the meetings are filmed and broadcast live. Some Council members have elected to join remotely. Since Memorial Hall is relatively small, has low ceilings and poor ventilation, Chair Fenby believes a hybrid or remote model remains the safest approach.

3. Approval Not Required (None)

4. Public Hearings (None)

5. Subdivision Progress Reports

A. Subdivision Status Report- Goodale Estates

City Engineer DiPersio provided an update on Goodale Estates. At the last meeting, an install date for the gas main and services had not been established. Eversource has since communicated with Mr. Gillis and estimated that the gas service would be installed by the end of August. Ms. Fenby asked for Mr. LaVenture to read the 8-5-20 email communication from Mr. Gillis into the record. Once the gas line is installed, the pavement can be competed along with sidewalks and as-builts prepared. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the correspondence. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Informal Discussion

A. Sem Aykanian, Esquire. Discussion of removal of restrictions from an existing 1985 ANR plan-2 S. Bolton Attorney Aykanian provided some background regarding the 74 Main St. property (John Cotting House), which he acquired along with 2 S. Bolton St. in 1987.

The 2 S. Bolton St. property, identified as parcel 22B in the presented exhibits A-D, contained the following deed restriction: Said Lot 22B shall be used to erect an accessory building or addition to the Grantee's other property located on Main Street described in the deed recorded in Book 14124, page 518-520 (74 Main), and said Parcel 22B cannot be transferred as a single parcel. The deed goes on to say that should there be a violation of this agreement, the property shall revert to the City of Marlborough Community Development Authority (CDA). Attorney Aykanian wishes to convey the 2 South Bolton property and building.

Attorney Aykanian has reached out to the CDA to determine whether the CDA will consent to forego the enforcement of the deed restrictions. His goal with the Planning Board is to obtain a recordable instrument to release parcel 22B from the plan restriction, which states parcel 22B is not to be considered a building lot. The plan notes the parcel is to be deeded to and used in conjunction with adjoining land of the Marlborough Knights of Columbus Building Corp, now or formerly. Attorney Aykanian described this as more of a housekeeping matter for the Planning Board, since 22B already has a building on it. These two actions are necessary for him to convey the property to a separate entity. As two separately owned entities, Attorney Aykanian surmised it would be less likely that the property would be combined to create "a noxious use" on the property and believes that it will be more likely that the Greek Revival property at 74 Main St. will be preserved. It would still be possible that two owners could work out an agreement to acquire the other property.

City Engineer DiPersio asked Mr. Aykanian the original intent of the ANR plan (Plan 528 of 1985). He asked if it was to separate parcel 22A (used as City parking) from the building on 22B. Mr. Aykanian didn't think the building was in existence then. Mr. DiPersio questioned whether the deed restriction was still in effect. Often these expire after 30 years. Attorney Aykanian said that was a good question and that this may be the case, but there is nothing written or cited from his past conversations with the City's previous Solicitor, Don Rider. The deed language is enough to spook any potential buyer, so he has agreed to take up the matter with the City.

Ms. Fenby noted that the "proposed lot line" on Exhibit D in the packet appears to encroach on the building shown on 22B. City Engineer DiPersio stated that the exhibit is not a surveyed plan. Mr. Fay said a lot has changed since 1985 when this plan was endorsed, and he supports removing the restriction. He would not be supportive of anything on the property that is not consistent with the existing footprint and scale as the existing building.

10. Unfinished Business

A. Definitive Subdivision Application: Commonwealth Heights

Applicant – Marlborough/Northborough Land Realty Trust (Scott Weiss, The Gutierrez Company);
Project Engineer - Connorstone Engineering, Inc. Location – 10.6 Acres located on the corner of Forest Street and Ames Street. Middlesex Registry of Deeds Book 31932, page 445 (Lot 14).

- i. Communication from Assistant City Solicitor Piques regarding Commonwealth Heights Covenant. Assistant Solicitor Piques began by requesting that Mr. Weiss communicate their recent discussion to the Board. Mr. Weiss proposes two changes to the Commonwealth Heights covenant that appeared on this evening's agenda. The first change adds clarity to paragraph 11. The proposed changes to paragraph 11 clarify the role of the Licensed Site Professional (LSP), the responsibility for payment to the LSP by the Covenantor as well as the City's role in approving the LSP. The second amendment relates to an agreement establishing a fund for the express purpose of providing compensation to abutting property owners for any arising property damage claims. This agreement was discussed at the June 22, 2020 meeting, but the terms of such agreement did not make it into the covenant.

Mr. Weiss acknowledged this omission and supports amending the covenant to include this condition as well as the new clarifying language in item 11. Assistant City Solicitor Piques was asked whether the Planning Board could vote on the covenant this evening. Mr. Piques indicated yes, provided the vote contained the language "as amended". Mr. Fay requested that the covenant include the specific language of the amendments, including where funds are held and the mechanism for evaluating and processing claims. Mr. Weiss recognized the importance of protecting the abutters and agreed to assist in preparing the new language. Ms. Fenby asked if there were any other comments on the covenant. There were no further comments. Chair Fenby requested that Mr. LaVenture read Assistant Solicitor Pique's 8-19-20 letter into the record. The letter confirmed that the covenant was in proper legal form. He also recommended that the Planning Board adopt rules for the imposition of reasonable fees for this purpose consistent with MGL c 44, x. 53G. Draft rules were provided for review.

On a motion by Mr. LaVenture, seconded by Mr. Elder, the Board voted to table item 10A while the parties established the amended covenant language. Yay: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0. Member Fay and Mr. Weiss will send suggested edits to Assistant City Solicitor Piques. All communication will become part of the official record.

The Board moved on to the next agenda item.

10. Unfinished Business

B. Working group discussion (George LaVenture, Christopher Russ)

Mr. LaVenture lead the discussion and began by thanking the Engineering Division for taking the time to meet with him and his working group colleague, Chris Russ. Thanks to Assistant City Engineer Collins for his preparation of review documents and for Ms. Holmi's assistance in creating this package. He acknowledged Mr. Russ for his help with this effort. Below are goals established by the working group:

Finish Subdivision and ANR Decision Trees- Establish decision trees to provide quick references for subdivision applications (either preliminary or definitive or open space) along with ANRs. The process chart provided by Tim Collins provides a nice visual process or workflow to complement the timeline-based versions.

Replace Missing Table of Contents in Current Regulations- The current version of the Marlborough Rules and Regulations Governing the Subdivision of Land (RRGSL) does not include a table of contents. The 1991 rules and regulations' table of contents was included in the package for reference. Adding a table of contents will simplify finding desired topics for members of the public and Planning Board. The rules and regulations should be available as a text searchable pdf and available for download.

Review Past Regulation Change Recommendations for Possible Inclusion - The 2005 proposed changes to the RRGSL should be reviewed by Engineering for applicability along with more recent Board requirements. Prioritize recommendations for full board consideration and adoption.

Review and Update Dated Forms- Forms A, B, C, D, E, and G are draft replacements for existing Planning Board forms listed as Appendix A, B, C, D, E, and G. Form H is the proposed Street Bond/Lot Release Request. Since these are Engineering generated documents, they should be considered by the full board for adoption. This would provide standardization of forms.

Evaluate Subdivision Cross-Sections- Review which standard cross-sections and/or alternates to include in the subdivision rules and regulations.

Evaluate Planning Board Fee Schedule- The Rules and Regulation's Appendix K Fee Schedule was last amended in 1991. These fees do not accurately represent today's costs and should be reviewed. Mr. LaVenture suggested an approach to fee restructuring. Determine the person-hours required to conduct each of the anticipated services required of the City departments. For each service, multiply the estimated person-hours by the hourly rate[s] of the person[s] required to perform each task. This could become the new "book" fee for that service. If any expendable resources are used, they may be included in the fee as well. This approach works for auto mechanics and might work here. The working group stated the city should not bear the costs to perform services required by developers and other profit driven entities. The City should break-even, i.e., recoup their resource and expended costs. The Board should still have the discretion to waive or alter fees as determined. As recommended by Assistant City Solicitor Piques, the Board should consider adopting a fee schedule for the employment of outside consultants.

Mr. Fay thanked Mr. LaVenture and Mr. Russ for beginning this review process. There is a steep learning curve for the extensive amount of information Planning Board members must digest. Establishing process flow charts and improving the ability to easily access and reference relevant materials will enable members to become effective much more quickly. Providing better tools will benefit the general public and members alike. This process will establish best practices and reduce the possibility of mistakes. Chair Fenby asked City Engineer DiPersio for his thoughts on the review. He stated he was in favor of the review and commented this was long overdue. He said Engineering will make a first pass effort to review the 2005 recommendations and report back in September. The flow charts may take some additional time. Chair Fenby requested that members review the large packet on the agenda and begin to think about what areas of the regulations individual members may be interested in reviewing in greater detail. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to refer the 2005 Recommendations to Engineering for initial review and request a report back to the Board in September. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

The Board returned to item 10A.

10. Unfinished Business (Continued)

A. Definitive Subdivision Application: Commonwealth Heights

Attorney Piques instructed the Board that the emails he received from Mr. Fay and Mr. Weiss should be read into the meeting's record. He then shared the new covenant language, which is a conglomeration of Mr. Fay's, Mr. Weiss's and his suggested amended covenant language. Attorney Piques read the 7:42 pm email from Mr. Fay re: Commonwealth Heights Covenant Amendment into the record. Attorney Piques read the 7:46 email communication from Scott Weiss re: Version with Further Revisions into the record. On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted to accept and file the communications. Yea: Elder, Fay, Hodge, LaVenture, Russ and Fenby. Nay: 0. Carried 6-0.

Attorney Piques was asked to display both proposed amendments so that members and Mr. Weiss could read and verify the amended covenant language. There were no objections to the amended language. Attorney Piques responded to a question by Mr. LaVenture regarding the City Engineer serving as "Arbiter" and a potential exhaustion of funds. Attorney Pique said the amended language does not foreclose any future remedy available to the abutters. Mr. Weiss conveyed that the most efficient process is to allow the contractor working on site to immediately address concerns. Mr. Elder reminded Mr. Weiss that the previous effort to develop the site resulted in unsettled damages. Mr. Fay acknowledged Mr. Weiss and The Gutierrez Company for taking steps to protect abutters. He thanked Mr. Weiss for his efforts, cooperation and patience during this process.

On a motion by Mr. Elder, seconded by Mr. Hodge, the Board voted to approve the proposed Commonwealth Heights Covenant with the following amendments:

(Item 11 – Replace paragraph 2 with the paragraph below:)

The Covenantor shall pay for and engage the services of a Licensed Site Professional (LSP), to be approved by the City to advise the City and provide technical assistance on the review of construction of this project relating to dust and air quality monitoring. At the Pre-Construction Meeting, the LSP shall review Covenantor's construction protocols concerning dust control, vegetation removal, on-site soil management (including stockpiling, stabilization and permanent disposal), off-site soil removal (if any) and reporting requirements.

--

(Condition below inserted at Item 18:)

Covenantor shall establish a fund and deposit a sum no less than \$25,000.00, to be held in a mutually agreeable escrow account, for the express purpose of providing compensation to abutting property owners for cognizable property damage claims arising from the intentional or unintentional actions of the Covenantor, their contractors, employees, or other agents. Abutting property owners shall promptly provide notice of any claim of property damage to Covenantor and the City Engineer; and the City Engineer shall act as the arbiter for the validity of any such claim. This paragraph is intended to supplement any additional rights an abutting property owner may have and shall not be their exclusive remedy. Covenantor shall provide proof of compliance with this section, including deposit of these funds prior to construction.

Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

10. Unfinished Business

A. Definitive Subdivision Application: Commonwealth Heights

ii. Endorsement Commonwealth Heights Definitive Subdivision Plan

Ms. Holmi shared that Steven Kerrigan, City Clerk, City of Marlborough, certified that following notice of Planning Board approval and for twenty (20) days thereafter, no appeals were taken.

On a motion by Mr. LaVenture, seconded by Mr. Elder, it was duly voted:

To endorse the plan entitled "Definitive Plan of Land of Commonwealth Heights in Marlborough, MA" dated October 24, 2019 and revised through July 16, 2020.

Owner: Marlborough/Northborough Land Realty Trust 1 Wall Street, Burlington, MA 01803.

Engineer: Connorstone Consulting Civil Engineers and Land Surveyors, 10 Southwest Cutoff, Suite 7, Northborough, MA 01532. Subdivider: Commonwealth Heights, LLC 128 West Main Street, Wilmington, MA 01887. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0.

Carried. 6-0.

The Gutierrez Company will forward the signed covenant to the Planning Board. Members will sign the covenant and the Commonwealth Heights plan at the Planning Board's administrative office at 135 Neil St. Owner/Developer is responsible for presenting the Planning Board evidence that the approved covenant and endorsed plan has been filed with the Middlesex South Registry of Deeds or Land Court as applicable.

11. Calendar Updates (None)

12. Public Notices of other Cities & Towns

- A. Town of Sudbury (4 Notices)
- B. City of Framingham (8 Notices)

On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted to accept and file the notices. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting of the Planning Board. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

Respectfully submitted,

/kih

George LaVenture/Clerk

From: [Cathy Netburn](#)
To: [Krista Holmi](#)
Cc: [Brian W Valanzola](#); theresarobison@gmail.com; [Kenley Robison](#)
Subject: Re: The ANR Plan - Langelier Drive
Date: Sunday, September 13, 2020 4:40:05 PM

Dear Krista and Members of the City of Marlborough Planning Board,

I represent Theresa and Kenley Robinson, the owners of 145 Langlier Lane, as shown on the ANR Plan prepared by HS & T Group, Inc., dated July 28, 2020 (the "ANR Plan"), that was recently reviewed by the City's Engineering Department and is on the agenda of the Planning Board for the meeting on Monday, September 14, 2020. Please accept this email correspondence as the request of the Robisons to immediately withdraw the ANR plan for consideration by the Board, which withdrawal is being made without prejudice, reserving all rights to potentially resubmit a modified plan at some point in the future.

As reason for such withdrawal, we have recently learned from Timothy Collins of Marlborough's Engineering Department, that the surveyor/engineer who prepared the ANR Plan neglected to take into account City Ordinance §650-42, and, as a result, a conveyance from the Robisons to their abutter of Parcel A shown on the ANR plan would make the Robisons' current house lot non-conforming and subject them to penalties for violation.

The purpose of the ANR Plan and the planned conveyance of Parcel A was to amicably resolve an encroachment by Wexieirly Dasilva, the abutter at 159 Langlier Lane, onto my clients' property, but it was never my clients' intent (or the intent of the owner of 159 Langelier Lane), that the conveyance of the parcel would cause 145 Langlier to violate zoning regulations or city ordinances.

We very much appreciate the email from Timothy Collins informing us of this issue (as well as several other modifications and additions that the plan would require before endorsement).

I will make myself available at the Planning Board meeting should any of the Members have any questions regarding this matter.

Thank you for your assistance.

Cathy

Cathy S. Netburn, Esq.
D'Agostine, Levine, Parra & Netburn, P.C.
268 Main Street
Acton, MA 01720-6233
Ph: (978) 263-7777; Fax: (978) 264-4868

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In accordance with Internal Revenue Service Circular 230, we hereby advise you that if this e-mail or any

APPENDIX A

APPLICATION FOR ENDORSEMENT OF
PLAN BELIEVED NOT TO REQUIRE APPROVAL

File one completed form with the Planning Board and one
copy with the City Clerk in accordance with the
requirements of Section 11-B.

Marlborough, Massachusetts

September , 2020

(Date)

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the
City of Marlborough does not constitute a subdivision within the meaning of the
Subdivision Control Law, herewith submit said plan for a determination and
endorsement that Planning Board approval under the Subdivision Control Law is
not required.

Theresa and Kenley Robison and Weixerly

1. Name of Applicant: Dasilva

Address: 145 and 159 Langelier Drive

2. Name of Engineer: Dan Tivnan, HS & T Group, Inc.

Land Surveyor: 75 Hammond Street, Worcester, MA 01610

Address: _____

3. Book of Property recorded in Middlesex Registry of

Deeds Book 58734 Page(s) 445

4. Location and description of property:

Parcel A to be conveyed from owners of 145 Langelier (Robison) to owner of 159 Langelier (Dasilva) due to
Dasilva encroaching onto Robison's property.

Kenley Robison
Signature of Owner

159 145 Langelier Drive,
Address: Marlborough

Contact email address: kenleyrobison@msn.com

Contact phone number: _____

PLANNING BOARD

DATE 09-28-20

AGENDA 09-14-20

ACTION _____

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the City of Marlborough does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submit said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Theresa and Kenley Robison and Weixerly
1. Name of Applicant Dasilva
145 and 159 Langelier Drive
Address
Dan Tivnan, HS & T Group, Inc.
2. Name of Engineer/
Land Surveyor 75 Hammond Street, Worcester, MA 01610
Address
Middlesex Registry of
3. Deed of Property recorded in
Deeds Book 58734 Page(s) 445

4. Location and description of property:

Parcel A to be conveyed from owners of 145 Langelier (Robison) to owner of 159 Langelier (Dasilva) due to Dasilva encroaching onto Robison's property.


Signature of Owner

145 Langelier Drive,
Address: Marlborough 01752

Contact email address: kenleyrobison@msn.com

Contact phone number: 978 760 0637

PLANNING BOARD

DATE 9-9-20 via email
AGENDA 9-14-20
ACTION _____

AMAZON TREE SERVICES INC
159 LANGELEIR LN
MARLBOROUGH, MA 01752

126

September 8, 2020

53-9182/2113
46

CHECK ARMOR
FRAUD PROTECTION

Pay to the
Order of

City of Marlborough

\$ 150.00

One Hundred fifty and 00/100

Hollars



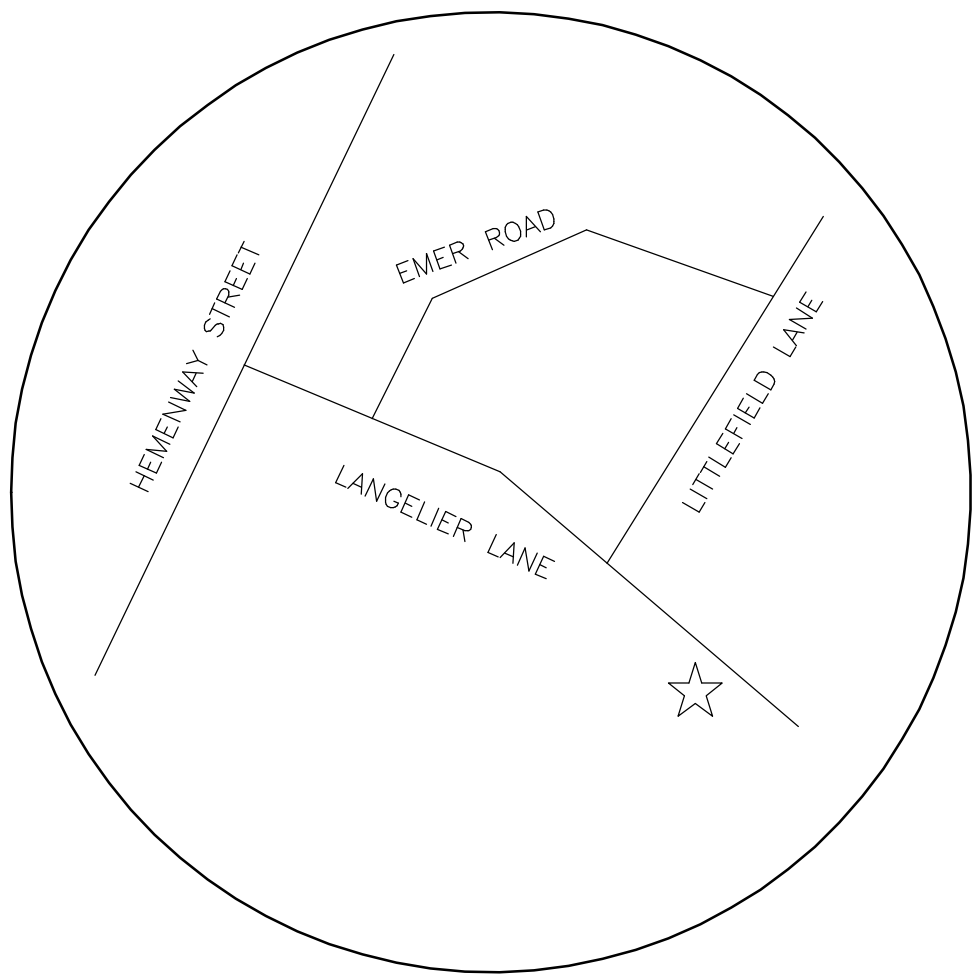
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Safe
Deposit
Do not on back

DCU Digital Federal
Credit Union
www.dcu.org

159 Langeleir

For

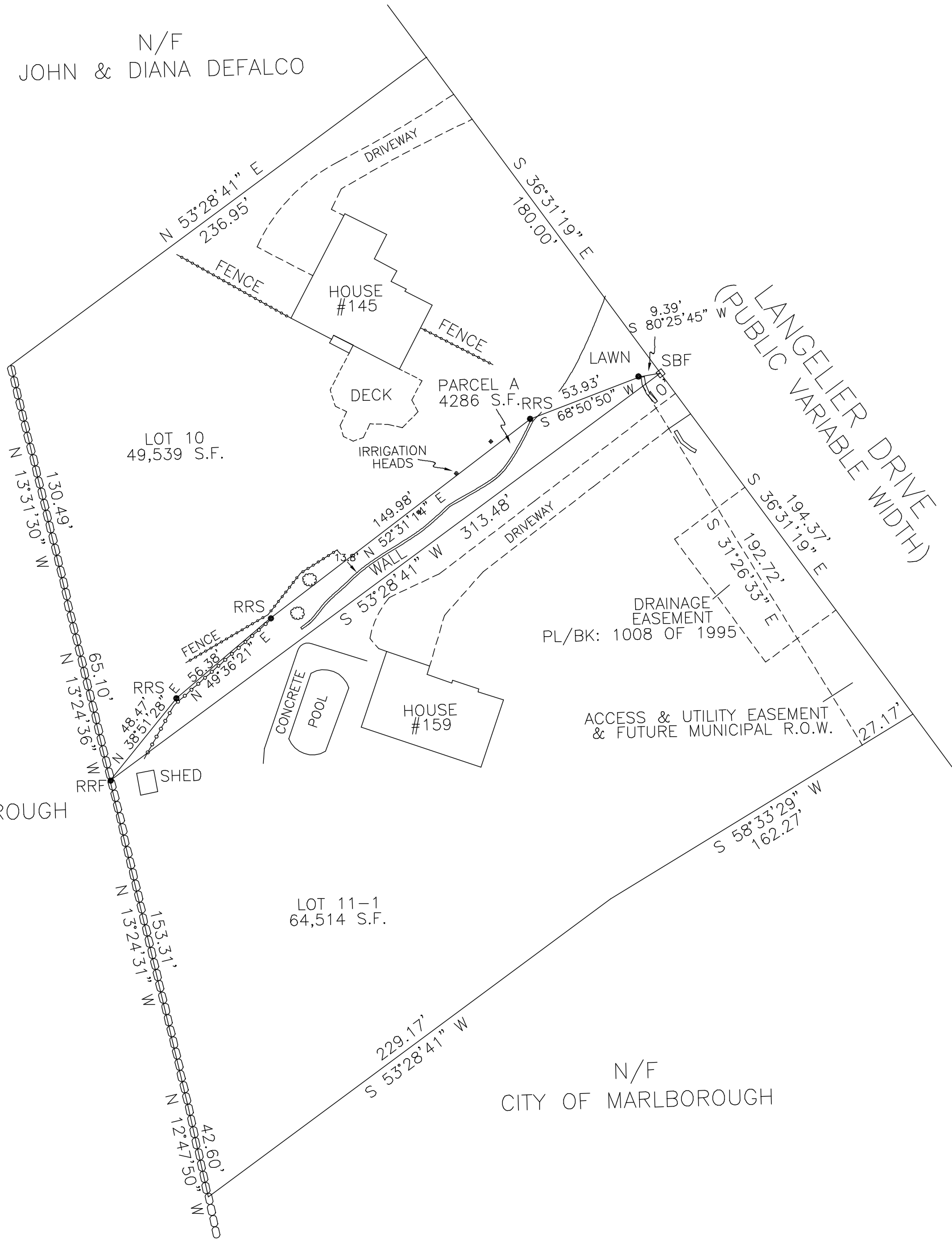
ANR Application



LOCUS MAP
N.T.S.

NOTE: PARCEL A IS TO BE CONVEYED TO LOT 11-1 AND IS TO BECOME AN UNDIVIDED PART OF LOT 11-1, AND IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT.

N/F
JOHN & DIANA DEFALCO



N/F
CITY OF MARLBOROUGH

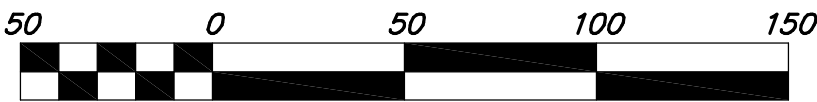
N/F
CITY OF MARLBOROUGH

ZONE : RR
MIN AREA 43,560 S.F.
MIN FRONTAGE 180'
MIN FRONT SETBACK 40'
MIN SIDE SETBACK 25'
MIN REAR SETBACK 50'

PLAN REFERENCE(S):
1995/1008, 1993/521

DEED REFERENCE(S):
58734/445, 50630/175

ASSESSOR(S):
48-27, 48-28



SCALE 1" = 50'

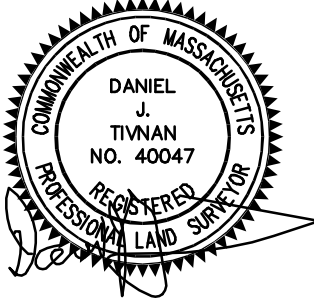
MARLBOROUGH

PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW IS NOT REQUIRED

A MAJORITY VOTE
DATE: _____

PLANNING BOARD ENDORSEMENT IS NOT
A DETERMINATION AS TO CONFORMANCE
WITH THE ZONING BYLAW.



THIS PLAN HAS BEEN
PREPARED IN CONFORMITY WITH THE RULES
AND REGULATIONS OF THE REGISTERS OF DEEDS
OF THE COMMONWEALTH OF MASSACHUSETTS.



hs&t group, inc.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
75 HAMMOND STREET - 2ND FLOOR
WORCESTER, MASSACHUSETTS 01610-1723
PHONE: 508-757-4944 EMAIL: INFO@HSTGROUP.NET
FAX: 508-752-8895 WWW.HSTGROUP.NET

PLAN OF LAND
159 LANGE LIER DR MARLBOROUGH MA

APPLICANT(S)/OWNER(S):

WEXIRLEY DA SILVA
159 LANGE LIER DR MARLBOROUGH MA

DATE:	07-28-20	COMP'D:	JT	FIELD:	PS
SCALE:	1"=40'	CAD:	JT	FLD. BK:	657-136
ZONE:	ZONE RR				LANGE LIERDR145PROP3

JOB NUMBER: 6977

DWG NUMBER: 5390

SHEET NUMBER

1 OF 1



August 24, 2020

1 - Summary Sheet

2- Subdivisions - Under construction

3 - Subdivisions - Awaiting Acceptance

4 - Subdivisions - Under Review

SUBDIVISIONS - BOND HAS BEEN PULLED

SUBDIVISION	BOND AMOUNT City held accounts	PLANS		DEED DESCRIPTIONS
		AS-BUILTS	ACCEPTANCE	
Shaughnessy Estates	\$10,264.46	YES	YES	w\ Legal & Engin.

~~Marlborough/Norborough Land Realty Trust~~

SUBDIVISIONS - AWAITING ACCEPTANCE

SUBDIVISION	BOND AMOUNT	COMMENTS

SUBDIVISIONS - UNDER CONSTRUCTION

SUBDIVISION	BOND AMOUNT	EXPIRATION DATE	COMMENT
Goodale Estates (Open Space): Jenks Lane	\$205,000.00	31-Dec-20	Roadway construction on-going
Commonwealth Heights Atkinson Drive	N/A	8/24/2022	Endorsed on August 24, 2020
215 Simarano Drive: Street name has not been assigned	N/A	9-Sep-20	Covenant must be in place and City Clerk certify that no appeal has been filed before endorsing plan - APPROVAL EXPIRED

SUBDIVISIONS - NEW

SUBDIVISIONS - UNDER CONSTRUCTION

Goodale Estates (Open Space):		Jenks Lane	
Off Goodale Street	Approval Date	Expiration Date	Bond Amount
Northborough Capital Partners	14-Nov-16	14-Nov-18	
Bond Amount			
5/3/2018	Developer has filed for bankruptcy		
Agreement reached with new surety	Construction is expected to restart early in Spring 2019		
Extension of Approval	5-Nov-18	24-Nov-19	
Extension of Approval	21-Oct-19	30-Jun-20	
Bond Amount	16-Dec-19		\$352,000.00
Extension of Approval	22-Jun-20	31-Dec-20	\$205,000.00

Commonwealth Heights		Atkinson Drive	
Off Ames Street/Glen Street	Approval Date	Expiration Date	Bond Amount
Marlborough/Northborough Land Realty Trust	24-Aug-20	24-Aug-22	N/A

SUBDIVISIONS - APPROVED BUT NOT ENDORSED

215 Simarano Drive:		Street name has not been assigned	
Off Simarano Drive	Approval Date		Bond Amount
Jeremiah 29, LLC	10-Sep-18	9-Sep-20	N/A
Covenant must be in place & City Clerk must certify that no appeal has been filed before endorsing.			
Construction of Self Storage Building per Site Plan Review Committee approval has been completed.			
Plans were approved, a Covenant was never submitted - Approval has expired.			

SUBDIVISIONS - UNDER REVIEW			
Commonwealth Heights		Atkinson Drive	
Off Ames Street/Glen Street			
Marlborough/Northorrough Land Realty Trust	Dates	Deadline	
Submission	18-Nov-19		
Public Hearing	16-Dec-19		
Approval Deadline		23-Mar-20	
New Public Hearing	23-Mar-20		
Approval Deadline (extension)		23-May-20	
Approval Deadline (extension)	18-May-20	24-Jul-20	
Approval Date	20-Jul-20		
20 Day Appeals Date	10-Aug-20		
Endorsed on	8/24/2020		
Expiration Date	24-Aug-22		

LETTER OF TRANSMITTAL

40+ Years of Excellence

Providing Land Surveying, Civil
Engineering, Landscape Architecture and
Environmental Services Since 1978

HANCOCK ASSOCIATES

315 Elm Street, Marlboro, MA 01752
Phone (508) 460-1111 Fax (508) 460-1121
www.hancockassociates.com

TO: City of Marlborough	DATE: 9/9/20	JOB #: 13820
ATTN: Krista Holmi, Administrator	FROM: Robert DiBenedetto, P.E.	
135 Neil Street, 2 nd floor	RE: Four-Lot Subdivision, 76 Broad Street	
Marlborough, MA 01752	Marlborough, MA 01752	

● We are sending you:

☐ Prints ☒ Plans ☐ Samples ☐ Specifications ☒ Copy of letter ☐ Change order

COPIES	DATE	JOB #	DESCRIPTION
2	9/9/20	13820	Appendix C & Appendix D Application Forms
6	"	"	Definitive Subdivision Plan Set – 12 sheets, full size (24"x36")
7	"	"	Definitive Subdivision Plan Set – 12 sheets, reduced size (11"x17)
<i>12</i>	"	"	Drainage Report – (60) 8.5"x11" sheets, (2) 11"x17" sheets
13	"	"	CIA Narratives, (1) 8.5"x11" sheet
1	8/18/20	"	Check #1279 for \$1,450 Definitive Subdivision Fee Check 1279
1	8/18/20	"	Check #1278 for \$100 Administrative Fee Check 1278

● These are transmitted as checked below:

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☒ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

PLANNING BOARD

DATE 9-9-20

AGENDA 9-14-20

ACTION _____

COPY TO:

SIGNED: Robert DiBenedetto

APPENDIX C
(Amended 11/19/74)

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File one completed form with the Planning Board and one copy
with the City Clerk in accordance with the requirements of
Section III-B.

Marlborough, Massachusetts

September 9, 2020

(Date)

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the City of Marlborough for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations governing the Subdivision of Land of the Planning Board of the City of Marlborough.

1. Name and Record Owner of Land: W.R.E., LLC

Address: 319 Stow Road, Marlborough, MA 01752 (Amended 11/19/74)

2. Name of Subdivider: W.R.E., LLC

Address: 319 Stow Road, Marlborough, MA 01752

3. Name of Engineer: Hancock Associates

Address: 315 Elm Street, Marlborough, MA 01752

4. Deed of property recorded in Middlesex South Registry of
Deeds Book 72215 Page(s) 106-107

5. Location and description of property: 76 Broad Street

Assessors Parcel Number: 68-123, 1.86 acres

Partially developed with house, parking area. Undeveloped areas are woods.

6. Date of completion of ways, public utilities, and other
facilities: 2022

Signature of Owner

Address of Owner

[Signature] 319 Stow Rd Marlboro, MA 01752

PLANNING BOARD

DATE 9-9-20
AGENDA 9-14-20
ACTION _____

APPENDIX D
(Amended 7/18/88)

PETITION FOR APPROVAL OF FINAL PLAN

Date: September 9, 2020

City Clerk
City Hall
Marlborough, MA 01752

The undersigned petitioner desires to subdivide a parcel of land and to open in the City of Marlborough, as described on plot, ways or street for access to all lots of land within the parcel. Said parcel of land is described as follows:

Partially developed with house, driveway, parking area. Undeveloped areas are woods. Petitioner to demolish existing structures and construct 50-ft-wide dead-end right-of-way, less than 500 feet in length. Petitioner to create four (4) residential lots for two-family dwellings, total of eight (8) units.

All as more particularly described and bounded on a plot or plan filed herewith and made a part of this petition. The following are all of the mortgages and other liens or encumbrances on the whole or any part of the described property:

MORTGAGE - BOOK 51955, PAGE 576 AS RECORDED AT MIDDLESEX SOUTH REGISTRY OF DEEDS.

The undersigned hereby applies for the approval of said plan by the Planning Board. The undersigned hereby covenants and agrees with the City of Marlborough upon the approval of said plan:

- a.to complete the ways as finally approved by the Board within 2 (months or years) from the date hereof;
- b.to install utilities in accordance with the Rules and Regulations of the Planning Board, the Commissioner of Public Works, Board of Health, and all general as well as Zoning Ordinances of said City, as are applicable to the installation of utilities within the limits of ways or streets;
- c.to complete and construct the said streets or ways in accordance with Section II (General Requirements) and the approved plan, profile, and cross-sections of same. All to be in accordance with the specifications provided for in said Rules and Regulations of the Board. Said plans, profiles, cross-sections, and construction specifications are specifically, by reference, incorporated herein and made a part of this petition. This petition shall be binding upon all heirs, executors, administrators, successor, grantees of the whole or part, and assigns of the undersigned.


Authorized Signature of Applicant

PLANNING BOARD
DATE 9-9-20
AGENDA 9-14-20
ACTION _____

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

7A
Letter re:
Comparative Impact
Analysis

September 9, 2020

Ms. Krista Holmi
Administrator
Marlborough Planning Board
135 Neil Street, 2nd Floor
Marlborough, MA 01752

Subject: Four-Lot Subdivision, 76 Broad Street, Marlborough, MA
Narrative for no Comparative Impact Analysis

Dear Ms. Holmi,

On behalf of the applicant W.R.E., LLC, Hancock Associates has prepared this letter describing why a Comparative Impact Analysis is not required for the proposed Four-Lot Subdivision at 76 Broad Street.

The Applicant proposes to create four (4) residential lots off a new 50-ft dead-end right-of-way connecting to Broad Street. The Applicant intends to build two-family houses on each lot, for a total of eight (8) units. This is under the 10 lots (or units) needed to require a Comparative Impact Analysis.

The parcel was recently created and is partially developed with a house near Broad Street and a driveway/parking area. The rest of the parcel is undeveloped woods. All abutting properties are developed with residences.

The City of Marlborough will benefit from this development by creating much-needed housing closer to the center of town. The odd parcel shape provides little opportunity for alternative layouts. A right-of-way is required to create the necessary frontage for the proposed lots, and there is no way to increase the number of lots.

The development will satisfy MassDEP requirements for stormwater mitigation and quality. The proposed units will use public water and sewerage. Increased traffic will be minimal. Driveway access for the abutters on Broad Street will be improved by relocating their driveways to the new right-of-way.

Please do not hesitate to contact our office should you have any questions or concerns. I can be reached at 508.460.1111 or rdibenedetto@hancockassociates.com.

Regards,
Hancock Associates

Robert M. DiBenedetto, PE
Project Manager

315 Elm Street | Marlborough, MA 01752 | V: 508-460-1111 | F: 508-460-1121 | HancockAssociates.com

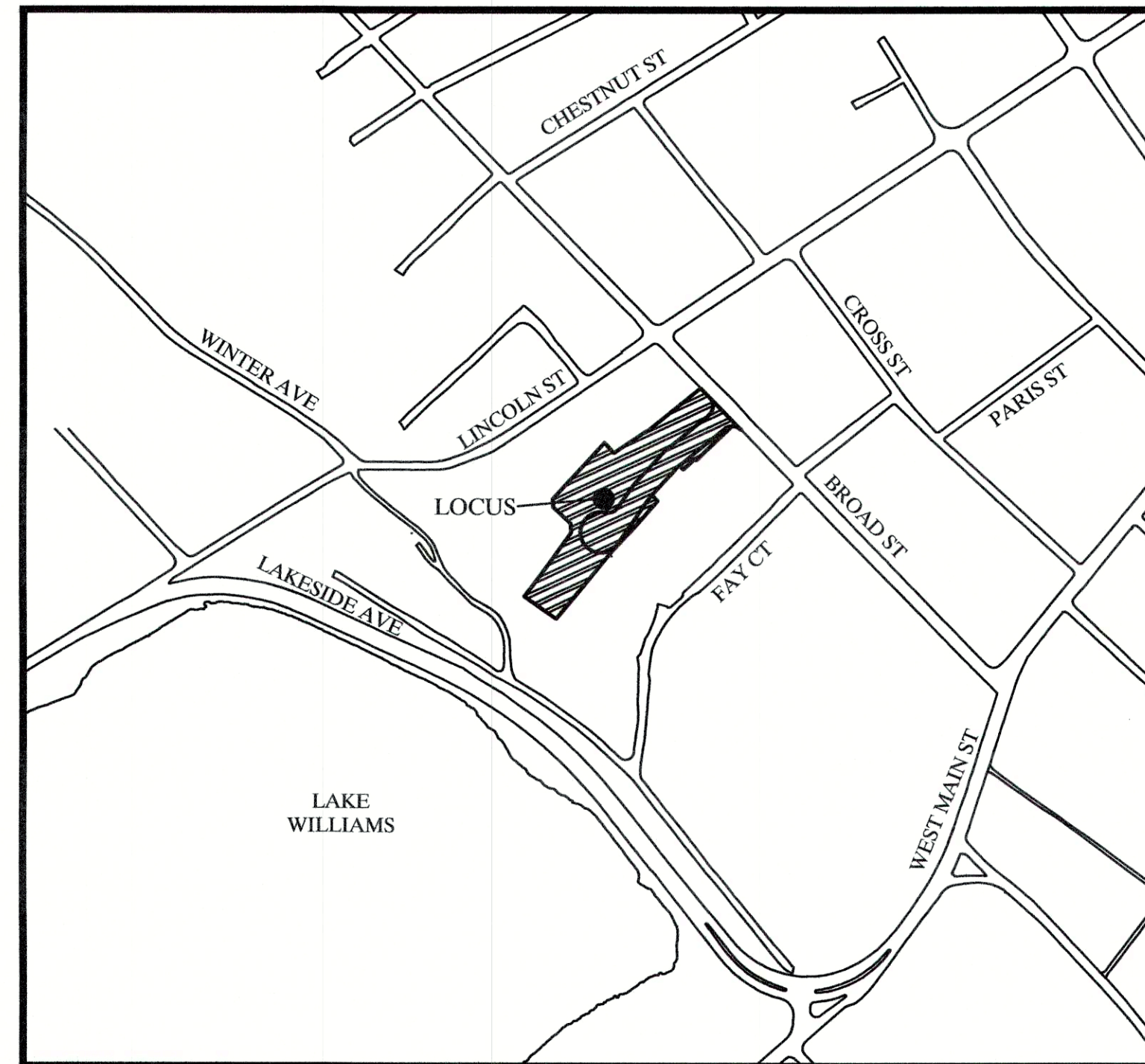
BOSTON, CHELMSFORD, DANVERS, MARLBOROUGH, NEWBURYPORT, PRINCETON, MA | SALEM, NH

DEFINITIVE SUBDIVISION PLAN

RESIDENTIAL SUBDIVISION & SITE DEVELOPMENT

76 Broad Street
Marlborough, Massachusetts 01752

FOR
W.R.E., LLC



LOCUS MAP
SCALE: 1"=APPROX. 350'

RECORD OWNER:

W.R.E., LLC
319 Stow Road
Marlborough, MA

APPLICANT:

W.R.E., LLC
319 Stow Road
Marlborough, MA

ASSESSORS:

MAP	68	LOT	123
MAP	68	LOT	122
MAP	80	LOT	52

REFERENCES:

DEED BOOK 72215, PAGE 106
DEED BOOK 52361, PAGE 362
PLAN 998 OF 2018
PLAN 1603 OF 1960
PLAN 668 (A & B OF 2) OF 1968 - DEED BOOK 11526, PAGE 487
PLAN 974 (B OF 2) OF 1970 - DEED BOOK 11896, PAGE 496
PLAN 819 OF 1985 - END OF DEED BOOK 16255
PLAN 509 OF 2000 - DEED BOOK 31402, PAGE 70
1880 COUNTY LAYOUT OF LINCOLN STREET
ANR PLAN OF LAND PREPARED BY HANCOCK ASSOCIATES DATED DECEMBER 19, 2007,
REVISED JANUARY 24, 2008, AND ENDORSED BY THE PLANNING BOARD ON JANUARY
28, 2008.

ZONING

RC - RESIDENCE C DISTRICT
WATER SUPPLY DISTRICT ZONES A & B

SHEET INDEX

SHEET 1	C1	TITLE SHEET
SHEET 2	C2	NOTES AND LEGEND
SHEET 3	EC	EXISTING CONDITIONS
SHEET 4	DS	DEFINITIVE PLAN OF LAND
SHEET 5	C5	LAYOUT AND MATERIALS PLAN
SHEET 6	C6	GRADING AND DRAINAGE PLAN
SHEET 7	C7	UTILITIES PLAN
SHEET 8	C8	PLAN AND PROFILE
SHEET 9	C9	EROSION AND SEDIMENTATION CONTROL PLAN
SHEET 10	C10	SITE DETAILS SHEET 1 OF 3
SHEET 11	C11	SITE DETAILS SHEET 2 OF 3
SHEET 12	C12	SITE DETAILS SHEET 3 OF 3

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW REQUIRED.
MARLBOROUGH PLANNING BOARD

DATE: _____

I CERTIFY THAT THIS PLAN CONFORMS TO THE
RULES AND REGULATIONS OF THE REGISTERS
OF DEEDS.

DATE _____ PROFESSIONAL LAND SURVEYOR _____
FOR REGISTRY USE

Site Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

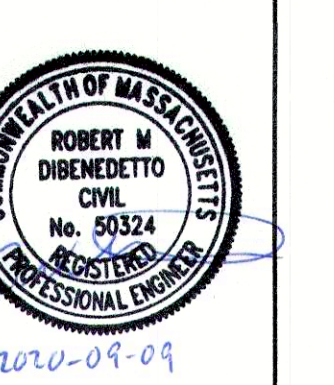
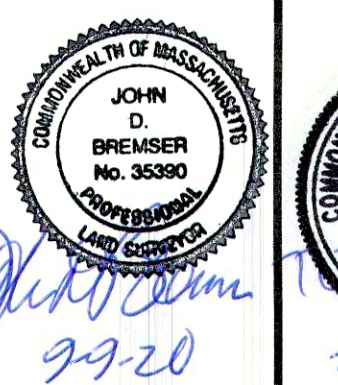
HANCOCK
ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM

[illegible]

TITLE SHEET

PLOT DATE: Sep 09, 2020 10:08 am

DWG: 13820DF.dwg

LAYOUT: TS

SHEET: 1 OF 12

PROJECT NO.:

C1

PROJECT NO.:	13820
--------------	-------

ASSESSORS:

MAP 80, LOTS 47, 48, 50 & 51
MAP 68, LOT 123

ZONING:

RC RESIDENCE C
WATER SUPPLY DISTRICT ZONES A & B

REFERENCES:

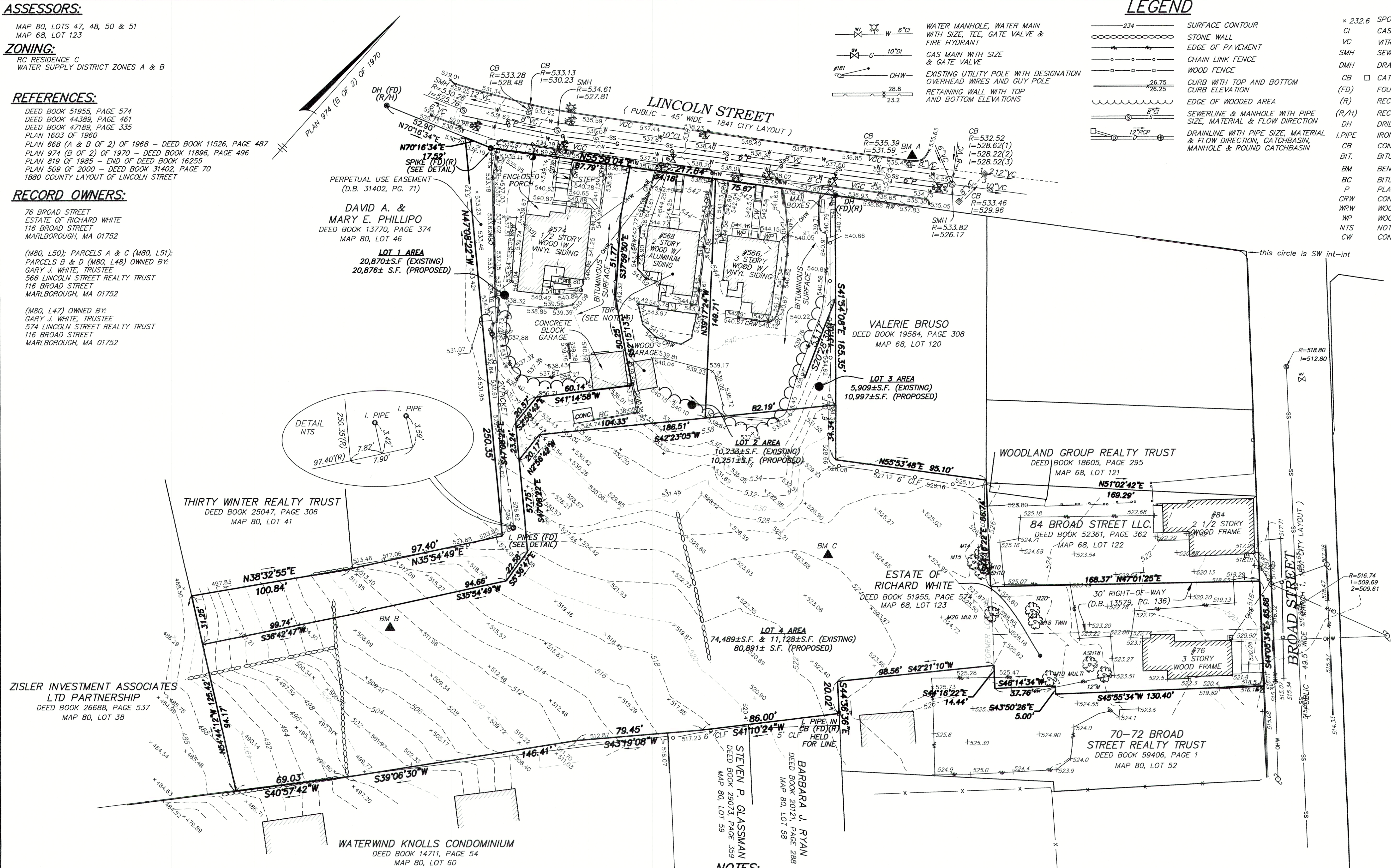
DEED BOOK 51955, PAGE 574
DEED BOOK 44389, PAGE 461
DEED BOOK 47189, PAGE 335
PLAN 1603 OF 1960
PLAN 668 (A & B OF 2) OF 1968 - DEED BOOK 11526, PAGE 487
PLAN 974 (B OF 2) OF 1970 - DEED BOOK 11896, PAGE 496
PLAN 819 OF 1985 - END OF DEED BOOK 16255
PLAN 509 OF 2000 - DEED BOOK 31402, PAGE 70
1880 COUNTY LAYOUT OF LINCOLN STREET

RECORD OWNERS:

76 BROAD STREET
ESTATE OF RICHARD WHITE
116 BROAD STREET
MARLBOROUGH, MA 01752

(M80, L50); PARCELS A & C (M80, L51);
PARCELS B & D (M80, L48) OWNED BY:
GARY J. WHITE, TRUSTEE
568 LINCOLN STREET REALTY TRUST
116 BROAD STREET
MARLBOROUGH, MA 01752

(M80, L47) OWNED BY:
GARY J. WHITE, TRUSTEE
574 LINCOLN STREET REALTY TRUST
116 BROAD STREET
MARLBOROUGH, MA 01752



LEGEND

234	SURFACE CONTOUR	× 232.6	SPOT ELEVATION
— — — — —	STONE WALL	CI	CAST IRON
— — — — —	EDGE OF PAVEMENT	VC	VITRIFIED CLAY
— — — — —	CHAIN LINK FENCE	SMH	SEWER MANHOLE
— — — — —	WOOD FENCE	DMH	DRAIN MANHOLE
— — — — —	CURB WITH TOP AND BOTTOM CURB ELEVATION	CB	CATCH BASIN
— — — — —	EDGE OF WOODED AREA	(FD)	FOUND
— — — — —	SEWERLINE & MANHOLE WITH PIPE SIZE, MATERIAL & FLOW DIRECTION	(R)	RECORD
— — — — —	DRAINLINE WITH PIPE SIZE, MATERIAL & FLOW DIRECTION, CATCHBASIN, MANHOLE & ROUND CATCHBASIN	(R/H)	RECORD AND HELD
— — — — —		DH	DRILL HOLE
— — — — —		I.P.I.P.E.	IRON PIPE
— — — — —		CB	CONCRETE BOUND
— — — — —		BIT.	BITUMINOUS
— — — — —		BM	BENCHMARK
— — — — —		BC	BITUMINOUS CURB
— — — — —		P	PLASTIC
— — — — —		CRW	CONCRETE RETAINING WALL
— — — — —		WRW	WOOD RETAINING WALL
— — — — —		WP	WOOD PORCH
— — — — —		NTS	NOT TO SCALE
— — — — —		CW	CONCRETE WALK

SITE ADDRESS:

LINCOLN STREET

#560, #566, #568 & # 574
Marlborough, Massachusetts 01752

PREPARED FOR:

GARY WHITE

116 Broad Street
Marlborough, Massachusetts 01752

HANCOCK ASSOCIATES

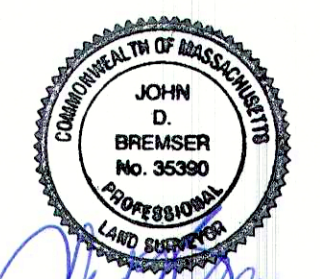
Civil Engineers

Land Surveyors

Landscape Architects

Environmental Consultants

315 Elm Street, Marlborough, MA 01752
Voice (508) 460-1111, Fax (508) 460-1121
www.hancockassociates.com



John D. Bremser
7-31-17

NO. BY APP DATE ISSUE/REVISION DESCRIPTION

DATE: 7/31/17 DRAWN BY: CMC
SCALE: 1" = 30' CHECK BY: JDB

EXISTING CONDITIONS PLAN

PLOT DATE: Jul 31, 2017 3:02 pm
PATH: V:\work\13820-13820-SV-2.dwg

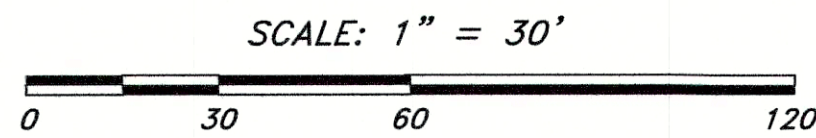
DWG: 13820-SV-2.dwg

LAYOUT: EC

SHEET: 1 OF 1

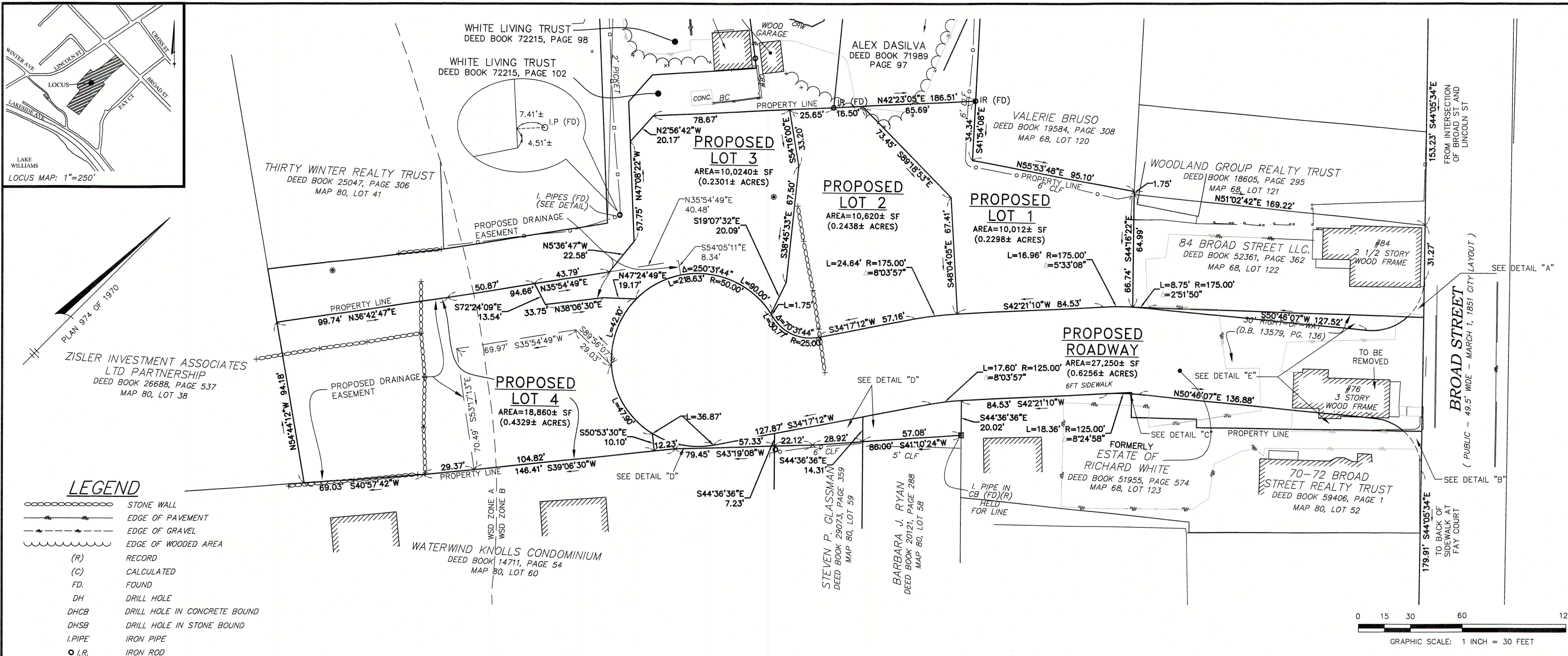
PROJECT NO.: 13820

NO.	ELEVATION BENCH MARKS DATUM: NGVD29 (SEE NOTE 1)	ELEV.
A	X-CUT IN HYDRANT BONNET BOLT	538.183
B	CUT SPIKE SET 3' UP 24" MAPLE	514.253
C	CUT SPIKE SET 3' UP 15" MAPLE	527.638



NOTES:

- PROJECT SOURCE BENCHMARK IS BASED ON A CHISELED CROSS IN THE MIDDLE RIVET IN THE BASE PLATE OF THE MOST SOUTHEAST LEG OF THE MARLBOROUGH WATER TOWER, KNOWN AS 68-F 32 C. ELEVATION IS PURPORTED TO BE ON NGVD29 DATUM.
- UNDERGROUND UTILITIES SHOWN HEREON ARE COMPILED FROM FIELD LOCATIONS OF STRUCTURES AND FROM AVAILABLE RECORD INFORMATION ON FILE AT THE TOWN ENGINEERING OFFICES, TOWN D.P.W., MASS HIGHWAY DEPT. AND UTILITY COMPANIES. OTHER UNDERGROUND UTILITIES MAY EXIST. IT SHALL BE THE RESPONSIBILITY OF THE DESIGN ENGINEER AND THE CONTRACTOR TO VERIFY THE LOCATION, SIZE & ELEVATION OF ALL UTILITIES WITHIN THE AREA OF PROPOSED WORK AND TO CONTACT "DIG-SAFE" AT 1-888-344-7233 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION, DEMOLITION OR CONSTRUCTION.
- THE LOCATION OF UNDERGROUND STORAGE TANKS, IF ANY, ARE UNKNOWN.
- THIS TOPOGRAPHIC SURVEY WAS PREPARED TO MEET NATIONAL MAP ACCURACY STANDARDS AT A SCALE OF 1"=30' HORIZONTALLY AND A 2 FOOT CONTOUR INTERVAL VERTICALLY. ANY REPRODUCTIONS OR RE-SCALING MAY EFFECT THE MAP ACCURACY.
- THE EXISTING DWELLING, NO. 568, AND WOOD GARAGE LOCATED ON LOT 2A ARE TO BE RAZED.



Lotting Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

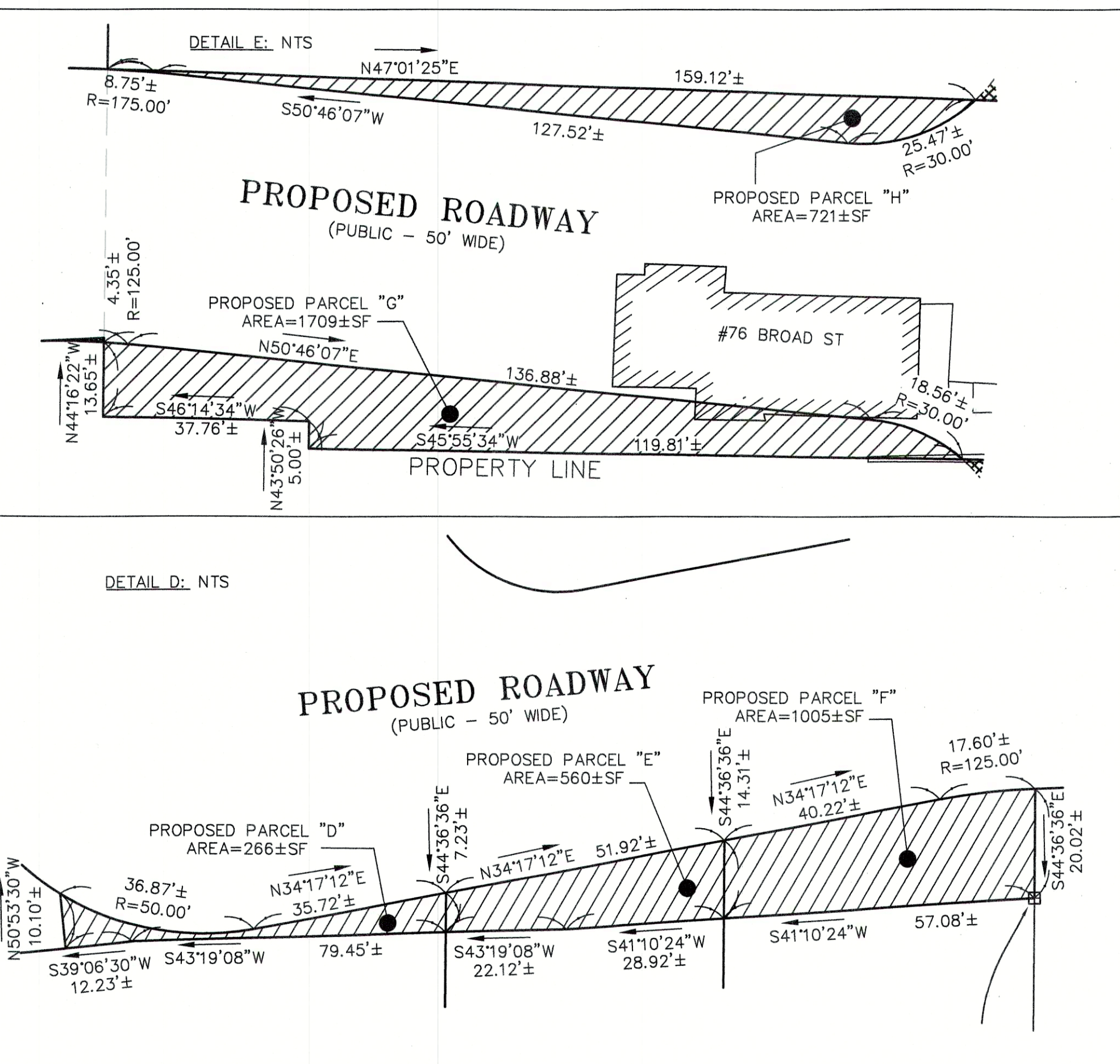
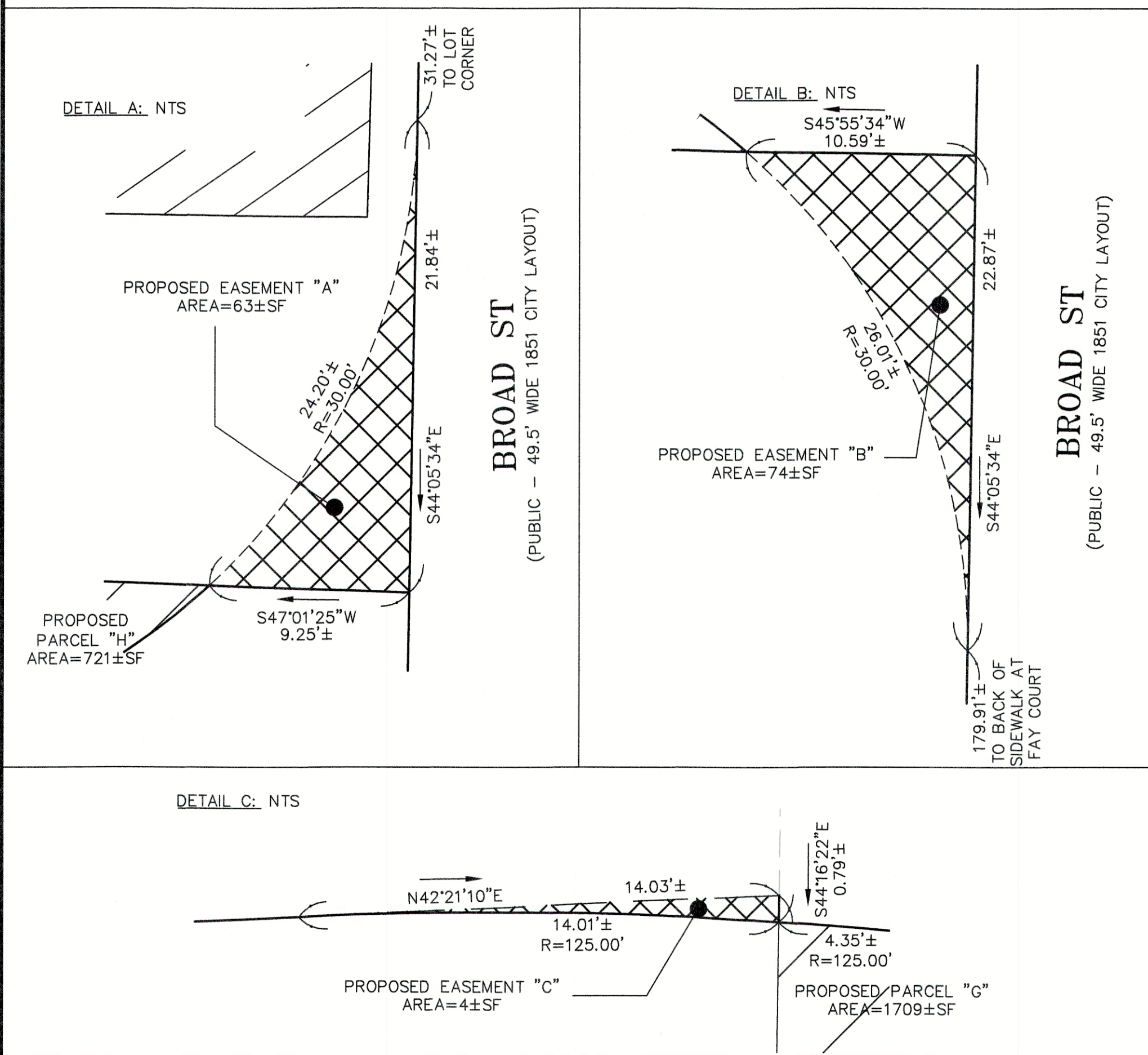
W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

HANCOCK ASSOCIATES

Civil Engineers
Land Surveyors
Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



ASSESSORS:

MAP 68, LOT 123
MAP 68, LOT 122
MAP 80, LOT 52

REFERENCES:

DEED BOOK 72215, PAGE 106
DEED BOOK 52361, PAGE 362
PLAN 974 OF 1970 (ANR PLAN)
PLAN 998 OF 2018

RECORD OWNER:

W.R.E., LLC
8 COTTING AVENUE, #2
MARLBOROUGH, MA 01752

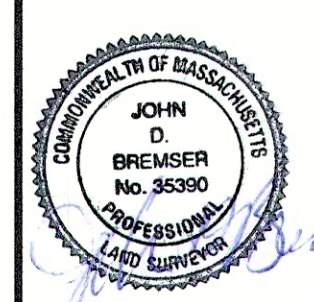
NOTES:

1) THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED REVISED LOT LINES, EASEMENTS, PARCELS, AND ROADWAY.

APPROVAL UNDER THE SUBDIVISION CONTROL LAW REQUIRED.
MARLBOROUGH PLANNING BOARD

DATE: _____

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.
DATE: _____ PROFESSIONAL LAND SURVEYOR FOR REGISTRY USE



NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION
1			8/18/2020	DESIGN BY:	RD/DJR
				SCALE:	1"=30'
				DRAWN BY:	PJD
				APPROVED BY:	---
				CHECK BY:	RD/JDB

DEFINITIVE SUBDIVISION PLAN

PLOT DATE: Aug 19, 2020 1:58 pm

DWG: 13820-DS.dwg

LAYOUT: DS

SHEET: 1 OF 1

PROJECT NO.:

DS

13820

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

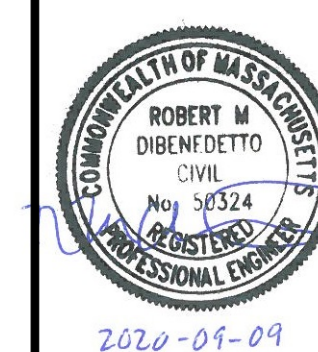
HANCOCK
ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
DATE: 9/9/2020				DESIGN BY: RD/
SCALE: 1"=30'				DRAWN BY:
APPROVED BY: RD				CHECK BY:

LAYOUT & MATERIALS PLAN

PLOT DATE: Sep 09, 2020 9:46 am

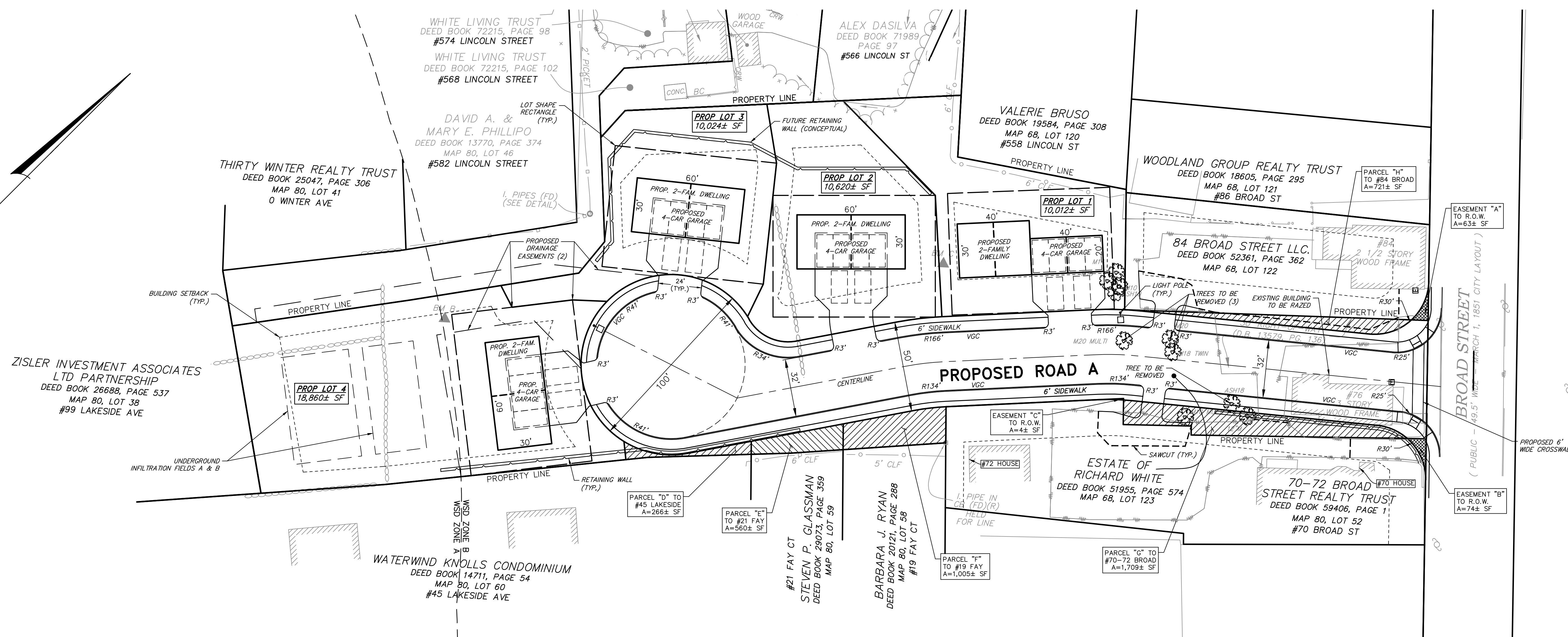
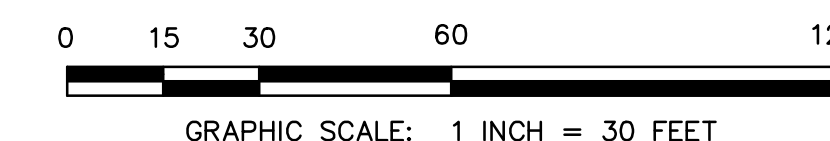
DWG: 13820DF.dwg

LAYOUT: LM

PROJECT NO.:

C5

13820



ZONING TABULATION (RESIDENCE C)

ITEM	REQUIRED	PROPOSED LOT 1	PROPOSED LOT 2	PROPOSED LOT 3	PROPOSED LOT 4
MIN. LOT AREA	10,000 SF	10,012 SF	10,620 SF	10,024 SF	18,860 SF
MIN. LOT FRONTAGE	90'	101'	114'	90'	90'
MIN. FRONT YARD	20'	21'	28'	21'	21'
MIN. SIDE YARD	10'	11'	14'	15'	12'
MIN. REAR YARD	25'	27'	62'	30'	133'
MAX. BUILDING HEIGHT	3 STORIES	3 STORIES OR LESS	3 STORIES OR LESS	3 STORIES OR LESS	3 STORIES OR LESS
MAX. LOT COVERAGE	30%	28.0%	27.5%	26.1%	13.9%

for
A Four-Lot Subdivision

PREPARED FOR:

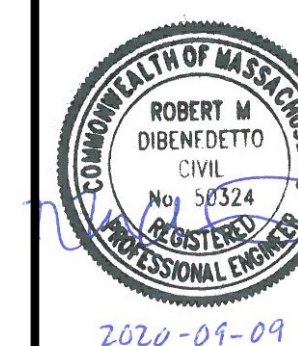
319 Stow Road
Marlborough, MA 01752

Civil Engineers

Land Surveyors

Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
-----	----	-----	------	----------------------------

DATE: 9/9/2020	DESIGN BY: RD/
SCALE: 1"=30'	DRAWN BY:
APPROVED BY: RD	CHECK BY:

PLOT DATE: Sep 09, 2020 9:47 am

DWG: 13820DF.dwg

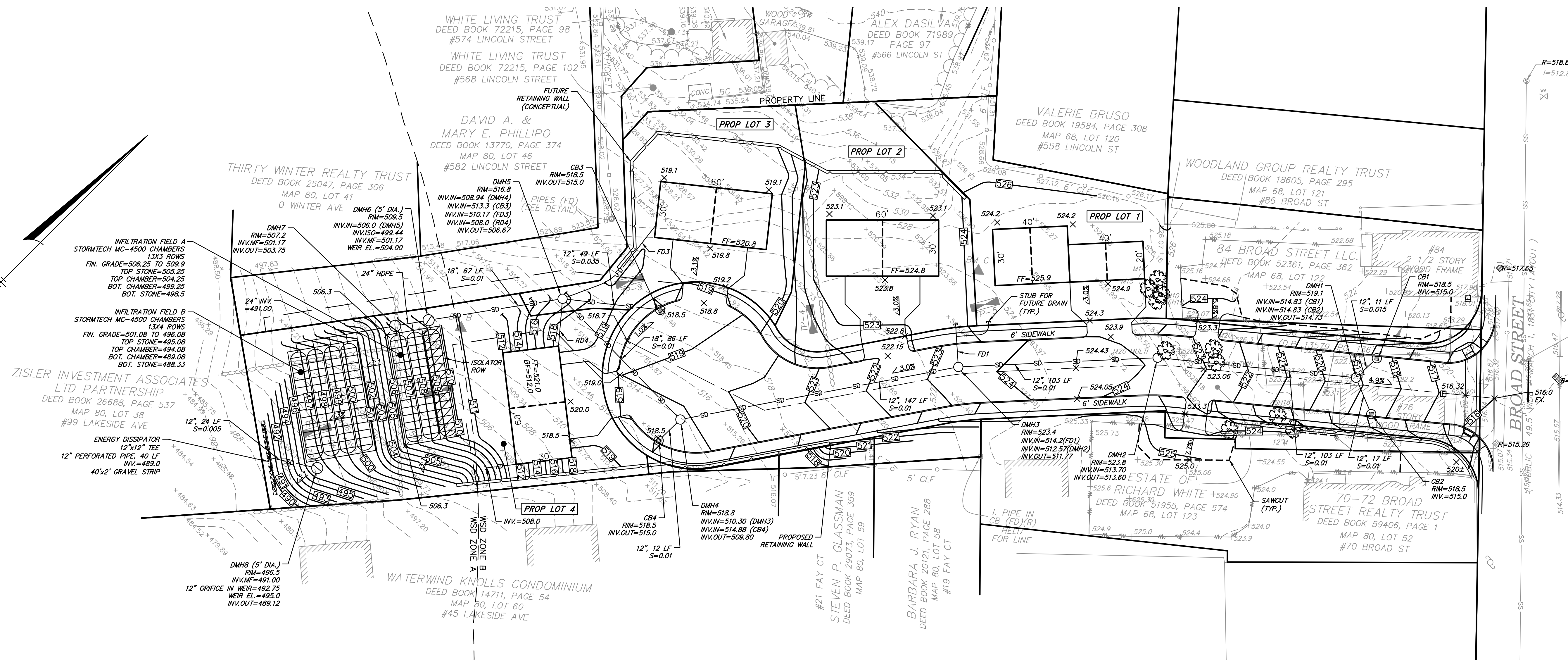
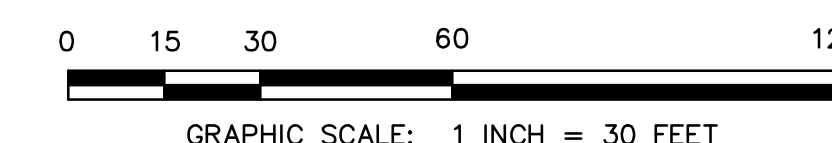
LAYOUT: GD

SHEET: 6 OF 12

PROJECT NO.:

C6

13820



TEST PIT 1 (TP-1)				
DEPTH	LAYER	TEXTURAL CLASSIFICATION	REDOXIMORPHIC FEATURES	NOTES
0"-12"	Ap	LOAMY SAND	NONE	SOME GRAVEL, COBBLES. SOME BOULDERS DEEP.
12"-39"	Bw	LOAMY SAND	NONE	
39"-86"	C	LOAMY FINE SAND	NONE	
SURFACE ELEVATION = 493.5, NO GROUNDWATER OBSERVED, NO REFUSAL ESHWG = 486.33 BASED ON MAX. DEPTH = 86"				
TEST PIT 2 (TP-2)				
DEPTH	LAYER	TEXTURAL CLASSIFICATION	REDOXIMORPHIC FEATURES	NOTES
0"-12"	Ap	LOAMY SAND	NONE	SOME GRAVEL, COBBLES, BOULDERS.
12"-39"	Bw	LOAMY SAND	NONE	
39"-114"	C	LOAMY FINE SAND	NONE	
SURFACE ELEVATION = 506.0, NO GROUNDWATER OBSERVED, NO REFUSAL ESHWG = 496.5 BASED ON MAX. DEPTH = 114"				
TEST PIT 3 (TP-3)				
DEPTH	LAYER	TEXTURAL CLASSIFICATION	REDOXIMORPHIC FEATURES	NOTES
0"-12"	Ap	LOAMY SAND	NONE	SOME GRAVEL, COBBLES, LARGE BOULDERS.
12"-24"	Bw	LOAMY SAND	NONE	
24"-96"	C	LOAMY FINE SAND	NONE	
SURFACE ELEVATION = 520.0, NO GROUNDWATER OBSERVED, NO REFUSAL ESHWG = 512.0 BASED ON MAX. DEPTH = 96"				

TEST PIT 4 (TP-4)				
DEPTH	LAYER	TEXTURAL CLASSIFICATION	REDOXIMORPHIC FEATURES	NOTES
0"-12"	Ap	LOAMY SAND	NONE	
12"-18"	Bw	LOAMY SAND	NONE	
18"-108"	C	LOAMY SAND	NONE	SOME GRAVEL, COBBLES & BOULDERS.
SURFACE ELEVATION = 522.0, NO GROUNDWATER OBSERVED, REFUSAL AT 108" ESHW = 513.0 BASED ON REFUSAL AT 108"				
TEST PIT 5 (TP-5)				
DEPTH	LAYER	TEXTURAL CLASSIFICATION	REDOXIMORPHIC FEATURES	NOTES
0"-12"	Ap	LOAMY SAND	NONE	
12"-18"	Bw	LOAMY SAND	NONE	
18"-72"	C	LOAMY SAND	42"	SOME GRAVEL, COBBLES & BOULDERS.
SURFACE ELEVATION = 523.5, NO GROUNDWATER OBSERVED, NO REFUSAL ESHW = 520.0 BASED ON REDOX AT 42"				

SOIL EVALUATION WAS PERFORMED BY HANCOCK ASSOCIATES ON AUGUST 6TH 2020
EVALUATOR: ROBERT DIBENEDETTO S.E. #14044

Site Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

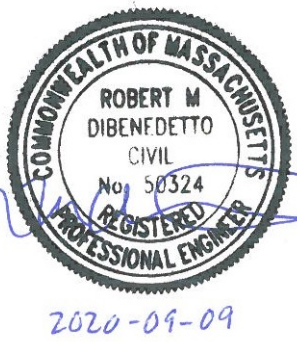
W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

HANCOCK
ASSOCIATES

Civil Engineers
Land Surveyors
Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION
1	RD		9/9/2020	DATE:	9/9/2020
2	DJR			DESIGN BY:	RD/DJR
3	DJR			SCALE:	1"=30'
4	DJR			DRAWN BY:	DJR
5	JP			APPROVED BY:	RD/CHECK BY: JP

UTILITY PLAN

PLOT DATE: Sep 09, 2020 9:47 am

DWG: 13820DF.dwg

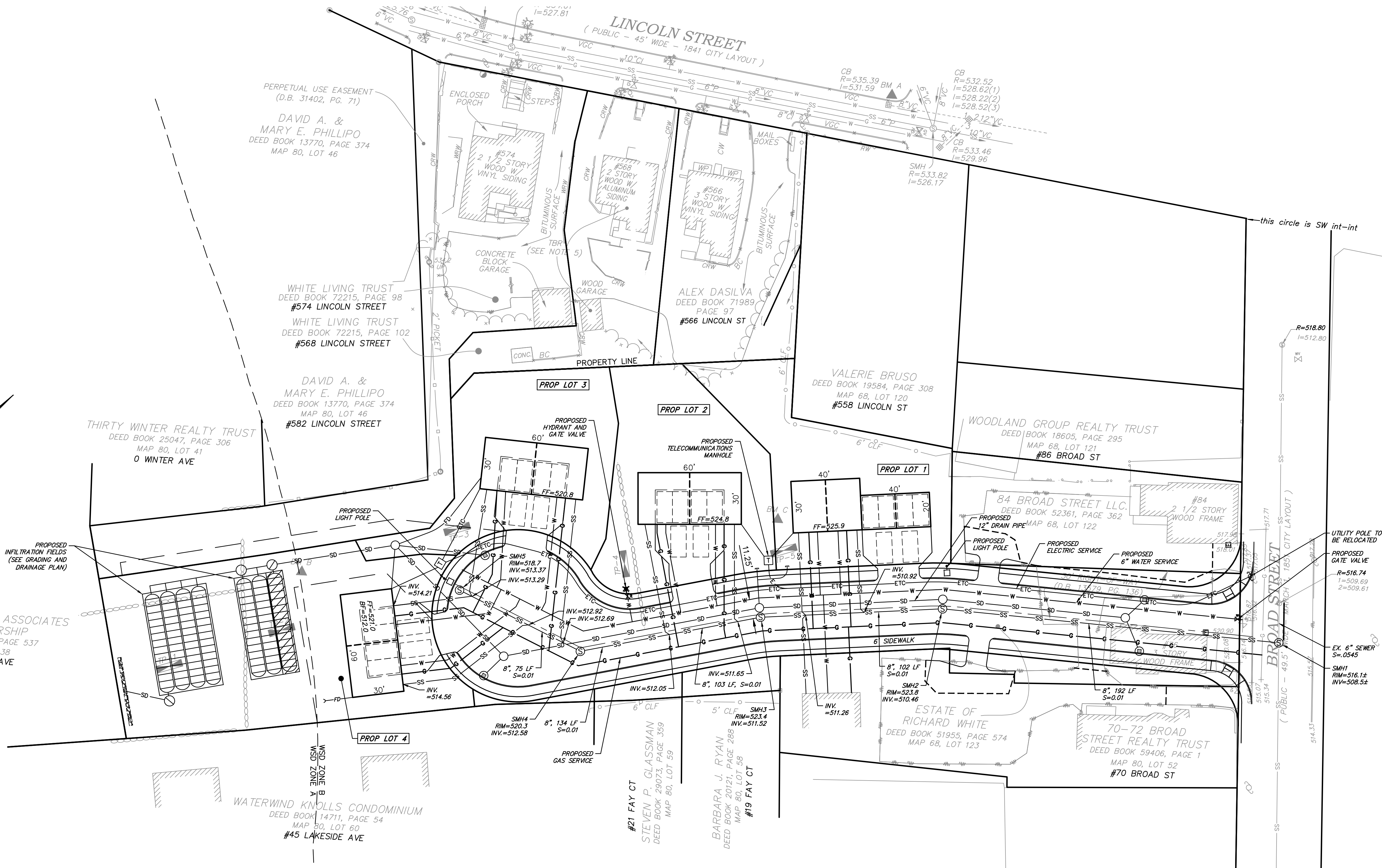
LAYOUT: UT

SHEET: 7 OF 12

PROJECT NO.:

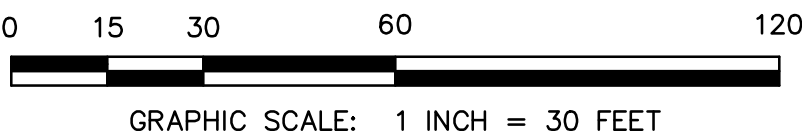
C7

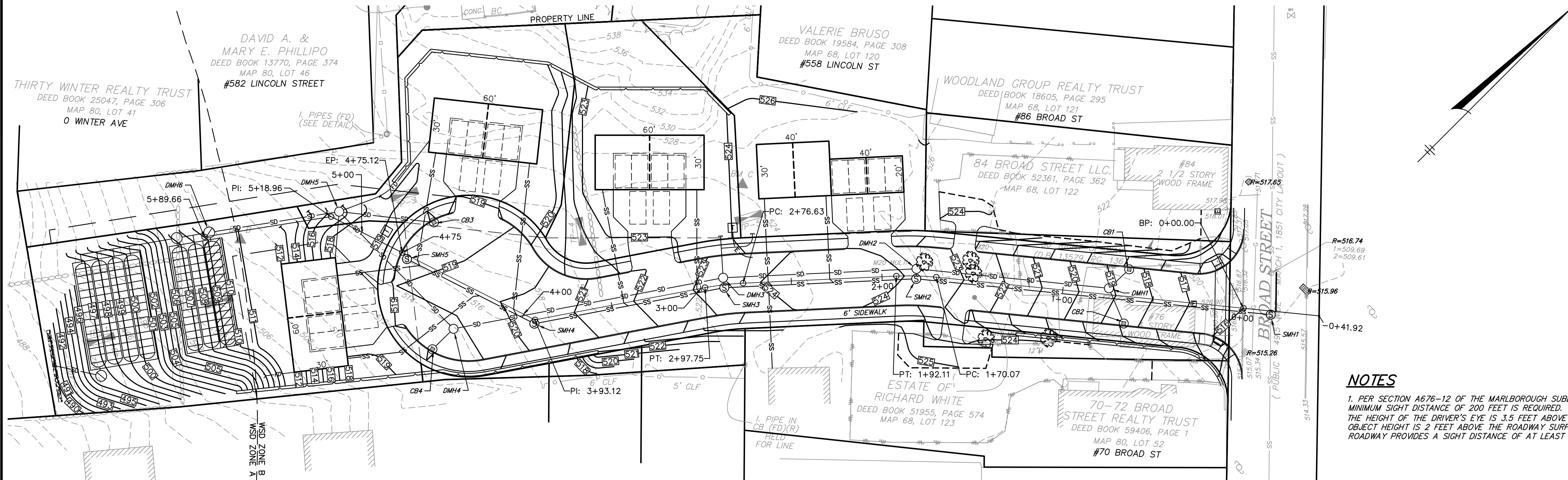
13820



UTILITY NOTES

1. ALL DRAIN PIPES WILL BE HDPE UNLESS OTHERWISE NOTED.
2. ALL SEWER PIPES WILL BE PVC SDR35 UNLESS OTHERWISE NOTED.
3. ALL WATER LINES WILL BE 8" CEMENT LINED DUCTILE IRON CLASS 52 UNLESS OTHERWISE NOTED.
4. CONTRACTOR SHALL TEST PIT CROSSINGS TO VERIFY MINIMUM 12" CLEARANCE BETWEEN PIPES. IF POTENTIAL FOR CONFLICT EXISTS, CONTACT THE ENGINEER TO DETERMINE COURSE OF ACTION.
5. CONTRACTOR SHALL ADJUST GRADES OF MANHOLES, GATE VALVES AND HYDRANTS PER ELEVATION SHOWN ON GRADING PLAN.





Site Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

HANCOCK
ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

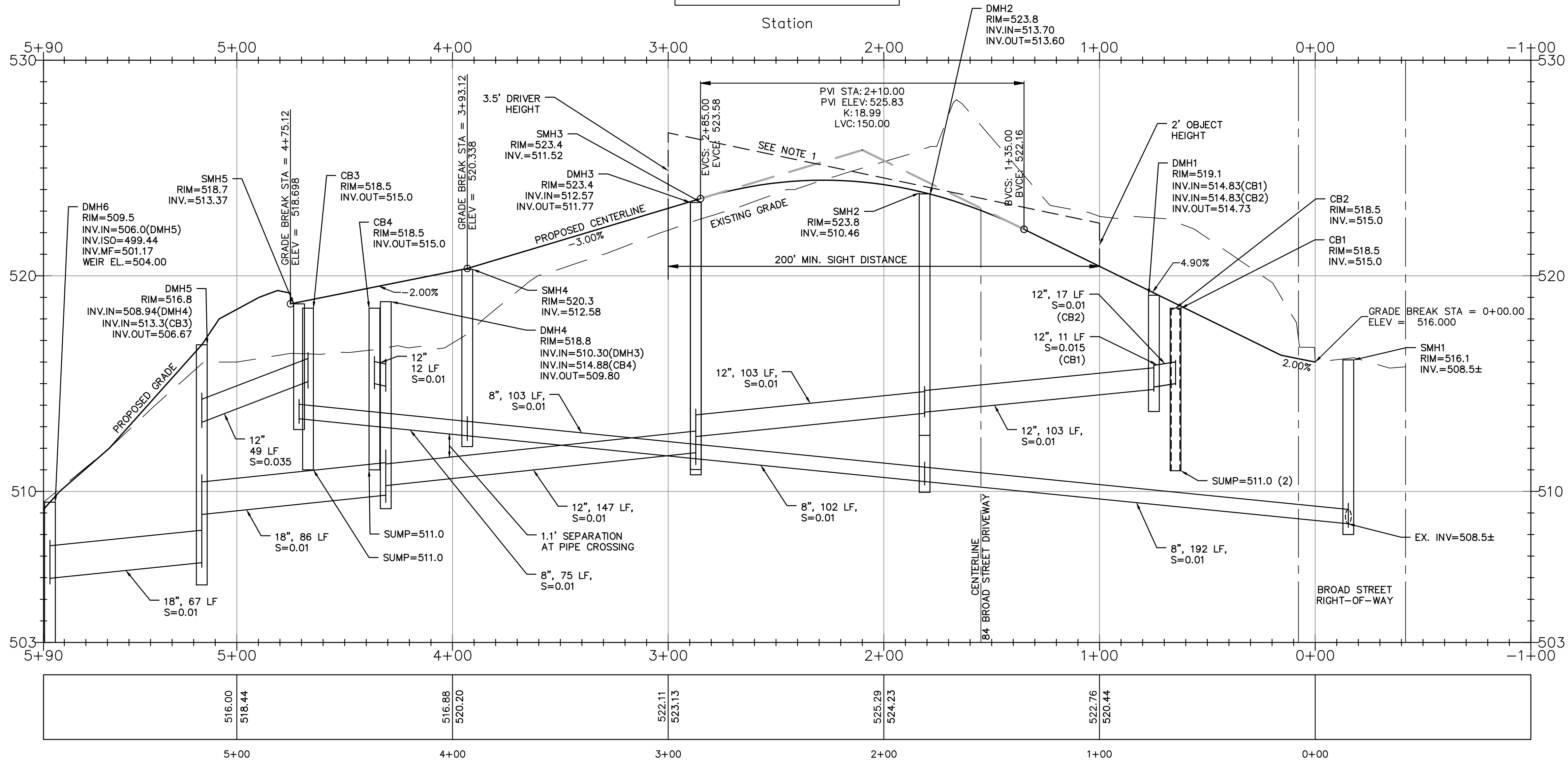
315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
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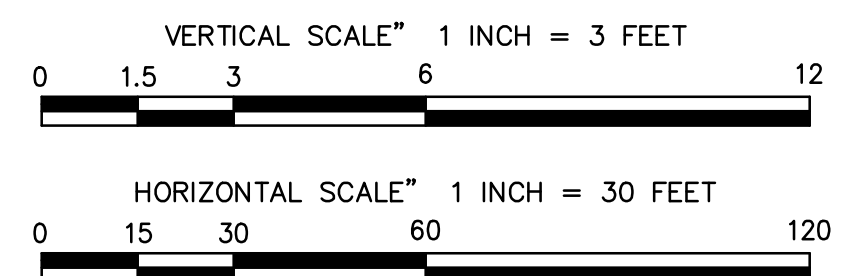
NOTES

1. PER SECTION A676-12 OF THE MARLBOROUGH SUBDIVISION REGULATIONS, A MINIMUM SIGHT DISTANCE OF 200 FEET IS REQUIRED. PER AASHTO STANDARDS, THE HEIGHT OF THE DRIVER'S EYE IS 3.5 FEET ABOVE THE ROADWAY AND THE OBJECT HEIGHT IS 2 FEET ABOVE THE ROADWAY SURFACE. THE PROPOSED ROADWAY PROVIDES A SIGHT DISTANCE OF AT LEAST 200 FEET.

ROAD A PROFILE



Elevation



PLAN AND PROFILE

PLOT DATE: Sep 09, 2020 9:50 am

DWG: 13820DF.dwg

LAYOUT: PP

SHEET: 8 OF 12

PROJECT NO.:

C8

13820

Site Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

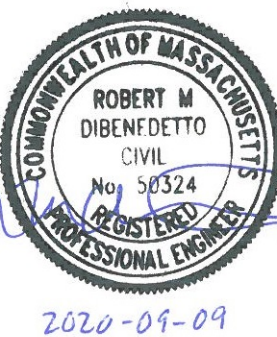
W.R.E., LLC

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NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
1	RD		9/9/2020	DATE: 9/9/2020 DESIGN BY: RD/DJR
2	DJR			SCALE: 1"=30' DRAWN BY: DJR
3	RD			APPROVED BY: RD/CHECK BY: JP

EROSION AND
SEDIMENT
CONTROL PLAN

PLOT DATE: Sep 09, 2020 9:51 am

DWG: 13820DF.dwg

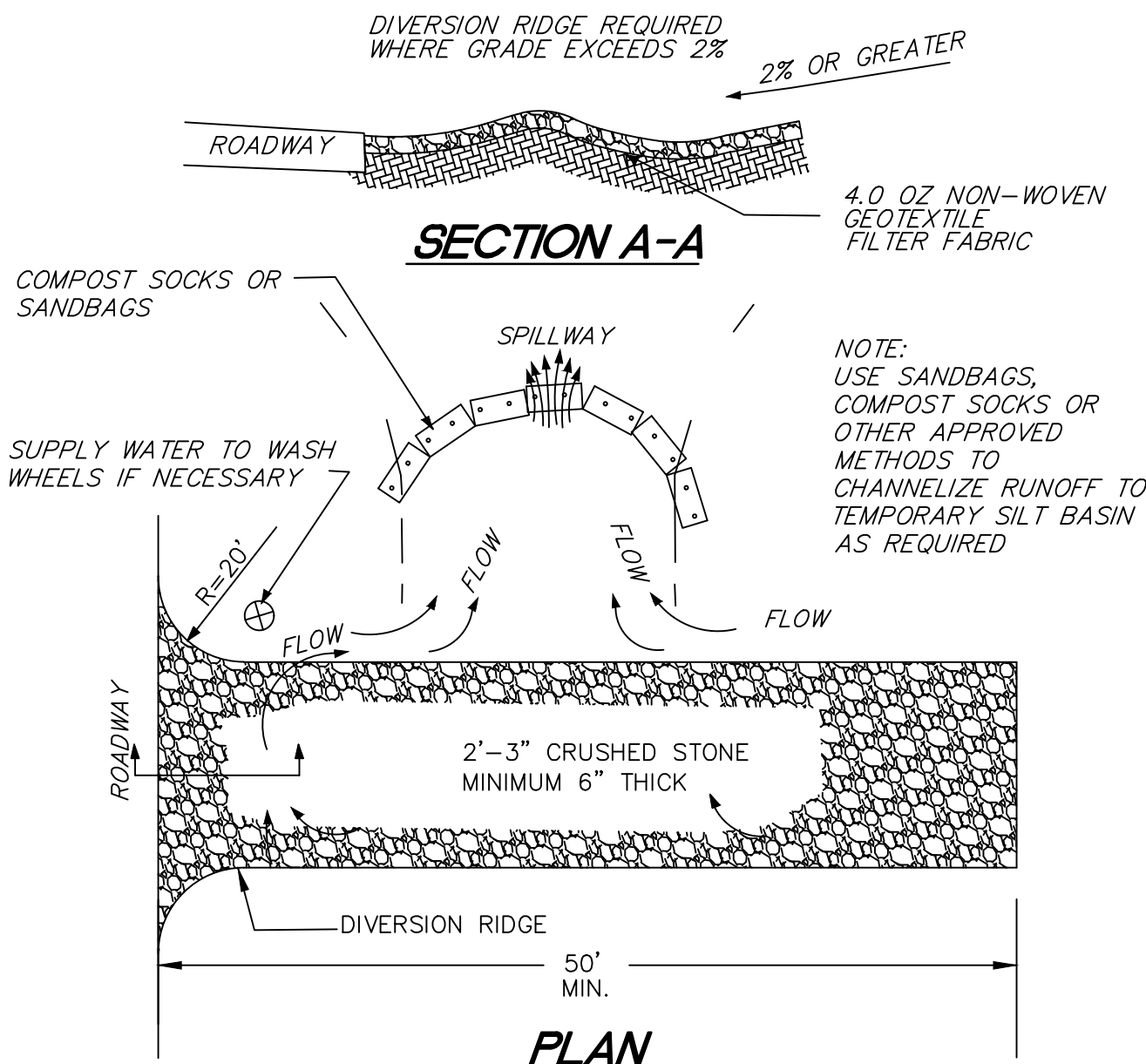
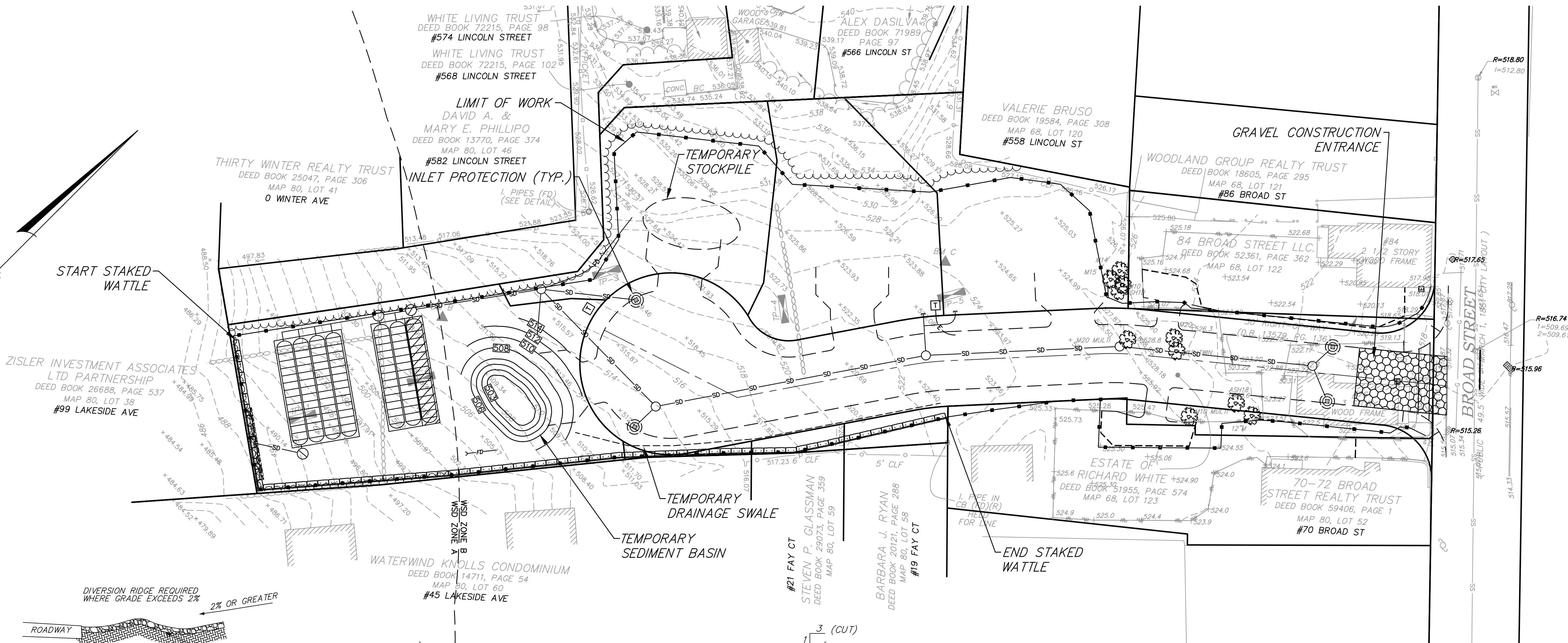
LAYOUT: ESC

SHEET: 9 OF 12

PROJECT NO.:

C9

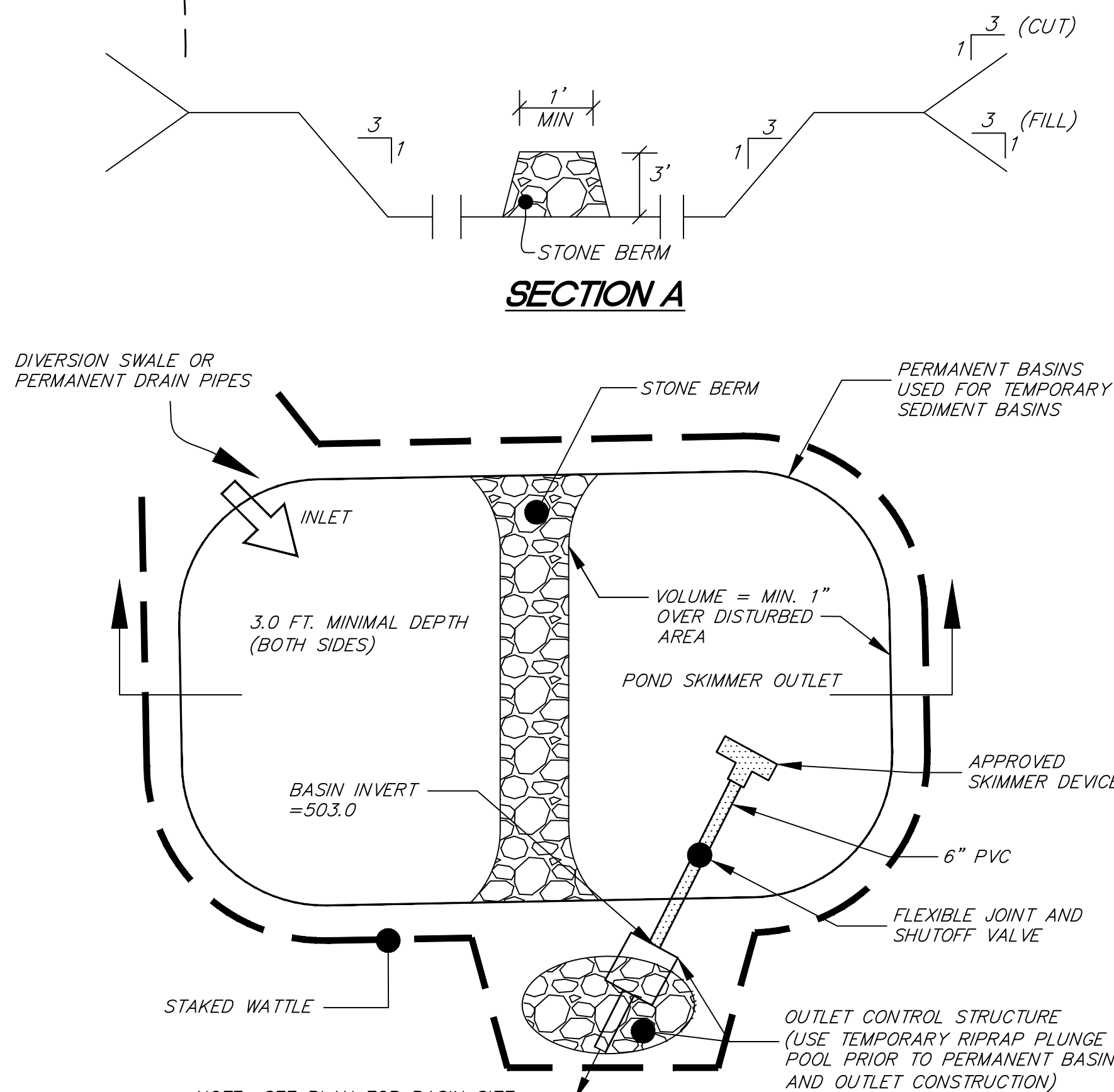
13820



- CONSTRUCTION ENTRANCE**
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 2. WHEN NECESSARY WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
 3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMPORARY GRAVEL
CONSTRUCTION
ENTRANCE/EXIT

NOT TO SCALE



NOTE: SEE PLAN FOR BASIN SIZE

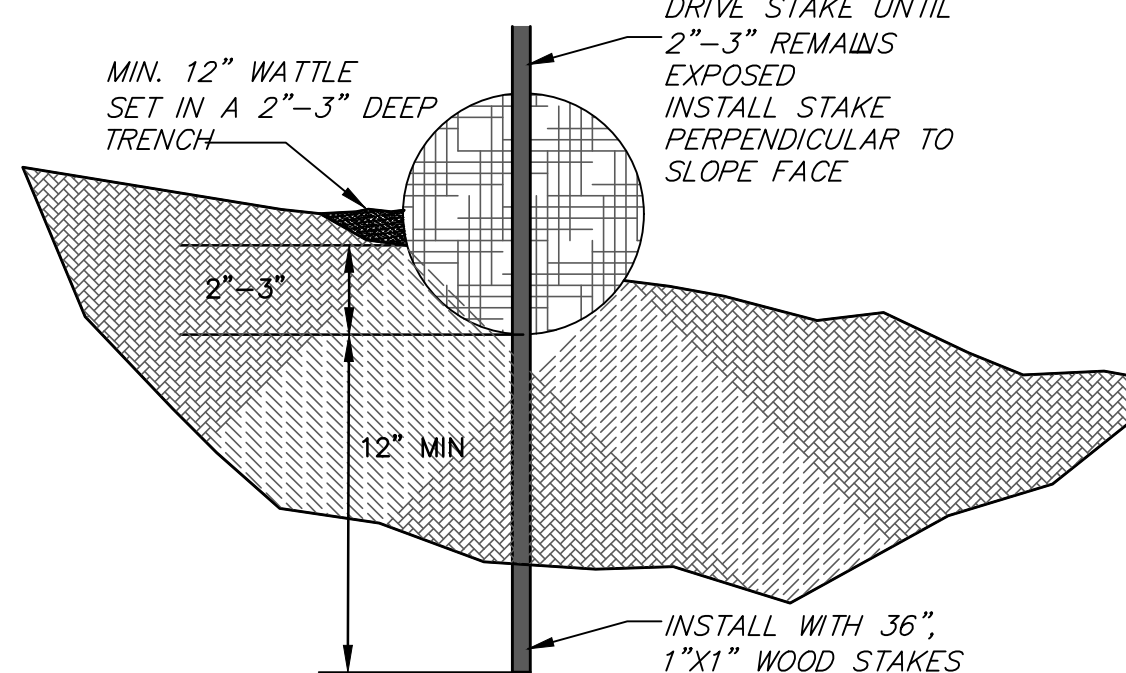
TEMPORARY SEDIMENT BASIN

NOT TO SCALE

SEDIMENT BASIN CALCULATION

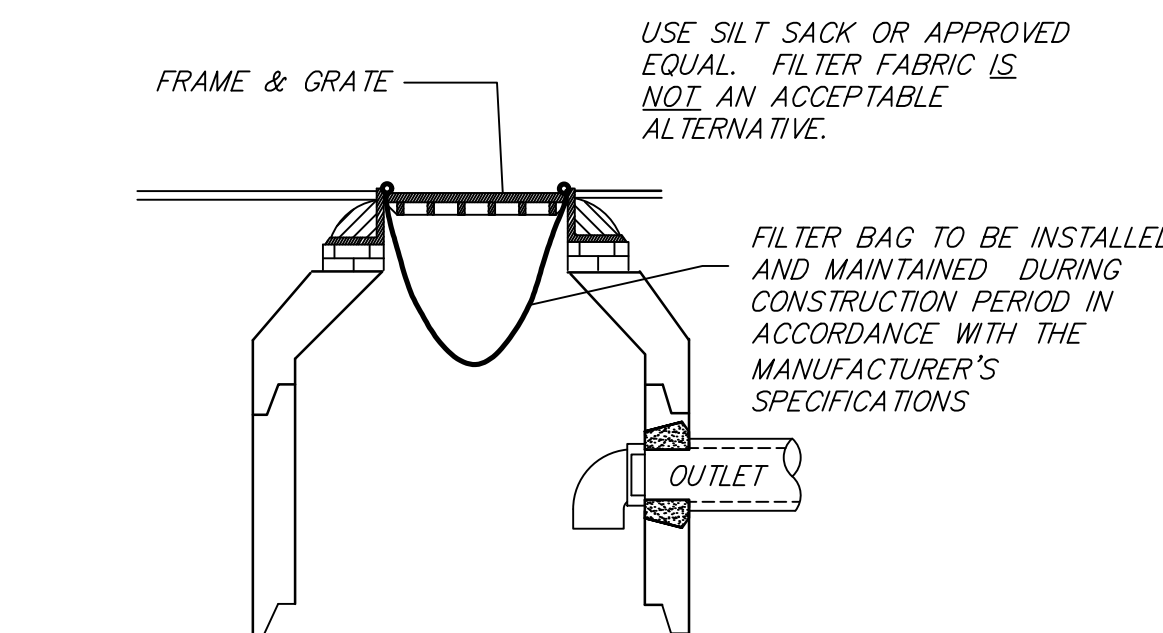
BASIN SIZING BASED ON 3,600 CF PER 1 ACRE OF UPSTREAM DRAINAGE AREA

UPSTREAM AREA = 24,280 SF = 0.6 ACRES
MIN REQUIRED VOLUME = 0.6 AC x 3,600 CF/AC = 2,160 CF
BASIN DIMENSIONS: 1,400 SF TOP AREA
3' DEPTH, 3:1 SIDE SLOPES
PROVIDED VOLUME: 2,600 CF SHOWN



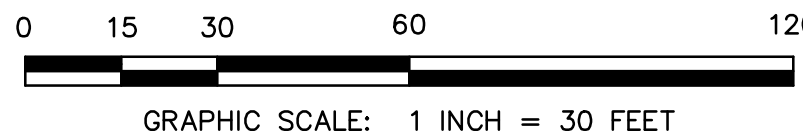
STAKED WATTLE INSTALLATION

NOT TO SCALE



CATCH BASIN FILTER BAG
(INLET PROTECTION)

TYPICAL CROSS SECTION - NOT TO SCALE



THE FOLLOWING DESCRIBED MATERIALS AND METHODS OF INSTALLATION OF WATER MAINS IN GENERAL. ALL WORK SHALL CONFORM TO THE 1988 STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES. ALL SUBSEQUENT SUPPLEMENTAL SPECIFICATIONS IN THE PARTICULAR CONTRACT AND IN ACCORDANCE WITH THE MOST RECENT A.W.W.A. STANDARDS.

ALL MAINS WILL BE A MINIMUM OF EIGHT INCH DUCTILE IRON PIPE, CLASS 52, CEMENT LINED MECHANICAL JOINT OR PUSH-ON JOINT IN ACCORDANCE WITH A.W.W.A. STANDARDS. ALL MAINS OVER EIGHT (8) INCHES IN DIAMETER WILL BE DUCTILE IRON CLASS 52, INCLUDING NIPPLE PIECES. ALL HYDRANT BRANCHES SHALL BE SIX (6) INCH DUCTILE IRON CLASS 52. ALL INTERSECTIONS OF MAINS WILL BE GATED IN THEIR RESPECTIVE DIRECTIONS. NO MAIN GATE WILL EXTEND OVER ONE THOUSAND (1,000) FEET OF EACH OTHER OR SO SPACED AT THE DIRECTION OF THE DEPARTMENT OF PUBLIC WORKS OR FIRE CHIEF. EXCAVATION SHALL BE OBTAINED, ALL TAPS TO THE EXISTING PUBLIC SYSTEM WILL SPECIFY A TAPPING SLEEVE AND GATE VALVE. EXCAVATION WILL BE TO A DEPTH THAT PROVIDES A MINIMUM OF FIVE (5) FEET OF COVER OVER THE PIPE. IF THE EXCAVATION IS IN LEDGE, A MINIMUM OF 12 INCH SPACING AROUND THE PIPE WILL BE REQUIRED TO ALLOW FOR SELECTED BACKFILL MATERIAL (SEE TRENCHING DETAILS). IT WILL BE AT THE DISCRETION OF THE DEPARTMENT OF PUBLIC WORKS AS TO THE TYPE OF BEDDING USED AND WILL DEPEND ON THE FIELD CONDITIONS. IN ANY EVENT, IT WILL BE EITHER CRUSHED BANK GRAVEL, SAND BORROW, OR THREE-FOURTHS INCH STONE, NO STONES LARGER THAN THREE (3) INCHES IN DIAMETER MAY BE USED WITHIN THE FIRST FOOT OF BACKFILL OVER THE PIPE. ONCE THE PIPE HAS SUFFICIENT COVER WITH THE SELECTED MATERIAL, NORMAL BACKFILL MAY PROCEED WITH A BARK JOINTING PIPE. IF A BAR IS USED, IT WILL BE WITHIN ONE FOOT OF THE PIPE. IF A BAR IS USED A BLOCK OF WOOD WILL BE USED BETWEEN IT AND THE PIPE; THE APPLIES FOR HAVING A BACKHOLE/EXCAVATOR SET LARGER DIAMETER PIPE, A BLOCK OF WOOD WILL BE INSERTED BETWEEN THE BUCKET AND THE PIPE; IN NO EVENT WILL THERE BE A METAL-TO-METAL DRIVING FORCE TO SET THE PIPE. IF THIS IS NOT STRICTLY COMPLIES WITH THE LENGTH OF THE PIPE WILL BE REMOVED AND A NEW ONE USED IN ITS PLACE.

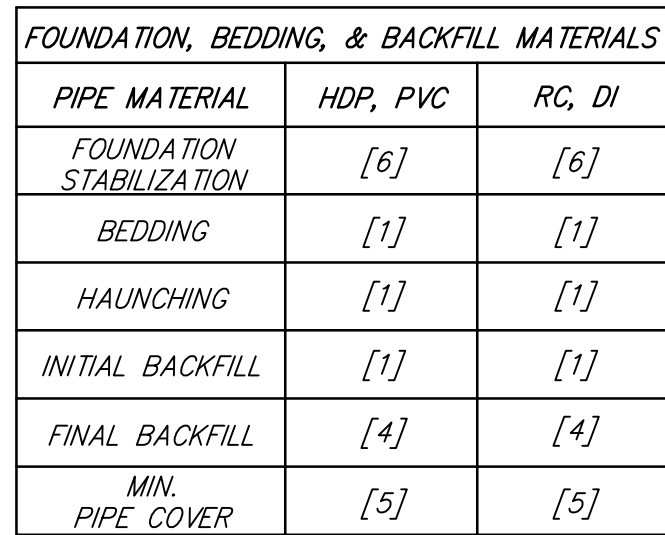
MAIN GATE VALVES SHALL BE OPEN RIGHT, IRON BODY, BRONZED MOUNTED, DOUBLE DISC, NON-RISEING STEM AS MANUFACTURED BY MUELLER CO. OR APPROVED EQUAL. MAIN GATE BOXES SHALL BE CAST-IRON, SLIDE TYPE WITH AT LEAST SIX (6) INCHES OF ADJUSTMENT AND AT LEAST FIVE (5) FEET LONG. THE COVERS SHALL BE FLUSH, CLOSE-FITTING WITH THE LETTER "W" OR THE WORD "WATER" CAST INTO THE COVER.

ALL PLUGS, CAPS, TEES, BENDS AND HYDRANTS SHALL BE PROVIDED WITH A CONCRETE THRUST BLOCK TO PREVENT MOVEMENT. THE THRUST BLOCK SHALL CONSIST OF A FORMED CONCRETE BACKING AGAINST UNDISTURBED MATERIAL, POURED IN PLACE WITH 3,000 PSI, 1-1/2", 470 CEMENT CONCRETE MASONRY.

INSPECTION WILL BE PROVIDED BY THE CITY OF MARLBOROUGH WATER AND SEWER INSPECTOR. BEFORE ANY BACKFILLING IS DONE, THE DEPARTMENT OF PUBLIC WORKS WATER DIVISION WILL BE NOTIFIED TWENTY-FOUR (24) HOURS IN ADVANCE, AND A CITY OF MARLBOROUGH WATER AND SEWER INSPECTOR WILL COME TO THE PROJECT SITE TO OBSERVE THE METHOD OF BACKFILLING. FOR HYDRANT INSTALLATION, MAIN TAPS, SERVICE TAPS, TESTING, ETC. IF THE DEPARTMENT OF PUBLIC WORKS FEELS THAT INSUFFICIENT WORKSMANSHIP AND CARE IS BEING TAKEN IN THE INSTALLATION, THIS WORK MAY BE TERMINATED UNTIL FURTHER APPROVAL FOR THE CITY ENGINEER.

SERVICE CONNECTIONS SHALL HAVE A MINIMUM SIZE OF THREE-FOURTHS (3/4) INCH IN DIAMETER. ALL SERVICE PIPES SHALL BE TYPE K COPPER TUBING. ANY SERVICE PIPE LARGER THAN TWO (2) INCHES AND LESS THAN EIGHT (8) INCHES IN DIAMETER SHALL BE DUCTILE IRON CLASS 52, CEMENT LINED MECHANICAL JOINT OR PUSH-ON JOINT IN ACCORDANCE WITH A.W.W.A. STANDARDS. THE MAIN CONDUIT SHALL BE INSTALLED BY WAY OF DUCTILE IRON OR USE OF THE TWO-STRAP CORPORATION SADDLE SHALL ONLY BE USED WITH APPROVAL OF ENGINEER (TYPE, SMITH-BLAIR OR MUELLER). A CURB STOP AND BOX SHALL BE COPPER TO COPPER THREAD, OPEN RIGHT, WITH DRAIN, AS MANUFACTURED BY FARNUM OR MUELLER. ANY SERVICE ONE (1) INCH OR GREATER SHALL EMPLOY AN ORISICAL CURB WITH DRIP. THE SERVICE SHALL BE INSTALLED AT 90° FROM THE ROAD, UNLESS OTHERWISE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. UNDER NO CIRCUMSTANCES WILL ANY INVERTED CUE CURBS BE INSTALLED IN ANY WATER SYSTEM IN THE CITY OF GORHAM. THE CURB STOP AND SERVICE BOX SHALL BE FOUR AND ONE-HALF (4 1/2) FEET TO FIVE AND ONE-HALF (5 1/2) FEET, EXTENSION-TYPE, THREE-FOURTHS INCH ROD, AND COVER FOR SERVICES SHALL BE FIVE (5) FEET ZERO (0) INCHES. A BACKSPLIFF MATERIAL WILL BE CAREFULLY PLACED AROUND THE SERVICE PIPE TO PROTECT IT FROM NORMAL BACKFILL AND COMPACTION.

THE CONTRACTOR SHALL HIRE AN INDEPENDENT TESTING FIRM THAT SPECIALIZES IN WATER LINE TESTING AND DISINFECTIONS OF WATER DISTRIBUTION SYSTEMS APPROVED BY THE CITY ENGINEER. THE CONTRACTOR SHALL FILL THE WATER MAIN PRESSURE PIPES, STRUCTURES, PLUGS, PUMPS, PIPE CONNECTIONS AND OTHER REQUIRED APPARATUS THROUGH THE PIPE AND THE LINE WILL BE COMPLETELY FILLED WITH WATER AND AIR BLOWN OFF THROUGH A HIGH POINT, SUCH AS A HYDRANT. THE SECTION UNDER TEST WILL BE MAINTAINED FULL AND UNDER PRESSURE AT 200 LBS. FOR A PERIOD OF ONE (1) HOUR. THE LINE SHALL BE FILLED AND TESTED WITHIN ONE (1) TO THREE (3) HOURS AFTER Airing. THE TESTING OF VARIOUS TYPES OF STRUCTURES, PLUGS, PUMPS, HYDRANTS AND RELATED ACCESSORIES THAT OCCURS BEFORE FINAL ACCEPTANCE OF THE WORK SHALL BE REPLACED AT THE EXPENSE OF THE CONTRACTOR. A SUCCESSFUL WATER PRESSURE TEST IS NOT TO BE INTERPRETED AS FINAL ACCEPTANCE. THE PRESSURE AND LEAKAGE TEST SHALL CONSIST OF FIRST RAISING THE WATER PRESSURES (BASED ON ELEVATION) TO A PRESSURE IN EXCESS OF PER SQUARE INCH ABOVE THE NORMAL OPERATING PRESSURE. WHILE MAINTAINING THIS PRESSURE, THE CONTRACTOR SHALL MAKE A LEAKAGE TEST BY METERING THE FLOW OF WATER INTO THE PIPE. IF THE AVERAGE LEAKAGE DURING A TWO-HOUR PERIOD EXCEEDS A RATE OF TEN (10) GALLONS PER INCH OF DIAMETER PER TWENTY-FOUR (24) HOUR PER MILE OF LENGTH, THE SECTION WILL BE CONSIDERED AS HAVING FAILED THE TEST. AFTER VASTING THE PIPE LINE IS TO BE DISINFECTED WITH A CHLORINE CONCENTRATION OF APPROXIMATELY FIFTY (50) PARTS PER MILLION PRIOR TO BEING PLACES IN SERVICE. THE INTRODUCTION OF THIS CHLORINE SHALL BE ACCOMPLISHED BY PUMPING OR SIPHONING A CALCIUM HYDROCHLORIDE SOLUTION INTO THE MAIN. THE CHLORINATION WATER IS TO REMAIN IN THE NEW PIPELINE FOR A PERIOD OF TWENTY-FOUR (24) HOURS. AFTER THE TWENTY-FOUR (24) HOUR PERIOD, THE WATER IS TO BE TAKEN TO PREVENT THIS SHLORINATED WATERED FROM FLOWING BACK INTO THE EXISTING SYSTEM. AFTER CHLORINATION AND DE-CHLORINATION A MINIMUM OF (2) BACTERIA SAMPLES ARE TO BE TAKEN TWENTY-FOUR (24) HOURS APART.

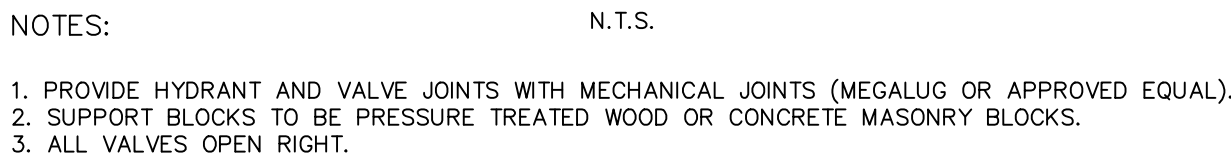
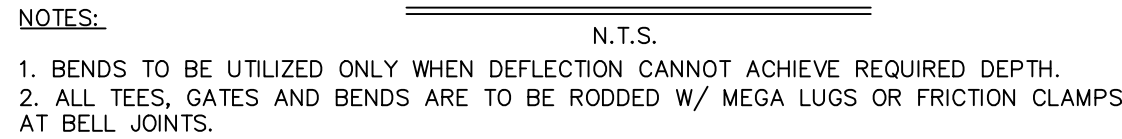


[5] MINIMUM COVER OVER TOP OF PIPE:

PIPE MATERIAL	HDP, PVC	RC, DI
WATER	5'-0"	5'-0"
SEWER	4'-0"	4'-0"
DRAIN	1'-6"	1'-0"



PIPE TRENCH
TYPICAL CROSS SECTION
NOT TO SCALE



13820



STORMTECH CHAMBER SPECIFICATIONS

- CHAMBERS SHALL BE STORMTECH MC-4500.
- CHAMBERS SHALL BE MANUFACTURED FROM VIRGIN, IMPACT-MODIFIED POLYPROPYLENE COPOLYMERS.
- CHAMBER ROWS SHALL PROVIDE CONTINUOUS, UNOBSTRUCTED INTERNAL SPACE WITH NO INTERNAL SUPPORT PANELS THAT WOULD IMPEDE FLOW OR LIMIT ACCESS FOR INSPECTION.
- THE STRUCTURAL DESIGN OF THE CHAMBERS, THE STRUCTURAL BACKFILL, AND THE INSTALLATION REQUIREMENTS SHALL ENSURE THAT THE LOAD FACTORS SPECIFIED IN THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, SECTION 12.12 ARE MET FOR: 1) LONG-DURATION DEAD LOADS AND 2) SHORT-DURATION LIVE LOADS, BASED ON THE AASHTO DESIGN TRUCK WITH CONSIDERATION FOR IMPACT AND MULTIPLE VEHICLE PRESENCES.
- CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418-16, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- CHAMBERS SHALL BE DESIGNED AND ALLOWABLE LOADS DETERMINED IN ACCORDANCE WITH ASTM F2787, "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- ONLY CHAMBERS THAT ARE APPROVED BY THE SITE DESIGN ENGINEER WILL BE ALLOWED. THE CHAMBER MANUFACTURER SHALL SUBMIT THE FOLLOWING UPON REQUEST TO THE SITE DESIGN ENGINEER FOR APPROVAL BEFORE DELIVERING CHAMBERS TO THE PROJECT SITE:
 - A STRUCTURAL EVALUATION SEALED BY A REGISTERED PROFESSIONAL ENGINEER THAT DEMONSTRATES THAT THE SAFETY FACTORS ARE GREATER THAN OR EQUAL TO 1.95 FOR DEAD LOAD AND 1.75 FOR LIVE LOAD, THE MINIMUM REQUIRED BY ASTM F2787 AND BY AASHTO FOR THERMOPLASTIC PIPE.
 - A STRUCTURAL EVALUATION SEALED BY A REGISTERED PROFESSIONAL ENGINEER THAT DEMONSTRATES THAT THE LOAD FACTORS SPECIFIED IN THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, SECTION 12.12, ARE MET, THE 50 YEAR CREEP MODULUS DATA SPECIFIED IN ASTM F2418 MUST BE USED AS PART OF THE AASHTO STRUCTURAL EVALUATION TO VERIFY LONG-TERM PERFORMANCE.
 - STRUCTURAL CROSS SECTION DETAIL ON WHICH THE STRUCTURAL EVALUATION IS BASED.
- CHAMBERS AND END CAPS SHALL BE PRODUCED AT AN ISO 9001 CERTIFIED MANUFACTURING FACILITY.

IMPORTANT - NOTES FOR THE BIDDING AND INSTALLATION OF MC-4500 CHAMBER SYSTEM

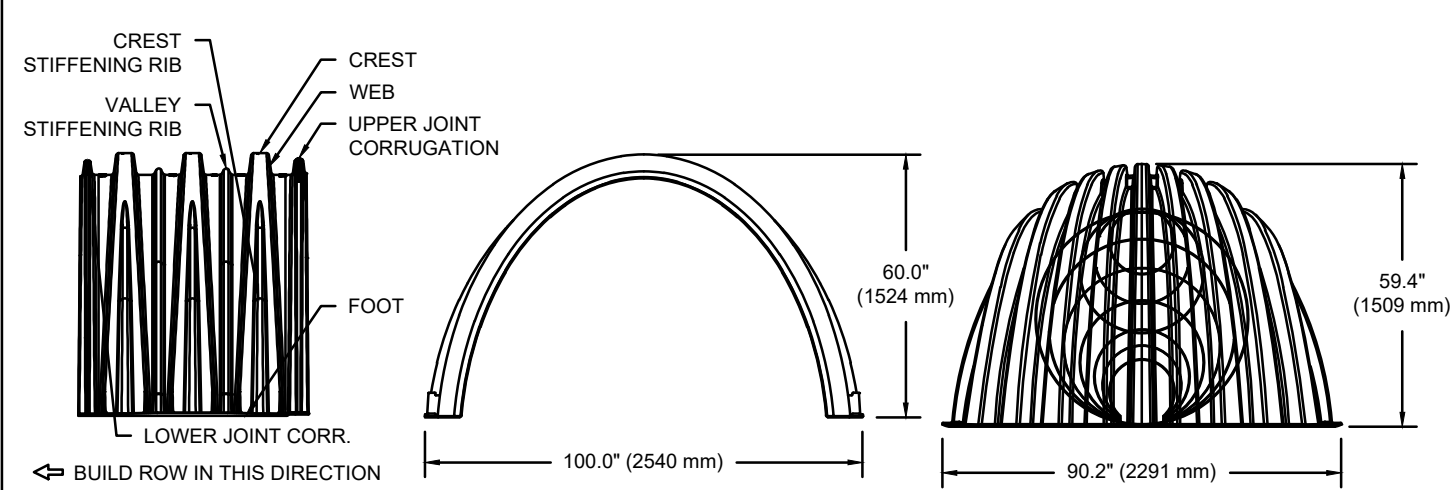
- STORMTECH MC-4500 CHAMBERS SHALL NOT BE INSTALLED UNTIL THE MANUFACTURER'S REPRESENTATIVE HAS COMPLETED A PRE-CONSTRUCTION MEETING WITH THE INSTALLERS.
- STORMTECH MC-4500 CHAMBERS SHALL BE INSTALLED IN ACCORDANCE WITH THE "STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".
- CHAMBERS ARE NOT TO BE BACKFILLED WITH A DOZER OR EXCAVATOR SITUATED OVER THE CHAMBERS. STORMTECH RECOMMENDS 3 BACKFILL METHODS:
 - STONESHOOTER LOCATED OFF THE CHAMBER BED.
 - BACKFILL AS ROWS ARE BUILT USING AN EXCAVATOR ON THE FOUNDATION STONE OR SUBGRADE.
 - BACKFILL FROM OUTSIDE THE EXCAVATION USING A LONG BOOM HOE OR EXCAVATOR.
- THE FOUNDATION STONE SHALL BE LEVELED AND COMPACTED PRIOR TO PLACING CHAMBERS.
- JOINTS BETWEEN CHAMBERS SHALL BE PROPERLY SEATED PRIOR TO PLACING STONE.
- MAINTAIN MINIMUM 9" (230 mm) SPACING BETWEEN THE CHAMBER ROWS.
- INLET AND OUTLET MANIFOLDS MUST BE INSERTED A MINIMUM OF 12" (300 mm) INTO CHAMBER END CAPS.
- EMBEDMENT STONE SURROUNDING CHAMBERS MUST BE A CLEAN, CRUSHED, ANGULAR STONE MEETING THE AASHTO M43 DESIGNATION OF #3 OR #4.
- STONE SHALL BE BROUGHT UP EVENLY AROUND CHAMBERS SO AS NOT TO DISTORT THE CHAMBER SHAPE. STONE DEPTHS SHOULD NEVER DIFFER BY MORE THAN 12" (300 mm) BETWEEN ADJACENT CHAMBER ROWS.
- STONE MUST BE PLACED ON THE TOP CENTER OF THE CHAMBER TO ANCHOR THE CHAMBERS IN PLACE AND PRESERVE ROW SPACING.
- THE CONTRACTOR MUST REPORT ANY DISCREPANCIES WITH CHAMBER FOUNDATION MATERIAL BEARING CAPACITIES TO THE SITE DESIGN ENGINEER.
- ADS RECOMMENDS THE USE OF "FLEXSTORM CATCH IT" INSERTS DURING CONSTRUCTION FOR ALL INLETS TO PROTECT THE SUBSURFACE STORMWATER MANAGEMENT SYSTEM FROM CONSTRUCTION SITE RUNOFF.

NOTES FOR CONSTRUCTION EQUIPMENT

- STORMTECH MC-4500 CHAMBERS SHALL BE INSTALLED IN ACCORDANCE WITH THE "STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".
- THE USE OF EQUIPMENT OVER MC-4500 CHAMBERS IS LIMITED:
 - NO EQUIPMENT IS ALLOWED ON BARE CHAMBERS.
 - NO RUBBER Tired LOADER, DUMP TRUCK, OR EXCAVATORS ARE ALLOWED UNTIL PROPER FILL DEPTHS ARE REACHED IN ACCORDANCE WITH THE "STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".
 - WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT CAN BE FOUND IN THE "STORMTECH MC-3500/MC-4500 CONSTRUCTION GUIDE".
- FULL 36" (900 mm) OF STABILIZED COVER MATERIALS OVER THE CHAMBERS IS REQUIRED FOR DUMP TRUCK TRAVEL OR DUMPING.

USE OF A DOZER TO PUSH EMBEDMENT STONE BETWEEN THE ROWS OF CHAMBERS MAY CAUSE DAMAGE TO CHAMBERS AND IS NOT AN ACCEPTABLE BACKFILL METHOD. ANY CHAMBERS DAMAGED BY USING THE "DUMP AND PUSH" METHOD ARE NOT COVERED UNDER THE STORMTECH STANDARD WARRANTY.

CONTACT STORMTECH AT 1-888-892-2694 WITH ANY QUESTIONS ON INSTALLATION REQUIREMENTS OR WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT.



NOMINAL CHAMBER SPECIFICATIONS		
SIZE (W X H X INSTALLED LENGTH)	100.0" X 60.0" X 48.3"	(2540 mm X 1524 mm X 1227 mm)
CHAMBER STORAGE	108.5 CUBIC FEET	(3.01 m³)
MINIMUM INSTALLED STORAGE*	162.6 CUBIC FEET	(4.60 m³)
WEIGHT	130.0 lbs.	(58.0 kg)

NOMINAL END CAP SPECIFICATIONS		
SIZE (W X H X INSTALLED LENGTH)	90.2" X 59.4" X 30.7"	(2291 mm X 1509 mm X 781 mm)
END CAP STORAGE	35.7 CUBIC FEET	(1.01 m³)
MINIMUM INSTALLED STORAGE*	108.7 CUBIC FEET	(3.08 m³)
WEIGHT	135.0 lbs.	(61.2 kg)

*ASSUMES 12" (305 mm) STONE ABOVE, 9" (229 mm) STONE FOUNDATION AND BETWEEN CHAMBERS, 12" (305 mm) STONE PERIMETER IN FRONT OF END CAPS AND 40% STONE POROSITY.

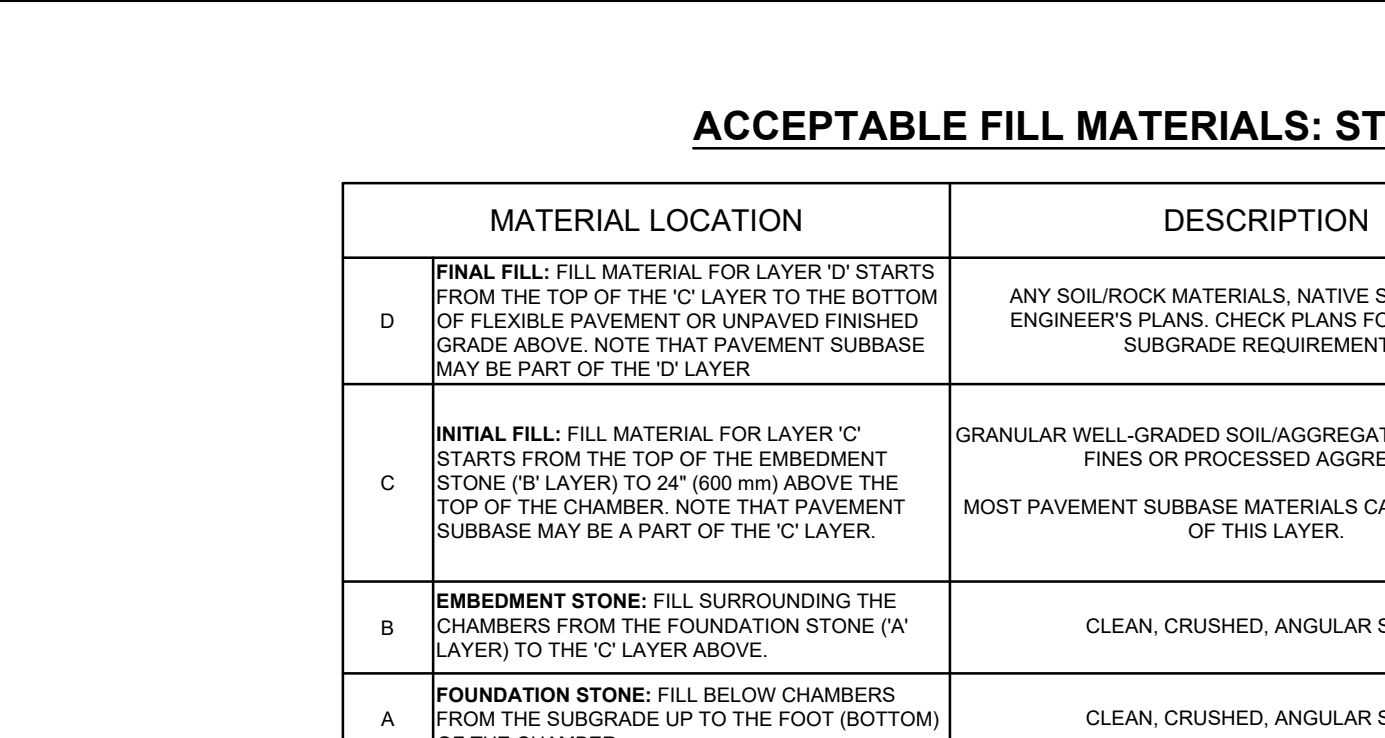
STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B" STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T" END CAPS WITH A WELDED CROWN PLATE END WITH "C" END CAPS WITH A PREFABRICATED WELDED STUB END WITH "W"

PART #	STUB	B	C
MC4500REPE06T	6" (150 mm)	42.54" (1081 mm)	---
MC4500REPE06B	---	---	0.86" (22 mm)
MC4500REPE08T	8" (200 mm)	40.50" (1029 mm)	---
MC4500REPE08B	---	---	1.01" (26 mm)
MC4500REPE10T	10" (250 mm)	38.37" (975 mm)	---
MC4500REPE10B	---	---	1.33" (34 mm)
MC4500REPE12T	12" (300 mm)	35.69" (907 mm)	---
MC4500REPE12B	---	---	1.55" (39 mm)
MC4500REPE15T	15" (375 mm)	32.72" (831 mm)	---
MC4500REPE15B	---	---	1.70" (43 mm)
MC4500REPE18T	18" (450 mm)	29.36" (746 mm)	---
MC4500REPE18B	---	---	1.97" (50 mm)
MC4500REPE24T	24" (600 mm)	23.05" (585 mm)	---
MC4500REPE24B	---	---	2.26" (57 mm)
MC4500REPE30B	30" (750 mm)	---	2.95" (75 mm)
MC4500REPE36B	36" (900 mm)	---	3.25" (83 mm)
MC4500REPE42B	42" (1050 mm)	---	3.55" (90 mm)

NOTE: ALL DIMENSIONS ARE NOMINAL

CUSTOM PRECURED INVERTS ARE AVAILABLE UPON REQUEST. INVENTED MANIFOLDS INCLUDE 12-24" (300-600 mm) SIZE ON SIZE AND 15-48" (375-1200 mm) ECCENTRIC MANIFOLDS. CUSTOM INVERT LOCATIONS ON THE MC-4500 END CAP CUT IN THE FIELD ARE NOT RECOMMENDED FOR PIPE SIZES GREATER THAN 10" (250 mm). THE INVERT LOCATION IN COLUMN 'B' ARE THE HIGHEST POSSIBLE FOR THE PIPE SIZE.

6 INSERTA-TEE SIDE INLET DETAIL



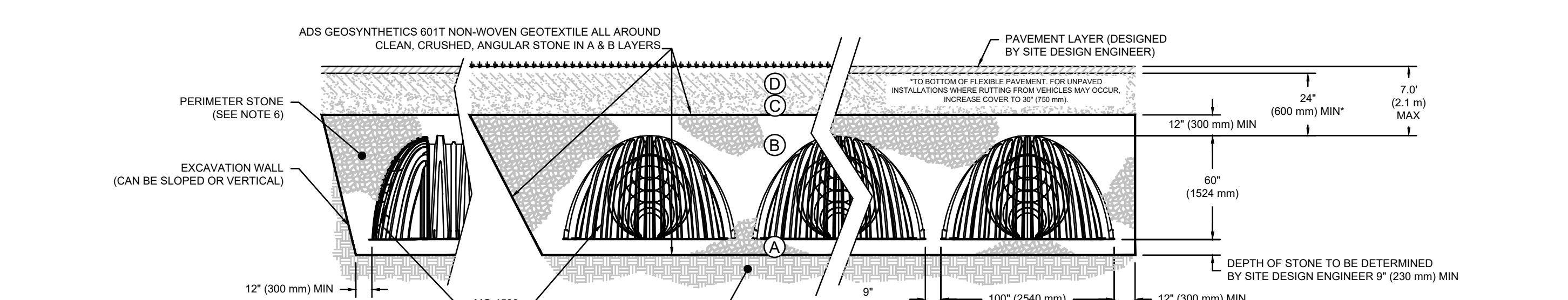
NOTE: PART NUMBERS WILL VARY BASED ON INLET PIPE MATERIALS. CONTACT STORMTECH FOR MORE INFORMATION.

2 MC-4500 TECHNICAL SPECIFICATIONS

ACCEPTABLE FILL MATERIALS: STORMTECH MC-4500 CHAMBER SYSTEMS

MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'D' LAYER	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 24" (600 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	AASHTO M145 ¹ A-1, A-2-4, A-3 OR AASHTO M43 ¹ 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 24" (600 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 12" (300 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS.
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	AASHTO M43 ¹ 3, 4	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	AASHTO M43 ¹ 3, 4	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. ^{2,3}

- PLEASE NOTE:
- THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR, NO. 4 (AASHTO M43) STONE.
 - STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 9" (230 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
 - WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.

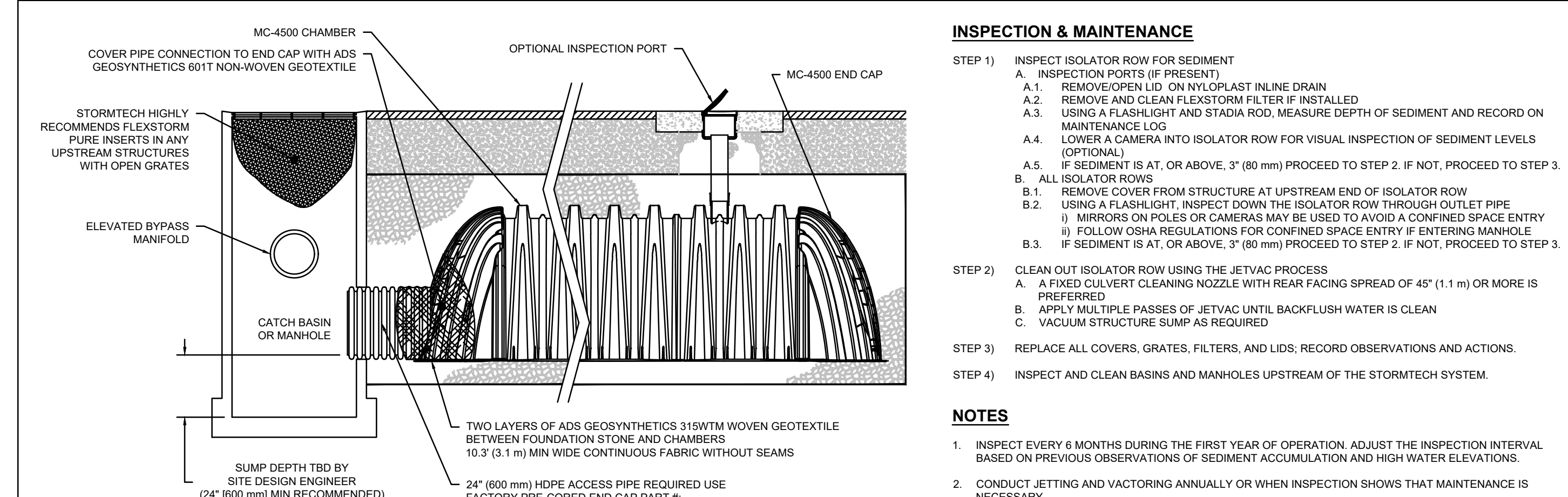


NOTE: MANIFOLD STUB MUST BE LAID HORIZONTAL FOR A PROPER FIT IN END CAP OPENING.

NOTES:

- MC-4500 CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F2418 "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- MC-4500 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- "ACCEPTABLE FILL MATERIALS" TABLE ABOVE PROVIDES MATERIAL LOCATIONS, DESCRIPTIONS, GRADATIONS, AND COMPACTION REQUIREMENTS FOR FOUNDATION, EMBEDMENT, AND FILL MATERIALS.
- THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
- ONCE LAYER 'C' IS PLACED, ANY SOIL/MATERIAL CAN BE PLACED IN LAYER 'D' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.
- PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.

1 MC-4500 CROSS SECTION DETAIL



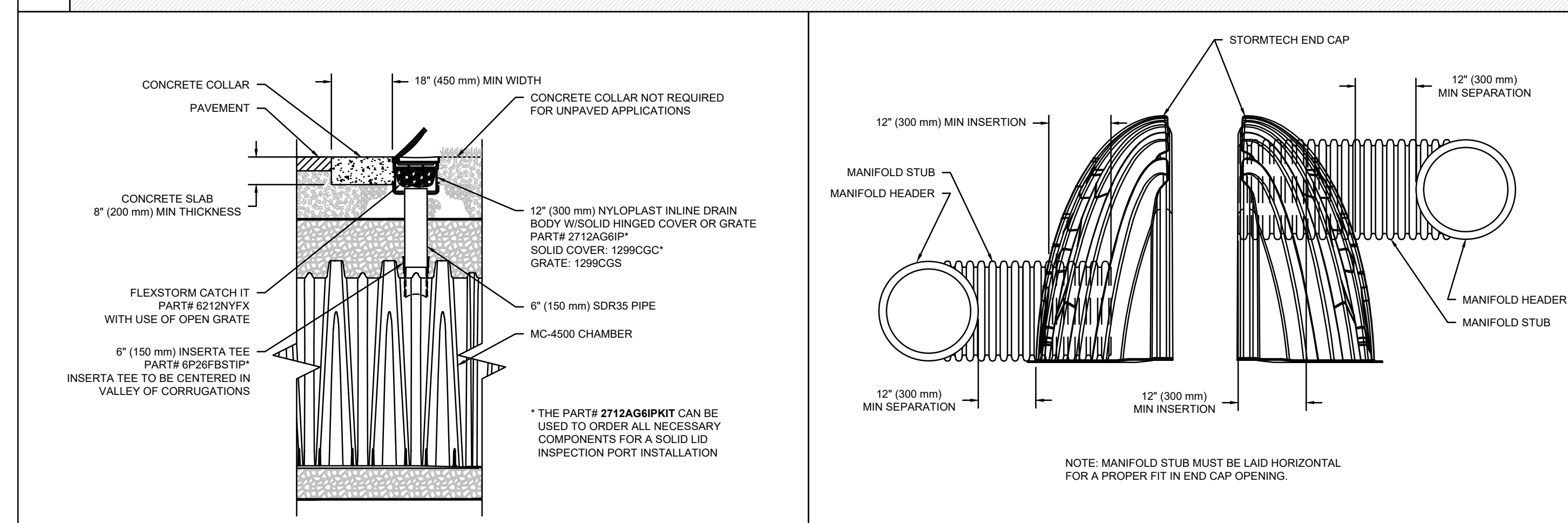
INSPECTION & MAINTENANCE

- STEP 1) INSPECT ISOLATOR ROW FOR SEDIMENT
- INSPECTION PORTS (IF PRESENT)
 - REMOVE/OPEN LID ON NYLOPLAST INLINE DRAIN
 - REMOVE AND CLEAN FLEXSTORM FILTER IF INSTALLED
 - USING A FLASHLIGHT AND STADIA ROD, MEASURE DEPTH OF SEDIMENT AND RECORD ON MAINTENANCE LOG
 - LOWER A CAMERA INTO ISOLATOR ROW FOR VISUAL INSPECTION OF SEDIMENT LEVELS (OPTIONAL)
 - IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.
- B. ALL ISOLATOR ROWS
- REMOVE COVER FROM STRUCTURE AT UPSTREAM END OF ISOLATOR ROW
 - USING A FLASHLIGHT, INSPECT DOWN THE ISOLATOR ROW THROUGH OUTLET PIPE
 - MIRRORS ON POLES OR CAMERAS MAY BE USED TO AVOID A CONFINED SPACE ENTRY
 - FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY IF ENTERING MANHOLE
 - IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.
- STEP 2) CLEAN OUT ISOLATOR ROW USING THE JETVAC PROCESS
- A FIXED CULVERT CLEANING NOZZLE WITH REAR FACING SPREAD OF 45° (1.1 m) OR MORE IS PREFERRED
 - APPLY MULTIPLE PASSES OF JETVAC UNTIL BACKFLUSH WATER IS CLEAN
 - VACUUM STRUCTURE SUMP AS REQUIRED
- STEP 3) REPLACE ALL COVERS, GRATES, FILTERS, AND LIDS; RECORD OBSERVATIONS AND ACTIONS.
- STEP 4) INSPECT AND CLEAN BASINS AND MANHOLES UPSTREAM OF THE STORMTECH SYSTEM.

NOTES

- INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEDIMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
- CONDUCT JETTING AND VACTORING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.

3 MC-4500 ISOLATOR ROW DETAIL



4 MC-4500 6" (150 mm) INSPECTION PORT DETAIL

7 MC-SERIES END CAP INSERTION DETAIL

Site Plan

for
A Four-Lot Subdivision

Map 68 Lot 123
76 Broad Street
Marlborough, MA 01752

PREPARED FOR:

W.R.E., LLC

319 Stow Road
Marlborough, MA 01752

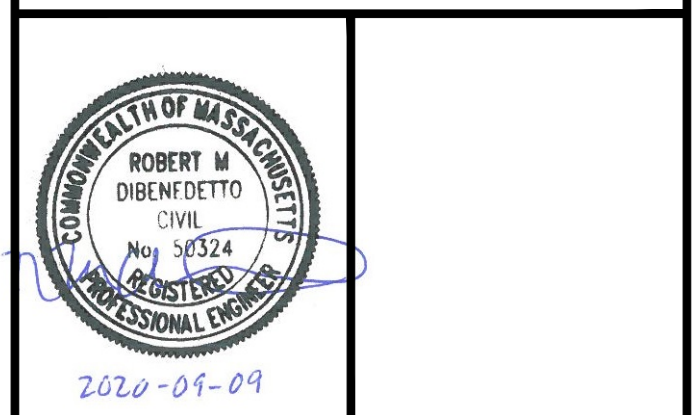
HANCOCK ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

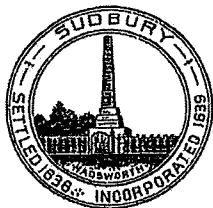
315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION
1			9/9/2020	DATE:	RD/DJR
2			1"=30'	SCALE:	DJR
3			APPROVED BY:	RD/CHECK BY:	JP

DETAILS SHEET 3

PROJECT NO.:	13820
DWG: 13820DF.dwg	C12
LAYOUT: DET3	
SHEET: 12 OF 12	



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314
www.sudbury.ma.us/boardofappeals

Case #: 20-22
Filing Date: August 17, 2020

DECISION SPECIAL PERMIT

LOCATION OF PROPERTY

10 Richard Avenue
Sudbury, MA 01776

OWNER'S TITLE REFERENCE

Deed Dated: March 25, 2020
Book: 74348 Page: 410

NAME & ADDRESS OF APPLICANT(S)

Brian Beaulieu
10 Richard Avenue
Sudbury, MA 01776

NAME & ADDRESS OF OWNER(S)

Brian Beaulieu
10 Richard Avenue
Sudbury, MA 01776

DATE(S) OF PUBLIC HEARING

August 3, 2020

BOARD MEMBERS PRESENT & VOTING

John Riordan, Chair
David Booth
Jonathan Gossels
Frank Riepe
Nancy Rubenstein

PROCEDURAL HISTORY

This Decision by the Zoning Board of Appeals (the Board) is in response to an application filed July 8, 2020. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in the Sudbury Town Crier on July 16, 2020 and July 23, 2020, posted, and mailed to the Applicants, abutters, and other parties of interest as required by law, the public hearing was opened, conducted, and closed on August 3, 2020. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Planning and Community Development Department.

The Board received the following materials:

- Special Permit Application date stamped July 8, 2020
- Mortgage Inspection Plan prepared by Olde Stone Plot Plan Service, LLC dated March 10, 2020 date stamped July 8, 2020
- Plan of Land in Sudbury, Mass. prepared by Everett M. Brooks Company dated August 29, 1996 date stamped July 8, 2020
- Email from July 8, 2020 with a photograph of proposed entry way date stamped July 8, 2020

2020 AUG 17 AM 10:15

TOWN OF SUDBURY

DESCRIPTION

On July 8, 2020, the Board received an application for a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Town of Sudbury Zoning Bylaw to add a front deck/porch to a preexisting nonconforming single-family dwelling within the front yard setback at 10 Richard Avenue, Assessor's Map G06-0553, Single Residence A-1 Zoning District.

APPLICABLE LAW & DECISION CRITERIA

The following Massachusetts General Laws apply:

M.G.L. Chapter 40A, Section 9: Special Permits

Under the Town of Sudbury Zoning Bylaw:

Section 2445: Alteration to a non-conforming structure which will not increase the footprint of the existing structure provided that existing height restrictions shall not be exceeded.

In the event that the Inspector of Buildings determines that the non-conforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where the proposed modification will not be substantially more detrimental than the existing non-conforming structure to the neighborhood.

Section 6200: Special Permits

FINDINGS

On August 3, 2020, the Board opened, conducted, and closed the public hearing. Brian Beaulieu appeared at the hearing. The Applicant seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Zoning Bylaw to add a front deck/porch to a preexisting nonconforming single-family dwelling within the front yard setback at 10 Richard Avenue, Assessor's Map G06-0553, Single Residence A-1 Zoning District.

The Board, after considering the materials submitted with the application, together with the information presented at the hearing, finds:

1. The Applicant seeks a **Special Permit** under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Zoning Bylaw to add a front deck/porch to a preexisting nonconforming single-family dwelling within the front yard setback at 10 Richard Avenue.
2. The proposed activity which is the subject of this application is described in the application dated July 8, 2020 and the following plans:
 - a. Mortgage Inspection Plan prepared by Olde Stone Plot Plan Service, LLC dated March 10, 2020 date stamped July 8, 2020
 - b. Plan of Land in Sudbury, Mass. prepared by Everett M. Brooks Company dated August 29, 1996 date stamped July 8, 2020
 - c. Email from July 8, 2020 with a photograph of proposed entry way date stamped July 8, 2020
3. The use is in harmony with the general purpose and intent of the bylaw. The subject property is located in the Single Residence A-1 Zoning District.
4. The use is in an appropriate location, is not detrimental to the neighborhood, and does not significantly alter the character of the zoning district.
5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
6. The proposed use will not be substantially detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse

materials, or other visual nuisances. The Board has included in its Decision appropriate conditions relating to the mitigation of impacts on neighboring properties.

7. The proposed use will not cause undue traffic congestion in the immediate area. No activity related to this use will impact traffic in the immediate area.
8. The Board has imposed restrictions which are necessary for the general welfare of the neighborhood and the Town, noted below.

DECISION of the Board on the application of Brian Beaulieu, Applicant and Owner, for a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Zoning Bylaw to add a front deck/porch to a preexisting nonconforming single-family dwelling within the front yard setback at 10 Richard Avenue, Assessor's Map G06-0553, Single Residence A-1 Zoning District.

Therefore, after reviewing the available materials and based upon the above findings, the Zoning Board of Appeals on August 3, 2020 voted 5-0 to **GRANT** the **SPECIAL PERMIT**, subject to the following **conditions**:

1. The proposed activity shall be conducted strictly in accordance with the application and plans submitted, and materials contained in the file.
2. The demolition contractor shall comply with all applicable federal and state laws and regulations.
3. To alleviate excessive noise generated from the proposed activity, all construction activity shall take place on weekdays between the hours of 7:00 am and 6:00 pm, and on Saturdays between 9:00 am and 5:00 pm. There shall be no construction on Sundays. Construction activities include delivery of materials; idling of machinery; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities on the Property; removal of stumps and debris; and the erection of structures. Notwithstanding the above, the above restriction on the hours of construction activities shall not apply to any work undertaken off the property that is normally or customarily conducted during hours other than the hours permitted for such work set forth above.
4. This Special Permit shall lapse if construction has not begun, except for good cause, within 12 months following the filing of the Special Permit approval with the Town Clerk, plus such time required to pursue or await the determination of any appeal under Massachusetts General Laws, Chapter 40A, Section 17.
5. Construction must be completed no later than one (1) year after commencement.
6. No Special Permit, or modification, extension, or renewal thereof, shall take effect until a copy of the Decision has been recorded at the Middlesex South Registry of Deeds and a copy of the recorded Decision is provided to the Planning and Community Development Department. Such Decision shall bear the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, it has been dismissed or denied.
7. Any person aggrieved by the Decision may appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 17 within twenty (20) days after this Decision is filed with the Sudbury Town Clerk.
8. The Decision rendered herein is concerned only with the Zoning Bylaw and not with the Building Code or any other Town Bylaw. The Applicant is responsible for determining and complying with Town, State, and Federal regulations in using the authorization granted.

Case #: 20-22
Filing Date: August 17, 2020
Page 4 of 4

VOTE

The Zoning Board of Appeals of the Town of Sudbury acted as follows in the above matter:

MOTION: To approve petition # 20-22

VOTED: In Favor: 5
Opposed: 0
MOTION CARRIES

TOWN OF SUDBURY ZONING BOARD OF APPEALS

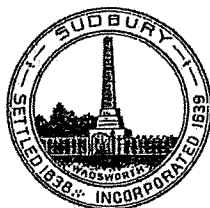
By, William Rae Clerk

This is to certify that no notice of an appeal against Zoning Board of Appeals Decision Case # 20-22 was filed in the Town Clerk's office within 20 days after such decision was filed on August 17, 2020.

A True Copy Attest:

Rose M. Miranda
Assistant Town Clerk

Date



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314
www.sudbury.ma.us/boardofappeals

Case #: 20-20
Filing Date: August 17, 2020

DECISION SPECIAL PERMIT

LOCATION OF PROPERTY

38 Haynes Road
Sudbury, MA 01776

OWNER'S TITLE REFERENCE

Deed Dated: July 7, 2020
Book: 75057 Page: 516

NAME & ADDRESS OF APPLICANT(S)

Tom and Sherri Lowery
38 Haynes Road
Sudbury, MA 01776

NAME & ADDRESS OF OWNER(S)

Tom and Sherri Lowery
38 Haynes Road
Sudbury, MA 01776

DATE(S) OF PUBLIC HEARING

August 3, 2020

BOARD MEMBERS PRESENT & VOTING

John Riordan, Chair
William Ray, Clerk
Jonathan Gossels
Frank Riepe
Nancy Rubenstein

TOWN OF SUDBURY
2020 AUG 17 AM 10:15

PROCEDURAL HISTORY

This Decision by the Zoning Board of Appeals (the Board) is in response to an application filed on June 19, 2020. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in the Sudbury Town Crier on July 16, 2020 and July 23, 2020, posted, and mailed to the Applicant, abutters, and other parties of interest as required by law, the public hearing was opened, conducted, and closed on August 3, 2020. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Planning and Community Development Department.

The Board received the following materials:

- Special Permit Application date stamped June 19, 2020
- Cover Letter dated June 18, 2020 date stamped June 19, 2020
- Certificate of Compliance "As - Built" Topographic Plan of Land created by Schofield Brothers of New England, Inc. dated December 16, 2010 date stamped June 19, 2020
- Photograph of Current Chicken Coop date stamped June 19, 2020
- The Garden Coop - Chicken Coop Construction Plan by The Garden Coop LLC date stamped June 19, 2020

DESCRIPTION

On June 19, 2020, the Board received an application for a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to seven (7) hens at 38 Haynes Road, Assessor's Map D09-0024, Single Residence A-1 Zoning District.

APPLICABLE LAW & DECISION CRITERIA

The following Massachusetts General Laws apply:
M.G.L. Chapter 40A, Section 9: Special Permits

Under the Town of Sudbury Zoning Bylaw:

Section 2313: The Board of Appeals may grant a special permit for the nonexempt raising of swine, poultry, furbearing animals, and the operation of kennels in any district; in accordance with Section 6200, such Board may impose such restrictions with respect to the conduct thereof as in its judgment may seem necessary for the general welfare of the Town.

Section 6200: Special Permits

FINDINGS

On August 3, 2020, the Board opened, conducted, and closed the public hearing. Sherri Lowery appeared at the hearing. The Applicants, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to seven (7) hens at 38 Haynes Road, Assessor's Map D09-0024, Single Residence A-1 Zoning District.

The Board, after considering the materials submitted with the application, together with the information presented at the hearing, finds:

1. The Applicants seek a **Special Permit** under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to seven (7) hens at 38 Haynes Road.
2. The proposed activity which is the subject of this application is described in the application dated June 19, 2020.
3. The use is in harmony with the general purposes and intent of the bylaw. This use is allowed in the Single Residence A-1 Zoning District by Special Permit. Conditions related to the mitigation of impacts have been considered in this Decision, including the number of chickens, size of the coop, and location of the coop.
4. The use is in an appropriate location, is not detrimental to the neighborhood, and does not significantly alter the character of the zoning district.
5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
6. The proposed use will not be substantially detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisances. The proposal has been designed to mitigate impacts on neighboring properties.
7. The proposed use will not cause undue traffic congestion in the immediate area.
8. The Board has imposed restrictions which are necessary for the general welfare of the neighborhood and the Town, noted below.

DECISION of the Board on the application of Tom and Sherri Lowery (the Applicants), for a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to seven (7) hens at 38 Haynes Road, Assessor's Map D09-0024, Single Residence A-1 Zoning District.

Therefore, after reviewing the available materials and based upon the above findings, the Zoning Board of Appeals on August 3, 2020 voted 5-0 to **GRANT** the **SPECIAL PERMIT** subject, to the following conditions:

1. The proposed activity shall be conducted strictly in accordance with the application and plans submitted, and the materials contained in the file.
2. The chickens shall not become a nuisance.
3. The maximum number of chickens allowed on the subject property is seven (7). No roosters shall be kept on the subject property.
4. The chicken coop and fully enclosed pen area shall be constructed in accordance with, and as located on, the schematics and plans provided with the application for the Special Permit.
5. One (1) low-watt light no greater than 60 watts will be allowed inside the chicken coop. The light may be turned on 24-hours per day.
6. All waste shall be composted or disposed of in the household trash to be removed from the property on a regular basis. The waste shall be odorless to any neighbors.
7. No commercial activity consisting of the sale of eggs, chickens, or chicken products will be allowed on the subject property.
8. This Special Permit is non-transferable and will expire in one (1) year on August 3, 2021. The Board will consider renewal upon receipt of proper application on or before that date.
9. No Special Permit, or modification, extension, or renewal thereof, shall take effect until a copy of the Decision has been recorded at the Middlesex South Registry of Deeds and a copy of the recorded Decision is provided to the Planning and Community Development Department. Such Decision shall bear the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, it has been dismissed or denied.
10. Any person aggrieved by the Decision may appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 17 within twenty (20) days after this Decision is filed with the Sudbury Town Clerk.
11. The Decision rendered herein is concerned only with the Zoning Bylaw and not with the Building Code or any other Town Bylaw. The Applicant is responsible for determining and complying with Town, State, and Federal regulations in using the authorization granted.

VOTE

The Zoning Board of Appeals of the Town of Sudbury acted as follows in the above matter:

MOTION: To approve petition # 20-20

VOTED: In Favor: 5
Opposed: 0
MOTION CARRIES

TOWN OF SUDBURY ZONING BOARD OF APPEALS

By, William Rae, Clerk

Case #: 20-20

Filing Date: August 17, 2020

Page 4 of 4

This is to certify that no notice of an appeal against Zoning Board of Appeals Decision Case # 20-20 was filed in the Town Clerk's office within 20 days after such decision was filed on August 17, 2020.

A True Copy Attest:

Rose M. Miranda
Assistant Town Clerk

Date



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314
www.sudbury.ma.us/boardofappeals

Case #: 20-21
Filing Date: August 17, 2020

DECISION SPECIAL PERMIT

LOCATION OF PROPERTY

14 Russet Lane
Sudbury, MA 01776

OWNER'S TITLE REFERENCE

Deed Dated: February 26, 1993
Book: 22943 Page: 219

NAME & ADDRESS OF APPLICANT(S)

Janice Ritter
14 Russet Lane
Sudbury, MA 01776

NAME & ADDRESS OF OWNER(S)

Scott and Janice Ritter
14 Russet Lane
Sudbury, MA 01776

DATE(S) OF PUBLIC HEARING

August 3, 2020

BOARD MEMBERS PRESENT & VOTING

John Riordan, Chair
William Ray, Clerk
Jonathan Gossels
Frank Riepe
Nancy Rubenstein

PROCEDURAL HISTORY

This Decision by the Zoning Board of Appeals (the Board) is in response to an application filed on June 29, 2020. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in the Sudbury Town Crier on July 16, 2020 and July 23, 2020, posted, and mailed to the Applicant, abutters, and other parties of interest as required by law, the public hearing was opened, conducted, and closed on August 3, 2020. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Planning and Community Development Department.

The Board received the following materials:

- Special Permit Application dated June 29, 2020
- Context Maps from Town of Sudbury MapsOnline date stamped June 29, 2020
- Plot Plan prepared by Des Lauriers & Associates Inc. date stamped June 29, 2020

DESCRIPTION

On June 29, 2020, the Board received an application for the renewal of a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning

TOWN CLERK
SUDBURY, MASS
2020 AUG 17 AM 10:14

Bylaw to raise up to eight (8) hens at 14 Russet Lane, Assessor's Map M10-0110, Single Residence A-1 Zoning District.

APPLICABLE LAW & DECISION CRITERIA

The following Massachusetts General Laws apply:
M.G.L. Chapter 40A, Section 9: Special Permits

Under the Town of Sudbury Zoning Bylaw:

Section 2313: The Board of Appeals may grant a special permit for the nonexempt raising of swine, poultry, furbearing animals, and the operation of kennels in any district; in accordance with Section 6200, such Board may impose such restrictions with respect to the conduct thereof as in its judgment may seem necessary for the general welfare of the Town.

Section 6200: Special Permits

FINDINGS

On August 3, 2020, the Board opened, conducted, and closed the public hearing. Janice Ritter appeared at the hearing. The Applicant seeks the renewal of a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to eight (8) hens at 14 Russet Lane, Assessor's Map M10-0110, Single Residence A-1 Zoning District.

The Board, after considering the materials submitted with the application, together with the information presented at the hearing, finds:

1. The Applicant seeks the renewal of **Special Permit 19-18** under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to eight (8) hens at 14 Russet Lane.
2. The proposed activity which is the subject of this application is described in the application dated June 29, 2020.
3. The use is in harmony with the general purposes and intent of the bylaw. This use is allowed in the Single Residence A-1 Zoning District by Special Permit.
4. The use is in an appropriate location, is not detrimental to the neighborhood, and does not significantly alter the character of the zoning district.
5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
6. The proposed use will not be substantially detrimental or offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisances. The proposal has been designed to mitigate impacts on neighboring properties.
7. The proposed use will not cause undue traffic congestion in the immediate area.
8. The Board has imposed restrictions which are necessary for the general welfare of the neighborhood and the Town, noted below.

DECISION of the Board on the application of Janice Ritter (the Applicant), for the renewal of Special Permit 19-18 under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Zoning Bylaw to raise up to eight (8) hens at 14 Russet Lane, Assessor's Map M10-0110, Single Residence A-1 Zoning District.

Therefore, after reviewing the available materials and based upon the above findings, the Zoning Board of Appeals on August 3, 2020 voted 5-0 to **GRANT** the renewal of **SPECIAL PERMIT 19-18** subject, to the following conditions:

1. The proposed activity shall be conducted strictly in accordance with the application and plans submitted, and the materials contained in the file.
2. The chickens shall not become a nuisance.
3. The maximum number of chickens allowed on the subject property is eight (8). No roosters shall be kept on the subject property.
4. One (1) low-watt light no greater than 60 watts will be allowed inside the chicken coop. The light may be turned on 24-hours per day.
5. All waste shall be composted or disposed of in the household trash to be removed from the property on a regular basis. The waste shall be odorless to any neighbors.
6. No commercial activity consisting of the sale of eggs, chickens, or chicken products will be allowed on the subject property.
7. This Special Permit is non-transferable and will expire in five (5) years on August 3, 2025. The Board will consider renewal upon receipt of proper application on or before that date.
8. No Special Permit, or modification, extension, or renewal thereof, shall take effect until a copy of the Decision has been recorded at the Middlesex South Registry of Deeds and a copy of the recorded Decision is provided to the Planning and Community Development Department. Such Decision shall bear the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, it has been dismissed or denied.
9. Any person aggrieved by the Decision may appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 17 within twenty (20) days after this Decision is filed with the Sudbury Town Clerk.
10. The Decision rendered herein is concerned only with the Zoning Bylaw and not with the Building Code or any other Town Bylaw. The Applicant is responsible for determining and complying with Town, State, and Federal regulations in using the authorization granted.

VOTE

The Zoning Board of Appeals of the Town of Sudbury acted as follows in the above matter:

MOTION: To approve petition # 20-21

VOTED: In Favor: 5
Opposed: 0
MOTION CARRIES

TOWN OF SUDBURY ZONING BOARD OF APPEALS

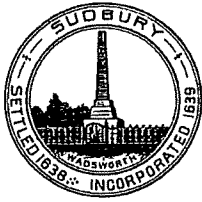
By, William Ray Clerk

This is to certify that no notice of an appeal against Zoning Board of Appeals Decision Case # 20-21 was filed in the Town Clerk's office within 20 days after such decision was filed on August 17, 2020.

A True Copy Attest:

Rose M. Miranda
Assistant Town Clerk

Date



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314
www.sudbury.ma.us/boardofappeals

NOTICE OF PUBLIC HEARING

The Sudbury Zoning Board of Appeals will hold a Public Hearing on
Monday, September 14, 2020 at 7:00 PM
Lower Town Hall, 322 Concord Road, Sudbury, MA or as a Virtual Meeting

On the following applications:

1. Public Hearing, Case 20-23 – Matt Ludwig, Applicant, and Blue Hills Fuels, LLC., Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3226, 3240, 3260, 3265, 3265B, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to erect a new signage, including a freestanding sign, at **470 Boston Post Road**, Assessor's Map K08-0064, Business-5 and Water Resource Protection Overlay Zone II Zoning Districts.
2. Public Hearing, Case 20-24 – Sudbury Historical Society, Applicant, and the Town of Sudbury, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3280, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to erect new freestanding signage at **288 Old Sudbury Road**, Assessor's Map H09-0062, Single Residence A-1 and Water Resource Protection Overlay Zone III Zoning Districts, and the Old Sudbury Historic District.
3. Public Hearing, Case 20-25 – Kamal Hadidi, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to twelve (12) hens at **101 River Road**, Assessor's Map K11-0201, Single Residence A-1 and Single Residence C-2 Zoning Districts.

The applications are on file in the Town Clerk's Office and the Planning and Community Development Department.

Petitioners must be present or send an authorized representative.

ZONING BOARD OF APPEALS
By: John Riordan, Chair

To be advertised in the Sudbury Town Crier on August 27, 2020 and September 3, 2020.

Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on **Wednesday, September 09, 2020** in the **Ablondi Room** of the Memorial Building, 150 Concord Street, Framingham, **OR via remote conference**, to consider:

20-23 | 7:00 PM

Petition of **Robert Vinskus and 85 Walnut Street LLC** for a **Variance** to rebuild single family residence and front yard setback 30' required, pursuant to §IV.E.2. of the Zoning By-Law, on the premises located at **85 Walnut Street**, Parcel ID: 111-61-7264-000, Zoning District: Single Residence (R-1).

Visit www.FraminghamMA.gov/meetings for more information.

Legal notice can be found in the MetroWest Daily News or on MassPublicNotices.org.

Stephen E. Meltzer, Chair

Office: 508-532-5456, ZBA@FraminghamMA.gov

Framingham Zoning Board of Appeals - Notice of Hearing

Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on **Wednesday, September 09, 2020** in the **Ablondi Room** of the Memorial Building, 150 Concord Street, Framingham, **OR via remote conference**, to consider:

20-20 | 7:00 PM

Petition of **Framingham RD LLC and Sharma Group LLC** for a **Variance** to construct an addition to existing one story structure for day care of dogs and veterinary use; pursuant to §IV.E.5.J. of the Zoning By-Law, on the premises located at **2 Beacon Street**, Parcel ID: 102-03-7914-000, Zoning District: Business (B) and Regional Center (RC) Highway Overlay.

Visit www.FraminghamMA.gov/meetings for more information.

Legal notice can be found in the MetroWest Daily News or on MassPublicNotices.org.

Stephen E. Meltzer, Chair

Office: 508-532-5456, ZBA@FraminghamMA.gov

Framingham Zoning Board of Appeals - Notice of Hearing

Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on **Wednesday, September 09, 2020** in the **Ablondi Room** of the Memorial Building, 150 Concord Street, Framingham, **OR via remote conference**, to consider:

20-21 | 7:00 PM

Petition of **Kenneth Weiss and Niza G. Weiss** for a **Variance** to build a 12x16 – 180sq feet shed within the setback, pursuant to §IV.E.2.A. of the Zoning By-Law, on the premises located at **14 Amy Road**, Parcel ID: 056-10-3884-000, Zoning District: Single Residence (R-4).

Visit www.FraminghamMA.gov/meetings for more information.

Legal notice can be found in the MetroWest Daily News or on MassPublicNotices.org.

Stephen E. Meltzer, Chair

Office: 508-532-5456, ZBA@FraminghamMA.gov

Framingham Zoning Board of Appeals - Notice of Hearing

Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on **Wednesday, September 09, 2020** in the **Abbondi Room** of the Memorial Building, 150 Concord Street, Framingham, **OR via remote conference**, to consider:

20-24 | 7:00 PM

Petition of Santander Bank, NA and S-BNK FRAMINGHAM WHITTIER LLC for a **Finding** to replace the existing bank branch building and drive-thru service area with a new modern building with drive-thru, pursuant to §1.D.8.b. of the Zoning By-Law, on the premises located at **490 Cochituate Road**, Parcel ID: 083-46-4443-000, Zoning District: Light Manufacturing (M-1).

Visit www.FraminghamMA.gov/meetings for more information.

Legal notice can be found in the MetroWest Daily News or on MassPublicNotices.org.

Stephen E. Meltzer, Chair

Office: 508-532-5456, ZBA@FraminghamMA.gov