



CITY OF MARLBOROUGH
City Council Agenda

Monday, April 11, 2022
8:00 PM

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 APR -7 P 1:30

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlbrough-ma.gov).

1. Minutes, City Council Meeting, March 28, 2022.
2. PUBLIC HEARING on the Petition from Massachusetts Electric to relocate and install a new pole to remove a tree guy on Amory Road, Order No. 22-1008554.
3. PUBLIC HEARING on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, Order No. 22-1008558.
 - a) Tolling Agreement between New Cingular Wireless PCS LLC (d/b/a AT&T) and the City of Marlborough to extend time limitations to June 8, 2022, for approval of a small cell wireless facility, 241 Forest Street.
4. PUBLIC HEARING on the Application for Modification of Special Permit from 587 Bolton Street, Inc., to allow for outdoor seating, a gazebo and bar area at 587 Bolton Street, Order No. 22-1008542.
5. PUBLIC HEARING on the Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158, Order No. 21/22-1008475B.
6. Presentation by Solicitor Jason Grossfield, re: Draft Department of Housing & Community Development (DHCD) Guidelines for MBTA Communities relative to Chapter 358 of the Acts of 2020, Multi-Family Zoning Requirements, Order No. 22-1008552.
 - a) Information and comments from the Metropolitan Area Planning Council (MAPC) and the MetroWest Regional Collaborative (MWRC) relative to the draft guidelines and changes to MGL Chapter 40A.
7. Communication from Councilors Ossing & Wagner, re: Municipal Aggregation – March 2022 Update.
8. Communication from the Mayor, re: Gift Acceptance in the amount of \$350.00 from St. Mary's Credit Union awarded to the Council on Aging for the sponsorship of the McMurphy Band for the St. Patrick's Day event.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

9. Communication from the Mayor, re: Grant Acceptance in the amount of \$500.00 from the Massachusetts Council on Aging awarded to the Council on Aging to be used for the Walk MA Challenge.
10. Communication from the Mayor, re: Grant Acceptance in the amount of \$7,500.00 from the Massachusetts Cultural Council awarded to the Marlborough Downtown Village Cultural District to be used to offset costs for the annual Food Truck & Arts Festival run by the Marlborough Economic Development Corporation (MEDC).
11. Communication from the Mayor, re: Transfer Request in the amount of \$589,691.00 which moves funds from Economic Development to MEDC to fund the FY23 operations of the Marlborough Economic Development Corporation (MEDC).
12. Communication from Department of Public Utilities, re: Investigation by the department regarding its potential policies that will enable the Commonwealth to reach its goal of net-zero greenhouse gas emissions by 2050.
13. Communication from Department of Public Utilities, re: Petition of MA Electric and Nantucket Electric d/b/a National Grid for a waiver of the basic service procurement requirements for residential and small commercial customers for the Winter of 2022/2023 basic service period.
14. Application for a Special Permit and Site Plan Approval from Cellco Partnership d/b/a Verizon Wireless to install a new stealth Wireless Communication Facility, including an 80-foot stealth pole with accessory ground equipment at 739-769 Donald J. Lynch Boulevard.
15. Communication from Attorney Brian Falk on behalf of Alta Marlborough, LLC (Wood Partners), re: Proposed Zoning Amendment to Chapter 650 §39 "Neighborhood Business District".
16. Application for Special Permit from Attorney Brian Falk, on behalf of Alta Marlborough, LLC (Wood Partners), to build a mixed-use project in the Neighborhood Business District consisting of 10,074 square feet of ground floor retail and commercial space, 276 dwelling units in addition to an on-site parking garage with 448 spaces to be located at the corner of Lincoln and Mechanic Streets.
17. Minutes of Boards, Commissions and Committees:
 - a) City Council Climate Resiliency Committee, March 21, 2022.
 - b) Board of Assessors, February 4, 2022.
 - c) Commission on Disabilities, May 4, 2021 & July 6, 2021.
 - d) Library Trustees, March 1, 2022.
 - e) Planning Board, February 28, 2022.
 - f) Traffic Commission, January 26, 2022
18. CLAIMS:
 - a) William Alonzo, 292 Thacher Street, Attleboro, pothole or other road defect.
 - b) Joshua Oram, 276 Main Street, #2B, other property damage and/or personal injury.
 - c) Vera Wooten, 7 Broad Street, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Operations & Oversight Committee**19. Order No. 22-1008513: Succession Planning Project Information submitted by Mayor Vigeant.**

Recommendation of the Operations & Oversight Committee is to Refer back to the Mayor.

Motion by Councilor Dumais, seconded by Councilor Doucette, the committee voted to recommend that the Succession Planning Project Information be referred back to the Mayor. Vote 2 -1 Carries; (Councilors Dumais & Doucette in favor; Chair Oram opposed).

From Personnel Committee**20. Order No. 22-1008511: Reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027.**

Recommendation of the Personnel Committee is to APPROVE.

Motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027. Vote 3-0.

From Finance Committee**21. Order No. 22-1008526: Proposed Order for the establishment of the West Side Fire Station Stabilization Account.**

Recommendation of the Finance Committee is to APPROVE.

Motion by Councilor Dumais, seconded by Chair Irish, the committee voted to recommend approval of the establishment of the West Side Fire Station Stabilization Account as submitted by Mayor Vigeant. Vote 5-0.

22. Order No. 21-1008402A-1: Proposed Order to authorize the purchase of 100 Locke Drive for the purpose of building a new Fire Station.

Recommendation of the Finance Committee is to APPROVE the Order as amended.

Motion by Councilor Dumais to remove the word "Stabilization" for the word "Undesignated" in the Order authorizing the City to acquire real property located at 100 Locke Drive; authorize an appropriation from Undesignated Fund in the amount of \$5,092,666.66 to provide funding for said acquisition and authorize Mayor to accept a deed for said property at 100 Locke Drive the committee voted to approve the Order as amended. Vote 5-0.

23. Order No. 21-1008402B-2: Proposed amended Transfer request in the amount of \$5,092,666.66 relative to the acquisition of 100 Locke Drive for a new Fire Station clarifying the funding sources.

Recommendation of the Finance Committee is to APPROVE the amended transfer.

Motion by Councilor Oram, seconded by Chair Irish, to approve the amended transfer to clarify funding sources as submitted from Mayor Vigeant, the committee voted to approve the transfer. Vote 5-0.

Councilors-at-Large

Mark A. Oram
 Michael H. Ossing
 Samantha Perlman
 Kathleen D. Robey

**Ward Councilors**

Ward 1 – Laura J. Wagner
 Ward 2 – David Doucette
 Ward 3 – J. Christian Dumais
 Ward 4 – Teona C. Brown
 Ward 5 – John J. Irish
 Ward 6 – Sean A. Navin
 Ward 7 – Donald R. Landers, Sr.

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
 CITY COUNCIL
 MEETING MINUTES
 MONDAY, MARCH 28, 2022**

The regular meeting of the City Council was held on Monday, March 28, 2022, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:17 PM.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, March 14, 2022, **FILE**; adopted.

Motion by Councilor Robey, seconded by the Chair to move up Public Hearing - adopted

That the **PUBLIC HEARING** on the the Petition from Massachusetts Electric, to replace direct buried cable for Woodland Estates with 5457' of 1-2" cable in conduit install 85' of 2-3" conduit from riser poles to pullboxes, 10 pullboxes, 1 heavy duty handhole, 1 junction box, replace 3 submersible transformers with pad mounted transformers and replace 4 risers to install 1-2" cable in conduit via directional drilling on Vega Road, Order No. 22-1008541, all were heard who wish to be heard, hearing closed at 8:11 PM, adopted.

Councilors Present: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.

Motion by Councilor Robey, seconded by the Chair to **TABLE** the update from the Mayor Vigeant until he is available or to move it to the end of the agenda – adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

Suspension of the Rules requested to allow the Mayor to speak – granted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$25,000.00 from the Massachusetts Attorney General's Office awarded to the City of Marlborough to be administered through the Human Services Office, for fuel assistance for Marlborough residents in need; adopted.

Motion by Councilor Robey, seconded by the Chair to **REMOVE FROM THE TABLE** the update from Mayor Vigeant – adopted.

Mayor Vigeant addressed the City Council and provided information on COVID-19 and city events, he then stated that he had no new information relative to the Fire Station as all the information was provided during the Finance Committee meeting.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Statement of Interest for Marlborough Public Schools to the Massachusetts School Building Authority (MSBA) relative to the Richer School, referred to the **FINANCE COMMITTEE**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Request from Solicitor Jason Grossfield to present information regarding Chapter 358 of the Acts of 2020, Multi-Family Zoning Requirements, be placed on the **CITY COUNCIL AGENDA FOR APRIL 11, 2022**; adopted.

Motion by Councilor Perlman, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Sewer and Drainage Easements relative to certain parcels on Lacombe Street, in proper legal form, Order No. 22-1008516, **MOVED TO REPORTS OF COMMITTEE**; adopted.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Planning Board, re: Howes Landing Subdivision, Recommended acceptance of Gikas Lane as a Public Way, referred to the **PUBLIC SERVICES COMMITTEE AND LEGAL DEPARTMENT**; adopted.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That there being no objection thereto set **MONDAY APRIL 11, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric to relocate and install a new pole to remove a tree guy on Amory Road, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That the Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard, **APPROVED CONTINGENT UPON SUCCESSFUL CORI CHECK BY THE POLICE CHIEF**; adopted.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That the Application for Renewal of Junk Dealer/Secondhand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Secondhand Store, 65 Mechanic Street, **APPROVED CONTINGENT UPON SUCCESSFUL CORI CHECK BY THE POLICE CHIEF**; adopted.

Councilor Dumais recused.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That the Application for Renewal of Junk Dealer/Secondhand Dealer License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street, **APPROVED CONTINGENT UPON SUCCESSFUL CORI CHECK BY THE POLICE CHIEF**; adopted.

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That there being no objection thereto set **MONDAY APRIL 11, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) Conservation Commission, February 17, 2022 & March 3, 2022.
- b) Historical Commission, January 20, 2022.
- c) Municipal Aggregation Committee, March 22, 2022.
- d) Planning Board, February 14, 2022.
- e) Zoning Board of Appeals, March 8, 2022

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) Sarah Ayaz, 8 Eureka Street, #1, Worcester, pothole or other road defect.
- b) Beth Bryant, 15 Farm Road, pothole or other road defect.
- c) Anthony Giovane, 75 Roosevelt Street, Hudson, MA, pothole or other road defect.
- d) Laura Henderson, 53 Clearview Drive, pothole or other road defect.
- e) Matthew Pfleger, 16 Birchwood Lane, Hopkinton, pothole or other road defect.

Reports of Committees:

Councilor Dumais reported the following out of the Personnel Committee:

**City Council Personnel Committee
March 21, 2022
Minutes and Report**

This meeting convened at 6:03 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting members present: Chair Dumais, Councilors Navin and Doucette.

Other members present: Councilors Wagner, Perlman, Robey, Brown, Irish and Ossing. Councilors Oram & Landers arrived after the convening of the meeting.

Order No. 22-1008511: Reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027. Vote 3-0.

Motion made and seconded to adjourn; the meeting adjourned at 6:12 PM.

Reports of Committee Continued:

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

**City Council Legislative & Legal Affairs Committee
March 21, 2022
Minutes and Report**

This meeting convened at 7:24 PM since several other Council meetings occurred that evening. It was held in the City Council Chamber on the second floor of City Hall. Public attendance was permitted. The meeting was televised on WMCT-TV (Comcast Channel 8) and Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Committee Members Present: Chair Perlman, Councilors Oram, and Robey.

Other Councilors Present: Councilors Brown, Doucette, Dumais, Irish, Landers, Navin, Ossing, and Wagner.

Also Present: City Engineer DiPersio, Applicant Paul DiTullio and Peter Bemis of Engineering Design Consultants, Inc.

Order No. 22-1008516: Communication from Engineering Design Consultants on behalf of Lacombe Business Center re: Sewer Taking and Easement Relative to certain parcels on Lacombe Street.

Chair Perlman thanked the City Engineer and City Solicitor for preparing materials in advance for the Committee packet regarding the background history of this order number. Engineer DiPersio explained the background history of the Lacombe Business Center which was on land previously owned by the city. Before the City sold the land, it kept a piece of land around the sewer line and maintained ownership. Historically, this strip of land came to be known as an easement in the 1960s. There is nothing in the chain of title demonstrating that the city gave up its ownership of this strip of land. This order requests that the City release its ownership of this land over the sewer, so it is officially in the title and the City still retains the easement rights. Additionally, the applicant is making an adjustment to a drain easement on another part of the property that the City has rights to in order to make the easement reflect what is on the ground.

Mr. Bemis of Engineering Design Consultants, Inc. agreed that the language was supported by the applicant and agrees with the Engineer's comments. Councilor Oram then asked a question regarding whether any work is needed at the sewer pipe in question and recommended the sewer pipe be inspected. Engineer DiPersio responded this had not been checked but the city still maintains access to the area given the easement. Councilor Robey highlighted that the property consists of multiple buildings that are not directly on the easement. She brought up the question of outside storage. Mr. Bemis responded that nothing was there and that this easement area is the old extension of Brook Street. The stretch in question is mostly paved and open without any structures.

Councilor Robey moved to approve the order, which includes authorizing the Mayor to execute the deeds, accept the sewer easement, and authorizes the Mayor to execute an amendment to the easement and release the attached deeds. Following comments from Councilor Ossing, Chair Perlman added the request for the documents to be in proper form from the City Solicitor for our next meeting. Chair Perlman seconded Councilor Robey's motion and asked committee members if they would support a suspension request at the March 28th meeting. The motion carried 3-0.

Reports of Committee Continued:

On a motion made by Councilor Robey, seconded by Chair Perlman, and approved 3-0, the Committee adjourned at 7:37 PM.

Councilor Oram reported the following out of Operations & Oversight Committee:

**Operations and Oversight Committee
March 21, 2022
Minutes and Report**

This meeting convened at 6:13 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting members present: Chair Oram, Councilors Dumais and Doucette.

Non-voting members present: Councilors Wagner, Perlman, Robey, Brown, Irish, Navin, Landers and Ossing.

Order No. 22-1008513: Succession Planning Project Information submitted by Mayor Vigeant.

Voting and non-voting councilors discussed the procedural steps necessary regarding the Succession Plan information submitted by the Mayor, some with the opinion that it is the job of the Mayor to take steps to move forward with any of the suggested changes in the plan and Chair Oram believing the City Council could take a more active role.

On a motion by Councilor Dumais, seconded by Councilor Doucette, the committee voted to recommend that the Succession Planning Project Information be referred back to the Mayor. Vote 2 -1 Carries; (Councilors Dumais & Doucette in favor; Chair Oram opposed).

Motion made and seconded to adjourn; the meeting adjourned at 6:42 PM.

Councilor Irish reported the following out of Finance Committee:

**City Council Finance Committee
March 21, 2022
Minutes and Report**

This meeting convened at 7:38 PM and was held in the City Council Chamber and open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and was available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Members Present: Chair Irish, Councilors Dumais, Perlman, Oram and Brown

Other Councilors Present: Councilors Ossing, Wagner, Doucette, Robey, Navin and Landers.

Also present were Mayor Vigeant, Fire Chief Breen and City Auditor Smith.

The committee reviewed the following Four (4) Council Orders:

Order No. 22-1008525: Transfer in the amount of \$361,080.93 from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT-TV for FY2023.

Reports of Committee Continued:

On a motion by Councilor Dumais, seconded by Chair Irish, the committee voted to recommend approval of the transfer to fund the operation of WMCT-TV as submitted. Vote 5-0.

The Chair will request a Suspension of the Rules to approve this budget on March 28, 2022.

Order No. 22-1008526: Proposed Order for the establishment of the West Side Fire Station Stabilization Account.

On a motion by Councilor Dumais, seconded by Chair Irish, the committee voted to recommend approval of the establishment of the West Side Fire Station Stabilization Account as submitted by Mayor Vigeant. Vote 5-0.

The committee discussed the following Orders regarding the proposed West Side Fire Station:

Order No. 21-1008402B-2: Proposed amended Transfer request relative to the acquisition of 100 Locke Drive for a new Fire Station clarifying the funding sources.

and:

Order No. 21-1008402A-1: Proposed Order to authorize the purchase of 100 Locke Drive for the purpose of building a new Fire Station.

On a motion by Councilor Dumais to remove the word “Stabilization” for the word “Undesignated” in the Order authorizing the City to acquire real property located at 100 Locke Drive; authorize an appropriation from Undesignated Fund in the amount of \$5,092,666.66 to provide funding for said acquisition and authorize Mayor to accept a deed for said property at 100 Locke Drive, the committee voted to approve the Order as amended. Vote 5-0.

On motion by Councilor Oram, seconded by Chair Irish, to approve the amended transfer to clarify funding sources as submitted from Mayor Vigeant, the committee voted to approve the transfer. Vote 5-0.

Motion made and seconded to adjourn; the meeting adjourned at 9:15 PM.

Councilor Doucette gave an oral report regarding the meeting of the Climate Resiliency Committee held on March 21, 2022.

Motion by Councilor Perlman, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Sewer and Drainage Easements relative to certain parcels on Lacombe Street, in proper legal form, Order No. 22-1008516, **FILE**; adopted.

Motion by Councilor Perlman, seconded by the Chair to adopt the following:

Suspension of the Rules requested – granted.

ORDERED: That the City Council for the City of Marlborough having received a request on behalf of Lacombe Business Center and Jeffery Furmanick and Jonathan White, Trustees of the 58 and 62 Lacombe Street Trust (collectively the “Requesters”) to release any rights that the City of Marlborough may own in a certain thirty (30’) foot strip of land (the “Sewer Land”) which may have previously been taken or reserved for municipal sewer purposes, and to affirmatively grant a sewer easement over said Sewer Land in favor of the City of Marlborough, located within the properties known as 44, 51, 58, and 62 Lacombe Street, Marlborough, MA, and where the City Engineer has confirmed that to the extent the City may own any such rights in the Sewer Land they are no longer needed for a public purpose provided that the City maintains a sewer easement over the Sewer Land, and further,

Requester Lacombe Business Center and the City, upon the recommendation of the City Engineer, seek to amend certain drainage and flow easements previously granted to the City at the time of the Street Acceptance of the Lacombe Street Extension in order to clarify the location of the easement areas over the properties known as 51, 61, and 65 Lacombe Street, Marlborough, MA,

In furtherance of the above, the City Council hereby authorizes the following:

- (1) The Mayor is authorized to execute release deeds in connection with any rights held by the City in the Sewer Land substantially in the form attached hereto;
- (2) The City hereby accepts the sewer easements in the Sewer Land substantially in the form attached hereto, reflecting the area shown as “Proposed 30’ Wide Sewer Easement” as shown on the plan prepared by Engineering Design Consultants, Inc. titled Proposed Lotting & Sewer Easement Exhibit, Sheet 2 of 2, Date: February 7, 2022;
- (3) The Mayor is authorized to execute an Amendment to Easement in connection with the above-referenced drainage and flow easements held by the City substantially in the form attached hereto, reflecting the amended area as shown on the plan referenced therein; and
- (4) The release deeds, sewer easements, and amendment to easement shall be recorded together contemporaneously by the requesters. All costs associating with recording all necessary documents and plans referenced herein with the Registry of Deeds shall be the responsibility of the requesters, and a copy of all recorded documents shall be contemporaneously filed by the requesters with the City Engineer and City Solicitor.

APPROVED; adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

Suspension of the Rules requested – granted.

ORDERED That the Transfer Request in the amount of \$361,080.93 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT-TV for FY2023, **APPROVED**; adopted.

Councilor Ossing filed a Disclosure of Appearance of Conflict of Interest for the record.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:		Mayor				FISCAL YEAR:		2022	
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$439,542.81</u>	<u>\$361,080.93</u>	<u>27000099</u>	<u>47750</u>	<u>Receipts Reserved-PEG Funds</u>	<u>\$361,080.93</u>	<u>89000</u>	<u>25581</u>	<u>Marlboro Cable Trust</u>	<u>\$0.00</u>
Reason:		<u>To fund WMCTS FY23 Budget</u>							
\$361,080.93		Total		\$361,080.93		Total			

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:17 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., MARCH 28, 2022

ORDERED:

That there being no objection thereto set **MONDAY APRIL 11, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric to relocate and install a new pole to remove a tree guy on Amory Road, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 22-1008554



IN CITY COUNCIL

Marlborough, Mass., MARCH 28, 2022

ORDERED:

That there being no objection thereto set **MONDAY APRIL 11, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 22-1008558

TOLLING AGREEMENT

RECEIVED
CITY CLERK
CITY OF MARLBOROUGH
OFFICE
OUGH

This Tolling Agreement is made and entered into this 2022-04-11 day of April, 2022 ("Effective Date") by and between New Cingular Wireless PCS LLC ("AT&T") and the City of Marlborough, Massachusetts.

RECITALS

WHEREAS, AT&T has filed an application dated February 23, 2022 under G.L. c. 166, §22 and Chapter 473, Article III of the City of Marlborough General Code for the location of a small cell wireless facility and the necessary sustaining and protecting fixtures on an existing utility pole (#25-2) located adjacent to 241 Forest Street, Marlborough, Massachusetts;

WHEREAS, the City has undertaken to schedule the application for review with Public Services Committee;

WHEREAS, the City and AT&T working cooperatively are agreeable to allowing additional time to complete the review of the application in an orderly manner;

NOW, THEREFORE, the Parties agree as follows:

1. The time period within which the City must issue a written order approving or rejecting the application shall be extended through June 8, 2022 (the "Extension Date").
2. If the City fails to act on the application by the Extension Date, this Agreement shall not be construed to waive or otherwise impair the rights of the parties with respect to: (a) any claim that such failure to act is an "unreasonable delay" under 47 U.S.C. 332(c)(7)(B) or otherwise, and (b) the City to rebut such claims.

IN WITNESS WHEREOF, the Parties hereto have set their hands and caused this Agreement to be effective as of the Effective Date.

New Cingular Wireless PCS LLC

City of Marlborough, Massachusetts

Signature: Michael R. Dolan (jd)

Signature: _____

Print Name: Michael R. Dolan, Esq.

Print Name: _____

Title: Attorney and Agent for New Cingular Wireless PCS LLC

Title: _____

Date: March 31, 2022

Date: _____



IN CITY COUNCIL

Marlborough, Mass., MARCH 14, 2022

ORDERED:

That there being no objection thereto set **MONDAY, APRIL 11, 2022**, as **DATE FOR PUBLIC HEARING**, on the Application for Modification of Special Permit from 587 Bolton Street, Inc., to allow for outdoor seating, a gazebo and bar area at 587 Bolton Street, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 07/10/22 which falls on a Sunday, therefore 07/11/22 would be considered the 90th day.

ADOPTED

ORDER NO. 22-1008542
X 13-1005456B



IN CITY COUNCIL

Marlborough, Mass., MARCH 14, 2022

ORDERED:

That the Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158, be and is herewith referred to **PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, APRIL 11, 2022.**

THAT, PURSUANT TO SECTION 5 OF CHAPTER 40A OF THE GENERAL LAWS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT CHAPTER 650 OF THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. The Zoning Map established by Chapter 650, Zoning, Article III Establishment of Districts, Section 650-8 "Boundaries Established; Zoning Map" is hereby amended as follows:
 - a. The zoning map amendments set forth herein shall be as shown on the map attached herewith entitled "Proposed Zoning Change Commercial Automotive to NB & RB".
 - b. The land shown on said attached map as "CA to NB" shall be included in the Neighborhood Business (NB) District. Said land includes the following:

City Assessor Map 56, Parcels 147, 148, 150, 151, 152, 153, and land within the rail trail corridor including the former rail spur; and
 - c. The land shown on said attached map as "CA to RB" shall be included in the Residence B (RB) District. Said land includes the following:

City Assessor Map 56, Parcels 154, 155, 156, 157, and 158.
- II. The effective date of these amendments shall be the date of passage.

Councilor Dumais recused.

ADOPTED

ORDER NO. 21/22-1008475B



IN CITY COUNCIL

Marlborough, Mass., MARCH 28, 2022

ORDERED:

That the Request from Solicitor Jason Grossfield to present information regarding Chapter 358 of the Acts of 2020, Multi-Family Zoning Requirements, be and is herewith placed on the **CITY COUNCIL AGENDA FOR APRIL 11, 2022.**

ADOPTED

ORDER NO. 22-1008552

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CITY CLERK'S OFFICE
CITY OF MATTAPOISETT

2022 APR -4 A 7:51

MAPC COMMENTS

MWRC COMMENTS

MBTA COMMUNITY
MULTI FAMILY HOUSING

In City Council
April 11, 2022

City Council

From: Kathleen Robey
Sent: Thursday, March 31, 2022 6:09 PM
To: City Council
Subject: Comments re MBTA MultifamilyHousing
Attachments: MAPC.CommentsMBTA.CommunityMultifamilyHousing.pdf;
MWRC.Comments.MBTA.CommunityMultiFamilyHousing.pdf

Karen,

Please share as information only in conjunction with our April 11 meeting.

On April 11 Council meeting, the Solicitor and MAPC will present information regarding Chapter 358 of the Acts of 2020, or more specifically Section 18 which amends MGL Chapter 40A with a new Section 3A. The deadline to submit comments on the draft regulations is March 31, 2022.

Attached are copies of two organizations comments that were submitted to Secretary Kennealy re new Section 3A of MGL Chapter 40A. One is from MAPC and one is from MWRC-MetroWest Regional Collaborative.

Katie Robey



SMART GROWTH AND REGIONAL COLLABORATION

March 16, 2022

Secretary Michael Kennealy
Executive Office of Housing and Economic Development
1 Ashburton Place, Room 2101
Boston, MA 02108

Dear Secretary Kennealy:

I am writing to share MAPC's public comments on the draft guidelines for the new Section 3A of M.G.L. Chapter 40A. Of the 175 communities across the Commonwealth subject to these new requirements, 97 are in the MAPC region.¹ The following comments reflect MAPC's position on how the guidelines can best (1) advance the objectives of the law and (2) position municipalities to comply with the requirement. They are rooted in analysis by MAPC staff, input from housing policy experts, and feedback from our member municipalities.

Equity

I'd like to convey MAPC's enthusiasm for the principles outlined in section 3(b) of the guidelines, which overlap with many goals from our regional plan, *MetroCommon 2050*, adopted in November 2021. We agree that all MBTA communities should contribute to the production of new housing and that areas with safe and convenient transit access are especially appropriate for multifamily housing. The guidelines, however, do not explicitly include principles around equity. It is paramount that opportunities like Section 3A be used to redress the racial inequity and disparate impacts of longstanding housing practices that have excluded people from many communities in the Commonwealth, including policies that continue to this day. Towards that end, MAPC strongly believes the guidelines should provide communities with the tools to zone for affordable units and larger units suitable for families to meet the most pressing needs in the housing field and to make a significant dent in the region's segregation by race and income.

- **The guidelines should provide incentives for communities to adopt inclusionary zoning for their qualifying district or sub-districts. We recommend giving extra weight to deed-restricted affordable housing units when calculating unit capacity.** In districts where affordable units are required, a unit serving households at or below 80% of Area Median Income (AMI) could count as, say, 1.5 units toward minimum unit capacity, while a unit serving households at or below 50% of AMI could count as 2 units. This would enable communities to zone for slightly fewer units if they require affordable housing through inclusionary zoning or other means. For example, a district might allow for 100 units on a given parcel, while also requiring that 20 of the units are affordable at or below 80% AMI. In this case, the calculated unit capacity is 110: the number of market-rate units (80) plus the "weighted" number of affordable units (20 x 1.5=30). This change would encourage municipalities to establish mandatory inclusionary zoning policies when they otherwise would have little incentive to do so. With reasonable weights, the impacts on overall capacity will be relatively small while the number of affordable units produced could be quite large. To ensure that inclusionary zoning is not used as a barrier to development, the guidelines should require a financial feasibility analysis for mandatory set-asides above 15%.

¹ Our remaining four communities are Boston, which is exempt from Chapter 40A, and Hudson, Bolton, and Milford, which are not MBTA communities.

- While the guidelines stipulate districts cannot include age restrictions or place limits on the size of units, number and size of bedrooms, or number of occupants, the guidelines should also address other zoning barriers to multi-bedroom units. **First, guidelines should require district parking regulations to be set on a per-unit basis rather than per bedroom.** Parking requirements based on the number of bedrooms discourage developers from building 3-plus bedroom units, which require more floor area *and* more parking area without commanding proportionally higher rent. Requiring municipalities to standardize parking requirements across unit sizes allows developers to make bedroom mix decisions based on the market. Additionally, EOHED should indicate its intention to review zoning for similar bedroom-based standards that could effectively discourage family-sized units.
- **Second, EOHED can advance family-sized housing objectives by requiring transparent and inclusive assumptions about unit size and bedroom mix when calculating unit capacity.** For example, any municipality that establishes density limits based on floor area will need to make assumptions about the bedroom distribution and corresponding unit sizes used to estimate unit yield for each district or subdistrict. If a municipality assumes all 1-bedroom and/or studio units, the yield estimate will be higher than if some larger units were in the mix. **The guidelines should require municipalities to assume a minimum of 15% family-sized units when calculating unit capacity.** EOHED should also establish guidelines for how to document, apply, and report such assumptions. These additions plainly advance the intention of the statute to meet the need for family housing.

Location of Districts

For the law to result in truly transit-oriented housing development, and not just housing that happens to be adjacent to transit, the guidelines should include additional language.

- **The guidelines should require at least $\frac{1}{4}$ of the district rather than $\frac{1}{2}$ to be within a $\frac{1}{2}$ -mile walking distance to the corresponding station and establish standards for walking distance.** Currently, municipalities could create districts that are easily a mile or more walking distance from the transit station, which would not advance the objectives of the legislation. The specific areas within a $\frac{1}{2}$ -mile walking distance can be easily determined using GIS data available from MassDOT, which should be shared with all municipalities. Municipalities should be allowed to submit their own walking distance calculations that account for planned projects or unmapped connections. Municipalities that wish to locate more than $\frac{1}{4}$ of their district *outside* of the station area should be required to demonstrate that either a) the station area is unsuitable for development based on specific criteria established by EOHED or b) the proposed location is superior with regard to transportation efficiency as measured through readily available metrics such as transit access to jobs or HUD's Location Affordability Index.
- **The guidelines should expressly allow communities with more than one station area to split their unit capacity across subdistricts in more than one station area. The guidelines should also direct municipalities with more than one station area to prioritize rezoning in the station area(s) more consistent with the Commonwealth's Sustainable Development Principles, and with higher levels of transit access to jobs, location affordability, and local walkability.** Multi-station area municipalities that locate districts or subdistricts in less-accessible station areas should be required to justify the proposed location.

- **EOHED should consider reducing the minimum acreage from 50 acres to 25 acres to allow smaller districts more appropriate for small, slow-growth communities, while requiring districts to contain a minimum number of developable parcels in order to ensure multiple options for developers.** This would prevent sprawling patterns of development and encourage more compact village style development.² Compactness is an essential element of successful transit-oriented development, enabling residents to walk to nearby amenities and the transit stop. While there are good reasons to ensure that a district includes multiple parcels and options for developers, oversized districts could end up experiencing scattered development that does not create a sense of place or walkability.

While beyond the scope of the guidance, it is also imperative that transit service be maintained if not enhanced. If municipalities are to undertake complicated rezoning efforts to facilitate transit-oriented development, then that transit must be reliable and accessible enough to encourage ridership.

Determination of “Reasonable Size”

MAPC applauds EOHED for setting an ambitious, forward-looking target for zoning capacity. The potential increase in zoning capacity—344,000 housing units—is at a scale sufficient to address the next 20 years of multifamily housing demand. By comparison, MAPC and the University of Massachusetts Donahue Institute have previously forecast that the municipalities subject to the law may grow by approximately 215,000 households overall from 2020 to 2040. Given demographic trends and policy goals, it’s reasonable to plan for 75% of this net demand to be met in transit-accessible locations. This translates to about 165,000 units. Therefore, the *regionwide* minimum unit capacity is roughly double the likely demand for multifamily housing in transit areas over the next 20 years. This is an appropriate ratio between capacity and demand.

However, the scale of local rezoning necessary to achieve these outcomes has raised great concern among MAPC’s municipalities, even those supportive of the overall mandate. Rezoning is a complex undertaking under any circumstances; in this case, the scale and timeline for compliance will require significant investment of staff and consultant time as well as political capital. Careful planning is needed to respond to infrastructure capacity limitations and to avoid unforeseen undesirable outcomes, such as demolition and replacement of existing naturally affordable housing. Higher targets also bring greater community opposition and increase the potential that municipalities will opt out of the requirement altogether.

- To reconcile the need for a substantial long-term increase in multifamily zoning capacity with local concerns about the scale and pace of rezoning, **MAPC suggests that the guidelines allow a phased approach that sets an overall lower target for the initial rezoning, followed by increases in the minimum unit capacity at regular intervals.** A phased approach would initially reduce the percentages for each transit service type by, say, two-thirds, thereby requiring municipalities to zone for one-third of the required capacity for the initial deadlines at the end of 2023 and 2024. For example, rapid transit communities would need to zone for a minimum unit capacity equal to 8.3% of their existing stock (one third of 25%). Communities would then have a

² While the definition of multifamily housing in the legislation precludes “missing middle” housing typologies such as clustered homes and duplexes, these housing types are appropriate for many transit areas, not to mention less intimidating for many communities. Furthermore, clustered homes and duplexes can be developed in such a way as to meet the minimum density requirement of 15 units per acre.

set period (e.g., 3 or 5 years) to again increase capacity by their set percentage (e.g., another 8.3% for rapid transit communities), followed by another interval and increasing requirement, so that at the end of six or ten years the full percentage for each service type is reached. This provides a predictable timeline for revisiting and improving district zoning, supporting the requirement's long-term success, while also creating substantial zoning capacity in the short term (115,000 units by the end of 2024.) Such an approach would be similar to the California Regional Housing Needs Allocation process, which sets a framework for municipalities to expand and improve their multifamily zoning districts on a predictable schedule. Communities should be permitted or even incentivized to zone for more than required during the initial rezoning if they don't want to repeat the process multiple times.

- **The guidelines should set a lower minimum unit capacity of no more than 375 units, and the effective capacity (minimum unit capacity/2020 housing units) should be capped at 25% (or a phased equivalent) so that no community is required to do more—in relative terms—than a rapid transit community.** MAPC analysis found the current 750-unit minimum applies to nearly half of the MBTA communities—generally those with the least transit access—and results in effective capacity requirements of up to 70% of existing housing stock. MAPC believes that such requirements are both unreasonable and undesirable; they have the potential to create capacity for tens of thousands of units of housing in areas that are largely car dependent. While it is important to ensure sizeable districts with many development options, it is also true that compactness is an essential element of transit-oriented development and smart growth, and a lower minimum unit capacity will help advance that objective.
- **MAPC continues to recommend that the guidelines use net unit capacity as the standard for compliance rather than allowing municipalities to demonstrate they meet the minimum unit capacity without netting out existing units or accounting for financial feasibility.** Dozens of municipalities have existing neighborhoods at or above the minimum density of 15 units per acre; for many municipalities, simply rezoning to “legalize” these neighborhoods at their existing density could meet the minimum unit capacity requirements without allowing for much new growth. MAPC analysis suggests such rezoning could reduce the cumulative net capacity by *at least* a quarter, with the greatest decreases among rapid transit communities. Creative rezoning by municipalities could reduce the effective net yield even further. As a result, the entire mandate may not have the impact it would if the zoning capacity were for *new* units. It could also lead to misunderstanding and mistrust when municipal officials reassure community members that the capacity in the district isn't *really* the number of new units that might be built.
- **MAPC encourages EOHED to reconsider the use of a formula based approach, such as one previously demonstrated by MAPC, that provides a tailored minimum unit capacity for each municipality, rather than assigning minimum unit capacity requirements based on transit categories.** Currently, the resulting percentages do not bear a consistent relationship to local level of transit service, housing need, or development opportunity and constraints. Some similarly situated communities have very different requirements based on their transit service designation. While seemingly simple, the service type classification could be challenged as arbitrary. MAPC's proposed formula combines information about transit accessibility to jobs, level of housing exclusion, and potentially developable transit station area to a set minimum unit capacity target for each municipality. The process starts with a baseline yield set by EOHED (say, 6% of existing housing stock). The formula adjusts the yield up or down based on the three factors; EOHED determines the relative weights of each factor and the total “spread” between high and low yield percentages. Variants on this formula could be used for MBTA adjacent

communities without a transit station area and for those where the minimum requirement results in an unreasonably high yield (e.g., 50% of existing stock.) For example, yield for adjacent communities could be calculated based only on housing exclusion measures. The formula could also cap the effective yield at two or three times the baseline yield, so no rural communities are subject to excessive requirements.

Minimum Gross Density

The statute indicates that a qualifying district must have a minimum gross density of 15 units per acre. MGL Chapter 40A defines the “gross density” measurement as inclusive of land occupied by public rights of way and other undevelopable land. This means that the actual allowable density on the average parcel will need to be higher than 15 units per acre to achieve that same minimum gross density at the district level. This is confusing as well as hard for municipalities to message; how can they defend passing a minimum density of 20 units per acre, for example, when the statute and the guidelines only require 15? It’s also inconsistent with typical local density regulations.

- **The guidelines or other materials from HED should acknowledge this discrepancy and include language that explains why it is necessary for compliant zoning to achieve an actual density of 15 units per acre. Municipalities need to be able to point to state language as a defense for their proposed density.**

Allowing Multifamily Housing “As of Right”

The guidelines stipulate that “as of right” development means that construction and occupancy of multifamily housing is allowed in the district without the need to obtain any discretionary permit or approval.

- **The guidelines should clarify that, while overlay districts in general are an acceptable mechanism to satisfy the requirements of Section 3A, a floating overlay district is not. Floating overlays require two sets of approvals: one to apply the overlay in a particular location and a second to approve the project itself. They do not constitute by-right development.**
- **The guidelines should establish a methodology for EOHED to monitor the extent to which site plan review is being used to slow or otherwise thwart development and revisit the guidelines in three years if there is need to remedy this. A municipality disinclined towards housing production could potentially use this tool to impose undue conditions on development, rather than to ensure development meets a community’s reasonable design goals.**

Determination of Compliance

Some of the most frequently voiced questions from municipalities about Section 3A relate to the calculation of yield, area, and density. The guidelines do not provide detailed instructions about how zoning features and other elements (such as wetlands or water and sewer capacity) should be considered in estimating whether the zoning meets capacity targets. EOHED has addressed many of these questions, but the level of detail provided so far still delegates many complex decisions to municipalities. While this enables more local control, it is also highly inefficient and creates an opportunity for municipalities to create methodologies that overstate capacity. Each municipality or consultant will have to develop its own approach to determining yield and compliance with the guidelines. A community could make a good faith effort to adopt zoning only to have it ruled ineligible. Estimates developed with different methods and different data sources will be hard to compare or even validate. EOHED has indicated its intention to

provide additional guidance and resources later, but the details of these calculations are essential elements of the program that should be documented in the guidelines.

- **To achieve transparency, the guidelines and review standards should utilize open and standardized information about existing conditions to determine capacity, area, and transit proximity, using formulas and tools that are easily reproducible and verifiable.** The increasing availability of statewide datasets about parcels, development activity, zoning, sewer service, and other development factors allows for consistent formulas and data sources across municipalities, enhancing fairness and efficiency. While not all such datasets are comprehensively available, the frameworks exist for municipalities to provide information in a standard format.
- **The guidelines should include or reference step-by-step workflows for determining unit capacity estimates using standardized datasets, local details, and zoning requirements.** The 2020 guidelines for the 40B General Minimum Land Area provide an example of how a complex, locally-specific analysis can be standardized. In this case, the guidelines should specify how to map “developable land” using readily-available datasets, how to document zoning parameters in a standard format (setbacks, height, FAR, parking requirements, etc.), and how to calculate unit capacity for each parcel. By providing communities with detailed instructions on how to calculate unit capacity using standard data, the guidelines could reduce the cost, burden, and variability inherent in requiring municipalities to determine the yield independently.
- **MAPC recommends that EOHED dedicate resources to the procurement of a decision support tool available to all municipalities to help with determining minimum unit capacity.** A website or application, pre-populated with available data and transparent formulas, could enable users to draw zoning district boundaries, specify density assumptions, and receive an estimate of district capacity. This will allow communities to focus on planning and consensus building instead of mapping and calculations.
- **To provide certainty to municipalities, the guidelines should detail how to document that their estimated capacity is not constrained by dimensional requirements, “limitations...resulting from inadequate water and sewer infrastructure,” or Title 5 limitations and physical conditions such as waterbodies and wetlands.** For parcels outside of existing or planned sewered areas, the capacity analysis should account for the leaching area needed to support the estimated yield on each parcel; and the analysis should include a count of how much of the capacity is on parcels that contain soils suitable for subsurface disposal based on NRCS classification. For parcels in areas proposed to be served by package treatment, the capacity analysis should identify potential treatment and discharge sites. For parcels served by public sewer, the capacity analysis should quantify the potential increase in flow to the system and available capacity to treat it.³

³ For municipalities without public sewer, limitations on certain forms of package treatment may be a barrier to development within the new zones. While outside the scope of these guidelines, MAPC recommends EOHED address issues with existing environmental regulations. Specifically, Massachusetts wastewater disposal regulations require projects of more than 44 units to use wastewater disposal practices that are expensive to permit, construct, operate, and maintain. Recent developments in wastewater disposal technology can provide a more cost-effective approach for mid-sized developments while also protecting human health and the environment. The State should consider a number of options to modernize its regulations, including a new tier of regulations for 45-to-90-unit developments and new ways of calculating flow rate for large developments.

Submittal Requirements

Implementation of Section 3A should minimize subjective review, loopholes, and opportunities for municipalities to avoid appropriate compliance, which is inevitably unfair to communities that make a good faith effort to comply. This will ensure that the program is implemented fairly and equitably, even in wealthy communities with access to sophisticated lawyers and consultants.

- **EOHED should offer towns the option of a preliminary review process before zoning goes to Town Meeting;** otherwise, they could mistakenly adopt non-compliant zoning and need to wait a whole year before undertaking another adoption campaign just to make what could be relatively minor adjustments. This process could be established similarly to DHCD's 40R compliance review.
- **All municipal submittals should be made in electronic format, with machine-readable information (shapefiles, data tables) about district boundaries, zoning standards, and other information.** While it is not feasible to expect municipalities to use a "standard" approach to their zoning, given the existing complexities of local conditions and existing land use codes, municipalities should be required to report certain basic elements of their qualifying zoning in a manner that is comparable across municipalities. For example, regulations related to height, unit density, parking requirements, lot coverage, allowable area, inclusionary zoning requirements, and other important factors should all be reported using the same units and definitions. This would enable information about the districts to be combined into a regional picture important to both developers and stakeholders.
- **The guidelines should specify that municipalities must notify DHCD and RPAs in the event of zoning amendments or rezoning during the 10-year compliance term.** If new zoning is adopted that is no longer in compliance with Section 3A, the municipality's status should be changed to non-compliant.

Conclusion

Section 3A is a tremendous opportunity to address the Commonwealth's housing crisis. With strong guidelines, it will not only help meet profound housing need, but also position our communities to become more inclusive and the region to become more sustainable. I appreciate your consideration of MAPC's comments on the draft guidelines and would be happy to answer any questions you may have. I look forward to the final guidelines for Section 3A and to working with our communities to adopt zoning that expands housing choice.

Sincerely,



Marc D. Draisen
Executive Director



March 31, 2022

Secretary Mike Kennealy
Executive Office of Housing and Economic Development
1 Ashburton Place, Room 2101
Boston, MA 02108

RE: Draft Guidelines for the new Section 3A of MGL c.40A

Dear Secretary Kennealy:

Thank you for the opportunity to provide feedback on the Draft Guidelines for the new Section 3A of MGL c.40A.

I am writing on behalf of the MetroWest Regional Collaborative. The MetroWest Regional Collaborative (MWRC) is a subregional organization of the Metropolitan Area Planning Council (MAPC) that serves the communities of Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Wellesley, and Weston. MWRC focuses on issues of land use, transportation, municipal governance, and coordination of municipal services. It facilitates interlocal collaboration, planning, and problem solving, and advocates for locally-initiated regional solutions to policy and planning challenges in MetroWest. Of the 9 communities in the MWRC region, all are among the 175 across the Commonwealth subject to these new requirements.

First, thank you for attending a joint meeting of our group and Minuteman Advisory Group on Interlocal Coordination (MAGIC) last month with a number of your staff to share an overview of the draft guidelines for the new Section 3A of M.G.L. Chapter 40A. As you saw from the turnout of more than 90 municipal officials and staff from the two subregions, interest is high. We appreciated the opportunity to ask questions about the draft and offer recommendations for where additional clarity might be helpful for implementation. This letter seeks to document topics raised during that conversation and in further discussions among MWRC communities.

Equity. There is interest in seeing if there could be ways Section 3A guidelines could incentivize affordable housing, family-sized housing and naturally occurring affordable housing which are key priorities in our communities.

Feasibility of Housing. There is an interest in better understanding the requirement in draft guidelines to “prove feasibility of housing in the zone” and what that might look like for a community to produce. For example, several MWRC communities rely on well water and sewer within possible zones. The uses of such areas are impacted by water regulations under the Executive Office of Energy and Environmental Affairs (EEA). Similarly, some possible zones are designated environmentally sensitive areas whose uses are restricted under still other EEA

regulations. It would be helpful to have more specific guidance on how these other areas of regulation relate to Section 3A compliance.

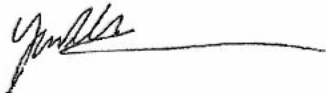
Minimum Capacity and Density requirements. There is interest in better understanding how existing zoning contributes towards compliance with minimum capacity and density requirements of the draft guidelines. MWRC would like to request that DHCD consider developing a standard methodology that could take into consideration different features of the zoning, including size of district, density, dimensional regulations, connectivity to transit and so forth, to see how they affect potential buildout.

We also want to reiterate comments made during the meeting that the minimum requirement of 750 units represents a large increase over existing housing in a number of MWRC communities. We encourage the Department to consider reducing that target amount and/or to consider a tiered approach to enable compliance with Section 3A.

Transit Investments. Lastly, while outside the scope of the draft guidelines, we want to lift up our support for continued investment in transit. In our communities, most MBTA commuter rail stations are not yet ADA accessible. This service, essential to the promise of transit-oriented development centered around MBTA stations remains out of reach for many residents. As you know, ADA standards are critical not only for residents with disabilities but improve access to transit for all residents from the child in a stroller to an adult navigating the platforms with luggage. The investment in transit goes beyond the physical infrastructure of stations to the frequency of the rides available. We encourage continued conversations between DHCD and MassDOT to ensure the services meets the needs of the changing commute schedule demand in this new era of hybrid workspaces.

Thank you for your consideration of this letter. For more information or if you have any questions, please contact Leah Robins, MWRC's Coordinator, at lrobbins@mapc.org.

Sincerely,



Yolanda Greaves
MWRC Chair
Ashland Select Board



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CITY OF MARLBOROUGH

Marlborough City Council
Laura J. Wagner
Michael H. Ossing
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

2022 APR -4 P 3:00

March 23, 2022

Honorable Members
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Municipal Aggregation – March 2022 Update

Dear Honorable Members:

In accordance with Order No.19-1007578B, this correspondence informs the City Council of the fourth quarter 2021 savings from the approved fixed price contract with Inspire that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period. The contract with Inspire runs through the January 2024 meter reads.

Colonial Power has compiled the fourth quarter 2021 data and the City residents saved over \$829,020 in their electricity bill compared to the National Grid Basic Service rate. Refer to the table in Attachment 1 and the graph in Attachment 2.


As a reminder, the City contract with Inspire is 100% National Wind Renewable Energy Credits (RECs). The savings are even greater when compared to the National Grid Green options.

Looking ahead to the first quarter 2022, the City rate is lower than the National Grid Winter Basic Service rate of 0.14821 \$/kWh. This is significant as the City residents will continue to see savings over the National Grid Basic Service rate and the requirements in order 19-1007578B will be satisfied by "on a yearly average be lower than the National Grid Basic Service rates during the same time period."

This information will be updated periodically and forwarded to the Councilors in accordance with Order 19-1007578B.

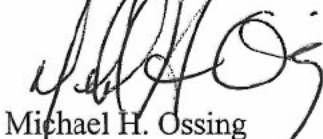
As Councilors, you can take pride in your decision to support Municipal Aggregation as we are saving our residents money on their electricity bills. Since November 2019, City residents have saved over \$3,876,000 on their electric bills with Inspire.

Sincerely,



Laura J. Wagner

Member, Ad Hoc Municipal Aggregation Committee



Michael H. Ossing

Chairman Ad Hoc Municipal Aggregation Committee

Attachment 1: Table showing Residential Savings with Inspire

Attachment 2: 4th quarter 2021 status report – Graph illustrating Marlboro aggregation savings

Attachment 1

Table Showing Residential Savings with Inspire

Date	NGrid Basic Service Rate (\$/kW-hr)	City Rate (\$/kW-hr)	City Residential User Savings	City Residential Commercial Industrial Savings
Fourth Quarter 2019	Nov - .13957 Dec - .13957	Nov - .09690 Dec - .09690	\$550,815	\$693,006
First Quarter 2020	Jan – Mar .13957	Jan – Mar .09690	\$812,433	\$1,034,746
Second Quarter 2020	Apr - .13957 May - .09898 Jun - .09898	Apr – Jun .09690	\$250,320	\$196,841
Third Quarter 2020	Jul – Sept .09898	Jul - .09690 Aug - .09390 Sept - .09390	\$78,989	(-\$148,635)*
Fourth Quarter 2020	Oct - .09898 Nov - .12388 Dec - .12388	Oct – Dec .09390	\$482,513	\$564,251
First Quarter 2021	Jan – Mar .12388	Jan – Mar .09390	\$624,296	\$762,273
Second Quarter 2021	Apr - .12388 May – .09707 Jun - .09707	Apr – Jun .09390	\$187,485	\$129,686
Third Quarter 2021	Jul – Sept .09707	Jul – Sept .09390	\$64,736	(-\$60,790)*
Fourth Quarter 2021	Oct - .09707 Nov - .14821 Dec - .14821	Oct – Dec .09390	\$829,020	\$1,414,109
First Quarter 2022	Jan – Mar .14821	Jan – Mar .09390	TBD	TBD

- *National Grid sets different rate for commercial/industrial users that are not associated with the National Grid residential fixed Basic Service rate.
- Total residential savings from Inspire (November 2019 to December 2021) – over \$3,876,000.
- Total program savings (all rate classes) since inception in 2007 is \$8,552,000.

**CITY OF MARLBOROUGH COMMUNITY CHOICE POWER SUPPLY PROGRAM
STATUS REPORT Q4 2021**

ATTACHMENT #2

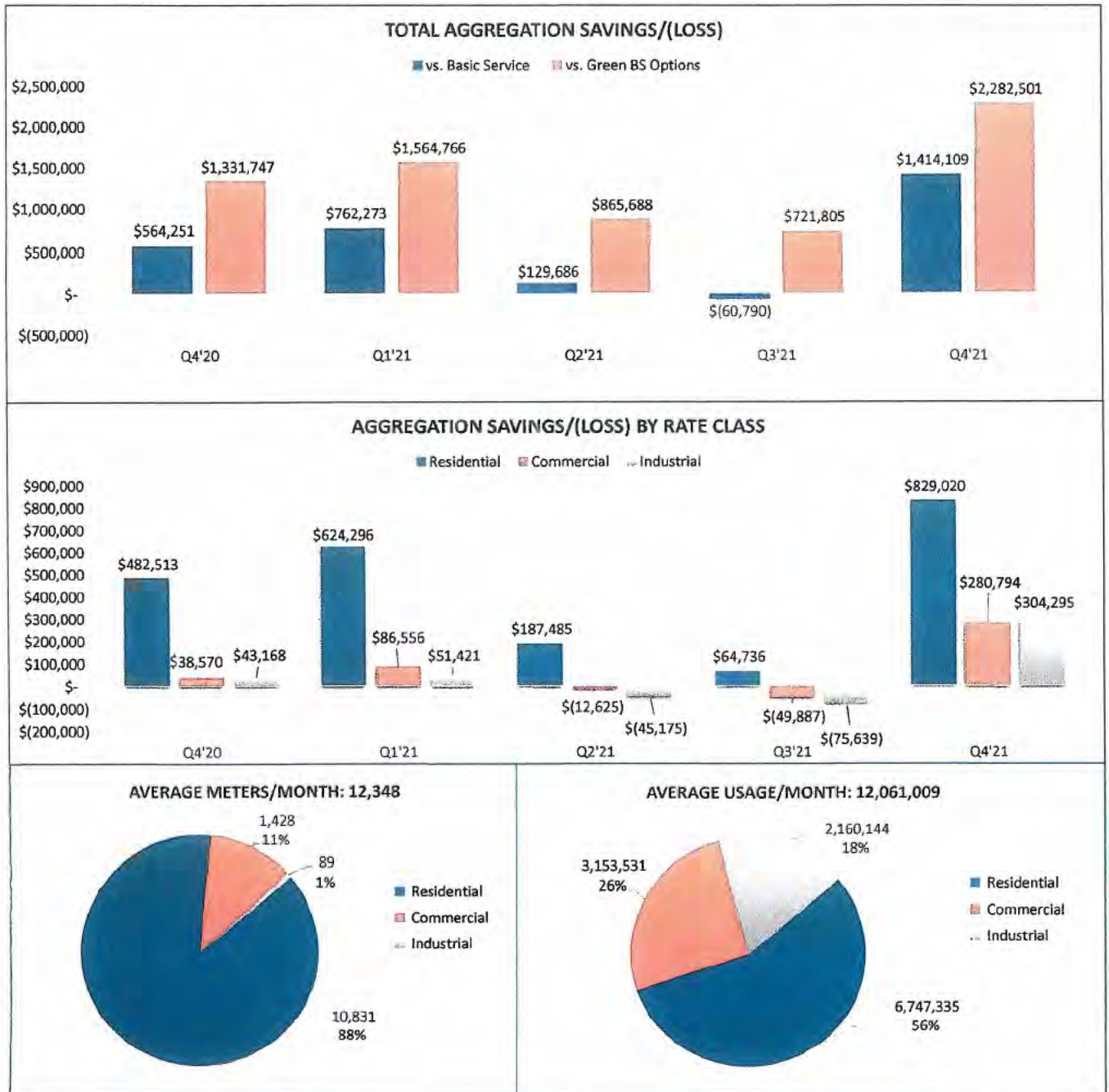
Prepared March 2022

This report has been prepared by Colonial Power Group with information/data being provided by the Competitive Supplier and National Grid. The purpose of the report is to provide information about the City of Marlborough's Community Choice Power Supply Program, which currently provides competitive power supply to approximately 12,400 customers in the City. The data provided by the Competitive Supplier is not available until three months after the month it is used. For example, power is *Used* in January, *Invoiced* in February, *Paid* in March and *Reported* in April.

PROGRAM RATES		
Term	November 2019 - August 2020	August 2020 - January 2024
Competitive Supplier	Inspire	Inspire
Standard (default)	\$0.09690 / kWh 100% National Wind RECs	\$0.09390 / kWh 100% National Wind RECs
Optional	N/A	N/A

COMPARISON TO NATIONAL GRID RATES[Click here for NGRID GreenUp Info](#)

The City's aggregation savings are directly tied to the margin of savings between the Program's rates and National Grid's corresponding Basic Service rates as well as the level of consumption by participating consumers. Basic Service rates change twice a year or more, depending on utility and rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against the Basic Service rate. However, such savings and future savings cannot be guaranteed.





City of Marlborough

Office of the Mayor

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www.marlborough-ma.gov

Arthur G. Vigeant
CITY CLERK
CITY OF MARLBOROUGH
Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

April 7, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Gift acceptance for the Council on Aging

Honorable President Ossing and Councilors,

I am pleased to submit for your acceptance a gift in the amount of \$350.00 from St. Mary's Credit Union for Council on Aging.

I would like to take this opportunity to thank St. Mary's Credit Union for their continued support and sponsoring the McMurphy Band for the St. Patrick's Day event last month.

Sincerely,

Arthur G. Vigeant
Arthur G. Vigeant
Mayor

Enclosure



City of Marlborough
Council on Aging and Senior Center

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

Patricia A. Pope
EXECUTIVE DIRECTOR

March 29, 2022

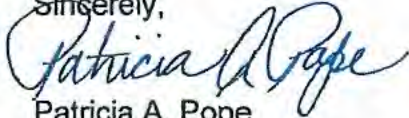
Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

Re: Gift Acceptance

Dear Mayor Vigeant,

I am very pleased to submit to you a gift acceptance in the amount of \$350.00 from St. Mary's Credit Union for the sponsorship of the McMurphy Band for our recent St. Patrick's Day event. St. Mary's not only sponsored the band for the event, they also provided 5 members from their team to assist the Senior Center staff in serving our residents at the event. We are so fortunate to have such wonderful businesses in our community. We truly appreciate their generosity.

As always, I am available should you or the City Councilors have any questions.

Sincerely,

Patricia A. Pope
Executive Director

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Council on Aging DATE: 29-Mar-22

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: Band sponsorship

GRANTOR: St. Mary's Credit Union

GRANT AMOUNT: \$350.00

GRANT PERIOD: 3/11/2022

SCOPE OF GRANT/
ITEMS FUNDED St. Patrick's Day Event
sponsorship of the McMurphy Band

IS A POSITION BEING
CREATED: no

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

ARE MATCHING CITY
FUNDS REQUIRED? no

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

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

ANY OTHER EXPOSURE TO CITY?

no

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

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

THIS DOCUMENT CONTAINS MICROPRINTING IN THE BORDER AND A WATERMARK ON BACK



st. mary's credit union

OFFICIAL CHECK

53-8421/2113

No. 51031629

3/7/2022

MARLBORO COUNCIL ON AGING

350.00

Three Hundred Fifty and 00/100

MARLBORO COUNCIL ON AGING & SENIOR CTR
40 NEW STREET
MARLBOROUGH, MA 01752

Drawer: St Marys Credit Union

P.O. BOX 729

MARLBOROUGH, MA 01752-0729

1-800-490-8000 www.stmaryscreditunion.org

AUTHORIZED SIGNATURE



⑈ 51031629 ⑈

ST. MARY'S CREDIT UNION
-KEEP THIS PART FOR YOUR RECORDS-

NON NEGOTIABLE

No. 51031629

St. Mary's Credit Union

MARLBORO COUNCIL ON AGING

51031629

03/07/2022

Document Date	Document Number	Description	Base Amount	Net Amount
3/3/2022	CK REQ 03/03/22	MCMURPHY BAND ST PATRICKS DAY S	\$350.00	\$350.00
		Total	\$350.00	\$350.00



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Arthur G. Vigeant
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Patricia M. Bernand
APR 11 2021
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

April 7, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance - Massachusetts Council on Aging for Walk MA Challenge

Honorable President Ossing and Councilors,

I am pleased to submit for your acceptance a grant in the amount of \$500.00 from the Massachusetts Council on Aging for Walk MA Challenge to the Council on Aging.

This grant will be used to kick off the Aging for Walk Challenge promoting exercise and will be used for refreshments and giveaways for seniors as well as participants affiliated with the Boys and Girls Club, Marlborough Recreation and the Ward Park Pickle Ball group.

I would like to thank the Massachusetts Council on Aging for their continued support.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



City of Marlborough
Council on Aging and Senior Center

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

Patricia A. Pope
 EXECUTIVE DIRECTOR

March 29, 2022

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

Re: Walk MA Challenge Grant

Dear Mayor Vigeant,

I am delighted to submit for your approval a \$500 from Mass Council on Aging for Walk MA Challenge. The Marlborough COA was one of only four COAs across the state that received this grant.

This program is the kickoff event for statewide COAs to walk across Massachusetts which runs for May 1 – October 31. Participants will be able to send their weekly miles to MCOA and be entered to win an assortment of prizes. Although the focus of MCOA remains on our older adults this grant is for an intergeneration event. In addition to the members of our Senior Center, we are coordinating with our Recreation Department, the Boys and Girls Club and the Ward Park Pickle Ball Group.

As always, I am available should you or the City Councilors have any questions.

Sincerely,

Patricia A. Pope
 Patricia A. Pope
 Executive Director

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Council on Aging DATE: March 29, 2022

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: Walk MA Challenge Kick

GRANTOR: Mass Council on Aging

GRANT AMOUNT: \$500.00

GRANT PERIOD: 4/1/2022 - 5/31/2022

SCOPE OF GRANT/ Intergeneration Walk Event

ITEMS FUNDED Refreshments, inflatables, give aways

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?
No

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

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

Patricia Pope

From: Lynn Wolf
Sent: Friday, March 11, 2022 9:53 AM
To: Patricia Pope
Subject: Walk MA Challenge Kick-off Proposal
Attachments: Exhibit 2 - Budget Form.docx

Hello Trish,

Thank you for your submission for the Walk MA Challenge Kick-off events. I am happy to say your proposal has been selected to receive the grant of up to \$500 for your kick-off event. Please use the attached budget sheet to submit your expenditures along with your receipts.

I will be in touch with you to finalize flyers and marketing materials. Please keep me updated as your plans progress.

Best,
Lynn



**Massachusetts
Councils On Aging**

#pulltogether

Because councils on aging are communities on aging

Registration for the Walk Massachusetts Challenge opens April 1st!
Promotional materials available [here](#)!

Lynn Wolf
 Communications Manager
 MCOA
 116 Pleasant Street, Suite 306
 Easthampton, MA 01027
 O: 413-527-6425



City of Marlborough

Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Arthur G. Vigeant
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 APR 11 AM 11:08
Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

April 7, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Cultural District Grant Acceptance - Massachusetts Cultural Council

Honorable President Ossing and Councilors,

I am pleased to submit for your acceptance a grant in the amount of \$7,500 from the Massachusetts Cultural Council to the Marlborough Downtown Village Cultural District.

This grant will go to assist with the overall cost of the annual Food Truck & Arts Festival run by the Marlborough Economic Development Corporation. This will include support for local artisans with interactive exhibits. Last year's event, which was also supported through this grant, was a huge success; attracting over 5,000 people, 18 food trucks, 21 Marlborough based artists and vendors, 11 community groups and businesses, and four live bands.

I would like to thank the Massachusetts Cultural Council for their continued support.

I am available for any questions you may have.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



January 21, 2022

Dear Arthur Vigeant,

We are pleased to inform you that City of Marlborough Marlborough Downtown Village Cultural District has been approved for a Cultural District Grant grant of \$7,500.00 (FY22-DI-CDI-17456) from the Mass Cultural Council.

Thanks to vigorous advocacy from the cultural sector, the Legislature once again showed strong, bipartisan support for the Mass Cultural Council, and its programs and services in the FY22 state budget. This allows us to continue to support artists, communities, nonprofit cultural organizations, schools, and creative youth development across the Commonwealth.

Enclosed you will find a contract package that contains award instructions and reporting requirements. Please review these documents carefully and return the required paperwork to Cyndy Gaviglio by March 04, 2022. This will help us process your grant as quickly as possible. For questions about the contract, please contact Cyndy at 617/858-2711 or Cyndy.Gaviglio@art.state.ma.us. For questions about the program please contact Luis Cotto, Cultural Districts Program Manager at 617-858-2727 or luis.cotto@art.state.ma.us.

Culture is ultimately about you. You play an integral role in creating and supporting a cultural life in Massachusetts that is vital, accessible, and thriving. Thank you for all that you do to elevate our rich cultural life in Massachusetts.

A handwritten signature in black ink that reads 'Nina Fialkow'.

Nina Fialkow
Chair

A handwritten signature in black ink that reads 'Michael J. Bobbitt'.

Michael J. Bobbitt
Executive Director

CITY OF MARLBOROUGH NOTICE OF GRANT AWARD

DEPARTMENT: Mayor's office DATE: 4/7/2022

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Meredith Harris, MEDC

NAME OF GRANT: Cultural District Grant

GRANTOR: Mass Cultural Council

GRANT AMOUNT: \$7,500.00

GRANT PERIOD: 1/31/22 - 6/30/22

SCOPE OF GRANT/
ITEMS FUNDED Marketing and artisan support (equipment & insurance)

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?

No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Before June 30th

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

ATTACHMENT D
CREDIT and PUBLICITY AGREEMENT
 between the
MASS CULTURAL COUNCIL and GRANTEES
Updated FY 2022

This credit and publicity agreement is hereby incorporated into the body of the grant contract between the Mass Cultural Council ("the Council") and the grant recipient ("the Contractor") named below as explicit terms and conditions of the contract. By the signatures below the Contractor agrees to abide by these terms and conditions.

THIS FORM MUST BE SIGNED AND RETURNED WITH YOUR CONTRACT.

1. ADVOCACY & ACKNOWLEDGING LEGISLATIVE SUPPORT

90% of Mass Cultural Council's budget comes from an appropriation by the State Legislature. It is important to thank those elected officials responsible for funding Mass Cultural Council. We strongly encourage the Contractor to send personalized letters to the leadership of the State House and their state representative and senator, thanking them for Mass Cultural Council's appropriation and your grant award. For more information on how to find and contact your legislators, visit <https://massculturalcouncil.org/about/contracts/credit-and-publicity-kit/>.

While we strongly encourage all grantees to conduct this kind of advocacy for public funding for the cultural sector, **recipients of [CIP Portfolio](#) and [CIP Gateway](#) grants must meet specific advocacy requirements in order to remain eligible for funding.** Review the Portfolio Guidelines or Gateway Guidelines for details.

2. CREDIT

Mass Cultural Council Credit Logo: Credit must be given by the Contractor to the Council regarding all activities to which Council funds contribute by using the credit logo in:

- a) Printed promotional materials such as postcards, flyers, season/subscription brochures, and newsletters: Any promotional material, regardless of length, prepared by the Contractor, that credits an annual funding source, must also credit the Council.
- b) Digital materials such as web sites, blogs, videos, and social media: Do not include the logo on surveys.
- c) Programs/Playbills: Credit must be given on all programs printed by a grant recipient in a type size not smaller than 7 point font.
- d) Event signage: For any event presented with funding from the Council, signage must include the Council listed with other major public, private, and corporate sponsors, in proportional order of the size of the contribution.
- e) Exhibition Signage: For any exhibition presented with funding from the Council, the wall text must include the Council listed with other major public, private, and corporate sponsors, in proportional order of the size of contribution.
- f) Educational Materials: Credit must be given to the Council in all educational materials distributed in association with any Council-funded activity, such as brochures, pamphlets, flyers, etc.

The logo must be produced as a unit without alteration.

Download logo at <https://massculturalcouncil.org/about/contracts/credit-logos/>

Verbal Credit: When written credit is not applicable, such as there being no printed program, verbal credit shall be given prior to performances.

3. DONOR RECOGNITION

Any wall plaques or advertisements that acknowledge the Contractor's annual or ongoing support from corporations and/or foundations must also acknowledge the Council.

4. COLLABORATORS

Organizations that are collaborators with the primary grant recipient must comply with these requirements. The Contractor is responsible for informing said collaborators of this policy and ensuring they fulfill these obligations.

5. CO-SPONSORSHIP

Those programs that are "co-sponsored" will have additional, specific publicity requirements, dependent on the program at the time of negotiation. Under no circumstances may a Contractor state or imply that its programs and/or activities are "sponsored," "co-sponsored" or "presented" by the Council without expressed, written consent from the Council.

6. ADDITIONAL REQUIREMENTS

Mass Cultural Council reserves the right to negotiate additional requirements regarding credit and publicity on a case-by-case basis.

FOR MORE INFORMATION ABOUT THIS POLICY, CONTACT YOUR PROGRAM STAFF CONTACT OR MASS CULTURAL COUNCIL'S PUBLIC AFFAIRS DEPARTMENT.

City of Marlborough Dedovan Village Cultural District
Print the Grant Recipient's Organization Name

[Signature]
Signature of Chief Administrative Officer

1/31/22
Date


[Signature]
Signature of Person Responsible for Grant Recipient's
Publicity and Publications

2/2/22
Date

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Marlborough Marlborough Downtown Village Cultural District (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: Massachusetts Cultural Council MMARS Department Code: ART	
Legal Address: (W-9, W-4): City Hall 140 Main Street Marlborough MA 01752-3812		Business Mailing Address: 10 Saint James Ave., 3rd Fl.	
Contract Manager: Arthur Vigeant	Phone: 508-460-3770	Billing Address (if different):	
E-Mail: mayor@marlborough-ma.gov	Fax:	Contract Manager: Cyndy Gaviglio	Phone: 617-858-2711
Contractor Vendor Code: VC6000192111		E-Mail: cyndy.gaviglio@art.state.ma.us	Fax:
Vendor Code Address ID (e.g. "AD001"): AD001 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s):	
		RFR/Procurement or Other ID Number: FY22-DI-CDI-17456	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> <u>Commonwealth Terms and Conditions</u> <input type="checkbox"/> <u>Commonwealth Terms and Conditions For Human and Social Services</u> <input type="checkbox"/> <u>Commonwealth IT Terms and Conditions</u>			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <u>815 CMR 9.00</u> . <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$7,500.00			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___ % PPD; Payment issued within 15 days ___ % PPD; Payment issued within 20 days ___ % PPD; Payment issued within 30 days ___ % PPD. If PPD percentages are left blank, identify reason: ___ agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>M.G.L. c. 29, § 23A</u>); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) This is a grant of financial assistance to support the 2nd Annual Marlborough Food Truck & Arts Festival.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 2. may be incurred as _____, 20____, a date <u>LATER</u> than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input checked="" type="checkbox"/> 3. were incurred as of July 01, 2021, a date <u>PRIOR</u> to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of June 30, 2022, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X:  Date: <u>7/21/22</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Arthur Vigeant</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David T. Slatery</u> Print Title: <u>Deputy Director</u>	

COMMONWEALTH OF MASSACHUSETTS

CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :

CONTRACTOR VENDOR/CUSTOMER CODE:

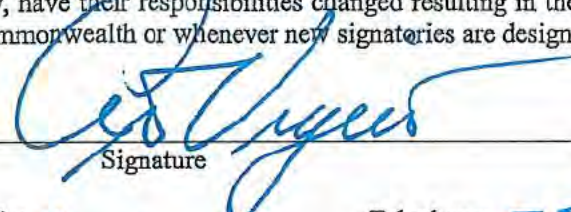
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Arthur Viggent	Mayor

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.



 Signature

Date: 01/31/2022

Title: Mayor

Telephone: 508-460-3770

Fax:

Email: Mayor@marlborough-ma.gov

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

COMMONWEALTH OF MASSACHUSETTS

CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): Arthur Vigarr

Title: Mayor

X

Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, Patricia M. Bernard (NOTARY) as a notary public certify that I witnessed the signature of the aforementioned signatory above and I verified the individual's identity on this date:

May 19, 20 28.

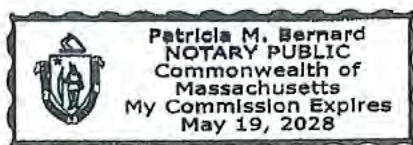
My commission expires on:

AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL





City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

RECEIVED
CITY CLERK'S OFFICE
Arthur G. Vigeant
MAYOR
2022 APR -7 A 11:08
Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

April 7, 2022

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Transfer request to Marlborough Economic Development Corp. operations for FY23

Honorable President Ossing and Councilors,

Enclosed for your review and approval is a transfer request in the amount of \$589,691.00 from the Economic Development Funds to the Marlborough Economic Development Corporation (MEDC) to fund the operations for fiscal year 2023 as approved by the Executive Committee.

The total operating budget is for \$691,391.00 as outlined in the attached budget summary. In addition to the full operating budget, the MEDC is requesting an additional \$75,000.00 to replenish the Economic Development Toolbox. The toolbox is vital in helping secure new business and grow and retain companies. This assistance also made a big impact during COVID when businesses were struggling to stay afloat.

In Meredith Harris's absence, Linda Martins, Council President Michael Ossing and I will be available to discuss the MEDC budget in more detail at a future meeting.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Finance Director signature:

James L.
Patrick Jones

ECONOMIC DEVELOPMENT FUNDING

FY2012	State Aid	\$634,334.05
FY2013	State Aid	\$644,404.83
FY2014	State Aid	\$699,949.65
9/30/2014	State Aid	\$225,891.57
12/31/2014	State Aid	\$215,368.61
3/31/2015	State Aid	\$139,754.81
6/30/2015	State Aid	\$181,957.00
9/30/2015	State Aid	\$246,477.46
12/31/2015	State Aid	\$243,518.11
3/31/2016	State Aid	\$147,152.99
6/30/2016	State Aid	\$188,289.73
9/30/2016	State Aid	\$250,636.64
12/31/2016	State Aid	\$261,571.54
3/31/2017	State Aid	\$144,194.44
6/30/2017	State Aid	\$199,405.00
9/30/2017	State Aid	\$260,640.83
12/31/2017	State Aid	\$280,764.79
3/31/2018	State Aid	\$158,551.10
6/30/2018	State Aid	\$213,203.36
9/28/2018	State Aid	\$263,084.77
12/31/2018	State Aid	\$290,454.60
3/29/2019	State Aid	\$205,890.60
6/28/2019	State Aid	\$186,235.82
9/30/2019	State Aid	\$279,841.59
12/31/2019	State Aid	\$276,743.06
3/31/2020	State Aid	\$176,712.01
6/30/2020	State Aid	\$67,841.56
9/30/2020	State Aid	\$90,942.83
12/31/2020	State Aid	\$44,716.83
3/31/2021	State Aid	\$70,231.92
6/30/2021	State Aid	\$98,171.48
9/30/2021	State Aid	\$175,161.58
12/31/2021	State Aid	\$228,184.86

Total Funding	<hr/>	\$7,790,280.02
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12/5/2011	CO# 11-1003048	-\$146,837.00
12/19/2011	CO# 11-1004004	-\$3,163.00
5/21/2012	CO# 12-1005008	-\$200,000.00
12/17/2012	CO# 12-1005205	-\$277,099.00
6/3/2013	CO# 13-1005418A	-\$499,000.00
6/30/2014	CO# 14-1005840	-\$513,915.00
6/1/2015	CO# 15-1006198A	-\$731,875.00
6/20/2016	CO# 16-1006569A	-\$647,580.00
6/20/2016	CO# 16-1006569B	-\$75,000.00
6/5/2017	CO# 17-1006923A	-\$660,077.00
6/18/2018	CO# 18-1007280A	-\$679,841.00
5/6/2019	CO# 19-1007624A	-\$699,088.00
8/26/2019	CO# 19-1007732A	-\$200,000.00
6/8/2020	CO# 20-1008019	-\$485,133.00
10/5/2020	CO# 20-1008091A	-\$440,000.00
6/21/2021	CO# 21-1008313A	-\$546,738.00

Total Transfers	<hr/>	-\$6,805,346.00
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Available for future transfers		\$984,934.02
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April 7, 2022

Honorable Arthur G. Vigeant, Mayor
City Hall, 4th Floor
140 Main Street
Marlborough, MA 01752

RE: FY'23 Operating Budget Transfer Request & Economic Development Toolbox Fund Replenishment

Dear Mayor Vigeant:

I write to you today seeking a transfer request for MEDC's operations and special projects for FY'23, as well as, a request for a separate appropriation from the City to replenish the Economic Development Toolbox fund.

On behalf of the Marlborough Economic Development Corporation (MEDC), I am herewith submitting this letter proposing MEDC's fiscal year 2023 total budget in the amount of \$691,391 and requesting a transfer of funds to MEDC in the amount of \$589,691. The reason for this reduced transfer request is due to the continued effects of the COVID-19 pandemic and MEDC's staffing levels in FY'22. MEDC will not be utilizing all funds as anticipated for the remainder of FY'22 in special projects and in salaries and benefits. MEDC plans to apply the unused funds to fulfill the total budget amount of \$691,391 to fund the organization's operations and special projects for FY'23.

Additionally, MEDC is requesting a separate appropriation from the City in the amount of \$75,000 to replenish the Economic Development Toolbox fund to continue to support MEDC's small business financial incentive grant programs.

I would appreciate your approving the above transfer request in the amount of \$589,691 and a separate appropriation of \$75,000 to replenish the Economic Development Toolbox fund. Please forward on to the City Council allowing MEDC an opportunity to update the City Council on our progress to date and to discuss the organization's FY'23 goals and objectives.

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

Sincerely,

A handwritten signature in cursive script that reads "Meredith Harris".

Meredith Harris
Executive Director

Attachments

A: FY'23 Operational Budget

Cc: Diane Smith, City Auditor
Patrick Jones, Finance Director

Attachment A

FY'23 Operational Budget

The Marlborough Economic Development Corporation (MEDC) requests a total budget of \$691,391 to fund its' operations and special projects for FY'23 with a budget **transfer request of \$589,691**. The reason for this reduced transfer request is due to the continued effects of the COVID-19 pandemic and MEDC's staffing levels in FY'22. MEDC will not be utilizing funds as anticipated for the remainder of FY'22 in special projects and in salaries and benefits. MEDC plans to apply the unused funds to fulfill the total budget amount of \$691,391 to fund the organization's operations and special projects for FY'23.

The budget is divided into 3 categories which represent salaries, expenses and special projects. The following total budget summary consists of total line-item allocations for the above listed categories.

Salaries and Benefits

\$352,091 in personnel, employer taxes, insurance and fringe benefits are allocated to salaries and benefits.

Payroll / Total Salaries	\$288,991
Employee Benefits	\$ 37,500
Employer Payroll Taxes & Liability	\$ 25,600

Operating and Administrative Expenses

\$131,600 is allocated to operating and administrative expenses in order to conduct business.

Materials & Supplies	\$40,700
Contracted Services	\$45,900
Occupancy	\$45,000

Special Projects

\$207,700 is allocated to special projects in order for MEDC to carry out the goals and objectives of the organization.

Business Retention & Expansion	\$78,200
Hospitality & Sports Tourism	\$69,500
Urban Village & Community Development	\$10,000
City Planning Services	\$50,000

Additionally, MEDC is requesting a separate appropriation from the City in the amount of **\$75,000 to replenish the Economic Development Toolbox fund** to continue to support MEDC's small business financial incentive grant programs.

In 2015, MEDC and its' leadership team implemented these financial assistance programs as a way to attract and retain new and growing businesses to the city. Since then, the Toolbox has been helping to expand the local economy and create a business-friendly climate for entrepreneurs and companies searching for their perfect location. There are four reimbursement grant programs available that cover business expenses – amenities funding, beautification grants, rental assistance and a property tax-based reimbursement.

To date, the Toolbox has awarded over \$300k in reimbursement grants, filled approximately 110k SF of vacant space, retained over 70 jobs and added over 200 new jobs to the market. In addition, MEDC granted about \$130k to 33 establishments in the city, which offered short term financial relief to these small businesses impacted by the COVID-19 pandemic.

Budget Overview

July 2022 through June 2023

	<u>Jul '22 - Jun '23</u>
Ordinary Income/Expense	
Expense	
Payroll Expenses	
Employee Benefits	\$ 37,500.00
Employer Payroll Taxes	\$ 25,000.00
Salaries	\$ 288,991.00
Workers' Comp	\$ 600.00
Total Payroll Expenses	<u>\$ 352,091.00</u>
Advertising/Marketing	\$ 2,500.00
Computer Services & Licenses	\$ 9,200.00
Conferences/Meetings	\$ 4,000.00
Dues and Subscriptions	\$ 19,500.00
Insurance	\$ 3,500.00
Internet service	\$ 2,800.00
Maintenance & Repair	\$ 500.00
Media Contractor	\$ 30,000.00
Office Supplies	\$ 3,000.00
Payroll Fees	\$ 3,900.00
Phone	\$ 2,100.00
Printing and Reproduction	\$ 2,000.00
Professional Fees	\$ 7,000.00
Reimbursable Expenses	\$ 2,200.00
Rent	\$ 36,000.00
Utilities	<u>\$ 3,400.00</u>
Subtotal Expense	\$ 483,691.00
Special Project Expenses	
Special Projects	<u>\$ 207,700.00</u>
Total Special Project Expenses	\$ 207,700.00
Total Expense	<u>691,391.00</u>

Payroll Expenses

Salaries Full-time		PERMANENT FULL TIME					
Salaries with standard annual salary increase of up to 3%							
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
NAME	TITLE	WEEKLY	HOURLY	TOTAL	WEEKLY	HOURLY	TOTAL SALARY
		SALARY	FLAT RATE	SALARY	SALARY	FLAT RATE	FOR YEAR
		FY'22			FY'23		<i>Rounded up</i>
Meredith Harris	Executive Director	1878.44	46.96	97,679	1,934.79	48.37	\$ 100,609
Linda Martins	Director of Operations	1326.13	33.15	68,959	1,365.91	34.15	\$ 71,028
Lindsey Jaworek	Business Outreach Manager	1188.46	29.71	61,800	1,224.11	30.60	\$ 63,654
To be filled April 2022	Administrative Assistant				50,000.00		\$ 50,000
Salaries Full-time Total							\$ 285,291
Salaries Part-time		PART TIME					
NAME	TITLE	Hours/ week	Hourly rate	Weeks			Total Salary for Budget Year
							<i>Rounded up</i>
MEDC Intern	Internship / Summer 2022	32	14.25	8			\$ 3,700
Salaries Part-time Total							\$ 3,700
Grand Total Salaries							\$ 288,991
		Employee Benefits / Payroll Taxes					
	ITEMIZE AND JUSTIFY:						AMOUNT
	Health, Dental, Retirement, etc.						\$ 37,500
	Employer Payroll Taxes						\$ 25,000
	Workers' Compensation Ins. Plan						\$ 600
					Total		\$ 63,100
	Total Salaries						\$ 288,991
Grand Total Payroll Expenses							352,091

Expenses			MATERIALS AND SUPPLIES				
This category covers collectively all operating supplies and services, which are defined as consumable commodities, necessary to conduct business: for example, office and custodial supplies, printing and reproducing marketing collateral, subscriptions, postage, repairs and office maintenance, etc.							
ITEMIZE AND JUSTIFY							Amount Requested
Advertising/Marketing Supplies & Services (Ex. E-Newsletter & E-Survey Services, Creative Services, etc.)							\$ 2,500
Conferences/Meetings (Ex. Registration Fees for business events, luncheons, receptions & misc. attendance & hosting expenditures)							\$ 4,000
Maintenance & Repair (Ex. Office Water Dispenser Cleaning, Office Fixtures & Dry Cleaning/Carpet Cleaning)							\$ 500
Membership Fees/Subscriptions (Ex. CoStar Realty Services, Yearly Newspaper Subscriptions & Membership Dues)							\$ 19,500
Office Supplies (Ex. Paper, pens, notepads, binders, paper clips, staples, labels, coffee, water, etc. - Including small/light office equip <\$100)							\$ 3,000
Printing & Reproduction (Ex. Kyocera Copier Services, Re-print Marketing Collateral & Special Article Poster Prints)							\$ 2,000
Reimbursable Expenses (Ex. Employee mileage for business use, office supplies, etc.)							\$ 2,200
Website Services (Ex. Hosting Services, Domains, Internet)							\$ 4,000
Office Equipment >\$1000 (Ex. Server, Laptop replacement for staff)							\$ 3,000
			TOTAL MATERIALS & SUPPLIES				\$ 40,700

Expenses			CONTRACTED SERVICES				
	Covers operating services obtained by contract with outsourced vendor. For example: accounting services, marketing & communications vendor, payroll services, etc.						
ITEMIZE AND JUSTIFY:					AMOUNT		
Accounting/Book Keeping					\$7,000		
- CPA on Retainer/Yearly Filings							
- Annual Financial Audit							
- Fiscal End Process							
Professional/Consultant Fees					\$30,000		
Media Contractor							
IT Services					\$5,000		
- Tech on Retainer/Maintenance							
- Computer Services & Licenses							
ADP Payroll Services					\$3,900		
- Processing Charges/Fees							
- Tax Services							
- Year End Processing							
TOTAL					\$45,900		

Expenses			OCCUPANCY			
Marlborough Economic Development Corporation (MEDC)					Requested Amount	
91 Main Street, Suite 203A / 203B / 204						
	Lease Agreement				\$	36,000
	Directors & Office Liability Insurance				\$	3,500
	Utilities				\$	5,500
	- Phone Services					
	- Electricity Supply					
		TOTAL			\$	45,000

Expenses	SPECIAL PROJECTS				
SPECIAL PROJECTS:					AMOUNT FY23
<u>Business Retention & Expansion</u>					
Founders Reception	Annual Thank You event				\$ 3,600
Marketing Collateral	General MEDC Ads/Marketing Collateral (i.e. RLF Program, Toolbox, Flyers, etc.)				\$ 3,500
Co-hosted Business Event(s)	Marlborough Community events				\$ 5,000
Hosted Outreach Events (Attraction)	4 Outreach events (i.e. w/ MassEcon - Site Selectors, BIO International)				\$ 10,000
Job Fair / Workshops	Annual Workforce events				\$ 7,600
Conferences, Meetings, Events & Tradeshows	Conferences, Business Meetings, Events, Tradeshows (i.e. AUVSI, MD&M, CoreNet)				\$ 12,500
Focus Group/Event (Retention)	Targeted event (i.e. Commercial Brokers)				\$ 4,000
Media Buy Branding Campaign	Targeted print/digital campaigns/video series - Branding & Promoting Marlborough				\$ 32,000
				Total	\$ 78,200
<u>Hospitality & Sports Tourism</u>					
Visit-Marlborough Website	Maintenance & Development				\$ 7,000
Marlborough Restaurant Association - Training	Training Initiative (ServSafe & CPR classes)				\$ 12,500
Hospitality Business Development	Hotel / Restaurant & Sports Tourism (i.e. Dine Local)				\$ 10,000
Phantom Gourmet	Marketing Partnership				\$ 40,000
				Total	\$ 69,500
<u>Urban Village Development / Community</u>					
Downtown & French Hill Beautification	Lighting, Landscaping, Flags, Signs, etc.				
				Total	\$ 10,000
<u>City Services</u>					
City Planning Services - City of Marlborough	Analysis & Technical Assistance			Total	\$ 50,000
	TOTAL SPECIAL PROJECTS				\$ 207,700



The Commonwealth of Massachusetts

RECEIVED
CITY CLERKS OFFICE
BROOKLINE

2022 MAR 29 P 3:26

DEPARTMENT OF PUBLIC UTILITIES

This is an important notice. Please have it translated. Este é um aviso importante. Quiera mandá-lo traduzir. Este es un aviso importante. Sirvase mandarlo traducir. Questa è un'informazione importante, si prega di tradurla. 此为重要通知。请加以翻译。 Đây là một thông báo quan trọng. Xin hãy dịch nó. Sa a se yon avi enpòtan. Tanpri fè li tradui.

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 20-80

March 23, 2022

Investigation by the Department of Public Utilities on its own Motion into the role of gas local distribution companies as the Commonwealth achieves its target 2050 climate goals.

On October 29, 2020, the Department of Public Utilities ("Department") voted to open an investigation into potential policies that will enable the Commonwealth to reach its goal of net-zero greenhouse gas emissions by 2050 and the role of Massachusetts gas local distribution companies ("LDCs") in achieving that goal. Investigation by the Department of Public Utilities on its own Motion into the role of gas local distribution companies as the Commonwealth achieves its target 2050 climate goals, D.P.U. 20-80, Vote and Order Opening Investigation at 7 (October 29, 2020) ("Order"). The Department docketed this matter as D.P.U. 20-80.

In its Order, the Department directed the LDCs to initiate a joint request for proposals ("RFP") for an independent consultant to conduct a study and prepare a report ("Report") within the parameters discussed in the Order. Order at 4. The resulting Report is to inform and support separate proposals from each LDC that include the LDC's recommendations and plans for helping the Commonwealth achieve its 2050 climate goals ("Proposals"). Order at 6. On March 18, 2022, the LDCs submitted the Report and their Proposals.

Due to certain ongoing safety measures and precautions relating to in person events as a result of the COVID19 pandemic, the Department will conduct two virtual public hearings to receive comments on the Report and the Proposals. The Department will conduct two public hearings using Zoom videoconferencing:

- Tuesday, May 3, 2022, beginning at 7:00 p.m.
- Thursday, May 5, 2022, beginning at 2:00 p.m.

Attendees can join the May 3, 2022 hearing at 7:00 p.m. by entering the link,

<https://us06web.zoom.us/j/82975717590>, and the May 5, 2022 hearing at 2:00 p.m. by entering the link, <https://us06web.zoom.us/j/87436932048>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in to either hearing at (646) 558-8656 or (301) 715-8592 (not toll free) and then enter the Meeting ID# 829 7571 7590 for the May 3, 2022 hearing and Meeting ID# 874 3693 2048 for the May 5, 2022 hearing. If you anticipate providing comments via Zoom during either public hearing, please send an email by Monday, May 2, 2022, to sarah.smegal@mass.gov with your name, email address, mailing address, and hearing date. If you anticipate commenting by telephone, please leave a voicemail message by Monday, May 2, 2022, at (617) 305-3653 with your name, telephone number, mailing address, and hearing date.

When using the Zoom platform, you will be able to listen to the hearing and provide comments in English, Spanish, Portuguese, Chinese, Haitian Creole, and Vietnamese. To access interpretation services through Zoom during the hearing, click on the "Interpretation" button on the menu at the bottom of the Zoom application screen and select your language (i.e., English, Spanish, Portuguese, Chinese, Haitian Creole, or Vietnamese).

Alternately, any person interested in commenting on the LDCs' Report and/or Proposals may submit written comments to the Department no later than the close of business (5:00 p.m.) on Friday, May 6, 2022. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient. The Department will consider all comments submitted, but specifically requests comments focused on the following: (1) the developed pathways set forth in the consultants' final Report together with the assumptions and analysis underlying the consultants' final Report and the LDCs' specific Proposals; (2) the regulatory framework necessary to support the equitable and safe transition to net-zero greenhouse gas emissions by 2050; and (3) immediate changes that could be implemented by the LDCs toward decarbonization.

At this time, all filings will be submitted to the Department only in electronic format, consistent with the Department's June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

All comments must be submitted to the Department in .pdf format by e-mail attachment to dpu.efiling@mass.gov and sarah.smegal@mass.gov. In addition, all comments should be submitted by e-mail to the LDCs' attorneys as follows:

D.P.U. 20-80

Page 3

For Boston Gas Company d/b/a National Grid:

Alexandra Blackmore, Esq.
 Andrea Keeffe, Esq.
 Bess Gorman, Esq.
 National Grid
alexandra.blackmore@us.ngrid.com
andrea.keeffe@nationalgrid.com
bess.gorman@nationalgrid.com
 -and-
 John K. Habib, Esq.
 Ashley S. Wagner, Esq.
 Keegan Werlin, LLP
jhabib@keeganwerlin.com
awagner@keeganwerlin.com

For Fitchburg Gas and Electric Light Company d/b/a Unitil:

Patrick Taylor, Esq.
 Matthew Campbell, Esq.
 Unitil Service Corp
taylorp@unitil.com
campbellm@unitil.com

For Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities:

Ronald J. Ritchie, Esq.
 Liberty Utilities
r.j.ritchie@libertyutilities.com
 -and-
 Kevin F. Penders, Esq.
 Keegan Werlin LLP
kpenders@keeganwerlin.com

For The Berkshire Gas Company:

Daniel P. Venora, Esq.
 Keegan Werlin LLP
dvenora@keeganwerlin.com

For NSTAR Gas Company and Eversource Gas of Massachusetts d/b/a Eversource Energy:

Danielle Winter, Esq.
 Keegan Werlin LLP
dwinter@keeganwerlin.com

The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 20-80); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that **do not exceed 20 MB**.

At this time, a paper copy of the Report and the Proposals will not be available for public viewing at the LDCs' offices or the Department. The filing and other documents submitted in electronic format will be posted as soon as practicable at on the Department's website through our online File Room at:

<https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "20-80").

Reasonable accommodations at public hearings for people with disabilities are available upon request. Contact the Department's ADA Coordinator at DPUADACoordinator@mass.gov. Include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact

D.P.U. 20-80

Page 4

you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA Coordinator at DPUADACoordinator@mass.gov.

Any person desiring further information regarding the Report and the Proposals should contact counsel for the LDCs as set forth above. Any person desiring further information regarding this notice should contact Sarah A. Smegal, Hearing Officer, Department of Public Utilities, at sarah.smegal@mass.gov.



The Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF BOSTON
2022 APR -6 A 8:50

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 22-25

April 1, 2022

Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid for a Waiver of the Department of Public Utilities' Basic Service Procurement Requirements.

On March 15, 2022, Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid ("National Grid" or "Companies") filed a petition with the Department of Public Utilities ("Department") for a waiver of the basic service procurement requirements for residential and small commercial customers for the Winter 2022-2023 basic service period (*i.e.*, November 1, 2022 through April 30, 2023). The Department docketed this matter as D.P.U. 22-25.

Pursuant to Pricing and Procurement of Default Service, D.T.E. 99-60-B (2000) and Default Service Procurement, D.T.E. 02-40-B (2003), the Department requires electric distribution companies to procure 50 percent of their residential and small commercial basic service load requirements through two overlapping twelve-month procurements that, when combined, provide 100 percent of the basic service load requirements for a six-month basic service period. Consistent with these requirements, on February 4, 2022, National Grid issued a request for proposals to solicit 50 percent of their basic service load requirements for residential and small commercial customers for the Summer 2022 (*i.e.*, May 1, 2022 through October 31, 2022) and Winter 2022-2023 basic service periods.

On March 22, 2022, the Department approved the Companies' proposed basic service rates for the Summer 2022 basic service period. Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 22-BSF-D1 (March 22, 2022). However, the Companies did not award several load blocks to suppliers for the Winter 2022-2023 period from the February 4, 2022 solicitation. Accordingly, National Grid procured less than 50 percent of load requirements for the Winter 2022-2023 basic service period from this solicitation. Accordingly, National Grid seeks a waiver from the Department's basic service procurement requirements so they may secure the outstanding basic service load for the Winter 2022-2023 basic service period.

The Department will accept written comments on the Companies' petition. Written comments must be filed with the Department no later than close of business (5:00 p.m.) on **Friday, April 15, 2022**. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

All comments must be submitted to the Department in **.pdf format** by e-mail attachment to dpu.efiling@mass.gov and henry.d.kahn@mass.gov. All comments also must be sent to counsel for National Grid, Meabh Purcell, Esq., by email attachment to Meabh.Purcell@nationalgrid.com. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-25); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB.

Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)) regarding the filing of documents. However, at this time, all filings will be submitted to the Department only in electronic format, consistent with the Department's June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

At this time, a paper copy of the filing will not be available for public viewing at the Companies' offices or the Department. The filing and other documents submitted in electronic format will be posted as soon as practicable at on the Department's website through our online File Room at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-25"). To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov.

Any person desiring further information regarding the Companies' filing should contact counsel for National Grid, Meabh Purcell, Esq., at Meabh.Purcell@nationalgrid.com. Any person desiring further information regarding this notice may contact Henry Kahn, Hearing Officer, Department of Public Utilities, at henry.d.kahn@mass.gov.

GEHRING & ASSOCIATES, LLC
Wireless Planning & Zoning

*Post Office Box 98
West Mystic, CT 06388*

*860-536-0675
wireless@gehringzone.com*

April 8, 2022

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

**RE: Application of Celco Partnership d/b/a Verizon Wireless for a
Special Permit and Site Plan Review to Install a New Stealth Wireless
Communications Facility at 739-769 Donald Lynch Boulevard, Assessor's
Map 50, Parcel 7B**

Dear Members of the City Council:

Celco Partnership d/b/a Verizon Wireless ("Applicant") is pleased to submit the enclosed Application for a Special Permit and Site Plan Review to construct a new stealth wireless communications facility alongside the RK Plaza at 739-769 Donald Lynch Boulevard, Assessor's Map 50, Parcel 7B ("Subject Property"). The Subject Property is located in the LI Zoning District.

Verizon Wireless has identified certain coverage gaps and network capacity issues with its service in the vicinity of the Subject Property that could be alleviated by creating a new cell site in the area.

A search of the area did not discover any existing communications towers or other structures tall enough nearby to support Verizon's antennas. Accordingly, land sites were searched where a new tower could be located in an unobtrusive manner.

The Subject site was chosen because it is in a commercial zoning district and is currently utilized for commercial purposes. An area alongside the existing commercial building on the property was chosen where a stealth pole could be built and remain relatively unobtrusive to the neighborhood.

Once constructed, the facility will host no employees so there will be no activity on-site as a result of this proposed installation. A Special Permit is respectfully requested. No variances are needed or requested.

City Council
City of Marlborough
April 8, 2022
Page 2 of 2

Enclosed for your review and consideration are the following which are incorporated into and made part of this Application:

- Tab 1 - City Application Forms
- Tab 2 - Statement in Support of Application
- Tab 3 - Landowner Authorization
- Tab 4 - Assessor's Field Card, Tax Map and Deed
- Tab 5 - FCC Licenses
- Tab 6 - RF Engineer's Report and Coverage Plots
- Tab 7 - RF Emissions Compliance Report
- Tab 8 - FAA No Hazard Determination
- Tab 9 - Acoustical Compliance Report
- Tab 10 - Real Estate Valuation Non-Impact Statement
- Tab 11 - Photo-Simulations
- Tab 12 - Site Plans & Elevation Drawings

The Applicant looks forward to its Public Hearing where the enclosed may be presented for your consideration and approval.

Sincerely,

Gehring & Associates, LLC

By 
Carl W. Gehring, on behalf of Cellco Partnership d/b/a Verizon Wireless

Enclosures

cc: RK Marlboro Pond, LLC - Landowner
Dave Tivnan - Verizon Wireless Real Estate Department

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

2022 APR -6 P 3:31

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT - WIRELESS

1. Name and address of Petitioner or Applicant:
Cellco Partnership d/b/a Verizon Wireless
2. Specific Location of property including Assessor's Plate and Parcel Number.
739-769 Donald Lynch Boulevard (Next to DSW) Map 50, Parcel 7B
3. Name and address of owner of land if other than Petitioner or Applicant:
**R.K. Marlboro Pond, LLC
c/o RK Centers, 50 Cabot St, Suite 200, Needham, MA 02494**
4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.) **Lessee/Tenant**
5. Specific Zoning Ordinance under which the Special Permit is sought:
Article 650 Section 25 Paragraph all Sub-paragraph all
6. Zoning District in which property in question is located:
LI - Limited Industrial
7. Specific reason(s) for seeking Special Permit
**Applicant proposes to install a stealth Wireless Communications Facility including an
80-foot stealth pole tower with accessory ground equipment pursuant to the attached and enclosed
plans and supporting materials incorporated into and made part of this Application pursuant to
Section 650-25 and other sections of the City of Marlborough Zoning Ordinance, M.G.L. c.40A,
the Telecommunications Act of 1996, 47 U.S.C. 332(c)(7)(B); All Rights Reserved.**
8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

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

Cellco Partnership d/b/a Verizon Wireless

By C. Gehring, its Agent
Signature of Petitioner or Applicant

Address: **c/o Gehring & Associates, LLC**

P.O. Box 98, West Mystic, CT 06388

Telephone No. **860-536-06754**

Date: _____
City Clerk's Office

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

Cellco Partnership d/b/a Verizon Wireless
(Name of Petitioner)

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

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

ABUTTERS 739-769 DONALD LYNCH BLVD., MARLBOROUGH, MA (50-7B) - 400 FT

Parcel Number	GIS Number	Cama Number	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner Address 2	Owner City	Owner State	Owner Zip	Use Code
50-3A	M_189939_900 037	50-3A	905 DONALD J LYNCH BLVD	DIGITAL FEDERAL CREDIT UNION		220 DONALD J LYNCH BLVD		MARLBOROUGH	MA	01752	4400
50-3D	M_190098_899 915	50-3D	DONALD J LYNCH BLVD	MARLBORO BUSINESS CENTER LIMITED PARTNER		7 DRYDOCK AVE SUITE 2050		BOSTON	MA	02210	4420
50-7	M_190291_900 332	50-7	771 DONALD J LYNCH BLVD	T & T LEASING CORP		C/O AGGREGATE INDUSTRIES	6211 ANN ARBOR RD	DUNDEE	MI	48131	3320
50-8	M_190409_900 181	50-8	728 DONALD J LYNCH BLVD	RK MARLBORO POND LLC		C/O R K CENTERS	50 CABOT STREET STE 200	NEEDHAM	MA	02494	3260
50-9	M_190062_900 086	50-9	853-865 DONALD J LYNCH BLVD	DIGITAL FEDERAL CREDIT UNION		220 DONALD J LYNCH BLVD		MARLBOROUGH	MA	01752	3410
51-5	M_190567_900 456	51-5	627 DONALD J LYNCH BLVD	MAY DEPARTMENT STORES COMPANY		C/O MACYS INC ATTN TAX DEPT	145 PROGRESS PL	SPRINGDALE	OH	45246	3230
51-6	M_190427_900 383	51-6	DONALD J LYNCH BLVD	MALL AT SOLOMON POND LLC		PO BOX 6120		INDIANAPOLIS	IN	46206-6120	3370
51-7	M_190532_900 316	51-7	DONALD J LYNCH BLVD	MALL AT SOLOMON POND LLC		PO BOX 6120		INDIANAPOLIS	IN	46206-6120	4420



SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Cellco Partnership d/b/a Verizon Wireless c/o Gehring & Associates, LLC
Address: P.O.Box 98, West Mystic, CT 06388

Project Name: 80-Foot Stealth Pole Address: 739-769 Donald Lynch Blvd.

1. PROPOSED USE: (describe) Install an 80-foot stealth monopole tower with accessory ground equipment pursuant to enclosed Plans and supporting materials.
2. EXPANSION OR NEW: New
3. SIZE: floor area sq. ft. N/A 1st floor N/A all floors N/A
buildings None # stories 80-foot concealed pole lot area (s.f.) 11.17 Acres
4. LOT COVERAGE: under 20 %Landscaped area: N/A %
5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: No change Peak period: No change
6. TRAFFIC: No change - proposed installation will be unmanned and unoccupied.
(A) Number of vehicles parked on site:
During regular hours: N/A Peak period: N/A
(B) How many service vehicles will service the development and on what schedule?
One or two trips per month typically during normal weekday business hours.
7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? No constant lighting is proposed. Development will remain dark; but there will be two LED work lights to temporarily illuminate equipment area in the event of an after-hours service call. Said lights will be extinguished when work complete.
8. NOISE:
(A) Compare the noise levels of the proposed development to those that exist in the area now.
Negligible. See enclosed acoustical report which confirms compliance.
(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None, except stand-by power generator that would only be used full-time in the event of a power blackout. See enclosed acoustical report.
9. AIR: What sources of potential air pollution will exist at the development?
No pollution per se. Stand-by generator will be fueled by diesel.
10. WATER AND SEWER: Describe any unusual generation of waste.
None. No water or sewer needed.
11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed?
No hazardous waste will be stored on site.

***Attach additional sheets if necessary**



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall

140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 4-4-22

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Verizon Wireless Stealth Wireless Communications Facility
 Project Use Summary: _____
 Project Street Address: 739-769 Donald Lynch Boulevard (Next to shopping building with DSW)
 Plate: 50 Parcel: 7B
 Applicant/Developer Name: Cellco Partnership d/b/a Verizon Wireless
 Plan Date: 1-7-22 Revision Date: 3-18-22

Dear President and Members:

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

Very truly yours,

TIN HTWAY
Robert Camacho

~~Interim~~ Building Commissioner

Application Fee to submit to
City Clerk's office

\$500.00

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT



Lisa M. Thomas
City Clerk

Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.

3 SETS	OFFICE OF THE CITY CLERK _____
1 SET	POLICE CHIEF <u>MS</u>
1 SET	FIRE CHIEF <u>MS</u>
1 SET	CITY ENGINEER <u>EM</u>
1 SET	CITY PLANNER <u>EM</u>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) <u>SB</u>
1 SET	BUILDING INSPECTOR <u>RO</u>
12 SETS	OFFICE OF THE CITY COUNCIL <u>(G)</u>

Cellco Partnership d/b/a Verizon Wireless

By C. Gehring, IT Agent

Signature

4-4-22

Date

Thank you for your cooperation in this matter.

Sincerely,

Lisa M. Thomas

City Clerk



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

**Lisa M. Thomas
City Clerk**

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

Company Name

RK Marlboro Pond LLC

Owner Name/Officer Name of LLC or Corporation

Daniel Katz

Owner/Officer Complete Address and Telephone Number

50 Cabot Street, Suite 200

Needham, MA 02494

Signature of Applicant

Cellico Partnership d/b/a Verizon Wireless

By

[Handwritten Signature]

Attorney on behalf of Applicant, if applicable

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

Tax Collector



City of Marlborough

SITE PLAN APPROVAL APPLICATION (For Non-Residential and Major Residential Projects)

Type of Hearing (check one)

_____ Major Renovation X Minor Renovation

Please Print

DATE: _____

PROJECT

Name of facility: Verizon Wireless Stealth Pole Tower

Address: 739-769 Donald Lynch Blvd. (alongside shopping center building)

Assessor's Map No. 50 Parcel No. 7B

APPLICANT

Name: Cellco Partnership d/b/a Verizon Wireless

Address: c/o Gehring & Associates, LLC, P. O. Box 98, West Mystic, CT 06388

Telephone: 860-536-0675 Fax: _____

Email: wireless@gehringzone.com

OWNER'S CONSENT

If applicant is not the owner, is written consent of the owner or owner's agent attached (see Section 270-2(B) (7))? X YES _____ NO

PROPERTY OWNER

Name: R. K. Marlboro Pond, LLC

Address: c/o RK Centers, 50 Cabot Street, Suite 200, Needham, MA 02494

Telephone: 781-320-0001 Fax: _____

Email: _____

APPLICANT'S ENGINEER (preparing site plan)Name: Chappell Engineering Associates, LLCAddress: 201 Boston Post Road West, Suite 101, Marlborough, MA 01752Telephone: 508-481-7400 Fax: _____

Email: _____

APPLICANT'S LANDSCAPE ARCHITECTName: N/A

Address: _____

Telephone: _____ Fax: _____

Email: _____

PROJECT INFO**PROPOSED USE (see Section 63-5(B) (1))**X Non-Residential _____ Residential

Provide a brief description of the project; including the proposed type of use, whether expansion of new, size of buildings, number of new parking spaces, any unusual utility use or impact on abutters (traffic, noise, lighting, odors, hazardous material, etc.)

Erect a new 80-foot wireless communications facility stealth monopole tower with
accessory ground equipment, including a stand-by power generator, inside a
fenced compound at the base of the tower, pursuant to the attached and
enclosed plans and supporting materials incorporated into and made
part of this Application. All Rights Reserved.

Identify all zoning districts, including overlay zones applicable to this site. The zones must also be shown on the site plan cover sheet. (See Section 270-2 (C) (2) (b) (3)).

ZONING DISTRICT(S) LI - Limited Industrial

WHAT OTHER PERMITS REQUIRED (check off which applies)

<input checked="" type="checkbox"/> City Council for Special Permit	<input type="checkbox"/> Blasting Permit (Fire Dept)
<input type="checkbox"/> ZBA Special Permit	<input type="checkbox"/> Title V Approval (Board of Health)
<input type="checkbox"/> ZBA Variance	<input type="checkbox"/> Food Permit (Board of Health)
<input type="checkbox"/> Wetlands Protection Act	<input checked="" type="checkbox"/> Building Permit (Building Dept)
<input type="checkbox"/> Section 404, Clean Water Act (Army Corps)	<input type="checkbox"/> Sign Permit (Building Dept)
<input type="checkbox"/> C 91 Waterways Permit	
<input type="checkbox"/> Subdivision Control Act (Planning Board)	
<input type="checkbox"/> State Curb Cut (MA Highway)	
<input type="checkbox"/> Indirect Access Permit (MA Highway)	
<input type="checkbox"/> MEPA ENF or EIR (EOEA)	
<input type="checkbox"/> Sewer Connection Permit (DPW, City Council, DEP)	
<input type="checkbox"/> Street Opening Permit (DPW, Engineering Dept)	
<input type="checkbox"/> Sewer Connection (DPW, City Council, DEP)	
<input type="checkbox"/> Other: _____	

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? Zone X

SUBMITTED PLANS AND REPORTS

See Section 270-2 (C) for submission requirements. Please include a locus map per Section 270-2 (C) (2) (b) (1)

Verizon: Wireless Telecommunications	3-18-22	Clement Salek
739 Donald Lynch Boulevard		
Title	Date	Stamped By

Fee

For Minor Site Plan without a building: \$750

For a Minor Site Plan (with a building under 8,000 square feet): \$1,000, plus \$0.03 a square foot of building gross floor area

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area

PUBLIC NOTICE

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice in a newspaper of general circulation within the area at least once within two weeks of filing a Site Plan application using the format below. A copy of the public notice must be submitted with the application. Applications for Site Plan Approval shall not be certified as complete unless the public notice is properly published.

Date of Publication: _____

Name of Newspaper: _____
(Form of notice attached)

HISTORIC BUILDING NOTICE

Is the site within 250 feet of any building, cemetery or monument built before 1850? YES **NO**
XXXX

If in doubt, ask the Historic Commission (508 481-2400). If the answer is YES, send a photocopy notice and one copy of the site plans (excluding utilities) to:

Chairman, Historic Commission
City Hall
Marlborough, MA 01752

APPLICANT'S SIGNATURE

Cellco Partnership d/b/a Verizon Wireless

By C. C. [Signature], IT Agent
Applicant or Representatives Signature

4-4-22
Date

Applicant shall submit this form to the Building Dept with all required plans (8 copies of plans, 4 copies of Traffic and Drainage reports) after a "Pre-Application Review" with the City reviewing Authority at which most requirements can be examined and discussed.

The applicant maybe required to attend a Preliminary scoping session with the Site Plan Review Committee prior to submitting this form.

Office Use Only:

Date Received: _____

Site Plan Number: _____

SITE PLAN APPROVAL PUBLIC NOTICE FORM

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice once in a newspaper of local circulation, using the format below at least once within two weeks of filing an application. A copy of the public notice must be submitted to the Building Department with the application for Site Plan Approval.

City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: 80-foot stealth wireless communications facility

Project Street Address: 739-769 Donal Lynch Boulevard Map 50, Lot 7B

Applicant's Name: Cellco Partnership d/b/a Verizon Wireless

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.

**STATEMENT IN SUPPORT
OF APPLICATION FOR A
SPECIAL PERMIT
AND SITE PLAN APPROVAL**

Applicant: Cellco Partnership d/b/a Verizon Wireless

Subject Parcel: 739-769 Donald Lynch Blvd., Assessor's Map 50, Parcel 7B ("Subject Property")

Zoning District: LI - Limited Industrial

Proposed Use: Install a new Wireless Communications Facility stealth tower with accessory ground equipment including a stand-by power generator.

Requested: Special Permit and Site Plan Approval pursuant to Sections 650-25, 650-59, Chapter 270 and other applicable sections of the City of Marlborough Ordinances, M.G.L. Chapter 40A, and the Telecommunications Act of 1996, 47 U.S.C. 332(c)(7)(B); All Rights Reserved.

Date: April 8, 2022

A. DESCRIPTION OF PROPOSED INSTALLATION

Verizon Wireless has identified certain coverage gaps and capacity issues in its network in the vicinity of the Subject Property that could be alleviated with the installation of a new wireless facility in the area. A site acquisitions firm was hired by Verizon Wireless to look for a new site and no existing cell towers or other communications towers were found nearby. The only other existing towers in the area were located too far away to be effective in the present instance.

The Subject Property was chosen because it is a commercial property, with easy access, and the site is already cleared, disturbed and developed. The Subject Property is perfectly located to satisfy the coverage objectives that motivated Verizon Wireless to build a new site in Marlborough.

The Applicant now seeks approval of a Special Permit to erect an 80-foot stealth monopole tower. The tower will be surrounded by a fence to secure accessory ground equipment which will include radio cabinets and a stand-by power generator.

The Applicant's installation will be unmanned and unoccupied, requiring only infrequent (approximately once per month) maintenance visits. Ingress and egress to service the installation will utilize existing access points into the Subject Property.

The proposed installation will produce no odor, dust, light or nuisance of any kind. The proposed use is really more of a "non-use" in the conventional sense in that, once constructed, nothing will occur on site. The only noticeable affects of the proposed installation will be the beneficial impact of enhanced and improved wireless communications to Verizon Wireless customers in the area.

B. PERSONAL WIRELESS COMMUNICATIONS FACILITIES

Section 650-25 of the City of Marlborough Zoning Ordinance ("Ordinance") outlines the requirements and approval criteria pertaining to new wireless facilities. In order to demonstrate the Applicant's compliance, the Ordinance provisions are enumerated below (*in italics*) with the Applicant's responses thereto (in plain text) as follows:

§ 650-25. Wireless communications facilities.

A. Purposes.

- (1) To promote the health, safety and general welfare of the community.*
- (2) To guide sound development.*
- (3) To conserve the value of land and buildings.*
- (4) To encourage the most appropriate use of the land.*
- (5) To minimize the adverse aesthetic impact of wireless communications facilities.*
- (6) To minimize the number of wireless communications facility (WCF) sites.*
- (7) To encourage co-location by wireless communications companies on wireless communications facilities.*
- (8) To ensure that WCFs are cited, designed and screened in a manner that is sensitive to the surrounding neighborhood.*
- (9) To avoid damage to adjacent properties.*

The proposed site will promote the above-stated purposes because a stealth and unobtrusive installation is proposed. The site will have no adverse aesthetic impact and will not have any deleterious impact on surrounding properties. Enhanced wireless connectivity promotes the health, safety and welfare of the community. The Applicant is proposing a new piece of wireless infrastructure that will benefit the community with no cost to the taxpayers of Marlborough.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

COMMUNICATIONS DEVICE — Any antenna, dish or panel mounted out of doors on an already existing building or structure used by a commercial telecommunications carrier to provide telecommunications services. Interior-mounted antennas, dishes or panels are not subject to the provisions of this section, except for the provisions of Subsection F(10) of this section. The term "communications device" does not include a tower.

TOWER — Any equipment-mounting structure that is used primarily to support reception or transmission equipment and that measures 12 feet or more in its longest

vertical dimension. The term "tower" includes, but is not limited to, monopole and lattice towers.

WIRELESS COMMUNICATIONS FACILITIES — Any and all materials, equipment, storage structures, towers, dishes and antennas, other than customer premises equipment, used by a commercial telecommunications carrier to provide telecommunications services. This definition does not include facilities used by a federally licensed amateur radio operator or facilities which are accessory to the use of a business or building and are for the exclusive use of the owner of the building or the tenant.

The Applicant is proposing a new Wireless Communications "Tower" Facility.

C. Application and jurisdiction.

(1) A WCF which include a tower shall be erected and installed in all portions of the City only in compliance with the provisions of this section and upon the grant of a special permit by the City Council.

A Special Permit is respectfully requested.

(2) Communications devices shall be erected and installed only on an existing building or structure in all portions of the City, all in compliance with the provisions of this section and upon the grant of a special permit by the City Council.

A Special Permit for a new tower is respectfully requested.

(3) Notwithstanding anything to the contrary contained in the Zoning Ordinance, the City Council shall be authorized to grant a special permit for the erection or installation of a WCF which includes a tower in all portions of the City.

A new tower is respectfully requested.

(4) Notwithstanding anything to the contrary contained in the Zoning Ordinance, the City Council shall be authorized to grant a special permit for a WCF which consists of a communications device on an already existing building or structure in all portions of the City.

Not Applicable. A new free-standing tower is proposed.

(5) No WCF shall be erected or installed out of doors except in compliance with the provisions of this section. The provisions of this section apply to all WCFs

whether as a principal use or an accessory use and to any and all extensions or additions to or replacement of an existing WCF.

Understood.

D. Review standards. In addition to the special permit review criteria under § 650-59 of this chapter and Section 9 of Chapter 40A of the General Laws, the City Council shall also review the special permit application in conformance with the following objectives:

(1) When considering an application for a WCF which includes a tower, the City Council shall take into consideration the proximity of the facility to residential dwellings.

The facility is proposed next to a shopping center building in a commercial area adjacent to a highway. No residences are located anywhere nearby the proposed site.

(2) New WCFs which include a Tower shall be considered only after a finding that existing or previously approved towers cannot accommodate the proposed users.

There are no existing towers nearby that could work to satisfy the coverage objectives that motivated the Applicant to seek a new site in the area. The City Council, being intimately familiar with their City, can take judicial notice that there are indeed no towers in the immediate vicinity of the Subject Property.

(3) When considering an application for a communications device proposed to be placed on an already existing building or structure, the City Council shall take into consideration the visual impact of the unit from the abutting neighborhood and streets and the proximity of the unit to residential dwellings.

Not Applicable. An existing building is not being used.

(4) The City Council shall act on a request for the placement of a WCF within a reasonable period of time, and any denial shall be in writing and supported by substantial evidence contained in the record.

Understood.

E. Development requirements.

(1) Any proposed tower must be of the minimum height necessary to accommodate the use and in any event shall not be more than 190 feet in

height, notwithstanding any other provisions to the contrary of this chapter.

The Applicant is proposing a tower at a modest Eighty (80) feet in height, well below the 190 feet limit.

(2) The applicant shall arrange to fly a balloon of at least three feet in diameter at the maximum height of the proposed tower at least once before the first public hearing. The date, time and location of the flight shall be advertised by the applicant at least 14 days, but not more than 21 days, before the flight in a newspaper of general circulation in the City.

A balloon was flown early one morning, before winds picked up, so that photo-simulations could be created. See enclosed photo-simulations included in with Application binder.

(3) Visual impacts of towers and communications devices must be minimized by use of appropriate paint and/or screening.

The Applicant is proposing a simple sleek stealth pole with antennas hidden inside to render the proposed tower visually unobtrusive. A tall pole is all that is proposed.

(4) Applicants must, as part of their application for a special permit for a tower, submit evidence from the Federal Aviation Administration (FAA) demonstrating that said FAA has studied and approved the proposed tower and its location. If lighting is required by the FAA, the provisions of Subsection E(12) of this section shall prevail.

Please see enclosed FAA study confirming the proposed height will be a non-issue and no light will be required.

(5) The siting of towers shall be such that the view of the tower from other areas of the City shall be as minimal as possible and shall be screened from abutters and residential neighbors to the extent feasible.

The Applicant is proposing a stealth pole that will afford minimal visibility. The facility will be located in a commercial shopping area adjacent to the highway. It is doubtful views from any residential area will be significant, if any.

(6) Shared use of towers by commercial telecommunications carriers is required unless such shared use is shown by substantial evidence to be not feasible.

The Applicant is proposing a tower that will indeed provide space for additional carriers should any show interest in siting at the Subject location.

(7) All towers shall be designed to accommodate the maximum number of presently interested users which is technologically practical. If the number of interested users is less than five, the applicant shall submit substantial evidence to support such an assertion. All towers shall be designed so that, if additional users require said location, the existing tower can be expanded or replaced with the minimum of technical difficulty and disturbance to neighbors and shall be subject to the obligation of the applicant to cause or allow such expansion or replacement on terms that are commercially reasonable to the additional users at any time following the granting of the initial special permit.

The Applicant respectfully points out that the above-cited language is outdated in that, due to mergers, there are no longer five separate licensees in the local wireless market. Furthermore, the stealth nature of the proposed facility, combined with its relatively low, modest height, renders it perhaps less attractive to certain future co-locators if they desire a much greater height. The desire to maximize co-location in fact conflicts with the provisions of Section 650-25(E)(1) that mandates the "minimum height necessary to accommodate the use." Increasing height to accommodate more users also conflicts with the provisions requiring minimal visibility and minimizing aesthetic impacts nearby. For the foregoing reasons, the height proposed is deemed wholly appropriate and the Applicant respectfully requests approval accordingly.

(8) Every tower must be set back from the property line of the lot on which it is located or from a point beyond said lot line but extending only over land for which written permission has been received for a distance at least equal to the height of the tower. For any land held by any person or entity other than the United States, the Commonwealth of Massachusetts, or an agency or political subdivision thereof, said written permission shall be evidenced by an easement covering the area in question and recorded in the South Middlesex Registry of Deeds or South Middlesex Land Registration Office.

The Applicant is proposing a pole 80 feet in height which will be located at least 80 feet from the nearest lot line fully in compliance with this provision.

(9) No portion of communications devices located on a building shall exceed 15 in height above the roofline of the building.

Not Applicable.

(10) Communications devices shall be situated on or attached to a building or

structure in such a manner that they are screened whenever possible, shall be painted or otherwise colored to minimize their visibility, and shall be integrated into such structures or buildings in a manner that blends with the structure or building. Freestanding antennas or dishes shall be landscaped, screened and painted in a manner so as to minimize visibility from abutting streets and residents.

The Applicant is proposing a single sleek stealth pole with antennas hidden inside. It is proposed to be sited next to a commercial building in a shopping area far removed from residences. It is the Applicant's position that such a stealth installation will be visually unobtrusive.

(11) Fencing shall be provided to control access to all WCFs which include towers.

Fencing is indeed proposed. See enclosed plans.

(12) All towers must comply with all Federal Aviation Administration rules and regulations. Notwithstanding the requirement to comply with rules and regulations, any tower that would be required to install flashing lights or strobe lighting shall not be permitted.

An FAA study has been commissioned and no lights will be required on the proposed tower.

(13) All towers shall be at least 150 feet from existing residential buildings.

There are no residential buildings anywhere near the proposed site which is located in a commercial shopping area adjacent to the highway.

(14) Accessory buildings and or storage sheds shall not exceed two stories in height; no more than 300 square feet in floor area shall be available for each user; any buildings or storage sheds added to a site must be attached to and abut the original building or storage shed and must be compatible in appearance.

Not Applicable. No shed or building is proposed.

(15) The maximum amount of vegetation shall be preserved.

Not Applicable. The facility is proposed to be located in an area on the grounds of a commercial shopping center building that is already cleared, developed and paved and has no existing vegetation where the tower is proposed.

F. Conditions. The following conditions shall apply to all grants of special permits pursuant to this section:

(1) For all WCFs, annual certification of compliance with Federal Communications Commission, Federal Aviation Administration and federal, state and local laws, rules and regulations must be provided to the City Council.

The Applicant respectfully requests a **WAIVER** from this unnecessary provision. There is no "annual certification" that can be provided regarding the Federal Communications Commission. The Applicant is an FCC licensee. The Applicant cannot broadcast without its FCC licenses; the Applicant's on-going broadcasting from the Subject Site would alone be certification of compliance. Once a new structure, at a proposed height, has been determined to have no FAA issues, there is nothing to annually certify once constructed. And finally, "certification of compliance" with laws and regulations can be inferred if no citations or violations have been registered.

(2) All towers must comply with all applicable Federal Communications Commission rules and regulations. Annual certification of compliance must be provided to the City Council.

A **WAIVER** is respectfully requested for the reasons outlined in response to item (1) supra.

(3) For all towers located on municipal property, a certificate of insurance for liability coverage in amounts determined by the City Solicitor must be provided naming the City as an additional insured.

Not Applicable. The tower is proposed on private property.

(4) For all towers located on municipal property, an agreement must be executed whereby the user indemnifies and holds the City harmless against all claims for injury or damage resulting from or arising out of the use or occupancy of the City-owned property by the user.

Not Applicable. The tower is proposed on private property.

(5) For all towers, the execution of an agreement must be executed with the property owner whereby the user shall, at his own expense and within 30 days upon termination of the lease or 30 days of nonuse of the tower, restore the premises to the condition it was in at the onset of the lease and shall remove any and all WCFs thereon.

The Applicant already has language in its contract with the property owner to restore the site upon termination of tenancy.

(6) For all towers, a bond must be issued to the City from a surety authorized to do business in Massachusetts and satisfactory to the City in an amount equal to the cost of removal of any and all WCFs from the premises and for the repair of such premises and restoration to the condition that the premises were in at the onset of the lease, said amount to be determined by the City. The amount of the bond shall be the total of the estimate by the City plus an annual increase of 3% for the term of the lease. The term of the bond shall be for the full term of any lease plus 12 months. The City must be notified of any cancellation or change in the terms or conditions in the bond. The amount of the bond is to be payable to the City in the event that the user breaches the agreement in Subsection F(4) herein.

The Applicant respectfully requests a WAIVER from this provision. The Applicant is compliant with a similar provision (item 5 above) and the facility is proposed on private not public property.

(7) For all towers located on nonmunicipal property, a clause must be inserted in any lease that unconditionally permits the City or contractors hired by the City to enter the premises at any time on which towers are located if any City owned or-controlled telecommunications devices are located thereon.

If the City becomes a tenant on the facility, it will be granted access by virtue of its lease.

(8) For all towers located on nonmunicipal property, a clause must be inserted in any lease that unconditionally permits the City or contractors hired by the City to enter the premises on which towers are located in the event the user breaches the agreement in Subsection F(4) herein.

Subsection F(4) applies to municipal not non-municipal properties. The Subject Property is private.

(9) For all towers, an agreement must be executed whereby the user will allow the installation of municipal communications devices at no cost to the City of Marlborough and which will allow other carriers to lease space on the tower so long as such use does not interfere with the user's use of the tower or with any City-controlled telecommunications equipment. There will be a presumption that a tower can accommodate more than one user, and if the applicant alleges that another carrier or carriers would interfere with its use of the tower, it must support the allegation by substantial evidence.

Understood, however, in the present instance, where a stealth pole is proposed, space is limited and such types of poles do not lend themselves well to municipal installations which tend to be whip-style, exterior-mounted antennas that would be incompatible with a sleek stealth structure. The co-location of additional wireless carriers will be allowed pursuant to standard industry practices, but space on such a low pole is limited. Opportunities for co-location here cannot be compared to those of much taller conventional monopole or lattice-type tower structures. That is the trade-off for aesthetics which is emphasized here.

(10) All permittees shall be required to file annually on or before February 1 with the City Clerk a complete list of all WCF locations in the City then used by the permittee, including communications devices mounted on the interior of a building or structure.

A waiver from this provision is respectfully requested.

C. SPECIAL PERMIT ANALYSIS

In addition to the wireless provisions of Section 650-25 discussed above, the provisions of Section 650-59 pertaining to Special Permits are also specifically applicable. In order to demonstrate the Applicant's compliance, the Ordinance provisions are outlined below (*in italics*) with the Applicant's responses thereto (in plain text) as follows:

SECTION 650-59(C)(12)(A):

In acting on applications for special permits, the City Council may make such findings as provided herein or called for by the subject matter and may impose such conditions, safeguards or limitations on matters relating to the proposal as may affect the public health, safety, welfare and convenience, including conditions on time and use. No special permit shall be issued, except upon a general finding that the use sought and its impact and characteristics shall not be in conflict with public health, safety, convenience and welfare and shall not be detrimental or offensive, provided the conditions, safeguards or limitations imposed, if any, are met.

In the present instance, the Applicant is proposing a site that will support and benefit the public health, safety and convenience by providing enhanced wireless communications to the area. There will be nothing detrimental about the proposed stealth pole located next to a commercial shopping center building. That is the exact location where one would expect to find such a structure. There are no residences nearby. The Applicant's antennas will be hidden inside stealth sheathing to hide them from view. The site will provide enhanced connectivity to the area. Most 911 calls are now made on wireless telephones. Many new homeowners and renters only use wireless telephones and no longer have landlines. The facility will be located in a commercial area next to the highway. There is nothing detrimental whatsoever about the proposed installation.

D. ALTERNATE SITE ANALYSIS

1. The Site Selection Process

As a general rule, site candidates are analyzed based on a matrix of criteria revolving around those sites located within the Radio Frequency ("RF") Engineer's target Search Area, or area where a new site is required to provide seamless coverage to the carrier's network in that vicinity. A Search Area is issued by an RF Engineer using computer propagation modeling to arrive at an approximate location in which a new site would best fit to connect with the other surrounding sites in the carrier's network to provide the coverage needed to fill the significant gaps that would continue to exist without a site in that vicinity. A Search Area is usually well defined and relatively precise. Moving too far one way or the other will typically render uninterrupted connectivity less viable either by getting too close to an existing site and too far away from another, or by getting too close to a topographical obstruction or too far away from the primary locus of end-users the site is intended to serve. Search Areas typically encompass anywhere from a few blocks to a quarter mile or so depending on the surrounding terrain, coverage objectives and proximity and height of existing sites. Sites within the Search Area are analyzed based on criteria that fall within the convergence of being the most "leasable, zone-able and constructible."

"Leasable" is defined as the ability to acquire a commercially reasonable leasehold interest, with a willing landowner, within a reasonable period of time.

"Zone-able" is defined as a site with a reasonable probability of expedited permitting success, requiring the least relief necessary. Factors that influence a site's "zone-ability" include harmony with the express terms of the zoning Ordinances, impact on the town, and the mitigation of environmental disturbance. A subset of the "zone-ability" analysis includes consideration of the criteria reviewed under the NEPA process, such as impact on historic, environmental and tribal resources.

"Constructability" is determined through an analysis of on-site conditions relative to access, proximity to adequate utilities, and the ability to erect and maintain a facility on the site being investigated. Access and site issues are further vetted through considerations relative to drainage, tree clearing, environmental disturbance, soil conditions, steepness of grades and depth to bedrock. The site with the least amount of the aforementioned issues is generally preferred.

Verizon Wireless requires unimpeded 24/7 x 365-day access to its sites. The proposed facility will become part of the infrastructure of Verizon Wireless' network. It must be accessible at all times, during all seasons, and in all weather conditions. The site must be able to be serviced by contractors and co-locators, to receive maintenance, allow for new installations without extraordinary inconvenience, and accept fuel deliveries for the stand-by generator without delay. Closed or seasonal access roads are problematic.

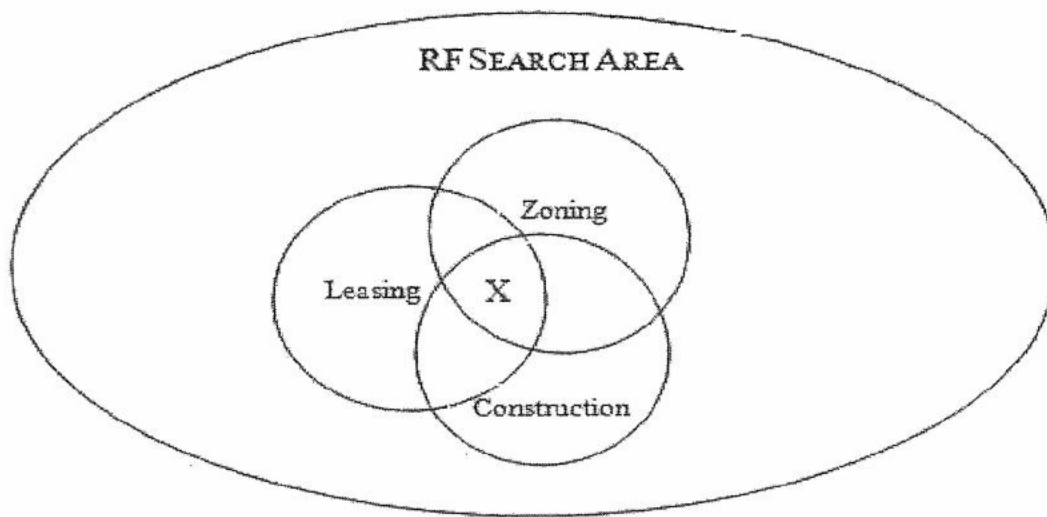
Access to adequate landline utilities is essential. Verizon Wireless's installation, and that of co-locators, requires adequate power and telephone service in the form of fiber-optic cable. Siting

facilities in remote locations where proper landline utility connections are not nearby can be problematic.

Soil conditions are analyzed. Steep grades which could promote storm-water runoff and erosion must be avoided. The soils on site must pass muster among geotechnical engineers to accept the installation of a foundation suitable to support the intended weight and wind-loading of the proposed structure. All of these criteria go into the constructability analysis of any site candidate considered.

The foregoing can be recapped in the following diagram showing the overlapping considerations of leasing, zoning and construction, all focused on finding the best candidate within the RF Engineer's target area or "Search Area":

"X" = Chosen Site



2. Alternate Sites

With the above criteria in mind, Verizon Wireless's team of engineers and real estate consultants reviewed the various potential site locations within the RF Engineer's Search Area. Existing towers or other tall structures of suitable height, if any, are always analyzed first. Unfortunately, in the present instance, no tall buildings were found nearby. The following other parcels nearby were analyzed for the construction of a new wireless facility but were not considered superior to the chosen Subject Property:

- Digital Federal Credit Union - Donald Lynch Blvd.
- New England Development - Donald Lynch Blvd.
- Hillside School - Robin Hill Street
- Sunovion Pharmaceuticals - Waterford Drive
- Milano Marble Solutions - in Berlin

The subject site was chosen because its location, next to a commercial building, would be compatible with the surrounding uses. Additionally, the site is already improved with a curb cut

and adequate access. Utilities are nearby. The site is level and no changes to grade or alterations to existing stormwater run-off patterns will be needed.

For the foregoing reasons, combined with the aforementioned leasing, zoning, and constructability analysis, the subject property was deemed the best candidate within the targeted search area.

E. CONCLUSION

Verizon Wireless's proposal, to install a new stealth pole on a commercial parcel off Donald Lynch Highway conforms in all respects to the requirements set forth in City of Marlborough Zoning Ordinance. Furthermore, the Applicant has met the general standards of Special Permits set forth in Chapter 40A of the Massachusetts General Laws.

In addition to state and local law, certain provisions of federal law are also applicable to the Applicant's proposal in that Verizon Wireless is a federally licensed communications provider. Pursuant to the Telecommunications Act of 1996 ("TCA"), Verizon Wireless is afforded certain protections in the analysis of local land use issues which, in effect, act as a federal overlay on a local board's zoning review process. Among other provisions, the TCA provides specifically in 47 U.S.C. Section 332(c)(7)(B)(i) that the action of local governments may not prohibit or have the effect of prohibiting wireless services in their communities. This provision is relevant because Verizon Wireless has a very specific coverage and capacity issue resulting in significant gaps in reliable network coverage in the vicinity of the Subject Property that will continue to exist should this site co-location not be approved.

Furthermore, local governments must treat competing wireless service providers equally and *"shall not unreasonably discriminate among providers of functionally equivalent services."* This provision is relevant to the petition at hand as Verizon Wireless is just one of the wireless carriers that competes with other service providers who have received City approval to erect cell towers and installed antennas and equipment in other areas in the City. Verizon Wireless now respectfully requests that it be treated with the same consideration afforded its competitors who have made application, and were approved, for their wireless installations.

For all the foregoing reasons, the Council can, in clear conscience, approve the requested Special Permit and Site Plan Approval knowing that the submitted Petition complies in all respects with the requirements of the City of Marlborough Zoning Ordinances, the purpose and intent of the specific wireless communications regulations enumerated therein, and state and federal law governing the petition at hand.

Accordingly, the Applicant respectfully requests approval of the requested Special Permit and Site Plan approval pursuant to the submitted Application and Plans.



PHOTO SIMULATIONS

Site Address:

**739 DONALD LYNCH BOULEVARD
MARLBOROUGH, MA 01752**

Date:

MARCH 31, 2022 (REVISION 1)

Prepared by:

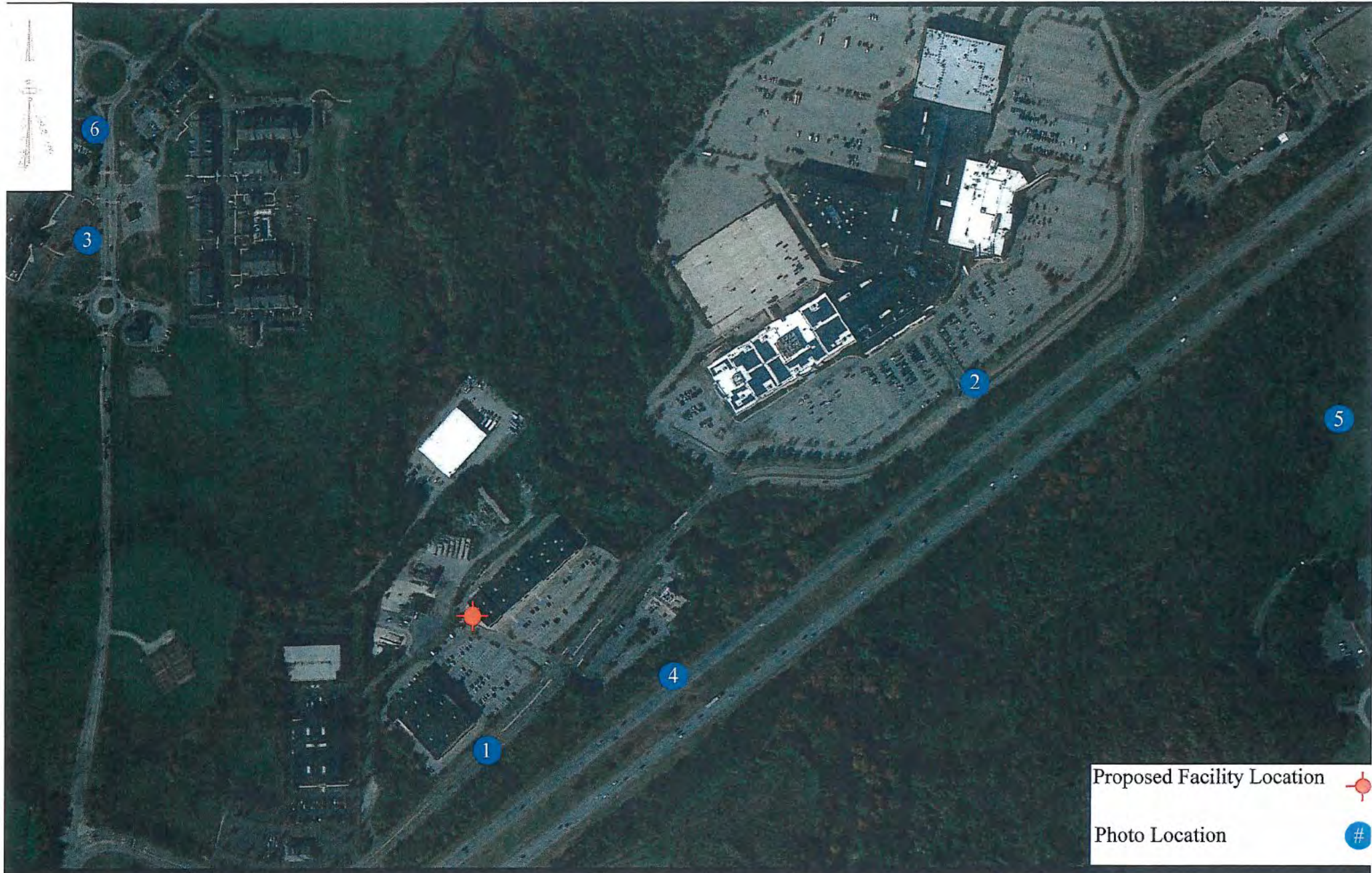


R.K. Executive Centre ■ 201 Boston Post Road West ■ Suite 101 ■ Marlborough, MA 01752

t. 508.481.7400 ■ www.chappellengineering.com ■ f. 508.481.7406

PHOTO LOCATION MAP

14-29



*Photo-Simulations based on a 5-foot ±
diameter balloon floated at a height of 80-feet performed on
March 23, 2022 between 10AM and 11:30AM.
739 Donald Lynch Boulevard*



verizon✓

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Taken 480' +/- South of Proposed Installation
Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELLENGINEERING.COM



verizon[✓]

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Simulation at 480' +/- South of Proposed
Installation Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELL-ENGINEERING.COM





739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Simulation at 1,930' +/- Northeast of Proposed
Installation Location



verizon[✓]

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Taken 1,930' +/- Northwest of Proposed
Installation Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELLENGINEERING.COM



739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Simulation at 1,930' +/- Northwest of Proposed
Installation Location









PROPOSED CONDITIONS - PHOTO LOCATION 5

14-39

(No Proposed Installation Features Visible From This Location)



verizon✓

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Simulation at 3,130' +/- East of Proposed
Installation Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELLENGINEERING.COM



verizon✓

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Taken 2,230' +/- North-Northwest of Proposed
Installation Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELLENGINEERING.COM

PROPOSED CONDITIONS - PHOTO LOCATION 6

14-41

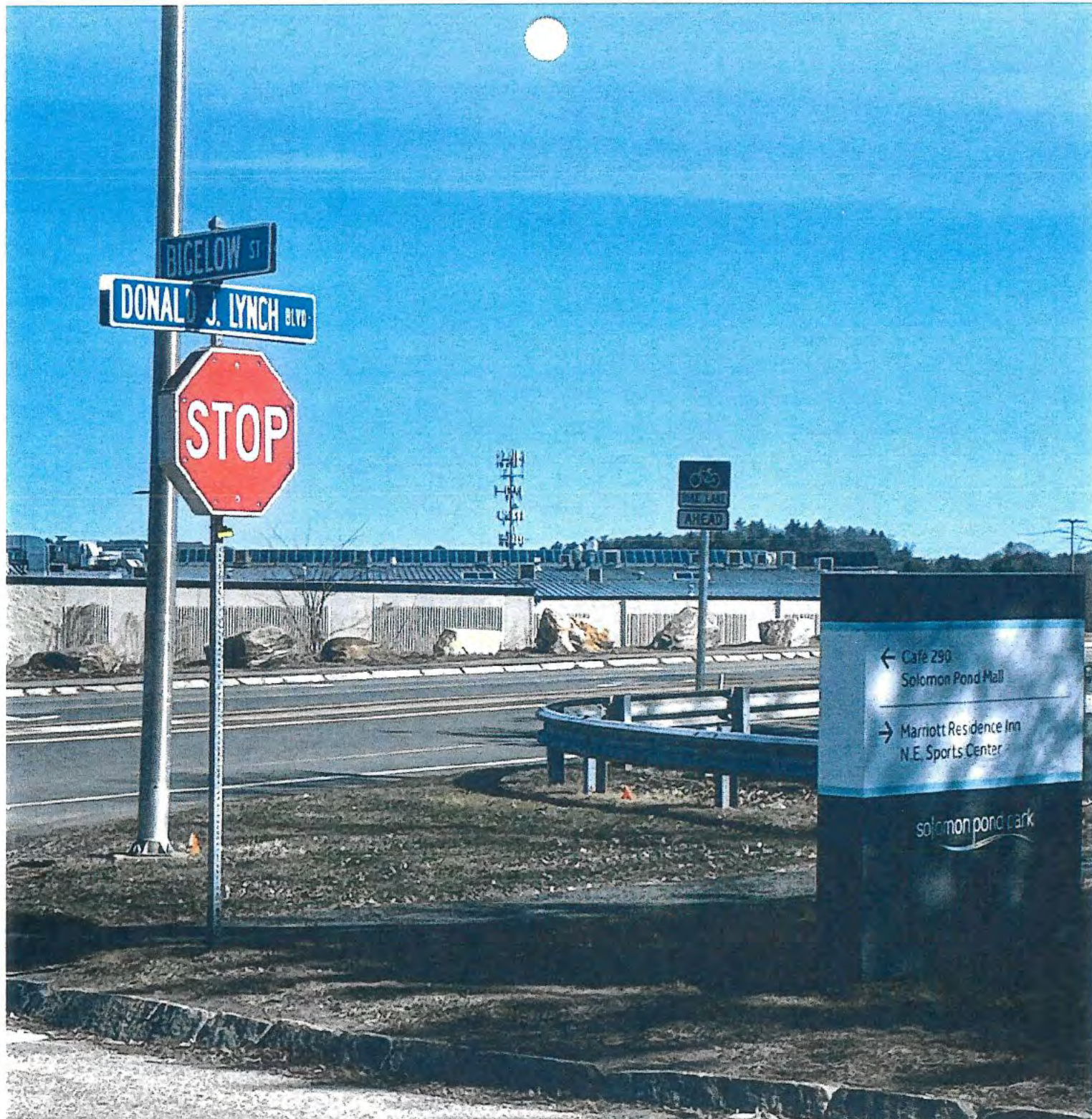
(No Proposed Installation Features Visible From This Location)



verizon✓

739 Donald Lynch Boulevard, Marlborough, MA 01752
Photo Simulation at 2,230' +/- North-Northwest of
Proposed Installation Location

C CHAPPELL
ENGINEERING
ASSOCIATES, LLC
Civil • Structural • Land Surveying
WWW.CHAPPELLENGINEERING.COM





20 ALEXANDER DRIVE, WALLINGFORD, CT 06492

739 DONALD LYNCH BOULEVARD
MARLBOROUGH, MA 01752

PROJECT TYPE: WIRELESS TELECOMMUNICATIONS
INSTALLATION WITH NEW 80' RF-TRANSPARENT MONOPOLE

SITE INFORMATION:

PROPERTY OWNER: RK MARLBORO POND LLC
C/O RK CENTERS
50 CASDY STREET, STE. 200
NEEDHAM, MA 02464

APPLICANT: CELCO PARTNERSHIP
(804 VERIZON WIRELESS)
20 ALEXANDER DRIVE
WALLINGFORD, CT 06492

SITE ADDRESS: 739 DONALD LYNCH BOULEVARD
MARLBOROUGH, MA 01752

COUNTY: MIDDLESEX COUNTY, MA

SITE CONTROL POINT: CENTER OF PROPOSED RF-TRANSPARENT MONOPOLE
N 42°31'06.48" (42.51819) (NAD 83)
W 71°37'06.51" (71.618475) (NAD 83)

ZONING CLASSIFICATION: U (LIMITED INDUSTRIAL)

ZONING JURISDICTION: CITY OF MARLBOROUGH, MA

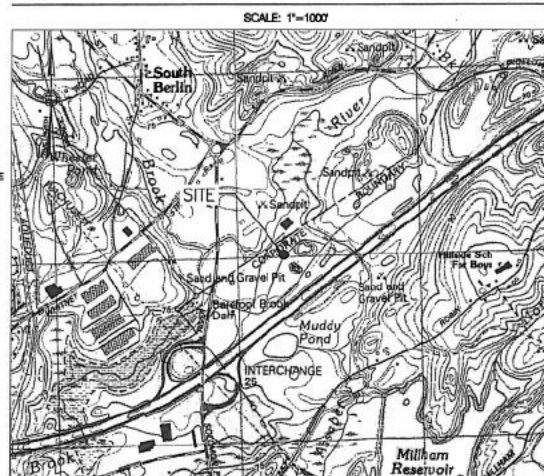
TAX ID PARCEL NUMBER: MAP 50 PARCEL 78

ARCHITECT / ENGINEER: CHAPPELL ENGINEERING ASSOCIATES, LLC
201 BOSTON POST ROAD WEST, SUITE 101
MARLBOROUGH, MA 01752

PRESTIDING POWER COMPANY: NATIONAL GRID (SOUTHEAST OPERATING AREA)
245 SOUTH MAIN STREET
HOPEDALE, MA 01747
(800) 375-7405

TELEPHONE COMPANY: VERIZON
185 FRANKLIN STREET
BOSTON, MA 02107
(800) 941-6900

VICINITY MAP



DRIVING DIRECTIONS

FROM WALLINGFORD, TAKE I-91 NORTH. TAKE EXIT 28 ON LEFT FOR U.S. 6 N/CONNECTICUT 15 N/84 EAST TOWARD EAST HARTFORD/BOSTON. MERGE ONTO US-6 NORTH. CONTINUE ONTO CT-15 NORTH. TAKE THE EXIT ON THE LEFT ONTO I-84 EAST TOWARD BOSTON. TAKE THE EXIT ONTO I-90 EAST TOWARD BOSTON/N.H. - MAINE. TAKE EXIT 90 FOR I-890 EAST TOWARD WORCESTER. TAKE EXIT 308 FOR SOLOMON POND MALL ROAD TOWARD BERLIN. MERGE ONTO SOLOMON POND ROAD. CONTINUE ONTO SOLOMON POND MALL ROAD. TURN RIGHT ONTO DONALD LYNCH BOULEVARD. THE SITE WILL BE STRAIGHT AHEAD ON THE RIGHT HAND SIDE.

SHEET INDEX

DWG.	DESCRIPTION	REV.
T01	TITLE SHEET	3
C01	PROPERTY PLAN	3
C02	SITE PLAN	3
A01	EQUIPMENT AREA PLAN	3
A02	SOUTHEAST SITE ELEVATION AND SOUTHWEST SITE ELEVATION	3
A03	SITE DETAILS	3

DO NOT SCALE DRAWINGS

ALL PLANS, EXISTING DIMENSIONS AND CONDITIONS AT THE PROPOSED PROJECT SITE SHALL BE VERIFIED IN THE FIELD DURING THE CONSTRUCTION PHASE. THE PROJECT OWNERS REPRESENTATIVE SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES IMMEDIATELY PRIOR TO PROCEEDING WITH THE PROPOSED WORK AFFECTED BY SUCH DISCREPANCIES. IN THE EVENT OF LACK OF SUCH NOTIFICATION, SUCH DISCREPANCIES SHALL BECOME THE RESPONSIBILITY OF THE PREVAILING CONTRACTOR RESPONSIBLE FOR CONSTRUCTION.

PROJECT DESCRIPTION

- THIS IS AN UNMANNED AND RESTRICTED ACCESS EQUIPMENT INSTALLATION AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNAL FOR THE PURPOSE OF PROVIDING PUBLIC WIRELESS TELECOMMUNICATIONS SERVICE.
- THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY.
- NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
- NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
- NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.

CLIENT:

verizon

ARCHITECT/ENGINEER:

CHAPPELL
ENGINEERING
ASSOCIATES, LLC

R.K. EXECUTIVE CENTRE
201 BOSTON POST ROAD WEST
SUITE 101
MARLBOROUGH, MA 01752
(508) 481-7400
www.chappellengineering.com

SEA:



ENGINEER/LAND SURVEYOR DATE

DRAWING SCALE NOTE:

THIS DRAWING HAS BEEN PREPARED BY A PROFESSIONAL ENGINEER, AS SUCH THE DRAWING SHALL BE THE PROPERTY OF A COMPANY OR INDIVIDUAL WHO HAS BEEN AUTHORIZED TO USE THE SAME. ALL NEW PLANS ARE TO BE USED IN ACCORDANCE WITH THE DRAWING AND NOT BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

REVISIONS

NO.	DESCRIPTION	DATE
0	ISSUED FOR BSA REVIEW	1/7/22
1	REVISED PER COMMENTS	2/9/22
2	REVISED PER (2/9/22) NOTES	3/9/22
3	ISSUED FOR T01ING	3/9/22

PROJECT LOCATION:

739 DONALD LYNCH BOULEVARD
MARLBOROUGH, MA 01752

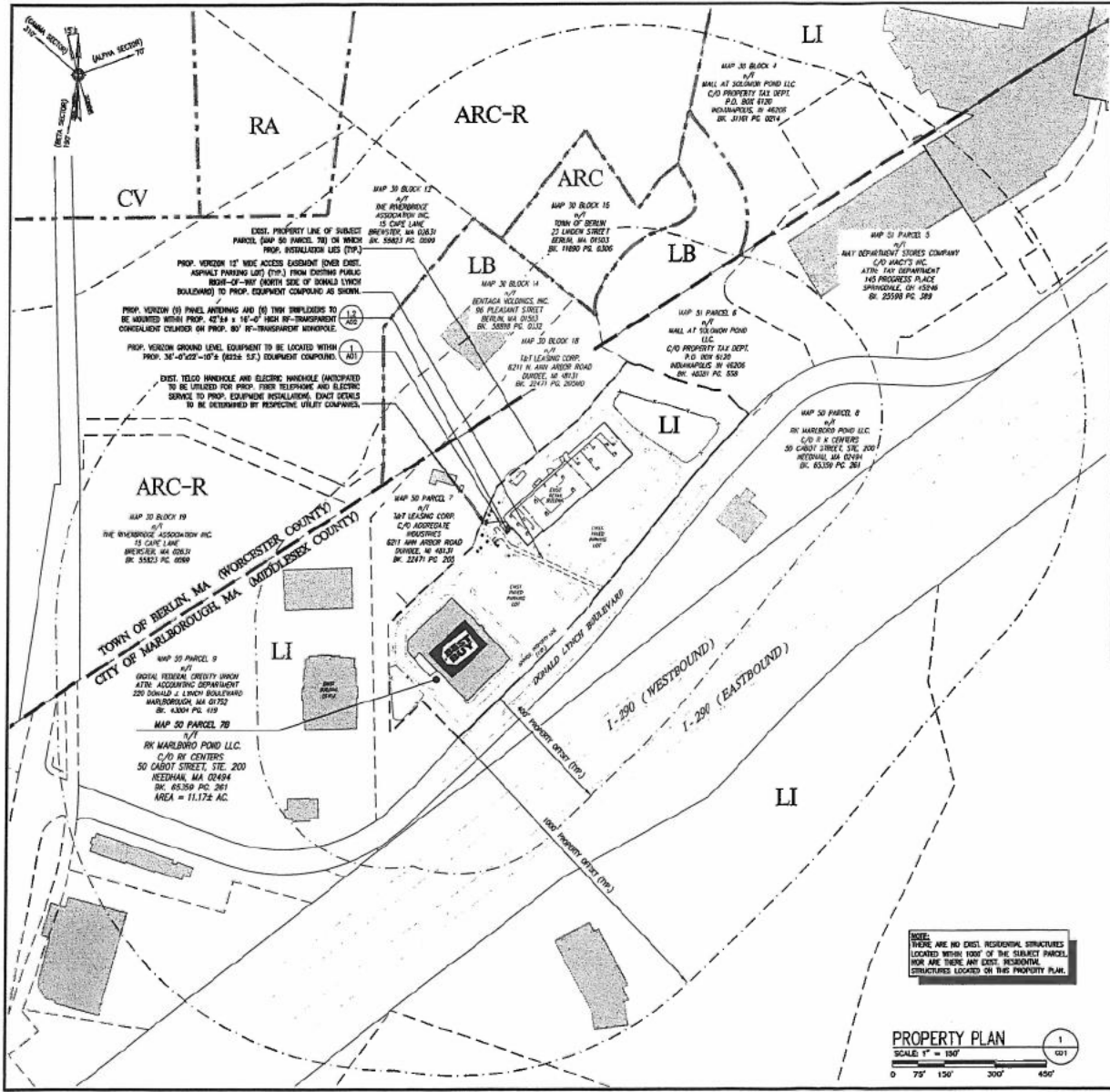
DRAWING TITLE:

TITLE SHEET

DRAWING NO.:

T01

DATE	DESIGNED BY	DATE	DATE
AS SHOWN	DESIGNED BY	DATE	DATE
DATE	DATE	DATE	DATE
DATE	DATE	DATE	DATE



- GENERAL NOTES:**
- 1A. LIMITED DESIGN VISIT DATE: 6/20/11
 - 1B. LIMITED FIELD SURVEY DATE: 1/26/12
 2. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)
 3. HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 (NAD 83)
 4. SITE CONTROL POINT: CENTER OF PROPOSED 87'-TRANSPARENT MONOPOLE. LATITUDE: N. 42°-21'-00.45" (42.353367) (DMD 101) LONGITUDE: W. 71°-37'-00.51" (71.616757) (DMD 101)
 5. LAND OWNER: RK MARLBORO POND LLC. C/O BK CENTERS 50 CABOT STREET, STE. 200 REEDMAN, MA 01861
 6. SITE ADDRESS: 739 DONALD LYNCH BOULEVARD MARLBOROUGH, MA 01752
 7. APPLICANT: CELCO PARTNERSHIP (aka VERIZON WIRELESS) 25 ALEXANDER DRIVE WALLINGFORD, CT 06492
 8. ZONING JURISDICTION: CITY OF MARLBOROUGH, MA
 9. TAX ID: MAP 50 PARCEL 7B BK. 45359 PG. 161
 10. DEED REFERENCE: CITY OF MARLBOROUGH ASSESSOR/US MAPS 12 (LIMITED INFORMATION)
 11. PLAN REFERENCES: 12 (LIMITED INFORMATION)
 12. ZONING CLASSIFICATION: LI (LIMITED INFORMATION)
 13. ALL UNDERGROUND UTILITY INFORMATION PROVIDED HEREON WAS DETERMINED FROM SURFACE EVIDENCE AND PLANS OF RECORD. ALL UNDERGROUND UTILITIES SHOULD BE LOCATED IN THE FIELD PRIOR TO THE COMMENCEMENT OF ANY SITE WORK. CALL DEGRADE 1-800-344-7232 A MINIMUM OF 72 HOURS PRIOR TO PLANNED ACTIVITY.
 14. THE PROPERTY LINES SHOWN WERE COMPILED USING CITY OF MARLBOROUGH ASSESSOR'S PLANS, GIS, RECORDED DEEDS AND PLANS OF REFERENCE AS INDICATED. A COMPLETE BOUNDARY SURVEY WAS NOT UTILIZED IN THE PREPARATION OF THESE PLANS.
 15. THE SITE IS LOCATED IN FLOOD HAZARD ZONE 1 (AREA OF MINIMAL FLOOD HAZARD) AS SHOWN ON FLOOD INSURANCE RATE MAP FOR THE CITY OF MARLBOROUGH (MAP NUMBER 22017C041101) EFFECTIVE 7/01/2014.
 16. BEARING SYSTEM OF THIS PLAN IS BASED ON GRID NORTH. TRUE NORTH WAS ESTABLISHED FROM GPS OBSERVATIONS. IT IS NOT ATTENDED TO BE AN EXACT REPRESENTATION OF TRUE NORTH.

LEGEND

---	OR	STREET	PROPERTY LINE
---	---	ADJUTING PROPERTY LINE	---
---	---	PROPERTY OFFSET/PAVING	---
---	---	EXIST. EASEMENT	---
---	---	EXIST. CHAIN LINK FENCE	---
---	---	EXIST. STOCKADE FENCE	---
---	---	EXIST. EDGE OF PAVEMENT	---
---	---	EXIST. OVERHEAD UTILITIES	---
---	---	APPROXIMATE ZONING BOUNDARY	---
---	---	APPROXIMATE TOWN LINE	---

ZONING DISTRICT LEGEND

CITY OF MARLBOROUGH	
LI	LIMITED INDUSTRIAL
TOWN OF BERLIN	
ARC	AGRICULTURAL-RECREATIONAL-CONSERVATION
ARC-R	ARC-CONSERVATION RESTRICTION
CV	COMMERCIAL-RELEASE
RA	RESIDENTIAL AGRICULTURE
LB	LIMITED BUSINESS
LI	LIMITED INDUSTRIAL

CLIENT:

verizon

ARCHITECT/ENGINEER:

CHAPPELL ENGINEERING ASSOCIATES, LLC

R.K. EXECUTIVE CENTRE
201 BOSTON POST ROAD WEST
SUITE 101
MARLBOROUGH, MA 01752
(508) 481-7400
www.chappellengineering.com

SEAL:

ENGINEER/LAND SURVEYOR DATE

DRAWING SCALE NOTE:

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH THE MASSACHUSETTS BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND ARCHITECTS. ALL DIMENSIONS ARE TO BE USED IN CONSTRUCTION OF THE PROJECT. ANY CHANGES TO THE PROJECT MUST BE MADE IN WRITING AND SIGNED BY THE ARCHITECT/ENGINEER.

REVISIONS

NO.	DESCRIPTION	DATE
0	ISSUED FOR PER REVIEW	1/7/12
1	REVISED PER COMMENTS	2/6/12
2	REVISED PER [2/16/12] REVISIONS	2/16/12
3	ISSUED FOR ZONING	3/14/12

PROJECT LOCATION:

739 DONALD LYNCH BOULEVARD
MARLBOROUGH, MA 01752

DRAWING TITLE:

PROPERTY PLAN

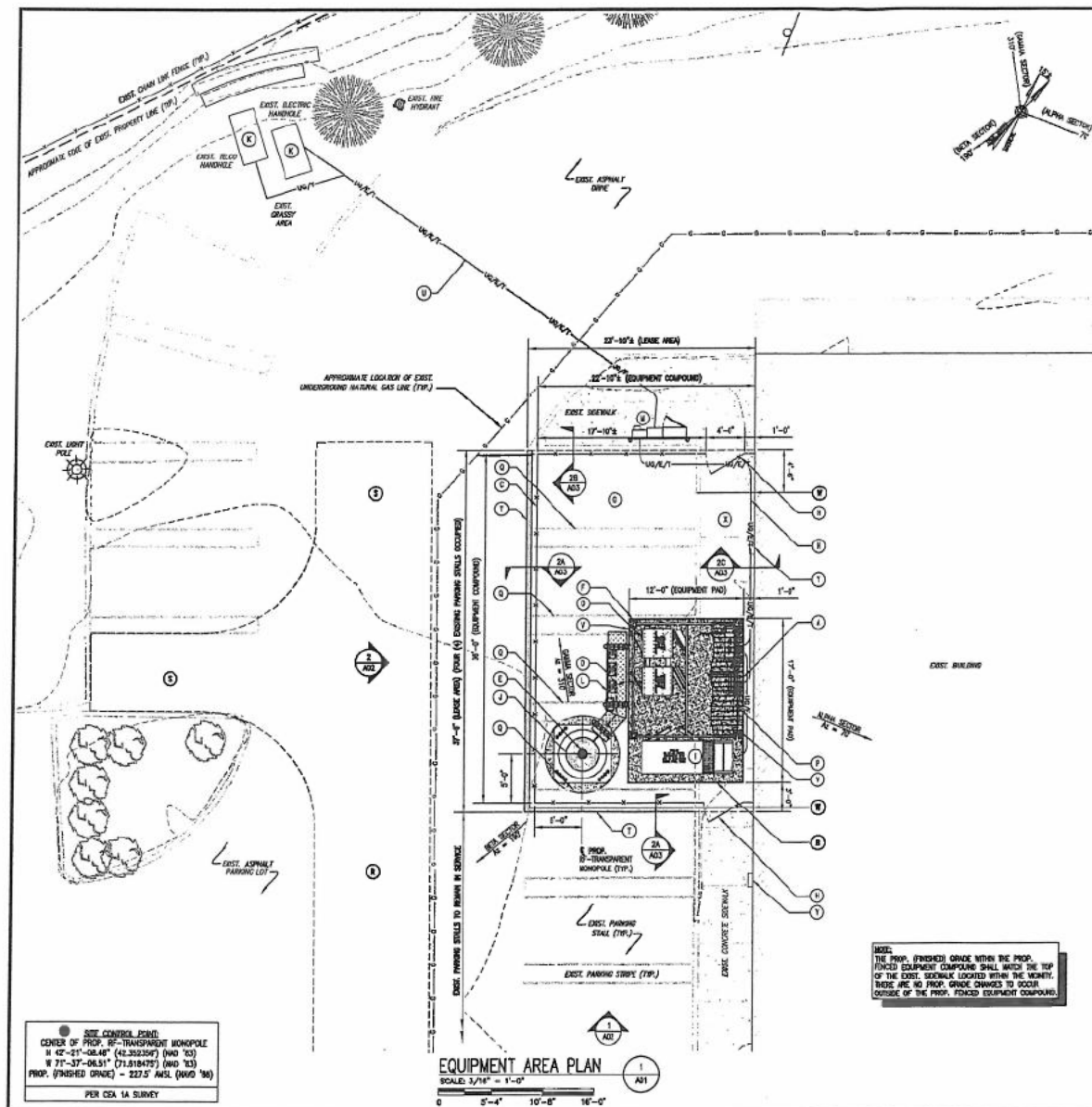
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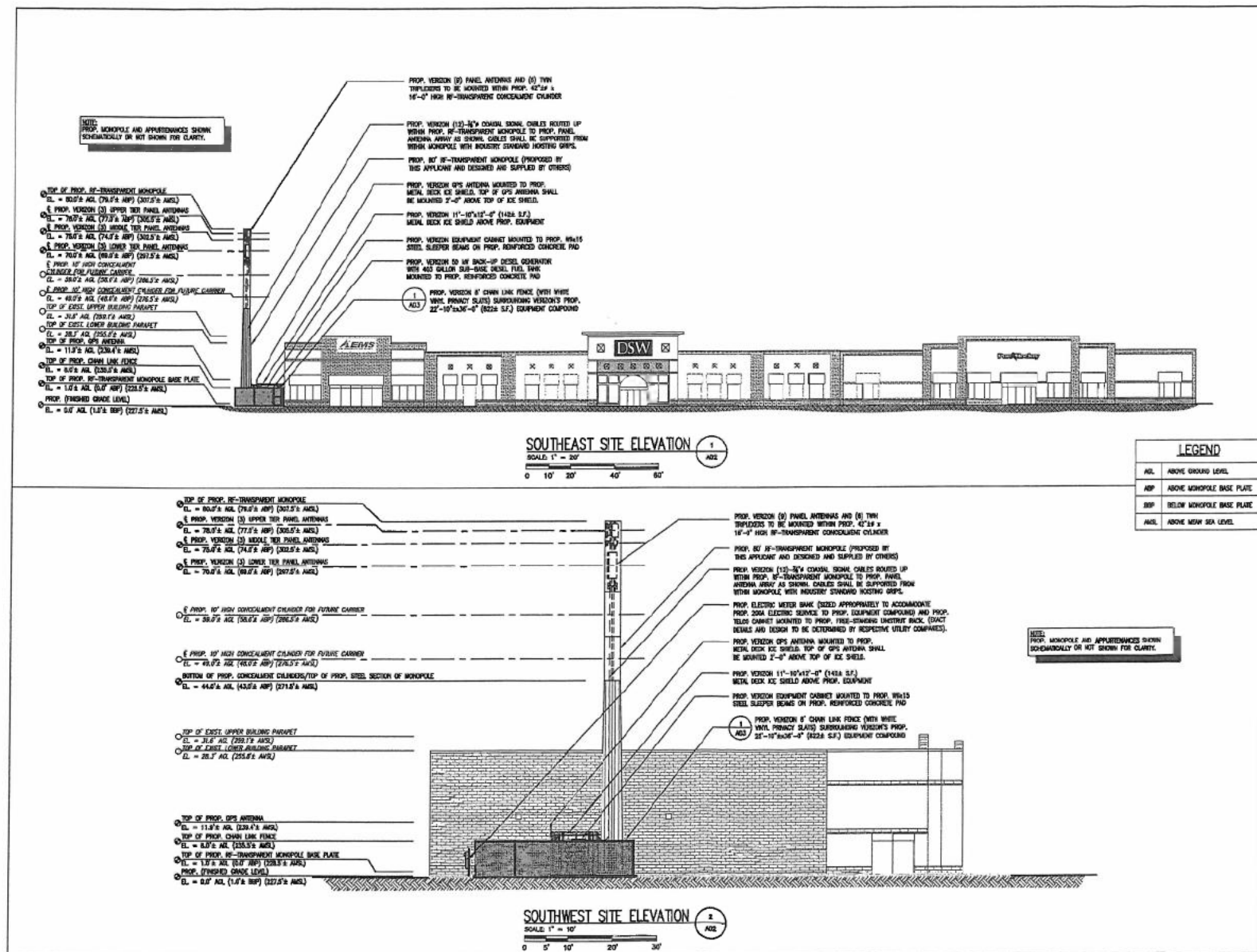
C01

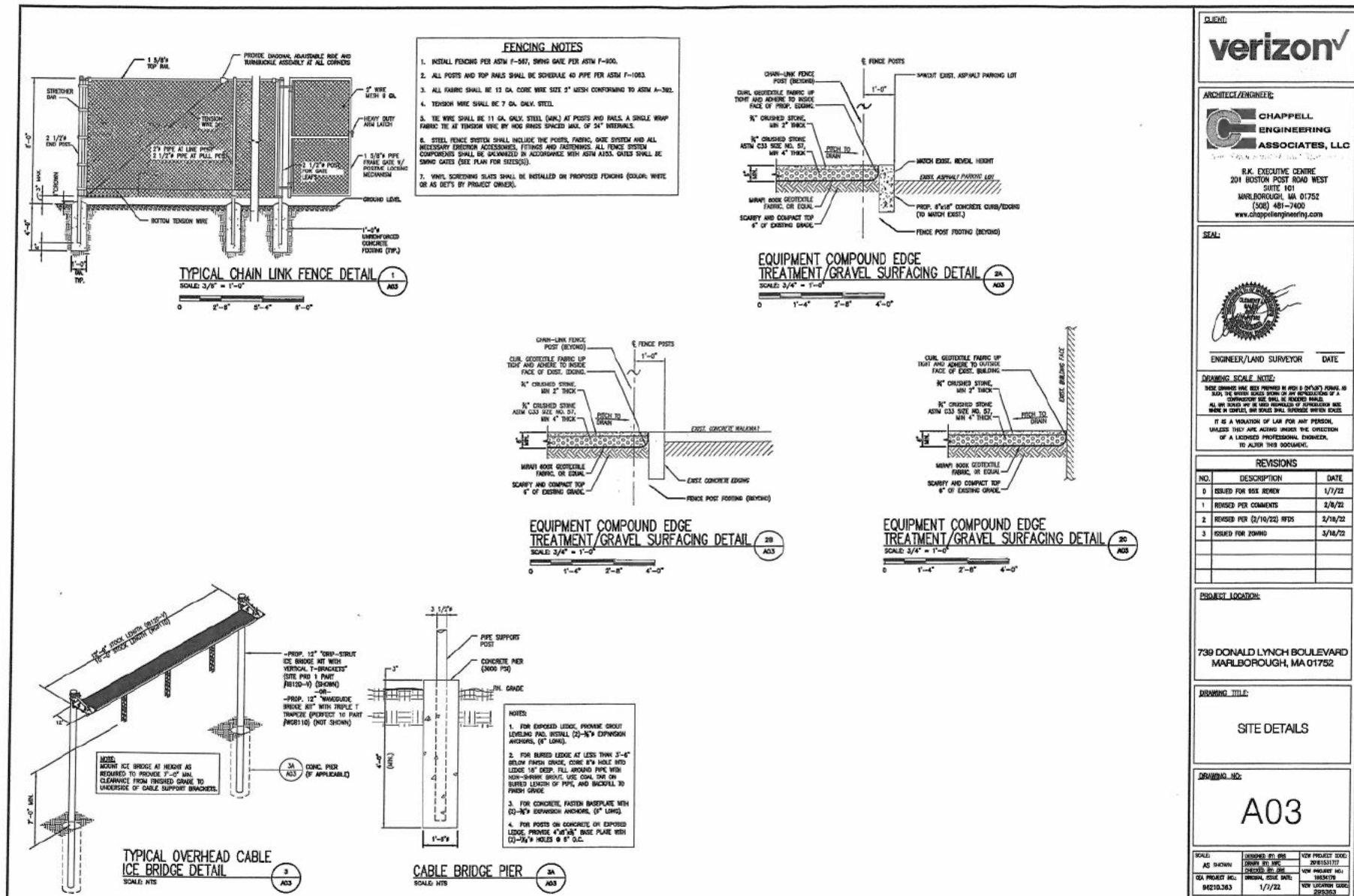
SCALE:

1" = 150'

0 75' 150' 300' 450'







MIRICK O'CONNELL

ATTORNEYS AT LAW

 RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

 2022 APR - 7 A 10: 22
 Brian R. Falk
 Mirick O'Connell
 100 Front Street
 Worcester, MA 01608-1477
 bfalk@mirickoconnell.com
 t 508.929.1678
 f 508.983.6256

April 6, 2022

BY HAND DELIVERY

Councilor Michael Ossing, President
 Marlborough City Council
 City Hall
 Marlborough, MA 01752

Re: Proposed Zoning Amendment: Mixed-Use Developments in the NB District

Dear Councilor Ossing:

I represent Alta Marlborough, LLC (Wood Partners), the prospective buyer of several parcels at the corner of Lincoln Street and Mechanic Street located in the Neighborhood Business Zoning District.

As noted in the enclosed letters of authorization, the Marlborough Economic Development Corporation and Koby, Incorporated request, in accordance with M.G.L. c. 40A, Sec. 5, that the City Council consider amending the Zoning Ordinance to authorize the City Council to modify, by special permit, the dimensional, parking, and landscaping requirements applicable to mixed-use development projects in the Neighborhood Business District, as specified in the enclosed Proposed Order. The zoning amendment would give the City Council and developers flexibility to address issues unique to particular sites and projects in the Neighborhood Business District, without the need for a variance from the Zoning Board of Appeals.

Wood Partners' plans for a mixed-use project at the corner of Lincoln Street and Mechanic Street are constrained by some of the zoning requirements applicable in the Neighborhood Business District, which are particularly challenging on a corner lot. We believe that with a few modifications authorized by special permit, Wood Partners may develop a vibrant mixed-use project that is accessible and well-integrated with the neighborhood.

Based upon recent amendments to M.G.L. c. 40A, Sec. 5, we believe this zoning amendment may be approved by simple majority vote of the City Council rather than a two-thirds vote. Under M.G.L. c. 40A, Sec. 5, the following zoning amendments may be approved by simple majority vote:

{Client Matter 32306/00001/A7707410.DOCX}

 MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

MIRICK O'CONNELL

Marlborough City Council
April 6, 2022
Page 2

“an amendment to a zoning ordinance ... to allow by special permit ... mixed-use development in an eligible location; (b) an increase in the permissible density of population or intensity of a particular use in a proposed multi-family or mixed use development pursuant to section 9 ... or (d) a diminution in the amount of parking required for residential or mixed-use development pursuant to section 9...”

The term “eligible location” is defined in M.G.L. c. 40A, Sec. 1A as:

“areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed use smart growth zoning districts or starter home zoning districts, including without limitation: (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or (ii) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns and existing rural village districts.”

The proposed zoning amendment would allow, by special permit, mixed use development in the Neighborhood Business Zoning District, which is an area of concentrated development encompassing French Hill and close to Downtown Marlborough. Further, the proposed zoning amendment would allow, by special permit, an increase in the permissible density of population or intensity of the residential and commercial components of mixed-use projects and the diminution in the amount of parking required for mixed-use developments.

Therefore, we believe the zoning amendment qualifies for a reduced quantum of vote under M.G.L. c. 40A, Sec. 5.

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

Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

BRF/

Encl.

cc: Client
Arthur P. Bergeron, Esq.

PROPOSED CITY COUNCIL ORDER

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended by amending certain provisions of Zoning Ordinance of the City of Marlborough, Massachusetts, Section 650-39, by adding a new paragraph F as follows:

F. The City Council may, by special permit, elect to vary the dimensional, parking, design, and landscaping requirements applicable to a mixed-use development in the Neighborhood Business District upon finding that such change shall result in an improved design and will not nullify or substantially derogate from the intent or purpose of this section (§ 650-39, et seq.). This authority continues subsequent to occupancy.

ADOPTED

In City Council
Order No. 22-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



April 1, 2022

Council President Ossing
Marlborough City Council
City Hall
Marlborough, MA 01752

RE: Lincoln and Mechanic Street Project

Honorable President Ossing and Councilors,

As you know, Marlborough Economic Development Corporation (MEDC) is the owner of several parcels located off Lincoln Street and Mechanic Street in Marlborough, shown on Assessors Map 69 as Parcels 337, 338, 338A, 339, and 339A, all located in the City's Neighborhood Business Zoning District. MEDC hereby authorizes Mirick O'Connell, on behalf of Alta Marlborough LLC, to submit to the City Council for consideration a proposed zoning amendment governing mixed-use development projects in the Neighborhood Business District and to file any land use applications necessary for Alta Marlborough LLC to pursue a mixed-use development project for this site.

Thank you for your time and attention to this matter.

Marlborough Economic Development Corporation

By: 

Name: Meredith Harris

Title: Executive Director

KOBY, INCORPORATED
297 Lincoln Street
Marlborough, MA 01752

March 31, 2022

Councilor Michael Ossing, President
Marlborough City Council
City Hall
Marlborough, MA 01752

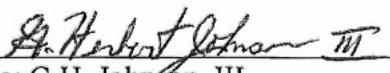
RE: Lincoln and Mechanic Street Project

Dear Councilor Ossing:

Please be advised that the undersigned is the owner of several parcels located off of Lincoln Street in Marlborough, shown on Assessors Map 56 as Parcel 85, and on Assessors Map 69 as Parcels 340, 341, 342, and 343, all located in the City's Neighborhood Business Zoning District. The undersigned hereby authorizes Mirick O'Connell, on behalf of Alta Marlborough LLC, to submit to the City Council for consideration a proposed zoning amendment governing mixed-use development projects in the Neighborhood Business District and to file any land use applications necessary for Alta Marlborough LLC to pursue a mixed-use development project at the properties.

Thank you for your time and attention to this matter.

Koby, Incorporated

By: 
Name: G.H. Johnson, III
Title: President and Treasurer

MIRICK O'CONNELL

ATTORNEYS AT LAW

 RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2022 APR -7 A 10:23
Brian R. Falk

 Mirick O'Connell
 100 Front Street
 Worcester, MA 01608-1477
 bfalk@mirickoconnell.com
 t 508.929.1678
 f 508.983.6256

April 6, 2022

VIA HAND DELIVERY

Councilor Michael Ossing, President
 Marlborough City Council
 City Hall
 Marlborough, MA 01752

Re: Wood Partners: Mixed-Use Project at Lincoln and Mechanic Streets

Dear Councilor Ossing:

Enclosed please find a Special Permit Application package submitted on behalf of my client, Alta Marlborough, LLC (Wood Partners), for a mixed-use project in the Neighborhood Business District at the corner of Lincoln Street and Mechanic Street.

The project would transform an underutilized 4.5-acre parcel between Downtown Marlborough and French Hill, adjacent to the Assabet River Rail Trail, into a vibrant development with new street-level commercial space and homes for residents able to walk to surrounding businesses. In addition, the project would make the Rail Trail more accessible to the community, with 22 off-street parking spaces and a restroom building to be conveyed to the City for public use.

The mixed-use development would consist of 10,074 square feet of ground floor retail and commercial space, 276 dwelling units – 10% of which would be restricted as affordable – an on-site parking garage with 448 spaces, 8 outdoor on-site parking spaces, and 25 parallel parking spaces along Lincoln Street and Mechanic Street. Residents would have access to open air courtyards, a pool, and indoor amenity spaces, in addition to easy access to the Rail Trail.

Along with a special permit, the project seeks a zoning amendment to give the City Council authority to modify certain zoning requirements in the new Neighborhood Business Village District that make the development of a mixed-use project challenging on a corner lot. The project also requires approval of a zoning map amendment to rezone a small portion of Commercial Automotive land within the development site.

Marlborough City Council
April 6, 2022
Page 2

Under M.G.L. c. 40A, Sec. 9, a special permit for the project requires a simple majority vote because this is a mixed-use development in a center of commercial activity in Marlborough that will restrict 10% of its residential units as affordable.

Wood Partners has a proven track record of developing high quality projects in a variety of settings, and is proud to bring this exciting project to Marlborough.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'BF', with a horizontal line extending to the right.

Brian R. Falk

BRF/

Encl.

cc: Client
Arthur P. Bergeron, Esq.

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

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Alta Marlborough, LLC (Wood Partners) 91 Hartwell Avenue, Lexington, MA 02421

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

Lincoln Street and Mechanic Street, Various Parcels (See Exhibit A)

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

MEDC; Koby, Incorporated; BPD Realty Trust; City of Marlborough (See Exhibit A)

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

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

Section 650-17, Section 650-18(42), Section 650-39

Article _____ Section _____ Paragraph _____ Sub-paragraph _____

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

Neighborhood Business

7. Specific reason(s) for seeking Special Permit

The Applicant seeks a special permit for the construction and use of a mixed-use development at the corner of

Lincoln Street and Mechanic Street. The project would consist of 276 residential units, ground floor retail and

commercial space, 448 garage parking spaces, 33 outdoor parking spaces, landscaped areas, and amenities.

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

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


Signature of Petitioner or Applicant

Brian R. Falk

Address: Mirick O'Connell, 100 Front Street

Worcester, MA 01608

Telephone No. 508-791-8500

Date: 4-6-2022

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

Alta Marlborough, LLC

(Name of Petitioner)

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

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

ABUTTERS LINCOLN ST AND MECHANIC ST (MULTIPLE PARCELS), MARLBOROUGH, MA - 400 FT

Parcel Number	GIS Number	Cama Number	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner Address 2	Owner City	Owner State	Owner Zip	Use Code
56-150	M_195364_900 020	56-150	72 JEFFERSON ST	SANDRA & ANTHONY ANTICO REAL ESTATE LLC		289 ELM ST SUITE#101		MARLBOROUGH H	MA	01752	3220
56-151	M_195417_899 980	56-151	56 JEFFERSON ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
56-152	M_195451_899 957	56-152	HUDSON ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
56-153	M_195496_899 925	56-153	36 JEFFERSON ST	NETO RAIMUNDO COELHO ARAUJO	<i>John H. Valade</i>	36 JEFFERSON ST		MARLBOROUGH H	MA	01752	1010
56-154	M_195532_899 899	56-154	20 JEFFERSON ST	RODRIGUEZ DANIEL J		20 JEFFERSON ST		MARLBOROUGH H	MA	01752	1010
56-155	M_195556_899 883	56-155	14 JEFFERSON ST	DOHERTY STEPHEN T		89 MOSHER LN		MARLBOROUGH H	MA	01752	1040
56-156	M_195579_899 871	56-156	6 JEFFERSON ST	FRULLO IDA M LI EST		6 JEFFERSON ST	2ND FLOOR	MARLBOROUGH H	MA	01752	1040
56-157	M_195593_899 857	56-157	16 HIGHLAND ST	HYNES PATRICK S		16 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-158	M_195594_899 841	56-158	HIGHLAND ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
56-159	M_195425_900 048	56-159	45-65 JEFFERSON ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
56-159A	M_195501_899 997	56-159A	JEFFERSON ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
56-160	M_195528_899 996	56-160	27 JEFFERSON ST	27 JEFFERSON LLC		110 PLEASANT ST #100		MARLBOROUGH H	MA	01752	1120
56-161	M_195558_899 934	56-161	23 JEFFERSON ST	CHAVES RENATO TEXEIRA		23 JEFFERSON ST		MARLBOROUGH H	MA	01752	1010
56-162	M_195583_899 916	56-162	30 HIGHLAND ST	JOHNSON DANIEL		30 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-163	M_195580_899 942	56-163	38 HIGHLAND ST	TAKIMOTO ARIADNE A		38 HIGHLAND ST		MARLBOROUGH H	MA	01752	1040

56-164	M_195572_899 958	56-164	44 HIGHLAND ST	MURKLAND STANLEY V III TR		150 FAIRBANKS ST		WEST BOYLSTON	MA	01583	1040
56-165	M_195565_899 983	56-165	50 HIGHLAND ST	BEAULIEU PATRICK M		50 HIGHLAND ST		MARLBOROUGH H	MA	01752	1040
56-166	M_195561_900 012	56-166	60 HIGHLAND ST	CAIRA RICHARD A		60 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-238	M_195623_899 964	56-238	43 HIGHLAND ST	FERRIS HOWARD W		43 HIGHLAND ST		MARLBOROUGH H	MA	01752	1040
56-239	M_195624_899 944	56-239	35 HIGHLAND ST	MONROE HARRY W		35 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-240	M_195623_899 926	56-240	31 HIGHLAND ST	MASCIARELLI CAMILLO A		415 BERLIN RD		MARLBOROUGH H	MA	01752	1050
56-241	M_195626_899 910	56-241-	27-29 HIGHLAND ST	MARONEY JAMES D TR		240 EVELINA DR		MARLBOROUGH H	MA	01752	995
56-241	M_195626_899 910	56-241-1-A	29 HIGHLAND ST	PERRY MICHAEL J TR		11406 PETERS FARM WY		WESTBOROUGH GH	MA	01581	1020
56-241	M_195626_899 910	56-241-1-B	27 HIGHLAND ST	MARONEY DIANE M		240 EVELINA DR		MARLBOROUGH H	MA	01752	1020
56-242	M_195628_899 899	56-242	25 HIGHLAND ST	SALAS NORBERTO SEGURA		25 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-243	M_195630_899 887	56-243	21 HIGHLAND ST	RUIZ MYNOR A		21 HIGHLAND ST	1ST FLOOR	MARLBOROUGH H	MA	01752	1040
56-244	M_195632_899 875	56-244	17 HIGHLAND ST	PAZI MARCUS P		17 HIGHLAND ST		MARLBOROUGH H	MA	01752	1010
56-245	M_195632_899 858	56-245	13 HIGHLAND ST	ALMEIDA GILBERT C		59 VERNON ST		WALTHAM	MA	02453	1050
56-245A	M_195635_899 833	56-245A	269 LINCOLN ST	JOLIE DANIEL A		7 HIGHLAND ST		MARLBOROUGH H	MA	01752	1040
56-246	M_195657_899 849	56-246	267 LINCOLN ST	TAMEO ROBERT P II		267 LINCOLN ST		MARLBOROUGH H	MA	01752	1010
56-247	M_195686_899 846	56-247	76 PROSPECT ST	ARROYO- MONTEJO ROYDI R		76 PROSPECT ST		MARLBOROUGH H	MA	01752	1040
56-248	M_195682_899 867	56-248	82 PROSPECT ST	DAMICO JOHN R		39 INWOOD RD		AUBURN	MA	01501	1040
56-249	M_195673_899 889	56-249	90 PROSPECT ST	STUART JOY F TR		152 BIGELOW ST		MARLBOROUGH H	MA	01752	1040
56-250	M_195669_899 914	56-250	94 PROSPECT ST	MESSIER ROGER G TR		94 PROSPECT ST		MARLBOROUGH H	MA	01752	1040
56-251	M_195666_899 935	56-251	100 PROSPECT ST	RODRIGUES EDER ALEXANDRE N		100 PROSPECT ST		MARLBOROUGH H	MA	01752	1010

56-348	M_195732_899 886	56-348	85 PROSPECT ST	UTANO FAMILY REALTY LLC		88 ANDREWS RD		MARLBOROUGH H	MA	01752	1110
56-353	M_195735_899 867	56-353	79 PROSPECT ST	79 PROSPECT STREET LLC		20 FLORENCE ST #202		MARLBOROUGH H	MA	01752	1050
56-354	M_195735_899 854	56-354	75 PROSPECT ST	MOE SCOTT T		365 BOSTON POST RD EAST #247		SUDBURY	MA	01776	1110
56-355	M_195738_899 828	56-355	69 PROSPECT ST	SARTELL EDWARD		69 PROSPECT ST	APT 1	MARLBOROUGH H	MA	01752	1040
56-75	M_195281_899 852	56-75	128 MECHANIC ST	PLEITEZ JULIO		401 MERIDIAN ST		BOSTON	MA	02128	1040
56-76	M_195298_899 843	56-76	122 MECHANIC ST	RYAN PAUL M JR		122 MECHANIC ST		MARLBOROUGH H	MA	01752	1010
56-77	M_195283_899 825	56-77	122-A MECHANIC ST	LARASSA GEORGE E		122-A MECHANIC ST		MARLBOROUGH H	MA	01752	1010
56-78	M_195306_899 834	56-78	120 MECHANIC ST	SVRK REALTY LLC		4 WYNDEMERE DR		SOUTHBOROUGH GH	MA	01772	1050
56-79	M_195381_899 847	56-79	109 MECHANIC ST	B V INC		P O BOX 5		MARLBOROUGH H	MA	01752	0105
56-80	M_195348_899 852	56-80	115 MECHANIC ST	BB REALTY CORP		P O BOX 5		MARLBOROUGH H	MA	01752	1120
56-81	M_195365_899 868	56-81	22 MANNING ST	DESAULNIERS PAUL R		22 MANNING ST		MARLBOROUGH H	MA	01752	1010
56-82	M_195376_899 878	56-82	16 MANNING ST	HIGGINS JEFFREY		5323 SIESTA COVE DR		SARASOTA	FL	34242	1040
56-82A	M_195385_899 886	56-82A	14 MANNING ST	SALDIVAR FELIPE		14 MANNING ST		MARLBOROUGH H	MA	01752	1010
56-86	M_195421_899 892	56-86	103-A MECHANIC ST	MML DEVELOPMENT LLC		103 MECHANIC ST	UNIT E2	MARLBOROUGH H	MA	01752	3320
56-87	M_195343_899 946	56-87	8 LONGLEY ST	SALVATIERRA WALTER		8 LONGLEY ST		MARLBOROUGH H	MA	01752	1010
56-87A	M_195363_899 925	56-87A	7-11 MANNING ST	DASILVA JAIME P		229 MILES STANDISH DR		MARLBOROUGH H	MA	01752	1040
56-88	M_195354_899 909	56-88	15 MANNING ST	MARINHO JULIO M		15 MANNING ST		MARLBOROUGH H	MA	01752	1010
56-89	M_195340_899 897	56-89	19 MANNING ST	CROZIER ROBERT V		19 MANNING ST		MARLBOROUGH H	MA	01752	1010
56-90	M_195325_899 876	56-90	123 MECHANIC ST	RAMOS MIGUEL		123 MECHANIC ST		MARLBOROUGH H	MA	01752	1010
56-91	M_195312_899 890	56-91	131 MECHANIC ST	MOURA MARCIO C GRAU		131 MECHANIC ST		MARLBOROUGH H	MA	01752	1010
56-92	M_195299_899 906	56-92	135 MECHANIC ST	OLIVEIRA CLAUDIO B		135 MECHANIC ST		MARLBOROUGH H	MA	01752	1040

56-93	M_195320_899 919	56-93	16 LONGLEY ST	DESA ANTONIO C		16 LONGLEY ST		MARLBOROUGH H	MA	01752	1010
56-94	M_195333_899 931	56-94	12 LONGLEY ST	EVANGELOUS MARK E TR		128 SOUTH BOLTON ST		MARLBOROUGH H	MA	01752	0322
69-242	M_195454_899 578	69-242	5 WITHERBEE TER	EDWARDS JOSEPH V		46 EXETER ST		MARLBOROUGH H	MA	01752	1010
69-256	M_195416_899 573	69-256	24 GAY ST	KLIPP SINARA TERESINHA		206 FITCHBURG TURNPIKE		CONCORD	MA	01742	1040
69-257	M_195441_899 587	69-257	GAY ST	MSQ PROPERTY LLC		40 MECHANIC ST STE 220		MARLBOROUGH H	MA	01752	3370
69-258	M_195478_899 592	69-258	40 MECHANIC ST	MSQ PROPERTY LLC		40 MECHANIC ST STE 220		MARLBOROUGH H	MA	01752	3400
69-259	M_195466_899 626	69-259	MECHANIC ST	MSQ PROPERTY LLC		40 MECHANIC ST STE 220		MARLBOROUGH H	MA	01752	3920
69-260	M_195459_899 639	69-260	54 MECHANIC ST	GHOST PROPERTIES LLC		56 MECHANIC ST		MARLBOROUGH H	MA	01752	1040
69-261	M_195441_899 638	69-261	56 MECHANIC ST	GHOST PROPERTIES LLC		56 MECHANIC ST		MARLBOROUGH H	MA	01752	1040
69-262	M_195445_899 621	69-262	5 GAY ST	GHOST PROPERTIES LLC		56 MECHANIC ST		MARLBOROUGH H	MA	01752	1040
69-263	M_195422_899 647	69-263	342 LINCOLN ST	LILIEN REALTY LLC		23 LINCOLN RD		ASHLAND	MA	01721	0322
69-264	M_195400_899 597	69-264	17 GAY ST	SIX SEVEN PROPERTIES LLC		78 LIBERTY ST		MARLBOROUGH H	MA	01752	1050
69-265	M_195383_899 626	69-265	358 LINCOLN ST	LINCOLN 358 REALTY LLC		115 PLEASANT ST APT#1		CAMBRIDGE	MA	02139	3222
69-266	M_195377_899 588	69-266	31 GAY ST	TOBIO REALTY LLC		115 PLEASANT ST		CAMBRIDGE	MA	02139	1110
69-267	M_195360_899 616	69-267	364 LINCOLN ST	LINCOLN 358 REALTY LLC		115 PLEASANT ST APT#1		CAMBRIDGE	MA	02139	1300
69-280	M_195318_899 669	69-280	373-383 LINCOLN ST	BETHEL PRESBYTERIA N CHURCH		373 LINCOLN ST		MARLBOROUGH H	MA	01752	0325
69-284	M_195356_899 680	69-284	355 LINCOLN ST	MENEZES FABIANA F		355 LINCOLN ST		MARLBOROUGH H	MA	01752	1040
69-285	M_195344_899 709	69-285	18 HASTINGS ST	BUTLER STEVEN		24 BUTMAN RD		HUDSON	MA	01749	1010

69-286	M_195367_899 687	69-286	353 LINCOLN ST	VOYIATZIS GEORGE TR		115 PLEASANT ST		CAMBRIDGE	MA	02141	3260
69-287	M_195381_899 682	69-287	LINCOLN ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH	MA	01752	9300
69-288	M_195391_899 687	69-288	LINCOLN ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH	MA	01752	9300
69-289	M_195401_899 695	69-289	LINCOLN ST	CITY OF MARLBOROUGH		140 MAIN ST		MARLBOROUGH	MA	01752	9300
69-290	M_195417_899 703	69-290	339 LINCOLN ST	SOUTHERN NEW ENGLAND CONFERENCE		PO BOX 1169		S LANCASTER	MA	01561	9602
69-291	M_195409_899 714	69-291	76 MECHANIC ST	SOUTHERN NEW ENGLAND CONFERENCE		PO BOX 1169		S LANCASTER	MA	01561	9612
69-292	M_195388_899 722	69-292	80 MECHANIC ST	ROMAN LUZ D		80 MECHANIC ST		MARLBOROUGH	MA	01752	4020
69-293	M_195364_899 710	69-293	14 HASTINGS ST	LABBE ROGER R		14 HASTINGS ST		MARLBOROUGH	MA	01752	1010
69-295	M_195375_899 757	69-295	96 MECHANIC ST	ESTES CHARLES L III TR		250 STOWE RD		MARLBOROUGH	MA	01752	1010
69-295A	M_195366_899 770	69-295A	98 MECHANIC ST	MCCULLOUGH TIMOTHY R		98 MECHANIC ST		MARLBOROUGH	MA	01752	1010
69-296	M_195354_899 753	69-296	9 HASTINGS ST	BAHERY MICHAEL		19 FILED RD		MEDWAY	MA	02053	1040
69-297	M_195339_899 744	69-297	15 HASTINGS ST	WHITE ROBERT P		15 HASTINGS ST		MARLBOROUGH	MA	01752	1040
69-298	M_195324_899 735	69-298	19 HASTINGS ST	EVANGELOUS MARK E		128 SOUTH BOLTON ST		MARLBOROUGH	MA	01752	1040
69-299	M_195342_899 782	69-299	104 MECHANIC ST	FERNALD MARIE A LI EST		104 MECHANIC ST		MARLBOROUGH	MA	01752	1040
69-300	M_195317_899 767	69-300	14 CHESTNUT ST	WALDRON ROBERT A		14 CHESTNUT ST		MARLBOROUGH	MA	01752	1040
69-301	M_195298_899 756	69-301	18 CHESTNUT ST	SOUZA WESLEY ALVES		18 CHESTNUT ST #1		MARLBOROUGH	MA	01752	1040
69-302	M_195309_899 727	69-302	23 HASTINGS ST	NGUYEN HIEN		183 WEST MAIN ST		NORTHBOROUGH	MA	01532	1040

69-303	M_195295_899 719	69-303	25 HASTINGS ST	OBRIEN MARY ANN		199 RIVER RD EAST		BERLIN	MA	01513	1010
69-304	M_195282_899 711	69-304	29 HASTINGS ST	PAPILE LOUIS C JR		29 HASTINGS ST		MARLBOROUGH H	MA	01752	1010
69-305	M_195276_899 743	69-305	26 CHESTNUT ST	DACRUZ GLAYTON		26 CHESTNUT ST		MARLBOROUGH H	MA	01752	1010
69-330	M_195267_899 785	69-330	21 CHESTNUT ST	COLE CAROLYN E LI EST		387 SCHOOL ST		WATERTOWN	MA	02472	1040
69-331	M_195284_899 795	69-331	17-19 CHESTNUT ST	BUTLER CHARLES R		17 CHESTNUT ST		MARLBOROUGH H	MA	01752	1040
69-332	M_195297_899 805	69-332	15 CHESTNUT ST	PAVENTO GARRY L		15 CHESTNUT ST		MARLBOROUGH H	MA	01752	1010
69-333	M_195320_899 818	69-333	5 CHESTNUT ST	GOLTSIS WILLIAM J		ATTN ELEN ROSIER	5 CHESTNUT ST	MARLBOROUGH H	MA	01752	1010
69-334	M_195383_899 810	69-334	103 MECHANIC ST	MML DEVELOPMEN T LLC		103 MECHANIC ST	UNIT E2	MARLBOROUGH H	MA	01752	3320
69-336	M_195405_899 787	69-336	91 MECHANIC ST	MCGRATH RICHARD M		91 MECHANIC ST		MARLBOROUGH H	MA	01752	1040
69-347	M_195614_899 773	69-347	32 CASHMAN ST	RECINOS JOSE P		72 PELTIER ST		MARLBOROUGH H	MA	01752	1040
69-348	M_195596_899 762	69-348	290 LINCOLN ST	ALMEIDA GILBERT C		59 VERNON ST		WALTHAM	MA	02453	1040
69-350	M_195576_899 748	69-350	300 LINCOLN ST	DIAZ RAFAELA		300 LINCOLN ST		MARLBOROUGH H	MA	01752	1040
69-351	M_195553_899 736	69-351	304 LINCOLN ST	DEALMEIDA FADUA		55 WILSON ST #2		MARLBOROUGH H	MA	01752	1010
69-352	M_195533_899 723	69-352	310 LINCOLN ST	MATEO ROSELIN DEL R		310 LINCOLN ST		MARLBOROUGH H	MA	01752	1010
69-353	M_195510_899 711	69-353	316 LINCOLN ST	DUMAIS GERALD L		6 HIGH ST		MARLBOROUGH H	MA	01752	1010
69-354	M_195472_899 696	69-354	67 MECHANIC ST	GERDON LLC		6 HIGH ST		MARLBOROUGH H	MA	01752	0326
69-356	M_195487_899 693	69-356	59-61 MECHANIC ST	59-61 MECHANIC STREET LLC		322 LINCOLN ST		MARLBOROUGH H	MA	01752	3400
69-357	M_195478_899 672	69-357	57 MECHANIC ST	SOUTH MIDDLESEX NONPROFIT HOUSING CORP		300 HOWARD ST		FRAMINGHAM	MA	01702	9592
69-357A	M_195487_899 666	69-357A	55 MECHANIC ST	MATEO JUAN		55 MECHANIC ST		MARLBOROUGH H	MA	01752	3250

69-357B	M_195493_899 658	69-357B	53 MECHANIC ST	PALLIES JOHN		10 TAYLOR RD		STOW	MA	01775	1050
69-358	M_195513_899 678	69-358	53 CENTRAL ST	VALARIOTI DOMENIC J		103 PRESTON ST		MARLBOROUGH H	MA	01752	3320
69-359	M_195537_899 689	69-359	49-51 CENTRAL ST	NGUYEN THAI N TR		143 DARTMOUTH ST		MARLBOROUGH H	MA	01752	1090
69-360	M_195554_899 697	69-360	45 CENTRAL ST	ESTES CHARLES L III TR		250 STOW RD		MARLBOROUGH H	MA	01752	1040
69-361	M_195568_899 704	69-361	39 CENTRAL ST	VELASCO CARLOS A		39 CENTRAL ST		MARLBOROUGH H	MA	01752	1010
69-362	M_195579_899 708	69-362	37 CENTRAL ST	COHAN JOHN		37 CENTRAL ST		MARLBOROUGH H	MA	01752	1010
69-363	M_195600_899 714	69-363	33 CENTRAL ST	ALLEN CAROL M		33 CENTRAL ST		MARLBOROUGH H	MA	01752	1040
69-365	M_195633_899 718	69-365	23 CENTRAL ST	SMITH DAWN E		9 ANDREA DR		HOPKINTON	MA	01748	1040
69-366	M_195651_899 722	69-366	19 CENTRAL ST	FERRECCHIA STEFANIE R TR		172 SHAWMUT AVE		MARLBOROUGH H	MA	01752	1010
69-367	M_195678_899 732	69-367	9 CENTRAL ST	GREEK ORTHODOX CHURCH		PO BOX 381		MARLBOROUGH H	MA	01752	9602
69-368A	M_195510_899 640	69-368A	47 MECHANIC ST	VALARIOTI JOSEPH A TR		C/O DOMENIC VALARIOTI	53 CENTRAL ST	MARLBOROUGH H	MA	01752	1110
69-369A	M_195517_899 625	69-369A	43 MECHANIC ST	MASCIARELLI CAMILLO A TR		415 BERLIN ROAD		MARLBOROUGH H	MA	01752	1040
69-370	M_195531_899 601	69-370	39 MECHANIC ST	MARINO RICHARD TR		19 MECHANIC ST		MARLBOROUGH H	MA	01752	3260
69-373	M_195550_899 631	69-373	56 CENTRAL ST	ESTES CHARLES III TR		250 STOW RD		MARLBOROUGH H	MA	01752	1040
69-374	M_195539_899 653	69-374	52 CENTRAL ST	CALLAHAN ANTHONY C		131 CHESTNUT ST		MARLBOROUGH H	MA	01752	1040
69-375	M_195550_899 658	69-375	50 CENTRAL ST	HIGGINS JEFFREY		5323 SIESTA COVE DR		SARASOTA	FL	34242	1010
69-376	M_195565_899 661	69-376	44 CENTRAL ST	REIS ANTONIO		10 TECHNOLOGY DR	STE 175	HUDSON	MA	01749	1040
69-377	M_195583_899 644	69-377	42 CENTRAL ST	BAIAO PHILLIP		42 CENTRAL ST		MARLBOROUGH H	MA	01752	1040
69-377A	M_195597_899 658	69-377A	ROCK CT	CITY OF MARLBOROUGH H		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
69-381A	M_195617_899 652	69-381A	22 RAWLINS AVE	RAHEEM SHAHAZ		260 UNION AVE	APT #33	FRAMINGHAM	MA	01702	3260

69-381B	M_195607_899 673	69-381B	34 CENTRAL ST	DUMAIS GERALD L		6 HIGH ST		MARLBOROUGH H	MA	01752	1210
69-390A	M_195690_899 682	69-390A	PROSPECT ST	CITY OF MARLBOROUGH H		140 MAIN ST		MARLBOROUGH H	MA	01752	9300
69-500	M_195765_899 739	69-500	119 WASHINGTON ST	ROMAN CATHOLIC ARCHBISHOP OF BOSTON		66 BROOKS DR		BRAINTREE	MA	02184	9622
69-501	M_195747_899 798	69-501	61 PROSPECT ST	ROMAN CATHOLIC ARCHBISHOP OF BOSTON		66 BROOKS DR		BRAINTREE	MA	02184	9600
69-523	M_195660_899 784	69-523	LINCOLN ST	272 LINCOLN LLC		11 PLACID RD		NEWTON	MA	02459-2608	3900
69-523A	M_195662_899 804	69-523A	272 LINCOLN ST	272 LINCOLN LLC		11 PLACID RD		NEWTON	MA	02459-2608	3320
69-523B	M_195703_899 757	69-523B	1 CASHMAN ST	BARBER WILLIAM B		1 CASHMAN ST		MARLBOROUGH H	MA	01752	1010
69-523C	M_195691_899 820	69-523C	68 PROSPECT ST	TOWNSEND THEODORE L		68 PROSPECT ST		MARLBOROUGH H	MA	01752	1010
69-525	M_195708_899 775	69-525	58 PROSPECT ST	DECUEVAS ANNETTE MIGUELINA PENA		58 PROSPECT ST		MARLBOROUGH H	MA	01752	1010
69-527	M_195696_899 799	69-527	66 PROSPECT ST	GUAMAN- LEMA DAVID E		89-91 SCHOOL ST		MILFORD	MA	01757	1050
69-528	M_195418_899 604	69-528	GAY ST	GHOST PROPERTIES LLC		56 MECHANIC ST		MARLBOROUGH H	MA	01752	1320

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Alta Marlborough, LLC Address: 19 Hartwell Ave, Lexington, MA 02421

Project Name: Alta Marlborough Address: Lincoln and Mechanic Streets

1. PROPOSED USE: (describe) Mixed-use development

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 108,060 1st floor 108,060 all floors 458,309

buildings 2 # stories 4 and 5 lot area (s.f.) 197,347

4. LOT COVERAGE: 65.05 %Landscaped area: 34.95 %

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

Normal: 381 Peak period: 401

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 382 Peak period: 443

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

Service vehicles, 2 per day; trash and recycling, 2 to 3 per week; retail deliveries, 2 to 3 per week

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Standard downward-facing lights.

8. NOISE:

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

Same

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. Vehicles entering and exiting parking areas.

9. AIR: What sources of potential air pollution will exist at the development? _____

None

10. WATER AND SEWER: Describe any unusual generation of waste. _____

None

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

***Attach additional sheets if necessary**



CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752

City Hall
 140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 4-5-2022

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: Alta Marlborough

Project Use Summary: Mixed-use Development

Project Street Address: Lincoln and Mechanic Streets

Plate: _____ Parcel: Various (See Exhibit A)

Applicant/Developer Name: Alta Marlborough, LLC (Wood Partners)

Plan Date: 3-17-2022 Revision Date: 4-1-2022

Dear President and Members:

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

Very truly yours,


 Tin Htway
 Acting Director of Planning

Application Fee to submit to
 City Clerk's office

\$7,125



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

**Steven W. Kerrigan
City Clerk**

Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.

1 SET	POLICE CHIEF <u>✓</u>
1 SET	FIRE CHIEF <u>✓</u>
1 SET	CITY ENGINEER <u>✓</u>
1 SET	DIRECTOR OF PLANNING <u>NA</u>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) <u>✓</u>
1 SET	BUILDING COMMISSIONER <u>✓</u>
12 SETS	OFFICE OF THE CITY COUNCIL <u>✓</u>
3 SETS	OFFICE OF THE CITY CLERK <u>✓</u> (<u>MUST be Original</u> & 2 Complete Sets)


Signature

4/7/2022
Date

Thank you for your cooperation in this matter.

Sincerely,

*Steven W. Kerrigan
City Clerk*

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

Steven W. Kerrigan
City Clerk



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

Company Name

Alta Marlborough, LLC

Owner Name/Officer Name of LLC or Corporation

Owner/Officer Complete Address and Telephone Number

Jim Lambert, Managing Director

Wood Partners

91 Hartwell Avenue, Lexington, MA 02421

Signature of Applicant

Attorney on behalf of Applicant, if applicable

[Handwritten signature of Brian R. Falk]

Brian R. Falk, Attorney for Applicant

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

[Handwritten signature of Tax Collector]

Tax Collector

Exhibit A**Parcel List****MEDC Parcels:**

- 69-337
- 69-338
- 69-338A
- 69-339
- 69-339A

Koby, Incorporated Parcels:

- 56-85
- 69-340
- 69-341
- 69-342
- 69-343

BPD Realty Trust Parcel:

- 69-345

City of Marlborough:

- Railroad Spur Land

April 1, 2022

Council President Ossing
Marlborough City Council
City Hall
Marlborough, MA 01752

RE: Lincoln and Mechanic Street Project

Honorable President Ossing and Councilors,

As you know, Marlborough Economic Development Corporation (MEDC) is the owner of several parcels located off Lincoln Street and Mechanic Street in Marlborough, shown on Assessors Map 69 as Parcels 337, 338, 338A, 339, and 339A, all located in the City's Neighborhood Business Zoning District. MEDC hereby authorizes Mirick O'Connell, on behalf of Alta Marlborough LLC, to submit to the City Council for consideration a proposed zoning amendment governing mixed-use development projects in the Neighborhood Business District and to file any land use applications necessary for Alta Marlborough LLC to pursue a mixed-use development project for this site.

Thank you for your time and attention to this matter.

Marlborough Economic Development Corporation

By: 

Name: Meredith Harris

Title: Executive Director

KOBY, INCORPORATED
297 Lincoln Street
Marlborough, MA 01752

March 31, 2022

Councilor Michael Ossing, President
Marlborough City Council
City Hall
Marlborough, MA 01752

RE: Lincoln and Mechanic Street Project

Dear Councilor Ossing:

Please be advised that the undersigned is the owner of several parcels located off of Lincoln Street in Marlborough, shown on Assessors Map 56 as Parcel 85, and on Assessors Map 69 as Parcels 340, 341, 342, and 343, all located in the City's Neighborhood Business Zoning District. The undersigned hereby authorizes Mirick O'Connell, on behalf of Alta Marlborough LLC, to submit to the City Council for consideration a proposed zoning amendment governing mixed-use development projects in the Neighborhood Business District and to file any land use applications necessary for Alta Marlborough LLC to pursue a mixed-use development project at the properties.

Thank you for your time and attention to this matter.

Koby, Incorporated

By: G. Herbert Johnson III
Name: G.H. Johnson, III
Title: President and Treasurer





BENCHMARK SUMMARY		
TRM #	DESCRIPTION	ELIV.
1	X-CUT IN HYDRANT PLUMB BOLT	442.32
2	X-CUT IN HYDRANT PLUMB BOLT	441.96
3	X-CUT IN HYDRANT PLUMB BOLT	450.80

LOCUS MAP
(NOT TO SCALE)

LEGEND

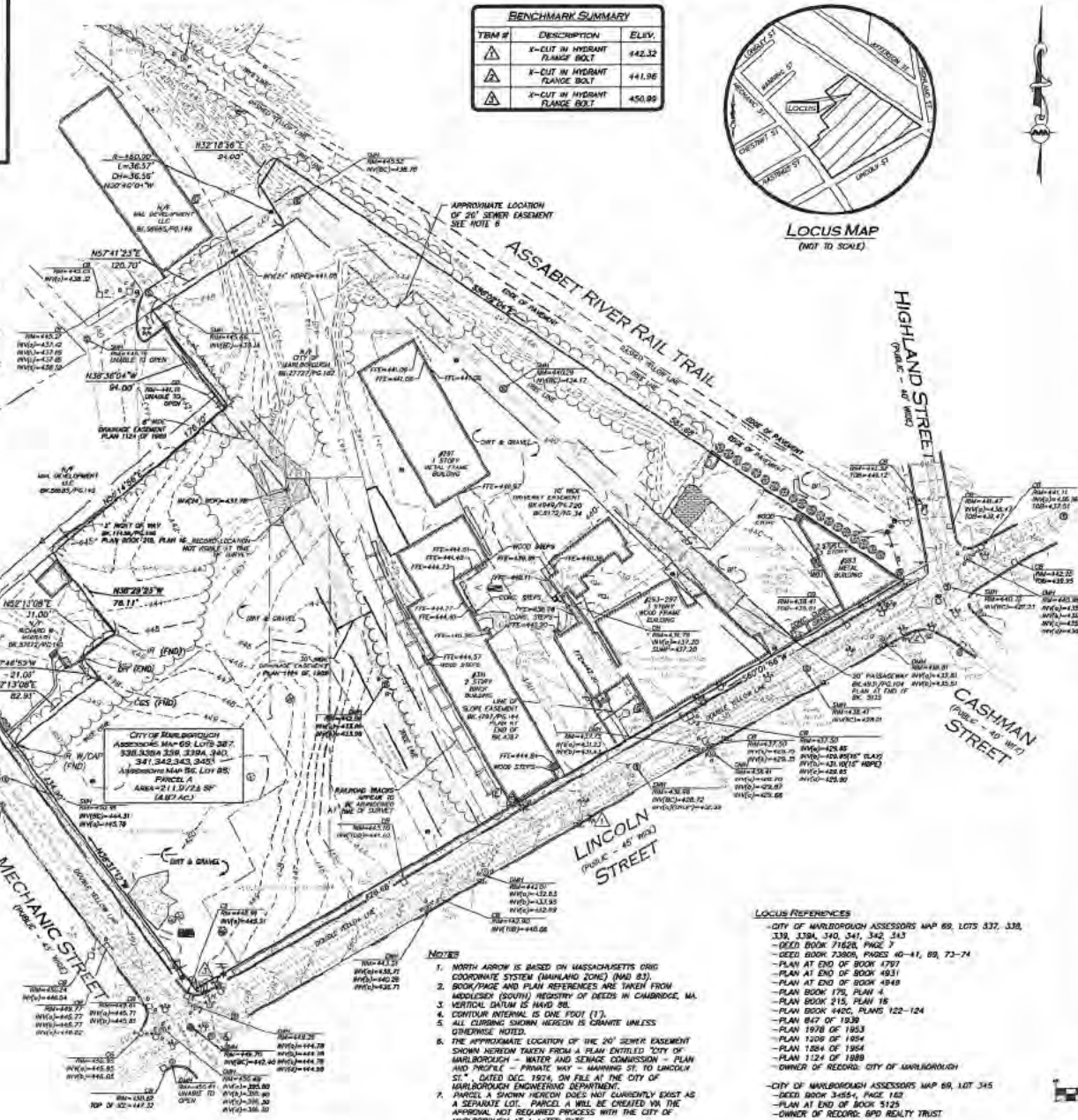
DRILL HOLE (DH)	•
IRON PIPE (IP)	•
IRON ROD (IR)	•
COTTON OIL SPINDLE (COS)	•
DRAIN MANHOLE (DMH)	•
SEWER MANHOLE (SMH)	•
ELECTRIC MANHOLE (EMH)	•
TELEPHONE MANHOLE (TMH)	•
CATCH BASIN (CB)	•
UTILITY POLE	•
UTILITY POLE W/ISSN	•
UTILITY POLE W/LIGHT	•
CUT WIRE	•
FIRE HYDRANT	•
WATER GATE	•
GAS GATE	•
BOLLARD	•
CLEANOUT	•
INVERT (IM)	•
FLARED END SECTION	•
LIGHT	•
TRAFFIC SIGNAL	•
TREE	•
BUSH / SHRUB	•
TEST PIT LOCATION	•
VENT	•
SKIN	•
SKIN	•
MAILBOX	•
MONITOR WELL	•
PAVED HOLE	•
ELECTRIC BOX	•
GAS METER	•
ELECTRIC METER	•
TRAFFIC MAST	•
PAVED ARROW	•
CONCRETE	•
LANDSCAPED AREA (LSA)	•
RE-DAP	•
BUILDING	•
BUILDING OVERHANG	•
EASEMENT LINE	•
1' CONTOUR	•
5' CONTOUR	•
PROPERTY LINE	•
ARBITRARY LINE	•
RETAINING WALL	•
TREE LINE	•
EDGE OF PAVEMENT	•
EDGE OF DRIVEWAY	•
CHAIN LINK FENCE	•
STOCKADE FENCE	•
GUARDRAIL	•
WATER LINE	•
SEWER LINE	•
DRYAN LINE	•
GAS LINE	•
ELECTRIC LINE	•
TELEPHONE LINE	•
OVERHEAD WIRE	•
FOOTPRINT AREA	•
FINISHED FLOOR ELEVATION	•
BC	•
BOTTOM CENTER	•
TOP OF BELL	•
REINFORCED CONCRETE PIPE	•
POLYVINYL CHLORIDE PIPE	•
DUCTILE IRON PIPE	•
HIGH DENSITY POLYETHYLENE PIPE	•
BITUMINOUS	•
CONCRETE	•
GRAVEL	•
FOUND	•
HOW OR FORMERLY	•
PAGE	•

GRAPHIC SCALE



UTILITY STATEMENT

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. ALLEN & MAJOR ASSOCIATES, INC. (A&M) MAKES NO GUARANTEE THAT THE UTILITIES SHOWN HEREON COMPREHEND ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. A&M FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. A&M HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



LOCUS REFERENCES

- CITY OF MARLBOROUGH ASSESSORS MAP 69, LOTS 337, 338, 339, 339A, 340, 341, 342, 343
- DEED BOOK 7380, PAGES 40-41, 80, 73-74
- DEED BOOK 7380, PAGE 7
- PLAN AT END OF BOOK 1797
- PLAN AT END OF BOOK 4831
- PLAN AT END OF BOOK 4948
- PLAN BOOK 170, PLAN 4
- PLAN BOOK 315, PLAN 16
- PLAN BOOK 4402, PAGES 122-124
- PLAN 447 OF 1930
- PLAN 1930 OF 1933
- PLAN 1200 OF 1954
- PLAN 1884 OF 1954
- PLAN 1124 OF 1988
- OWNER OF RECORD: CITY OF MARLBOROUGH
- CITY OF MARLBOROUGH ASSESSORS MAP 69, LOT 345
- DEED BOOK 3454, PAGE 162
- PLAN AT END OF BOOK 5125
- OWNER OF RECORD: OPS REALTY TRUST

NOTES

1. NORTH ARROW IS BASED ON MASSACHUSETTS ORIG COORDINATE SYSTEM (NAD83) (PAGE 83).
2. BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM MIDDLESEX (SOUTH) REGISTRY OF DEEDS IN CAMBRIDGE, MA.
3. HORIZONTAL DATUM IS NAVD 83.
4. CONTOUR INTERVAL IS ONE FOOT (1').
5. ALL CLIPPING SHOWN HEREON IS COGNATE UNLESS OTHERWISE NOTED.
6. THE APPROXIMATE LOCATION OF THE 20' SEWER EASEMENT SHOWN HEREON TAKEN FROM A PLAN ENTITLED "CITY OF MARLBOROUGH - WATER AND SEWER COMMISSION - PLAN AND PROFILE - PRIVATE WAY - WASHINGTON ST. TO LINCOLN ST.", DATED DEC. 1924, ON FILE AT THE CITY OF MARLBOROUGH ENGINEERING DEPARTMENT.
7. PARCEL A SHOWN HEREON DOES NOT CURRENTLY EXIST AS A SEPARATE LOT. PARCEL A WILL BE CREATED IN THE APPROVAL NOT REQUIRED PROCESS WITH THE CITY OF MARLBOROUGH AT A LATER DATE.

WE HEREBY CERTIFY THAT:

THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR BETWEEN DECEMBER 17, 2021 AND MARCH 9, 2022.

THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS DATED JANUARY 1, 1978 AND REVISED JANUARY 12, 1988. ACCORDING TO DEEDS AND PLANS OF RECORD, THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES SHOWING EXISTING OWNERSHIP, AND THE LINES OF THE STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. THE ABOVE CERTIFICATION IS INTENDED TO MEET REGISTRY OF DEEDS REQUIREMENTS FOR THE RECORDING OF PLANS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT CITY OF MARLBOROUGH ASSESSOR'S INFORMATION. THE ABOVE IS CERTIFIED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

ALLEN & MAJOR ASSOCIATES, INC.

M.M. 17, 2022
PROFESSIONAL LAND SURVEYOR FOR THE STATE OF MASSACHUSETTS
ALLEN & MAJOR ASSOCIATES, INC.



REV. DATE DESCRIPTION
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE - 3RD FLOOR
LEXINGTON, MA 02421

PROJECT:
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 162630 DATE 08/17/2023
SCALE: 1"=40' DWG. NAME: 162630-04C
DRAWN BY: TAC CHECKED BY: NL
PROJECTED BY:

ALLEN & MAJOR ASSOCIATES, INC.
civil engineering • land surveying
environmental • landscape architecture
• 111 E. 1st St. • 1st Fl. •
100 CONSUMERS WAY
WOBURN, MA 01801-4001
TEL: (781) 945-6940
FAX: (781) 945-6940

NOTES: THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR BETWEEN DECEMBER 17, 2021 AND MARCH 9, 2022. THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS DATED JANUARY 1, 1978 AND REVISED JANUARY 12, 1988. ACCORDING TO DEEDS AND PLANS OF RECORD, THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES SHOWING EXISTING OWNERSHIP, AND THE LINES OF THE STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. THE ABOVE CERTIFICATION IS INTENDED TO MEET REGISTRY OF DEEDS REQUIREMENTS FOR THE RECORDING OF PLANS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT CITY OF MARLBOROUGH ASSESSOR'S INFORMATION. THE ABOVE IS CERTIFIED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

DRAWING TITLE: EXISTING CONDITIONS SHEET NO. V-101



Paul G. Miller
ASSOCIATES INC.
00-AB1410C00000176D9109
0120000081A, cym/Paul G
Miles
2022/08/01 16:18:36 -JUN07

REV	DATE	DESCRIPTION
APPLICANT/OWNER:		
ALTA MARLBOROUGH, LLC		
91 HARTWELL AVENUE - 3RD FLOOR		
LEXINGTON, MA 02421		

PROJECT:
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO.	1670-20	DATE:	04/01/2022
SCALE:	1" = 40'	DWG. NAME:	S-1670-20-E
DRAFTED BY:	PGM/KAC	CHECKED BY:	NE



ALLEN & MAJOR
ASSOCIATES, INC.

**1100 COMMENCE WAY
WOBURN MA 01801-8501**
TEL: (781) 942-6888
FAX: (781) 942-1886

WOBURN, MA • LANSVILLE, MA • MANCHESTER, NH

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DRAWING TITLE:	SHEET No.
PROPOSED PROPERTY LINE MODIFICATION PLAN	C-101

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ZONING SUMMARY CHART

NEIGHBORHOOD BUSINESS DISTRICT (NB)

ITEM	REQUIRED	PROPOSED
MINIMUM LOT AREA	5,000 SF	197,247 SF
MINIMUM LOT FRONTAGE	157'	485.42'
MINIMUM FRONT SETBACK	15'-25' ⁽¹⁾	17' MECHANIC ST 27' LINCOLN ST
MINIMUM SIDE SETBACK	10'	10'
MINIMUM REAR SETBACK	15'-25' ⁽¹⁾	N/A
BUILDING HEIGHT	32, 2.5 STY	51.67, 5 STY
MAX LOT COVERAGE ⁽²⁾	75%	65.05%
MIN. OPEN SPACE 100 SF/UNIT	100 SF/276 UNIT 25.85 SF	81,259 SF

FOOTNOTES:
1. 15 FEET FOR STRUCTURES UNDER 35 FEET; INCREASE TO 25 FEET FOR STRUCTURE 35 FEET OR TALLER.
2. LOT COVERAGE - THE AREA OF A LOT COVERED BY ALL STRUCTURES, AREAS USED BY VEHICULAR TRAFFIC AND PARKING, INCLUDING DRIVEWAYS, LOADING BAYS AND MANEUVERING AREAS, WHETHER PAVED, UNPAVED OR GRAVELED, AND OF ALL IMPERVIOUS AREAS SUCH AS PAVED WALKWAYS OR OUTDOOR STORAGE AREAS, BUT NOT INCLUDING DRIVEWAY WALKWAYS OR PICKUP AREAS NOT ADJACENT TO PARKING LOTS OR BUILDINGS. AREAS NOT INCLUDED IN LOT COVERAGE SHALL BE LANDSCAPED AREAS. FOR PURPOSE OF LOTS EXCLUSIVELY IN RESIDENTIAL USE, COVERAGE SHALL NOT INCLUDE ANY OUTDOOR RECREATIONAL FACILITY FOR TENANTS, SUCH AS BUT NOT LIMITED TO A SWIMMING POOL, TENNIS COURT, GARDEN SHED, PATIO OR SIMILAR FACILITY.

- NOTES:
1. LOT COVERAGE
• PARKING GARAGE A=34,670 SF
• BUILDING A=73,390 SF
• PARKING LOT (MECHANIC ST) A=4,827 SF
• FIRE ACCESS ROAD A=9,491 SF
• PARALLEL SPACES/SEDAN/LS A=5,067 SF
• TOTAL IMPERVIOUS A=120,375 SF
2. OPEN SPACE
• EXTERIOR LANDSCAPE A=68,672 SF
• INTERIOR JANUARY A=5,472 SF
• BALCONIES A=6,815 SF
• TOTAL OPEN SPACE A=82,259 SF
3. PER THE NEIGHBORHOOD BUSINESS REGULATION, UP TO 50% OF THE REQUIRED OPEN SPACE MAY BE PRIVATE OPEN SPACE PLACED IN THE BUILDING; AS INDIVIDUAL UNIT BALCONIES LARGE ENOUGH FOR A TABLE AND CHAIRS; OR ON THE ROOF OF THE STRUCTURE AS A GARDEN OR SITTING AREA.
4. THE AVERAGE FINISH GRADE ALONG THE FRONT (MECHANIC & LINCOLN STREET) OF THE BUILDING IS ELEVATION 445.16.

PARKING & LOADING REQUIREMENTS

PARKING USE	REQUIRED	PROVIDED
RETAIL (1 SPACE PER 750 SF GFA)	10,074 SF/250 SF = 40.3	41
MAX. RESIDENTIAL (1 SPACE PER BEDROOM)	401 BEDROOMS X 1 = 401	440 SPACES
MAX. RESIDENTIAL (2 SPACES PER UNIT)	276 UNITS X 2 = 552	
TOTAL	MIN 441 SPACES MAX 552 SPACES	481 SPACES

- NOTES:
1. THE PROPOSED PROJECT PROPOSES 25 PARALLEL PARKING SPACES ALONG LINCOLN AND MECHANIC STREET WHICH WILL ALL BE DEDICATED TO RETAIL USE.
2. THE PROPOSED PROJECT ALSO PROPOSES A SMALL PARKING LOT OFF OF MECHANIC STREET WITH 8 PARKING SPACES FOR RETAIL USE.
3. THE PROPOSED PARKING GARAGE HAS A TOTAL OF 440 PARKING SPACES OF WHICH 440 ARE FOR RESIDENTIAL USE AND 8 SPACES ARE FOR RETAIL USE.
4. THE PROPOSED 22 PARKING SPACES IN THE PARKING LOT OFF OF LINCOLN STREET ADJACENT TO THE ASSABET RIVER RAIL TRAIL ARE FOR RECREATIONAL PURPOSES AND ARE NOT INCLUDED IN THE OVERALL PARKING FOR THE PROPOSED PROJECT.

LEGEND

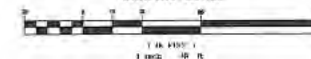
PROP. PROPERTY LINE	
SIGN	
BOLLARD	
BUILDING	
BUILDING ARCHITECTURE	
BUILDING INTERIOR WALLS	
CURB	
RETAINING WALL	
PARKING STRIPING	
SIDEWALK	
ADA ACCESSIBLE RAMP	
ADA DET. WARNING SURFACE	
SNOW STORAGE	
SETBACK LINE	
PARKING COUNT	
WOOD GUARDRAIL	
CHAIN LINK FENCE	
TREE LINE	
TRANSFORMER	
DOUBLE YELLOW CENTER LINE	
STOP LINE	
VERTICAL GRANITE CURB	
MONOLITHIC CONCRETE CURB	
PRECAST CONCRETE CURB	

SIGN TABLE

REGULATORY DESCRIPTION	SIZE	MOUNTING HEIGHT
R1-1	30" x 30"	7' - 0"
R7-B	12" x 18"	7' - 0"
R7-OP	12" x 8"	8' - 0"

NOTES:
1. TRAFFIC AND SAFETY STORAGE SHALL COMPLY WITH MUTCD STANDARDS.

GRAPHIC SCALE



MECHANIC STREET
(PUBLIC - 45' WIDE)

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1-888-DIG-SAFE
1-888-344-7233

LINCOLN
(PUBLIC - 45' WIDE)
STREET

ISSUED FOR
SPECIAL PERMIT
APRIL 1, 2022



PROFESSIONAL ENGINEER FOR
ALLEN & MAJOR ASSOCIATES, INC.

REV DATE DESCRIPTION
APPLICANT/OWNER
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

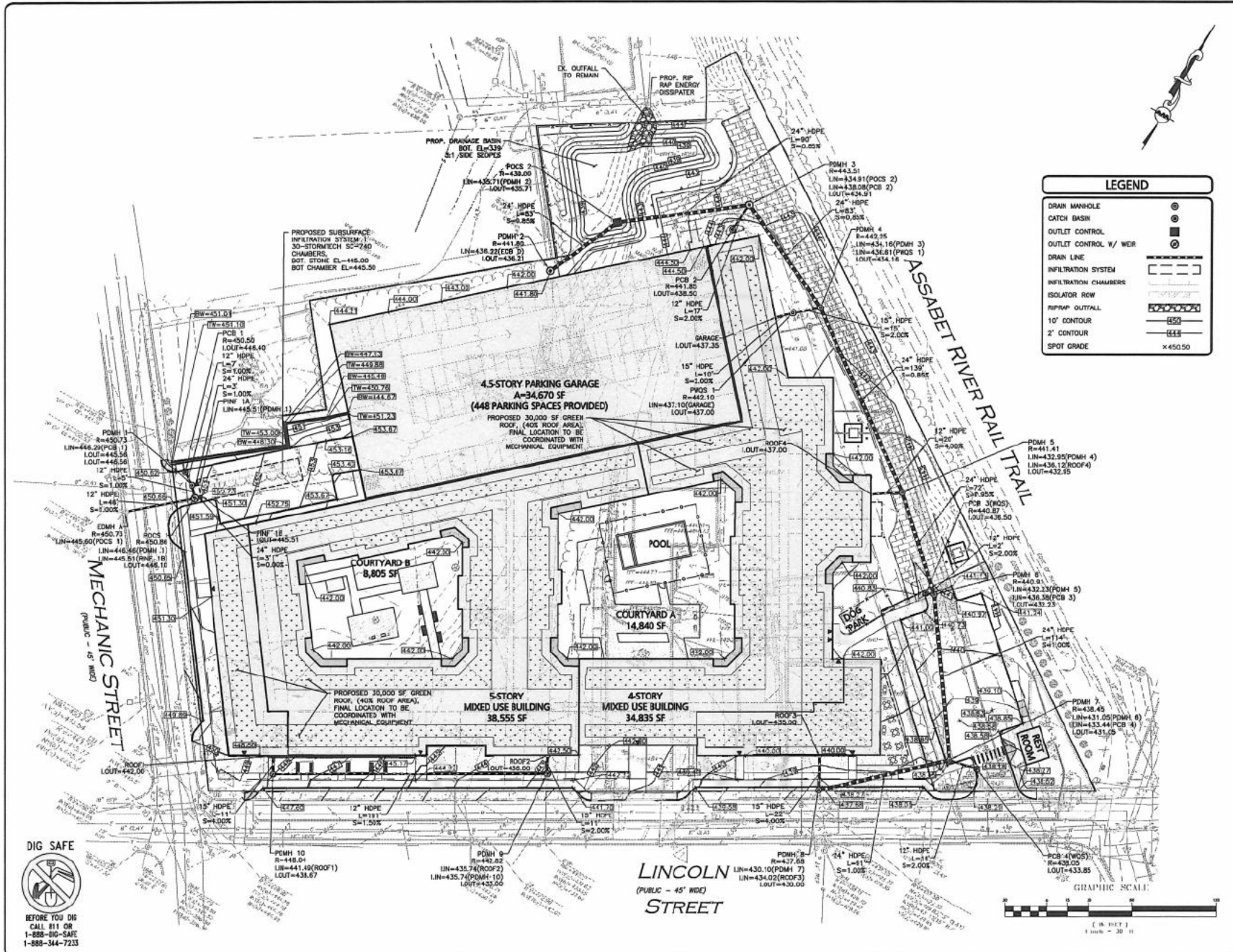
PROJECT
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 187026 DATE: 04/01/2022
SCALE: 1" = 30' DWG. NAME: C167026
DESIGNED BY: PDA/AM CH. CHODD BY: PLC

PREPARED BY:
ALLEN & MAJOR ASSOCIATES, INC.
civil engineering & land surveying
environmental consulting & landscape architecture
www.allenmajor.com

15 MAINT STREET
LAKEVILLE, MA 01847
TEL: (978) 888-4818
FAX: (978) 888-4891
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DRAWING TITLE: SHEET NO.
LAYOUT & MATERIALS PLAN C-102



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APRIL 1, 2023



Paul G. Allen
PROFESSIONAL ENGINEER FOR
ALLEN & MAJOR ASSOCIATES, INC.

REV. DATE DESCRIPTION
APPLICANT/OWNER:
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

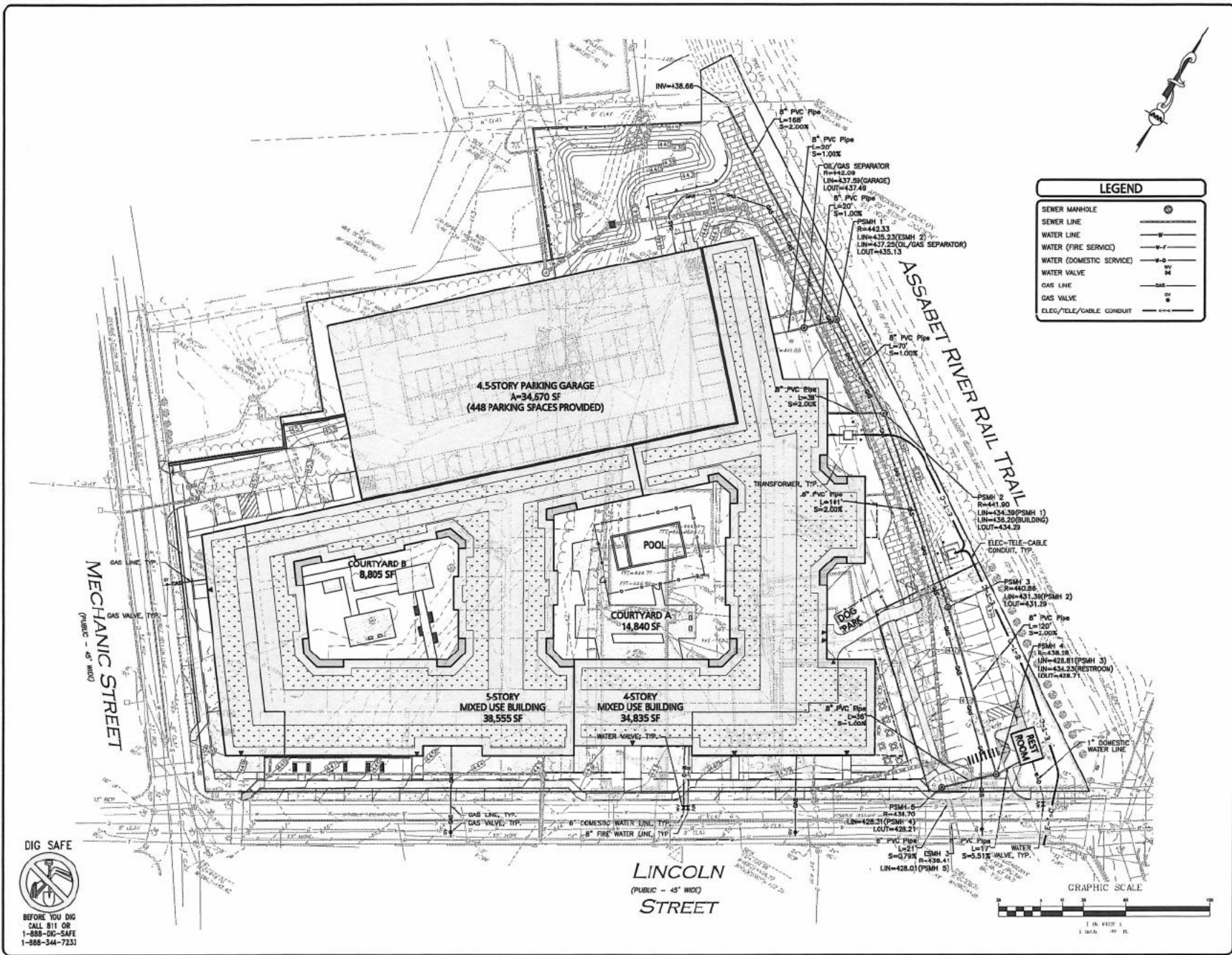
PROJECT:
ALTA MARLBOROUGH
283-325 UNCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 167620 DATE: 04-01-2023
SCALE: 1" = 30' DWG. NAME: C1670-20
DESIGNED BY: PGM CHECKED BY: PLC

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environmental consulting • landscape architecture
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LAKEVILLE, MA 02447
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FAX: (978) 938-6800

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DRAWING TITLE: GRADING & DRAINAGE PLAN SHEET NO.: C-103



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APRIL 1, 2022

ALLEN & MAJOR ASSOCIATES, INC.
PROFESSIONAL ENGINEER FOR
ALLEN & MAJOR ASSOCIATES, INC.

REV. DATE. DESCRIPTION
APPLICANT/OWNER:
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

PROJECT:
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 1670-20 **DATE:** 04-01-2022
SCALE: 1" = 30' **DWG. NAME:** C1670-20
DESIGNED BY: JPL/PMH **CHECKED BY:** PLC

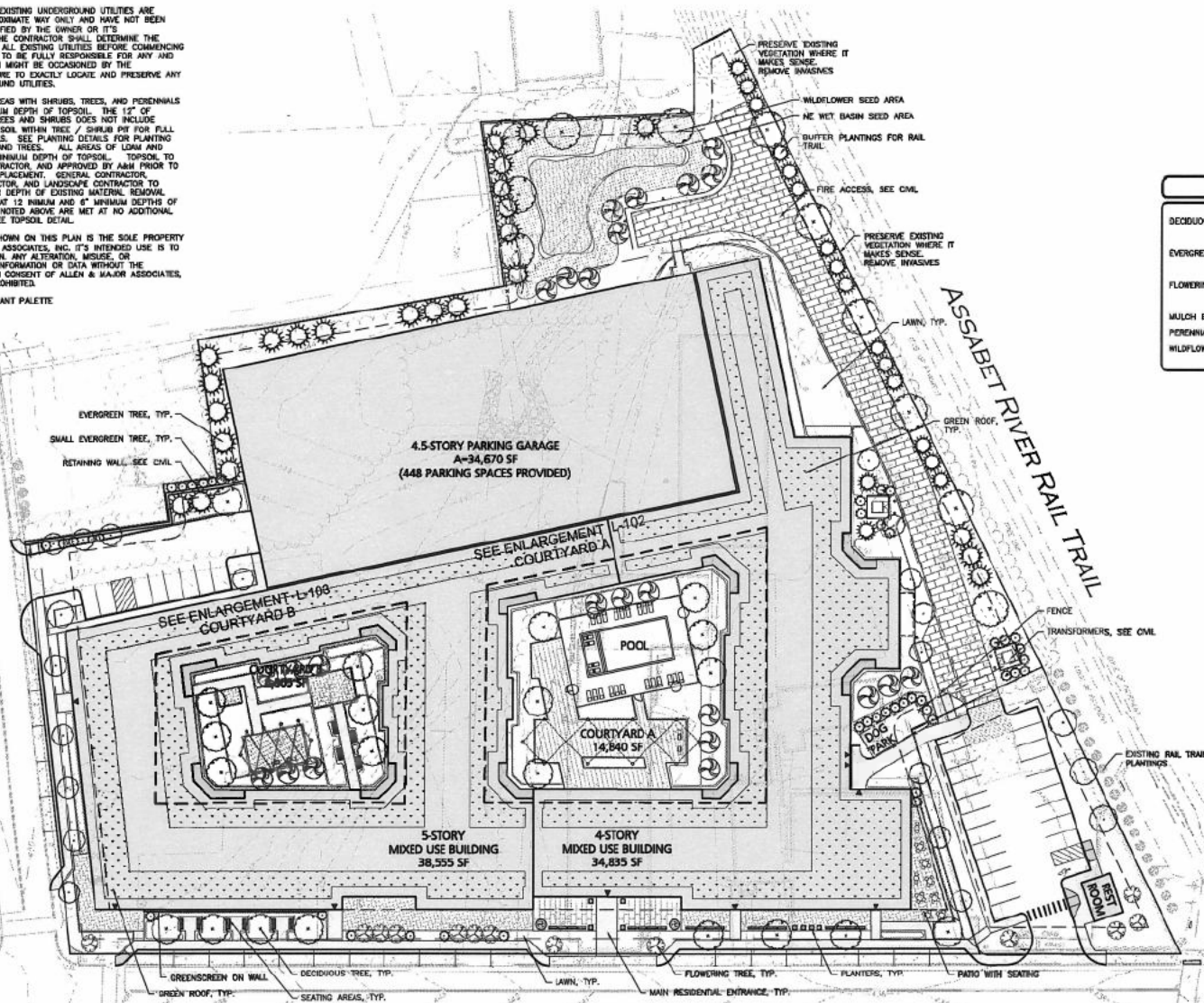
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LAKEVILLE, MA 01946
TEL: (508) 933-0191
FAX: (508) 933-0393

DRAWING TITLE: UTILITIES PLAN **SHEET No.:** C-104

GENERAL NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
2. ALL LANDSCAPED AREAS WITH SHRUBS, TREES, AND PERENNIALS TO HAVE 12" MINIMUM DEPTH OF TOPSOIL. THE 12" OF TOPSOIL AROUND TREES AND SHRUBS DOES NOT INCLUDE AMENDED PLANTING SOIL WITHIN TREE / SHRUB PIT FOR FULL DEPTH OF ROOTBALLS. SEE PLANTING DETAILS FOR PLANTING DEPTH AT SHRUBS AND TREES. ALL AREAS OF LOAM AND SEED TO HAVE 8" MINIMUM DEPTH OF TOPSOIL. TOPSOIL TO BE TESTED BY CONTRACTOR AND APPROVED BY A&M PRIOR TO PURCHASE AND OR PLACEMENT. GENERAL CONTRACTOR, DEMOLITION CONTRACTOR, AND LANDSCAPE CONTRACTOR TO COORDINATE PROPER DEPTH OF EXISTING MATERIAL REMOVAL ACROSS SITE SO THAT 12 INIMUM AND 8" MINIMUM DEPTHS OF PROPOSED TOPSOIL NOTED ABOVE ARE MET AT NO ADDITIONAL COST TO OWNER. SEE TOPSOIL DETAIL.
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4. SEE L-104 FOR PLANT PALETTE

MECHANIC STREET
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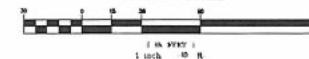
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1-888-344-7233

LINCOLN
(PUBLIC - 45' WIDE)
STREET

GRAPHIC SCALE



LEGEND

DECIDUOUS TREE	
EVERGREEN TREE	
FLOWERING TREE	
MULCH BED	
PERENNIALS/SHRUBS	
WILDFLOWER SEED MIX	

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SPECIAL PERMIT
APRIL 1, 2022



PROFESSIONAL LANDSCAPE ARCHITECT FOR
ALLEN & MAJOR ASSOCIATES, INC.

APPLICANT/OWNER:
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

PROJECT:
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 167020 DATE: 04/01/2022

SCALE: 1"=30' DWG. NAME: C167020

DESIGNED BY: BD CHECKED BY: M.C.

PREPARED BY:



ALLEN & MAJOR
ASSOCIATES, INC.

civil engineering & land surveying
environmental consulting & landscape architecture

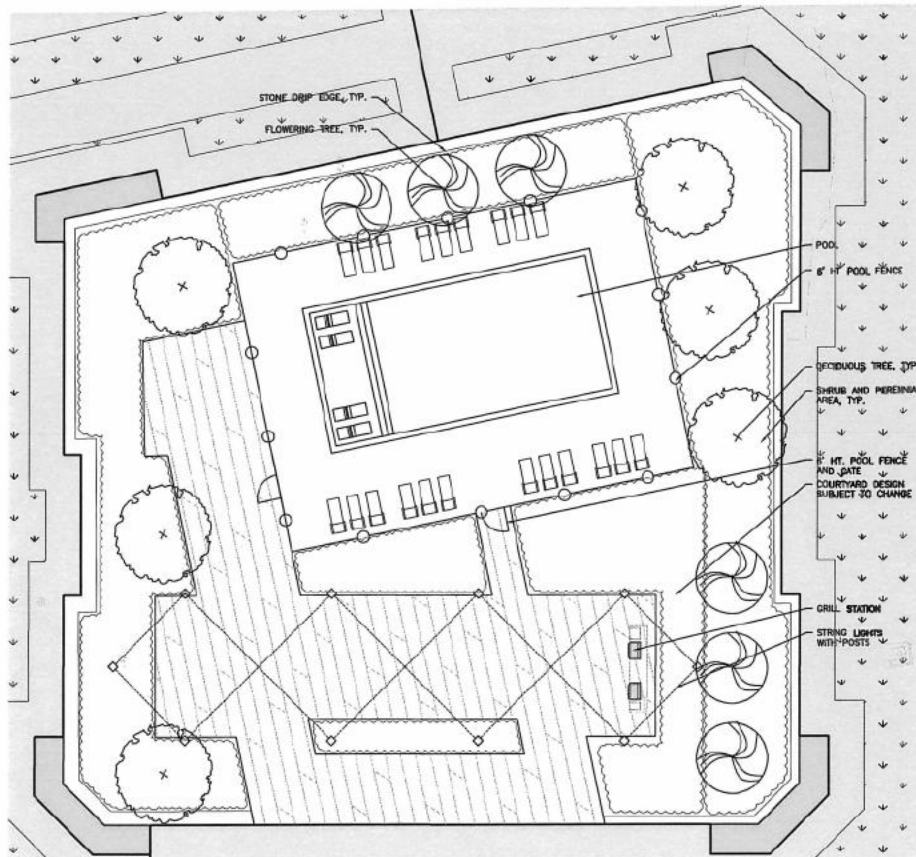
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DRAWING TITLE: SCHEMATIC LANDSCAPE PLAN

SHEET NO. L-101



① COURTYARD 'A' SCHEMATIC PLANTING PLAN

GENERAL NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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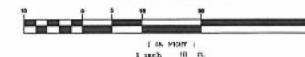
LEGEND

DECIDUOUS TREE	
EVERGREEN TREE	
FLOWERING TREE	
MULCH BED	
PERENNIALS/SHRUBS	
WILDFLOWER SEED MIX	

COURTYARD PLANTINGS - PART SHADE PALETTE

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	MIN. SIZE	SPACING	COMMENTS
DECIDUOUS SHADE TREES						
AA	0	AMELANCHIER 'GLENFORTH'	RAINBOW PILLAR SERVICEBERRY	2.5-3" CAL.	AS SHOWN	B&B
ARK	0	ACER RUBRUM 'ARMSTRONG GOLD'	ARMSTRONG GOLD MAPLE	2.5-3" CAL.	AS SHOWN	B&B
CC	0	CORNUS FLORIDA 'APALACHIAN BLUSH'	APALACHIAN BLUSH DOGWOOD	2.5-3" CAL.	AS SHOWN	B&B
CK	0	CORNUS KOUSA 'WOLF EYES'	WOLF EYES VARIEGATED KOUSA DOGWOOD	2-2.5" CAL.	AS SHOWN	B&B-SPECIMEN
PS	0	PERNUS SARGENTI 'COLUMBIANA'	COLUMBIANA SARGENT CHERRY	2.5-3" CAL.	AS SHOWN	B&B
EVERGREEN TREES						
PD	0	PICEA GLAUCA 'CONICA'	CONIC ALBERTA SPRUCE	3-4' HT.	AS SHOWN	B&B
TD	0	THUJA OCCIDENTALIS 'AMERICAN PILLAR'	AMERICAN PILLAR ARBORVITAE	6'-7' HT.	AS SHOWN	B&B
SHRUBS						
BC	0	BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	#3	AS SHOWN	POT
CS	0	ELAEAGNUS ALNIFOLIA 'SIXTEEN CANDLES'	SIXTEEN CANDLES SUMMERSHUB	#5	AS SHOWN	POT
HY	0	HYDRANGEA PANCULATA 'REMY'	REMY HYDRANGEA	4-5' HT.	AS SHOWN	B&B
IG	0	ILEX GLABRA 'SHAMROCK'	SHAMROCK HEDGE	#5	AS SHOWN	POT
IM	0	ILEX CREMATA 'STEEDS'	STEEDS HOLLY	#7	AS SHOWN	POT
PJM	0	RHODODENDRON 'JIM'	COMPACT JIM RHODODENDRON	18-24" HT.	AS SHOWN	B&B
RC	0	RHODODENDRON 'YAK'	YAK RHODODENDRON	2-3' HT.	AS SHOWN	B&B
RR	0	RHODODENDRON 'APRIL ROSE'	APRIL ROSE RHODODENDRON	18-24" HT.	AS SHOWN	B&B
PERENNIALS						
BR	0	BRUNNERA 'JACK FROST'	JACK FROST BRUNNERA	#2	24" O.C.	STAGGERED
AM	0	ALCHMILLA MOLLIS	LADY'S MANTLE	#2	24" O.C.	STAGGERED
AP	0	ASTILBE 'PEACH BLOSSOM'	PEACH BLOSSOM ASTILBE	#2	24" O.C.	STAGGERED
AQ	0	AQUILEGIA 'BLUE JAY'	BLUE JAY COLUMBINE	#2	24" O.C.	STAGGERED
CP	0	CAREX PENSYLVANICA	PENSYLVANIAN SEDGE	#2	24" O.C.	STAGGERED
HD	0	HEUCHERA 'DOLCE SPEARMINT'	DOLCE SPEARMINT CORAL BELLS	#2	24" O.C.	STAGGERED
HM	0	HAKONECHLOA MACRA 'ALL GOLD'	ALL GOLD JAPANESE FOREST GRASS	#2	24" O.C.	STAGGERED
HQ	0	HOSTA 'GUANACOLE'	GUANACOLE HOSTA	#2	24" O.C.	STAGGERED
HO	0	HOSTA 'BLUE ANGEL'	BLUE ANGEL HOSTA	#2	24" O.C.	STAGGERED
LV	0	LIRIOPE MUSCAR 'VARIEGATA'	LILYTURF	#2	24" O.C.	STAGGERED
HM	0	HEUCHERA 'DOLCE SPEARMINT'	DOLCE SPEARMINT CORAL BELLS	#2	24" O.C.	STAGGERED
VM	0	VINCA MINOR 'BOWLES'	PERIWINKLE	FLAT OF 50	12" O.C.	STAGGERED
RF	0	RUDBECKIA FULGIDA 'GOLDSTURN'	BLACK EYED SUSAN	#2	24" O.C.	STAGGERED

GRAPHIC SCALE



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APRIL 1, 2022



PROFESSIONAL LANDSCAPE ARCHITECT FOR
ALLEN & MAJOR ASSOCIATES, INC.

ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 167920 DATE: 04/01/2022

SCALE: 1"=10' DWG. NAME: C167920

DESIGNED BY: JD CHECKED BY: MC

PREPARED BY:

ALLEN & MAJOR ASSOCIATES, INC.
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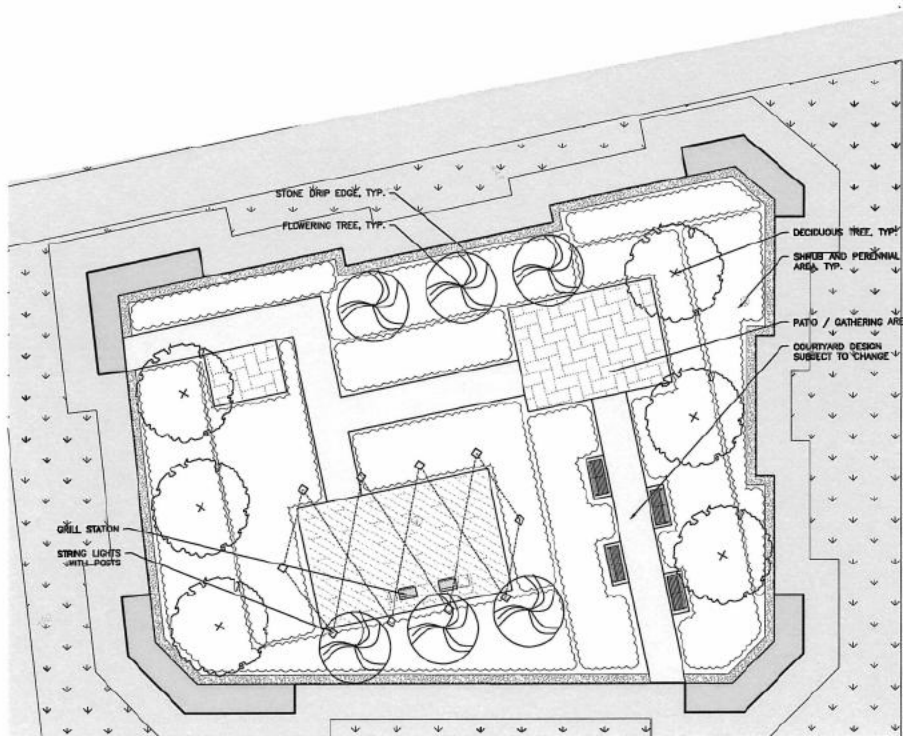
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1 COURTYARD "B" SCHEMATIC PLANTING PLAN

GENERAL NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCURRED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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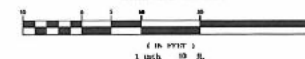
LEGEND

DECIDUOUS TREE	
EVERGREEN TREE	
FLOWERING TREE	
MULCH BED	
PERENNIALS/SHRUBS	
WILDFLOWER SEED MIX	

COURTYARD PLANTINGS - PART SHADE PALETTE

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	MIN. SIZE	SPACING	COMMENTS
DECIDUOUS SHADE TREES						
AA	0	AMELANCHIER 'GREENFORM'	RAINBOW PILLAR SERVICEBERRY	2.5-3" CAL.	AS SHOWN	B&B
AK	0	ACER RUBRUM 'ARMSTRONG GOLD'	ARMSTRONG GOLD MAPLE	2.5-3" CAL.	AS SHOWN	B&B
CC	0	CORNUS FLORIDA 'APALACHIAN BLUE'	APALACHIAN BLUE DOGWOOD	2.5-3" CAL.	AS SHOWN	B&B
CK	0	CORNUS KOLSA 'WOLF EYES'	WOLF EYES VAREGATED KOLSA DOGWOOD	2-2.5" CAL.	AS SHOWN	B&B-SPECIMEN
PS	0	PRUNUS SARGENTI COLUMBIENSIS	COLUMBIAN SARGENT CHERRY	2.5-3" CAL.	AS SHOWN	B&B
EVERGREEN TREES						
PD	0	PIGEA GLAUCA 'CONICA'	DWARF ALBERTA SPRUCE	3-4' HT.	AS SHOWN	B&B
TD	0	THUJA OCCIDENTALIS 'AMERICAN PILLAR'	AMERICAN PILLAR ARBORVITAE	6'-7" HT.	AS SHOWN	B&B
SHRUBS						
RG	0	RUXUS 'GREEN GEM'	GREEN GEM BOWWOOD	#3	AS SHOWN	POT
CS	0	CLETHRA ALNIFOLIA 'SIXTEEN CANDLES'	SIXTEEN CANDLES SUMMERWAX	#6	AS SHOWN	POT
HY	0	HYDRANGEA PANDICULATA 'REBEL'	REBEL VANILLA STRAWBERRY TREE FORM HYDRANGEA	4-5' HT.	AS SHOWN	B&B
IG	0	ILEX GLABRA 'SHAMROCK'	SHAMROCK HOBERRY	#6	AS SHOWN	POT
IM	0	ILEX CRONATA 'STEEDS'	STEEDS HOLLY	#7	AS SHOWN	POT
PJM	0	RHODODENDRON 'PJM COMPACT GLOBE'	COMPACT PJM RHODODENDRON	18-24" HT.	AS SHOWN	B&B
RC	0	RHODODENDRON YAK. 'CRETE'	CRETE RHODODENDRON	2-3' HT.	AS SHOWN	B&B
RR	0	RHODODENDRON 'APRIL ROSE'	APRIL ROSE RHODODENDRON	18"-24" HT.	AS SHOWN	B&B
PERENNIALS						
BR	0	BRUNNERA 'JACK FROST'	JACK FROST BRUNNERA	#2	24" O.C.	STAGGERED
AM	0	ALCHEMILLA MOLLISS	LADY'S MANTLE	#2	24" O.C.	STAGGERED
AP	0	ASTILBE 'PEACH BLOSSOM'	PEACH BLOSSOM ASTILBE	#2	24" O.C.	STAGGERED
AQ	0	AQUILEGIA 'BLUE JAY'	BLUE JAY AQUILEGIA	#2	24" O.C.	STAGGERED
CP	0	CAREX PENNSYLVANICA	PENNSYLVANIA SEDGE	#2	24" O.C.	STAGGERED
HD	0	HEUCHERA 'DOLCE SPEARMINT'	DOLCE SPEARMINT CORAL BELLS	#2	24" O.C.	STAGGERED
HM	0	HAYONCHILDA MADRA 'ALL GOLD'	ALL GOLD JAPANESE FOREST GRASS	#2	24" O.C.	STAGGERED
HS	0	HOSTA 'GUANACOLE'	GUANACOLE HOSTA	#2	24" O.C.	STAGGERED
HO	0	HOSTA 'BLUE ANGEL'	BLUE ANGEL HOSTA	#2	24" O.C.	STAGGERED
LY	0	LYROPE MUSCAR 'VAREGATA'	LYTYRUS	#2	24" O.C.	STAGGERED
HD	0	HEUCHERA 'DOLCE SPEARMINT'	DOLCE SPEARMINT CORAL BELLS	#2	24" O.C.	STAGGERED
VM	0	VINCA MINOR 'BOWLES'	PERIWINKLE	FLAT OF 50	12" O.C.	STAGGERED
RF	0	RHODECHRA FULGIDA 'GOLDSTUM'	BLACK EYED SUSAN	#2	24" O.C.	STAGGERED

GRAPHIC SCALE



ISSUED FOR
SPECIAL PERMIT
APRIL 1, 2022



PROFESSIONAL LANDSCAPE ARCHITECT FOR
ALLEN & MAJOR ASSOCIATES, INC.

APPLICANT/OWNER:
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421

PROJECT:
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 157030 DATE: 04/01/2022
SCALE: 1"=10' DWG. NAME: C157030
DESIGNED BY: BD CHECKED BY: PLC

PREPARED BY:
ALLEN & MAJOR ASSOCIATES, INC.
civil engineering & landscape architecture
landscape architecture
www.allenmajor.com

10 MAIN STREET
LAKEVILLE, MA 01839
TEL: (508) 933-0309
FAX: (508) 933-0309

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DRAWING TITLE: COURTYARD B LANDSCAPE PLAN SHEET NO. L-103

SITE PLANTING PALETTE

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	MIN. SIZE	SPACING	COMMENTS
DECIDUOUS SHADE TREES						
AG	0	AMELANSIER G. 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	12-14' HT.	AS SHOWN	B&B
AR	0	ACER RUBRUM 'AUTUMN RED MAPLE'	AUTUMN RED MAPLE	3-3.5' CAL.	AS SHOWN	B&B
ARK	0	ACER RUBRUM 'KARPOCK'	KARPOCK RED MAPLE	3-3.5' CAL.	AS SHOWN	B&B
BP	0	BETULA PAPERIFERA	PAPER BIRCH	12-14' HT.	AS SHOWN	B&B
CC	0	CERCIS CANADENSIS	EASTERN REDBUD	3-3.5' CAL.	AS SHOWN	B&B
PS	0	FRAXINUS SARGENTI 'PINK PLUM'	PINK PLUM SARGENT CHERRY	3-3.5' CAL.	AS SHOWN	B&B
QP	0	QUERCUS FALCATA	PIN OAK	3-3.5' CAL.	AS SHOWN	B&B
QG	0	QUERCUS FALCATA 'GREEN PILLAR'	GREEN PILLAR PIN OAK	3-3.5' CAL.	AS SHOWN	B&B
TC	0	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	3-3.5' CAL.	AS SHOWN	B&B
EVERGREEN TREES						
AF	0	ABIES FRASER	FRASER FIR	7-8' HT.	AS SHOWN	B&B
JV	0	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	6'-7' HT.	AS SHOWN	B&B
PA	0	PICEA ABIES	NORWAY SPRUCE	10-12' HT.	AS SHOWN	B&B
SHRUBS/ GRASSES						
AZ	0	AZALEA 'DELAWARE WHITE'	DELAWARE WHITE AZALEA	#5	AS SHOWN	POT
BO	0	BURKS 'GREEN GEM'	GREEN GEM BOXWOOD	#3	AS SHOWN	POT
CS	0	CLETHRA ALNIFOLIA 'SIXTEEN CAULES'	SIXTEEN CAULES SUMMERSHUBLET	#7	AS SHOWN	POT
HY	0	HYDRANGEA ARBORESCENS 'INCREDIBAL'	INCREDIBAL HYDRANGEA	#7	AS SHOWN	POT
IG	0	ILEX GLABRA 'SHAROCK'	NIKEBERRY	2'-2.5' HT.	AS SHOWN	B&B
N	0	ILEX VERTICILLATA 'SPARKLEBERRY'	SPARKLEBERRY WINTERBERRY	2'-2.5' HT.	AS SHOWN	B&B - 1 TINY! POLLINATOR FOR EACH 2 PLANTS
PUM	0	RHODOCHONDRON 'PUM COMPACT CLONE'	COMPACT PUM RHODOCHONDRON	2'-2.5' HT.	AS SHOWN	B&B
PV	0	PANICUM V. 'SHENANDOAH'	SHENANDOAH SWITCH GRASS	#3	AS SHOWN	POT
RR	0	RHODOCHONDRON 'PERCY WESMAN'	PERCY WESMAN RHODOCHONDRON	18-24" HT.	AS SHOWN	B&B
RZ	0	RHODOCHONDRON 'NOVA ZEMBLA'	NOVA ZEMBLA RHODOCHONDRON	2-2.5' HT.	AS SHOWN	B&B
VP	0	VIBURNUM P.P. 'POPCORN'	POPCORN VIBURNUM	5-8' HT.	AS SHOWN	B&B
PERENNIALS						
BA	0	BAPTISIA 'PURPLE SMOKE'	PURPLE SMOKE WILD HOGG	#1	24" O.C.	STAGGERED
EP	0	COINCOPIA PURPUREA	PURPLE CONEFLOWER	#1	24" O.C.	STAGGERED
HR	0	HEMEROCALLIS 'ROSEY RETURN'	ROSEY RETURNS DAYLILY	#1	24" O.C.	STAGGERED
MD	0	MONARDA D. 'JACOB CLINE'	JACOB CLINE BEE BALM	#1	24" O.C.	STAGGERED
HB	0	HOSTA 'BLUE CADET'	BLUE CADET HOSTA	#1	24" O.C.	STAGGERED
RF	0	RUBROCKIA FULGIDA 'GOLDSTIM'	BLACK EYED SUSAN	#1	24" O.C.	STAGGERED

LANDSCAPE NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY/TOWN OF MARLBOROUGH, MA.
- PLANTING PLAN IS DIAGRAMMATIC IN NATURE. FINAL PLACEMENT OF PLANTS TO BE APPROVED BY THE LANDSCAPE ARCHITECT IN THE FIELD.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES, ANY PERMITTING AGENCIES, AND "DIG-SAFE" (1-888-344-7233) AT LEAST 72 HOURS IN ADVANCE OF ANY WORK THAT WILL REQUIRE EXCAVATION. CONTRACTOR SHALL IN WRITING NOTIFY THE OWNERS REPRESENTATIVE OF ANY CONFLICTS.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA. ANY TREES NOTED AS "DEAD OR SELECTED SPECIMEN" SHALL BE TAGGED AND SEALED BY THE LANDSCAPE ARCHITECT.
- ALL TREES SHALL BE BALLED AND BURLAPPED (B&B) UNLESS OTHERWISE NOTED OR APPROVED BY THE OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON PLANT LIST. QUANTITIES SHOWN ON PLANS SHALL GOVERN OVER PLANT LIST.
- ANY PROPOSED PLANT SUBSTITUTIONS MUST BE APPROVED IN WRITING BY OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT.
- ALL PLANT MATERIALS INSTALLED SHALL MEET THE GUIDELINES ESTABLISHED BY THE STANDARDS FOR NURSERY STOCK PUBLISHED BY AMERICANHORT (LATEST EDITION).
- ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR FOLLOWING DATE OF ACCEPTANCE.
- ALL DISTURBED AREAS NOT OTHERWISE NOTED SHALL RECEIVE 3" OF SUITABLE LOAM & SEED LAMING WITH 3:1 OR GREATER SLOPES SHALL BE PROTECTED WITH AN EROSION CONTROL BLANKET.
- ANY FALL TRANSPLANTING HAZARD PLANTS SHALL BE DUG IN THE SPRING AND STORED FOR FALL PLANTING.
- TREES SHALL HAVE A MINIMUM CALIPER AS INDICATED ON THE PLANTING SCHEDULE TAKEN ONE FOOT ABOVE THE ROOT CROWN.
- ALL PLANT BEDS AND TREE SAUCERS TO RECEIVE 3" OF PINE BARK MULCH. GROUND COVER AREAS SHALL RECEIVE 1" OF PINE BARK MULCH.
- ALL DECIDUOUS TREES ADJACENT TO WALKWAYS AND ROADWAYS SHALL HAVE A BRANCHING PATTERN TO ALLOW FOR A MINIMUM OF 7' OF CLEARANCE BETWEEN THE GROUND AND THE LOWEST BRANCH.
- ALL TREE STAKES SHALL BE STAINED DARK BROWN.
- CONTRACTOR RESPONSIBLE FOR WATERING AND RESEEDING OF BARE SPOTS UNTIL A UNIFORM STAND OF VEGETATION IS ESTABLISHED AND ACCEPTED.
- SOIL SAMPLES, TESTS, AND SHOP DRAWINGS SHALL BE PROVIDED TO THE LANDSCAPE ARCHITECT OR THE OWNER FOR APPROVAL PRIOR TO CONSTRUCTION.
- SEED MIX: SPREAD NEW ENGLAND SHOWY WILDFLOWER MIX ON AREAS NOTED ON THE PLAN. SPREAD AT A RATE OF 1 LB PER 800 SQ. FT. SEED MIX AVAILABLE FROM NEW ENGLAND WETLAND PLANTS, 820 WEST ST., AMHERST, MA, 413-548-8000.
- SEEDING AREAS TO BE TEMPORARILY IRRIGATED UNTIL ESTABLISHMENT AND ACCEPTANCE. CONTRACTOR RESPONSIBLE FOR RE-SEEDING AS NECESSARY AND MAINTENANCE UNTIL ESTABLISHMENT AND ACCEPTANCE. A NON-INVASIVE WINTER RYE MAY BE ADDED TO THE MIX TO OBTAIN SOIL STABILIZATION IN THE FALL.
- ALL PROPOSED LANDSCAPE AREAS INCLUDING MOWED LAWNS, TREES, SHRUB BEDS, AND PERENNIALS SHALL BE PROVIDED WITH WATER EFFICIENT UNDERGROUND IRRIGATION. DESIGN AND INSTALLATION OF IRRIGATION SYSTEM TO BE PERFORMED BY AN APPROVED IRRIGATION DESIGN BUILD CONTRACTOR OR BY AN APPROVED SOIL TO BE DETERMINED BY THE OWNERS REPRESENTATIVE AND LANDSCAPE ARCHITECT. IRRIGATION SYSTEM IS TO BE DESIGNED FOR EFFICIENT WATER USAGE INCLUDING: USE OF DRIP IRRIGATION FOR SHRUBS AND PERENNIALS, IRRIGATION SYSTEM WITH HEAD-TO-HEAD COVERAGE, A CONTROL, SHUT-OFF VALVE, AND A RAIN SENSOR TO SHUT OFF IRRIGATION DURING RAIN EVENTS.
- A MINIMUM 18" WIDE BARRIER OF PEASTONE SHALL BE INSTALLED IN ALL PLANT BED WHICH ADJACENT TO BUILDINGS. NO MULCH IS ALLOWED WITHIN 18" OF ALL BUILDINGS PER THE LATEST EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY DEPARTMENT OF FIRE SERVICES REGULATION (527 CMR 17.00).

SEED MIXES:

NEW ENGLAND WETLAND PLANTS
820 WEST STREET, AMHERST, MA 01002
PHONE: 413-548-8000 FAX: 413-548-4200
EMAIL: INFO@NEWPLANTS.COM WEB ADDRESS: WWW.NEWPLANTS.COM
BIOLOGY NEW ENGLAND WILDLIFE OWNER MIX

SCORCHWILLOW SCORCHWILLOW
SPANISH BURNING BURNING
STAGHORN STAGHORN
TULIP TULIP
VIBURNUM VIBURNUM
WILLOW WILLOW
YEW YEW
ZEPHYRUS ZEPHYRUS
ACER ACER
ALDER ALDER
BIRCH BIRCH
BOXWOOD BOXWOOD
CEDAR CEDAR
CHERRY CHERRY
CORNUS CORNUS
DOGWOOD DOGWOOD
ELM ELM
FRAXINUS FRAXINUS
GINKGO GINKGO
HAWTHORN HAWTHORN
HOLLY HOLLY
HYDRANGEA HYDRANGEA
JUNIPER JUNIPER
LARCH LARCH
MAPLE MAPLE
MAYO MAYO
NORWAY NORWAY
OAK OAK
PINE PINE
REDWOOD REDWOOD
RHODODENDRON RHODODENDRON
SALIX SALIX
SPICEWOOD SPICEWOOD
SPRING SPRING
STAGHORN STAGHORN
TULIP TULIP
VIBURNUM VIBURNUM
WILLOW WILLOW
YEW YEW
ZEPHYRUS ZEPHYRUS

THE NEW ENGLAND WILDFLOWER MIX INCLUDES A SELECTION OF WILDFLOWERS AND GRASSES THAT WILL NATURALIZE INTO A COLORFUL AND VIBRANT WILDFLOWER MIX. IT IS APPROPRIATE FOR USE IN RESIDENTIAL, COMMERCIAL, LANDSCAPING, PARKS, GOLF COURSES, AND INDUSTRIAL SITES. ALWAYS APPLY ON CLEAN, FIRM, SOIL. THE MIX MAY BE APPLIED BY HAND, SPREADER, OR ON SMALL SITES IT CAN BE SPREAD BY HAND, LIGHTLY RAKE, OR ROLL TO ENSURE PROPER SEED TO SOIL CONTACT. BEST RESULTS ARE OBTAINED WITH A SPRING OR LATE FALL, DOMINANT SEEDING. LATE SPRING AND EARLY SUMMER SEEDING WILL BENEFIT WITH A LIGHT MULCHING OF WEED-FREE STRAW TO COVERTURE WEEDS. IF CONDITIONS ARE DRYER THAN USUAL, WATERING MAY BE REQUIRED. LATE FALL AND WINTER DOMINANT SEEDING REQUIRE AN INCREASE IN THE SEEDING RATE. FERTILIZATION IS NOT REQUIRED UNLESS THE SOIL HAS PARTICULARLY INTERESTING PREPARATION OF A CLEAN WEED FREE SEED BED IS NECESSARY FOR OPTIMAL RESULTS.
PRICE PER LB. \$86.00 MIN. QUANTITY 1 LB. TOTAL \$86.00 APPROX. 23 LBS./ACRE @ 1600 SQ. FT./LB



PROFESSIONAL LANDSCAPE ARCHITECT FOR
ALLEN & MAJOR ASSOCIATES, INC.

REV. DATE DESCRIPTION
APPLICANT/OWNER:
ALTA MARLBOROUGH, LLC
91 HARTWELL AVENUE, 3RD FLOOR
LEXINGTON, MA 02421
PROJECT:
ALTA MARLBOROUGH
283-325 LINCOLN STREET
MARLBOROUGH, MA

PROJECT NO. 167030 DATE: 04/01/2022
SCALE: AS SHOWN DWG. NAME: C167030
DESIGNED BY: BD CHECKED BY: PLC
PLOT: 167030-01

ALLEN & MAJOR ASSOCIATES, INC.
civil engineering • land surveying
environmental consulting • landscape architecture
• • • • •
10 MAIN STREET
LAKEVILLE, MA 01546
TEL: (508) 938-1610
FAX: (508) 938-4201

WOBURN, MA • LAKEVILLE, MA • WESTCHESTER, MA

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DRAWING TITLE: LANDSCAPE NOTES SHEET NO. L-104

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CALL 811 OR
1-888-DIG-SAFE
1-888-344-7233

[illegible]

LIVE ROOF - COLD EXTREME PLANT MIX CUT SHEET

LiveRoof® HighRise Mix

LiveRoof® HighRise Mix is a high performance, low maintenance, green roof system that is ideal for high-rise buildings and commercial buildings. It is a low maintenance, low cost, and long-lasting system that is ideal for high-rise buildings and commercial buildings.

LiveRoof® HighRise Mix is a high performance, low maintenance, green roof system that is ideal for high-rise buildings and commercial buildings. It is a low maintenance, low cost, and long-lasting system that is ideal for high-rise buildings and commercial buildings.

Available

LiveRoof® HighRise Mix is available in a variety of colors to match your building's exterior.

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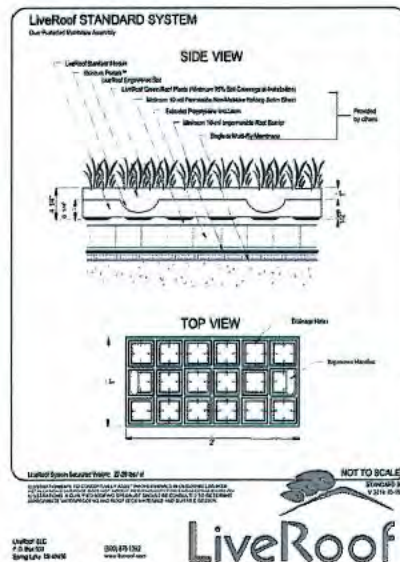
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1-800-677-5165 www.uniscover.com

LIVE ROOF - HIGH RISE PLANT MIX CUT SHEET

Greenfast Mix

LIVE ROOF - GREENFAST PLANT MIX CUT SHEET



EXAMPLE LIVE ROOF PHOTO



EXAMPLE LIVE ROOF INSTALL PHOTO

- NOTES:
1. LIVE ROOF PLANT MIXES TO BE ORDERED FROM PRIDE'S CORNER NURSERY OR EQUAL. TO BE CUSTOM GROWN IN THE LITE OR STANDARD MEDIA CELLS.
WWW.PRIDESCORNER.COM
WHOLESALE 1040 • (603) 842-3974
WHOLESALE@PRIDESCORNER.COM
 - PHYSICAL ADDRESS
PRIDES CORNER NURSERY
122 WATERMAN ROAD
LEBANON, CT 06249
 2. ALL GREEN ROOF AREAS TO HAVE SPRAY IRIGATION. SEE PRIDE'S CORNER CHECKLIST
 3. ALL GREEN ROOF AREAS TO HAVE WIND DISC WIND RESTRAINT. SEE PRIDE'S CORNER CHECKLIST

ISSUED FOR SPECIAL PERMIT <small>APRIL 1, 2022</small>			
			
PROFESSIONAL LANDSCAPE ARCHITECT FOR ALLEN & MAJOR ASSOCIATES, INC.			
PROJECT: <div style="text-align: center; font-weight: bold;"> ALTA MARLBOROUGH, 283-325 LINCOLN STREET MARLBOROUGH, MA </div>			
CLIENT: <div style="text-align: center; font-weight: bold;"> ALTA MARLBOROUGH, LLC 91 HARTWELL AVENUE, 3RD FLOOR LEXINGTON, MA 02421 </div>			
DESIGNED BY: ID CHECKED BY: FLG			
DATE: 04-01-2022			
SHEET NO.: 01 OF 02			
TITLE: GREEN ROOF			



ALLEN & MAJOR ASSOCIATES, INC.

civil engineering & land surveying
environmental consulting & landscape architecture
www.aajma.com

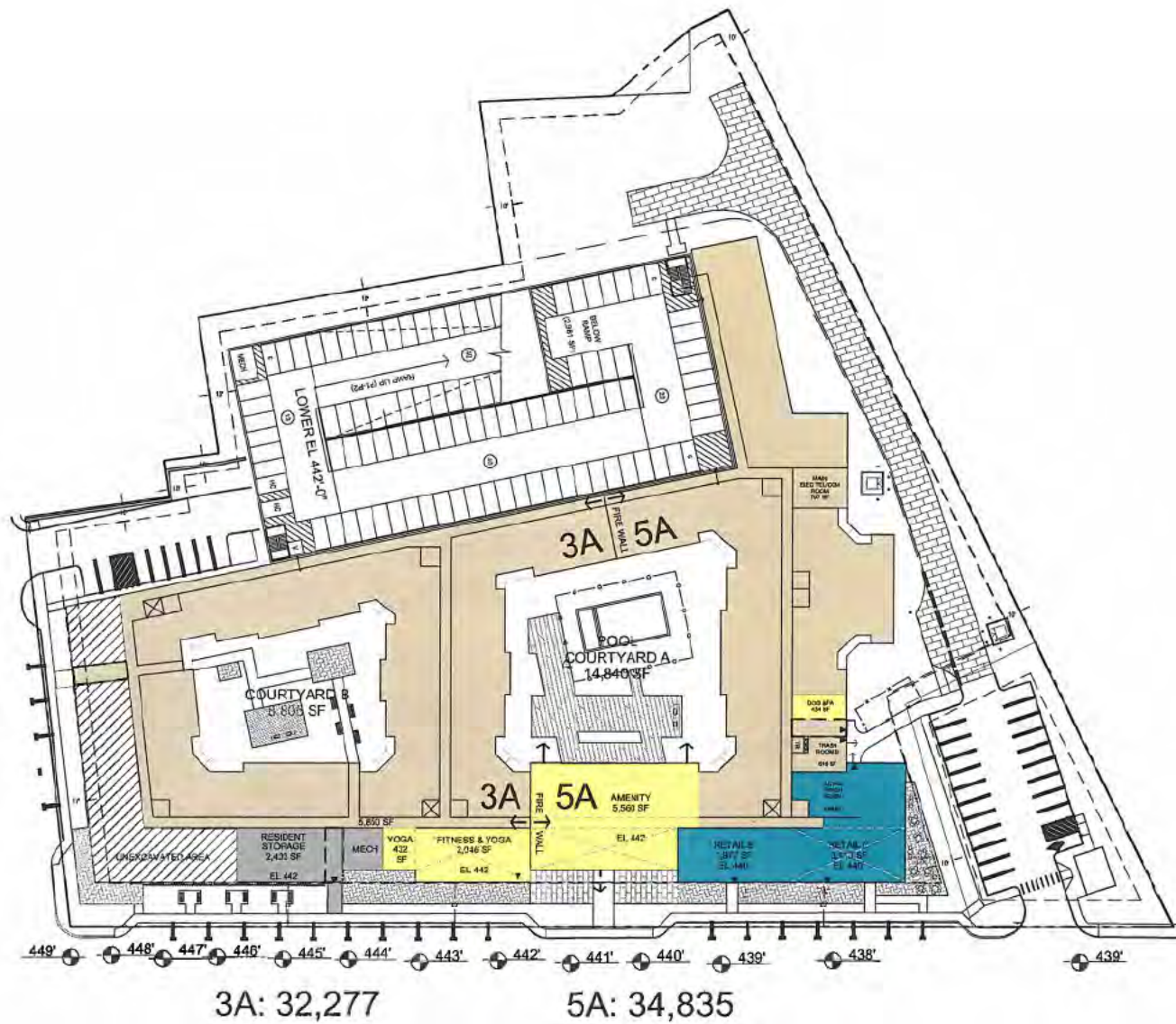
10 MAIN STREET
LAKESIDE, MA 01907
TEL: (508) 928-1010
FAX: (508) 928-0399

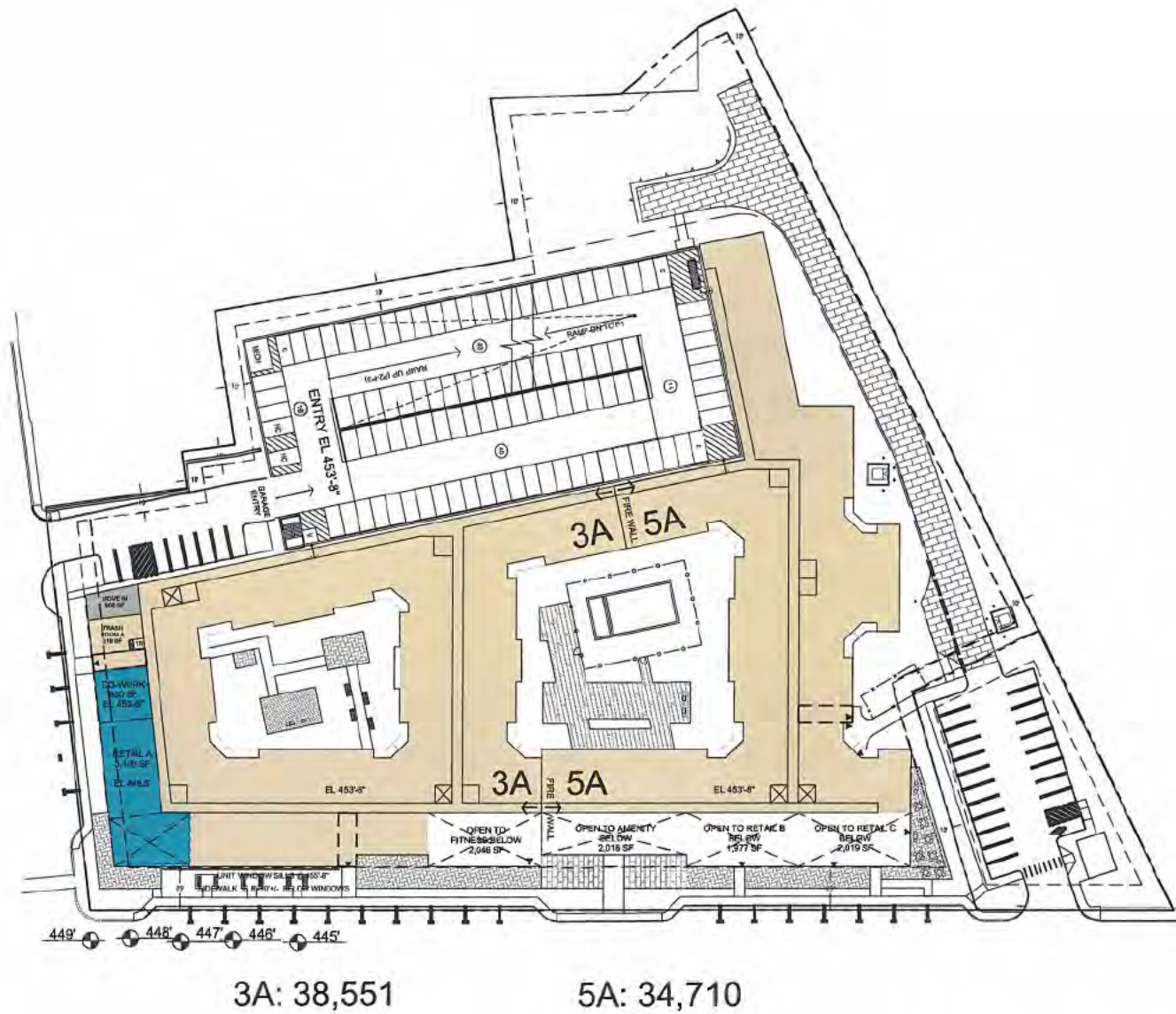
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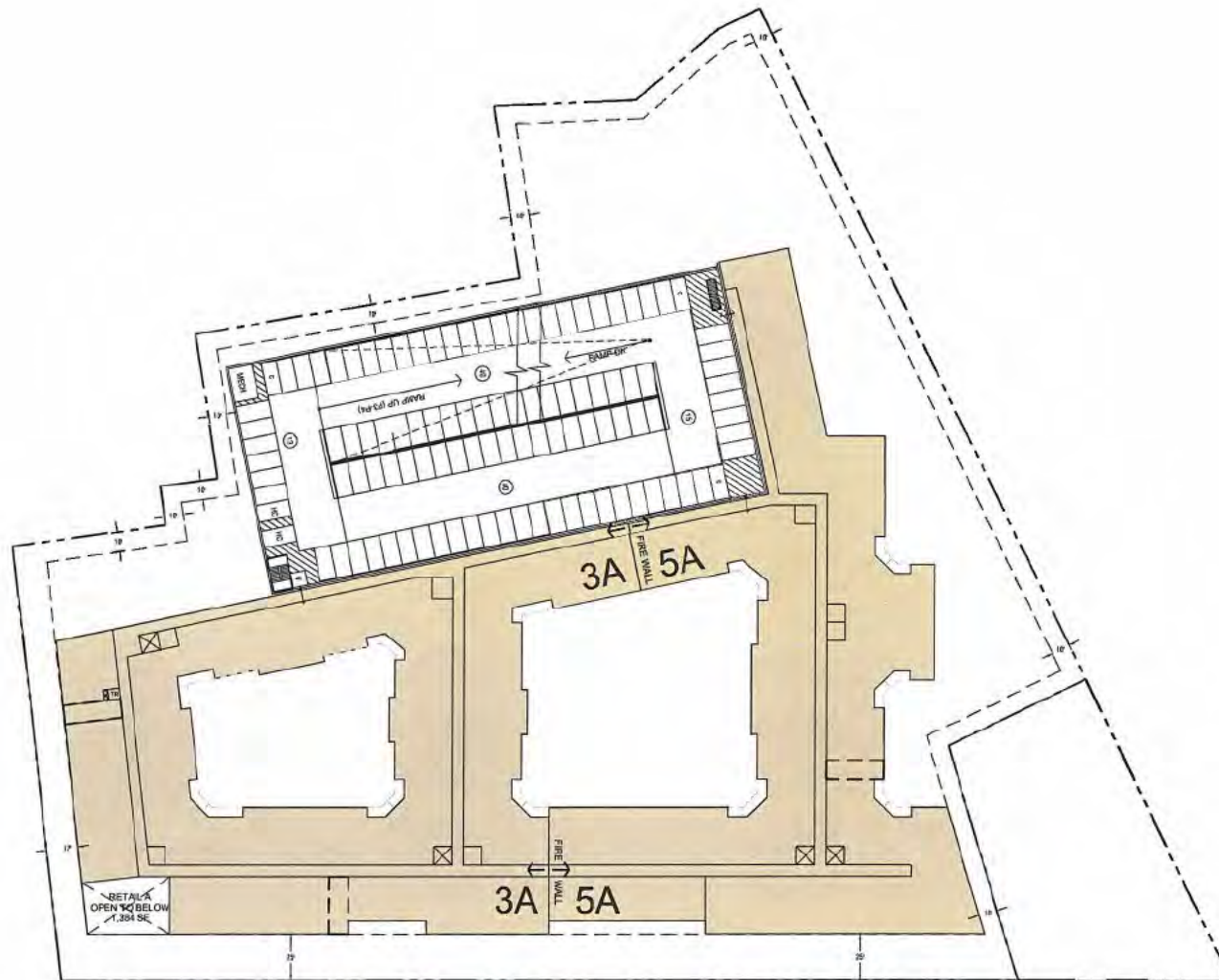
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DRAWING TITLE:
SHEET NO.:

GREEN ROOF
L-105



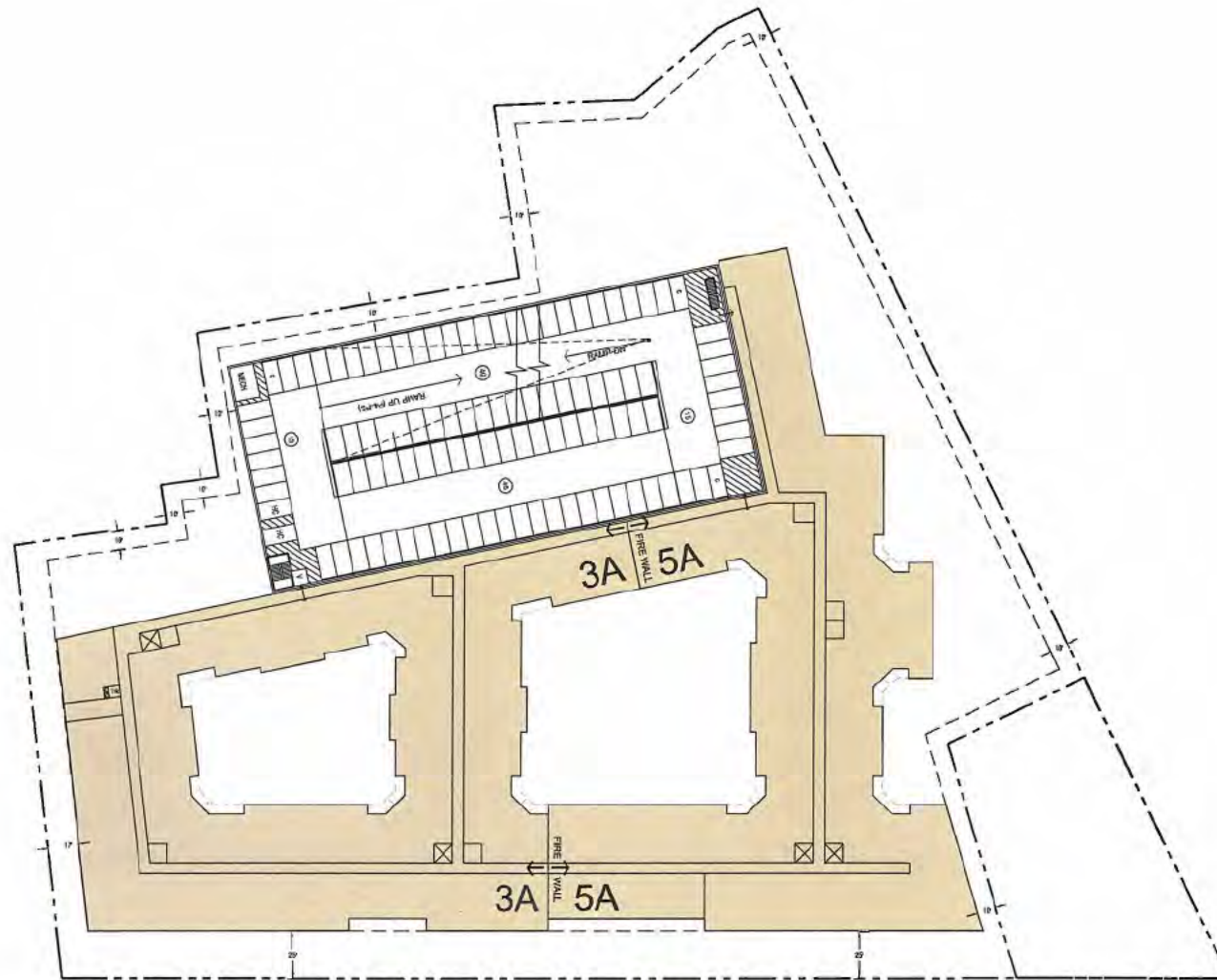




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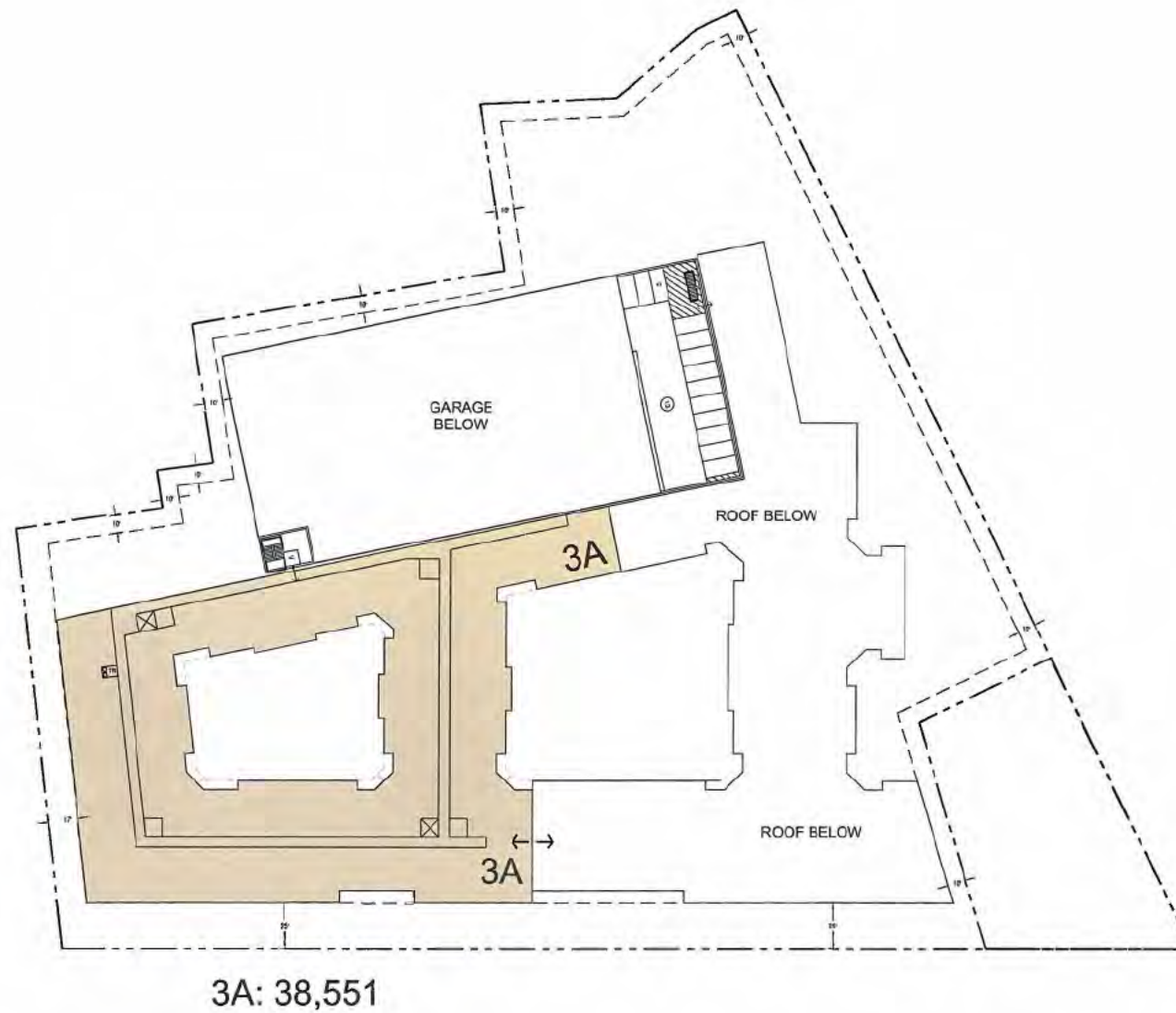


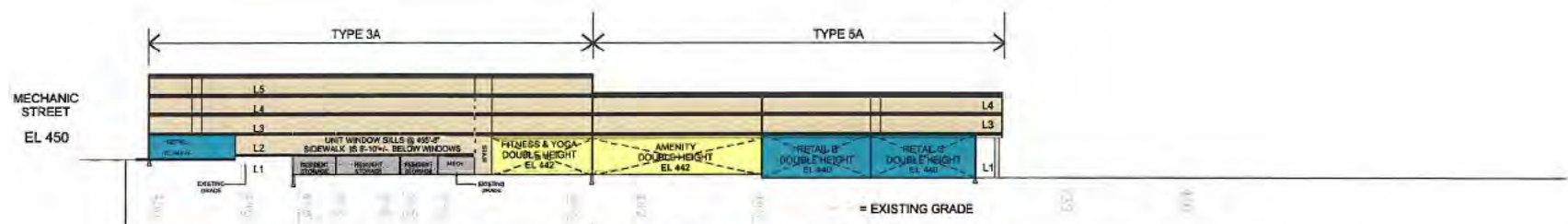


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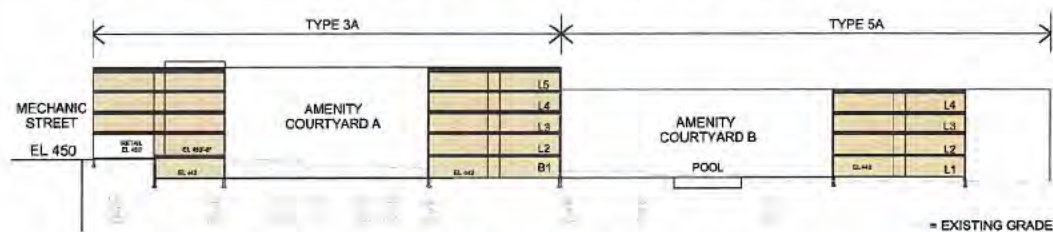
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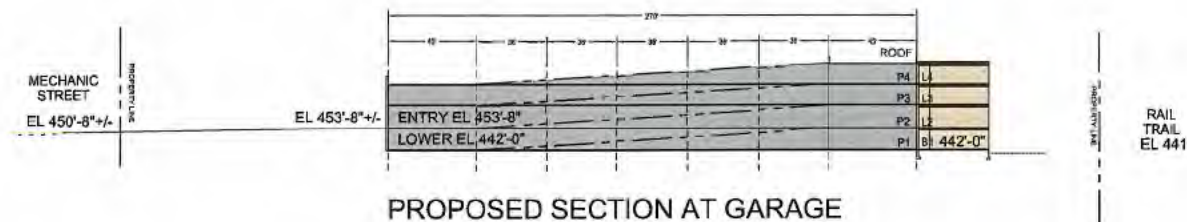
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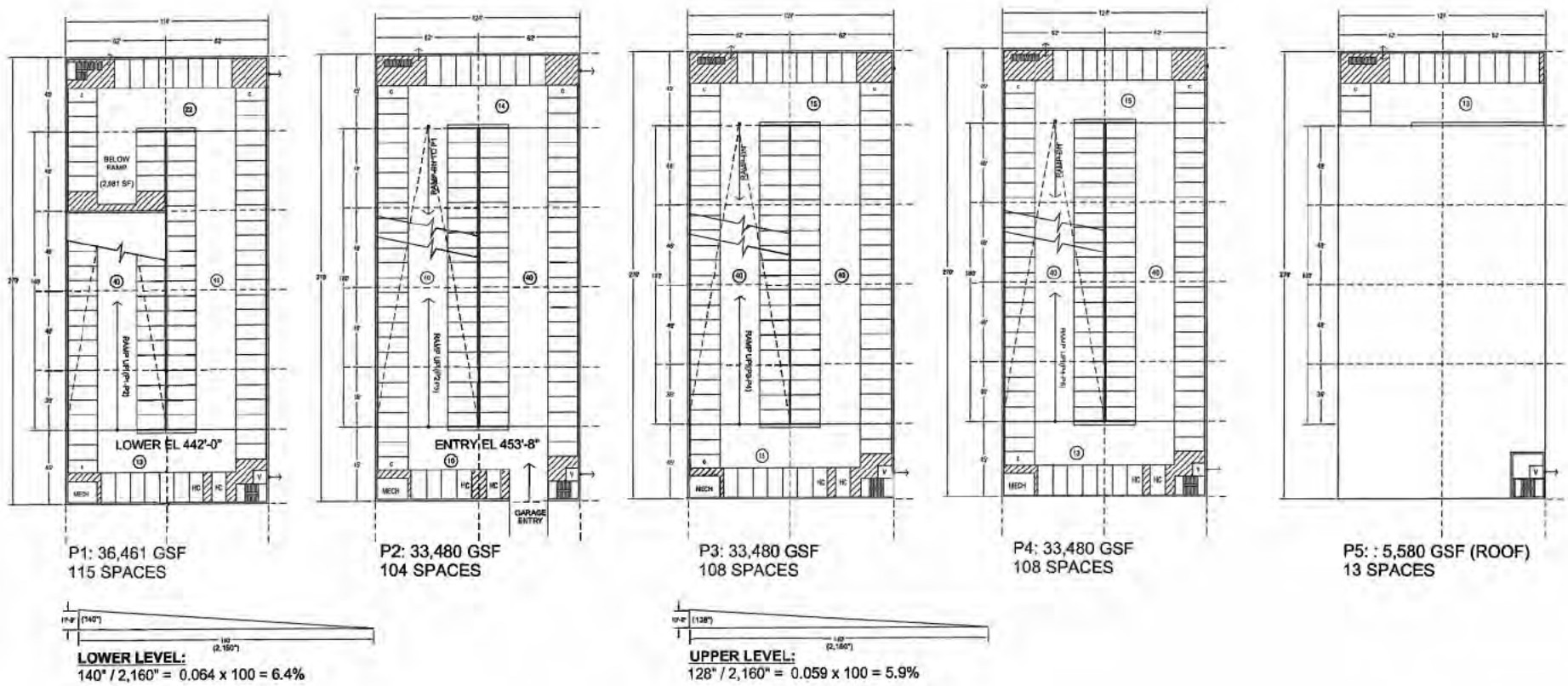
B-B PROPOSED SECTION AT COURTYARDS

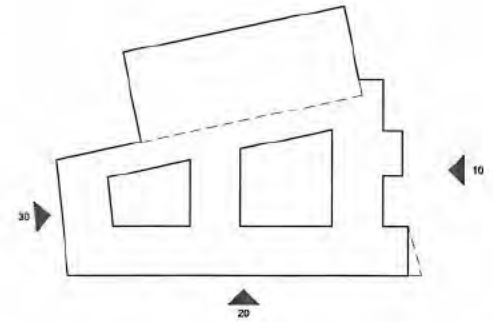


EXISTING SECTION AT LINCOLN STREET



PROPOSED SECTION AT GARAGE





30 MECHANIC STREET ELEVATION
Scale: 1/16" = 1'-0"



20 LINCOLN STREET ELEVATION
Scale: 1/16" = 1'-0"



10 RAIL TRAIL ELEVATION
Scale: 1/16" = 1'-0"

Climate Resiliency Committee
March 21, 2022
Minutes

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 APR -4 P 3:00

This meeting convened at 6:48 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting and non-voting members present: Chair Doucette, Councilors Wagner, and Landers; Councilors Dumais, Perlman, Oram, Robey, Brown, Irish, Navin, and Ossing.

Order No.22-1008523: Information from Mass Development PACE (Property Assisted Clean Energy) Program and impact/opportunities.

Chair Doucette opened the meeting indicating his hope that councilors had an opportunity to receive the packet with the information about the program. He called on Councilor Wagner.

Councilor Wagner indicated her understanding that we need the Mayor's approval for the program and that she came in wanting more details, it may not be as popular as once thought, appears complicated as she tries to figure out the pros and cons. She is unsure how we move ahead if the Mayor is not on board.

Councilor Landers and Chair Doucette held a lengthy discussion about the many aspects of the program. Councilor Landers had many questions that needed clarification.

After further discussion, Councilor Wagner added she would need clarity on the burden to municipal offices and the Mayor's position; but, long term, it may be a program that would benefit the reduction of greenhouse gasses.

Councilor Ossing stated that of the 51 cities and towns in the Commonwealth that have this program, only two businesses have taken advantage of the program. He expressed concerns about the impact on Assessor's Office.

Councilor Oram said the program would help reduce reliance on fossil fuel and reduce the carbon footprint long term. He expressed concern with the demand on city offices. He advised the Chair he has his support for the program but needs more detail on questions that have been asked by councilors this evening.

Councilor Robey stated she did not see the webinar and had pointed it out to Councilor Doucette, indicating it would need the Mayor's support. Councilor Robey also expressed concern about demand on city offices as we do not have betterments in the city as this time. She said she does not blame covid-19 for the lack of interest in the program and echoed the importance of the Mayor's support. She also clarified the program is not totally green when eligible projects include natural gas extensions to replace electricity.

Councilor Wagner spoke again indicating she is so confused about this program, thanked Councilor Robey for bringing that detail to her attention as she would not support a program that permits methane gas.

**Climate Resiliency Committee
March 21, 2022
Minutes**

Councilor Landers indicated that although we should be looking at programs such as this, he is not so sure that businesses are ready for this program at this time.

Councilor Perlman stated that the staff at PACE would likely be willing to attend a meeting to explain some of the questions facing councilors. She noted the PowerPoint in the meeting packet lists 2,500 projects financed by the program specifically in hospitality and office space which are high here in the City of Marlborough as a breakdown.

Chair Doucette replied that he had reached out to Business Development to attend a meeting; and although conflicts prevented their appearance, they would be willing to attend a meeting in the future. He stated the city would learn about betterments as the Mayor is asking for a betterment clause in an ongoing sewer issue.

Councilor Dumais asked if in the interest of time, the committee could get the required homework done and bring it forward.

On a motion by Councilor Wagner, seconded by Councilor Landers, the matter is POSTPONED IN COMMITTEE to investigate councilors stated concerns. Vote 3-0

Motion to adjourn made by Councilor Wagner, seconded by Councilor Landers; the meeting adjourned at 7:22 PM.

Submitted by:
Chair David Doucette

CITY OF MARLBOROUGH BOARD OF ASSESSORS


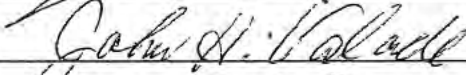
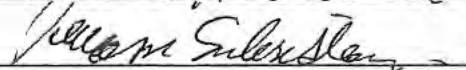
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CITY OF MARLBOROUGH

MEETING MINUTES: FEBRUARY 4, 2022

2022 MAR 29 P 3:54

OPEN SESSION

1. CALL TO ORDER: 9:35 a.m.
2. MEMBERS PRESENT: Ellen Silverstein, Jonathan Steinberg, John Valade
Also present: Patricia Mespelli, Head Clerk
3. MOTION TO ACCEPT: Minutes of the November 30, 2021, meeting
Ms. Silverstein; second Mr. Steinberg
Vote 3-0
4. PUBLIC INPUT: None
5. MOTION TO CONVENE IN EXECUTIVE SESSION:
Mr. Steinberg; second Mr. Valade
Vote 3-0
6. EXECUTIVE SESSION: 9:40 a.m.
(Meeting adjourned directly from Executive Session)

Date: 3/25/22

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR VIRTUAL MEETING MAY 4, 2021**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 MAR 28 P 1:24

ATTENDEES: DEBRA MCMANUS, JOHN USINAS, DAVE DOUCETTE, CHERYL SOUCY, PATRICIA CARLSON.

MEETING CALLED TO ORDER AT 4:14 PM

MINUTES: READ AND ACCEPTED 5 TO 0.

TREASURERS REPORT: \$5,368.96 ACCEPTED 5 TO 0.

NEW BUSINESS

- **SUMMER CAMP SCHOLARSHIPS 2021:** JOHN USINAS MADE A MOTION TO ALLOT A TOTAL OF \$3000.00 TOWARD CAMP, \$500.00 FOR OVERNIGHT, \$360.00 FOR DAY CAMP. TOTAL TO BE ADJUSTED AS NEEDED. ACCEPTED 5 TO 0.
- **PAT PATRICE**– LOW VISION GROUP- IS LOOKING FOR A GUEST SPEAKER TO EXPLAIN WHAT THE COMMISSION IS AND DOES. JOHN USINAS WILL CONTACT PAT.

OLD BUSINESS

- **DESIGN PAK LOFTS:** HAS ISSUES WITH THEIR PARKING AREA. MARLBOROUGH HAS A NEW BUILDING INSPECTOR. DAVE WILL GO TO DESIGN PAK AND LOOK AT THE PARKING AND FOLLOW UP.

- **AUDIBLE SIGNALS:** DAVE DOUCETTE REPORTED THAT HE IS WAITING FOR A REPLY FROM THE TRAFFIC COMMISSION.
- **DUNKIN DONUTS:** THE ILLEGAL PARKER CONTINUES TO BE A PROBLEM, PARKING IN HP SPACE FOR LONG PERIODS, DOG BLOCKING ACCESS AISLE.
- **SUDBURY COD:** IS WORKING ON WALKING TRAILS AND WOULD LIKE TO WORK WITH MARLBOROUGH COD. MARK WILL TALK TO SUDBURY LION'S CLUB PRESIDENT.

**MOTION TO ADJOURN MADE AND ACCEPTED 5 TO 0.
ADJOURNED AT 4:45 PM.**

**NEXT VIRTUAL TEAM MEETING, TUESDAY JUNE 1, 2021 AT
4 PM.**

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS, CHAIRPERSON**

SENT

MARLBOROUGH COMMISSION ON DISABILITIES

MINUTES FOR MEETING JULY 6, 2021

MAYOR'S CONFERENCE ROOM 4TH FLOOR

CITY HALL

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 MAR 28 P 1:22

ATTENDEES: DEBRA MCMANUS, JOHN USINAS, DAVE DOUCETTE, CHERYL SOUCY, PATRICIA CARLSON, BARBARA ALLAN.

MEETING CALLED TO ORDER AT 4:09 PM

MINUTES: READ AND ACCEPTED 6 TO 0.

TREASURERS REPORT: \$5,490.69 ACCEPTED 6 TO 0.

NEW BUSINESS

- **IN-PERSON:** THIS IS OUR FIRST IN-PERSON MEETING IN 15-16 MONTHS.
- **DOWNTOWN:** A TICKET PERSON HAS BEEN HIRED FOR DOWNTOWN.
- **GUEST SPEAKER:** A CALL HAS BEEN PUT IN TO DAVID CORREAI, MWIL TO BE A GUEST SPEAKER.
- **SENIOR NEWSLETTER** HAD AN ARTICLE ABOUT REAL IDS. BEGINNING MAY 3, 2023 AIR TRAVELERS OVER 18 MUST HAVE A REAL ID.
- **MEAT MARKET:** WE WILL FILE WITH AAB. THE AISLES ARE BLOCKED.

OLD BUSINESS

- **LOW VISION GROUP** - JOHN USINAS WILL BE SPEAKING AT THEIR JULY 19TH MEETING.
- **DESIGN PAK LOFTS**: WE WILL BE REFILING WITH AAB.
- **AUDIBLE SIGNALS**: BEING WORKED ON
- **DUNKIN DONUTS**: HANDICAPPED PARKING VIOLATION HAS STOPPED
- **SUMMER CAMP**: 2 SUMMER CAMP APPLICATIONS APPROVED, ONE CHILD ON A CAMP WAITING LIST.

**MOTION TO ADJOURN MADE AND ACCEPTED 6 TO 0,
PASSES UNANIMOUSLY**

ADJOURNED AT 4:51 PM.

**NEXT IN PERSON MEETING TUESDAY AUGUST 3, 2021 AT 4
PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON
THE 4TH FLOOR**

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS, CHAIRPERSON**

Marlborough Public Library Board of Trustees

Meeting Minutes

March 1, 2022

Meeting held at the Walker Building

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 APR - 7 A 8: 26

The meeting was called to order by Fred Haas at 7:05 p.m.

Board members attending:

Karen Bento

Nena Bloomquist

Bill Brewin

Fred Haas

Samantha Khosla

Janice Merk

Robyn Ripley

Also attending: Margaret Cardello, Library Director

Documents reviewed/referenced:

1. Agenda
2. Minutes from the February 1, 2022 meeting
3. Trust Fund/State Aid Reports for February 2022
4. Director's Report
5. Policy #2-1: Freedom to Read Statement
6. Policy #2-2: Library Bill of Rights
7. Policy #2-3: Interpretations of the Library Bill of Rights
8. Policy #2-4: Confidentiality of Library Records

Proceedings:

1. **Minutes:** A motion (Merk, Bloomquist) to approve the minutes from the February 1, 2022 meeting was passed.

2. **Trust Fund Reports:** A motion (Bloomquist, Ripley) to approve the Trust Fund for February 2022 reports was passed.

3. **Director's Report:**

- Margaret updated the Trustees about the construction project, which continues on schedule. Work on the north façade includes the addition of footings and scaffolding. The City will provide four electric charging stations for the parking lots; the infrastructure for adding more at a later date will also be included in the parking lot design. Photos showing the progression of the project continue to be posted on Facebook and have been met with positivity.
- Ryan Malyar, director of WMCT-TV, interviewed Bill Keyles, Nena Bloomquist, and Margaret about the library construction project. It was a great success, and Malyar suggested that they create other spots for the station that can be used as needed in the future. Currently, they are working on a spot that promotes the use of museum passes.
- Effective March 11, the Cataloger and Head of Technical Services, who has worked at the library for 16 years, has submitted her resignation. The position has been posted internally to MMEA members.
- The library is in the process of checking references for a PT Reference Librarian who will be a good addition to that department. Meanwhile, the other PT Reference Librarian on staff has resigned so she can tend to family matters.
- Margaret's meeting with Patrick Jones, the City's finance director, to discuss eliminating fines and accepting credit cards in the new library, was met with positivity. He has asked for some examples of other libraries that have done both things, so Margaret is looking into this, including the DPW, and will provide him with some names.
- Margaret included a copy of the FY23 budget request for the Trustees' review and comments. A meeting between the Mayor and his Finance team is scheduled for March 17.
- Margaret provided the Trustees with four foundational policy documents from the American Library Association to be reviewed.

4. Marlborough Public Library Foundation:

- Janice Merk reported that she interviewed a woman who made a donation for the community room in the new library. She made this generous donation because her mother used to be a children's librarian, and she is so very impressed with Margaret's leadership, innovation, encouragement of staff, and programming.
- Nena Bloomquist, Bill Keyles, and Margaret's WMCT-TV interview has received a lot of positive feedback.
- The MPL website is being updated to help make it easier for people to make donations.
- The Foundation has surpassed raising \$1 million dollars. There are 130 donors on the list, and the average donation has been approximately \$7,000.
- Margaret reported the MOA for Alison Grice's first payment of \$25,000 was received. She will be donating a total of \$250,000 over the next ten years, which will be used for the Marion and David Grice Family Community Room.
- A motion (Brewin, Ripley) to approve the MOA for Alison Grice's donation was approved.

5. Old Business:

- Margaret reported that she is waiting to receive a copy of the City's Community Bulletin Board Policy that she and the Trustees will discuss at next month's meeting.
- Margaret and the Trustees discussed four ALA policies found in the MPL policy manual (Policy #2-1: Freedom to Read Statement; Policy #2-2: Library Bill of Rights; Policy #2-3: Interpretations of the Library Bill of Rights; Policy #2-4: Confidentiality of Library Records) and reinforced the library's commitment to maintaining patrons' confidentiality and privacy. She and the Trustees will continue their discussion again next month.

6. New Business:

- Margaret and the Trustees reviewed the proposed MPL FY2023 Budget Request spreadsheet. There are two new, important positions included in the fourth quarter of next year's budget: Technology Librarian and Reference Librarian. The use of technology (by staff and patrons) will increase exponentially in the new library. A Technology Librarian, among other things, will be responsible for offering technology training to staff, members of the community, and all other partners. A Reference Librarian, among other things, will be responsible for overseeing the reference desk, public computers, programming for adults, study and meeting rooms, updating library's website and social media accounts, and outreach.
- Margaret explained they are asking the City to increase their library materials funding by 13%. Among other things, a boost in the budget could help fund new projects, like a Library of Things. It would also help address gaps in the children's collection, including the need for new materials and displays, once the new library opens. It would really help the library grow its technology presence to better meet the needs of the community: maintenance contracts, the expansion of electronic resources, DVDs, check-out-able media, hotspots. As well as digital movie databases, music databases, and consumer reports.

7. **Adjournment:** A motion (Bloomquist, Ripley) to adjourn was passed and the meeting adjourned at 7:56 p.m.

Minutes submitted by Karen Bento

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

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 CITY OF MARLBOROUGH

1A

Call to Order

2022 APR -1 P 2:54 February 28, 2022

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Sean Fay, Phil Hodge, George LaVenture, Chris Russ, Matthew Elder and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio.

1. Draft Meeting Minutes

A. February 14, 2022

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the February 14, 2022, meeting minutes. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

2. Chair's Business

A. Checklists/Flowcharts

- i. Subdivision plan package checklist
- ii. Subdivision plan checklist
- iii. Maintenance period to acceptance procedure flowchart

The Board reviewed the documents and determined Mr. LaVenture and Mr. Russ would work with City Engineer Thomas DiPersio, and the Planning Board Administrator to update the checklist and flowchart documents to conform with the new rules and regulations.

3. Approval Not Required

A. South Street, Map:81

Parcel: 228

Deed Reference: Book: 74382 Page: 124

Name of Applicant: Robert Raiano (21 First Road, Marlborough, MA 01752)

Name of Surveyor: Hancock Associates, John D. Bremser, P.L.S. (315 Elm Street, Marlborough, MA 01752)

- | | |
|--|---|
| i. Form A, | Dated: February 15, 2022, Received: February 18, 2022 |
| ii. Plan of Land in Marlborough, MA – ANR, | Dated: February 16, 2022 |
| Concept Grading Plan: Separate Driveways | Dated: February 9, 2022 |
| Concept Grading Plan: Shared Driveway | Dated: February 9, 2022 |

Dan Bremser went over the plan of land and concept grading plans. He explained this property is on South Street and is part of the Raiano Family Farm. He explained there is a 50-foot rise in grade, from the road up to the proposed lot 1 and a 15–20-foot rise up to the proposed lot 3. He explained one concept plan displays each lot having their own driveway which meets the slope requirements and the other shows a common driveway to serve all 3 lots.

City Engineer Thomas DiPersio and Mr. Fay discussed specifications on the Board approving an ANR and concluded if the Board approves the plan based on Engineering's review, which determines there is present adequate access for each lot, the Board is only approving the creation of the lots, not the location of the driveway.

Mr. Bremser explained the ANR plan shows the proposed location of the easements which would be required for the common driveway.

Mr. Fay expressed concerns on concentrated run off and it posing as a potential public health component. Mr. Bremser explained the developer plans to design drainage systems for the proposed lots. Mr. DiPersio explained these details would be required during the site plan review process to approve the common drive.

**MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

On a motion by Mr. Fay, seconded by Mr. Hodge, the Board voted to refer the South Street, Map: 81, Parcel: 228 approval not required to the Engineering Division for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

4. Public Hearings (None)

5. Subdivision Progress Reports

A. 342 Sudbury Street change of surety

i. Correspondence from Neal Vigeant

Mr. LaVenture read the February 24, 2022, correspondence from Neal Vigeant into the record.

ii. Subdivision Performance Bond

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to send the Subdivision Performance Bond the Legal Department and Finance for review. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

6. Preliminary/Open Space/Limited Development Subdivision

A. 6 89 Pleasant Street, Marlborough, MA 01752 – Preliminary Open Space Concept Plan

Owner of Land: Joyce Beauchemin Realty Trust, Timothy L. Beauchemin, Trustee
(P.O. Box 1067, Townsend, MA 01469)

Name of Engineer: Daniel Korvos, P.E. (59 Granite Lane, Chester, NH 03036)

Deed Reference: Book: 45210 Page: 560

i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division

Mr. LaVenture read the February 18, 2022, correspondence from Thomas DiPersio into the record.

ii. Correspondence from Daniel Koravos

Mr. LaVenture read the February 23, 2022, correspondence from Daniel Koravos into the record.

On a motion by Mr. Elder, seconded by Mr. Russ the Board voted to accept and file both correspondences. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

iii. Chapter 650. Zoning

Article VI. Special Districts, Overlays and Special Requirements

§650-28. Open space developments –*See Attached*

The Board discussed §650-28 Open space developments dated 1992 and determined each member should review this section to be better prepared for the next meeting and further discussions.

Mr. DiPersio agreed to review the revised submission prior to the next meeting to determine its completeness.

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business (None)

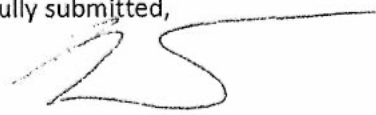
11. Calendar Updates (None)

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

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

On a motion by Mr. Fowler, seconded by Mr. Elder, the Board voted to adjourn the meeting. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "G. LaVenture", written over a horizontal line.

George LaVenture/Clerk

/kmm

January 26, 2022

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 MAR 30 A 11:32



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Wednesday, January 26, 2022 at 10:00 am. The meeting was also recorded and is available to view online at the City of Marlborough website (www.marlbrough-ma.gov). Members present: Chairman - Police Chief David Giorgi, Commissioner of Public Works Sean Divoll and City Clerk Steve Kerrigan. Also present: City Engineer Tom DiPersio, Ashley Miller also from the Engineering Department, Sgt. Zac Attaway and Officer Any Larose from the MPD Traffic Services Unit, City Council President Mike Ossing and City Councilor Katie Robey

Minutes taken by Karen Lambert, MPD Records Clerk.

Chief Giorgi started recording the meeting at 10:00 a.m. and began by welcoming everyone and making introductions.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, December 26, 2021:

MOTION was made, seconded, duly VOTED:

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

2 - New Business

2) Resident concerns at 315 Cook Lane

Sgt. Attaway received an email from Lori Priest regarding multiple accidents that have occurred in front of her home at 315 Cook Lane. The most recent was on January 7th, the same day as her follow up email to Sgt. Attaway. A car once again hit her stonewall and

knocked down her mailbox. This is a very bad corner. She is requesting that the City install some sort of barrier in front of her home or some signage indicating the curve ahead.

Sgt. Attaway and Officer Larose reviewed the accident history here. They found 5 reported accidents in the last 10 years. Officer Larose brought up a photo of the area. There is currently a stone wall in front of 315 Cook Lane. Ms. Priest is looking for something in addition to the wall. He said, maybe a guardrail or at least a sign indicating "blind curve ahead". Chief Giorgi asked if the City owned the wall. Tom DiPersio said the right of way may be at the wall, but he will check on this. Officer Larose had the accident narratives and said that there usually was damage to the wall. He noted that a few of the reported accidents were due to ice and one was a roll over, but it was also an OUI. There have been others that weren't reported. Steve Kerrigan said that maybe the advance warning signs were a good idea.

Commissioner Divoll asked if the stone wall has been compromised over the years. He is thinking it could be on its last legs. Officer Larose said there is no mortar and that it is really just flagstone. The wall has prevented cars from hitting the home. Commissioner Divoll said that it seems like a guardrail might be warranted and that the City should do something for safety reasons. If it weren't for the wall, the crashes would have come into her yard. Tom DiPersio said that the accidents here are a frequent enough occurrence to warrant at least looking into it further.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for review and to Sgt. Attaway to advise the homeowner of the discussion.

2b) Time Limit Parking at 240 Main Street

Chief Giorgi advised that this issue began with an email from Officer Wicks on 1/20/22. He has received multiple complaints from a resident of 240 Main Street regarding violations of the 2-hour parking limit directly in front of the building. The resident said that the 2-hour parking limit signs were removed from the light pole adjacent to the 4 parking spots. Officer Wicks said that the signs were actually knocked down during snow removal several years ago and never reinstalled. The resident says that people park in these spots all day and this ties up spaces for other people who then resort to blocking the crosswalks and illegal parking for pick ups and drop offs.

Ashly Miller investigated this issue and sent an email to Chief Giorgi with her findings. According to Google street view the signs seem to have come down sometime between 2017 and 2019. She also checked the regulations to see what was currently in effect. She found a regulation for a 30-minute time limit parking between Windsor Street and Newton Street on the south side of Main Street. The signs that were previously posted were for 2-hour parking, however, under the same article there is no regulation for 2-hour parking. Another section of the regulations shows 2-hour parking on both sides from East Main Street to West Main Street and includes the 30-minute parking for 4 spaces in front of 240 Main Street.

She is asking if there is a need for 30-minute parking in front of 240 Main Street or should it be changed to 2-hour parking to be consistent with the rest of Main Street? If the Traffic Commission keeps the 30-minute time limit, should it be extended for all the

spaces between Newton Street and Windsor Street (10 spaces)? The regulations need to be clarified as there appears to be an overlap and confusion.

Tom DiPersio said that his first reaction was to put the signs up but now that Ashley has found these discrepancies it should all be clarified. It was discussed that the 30-minute time frame was probably established to allow residents to drop off groceries etc., however, this is difficult to enforce. There needs to be a balance. Tom DiPersio asked if it would make sense to get some input from the CDA. Chief Giorgi said that in his opinion, some type of shorter time limit parking for a few spots is necessary. Keeping 4 spots at 30 minutes may be enough, as the other six are more for the downtown businesses where the 2 hour time limit is applicable. Maybe the signs were never put back up because of the conflicting regulations. It needs to be clarified that downtown parking is 2 hours, all day, from 6:00 am to 1:00 am, with the 4 spaces in front of 240 Main Street limited to 30-minute parking. So it looks like the Downtown street parking regulation should stay the way it is currently written under "Ch. 586-28 – Municipal Parking Areas – Designation; regulations for use" and the specific reference to Main Street under "Ch. 586-56 – Time Limit Parking" should be deleted.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to amend the regulation for the next meeting.

3-Old Business

3a) Issues with the turn movement at intersection of Boston Post Road West & Ames Street

Update: No update yet from MA DOT. Commissioner Divoll will follow up with them.

MOTION was made, seconded, duly VOTED to TABLE for the next meeting.

3b) Request for 2 handicapped parking spaces on Laviolette Street.

Update: Completed application received. DPW can now install proper signage.

MOTION was made, seconded, duly VOTED to REMOVE from the Agenda.

3c) Prospect Street – Request for Handicapped Parking Space & One Way Arrow

Update: Completed application received. DPW can now install proper signage. Chief Giorgi said that the resident's car was parked there when he went by recently. However, he asked Officer Larose to speak to the neighbor as they sometimes park a truck here. This will not be an issue once the proper signage is installed.

MOTION was made, seconded, duly VOTED to REMOVE from the Agenda.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:21 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, January 26, 2022, including meeting agenda.

-Draft of Traffic Commission Minutes from Wednesday, December 29, 2021.

-Email from Lori Priest to Sgt. Attaway, dated 1/7/22, Re: Accidents on Cook Lane (including photo).

-Email from Ashley Miller to Chief Giorgi, dated 2/21/22, Re: 240 Main Street, 2-hour signage.

-Copy of Chapter 586, Article V – Municipal Parking Areas, Section 28 – Designation; regulations for use.

-Copy of Chapter 586, Article VII – Schedules, Section 56, Schedule XII: Time Limit Parking.

-Copy of completed application for on-street parking at 68 Prospect Street.

-Copy of completed application for on-street parking at Laviolette Street close to side door of Academy Knoll Apts.

Additional Handouts

-Copies of narrative from previous accidents at 315 Cook Lane.