

## CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: Conservation Commission  
Date: January 12, 2023  
Time: 7:00 PM  
Location: 140 Main St. – Marlborough City Hall – 3<sup>rd</sup> Floor (Memorial Hall)

### ALL MEETINGS ARE IN PERSON AT CITY HALL

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**Approval of Minutes:** Review minutes of December 15, 2022

#### Public hearings

- 7:00 PM Request for Determination of Applicability  
31 Red Spring Rd. – Arthur Vigeant  
Proposes to remove and demolish existing house, install erosion controls, fill in and grade any remaining holes and stabilize site next to Ft. Meadow Reservoir.
- 7:05 Request for Determination of Applicability  
13 Red Spring Rd. – Mark Evangelous  
Proposes to cut 3 oak and one pine tree near Ft. Meadow Reservoir.
- 7:15 Notice of Intent  
230-266 East Main St. - Karnak Realty (represented by Matt Millon)  
Proposes to construct a new loading dock at the rear of 230-266 East Main St. next to wetlands.
- 7:25 Amend Order of Conditions – 212-1218 (continued from Dec. 15, 2022)  
339 Boston Post Rd. – Walcott Heritage  
Request to amend the Order of Conditions 212-1218 issued on Sept. 11, 2020. The new project scope reduces the project by one building and moves work outside the floodplain, reduces project to 140 units and parking stalls to 280.
- 7:35 Notice of Intent - 212-1254 (continued from Dec. 15, 2022)  
846 & 850 Boston Post Rd. East - Exela Movers  
Proposes to make site improvements to an existing storage facility near wetlands.
- 7:45 Abbreviated Notice of Intent (**continued to Feb. 2, 2023**)  
21 Blaiswood Ave. - Helvecio Carvalho  
Proposes to build a patio, firepit and retaining wall on the shore of Ft. Meadow Reservoir.

**Certificates of Compliance**

- 212-1235            2 Spring Lane – full certificate
- 212-1146            9A Lakeshore Dr. – full certificate
- 212-1248            82 Paquin Dr. – full certificate

**Discussion:**

1. Snow removal and storage – Ted Scott-DPW
2. Felton Conservation Land – mowing – Kenneth Amica – ADDA Farm
3. Open Space Development Subdivision Plan - A 6.4-acre vacant lot off Stow Rd. – comments to Planning Board by Jan. 23, 2023

**Correspondence:**

- Lot L Hayes Memorial Dr. – 2022 Fall Wetland Restoration Monitoring Report from Goddard Consulting.
- DEP 212-1257    253 & 257 Lakeshore Dr. – slight change to plan dated Jan. 5, 2022.

**Next Conservation Commission meetings:** February 2<sup>nd</sup> and 16<sup>th</sup>, 2023

**Adjournment**



Conservation Commission  
Minutes DRAFT  
Dec. 15, 2022 - 7:00 PM  
140 Main St. – Marlborough City Hall – 3<sup>rd</sup> Floor (Memorial Hall)

**Present:** Edward Clancy-Chairman, Allan White, David Williams, William Dunbar, Dennis Demers, John Skarin, and Karin Paquin. Also present was Priscilla Ryder-Conservation officer  
**Absent:** None

The hearing was recorded using Microsoft Teams.

**Approval of Minutes:** The minutes of Dec. 1, 2022, were reviewed and on a motion by Mr. White second by Mr. Clancy, the Commission voted unanimously to approved 7-0.

### **Public hearings**

#### **Amend Order of Conditions (212-1218) 339 Boston Post Rd. – Walcott Heritage**

Carlton Quin from Allan and Major was present. He explained that his client is requesting an amended Order of Conditions, DEP 212-1218 which was issued on Sept. 11, 2020. The new project scope reduces the project by one building and moves work outside the floodplain, reduces project to 140 units and parking stalls to 280 stalls. Because the project is less in size and has substantially less impacts, they are requesting that the current Order of Conditions be amended to reflect the new plans. He reviewed the plan changes which included, removal of satellite parking, moving the dog park, all above ground detention areas, and reduce from 4-3 buildings total. Total impervious area is reduced by one acre. No floodplain or Riverfront impacts are needed for this revised plan. The riding ring path will not be touched or improved. A Conservation Restriction is still to be established on the 3 properties as originally designated.

The Commission reviewed the plans and asked questions about the rain garden design and details, snow storage location, filter strips for sheet flow runoff. Drainage structures for the dog park's proximity to the stream and if there was a dog park "cleaning/drainage" design for review. The snow storage area was discussed at length both that it might be undersized, and how it will function as it drains to the rain garden and how it will be maintained and what barriers can be added to prevent snow storage in the landscaped areas. Councilor Ossing, who was in attendance, noted that the snow storage guidelines are also noted in the City Council Special permit requiring all excess snow to be removed from site. The sidewalk is to be installed by Mass DOT. School bus stop is to be determined through discussions with the Schools in Site Plan Review. Ms. Ryder noted that because the plans were submitted before the

Commission established the 30' no disturb wetland, the original 20' no disturb buffer will hold for this project as confirmed with the legal office since the reason for delay was an appeal.

After some discussion the Commission determined that additional information would be needed regarding snow storage location and design with signage to not dump in wetland/detention basins; snow storage barriers; rain garden design; design and long-term maintenance of filter strips. Define the basins vegetation mix; provide dog park design; review Order of Conditions and suggest amendments for the Commission to consider. Mr. Quinn said he would provide in time for the next meeting. The Commission continued this hearing to the January 12, 2023.

**Notice of Intent - 212-1254 (continued to Jan. 12, 2023)**

846 & 850 Boston Post Rd. East - Exela Movers

Proposes to make site improvements to an existing storage facility near wetlands.

At the applicants request before the meeting, this item was continued to the January 12<sup>th</sup> meeting.

**Abbreviated Notice of Intent**

21 Blaiswood Ave. - Helvecio Carvalho

At the applicants request prior to the meeting, this hearing was continued to the January 12<sup>th</sup> meeting, the owner has had it surveyed and is waiting for a plan he can submit to the Commission.

**Discussion/Correspondence:**

- Lot L Hayes Memorial Dr. – 2022 Fall Wetland Restoration Monitoring Report from Goddard Consulting. Ms. Ryder noted she has not checked the site; this was continued to the next meeting.
- Letter from Tennessee Gas Pipeline Co. LLC, dated Dec. 5, 2022, RE: Notification of Pipeline Maintenance Activities, City of Marlborough, Middlesex County, Mass. - Ms. Ryder noted that she has asked for some clarification, as the gas company made a mess last year, she will report the response.
- Letter from National grid dated Nov. 28, 2022, RE: 45 Day Yearly Operational Plan Public Notice. This item was reviewed and unanimously accepted and placed on file.
- 30 ft. Wetland Setback Policy update to address fences. The Commission reviewed the changes to the policy to include clarifications that fences are not permitted within the 30' no disturbance zone unless they are pre-existing. On a motion by Mr. Demers second by Mr. Clancy to approve the new language as noted, the Commission voted unanimously 7-0 to approve.

- 339 Boston Post Rd. – Ms. Ryder noted that she and Mr. Dunbar had met the MassDOT contractor, Ludlow who is using this area as a staging area for the Rte. 20 project. They were to stay out of the 100' buffer zone, however they have now encroached about 30'. The Commission discussed and asked Ms. Ryder to have them define the 100' buffer zone and move their materials out of this zone. Restoration and stabilize as needed. Full restoration can happen in the spring, depending on when the Walcott Heritage project will begin.

**Next Conservation Commission meetings:** January 12, 2023, and February 2, 2023

**Adjournment** - There being no further business the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Priscilla Ryder  
Conservation Officer.







Rec 12-27-2022



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Name Arthur Vigeant E-Mail Address \_\_\_\_\_  
Mailing Address ~~650 Pleasant St.~~ 547 Brigham St  
City/Town Marlborough State MA Zip Code 01752  
Phone Number 508-460-3770 Fax Number (if applicable) \_\_\_\_\_

2. Representative (if any):

Firm \_\_\_\_\_ E-Mail Address \_\_\_\_\_  
Contact Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number (if applicable) \_\_\_\_\_

**B. Determinations**

1. I request the Marlborough Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

\_\_\_\_\_  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

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



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

City/Town \_\_\_\_\_

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

31 Red Spring Rd

Street Address

Marlborough

City/Town

30

Assessors Map/Plat Number

10

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Older cottage next to Ft. Meadaw Reservoir

- c. Plan and/or Map Reference(s):

GIS Map

Title

12-23-22

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

- Install erosion controls between the building and lake.
- Remove and demolish existing house
- Fill in and grade any remaining hole
- Stabilize site to prevent siltation to the Lake.



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Bureau of Resource Protection - Wetlands

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**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

N/A

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Name Arthur Vigeast / Steve Vigeast  
 Mailing Address 547 Bricham ST 51 Red Spring Rd  
 City/Town Marlborough  
 State MA Zip Code 01752

**Signatures:**

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant [Signature] Date 12/27/22  
 Signature of Representative (if any) [Signature] Date 12/27/22





# 31 Red Spring Rd. - demolish house

Marlborough, MA

1 inch = 30 Feet



www.cai-tech.com

December 23, 2022



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.







Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Marlborough  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Name Jane Peters & Mark Evangelous E-Mail Address mark@geminisignletters.com

Mailing Address 13 Red Spring Road

City/Town Marlborough State MA Zip Code 01752

Phone Number 774-249-1863 Fax Number (if applicable) 508-485-9972

2. Representative (if any):

Firm N/A

Contact Name \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number (if applicable) \_\_\_\_\_

**B. Determinations**

1. I request the Marlborough Conservation Commission make the following determination(s). Check any that apply:

a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.

b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.

c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.

d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

City of Marlborough, MA

Name of Municipality \_\_\_\_\_

e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

13 Red Spring Road      Marlborough, MA  
Street Address      City/Town  
Lot 13      30/10  
Assessors Map/Plat Number      Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Single family home known as Lot 13 in the Red Spring Shores Association. Formally known as the Morse Property. Now a Condominium Association

- c. Plan and/or Map Reference(s):

GIS Map - Parcel 30/lot 13      12/13/22  
Title      Date  
Title      Date  
Title      Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Requesting to remove 3 large oak trees between the front of the house & the street on the western part of the property. Trees are overgrown, drops large acorns on our cars and creates shade on our home for the majority of the day. We want more sunshine on the front of the home & will replace with new trees that do not grow to high. Also requesting to remove one large pine tree between the lake + our home due to the fact it is old, tall & too close to our home. We will replace with a new one.





**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
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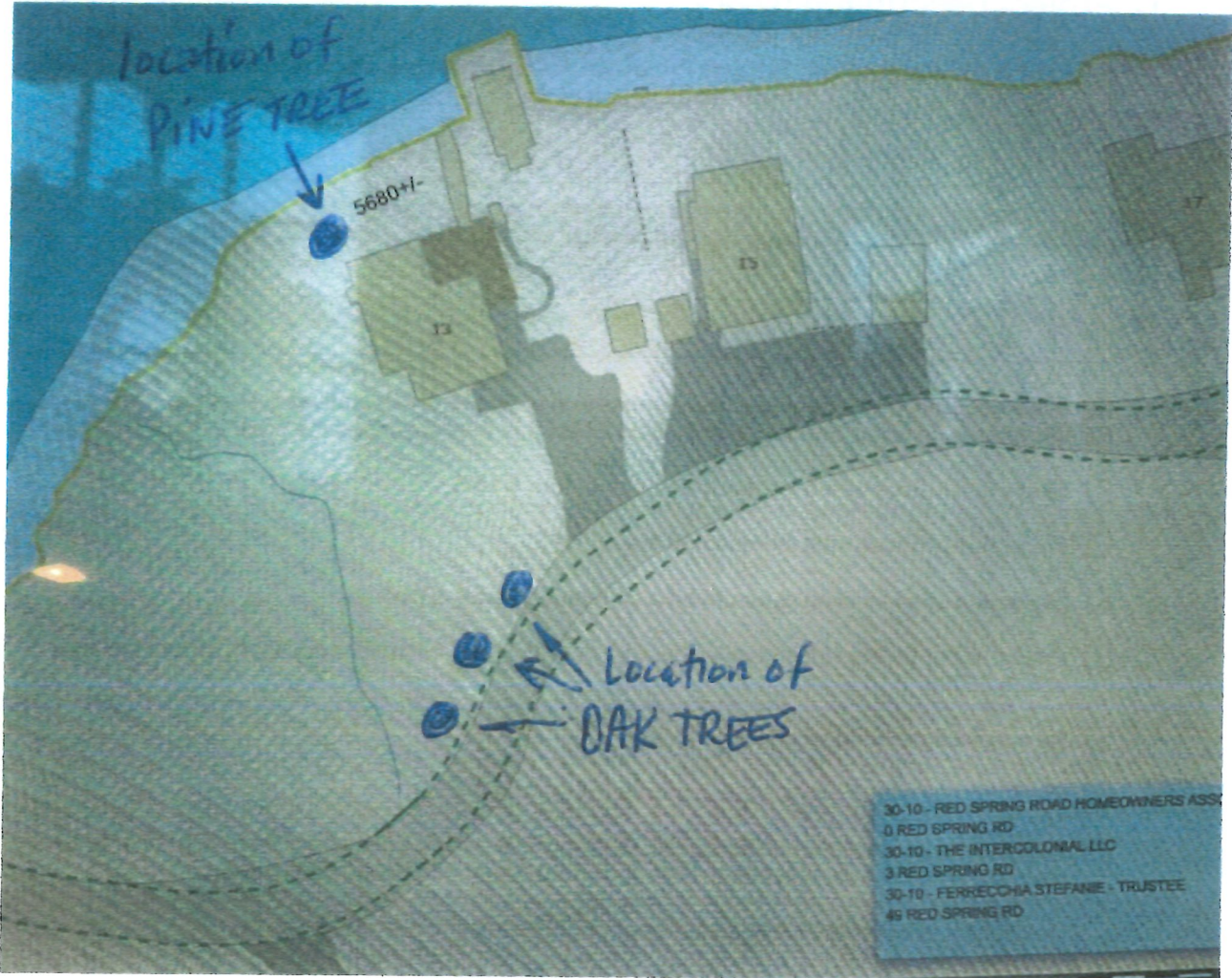
b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

N/A

Marlborough



From: Mark Evangelous sales@gemini-signletters.com  
Subject: 13 red spring road  
Date: December 10, 2022 at 8:48 AM  
To: Vicki Evangelous vjevangelous@gmail.com



Sent from my iPhone



From: Mark Evangelous sales@geminisignletters.com  
Subject: 13 red spring Aerial view  
Date: December 10, 2022 at 8:58 AM  
To: Vicki Evangelous vjevangelous@gmail.com

ME

one  
Pine tree



Sent from my iPhone

OAK  
TREES







**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

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1. Applicant:

|                         |                                   |          |
|-------------------------|-----------------------------------|----------|
| Matthew Millon          | Matthew.millon@permitadvisors.com |          |
| Name                    | E-Mail Address                    |          |
| 8370 Wilshire Blvd.#330 |                                   |          |
| Mailing Address         |                                   |          |
| Beverly Hills           | ca                                | 90211    |
| City/Town               | State                             | Zip Code |
| 5855307220              |                                   |          |
| Phone Number            | Fax Number (if applicable)        |          |

2. Representative (if any):

|                 |                            |          |
|-----------------|----------------------------|----------|
| Firm            |                            |          |
|                 |                            |          |
| Contact Name    | E-Mail Address             |          |
|                 |                            |          |
| Mailing Address |                            |          |
|                 |                            |          |
| City/Town       | State                      | Zip Code |
|                 |                            |          |
| Phone Number    | Fax Number (if applicable) |          |

**B. Determinations**

1. I request the Marlborough Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
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Town of Marlborough  
 Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 1- Request for Determination of Applicability**

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

230 E Main St

Street Address

Marlborough, MA

City/Town

58-23,58-23A,58-128

Assessors Map/Plat Number

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

NEW OVRHEAD DOOR IN EXISTING MODIFIED OPENING AND NEW HOLLOW DOOR FOR SALES EGRI

METAL DOOR IN EXISTING RECEIVING DOOR OPENING, CONCRETE RECIEING PAD W/ CONCRETE

PLATFORM AND RAMP TO GRADE

- c. Plan and/or Map Reference(s):

Title

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

SEE ABOVE



**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
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- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

\_\_\_\_\_  
City/Town

**WPA Form 1- Request for Determination of Applicability**

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**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Karnak Realty LLC

Name

230C E Main St

Mailing Address

Marlborough, MA

City/Town

01752

State

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

*Matthew Millon*

Signature of Applicant

1/4/23

Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date



**HARBOR FREIGHT**  
230 EAST MAIN STREET  
MARLBOROUGH, MA 01752

**ARCHITECTS**  
1771 DODD AVENUE  
LAKEWOOD, MA 01470  
PHONE (978) 251-1234 FAX (978) 251-4234

| DATE     | TYPE  | REVISIONS FOR PLANNING |
|----------|-------|------------------------|
| 11/22/22 | 22259 | AS1.0                  |

UNAUTHORIZED USE OF THESE DOCUMENTS CONTAINS INFORMATION PROPRIETARY TO ADA ARCHITECTS, P.C. THESE DOCUMENTS ARE EXPRESSLY PROHIBITED UNLESS AGREED UPON IN WRITING.

**GENERAL NOTES**

1. NO ADDITIONAL SITE CHANGES ARE REQUIRED, EXCEPT WHERE NOTED OTHERWISE ON ARCHITECTURAL FLOOR PLANS.

100 SERIES SITE PLAN KEY NOTES

100. APPROXIMATE LOCATION OF PPL LANGLE LINE.

101. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

102. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

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120. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

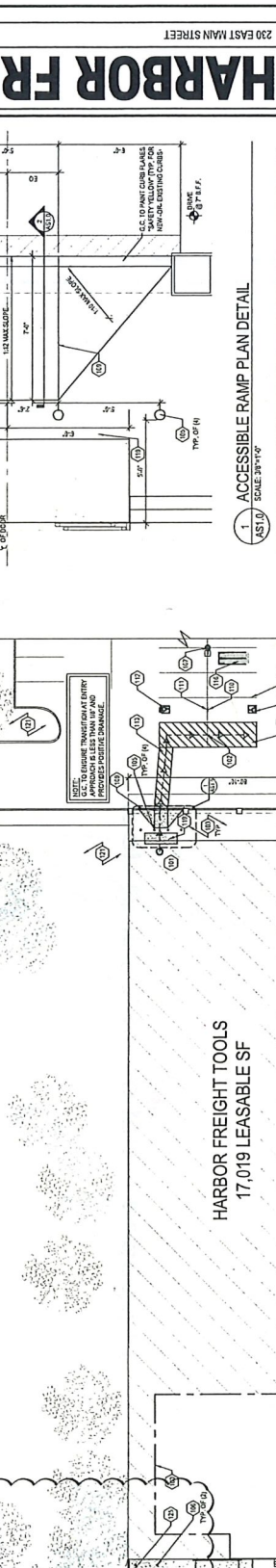
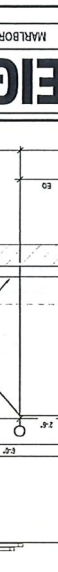
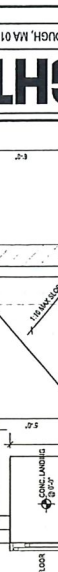
121. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

122. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

123. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

124. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.

125. ACCESSIBLE PARKING SPACES SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS AND SHALL BE LOCATED AS SHOWN ON THESE DRAWINGS.



1. ACCESSIBLE RAMP PLAN DETAIL  
SCALE: 1/8" = 1'-0"

3. CONCRETE RAMP SECTION  
SCALE: 1/2" = 1'-0"

3. ACCESSIBLE SYMBOL DETAIL  
SCALE: 3/4" = 1'-0"

4. ACCESSIBLE SIGNAGE DETAIL  
SCALE: 1/2" = 1'-0"

1. OVERALL SITE PLAN  
SCALE: 1" = 20'

DO NOT SCALE THESE DRAWINGS

ARCHITECTURAL SITE PLAN

AS1.0

1771 DODD AVENUE  
LAKEWOOD, MA 01470  
PHONE (978) 251-1234 FAX (978) 251-4234





# 230-266 E. Main St. Loading Dock

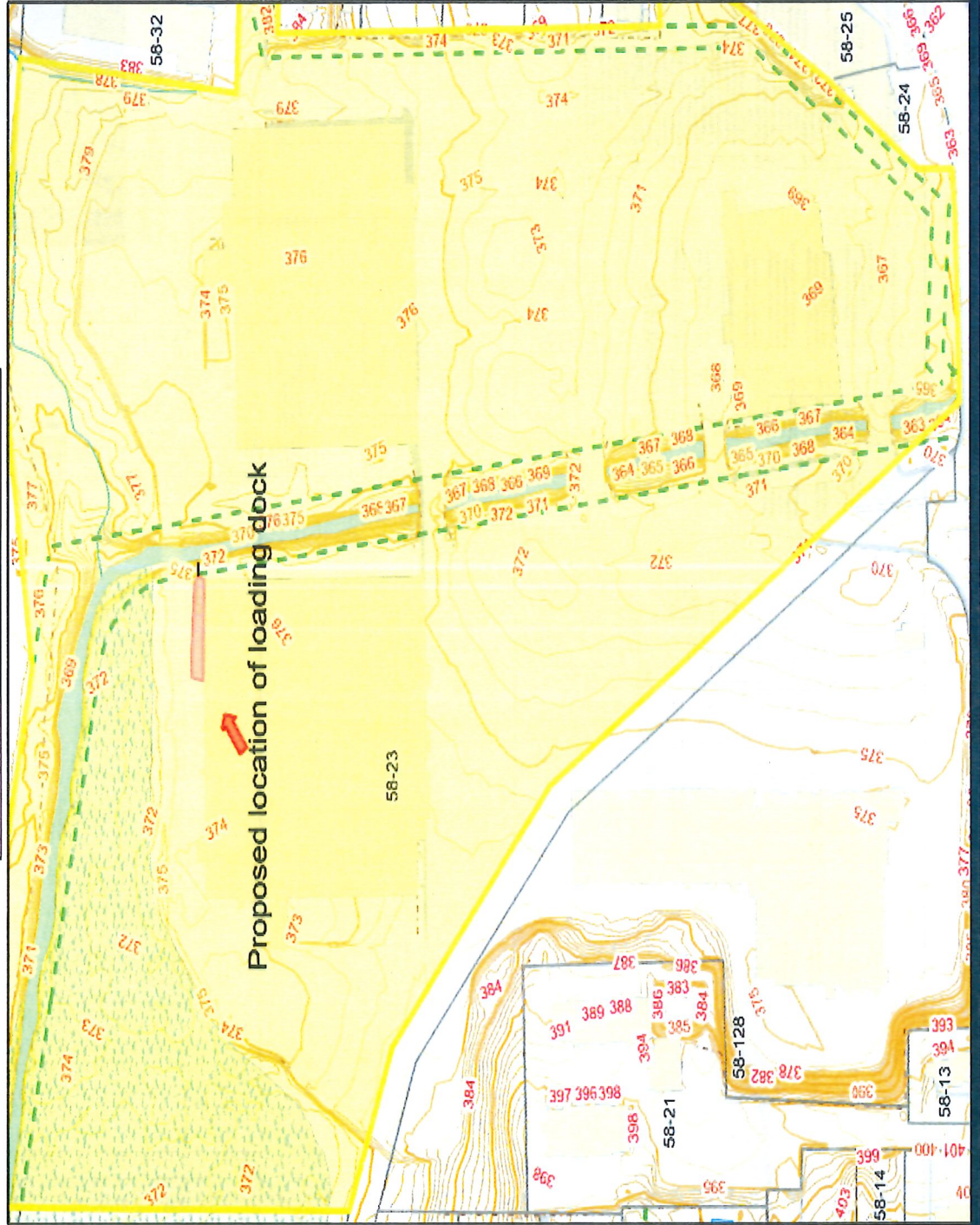
Marlinborough, MA

**CAI Technologies**  
www.cai-tech.com

1 inch = 150 Feet

www.cai-tech.com

January 5, 2023







January 6, 2023

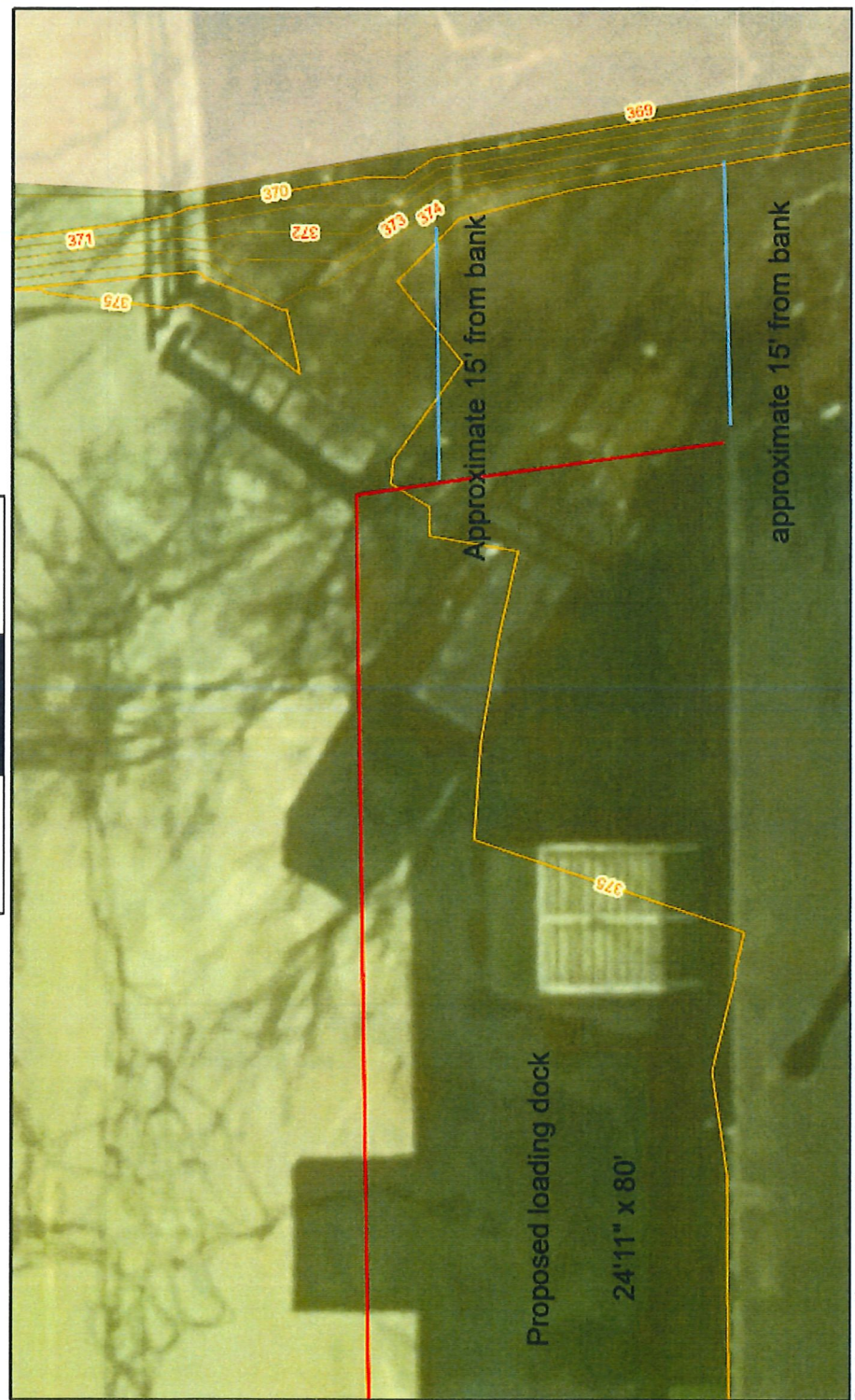
# 230-266 E. Main St. loading dock

Marlborough, MA

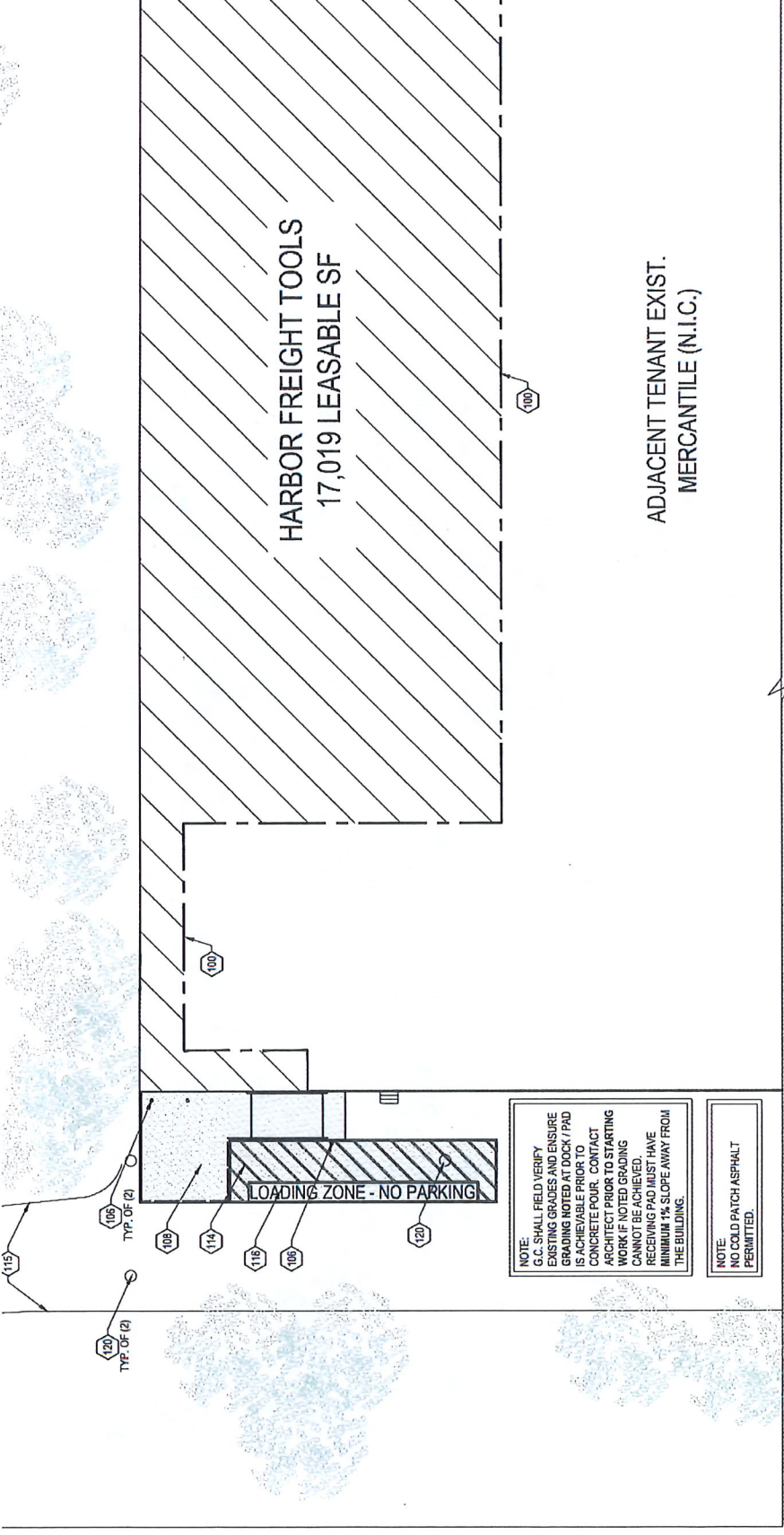
1 inch = 8 Feet



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



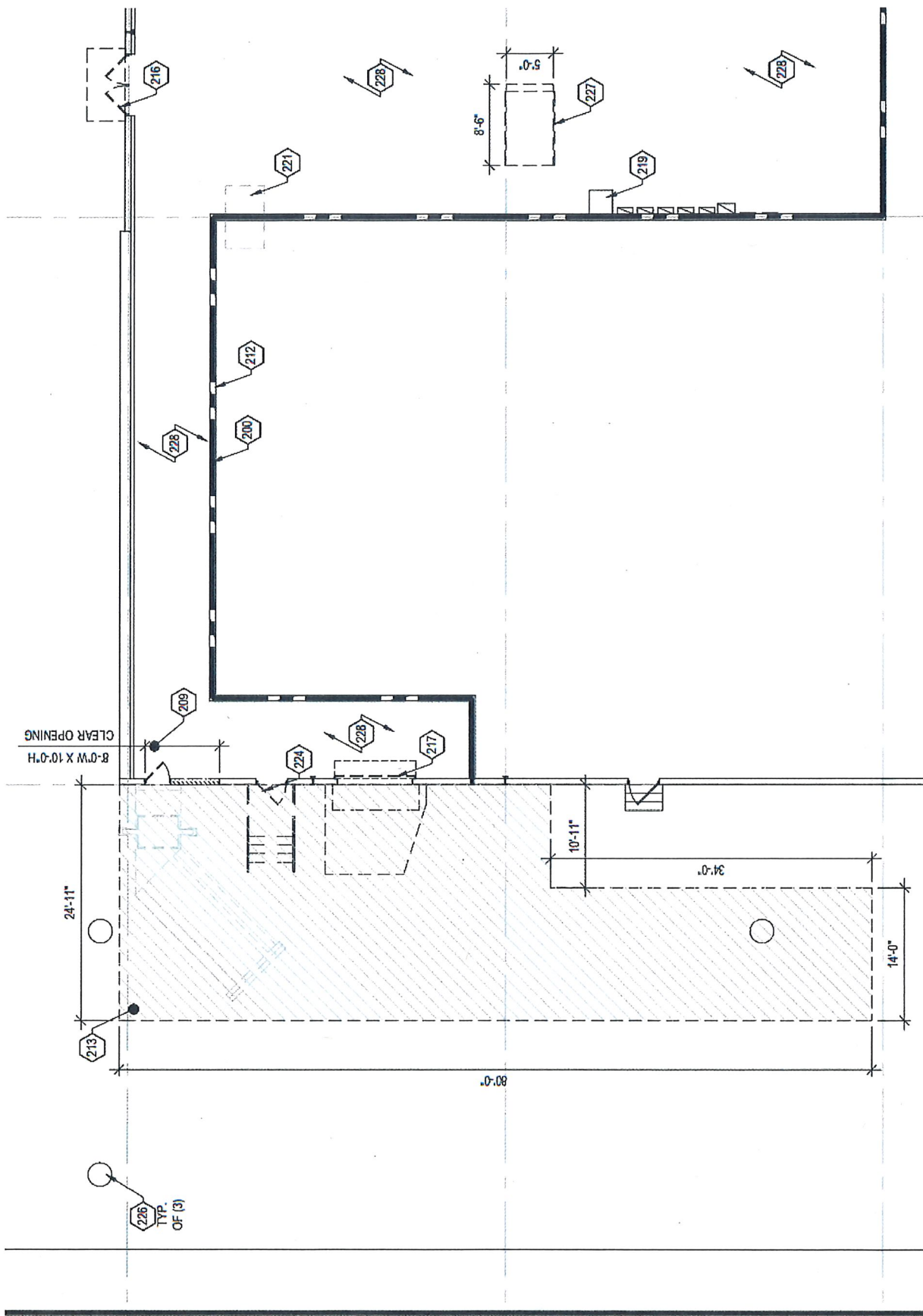
HARBOR FREIGHT TOOLS  
17,019 LEASABLE SF

ADJACENT TENANT EXIST.  
MERCANTILE (N.I.C.)

LOADING ZONE - NO PARKING

NOTE:  
G.C. SHALL FIELD VERIFY  
EXISTING GRADES AND ENSURE  
GRADING NOTED AT DOCK / PAD  
IS ACHIEVABLE PRIOR TO  
CONCRETE POUR. CONTACT  
ARCHITECT PRIOR TO STARTING  
WORK IF NOTED GRADING  
CANNOT BE ACHIEVED.  
RECEIVING PAD MUST HAVE  
MINIMUM 1% SLOPE AWAY FROM  
THE BUILDING.

NOTE:  
NO COLD PATCH ASPHALT  
PERMITTED.









# IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

ORDERED:

## IN CITY COUNCIL NOTICE OF DECISION GRANT OF SPECIAL PERMIT

Special Permit Application of:  
WP Marlborough MA Owner, LLC (Waypoint Residential)  
9 West Broad Street, Suite #800  
Stamford, CT 06902  
Order No. 21/22-1007995T

Locus:  
339 Boston Post Road East  
Marlborough, MA 01752  
Assessors Map 72, Parcel 35  
Assessors Map 73, Parcel(s) 24, 26, 26A and 28

*Conservation  
Commission  
see C. 10  
open space  
Revised plans to  
be presented  
at meeting.*

### DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of WP Marlborough MA Owner, LLC, with a mailing address of 9 West Broad Street, Suite 800, Stamford, CT, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: September 12, 2022.

The Decision of the City Council was filed in the Office of the City Clerk of Marlborough on the 15<sup>th</sup> day of September 2022.

### APPEALS

Appeals, if any, shall be made pursuant to Massachusetts General Laws Chapter 40A, § 17, and shall be filed within twenty (20) days after the date of the filing of this Notice of Decision in the Office of the City Clerk of the City of Marlborough, Massachusetts.

A TRUE COPY  
ATTEST:

  
City Clerk

*7/7*



# IN CITY COUNCIL

Marlborough, Mass., ~~SEPTEMBER 12, 2022~~

ORDERED:

PAGE 1

## IN CITY COUNCIL

### DECISION ON A SPECIAL PERMIT ORDER NO. 21/22-1007995T

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to WP Marlborough MA Owner, LLC (the "Applicant") to build and operate a 140-unit multifamily dwelling residential project at 339 Boston Post Road East, as provided in this Decision and subject to the following Findings of Fact and Conditions.

#### FINDINGS OF FACT

1. The Applicant, WP Marlborough MA Owner, LLC, is a Connecticut limited liability company with an address of 9 West Broad Street, Suite 800, Stamford, CT 06902.
2. The Applicant is the prospective owner of the property located at 339 Boston Post Road East, Marlborough, Massachusetts, being shown as Parcel 35 of Assessor Map 72, and Parcels 24, 26, 26A, and 28 on Assessors Map 73 (the "Site").
3. In accordance with Article V, Section 650-17 and Section 650-18(4), of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), the Applicant proposes to build and operate a 140-unit multifamily dwelling residential project at the Site, in three buildings, with 280 on-site parking spaces, open areas, walking paths, and residential amenities (the "Use" or "Project").
4. The Site is located in the Business and Residence A-2 Zoning Districts.
5. The Site has an area of 25.7 acres +/- as shown on the Plans referenced in paragraph 7 below.
6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use.
7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a Fiscal Impact Analysis dated January 3, 2019 by Fougere Planning & Development, Inc., a Transportation Impact Assessment dated January 12, 2019 by Vanasse & Associates, Inc., and the following plans: a detailed site plan entitled "Preliminary Site Development Plans for Walcott Heritage Farms" by Allen & Major Associates, Inc., comprised of Sheets 1 through 6 with the last revision date of December 16, 2020 (the "Plans"), attached hereto as "Attachment A."





## IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 2

### ORDERED:

8. By Notice of Decision dated August 23, 2021, and filed in the Office of the City Clerk of Marlborough on August 24, 2021, the Marlborough City Council denied the Applicant's Application.
9. On September 10, 2021, the Applicant filed an appeal of the Decision of the Marlborough City Council denying the Application in the action entitled *WP Marlborough MA Owner, LLC v. Marlborough City Council, et al.* (Land Court No. 21 MISC 000451) (the "Appeal"). During the Appeal, a settlement was reached between the Applicant and the Marlborough City Council which agreed upon a remand for the purposes of considering the Application subject to certain changes agreed upon between the Applicant and the Marlborough City Council, and pursuant to that Settlement Agreement, the Applicant and the Marlborough City Council filed a Joint Motion to Remand in the Appeal on or about May 26, 2022.
10. In the Appeal, the Massachusetts Land Court entered a certain Order on Joint Motion for Remand dated May 31, 2022, which remanded to the Marlborough City Council the matter which ordered the Marlborough City Council to conduct a public hearing for the purpose of considering the Applicant's revised special permit application (the "Remand Order").
11. Pursuant to the Remand Order, the Applicant submitted to the Marlborough City Council a request on July 1, 2022, that the Marlborough City Council grant the Application, as amended, consistent with the Settlement Agreement reached between the Applicant and the Marlborough City Council (collectively, the "Revised Application").
12. The Remand Order required the Marlborough City Council to hold the public hearing on the revised special permit application by August 30, 2022. The Remand Order required that the remanded public hearing process be for the limited purposes of considering the changes to the previously contemplated draft decision to grant a special permit for the Project.
13. During the remanded public hearing process, the Appeal has been stayed by the Remand Order.
14. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.



## IN CITY COUNCIL

Marlborough, Mass., ~~SEPTEMBER 12, 2022~~

PAGE 3

### ORDERED:

15. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, and pursuant to the Remand Order, the City Council established a date for a public hearing on the Revised Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
16. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Revised Application on August 22, 2022. The public hearing was held at the Marlborough City Hall, 140 Main Street. In accordance with the Remand Order, the public hearing incorporated by reference all materials and testimony previously submitted to the Marlborough City Council during the prior July 20, 2020, public hearing relating to the Application. The hearing was closed on September 12, 2022.
17. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic, pursuant to the Remand Order.

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

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.
- C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby **GRANTS** the Applicant a Special Permit to build and operate a 140-unit multifamily dwelling residential project as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
  1. Construction in Accordance with Applicable Laws. Construction of all structures on the Site is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts and shall be built according to the Plans as may be amended during Site Plan Review.





# IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 4

## ORDERED:

2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.
3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the Site Plan Review Committee in accordance with the City of Marlborough Site Plan Review Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant, its successors and/or assigns, has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed, and approved by the City Council as the Special Permit Granting Authority.
4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs, and other documentation provided by the Applicant as part of the Revised Application, the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council. The final architectural design of the Site shall be reasonably consistent with the Plans submitted by the Applicant. The final exterior features of the Site, including landscaping, shall be maintained in good condition and shall be reasonably consistent with the Plans submitted and representations made to the City Council.
5. Storm Water and Erosion Control Management. The Applicant, its successors and/or assigns, shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. The Applicant shall also hire an independent Erosion Control Expert, with credentials acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.
6. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties, with a lighting plan for the Site to be reviewed and further conditioned during the Site Plan Review process.





## IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 5

**ORDERED:**

7. Affordable Units. Twenty percent (20%) of the dwelling units at the Site shall be made available as rental units at affordable prices to renters (whose annual income does not exceed eighty percent (80%) of the Area median income adjusted for family size as determined by the U.S. Department of Housing and Urban Development) in perpetuity or the longest period allowed by law (the "Affordable Housing Units"), in accordance with the provisions of Section 650-26 of the Zoning Ordinance and this condition. The Affordable Housing Units shall comply with all requirements for inclusion in the Subsidized Housing Inventory ("SHI") of the Commonwealth of Mass. Department of Housing and Community Development ("DHCD"). Prior to obtaining a certificate of occupancy for any unit within the Use, the Applicant, its successors and/or assigns, in coordination with the City and its Community Development Authority, shall file all required submissions to DHCD for inclusion of the Affordable Housing Units on the SHI and shall diligently take all actions necessary to include the Affordable Housing Units on the SHI, including without limitation, preparing and executing a regulatory agreement and declaration of restrictive covenants and/or any other restrictive instrument necessary to ensure compliance with said Zoning Ordinance and this condition, a marketing plan, and all other required documentation. All costs associated with complying with this condition, including but not limited to, the DHCD process, recording of all documents with the registry of deeds, and the marketing plan for the Affordable Units shall be borne by the Applicant, its successors and/or assigns.
8. Site Access and Roadway Improvements.
  - a. The Use shall access Route 20 with a single driveway entrance located directly opposite Village Drive. The Applicant shall provide an emergency access driveway off of Route 20 on the western side of the Site, with an access or gating system approved during Site Plan Review.
  - b. The Applicant, its successors and/or assigns, shall coordinate with the City and the Massachusetts Department of Transportation to ensure that development of the Use does not conflict with planned improvements to Route 20 in the vicinity of the Site. The final design and configuration of the Site's access driveways shall incorporate the latest design of the planned MassDOT improvements to Route 20 and shall be approved by both MassDOT and the Engineering Division of the Department of Public Works.
  - c. In addition to the planned improvements to Route 20, the Applicant shall, in coordination with MassDOT and the Engineering Division of the Department of Public Works, make the following traffic calming improvements in the vicinity of the Site:
    - (i) A radar speed sign on the southern side of Route 20 to the west of Victoria Lane;
    - (ii) A radar speed sign on the northern side of Route 20 to the east of Village Drive;and



## IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 6

### ORDERED:

- (iii) Rectangular rapid flashing beacons at the proposed crosswalks over Route 20 in the vicinity of the Site.
  - d. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$200,000 to be used by the City Council or its designee towards the study, design, and construction of a traffic signal at the intersection Route 20, Village Drive, and the Site's main entrance; provided however, that if the Massachusetts Department of Transportation does not authorize said traffic signal within three (3) years following the issuance of a final certificate of occupancy for the Use, then the funds may be used by the City Council or its designee for the study, design, and construction of comparable transportation safety improvements in the vicinity of the Site, for beautification improvements along Route 20 in the vicinity of the Site, or another project designed to improve transportation and aesthetics along Route 20 in the vicinity of the Site.
  - e. Within six (6) months after the issuance of the final certificate of occupancy for the Project, the Applicant shall make a written request to MassDOT asking MassDOT to reconsider the traffic signal at the intersection of Route 20, Village Drive, and the Site's main entrance based upon traffic data reflecting the actual full occupancy of the Project.
  - f. Within six (6) months after the issuance of the final certificate of occupancy for the Project, the Applicant agrees to have its traffic engineer update its traffic analysis, and make and provide written recommendations to the Marlborough City Council as to the best use of the \$200,000 paid pursuant to Condition 8D above for traffic safety and improvements in the area of the Site and Village Drive, taking into consideration the full occupancy of the Project and ongoing improvements in the area made by MassDOT.
9. Transportation Alternatives.
- a. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$20,000 to be used by the City Council or its designee to study and/or fund shared transportation options, including but not limited to a shuttle service, to provide access between the Site and its neighboring residential properties and Downtown Marlborough.
  - b. Prior to applying for a building permit for the Use, the Applicant, its successors and/or assigns, shall submit a request to the MetroWest Regional Transit Authority to add a bus stop in the vicinity of the Site and its neighboring residential properties.





## IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 7

ORDERED:

- c. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a written summary of a program sponsored for the Site's residents to encourage shared trips and carpooling to reduce vehicle trips to and from the Site, and shall submit an annual report on this program to the Building Commissioner on or before January 30<sup>th</sup> during each year that the Use remains in operation.

10. Open Space.

- a. The Applicant, its successors and/or assigns, shall grant a conservation restriction to the City's Conservation Commission or its designee over areas of the Site identified as "CR Area 1", "CR Area 2", and "CR Area 3" (including any area outlined in red) shown on the plan attached as "Attachment B" (the "Restricted Land"). The form of the conservation restriction over the Restricted Land shall be approved by the City Solicitor and the City Conservation Officer prior to the issuance of a building permit. The Conservation Restriction must be approved by the Conservation Commission, the City Council, and finally signed by the Mayor before being approved by the State Secretary of Energy and Environmental Affairs. The conservation restriction must be granted and recorded prior to the issuance of a certificate of occupancy for any unit within the Use, or at a later time agreed to in writing by the City Conservation Officer. The Conservation Restriction will allow for the mowing and management of portions of CR Area 1 to enhance wildlife habitat and meadows as approved by the Conservation Commission and shall allow for the passive recreational use of CR Area 1 by the Site's residents.
- b. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$20,000 to be used by the City Council or its designee to study and/or fund a recreational trail for pedestrians along the City-owned sewer land adjacent to the Site, to provide public access and connections between Route 20 and the Site's neighboring residential properties and Kane School.

11. Issuance of Building Permit. Construction of the project shall not begin until April 14, 2023. Issuance of a building permit shall be conditioned such that construction of the project may not begin until April 14, 2023.
12. Charging Station. The Applicant agrees to increase the number of charging stations at the Project from the original two (2) to four (4) charging stations.
13. Sewer Pump Station Improvements. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City for its Department of Public Works or its designee, not to exceed \$35,000, to be used by the City for the installation of an in-line sewage grinder at the Boston Post Road pump station in the vicinity of the Site.





## IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

PAGE 8

### ORDERED:

14. Snow Removal. Snow removed from driveways, parking areas, and walkways at the Site may not be stored in a manner that creates a shortage of on-site parking for residents. If on-site snow storage creates a shortage of on-site parking for residents, the Applicant, its successors and/or assigns, shall have stockpiled snow removed from the Site.
15. Other Approvals. The Applicant, its successors and/or assigns, shall comply with an order of conditions from the City's Conservation Commission and a floodplain special permit from the City's Zoning Board of Appeals.
16. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: 10 – Nay: 1 – Absent – 0

Yea: Wagner, Doucette, Doucette, Brown, Irish, Navin, Landers, Ossing, Perlman, & Robey.

Nay: Oram

Signed by City Council President  
Michael H. Ossing

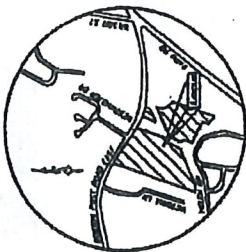
ADOPTED  
In City Council  
21/22-1007995T

ORDER NO. 21/22-1007995S

# ATTACHMENT

# A

PRELIMINARY SITE DEVELOPMENT PLANS FOR  
**WALCOTT HERITAGE FARMS**  
 339 BOSTON POST ROAD EAST  
 MARLBOROUGH, MA



LOUIS MAR  
 FORTYFOUR

**APPLICANT:**  
 WP MARLBOROUGH MA OWNER, LLC  
 9 WEST BROAD STREET, SUITE 800  
 STAMFORD, CT 06902  
 203.210.2700

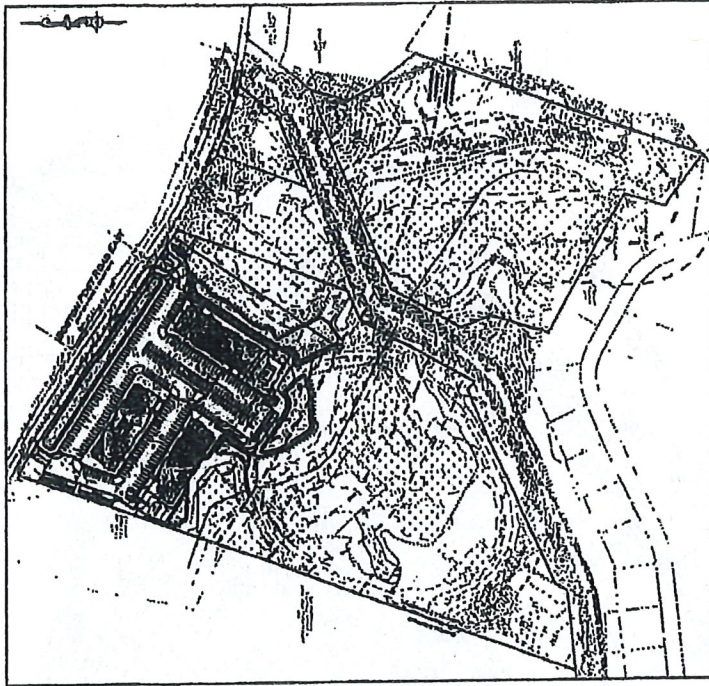
**LAND SURVEYOR, SITE ENGINEERS,  
 LANDSCAPE ARCHITECT:**  
 ALLEN & MAJOR ASSOCIATES, INC.  
 100 COMMERCE WAY, SUITE 5  
 WOBURN, MA 01801  
 781.555.6889

**ARCHITECT:**  
 PHILLIPS ARCHITECTURE  
 5901 PEACHTREE DUNWOODY ROAD, SUITE 4450  
 ATLANTA, GA 30328  
 770.394.1618

**MECHANICAL, ELECTRICAL AND PLUMBING  
 CONSULTANT:**  
 ENGES CONSULTING ENGINEERS  
 100 NORTH POINT CENTER EAST, SUITE 200  
 ALPHARETTA, GA 30022

**ENVIRONMENTAL CONSULTANT:**  
 GODDARD CONSULTING, LLC  
 291 MAIN STREET SUITE #6  
 NORTHBOROUGH, MA 01552  
 508.393.7784

| DRAWING TITLE              | SHEET NO. | ISSUED   | REVISED  |
|----------------------------|-----------|----------|----------|
| CIVIL DRAWINGS             |           |          |          |
| EXISTING CONDITIONS PLAN   | VAR       | 0-1-2000 | 0-1-2000 |
| LOCAL PLAN                 | 0-1       | 0-1-2000 | 0-1-2000 |
| PRELIMINARY SITE PLAN      | 0-2       | 0-1-2000 | 0-1-2000 |
| PRELIMINARY UTILITY PLAN   | 0-3       | 0-1-2000 | 0-1-2000 |
| PRELIMINARY LANDSCAPE PLAN | 0-4       | 0-1-2000 | 0-1-2000 |
| LANDSCAPE DETAILS          | 0-5       | 0-1-2000 | 0-1-2000 |



**ALLEN & MAJOR  
 ASSOCIATES, INC.**  
 100 COMMERCE WAY  
 SUITE 5  
 WOBURN, MA 01801  
 781.555.6889  
 REGISTERED PROFESSIONAL ENGINEERS  
 STATE OF MASSACHUSETTS  
 REGISTRATION NO. 16127  
 REGISTERED PROFESSIONAL LANDSCAPE ARCHITECTS  
 STATE OF MASSACHUSETTS  
 REGISTRATION NO. 16127

ISSUED FOR LOCAL APPROVAL: FEBRUARY 24, 2000  
 RESUBMISSION FOR LOCAL APPROVAL: JANUARY 24, 2000  
 VARIATION APPROVAL: FEBRUARY 16, 2000  
 VARIATION APPROVAL: FEBRUARY 24, 2000  
 REVISED FOR CITY COMMITTEE: JULY 8, 2000  
 REVISED FOR CITY COMMITTEE: JULY 14, 2000  
 REVISED FOR CITY COMMITTEE: AUGUST 12, 2000  
 REVISED FOR CITY COMMITTEE: AUGUST 12, 2000  
 REVISED FOR SITE PLAN REVIEW COMMITTEE: SEPTEMBER 11, 2000


REVISED FOR URBAN AFFAIRS SUBMISSION: **DECEMBER 16, 2003**







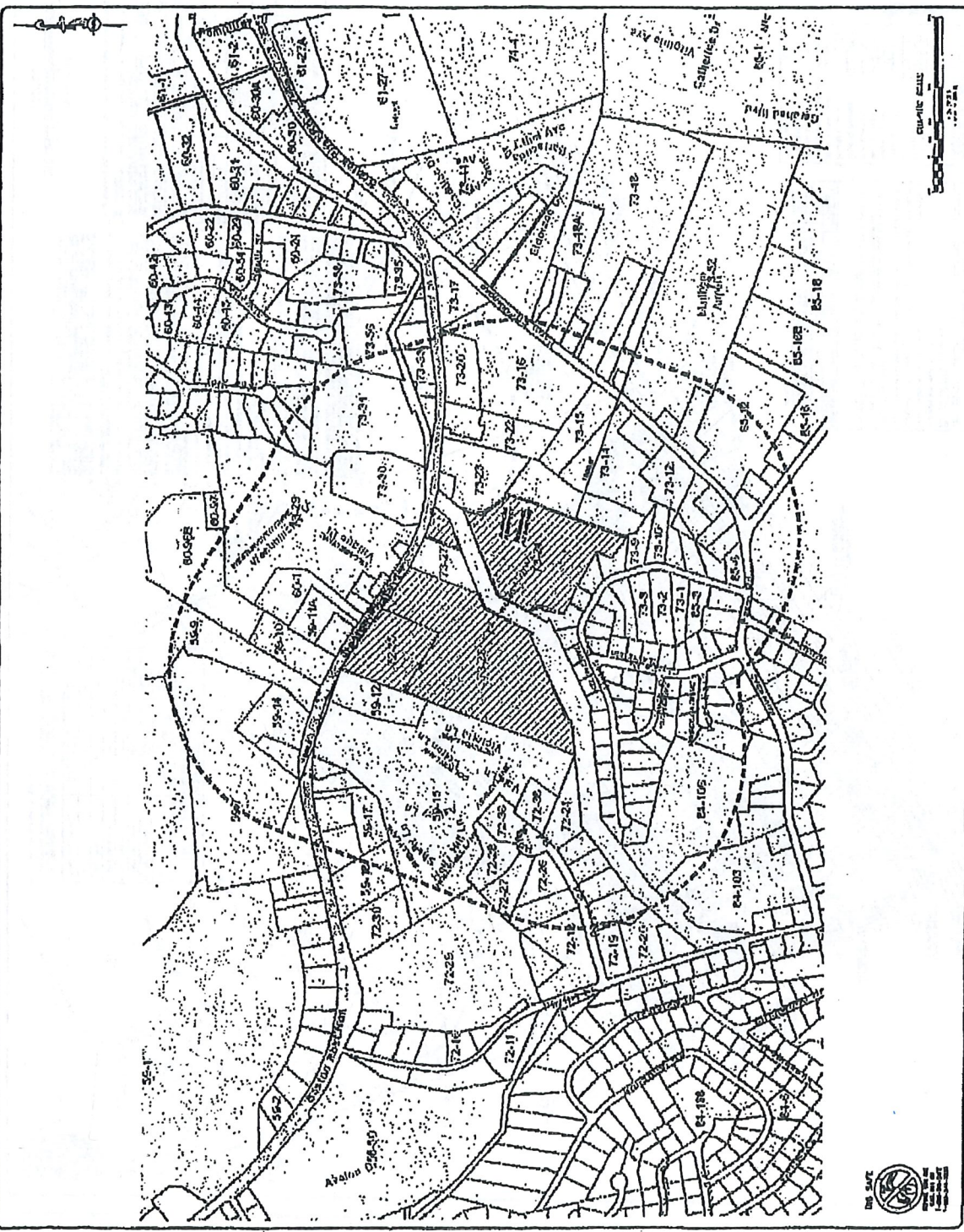





**ALLEN & MAJOR ASSOCIATES, INC.**  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, COLORADO 80202  
 TELEPHONE: (303) 733-1111  
 FACSIMILE: (303) 733-1112

**WESTERN DEVELOPMENT**  
 2500 BOSTON AVENUE, SUITE 100  
 BOSTON, MASSACHUSETTS 02116  
 TELEPHONE: (617) 552-1111

| NO. | DATE    | DESCRIPTION      |
|-----|---------|------------------|
| 1   | 10/1/80 | PRELIMINARY PLAN |
| 2   | 10/1/80 | REVISION         |
| 3   | 10/1/80 | REVISION         |
| 4   | 10/1/80 | REVISION         |
| 5   | 10/1/80 | REVISION         |
| 6   | 10/1/80 | REVISION         |
| 7   | 10/1/80 | REVISION         |
| 8   | 10/1/80 | REVISION         |
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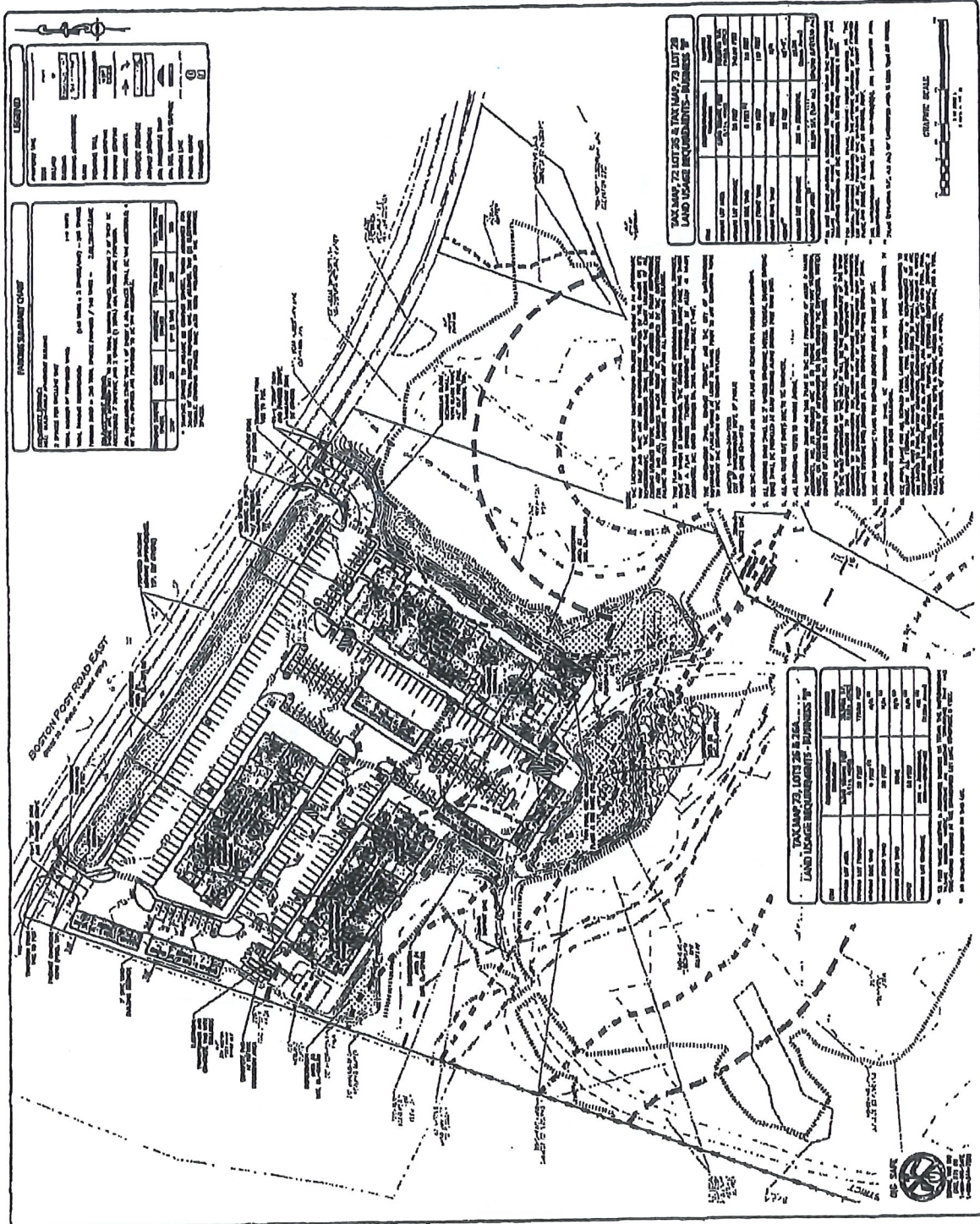


ALLEN & MAJOR ASSOCIATES, INC.  
100 WEST BOSTON STREET, SUITE 100  
BOSTON, MASSACHUSETTS 02111

**MULTIFAMILY DEVELOPMENT**  
899 BOSTON POST ROAD EAST  
BOSTON, MASSACHUSETTS


| NO. | DATE    | DESCRIPTION      |
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| 1   | 10/1/78 | PRELIMINARY PLAN |
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DATE: 10/1/78  
SCALE: AS SHOWN  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]



(Warning) Use of this plan is restricted to the project for which it was prepared. It is not to be used for any other purpose without the written consent of the engineer.



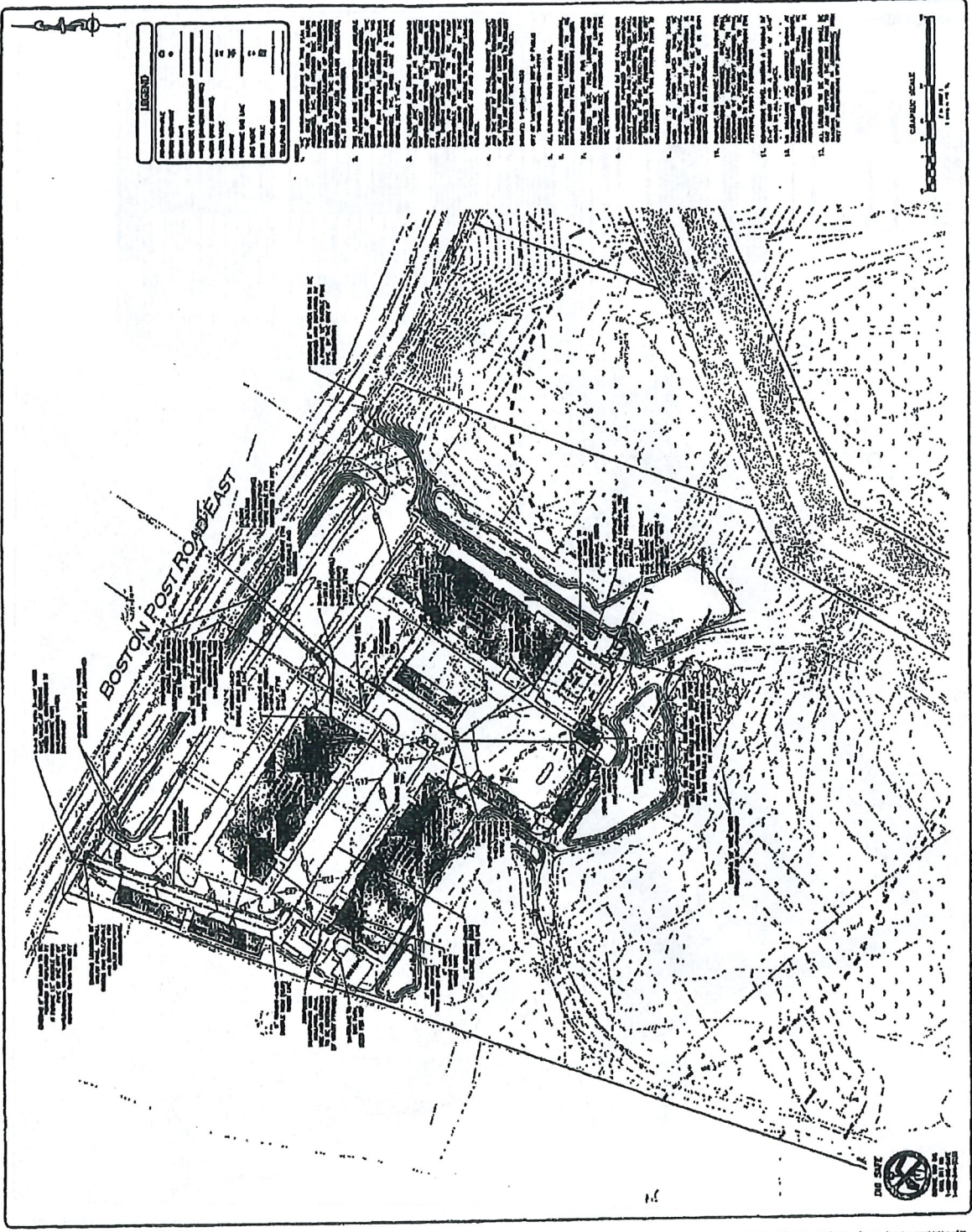


| NO. | DATE    | DESCRIPTION                  | BY                               | SCALE    | STATUS      |
|-----|---------|------------------------------|----------------------------------|----------|-------------|
| 1   | 10/1/88 | PRELIMINARY DEVELOPMENT PLAN | AMERICAN ENGINEERING CORPORATION | AS SHOWN | PRELIMINARY |
| 2   | 10/1/88 | REVISION                     | AMERICAN ENGINEERING CORPORATION | AS SHOWN | PRELIMINARY |
| 3   | 10/1/88 | REVISION                     | AMERICAN ENGINEERING CORPORATION | AS SHOWN | PRELIMINARY |
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**AMERICAN ENGINEERING CORPORATION**  
 250 BOSTON POST ROAD EAST  
 BOSTON, MASSACHUSETTS 02116

**ALLEN & MAJOR ASSOCIATES, INC.**  
 100 STATE STREET  
 BOSTON, MASSACHUSETTS 02109

PROJECT: PRELIMINARY DEVELOPMENT PLAN  
 SHEET: C102











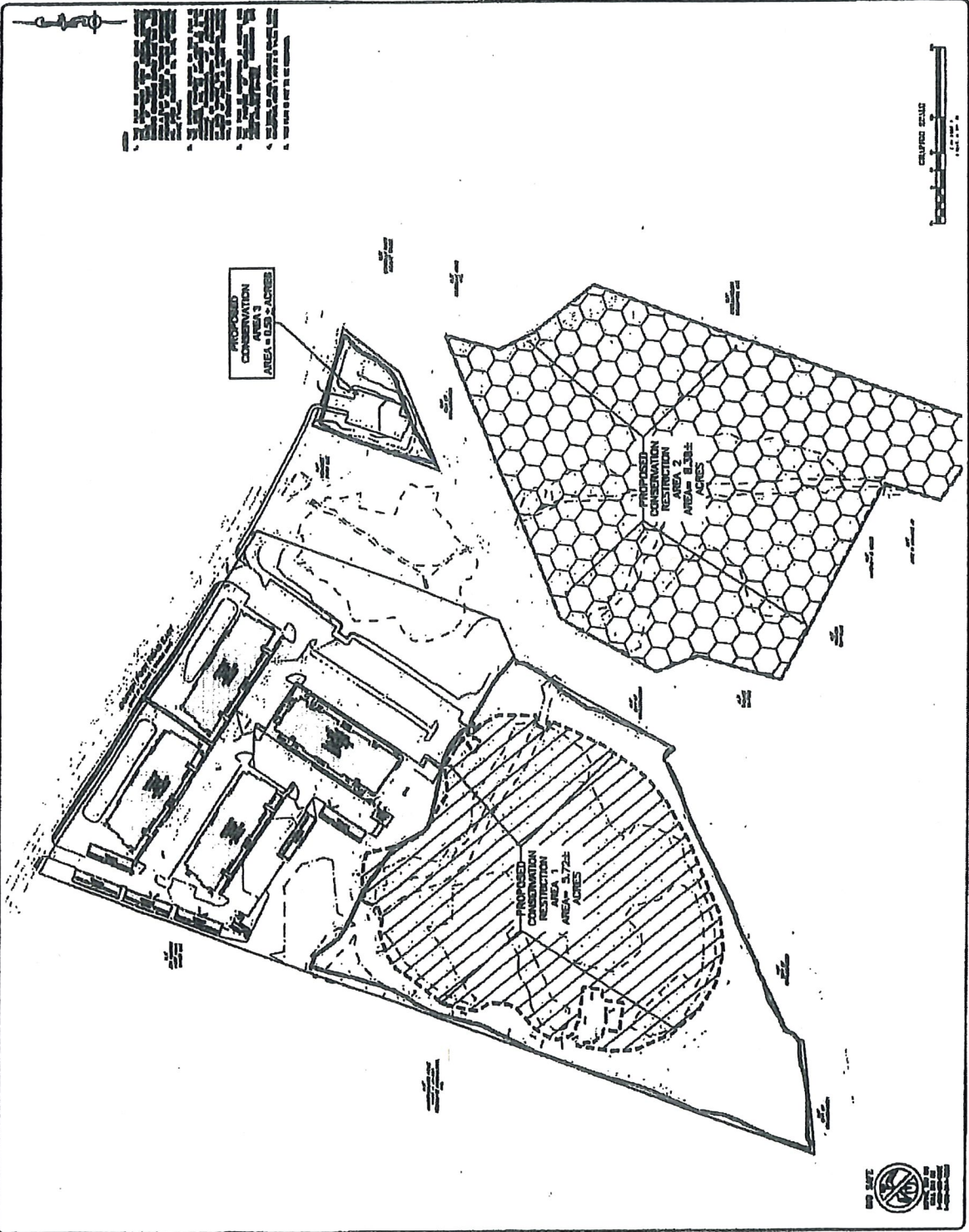
ORDER NO. 21/22-1007995S

# **ATTACHMENT**

# **B**



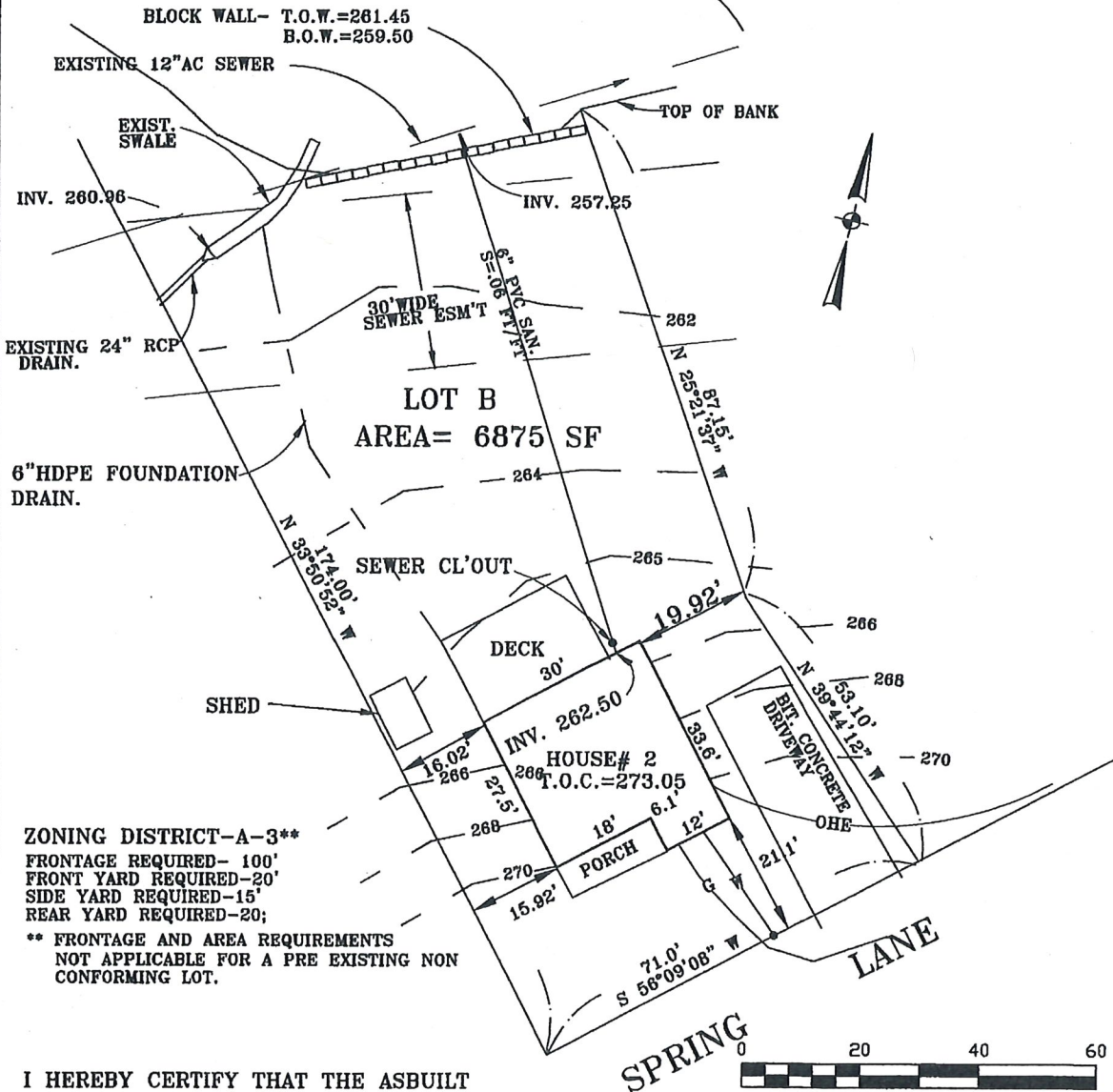
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|--|--|---|---|
| <p><b>PROPOSED CONSERVATION RESTRICTIONS</b></p> <p>FOR THE DEVELOPMENT OF THE<br/> <b>WINDY HILLS</b> PROJECT<br/>         IN THE TOWN OF WINDY HILLS, MA</p> |  | <p><b>ALLEN &amp; MAJOR ASSOCIATES, INC.</b><br/>         100 WASHINGTON STREET<br/>         SUITE 200<br/>         WINDY HILLS, MA 01890<br/>         TEL: (978) 253-1111<br/>         FAX: (978) 253-1112</p> | <p><b>DATE:</b> 08/15/01<br/> <b>SCALE:</b> AS SHOWN<br/> <b>PROJECT NO.:</b> 01-001<br/> <b>DRAWN BY:</b> J.M.<br/> <b>CHECKED BY:</b> J.M.<br/> <b>DATE:</b> 08/15/01</p> |
| <p><b>PROJECT NO.:</b> 01-001<br/> <b>DATE:</b> 08/15/01</p>   |  |   |   |







# FORT MEADOW RESERVOIR



I HEREBY CERTIFY THAT THE ASBUILT LOCATIONS AND ELEVATIONS ARE SHOWN ON THIS PLAN AND ARE IN REASONABLE CONFORMANCE TO THE APPROVED SITE PLAN DATED SAID STRUCTURE IS NOT LOCATED IN A FIRM FLOOD ZONE.

*Robert J. Parente*  
 ROBERT J. PARENTE REG. PROF. ENGINEER



## AS-BUILT PLAN OF LAND IN MARLBOROUGH, MASS.

LOCATION: 2 SPRING LANE  
 OWNED BY: MIKE & CAITLYN MATROS  
 PREPARED BY: ROBERT PARENTE, P.E.  
 DATE: DEC. 9, 2022 SCALE: 1" = 20'

*2 Spring Ln. 212-1235*





## Priscilla Ryder

---

**From:** Kenneth Amici <kenneth.amici@gmail.com>  
**Sent:** Friday, January 6, 2023 1:33 PM  
**To:** Priscilla Ryder  
**Subject:** Elm St. Haying Letter

Hi Priscilla,

Sorry for the delay. Here is the letter I was going to mail to you:

I am writing to express my request to hay the fields at the Elm St. conservation area. For years my two brothers and I helped my grandfather hay and maintain those fields up until the time when he could no longer hay them. The farm is now owned by our mom Teresa and being run by the 3 of us. We would like to take on the responsibility of haying and maintaining those fields again if the city will have us.

For many years, my brothers and I spent a good portion of our summers helping our grandfather at Elm St. It was always something we all looked forward to each year. In the years following our grandfather's passing, we have continued haying our field using the knowledge he passed to us. We are now ready to take on more fields and would love to return to the fields we enjoyed haying so much in the past.

Our request to hay the fields at elm street goes beyond harvesting hay for our animals. We all enjoy spending time at the fields and understand how important that area is for so many people. I always loved driving by the fields after one of the cuts and seeing people out enjoying them. Now that I have a child of my own, I look forward to letting him play in the fields and trails after the cutting is finished. The importance of this land is not lost on us, and we will give the area the respect it deserves.

On behalf of my whole family, I would like to say that we greatly appreciate the opportunity to maintain these fields again. Please feel free to reach out to me with any questions.

Thank you,

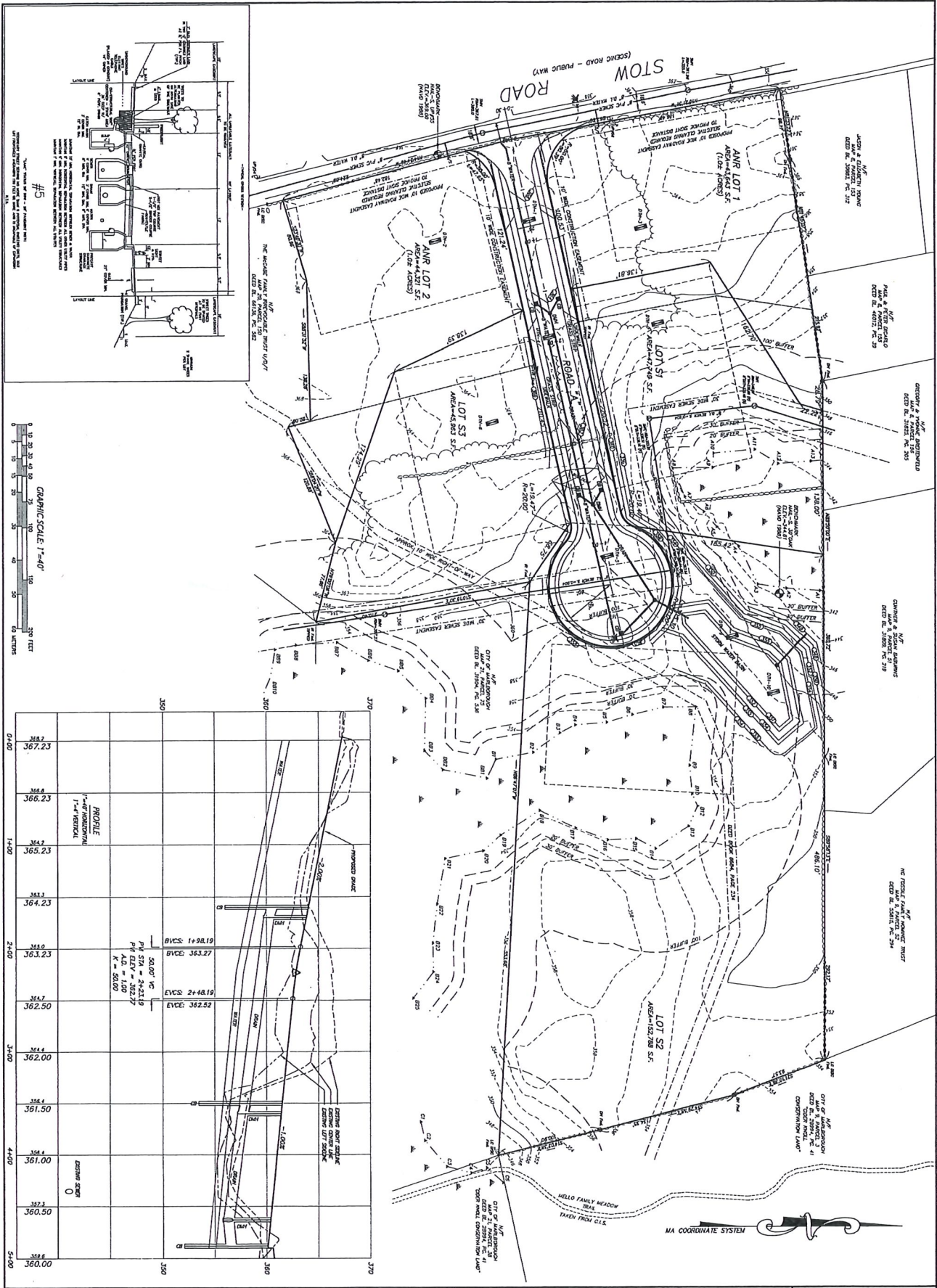
Kenny Amici











**OWNERS:**  
 MACHEE FAMILY REVOCABLE TRUST  
 AND  
 JUDITH HELLO MACHEE

**APPLICANT:**  
 KENDALL HODGES  
 P.O. BOX 766  
 SOUTHBOROUGH, MA 01772

**CONVORSTONE ENGINEERING INC.**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 11 SOUTHWEST CROSSING, SUITE 7  
 NORTHBOROUGH, MASSACHUSETTS 01532  
 PHONE: 508-538-9222 FAX: 508-538-5242

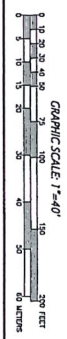
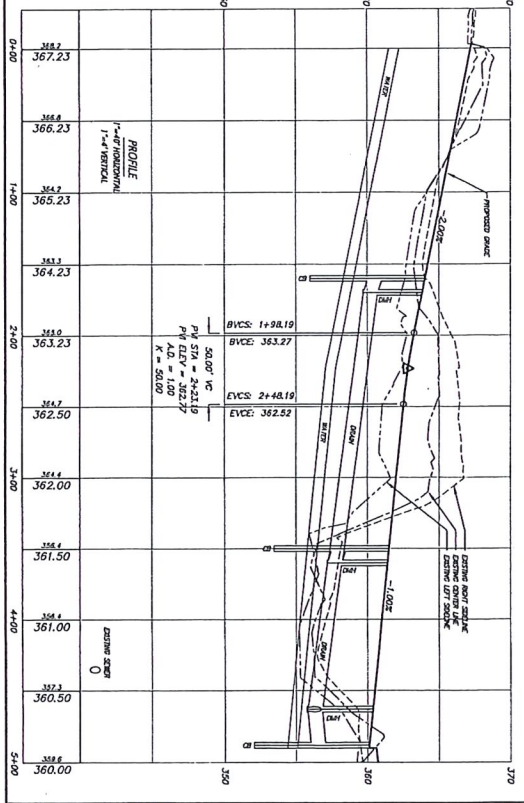
**"PRELIMINARY PLAN"**  
 CONVENTIONAL CONCEPT PLAN  
 STOWE ROAD SUBDIVISION  
 IN  
 MARLBOROUGH, MA

**RECORD:** DECEMBER  
**DATE:** DECEMBER 2, 2022  
**SCALE:** 1"=40'

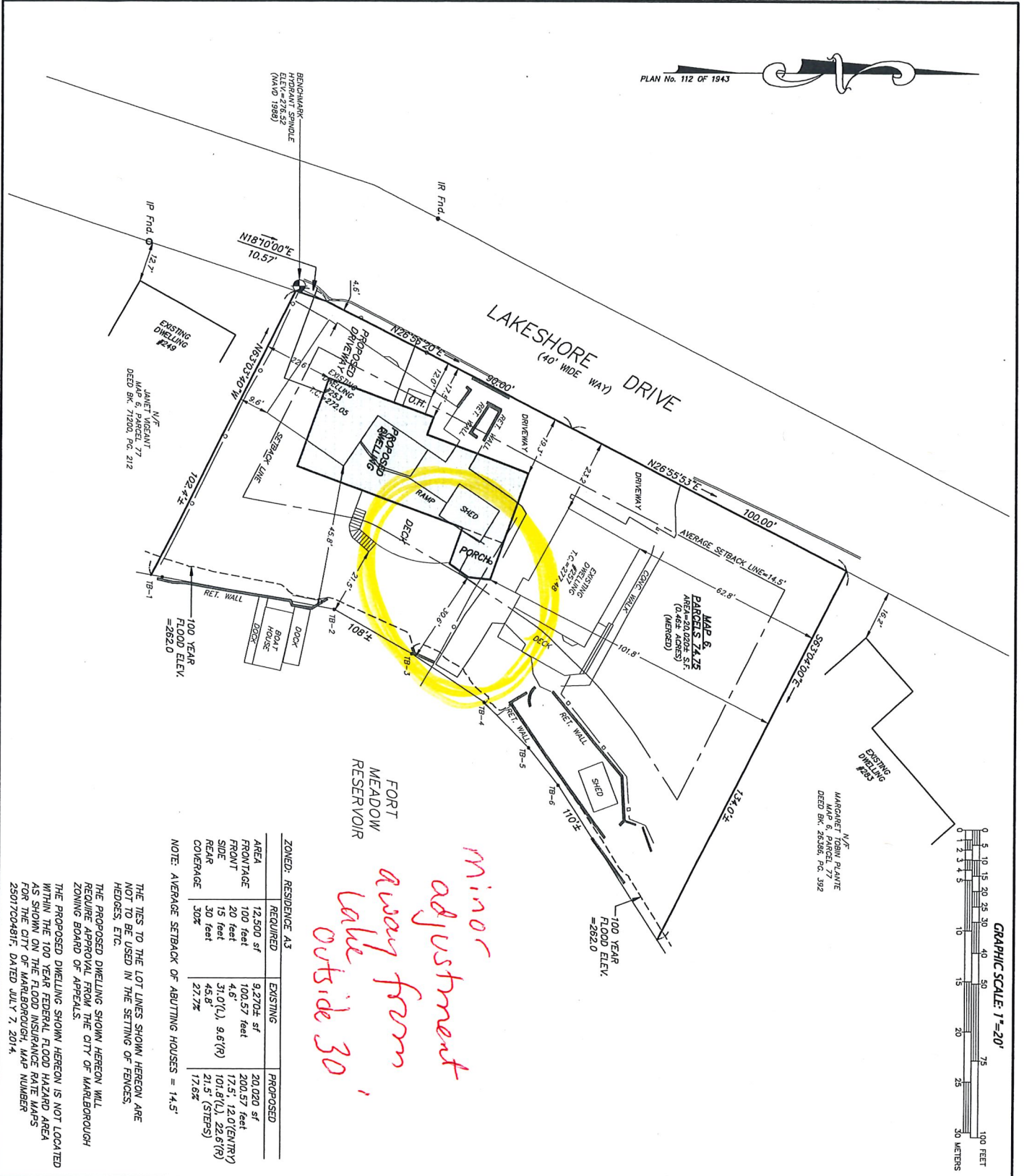
**REVISIONS:**  
 DRAWN BY: JHM  
 CHECKED BY: VC

**COMMISSIONER OF REGISTRATION**  
 18-0268

**ZONING:** RURAL RESIDENCE RR  
 AREA = 43,560 sq ft  
 PERMITS: 180 feet  
 SETBACKS: FRONT = 40 feet  
 REAR = 50 feet







*minor adjustment  
away from  
lake outside 30'*

ZONED: RESIDENCE A3

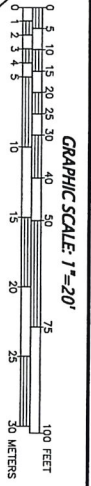
| AREA     | REQUIRED  | EXISTING          | PROPOSED               |
|----------|-----------|-------------------|------------------------|
| FRONTAGE | 12,500 sf | 9,270± sf         | 20,020 sf              |
| FRONT    | 100 feet  | 100.57 feet       | 121.51, 120.0 (CENTRY) |
| SIDE     | 15 feet   | 4.6'              | 101.8'(L), 22.6'(R)    |
| REAR     | 30 feet   | 31.0'(L), 9.6'(R) | 21.5' (STEPS)          |
| COVERAGE | 30%       | 27.7%             | 17.6%                  |

NOTE: AVERAGE SETBACK OF ABUTTING HOUSES = 14.5'

THE TIES TO THE LOT LINES SHOWN HEREON ARE NOT TO BE USED IN THE SETTING OF FENCES, HEDGES, ETC.

THE PROPOSED DWELLING SHOWN HEREON WILL REQUIRE APPROVAL FROM THE CITY OF MARLBOROUGH ZONING BOARD OF APPEALS.

THE PROPOSED DWELLING SHOWN HEREON IS NOT LOCATED WITHIN THE 100 YEAR FEDERAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF MARLBOROUGH, MAP NUMBER 25017C0481F, DATED JULY 7, 2014.



**GENERAL NOTES:**

- OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT CITY OF MARLBOROUGH ASSESSORS RECORDS.
- THIS PLAN IS BASED ON AN ON-THE-GROUND SURVEY BY CONNORSTONE ENGINEERING INC. PERFORMED IN AUGUST 2021. NOT DETERMINED BY THIS SURVEY.
- LEGAL STATUS OF EASEMENTS AND WAYS.
- WETLANDS SHOWN HEREON WERE FLAGGED ON THESE DATA ENVIRONMENTAL AND LOCATED BY CONNORSTONE ENGINEERING INC.
- DEED BOOK 74636, PG. 447 - #253, DEED BOOK 80817, PG. 555 - #257.
- EXISTING DWELLINGS #253 AND #257 ARE TO BE REMOVED.
- LOTS PER #253 AND #257 LAKESHORE DRIVE ARE 100' WIDE AND 100' DEEP AND MERGED. SEE PLAN No. 751 OF 2022.

ZONED: RESIDENCE A3  
 AREA = 12,500 sf  
 FRONTAGE = 100 feet  
 SETBACKS: FRONT = 20 feet  
 SIDE = 15 feet  
 REAR = 30 feet

**OWNERS:**  
 MICHAEL & CHRISTINE SMITH  
 253 & 257 LAKESHORE DRIVE  
 MARLBOROUGH, MA 01752

**CONNORSTONE ENGINEERING INC.**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 10 SOUTHWEST CUTOFF, SUITE 7  
 NORTHBOROUGH, MASSACHUSETTS 01532  
 PHONE: 508-393-9727 FAX: 508-393-5242

**PROPOSED PLOT PLAN**  
 OF  
 253, 257 LAKESHORE DRIVE  
 IN  
 MARLBOROUGH, MA

**DRAFT**

REVISIONS:  
 DRAWN BY: VHI  
 FIELD SURVEY: SMC, GMS  
 DATE: JAN. 5, 2023  
 SCALE: 1"=20'  
 SHEET 1 OF 1.

*Revised plan*

*212-1257*

