

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Public Services Committee

Date: October 30, 2018

Time: 6:30 PM (or Immediately following Conclusion of the Urban Affairs Committee Meeting)

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

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 OCT 26 A 11:02

1. 10-15-2018 – **Order No. 18-1007427:** Petition from Eversource Energy to install 775' of 6" IP plastic gas main as a system improvement on Stow Road from the intersection of Simpson Road to the intersection of Fitzgerald Road.
-Refer to Public Services
-Public Hearing: October 29, 2018
2. 10-15-2018 – **Order No. 18-1007426:** Communication from Goulston & Storrs regarding Request to Extend Sewer Connection Permit at Marlborough, 100 Campus Drive.
-Refer to Public Services

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

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.



City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT
IN CITY COUNCIL

Marlborough, Mass., OCTOBER 15, 2018

ORDERED:

That there being no objection thereto set **MONDAY, October 29, 2018** as date for a **PUBLIC HEARING** on the Petition from Eversource Energy to install 775' of 6" IP plastic gas main as a system improvement on Stow Road from the intersection of Simpson Road to the intersection of Fitzgerald Road, be and is herewith refer to **PUBLIC SERVICES COMMITTEE.**

ADOPTED

ORDER NO. 18-1007427

October 9, 2018

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 OCT -9 P 1:45

City Clerk
City Hall
140 Main Street
Marlborough, MA 01752

Marlborough City Council,

Please approve for Grant purposes the following plan:

To install 775' of 6" IP plastic gas main as a system improvement on Stow Rd. in Marlborough as follows.

Stow Rd. – from the intersection of Simpson RD to the intersection of Fitzgerald RD

Respectfully,

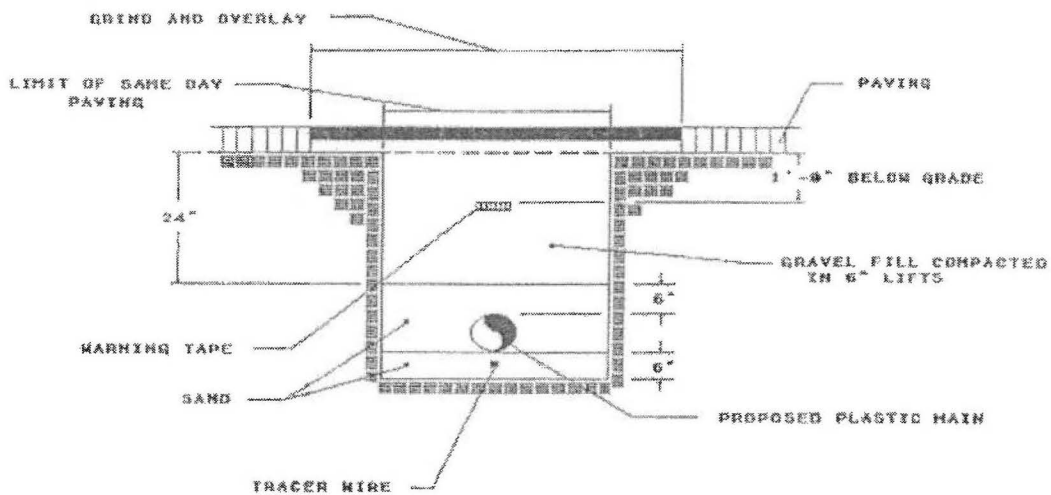
Steven Smith *JIM BIRNIE*
Manager Gas Construction
Eversource Energy
157 Cordaville Rd
Southborough, MA 01772
(508) 305-6962
Email: Steven.Smith@eversource.com



One NSTAR Way
Westwood, Massachusetts 02090

TYPICAL TRENCH DETAIL

NOT TO SCALE



Abutters Stow Rd from Simpson to Fitzgerald
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner's Name	Co_Owner's Name	Address	City	ST Zip	Parcel Location
20	37			OLIVEIRA FLAVIANO L	LYBIANE FERNANDES BRANDAO OLIVEIRA	196 MILES STANDISH DR	MARLBOROUGH	MA 01752	196 MILES STANDISH DR
20	3A			FIGUEIREDO WEBERTON TR	STOW ROAD REALTY TRUST	460 STOW RD	MARLBOROUGH	MA 01752	460 STOW RD
20	4A			MCCABE ROBERT L JR	COLLEEN M MCCABE	467 STOW RD	MARLBOROUGH	MA 01752	467 STOW RD
20	4B			FOLK J MICHAEL	ANN G FOLK	463 STOW RD	MARLBOROUGH	MA 01752	463 STOW RD
20	60			CHESNAIS PASCAL		450 STOW RD	MARLBOROUGH	MA 01752	450 STOW RD
20	61			KANE JOHN T TR	BARBARA A KANE TR	410 STOW RD	MARLBOROUGH	MA 01752	410 STOW RD
20	62			FUSCO MICHAEL C	MEGAN FUSCO	50 EVERGREEN LN	MARLBOROUGH	MA 01752	50 EVERGREEN LN
20	64			FILLMORE DEBORAH TR	FILLMORE LIVING TRUST	415 STOW RD	MARLBOROUGH	MA 01752	415 STOW RD
20	65			SEYMOUR JEANNETTE L	RICHARD M SEYMOUR	425 STOW RD	MARLBOROUGH	MA 01752	425 STOW RD
20	66			DILLING RAYMOND D	ANASTASIA I DILLING	441 STOW RD	MARLBOROUGH	MA 01752	441 STOW RD
20	82			MATTIOLI ROBERT E	MARY E MATTIOLI	424 SIMPSON RD	MARLBOROUGH	MA 01752	424 SIMPSON RD
20	137			POWELL MATTHEW D	WENDY B POWELL	492 STOW RD	MARLBOROUGH	MA 01752	492 STOW RD
20	63A			PARKER BRIAN A	CAROL PARKER	428 STOW RD	MARLBOROUGH	MA 01752	428 STOW RD
33	12			ARMSTRONG HONORA		371 STOW RD	MARLBOROUGH	MA 01752	371 STOW RD
33	13			REITZ ADAM J		19 FITZGERALD RD	MARLBOROUGH	MA 01752	19 FITZGERALD RD
33	24			VANZANDT RICHARD LEE		16 FITZGERALD RD	MARLBOROUGH	MA 01752	16 FITZGERALD RD
33	25			GAROFALO STEPHEN J TR	ELIZABETH T GAROFALO SMC REALTY TRU	159 SHAWMUT AVE	MARLBOROUGH	MA 01752	389 STOW RD
33	27			ENOS KERRY L		394 STOW RD	MARLBOROUGH	MA 01752	394 STOW RD
33	30			SCHMIDT WILLIAM G	DEBORAH A SCHMIDT	397 STOW RD	MARLBOROUGH	MA 01752	397 STOW RD
33	123			CHILDS MICHAEL D	FRANCES COUTINHO	32 EVERGREEN LN	MARLBOROUGH	MA 01752	32 EVERGREEN LN

MARLBOROUGH ASSESSORS

Anthony C. Amos
William K. Silvers
David M. May

20
OLIVEIRA FLAVIANO L
LYBLANE FERNANDES BRANDAO OLIVEI
196 MILES STANDISH DR
MARLBOROUGH, MA 01752

20
FIGUEIREDO WEBERTON TR
STOW ROAD REALTY TRUST
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CHILDS MICHAEL D
FRANCES COUTINHO
32 EVERGREEN LN
MARLBOROUGH, MA 01752

26
IN CITY COUNCIL



Marlborough, Mass., _____ OCTOBER 15, 2018

ORDERED:

That the Communication from Goulston&Storrs re: Request to Extend Sewer Connection Permit at Marlborough, 100 Campus Drive, be and is herewith refer to **PUBLIC SERVICES COMMITTEE.**

MAIL ROOM OVERNIGHT DELIVERY

Councilor Edward Clancy, President
City of Marlborough
City Council
100 Main Street
Marlborough, MA 01757

ADOPTED

Re: Request to Extend Sewer Connection Permit for the Campus at Marlborough - 100 Campus Drive, Marlborough, Massachusetts.

Dear President Clancy:

On behalf of Hines Global REIT Marlborough Campus I LLC (the "Applicant") and in connection with proposed development of Phase Two of the Campus at Marlborough (the "Campus"), we are pleased to submit this request to the Marlborough City Council (the "Council") for extension of an existing Sewer Connection Permit. Approval of this request will enable the Applicant to continue its efforts to develop the Campus and attract new business to the City of Marlborough.

The first phase of the Campus was constructed in the 1990s and consists of four buildings containing approximately 1,100,000 square feet of commercial office space inclusive of approximately 37,000 square feet of parking, including a full-service cafeteria, a fitness center and a conference center with a high-end architecture, along with approximately 1,400 parking spaces. On December 19, 2005, the Council granted a Sewer Connection Permit, which was renewed by the City Council until December 2, 2015 (as so provided, the "Existing Sewer Permit"). The Existing Sewer Permit, together with a Site Plan Permit (the "Site Plan Permit") issued by the Marlborough Site Plan Review Committee on November 22, 2005, allowed for development of the Campus's second phase, which is planned to include 2.5 million square feet of office space, 1,500,000 square feet of parking space, and 2,500 new residential and commercial parking spaces. At the time, the Applicant proposed no changes to the development plan for Phase Two. All of the construction plans will be updated to ensure compliance with certain Massachusetts state and federal regulations.

ORDE RNO. 18-1007426

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 OCT -5 P 3:09

goulston&storrs
counsellors at law

Brian W. Dugdale
bdugdale@goulstonstorrs.com
617-574-6532 Tel

October 5, 2018

EMAIL AND OVERNIGHT DELIVERY

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

**Re: Request to Extend Sewer Connection Permit for the Campus at
Marlborough – 100 Campus Drive, Marlborough, Massachusetts**

Dear President Clancy:

On behalf of Hines Global REIT Marlborough Campus I LLC (the “**Applicant**”) and in connection with proposed development of Phase Two of the Campus at Marlborough (the “**Campus**”), we are pleased to submit this request to the Marlborough City Council (the “**Council**”) for extension of an existing Sewer Connection Permit. Approval of this request will enable the Applicant to continue its efforts to develop the Campus and attract new business to the City of Marlborough.

The first phase of the Campus was constructed in the 1990s and consists of four buildings containing approximately 532,000 square feet of commercial office space inclusive of approximately 57,000 square feet of amenities, including a full-service cafeteria, a fitness center and a conference center with a 300-seat auditorium, along with approximately 1,494 parking spaces. On December 19, 2005, the Council granted a Sewer Connection Permit, which was extended by the City Council until December 2, 2018 (as so extended, the “**Existing Sewer Permit**”). The Existing Sewer Permit, together with a Site Plan Permit (the “**Site Plan Permit**”) granted by the Marlborough Site Plan Review Committee on November 22, 2005, allowed for development of the Campus’s second phase, which is planned to include five (5) new buildings containing approximately 650,000 square feet of office space, and 2,528 net new surface and structured parking spaces. At this time, the Applicant proposes no changes to the development plans for Phase Two, except all final construction plans will be updated to ensure compliance with current stormwater rules and regulations.

Over the past several weeks, the Applicant has worked with City staff to extend the Site Plan Permit and the Existing Sewer Permit to facilitate development of Phase Two at the Campus. Based on discussions between the Applicant and City staff, we have requested that the Site Plan Review Committee vote to extend the Site Plan Permit for two years, until December 2, 2020. On October 5, 2018, the City's Department of Public Works confirmed that sewer capacity for the project still remains. Therefore, we respectfully request an additional extension of the Permit through December 2, 2020, to facilitate marketing efforts and advance to construction of Phase 2.

We have enclosed the 2005 Sewer Connection Permit, together with the most recent extension. Upon your review and confirmation that this request is complete and otherwise in order, we would appreciate your assistance in coordinating with the Council.

Thank you.

Very truly yours,



Brian W. Duggale, as Attorney for the Applicant

Enclosures:

Existing Sewer Connection Permit
2016 Extension of Sewer Connection Permit

cc: Mayor Arthur Vigeant
City Council, c/o Karen Boule, Council Secretary
Priscilla Ryder, Conservation Officer
John Ghiloni, Commissioner, DPW
Michele Mochnoc Higgins, Assistant Commissioner, DPW
Thomas DiPersio, City Engineer, DPW
Michael Francis, Hines
Greg Brown, Hines
Peter Tamm, Goulston & Storrs



IN CITY COUNCIL

Marlborough, Mass., ~~DECEMBER 19, 2005~~ 20

ORDERED:

Marlborough Campus Limited Partnership (Applicant)

In accordance with the provisions of the Code of the City of Marlborough Chapter 161 section 161-4, the City Council grants a sewer connection permit to the Applicant its successors and assigns for use at The Campus at Marlborough Phase II Assessors Map 111 parcel 1 under the following terms and conditions:

That the application of Marlborough Campus Limited Partnership, 100 Campus Drive for a Sewer Connection Permit be and is herewith APPROVED with the following conditions

A. Permit Gallons Per Day: Fifty Thousand Two Hundred Thirty Two (50,232 GPD) Gallons Per Day.

B. Conditions: 1. Permit Period: The Permit Period is for sixty months from date of City Council approval.

2. Permit Period Extension: Upon issuance of the first building permit, the Permit Period will be extended for an additional period of two years;

3. Right to Recapture:

a. After two years and for the balance of the permit period as may be extended, the City may recapture up to, but no more than, twenty thousand (20,000 GPD) gallons per day to be transferred to actual users.

b. The recapture will be incremental, meaning, if a user only needs 10,000 GPD, that amount will be recaptured leaving the balance of the recapture amount of 10,000 GPD for the applicant or for another identified user any time after the end of the said first two years.

c. As a condition of the recapture, the Applicant will be reimbursed its original actual mitigation cost for the specific number of gallons recaptured. That cost to be paid for by the new user through the City of Marlborough.

4. The Permit with conditions runs with the land.



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 19, 2005 20

ORDERED:

5. In the event the Applicant has not used all of the permitted gallons at the end of the permit period or the extended permit period and the gallons have not been recaptured under provisions of paragraph 3. above, the permit period will end and the City of Marlborough will reimburse the Applicant for any unused sewer capacity remaining in the permit at the rate of eight (\$8.00) dollars per gallon.
6. Although the Applicant has committed to performing work identified in the Westerly Wastewater Treatment Plant Sewer System Evaluation Survey performed by Camp Dresser & McKee Inc. (CDM) in 2004, it proposes to pay the City at the rate of eight (\$8.00 pg) dollars per gallon and for the City to assume the obligation of having the work performed. The total payment would be four hundred one thousand eight hundred fifty-six (\$401,856.00) dollars. Payment would be made upon the perfection of the permit by vote of the City Council and final approval by DEP.
7. In all other respects the Applicant shall comply with the provisions of the City of Marlborough Interim Sewer Connection Policy for the Westerly Wastewater Treatment Plant.

ADOPTED

In City Council

Order No. 05-100959A

A TRUE COPY

ATTEST:

Jo Ann E. Bayoude
City Clerk-

(1)

16-100

ORDER

No. 6705A

Request to extend term
limits on Sewer Connection
Permit for the Campus
at Marlborough, 100 Campus Dr.

Approved

In City Council

November 28, 2016

Adopted

Attest:

Jan M. Hooper

Clerk.

Approved

Arthur Vignone

Mayor.

MAYOR'S OFFICE
RECEIVED ^{TJB}
DATE 11-30-16

DR



IN CITY COUNCIL

NOVEMBER 28, 2016

Marlborough, Mass.,

ORDERED:

That the Communication from Attorney Twohig, on behalf of Hines Global REIT Marlborough Campus I LLC, to extend sewer connection permit for Campus at Marlborough, 100 Campus Drive to December 2, 2018, be and is herewith **APPROVED**.

ADOPTED
In City Council
Order No. 16-1006705A

Approved by Mayor
Arthur G. Vigeant
Date: December 1, 2016

TRUE COPY
ATTEST:


City Clerk