

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: April 10, 2018

Time: 5:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR -6 A 9:35

01-22-2018 – **Order No. 18-1007160**: That Mayor Vigeant, DPW Commissioner Ghiloni, and Assistant DPW Commissioner Higgins address the Urban Affairs Committee regarding the closing of the Millham Water Treatment Plant last year, including the present status of the facility, associated financial impacts, and future plans for the site.

-REFER TO URBAN AFFAIRS COMMITTEE

03-19-2018 – **Order No. 18-1007209**: Communication from the Mayor regarding the City of Marlborough's Water Infrastructure.

-REFER TO URBAN AFFAIRS COMMITTEE

03-05-2018 – **Order No. 18-1007199**: Application for Special Permit from New England Hydroponics, to use an existing property for retail sales of gardening supplies, 19 Brigham Street, Unit 6.

-REFER TO URBAN AFFAIRS COMMITTEE

-PUBLIC HEARING: APRIL 2, 2018

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.



IN CITY COUNCIL

Marlborough, Mass., _____ JANUARY 22, 2018

ORDERED:

That the Mayor Vigeant, DPW Commissioner Ghiloni, and Assistant DPW Commissioner Higgins address the Urban Affairs Committee regarding the closing of the Millham Water Treatment Plant last year, including the present status of the facility, associated financial impacts, and future plans for the site, be and is herewith refer to **URBAN AFFAIRS COMMITTEE.**

Councilor Oram opposed.

ADOPTED

ORDER NO. 18-1007160

13

Steven Kerrigan

From: City Council
Sent: Thursday, January 18, 2018 11:24 AM
To: Lisa Thomas
Cc: Steven Kerrigan; Sara Corbin
Subject: For January 22, 2018 Agenda: Order re Millham Treatment Plant from Councilor Delano

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN 18 A 11:27

Ordered: That Mayor Vigeant, DPW Commissioner Ghiloni, and Assistant DPW Commissioner Higgins address the Urban Affairs Committee regarding the closing of the Millham Water Treatment Plant last year, including the present status of the facility, associated financial impacts, and future plans for the site.

Submitted by Councilor Delano
For Agenda: January 22, 2018

VA



IN CITY COUNCIL

Marlborough, Mass., _____ MARCH 19, 2018

ORDERED:

That the Communication from the Mayor re: City's Water Infrastructure be and is herewith refer to **URBAN AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 18-1007209



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2018 MAR 15 A 11:11

140 Main Street
Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

7

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

March 15, 2018

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

V/A

Re: City of Marlborough Water Infrastructure

Honorable President Clancy and Councilors:

Per your request, DPW Commissioner John Ghiloni and I are available to provide the City Council an overview of Marlborough's water infrastructure. We are prepared to present information about the progress we have made in recent years and challenges that we will face in the coming years.

Please let us know when it is convenient for you. In the meantime, please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor



IN CITY COUNCIL

Marlborough, Mass., MARCH 5, 2018

ORDERED:

That there being no objection thereto set **MONDAY, APRIL 2, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from New England Hydroponics, to use an existing property for retail sales of gardening supplies, 19 Brigham Street, Unit 6, be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

Ninety days after public hearing is 07/01/18 which falls on a Sunday, therefore 07/02/18 would be considered the 90th day.

ADOPTED

ORDER NO. 18-1007199

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. _____

Application of:

NEH Inc., d/b/a New England Hydroponics
Ethan Holmes
7 Catie Dr.
Westborough, MA 01581

Locus:
19 Brigham Street, Unit 6
Marlborough, MA 01752
Map 104, Parcel 2A

DECISION

The City Council of the City of Marlborough votes to **GRANT** a Special Permit to NEH INC., d/b/a New England Hydroponics (hereinafter “Applicant Tenant”), for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto at 19 Brigham Street, Unit 6, Marlborough, MA based on the Findings of Facts and Conditions attached hereto.

Decision filed: _____

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the ___ day of April, 2018.

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, MA.

ATTEST:

City Clerk

DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. ----- _____

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to NEH INC., d/b/a New England Hydroponics (hereinafter “Applicant Tenant”), as provided in this Decision and subject to the following Findings of Facts and Conditions:

FINDINGS OF FACTS AND CONDITIONS

1. The landlord is Ivy Brigham Property, LLC, a limited liability company organized under the laws of Delaware with its principal place of business located c/o Ivy Realty, 102 Chestnut Ridge Road, Suite 204, Montvale, New Jersey 07645. Applicant Tenant is a duly organized and existing Massachusetts Corporation with its principal place of business at 855 Worcester Road, Framingham, Massachusetts 01701 and has duly filed its Articles of Incorporation with the City Clerk of the City of Marlborough to operate his business at the subject location.

2. The landlord is the title owner of the property located at 19 Brigham Street (the “Site”). The landlord and Applicant Tenant have executed or will execute a lease regarding Unit 6 at the Site, and its use pursuant to the terms of this special permit regarding Unit 6 at the Site.

3. The Applicant Tenant seeks permission to utilize Unit 6 at the Site as a commercial establishment for selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto.

4. The Applicant Tenant, on February 28, 2018, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of § 650-17 and pursuant to the procedures specified in § 650-59 of the Marlborough Zoning Ordinance (the “Application”).

5. The Site contains an existing commercial building. Unit 6 is shown in that building on plans submitted with the Application, the first said plan entitled “Site Plan,” and the second plan being a floor plan entitled “19 Brigham St. Unit # 6” (collectively, the “Plans”). No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.

6. The Applicant Tenant seeks a special permit allowing for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto.

7. The Plans have been certified by the Building Inspector, acting on behalf of the City Planner, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.

8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the

City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.

9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on April 2, 2018, concerning the Application. The hearing was opened and closed at that meeting.

10. The Applicant presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.

11. At the public hearing, Ethan Holmes, who will be managing the operation of the business and is the Applicant Tenant, described the proposed business as being a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto. In response to questions from city councilors, he indicated that:

a) the facility would be open to the general public as a retail operation.

12. No member of the public spoke, either in favor or in opposition to the proposal.

13. Following the public hearing, the Urban Affairs Committee held a meeting on April ____ 2018 during which this Application was discussed.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

A. The City Council finds that the Applicant Tenant has complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the Special Permit.

B. The use of Unit 6 for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto is an appropriate use of the Unit 6-portion of the Site and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.

C. The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, **GRANTS** the Applicant Tenant, its successors and assigns, a Special Permit to operate for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto as per plans filed with the City Council and the City Clerk, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall be applicable to Applicant Tenant's successors and assigns, and a violation of which shall be a violation of this Special Permit:

1. Signage: Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.

2. Parking: No on-street parking shall be permitted on Brigham Street or any other abutting side street or public way.

3. Limits of Use: The proposed use of the premises is for use as a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto.

4. Certificate of Occupancy Required: No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Inspector regarding the change of use of the premises.

5. No Expansion of Use Area or Change in Area Configuration: Only the area of Unit 6, containing approximately 6,000 sq. ft., which has been specified in the Plans attached hereto, will be used for the proposed use. To the extent that a substantial increase in, or a change in the configuration of, the area used for this use is desired, the Building Inspector shall determine whether such increase or change constitutes a substantial change of the permitted use, and if so, no such area increase or configuration change shall be permitted unless and until this special permit has been modified by the City Council.

6. Recordation: In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant Tenant shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal hearing being filed. The Applicant Tenant shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

APPROVE

Yea: ___ Nay: ___

Yea:

ADOPTED _____

In City Council

Order No. _____

Adopted: _____

City Council President

A TRUE COPY

ATTEST:

City Clerk



February 27, 2018

To: Lisa M. Thomas, City Clerk
City of Marlborough, Massachusetts
City Clerk Department
140 Main St.
Marlborough, MA 01752

**Re: Special Permit Application
NEH Inc.
New England Hydroponics Retail Store**

I hereby apply for a Special Permit to use an existing Industrial zoned property for retail sales and services. The proposed store will be located in a leased space at 19 Brigham St. Unit 6. I currently operate three New England Hydroponics retail stores in Massachusetts that sell gardening supplies to the public. I would like to move our current Framingham location to the site in Marlborough as I believe it will be a better fit for our business. The space at 19 Brigham St. was formerly occupied by Jump In With Us which was open to the public. I believe this space will be an excellent fit for New England Hydroponics due to its open space, good accessibility for truck deliveries and close proximity to major routes. Thank you for your consideration.

Respectfully submitted,

Ethan Holmes

President – NEH Inc.

**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:

ETHAN HOLMES 7 CATIE DR. WESTBOROUGH, MA 01581 D/B/A NEH INC.

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

19 BRIGHAM ST. PARCEL 104-2A

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

IVY BRIGHAM PROPERTY LLC, 102 CHESTNUT RIDGE RD. STE 204, MONTVALE, NJ 07645

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

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

Article VIII Section 650 Paragraph 59 Sub-paragraph A1

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

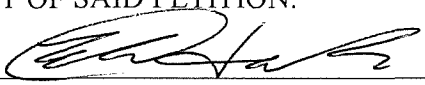
INDUSTRIAL (I)

7. Specific reason(s) for seeking Special Permit

TO OPERATE A RETAIL STORE SELLING GARDENING SUPPLIES
NEH, INC UNDER THE NAME NEW ENGLAND HYDROPONICS LOCATED WITHIN AN
INDUSTRIAL DISTRICT WHERE RETAIL SALES AND SERVICES
MAY ONLY BE ALLOWED THROUGH SPECIAL PERMIT.

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

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



Signature of Petitioner or Applicant

Address: 7 CATIE DR.
WESTBOROUGH, MA 01581

Telephone No. 413 - 559 - 7635

Date: 2/15/2018

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

ETHAN HOLMES D/B/A NEH INC

(Name of Petitioner)

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

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



400 foot Abutters List Report

Marlborough, MA

February 12, 2018

Anahong C. Amador
Allen K. Silverstein
David May De

Subject Property:

Parcel Number: 104-2A
 CAMA Number: 104-2A
 Property Address: 19 BRIGHAM ST

Mailing Address: IVY BRIGHAM RPROPERTY LLC
 102 CHESTNUT RIDGE RD STE 204
 MONTVALE, NJ 07645

Abutters:

Parcel Number: 104-2
 CAMA Number: 104-2
 Property Address: 41-53 BRIGHAM ST

Mailing Address: IVY BRIGHAM PROPERTY LLC
 102 CHESTNUT RIDGE RD STE 204
 MONTVALE, NJ 07645

Parcel Number: 104-24
 CAMA Number: 104-24
 Property Address: 82 BRIGHAM ST

Mailing Address: EMPLOYMENT OPTIONS INC
 82 BRIGHAM ST
 MARLBOROUGH, MA 01752

Parcel Number: 104-25
 CAMA Number: 104-25
 Property Address: 56-66 BRIGHAM ST

Mailing Address: 56-60 BRIGHAM STREET REALTY LLC
 322 DAVIS ST
 NORTHBOROUGH, MA 01532

Parcel Number: 104-26
 CAMA Number: 104-26
 Property Address: 50 BRIGHAM ST

Mailing Address: PEARLSTEIN ALDEN TR
 232 PINE RANCH TRAIL
 OSPREY, FL 34229

Parcel Number: 104-26A
 CAMA Number: 104-26A
 Property Address: BRIGHAM ST

Mailing Address: PEARLSTEIN ALDEN TR
 232 PINE RANCH TRAIL
 OSPREY, FL 34229

Parcel Number: 104-27
 CAMA Number: 104-27
 Property Address: 38 BRIGHAM ST

Mailing Address: KI NEMA REALTY LLC
 38 BRIGHAM ST
 MARLBOROUGH, MA 01752

Parcel Number: 104-29
 CAMA Number: 104-29
 Property Address: 20 BRIGHAM ST

Mailing Address: VIGEANT STEPHEN TR
 PO BOX 57
 MARLBOROUGH, MA 01752

Parcel Number: 104-29A
 CAMA Number: 104-29A
 Property Address: MILL ST SOUTH

Mailing Address: VIGEANT STEPHEN TR
 PO BOX 57
 MARLBOROUGH, MA 01752

Parcel Number: 104-2C
 CAMA Number: 104-2C
 Property Address: 61 BRIGHAM ST

Mailing Address: MARLBOROUGH BRIGHAM LLC
 100 NORTH ST ATTN SUPERIOR
 PRINTING INK
 TETERBORO, NJ 07608

Parcel Number: 104-3
 CAMA Number: 104-3
 Property Address: 57 BRIGHAM ST

Mailing Address: KENNEY ISABEL D LI EST
 57 BRIGHAM ST
 MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA

February 12, 2018

Parcel Number: 104-30
CAMA Number: 104-30
Property Address: 181 MILL ST SOUTH

Mailing Address: SUNSET ROCK LLC
1471 METHUEN ST
DRACUT, MA 01826

Parcel Number: 104-39
CAMA Number: 104-39
Property Address: 168 MILL ST SOUTH

Mailing Address: MERCURI-IPPOLITO GINA
168 MILL ST SOUTH
MARLBOROUGH, MA 01752

Parcel Number: 104-3A
CAMA Number: 104-3A
Property Address: 65 BRIGHAM ST

Mailing Address: BUSA JOSEPH D
65 BRIGHAM ST
MARLBOROUGH, MA 01752

Parcel Number: 104-40
CAMA Number: 104-40
Property Address: 150 MILL ST SOUTH

Mailing Address: ARCIERI ROBERT TR
75 EAST MAIN ST
WESTBOROUGH, MA 01581

Parcel Number: 104-41
CAMA Number: 104-41
Property Address: 148 MILL ST SOUTH

Mailing Address: ARCIERI ROBERT TR
75 EAST MAIN ST
WESTBOROUGH, MA 01581

Parcel Number: 104-42
CAMA Number: 104-42
Property Address: 417 MAPLE ST

Mailing Address: A & S DEVELOPMENT LLC
186 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 104-42A
CAMA Number: 104-42A
Property Address: 433 MAPLE ST

Mailing Address: ARCIERI ROBERT TR
75 EAST MAIN ST
WESTBOROUGH, MA 01581

Parcel Number: 104-43
CAMA Number: 104-43
Property Address: 115 MILL ST SOUTH

Mailing Address: ELMS AUBREY E
1 BRIGHAM ST
MARLBOROUGH, MA 01752

Parcel Number: 104-48
CAMA Number: 104-48
Property Address: 1 BRIGHAM ST

Mailing Address: ELMS AUBREY E
1 BRIGHAM ST
MARLBOROUGH, MA 01752

Parcel Number: 104-49
CAMA Number: 104-49
Property Address: MILL ST CENTRAL

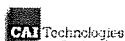
Mailing Address: SLAAM LLC
15 FORBES AVE
MARLBOROUGH, MA 01752

Parcel Number: 104-50
CAMA Number: 104-50
Property Address: 87 MILL ST CENTRAL

Mailing Address: SLAAM LLC
15 FORBES AVE
MARLBOROUGH, MA 01752

Parcel Number: 104-51
CAMA Number: 104-51
Property Address: 109 MILL ST SOUTH

Mailing Address: B & B WHOLESALE TIRE CO
109 MILL ST SOUTH
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA
February 12, 2018

Parcel Number: 104-52
CAMA Number: 104-52
Property Address: MILL ST SOUTH

Mailing Address: B & B WHOLESALE TIRE CO
109 MILL ST SOUTH
MARLBOROUGH, MA 01752

Parcel Number: 104-53
CAMA Number: 104-53
Property Address: 415 MAPLE ST

Mailing Address: VIGEANT JOAN M TR
3 LAUREL ST
PAXTON, MA 01612

Parcel Number: 93-14
CAMA Number: 93-14
Property Address: 413-417 SOUTH ST

Mailing Address: MARLBOROUGH SOUTH 417 CPI LLC
43 BROAD ST
HUDSON, MA 01749

Parcel Number: 93-15
CAMA Number: 93-15
Property Address: 35 MILL ST CENTRAL

Mailing Address: FLORIO JAMES D TR
63 SHERBURN CIR
WESTON, MA 02493

Parcel Number: 93-15A
CAMA Number: 93-15A
Property Address: MILL ST CENTRAL

Mailing Address: MARLBOROUGH SOUTH 417 CPI LLC
43 BROAD ST
HUDSON, MA 01749

Parcel Number: 93-48
CAMA Number: 93-48
Property Address: 83 MILL ST CENTRAL

Mailing Address: SKB DEVELOPMENT LLC
103 MECHANIC ST UNIT E2
MARLBOROUGH, MA 01752

Parcel Number: 93-49
CAMA Number: 93-49
Property Address: MAPLE ST

Mailing Address: COMMONWEALTH OF MASSACHUSETTS
10 PARK PLAZA STE 4160
BOSTON, MA 02116

Parcel Number: 93-50
CAMA Number: 93-50
Property Address: 413 MAPLE ST

Mailing Address: COMMONWEALTH OF MASSACHUSETTS
10 PARK PLAZA STE 4160
BOSTON, MA 02116

Parcel Number: 93-66A
CAMA Number: 93-66A
Property Address: 412 MAPLE ST

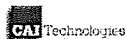
Mailing Address: NOLAN CASSIDY MAPLE STREET LLC
24 ANNIE MOORE RD
BOLTON, MA 01740

Parcel Number: 93-67A
CAMA Number: 93-67A
Property Address: 420 MAPLE ST

Mailing Address: MARLBOROUGH MAPLE REAL ESTATE TR
PO BOX 95 ATTN CREATIVE DEVELOPMENT
NEWTON UPPER FALLS, MA 02464

Parcel Number: 93-68
CAMA Number: 93-68
Property Address: 418 MAPLE ST

Mailing Address: NOLAN CASSIDY MAPLE STREET LLC
24 ANNIE MOORE RD
BOLTON, MA 01740



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2/12/2018

Page 3 of 3

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: ETHAN HOLMES Address: 7 CATIE DR. WESTBOROUGH, MA 01581

Project Name: NEW ENGLAND HYDROPONICS Address: 19 BRIGHAM ST. UNIT 6 MARLBOROUGH, MA 01752

1. PROPOSED USE: (describe) RETAIL SALES OF GARDENING SUPPLIES

2. EXPANSION OR NEW: EXISTING BUILDING, NEW USE
3. SIZE: floor area sq. ft. 6,000 1st floor _____ all floors _____
buildings _____ # stories _____ lot area (s.f.) _____
4. LOT COVERAGE: _____ % Landscaped area: _____ %
5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: 4 Peak period: 12
6. TRAFFIC:
(A) Number of vehicles parked on site:
During regular hours: 3 Peak period: 8
(B) How many service vehicles will service the development and on what schedule?
N/A

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? VERY LITTLE LIGHT WILL LEAVE THE BUILDING.
EXTERIOR SIGNAGE AND WINDOWS ON THE FRONT MAY RELEASE A LITTLE LIGHT.

8. NOISE:
(A) Compare the noise levels of the proposed development to those that exist in the area now.
SIMILAR OR LESS TO SURROUNDING BUILDINGS
(B) Describe any major sources of noise generation in the proposed development and include their usual times of operation. ONLY SOURCE WILL BE TRUCKS AND CARS FROM DELIVERIES AND CUSTOMERS. WILL BE DURING RETAIL HOURS 10AM TO 6PM

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: 2/22/2018

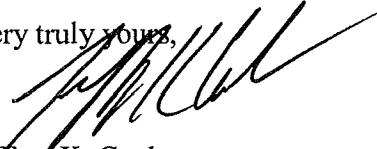
**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: NEW ENGLAND HYDROPONICS
Project Use Summary: RETAIL SALES
Project Street Address: 19 BRIGHAM STREET, UNIT 6
Plate: _____ Parcel: 104 - 2A
Applicant/Developer Name: ETHAN HOLMES
Plan Date: ~~NO PLANS SUBMITTED~~ Revision Date: _____

Dear President and Members:

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

Very truly yours,


Jeffrey K. Cooke
Building Commissioner

**Application Fee to submit to
City Clerk's office**

\$250 -

**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.

- 1 SET POLICE CHIEF _____
- 1 SET FIRE CHIEF _____
- 1 SET CITY ENGINEER _____
- 1 SET DIRECTOR OF PLANNING _____
- 1 SET CONSERVATION OFFICER (IF WETLANDS AFFECTED) _____
- 1 SET BUILDING COMMISSIONER _____
- 12 SETS OFFICE OF THE CITY COUNCIL _____
- 3 SETS OFFICE OF THE CITY CLERK _____ (**MUST be Original** & 2 Complete Sets)

Signature

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

NEH INC.

Owner Name/Officer Name of LLC or Corporation

ETHAN HOLMES

Owner/Officer Complete Address and Telephone Number

7 CATIE DR. WESTBOROUGH, MA 01581 413-559-7635

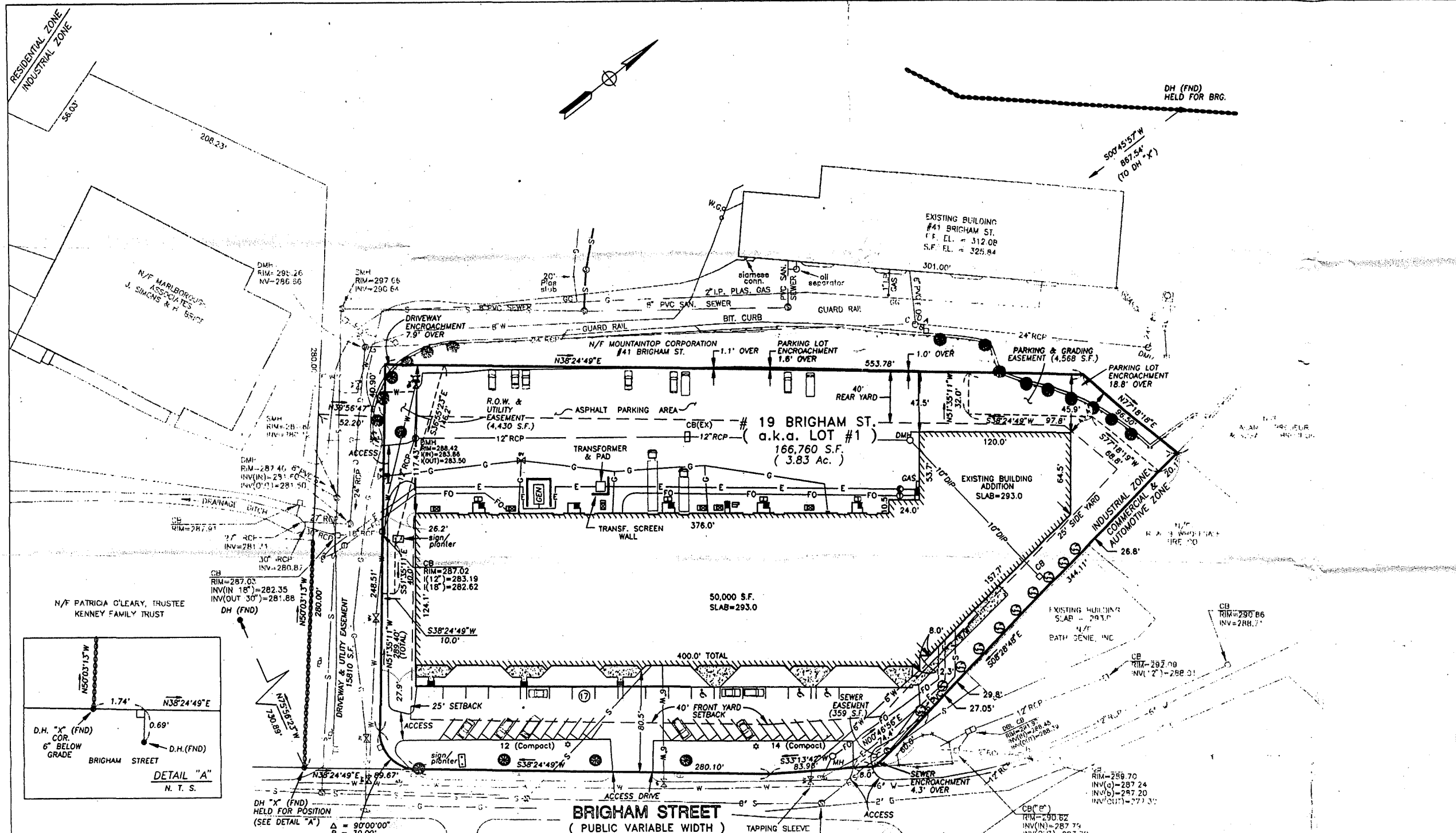
Signature of Applicant

Attorney on behalf of Applicant, if applicable

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

Eileen Bristol

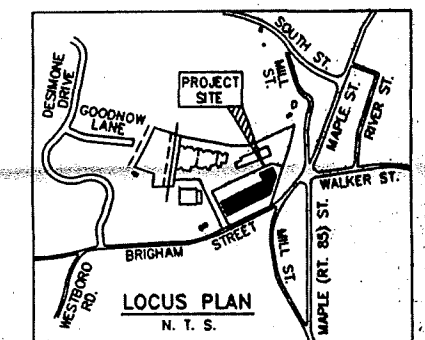
Tax Collector



PROPERTY BOUNDARY DESCRIPTION

Beginning at the south east corner of this subject lot, said point located at the north side of Brigham Street and the property corner of Bath Genie Inc. land, thence
 S 33 13 42 W along Brigham Street, 83.98 feet to a point, thence
 S 38 24 49 W along Brigham Street, 280.10 feet to a point of land of Mountaintop Corporation, thence
 Clockwise along said Mountaintop Corporation land, an arc distance of 47.12 feet along a circular curve with a radius of 30.00 feet to a point of tangency, thence
 N 51 35 11 W along said Mountaintop Corporation land, 289.40 feet to a point, thence
 N 38 24 49 E along said Mountaintop Corporation land, 533.78 feet to a point, thence
 N 77 18 18 E along said Mountaintop Corporation land, 96.50 to land of Alan & Susan Brodeur said point also being the property corner of land of B & B Wholesale Tire Co., Inc., thence
 S 08 28 48 E along said B & B Wholesale Tire Co., Inc. land and land of Bath Genie Inc., 344.11 feet to the point of beginning of Brigham Street.

Containing 166,760 S.F. (3.83 Ac.) as shown on a plan entitled "Plan of Land in Marlborough, MA" prepared by Highland Land Surveyors, Inc. 69 Maple St., Marlborough, MA 01752, dated June 13, 1984. Scale: 1" = 40'.

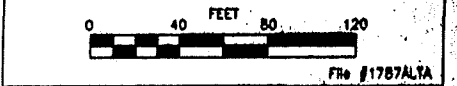


ALTA/ACSM LAND TITLE SURVEY
#19 BRIGHAM STREET MARLBOROUGH, MA

PREPARED FOR & OWNED BY:
 FOOTHILLS CORPORATION
 38 BRIGHAM STREET
 MARLBOROUGH, MA 01752

PREPARED BY:
 BRUCE SALUK & ASSOC., INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 576 BOSTON POST ROAD
 MARLBOROUGH, MA 01752

DATE: MAY 29, 1998
 REV. 6-17-98
 REV. 6-22-98
 SCALE: 1" = 40'



- NOTES:**
- THIS PARCEL IS LOCATED WITHIN THE INDUSTRIAL ZONE AS SHOWN ON THE CITY ZONING MAPS AND THE PLAN, AND IS SHOWN AS ASSESSORS PARCEL #2A/MAP 104. THE CURRENT RECORD OWNER IS FOOTHILLS CORPORATION, 38 BRIGHAM STREET, UNIT 20, MARLBOROUGH, MA 01752.
 - THIS SITE DOES NOT FALL WITHIN THE FEMA ZONE "A" AS SHOWN OF COMMUNITY PANEL #250203 0018B, DATED JANUARY 6, 1982, NOR IS IT LOCATED IN THE WETLAND PROTECTION DISTRICT. THIS PARCEL FALLS IN ZONE "C" ON SAID MAP.
 - THERE ARE NO WELLS WITHIN 100 FT. OF THIS SITE.

ITEM	REQUIRED	EXISTING
(MIN.) LOT AREA	43,560 S.F.	166,763 S.F.
FRONTAGE	50 FT.	364.08 FT.
SIDE YARD	25 FT.	26.8'
FRONT YARD	40 FT.	87 ft ±
REAR YARD	40 FT.	41.4 ft.

- THIS PARCEL IS LOCATED WITHIN THE INDUSTRIAL ZONE, AS SHOWN, AND IS SHOWN AS ASSESSORS PARCEL #2A/MAP 104.
- THIS PARCEL AND BUILDING LOCATION CONFORMS TO THE CITY OF MARLBOROUGH ZONING REQUIREMENTS FOR SETBACKS AND MINIMUM LOT AREA.
- THE ELECTRICAL AND COMMUNICATIONS EASEMENT REFERENCED IN BOOK 26246, PAGE 111 IS UNPLOTTABLE.
- SUBSURFACE UTILITY LOCATIONS SHOWN ON THIS PLAN WERE PARTLY TAKEN FROM CONTRACTOR LOCATIONS AND SHOULD NOT BE USED FOR EXCAVATION WITHOUT FIRST ESTABLISHING THE EXACT LOCATION OF THOSE UTILITIES WITHIN THE PROPOSED EXCAVATION AREA. THERE MAY BE EXISTING LINES OTHER THAN THOSE SHOWN HEREON. THEREFORE, IT IS THE RESPONSIBILITY OF THE CONTRACTOR, OR OTHERS THAT ARE PERFORMING THE EXCAVATION, TO CONTACT FOOTHILLS CORPORATION AND UTILITY OWNERS, DIG SAFE AND OTHER FACILITY OWNERS AND PERFORM THE NECESSARY EXPLORATION AND/OR INVESTIGATION PRIOR TO BEGINNING ANY CONSTRUCTION ON THE SITE.
- THERE ARE 87 PARKING STALLS ON THIS SITE.
- THE DRIVEWAY AND UTILITY EASEMENTS IN BOOK 15,886 PAGE 383 AND PLAN No. 1622 OF 1985 IS 15,810 S.F. IN AREA AND IS SHOWN ON THIS PLAN LOCATED ON THE SOUTHWEST SIDE OF THE BUILDING FOR THE SUBJECT LOT.

REFERENCES:

BOOK	PAGE
26392	556
26246	114
25397	48
16000	210

PLAN #1622 OF 1985

LEGEND

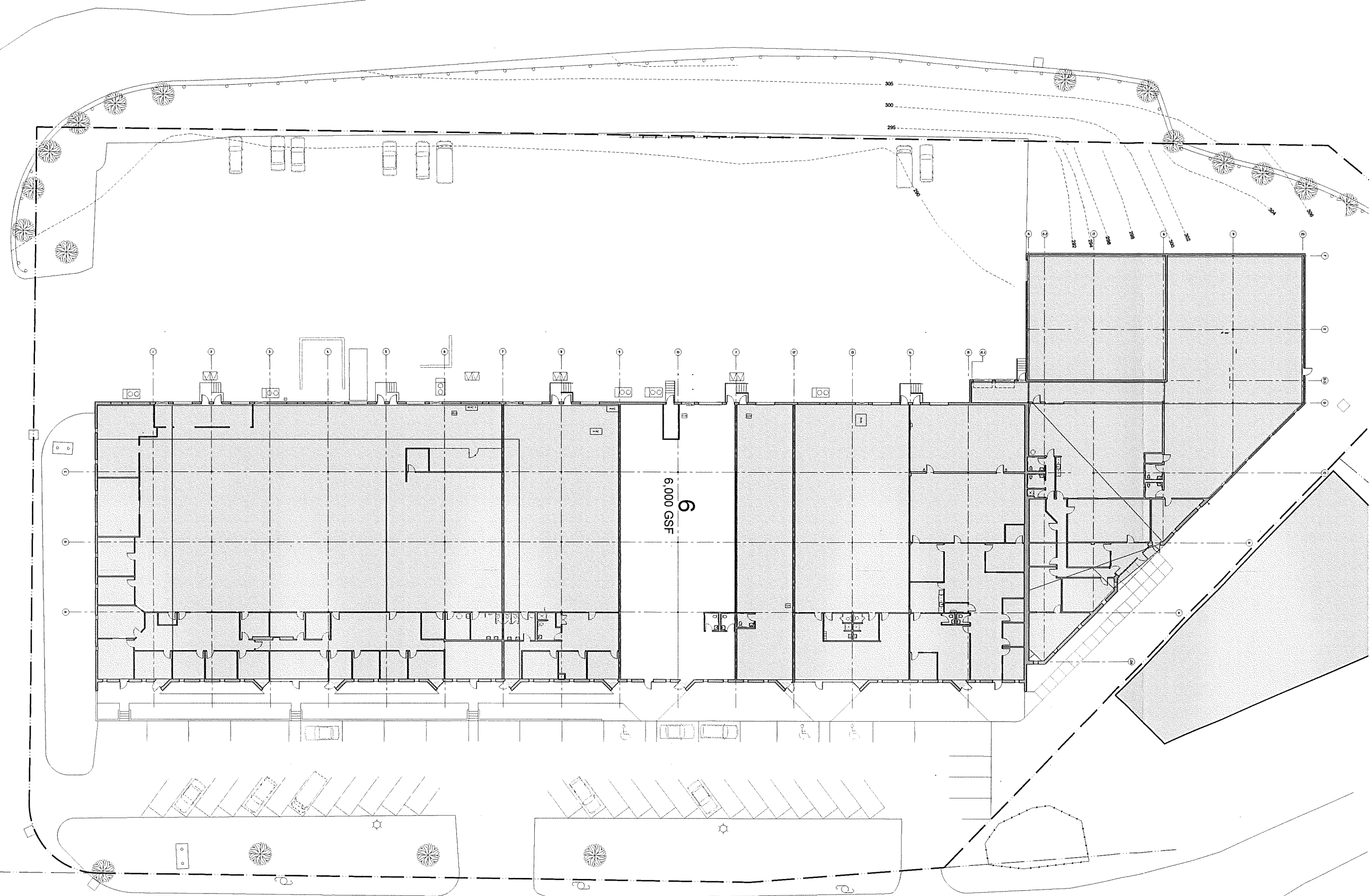
— S —	SEWER MAIN	○	MANHOLE
— G —	GAS MAIN	□	CATCH BASIN (EX.)
— W —	WATER MAIN	⊠	HYDRANT
— D —	DRAIN	⊞	WATER GATE
— FO —	FIBER OPTICS CABLE	⊠	GAS GATE
— E —	UNDERGROUND ELECTRIC	⊠	UTILITY POLE
— RCP —	REINFORCED CONCRETE PIPE		
— DIP —	DUCTILE IRON PIPE		

I HEREBY CERTIFY TO BOSTON CAPITAL MORTGAGE COMPANY LIMITED PARTNERSHIP, AND ITS SUCCESSORS AND ASSIGNS, FOOTHILLS CORPORATION AND FIDELITY NATIONAL TITLE INSURANCE COMPANY THAT A SURVEY WAS MADE ON THE GROUND AS SHOWN, HEREON, AND IS CORRECT, AND MEETS THE ACCURACY REQUIREMENTS FOR AN URBAN SURVEY AND MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1992, AND INCLUDES ITEMS 1-4, 6-11, 10-11 & 13 OF TABLE "A" THEREOF, AND PURSUANT TO ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION).

Bruce Saluk
 PROFESSIONAL LAND SURVEYOR
 DATE: 6-29-98



0 10' 20' 40' 60'



NOTE: CORRECT DRAWING FORMAT IS 24x36". ANY PLOT OF THIS DRAWING TO OTHER FORMAT DIMENSIONS HAS BEEN PLOTTED TO FIT MEDIA OUTPUT SIZE. DRAWING AND DETAIL SCALES MUST BE REDUCED OR INCREASED PROPORTIONATELY.

First Colony Development Co., Inc.

929 Boston Post Road, East
Marlborough, MA 01752-3728
Tel 508.481.6095
Fax 508.460.0578
www.firstcolonydev.com

CONSULTANTS

PROJECT

UNIT NO. 6
19 BRIGHAM STREET
MARLBORO, MA 01752

DWG. TITLE

OVERALL BUILDING PLAN

REVISIONS

No.	Description

SEAL

SIGNATURE _____
PROJECT No. _____
SCALE 1" = 20'-0"
DATE OF ISSUE _____
DRAWING No. _____

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BRIGHAM STREET
(PUBLIC VARIABLE WIDTH)