

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: October 9, 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 OCT -4 P 1:44

Continued Review:

1. 07-23-2018 – **Order No. 18-1007338:** Communication from Assistant City Solicitor, Cynthia Panagore Griffin re: Proposed Zoning Amendment to add Chapter 650, §40 as it relates to Large Scale Ground Mounted Solar Photovoltaic Installation Overlay District, sponsored by Councilor Doucette.
-Refer to Urban Affairs Committee & Planning Board
-Public Hearing: September 10, 2018

New Business:

2. 06-18-2018 – **Order No. 18-1007320:** Application for Special Permit from Christopher White, regarding Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street.
-Refer to Urban Affairs Committee
-Public Hearing: August 27, 2018
3. 06-18-2018 – **Order No. 18-1007313:** Communication from the Attorney Buckley regarding the Results Way Mixed Use Overlay District and changes to the Master Concept Plan and Development Agreement.
-Refer to Urban Affairs Committee

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., JULY 23, 2018

PAGE 1

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

1. That a new Section 40 be inserted into Chapter 650, as follows:

ARTICLE VI

§ 650-40 Large-scale Ground-mounted Solar Photovoltaic Overlay District

A. Purpose and Objectives:

- 1) The Large-scale Ground-mounted Solar Photovoltaic Overlay District (herein, also a "LGSPOD") allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The purpose of this section is to provide standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and which provide adequate financial assurance for the eventual decommissioning of such installations.
- 2) The provisions set forth in this section apply to the construction, operation and/or repair of large-scale ground-mounted solar photovoltaic installations.
- 3) This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.



IN CITY COUNCIL

Marlborough, Mass., JULY 23, 2018

PAGE 2

ORDERED:

B. Designation of overlay location; as-of-right use. For the purposes of this Section, the LGSPOD shall be superimposed on the other district(s) existing at the time that any land in any said underlying district is also included in the LGSPOD, as designated by the Marlborough City Council in accordance with M.G.L. c.40A, §5, where ground-mounted large-scale solar photovoltaic installations may be sited as of right. Except as specifically provided herein, uses and provisions of Article V of Chapter 650 relating to the underlying zoning district not otherwise impacted by this Section shall continue to remain in full force and effect. In the event of any conflict between the provisions of this section and any other provisions of the Zoning Ordinance, the provisions of this Section shall govern and control. The LGSPOD overlay zoning district is located on the northerly side of Parameter Street, consisting of the parcels identified in Exhibit A annexed hereto and incorporated by reference herein, and as indicated on the Zoning Map of the City of Marlborough. Said map is hereby made a part of this chapter and is on file in the office of the City Clerk.

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

As-of-Right Siting: As-of-Right Siting shall mean that development under this § 650-40 may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval, however said as-of-right development is subject to site plan review as provided under Chapter 270 Code of the City of Marlborough and this § 650-40. Projects cannot be prohibited, but can be subject to reasonable regulation.

Large-Scale Ground-mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground, is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

Solar Photovoltaic Installation: A solar photovoltaic array that is constructed at a location where other allowable uses of the underlying property may occur.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).



IN CITY COUNCIL

Marlborough, Mass., JULY 23, 2018

ORDERED:

PAGE 3

Site Plan Review: Review by Site Plan Review procedures as governed by § 270-2 of the Code of the City of Marlborough and this § 650-40.

Rated Nameplate Capacity: The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

D. General Requirements for all large-scale ground-mounted solar photovoltaic installations. The following requirements are common to all large-scale ground-mounted solar photovoltaic installations to be sited in designated overlay locations:

1. Compliance with Laws, Ordinances and Regulations. The construction and operation of all large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable security, safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a large-scale ground-mounted solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. Building Permit and Building Inspection. No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
3. Fees. The application for a building permit for a large-scale ground-mounted solar photovoltaic installation must be accompanied by the fee required for a building permit.
4. Site Plan Review. Large-scale ground-mounted solar photovoltaic installations shall undergo site plan review by Site Plan Review prior to construction, installation or modification as provided in § 270-2 of the Code of the City of Marlborough and in this section, as follows:
 - a. General. All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
 - b. Required Documents. Pursuant to the site plan review process, the project proponent shall provide the following documents:



IN CITY COUNCIL

Marlborough, Mass., _____ JULY 23, 2018

PAGE 4

ORDERED:

- i. A site plan showing:
 1. Property lines and physical features, including roads, for the project site;
 2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fences or other screening structures;
 3. Drawings of the large-scale ground-mounted solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
 4. One or three-line electrical diagram detailing the large-scale ground-mounted solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
 6. Name, address, and contact information for proposed system installer;
 7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
 8. The name, contact information and signature of any agents representing the project proponent;
 9. Emergency services access points and through points; and
- ii. Documentation of actual or prospective access and control of the project site (see also Section E herein); and
- iii. An operation and maintenance plan (see also Section F herein); and
- iv. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- v. Proof of liability insurance; and
- vi. Description of financial surety that satisfies Section L herein; and
- vii. A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise informs abutters within 300' of the property line of the project site. Site Plan Review may waive documentary requirements as it deems appropriate.



IN CITY COUNCIL

Marlborough, Mass., JULY 23, 2018

PAGE 5

ORDERED:

- E. Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale ground-mounted solar photovoltaic installation.
- F. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- G. Utility Notification. No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to Site Plan Review that the utility company that operates the electrical grid where the installation is to be located has been informed of the large-scale ground-mounted solar photovoltaic installation's owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- H. Dimension and Density Requirements.
 - a. Setbacks. For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
 - i. Front yard. The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the front yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
 - ii. Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the side yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.



IN CITY COUNCIL

Marlborough, Mass., _____ JULY 23, 2018

PAGE 6

ORDERED:

iii. Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the rear yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.

b. Appurtenant Structures. All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

I. Design Standards.

a. Lighting. Lighting of large-scale ground-mounted solar installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the large-scale ground-mounted solar installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

b. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Chapter 526 of the Code of the City of Marlborough. A sign consistent with the City's sign ordinances shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-scale ground-mounted solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the large-scale ground-mounted solar.



IN CITY COUNCIL

Marlborough, Mass., _____ JULY 23, 2018

PAGE 7

ORDERED:

- c. Utility Connections. Reasonable efforts, as determined by Site Plan Review, shall be made to place all utility connections from the large-scale ground-mounted solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- d. Screening. Every abutting property, private way, private driveway, and public way shall be visually screened from the project through any one or combination of the following: location, distance, plantings, existing vegetation.
- e. Top soil. No top soil shall be removed from the site. Said topsoil shall be stockpiled on site and used to stabilize the site with a minimum cover of 6 inches cover of loam. Any topsoil remaining after stabilization shall be stockpiled on site for use during decommissioning.

J. Safety and Environmental Standards.

- a. Emergency Services. The large-scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Chief of the Marlborough Fire Department. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. Everything means of shutting down the large-scale ground-mounted photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- b. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and ordinances.



IN CITY COUNCIL

Marlborough, Mass., _____ JULY 23, 2018

PAGE 8

ORDERED:

K. Monitoring and Maintenance.

- a. Large-scale Ground-mounted Solar Photovoltaic Installation Conditions. The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access or through road(s). Landscaping and fencing, including vegetation used for screening, shall be maintained in good condition.
- b. Modifications. After the required permits, have been issued, the Building Commissioner may approve minor non-material modifications to a large-sale ground-mounted solar photovoltaic installation. All major material modifications to a large-scale ground-mounted solar photovoltaic installation made after issuance of the required permits shall require approval by Site Plan Review.

L. Abandonment or Decommissioning.

- a. Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has been discontinued by reaching the end of its useful life, reaching the end of a lease term without renewal or extension, or having been abandoned (as provided in paragraph L.b. herein) shall be removed as herein provided. The owner or operator shall physically remove the installation no more than 150 days after the date of said discontinued operations. The owner or operator shall notify Site Plan Review by certified mail of the proposed date of discontinued operations and plans for removal by decommissioning. Decommissioning shall consist of:
 - i. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.



IN CITY COUNCIL

Marlborough, Mass., _____ JULY 23, 2018

PAGE 9

ORDERED:

- ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion, including use of any remaining topsoil stockpiled on site. Site Plan Review may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- b. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than six months without the written consent of the Building Commissioner. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the City may enter the property and physically remove the installation.
- c. Financial surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through a cash escrow account with interest retained for escalating decommissioning costs, bond or otherwise, to cover the cost of removal in the event that the City must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by Site Plan Review, but in no event in excess more than 125% of the cost of removal and compliance with additional requirements set forth herein, as determined by Site Plan Review. Such surety will not be required for municipally owned or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Site Plan Review may request the proponent to provide an update of the fully inclusive estimate of costs associated with removal every five years following the issuance of a building permit. Site Plan Review may require the proponent to provide additional surety based on the updated cost estimate.

M. The effective date of these amendments shall be the date of their passage.



IN CITY COUNCIL

Marlborough, Mass., JULY 23, 2018
PAGE 11

ORDERED:

Be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD,
AND ADVERTISE PUBLIC HEARING FOR MONDAY SEPTEMBER 10, 2018.**

ADOPTED

ORDER NO. 18-1007338



City of Marlborough
Legal Department

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

2018 JUL 19 A 11:05

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

DONALD V. RIDER, JR.
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
 PARALEGAL

July 19, 2018

President Edward Clancy and
 Members of the Marlborough City Council
 140 Main Street
 Marlborough, MA 01752

RE: Proposed Amendment to Chapter 650 (Zoning Ordinance)
 Large-scale Ground-mounted Solar Photovoltaic Installation Overlay District

Dear President Clancy and Members of the City Council:

At the request of Councilor Doucette, I submit for your consideration the attached proposed zoning amendment which would create a new overlay district for large-scale ground-mounted solar photovoltaic installations. Also included is a sketch map illustrating the location of the proposed overlay district. Said order is in proper form for your consideration.

Please let me know if you have any questions.

Very truly yours,

Cynthia Panagore Griffin
 Assistant City Solicitor

Cc: Priscilla Ryder, Conservation Officer
 Jeffrey Cooke, Building Commissioner

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

1. That a new Section 40 be inserted into Chapter 650, as follows:

ARTICLE VI

§ 650-40 Large-scale Ground-mounted Solar Photovoltaic Overlay District

A. Purpose and Objectives:

- 1) The Large-scale Ground-mounted Solar Photovoltaic Overlay District (herein, also a "LGSPOD") allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The purpose of this section is to provide standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and which provide adequate financial assurance for the eventual decommissioning of such installations.
- 2) The provisions set forth in this section apply to the construction, operation and/or repair of large-scale ground-mounted solar photovoltaic installations.
- 3) This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

- B. Designation of overlay location; as-of-right use. For the purposes of this Section, the LGSPOD shall be superimposed on the other district(s) existing at the time that any land in any said underlying district is also included in the LGSPOD, as designated by the Marlborough City Council in accordance with M.G.L. c.40A, §5, where ground-mounted large-scale solar photovoltaic installations may be sited as of right. Except as specifically provided herein, uses and provisions of Article V of Chapter 650 relating to the underlying zoning district not otherwise impacted by this Section shall continue to remain in full force and effect. In the event of any conflict between the provisions of this section and any other provisions of the Zoning Ordinance, the provisions of this Section shall govern and control. The LGSPOD overlay zoning district is located on the northerly side of Parmenter Street, consisting of the parcels identified in Exhibit A annexed hereto and incorporated by

reference herein, and as indicated on the Zoning Map of the City of Marlborough. Said map is hereby made a part of this chapter and is on file in the office of the City Clerk.

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

As-of-Right Siting: As-of-Right Siting shall mean that development under this § 650-40 may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval, however said as-of-right development is subject to site plan review as provided under Chapter 270 Code of the City of Marlborough and this § 650-40. Projects cannot be prohibited, but can be subject to reasonable regulation.

Large-Scale Ground-mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground, is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

Solar Photovoltaic Installation: A solar photovoltaic array that is constructed at a location where other allowable uses of the underlying property may occur.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Site Plan Review: Review by Site Plan Review procedures as governed by § 270-2 of the Code of the City of Marlborough and this § 650-40.

Rated Nameplate Capacity: The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

D. General Requirements for all large-scale ground-mounted solar photovoltaic installations.

The following requirements are common to all large-scale ground-mounted solar photovoltaic installations to be sited in designated overlay locations:

1. **Compliance with Laws, Ordinances and Regulations.** The construction and operation of all large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable security, safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a large-scale ground-mounted solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. **Building Permit and Building Inspection.** No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
3. **Fees.** The application for a building permit for a large-scale ground-mounted solar photovoltaic installation must be accompanied by the fee required for a building permit.

4. Site Plan Review. Large-scale ground-mounted solar photovoltaic installations shall undergo site plan review by Site Plan Review prior to construction, installation or modification as provided in § 270-2 of the Code of the City of Marlborough and in this section, as follows:
 - a. General. All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
 - b. Required Documents. Pursuant to the site plan review process, the project proponent shall provide the following documents:
 - i. A site plan showing:
 1. Property lines and physical features, including roads, for the project site;
 2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fences or other screening structures;
 3. Drawings of the large-scale ground-mounted solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
 4. One or three-line electrical diagram detailing the large-scale ground-mounted solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
 6. Name, address, and contact information for proposed system installer;
 7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
 8. The name, contact information and signature of any agents representing the project proponent;
 9. Emergency services access points and through points; and
 - ii. Documentation of actual or prospective access and control of the project site (see also Section E herein); and
 - iii. An operation and maintenance plan (see also Section F herein); and
 - iv. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
 - v. Proof of liability insurance; and
 - vi. Description of financial surety that satisfies Section L herein; and
 - vii. A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise informs abutters within 300' of the property line of the project site. Site Plan Review may waive documentary requirements as it deems appropriate.

- E. Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale ground-mounted solar photovoltaic installation.
- F. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- G. Utility Notification. No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to Site Plan Review that the utility company that operates the electrical grid where the installation is to be located has been informed of the large-scale ground-mounted solar photovoltaic installation's owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- H. Dimension and Density Requirements.
 - a. Setbacks. For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
 - i. Front yard. The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the front yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
 - ii. Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the side yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
 - iii. Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the rear yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
 - b. Appurtenant Structures. All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations,

shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

I. Design Standards.

- a. Lighting. Lighting of large-scale ground-mounted solar installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the large-scale ground-mounted solar installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- b. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Chapter 526 of the Code of the City of Marlborough. A sign consistent with the City's sign ordinances shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-scale ground-mounted solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the large-scale ground-mounted solar.
- c. Utility Connections. Reasonable efforts, as determined by Site Plan Review, shall be made to place all utility connections from the large-scale ground-mounted solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- d. Screening. Every abutting property, private way, private driveway, and public way shall be visually screened from the project through any one or combination of the following: location, distance, plantings, existing vegetation.
- e. Top soil. No top soil shall be removed from the site. Said topsoil shall be stockpiled on site and used to stabilize the site with a minimum cover of 6 inches cover of loam. Any topsoil remaining after stabilization shall be stockpiled on site for use during decommissioning.

J. Safety and Environmental Standards.

- a. Emergency Services. The large-scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Chief of the Marlborough Fire Department. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the large-scale ground-mounted photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

- b. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and ordinances.

K. Monitoring and Maintenance.

- a. Large-scale Ground-mounted Solar Photovoltaic Installation Conditions. The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access or through road(s). Landscaping and fencing, including vegetation used for screening, shall be maintained in good condition.
- b. Modifications. After the required permits have been issued, the Building Commissioner may approve minor non-material modifications to a large-sale ground-mounted solar photovoltaic installation. All major material modifications to a large-scale ground-mounted solar photovoltaic installation made after issuance of the required permits shall require approval by Site Plan Review.

L. Abandonment or Decommissioning.

- a. Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has been discontinued by reaching the end of its useful life, reaching the end of a lease term without renewal or extension, or having been abandoned (as provided in paragraph L.b. herein) shall be removed as herein provided. The owner or operator shall physically remove the installation no more than 150 days after the date of said discontinued operations. The owner or operator shall notify Site Plan Review by certified mail of the proposed date of discontinued operations and plans for removal by decommissioning. Decommissioning shall consist of:
 - i. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
 - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion, including use of any remaining topsoil stockpiled on site. Site Plan Review may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

- b. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than six months without the written consent of the Building Commissioner. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the City may enter the property and physically remove the installation.
- c. Financial surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through a cash escrow account with interest retained for escalating decommissioning costs, bond or otherwise, to cover the cost of removal in the event that the City must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by Site Plan Review, but in no event in excess more than 125% of the cost of removal and compliance with additional requirements set forth herein, as determined by Site Plan Review. Such surety will not be required for municipally owned or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Site Plan Review may request the proponent to provide an update of the fully inclusive estimate of costs associated with removal every five years following the issuance of a building permit. Site Plan Review may require the proponent to provide additional surety based on the updated cost estimate.

M. The effective date of these amendments shall be the date of their passage.

EXHIBIT A

The newly established Large-scale Ground-mounted Solar Photovoltaic Overlay District shall include all or portions of the properties shown on the Zoning Map existing at the passage of this Ordinance, which properties include the following parcels of land (herein identified by the Assessors' Map and Parcel Number):

Assessors Map 98, Parcel 8

Assessors Map 98, Parcel 7A

Assessors Map 98, Parcel 9

Assessors Map 98, Parcel 10

Assessors Map 108, Parcel 1

Assessors Map 108, Parcel 2

Assessors Map 109, Parcel 1

Assessors Map 109, Parcel 5

ADOPTED

In City Council
Order No 18-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



Proposed Large-scale Ground-mounted Solar Installation Overlay District

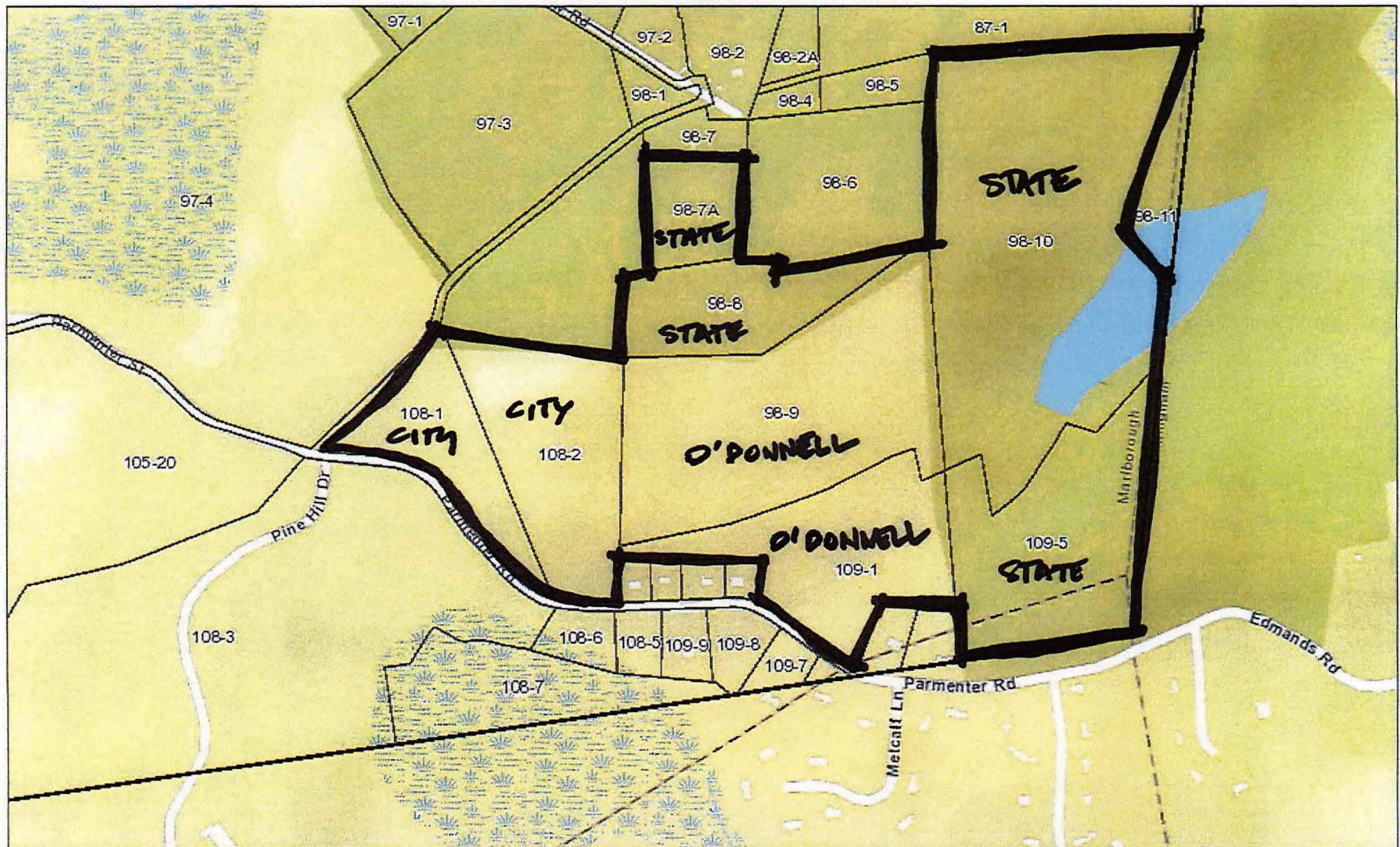
Marlborough, MA



July 18, 2018

1 inch = 537 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.



IN CITY COUNCIL

Marlborough, Mass., JUNE 18, 2018

ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Christopher White, to build a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 11/25/18 which falls on a Sunday, therefore 11/26/18 would be considered the 90th day.

ADOPTED

ORDER NO. 18-1007320

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

**RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH**

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2010 JUN 11 P 1:06

1. Name and address of Petitioner or Applicant:

Christopher White 22 Brimsmead St. Marlborough

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

22 Brimsmead St. #57 Lot #28

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

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

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

Article 650 Section 41 Paragraph _____ Sub-paragraph _____

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

A-3

7. Specific reason(s) for seeking Special Permit

Build a 24x26 garage on a non-conforming lot.

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.

Christopher White

Signature of Petitioner or Applicant

Address: 22 Brimsmead St.

Marlborough

Telephone No. (508) 922-3978

Date: _____

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

Christopher White
(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

May 08, 2018

MARLBOROUGH ASSESSORS

Anthony C. Amodeo
Colleen K. Silverstein
David May Jr.

Subject Property:

Parcel Number: 57-28
 CAMA Number: 57-28
 Property Address: 22 BRIMSMEAD ST

Mailing Address: COULSON CYNDI
 22 BRIMSMEAD ST
 MARLBOROUGH, MA 01752

Abutters:

Parcel Number: 56-281A
 CAMA Number: 56-281A
 Property Address: MILDON AVE

Mailing Address: ZINDLE PAULINE R
 45 MILDON AVE
 MARLBOROUGH, MA 01752

Parcel Number: 56-300
 CAMA Number: 56-300
 Property Address: 56 MILDON AVE

Mailing Address: DUNCAN MATTHEW W
 56 MILDON AVE
 MARLBOROUGH, MA 01752

Parcel Number: 56-301
 CAMA Number: 56-301
 Property Address: 92 SHORT ST

Mailing Address: GRAHAM-GUTRO DAWN
 PO BOX 514
 MARLBOROUGH, MA 01752

Parcel Number: 56-302
 CAMA Number: 56-302
 Property Address: 49 BRIMSMEAD ST

Mailing Address: FANNING DARLENE
 49 BRIMSMEAD ST
 MARLBOROUGH, MA 01752

Parcel Number: 56-303
 CAMA Number: 56-303
 Property Address: 65 BRIMSMEAD ST

Mailing Address: LAUX ERIC J
 65 BRIMSMEAD ST
 MARLBOROUGH, MA 01752

Parcel Number: 56-306
 CAMA Number: 56-306
 Property Address: 66 BRIMSMEAD ST

Mailing Address: FERLAND PETER
 66 BRIMSMEAD ST
 MARLBOROUGH, MA 01752

Parcel Number: 56-331
 CAMA Number: 56-331
 Property Address: 69 TREMONT ST

Mailing Address: LYNCH PAULINA B LI EST
 69 TREMONT ST
 MARLBOROUGH, MA 01752

Parcel Number: 57-10
 CAMA Number: 57-10
 Property Address: 95 SHORT ST

Mailing Address: ATWOOD CHRISTOPHER R
 95 SHORT ST
 MARLBOROUGH, MA 01752

Parcel Number: 57-11
 CAMA Number: 57-11
 Property Address: 87 SHORT ST

Mailing Address: PANTAGES THOMAS M LI EST
 87 SHORT ST
 MARLBOROUGH, MA 01752

Parcel Number: 57-12
 CAMA Number: 57-12
 Property Address: 39 BRIMSMEAD ST

Mailing Address: NAHOUMI BARBARA
 39 BRIMSMEAD ST
 MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 1 of 7



400 foot Abutters List Report

Marlborough, MA
May 08, 2018

Parcel Number: 57-13 CAMA Number: 57-13 Property Address: 25 BRIMSMEAD ST	Mailing Address: POLYMEROS FRANCIS C TR 25 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-13A CAMA Number: 57-13A Property Address: 21 BRIMSMEAD ST	Mailing Address: ALONZI MARK J 21 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-14 CAMA Number: 57-14 Property Address: 30 MILDON AVE	Mailing Address: RICE JOHN M 30 MILDON AVE MARLBOROUGH, MA 01752
Parcel Number: 57-15 CAMA Number: 57-15 Property Address: 22 MILDON AVE	Mailing Address: 22 MILDON AVENUE LLC 22 MILDON AVE MARLBOROUGH, MA 01752
Parcel Number: 57-15A CAMA Number: 57-15A Property Address: 12 MILDON AVE	Mailing Address: MACINNIS COLLEEN 12 MILDON AVE MARLBOROUGH, MA 01752
Parcel Number: 57-16 CAMA Number: 57-16 Property Address: 10 MILDON AVE	Mailing Address: LOWERY RICHARD K 691 IROLO ST APT 1911 LOS ANGELES, CA 90005-4127
Parcel Number: 57-17 CAMA Number: 57-17 Property Address: 15 BRIMSMEAD ST	Mailing Address: METCALF DAWN E 15 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-18 CAMA Number: 57-18 Property Address: 148 BOLTON ST	Mailing Address: SHORT JARED J 148 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-18A CAMA Number: 57-18A Property Address: 148 BOLTON ST	Mailing Address: SHORT JARED J 148 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-19 CAMA Number: 57-19 Property Address: 146 BOLTON ST	Mailing Address: PARE SHARON L 146 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-19A CAMA Number: 57-19A Property Address: BOLTON ST	Mailing Address: PARE SHARON L 146 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-20 CAMA Number: 57-20 Property Address: 144 BOLTON ST	Mailing Address: CONTRERAS ANDREA 144 BOLTON ST MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 2 of 7

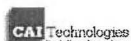


400 foot Abutters List Report

Marlborough, MA

May 08, 2018

Parcel Number: 57-21 CAMA Number: 57-21 Property Address: 9 BRIMSMEAD ST	Mailing Address: SAHAGIAN BREIGHANA 9 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-22 CAMA Number: 57-22 Property Address: 142 BOLTON ST	Mailing Address: HUTCHENS KENNETH R 142 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-23 CAMA Number: 57-23 Property Address: 140 BOLTON ST	Mailing Address: SANCHEZ MANUEL DE JESUS 140 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-24 CAMA Number: 57-24 Property Address: 138 BOLTON ST	Mailing Address: HOLMES MARTHA O 5 HOLT ST HOPKINTON, MA 01748
Parcel Number: 57-25 CAMA Number: 57-25 Property Address: 14 BRIMSMEAD ST	Mailing Address: NEGRON ROBERT B 14 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-26 CAMA Number: 57-26 Property Address: 16 BRIMSMEAD ST	Mailing Address: WALSH CYNTHIA L 16 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-27 CAMA Number: 57-27 Property Address: 18 BRIMSMEAD ST	Mailing Address: COLLIER ROBERT E JR 18 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-289 CAMA Number: 57-289 Property Address: 121 BOLTON ST	Mailing Address: BROWN ROBERT F TR 99 CEDAR ST HOLLISTON, MA 01746
Parcel Number: 57-29 CAMA Number: 57-29 Property Address: 26 BRIMSMEAD ST	Mailing Address: RIVAS NIXON ALFARO 26 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-29A CAMA Number: 57-29A Property Address: 31 TREMONT ST	Mailing Address: CLARKE MICHAEL T 31 TREMONT ST MARLBOROUGH, MA 01752
Parcel Number: 57-30 CAMA Number: 57-30 Property Address: 34 BRIMSMEAD ST	Mailing Address: CHAVES AIDA B 34 BRIMSMEAD ST MARLBOROUGH, MA 01752
Parcel Number: 57-30A CAMA Number: 57-30A Property Address: 37 TREMONT ST	Mailing Address: BOUVIER ALAN M 45 CHANDLER ST MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 3 of 7



400 foot Abutters List Report

Marlborough, MA

May 08, 2018

Parcel Number: 57-31 CAMA Number: 57-31 Property Address: 67 SHORT ST	Mailing Address: MASCIARELLI JOAN M LI EST 67 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-32 CAMA Number: 57-32 Property Address: 74 SHORT ST	Mailing Address: REGALADO ROSALIO R 74 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-328 CAMA Number: 57-328 Property Address: BOLTON ST	Mailing Address: DONNELLY MASS REALTY TRUST 89 MAPLE ST STONEHAM, MA 02180
Parcel Number: 57-328A CAMA Number: 57-328A Property Address: 147 BOLTON ST	Mailing Address: BUTKA THEODORE L TR 147 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-33 CAMA Number: 57-33 Property Address: 64 SHORT ST	Mailing Address: MCGRATH ROBERT J JR 64 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-330 CAMA Number: 57-330 Property Address: 157 BOLTON ST	Mailing Address: CURRIE DEVIN H 157 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-330A CAMA Number: 57-330A Property Address: 153 BOLTON ST	Mailing Address: FERRECCHIA STEFANIE TR 172 SHAWMUT AVE MARLBOROUGH, MA 01752
Parcel Number: 57-330B CAMA Number: 57-330B Property Address: BOLTON ST	Mailing Address: FERRECCHIA STEFANIE TR 172 SHAWMUT AVE MARLBOROUGH, MA 01752
Parcel Number: 57-330C CAMA Number: 57-330C Property Address: BOLTON ST	Mailing Address: BAZAKAS KONSTANTINE P O BOX 1045 MARLBOROUGH, MA 01752
Parcel Number: 57-331 CAMA Number: 57-331 Property Address: 159 BOLTON ST	Mailing Address: SAMONTE PHILIP J 159 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-34 CAMA Number: 57-34 Property Address: 57 SHORT ST	Mailing Address: SCILIPOTI SERGIO 57 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-35 CAMA Number: 57-35 Property Address: 27 TREMONT ST	Mailing Address: STAB MARK 27 TREMONT ST MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 4 of 7



400 foot Abutters List Report

Marlborough, MA
May 08, 2018

Parcel Number: 57-36 CAMA Number: 57-36 Property Address: 21 TREMONT ST	Mailing Address: CLARKE ANNA TR 21 TREMONT ST APT 1 MARLBOROUGH, MA 01752
Parcel Number: 57-37 CAMA Number: 57-37 Property Address: 13 TREMONT ST	Mailing Address: AJOOTIAN GARY J 13 TREMONT ST APT 2 MARLBOROUGH, MA 01752
Parcel Number: 57-37A CAMA Number: 57-37A Property Address: 15 TREMONT ST	Mailing Address: QUEEN PAULINE E 15 TREMONT ST MARLBOROUGH, MA 01752
Parcel Number: 57-38 CAMA Number: 57-38 Property Address: 136 BOLTON ST	Mailing Address: GHILONI LINDA M TR 136 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-39 CAMA Number: 57-39 Property Address: 130 BOLTON ST	Mailing Address: REGALDO RAMON C 130 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-40 CAMA Number: 57-40 Property Address: 120 BOLTON ST	Mailing Address: COLLINS JOSEPH 10337 SPARKLING DR RCH CUCAMONGA, CA 91730
Parcel Number: 57-41 CAMA Number: 57-41 Property Address: 116 BOLTON ST	Mailing Address: OLIVEIRA REMO A 116 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-42 CAMA Number: 57-42 Property Address: 14 TREMONT ST	Mailing Address: RAMIREZ ERIK 14 TREMONT ST MARLBOROUGH, MA 01752
Parcel Number: 57-43 CAMA Number: 57-43 Property Address: 16 MOFFA LN	Mailing Address: OGAR WILLIAM J 16 MOFFA LN MARLBOROUGH, MA 01752
Parcel Number: 57-44 CAMA Number: 57-44 Property Address: 20 TREMONT ST	Mailing Address: BARTHOLD JEAN WILLIAM 20 TREMONT ST MARLBOROUGH, MA 01752
Parcel Number: 57-45 CAMA Number: 57-45 Property Address: 26 TREMONT ST	Mailing Address: CREAMER ROBERT S 26 TREMONT ST MARLBOROUGH, MA 01752
Parcel Number: 57-46 CAMA Number: 57-46 Property Address: 32 TREMONT ST	Mailing Address: DIGREGORIO PAUL M 32 TREMONT ST MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 5 of 7



400 foot Abutters List Report

Marlborough, MA

May 08, 2018

Parcel Number: 57-47 CAMA Number: 57-47 Property Address: 36 TREMONT ST	Mailing Address: BRENNAN MAUREEN A 191 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-48 CAMA Number: 57-48-1-1 Property Address: 11 MOFFA LN #1	Mailing Address: VANBUSKIRK JOSEPH C TR 11 MOFFA LN #1 MARLBOROUGH, MA 01752
Parcel Number: 57-48 CAMA Number: 57-48-1-2 Property Address: 11 MOFFA LN #2	Mailing Address: VANBUSKIRK JOSEPH P 11 MOFFA LN #2 MARLBOROUGH, MA 01752
Parcel Number: 57-48 CAMA Number: 57-48-1-3 Property Address: 11 MOFFA LN #3	Mailing Address: VANBUSKIRK PETER C 11 MOFFA LN #3 MARLBOROUGH, MA 01752
Parcel Number: 57-48 CAMA Number: 57-48-1-53 Property Address: 11-11 MOFFA LN	Mailing Address:
Parcel Number: 57-49 CAMA Number: 57-49 Property Address: 49 SHORT ST	Mailing Address: WANG QIN TR 52 LITTLE POND RD NORTHBOROUGH, MA 01532
Parcel Number: 57-5 CAMA Number: 57-5 Property Address: 180 BOLTON ST	Mailing Address: KOFOS NICHOLAS 180 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-50 CAMA Number: 57-50 Property Address: 43 SHORT ST	Mailing Address: FISH STEPHEN G 43 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-51 CAMA Number: 57-51 Property Address: 44 SHORT ST	Mailing Address: KLINE KEITH H 44 SHORT ST MARLBOROUGH, MA 01752
Parcel Number: 57-52 CAMA Number: 57-52 Property Address: 17 BICKNELL ST	Mailing Address: STEFANSKI MARK J TR 17 BICKNELL ST MARLBOROUGH, MA 01752
Parcel Number: 57-6 CAMA Number: 57-6 Property Address: 164 BOLTON ST	Mailing Address: RAYBOULD MARK P 164 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 57-60 CAMA Number: 57-60 Property Address: 35 SHORT ST	Mailing Address: LEWIS JONATHAN TR 34 WESTCLIFF DR DIX HILLS, NY 11746



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 6 of 7



400 foot Abutters List Report

Marlborough, MA

May 08, 2018

Parcel Number: 57-60A
CAMA Number: 57-60A
Property Address: SHORT ST

Mailing Address: LEWIS JONATHAN TR
34 WESTCLIFF DR
DIX HILLS, NY 11746

Parcel Number: 57-66
CAMA Number: 57-66
Property Address: 104 BOLTON ST

Mailing Address: FALAMINO MICHAEL A
104 BOLTON ST
MARLBOROUGH, MA 01752

Parcel Number: 57-7
CAMA Number: 57-7
Property Address: MILDON AVE

Mailing Address: RAYBOULD MARK P
164 BOLTON ST
MARLBOROUGH, MA 01752

Parcel Number: 57-8
CAMA Number: 57-8
Property Address: 15 MILDON AVE

Mailing Address: AMES SHARON
PO BOX 951
NANTUCKET, MA 02554

Parcel Number: 57-9
CAMA Number: 57-9
Property Address: 23 MILDON AVE

Mailing Address: HOPKINS BRIAN E
23 MILDON AVE
MARLBOROUGH, MA 01752

Parcel Number: 57-9A
CAMA Number: 57-9A
Property Address: 27 MILDON AVE

Mailing Address: FALCONI ALFRED S LI EST
27 MILDON AVE
MARLBOROUGH, MA 01752

Parcel Number: 57-9B
CAMA Number: 57-9B
Property Address: 33 MILDON AVE

Mailing Address: DION GREGORY P
33 MILDON AVE
MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report 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 report.

5/8/2018

Page 7 of 7

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Christopher White Address: 22 Brimsmead St. Marlborough
 Project Name: 2 car garage (detached) Address: 22 Brimsmead St. Marlborough

1. PROPOSED USE: (describe) 24x26 garage
2. EXPANSION OR NEW: New
3. SIZE: floor area sq. ft. 624 Sq. ft 1st floor _____ all floors _____
 # buildings 1 # stories 1 lot area (s.f.) 7200 Sq. ft
4. LOT COVERAGE: 40 % Landscaped area: _____ %
5. POPULATION ON SITE: Number of people expected on site at anytime:
 Normal: _____ Peak period: _____
6. TRAFFIC:
 (A) Number of vehicles parked on site:
 During regular hours: _____ Peak period: _____
 (B) How many service vehicles will service the development and on what schedule?

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Motion sensor,
8. NOISE:
 (A) Compare the noise levels of the proposed development to those that exist in the area now.
None
 (B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None
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? _____

*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: 6-8-18

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: _____

Project Use Summary: 24x26 garage

Project Street Address: 22 Brimsmead St

Plate: 57 Parcel: 28

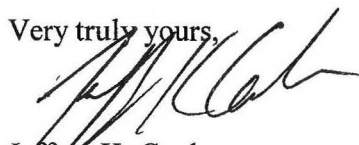
Applicant/Developer Name: Christopher White

Plan Date: 3-15-18 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
 Acting Director of Planning

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

\$ 300.00



City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

Lisa M. Thomas
City Clerk

Dear Applicant,

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

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

1 SET	POLICE CHIEF ✓ <i>W. J. ...</i>
1 SET	FIRE CHIEF ✓ <i>... S. ...</i>
1 SET	CITY ENGINEER ✓ <i>T. D. ...</i>
1 SET	DIRECTOR OF PLANNING ✓ <i>...</i>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) _____
1 SET	BUILDING COMMISSIONER ✓ <i>...</i>
12 SETS	OFFICE OF THE CITY COUNCIL ✓ <i>...</i>
3 SETS	OFFICE OF THE CITY CLERK _____ (<u>MUST be Original</u> & 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

Owner Name/Officer Name of LLC or Corporation

Christopher White

Owner/Officer Complete Address and Telephone Number

22 Brimsmead St. Marlborough
(508) 922-3978

Signature of Applicant

Christopher White

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 M. Brush

Tax Collector



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
 Marlborough, Massachusetts 01752
 Tel. (508) 460-3776 Facsimile (508) 460-3736
 building_dept@marlborough-ma.gov

JEFFREY COOKE
 BUILDING COMMISSIONER

PATRICK DAHLGREN
 BUILDING INSPECTOR

RICHARD DESIMONE
 PLUMBING & GAS INSPECTOR

JOHN CAIN
 WIRING INSPECTOR

WILLIAM PAYTON
 BUILDING INSPECTOR

Christopher White
 22 Brimsmead St
 Marlborough, MA 01752
 Map 57 Lot 28

April 25, 2018


Mr. White

The building permit application BP 2018-0324 has been denied. The denial is based on maximum lot coverage.

The home is in the A-3 zone which has a maximum of 30% (Table 650-41). Per your certified plot plan. The existing lot coverage is at 34%. The lot is presently non-conforming. Adding the proposed garage will increase the non-conformity to 40%. The plot plan does not take in account the required drive way to the new garage. This will add additional approved impervious materials. (650-49 (4.) b)

If you feel aggrieved by this compliance order, you have the right to appeal with a Special Permit through the City Council.

If you have any questions, please feel free to contact me.


 Patrick Dahlgren
 Local Inspector
 City of Marlborough



IN CITY COUNCIL

Marlborough, Mass., _____ AUGUST 27, 2018

PAGE 1

ORDERED:

That the PUBLIC HEARING On the Application for Special Permit from Christopher White, re: Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street, Order No. 18-1007320, all were heard who wish to be heard, hearing closed at 8:25 PM.

Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.

PUBLIC SPEAKING IN FAVOR

Chris White, owner of property at 22 Brimsmead Street. He would like to build a twenty-four-feet by twenty-six-feet two-car garage on his property. It would be located at the end of the existing driveway in the back corner of the lot.

Santos lives on the property at 22 Brimsmead Street. Since the street has been narrowed due to its reconstruction there is a lot less parking available to the residents. There are more teenagers with licenses and their own vehicles which results in less parking on the street for the families. More parking is needed to accommodate all the cars on the street since people are unable to park on both sides of the street.

Mark Alonzi, 21 Brimsmead Street, is a neighbor across the street from the residence. He had no problem with the proposed project. He confirmed the road is narrower since it was redone by the City. There are six families on the street from Route 85 to Short Street and everyone drives. Personally, he has four vehicles at his home and needs to park in the street and in the wintertime one vehicle is parked on the grass. He has no issues with the proposal especially if it alleviates some of the vehicles being parked on the street and it would make the road safer.

Paul DiGregorio, 32 Tremont Street, sees the parking issues on Brimsmead Street. They live on the street parallel to Brimsmead Street and cannot see a problem with the garage being built.

There is no one else speaking in favor. That part of the Public Hearing is closed.

QUESTIONS FROM THE PUBLIC

There are no questions from the public. That part of the Public Hearing is closed.

PUBLIC SPEAKING IN OPPOSITION



IN CITY COUNCIL

Marlborough, Mass., AUGUST 27, 2018

PAGE 2

ORDERED:

Rhonda Flynn, 27 Tremont Street, directly abuts 22 Brimsmead Street and they have a shared property line. She is in opposition to this project as it is a very small lot, approximately 7,200 square feet. The property already has a very large two-story home with an extensive deck and a gazebo. Adding an additional structure of twenty-four-feet by twenty-six-feet onto this small parcel would be an extreme overuse of the land with the potential of depreciating the value of the other surrounding properties and not staying within the character of the neighborhood. As it directly abuts her property by sixty-feet, she believes that should be taken into consideration. She also had a letter from her husband who could not attend the hearing that evening who wished to be registered in opposition.

Mark Stab, 27 Tremont Street, as unable to attend the public hearing but provided a letter noting his opposition to the proposed project.

There is no one else speaking in opposition. That part of the Public Hearing is closed.

QUESTIONS FROM THE CITY COUNCIL

✓ Councilor Oram wished to see a schematic or plot plan of the garage location and a two-dimensional rendering showing the height of the building. The more information he has, the better decision he can make.

✓ Councilor Robey wished to clarify why this was on the Council's agenda. The application states it is a non-conforming lot and from the Assessor's map, the lot is 120-feet by 60-feet, and it does not meet any of the current code. It does not have the front- or side-yard frontages and it does not meet the maximum coverage. She assumes since it does not meet any of those criteria, the applicant needs special permission from the Council versus going to the Zoning Board of Appeals. President Clancy stated they will be besieged by a lot of these for pre-existing, non-conforming uses of these lots. All the lots on Brimsmead Street are sixty-foot frontage but 120-feet deep and are therefore only 7,200 square feet and do not meet the 12,500 square feet minimum lot size.

✓ Councilor Ossing clarified it is before the Council because the Building Inspector rejected their application for building permits and by rejecting those permits, it now appears before them for a Special Permit consideration.

✓ Councilor Delano encouraged the applicant to reach out to the City Council Secretary for any necessary documentation. Councilor Delano believed they may have to make a change to the City's ordinance which allows the Council to refer these requests to the Zoning Board of Appeals at their discretion.



IN CITY COUNCIL

Marlborough, Mass., AUGUST 27, 2018

PAGE 3

ORDERED:

✓ Councilor Clancy is the Ward Councilor for this location and has several questions about the project but will save them for the Urban Affairs Committee meeting.

There are no further questions from members of City Council. That part of the Public Hearing is closed.

That ends the entire Public Hearing. This is currently in the Urban Affairs Committee.

ADOPTED

ORDER NO. 18-1007320A



CITY OF MARLBOROUGH
Office of the City Council
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No.18-1007320

Application for Special Permit by Christopher White to construct a 24'x26' garage on a
Nonconforming Lot located at 22 Brimsmead Street

-REFER TO URBAN AFFAIRS COMMITTEE

PUBLIC HEARING: August 27, 2018

The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on **December 20, 2018.**

By: _____

Edward J. Clancy, City Council President,
acting on behalf of, and at the direction of,
the special permit granting authority:

Marlborough City Council

By: Christopher White
Christopher White
Petitioner



IN CITY COUNCIL

Marlborough, Mass., JUNE 18, 2018

ORDERED:

That the Communication from the Attorney Buckley re: Proposed changes to the Results Way Mixed Use Overlay District, be and is herewith refer to **URBAN AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 18-1007313

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH

JUN 14 A 11:20

- May 21, 2018

City of Marlborough
Edward J. Clancy, President City Council
140 Main Street, 2nd Floor
Marlborough, MA 01752

Re: Results Way Mixed Used Overlay District

Dear Mr. Clancy:

This firm represents Atlantic-Marlboro Realty LLC ("Atlantic") in connection with the development of certain parcels of land located within the Results Way Mixed Use Overlay District ("RWMUOD"), which overlay district was approved by the Marlborough City Council (the "Council") on December 17, 2012 and added December 21, 2012 by Ordinance No. 12-1005154C, with an address of 200-230 Forest Street, 2 Results Way, and 0 Simarano Drive, Marlborough, MA. In 2012, Atlantic partnered with the City of Marlborough (the "City") to create this innovative zoning ordinance to address some of the vacant properties that existed along the Route 495 corridor and which would be responsive and flexible to current market conditions. The resulting Marlborough Hills development is currently a thriving and vibrant mixed-use campus consisting of office, multi-family housing, daycare, and hospitality uses with major corporate tenants such as Quest Diagnostics, GE Healthcare and Whole Foods, Inc. The City's approach and resulting success has been the envy of many other municipalities trying to replicate the City's success. Atlantic, along with Avalon Marlborough LLC ("AVB") the owner of an existing multifamily rental apartment community within the RWMUOD, now seek approval for the development of up to an additional 125 multifamily rental units within the RWMUOD.

Under §650-33(B)(1) and (C)(1) of the Zoning Ordinance of the City of Marlborough (the "Ordinance"), the Council is the permit granting authority for special permit and site plan approval in the RWMUOD and must approve the governing Master Concept Plan and Development Agreement for the RWMUOD. Therefore, we are submitting for the Council's consideration, the following: (i) an amendment to the Master Concept Plan approved by the Council on December 17, 2012 (the "Master Concept Plan"); (ii) an amendment to the Development Agreement between Atlantic and the City dated as of May 7, 2017 (the "Development Agreement"); (iii) a Special Permit application to add up to an additional 125 multifamily dwelling units to development envelope 2B as shown on the revised Master Concept Plan; and (iv) a conceptual sketch plan for a proposed commercial building to be located within development envelope 3 shown on the revised Master Concept Plan located on 2 Results Way, Marlborough, MA. In addition, under separate cover, we will be submitting two Approval Not Required ("ANR") Plans to the Marlborough Planning Board, one to adjust the lot lines which

May 21, 2018

Page 2

will conform to the lotting plan submitted as part of the Special Permit Application, and a second to consolidate the lots containing the existing multifamily rental apartment community and the proposed 125-unit multifamily development. These modifications and approvals are needed to reflect the demand for commercial users to integrate a “mixed use” environment with a premiere on-site residential use and associated amenities to attract employee talent; the “capital” of today’s marketplace.

A. Amendment to Master Concept Plan

The purpose of the amendment to the Master Concept Plan is to reflect the changing development conditions at the site and the surrounding area by adjusting development areas and the lot lines to provide for the creation of additional multifamily dwelling units and parking. Furthermore the development is reacting to the positive economic conditions experienced within the City, including the nearby recently completed APEX Entertainment Center on Route 20 and the strong demand for housing growth spurred on by commercial development. Pursuant to §650-33(C)(1)(c) of the Ordinance, the Master Concept Plan may be amended from time to time by a super majority vote (two-thirds (2/3)) of the Council by application from the property owner/developer. We enclose for your review a revised Master Concept Plan, dated May 14, 2018, prepared by Symmes, Maini & McKee Associates.

B. Amendment to Development Agreement

In connection with the policy objectives of the Master Concept Plan and the mixed-used planned development, we are also proposing an amendment to the Development Agreement, which is required under, and constitutes an integral part of, the RWMUOD. Among others items, we propose that the Development Agreement be modified to provide that notwithstanding any provisions to the contrary in the underlying RWMUOD, upon completion of the proposed multi-family housing, that there would be no more multi-family housing permitted within the RWMUOD and payment of any and all amounts under Paragraph 4 of the Development Agreement shall be the exclusive payment required for the subject matter of that section (including, without limitation, towards the production of affordable housing). This approval is consistent with the rationale of the RWMUOD in that this ordinance expressly provides that, pursuant to § 650-33 et seq. of the Ordinance, the overlay is the exclusive governing ordinance with respect to the underlying property. This section specifically provides that if there is a conflict between the provisions set forth in the RWMUOD and any other provisions of the Ordinance, the RWMUOD shall govern and control. This approach is consistent with a “master plan” development to provide a level or certainty as to the execution of the concept plan

C. Special Permit Application for Multifamily Dwellings

Under §650-33(E)(2)(a) of the Ordinance, multifamily dwelling units can be increased over 350 units by special permit. An application for a special permit to permit up to an additional 125 units is hereby also submitted by AVB. (As noted above, the Development Agreement would be amended to provide that no further residential units would be permitted.) This application is required to comply with

May 21, 2018

Page 3

the requirements of §650-59 et. seq. of the Ordinance and may be amended with a super majority (two-thirds (2/3)) vote of the Council. Therefore, enclosed are twelve (12) copies of the following for your review:

- (i) Special Permit Application Form;
- (ii) Certification of Completeness of Application;
- (iii) Tax Form certified by the Marlborough Tax Collector;
- (iv) Distribution Checklist;
- (v) Site Plans;
- (vi) Traffic Impact Study;
- (vii) Public Utilities Study;
- (viii) List of abutters certified by the Marlborough Board of Assessors; and
- (ix) Check in the amount of \$3,300.00 for Special Permit Application Fee.

As required, copies of the Special Permit Application package have been delivered to the Police Chief, Fire Chief, City Engineer, Building Commissioner/Interim Director of Planning and Conservation Officer.

D. Site Plan Review Application for Multifamily Dwellings

Further, pursuant to §650-33(B)(1)(a) of the of the Ordinance, all development projects located within the RWMUOD are subject to site plan approval in accordance with §270-2 of the Marlborough City Code (the "Code"), with the exception that the Council shall be the authority granting such site plan approval. Therefore, enclosed are twelve (12) copies of the following for your review:

- (i) Site Plan Review Application Form;
- (ii) Certification of Completeness of Application;
- (iii) Owner Consent Letter;
- (iv) Site Plans (provided under cover of Special Permit Application);
- (v) Traffic Impact Study (provided under cover of Special Permit Application);
- (vi) Stormwater Management Report; and
- (vii) Check in the amount of \$13,338.80 for Site Plan Review Application Fee.

In order to facilitate technical review by the City of Marlborough Site Plan Review Committee, we have also provided copies of the Site Plan Review package to the Police Chief, Fire Chief, City Engineer, Building Commissioner/Interim Director of Planning, Conservation Officer, and Director of Public Health.

May 21, 2018

Page 4

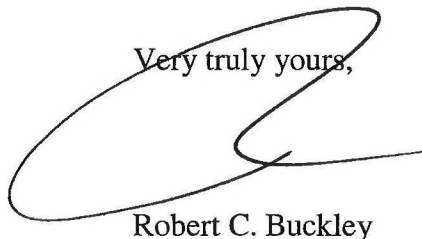
E. **Conceptual Sketch Plan for Commercial Building**

We are also submitting herewith a conceptual sketch plan for a commercial building to be located in development envelope 3 of the revised Master Concept Plan consisting of up to six (6) stories to replace the current unoccupied building containing approximately 252,000 square feet with a maximum building height not to exceed ninety (90) feet, excluding rooftop mechanicals, which the Council has the authority to approve pursuant to Section 650-33B((2) of the Ordinance. As soon as details are finalized with a potential tenant, we will be in front of the Council with a more formal site plan application which will comply with the requirements of §270-2 of the Marlborough City Code. We felt, however, that it was important to advise the Council at this time of the likely soon-to-be submitted application. As noted earlier, this information attests to the strong interrelationship between the corporate preference to locate in areas with desirable residential options and amenities. The premiere corporate users in today's market demand access to employee talent resources which in turn demand convenient housing options.

The creativity and flexibility of the RWMUOD achieved more economic benefits than what were originally anticipated and impacts with respect to surrounding roads and infrastructure have been less than contemplated. We hope that these proposed amendments are given prompt consideration and are adopted to further the positive stories that have been associated with this development in partnership with the City.

Thank you for your time and consideration. Please contact me should you have any questions.

Very truly yours,



Robert C. Buckley

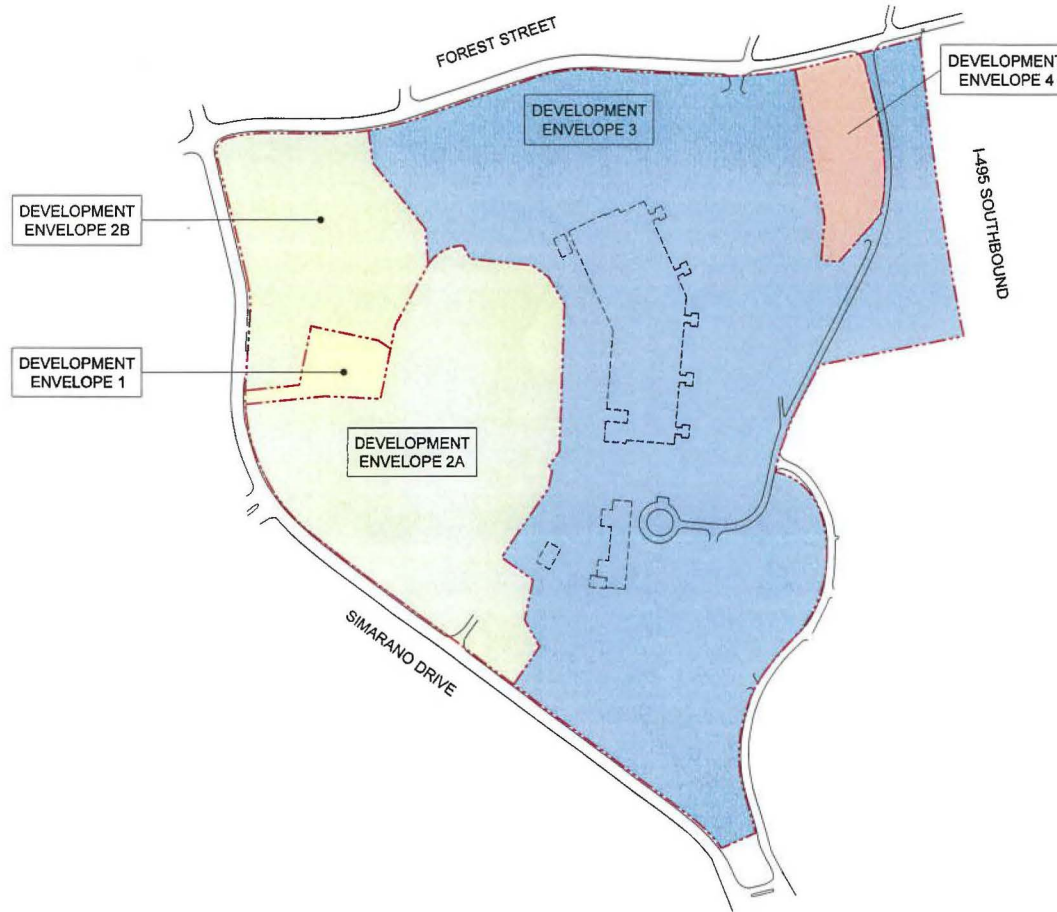
RCB:jbf

Encl.

cc: Kevin J. Breen, Fire Chief
David Giorgi, Chief of Police
Thomas DiPersio, Jr., City Engineer
Priscilla Ryder, Conservation Officer
Jeffrey Cooke, Building Commissioner /Acting City Planner
Cathleen Liberty, Director of Public Health
Joe Zink, Atlantic-Marlboro Realty LLC
Scott Dale, Avalon Marlborough LLC
Steven Schwartz, Goulston & Storrs

2314370.1

Revised Master Concept Plan



**RESULTS WAY
MIXED-USE OVERLAY
DISTRICT**

FOREST STREET /
SIMARANO DRIVE /
RESULTS WAY
MARLBOROUGH, MA

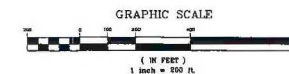
REVISION	DATE	DESCRIPTION
1	08/16/11	CITY COUNCIL SUBMITTAL
2	08/29/11	REVISIONAL DEVELOPER REVISION
3	09/07/11	REVISIONAL DEVELOPER REVISION
4	09/07/11	REVISIONAL DEVELOPER REVISION
5	09/07/11	REVISIONAL DEVELOPER REVISION
6	09/07/11	REVISIONAL DEVELOPER REVISION
7	09/07/11	REVISIONAL DEVELOPER REVISION
8	09/07/11	REVISIONAL DEVELOPER REVISION
9	09/07/11	REVISIONAL DEVELOPER REVISION
10	09/07/11	REVISIONAL DEVELOPER REVISION
11	09/07/11	REVISIONAL DEVELOPER REVISION
12	09/07/11	REVISIONAL DEVELOPER REVISION
13	09/07/11	REVISIONAL DEVELOPER REVISION
14	09/07/11	REVISIONAL DEVELOPER REVISION
15	09/07/11	REVISIONAL DEVELOPER REVISION
16	09/07/11	REVISIONAL DEVELOPER REVISION
17	09/07/11	REVISIONAL DEVELOPER REVISION
18	09/07/11	REVISIONAL DEVELOPER REVISION
19	09/07/11	REVISIONAL DEVELOPER REVISION
20	09/07/11	REVISIONAL DEVELOPER REVISION
21	09/07/11	REVISIONAL DEVELOPER REVISION
22	09/07/11	REVISIONAL DEVELOPER REVISION
23	09/07/11	REVISIONAL DEVELOPER REVISION
24	09/07/11	REVISIONAL DEVELOPER REVISION
25	09/07/11	REVISIONAL DEVELOPER REVISION
26	09/07/11	REVISIONAL DEVELOPER REVISION
27	09/07/11	REVISIONAL DEVELOPER REVISION
28	09/07/11	REVISIONAL DEVELOPER REVISION
29	09/07/11	REVISIONAL DEVELOPER REVISION
30	09/07/11	REVISIONAL DEVELOPER REVISION
31	09/07/11	REVISIONAL DEVELOPER REVISION
32	09/07/11	REVISIONAL DEVELOPER REVISION
33	09/07/11	REVISIONAL DEVELOPER REVISION
34	09/07/11	REVISIONAL DEVELOPER REVISION
35	09/07/11	REVISIONAL DEVELOPER REVISION
36	09/07/11	REVISIONAL DEVELOPER REVISION
37	09/07/11	REVISIONAL DEVELOPER REVISION
38	09/07/11	REVISIONAL DEVELOPER REVISION
39	09/07/11	REVISIONAL DEVELOPER REVISION
40	09/07/11	REVISIONAL DEVELOPER REVISION
41	09/07/11	REVISIONAL DEVELOPER REVISION
42	09/07/11	REVISIONAL DEVELOPER REVISION
43	09/07/11	REVISIONAL DEVELOPER REVISION
44	09/07/11	REVISIONAL DEVELOPER REVISION
45	09/07/11	REVISIONAL DEVELOPER REVISION
46	09/07/11	REVISIONAL DEVELOPER REVISION
47	09/07/11	REVISIONAL DEVELOPER REVISION
48	09/07/11	REVISIONAL DEVELOPER REVISION
49	09/07/11	REVISIONAL DEVELOPER REVISION
50	09/07/11	REVISIONAL DEVELOPER REVISION
51	09/07/11	REVISIONAL DEVELOPER REVISION
52	09/07/11	REVISIONAL DEVELOPER REVISION
53	09/07/11	REVISIONAL DEVELOPER REVISION
54	09/07/11	REVISIONAL DEVELOPER REVISION
55	09/07/11	REVISIONAL DEVELOPER REVISION
56	09/07/11	REVISIONAL DEVELOPER REVISION
57	09/07/11	REVISIONAL DEVELOPER REVISION
58	09/07/11	REVISIONAL DEVELOPER REVISION
59	09/07/11	REVISIONAL DEVELOPER REVISION
60	09/07/11	REVISIONAL DEVELOPER REVISION
61	09/07/11	REVISIONAL DEVELOPER REVISION
62	09/07/11	REVISIONAL DEVELOPER REVISION
63	09/07/11	REVISIONAL DEVELOPER REVISION
64	09/07/11	REVISIONAL DEVELOPER REVISION
65	09/07/11	REVISIONAL DEVELOPER REVISION
66	09/07/11	REVISIONAL DEVELOPER REVISION
67	09/07/11	REVISIONAL DEVELOPER REVISION
68	09/07/11	REVISIONAL DEVELOPER REVISION
69	09/07/11	REVISIONAL DEVELOPER REVISION
70	09/07/11	REVISIONAL DEVELOPER REVISION
71	09/07/11	REVISIONAL DEVELOPER REVISION
72	09/07/11	REVISIONAL DEVELOPER REVISION
73	09/07/11	REVISIONAL DEVELOPER REVISION
74	09/07/11	REVISIONAL DEVELOPER REVISION
75	09/07/11	REVISIONAL DEVELOPER REVISION
76	09/07/11	REVISIONAL DEVELOPER REVISION
77	09/07/11	REVISIONAL DEVELOPER REVISION
78	09/07/11	REVISIONAL DEVELOPER REVISION
79	09/07/11	REVISIONAL DEVELOPER REVISION
80	09/07/11	REVISIONAL DEVELOPER REVISION
81	09/07/11	REVISIONAL DEVELOPER REVISION
82	09/07/11	REVISIONAL DEVELOPER REVISION
83	09/07/11	REVISIONAL DEVELOPER REVISION
84	09/07/11	REVISIONAL DEVELOPER REVISION
85	09/07/11	REVISIONAL DEVELOPER REVISION
86	09/07/11	REVISIONAL DEVELOPER REVISION
87	09/07/11	REVISIONAL DEVELOPER REVISION
88	09/07/11	REVISIONAL DEVELOPER REVISION
89	09/07/11	REVISIONAL DEVELOPER REVISION
90	09/07/11	REVISIONAL DEVELOPER REVISION
91	09/07/11	REVISIONAL DEVELOPER REVISION
92	09/07/11	REVISIONAL DEVELOPER REVISION
93	09/07/11	REVISIONAL DEVELOPER REVISION
94	09/07/11	REVISIONAL DEVELOPER REVISION
95	09/07/11	REVISIONAL DEVELOPER REVISION
96	09/07/11	REVISIONAL DEVELOPER REVISION
97	09/07/11	REVISIONAL DEVELOPER REVISION
98	09/07/11	REVISIONAL DEVELOPER REVISION
99	09/07/11	REVISIONAL DEVELOPER REVISION
100	09/07/11	REVISIONAL DEVELOPER REVISION

SCALE	1"=200'
DRAWN BY	SWP
CHECK BY	SWP
PREPARED BY	SWP
PROJ. MGR.	SWP
DATE	10/06/11
BY	SYMMES MAIN & MCKEE ASSOCIATES, INC. 2012

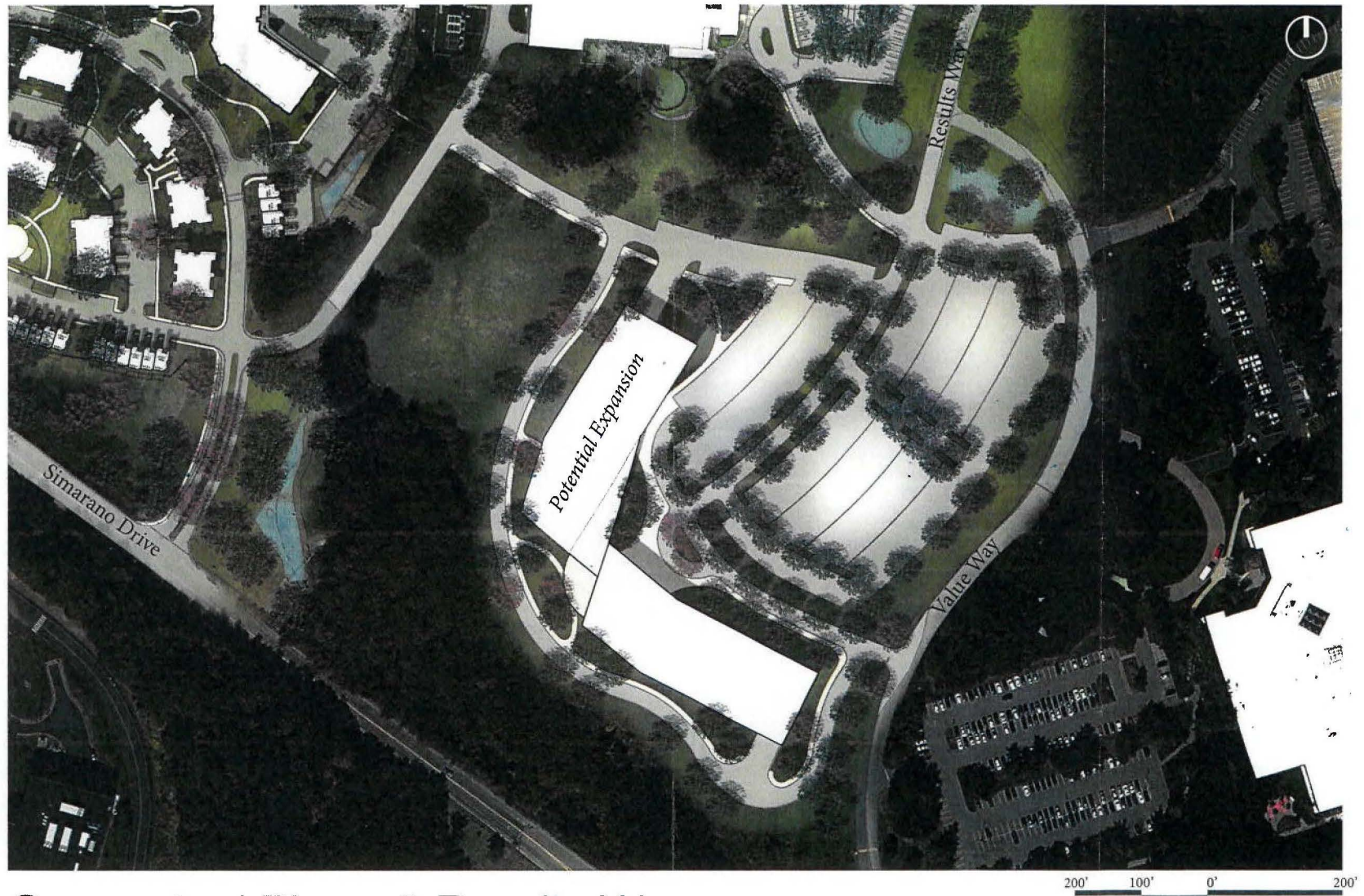
**FIGURE 1:
MASTER
CONCEPT PLAN**

MASTER 1

PROPOSED DEVELOPMENT ENVELOPE AREAS						
	ENVELOPE 1 "RETAIL"	ENVELOPE 2A "RESIDENTIAL"	ENVELOPE 2B "RESIDENTIAL"	ENVELOPE 3 "COMMERCIAL"	ENVELOPE 4 "HOSPITALITY"	TOTAL PARCEL
TOTAL LOT AREA (ACRES)	1.82	23.47	10.97	59.54	3.67	109.47



Conceptual Sketch Plan



Conceptual Plan - 2 Results Way

Marlborough Hills, Marlborough, MA

SMMA