

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: August 27, 2019

Time: 5:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2019 AUG 21 P 1:33

CONTINUED REVIEW:

06-17-2019 – **Order No. 19-1007720:** Application for Special Permit from Attorney Brian Falk, on behalf of St. Mary's Credit Union, for two drive-thru facilities associated with a bank and coffee shop building to be located at 133 South Bolton Street.

-Refer to Urban Affairs Committee

-Public Hearing: July 22, 2019

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.

Amended Draft Decision

**St. Mary's Credit Union
(SMCU)**

**Drive Through Window
Special Permit**

**In Urban Affairs
August 27, 2019**

_____, 2019

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. #19-1007720

Application of:
St. Mary's Credit Union

Locus:
133 South Bolton Street, 31 and 35 John Street, Marlborough, MA
Assessor's Map 70, Parcel 242A, and Map 82, Parcels 112 and 113

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of St. Mary's Credit Union, with a mailing address of 133 South Bolton Street, Marlborough, MA 01752, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: _____, 2019

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the [] day of [], 2019.

APPEALS

Appeals, if any shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 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.

A TRUE COPY
ATTEST:

City Clerk

ORDERED:

IN CITY COUNCIL

DECISION ON A SPECIAL PERMIT

Application of:
St. Mary's Credit Union

Locus:
133 South Bolton Street, 31 and 35 John Street, Marlborough, MA
Assessor's Map 70, Parcel 242A, and Map 82, Parcels 112 and 113

**DECISION ON A SPECIAL PERMIT
ORDER NO. 19-1007720**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to St. Mary's Credit Union (the "Applicant") to build and operate a drive thru facility for a bank and a drive thru facility for a coffee shop restaurant at 133 South Bolton Street and 31 and 35 John Street, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, St. Mary's Credit Union, is a state chartered credit union with a mailing address of 133 South Bolton Street, Marlborough, MA 01752.
2. The Applicant is the owner of the property located at 133 South Bolton Street and 31 and 35 John Street, Marlborough, MA, shown on Assessor's Map 70 as Parcel 242A and on Map 82 as Parcels 112 and 113 (the "Site").
3. In accordance with Article V, Sec. 650-14. B(2), Sec. 650-17, and Sec. 650-18(31), of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to build and operate at the Site a drive thru facility for a bank with two (2) service lanes, and a drive thru facility for a coffee shop restaurant with one (1) service lane (the "Use").
4. The Site is located in the Business District.
5. The Site has an area of 62,630 square feet +/- as per the Site Plan referenced in paragraph 7 below.
6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use.

7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a detailed site plan entitled "Special Permit Plans for St. Mary's Credit Union" by Bohler Engineering dated June 6, 2019 (the "Plans").

8. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

9. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

10. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, July 22, 2019. The hearing was closed on that date.

11. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

12. At the public hearing, three (3) members of the public spoke in opposition to the Use.

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

A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.

B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.

C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to build and operate a drive thru facility for a bank and a drive thru facility for a coffee shop restaurant at the Site as shown on the Plans filed, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction of all structures on the Site is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts, and shall be built according to the Plans as may be amended during Site Plan Review.

2. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

3. Modification of Plans. Notwithstanding conditions #1 and #2 above, the City Council or the Site Plan Review Committee may make engineering changes to the Plans, so long as said changes do not change the Use as approved herein, or materially increase the impervious area of the Use, reduce the green area, ~~alter traffic flow,~~ increase the size, ~~or~~ shape ~~or~~ position of the building, or alter the fencing bordering the Site, all as shown on the Plans.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

5. Storm Water and Erosion Control Management. The Applicant, its successors and/or assigns, shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. This individual(s)' credentials shall be acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.

6. Parking. The Applicant shall not prohibit persons using the City's John Street Playground from parking at the Site subject to the reasonable rules and regulations of the Applicant. The Applicant shall not permit overnight parking at the Site.

7. Pedestrian Safety Improvements. The Applicant shall address pedestrian safety improvements within the right of way near the Site during the Site Plan Review process, subject to Traffic Commission review and approval where applicable.

8. Drive Thru Speakers. The drive thru facilities shall employ speaker systems of a quality that seeks to minimize the noise emanating from the speaker system and in full compliance with the noise ordinance of the City of Marlborough. The drive thru speaker systems shall not produce noise at the property line greater than that which would be allowed at the property line in a residential zoning district, in accordance with the noise ordinance of the City of Marlborough.

9. Drive Thru Hours of Operation. The hours of operation of the bank and coffee shop drive thru facilities using attendants or tellers shall not exceed 5:00 a.m. to 11:00 p.m. An automated teller machine (ATM) within the bank drive thru facility may operate 24 hours per day.

10. Trash Area. No trash pickup shall occur before 7:00 a.m. or after 6:00 p.m. The Applicant shall address the screening of the Site's trash area during the Site Plan Review process.

11. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties, with a lighting plan for the Site to be reviewed and further conditioned during the Site Plan Review process.

7.12. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: _____ - Nay: _____ - Absent: _____

ADOPTED
In City Council
Order No. 19-19-1007720

Adopted: _____ 2019

Approved by Mayor
Arthur Vigeant
Date: _____ 2019

A TRUE COPY
ATTEST: _____ City Clerk



IN CITY COUNCIL

Marlborough, Mass., JUNE 17, 2019

ORDERED:

That there being no objection thereto set **MONDAY, JULY 22, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Brian Falk, on behalf of St. Mary's Credit Union, for two drive-thru facilities associated with a bank and coffee shop building to be located at 133 South Bolton Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 10/20/19 which falls on a Sunday, therefore 10/21/19 would be considered the 90th day.

ADOPTED

ORDER NO. 19-1007720

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 JUN 13 A 10:50

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

June 13, 2019

VIA HAND DELIVERY

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: St. Mary's Credit Union – 133 South Bolton Street;
Special Permit Application for Drive-Thru Facilities

Dear Councilor Clancy:

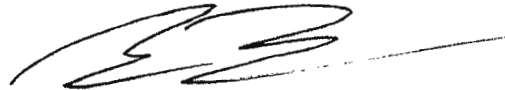
On behalf of my client, St. Mary's Credit Union, I respectfully submit an application seeking a special permit for two drive-thru facilities associated with a bank and coffee shop building to be located at 133 South Bolton Street.

The project will consist of a single 4,600 square foot building for a new St. Mary's branch and a Starbucks coffee shop. The site will include a dedicated drive-thru facility for the bank, a dedicated drive-thru facility for Starbucks, 49 parking spaces, and landscaped areas. In addition to the enclosed application packet and site plan, I incorporate by reference the traffic study for the project dated May 6, 2019 by MDM Transportation Consultants, Inc., which was previously submitted to the City Council.

A Marlborough institution for over 100 years, St. Mary's Credit Union believes this project will bring significant value to the City and dramatically improve the aesthetics of the property, which is a gateway to the downtown area. St. Mary's is also looking to work with the Council through the special permit process to enhance parking options for the nearby John Street Playground.

Please take the appropriate steps for a public hearing and review by the City Council. Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

BRF/ljk

Encl.

cc: Client
Arthur Bergeron, Esq.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

**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:

St. Mary's Credit Union, 133 South Bolton Street

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

133 South Bolton Street, 31 and 35 John Street; Assessor's Map 70, Parcel 242A, and Map 82, Parcels 112 and 113

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

Same

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

5. Specific Zoning Ordinance under which the Special Permit is sought:
Sec. 650-14.B(2), Sec. 650-17, Sec. 650-18(31)

Article V Section _____ Paragraph _____ Sub-paragraph _____

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

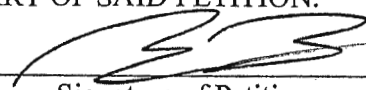
Business

7. Specific reason(s) for seeking Special Permit

The applicant seeks to build a new bank and coffee shop building with a dedicated drive-thru facility for the bank and a separate dedicated drive-thru facility for the coffee shop. The project would replace the existing bank building and two residential buildings on the site.

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

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



Signature of Petitioner or Applicant
Brian R. Falk, Attorney for the Applicant
Address: Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street
Worcester, MA 01608

Telephone No. (508) 929-1678

Date: 6/13/19

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

St. Mary's Credit Union - South Bolton
(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**)

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: St. Mary's Credit Union Address: 133 South Bolton Street

Project Name: St. Mary's Credit Union - S. Bolton Address: 133 South Bolton Street

1. PROPOSED USE: (describe) New bank and coffee shop building with a drive-thru for the bank and a drive-thru for the restaurant.

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 4,600 s.f. 1st floor 4,600 s.f. all floors 4,600 s.f.

buildings 1 # stories 1 lot area (s.f.) 62,630 s.f.

4. LOT COVERAGE: 55.9 %Landscaped area: 44.1 %

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

Normal: 20-40 Peak period: 40-65

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 15-30 Peak period: 25-40

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

Daily truck deliveries of perishable items, regular truck deliveries of non-perishable items as needed, trash pickup as needed, bank courier twice daily, and other service vehicles as needed.

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

8. NOISE:

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

Same

(B) Describe any major sources of noise generation in the proposed development and include their usual times of operation. Drive-in speakers and noises generated by customers on the drive-in queue.

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

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: 6/13/2019

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: St. Mary's Credit Union - South Bolton

Project Use Summary: Bank and restaurant with 2 drive-thrus

Project Street Address: 133 South Bolton Street

Plate: _____ Parcel: 70-242A; 82-112; 82-113


Applicant/Developer Name: St. Mary's Credit Union

Plan Date: 6/6/2019 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

\$500⁰⁰/₁₀₀

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

**Steven W. Kerrigan
City Clerk**



Dear Applicant,

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

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

1 SET	POLICE CHIEF _____
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,

*Steven W. Kerrigan
City Clerk*

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

**Steven W. Kerrigan
City Clerk**



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

Company Name

St. Mary's Credit Union

Owner Name/Officer Name of LLC or Corporation

Same

Owner/Officer Complete Address and Telephone Number

133 South Bolton Street

Marlborough, MA

Signature of Applicant

Attorney on behalf of Applicant, if applicable

Atty: Brian R. Falk, Esq.

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



IN CITY COUNCIL

Marlborough, Mass., JULY 22, 2019

PAGE 1

ORDERED:

That the PUBLIC HEARING On the Application for Special Permit from Attorney Brian Falk, on behalf of St. Mary's Credit Union, for two drive-thru facilities associated with a bank and coffee shop building to be located at 133 South Bolton Street, Order No. 19-1007720, all were heard who wish to be heard, hearing closed at 8:53 PM.

Councilor Delano recused.

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

PUBLIC SPEAKING IN FAVOR

Brian Falk, of Mirick O'Connell, 100 Front Street, Worcester, MA, represented the applicant and property owner, St. Mary's Credit Union. Mr. Falk introduced Jim Petkewich, Senior Vice-President of St. Mary's Credit Union; Randy Miron of Bohler Engineering; and Robert Michaud of MDM Transportation Consultants, Inc. The City Council voted in June of 2019 to rezone two small residential parcels owned by St. Mary's Credit Union for this project. The project consists of replacing the existing bank building and drive through with a new forty-six-hundred square foot building for a new St. Mary's branch and Starbucks location, each with its own dedicated drive through facility. The property will also include forty-nine parking spaces which is nineteen more than required for the use and significant landscaping improvements. They believe the project will dramatically improve the aesthetics of the property which is a gateway to the downtown area. Based upon the traffic study provided to the City Council as part of the site rezoning, they believe the site is a good fit for the use with little impact on the surrounding roadways. They also believe the project will benefit the nearby John Street playground with off street parking as they will reserve only a portion of their parking for Starbucks and the bank leaving ample undesignated spaces for the playground users. The parking lot will have easy access to the existing John Street crosswalk through a new sidewalk and playground patrons will be welcome to park at their site which is a safer option than on-street parking.

Mr. Falk presented a view of the current bank building and the two residential buildings owned by the bank which were rezoned to Business, 31 and 35 John Street. He also displayed their landscaping plan to provide an idea of what the project will entail, it will maintain and enhance much of the site's landscaping and the site design will enhance customer safety by keeping parking areas away from the drive through lanes. Mr. Falk then showed an aerial photograph with the site plan overlaid on the area which showed their maintenance of the existing green space particularly with respect to the adjacent residential properties.



IN CITY COUNCIL

Marlborough, Mass., JULY 22, 2019

PAGE 2

ORDERED:

Randy Miron of Bohler Engineering provided a brief overview of the site and landscaping aspects of the project. The total development itself is 1.44 acres and they proposed a forty-six-hundred square foot building of which twenty-two hundred square feet are for the Starbucks with a drive through attached to the rear of the building and the remaining twenty-four hundred square feet of the building would be for the St. Mary's bank with a remote drive through on the north side of the site. There are forty-nine proposed parking spaces and one full movement driveway on John Street. The proposed driveway is in a similar position to the existing driveway. As part of the project, there are stormwater improvements. Not only will they be reducing the storm water run-off rate but also improving storm water quality by meeting Massachusetts Department of Environmental Protection stormwater standards as well as the City's standards as part of the project. They are also proposing new underground utilities, new water, sewer, gas, and electric connections. Regarding the proposed landscaping, there will be twenty-five new trees, two-hundred-eleven new shrubs, and thirty-eight new ornamental grasses to aesthetically improve the look of the site.

Robert Michaud, a principle with MDM Transportation Consultants, Inc. of Marlborough reviewed some of the traffic related aspects of the project. Their traffic study examined two principal locations, the driveway of the facility as well as the Route 85 intersection at Maple and John Streets. They looked at the safety aspects of that location with regards to the intersection and the driveway itself, taking the time to not only look at State level records but also local crash records to understand its characteristics and from the safety perspective it is a low crash location, but it is subject to the State funded improvements. The nature of those improvements which have a direct effect on this intersection involved full depth reconstruction, sidewalk reconstruction, and the addition of pedestrian crossing points along Route 85 with one at John Street, and bicycle and better pedestrian accommodations above and beyond what currently exists. He showed a map with those improvements at the site location and why those improvements were a benefit to their site. From a traffic volume perspective, in the Fall of 2018, they categorized all the traffic movements in the area and they discovered the bank is averaging twenty customer trips (in and out) per hour in the morning, in the evening it increases to about thirty customer trips (in and out) per hour, and on a Saturday morning, it increases to around sixty transactions per hour. They do not anticipate any material change in the amount of bank related trips but there is the introduction of the coffee use with a drive through and that would be the driver for any additional trip activity. They used industry standards which tend to trend high to approximate the number of trips the Starbucks location would potentially have at this location and they anticipate weekday morning roundtrips to be one-hundred per hour, with half that amount for weekday evenings, and about one-hundred trips for a Saturday. They anticipate about 50-55% of those transactions will be through the drive through window because of count information from existing Starbucks locations in Marlborough, Worcester, and Northborough. They do anticipate an increase of trips on John Street but not to a volume creating an excessive delay. Their analysis of the delay for people on John Street turning onto Route 85 is increased, but only modestly according to their analysis (12 seconds versus 14-15 seconds). MDM also performed a drive



IN CITY COUNCIL

Marlborough, Mass., JULY 22, 2019

PAGE 3

ORDERED:

through queue analysis and found the site benefits from an extensive on-site queuing capacity and can store no less than twelve cars before it approaches the parking area and can sustain twenty vehicles queued before it affects John Street. Through their analyses, the typical queuing for a Starbucks is eight to ten cars.

Jim Petkewich, Senior Vice-President of Retail Services for St. Mary's Credit Union, explained the branches report to him and he has been involved in this project for over a year and a half. They engaged the engineering and traffic consultants to ensure this project made sense for their business because they do not want to negatively impact their business or neighbors. St. Mary's Credit Union has served the Marlborough community for 106 years and for the past twenty years, they have operated at South Bolton Street in a building built for a different time that does not suit the current needs, look, and feel of the credit union. They are going from a dated building to a beautiful one for the neighborhood and is a gateway to downtown Marlborough. He explained the differences for the proposed branch location to serve the current needs of its members.

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

QUESTIONS FROM THE PUBLIC

Paul Valianti, owner of the house at 41 John Street:

- Mr. Valianti asked if there would be changes to the St. Mary's Credit Union entrance or will it remain the same? Mr. Falk and Mr. Petkewich confirmed it would be at the same location off the street.
- Mr. Valianti mentioned the use of the parking lot for those at the John Street Playground and asked if they would restrict overnight parking. Mr. Falk stated a few spaces would be designated for Starbucks pick up, some for credit union members, but the lot would be unrestricted and available for playground users.
- Mr. Valianti then asked if there would be any plans to restrict parking on John Street and Mr. Falk stated it would not be by them and President Clancy explained the Traffic Commission would make a determination and impose any restrictions when requested.

Keith St. John, Stearns Road:

- Mr. St. John appreciated the effort to reduce runoff for the city roads and the city sewer system, as well as the extra parking for the park, but wondered if the building would be LEED certified. Mr. Falk confirmed that was their intent.
- Mr. St. John noted the underground utilities were to be natural gas lines and asked if they considered any sort of alternative heating sources and Mr. Falk stated they had not.



IN CITY COUNCIL

Marlborough, Mass., JULY 22, 2019

ORDERED:

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- Mr. St. John asked if they had considered any offsets for the decrease in air quality in the area due to having the space for twelve to twenty vehicles idling in a parking lot next to a park. Mr. Michaud explained the use of the site will result in queueing as that is how it is designed but that the site is also the beneficiary of and being integrated with the pedestrian related improvements along Route 85. This is recognized as an appropriate mitigation action for projects like this as it provides infrastructure that would encourage the use of non-automobile related trips. This project provides an integration to the sidewalk systems that are being enhanced along the roadway and the enhanced crossing to the neighborhood south of Route 85.
- Mr. St. John referenced the expected one-hundred trips in the morning to the Starbucks and the extra time waiting for coffee by those vehicles and their emissions and pollutants and what their plan was for the extra traffic into the site and not the increase in the number of pedestrians. Mr. Michaud explained that one of the initiatives at Starbucks is online ordering to facilitate the trip process. About half the transactions that are going to be made by this particular use are going to tend to go through the window as a more efficient trip, rather than perhaps parking, idling and starting up their engines again, in the parking lot. The start and stop process from an air quality perspective is actually more damaging than sitting in a queue for 40 seconds or a minute. The bank itself, as the banking industry is becoming more dependent on online transactions rather than in building transactions. So, the transaction dips that Mr. Petkewich referenced are pretty much across the banking industry. So over time, they see less trips and those made are more efficient because of the online ordering system and other processes. So those can be considered as a mitigation of actions. This is not in a traditional sense, a place where you're going to spend five minutes idling in line, it's going to be a place that you order, at least half the time in advance of getting there and you'll be in and out of the line in less than a minute. The queuing conditions here on average are going to be about one to two cars. They're not talking about a traditional, Dunkin Donuts type scenario where there are a dozen cars over extended hours of time.

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



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PUBLIC SPEAKING IN OPPOSITION

Paul Valianti, owner of the house at 41 John Street, is a user of St. Mary's but did not see this use as a good fit for the neighborhood since it is a very small, tight knit area of multifamily properties. Mr. Valianti believed the large volume of residents in the area need to be taken into consideration. He appreciated the traffic study but still had concerns about the safety of coming on and off Maple Street. Mr. Valianti also shared his concerns regarding the Starbucks and the volume of traffic it will bring to and from the site especially if customers start to go through the neighborhood via John and Howe Streets. He thought it would be a shame to impact the residents with parking restrictions because of the increased flow of traffic from a project like this. He thought it would be a beautiful building but not a good fit for the neighborhood.

Mike Ferro, 112 Howe Street, lives at the corner of Howe and John Streets at the top of the hill since 1962. He explained the changes he has seen over the years. The intersection in that area is dangerous and he was recently involved in an accident there. He stated there are no signs indicating there is a playground on John Street nor are there any speed limit signs either. Mr. Ferro is opposed to this project, he is all for progress but not in that area, as it should remain a residential area.

Michael Grasso, 10 Greenwood Street, stated his biggest concern was the traffic crossing from Greenwood Street to John Street. He has lived there his whole life and believes the intersection is horrendous. He did not have the accident statistics but shared that they hear accidents constantly. He thought the facility looked beautiful, but he was concerned about the safety of that intersection. He sees it every day and believes it is a dangerous location.

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

QUESTIONS FROM THE CITY COUNCIL

✓ Councilor Oram pointed out the questions from the Planning Board letter, dated April 30, 2019, sent by their chairperson, Barbara Fenby, from their April 29th meeting. They reviewed several things, one being the position of the dumpsters next to the neighbors, the structure itself being repositioned away from the residential neighbors, and last on their review was the potential for left hand turns at John Street being prevented. As they're hearing from the neighbors, that may cause concern throughout the neighborhood related to cut throughs, as they may go up Howe Street where the other bank is located.

They have to pay attention to what was said by the concerned parties who spoke. One being the idling, is there a separate line consideration for online ordering? Councilor Oram thought as they move along, the Traffic Commission will be involved, to see how it's going to impact that very difficult intersection. Councilor Oram is a patron of both the hardware store and St. Mary's and agrees it is a tough intersection. It's a beautiful plan, but a tough intersection that has to be considered.



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✓ Councilor Juaire requested when the applicant appeared before the Urban Affairs Committee if they could merge everything on the number of trips, broken down by the bank and coffee shop with the predicted peak hours for both. Councilor Juaire spoke of the time delay increase of the turn going north on Maple Street from John Street and did not believe it could occur in less than three minutes, not the fourteen second delay mentioned in their presentation. He also questioned them on the member of the public's question about twenty-four-hour parking and whether it would be allowed at the site because they answered the question in the affirmative. Mr. Falk clarified the intent was not to allow overnight parking, but their restrictions would be for a few spaces designated as Starbucks pick-up only or St. Mary's Credit Union members only, but the remaining spaces on the site would be undesignated or unrestricted and therefore available for users of the John Street playground.

✓ Councilor Landers explained he had concerns and questions over the past several months and met with Mr. Petkewich to discuss those concerns. He still has some concerns, but he also spoke with the City's engineering department. He thought the recently installed island would be a good solution and may slow traffic. He also mentioned the Traffic Commission and he would reach out to them to discuss having no parking on either side of John Street up to the remaining house and letting the users of the playground know they would be welcome to park in the St. Mary's lot. Councilor Landers discussed his disappointment in the razing of the two affordable houses, but it seemed a necessity for them to achieve their desired project. He stated in Urban Affairs Committee, they can require some conditions to solve some of their concerns and the those of the neighbors.

✓ Councilor Robey spoke of the Traffic Commission meeting held on June 26, 2019 and how they tabled a discussion regarding John Street at the request of Councilor Juaire. At their next meeting, they would review an engineering proposal to restrict parking on the south side. Councilor Robey expressed her concerns about the internal traffic to the site but according to their detail, there is not any indication that to park on the angled parking on the side of the building closer to Starbucks, you have to circumnavigate the whole building to get there. There is a lane to do it on the far side of the box that will be for the bank to have, but would those be the ones to indicate people who are going to the playground would park?

Mr. Falk stated those would be good locations for that, in addition to the spaces just above the main driveway, which are pull in spaces that you would not have to go around the building. There are five spaces there, which given their location, are probably not going to be used by St. Mary's Credit Union members or Starbucks customers given the location to the building. They are right next to the sidewalk that will take you to the existing John Street sidewalk.

Councilor Robey discussed her additional concerns with the internal traffic pattern and the logistics of several scenarios. She also asked about the location of the Starbucks outdoor patio area as she did not see it as an ideal location near idling cars and whether there was some other spot available for it on the site.



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✓ Councilor Tunnera asked if it was possible for them to put another entrance on Maple Street. Mr. Falk stated it would be challenging given the state layout of Maple Street and they would require massDOT approval for the curb cut. Given where it is, with respect to existing roadways, he did not believe they would receive the approval.

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. 19-1007720A
