

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: September 18, 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 SEP 16 A 9:13

1. 07-22-2019 – **Order No. 19-1007738**: Proposed Zoning Map Amendment from Attorney Michael Norris on behalf of Renato Fontes, regarding Rezoning of land off 269 Mechanic Street identified as Map 56, Parcel 125.
-Refer to Urban Affairs Committee & Planning Board
-Public Hearing: August 26, 2019
2. 02-25-2019 – **Order No. 18/19-1007135B (X19-1007571, X16-1006668)**: Updated Site Plan Approval Submission from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.
-Refer to Urban Affairs Committee
3. 02-25-2019 – **Order No. 19-1007571 (X18/19-1007135B)**: Application for Special Permit from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.
-Refer to Urban Affairs Committee
-Public Hearing: April 08, 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.



IN CITY COUNCIL

Marlborough, Mass., JULY 22, 2019

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH HEREBY ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING THE ZONING MAP, SECTION 650-8, AS FOLLOWS:

That, rear land at 269 Mechanic Street currently owned by Carmi Greb, LLC on Assessors Map 56, Parcel 125 presently zoned Limited Industrial "LP" be rezoned as Residential B as it is contiguous to the Assessors Map 56, Parcels 131, 130, 129, 128, 127, and 123, that are all currently zoned Residential B.

Be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, AUGUST 26, 2019.**

ADOPTED

ORDER NO. 19-1007738

Law Office of Michael J. Norris

171 Locke Drive, Ste. 108
Marlborough, MA 01752
Telephone: (508) 624-7733
Facsimile: (508) 229-2600

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 JUL 11 P 12:27

Michael J. Norris
mnorris@mjnattorney.com

July 8, 2019

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

**Re: Rezoning of 269 Mechanic Street
Assessors Map 56-125**

Dear Edward Clancy, President,

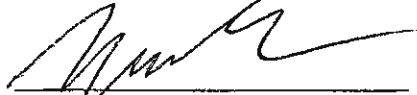
Renato Fontes has entered into a Purchase and Sales Agreement with the current owner of the above property, Carmi Greb, LLC. Renato Fontes is seeking to petition the City Council to rezone the portion of land off 269 Mechanic Street as identified on Assessor's Map 56, Parcel 125. This parcel is currently zoned Limited Industrial. The portion of the property that runs from Mechanic Street to the rear portion of the property is currently zoned Residential B. The petitioner seeks to rezone the portion of the property zoned Limited Industrial to Residential B. This would make the entire parcel zoned Residential B. This property is contiguous with other properties on Mechanics Street which are zoned Residential B. This will maintain a consistent use pattern for the subject area. We would suggest the following language for the zoning amendment to read as follows:

That rear land at 269 Mechanic Street currently owned by Carmi Greb, LLC on Assessors map 56, parcel 125 presently zoned Limited Industrial be rezoned as Residential B as it is contiguous to the Assessors map 56, parcels 131, 130, 129, 128, 127, and 123, that are all currently zoned Residential B.

The change in zoning will allow Renato Fontes to seek a special permit from the City Council to change the use of the property and to develop residential condominiums.

Thank you for your consideration and assistance with this rezoning effort. We look forward to this matter being placed on the July 2019 City Council agenda and remain available to provide and present support for this rezoning effort.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael J. Norris', written over a horizontal line.

Michael J. Norris, Esq.

MJN/clr

cc: Renato Fontes
Carmi Greb, LLC

Carmi Greb LLC
P.O. Box 2664
Framingham, MA 01703

Michael J. Norris, Esq.
171 Locke Drive
Marlborough, MA 01752

July 10, 2019

RE: 269 Mechanic Street, Marlborough, MA
Change of Zoning

Dear Attorney Norris:

Please consider this correspondence to be authorization by the owner of 269 Mechanic Street, Marlborough, Massachusetts, for Renato Fontes to petition the City Council of Marlborough to rezone a portion of 269 Mechanic Street, identified on Assessor's Map 56, Parcel 125 from Limited Industrial to Residential B.

Carmi Greb, LLC

A handwritten signature in blue ink, appearing to read "Ilan Carmi".

By: Ilan Carmi, Manager



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

PAGE 1

ORDERED:

That the PUBLIC On the Proposed Zoning Map Amendment from Attorney Michael Norris on behalf of Renato Fontes, re: Rezoning of land off 269 Mechanic Street identified as Map 56, Parcel 125, Order No. 19-1007738, all were heard who wish to be heard, hearing closed at 8:30 PM.

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

PUBLIC SPEAKING IN FAVOR

Michael Norris, attorney from Marlborough, represents the prospective purchaser of the property, Renato Fontes. Mr. Norris displayed an assessors' map illustrating the property's location at 269 Mechanic Street. It was originally built in 1917 and had numerous uses over the years, most recently as a moving company. The area surrounding the property is mostly residential. The property itself is located in two zones, the front is in a Residential B zone and the rear is in a Limited Industrial zone. Their request is a zoning change for the rear of the property from Limited Industrial to Residential B so they can return in the future for a special permit to develop this property as eight condominium units.

Mr. Norris introduced the developer, Renato Fontes; architect, Peter Bartash; engineer, Zach Bemis; and Victor Cabral, the broker who assists with the marketing and sale of the properties. Each will provide some information about the project so the Councilors can understand the plan for the site. Most of Mr. Fontes' projects have been rehabs, two-family, and multifamily in and around the general Cambridge and Somerville areas. Mr. Norris listed the locations of Mr. Fontes' previous projects and indicated Mr. Fontes intends to reside in one of the Marlborough units.

Mr. Norris showed pictures of the site as it exists today. The building is well constructed and structurally sound but needs some work. Mr. Fontes would like to have an access from this property to the rail trail located behind it and the plans include access for neighbors as well as members of the public. Mr. Fontes plans to work with the Conservation Commission to clean the area near the rail trail to make it look nice and not so overgrown.

The property over the years has been used as a warehouse, construction companies, woodworking company, and even a battery company at one time. Mr. Fontes wants to eliminate all industrial uses at the site and stabilize the property as a residential property.

Renato Fontes introduced himself and stated he has been in real estate for the past eighteen years and has worked as a developer since 2007. Mr. Fontes showed an example of his work in Everett and explained he usually purchases multifamily homes and converts them into townhouses which increases their resale value. He has worked on smaller projects in the Boston and Cambridge areas and has experience working with cities to create projects beneficial to everyone.



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

PAGE 2

ORDERED:

Mr. Norris introduced the architect, Peter Bartash, who would show the renderings for the preliminary design of the building for both the exterior and interior. Peter Bartash of Port One Design based out of Boston, Massachusetts, has been working with Mr. Fontes for several years to design multiple properties. Mr. Bartash has worked on residential architecture for the past ten years, anywhere from single-family, ground up, to three-hundred unit plus projects. Mr. Bartash was tasked with taking the current building and transforming it to have residential character and fit with the actual neighborhood itself. The challenge for this building is that it does not have inviting character, it is set behind a residential neighborhood and creates a barrier to the rail trail. The rear of the property abuts the rail trail and is relatively uninviting from a pedestrian standpoint. They wanted to create a residential entry sequence in a way that minimally impacted the site and minimally changed the existing structure itself. The structure of the building is sound, so sound that it makes it challenging to renovate the building extensively. Therefore, they had to be very careful in their design process ensuring they were not making too many changes to the exterior wall or the existing floors within the building itself and fitting the units carefully within the project. They created minimally intrusive entrances to help it feel more residential and added bays to the building to create a residential look and feel. They also created some balcony conditions to visually demonstrate the building is residential and no longer commercial. By adding windows and Juliet balconies along the rear façade, it creates a residential character along the rail trail as well.

Mr. Bartash reviewed the plans and explained the ground floor units are direct access from the exterior from grade. It made sense for them to create townhome style units within the building so each unit has a lower level and an upper level. On the lower level, it is typical living space including a living room, kitchen, shared bathroom, and a side separate dining or den area. The upper floor has three bedrooms and two bathrooms. Their challenge was how to minimally impact the development of the building at this site in a way that creates that residential character in an easy and straightforward way to execute from a construction standpoint and build off the good "bones" of the building.

Mr. Norris pointed out a wooded area or fenced in area, on the side of the building for tenants to have an area outside for picnic tables, barbecues, fire pits, or similar pursuits to have their own area within the project site to mingle and enjoy the outside.



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

PAGE 3

ORDERED:

Zachary Bemis with Engineering Design Consultants of Southborough, Massachusetts reviewed the site plan and landscape design. The property is located off Mechanic Street and abuts the rail trail in the rear of the property. Currently, it is in a residential area and all the lots down there that directly front on Mechanic Street are all single-family residential units. By developing this property, they are going to keep it with the properties that are surrounding it. The only property, the one to the north, is still an industrial use parcel but there is a wood line that separates the two properties. In developing this site, the final product will have less impervious area. It is currently a single building, surrounded by a sea of asphalt and the final concept shows far less pavement surrounding the buildings, and much more green space in the areas to help it feel a lot newer and more modern with the area and blend well with the rail trail.

Mr. Norris concluded their presentation by reiterating his client's intent to work with the City and all departments including the Conservation Commission. They want this project to be one they and the City are proud of, and the neighbors will be comfortable with. They have met with the neighbors and intend to continue to meet with them to develop a project everyone is comfortable with and a nice project for the City.

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

QUESTIONS FROM THE PUBLIC

Keith St. John, Stearns Road, asked if the developer had the site tested for toxic materials such as cadmium, lead, and battery acid since it was a former battery company. Mr. Norris stated they have the 21E from the previous owners of the property.

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

PUBLIC SPEAKING IN OPPOSITION

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

QUESTIONS FROM THE CITY COUNCIL

✓ Councilor Landers liked the potential of the project and thought there would be enough parking. Since the units will be three-bedroom units, there will be the potential for children residing there and would there be enough land to have some type of play area or enough green land for kids to enjoy. Mr. Norris stated there is the area to the side of the building and direct access to the rail trail for bike riding. Councilor Landers stated it has a lot of potential by taking an older building and constructing the eight units, and he asked about the price range for those units. Mr. Norris expected the units to be in the range of upper fours or lower fives, depending upon how the numbers finally come in for the reconstruction.



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

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ORDERED:

✓ Councilor Irish thanked them for meeting with him and the neighbors the previous Thursday evening and stated it was very positive, constructive, and provided a lot of information. He asked them to clarify the frontage when they appear before the Urban Affairs Committee. Mr. Norris stated the property has been surveyed and if looking at the site plan, one can see the entrance and what the property looks like.

✓ Councilor Robey confirmed she was not within the zone or radius of having to recuse herself as she lives on the corner of Hudson and Union Streets and she was outside that radius. Councilor Robey reminded everyone that currently only the rezoning is before them. They are focusing on what would be put at the site, assuming the zoning passes. They need to take a step back, because if the zoning passes, there will be a separate application for the special permit that is required because the zoning does not allow multifamily units in Residence B without a special permit.

By looking at the GIS Map, the frontage according to the measurements on the GIS map, were 39.9 feet and the code requires 100 feet of frontage so they would require a variance from the zoning board. Also, according to her calculations she was not sure whether they could put eight units there based on the square footage of the property. She hopes they have done all those calculations, and they may need another variance.

Does the City Council want to rezone this property, knowing a building there will require a special permit and potentially variances? The Council needs to recognize that, and the site is an eyesore the neighbors would appreciate having it fixed up, but there are multiple steps that will have to be taken care of before they get to the special permit step.

✓ Councilor Oram stated some of his questions were already answered or brought to the attention of the applicant. Regarding the variances, he would be interested in percent coverage and if they have enough green space. He also was interested in the proximity of the parking in the front as it relates to residential, and if there are variances required for that as well.

There are no 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. 19-1007738A



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 25, 2019

ORDERED:

That the Communication from Attorney Falk on behalf of Vincenza Sambataro, re: Updated Site Plan Approval, E on Main, 161-175 Main Street, to build a mixed-use development in the Marlborough Village District, X16-1006668A, be and is herewith refer to **URBAN AFFAIRS COMMITTEE**.

ADOPTED

ORDER NO. 18/19-1007135B

X 19-1007571

X 16-1006668A



IN CITY COUNCIL

Marlborough, Mass., _____ FEBRUARY 25, 2019

ORDERED:

That there being no objection thereto set **MONDAY, APRIL 8, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 07/07/19 which falls on a Sunday, therefore 07/08/19 would be considered the 90th day.

ADOPTED

ORDER NO. 19-1007571
X 18/19-1007135B

TO COUNCILORS: E on Main Site Plan and Special Permit Decisions for UAC Review next Wednesday, September 18th at 5:30PM

City Council

Fri 9/13/2019 5:02 PM

To: Christian Dumais <ward_3@marlborough-ma.gov>; David Doucette <ward_2@marlborough-ma.gov>; Don Landers <ward_7@marlborough-ma.gov>; Ed Clancy <ward_6@marlborough-ma.gov>; Joe Delano <ward_1@marlborough-ma.gov>; John Irish <ward_5@marlborough-ma.gov>; Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mark Oram <atlarge_2@marlborough-ma.gov>; Mike Ossing <atlarge_3@marlborough-ma.gov>; Peter Juairae <atlarqe_1@marlborough-ma.gov>; Robert Tunnera <ward_4@marlborough-ma.gov>;

Cc: Sara Corbin <scorbin@marlborough-ma.gov>; City Council <citycouncil@marlborough-ma.gov>

 9 attachments (11 MB)

E on Main Special Permit Decision - revised 8-30-19 (clean) (A6105040x7A575).DOCX; E on Main Special Permit Decision - revised 8-30-19 (redline against 4-19 version) (A6136225x7A575).DOCX; E on Main Site Plan Decision - revised 8-30-19 (clean) (A6105026x7A575).DOC; E on Main Site Plan Decision - revised 8-30-19 (redline against 6-12 version from P Ryder) (A6136249x7A575).DOCX; E on Main Site Plan - revised 7-15-19 (A6136262x7A575).PDF; E on Main Architecturals - revised 7-12-19 (A6136260x7A575).PDF; E on Main Shadow Study 4-30-19 (A6081181x7A575).PDF; Proposed Order for Stair Land (A5985837-2x7A575).DOCX; ANR Plan for Stair Land - 8-27-19 (A6136188x7A575).PDF;

From: Falk, Brian R. <bfalk@MirickOConnell.com>

Sent: Friday, August 30, 2019 10:18 AM

To: City Council <citycouncil@marlborough-ma.gov>

Cc: Thomas DiPersio <tdipersio@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Jason Grossfield <jgrossfield@marlborough-ma.gov>; Frederick Flynn <fflynn@marlborough-ma.gov>; Timothy Collins <tcollins@marlborough-ma.gov>

Subject: RE: E on Main

Greetings,

Attached in clean and redline form are updated Special Permit and Site Plan decisions for the E on Main project, along with updated plans. Following our team's investigations into site conditions and feedback from City Councilors, we made a few changes to the plans, which are reflected in the decisions where necessary. The changes are as follows:

1. Site conditions required that we reduce the number of tandem compact parking spaces intended for the rear of the garage, so that we will now provide a total of 43 on-site spaces. This does not impact the total payment-in-lieu calculation provided in the Site Plan decision because we were not claiming credit for the extra compact spaces (we already planned to pay for them as if they were not there, as they exceeded the maximum number of compact spaces allowed).
2. Following the balloon tests and comments from City Councilors and neighbors, we relocated many of the outdoor roofdeck social amenities from the rear roofdeck to the front roofdeck on the Main Street side. Along with the revised Special Permit condition on exterior noise, we believe this shift will further minimize any impacts from the roofdeck on neighboring properties.
3. The Site Plan now shows a small area in the northeast corner of the landscaped slope area for a transformer / generator, based upon discussions with National Grid regarding power access.

You will see that the revised Site Plan decision, previously reviewed and edited by the Site Plan Committee, has few changes. Accordingly, we believe the Urban Affairs Committee may proceed with its review without further meetings on the project by the Site Plan Committee.

In addition, I have attached a shadow study, referenced in the Special Permit decision, that simulates the shadow cast by the proposed building towards 15 Grant Court at 9:00 a.m. on December 21, the date and time each year when shadows are the longest in that direction. (I previously provided this study to the owner of 15 Grant Court). The shadow study demonstrates that the proposed building will not impose shade impacts on 15 Grant Court.

Finally, I have attached a proposed order for the City's conveyance of portions of the adjacent stair land, consistent with Condition J of the Site Plan Decision, along with an updated ANR Plan for the conveyance. Under separate cover, I will send City Solicitor Grossfield additional materials regarding this conveyance, which were previously submitted to the City.

We look forward to further review of this project by the City in the coming weeks.

Thanks, and enjoy the weekend and parade.

Brian



BRIAN R. FALK

Of Counsel

Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street | Worcester | MA | 01608-1477
t 508.929.1678 | f 508.983.6256
bfalk@mirickoconnell.com | [Bio](#)



Please visit our website: www.mirickoconnell.com

From: Thomas DiPersio <tdipersio@marlborough-ma.gov>

Sent: Thursday, June 13, 2019 2:44 PM

To: Priscilla Ryder <pryder@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>

Cc: Frederick Flynn <fflynn@marlborough-ma.gov>; Timothy Collins <tcollins@marlborough-ma.gov>; Falk, Brian R. <bfalk@MirickOConnell.com>

Subject: RE: E on Main

This Message originated outside of Mirick O'Connell.

I am in agreement with the Stormwater revision, and have no further comments on the Decision.
Thank you

Thomas DiPersio, Jr., PE, PLS
City Engineer
Department of Public Works

135 Neil Street
Marlborough, MA 01752
Phone:(508)624-6910x33200
tdipersio@marlborough-ma.gov



From: Priscilla Ryder
Sent: Wednesday, June 12, 2019 1:58 PM
To: Thomas DiPersio <tdipersio@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>
Cc: Frederick Flynn <fflynn@marlborough-ma.gov>; Timothy Collins <tcollins@marlborough-ma.gov>; Falk, Brian R. <bfalk@MirickOConnell.com>
Subject: RE: E on Main

Hi All,

As noted at our last site plan review meeting, Brian Falk is looking for any final comments on the E on Main Site Plan approval decision – copy attached – They want to get on the City Councils UA agenda and need our decision to do so. Police and BOH are all set. Can you give me your OK on this so I can get back to Brian.

I made one edit on the stormwater section.

I believe the latest plan set was dated 5-2-19 which I have attached as well. (Brian if there has been an update, please provide)

Any Comments send to all of us and to Brian Falk, copied above.

Hi Brian, One thing I noted as well is that the plans need to have an additional signature block for the City Council president to sign.

Thanks!

Priscilla Ryder
Conservation Officer
140 Main St. City Hall; Marlborough, MA 01752
Ph: 508-460-3768 ; pryder@marlborough-ma.gov

From: Priscilla Ryder
Sent: Thursday, May 23, 2019 5:46 PM
To: Thomas DiPersio <tdipersio@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>
Cc: Frederick Flynn <fflynn@marlborough-ma.gov>; Timothy Collins <tcollins@marlborough-ma.gov>
Subject: FW: E on Main

Hi All,

Brian Falk is asking for comments... do any of you have comments on the E- on Main project and any changes needed to the attached or the plans. If you can get them to me early next week that would be great.

Thanks! Have a nice long weekend!

Priscilla Ryder
Conservation Officer
140 Main St. City Hall; Marlborough, MA 01752
Ph: 508-460-3768 ; pryder@marlborough-ma.gov

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Tuesday, May 21, 2019 2:34 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>
Subject: FW: E on Main

Hi Priscilla,

Just checking in on this. Please let me know if you have any questions.

Thanks,
Brian


BRIAN R. FALK
Of Counsel
Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street | Worcester | MA | 01608-1477
t 508.929.1678 | f 508.983.6256
bfalk@mirickoconnell.com | [Bio](#)


Please visit our website: www.mirickoconnell.com

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Tuesday, May 14, 2019 3:23 PM
To: 'Priscilla Ryder' <pryder@marlborough-ma.gov>
Subject: E on Main==

Hi Priscilla,

Attached is a revised Site Plan Decision, incorporating the two changes we discussed last week. I understand that you would be receiving additional comments from Site Plan Committee members this week before sending a recommendation to the Urban Affairs Committee.

Please let me know if you have any questions.

Thanks,
Brian

[Redacted]

BRIAN R. FALK

Of Counsel

Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street | Worcester | MA | 01608-1477
t 508.929.1678 | f 508.983.6256
bfalk@mirickoconnell.com | [Bio](#)

[Redacted]

Please visit our website: www.mirickoconnell.com

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For Urban Affairs Committee
September 18, 2019

Special Permit Decision (Clean)

Order No. 19-1007571: Application for Special Permit from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.

_____, 2019

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. # 19-1007571 (X 18/19-1007135B):

Application of:
Vincenza Sambataro

Locus:
161-175 Main Street, Marlborough, MA
Parcels 33A, 34, 76A, 77, 77A, 78, and 79 on Assessors Map 70, and portions of the adjacent
City stair property

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of Vincenza Sambataro, with a mailing address of 22 Indian Rock Road, Wayland, MA 01778, 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:
Vincenza Sambataro

Locus:
161-175 Main Street, Marlborough, MA
Parcels 76A, 77, 78, and 79 on Assessors Map 70, currently owned by the Property Owner, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent stair property currently owned by the City of Marlborough

**DECISION ON A SPECIAL PERMIT
ORDER NO. 19-1007571 (X 18/19-1007135B)**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Vincenza Sambataro (the “Applicant”) to build and operate a Mixed Use Development at 161-175 Main Street, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Vincenza Sambataro, is an individual with an address of 22 Indian Rock Road, Wayland, Massachusetts 01778.
2. The Applicant is the owner and prospective owner of the property located at 161-175 Main Street, Marlborough, Massachusetts, being shown as Parcels 76A, 77, 78, and 79 on Assessors Map 70, currently owned by the Applicant, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent stair property currently owned by the City of Marlborough (the “Site”).
3. In accordance with Article VI, Section 650-34, of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to build and operate a 97,891 square foot Mixed Use Development at 161-175 Main Street, in a building with 67 residential units, 43 on-site parking spaces, and street level commercial units (the “Use”).
4. The Site is located in the Marlborough Village District, with a small 98 square foot portion in the Business District.

5. The Site has an area of 21,650 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 following aspects of the Use:

- A. A seventh (7th) story and a total building height of 81 feet, including within 50 feet of a residential zone, authorized by special permit in accordance with Section 650-34.F(1) and Section 650-41, Attachment 2, Note 12;
- B. Total lot coverage of 94%, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 13;
- C. A rear setback of 0 feet, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 15;
- D. A Mixed Use Development over a 98 square foot portion of the project site zoned Business, authorized by special permit in accordance with Section 650-17, Attachment 1; and
- E. Authorization for the issuance of more than 100 residential units in the Village District in a single calendar year, authorized by special permit in accordance with Section 650-34. G(1).

7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a detailed site plan entitled “E On Main” by Bruce Saluk and Assoc. Inc., said plans being comprised of Cover Sheet and Sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of July 15, 2019 (said set of plans hereinafter, collectively, the “Site Plan”); and a set of twenty-one (21) architectural drawing sheets entitled “E on Main Retail and Residential” by JD LaGrasse & Associates, with the last revision date of July 12, 2019 (collectively with the Site Plan, 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, April 8, 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, two members of the public spoke in opposition to the Use.

13. The Applicant, through its representatives, submitted a shadow study dated April 30, 2019, demonstrating that the shadow cast by the proposed building on December 21 at 9:00 a.m., the date each year when shadows are the longest, would not impact the property located at 15 Grant Court.

14. The Applicant, through its representatives, conducted balloon tests on May 29, 2019 and July 23, 2019, to demonstrate the height of the proposed buildings, with notices of the balloon tests being mailed to property owners listed on the certified list of abutters and being posted on the City website.

**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 finds that public safety will not be impacted by a reduction of the underground rear setback to zero feet and the reduction will yield a better design for the project.

D. 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 Mixed Use Development 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. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the City Council in accordance with Section 650-34 the Zoning 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. Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the 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. Noise. In addition to complying with all City ordinances and regulations concerning noise and nuisances, the Applicant, its successors and/or assigns, shall stipulate in the bylaws governing the Use that residents may not use the exterior areas of the building's roofdeck or exterior patios and balconies of the building in such a way as to generate noises that unreasonably disturb neighboring properties. Amplified sound shall not be permitted on the north side of the exterior area of the building's roofdeck.

7. 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. 19-1007571 (X 18/19-1007135B)

Adopted: _____ 2019

Approved by Mayor
Arthur Vigeant
Date: _____ 2019

A TRUE COPY
ATTEST: _____ City Clerk

For Urban Affairs Committee
September 18, 2019

Special Permit Decision (Redline)

Order No. 19-1007571: Application for Special Permit from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.

_____, 2019

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. # 19-1007571 (X 18/19-1007135B):

Application of:
Vincenza Sambataro

Locus:
161-175 Main Street, Marlborough, MA
Parcels 33A, 34, 76A, 77, 77A, 78, and 79 on Assessors Map 70, and portions of the adjacent
City stair property

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of Vincenza Sambataro, with a mailing address of 22 Indian Rock Road, [Natick Wayland, MA 0176901778](#), 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:
Vincenza Sambataro

Locus:
161-175 Main Street, Marlborough, MA
Parcels ~~33A, 34, 76A, 77, 77A, 78~~, and 79 on Assessors Map 70, currently owned by the Property Owner, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent ~~City~~ stair property currently owned by the City of Marlborough

**DECISION ON A SPECIAL PERMIT
ORDER NO. 19-1007571 (X 18/19-1007135B)**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Vincenza Sambataro (the “Applicant”) to build and operate a Mixed Use Development at 161-175 Main Street, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Vincenza Sambataro, is an individual with an address of 22 Indian Rock Road, ~~Natick~~Wayland, Massachusetts ~~01760-01778~~.
2. The Applicant is the owner and prospective owner of the property located at 161-175 Main Street, Marlborough, Massachusetts, ~~as being~~ shown as Parcels ~~33A, 34, 76A, 77, 77A, 78~~, and 79 on Assessors Map 70, currently owned by the Applicant, and ~~including portions of~~ Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent ~~City~~ stair property currently owned by the City of Marlborough (the “Site”).
3. In accordance with Article VI, Section 650-34, of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to build and operate a 97,891 square foot Mixed Use Development at 161-175 Main Street, in a building with 67 residential units, ~~5043~~ on-site parking spaces, and street level commercial units (the “Use”).
4. The Site is located in the Marlborough Village District, with a small 98 square foot portion in the Business District.

5. The Site has an area of 21,650 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 following aspects of the Use:

- A. A seventh (7th) story and a total building height of 81 feet, including within 50 feet of a residential zone, authorized by special permit in accordance with Section 650-34.F(1) and Section 650-41, Attachment 2, Note 12;
- B. Total lot coverage of 94%, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 13;
- C. A rear setback of 0 feet, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 15;
- D. A Mixed Use Development over a 98 square foot portion of the project site zoned Business, authorized by special permit in accordance with Section 650-17, Attachment 1; and
- E. Authorization for the issuance of more than 100 residential units in the Village District in a single calendar year, authorized by special permit in accordance with Section 650-34. G(1).

7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a detailed site plan entitled “E On Main” by Bruce Saluk and Assoc. Inc., said plans being comprised of Cover Sheet and Sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of _____ July 15, 2019 (said set of plans hereinafter, collectively, the “Site Plan”); and a set of _____ (~~20~~)twenty-one (21) architectural ~~drawings~~drawing sheets entitled “E on Main Retail and Residential” by JD LaGrasse & Associates, with the last revision date of _____ July 12, 2019 (collectively with the Site Plan, 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 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, April 8, 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, two members of the public spoke in opposition to the Use.

13. The Applicant, through its representatives, submitted a shadow study dated April 30, 2019, demonstrating that the shadow cast by the proposed building on December 21 at 9:00 a.m., the date each year when shadows are the longest, would not impact the property located at 15 Grant Court.

14. The Applicant, through its representatives, conducted balloon tests on May 29, 2019 and July 23, 2019, to demonstrate the height of the proposed buildings, with notices of the balloon tests being mailed to property owners listed on the certified list of abutters and being posted on the City website.

**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 finds that public safety will not be impacted by a reduction of the underground rear setback to zero feet and the reduction will yield a better design for the project.

D. 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 Mixed Use Development 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. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the City Council in accordance with Section 650-34 the Zoning 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. Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the 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. Noise. ~~The~~In addition to complying with all City ordinances and regulations concerning noise and nuisances, the Applicant, its successors and/or assigns, shall stipulate in the bylaws governing the Use that residents may not use the exterior areas of the building's roofdeck or exterior patios and balconies of the building in such a way as to generate noises that unreasonably disturb neighboring properties. Amplified sound shall not be permitted on the north side of the exterior area of the building's roofdeck.

7. 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. 19-1007571 (X 18/19-1007135B)

Adopted: _____ 2019

Approved by Mayor
Arthur Vigeant
Date: _____ 2019

A TRUE COPY
ATTEST: _____ City Clerk

For Urban Affairs Committee
September 18, 2019

Site Plan Decision (Clean)

Order No. 18/19-1007135B: Updated Site Plan Approval Submission from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.

Site Plan Permit # _____
Site Plan Approval with Conditions

Applicant: Vincenza Sambataro

Property Owner: Vincenza Sambataro

Location: 161-175 Main Street (the “Site”) being shown as Parcels 76A, 77, 78, and 79 on Assessors Map 70, currently owned by the Property Owner, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent stair property currently owned by the City of Marlborough.

Zoning District: Marlborough Village District (MV), Business District (98 s.f. parcel).

Plans: The following Site Plan Approval Final Conditions are based on a set of plans entitled “E On Main” by Bruce Saluk and Assoc. Inc., said plans being comprised of Cover Sheet and Sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of July 15, 2019 (said set of plans hereinafter, collectively, the “Site Plan”), and a set of nineteen (19) architectural drawings entitled “E on Main Retail and Residential” by JD LaGrasse & Associates, with the last revision date of July 12, 2019.

Other Permits: Special Permit issued by the City Council dated _____, 2019

SITE PLAN APPROVAL FINAL CONDITIONS:

A. Site Conformance:

1. Construction of the Site shall be in conformance with the approved Site Plan, the provisions of Chapter 270 of the Code of the City of Marlborough, and the conditions stated herein.
2. All construction on the Site shall conform to the appropriate National, State and City of Marlborough codes and regulations in force for each respective discipline and be in accordance with the approved plans and permits. Codes and regulations shall include but are not limited to State Building, Plumbing, Wiring, NFPA, Zoning, DPW utility and roads, Noise and Signs.

B. Prior to Issuance of a Building Permit:

1. Construction Staging and Safety Plan:
 - a. The Applicant shall complete the project in accordance with a Construction Staging and Safety Plan (the “Construction Plan”) to be approved by the Building Commissioner, Fire Chief, Police Chief, and City Engineer. Given the proximity of the Site to Main Street and abutting buildings, said Construction Plan shall include, but not be limited to, the

building demolition phase of the project, which may take place in advance of the construction phase and under a separate demolition permit.

- b. The Construction Plan shall provide detailed information concerning: (i.) areas of the Site and adjacent property that will be marked off for the staging of construction vehicles, etc.; (ii.) traffic management, detour routes if necessary, construction signage, pedestrian protection, blocked sidewalks, streets, etc.; (iii.) construction fencing to enclose material and equipment; (iv.) fencing and/or barricades to provide limits within the construction site for the separation of construction, pedestrian and vehicular traffic; and (v.) dedicated illuminated and covered pedestrian walkways adjacent to the structure at egress paths in accordance with 780 CMR Massachusetts State Building Code and related Mass. Amendments, including but not limited to Chapters 31, 32, 33, and 34, in effect at the time the building permit application is submitted.
 - c. As part of the Construction Plan, the Applicant shall minimize the use of Devens Street and McEnelly Street for construction vehicles and construction activity.
2. Green Building: The building plans shall show compliance with Section 650-34.D.2.(m), concerning sustainable building design, of the Zoning Code of the City of Marlborough. Prior to the issuance of Building Permits, the Building Commissioner shall review the building plans to ensure that the design incorporates green building techniques.
3. Rooftop Mechanicals: On the building plans, the elevation drawings shall show areas reserved for rooftop mechanicals and the elevator penthouse. Detail drawings illustrating the type, location, and dimensions of fencing/screening must be provided to the Building Commissioner. The Building Commissioner shall confirm that the building drawings conform to the requirements of Section 650-34.D.2.(b) regarding screening of rooftop mechanical equipment.
4. Footings: If the footings for the proposed building will be located within the City of Marlborough public way layout, the Applicant must request and receive from the City Council an easement prior to the issuance of any building permits.
5. Main Street Sidewalk, Street and Curb: Prior to the issuance of a building permit for the construction of the building, the Applicant shall acquire from the City of Marlborough a street opening permit authorizing access to those portions of Main Street on, to, or beneath which it intends to perform demolition and/or construction work as shown on the Site Plan (including, without limitation, drainage, the sidewalk, street, and curbs).
6. Performance Security Bond: Prior to the issuance of a building permit, the Applicant shall provide to the Building Commissioner a performance security

bond, issued by a surety licensed for surety business in the Commonwealth of Massachusetts, in an amount equal to 100% of the cost of the work which Applicant proposes for Main Street, including but not limited to construction or reconstruction of the public sidewalk, crosswalk, two (2) parking spaces, underground pipes, structures and appurtenances.

7. Insurance Certificate: Prior to the issuance of a building permit, the Applicant shall provide to the Chief Procurement Officer of the City of Marlborough a Certificate of Insurance, naming the City of Marlborough Department of Public Works, City Engineer, 135 Neil Street Marlborough, MA 01752 as an additional insured, in such amounts as are required by said Chief Procurement Officer for a liability policy concerning the Applicant's work on Main Street, including but not limited to demolition, construction and/or reconstruction of the public sidewalk, crosswalk, two (2) parking spaces, underground pipes, structures and appurtenances.

C. Construction:

1. Preconstruction Meeting: Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner, City Engineer, Conservation Officer, Fire Chief, Police Chief, and the site contractor responsible for doing the work. At this meeting said City officials will review the plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls. A similar meeting shall be held prior to the commencement of demolition, which may take place under a separate demolition permit.
2. Use of Ways During Construction: Consistent with the Construction Plan, all areas for construction staging and offloading of building materials, as well as any excavations, long-term construction scaffolding, or other obstructions, shall be coordinated to maximize public safety and to minimize interference with the customary use of public ways by vehicles and pedestrians. Permits are required for any street or sidewalk excavations or obstructions. The Police Chief shall have the discretion and authority to require additional protection and/or details as needed. The Applicant shall pay to the City the cost for every police detail which is provided by the Marlborough Police Department for the project.
3. OSHA: All Contractors shall abide by OSHA regulations as appropriate, including but not limited to OSHA-29 CFR, Section 1926.
4. Safety Official: The Applicant or its site contractor shall have on the Site at all times during construction a qualified Construction Safety Official. Prior to the commencement of construction, Applicant shall provide to the Building Commissioner the name and contact information of said Construction Safety Official.

5. Hours of Operation: In accordance with Section 431-3B. of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with variance by the Board of Health or as emergency work.

D. Storm Water:

1. Siltation Control: The Applicant, Property Owner, and site contractor shall be responsible for protecting the City drainage system with erosion controls at all times during construction, and for notifying the Conservation Officer and the City Engineer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
2. The signature of the City Engineer on these Site Plans also confirms compliance with Marlborough City Code Ch. 271 “Stormwater Management” and shall serve as the “stormwater management permit” as required in the ordinance.

E. Landscaping:

1. Modifications: All modifications to the approved Landscape Plans related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor change.
2. Site Visit: Prior to the final signoff, the architect shall provide an as-built planting plan and a letter of confirmation that the plan conforms to the approved plans. The Conservation Officer shall confirm by a site visit that the planting has been installed according to the approved Landscape Plans, or according to a revision thereto previously approved by the Conservation Officer.
3. Replacement of Plantings: Following 18 months of the date of the final signoff of the site work, any plant material that has died or is dying shall be replaced by the Property Owner with a species of the same kind and size.
4. Mulch Placement: Installation of mulch at the time of planting and thereafter shall be placed so that the mulch is not in contact with the trunk of newly planted trees and shrubs as shown on the details on the Landscaping Plan.
5. Maintenance: Landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the Landscape Plans at all times. This shall be an ongoing condition.

6. Main Street Tree on Bump-Out: The tree shown in the bump-out along Main Street near the building's garage entrance shall be tall enough to avoid obstructing the view of motorists and pedestrians with respect to the garage door.

F. Parking Garage:

1. The design of the parking garage access shall be such that entering and exiting from the garage is controlled by the Site's residents, the Property Owner, the Property Owner's agents, and those providing maintenance and other services to the Site. The building design shall provide for adequate sight distances for vehicles exiting the garage to provide for pedestrian safety. The Applicant shall use a combination of doors, gates, speed bumps and audio/visual alerts at the garage entrance and exit to ensure pedestrian safety.
2. The parking garage is to be for the sole use of the residents of the Site. The parking garage is not intended for public use.

G. Main Street Parking Spaces:

1. The Site Plan indicates that two (2) existing parking spaces on the north side of Main Street will be eliminated (see Section I.2 below). Prior to the issuance of a Building Permit, the Applicant shall appear before the Traffic Commission to request a vote to change the existing parking plan accordingly.

H. Private Open Space:

1. Through this decision and in accordance with Section 650-34.H(4) of the Zoning Ordinance, the City Council acknowledges that the Site will provide the required "private open space" and hereby waves strict adherence to the private open space requirement that the exterior ground level portion of the open space must be usable for sitting or recreation, based on the unique slope conditions found at the Site and the fact that the building will provide more than the 6,700 square feet of required private open space. The project will include the following private open space areas usable for sitting or recreation: patio at 2nd floor: 3,720 square feet; 6th floor private deck: 1,324 square feet; and roof deck common open area: 6,133 square feet. These areas are in addition to the 1,394 square feet of exterior open space being provided as landscaped areas.

I. Prior to Issuance of a Certificate of Occupancy:

1. Payment in Lieu of Parking: The project contains 67 residential units, and therefore must either (i.) comply with parking space requirements, or (ii.) make a payment-in-lieu-of-parking for each space not provided, per Section 650-34E. of the Zoning Ordinance. Required parking for the project is as follows:

1 bedroom / studio units:	36 @ .75 spaces per unit=	27 spaces
2 bedroom units:	31 @ 1.25 spaces per unit =	39 spaces
Total Spaces Required =		66 spaces

The project will provide a total of 43 on-site parking spaces. Of the 43 spaces, 42 comply with the requirements of the Zoning Ordinance based upon the maximum of 33% compact sized spaces, as set forth in the Site Plan. The difference between the number of qualifying parking spaces provided on the Site Plan (42) and the parking spaces required (66), which is 24 spaces, will be addressed in strict accordance with Section 650-34.E.(2)(b) of the Zoning Ordinance of the City of Marlborough. Per the Ordinance, a payment-in-lieu-of-parking equal to \$240,000 (\$10,000 for each of the 24 spaces required but not provided on the Site) shall be paid to the City of Marlborough prior to the issuance of the first Certificate of Occupancy for the project. In addition, prior to the issuance of the first Certificate of Occupancy for the project, the Applicant shall pay to the City of Marlborough \$20,000 for the two (2) parking spaces (\$10,000 per space) eliminated on Main Street as part of the project.

2. Work Within Public Way: All work within the public way layout, including but not limited to the street landscaped islands, planting, repaving, catch basin replacement, pavement milling and overlay, pavement markings, etc., as shown on the approved plans, shall be completed prior to the issuance of the first Certificate of Occupancy.
3. As-Built Plan: An as-built plan(s) must be submitted to the City Engineer for review prior to the issuance of the first Certificate of Occupancy or any Temporary Certificate of Occupancy. The as-built plan(s) shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the website for the City of Marlborough.
4. Time for Completion: Work as provided for on the Site Plan shall be carried into effect and completed within three (3) years following the date of issuance of the Building Permit, unless the City Council has, in writing, granted an extension of time for completion of the work.
5. Signage. Pursuant to Section 650-34.I. of the Code of the City of Marlborough, the City Council hereby retains jurisdiction over all signage of the project to the extent such signage requires a sign permit under the Sign Ordinance. The final design, material, dimensions, content, and location of all such signage, including any freestanding entry signs and the project's internal signage, shall be subject to further review and sign permit approval from the City Council which must meet the requirements of Section 650-34.I. of the Code of the City of Marlborough.

J. Stair Case Property:

1. Prior to the issuance of a building permit for the construction of the building, the Applicant shall acquire rights to the portions of the property owned by the City of Marlborough as shown on the Site Plan.
2. Performance Security Bond: Prior to the issuance of a building permit, the Applicant shall provide to the City Engineer a performance security bond, issued by a surety licensed for surety business in the Commonwealth of Massachusetts, in an amount equal to 100% of the cost to construct or reconstruct the existing City stairs in their entirety from Main Street to Devens Street, and for the construction or reconstruction and relocation of drain and sewer lines located below said existing stairs.
3. Certificate of Insurance: Prior to the issuance of a building permit, the Applicant shall provide to the Chief Procurement Officer of the City of Marlborough a Certificate of Insurance, naming the City of Marlborough as an additional insured, naming the City of Marlborough Department of Public Works, City Engineer, 135 Neil Street Marlborough, MA 01752 as an additional insured, in such amounts as are required by said Chief Procurement Officer for a liability policy concerning the Applicant's demolition and reconstruction of the subject stairs in their entirety from Main Street to Devens Street, and for the reconstruction and relocation of drain and sewer lines located below said existing stairs.
4. Prior to the issuance of a building permit for the construction of the building, the Applicant shall submit plans, deemed acceptable to the City Engineer, for the reconstruction of the City stairs in their entirety from Main Street to Devens Street and the reconstruction and relocation of drain and sewer lines located below the existing stairs. The stairs shall be designed to accommodate snow and ice removal.
5. Prior to the issuance of a Certificate of Occupancy for the project, the Applicant shall construct, at the Applicant's expense new City stairs providing a connection between Main Street and Devens Street and shall reconstruct and relocate drain and sewer lines located below the existing stairs.

K. General Provisions:

1. Changes to Approved Site Plan: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plan. The City Council delegates to the Building Commissioner the authority to approve other changes to the approved Site Plan consistent with future amendments to the Zoning Ordinance enacted by the City Council, provided that such amended Site Plan are filed with the City Clerk and the City Council along with written confirmation from the Building Commissioner that the amended Site Plan are consistent with the Zoning Ordinance.
2. Enforcement: The City Council designates the Building Commissioner as the

enforcing authority to bring enforcement actions for violations of this permit.

3. Deliveries: In order to mitigate the impact on traffic flow on Main Street and the impact of noise to the residents of and abutters to the Site, deliveries to the business on the Site shall occur between 7:00 a.m. and 7:00 p.m. On-site trash collection shall occur twice a week, or as required by management or the Board of Health to facilitate disposal demand, between the hours of 7:00 a.m. and 9:30 a.m. All possible measures shall be taken to avoid noise and disturbances to residents and neighboring businesses.
4. Snow Removal: To ensure safe access for fire and emergency services, the Applicant shall keep clear of snow and ice the second floor patio area, the stairs from Devens Street to Main Street, the public sidewalk on Main Street which abuts the Site, and the driveway to the parking garage.

For Urban Affairs Committee
September 18, 2019

Site Plan Decision (Redline)

Order No. 18/19-1007135B: Updated Site Plan Approval Submission from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street.

Site Plan Permit # _____
Site Plan Approval with Conditions

Applicant: Vincenza Sambataro

Property Owner: Vincenza Sambataro

Location: 161-175 Main Street (the “Site”) being shown as Parcels 76A, 77, 78, and 79 on Assessors Map 70, currently owned by the Property Owner, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent stair property currently owned by the City of Marlborough.

Zoning District: Marlborough Village District (MV), Business District (98 s.f. parcel, ~~Map 70-76A~~).

Plans: The following Site Plan Approval Final Conditions are based on a set of plans entitled “E On Main” by Bruce Saluk and Assoc. Inc., said plans being comprised of Cover Sheet and Sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of ~~_____~~ July 15, 2019 (said set of plans hereinafter, collectively, the “Site Plan²”), and a set of ~~_____~~ (~~_____~~)nineteen (19) architectural drawings entitled “E on Main Retail and Residential” by JD LaGrasse & Associates, with the last revision date of ~~_____~~ July 12, 2019.

Other Permits: Special Permit issued by the City Council dated _____, 2019

SITE PLAN APPROVAL FINAL CONDITIONS:

A. Site Conformance:

1. Construction of the Site shall be in conformance with the approved Site Plan, the provisions of Chapter 270 of the Code of the City of Marlborough, and the conditions stated herein.
2. All construction on the Site shall conform to the appropriate National, State and City of Marlborough codes and regulations in force for each respective discipline and be in accordance with the approved plans and permits. Codes and regulations shall include but are not limited to State Building, Plumbing, Wiring, NFPA, Zoning, DPW utility and roads, Noise and Signs.

B. Prior to Issuance of a Building Permit:

1. Construction Staging and Safety Plan:
 - a. The Applicant shall complete the project in accordance with a Construction Staging and Safety Plan (the “Construction Plan”) to be approved by the Building Commissioner, Fire Chief, Police Chief, and

City Engineer. Given the proximity of the Site to Main Street and abutting buildings, said Construction Plan shall include, but not be limited to, the building demolition phase of the project, which may take place in advance of the construction phase and under a separate demolition permit.

- b. The Construction Plan shall provide detailed information concerning: (i.) areas of the Site and adjacent property that will be marked off for the staging of construction vehicles, etc.; (ii.) traffic management, detour routes if necessary, construction signage, pedestrian protection, blocked sidewalks, streets, etc.; (iii.) construction fencing to enclose material and equipment; (iv.) fencing and/or barricades to provide limits within the construction site for the separation of construction, pedestrian and vehicular traffic; and (v.) dedicated illuminated and covered pedestrian walkways adjacent to the structure at egress paths in accordance with 780 CMR Massachusetts State Building Code and related Mass. Amendments, including but not limited to Chapters 31, 32, 33, and 34, in effect at the time the building permit application is submitted.
 - c. As part of the Construction Plan, the Applicant shall minimize the use of Devens Street and McEnelly Street for construction vehicles and construction activity.
2. Green Building: The building plans shall show compliance with Section 650-34.D.2.(m), concerning sustainable building design, of the Zoning Code of the City of Marlborough. Prior to the issuance of Building Permits, the Building Commissioner shall review the building plans to ensure that the design incorporates green building techniques.
3. Rooftop Mechanicals: On the building plans, the elevation drawings shall show areas reserved for rooftop mechanicals and the elevator penthouse. Detail drawings illustrating the type, location, and dimensions of fencing/screening must be provided to the Building Commissioner. The Building Commissioner shall confirm that the building drawings conform to the requirements of Section 650-34.D.2.(b) regarding screening of rooftop mechanical equipment.
4. Footings: If the footings for the proposed building will be located within the City of Marlborough public way layout, the Applicant must request and receive from the City Council an easement prior to the issuance of any building permits.
5. Main Street Sidewalk, Street and Curb: Prior to the issuance of a building permit for the construction of the building, the Applicant shall acquire from the City of Marlborough a street opening permit authorizing access to those portions of Main Street on, to, or beneath which it intends to perform demolition and/or construction work as shown on the Site Plan (including, without limitation, drainage, the sidewalk, street, and curbs).

6. Performance Security Bond: Prior to the issuance of a building permit, the Applicant shall provide to the Building Commissioner a performance security bond, issued by a surety licensed for surety business in the Commonwealth of Massachusetts, in an amount equal to 100% of the cost of the work which Applicant proposes for Main Street, including but not limited to construction or reconstruction of the public sidewalk, crosswalk, two (2) parking spaces, underground pipes, structures and appurtenances.
7. Insurance Certificate: Prior to the issuance of a building permit, the Applicant shall provide to the Chief Procurement Officer of the City of Marlborough a Certificate of Insurance, naming the City of Marlborough Department of Public Works, City Engineer, 135 Neil Street Marlborough, MA 01752 as an additional insured, in such amounts as are required by said Chief Procurement Officer for a liability policy concerning the Applicant's work on Main Street, including but not limited to demolition, construction and/or reconstruction of the public sidewalk, crosswalk, two (2) parking spaces, underground pipes, structures and appurtenances.

C. Construction:

1. Preconstruction Meeting: Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner, City Engineer, Conservation Officer, Fire Chief, Police Chief, and the site contractor responsible for doing the work. At this meeting said City officials will review the plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls. A similar meeting shall be held prior to the commencement of demolition, which may take place under a separate demolition permit.
2. Use of Ways During Construction: Consistent with the Construction Plan, all areas for construction staging and offloading of building materials, as well as any excavations, long-term construction scaffolding, or other obstructions, shall be coordinated to maximize public safety and to minimize interference with the customary use of public ways by vehicles and pedestrians. Permits are required for any street or sidewalk excavations or obstructions. The Police Chief shall have the discretion and authority to require additional protection and/or details as needed. The Applicant shall pay to the City the cost for every police detail which is provided by the Marlborough Police Department for the project.
3. OSHA: All Contractors shall abide by OSHA regulations as appropriate, including but not limited to OSHA-29 CFR, Section 1926.
4. Safety Official: The Applicant or its site contractor shall have on the Site at all times during construction a qualified Construction Safety Official. Prior to the commencement of construction, Applicant shall provide to the Building

Commissioner the name and contact information of said Construction Safety Official.

5. Hours of Operation: In accordance with Section 431-3B. of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with variance by the Board of Health or as emergency work.

D. Storm Water:

1. Siltation Control: The Applicant, Property Owner, and site contractor shall be responsible for protecting the City drainage system with erosion controls at all times during construction, and for notifying the Conservation Officer and the City Engineer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
2. -The signature of the City Engineer on these Site Plans also confirms compliance with Marlborough City Code Ch. 271 “Stormwater Management” and shall serve -as the “stormwater management permit” as required in the ordinance.

~~3.~~

E. Landscaping:

1. Modifications: All modifications to the approved Landscape Plans related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor change.
2. Site Visit: Prior to the final signoff, the ~~Landscape Architect~~architect shall provide an as-built planting plan and a letter of confirmation that the plan conforms to the approved plans. The Conservation Officer shall confirm by a site visit that the planting has been installed according to the approved Landscape Plans, or according to a revision thereto previously approved by the Conservation Officer.
3. Replacement of Plantings: Following 18 months of the date of the final signoff of the site work, any plant material that has died or is dying shall be replaced by the Property Owner with a species of the same kind and size.
4. Mulch Placement: Installation of mulch at the time of planting and thereafter shall be placed so that the mulch is not in contact with the trunk of newly planted trees and shrubs as shown on the details on the Landscaping Plan.

5. Maintenance: Landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the Landscape Plans at all times. This shall be an ongoing condition.
6. Main Street Tree on Bump-Out: The tree shown in the bump-out along Main Street near the building's garage entrance shall be tall enough to avoid obstructing the view of motorists and pedestrians with respect to the garage door.

F. Parking Garage:

1. The design of the parking garage access shall be such that entering and exiting from the garage is controlled by the Site's residents, the Property Owner, the Property Owner's agents, and those providing maintenance and other services to the Site. The building design shall provide for adequate sight distances for vehicles exiting the garage to provide for pedestrian safety. The Applicant shall use a combination of doors, gates, speed bumps and audio/visual alerts at the garage entrance and exit to ensure pedestrian safety.
2. The parking garage is to be for the sole use of the residents of the Site. The parking garage is not intended for public use.

G. Main Street Parking Spaces:

1. The Site Plan indicates that two (2) existing parking spaces on the north side of Main Street will be eliminated (see Section I.2 below). Prior to the issuance of a Building Permit, the Applicant shall appear before the Traffic Commission to request a vote to change the existing parking plan accordingly.

H. Private Open Space:

1. Through this decision and in accordance with Section 650-34.H(4) of the Zoning Ordinance, the City Council acknowledges that the Site will provide the required "private open space" and hereby waves strict adherence to the private open space requirement that the exterior ground level portion of the open space must be usable for sitting or recreation, based on the unique slope conditions found at the Site and the fact that the building will provide more than the 6,700 square feet of required private open space. The project will include the following private open space areas usable for sitting or recreation: patio at 2nd floor: 3,720 square feet; 6th floor private deck: 1,324 square feet; and roof deck common open area: 6,133 square feet. These areas are in addition to the 1,394 square feet of exterior open space being provided as landscaped areas.

I. Prior to Issuance of a Certificate of Occupancy:

1. Payment in Lieu of Parking: The project contains 67 residential units, and therefore must either (i.) comply with parking space requirements, or (ii.) make a payment-in-lieu-of-parking for each space not provided, per Section 650-34E. of the Zoning Ordinance. Required parking for the project is as follows:

1 bedroom / studio units:	36 @ .75 spaces per unit=	27 spaces
2 bedroom units:	31 @ 1.25 spaces per unit =	39 spaces
		Total Spaces Required = 66 spaces

The project will provide a total of 5043 on-site parking spaces. Of the 5043 spaces, 42 comply with the requirements of the Zoning Ordinance based upon the maximum of 33% compact sized spaces, as set forth in the Site Plan. The difference between the number of qualifying parking spaces provided on the Site Plan (42) and the parking spaces required (66), which is 24 spaces, will be addressed in strict accordance with Section 650-34.E.(2)(b) of the Zoning Ordinance of the City of Marlborough. Per the Ordinance, a payment-in-lieu-of-parking equal to \$240,000 (\$10,000 for each of the 24 spaces required but not provided on the Site) shall be paid to the City of Marlborough prior to the issuance of the first Certificate of Occupancy for the project. In addition, prior to the issuance of the first Certificate of Occupancy for the project, the Applicant shall pay to the City of Marlborough \$20,000 for the two (2) parking spaces (\$10,000 per space) eliminated on Main Street as part of the project.

2. Work Within Public Way: All work within the public way layout, including but not limited to the street landscaped islands, planting, repaving, catch basin replacement, pavement milling and overlay, pavement markings, etc., as shown on the approved plans, shall be completed prior to the issuance of the first Certificate of Occupancy.
3. As-Built Plan: An as-built plan(s) must be submitted to the City Engineer for review prior to the issuance of the first Certificate of Occupancy or any Temporary Certificate of Occupancy. The as-built plan(s) shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the website for the City of Marlborough.
4. Time for Completion: Work as provided for on the Site Plan shall be carried into effect and completed within three (3) years following the date of issuance of the Building Permit, unless the City Council has, in writing, granted an extension of time for completion of the work.
5. Signage. Pursuant to Section 650-34.I. of the Code of the City of Marlborough, the City Council hereby retains jurisdiction over all signage of the project to the extent such signage requires a sign permit under the Sign Ordinance. The final design, material, dimensions, content, and location of all such signage, including any freestanding entry signs and the project’s internal signage, shall be subject to

further review and sign permit approval from the City Council which must meet the requirements of Section 650-34.I. of the Code of the City of Marlborough.

J. Stair Case Property:

1. Prior to the issuance of a building permit for the construction of the building, the Applicant shall acquire rights to the portions of the property owned by the City of Marlborough as shown on the Site Plan.
2. Performance Security Bond: Prior to the issuance of a building permit, the Applicant shall provide to the City Engineer a performance security bond, issued by a surety licensed for surety business in the Commonwealth of Massachusetts, in an amount equal to 100% of the cost to construct or reconstruct the existing City stairs in their entirety from Main Street to Devens Street, and for the construction or reconstruction and relocation of drain and sewer lines located below said existing stairs.
3. Certificate of Insurance: Prior to the issuance of a building permit, the Applicant shall provide to the Chief Procurement Officer of the City of Marlborough a Certificate of Insurance, naming the City of Marlborough as an additional insured, naming the City of Marlborough Department of Public Works, City Engineer, 135 Neil Street Marlborough, MA 01752 as an additional insured, in such amounts as are required by said Chief Procurement Officer for a liability policy concerning the Applicant's demolition and reconstruction of the subject stairs in their entirety from Main Street to Devens Street, and for the reconstruction and relocation of drain and sewer lines located below said existing stairs.
4. Prior to the issuance of a building permit for the construction of the building, the Applicant shall submit plans, deemed acceptable to the City Engineer, for the reconstruction of the City stairs in their entirety from Main Street to Devens Street and the reconstruction and relocation of drain and sewer lines located below the existing stairs. The stairs shall be designed to accommodate snow and ice removal.
5. Prior to the issuance of a Certificate of Occupancy for the project, the Applicant shall construct, at the Applicant's expense new City stairs providing a connection between Main Street and Devens Street and shall reconstruct and relocate drain and sewer lines located below the existing stairs.

K. General Provisions:

1. Changes to Approved Site Plan: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plan. The City Council delegates to the Building Commissioner the authority to approve other changes to the approved Site Plan consistent with future amendments to the Zoning Ordinance enacted by the City Council, provided that

such amended Site Plan are filed with the City Clerk and the City Council along with written confirmation from the Building Commissioner that the amended Site Plan are consistent with the Zoning Ordinance.

2. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.
3. Deliveries: In order to mitigate the impact on traffic flow on Main Street and the impact of noise to the residents of and abutters to the Site, deliveries to the business on the Site shall occur between 7:00 a.m. and 7:00 p.m. On-site trash collection shall occur twice a week, or as required by management or the Board of Health to facilitate disposal demand, between the hours of 7:00 a.m. and 9:30 a.m. All possible measures shall be taken to avoid noise and disturbances to residents and neighboring businesses.
4. Snow Removal: To ensure safe access for fire and emergency services, the Applicant shall keep clear of snow and ice the second floor patio area, the stairs from Devens Street to Main Street, the public sidewalk on Main Street which abuts the Site, and the driveway to the parking garage.

E ON MAIN

163-175 MAIN STREET MARLBOROUGH, MA

SITE PLAN - AMENDED -

MARLBOROUGH, MA ZONING CHART		
THE LAND SHOWN IS LISTED AS ASSESSOR LOTS 76A, 77-79 AND A PORTION OF LOTS 33A, 34, 77A ON MAP 70 AND CITY STAIRWAY LAND. WITH THE EXCEPTION OF PARCEL 76A, THE PROPERTY IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT (MVD). *1		
ITEM	REQUIRED	PROPOSED
LOT AREA (MIN.)	5000 SF	21,650 SF *1
FRONTAGE	25 FT	207.89 FT *1
FRONT SETBACK	0 FT	0 FT
SIDE SETBACK	0 FT	0 FT
REAR SETBACK	10 FT	10 FT ABOVE GROUND 0 FT UNDERGROUND *5
COVERAGE	80% MAX	94% *2
BUILDING HEIGHT	70 FT (MAX)	81 FT *3
DISTANCE FROM A RESIDENTIAL DISTRICT	-----	PROPERTY COTERMINOUS WITH ZONE 'RB'
TOTAL PRIVATE OPEN SPACE	6700 SF	>6700 SF *4

PARKING SCHEDULE		
ITEM	REQUIRED	PROPOSED
STUDIO & 1 BEDROOM (36 UNITSx0.75)	27	-----
2 BEDROOM (31 UNITSx1.25)	39	-----
TOTAL PARKING	66	43 (42 QUALIFYING)*6
COMPACT PARKING	33% MAX	15(14 QUALIFYING) *6
STANDARD PARKING	-----	26
ACCESSIBLE PARKING	2	2

FOOTNOTES:

*1 INCLUDES 1592 SF OF CITY LAND TO BE PURCHASED BY THE DEVELOPER FOLLOWING CITY APPROVALS. ASSESSOR PARCEL 70-76A WILL MERGE WITH PARCEL 70-77 WHEN THE CITY UPDATES THE ASSESSOR MAPS. THE 98 SF ASSESSOR PARCEL 70-76A AT THE REAR OF THE PROPERTY IS LOCATED IN THE BUSINESS ZONE. THE APPLICANT IS SEEKING A SPECIAL PERMIT FOR A MIXED USE DEVELOPMENT IN A BUSINESS ZONE FOR ASSESSOR PARCEL 70-76A.

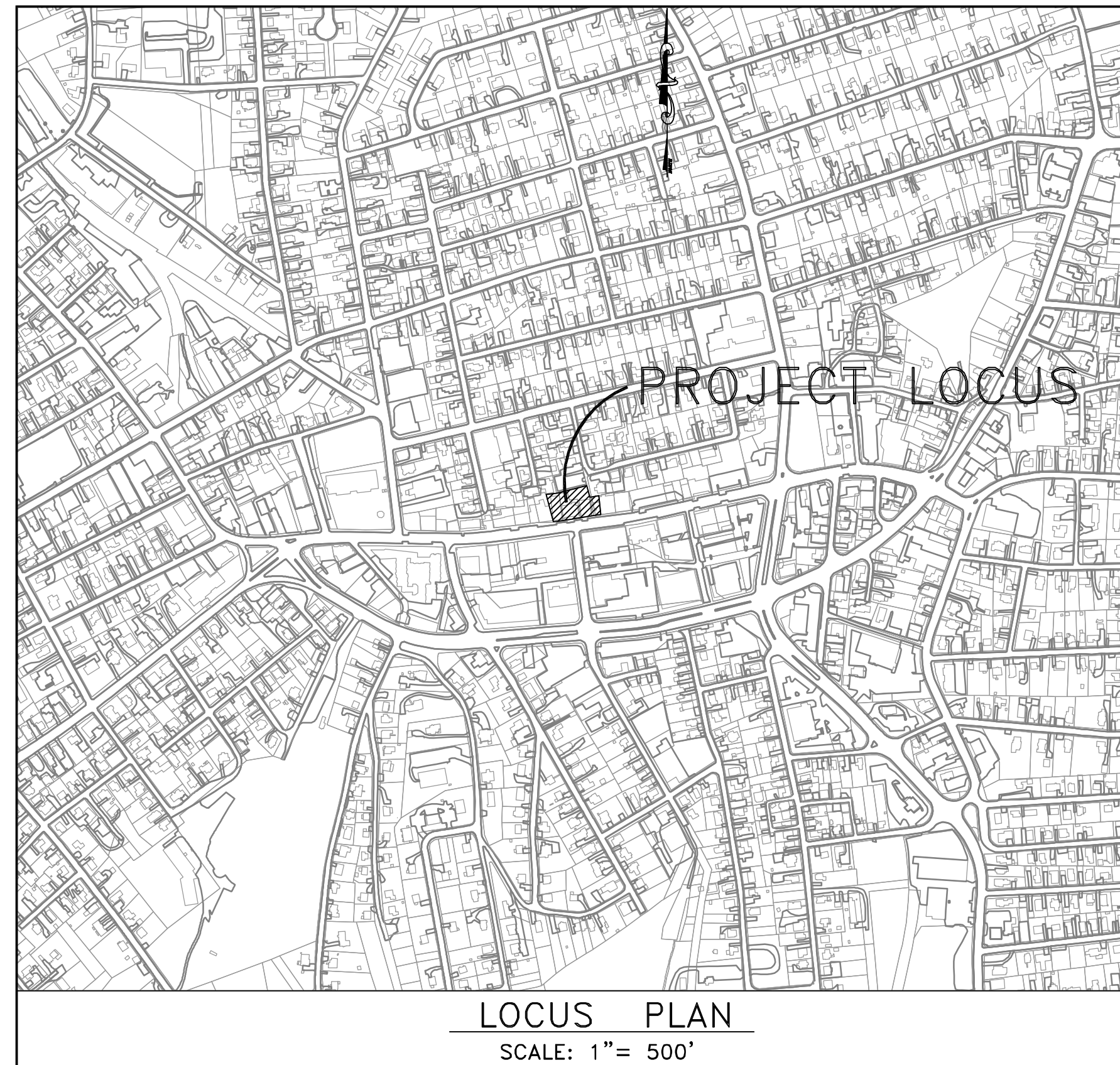
*2 SPECIAL PERMIT SOUGHT FOR AN INCREASE IN MAXIMUM COVERAGE IN SECTION 650-41.

*3 SPECIAL PERMIT SOUGHT TO ALLOW FOR AN INCREASE IN HEIGHT IN SECTION 650-34(F)1 TO 7 STORIES AND UP TO 85 FT, INCLUDING WITHIN 50 FT OF A RESIDENTIAL ZONE.

*4 WAIVER TO SECTION 650-34-H(4) IS SOUGHT TO ALLOW OPEN SPACE REQUIREMENT TO BE MET WITH UNIT BALCONIES AND COMMON SPACE LOCATED ABOVE THE GROUND LEVEL.

*5 SPECIAL PERMIT TO SECTION 605-41 IS SOUGHT FOR A 0 FT REAR UNDERGROUND SETBACK.

*6 THERE ARE 43 SPACES SHOWN ON THE PLAN: 15 COMPACT AND 26 STANDARD AND ACCESSIBLE SPACES. ONE (1) COMPACT SPACES THAT EXCEED THE 33% ALLOWED COMPACT SPACES ARE NOT LISTED IN THE PARKING SCHEDULE AS QUALIFYING. PAYMENT IN LIEU OF PARKING SHALL BE MADE PER SECTION 650-34(E)2.



SHEET INDEX

	<u>DATE</u>	<u>REV. DATE</u>
COVER SHEET -----	1-15-18	7-15-19
EX: EXISTING CONDITIONS -----	1-15-18	5-2-19
C1: LAYOUT PLAN -----	1-15-18	7-15-19
C2: GRADING & EROSION CONTROL -----	1-15-18	7-15-19
C3: DRAINAGE, WATER, SEWER & UTILITIES -----	1-15-18	7-15-19
C4: PLAN & PROFILE -----	5-23-18	7-15-19
C5: PLANTING -----	1-15-18	7-15-19
C6: DETAILS -----	1-15-18	5-31-18
C7: DETAILS -----	1-15-18	2-14-19
C8: DETAILS -----	7-11-18	7-15-19

OWNER & APPLICANT: VINCENZA SAMBATARO
c/o MIRICK O'CONNELL
100 FRONT STREET
WORCESTER, MA 01608
TEL: 508-929-1678 (ATTY. BRIAN R. FALK)

ARCHITECT: JD LaGrasse & Associates, Inc.
Architects, Engineers & Land Planners
One Elm Square
ANDOVER, MA 01810
TEL: 978-470-3675

ENGINEER & SURVEYOR: BRUCE SALUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: 508-485-1662
FAX: 508-481-9929

SITE PLAN APPROVAL # _____

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN

APPROVED:

ENGINEERING: _____ DATE: _____

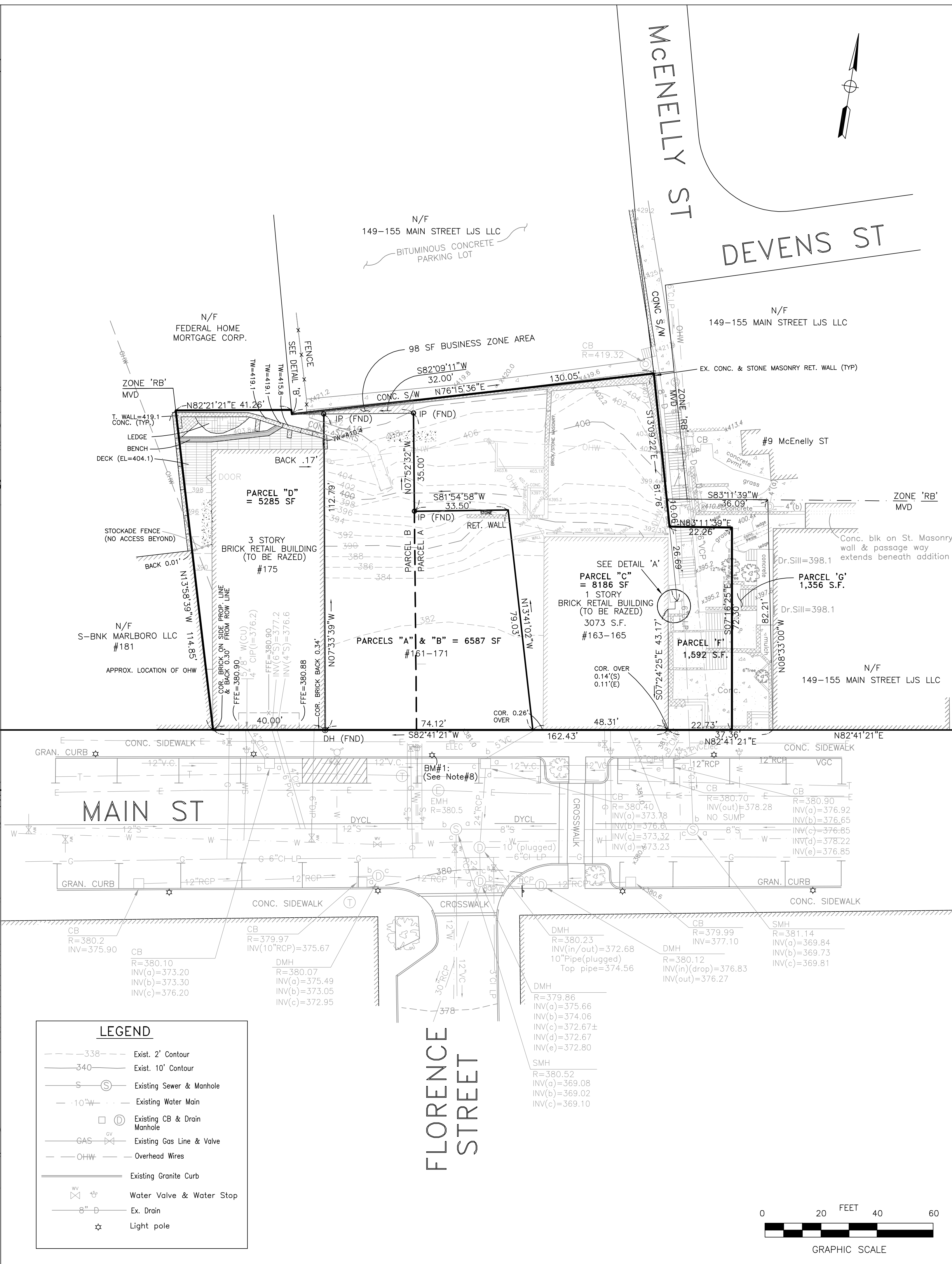
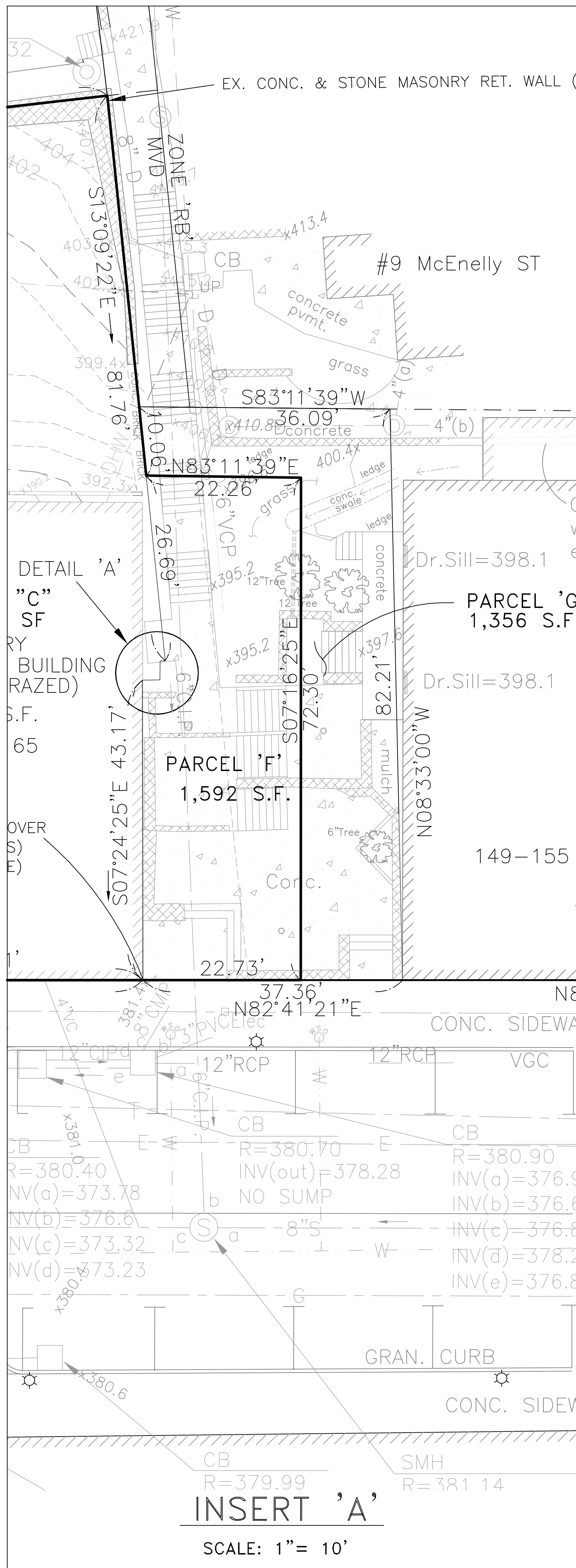
BUILDING: _____ DATE: _____

CONSERVATION: _____ DATE: _____

FIRE DEPT: _____ DATE: _____

POLICE DEPT: _____ DATE: _____

BOARD OF HEALTH: _____ DATE: _____



DETAIL 'A'
N. T. S.

DETAIL 'B'
N. T. S.

NOTES:

- 1.) PARCELS A, B, C & D, CONSISTING OF 21,650 SF(0.50Ac.), ARE OWNED BY VINCENZA SAMBATARO. THESE 4 PARCELS ARE LISTED AS ASSESSOR LOTS 76A,77,78,79 ON MAP 70. PARCEL 76A WILL MERGE WITH PARCEL 77 WHEN THE CITY UPDATES THE ASSESSOR MAPS.
- 2.) PARCEL 'F'(1592 SF) INCLUDES 4 PARCELS OWNED BY THE CITY OF MARLBOROUGH. THREE PARCELS ARE LISTED AS ASSESSOR LOTS 33A, 77A & 34 ON MAP 70. THE 4TH PARCEL IS A PORTION OF THE STAIRWAY LAND OWNED BY THE CITY OF MARLBOROUGH.
- 3.) WITH THE EXCEPTION OF THE 98 SF BUSINESS ZONE AREA SHOWN, THESE PROPERTIES ARE LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT(MVD). THE PROPERTY IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA F.I.R.M. MAP #25017C0481F, DATED JULY 7, 2014.
- 4.) PLAN REFERENCES:
 PLAN#1356 OF 1975 IN BK 12910 PG 555
 PLAN#358 OF 1976 IN BK 12965 PG 119
 PLAN#217 OF 1981 IN BK 14229 PG 23
 LAND COURT PLAN# 11469A BK 141 PG 497
- 5.) PARCELS 'A & B' SHOWN ARE LISTED AS 169-171 MAIN STREET AND THE DEED REFERENCE IS BK 70,281 PG 571
 PARCEL 'C' SHOWN IS LISTED AS 163-165 MAIN STREET AND THE DEED REFERENCE IS BK 70,281 PG 571.
 PARCEL 'D' SHOWN IS LISTED AS 175 MAIN STREET AND THE DEED REFERENCE IS BK 1519 PG 42.
 PARCEL 'E' CONSISTS OF 4 PARCELS WITH DEED REFERENCES BK 12910 PG 555, BK 12965 PG 119, BK 12532 PG 584 AND THE BOOK & PAGE FOR THE STAIRWAY PARCEL TO BE DISCLOSED BY TITLE..
- 6.) THE ELEVATIONS SHOWN ARE ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (1929 NGVD).
- 7.) THE INSTRUMENT SURVEY SHOWN WAS PERFORMED DURING JULY 2016.
- 8.) THE UTILITIES SHOWN ON THIS PLAN ARE PARTLY FROM EXISTING MUNICIPAL UTILITY MARK OUTS, RECORD DRAWINGS AND ARE APPROXIMATE. ONLY, THERE MAY BE EXISTING LINES OTHER THAN THOSE SHOWN HEREON. THE CONTRACTOR IS REQUIRED TO CONTACT THE PROPER UTILITY COMPANIES & DIG SAFE PRIOR TO BEGINNING WORK. OUR FIRM DOES NOT WARRANT OR GUARANTEE THE LOCATION OF ANY UTILITY, PIPING AND SERVICES.
- 9.) THE SURVEY SHOWN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE AND IS SUBJECT TO CHANGE THAT SAID TITLE MAY DISCLOSE.
- 10.) THE DEED FOR PARCEL 'C' DOES NOT EXCEPT FROM THE LOCUS PREMISES A 98 SF PARCEL SHOWN AS LOT A-1 RECORDED ON PLAN 217 OF 1981.
- 11.) BENCHMARKS:
 BM#1 = CHISELED SQUARE IN LIGHTPOLE BASE. ELEV=380.77
 BM#2 = CHISELED SQUARE NW COR. OF GRANITE BLOCK BESIDE CITY HALL FRONT STEPS. ELEV=386.91

OWNER & APPLICANT:
 VINCENZA SAMBATARO
 c/o MIRICK O'CONNELL
 100 FRONT STREET
 WORCESTER, MA 01608
 TEL: 508-929-1678
 (ATTY. BRIAN R. FALK)

DATE: JANUARY 15, 2018

PREPARED BY:
 BRUCE SALLUK & ASSOC., INC.
 CIVIL ENGINEERING & LAND SURVEYING
 576 BOSTON POST ROAD EAST
 MARLBOROUGH, MA 01752
 TEL: 508-485-1662
 FAX: 508-481-9929

**EXISTING CONDITIONS PLAN
 E ON MAIN
 - 163-175 MAIN STREET -
 MARLBOROUGH, MA**

LEGEND

- 338--- Exist. 2' Contour
- 340--- Exist. 10' Contour
- S ⊙ Existing Sewer & Manhole
- 10"W--- Existing Water Main
- ⊙ Existing CB & Drain Manhole
- GAS ⊕ Existing Gas Line & Valve
- OHW--- Overhead Wires
- Existing Granite Curb
- WV ⊕ Water Valve & Water Stop
- 8" D--- Ex. Drain
- ☆ Light pole

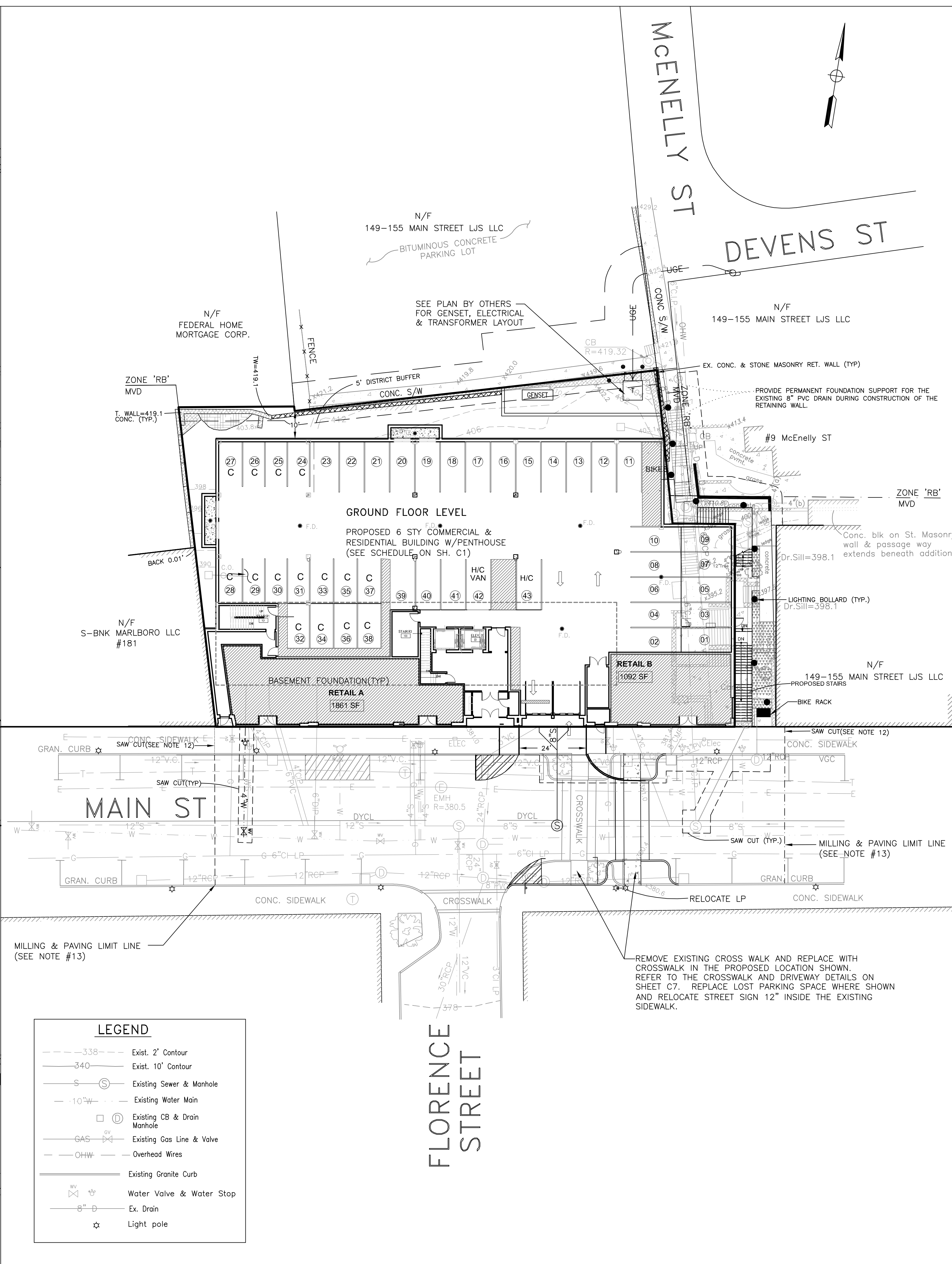
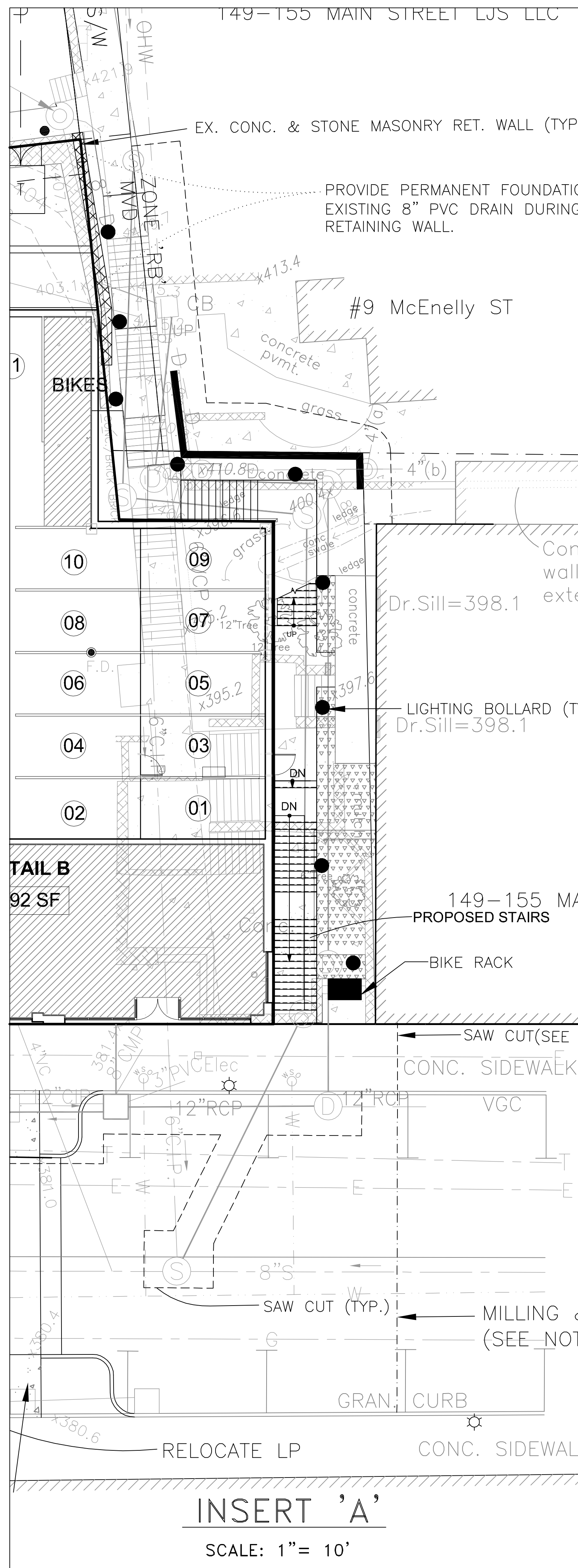
SCALE: 1" = 10'

GRAPHIC SCALE
 0 20 FEET 40 60

BRUCE M. SALLUK
 No. 35415
 REGISTERED
 LAND SURVEYOR

EX

FILE: 2697C1.dwg



- NOTES:**
- THE BUILDING USE AND AREA SCHEDULE IS AS FOLLOWS:

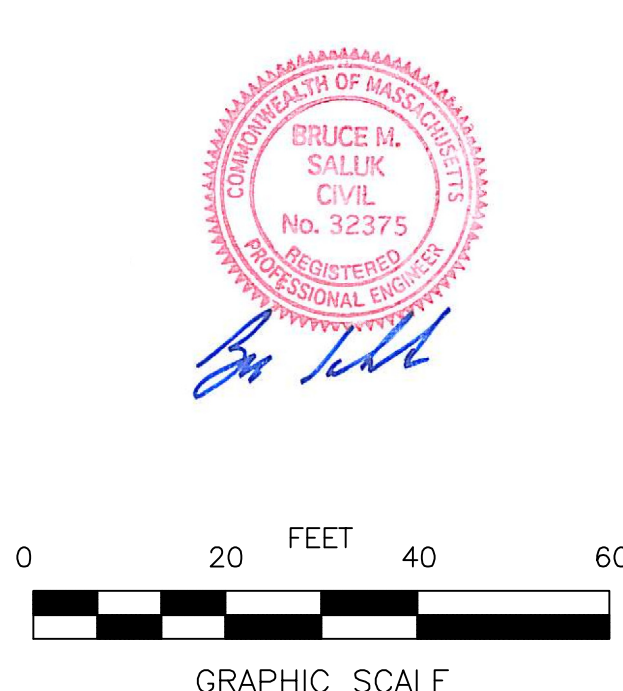
FLOOR	FLR ELEV	GSF	STUDIO	1 BED	2 BED
BASEMENT	369.50	4,231			
GROUND	381.00	19,322			
2ND FLOOR	397.00	14,261	0	6	7
3RD FLOOR	409.00	14,276	1	7	6
4TH FLOOR	418.77	14,276	0	8	6
5TH FLOOR	428.54	14,276	1	7	6
6TH FLOOR	438.31	12,600	1	5	6
PENTHOUSE	448.75	4,649			
ROOF	461.75				
TOTALS:		97,891	3	33	31
			TOTAL UNITS 67		
 - LOT COVERAGE: SEE ZONING SCHEDULE ON THE COVER SHEET
 - ANY MINOR MODIFICATIONS, AS DETERMINED BY THE CITY ENGINEER, TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED. THE CONTRACTOR SHALL BE PROPERLY LICENSED AND BONDED WITHIN THE CITY PRIOR TO CONSTRUCTION, AND SHALL OBTAIN A STREET OPENING PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE CITY RIGHT OF WAY.
 - ALL HANDICAP PARKING, RAMPS AND ACCESS SHALL CONFORM TO AAB REQUIREMENTS. REFER TO 521 CMR.
 - ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO MUTCD REQUIREMENTS.
 - ALL PROPOSED SIGNAGE SHALL COMPLY WITH THE EXISTING CITY OF MARLBOROUGH SIGN ORDINANCE.
 - CURBING TYPE & ENTRANCES SHOWN ARE SUBJECT TO APPROVALS BY THE CITY OF MARLBOROUGH PER THE ROAD OPENING PERMIT REQUIREMENTS.
 - ALL MATERIALS/CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH THE CODE OF THE CITY OF MARLBOROUGH. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY CONSERVATION COMMISSION REQUIREMENTS (SEE SHEET C2 FOR ADDITIONAL REQUIREMENTS).
 - CITY INSPECTORS REQUIRE A MINIMUM NOTICE OF 24 HOURS PRIOR TO INSPECTION.
 - REFER TO THE GRADING PLAN(SH. C2) NOTES CONCERNING EROSION CONTROL.
 - REFER TO THE ARCHITECTS PLAN FOR BUILDING AREA & SCENCE LIGHTING AND SIGNAGE.
 - SIDEWALK SAW CUTS SHALL BE AT THE NEAREST PANEL JOINT ON THE EXTERIOR SIDE OF THE SAW CUTS SHOWN. THE SIDEWALK ALONG THE FRONTAGE OF THE PROPERTY SHALL BE REPLACED WHERE EXCAVATION FOR THE BUILDING FOUNDATION DISTURBS OR COMPROMISES THE INTEGRITY OF THE EXISTING SIDEWALK. EXCEPT WHERE ADJACENT TO CROSSWALK, BUMP OUTS AND THE DRIVEWAY, THE SIDEWALK SHALL BE FRAMED & POURED THE FULL WIDTH OF THE SIDEWALK AND FORMED TO LEAVE A SPACE FOR THE BRICK TO SIT ON TOP OF (BONDED TO THE CONCRETE) THE CONCRETE SIDEWALK AND SHALL BE FLUSH WITH THE NEW SIDEWALK.
 - THE SECTION OF MAIN STREET ALONG THE PROJECT FRONTAGE SHALL BE MILLED & REPAVED, FROM CURB TO CURB TO ENCOMPASS ALL TRENCHES AND SIDEWALK/CURB RECONSTRUCTION. THIS WILL FACILITATE REMOVAL OF THE OLD BRICK STAMPED AND PAINTED CROSSWALK AND THE CONSTRUCTION OF THE NEW STAMPED BRICK PATTERN CROSSWALK IN THE NEW PAVEMENT. SEE THE CROSSWALK DETAIL ON SHEET C7.
 - A PRE-CONSTRUCTION MEETING IS REQUIRED BETWEEN THE DEVELOPER, CONTRACTOR, POLICE AND FIRE DEPARTMENTS. A TRAFFIC MANAGEMENT PLAN SHALL BE SUBMITTED TO THE CITY OFFICIALS 5 DAYS PRIOR TO THE MEETING.
 - SEE SHEET C3 FOR ABANDONMENT, REPLACEMENT AND REMOVAL OF EXISTING OVERHEAD ELECTRIC, TELEPHONE, CABLE, UNDERGROUND GAS, WATER AND SEWER SERVICES.
 - SEE SHEET C3 FOR ALL PROPOSED OR EXISTING WATER, GARAGE FLOOR DRAIN, SEWER AND DRAIN CONNECTIONS.
 - REPLACEMENT OF THE EXISTING STAIRWAY AND SIDEWALK BETWEEN MAIN STREET AND THE REAR PROPERTY LINE SHALL BE PROVIDED BY THE DEVELOPER. THE REPLACED SECTION OF THE STAIRWAY AND SIDEWALK SHALL INCLUDE A THERMAL ELECTRICAL HEATING SYSTEM. THE ELECTRICAL CONNECTION FOR STAIRWAY HEATING & LIGHTING SHALL BE ON A SEPARATE METER THAT IS PAID BY THE CITY. THE PROPOSED STAIRWAY DESIGN SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.

PREPARED BY:
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 FAX: 508-481-9929

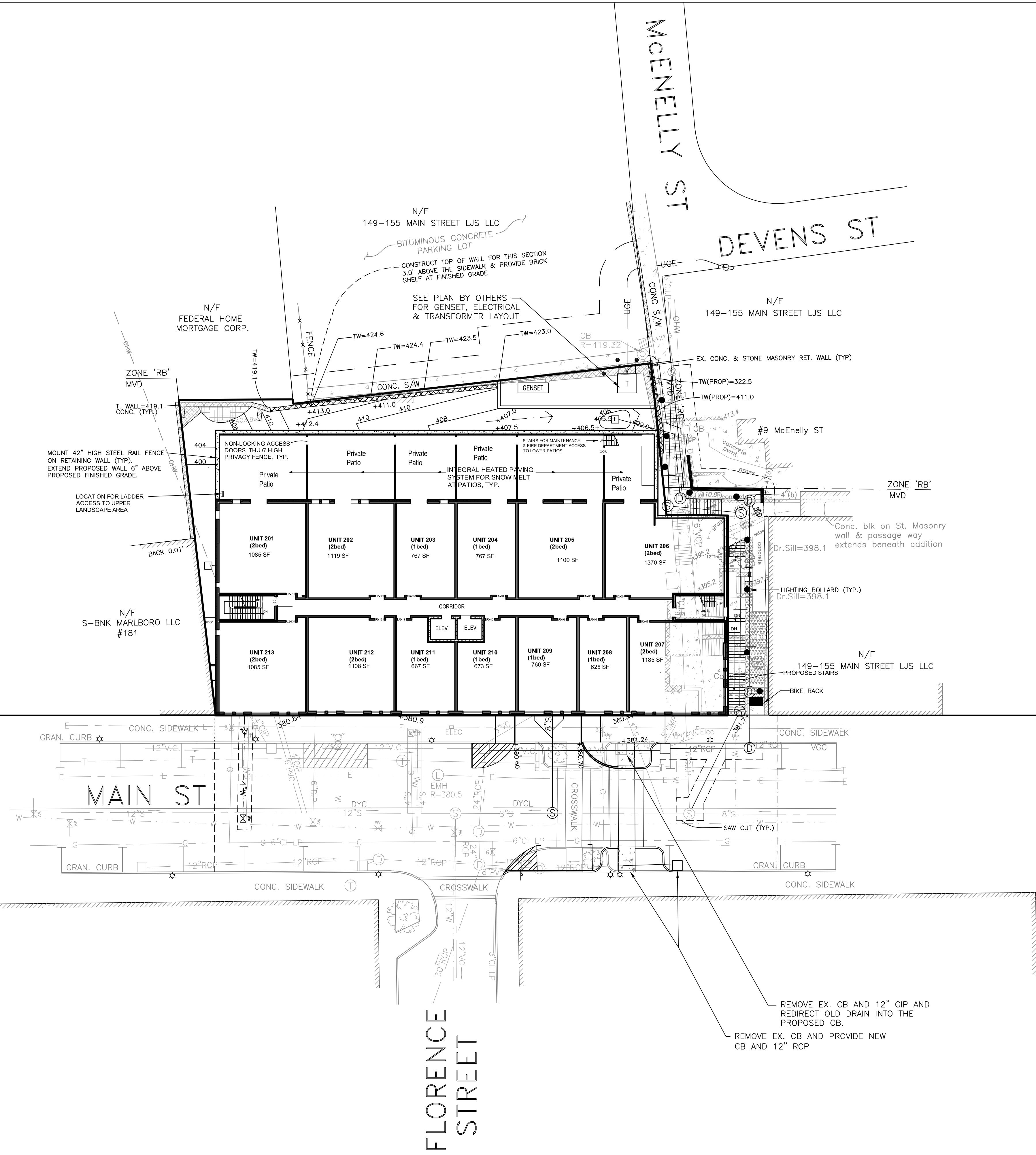
OWNER & APPLICANT:
 VINCENZA SAMBATARO
 c/o MIRICK O'CONNELL
 100 FRONT STREET
 WORCESTER, MA 01608
 TEL: 508-929-1678
 (ATTY. BRIAN R. FALK)

DATE: JANUARY 15, 2018

FILE: 2697C1.dwg



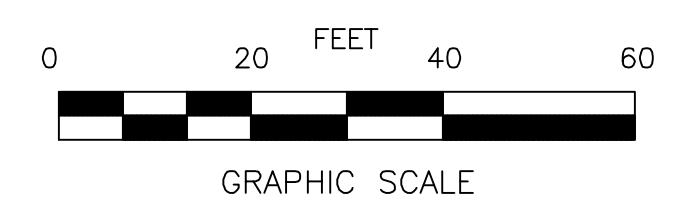
C1



GRADING & EROSION CONTROL NOTES:

- 1.) The elevations shown are based on Mean Sea Level datum (1929 N.V.D.)
 - 2.) Refer to the Demolition Plan for the site demolition stage. Material storage & stockpile areas shall include erosion control barriers consisting of staked haybales, wattles and siltation fence to prevent erosion onto the public way and abutting properties.
 - 3.) Prior to commencing work, the contractor shall familiarize himself with the soil types on the site, and provide the appropriate erosion control measures, as outlined on this plan and required by the Marlborough Conservation Commission agent. The contractor shall be responsible for providing erosion and temporary storm runoff control measures that include siltation fence, wattles, dams, ditches, temporary sediment basins, etc. as necessary to contain soil and excess runoff on the site.
- The general sequence of erosion control measures shall be as follows:
- a) Install all siltation fencing and staked wattles, along the front property line.
 - b) Construct a sedimentation trap down gradient of the excavation area during the construction earthwork stage. Construct other temporary sedimentation trap(s) where required at the beginning stage of earthwork. Retain storm water within the trap(s), and filter the water using silt bags or other approved means prior to discharge. Periodically remove sediment at bottom of the silt traps to remove sediment at bottom of the silt traps to allow for natural infiltration.
 - c) Construct the anti-tracking berm at the site entrance consisting of a 3/4"-3" crushed stone 12" depth by 30' long times the width of the traveled construction access. The stone shall project above grade to form a berm barrier that prevents sediment from washing into abutting properties and the public road.
 - 4.) Demolished material from the existing buildings & site shall be stockpiled, transported, disposed of or reprocessed in accordance with state and federal regulations.
 - 5.) Provide excavation & trench wall protection in accordance with OSHA Standards, as specified by the geotechnical engineer.
 - 6.) The contractor shall follow the stabilization management practices and sequence proposed by the structural and geotechnical engineers. Said management plan includes protection and stabilization of the soils, walls and improvements on the abutting properties.
 - 7.) Soil stabilization measures shall be implemented immediately after finish grading. Loam and seed shall be applied as soon as reasonably possible.
 - 8.) See sheet C3 for abandonment, replacement and removal of existing overhead electric, telephone and cable and underground gas, water and sewer services.
 - 9.) See sheet C3 for all proposed or existing water, sewer and drain service connections.
 - 10.) The retaining walls shown hereon are for presentation, only, and shall not be used for construction. See retaining wall design by others for all dimensions, heights and material specifications.

LEGEND	
--- 338 ---	Exist. 2' Contour
--- 340 ---	Exist. 10' Contour
--- S ---	Existing Sewer & Manhole
--- 10" W ---	Existing Water Main
--- CB ---	Existing CB & Drain Manhole
--- GAS ---	Existing Gas Line & Valve
--- OHW ---	Overhead Wires
--- ---	Existing Granite Curb
--- W ---	Water Valve & Water Stop
--- 8" ---	Ex. Drain
☆	Light pole



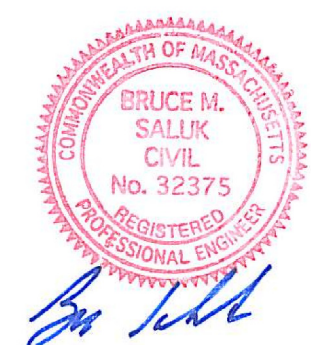
NO.	DATE	DESCRIPTION
1	2/2/18	PLAN REVISION
2	2/2/18	PLAN REVISION
3	2/2/18	PLAN REVISION
4	2/2/18	PLAN REVISION
5	2/2/18	PLAN REVISION

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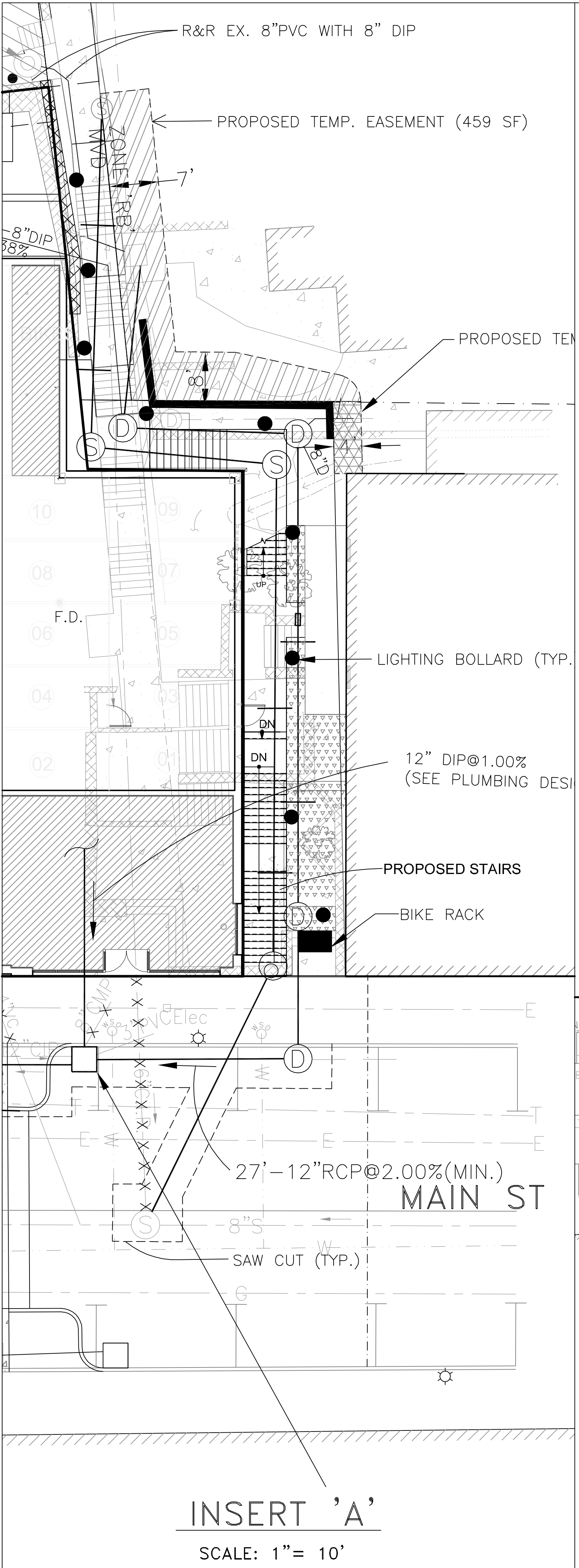
GRADING PLAN
E ON MAIN
 - 163-175 MAIN STREET -
 MARLBOROUGH, MA

DATE: JANUARY 15, 2018

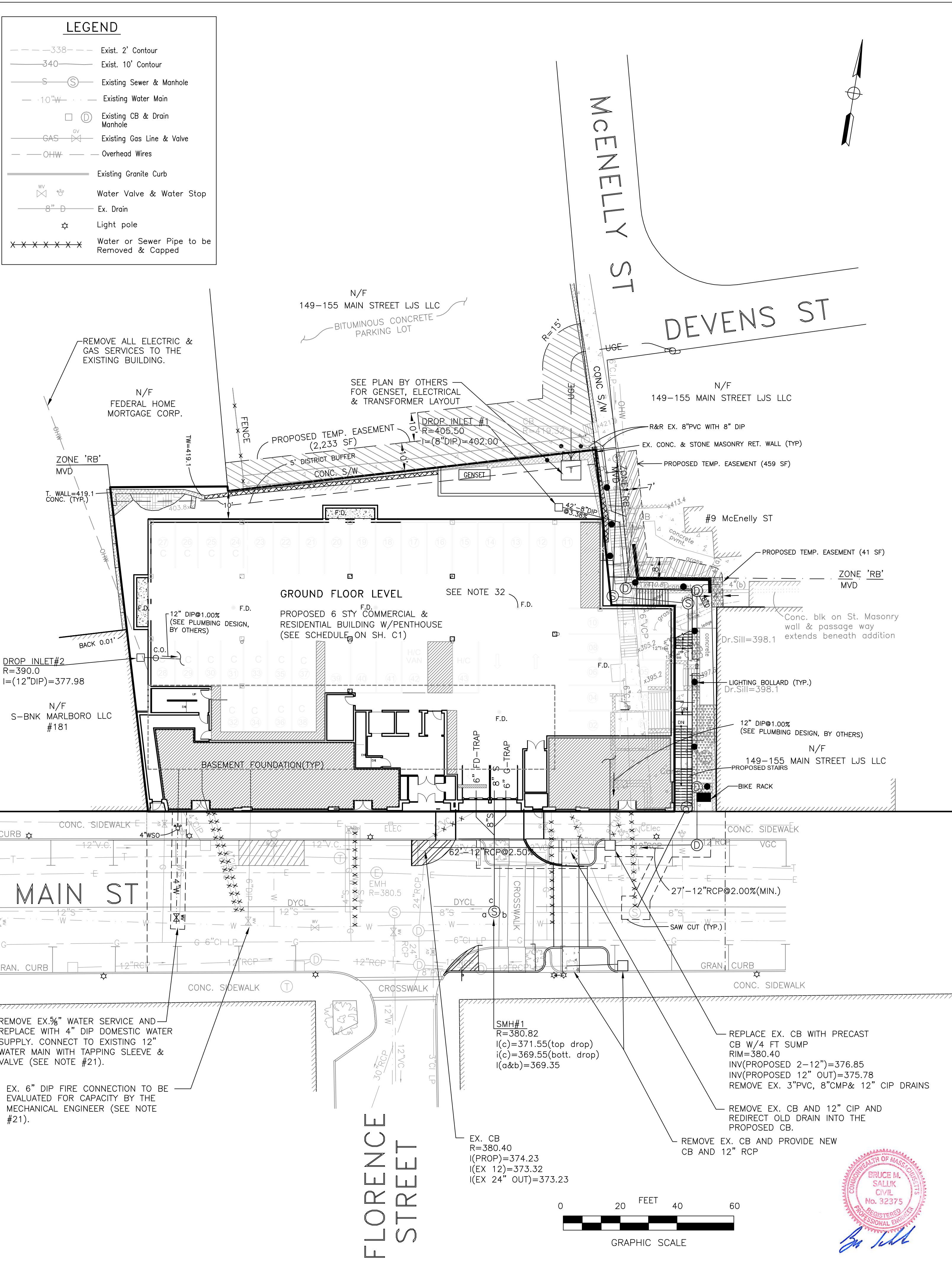
OWNER & APPLICANT:
VINCENZA SAMBATARO
 c/o MIRICK O'CONNELL
 100 FRONT STREET
 WORCESTER, MA 01608
 TEL: 508-929-1678
 (ATTY. BRIAN R. FALK)



C2



INSERT 'A'
SCALE: 1" = 10'



LEGEND

---338---	Exist. 2' Contour
---340---	Exist. 10' Contour
---S---	Existing Sewer & Manhole
---10"W---	Existing Water Main
□	Existing CB & Drain Manhole
---GAS---	Existing Gas Line & Valve
---OHW---	Overhead Wires
---	Existing Granite Curb
---WV---	Water Valve & Water Stop
---8" D---	Ex. Drain
☆	Light pole
XXXXXX	Water or Sewer Pipe to be Removed & Capped

- WATER, SEWER & DRAINAGE NOTES:**
- Materials and construction and associated work shall conform to Mass. DPW Standard Specifications. Refer to the document entitled Standard Specifications for Highways and Bridges, 1988 as amended.
 - Manholes & Catch Basins shall be reinforced precast concrete conforming to ASTM Specification Section C478-70T.
 - Manhole frames & covers shall be East Jordan Iron Works. See detail sheet for Product numbers.
 - Provide pipe joint a maximum of 3' from manhole walls.
 - Reinforcing for all precast units shall conform to ASTM Specification Section A 185 and shall include reinforcing in bell spigot of riser sections. Reinforcing shall be placed in accordance with AASHTO Designation N199.
 - In the event that rock is encountered, the contractor shall maintain a 12-inch minimum separation between the pipe and the rock.
 - Suitable backfill material shall be select excavated material from which frozen material, humus, peat, roots, vegetation, trash, rocks, and stones larger than 6-inches have been removed.
 - Compaction of backfill material between centerline of pipe and trench pavement shall be done in 12-inch layers, or less, as required to prevent trench settlement. The contractor will be responsible for excessive trench settlement following final paving.
 - Utilities shown on this plan are partly from existing available City and utility Co. records information and are approximate only. There may be existing lines other than those shown hereon. The contractor shall be required to contact the proper utility companies & DIGSAFE prior to beginning any construction on the site. Our firm does not warrant or guarantee the location of any utilities hereon.
 - Unless otherwise noted on the drawings, drain lines greater than 12 inches in diameter shall be reinforced concrete conforming to ASTM C-76 Class 4, Wall B circular reinforcement. Where specified, 12-inch through 48-inch diameter Class 5 drain lines shall be Wall B.
 - Roof Drain shall be connected to the proposed 12" DIP drain pipe and/or as specified in the building plumbing design drawings.
 - The elevations shown are based on Mean Sea Level datum (1929 N.V.D.)
 - Refer to additional Water, Sewer & Drainage notes on the Detail Sheets.
 - The contractor shall obtain a Street Opening Permit prior to any construction within the City right-of-way.
 - All water and sewer material and construction shall conform to the City of Marlborough requirements (see Street Opening Permit).
 - All water and sewer construction shall be inspected by the City of Marlborough before being backfilled.
 - The City shall be notified at least 24 hours prior to the required inspections.
 - Where sewer and water lines cross, install the sewer below the water service and provide 18" minimum separation between the pipe outside diameters. Provide 1' full length of sewer pipe centered at the crossing. The full length of sewer pipe shall be SDR-26, Specification ASTM D2241 with a 160 PSI rating. Connect the SDR 35 & SDR 26 pipes using pressure rated adapters by Fernco, or approved equal.
 - The contractor shall be properly licensed and bonded with the City prior to construction.
 - The contractor shall obtain a Trenching Permit prior to any trenching on public or private property.
 - The proposed 4" domestic water service shown is for the entire building (commercial & residential). The existing 6" DIP Fire line shall also service the entire building. The Mechanical Engineer shall determine if the 4" domestic water and 6" fire services will provide the required flow. Any existing water services which will be discontinued for the existing buildings and the building that burned down or for #163-165, shall be shut off at the main and the pipe removed from that point.
 - Line easements, if required, for the UGE&T service from the existing U.P. to the proposed building shall be provided by the facility owners.
 - The contractor shall provide building foundation and site dewatering & subdrainage per the design in accordance to design by the geotechnical engineer or others.
 - The contractor shall locate and tie in all existing drains & sewer services encountered into the new and/or replacement drains & sewers; respectively. All sewer, water and drain services shall be maintained throughout the construction stage.
 - Drain & Sewer pipe along the stairway shall be Class 52 (CL) DIP where the pipe slope exceeds 10%.
 - Provide a 20" sidewalk trench drain w/4"x12" Tee fitting discharge connection to the 12" diameter DIP drain. Use Zurn, or equal.
 - The electrical, telephone and cable connections to the building shall be underground connections from Main street, or as approved by the facility owners.
 - The existing gas service connections shall be evaluated and/or replaced as approved/required by the gas facility company.
 - A gas, oil and sand separator (GOSS) is required inside the parking garage. Floor drains shall be connected to the GOSS. The GOSS discharge pipe shall be connected to the interior building sewer in accordance with the Plumbing Code. See the gas, oil and sand separator detail.
 - The restaurant grease interceptor shall be designed by the mechanical engineer that designed the restaurant kitchen plumbing system. The design shall be in accordance with 248 CMR 10.09. The grease trap shall be sized, tested and certified according to PDI-G101 or ASME A112.14.3 or ASME A112.14.4.
 - Cleanouts for service connections to the sewer main shall be located inside the building.
 - For sewer, drainage, water, grease Trap, floor drain trap, etc., inside the building, refer to the Plumbing design by others.

NO.	DATE	DESCRIPTION
1	7/15/19	PLAN UPDATE
2	6/19/19	Sewer Service connections
3	6/19/19	PLAN UPDATE
4	6/19/19	PLAN UPDATE
5	6/19/19	PLAN UPDATE
6	6/19/19	PLAN UPDATE
7	6/19/19	PLAN UPDATE
8	6/19/19	PLAN UPDATE
9	6/19/19	PLAN UPDATE
10	6/19/19	PLAN UPDATE
11	6/19/19	PLAN UPDATE
12	6/19/19	PLAN UPDATE
13	6/19/19	PLAN UPDATE
14	6/19/19	PLAN UPDATE
15	6/19/19	PLAN UPDATE
16	6/19/19	PLAN UPDATE
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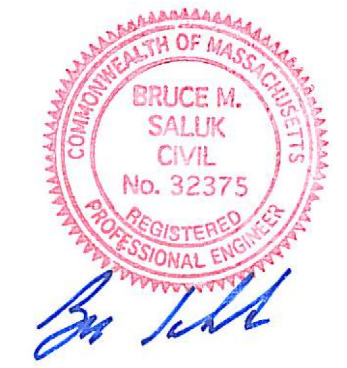
PREPARED BY:
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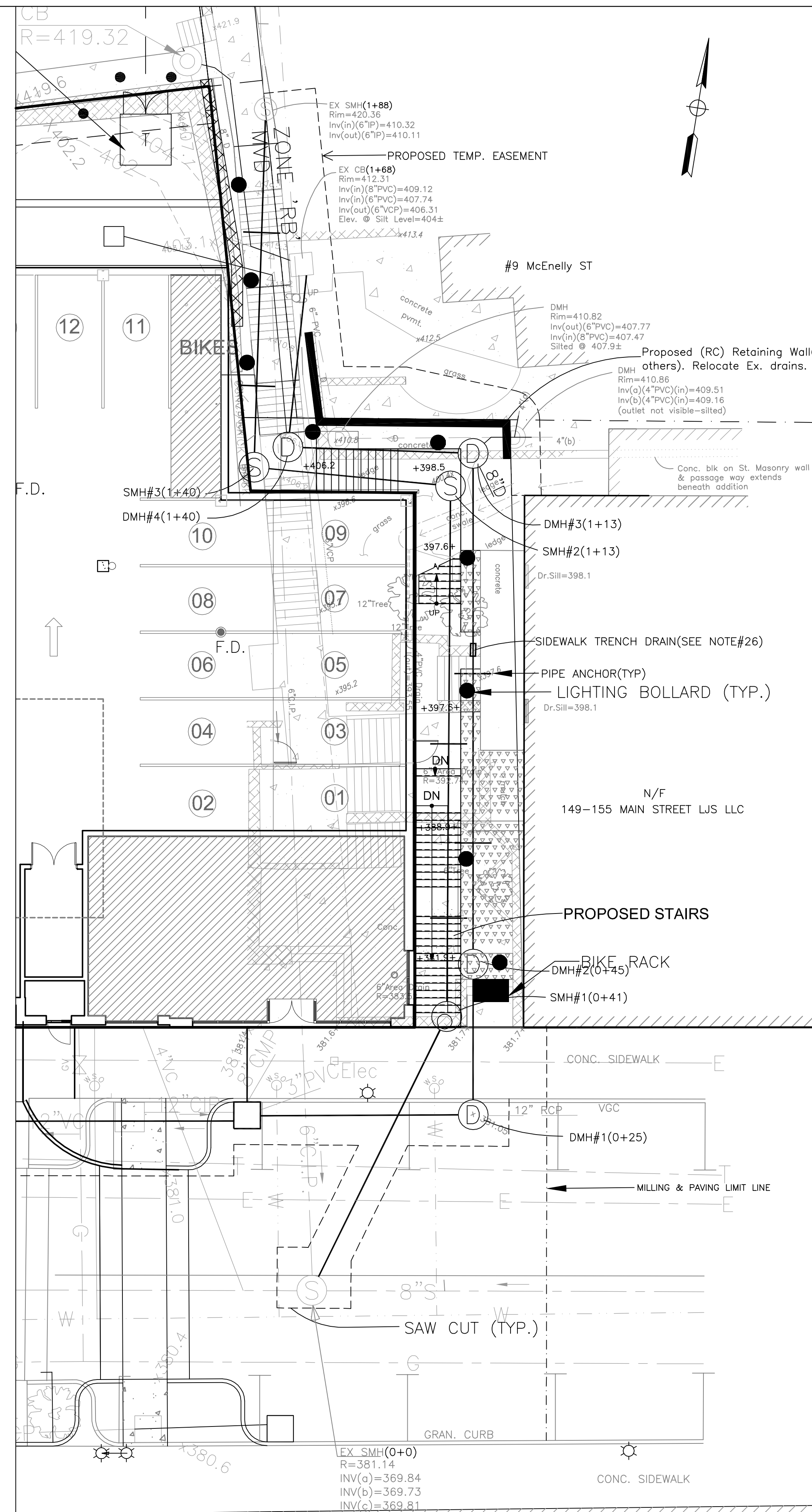
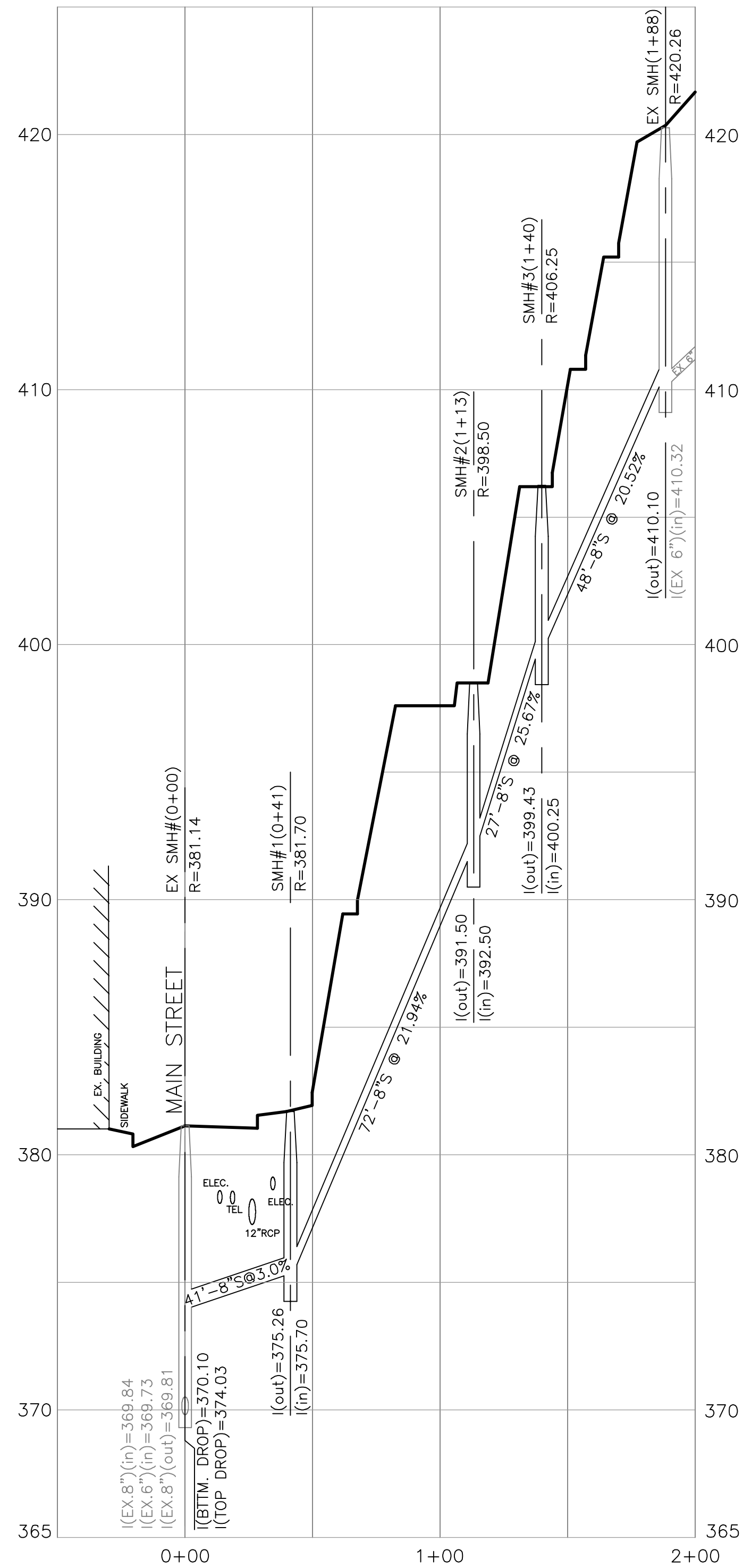
DRAINAGE, WATER, SEWER & UTILITIES
E ON MAIN
163-175 MAIN STREET
MARLBOROUGH, MA

DATE: JANUARY 15, 2018

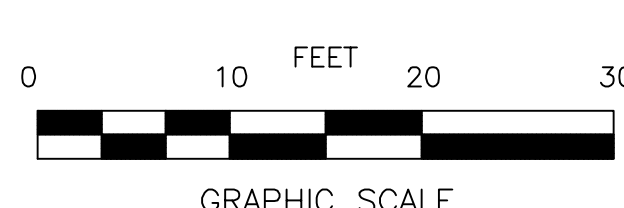
OWNER & APPLICANT:
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WORCESTER, MA 01608
TEL: 508-929-1678
(ATTY. BRIAN R. FALK)

C3
FILE: 2697C1.dwg





PLAN VIEW

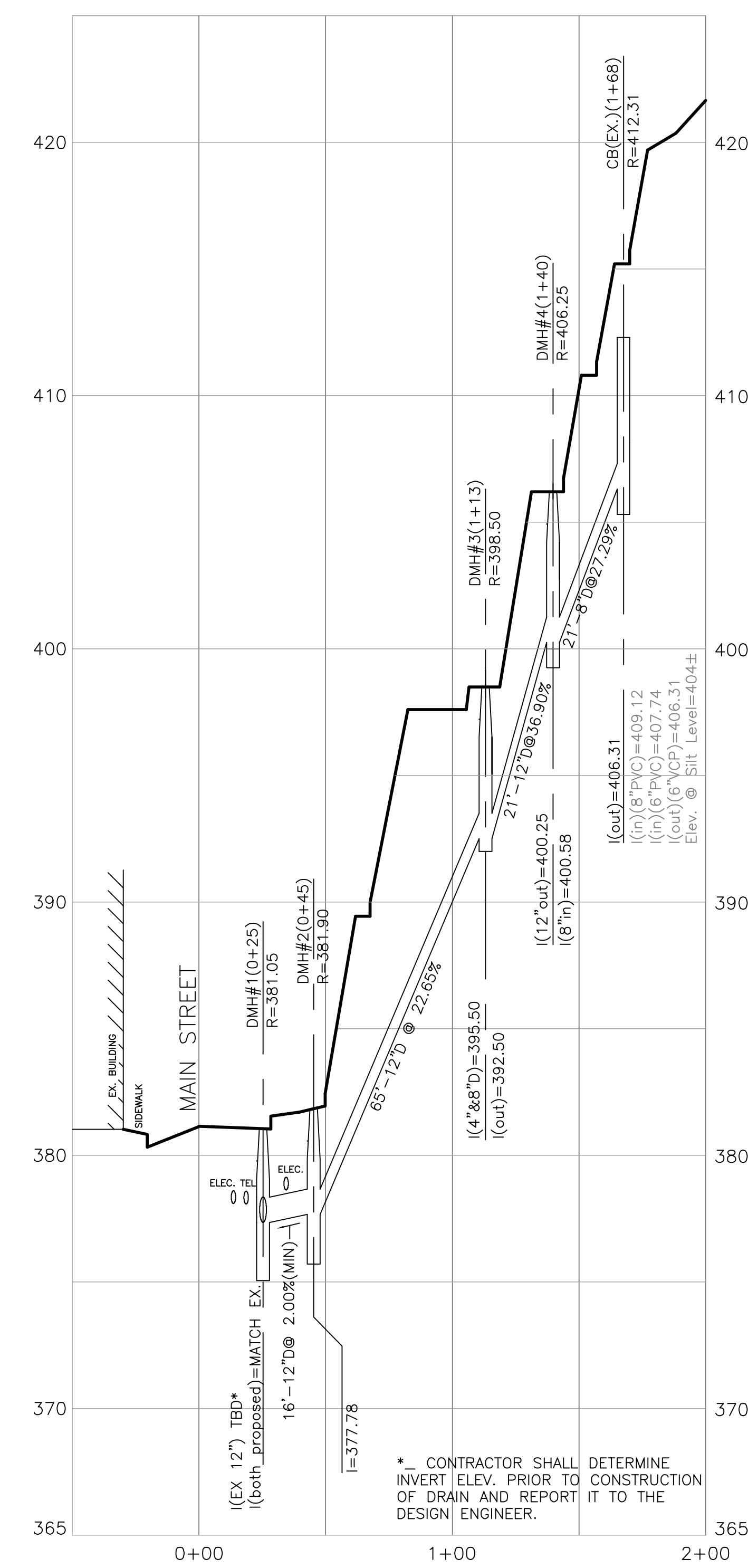


SEWER NOTES:

1. Prior to the pre-construction conference, the contractor shall submit a sewer flow bypass management plan to the City engineer. Construction shall not start until the plan has been approved by the City Engineer.
2. The contractor shall determine the locations of existing house connections to the existing sewer.
3. Pipe shall be Class 52 DIP (CL).
4. Banked SMH invert bench walls shall be provided where the inlet pipe slope exceeds 10% and where the change in flow direction exceeds 70 degrees. For these SMH's the outside bench shall be constructed 24" above the bottom of the inverted arch channel.

SEWER PROFILE

HORIZONTAL SCALE: 1" = 40
VERTICAL SCALE: 1" = 4'

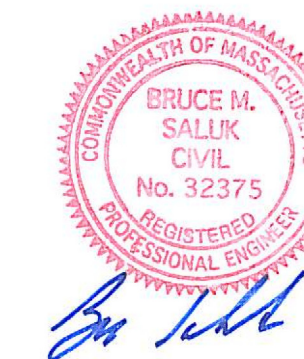


DRAINAGE NOTES:

1. Baseline for profile, stations and finished grade are along proposed sewer alignment, only.
2. Pipe shall be class 52 DIP (CL).

DRAIN PROFILE

HORIZONTAL SCALE: 1" = 40
VERTICAL SCALE: 1" = 4'



NO.	DATE	DESCRIPTION
1	5/21/18	OPEN SPACE
2	7/1/18	PLAN UPDATES & RFP COMMENTS
3	7/1/18	PLAN UPDATES
4	7/1/18	PLAN UPDATES
5	7/1/18	PLAN UPDATES

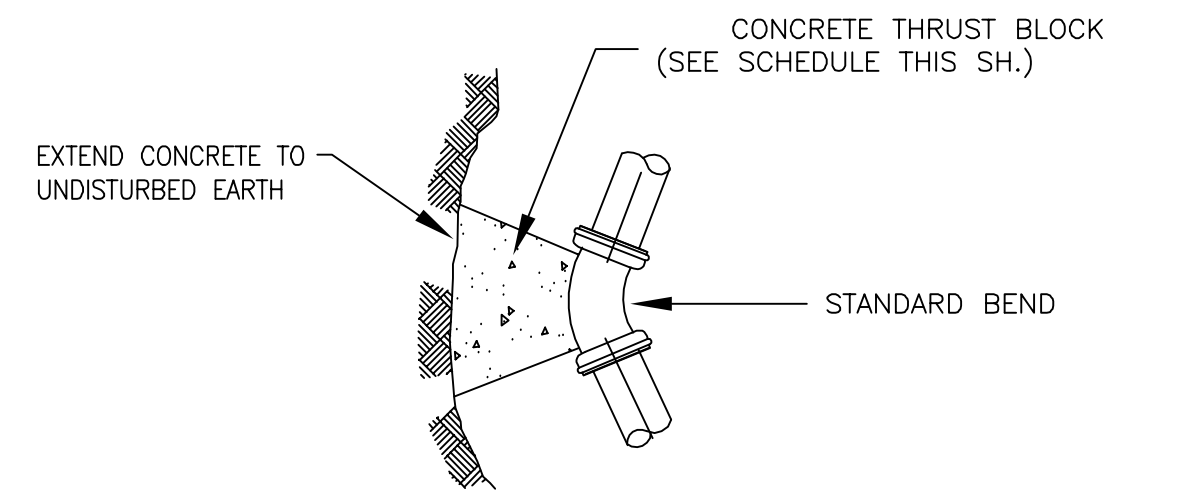
PREPARED BY:
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CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: 508-485-1662
FAX: 508-481-9929

PLAN & PROFILE
E ON MAIN
163-175 MAIN STREET
MARLBOROUGH, MA

DATE: MAY 23, 2018

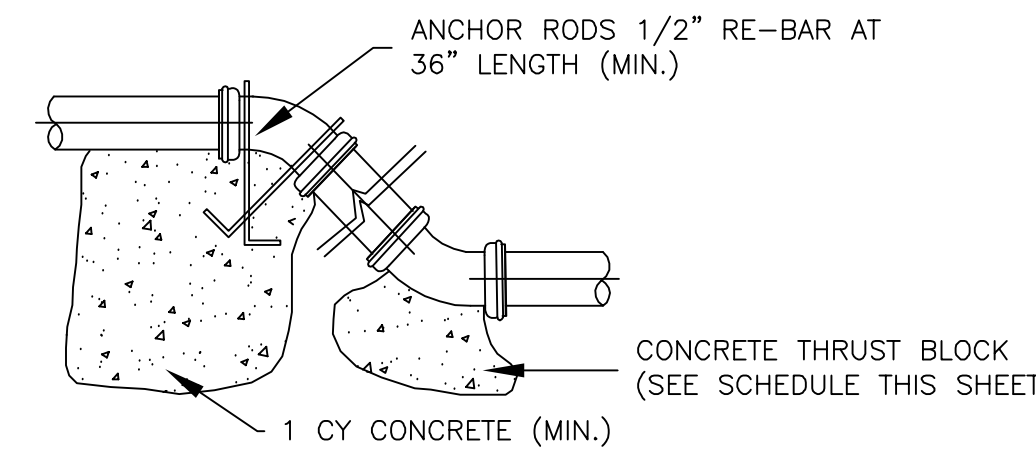
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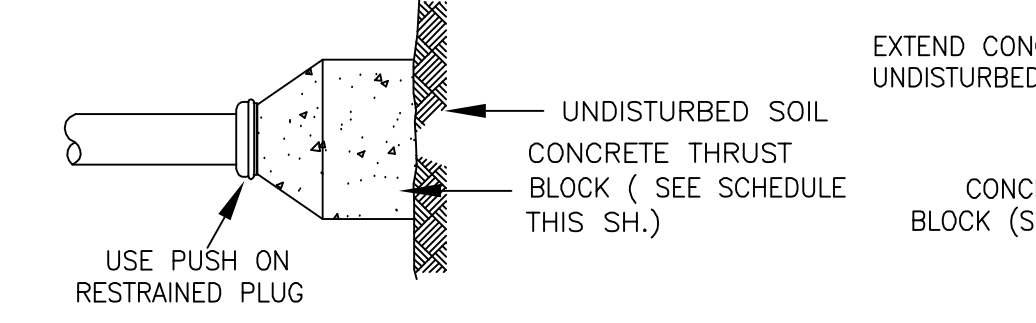


THRUST BLOCK SCHEDULE			
MAIN	TEES & PLUGS	45'	22 1/2'
4"	16	4	4

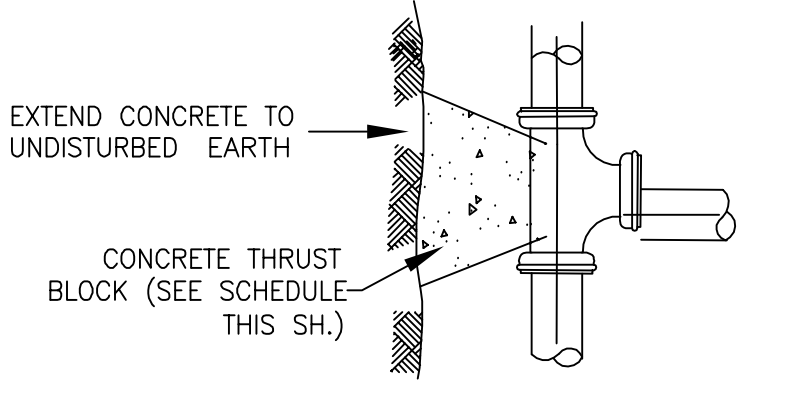
THRUST BLOCK DETAIL - STANDARD BEND
N. T. S. thrustblock.dwg



THRUST BLOCK - VERTICAL BEND
N. T. S.

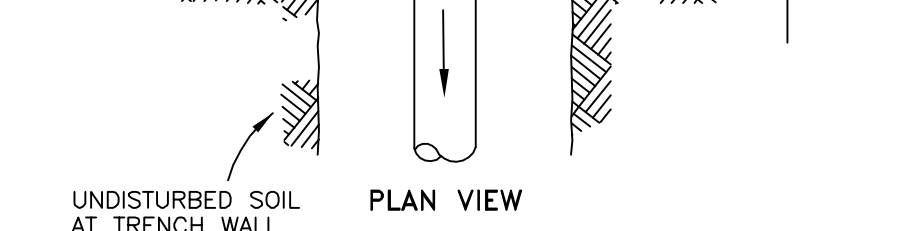
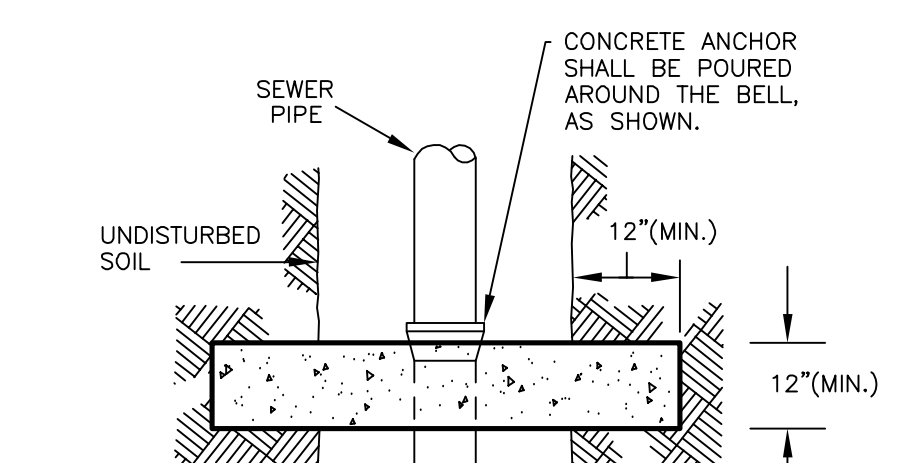


THRUST BLOCK DETAIL - PLUG
N. T. S.

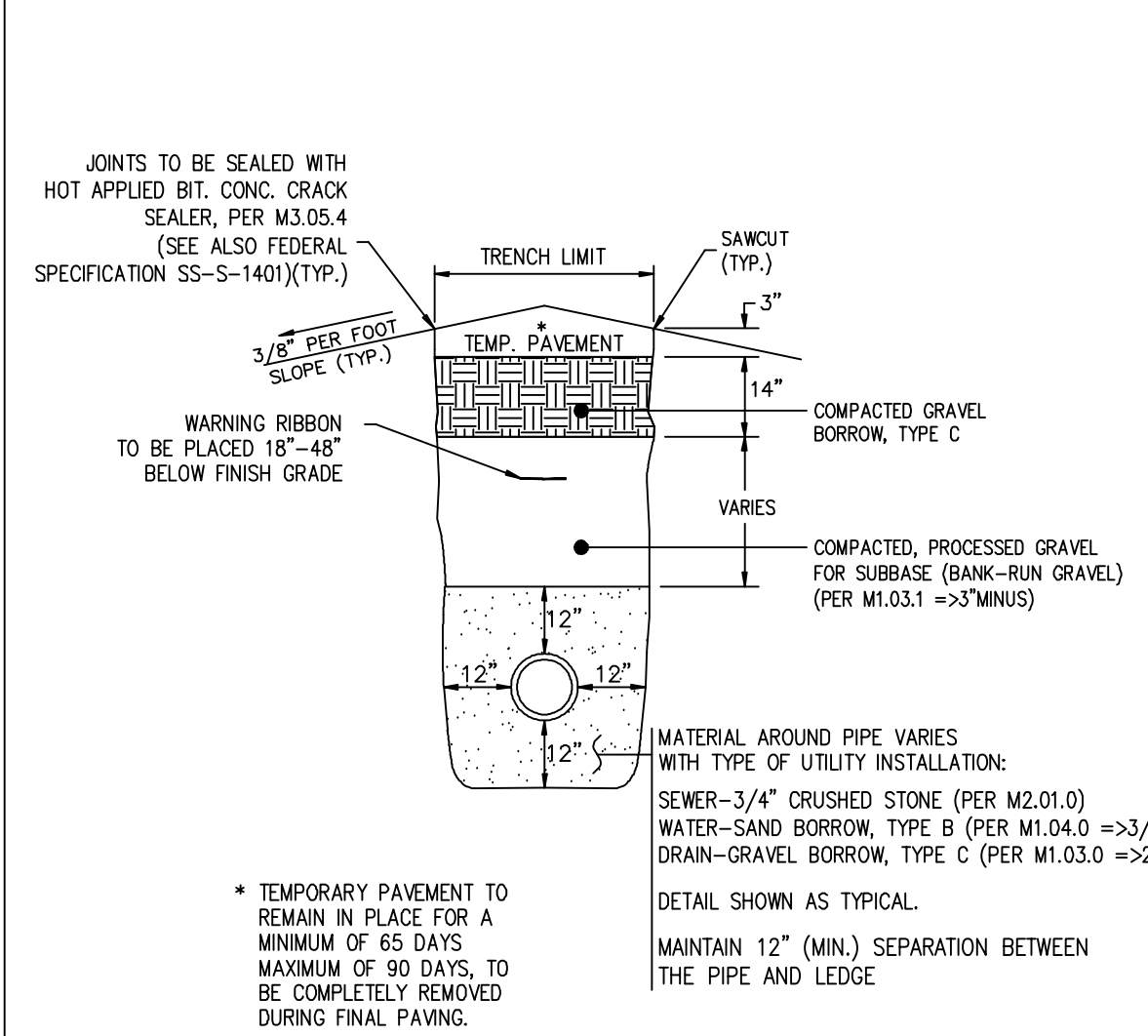


THRUST BLOCK DETAIL - TEE
N. T. S.

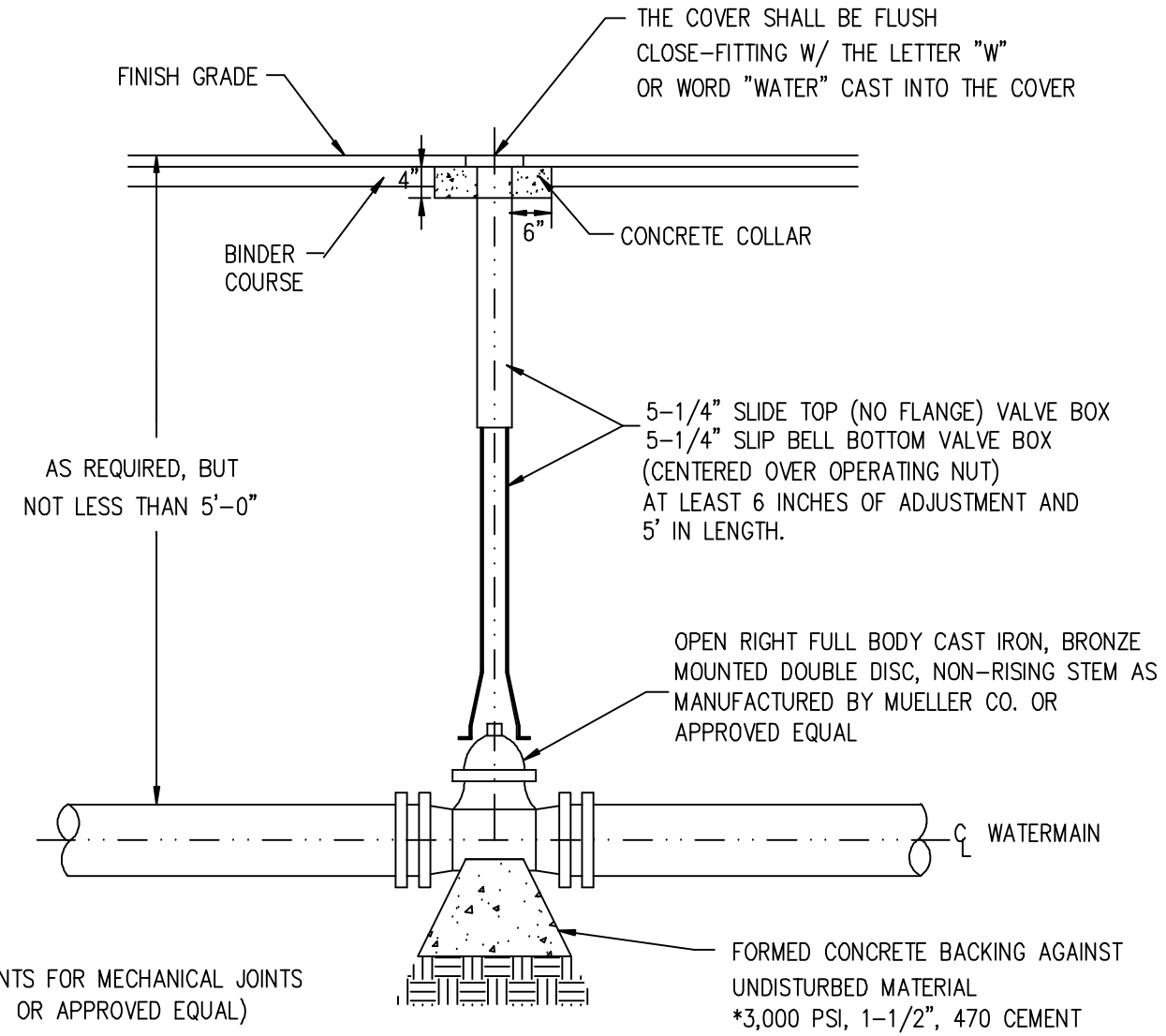
NOTES:
1) VALUES IN TABLE ARE REQUIRED CONCRETE THRUST BLOCK BEARING AREA IN SQUARE FEET AGAINST UNDISTURBED SOIL.
2) USE TIE RODS AND MEGA LUGS FOR ALL FITTINGS.



PIPE ANCHOR
N. T. S. PIPE ANCHOR.dwg

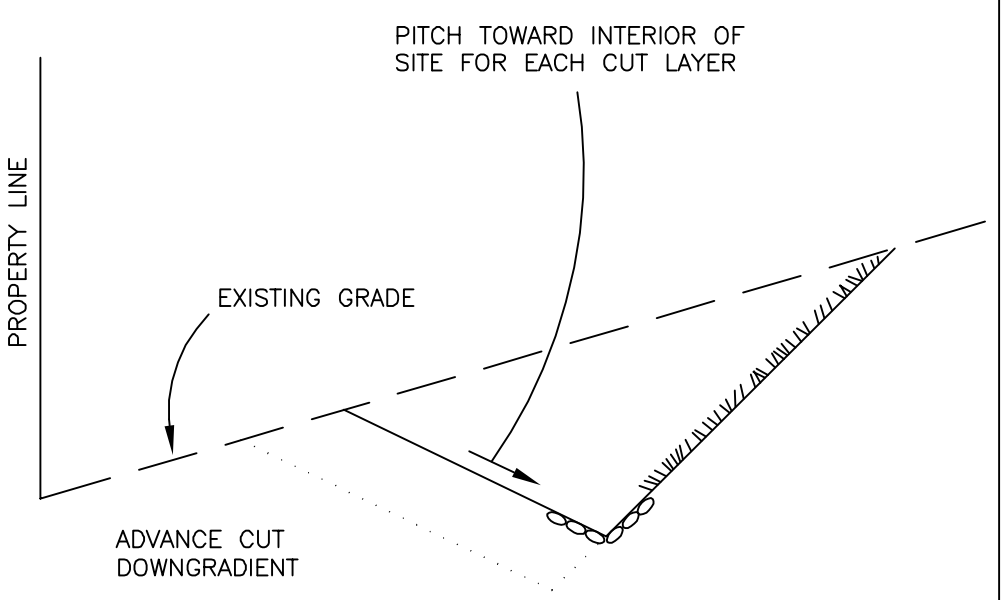


TYPICAL EXCAVATION TRENCH
N.T.S.

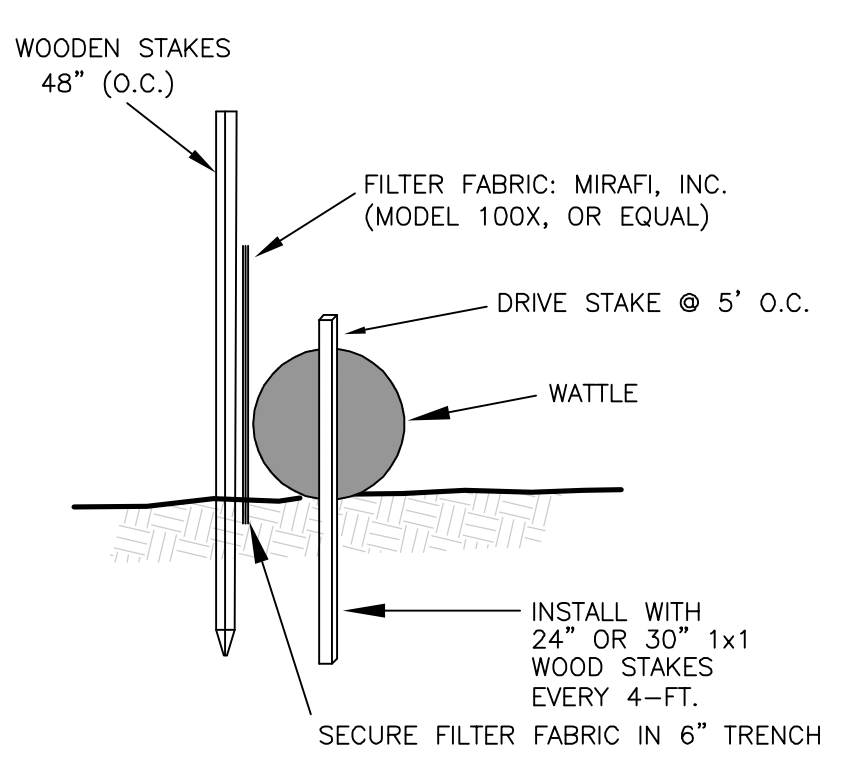


NOTES:
1. PROVIDE RESTRAINTS FOR MECHANICAL JOINTS (MEGALUG, RODS OR APPROVED EQUAL)
2. GATE VALVE MUST CONFORM TO THE LATEST REVISION OF ANWA STANDARD C-509

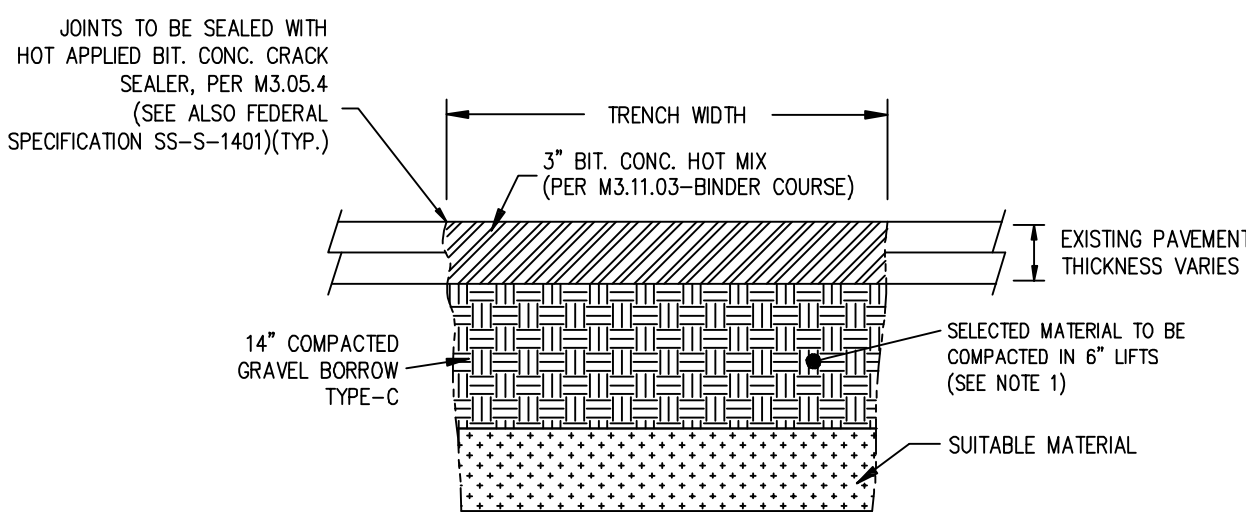
TYPICAL GATE VALVE
N.T.S.



EROSION CONTROL FOR CUT AREAS
N. T. S. Cutareas.dwg

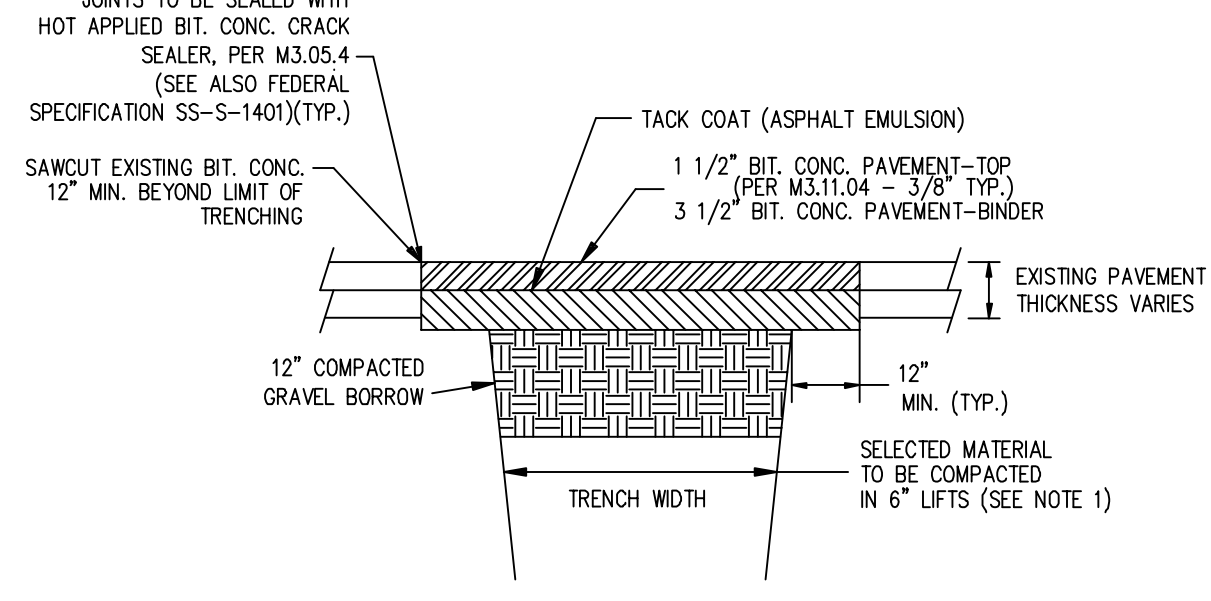


STAKED WATTLE DETAIL
N. T. S. Wattles AND slit fence.dwg



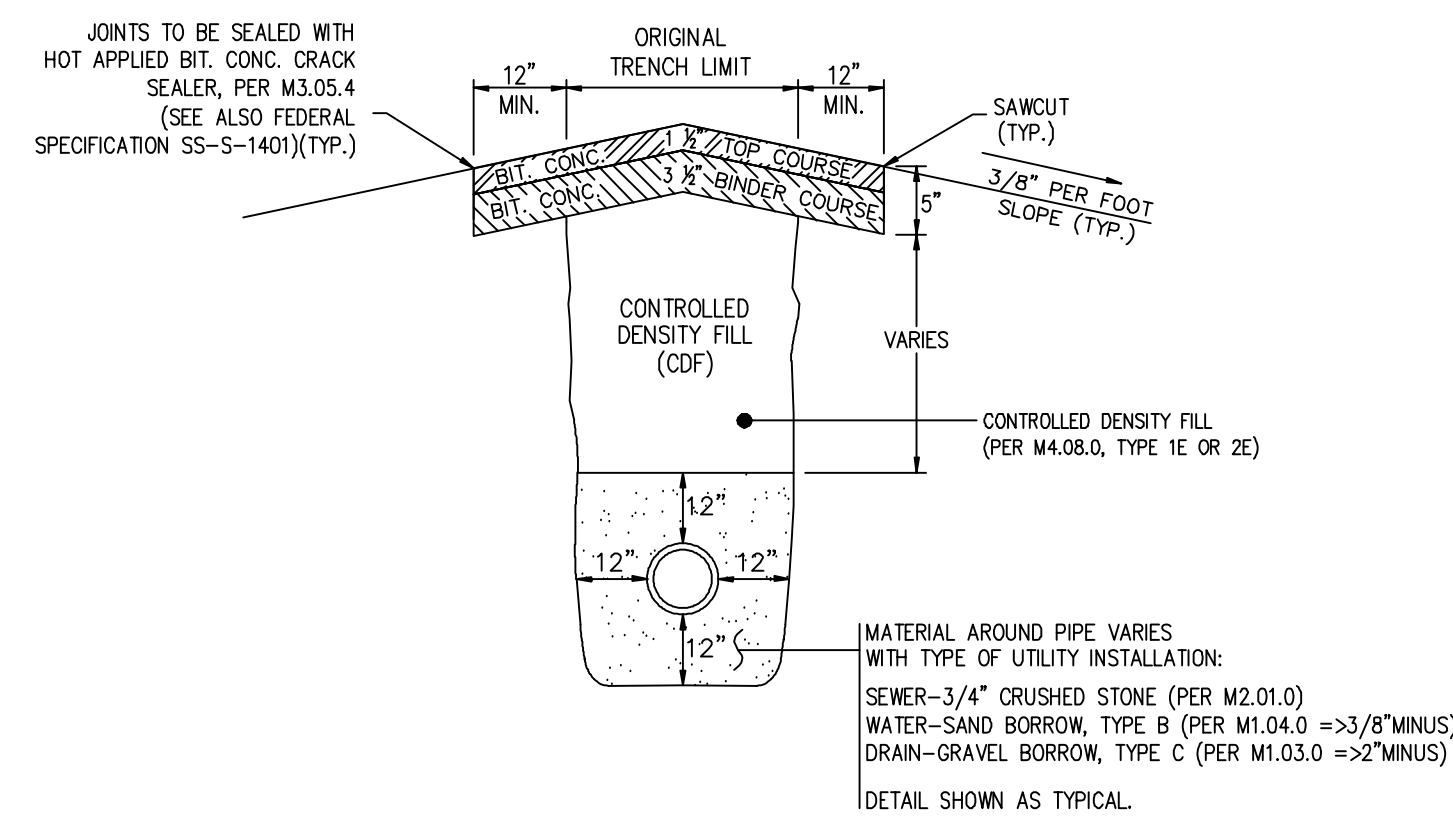
NOTE 1:
COMPACTION EQUIPMENT SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS TO OBTAIN THE COMPACTION STANDARDS DESCRIBED IN THE CONSTRUCTION NOTES, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. IN PROXIMITY TO STRUCTURES, A JUMPING JACK COMPACTOR SHALL BE REQUIRED.

TEMPORARY TRENCH PAVING TYPICAL SECTION
N.T.S.



NOTE 1:
COMPACTION EQUIPMENT SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS TO OBTAIN THE COMPACTION STANDARDS DESCRIBED IN THE CONSTRUCTION NOTES UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. IN PROXIMITY TO STRUCTURES, A JUMPING JACK COMPACTOR SHALL BE REQUIRED.

TYPICAL FINAL TRENCH PAVING
N.T.S.



TYPICAL FLOWABLE FILL TRENCH
N.T.S.

CONSTRUCTION NOTES

THE FOLLOWING DESCRIBES MATERIALS AND METHODS AS THEY PERTAIN TO ROAD OPENING WORK. ALL WORK SHALL CONFORM TO THE 1988 STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AND ALL SUBSEQUENT SUPPLEMENTAL SPECIFICATIONS THERETO.

BACKFILL MATERIALS

EXCAVATIONS IN THE STREET PAVEMENT AREAS SHALL BE CAREFULLY BACKFILLED WITH LAYERS OF SUITABLE GRAVEL. THE TWELVE (12) INCHES OF BEDDING MATERIAL AROUND PIPES SHALL BE SAND (M1.04.0) FOR WATER, 3/4\"/>

COMPACTION OF BACKFILL

BACKFILL SHALL BE UNIFORMLY DISTRIBUTED IN SUCCESSIVE LAYERS, EACH LAYER BEING THOROUGHLY COMPACTED BEFORE THE SUCCEEDING LAYER IS PLACED. THE ENTIRE WIDTH OF THE TRENCH SHALL BE MECHANICALLY OR HAND TAMPED IN SIX (6) INCH LIFTS, A MINIMUM OF TWO (2) FEET ABOVE THE UTILITY INSTALLATION, AND MECHANICALLY TAMPED THE REMAINDER OF THE FILL IN LIFT DEPTHS NOT GREATER THAN SIX (6) INCHES. THE TOP LAYER OF BACKFILL SHALL BE FOURTEEN (14) INCHES (IN A TEMPORARY TRENCH), AND TWELVE (12) INCHES (IN A PERMANENT TRENCH) OF GRAVEL COMPACTED TO 97% OF MAXIMUM DENSITY.

GRADING ROLLING AND FINISHING

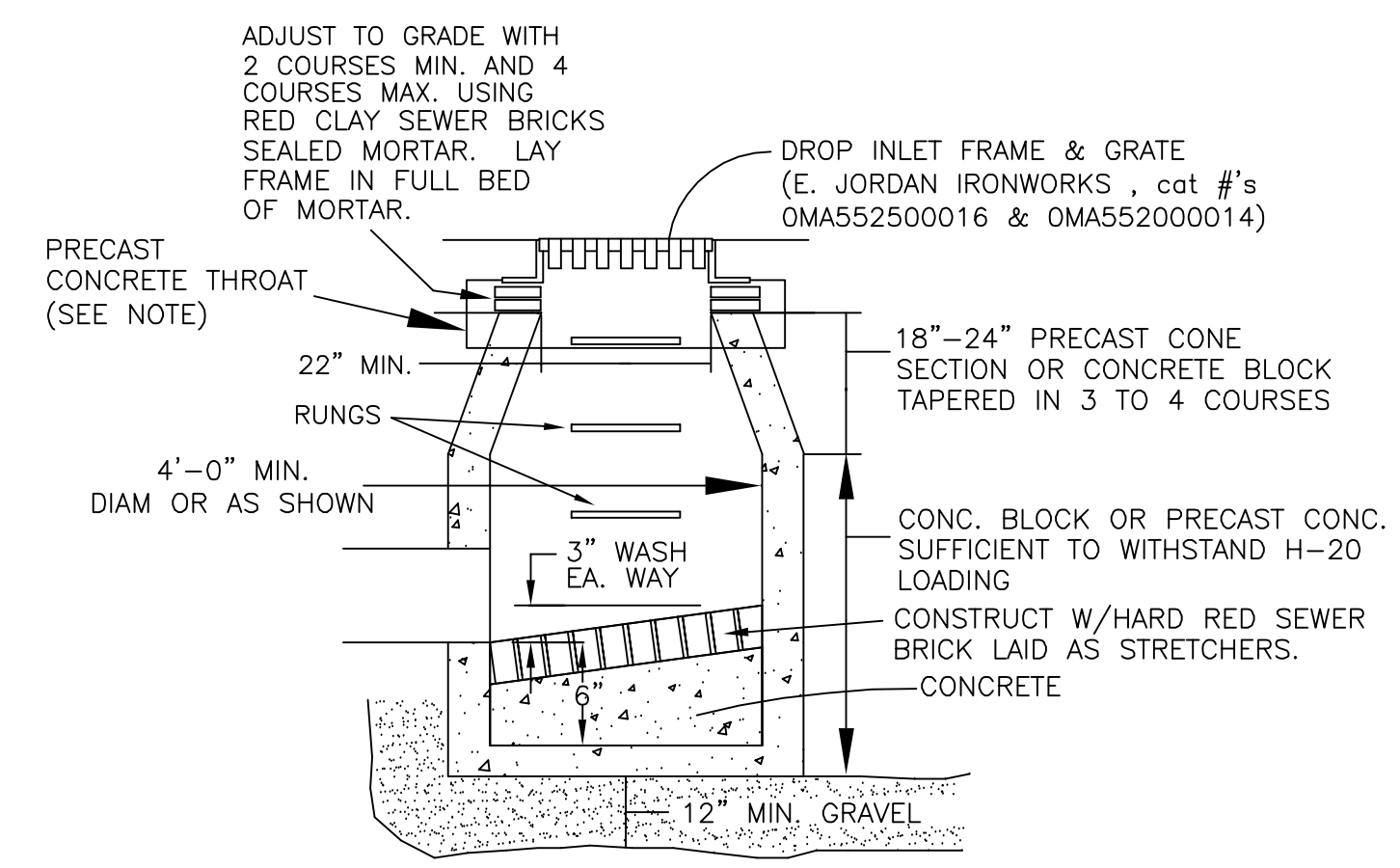
PAVEMENT PLACED SHALL BE PLACED AND RAKED TO A UNIFORM SURFACE, ROLLED TO THE REQUIRED THICKNESS AND TO A GRADE THAT WILL MATCH THE EXISTING BITUMINOUS ROAD SURFACE. THE PERMITTEE SHALL MAINTAIN THE SURFACING AND SHALL PROMPTLY FILL WITH SIMILAR MATERIAL ANY DEPRESSION AND HOLES THAT MAY OCCUR SO AS TO KEEP THE SURFACING IN A SAFE AND SATISFACTORY CONDITION FOR TRAFFIC.

TEMPORARY PAVEMENT

A TEMPORARY PAVEMENT SHALL BE PLACED ON THE SURFACE OF THE FILL AND THOROUGHLY COMPACTED. A TEMPORARY PAVEMENT SHALL BE CLASS I BITUMINOUS CONCRETE TYPE I-1 THREE (3) INCHES THICK (SEE EXCAVATION TRENCH DETAIL). "COLD PATCH" MAY BE ALLOWED IF APPROVED BY THE COMMISSIONER OF PUBLIC WORKS DUE TO ADVERSE WEATHER CONDITIONS. IF PLATES ARE USED THEY SHALL BE RAMMED TO MATCH THE EXISTING PAVEMENT. TEMPORARY PAVING OR STEEL PLATING SHALL IMMEDIATELY FOLLOW THE BACKFILLING OPERATION.

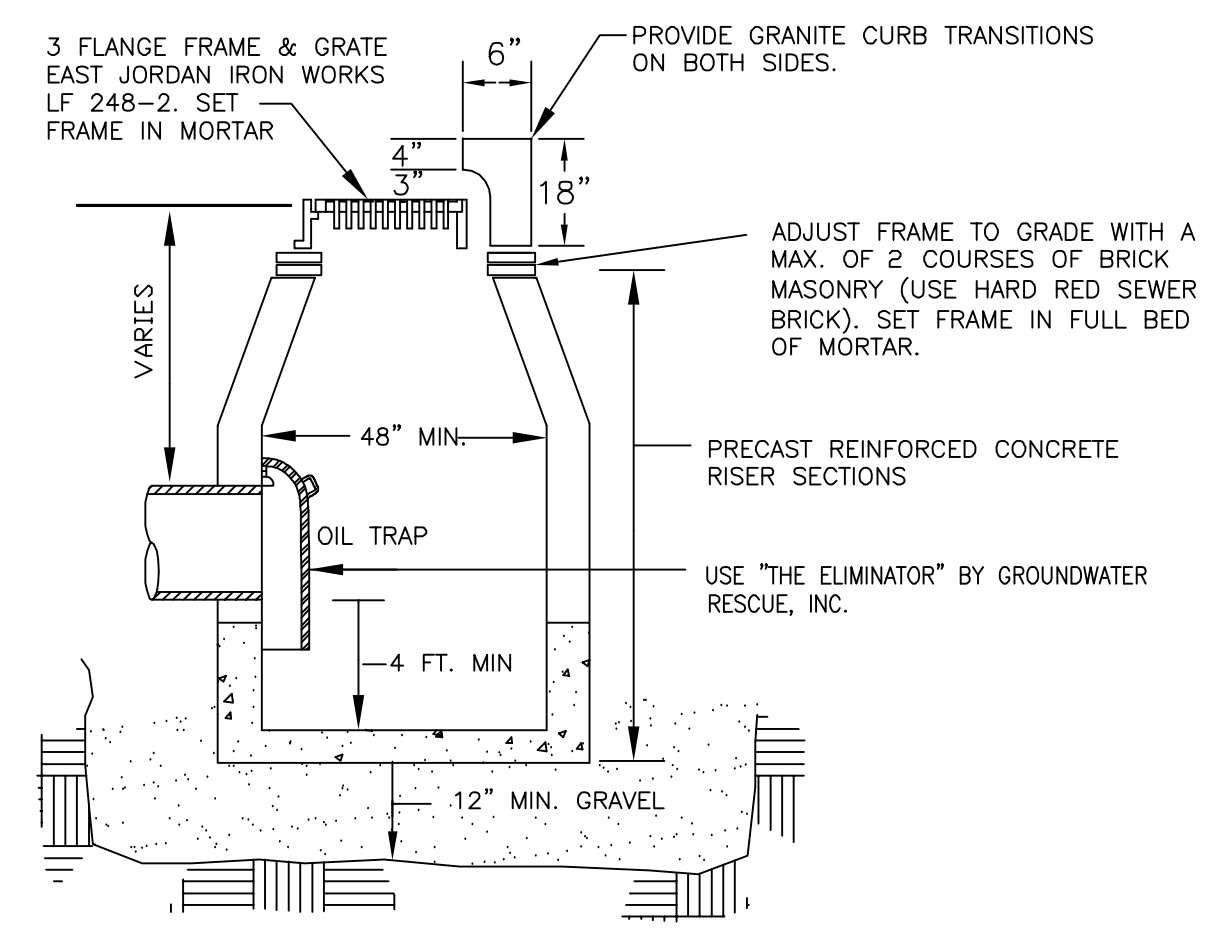
PERMANENT PAVING

THE FINAL BITUMINOUS CONCRETE SURFACE SHALL NOT BE PLACED ANY EARLIER THAN 65 DAYS OR NO LATER THAN 90 DAYS FROM THE DATE OF COMPLETION OF THE TEMPORARY SURFACE WITHOUT APPROVAL FROM THE COMMISSIONER OF PUBLIC WORKS. THE TEMPORARY PAVEMENT AND SUB-BASE SHALL BE EXCAVATED TO THE GRADE REQUIRED BY THE PERMIT PRIOR TO PLACEMENT OF THE FINAL BITUMINOUS CONCRETE SURFACE. THE BINDER COURSE SHALL NOT BE LESS THAN THE EXISTING ROADWAY BINDER COURSE AND SHALL NOT BE LESS THAN THREE AND ONE-HALF (3 1/2) INCHES IN DEPTH AND THE TOP COURSE SHALL BE ONE AND ONE-HALF (1 1/2) INCHES IN DEPTH. IN SOME INSTANCES, BEYOND A SIMPLE TRENCH EXCAVATION, PAVEMENT DETAILS AND RESURFACING REQUIREMENTS WILL BE INCLUDED AS A SPECIAL CONDITION IN THE PERMIT (E.G. PAVEMENT REQUIREMENTS ON ROUTE 85).

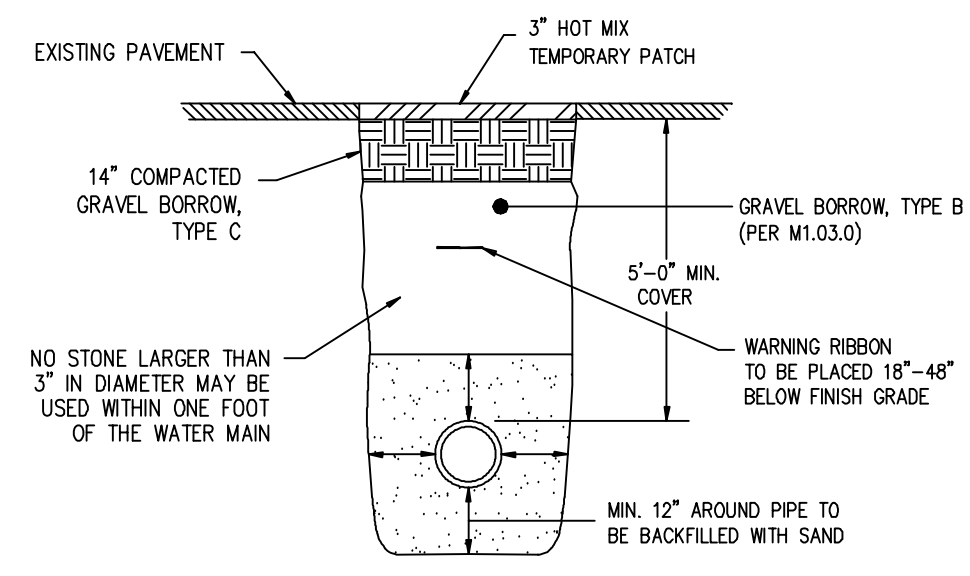


NOTE:
THE DROP INLET SHALL BE DROP INLET TYPE 'D' IN ACCORDANCE WITH THE SPECIFICATIONS OF MASSDOT CONSTRUCTION STANDARD DETAILS, DRAWINGS NOS. E 203.5.0 AND E 203.7.0, OR AS APPROVED EQUAL.

DROP INLET
N. T. S.

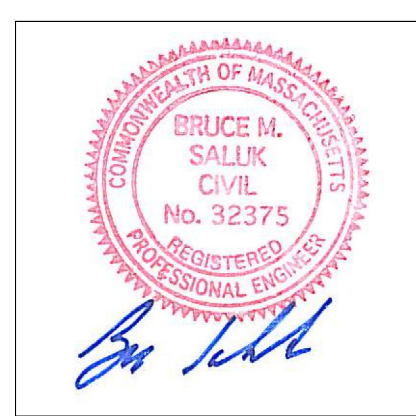


CATCH BASIN
N. T. S. CB1Marlborough.Dwg



* TEMPORARY PAVEMENT TO REMAIN IN PLACE FOR A MINIMUM OF 65 DAYS, TO BE COMPLETELY REMOVED DURING FINAL PAVING.

TYPICAL WATER TRENCH
N.T.S.



NO.	DATE	DESCRIPTION
1	5/21/18	47 UNIT BUILDING & PARCEL 'E'

PREPARED BY:
BRUCE SALLIK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: 508-485-1662
FAX: 508-481-9929

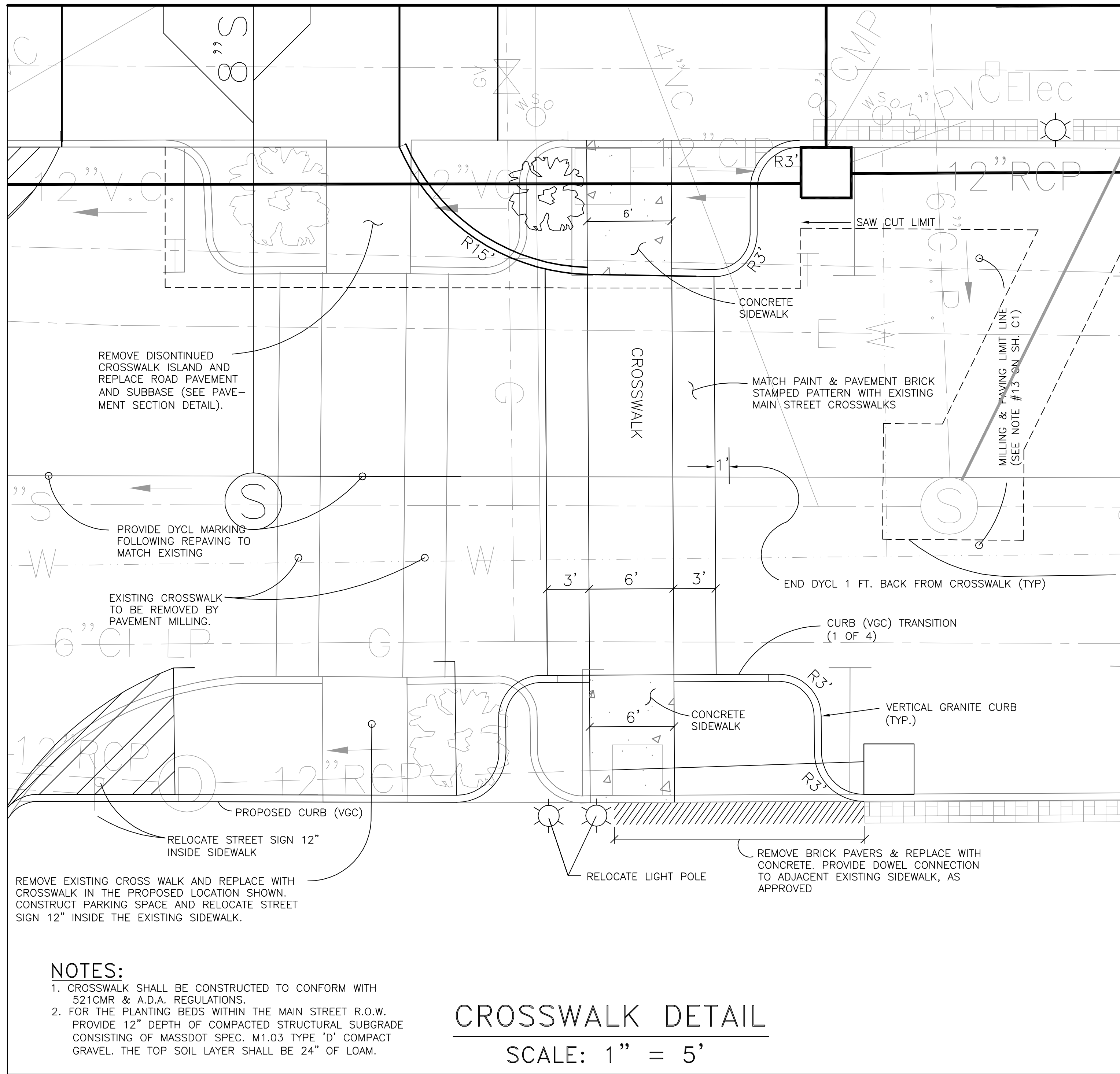
DETAIL SHEET
E ON MAIN
- 163-175 MAIN STREET -
MARLBOROUGH, MA

DATE: JANUARY 15, 2018

OWNER & APPLICANT:
VINENZA SAMBATARO
c/o MIRICK O'CONNELL
100 FRONT STREET
WORCESTER, MA 01608
TEL: 508-929-1678
(ATTY. BRIAN R. FALK)

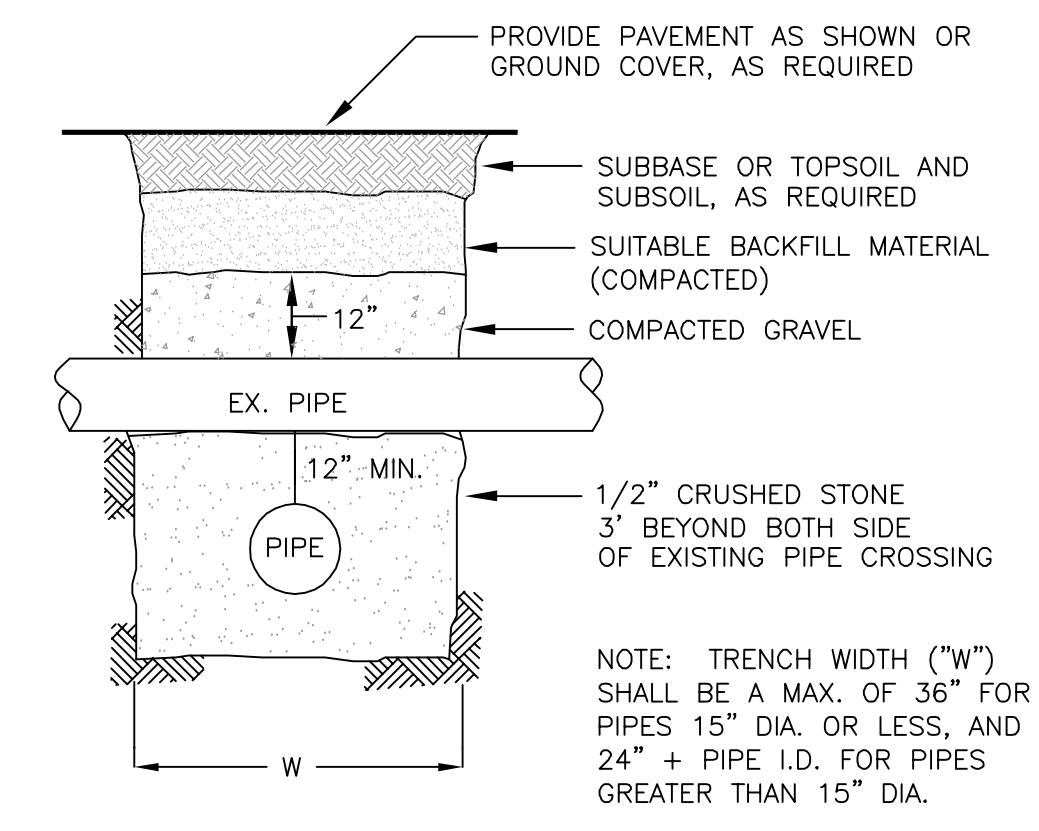
C6

FILE: 2697C1.dwg

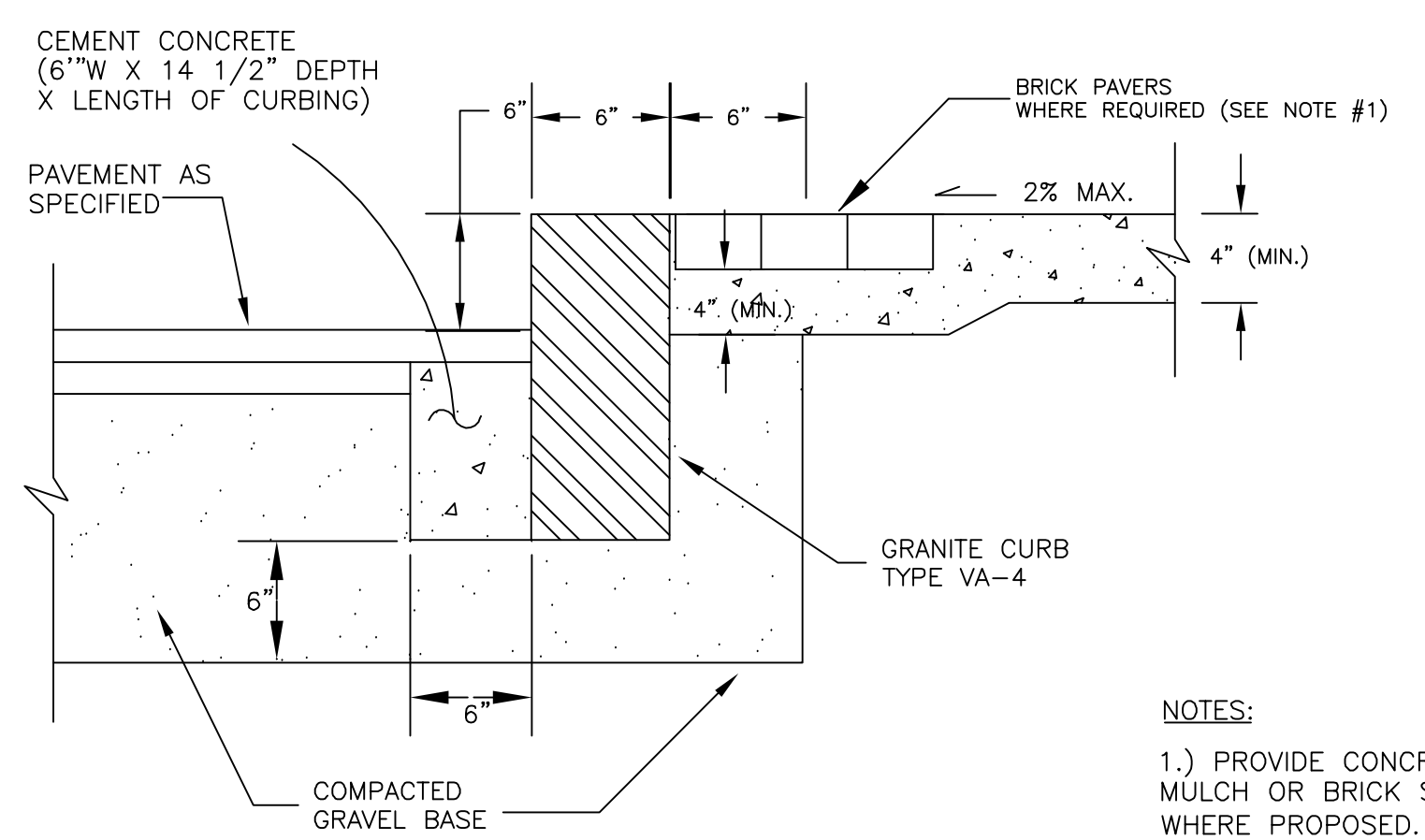
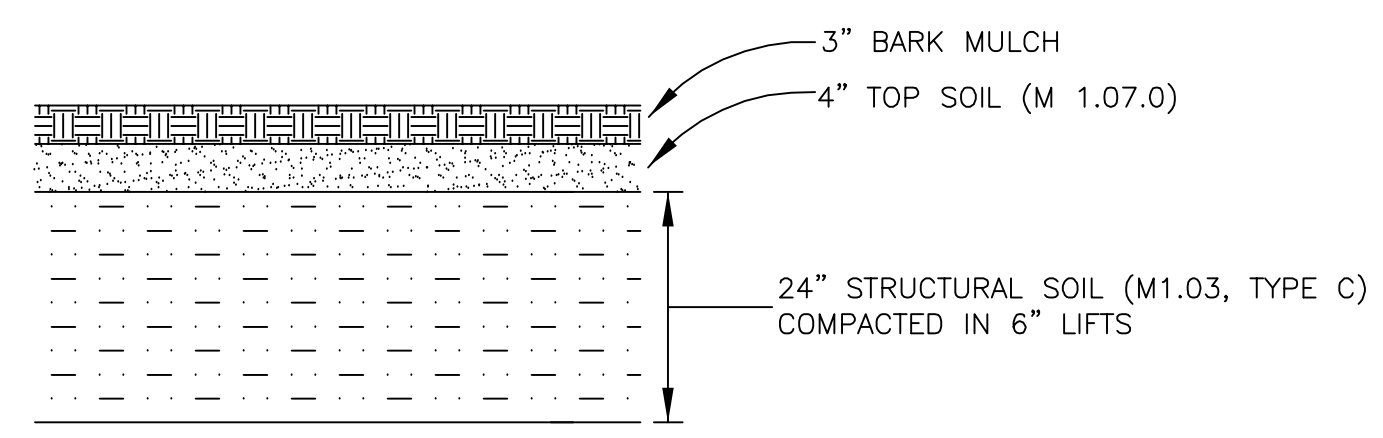


CROSSWALK DETAIL
SCALE: 1" = 5'

- NOTES:**
- CROSSWALK SHALL BE CONSTRUCTED TO CONFORM WITH 521CMR & A.D.A. REGULATIONS.
 - FOR THE PLANTING BEDS WITHIN THE MAIN STREET R.O.W. PROVIDE 12" DEPTH OF COMPACTED STRUCTURAL SUBGRADE CONSISTING OF MASSDOT SPEC. M1.03 TYPE 'D' COMPACT GRAVEL. THE TOP SOIL LAYER SHALL BE 24" OF LOAM.

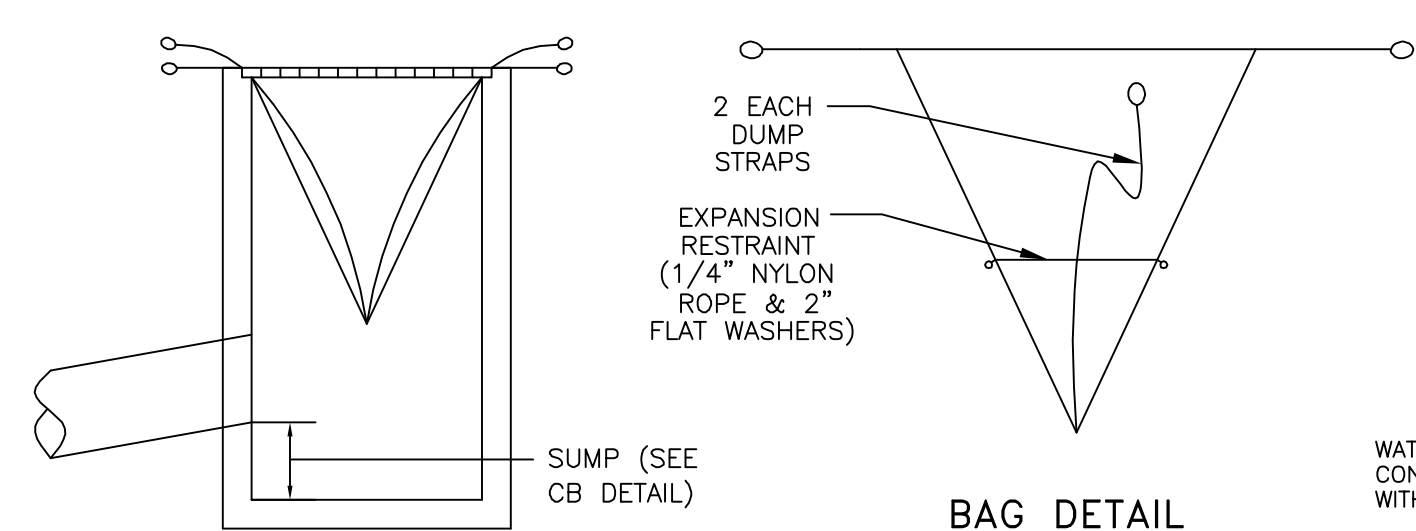


PIPE CROSSING DETAIL
N. T. S.

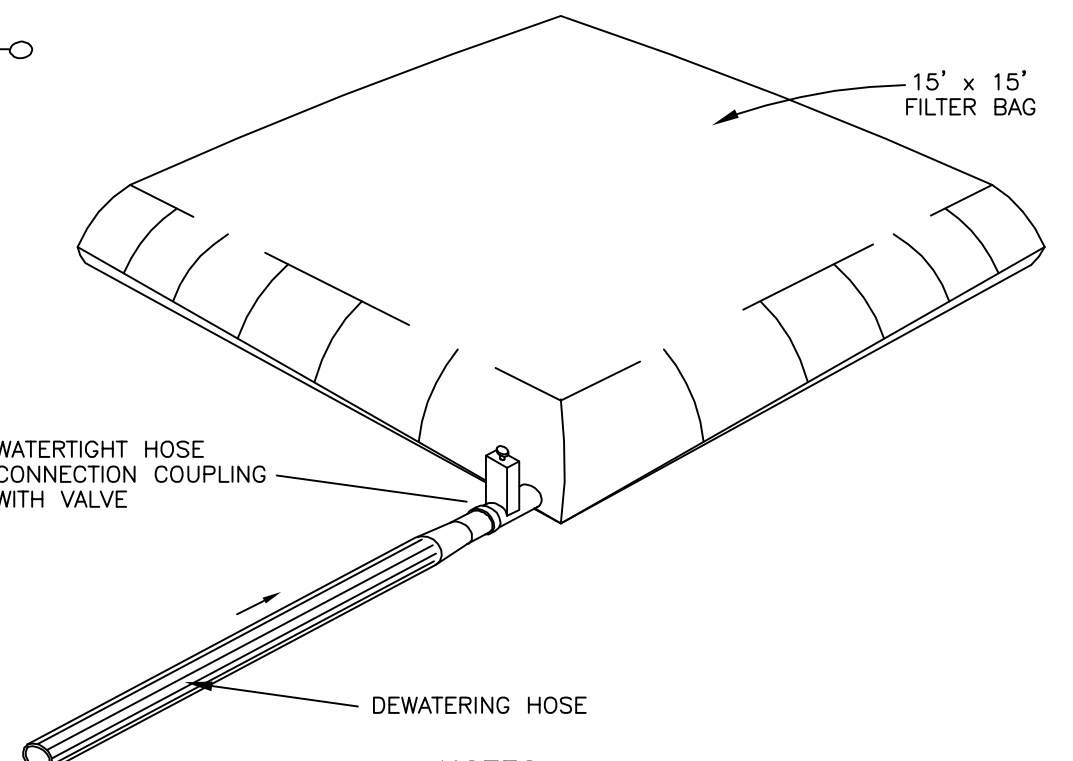


GRANITE CURBING DETAIL
N. T. S.

- NOTES:**
- PROVIDE CONCRETE SIDEWALK, BARK MULCH OR BRICK SHELF & BRICK PAVERS WHERE PROPOSED. REFER TO NOTE # 12 ON SHEET C1.



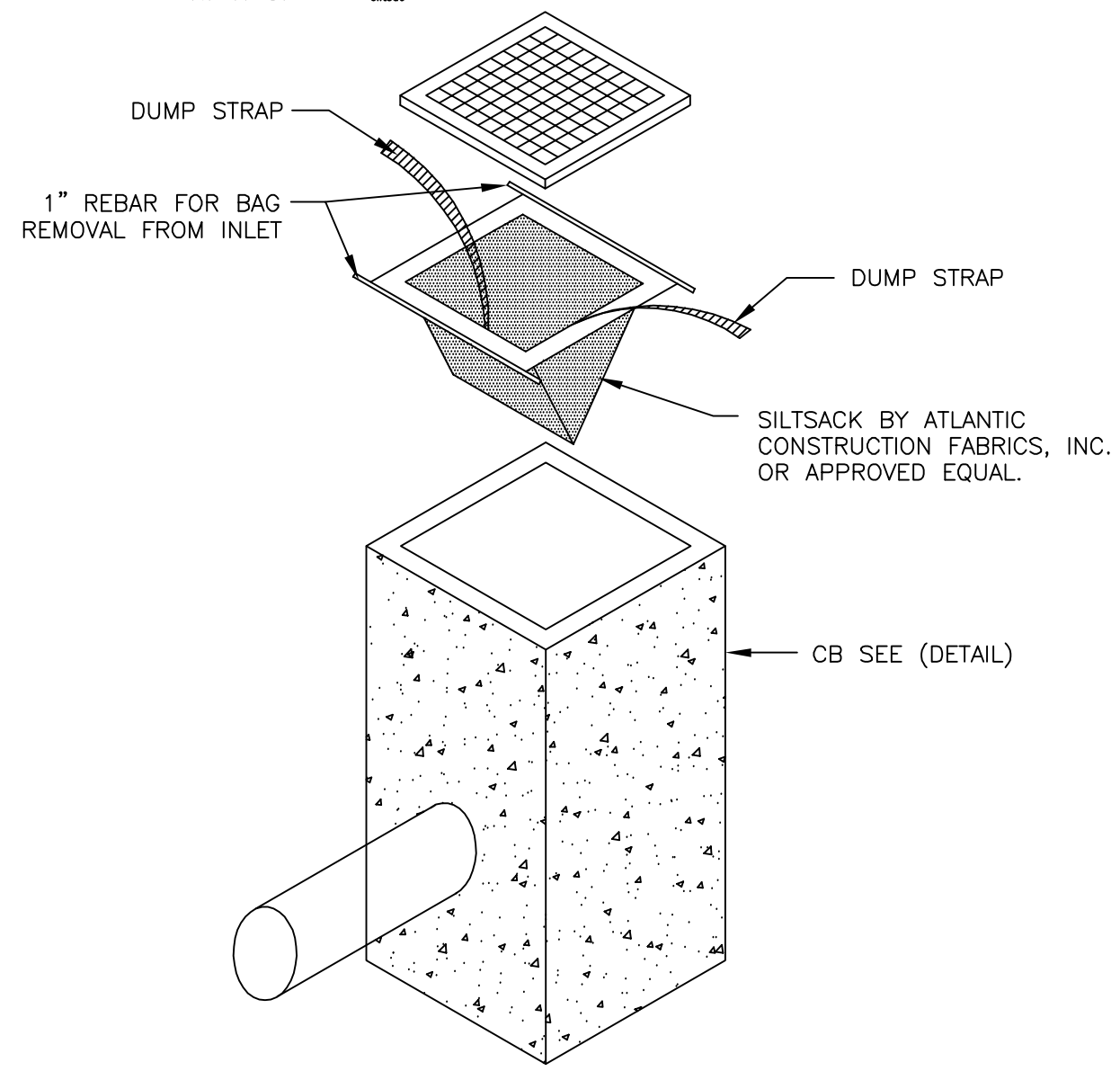
INSTALLATION DETAIL
N. T. S.



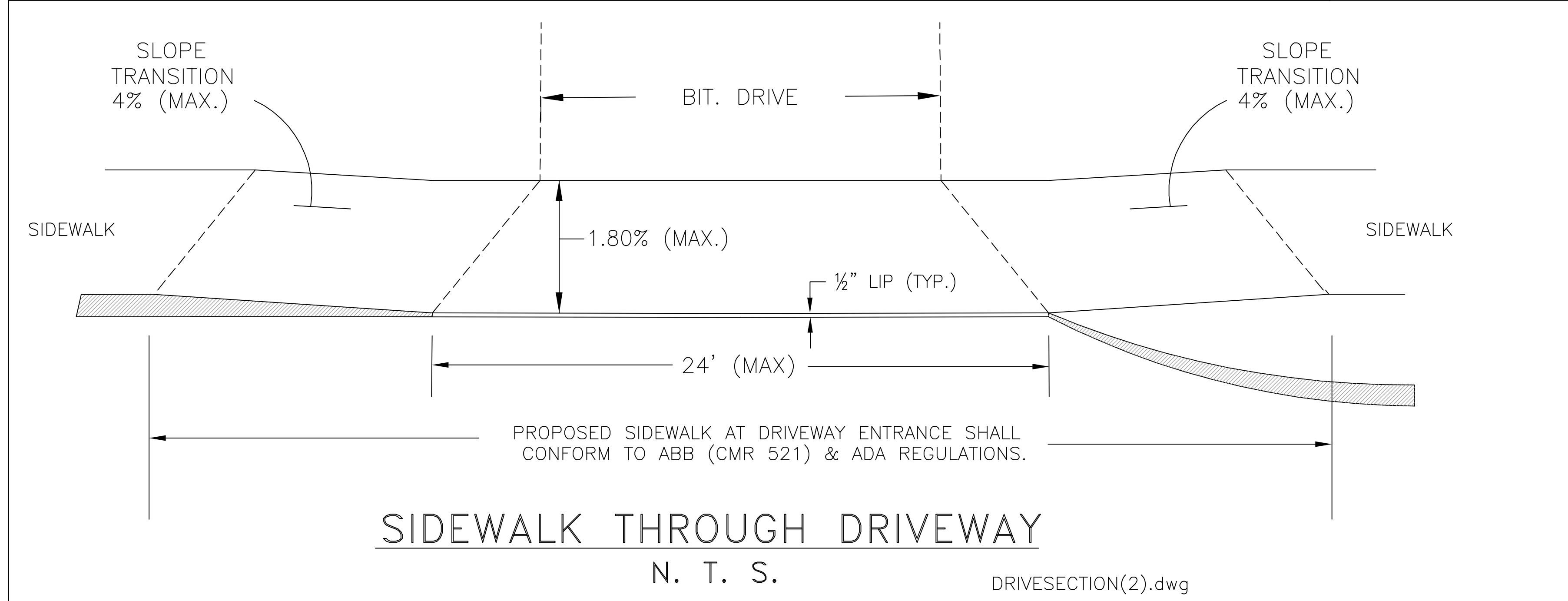
BAG DETAIL
N. T. S.

- NOTES:**
- FILTER BAGS SHALL BE 15' x 15' POLYPROPYLENE GEOTEXTILE DESIGNED TO ENACT OR EXCEED THE PROPERTIES BELOW:
- TENSILE STRENGTH, 205 lbs (ASTM D-4632)
 - ELONGATION @ BREAK, 50 % (ASTM D-4632)
 - MULLEN BURST, 400 psi (ASTM D-3786)
 - PUNCTURE STRENGTH, 130 lbs (ASTM D-4833)
 - TRAPEZOIDAL TEAR, 85 lbs (ASTM D-4533)
 - APPARENT OPENING SIZE, 80 US Sieve (ASTM D-4751)
 - PERMITTIVITY, 1.40 Sec-1 (ASTM D-4491)
 - LV RESISTANCE, % RETAINED, 70 % (ASTM D-4355)
 - FLOW RATE, 90 gal/min/sf (ASTM D-4491)
- BAGS SHALL BE US FILTER BAG BY US FABRICS, CINCINNATI, OHIO, OR APPROVED EQUAL.

DEWATERING FILTER BAG DETAIL
N. T. S.



SILTSACK DETAIL
N. T. S.



SIDEWALK THROUGH DRIVEWAY
N. T. S.

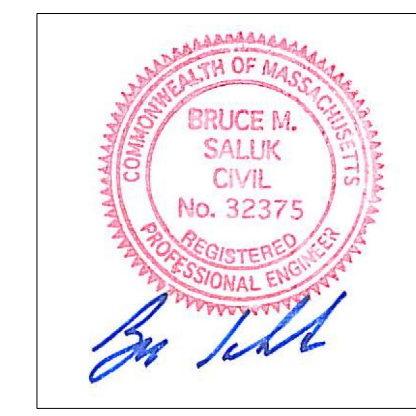
NO.	DATE	DESCRIPTION
1	1/24/18	67 UNIT BUILDING
2	1/24/18	CITY ENGINEERS COMMENTS
3	1/24/18	47 UNIT BUILDING & PARCEL 1"
4	1/25/18	PLAN REV'S
5	1/25/18	DESCRIPTION

PREPARED BY:
BRUCE SALUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: 508-485-1662
FAX: 508-481-9929

DETAIL SHEET
E ON MAIN
- 163-175 MAIN STREET -
MARLBOROUGH, MA

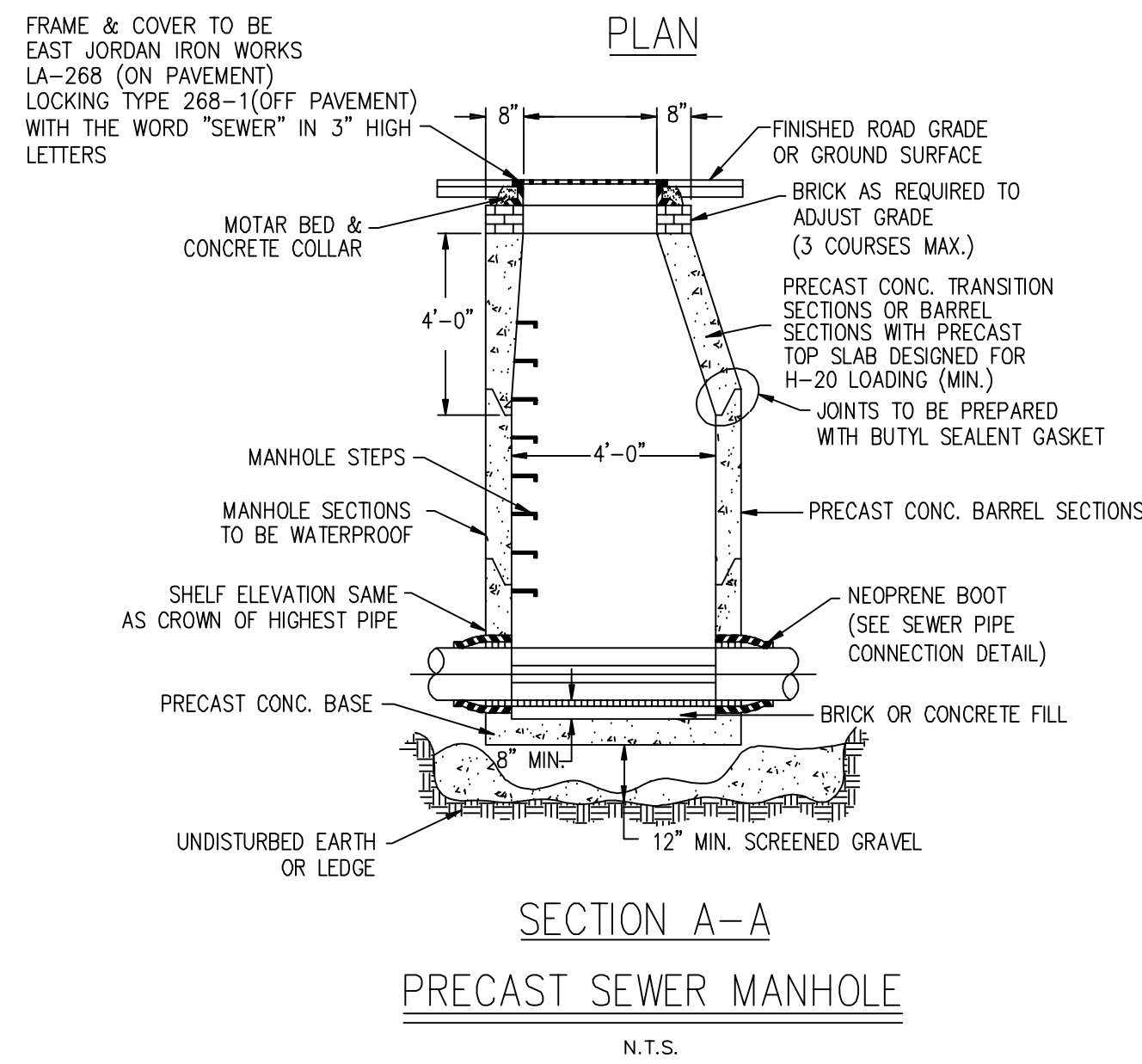
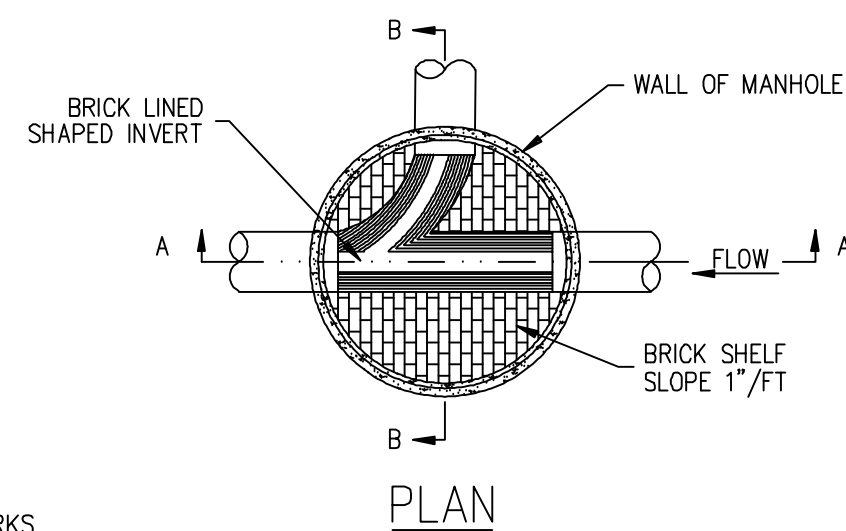
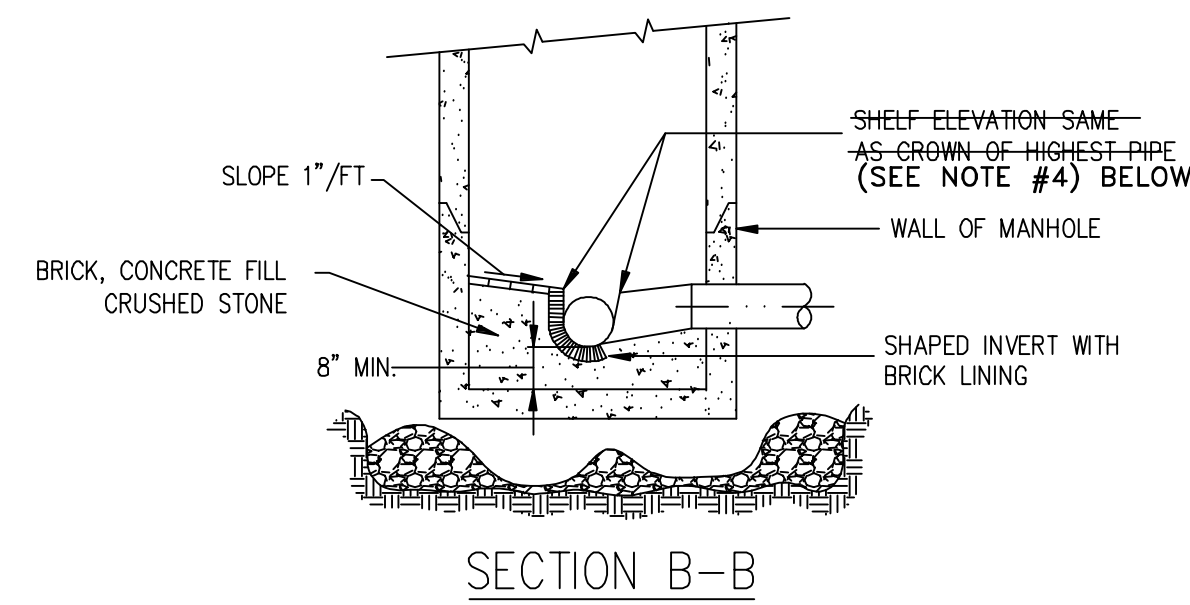
DATE: JANUARY 15, 2018

OWNER & APPLICANT:
VINENZA SAMBATARO
c/o MIRICK O'CONNELL
100 FRONT STREET
WORCESTER, MA 01608
TEL: 508-929-1678
(ATTY. BRIAN R. FALK)



C7

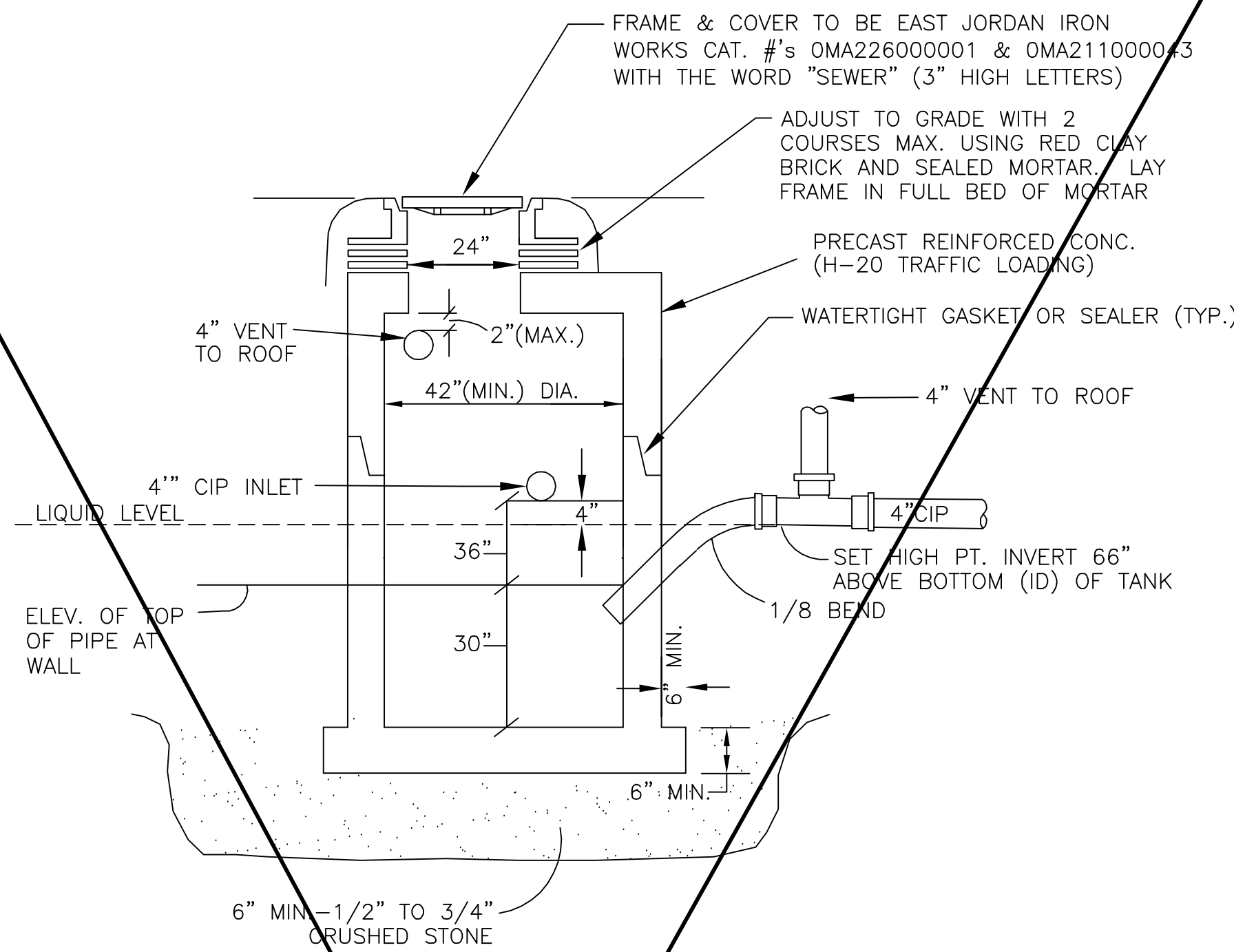
FILE: 2697C1.dwg



NOTE: DETAIL WAS TAKEN FROM THE CITY OF MARLBOROUGH STANDARD DETAILS

SEWER NOTES:

1. Prior to the pre-construction conference, the contractor shall submit a sewer flow bypass management plan to the City engineer. Construction shall not start until the plan has been approved by the City Engineer.
2. The contractor shall determine the locations of existing house connections to the existing sewer.
3. Pipe shall be Class 52 DIP (CL).
4. Banked SMH invert bench walls shall be provided where the inlet pipe slope exceeds 10% and where the change in flow direction exceeds 70 degrees. For these SMH's the outside bench shall be constructed 24" above the bottom of the inverted arch channel.

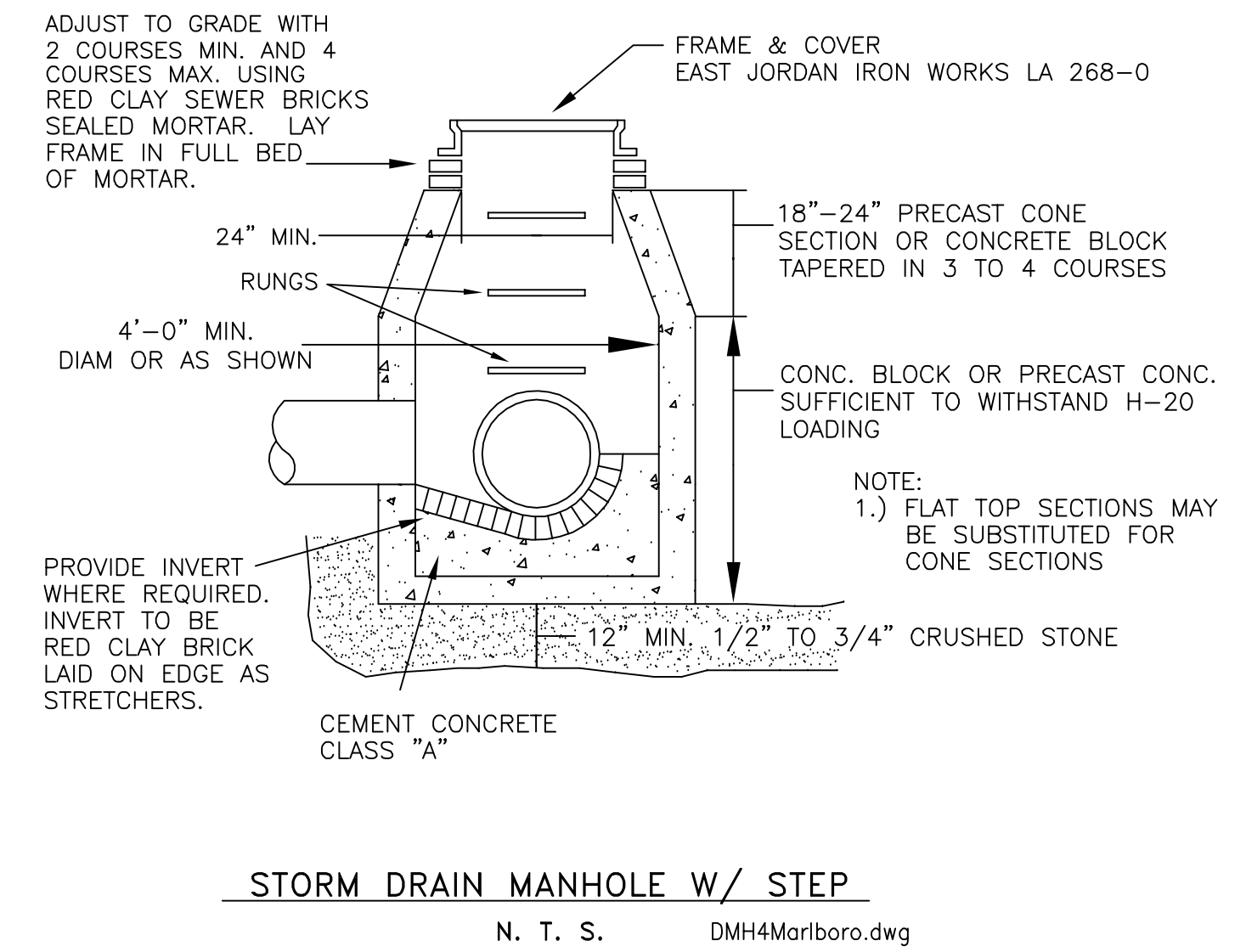


CONSTRUCTION NOTES FOR GASOLINE, OIL & SAND SEPARATOR

- 1.) SEPARATOR IS TO BE LOCATED OUTSIDE OF A BUILDING WHERE POSSIBLE AND THE COVER SHALL BE A MINIMUM OF 24" IN DIAMETER. IF THE SEPARATOR MUST BE INSTALLED INSIDE OF A BUILDING, THE COVER MUST BE SEALED TIGHT.
- 2.) THE SEPARATOR MUST BE CONSTRUCTED AND INSTALLED TO PREVENT SURFACE WATER FROM ENTERING.
- 3.) THE INVERT OF THE SEPARATOR INLET PIPE SHALL BE NO LESS THAN 4" ABOVE THE WATER LINE.
- 4.) THE SEPARATOR SHALL BE FILLED WITH WATER, TESTED AND INSPECTED PRIOR TO BEING PUT INTO SERVICE.
- 5.) THE NON CORROSIVE STEPS SHALL BE INSTALLED 18" APART.
- 6.) THE CHAMBER VENT AND OUTLET VENT SHALL BE RETURNED TO THE INSIDE OF THE BUILDING AND EXTENDED THROUGH THE ROOF.
- 7.) THE CHAMBER VENT MUST BE LOCATED AS CLOSE TO THE TOP OF THE TANK AS POSSIBLE.
- 8.) PRECAST CONCRETE UNITS SHALL MEET OR EXCEED ASTM C-478 STANDARD OF 4,000 PSI.
- 9.) JOINT SECTIONS ON PRECAST CONCRETE SEPARATORS SHALL USE BUTYL RUBBER JOINT SEALANT PER ASTM C-990.
- 10.) ALL PIPE PENETRATIONS IN THE SEPARATOR SHALL BE SEALED WITH HYDRAULIC CEMENT ONLY.
- 11.) ALLOWABLE PIPING MATERIAL:
 - a.) NO-HUB CAST IRON WITH PRODUCT ACCEPTED CLAMPS
 - b.) SERVICE WEIGHT CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & OAKUM JOINTS
 - c.) EXTRA HEAVY CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & OAKUM JOINTS
- 12.) THE CAPACITY OF THE GAS, OIL & SAND SEPARATOR SHALL BE AS SHOWN IIN FIGURE 15 OF 248 CMR 10.22.

GAS, OIL & SAND SEPARATOR

N. T. S. Gas & Oil Trap.dwg



N.I.C.
REFER TO GAS, OIL & SAND SEPARATOR DETAIL ON THE PLUMBING DWGS IN THE CONTRACT DOCUMENTS.

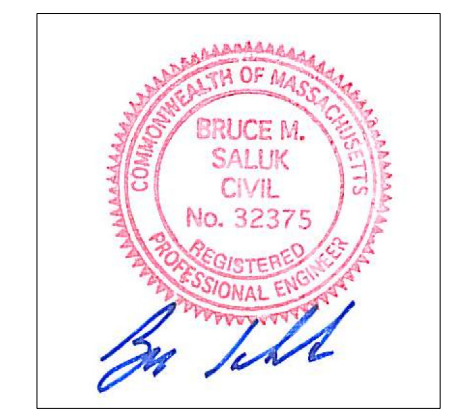
NO.	DATE	DESCRIPTION
1	7/11/18	GAS, OIL & SAND SEPARATOR
		BY

PREPARED BY:
BRUCE SALLIK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: 508-485-1662
FAX: 508-481-9929

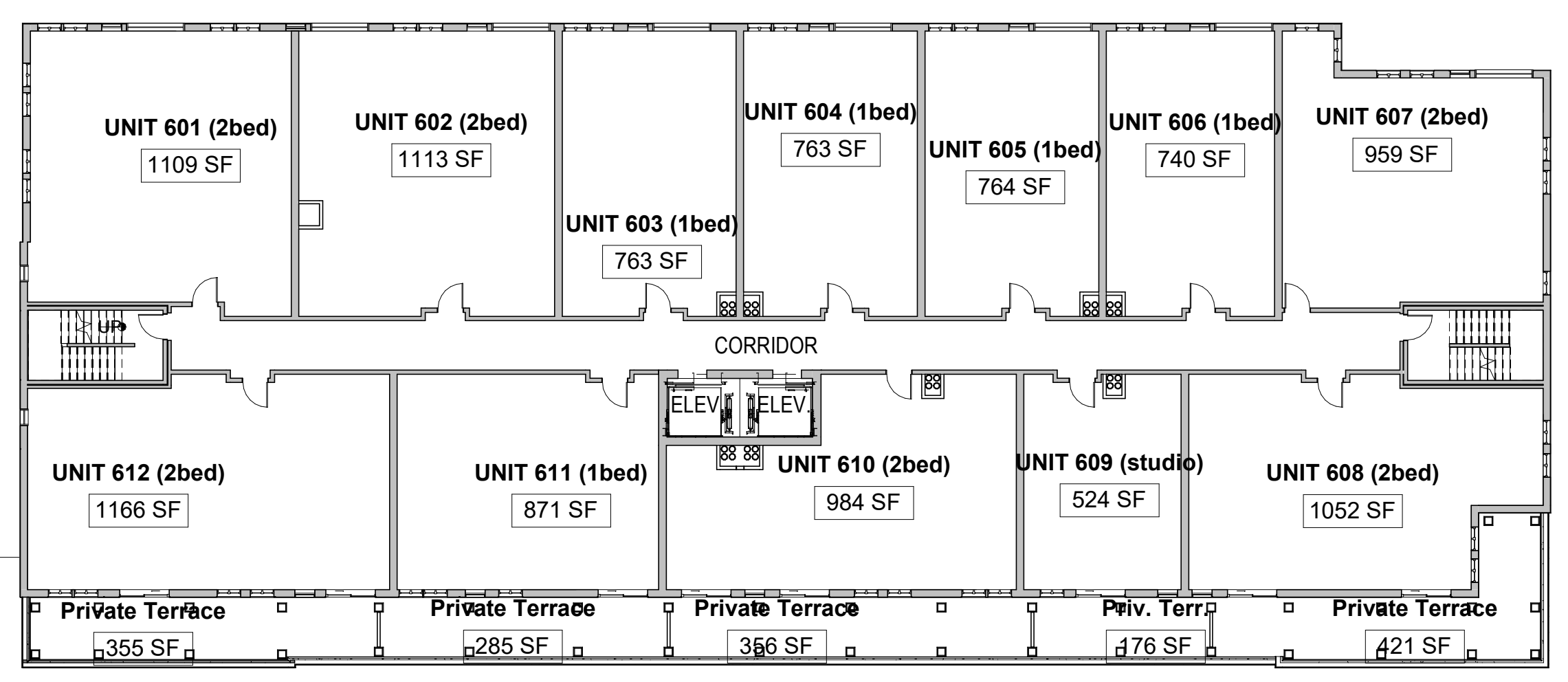
DETAIL SHEET
E ON MAIN
163-175 MAIN STREET
MARLBOROUGH, MA

DATE: JULY 11, 2018

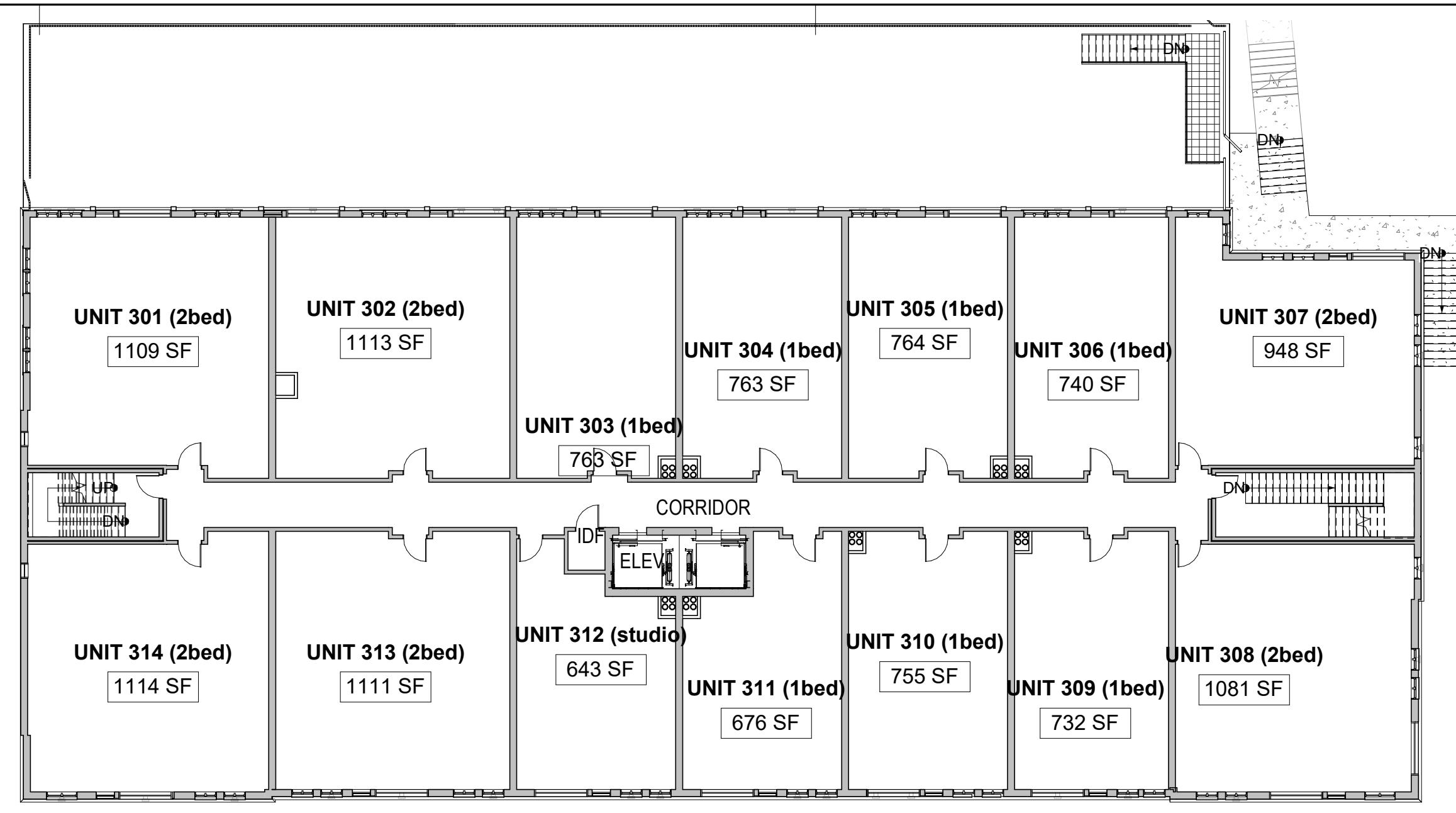
OWNER & APPLICANT:
VINENZA SABBATARO
c/o MIRICK O'CONNELL
100 FRONT STREET
WORCESTER, MA 01608
TEL: 508-929-1678
(ATTY. BRIAN R. FALK)



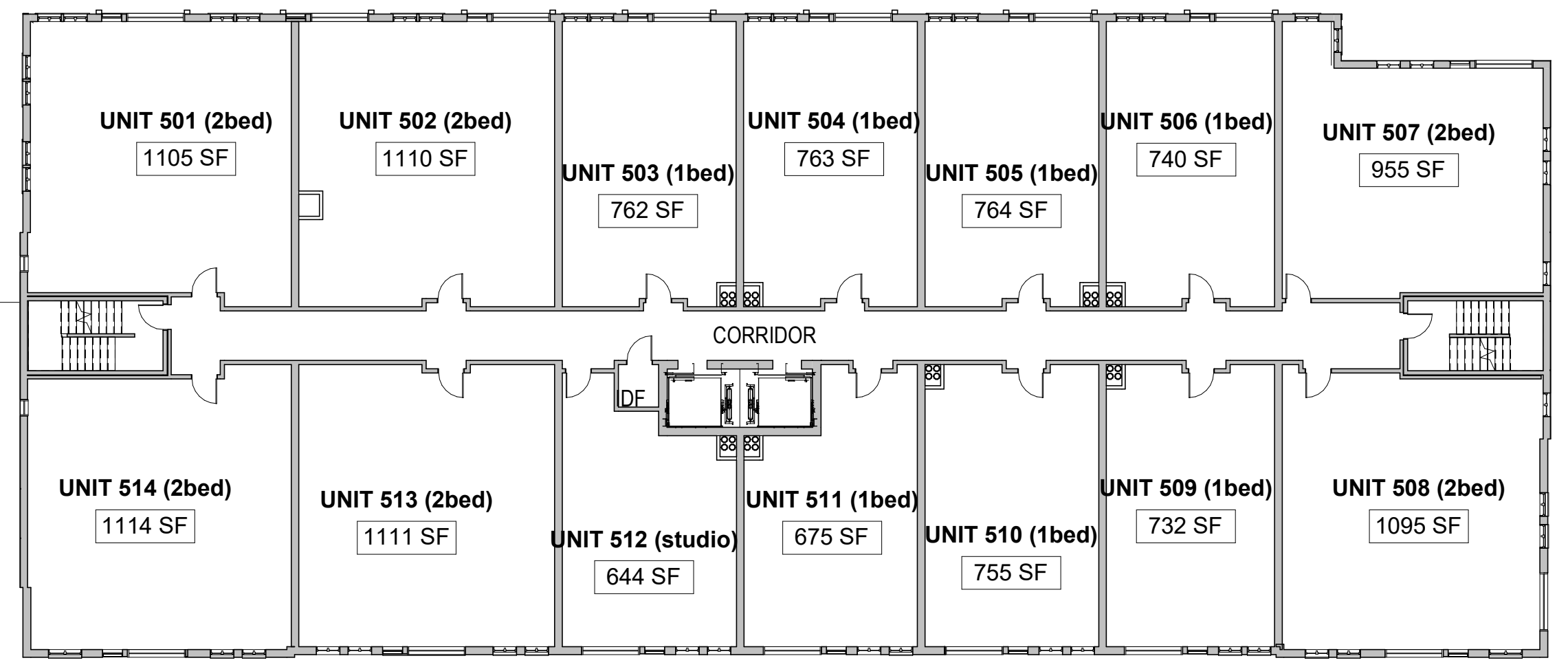
C8



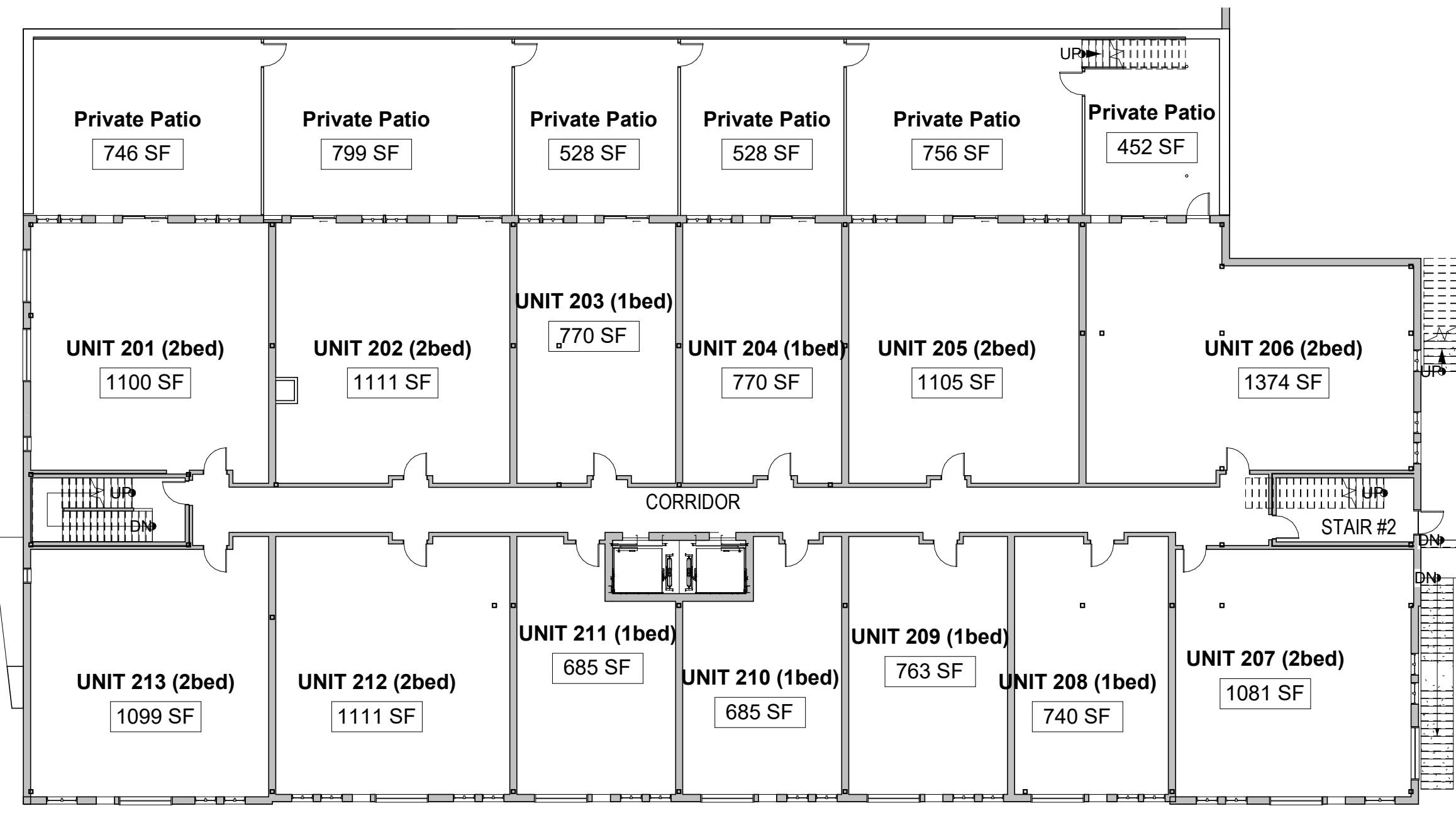
6 SIXTH FLOOR
1/16" = 1'-0"



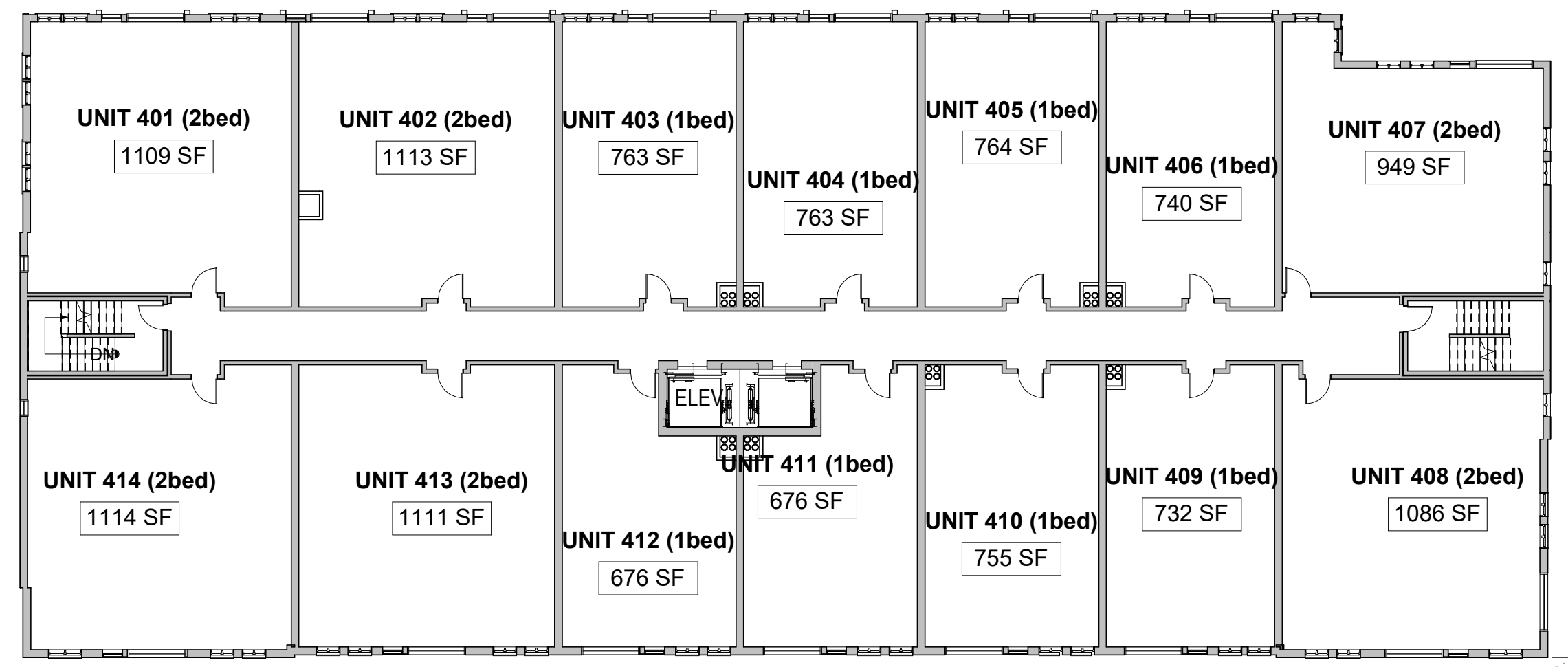
3 THIRD FLOOR
1/16" = 1'-0"



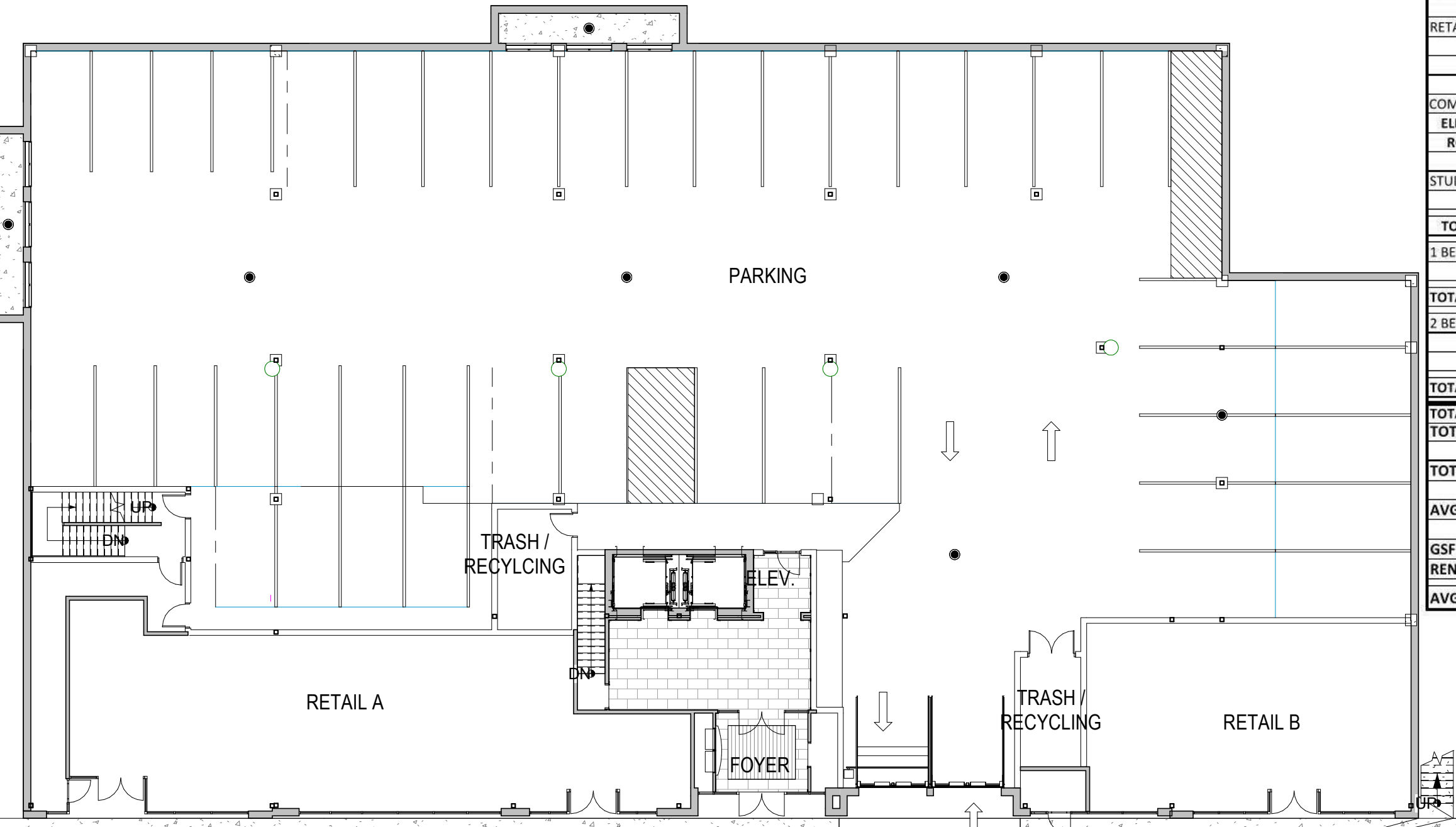
5 FIFTH FLOOR
1/16" = 1'-0"



2 SECOND FLOOR
1/16" = 1'-0"



4 FOURTH FLOOR
1/16" = 1'-0"

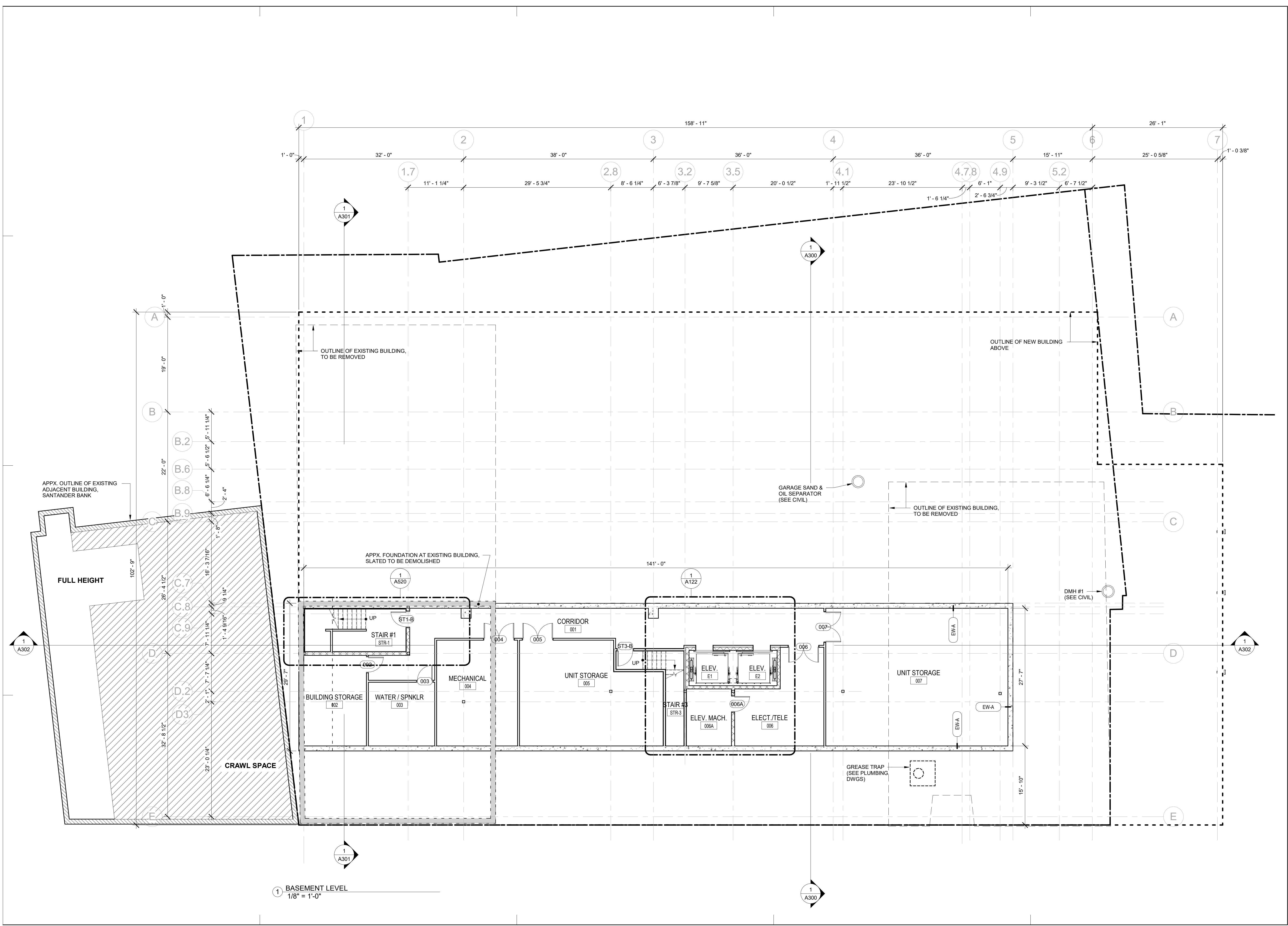


1 GROUND FLOOR
1/16" = 1'-0"

"E on Main" 163-175 Main St, Marlborough, 2019											
Unit Type	SF/	Basemt	Ground	2nd	3rd	4th	5th	6th	Roof	Totals	
		#	#	#	#	#	#	#	#		
UTILITY		808	357								
UNIT STORAGE		1,871									
PARKING (50cars)			14,306								
RETAIL											
A		1,861									
B		1,092									
COMMON AMENITY											
ELEVATOR LOBBY			615								
ROOF COMMON									4,649		
STUDIO											
X	587			1	614		1	616	1	530	1,760
TOTAL STUDIOS				1			1		1		3
1 BEDROOM											
Y	741		6	4,259	7	5,209	8	5,882	7	5,204	39,007
TOTAL 1 BEDROOM			6		7		8		7		33
2 BEDROOM											
Z	1,091		7	8,033	6	6,480	6	6,510	6	6,497	33,822
TOTAL 2 BEDROOM			7		6		6		6		31
TOTALS: NON-RENTABLE		2,679	18,231							4,649	
TOTALS @ RENTABLE			13	12,292	14	12,303	14	12,392	14	12,317	12
TOTAL # UNITS											67
AVG UNIT SF											896
GSF / FLOOR		4,231	19,322	14,261	14,276	14,276	14,276	14,276	12,600	4,649	97,891
RENTABLE %			0.86	0.86	0.87	0.86	0.86	0.85			0.86
AVG RENTABLE %	(Only rentable floors included in tally)										

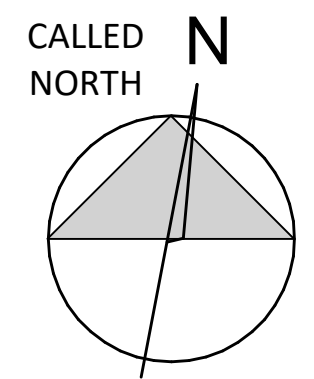
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Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	

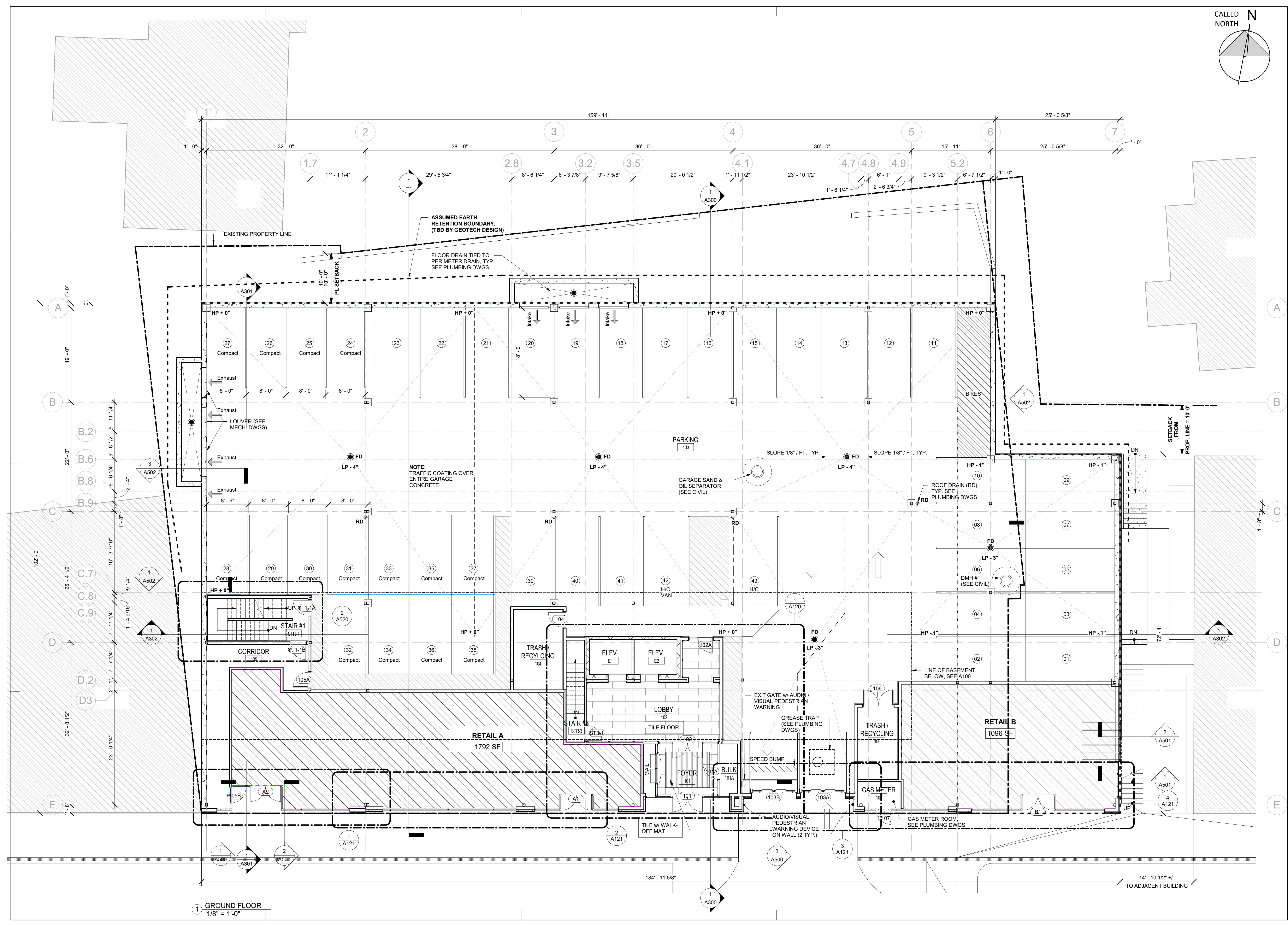


1 BASEMENT LEVEL
1/8" = 1'-0"

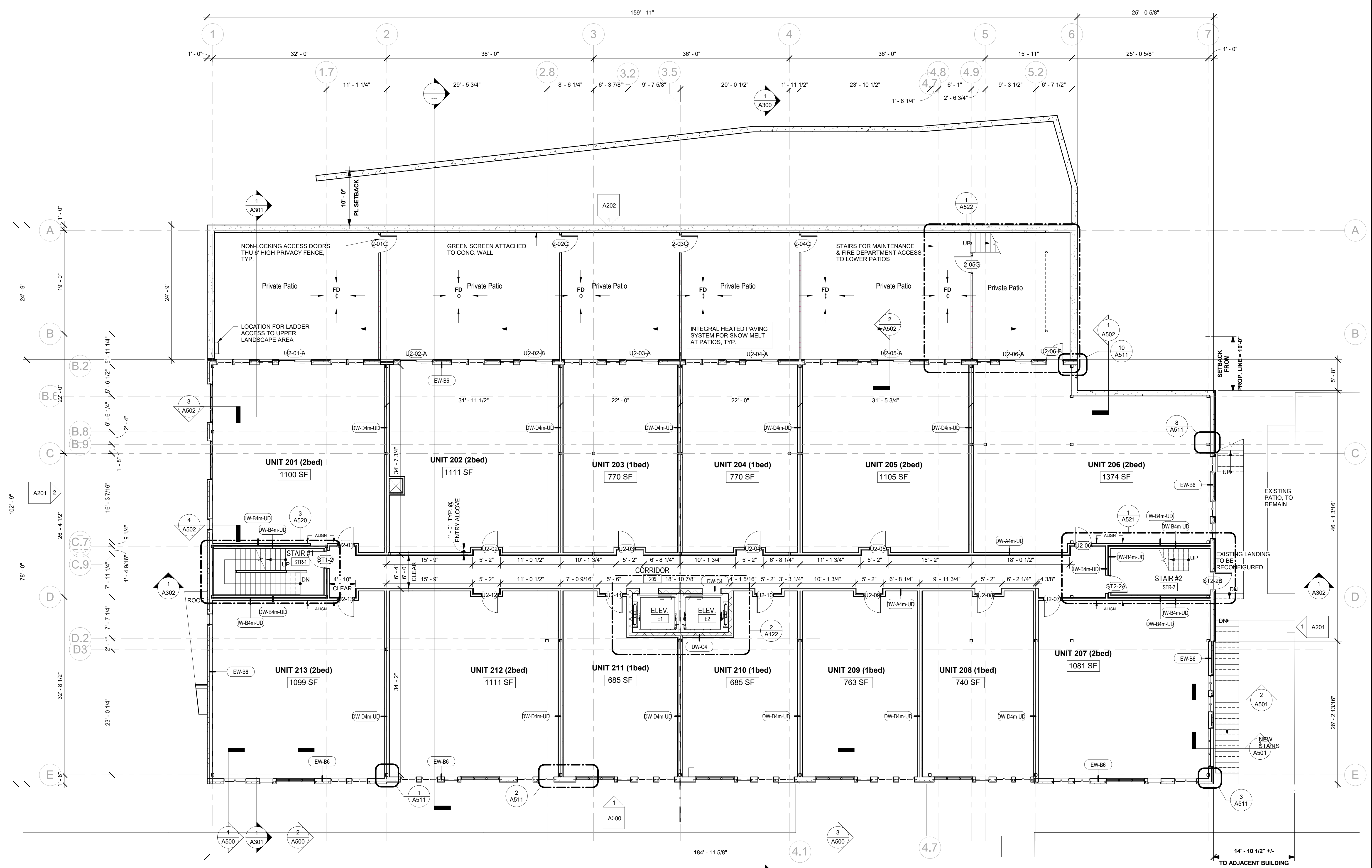
1 A300



Mark	Date
Revisions	
Date	07/12/19
Scale	As indicated
Job No.	2764
Sheet No.	



1 GROUND FLOOR
1/8" = 1'-0"

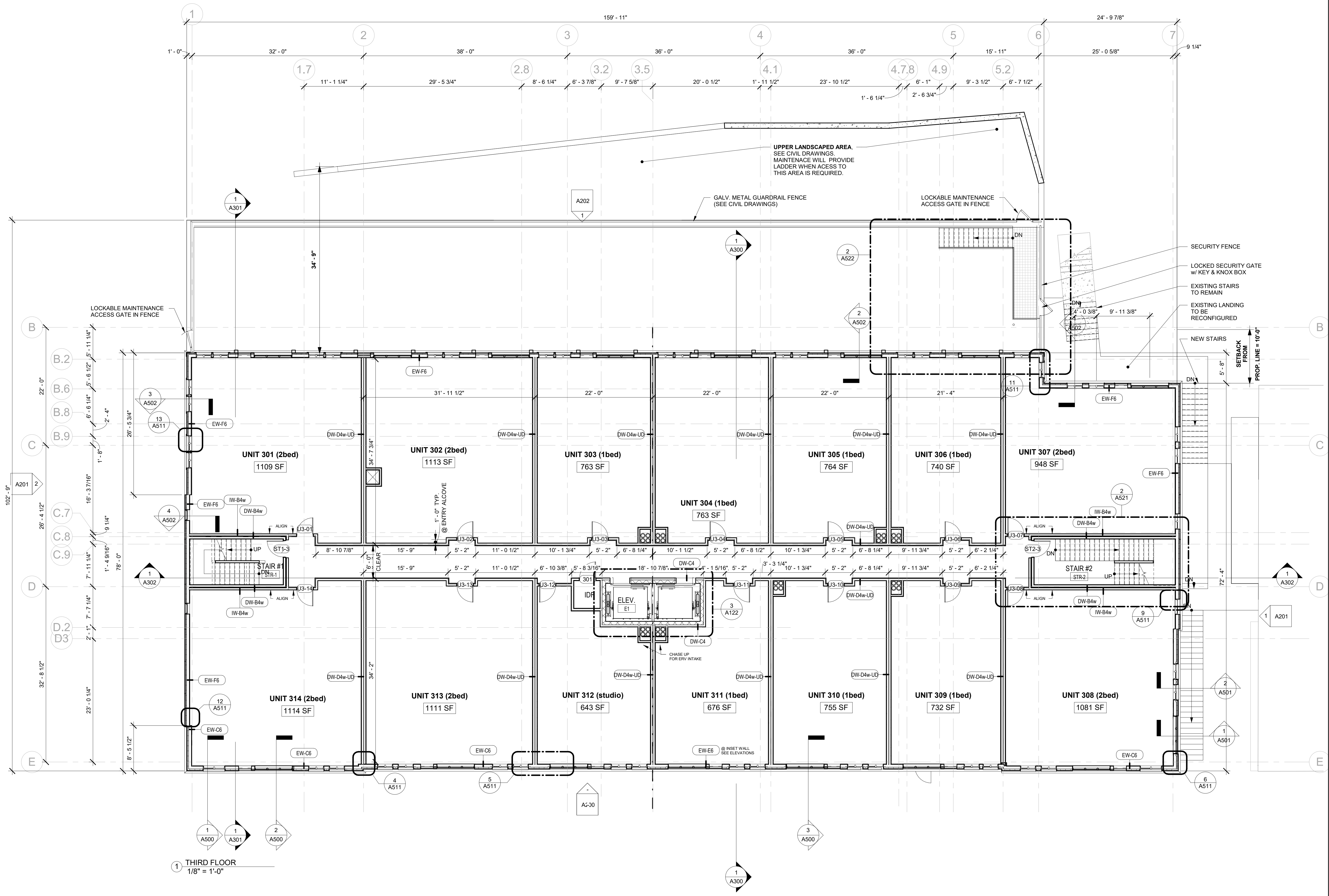


1 SECOND FLOOR
1/8" = 1'-0"

prepared for: JDLAI 2019 ©
location: Approver
title

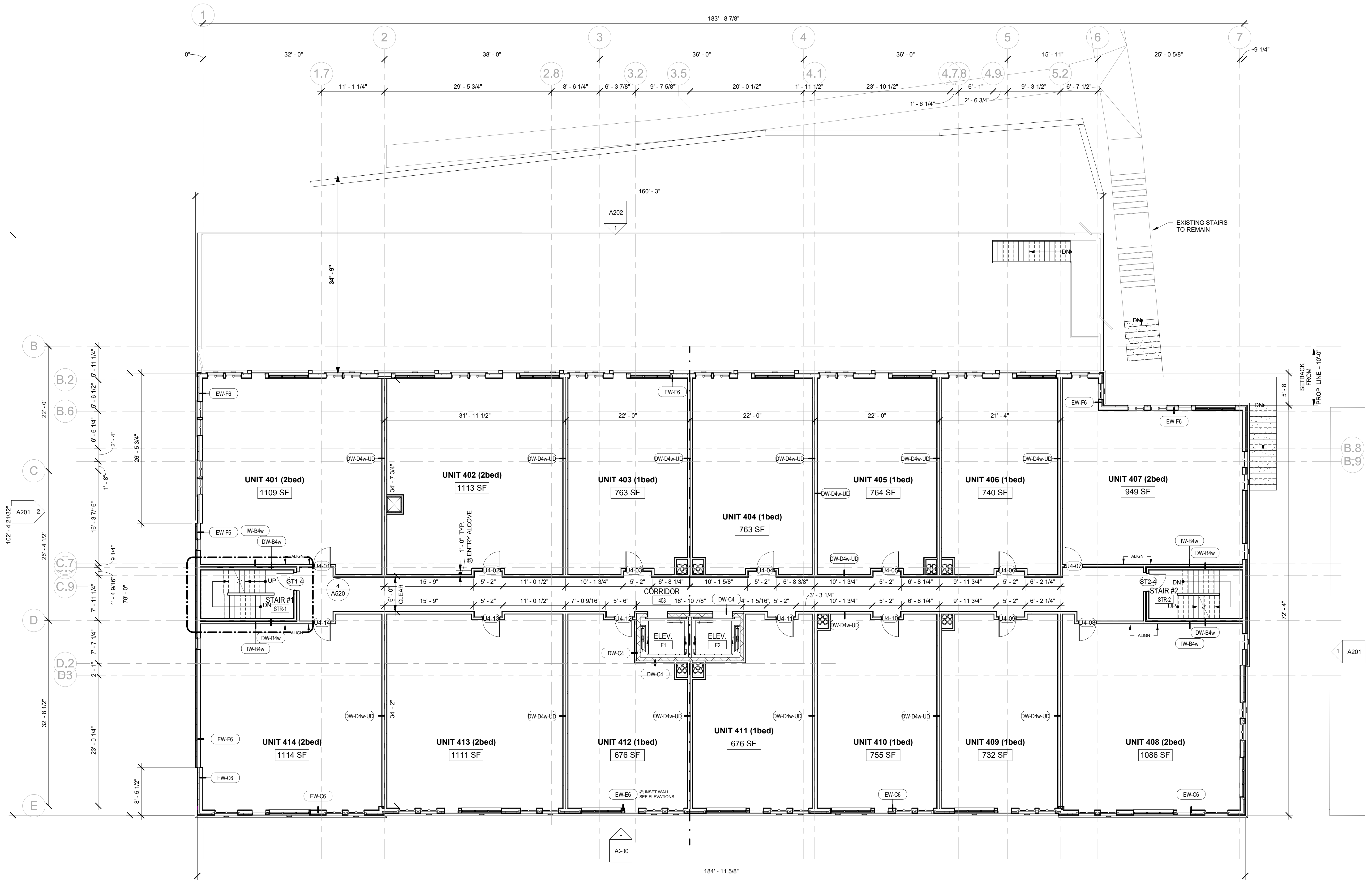
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Mark	Date
Revisions	
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Sheet No.	A103



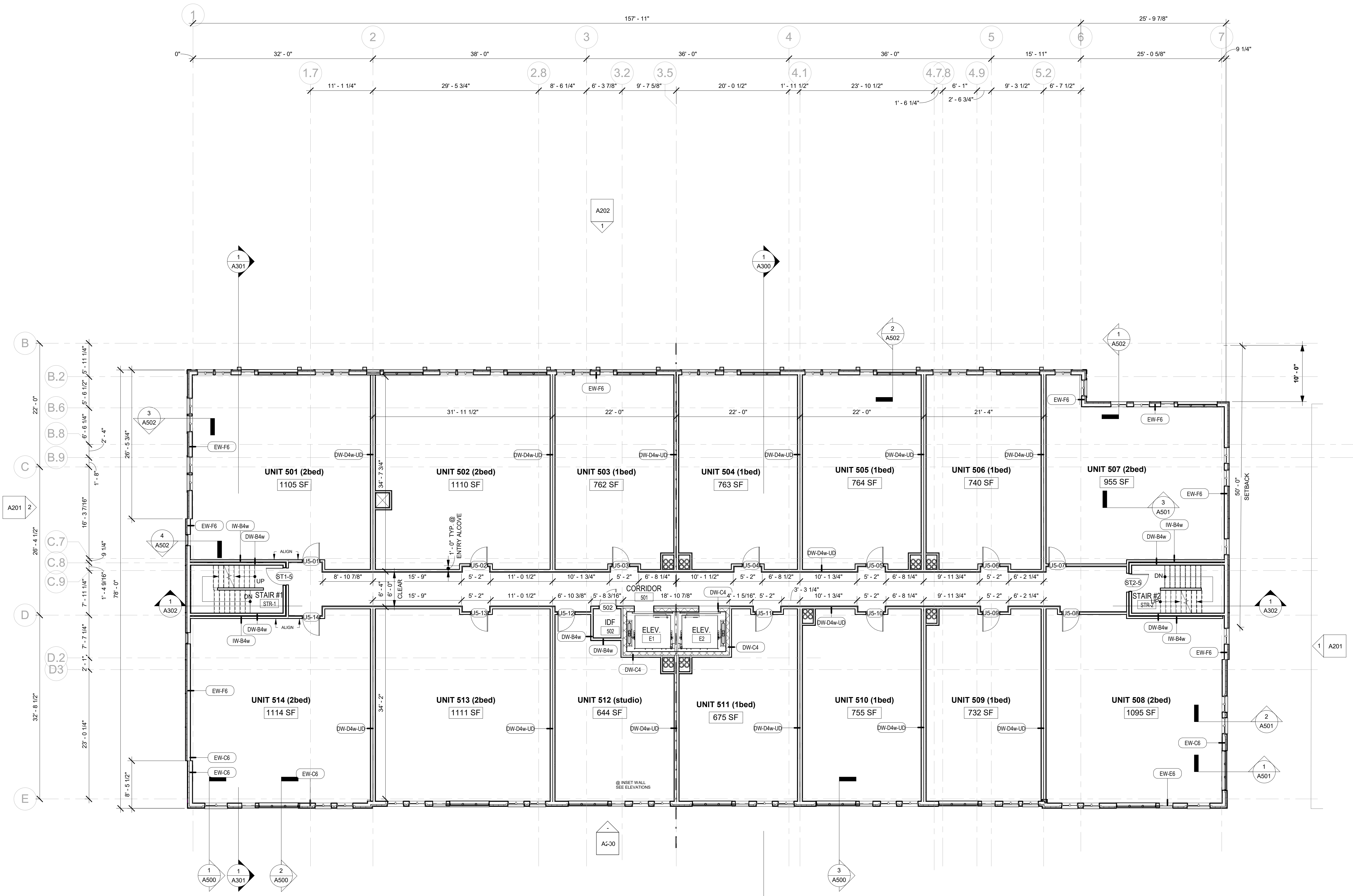
1 THIRD FLOOR
1/8" = 1'-0"

Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	



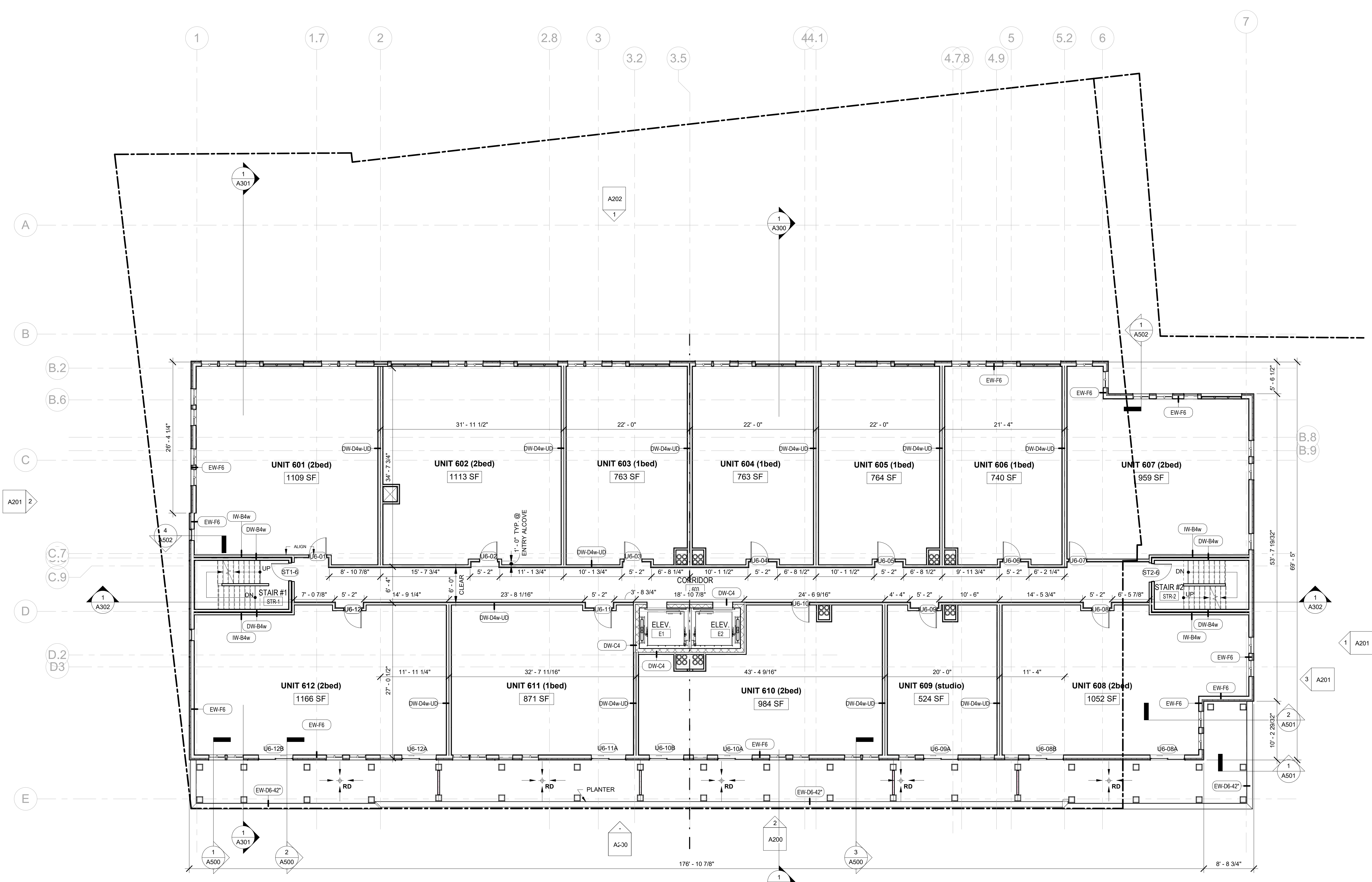
1 FOURTH FLOOR
1/8" = 1'-0"

Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	



① FIFTH FLOOR
1/8" = 1'-0"

Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	



1 SIXTH FLOOR
1/8" = 1'-0"

Stamp:

E on MAIN

163-175 Main Street
Marlborough, MA

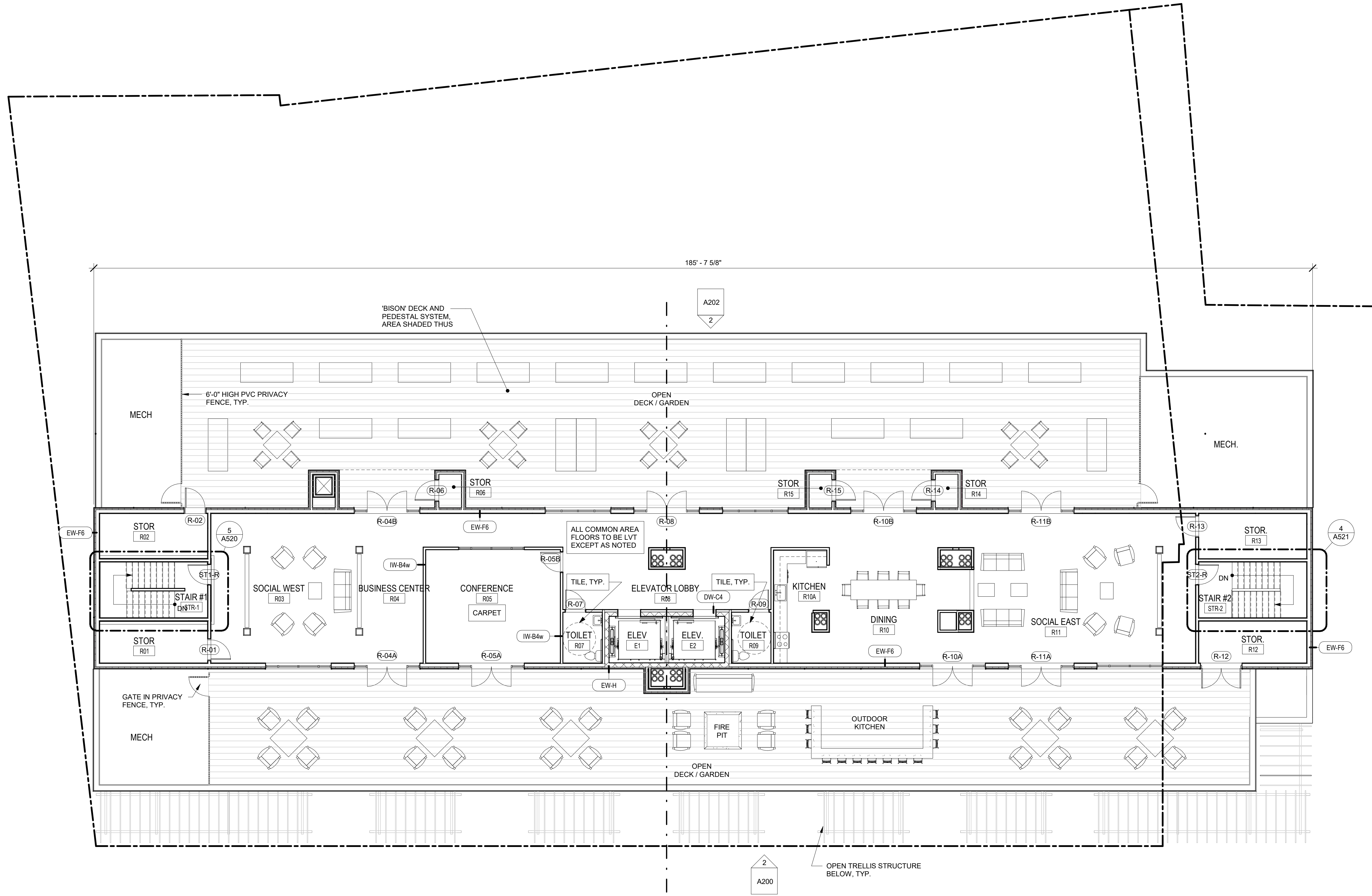
ROOF DECK

Prepared for: JDLAI 2019 ©
Location: Approver
Title

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Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	

A107



1 ROOF DECK
1/8" = 1'-0"

Stamp:

ERIC INMAN DAUM
ARCHITECT
ARCHITECT
15 CARLISLE STREET
ANDOVER, MA 01810
TEL: 978.470.3675

E on MAIN
163-175 Main Street
Marlborough, MA

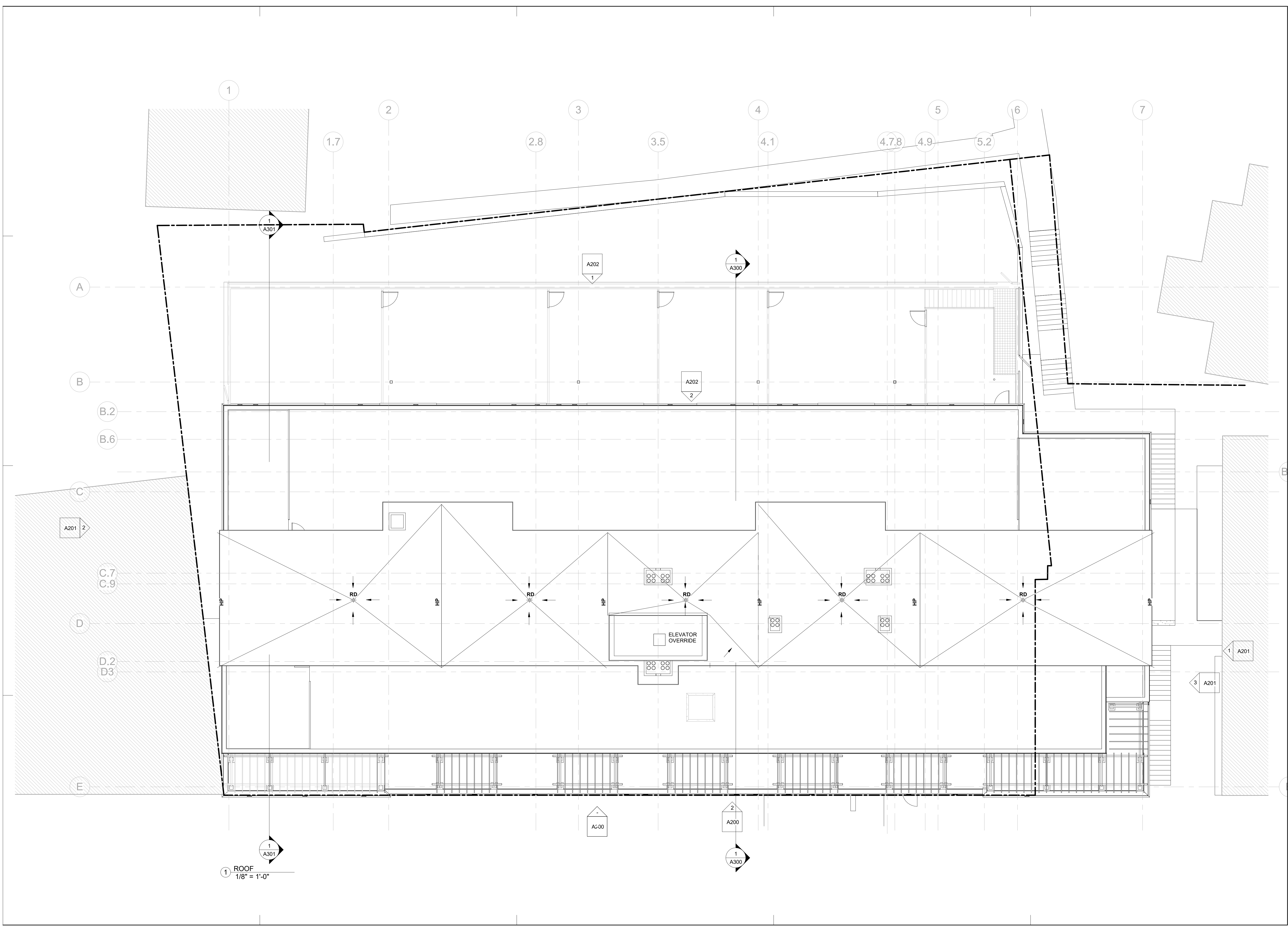
ROOF PLAN

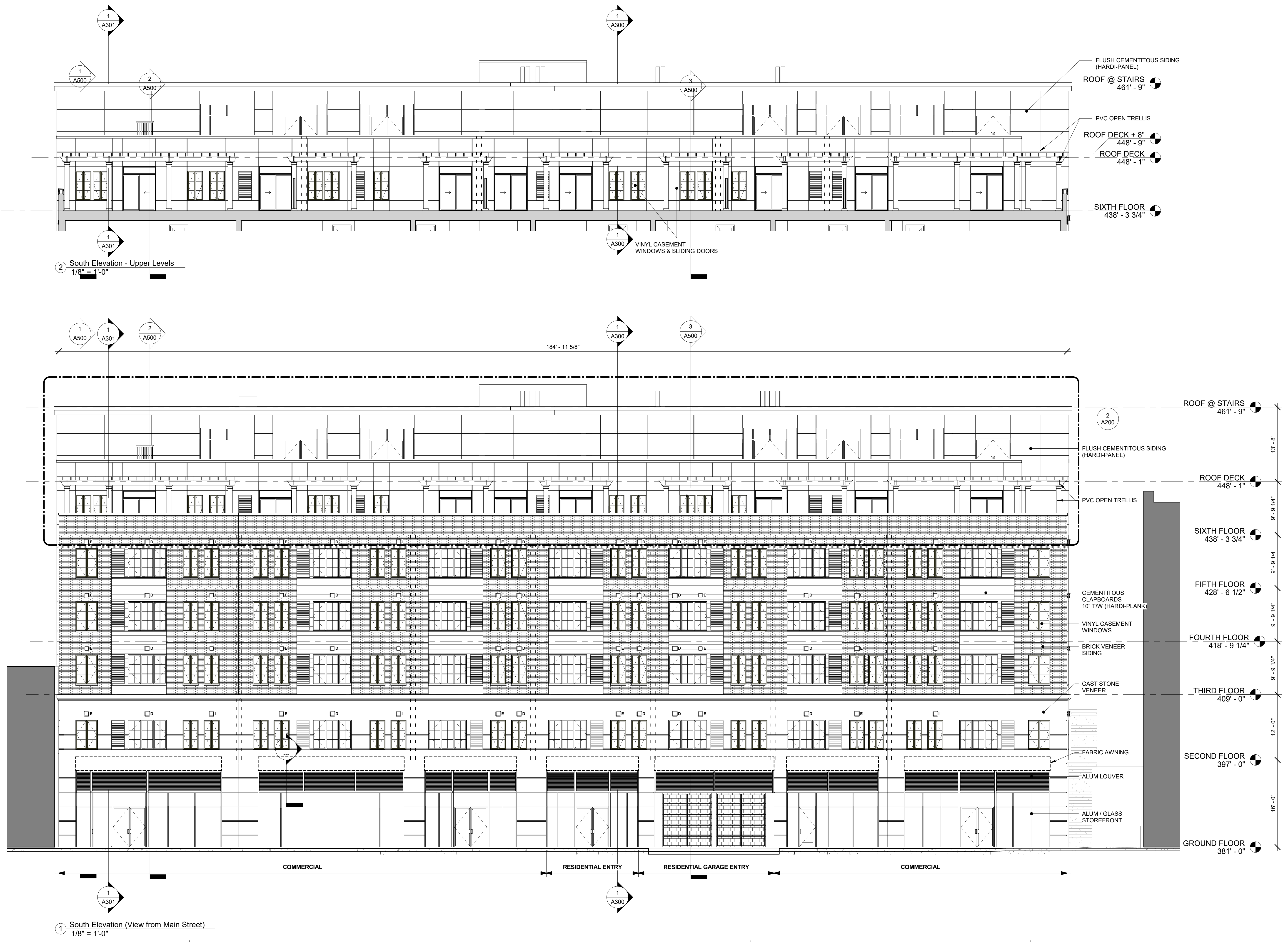
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Location: Approver
Title

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Mark Date
Revisions
Date 07/12/19
Scale 1/8" = 1'-0"
Job No. 2764
Sheet No.

A108





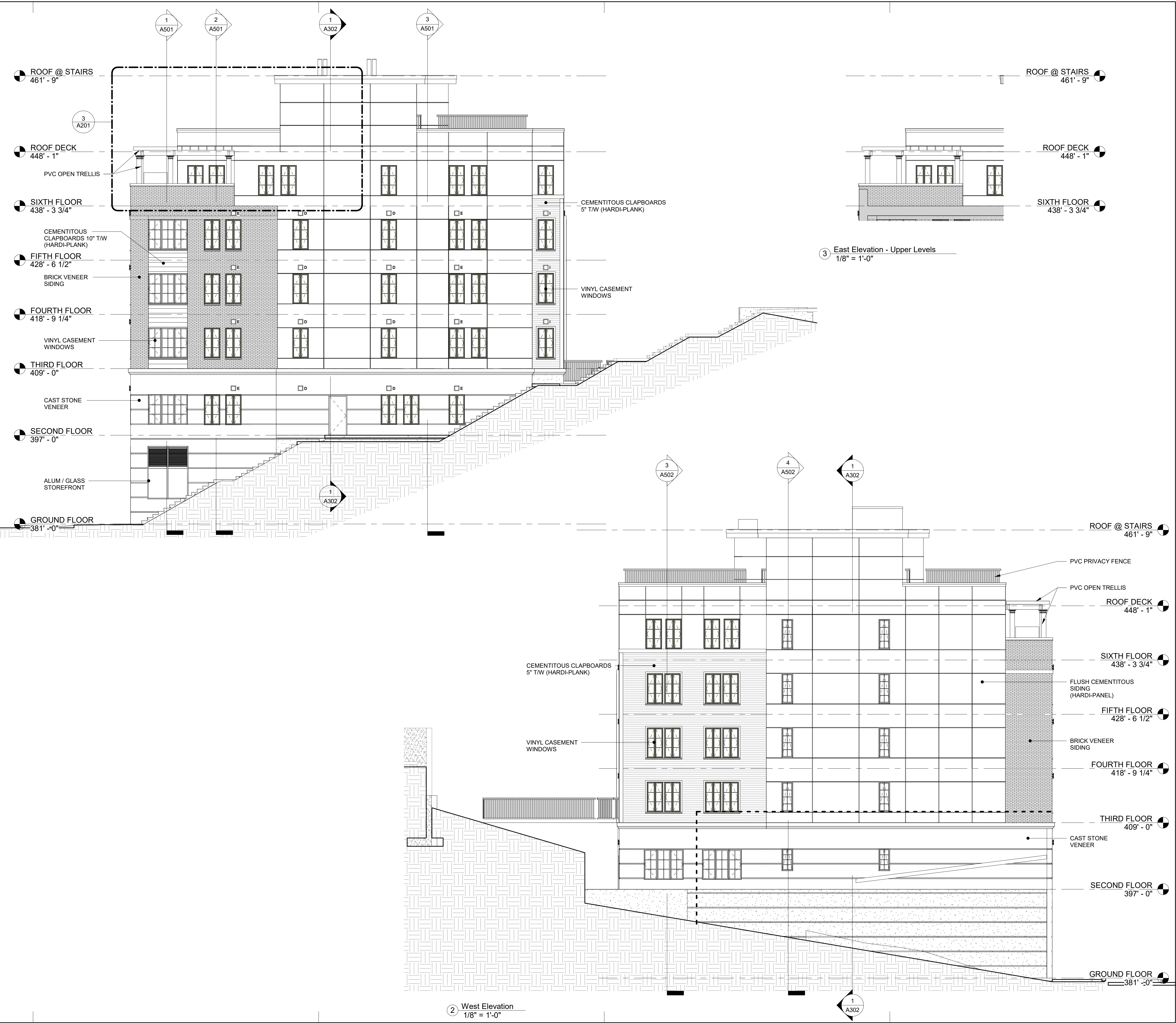
② South Elevation - Upper Levels
1/8" = 1'-0"

① South Elevation (View from Main Street)
1/8" = 1'-0"

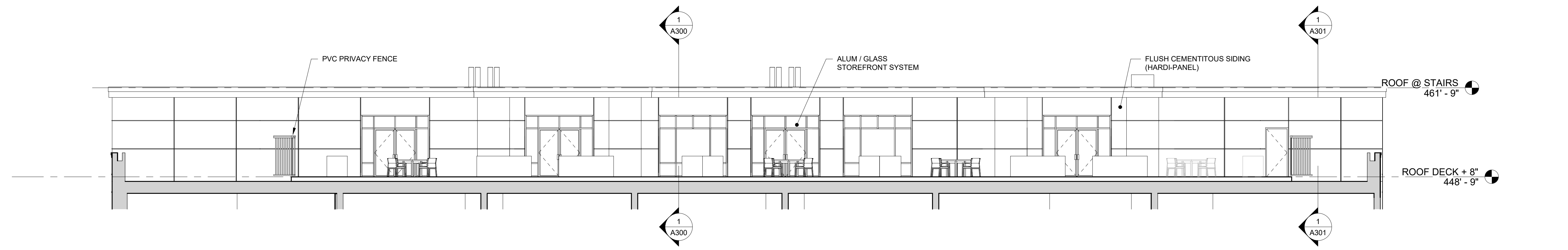
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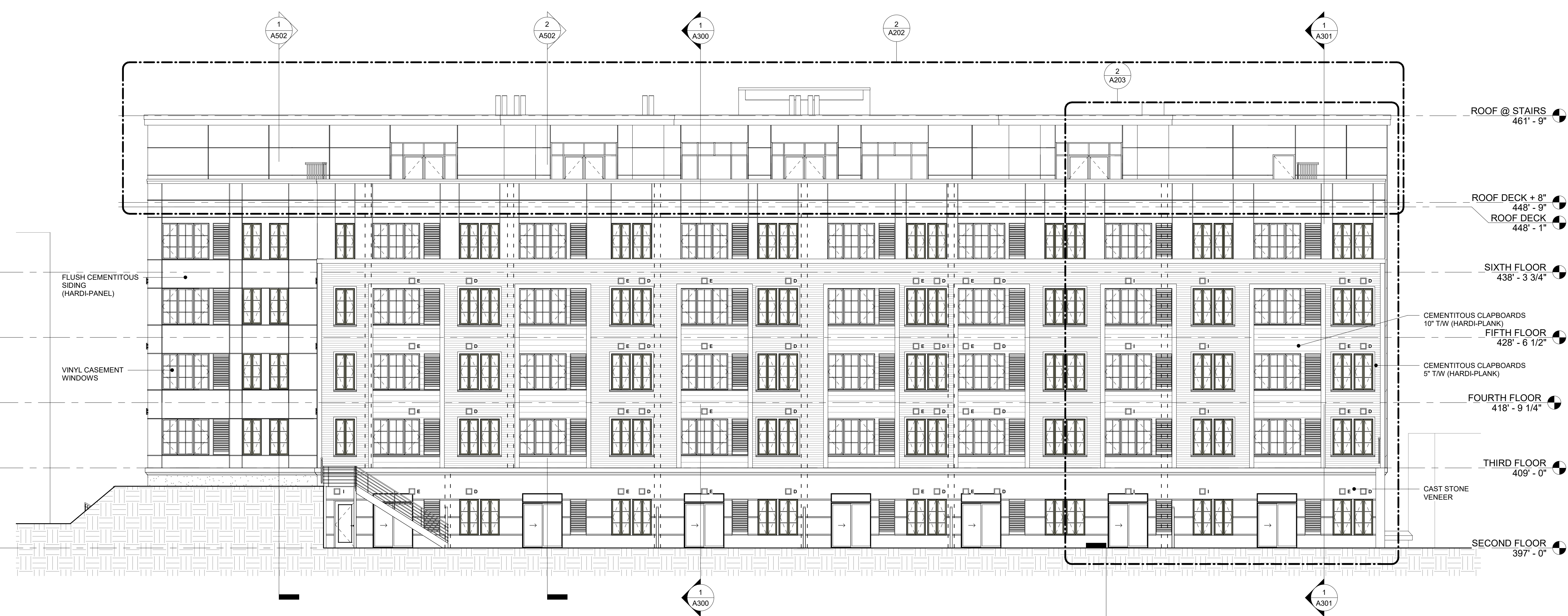
Mark	Date
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Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764



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Date	07/12/19
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Sheet No.	



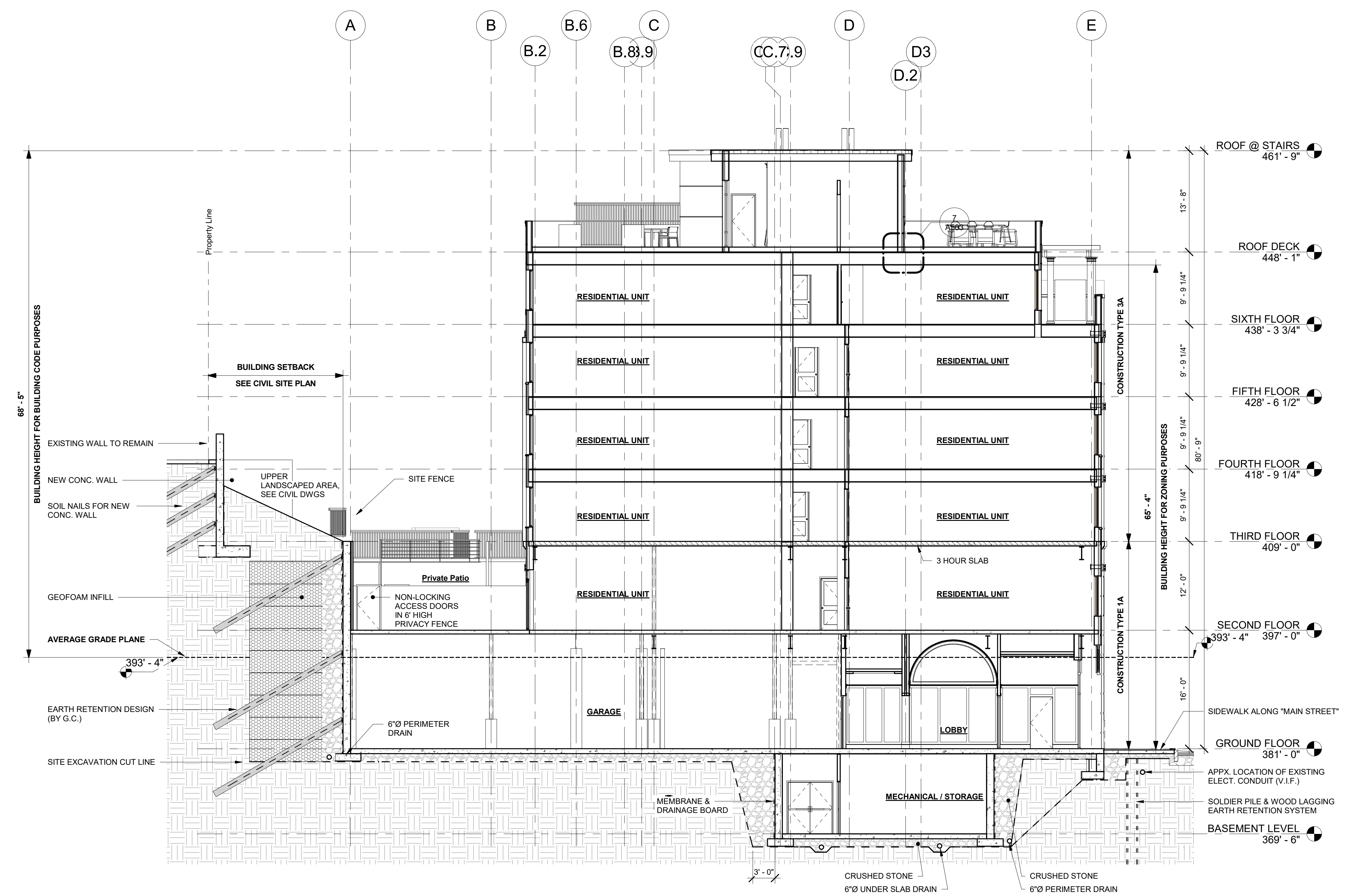
② North Elevation - Upper Levels
1/8" = 1'-0"



① North Elevation (View from Residential Neighborhood 'French Hill')
1/8" = 1'-0"

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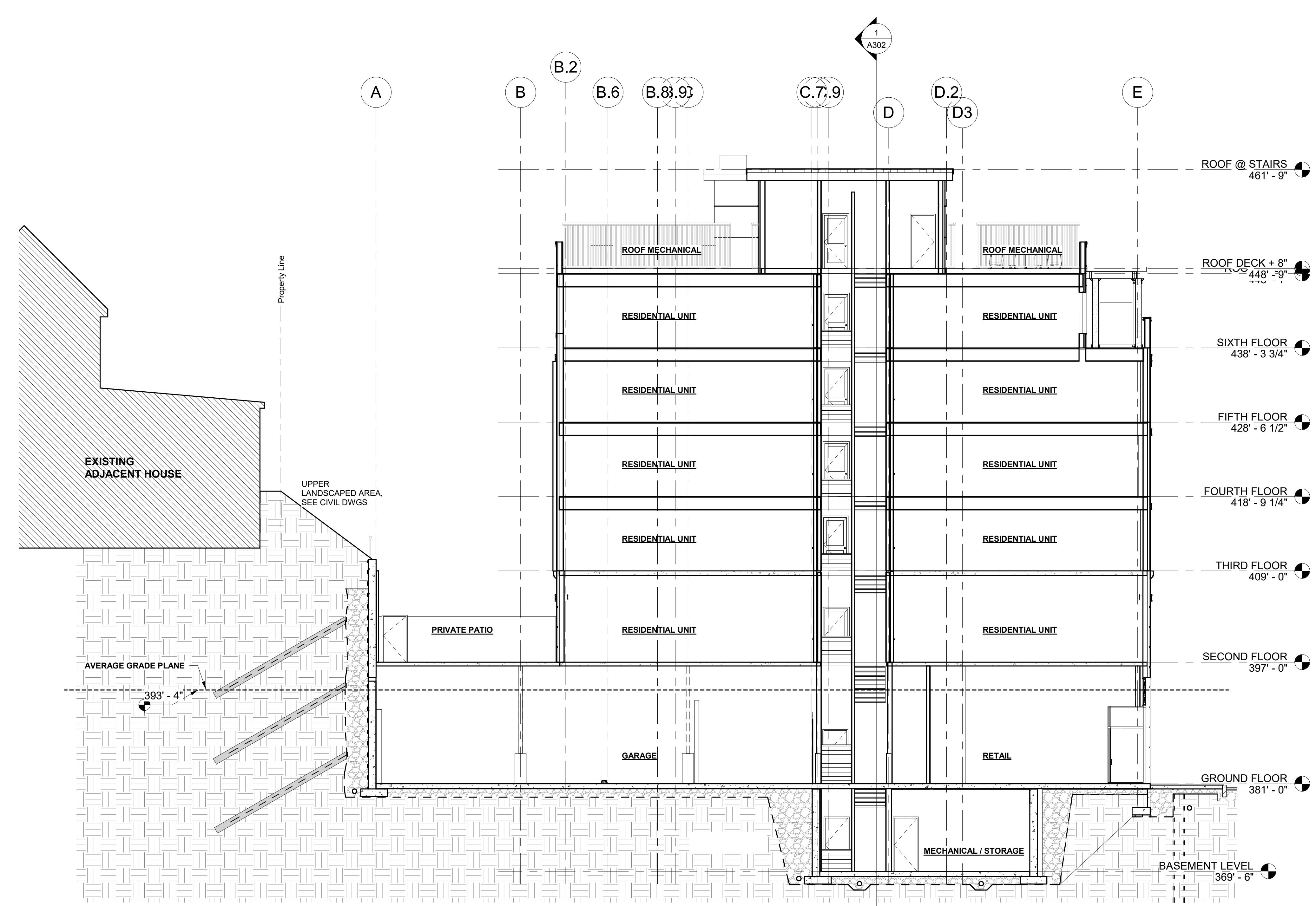
Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764
Sheet No.	



Prepared for:
Location: Approver
Title

Mark	Date
Revisions	
Date	07/12/19
Scale	1/8" = 1'-0"
Job No.	2764

Sheet No.
A301

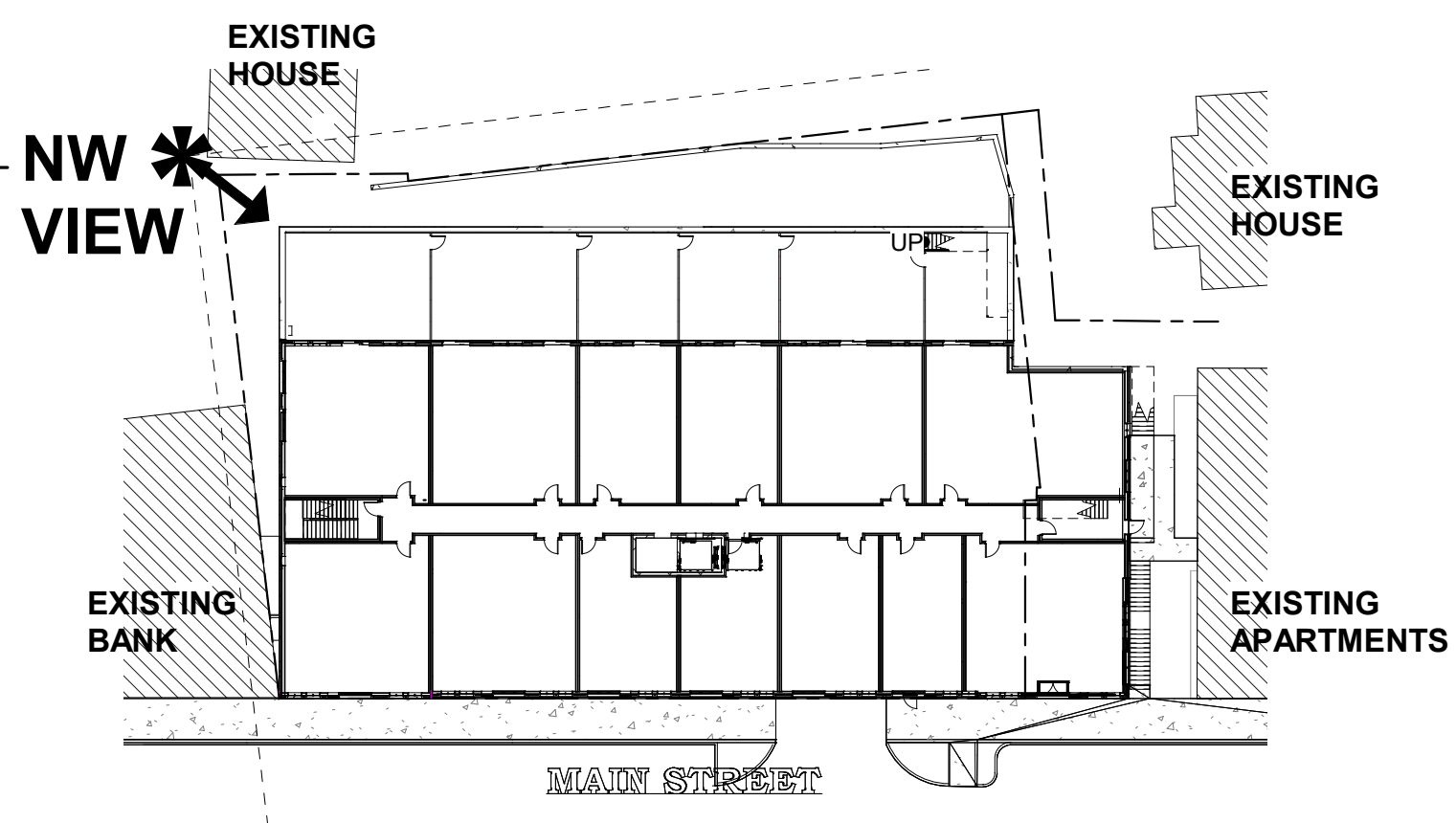


1 N-S Cross Section @ House on North Side Hill
1/8" = 1'-0"

Prepared for:
 Location:
 Title:
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Mark	Date	Revisions

Date: 07/12/19
 Scale:
 Job No.: 2764
 Sheet No.:



① NW PERSPECTIVE LOCUS KEY
 1" = 40'-0"

ORDERED:

Having acquired easement rights over 527.1 +/- SF of land off of Main Street, said land being labeled "Parcel #4" on a plan entitled "Plan of Land, Main Street, Marlborough, MA" dated June 14, 2018, last revised August 27, 2019, prepared by Bruce Saluk & Associates, Inc., and filed herewith (the "Plan"), as part of a public or private way layout of Hill Street in 1868 (the "Lower Stair Easement Area"), and subject to receipt of written notification from the Commissioner of Public Works having charge of the Lower Stair Easement Area of his determination pursuant to M.G.L. c. 40, §§ 15 and 15A that the City's interest in the Lower Stair Easement Area is no longer needed for City purposes so long as (i) the City retains a temporary and non-exclusive easement in, on and under the Lower Stair Easement Area until such time as "Parcel G" shown on the Plan is improved with a public pedestrian access way, stairs, and utilities, and (ii) the City retains any easements in, on and under the Lower Stair Easement Area for certain City purposes deemed necessary by the Commissioner of Public Works;

Having acquired the fee interest in certain parcels of land off of Main Street identified as Assessors Map 70, Parcels 33A, 34, and 77A, portions of which are shown as "Parcel F" on the Plan, and subject to receipt of written notification from the Commissioner of Public Works having charge of Parcel F of his determination pursuant to M.G.L. c. 40, §§ 15 and 15A that the City's fee interest in Parcel F is no longer needed for City purposes so long as (i) the City retains a temporary and non-exclusive easement in, on and under Parcel F until such time as the adjacent "Parcel G" shown on the Plan is improved with a public pedestrian access way, stairs, and utilities, and (ii) the City retains any easements in, on and under Parcel F for certain City purposes deemed necessary by the Commissioner of Public Works;

Having acquired the fee interest in certain parcels of land off of Main Street identified as Assessors Map 70, Parcels 33A, 34, and 77A, portions of which are shown as Parcel G on the Plan, and subject to receipt of written notification from the Commissioner of Public Works having charge of Parcel G of his determination pursuant to M.G.L. c. 40, §§ 15 and 15A that the City's interest in nonexclusive structural support easement rights in, on and under Parcel G is no longer needed for City purposes; and

Having acquired easement rights over 329 +/- SF of land off of Main Street, said land being labeled "Structural Support Easement #1" on the Plan, as part of a public or private way layout of Hill Street in 1868 (the "Upper Stair Easement Area"), and subject to receipt of written notification from the Commissioner of Public Works having charge of the Upper Stair Easement Area of his determination pursuant to M.G.L. c. 40, §§ 15 and 15A that the City's interest in nonexclusive structural support easement rights in, on and under the Upper Stair Easement Area is no longer needed for City purposes, the City Council hereby:

1. Pursuant to M.G.L. c. 82, § 21, discontinues the Lower Stair Easement Area as a public or private way;
2. Pursuant to M.G.L. c. 40, § 15A, transfers Parcel F from the Department of Public Works to the City Council for the purpose of conveyance of the City's interest therein to Vincenza Sambataro, or her nominee;

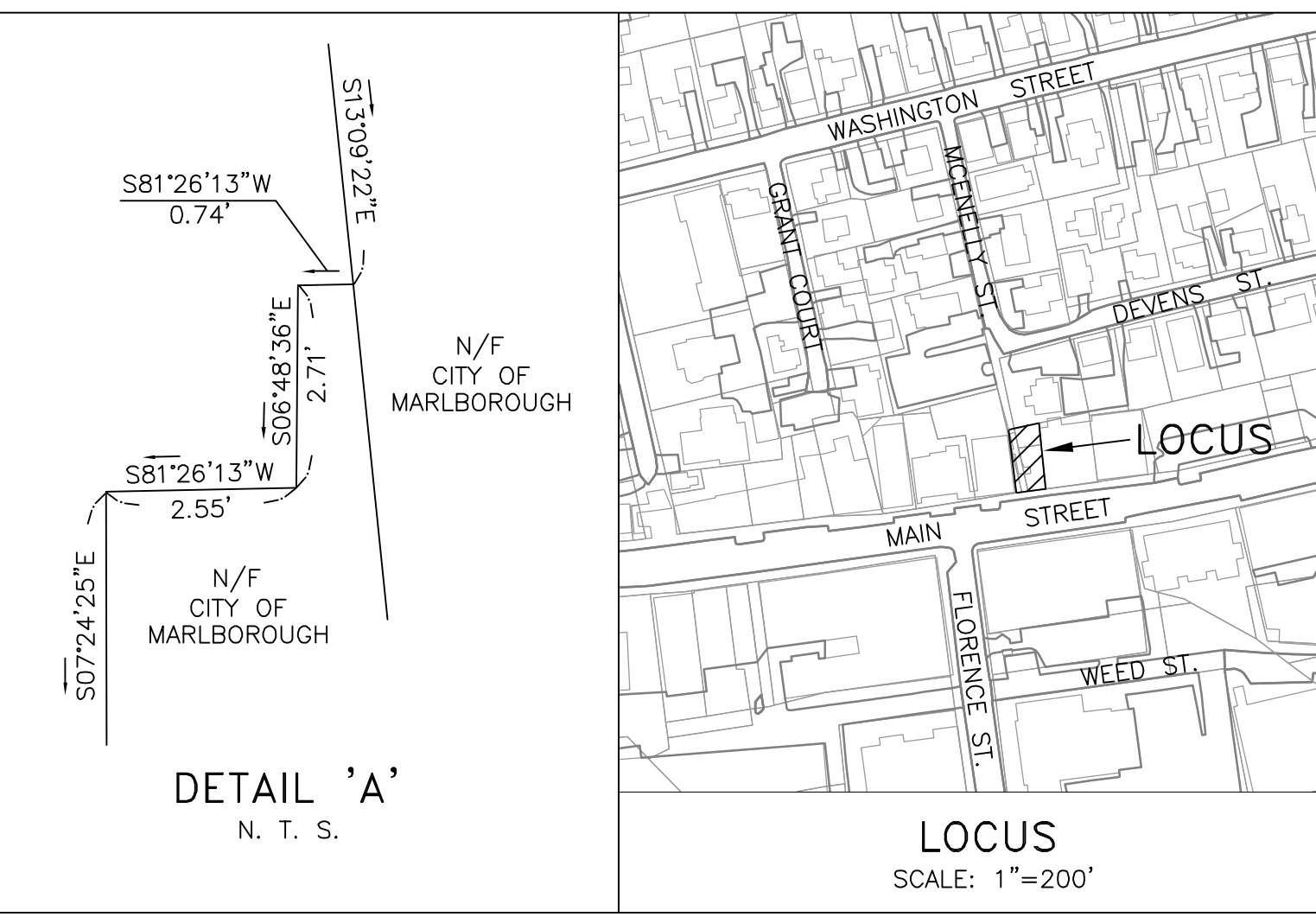
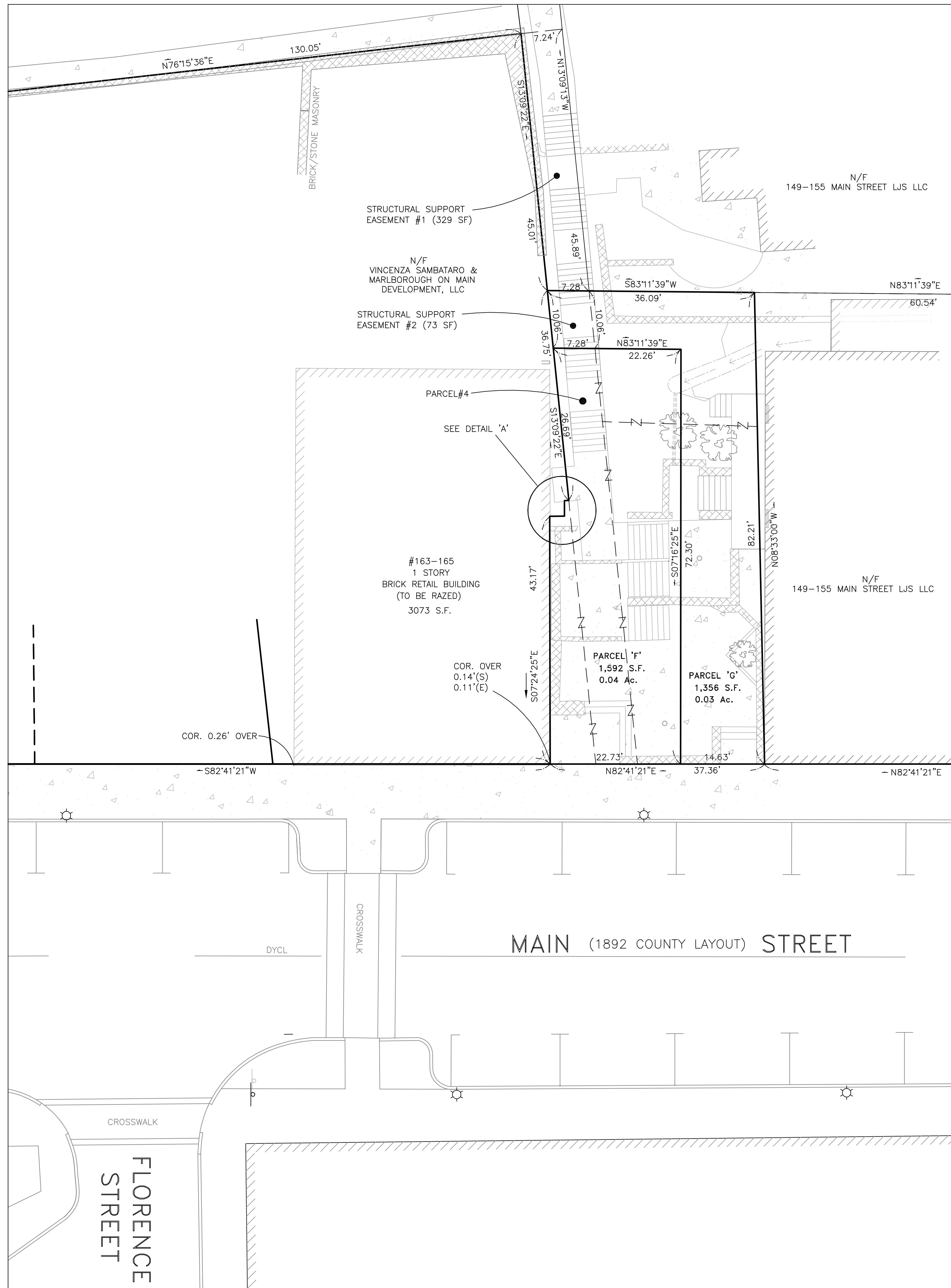
3. Pursuant to M.G.L. c. 30B, § 16(a), declares that Parcel F is available for disposition by sale of the City's fee interest therein to Vincenza Sambataro;
4. Pursuant to M.G.L. c. 40, § 15, sets the minimum price to be paid for the fee interest in Parcel F at \$3,184.00 pursuant to a determination of value set forth in a July 31, 2018 appraisal by James M. Curley, Jr.;
5. Pursuant to M.G.L. c. 40, § 15A, transfers nonexclusive structural support easement rights in, on and under Parcel G and the Upper Stair Easement Area from the Department of Public Works to the City Council for the purpose of conveyance of the City's interest therein to Vincenza Sambataro, or her nominee; and
6. Pursuant to M.G.L. c. 40, § 15, authorizes the Mayor, pursuant to M.G.L. c. 40, § 3, to: (i) convey Parcel F by sale to Vincenza Sambataro, or her nominee, subject to (a) the retention of a temporary and non-exclusive easement in, on and under Parcel F until such time Parcel G is improved with a public pedestrian access way, stairs, and utilities, and (b) the retention of any easements in, on and under Parcel F for certain City purposes deemed necessary by the Commissioner of Public Works; and (ii) convey nonexclusive structural support easement rights in, on and under Parcel G and the Upper Stair Area to Vincenza Sambataro, or her nominee.

ADOPTED
In City Council
Order No. 19-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



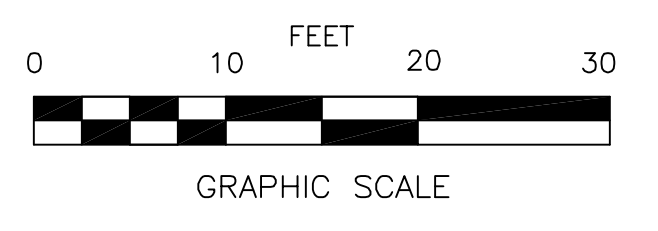
ACQUISITION SCHEDULE

PARCEL NO.	GRANTOR	TYPE OF ACQUISITION	PURPOSE	REGISTRY OF DEEDS		CITY OF MARLBOROUGH		GRANTED AREA (SQ. FT.)
				BOOK	PAGE	MAP	PARCEL	
1	CITY OF MARLBOROUGH	FEE	DEVELOPMENT	71,612	15	70	33A	184.6
2	CITY OF MARLBOROUGH	FEE	DEVELOPMENT	71,612	15	70	34	629.2
3	CITY OF MARLBOROUGH	FEE	DEVELOPMENT	71,612	15	70	77A	251.5
4	CITY OF MARLBOROUGH	EASEMENT	DEVELOPMENT	*	*	N/A	N/A	527.1
SUB TOTAL:								1592
5	CITY OF MARLBOROUGH	STRUCTURAL SUPPORT EASEMENT	DEVELOPMENT	*	*	N/A	N/A	329
6	CITY OF MARLBOROUGH	STRUCTURAL SUPPORT EASEMENT	DEVELOPMENT	*	*	N/A	N/A	73
SUB TOTAL:								1994

FOOTNOTE:
 *-BOOK & PAGE REFERENCE TO BE DETERMINED BY TITLE. SAID PARCEL DOES NOT HAVE AN ASSESSORS MAP & PARCEL REFERENCE.

NOTES:

- THE LAND SHOWN CONSISTS OF 6 PARCELS WITH A TOTAL AREA OF 2948 SF (0.068 Ac.)AS FOLLOWS:
 - THREE(3) PARCELS AREA LISTED AS ASSESSOR PARCELS 33A, 34 & 77A ON MAP 70. THE AREA OF THESE 3 PARCELS IS 1065 SF. THE DEED REFERENCES FOR THESE 3 PARCELS ARE:
 PARCEL 33A: BK 71,612 PG 15
 PARCEL 34: BK 71,612 PG 15
 PARCEL 77A: BK 71,612 PG 15
 - THE FOURTH PARCEL IS A 527 SF PEDESTRIAN ACCESS WAY EASEMENT OWNED BY THE CITY OF MARLBOROUGH. THE DEED REFERENCE FOR THIS PARCEL TO BE DISCLOSED BY THE LAWYERS TITLE COMPANY.
- PLAN REFERENCES:
 PLAN #1356 OF 1975 IN BK 12910 PG 555
 PLAN #358 OF 1976 IN BK 12965 PG 119
 PLAN #217 OF 1981 IN BK 14229 PG 23
 LAND COURT PLAN #11469A BK 141 PG 497
- THE PROPERTY IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT(MVD), AND IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA F.I.R.M. MAP #25017C0481F, DATED JULY 7, 2014.
- THE INSTRUMENT PROPERTY SURVEY SHOWN WAS PERFORMED DURING MARCH 2018.
- THE SURVEY SHOWN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE AND IS SUBJECT TO CHANGE THAT SAID TITLE MAY DISCLOSE.
- LAND DESIGNATED AS PARCELS "F" & "G" SHALL NOT BE USED AS SEPERATE BUILDING LOTS, BUT ONLY TOGETHER WITH ADJACENT BUILDING LOTS HAVING THE REQUIRED FRONTAGE AS REQUIRED BY THE ZONING CODE.
- THE PURPOSE OF THIS PLAN IS FOR PURCHASE OF PARCEL "F" & GRANT OF STRUCTURAL EASEMENTS 1 AND 2 SHOWN.



FOR REGISTRY USE

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.

MARLBOROUGH PLANNING BOARD

MEMBER: _____

DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE _____ REG. LAND SURVEYOR _____

PLAN OF LAND
 MAIN STREET
 MARLBOROUGH, MA

OWNER:

CITY OF MARLBOROUGH
 140 MAIN STREET
 MARLBOROUGH, MA 01752

PREPARED FOR:

VINCENZA SAMBATARO
 C/O MIRICK O'CONNELL
 100 FRONT STREET
 WORCESTER, MA 01608
 TEL: 508 929 1678 (ATTY. BRIAN R. FALK)

PREPARED BY:

BRUCE SALUK & ASSOCIATES, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 576 BOSTON POST ROAD EAST
 MARLBOROUGH, MA 01752
 TEL: 508 485 1662 FAX: 508 481 9929

DATE: JUNE 14, 2018

REVISED: MAY 17, 2019
 REVISED: AUGUST 27, 2019