

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: October 16, 2019

Time: 5:45 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 OCT -9 P 1:15

1. 10-07-2019 – **Order No. 16/19-1006443**: Communication from Code Enforcement Officer Pamela Wilderman, regarding Request for Sign, Approach Student Center, 58 Apex Drive, within the HRMUOD.
-Refer to Urban Affairs Committee
2. 08-26-2019 – **Order No. 19-1007756A**: Communication from City Solicitor, Jason Grossfield on behalf of Councilor Delano, regarding Proposed Zoning Amendment relative to the definition of Home Office/Home Occupation.
-Refer to Urban Affairs Committee & Planning Board
-Public Hearing: October 07, 2019
3. 08-26-2019 – **Order No. 19-1007762 (X 19-1007763)**: Application for Special Permit from Post Road Realty, LLC to construct a multi-family residential project known as the Green District in the Executive Residential Overlay District (EROD) which will consist of 475 units in two buildings at 107 Simarano Drive, Map 116, Parcels 5, 11 & 12.
-Refer to Urban Affairs Committee
-Public Hearing: October 07, 2019
4. 08-26-2019 – **Order No. 19-1007763 (X 19-1007762)**: Application for Site Plan Approval from Post Road Realty, LLC for The Green District project to be built in the Executive Residential Overlay District (EROD), at 107 Simarano Drive.
-Refer to Urban Affairs Committee

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

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

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

ORDERED:

That the Request for Sign, Approach Student Center, 58 Apex Drive, within the HRMUOD, be and is herewith refer **URBAN AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 16/19-1006443AAD

15
City of Marlborough
Commonwealth of Massachusetts



J/A
Pamela A. Wilderman
Ethan Lippitt
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 (x30201)
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov
elippitt@marlborough-ma.gov

October 2, 2019

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

RE: Sign Permit Application
"Approach" student center
58 Apex Drive

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2019 OCT - 2 P 3:40

Dear President Clancy and Members:

We are in receipt of sign permit applications for the above referenced location. It appears that the total square footage of the requested signs exceeds the allowed 100 square feet.

Basic area. Unless otherwise hereinafter provided, the total area of all flat wall signs shall not exceed 1 1/2 square feet for each horizontal linear foot of the facade of the establishment, provided that the aggregate area of all flat wall signs for any one establishment on any one building shall not exceed 100 square feet, except for bonus area provided in § 526-9B(4) and (5) below.

The proponent is requesting a total of 178.61 square feet for four flat-wall signs.

As always, feel free to contact this office if you have any questions or require any further assistance.

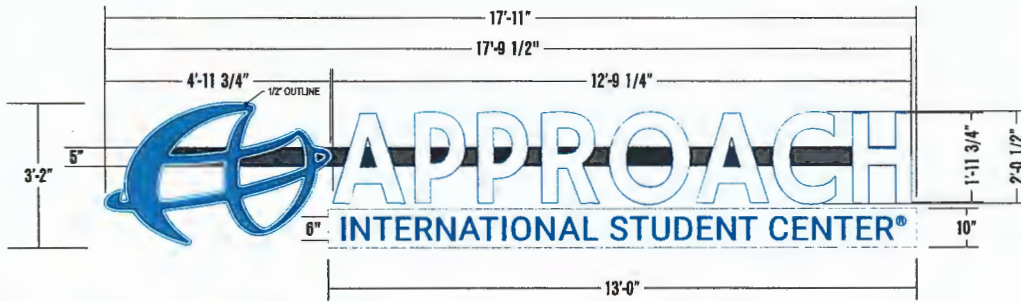
Sincerely,

Pamela A. Wilderman
Code Enforcement Officer

Cc: City Council
File

(1) SET OF LED FACE-LIT CHANNEL LETTERS, LOGO & PILL

SCALE: 3/8"=1'-0"



FILE NAME: APPROACH USA 190505683_7

SITE ELECTRICAL

ELECTRICAL WORK BY: BARLO OTHERS

New CIRCUITS REQ: 1 AMPS: 20 VOLTS: 120
 Existing CIRCUITS REQ: AMPS: VOLTS:

UL REQ: YES NO LOCATION: WET DAMP DRY SERVICE SWITCH: YES NO
 TIME CLOCK REQ: YES NO PHOTO EYE REQ.: YES NO

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

SIMULATED NIGHT VIEW



SCOPE OF WORK

MANUFACTURE & INSTALL (1) SET OF LED FACE-LIT CHANNEL LETTERS, LOGO & PILL. LETTERS AND PILL WILL BE MOUNTED TO A RACEWAY ON THE BUILDING FACADE. RACEWAYS WILL BE PAINTED TO MATCH THE BUILDING.

TOTAL SQUARE FEET: 56.74

CODE ALLOWANCE: 157.00 SQ FT

VARIANCE REQUIRED: N/A

MFG. SPECIFICATIONS - CHANNEL LETTERS

LOGO / LETTERS

FACE: 3/16" 7328 WHITE ACRYLIC
 VINYL: 3630-157 SULTAN BLUE
 TRIM: 1" ROYAL BLUE
 RETURNS: 5" BEA HERON BLUE
 RACEWAY: PTM BUILDING (TBD)

ILLUMINATION: WHITE LED

PILL

FACE: 3/16" 7328 WHITE ACRYLIC
 VINYL: 3630-157 SULTAN BLUE
 TRIM: 1" ROYAL BLUE
 RETURNS: 5" BEA HERON BLUE
 RACEWAY: PTM BUILDING (TBD)

ILLUMINATION: WHITE LED

COLOR SCHEDULE - CLIENT TO VERIFY

C1 3630-157 SULTAN BLUE

C2 PTM BUILDING (TBD)

BARLO



INTERNATIONAL

190505683_7
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PROJECT APPROVAL

Client: _____ Date: _____
 Design: **LP** Date: **0/0/00**
 Sales: _____ Date: _____
 Updating: _____ Date: _____
 Production: _____ Date: _____

APPROACH USA

DESIGNER: LP/CB
 SALES REP: BARN PM: BC

58 APEX DRIVE
 MARLBOROUGH, MA 01752
 05/16/19

ITEM

A

SHEET 1.0

QUOTE #: 5683 JOB #:

(1) SET OF LED FACE-LIT CHANNEL LETTERS, LOGO & PILL

SCALE: 3/8"=1'-0"



SCALE: 3/8"=1'-0"

FILE NAME: APPROACH USA 190505683_7

SITE ELECTRICAL

ELECTRICAL WORK BY: BARLO OTHERS

New CIRCUITS REQ: 1 AMPS: 20 VOLTS: 120
 Existing CIRCUITS REQ: AMPS: VOLTS:
 UL REQ: YES NO LOCATION: WET DAMP DRY SERVICE SWITCH: YES NO
 TIME CLOCK REQ.: YES NO PHOTO EYE REQ.: YES NO

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SCOPE OF WORK

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TOTAL SQUARE FEET: 56.74

CODE ALLOWANCE: 157.00 \$0 FT VARIANCE REQUIRED: N/A

MFG. SPECIFICATIONS - CHANNEL LETTERS

| | |
|--------------------------------|--------------------------------|
| LOGO / LETTERS | PILL |
| FACE: 3/16" 7328 WHITE ACRYLIC | FACE: 3/16" 7328 WHITE ACRYLIC |
| VINYL: 3630-157 SULTAN BLUE | VINYL: 3630-157 SULTAN BLUE |
| TRIM: 1" ROYAL BLUE | TRIM: 1" ROYAL BLUE |
| RETURNS: 5" BEA HERON BLUE | RETURNS: 5" BEA HERON BLUE |
| RACEWAY: PTM BUILDING (TBD) | RACEWAY: PTM BUILDING (TBD) |
| ILLUMINATION: WHITE LED | ILLUMINATION: WHITE LED |

COLOR SCHEDULE - CLIENT TO VERIFY

C1 3630-157 SULTAN BLUE
C2 PTM BUILDING (TBD)



INTERNATIONAL

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PROJECT APPROVAL

| | |
|-------------|--------------|
| Client: | Date: |
| Design: LP | Date: 0/0/00 |
| Sales: | Date: |
| Updating: | Date: |
| Production: | Date: |

APPROACH USA

58 APEX DRIVE
 MARLBOROUGH, MA 01752
 05/16/19
 DESIGNER: LP/CB
 SALES REP: BARN
 PM: BC

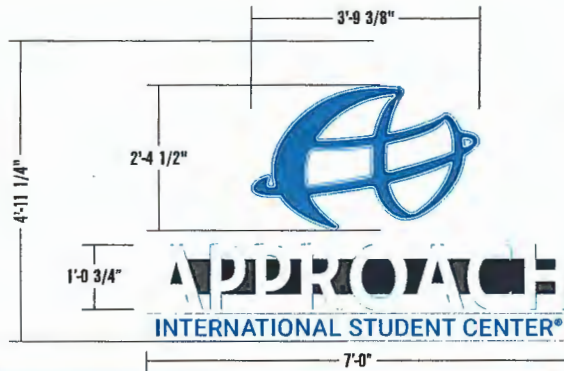
ITEM B

SHEET 2.0

QUOTE #: 56838 JOB #:

(1) SET OF LED FACE-LIT CHANNEL LETTERS, LOGO & PILL

SCALE: 1/2"=1'-0"



SCALE: 3/16"=1'-0"

FILE NAME: APPROACH USA 190505683_7

SITE ELECTRICAL

ELECTRICAL WORK BY: BARLO OTHERS

■ New CIRCUITS REQ: 1 AMPS: 20 VOLTS: 120

□ Existing CIRCUITS REQ: AMPS: VOLTS:

UL REQ: ■ YES □ NO LOCATION: ■ WET □ DAMP □ DRY SERVICE SWITCH: ■ YES □ NO

TIME CLOCK REQ.: □ YES □ NO PHOTO EYE REQ.: □ YES □ NO

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. The installer proper grounding and bonding of the sign.

SIMULATED NIGHT VIEW



SCOPE OF WORK

MANUFACTURE & INSTALL (1) SET OF LED FACE-LIT CHANNEL LETTERS, LOGO & PILL. LETTERS AND PILL WILL BE MOUNTED TO A RACEWAY ON THE BUILDING FACADE. RACEWAYS WILL BE PAINTED TO MATCH THE BUILDING.

TOTAL SQUARE FEET: 0.39

CODE ALLOWANCE: N/A

VARIANCE REQUIRED: N/A

MFG. SPECIFICATIONS - CHANNEL LETTERS

LOGO / LETTERS

FACE: 3/16" 7328 WHITE ACRYLIC
VINYL: 3630-157 SULTAN BLUE
TRIM: 1" ROYAL BLUE
RETURNS: 5" BEA HERON BLUE
RACEWAY: PTM BUILDING (TBD)

ILLUMINATION: WHITE LED

PILL

FACE: 3/16" 7328 WHITE ACRYLIC
VINYL: 3630-157 SULTAN BLUE
TRIM: 1" ROYAL BLUE
RETURNS: 5" BEA HERON BLUE
RACEWAY: PTM BUILDING (TBD)

ILLUMINATION: WHITE LED

COLOR SCHEDULE - CLIENT TO VERIFY

C1 3630-157 SULTAN BLUE

C2 PTM BUILDING (TBD)

BARLO



INTERNATIONAL

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PROJECT APPROVAL

| | |
|-------------|--------------|
| Client: | Date: |
| Design: LP | Date: 0/0/00 |
| Sales: | Date: |
| Updating: | Date: |
| Production: | Date: |

DESIGNER: LP/BC
SALES REP: BARN
PH: BC

APPROACH USA

58 APEX DRIVE
MARLBOROUGH, MA 01752

05/16/19

ITEM **D**

SHEET 4.0

QUOTE #: 5683D

JOB #:



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

ORDERED:

That the Communication from City Solicitor, Jason Grossfield on behalf of Councilor Delano, re: Proposed Zoning Amendment relative to the definition of Home Office/Home Occupation, be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, SEPTEMBER 23, 2019.**

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

1. Section 650-5(B), entitled "Definitions; word usage," is hereby amended, as follows (new text shown as underlined, deleted text shown as ~~strikethrough~~):

HOME OFFICE / HOME OCCUPATION

An occupation customarily conducted in the place of residence of the operator or of a professional person, or in a building accessory thereto, such as dressmaking, millinery, home cooking, handcraft, specialized cultivation and propagation of houseplants, insects, fish, birds and animals, limited to one litter at a time, or the offices of a physician, surgeon, dentist, real estate agent, teacher, clergyman, artist, lawyer, architect, musician, landscape architect, land surveyor, City planner, broker, engineer, beautician or member of any other recognized profession including an office for an off-premises business, provided that not more than three persons are engaged in the activity on the premises at any one time.

HOME OCCUPATION

See definition of "home office / home occupation."

ADOPTED

ORDER NO. 19-1007756

13



City of Marlborough Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL (508) 460-3771 FAX (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
JASON D. GROSSFIELD
CITY SOLICITOR

2019 AUG 21 4:50 PM
D. GUTIERREZ
PARALEGAL

*V/A
PIA - 9/23/19
Planning Board
Advise*

August 21, 2019

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

Re: Proposed Zoning Amendment – Home Office / Home Occupation

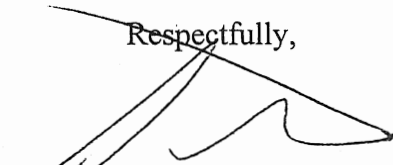
Dear Honorable President Clancy and Councilors:

At the request of Councilor Joseph Delano, enclosed please find a proposed zoning amendment to expand the definition of what constitutes a “home occupation” to include an office for an off-premises business on a residential property, subject to the requirements of the zoning ordinance.

It is my understanding that this amendment would provide legal authority for the Building Commissioner to determine that a qualifying office may constitute a “home office / home occupation” under the zoning ordinance, including when considering related applications for business certificates.

I have reviewed the proposed amendment and it is in proper legal form. Please contact me if you have any questions.

Respectfully,



Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Jeffrey Cooke, Building Commissioner

ORDERED:

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

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An occupation customarily conducted in the place of residence of the operator or of a professional person, or in a building accessory thereto, such as dressmaking, millinery, home cooking, handcraft, specialized cultivation and propagation of houseplants, insects, fish, birds and animals, limited to one litter at a time, or the offices of a physician, surgeon, dentist, real estate agent, teacher, clergyman, artist, lawyer, architect, musician, landscape architect, land surveyor, City planner, broker, engineer, beautician or member of any other recognized profession including an office for an off-premises business, provided that not more than three persons are engaged in the activity on the premises at any one time.

HOME OCCUPATION

See definition of "home office / home occupation."

ADOPTED
In City Council
Order No. 19-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

ORDERED:

That there being no objection thereto set **MONDAY, OCTOBER 7, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Post Road Realty, LLC to construct a multi-family residential project known as The Green District in the Executive Residential Overlay District (EROD) which will consist of 475 units in two buildings at 107 Simarano Drive, Map 116, Parcels 5, 11 & 12, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 01/05/20 which falls on a Sunday, therefore 01/06/20 would be considered the 90th day.

ADOPTED

ORDER NO. 19-1007762
X 19-1007763

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2019 AUG 22 A 10:49

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Post Road Realty LLC, 11 Unquowa Road, Fairfield, CT 06824

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

107 Simarano Drive; Parcels 116-5, 116-11, and 116-12

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

BP Crane Meadow, LLC, c/o Boston Properties, 800 Boylston Street, Suite 1900, Boston, MA 02199

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

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

Article VI Section 650 Paragraph 36 Sub-paragraph D.2

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

Executive Residential Overlay District

7. Specific reason(s) for seeking Special Permit

The Applicant proposes a multi-family residential project in the Executive Residential Overlay District to be known as "The Green District". The project will consist of 475 units in two buildings, with 766 parking spaces, open space, landscaping, and walking trails.

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

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


Signature of Petitioner or Applicant
Brian R. Falk, Attorney for Applicant

Address: Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street
Worcester, MA 01608

Telephone No. (508) 929-1678

Date: August 22, 2019

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

Post Road Realty LLC (The Green District)
(Name of Petitioner)

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

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

**Abutters List 107 Simarano Dr (116-5,11,12) 400 ft
MARLBOROUGH, MA**

| Map | Block | Lot | Unit | Owner~s Name | Co Owner~s Name | Address | City | ST Zip | Parcel Location |
|-----|-------|-----|------|--------------------------------|-----------------|-------------------------|-------------|---------------|------------------|
| 112 | 6A | | | TJX COMPANIES INC | | PO BOX 5369 | COCHITUATE | MA 01778-6369 | 400 VALUE WAY |
| 116 | 7 | | | 40 CEDAR HILL LLC | | PO BOX 836 | MARLBOROUGH | MA 01752 | 40 CEDAR HILL ST |
| 116 | 9 | | | CMJ REALTY TRUST LLC | | 72 CEDAR HILL ST #C | MARLBOROUGH | MA 01752 | 72 CEDAR HILL ST |
| 116 | 11 | | | BP CRANE MEADOW LLC | | C/O MARVIN F POER & CO | ATLANTA | GA 30305 | CEDAR HILL ST |
| 116 | 3A | | | GS STONEGATE PROJECT OWNER LLC | | 18 BROAD ST STE 300 | CHARLESTON | SC 29401 | 65 CEDAR HILL ST |
| 118 | 2 | | | LPCH DANGELO LP | | C/O LINCOLN PROPERTY CO | FRAMINGHAM | MA 01701 | 50 DANGELO DR |
| 118 | 2A | | | 24 ST MARTIN DRIVE LLC | | C/O MILLER & BISSON | ANDOVER | MA 01810 | 24 ST MARTIN DR |

MARLBOROUGH ASSESSORS

Anthony C. Amadio
Allegre Silverstein
David May

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Post Road Realty LLC Address: 11 Unquowa Road, Fairfield, CT 06824

Project Name: The Green District Address: 107 Simarano Drive, Marlborough

1. PROPOSED USE: (describe) Multi-family residential

2. EXPANSION OR NEW: New

Bldg 1: 272,595 Bldg 1: 33,854 Bldg 1: 272,595

3. SIZE: floor area sq. ft. Bldg 2: 277,091 1st floor Bldg 2: 33,331 all floors Bldg 2: 277,091

buildings 2 # stories 6 lot area (s.f.) 1,873,840

4. LOT COVERAGE: 26 % Landscaped area: 74 %

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

Normal: Less than 713 Peak period: 713 (1.5 per unit)
(1.5 per unit)

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 179 Peak period: 718

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

Periodic rubbish and recycling removal, maintenance vehicles, deliveries, move-ins and outs, commensurate with a multi-family use.

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

8. NOISE:

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

Typical residential noises.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. Resident vehicles, delivery and service vehicles, use of exterior areas by residents.

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

Resident vehicles and delivery and service vehicles.

10. WATER AND SEWER: Describe any unusual generation of waste. None.

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? None.

***Attach additional sheets if necessary**



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall
140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: _____

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: The Green District

Project Use Summary: Multi-family residential

Project Street Address: 107 Simarano Drive

Plate: 116 Parcel: 5, 11, 12

Applicant/Developer Name: Post Road Realty LLC

Plan Date: August 8, 2019 Revision Date: _____

Dear President and Members:

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

Very truly yours,

Jeffrey K. Cooke
Acting Director of Planning

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

\$12,100

Base Fee: \$300

\$25 per unit: ~~\$11,800 (\$25 X472)~~

in excess of 3 \$12,100 ✓



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

**Steven W. Kerrigan
City Clerk**

Dear Applicant,

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

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

| | | |
|---------|---|--|
| 1 SET | POLICE CHIEF | <input checked="" type="checkbox"/> |
| 1 SET | FIRE CHIEF | <input checked="" type="checkbox"/> |
| 1 SET | CITY ENGINEER | <input checked="" type="checkbox"/> |
| 1 SET | DIRECTOR OF PLANNING | <input checked="" type="checkbox"/> |
| 1 SET | CONSERVATION OFFICER (IF WETLANDS AFFECTED) | <input checked="" type="checkbox"/> |
| 1 SET | BUILDING COMMISSIONER | <input checked="" type="checkbox"/> |
| 12 SETS | OFFICE OF THE CITY COUNCIL | <input checked="" type="checkbox"/> |
| 3 SETS | OFFICE OF THE CITY CLERK | <input checked="" type="checkbox"/> (MUST be Original & 2 Complete Sets) |

Deanna McCoy
Signature
Attorney for Applicant

8/22/2019
Date

Thank you for your cooperation in this matter.

Sincerely,

Steven W. Kerrigan
City Clerk

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

**Steven W. Kerrigan
City Clerk**



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

Company Name

Post Road Realty LLC

Owner Name/Officer Name of LLC or Corporation

BP Crane Meadow, LLC

Owner/Officer Complete Address and Telephone Number

c/o Boston Properties

800 Boylston Street, Suite 1900

Boston, MA 02199

Signature of Applicant

Attorney on behalf of Applicant, if applicable


Attorney Brian R. Falk

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


Eileen Bristol

Tax Collector

August 5, 2019

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

Re: Special Permit and Site Plan Applications

Dear Councilor Clancy:

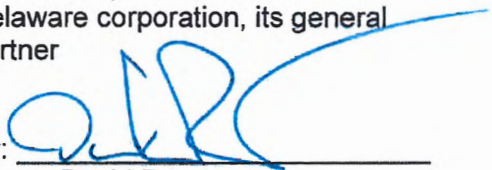
Please be advised that the undersigned, BP Crane Meadow, LLC, is the owner of certain properties located at 107 Simarano Drive and along Cedar Hill Street, shown on Assessors Map 116 as Parcels 5, 11, and 12, and does hereby authorize Mirick O'Connell, on behalf of Post Road Realty LLC, to submit to the City Council for consideration applications for a special permit and site plan approval for a 475 unit multi-family project in the City's new Executive Residential Overlay District.

Thank you for your time and attention to this matter.

BP Crane Meadow, LLC, a Delaware limited liability company

By: Boston Properties Limited Partnership,
a Delaware limited partnership, its sole member and manager

By: Boston Properties, Inc., a
Delaware corporation, its general partner

By: 
Name: David Provost
Title: Senior Vice President,
Development

Boston
Los Angeles
New York
San Francisco
Washington, DC

_____, 2019

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. # 19-1007762

Application of:
Post Road Realty, LLC

Locus:
107 Simarano Drive, Marlborough, MA
Parcels 5, 11, and 12 on Assessors Map 116

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of Post Road Realty, LLC, with a mailing address of 11 Unquowa Road, Fairfield, CT, 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:
Post Road Realty, LLC

Locus:
107 Simarano Drive, Marlborough, MA
Parcels 5, 11, and 12 on Assessors Map 116

**DECISION ON A SPECIAL PERMIT
ORDER NO. 19-1007762**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Post Road Realty, LLC (the “Applicant”) to build and operate a two-phase 475-unit multifamily dwelling residential project at 107 Simarano Drive, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Post Road Realty, LLC, is a Connecticut limited liability company with an address of 11 Unquowa Road, Fairfield, CT 06824.
2. The Applicant is the prospective owner of the property located at 107 Simarano Drive, Marlborough, Massachusetts, being shown as Parcels 5, 11, 78, and 12 on Assessors Map 116 (the “Site”).
3. In accordance with Article VI, Section 650-36.D(2), of the Zoning Ordinance of the City of Marlborough (the “Zoning Ordinance”), the Applicant proposes to build and operate a two-phase 475-unit multifamily dwelling residential project at the Site, in two buildings with 766 on-site parking spaces, open areas, walking trails, and residential amenities (the “Use”). As shown on the Site Plan referenced in paragraph 7 below, the Use consists of two development phases: “Site 1” with 235 units and 377 parking spaces and “Site 2” with 240 units and 389 parking spaces.
4. The Site is located in the Executive Residential Overlay District.
5. The Site has an area of 1,873,840 square feet +/- as shown on the Site Plan referenced in paragraph 7 below.

6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit (“Application”) for the Use.

7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, and the following plans: (i) a detailed site plan entitled “Green District Special Permit and Site Plan Approval” by Hancock Associates, comprised of Sheets 1 through 32, with the last revision date of _____, 2019 (the “Site Plan”); (ii) a set of architectural plans entitled “Green District” by Bargmann Hendrie + Archetype, Inc., comprised of Sheets A100, A101, A102, A200, A201, and A202, SPL-1.1, SPL-2.0, SPL-2.1, SPL-3.0, and SPL-3.1, with the last revision date of _____, 2019; and (iii) a set of landscaping plans entitled “Green District” by Eric Rains Landscape Architecture, LLC, comprised of Sheets SPL-1.0, SPL-1.1, SPL-2.0, SPL-2.1, SPL-3.0, and SPL-3.1, with the last revision date of _____, 2019 (collectively with the Site Plan, the “Plans”), attached hereto as **“Attachment A.”**

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, October 7, 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, no members of the public spoke in opposition to the Use.

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

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

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

C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to build and operate a two-phase 475-unit multifamily dwelling residential project 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 650-36 of 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 of this Special Permit and 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. Conditions imposed through Site Plan Review, as approved by the City Council, shall also be conditions of this Special Permit, and any violations of those conditions shall be violations of this Special Permit. In accordance with Section 650-36.H of the Zoning Ordinance, the Building Commissioner may approve minor modifications to the Special Permit and Site Plan.

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. The final architectural design of the Site shall be reasonably consistent with the Plans submitted by the Applicant. The final exterior features of the Site, including landscaping, shall be maintained in good condition and shall be reasonably consistent with the Plans submitted and representations made to 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. Affordable Units. Ten percent (10%) of the dwelling units at the Site shall be made available at affordable prices to renters, in accordance with the provisions of Section 650-26 of the Zoning Ordinance. In lieu of requiring that fifteen percent (15%) of the dwelling units at the Site be made available at affordable prices to renters, the Applicant shall provide a payment to the City of \$50,000 per affordable dwelling unit that would have been otherwise required under Section 650-26 of the Zoning Ordinance. For Site 1 of the Use, the number of applicable units is _____, for a total payment of \$_____. For Site 2 of the Use, the number of applicable units is _____, for a total payment of \$_____. The payments required by this condition shall be made prior to the issuance of a building permit for Site 1 and Site 2, respectively, and shall be payable to a fund or funds designated by the City Council prior to submission of each payment.

7. Multifamily Unit Payments. To mitigate any impacts associated with the Use, the Applicant has agreed to provide a payment to the City of \$_____ for each multifamily dwelling unit at the Site. For Site 1 of the Use, the total payment shall be \$_____. For Site 2 of the Use, the total payment shall be \$_____. The payments required by this condition shall be made prior to the issuance of a building permit for Site 1 and Site 2, respectively, and shall be payable to a fund or funds designated by the City Council prior to submission of each payment.

8. 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. 19-1007762

Adopted: _____ 2019

Approved by Mayor
Arthur Vigeant

Date: _____ 2019

A TRUE COPY

ATTEST: _____ City Clerk

Site Plan Permit # _____
Site Plan Approval with Conditions

Applicant: Post Road Realty, LLC

Property Owner: BP Crane Meadow, LLC

Location: 107 Simarano Drive (the “Site”) being shown as Parcels 5, 11, and 12 on Assessors Map 116.

Zoning District: Executive Residential Overlay District

Plans and Reports: The following Site Plan Approval Final Conditions are based on:

1. A set of plans entitled “Green District Special Permit and Site Plan Approval” by Hancock Associates, comprised of Sheets 1 through 32, with the last revision date of _____, 2019 (the “Site Plan”);
2. A set of architectural plans entitled “Green District” by Bargmann Hendrie + Archetype, Inc., comprised of Sheets A100, A101, A102, A200, A201, and A202, SPL-1.1, SPL-2.0, SPL-2.1, SPL-3.0, and SPL-3.1, with the last revision date of _____, 2019 (the “Architectural Plans”);
3. A set of landscaping plans entitled “Green District” by Eric Rains Landscape Architecture, LLC, comprised of Sheets SPL-1.0, SPL-1.1, SPL-2.0, SPL-2.1, SPL-3.0, and SPL-3.1, with the last revision date of _____, 2019 (the “Landscape Plans”); and
4. A report entitled “Traffic Impact and Access Study” by Ron Müller & Associates dated August 14, 2019 (the “TIAS”).

Project: Two ERO Phases in the Executive Residential Overlay District: “Site 1” shown on the Site Plan, consisting of a 235-unit multifamily dwelling, and “Site 2”, consisting of a 240-unit multifamily dwelling.

Other Permits: Special Permit issued by the City Council dated _____, 2019, authorizing a two-phase 475-unit multifamily dwelling residential project at the Site.

SITE PLAN APPROVAL FINAL CONDITIONS:

A. Site Conformance:

1. Construction of the Site shall be in conformance with the approved Site Plan, Architectural Plans, and Landscape Plans, 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. Construction Staging and Safety Plan:

1. 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.
2. The Construction Plan shall provide detailed information concerning: (i) any 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) a detailed plan to maintain emergency access to the Stonegate Residential Community through the Site at all times.

C. Green Building and Site Design:

The Applicant shall include the following green design elements at the Site:

- a. Electric vehicle charging stations;
- b. Nest (or similar) learning smart thermostats;
- c. Dedicated open space with nature trail and wetland habitat improvements;
- d. Secure bike storage and repair room;
- e. Bike share program;
- f. Dedicated ride share drop-off location;
- g. Resident composting and recycling program;
- h. Smoke free community;
- i. Full LED lighting throughout the Site;
- j. Oversized unit windows for maximum natural light;
- k. Low flow plumbing fixtures;
- l. Dual flush toilets;
- m. Energy Star (or similar rating) appliances;
- n. Low VOC carpet and paints;
- o. Panelized framing construction to limit waste;
- p. Rooftop and carport solar panels;
- q. Building lighting on occupancy sensors; and
- r. Solar cell-controlled site lighting.

D. 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.
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.

E. Storm Water and Erosion Control:

1. Erosion Control Expert: The Applicant shall hire an independent Erosion Control Expert to oversee work at the Site, with a proven record of controlling sites of equal size and equal material type. The erosion control expert shall be hired prior to construction and shall be an integral part of the preconstruction meeting.
2. Erosion and Sedimentation Control Plan: Construction shall proceed according to the Erosion and Sedimentation Control Plan set forth on Sheets 20 through 23 of the Site Plan. Exposed areas on the site will be minimized and exposed areas stabilized as quickly as possible temporarily or permanently to ensure that the silt

and sediment remain on site during and after construction.

3. NPDES: Since the project involves the disturbance of more than one acre of land area, the Applicant submit a Notice of Intent to the EPA for coverage under the NPDES Construction General Permit per EPA's requirements. Proof of submittal shall be provided at the preconstruction meeting noted above.
4. Catch Basins: All catch basins shall be equipped with gas/oil hoods and 4-foot sumps.
5. Protection of Roadways: Stone construction entrance pads and/or a truck washing station shall be in place at the exits onto the main roadways to prevent the tracking of mud and silt into the public roadway. Dust shall also be controlled on this site at all times. If dirt is tracked onto the roadway it shall be cleaned up immediately. A street sweeper shall be readily available.
6. The Erosion Control Expert shall be consulted when there is any discussion about or deviation to the overall plan and the erosion control plan to ensure that there is proper coordination with the site development and the erosion control and Stormwater management at all times.
7. The Erosion Control Expert shall be responsible for regular inspections of the erosion controls on at least a weekly basis and prior to and immediately after (within 12 hours) each storm event of 0.5 inches or more. Necessary repairs and maintenance of the erosion control devices shall be made expeditiously. These inspections shall be described in the reports required in the condition below.
8. The Erosion Control Expert shall report (by e-mail) to the Conservation Officer and City Engineer weekly, during construction, summarizing the work that has been completed, compliance of the project with the Site Plan and the status of the erosion controls. It will also include his/her recommendations on actions needed and report compliance with recommendations. Failure on the part of the Applicant to implement the recommendations made by the Erosion Control Expert will be a violation of the terms and conditions of this permit. The weekly reports shall begin as soon as the work begins on the Site. As construction progresses the reporting may be reduced at the discretion of the City Engineer and Conservation Officer.
9. The Applicant shall be responsible for notifying the Conservation Officer and City Engineer in an expeditious manner if any visible siltation enters the drainage system or leaves the site. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
10. All large stockpiles must be maintained in a stabilized condition with erosion control in place and approved by the Conservation Officer. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers

or drain inlets. Long term stockpiles over 30 days will be shaped, stabilized and circled with erosion controls. The Erosion Control Expert shall be consulted to ensure that the stockpile locations are not interfering with drainage or erosion control during construction. The City Council understands that the site will shift and change during construction, but the erosion control expert must be on board with all such changes before they are made to ensure proper coordination.

11. The dewatering system to be used, if necessary, shall be approved by the Conservation Officer and once approved, properly installed. All silty water must be filtered through a dewatering/sedimentation trap system, until the water runs clean. At no point shall silty water be discharged into off-site drainage systems without first being filtered.
12. The issuance of this decision confirms compliance with Marlborough City Code Ch. 271 "Stormwater Management" and shall serve as the "stormwater management permit" as required in the ordinance.

F. 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. Boulders: Any large rocks or boulders encountered while excavating the site can be used as landscape features or crushed. Any excess boulders shall be disposed of properly off site.
3. Site Visit: Prior to the final signoff, the landscape 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.
4. Dog Park: The Conservation Officer and the City Engineer and shall work with the Applicant to ensure that dog park drainage and ongoing maintenance will not impact the drainage water quality. If changes or additional drainage are needed in this location based on this review, this shall be added.
5. 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 Applicant with a species of the same kind and size.
6. 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.

7. 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.

G. Setbacks:

Through this decision and in accordance with Section 650-36.C(2) of the Zoning Ordinance, the City Council elects to vary the 20 foot setback requirement applicable to a portion of the Site's parking area in the northwest corner of the Site along Simarano Drive as shown on the Site Plan, finding that such change results in an improved design and will not nullify or substantially derogate from the intent or purpose of Section 650-36 of the Zoning Ordinance.

H. Emergency Access Drive:

Prior to the issuance of a certificate of occupancy for Site 1, the Applicant shall complete upgrades to the gravel emergency access driveway between the second entrance to Site 1 from the access driveway and Cedar Hill Road, as shown on the Site Plan. Prior to the issuance of a Certificate of Occupancy for Site 2, the access driveway will be paved from Site 1 to just after the second entrance to Site 2 as shown on the Site Plan.

I. School Bus Access:

The Applicant shall make arrangements with the Marlborough Public School to allow school buses to pick up and drop off students within the Site at main lobby entrances and not along Simarano Drive.

J. Simarano Drive Improvements:

1. Simarano Drive Crosswalk: As described in TIAS, prior to the issuance of a certificate of occupancy for Site 1, the Applicant shall install striped crosswalks across the Site driveway and across Simarano Drive with handicap-accessible wheelchair ramps to connect the proposed sidewalk along the Site drive with the existing sidewalk along the west side of Simarano Drive, with push-button activated, solar-powered, and double-sided Rectangular Rapid Flashing Beacons (RRFB) installed on both sides of the crosswalk, providing pedestrian warning signs and flashers on both sides of the road.
2. Simarano Drive Widening: As described in the TIAS, prior to the issuance of a certificate of occupancy for Site 2, the Applicant shall install an exclusive left-turn lane on the Simarano Drive southbound approach to the Site driveway.
3. Performance Security Bond: Prior to commencing any work within the Simarano Drive public way lay out (as described in items J.1. and J.2. above), 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 estimated cost of the work.

4. Insurance Certificate: Prior to commencing any work within the Simarano Drive public way lay out, 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, not to exceed \$2 million in the aggregate, for a liability policy concerning the Applicant's work on Simarano Drive, including but not limited to demolition, construction and/or reconstruction.

K. Lighting:

Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties.

L. General Provisions:

1. Drainage Inspection: Prior to requesting the first Certificate of Occupancy for Site 1 or Site 2, the Applicant shall clean all detention basins, drainage pipes, and catch basins of accumulated sediment and debris. All infiltration systems and water quality structures, shall also be inspected and cleaned as necessary. A site meeting with the Conservation Officer to inspect these structures is required before the Conservation Officer will provide a final signoff.
2. As-Built Plans: Interim as-built plans shall be submitted to the City Engineer prior to the a request for the first Certificate of Occupancy for Site 1 and at the completion of each phase of the project showing the critical utility connections to ensure that in the interim the City Engineer has all the utility tie information available. When the project is complete an as-built plan must be submitted to the City Engineer for review prior to the first Certificate of Occupancy for Site 1 or Site 2. The as-built plan shall be prepared in accordance with the As-built plan standards established by the City Engineer which can be found on the city's web site.
3. Stormwater Management and Maintenance Plan: Prior to the issuance of the final Certificate of Occupancy for Site 1 or Site 2 the Applicant shall provide the City Engineer and the Conservation Officer with the final Stormwater Management and Maintenance Plan, as outlined in the project's drainage report. The Applicant shall also include a copy of the snow storage locations and snow removal protocol for the Site. The name, address and phone number of the contract person who will be in charge of authorizing the annual maintenance shall be provided to the Conservation Officer and City Engineer.

4. Annual Reports: An annual maintenance report shall be provided to the City Engineer and the Conservation Officer by June 1st of each year reporting on the maintenance and operation procedures, outlined in the Stormwater Management and Maintenance Plan, which have been met for that year. This reporting requirement will follow the issuance of the occupancy permit.
5. 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.
6. 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.
7. Changes to Approved Site Plan: In accordance with Section 650-36 of the Zoning Ordinance, the Building Commissioner may approve minor modifications to the Site Plan.
8. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.



IN CITY COUNCIL

Marlborough, Mass., AUGUST 26, 2019

ORDERED:

That the Application for Site Plan Approval from Post Road Realty, LLC for The Green District project to be built in the Executive Residential Overlay District (EROD), at 107 Simarano Drive, be and is herewith refer to **URBAN AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 19-1007763
X 19-1007762



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 AUG 22 A 10:49

SITE PLAN APPROVAL APPLICATION (For Non-Residential and Major Residential Projects)

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: August 8, 2019

PROJECT

Name of facility: The Green District

Address: 107 Simarano Drive

Assessor's Map No. 116-5, 116-11, 116-12 Parcel No. _____

APPLICANT

Name: Post Road Realty LLC

Address: 11 Unquowa Road, Fairfield, CT 06824

Telephone: 508-929-1678 Fax: 508-983-6256

Attorney Brian Falk

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

If applicant is not the owner, is written consent of the owner or owner's agent attached (see Section 270-2(B) (7))? YES NO

PROPERTY OWNER

Name: BP Crane Meadow, LLC

Address: c/o Boston Properties, 800 Boylston Street, Suite 1900, Boston, MA 02199

Telephone: (617) 236-3337 Fax: _____

Email: emo@bxp.com

APPLICANT'S ENGINEER (preparing site plan)

Name: Hancock Associates

Address: 315 Elm Street, Marlborough, MA 01752

Telephone: 508-460-1111 Fax: 508-460-1121

Email: jpeznola@hancockassociates.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: Eric Rains Landscape Architecture

Address: 11a North Main Street, South Norwalk, CT 06854

Telephone: 203-354-6500 Fax: _____

Email: eric@ericrains.com

PROJECT INFO

PROPOSED USE (see Section 63-5(B) (1))

Non-Residential Residential

Provide a brief description of the project; including the proposed type of use, whether expansion of new, size of buildings, number of new parking spaces, any unusual utility use of impact on abutters (traffic, noise, lighting, odors, hazardous material, etc.)

The Applicant proposes a multi-family residential project in the Executive Residential Overlay

District to be known as "The Green District". The project will consist of 475 units in two buildings,

with 766 parking spaces, open space, landscaping, and walking trails.

Identify all zoning districts, including overlay zones applicable to this site. The zones must also be shown on the site plan cover sheet. (See Section 270-2 (C) (2) (b) (3)).

ZONING DISTRICT(S) Executive Residential Overlay District

WHAT OTHER PERMITS REQUIRED (check off which applies)

- | | |
|--|---|
| <input checked="" type="checkbox"/> City Council for Special Permit | <input type="checkbox"/> Blasting Permit (Fire Dept) |
| <input type="checkbox"/> ZBA Special Permit | <input type="checkbox"/> Title V Approval (Board of Health) |
| <input type="checkbox"/> ZBA Variance | <input type="checkbox"/> Food Permit (Board of Health) |
| <input checked="" type="checkbox"/> Wetlands Protection Act | <input checked="" type="checkbox"/> Building Permit (Building Dept) |
| <input type="checkbox"/> Section 404, Clean Water Act (Army Corps) | <input checked="" type="checkbox"/> Sign Permit (Building Dept) |
| <input type="checkbox"/> C 91 Waterways Permit | |
| <input type="checkbox"/> Subdivision Control Act (Planning Board) | |
| <input type="checkbox"/> State Curb Cut (MA Highway) | |
| <input type="checkbox"/> Indirect Access Permit (MA Highway) | |
| <input checked="" type="checkbox"/> MEPA ENF or EIR (EOEA) | |
| <input checked="" type="checkbox"/> Sewer Connection Permit (DPW, City Council, DEP) | |
| <input type="checkbox"/> Street Opening Permit (DPW, Engineering Dept) | |
| <input type="checkbox"/> Sewer Connection (DPW, City Council, DEP) | |
| <input type="checkbox"/> Other: _____ | |

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? Zone X

SUBMITTED PLANS AND REPORTS

See Section 270-2 (C) for submission requirements. Please include a locus map per Section 270-2 (C) (2) (b) (1)

| | | |
|---|---------------|-----------------------------|
| <u>Green District Special Permit and Site Plan Approval</u> | <u>8/8/19</u> | <u>Robert A. Chruscziel</u> |
| Title | Date | Stamped By |

Fee

For Minor Site Plan without a building: \$750

For a Minor Site Plan (with a building under 8,000 square feet): \$1,000, plus \$0.03 a square foot of building gross floor area

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area

| | |
|-----------------------------------|----------------|
| Bldg 1 floor area: 272,595 | \$ 2,000 |
| Bldg 2 floor area: <u>277,091</u> | <u>+32,981</u> |
| 549,686 x .06 = <u>\$32,981</u> | \$34,981 |

PUBLIC NOTICE

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice in a newspaper of general circulation within the area at least once within two weeks of filing a Site Plan application using the format below. A copy of the public notice must be submitted with the application. Applications for Site Plan Approval shall not be certified as complete unless the public notice is properly published.

Date of Publication: _____

Name of Newspaper: _____
(Form of notice attached)

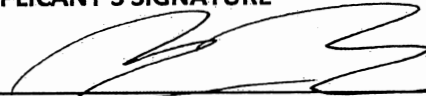
HISTORIC BUILDING NOTICE

Is the site within 250 feet of any building, cemetery or monument built before 1850? YES NO

If in doubt, ask the Historic Commission (508 481-2400). If the answer is YES, send a photocopy notice and one copy of the site plans (excluding utilities) to:

Chairman, Historic Commission
City Hall
Marlborough, MA 01752

APPLICANT'S SIGNATURE



Applicant or Representatives Signature

8/22/2019

Date

Applicant shall submit this form to the Building Dept with all required plans (8 copies of plans, 4 copies of Traffic and Drainage reports) after a "Pre-Application Review" with the City reviewing Authority at which most requirements can be examined and discussed.

The applicant maybe required to attend a Preliminary scoping session with the Site Plan Review Committee prior to submitting this form.

Office Use Only:

Date Received: _____

Site Plan Number: _____

SITE PLAN APPROVAL PUBLIC NOTICE FORM

Applicants for Site Plan Approval under Chap 270-2 of the Marlborough City Code must publish a public notice once in a newspaper of local circulation, using the format below at least once within two weeks of filing an application. A copy of the public notice must be submitted to the Building Dept with the application for Site Plan Approval.

Metrowest Daily News, Framingham 01701

Advertising: Fax: 1-781-453-6650

City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: _____

Project Street Address: _____

Applicant's Name: _____

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.

August 5, 2019

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

Re: Special Permit and Site Plan Applications

Dear Councilor Clancy:

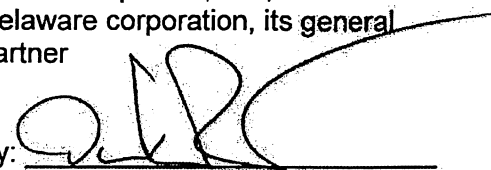
Please be advised that the undersigned, BP Crane Meadow, LLC, is the owner of certain properties located at 107 Simarano Drive and along Cedar Hill Street, shown on Assessors Map 116 as Parcels 5, 11, and 12, and does hereby authorize Mirick O'Connell, on behalf of Post Road Realty LLC, to submit to the City Council for consideration applications for a special permit and site plan approval for a 475 unit multi-family project in the City's new Executive Residential Overlay District.

Thank you for your time and attention to this matter.

BP Crane Meadow, LLC, a Delaware limited liability company

By: Boston Properties Limited Partnership,
a Delaware limited partnership, its sole member and manager

By: Boston Properties, Inc., a
Delaware corporation, its general partner

By: 
Name: David Provost
Title: Senior Vice President,
Development

Boston

Los Angeles

New York

San Francisco

Washington, DC

PUBLIC NOTICE

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 AUG 26 P 4: 03

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Date of Publication: August 29, 2019

Name of Newspaper: MetroWest Daily News
(Form of notice attached)

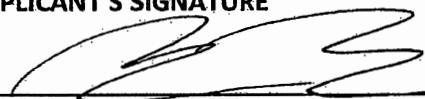
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Applicant or Representatives Signature

8/22/2019
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Metrowest Daily News, Framingham 01701
Advertising: Fax: 1-781-453-6650

City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: The Green District, Multi-Family Residential

Project Street Address: 107 Simarano Drive

Applicant's Name: Post Road Realty LLC

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.