

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 19 P 3:25

1. Minutes, City Council Meeting, April 2, 2018.
2. Communication from the Mayor re: MCDA transfer request in the amount of \$400,000.00 which moves funds from Open Space Stabilization to the Marlborough Community Development Authority to convey 19 properties to the City of Marlborough, including a large parcel on Winter Street abutting Stevens Park.
3. Communication from the Mayor re: City Clerk transfer request in the amount of \$8,000.00 which moves funds from Reserve for Salaries to the City Clerk's Advertising to fund legal advertisements.
4. Communication from the Mayor re: City of Marlborough Management Letter for FY2017.
5. Communication from the Mayor re: General Laws Acceptance – Local Option Marijuana Sales Tax.
6. Communication from City Solicitor, Donald Rider re: Application for Special Permit, NEH Inc., d/b/a New England Hydroponics, 19 Brigham Street, Unit 6 in proper legal form, Order No. 18-1007199A.
7. Communication from City Engineer, Thomas DiPersio, re: Recommendations on the Petition from NGrid to install a new pole for service to the Shell Station at 342 Boston Post Road East, Order No. 18-1007200A.
8. Communication from Retirement Board, Chairman Brewster, re: Adoption of Section 34 of Chapter 176 of the Acts of 2011 which provides for an increase in the stipend paid to members of the Retirement Board not to exceed more than \$4,500.00.
9. Application for Special Permit from Sandra Colligan, to demo existing house and build a new two story home at 21 Patten Drive.
10. Application for Special Permit from Attorney Falk, on behalf of Jefferson Street Residences, 27 Jefferson LLC, to build an 11 unit 2 story, multifamily condominium building at 27 Jefferson Street.
11. Application for Renewal of Junk Dealer's/Second Hand License, Best Buy Stores, LP 1966, 601 Donald Lynch Boulevard.
12. Application for Renewal of Junk Dealer's/Second Hand License, Best Buy Stores, LP 820, 769 Donald Lynch Boulevard.
13. Communication from Tiffany O'Hearn, of O'Hearns Tavern, 11b Florence Street, to add outdoor seating to their establishment.
14. Communication from various residents and companies re: Opposition to the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136B.
 - a. Richard Dimatteo, Trustee, The 729 Farm Rd. Trust, Gina DiMatteo, 721 Farm Road, Michael Monteiro, Monteiro Realty Trust, 667 Farm Road, & Trombetta Family Limited Partnership, 655 Farm Road.
 - b. Lee Atherton, 32 Virginia Street.
 - c. Lourival Santos, Lourival Masonry, 729 Farm Road.
 - d. Michael Martell, Martell Construction, 655 Farm Road.
 - e. Dennis O'Rourke, GutterBoys, 729 Farm Road.
 - f. Chris Bell, Bell Plumbing and Heating Corporation, 655 Farm Road.
 - g. Bernie Sinacole, Jr., 655 Farm Road.
 - h. Sara & Steve Hamill, The Backroom, 655 Farm Road.

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.

15. Minutes, Parks & Recreation Commission, January 17, 2018 & February 14, 2018.
16. Minutes, Zoning Board of Appeals, March 27, 2018.
17. Minutes, License Board, January 31, 2018, February 28, 2018 & March 15, 2018.
18. Minutes, Conservation Commission, March 15, 2018.
19. Minutes, Planning Board, February 5, 2018 & March 5, 2018.
20. Minutes, School Committee, March 27, 2018.
21. Minutes, Board of Health, March 6, 2018.
22. Minutes, Commission on Disabilities, June 6, 2017, July 11, 2017, October 3, 2017, November 14, 2017 & March 6, 2018.
23. Minutes, Board of Assessors, March 28, 2018.
24. CLAIMS:
 - a. Jonathan Pezzoni, 125 Arrowhead Circle, Ashland, pothole or other road defect.
 - b. Ray Giglio, 615 Concord Road, residential mailbox claim 2(b) & other property damage and/or personal injury.
 - c. Richard Wiggin, 455 Farm Road, residential mailbox claim 2(b).

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

25. **Order No. 18-1007178 – \$56,418,338.00 Bond for New K-5 Elementary School** - The Finance Committee reviewed the Mayor's letter dated February 22, 2018 requesting a \$56,418,338.00 bond for a new K-5 elementary school for 610 students located on Poirier Drive. **The Finance Committee voted 5 - 0 to approve the \$56,418,338.00 amended bond order and voted 5 – 0 to approved the advertising of the amended bond. THE BOND ADVERTISEMENT WAS PUBLISHED ON APRIL 9, 2018.**



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CITY OF MARLBOROUGH

2018 APR -9 P 4: 28

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

Lisa M. Thomas
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Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723

APRIL 2, 2018

Regular meeting of the City Council held on Monday, April 2, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Oram, Ossing; Robey; Delano, Doucette, Dumais, Tunnera; Irish and Landers. Meeting adjourned at 9:15 PM.

ORDERED: That the Minutes of the City Council meeting MARCH 19, 2018, **FILE AS AMENDED**; adopted.

Councilor Juairé recused.

Suspension of the Rules requested – granted to move this item before Item 2 on the agenda.

ORDERED: That the Appointment of Jeffrey Cooke as Building Commissioner for a term to expire three years from date of City Council approval, **APPROVED**; adopted.

ORDERED: That the PUBLIC HEARING On the Petition of NGrid to install new pole 34-5 for service to Shell Gas Station, 342 Boston Post Road East, Order No. 18-1007200, all were heard who wish to be heard, hearing closed at 8:06 PM.

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

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from New England Hydroponics, to use an existing property for retail sales of gardening supplies, 19 Brigham Street, Unit 6, Order No. 18-1007199, all were heard who wish to be heard, hearing closed at 8:09 PM.

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

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Map Amendment, Expansion of the Marlborough Village District, Order No. 18-1007195, all were heard who wish to be heard, hearing closed at 8:11 PM.

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

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Ordinance Amendment, as it pertains to Article VI Section 650-36, Commercial Village Overlay District, Order No. 18-1007134, X16-1006668, hearing closed at 8:25 PM.

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

ORDERED: That the transfer request for Marlborough Economic Development Corporation (MEDC) Land Acquisition in the amount of \$1,075,000.00 which moves funds from Undesignated to MEDC to satisfy a Purchase and Sales Agreement, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor			FISCAL YEAR:		2018		
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$8,284,083.16	\$1,075,000.00	10000	35900	Undesignated Fund	\$1,075,000.00	11740006	53950	MEDC Funding	\$0.00
Reason:					Land acquisition per Fossile purchase & sale agreement				
	\$1,075,000.00	Total			\$1,075,000.00	Total			

ORDERED: That the Reappointment of Assistant City Solicitor, Cynthia Panagore Griffin for a term to expire three years from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Communication from Councilor-At-large Michael Ossing re: Municipal Aggregation-Six Month Fixed Price Contract with Public Power May 2018-October 2018, **FILE**; adopted.

ORDERED: It is moved, in conformance with MGL c. 30A, § 21(a)(3), that the Marlborough City Council conduct an executive session for the purpose of discussing strategy in pending litigation concerning a land use request involving a property off Boston Post Road, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough and the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session.

Yea: 11 – Nay: 0

Yea: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juair, Oram, Ossing & Robey.

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin re: Proposed Zoning Ordinance Amendment, Medical Marijuana Treatment Centers, in proper legal form, Order No. 18-1007163-1B, X18-1007151, **MOVE TO ITEM 33**; adopted.

ORDERED:

That the WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that the perpetual walking trail easement shown on a plan entitled "Public Access Route Talia", dated November 28, 2017, be accepted as a municipal easement for passive recreational pedestrian use, as hereinafter described:

DESCRIPTION

The perpetual walking trail easement of up to six (6) feet in width in the location approximately shown as "Pedestrian Route" on the plan entitled "Public Access Route Talia", dated November 28, 2017 and attached here as Exhibit A to the deed of easement entitled "Public Walking Trail Easement", dated January 10, 2018, by and through which deed of easement said perpetual walking trail easement is granted by Fairfield Marlborough Limited Partnership to the City of Marlborough, said deed of easement and Exhibit A thereto to be recorded with the Middlesex County South Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

The perpetual walking trail easement of up to six (6) feet in width in the location approximately shown as "Pedestrian Route" on the plan entitled "Public Access Route Talia", dated November 28, 2017 and attached as Exhibit "A" to the deed of easement entitled "Public Walking Trail Easement", dated January 10, 2018, from Fairfield Marlborough Limited Partnership to the City of Marlborough, said deed of easement and Exhibit A thereto to be recorded with the Middlesex County South Registry of Deeds, be accepted as a municipal easement for passive recreational pedestrian use in the City of Marlborough.

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from various residents re: Opposition to the Farm Road Retirement Community Overlay District, Order No. 18-1007136A, refer to **URBAN AFFAIRS COMMITTEE & FILE**; adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended as follows:

1. In Section 650-5.B, insert the following new definitions: (new text underlined):

AUTO SALES

Places for the sale of new or previously owned cars, trucks, boats, and farm equipment, along with the incidental servicing and repair of vehicles.

ANCILLARY AUTO SALES

Places for the sale of new or previously owned cars, trucks, boats, and farm equipment, along with the incidental servicing and repair of vehicles, provided that any Ancillary Auto Sales use shall be operated in conjunction with a lawful Auto Sales use located within 1,500 feet of the Ancillary Auto Sales use and shall not be larger than the primary Auto Sales use.

2. Adding to the Table of Use Regulations, Section 650-17, a category for “Ancillary Auto Sales” under “Business Uses”, as follows:

	Zoning District Abbreviations											
	RR	A-1	A-2	A-3	RB	RC	RCR	B	CA	LI	I	MV
Business Use												
Ancillary Auto Sales	N	N	N	N	N	N	N	SP	SP	N	N	N

SET A PUBLIC HEARING FOR JUNE 4, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD; adopted.

ORDERED: That the Application for Renewal of Junk Dealers/Second Hand License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc. d/b/a Savers, 222A East Main Street, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealers/Second Hand License, Jean Rabelo, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealers/Second Hand License, Gerald Dumais, Dumais & Sons Second Hand Store, 65 Mechanic Street, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

Councilor Dumais recused.

ORDERED: That the Communication from Central Mass Mosquito Control Project re: Commencement of Larval Mosquito Control, **FILE**; adopted.

ORDERED: That the Minutes, Minutes, Conservation Commission, March 1, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Ad-Hoc Municipal Aggregation Committee, March 22, 2018, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, February 13, 2018 & February 27, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, January 31, 2018 & February 28, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, November 29, 2017, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Lyonel Jean-Pierre, 21 Reynolds Court, residential mailbox claim 2(a).
- b. Edward Bogle, 102 Naugler Avenue, residential mailbox claim 2(a).
- c. James Lukey, 37 Hurley Circle, pothole or other road defect & other property damage and/or personal injury.
- d. Catherine LaJeunesse, 285 Hemenway Street, residential mailbox claim 2(a).
- e. Bih-Lin Cho, 81 Dowling Lane., residential mailbox claim 2(a).
- f. Susan Soffan, 8 Pick Wicks Circle, Worcester, pothole or other road defect.
- g. Andrew Starvaski, 55 Green Street, #D158, Clinton, pothole or other road defect.
- h. USA Motor Sport Inc. 433 Maple Street, other property damage and/or personal injury.
- i. Natasha Heimrath, 67 Denoncourt Street, residential mailbox claim 2(a).

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

ORDERED: That the City Council review the results of the FY18 abbreviated budget process & that the City Council approve the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for the FY19 City budget, refer to **FINANCE COMMITTEE**; adopted.

The City Council will assess the results in April 2019 to determine if the practice will continue

ORDERED:

K-5 ELEMENTARY SCHOOL BOND

That the City of Marlborough, Massachusetts (the "City") appropriate the amount of Fifty-Six Million, Four Hundred Eighteen Thousand, Three Hundred and Thirty-Eight Dollars (\$56,418,338) for the purpose of paying the cost of (i) the construction of a proposed new K-5 Elementary School, including parking lots for such facility, to be constructed in the City on the site of an existing athletic field located on a portion of land on Poirier Drive, which land is owned by the City and known and numbered on the Assessors Map of the City as Map 30, Parcel 12, (ii) the reconstruction of Poirier Drive, which is a public way that will provide access to the school, and (iii) the renovation of athletic fields located on Poirier Drive adjacent to the school, including the payment of all costs incidental or related thereto (collectively, the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Comptroller/Treasurer is authorized to borrow said amount under M.G.L. Chapter 44, as amended and supplemented, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the proposed Project shall not exceed the lesser of (1) sixty-seven and seventy-one hundredths percent (67.71%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and that, if invited to collaborate with the MSBA on said Project, the amount of borrowing which is authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

ADVERTISE AND PLACE ON THE APRIL 23, 2018 CITY COUNCIL AGENDA; adopted.

ORDERED: That the Appointment of William Doherty to the Parks and Recreation Commission for a term to expire three years from date of City Council approval, **APPROVED;** adopted.

ORDERED: That the Reappointments of Robert Kays, Brenda Calder and Mark Vital to the Parks and Recreation Commission for three year terms, expiring three years from the date of their confirmation, **APPROVED;** adopted.

ORDERED: That the Appointment of Samantha Khosla to the Library Board of Trustees for a term to expire three years from date of City Council approval, **APPROVED;** adopted.

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING INTO CHAPTER 315 THE FOLLOWING:

35) Lodging Houses and Boardinghouses \$100 Building Commissioner and
(Chapter 421) his designee

AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING A NEW CHAPTER 421, AS FOLLOWS:

CHAPTER 421: Lodging Houses and Boarding Houses

§ 421-1 Authority and Scope

The following ordinance concerning lodging houses and boardinghouses has been adopted by the City Council pursuant to the provisions of Massachusetts General Laws ("M.G.L.") Chapter 140, as amended. Any and all licenses issued by the Licensing Board shall be governed by, and subject to the Licensee's compliance with all applicable federal, state and local laws, regulations and by-laws, including but not limited to the M.G.L., regulations of the Licensing Board, the ordinances of the City of Marlborough, all applicable building, fire prevention, zoning, health and sanitary codes, and any conditions the Licensing Board imposes on specific licenses. Where there is conflict between these ordinances and a condition on the license, the condition shall govern unless it is inconsistent with the law.

§ 421-2 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boarder, lodger, boardinghouse, lodging house, boarding unit, lodging unit shall have the same definitions as provided in § 650-5 of the City Code; consistent therewith, where the words lodging house are used, they shall also mean boardinghouse.

Licensee shall mean that person(s) or entity listed on the lodging house license and the owners of the land and building where the lodging house is operated.

§ 421-3 Application for a New or Renewed License

Prior to a new or renewed license being issued, Licensees and first-time applicants for a lodging house license shall request advisory reports from the Police Department, Fire Department, Collector, Board of Health, and Building Department, which advisory reports Licensees or first-time applicants shall furnish to the Licensing Board. The Licensing Board may deny an application for renewal of a license where there is cause for doing so. The Licensee's, or first-time applicant's, failure to comply with any federal, state or local law, regulation, or ordinance may be cause for denial of the application. This includes, but is not limited to, the ordinances of the City of Marlborough, the rules and regulations of the City of Marlborough Licensing Board, state and local health regulations, the state Building Code, and the state Fire Code.

§ 421-4 New or Newly Renovated Facilities and Existing Licensed Facilities:

- A. New and renovated lodging houses must comply with all applicable state and local codes, rules and regulations in effect at time of construction.
- B. Consistent with and as may be permitted by Building Code, Fire Code, and Health Code, respective City officials may establish more flexible standards than certain provisions of this ordinance, applicable to existing facilities previously licensed as lodging houses, so long as they conform with applicable code requirements in effect at the time of construction or rehabilitation.

§ 421-5 Responsibilities of Licensee:

The Licensee shall be responsible for the proper supervision, operation, and maintenance of the lodging house in accordance with the requirements of this ordinance and all other pertinent laws, regulations and ordinances. The appointment of an agent shall in no way relieve the Licensee from responsibility for full compliance with the law.

§ 421-6 Agent(s)

- A. If the Licensee, because of health, other employment, non-residence on the premises of the lodging house, frequent or extended absences from the lodging house or other reason, is unable to exercise proper supervision of the lodging house, he/she shall designate one or more agent(s) to carry out all or part of his/her responsibilities.
- B. If, for any reason, an agent ceases to exercise his/her responsibilities, the Licensee shall at once notify the Licensing Board, Board of Health, Building Department, Fire Department and Police Department and take immediate steps to provide proper interim supervision and obtain a suitable replacement.
- C. The agent(s) shall be available on a 24-hour basis and must post his/her telephone numbers (including cell phone number) and beeper number, as applicable, in a location accessible to lodgers.

§ 421-7 City Inspections

- A. City inspections of licensed lodging houses shall be made on an annual basis by authorized inspectional departments to determine compliance with applicable state and local laws, regulations and codes, and upon request pursuant to §25 of M.G.L. c. 140, as amended. The fee for said annual inspections shall be \$250.
- B. Annual inspections shall be made on week-days during normal City business hours. In addition, inspections may be made at other times (including but not limited to evenings and weekends) to investigate complaints or non-compliance issues. Inspections may include all areas occupied, used or controlled by the Licensee and within the structure containing the licensed premises, including rented and unrented units and other occupied and non-occupied space.
- C. Inspections shall be conducted in conformity with applicable federal, state and local law. Facilities requiring re-inspection are subject to a fee of \$50 per re-inspection.
- D. City officials shall, pursuant to an inspection under this ordinance or any other regulation or law, refer all violations of this ordinance and any other ordinance, regulation or law, whether federal, state, or local, which said officials are authorized to enforce, to the Licensing Board. All referrals to the Licensing Board shall also be mailed by first class mail to the Licensee and to the Licensee's agent, if any.

§ 421-8 Minimum Standards

- A. These regulations are minimum standards intended for the maintenance and enforcement required for the protection of health, safety and welfare of all persons concerned. If there is any conflict with state or local law, the stricter provision shall apply.
- B. All lodging houses shall comply with the requirements of Article II of the State Sanitary Code, Minimum Standards of Fitness for Human Habitation, which is incorporated herein by reference, and with the requirements of these regulations, whenever they are in addition to or more stringent than the requirements of Article II of said code.
- C. Licensees must have inspections performed by a licensed pest control operator (PCO) every 6 months (unless ordered to do so more frequently by the Health Department). PCO inspection reports must be kept on file for review. Inspections must include, but not be limited to, bed bugs, insects, and rodents. The licensee must take appropriate action to address any findings by the PCO. Licensees that can demonstrate long-term occupancy by a majority of the residents (greater than one year continued occupancy) may request a waiver of this inspection requirement. Waivers will be applied for and approved by the Director of Public Health.

D. The Licensee and his/her agent(s) shall comply with Chapter 406, Littering, and with Chapter 485, Property Maintenance, of the City Code, and all other state or local regulations and laws pertaining to the proper storage, collection, disposal of waste and property maintenance. Responsibilities of the Licensee and agent(s) include, but are not limited to, the following:

- (1) Storing garbage and trash in watertight, rodent-proof receptacles with tight-fitting covers;
- (2) Providing to lodgers as many receptacles as are sufficient to contain accumulation of all garbage and trash before collection for disposal;
- (3) Locating garbage and trash containers in an area where objectionable odors will not enter any boarding or lodging unit;
- (4) Removal of dumpster waste as frequently as necessary to prevent overflow, windblown trash and garbage, rodent infestation, and odors.

§ 421-9 Supervision

Licensees and their agent(s) shall:

- (1) Exercise due care in the selection of lodgers;
- (2) Inspect all common areas at least daily and all occupied rooms at least monthly and at every change of lodger to ensure that all such areas are in a clean and orderly condition and in compliance with Licensee's electrical use policy and regulations pertaining to obstruction of egress, cooking in rooms, and other health and safety hazards;
- (3) Post a schedule of inspections, for the purposes of notifying lodgers, at least forty-eight hours prior to said inspections. Posting of the schedule for inspections shall not apply in the case of an emergency;
- (4) Ensure that lodgers dispose of trash and garbage properly, and that lodgers store food items in a sanitary manner;
- (5) Ensure cleanliness of rooming units and common areas, if any;
- (6) Ensure an unobstructed path of egress from entry door to fire escape, particularly in exit rooms, stairs and hallways;
- (7) Ensure compliance by lodgers with Licensee's electrical use policy, and prohibit the use of candles and other items that requires burning to be used (incense, odor oils, etc.);
- (8) Prohibit the use of portable heaters;
- (9) Take whatever steps are necessary to prevent lodger(s) from repeatedly violating Licensee's rules or the requirements of this ordinance, or any other law or regulation, up to and including eviction; and
- (10) Comply with any other provisions or requirements as may be required by any department or board of the City of Marlborough.

§ 421-10 Automatic Fire Alarm System, Sprinkler Systems, Carbon Monoxide Protection

- A. All lodging houses shall be equipped with automatic smoke or heat detectors, an automatic sprinkler system, carbon monoxide alarms, carbon monoxide detectors and combination smoke/carbon detectors. The design, installation, and performance of said systems, alarms and detectors shall be in accordance with the state Building Code, the state Fire Code, NFPA and all applicable laws and regulations.
- B. The Licensee shall be responsible for the care and maintenance of all fire protection systems, including equipment and devices, to insure the safety and welfare of the lodgers. Installation of, or modification to, any automatic fire protection system shall require a permit from the Fire Department.
- C. Fire protection systems shall not be disconnected or otherwise rendered unserviceable, for purposes including but not limited to repair and maintenance, without first notifying the Fire Department.
- D. As part of the annual Fire Department inspection, all lodging houses must submit to Fire Department annual Fire Alarm and Sprinkler System tests.

§ 421-11 Penalty

- A. Refusal, neglect or failure to comply with any section of this ordinance shall be cause for a fine imposed pursuant to and in conformity with Chapter 315 of the City Code, and/or to the penalties imposed by M.G.L. c. 140 § 22, *et seq.*, as amended, where applicable, and/or such other provisions of law including but not limited to the state Sanitary Code, Fire Code, and Building Code, ordinances of the City of Marlborough and other regulations and fines applicable to the particular violation.
- B. The Licensee's refusal, neglect or failure to comply with any federal, state or local law, regulation, or ordinance including, but not limited to, this ordinance and nay other ordinance of the City of Marlborough, the state Sanitary Code, Fire Code, and Building Code, and any other local codes and regulations may be cause for denial, suspension or revocation of a license by the Licensing Board, and/or a fine as above.

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

An act authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises.

SECTION 1.

- (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Marlborough may grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138. A license granted pursuant to this act shall be subject to the conditions set by the said licensing authority and shall be subject to all of said chapter 138 except said section 17.
- (b) The licensing authority of the said city shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.
- (c) If a license granted pursuant to this act is cancelled, revoked, or no longer in use at the location of original issuance, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority of the said city and the said licensing authority may then grant the license to a new applicant at the same location under the same conditions as authorized in this act if the applicant files with the said licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

SECTION 2. This act shall take effect upon its passage.

APPROVED; adopted.

President Clancy called a recess at 9:04 PM and returned to open meeting at 9:07 PM.

Suspension of the Rules requested – granted.

ORDERED: That the Communication from the Planning Board regarding their approval of the Proposed Zoning Ordinance to further amend Chapter 650, several subsections as it pertains to the Medical Marijuana, Order No. 18-1007163-1, **FILE;** adopted.

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 BY ADDING THERETO AS FOLLOWS:

1. Section 650-17, entitled "Table of Uses," is hereby amended by deleting in its entirety the use entitled "Medical Marijuana Treatment Centers" and by inserting in place thereof the following:

	RR	A1	A2	A3	RB	RC	B	CA	LI	I	MV
Medical marijuana treatment centers (45)	N	N	N	N	N	N	SP	N	SP	N	N

2. Section 650-18, entitled "Conditions for Uses," is hereby amended by adding to said section a new paragraph (45), as follows:

(45) Medical marijuana treatment centers:

- (a) Shall only be located within those portions of the B and LI Districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Northborough town line to Massachusetts State Highway Route 495, and within those portions of the B and LI districts located along Massachusetts State Highway Route 20 (Boston Post Road) from the Sudbury town line to Phelps Street;
 - (b) Shall have frontage on Massachusetts State Highway Route 20 (Boston Post Road); and
 - (c) Shall be subject to the provisions of local and state laws, standards and regulations, and ordinances including without limitation § 650-32 of the Zoning Ordinance of the City of Marlborough, any conditions imposed on licenses and permits held by the medical marijuana treatment center, agreements between the medical marijuana treatment center and the City of Marlborough, and a Special Permit from the City Council (the "Special Permit Granting Authority").
3. Section 650-32 entitled "Medical Marijuana Treatment Centers" is hereby deleted in its entirety and inserted in place thereof shall be the following:

§650-32 MEDICAL MARIJUANA TREATMENT CENTER

- A. Subject to the provisions of this Zoning Ordinance, Chapter 40A of the Massachusetts General Laws, Chapter 94I of the Massachusetts General Laws, and 105 CMR 725.000, all as amended, the City of Marlborough Zoning Ordinance will not prohibit the location of a center for medical marijuana treatment within the City of Marlborough, but will instead regulate such centers. A Medical Marijuana Treatment Center should provide medical support, security, oversight by a physician, and standards that meet or exceed 105 CMR 725.000. These Centers should not compete to provide streamlined care to patients and should not provide a location for patients to wait for treatment in the vicinity of children. Therefore, to ensure that these Centers are located in such a way as to not pose a direct threat to the health or safety of either qualifying patients or the public at large, the provisions of this section will apply to all such Centers.
- B. In the interpretation of this chapter, the meanings of words and phrases shall be according to the definitions included in Chapter 369 of the Acts of 2012, Chapter 94I of the Massachusetts General Laws as amended, and 105 CMR 725.00 as amended, unless the context shows another sense to be intended. For purposes of this chapter, the following definitions shall also apply:

MARIJUANA-INFUSED PRODUCT (MIP) means a product infused with marijuana that is intended for use or consumption, including but not limited to edible products, ointments, aerosols, oils, and tinctures. These products, when created or sold by a Medical Marijuana Treatment Center business, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1.

MEDICAL MARIJUANA shall mean all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes MIPs except where the context clearly indicates otherwise.

MEDICAL MARIJUANA TREATMENT CENTER shall refer to the site(s) of dispensing, cultivation, and preparation of marijuana; shall mean a not-for-profit entity or a for-profit entity registered under 105 CMR 725.100 and known thereunder as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (MIPs), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers; and shall be subject to the regulations under § 650-32 of this Ordinance.

MEDICAL USE OF MARIJUANA shall mean the acquisition, cultivation, possession, processing (including development of related products such as Marijuana-Infused Products (MIPs) that are to be consumed by eating or drinking, tinctures, aerosols, oils, or ointments), transfer, transport, sale, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

PERSON shall mean an individual, non-profit entity, or for profit entity.

- C. In such zoning districts where a Special Permit is required for Medical marijuana treatment center, upon application, the Special Permit Granting Authority shall grant the Special Permit only upon its written determination that any adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Ordinance, the determination shall include, but is not limited to, consideration of each of the following:
 - 1. Social, economic, or community needs which are served by the proposal;
 - 2. Traffic flow and safety, including parking and loading;
 - 3. Adequacy of utilities and other public services;
 - 4. Neighborhood character and social structures;
 - 5. Impacts on the natural environment;
 - 6. Potential fiscal impact, including impact on City services, tax base, and employment;
 - 7. Hours of operation;
 - 8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority;
 - 9. Requiring payment of a community impact fee;

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission;
11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission;
12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Police Chief who shall have the authority to disapprove the employment of any person(s) as a result of said background check;
13. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises;
14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes;
15. The ability for the Business to:
 - a. provide a secure indoor waiting area for clients;
 - b. provide an adequate and secure pick-up/drop-off area;
 - c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals; and
 - d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
 - e. provide opaque exterior windows.
16. Signs and signage; and
17. Names of businesses, business logos and symbols, subject to state and federal law and regulations.

- D. The Special Permit Granting Authority may require the applicant to provide a traffic study, at the applicant's expense, to establish the impacts of the peak traffic demand.
- E. Applicants for a Special Permit shall be subject to Site Plan Review under § 270-2 of the Code of the City of Marlborough.
- F. A medical marijuana treatment center shall not be located:
 - a. Within a radius of five hundred (500) feet of a school (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough; and
 - b. Within a radius of five hundred (500) feet of a daycare center (as defined in § 517-2 of the Code of the City of Marlborough, as amended) located within the City of Marlborough.

The five hundred (500) foot distance in these section F. is measured in a straight line from the nearest point of the building in which the school or daycare center in question is located to the nearest point of the building within which the proposed Medical Marijuana Treatment Center would be located.
- G. Chapter 412 of the Code of the City of Marlborough, as amended, prohibiting the smoking, ingesting, or other use or consumption of marijuana in any place accessible to the public, shall be construed as applying to the medical use of marijuana inside a Medical Marijuana Treatment Center.
- 4. The effective date of these amendments shall be the date of their passage.

Councilor Juair recused.

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:15 PM.



City of Marlborough

Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant

MAYOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 19 A 10:38

F. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

April 19, 2018

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

Re: Transfer Request – Marlborough Community Development Authority

Honorable President Clancy and Councilors:

Please find enclosed a transfer request in the amount of \$400,000.00 from the Open Space Stabilization account to the Marlborough Community Development Authority. I am proposing this transfer in exchange for the Marlborough Community Development Authority Board's approval to convey 19 properties to the City of Marlborough, including a large parcel on Winter Street abutting Stevens Park.

I have enclosed an order of acceptance for each of the parcels as well as a map and image of each parcel in relation to abutting lots. I have also enclosed a proposed friendly eminent domain taking order to ensure that we will obtain clear title for each of these parcels.

The property varies from small parcels on Main Street to the large open space on Winter Street. The 2.1-acre Winter Street lot was made available for sale by the MCDA in 2014. The MCDA received a \$400,000.00 bid that was rejected for several reasons.

I believe it is important for the City to control of each of these parcels and this transfer adequately compensates the MCDA. These funds will be used by the MCDA to assist financing the renovation project for the 42-unit elderly, affordable housing on Pleasant Street. Under the state's program, this \$400,000 will be leveraged to obtain over \$1 million in additional state funding. This MCDA project with state funding assistance will include a gut renovation of all units to ensure that residents have spacious, clean, and quality living spaces.

If you have any questions, please do not hesitate to contact me or Doug Bushman. We are both available to meet with the City Council as needed. Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Revised Motion to Approve Land Transfer to City of Marlborough

WHEREAS, Marlborough Community Development Authority (MCDA) is the owner of record of the real property parcels listed in this motion and has no continuing need for such parcels of land and therefore ownership of such surplus lots will be transferred to the City of Marlborough, with any conditions noted below:

WHEREAS, this motion revises the Land Transfer motion that the MCDA Board approved at its April 6TH 2018 public board meeting and includes all of the real property parcels listed below:

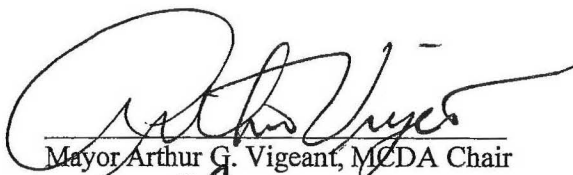
#	Street	Map	Block	Notes
1	Winter Street	68	52	Full Transfer
2	Newton & Weed Streets Raffaele Petroluongo Parking Deck	69	452	Transfer Excludes Parking Garage
3	Weed Street	69	455	Full Transfer
4	Weed & Main Streets	69	461	Full Transfer
5	Main Street	69	477A	Full Transfer
6	Main Street /Parking Lot	70	25	Full Transfer
7	Main Street / Parking Lot	70	29A	Full Transfer
8	Main Street / Parking Lot	70	30	Full Transfer
9	Main Street / Parking Lot	70	30A	Full Transfer
10	Main Street / Parking Lot	70	31	Full Transfer
11	Main Street	70	33A	Full Transfer
12	Main Street	70	34	Full Transfer
13	Main Street	70	77A	Full Transfer
14	Weed Street / Raffaele Petroluongo Parking Deck	70	128	Transfer Excludes Parking Garage
15	Weed & Court Streets /Carl R. Rowe Parking Deck	70	131	Transfer Excludes Parking Garage
16	Weed & Court Streets	70	131A	Full Transfer
17	Weed Street (adjacent CityHall)	70	135A	Full Transfer
18	Weed Street	70	141	Full Transfer
19	Weed & Main Streets	70	142	Full Transfer

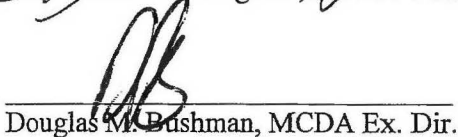
WHEREAS, that the land and parcels listed in this motion is be transferred to the City of Marlborough for a fee of Four Hundred Thousand Dollars (\$400,000.00), payable to the MCDA upon such transfer.

THEREFORE, BE IT FURTHER RESOLVED, this motion authorizes the Mayor of the City of Marlborough, and Chair of the MCDA, to negotiate the transfer of the properties listed above to the City of Marlborough and to execute such documents as deemed necessary for the conveyance of such land. Passage of this motion extinguishes the legal and property rights held by the MCDA with the real property parcels listed above.

Motion Approved: 11-5 MCDA Members Absent: 0 Members Absent 5

Signatures of MCDA Members Approving this Motion:


 Mayor Arthur G. Vigeant, MCDA Chair


 Douglas M. Dushman, MCDA Ex. Dir.

Paul Denny
 Sofiana Ferruccio
 Renee Perdomo
 Doug M. D.
 4/18/18
 Date

4-18-18
 Date

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2018

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,035,628.06	\$400,000.00	83600	32918	<u>Open Space Stabilization</u>	\$400,000.00	<u>24518102</u>	<u>50114</u>	<u>MCDA</u>	\$0.00
	Reason:	Real estate transfer with Community Development Authority							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
	\$400,000.00	Total			\$400,000.00	Total			

Department Head signature: _____
 Auditor signature: *[Signature]*
 Comptroller signature: *[Signature]*

STABILIZATION FUND ANALYSIS FY18:

	Open Space	Future Growth (sunset 6/30/18*)	Downtown Econ Development	Undesignated	Total
7/1/2017 TOTAL	1,028,071.76	675,000.00	800,000.00	11,182,140.95	\$13,685,212.71
9/30/2017 Interest Jul, Aug, Sept	2,660.05			6,437.55	
11/27/2017 CO# 17-1007094(from free cash)				1,100,000.00	
12/31/2017 Interest Oct, Nov, Dec	2,813.51			6,808.84	
2/28/2018 Interest Jan, Feb	2,082.74			5,040.30	
Total	1,035,628.06	675,000.00	800,000.00	12,300,427.64	\$14,811,055.70

* sunset clause that states funds will be transferred to
undesig stab acct if not utilized by 6/30/18

ORDERED:

That pursuant to § 14 of Chapter 40 of the General Laws of Massachusetts, the City, acting by and through the City Council of the City of Marlborough, does hereby accept title, by deed or deeds of conveyance, from the Marlborough Community Development Authority to the fee simple interest in certain parcels of below-described land, said deed or deeds to be recorded herewith at the Middlesex County South Registry of Deeds:

That certain parcel containing about 91,476 square feet, or 2.1 acres, more or less, located on Winter Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 68, Parcel 52, and recorded at the South Middlesex County Registry of Deeds at Book 18454, Page 26;

That certain parcel containing about 35,283.6 square feet, or 0.81 acres, more or less, also known as Newton Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 69, Parcel 452, and recorded at the South Middlesex County Registry of Deeds at Book 12444, Page 415, but not including the buildings and structures thereon;

That certain parcel containing about 2,178.0 square feet, or 0.05 acres, more or less, also known as 0 Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 69, Parcel 455, and recorded at the South Middlesex County Registry of Deeds at Book 13494, Page 553;

That certain parcel containing about 2,014.0 square feet, or 0.046 acres, more or less, also known as 0 Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 69, Parcel 461, and recorded at the South Middlesex County Registry of Deeds at Book 13427, Page 726;

That certain parcel containing about 5,096.52 square feet, or 0.117 acres, more or less, on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 69, Parcel 477A, and recorded at the South Middlesex County Registry of Deeds at Book 12537,192;

That certain parcel containing about 23,522.4 square feet, or 0.54 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 25, and recorded at the South Middlesex County Registry of Deeds at Book 12506, Page 480;

That certain parcel containing about 2,613.6 square feet, or 0.06 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 29A, and recorded at the South Middlesex County Registry of Deeds at Book 12558, Page 546;

That certain parcel containing about 2,613.6 square feet, or 0.06 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City

of Marlborough as Map 70, Parcel 30, and recorded at the South Middlesex County Registry of Deeds at Book 12697, Page 152;

That certain parcel containing about 435.6 square feet, or 0.01 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 30A, and recorded at the South Middlesex County Registry of Deeds at Book 12450, Page 321;

That certain parcel containing about 12,632.4 square feet, or 0.29 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 31, and recorded at the South Middlesex County Registry of Deeds at Book 12450, Page 321;

That certain parcel containing about 435.6 square feet, or 0.01 acres, more or less, located off of Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 33A, and recorded at the South Middlesex County Registry of Deeds at Book 12965, Page 119;

That certain parcel containing about 1,742.4 square feet, or 0.04 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 34, and recorded at the South Middlesex County Registry of Deeds at Book 12532, Page 584;

That certain parcel containing about 435.6 square feet, or 0.01 acres, more or less, located on Main Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 77A, and recorded at the South Middlesex County Registry of Deeds at Book 12910, Page 555;

That certain parcel containing about 26,571.6 square feet, or 0.61 acres, more or less, being a portion of Florence Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 128, and recorded at the South Middlesex County Registry of Deeds at Book 13494, Page 553, but not including the buildings and structures thereon;

That certain parcel containing about 35,709.2 square feet, or 0.82 acres, more or less, located on and across Weed Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 131, and recorded at the South Middlesex County Registry of Deeds at Book 13494, Page 551, but not including the buildings and structures thereon;

That certain parcel containing about 2,613.6 square feet, or 0.06 acres, more or less, also known as a portion of Weed Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 131A, and recorded at the South Middlesex County Registry of Deeds at Book 12558, Page 553;

That certain parcel containing about 348.0 square feet, or 0.117 acres, more or less, located off Weed Street, Marlborough, MA and shown on the Assessor's Map of the City

of Marlborough as Map 70, Parcel 135A, and recorded at the South Middlesex County Registry of Deeds at Book 13494, Page 551;

That certain parcel containing about 5,227.2 square feet, or 0.12 acres, more or less, also known as a portion of Weed Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 141, and recorded at the South Middlesex County Registry of Deeds at Book 13494, Page 551; and

That certain parcel containing about 435.6 square feet, or 0.01 acres, more or less, also known as a portion of Weed Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 70, Parcel 142, and recorded at the South Middlesex County Registry of Deeds at Book 923, Page 170.

ADOPTED

In City Council
Order No. 18-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain parcels of land located in various places in Marlborough, Massachusetts, as more particularly described herein, be taken by eminent domain as general corporate property, confirming and making clear the title of the City of Marlborough to said parcels of land and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the permanent easement interest in the following described land, including all trees and other vegetation thereon.

DESCRIPTION OF LAND TAKEN AND AWARD OF DAMAGES

For each of the below parcels of land, the fee simple interest is hereby taken, by eminent domain, from owner the Marlborough Community Development Authority (hereinafter, "Owner" or the "CDA"), **exclusive of the structures or buildings located thereon**. The ownership of said parcels and each of them are supposed to be as stated herein, but said fee simple interest and each of them are hereby taken whether the ownership is as stated herein or otherwise. The CDA has agreed to accept \$1.00 (one dollar) as adequate compensation and damages for this taking, having waived and released the City of Marlborough from all claims resulting from the taking, and having waived its right to appeal or contest said taking. Accordingly, the City Council hereby makes the award for damages to the owner of record, the Marlborough Community Development Authority, in the amount of \$1.00 (one dollar).

Assessors' Map & Parcel No.	Owner's Book/Page (Middlesex County South Registry of Deeds)	Address or Street Location	Area (S.F. ± /Acres±)
68-52	18454/26	Winter Street	91,476/2.1
69-452	12444/415	Newton Street	35,283.6/0.81
69-455	13494/553	0 Main Street	2,178.0/0.05
69-461	13427/726	0 Main Street	2,014.0/0.046

DESCRIPTION OF LAND TAKEN
(continued)

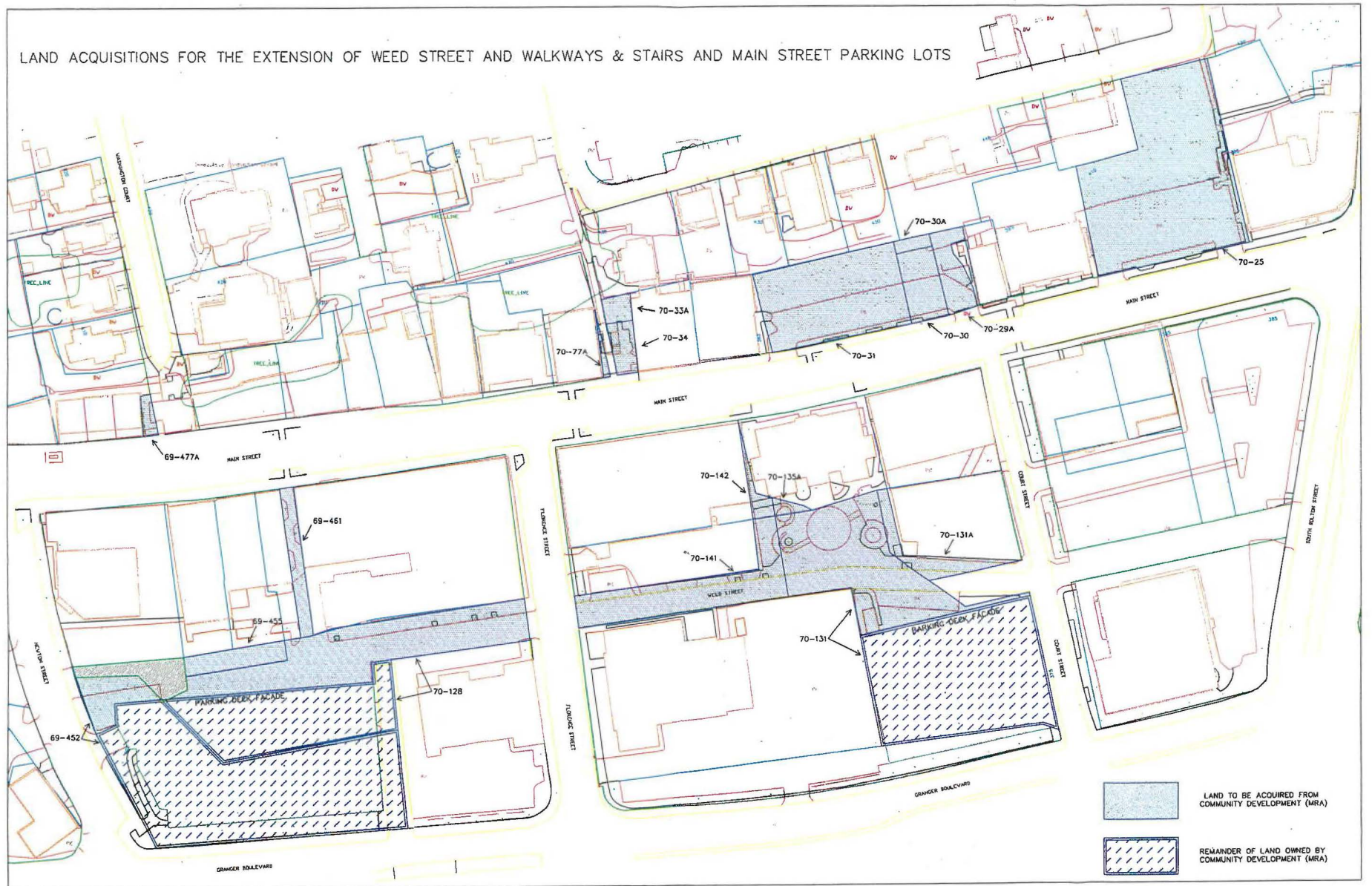
Assessors' Map & Parcel No.	Owner's Book/Page (Middlesex County South Registry of Deeds)	Address or Street Location	Area (S.F. ± /Acres±)
69-477A	12357/192	Main Street	5,096.52/0.117
70-25	12506/480	Main Street	23,522.4/0.54
70-29A	12558/546	Main Street	2,613.6/0.06
70-30	12697/152	Main Street	2,613.6/0.06
70-30A	12450/321	Main Street	435.6/0.01
70-31	12450/321	Main Street	12,632.4/0.29
70-33A	12965/119	off Main Street	435.6/0.01
70-34	12532/584	Main Street	1,742.4/0.04
70-77A	12910/555	Main Street	435.6/0.01
70-128	13494/553	a portion of Florence Street	26,571.6/0.61
70-131	13494/551	on and across Weed Street	35,709.2/0.82
70-131A	12558/553	a portion of Weed Street	2,613.6/0.06
70-135A	13494/551	off Weed Street	348.0/0.117
70-141	13494/551	a portion of Weed Street	5,227.2/0.12
70-142	923/170	a portion of Weed Street	435.6/0.01

ADOPTED
In City Council
Order No. 18-
Adopted

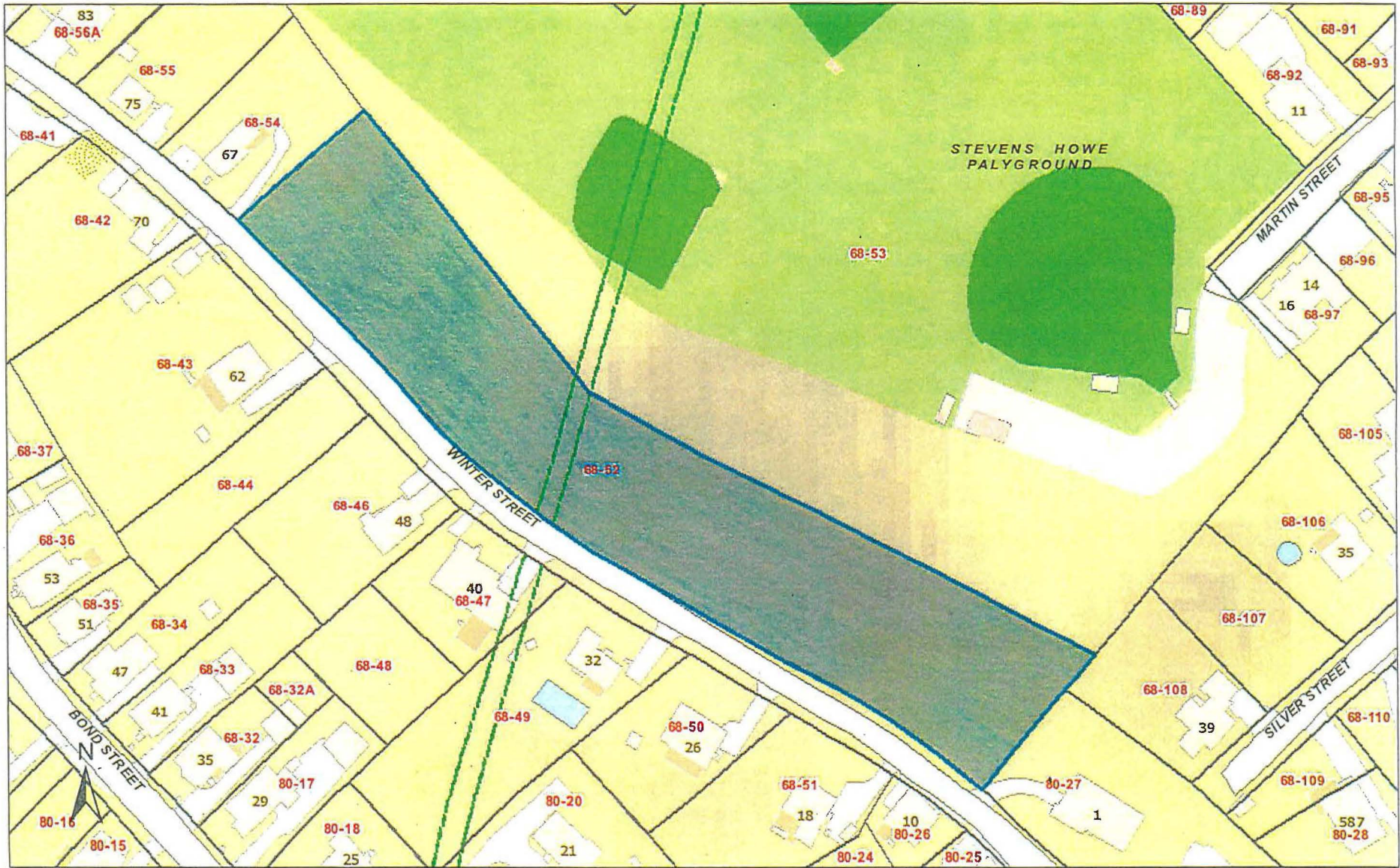
Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST

LAND ACQUISITIONS FOR THE EXTENSION OF WEED STREET AND WALKWAYS & STAIRS AND MAIN STREET PARKING LOTS



Map 68 Parcel 52 - 2.1 Acres on Winter Street



- Easements
- Unpaved
- Driveways
- Parking Lots
- Type**
- Paved
- Paved

1 inch = 100 feet



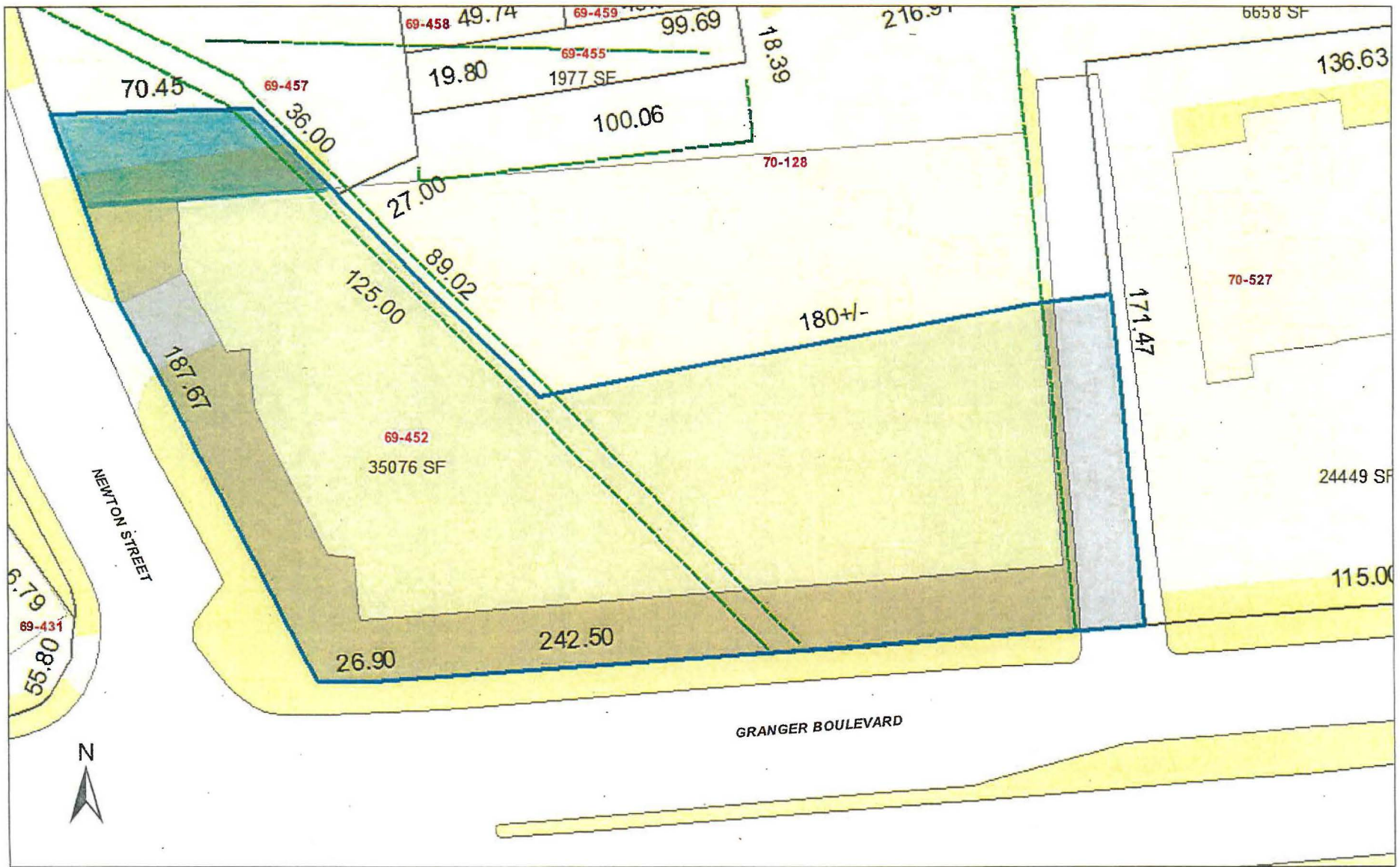
March 21, 2018

City of Marlborough



All Marlborough GIS data is to be considered a generalized spatial representation that is subject to revisions. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web site is not intended to be used as the exclusive basis for decision-making.

Portion of Map 69 Parcel 452 - Approx. 2,260 s.f.



Legend

1 inch = 40 feet



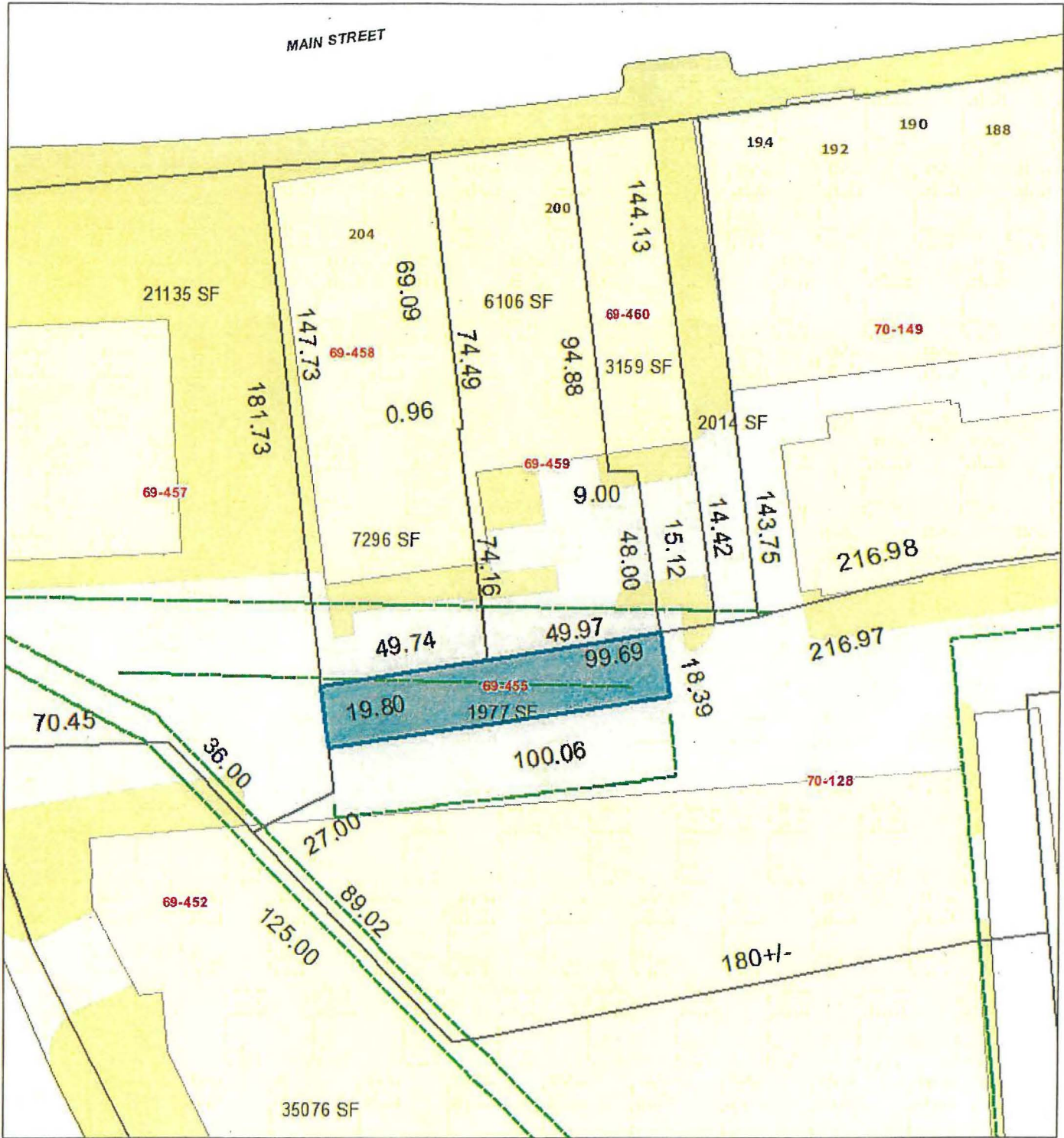
March 22, 2018

City of Marlborough



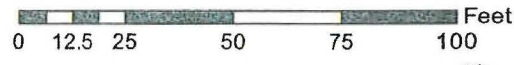
All Marlborough GIS data is to be considered a generalized spatial representation that is subject to revisions. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web site is not intended to be used as the exclusive basis for decision-making.

Map 69 Parcel 455 - 1,977 sq.ft.



March 21, 2018

1 inch = 40 feet



Easements

Parking Lots

Type

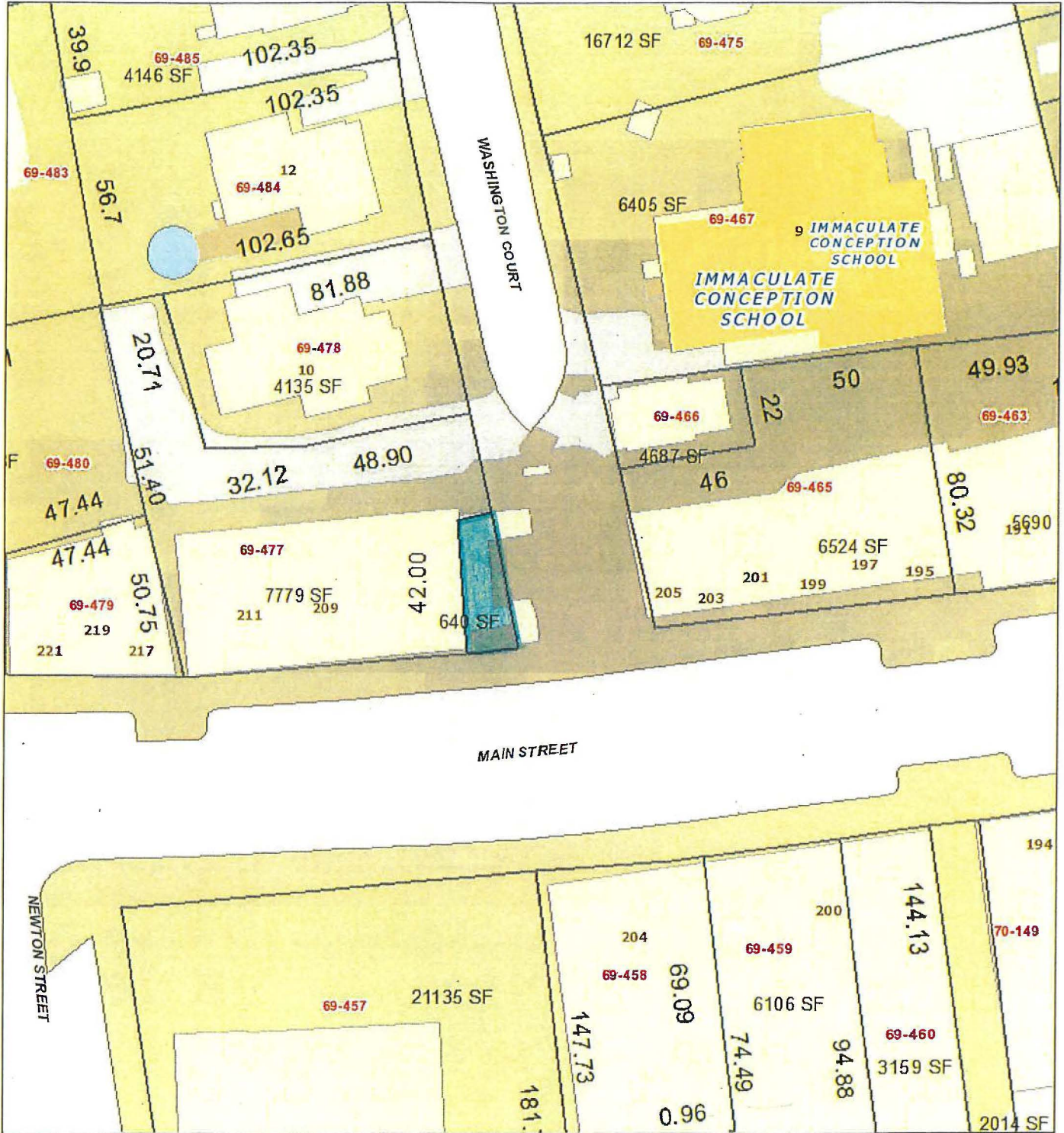
Paved

City of Marlborough
Massachusetts



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Map 69 Parcel 477A - 640 sq.ft.



March 21, 2018

Driveways

Type

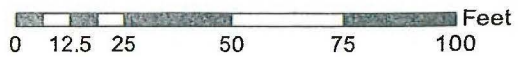
Paved

Parking Lots

Type

Paved

1 inch = 40 feet

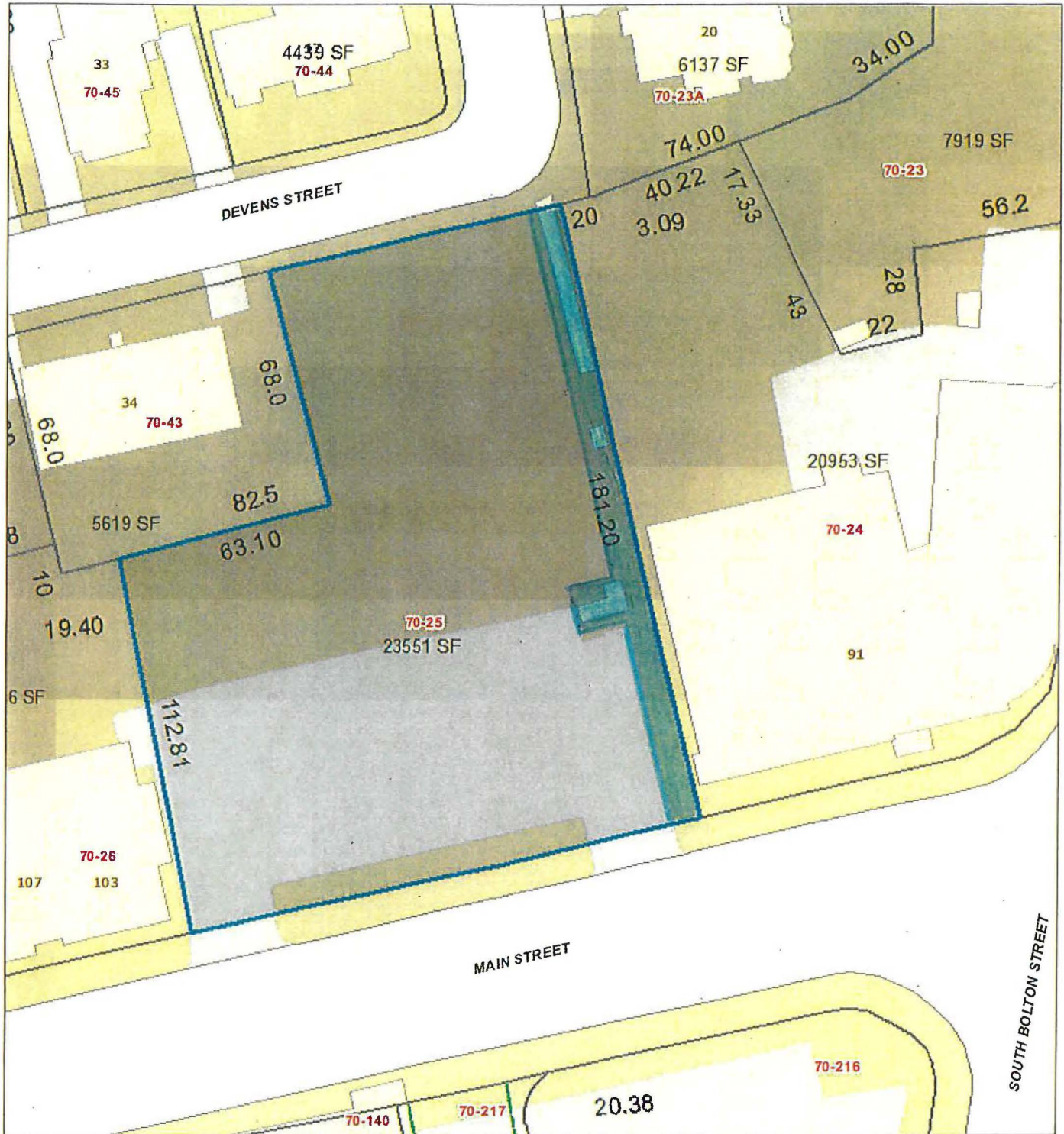


City of Marlborough
Massachusetts

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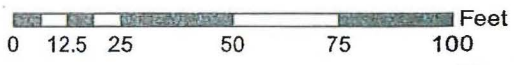
Portion of Map 70 Parcel 25 - approx. 2,200 sq.ft.



March 21, 2018

- Easements
- Parking Lots
- Driveways
- Type**
- Paved
- Paved

1 inch = 40 feet



City of Marlborough
Massachusetts



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Map Parcel 30A - Approx. 1 s.f.



Legend

1 inch = 40 feet

March 23, 2018

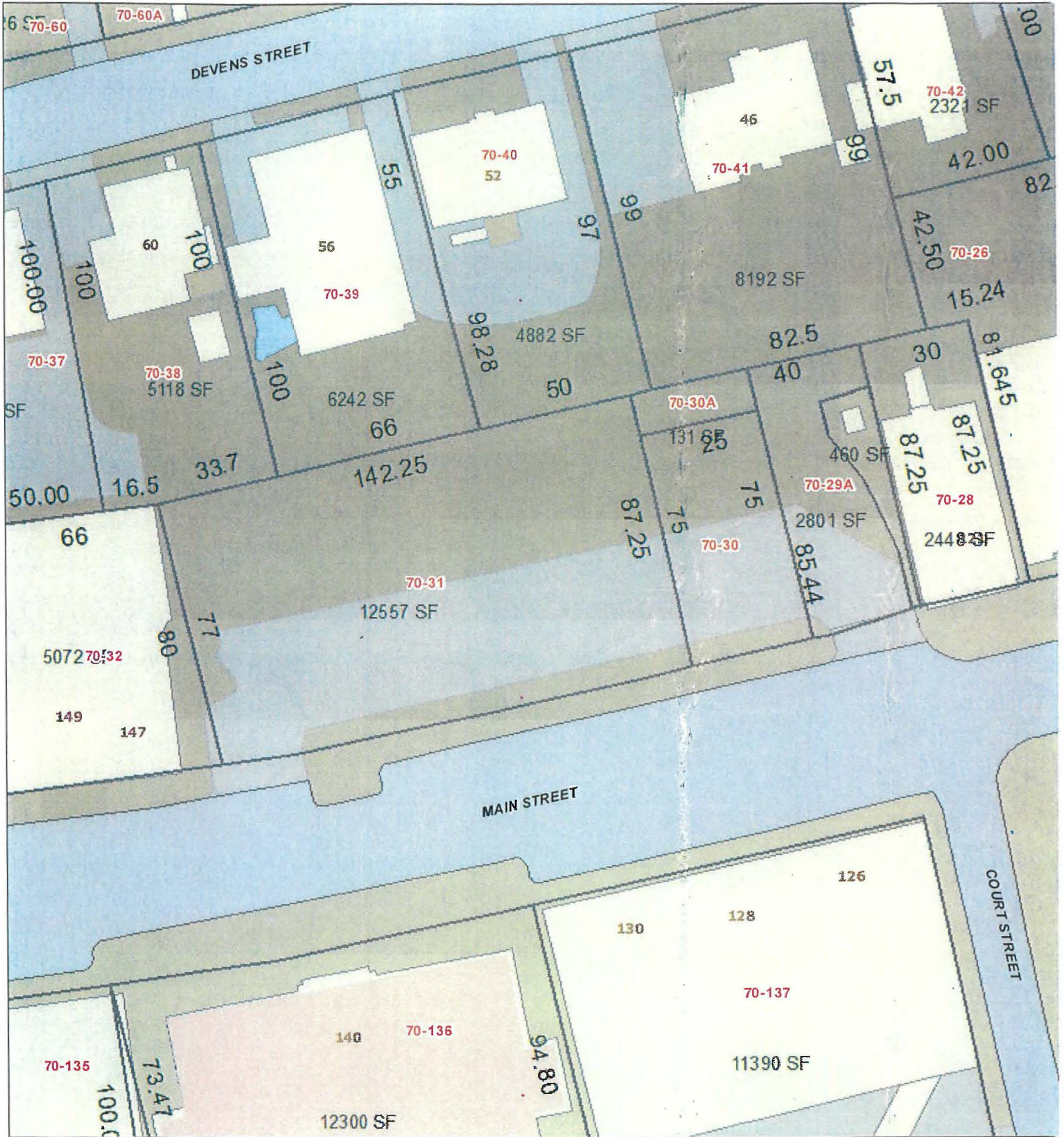


City of Marlborough
Massachusetts

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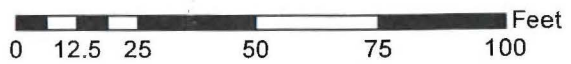
Map 7^A Parcel 31 - Approx. 12[±]57 s.f.



Legend

1 inch = 40 feet

March 26, 2018

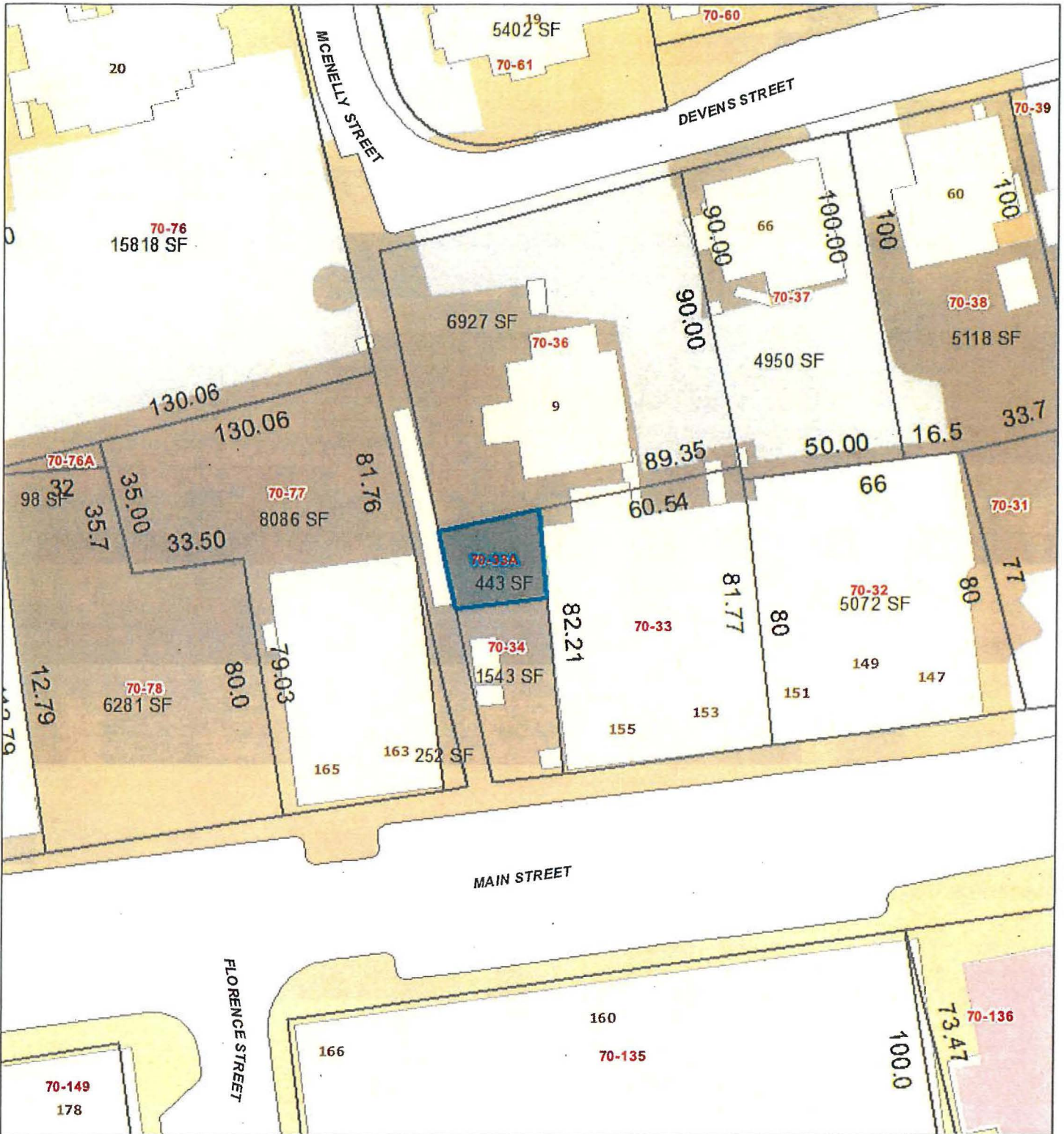


City of Marlborough
Massachusetts

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Map 70 Parcel 33A - 443 sq.ft.



March 21, 2018

Driveways

Type

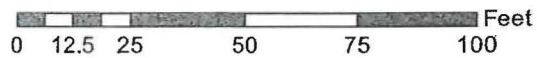
Paved

Parking Lots

Type

Paved

1 inch = 40 feet

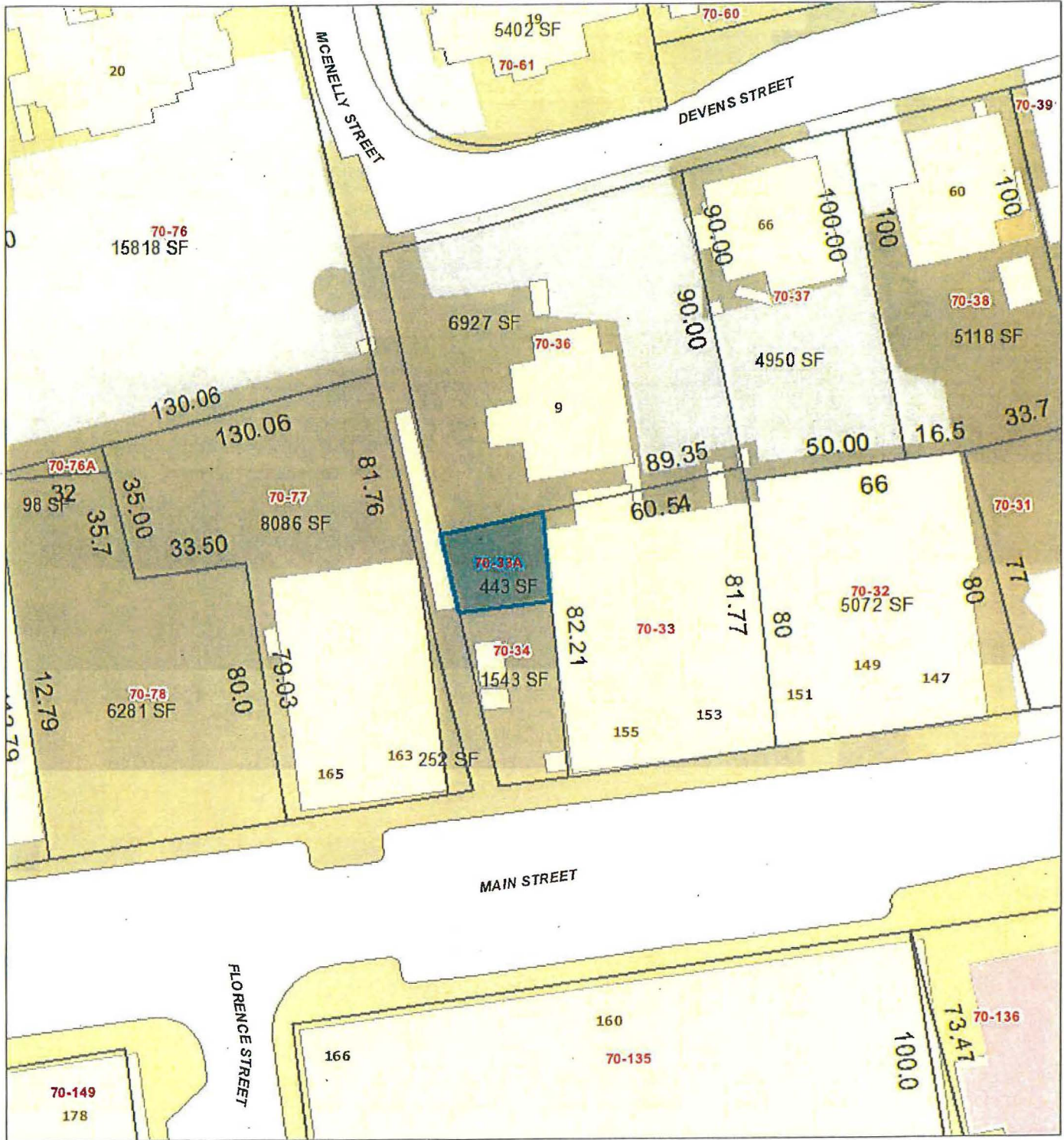


City of Marlborough
Massachusetts

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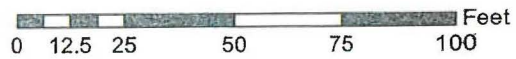


Map 70 Parcel 33A - 443 sq.ft.



March 21, 2018

1 inch = 40 feet



Driveways

Type

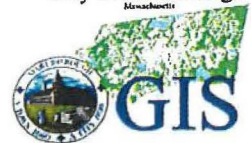
Paved

Parking Lots

Type

Paved

City of Marlborough
Massachusetts



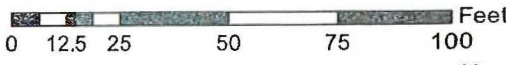
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Map 70 Parcel 34 - 1,543 sq.ft.



March 21, 2018

1 inch = 40 feet



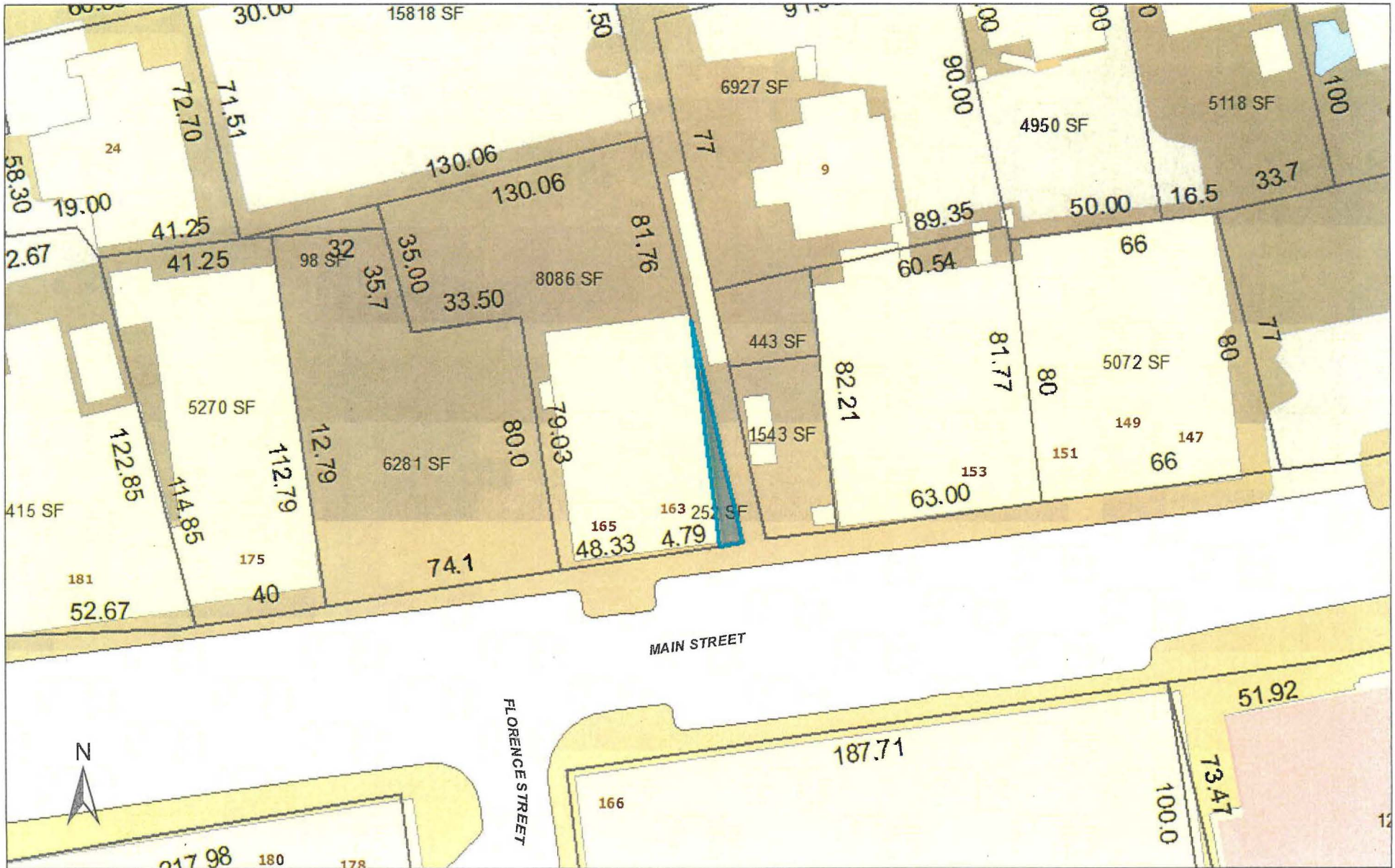
- Driveways
 - Type
 - Paved
- Parking Lots
 - Type
 - Paved

City of Marlborough

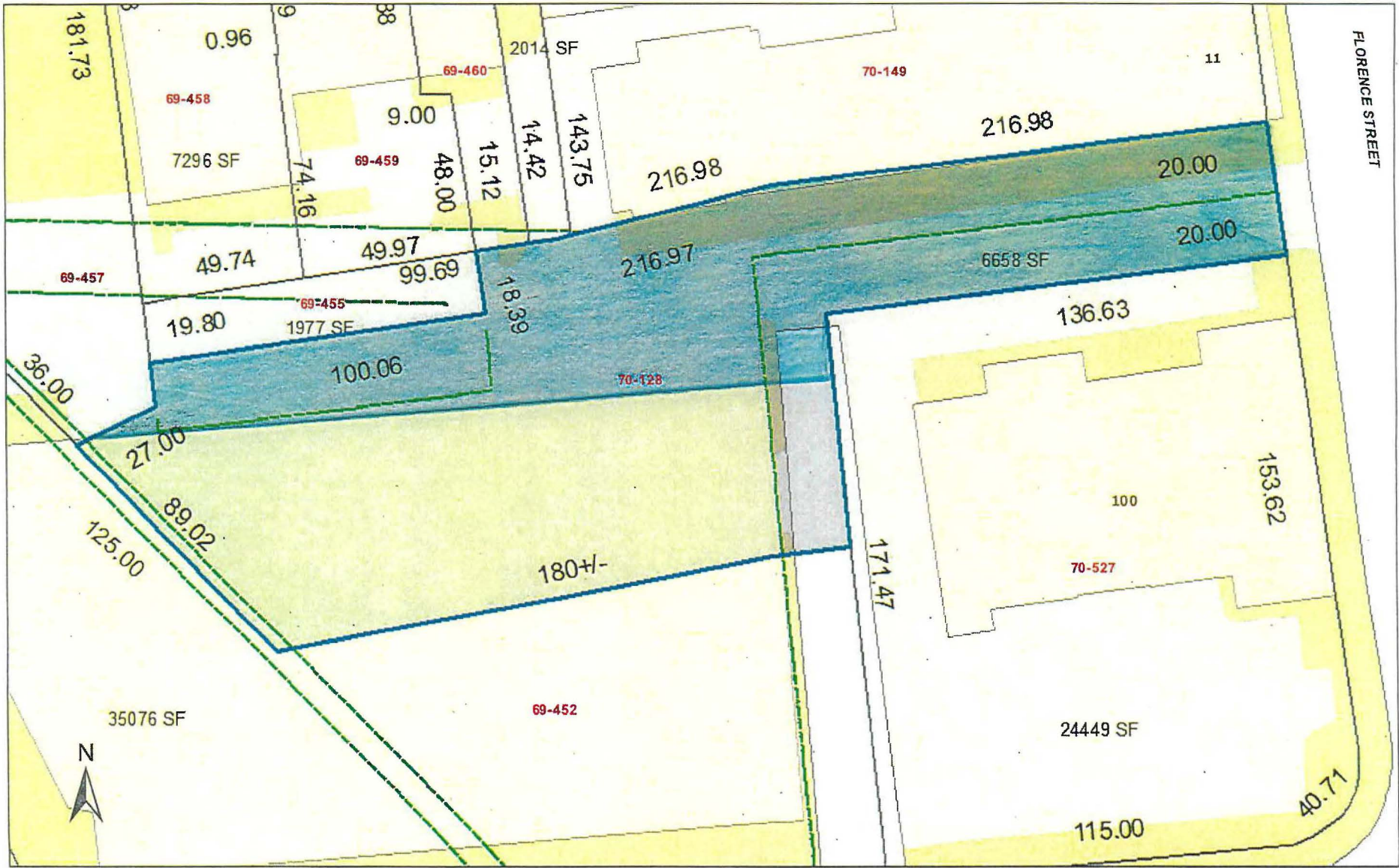
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Map 70 Parcel 77A 252 sq. ft.



Portion of Map 70 Parcel 128 - 14,310 s.f.



Legend

1 inch = 40 feet



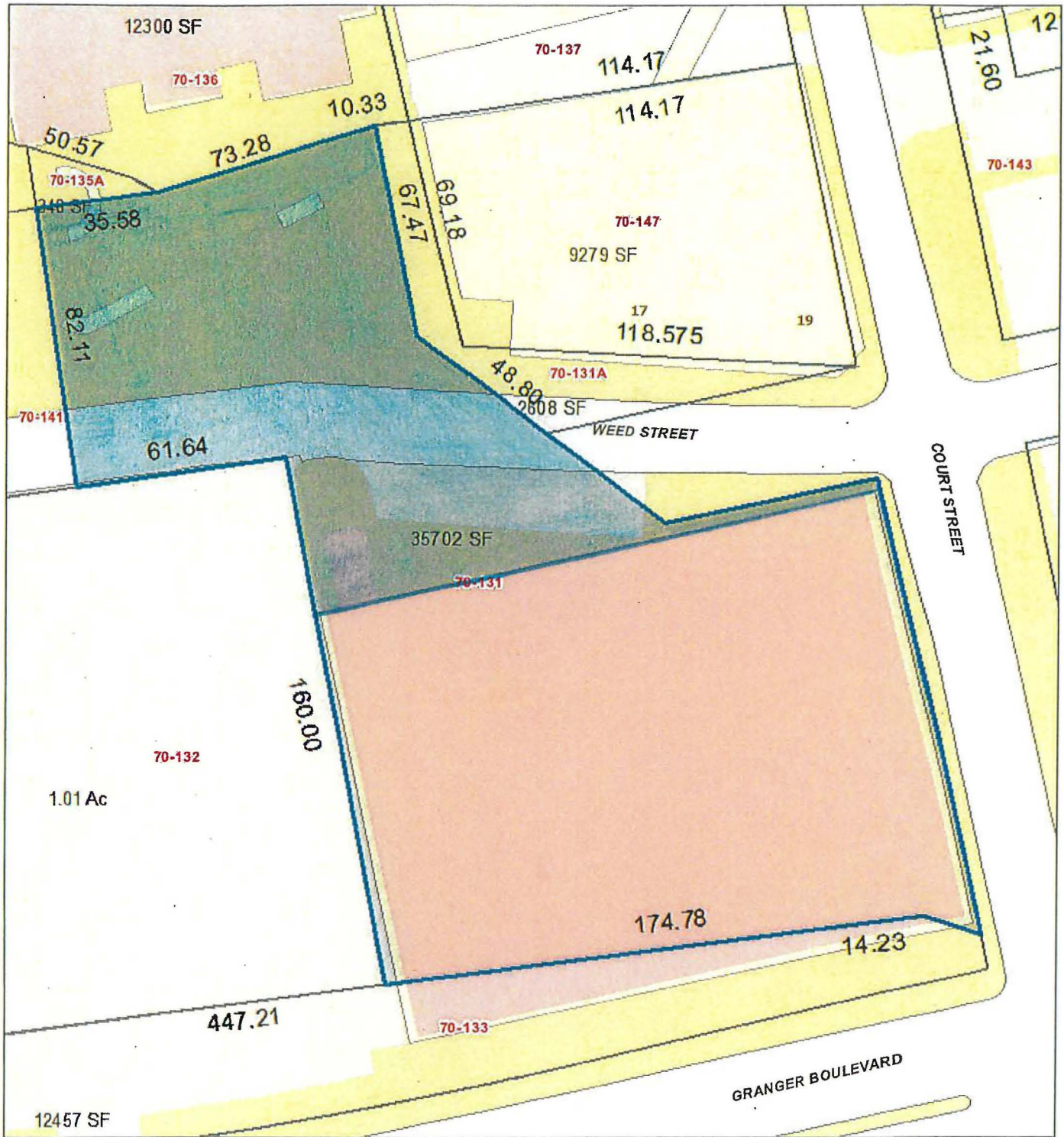
March 22, 2018

City of Marlborough



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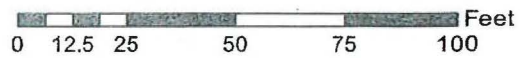
Portion of Map 70 Parcel 131 - Approx. 14,200 s.f.



Legend

1 inch = 40 feet

March 22, 2018



City of Marlborough
Massachusetts

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Map 70 Parcel 131A - 2,608 sq. ft.



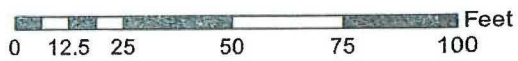
March 21, 2018

Parking Lots

Type

Paved

1 inch = 40 feet



City of Marlborough
Massachusetts

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Map 70 Parcel 135A - 225 Sq. Ft.



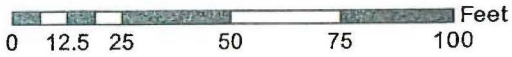
March 21, 2018

Parking Lots

Type

Paved

1 inch = 40 feet

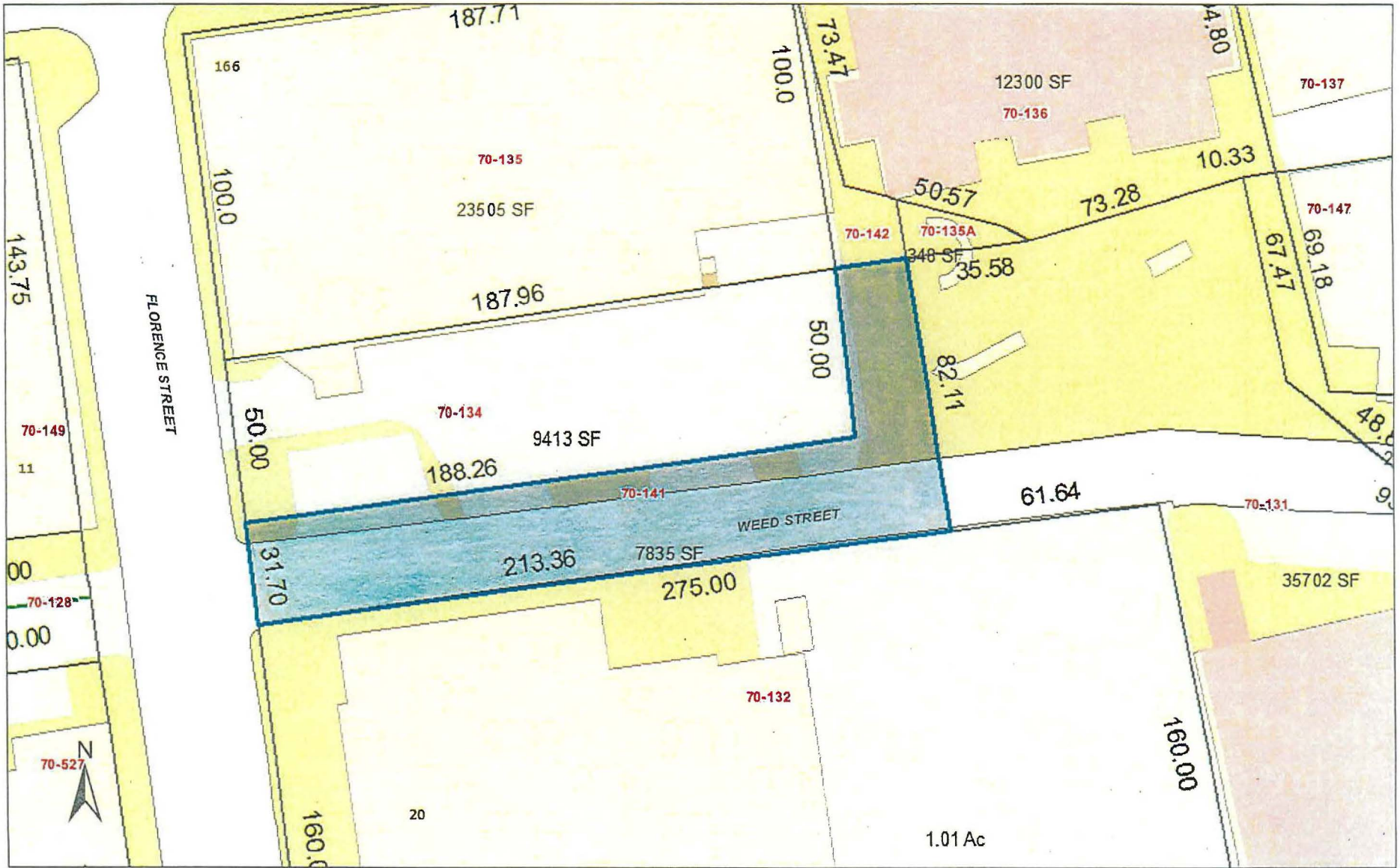


City of Marlborough
Massachusetts

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Map 70 Parcel 141 - 7,835 s.f.



Legend

1 inch = 40 feet



March 22, 2018

City of Marlborough



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City of Marlborough Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
RECEIVED
MAYOR
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
EXECUTIVE AIDE
2018 APR 19 A 10 39
Patricia Bernard
EXECUTIVE SECRETARY

April 19, 2018

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

Re: Transfer Request – City Clerk

Honorable President Clancy and Councilors:

Please find enclosed a transfer request in the amount of \$8,000.00 from the Reserve for Salaries account to the City Clerk's Advertising Account to fund legal advertisements.

Due a busy legislative session, additional funds are needed to purchase advertising space in various local newspapers.

If you have any questions, please do not hesitate to contact me or City Clerk Lisa Thomas.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



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

**Lisa M. Thomas
City Clerk**

April 17, 2018



Mayor Arthur G. Vigeant
President Edward J. Clancy
140 Main St.
Marlborough, MA 01752

Dear Mayor and Council President:

I respectfully request a transfer of \$8,000.00 from Reserve for Salaries account 11990006-57820 to Advertising account 11610004-53150. Although I currently have \$2,877.31 in the Advertising account, I subsequently received a bill from Main St. Journal in the amount of \$3,093.75. Additionally, there are other ads that were/will be advertised in the Main St. Journal, Marlborough Enterprise and Metro West Daily News, of which I will be receiving invoices in FY18.

As you know I cannot predict advertising fund cycles. A great body of work has been transacted by City Council and the Mayor's office, of which some, necessitated lengthy advertisements.

If possible, I would appreciate approval in a timely manner so that I may pay the advertising bills accordingly.

Thank you in advance for your cooperation. Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Lisa M. Thomas
City Clerk

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: City Clerk

FISCAL YEAR: 2018

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
<u>\$407,140.00</u>	<u>\$8,000.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for salaries</u>	<u>\$8,000.00</u>	<u>11610004</u>	<u>53150</u>	<u>Advertising</u>	<u>\$3,357.55</u>	
	Reason:	_____					To fund high volume of advertising through year-end			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
	Reason:	_____					_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
	Reason:	_____					_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
	Reason:	_____					_____			
	\$8,000.00	Total			\$8,000.00	Total				

Department Head signature:

Auditor signature:

Comptroller signature:



City of Marlborough Office of the Mayor

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Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Michelle J. Milano
EXECUTIVE AIDE
2018 APR 19 A 10:39
Patricia Bernard
EXECUTIVE SECRETARY

April 19, 2018

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

Re: City of Marlborough Management Letter for Fiscal Year 2017

Honorable President Clancy and Councilors:

Please find enclosed a copy of the City of Marlborough's Management Letter for Fiscal Year 2017 from our outside auditors, Roselli, Clark, & Associates.

I am proud of the hard work of Auditor Diane Smith and Comptroller / Treasurer Brian Doheny in helping obtain another clean audit. We continue to make progress on recommendations from Roselli, Clark, & Associates past audits. We have reviewed their Fiscal Year 2017 audit closely.

Our strong AA+ credit rating ensures that we are able to secure good value in the bond market. Thank you for your continued collaboration, oversight, and assistance on maintaining Marlborough's strong financial standing for future generations.

If you have any questions, or would like to discuss either of these documents in detail, please do not hesitate to contact me, Brian Doheny, or Diane Smith.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH, MASSACHUSETTS

MANAGEMENT LETTER

YEAR ENDED JUNE 30, 2017

Table of Contents

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Findings and Recommendations	6



ROSELLI, CLARK & ASSOCIATES
CERTIFIED PUBLIC ACCOUNTANTS

500 West Cummings Park
Suite 4900
Woburn, MA 01801

Telephone: (781) 933-0073

www.roselliclark.com

The Honorable Mayor and City Council
City of Marlborough
Marlborough, Massachusetts

In planning and performing our audit of the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Marlborough, Massachusetts (the "City") as of and for the year ended June 30, 2017, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

This communication is intended solely for the information and use of management, the Mayor, City Council and others within the City, and is not intended to be, and should not be, used by anyone other than these specified parties.

Roselli, Clark & Associates

Roselli, Clark & Associates
Certified Public Accountants
Woburn, Massachusetts
December 13, 2017

OVERVIEW

Throughout fiscal year 2017, the local, state-wide and national economies continued to strengthen. Unemployment rates are low and property values are rising. The City continues to experience new growth. A number of significant commercial and industrial building projects are underway, which will further strengthen the City's already impressive property tax base. Furthermore, several large corporations have relocated to the City, recognizing its affordable housing, vibrant restaurants, good location and proximity to many institutions of higher education.

The City's financial condition continues to be strong. The City has not increased its property tax rates (subject to Proposition 2 ½) in many years. Rather, property tax growth has come in the form of new growth within the City. Despite this, the City enjoys nearly \$33.6 million in unused levy capacity.

In its governmental funds financial statements, which most closely resembles the City's statutory accounting records, the City's unassigned fund balance in its general fund exceeded \$33.1 million at June 30, 2017. This is an approximate \$3.4 million increase from the prior year and is indicative of strong revenue growth. Included in the unassigned fund balance at June 30, 2017 and 2016 was approximately \$13.7 million and \$11.6 million in stabilization funds, respectively.

Liquidity in the general fund is often measured by comparing both the unassigned fund balance to the current year's total fund expenditures. Credit rating bureaus often refer to this as a "reserve ratio." At June 30, 2017, the unassigned fund balance in the general funds approximated 22% of total general fund expenditures. Furthermore, the total fund balance in the general fund approximated 27% of that same amount. The City's reserve ratio of 22% at June 30, 2017 is very strong and was consistent with the prior year's reserve ratio.

The City has been at the forefront in Massachusetts in establishing and funding an OPEB trust to assist the City in funding its future postemployment health benefits to its employees. At June 30, 2017, the City's OPEB trust totaled nearly \$7.8 million. The City contributed \$1.3 million to its OPEB trust in fiscal year 2017 and expects to continue making material future contributions to mitigate this future obligation. The monies in this trust are principally overseen and managed by a third party investment manager with significant experience with Massachusetts municipalities.

The City's budgetary flexibility, strong reserve ratio and planning/funding for its future obligations has undoubtedly been seen as positive factors to Standard & Poor's Financial Services LLC ("S&P"). S&P assigned the City an AA+ credit rating, which signifies that the City's general obligation bonds are of investment grade, high quality and very low credit risk. Furthermore, this is the second highest credit S&P issues on long-term debt; the highest being rated as AAA.

The remainder of the report reflects informational items and findings and recommendations. This discussion is intended to provide the City and its management with recommendations for improvement in accounting and financial operations. The City should review these recommendations and, if determined to be cost-effective, implement these improvements. Items that have been repeated from past letters to management are so indicated.

INFORMATIONAL ITEMS

New Financial Statement Disclosures – OPEB Part 1

The City adopted Governmental Accounting Standards Board, or GASB, issued Statement No. 74, *Financial reporting for Postemployment Benefit Plans Other Than Pensions*, in fiscal year 2017. Other postemployment benefits are commonly referred to as “OPEB” and includes health and welfare plans and other similar benefits provided to City retirees exclusive of pension benefits. The City’s current policy is to contribute 60% to 70% of the cost of retiree health insurance costs, which represents the largest component of OPEB.

The adoption of this accounting standard resulted in additional disclosures within the City’s financial statements and the inclusion of the effects of retiree benefits paid and received (both from the City and its retirees) in the City’s fiduciary funds financial statements.

FY 2018 New Accounting Principle – OPEB Part 2

As discussed in previous letters to management, the City will be required to report the full amount of its net OPEB *liability* in its government-wide and proprietary funds financial statements in fiscal year 2018. The City currently reports a net OPEB *obligation* in its government-wide financial statements calculated under GASB 45.

The City net OPEB *liability* is significantly greater than its net OPEB *obligation*. The City’s independent actuary determined that its net OPEB *liability* at June 30, 2017 was approximately \$114.5 million versus a net OPEB *obligation* of approximately \$48.7 million.

The City’s independent actuary will remeasure the City’s net OPEB liability at June 30, 2018. The City will present this figure in its fiscal year 2018 affected financial statements. This will result in a further deterioration in the City’s unrestricted net position.

The City established an OPEB trust fund several years ago and has made substantial contributions to it. As it stands at June 30, 2017, the OPEB trust fund is approximately 6% funded.

As we have indicated in several previous letters to management, the City should continue to include OPEB in its long-term planning.

Changes to Single Audit Requirements – Need for Internal Control Framework

In our previous two letters to management, we notified the City that there were a number of changes made to single audits. One of the requirements under the new Uniform Guidance (the successor to the OMB A-133 compliance supplement) is that all federal award recipients are required to establish an internal control system based on a recognized internal control framework such as the Green Book or COSO.

To date, the City has made little progress in this area. We continue to recommend that the City’s finance team, inclusive of the School Business Manager, prioritize this matter to properly establish and document their internal control system this year.

Student Activities in the News

On November 27, 2017, the *Boston Globe* reported on the Boston Public Schools' use of student activity accounts to pay employees "under the table" and for purposes unrelated to student activities. These violations of federal and state tax law and Massachusetts General Laws were uncovered by an IRS audit. The *Boston Globe* article spotlights the need for continued oversight of the operation of a school district's use of student activity accounts as well as the risks associated with their misuse. Furthermore, as these matters were made public in the state's most widely circulated daily newspaper, this may lead to additional rules and regulations being issued by the Commonwealth related to student activity accounts. We recommend that the City provide a copy of this article to all school principals as a training tool and to continue its diligence in managing this fiduciary activity.

We are pleased to report that the City's schools undergo independent reviews of their student activity accounts on a rotational basis in accordance with recommendations set forth by the Massachusetts Department of Elementary and Secondary Education and MASBO. In our reports on the City's student activities for its elementary schools and its middle and high schools dated June 17, 2015 and November 15, 2015, respectively, there were a number of areas in need of improvement district wide and at the individual school level. The next scheduled period of independent review of the City's schools will be for fiscal year 2017 at the elementary schools. We recommend that the City and its school district revisit our previously issued reports on its student activity funds and ensure that progress has been made in areas in need for improvement.

Fraud Prevention Measures

As previously reported to management, the City needs to take a number of steps to address fraud risk including (i) performing risk assessments, (ii) developing a written fraud policy and (iii) performing periodic internal reviews and "audits" within its departments. These recommendations are discussed in greater detail in our January 9, 2015 letter to management.

There have been several very public instances of municipal fraud in area communities that heighten the public's awareness of this risk. We continue to stress the need for increased diligence in risk assessment, particularly in departments that accept cash from residents and businesses that are outside the reach of the City Collector. Furthermore, we continue to stress the need to perform period spot internal reviews or "audits" of departments by the City Auditor.

Improvements Since our Previous Letter to Management

The City has addressed many of the matters discussed in our previous letter to management, most notably:

- In October 2017, the City Council approved an order to adopt an abbreviated budget authorization format for all departments effective fiscal year 2018. This change is expected to afford more budgetary flexibility and efficiencies.
- Custody of student activity depository accounts was transferred from the City's schools to the City Treasurer in accordance with Massachusetts General Law.
- The City Auditor conducted an analysis of the City's capital projects funds and corrected prior year account processing errors, which resulted in the elimination of many deficits. This also resulted in the restatement of the City's June 30, 2016 capital projects' balances between City, water and sewer funds.

- The City implemented a fixed asset database in fiscal year 2017 and is now accounting for capital assets and their associated depreciation.

Items We Continue to Highlight

The following summarizes findings and recommendations we made in our previous three letters to management that have not yet been addressed by the City. You should refer to those letters for specific details.

- The City's water and sewer departments function as enterprise funds. However, enterprise fund legislation has never been sought for these operations. Adopting such legislation would permit the City to better insulate its general fund from shortfalls resulting from these operations, which negatively impact the City's free cash calculation and general fund operations.
- The City has not yet formalized its policies and procedures into a comprehensive manual. We recognize that such a program, without outside assistance, is potentially a multi-year endeavor. However, the development of formal policies and procedures for key financial processes is not only a key element in any internal control system, but an invaluable tool in the event of personnel turnover.
- The City's allocation of pension benefits to its water and sewer operations is not based on common allocation methodologies. As a result, these operations are assessed larger percentages than would typically be assessed. We've recommended that the City revalue its pension allocation methodology to employ a system based on actual payroll paid.
- The Marlborough Community Development Authority ("CDA") and Marlborough Housing Authority share a number of resources. Recently, the Marlborough Housing Authority has been invoicing the CDA for its share of these costs using a formula it developed with the assistance of an outside accounting firm. However, a formal cost sharing agreement between these two entities does not exist. We recommended that a simple, yet formal cost sharing agreement be executed between the two entities.

FINDINGS AND RECOMMENDATIONS

Capital Asset Maintenance

As discussed in the *Improvements Since our Previous Letter to Management* portion of this letter to management, the City recently implemented a fixed asset database to account for its capital assets. Upon review of the details included in this fixed asset database, there are numerous fully-depreciated capital assets (particularly vehicles) that have likely been disposed in previous years. The inclusion of these fully-depreciated capital assets in the City's financial statements does not have an impact on the City's reported net position or its net investment in capital assets. However, the reported gross value of capital assets and associated accumulated depreciation are overstated as a result of the inclusion of these fully-depreciated capital assets, which are no longer in operation.

We recommend that the City evaluate its capital asset registers and identify capital assets that are no longer in operation and take the necessary actions to dispose of these assets in the City's fixed asset database.

* * * * *



City of Marlborough Office of the Mayor

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Marlborough, Massachusetts 01752
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Arthur G. Vigeant
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2018 APR 19 A 10:39
Patricia Bernard
EXECUTIVE SECRETARY

April 19, 2018

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

Re: General Laws Acceptance – Local Option Marijuana Sales Tax

Honorable President Clancy and Councilors:


I recommend that the Marlborough City Council accept Massachusetts General Laws Chapter 64N Section 3 which would permit the City of Marlborough to impose a 3 percent local sales tax on the “sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the City.”

As with other local option taxes, the tax would be collected by the Department of Revenue and disbursed back to the City.

If marijuana companies will be permitted to operate in Marlborough, I believe we should ensure that Marlborough collects this local sales tax to continue supporting our operating costs.

Thank you for your consideration. If you have any question, please do not hesitate to contact me.

Sincerely,



Arthur G. Vigeant
Mayor

Enclosure

Chapter 55 of the Acts of 2017

AN ACT TO ENSURE SAFE ACCESS TO MARIJUANA

Approved, July 28, 2017

SECTION 13. Said chapter 64N is hereby further amended by striking out section 3, as so appearing, and inserting in place thereof the following section:-

Section 3. (a) A city or town that accepts this section in the manner provided in section 4 of chapter 4 may impose a local sales tax upon sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city or town to anyone other than a marijuana establishment at a rate not greater than 3 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products. The marijuana retailer shall pay the local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

(b) All sums received by the commissioner under this section shall, at least quarterly, be distributed, credited and paid by the treasurer and receiver-general upon certification of the commissioner to each city or town that has accepted this section in proportion to the amount of the sums received in that city or town. Any city or town seeking to dispute the commissioner's calculation of its distribution under this subsection shall notify the commissioner, in writing, not later than 1 year from the date the tax was distributed by the commissioner to the city or town.

(c) This section shall take effect in a city or town on the first day of the calendar quarter following 30 days after its acceptance by the city or town or on the first day of a later calendar quarter that the city or town may designate.

ORDERED

That the City of Marlborough hereby accepts section 3 of c. 64N of the Massachusetts General Laws, as amended, to impose an excise on the retail sales of marijuana for adult use at the rate of 3 percent, said excise to be deposited into the General Fund.

ADOPTED

In City Council
Order No. 18-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:



City of Marlborough
Legal Department

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 18 P 3 54

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

April 18, 2018

Edward Clancy
President
Marlborough City Council

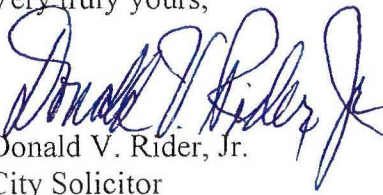
RE: Order No. 18-1007199B
Application for a Special Permit
NEH Inc., d/b/a New England Hydroponics
19 Brigham Street, Unit 6, Marlborough

Dear President Clancy and Members:

Pursuant to Chapter 650-59C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the special permit application submitted by NEH Inc., d/b/a New England Hydroponics. NEH seeks permission at 19 Brigham Street, Unit 6, for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto.

I have enclosed a copy of the proposed decision. I certify that the decision is in proper legal form.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Ethan Holmes, President, NEH Inc., d/b/a New England Hydroponics

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. 18-1007199B

Application of:

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

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

DECISION

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

Decision filed: _____

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

APPEALS

Appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty (20) days after the date of the filing of this Notice of Decision in the Office of the City Clerk of the City of Marlborough, MA.

ATTEST:

City Clerk

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 18-1007199B**

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

FINDINGS OF FACTS

1. The landlord is Ivy Brigham Property, LLC, a limited liability company organized under the laws of Delaware with its principal place of business located c/o Ivy Realty, 102 Chestnut Ridge Road, Suite 204, Montvale, New Jersey 07645. Applicant Tenant is a duly organized and existing Massachusetts corporation with its principal place of business at 855 Worcester Road, Suite 2, Framingham, Massachusetts 01701 and has duly filed its Articles of Incorporation with the City Clerk of the City of Marlborough to operate its business at the subject location.

2. The landlord is the title owner of the property located at 19 Brigham Street (the "Site"). The landlord and Applicant Tenant have executed a lease regarding Unit 6 at the Site, and its use pursuant to the terms of this special permit regarding Unit 6 at the Site. The Site is located within the Industrial zoning district, and Unit 6 consists of 6,000 square feet of gross floor area.

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

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

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

6. The Applicant Tenant seeks a special permit allowing for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto. The proposed establishment may be specially permitted within the Industrial zoning district as retail sales and service with less than 75,000 square feet of gross floor area.

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

8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.

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

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

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

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

13. Following the public hearing, the Urban Affairs Committee held a meeting on April 10, 2018 during which this Application was discussed.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

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

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

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

CONDITIONS

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

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

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

4. No Outdoor Storage or Outdoor Product Display. No outdoor storage or outdoor product display shall be permitted at the Site.

5. Certificate of Occupancy Required. No use of the premises will be made pursuant to this Special Permit unless and until a Certificate of Occupancy has been obtained from the Building Commissioner regarding the change of use of the premises.

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

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

APPROVE

Yea: ___ Nay: ___

Yea:

ADOPTED

In City Council

Order No. 18-1007199B

Adopted: _____

City Council President

A TRUE COPY

ATTEST:

City Clerk

City Council

From: Thomas DiPersio
Sent: Tuesday, April 17, 2018 10:59 AM
To: City Council
Cc: Sara Corbin
Subject: RE: NGrid - Service for Shell Station

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 APR 18 P 3:59

Pursuant to City Council Order No. 18-1007200, for the petition from National Grid to install a new pole for service to the Shell Station at 342 Boston Post Road East, I offer the following comments:

- 1) If the work is to include the abandonment of an existing pole, the utility companies are to expedite the transfer of overhead wires from old to new poles, to minimize any double pole situations left along the street.
- 2) The new pole location shall be coordinated with the reconstruction plans for Boston Post Road East, currently under design (the new pole shall be located such that it will accommodate the proposed sidewalk). The new pole shall not be set until the exact location is staked and approved. We can assist with the coordination with the roadway project design engineers.

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

Thomas DiPersio, Jr., P.E.
City Engineer
Department of Public Works
135 Neil Street
Marlborough, MA 01752
Phone:(508)624-6910
tdipersio@marlborough-ma.gov

-----Original Message-----

From: City Council
Sent: Wednesday, April 4, 2018 8:11 AM
To: Thomas DiPersio <tdipersio@marlborough-ma.gov>
Cc: Sara Corbin <scorbin@marlborough-ma.gov>
Subject: NGrid - Service for Shell Station

Tom,
The City Council closed the public hearing for NGrid's petition to service the Shell Station on Boston Post Road. The service will be for the reconstructed Station. Please forward recommendations to assist Public Services in their deliberations.

Thanks.
KB

MARLBOROUGH RETIREMENT BOARD

255 Main Street, Room 201

Marlborough, Massachusetts 01752-3812

Telephone (508) 460-3760

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CITY OF MARLBOROUGH

2018 APR 18 P 11:16
Fax (508) 481-7814

Gregory P. Brewster, Chairman

David Keene

Diane Smith

Daniel J. Stanhope

William S. Taylor

April 12, 2018

Marlborough City Council
140 Main Street, City Hall
Marlborough, Massachusetts 01752

Dear President and Members:

The Marlborough Retirement Board respectfully requests that you adopt Section 34 of Chapter 176 of the Acts of 2011. This local option provision allows for an increase in the stipend paid to members of the retirement boards to an amount not more than \$4,500. After much deliberation, the members of the Marlborough Retirement Board voted unanimously to support increasing the stipend to \$4,500 from the current stipend of \$3,000.

Much has changed since the \$3,000 stipend was approved in 1996. Marlborough's assets totaled \$34.8 million in 1996 and we had five managers on our roster. At the end of 2017, the system's assets had climbed to \$171.9 million which were invested in fifteen funds managed by twelve advisors. Chapter 176 of the Acts of 2011 substantially increased the responsibilities and workload of retirement board members. Members are mandated to complete annual educational training totaling eighteen credits in each term. Members must file a Statement of Financial Interest annually in which we must disclose other employment, investments, loans, reimbursements, and other items. Pension Reform also increased responsibilities related to investment of funds. Board members must conduct searches for each investment manager every seven years.

I have attached a spreadsheet that lists the retirement systems that have increased their stipends to \$4,000 or \$4,500, their asset size as of December 31, 2016, and whether they manage their investments or participate in PRIT.

The members of the Marlborough Retirement Board believe that in light of the additional workload, responsibilities, and reporting requirements an increase in the annual stipend is justified. We urge you to adopt Section 34 of Chapter 176 of the Acts of 2011. Please do not hesitate to contact me or one of my colleagues on the Board if you require additional information.

Sincerely,



Gregory P. Brewster, Chairman

Attachment

Retirement System Name	Stipend	PRIT	Assets as of 12/31/2016	Members
Arlington Retirement Board	\$4,500	No	\$138.6M	1299
Barnstable County Retirement Board	\$4,500	No	\$938.8M	7636
Bristol County Retirement Board	\$4,500	No	\$598.5M	5586
Cambridge Retirement Board	\$4,500	No	\$1.2B	5038
Essex Regional Retirement Board	\$4,500	No	\$399.4M	4506
Everett Retirement Board	\$4,500	Yes	\$123.7M	1264
Franklin Regional Retirement Board	\$4,000	No	\$128.4M	1483
Gloucester Retirement Board	\$4,500	Yes	\$92.6M	997
Hampshire County Retirement Board	\$4,500	No	\$274.7M	3026
Lowell Retirement Board	\$4,500	No	\$329.4M	2895
Malden Retirement Board	\$4,500	No	\$214.6M	1447
Marlborough Retirement Board	\$3,000	No	\$153.6M	1038
Medford Retirement Board	\$4,500	No	\$180.0M	1312
Middlesex County Retirement Board	\$4,500	No	\$1.2B	14399
New Bedford Retirement System	\$4,500	No	\$290.3M	3804
Newburyport Retirement System	\$4,500	Yes	\$71.0M	573
Norfolk County Retirement System	\$4,500	No	\$829.8M	8462
Norwood Retirement Board	\$4,500	No	\$143.1M	927
Peabody Retirement Board	\$4,200	Yes	\$132.5M	1600
Plymouth County Retirement Board	\$4,000	No	\$882.2M	9660
Taunton Retirement Board	\$4,500	No	\$275.5M	1926
Watertown Retirement Board	\$4,000	No	\$154.1M	946
Weymouth Retirement Board	\$4,500	No	\$177.2M	1461
Worcester Retirement Board	\$4,500	No	\$839.6M	5997
Worcester Regional Retirement Board	\$4,500	No	\$611.6M	10155

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2018 APR 11 P 3:57

1. Name and address of Petitioner or Applicant:

Sandra Colligan

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

21 Ruffen drive Marlborough

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

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

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

Article 650 Section 12 Paragraph B Sub-paragraph

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

A-3

7. Specific reason(s) for seeking Special Permit

Demo Existing house Build New Two Story Home
26x48 RE: Pre Existing nonconforming Lot.

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

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

Sandra J. Colligan

Signature of Petitioner or Applicant

Address: 3 Atwood St.

Marlborough MASS 01772

Telephone No. 508-380-3307

Date: 3/27/18

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

Sandra Colligan

(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 LISTING for 21 Patten Dr Special Permit 400 ft
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner's Name	Co_Owner's Name	Address	City	ST Zip	Parcel Location
5	25			LAGE FERNANDA G		16 MARLBORO ST	HUDSON	MA 01749	47 LAKESHORE DR
5	26			DAIGLE ROBERT C		42 COATES FARM RD	AMSONT	CT 06231	51 LAKESHORE DR
5	27			WILLIAMS NANCY M		55 LAKESHORE DR	MARLBOROUGH	MA 01752	55 LAKESHORE DR
5	28			STOCK SUSAN I		57 LAKESHORE DR	MARLBOROUGH	MA 01752	57 LAKESHORE DR
5	29			KELLEY RICHARD H	JUDITH H KELLEY	65 LAKESHORE DR	MARLBOROUGH	MA 01752	65 LAKESHORE DR
5	31			CROCKETT G BETH TR	CROCKETT REALTY TRUST	2 HILL RD	MARLBOROUGH	MA 01752	2 HILL RD
5	33			TRUDEAU DENNIS G TR	MARY LINDA TRUDEAU TR	76 LAKESHORE DR	MARLBOROUGH	MA 01752	76 LAKESHORE DR
5	36			GARCEAU DAVID A	ROSITA A GARCEAU	64 LAKESHORE DR	MARLBOROUGH	MA 01752	64 LAKESHORE DR
5	38			PALMER BRIAN D	PAMELA J PALMER	294 PLEASANT ST	MARLBOROUGH	MA 01752	56 LAKESHORE DR
5	39			URIAEV ELINA	LEONID ZISLIN	50 LAKESHORE DR	MARLBOROUGH	MA 01752	50 LAKESHORE DR
5	40			SEGARRA LISA		44 LAKESHORE DR	MARLBOROUGH	MA 01752	44 LAKESHORE DR
5	41			GOLGATA-SYCHANATHA COLLETTE M LI EST		14 HILL RD	MARLBOROUGH	MA 01752	38 LAKESHORE DR
5	62			ROBINSON TYRELLE		54 PATTEN DR	MARLBOROUGH	MA 01752	54 PATTEN DR
5	63			HILL RYAN J	ANNEMARIE HILL	48 PATTEN DR	MARLBOROUGH	MA 01752	48 PATTEN DR
5	64			PENA MARC A	MARY C BERMUDEZ	42 PATTEN DR	MARLBOROUGH	MA 01752	42 PATTEN DR
5	67			CEDRONE CAROL A		36 PATTEN DR	MARLBOROUGH	MA 01752	36 PATTEN DR
5	68			FEDERAL NATIONAL MORTGAGE ASSOC	N/O ABIUD & NATALIA CHACON	22 PATTEN DR	MARLBOROUGH	MA 01752	22 PATTEN DR
5	70			ROSEN MARCIA		321 CABOT ST	NEWTON	MA 02460	14 HILL RD
5	72			CARROLL MICHAEL P	JOANNE M CARROLL	11 HILL RD	MARLBOROUGH	MA 01752	11 HILL RD
5	73			OLIVEIRA MARCELLO F	SIMONE F OLIVIERA	17 HILL RD	MARLBOROUGH	MA 01752	17 HILL RD
5	75			REGIS MARK L TR	THE REGIS FAMILY IRREVOCABLE TR	1 BUSH RD	HUDSON	MA 01749	25 HILL RD
5	77			MCAVOY ANDREW		5 PATTEN DR	MARLBOROUGH	MA 01752	5 PATTEN DR
5	79			ROBICHAUD ANDRE J		15 PATTEN DR	MARLBOROUGH	MA 01752	15 PATTEN DR
5	80			MCGOWAN PATRICK N	N/O SANDRA COLLIGAN	3 ATWOOD ST	SOUTHBOROUGH	MA 01772	21 PATTEN DR
5	81			SILKA FRANK W		27 PATTEN DR	MARLBOROUGH	MA 01752	27 PATTEN DR
5	83			PARK CHARLES L JR		150 SECOND RD	MARLBOROUGH	MA 01752	39 PATTEN DR
5	84			SUTER DAVID R	SHARON E SUTER	43 PATTEN DR	MARLBOROUGH	MA 01752	43 PATTEN DR
5	86			BUONOMO ERIN	MATHEW STACK	53 PATTEN DR	MARLBOROUGH	MA 01752	53 PATTEN DR
5	88			BANK OF AMERICA N A	N/O GUSTAVO SILVA	61 PATTEN DR	MARLBOROUGH	MA 01752	61 PATTEN DR
5	92			BERGSTROM JANIS A		132 SECOND RD	MARLBOROUGH	MA 01752	132 SECOND RD
5	93			THEBADO KRIS	TINA THEBADO	36 HILL RD	MARLBOROUGH	MA 01752	36 HILL RD
5	94			RENAUD MAURICE P	BARBARA L RENAUD	111 SECOND RD	MARLBOROUGH	MA 01752	111 SECOND RD
5	95			VINCENTELLI FRANCISCO	MONIQUE SOLANILLA	117 SECOND RD	MARLBOROUGH	MA 01752	117 SECOND RD

MARLBOROUGH ASSESSORS

*Anthony C. ...
...
...*

**ABUTTERS LISTING for 21 Patten Dr Special Permit 400 ft
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner's Name	Co_Owner's Name	Address	City	ST Zip	Parcel Location
5	96			GIANCOLA FRANCIS W		125 SECOND RD	MARLBOROUGH	MA 01752	125 SECOND RD
5	97			GOLDMAN PAUL D	MARSHA GOLDMAN	137 SECOND RD	MARLBOROUGH	MA 01752	137 SECOND RD
5	98			PARK CHARLES L	MARJORIE A PARK	157 SECOND RD	MARLBOROUGH	MA 01752	157 SECOND RD
5	101			ZOUHARIS ARTHUR	LAURIE ZOUHARIS	140 SECOND RD	MARLBOROUGH	MA 01752	140 SECOND RD
5	102			ALLEN DAVID L	BARBARA P ALLEN	124 SECOND RD	MARLBOROUGH	MA 01752	124 SECOND RD
5	92A			PARK CHARLES L JR	KATHLEEN A KOHLAND-PARK	150 SECOND RD	MARLBOROUGH	MA 01752	150 SECOND RD
6	22			ASTLE SARAH		37 HILL RD	MARLBOROUGH	MA 01752	37 HILL RD
6	23			BELLIDO MARCELO	MARIA PAZ	105 SECOND RD	MARLBOROUGH	MA 01752	105 SECOND RD
17	19			GAUCHER NANCY B		ATIN VICTORIA GAUCHER	MARLBOROUGH	MA 01752	73 LAKESHORE DR
17	20			SHARON HEATHER		75 LAKESHORE DR	MARLBOROUGH	MA 01752	75 LAKESHORE DR
17	21			MATTA LALITA TR	LALITA MATTA 2015 REVOCABLE TRUST	79 LAKESHORE DR	MARLBOROUGH	MA 01752	79 LAKESHORE DR
17	22			FORT MEADOW ASSOCIATION		C/O DAVID OLOUGHLIN	MARLBOROUGH	MA 01752	LAKESHORE DR
17	23			SHARON PETER L	KATHLEEN F SHARON	95 LAKESHORE DR	MARLBOROUGH	MA 01752	95 LAKESHORE DR
17	24			ALLEN HEATHER A	MARK S ALLEN	97 LAKESHORE DR	MARLBOROUGH	MA 01752	97 LAKESHORE DR
17	34			HAMILTON SCOTT C	SUSAN H HAMILTON	98 LAKESHORE DR	MARLBOROUGH	MA 01752	98 LAKESHORE DR
17	35			MONAGHAN SEAN T	N/O JASON PAVAO	96 LAKESHORE DR	MARLBOROUGH	MA 01752	96 LAKESHORE DR

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Sandra Colligan Address: 3 Atwood St

Project Name: 21 Patten Address: 21 Patten Drive

1. PROPOSED USE: (describe) Single family Home

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 1248 1st floor 1248 all floors 2496

buildings ONE # stories Two lot area (s.f.) _____

4. LOT COVERAGE: 5000 %Landscaped area: _____ %

5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: 5 Peak period: 8

6. TRAFFIC:
(A) Number of vehicles parked on site:
During regular hours: 2 Peak period: 3

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

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Flood Lighting, Leaving Property
None

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

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. All During Regular Business Hours

9. AIR: What sources of potential air pollution will exist at the development? None

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

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

***Attach additional sheets if necessary**



CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752

City Hall

140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: _____

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: 21 Patten
Project Use Summary: Single Family Home
Project Street Address: 21 Patten drive
Plate: 5 Parcel: 80
Applicant/Developer Name: Sandra Colligan
Plan Date: 8/2/17 Revision Date: _____

Dear President and Members:

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

Very truly yours,


Jeffrey K. Cooke
Building Commissioner

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

300



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

**Lisa M. Thomas
City Clerk**

Dear Applicant,

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

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

1 SET	POLICE CHIEF	<i>[Signature]</i>
1 SET	FIRE CHIEF	<i>[Signature]</i>
1 SET	CITY ENGINEER	<i>T.D.</i>
1 SET	DIRECTOR OF PLANNING	<i>N/A</i>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED)	<i>[Signature]</i>
1 SET	BUILDING COMMISSIONER	<i>[Signature]</i>
12 SETS	OFFICE OF THE CITY COUNCIL	<i>[Signature]</i>
3 SETS	OFFICE OF THE CITY CLERK	<u> </u> (MUST be Original & 2 Complete Sets)

Sandy Cooper
Signature

3/27/18
Date

Thank you for your cooperation in this matter.

Sincerely,

Lisa M. Thomas
City Clerk

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

**Lisa M. Thomas
City Clerk**



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

Company Name

Owner Name/Officer Name of LLC or Corporation

Sandra Collican

Owner/Officer Complete Address and Telephone Number

Signature of Applicant

Sandra Collican

Attorney on behalf of Applicant, if applicable

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

Eileen Bristol

Tax Collector



City of Marlborough
BUILDING DEPARTMENT

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

JEFFREY COOKE, C.B.O.
BUILDING COMMISSIONER

PATRICK DAHLGREN
ASSISTANT BUILDING
COMMISSIONER

WILLIAM PAYNTON
LOCAL BUILDING INSPECTOR

RICHARD DESIMONE
PLUMBING & GAS INSPECTOR

JOHN CAIN
WIRING INSPECTOR

ZONING DENIAL

April 5, 2018

To: Sandra Colligan
3 Atwood Street
Southborough, MA 01772

RE: 21 Patten Drive, Marlborough, MA

Ms. Colligan:

Your application to Demolish the existing single story SFD and construct a two story SFD at 21 Patten Drive, Marlborough, MA Parcel ID # 5-80, located in the Residence A-3 zoning district (A-3) is denied as it does not comply with Chapter 650-41 of City Code of Marlborough. The "Table of Lot Area, Yards, and Height of Structures" states that your use requires 100' of frontage and 12,500 SF of area, your existing lot contains 50' frontage and 5,000 SF of area. As a pre-existing, non-conforming lot the construction of a new SFD that is more non-conforming requires a "Special Permit" (SP) issued by the Marlborough City Council.

I have determined that the proposed structure is increasing the non-conformity:

- The existing structure is approximately 733 square feet (SF) in area, the proposed is 1225 SF.
- In the required yard setback area, the building increases in height from 1 story to 2 stories.

Your use requested requires a Zoning relief issued by the Marlborough City Council.

You have the right to continue to the Marlborough City Council (SPGA) for a Special Permit as stated in the City Code section 650-12B or you have the right to appeal this decision to the Zoning Board of Appeals as per section 650-58.

An appeal from this denial for a SP may be taken to the Marlborough City Council by filling a Notice of Appeal with the City Clerk within 30 days of the date of this denial letter. Further information should be obtained from the Marlborough City Council.

The code in its entirety may be found at www.ecode360.com/MA1056
In your appeal, you may request a Special Permit (SP).

Sincerely,

Jeffrey Cooke, C.B.O.
Building Commissioner
Zoning Enforcement Officer



DANIEL J. WEZNAK AIA
 300 West Main Street, Building A,
 Northborough, Massachusetts 01522
 Tel: 508.875.9110 | d.j.weznak@silverstreetarch.com

GENERAL NOTES:

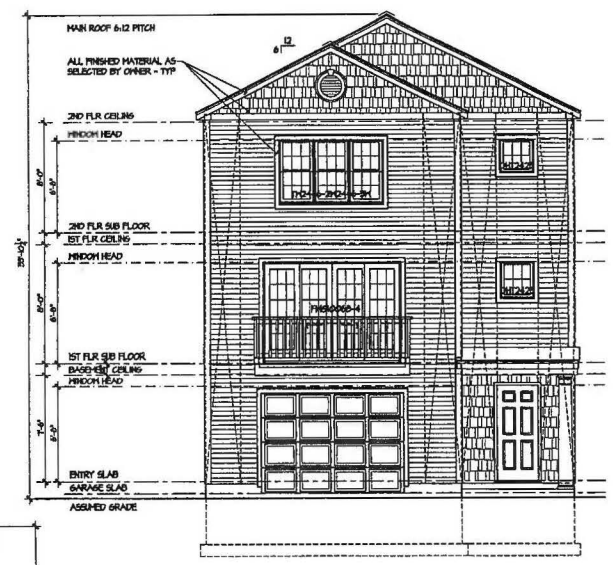
INDemnIFICATION
 THE INFORMATION CONTAINED IN THESE CONSTRUCTION DOCUMENTS IS FOR THE PROVISIONAL USE OF THE CLIENT IN THE CONSTRUCTION OF THE PROPOSED PROJECT. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE, AND THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE, LOSS, OR INJURY, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THESE DOCUMENTS IN ANY MANNER OTHER THAN THAT INTENDED BY THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT AND SHALL NOT BE EXTENDED TO ANY OTHER MATTER. THE ARCHITECT'S LIABILITY SHALL BE LIMITED TO THE AMOUNT OF THE FEE PAID TO THE ARCHITECT FOR THE SERVICES PROVIDED. THE ARCHITECT'S LIABILITY SHALL NOT BE EXTENDED TO ANY OTHER MATTER. THE ARCHITECT'S LIABILITY SHALL BE LIMITED TO THE AMOUNT OF THE FEE PAID TO THE ARCHITECT FOR THE SERVICES PROVIDED.

4		
3		
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1		
No.	Permit/Issue	Date

FRONT & RIGHT SIDE ELEVATIONS

YOUNG RESIDENCE
 21 PATTEN DRIVE
 MARLBOROUGH, MA

Architect: PATTEN-PLU
 Date: 08.08.17
 Scale: 1/4" = 1'-0"
 Job Number: F.PATTEN
 Date: 08.08.17
 Scale: A 1.2

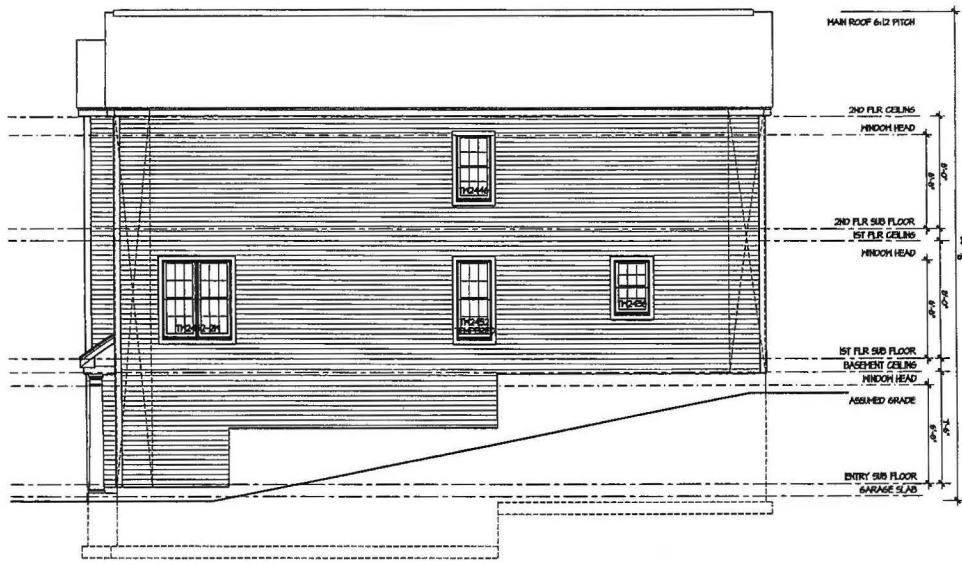


FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE

WINDOW MARK	COUNT	HEAD HEIGHT	ROUGH OPENING
TD406	2	6'-0" ABOVE FINISHED FLOOR	2'-6 1/2" X 3'-0 1/2"
TD416	1	6'-0" ABOVE FINISHED FLOOR	2'-6 1/2" X 4'-0 1/2"
TD422	3	6'-0" ABOVE FINISHED FLOOR	2'-6 1/2" X 3'-0 1/2"
TD446-2H	2	6'-0" ABOVE FINISHED FLOOR	2'-0 1/2" X 3'-0 1/2"
TD422-2H	1	6'-0" ABOVE FINISHED FLOOR	3'-4" X 3'-4 1/2"
TD425	2	6'-0" ABOVE FINISHED FLOOR	2'-6 1/2" X 2'-5 1/2"
TD446-2H	1	6'-0" ABOVE FINISHED FLOOR	7'-0 1/2" X 4'-0 1/2"
GD20	1	6'-0" ABOVE FINISHED FLOOR	4'-0 1/2" X 3'-5 1/2"

NOTES:
 1. WINDOWS ARE TO BE TESTED AND CERTIFIED TO MEET PERFORMANCE STANDARDS OF MASSACHUSETTS STATE BUILDING CODE FOR DOOR/FIRE RATED WINDOW SYSTEMS, EXPOSURE B, INCLUDING STRUCTURAL JOISTS FOR FACTORY FILLED UNITS, WHERE APPLICABLE.
 2. WINDOWS INDICATED ARE BASED ON INTENSITY HOOD-ALL OTHER WINDOW TYPES TO BE PROVIDED BY CONTRACTOR TO MEET VENTILATION, LOCATION, AND SIZE PRIOR TO PURCHASING.
 3. IF ALTERNATE WINDOWS ARE SUBSTITUTED, CONTRACTOR SHALL VERIFY THAT THE ALTERNATE WINDOWS MEET OR EXCEED ALL INTENSITY PERFORMANCE REQUIREMENTS INCLUDING SIZE, STYLE, SYSTEM, STRUCTURAL CAPACITY, AND LOAD, THERMAL PERFORMANCE, PRODUCT WARRANTY, AND SHALL PROVIDE ARCHITECT WITH WRITTEN DOCUMENTATION OF SAME.



RIGHT SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



DANIEL J. WIZNIAK AIA
 300 West Main Street Building A,
 Northborough, Massachusetts 01552
 Ph: 508.249.9797 E: dan@silverstreetarchitects.com

GENERAL NOTES:



INDemnIFICATION

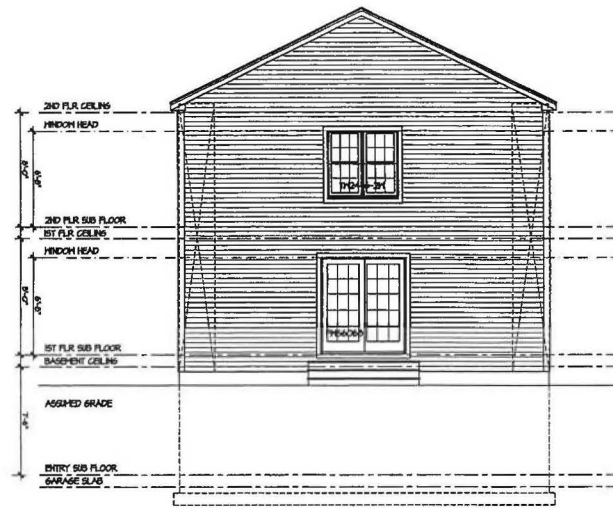
The information contained in these construction documents is for the exclusive use of the client in the jurisdiction of the State of Massachusetts. It is the responsibility of the client to ensure that the information and is not an expert investigation and the general use of the information is not intended to constitute a contract for the construction of the building. The client shall be responsible for all costs and expenses related to the design and construction of the building. The client shall be responsible for all costs and expenses related to the design and construction of the building. The client shall be responsible for all costs and expenses related to the design and construction of the building.

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1		
No.	Revised/Issue	Date

REAR & LEFT SIDE ELEVATIONS

Project Name and Address
YOUNG'S RESIDENCE
 21 PATTEN DRIVE
 HARTFORDSHIRE, MA

Architect: **PATTEN-PLN** / **P.PATTEN**
 Date: **08.08.17**
 Scale: **1/4" = 1'-0"**

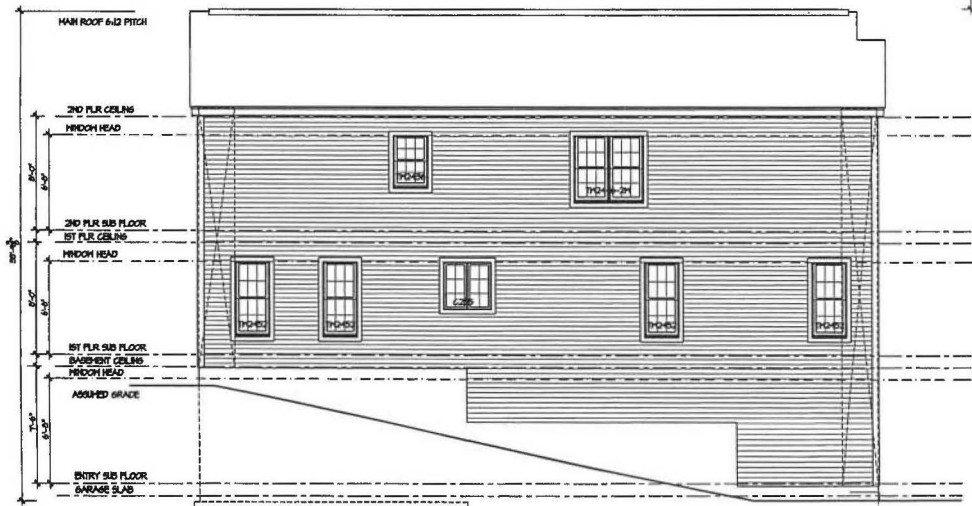


REAR ELEVATION
 SCALE: 1/4" = 1'-0"

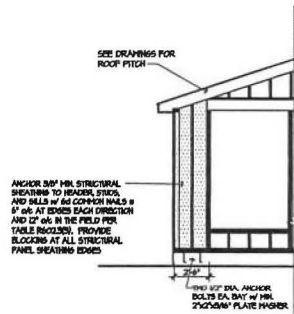
CONSTRUCTION NOTES:

- DESIGN IS IN ACCORDANCE WITH MASSACHUSETTS BUILDING CODE THROUGH 8TH EDITION AND THE INTERNATIONAL RESIDENTIAL CODE BOOK FOR ONE AND TWO FAMILY DWELLINGS.
- CONTRACTOR SHALL ENSURE THAT ALL CONSTRUCTION IS PERFORMED IN ACCORDANCE WITH MASSACHUSETTS BUILDING CODE THROUGH 8TH EDITION, IRC 2003 AND ALL OTHER REGULATIONS AND ORDINANCES ISSUED BY ANY AND ALL AGENCIES HAVING JURISDICTION.
- CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND LOCATIONS PRIOR TO THE PURCHASE, FABRICATION AND INSTALLATION OF ALL PRODUCTS, EQUIPMENT AND MATERIALS.
- ALL FOOTINGS SHALL BE PLACED IN THE DRY OR UNDISTURBED SOIL, FREE FROM ORGANIC MATERIALS.
- ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH FASTENING REQUIREMENTS OF ALL APPLICABLE CODES, MANUFACTURER RECOMMENDATIONS, AND THE BEST PRACTICES OF THE TRADE INVOLVED.
- BEAM BEARING SHALL BE IN THE FULL WIDTH OF BEAM AND PROVIDE FULL TRANSFER OF LOAD AT ALL LOCATIONS.
- PROVIDE SOLID BLOCKING UNDER ALL COLUMNS AND BEARING WALLS AS NECESSARY TO PROVIDE CONTIGUOUS LONGSHOREMENT TO FOOTINGS.
- PROVIDE CAP AND BASE CONNECTORS AT ALL COLUMNS, BEAM AND JOIST HANGERS AT ALL FLUSH FRAME LOCATIONS, AND WIREGANG TIES AS REQUIRED BY APPLICABLE CODES.
- PROVIDE DOUBLE JACK STUDS AT BOTH ENDS OF ALL HEADERS OVER FOUR FEET IN LENGTH.
- PROVIDE DOUBLE JOISTS OR SOLID BLOCKING BELOW ALL HALLS AND PARTITIONS.
- UNLESS GREATER CAPACITY FRAMING IS SPECIFICALLY INDICATED ON DRAWINGS, PROVIDE DOUBLE JOISTS AND RAFTERS AT ALL FLOOR AND ROOF OVERLAYS.
- PROVIDE BLOCKING AND BRIDERS IN ACCORDANCE WITH BUILDING CODE AND MANUFACTURER RECOMMENDATIONS AT ALL FLOOR JOISTS.
- PRIOR TO PURCHASE, CONTRACTOR TO VERIFY THAT ALL FRAMING MEMBERS PROVIDE SUFFICIENT BEARING CAPACITY FOR ALL REQUIRED LOADS.
- UNLESS OTHERWISE SPECIFIED IN THE CONSTRUCTION DOCUMENTS, ALL STRUCTURAL MATERIALS USED SHALL MEET OR EXCEED THE PRESCRIPTIVE REQUIREMENTS OF THROUGH AND THE FOLLOWING DESIGN CRITERIA.

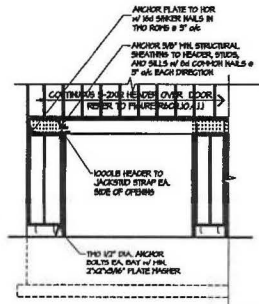
CONCRETE - PER TABLE 402.2	LIVE LOAD - LIVING AREAS-40 PSF
REINFORCING - #4, #5	SLEEPING AREAS-20 PSF
STRUCTURAL STEEL - A36	ATTIC-10 PSF
LVL BEAMS - 2400 PSF	DEAD LOAD FOR PER SOFT NO STORAGE
JOISTS AND RAFTERS - 1000 PSF	SOFT PER SOFT PERFORMANCE
BASIC WIND SPEED - 100 MPH	GROUND SNOW LOAD - 50 PSF
SEISMIC DESIGN - B	REINFORCING FOR CONCRETE - SEVERE
TEMPERATE - MODERATE TO HEAVY	DECAY - SLIGHT TO MODERATE
WIND EXPOSURE - B	MEAN ROOF HEIGHT OF HOUSE - 28'-10"
SEE 4 WATER SHEATH UNDERLAYMENT - 5/8" AT EAVES, VALLEYS AND UP TO	
FOOTING SEISMIC REINFORCING - PER TABLES NOT REQUIRED FOR EXCEPT	
ALL HORIZONTAL REINFORCING FOR CONCRETE BASEMENT WALLS IS TO BE ONE NO. 4 BAR WITHIN 12 INCHES OF THE TOP OF THE WALL STORY AND ONE NO. 4 BAR NEAR THIRD POINTS OF WALL STORY	
COMPONENT AND GLAZING LOAD TO COMPLY WITH TABLE R502.2(2) ZONE 3 WITH BASIC WIND SPEED OF 10	
PROVIDE WATER PROOFING OR DAMP PROOFING ON FOUNDATION WALLS AS REQUIRED BY CODE	



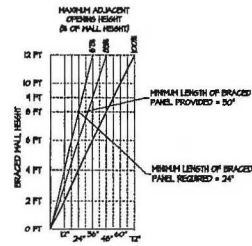
LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



PANEL ELEV - TYP
SCALE: 1/4" = 1'-0"



CONTINUOUS PORTAL FRAME PANEL
SCALE: 1/4" = 1'-0"
REFER TO FIGURE R60220(A) IN THE IRC 2001

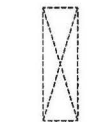


MINIMUM LENGTH OF BRACED HALL PANELS IN A CONTINUOUSLY BRACED HALL (TABLE R60220.2)

DETECTOR LEGEND

	PHOTOELECTRIC SMOKE CARBON DETECTOR
	PHOTOELECTRIC SMOKE DETECTOR
	PHOTO / IONIZATION SMOKE DETECTOR
	FIXED TEMPERATURE HEAT DETECTOR

FAN / LITE



DESIGNATES METHOD OF-HPF RIGID STRUCTURAL PANEL LOCATION PER SECTION R60220.4



ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



DANIEL J. KEZNIK AIA
300 West Main Street Building A,
Northborough, Massachusetts 01532
Ph 508.253.9190 In 508.253.9190

GENERAL NOTES:



INDICATION
THE ARCHITECT CONTINGENT IS THESE CONSTRUCTION INDICATIONS TO POLICE THE REGULATIONS OF THE CLIENT IN THE CONSTRUCTION OF THE BUILDING. CONTRACTORS IN THE OCCASION, EXISTING AND CONSTRUCTION HAVE BEEN ASKED AND MUST BE INFORMED OF THE ARCHITECT'S INTENTIONS AND AS THEY ARE BEING ENFORCED AND THE EXISTING AND CONSTRUCTION. THE ARCHITECT HAS ADVISED TO BRING ALL CONSTRUCTION SET OF CONSTRUCTION DECISIONS FOR THE CONSTRUCTION OF THE BUILDING UNDER THE CLIENT'S SUPERVISION. CONTRACTORS RESPONSIBILITY TO POLICE THROUGHOUT THE CONSTRUCTION OF THE BUILDING AND TO BE RESPONSIBLE FOR ALL DECISIONS. IF THERE IS ANY CHANGE OR MODIFICATION ON THESE CONDITIONS BEFORE AVAILABLE, THE ARCHITECT, CONTRACTOR SHALL PROVIDE A WRITTEN NOTICE OF ANY CHANGES BEFORE THE CONSTRUCTION SHALL BE STARTED. THE ARCHITECT CONTRACTOR SHALL HOLD RESPONSIBILITY AND SURETY. THE ARCHITECT AND ALL RESPONSIBILITY FOR THE PLAN AND ALL OTHER CONDITIONS CONTAINED IN THE PLAN AND OTHER RELATED FORMS AS REPRESENTED BY THE ARCHITECT.

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No.	Revisions/Issues	Date

FRAMING PLAN

Project Name and Address
YOUNG'S RESIDENCE

31 PATTEN DRIVE
MARLBOROUGH, MA

Architect	Job Number
PATTEN-PLN	F.PATTEN
Date	Sheet
06.09.17	A1.5
Scale	
1/4" = 1'-0"	

MIRICK O'CONNELL

A T T O R N E Y S A T L A W

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 19 A 11:57

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

April 19, 2018

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

Re: Jefferson Street Residences, 27 Jefferson LLC (Stas Burdan);
Special Permit Application for Multifamily Condominium Building

Dear Councilor Clancy:

I represent 27 Jefferson LLC, principal Stas Burdan, the prospective owner of land located at 27 Jefferson Street near Kelleher Field. On behalf of Mr. Burdan, I respectfully submit the enclosed application for a Special Permit for the Jefferson Street Residences, an 11-unit 2-story multifamily condominium building with 24 underground parking spaces.

Along with the usual application materials, I have enclosed an exhibit describing the project and its potential benefits for the nearby Village District. In addition, I have enclosed a plan highlighting the residential neighbors of the proposed project. Mr. Burdan has done considerable work reaching out to neighbors and hearing their concerns. As noted on the plan, most of the immediate and abutting neighbors are supportive of the project.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing 27 Jefferson LLC, principal Stas Burdan, in this matter before the City Council.

Very truly yours,



Brian R. Falk

BRF/ljk

Encl.

cc: Stas Burdan
Arthur Bergeron
Hancock Associates

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

Jefferson Street Residences

27 Jefferson Street

Site Description

The site consists of two vacant lots located on the north side of Jefferson Street adjacent to Kelleher Field. It is a narrow site with 118 feet of frontage and about 290 feet deep, located on a hillside with 30 feet of elevation change and a retaining wall facing the road. Jefferson Street slopes about 14 feet along the lot frontage and presents an opportunity for site entry at the existing driveway location.

The proposed building design takes into consideration all aspects of the site configuration and zoning requirements of Residence B Zone. The site has an area of 44,414 s.f. (38,372 + 6,042) and accommodates 11.1 units (8000 s.f. for the first 2 units plus 4000 s.f. for each additional unit) under the Zoning Ordinance. The building design meets all dimensional requirements including lot coverage, setbacks, height, and the number of parking spaces.

Building Description

The building is located as close to Jefferson Street as possible, providing a minimal length driveway, leading to the parking garage under the building. The driveway will be heated, which eliminates the need for snow plowing and snow storage, and decreases the snow management expense for the condo association. The proposed building is equipped with an elevator and community room with common kitchenette, deck and bathroom. The dumpster is located inside of the building and is screened by an overhead garage door. All units are two bedroom, two bathroom flats.

The proposed building fits well into the existing collection of eclectic buildings and structures around the neighborhood, including the original Kelleher Field structure, a factory building, a medical office, a commercial plaza, and various styles of residential buildings.

Prior to filing a Special Permit application, I spoke with almost all owners of abutting properties (10 out of 12, the two I have not spoken with were not interested in talking or are absentee landlords who could not be located). There was no opposition to the project from any of the neighbors. In fact, many neighbors saw the project as an improvement to the neighborhood and their property values, and some expressed an interest in buying a unit.

Benefits for Future Village District Developments

The project creates an opportunity to add residential units very similar in quality and amenities to those intended for the nearby Marlborough Village District. The similarities include: location with proximity to the rail trail and Marlborough hospital, modern building with garden style units, onsite underground parking, elevator service, and exterior deck common space. However, the proposed building has some important and significant advantages over proposed Village District buildings, which may help future Downtown development significantly.

Because the building is relatively small, it may be financed and constructed on a faster timeline than larger projects intended for the Village District, with more development funding spent on amenities. In addition, the availability of two on-site parking spaces per unit should further increase unit prices. As a result, with these units coming on the market relatively quickly, this project may provide the first set of comparable sales for future units in the Village District. The project will bring new residents with disposable incomes close to Downtown, helping to raise property values and setting the tone for future Downtown development.

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

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

27 Jefferson LLC (Stas Burdan), 110 Pleasant Street, Unit 100, Marlborough, MA 01752

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

27 Jefferson Road, Parcel 56-160 and 56-173

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

Donald C. Morris Trust, 1047 Pikes Falls Road, Jamaica, VT 05343

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

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

17
Article V Section 18(4) Paragraph Sub-paragraph

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


Residence B

7. Specific reason(s) for seeking Special Permit

The applicant is seeking to build the Jefferson Street Residences, an 11-unit 2-story multifamily building with 24 underground parking spaces.

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
By its Attorneys, Brian R. Falk and Arthur P. Bergeron
Address: Mirick, O'Connell, DeMallie & Lougee, LLP
100 Front Street
Worcester, MA 01608

Date: April 19, 2018

Telephone No. (508) 791-8500

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

Stas Burdan, Jefferson Street Residences
(Name of Petitioner)

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

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



400 foot Abutters List Report

Marlborough, MA
April 19, 2018

MARLBOROUGH ASSESSORS

Anthony C. Amadio
Chellen K. Silverstein
David May Jr

Subject Properties:

Parcel Number: 56-160
CAMA Number: 56-160
Property Address: 27 JEFFERSON ST

Mailing Address: MORRIS THOMAS M TR
1047 PIKES FALLS RD
JAMAICA, VT 05343-9602

Parcel Number: 56-173
CAMA Number: 56-173
Property Address: HIGHLAND ST

Mailing Address: MORRIS THOMAS M TR
1047 PIKES FALLS RD
JAMAICA, VT 05343-9602

Abutters:

Parcel Number: 56-150
CAMA Number: 56-150
Property Address: 72 JEFFERSON ST

Mailing Address: SANDRA & ANTHONY ANTICO REAL
ESTATE LLC
289 ELM ST SUITE#101
MARLBOROUGH, MA 01752

Parcel Number: 56-151
CAMA Number: 56-151
Property Address: 56 JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-152
CAMA Number: 56-152
Property Address: HUDSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-153
CAMA Number: 56-153
Property Address: 36 JEFFERSON ST

Mailing Address: NETO RAIMUNDO COELHO ARAUJO
36 JEFFERSON ST
MARLBOROUGH, MA 01752

Parcel Number: 56-154
CAMA Number: 56-154
Property Address: 20 JEFFERSON ST

Mailing Address: GRENIER JOSEPH X
20 JEFFERSON ST
MARLBOROUGH, MA 01752

Parcel Number: 56-155
CAMA Number: 56-155
Property Address: 14 JEFFERSON ST

Mailing Address: WHEELER KENNETH N
210 BIGELOW ST
MARLBOROUGH, MA 01752

Parcel Number: 56-156
CAMA Number: 56-156
Property Address: 6 JEFFERSON ST

Mailing Address: FRULLO IDA M LI EST
6 JEFFERSON ST 2ND FLOOR
MARLBOROUGH, MA 01752

Parcel Number: 56-157
CAMA Number: 56-157
Property Address: 16 HIGHLAND ST

Mailing Address: HYNES PATRICK S
16 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-158
CAMA Number: 56-158
Property Address: HIGHLAND ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

4/19/2018

Page 1 of 8



400 foot Abutters List Report

Marlborough, MA
April 19, 2018

Parcel Number: 56-159
CAMA Number: 56-159
Property Address: 45-65 JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-159A
CAMA Number: 56-159A
Property Address: JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-161
CAMA Number: 56-161
Property Address: 23 JEFFERSON ST

Mailing Address: KETTLE BONNIE L LI EST
23 JEFFERSON ST
MARLBOROUGH, MA 01752

Parcel Number: 56-162
CAMA Number: 56-162
Property Address: 30 HIGHLAND ST

Mailing Address: JOHNSON DANIEL
30 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-163
CAMA Number: 56-163
Property Address: 38 HIGHLAND ST

Mailing Address: TAKIMOTO ARIADNE A
38 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-164
CAMA Number: 56-164
Property Address: 44 HIGHLAND ST

Mailing Address: MURKLAND STANLEY V III TR
150 FAIRBANKS ST
WEST BOYLSTON, MA 01583

Parcel Number: 56-165
CAMA Number: 56-165
Property Address: 50 HIGHLAND ST

Mailing Address: BEAULIEU PATRICK M
50 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-166
CAMA Number: 56-166
Property Address: 60 HIGHLAND ST

Mailing Address: CAIRA RICHARD A
60 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-167
CAMA Number: 56-167
Property Address: 64 HIGHLAND ST

Mailing Address: GAY DEBRA J
64 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-168
CAMA Number: 56-168
Property Address: 68 HIGHLAND ST

Mailing Address: SMITH BRIAN M
68 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-170
CAMA Number: 56-170
Property Address: 72-78 HIGHLAND ST

Mailing Address: GERDON LLC
6 HIGH ST
MARLBOROUGH, MA 01752

Parcel Number: 56-171
CAMA Number: 56-171
Property Address: 80 HIGHLAND ST

Mailing Address: MIRANDA VALDINEI DO CARMO
16 BOWMAN LN
WESTBOROUGH, MA 01581



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400 foot Abutters List Report

Marlborough, MA
April 19, 2018

Parcel Number: 56-172
CAMA Number: 56-172
Property Address: 84 HIGHLAND ST

Mailing Address: SANTIAGO FERMIN
84 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-174
CAMA Number: 56-174
Property Address: JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-175
CAMA Number: 56-175-44-A
Property Address: 44 FREMONT ST #A

Mailing Address: DIAS SANCHES
44 FREMONT ST #A
MARLBOROUGH, MA 01752

Parcel Number: 56-175
CAMA Number: 56-175-46-B
Property Address: 46 FREMONT ST #B

Mailing Address: HARTMAN IRANY S
46 FREMONT ST #B
MARLBOROUGH, MA 01752

Parcel Number: 56-175
CAMA Number: 56-175-CM-
Property Address: 44-46 FREMONT ST

Mailing Address: MIELE FRANCIS R
44-46 FREMONT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-176
CAMA Number: 56-176
Property Address: JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-177
CAMA Number: 56-177
Property Address: JEFFERSON ST

Mailing Address: CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-1
Property Address: 65 FREMONT ST #1

Mailing Address: 65 FREMONT STREET REALTY CO LLC
65 FREMONT ST #1
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-2
Property Address: 65 FREMONT ST #2

Mailing Address: CIAMPA-ALBANESE SUSAN A
65 FREMONT ST #2
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-3
Property Address: 65 FREMONT ST #3

Mailing Address: 65 FREMONT STREET REALTY CO LLC
65 FREMONT ST #3
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-4
Property Address: 65 FREMONT ST #4

Mailing Address: MATTA ANIL TR
65 FREMONT ST #4
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-5
Property Address: 65 FREMONT ST #5

Mailing Address: ROSENBAUM CHARLES
65 FREMONT ST #5
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA

April 19, 2018

Parcel Number: 56-178
CAMA Number: 56-178-65-6
Property Address: 65 FREMONT ST #6

Mailing Address: LEVINE OTTILIE
65 FREMONT ST #6
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-60
Property Address: 65-65 FREMONT ST

Mailing Address: .
..
... .

Parcel Number: 56-178
CAMA Number: 56-178-65-7A
Property Address: 65 FREMONT ST #7A

Mailing Address: WASCAVAGE BRIAN TR
9 AUBURN RD
MILLBURY, MA 01527

Parcel Number: 56-178
CAMA Number: 56-178-65-7B
Property Address: 65 FREMONT ST #7B

Mailing Address: MATTA LALITA TR
65 FREMONT ST #7B
MARLBOROUGH, MA 01752

Parcel Number: 56-178
CAMA Number: 56-178-65-8
Property Address: 65 FREMONT ST #8

Mailing Address: NEUROLOGICAL SERVICES PC
463 WORCESTER RD SUITE 101
FRAMINGHAM, MA 01701

Parcel Number: 56-180C
CAMA Number: 56-180C
Property Address: 49 FREMONT ST

Mailing Address: TUCKER PAUL J
49 FREMONT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-201
CAMA Number: 56-201
Property Address: 49 FREMONT ST

Mailing Address: TUCKER PAUL J
49 FREMONT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-202
CAMA Number: 56-202
Property Address: HIGHLAND ST

Mailing Address: FERBER JEFFREY D
41 FREMONT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-202A
CAMA Number: 56-202A
Property Address: 41 FREMONT ST

Mailing Address: FERBER JEFFREY D
41 FREMONT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-203
CAMA Number: 56-203
Property Address: 90 HIGHLAND ST

Mailing Address: ZHANG JUNHONG
56 RUSSETT RD
WEST ROXBURY, MA 02132

Parcel Number: 56-204
CAMA Number: 56-204
Property Address: HIGHLAND ST

Mailing Address: ZHANG JUNHONG
56 RUSSETT RD
WEST ROXBURY, MA 02132

Parcel Number: 56-205
CAMA Number: 56-205
Property Address: 102 HIGHLAND ST

Mailing Address: BONIN PENELOPE F TR
102 HIGHLAND ST
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA
April 19, 2018

Parcel Number: 56-225
CAMA Number: 56-225
Property Address: 99 HIGHLAND ST

Mailing Address: RUSSELL PATRICIA J TR
99 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-226
CAMA Number: 56-226
Property Address: 95 HIGHLAND ST

Mailing Address: SMALL SAMUEL
95 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-226A
CAMA Number: 56-226A
Property Address: 91 HIGHLAND ST

Mailing Address: LANE JEAN D
91 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-230
CAMA Number: 56-230
Property Address: 15 FREMONT ST

Mailing Address: KING ANN D
8437 TUTTLE AVE STE 419
SAROSOTA, FL 34243

Parcel Number: 56-231
CAMA Number: 56-231
Property Address: 83 HIGHLAND ST

Mailing Address: REGAN JOHN C
83 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-232
CAMA Number: 56-232
Property Address: 79 HIGHLAND ST

Mailing Address: REEVES LAWRENCE Z
79 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-233
CAMA Number: 56-233
Property Address: 73 HIGHLAND ST

Mailing Address: ALVES TIAGO BRUNO
91 KELBER DR
MARLBOROUGH, MA 01752

Parcel Number: 56-234
CAMA Number: 56-234
Property Address: 65 HIGHLAND ST

Mailing Address: TAYLOR DOUGLAS P
455 VERNON ST
BRIDGEWATER, MA 02324

Parcel Number: 56-235
CAMA Number: 56-235
Property Address: 61 HIGHLAND ST

Mailing Address: CAIRA WILLIAM L
61 HIGHLAND ST #2
MARLBOROUGH, MA 01752

Parcel Number: 56-235A
CAMA Number: 56-235A
Property Address: 124 PROSPECT ST

Mailing Address: MCKINNEY THOMAS C
124 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-236
CAMA Number: 56-236
Property Address: 55 HIGHLAND ST

Mailing Address: SANCHEZ-MORENO GONZALO
55 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-237
CAMA Number: 56-237
Property Address: 47 HIGHLAND ST

Mailing Address: LOPEZ MARCIA G
47 HIGHLAND ST
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA

April 19, 2018

Parcel Number: 56-238
CAMA Number: 56-238
Property Address: 43 HIGHLAND ST

Mailing Address: FERRIS HOWARD W
43 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-239
CAMA Number: 56-239
Property Address: 35 HIGHLAND ST

Mailing Address: ADAMS ROSEMARY C
3 SADIES WAY
MANSFIELD, MA 02048-3481

Parcel Number: 56-240
CAMA Number: 56-240
Property Address: 31 HIGHLAND ST

Mailing Address: MASCIARELLI CAMILLO A
415 BERLIN RD
MARLBOROUGH, MA 01752

Parcel Number: 56-241
CAMA Number: 56-241-
Property Address: 27-29 HIGHLAND ST

Mailing Address: MARONEY JAMES D TR
240 EVELINA DR
MARLBOROUGH, MA 01752

Parcel Number: 56-241
CAMA Number: 56-241-1-A
Property Address: 29 HIGHLAND ST

Mailing Address: PERRY MICHAEL J TR
PO BOX 306
BERLIN, MA 01503

Parcel Number: 56-241
CAMA Number: 56-241-1-B
Property Address: 27 HIGHLAND ST

Mailing Address: MARONEY DIANE M
240 EVELINA DR
MARLBOROUGH, MA 01752

Parcel Number: 56-242
CAMA Number: 56-242
Property Address: 25 HIGHLAND ST

Mailing Address: SALAS NORBERTO SEGURA
25 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-243
CAMA Number: 56-243
Property Address: 21 HIGHLAND ST

Mailing Address: RUIZ MYNOR A
PO BOX 885
MARLBOROUGH, MA 01752

Parcel Number: 56-244
CAMA Number: 56-244
Property Address: 17 HIGHLAND ST

Mailing Address: PAZI MARCUS P
17 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-245
CAMA Number: 56-245
Property Address: 13 HIGHLAND ST

Mailing Address: ALMEIDA GILBERT C
59 VERNON ST
WALTHAM, MA 02453

Parcel Number: 56-245A
CAMA Number: 56-245A
Property Address: 269 LINCOLN ST

Mailing Address: JOLIE DANIEL A
7 HIGHLAND ST
MARLBOROUGH, MA 01752

Parcel Number: 56-246
CAMA Number: 56-246
Property Address: 267 LINCOLN ST

Mailing Address: TAMEO ROBERT P II
267 LINCOLN ST
MARLBOROUGH, MA 01752



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4/19/2018

Page 6 of 8



400 foot Abutters List Report

Marlborough, MA
April 19, 2018

Parcel Number: 56-249
CAMA Number: 56-249
Property Address: 90 PROSPECT ST

Mailing Address: BARTLETT MARION E LI EST
152 BIGELOW ST ATTN JOY BRIDGES
MARLBOROUGH, MA 01752

Parcel Number: 56-250
CAMA Number: 56-250
Property Address: 94 PROSPECT ST

Mailing Address: MESSIER ROGER G TR
94 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-251
CAMA Number: 56-251
Property Address: 100 PROSPECT ST

Mailing Address: RODRIGUES EDER ALEXANDRE N
100 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-252
CAMA Number: 56-252
Property Address: 104 PROSPECT ST

Mailing Address: PEIXOTO JULIO C
104 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-253
CAMA Number: 56-253
Property Address: 110 PROSPECT ST

Mailing Address: LUMBRA KELLY A
138 PLEASANT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-254
CAMA Number: 56-254
Property Address: 114 PROSPECT ST

Mailing Address: CALDERON LETICIA
114 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-255
CAMA Number: 56-255
Property Address: 120 PROSPECT ST

Mailing Address: ADVOCATES PROPERTIES INC
1881 WORCESTER RD
FRAMINGHAM, MA 01701

Parcel Number: 56-256
CAMA Number: 56-256
Property Address: 132 PROSPECT ST

Mailing Address: SIMPSON WAYNE A
132 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-256A
CAMA Number: 56-256A
Property Address: PROSPECT ST

Mailing Address: SIMPSON WAYNE A
132 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-257
CAMA Number: 56-257
Property Address: 136 PROSPECT ST

Mailing Address: GERA GEORGE
136 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-259
CAMA Number: 56-259
Property Address: 146 PROSPECT ST

Mailing Address: PURRETTA JOSEPH D
146 PROSPECT ST
MARLBOROUGH, MA 01752

Parcel Number: 56-260
CAMA Number: 56-260
Property Address: 14 FREMONT ST

Mailing Address: QUEZADA DANIEL
14 FREMONT ST
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA

April 19, 2018

Parcel Number: 56-85
CAMA Number: 56-85
Property Address: 297 LINCOLN ST

Mailing Address: KOBY INC
297 LINCOLN ST
MARLBOROUGH, MA 01752

Parcel Number: 56-86
CAMA Number: 56-86
Property Address: 103-A MECHANIC ST

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

Parcel Number: 69-334
CAMA Number: 69-334
Property Address: 103 MECHANIC ST

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

Parcel Number: 69-337
CAMA Number: 69-337
Property Address: MECHANIC ST

Mailing Address: FOSSILE NIEL TR
424 SOUTH ST
MARLBOROUGH, MA 01752

Parcel Number: 69-341
CAMA Number: 69-341
Property Address: 297 LINCOLN ST

Mailing Address: KOBY INC
297 LINCOLN ST
MARLBOROUGH, MA 01752

Parcel Number: 69-345
CAMA Number: 69-345
Property Address: 283 LINCOLN ST

Mailing Address: DONNARUMMA BENJAMIN P TR
329 MAPLE ST
MARLBOROUGH, MA 01752



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SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: 27 Jefferson LLC Address: 110 Pleasant Street, Unit 100,
(Stas Burdan) Marlborough, MA 01752
Project Name: Jefferson Street Residences Address: 27 Jefferson Street
Marlborough, MA 01752

1. PROPOSED USE: (describe) Multifamily Dwelling

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 18,694 1st floor 9,347 all floors 26,599 (incl. garage)
buildings 1 # stories 2 lot area (s.f.) 44,613

4. LOT COVERAGE: 28 %Landscaped area: 66 %

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

Normal: 11 Peak period: 22

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 12 Peak period: 24

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

Trash pickup once per week, landscaping service once per two weeks.

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 lighting with little to no light

leaving the property.

8. NOISE:

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

Same.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. Delivery and service trucks during business hours.

9. AIR: What sources of potential air pollution will exist at the development? None.

10. WATER AND SEWER: Describe any unusual generation of waste. N/A

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: 19 APRIL 2018

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Jefferson Street Residences

Project Use Summary: Multifamily Dwelling

Project Street Address: 27 Jefferson Street

Plate: 56 Parcel: 160 and 173


Applicant/Developer Name: 27 Jefferson LLC

Plan Date: ~~1/30/18~~ ^{KC} 2/8/18 & 12/19/17 Revision Date: _____

Dear President and Members:

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

Very truly yours,


Jeffrey K. Cooke
Building Commissioner

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

\$500

Base Fee: \$300
8 units
over 3 \$200
X \$25 \$500

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



**Lisa M. Thomas
City Clerk**

Dear Applicant,

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

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

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


Signature

4/18/18
Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas
City Clerk*

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

**Lisa M. Thomas
City Clerk**



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

Company Name

Donald C. Morris Trust

Owner Name/Officer Name of LLC or Corporation

Thomas M. Morris, Trustee

Owner/Officer Complete Address and Telephone Number

1047 Pikes Falls Road

Jamaica, VT 05343

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.

Sileen Brustol

Tax Collector

ZONING REGULATIONS
CITY OF MARLBOROUGH ZONING R650-11

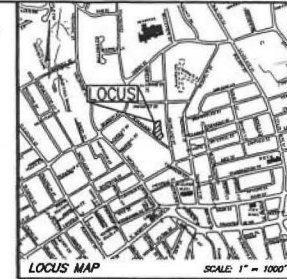
USE: MULTI-FAMILY (11 UNITS)

ZONE	MIN LOT AREA	MIN LOT FRONTAGE	MIN SIDE YARD	MIN REAR YARD	MIN REAR SETBACK	MAX HEIGHT	MAX LOT COVERAGE	LANDSCAPED AREA	MINIMUM AREA PER DWELLING UNIT	PARKING SPACES
REQUIRED	4,000 SF	100 FT	15 FT	30 FT	30 FT	2.5 STORES	30%	10,000 SF	22 (2 SPACES/UNIT)	24
PROVIDED	4,461 SF	116.9 FT	23 FT	33 FT	188 FT	2.8 STORES	28.6%	25,467 SF	4,656 SF	24

LOT COVERAGE SUMMARY

TOTAL LOT AREA	44,613 SF
BUILDING AREA	10,407 SF
OPENLY PERMEABLE PAVEMENT WALKWAY	2,068 SF
	381 SF

REFERENCES:
MARLBOROUGH ASSESSOR'S MAP 56, LOT 160



CITY COUNCIL SPECIAL PERMIT SITE PLAN

27 Jefferson Street
Marlborough, Massachusetts 01752

PREPARED FOR:
27 JEFFERSON LLC

PO Box 650056
West Newton, Massachusetts 02465

HANCOCK ASSOCIATES

Civil Engineers
Land Surveyors
Environmental Consultants

315 Elm Street, Marlborough, MA 01752
Voice: (508) 461-1113, Fax: (508) 461-1231
www.hancockassociates.com



NO.	BY	DATE	ISSUE/REVISION DESCRIPTION

PERMIT SITE PLAN

DWG: 20982 P15.dwg	1
LAYOUT: 1-PS	
SHEET: 1 OF 1	
JOB NO: 20982	

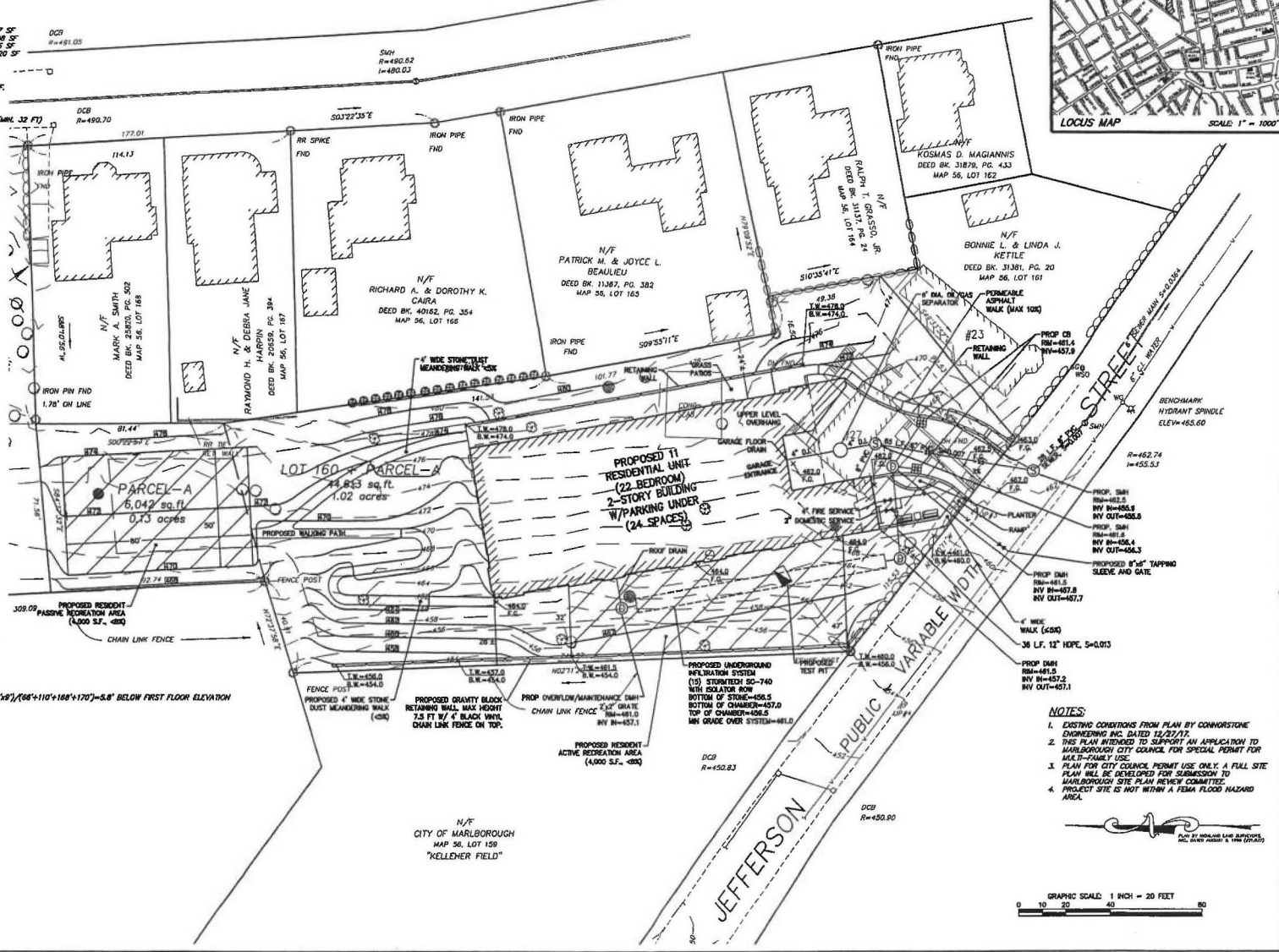
FLOOR AREA SCHEDULE

GARAGE LEVEL	8,987 SF	DCB	R=491.05
FIRST FLOOR	10,508 SF		
SECOND FLOOR	8,425 SF		
TOTAL FLOOR AREA	28,420 SF		

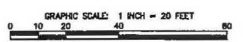
*PER R650-11.8(4)
LARGEST FLOOR AREA = 10,508 S.F.
70% MUST BE LESS THAN OR
EQUAL TO 2,500 S.F.
PROVIDED = 4,000 S.F.
AVERAGE WIDTH AREA 1 = 40 FT (MIN. 32 FT)
AVERAGE WIDTH AREA 2 = 50 FT

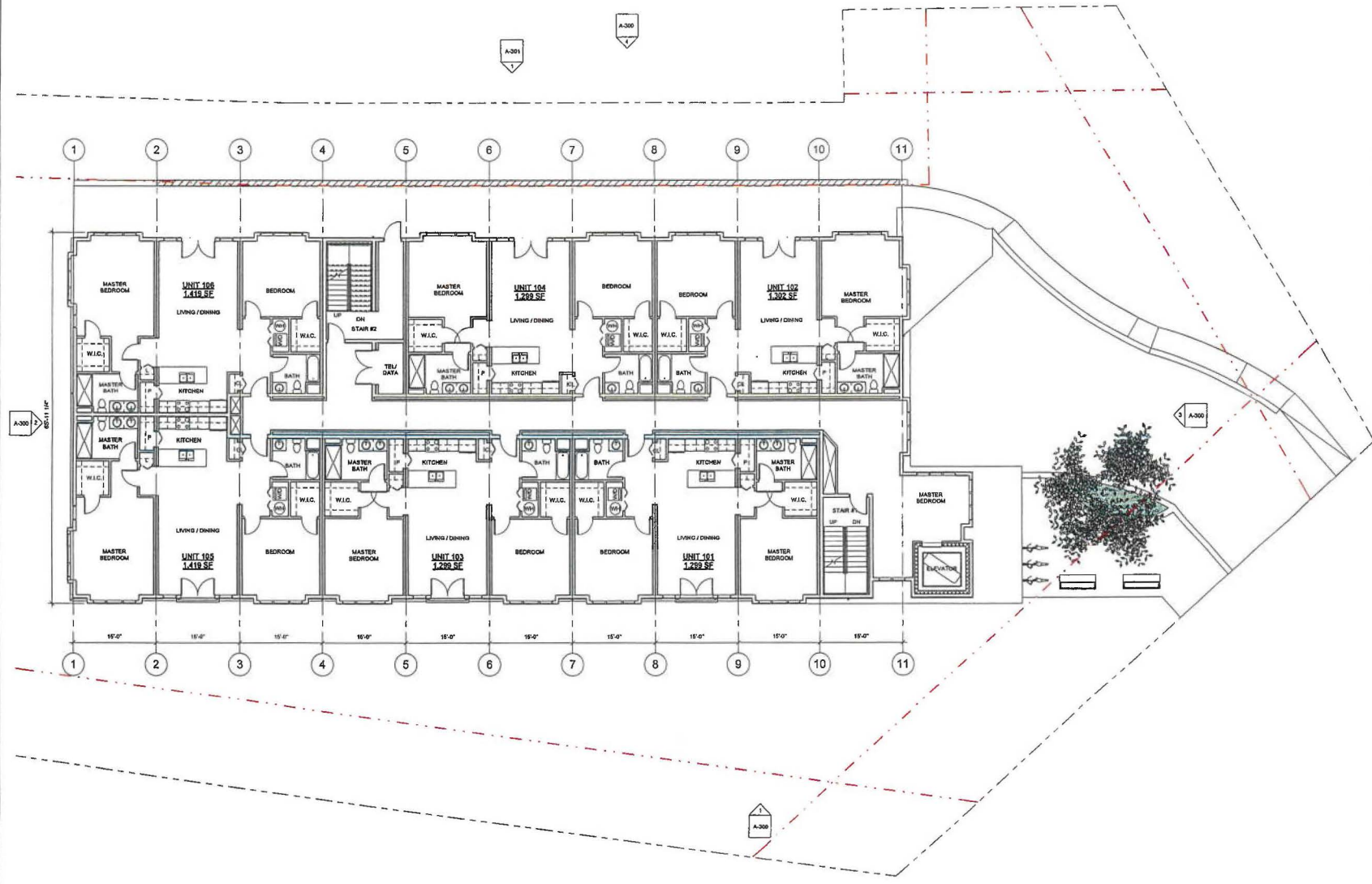
AVERAGE GRADE CALCULATIONS

NORTH SIDE 66'x4"
EAST SIDE 168'x0"
SOUTH SIDE 110'x11"
WEST SIDE 170'x0"
 $(66'4") \times (110'x11") + (168'x0") + (170'x0") + (66'4" \times 110' + 168' \times 170') = 5.8'$ BELOW FIRST FLOOR ELEVATION



- NOTES:**
- EXISTING CONDITIONS FROM PLAN BY CONNORSTONE ENGINEERING INC. DATED 12/27/17.
 - THIS PLAN INTENDED TO SUPPORT AN APPLICATION TO MARLBOROUGH CITY COUNCIL FOR SPECIAL PERMIT FOR MULTI-FAMILY USE.
 - PLAN FOR CITY COUNCIL PERMIT USE ONLY. A FULL SITE PLAN WILL BE DEVELOPED FOR SUBMISSION TO MARLBOROUGH SITE PLAN REVIEW COMMITTEE.
 - PROJECT SITE IS NOT WITHIN A FEMA FLOOD HAZARD AREA.





① Level 1
1/8" = 1'-0"

PROJECT NAME
JEFFERSON ST. RESIDENCES

PROJECT ADDRESS
27 Jefferson Street
Marlborough, MA

CLIENT
Alt.Re Real Estate



17 WALDO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-861-8882 FAX: 617-861-2986

CONSULTANTS:

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CONSENT IS PROHIBITED AND SHALL RESULT
IN THE FULLEST EXTENT OF PROSECUTION
UNDER LAW



Project Number: 17078
Date: 04/18/2018
Drawn by: ERS
Checked by: JSC
Scale: 1/8" = 1'-0"

REVISIONS

No.	Description	Date

1st Floor Plan
A-102

01/10/17:27:46:ProjectName:27-Jefferson-St-Residences-01-DWG-Arch-102-2017-Marlboro-Rev-1.dwg:User:JSC:2/4



Level 2
1/8" = 1'-0"

PROJECT NAME
JEFFERSON ST. RESIDENCES

PROJECT ADDRESS
27 Jefferson Street
Marlborough, MA

CLIENT
Alt.Re Real Estate

ARCHITECT
DESIGN

KHALSA

17 VALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-891-4882 FAX: 617-891-2088

CONSULTANTS:

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Project number: 17070
Date: 04/18/2018
Drawn by: ELS
Checked by: JSA
Scale: 1/8" = 1'-0"

REVISIONS

No.	Description	Date

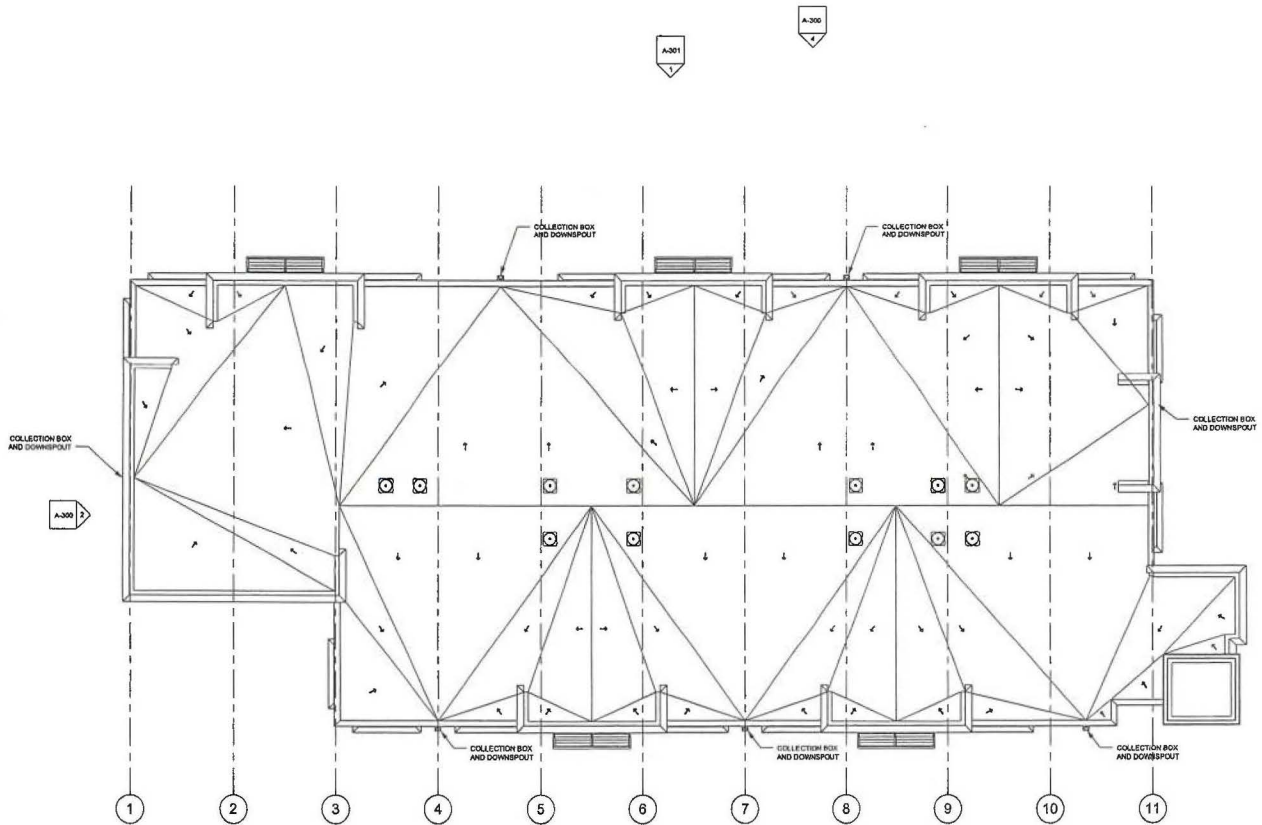
2nd Floor Plan

A-103

JEFFERSON ST. RESIDENCES

C:\Users\jhalson\Documents\Drawings\A103\A103_2ndFloor.dwg

4/18/2018 1:31:03 AM




① Level 3
1/8" = 1'-0"

PROJECT NAME
JEFFERSON ST. RESIDENCES

PROJECT ADDRESS
27 Jefferson Street
Marlborough, MA

CLIENT
Alt.Re Real Estate

ARCHITECT
DESIGN

KHALSA

17 WALDO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-891-8882 FAX: 617-891-2088

CONSULTANTS:

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UNDER LAW.



Project number: 17079
Date: 04/18/2018
Drawn by: EJS
Checked by: JSC
Scale: 1/8" = 1'-0"

REVISIONS

No.	Description	Date

Roof Plan

A-104

PROJECT NAME
JEFFERSON ST. RESIDENCES

PROJECT ADDRESS
 27 Jefferson Street
 Marlborough, MA

CLIENT
Alt.Re Real Estate



17 WALDO STREET SUITE 400
 SOMERVILLE, MA 02143
 TELEPHONE: 617-581-4882 FAX: 617-581-3288

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Project number: 17079
 Date: 04/18/2018
 Drawn by: AURUX
 Checked by: CHECKER
 Scale: As Indicated

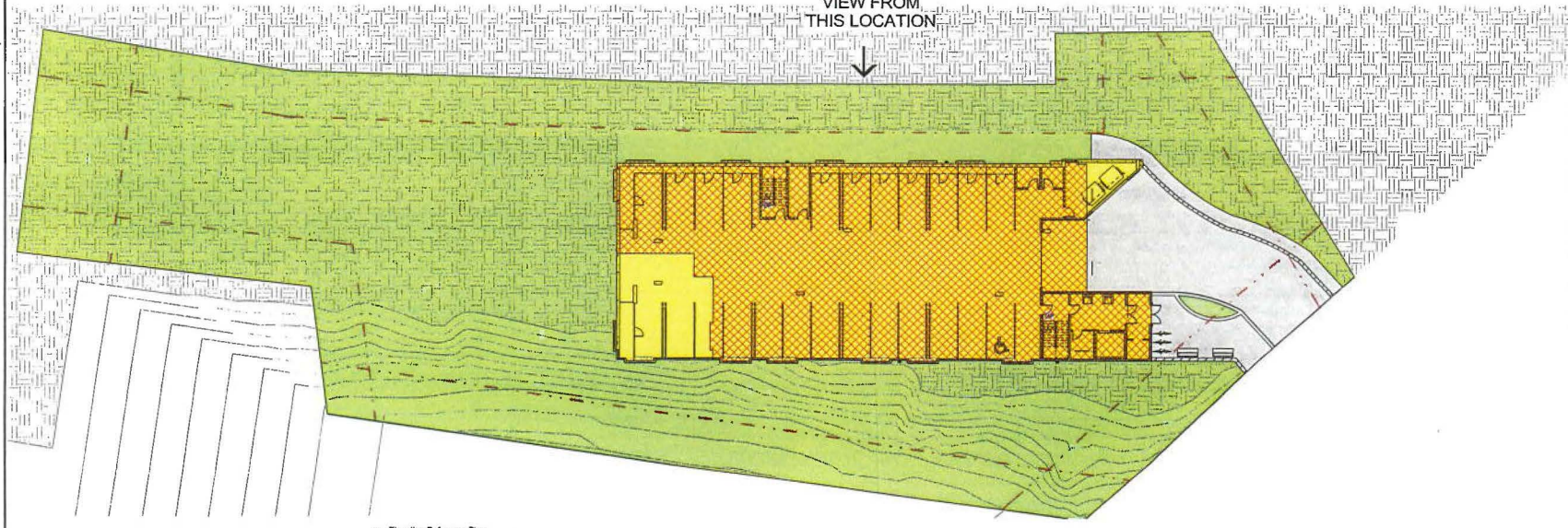
REVISIONS

No.	Description	Date

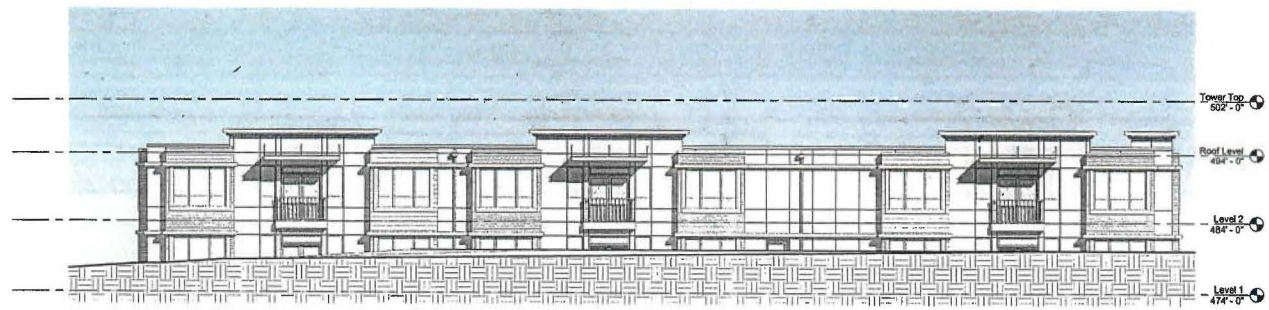
Rear Abutters View

A-301
 JEFFERSON ST. RESIDENCES

ELEVATION
 VIEW FROM
 THIS LOCATION

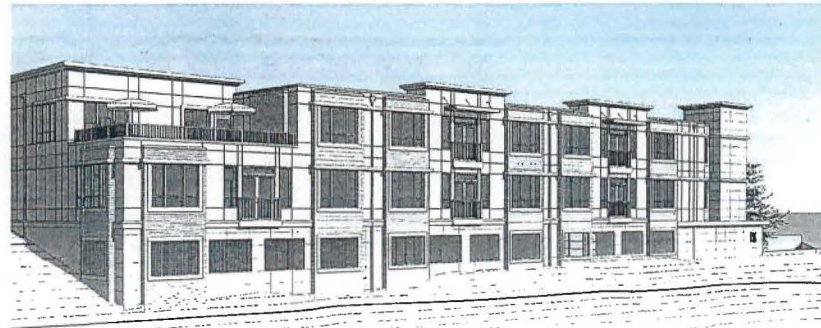
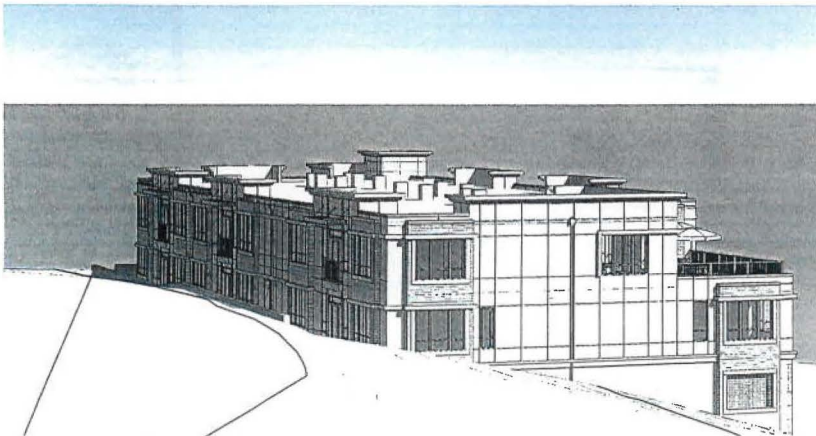
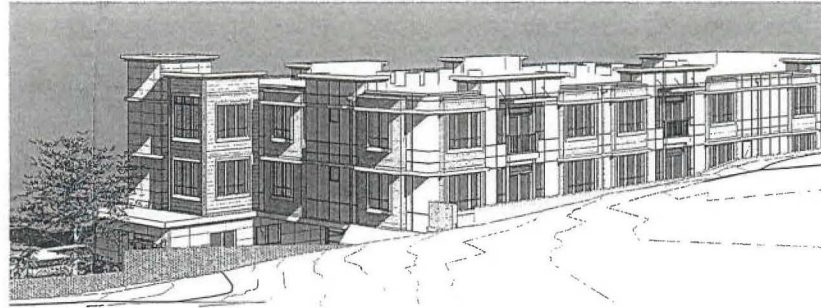
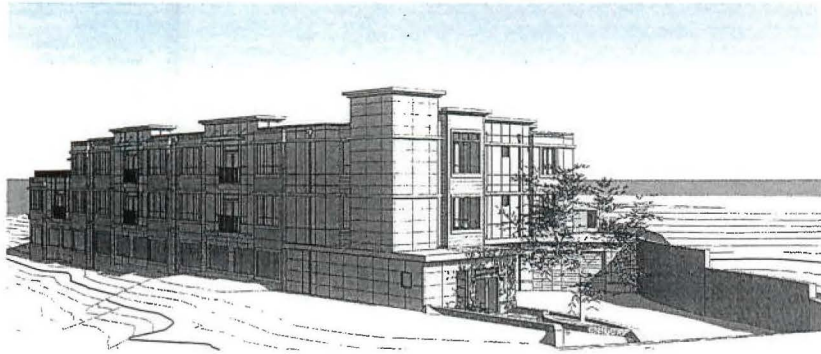


② Elevation Reference Plan
 1/16" = 1'-0"



① Rear Property Line Elevation
 1/8" = 1'-0"

04/18/2018 8:23:29 AM C:\Users\jhalson\Documents\2018\17079\JEFFERSON ST. RESIDENCES\A-301.dwg



PROJECT NAME
**JEFFERSON ST.
RESIDENCES**

PROJECT ADDRESS
27 Jefferson Street
Marlborough, MA

CLIENT

Alt.Re Real Estate

ARCHITECT



17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-961-8862 FAX: 617-961-2068

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REGISTRATION



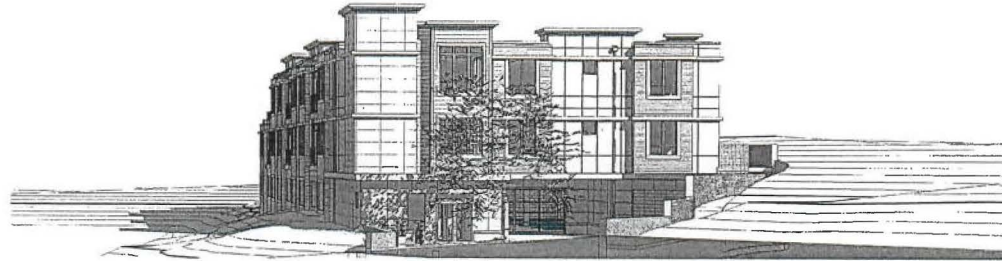
Project number: 70799
Date: 04/16/2018
Drawn by: BRS
Checked by: JSK

REVISIONS

No.	Description	Date

Perspective Views

V-1



① Jefferson Street View



② Lower Field View

PROJECT NAME
**JEFFERSON ST.
RESIDENCES**

PROJECT ADDRESS
27 Jefferson Street
Marlborough, MA

CLIENT

Alt.Re Real Estate

ARCHITECT



17 WALDOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-661-4862 FAX: 617-661-2888

CONSULTANTS:

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UNDER LAW.

REGISTRATION



Project number: 17079
Date: 04/18/2018
Drawn by: ERS
Checked by: JSC
Scale:

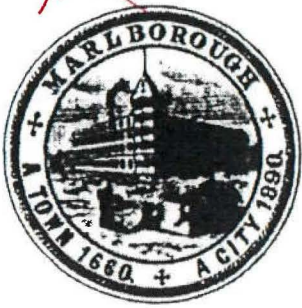
REVISIONS

No.	Description	Date

Perspective Views

V-2
JEFFERSON ST. RESIDENCES

1 of
\$25
OK 4 3376



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CITY OF MARLBOROUGH

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

2018 MAR 29 P 3:48

**Lisa M. Thomas
City Clerk**

MARLBOROUGH, MA

DATE: 02/06/2018

To the City Council:

Owner Name: Best Buy Stores, LP #1966

Residential Address: PO Box 4401 Lisle, IL 60532

Telephone Number: 630-857-2100

Business Name: Best Buy Stores, LP #1966

Business Address: 601 Donald Lynch Blvd, Marlborough, MA 01752

Business Telephone Number: 508-460-0232

* Officer's ~~Owner~~ Signature: [Handwritten Signature]

The above-signed _____ respectfully requests that he/she be
granted a Junk Dealer's License license.

In City Council

Pd \$25
ck # 3347



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City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

2018 MAR 29 P 3:48

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 02/6/2018

To the City Council:

Owner Name: Best Buy Stores, LP #820

Residential Address: PO Box 4401 Lisle, IL 60532

Telephone Number: 630-857-2100

Business Name: Best Buy Stores, LP #820

Business Address: 769 Donald Lynch Blvd, Marlborough, MA 01752

Business Telephone Number: 508-460-3775

* B6

Officer's ~~Owner~~ Signature: [Handwritten Signature]

The above-signed _____ respectfully requests that he/she be
granted a Junk Dealer's License license.

In City Council

City Council

From: Tiffany O'Hearn
Sent: Tuesday, April 17, 2018 2:52 PM
To: City Council
Subject: Outdoor Seating O'Hearn's Tavern

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 18 P 4: 08

Hello,

My name is Tiffany O'Hearn, I am one of the owners of O'Hearn's Tavern on Florence Street. We are petitioning to see if we would be able to add some outdoor seating to our establishment.

We would like to add 4 tables out front of our building. Not to exceed past our store front.

Please let me know what else I may need to provide.

Warm Regards,

Tiffany O'Hearn
O'Hearn's Tavern

4/11/2018

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CITY OF MARLBOROUGH

Parties in Interest (see attached signatures)

2018 APR 17 A 8:45

City of Marlborough

Office of the Mayor, City Council, Urban Affairs committee, Planning Board and City Clerk,
140 Main Street
Marlborough, MA 01752

Re: The Proposed Zoning Amendment, Section 650-8, Retirement Community Overlay District, ORDER NO. 18-1007136(Marlborough Airport Property) and Special Permit

As the property owners of the land immediately adjacent (within 300') and in accordance with, MGL chapter 40A (Zoning) Section 5 (adoption or changes of zoning ordinances or by-laws; procedure), we are writing to place on file, prior to final action by the council, a written protest against such change and to force a $\frac{3}{4}$ vote of all members.

We feel strongly that the proposed amendment is not in the best interest of the surrounding community. This includes: business operations, existing residents or the prospective "New" residents.

1. This change is inconsistent. The proximity of the proposed development is dis-similar in character to adjacent properties. As previously expressed this will potentially cause conflict between LI /BUSINESS property owners, hosted businesses and "New" residents.
2. It is unclear, from a landowner's perspective, how the new requirements of the "Retirement Community Overlay" will affect the future use of our existing properties zoned Limited Industrial / Business.
3. Traffic on Farm Road is already a problem. An additional High-Density community will only exacerbate the problems for existing residents and businesses.
4. **No Communication to Parties in interest.** The overlay is in-consistent with LI and zoning districts. According to table of use, LI requires **Special Permit**. There is no Special Permit. Had there been a special permit request, Chapter 40a, Section 11. Requires written notification to parties in interest, "**notice shall be sent by mail, postage prepaid.**" "Parties in interest" as used in this chapter includes abutters, and abutters to the abutters within three hundred feet of the property line.
5. A public hearing is scheduled on Monday May 7, 2018 for proposed changes to the zoning ordinance chapter 650-22. Though they are being proposed for a different community. The changes, if approved, would apply to this one. The proposed changes have the potential to significantly impact the final design of this residential community. Including, changes in the unit style and density. The impacts of which cannot be effectively assessed at this time by effected residents and business owners.

Signature Page:

In accordance with MGL chapter 40A (Zoning) Section 5 (adoption or changes of zoning ordinances or by-laws), I am signing to "protest the proposed zoning changes" related to:

Proposed Zoning Amendment to Chapter 650 §8, Retirement Community Overlay District, 685 Farm Road, Order No. 18- 1007136, XI 7/18-1006963C

Business Name or Resident and Address:

The 729 Farm Rd TRUST
729 Farm Rd
Richard C Dimatteo, TRUSTEE

Representative: <Please Print>

A handwritten signature in black ink, appearing to read "Richard C. Dimatteo", written over a horizontal line.

Signature

Parcel 73-49

Signature Page:

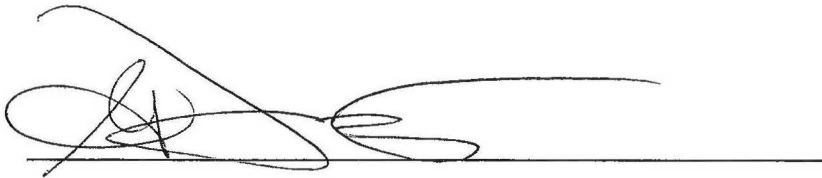
In accordance with MGL chapter 40A (Zoning) Section 5 (adoption or changes of zoning ordinances or by-laws), I am signing to "protest the proposed zoning changes" related to:

Proposed Zoning Amendment to Chapter 650 §8, Retirement Community Overlay District, 685 Farm Road, Order No. 18- 1007136, XI 7/18-1006963C

Business Name or Resident and Address:

GINA A. DiMatteo
721 Farm Rd
Marlborough MA 01752

Representative: <Please Print>

A handwritten signature in black ink, appearing to read 'GINA A. DiMatteo', is written over a solid horizontal line.

Signature

Parcel 73-50

Signature Page:

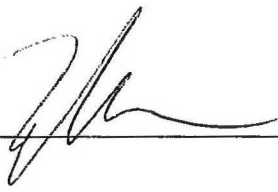
In accordance with MGL chapter 40A (Zoning) Section 5 (adoption or changes of zoning ordinances or by-laws), I am signing to "protest the proposed zoning changes" related to:

Proposed Zoning Amendment to Chapter 650 §8, Retirement Community Overlay District, 685 Farm Road, Order No. 18- 1007136, XI 7/18-1006963C

Business Name or Resident and Address:

MICHAEL MONTEIRO, TR
MONTEIRO REALTY TRUST
667 FARM RD.
MARLBORO, MA 01752

Representative: <Please Print>



Signature

Parcel 85-13

Signature Page:

In accordance with MGL chapter 40A (Zoning) Section 5 (adoption or changes of zoning ordinances or by-laws), I am signing to "protest the proposed zoning changes" related to:

Proposed Zoning Amendment to Chapter 650 §8, Retirement Community Overlay District, 685 Farm Road, Order No. 18- 1007136, XI 7/18-1006963C

Business Name or Resident and Address:

TROMBETTA FAMILY LIMITED PARTNERSHIP
655 FARM ROAD
MARLBORO, MA. 01752

Representative: <Please Print>



A handwritten signature in cursive script, appearing to read "Anthony Ray Trombetta", is written over a horizontal line.

Signature

Parcel 85-12

Signature Page:

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CITY OF MARLBOROUGH
2018 APR 17 P 12:03

I am signing in support of the Vote "NO" on the proposal for 685-685R Farm Road Retirement
Community Overlay District that is before you.

Business Name or Resident and Address:

32 Virginia St
Marlborough

Representative: <Please Print>

Lee Atherton



Signature

Note: This page is an addendum to the attached letter originally submitted to the city.

March 26, 2018

Mayor Arthur Vigeant, honorable members of the City Council and the Office of the City Clerk
City Hall
140 Main Street
Marlborough, MA 01752

Dear Mayor Vigeant and honorable members of the council,

We are writing concerning 685-685R Farm Road Retirement Community Overlay District proposal that is before you. As longtime residents and/or business owner's that are closely located to the proposed development. We are asking you to vote "NO" on this proposal for the following reasons:

1. The co-location of residential with industrial/business use will lead to problems for the residents, business owners and the city. Specifically, relating to the noise associated with normal business operations and view for prospective new residents of the same. We believe this will be a point of conflict and as with other development initiatives, likely to lead to displacing our small business or burdening them with legal costs associated with disputes. No provisions or safeguards to address this have been included in the developer's proposal or mandated by the city. Below are just a few examples of recent local lawsuits concerning condo abutters:
 - a. Gulbankin- Southboro. Michael Gulbankins business was shut down because his new neighbors complained about noise and odors from his school buses and machine shop. This caused him to spend over \$180,000.00 to litigate.
 - b. Davidians Farm - Northboro. The 4th generation family is being harassed by neighbors because their compost pile smells when the wind is blowing from wrong direction.
 - c. Sauta Farm-Hudson. March 21, 2018, on the first day of spring, they were served a cease & desist order from the town of Hudson. Their neighbors who live in condos that were built on Sauta land, aren't happy with their wood cutting operation and composting.
 - d. Here in Marlborough, look at the heart-aches and sleepless nights experienced by Sandy and Bob Stetson when the "helicopter school" was harassed by local abutters. Also, what has it cost the City of Marlboro to try to control odors from our "easterly sewer plant" to satisfy the residents that live off Sudbury Street?
2. We believe the property owners and businesses should have been notified in writing of the intent to change the zoning and of Capital Group Properties intent to develop the property. There was absolutely NO communication from the developer and the city communications were limited. This lack of communication and disregard for the abutting property owners is unacceptable and has not allowed us adequate time to review or to propose alternative solutions.
3. A public hearing is scheduled on Monday May 7, 2018 for proposed changes to the zoning ordinance chapter 650-22. The changes proposed, have not been heard by the public and are directly related to this proposal. The proposed changes have the potential to significantly impact the final design of this residential community. Including, changes in the unit style and density. The impacts of which cannot be effectively assessed at this time by effected residents and business owners.

4. We believe there are other uses for this property that should be explored first and that would allow Sandy Stetson to sell her property, be compatible with current zoning and existing business operations and would have the potential to serve the entire community. An example could include, but is not limited to, the purchase of the property by the city for use as a school or possibly a sports center allowing for:
- soccer fields,
 - family area,
 - green space,
 - parking,
 - a heliport,
 - walking and jogging trails,
 - dog park,
 - gateway to Callahan State Park
 - A project like this may also be able to leverage state grants.

Development costs at this location for school or recreational use may be more economical and desirable than other proposed locations.

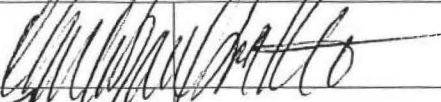
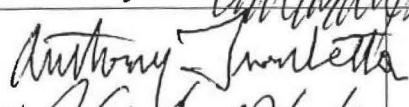
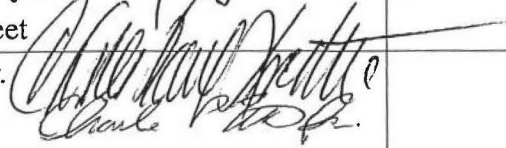


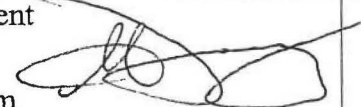
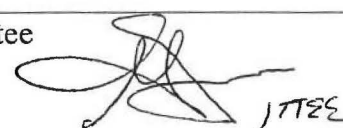


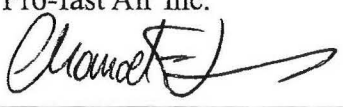

We appreciate your prompt attention to this matter. Thank you for your service to our community.



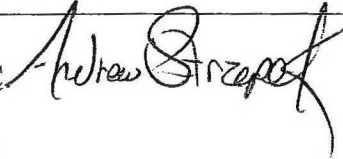
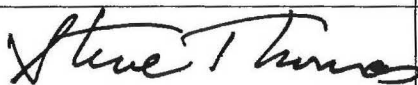
Sincerely,

See Attachment A. for a list of all signatures

Cc: Mayor Arthur Vigeant; Edward J. Clancy City Council President, City Councilors, Dave Doucette; Michael H. Ossing; Peter J. Juare; Mark Oram; Kathleen D. Robey; Joseph F. Delano, Jr; J Christian Dumais, Robert J. Tunnera; John J. Irish; Donald R. Landers; Office of the City Clerk.

Attachment A. Signatures

Charles P. Trombetta, Trustee The 10 Broadmeadow St. Realty Trust	
Anthony Trombetta Christine Trombetta 20 Broadmeadow Street	
Charles Trombetta, Sr. Charles Trombetta, Jr Tony Trombetta, Trombetta's Farm 655 Farm Road trombettasfarm@hotmail.com	 
Mike Monteiro Monteiro Realty Trust Monteiro Machine Co. 667 Farm Road. Marlborough, Ma 01752 508-981-8800 monteiromachine@verizon.net	
Gina A. DiMatteo, Resident 721 Farm Road dimatteo.ga@outlook.com	
Gina A. DiMatteo, Trustee 729 Farm Road Trust 729 Farm Road dimatteo.ga@outlook.com	
Richard C. DiMatteo, Trustee 729 Farm Road Trust 729 Farm Road r.dimatteo@comcast.net	
Alycia Leduc Wayside Athletic Club alycialeduc@waysideathleticclub.com	
Manuel Lemes President and owner, Pro-fast Air Inc. 729 Farm Road Marlborough, MA	
Rodney P. Majowicz Compact Equipment Services 729 Farm Road	

Walter Enright Sign-Right 729 Farm Road 	
Lincoln Rebello Expert Auto Repair 667 Farm Road Marlboro, Ma 01752 expertautorepair2012@hotmail.com 508-303-2000 	
Andrew Strzepak Coastline group LLC 667 Farm Road Marlboro, Ma 01752 andrew@coastline-group.com 978-835-4581 	
Steve Thomas VideoTech Service 667 Farm Road Marlboro, Ma 01752 vidtech@verizon.net 508-320-6423 	

Fernando Teodoro
 American eagle AUTO SALES
 729 Farm Rd
 Marlboro, ma 01752

→ 

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2018 APR 17 P 12:03

4/11/2018

LOURIVAL MASONRY & LANDSCAPE
Marlborough, MA 01752

City of Marlborough
Office of the Mayor, City Council, Planning Board and City Clerk,
140 Main Street
Marlborough, MA 01752

Re: The Proposed Zoning Amendment, Section 650-8, Retirement Community Overlay District, ORDER NO. 18-1007136(Marlborough Airport Property)

Dear Mayor Arthur Vigeant, honorable members of City Council and Planning Board,

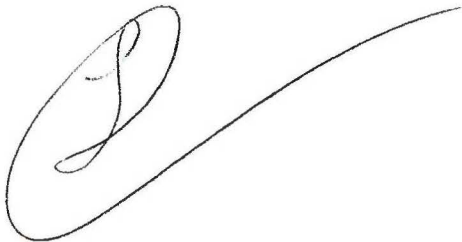
I am writing as I am concerned that the proposed use of the Marlborough Airport Property as a retirement community will cause problems for my small business operations @ 729 Farm Road and for the proposed "New" residents.

I am asking you to Vote "NO" on this proposed change.

Thank you for your service to the City of Marlborough and your attention to this matter.

Regards,

Lourival Santos
Lourival Masonry

A handwritten signature in black ink, appearing to be 'Lourival Santos', written in a cursive style. The signature starts with a large, looped 'L' and ends with a long, sweeping horizontal stroke.

MARTELL CONSTRUCTION, LLC

Siding— Roofing— Windows— Gutters— Home Improvement

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CITY CENTER
MARLBOROUGH

2018 APR 18 A 8:36

661 Sudbury St
Marlborough, MA 01752
508-208-5007

April 12, 2018

Office of the city council
City Hall
140 Main Street 01752

Dear Honorable Member,

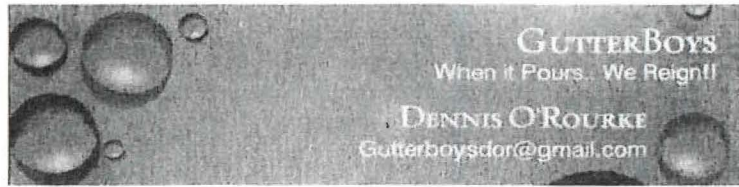
I have been recently informed of the condo project proposed at the Marlboro Airport. I rent space at 655 Farm Road to operate my business and am concerned that the Development will affect the future of my space. Because of my concern I am asking you to vote No on the rezoning and special permit. Thank you for your consideration.

Sincerely,

Martell Construction

Michael Martell





4/11/2018

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GutterBoys
729 Farm Road
Marlborough, MA 01752

2018 APR 18 A 11: 13

City of Marlborough
Office of the City Clerk, City Council, Urban Affairs Committee, Planning Board, Office of the Mayor
140 Main Street
Marlborough, MA 01752

Re: On the Proposed Zoning Amendment, Section 650-8, Retirement Community Overlay District,
ORDER NO. 18-1007136(Marlborough Airport Property)

Dear Mayor Arthur Vigeant, honorable members of City Council and Planning Board,

I am writing as I am opposed to the proposed zoning change and concerned that the proposed use of the Marlborough Airport Property as a retirement community will disrupt my small business operations.

As a Marlborough citizen and small business owner, I do not think the proposed use of the property is well thought out.

I am asking you to Vote "NO" on this proposed change. Thank you for your attention to this matter and for your service to the City of Marlborough.

Regards,

A handwritten signature in black ink, appearing to read "Dennis O'Rourke", is written over the printed name.

Dennis O'Rourke
GutterBoys

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CITY OF MARLBOROUGH

4/5/18


2018 APR 18 P 3:45

Office of the city council
City Hall
140 Main Street 01752

Dear Honorable Member,

I have been recently informed of the condo project proposed at the Marlboro Airport. I rent space at 655 Farm Road to operate my business and am concerned that the Development will affect the future of my space. Because of my concern I am asking you to vote No on the rezoning and special permit. Thank you for your consideration.

Sincerely,



Chris Bell
Belli Plumbing and Heating Corp

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CITY OF MARLBOROUGH

2018 APR 18 P 3:45

Bernie Sinacole, Jr.
77 Edinboro St
Marlborough, MA 01752

Office of the city council
City Hall
140 Main Street 01752

Dear Honorable Member,

I have been recently informed of the condo project proposed at the Marlboro Airport. I rent space at 655 Farm Road to operate my business and am concerned that the Development will affect the future of my space. Because of my concern I am asking you to vote No on the rezoning and special permit. Thank you for your consideration.

Sincerely,

Bernard J. Sinacole Jr.

**The Backroom
655 Farm Road
Marlboro, MA 01752
508-335-6375**

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CITY OF MARLBOROUGH
2018 APR 18 P 3:45

April 6, 2018

Office of the City Council
City Hall
Marlboro, MA 01752

Dear Honorable Member:

I have been recently informed of the condo project proposed at the Marlboro Airport.

I rent space at 655 Farm Road to operate my business and am concerned that the development will affect the future of my space. Because of my concern, I am asking you to vote No on the rezoning and special permit for this project. Thank you for your consideration.

Sincerely,


Sara and Steve Hamill
The Backroom



CITY OF MARLBOROUGH

RECREATION DEPARTMENT

239 Concord Road
Marlborough, Massachusetts 01752
Tel (508) 624-6925 FAX (508) 624-6940 TTY (508) 460-3610

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2018 APR -2 P 12:47

COMMISSIONERS
Brenda Calder
Nancy Klein
Robert Kays: Chairman
Mark Vital

DIRECTOR
Charles Thebado

PROGRAM MANAGER
Zachary Lambert

January 17, 2018

Pursuant to notice duly filed with the City Clerk, a meeting of the Parks and Recreation Commission was held at 5:00pm, at the Recreation Commission Office.

Present were Commission Members: Chairman Kays, Commissioner Calder, Commissioner Klein, and Commissioner Vital.

Also attending: Recreation Director Charles Thebado, Recreation Program Manager Zachary Lambert, General Foreman Chris White.

Approval of minutes 09-13-17:

On a motion duly made by Commissioner Vital and seconded by Commissioner Klein, it was unanimously:

VOTED: To accept 09-13-17 minutes.

Parks Report:

Mr. White gave the following updates:

- All ice rinks are up and running. Due to very cold weather this winter all rinks are used by skaters.
- Irrigation will be redone at Kelleher Field.
- A grant was filed regarding Ghiloni Park.
- Budget 2019: Requesting new equipment and two extra trucks.
- There was a discussion regarding the turf field and the amount of use the field is getting.

Recreation Report:

Mr. Thebado gave the following updates:

- Home for the Holidays was very successful.
- Recreation Website is complete and running, we have put up all facilities, contact info, recreation forms and recreation programs. We can now take program registrations online and we are hoping by the end of this month we can also take payments online.
- Chuck and Zach are meeting with Brian Doheny/City Comptroller regarding accepting credit cards online.
- Also, we are hoping to have a laptop/kiosk in our meeting room to accommodate adults with no computers in their home or they need help with signing up online.
- February Vacation Winter Adventure information is up and running.

- All winter programs are posted on the Recreation Department Website. .
- “Movies in the Park” was a huge success, we are planning to do more in the Spring and Summer at different locations throughout the city. We are also looking into more youth events for the upcoming season.
- The Recreation Department will meet with the youth sports groups at the end of this month or the beginning of next month to go over what worked and things that can be improved.
- Dealing with John Welch for both youth organizations worked very well.
- Simela will be sending the guidelines and applications for field permits out to the youth and adult organizations by the end of this month.
- Brief discussion regarding a pavilion at Ghiloni Park.
- There was a brief discussion regarding a Field Marshall. The Commission stated that a Field Marshall will be ideal to monitor the fields.
- There was also a brief discussion regarding outside groups and turf fees.
- The Recreation Department will be meeting with the Mayor regarding the Ghiloni Skate Park.
- Scholarship letters were send to local organizations/companies.
- Summer Concerts : We are in the process to finalize the band/concert list.
- Zach is working to create a partnership with Special Olympics and schools, offering varies sports programs.
- Commissioner Vital asked if there is any update regarding dog park. Director Thebado stated that he have not heard anything but will check with Conservation / Priscilla Ryder.

Motion to adjourned made by Commissioner Vital and seconded by Commissioner Calder, it was unanimously:

VOTED: Meeting adjourned at 6:18pm

Attest to:

Simela Perdikomatis
Senior Clerk/Commission Secretary
Marlborough Recreation Dept.



CITY OF MARLBOROUGH
RECREATION DEPARTMENT
239 Concord Road
Marlborough, Massachusetts 01752
Tel (508) 624-6925 FAX (508) 624-6940 CITY (508) 460-4610

COMMISSIONERS
Brenda Calder
Nancy Klein
Robert Kays: Chairman
Mark Vital

DIRECTOR
Charles Thebado

PROGRAM MANAGER
Zachary Lambert

February 14, 2018

Pursuant to notice duly filed with the City Clerk, a meeting of the Parks and Recreation Commission was held at 5:00p.m. at the Recreation Commission Office.

Present were Commission Members: Chairman Kays, Commissioner Calder, Commissioner Klein, and Commissioner Vital.

Also attending Recreation Director Charles Thebado, Recreation Program Manager Lambert, and Marlborough resident Andrew Berenson.

Disc Golf in Marlborough.....Mr. Andrew Berenson:

Mr. Berenson presented the following proposal to the commission:

He would like to propose that a 9 hole disc golf course be built in Marlborough. He stated that it is an easy sport to play and can be enjoyed by people of all ages. He also stated that building a 9 hole course in Marlborough would be good for the community and its great way to be outdoors and be active.

Most disc golf courses are located in parks and he would like to recommend Ghiloni Park, Ghiloni nature trail, Ward Park.

There was a brief discussion to speak to Priscilla Ryder/Conservation Department regarding Ghiloni nature trail location.

Approval of minutes 01-17-18

On a motion duly made by Commissioner Vital and seconded by Commissioner Klein, it was unanimously:

VOTED: To accept the 01-17-18 minutes.

Recreation Report..... Charles Thebado, Director &
Zachary Lambert, Program Manager:

Mr. Thebado gave the following recreation report:

- Project Winter Adventure will start next week.
- Winter program sign ups online – No credit card payments as of yet.
- Chuck and Zach helped out at the Valentine’s Senior Center brunch.
- Project Summer Adventure schedule will be complete and online by the end of the month.
- Meeting with youth groups on Tuesday, February 27th.
- Meeting with the Mayor tomorrow, Thursday, February 15th, regarding eliminating the skatepark and the sand volleyball at Ghiloni Park. (no permits request last year)
- There was a brief discussion regarding Labor Day floats - Recreation Director Thebado suggested for All Marlborough High School float competition.
- MRPA State Conference is on March 5th – March 6th. Both Chuck and Zach will attend.

The Commission thanked Mr. Thebado for his recreation report.

OLD / NEW BUSINESS:

There was a brief discussion regarding the need to fill the two missing Commission spots.

Motion to adjourn by Commissioner Calder, Second by Commissioner Calder.

All in favor. Motion carried.

Meeting adjourned at 6:15p.m.

Attest to:

Simela Perdikomatis
Senior Clerk/Commission Secretary

City of Marlborough
Zoning Board of Appeals
Minutes
March 27, 2018

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 APR -3 A 9:00

Members Present: Paul Giunta – Chairman, Thomas Pope, Thomas Golden, Robert Levine and Jared Falcon.

Property in question is located at 133 Ahlgren Circle, Map 52, Parcel 59, of the Assessor's Map.

Present this evening were Edward and Kathleen LeBlanc.

Petition: To construct a farmer's porch. The minimum front yard setback for Zoning District Rural Residential (RR) is 40 ft. vs. the 32.3 ft proposed. Being Map 52, Parcel 59 of the Assessor's Maps.

The property is located in Zoning District Rural Residential (RR). The lot contains 24,328 sq. ft. ± Located on the lot is an existing split-level ranch with an inground pool.

The shape and topography of the lot - The shape of the lot is almost a perfect square. Wetlands are located at the rear corner of the lot. Most homes on Ahlgren Circle are similar in design and lot area.

The applicant started they are before the Board seeking a variance for the front yard setback.

The stated **hardship** by the applicants were the following:

1. They have aging parents who need an easier access into their house. The Board mentioned a handicapped ramp.
2. The proposed farmer's porch would improve the value of their home.
3. They have an existing inground pool with a gas pipe which is located at the front of their house. The farmer's porch would hide the pipe.
4. The applicants felt that a handicapped ramp would not add to the esthetics of the home. The applicants do not plan to add a handicapped ramp from the farmer's porch to be connected to the driveway.

The Board had concerns in how the applicants answered the following questions on their application form:

- a. Question #1 – What is the soil condition, shape or topography of YOUR lot or structure which distinctly affects your lot, as distinguished from other lots in the zoning district which it is located. **Answer - None.**
- b. Question #2 – What is the hardship that is caused by the soil condition, shape or topography of your lot or structure stated above. Personal inconvenience is not a hardship. A hardship imposes a substantial financial penalty or directly affects your use of the land or structure as it is zoned. **Answer – None**

According to the above answers, the Board found it hard to make an informed decision on the petition. Mr. Giunta explained to the applicant what the definition of a Hardship is according to Mass General Law Chapter 40A.

Speaking in Favor:

- Michelle Byrne – 145 Ahlgren Circle – owns the house to the left of the lot in question. She stated the proposed farmer's porch would add curb appeal to their home. With that said, it would also add value to the other homes on the street.

Speaking in Opposition: None

The Board stated that if a petition was presented from their neighbors showing no opposition to their petition, the Board would take the petition into consideration in their decision.

Mr. Giunta explained to the applicants their options for this evening:

- To continue with this hearing and have the Board vote on their petition. If it is a denial from the Board, they cannot return to the Board with the same plan for 2 yrs.
- To Withdraw Without Prejudice and they can re-file to the Board at any time. The Board stated if they plan to refile their application, they would waive the filing fee, but they will have to bear the cost of re-notifying the abutters and the 2 legal ads. (The applicant asked if the abutters could be notified by hands delivery by having the abutters sign a form? The secretary will look into that request.)

The applicants decided to Withdraw Without Prejudice. On a motion made by Thomas Pope and seconded by Thomas Golden, the Board voted 5-0 to allow the applicants to Withdraw Without Prejudice their petition.

With no other testimony taken or given, the public hearing was closed.

Plans:

Ahlgren Circle, Certified Plot Plan, located at 133 Ahlgren Circle, Assessor's Parcel #52-59. Marlborough, MA. Prepared by Continental Land Survey, LLC, 105 Beaver Street, Franklin, MA Scale 1" = 30' Dated: November 2, 2017.

Respectfully submitted,


Paul Giunta - Chairman

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

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CITY OF MARLBOROUGH
2018 APR -5 A 11: 13

Minutes of the License Board Regular Meeting Held Wednesday, January 31, 2018
at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM); Member Bouvier (DB)
Member; Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

Masonic Hall / Stevie's Eatery (1 Permit) Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

2. New Manager Application

Bertucci's Restaurant Corp, 601 Donald Lynch Blvd., Christopher Parker, Mgr.

- Member Mitrakas motioned to approve the application, Member Bouvier seconded; Board vote to approve application: 3-0 approved

3. Change of Manager Application

GMRI, Inc. D/B/A Olive Garden Italian Restaurant, 728 Donald Lynch Blvd., Roberto Santos

- Member Mitrakas motioned to approve the application, Member Bouvier seconded; Board vote to approve application: 3-0 approved

4. Application for Transfer and Change of location of a Wines & Malt Beverages License

from Stony Lane Market, 796 Boston Post Road E to Shivu Jay Corp (Route 20 Convenience) at 2 Boston Post Road E.

- Withdrawn by applicant before the meeting

5. Application for a new Wines & Malt Beverages License

Brasileirinho Market & Restaurant, 581 Boston Post Road E. (Jehany Mendonca)

- Public hearing opened at 7:35 pm owner Jehany Mendonca presented. Member Mitrakis asked to be shown where the liquor would be stored, asked about Q9 of the application and determined that no loans were taken to add beer & wine to the establishment so that needed to be revised before sending to the ABCC. Member Mitrakis also asked about TIPS Alcohol Certification. Ms. Mendonca agreed she would get certified before getting the license.
No other questions, comments or concerns were voiced
Public Hearing closed at 7:49 pm

- Member Mitrakas motioned to approve the application upon receipt of a revised floorplan clearly showing the storage area for the beer and wine, correcting Q9 page 5 of the application regarding financials for the alcohol license and TIPS Alcohol Certification by the applicant. Member Bouvier seconded the motion; Board vote to approve application with the above-mentioned provisions: 3-0 approved

6. Application for Transfer of an All Alcohol License from Zheng Buffet, Inc. (D.B/A Marlborough Super Buffet), 771 Boston Post Road E to New Marlborough Super Buffet, Inc. (D/B/A Marlborough Super Buffet), 771 Boston Post Road E with Xian Hao Zheng as Manager

- Public Hearing opened at 7:50 pm
No comments, questions or concerns voice Public Hearing closed at 7:55 pm
Member Mitrakas motioned to approve the application subject to the manager and workers getting TIPS Alcohol Certification prior to receiving the license, Member Bouvier seconded; Board vote to approve application with TIPS Alcohol Certification provision: 3-0 approved

7. Reports from the Chairman

- Chairman Bonin updated the Board on results of the Council meeting regarding Lodging Houses and upgrades to them as well as new permit and permit renewal documentation needed and fees. Chairman Bonin will respond on behalf of the Board that the Board is satisfied with the recommendation direction and action of the Council's letter.
- Code enforcement letter regarding La Tapatia and late-night noise and cars. Board agreed the noise complaint was under the purview of the Board. A letter will be drafted by the clerk and sent to La Tapatia recognizing the complaint and stating that further such complaints would require them to come before the Board.
- Code enforcement sent letter M & P Motors, Board took no action at this time. Letter was accepted and placed on file.

8. No new correspondence.

9. Review minutes –

- December 27, 2017 meeting minutes and January 19, 2018 meeting minutes of special meeting.
Member Mitrakas motioned to accept the meeting minutes and place on file, Member Bouvier seconded, Vote: 3 – 0 to accept the minutes of the December 27, 2017 and January 19, 2018 meetings and place on file.

Member Bouvier motioned to adjourn 8:55 PM, seconded by Member Mitrakas, Board vote: 3-0 to adjourn.

The next meeting of the Licensing Board is Wednesday, February 28, 2018.

Respectfully submitted,



Walter Bonin, Chairman

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

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CITY OF MARLBOROUGH

2018 APR -5 A 11:13

Minutes of the License Board Regular Meeting Held Wednesday, February 28, 2018
at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Chairman Walter Bonin; Gregory Mitrakas, Member; David Bouvier Member;
Absent: Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

St Matthias Parish (1 Permit) Member Bouvier motioned for approval, Member Mitrakas seconded; Board vote: 3-0 approved

2. Entertainment License Application – Full Entertainment License:

The Coffee Loft, 406 Lincoln Street

- Member Bouvier motioned for approval, Member Mitrakas seconded;
Board vote: 3-0 approved

3. Entertainment License Application – TV / Radio License:

Half Axe Company, 21 Apex Drive

- Member Bouvier motioned for approval, Member Mitrakas seconded;
Board vote: 3-0 approved

4. Entertainment License Application – Live Music – Acoustic:

O'Hearns Tavern, 11b Florence Street

- Member Bouvier motioned for approval of Full License 9:00 pm to 12:00 am Friday and Saturday and all-day March 17th St Patrick's day, Member Mitrakas seconded;
Board vote: 3-0 approved

5. (Unknown at time of posting) Public Hearing for new Wines and Malt Beverages

License: Crazystone Restaurant, 1007 Boston Post Road E

Public hearing opened at 8:20 pm Jack Xiang, Zhaoquan Jiany, Yi Huang and Anthony presented and spoke in favor of the application. No other questions, comments or concerns were voiced and after a review of the application and layout and questions of members the hearing concluded at 9:00.

Member Bouvier motioned to approve the application subject to corrections and additions listed by Member Mitrakas (US Citizenship question, managers information needs to be included, cost balance needs to equal, etc.). Member Mitrakas seconded the motion; Board vote to approve application subject to the corrections/additions: 3-0 approved

6. Reports from the Chairman

- Chairman Bonin explained conversation with Linesh Patel from Marlborough Country Convenience Store, 286 West Main Street. Mr. Patel wished to come in and discuss his plans with respect to one of the two additional full – Section 15 licenses that would be issued in the city and approved via an act of the legislature. The Board welcomes Mr. Patel to come in front of the board at the next meeting (April) and discuss his plans.’

7. Misc. Correspondence and Open Issues

- Specialized Mechanical Cleaning Class II Dealership Letter – Member Bouvier motioned to accept and place on file, Member Mitrakas seconded; Board vote: 3-0 approved
- La Tapatia Letter - – Member Bouvier motioned to accept and place on file, Member Mitrakas seconded; Board vote: 3-0 approved

8. Review minutes –

There were no minutes from previous meeting – tabled until next meeting.

Meeting adjourned.

The next meeting of the Licensing Board is Wednesday, March 28, 2018.

Respectfully submitted,



Walter Bonin, Chairman

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CITY OF MARLBOROUGH

2018 APR -5 A 11:13

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

**Minutes of the Special License Board Meeting Held Wednesday, March 15, 2018
at 12:30 pm, City Hall, 1st floor, Council Committee Room.**

Attending: Walter Bonin, Chairman; David Bouvier, Member, Tina Nolin, Clerk
Absent: Gregory Mitrakas, Member

Meeting called to order by Walter Bonin, Chairman at 12:30 PM

New Business

1. ONE DAY PERMIT

STEVIE'S EATERY / MASONIC HALL

Member Bouvier motioned for approval, seconded Chairman Bonin

Board vote: 2-0 approved

Motion made to adjourn: 12:40 pm vote: 2-0 for adjournment.

Respectfully submitted,



Walter Bonin, Chairman

ALL RELATED DOCUMENTS CAN BE SEEN IN THE LICENSE BOARD OFFICE

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes**

**March 15, 2018 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

**RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 APR -6 P 3:39**

Present: Edward Clancy- Chairman, David Williams, Allan White, Dennis Demers, Karin Paquin, and William Dunbar. Also present was Priscilla Ryder-Conservation Officer.

Absent: John Skarin

Acceptance of Minutes: The minutes of March 1, 2018 were reviewed and accepted unanimously as written.

Public Hearings:

Request for Determination of Applicability

82 Paquin Dr. - Scott Ferrechia-Owner

Neil Vigeant a friend of Mr. Ferrechia was present and explained that Mr. Ferrechia was out of town. He proposes to remove and replace the existing foundation in the existing garage and replace deck footings within 50 ft. of Ft. Meadow Reservoir. They will excavate under the foundation to put in a proper frost wall and foundation for the garage using special “small equipment”. They will “crib” the existing building to support the building while they excavate underneath. They will be excavating 4' below grade. All excess materials will be removed from site, any temporary soil storage will be in the front of the house away from the water. They will not be disturbing the existing new wall. The new posts for the deck will be dug through the existing patio and footings installed and properly attached, right now they are just resting on the deck which is not safe. After some discussion, the Commission determined straw waddles and standard site inspections would be needed. The Commission closed the hearing and voted unanimously 6-0 to issue a Negative Determination with standard conditions

Request for Determination of Applicability

410 Brigham St. - Cleiton Nascimento

Mr. Nascimento and his landscape architect Johnathan Kief were both present. Mr. Kief explained that his client is proposing to install a berm and add fill to flatten the existing back yard to make it more useable. He showed a plan with a sloped rip rap wall extending from the existing lawn up 2-3 feet and to bring in fill to level the yard. Goddard Consulting had provided the wetland flagging which was measured onto this plan. Ms. Ryder noted all but, one flag is correct (the flag closest to the shed needs to be moved in 5'). After some discussion, the Commission noted that according to the 20' no disturb zone policy this sloped wall is not acceptable in this area. Mr. Kief noted that it was just the conversion of the existing wall. However, the Commission explained that the existing lawn can remain, but changes like adding the wall are not permitted. Chairman Clancy indicated the Commission could deny the project and require a full Notice of Intent (NOI) filing, or the applicant could move the wall outside the 20' no disturb buffer zone and show it on a new plan which the Commission could review at the next

meeting. After some discussion and Mr. Kief talking about the merits of the sloped walls, it was agreed that the applicant would return to the April 5th meeting with a revised plan showing work outside the 20' no disturb buffer zone and the shed moved out of the 20' buffer zone as well. The hearing was continued to April 5, 2018.

Notice of Intent

City of Marlborough Conservation Commission – Generic Trail construction maintenance and invasive plant removal procedures.

Ms. Ryder made a presentation regarding the Notice of Intent (NOI) for a generic trail construction and maintenance and invasive plant removal process. She outlined that this permit would allow for trails to be built to the standards outlined in the application and help with permission for trails on DCR land (Sudbury Reservoir, and Callahan State Park) as well as the Panther and Boroughs Trails grant applications to prove that the Conservation Commission has reviewed the boardwalks or bridges that cross wetlands where it is necessary. There are two levels of review: (1) Any work outside of wetlands would only need approval of the Conservation Officer and not the full Commission. However, any boardwalks or bog bridges over wetlands or intermittent streams would require the person doing the work, whether volunteer boy scouts or other civic or recreational group, to present a proposal using the form provided at the end of the Notice of Intent (NOI) to outline and describe the work to be done and to submit it to the Commission for review at a regularly scheduled meeting; (2) Any work crossing a perennial stream would require filing a separate NOI. On the Panther/Borough's trail there is one location where the crossing of Millham Brook is necessary which will be reviewed separately. Ms. Ryder showed slides of the Panther Trail route and the Boroughs Trail route and areas where wetland crossings or buffer zone impacts are anticipated to occur. These will be submitted individually by volunteers proposing to do the work over the next few months.

Trail construction diagrams, boardwalk footings and helical pier designs were reviewed and discussed. Handicapped accessibility was discussed and will be implemented as necessary where handicapped access is feasible. A video on the Great Meadow National Wildlife Refuge "Red Maple Trail" helical pier boardwalk was reviewed to show how this trail was constructed. Cross sections of boardwalks and bridges were reviewed to show that the footings would be outside the wetland, or if within, would have supports either helical piers or block footings to insure stability. After some discussion of standards and trail construction, the Commission closed the hearing and will review a set of draft conditions at the April 5th Commission meeting.

Ms. Paquin explained that she has been in touch with the Carpenters Union who has indicated a willingness to help volunteer some time and expertise to the building of boardwalks. 5 separate scouts have agreed to work on separate sections of the Borough's Trail loop and are proposing to do work this spring and will be in with their project sections in the coming months. Ms. Ryder noted that through the State DCR Recreational Trails Program, Marlborough was awarded \$39,717 to do this work and add signage

to the entire 33+ mile Borough's Trail which covers Marlborough, Southborough, Westborough and Northborough. The work will be completed by July of 2019.

Discussion:

- Felton Conservation Land – annual mowing license renewal. This item was continued to the April 5th agenda.
- Salt on city's roadways – Theodore Scott, Assistant Commissioner of Operations - This item was continued to the April 5th agenda.

Correspondence/Other Business:

- **National Grid** - Ms. Ryder noted that the Commission had received a letter from National Grid regarding the replacement of a utility line structure near the open channel at Walnut Hill Water Treatment Plant. The new foundation will be in the buffer zone to the open channel and wetland area. After some discussion, the Commission determined that the work would be fine as long as proper erosion controls and dewatering was done and that the Conservation Officer was notified when work was to start. Ms. Ryder will convey same.
- **Sewerage Issue - Villages at Crane Meadow** - Ms. Ryder noted that there was a problem with blockage of the cross-country sewer line at Villages at Crane Meadow off Williams St. Nothing spilled into the wetland, however, there were several backups into a few of the units. They may need to drag some hoses through the wetland to unblock several of the sewer manholes. They will attempt to access them outside the wetland first, which should be feasible. If they need to access through wetlands, they will notify Ms. Ryder for a site inspection prior to for "emergency repair" work allowed under the regulations. The Commission asked to be kept posted on the outcome.

Adjournment - There being no further business, the meeting was adjourned at 8:40 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

MINUTES

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

Call to Order

February 5, 2018

2018 APR -6 A 8:46

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Colleen Hughes, Sean Fay, and George LaVenture. Also in attendance were City Engineer, Thomas DiPersio and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes

A. January 22, 2018

On a motion by Ms. Hughes, seconded by Mr. Fay, the Board voted to accept and file the Planning Board meeting minutes of January 22, 2018. Motion carried.

2. Chair's Business

Chairperson Fenby noted an increasing number of proposed zoning amendments introduced by developer representatives. The Board viewed this fact as a concerning trend. While there may be merit to any given development plan, the Board is firm in their belief that zoning amendments should be primarily introduced by the City to encourage desirable development projects which are consistent with the City's long-term plans.

Chairperson Fenby asked for input from the membership. Ms. Hughes wondered whether the proposed amendments could be viewed as spot zoning. She believes that a City Planner or part-time City Planner is necessary to provide oversight and guidance. Mr. Fay noted again that not all projects are viewed negatively. He favors the development project proposed at the City's airport property, but also agrees that expressly noting specific parcels (while excluding others), misses the mark. For example, on the Rail Trail Overlay, he favors more of a "corridor" approach along the trail head on Lincoln Street to encourage redevelopment in the area. He also commented that previous overlay districts, notably the development in the Results Way Mixed-Use Overlay District, is less diverse than originally presented. For example, there are no retail or free-standing restaurants in the Overlay District which would have created a more village-style project. He expressed that "as-of-right" uses are potentially problematic. Mr. LaVenture agreed that a dedicated planner would be an asset to the City. He questioned whether the City is prepared to support an additional 125 "as-of-right" housing units in the Commercial Village Housing Overlay District. (Does the City understand what the impact would be?) Mr. Fay said that in his 10-12 years on the Board, he collectively cannot recall this many zoning amendments utilizing overlay districts; clearly, developers and their attorneys feel they have identified a method to advance their projects. Mr. Fay questioned whether the Board has a clear standard of review for referred zoning amendments. He would like to know how these projects fit into the City's Master Plan for the community. The Board discussed requesting a meeting with Mayor Vigeant to express the Board's concerns and hear his thoughts. On a motion by Ms. Hughes, seconded by Mr. Fay, the Board voted to reach out to the Mayor and request a meeting with the Mayor and no more than two members to discuss zoning amendments, overlay districts and planning. Motion Carried.

**A. Set Public Hearing Date: Proposed Zoning Amendment, Section 650-59. C(11)
(Extension of Time for Action; Leave to Withdraw)**

The Planning Board scheduled the public hearing on this matter for March 5, 2018. The Board suggested Council President Clancy be invited to the March 5 meeting to serve as the amendment proponent.

**B. Set Public Hearing Date: Proposed Zoning Amendment, Section 650-36
(Commercial Village Housing Overlay District)**

The Planning Board scheduled the public hearing on this matter for April 23, 2018.

3: Approval Not Required

A. 46 Exeter St. (Map 83, Parcel 92 and Parcel 94)

Ms. Hughes read into the record the 1-26-18 letter signed by applicant Joseph Edwards indicating his request for an ANR decision extension until March 5, 2018. (This extension is only required if the Board needs additional time to review the application. The next scheduled meeting of March 5, 2018 is after the statutory time to provide an endorsement decision.) Ms. Hughes read the January 30, 2018 letter from Assistant City Engineer Collins into the record. The letter explained that the Board originally endorsed an identical plan by Highland Land Surveyors (now out of business) on March 10, 1997, but the plan was never recorded at the Middlesex South Registry of Deeds. In his letter, Mr. Collins provides his favorable recommendation to the Board to endorse the ANR plan recreated by hs & t group, inc. City Engineer DiPersio indicated that while the Engineering Office had a copy of the previously signed Mylar, an original had not been located. The applicant needed to recreate the plan which has been presented to the Board. On a motion by Mr. LaVenture and seconded by Ms. Hughes, the Board voted to accept and file the two correspondences. Motion carried. On a motion by Mr. LaVenture, seconded by Ms. Hughes, the Board voted to endorse the ANR plan by hs & t group, inc. dated 1-18-18. Motion carried.

4: Public Hearings (None)

5. Pending Subdivision Plans - Engineer's Report

A. Subdivision Status Report

Mauro Farms and Blackhorse Farms: Progress has been made on the acceptance plans and deeds for both subdivisions. Solicitor Rider and Assistant City Engineer Collins will be meeting soon to make a final review of documentation to enable transfer of roadway ownership to the City.

6. Preliminary Subdivisions (None)

7. Definitive Subdivision Submission: (None)

8. Signs: (None)

11. Correspondence: (None)

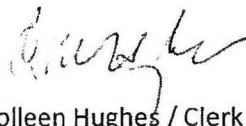
12. Public Notices of other Cities and Towns:

On a motion made by Mr. Fay and seconded by Ms. Hughes, item 12 was voted accepted and placed on file. Motion carried.

Adjournment: On a motion made by Mr. LaVenture, seconded by Mr. Fay, it was voted to adjourn at 7:23 pm. Motion carried.

/kih

Respectfully submitted,


Colleen Hughes / Clerk

Call to Order

March 5, 2018

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Colleen Hughes, Sean Fay, Phil Hodge, George LaVenture, Greg Gallagher and Chris Russ. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

First Order of Business: Chairperson Fenby was unavailable for the March 5, 2018 meeting. Ms. Hughes opened the floor to nominations for acting Chairperson for the meeting. On a motion by Mr. LaVenture seconded by Mr. Hodge, Mr. Fay was nominated to serve as Chairperson for the meeting. No other nominations were made. Motion Carried.

1. Meeting Minutes

A. February 5, 2018

On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to table the Planning Board meeting minutes of February 5, 2018. Motion carried.

2. Chair's Business

A. Planning Board Member Appointments, Reappointments

Acting Chair Fay welcomed Chris Russ and Greg Gallagher to the Planning Board. Following the City Council vote on February 26, 2018, the Board is now fully staffed with seven members.

B. Notification of Joint Public Hearing – Order Recreational Marijuana Moratorium

ORDER NO. 18-1007177X12/13/14-10052471

Acting Chair Fay informed the Board that a joint public hearing (City Council and Planning Board) will be held on March 19, 2018 at 8:00 p.m. in Council Chambers. The Planning Board will reconvene in Memorial Hall following the proceedings.

C. Set Public Hearing Date: Proposed Zoning Ordinance to further amend Chapter 650, several subsections as it pertains to the Medical & Recreational Use of Marijuana, Order No. 18-1007163-1 &2, x18-1007151.

The public hearing on the above referenced matter was set for April 2, 2018. Mr. Fay informed the Board that he will not be able to attend and asked whether he would be allowed to discuss and/or cast a vote on the matter at the following meeting. Solicitor Rider explained that members may participate in non-adjudicatory matters before the Board, even if they were not present at the public hearing.

3. Approval Not Required (None)

4. Public Hearings:

A. Proposed Zoning Amendment – 650-59. C (11)

Powers and Procedures of Special Permit Granting Authorities

Public Hearing Monday, March 5, 2018 – Proponent, City Council President, Edward Clancy. Acting Chair Fay opened the hearing at 7:05 p.m. Ms. Hughes read the notice of public hearing into the record. Chairperson Fay provided instructions to those in attendance. The hearing was conducted in the following stages: 1) Presentation 2) Those speaking in favor 3) Those speaking in opposition 4) Questions and comments from the Planning Board.

Presentation:

Council President Clancy explained that the primary goal of the proposed amendment is to avoid constructive approval of special permit applications before the Council. During the summer months particularly, meetings are less frequent. The situation may arise when the Council is pressed for time to fully consider and act upon the application, especially when the applicant may not provide all the requested information in a timely fashion. This amendment addresses those times when there are gaps in the meeting calendar. Councilor Clancy explained that the Council listened to the Planning Board when crafting this revised amendment, which includes numerous elements to increase transparency. Votes of extension will be made at a public, televised meeting of the Urban Affairs Committee, (which is consistent with other boards granting extensions at their meetings) and a copy of the signed extension agreement will be filed with the City Clerk as well as submitted for informational purposes on the next regular Council agenda.

Speaking in Favor of the Amendment: Speaking in Opposition to the Amendment:

No person spoke in favor or in opposition to the amendment.

Acting Chairperson Fay declared that portion of the Public Hearing closed.

Questions and Comments from the Planning Board:

In his comments, Mr. Fay reviewed the Board's reservations on the previously crafted amendment. He commended the Council's response to those concerns and expressed that the new amendment adequately addressed his earlier reservations. Other members expressed similar, favorable sentiments.

Q: Mr. Fay asked whether the extension request could allow developers to introduce a delay that could work against the City? Councilor Clancy felt that was not a concern. The Council could opt to deny an extension request, and if the special permit was ultimately denied, it would be two years before a new filing is allowed.

Acting Chair Fay declared the Public Hearing closed. (7:20 p.m.)

On a motion by Mr. Hodge, seconded by Ms. Hughes, the Board voted to make a favorable recommendation to the City Council for their approval of the proposed amendment. The Board further requested that the decision letter include a recognition of the Council's actions in addressing their concerns of the previously submitted amendment. Motion carried.

5. Pending Subdivision Plans - Engineer's Report

A. Subdivision Status Report

City Engineer DiPersio explained that there were no major updates since the last meeting.

Acknowledging the new members, Mr. DiPersio reviewed the status report included in the agenda packet. Howe's Landing – The developer indicated that they are ready to begin paving. Mr. DiPersio feels confident that the developer will meet the June 30, 2018 subdivision expirations date. Goodale Estates – Mr. DiPersio said that stone crushing operations are underway, which indicates that they are on their way to building the road. The next step will be to set the bond followed by the release of lots. City Solicitor Rider is reviewing the open space deed and the site will undergo 21E Certification.

(Environmental Site Certification) Q: Mr. Fay asked about the status of the walking path near the property. Mr. DiPersio explained that the developer had agreed to make minor repairs as requested by one of the abutting neighbors and the Planning Board. Q: Ms. Hughes asked whether the stone dust path had firmed up and stabilized. Mr. DiPersio indicated that it had, but once the weather allows, the site will be re-evaluated. Mauro Farms and Blackhorse Farms - Progress has been made on the acceptance plans and deeds for both subdivisions. Solicitor Rider and Assistant City Engineer Collins met

to review the documentation to enable transfer of roadway ownership to the City. Soon the Board will be able to make its acceptance recommendation to City Council. Q: Ms. Hughes requested an update on the status of plans to introduce a Home Rule Petition for street acceptance in older developments. This process has been stalled for quite some time, but Solicitor Rider indicates that the City is slowing forging ahead to provide a path for the acceptance of streets, that without such legislation, would prove too cumbersome for the City. Q: Mr. Fay asked whether there were any major issues associated with recent rains. Mr. DiPersio was not aware of significant issues.

B. Cider Mill Maintenance Bond

On January 22, 2018, the Board voted to reduce the Cider Mill Subdivision bond from \$410,000.00 to a maintenance bond of \$185,000.00. As requested, Attorney Beattie forwarded verification of the remaining \$185,000.00 bond. A copy of the bond was provided in the packet for the Board's review.

6. Preliminary Subdivisions (None)

7. Definitive Subdivision Submission: (None)

8. Signs: (None)

9. Unfinished Business (None)

10. Informal Discussion

Mr. Fay introduced the topic of guidelines for the review of overlay district zoning amendments coming before the Board. The MAPC recently provided the Marlborough City Council's Urban Affairs Committee with a draft document on Marlborough Multi-Family Design Guidelines. He feels the Planning Board is lacking a framework for reviewing proposed overlay district zoning amendments. Mr. Fay noted that a recent newspaper article in the MetroWest Daily News included somewhat of a checklist for review. Mr. Fay asked Solicitor Rider if he had any guidance to offer.

Solicitor Rider referenced past research his office had prepared for the Urban Affairs Committee (2008). The opinion was written to assist the Council in determining whether an applicant's request for an overlay district constituted spot zoning. While he didn't bring the specific 2008 opinion with him to the meeting, he summarized his memory of the opinion by offering these guiding questions: How is the public health/safety/welfare of Marlborough, as informed by the long-range comprehensive study of permissible land use planning objectives, served by establishing the overlay? What are the land use planning considerations for allowing the proposed use(s) in any given proposed overlay district? Is the overlay district designed solely for the proponent's economic benefit and not at all to serve the public health/safety/welfare? (If so, this would be the actual definition of spot zoning.)

On the land use topic, master plans can be used to identify whether a proposed zoning amendment is consistent with the City's permissible land use planning objectives and whether the amendment is to the benefit of the public health/safety/welfare. Absent a master plan providing that guidance (Marlborough has an Economic Development Plan, but not a Master Plan from the Planning Board under MGL c. 41, § 81D), a thorough analysis by municipal officials would be required.

Solicitor Rider noted that uses within the overlay (or underlying) districts may be categorized as follows: allowed by right, allowed by special permit, or not allowed. Typically, overlay districts (at least ones designed by municipalities) supplement the underlying zoning district by being *more* restrictive than the underlying district; overlays designed by developers tend to be more permissive, in effect, an expansion of the uses allowed in the underlying zoning district.

Mr. LaVenture questioned, "Why not put the onus on the developer to prove the merit of the proposed amendments?" Ms. Hughes summarized the concern. Developers' attorneys can easily create a rationale for their clients' projects. The key point is how can that rationale be tested? It is difficult to evaluate what is in the best interest of the City without the ability to measure it against the City's objectives.

Mr. Fay added a concern, noting that developers are citing MAPC in their justifications. He commented that MAPC believes multi-family housing belongs all over the City. He is not certain (this proposed recommendation) is necessarily a good thing. Solicitor Rider offered that the Board must make its judgments based on what is presented before them each time on a case-by-case basis.

11. Correspondence: (None)

12. Public Notices of other Cities and Towns:

On a motion made by Ms. Hughes seconded by Mr. LaVenture, item 12 was voted accepted and placed on file. Motion carried.

Adjournment: On a motion made by Mr. LaVenture, seconded by Ms. Hughes, it was voted to adjourn at 7:57 pm. Motion carried.

/kih

Respectfully submitted,



Colleen Hughes / Clerk



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2018 APR 11 A 8:55

Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

March 27, 2018

1. Chairman Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Bodin–Hettinger, Mrs. Ryan, Mrs. Matthews, Mrs. Hennessy, Mr. Walter and Mr. Geary. Also present were Superintendent Maureen Greulich, Assistant Superintendent of Finance and Operations, Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy and Administrative Support Christine Martinelli.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

3. **Presentation:**

A. **Project 351 Ambassador**

Project 351 celebrates the power of young people as a force for positive change in their community and our Commonwealth. Each year the “ambassadors”, selected from communities across the Commonwealth, participate in a day of service. These eighth graders, representing every city and town, unite to serve, develop leadership skills and discuss issues critical to young people and their communities. Mr. Wayne Labbe spoke briefly, highlighting some areas of Project 351 before introducing Payton Rogers, Whitcomb School 8th grader, chosen to represent Marlborough as Ambassador for the youth service organization. Ms. Payton spoke of her day at JFK Museum meeting with Governor Baker and 300 plus ‘ambassadors’, working on a State House project for Puerto Rico and the project motto, unite, act, lead, all with the purpose of giving through community service and leadership.

B. **MHS Student Advisory Committee Update**

The MHS Student Advisory Committee updated the School Committee on various activities recently held at the High School. Madison Hediger, 12th grade, spoke about the March 14th peaceful school walk in with over 500 MHS students and staff participating. Outside the school, everyone linked arms for 17 minutes of silence and solidarity, in support of the lives lost to gun violence in schools. After, 17 balloons with the names of each life lost at the Parkland Florida school were released. This walk in, signified the support the MHS community has for those that have been affected by gun violence. Alicia Bibi, 10th grade Student Council, shared her experience at a MASC workshop in Hyannis she recently attended along with student council members across Massachusetts. At this event, there were workshops for student council members to learn

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from and to grow to be better student councilor leaders for their schools. The students learned how to encourage students at their school to be more involved and to watch out for one another. She also enjoyed the experience of new friendships with other Student Council members from different towns. After, Mrs. Bodin-Hettinger extended an invitation for Alicia and any student council members to join her at the next Mass Association of School Committees, *Day on the Hill*, on April 25th. It is a yearly event for School Committee members as well as Student Council members to go to the State House and spend the day with state legislators. Allison Lucas, 9th grade spoke of the Jazz Bands recent performance at the MA Association for Jazz Education where they earned a gold medal. Because of receiving this award, they will now be performing at Berkeley College of Music. Ms. Lucas ended, sharing how hard everyone works and that her favorite part of jazz are the outfits they wear.

4. Committee Discussion/Directives: None

5. Communications: None

6. Superintendents Report for School Committee Regular Session, March 27, 2018

Recently the MHS Chapter of BPA, led by teacher Jayne Haley, competed in the state conference and came away with an impressive array of awards. Fourteen students of MHS Chapter of BPA received an award and eight of those were individual wins, which means those students qualify for Nationals.

Workforce Development News – MHS has received several project requests from businesses to enlist the services of skilled students in app development. The requests are from Boston Scientific as well as a request for an app to assist the Heroes Cup. Additionally, 9 students are involved in a paid internship with GE Healthcare Life Sciences, working several hours after school twice a week, traveling by the STEM van to the GE site. These 9 students will work in two teams, five students on development of an app to support facilities maintenance, and four will work on a web scripting program that was started by two college students last summer. More news will follow on the topic of local employer-driven workforce development after the March 8th meeting, that was cancelled due to weather, is rescheduled.

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Response to School Safety Concerns – Our safety protocols have recently been updated, this is a regular occurrence. Also, dates are set for the next round of safety drills in our classrooms and Principals have been reminded to keep entry protocols tight. The response from students directly impacted in Florida has been inspiring. Our MHS students planned their own silent, peaceful walkout, ‘Linked as One’, on March 14th, to represent that MHS stands for safety, community and kindness. After discussing this at length with our leadership team, we supported this timed event in the belief that it does not constitute a substantial disruption to the learning environment, but rather, that it is a teachable moment for our students.

School Attending Report(s) – Comparing, Attending Children from Marlborough for the past three years, as of January 2016, January 2017 and January 2018. These reports are included in the Informational/Handouts section and can be found on the MPS website.

A. Assistant Superintendent of Teaching and Learning Report to School Committee Regular Session, March 27, 2018

March 5th was ECC Arts Days, which kicked off the celebration of National Youth Art month. The main objective of the day is to engage the children in a variety of processes and discovery through art materials which help develop brain capacity and play a central role in motor skills development. All the preschoolers had a 30-minute art session to explore art processes at five different Creation Stations. In attendance to help assist at the stations were five high school members of the National Art Honor Society and two students from the Post grad program.

March 6th Administrative Professional Development – Included in the December school committee report were the actions, identified as a district, in response to Opening Day professional development with Dr. William Daggett. These actions included staff and student surveys and an Instructional Practices Assessment. Attached in this report is the summary report provided to the district.

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Building principals and 6 – 12 supervisors met with Jim Miles from the International Center for Leadership in Education (ICLE) who led the team through all the reports, then each building set initial goals for themselves. Later, Mr. Miles provided an overview of the reports to all district administrators and each building team refined their building action plans. These goals will be included in upcoming school improvement plans.

B. Assistant Superintendent of Finance & Operations Report

The revised budget schedule is as follows; February 27th; Superintendent’s Budget to School Committee for Review, March 20th; School Committee Workshop, SC votes to accept/reject Superintendent’s Budget, April 10th; Public Comment on the budget and SC votes to approve the budget and move it to the next step, April 11th; Budget Document sent to Mayor and City Council.

The total negative balance for the food services accounts as of 3-27-2018 is -\$2,213. The balances are more this year than they were last year at this time, when they were -\$2,013. The food service department continues to work hard to reach out to parents and assist families in filling out free/reduced lunch forms as needed.

Work is being done to update the budget documents before sending them to City Council. Also, administration is working on any potential personnel changes, this will be presented to School Committee to ensure we are appropriately staffed in FY19.

7. Acceptance of Minutes:

A. Minutes of February 13, 2018 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve as amended, the School Committee minutes of February 13, 2018.

Motion passed 7-0-0.

B. Minutes of February 27, 2018 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve as submitted, the School Committee minutes of February 27, 2018.

Motion passed 7-0-0.

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8. Public Participation: None

9. Action Items/Reports:

A. Confirmatory Vote for the position of Director of Finance & Operations

Superintendent Greulich put forth a recommendation that the School Committee appoint Douglas Dias as the Director of Finance & Operations. Mr. Dias spoke to the committee, sharing that he was thrilled to join the Marlborough district team and he was available for any questions from the School Committee.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve the appointment of Douglas Dias as Director of Finance & Operations.

Motion passed 7-0-0.

B. New Scholarships

Each year families or companies contact the High School to establish yearly scholarships for the graduates of MHS. 1) **Ann Louise "Weezie" Callahan Memorial, ITAM Ladies Auxiliary Scholarship** awarded \$100 to a graduating MHS senior interested in pursuing the field of medicine. 2) **MHS Girls Soccer Scholarship**, the MHS Girls Soccer team raised money and would like to give an annual \$500 award to a graduating MHS senior who has participated in the MHS Girls Soccer program all four years while attending MHS.

A motion was made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept with gratitude the new \$100 Ann Louise "Weezie" Callahan Memorial scholarship and the \$500 MHS Girls Soccer Scholarship.

Motion passed 7-0-0.

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C. Transfers in the FY18 Operating Budget

Mr. Bergeron is recommending transfers within the FY18 operating budget for balance purposes. Some School Committee members asked further questions for clarification. Mr. Walters question regarded the translator transfer, he asked if the translators are there in person or if it done by a conference call. Mrs. Matthews asked about medical supplies requested and given at the various schools. And Mrs. Bodin-Hettinger's question pertained to Out of District.

A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve, as presented, the transfers within the FY18 operating budget.

Motion passed 7-0-0.

D. Policy for First Read

Policy #6.150, Search, Seizure and Interrogation is being recommended for First Read. Mr. Walters voiced concern that this area is already heavily governed by state and federal laws and questioned why we would craft our own policy when rules are already in place at other higher levels.

No motion was required at this time.

E. Acceptance of Donations and Gifts

Educational donation for the New England Charitable Foundation

MPS is partnering with the New England Patriots Charitable Foundation in an anti-violence program titled "Game Change". The New England Patriots Charitable Foundation donated \$3,000 for this program that provides anti violence training to Middle and High School students and officials.

A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$3,000.00 donation from the New England Charitable Foundation.

Motion approved 7-0-0.

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Department of Elementary and Secondary Education (DESE) FY18 SPED 274 Program Improvement Grant – MPS applied for and received \$16,856.00 for the FY18 SPED 274 Program Improvement Grant from DESE.

A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$16,856.00 grant from DESE.

Motion approved 7-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy spoke of the sub committee's busy schedule; their recent policy meeting, one of the items being the search and seizure, also in the future, updating the whole policy book and the new logo.

11. Members' Forum:

Mrs. Hennessy gave high praise to the MHS staff and administration for their exceptional support of the students at the peaceful walk in on March 14th. She also spoke of supporting the High School musical, 'Anything Goes', performing at Whitcomb School on April 6, 7 and 8.

Mrs. Matthews reported that she reviewed and signed the Warrant.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:33 pm.

Motion passed 7-0-0

Respectfully submitted,

Heidi Matthews

Secretary, Marlborough School Committee

HM/cm

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2018 APR 12 P 12:47

BOH MEETING MINUTES –3/6/18

Attending

Robin Williams, Chairwoman
James Griffin, Vice Chair
Joseph Tennyson, MD, Member

Also in attendance: Cathleen Liberty, Director of Public Health and Tina Nolin, Clerk

Meeting called to order 6:30 pm

REVIEW OF MEETING MINUTES

Review of February meeting minutes and accepted by Chair Williams, Vice Chair Griffin and Member Tennyson.

ADMINISTRATIVE

11 High Street

After some discussion, Member Tennyson motioned to deny the full 18th month extension request of the owner, but grant him a 3-month extension, with further review dependent on a good faith effort to make all corrections. Vice Chair Griffin seconded the motioned. Vote of Board 3 – 0, Chair Williams: yes, Vice Chair Griffin: yes; Member Tennyson: yes.

67 Winter Street

Resolved prior to meeting

121 BPR E

Resolved prior to meeting

BOARD BUSINESS

PUBLIC HEALTH ISSUES

CDB Edibles

Director Liberty made the Board aware of CDB edibles, also known as Kratom, a synthetic opioid that is being marketed at tobacco stores. The Board members discussed the effect that the edibles can have on a person and Member Tennyson will invite a toxicologist from Marlborough Hospital to the April meeting to speak to how the edibles affect a person.

Draft Regulations (Non-Medical Recreational Cannabis)

Board briefly reviewed the draft regulations but requested more time to study them. The Board also requested that a meeting be devoted to going through and discuss the regulations.

MONTHLY REPORTS

- **Nurse’s Report**
Director Liberty submitted the Public Health Nurse’s report and accepted to be placed on file..
- **Sanitarians’ Reports**
Presented by Director Liberty - reports were submitted and accepted to be placed on file.

OTHER BUSINESS UNKNOWN AT TIME OF POSTING

Body Works Regulations

After some discussion surrounding massage establishments and body works establishments, it was decided to review regulations used by the City of Newton and continue the discussion at next month’s meeting to determine if Marlborough should move forward with regulations of their own concerning Body Works establishments.

ADJOURN

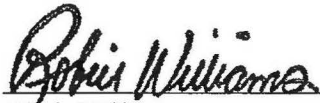
Motion – to adjourn meeting at 7:30 PM – Member Tennyson

Second – Chair Williams

3-0 vote to adjourn Board of Health Meeting at 7:30 PM, Chairwoman Williams: yes; Vice Chair Griffin: yes; Member Tennyson: yes.

Next Board of Health meeting will be on April 10, 2018

Respectfully submitted,



Chair Williams

4/10/2018

Dated

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website

2018 APR 13 A 9 46

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING JUNE 6, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

ATTENDEES: LAURA KYLE, DEB MCMANUS, JOHN USINAS, DAVE DOUCETTE, DEREK CAVES

MEETING CALLED TO ORDER AT 4:10 PM

MOTION TO ACCEPT MINUTES. ACCEPTED 5-0

TREASURERS REPORT: \$7,789.86. MOTION TO ACCEPT
ACCEPTED 5-0

NEW BUSINESS

- ADA CELEBRATION DAY ON JULY 21ST IN GARDNER
- THE MRC ANNUAL CONFERENCE IS ON JUNE 29TH AT FOUR POINTS SHERATON IN NORWOOD. TRANSPORTATION WILL BE PROVIDED BY MRC.
- ON JUNE 12TH 1:30 - 3:30, THERE IS PCA TIMESHEET REPORTING MEETING IN WORCESTER.
- THE TRANSIT X PRESENTATION WENT ON, 50 PEOPLE ATTENDED AND THE RESPONSE WAS POSITIVE. THE PRESENTATION WAS SPONSORED BY THE METROWEST NODE OF 350

MASSACHUSETTS. THERE WILL BE A REVIEW AT THE NEXT PUBLIC SERVICE MEETING.

- 72 HOSMER AND 280-2 BOSTON POST ROAD WERE NOTIFIED THAT THEY NEED HANDICAP PARKING AND SIGNAGE.
- NEW TECHNOLOGIES COMING OUT: GLASSES THAT ALLOW PEOPLE WITH VISUAL IMPAIRMENTS SEE; APPLE HOMEPOD;
- **OLD BUSINESS**
- DAVE TALKED TO JERRY, OWNER OF WILDWOOD. HE CLAIMS HE HAS AN EXEMPTION FROM HAVING AN ELEVATOR.
- DEREK TALKED TO MARK GIBBS. THE WEBSITE IS IN PROCESS TO BE CONVERTED TO THE DRUPAL PLATFORM WITH AN ACCESSIBLE TEMPLATE.
- 9 CAMPERS HAVE RECEIVED SCHOLARSHIPS.

4:54: MOTION TO ADJOURN PASSES 5-0

RESPECTFULLY SUBMITTED,
DEBRA MCMANUS, CHAIRPERSON

OUR NEXT MEETING IS TUESDAY JULY 11, 2017 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING JULY 11, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

**ATTENDEES: PATRICIA CARLSON, DAVE
DOUCETTE, DEB MCMANUS, DEREK CHAVES, PATTI
CARLSON, JOHN USINAS, LAURA KYLE**

MEETING CALLED TO ORDER AT 4:05

MOTION TO ACCEPT MINUTES PASSES 7-0

TREASURER REPORT: \$7,790.59.

OLD BUSINESS

- ADA CELEBRATION DAY ON JULY 21ST IN GARDNER
- THE MRC ANNUAL CONFERENCE IS ON JUNE 29TH AT FOUR POINTS SHERATON IN NORWOOD. TRANSPORTATION WILL BE PROVIDED BY MRC.
- DEBRA ATTENDED A PCA ELECTRONIC VISIT VERIFICATION (EVV)SYSTEM TIMESHEET REPORTING MEETING IN TAUNTON. CONSUMERS & PCAS ARE UNHAPPY WITH THE NEW UPCOMING COMPUTERIZED SYSTEM WITH GPS.
- THE TRANSIT X PRESENTATION WENT ON, 50 PEOPLE ATTENDED AND THE RESPONSE WAS POSITIVE. THE PRESENTATION WAS SPONSORED

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BY THE METROWEST NODE OF 350 MASSACHUSETTS. THERE WILL BE A REVIEW AT THE NEXT PUBLIC SERVICE MEETING.

- DEREK TALKED TO MARK GIBBS. THE WEBSITE IS IN PROCESS TO BE CONVERTED TO THE DRUPAL PLATFORM WITH AN ACCESSIBLE TEMPLATE.
- 280-2 BOSTON POST ROAD WAS NOTIFIED THAT THEY NEED HANDICAP PARKING AND SIGNAGE BUT HAVE NOT RESPONDED.
- 9 CAMPERS HAVE RECEIVED SCHOLARSHIPS.
- THE TRUSTEES AT 72 HOSMER STREET WROTE & STATED THE PARKING LOT IS BEING REPAVED & WILL HAVE THE APPROPRIATE HP PARING SPACING & SIGNAGE.

NEW BUSINESS

- NEW TECHNOLOGY COMING TO MARKET FROM HUMANWARE
 - TREKKER – GPS, RADIO, BLUETOOTH, E-READER & 580 WITH FREE SHIPPING.
- 10 CAMPERS HAVE RECEIVED SCHOLARSHIPS TO DATE.
- COMMISSION WILL ASK SEPAC TO ADVERTISE ABOUT AVAILABILITY OF SUMMER CAMP SCHOLARSHIPS
- MPD IS TRACKING TRAFFIC PATTERN DATA WITH NEW TECHNOLOGY. THE COMMISSION WILL

MAKE RECOMMENDATIONS AS TO WHERE
TRAFFIC SHOULD BE MONITORED. 4:38

MOTION TO ADJOURN PASSES 7-0

NEXT MEETING WILL BE AUGUST 1, 2017 AT 4:00 PM,
CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON
THE 4TH FLOOR.

RESPECTFULLY SUBMITTED,
DEREK CHAVES

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING OCTOBER 3, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

ATTENDEES: PATTI CARLSON, DEB MCMANUS, JOHN
USINAS, DEREK CHAVES

MEETING CALLED TO ORDER AT 4:01 PM

OLD BUSINESS

MOTION TO ACCEPT MINUTES 4 TO 0.

NEW BUSINESS

- TREASURERS REPORT: \$5,331.15 , MOTION TO ACCEPT PASSES 4 TO 0.
- DOMINOS ADDED A RAMP. DOUBLE CHECK CODE FOR PATIO AND RAILINGS.
- DEREK TALKED TO NICK CHARBONNEAU ABOUT INCLUDING RESOURCES FOR PEOPLE WITH DISABILITIES.

4:54: MOTION TO ADJOURN PASSES 4-0

RESPECTFULLY SUBMITTED,
DEREK CHAVES

OUR NEXT MEETING IS TUESDAY NOVEMBER 14, 2017
AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE
ROOM ON THE 4TH FLOOR.

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2018 APR 13 A 9:47

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING NOVEMBER 14, 2017
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

RECEIVED
CITY OF MARLBOROUGH
2018 APR 17 A 8:37

**ATTENDEES: DEB MCMANUS, DEREK CHAVES,
PATTI CARLSON, JOHN USINAS, LAURA KYLE**

MEETING CALLED TO ORDER AT 4:08

OLD BUSINESS

- **MOTION TO ACCEPT MINUTES PASSES 6-0**
- **TREASURER REPORT: \$5,715.92**
- **NO UPDATE ABOUT DOMINOES PATIO.**
- **CHEZ SIAM HAS RESPONDED TO THE COMMITTEE'S INQUIRIES. 72 HOSMER HAS NOT.**

NEW BUSINESS

- **\$1,000 FOR LAURA GREGORY. COST OF E GLASSES IS \$10,000. LAURA WAS A LONGTIME SPECIAL EDUCATION TEACHER IN MARLBOROUGH. MOTION TO APPROVE PASSES 6-0.**
- **DEREK WILL COME UP WITH A DESIGN FOR THE ASSISTIVE TECHNOLOGY PLAQUES IN THE COMPUTER ROOM AT THE SENIOR CENTER. TONJA.MILOJIVIC@PERKINS.ORG 617-972-7643.**

4:38 MOTION TO ADJOURN PASSES 6-0

**NEXT MEETING WILL BE MARCH 6, 2018 AT 4:00 PM,
CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON
THE 4TH FLOOR.**

**RESPECTFULLY SUBMITTED,
DEREK CHAVES**

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING MARCH 6, 2018
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2018 APR 17 A 8:37

ATTENDANCE: JOHN USINAS, DEBRA MCMANUS,
CHERYL SOUCY, PATRICIA CARLSON, LAURA KYLE,
DEREK CHAVES, DAVE DOUCETTE.

DEBRA MCMANUS CALLED THE MEETING TO ORDER
AT 4:02 PM.

OLD BUSINESS

MOTION TO ACCEPT, AS AMENDED, PASSES
UNANIMOUSLY.

TREASURERS REPORT

MOTION TO ACCEPT PASSES UNANIMOUSLY, \$6,131.58
AS OF 3/6/18

NEW BUSINESS

- LAURA GREGORY RAISED THE MONEY FOR THE GLASSES ON HER OWN.
- DEREK WILL FOLLOW UP WITH MARK ABOUT INSTALLATION OF NVDA.
- SUMMER CAMP SCHOLARSHIP IS APPROVED FOR \$4,000, MOTION PASSES UNANIMOUSLY.
- ADA TRANSITION COMMITTEE REQUESTS A REPRESENTATIVE FROM THE COMMISSION TO

PARTICIPATE. DEREK, CHERYL & PATRICIA ARE INTERESTED.

- CONTACT LENS EXAM, DEB WROTE LETTER. MOTION TO APPROVE \$165 TO VISION ASSOCIATES PASSES UNANIMOUSLY.
- MOTION TO REIMBURSE DEB FOR PRINTER INK. MOTION PASSES UNANIMOUSLY
- NOTE FROM NICK MILANO: APPOINTMENTS NEED TO BE RENEWED FOR 5 MEMBERS!
- JOINT COMMITTEE ON PUBLIC HEALTH REQUESTING CONSTITUENTS INPUT ON ASSISTED SUICIDE.

THE MEETING ADJOURNED AT 4:38 PM.

OUR NEXT MEETING IS TUESDAY APRIL 10, 2018 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

RESPECTFULLY SUBMITTED,
DEREK CHAVES

CITY OF MARLBOROUGH BOARD OF ASSESSORS

MEETING MINUTES: March 28, 2018

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 APR 18 P 2:34

1. CALL TO ORDER: 10:00 am
2. MEMBERS PRESENT: Anthony Arruda, Ellen Silverstein, David Manzello
Also in attendance: Harald Scheid and Nate Cramer, Regional Assessors
Paula Murphy Head Clerk
3. MOTION TO ACCEPT: minutes of the November 29, 2017 meeting: Mr. Arruda
second Ms. Silverstein
Vote 3-0
4. DISCUSS AND VOTE: Clause Exemption for 50 Leoleis Dr
Motion to Deny: Mr. Arruda, second Ms. Silverstein
Vote 3-0
5. APPROVE AND SIGN: SCRPT Program Abatements, Chapter 61,61A,61B Applications
Motion to Grant: Mr. Arruda, second Ms. Silverstein
Vote 3-0
6. DISCUSS AND APPROVE: move forward with ATB appeal case regarding 200 Nickerson Rd
presented by Mr. Scheid
Motion to Approve: Mr. Arruda, second Ms. Silverstein
Vote 3-0
7. A representative from Sunpower joined the meeting from 10:45 to 10:55 on behalf of TJX,
regarding solar panels installed at the site solely for the company's private use. A Letter of
Guarantee was requested from the Board stating that they would comply with existing tax laws
regarding taxation of solar panels.
Motion to Approve: Mr. Arruda, second Ms. Silverstein
Vote 3-0
8. DISCUSS AND VOTE: Personal Property Abatement Application recommendations made by
consulting company, RRC.
Motion to Approve: Mr. Arruda, second Ms. Silverstein
Vote 3-0
9. DISCUSS AND VOTE: Real Estate Abatement Applications: 15 Barnes Cir, 38 & 565 Brigham St
43 Conrad Rd, 17 Daniels Rd, 423 Donald J Lynch Blvd, 37 East Main St, 200 Evelina Dr, 61
Fairmount St unit 7, 21 Gikas Ln, Jenks Ln (parcels 2-6, 7, 8, 9, 10, 28), 86 Maplewood Ave, 21
Howland St, 130 Main St unit 3, 36 Pembroke St, 1 Woodridge Rd
Motion to Grant: Mr. Arruda, second Ms. Silverstein
Vote 3-0

10. DISCUSS AND VOTE: Real Estate Abatement Applications: 141 Ash St, 2-10 Boston Post Rd East, 206 Bolton St unit 19, 61 Brigham St, 820 Concord Rd, 149 Cook Ln, 522-A Elm St, 61 Fairmount St unit 2, 755 Farm Rd, 10 High St, Jenks Ln (parcels 2-5, 29, 100), 25 Joel St, 41 Liberty St, 136 Main St units 5 & 6, 257-267 Maple St, 19 Norwood St, 73 Pheasant Hill Rd, 145 Pleasant St unit 212A, 44 Rice St, 20 Robin Dr unit 11, 157 Second Rd, 35 Westboro Rd, 41 Whispering Brook Rd, 132 Winter St
 11. Real Estate Abatement Applications tabled pending further research: 10 parcels owned by CB Equities Mt Royal LLC, 72 Cedar Hill St units A & B
 12. MOTION TO CONCLUDE – Mr. Arruda, second Ms. Silverstein
- MEETING Adjourned – 1 pm

