

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN 14 P 5:14

*Presentation of City Scholarships 2018*

1. Minutes, City Council Meeting, June 4, 2018.
2. PUBLIC HEARING On the Application for Special Permit from Sandra Colligan, to demo existing house and build a new two story home at 21 Patten Drive, Order No. 18-1007244.
  - a. Communication from Arthur and Laurie Zouha re: Special Permit for Sandra Colligan to demo existing house and build a new two story house at 21 Patten Drive.
3. PUBLIC HEARING On the 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, Order No. 18-1007245.
4. Communication from the Mayor re: Rescinding of Various Bonds.
5. Communication from President Clancy re: Coffee Roasteries, Proposed Amendment to Zoning Ordinance, Chapter 650-5 & 17.
6. Communication from the Planning Board, re: Acceptance of Slocumb Lane as a Public Way, Order No. 18-1007285.
7. Communication from Chris White re: Vegetation Management Notice.
8. Communication from various residents and business owners listed below re: Support of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
  1. Robert Folan
  2. Daniela Cerqueira
  3. Tony Cerqueira
  4. Eileen Rivera
  5. Kim Jones
  6. Linda Cook
  7. Andrea Moura
  8. Elizabeth Callan
  9. Gerusa Soares
  10. Ron Ayotte
  11. Barbara Kozay
9. Communication from various residents and business owners listed below re: Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
  1. Matt Hicks
  2. Tui Clern
  3. Richard Ward
  4. C. Tagliaferri
  5. Daniel Mahoney
  6. Denise Liaus
  7. Mike Monteiro
  8. Eva Rabelo
  9. Nancy Nims
  10. Richard Robinson
  11. Robert Saragarian
  12. Barbara Saragarian
  13. Peter D'Aurora
  14. Susan Brown
  15. Christine Weed
  16. Daniel Mauro
  17. Weberton Figueiredo
  18. Christe Leoleis
  19. Dennis Mauro
  20. Paul Crisafulli
  21. Sandra Crisafulli
  22. Angelo Cruz
  23. Eleanor Travers
  24. Dominic Mauro
  25. Martha Mauro
  26. Lenice Araujo
  27. Gilberto Araujo
  28. Elicia Lemes
  29. Celeste Cantero
  30. Marie Yerardi
  31. Heather Duca
  32. Mike Ormand
  33. Levon Gulbankian
  34. Donald Gulbankian
  35. Dennis DiRico
  36. Gerald Dumais
  37. Charles Trombetta
  38. Anthony Trombetta
  39. Charles P. Trombetta

**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.**

10. Communication from Charles Trombetta, Mike Monteiro, & Gina DiMatteo re: Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
11. Communication from Charles Trombetta re: Tabling of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
12. Communication from the Attorney Buckley re: Results Way Mixed Use Overlay District.
13. Communication from AvalonBay Communities, Inc., re: Special Permit Application for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed-Use Overlay District.
14. Communication from AvalonBay Communities, Inc., re: Site Plan for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed-Use Overlay District.
15. Communication from Vanasse Hanglen Brustlin, Inc., re: Notice of Project Change, Marlborough Hills. (Booklet is available for viewing in the City Clerk's Office).
16. Communication from Attorney Falk re: Site Plan Application for 28 South Bolton Street
17. Communication from Attorney Bergeron re: Garden Remedies, Inc., Special Permit Application for Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment, 416 Boston Post Road East.
18. Communication from Leonard Solo re: Council Order. 18-1007198 Proposed Zoning Amendment, Article VI, Section 650-22, Retirement Community Overlay District at Crowley Drive, Order No. 18-1007198B.
19. Communication from Attorney Pezzoni re: Proposed Amendment to the Marlborough Zoning Code Regarding Multifamily Retirement Community, Order No. 18-1007198B.
20. Communication from MA Water Resource Authority re: Wachusett Aqueduct Pumping Station (MWRA Contract No. 7157) Marlborough, MA.
21. Application for Special Permit from Christopher White, re: Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street.
22. Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, Francis Street and East Main Street, Utility Pole #11-50.
23. Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, 10 Neil Street Utility Pole 1.
24. Petition from Mass Electric and Verizon New England, Inc. to install new Pole #37-5, Stevens Street, for new electrical feed to the High School.
25. Minutes, License Board, April 25, 2018 & May 10, 2018.
26. Minutes, Traffic Commission, April 25, 2018.
27. Minutes, School Committee, May 22, 2018.
28. CLAIMS:
  - a. Bruce Gelb, 328 Cook Lane, other property damage and/or personal injury.
  - b. Avidia Bank, Main Street, Hudson, other property damage and/or personal injury.

**REPORTS OF COMMITTEES:**

## UNFINISHED BUSINESS:

From Finance Committee

29. **Order No. Order No. 18-1007279 - Snow and Ice Year End Transfers for \$1,588,000.00.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$1,588,000.00 from the Undesignated Fund account to the following snow and ice accounts:
- \$281,300.00 to Overtime Snow and Ice
  - \$538,800.00 to Snow Removal
  - \$767,900.00 to Operating Expenses
- The Finance Committee voted 5 - 0 to approve the transfers.**
30. **Order No. 18-1007280 – Transfer \$679,841.00 from the Economic Development Account to Fund the Marlboro Economic Development Corporation (MEDC) for FY19.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the transfer of \$679,841.00 from the Economic Development account to fund MEDC for FY19. The funds are from the local options hotel tax that has a current balance of \$1,368,317.15. **The Finance Committee voted 4 - 1 (Councilor Oram opposed) to approve the transfer.**
31. **Order No. 18-1007281 – Transfer \$18,000.00 to Open Space Stabilization Account for FY17 Antenna Receipts.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$18,000.00 from the Undesignated Fund account to the Open Space Stabilization. The source of the \$18,000.00 is from the FY17 wireless antennae receipts. **The Finance Committee voted 5 - 0 to approve the transfer.**
32. **Order No. 18-1007283 – Fiscal Year 2019 Revolving Funds Spending Limits.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the City Council approve the spending limits for three Revolving Funds for FY19.
- Order #18-1007283-3 - That no more than \$350,000.00 shall be expended from the Parks and Recreation Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**
  - Order #18-1007283-1 - That no more than \$75,000.00 shall be expended from the Public Safety Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**
  - Order #18-1007283-2 - That no more than \$40,000.00 shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**
33. **Order No. 18-1007284 – Grant for \$100,000.00 for Park Improvements.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the approval of a \$100,000.00 Legislative Earmark Grant for the installation of a splash park at Stevens Park. **The Finance Committee voted 5 - 0 to approve the Grant.**

From Urban Affairs Committee

34. **Order No. 17/18-1006979B - Communication from Metropolitan Area Planning Council (MAPC) regarding 1.) Multifamily Design Review Guidelines; 2.) Multifamily Development Review Criteria; 3.) Background information on TDR; 4.) MA Subsidized Housing Inventory for Marlborough; and 5.) Housing Needs Assessment related to the Housing Study Report.** The Urban Affairs Committee met with Mark Racicot and Josh Fiala of the Metropolitan Area Planning Council (MAPC) on February 13<sup>th</sup>, March 27<sup>th</sup>, and May 15<sup>th</sup> for review and discussion of the document created by MAPC titled "City of Marlborough Multifamily Development Review Criteria and Design Guidelines". The Urban Affairs Committee also met on May 29<sup>th</sup> (Mr. Racicot and Mr. Fiala were unable to attend) for a final review of the document which was dated May 25, 2018. The document was designed to assist developers and the City of Marlborough in defining appropriate design criteria and municipal review of multifamily developments proposed within the City. It provides City officials a guideline to evaluate proposed projects and their impact on areas such as schools, emergency services, affordable housing, the environment and energy needs. During this final review, Councilors requested language be included in the document with regards to uses not allowed in certain zoning districts that may require zoning changes or overlay districts which may or may not be forthcoming. At the request of Councilor Robey, the committee agreed to remove reference to fees for outside consultants as outlined in MGL Chapter 44, Section 53G. **Motion made and seconded to approve the "Multifamily Development Review Criteria and Design Guidelines" as amended. The motion carried 5-0.**
35. **Order No. 18-1007195 - Proposed Zoning Map Amendment, Expansion of the Marlborough Village District.** Chairman Delano explained the proposed zoning map amendment was a minor change because the stairs coming down from McEnelly Street are not included in the Marlborough Village District (MVD) and for the proposed project on Main Street to occur, the stairs must be added to the MVD. The Planning Board gave a favorable recommendation for the proposed zoning amendment in a letter dated April 24, 2018. Attorney Brian Falk of Mirick O'Connell represents Vincenza Sambataro, the owner of 163-175 Main Street, and explained there is a site plan approval pending before the City Council as well as the Site Plan Review Committee. While considering their different options for the project, it was discovered the back portion of the stairs was zoned Residence B (RB) and not MVD and expansion into the City owned stair area would provide additional units and square footage for the retail space along Main Street. **Motion made and seconded to approve the Proposed Zoning Map Amendment for the Expansion of the Marlborough Village District. The motion carried 5-0.**

From City Council

36. **ORDER No. 18-1007262-1A, 18-1007262-2A, 18-1007262-3A**  
That the following FY18 Capital Bond requests, be and is herewith **TABLED UNTIL JUNE 18, 2018 CITY COUNCIL MEETING.**

**STREET CONSTRUCTION BOND**

That the sum of \$3,500,000 (three million five hundred thousand dollars) be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$3,500,000 under and pursuant to the provisions of Chapter 44, Section 7(1) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**SEWER CONSTRUCTION BOND**

That the sum of \$1,800,000 (one million eight hundred dollars) be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$1,800,000 under and pursuant to the provisions of Chapter 44, Section 8 (14) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**WATER MAIN CONSTRUCTION BOND**

That the sum of \$150,000 (one hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$150,000 under and pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.



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2018 JUN 14 A 10:11

**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**JUNE 4, 2018**

Regular meeting of the City Council held on Monday, June 4, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juare, Oram, Ossing; Robey; Doucette, Dumais, Tunnera; Irish and Landers. Meeting adjourned at 8:31 PM.

ORDERED: That the Minutes of the City Council meeting May 21, 2018, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the Petition of Comcast to install new underground conduit to 46 Lizotte Drive, Order No. 18-1007288, all were heard who wish to be heard, hearing closed at 8:03 PM; adopted.

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance from Massachusetts Council on Aging (MCOA) to Council on Aging in the amount of \$3,500.00 to further foster Marlborough's efforts in becoming an Age Friendly Community, **APPROVED**; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance from resident Irene Grassby to the Police Department in the amount of \$100.00, **APPROVED**; adopted.

ORDERED: That the Reappointment of Chief David Giorgi as Keeper of the Lockup for a term of one year, **APPROVED**; adopted.

ORDERED: That the Communication from the Planning Board re: Conditional Favorable recommendation of proposed Zoning Ordinance Amendment, §650-22, Retirement Community Overlay District, Order No. 18-1007198A, **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from Central MA Mosquito Control Project re: Responding to residents' concerns about mosquitos in their area on the following dates May 31 & June 6, 13, 20, & 27, **FILE**; adopted.

ORDERED: That the Communication from Hank DeBardeleben, 118 Broadmeadow Street, Unit E re: Concerns about environmental impacts relative to the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136E, **FILE**; adopted.

ORDERED: That the Communication from Gina DiMatteo, re: Additional signature of Levon Gulbankian, relative to protest in opposition to the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136E, **FILE**; adopted.

ORDERED: That the Communication from various residents and business owners listed below re: Support of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136E, **FILE**; adopted.

- |   |  |
|---|--|
| a. Asif Hansan, 241 Boston Post Road West   | m. Amy Crue, 65 Boston Post Road West                        |
| b. Tony Cerqueira, 34 Marien Lane   | n. Alexis Barrile, 31 Tremont Street, #2                     |
| c. Andrew Tsou, 124 Broadmeadow Street, Unit D<br>Trustee, Willows of Marlborough Condominium | o. John Phillipio, 65 Boston Post Road West<br>Suite 200     |
| d. Clifford Drezek, Post Office Box 509   | p. Keith Burke, 151 Ewald Avenue                             |
| e. William Gonzalez, Post Office Box 5688   | q. Evelyn Fontanez, 799 Farm Road, #13                       |
| f. Joan Campbell, 118 D Broadmeadow Street  | r. Geovannie Figueroa, 38 Kane Drive                         |
| g. Kevin Labadini, 355 Boston Post Road West,<br>Clean & Green Car Wash                       | s. Keannah Figueroa, 38 Kane Drive                           |
| h. Matthew Evangelous, 128 South Bolton Street  | t. Diane Mullahy, 799 Farm Road                              |
| i. Sharon Besette, 40 Mechanic Street, RMA<br>Management LLC                                  | u. Bette Ann Barberio, 805 Farm Road                         |
| j. Kenneth Lacourse, 40 Mechanic Street   | v. Peo Nathan, 65 Boston Post Road West                      |
| k. Gary Lynde, 7 Ash Street   | w. Joe Trolia, 4 Lan Drive, Westford<br>Ryan Development LLC |
| l. Lynn Faust, 40 Mechanic Street, Suite 300  | x. Ann Barberio, 805 Farm Road                               |
|   | y. Robert Bakalyar, 799 Farm Road, #5                        |

ORDERED: That the Minutes, Conservation Commission, April 19, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, April 10, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, April 23, 2018 & May 7, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, April 10, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, May 22, 2018 (Two Hearings), **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, April 3, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, April 25, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Retirement Board, April 24, 2018, **FILE**; adopted.

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

- a. Dara Howorth, 136 Brewer Street, Northborough, pothole or other road defect.
- b. Richard Aldrich, 117 Bolton Street., other property damage and/or personal injury.
- c. Jeff & Marjorie Pechet, 23 Turner Ridge Road, other property damage and/or personal injury.

## Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee  
Tuesday May 29, 2018  
In Council Chambers**

**Finance Committee Members Present:** Chairman Ossing; Councilors Robey, Oram, Irish (arrived part way through agenda item #1) and Dumais.

**Finance Committee Members Absent:** None

**Other Councilors in Attendance:** Councilor Clancy, Landers and Doucette.

**The meeting convened at 7:09 PM.**

1. **Order No.18-1007278 – Year End Transfers in the amount of \$1,274,225.00.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting year end transfers from within the existing budget in the amount of \$1,274,225.00 for the Comptroller, Collector, Police Department, and Department of Public Works (includes Public Facilities, Water and Sewer accounts). The Finance Committee took the following actions:

- \$2,000.00 in the Collector's Department – Finance Committee voted 4 – 0 (Councilor Irish absent) to approve the transfers.
- \$16,500.00 in the Police Department – Finance Committee voted 4 – 0 (Councilor Irish absent) to approve the transfers.
- \$540,125.00 in the Department of Public Works (includes Public Facilities, Water and Sewer accounts) – Finance Committee voted 4 – 0 (Councilor Irish absent) to approve the transfers.
- \$715,600.00 in the Comptroller Accounts – Finance Committee voted 5 - 0 to approve the transfers.

**The Finance Committee agreed to support suspending the rules at the June 4, 2018 City Council meeting to approve the year end transfers.**

2. **Order No. 18-1007279 - Snow and Ice Year End Transfers for \$1,588,000.00.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$1,588,000.00 from the Undesignated Fund account to the following snow and ice accounts:

- \$281,300.00 to Overtime Snow and Ice
- \$538,800.00 to Snow Removal
- \$767,900.00 to Operating Expenses

**The Finance Committee voted 5 - 0 to approve the transfers.**



## Reports of Committee Cont'd:

3. **Order No. 18-1007280 – Transfer \$679,841.00 from the Economic Development Account to Fund the Marlboro Economic Development Corporation (MEDC) for FY19.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the transfer of \$679,841.00 from the Economic Development account to fund MEDC for FY19. The funds are from the local options hotel tax that has a current balance of \$1,368,317.15. **The Finance Committee voted 4 - 1 (Councilor Oram opposed) to approve the transfer.**
4. **Order No. 18-1007281 – Transfer \$18,000.00 to Open Space Stabilization Account for FY17 Antenna Receipts.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$18,000.00 from the Undesignated Fund account to the Open Space Stabilization. The source of the \$18,000.00 is from the FY17 wireless antennae receipts. **The Finance Committee voted 5 - 0 to approve the transfer.**
5. **Order No. 18-1007282 – Increase Council on Aging Revolving Fund Spending Limit for the Remainder of FY18.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the spending limit for the Council on Aging Revolving Fund be increased from \$40,000.00 to \$70,000.00 for the remainder of FY18. The increase is required to support the additional programs being offered by the Senior Center. **The Finance Committee voted 5 - 0 to approve increase in the spending limit to \$70,000 for the remainder of FY18.**

**The Finance Committee agreed to support suspending the rules at the June 4, 2018 City Council meeting to approve the increase the spending limit for the Council on Aging Revolving Fund be increased from \$40,000.00 to \$70,000.00 for the remainder of FY18.**

6. **Order No. 18-1007283 – Fiscal Year 2019 Revolving Funds Spending Limits.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the City Council approve the spending limits for three Revolving Funds for FY19.
  - Order #18-1007283-3 - That no more than \$350,000.00 shall be expended from the Parks and Recreation Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**
  - Order #18-1007283-1 - That no more than \$75,000.00 shall be expended from the Public Safety Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**
  - Order #18-1007283-2 - That no more than \$40,000.00 shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**

## Reports of Committee Cont'd:

7. **Order No. 18-1007284 – Grant for \$100,000.00 for Park Improvements.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the approval of a \$100,000.00 Legislative Earmark Grant for the installation of a splash park at Stevens Park. **The Finance Committee voted 5 - 0 to approve the Grant.**

The Finance Committee adjourned at 8:17 PM.

Councilor Delano reported the following out of Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: May 29, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:32 PM – Adjourned: 7:04 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juairé, Landers, Doucette, and Tunnera; and Councilors Clancy, Dumais, Ossing, and Robey; Donald Rider (City Solicitor, City of Marlborough); Brian Falk (Mirick O'Connell)

**Order No. 17/18-1006979B - Communication from Metropolitan Area Planning Council (MAPC) regarding 1.) Multifamily Design Review Guidelines; 2.) Multifamily Development Review Criteria; 3.) Background information on TDR; 4.) MA Subsidized Housing Inventory for Marlborough; and 5.) Housing Needs Assessment related to the Housing Study Report.** The Urban Affairs Committee met with Mark Racicot and Josh Fiala of the Metropolitan Area Planning Council (MAPC) on February 13<sup>th</sup>, March 27<sup>th</sup>, and May 15<sup>th</sup> for review and discussion of the document created by MAPC titled "City of Marlborough Multifamily Development Review Criteria and Design Guidelines". The Urban Affairs Committee also met on May 29<sup>th</sup> (Mr. Racicot and Mr. Fiala were unable to attend) for a final review of the document which was dated May 25, 2018. The document was designed to assist developers and the City of Marlborough in defining appropriate design criteria and municipal review of multifamily developments proposed within the City. It provides City officials a guideline to evaluate proposed projects and their impact on areas such as schools, emergency services, affordable housing, the environment and energy needs. During this final review, Councilors requested language be included in the document with regards to uses not allowed in certain zoning districts that may require zoning changes or overlay districts which may or may not be forthcoming. At the request of Councilor Robey, the committee agreed to remove reference to fees for outside consultants as outlined in MGL Chapter 44, Section 53G. **Motion made and seconded to approve the "Multifamily Development Review Criteria and Design Guidelines" as amended. The motion carried 5-0.**

## Reports of Committee Cont'd:

**Order No. 18-1007195 - Proposed Zoning Map Amendment, Expansion of the Marlborough Village District.** Chairman Delano explained the proposed zoning map amendment was a minor change because the stairs coming down from McEnelly Street are not included in the Marlborough Village District (MVD) and for the proposed project on Main Street to occur, the stairs must be added to the MVD. The Planning Board gave a favorable recommendation for the proposed zoning amendment in a letter dated April 24, 2018. Attorney Brian Falk of Mirick O'Connell represents Vincenza Sambataro, the owner of 163-175 Main Street, and explained there is a site plan approval pending before the City Council as well as the Site Plan Review Committee. While considering their different options for the project, it was discovered the back portion of the stairs was zoned Residence B (RB) and not MVD and expansion into the City owned stair area would provide additional units and square footage for the retail space along Main Street. **Motion made and seconded to approve the Proposed Zoning Map Amendment for the Expansion of the Marlborough Village District. The motion carried 5-0.**

**Motion made and seconded to adjourn. The motion carried 5-0. The meeting adjourned at 7:04 PM.**

**Suspension of the Rules requested – granted.**

ORDERED: That the Year-end transfer requests with detailed narratives outlined below, **APPROVED**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

		DEPT: Collector					FISCAL YEAR: 2018		
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$14,148.76</u>	<u>\$2,000.00</u>	<u>11440001</u>	<u>50042</u>	<u>CityCollector - Payroll</u>	<u>\$2,000.00</u>	<u>11440004</u>	<u>53999</u>	<u>Other Services</u>	<u>\$5,888.55</u>
		Reason: <u>Surplus in Collectors payroll budget</u>					Reason: <u>Funds needed to cover cost estimates</u>		
		<u>\$2,000.00</u>	Total		<u>\$2,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

		DEPT: Comptroller					FISCAL YEAR: 2018		
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$480,000.00</u>	<u>\$42,000.00</u>	<u>17110006</u>	<u>59967</u>	<u>2017 Multi Purpose</u>	<u>\$42,000.00</u>	<u>13800006</u>	<u>59967</u>	<u>2017 Multi Purpose</u>	<u>\$160,000.00</u>
		Reason: <u>Reclassify Bond Payments after sale in June 2017</u>					Reason: <u>Reclassify Bond Payments after sale in June 2017</u>		
<u>\$155,000.00</u>	<u>\$2,000.00</u>	<u>60071106</u>	<u>59967</u>	<u>2017 Multi Purpose</u>	<u>\$2,000.00</u>	<u>60075106</u>	<u>59967</u>	<u>2017 Multi Purpose</u>	<u>\$47,495.00</u>
		Reason: <u>Reclassify Bond Payments after sale in June 2017</u>					Reason: <u>Reclassify Bond Payments after sale in June 2017</u>		
<u>\$395,000.00</u>	<u>\$23,100.00</u>	<u>17520006</u>	<u>59254</u>	<u>Short Term Int - City</u>	<u>\$20,000.00</u>	<u>13860006</u>	<u>59254</u>	<u>Short Term Int - School</u>	<u>\$82,500.00</u>
		Reason: <u>Reclassify short term interest</u>					Reason: <u>Reclassify short term interest</u>		
					<u>\$3,100.00</u>	<u>13850006</u>	<u>59952</u>	<u>2004 Multi Purpose Int</u>	<u>\$0.00</u>
		Reason:					Reason: <u>Correct calculation error in FY 18 budget</u>		
		<u>\$67,100.00</u>	Total		<u>\$67,100.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		Comptroller				FISCAL YEAR:		2018	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$2,588,165.81</u>	<u>\$250,000.00</u>	<u>11980006</u>	<u>51750</u>	<u>Health Insurance - City</u>	<u>\$200,000.00</u>	<u>13100003</u>	<u>51751</u>	<u>Health Ins. - School</u>	<u>\$1,500,754.28</u>
	Reason:	<u>Surplus in City Health Insurance</u>			Reason:	<u>Funds needed to cover cost estimates</u>			
					<u>\$50,000.00</u>	<u>13100003</u>	<u>51753</u>	<u>Medicare Ins. - School</u>	<u>\$97,874.26</u>
	Reason:				Reason:	<u>Funds needed to cover cost estimates</u>			
	<u>\$250,000.00</u>	Total			<u>\$250,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		POLICE				FY:			
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$192,761.52</u>	<u>\$16,500.00</u>	<u>12100003</u>	<u>51440</u>	<u>Educational Incentive</u>	<u>\$6,000.00</u>	<u>12100005</u>	<u>54220</u>	<u>Office Supplies/Expenses</u>	<u>\$4,287.18</u>
	Reason:	<u>Vacant positions</u>				<u>Software upgrade and maintenance contract</u>			
					<u>\$8,000.00</u>	<u>12100006</u>	<u>51975</u>	<u>Initial Equipment</u>	<u>\$333.35</u>
	Reason:					<u>Initial equipment for new officer &amp; 5 body armor vests</u>			
					<u>\$2,500.00</u>	<u>12100006</u>	<u>52010</u>	<u>Translation Services</u>	<u>\$220.00</u>
	Reason:					<u>Translation services needed in more arrests &amp; investigations</u>			
	<u>\$16,500.00</u>	Total			<u>\$16,500.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT: Comptroller FISCAL YEAR: 2018

FROM ACCOUNT: TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,245,924.59	\$398,500.00	27000	33086	Fund Bal-Parks & Fields Capital	\$398,500.00	19910009	49715	Transfer-Meal Local Option	\$0.00

Reason: Local options meals tax funding FY18 bond payments associated with parks & fields as per the recap

\$398,500.00 Total \$398,500.00 Total

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT: Department of Public Works/Public Facilities FISCAL YEAR: 2018

FROM ACCOUNT: TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$44,088	\$17,880	11920003	50560	Custodian	\$17,880	11920006	53999	Other Services	\$11,264
	Reason:	<u>previously vacant positions</u>				<u>Council Chamber upgrades</u>			
\$44,088	\$5,620	11920003	50560	Custodian	\$5,620	13032001	50292	Craftsman	1,113.00
	Reason:	<u>previously vacant position</u>				<u>contractual increases</u>			
\$244,808	\$100,000	13032006	52120	Electricity/School	\$400,000	11920006	52120	Electricity/City	1,308.58
	Reason:	<u>excess funds available</u>				<u>Net Metering credit less than anticipated</u>			
\$271,577	\$200,000	13032006	52200	Natural Gas/School					
	Reason:	<u>excess funds available</u>							
\$100,000	\$100,000	60080004	53110	Legal Services					
	Reason:	<u>excess funds available</u>							
	\$423,500	Total			\$423,500	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2018

Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:		
\$121,517	\$20,000	14001503	50740	Equipment Operators	\$20,000	14001506	52500	Repair/Maintenance	\$47	
		Reason: vacant positions				Repairs to Toro mower				
\$91,455	\$14,000	61090001	50740	Equipment Operator	\$14,000	14001505	54610	General Materials	\$6,412	
		Reason: previously vacant position				Tree replacement throughtout the city				
\$2,125	\$2,125	60081003	51920	SLBB	\$2,125	60080001	50580	Asst Chemist	\$4,486	
		Reason: Excess available due to retirement				Step increases				
\$60,460	\$20,000	60081001	50850	Sewage Treatment Plant Op	\$20,000	61090006	55740	Water Meters	\$46,890	
		Reason: previously vacant position				Purchase of water meters				
\$19,963	\$9,000	61090001	50680	General foreman	\$9,000	61090006	55740	Water Meters	\$46,890	
		Reason: Previously vacant position				Purchase of water meters				
\$54,225	\$51,500	60081001	50750	Equipment Operator	\$26,000	60081006	55950	East Waste Water Treat	\$2,507	
		Reason: previously vacant position				Increase in chemicals for plant				
					\$25,500	60085006	55980	West Waste Water Treat	\$1,944	
		Reason: Increase in chemicals for plant								
	\$116,625	Total			\$116,625	Total				

Yea: 11-Nay: 0

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

Suspension of the Rules requested – granted.

ORDERED: That no more than seventy thousand dollars (\$70,000.00) shall be expended from the Council on Aging Revolving Fund during fiscal year 2018, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

**ORDERED:** That the following FY18 Capital Bond request, **TABLED UNTIL JUNE 18, 2018 CITY COUNCIL MEETING**; adopted.

#### **STREET CONSTRUCTION BOND**

That the sum of \$3,500,000 (three million five hundred thousand dollars) be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$3,500,000 under and pursuant to the provisions of Chapter 44, Section 7 (1) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**ORDERED:** That the following FY18 Capital Bond request, **TABLED UNTIL JUNE 18, 2018 CITY COUNCIL MEETING**; adopted.

#### **SEWER CONSTRUCTION BOND**

That the sum of \$1,800,000 (one million eight hundred dollars) be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$1,800,000 under and pursuant to the provisions of Chapter 44, Section 8 (14) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**ORDERED:** That the following FY18 Capital Bond request, **TABLED UNTIL JUNE 18, 2018 CITY COUNCIL MEETING**.

#### **WATER MAIN CONSTRUCTION BOND**

That the sum of \$150,000 (one hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$150,000 under and pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.



ORDERED: That the following Transfer Request which moves money from Undesignated Funds to various Capital Outlay accounts as outlined in the spreadsheet below, **APPROVED**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:		Various				FISCAL YEAR:		2018	
Available Balance		FROM ACCOUNT:				TO ACCOUNT:			
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$8,284,083.16	\$3,957,138.00	10000	35900	Undesignated Fund	\$1,239,000.00	19300006	58512	Capital Outlay-Fire	\$2,604.75
	Reason:	To fund equipment requests							
					\$2,491,508.00	19300006	58731	Capital Outlay-DPW	\$9,622.19
					\$206,500.00	19300006	58593	Capital Outlay-Police	\$19,291.32
	Reason:								
					\$5,130.00	19300006	56300	Capital Outlay-Voting Equipme	\$0.00
	Reason:								
					\$15,000.00	19300006	52451	Capital Outlay-COA	\$0.00
	Reason:								
\$3,957,138.00	Total				\$3,957,138.00	Total			

**Yea: 11-Nay: 0**

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

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH NOW ORDAINS THAT THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED BY ADDING A NEW SECTION 650-36, ENTITLED “ASSABET RIVER RAIL TRAIL OVERLAY DISTRICT,” AS FOLLOWS:

## ARTICLE VI

### § 650-36 – ASSABET RIVER RAIL TRAIL OVERLAY DISTRICT

#### A. Purpose and Objectives.

- (1) The Assabet River Rail Trail Overlay District (herein, the “ARRTOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the ARRTOD are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety and welfare, by promoting pedestrian and bicycle friendly development complementary to the Assabet River Rail Trail.
- (2) For the purposes of this section, the ARRTOD shall be superimposed on the other districts existing at the time of the adoption of this Section. The ARRTOD consists of (i) the Assabet River Rail Trail property, and (ii) the parcels identified in Exhibit A annexed hereto and incorporated by reference herein.

#### B. Authority of Permit Granting Authority.

- (1) The City Council shall be the Permit Granting Authority for Special Permit Approval in the ARRTOD. In all instances, a development which proceeds under the ARRTOD is subject to Site Plan Approval in accordance §270-2 of the Marlborough City Code.
- (2) The City Council may, by special permit in accordance with Section 650-59, permit a “Rail Trail Development,” defined in Subsection C herein, on any lot or combination of lots located in the ARRTOD (a “Development Parcel”), provided that the Rail Trail Development complements the Assabet River Rail Trail by improving the appearance of the Development Parcel as seen from the Assabet River Rail Trail; encourages the use of the Assabet River Rail Trail; and provides certain public amenities (including, but not limited to, landscaping, trash receptacles, public safety enhancements, or other benefits) that enhance the Assabet River Rail Trail, either at the Development Parcel or, in the discretion of the City Council, at other locations along the Assabet River Rail Trail.

C. Eligible Uses, Dimensional Controls.

- (1) A Rail Trail Development shall include any use allowed in the underlying zoning district, either as of right or by special permit, in addition to the following uses:
  - a. Retail sales and services, up to 5,000 square feet of gross floor area per such establishment, provided that the Rail Trail Development has frontage along Lincoln Street.
  - b. Restaurant, café with or without table service (including outside seating and service) without drive-thru, up to 5,000 square feet of gross floor area per such establishment, provided that the Rail Trail Development has frontage along Lincoln Street.
  - c. Residential uses, with such density as deemed appropriate by the City Council.
- (2) A Rail Trail Development may include multiple uses, which may be commingled into a single structure or structures or may be located in multiple separate structures on one building lot.
- (3) A Rail Trail Development shall be subject to the dimensional, parking and landscaping requirements of the underlying zoning district and for the use or combination of uses of the Rail Trail Development; provided, however, that the City Council may elect to vary dimensional, lot coverage, and parking requirements by Special Permit if, in the City Council's opinion, such change shall result in an improved project and will not nullify or substantially derogate from the intent or purpose of this Section. This variance authority shall continue subsequent to initial occupancy.

**EXHIBIT A**

The newly established Assabet River Rail Trail Overlay District shall include all or portions of the properties shown on the Zoning Map existing at the passage of this Ordinance, which properties include the following parcels of land:

1. The Assabet River Rail property, from the Marlborough-Hudson municipal boundary line to the intersection of Highland and Lincoln Streets.
2. Assessors Map 43, Parcel 29 (19 Ash Street) (Residential use only).
3. Assessors Map 56, Parcel 125 (269 Mechanic Street) (Residential use only).
4. Assessors Map 56, Parcel 96 (3-7 Longley Street) (Residential use only).
5. Assessors Map 56, Parcel 85 (297 Lincoln Street).
6. Assessors Map 69, Parcel 345 (283 Lincoln Street).
7. Assessors Map 69, Parcels 340 (305 Lincoln Street), 341 (297 Lincoln Street), 342 (301 Lincoln Street) and 343 (293 Lincoln Street).

**NOT APPROVED;** adopted.

**Councilor Oram, Doucette, Robey and Irish opposed.**

**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, **APPROVED;** adopted.

**Councilor Juaire recused.**

**ORDERED:** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:31 PM.



# IN CITY COUNCIL

Marlborough, Mass., APRIL 23, 2018

## ORDERED:

That there being no objection thereto set **MONDAY, JUNE 18, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Sandra Colligan, to demo existing house and build a new two story home at 21 Patten Drive, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Ninety days after public hearing is 09/16/18 which falls on a Sunday, therefore 09/17/18 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007244

Arthur and Laurie Zouharis  
 140 2<sup>nd</sup> Road  
 Marlboro, MA 01752

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 JUN -8 P 1:04

June 6, 2018

City of Marlboro  
 Office of the City Clerk  
 Marlboro, MA 01752

Re: Public Hearing on Monday June 18, 2018 for Special Permit from Sandra Colligan to demo existing house and build a new two-story house at 21 Patten Drive

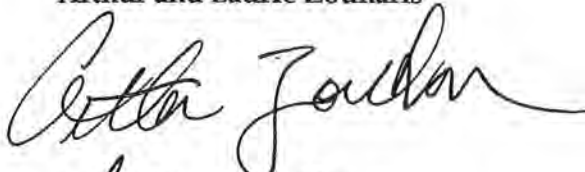

To whom it may concern:

We have been informed of a public hearing on Monday, June 18, 2018 at 8:00 PM regarding a special Permit from Sandra Colligan to demo the existing house and build a new two-story house at 21 Patten Drive. We are unable to attend the public hearing because we will be out of the country on a business trip but would like to voice our concerns in this letter.

We live at 140 2<sup>nd</sup> Road and directly abut the rear yard of 21 Patten Drive. We have lived in our home for twenty-five years and have no intentions in ever moving. We take excellent care of our property and deeply care about the neighborhood. The property at 21 Patten Drive has been in deplorable condition for over 5 years. We would be ecstatic for someone to move in to this property, clean up the yard and the home. However, the elevated height and proximity of the PROPOSED new home is of concern. We feel that the elevated height, size, and proximity of the new PROPOSED two-story home exceeds what would be appropriate for this tiny lot. A two-story home directly abutting our back yard would be overwhelming and intrusive. We have empathy for the property owners and understand that they are trying to get the most out of this property, but we oppose the disproportionate size of the PROPOSED new home on this sub-par lot. We support the construction of a smaller single story or even a Cape style home built here as it would be proportional to the lot and preserve the quaintness and unique setting of this property in our lake-front neighborhood.

Thank you for your consideraton,

Arthur and Laurie Zouharis



# IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ APRIL 23, 2018

## ORDERED:

That there being no objection thereto set **MONDAY, JUNE 18, 2018** as **DATE FOR PUBLIC HEARING** On the 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, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Ninety days after public hearing is 09/16/18 which falls on a Sunday, therefore 09/17/18 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007245



*City of Marlborough* RECEIVED *Arthur G. Vigeant*  
 CITY CLERK'S OFFICE MAYOR  
 CITY OF MARLBOROUGH  
*Office of the Mayor* JUN 14 A 11:50  
*Nicholas J. Milano*  
 EXECUTIVE AIDE

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

*Patricia Bernard*  
 EXECUTIVE SECRETARY

June 14, 2018

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

**Re: Rescinding of Various Bonds**

Honorable President Clancy and Councilors:

Please find enclosed for your review an order to rescind various bonds.

These bonds are ready to be rescinded either because the projects are complete or because they are no longer available to be bonded due to regulations. The City may not spend the full value on bonds for various reasons, including lower than expected project costs or the use of other funding sources.

Rescinding these bonds will help strengthen our financial position by lowering the amount of debt authorized and outstanding. The City's outstanding debt level is one factor that ratings agencies review when determining the City's rating on new issuances.

S+P Global Ratings recently rated Marlborough as AA+ for long-term debt and SP-1+ for short-term debt; SP-1+ is the highest short-term rating attainable. S+P rated the City as strong or very strong in all categories with our economy, management, budgetary flexibility, and liquidity rated as very strong. Thanks to your efforts and the hard work of the City's financial team, we continue to secure advantageous interest rates which results in significant savings for taxpayers.

If you have any questions, please do not hesitate to contact me or Brian Doheny.

Sincerely,

**Arthur G. Vigeant**  
 Mayor

Enclosures





*City of Marlborough*  
*Office of the Comptroller*

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3731 Facsimile (508) 481-5180

June 14, 2018

Dear Mayor Vigeant:

I respectfully request that the City rescind the attached list of nine bonds totaling over \$6 million. I am making this request because the remaining balances for these projects is unavailable to use or be bonded in the future. This is mainly from the projects either being completed or because they are no longer available to be bonded by regulations. Some of the balances have occurred because the project cost was less than originally bonded or that there was outside funding source, possibly a grant or other outside revenue used. The rescinding of these bonds will also strengthen the City's position financially by lowering the amount of debt authorized and outstanding which would look favorable when the City is asking for a rating. If you have any additional questions please let me know.

Respectfully,

Brian Doheny  
Comptroller / Treasurer

<u>Date Authorized</u>	<u>Order #</u>	<u>FUND</u>	<u>ORG</u>	<u>OBJECT</u>	<u>DESCRIPTION</u>	<u>Amount to Rescind</u>	<u>Original Bond Amount</u>
6/9/2014	14-1005780B	950	95000	37557	AUTH/FY14 MILLHAM UPGRADES	\$ 1,190,816.00	\$ 6,000,000.00
4/13/2012	11/12-1003016A-5A	950	95000	37566	AUTH/FY12 WATER METERS	\$ 3,528.00	\$ 1,835,000.00
4/13/2012	11/12-1003016A-4A	950	95000	37568	AUTH/FY12 SEWER BOND	\$ 17,900.00	\$ 5,030,000.00
4/13/2012	11/12-1003016A-2A	950	95000	37569	AUTH/FY12 STREETS BOND	\$ 115,719.00	\$ 3,043,833.00
12/21/2011	11-1002994A	950	95000	37570	AUTH/FY12 BLDG RENOVATIONS	\$ 4,412,381.00	\$ 7,500,000.00
6/24/2011	11-1002818B	950	95000	37572	AUTH/FY11 RECR FACILITIES	\$ 363,839.00	\$ 1,000,000.00
10/4/2010	10-1002472B-4	950	95000	37578	AUTH/FY11 SEWER CONSTRUCTION	\$ 84,913.00	\$ 455,200.00
6/12/1998	98-7578A	950	95000	37617	BONDS AUTH/STOW RD PURCHASE	\$ 100.00	\$ 530,000.00
11/18/1991	91-4189A	950	95000	37605	BONDS AUTH/STREET SWEEPER	\$ 24,000.00	\$ 100,000.00
<b>Total Amount to Rescind</b>						<u>\$ 6,213,196.00</u>	

## ORDERED:

That the City Council of the City of Marlborough hereby rescinds previously authorized but unissued amounts of the following described loan orders, which are henceforth of no further force or effect:

the \$1,190,816.00 balance of the \$6,000,000.00 authorized to be borrowed to pay costs of financing upgrades and improvements to the Millham Water Treatment Plant, duly adopted by order of this Council and approved by the Mayor on June 9, 2014;

the \$3,528.00 balance of the \$1,835,000.00 authorized to be borrowed to pay costs of water meters, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$17,900.00 balance of the \$5,030,000.00 authorized to be borrowed to pay costs of sewer construction, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$115,719.00 balance of the \$3,043,833.00 authorized to be borrowed to pay costs of street construction, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$4,412,381.00 balance of the \$7,500,000.00 authorized to be borrowed to pay costs of building renovations, duly adopted by order of this Council and approved by the Mayor on December 21, 2011;

the \$363,839.00 balance of the \$1,000,000.00 authorized to be borrowed to pay costs of municipal outdoor recreational facilities, duly adopted by order of this Council and approved by the Mayor on June 24, 2011;

the \$84,913.00 balance of the \$455,200.00 authorized to be borrowed to pay costs of sewer construction, duly adopted by order of this Council and approved by the Mayor on October 4, 2010;

the \$100.00 balance of the \$530,000.00 authorized to be borrowed to pay costs of purchasing approximately 55 acres off lower Stow Road for Open Space, duly adopted by order of this Council and approved by the Mayor on June 12, 1998;

the \$24,000.00 balance of the \$100,000.00 authorized to be borrowed to pay costs of Department of Public Works Departmental Equipment, duly adopted by order of this Council and approved by the Mayor on November 18, 1991;

ADOPTED  
In City Council  
Order No. 18-  
Adopted

Approved by Mayor  
Arthur G. Vigeant

Date:

A TRUE COPY  
ATTEST:



# IN CITY COUNCIL

Marlborough, Mass.,

JUNE 2, 2014

## ORDERED:

Ordered: That \$6,000,000 (six million and 00/100 dollars) is appropriated for the purpose of financing upgrades and improvements to the Millham Water Treatment Plant including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Comptroller/Treasurer with the approval of the Mayor is authorized to borrow \$6,000,000 and issue bonds or notes therefor under Chapter 44, Section 8 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the City unless the Comptroller/Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that the Comptroller/Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project, be and is herewith **APPROVED**.

Yea: 11- Nay: 0

Yea: Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram, & Robey

ADOPTED

In City Council

Order No. 14-1005780B

Approved by Mayor

Arthur G. Vigeant

Date: June 9, 2014

A TRUE COPY

ATTEST:

*Lisa M. Spina*  
City Clerk



## IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_

### ORDERED:

That the sum of \$1,835,000.00 (one million eight hundred thirty five thousand) dollars be and is hereby appropriated for water meters.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,835,000.00.

Pursuant to the provisions of Chapter 44, Section 8 (7A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue, be and is herewith **APPROVED.**

Yea: 11 - Nay: 0

Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Ossing, Pope, Oram & Robey

ADOPTED

In City Council

Order No. 11/12-1003016A-5A

Approved by Mayor

Arthur G. Vigeant

Date: April 13, 2012

A TRUE COPY

ATTEST:

  
City Clerk



# IN CITY COUNCIL

APRIL 9, 2012

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That the sum of \$5,030,000.00 (five million thirty thousand) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$5,030,000.00.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue, be and is herewith **APPROVED**.

Yea: 9 - Nay: 2

Yea: Delano, Jenkins, Elder, Tunnera, Clancy, Landers, Pope, Oram & Robey

Nay: Ossing & Seymour

ADOPTED

In City Council

Order No. 11/12-1003016A-4A

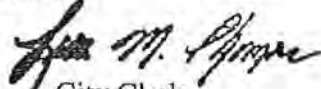
Approved by Mayor

Arthur G. Vigeant

Date: April 13, 2012

A TRUE COPY

ATTEST:

  
City Clerk



# IN CITY COUNCIL

APRIL 9, 2012

Marlborough, Mass., \_\_\_\_\_

**ORDERED:**

That the sum of \$3,043,833.00 (three million forty three thousand eight hundred thirty three) dollars be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,043,833.00.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue, be and is herewith **APPROVED**.

**Yea: 10 - Nay: 1**

**Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Pope, Oram & Robey**

**Nay: Ossing**

ADOPTED

In City Council

Order No. 11/12-1003016A-2A

Approved by Mayor

Arthur G. Vigeant

Date: April 13, 2012

A TRUE COPY

ATTEST:

  
City Clerk





# IN CITY COUNCIL

DECEMBER 19, 2011

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That the sum of \$7,500,000 (seven million five hundred thousand) dollars be and is hereby appropriated for building renovations.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$7,500,000.

Pursuant to the provisions of Chapter 44, Section 7 (3A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than twenty (20) years from its date of issue be and is herewith **APPROVED**.

**Yea: 10- Nay: 0**

**Yea: Delano, Ferro, Elder, Tunnera, Seymour, Clancy, Landers, Vigeant, Pope & Levy**

**Absent: Ossing**

ADOPTED

In City Council

Order No. 11-1002994A

Approved by Mayor

Nancy E. Stevens

Date: December 21, 2011

A TRUE COPY

ATTEST:

*[Signature]*  
City Clerk



# IN CITY COUNCIL

Marlborough, Mass., JUNE 20, 2011

## ORDERED:

That the sum of \$1,000,000 (one million) dollars be and is hereby appropriated for the reconstruction of municipal outdoor recreational facilities.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,000,000.

Pursuant to the provisions of Chapter 44, Section 7 (25) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue, be and is herewith **ADOPTED**.

Yea: 9 – Nay: 2

Yea: Delano, Elder, Tunnera, Seymour, Clancy, Landers, Ossing, Pope, & Vigeant  
Nay: Ferro & Levy

ADOPTED  
In City Council  
Order No. 11-1002818B

Approved by Mayor  
Nancy E. Stevens  
Date: June 24, 2011

A TRUE COPY  
ATTEST:

City Clerk



## IN CITY COUNCIL

SEPTEMBER 27, 2010

Marlborough, Mass., \_\_\_\_\_

### ORDERED:

That the sum of \$455,200.00 (four hundred fifty five thousand two hundred) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$455,200.00.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

**Yea: 11- Nay: 0**

**Yea: Delano, Ferro, Elder, Seymour, Tunnera, Clancy, Landers, Ossing, Pope, Vigean, Levy**

ADOPTED

In City Council

Order No. 10-1002472B-4

Approved by Mayor

Nancy E. Stevens

Date: October 4, 2010

A TRUE COPY

ATTEST:

*Jean M. D'Amico*  
City Clerk



## IN CITY COUNCIL

Marlborough, Mass., JUNE 8, 1998 19

ORDERED:

That the sum of \$530,000.00 (five hundred and thirty thousand) dollars be and is hereby appropriated for the purpose of purchasing approximately 55 acres off lower Stow Road for Open Space. The property is identified as follows: Land in Marlborough, Massachusetts shown as Parcels 1 and 3 of Plate 9 and Parcels 38 and 40 of Plate 21, Marlborough Assessors. Premises as shown in Middlesex South District Registry of Deeds in Book 14051, Page 030; Book 14051, Page 032; Book 7481, Page 548. Excepting from said land a parcel containing approximately 6 (six) acres which abuts Stow Road in Marlborough and such other land which is encompassed.

That to meet said appropriation, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$530,000.00 (five hundred and thirty thousand) dollars.

Pursuant to the provisions of Chapter 44, Section 7 (3) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than twenty (20) years from the date of issue.

ADOPTED

Yea: 11 - Nay: 0

Yea: Katz, Langley, Nawrocki, Pope, Evangelous, Oram, Zomar, Hunt, McAllister, Vigeant, Yurkus.

ADOPTED

In City Council

Order No. 98-7578A

Adopted June 8, 1998

Approved by Mayor

William J. Mauro, Jr.

Date: June 12, 1998

A TRUE COPY

ATTEST:

City Clerk



## IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ 19  
NOVEMBER 18, 1991

ORDERED:

That the sum of One Hundred Thousand (\$100,000.00) Dollars be and is hereby appropriated for Department of Public Works Departmental Equipment.

That to meet said appropriation, the Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of One Hundred thousand (\$100,000.00) Dollars.

Pursuant to the Provisions of Chapter 44, Section 7 of the Massachusetts General Laws, as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

ADOPTED  
In City Council  
Order No. 91-4189A  
Adopted November 18, 1991

Approved by Mayor  
Michael P. Hogan

A TRUE COPY  
ATTEST:

City Clerk

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN 14 A 11:53



*City of Marlborough*  
*Office of the City Council*

140 MAIN STREET  
MARLBOROUGH, MA 01752  
TELEPHONE (508) 460-3711, FACSIMILE (508) 460-3710

June 14, 2018

Marlborough City Council  
City Hall  
Marlborough, MA 01752

RE: Coffee Roasteries –  
Proposed Amendment to Zoning Ordinance

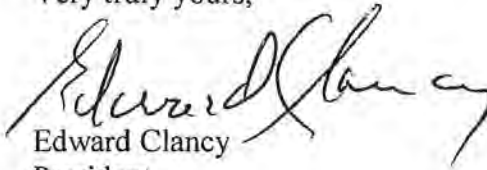
Dear Fellow Councilors:

The enclosed amendment proposes to make coffee roasteries allowable by right in the Marlborough Village, Business, Commercial/Automotive and Industrial zoning districts, and allowable by special permit in the Limited Industrial zoning district.

The Legal Department and the Building Department have drafted the enclosed proposal and, together with the Mayor's office, would be available to answer any questions you may have on this initiative to bring coffee roasteries to our city.

Thank you for your attention to this matter.

Very truly yours,

  
Edward Clancy  
President

Enclosure

cc: Mayor's Office  
Jeffrey Cooke, Building Commissioner

**ORDERED:**

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

I. Section 650-5, entitled "Definitions; word usage," is hereby amended as follows:

By inserting in subsection B thereof the following definition:

**COFFEE ROASTERY**

A facility in which green coffee beans are roasted into roasted coffee products; provided, however, that emissions from coffee roasting operations, if vented to the outdoor air, are to be i) vented at least 10 feet above any outdoor area, including but not limited to a sidewalk, street, alley or parking lot, which is adjacent to the building where the facility is located, and ii) directed away to the extent possible from uses within 50 feet of the vent; and provided further that, in all cases, the Building Commissioner shall determine, upon plans submitted to the Building Department, the appropriate measures required to be taken and maintained by the facility in order to significantly reduce potential odor emissions and airborne pollutants, and such measures may be required as conditions for the issuance of any permit. Nothing contained herein shall prohibit the facility from having a bring-your-own-food policy.

II. Section 650-17, entitled "Table of Uses," is hereby amended as follows:

By regulating manufacturing uses so as to allow coffee roasteries as of right in the Business (B), Commercial Automotive (CA), Industrial (I) and Marlborough Village (MV) zoning districts, and by special permit in the Limited Industrial (LI) zoning district, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV
Coffee Roastery	N	N	N	N	N	N	N	Y	Y	SP	Y	Y

ADOPTED  
In City Council  
Order No. 18-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



# City of Marlborough Planning Board

135 Neil St.  
Marlborough, MA 01752

Barbara L. Fenby, Chair  
Colleen Hughes  
Philip Hodge  
Sean N. Fay  
George LaVenture  
Greg Gallagher  
Christopher Russ

Krista Holmi, Administrator  
Phone: (508) 624-6910 x33200

Email: [planning\\_board@marlborough-ma.gov](mailto:planning_board@marlborough-ma.gov)  
[kholmi@marlborough-ma.gov](mailto:kholmi@marlborough-ma.gov)

June 6, 2018

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN - 8 P 2:50

RE: Acceptance of Slocumb Lane as a Public Way (Council Order 18-1007285)

Honorable President Clancy and Members:

At its regular meeting on June 4, 2018, the Planning Board took the following action:

On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to accept the favorable recommendation of the City Engineer, Thomas DiPersio, that Slocumb Lane be considered for acceptance as a public way, and its appurtenant headwall maintenance easement be considered for acceptance as a municipal easement; and further voted to recommend to the City Council that Slocumb Lane be accepted as a public way, and its appurtenant headwall maintenance easement be accepted as a municipal easement, in the City of Marlborough, all as shown on the acceptance plan entitled, "Carisbrooke II Acceptance Plan of Slocumb Lane and Headwall Maintenance Easement in Marlborough, Massachusetts," Owner: Slocumb Realty, LLC, 120 Quarry Drive, Milford, MA 01757, Book 43031, Page 384; To Be Deeded to: City of Marlborough, 140 Main Street, Marlborough, MA 01752; Scale: 40 feet to an inch; Dated: September 26, 2017, last revised January 18, 2018; prepared by: Guerrier & Hanlon, Inc. Engineering & Land Surveying, 333 West Street, Milford, MA 01757. Motion carried.

Should you need further information, please do not hesitate to contact me.

Sincerely,

Barbara L. Fenby  
Chairperson

cc: Councilor Donald Landers, Chair  
Public Services Committee





RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -1 P 2:56

**CITY OF MARLBOROUGH  
DEPARTMENT OF PUBLIC WORKS**

**VEGETATION MANAGEMENT NOTICE**

Pursuant to the Children Protection Act of 2000, Chapter 85, sec 6B (a), the City of Marlborough intends to apply herbicides to control weeds and undesirable vegetation. The herbicide application will follow the City of Marlborough's approved Vegetation Management Plan (VMP), Yearly Operational Plan (YOP) and the Right of Way Regulation, CMR 333, sec. 11.00.

**Streets to be treated include but is not limited to the following:**

Broad St., Bolton St., South Bolton St., Main St., East Main St., West Main St., Lincoln St., Weed St., Newton St., Florence St., Winthrop St., Neil St., Howe St., Court St., Farm Road, Chestnut St., Maple St., South St., Granger Blvd., Mechanic St., Prospect St., Rawlins Ave., Bates Ave., Orchard St., Hayden St., Emmet St., Church St., Stevens St., Rice St., Washington St., Windsor St., Boston Post Road, East, Boston Post Road, West., Cook Ln., Hildreth St.

**Date of treatment:** June 28, 2018 thru. October 12, 2018 including 10 (ten) days before or after

**Method of treatment:** Hand sprayer, low pressure hydraulic pump-handgun, Weed Seeker

**Type of Herbicide:** Roundup Pro EPA Reg. No. 524-475, QuikPro Reg. No. 524-535, Promax Reg. No.524-579, Scythe Reg. No. 62719-529, Oust Extra EPA Reg. No. 352-622.

**Contact Person:** Christopher White, General Foreman Forestry, Parks, & Cemeteries  
City of Marlborough DPW  
135 Neil St., Marlborough, MA. 01752  
(508) 624-6910 ext.33601

Main Street Journal: 6-16-18

**Steven Kerrigan**

**From:** Karen Boule  
**Sent:** Tuesday, June 5, 2018 1:58 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Robert Folan: 685-685R Farm Road Retirement Community Overlay District Proposal

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 JUN -5 P 2:14

**From:** Robert Folan [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Monday, June 4, 2018 8:56 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

I enthusiastically support the change and strongly encourage the Council to approve the zoning amendment.

As the Mayor and City Council are well aware, the area of proposed development, although situated in part adjacent to several businesses on Farm Road, is also proximate to many apartments, condominiums and single family homes - many of which are currently located in the existing Limited Industrial district.

I feel strongly that a retirement community will not adversely impact traffic or the health and safety of the area notwithstanding its Farm Road location. Future retiree-owners can assess for themselves whether they want to reside in an area that obviously has a variety of businesses, a health club, retail uses and residential uses surrounding the project. From our vantage a retirement community development is an ideal use for the property and for Marlborough.

Thank you for your consideration.

Very truly yours,

Robert Folan  
 344 Boston post rd  
 ZIP Code: 01752

**Steven Kerrigan**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

**From:** Karen Boule  
**Sent:** Tuesday, June 5, 2018 2:42 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Daniela Cerqueira: 685-685R Farm Road Retirement Community Overlay District Proposal

2018 JUN -5 P 3:23

**From:** Daniela Cerqueira [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Friday, June 1, 2018 2:35 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

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Thank you for your consideration.

Very truly yours,

Daniela Cerqueira  
 34 Marien lane, Marlborough  
 ZIP Code: 01752

**Steven Kerrigan**

**From:** Karen Boule  
**Sent:** Tuesday, June 5, 2018 2:45 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Tony Cerqueira: 685-685R Farm Road Retirement Community Overlay District Proposal

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 JUN -5 P 3:23

**From:** Tony Cerqueira [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Friday, June 1, 2018 2:36 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

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As the Mayor and City Council are well aware, the area of proposed development, although situated in part adjacent to several businesses on Farm Road, is also proximate to many apartments, condominiums and single family homes - many of which are currently located in the existing Limited Industrial district.

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Thank you for your consideration.

Very truly yours,

Tony Cerqueira  
 34 Marien lane, Marlborough  
 ZIP Code: 01752

**Lisa Thomas**

---

**From:** Karen Boule  
**Sent:** Monday, June 11, 2018 6:44 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Eileen Rivera: From Eileen Rivera: 685-685R Farm Road Retirement Community Overlay District Proposal

**From:** Eileen Rivera [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Sunday, June 10, 2018 9:43 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

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As the Mayor and City Council are well aware, the area of proposed development, although situated in part adjacent to several businesses on Farm Road, is also proximate to many apartments, condominiums and single family homes - many of which are currently located in the existing Limited Industrial district.

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Thank you for your consideration.

Very truly yours,

Eileen Rivera  
12 Val's lane  
ZIP Code: 01752

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN 12 A 10:00

**Lisa Thomas**

---

**From:** Karen Boule  
**Sent:** Monday, June 11, 2018 6:53 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: FROM KIM JONES: 685-685R Farm Road Retirement Community Overlay District Proposal

**From:** Kim Jones [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Monday, June 11, 2018 12:38 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

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As the Mayor and City Council are well aware, the area of proposed development, although situated in part adjacent to several businesses on Farm Road, is also proximate to many apartments, condominiums and single family homes - many of which are currently located in the existing Limited Industrial district.

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Thank you for your consideration.

Very truly yours,

Kim Jones  
154 Lovelace Lane  
ZIP Code: 01534

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN 12 A 10:00

**Lisa Thomas**

---

**From:** City Council  
**Sent:** Monday, June 11, 2018 6:46 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Linda Cook: 685-685R Farm Road Retirement Community Overlay District Proposal

**From:** Linda Cook [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Sunday, June 10, 2018 7:19 AM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

I enthusiastically support the change and strongly encourage the Council to approve the zoning amendment.

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Thank you for your consideration.

Very truly yours,

Linda Cook  
5 Deerskin Lane  
ZIP Code: 01752

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN 12 A 10:00

**Lisa Thomas**

---

**From:** Karen Boule  
**Sent:** Monday, June 11, 2018 6:54 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Andrea Moura: 685-685R Farm Road Retirement Community Overlay District Proposal

**From:** Andrea Moura [<mailto:info@marlboroughairportproject.com>]  
**Sent:** Monday, June 11, 2018 5:24 PM  
**To:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>; Mayor <[mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)>  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

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I feel strongly that a retirement community will not adversely impact traffic or the health and safety of the area notwithstanding its Farm Road location. Future retiree-owners can assess for themselves whether they want to reside in an area that obviously has a variety of businesses, a health club, retail uses and residential uses surrounding the project. From our vantage a retirement community development is an ideal use for the property and for Marlborough.

Thank you for your consideration.

Very truly yours,

Andrea Moura  
 22 Belleview Ave  
 ZIP Code: 01752

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH  
 2018 JUN 12 A 10:00



**Steven Kerrigan**

---

**From:** City Council  
**Sent:** Thursday, June 14, 2018 10:02 AM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Elizabeth Callan 685-685R Farm Road Retirement Community Overlay District Proposal

RECEIVED  
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 CITY OF MARLBOROUGH

2018 JUN 14 A 10 10

**From:** Elizabeth Callan <[info@marlboroughairportproject.com](mailto:info@marlboroughairportproject.com)>  
**Date:** June 14, 2018 at 9:58:53 AM EDT  
**To:** [citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov), [mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal  
**Reply-To:** [callane2@bsci.com](mailto:callane2@bsci.com)

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

As a resident/business of Marlborough, I am writing at this time to convey my full backing for the proposed zoning change, which I understand will allow the Marlborough Airport Property to seek a special permit for the development of a multi-unit residential retirement community.

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Thank you for your consideration.

Very truly yours,

Elizabeth Callan  
 261 Boston Post Rd. East, #5  
 ZIP Code: 01752

Submitted from: 165.225.39.61  
 Ref#: 45

**Steven Kerrigan**

---

**From:** City Council  
**Sent:** Thursday, June 14, 2018 9:26 AM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Gerusa Soares, 685-685R Farm Road Retirement Community Overlay District Proposal

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 JUN 14 A 10:05

**From:** Gerusa Soares <[info@marlboroughairportproject.com](mailto:info@marlboroughairportproject.com)>  
**Date:** June 14, 2018 at 8:40:33 AM EDT  
**To:** [citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov), [mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal  
**Reply-To:** [gerusa123@icloud.com](mailto:gerusa123@icloud.com)

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

Dear Mayor Vigeant and Members of the Council:

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Thank you for your consideration.

Very truly yours,

Gerusa Soares  
 40 grant st#1, Marlborough, Ma  
 ZIP Code: 01752

Submitted from: 24.60.60.210  
 Ref#: 44

**Steven Kerrigan**

**From:** City Council  
**Sent:** Thursday, June 14, 2018 5:53 AM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Ron Ayotte: 685-685R Farm Road Retirement Community Overlay District Proposal

**RECEIVED**  
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**CITY OF MARLBOROUGH**  
**2018 JUN 14 A 10:05**

**From:** Ron Ayotte <[info@marlboroughairportproject.com](mailto:info@marlboroughairportproject.com)>  
**Date:** June 14, 2018 at 5:45:55 AM EDT  
**To:** [citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov), [mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)  
**Subject:** Re: 685-685R Farm Road Retirement Community Overlay District Proposal  
**Reply-To:** [ronayotte@verizon.net](mailto:ronayotte@verizon.net)

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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Thank you for your consideration.

Very truly yours,

Ron Ayotte  
 10 Symphony Road, Marlborough, Massachusetts  
 ZIP Code: 01752-1637

1

Submitted from: 96.237.251.5  
 Ref#: 43

**Lisa Thomas**

---

**From:** City Council  
**Sent:** Thursday, June 14, 2018 11:51 AM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** For June 18, 2018 Agenda: From Barbara Kozay, 685-685R Farm Road Retirement Community Overlay District Proposal

**From:** Barbara Kozay <[info@marlboroughairportproject.com](mailto:info@marlboroughairportproject.com)>  
**Date:** June 14, 2018 at 11:47:13 AM EDT  
**To:** [citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov), [mayor@marlborough-ma.gov](mailto:mayor@marlborough-ma.gov)  
**Subject: Re: 685-685R Farm Road Retirement Community Overlay District Proposal**  
**Reply-To:** [bjjkoz@aol.com](mailto:bjjkoz@aol.com)

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

Re: 685-685R Farm Road Retirement Community Overlay District Proposal

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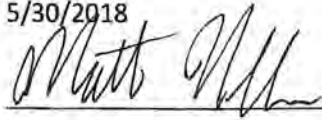
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Thank you for your consideration.

Very truly yours,

Barbara Kozay  
 29 Danjou Drive

5/30/2018



&lt;name&gt;

40 Pheasant Hill Rd. <address>RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Marlborough, MA 01752

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 honorable members of the City Council.

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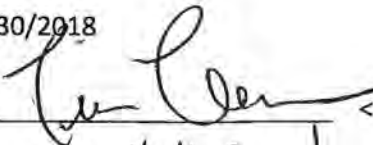
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- o Traffic on Farm Road is already a problem. This is especially true during prime commuting hours. Any type of additional large development will only add to the problem.

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

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018



<name>

51 Pheasant Hill Road

<address>

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Marlborough, MA 01752

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

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Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Richard G. Ward <name>

43 PHEASANT HILL RD <address>

Marlborough, MA 01752

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

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Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

Cragnaderi <name>

40 Pheasant Hill Rd <address>

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Marlborough, MA 01752

City of Marlborough

Office of the City Clerk, City Council, Urban Affairs Committee, Planning Board, Office of the Mayor

140 Main Street

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Regards,

CC: City Clerk Lisa M. Thomas



5/30/2018

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

DANIEL MAHONEY <name>

48 COUNTRY LANE <address>

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

*Deise Lima* <name>  
*667 Farm Road* <address>

Marlborough, MA 01752

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

Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

MIKE MONTEIRO <name>

667 Farm Rd <address>

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

Eva Rabelo <name>

2018 JUN -5 P 2: 16

676 Farm Rd #7 <address>

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Nancy Nims <name>  
29 Old Charter Rd <address>

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
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CITY OF MARLBOROUGH

Richard Robinson <name>

2018 JUN -5 P 2:16

175 Wilson St <address>

Marlborough, MA 01752

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

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

Regards,

  
CC: City Clerk Lisa M. Thomas

5/30/2018

Robert Saragian <name>

200 Wilson St. <address>

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CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

Marlborough, MA 01752

City of Marlborough

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

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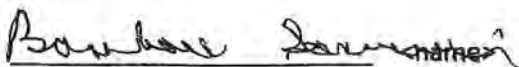
CC: City Clerk Lisa M. Thomas

*Robert J. Saragian*

5/30/2018

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

2 to W K S O N. <address>

Marlborough, MA 01752

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

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

Regards,

CC: City Clerk Lisa M. Thomas





5/30/2018

Peter V D'Aurigi <name>

121A Main Street <address>

Marlborough, MA 01752

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -5 P 2:16

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

Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

Susan Brown <name>40 Broadmeadow St. <address>RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -5 P 2: 16

Marlborough, MA 01752

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

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

Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

Christina Weed <name>

86 Hosmer St <address>

Marlborough, MA 01752

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 honorable members of the City Council.

I am writing to you, in a show of support for the small businesses and residents who are in opposition to the proposed Retirement Community at the Marlborough Airport on Farm Road. I am asking you to Vote "NO" on this proposed change.

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

Daniel Macho <name>

283 Cautley <address>

Marlborough, MA 01752

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)

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -4 P 3:45

WE BERTON Figueiredo <name>  
(FIGUEIREDO)  
460 STOW RD. <address>

Marlborough, MA 01752

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)

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

Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Christie G. Golecki*

<name>

*Christie Golecki*

2018 JUN 4 P 3:45

*128 Farm Rd*

*Marlboro, Mass 01752*

<address>

Marlborough, MA 01752

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)

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

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

Dennis Mauro <name>

257 COO Lane <address>

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -4 P 3:45

Marlborough, MA 01752

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)

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

Regards,

*Dennis Mauro*

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3 45

Paul Crisafulli <name>

13 Dartmouth Street <address>

Marlborough, MA 01752

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

Regards,



CC: City Clerk Lisa M. Thomas



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

5/30/2018

Sandra Crisafulli <name>

13 Dartmouth St <address>

Marlborough, MA 01752

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)

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Regards,


*Sandra Crisafulli*

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

Angel Cruz <name> 

21 Helen Drive <address>

Marlborough, MA 01752

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)

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

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

*Eleanor Travers* <name>  
*267 Cook Lane* <address>

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

Marlborough, MA 01752

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

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

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

Dominic Maulo <name>

2018 JUN -4 P 3:45

283 Cook Lane <address>

Marlborough, MA 01752

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

Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

Martha Mauro <name>

283 Cook Ln <address>

Marlborough, MA 01752

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

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3 45

Re: On the Proposed Zoning Amendment, Section 650-8, Retirement Community Overlay District,  
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Regards,

*Martha Mauro*

CC: City Clerk Lisa M. Thomas

5/30/2018

LENICE ARAOJO <name>

128 SPOONHILL AVE <address>  
MARLBOROUGH, MA 01752

Marlborough, MA 01752

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -4 P 3:45

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

GILBERTO ARANGO <name>

128 SPOONHILL AVE <address>  
MARLBOROUGH, MA 01752

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

ELCIA LEMES <name>

2018 JUN -4 P 3 45

37 Gibbs pl <address>  
marlboro- ma -01752  
Marlborough, MA 01752

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

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Regards,

CC: City Clerk Lisa M. Thomas



5/30/2018

Celeste Costello <name>

267 Look Lane <address>

Marlborough, MA 01752

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:45

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Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3 46

Mam Jerardi <name>  
236 BROADMEADOW <address>

Marlborough, MA 01752

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,  
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Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

Heather Duxa <name>

2018 JUN -4 P 3 46

1038 Broadmead St <address>

Marlborough, MA 01752

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)

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Regards,

CC: City Clerk Lisa M. Thomas

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

5/30/2018

2018 JUN -4 P 3 46

MIKE ORMOND <name>  
236 BROAD MARLBOROUGH <address> REAR

Marlborough, MA 01752

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)

Bear honorable members of the City Council.

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

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

*Levon Gulbenkian*

*230 Broadmeadow St. <address>*

Marlborough, MA 01752

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)

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- o The best use of the proposed site for retirement is not a great fit to the middle of operating businesses is the best use of the Airport property.
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Thank you for your service to the City of Marlborough and a solution to this matter.

Regards,

CC: City Clerk Lisa M. Thomas

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:46

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3 46

Donald Gulbanjian <name>

286 Broadmeadow ST <address>

Marlborough, MA 01752

City of Marlborough  
Office of the City Clerk, Cit. 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 Honorable Members of the City Council,

I am writing to you, as a show of support for the small businesses and residents who are in opposition to the proposed Retirement Community of the Marlborough Airport on Farm Road. I am asking you to Vote "NO" on this proposed change.

- o I do not believe the proposed over 50 residentially zoned lot right in the middle of operating businesses is the best use of the Airport property.
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Thank you for your service to the City of Marlborough. I appreciate it. Sincerely,

Regards,

CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

DENNIS DiRUO <name>

2018 JUN -4 P 3 46

80 LINCOLN ST <address>

Marlborough, MA 01752

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

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

Regards,

*Dennis DiRuco*  
80 Lincoln St.

CC: City Clerk Lisa M. Thomas

5/30/2018

*[Handwritten Signature]*  
<name>

6 High St <address>

Marlborough, MA 01752

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -4 P 3:46

*[Handwritten Signature]*

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 honorable members of the City Council.

I am writing to you, in a show of support for the small businesses and residents who are in opposition to the proposed Retirement Community at the Marlborough Airport on Farm Road. I am asking you to Vote "NO" on this proposed change.

- o I do not believe the proposed over 55 community being located right in the middle of operating businesses is the best use of the Airport property.
- o Tax revenue, though important, should not be the driving factor.
- o I believe the city council has a responsibility to ensure development initiatives complement existing communities and balance the needs of current and new residents & businesses.
- o Traffic on Farm Road is already a problem. This is especially true during prime commuting hours. Any type of additional large development will only add to the problem.

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

Regards,

*[Handwritten Signature]*

CC: City Clerk Lisa M. Thomas



5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -4 P 3 46

Charles P Tambetta Jr <name>

126 Shawmut Ave <address>

Marlborough, MA 01752

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

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Regards,



CC: City Clerk Lisa M. Thomas

5/30/2018

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CITY OF MARLBOROUGH

2018 JUN -4 P 3 46

Anthony Trombetta <name>

20 Broadmeadow St 01752 <address>

Marlborough, MA 01752

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)

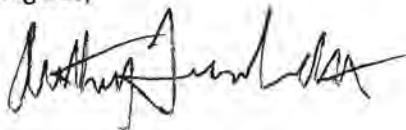
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CC: City Clerk Lisa M. Thomas

5/30/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*CHARLES PAUL THOMAS*  
*42 WHISPERING BROOK*

2018 JUN -4 P 3:46

<address>

Marlborough, MA 01752

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

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Regards



CC: City Clerk Lisa M. Thomas

6/5/2018

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -5 P 2: 16

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

Dear honorable members of the City Council.

We are writing one last time to encourage you to vote "NO" on the proposed Retirement Community at the Marlborough Airport on Farm Road.

**With regards to the decision before you:**

- An Overlay District is supposed to benefit the health welfare and safety of the population and not the needs of a single individual.
- Tax revenue, though important, should not be the driving factor. Nor should it be used in lieu of planning.
- It makes no sense to put residential right in the middle of operating businesses.
- As Councilor Peter Juairé, pointed out, MAPC has been paid to develop guidance, why not use it!
- The Planning Board has delivered a negative recommendation for this development. See ITEM 10 A - <https://www.marlborough-ma.gov/sites/marlboroughma/files/agendas/18-packet-0604.pdf>

**With regards to spot zoning:**

- We have retained council and are prepared to let the judicial process make this determination if need be.
- The city is reacting to a developer-initiated request without the necessary land use planning to support it. Whatever brings in the most revenue and has the least impact on community resources, does not make it a good fit. Nor does that constitute a comprehensive plan for this area of the city.
- The special treatment (if overlay is applied) for Sandy Stetson (owner), undermines pre-existing uses and potentially the rights of adjacent properties owners. It also ignores the interests of would be residents of the proposed retirement community.
- We believe the values of our business properties will be adversely affected. However, because detailed plans are not available and the city (by entertaining the request) has allowed the developer to by-pass the up-front Special Permit Process allowed by the current zoning; we are unable to effectively assess the impact at this time.
- The changes to the zoning 650-22 are still in flux. The planning board cited this as their primary reason. As indicated by President Clancy on 3/19/2018 changes are far reaching and will affect all "Retirement Overlay Districts". These updates remain open and have not been brought to resolution.

**If not a Retirement Community. Then What?**

- This question is rhetorical. if comprehensive planning for the airport and Farm Road Community existed, there would be no question. We highly recommend an Appraisal to consider additional uses.

- We agree with City Councilman, Don Landers. We don't know the answer to that yet. However, 20 acres of beautiful open property warrants some real discussion and this should be explored. Next best use would potentially, be something like commercial recreation or public use for future city. This would easily co-exist and bring value to entire community. Many of the folks we've talked to feel strongly, that there is very little recreation available to the neighborhood.
- It is ludicrous to believe it will not sell and will sit empty forever.


**Continued misrepresentation/questionable tactics by the developer Bill Depietri and Attorney Arthur Bergeron.**

1. Bill Depietri would have you believe, we were invited and did not show up for a meeting with them. It is untrue. As communicated to the City Council and Robert Depietri, we are in complete opposition. We are focusing all our time and energy, petitioning the council who will ultimately make the decision to Overlay Zone or Not. This was communicated to Robert Depietri of Capital Group, LLC. Please read the attached communications and form your own opinion.
2. The Lack of transparency to "Parties in Interest" is unbelievable. abutters must be notified during the special permit process. This same communication should be required before any overlay is applied. Not after the fact.
3. The use of the "Retirement Overlay District" as opposed to the allowed use by Special permit and engagement of the ZBA, is underhanded. The Special Permit process, unlike the Overly Zoning proposal, allows for the imposition of reasonable save guards and conditions which are site specific. The current proposal appears to be nothing more than an end run for a project which apparently can't survive close scrutiny. This precedence is alarming.
4. Contrary to belief, deed restrictions, berms, and fences where not successful at Gulbankian's in Southborough. The costs for legal counsel were taxing.
5. From a resident's point of view, the potential conflict of interest and favor demonstrated by City for former MEDC Chairman and representing council for the developer (Arthur Bergeron), causes concern. A once sided urban affairs meeting orchestrated by Arthur and allowed by Chairman Delano was un-fair.
6. Existing residents and businesses should matter. The onerous should be on the developer to defend their plan, as opposed to, the residents defending their properties.


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

Respectfully,


The neighbors and existing business owners.



Charles Trombetta, Trombetta Farms



Mike Monteiro, Monteiro Machines



Gina DiMatteo, 721 and 729 Farm Road

6/12/2018

Attorney Arthur Bergeron

Mirick O'Connell

1800 West Park Dr., Ste. 400  
Westborough, MA 01581-3926

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CITY OF MARLBOROUGH

2018 JUN 12 P 12:04

Dear Mr. Bergeron,

This letter is in response to the tabling of your petition for the "Retirement Community Overlay District" at 685-685R Farm Road on June 5, 2018. This is nothing more than stall tactics and the misuse of the Tabling motion. According to Robert's Rules for "Dummies" <sup>1</sup>, It's never in order to use the motion to lay on the table to kill a motion or to delay its consideration. If the motion is made with improper intentions, the presiding officer should simply clarify the motion based on the maker's intent. <sup>1</sup> This is wasting the time of the councilors tasked with making the decision to apply the overlay district or not.

This is not about the quality of homes that will be built or the design of the project.

As you know, I met with you and Council President Clancy in the City Council Chambers on June 4, 2018. I was under the impression that the reason for our meeting was for you to better understand the concerns and opposition to your client's project. You obviously "ignored" my concerns about the unknown issues that "will" arise when approximately 200 neighbors move in between 3 Active Limited Industrial Businesses. Regardless of the outcome of the sound study, new residents bothered will complain anyway, they will have standing and the city will have to act. As an additional example, how do you think the new residents will enjoy the glow of the light from Wayside Racquet club's bubble. See attached article concerning neighbor complaints and light pollution.

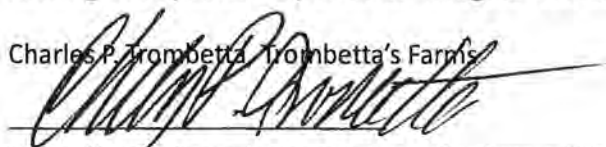
I am incredibly frustrated by Dog & Pony shows trying to convince all the City Councilors, the Planning Board, and Urban Affairs Committees that this project is a great fit, and that it will greatly benefit the residents of the City of Marlborough.

Your presentation of my property and my neighbors Limited Industrial properties and the "insignificance" of our last 50 years of owning these properties was insulting. These properties were purchased by our Fathers and Grandfathers. They worked the land, raised their families, most definitely had their share of ups and downs, but never had to face "The Political Machine" you so aptly manipulate. As you know, the Limited Industrial Zone was created to protect their greenhouses, machine shops and Airport. The fact that you are "shocked" about the opposition and thought that I would love selling more ice cream and plants, only demonstrates how little understanding and care you and your client have for the existing business community and the potential impact on those directly affected.

THE OPPOSITION TO THIS RETIRMENT COMMUNITY IS NOT GOING TO GO AWAY. The Opposition is growing and will continue to grow when introduced again. With transparency, local residents are contacting us with their concerns offering support. This group will grow exponentially as the neighbors are notified and discussions are opened concerning traffic, transportation, municipal water and sewer, the supply of natural gas and emergency service calls.

At this time, we want you and your client to understand that the project is "not a good fit," and there is "absolutely nothing" that you can say or do to "mitigate" our concerns. There is nothing more to discuss until the City Council votes.

Charles P. Trombetta Trombetta's Farms



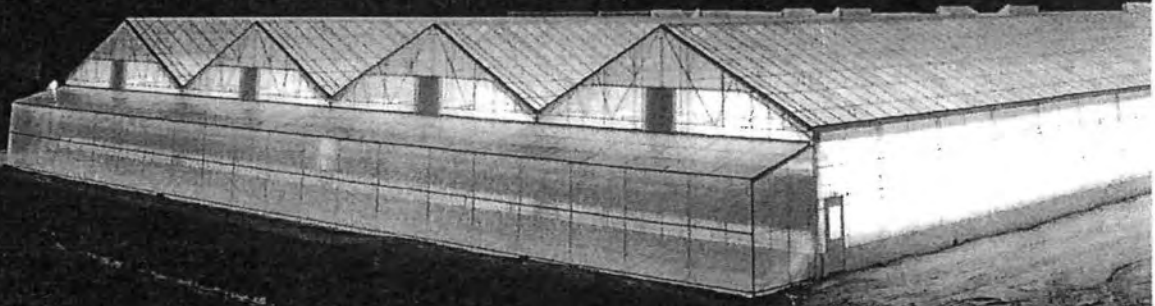
<sup>1</sup> <http://www.dummies.com/careers/business-skills/roberts-rules-and-the-motion-to-lay-on-the-table/>

Cc: City of Marlborough Clerk, City Council

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CITY OF MARLBOROUGH**

**2018 JUN 12 P 12: 04**

# The Neighbors Are Complaining



As more ornamentals growers are getting into the business of controlled environment agriculture, they're starting to deal with a brand-new issue: "light pollution" complaints from the locals.

Jennifer Zurko

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CITY OF MARLBOROUGH  
2018 JUN 12 P 12:04



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CITY OF MARLBOROUGH

2018 JUN 12 P 12:04

If you peruse through old back issues of *GrowerTalks*, you notice that greenhouses were pretty primitive—wooden benches with chicken wire, watering with a hose by hand and no lights. Back then, you rolled the dice with the sun, hoping it'd be a sunny late winter and early spring so those seeds would germinate in time for peak sales season. It was the sign of the times.

As more technology has become available to growers through the years, most have embraced it willingly. But with change also comes more responsibility. When pesticide formulations and computerized irrigation systems became the norm, local environmental watchdogs and the EPA stepped in to make sure these chemicals weren't going back into the water supply or running off into the surrounding soil.

Using lights in the greenhouse isn't a new phenomenon, but with the local produce market going gangbusters and the advent of LEDs, growers now have to worry about how much and how often they're using lighting. Urban growers and garden centers tend to be more prepared for complaints about the "light pollution" coming from the greenhouse, but now lettuce and indoor vegetable operations who've built in the middle of nowhere thinking it wouldn't be a problem are getting similar complaints.

## Neighborhood watch

The Huntington Family opened Pleasant View Gardens in Loudon, New Hampshire, in 1976, and since then, the business has been very successful—enough to expand to other production sites and become a founding partner of the Proven Winners brand.

A few years ago, plans were put into the works to open a new operation for a different market: growing hydroponic baby greens and lettuce. Called *lēf Farms*, the company started delivering fresh lettuce mixes to local grocery stores, restaurants, and hospitality and food service organizations a year and a half ago.

When a new business begins, growing pains are expected. But Henry Huntington was surprised by the reaction he received from the locals who live around the greenhouse.

As you know, lettuce is a high-light crop, needing a minimum of 17 mols per day (Henry says two and a half times more light per square foot than he uses at Pleasant View). And the glow from these lights when turned on at night weren't giving the neighbors a warm, fuzzy feeling.

"The night we turned the lights on, we picked about the worst night that we could have," admitted Henry. "It was a very cloudy, low-ceiling night, so it just lit up the entire area. So when we turned them on, you could see it literally for miles. We immediately got a bunch of complaints about it."

In all the years at Pleasant View, Henry said they only received a handful of complaints. In the Loudon range, they have lights in about 50% of the range, and in Pembroke, it's close to 80%, but not to the degree as *lēf Farms* and not for the length of time.

The local government had to step in to address the concerns and set up some meetings, which Henry attended. Being a member of the community for over 40 years, he wanted to be face-to-face with them to answer their questions. ▶

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CLERK'S OFFICE  
OF MARLBOROUGH

JUN 14 A 11: 20

May 21, 2018

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

Re: Results Way Mixed Used Overlay District

Dear Mr. Clancy:

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

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

May 21, 2018

Page 2

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

A. **Amendment to Master Concept Plan**

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

B. **Amendment to Development Agreement**

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

C. **Special Permit Application for Multifamily Dwellings**

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

May 21, 2018  
Page 3

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

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

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

**D. Site Plan Review Application for Multifamily Dwellings**

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

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

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

May 21, 2018

Page 4

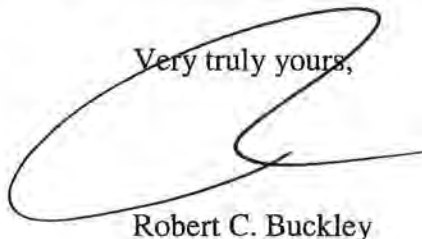
E. **Conceptual Sketch Plan for Commercial Building**

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

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

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

Very truly yours,



Robert C. Buckley

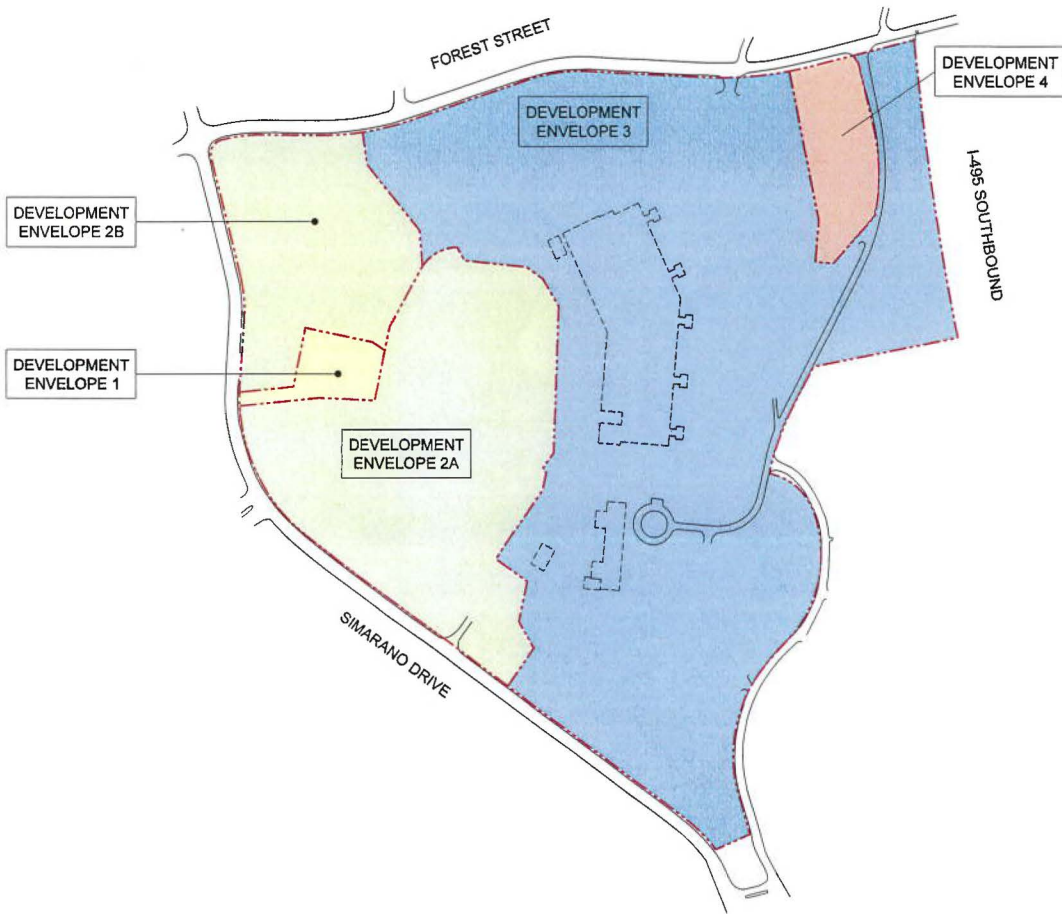
RCB:jbf

Encl.

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

2314370.1

# Revised Master Concept Plan



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

ATLANTIC  
 MANAGEMENT

**RESULTS WAY  
 MIXED-USE OVERLAY  
 DISTRICT**

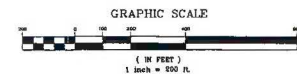
FOREST STREET /  
 SIMIRANO DRIVE /  
 RESULTS WAY  
 MARLBOROUGH, MA

REVISIONS

1	08/14/18	CITY COUNCIL SUBMISSION
2	08/20/18	RESIDENTIAL DEVELOPER REVISION
3	09/20/18	RESIDENTIAL DEVELOPER REVISION

DATE: 08/14/18  
 DRAWN BY: [blank]  
 CHECKED BY: [blank]  
 PROJECT ENGINEER: [blank]  
 PROJECT MANAGER: [blank]  
 JOB NO.: 15046.00  
 © SYMME, MAINI & MCKEE ASSOCIATES, INC. 2012

FIGURE 1:  
 MASTER  
 CONCEPT PLAN



**MASTER 1**

# Conceptual Sketch Plan





# Conceptual Plan - 2 Results Way

Marlborough Hills, Marlborough, MA

SMMA

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CITY OF MARLBOROUGH

2018 JUN 14 A 11: 20



May 21, 2018

**VIA HAND DELIVERY**

City Council  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

**RE: Special Permit for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a Portion of 200 Forest Street in the Results Way Mixed-Use Overlay District**

Dear Councilors:

It is my pleasure to submit the enclosed Special Permit application for Avalon Marlborough II, a 123-unit luxury rental apartment community proposed in the Results Way Mixed-Use Overlay District (RWMUOD) as an extension of the existing Avalon Marlborough apartment community.

AvalonBay is excited to partner with the City of Marlborough and Atlantic Management once again to build on the success of the existing Avalon Marlborough community and the smart-growth district that was created in May 2013.

Thank you for reviewing the enclosed Special Permit application. We look forward to productive discussions with you that will help to continue the growth and success of the RWMUOD. Please do not hesitate to contact me if you have any questions or if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julia Wynyard', with a long horizontal flourish extending to the right.

Julia Wynyard

Director, Development  
AvalonBay Communities, Inc.  
Direct: (617) 654-9546  
E-Mail: [julia\\_wynyard@avalonbay.com](mailto:julia_wynyard@avalonbay.com)

CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2018 JUN 14 A 11: 20

1. Name and address of Petitioner or Applicant:

AvalonBay Communities, Inc.; 600 Atlantic Avenue, Floor 20, Boston, MA 02210

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

A portion of 0 Simarano Drive. Map 100 Parcel No. 1

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

Atlantic-Marlboro Realty LLC; 205 Newbury Street, Framingham, MA 01701

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

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

Article 650 Section 33 Paragraph E Sub-paragraph 2(a)

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

(1) Results Way Mixed-Use Overlay District; (2) Water Supply Protection District (Zone B)

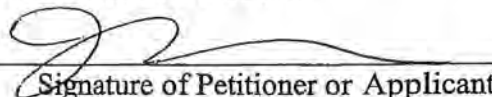
7. Specific reason(s) for seeking Special Permit

Increase permitted number of residential units from 350 to 473.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Address: 600 Atlantic Avenue, Floor 20

Boston, MA 02110

Telephone No. (617) 654-9500

Date: May 21, 2018

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

AvalonBay Communities, Inc.

(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

Certified Abutter's List is provided on following pages.



# 400 foot Abutters List Report

Marlborough, MA  
May 07, 2018

**MARLBOROUGH ASSESSORS**

*Anthony C. Amore Jr.*  
*Allen K. Silverstein*  
*Paul May Jr.*

## Subject Property:

Parcel Number: 100-1  
CAMA Number: 100-1  
Property Address: 0 SIMARANO DR

Mailing Address: ATLANTIC-MARLBORO REALTY III LLC  
C/O ATLANTIC MANAGEMENT CORP 205  
NEWBURY ST  
FRAMINGHAM, MA 01701

## Abutters:

Parcel Number: 100-10  
CAMA Number: 100-10  
Property Address: 384 FOREST ST

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

Parcel Number: 100-11  
CAMA Number: 100-11  
Property Address: 100 NICKERSON RD

Mailing Address: MTP EQUITY PARTNERS LLC  
150 EAST 58TH ST STE 2000 ATTN KS  
PARTNERS LLC  
NEW YORK, NY 10155

Parcel Number: 100-15  
CAMA Number: 100-15  
Property Address: 343 FOREST ST

Mailing Address: SILVA DAVID E  
343 FOREST ST  
MARLBOROUGH, MA 01752

Parcel Number: 100-16  
CAMA Number: 100-16  
Property Address: 117 SANDINI RD

Mailing Address: HALL ROLAND L  
117 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-17  
CAMA Number: 100-17  
Property Address: 125 SANDINI RD

Mailing Address: MEYER FREDERICK W JR  
125 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-18  
CAMA Number: 100-18  
Property Address: 112 SANDINI RD

Mailing Address: NESBITT ANTHONY T TR  
112 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-19  
CAMA Number: 100-19  
Property Address: FOREST ST

Mailing Address: HINES GLOBAL REIT MARLBORO  
CAMPUS II LLC  
C/O HINES INTERESTS LP 100 CAMPUS  
DR #1  
MARLBOROUGH, MA 01752

Parcel Number: 100-1A  
CAMA Number: 100-1A  
Property Address: 70 SIMARANO DR

Mailing Address: MARLBOROUGH MAMMOTH SIMARANO  
LLC  
1300 BELMONT ST  
BROCKTON, MA 02301

Parcel Number: 100-21  
CAMA Number: 100-21  
Property Address: 410 FOREST ST

Mailing Address: BND REALTY LLC  
410 FOREST ST  
MARLBOROUGH, MA 01752

Parcel Number: 100-23  
CAMA Number: 100-23  
Property Address: 295 FOREST ST

Mailing Address: ENQUIST BONI-ESTER  
295 FOREST ST  
MARLBOROUGH, MA 01752

CAI Technologies

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5/7/2018

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# 400 foot Abutters List Report

Marlborough, MA

May 07, 2018

Parcel Number: 100-24 CAMA Number: 100-24 Property Address: 310 AMES ST	Mailing Address: GUTIERREZ ARTURO J TR 20 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 100-25 CAMA Number: 100-25 Property Address: 321 FOREST ST	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 100-26 CAMA Number: 100-26 Property Address: 349 FOREST ST	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 101-1A CAMA Number: 101-1A Property Address: 287 FOREST ST	Mailing Address: STAFFORD JANICE H 287 FOREST ST MARLBOROUGH, MA 01752
Parcel Number: 101-2 CAMA Number: 101-2 Property Address: 200-230 FOREST ST	Mailing Address: ATLANTIC-MARLBORO REALTY III LLC 205 NEWBURY ST FRAMINGHAM, MA 01701
Parcel Number: 101-2A CAMA Number: 101-2A Property Address: 1000 BAY DR	Mailing Address: AVALON MARLBOROUGH LLC ATTN AVALONBAY COMMUNITIES INC 671 N GLEBE RD STE 800 ARLINGTON, VA 22203
Parcel Number: 111-801 CAMA Number: 111-801 Property Address: FOREST ST	Mailing Address: HINES GLOBAL REIT MARLB CAMPUS II LLC 100 CAMPUS DR #1 MARLBOROUGH, MA 01752
Parcel Number: 89-71 CAMA Number: 89-71 Property Address: 109 SANDINI RD	Mailing Address: PRATT RICHARD B 109 SANDINI RD MARLBOROUGH, MA 01752
Parcel Number: 89-81 CAMA Number: 89-81 Property Address: 21 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-82 CAMA Number: 89-82 Property Address: 29 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-83 CAMA Number: 89-83 Property Address: 37 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-84 CAMA Number: 89-84 Property Address: 45 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803



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5/7/2018

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# 400 foot Abutters List Report

Marlborough, MA  
May 07, 2018

Parcel Number: 89-85  
CAMA Number: 89-85  
Property Address: 51 ATKINSON DR

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 89-86  
CAMA Number: 89-86  
Property Address: 59 ATKINSON DR

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 89-87  
CAMA Number: 89-87  
Property Address: 65 ATKINSON DR

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 89-93  
CAMA Number: 89-93  
Property Address: 52 ATKINSON DR

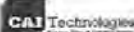
Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 89-94  
CAMA Number: 89-94  
Property Address: 36 ATKINSON DR

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 89-99  
CAMA Number: 89-99  
Property Address: 292 AMES ST

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803



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# 400 foot Abutters List Report

Marlborough, MA  
May 07, 2018

**MARLBOROUGH ASSESSORS**

*Anthony C. Amador*  
*William K. Silverstein*  
*Janet May*

## Subject Property:

Parcel Number: 101-2  
CAMA Number: 101-2  
Property Address: 200-230 FOREST ST

Mailing Address: ATLANTIC-MARLBORO REALTY III LLC  
205 NEWBURY ST  
FRAMINGHAM, MA 01701

## Abutters:

Parcel Number: 100-1  
CAMA Number: 100-1  
Property Address: 0 SIMARANO DR

Mailing Address: ATLANTIC-MARLBORO REALTY III LLC  
C/O ATLANTIC MANAGEMENT CORP 205  
NEWBURY ST  
FRAMINGHAM, MA 01701

Parcel Number: 100-15  
CAMA Number: 100-15  
Property Address: 343 FOREST ST

Mailing Address: SILVA DAVID E  
343 FOREST ST  
MARLBOROUGH, MA 01752

Parcel Number: 100-16  
CAMA Number: 100-16  
Property Address: 117 SANDINI RD

Mailing Address: HALL ROLAND L  
117 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-17  
CAMA Number: 100-17  
Property Address: 125 SANDINI RD

Mailing Address: MEYER FREDERICK W JR  
125 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-18  
CAMA Number: 100-18  
Property Address: 112 SANDINI RD

Mailing Address: NESBITT ANTHONY T TR  
112 SANDINI RD  
MARLBOROUGH, MA 01752

Parcel Number: 100-23  
CAMA Number: 100-23  
Property Address: 295 FOREST ST

Mailing Address: ENQUIST BONI-ESTER  
295 FOREST ST  
MARLBOROUGH, MA 01752

Parcel Number: 100-25  
CAMA Number: 100-25  
Property Address: 321 FOREST ST

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 100-26  
CAMA Number: 100-26  
Property Address: 349 FOREST ST

Mailing Address: GUTIERREZ ARTURO J TR  
200 WHEELER RD  
BURLINGTON, MA 01803

Parcel Number: 101-1A  
CAMA Number: 101-1A  
Property Address: 287 FOREST ST

Mailing Address: STAFFORD JANICE H  
287 FOREST ST  
MARLBOROUGH, MA 01752

Parcel Number: 101-2A  
CAMA Number: 101-2A  
Property Address: 1000 BAY DR

Mailing Address: AVALON MARLBOROUGH LLC  
ATTN AVALONBAY COMMUNITIES INC  
671 N GLEBE RD STE 800  
ARLINGTON, VA 22203



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5/7/2018

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## 400 foot Abutters List Report

Marlborough, MA

May 07, 2018

Parcel Number: 101-2B CAMA Number: 101-2B Property Address: 2 RESULTS WAY	Mailing Address: ATLANTIC-MARLBORO REALTY III LLC 205 NEWBURY ST FRAMINGHAM, MA 01701
Parcel Number: 101-3 CAMA Number: 101-3 Property Address: 170 FOREST ST	Mailing Address: CSM MARLBORO HOTEL LLC 500 WASHINGTON AVE SOUTH SUITE 3000 MINNEAPOLIS, MN 55415
Parcel Number: 112-6 CAMA Number: 112-6 Property Address: 300-350 VALUE WAY	Mailing Address: TJX COMPANIES INC PO BOX 5369 COCHITUATE, MA 01778-6369
Parcel Number: 89-69 CAMA Number: 89-69 Property Address: 93 SANDINI RD	Mailing Address: HAMMOND MARY A 93 SANDINI RD MARLBOROUGH, MA 01752
Parcel Number: 89-70 CAMA Number: 89-70 Property Address: 101 SANDINI RD	Mailing Address: LECONTI ROBERT E 101 SANDINI RD MARLBOROUGH, MA 01752
Parcel Number: 89-71 CAMA Number: 89-71 Property Address: 109 SANDINI RD	Mailing Address: PRATT RICHARD B 109 SANDINI RD MARLBOROUGH, MA 01752
Parcel Number: 89-84 CAMA Number: 89-84 Property Address: 45 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-85 CAMA Number: 89-85 Property Address: 51 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-86 CAMA Number: 89-86 Property Address: 59 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 89-87 CAMA Number: 89-87 Property Address: 65 ATKINSON DR	Mailing Address: GUTIERREZ ARTURO J TR 200 WHEELER RD BURLINGTON, MA 01803
Parcel Number: 90-1 CAMA Number: 90-1 Property Address: 257 FOREST ST	Mailing Address: BRUSTER RICHARD C TR 257 FOREST ST MARLBOROUGH, MA 01752
Parcel Number: 90-1A CAMA Number: 90-1A Property Address: 245 FOREST ST	Mailing Address: RIESSLE JAMES 245 FOREST ST MARLBOROUGH, MA 01752



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5/7/2018

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## 400 foot Abutters List Report

Marlborough, MA

May 07, 2018

Parcel Number: 90-1B CAMA Number: 90-1B Property Address: 269 FOREST ST	Mailing Address: RODOLEWICZ JOHN III 269 FOREST ST MARLBOROUGH, MA 01752
Parcel Number: 90-1C CAMA Number: 90-1C Property Address: 275 FOREST ST	Mailing Address: JIMENEZ WILDER 275 FOREST ST MARLBOROUGH, MA 01752
Parcel Number: 90-2 CAMA Number: 90-2 Property Address: 219 FOREST ST	Mailing Address: FORE KICKS II LIMITED PARTNERSHIP 190 ROLLING MEADOW DR HOLLISTON, MA 01746
Parcel Number: 90-2C CAMA Number: 90-2C Property Address: 199-201 FOREST ST	Mailing Address: 201 FOREST STREET LLC 40 MECHANIC ST STE 300 MARLBOROUGH, MA 01752
Parcel Number: 90-4 CAMA Number: 90-4 Property Address: 165 FOREST ST	Mailing Address: PBE COMPANIES LLC SANTANDER BANK 1 FINANCIAL PLAZA 3RD FL PROVIDENCE, RI 02903
Parcel Number: 90-69 CAMA Number: 90-69 Property Address: 55 TELLER ST	Mailing Address: WATERMAN DONNA J 55 TELLER ST MARLBOROUGH, MA 01752
Parcel Number: 90-70 CAMA Number: 90-70 Property Address: 90 SANDINI RD	Mailing Address: GARBARINO CHRISTINA M 90 SANDINI RD MARLBOROUGH, MA 01752
Parcel Number: 90-71 CAMA Number: 90-71 Property Address: 98 SANDINI RD	Mailing Address: JOHNSON CARL E 98 SANDINI RD MARLBOROUGH, MA 01752



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5/7/2018

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Page 3 of 3

## SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: AvalonBay Communities, Inc. Address: 600 Atlantic Avenue, Floor 20, Boston, MA 02210

Project Name: Avalon Marlborough II Address: A portion of 200 Forest Street

1. PROPOSED USE: (describe) 123 apartment homes in a subsequent phase to the existing Avalon Marlborough community. Also, a ~1,900 SF retail building with associated outdoor space and parking.
2. EXPANSION OR NEW: New
3. SIZE: floor area sq. ft. 62,530 (excl. garages) 1<sup>st</sup> floor 62,530 (excl. garages) all floors 172,187 (excl. garages)  
# buildings 18 # stories 3 lot area (s.f.) 478,122 SF
4. LOT COVERAGE: 48.4% Landscaped area: 51.6%
5. POPULATION ON SITE: Number of people expected on site at anytime:  
Normal: N/A Peak period: 240 (total projected residents)
6. TRAFFIC:
  - (A) Number of vehicles parked on site:  
During regular hours: N/A Peak period: 261 (total spaces & garages)
  - (B) ~~How many service vehicles will service the development and on what schedule?~~  
Community is served with golf carts on site. Retail deliveries are TBD, but expected to be minimal.
7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? The development will be lit with a combination of streetlights and pedestrian-scale bollard lighting. Lighting leaving the property will be limited to roadways and walkways for safety.
8. NOISE:
  - (A) Compare the noise levels of the proposed development to those that exist in the area now.  
The area is currently a parking lot. Levels will be consistent with a typical, low-density apartment community (low noise).
  - (B) ~~Describe any major sources of noise generation in the proposed development and include their usual times of operation.~~ There are no major sources of noise generation in the proposed development.
9. AIR: What sources of potential air pollution will exist at the development? Passenger vehicles are the only anticipated sources of potential air pollution at the development.
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: May 21, 2018

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Avalon Marlborough II

Project Use Summary: 123 apartment homes and a ~1,900 SF retail building

Project Street Address: 0 Simarano Drive

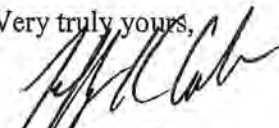
Plate: 100 Parcel: 1

Applicant/Developer Name: AvalonBay Communities, Inc.

Plan Date: May 17, 2018 Revision Date: \_\_\_\_\_

Dear President and Members:

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

Very truly yours,  
  
Jeffrey K. Cooke  
Acting Director of Planning

Application Fee to submit to  
City Clerk's office  
\$3,300 ~~xx~~



As outlined in the City of Marlborough Zoning Ordinance 650-59 "C" Rules, please find enclosed the Special Permit application fee for residential construction of 123 units for Avalon Marlborough II, calculated as follows:

\$300

*plus*

120 units x \$25 = \$3,000

*equals*

**\$3,300.00**

**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**

Atlantic-Marlboro Realty LLC

**Owner Name/Officer Name of LLC or Corporation**

Joseph Zink

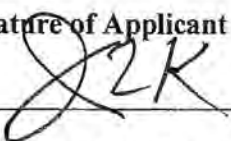
**Owner/Officer Complete Address and Telephone Number**

Atlantic-Marlboro Realty LLC c/o Atlantic Management Corporation

205 Newbury Street, 4th Floor

Framingham, MA 01701

**Signature of Applicant**



**Attorney on behalf of Applicant, if applicable**

Robert C. Buckley, Esq.

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



**Tax Collector**

Check Date: 5/7/18		Check No: 1686511					
Invoice Number	Invoice Date	Community	Voucher ID	FMT ID	Seren ID	Discount	Paid Amount
05/08/2018	5/7/18	Corporate Overhead	00387870	L-BEAM		0.00	3,300.00

Check Number	Date	Vendor Number	Vendor Name	Total Discounts	Total Paid Amount
1686511	5/7/18	0000020424	CITY OF MARLBOROUGH	\$0.00	\$3,300.00

▼ REMOVE DOCUMENT ALONG THIS PERFORATION ▼

A/P DISBURSEMENT  
 2901 Sabre Street, Suite 100  
 Virginia Beach, VA 23452  
 1-877-478-8754

Bank of America  
 Atlanta, Dekalb Co, GA  
 64-1278/611

1686511  
 DATE: 5/7/18  
 VOID AFTER 90 DAYS  
 \$3,300.00\*\*\*

Pay To The Order Of:
   
 \*\*\* Three thousand three hundred and xx/100 Dollar \*\*\*
   
 CITY OF MARLBOROUGH
   
 MARLBOROUGH CITY HALL
   
 140 MAIN ST.
   
 VREQ-002827
   
 MARLBOROUGH MA 01752

*Kenn P. O'Sullivan*  
 CHIEF FINANCIAL OFFICER

DOCUMENT CONTAINS BLUE PANTOGRAPH & MICROPRINTING. BACK HAS THERMOCHROMIC INK & A WATERMARK, HOLD AT AN ANGLE TO VIEW, VOID IF NOT PRESENT.

F  
E



2901 Sabre Street, Suite 100  
Virginia Beach, VA 23452

CITY OF MARLBOROUGH  
MARLBOROUGH CITY HALL  
140 MAIN ST.  
VREQ-002827  
MARLBOROUGH MA 01752

City of Marlborough  
Office of the City Clerk  
140 Main St, Marlborough, MA 01752  
(508) 460-3775

Clerk: #19  
Transaction ID: #37540  
6/14/2018 12:09PM

Permits - Special  
-- Special Permit Application - Avalon Ba  
y (CK #1686511 \$3,300.00

Total: \$3,300.00

**hwmoore**  
 ASSOCIATES, INC.  
 CIVIL ENGINEERING | LAND PLANNING

121 E. BERKELEY STREET  
 BOSTON, MA 02118  
 TEL: (617) 357-8145  
 FAX: (617) 357-9495  
 WEB: www.hwmoore.com

### MEMORANDUM

To: Scott Dale, Julia Wynyard, and Matt Gendron - AvalonBay Communities, Inc.

From: Fred Keylor

Date: May 17, 2018

RE: *Avalon Marlborough II – Preliminary Evaluation of Existing Utilities*

As requested we have reviewed available information regarding the adequacy of the existing utility infrastructure for the proposed Avalon Marlborough II residential development project.

#### General Project Description

The proposed Avalon Marlborough II (Phase II) residential development consists of 123 units of rental housing in 13 Direct Entry and 4 Townhome style buildings along with a separate 1,903 square foot retail building (use to be determined). The project site totals 10.98± acres located at the southeast corner of the Simarano Drive/Forest Street intersection in Marlborough, MA. The 123 apartments will be comprised of 48 one-bedroom and 75 two-bedroom units. Access will be via an existing driveway off of Simarano Drive which also serves the Avalon Marlborough I residential community and an existing Daycare Center.

The existing Avalon Marlborough I and proposed Phase II are part of the larger 110-acre Forest Park mixed-use development proposed by Atlantic-Marlboro Realty, LLC (Atlantic) which underwent Massachusetts Environmental Policy Act (MEPA) review in 2013 (EEA #15067). A 350-unit residential component (Avalon Marlborough I) was included in the Forest Park development program and 2013 MEPA review process. Phase II represents a change to that development program and will occupy an area previously anticipated for a 125-room hotel and 50,000 gross square feet of retail space – refer to Exhibit A.

#### Existing Sewer System & Estimated Phase II Sewage Generation

##### Existing Private On-Site Sewer System:

An existing 8" diameter "private" sewer was installed by AvalonBay under the Marlborough I project connecting to the municipal sewerage system at the intersection of Simarano Drive and Forest Street. This 8" diameter sewer line serves the existing Marlborough I community and abutting Daycare Center and runs within a 30'-wide sewer easement located on the Phase II site running parallel to Simarano Drive.





121 E. BERKELEY STREET  
BOSTON, MA 02118  
TEL: (617) 357-8145  
FAX: (617) 357-9495  
WEB: www.hwmooore.com

This private sewer line has a capacity of 840,000 gallons per day (gpd) and the Marlborough I community generates only 61,160± gpd, so there is plenty of excess capacity available in this line for connection of the Phase II Avalon development.

#### Existing Municipal Sewerage System:

According to the August 16, 2013 “Certificate of the Secretary of Environmental Affairs on the Expanded Environmental Notification Form” for Forest Park (Exhibit B), the project discharges its sewerage to the City of Marlborough sewer system which flows to the Westerly Wastewater Treatment Plant (WWTP). In 2013 the WWTP was permitted for 2.89 million gallons per day (mgd) with average daily flows running between 2.5 and 2.6 mgd, including discharge from the Town of Northborough.

As of 2013 the City of Marlborough had completed improvements which expanded the capacity of the WWTP to 4.15 mgd, but the USEPA had not yet issued an operating permit for the increased capacity.

The Secretary’s Certificate also goes on to state that “An analysis of the sewer network between the project site and the WWTP did not identify any capacity concerns associated with the additional project-related flows other than an acute bend at Glen Street and Ripley Avenue. The City currently does not have an active inflow and infiltration (I/I) reduction program as a series of previously identified mitigation projects have been successfully completed.”

Atlantic proposed sewer mitigation as part of the Forest Park MEPA review process to address the capacity constraint at Glen Street and Ripley Avenue. Atlantic also agreed to fund a wastewater system study by the City of Marlborough, which could potentially identify opportunities for flow reduction in the sewer system.

The Forest Park project put forth by Atlantic in 2013 estimated a total sewage generation of 151,240 gpd for its mix of office space, retail space, a hotel and 350 residential units.

#### Estimated Phase II Sewage Generation:

123 apartment units: 48 one-bedroom + 75 two-bedroom = 198 bedrooms in total  
198 bedrooms x 110 gpd/bedroom = 21,780 gpd  
1,903 sf of Retail: 1,903 sf x 5 gpd/100 sf = 95 gpd  
Total = 21,780 + 95 = 21,875 gpd

Subtract previously reviewed hotel/retail components of Forest Park filing:

Hotel: 125 rooms x 110 gpd/room = 13,750 gpd  
Retail: 50,000 sf x 5 gpd/100 sf = 2,500 gpd  
Total = 13,750 + 2,500 = 16,250 gpd

Additional Forest Park sewage flow not previously anticipated: 21,875 – 16,250 = 5,625 gpd



121 E. BERKELEY STREET  
BOSTON, MA 02118  
TEL: (617) 357-8145  
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The Phase II project will result in an additional 5,625± gpd of sewage generation above that previously reviewed under EEA #15067 for the overall Forest Park development proposal, assuming that Phase II replaces the previously proposed hotel and retail components.

Summary/Conclusions:

Avalon Phase II proposes 123 residential units and 1,903 sf of retail space in lieu of a 125-room hotel and 50,000 sf of retail space. This will result in approximately 5,625 gpd of additional sewage generation over and above that previously anticipated from the full-build Forest Park development project.

The City of Marlborough reviewed the overall Forest Park development proposal in 2013 and concluded that with the improvements to the sewer system at Glen Street and Ripley Avenue by Atlantic, the municipal sewerage system has sufficient capacity to handle the full-build Forest Park sewage flows. The additional 5,625 gpd from Avalon Phase II represents only a 3.7% increase in overall estimated sewage flow from Forest Park.

Municipal Sewer Connection Fees:

Pursuant to Section 510-4 of the City of Marlborough Code (Exhibit C) the entrance (connection) fee for apartment complexes is: \$10,000 plus \$500 per living unit. For the retail building the entrance fee is based on the size of the water service pipe.

Apartment Complexes:  $\$500 \times 123 + \$10,000 = \$71,500$

Retail: 2" water service = \$7,000

Total estimated sewer entrance fee:  $\$71,500 + \$7,000 = \$78,500$

Existing Municipal Water Supply System & Estimated Phase II Water Demand

The "Water Quality Report for 2016" (Exhibit D) issued by the Marlborough Department of Public Works indicates that the City derives its water supply from two sources – the Massachusetts Water Resources Authority (MWRA) provides 80% and the City obtains the other 20% from the Millham Reservoir. In 2016 the City supplied 1.55 billion gallons of water to its customers.

There is an existing 12" diameter water main located in Simarano Drive and a 16" diameter water main located in Forest Street. Hydrant flow tests in the area of the project conducted in 2013 and 2015 by the Marlborough Water Department (Exhibit E) indicate system static pressures ranging from 74 to 81 pounds per square inch (psi) and flow rates ranging from 1,035 to 1,400 gallons per minute (gpm). These results will provide ample water for domestic use at the Phase II Avalon development. An evaluation will need to be conducted to determine if a booster pump will be required for fire protection purposes. A booster pump was required for Phase I, however, Phase I building elevations are at much higher elevations compared with Phase II.

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Estimated Phase II Water Demand:

Average daily water demand is estimated at 110% of the average daily sewage generation.  
 $21,875 \text{ gpd} \times 1.10 = 24,062.5 \text{ gpd}$   
 Say: 24,065 gpd

Summary/Conclusions:

The municipal water supply system in the area of the project site consists of large diameter pipes with adequate pressure and volume to serve the Phase II Avalon project domestic use needs. An evaluation by the Fire Protection Engineer will need to be conducted to determine if a booster pump will be required for the building fire protection sprinkler systems. Updated hydrant flow tests will need to be conducted to verify system pressures and volumes. The MWRA supplies 80% of the City's water supply; accordingly lack of an adequate water supply is not a strong concern.

Municipal Water Connection Fees:

Pursuant to Section 608-11 of the City of Marlborough Code (Exhibit F) the entrance (connection) fee for apartment complexes is: \$3,000 plus \$500 per living unit. For the retail building the connection fee is based on the size of the water service pipe.

Apartment Complexes:  $\$500 \times 123 + \$3,000 = \$64,500$   
 Retail: 2" water service = \$3,500  
 Total estimated water entrance fee:  $\$64,500 + \$3,500 = \$68,000$

Electric Service

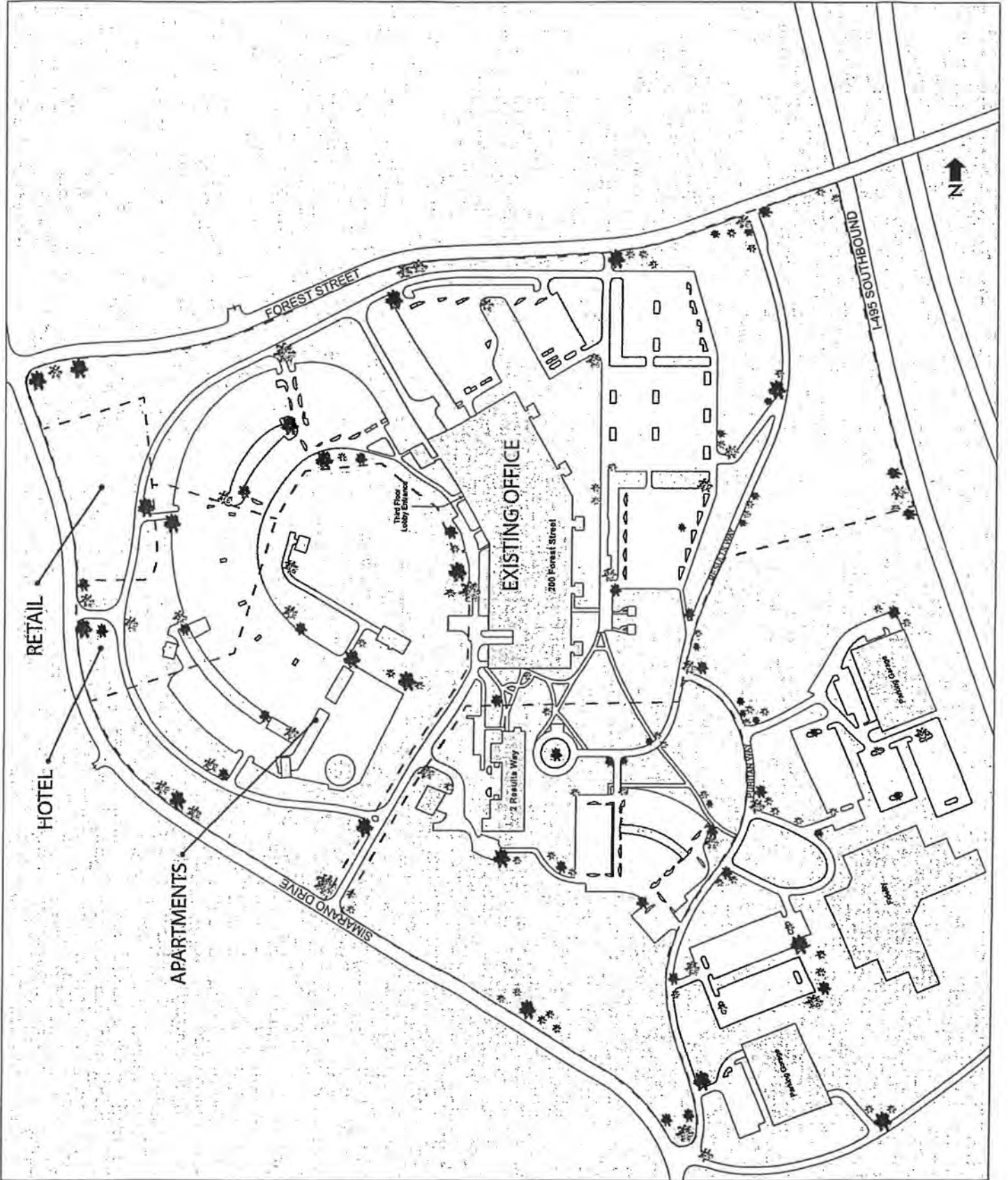
Utility poles and overhead wires run down the existing spine road through the site continuing onto the land being retained by Atlantic. In keeping with AvalonBay Standards these overhead power supply lines will be removed and relocated underground. It is assumed that the power supply would be reconnected above ground on Atlantic's retained property at the nearest utility pole to remain. Coordination will be required with National Grid and Atlantic for this work, AvalonBay has initiated contact with National Grid and project coordination is on-going.

Gas Service

Existing gas lines are located in both Simarano Drive and in Forest Street. The Avalon Marlborough Phase I project is connected to the existing gas main in Simarano Drive. It is anticipated that the Phase II development will also connect to the main in Simarano Drive.

Coordination will be required with the Gas Company.

# EXHIBIT A



## EXHIBIT B



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
 100 Cambridge Street, Suite 900  
 Boston, MA 02114

Deval L. Patrick  
GOVERNOR

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August 16, 2013

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
 ON THE  
 EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Forest Park  
 PROJECT MUNICIPALITY : Marlborough  
 PROJECT WATERSHED : SuAsCo  
 EEA NUMBER : 15067  
 PROJECT PROPONENT : Atlantic-Marlboro Realty, LLC  
 DATE NOTICED IN MONITOR : June 26, 2013

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and Sections 11.06 and 11.11 of the MEPA Regulations (301 CMR 11.00), I have reviewed this project and hereby determine that it **does not require** further MEPA review. In a separate Draft Record of Decision (DROD) also issued today, I have proposed to grant a Waiver from the requirement to prepare a Mandatory Environmental Impact Report (EIR) for the project. This Certificate sets forth the issues that must be addressed by the Proponent during permitting and discusses recommendations that were submitted on the project during the MEPA comment period.

Project Description

As described in the Expanded Environmental Notification Form (EENF), the project consists of development and redevelopment of an approximately 110-acre site located adjacent to Interstate 495 in Marlborough. The project includes renovation of existing office and research and development (R&D) space formerly occupied by the Hewlett-Packard Corporation (HP) and

construction of residential units, retail, a hotel, and new office space. The project site is bounded by Interstate 495 to the east, Forest Street to the north, Simarano Drive to the west, and other commercial properties to the south. The project is located in a "Priority Development Area" (PDA) identified in the 495/MetroWest Development Compact Plan endorsed and adopted by the Executive Office of Housing and Economic Development (EOHED) in 2012.

Under existing conditions the project site includes two office buildings totaling 730,000 gross square feet (gsf), a series of small out-buildings totaling approximately 10,000 gsf, and 2,900 parking spaces. The project, as presented in the EENF consists of two phases:

Phase 1:

- Redevelopment of Office/R&D Buildings - Renovation of buildings located at 200 Forest Street and 2 Results Way, totaling approximately 730,000 gsf;
- Residential Development – Construction of 350 rental units in multiple apartment, townhome, and direct entry-type buildings; and
- Hospitality Development – Construction of a new three-story hotel including 125 rooms with shared parking.

Phase 2:

- Retail Development – Construction of 50,000 gsf of one-story retail space; and
- Office/R&D Building – Construction of a four to six-story, 250,000-gsf building and an 875-space parking structure.

The Proponent intends to reuse the existing office space as soon as suitable by-right tenants are identified. The majority of the approximately 2,900 existing surface parking spaces will be reused by reconfiguring/restriping existing paved areas under Phase 1. According to the EENF, while new parking areas will be constructed as part of Phase 1 for the hotel and residential components, this will only result in a net increase of 20 parking spaces. Phase 2 includes 250 new surface parking spaces associated with the retail development and 875 new structured parking spaces.

Of the 109.5-acre project site, approximately 40.0 acres will be altered with 6.1 acre of new impervious surface. The project includes no direct impacts to wetland resource areas; work is limited to the 100-foot buffer zone to Bordering Vegetated Wetlands (BVW). The project is estimated to add an additional 823,000 gsf of space on the project site, for a total development area of 1,553,000 gsf. Approximately 6,250 average daily trips (adt) will be generated by the project, increasing total site traffic by 5,950 adt, to 12,200 adt. Project-related water demand is expected to increase by 115,788 gallons per day (GPD), for a project total of 181,488 GPD. Wastewater volumes will increase by 96,490 GPD, for a project total of 151,240 GPD. The project site is not located in *Priority* or *Estimated Habitat* for endangered species in the Massachusetts Natural Heritage and Endangered Species Program (NHESP) Natural Heritage Atlas (13<sup>th</sup> Edition, 2008). The project site is not listed in the *Inventory of Historic and Archaeological Assets of the Commonwealth* or either the State or Federal Register of Historic Places.

### Jurisdiction

This project is subject to MEPA review and requires the preparation of a mandatory EIR because it requires State Agency Actions and will result in the generation of 3,000 or more new average daily trips (adt) on roadways providing access to a single location (301 CMR 11.03(6)(a)(6)) and includes the construction of 1,000 or more new parking spaces at a single location (301 CMR 11.03(6)(a)(7)). The project will require a Vehicular Access Permit from the Massachusetts Department of Transportation (MassDOT) and a Sewer Connection and Extension Permit from the Massachusetts Department of Environmental Protection (MassDEP). The project will also require an Order of Conditions from the Marlborough Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions (SOC) from MassDEP. The project will be required to obtain a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the United States Environmental Protection Agency (EPA). The project is subject to review in accordance with the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

Because the project is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required, or potentially required, State Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction exists over transportation, wetlands, stormwater, wastewater, and GHG emissions.

### Review of the Expanded ENF

The EENF included supporting documentation that identified potential environmental impacts, commitments to implementation of mitigation measures, and additional information<sup>1</sup> to justify the request for a full waiver from the EIR process. The EENF contained design plans identifying existing and proposed conditions, wetland resource areas, stormwater management features, pedestrian connections, and traffic, water and wastewater infrastructure. Additional data were provided for stormwater management, GHG emissions, air quality, and traffic impacts in the EENF appendices. The EENF described how the project is consistent with local and regional planning documents and initiatives.

### *Alternatives Analysis*

The EENF presented the results of an alternatives analysis that evaluated a No-Build Alternative, a Build Alternative, and a Preferred Alternative. The No-Build Alternative was reviewed to establish a project baseline, the Build Alternative considered redevelopment of the project site as a corporate headquarters, and the Preferred Alternative focused on redevelopment of the project site as a mixed-use project consistent with planning goals established by the Commonwealth.

The No-Build Alternative assumes the as-of-right reoccupation of the existing buildings on-site (730,000 gsf) utilizing the 2,900 parking spaces and driveways that do not have

<sup>1</sup> Additional information was received in the form of a memorandum dated July 11, 2013 from Symmes Maini & McKee Associates and via email on August 7<sup>th</sup> and 12<sup>th</sup> from Vanasse Hangen Brustlin, Inc.

stormwater management infrastructure that meets current design standards. This alternative was dismissed by the Proponent, as it would not meet the economic development goals set by the City through the establishment of the PDA.

The Build Alternative consists of the redevelopment of the project site as a corporate headquarters. The existing buildings on-site would be demolished to facilitate construction of new office space. This development scenario could be achieved consistent with the rezoning established on-site for the Preferred Alternative. The Proponent considered several conceptual layouts of office buildings, parking, and construction phasing. The Build Alternative presented in EENF included a full-build of 2,400,000 gsf of office space, with up to 9,600 parking spaces provided in a combination of surface and structured parking. This alternative would result in an increase of 10.2 acres of impervious area, 216,000 GPD of additional water use and 180,000 GPD of additional wastewater generation. Total traffic trips were estimated at 17,700 adt. This alternative would result in additional environmental impacts beyond those identified in the Preferred Alternative. The Build Alternative would also not achieve benefits associated with the mixed-use components of the Preferred Alternative such as trip reduction and consistency with Commonwealth housing goals. Efforts prior to, and as part of, the EENF review demonstrate that alternatives have been adequately assessed to avoid, minimize, and mitigate Damage to the Environment and propose a project consistent with the Commonwealth's Sustainable Development Principles.

#### *Transportation*

The EENF included a Traffic Impact Assessment (TIA) prepared in accordance with Executive Office of Energy and Environmental Affairs (EEA)/MassDOT Guidelines for EIR/EIS Traffic Impact. The study area was determined based on discussions with MassDOT, the City of Marlborough, a review of previous traffic studies conducted for nearby projects, an understanding of the area roadway network, and the expected transportation characteristics of the project. The TIA included: a description of existing and proposed conditions (with and without mitigation), a traffic operations analysis (volumes, level-of-service (LOS) and vehicle queuing), a sight distance evaluation, motor vehicle crash data, a description of pedestrian, bicycle and public transportation options, a proposed transportation demand management (TDM) program, and a recommended mitigation plan.

Existing traffic trips to the project site are estimated at 5,950 adt, based upon as-of-right, full occupancy of the existing 730,000 sf of office space. Currently, the project site is accessed via several driveways off Simarano Drive, Forest Street and Results Way. Pedestrian connections, if present, have little connectivity within the study area. Public transportation services are limited. The Metrowest Regional Transit Authority (MWRTA) operates buses in the City of Marlborough, but no bus routes serve Forest Street or Simarano Drive. The nearest Massachusetts Bay Transportation Authority (MBTA) commuter rail stations are located in Southborough and Westborough along the Framingham/Worcester rail line that connects to South Station in Boston. The TIA identified two study area intersections that exceed MassDOT District 3 average crash rate values (Route 20/Bartlett Street and Lakeside Avenue/Williams Street).



Traffic conditions were projected and analyzed for a seven-year time horizon to the year 2020. The TIA identified both expected background growth in traffic trips as well as traffic trips attributable to specific development projects that could occur over the next seven years. The TIA identified these future known development projects including their location, land use, size and development status. The 2020 No-Build Condition analysis took into account traffic from two projects, Devonshire @ 495 Center and TJX Companies, which have a high level of certainty of being undertaken in the next few years, as well as existing commercial vacancies. The 2020 Build Condition is estimated to generate an additional 6,250 adt, for a total trip generation of 12,200 adt at full build-out. This estimate considered the potential reductions associated with shared vehicle trips and pass-by vehicle trips in accordance with applicable guidelines. The TIA identified several operational or geometric deficiencies at study area intersections under the 2020 Build Condition. Based upon the results of this analysis, the Proponent has proposed several mitigation measures subsequent to discussion and review with MassDOT. These measures are outlined in the mitigation portion of this Certificate. The EENF also indicated that the Proponent will construct walking trails on the project site and seek to connect proposed pedestrian and bicycle amenities to the larger trail system within the City.

The EENF also outlined a travel demand management (TDM) program to reduce single occupancy vehicle (SOV) trips. The Proponent has proposed project-wide TDM measures including the appointment of a TDM coordinator, posting of commuter information, and facilitation of bicycle and pedestrian travel through the provision of convenient bicycle parking and pedestrian amenities. The Proponent will consider installation of electric vehicle (EV) charging stations. The Proponent is also committed to work with the City to advance a municipal project to construct a "Complete Streets" project along the Simarano Drive corridor, with bicycle and pedestrian accommodations. The Proponent has also indicated a willingness to work with the City to approach the MWRTA with a request to extend its service area to cover the office uses in the Simarano Drive area.

The EENF also identified use-specific TDM measures to encourage alternative modes of transportation. The TDM coordinator will work with future tenants to identify potential programs for implementation. These TDM measures may include, but not be limited to:

- Implementing telecommute options;
- Providing incentives for bicycle or higher-occupancy vehicle (HOV) commuting;
- Establishing a rideshare-matching program;
- Providing a guaranteed ride home program;
- Sponsoring vanpools and subsidizing expenses;
- Encouraging tenants to become a member of the Transportation Management Association (TMA);
- Providing preferential carpool and vanpool parking; and
- Providing subsidies to employees who purchase monthly or multiple trip transit passes.

I strongly encourage the Proponent to pursue facilitation and implementation of a robust TDM program. The Proponent should review the MassDEP and MassDOT comment letters for guidance on additional TDM measures that could be employed on-site. This should include

exploring partnerships with other property owners in the Simarano Drive area, as well as the City of Marlborough, MWRTA, and the Metrowest/495 TMA, to achieve critical mass to establish measures such as ridesharing, vanpooling, and shuttle connections to MBTA commuter rail stations or expansion of the MWRTA bus service to the area. To assist in effective implementation of TDM measures, as well as other positive environmental attributes presented in conjunction with the project, I encourage the Proponent to prepare a Tenant Manual to provide guidance to future tenants to ensure consistency with the mitigation commitments made in the EENF.

The project includes a shared parking program to reduce the overall number of on-site spaces and benefit from the proposed mixed-uses. In particular, some portion of the required hotel parking will be provided by spaces also used for the renovated office spaces. The Phase 2 retail space will also share some parking with the office uses. The structured parking for the Phase 2 development will be provided at a ratio of 3.3 spaces per 1,000 sf of office space.

#### *Air Quality*

The EENF included a mesoscale study conducted in accordance with MassDEP regulations. The EENF described the study methodology, emissions rate data, and existing air quality conditions within the study area. The study used traffic data to evaluate four conditions:

- The 2013 Existing Condition;
- The 2020 Short Term No-Build Condition;
- The 2020 Short Term Build Condition; and
- The 2020 Short Term Build Condition with Mitigation.

The No-Build Condition assumed anticipated background growth and traffic related to specific development projects within the study area that are expected to be completed over a seven-year time horizon, and assumed no project-related vehicle trips.

Due to implementation of emission control programs, volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) emissions are expected to decrease between the 2013 Existing Condition and the 2020 Short Term No-Build Condition. However, the project will result in a small increase of VOC and NO<sub>x</sub> emissions compared to the 2020 Short Term No-Build Condition. Through implementation of traffic improvements to reduce congestion and improve operations, as well as the implementation of a TDM program, VOC and NO<sub>x</sub> emissions will decrease slightly in the 2020 Short Term Build Conditions with Mitigation from the 2020 Short Term Build Condition. This study also demonstrated that the project would comply with the Clean Air Act Amendments (CAAA) and the State Implementation Plan (SIP) because it will implement reasonable and feasible emission reduction mitigation measures, will not create a new violation of National Ambient Air Quality Standards (NAAQS), will not increase the frequency or severity of any existing violations, and will not delay attainment of any NAAQS.

*Wetlands/Stormwater*

The EENF identified the presence of several State-jurisdictional wetland resource areas (BVW, Bank, Land Under Water) on-site. These wetland resources areas were confirmed through the issuance of an Order of Resource Area Delineation (ORAD) by the Marlborough Conservation Commission on April 9, 2013. The EENF included a characterization of these wetland resource areas and site plans identifying their location. Wetland resource areas on-site are designated as Outstanding Resource Waters (ORWs) because the northern watershed portion of the site flows to the Lake Williams/Millham Reservoir and the southern watershed portion of the site eventually flows to the Sudbury Reservoir. The project will require the submission of a Notice of Intent (NOI) in accordance with the Massachusetts Wetlands Protection Act (WPA) for work associated with the outlet from the proposed stormwater detention basin on the residential parcel and construction of the walking trails. The Proponent may file a Request for Determination of Applicability (RDA) for site work associated with the hotel and potential modifications to existing stormwater points of discharge at Wetlands A and E. If deemed necessary by the City of Marlborough, a NOI may be required for this work.

The project is not expected to have direct impacts to wetland resource areas. Work will be limited to the 100-foot Buffer Zone to regulated resource areas and conducted in compliance with the WPA and its regulations. The EENF described Best Management Practices (BMPs), sedimentation and erosion control devices, and dewatering and water diversion techniques to be implemented on-site that will seek to avoid, minimize, and mitigate potential impacts to wetland resource areas.

The site does not include a stormwater management system or provide groundwater recharge on-site. The project will include implementation of a stormwater management system in compliance with the Massachusetts Stormwater Regulations (SMR), as they apply to redevelopment projects. The proposed stormwater management system will treat runoff water quality and mitigate peak rates of stormwater runoff for the 2-, 10-, and 100-year storm event. The project will also recharge groundwater to ensure no net loss of recharge capacity on-site.

The EENF included a description of existing and proposed drainage conditions, including site plans depicting the limits of drainage areas and stormwater calculations. The EENF discussed how the project will comply with the SMR and associated performance standards. The project will implement groundwater infiltrating measures to the maximum extent practicable given the poor permeability of the soil. These BMPs include bioretention areas, subsurface infiltration systems and biofilter swales, along with the use of landscaping and open areas to promote infiltration. To ensure removal of 80 percent of total suspended solids (TSS) in accordance with the SMR, the project will implement several BMPs including: street sweeping, deep sump hooded catch basins, water quality units, grassed channels (biofilter swales), bioretention areas, vegetated filter strips, sediment forebays, and detention basins. The stormwater management system has also been designed to treat runoff in a manner consistent with additional requirements for Land Uses with Higher Potential Pollutant Loads (LUHPPL) and discharges to ORWs.

*Wastewater*

The project will generate a total of 151,240 GPD of wastewater. The EENF described existing wastewater generation and infrastructure servicing the buildings located at 200 Forest Street and 2 Results Way. The project site discharges to the City of Marlborough sewer system and wastewater is treated at the Westerly Wastewater Treatment Plant (WWTP). The current operating permit for the WWTP is 2.89 million gallons per day (MGD), with average daily flows between 2.5 and 2.6 MGD, including discharge from the Town of Northborough. According to the EENF, the City of Marlborough recently expanded the capacity of the WWTP to 4.15 MGD, but the USEPA has not issued an operating permit for the increased capacity. As noted by MassDEP, additional flow from this project will effectively utilize the remaining permitted flow capacity. I strongly encourage the Proponent to support the City as feasible to complete this permit renewal process with EPA to ensure sufficient capacity remains upon completion of full build-out. An analysis of the sewer network between the project site and the WWTP did not identify any capacity concerns associated with the additional project-related flows other than an acute bend at Glen Street and Ripley Avenue. The City currently does not have an active inflow and infiltration (I/I) reduction program as a series of previously identified mitigation projects have been successfully completed.

Symmes Maini & McKee Associates (SMMA) provided supplemental information, on behalf of the Proponent, on July 24, 2013. It indicated that the Proponent has proposed to fund a sewer improvement project to remedy the capacity constraint at Glen Street and Ripley Avenue. This project would potentially include the installation of an intermediate manhole to bypass the acute angle and replacement of an existing sewer segment with a cast iron pipe with an increased diameter and slope. The Proponent has also agreed to fund a wastewater system study by the City, including identification of potential opportunities for flow reduction in the system.

*Greenhouse Gases*

The EENF included a GHG analysis in compliance with the MEPA GHG Policy. The Policy requires projects to quantify carbon dioxide (CO<sub>2</sub>) emissions and identify measures to avoid, minimize or mitigate such emissions. The analysis quantifies the direct and indirect CO<sub>2</sub> emissions associated with the project's energy use (stationary sources) and transportation-related emissions (mobile sources). The GHG analysis evaluated CO<sub>2</sub> emissions for two alternatives as required by the Policy including 1) a Base Case corresponding to the 8th Edition of the Massachusetts Building Code (780 CMR, 8th Edition (2010)) and 2) a Preferred Alternative that meets the Stretch Energy Code as adopted by the City of Marlborough. The analysis used eQUEST modeling software to perform the GHG analysis. Separate GHG analyses were provided based upon proposed project uses (i.e., hotel, large and small-scale residential, commercial office/R&D, and retail development). Mobile GHG emissions were estimated using the vehicle miles traveled (VMT) data from the traffic study area roadway network and MOBILE6.2 CO<sub>2</sub> emission factors. Potential project-related mobile GHG emissions were compared between the 2013 Existing Condition, the 2020 Short Term No-Build Condition, the 2020 Short Term Build Condition, and the 2020 Short Term Build Condition with Mitigation scenarios.

I note that the City of Marlborough is a designated Green Community. As such, the City has adopted the Commonwealth of Massachusetts' Stretch Energy Code (Stretch Code) requirement of 20 percent better than American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2007. The Stretch Code requires modeling of base and proposed cases based on the methodology as is defined in ASHRAE 90.1 2007-Appendix G. Achieving compliance with the Stretch Code requires that the project achieve a minimum 20 percent overall reduction in annual energy use (or in the case of low-rise residential a Home Energy Rating System (HERS) rating of 70); therefore, the percentages of energy use may differ from overall GHG emissions reductions. The 200 Forest Street and 2 Results Way renovations are not required to meet the Stretch Code. The remaining proposed uses will be subject to the Stretch Code. Overall, the GHG analysis concludes that the project will exceed the energy use reduction requirements of the Stretch Code for applicable spaces and will maximize the energy efficiency of the renovated buildings at 200 Forest Street and 2 Results Way.

Direct stationary source CO<sub>2</sub> emissions included those emissions from the facility itself, such as boilers, heaters, and internal combustion engines. Indirect stationary source CO<sub>2</sub> emissions were derived from the consumption of electricity, heat or other cooling from off-site sources, such as electrical utility or district heating and cooling systems. Mobile CO<sub>2</sub> emissions included those emissions associated with vehicle use by employees, vendors, customers and others.

The GHG analysis made certain assumptions when modeling new construction with regard to the various building attributes, using specific design information where available, or using the prescriptive values from the Stretch Code as a minimum performance threshold for the proposed design. The EENF included a summary of modeling inputs (e.g., R-values, U-values, efficiencies, lighting power density, etc.) for energy efficiency measures modeled in eQUEST such as equipment, walls, ceilings, windows, lighting, HVAC units, etc. for both the Base Case and Preferred Alternative. Energy savings measures evaluated in the EENF included the use of higher-efficiency mechanical equipment, high performance or improved building envelopes, reduced lighting power densities, systems and Energy Star equipment. I strongly encourage the Proponent to continue to evaluate the use of higher-efficiency equipment and construction methodologies for buildings as design advances. The EENF also described a series of qualitative GHG reduction measures that are not easily quantified using the approved modeling software. A summary of proposed mitigation measures is included in the Mitigation section of this certificate. The modeling demonstrated that each new building will reduce GHG emissions from the Base Case by at least 20 percent in the Preferred Alternative.

The GHG analysis also included an evaluation of GHG emissions reductions associated with the renovation of 200 Forest Street and 2 Results Way. These buildings lack many of the modern energy efficiency components common in current construction. Therefore the Proponent, as part of renovation efforts, will incorporate energy-efficient design features into the buildings. To model potential energy savings for these renovations, the EENF modeled a baseline condition based on existing building conditions (e.g., mechanical systems, lighting, etc.), or if information was not available, these building components were assumed to comply with ASHRAE 90.1-2007 as a conservative assumption. The type and scale of energy efficiency improvements were assumed to be similar between both buildings under the Preferred Alternative. A summary of

proposed mitigation measures is included in the Mitigation section of this certificate. The modeling demonstrated that the renovation of 200 Forest Street will reduce GHG emissions from the Base Case by 23.1 percent in the Preferred Alternative and the renovation of 2 Results Way will reduce GHG emissions from the Base Case by 17.1 percent in the Preferred Alternative.

The GHG analysis described the results of an on-site renewable energy evaluation. Potentially feasible applications include the use of solar thermal hot water heating, in particular for the hotel, and solar photovoltaic (PV) electricity generation. The EENF outlined assumptions regarding system size, type, efficiency, and demand. A 500-sf solar thermal hot water heating system on the hotel was determined to provide 100 percent of the domestic hot water demand during the summer months, generate 177 million British Thermal Units (MBtus) annually and offset 10 tons per year (tpy) of CO<sub>2</sub>.

The EENF also evaluated a series of PV systems to offset electricity demand including:

- A 10,000-sf ground-mounted PV system at 200 Forest Street;
- A 14,350-sf roof-mounted PV system at 2 Results Way;
- A 27,500-sf roof-mounted PV system on the proposed retail building; and
- A 30,250-sf roof-mounted PV system on the proposed office addition.

Cumulatively, these PV projects would generate a total of 851 megawatt hours (MWh) of energy annually and offset 333 tpy of CO<sub>2</sub>. The EENF demonstrated significant potential for PV electricity generation on-site. I strongly encourage the Proponent to pursue financial incentives or third-party ownership as a means to reduce overall capital costs associated with PV systems. At a minimum, new construction should be conducted in a manner that ensures that roofs are PV-ready.

Total estimated stationary source GHG emissions for the proposed Preferred Alternative, are estimated at 5,704 tpy, a 1,542 tpy reduction from the Base Case total of 7,246 tpy (a 21.3 percent overall project reduction).

Mobile source emissions were analyzed using the U.S. EPA MOBILE 6.2 Mobile Source Emission Factor Model. The 2020 Short Term Build Condition is estimated to increase CO<sub>2</sub> attributable to traffic by 2,814 tpy from the 2020 No-Build Condition (the Base Case). The 2020 Short Term Build Condition with Mitigation is estimated to reduce CO<sub>2</sub> attributable to traffic by 185.8 tpy compared to the 2020 Short Term Build Condition, resulting in a 6.6 percent decrease, or a total project contribution of 2,628.2 tpy. As described earlier, traffic-related CO<sub>2</sub> emissions will be reduced through traffic improvements to reduce congestion and improve operations, as well as implementation of a TDM program.

Total estimated GHG emissions for the proposed Preferred Alternative, indirect and direct emissions attributable to stationary sources and indirect emissions attributable to mobile sources, are estimated at 8,332.2 tpy, a 1,727.8 tpy reduction from the Base Case total of 10,060 tpy (a 17 percent overall project reduction).

Following completion of construction for each phase, the Proponent shall file with the MEPA Office a certification signed by an appropriate professional (e.g. engineer, architect, general contractor) indicating that mitigation measures listed in the EENF have been implemented. The certification should be supported by as-built plans. For those measures that are operational in nature (i.e. TDM, recycling), the Proponent should provide an updated plan identifying the measures, the schedule for implementation, and how progress toward achieving these measures will be obtained. Collectively, the mitigation measures for the project as a whole shall include all of the GHG emissions mitigation measures outlined in the EENF, or equivalent measures that are designed to achieve the overall GHG emissions reductions presented in the EENF.

### *Construction Period*

The project must comply with the Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54. The Proponent will prepare and implement a Construction Waste Management (CWM) Plan for each component of construction. Materials to be salvaged, recycled, and disposed will be identified in the CWM plan, along with methods to facilitate and promote salvage and recycling over disposal. I encourage the Proponent to set salvage and recycling goals in the CWM Plan to gauge overall success of waste diversion. The CWM Plan should also identify potential reuse applications for asphalt, brick or concrete (ABC) to limit disposal at approved facilities.

The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES CGP. Erosion and sedimentation controls should be implemented throughout the project site to reduce potential impact to wetland resource areas. The Proponent will comply with the requirements of the Clean Air Construction Initiative, where reasonable and feasible, and enforce MassDEP's anti-idling regulations during the construction period through the installation of on-site signage. All construction activities should be undertaken in compliance with the conditions of all State and local permits.

### Mitigation

The following summarizes some of the key mitigation commitments made by the Proponent to avoid, minimize, and/or mitigate Damage to the Environment:

### *Transportation*

- Commitment of up to \$1,500,000 in funding for transportation-related improvements through a Development Agreement with the City of Marlborough. The traffic mitigation funding will be used for the following improvements:
  - *Simarano Drive/I-495 ramps Intersection*: the project includes the following general improvement elements (i) widening of the southbound approach of the intersection to create a second left turn lane onto Interstate 495 (I-495); (ii) maintaining the existing free right turn lane exiting I-495, but modifying the geometry of its merging onto Simarano Drive northbound to accommodate the new southbound left turn; (iii) a new sidewalk and crosswalk system through the

intersection directing pedestrians to travel on the west side of Simarano Drive through the State Highway Layout (SHLO); and, (iv) modifying the traffic signal phasing to make use of the operational efficiencies created by the proposed geometric improvements. These improvements will be implemented prior to the occupancy of the additional 250,000 square feet of office/R&D space in Phase 2 of the project;

- *Support for City's Planned Improvements to the Simarano Drive/Ames Street Corridor:* Support of the planned improvements to the Simarano Drive/Ames Street corridor through monetary contributions from the remaining portion of the aforementioned \$1.5 million off-site traffic mitigation commitment. Additionally, the Proponent will grant easements for sidewalk construction along Simarano Drive, should the design effort undertaken by the City for the corridor improvements suggest that a sidewalk along the site frontage is appropriate.
- *Adjust traffic signal timings at the following intersections:* To offset the Project's traffic impacts, the Proponent will implement traffic signal timing changes at the following locations. The need for signal timing changes at each of the locations will be determined in consultation with MassDOT and the City during later stages of design development and permitting.
  - Route 20/Bartlett Street;
  - Route 20/Hayes Memorial Drive/Boundary Street;
  - Route 20/Ames Street/Bronx Park Drive;
  - Forest Street/Ames Street/Simarano Drive; and
  - Route 20 (Lakeside Avenue)/Williams Street
- The Proponent will work with the City of Marlborough to establish and fund, as determined by the City and in conjunction with TJX, implementation of a police detail at the intersection of Simarano Drive and Puritan Way at full occupancy of the TJX and Forest Park projects.
- Sight line improvements will be implemented at the residential and retail driveways on Simarano Drive;
- The Proponent will implement a series of TDM measures as identified in the Transportation section of this Certificate or additional measures recommended by MassDOT and MassDEP, as feasible; and
- The Proponent will implement a traffic monitoring program, in coordination with MassDOT and the City of Marlborough, commencing six months after initial occupancy of the Phase 1 residential development on an annual basis for five years. This traffic monitoring program will also include a report on the implementation of the TDM program and be provided to MassDOT, which with the support of the Metro West/495 TMA and MassRIDERS, will review the yearly report for operational effectiveness and, if necessary, provide suggestions for adjustment or improvements to the program.



*Air Quality*

- The Proponent will implement traffic improvements to reduce congestion and improve operations, and a TDM program to decrease VOC and NO<sub>x</sub> emissions slightly in the 2020 Short Term Build Conditions with Mitigation from the 2020 Short Term Build Condition.

*Wetlands and Stormwater*

- The Proponent will file an NOI and/or RDA to the Marlborough Conservation Commission to ensure compliance with the WPA regulations and performance standards. No direct alteration to wetland resource areas is proposed, as work will be limited to the 100-foot buffer zone to regulated wetland resource areas;
- The Proponent will utilize sedimentation and erosion control devices, and dewatering and water diversion techniques that will seek to avoid, minimize, and mitigate potential impacts to wetland resource areas;
- The on-site stormwater management system will comply with the MassDEP SMR and standards for stormwater quality and quantity control as applicable to redevelopment projects. Compliance will be achieved via the use of several BMPs including: street sweeping, deep sump hooded catch basins, water quality units, grassed channels (biofilter swales), bioretention areas, vegetated filter strips, sediment forebays, and detention basins; and
- The stormwater management system has also been designed to treat runoff in a manner consistent with additional requirements for LUHPPLs and discharges to ORWs.

*Wastewater*

- The project will generate a total of 151,240 GPD of wastewater. The Proponent will obtain a MassDEP Sewer Connection Permit for the additional sewer flows.
- The Proponent will fund a sewer improvement project to remedy the capacity constraint at Glen Street and Ripley Avenue. This project would potentially include the installation of an intermediate manhole to bypass the acute angle and replacement of an existing sewer segment with a cast iron pipe with an increased diameter and slope; and
- The Proponent will provide funds to the City to conduct a wastewater system study. It will be conducted by the City's wastewater consultant and include identification of potential opportunities for flow reduction in the system.

*Greenhouse Gas Emissions*

The GHG analysis estimated stationary source GHG emissions for the proposed Preferred Alternative at 5,704 tpy, a 1,542 tpy reduction from the Base Case total of 7,246 tpy (a 21.3 percent overall project reduction). Mobile source emissions for the 2020 Short Term Build Condition with Mitigation is estimated to reduce CO<sub>2</sub> attributable to traffic by 185.8 tpy compared to the 2020 Short Term Build Condition, resulting in a 6.6 percent decrease, or a total project contribution of 2,628.2 tpy. Total estimated GHG emissions for the proposed Preferred Alternative, indirect and direct emissions attributable to stationary sources and indirect emissions attributable to mobile sources, are estimated at 8,332.2 tpy, a 1,727.8 tpy reduction from the

Base Case total of 10,060 tpy. Overall, the Preferred Alternative achieved a 17 percent overall reduction in GHG emissions compared to the Base Case.

Proposed mitigation technologies to be implemented into the construction of new buildings include, but are not limited to:

- Energy efficient building envelopes including roof and wall insulation and windows that exceed the building code with higher R-values, reduced U-factors and reduced Solar Heat Gain Coefficients (SHGC);
- Reductions in lighting power densities for interior and exterior lighting;
- Higher-efficiency HVAC systems;
- Use of variable air volume with hot water reheating HVAC systems (office expansion only); and
- Construction of PV-ready roofs, with a potential for installation of a 500-sf solar thermal hot water system on the hotel, a 27,500-sf roof-mounted PV system on the proposed retail building, and a 30,250-sf roof-mounted PV system on the proposed office addition.

Proposed mitigation technologies to be implemented into the renovation of 200 Forest Street and 2 Results Way include, but are not limited to:

- Replacement of all existing glazing with new high performance double pane storefront and curtain wall systems;
- Construction of large skylights for daylighting purposes;
- Replacement of the roof and installation of additional insulation;
- Upgrading the existing HVAC systems<sup>2</sup> with variable volume air handling units, efficient motors, replacement of VAV boxes and installation of DDC control system to allow the implementation of energy saving strategies such as night setback, supply temperature reset, and morning warm-up;
- At 200 Forest Street, a new HVAC system with two air handling units and an exhaust air handling unit will be installed to serve the lab space, as well as the installation of two new natural gas-fired boilers to provide heating. Energy efficiency measures for the lab space include an energy recovery loop for one of the air handling units/exhaust air handling unit and variable air volume fume hoods;
- Existing site lighting will be upgraded to light emitting diode (LED) fixtures; and
- Potential for a 10,000-sf ground-mounted PV system at 200 Forest Street and a 14,350-sf roof-mounted PV system at 2 Results Way.

The project will also include a series of qualitative GHG reduction and sustainable design measures including, but not limited to:

- Installation of reflective “cool” roofs on the new retail, hospitality, and office buildings;
- Use of Energy Star-rated equipment in new construction;

<sup>2</sup> The existing chillers, cooling towers, and supporting equipment were replaced in 2002 and the chillers have approximately 15 to 20 years of useful life remaining at 200 Forest Street. The 2 Results Way building is served by the same central water-cooled chiller plant.

- Sub-metering of tenant spaces;
- Development of tenant manuals to promote the pursuit of Leadership in Energy and Environmental Design (LEED) Commercial Interiors (CI) certification and other sustainable design practices; and
- Use of low-flow plumbing fixtures; and
- Use of drought-tolerant native species to minimize outdoor water use for irrigation.

#### *Mobile Sources*

- Mobile source GHG reduction measures are outlined in the traffic and transportation mitigation section of this Certificate and include intersection and signal timing improvements and implementation of a TDM program.

#### *General*

- A self-certification will be provided to the MEPA office following completion of construction for each construction phase signed by an appropriate professional (e.g. civil engineer, traffic engineer, architect, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve the proposed stationary source GHG emission reduction committed to in the EENF, have been incorporated into the project.

#### *Construction Period*

- Construction activities will be undertaken in compliance with the conditions of all State and local permits; and
- Compliance with MassDEP's Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54, and the implementation of a CWM Plan.

#### Conclusion

Based on a review of the information provided by the Proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant further MEPA review. Outstanding issues may be addressed during the local, State, and federal permitting processes. Comment letters support the project, the Waiver request, and do not identify alternatives or mitigation measures that warrant additional analysis through an EIR.

I have also issued today a DROD proposing to grant a Waiver from the requirement to prepare an EIR for the project. The DROD will be published in the next edition of the Environmental Monitor on August 21, 2013 in accordance with 301 CMR 11.15(2), which begins the public comment period. The public comment period lasts for 14 days and will end on September 4, 2013. Based on written comments received concerning the DROD, I shall issue a Final Record of Decision or a Scope within seven days after the close of the public comment period, in accordance with 301 CMR 11.15(6). If the Waiver is not approved based on comments received on the DROD, then this Certificate will be re-issued with a Scope for an EIR.

August 16, 2013

Date

  
Richard K. Sullivan Jr.

EEA# 15067

Expanded ENF Certificate

August 16, 2013

## Comments received:

07/1/2013 City of Marlborough Building Department  
07/10/2013 Patricia A. Pope, Marlborough City Council President  
07/24/2013 City of Marlborough Office of the Mayor  
07/25/2013 495/Metrowest Partnership  
07/26/2013 City of Marlborough Conservation Commission  
07/26/2013 Massachusetts Department of Environmental Protection – CERO  
08/09/2013 Massachusetts Department of Transportation

RKS/HSJ/hsj

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste, except where an approved method of disposal is provided.
- B. It shall be unlawful to discharge into any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter and the requirements of the commonwealth.
- C. Except as hereinafter provided, it shall be unlawful to continue or maintain in the City any privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated with the City and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer of the City, are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that such public sewer is within 100 feet of the property line, unless prevented by topographical or other reasons.
- E. The Commissioner shall annually establish equitable and just rental charges for the use of the sewerage facilities to be paid by every owner of an establishment whose building sewers connect directly or indirectly into public sewers. Such annual charges shall be in proportion to the quantity of water supplied to every such establishment, subject to any just equitable discounts and abatements in exceptional cases. The rental charges shall constitute a lien upon the real estate using such public sewers to be collected in the same manner as taxes upon real estate, or in an action of contract in the name of the City.

### § 510-3 Conditional use of private system.

Where a public sanitary sewer is not available under the provisions of § 510-2, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Board of Health and applicable state statutes.

### § 510-4 Building sewer connections.

- A. Extensions of sewers shall be subject to approval by the City Council and the Mayor, and such extensions shall be made under the supervision of the Commissioner, subject to the following provisions:
  - (1) Entrance fees for any service pipe connected into the public sewerage system shall be in accordance with the following schedule:
    - (a) Residential.
      - [Amended 2-9-2004 by Ord. No. 04-9962C]
      - [1] Single-family residence:
        - [a] Entrance fee: \$3,000.
        - [b] The owner of any single-family residential dwelling that has an occupancy permit from the Building Department effective on or before December 31, 2003, will be allowed to pay the amount of \$600 to connect to the municipal sewer system.  
[Amended 7-25-2005 by Ord. No. 05-100841A; 8-29-2011 by Ord. No. 11-1002920B]
        - [c] The owner of any single-family home that received an occupancy permit from the Building Department which was effective after December 31, 2003, will pay the fee in effect at the time of connection.  
[Amended 7-25-2005 by Ord. No. 05-100841A]
    - (b) Multiple-family residence (including all structures containing more than one dwelling unit, such as duplexes, apartment houses, apartment complexes, hotels, motels, trailer parks, etc.): \$10,000, plus \$500 per living unit.
      - [1] Two-family residential: \$6,000.  
[Added 12-20-2004 by Ord. No. 04-100616A]
      - [2] Three-family residential: \$9,000.  
[Added 12-20-2004 by Ord. No. 04-100616A]

EXHIBIT C

# Water Quality Report for 2016



EXHIBIT D

**CITY OF MARLBOROUGH**  
*Department of Public Works*  
 135 Neil Street  
 Marlborough, Massachusetts 01752  
 (508) 624-6910 Ext. 33103

**Public Water Supply**  
**# 2170000**

## Water & Sewer Division

This is an annual report on the quality of water delivered by the City of Marlborough to its residents and businesses. It complies with the Federal Safe Drinking Water Act (SDWA) requirement for "Consumer Confidence Reports" and contains information on the source of our water, its makeup and health risks associated with any contaminants. Safe water is vital to our community. Please read the report carefully and if you have any questions please call the number listed below.

The City of Marlborough's water is supplied from two sources: 80% from the Massachusetts Water Resources Authority (MWRA), and 20% from the Millham Reservoir. During calendar year 2016, the City of Marlborough Department of Public Works supplied 1.55 billion gallons of water for use by our customers.

Pursuant to the SDWA, the City of Marlborough conducts a through water sampling and testing program in order to meet all State and Federal requirements. All tests analyzed were found to be below all federal and state standards with the exception of the items listed below.

### Water System Compliance

Marlborough exceeded the action level for lead in August with a 90<sup>th</sup> percentile of 0.016 mg/l, which is over the 0.015 mg/l action limit. After the City shut down the Millham Water Treatment Plant in September due to high chloride levels, the City conducted a voluntary second round of lead testing in November/December and met the lead action level. Marlborough incurred three violations relating to the reported August lead exceedance: 1) Failing to complete delivery of the Lead Public Education Program to all customers by March 2, 2017; 2) Failing to notify both MassDEP within 48 hours and the customers within 30 days of their failure to deliver the Lead Public Education Program; and, 3) Failing to conduct required bi-weekly testing for alkalinity at the point of entry into the distribution system in January and February of 2017. Marlborough is working in conjunction with DEP to take measures to correct these infractions.

Marlborough is evaluating the potential causes for the Lead exceedance by further evaluating its source water, treatment processes, and Lead Service Line ("LSL") replacement program. The City is taking part in a MWRA loan program to remove all LSL within Marlborough over the next several years. For more information regarding lead in drinking water and if your property has a LSL, please visit the Water and Sewer Division's web page at [www.marlbrough-ma.gov](http://www.marlbrough-ma.gov) and then navigate to the Water and Sewer Division.

# CAMERON

## FIRE PROTECTION ENGINEERING

April 2, 2013

Mr. Mark Levine  
Symmes Maini & McKee Associates  
1000 Massachusetts Avenue  
Cambridge, Massachusetts 02138

EXHIBIT E

Re: Hydrant Flow Test  
Atlantic Management  
200 Forest Street  
Marlborough, MA

Dear Mark:

As per your request we performed the following hydrant flow tests for the above named project with the Marlborough Water Department on March 28, 2013 starting at 8:55 PM. The results of the tests are as follows:

Hydrant Flow Test #1 (Pressure HYD-1459, El.=462.0)

STATIC =	74 PSI (HYD-1459)
RESIDUAL =	70 PSI
PITOT =	63 PSIG
FLOW =	1330 GPM (HYD-1458)

Hydrant Flow Test #2 (Pressure HYD-1460, El.=452.0)

STATIC =	79 PSI (HYD-1460)
RESIDUAL =	69 PSI
PITOT =	64 PSIG
FLOW =	1340 GPM (HYD-1461)

Hydrant Flow Test #3 (Revised, see notes below) (Pressure HYD-1224, El.=424.0)

STATIC =	80 PSI (HYD-1224)
RESIDUAL =	79 PSI
PITOT =	70 PSIG
FLOW =	1400 GPM (HYD-1226)

April 2, 2013

## Hydrant Flow Test #4 (Pressure HYD-1227, El.=418.0)

STATIC =	81 PSI (HYD-1227)
RESIDUAL =	78 PSI
PITOT =	71 PSIG
FLOW =	1410 GPM (HYD-1226)

## Hydrant Flow Test #5 (Revised, see notes below) (Pressure HYD-1458, El.=443.0)

STATIC =	75 PSI (HYD-1458)
RESIDUAL =	72 PSI
PITOT =	28 PSIG
FLOW =	890 GPM (ON-SITE HYD - 2 RESULTS WAY)

## Hydrant Flow Test #6

Test number six was unable to be performed due to hydrants being out of service. It was explained to me by the water department that the property owner is responsible for testing and flushing these hydrants and they had no knowledge as to why these were taken out of service. The revised option of running the hydrant by the water meter and then using the hydrant at the entrance to the property on Forest Street for the pressure readings could also not be done because the hydrant at the water meter was also labeled out of service.

All tests were performed operating the hydrants as per your provided sketch with the following exceptions. The flowing hydrant for test #3 was performed using the flowing hydrant from test #4 due to the hydrant being located fairly far into private property. The water department representative did not want to use this hydrant due to possible damage to the owner's property. Test #5 was performed using the flowing hydrant from test #1 as the pressure hydrant and using the hydrant by the meter pit for the flowing hydrant as discussed earlier in the day.

It was also explained to me from the water department representative, Gesh, that the underground is fed from both Simarano Drive and Forest Street but there is a closed valve where they connect. This valve is closed due to metering problems and that the water department is expecting these problems to be addressed when the building is occupied. Currently the water line entering from Simarano Drive splits and enters two different buildings. The larger one has a meter but the smaller one does not. The water line entering from Forest Street also has a meter. I was told that if the water metering problem is corrected that the valve can be opened allowing flow from both streets.

We would like to thank you once again for this opportunity and we look forward to working with you again. Please feel free to call should you have any questions or need any additional information.

Sincerely,

*Wayne E. Davis*



1000 Cordwainer Dr.  
Norwell, MA 02061



*Helping Build Boston Since 1985™*

Tel: 781.347.9200  
Fax: 781.347.9250

100 RESULTS WAY

WATER SUPPLY TEST DATA

CONDUCTED BY: American Plumbing & Heating Corp. Fire Protection

DATE: July 27, 2015

TIME: 9:00PM

LOCATION OF HYDRANT FLOWED: 100 Results Way, Marlborough, MA

STATIC PRESSURE: 80 PSI

RESIDUAL PRESSURE: 75 PSI

HYD. COEF: .90

SIZE OF MAIN: 8"

SIZE OF BUTT FLOWED: 2-1/2"

NUMBER OF OPEN BUTTS: One

READINGS WERE RECORDED AT HYD. LOCATED: Avalon Hydrant near Simarand Drive

G.P.M.: 1035 GPM

PITOT: 38 PSI

Test conducted with Marlborough Water Department

Fire Protection • Biotech • Pharmaceutical • Educational • Sports & Entertainment • Medical

American Plumbing & Heating Corporation info@amerplumb.com www.amerplumb.com

*Mechanical Contractors Registration Number 8028*

- E. No plumber or other person not in the employ of the Department of Public Works' Water Division shall shut water off or turn on the water at any service pipe, except at the cellar wall. Whenever, by request of the owner or his representative, water is turned on or off at the curb stop for testing plumbing or other purposes, the charge for turning on or shutting off water shall be \$10.
- F. No person not in the employ of the Department of Public Works or a member of the Fire Department in the performance of his duties shall turn on any hydrant, public or private, without first obtaining permission from the Water Division.

**§ 608-8 Powers and duties of Water Registrar.**

- A. The Water Registrar shall act as Clerk of the Department of Public Works' Water Division. This person shall perform such services as may be required and shall annually, in July, present to such Department detailed statements of receipts and expenditures in the Water Division for the year ending the 30th day of June, of the number of water takers, the number of services in use, the number and amount of abatements and give such other information as the Department may require.
- B. The Water Registrar, under direction of such Water Division, shall exercise a constant supervision of the use of the water. This person shall, under the direction of the Commissioner of Public Works, make and deliver to water takers statements for metered water used. Such statements shall be delivered monthly, in the case of heavy users, or quarterly. Statements for charges for specific supplies or for fractional parts of a term shall be delivered when payable.
- C. The Water Registrar shall keep, in suitable books, the names of all persons who take the water, the name and number of the street, the amount charged and amounts of abatements, which records shall be open to the inspection of the Department of Public Works, the Mayor or any committee of the City Council. The Water Registrar shall, at the end of each fiscal year, report to such Department the amounts respectively of bills delivered, abatements, uncollected bills and fees.

**§ 608-9 Annual reports.**

The Commissioner of Public Works shall annually, in July, present to the City Council a report of the condition of the waterworks and other property connected therewith, with an account of receipts and expenditures and a schedule of property in hand, together with any information or suggestions which he deems important. The report of the Water Registrar shall accompany this report.

**§ 608-10 Extensions of mains.**

Extensions of water mains shall be subject to approval by the City Council and the Mayor and shall be made under the supervision of the Department of Public Works.

**§ 608-11 Entrance fees.**

- A. Service pipes connected to City main. Entrance fees for any service pipe connected into the public water system shall be in accordance with the following schedule:

(1) Residential.

[Amended 2-9-2004 by Ord. No. 04-9962C]

(a) Single-family residence:

[1] Entrance fee: \$2,000.

[2] The owner of any single-family residential dwelling that has an occupancy permit from the Building Department effective on or before December 31, 2003, will be allowed to pay the amount of \$400 to connect to the municipal water system.

[Amended 7-25-2005 by Ord. No. 05-100841-1A; 8-29-2011 by Ord. No. 11-1002920B]

[3] The owner of any single-family home that received an occupancy permit from the Building Department which was effective after December 31, 2003, will pay the fee in effect at the time of connection.

[Amended 7-25-2005 by Ord. No. 05-100841-1A]

EXHIBIT F

(b) Multiple-family residence (including all structures containing more than one dwelling unit, such as duplexes, apartment houses, apartment complexes, hotels, motels, trailer parks, etc.): \$3,000, plus \$500 per living unit.



*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**

June 13, 2018

Julia Wynyard, Director  
 AvalonBay Communities, Inc.  
 600 Atlantic Avenue, Floor 20  
 Boston, MA 02210

RE: 0 Simarano Drive Parcel ID#100-1, Marlborough, MA

Ms. Wynyard:

Your application to construct a 123 unit Luxury Apartment Community at 0 Simarano Drive, Marlborough, MA Parcel ID #100-1, located in the Results Way Mixed Use Overlay District zoning district (RWMUOD) is denied as it does not comply with Chapter 650-33 of City Code of Marlborough. Section 650-33 E (2) (a) states "Multi-family dwelling – more than 350 dwelling units within the entire RWMUOD Zoning District including, without limitation, age-restricted dwelling units" requires a "Special Permit" (SP) issued by the Marlborough City Council.

Your application to increase the permitted number of residential units from the existing 350 to 473 (an increase of 123 units) requires a "Special Permit" (SP) 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 "Application to City Council for Issuance of Special Permit" 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](http://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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN 14 A 11: 20

**AvalonBay**  
COMMUNITIES

May 21, 2018

**VIA HAND DELIVERY**

City Council  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

**RE: Site Plan for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a Portion of 200 Forest Street in the Results Way Mixed-Use Overlay District**

Dear Councilors:

It is my pleasure to submit the enclosed Site Plan application for Avalon Marlborough II, a 123-unit luxury rental apartment community proposed in the Results Way Mixed-Use Overlay District (RWMUOD) as an extension of the existing Avalon Marlborough apartment community.

AvalonBay is excited to partner with the City of Marlborough and Atlantic Management once again to build on the success of the existing Avalon Marlborough community and the smart-growth district that was created in May 2013.

Thank you for reviewing the enclosed Site Plan application. We look forward to productive discussions with you that will help to continue the growth and success of the RWMUOD. Please do not hesitate to contact me if you have any questions or if I can be of further assistance.

Sincerely,



Julia Wynyard

Director, Development  
AvalonBay Communities, Inc.  
Direct: (617) 654-9546  
E-Mail: [julia\\_wynyard@avalonbay.com](mailto:julia_wynyard@avalonbay.com)

CC: Site Plan Review Committee



# City of Marlborough

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

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

2018 JUN 14 A 11: 20

### Type of Hearing (check one)

Major Renovation       Minor Renovation

*Please Print*

DATE: May 21, 2018

### PROJECT

Name of facility: Avalon Marlborough II

Address: 0 Simarano Drive, Marlborough, MA 01752

Assessor's Map No. 100 Parcel No. 1

### APPLICANT

Name: AvalonBay Communities, Inc. – Julia Wynyard

Address: 600 Atlantic Avenue, Floor 20, Boston, MA 02210

Telephone: 617-654-9546 Fax: 617-426-1610

Email: julia\_wynyard@avalonbay.com

### OWNER'S CONSENT

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

### PROPERTY OWNER

Name: Atlantic-Marlboro Realty LLC – Joe Zink

Address: 205 Newbury Street, Framingham, MA 01701

Telephone: 508-665-6315 Fax: 508-626-0106

Email: jzink@atlanticmanagement.com

**APPLICANT'S ENGINEER (preparing site plan)**Name: H.W. Moore Associates, Inc. – Fred KeylorAddress: 112 Shawmut Avenue, Boston, MA 02118Telephone: 617-357-8145 Fax: 617-357-9495Email: fkeylor@hwmoore.com**APPLICANT'S LANDSCAPE ARCHITECT**Name: Hawk Design – Thom MinerAddress: 39 Pleasant Street, Sagamore, MA 02561Telephone: 617-242-8300 Fax: 617-242-5018Email: thom@hawkdesigninc.com**PROJECT INFO****PROPOSED USE (see Section 63-5(B) (1))** Non-Residential Residential

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

Avalon Marlborough II consists of 123 apartment homes that will be incorporated into the existing Avalon Marlborough community. The proposed buildings include four clusters of 2-bedroom townhomes (19 units total) and 13 direct-entry buildings, each with 8 units (104 units total). The additional proposed 123 multi-family units will include 48 one-bedroom and 75 two-bedroom apartment homes. The site plan also includes a ~1,900 sf retail building. The community is designed with 261 parking spaces, of which 55 are integral to the townhomes and direct entry buildings and of which 14 are associated with the retail building.

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

**ZONING DISTRICT(S)** 1) Results Way Mixed-Use Overlay District "RWMUOD"; 2) Water Supply Protection District (Zone B)

**WHAT OTHER PERMITS REQUIRED (check off which applies)**

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

**WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE?** X

**SUBMITTED PLANS AND REPORTS**

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

Application for Special Permit & Site Plan Approval	May 17, 2018	Michael D. Binette (Architect) James M. White (Civil Engineer) Thomas E. Miner (Landscape Architect)
Title	Date	Stamped By

**Fee**

For Minor Site Plan without a building: \$750

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

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







As called for in Article III of Chapter 270 of the City of Marlborough Code, please find enclosed the site plan review fee for a major site plan for Avalon Marlborough II, calculated as follows:

\$2,000

*plus*

188,980 GSF x \$0.06 = \$11,338.80

*equals*

**\$13,338.80**





May 15, 2018

City Council  
c/o Site Plan Review Committee  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

**RE: Consent of Owner**

Dear Councilors and Committee Members:

This letter provides written confirmation that Atlantic-Marlboro Realty LLC, the owner of 200 Forest Street, has provided consent to AvalonBay Communities, Inc., to seek approvals relative to the development of a proposed 123-unit rental apartment community on a portion of 200 Forest Street.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julia Wynyard', written over a horizontal line.

Julia Wynyard

Director, Development  
AvalonBay Communities, Inc.  
Direct: (617) 654-9546  
E-Mail: [julia\\_wynyard@avalonbay.com](mailto:julia_wynyard@avalonbay.com)

**CONSENTED TO BY:**

A handwritten signature in black ink, appearing to read 'Joseph Zink', written over a horizontal line.

Joseph Zink  
President and Chief Executive Officer  
Atlantic-Marlboro Realty LLC  
205 Newbury Street  
Framingham, MA 01701

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN -6 P 12: 36



May 31, 2018

Secretary Matthew A. Beaton  
Executive Office of Energy and Environmental Affairs  
Attention: Deidre Buckley, Director of the MEPA Office  
100 Cambridge Street, 9<sup>th</sup> Floor  
Boston, MA 02114

Re: **Notice of Project Change**  
**Marlborough Hills**  
**Marlborough, MA**  
**EEA No. 15067**

Dear Secretary Beaton and Director Buckley:

On behalf of Atlantic-Marlboro Realty, LLC (the "Proponent"), Vanasse Hangen Brustlin, Inc. (VHB) is pleased to submit the enclosed Notice of Project Change (NPC) documenting modifications to commercial, residential and retail development associated with the mixed-use Marlborough Hills redevelopment project (the "Project", or "Project Change"), previously reviewed as Forest Park (the "Previously Reviewed Project").

In August of 2011 Atlantic Management purchased the vacant, tired, former 730,000 square foot Hewlett Packard campus located at the off-ramp of I-495 on Simarano Drive in Marlborough (the "Project Site"). Through collaboration with the City of Marlborough and the State of Massachusetts, the Marlborough Hills Campus (the "Campus") has been successfully transformed into a first-class Work-Live-Play-Stay development in suburban Boston for employees, residents, and visitors all to enjoy. By incorporating Class-A Office/Lab space, luxury apartments, an extended stay hotel, an on-site daycare facility, and nearby retail service amenity options, Marlborough Hills offers businesses a 110-acre master-planned corporate campus community that assists firms in attracting and retaining employees. The Project has been a tremendous success story for the City of Marlborough, turning a once vacant industrial site, into a vibrant mixed-use development that has generated numerous jobs and revenue for the City that will continue to grow over time.

The purpose of this NPC filing is to document the key differences between the Previously Reviewed Project development program presented and analyzed in the June 2013 Expanded Environmental Notification Form (EENF), and the Project Change. The preliminary development program and building massing scheme presented in the EENF were refined to respond to the changing development conditions at the Site and the surrounding area, to continue the successful redevelopment of the Site. The Project

Engineers | Scientists | Planners | Designers

99 High Street  
10th Floor  
Boston, Massachusetts 02110  
P 617.728.7777  
F 617.728.7782

Marlborough Hills  
Marlborough, MA  
May 31, 2018  
Page 2

Change detailed in Chapter 1 of the NPC consists of an expanded development program not previously contemplated under Phase I, as well as eliminates some uses and surface vehicular parking from Phase II.

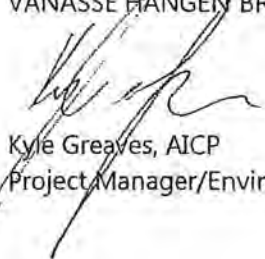
As documented in Appendix C and Chapter 2 of the NPC, the Current Project is generating traffic at a rate far lower than was initially presented in the EENF, and the traffic analysis demonstrates that there is adequate capacity to absorb the additional development associated with the Project Change. Additionally, the traffic analysis indicates that the intersection of Simarano Drive and the I-495 ramps is operating better than expected/anticipated as a result of the mixed-use nature of the Project, and that the Project Change will not have a noticeable impact on traffic operations in and around the immediate vicinity of the Marlborough Hills development. As presented in the EENF, the Proponent remains committed to funding the design and/or construction of area improvements as spelled out in their current mitigation commitments as part of Phase II of the development at the Project Site when warranted.

No new Mandatory Environmental Impact Report (EIR) review thresholds are met or exceeded as a result of the Project Change. The Project Change will trigger one new MEPA ENF review threshold: new discharge or expansion of discharge to a sewer system of 100,000 gallons per day (gpd) or more of sewage. Additionally, this NPC demonstrates that overall the Project Change will achieve an estimated 27.2 percent reduction in stationary source CO<sub>2</sub> emissions by reducing overall energy consumption by approximately 25.0 percent in compliance with the MEPA GHG Policy and Protocol. Since the Project Change does not result in any new significant environmental impacts (that have not been or are not addressed with mitigation) beyond those documented and analyzed in the previously reviewed MEPA filing, the Proponent requests a finding that the Project Change as proposed incorporates appropriate measures that adequately address environmental impacts such that no further review is required.

We look forward to working with you and your staff in your continuing review of the Project. We anticipate that the NPC will be noticed in the next edition of your *Environmental Monitor*. Requests for copies of the NPC should be directed to me at 617-607-2988 or via e-mail at [kgreaves@vhb.com](mailto:kgreaves@vhb.com).

Very truly yours,

VANASSE HANGEN BRUSTLIN, INC.



Kyle Greaves, AICP  
Project Manager/Environmental Planner

Enclosure

cc: Joe Zink, Atlantic Management  
Robert Buckley, Reimer & Braunstein LLP

---

**MIRICK O'CONNELL**

ATTORNEYS AT LAW

**RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH****2018 JUN 14 A 10:53****Brian R. Falk**  
Mirick O'Connell  
100 Front Street  
Worcester, MA 01608-1477  
bfalk@mirickoconnell.com  
t 508.929.1678  
f 508.983.6256

June 14, 2018

Councilor Edward Clancy, President  
Marlborough City Council  
City Hall  
Marlborough, MA 01752Re: Site Plan Application for 28 South Bolton Street

Dear Councilor Clancy:

Enclosed please find a Site Plan Review Application package submitted on behalf of my client, M & E Ventures Corporation (Marilyn Green), for a mixed-use project at 28 South Bolton Street in the Marlborough Village District.

This mixed-use project consists of a 5-story building with 2 ground floor retail units, 36 residential units (1 and 2 bedroom), and 30 ground floor parking spaces. Pursuant to Section 650-18(42) and Section 650-34.B(1)(b) of the Zoning Ordinance, the project requires Site Plan Review by the City Council in accordance with Section 270-2 of the City Code.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing M & E Ventures Corporation in this matter before the City Council.

Sincerely,



Brian R. Falk

BRF/

cc: Marilyn Green  
Arthur P. Bergeron, Esq.

---

**MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP**

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com



# City of Marlborough

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

### Type of Hearing (check one)

Major Renovation       Minor Renovation

*Please Print*

DATE: June 14, 2018

### PROJECT

Name of facility: 28 South Bolton Street

Address: 28 South Bolton Street

Assessor's Map No. 70 Parcel No. 212A, 213, 222, 223A, 224, and 528

### APPLICANT

Name: M & E Ventures Corporation (Marilyn Green)

Address: 4 Watkins Lane, Southborough, MA 01772

Telephone: 508-929-1678 (Atty. Brian Falk) Fax: 508-983-6256 (Atty. Brian Falk)

Email: bfalk@mirickoconnell.com

### OWNER'S CONSENT

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

### PROPERTY OWNER

Name: M & E Ventures Corporation (Marilyn Green)

Address: 4 Watkins Lane, Southborough, MA 01772

Telephone: 508-929-1678 (Atty. Brian Falk) Fax: 508-983-6256 (Atty. Brian Falk)

Email: bfalk@mirickoconnell.com

**APPLICANT'S ENGINEER (preparing site plan)**

Name: Connorstone Engineering Inc.

Address: 10 Southwest Cutoff, Suite 7, Northborough, MA 01532

Telephone: 508-393-9727 Fax: 508-393-5242

Email: mjs@sca121.com

**APPLICANT'S LANDSCAPE ARCHITECT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**PROJECT INFO**

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

Non-Residential                       Residential

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

This mixed-use project consists of a 5-story building with 2 ground floor retail units, 36 residential units (1 and 2 bedroom), and 30 ground floor parking spaces.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

ZONING DISTRICT(S) Marlborough Village District

**WHAT OTHER PERMITS REQUIRED (check off which applies)**

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

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? \_\_\_\_\_

**SUBMITTED PLANS AND REPORTS**

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

Proposed Site Plan of 28 South Bolton Street, June 12, 2018, Connorstone Engineering, Inc.

Title	Date	Stamped By
-------	------	------------

**Fee**

For Minor Site Plan without a building: \$750

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

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

$$\begin{array}{r}
 59,790 \text{ s.f.} \times \$0.06 = \$3,587.40 \\
 + \$2,000 \\
 \hline
 \$5,587.40
 \end{array}$$

## PUBLIC NOTICE

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

Date of Publication: June 19, 2018

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


### HISTORIC BUILDING NOTICE

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

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

Chairman, Historic Commission  
City Hall  
Marlborough, MA 01752

### APPLICANT'S SIGNATURE

 Attorney Brian R. Falk      June 14, 2018  
Applicant or Representatives Signature      Date

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

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

## Office Use Only:

Date Received: \_\_\_\_\_

Site Plan Number: \_\_\_\_\_

## SITE PLAN APPROVAL PUBLIC NOTICE FORM

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

Metrowest Daily News, Framingham 01701

Advertising: Fax: 1-781-453-6650

### City of Marlborough Public Notice of Site Plan Submission

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

Project Name and Type or Use: 28 South Bolton Street

Project Street Address: 28 South Bolton Street

Applicant's Name: M & E Ventures Corporation (Marilyn Green)

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



# City of Marlborough

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

Applications for site plan approval must conform to the requirements of Chapter 270-2 of the Marlborough City Code. A complete application includes the attached form, required plans and other information identified in the Code. Applicants are required to consult with the Planner at a “pre-application” review, prior to submitting a formal application. The applicant is required to publish a public notice (see Section 270-6(B)), using the form attached, within 14 days of submitting this application to the Building Department. ✓

Non-residential and major residential projects require a Site Plan Review per Section 270-2 of the City of Marlborough General Code.

If you go to the website (<http://www.marlbrough-ma.gov/gen/index>) and go to departments: Site Plan Committee, there you will find the necessary check list for Site Plan Review Plans and the Landscaping requirements.

With this application, distribute **fifteen (15)** sets of plans, twelve (12) sets to be delivered to the City Council office, three (3) sets to be delivered to the City Clerk’s office, and appropriate fee as noted in this application.

For Minor Residential projects: The Applicant may request an informal review to discuss how detailed the plan(s) may need to be. (270-2 B (2) (a))

**M & E VENTURES CORPORATION**  
 4 WATKINS LANE  
 SOUTHBOROUGH, MA 01772

587  
 53-7075/2113  
 01  
 CHECK NUMBER

6/14/18 Date

Pay to the Order of City of Marlborough \$ 5,587.40  
Five thousand five hundred eighty-seven and 40/100 Dollars

**Marlborough SAVINGS BANK** MARLBOROUGH, MA 01752  
 www.agreatbank.com

For Filing fee Mark Ben

MP

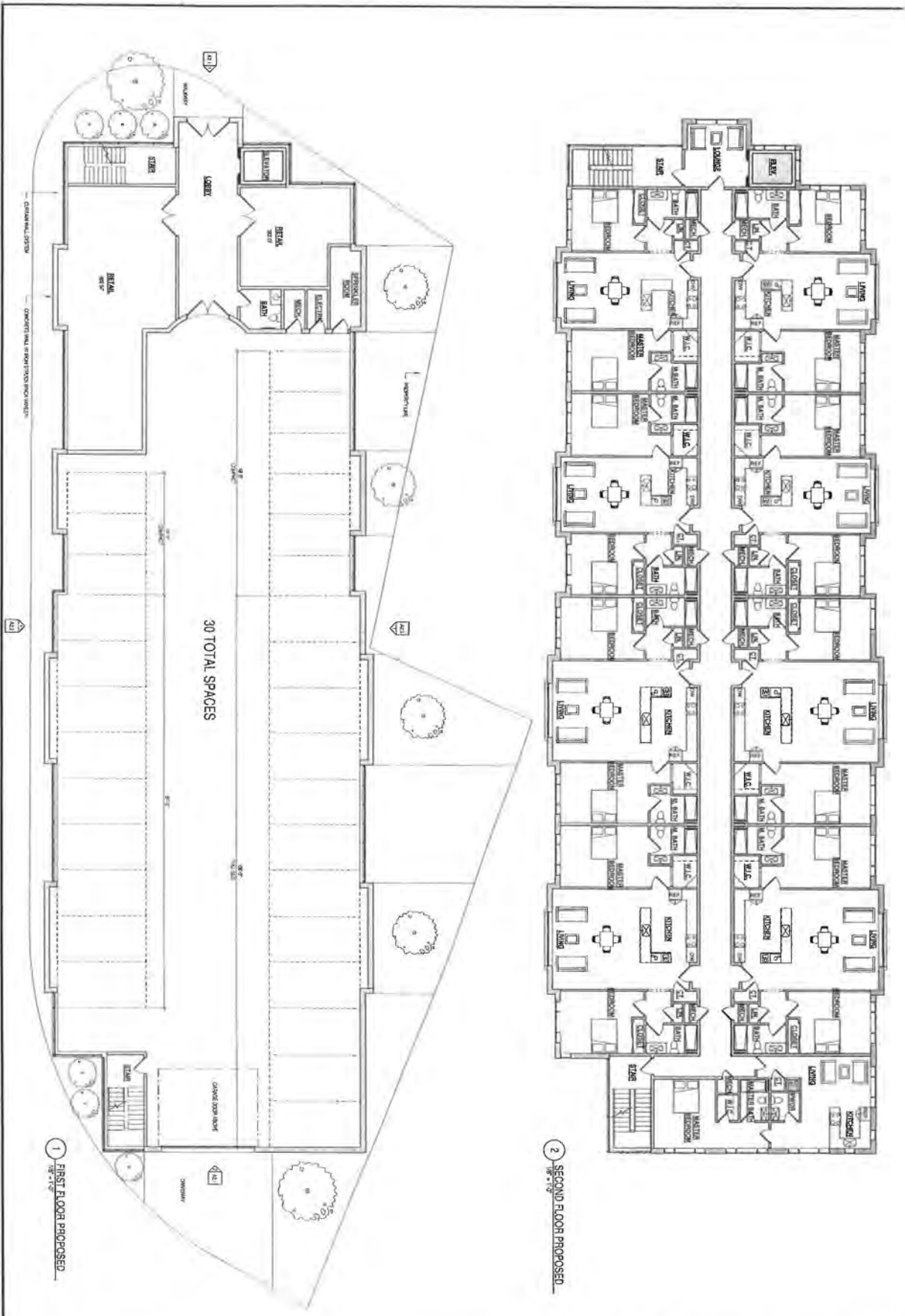
City of Marlborough  
 Office of the City Clerk  
 140 Main St, Marlborough, MA 01752  
 (508) 460-3775

Clerk: #19 6/14/2018 10:54AM  
 Transaction ID: #37537

Permits - Special  
 -- Site Plan Review - 28 South Bolton Street (CK #587

\$5,587.40

**Total: \$5,587.40**



1 FIRST FLOOR PROPOSED

2 SECOND FLOOR PROPOSED

30 TOTAL SPACES

A1.1

28 South Bolton Street  
Marlborough, Massachusetts  
01752

1ST FLOOR / 2ND FLOOR

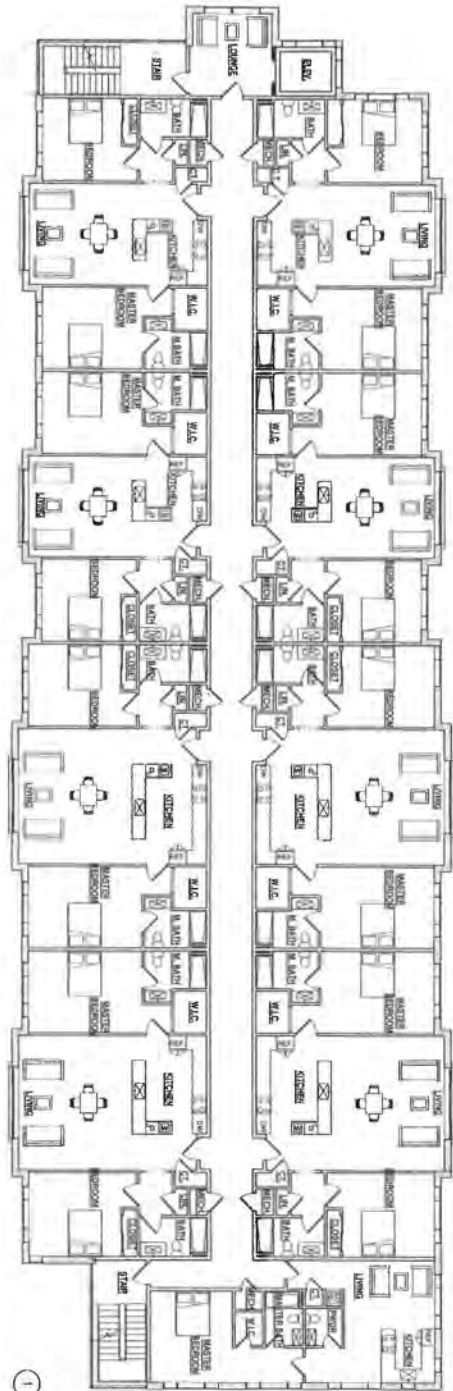
NO.	DATE	DESCRIPTION

**Timothy Burke**  
ARCHITECTURE

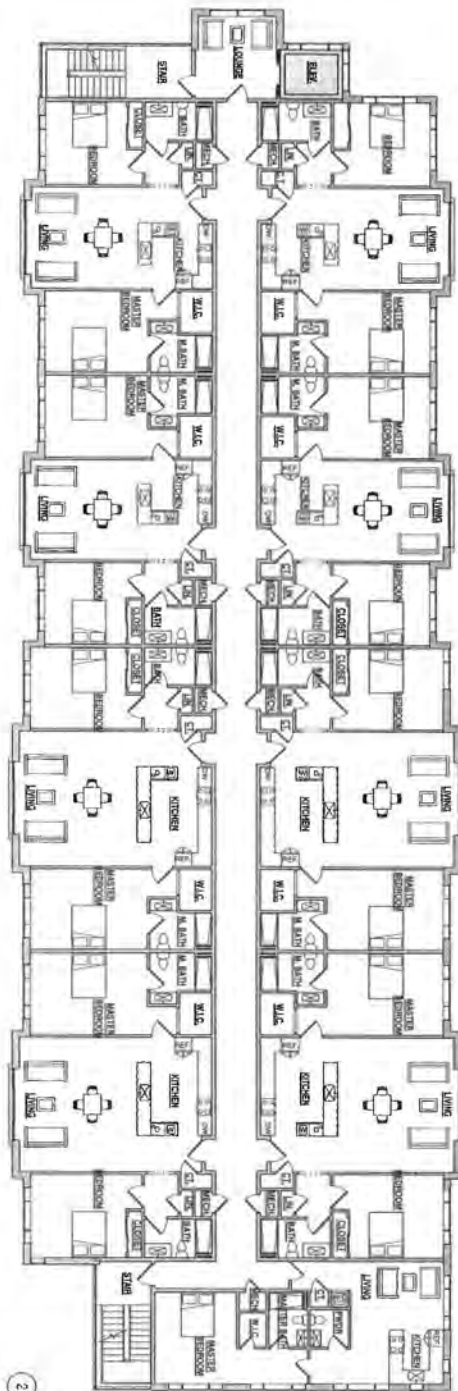
142 BERRILL STREET, BOSTON MASSACHUSETTS 02116  
P. 617.264.1152 | W. WWW.TIMOTHYBURKE.COM | F. 617.264.1118



3/28/2014 10:00 AM



1 THIRD FLOOR PROPOSED



2 FOURTH FLOOR PROPOSED

3RD FLOOR/ FOURTH FLOOR

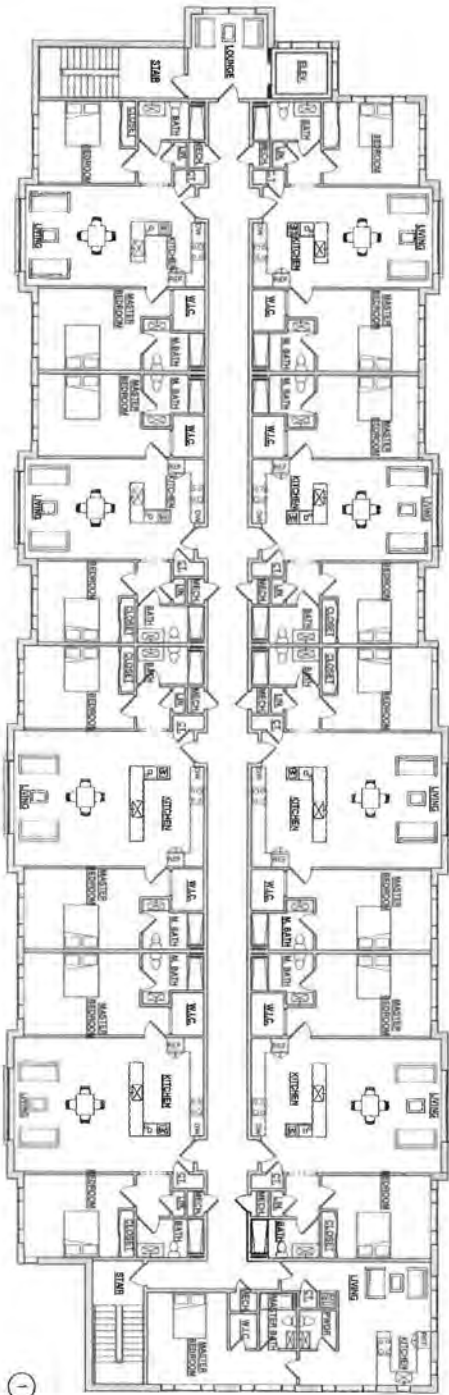
28 South Bolton Street  
Marlborough, Massachusetts  
01752

A1.2

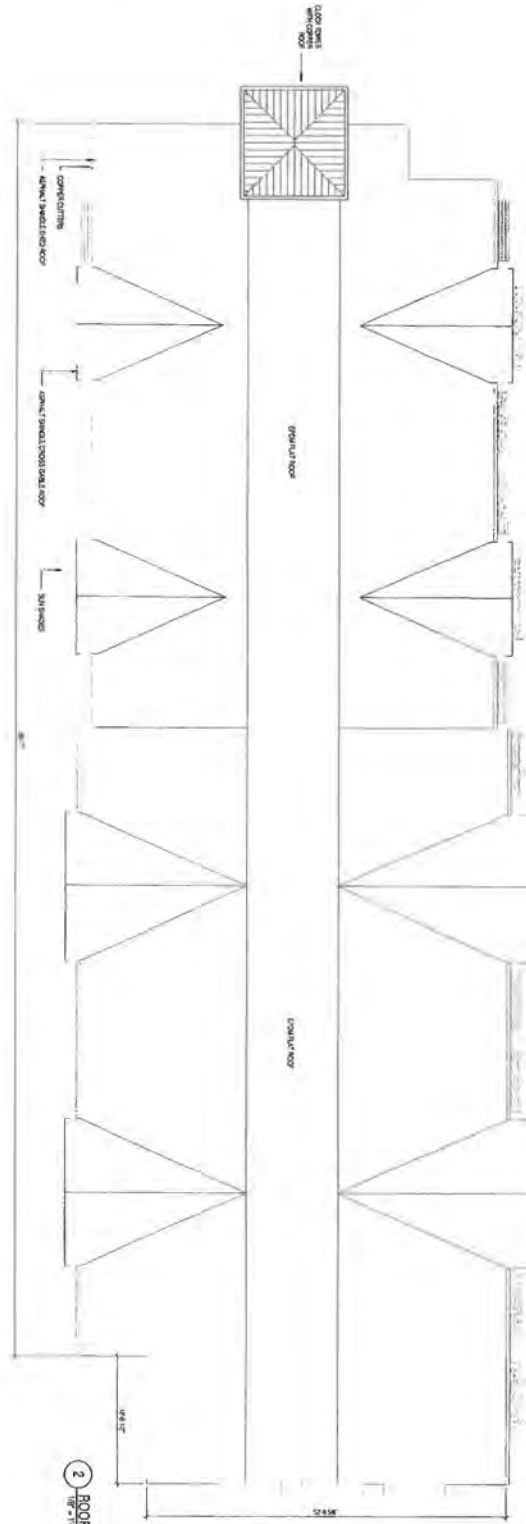
DATE	BY	REVISION

**Timothy Burke**  
ARCHITECTURE

165 BOWLEY STREET, BOSTON MASSACHUSETTS 02116  
P 617.268.0000 | M 617.268.0001 | F 617.268.1110



1 FIFTH FLOOR PROPOSED



2 ROOF PLAN PROPOSED

A1.3

28 South Bolton Street  
Marlborough, Massachusetts  
01752

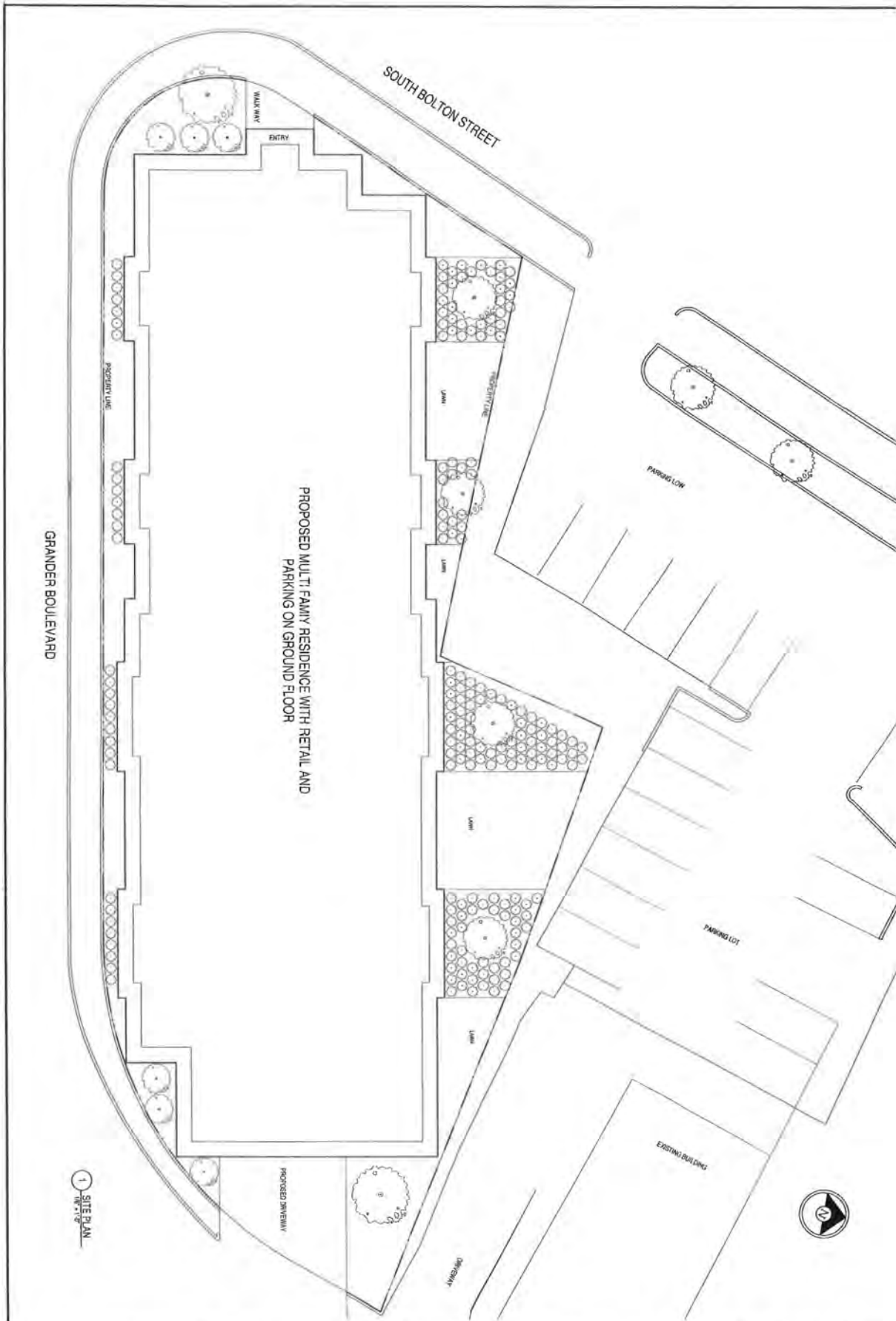
FIFTH FLOOR/ ROOF PLAN

NO.	DATE	BY	CHKD.	PROJECT NAME
1	01/12/12	JFB		
2	02/01/12	JFB		
3				
4				
5				
6				
7				
8				
9				
10				

**Timothy Burke**  
ARCHITECTURE

147 BRADLEY STREET, BOSTON WOODS/CHESTNUT 02118  
P. 617.261.1222 | M. 617.261.1118





1 SITE PLAN

A1.4

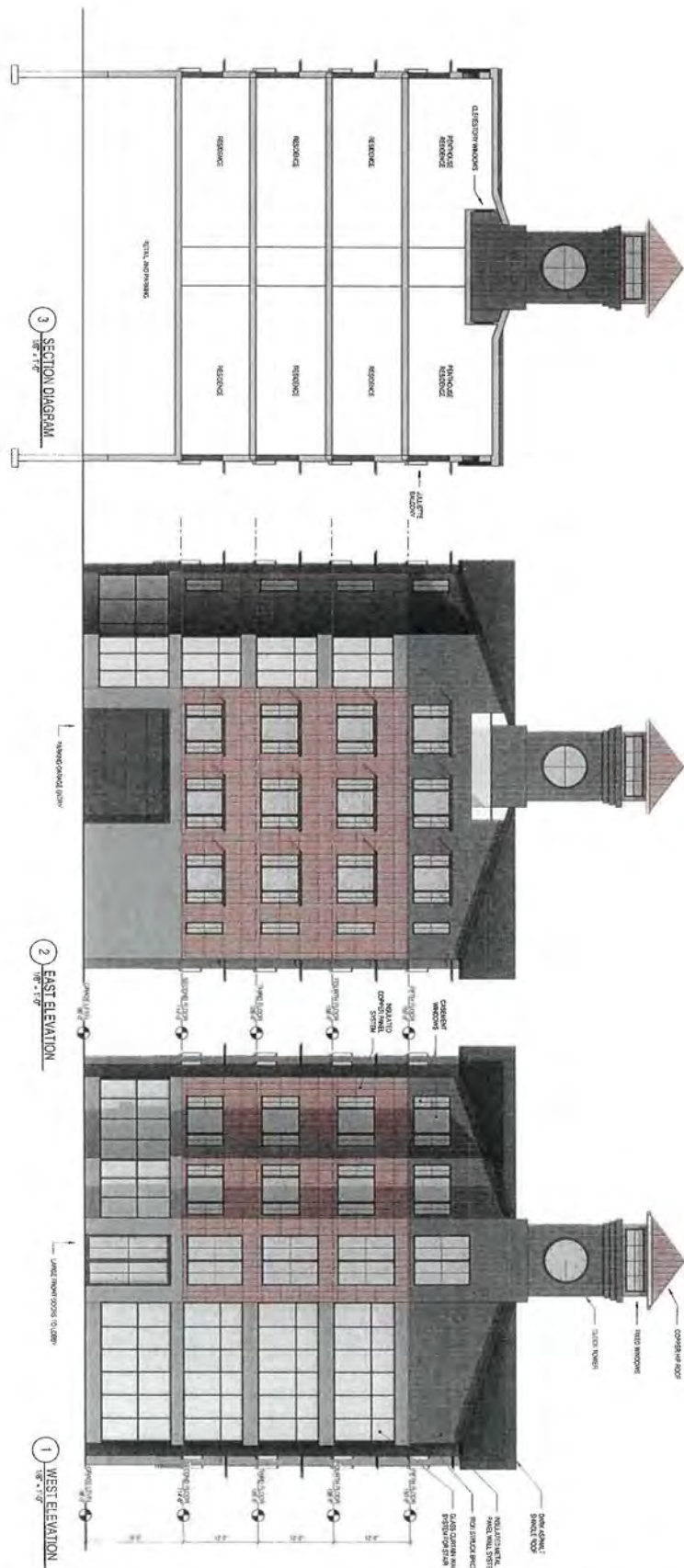
28 South Bolton Street  
Marlborough, Massachusetts  
01752

SITE PLAN

DATE	BY	DESCRIPTION

**Timothy Burke**  
ARCHITECTURE

110 GRANLEY STREET, BOSTON MASSACHUSETTS 02116  
P 617.265.1110 | F 617.265.1118



3 SECTION DIAGRAM  
1/8" = 1'-0"

2 EAST ELEVATION  
1/8" = 1'-0"

1 WEST ELEVATION  
1/8" = 1'-0"

28 South Bolton Street  
Marlborough, Massachusetts  
01752

WEST / EAST ELEVATION

NO.	DATE	BY	CHKD.	PROJECT STATUS

**Timothy Burke**  
ARCHITECTURE

44 BOWLEY STREET, BOSTON, MASSACHUSETTS 02116  
P. 617.264.1132 | W. [www.tbak.com](http://www.tbak.com) | F. 617.264.1115

A2.1

TIMOTHY BURKE ARCHITECTURE



① SOUTH ELEVATION

SOUTH ELEVATION

28 South Balton Street  
Marlborough, Massachusetts  
01752

A2.2

REV	DATE	DESCRIPTION

**Timothy Burke**  
ARCHITECTURE

140 BOWLEY STREET, BOSTON MASSACHUSETTS 02116  
P. 617.266.1332 | W. timothyburke.com | F. 617.266.1318



1 NORTH ELEVATION

2 NORTH ELEVATION - CALLOUT 1

NORTH ELEVATION

28 South Bolton Street  
Marlborough, Massachusetts  
01752

Date	01/2/16	Drawn By	JMS
Project Name	[REDACTED]		

**Timothy Burke**  
ARCHITECTURE

142 BOSTON STREET, BOSTON MASSACHUSETTS 02116  
P 617.261.0322 | W www.timothyburke.com | F 617.261.0116

A2.3

3/20/16 11:42 AM





LOCUS MAP OF #28 SOUTH BOLTON STREET  
SCALE: 1"=100'

- GENERAL NOTES:
- EXISTING TOPOGRAPHY IS BASED UPON ON-GROUND TOPOGRAPHICAL SURVEY BY CONNORSTONE ENGINEERING, INC. IN MAY 2017/ APRIL 2018. ELEVATIONS ARE BASED UPON NGVD 1988 DATUM.
  - PROPERTY LINES SHOWN ARE BASED UPON AN ON-GROUND SURVEY PERFORMED BY CONNORSTONE ENGINEERING, INC. IN MAY 2017.
  - THE PARCEL IS SHOWN ON ASSESSORS MAP 70, PARCELS 211, 228, 229A, 229B, 229C, 229D.

ZONED: MARLBOROUGH VILLAGE DISTRICT "V"  
AREA = 5,000 sq ft  
FRONTAGE = 25 feet  
SETBACKS: FRONT = 25 feet  
SIDE = NONE  
REAR = NONE

SITE PLAN APPROVAL

PLANNING DEPT.	DATE:
ENGINEERING DEPT.	DATE:
BUILDING DEPT.	DATE:
CONSERVATION DEPT.	DATE:
FIRE DEPT.	DATE:
POLICE DEPT.	DATE:
BOARD OF HEALTH	DATE:

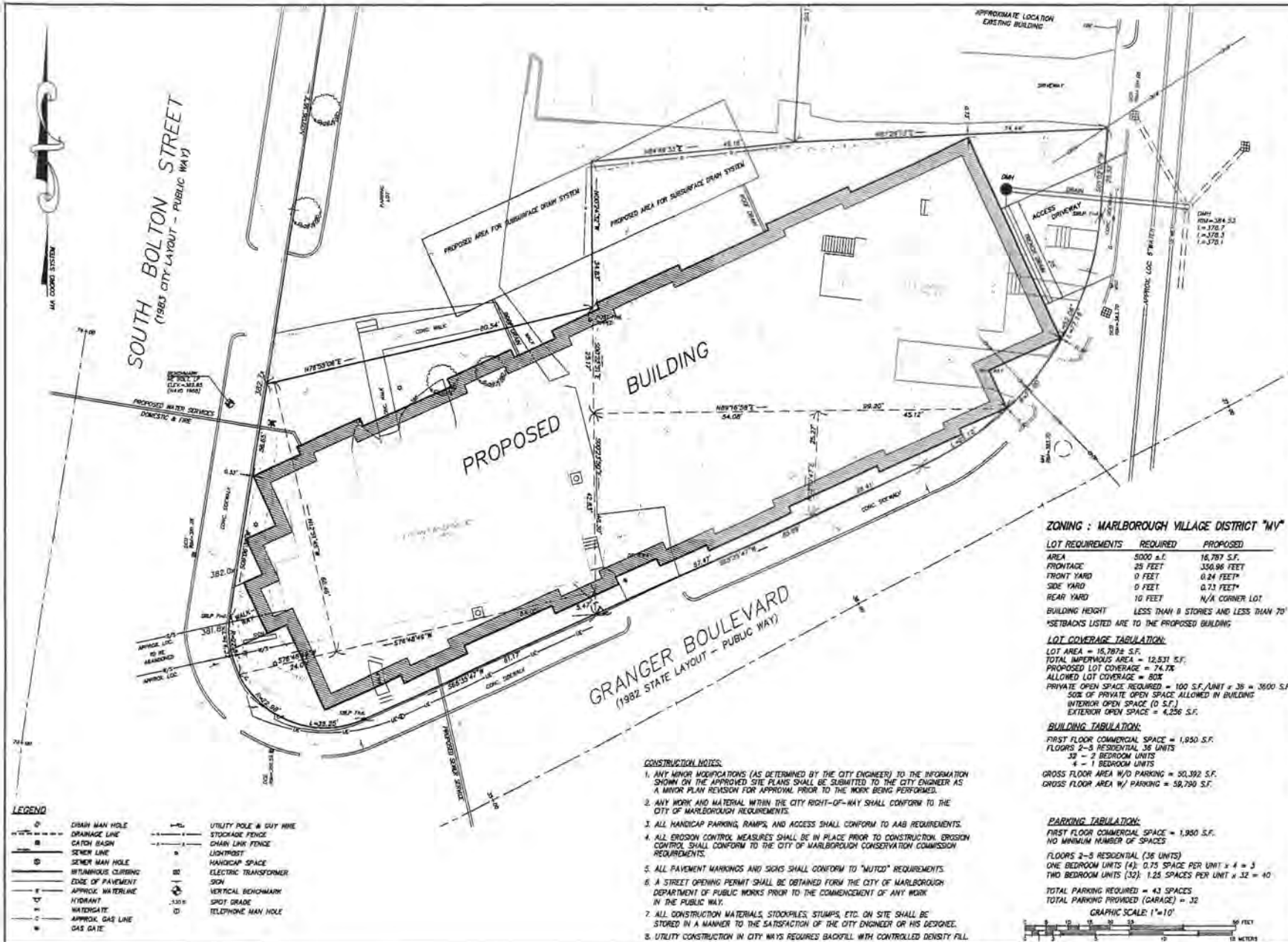
OWNERS:  
M & E VENTURES CORPORATION  
  
VILMA ORTEGA

**CONNORSTONE ENGINEERING INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS  
10 SOUTHWEST CLIFFS, SUITE 7  
NORTHBOROUGH, MASSACHUSETTS 01532  
PHONE: 508-393-9727 FAX: 508-393-3242

PROPOSED SITE PLAN  
OF  
28 SOUTH BOLTON STREET  
IN  
MARLBOROUGH, MA

LOT COVERAGE	PROPOSED
PROPOSED BUILDING FOOT PRINT	11,958 S.F.
PROPOSED PAVEMENT & SIDEWALK	573 S.F.
PROPOSED LOT COVERAGE	12,531 S.F.
EXISTING LOT COVERAGE	5,553 S.F.
TOTAL PROPOSED LOT COVERAGE	12,531 S.F.
LOT COVERAGE ALLOWED = 80%	
TOTAL COVERAGE PROPOSED = 74.7%	
GROSS FLOOR AREA W/O PARKING = 50,392 S.F.	
GROSS FLOOR AREA W/ PARKING = 58,790 S.F.	
PROPOSED PARKING SPACES	
INTERIOR PARKING SPACES	30
TOTAL PROPOSED	30

REVISED	DESCRIPTION
DESIGNED BY: ESM	CHECKED BY: VC
DATE: JUNE 12, 2018	
SCALE: 1"=10'	SHEET 1 OF 2



- GENERAL NOTES:**
- EXISTING TOPOGRAPHY IS BASED UPON ON-SITE TOPOGRAPHICAL SURVEY BY CONNORSTONE ENGINEERING, INC. IN MAY 2017 AND APRIL 2018. ELEVATIONS ARE BASED UPON NGVD 1988 DATUM.
  - PROPERTY LINES SHOWN ARE BASED UPON AVAILABLE RECORD INFORMATION.
  - THIS PLAN HAS BEEN PREPARED FOR PERMIT APPLICATIONS AND SHALL NOT BE UTILIZED FOR CONSTRUCTION PURPOSES.
  - THE PARCEL IS SHOWN ON ASSESSORS MAP 70, PARCELS 213, 214, 215A, 223A, 224, 225.

**SITE PLAN APPROVAL**

PLANNING DEPT.	DATE:
ENGINEERING DEPT.	DATE:
BUILDING DEPT.	DATE:
CONSERVATION DEPT.	DATE:
FIRE DEPT.	DATE:
POLICE DEPT.	DATE:
BOARD OF HEALTH	DATE:

**OWNERS:**  
M & E VENTURES CORPORATION  
VILMA ORTEGA

**CONNORSTONE ENGINEERING INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS  
10 SOUTHWEST CUTOFF, SUITE 7  
NORTHBOROUGH, MASSACHUSETTS 01532  
PHONE: 508-393-9227 FAX: 508-393-5242

**PROPOSED SITE PLAN OF 28 SOUTH BOLTON STREET IN MARLBOROUGH, MA**

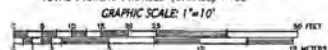
**ZONING : MARLBOROUGH VILLAGE DISTRICT "M"**

LOT REQUIREMENTS	REQUIRED	PROPOSED
AREA	5000 s.f.	16,797 s.f.
FRONTAGE	25 FEET	350.96 FEET
FRONT YARD	0 FEET	0.24 FEET*
SIDE YARD	0 FEET	0.71 FEET*
REAR YARD	10 FEET	N/A CORNER LOT
BUILDING HEIGHT	LESS THAN 8 STORES AND LESS THAN 70'	
*SETBACKS LISTED ARE TO THE PROPOSED BUILDING		

**LOT COVERAGE TABULATION:**  
 LOT AREA = 16,797 S.F.  
 TOTAL IMPERVIOUS AREA = 12,531 S.F.  
 PROPOSED LOT COVERAGE = 74.7%  
 ALLOWED LOT COVERAGE = 80%  
 PRIVATE OPEN SPACE REQUIRED = 100 S.F./UNIT x 38 = 3600 S.F.  
 SIZE OF PRIVATE OPEN SPACE ALLOWED IN BUILDING:  
 INTERIOR OPEN SPACE (0 S.F.)  
 EXTENSION OPEN SPACE = 4,256 S.F.

**BUILDING TABULATION:**  
 FIRST FLOOR COMMERCIAL SPACE = 1,950 S.F.  
 FLOORS 2-5 RESIDENTIAL 36 UNITS  
 32 - 2 BEDROOM UNITS  
 4 - 1 BEDROOM UNITS  
 GROSS FLOOR AREA W/O PARKING = 50,392 S.F.  
 GROSS FLOOR AREA W/ PARKING = 58,790 S.F.

**PARKING TABULATION:**  
 FIRST FLOOR COMMERCIAL SPACE = 1,950 S.F.  
 NO MINIMUM NUMBER OF SPACES  
 FLOORS 2-5 RESIDENTIAL (36 UNITS)  
 ONE BEDROOM UNITS (4): 0.75 SPACES PER UNIT x 4 = 3  
 TWO BEDROOM UNITS (32): 1.25 SPACES PER UNIT x 32 = 40  
 TOTAL PARKING REQUIRED = 43 SPACES  
 TOTAL PARKING PROVIDED (GARAGE) = 32



- CONSTRUCTION NOTES:**
- ANY MINOR MODIFICATIONS (AS DETERMINED BY THE CITY ENGINEER) TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED.
  - ANY WORK AND MATERIAL WITHIN THE CITY RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF MARLBOROUGH REQUIREMENTS.
  - ALL HANDICAP PARKING, RAMP, AND ACCESS SHALL CONFORM TO AAB REQUIREMENTS.
  - ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY OF MARLBOROUGH CONSERVATION COMMISSION REQUIREMENTS.
  - ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO "MUTCD" REQUIREMENTS.
  - A STREET OPENING PERMIT SHALL BE OBTAINED FROM THE CITY OF MARLBOROUGH DEPARTMENT OF PUBLIC WORKS PRIOR TO THE COMMENCEMENT OF ANY WORK IN THE PUBLIC WAY.
  - ALL CONSTRUCTION MATERIALS, STOCKPILES, STUMPS, ETC. ON SITE SHALL BE STORED IN A MANNER TO THE SATISFACTION OF THE CITY ENGINEER OR HIS DESIGNEE.
  - UTILITY CONSTRUCTION IN CITY WAYS REQUIRES BACKFILL WITH CONTROLLED DENSITY FILL.

**LEGEND**

○	DRAIN MAN HOLE	—+—	UTILITY POLE & GUY WIRE
—	DRAINAGE LINE	—+—	STOCKADE FENCE
—	CATCH BASIN	—+—	CHAIN LINK FENCE
—	SEWER LINE	—+—	JOINTPOST
—	SEWER MAN HOLE	—+—	HANDICAP SPACE
—	HYDRAULIC CURBING	—+—	ELECTRIC TRANSFORMER
—	EDGE OF PAVEMENT	—+—	SHOW
—	APPROACH WATERLINE	—+—	VERTICAL BENCHMARK
—	HYDRAUNT	—+—	SPOT GRADE
—	WATERGATE	—+—	TELEPHONE MAN HOLE
—	APPROX. GAS LINE	—+—	
—	GAS GATE	—+—	

**MIRICK O'CONNELL**

ATTORNEYS AT LAW

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN 14 A 10:50

Arthur P. Bergeron  
 Mirick O'Connell  
 1800 West Park Drive, Suite 400  
 Westborough, MA 01581-3926  
 abergeron@mirickoconnell.com  
 t 508.860.1470  
 f 508.463.1385

June 13, 2018

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

Re: Garden Remedies, Inc.; Special Permit Application for  
 Medical Marijuana Treatment Center and Adult Use  
 Marijuana Retail Establishment; 416 Boston Post Road

Dear Councilor Clancy:

I represent Garden Remedies, Inc., the prospective tenant of space at Marlboro Square, 416 Boston Post Road (Route 20). On behalf of Garden Remedies, I respectfully submit the enclosed application for a Special Permit for a Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment at 416 Boston Post Road.

The proposed Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment would occupy 3,100 square feet of existing retail space at Marlboro Square. Along with the usual application materials, I have enclosed copies of prior site plans prepared for Marlboro Square. Garden Remedies does not propose changes to the site beyond internal tenant fit-out.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Garden Remedies, Inc. in this matter before the City Council.

Very truly yours,



Arthur P. Bergeron

APB/

Encl.

cc: Dr. Karen Munkacy, President of Garden Remedies, Inc.

---

**MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP**

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com



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

**APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT**

1. Name and address of Petitioner or Applicant:

Garden Remedies, Inc., 307 Airport Road, Fitchburg, MA 01420

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

416 Boston Post Road, Parcel 73-30 (Marlboro Square)

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

Marlboro Square LLC, 449 Boston Post Road, Marlborough, MA 01752

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

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

650-17, 650-18(45), 650-18(46), 650-32  
Article V + VI Section \_\_\_\_\_ Paragraph \_\_\_\_\_ Sub-paragraph \_\_\_\_\_

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

Business (B)

7. Specific reason(s) for seeking Special Permit

The Applicant seeks to operate a Medical Marijuana Treatment Center (aka Registered Marijuana Dispensary)

and an Adult Use Marijuana Retail Establishment within an existing retail unit at Marlboro Square,

416 Boston Post Road.

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.

Arthur P. Bergeron (BRF)

Signature of Petitioner or Applicant

Arthur P. Bergeron, Esq.

Address: Mirick, O'Connell, DeMallie & Lougee, LLP

1800 West Park Drive, Suite 400

Westborough, MA 01581

Telephone No. (508) 860-1470

Date: June 13, 2018

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

Garden Remedies, Inc.  
(Name of Petitioner)

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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**)



Marlborough, MA  
May 14, 2018

# Abutters List Report

**MARLBOROUGH ASSESSORS**

*Immediate, Across  
Schools, Churches within 500 ft*

*Anthony C. Amara  
Ellen K. Silverstein  
David May Jr.*

## Subject Property:

Parcel Number: 73-30  
CAMA Number: 73-30  
Property Address: 416 BOSTON POST RD EAST

Mailing Address: MARLBORO SQUARE LLC  
449 BOSTON POST RD EAST #6  
MARLBOROUGH, MA 01752

## Abutters:

Parcel Number: 73-23  
CAMA Number: 73-23  
Property Address: 447 BOSTON POST RD EAST

Mailing Address: HARRISON ARMS INC  
4 CALIFORNIA DR STE 103  
FRAMINGHAM, MA 01701

Parcel Number: 73-25  
CAMA Number: 73-25  
Property Address: BOSTON POST RD EAST

Mailing Address: DONNELLY MASS REALTY TRUST  
20880 STONE OAK PKWY ATTN  
ACKERLEY OUTDOOR ADVERTIS  
SAN ANTONIO, TX 78258

Parcel Number: 73-26  
CAMA Number: 73-26  
Property Address: BOSTON POST RD EAST

Mailing Address: HERITAGE FARM LLC  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

Parcel Number: 73-26A  
CAMA Number: 73-26A  
Property Address: BOSTON POST RD EAST

Mailing Address: HERITAGE FARM LLC  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

Parcel Number: 73-27  
CAMA Number: 73-27  
Property Address: BOSTON POST RD EAST

Mailing Address: HERITAGE FARM LLC  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

Parcel Number: 73-29  
CAMA Number: 73-29-10-43  
Property Address: 99 WESTMINSTER DR #43

Mailing Address: GALUSHA TODD  
99 WESTMINSTER DR #43  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-10-44  
Property Address: 101 WESTMINSTER DR #44

Mailing Address: LOWELL ALFRED E LI EST  
101 WESTMINSTER DR #44  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-10-45  
Property Address: 103 WESTMINSTER DR #45

Mailing Address: JONES JAMES C LI EST  
103 WESTMINSTER DR #45  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-10-46  
Property Address: 105 WESTMINSTER DR #46

Mailing Address: WILSON PETER A TR  
400 ATLANTIC AVE ATTN GOULSON &  
STORRS  
BOSTON, MA 02110

Parcel Number: 73-29  
CAMA Number: 73-29-10-47  
Property Address: 107 WESTMINSTER DR #47

Mailing Address: CUCCHI ROBERT J  
107 WESTMINSTER DR #47  
MARLBOROUGH, MA 01752



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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-10-48 Property Address: 109 WESTMINSTER DR #48	Mailing Address: MCCRANN BRENDA 109 WESTMINSTER DR #48 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-1 Property Address: 70 VILLAGE DR #1	Mailing Address: HUGHES COLLEEN M 70 VILLAGE DR #1 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-59 Property Address: 120 WESTMINSTER DR #59	Mailing Address: DOLESH DALE W 120 WESTMINSTER DR #59 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-60 Property Address: 118 WESTMINSTER DR #60	Mailing Address: PAOLELLA AYN TR 118 WESTMINSTER DR #60 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-61 Property Address: 116 WESTMINSTER DR #61	Mailing Address: MCGILFRAY SUZANNE M TR 116 WESTMINSTER DR #61 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-62 Property Address: 114 WESTMINSTER DR #62	Mailing Address: CHERISH ALAN W 114 WESTMINSTER DR #62 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-63 Property Address: 112 WESTMINSTER DR #63	Mailing Address: QUINN MARILYN L 112 WESTMINSTER DR #63 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-11-64 Property Address: 110 WESTMINSTER DR #64	Mailing Address: VAFIDES HENRY 110 WESTMINSTER DR #64 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-2 Property Address: 68 VILLAGE DR #2	Mailing Address: CHEATHAM CATHERINE F 68 VILLAGE DR #2 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-12-53 Property Address: 113 WESTMINSTER DR #53	Mailing Address: ASFAR FERIAL LEWIS TR 113 WESTMINSTER DR #53 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-12-54 Property Address: 115 WESTMINSTER DR #54	Mailing Address: HARRIS ELEANOR S 115 WESTMINSTER DR #54 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-12-55 Property Address: 117 WESTMINSTER DR #55	Mailing Address: KANE JOANNE B 117 WESTMINSTER DR #55 MARLBOROUGH, MA 01752



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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-12-56 Property Address: 119 WESTMINSTER DR #56	Mailing Address: WYNNE DONNA SOLARI TR 119 WESTMINSTER DR #56 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-12-57 Property Address: 121 WESTMINSTER DR #57	Mailing Address: SUTHERLAND DEAN M 121 WESTMINSTER DR #57 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-12-58 Property Address: 123 WESTMINSTER DR #58	Mailing Address: PULICE RICHARD T 123 WESTMINSTER DR #58 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-3 Property Address: 66 VILLAGE DR #3	Mailing Address: LEDUC MARIE E 101 EDINBORO ST MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-13-65 Property Address: 21 WESTMINSTER DR #65	Mailing Address: VENTO RALPH P 21 WESTMINSTER DR #65 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-13-66 Property Address: 25 WESTMINSTER DR #66	Mailing Address: GIUNTA PAUL W TR 25 WESTMINSTER DR #66 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-13-67 Property Address: 29 WESTMINSTER DR #67	Mailing Address: CHANG WAYNE W 29 WESTMINSTER DR #67 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-13-68 Property Address: 33 WESTMINSTER DR #68	Mailing Address: SAINT-AMANT SHERRIE R TR 33 WESTMINSTER DR #68 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-13-69 Property Address: 37 WESTMINSTER DR #69	Mailing Address: OBERBECK ELEANOR M 37 WESTMINSTER DR #69 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-4 Property Address: 64 VILLAGE DR #4	Mailing Address: EVANGELOUS MARK E 128 SOUTH BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-40 Property Address: 1-123 VILLAGE DR	Mailing Address:
Parcel Number: 73-29 CAMA Number: 73-29-14-70 Property Address: 43 WESTMINSTER DR #70	Mailing Address: BOUVIER PATRICIA C 43 WESTMINSTER DR #70 MARLBOROUGH, MA 01752



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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-14-71 Property Address: 47 WESTMINSTER DR #71	Mailing Address: TOSTI CHRISTINE M 4 GASLIGHT LN FRAMINGHAM, MA 01702
Parcel Number: 73-29 CAMA Number: 73-29-14-72 Property Address: 51 WESTMINSTER DR #72	Mailing Address: DALTON MAUREEN L 51 WESTMINSTER DR #72 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-14-73 Property Address: 55 WESTMINSTER DR #73	Mailing Address: DENEEN JOSEPH J 55 WESTMINSTER DR #73 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-5 Property Address: 62 VILLAGE DR #5	Mailing Address: NAVISKY DAVID 62 VILLAGE DR #5 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-15-74 Property Address: 22 WESTMINSTER DR #74	Mailing Address: DUNCKLEE JOEL G 22 WESTMINSTER DR #74 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-15-75 Property Address: 20 WESTMINSTER DR #75	Mailing Address: PEMBERTON WILLIAM C 20 WESTMINSTER DR #75 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-15-76 Property Address: 18 WESTMINSTER DR #76	Mailing Address: ROBINSON ELINA Z TR 18 WESTMINSTER DR #76 ATTN RAFAIL ZAK MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-1-6 Property Address: 60 VILLAGE DR #6	Mailing Address: LEZBERG DOROTHY W TR 60 VILLAGE DR #6 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-16-77 Property Address: 54 WESTMINSTER DR #77	Mailing Address: SIGNA SANTO S 54 WESTMINSTER DR #77 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-16-78 Property Address: 52 WESTMINSTER DR #78	Mailing Address: GANLEY PATRICIA A 52 WESTMINSTER DR #78 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-16-79 Property Address: 50 WESTMINSTER DR #79	Mailing Address: LINNEHAN THOMAS F 50 WESTMINSTER DR #79 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-17-86 Property Address: 32 WESTMINSTER DR #86	Mailing Address: GORMLEY ELIZABETH A 83 CARRIAGE WAY SUDBURY, MA 01776



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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29  
CAMA Number: 73-29-17-87  
Property Address: 30 WESTMINSTER DR #87

Mailing Address: SUTTON RIVELLE E  
30 WESTMINSTER DR #87  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-17-88  
Property Address: 28 WESTMINSTER DR #88

Mailing Address: LETENDRE MAUREEN  
28 WESTMINSTER DR #88  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-17-89  
Property Address: 26 WESTMINSTER DR #89

Mailing Address: LONGO MARTIN J  
26 WESTMINSTER DR #89  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-80  
Property Address: 46 WESTMINSTER DR #80

Mailing Address: BATTAGLINO ELIZABETH B  
46 WESTMINSTER DR #80  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-81  
Property Address: 44 WESTMINSTER DR #81

Mailing Address: GAZZA GEORGE E TR  
44 WESTMINSTER DR #81  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-82  
Property Address: 42 WESTMINSTER DR #82

Mailing Address: YOUNG JOHN W  
42 WESTMINSTER DR #82  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-83  
Property Address: 40 WESTMINSTER DR #83

Mailing Address: MORRIS LAURA B  
40 WESTMINSTER DR #83  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-84  
Property Address: 38 WESTMINSTER DR #84

Mailing Address: BECKER KELLY A TR  
38 WESTMINSTER DR #84  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-18-85  
Property Address: 36 WESTMINSTER DR #85

Mailing Address: EL-BISI PENELOPE A TR  
36 WESTMINSTER DR #85  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-19-90  
Property Address: 14 WESTMINSTER DR #90

Mailing Address: RICEMAN RUTH S  
14 WESTMINSTER DR #90  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-19-91  
Property Address: 12 WESTMINSTER DR #91

Mailing Address: SALOMAN RONALD J  
12 WESTMINSTER DR #91  
MARLBOROUGH, MA 01752

Parcel Number: 73-29  
CAMA Number: 73-29-19-92  
Property Address: 10 WESTMINSTER DR #92

Mailing Address: QUIMBY BRENDA J  
10 WESTMINSTER DR #92  
MARLBOROUGH, MA 01752



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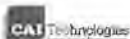
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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-19-93 Property Address: 8 WESTMINSTER DR #93	Mailing Address: VIVALDI JOSEPH P TR 8 WESTMINSTER DR #93 ATTN ISIDORE VIVALDI MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-20-94 Property Address: 1 WESTMINSTER DR #94	Mailing Address: SULLIVAN JOAN 1 WESTMINSTER DR #94 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-20-95 Property Address: 3 WESTMINSTER DR #95	Mailing Address: DION CLAUDETTE J 3 WESTMINSTER DR #95 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-2-10 Property Address: 50 VILLAGE DR #10	Mailing Address: VODOKLYS JANE C 50 VILLAGE DR #10 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-2-11 Property Address: 48 VILLAGE DR #11	Mailing Address: HERMAN ROSANNE 48 VILLAGE DR #11 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-21-100 Property Address: 13 WESTMINSTER DR #100	Mailing Address: CHANG MARY H TR 316 8TH ST MANHATTAN BEACH, CA 90266
Parcel Number: 73-29 CAMA Number: 73-29-2-12 Property Address: 46 VILLAGE DR #12	Mailing Address: JENNE SUZANNE M 46 VILLAGE DR #12 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-21-96 Property Address: 5 WESTMINSTER DR #96	Mailing Address: LEE ANNA H 147 NOBSCOT RD SUDBURY, MA 01776
Parcel Number: 73-29 CAMA Number: 73-29-21-97 Property Address: 7 WESTMINSTER DR #97	Mailing Address: DEMARINIS ANNA LI EST 7 WESTMINSTER DR #97 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-21-98 Property Address: 9 WESTMINSTER DR #98	Mailing Address: DRAGSTEDT CAROL P 9 WESTMINSTER DR #98 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-21-99 Property Address: 11 WESTMINSTER DR #99	Mailing Address: CARTER ANTHONY 11 WESTMINSTER DR #99 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-2-7 Property Address: 56 VILLAGE DR #7	Mailing Address: SPINELLI JAMES 56 VILLAGE DR #7 MARLBOROUGH, MA 01752



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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-2-8 Property Address: 54 VILLAGE DR #8	Mailing Address: SKURA CHERYL W 54 VILLAGE DR #8 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-2-9 Property Address: 52 VILLAGE DR #9	Mailing Address: DONOGHUE JOHN P 52 VILLAGE DR #9 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-3-25 Property Address: 22 VILLAGE DR #25	Mailing Address: DOHERTY ELEANOR B 22 VILLAGE DR #25 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-3-26 Property Address: 20 VILLAGE DR #26	Mailing Address: RUSSELL MARY ELLEN TR 20 VILLAGE DR #26 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-3-27 Property Address: 18 VILLAGE DR #27	Mailing Address: ISABELLE WARREN J 18 VILLAGE DR #27 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-3-28 Property Address: 16 VILLAGE DR #28	Mailing Address: ANGHINETTI MARY A TR 16 VILLAGE DR #28 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-4-29 Property Address: 12 VILLAGE DR #29	Mailing Address: GATELY WILLIAM 12 VILLAGE DR #29 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-4-30 Property Address: 10 VILLAGE DR #30	Mailing Address: LYDON JEAN 10 VILLAGE DR #30 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-4-31 Property Address: 8 VILLAGE DR #31	Mailing Address: SARGENT MURRAY H TR 8 VILLAGE DR #31 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-4-32 Property Address: 6 VILLAGE DR #32	Mailing Address: FRENIERE JOHN J 6 VILLAGE DR #32 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-4-33 Property Address: 4 VILLAGE DR #33	Mailing Address: SAVAGE PATRICIA A 4 VILLAGE DR #33 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-5-19 Property Address: 37 VILLAGE DR #19	Mailing Address: SCHWARTZ PHILIP TR 25 LOWE CIR FRAMINGHAM, MA 01701



[www.cai-tech.com](http://www.cai-tech.com)

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5/14/2018

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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-5-20 Property Address: 39 VILLAGE DR #20	Mailing Address: ADELSON PAULA E 39 VILLAGE DR #20 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-5-21 Property Address: 41 VILLAGE DR #21	Mailing Address: ALLEN AUDREY G TR 41 VILLAGE DR #21 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-5-22 Property Address: 43 VILLAGE DR #22	Mailing Address: MORGELLO JOHN J TR 43 VILLAGE DR #22 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-5-23 Property Address: 45 VILLAGE DR #23	Mailing Address: RICHARDSON WALTER W TR 45 VILLAGE DR #23 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-5-24 Property Address: 47 VILLAGE DR #24	Mailing Address: LEVINSON HERBERT 47 VILLAGE DR #24 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-6-13 Property Address: 23 VILLAGE DR #13	Mailing Address: HOFFER NANCY 23 VILLAGE DR #13 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-6-14 Property Address: 25 VILLAGE DR #14	Mailing Address: KRYSA JOHN W 25 VILLAGE DR #14 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-6-15 Property Address: 27 VILLAGE DR #15	Mailing Address: HAGOPIAN RONALD R TR 30 SHAY RD HUDSON, MA 01749
Parcel Number: 73-29 CAMA Number: 73-29-6-16 Property Address: 29 VILLAGE DR #16	Mailing Address: MORAN PATRICIA A 29 VILLAGE DR #16 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-6-17 Property Address: 31 VILLAGE DR #17	Mailing Address: SEYMOUR GERALD 31 VILLAGE DR #17 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-6-18 Property Address: 33 VILLAGE DR #18	Mailing Address: ROWE MARY E 33 VILLAGE DR #18 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-7-40 Property Address: 94 WESTMINSTER DR #40	Mailing Address: SALAFIA LEONARD J 94 WESTMINSTER DR #40 MARLBOROUGH, MA 01752



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5/14/2018

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# 10 foot Abutters List Report

Marlborough, MA  
May 14, 2018

Parcel Number: 73-29 CAMA Number: 73-29-7-41 Property Address: 92 WESTMINSTER DR #41	Mailing Address: HILLIARD LINDA 92 WESTMINSTER DR #41 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-7-42 Property Address: 90 WESTMINSTER DR #42	Mailing Address: GARLISI ELEANOR M 90 WESTMINSTER DR #42 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-8-34 Property Address: 83 WESTMINSTER DR #34	Mailing Address: MACAFEE LESLIE TR 83 WESTMINSTER DR #34 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-8-35 Property Address: 85 WESTMINSTER DR #35	Mailing Address: WILSON PETER A TR 400 ATLANTIC AVE BOSTON, MA 02110
Parcel Number: 73-29 CAMA Number: 73-29-8-36 Property Address: 87 WESTMINSTER DR #36	Mailing Address: BARNETT RITA L LI EST 87 WESTMINSTER DR #36 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-8-37 Property Address: 89 WESTMINSTER DR #37	Mailing Address: TAYLOR LORNA M 89 WESTMINSTER DR #37 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-8-38 Property Address: 91 WESTMINSTER DR #38	Mailing Address: BELLIN RONALD H 91 WESTMINSTER DR #38 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-8-39 Property Address: 93 WESTMINSTER DR #39	Mailing Address: PRIEDE INDRA E 93 WESTMINSTER DR #39 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-9-49 Property Address: 104 WESTMINSTER DR #49	Mailing Address: GAUDET LEO R 104 WESTMINSTER DR #49 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-9-50 Property Address: 102 WESTMINSTER DR #50	Mailing Address: DUFFY DEBRA 102 WESTMINSTER DR #50 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-9-51 Property Address: 100 WESTMINSTER DR #51	Mailing Address: WALDMAN ROBERTA P 100 WESTMINSTER DR #51 MARLBOROUGH, MA 01752
Parcel Number: 73-29 CAMA Number: 73-29-9-52 Property Address: 98 WESTMINSTER DR #52	Mailing Address: YALENEZIAN JOHN 98 WESTMINSTER DR #52 MARLBOROUGH, MA 01752



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5/14/2018

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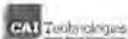
# 10 foot Abutters List Report

Marlborough, MA

May 14, 2018

Parcel Number: 73-31  
CAMA Number: 73-31  
Property Address: 450 BOSTON POST RD EAST

Mailing Address: TRINITY COUNTRYSIDE LIMITED  
PARTNERSHIP  
75 FEDERAL ST 4TH FL  
BOSTON, MA 02110



[www.cai-tech.com](http://www.cai-tech.com)

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5/14/2018

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### SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Garden Remedies, Inc. Address: 307 Airport Road, Fitchburg, MA 01420

Project Name: Garden Remedies Address: 416 Boston Post Road, Marlborough, MA

1. PROPOSED USE: (describe) Medical Marijuana Treatment Center and Adult Use  
Marijuana Retail Establishment

2. EXPANSION OR NEW: New use in existing space

3. SIZE: floor area sq. ft. 3,100 s.f. 1<sup>st</sup> floor same all floors same  
# buildings 1 # stories 1 lot area (s.f.) 174,240 (4 acres)

4. LOT COVERAGE: preexisting %Landscaped area: preexisting %

5. POPULATION ON SITE: Number of people expected on site at anytime:  
Normal: 8 Peak period: 18

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 8 Peak period: 18

(B) How many service vehicles will service the development and on what schedule?  
2 deliveries per week

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

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. Vehicles and customers.

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: June 13, 2018

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Garden Remedies

Project Use Summary: Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment

Project Street Address: 416 Boston Post Road

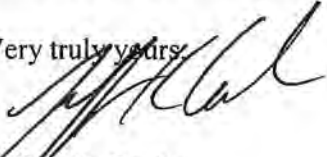
Plate: 73 Parcel: 30

Applicant/Developer Name: Garden Remedies, Inc.

Plan Date: 1986 and 1999 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

**Application Fee to submit to  
City Clerk's office** (\$500 X 50%)  
\$250

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


6/14/18  
 \_\_\_\_\_  
 Signature Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas  
City Clerk*

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

**Lisa M. Thomas  
City Clerk**



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

**Company Name**

Marlboro Square LLC

**Owner Name/Officer Name of LLC or Corporation**

Susan M.B. Winske and Michael C. Winske

**Owner/Officer Complete Address and Telephone Number**

449 Boston Post Road

Marlborough, MA 01752

**Signature of Applicant**

*Arthur Bergeron (BRF)*

**Attorney on behalf of Applicant, if applicable**

Arthur P. Bergeron, on behalf of Applicant

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

*Eileen Brustol*

**Tax Collector**



Date	Invoice No.	Voucher #	Description	Net Amount
06/13/2018	28605-061318	001191446	1jk	250.00
				250.00

**MIRICK O'CONNELL**

ATTORNEYS AT LAW

100 Front Street  
Worcester, MA 01608-1477

People's United Bank  
Worcester, MA 01608  
53-261/113

**213233**

Date
06/13/2018

Amount
*****250.00

Pay: Two Hundred Fifty and 00/100 Dollars

To the Order of City of Marlborough

*Michael A. Repto*

VOID 6 MOS. FROM DATE OF ISSUE



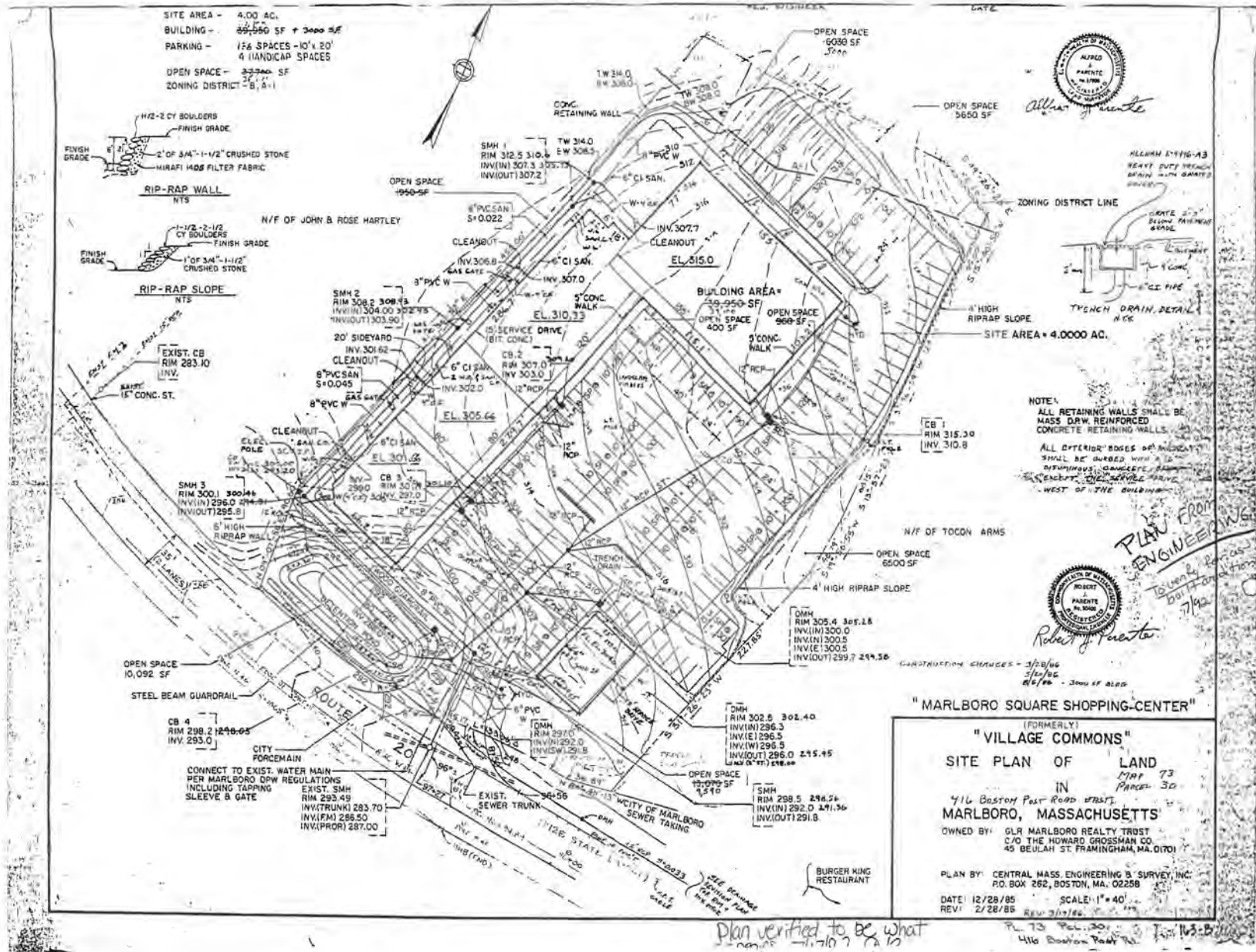
City of Marlborough  
Office of the City Clerk  
140 Main St, Marlborough, MA 01752  
(508) 460-3775

Clerk: #19 6/14/2018 10:51A  
Transaction ID: #37536

Permits - Special  
-- Garden Remedies Special Permit (CK #21  
3233) \$250.0

**Total: \$250.00**





"MARLBORO SQUARE SHOPPING-CENTER"  
 (FORMERLY)  
 "VILLAGE COMMONS"  
 SITE PLAN OF LAND  
 IN  
 MARLBORO, MASSACHUSETTS  
 OWNED BY: GLR MARLBORO REALTY TRUST  
 C/O THE HOWARD GROSSMAN CO.  
 45 BEULAH ST. FRAMINGHAM, MA. 01701  
 PLAN BY: CENTRAL MASS ENGINEERING & SURVEY, INC.  
 70, BOX 262, BOSTON, MA, 02258  
 DATE: 12/28/85 SCALE: 1" = 40'  
 REV: 2/28/86 Rev. 3/1/86

Plan verified to be what  
 -1-710-7-1-10

Lisa Thomas

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN -4 P 1:44

**From:** City Council  
**Sent:** Monday, June 4, 2018 1:43 PM  
**To:** Lisa Thomas  
**Cc:** Steven Kerrigan  
**Subject:** To City Clerk for June 18, 2018 Agenda—Council Order #18-1007198 Proposed Rental Retirement Community

**From:** LEONARD SOLO  
**Date:** June 3, 2018 at 12:54:26 PM EDT  
**To:** [citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)  
**Subject:** Council Order #18-1007198 Proposed Rental Retirement Community

**TO:** City Council Members  
2018

June 4,

**FR:** Leonard Solo, Sr.

37 Avebury Lane

Marlborough, MA 01752

**RE:** Council Order #18-1007198 Proposed Zoning Amendment, Article VI Section 650-22, Retirement

Community Overlay District

A number of us residents at Regency at Assabet Ridge have concerns about this proposed rental, retirement community on Crowley Drive. We are concerned about the **human and automobile density** on our street. Here are some facts we'd like you to consider:

1. There are about 130 residents and about 130 autos in our Regency at Assabet Ridge community;
2. There are currently about 60 employees and the same number of cars at the big building at the northern end of Crowley. This will soon probably double since the rest of the space in the building has been recently leased;
3. The French-owned manufacturing plant next to our residences will soon be operational with approximately 50 employees and 50 cars;
4. The proposed new rental community will have 130 units, which means anywhere from 130 to 250 or so residents with at least 130 vehicles;

5. The rail trail goes alongside of Crowley Drive and it is used by a fair number of people daily. Some of these people park their vehicles on the street;

6. The technical high school has play fields along the street. When there are large practices and games, students and parents park their vehicles on Crowley. At times, the entire street on both sides is filled with their vehicles. There are many young children at these events.

If you add up all of the humans and the vehicles that inhabit or use Crowley Drive, you will see that this is a high density for a fairly small street. We have some additional concerns:

7. There is only one way in and one way out of Crowley Drive-you have to use Fitchburg St. This intersection is already dangerous. It is difficult to make a left out of Crowley onto Fitchburg because it is difficult to see cars coming up the street from town since there is a hill and a curve as cars approach the intersection. The speed limit sign there is hardly visible because it is hidden by trees and cars often speed through the intersection. Drivers going west on Fitchburg St. often speed, also, and the speed limit sign is too close to the intersection.

Additionally, Boston Scientific has an entrance/exit at this same intersection across from Crowley Drive with a large number of their employees using this entrance/exit.

It should be clear that adding a fairly large, new residential community onto Crowley will just make this intersection much worse than it is.

We hope you will consider our concerns as you ponder this proposal of a new residential community on Crowley Drive.

Thank You.



BOSTON CONNECTICUT FLORIDA NEW JERSEY NEW YORK CALIFORNIA WASHINGTON, DC

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUN 14 P 10:21

WILLIAM M. PEZZONI  
Attorney at Law

One International Place  
Boston, MA 02110  
T: (617) 345-4777 F: (617) 206-9339  
wpezzoni@daypitney.com

June 14, 2018

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

**Re: Council Order # 18-10007198 - Proposed Amendment to  
Marlborough Zoning Code Regarding Multifamily Retirement Community**

Dear President Clancy:

On behalf of First Colony Crowley Drive One, LLC, the owner of the property located at 90 Crowley Drive in Marlborough, I enclose a proposed revised Council Order of the above referenced proposed zoning amendment.

Based on the May 22, 2018 recommendation of the Planning Board and City Council comments regarding Council Order # 18-10007198, and the proponent's recent discussion with the City Council Urban Affairs Committee on June 12<sup>th</sup>, it was concluded by all parties that it would be preferable to consider the revised Council Order in public hearings to be scheduled by the City Council and Planning Board.

Therefore, pursuant to §650-60, I respectfully request that this revised Council Order be placed on the June 18, 2018 agenda of the City Council to establish and set a public hearing by the City Council at its meeting scheduled for July 23, 2018 and to refer to the Planning Board for its public hearing and recommendation.

For the City Council's convenience, I have included with this revised Council Order a "redlined" version that indicates the revisions that have been made in response to the comments received regarding the prior proposed amendment.



Edward J. Clancy, Chair  
June 14, 2018  
Page 2

Thank you for your consideration.

Sincerely,



William M. Pezzoni

Enclosure

cc: Karen A. Boule, Council Secretary  
Barbara L. Fenby, Chair, Planning Board  
Krista Holmi, Planning Board Administrator

**IN CITY COUNCIL**

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**ORDERED**

Marlborough, Mass., \_\_\_\_\_  
**PAGE 1**

**THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 AMENDING AND ADDING THERETO AS FOLLOWS:**

1. Section 650-5, entitled Definitions; word usage is hereby amended to read:

**RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES**

A community consisting of detached or attached (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

**RETIREMENT COMMUNITY – MULTIFAMILY**

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled “Purpose” is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities that provide housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community.
2. Section 650-22.C, entitled “Permitted uses” is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

- (i) Retirement Community – Detached and Townhomes (RCO-D/T)



**IN CITY COUNCIL****ORDERED****Marlborough, Mass.,** \_\_\_\_\_**PAGE 2****(1)**

No building in a RCO-D/T community shall be more than 2 1/2 stories in height.

**(2)**

Each building in a RCO-D/T community shall face either upon an existing street or upon a public or private way constructed within said RCO-D/T community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

**(3)**

No dwelling in a RCO-D/T community shall contain less than 1,000 square feet of living area or more than 2,400 square feet of living area.

**(4)**

All dwelling units in a RCO-D/T community shall be detached from the others or attached only along side walls in the so-called "townhouse" style.

**(5)**

The lot or lots on which a RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

**(6)**

No part of any principal building in a RCO-D/T community shall be less than 25 feet from any exterior lot line or less than 50 feet from the side of any public way.

**(7)**

Each dwelling unit in a RCO-D/T community shall have its own attached yard area.

**(8)**

Required off-street parking for each dwelling unit in a RCO-D/T community shall be adjacent thereto. Each unit shall be required to provide at least one parking space inside a garage and an additional space in front of a garage, said garage to be attached to said unit. The City Council may, as a condition of its special permit, require additional off-street parking areas to be used in common by dwelling unit owners and their invitees. In addition, the City Council may, as a condition of the special permit, require the adoption of legally enforceable condominium bylaws or other similar regulations to limit or prohibit the presence in a RCO-D/T community, either entirely or except in designated locations, of boats, boat trailers, campers, or other recreational vehicles.

**(9)**

## IN CITY COUNCIL

---

**ORDERED**

Marlborough, Mass., \_\_\_\_\_  
**PAGE 3**

Maximum combined lot coverage in a RCO-D/T community and in any permitted ancillary residential community shall not exceed 40% of the total lot size.

**(10)**

Each lot or contiguous lots upon which a RCO-D/T community is located shall have total frontage on an existing public way of at least 250 feet. Each lot or combination of lots shall have a total size of not less than 10 acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.

**(11)**

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-D/T community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a RCO-D/T community and limiting or prohibiting the presence in a RCO-D/T community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

**(12)**

The City Council may, as a permit condition, require that a proposed RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

**(13)**

No unit in a RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

**(1)**

The total area of the tract or contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial, and located east of Route 495, south of the Route 290/Route 85 Connector, and north of Lakeside Avenue (Route 20), and within a two-mile radius of Umass Memorial - Marlborough Hospital.

**IN CITY COUNCIL****ORDERED**

Marlborough, Mass., \_\_\_\_\_

**PAGE 4****(2)**

A RCO-MF may contain one (1) and two (2) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.

**(3)**

No building in a RCO-MF shall be more than 3 stories in height.

**(4)**

The total number of dwelling units in a RCO-MF shall be limited to 12 units per acre.

**(5)**

No part of any principal building in a RCO-MF shall be less than 50 feet from any exterior lot line or less than 100 feet from any public way.

**(6)**

Maximum combined lot coverage in a RCO-MF, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.

**(7)**

The tract or contiguous parcels upon which a RCO-MF is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.

**(8)**

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

**(9)**

The City Council may, as a permit condition, require that a proposed RCO-MF be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

**(10)**

A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF. Attached and detached garages shall count toward this parking requirement.

**IN CITY COUNCIL**

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**ORDERED**

Marlborough, Mass., \_\_\_\_\_

**PAGE 5****(11)**

No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area or more than 1300 square feet of living area.

**(12)**

No building in a RCO-MF need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.

**(13)**

In a RCO-MF, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith **SET A PUBLIC HEARING FOR JULY 23, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.**

**ADOPTED****ORDER NO. 18-1007198**

**IN CITY COUNCIL**

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**ORDERED**

Marlborough, Mass., \_\_\_\_\_

**PAGE 1**

**THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 AMENDING AND ADDING THERETO AS FOLLOWS:**

1. Section 650-5, entitled Definitions; word usage, is hereby amended to read:

**RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES**

A community consisting of ~~a structure or~~ detached or attached (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

**RETIREMENT COMMUNITY – MULTIFAMILY**

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled “Purpose” is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities ~~and other multifamily residential~~ that provide housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community ~~and for other multifamily housing which may be developed in conjunction therewith.~~
2. Section 650-22.C, entitled “Permitted uses” is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a ~~retirement community~~ Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

## IN CITY COUNCIL

ORDERED

Marlborough, Mass., \_\_\_\_\_  
PAGE 2(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(1)

No building in a ~~retirement~~ RCO-D/T community shall be more than 2 1/2 stories in height.

(2)

Each building in a ~~retirement~~ RCO-D/T community shall face either upon an existing street or upon a public or private way constructed within said ~~retirement~~ RCO-D/T community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

(3)

No dwelling in a ~~retirement~~ RCO-D/T community shall contain less than 1,000 square feet of living area or more than 2,400 square feet of living area.

(4)

All dwelling units in a ~~retirement~~ RCO-D/T community shall be detached from the others or attached only along side walls in the so-called "townhouse" style.

(5)

The lot or lots on which a ~~retirement~~ RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

(6)

No part of any principal building in a ~~retirement~~ RCO-D/T community shall be less than 25 feet from any exterior lot line or less than 50 feet from the side of any public way.

(7)

Each dwelling unit in a ~~retirement~~ RCO-D/T community shall have its own attached yard area.

(8)

Required off-street parking for each dwelling unit in a ~~retirement~~ RCO-D/T community shall be adjacent thereto. Each unit shall be required to provide at least one parking space inside a garage and an additional space in front of a garage, said garage to be attached to said unit. The City Council may, as a condition of its special permit, require additional off-street parking areas to be used in common by dwelling unit owners and their invitees. In addition, the City Council may, as a condition of the special permit, require the adoption of legally enforceable condominium bylaws or other similar regulations to limit or prohibit the presence in a ~~retirement~~ RCO-D/T

## IN CITY COUNCIL

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**ORDERED**

**Marlborough, Mass.,** \_\_\_\_\_

**PAGE 3**

community , either entirely or except in designated locations, of boats, boat trailers, campers, or other recreational vehicles.

**(9)**

Maximum combined lot coverage in a ~~retirement~~ RCO-D/T community and in any permitted ancillary residential community shall not exceed 40% of the total lot size.

**(10)**

Each lot or contiguous lots upon which a ~~retirement~~ RCO-D/T community is located shall have total frontage on an existing public way of at least 250 feet. Each lot or combination of lots shall have a total size of not less than 10 acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.

**(11)**

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding ~~retirement~~ RCO-D/T community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a ~~retirement~~ RCO-D/T community and limiting or prohibiting the presence in a ~~retirement~~ RCO-D/T community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

**(12)**

The City Council may, as a permit condition, require that a proposed ~~retirement~~ RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

**(13)**

No unit in a ~~retirement~~ RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

**(1)**

The total area of the tract or contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial, and located east of Route 495, south of the Route 290/Route 85 Connector,

**IN CITY COUNCIL****ORDERED****Marlborough, Mass., \_\_\_\_\_****PAGE 4**

and north of Lakeside Avenue (Route 20), and within a two-mile radius of Umass Memorial - Marlborough Hospital.

**(2)**

A RCO-MF may contain one (1) and two (2) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.

**(3)**

No building in a RCO-MF shall be more than 3 stories in height.

**(4)**

The total number of dwelling units in a RCO-MF shall be limited to 12 units per acre.

**(5)**

No part of any principal building in a RCO-MF shall be less than 50 feet from any exterior lot line or less than 100 feet from any public way.

**(6)**

Maximum combined lot coverage in a RCO-MF, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.

**(7)**

The tract or contiguous parcels upon which a RCO-MF is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.

**(8)**

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

**(9)**

The City Council may, as a permit condition, require that a proposed RCO-MF be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.



## IN CITY COUNCIL

ORDERED

Marlborough, Mass., \_\_\_\_\_  
PAGE 5(10)

A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF. Attached and detached garages shall count toward this parking requirement.

(11)

No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area or more than 1300 square feet of living area.

(12)

No building in a RCO-MF need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.

13)

In a RCO-MF, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith SET A PUBLIC HEARING FOR JULY 23, 2018, ADVERTISE,  
REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.

ADOPTED

ORDER NO. 18-1007198



## Massachusetts Water Resources Authority

Chelsea Facility 2 Griffin Way  
Chelsea, Massachusetts 02150

Frederick A. Laskey  
Executive Director

Telephone: (617) 242-6000  
— Fax: (617) 305-5990

April 13, 2018

Matthew A. Beaton, Secretary  
Executive Office of Energy and Environmental Affairs  
Attn: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 JUN 12 P 3 35

**Subject: Wachusett Aqueduct Pumping Station (MWRA Contract No. 7157)  
Marlborough, Massachusetts  
EEA# 15185**

Dear Secretary Beaton:

Please review the attached Notice of Project Change (NPC) for the Massachusetts Water Resources Authority's (MWRA) Wachusett Aqueduct Pumping Station (WAPS). As described in the ENF, the \$48 million WAPS, with a capacity of 240 million gallons per day, is designed to provide redundancy for the supply of raw water to the John J. Carroll Water Treatment Plant (CWTP) in Marlborough, MA. The project is a significant part of MWRA's Water Supply Redundancy Program.

This project, along with the completion of the Hultman Aqueduct Rehabilitation and Interconnections Project, will **provide drinking water transmission redundancy from the Wachusett Reservoir to 2.3 million people in 44 communities in the Metropolitan Boston area.**

WAPS project has been under construction since March 2016, and the facility is scheduled to start operating in the Fall of 2018. Due to relatively complex flow conditions where the WAPS spillway meets the existing Forebay, the project team has identified potential erosion concerns within the Wachusett Aqueduct Forebay Channel (Forebay). A hydraulic study performed this spring has recommended that additional riprap be placed in the Forebay to help protect the channel bottom and north slope against erosion during certain spillway discharge events.

To install the recommended erosion control, project changes will include:

- Placing geotextile filter fabric and additional 17,100 square feet of riprap along the bottom channel of the Forebay and the north slope.

In addition to this Notice of Project Change, MWRA is also filing for a Water Quality Certification (WQC) Amendment from the Massachusetts Department of Environmental Protection (MassDEP), a determination of no adverse impact from the Massachusetts Historical Commission (MHC), and a permit modification from the U.S. Army Corps of Engineers (USACE).

**Wachusett Aqueduct Pumping Station (MWRA Contract No. 6453)**  
**Marlborough, Massachusetts**  
**EEA# 15057**

Please notice the NPC in the Environmental Monitor to be published on April 25, 2018. The public comment period will extend through May 15, 2018.

By copy of this letter, I am advising recipients of the NPC that written comments may be filed during the comment period, sent to the MEPA Office (100 Cambridge Street, Suite 900, Boston, MA 02114), with a copy to:

**Bill Sullivan** ([William.Sullivan@mwra.com](mailto:William.Sullivan@mwra.com))  
 at MWRA (2 Griffin Way, Chelsea, MA 02150),  
 AND  
**Mike Bartley** ([Michael.Bartley@stantec.com](mailto:Michael.Bartley@stantec.com))  
 at Stantec (5 Burlington Woods, Burlington, MA 01803).

We believe the attached document sufficiently defines the nature and general elements of the project for the purposes of MEPA review. If you need any additional information regarding the subject project, please contact Bill Sullivan at 617-570-5435, or via the email above.

Sincerely,



A. Navanandan  
 Chief Engineer

Attachment: Notice of Project Change Form

- c. MEPA Circulation List (Attachment D)
  - Bill Sullivan, Project Manager, MWRA
  - Beth Card, Director, Environmental and Regulatory Affairs, MWRA
  - Mary White, MWRA
  - Vincent Spada, MWRA
  - Thomas Renaud, MWRA
  - Chris Nichols, Stantec
  - Mike Bartley, Stantec
  - Hillary King, Stantec

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CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2018 JUN 11 P 1:06

1. Name and address of Petitioner or Applicant:

Christopher White 22 Brimsmead St. Marlborough

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

22 Brimsmead St. #57 Lot #28

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

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

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

Article 650 Section 41 Paragraph \_\_\_\_\_ Sub-paragraph \_\_\_\_\_

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

A-3

7. Specific reason(s) for seeking Special Permit

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

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

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

Christopher White  
Signature of Petitioner or Applicant

Address: 22 Brimsmead St.  
Marlborough

Telephone No. (508) 922-3978

Date: \_\_\_\_\_

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

*Christopher White*

(Name of Petitioner)

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

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



# 400 foot Abutters List Report

Marlborough, MA

May 08, 2018

**MARLBOROUGH ASSESSORS**

*Anthony C. Amador*  
*Allen K. Gilbertson*  
*Janet May De*

## Subject Property:

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

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

## Abutters:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

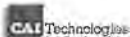
Mailing Address: ATWOOD CHRISTOPHER R  
 95 SHORT ST  
 MARLBOROUGH, MA 01752

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

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

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

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



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5/8/2018

Page 1 of 7



# 400 foot Abutters List Report

Marlborough, MA  
May 08, 2018

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



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5/8/2018

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# 400 foot Abutters List Report

Marlborough, MA  
May 08, 2018

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



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5/8/2018

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## 400 foot Abutters List Report

Marlborough, MA  
May 08, 2018

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



[www.cai-tech.com](http://www.cai-tech.com)

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5/8/2018

Page 4 of 7



# 400 foot Abutters List Report

Marlborough, MA  
May 08, 2018

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



www.cai-tech.com

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

5/8/2018

Page 5 of 7



# 400 foot Abutters List Report

Marlborough, MA

May 08, 2018

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



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5/8/2018

Page 6 of 7



## 400 foot Abutters List Report

Marlborough, MA

May 08, 2018

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

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

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

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

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

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

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

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

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

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

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

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

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

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



[www.cai-tech.com](http://www.cai-tech.com)

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5/8/2018

Page 7 of 7

## SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Christopher White Address: 22 Brimsmead St. Marlborough

Project Name: 2 car garage (detached) Address: 22 Brimsmead St. Marlborough

1. PROPOSED USE: (describe) 24x26 garage

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 624 sq. ft 1<sup>st</sup> floor \_\_\_\_\_ all floors \_\_\_\_\_

# buildings 1 # stories 1 lot area (s.f.) 7200 sq. ft

4. LOT COVERAGE: 40 % Landscaped area: \_\_\_\_\_ %

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

Normal: \_\_\_\_\_ Peak period: \_\_\_\_\_

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: \_\_\_\_\_ Peak period: \_\_\_\_\_

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

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Motion sensor,

8. NOISE:

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

None

(B) Describe any major sources of noise generation in the proposed development and include their usual times of operation. None

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

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

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? \_\_\_\_\_

**\*Attach additional sheets if necessary**



**CITY OF MARLBOROUGH**  
**MARLBOROUGH, MASSACHUSETTS 01752**

City Hall  
140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 6-8-18

**SPECIAL PERMIT APPLICATION**  
**CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: \_\_\_\_\_

Project Use Summary: 24x26 garage

Project Street Address: 22 Brimsmead St

Plate: 57 Parcel: 28

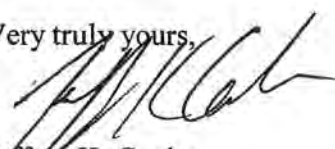
Applicant/Developer Name: Christopher White

Plan Date: 3-15-18 Revision Date: \_\_\_\_\_

Dear President and Members:

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

Very truly yours,

  
Jeffrey K. Cooke  
Acting Director of Planning

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

\$ 300.<sup>00</sup>

**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 ✓ *W. J. ...*
- 1 SET FIRE CHIEF ✓ *Sara ...*
- 1 SET CITY ENGINEER ✓ *T. ...*
- 1 SET DIRECTOR OF PLANNING ✓ *[Signature]*
- 1 SET CONSERVATION OFFICER (IF WETLANDS AFFECTED) \_\_\_\_\_
- 1 SET BUILDING COMMISSIONER ✓ *[Signature]*
- 12 SETS OFFICE OF THE CITY COUNCIL ✓ *[Signature]*
- 3 SETS OFFICE OF THE CITY CLERK \_\_\_\_\_ **(MUST be Original & 2 Complete Sets)**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas  
City Clerk*

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

**Lisa M. Thomas  
City Clerk**



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

**Company Name**

\_\_\_\_\_

**Owner Name/Officer Name of LLC or Corporation**

Christopher White

**Owner/Officer Complete Address and Telephone Number**

22 Brimsmead St. Marlborough  
(508) 922-3978

**Signature of Applicant**

Christopher White

**Attorney on behalf of Applicant, if applicable**

\_\_\_\_\_

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

Eileen M. Brustol

**Tax Collector**





*City of Marlborough*  
**BUILDING DEPARTMENT**

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

**JEFFREY COOKE**  
 BUILDING COMMISSIONER

**PATRICK DAHLGREN**  
 BUILDING INSPECTOR

**RICHARD DESIMONE**  
 PLUMBING & GAS INSPECTOR

**JOHN CAIN**  
 WIRING INSPECTOR

**WILLIAM PAYTON**  
 BUILDING INSPECTOR

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

April 25, 2018


Mr. White

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

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

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

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

  
 Patrick Dahlgren  
 Local Inspector  
 City of Marlborough

CHRISTOPHER G WHITE  
KATIA R WHITE  
22 BRIMSMEAD ST  
MARLBOROUGH, MA 01752

1024  
53-8421/2113

6-11-18 DATE

PAY TO THE  
ORDER OF

*City of Marlboro*  
*Three hundred dollars and*

\$ 300.<sup>00</sup>

~~100~~ DOLLARS



**st. mary's credit union**  
P.O. BOX 729  
MARLBOROUGH, MASSACHUSETTS 01752

FOR *Garage permit*

*Christopher White*

MP

Harvard Clerk

City of Marlborough  
Office of the City Clerk  
140 Main St, Marlborough, MA 01752  
(508) 460-3775

Clerk: #19 6/11/2018 1:03PM  
Transaction ID: #37502

Permits - Special  
-- Christopher White #1024

\$300.00

**Total: \$300.00**

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH



2018 JUN 13 P 12:08

City Council  
140 Main Street  
2nd Floor  
Marlborough, MA 01752

RE: Petition of New Cingular Wireless PCS, LLC ("AT&T") for Grant of Location for Telecommunication Wires and Wireless Attachments and Appurtenances: **Project: Area5\_144A : Location: Francis St and E. Main St, 42.350350 N 71.541444 W, Utility Pole: #11-50**

Dear Honorable Members of the City Council:

Pursuant to Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A, please find enclosed the petition (the "Petition") of New Cingular Wireless PCS, LLC ("AT&T") for a grant of location for telecommunication wires and wireless attachments and appurtenances to be attached to existing utility poles owned by National Grid within the City of Marlborough. Included with the Petition are detailed plans that identify the locations where AT&T's proposed attachments will be placed. This includes an area map of all locations as well as the utility pole profiles depicting the equipment attachment heights and specs.

AT&T requests that the City schedule a public hearing on this Petition, subject to the requirements of Chapter 166 of the Massachusetts General Laws. Those requirements prescribe that the City mail "written notice of the time and place of the hearing at least seven days prior to all owners of real estate abutting upon that part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation". It is my understanding that the City will be able to produce this list and I will work with the City Clerk to ensure the letters are sent per these requirements.

#### Project Description

AT&T proposes to deploy four (4) small cell sites in the City of Marlborough in order to deal with the rapidly increasing demand on AT&T's wireless network. All four (4) small cell sites will be mounted on existing National Grid utility poles located within the public rights of way. The small cell sites will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Marlborough. This Petition specifically addresses the following location:

**Project: Area5\_144A : Location: Francis St and E. Main St, 42.350350 N 71.541444 W, Utility Pole: #11-50**

AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network. AT&T's existing macro cell sites are not providing adequate data capacity in this location due to increased population, vehicular and foot traffic, multiple wireless devices used by each person and other contributing factors. This small cell site will work to offload the demand on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the proposed small cell site.

The small cell site will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws and regulations. All proposed attachments are to existing poles owned and maintained by National Grid. AT&T has entered into a Pole Attachment Agreement with National Grid.

The small cell installation on each existing utility pole will include: fiber optic cable(s); remote nodes in a small equipment cabinet H32" x W18" x D12" mounted to the pole at least 8' above ground level; an unobtrusive pole top antenna measuring 24.7" long and 10" in diameter; conduits and cable protectors; and, an electrical meter with shutoff switch. Attached please find design sketches for each site showing the proposed location, pole height, mounting height, equipment specifications and utility plan.

#### The Telecommunications Act of 1996 (the "Act")

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The ACT provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the FCC's Declaratory Ruling commonly referred to as the "shot clock".

We have attached to this petition a generic emissions report demonstrating that the low power antenna will comply with applicable FCC standards with respect to emissions.

For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

Should you have any questions, or would like any additional information prior to the public hearing please do not hesitate to contact me at (774) 261-0043 or [jiacoviello@clinellc.com](mailto:jiacoviello@clinellc.com). AT&T will be present at the public hearing to answer any questions you may have as well.

Thank you,

Jeff Iacoviello



Jeffrey Iacoviello | Site Acquisition Consultant  
 750 W Center St, Floor 3 | West Bridgewater, MA 02379  
 Mobile: 774.261.0043 | Fax: 617.249.0819  
[jiacoviello@clinellc.com](mailto:jiacoviello@clinellc.com) | [www.centerlinecommunications.com](http://www.centerlinecommunications.com)

PETITION FOR LOCATIONS FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES

To THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, MASSACHUSETTS

Pursuant to Massachusetts General Laws, Chapter 166, Sections 21, 22 and 25A, and the City Ordinances of the City of Marlborough, Massachusetts, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") requests that it be granted locations for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas to be attached to existing National Grid utility poles, located upon and along the following public ways within the City of Marlborough, as depicted on the attached plans. In addition, AT&T seeks permission to install conduit or direct bury cable(s) as depicted on the plans submitted.

Wherefore, AT&T requests that, after due notice and public hearing as provided by law, that it be granted locations for permission to construct the telecommunications wires and wireless attachments and appurtenances upon, along and under the public ways within the City of Marlborough as depicted on the plans filed herewith. AT&T also submitted additional information in support of this Petition.

Respectfully submitted,

NEW CINGULAR WIRELESS PCS, LLC ("AT&T")

By: Jeff Iacoviello  
Site Acquisition Consultant  
Centerline Communications, LLC

**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Marlborough, Massachusetts, \_\_\_\_\_, 2018

ORDERED:

That pursuant to Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted locations for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to existing National Grid utility poles, located upon, along and under the public ways within the City of Marlborough, as substantially shown on the plans filed with said Petition. In addition, AT&T is hereby granted permission to install conduit or direct bury fiber cable(s) as depicted on the plans submitted.

The forgoing permission is subject to the following conditions:

1. The telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.
2. AT&T shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of AT&T or its agents or servants, or in any manner arising from the rights and privileges granted by the City.
3. AT&T shall comply with the requirements of existing City Ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and wireless attachments and appurtenances, so far as the same are not inconsistent with the laws of the United States or of the Commonwealth of Massachusetts.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
City Clerk

APPROVED  
  
\_\_\_\_\_

We hereby certify that on \_\_\_\_\_, 2017, at \_\_\_\_\_, o'clock at \_\_\_\_\_, a public hearing was held on the Petition of NEW CINGULAR WIRELESS PCS, LLC ("AT&T") for permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to existing utility poles, located upon, along and under the public ways within the City of Marlborough and to install conduit or direct bury fiber cable(s) as indicated in the plans described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the telecommunications wires and appurtenances of AT&T under said order, and that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City Council of the City of Marlborough

CERTIFICATE

I hereby certify that the forgoing is a true copy of a grant of location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and recorded with records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of the Massachusetts General Laws, as amended.

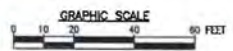
Attest:

\_\_\_\_\_  
City Clerk



**KEY PLAN**  
 22x34 SCALE: 1"=20'  
 11x17 SCALE: 1"=40'

1  
A-1

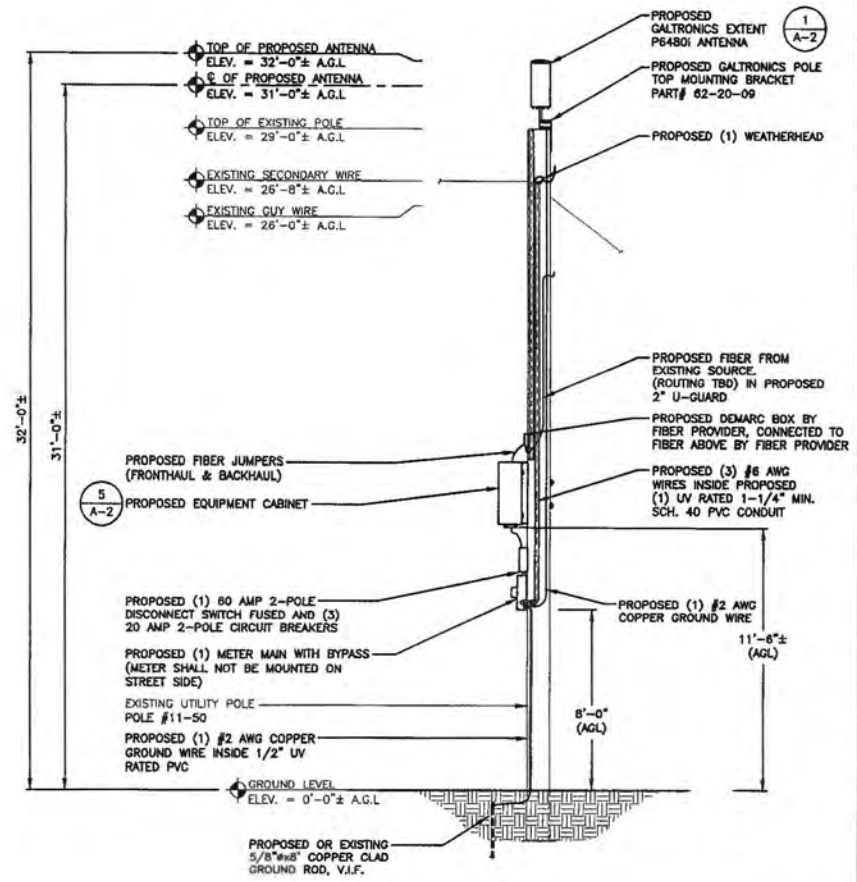


EXISTING SECONDARY WIRE  
 EXISTING GUY WIRE  
 EXISTING UTILITY POLE #11-50

**EXISTING CONDITIONS PHOTO DETAIL**  
 SCALE: N.T.S.

2  
A-1

APPROXIMATE COORDINATES: LAT: 42.350350° N  
 LONG: 71.541444° W



**ELEVATION**  
 22x34 SCALE: 3/8"=1'-0"  
 11x17 SCALE: 3/16"=1'-0"

3  
A-1



CHECKED BY: AT  
 APPROVED BY: DJC

**SUBMITTALS**

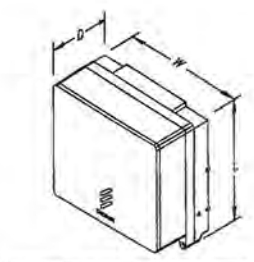
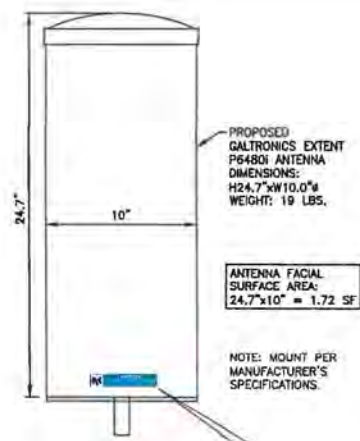
REV.	DATE	DESCRIPTION	BY

CLUSTER AND NODE NUMBER:  
 AREA 5\_144A  
 SITE ID:  
 AREA 5\_144A  
 SITE ADDRESS:  
 FRANCIS ST & E. MAIN ST  
 MARLBOROUGH, MA 01752  
 MIDDLESEX COUNTY

SHEET TITLE  
 KEY PLAN AND ELEVATION

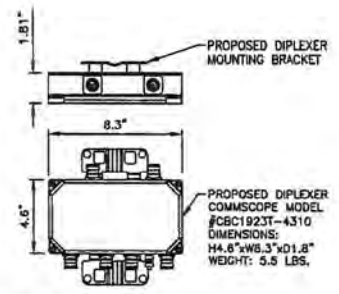
SHEET NUMBER  
**A-1**





MODEL	QTY	L	W	D	WGT.
2203	3	8.0"	8.0"	4.0"	11 LB
2205	1	8.0"	8.0"	4.0"	11 LB

RRH (2203/2205) DETAIL  
SCALE: N.T.S.

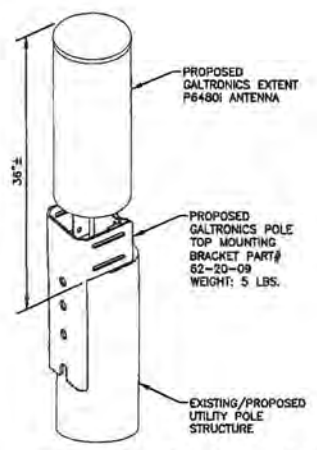


DIPLEXER DETAIL (AS REQUIRED)  
SCALE: N.T.S.

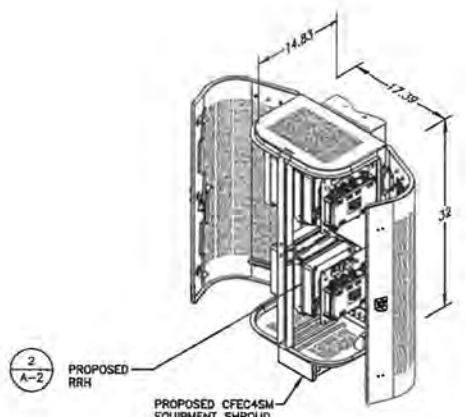
**NOTICE**  
RF energy emitted by this equipment exceeds the FCC allowed limits. Exposure to RF energy from this equipment may cause harm to you and your children. Please read the instructions carefully. For more information, contact your dealer.

NO1-CD-16 1"x6" NOTICE DECAL  
PLACE THREE NOTICE STICKERS EQUALLY SPACED AROUND THE BOTTOM OF ANTENNA RADOME

ANTENNA DETAIL  
SCALE: N.T.S.



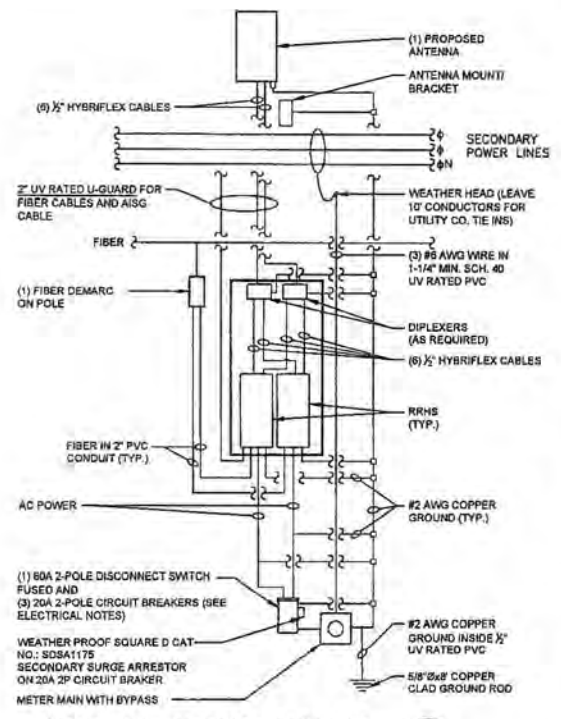
ANTENNA MOUNT DETAIL  
SCALE: N.T.S.



NO BATTERY BACKUP OR AUXILIARY OUTLETS FOR BACKUP POWER ARE BEING PROVIDED IN THIS DESIGN.

NOTE:  
MOUNT PER MANUFACTURER'S SPECIFICATIONS.  
EQUIPMENT CABINET DETAIL  
SCALE: N.T.S.

PROPOSED RRH  
EQUIPMENT CABINET DETAIL  
SCALE: N.T.S.



GENERAL WIRING DIAGRAM - DUAL RRHs  
SCALE: N.T.S.

550 COCHITUATE ROAD  
FRAMINGHAM, MA 01701

95 RYAN DRIVE  
RAYNHAM, MA 02767

43 REECHWOOD DRIVE  
N. ANDOVER, MA 01852  
TEL: (978) 557-0553  
FAX: (978) 334-0386

---

CHECKED BY: AT

APPROVED BY: DJC

SUBMITTALS			
REV.	DATE	DESCRIPTION	BY

CLUSTER AND NODE NUMBER:  
AREA 5\_144A

SITE ID:  
AREA 5\_144A

SITE ADDRESS:  
FRANCIS ST & E. MAIN ST  
MARLBOROUGH, MA 01752  
MIDDLESEX COUNTY

SHEET TITLE  
EQUIPMENT DETAILS

SHEET NUMBER  
A-2

**DONALD L. HAES, JR., PH.D., CHP***Radiation Safety Specialist*

Registered Health Physics Services Provider in NH and MA

PO Box 198, Hampstead, NH 03841

603-303-9959

Email: donald\_haes\_chp@comcast.net

January 17, 2018

I have reviewed the information pertinent to the hypothetical installation of an AT&T Personal Wireless Services (PWS) omni-directional panel antenna installation on a utility pole. I have analyzed the scenario where there would be one antenna mounted with a centerline height of 30' above ground level (AGL). This analysis considers the contributions of the AT&T PWS transmitters operating at the following supplied parameters:

PWS Service	Frequency (MHz)	Transmit Power (ERP: Watts)	Antenna Manufacturer / Model Number	Antenna Gain (dBd)
PCS LTE	1930-1950	40	EXTENT™ P6480i (See Appendix A)	7.33
5G: U-NII-1	5150-5250	1		7.53
5G: U-NII-3	5725-5850			

The calculated values of RF fields are presented as a percent of current Maximum Permissible Exposures (%MPE) as adopted by the Federal Communications Commission (FCC). Theoretical RF field calculations for the near proximity of RF source terms (in this case the AT&T transmit antennas), however, are not straight forward. For these theoretical calculations, a cylindrical model was used, where "spatially averaged plane-wave equivalent power densities parallel to the antenna may be estimated by dividing the net antenna input power by the surface area of an imaginary cylinder surrounding the length of the radiating antenna". Calculations using "far-field" formula would considerably overestimate the resultant power densities. The calculations performed for this analysis still accurately represent the "worst case" and assume 100% usage of all the antennas.

The power density estimates can be calculated by using the formula:

$$S = \frac{P_{net}}{2 \cdot \pi \cdot R \cdot h}$$

Where:  $P_{net}$  = Net power to antenna (watts)  
 $R$  = Distance (range) from antenna  
 $h$  = aperture height of the antenna

**The results of the RF field calculations for a single antenna are depicted in Figure 1 showing a side view representation demonstrating the directionality of the RF energy propagating from the antenna.**

Note: The analyses, conclusions and professional opinions are based upon the precise parameters and conditions of this typical AT&T "small cell" installation on a utility pole with a mounting centerline height of 30' AGL. Utilization of these analyses, conclusions and professional opinions for any personal wireless services installation, existing or proposed, other than the aforementioned has not been sanctioned by the author, and therefore should not be accepted as evidence of regulatory compliance.



**Figure 1: Results of RF field calculations for a typical AT&T antenna installation on a utility pole at 30' (AGL) showing profile view**

## CONCLUSION

Theoretical RF field calculations data indicate the summation of the AT&T RF contributions on a typical utility pole would be well within the established RF exposure guidelines; see Figure 1. Although the calculations assume a typically low mounting height of 30' AGL, some applications may require the antenna to be mounted higher. In these circumstances, the increased separation between the ground and antenna would result in an even lower general public exposure levels. These results indicate there could be more similar installations at these locations, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facilities would comply with the FCC RF exposure guidelines. These small cell antenna installations proposed by AT&T would not produce significant changes to the ambient RF environment.

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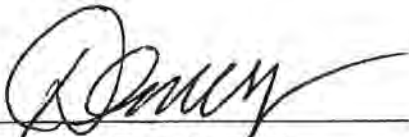
PO Box 198, Hampstead, NH 03841

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Email: donald\_haes\_chp@comcast.net

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1. I certify to the best of my knowledge and belief, the statements of fact contained in this report are true and correct.
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4. My compensation is not contingent upon the reporting of a predetermined energy level or direction in energy level that favors the cause of the client, the amount of energy level estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This assignment was not based on a requested minimum environmental energy level or specific power density.
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7. The consultant has accepted this assessment assignment having the knowledge and experience necessary to complete the assignment competently.
8. My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the *American Board of Health Physics* (ABHP) statements of standards of professional responsibility for Certified Health Physicists.

Date: January 17, 2018

Donald L. Haes, Jr., Ph.D

*Certified Health Physicist*

## APPENDIX A


**10" x 24" Outdoor Pseudo Omni Canister Antenna [1695-2400, 3550-3700 and 5150-5950 MHz]**

## EXTENT™ P6480i

**Description:**

- Pseudo Omni Canister Antenna for Outdoor DAS and Small Cells.
- 4x ports for AWS/PCS/WCS Band 1695-2400 MHz
- 4x ports for CBRS Band 3550-3700 MHz
- 2x ports for 5GHz Band 5150-5950 MHz



1695-2400, 3550-3700 and 5150-5950 MHz Pseudo Omni Canister Antenna

**Electrical Specifications**

Frequency Band [MHz]	1695-2180	2180-2400	3550-3700	5150-5950
Input Connector Type	4x 4.3-10 DIN(F)		4x 4.3-10 DIN(F)	2x 4.3-10 DIN(F)
Isolation (typ.)	-20 dB		-25 dB	-25 dB
Inter-band Isolation	-30 dB (typ)		-30 dB (typ)	-30 dB (typ)
VSWR/Return Loss	1.5:1(Typ.) 1.7:1(Max.) / 14.0 dB(Typ.) 11.8dB(Max.)			
Impedance	50 Ω			
Polarization	Dual slant 45° (±45°)			
Horizontal Beamwidth	Omni (360°)			
Vertical Beamwidth	15°	12°	15°	19°
Max. Gain	9 dBi	9.5 dBi	8.5 dBi	6 dBi(Max.)
Avg. Gain	7.5 dBi	8 dBi	8 dBi	3 dBi
Downtilt	0°			
Max Power / Port	150 Watts		100 Watts	10 Watts
PIM @ 2x43 dBm	<-153 dBc		N/A	N/A

**Mechanical Specifications**

Operating Temperature	-40° to 158°F (-40° to +70°C)
Antenna Weight	19 lbs (9 kg)
Antenna Diameter	10" (254 mm)
Antenna Height	24.7" (628 mm)
Radome Material	ASA
RoHS	Compliant
Radome Color	Gray, Brown, 3M™ Conceal Film, Custom Colors Possible
Ingress Protection	Outdoor (IP65)
Wind Survival Rating	150 mph (241 km/h)
Shipping Dimensions - L x W x D	30"x19"x19" (762x483x483 mm)
Shipping Weight (Gross Weight)	26 lbs (12 kg)

Release Date: March 02, 2017; Revision: 5-1 : RFD#6480

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 Proprietary Information. All rights reserved. Galtronics reserves the right to modify or amend any antenna or specification without prior notice.

WWW.GALTRONICS.COM

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH



2018 JUN 13 P 12:08

City Council  
140 Main Street  
2nd Floor  
Marlborough, MA 01752

RE: Petition of New Cingular Wireless PCS, LLC ("AT&T") for Grant of Location for Telecommunication Wires and Wireless Attachments and Appurtenances: **Project: Area5\_46A: Location: 10 Neil St, 42.34594 N, -71.547100 W, Utility Pole: #1**

Dear Honorable Members of the City Council:

Pursuant to Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A, please find enclosed the petition (the "Petition") of New Cingular Wireless PCS, LLC ("AT&T") for a grant of location for telecommunication wires and wireless attachments and appurtenances to be attached to existing utility poles owned by National Grid within the City of Marlborough. Included with the Petition are detailed plans that identify the locations where AT&T's proposed attachments will be placed. This includes an area map of all locations as well as the utility pole profiles depicting the equipment attachment heights and specs.

AT&T requests that the City schedule a public hearing on this Petition, subject to the requirements of Chapter 166 of the Massachusetts General Laws. Those requirements prescribe that the City mail "written notice of the time and place of the hearing at least seven days prior to all owners of real estate abutting upon that part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation". It is my understanding that the City will be able to produce this list and I will work with the City Clerk to ensure the letters are sent per these requirements.

#### Project Description

AT&T proposes to deploy four (4) small cell sites in the City of Marlborough in order to deal with the rapidly increasing demand on AT&T's wireless network. All four (4) small cell sites will be mounted on existing National Grid utility poles located within the public rights of way. The small cell sites will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Marlborough. This Petition specifically addresses the following location:

**Project: Area5\_46A: Location: 10 Neil St, 42.34594 N, -71.547100 W, Utility Pole: #1**

AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network. AT&T's existing macro cell sites are not providing adequate data capacity in this location due to increased population, vehicular and foot traffic, multiple wireless devices used by each person and other contributing factors. This small cell site will work to offload the demand on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the proposed small cell site.

The small cell site will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws and regulations. All proposed attachments are to existing poles owned and maintained by National Grid. AT&T has entered into a Pole Attachment Agreement with National Grid.

The small cell installation on each existing utility pole will include: fiber optic cable(s); remote nodes in a small equipment cabinet H32" x W18" x D12" mounted to the pole at least 8' above ground level; an unobtrusive pole top antenna measuring 24.7" long and 10" in diameter; conduits and cable protectors; and, an electrical meter with shutoff switch. Attached please find design sketches for each site showing the proposed location, pole height, mounting height, equipment specifications and utility plan.

**The Telecommunications Act of 1996 (the "Act")**

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The ACT provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the FCC's Declaratory Ruling commonly referred to as the "shot clock".

We have attached to this petition a generic emissions report demonstrating that the low power antenna will comply with applicable FCC standards with respect to emissions.

For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

Should you have any questions, or would like any additional information prior to the public hearing please do not hesitate to contact me at (774) 261-0043 or [jiacoviello@clinellc.com](mailto:jiacoviello@clinellc.com). AT&T will be present at the public hearing to answer any questions you may have as well.

Thank you,

Jeff Iacoviello



Jeffrey Iacoviello | Site Acquisition Consultant  
 750 W Center St, Floor 3 | West Bridgewater, MA 02379  
 Mobile: 774.261.0043 | Fax: 617.249.0819  
[jiacoviello@clinellc.com](mailto:jiacoviello@clinellc.com) | [www.centerlinecommunications.com](http://www.centerlinecommunications.com)

PETITION FOR LOCATIONS FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES

To THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, MASSACHUSETTS

Pursuant to Massachusetts General Laws, Chapter 166, Sections 21, 22 and 25A, and the City Ordinances of the City of Marlborough, Massachusetts, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") requests that it be granted locations for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas to be attached to existing National Grid utility poles, located upon and along the following public ways within the City of Marlborough, as depicted on the attached plans. In addition, AT&T seeks permission to install conduit or direct bury cable(s) as depicted on the plans submitted.

Wherefore, AT&T requests that, after due notice and public hearing as provided by law, that it be granted locations for permission to construct the telecommunications wires and wireless attachments and appurtenances upon, along and under the public ways within the City of Marlborough as depicted on the plans filed herewith. AT&T also submitted additional information in support of this Petition.

Respectfully submitted,

NEW CINGULAR WIRELESS PCS, LLC ("AT&T")

By: Jeff Iacoviello  
Site Acquisition Consultant  
Centerline Communications, LLC



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Marlborough, Massachusetts, \_\_\_\_\_, 2018

ORDERED:

That pursuant to Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted locations for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to existing National Grid utility poles, located upon, along and under the public ways within the City of Marlborough, as substantially shown on the plans filed with said Petition. In addition, AT&T is hereby granted permission to install conduit or direct bury fiber cable(s) as depicted on the plans submitted.

The forgoing permission is subject to the following conditions:

1. The telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.
2. AT&T shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of AT&T or its agents or servants, or in any manner arising from the rights and privileges granted by the City.
3. AT&T shall comply with the requirements of existing City Ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and wireless attachments and appurtenances, so far as the same are not inconsistent with the laws of the United States or of the Commonwealth of Massachusetts.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
City Clerk

APPROVED

\_\_\_\_\_

We hereby certify that on \_\_\_\_\_, 2017, at \_\_\_\_\_, o'clock at \_\_\_\_\_, a public hearing was held on the Petition of NEW CINGULAR WIRELESS PCS, LLC ("AT&T") for permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to existing utility poles, located upon, along and under the public ways within the City of Marlborough and to install conduit or direct bury fiber cable(s) as indicated in the plans described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the telecommunications wires and appurtenances of AT&T under said order, and that thereupon said order was duly adopted.

\_\_\_\_\_  
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\_\_\_\_\_

City Council of the City of Marlborough

CERTIFICATE

I hereby certify that the forgoing is a true copy of a grant of location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and recorded with records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of the Massachusetts General Laws, as amended.

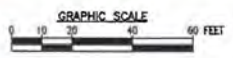
Attest:

\_\_\_\_\_  
City Clerk

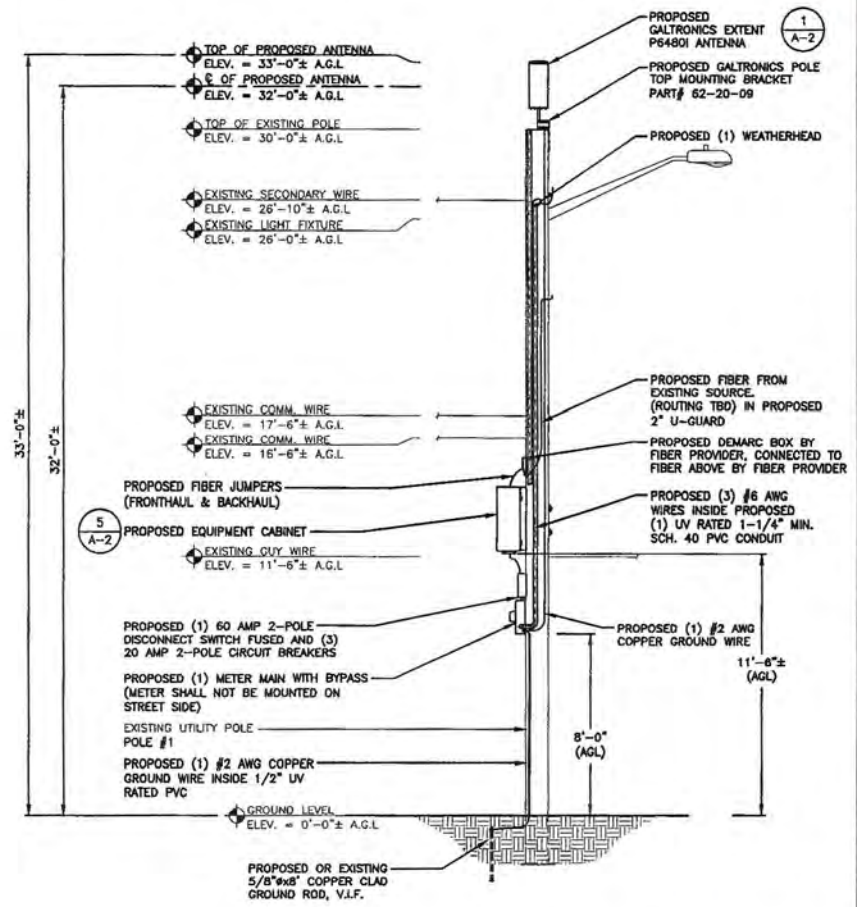
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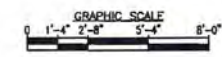
**KEY PLAN**  
22x34 SCALE: 1"=20'  
11x17 SCALE: 1"=40'



**EXISTING CONDITIONS PHOTO DETAIL**  
SCALE: N.T.S.



**ELEVATION**  
22x34 SCALE: 3/8"=1'-0"  
11x17 SCALE: 3/16"=1'-0"



CHECKED BY: AT  
APPROVED BY: DJC

**SUBMITTALS**

REV.	DATE	DESCRIPTION	BY
0	12/12/17	ISSUES FOR REVIEW	SB

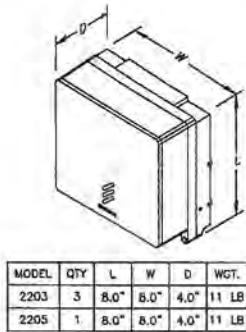
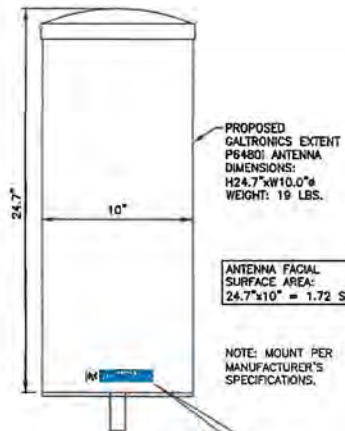
CLUSTER AND NODE NUMBER:  
**AREA 5\_46A**

SITE ID:  
**AREA 5\_46A**

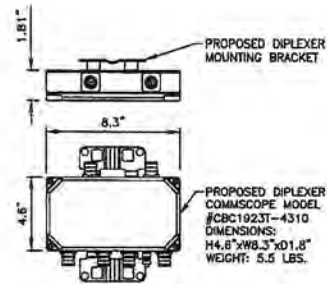
SITE ADDRESS:  
**10 NEIL ST  
MARLBOROUGH, MA 01752  
MIDDLESEX COUNTY**

SHEET TITLE  
**KEY PLAN AND ELEVATION**

SHEET NUMBER  
**A-1**



RRH (2203/2206) DETAIL  
SCALE: N.T.S.



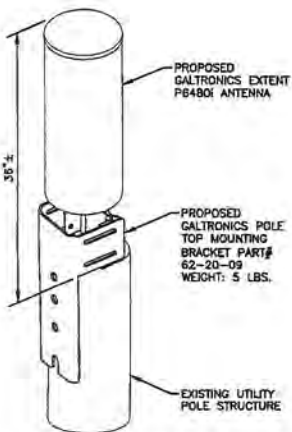
DIPLEXER DETAIL (AS REQUIRED)  
SCALE: N.T.S.

**NOTICE**

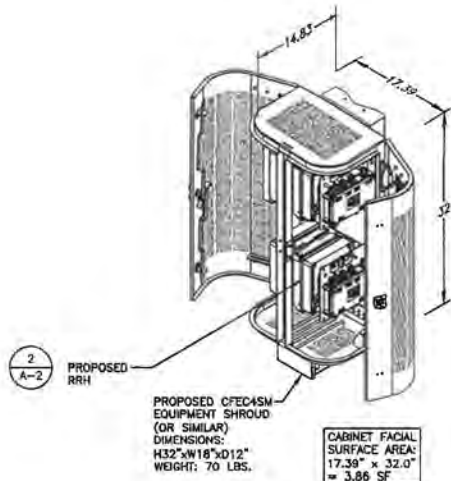
All equipment is the property of the City of Marlborough. It is to be used only for the purpose intended. No other use is permitted without the written consent of the City of Marlborough.

N01-CD-16 1"x6" NOTICE DECAL  
PLACE THREE NOTICE STICKERS EQUALLY SPACED AROUND THE BOTTOM OF ANTENNA RADOME.

ANTENNA DETAIL  
SCALE: N.T.S.

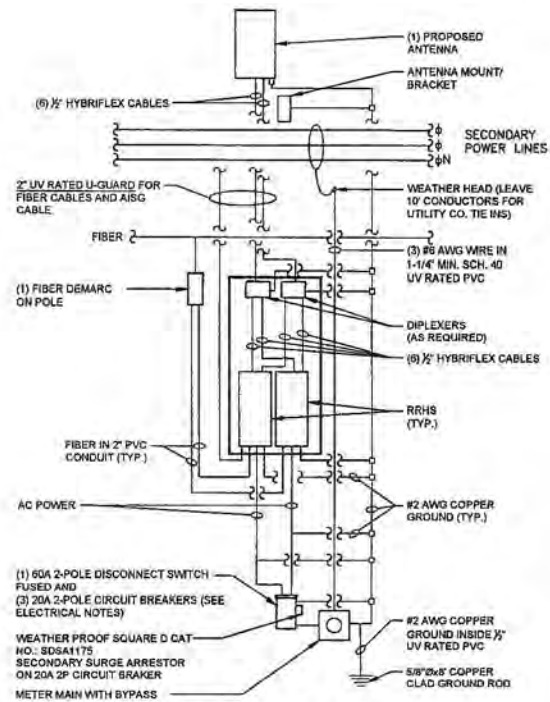


ANTENNA MOUNT DETAIL  
SCALE: N.T.S.



NO BATTERY BACKUP OR AUXILIARY OUTLETS FOR BACKUP POWER ARE BEING PROVIDED IN THIS DESIGN.

NOTE: MOUNT PER MANUFACTURER'S SPECIFICATIONS.  
EQUIPMENT CABINET DETAIL  
SCALE: N.T.S.



GENERAL WIRING DIAGRAM - DUAL RRHs  
SCALE: N.T.S.



CHECKED BY: AT

APPROVED BY: DJC

SUBMITTALS

REL.	DATE	DESCRIPTION	BY

CLUSTER AND NODE NUMBER:  
AREA 5\_46A

SITE ID:  
AREA 5\_46A

SITE ADDRESS:  
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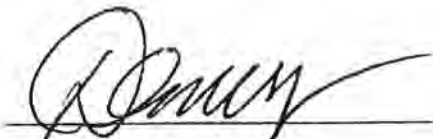
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3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined energy level or direction in energy level that favors the cause of the client, the amount of energy level estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This assignment was not based on a requested minimum environmental energy level or specific power density.
6. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
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Date: January 17, 2018

Donald L. Haes, Jr., Ph.D

*Certified Health Physicist*

## APPENDIX A


**10" x 24" Outdoor Pseudo Omni Canister Antenna [1695-2400, 3550-3700 and 5150-5950 MHz]**

## EXTENT™ P6480i

**Description:**

- Pseudo Omni Canister Antenna for Outdoor DAS and Small Cells.
- 4x ports for AWS/PCS/WCS Band 1695-2400 MHz
- 4x ports for CBRS Band 3550-3700 MHz
- 2x ports for 5GHz Band 5150-5950 MHz



1695-2400, 3550-3700 and 5150-5950 MHz Pseudo Omni Canister Antenna

**Electrical Specifications**

Frequency Band [MHz]	1695-2180	2180-2400	3550-3700	5150-5950
Input Connector Type	4x 4.3-10 DIN(F)		4x 4.3-10 DIN(F)	2x 4.3-10 DIN(F)
Isolation (typ.)	-20 dB		-25 dB	-25 dB
Inter-band Isolation	-30 dB (typ)		-30 dB (typ)	-30 dB (typ)
VSWR/Return Loss	1.5:1(Typ.) 1.7:1(Max.) / 14.0 dB(Typ.) 11.8dB(Max.)			
Impedance	50 Ω			
Polarization	Dual slant 45° (±45°)			
Horizontal Beamwidth	Omni (360°)			
Vertical Beamwidth	15°	12°	15°	19°
Max. Gain	9 dBi	9.5 dBi	8.5 dBi	6 dBi(Max.)
Avg. Gain	7.5 dBi	8 dBi	8 dBi	3 dBi
Downtilt	0°			
Max Power / Port	150 Watts		100 Watts	10 Watts
PIM @ 2x43 dBm	<-153 dBc		N/A	N/A

**Mechanical Specifications**

Operating Temperature	-40° to 158°F (-40° to +70°C)
Antenna Weight	19 lbs (9 kg)
Antenna Diameter	10" (254 mm)
Antenna Height	24.7" (628 mm)
Radome Material	ASA
RoHS	Compliant
Radome Color	Gray, Brown, 3M™ Conceal Film, Custom Colors Possible
Ingress Protection	Outdoor (IP65)
Wind Survival Rating	150 mph (241 km/h)
Shipping Dimensions - L x W x D	30"x19"x19" (762x483x483 mm)
Shipping Weight (Gross Weight)	26 lbs (12 kg)

Release Date: March 02, 2017; Revision: 5-1 : RFD#6480

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WWW.GALTRONICS.COM



PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

May 22, 2018

2018 JUN 11 A 10 17

To the City Clerk Office  
of the City of Marlborough, Massachusetts

**MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

**Stevens Street Pole 37-5**

**National Grid request to install new Pole #37-5 for new electrical feed to the High School.**

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 26188344 Dated: 5/15/2018

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

**MASSACHUSETTS ELECTRIC COMPANY**

By: Eric Widman  
Manager of Distribution Design

**VERIZON NEW ENGLAND, INC.**

By: [Signature]  
Manager, R.O.W.  
Albert E. Basselle, Jr.

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

May 22, 2018

By the City Clerk Office  
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED:  
**that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the  
**11th day of June, 2018**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--

Plan No. 26188344 Dated: 5/15/2018 filed with this order.

There may attached to said MASSACHUSETTS ELECTRIC COMPANY not to exceed twenty wires and by said VERIZON NEW ENGLAND, INC. not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

**Stevens Street Pole 37-5  
National Grid request to install new Pole #37-5 for new electrical  
feed to the High School.**

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council  
of the City of Marlborough, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 2018

\_\_\_\_\_  
Clerk of Council

Received and entered in the records of location orders  
of the City of Marlborough, Massachusetts

Book: \_\_\_\_\_ Page: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

We hereby certify that on \_\_\_\_\_ 2018 at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.  
at \_\_\_\_\_ a public hearing was held on the petition of the  
**MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

for permission to erect the poles, wires, cables, fixtures and connections described in the order  
herewith recorded, and that we mailed at least seven days before said hearing a written notice of the  
time and place of said hearing to each the owners of real estate (as determined by the last preceding  
assessment for taxation) along the ways or parts of ways upon which the Companies are permitted  
to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said  
order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council of the City of

Marlborough, Massachusetts

**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice  
adopted by the City Council of the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of  
\_\_\_\_\_ 2018 recorded with the records of location orders of said City,  
Book \_\_\_\_\_, Page \_\_\_\_\_.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto  
or amendments thereof.

Attest: \_\_\_\_\_  
City Clerk



# 0 foot Abutters List Report

Marlborough, MA  
May 15, 2018

*Direct + Across*

## Subject Property:

Parcel Number: 30-12  
CAMA Number: 30-12  
Property Address: 431 BOLTON ST

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

---

## Abutters:

Parcel Number: 31-121  
CAMA Number: 31-121  
Property Address: 441 STEVENS ST

Mailing Address: LEFKUS JOHN J IV  
441 STEVENS ST  
MARLBOROUGH, MA 01752

Parcel Number: 31-132  
CAMA Number: 31-132  
Property Address: 9 BAKER DR

Mailing Address: NGUYEN THUY THI THU  
9 BAKER DR  
MARLBOROUGH, MA 01752

Parcel Number: 31-133  
CAMA Number: 31-133  
Property Address: 143 ANDREWS RD

Mailing Address: CIARAMAGLIA JOHN T  
143 ANDREWS RD  
MARLBOROUGH, MA 01752

Parcel Number: 31-23  
CAMA Number: 31-23  
Property Address: 10 BAKER DR

Mailing Address: PHANEUF BRADFORD  
10 BAKER DR  
MARLBOROUGH, MA 01752

**MARLBOROUGH ASSESSORS**

*Anthony C. Cimady  
Allen K. Silverstein  
Dan May Jr.*



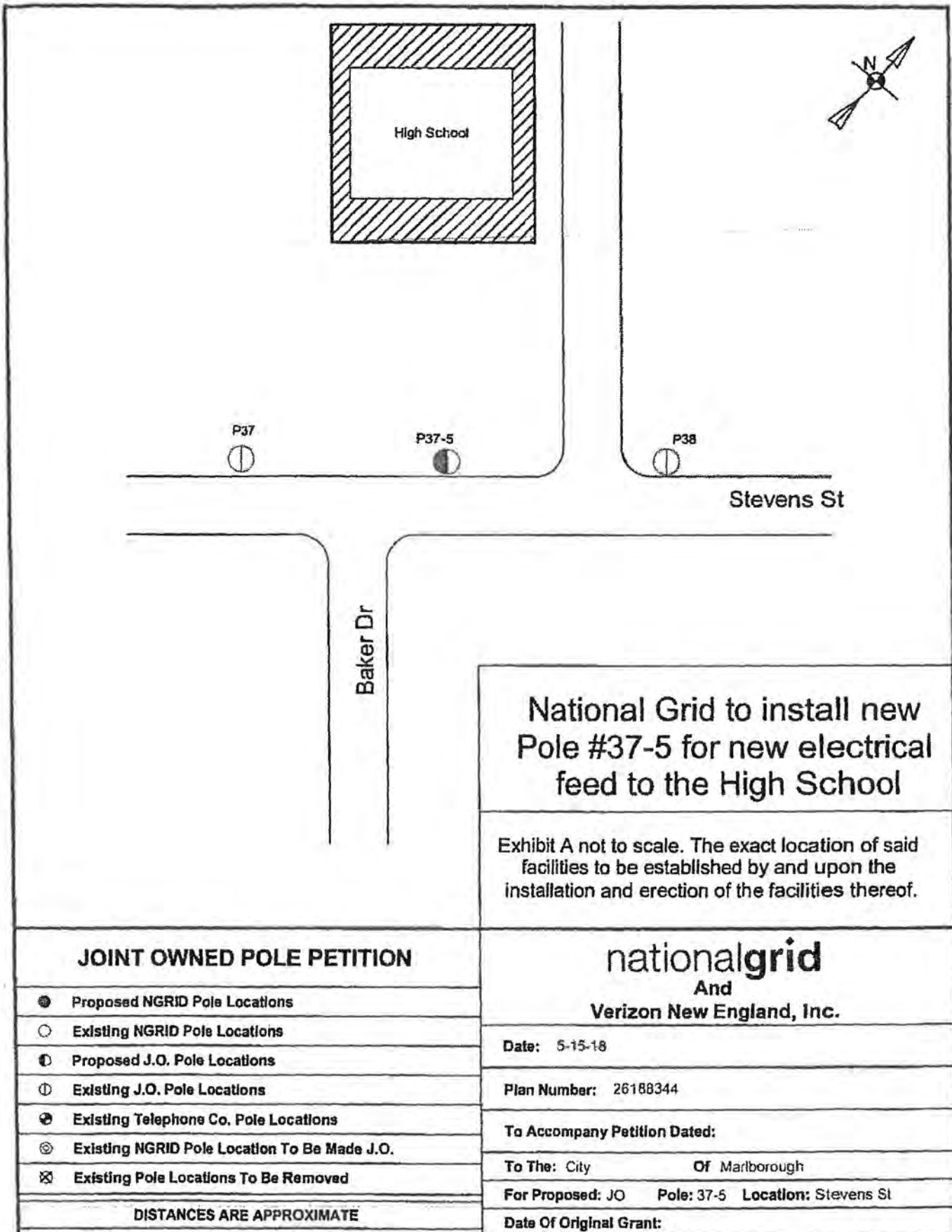
www.cai-tech.com

5/15/2018

Date 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.

Page 1 of 1

Abutters List Report - Marlborough, MA



**City of Marlborough  
License Board**  
140 Main Street, Lower Level  
Marlborough, MA 01752  
(508) 460-3751 FAX (508) 460-3625

**RECEIVED  
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CITY OF MARLBOROUGH**

**2018 JUN -1 P 2:19**

**Minutes of the License Board Regular Meeting Held Wednesday, April 25, 2018  
at 7:30 pm, City Hall, 1<sup>st</sup> floor, Council Committee Room.**

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

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

**New Business**

**1. ONE DAY PERMITS**

**Masonic Hall (3 Permit)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

**Moose Lodge (2 permits)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

**Fox Ballroom Dancing (1 permit)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

**The Vin Bin (1 permit)** Member Bouvier motioned for approval, Member Mitrakas seconded; Board vote: 3-0 approved

**ITAM (2 permit)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

**2. License Change of Manager Application – American Legion Post 132, 90 Maple Street, Mary C. Armour, Manager applicant**

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

**3. Change of Manager Application – Magik Ventures, Mirchi Nation, 197H Boston Post Rd W 197H Boston Post Rd W**

Tabled per client request until next month

**4. Reports from the Chairman**

- Chairman discussed when establishments come in for informational interviews regarding applying for a license. Such meetings are held to educate the people on what the Board takes into consideration when determining whether to approve or not approve an application.
- Additionally, when off-premise licenses are desired, the Board is interested not just for the establishment owner and what works, but also that it works for the customers and offers what would be expected from a licensed store.

**5. Misc. Correspondence and Open Issues**

- ABCC American Legion Violation – Permitting Gambling  
Member Mitrakas motioned to accept and place on file, Member Bouvier seconded the motion; Board vote: 3-0 to accept and place communication on file.
- City Council Office - Special Act Granting Additional Licenses for the sale of alcoholic beverages not to be drunk on the premises (3 docs)  
Member Mitrakas motioned to accept and place on file – subject to the amendments mentioned in the letter. Member Bouvier seconded the motion; Board vote: 3-0 to accept and place communication on file.

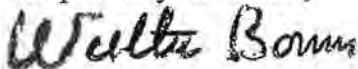
**6. Review minutes –**

March 28, 2018 meeting minutes. Member Mitrakas motioned to approve the minutes and place on file with the changes requested by the Chair, Member Bouvier seconded, the motion; Board vote: 3 – 0 to accept the minutes with changes and place on file.

Member Mitrakas motioned to adjourn the meeting at 8:00 pm.

The next meeting of the Licensing Board is Wednesday, May 30, 2018.

Respectfully submitted,



Walter Bonin, Chairman

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2018 JUN - 1 P 2:19

**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, May 10, 2018**  
at 12:00 pm, City Hall, 1<sup>st</sup> floor, Council Committee Room.

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

Meeting called to order by Walter Bonin, Chairman at 12:00 PM

**New Business**

**1. ONE DAY PERMIT**

**STEVIE'S EATERY / MASONIC HALL**

Member Bouvier motioned for approval, seconded Member Mitrakas

Board vote: 3-0 approved

Motion made to adjourn: 12:10 pm vote: 3-0 for adjournment.

Respectfully submitted,



Walter Bonin, Chairman

ALL RELATED DOCUMENTS CAN BE SEEN IN THE LICENSE BOARD OFFICE



April 25, 2018

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2018 JUN 14 A 10:47



**CITY OF MARLBOROUGH  
OFFICE OF TRAFFIC COMMISSION  
140 MAIN STREET  
MARLBOROUGH, MASSACHUSETTS 01752**

**Traffic Commission Minutes**

The Regular Meeting of the Traffic Commission was held on Wednesday, April 25, 2018 at 10:00 am in Memorial Hall, 3<sup>rd</sup> Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: Assistant City Engineer Tim Collins, City Councilor Christian Dumais, City Councilor Kathleen Robey, Officer Andy Larose – MPD Traffic Services Unit, City Solicitor Don Rider and local resident Doris Maffioli. Minutes taken by Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, March 25, 2018.

MOTION was made, seconded, duly VOTED:

TO APPROVE – Accept and Place on File.

*Chief Giorgi made a motion to suspend the rules and take the agenda items out of order as Ms. Maffioli was in attendance for Old Business Items 3c. All in Favor.*

**3-Old Business**

**3c) Request to open Sandini Road as two-way street for residents.**

Ms. Maffioli, a longtime resident of Conrad Road, was not at the last meeting and wanted to know what was going on with this issue. Chief Giorgi advised that this issue was discussed at length at last month's meeting. He said that he recently sent a memo to Councilor Dumais explaining that the Traffic Commission does not feel that making the roadway a two-way street for residents will work. A sticker system would be extremely difficult for the Police Department to enforce and if it were allowed on this street, it would set a precedent and open up the same type of thing to residents of other streets. He could not find another community where this type of sticker system occurs. It was also discussed that many residents cut through the Do Not Enter signs anyways. It is a "Catch 22" because it keeps traffic out of the neighborhood but it is also an inconvenience to

residents. There is a purpose for the Do Not Enter signs and if it is altered, it defeats the purpose. Other traffic will also enter the neighborhood as well.

Ms. Maffioli explained how it is extremely inconvenient for her because she travels back and forth from Northboro frequently and it takes much longer for her to get home when she has to circle around via Hayes Memorial Drive. She also mentioned that you can't take a right on red at Ames Street, even at 11:00pm, when there is no one else in the area. Tim Collins explained that the No Right Turn on Red is there for the westbound traffic and the U-turn.

Ms. Maffioli said that she sometimes does go down Sandini. She asked what would happen if an officer was there and stopped her. When the officer saw her license and knew she lived there, does he have to give her a ticket?

Chief Giorgi explained that some neighbors are in favor of the sticker system and others are not. It is too difficult to try to implement and it is not something that will work right now. Councilor Dumais was here at the last meeting to discuss the issue on behalf of the residents and he has all this information.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

## **2 – New Business**

### **2a) Discussion of Ch. 586, Section 33: “Municipal Off-street Parking Areas” relative to parking decks on Weed Street.**

Chief Giorgi advised that there are people inhabiting their cars in the City's parking garage. He asked Don Rider, the City Solicitor, if he would look at the language in this section of the Traffic Rules and Regulations Manual and see if language could be added that would prevent this from occurring.

Don Rider explained that he amended subsection D, as a discussion starter. He pointed out that this language would affect all off-street parking areas, not just the parking deck. It also pertains to anytime of the year for 365 days. It refers to “overnight occupancy” for more than one consecutive night or “day to day occupancy” for three or more consecutive days is prohibited. He also added specific timeframes for “overnight”. He was trying to make the language very specific. He gave an example of a similar situation in LA in 2014 where the statute said that no person shall use a vehicle as “living quarters” when parked on the street. The Court struck it down because the statute did not define “living quarters”. Any vagueness in the wording needs to be avoided.

Officer Larose said that part of the issue is that people keep leaving the vehicle and returning. Is it not a continuous period of occupancy if they leave for a period of time to get a pizza or something? Lisa Thomas brought up a few other instances where groups of people were congregating on the top floor of the parking deck. It also seems to be a public safety issue.

Commissioner Ghiloni said that we shouldn't be bothering groups of people in the lot unless there is an issue. If kids are skateboarding, for example, the police can be called. All did agree, however, that living in the vehicle is a health and safety issue. Officer

Larose said that they have seen human waste outside the vehicle and trash etc. to be cleaned up. The language should be applied to all city owned lots to prevent people from just moving to another lot. It was also questioned as to if signs were needed to advise the public to the new condition. Don Rider said that if overnight occupancy is prohibited it would become an enforcement issue for the Police Department. It is something that would need to be monitored. There is a video monitor there. Commissioner Ghiloni said that the overnight issue is the big problem. At 6:00am they are asleep in their vehicle with drapes and towels over the windows. Overnight parking on all floors can't be prohibited as this is where people park their cars during storms and the winter parking ban.

Commissioner Ghiloni also noticed that there is the timeframe of 11/15 to 4/1 in the wording, however, we would want this language applied all year. Tim Collins advised that the time frame was used initially when there were meters used in the City. Councilor Robey said that we do need the time frame as we don't want people parking there overnight all the time. The purpose was initially to use the garage for overnight parking during the winter parking ban.

Officer Larose noted that there are many references to metered parking and said that if we are going to make changes to this chapter and section we should update the whole thing. Tim Collins advised that the Traffic Commission discussed this before and decided to leave the wording about the meters in, in case the meters ever came back.

There was also discussion about time limit parking on certain levels and discrepancies between the language and the actual signage in place. The entire section needs to be reviewed.

MOTION was made, seconded, duly VOTED to TABLE for the next meeting in order to continue the conversation and clarification of the entire section.

### **3-Old Business**

#### **3a) Request for stop signs on Weed St. at Florence St.**

**Update:** Commissioner Ghiloni advised that this is all in process. It has been referred to City Council. The issue was over ownership. The City does not own this area and is trying to obtain ownership from the CDA.

MOTION was made, seconded, duly VOTED to TABLE.

#### **3b) Traffic Regulations at the 1<sup>st</sup> LT Charles W. Whitman School.**

Tim Collins passed out diagrams and proposed language for all the regulations in this parking lot. He split the parking lot up into separate sections since there are no street names here and he wanted it to be clear. The sections are referred to as:

- South Parking Lot
- Bus Drop Off Lane

- Bus/Van Drop Off Lane
- Loop Driveway
- North Parking Lot
- East Parking Lot
- Maintenance Alley
- Loading Dock Area

The specific schedules addressed are:

- Prohibited Right Turns
- One-Way Streets
- Stop Intersections
- Do-Not-Enter Streets
- No Stopping, Standing or Parking Anytime
- Parking Prohibited Certain Hours
- Crosswalk Locations

Mr. Collins highlighted each specific area on the diagram as it was addressed. New signage will be added as necessary. Commissioner Ghiloni advised that any new signs would not be added until school is out to avoid any confusion.

MOTION was made, seconded, duly VOTED to ACCEPT the language for the regulations as drafted and explained by Tim Collins. Chief Giorgi will create the regulations using this language and forward to Lisa Thomas for advertisement.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:09 am.

Respectfully submitted,

Karen L. Lambert  
Records Clerk  
Marlborough Police Department

**List of documents and other exhibits used at the meeting:**

- City of Marlborough Meeting Posting for Traffic Commission Meeting on April 25, 2018, including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, March 25, 2018.
- Copy of Chapter 586-33 "Municipal Off -Street Parking Areas", from the Rules and Regulations Manual.

**Additional Handouts:**

- Copy of Draft language for revised Chapter 586-33, "Municipal Off-street Parking Areas.

- Copy of City Council Order No. 18-1007159, regarding winter overnight parking ban.
- Copy of City Council Order No. 18-1007159A, regarding winter overnight parking ban.
- Diagrams and proposed wording for regulations at 1LT, Charles Whitcomb School.



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2018 JUN 13 A 10:08

# Marlborough Public Schools

**School Committee**  
17 Washington Street, Marlborough, MA 01752  
(508) 460-3509

## Call to Order

May 22, 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 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, Student Representative Heidi Di Persio and Administrative Support Christine Martinelli.
2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.
3. **Presentation:**
  - A. **Digital Citizenship Committee Presentation**  
The Digital Citizenship Committee is composed of instructional technology specialists, classroom teachers, guidance counselors and administrators for all levels. The committee has met throughout the year and has completed the action steps benchmarked for the 2017-2018 school year. The following three key deliverables were identified: A Digital Citizenship Logo with six key strands, Student Responsible Use Contracts for all levels and School doable activity appropriate to each grade level. Director of Instructional Technology, Tom Plati, presented a PowerPoint presentation to the committee. In his presentation Mr. Plati discussed how each of the MPS will be using the committees action steps at the different grade levels. He also showed two videos', one very creative video was made this spring by four MHS seniors on knowing your 'Digital Footprints'. Next, Nancy Marrese, MPS Instructional Technology Specialist, spoke to the committee of plans to teach the elementary grade students by having the classroom teacher use videos and child literature books to teach the children and make them actively involved in the learning process.
4. **Committee Discussion/Directives: None**
5. **Communications: None**

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# Marlborough Public Schools

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**School Committee**  
 17 Washington Street, Marlborough, MA 01752  
 (508) 460-3509

## 6. Superintendents Report:

The Superintendent presented her report covering a wide range of topics which included an NEASC Communication to Whitcomb School from the NEASC's Committee on Public Elementary and Middle Schools relative to its continued accreditation. The letter, dated April 30, 2018, states that the Commission reviewed Whitcomb School's Special Progress Report and it is continuing the school's accreditation. The letter went on to list all the areas of commendation for Whitcomb School. The next step in this process is the submission of the Five-Year Progress Report in September of 2019. Information/Handouts for NEASC Communication to Whitcomb School can be found on the MPS website.

On May 17, Assistant Superintendents Mike Bergeron and Mary Murphy joined Superintendent Greulich at the Superintendents' Spring Meeting. Keynote speaker and head of Google Boston, Stever Vinter, spoke to the question of why we should teach computer science in schools. Another area of focus at the event was the topic of school safety and student voice. The panel was made up of students from Marjorie Stoneman Douglas High School, members of Boston's March for Our Lives and Project 351 Ambassadors.

Completing the 2017-2018 evaluation process is the Superintendent's Annual Performance Evaluation. An area of note, is the End-Of-Cycle Progress on Goals Review found at the end of each of the 3 goals – Professional Practice, Student Learning and District Improvement. Information/Handouts of this report can be found on the MPS website.

Last, Mrs. Greulich thanked Student Representative Heidi Di Persio for her service this year as student representative to the School Committee.

### A. Assistant Superintendent of Finance and Operations Report

Mr. Bergeron presented his report attaching the balances for the food services accounts as of 4-17-2018. The balances are more this year, total negative balance -\$3,157 then they were last year at the same period of -\$2,292. Mr. Bergeron will plan a meeting with the Food Service Director to address the balances increasing from last year's figures. The food service department continues to work hard to reach out to parent's who have a balance and assist families in filling out free/reduced lunch forms as needed.

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# Marlborough Public Schools

**School Committee**  
 17 Washington Street, Marlborough, MA 01752  
 (508) 460-3509

Assistant Superintendent Bergeron is working with Mr. White to present the committee with a list of summer work to be done and capital projects that will be started this summer. Two capital projects are to replace the lighting in the Little Theatre at the high school and the second, to upgrade the lighting and electrical in the camera studio for production. In addition, a vendor has been contacted to remove the adventure course at the high school in May and June. The poles and all the equipment will be saved, to be used when a new course is built. A new location for a future adventure course at the high school needs to be determined.

Mr. Bergeron asked the School Committee to declare some technology obsolete and to remove it from service by a vote of surplus. This will be a repeated request in following years, as the 1:1 Chromebook inventory will need to be voted surplus at future times.

Two important items that did not get to Mr. Bergeron's report was the audit by the Food Service Department at the State. The State looks at everything in the department from finance to menus and calories. The State gave us a good report and any corrective actions taken by us have been submitted to the State for their review. The second item, the district is applying for a summer food service program for the extended school year programs this summer, for preschool through grade 12. This would include breakfast and lunch and with our districts socioeconomic status the program would be free for all children. Mr. Bergeron feels confident we will be approved for the program.

Last, Mr. Bergeron submitted several transfers for approval to begin the 'close out' of the budget.

Mrs. Bodin-Hettinger asked Mr. Bergeron to clarify a few points about the free lunch program for this summer.

## **7. Acceptance of Minutes:**

### **A. Minutes of April 10, 2018 School Committee Meeting**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve as submitted, the School Committee minutes of April 10, 2018.

Motion passed 5-0-0.

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# Marlborough Public Schools

## **School Committee**

17 Washington Street, Marlborough, MA 01752  
(508) 460-3509

### **B. Minutes of May 8, 2018 School Committee Meeting**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve as submitted, the School Committee minutes of May 8, 2018.

Motion passed 5-0-0.

### **8. Public Participation: None**

### **9. Action Items/Reports:**

#### **A. 2018-2019 Student Handbook/Planner Changes**

MHS Principal Charlie Caliri spoke about changes in the handbook, many of the changes made from survey feedback from both students and staff. He also answered questions from the committee. The student handbook/planner has been sent to the School Committee with the changes outlined for their review and approval. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept the changes to the 2018-2019 Student Handbook/Planner.

Motion passed 5-0-0.

#### **B. Class of 2018 Chromebooks**

Mr. Bergeron is proposing to allow each senior who requests one, to keep their Chromebooks they have been using during their high school years, as they have no remaining value. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to allow the MHS Class of 2018 to keep the Chromebooks they have been using during their high school years if so requested.

Motion passed 5-0-0.

#### **C. Transfer in the FY18 Operating Budget**

Mr. Bergeron is recommending transfers within the FY18 operating budget for balance purposes. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve the transfers as recommended.

Motion passed 5-0-0.

#### **D. Policies for Acceptance**

Policy #1.300 Bullying Prevention, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve policy #1.300 as presented.

Motion approved 5-0-0.

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# Marlborough Public Schools

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## **School Committee**

17 Washington Street, Marlborough, MA 01752  
(508) 460-3509

Policy #1.400 Harassment, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve policy #1.400 as presented.

Motion approved 5-0-0.

Policy #8.030 Residency, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve as amended, policy #8.030.

Motion approved 5-0-0.

Policy #8.031 Non-Resident Students, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve policy #8.031 as presented.

Motion approved 5-0-0.

Policy #8.050 Moving Within Districts, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve as amended, policy #8.050.

Motion approved 5-0-0.

Policy #9.500 Fundraising/Donations/Grants, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve as amended, policy #9.500.

Motion approved 5-0-0.

Policy #9.500a Fundraising/Grants/Donations Form, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve as amended, policy #9.500a.

Motion approved 5-0-0.

Policy #9.510 Gifts to and Solicitations by Staff, a motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve policy #9.510 as presented.

Motion approved 5-0-0.

## **E. Acceptance of Donations and Gifts**

**2017 Hannaford Helps Schools Program** donated \$1,000.00 raised by parents and community members for MHS to help support activities at the school. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$1,000.00 donation from Hannaford Helps Schools Program.

Motion approved 5-0-0.

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# Marlborough Public Schools

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**School Committee**  
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**Ezra Cutting Scholarship Award** donation of \$125.00, given to a Whitcomb School 8<sup>th</sup> grade student, that shows marked improvement in spelling. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$125.00 donation. Motion approved 5-0-0.

## 10. Reports of School Committee Sub-Committees: None

Mrs. Matthews reported that a tentative agreement has been reached with the Behavior Technicians, which they have ratified, and it will be on the agenda at the next School Committee meeting. Also, negotiations are continuing with the Secretaries and the Para Educators.

## 11. Members' Forum: None

Mrs. Bodin-Hettinger asked the School committee if a final evaluation process was needed by them for Superintendent Greulich, as she has completed her final evaluation for this year. The committee will complete a final evaluation on Superintendent Greulich and Mrs. Bodin-Hettinger will alert the School Committee on completing this last evaluation.

Last, she extended congratulations to Heidi Di Persio for her service this year as the student representative on the School Committee and asked her to talk a little about her presentation given today on her project for the Global Competence Certificate Program which she did on *Access to Education for Women in Developing Nations*.

Chairman Vigeant closed the night, reminding everyone about the City Scholarship applications that are due on Friday, May 25. The City will be giving out five \$1,500.00 scholarships. Also, the budget was approved by the City Council, Monday, May 21.

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## 12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:30 pm.

Motion passed 5-0-0

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Matthews", with a long, sweeping horizontal line extending to the right.

Heidi Matthews  
Secretary, Marlborough School Committee

HM/cm

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