

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 FEB 21 P 3:00

1. Communication from the Mayor, re: Request to address the City Council to provide an update on the state of the City.
2. Minutes, City Council Meeting, February 11, 2019.
3. PUBLIC HEARING On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, Order No. 18/19-1007461A, X09-1002152C, X12-1004081C.
4. PUBLIC HEARING On the Application for Sign Special Permit, from Main Street Bank, 81 Granger Boulevard to operate an electronic message center sign at its bank located at 81 Granger Boulevard, Order No. 18/19-1007423B, X18-1007461A.
5. PUBLIC HEARING On the Application for Special Permit from Marc Buchan to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Drive, Order No. 19-1007512.
6. Communication from the Mayor, re: Transfer request in the amount of \$510,832.30 which moves funds from PEG Fees to Marlborough Cable Trust to fund the operation of WMCT for FY20.
7. Communication from the Mayor, re: Transfer request in the amount of \$182,500.00 which moves funds from Free Cash to IT Equipment to purchase, install and maintain security cameras at the Jaworek and Richer Elementary Schools.
8. Communication from the Mayor, re: Grant Acceptance in the amount of \$825.00 from the Massachusetts Cultural Council awarded to the Mayor's Office to be used to beautify an electrical box utilizing the wrap technique.
9. Communication from City Solicitor, Donald Rider, re: Amendments to the Master Concept Plan and Development Agreement relative to the Results Way Mixed Use Overlay District (RWMUOD), in proper legal form, Order No. 18/19-1007313A.
10. Communication from City Solicitor, Donald Rider, re: Site Plan Approval with conditions for AvalonBay Communities, Inc. for 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the RWMUOD, in proper legal form, Order No. 18/19-1007315A.
11. Communication from City Solicitor, Donald Rider, re: Special Permit for AvalonBay Communities, Inc., for a 123-unit Luxury Apartment Community located on a portion of Forest Street within the RWMUOD, in proper legal form, Order No. 18/19-1007314E.
12. Communication from City Solicitor, Donald Rider, re: Special Permit for Marlborough TOTG, LLC, to construct a mixed-use project at 57 Main Street to exceed by 4% the maximum lot coverage of 80% allowed in the Marlborough Village District, in proper legal form, Order No. 18/19-1007424D.

**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.**

13. Communication from City Solicitor, Donald Rider, re: Site Plan Approval with conditions for Marlborough TOTG, LLC, to construct a mixed-use project at 57 Main Street, in proper legal form, Order No. 18/19-1007425A.
14. Communication from the Planning Board, re: Favorable Recommendation of Cider Mill Estates Subdivision, Acceptance of Goodwin Street and McDermot Way as Public Ways, Order No. 19-1007530.
15. Petition from Massachusetts Electric, to install 461 feet of underground primary from P13 on Framingham Road up to Pad 1-99 on Beverly Drive and to install 262 feet of underground secondary from Pad 1-99 to HH 0-2, all work to remain in the public way.
16. Communication from Attorney Brian Falk on behalf of St. Mary's Credit Union, re: Proposed Rezoning of land located at 31 and 35 John Street.
17. Application for Special Permit from Fabricio DaSilva, to construct a new 5 x 18 front porch on an existing structure, 3 Jonas Court.
18. Application for Special Permit and Updated Site Plan Approval Submission from Attorney Brian Falk, on behalf of E on Main, to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space at 161-175 Main Street, X16-1006668A.
19. Minutes, Ad-Hoc Municipal Aggregation Committee, February 11, 2019.
20. Minutes, Board of Health, December 3, 2018 & January 14, 2019.
21. Minutes, Conservation Commission, January 10, 2019 & January 24, 2019.
22. Minutes, Council on Aging, January 8, 2019.
23. Minutes, Planning Board, January 28, 2019.
24. CLAIMS:
  - a) Rocco DeVito, 39 Girard Street, pothole or other road defect.
  - b) Matheus DeSouza, 109 Edinboro Street, pothole or other road defect.
  - c) Paul Graves, 239 Ridge Road, other property damage and/or personal injury.
  - d) William MacCormac, 168 Farm Road, residential mailbox claim (2b).
  - e) Corey Marsh, 96 Bunker Hill Parkway, West Boylston, pothole or other road defect.
  - f) Chanchal Patil, 37 Littlefield Lane, residential mailbox claim (2b).
  - g) Neftali Pena, 302 North Street, Leominster, pothole or other road defect.
  - h) Naila Ramirez, 201 Broad Street, #2L, pothole or other road defect.
  - i) Majid Sairafi, 81 Woodland Drive, pothole or other road defect.
  - j) Lan Sun, 102 Milk Street, Westborough, other property damage and/or personal injury.
  - k) Andrew Zupan, 14 Brigham Road, Framingham, pothole or other road defect.

**REPORTS OF COMMITTEES:**

## 25. ORDERED:

1. This order supersedes Order No. 17-1006881 dated April 10, 2017.
2. The goal of the Ad-Hoc Municipal Aggregation Committee is to obtain competitive electric supply offers that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period.
3. Establish an Ad-Hoc Municipal Aggregation Committee that will review competitive electric supply agreements and make recommendations to the Mayor. The Municipal Aggregation Committee will consist of 5 members including:
  - The Mayor
  - Two City Councilors (appointed by the City Council President)
  - The Chief Procurement Officer
  - The DPW Commissioner (or designee)
  - A quorum shall consist of a minimum of 3 members
4. The Ad-Hoc Municipal Aggregation Committee will provide periodic updates to the City Council on Municipal Aggregation implementation.
5. All suppliers of electricity licensed by the Department of Public Utilities and qualified to do business in the Commonwealth of Massachusetts can participate in the City's Municipal Aggregation Program.

## BACKGROUND:

On October 15, 2018, the City Council approved Order No. 18-1007435 to have the Ad-Hoc Municipal Aggregation Committee review Council Order 17-1006881 regarding item #2 "The goal of Municipal Aggregation is to require that the R-1 (residential) class rates be lower than the prevailing National Grid Fixed Basic Service Rate" and report back to the City Council. The purpose of the review was to determine if there may be a financial benefit to the residents of Marlboro by entering into agreements for longer electricity supply contracts that may contain savings over the long run but may be occasionally higher than the National Grid Fixed Basic Service Rate. The Ad-Hoc Municipal Aggregation Committee meeting minutes from February 11, 2019 document the Committee's unanimous decision to revise the order to allow the City to enter into longer electrical supply contracts to provide stability and predictability for electrical supply rates while potentially providing greater savings to Marlboro residents than the current process. Recommend the above order be referred to the Finance Committee, set a public hearing for March 11, 2019 and advertise. .... Submitted by Councilor Ossing

## UNFINISHED BUSINESS:

From Public Services Committee

26. **Order No. 18/19-1007499A: Communication from the City Solicitor, Donald Rider, regarding Walker Brook Estates Subdivision – Acceptance of Allis Road & Bemis Road as Public Ways.**

The Public Services Committee met with City Solicitor Donald Rider and City Engineer Tom DiPersio regarding the Walker Brook Estates Subdivision and the acceptance of Allis Road and Bemis Road as public ways. Chairman Landers read the letter dated December 13, 2018 from the City Solicitor as well as the letter dated January 10, 2019 from the Planning Board that recommended Allis Road and Bemis Road be accepted as public ways and their appurtenant easements be accepted as municipal easements in the City of Marlborough. The City Engineer worked closely with the Planning Board on their acceptance procedures and was satisfied the subdivision completed its one-year maintenance procedures.

**Motion made by Councilor Doucette, seconded by the Chair, to approve the acceptance of Allis Road and Bemis Road as public ways. The motion carried 3-0.**

From Finance Committee

27. **Order No. 19-1007524 – Transfer \$62,800.00 from Reserve for Salaries to Police Department Sick Leave Buy Back.**

The Finance Committee reviewed the Mayor's letter dated January 22, 2019 requesting the transfer of \$62,800.00 from Reserve for Salaries to the Police Department Sick Leave Buy back account to cover the retirement of a Command Officer.

**The Finance Committee voted 5 – 0 to approve the transfer.**

28. **Order No. 19-1007525 – Transfer \$11,000.00 from Police Department Educational Incentive account to the Initial Equipment account.**

The Finance Committee reviewed the Mayor's letter dated January 22, 2019 requesting the transfer of \$11,000.00 from Police Department Educational Incentive account to the Police Initial Equipment account to cover initial equipment for new Police Officers.

**The Finance Committee voted 5 – 0 to approve the transfer.**

From Urban Affairs Committee

29. **Order No. 18/19-1007313: Communication from the Attorney Buckley regarding the Results Way Mixed Use Overlay District and changes to the Master Concept Plan and Development Agreement.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Master Concept Plan and Development Agreement for the Results Way Mixed Use Overlay District. A revised Master Concept Plan was submitted by Attorney Buckley in compliance with the Results Way Mixed Use Overlay (RWMUOD) District as requested by Councilor Robey and will accurately reflect the acreage and parking ratios.

The Development Agreement had several modifications:

- Include a payment of \$3,000.00 per residential unit providing flexibility to the City Council and its use of those funds to provide mitigation in terms of structures and services at the discretion of the City Council.
- Reflect the total construction of 473-units at the site.
- The original Development Agreement cites a plan drawn by SMMA, labeled Forest Ave. Master Plan dated April 16, 2013, which shall be updated to appropriately reference the most recently revised Master Concept Plan, submitted February 1, 2019.

Chairman Delano read through item number two of the First Amendment to the Development Agreement which contained the substantive changes:

“For each unit of residential housing in excess of the 350 units already built, the owner of any Development Parcel containing residential use shall make a one-time payment to the City equal to Three Thousand Dollars (\$3,000.00) per residential dwelling unit (hereinafter, such amounts being referred to as the “Residential Development Contribution”) to be used by the City, acting by and through the City Council, to contribute to the cost of mitigation structures and/or services. The Residential Development Contribution shall be made in two (2) installments for each residential unit. The first payment installment shall be in the amount of One Thousand Dollars (\$1,000.00) and shall be due and payable upon the issuance of the building permit for the construction of the applicable residential dwelling unit and the second payment installment shall be in the amount of Two Thousand Dollars (\$2,000.00) and shall be due and payable upon the issuance of a Certificate of Occupancy for the applicable residential dwelling unit. The payment of the Residential Development Contribution by the owner of any Development Parcel containing residential use is made in recognition of the benefits to the Property of such undertakings by the City. The payment of the Residential Development Contribution made pursuant to this Paragraph 4 shall be the exclusive payment required for the subject matter of this paragraph (including without limitation, towards the production of affordable housing) notwithstanding anything in the City of Marlborough Zoning ordinance to the contrary, as the same may be amended. Notwithstanding anything in the City of Marlborough Zoning ordinance to the contrary, as the same may be amended, upon completion of the proposed multi-family housing of up to a maximum of 473 dwelling units within the entire RWMUOD, no more multi-family housing (of any type) shall be permitted within the RWMUOD.”

**Motion made by Councilor Tunnera, seconded by Chair, to approve the First Amendment to the Development Agreement as amended pending review by the Legal Department. The motion carried 4-0.**

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Master Concept Plan as updated. The motion carried 4-0.**

30. **Order No. 18/19-1007315: Communication from AvalonBay Communities, Inc., regarding 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.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Site Plan Review Committee Report dated January 30, 2019. The following changes were discussed and recommended for inclusion in the **Site Plan Decision**:

- Detention Basin requires an adequate fence agreeable to the City Engineer.
- Removal of item # 36.
- Item #22 shall be revised to be the same as the Development Agreement.
- Add a General Provision for “Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans. The City Council delegates to the Building Commissioner the authority to approve changes to the approved Site Plans consistent with future amendments to the Zoning Ordinance enacted by the City Council.”

**Motion made by Councilor Doucette, seconded by Chair, to approve the Site Plan Decision as amended and to suspend the rules on February 11, 2019 to forward to the Conservation Officer and to the City Solicitor to place in proper form for placement on the February 25, 2019 City Council Agenda. The motion carried 4-0.**

31. **Order No. 18/19-1007314D: Communication from AvalonBay Communities, Inc., regarding 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.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Special Permit Application for Avalon Marlborough II for 123-residential units. City Solicitor Rider noted paragraph 6 of the "Findings of Fact and Conditions" will be updated to reflect the residential development contribution as written in the "First Amendment to the Development Agreement." They discussed a truck exclusion on the property but determined since they are private roads, it was at the Developer's discretion whether to include one on their property. Scott Dale, on behalf of AvalonBay, stated that the site plan had been amended to remove the gate and allow for free flow access around the entire overlay as initially envisioned. The site had several lots which were consolidated into one lot and it will be properly referenced in the Special Permit as well as the plan described in paragraph 6 of the "Findings of Fact and Conditions."

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Special Permit as amended for AvalonBay Communities, Inc. The motion carried 4-0.**

**Motion made and seconded to Suspend the Rules on February 11, 2019 to refer to the Legal Department the First Amendment to the Development Agreement dated February 4, 2019 as amended, the Master Concept Plan as amended, the Special Permit Decision as amended, and the Site Plan Decision as amended, together with renderings, studies, exhibits and other evidence submitted to the Urban Affairs Committee and to place in proper form on the February 25, 2019 City Council Agenda. The motion carried 4-0.**

32. **Order No. 18/19-1007424B: Application for Special Permit from Marlborough TOTG, LLC d/b/a MCO & Associates, Inc. to increase lot coverage area of 80% to 84% for patio area of proposed restaurant at 57 Main Street.**

The Urban Affairs Committee met with Mark O'Hagan for a review of the application for a special permit for 57 Main Street to increase the lot coverage area from 80% to 84%. The special permit application was previously reviewed at a meeting on January 22, 2019 where it was explained the applicant was providing an easement to the City of Marlborough for the reconstruction of Exchange Street and thereby reducing the area available to meet the lot coverage requirements. The Urban Affairs Committee approved the special permit application however the Site Plans did not accurately reflect the site conditions with regards to a bicycle rack location as well as bedroom counts and units. The applicant updated the Site Plans and Architectural Plans and submitted them for review. The special permit language requires updating for conditions eleven and twelve to properly reference the correct plans.

**Motion made by Councilor Tunnera, seconded by Chair, to approve the special permit application granting an increase in lot coverage from 80% to 84% as amended. The motion carried 4-0.**

**33. Order No. 18/19-1007425: Site Plan Application for Tavern on the Green, 57 Main Street.**

The Urban Affairs Committee met with Mark O'Hagan for City Council review of the Site Plan Application for Tavern on the Green at 57 Main Street. As part of the Site Plan Application, the proponent requested a waiver of the open space requirement for the site as the ordinance requires 5,500 square feet for a project of this size (100 square feet per unit x fifty-five units), half of which must be ground level open space and the other half may be private patio open space. This site has private patio space and within the building on the second floor, community-residence common space area totaling 8,200 square feet but not meeting the requirement of 2,750 square feet of outdoor patio space. The Committee reviewed the Site Plan Approval draft decision, and changes are required to accurately reference the architectural plans and site plans and properly reference each in the draft decision.

In response to Councilor Robey's inquiries, the applicant is required to assign each residential unit with one (1) parking space. The parking plan includes adequate parking spaces to meet the residential parking requirement with additional spaces remaining and available for the proposed commercial use.

**Motion made by Councilor Doucette, seconded by Chair, to approve the open space waiver request for 57 Main Street. The motion carried 4-0.**

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Site Plan Decision as amended. The motion carried 4-0.**

**Motion made and seconded to Suspend the Rules on February 11, 2019 to refer to the Legal Department the Special Permit Decision and the Site Plan Decision as amended to place in proper legal form for the February 25, 2019 City Council meeting. The motion carried 4-0.**



*City of Marlborough*  
*Office of the Mayor*

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Marlborough, Massachusetts 01752  
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RECEIVED  
CITY OF MARLBOROUGH  
MAYOR

2019 FEB 21 AM 10:07  
Nicholas J. DiStasio  
EXECUTIVE AIDE

Patricia Bernard  
EXECUTIVE SECRETARY

February 21, 2019

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

**Re: Request to Speak to the City Council**

Honorable President Clancy and Councilors:

I am writing to request the opportunity to speak before the City Council at the February 25, 2019 City Council meeting to provide an update on the state of the City.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor





RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 FEB 21 A 8:35

**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**FEBRUARY 11, 2019**

Regular meeting of the City Council held on Monday, February 11, 2019 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Oram, Ossing, Robey, Delano, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 10:25 PM.

**ORDERED:** That the Minutes of the City Council meeting JANUARY 28, 2019, **FILE AS AMENDED**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Communication from Peter Bemis on behalf of Lacombe Business Center, LLC, re: Rezoning land off Lacombe Street, Order No. 18-1007483, **FILE**; adopted.

**ORDERED:** That the Proposed Zoning Map Amendment from Peter Bemis on behalf of Lacombe Business Center, LLC, re: Rezoning land off Lacombe Street, Order No. 18-1007483, **WITHDRAWN WITHOUT PREJUDICE**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Communication from Peter Bemis on behalf of Stephen Vigeant, Trustee 22 Englewood Trust, re: Rezoning land off Mill Street South, Order No. 18-1007484, **FILE**; adopted.

**ORDERED:** That the **PUBLIC HEARING** On the Proposed Zoning Map Amendment from Peter Bemis on behalf of Stephen Vigeant, Trustee 22 Englewood Trust, re: Rezoning land off Mill Street South, Order No. 18-1007484, **CONTINUED UNTIL MARCH 25, 2019 AT 8:00 PM**; adopted.

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

**ORDERED:** That the **PUBLIC HEARING** On the Proposed Zoning Ordinance Amendment, Chapter 650 §22 & §5, relative to Multifamily Retirement Community, 90 Crowley Drive, Order No. 18-1007452A, all were heard who wish to be heard, hearing closed at 8:34 PM; adopted.

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

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Ordinance Amendment, Chapter 650, §15, §17, & §18 – Home Office & Contractor Yards, Order No. 18-1007500, all were heard who wish to be heard, hearing closed at 9:32 PM; adopted.

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

President Clancy called a recess at 9:33 PM and returned to open meeting at 9:36 PM.

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 by inserting the following new definition:

**MOBILE FOOD TRUCK**

A food establishment that is located upon a motorized vehicle or is pulled by a motorized vehicle where food is prepared, cooked, and served for retail sale in individual portions.

- II. Section 650-18, entitled “Conditions for uses,” is hereby amended by inserting in subsection A thereof a new paragraph (49), pertaining to mobile food trucks:

(49) Mobile food trucks shall be operated in accordance with all applicable Marlborough regulations and state and federal food codes. Mobile food trucks shall not park within 20 feet of a fire hydrant or within five feet of a fire alarm box or other comparable emergency communication device, or within five feet of a marked crosswalk, public or private driveway, or handicapped accessible curb cut.

- (a) Mayor is authorized to issue 1 to 3 day permits in the zones requiring a special permit.
- (b) City Council issues special permits for longer duration permits addressing duration of permit, periodic review to ensure quality mobile food truck and compliance with city and state regulations.

- III. Section 650-48, entitled “Off-street parking” is hereby amended by inserting in subsection A thereof a new paragraph (17), pertaining to mobile food trucks:

(17) Mobile food trucks: two spaces per mobile food truck. Each mobile food truck is required to provide two parking spaces for customer use and provide documentation to the Building Commissioner identifying the two spaces.

II. Section 17 of Chapter 650, entitled "Table of Uses," is hereby amended by inserting the following:

	RR	A1	A2	A3	RB	RC	RCR	NB	B	CA	LI	I	MVD
Mobile food trucks (49)	N	N	N	N	N	N	N	SP	SP	SP	SP	SP	SP

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, APRIL 8, 2019**; adopted.

ORDERED: That the Mid-Year Transfer requests in the amount of \$1,341,950.00 as detailed in the spreadsheets, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		Mayor				FISCAL YEAR:		2019			
FROM ACCOUNT:						TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$25,997.13	\$7,900.00	11610002	50770	Senior Clerk	\$2,900.00	11210001	50321	Exec Aide to the Mayor	\$27,491.79		
	Reason:	Surplus				Reason:	New Hire				
	\$0.00				\$5,000.00	11210003	51920	Sick Leave Buy Back	\$0.00		
	Reason:					Reason:	Employee exit buy back				
	\$7,900.00	Total			\$7,900.00	Total					

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		IT				FISCAL YEAR:		2019			
FROM ACCOUNT:						TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$75,000.00	\$13,100.00	12200001	50805	Fire Inspector	\$13,100.00	11550001	50213	Network Engineer	\$34,050.56		
	Reason:	Surplus				Reason:	New Hire				
	\$13,100.00	Total			\$13,100.00	Total					

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT: HR

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$75,000.00</u>	<u>\$17,000.00</u>	<u>1220001</u>	<u>50805</u>	<u>Fire Inspector</u>	<u>\$12,000.00</u>	<u>1152006</u>	<u>57380</u>	<u>Conference &amp; Training</u>	<u>\$8,153.50</u>
	Reason: <u>Surplus</u>				Reason: <u>OSHA Training Course for DPW</u>				
	<u>\$0.00</u>				<u>\$5,000.00</u>	<u>1152004</u>	<u>53140</u>	<u>Contract Services</u>	<u>\$20,053.31</u>
	Reason: _____				Reason: <u>Police Assessment Center</u>				
	<u>\$17,000.00</u>	<u>Total</u>			<u>\$17,000.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT: POLICE

FY: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$816,832.65</u>	<u>\$93,400.00</u>	<u>1199006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$93,400.00</u>	<u>1210003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$9,910.41</u>
	Reason: <u>Budgeted retirement of two officers</u>							<u>Contractual sick leave retirement payment</u>	
<u>\$274,701.57</u>	<u>\$5,000.00</u>	<u>1210003</u>	<u>51440</u>	<u>Educational Incentive</u>	<u>\$5,000.00</u>	<u>1210005</u>	<u>54220</u>	<u>Office Supply/Expenses</u>	<u>\$9,911.00</u>
	Reason: <u>Surplus in account</u>							<u>Deficit due to increase training classes</u>	
<u>\$274,701.57</u>	<u>\$5,000.00</u>	<u>1210003</u>	<u>51440</u>	<u>Educational Incentive</u>	<u>\$5,000.00</u>	<u>1210006</u>	<u>52560</u>	<u>Vehicle Repair &amp; Maintenance</u>	<u>\$21,687.06</u>
	Reason: <u>Surplus in account</u>							<u>Maintenance to existing fleet of cruisers</u>	
	<u>\$103,400.00</u>	<u>Total</u>			<u>\$103,400.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		Building				FISCAL YEAR:		2019	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$10,000.00</u>	<u>\$8,000.00</u>	<u>12410004</u>	<u>53140</u>	<u>Contract Services</u>	<u>\$8,000.00</u>	<u>12410001</u>	<u>50960</u>	<u>Asst. Plumbing Inspector</u>	<u>\$0.00</u>
	Reason:	<u>Surplus from unused</u>			Reason:	<u>Funds needed to cover potential shortfall.</u>			
	<u>\$8,000.00</u>	Total			<u>\$8,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		Comptroller				FISCAL YEAR:		2019	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$3,822,047.29</u>	<u>\$600,000.00</u>	<u>11980006</u>	<u>51750</u>	<u>Health Ins</u>	<u>\$500,000.00</u>	<u>13100003</u>	<u>51751</u>	<u>Health Ins</u>	<u>\$3,717,160.23</u>
	Reason:	<u>Surplus</u>			Reason:	<u>Cover potential shortfall</u>			
<u>\$0.00</u>	<u>\$0.00</u>				<u>\$100,000.00</u>	<u>13100003</u>	<u>51753</u>	<u>Medicare Ins</u>	<u>\$352,925.45</u>
	Reason:				Reason:	<u>Cover potential shortfall</u>			
	<u>\$600,000.00</u>	Total			<u>\$600,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Comptroller

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$1,250,000.00</u>	<u>\$185,000.00</u>	17110006	59968	2018 Multi Purpose	<u>\$185,000.00</u>	60071106	59966	2016 Multi Purpose	<u>\$205,000.00</u>
	Reason:	<u>Reclassify for Borrowing June 2018</u>			Reason:	<u>Reclassify for account error correction</u>			
<u>\$400,000.00</u>	<u>\$100,000.00</u>	17110006	59967	2017 Multi Purpose	<u>\$100,000.00</u>	61071106	59965	MWRA WRA 13-13-258	<u>\$100,000.00</u>
	Reason:	<u>Reclassify for Borrowing June 2018</u>			Reason:	<u>Reclassify for account error correction</u>			
	<u>\$0.00</u>				<u>\$0.00</u>				<u>\$0.00</u>
	<u>\$285,000.00</u>	Total			<u>\$285,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Comptroller

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$395,000.00</u>	<u>\$180,000.00</u>	17520006	59254	Interest on BAN	<u>\$305,000.00</u>	13860006	59254	Interest on BAN	<u>\$82,500.00</u>
	Reason:	<u>Reclassify for Borrowing June 2018</u>			Reason:	<u>Cover new school BAN interest</u>			
<u>\$80,000.00</u>	<u>\$25,000.00</u>	60075206	59050	Interest Expense	<u>\$0.00</u>				<u>\$0.00</u>
	Reason:	<u>Reclassify for Borrowing June 2018</u>			Reason:				
<u>\$150,000.00</u>	<u>\$100,000.00</u>	61075206	59080	Interest Expense	<u>\$0.00</u>				<u>\$0.00</u>
	Reason:	<u>Reclassify for Borrowing June 2018</u>			Reason:				
	<u>\$0.00</u>				<u>\$0.00</u>				<u>\$0.00</u>
	<u>\$305,000.00</u>	Total			<u>\$305,000.00</u>	Total			

CITY OF MARLBOROUGH  
BUDGET TRANSFERS -

DEPT:		Auditor				FISCAL YEAR:		2019	
FROM ACCOUNT:		TO ACCOUNT:							
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$10,100.00	\$2,550.00	15410004	53140	Contract Services	\$2,550.00	11350002	50520	Principal Clerk	\$17,281.26
	Reason:	Surplus - COA			Reason:	New hire contractual obligation			
	\$0.00				\$0.00				\$0.00
	\$2,550.00	Total			\$2,550.00	Total			

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$5,350.00 from the National Association of City and County Health Officials (NACCHO) awarded to the Board of Health for improvements to our food protection program and to send an employee to the National Environmental Health Association Conference; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance to the Council on Aging in the amount of \$985.00 in memory of Francis Kane, Bruce Campbell and Terry Lupien, to be used for various programs; adopted.

ORDERED: That the Amendment to Senior Citizen Property Tax Work Off Program, to increase number of allowed participants, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from the Mayor, re: Proposed increase in spending limit for the Council on Aging Revolving Fund, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Appointment of Josh Daigle to the Community Development Authority for a three-year term to expire from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Andrea Bell Bergeron to the Historical Commission for a three-year term to expire from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Reappointment of Public Works Commissioner John Ghiloni for a five-year term to expire from date of confirmation, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

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

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Proposed TIF Agreement, Candela Corporation and BAC Locke LLC, in proper legal form, Order No. 18/19-1007497A, **MOVED TO ITEM 26**; adopted.

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

That, upon the petition of Marlborough HUB, LLC, the Zoning Map established under Chapter 650, the City of Marlborough's Zoning Ordinance, in Article III, entitled "Establishment of Districts" is hereby amended in subsection 8 thereof, entitled "Boundaries Established; Zoning Map," by rezoning, what is presently zoned partly Residence C (RC) and partly Industrial (I), be rezoned entirely as Residence C (RC) as said Industrial (I) portion of Assessor' Map 82, parcel 125 is contiguous to the proponent's residentially zoned portion of Assessors' Parcel 125, and neither contiguous to any other industrially zoned land, and not practical or feasible for lawful industrial use.

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, MARCH 11, 2019**; adopted.

ORDERED: That the Communication from Central MA Mosquito Control, re: Notice of Preliminary Proposed Budget for FY20, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, November 28, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Historical Commission, January 10, 2019, **FILE**; adopted.

ORDERED: That the Minutes, License Board, December 19, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, January 7, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Retirement Board, December 21, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, December 19, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Richer School Council, January 14, 2019 & February 4, 2019, **FILE**; adopted.

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

- a) Linda Campbell, 647 Pleasant Street, residential mailbox claim (2a).
- b) Linda Colleton, 15 Sidney Street, residential mailbox claim (2a).
- c) Ethel Cutting, 240 Main Street, other property damage and/or personal injury.
- d) Janice Johnson & Walter McGrail, 780 Stevens Street, residential mailbox claim (2a).
- e) William & LeAnn Neal Reilly, 28 Littlefield Lane, residential mailbox claim (2b)
- f) Deborah & Eric Richard, 4 Belleview Avenue, other property damage and/or personal injury.



## Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: February 4, 2019

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

Convened: 7:30 PM – Adjourned: 7:37 PM

Present: Chairman Landers; Public Services Committee Members Councilors Doucette and Irish; and Councilors Clancy, Dumais, Oram, Ossing, and Robey; Tom DiPersio (City Engineer, City of Marlborough); Donald Rider (City Solicitor, City of Marlborough)

**Order No. 18/19-1007499A: Communication from the City Solicitor, Donald Rider, regarding Walker Brook Estates Subdivision – Acceptance of Allis Road & Bemis Road as Public Ways.**

The Public Services Committee met with City Solicitor Donald Rider and City Engineer Tom DiPersio regarding the Walker Brook Estates Subdivision and the acceptance of Allis Road and Bemis Road as public ways. Chairman Landers read the letter dated December 13, 2018 from the City Solicitor as well as the letter dated January 10, 2019 from the Planning Board that recommended Allis Road and Bemis Road be accepted as public ways and their appurtenant easements be accepted as municipal easements in the City of Marlborough. The City Engineer worked closely with the Planning Board on their acceptance procedures and was satisfied the subdivision completed its one-year maintenance procedures.

**Motion made by Councilor Doucette, seconded by the Chair, to approve the acceptance of Allis Road and Bemis Road as public ways. The motion carried 3-0.**

**Motion made and seconded to adjourn. The motion carried 3-0. Meeting adjourned at 7:37 PM.**

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee**

**Monday February 4, 2019**

**In Council Chambers**

Finance Committee Members Present: Chairman Ossing; Councilors Robey, Oram, Irish and Dumais.

Finance Committee Members Absent: None

Other Councilors in Attendance: Councilors Landers and Doucette.

The meeting convened at 7:20 PM.

- 1. Order No. 19-1007524 – Transfer \$62,800.00 from Reserve for Salaries to Police Department Sick Leave Buy Back:** The Finance Committee reviewed the Mayor's letter dated January 22, 2019 requesting the transfer of \$62,800.00 from Reserve for Salaries to the Police Department Sick Leave Buy back account to cover the retirement of a Command Officer. The Finance Committee voted 5 – 0 to approve the transfer

## Reports of Committee Continued:

2. **Order No. 19-1007525 – Transfer \$11,000.00 from Police Department Educational Incentive account to the Initial Equipment account:** The FINANCE COMMITTEE reviewed the Mayor's letter dated January 22, 2019 requesting the transfer of \$11,000.00 from Police Department Educational Incentive account to the Police Initial Equipment account to cover initial equipment for new Police Officers. The FINANCE COMMITTEE voted 5 – 0 to approve the transfer.

**The Finance Committee adjourned at 7:27 PM.**

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: February 4, 2019

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

Convened: 5:30 PM – Adjourned: 7:08 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Landers, Doucette, and Tunnera; and Councilors Clancy, Oram, Ossing, and Robey; Priscilla Ryder (Conservation Officer, City of Marlborough); Donald Rider (City Solicitor, City of Marlborough); Jeffrey Cooke (Building Commissioner, City of Marlborough)

Absent: Urban Affairs Committee Member Juairé

Also Present: **Mark O'Hagan (MCO & Associates Inc.); Larry Reeves (Reeves Design Associates)**

**Order No. 18/19-1007424B: Application for Special Permit from Marlborough TOTG, LLC d/b/a MCO & Associates, Inc. to increase lot coverage area of 80% to 84% for patio area of proposed restaurant at 57 Main Street.**

The Urban Affairs Committee met with Mark O'Hagan for a review of the application for a special permit for 57 Main Street to increase the lot coverage area from 80% to 84%. The special permit application was previously reviewed at a meeting on January 22, 2019 where it was explained the applicant was providing an easement to the City of Marlborough for the reconstruction of Exchange Street and thereby reducing the area available to meet the lot coverage requirements. The Urban Affairs Committee approved the special permit application however the Site Plans did not accurately reflect the site conditions with regards to a bicycle rack location as well as bedroom counts and units. The applicant updated the Site Plans and Architectural Plans and submitted them for review. The special permit language requires updating for conditions eleven and twelve to properly reference the correct plans.

**Motion made by Councilor Tunnera, seconded by Chair, to approve the special permit application granting an increase in lot coverage from 80% to 84% as amended. The motion carried 4-0.**

## Reports of Committee Continued:

**Order No. 18/19-1007425: Site Plan Application for Tavern on the Green, 57 Main Street.**

The Urban Affairs Committee met with Mark O'Hagan for City Council review of the Site Plan Application for Tavern on the Green at 57 Main Street. As part of the Site Plan Application, the proponent requested a waiver of the open space requirement for the site as the ordinance requires 5,500 square feet for a project of this size (100 square feet per unit x fifty-five units), half of which must be ground level open space and the other half may be private patio open space. This site has private patio space and within the building on the second floor, community-residence common space area totaling 8,200 square feet but not meeting the requirement of 2,750 square feet of outdoor patio space. The Committee reviewed the Site Plan Approval draft decision, and changes are required to accurately reference the architectural plans and site plans and properly reference each in the draft decision.

In response to Councilor Robey's inquiries, the applicant is required to assign each residential unit with one (1) parking space. The parking plan includes adequate parking spaces to meet the residential parking requirement with additional spaces remaining and available for the proposed commercial use.

**Motion made by Councilor Doucette, seconded by Chair, to approve the open space waiver request for 57 Main Street. The motion carried 4-0.**

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Site Plan Decision as amended. The motion carried 4-0.**

**Motion made and seconded to Suspend the Rules on February 11, 2019 to refer to the Legal Department the Special Permit Decision and the Site Plan Decision as amended to place in proper legal form for the February 25, 2019 City Council meeting. The motion carried 4-0.**

**Motion made and seconded to adjourn. The motion carried 4-0. The meeting of the Urban Affairs Committee adjourned at 7:08 PM.**

Meeting Name: City Council Urban Affairs Committee

Date: February 4, 2019

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

Convened: 5:30 PM – Adjourned: 7:08 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors I anders, Doucette, and Tunnera; and Councilors Clancy, Dumais, Ossing, and Robey; Tom DiPersio (City Engineer, City of Marlborough); Priscilla Ryder (Conservation Officer, City of Marlborough); Donald Rider (City Solicitor, City of Marlborough)

Absent: Urban Affairs Committee Member Juairé

Also Present: **Robert Buckley (Riemer & Braunstein LLP); Joseph Zink (President and CEO, Atlantic Management);** Scott Dale (Vice President of Development, AvalonBay Communities, Inc.); Julia Wynyard (Director Development, AvalonBay Communities); Paul Momnie (Attorney, Goulston & Storrs)

## Reports of Committee Continued:

**Order No. 18/19-1007313: Communication from the Attorney Buckley regarding the Results Way Mixed Use Overlay District and changes to the Master Concept Plan and Development Agreement.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Master Concept Plan and Development Agreement for the Results Way Mixed Use Overlay District. A revised Master Concept Plan was submitted by Attorney Buckley in compliance with the Results Way Mixed Use Overlay (RWMUOD) District as requested by Councilor Robey and will accurately reflect the acreage and parking ratios.

The Development Agreement had several modifications:

- Include a payment of \$3,000.00 per residential unit providing flexibility to the City Council and its use of those funds to provide mitigation in terms of structures and services at the discretion of the City Council.
- Reflect the total construction of 473-units at the site.
- The original Development Agreement cites a plan drawn by SMMA, labeled Forest Ave. Master Plan dated April 16, 2013, which shall be updated to appropriately reference the most recently revised Master Concept Plan, submitted February 1, 2019.

Chairmen Delano read through item number two of the First Amendment to the Development Agreement which contained the substantive changes:

“For each unit of residential housing in excess of the 350 units already built, the owner of any Development Parcel containing residential use shall make a one-time payment to the City equal to Three Thousand Dollars (\$3,000.00) per residential dwelling unit (hereinafter, such amounts being referred to as the “Residential Development Contribution”) to be used by the City, acting by and through the City Council, to contribute to the cost of mitigation structures and/or services. The Residential Development Contribution shall be made in two (2) installments for each residential unit. The first payment installment shall be in the amount of One Thousand Dollars (\$1,000.00) and shall be due and payable upon the issuance of the building permit for the construction of the applicable residential dwelling unit and the second payment installment shall be in the amount of Two Thousand Dollars (\$2,000.00) and shall be due and payable upon the issuance of a Certificate of Occupancy for the applicable residential dwelling unit. The payment of the Residential Development Contribution by the owner of any Development Parcel containing residential use is made in recognition of the benefits to the Property of such undertakings by the City. The payment of the Residential Development Contribution made pursuant to this Paragraph 4 shall be the exclusive payment required for the subject matter of this paragraph (including without limitation, towards the production of affordable housing) notwithstanding anything in the City of Marlborough Zoning ordinance to the contrary, as the same may be amended. Notwithstanding anything in the City of Marlborough Zoning ordinance to the contrary, as the same may be amended, upon completion of the proposed multi-family housing of up to a maximum of 473 dwelling units within the entire RWMUOD, no more multi-family housing (of any type) shall be permitted within the RWMUOD.”

## Reports of Committee Continued:

**Motion made by Councilor Tunnera, seconded by Chair, to approve the First Amendment to the Development Agreement as amended pending review by the Legal Department. The motion carried 4-0.**

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Master Concept Plan as updated. The motion carried 4-0.**

**Order No. 18/19-1007315: Communication from AvalonBay Communities, Inc., regarding 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.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Site Plan Review Committee Report dated January 30, 2019. The following changes were discussed and recommended for inclusion in the **Site Plan Decision**:

- Detention Basin requires an adequate fence agreeable to the City Engineer.
- Removal of item # 36.
- Item #22 shall be revised to be the same as the Development Agreement.
- Add a General Provision for "Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans. The City Council delegates to the Building Commissioner the authority to approve changes to the approved Site Plans consistent with future amendments to the Zoning Ordinance enacted by the City Council."

**Motion made by Councilor Doucette, seconded by Chair, to approve the Site Plan Decision as amended and to suspend the rules on February 11, 2019 to forward to the Conservation Officer and to the City Solicitor to place in proper form for placement on the February 25, 2019 City Council Agenda. The motion carried 4-0.**

**Order No. 18/19-1007314D: Communication from AvalonBay Communities, Inc., regarding 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.**

The Urban Affairs Committee met with representatives of Atlantic Management and AvalonBay Communities for review of the Special Permit Application for Avalon Marlborough II for 123-residential units. City Solicitor Rider noted paragraph 6 of the "Findings of Fact and Conditions" will be updated to reflect the residential development contribution as written in the "First Amendment to the Development Agreement." They discussed a truck exclusion on the property but determined since they are private roads, it was at the Developer's discretion whether to include one on their property. Scott Dale, on behalf of AvalonBay, stated that the site plan had been amended to remove the gate and allow for free flow access around the entire overlay as initially envisioned. The site had several lots which were consolidated into one lot and it will be properly referenced in the Special Permit as well as the plan described in paragraph 6 of the "Findings of Fact and Conditions."

## Reports of Committee Continued:

**Motion made by Councilor Tunnera, seconded by Chair, to approve the Special Permit as amended for AvalonBay Communities, Inc. The motion carried 4-0.**

**Motion made and seconded to Suspend the Rules on February 11, 2019 to refer to the Legal Department the First Amendment to the Development Agreement dated February 4, 2019 as amended, the Master Concept Plan as amended, the Special Permit Decision as amended, and the Site Plan Decision as amended, together with renderings, studies, exhibits and other evidence submitted to the Urban Affairs Committee and to place in proper form on the February 25, 2019 City Council Agenda. The motion carried 4-0.**

**Motion was made and seconded to adjourn. The motion carried 4-0. The meeting adjourned at 7:08 PM.**

**Suspension of the Rules requested – granted**

**ORDERED:** That the Special Permit for Marlborough TOTG, LLC to increase lot coverage area from 80% to 84% for patio area of proposed restaurant at 57 Main Street, refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE FEBRUARY 25, 2019 COUNCIL MEETING**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Site Plan Application of Marlborough TOTG, LLC, for a mixed-use development proposed at 57 Main Street, refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE FEBRUARY 25, 2019 COUNCIL MEETING**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the First Amendment to the Development Agreement and the Master Concept Plan as amended as proposed by Atlantic-Marlboro Realty LLC for certain parcels within the Results Way Mixed Use Overlay District (RWMUOD), refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE FEBRUARY 25, 2019 COUNCIL MEETING**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Site Plan Application by Avalon Marlborough II, for a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed Use Overlay District (RWMUOD), refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE FEBRUARY 25, 2019 COUNCIL MEETING**; adopted.

**Suspension of the Rules requested – granted**

**ORDERED:** That the Special Permit Application by Avalon Marlborough II, for a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed Use Overlay District (RWMUOD), refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE FEBRUARY 25, 2019 COUNCIL MEETING**; adopted.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Proposed TIF Agreement, Candela Corporation and BAC Locke LLC, in proper legal form, be and is herewith accepted and placed on **FILE**; adopted.

ORDERED: That the Tax Increment Financing Agreement (TIF) with Candela Corporation and BAC Locke LLC, the owner of the property at 251 Locke Drive, with following documents attached, **APPROVED**; adopted.

1. City Council Resolution
2. The Tax Increment Financing Agreement (TIF)

ORDERED: That consideration of the Mayoral Veto of Council Order 17/18/19-1007034D, relative to Petition of AT&T to place small cell site on utility pole at 319 East Main Street, **TABLED UNTIL FEBRUARY 25, 2019**; adopted.

ORDERED: That consideration of the Mayoral Veto of Council Order 18/19-1007321C, relative to Petition of AT&T to place small cell site on utility pole #11-50 at Francis and East Main Streets, **TABLED UNTIL FEBRUARY 25, 2019**; adopted.

ORDERED: That consideration of the Mayoral Veto of Council Order 18/19-1007322C, relative to Petition of AT&T to place small cell site on utility pole #1 at 10 Neil Street, **TABLED UNTIL FEBRUARY 25, 2019**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 10:25 PM; adopted.



## IN CITY COUNCIL

Marlborough, Mass., JANUARY 7, 2019

### ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 25, 2019** as **DATE TO RESCHEDULE PUBLIC HEARING** On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

**Councilor Delano recused.**

**Ninety days after public hearing is 05/26/19 which falls on a Sunday, therefore 05/27/19 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007461A  
X 09-1002152C  
X 12-1004081C





## IN CITY COUNCIL

Marlborough, Mass., JANUARY 7, 2019

**ORDERED:**

That there being no objection thereto set **MONDAY, FEBRUARY 25, 2019** as **DATE TO RESCHEDULE PUBLIC HEARING** On the Application for Sign Special Permit, Main Street Bank, 81 Granger Boulevard Marlborough to operate an electronic message center sign at its bank located at 81 Granger Boulevard, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

**Councilor Delano recused.**

ADOPTED

ORDER NO. 18-1007423B  
X 18-1007461



## IN CITY COUNCIL

Marlborough, Mass., JANUARY 7, 2019

**ORDERED:**

That there being no objection thereto set **MONDAY, FEBRUARY 25, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Marc Buchan to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Drive, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Ninety days after public hearing is 05/26/19 which falls on a Sunday, therefore 05/27/19 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 19-1007512



# City of Marlborough Office of the Mayor

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

*Arthur G. Vigeant*  
RECEIVED  
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CITY OF MARLBOROUGH  
*Nicholas J. Blais*  
EXECUTIVE AIDE  
2019 FEB 21 A 10:34  
*Patricia Bernard*  
EXECUTIVE SECRETARY

February 21, 2019

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

## Re: Transfer Request - WMCT

Honorable President Clancy and Councilors:

Please find enclosed for your review a transfer request in the amount of \$510,832.30 to fund the Fiscal Year 2020 budget for WMCT in Marlborough from the PEG Fund.

As you may recall, we revised how PEG funds are collected by the City. Previously, funds were provided directly from cable companies to WMCT to fund their budget and capital expenses. Since July 1, 2017, all PEG fees collected by the cable companies are now distributed directly to the City.

WMCT has submitted a transfer request to my office for the City Council's review to fund their annual budget. I will be available with WMCT Executive Director Dan Guindon to meet with you at your convenience to discuss in greater detail.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures

**To: The Marlborough Cable Trust**  
**From: Dan Guindon**  
**Re: FY20 Proposed Operating Budget**  
**Date: December 6<sup>th</sup>, 2018**

**Proposal**

For the FY20 Operating Budget that begins on April 1, 2019 and ends on March 31, 2020 I am proposing a budget of \$510,832.30. This is a 2.1% increase from the FY19 Operating Budget. The big difference being the rate hike for potential health insurance and rent . I tried to compensate by lowering numbers in other line items.

**Line Item Groups***(please refer to the attached materials for line-by-line breakdowns):*

▣ **Payroll:** \$337,635.46

▣ **Insurance:** \$93,828.52

▣ **The Office:** \$67,918.32

▣ **Productions:** \$9,250.00

**Projected OP Budget 2020**

Line Item	2020 Budget Request
Payroll:	
Freelance Labor	\$1,500.00
Payroll Services	\$3,000.00
Payroll Tax	\$23,000.00
Salaries	\$300,483.96
Salary Increases	\$1,551.50
Trustee Stipends	\$8,100.00
Office:	
Accounting	\$4,000.00
Cable/Internet/Telephone	\$5,700.00
Dues & Subscriptions	\$500.00
Legal Expense	\$500.00
Office Supplies	\$2,000.00
Postage	\$100.00
Promotional Items	\$1,000.00
Rent	\$48,643.32
Security System	\$350.00
State Tax	\$125.00
Utilities	\$5,000.00
Insurance:	
Dental	\$5,179.96
Directors & Officers	\$1,200.00
General Liability	\$5,647.00
Medical	\$80,801.56
Worker's Comp	\$1,000.00
Auto Expenses:	
Gas	\$2,200.00
Production:	
Equipment: NON-CAPITAL	\$1,000.00
Hard Drives/SD Cards/Thumb Drives	\$750.00
Meals	\$500.00
Small Equipment & Supplies	\$2,500.00
Technical Support	\$3,000.00
Web Development	\$1,500.00
Operating Expenses	\$510,832.30
Capitol Expenses	\$112,930.50

To: The Marlborough Cable Trust  
From: Dan Guindon  
Re: FY20 Budget Breakdowns  
Date: December 6<sup>th</sup>, 2018

## Payroll

The group of line items here are very important. We can have the finest equipment money can buy, but without the people to create the programming and run the equipment, it wouldn't matter. We are lucky enough to have the finest employees we could ask for.

◆ **Freelance Labor-** \$1,500.00

This line goes to pay for freelancers who we use to shoot specials and as talent on a couple of WMCT-TV productions. This line item is the same as it was last year.

◆ **Payroll Services-** \$3,000.00

ConnectPay is our payroll services provider. This line item is the same as FY19. It was brought up at the Finance Committee meeting that I should look at some other providers to compare costs. I did that and found similar numbers, but I think the bottom line here is that they have been doing a great job for us and I don't see a reason to switch companies at this time.

◆ **Payroll Tax-** \$23,000.00

The line name is self-explanatory. We are doing well here so I am confident that we can move forward with the same funding as previously approved.

◆ **Salaries-** \$300,483.96

Another self-explanatory line item. Due to salary decreases due to salaries moving toward base lines with turnover, this line only went up by \$1,410.22.

◆ **Salary Increases-** \$1,551.50

Again, a self-explanatory line item. This number is the total projection of what a 3% increase for each staff person would cost at their different times of the year for evaluations. This number is roughly 53% less than it was for FY19.

◆ **Trustee Stipends-** \$8,100.00

This line is for the stipends paid to the Marlborough Cable Trustees for attending monthly meetings. The funding here remains the same as FY19.

**Total: \$337,635.46**

To: The Marlborough Cable Trust  
From: Dan Guindon  
Re: FY20 Budget Breakdowns  
Date: December 6<sup>th</sup>, 2018

### Insurance

We are looking to go into our second full year of a cheaper plan through Blue Cross and Blue Shield. Since that newer plan did create adjustments and headaches for different member of our staff I would like to continue with this plan for the foreseeable future.

Last year I provided a breakdown of similar, or like-sized, organizations to see how we compare especially with giving 100% health and dental coverage. As the research found there are some that pay 100% like the Marlborough Cable Trust and others that pay 80%. Those that pay 80% offer additional benefits.

◆ **Dental-** \$5,179.96

This is a line that will require extra attention for FY21 due to the uncertainty of the Marlborough Regional Chamber of Commerce. Currently, we get our great rates through them. Should the Chamber cease to be, we will have to find coverage elsewhere.

This line covers two family plans and three individual plans. Amazingly, this line item is the same as FY19.

◆ **Directors & Officers** - \$1,200.00

Our liability insurance for the Trustees as indemnification for losses in defense of costs brought on by legal action. This line item is the same as it was last year.

◆ **General Liability-** \$5,647.00

This line of insurance covers our belongings (equipment, furniture, etc.) in case of loss. It is the same amount as FY19.

◆ **Medical-** \$80,801.56

Last year we saw the highest rate increase in 14 years; 13.8 %, which is why I am anticipating, but not expecting the line item total I am requesting.

As I have stated many times in past budget discussions, I always plan for the highest rate increases the federal government allows, but we never get that close...until FY19. We may see a slight decrease due to the fact that overall the staff ages got younger this past year due to employee turnover.

◆ **Workmans Comp-** \$1,000.00

This line is self-explanatory. It is also the same as it was for FY19.

**Total: \$93,828.52**

To: The Marlborough Cable Trust  
From: Dan Guindon  
Re: FY20 Budget Breakdowns  
Date: December 6<sup>th</sup>, 2018

### Office

Rent and utilities continue to be the biggest numbers here. Accounting, phone and internet services are in there as well. The rest covers day-to-day operations of our office.

◆ **Accounting:** \$4,000.00

The firm of Turner & Costa handles our end-of-year financial reports and tax preparation. JMax Small Business Services handles our month to reconciling. This line item the same for FY20 as it was for FY19.

◆ **Cable/Internet/Telephone-** \$5,700.00

This line is broken up into two monthly bills. We have the usual with Comcast for phone, cable and internet. Added now is Verizon internet, which provides us with the speed that Comcast is not capable of. We need this for our On Demand and streaming on the WMCT-TV website.

At the time of this report, I was working with Next Generation Communications in order to bring down some of the costs of this line item.

◆ **Dues & Subscriptions-** \$500.00

This line is for our Marlborough Regional Chamber of Commerce membership. The staff dental insurance comes out of this membership. I'm going to look into new plans in the near future because I don't know what will become of the Chamber of Commerce in the near future.

◆ **Legal Expense-** \$500.00

While we have not had to account for legal expenses, I have made it a point to have funding in this line item, just in case. It is the same amount as FY19.

◆ **Office Supplies-** \$2,000.00

Funds from this line item are used for the usual office purchases; printer ink and paper, kitchette supplies, water cooler and more. This line was cut by \$200.00.

◆ **Postage-** \$100.00

Rolls of stamps and postage for sending out DVDs and equipment that needs fixing is all that has accounted for the funding here. It is the same amount as it was for FY19.

◆ **Promotional Items-** \$1,000.00

We regularly sponsor the Historical Society calendar and are now doing the same with The Relay For Life. Staff business cards and occasional "swag" items are purchased using this line item. I am keeping the funding here the same as it was for FY19.

◆ **Rent-** \$0.00

The second year on our 5 year lease went up \$1,383.32.

◆ **Security System-** \$350.00

Besides the alarm system at our location for the entire building, we have two motion sensors covering our studio and office space. This line item is the same as it was for FY19.



◆ **State Tax-** \$125.00

This line accounts for our state tax filing fee. It is the same as FY19.

◆ **Utilities-** \$5,000.00

This self-explanatory line item is staying the same as FY19.

**Total: \$67,918.32**

To: The Marlborough Cable Trust  
From: Dan Guindon  
Re: FY20 Budget Breakdowns  
Date: December 6<sup>th</sup>, 2018

### Productions

All the lines in this group are related to in-studio and location productions. It also has to do with our web site and equipment maintenance.

◆ **Equipment: NON-CAPITAL-** \$1,000.00

This line is for equipment purchases too expensive for the Small Equipment & Supplies line item, yet not expensive enough for the Capital Budget. It is the same as FY19.

◆ **Hard Drives/SD Cards/Thumb Drives-** \$750.00

This line covers our recording, transferring and storage needs for programming. It has been cut 25%.

◆ **Meals-** \$500.00

Funding here has been cut in half. It is for the staff when we are out on location shoots, staff meetings and a holiday lunch.

◆ **Small Equipment & Supplies-** \$2,500.00

The funding on this went down about 17%. This is used for production supplies that don't fall into the lines of Capital and are less than \$500.00 purchases.

◆ **Technical Support-** \$3,000.00

This line is for paying professionals to fix whatever breaks down. The funding here is the same as it was for FY19.

◆ **Web Development-** \$1,500.00

The funding here is for our subscriptions and additions to our two websites for Marlborough Access and WMCT-TV. The line went down 25%.

◆ **Gas-** \$2,200.00

This is for the staff when they travel to location shoots using their own vehicles. The line item is the same as FY19.

**Total: \$9,250.00**

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2019

FROM ACCOUNT:

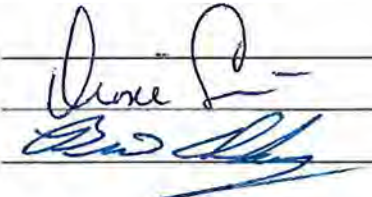
TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$545,477.04	\$510,832.30	27000	33010	Receipts Reserved-PEG Funds	\$510,832.30	89000	25581	Marlboro Cable Trust	\$0.00
	Reason:	To fund WMCT operations with PEG fees							
	Reason:								
	Reason:								
	Reason:								
	\$510,832.30	Total			\$510,832.30	Total			

Department Head signature:

Auditor signature:

Comptroller signature:



**PEG FEES**

8/29/2017 Verizon	\$111,192.81
8/29/2017 Comcast	\$105,212.77
11/7/2017 Comcast	\$104,451.39
11/29/2017 Verizon	\$108,894.94
2/27/2018 Verizon	\$105,934.98
2/27/2018 Comcast	\$102,247.17
2/27/2018 Comcast-franchise	\$3,332.00
4/2/2018 Verizon-franchise	\$3,295.50
5/8/2018 Comcast	\$96,069.98
5/21/2018 Verizon	\$107,727.46
8/23/2018 Comcast	\$95,348.01
8/23/2018 Verizon	\$101,215.51
8/28/2018 Verizon-franchise	\$2,678.62
11/16/2018 Comcast	\$94,728.72
12/4/2018 Verizon	\$97,462.08
12/4/2018 Verizon-franchise	\$5,049.85
2/20/2019 Comcast	\$95,246.35
2/20/2019 Verizon	\$97,007.90

Total Funding \$1,437,096.04

12/18/2017 co#17-1007095A	-\$282,100.00
5/21/2018 co# 18-1007263A	-\$355,519.00
10/15/2018 co# 18-1007352A	-\$254,000.00

Total Transfers -\$891,619.00

Available for future transfers \$545,477.04



# City of Marlborough Office of the Mayor

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

*Arthur G. Vigeant*  
RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*Nicholas J. Milano*  
EXECUTIVE AIDE  
2019 FEB 21 A 10:34  
*Patricia Bernard*  
EXECUTIVE SECRETARY

February 21, 2019

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

## Re: Transfer Request – Information Technology

Honorable President Clancy and Councilors:

Please find enclosed for your review a transfer in the amount of \$182,500.00 to move funds from the Free Cash account to IT equipment account in the Information Technology Department budget. These funds will be used to purchase, install, and maintain security cameras at the Jaworek Elementary School and the Richer Elementary School.

As you know, we have been investing in our security camera systems at City facilities and school buildings in recent years. These funds would complete our projects in Marlborough Public Schools.

Thank you for your consideration of this request. Superintendent Bergeron and IT Director Mark Gibbs will be available to answer any questions you may have.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures



*City of Marlborough*  
*Marlborough Public Schools*  
*Information Technology*

140 MAIN STREET  
MARLBOROUGH, MASSACHUSETTS 01752  
TEL. (508) 460-3763  
[mgibbs@marlborough-ma.gov](mailto:mgibbs@marlborough-ma.gov)



**January 30, 2019**

**TO: Mayor's Office**  
**FROM: Mark Gibbs, Information Technology Director**

Mayor

I am requesting the use of some Capital funds for continuing security camera-related projects. Below is a list the projected cost of the projects.

1. The purchase of a video server for Jaworek Elementary School at a cost of \$14,000.00.
2. The purchase of an additional 50 security camera licenses at a cost of \$6500.00.
3. Hiring of a state approved contractor to install interior/exterior security cameras at Jaworek Elementary School and Richer Elementary School at a total cost of \$162,000.00.

Please feel free to contact me with any questions or concerns. I can be reached at 508-460-3763 or [mgibbs@marlborough-ma.gov](mailto:mgibbs@marlborough-ma.gov).

Sincerely,

**Mark Gibbs,**  
**Information Technology Director**

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: IT

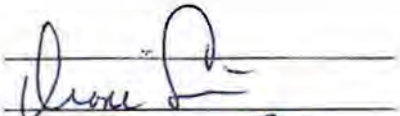
FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$7,101,961.00</u>	<u>\$182,500.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$182,500.00</u>	<u>19300006</u>	<u>58618</u>	<u>IT Equipment</u>	<u>\$14,806.58</u>
	Reason:	<u>Security camera related projects</u>							
	Reason:								
	Reason:								
	Reason:								
	Reason:								
	Reason:								
	Reason:								
	<u>\$182,500.00</u>	Total			<u>\$182,500.00</u>	Total			

Department Head signature:



Auditor signature:



Comptroller signature:



# City of Marlborough Office of the Mayor

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

*Arthur G. Vigeant*  
RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
EXECUTIVE AIDE  
2019 FEB 21 A 10:34  
*Patricia Bernard*  
EXECUTIVE SECRETARY

February 7, 2019

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

## Re: Grant Acceptance – Mayor's Office

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant award for the Mayor's Office in the amount of \$825.00 from the Massachusetts Cultural Council.

This funding will be used to beautify an electrical box utilizing the wrap technique that has been successfully used to cover boxes in Marlborough. The City will pay an additional \$300.00 stipend to a local artist for use of his or her rendering. These funds will be provided by DPW Contract services account 14001504 53140.

Local artists who are interested in submitting a piece of artwork electronically to be replicated on the box are welcome to contact my office for additional information.

Three boxes have already been beautified, on the corner of Main and South Bolton Streets, at Main and Mechanic Streets, and on Hosmer Street and Boston Post Road East. We are planning to wrap the box near Jake's Coffee Shop on East Main Street with these grant funds.

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

Sincerely,

  
Arthur G. Vigeant  
Mayor

Enclosures



**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

Department: Mayor's Office Date: 2/7/2019  
 Person responsible for grant expenditure: Patricia Bernard  
 Name of grant: Thinking Outside the Boxes  
 Grantor: Massachusetts Cultural Council  
 Grant amount: \$825.00  
 Grant period: January 21, 2019 to January 21, 2020

Scope of grant/items funded Fund beautification of an electrical box in the City

Is a position being created: No

If yes, can fringe benefits be paid from the grant? No

Are matching city funds required? If so, how much? Yes \$300.00

If matching is non-monetary (man hours, etc.) Please specify: N/A

If matching is monetary please give account number and description of city funds to be used:

Any other exposure to city? No

Is there a deadline for city council approval: No

**Department head must submit this form, a copy of the grant approval, and a cover letter to the mayor's office requesting that this be submitted to city council for approval of department to expend the funds received for the purpose of the grant.**



*Power of culture*

Patricia Bernard  
City of Marlborough, Mayor's Office  
140 Main Street  
Marlborough, MA 01776



January 21, 2019

Dear Patricia Bernard,

The Marlborough Cultural Council is pleased to inform you that your application for funding has received approval in the amount of **\$825** to support the following: **Thinking Outside the Boxes: City Beautification Program**.

Grants are made on a reimbursement basis only. Once your program has been completed, please send your reimbursement form and documentation to: The Marlborough Cultural Council, City Hall, 140 Main Street, Marlborough, MA 01752. In addition to your reimbursement form, please include: Invoices, receipts, or paid bills and evidence that the event took place and was credited as promised (programs, news clippings, press releases, etc.) Neglecting to include these items will delay your payment. Reimbursement will take approximately 3 weeks.

You have one year from the date of this letter to submit a request for reimbursement. Failure to meet that deadline will result in the loss of funds. If you need additional time to complete your project, your request for an extension must be made in writing, explaining the need for additional time. Grant recipients also need the Council's written permission to make changes to their projects. Project modifications must be requested in writing, and the modification should not significantly alter the original purpose of the approved application. Extension and modification requests are reviewed on a case-by-case basis and are not automatically granted.

The Americans with Disabilities Act (ADA) requires that persons with disabilities have access to public programs or services on an equal basis with the rest of the general public. All events and programs funded by the LCCs must be accessible to persons with disabilities, including the facility or event location as well as the content of the program. Please see the [Accessibility Guide](#) on the Mass Cultural Council website for more information about ensuring that your project is accessible.

You are required to acknowledge the financial support of the Marlborough Cultural Council and the Massachusetts Cultural Council in published materials and announcements about your project. According to IRS guidelines the grant money you receive is considered taxable income. Keep the award letter and check stub as a record of the award for your taxes.

There were many worthwhile applications for funding and only a select few were funded. We wish you success and thank you for your efforts on behalf of our community.

Sincerely,

Marlborough Cultural Council  
City Hall, 140 Main Street  
Marlborough, MA 01752  
(508) 460-3770



**City of Marlborough  
Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 FEB 21 A 11:48

DONALD V. RIDER, JR.  
CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

February 21, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007313A  
Results Way Mixed Use Overlay District –  
Amendments to Master Concept Plan and Development Agreement

Dear President Clancy and Members:

I have enclosed for the Council's consideration a proposed 2-part order regarding the Results Way Mixed Use Overlay District.

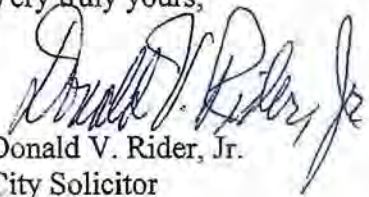
The 1<sup>st</sup> part of the proposed order would approve an amendment of the Master Concept Plan presented by Atlantic-Marlboro Realty LLC on a plan entitled, "Marlborough Hills, Concept Master Plan," dated January 23, 2019. A copy of that plan is attached to the order as Attachment 1.

The 2<sup>nd</sup> part of the proposed order would approve the so-called First Amendment to Development Agreement. A copy of that proposed First Amendment is attached to the order as Attachment 2.

Note that §§ 650-33.C(1) and (2) of the City's Zoning Ordinance separately call for a super majority (2/3) vote on each of these 2 parts of the proposed order.

Thank you for your attention to this matter.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Robert C. Buckley, Esq.  
Christine H. Hung, Esq.

ORDERED:

That the City Council of the City of Marlborough hereby approves the following:

- 1) By a super majority (2/3) vote pursuant to Chapter 650-33.C(1)(c) of the City's Zoning Ordinance, the City Council hereby approves the Master Concept Plan presented by Atlantic-Marlboro Realty LLC on a plan entitled, "Marlborough Hills, Concept Master Plan," dated January 23, 2019, a copy of which is attached hereto as "Attachment 1;" and
- 2) By a separate super majority (2/3) vote pursuant to Chapter 650-33.C(2) of the City's Zoning Ordinance, the City Council hereby approves the First Amendment to Development Agreement by and between Atlantic-Marlboro Realty LLC and the City of Marlborough, as consented to by Avalon Marlborough, LLC, a copy of which is attached hereto as Attachment 2.

ADOPTED  
In City Council  
Order No. 18/19-1007313B  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

**ATTACHMENT 1**



DEVELOPMENT  
ENVELOPE 4  
"HOSPITALITY"  
3.67 ACRES

DEVELOPMENT  
ENVELOPE 3  
"COMMERCIAL"  
69.55 ACRES

DEVELOPMENT  
ENVELOPE 2B  
"RESIDENTIAL"  
10.96 ACRES

DEVELOPMENT  
ENVELOPE 1  
"RETAIL"  
1.82 ACRES

DEVELOPMENT  
ENVELOPE 2A  
"RESIDENTIAL"  
23.47 ACRES

**PARKING SUMMARY:**

DEVELOPMENT ENVELOPE	PARKING SPACES
ENVELOPE 1 "RETAIL"	40
ENVELOPE 2A "RESIDENTIAL"	624
ENVELOPE 2B "RESIDENTIAL"	252
ENVELOPE 3 "COMMERCIAL"	2,013
ENVELOPE 4 "HOSPITALITY"	130
FUTURE RESERVE	1,255
<b>TOTAL SPACES IN RWMUOD</b>	<b>4,314*</b>

\*MEPA CERTIFICATE ON THE NOTICE OF PROJECT CHANGE (EEA #15067) APPROVED 4,314 PARKING SPACES.

**NOTES:**

1. TOTAL RWMUOD AREA = 109.47 ACRES
2. BUILDINGS AND LAYOUT SHOWN ON THIS PLAN ARE FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL BUILDING AND LAYOUT CONFIGURATIONS WILL VARY.
3. PROPOSED STRUCTURES WILL COMPLY WITH PARAGRAPH F - "DIMENSIONAL REQUIREMENTS" OF ARTICLE 650-33 RESULTS WAY MIXED USE OVERLAY DISTRICT (RWMUOD)
4. IMPERVIOUS COVERAGE IN THE RWMUOD WILL NOT EXCEED 60% OF THE TOTAL AREA OF THE RWMUOD.

**ATTACHMENT 2**



**FIRST AMENDMENT**  
**TO**  
**DEVELOPMENT AGREEMENT**

This First Amendment to Development Agreement (the "First Amendment") is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2019 by and between Atlantic-Marlboro Realty LLC (hereinafter with any nominee, successor or assign, the "Developer") and the City of Marlborough, Massachusetts (the "City").

WHEREAS, the Developer and the City entered into that certain Development Agreement dated as of May 7, 2013 and recorded with the Middlesex South Registry of Deeds on April 22, 2016 in Book 67130, Page 25 (the "Development Agreement") to provide for the development of the land known as 200 Forest Street, 2 Results Way and 0 Simarano Drive, Marlborough, Middlesex County, Massachusetts (the "Property").

WHEREAS, the Developer has developed and is continuing to develop the Property into a mixed-use campus consisting of office, multi-family housing, daycare and hospitality uses, as permitted under the Results Way Mixed Use Overlay District ("RWMUOD"), which overlay district was approved by the Marlborough City Council on December 17, 2012 and added December 21, 2012 by Council Order No. 12-1005154C.

WHEREAS, the Development Agreement is an integral part of the RWMUOD which imposes certain obligations and limitations on the Property for the benefit of the City.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Developer and the City hereby agree to amend the Development Agreement as follows:

1. Capitalized terms not otherwise defined herein shall have the same meaning ascribed to them in the Development Agreement, provided, however, that any reference in the Development Agreement to the Master Concept Plan shall hereinafter refer to that certain plan entitled "Marlborough Hills, Concept Master Plan," dated January 23, 2019 and approved by the City Council on February 25, 2019, a copy of which is on file with the Office of the City Council and the City Clerk's Office.

2. Paragraph 4 of the Development Agreement shall be deleted in its entirety and replaced with the following:

*"For each unit of residential housing in excess of the 350 units already built within the RWMUOD, the owner of any Development Parcel containing residential use shall make a one-time payment to the City equal to Three Thousand Dollars (\$3,000.00) per residential dwelling unit (hereinafter, such amounts being referred to as the "Residential Development Contribution") to be used by the City, acting by and through the City Council, to contribute to the cost of mitigation structures and/or services. The Residential Development Contribution shall be made in two (2)*

*installments for each residential unit. The first payment installment shall be in the amount of One Thousand Dollars (\$1,000.00) and shall be due and payable upon the issuance of the building permit for the construction of the applicable residential dwelling unit and the second payment installment shall be in the amount of Two Thousand Dollars (\$2,000.00) and shall be due and payable upon the issuance of a Certificate of Occupancy for the applicable residential dwelling unit. The payment of the Residential Development Contribution by the owner of any Development Parcel containing residential use is made in recognition of the benefits to the Property of such undertakings by the City. The payment of the Residential Development Contribution made pursuant to this Paragraph 4 shall be the exclusive payment required for the subject matter of this paragraph (including without limitation, towards the production of affordable housing) notwithstanding anything in the City of Marlborough Zoning Ordinance to the contrary, as the same may be amended. Notwithstanding anything in the City of Marlborough Zoning Ordinance to the contrary, as the same may be amended, upon completion of the proposed multi-family housing of up to a maximum of 473 dwelling units within the entire RWMUOD, no more multi-family housing (of any type) shall be permitted within the RWMUOD.”*

3. Paragraph 15 of the Development Agreement shall be amended to replace the address of Riemer & Braunstein LLP with the following:

Riemer & Braunstein LLP  
700 District Avenue, 11<sup>th</sup> Floor  
Burlington, MA 01803  
Attention: Robert C. Buckley, Esquire

4. The City Council hereby approves the provisions of this First Amendment, which approval shall be set forth in an order to be recorded herewith by the Developer as its sole expense, with a copy of the recorded document to be provided to the City Solicitor's Office. The City Council hereby authorizes the Mayor to execute this First Amendment on the City's behalf, and to monitor and enforce compliance by the Developer and by the owner of each Development Parcel with the terms and conditions of the Development Agreement, as amended herein.

5. The Development Agreement and this First Amendment will be read and construed as one agreement. In the event of any inconsistencies between the terms and conditions of this First Amendment and the Development Agreement, the terms and provisions of this First Amendment will control. Except as modified in this First Amendment, no other changes or modifications to the Development Agreement are intended or implied and in all other respects the Development Agreement is hereby ratified and confirmed by the parties.

IN WITNESS WHEREOF, this instrument is sealed and delivered as of this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

**DEVELOPER:**

**Atlantic-Marlboro Realty LLC**, a  
Massachusetts limited liability company

By: \_\_\_\_\_  
Joseph L. Zink, its Manager duly authorized

**CITY OF MARLBOROUGH**

By: \_\_\_\_\_  
Arthur G. Vigeant, Mayor

Agreed and Consented to by:

**Avalon Marlborough, LLC**, owner of Development Envelope 2B:

By: \_\_\_\_\_

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss

On this \_\_\_\_ day of \_\_\_\_\_, 2019 before me, the undersigned notary public, Personally appeared Joseph L. Zink, as Manager of **Atlantic-Marlboro Realty LLC** proved to me through satisfactory evidence of identification, which was \_\_\_ photographic identification with signature issued by a federal or state government agency, \_\_\_ oath or affirmation of a credit witness, \_\_\_ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that he signed it voluntarily for its state purpose on behalf of **Atlantic-Marlboro Realty LLC**.

(Official Seal)

Notary Public: \_\_\_\_\_  
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss

On this \_\_\_\_ day of \_\_\_\_\_, 2019 before me, the undersigned notary public, Personally appeared Arthur G. Vigeant, as **Mayor of the City of Marlborough**, proved to me through satisfactory evidence of identification, which was \_\_\_ photographic identification with signature issued by a federal or state government agency, \_\_\_ oath or affirmation of a credit witness, \_\_\_ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that he signed it voluntarily for its state purpose on behalf of the **City of Marlborough**.

(Official Seal)

Notary Public: \_\_\_\_\_  
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss

On this \_\_\_\_ day of \_\_\_\_\_, 2019 before me, the undersigned notary public, Personally appeared \_\_\_\_\_, as \_\_\_\_\_ of **Avalon Marlborough, LLC** proved to me through satisfactory evidence of identification, which was \_\_\_ photographic identification

with signature issued by a federal or state government agency, \_\_\_ oath or affirmation of a credit witness, \_\_\_ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that he signed it voluntarily for its state purpose on behalf of **Avalon Marlborough, LLC**.

(Official Seal)

Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

2322623.5



*City of Marlborough*  
**Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

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CITY OF MARLBOROUGH  
DONALD V. RIDER, JR.  
CITY SOLICITOR

2019 FEB 21 4:11 PM  
ELEN M. STAVROPOULOS  
PARALEGAL

February 21, 2019

Edward Clancy  
President  
Marlborough City Council

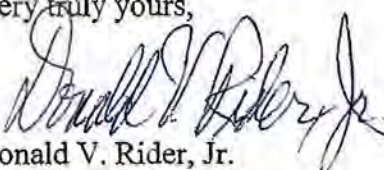
RE: Order No. 18/19-1007315A  
Application for Site Plan Approval  
AvalonBay Communities, Inc.  
0 Simarano Drive, Marlborough

Dear President Clancy and Members:

For the City Council's consideration, I enclose a proposed order for Council approval of the site plan application submitted by AvalonBay Communities, Inc. AvalonBay proposes to construct 123 multifamily dwelling units, together with parking and associated improvements, in the Results Way Mixed Use Overlay District. The Site Plan Review Committee has reviewed and recommended approval, with conditions, of AvalonBay's site plans for the proposed project as most recently revised on January 30, 2019.

The proposed order is in a form ready for the Council's action.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Paul D. Momnie, Esq.

ORDERED:

That the City Council of the City of Marlborough does hereby approve and adopt, pursuant to § 650-33.B(1) of the Marlborough Zoning Ordinance, the Site Plan Review Committee's Site Plan Permit #SC-2019-01 (attached hereto), which sets forth the Committee's recommended approval, with conditions, of the site plans submitted by AvalonBay Communities, Inc., and most recently revised on January 30, 2019, to construct 123 multifamily dwelling units, together with parking and associated improvements, at 0 Simarano Drive.

ADOPTED

In City Council

Order No. 18/19-1007315B

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

**Site Plan Permit #SC-2019-01**  
**Avalon Marlborough II, 0 Simarano Dr.**

**Recommended Site Plan Review Conditions**

**Applicant:** AvalonBay Communities Inc. – contact Julia Wynyard

**Property Owner:** Atlantic-Marlborough Realty LLC – contact Joe Zink

**Location:** 0 Simarano Dr., Marlborough, MA

**Zoning District:** Results Way Mixed-Use Overlay District (RWMUOD); Water Supply Protection District (Zone B)

**Other Permits:**

City Council Special Permit Order #18/19-1007314F

City Council – First Amendment to Development agreement – Order #18/19-1001007313A

City Council - Master Concept Plan revisions - Order #18/19-1001007313A

**These recommendations are based on the plans entitled:**

**“Avalon Marlborough II; 200 Forest St. (Map 100, Parcel 1) Marlborough MA  
Application for Special Permit & Site Plan Approval”**

**Prepared by:** H.W. Moore Associates Inc. (Civil Engineer) and The Architectural Team, Inc. (Architect)

**39 sheets:** T0.01-T0.03; ALTA/NSPS Land Title Survey - Lot 1D-3 (1 of 1); Civil Drawings: C1-C5, C6A-C6B, C7-C12; Landscape Drawings: L1.0, L2.0, L4.1, L5.2, L6.2, L7.1, L9.1, L10.0, L10.1, L11.0, L11.1, L11.2; D1.0, D5.0-D6.0; Architectural Drawings: A1.01-A1.07

**Dated:** May 17, 2018, last revised January 30, 2019

**Preconstruction meeting & Information:**

1. Prior to construction the applicant, site contractor and erosion control expert shall meet with the city staff members of the site plan review committee at a regularly scheduled meeting to discuss: the construction phasing and sequencing, traffic issues, haul routes etc. to make sure everyone is on the same page before any construction work on the site begins.
2. Prior to construction a preconstruction meeting shall be held on site with the Building Commissioner, City Engineer, Conservation Officer and site contractor responsible for



doing the work. At this meeting the departments will review the plans, conditions, exchange contact information including emergency contact numbers and inspect erosion controls.

### **Erosion Control/Construction sequencing**

3. The developer is required to hire an independent "Erosion Control Expert" to oversee the site work on the site. This individual(s) shall have a proven record of controlling sites of equal size and equal material type. The Conservation Officer and the City Engineer shall evaluate whether the individual(s) to be hired by the applicant has adequate experience before they are hired to work on this project. This erosion control expert shall be hired prior to construction and shall be an integral part of the preconstruction meeting.
4. This is a large project with difficult to manage soils, as such construction shall proceed according to the construction logistics plan sheet C-6A and the erosion control plan sheet C-6B which will be discussed in detail at the preconstruction meeting. Exposed areas on the site will be minimized and exposed areas stabilized as quickly as possible temporarily or permanently to ensure that the silt and sediment remain on site during and after construction.
5. Since the project involves the disturbance of more than one acre of land area, the applicant is also obligated to submit a Notice of Intent to the EPA for the NPDES Construction Permit per EPA's requirements found at the following web site <http://cfpub1.epa.gov/npdes/stormwater/cgp.cfm>. (SWPPP) Proof of submittal shall be provided at the preconstruction meeting noted above.
6. All catch basins shall be equipped with gas/oil hoods and 4-foot sumps.
7. Stone construction entrance pads and/or a truck washing station shall be in place at the exits onto the main roadways to prevent the tracking of mud and silt into the public roadway. Dust shall also be controlled on this site at all times. If dirt is tracked onto the roadway it shall be cleaned up immediately. A street sweeper shall be readily available.
8. The Erosion Control Expert shall be consulted when there is any discussion about or deviation to the overall plan and the erosion control plan to ensure that there is proper coordination with the site development and the erosion control and stormwater management at all times.
9. Said erosion control expert shall be responsible for regular inspections of the erosion controls on at least a weekly basis and prior to and immediately after (within 12 hours) each storm event of 0.5 inches or more. Necessary repairs and maintenance of the erosion control devices shall be made expeditiously. These inspections shall be described in the reports required in the condition below.

10. Said erosion control expert will report (by e-mail) to the Conservation Officer and City Engineer weekly, during construction, summarizing the work that has been completed, compliance of the project with the site plans and the status of the erosion controls. It will also include his/her recommendations on actions needed and report compliance with recommendations. Failure on the part of the developer to implement the recommendations made by the Erosion Control Expert will be a violation of the terms and conditions of this permit. These weekly reports from the consultants shall begin as soon as the work begins on the site. As construction progresses the reporting may be reduced at the discretion of the City Engineer and Conservation Officer.
11. The applicant, property owner, and site contractor shall be responsible for notifying the Conservation Officer and City Engineer in an expeditious manner if any visible siltation enters the drainage system or leaves the site. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
12. Because this site drains to two water supplies, the Millham Reservoir and the Sudbury Reservoir, the city requires that all discharges from the site that drain off site be below the turbidity reading of 100 NTU's which is the EPA standard for turbidity in drinking water.
13. All large stockpiles must be maintained in a stabilized condition with erosion control in place and approved by the Conservation Officer. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days will be shaped, stabilized and circled with erosion controls. The Erosion Control Expert shall be consulted to ensure that the stockpile locations are not interfering with drainage or erosion control during construction. The site plan committee understands that the site will shift and change during construction, but the erosion control expert must be on board with all such changes before they are made to ensure proper coordination.
14. The dewatering system to be used, if necessary, shall be approved by the Conservation Officer and once approved, properly installed. All silty water must be filtered through a dewatering/sedimentation trap system, until the water runs clean. At no point shall silty water be discharged into off-site drainage systems without first being filtered.

**Construction Phasing:**

15. The Construction Logistics and Erosion Control Plan phasing shown in the approved plans Sheets C-6A & 6B shall be followed. Any deviation or change in the plan sequence must have first been approved by the onsite Erosion Control Expert and then must receive the approval of the City Engineer and Conservation Officer before being implemented.

**Detention Basins/Infiltration Systems**

16. Prior to the construction of the infiltration system, the Conservation Officer and/or City Engineer shall be notified and shall inspect the excavated area for the infiltration system. The site engineer shall confirm that the soils are per design. Once installed, only clean stormwater runoff shall be directed to this system. Prior to backfilling the system, the Conservation Officer shall inspect the system with the site engineer to ensure that it is clean and not able to receive any silty run off which would clog the system once in place.
17. The infiltrator systems shall contain at least one inspection port in each row of the infiltration system. This is the only means of checking to see if the rows are working properly. This will need to be added.
18. The permanent and temporary detention basins shall be fitted with riser pipes as needed to help ensure adequate on site settling of the silty runoff. Additional temporary basins or other erosion control/filtering devices may be necessary as conditions warrant to ensure that only clean water leaves the site.
19. A fence shall be installed around the detention basin for safety. The fence type, size and location shall be provided to the City Engineer for review and approval prior to installation.

**Contaminated soils:**

20. A small portion of the site at the corner of Simarano and Forest St. goes through an undisturbed apple orchard area as shown on sheet C3. As such the soils have been tested and pesticide residues and metals including arsenic and lead have been found as outlined in the report titled "Phase I Environmental Site Assessment- Southeast Intersection of Forest St. and Simarano Dr. Marlborough. Prepared for AvalonBay Communities, Inc. dated December 15, 2017 prepared by: Sanborn Head and Associates Inc. Amy C. Bolmeke, PE and Matthew P. Heil PE, LSP. "As outlined in the report a Soil Management Plan is to be provided prior to construction which outlines the process to be used to remove the contaminated soil and place it below a protective barrier (i. e. Clean soil, pavement or asphalt). This contaminated soil shall not be placed under any infiltration systems and shall be located in such a way as to be outside any utility areas to ensure this soil is not encountered during utility repairs etc. This soil management plan shall be provided to the staff Site Plan Review committee prior to the meeting noted in condition 1 above.
21. When the project is completed and prior to the issuance of the first Certificate of Occupancy, proof shall be provided to the building commissioner that a document has been prepared to be recorded which defines the location of the buried contaminated soil and ensures the long term protection and proper future handling of this material should the area need to be excavated in the future.

**Building Permit issuance and review**

22. Applicant shall pay the City of Marlborough, in addition to any permit fees or costs, twenty-five thousand dollars (\$25,000) for the purpose of the Building Commissioner engaging the services of a third party consultant to review the building permit application, review reports and associated

reviews incidental to the building permit and to conduct inspections of the work performed under the building permit and to report findings to the Building Commissioner. (see condition B of special permit conditions )

23. Per the First Amendment to the Development Agreement, the amended section 4 requires a Residential Development Contribution per residential unit. That Contribution shall be paid as outlined in that condition, which requires a \$1,000 payment at the time of issuance of the building permit for each unit and an additional \$2,000 payment at the time of issuance of the occupancy permit for each unit, for a total of \$3,000 per unit.

**School Bus pick up and drop of**

24. The school bus pick-up and drop-off will be on the premises internal to the site as shown on the approved plans.

**Landscaping:**

25. All modifications to the Landscape plan related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Director of Planning (or designee).
26. Prior to the final signoff, a registered landscape architect shall certify to the Director of Planning (or designee) in writing that the planting has been installed according to the approved landscape plan, or a revision of the landscape plan previously approved by the Director of Planning (or designee).
27. All landscaped areas shall be served by subsurface irrigation, or other means to ensure that the plants planted will survive. An irrigation plan shall be submitted to the Director of Planning (or designee) prior to the start of construction.
28. Following 18 months of the final signoff of the site work, any plant material that has died or is dying shall be replaced with a species of the same kind and size.
29. Any large rocks or boulders encountered while excavating the site can be used as landscape features or crushed. Any excess boulders shall be disposed of properly off site.
30. Installation of mulch at the time of planting and thereafter shall be places so that the mulch is **not** in contact with the trunk of newly planted trees and shrubs. The wire root baskets of all trees shall be removed prior to planting, not as shown on the detail sheet D5.0
31. Dog Park - The City Engineer and Conservation Officer shall work with the developer to ensure that the dog park drainage and ongoing maintenance will not impact the drainage water quality. If changes or additional drainage are needed in this location based on this review, this shall be added.

### **Prior to issuance of Occupancy Permit**

32. Prior to requesting the final occupancy permit, the applicant or its agent shall clean the detention basin, all drainage pipes and catch basins of accumulated sediment and debris. All infiltration systems and water quality structures, shall also be inspected and cleaned as necessary. A site meeting with the Conservation Officer to inspect these structures is required before the Conservation Officer will provide a final signoff.
33. Interim as-built plans shall be submitted to the City Engineer prior to the issuance of an occupancy permit on a building and at the completion of each phase of the project showing the critical utility connections to ensure that in the interim the City Engineer has all the utility tie information available.
34. When the project is complete an as-built plan must be submitted to the City Engineer for review prior to issuance of first occupancy of the final building. The as-built plan shall be prepared in accordance with the As-built plan standards established by the City Engineer which can be found on the city's web site.
35. Prior to the issuance of the final certificate of occupancy the applicant shall provide the City Engineer and the Conservation Officer with the final Stormwater Management maintenance plan, as outlined in the project's drainage report. Also include a copy of the snow storage locations and snow removal protocol for the property. The name, address and phone number of the contract person who will be in charge of authorizing the annual maintenance shall be provided to the Conservation Officer and City Engineer.
36. An annual maintenance report shall be provided to the City Engineer and the Conservation Officer by June 1<sup>st</sup> of each year reporting on the maintenance and operation procedures, outlined in the Stormwater Management Maintenance Plan, which have been met for that year. This reporting requirement will follow the issuance of the occupancy permit.
37. Hours of operation - All construction work shall be restricted to 7:00 AM to 7:00 PM Monday through Saturday, except holidays and Sunday, when all use is prohibited except with a variance by the Board of Health.

### **General Provisions:**

1. Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans. The City Council delegates to the Building Commissioner the authority to approve changes to the approved Site Plans consistent with future amendments to the Zoning Ordinance enacted by the City Council.
2. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.

End conditions



**City of Marlborough  
Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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2019 FEB 21 A 9:48  
DONALD V. RIDER, JR.  
CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

February 21, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007314E  
Application for a Special Permit  
AvalonBay Communities, Inc.  
0 Simarano Drive, Marlborough

Dear President Clancy and Members:

Pursuant to Chapter 650-59.C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the special permit application submitted by AvalonBay Communities, Inc. AvalonBay seeks permission, pursuant to § 650-33.E(2)(a) of the Zoning Ordinance, to construct 123 multifamily dwelling units, together with parking and associated improvements, in the Results Way Mixed Use Overlay District.

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

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Paul D. Momnie, Esq.

**DECISION ON A SPECIAL PERMIT**

**AVALONBAY COMMUNITIES, INC.  
0 Simarano Drive, Marlborough, MA**

**CITY OF MARLBOROUGH  
CITY COUNCIL ORDER NO. 18/19-1007314F**

The City Council of the City of Marlborough (the “**City Council**”) hereby GRANTS the Application for Special Permit of Applicant, as provided in this Special Permit Decision (the “**Special Permit**”) and SUBJECT TO THE FOLLOWING FINDINGS OF FACT AND CONDITIONS:

**EVIDENCE**

1. On May 21, 2018, AvalonBay Communities, Inc., a duly organized and existing Maryland corporation with a principal place of business of 600 Atlantic Avenue, 20<sup>th</sup> Floor, Boston, Massachusetts 02110 (the “**Applicant**”), filed with the City Clerk of the City of Marlborough, an Application for Special Permit (the “**Application**”) seeking authorization to construct: (i) 123 multifamily dwelling units; and (ii) parking and improvements associated therewith (collectively, the “**Project**”).
2. The Project is proposed on a property located on the corner of Simarano Drive and Forest Street in Marlborough, MA, more particularly identified on the City of Marlborough Assessor’s Maps as Parcel 1 on Map 100, and furthermore particularly shown as Lot 1D-4 on that certain plan entitled, “Plan of Land in Marlborough, Massachusetts (Middlesex County),” Scale: 1”= 100’, dated October 4, 2018, prepared by BSC Group, Inc. (the “**Site**”).

3. The Site is owned by Atlantic-Marlboro Realty LLC, a duly organized Delaware limited liability company (the “**Owner**”). The Owner has consented to the Applicant filing the Application.
4. The Site is located within the Results Way Mixed Use Overlay District (the “**RWMUOD**”), subject to § 650-33 of the Zoning Ordinance of the City of Marlborough (the “**Zoning Ordinance**”), which allows multifamily dwelling use up to 350 units as-of-right and in excess of 350 units pursuant to a Special Permit issued by the City Council.
5. In accordance with Zoning Ordinance § 650-33.C(1), on May 6, 2013 the City Council approved a Master Concept Plan setting forth the general development plan governing development in the RWMUOD, which Master Concept Plan is proposed by the Owner to be amended by a vote of the City Council scheduled for its February 25, 2019 regular meeting, and to be replaced with that certain plan entitled, “Marlborough Hills, Concept Master Plan,” dated January 23, 2019 (as so amended, the “**Amended Master Concept Plan**”).
6. In accordance with Zoning Ordinance § 650-33.C(2), on May 7, 2013 the City Council and the Owner entered into a Development Agreement setting forth restrictions, proposed phasing, and all required mitigation for development within the RWMUOD, including a one-time per-unit financial contribution associated with residential development within the RWMUOD (the “**Residential Development Contribution**”), which Development Agreement is proposed by the Owner to be amended by a vote of the City Council scheduled for its February 25, 2019 regular meeting (as so amended, the “**First Amendment to Development Agreement**”).



7. Pursuant to Site Plan Permit #SC-2013-0012 dated September 23, 2013, an affiliate of the Applicant constructed 350 multifamily dwelling units on adjacent property also located within the RWMUOD.
8. As a result, pursuant to Zoning Ordinance § 650-33.E(2)(a), the Project requires a Special Permit from the City Council because it involve the construction of a total number of multifamily dwelling units within the RWMUOD in excess of 350 units.
9. On May 21, 2018, the Building Commissioner, acting on behalf of the City Planner, provided to the City Council a Certificate of Completeness of Application as required by Paragraph 7 of the Rules and Regulations of Application/Petition for Special Permit set forth in Zoning Ordinance § 650-59.
10. The City Council held a public hearing on August 27, 2018, in compliance with the requirements of the Code of the City of Marlborough and by the provisions of M.G.L. Chapter 40A, as amended, and all necessary abutters were provided notice as required by law, as certified by the Office of the Board of Assessors of Marlborough. Following testimony by the Applicant and members of the public, the City Council closed the public hearing and the matter was referred to the Urban Affairs & Housing Committee. By agreement of the parties, the time for the Council to take final action on the Application has been extended to April 9, 2019.
11. The Urban Affairs Committee held open meetings on the matter on January 22, 2019 and February 4, 2019, following which the Urban Affairs Committee voted to recommend that the City Council approve the Application, as amended.
12. At each of the August 27, 2018 City Council public hearing and the January 22, 2019 and February 4, 2019, Urban Affairs Committee open meetings, the Applicant

presented oral testimony and demonstrative evidence representing that the Project meets all applicable Special Permit criteria provided by M.G.L. Chapter 40A, as amended, and the Code of the City of Marlborough including, without limitation, Zoning Ordinance § 650-18(A)(4) and § 650-59, and that the use sought and its impact and characteristics are not in conflict with public health, safety, convenience and welfare and not detrimental nor offensive so long as the conditions, safeguards or limitations imposed herein are complied with.

13. Together with the Application, the Applicant submitted a plan set, including site plans and architectural plans, entitled, "Avalon Marlborough II, 200 Forest St. (Map 100, Parcel 1), Marlborough, MA - Application for Special Permit & Site Plan Approval," consisting of 39 sheets: T0.01-T0.03; ALTA/NSPS Land Title Survey - Lot 1D-3 (1 of 1); Civil Drawings: C1-C5, C6A-C6B, C7-C12; Landscape Drawings: L1.0, L2.0, L4.1, L5.2, L6.2, L7.1, L9.1, L10.0, L10.1, L11.0, L11.1, L11.2; D1.0, D5.0-D6.0; Architectural Drawings: A1.01-A1.07," prepared by H.W. Moore Associates, Inc. (Civil Engineer) and The Architectural Team, Inc. (Architect), dated May 17, 2018, last revised January 30, 2019 (the "Plans").

14. The Applicant has complied with all the Rules and Regulations promulgated by the City Council as they pertain to the Application.

15. The Plans are attached hereto as "Attachment A."

**BASED ON THE ABOVE EVIDENCE, THE MARLBOROUGH CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS:**

#### **FINDINGS OF FACT**

The City Council hereby finds the following:

- A. The Applicant has complied with all the Rules and Regulations promulgated by the City Council as they pertain to the Application for a Special Permit to construct the Project on the Site.
- B. All necessary fees for the proposed Special Permit have been paid.
- C. The Application was properly completed and filed by Applicant, and all necessary abutters were provided notice as required by law, as certified by the Assessors Office of Marlborough prior to Application submission.
- D. The Plans accompanying the Application were completed in accordance with the all applicable Rules and Regulations.
- E. The Summary Impact Statement filed with the Application is sufficient for the Application and no further studies or requirements, other than the Traffic Impact Evaluation dated April 11, 2018 and conducted by VHB for the Applicant, are necessary.
- F. The City Department reports, as required by the Code of the City of Marlborough, have been received and incorporated as deemed appropriate by the City Council into this Special Permit.
- G. The uses sought by Applicant, and their impacts and characteristics, are not in conflict with the public health, safety, convenience and welfare and are not detrimental or offensive to the neighborhood, so long as the conditions, safeguards or limitations imposed herein are complied with; and further, the construction of the Project on the Site is appropriate for the Site and is in harmony with, and does not derogate from, the intent and purpose of M.G.L. Chapter 40A and/or the Zoning Ordinance for the City of Marlborough.

- H. The Project is consistent with the Amended Master Concept Plan and the First Amendment to Development Agreement.

### **GRANT OF SPECIAL PERMIT WITH CONDITIONS**

The City Council, pursuant to its authority under M.G.L. Chapter 40A and the Code of the City of Marlborough, therefore GRANTS to the Applicant a Special Permit to construct the Project on the Site, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall pertain to Applicant, its parent company(ies), subsidiaries, successors and assigns:

### **CONDITIONS**

1. The City Council conditions its approval of the Special Permit on its site plan review of the Project, as delegated in part to the Site Plan Review Committee for administrative site plan review as provided under Chapter 270 of the City Code entitled, "Building and Site Development." Conditions imposed by administrative site plan review, as approved by the City Council pursuant to Zoning Ordinance § 650-33.B(1), shall be conditions of this Special Permit, and any violations of those conditions shall be violations of this Special Permit. The Plans may be subject to further modification by the City Council to the extent allowed by the Code of the City of Marlborough; and insofar as so modified, would be subject to further administrative site plan review. Other conditions and limitations which are not inconsistent with any term or condition attached to this Special Permit may be imposed at the time of the final site plan approval by the City Council, and any violations of those conditions and limitations shall be violations of this Special Permit.
2. All plans, floor plans, photos, renderings, site evaluations, studies, reports, briefs and other documentation provided by the Applicant as part of the Application, and as

amended or revised during the application/hearing process before the City Council and/or the Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

3. All work performed at the Site under the Special Permit shall be in compliance with this Special Permit. No other building or construction under the Special Permit shall occur or happen without a change or modification of the Special Permit as approved by the City Council, except if the Building Commissioner deems a change to the Plans to be minor in nature as per General Provision 1 in the Site Plan Review Committee's recommended conditions.
4. Construction of the Project shall be in accordance with all applicable building codes currently in effect in the City of Marlborough. The Applicant shall comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Project.
5. The Applicant shall satisfy all applicable conditions or mitigation requirements set forth in the First Amendment to Development Agreement, including the payment of the Residential Development Contribution associated with the additional 123 units included in the Project. In accordance with Zoning Ordinance § 650-33.C(2) and as contemplated by the First Amendment to Development Agreement, these payments shall be the only mitigation payments required for the construction, use or occupancy of the Project; provided, however, that for purposes of this Condition 5, the \$25,000 payment recited in Condition 22 of the Site Plan Review Committee's recommended conditions shall not be considered as a mitigation payment nor as any part of the

Residential Development Contribution, but shall be considered as separate and distinct therefrom.

6. The architectural design of the Project shall be reasonably consistent with the architectural plans, floor plans and renderings submitted by Applicant to the City Council and the Urban Affairs Committee.
7. The exterior features of the Project, including landscaping, shall be maintained in good condition and shall be reasonably consistent with the plans submitted and representations made to the City Council.
8. In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant shall apply to the Building Commissioner for a building permit concerning the Project. The Applicant shall provide a copy of the recorded Special Permit to the City Council's office, the Building Commissioner's office, and the City Solicitor's office.

ADOPTED  
In City Council  
Order No. 18/19-1007314F  
Adopted

A TRUE COPY  
ATTEST:

# AVALON MARLBOROUGH II

200 FOREST STREET (MAP 100, PARCEL 1)  
MARLBOROUGH, MA

## APPLICATION FOR SPECIAL PERMIT & SITE PLAN APPROVAL



SUBMISSIONS:	
May 11, 2018	SPECIAL PERMIT & SITE PLAN APPROVAL SUBMISSION
October 08, 2018	REVISED SPECIAL PERMIT & SITE PLAN APPROVAL SUBMISSION
December 11, 2018	REVISED SPECIAL PERMIT & SITE PLAN APPROVAL SUBMISSION
January 30, 2019	REVISED SPECIAL PERMIT & SITE PLAN APPROVAL SUBMISSION

DEVELOPER/TEAM:	
OWNER / APPLICANT	DEVELOPMENT COMPANY, INC. 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
ARCHITECT	THE ARCHITECTURAL TEAM, INC. 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
CIVIL ENGINEER	H. W. MOORE ASSOCIATES 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
LANDSCAPE ARCHITECT	SCAPE DESIGN 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
SURVEYOR	DEVELOPMENT COMPANY, INC. 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
GEOTECHNICAL ENGINEER	FOUNDATION & ASSOCIATES, INC. 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234
TRAFFIC ENGINEER	TRANSPORTATION CONSULTANTS, INC. 1000 Main Street, 3rd Floor Marlborough, MA 01501 Tel: 508.253.1234

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RECOMMENDED BY SITE PLAN REVIEW COMMITTEE:	
Kevin J. Breen, Fire Chief	DATE
David Giorgi, Police Chief	DATE
Thomas DiPierro, Jr., P.E., City Engineer	DATE
Jeffrey Cooke, Building Commissioner / Acting City Planner	DATE
Priscilla Ryder, Conservation Officer	DATE
Cathleen Liberty, Director of Public Health	DATE
APPROVED BY MARLBOROUGH CITY COUNCIL:	
Edward Clancy, City Council President	DATE

Consultant:

Revisor:

1. 180500018

2. 180500018

3. 180500018



Drawn: T.Y.

Checked: E.B.

Scale: NOT TO SCALE

Key Plan:

Project Name:  
**AVALON MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**PROJECT COVER**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**T0.01**

NOTES:  
SEE DRAWING T0.01 FOR DRAWING PLAY INDEX.  
SEE DRAWING T0.02 FOR LOGIC PLAN.  
SEE DRAWING T0.03 FOR ZONING CHECKSHEET.

T:\Projects\17030\_Avalon Marlborough II\17030\_Avalon Marlborough II\_Site Plan Approval\17030\_Avalon Marlborough II\_Site Plan Approval.dwg, 17030\_Avalon Marlborough II\_Site Plan Approval.dwg, 17030\_Avalon Marlborough II\_Site Plan Approval.dwg, 17030\_Avalon Marlborough II\_Site Plan Approval.dwg, 17030\_Avalon Marlborough II\_Site Plan Approval.dwg





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Consultant:

Revised:

Architect of Record:



Drawn: YJV

Checked: E.J.

Scale: AS NOTED

Kc: Part

Project Name:  
**AVALON  
MARLBOROUGH II**

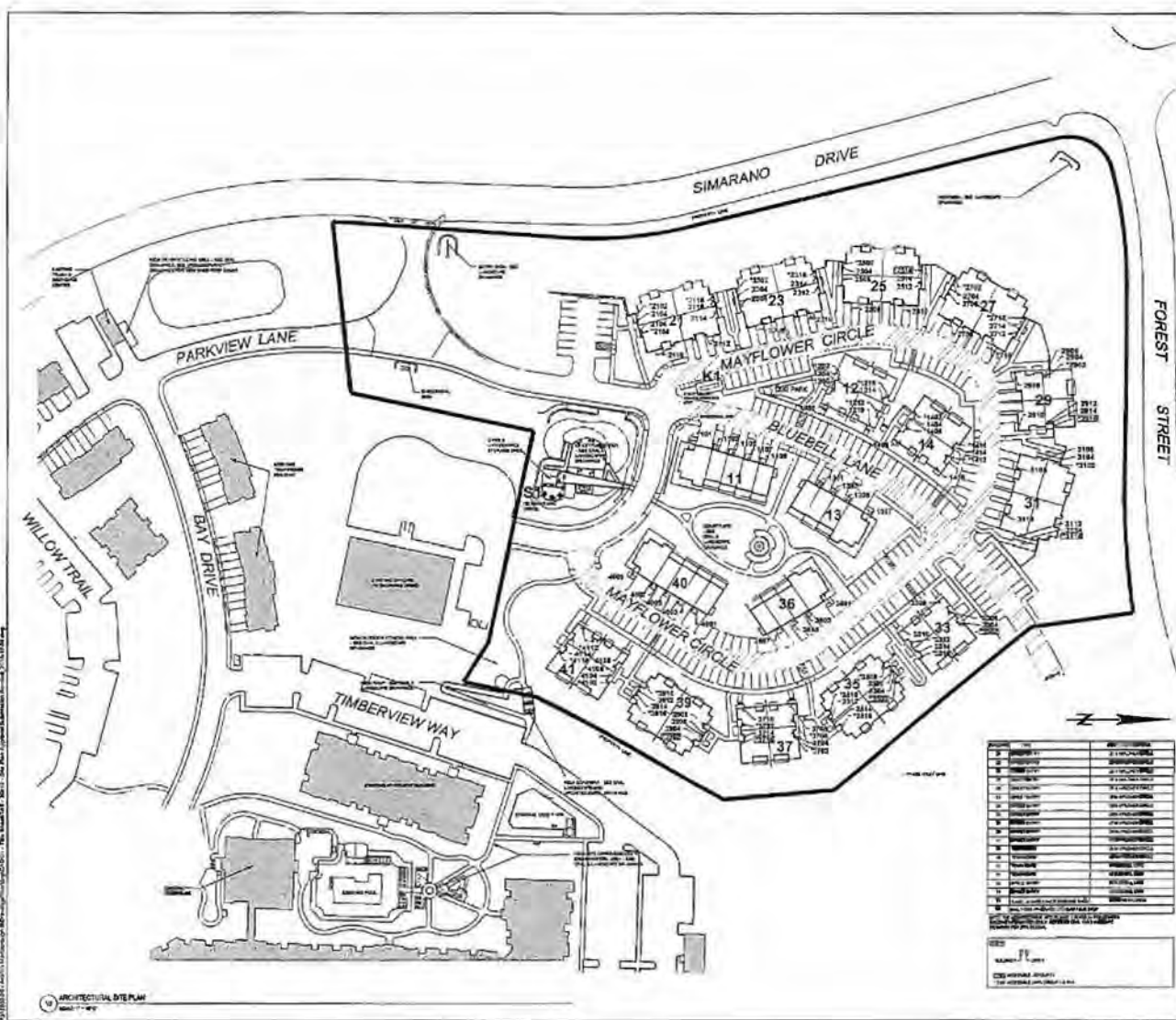
**200 FOREST STREET  
MARLBOROUGH, MA**

Sheet Name:  
**ARCHITECTURAL SITE  
PLAN**

Project Number:  
**17030**

Issue Date:  
**January 10, 2019**

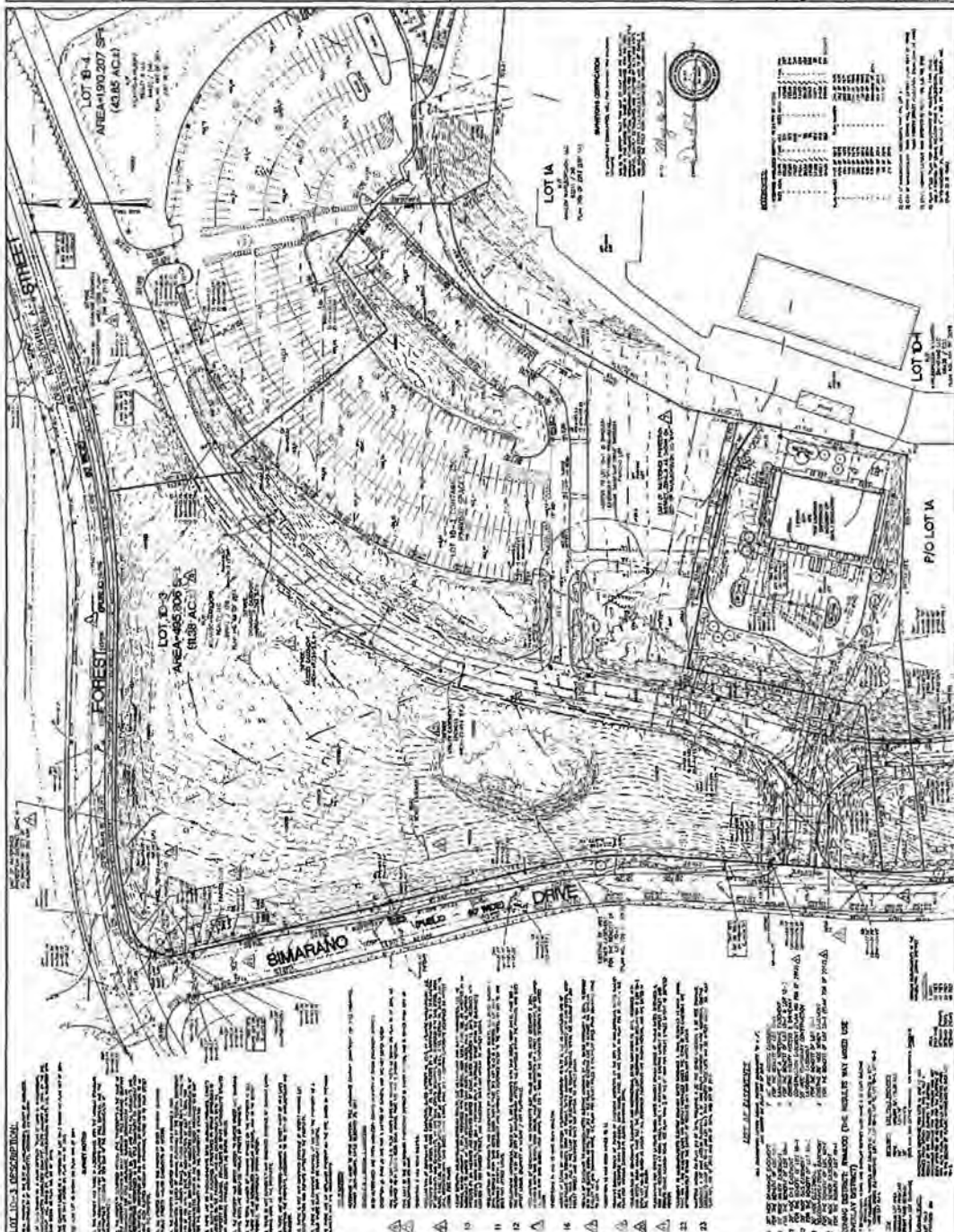
Sheet Number:  
**T0.03**



NO.	DESCRIPTION	DATE
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2	REVISED	12/10/18
3	REVISED	12/10/18
4	REVISED	12/10/18
5	REVISED	12/10/18
6	REVISED	12/10/18
7	REVISED	12/10/18
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48	REVISED	12/10/18
49	REVISED	12/10/18
50	REVISED	12/10/18

DATE: 1/10/2019  
DRAWN BY: YJV  
CHECKED BY: E.J.  
SCALE: AS NOTED

ARCHITECTURAL SITE PLAN  
T0.03



**NOTICE TO CONTRACTORS**  
The contractor shall be responsible for determining the location and depth of all utilities shown on this plan. The contractor shall be responsible for protecting all utilities shown on this plan.

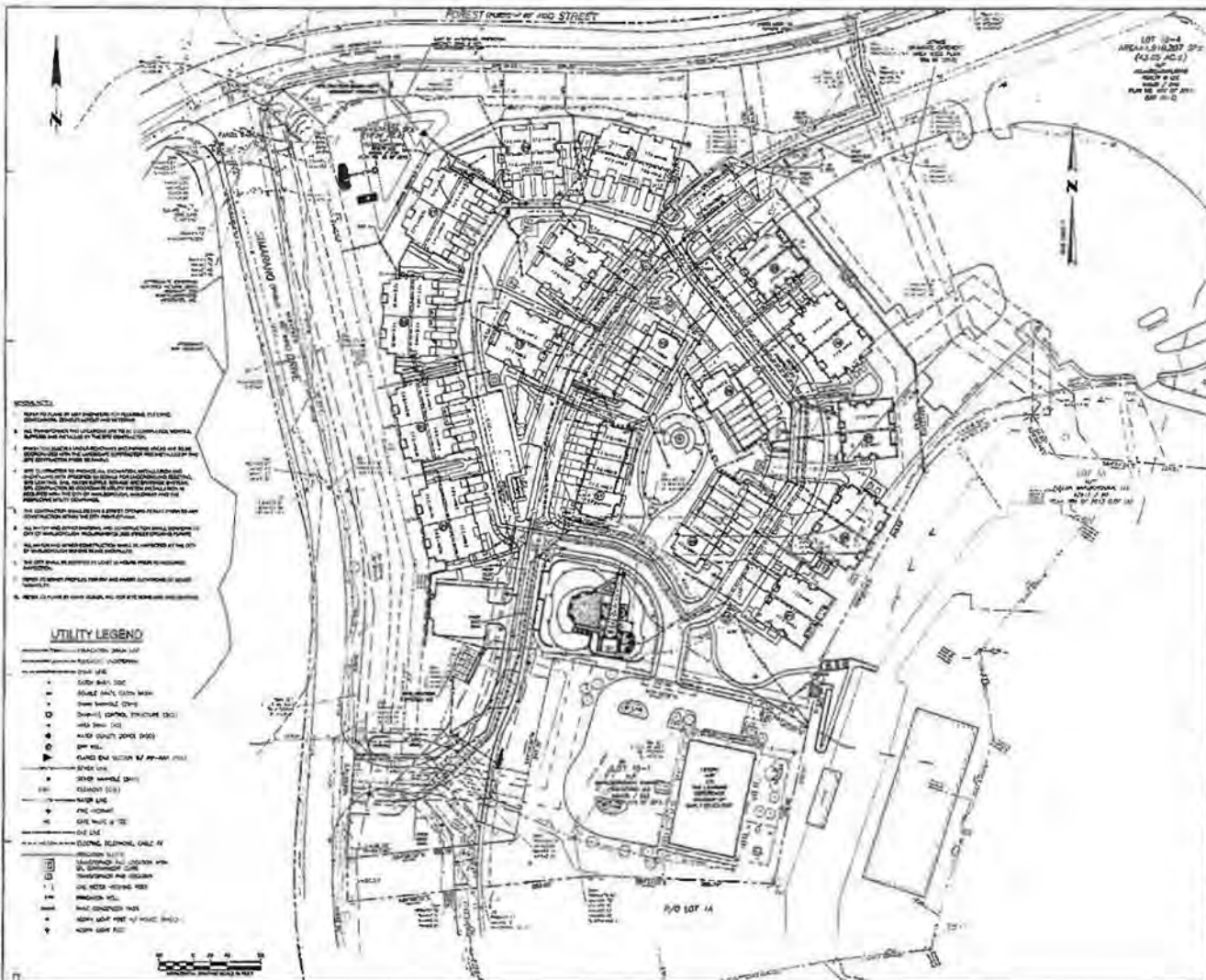
**NOTICE TO ADJACENT OWNERS**  
The owner of this property hereby gives notice to all adjacent owners of the location and area of this property as shown on this plan. The owner of this property hereby grants to the owner of this property the right to use the easement shown on this plan.

**NOTICE TO THE PUBLIC**  
The public is hereby notified that the use of this property shall be in accordance with the zoning regulations of the City of Marlborough. The public is hereby notified that the use of this property shall be in accordance with the zoning regulations of the City of Marlborough.

**NOTICE TO THE RECORDING OFFICE**  
This plan is being recorded for the purpose of creating a new lot. The recording office is hereby notified of the location and area of this property as shown on this plan. The recording office is hereby notified of the location and area of this property as shown on this plan.

**NOTICE TO THE RECORDING OFFICE**  
This plan is being recorded for the purpose of creating a new lot. The recording office is hereby notified of the location and area of this property as shown on this plan. The recording office is hereby notified of the location and area of this property as shown on this plan.





LOT 10-4  
 AREA 1.916,207 SF  
 (43.02 AC ±)  
 ZONING  
 MAP OF LOT  
 10-4  
 PLAN NO. 10-4 OF 2011  
 05/10/11

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 50 Commonwealth Ave. #2nd Floor  
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 REG. The Commonwealth of MA

Consultant:  
**H.W. Moore**  
 245 BRIMLEY ST., 1ST FL.  
 MARLBOROUGH, MA 01501  
 TEL: 978.344.1100  
 FAX: 978.344.1101  
 www.hwmoore.com

Revision:

1	ISSUED FOR PERMITTING
2	ISSUED FOR PERMITTING
3	ISSUED FOR PERMITTING
4	ISSUED FOR PERMITTING
5	ISSUED FOR PERMITTING
6	ISSUED FOR PERMITTING
7	ISSUED FOR PERMITTING
8	ISSUED FOR PERMITTING
9	ISSUED FOR PERMITTING
10	ISSUED FOR PERMITTING

Engineer of Record:

Drawn:  
 Checked:  
 Scale: 1"=40'  
 Key Plan:

Project Name:  
**Avalon Marlborough II**

Marlborough, MA

Scale:

**UTILITY PLAN**

Project Number:

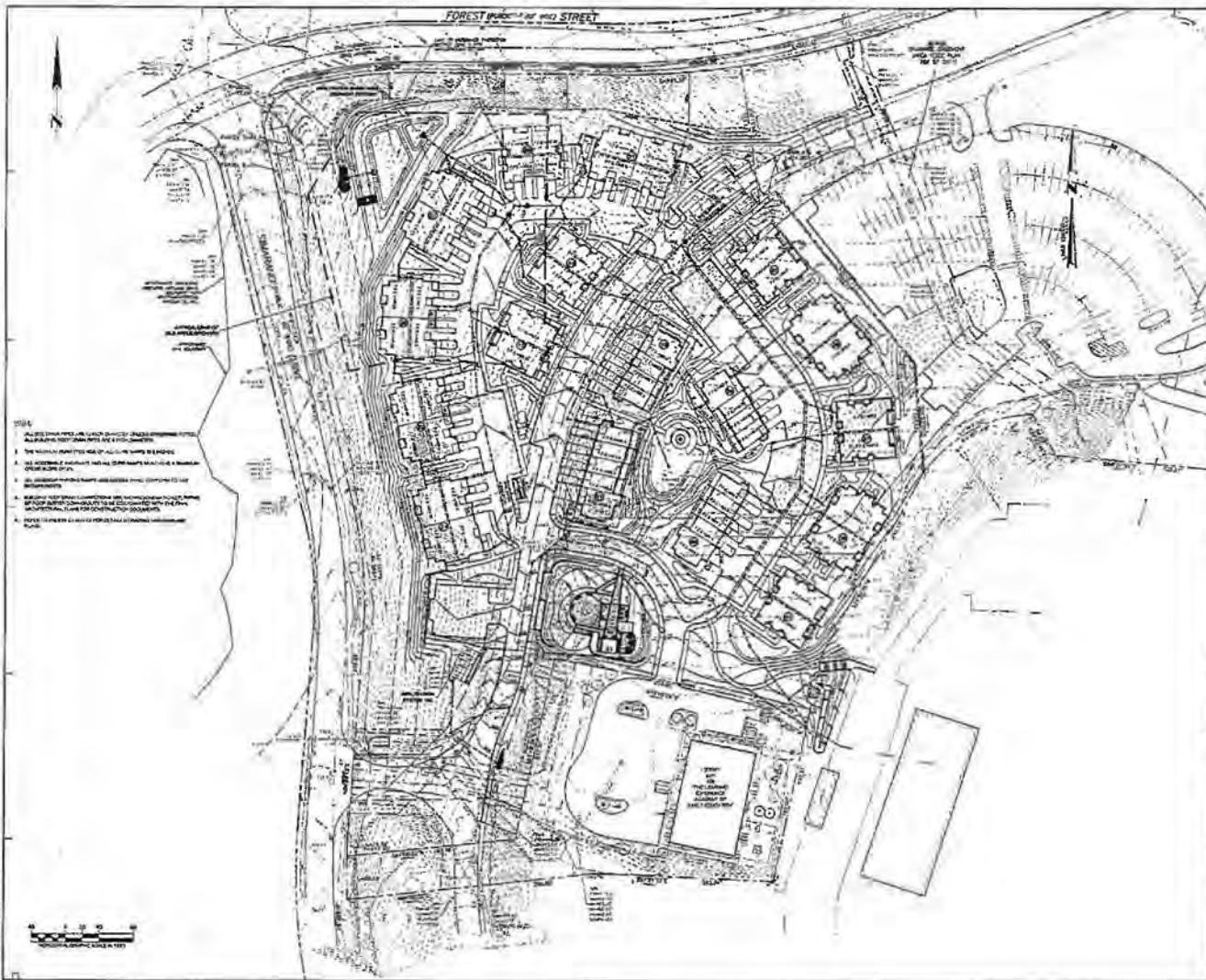
17030

Issue Date:

May 17, 2018

Sheet Number:

**C2**



- NOTES:
1. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.
  2. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.
  3. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.
  4. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.
  5. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.

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Consultant:  
**H.W. Moore**  
1000 State Street  
Marlborough, MA 01501  
Tel: 508.253.1100

Design:  
1. H.W. Moore  
2. H.W. Moore  
3. H.W. Moore  
4. H.W. Moore  
5. H.W. Moore



Drawn:  
Checked:  
Scale: 1"=10'  
Key Plan:

Project Name:  
**Avalon Marlborough II**

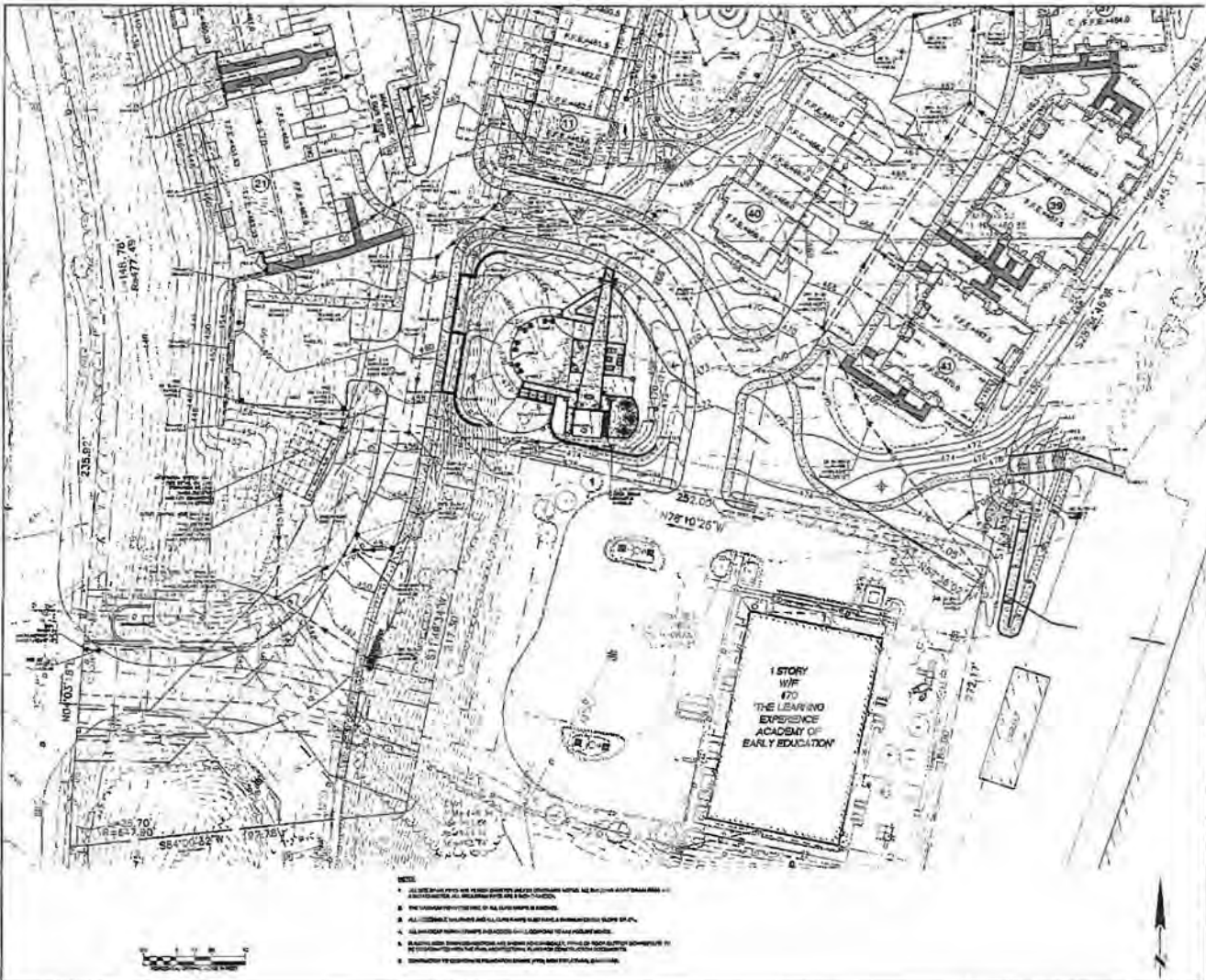
Marlborough, MA

Sheet Name:  
**OVERALL  
GRADING &  
DRAINAGE PLAN**

Project Number:  
**17030**

Issue Date:  
**May 17, 2018**

Sheet Number:  
**C3**



- NOTES:**
- 1. ALL ELEVATIONS ARE IN FEET UNLESS OTHERWISE NOTED. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
  - 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  - 3. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 4. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 5. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 6. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 7. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 8. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 9. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
  - 10. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

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**HW Moore**  
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Boston, MA 02111  
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F 617.552.1101  
www.hwmoore.com

Revised:  
1. 05/17/2018 - Initial Design  
2. 05/17/2018 - Final Design  
3. 05/17/2018 - Final Design  
4. 05/17/2018 - Final Design  
5. 05/17/2018 - Final Design

Signature of Record:

Drawn:  
Checked:  
Scale: 1"=20'  
File No.:

Project Name:  
Avalon Marlborough II

Marlborough, MA

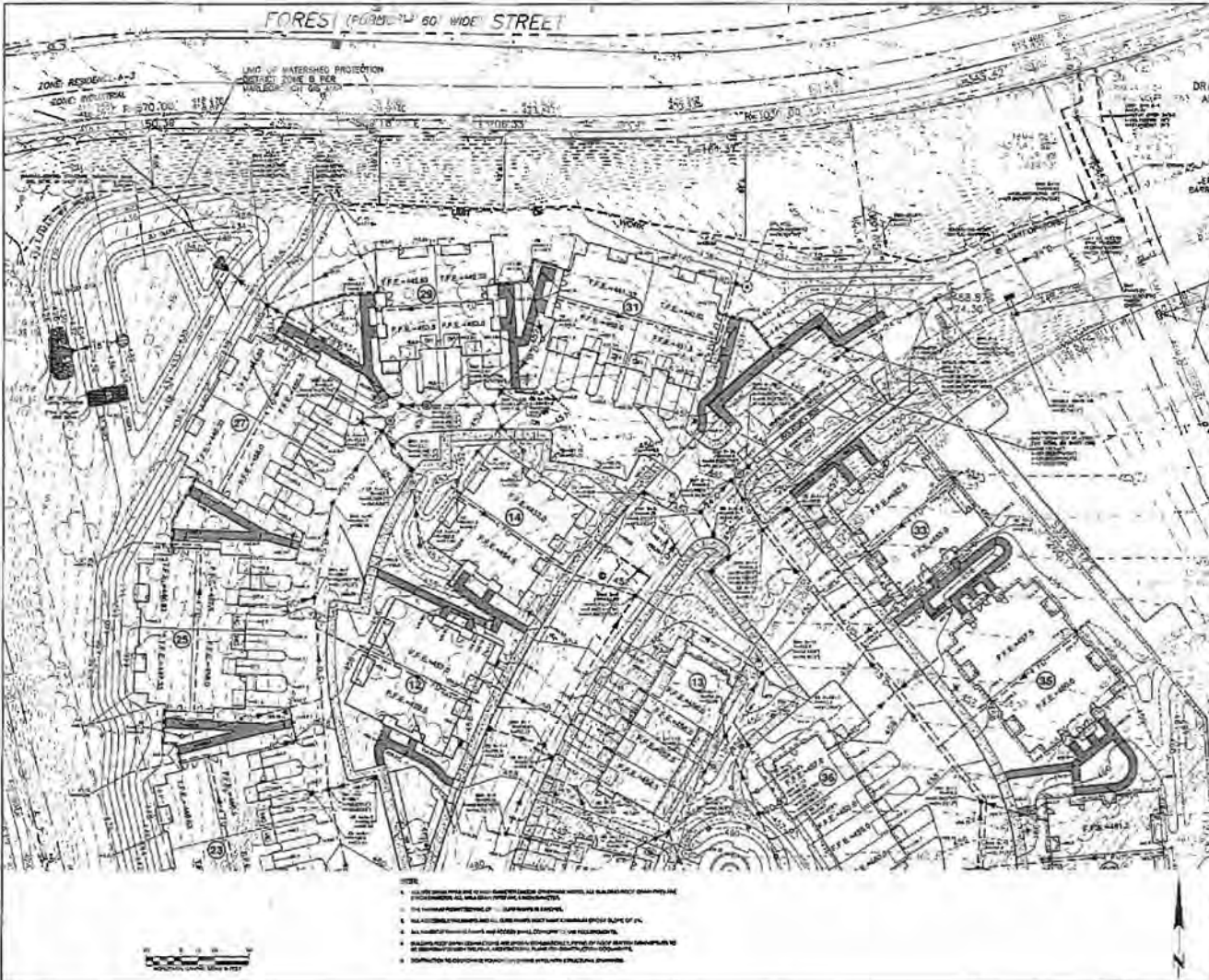
Issue Name:  
**DETAILED  
GRADING &  
DRAINAGE PLAN**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**C4**

FOREST (FORMERLY 60' WIDE) STREET



- NOTES:
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SUBMITTAL SPECIFICATIONS AND CONDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, DIVISION OF PERMITS AND CONSTRUCTION.
  2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
  3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, DIVISION OF PERMITS AND CONSTRUCTION, AND ALL APPLICABLE STATE AND FEDERAL REGULATIONS.
  4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, DIVISION OF PERMITS AND CONSTRUCTION, AND ALL APPLICABLE STATE AND FEDERAL REGULATIONS.
  5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.

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60321 Massachusetts Turnpike

Consultant  
**H.W. Moore**  
INCORPORATED  
1000 State Street  
Marlborough, MA 01752  
Tel: 978.271.2200

Revision:  
1. 10/15/18 - 100% DESIGN  
2. 11/15/18 - 100% DESIGN  
3. 12/15/18 - 100% DESIGN  
4. 01/15/19 - 100% DESIGN  
5. 02/15/19 - 100% DESIGN

Engineer of Record:

Drawn:  
Checked:  
Scale: 1"=40'  
Key Plan:

Project Name:  
Avalon Marlborough II

Marlborough, MA

Sheet Name:  
**DETAILED  
GRADING &  
DRAINAGE PLAN**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**C5**



**NOTES:**

1. ALL MATERIALS TO BE STORED IN THE DESIGNATED AREAS SHOWN ON THIS PLAN. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.
2. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.
3. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.
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8. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.
9. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.
10. ALL MATERIALS TO BE STORED IN THESE AREAS SHALL BE PROTECTED FROM WEATHER AND VANDALISM.

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A.E.C. & P.E. INC.  
2000 North Main Street  
Marlborough, MA 01752  
Tel: 978.251.1100  
www.hwmoores.com

**Station**  
1. MARLBOROUGH STATE UNIVERSITY CAMPUS

**Engineer of Record**

**Drawn**  
**Checked**  
**Scale** 1"=10'  
**Key Plan**

**Project Name**  
Avalon Marlborough II

**Marlborough, MA**

**Sheet Name**  
**CONSTRUCTION LOGISTICS PLAN**

**Project Number**  
17030

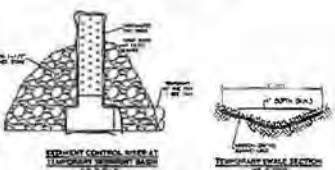
**Issue Date**  
January 9, 2019

**Sheet Number**  
**C6A**



**KEY REQUIREMENTS:**

1. The contractor shall be responsible for obtaining all necessary permits for the construction of the erosion control measures.
2. The contractor shall install and maintain all erosion control measures in accordance with the approved plan.
3. The contractor shall provide access to all existing utilities and structures.
4. The contractor shall maintain all existing structures and utilities throughout the construction process.
5. The contractor shall install and maintain all erosion control measures in accordance with the approved plan.
6. The contractor shall provide access to all existing utilities and structures.
7. The contractor shall maintain all existing structures and utilities throughout the construction process.
8. The contractor shall install and maintain all erosion control measures in accordance with the approved plan.
9. The contractor shall provide access to all existing utilities and structures.
10. The contractor shall maintain all existing structures and utilities throughout the construction process.



**EROSION CONTROL LEGEND**

- PHASE 1
- PHASE 2
- [Cross-hatched] PHASE 1 CONSTRUCTION TRACKING PAD
- [Diagonal lines] PHASE 2 CONSTRUCTION TRACKING PAD
- [Circle with SB] TEMP. SEDIMENT BASIN
- [Line] TEMP. DRAIN PIPE
- [Line] TEMP. SWALE

**CONSTRUCTION PHASING LEGEND**

- PHASE 1
- PHASE 2

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F 617.889.4329  
www.aicreedman.com  
AIC/Reedman Team, Inc.

Consultant:  
**H.W. Moore**  
A PROFESSIONAL ENGINEER  
No. 3076  
State of Massachusetts  
Professional Seal No. 12345

Revision:  
1. 11/15/17: Initial Design  
2. 12/15/17: Final Design  
3. 01/15/18: Construction Documents  
4. 02/15/18: Construction Documents  
5. 03/15/18: Construction Documents

Approved by:

Drawn:  
Checked:  
Scale: 1"=10'  
Key Plan:

Project Name:  
Avalon Marlborough II

Marlborough, MA

Store Name:  
**EROSION CONTROL PLAN**

Project Number:  
17020

Issue Date:  
May 17, 2018

Draw Number:  
**C6B**

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www.atainc.com  
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Consultant:

**H.W. Moore**  
ASSOCIATES, P.C.  
Professional Engineers  
100 State Street  
Marlborough, MA 01752  
www.hwmoores.com

Revised:

1	Issue	Initial Design
2	Issue	Final Design
3	Issue	Final Design
4	Issue	Final Design
5	Issue	Final Design

Engineer in Charge:



Drawn:

Checked:

Scale: AS SHOWN

Any Part:

Project Name:  
Avalon Marlborough II

Marlborough, MA

Sheet Name:

**SEWER  
PROFILES**

Project Number:

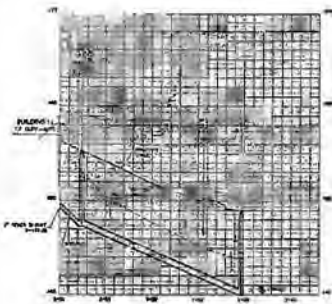
17030

Issue Date:

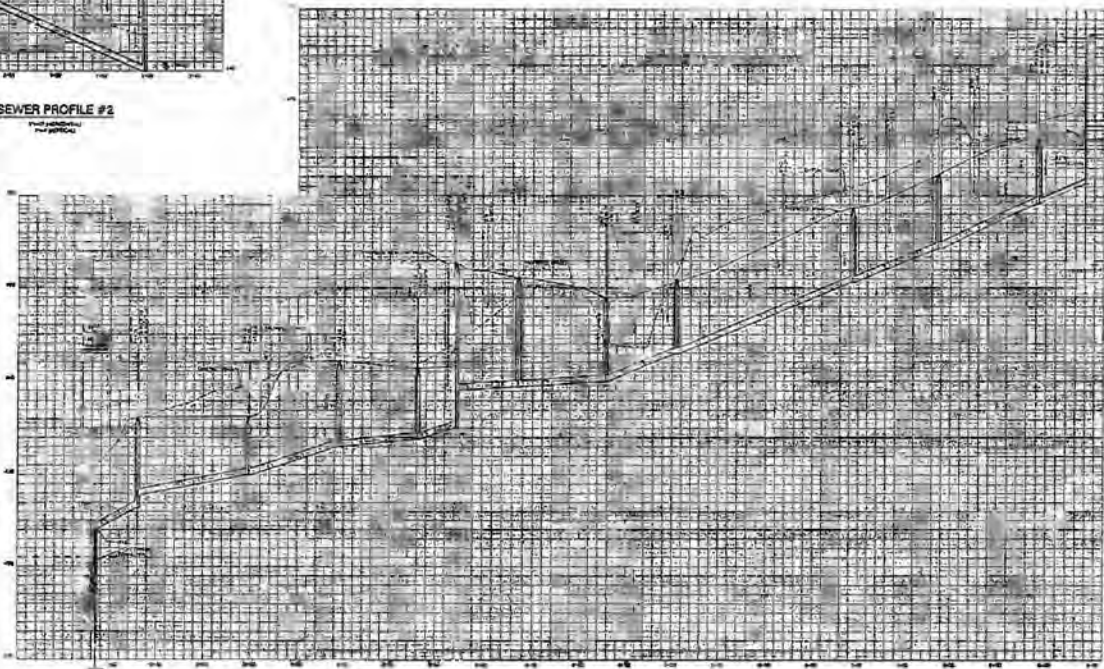
May 17, 2018

Sheet Number:

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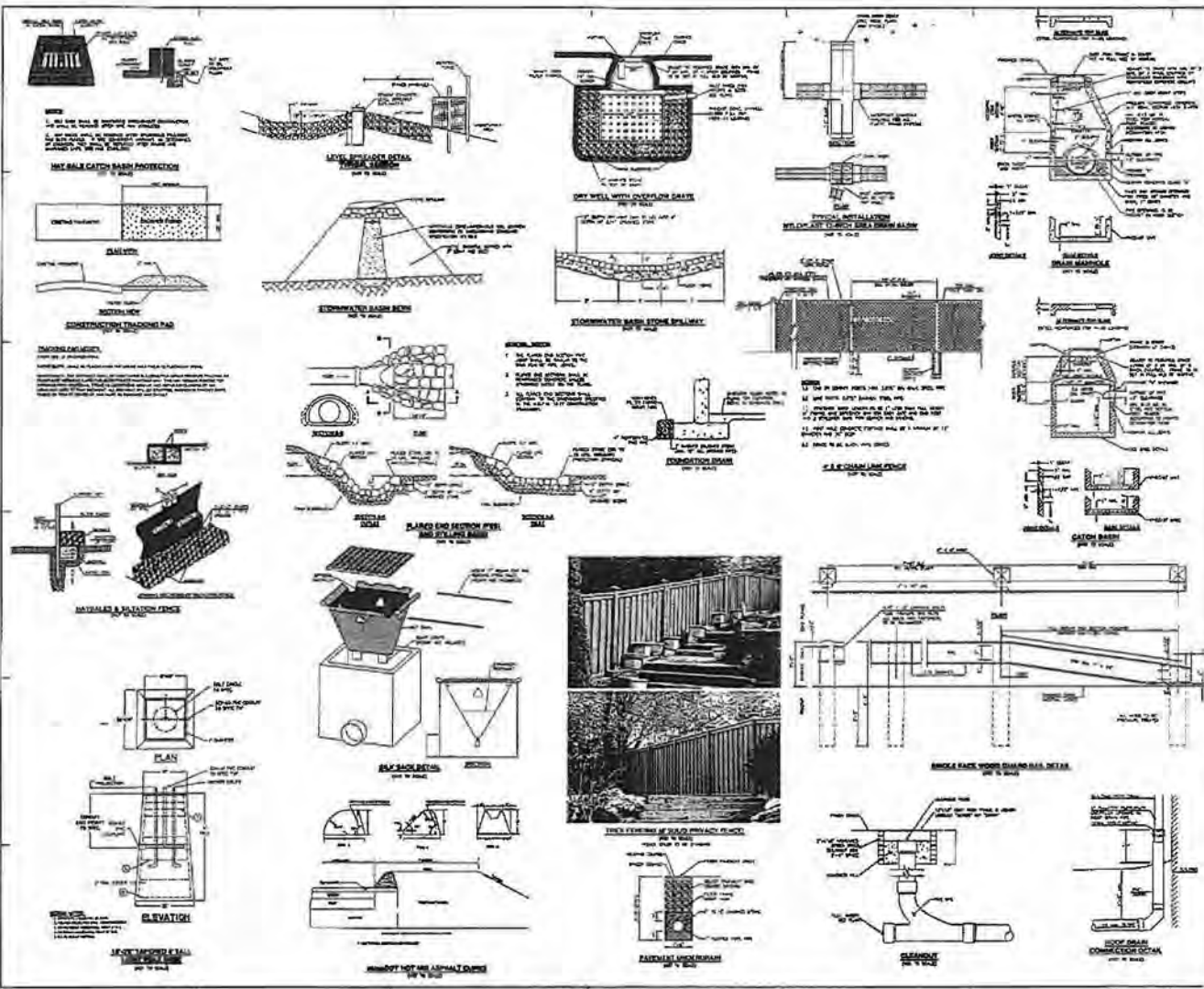


**SEWER PROFILE #2**  
Profile #2  
Profile #1



**SEWER PROFILE #1**  
Profile #1  
Profile #2





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4000 The Architectural Team, Inc.

Consultant:  
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www.hwmoores.com

Revision:  
1. 05/17/2018  
2. 05/17/2018  
3. 05/17/2018

Engineer of Record:

Drawn:  
Checked:  
Title: AS NOTED  
Key Plan:

Project Name:  
Avaton Marlborough II

Marlborough, MA

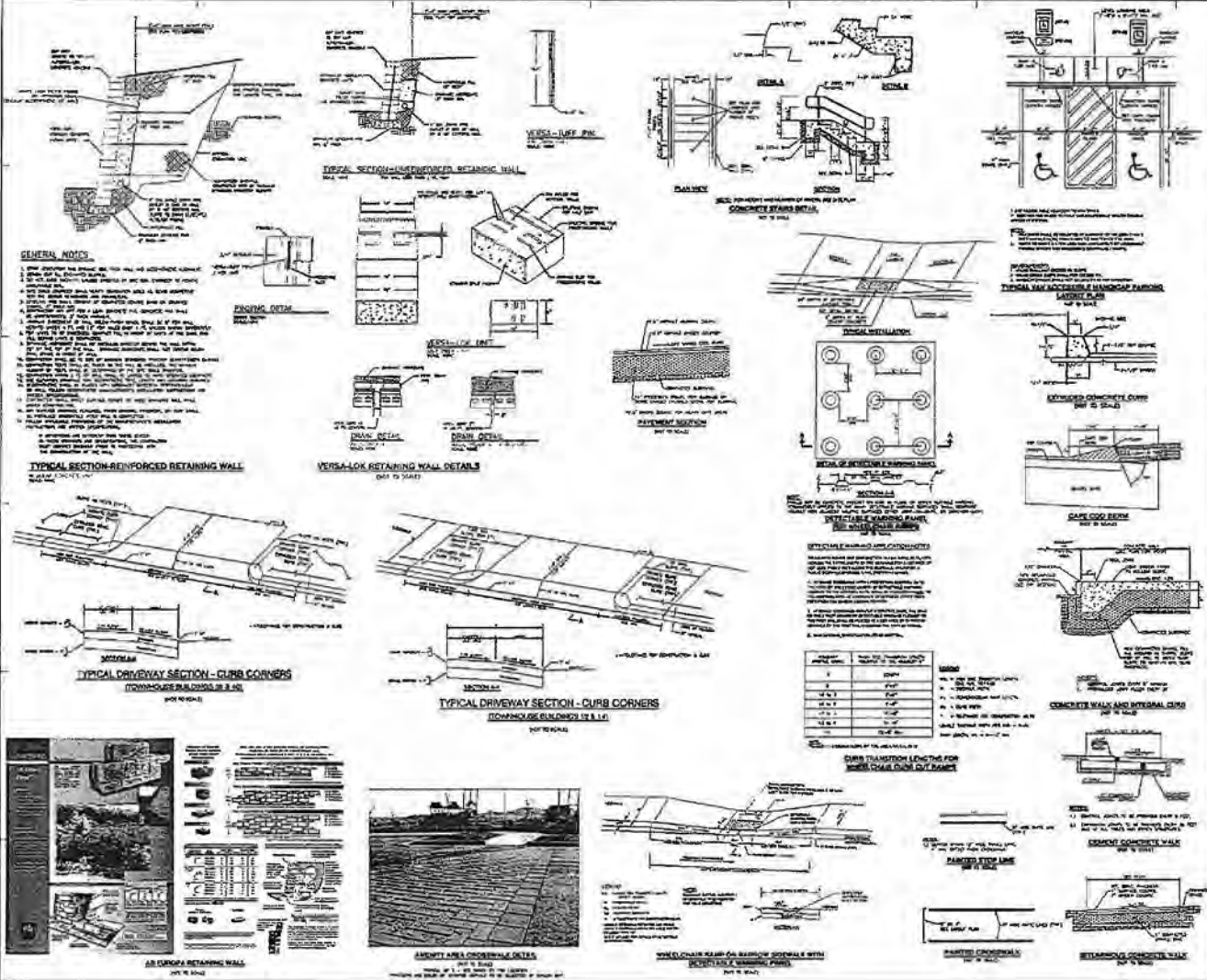
Sheet Name:  
**DETAILS**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**C8**

**DETAILS**





**CONSTRUCTION NOTES**

1. All work shall be in accordance with the Massachusetts Department of Environmental Protection (MDEP) regulations, specifically 816 CMR 1.00 through 1.09, and all applicable federal, state, and local laws, rules, and regulations.

2. The contractor shall be responsible for obtaining all necessary permits from the appropriate authorities.

3. The contractor shall maintain access to all existing utilities and structures at all times.

4. The contractor shall be responsible for the protection and preservation of all existing trees and vegetation.

5. The contractor shall be responsible for the removal and disposal of all debris and waste materials.

6. The contractor shall be responsible for the installation and maintenance of all erosion control measures.

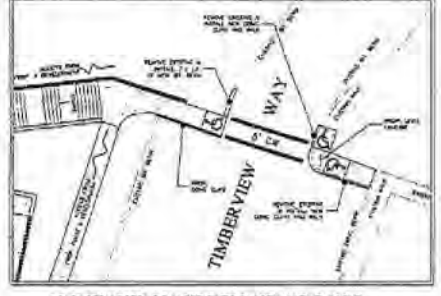
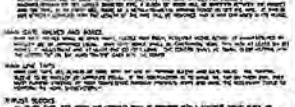
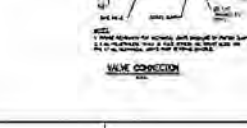
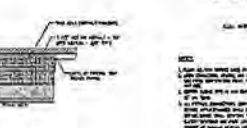
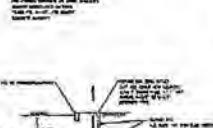
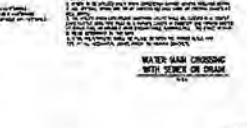
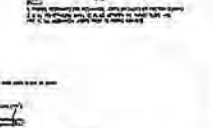
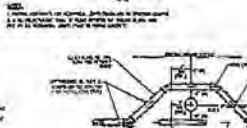
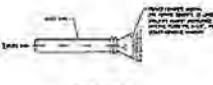
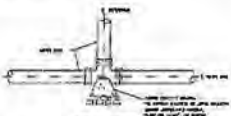
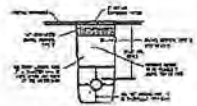
7. The contractor shall be responsible for the installation and maintenance of all sediment control measures.

8. The contractor shall be responsible for the installation and maintenance of all water quality monitoring devices.

9. The contractor shall be responsible for the installation and maintenance of all water sampling equipment.

10. The contractor shall be responsible for the installation and maintenance of all water treatment equipment.

NO.	DESCRIPTION	DATE
1	REVISION	1/15/18
2	REVISION	2/15/18
3	REVISION	3/15/18
4	REVISION	4/15/18
5	REVISION	5/15/18



**PROPOSED ACCESS CONNECTION TO PHASE I AGENCY AREAS**

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www.thearchitecturaltteam.com  
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**Consultant:**  
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---

**Revision:**

1	AS NOTED

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**Engineer of Record:**




---

**Project Name:**  
**Avalon Marlborough II**

**Location:**  
Marlborough, MA

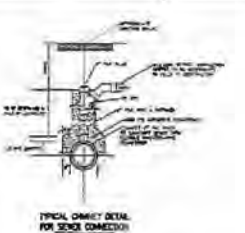
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**DETAILS**

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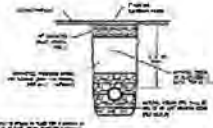
**Project Number:**  
17030

**Issue Date:**  
May 17, 2018

**Sheet Number:**  
**C11**



TYPICAL CHIMNEY DETAIL FOR SEWER CONNECTION



TYPICAL SEWER SERVICE

**DETAILS: SEWERAGE AND WASTE WATER SYSTEMS**

1. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.

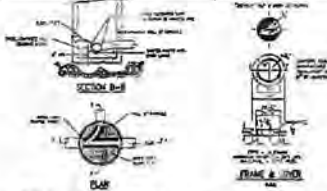
2. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.

3. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.

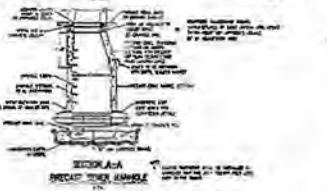
4. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.

5. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.

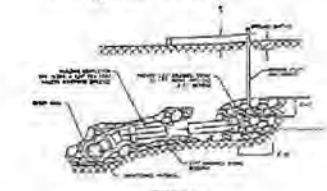
6. All pipe shall be installed in accordance with the applicable codes and standards of the local authority having jurisdiction.



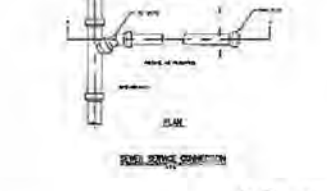
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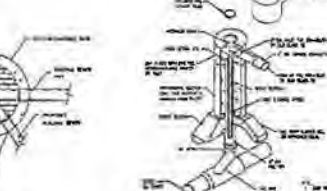
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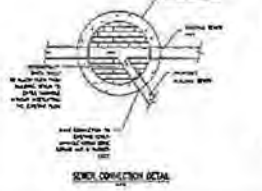
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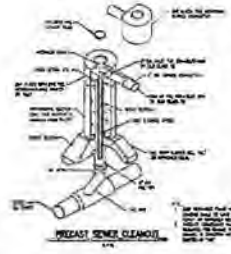
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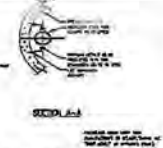
SECTION E-E



SEWER CONNECTION DETAIL



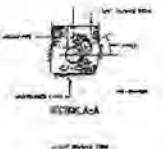
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SECTION A-A



SECTION B-B



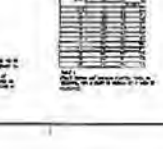
SECTION C-C



SECTION D-D



SECTION E-E



SECTION F-F

**SEWER NOTES**

1. ALL SEWERAGE AND WASTE WATER SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

2. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

3. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

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12. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

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19. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

20. ALL PIPE SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS OF THE LOCAL AUTHORITY HAVING JURISDICTION.

DETAILS ON THIS SHEET WERE PROVIDED BY THE MARLBOROUGH DEPARTMENT OF PUBLIC WORKS

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**REVISION:**  
1. Available with plan and/or specification drawings.



**DATE:**  
**CHECKED:**  
**SCALE:** AS NOTED  
**KEY PLAN:**

**Project Name:**  
Avalon Marlborough II

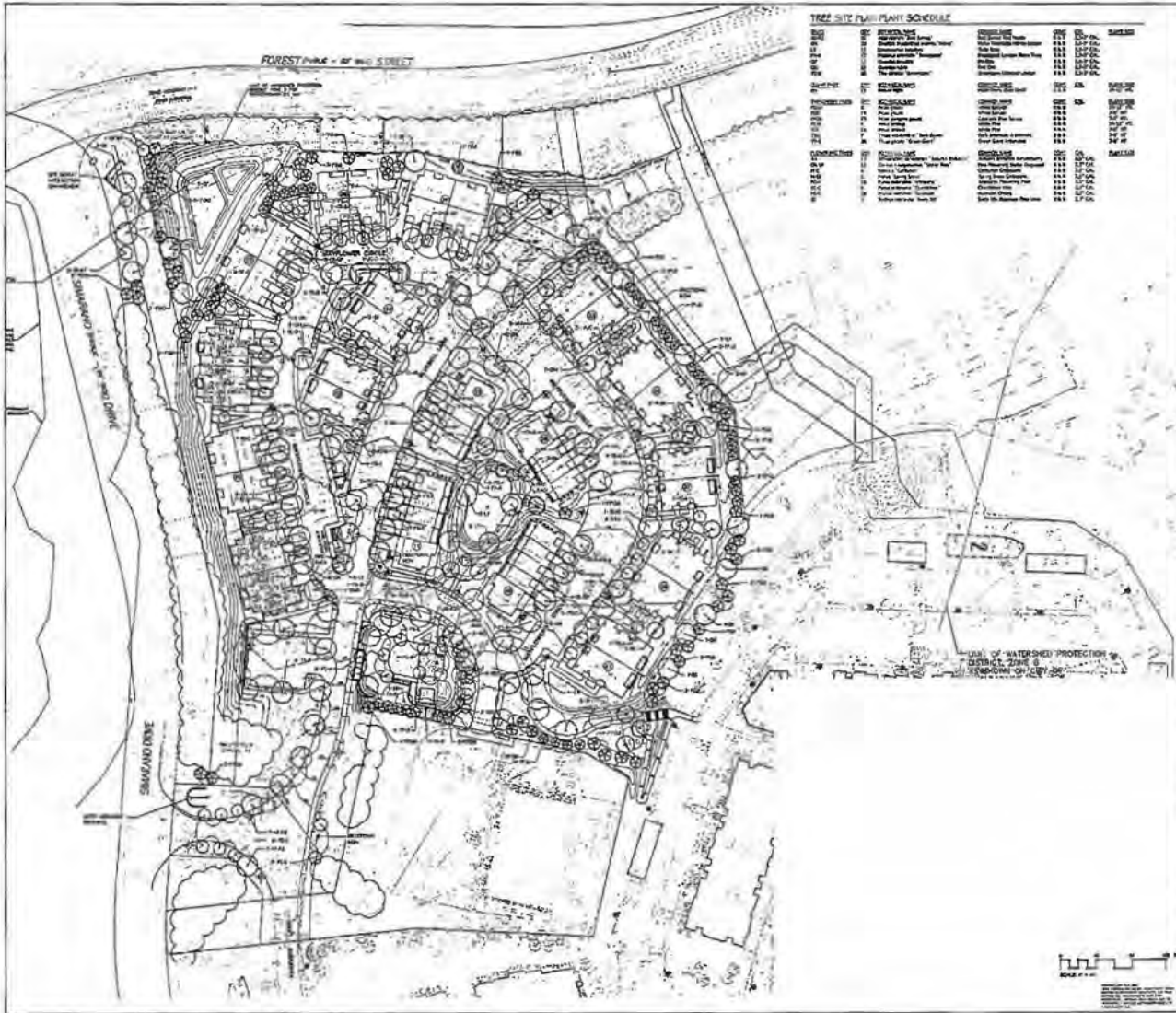
**Marlborough, MA**

**Sheet Name:**  
DETAILS

**Project Number:**  
17030

**Issue Date:**  
May 17, 2018

**Sheet Number:**  
C12



**TREE SITE PLANT SCHEDULE**

SYMBOL	DESCRIPTION	QTY	SIZE	DATE
1	Red Maple	10	12" DBH	12/18
2	White Birch	15	12" DBH	12/18
3	Black Birch	15	12" DBH	12/18
4	Red Pine	10	12" DBH	12/18
5	White Pine	10	12" DBH	12/18
6	White Pine	10	12" DBH	12/18
7	White Pine	10	12" DBH	12/18
8	White Pine	10	12" DBH	12/18
9	White Pine	10	12" DBH	12/18
10	White Pine	10	12" DBH	12/18
11	White Pine	10	12" DBH	12/18
12	White Pine	10	12" DBH	12/18
13	White Pine	10	12" DBH	12/18
14	White Pine	10	12" DBH	12/18
15	White Pine	10	12" DBH	12/18
16	White Pine	10	12" DBH	12/18
17	White Pine	10	12" DBH	12/18
18	White Pine	10	12" DBH	12/18
19	White Pine	10	12" DBH	12/18
20	White Pine	10	12" DBH	12/18
21	White Pine	10	12" DBH	12/18
22	White Pine	10	12" DBH	12/18
23	White Pine	10	12" DBH	12/18
24	White Pine	10	12" DBH	12/18
25	White Pine	10	12" DBH	12/18
26	White Pine	10	12" DBH	12/18
27	White Pine	10	12" DBH	12/18
28	White Pine	10	12" DBH	12/18
29	White Pine	10	12" DBH	12/18
30	White Pine	10	12" DBH	12/18
31	White Pine	10	12" DBH	12/18
32	White Pine	10	12" DBH	12/18
33	White Pine	10	12" DBH	12/18
34	White Pine	10	12" DBH	12/18
35	White Pine	10	12" DBH	12/18
36	White Pine	10	12" DBH	12/18
37	White Pine	10	12" DBH	12/18
38	White Pine	10	12" DBH	12/18
39	White Pine	10	12" DBH	12/18
40	White Pine	10	12" DBH	12/18
41	White Pine	10	12" DBH	12/18
42	White Pine	10	12" DBH	12/18
43	White Pine	10	12" DBH	12/18
44	White Pine	10	12" DBH	12/18
45	White Pine	10	12" DBH	12/18
46	White Pine	10	12" DBH	12/18
47	White Pine	10	12" DBH	12/18
48	White Pine	10	12" DBH	12/18
49	White Pine	10	12" DBH	12/18
50	White Pine	10	12" DBH	12/18

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Revisions:  
1. 11/13/15  
2. 05/07/18

Architect of Record  
  
Drawn: TBM  
Checked: TM  
Scale: 1"=40'-0"  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**

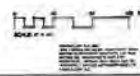
200 FOREST STREET  
MARLBOROUGH, MA

Site Name:  
**SITE TREE PLANTING  
PLAN**

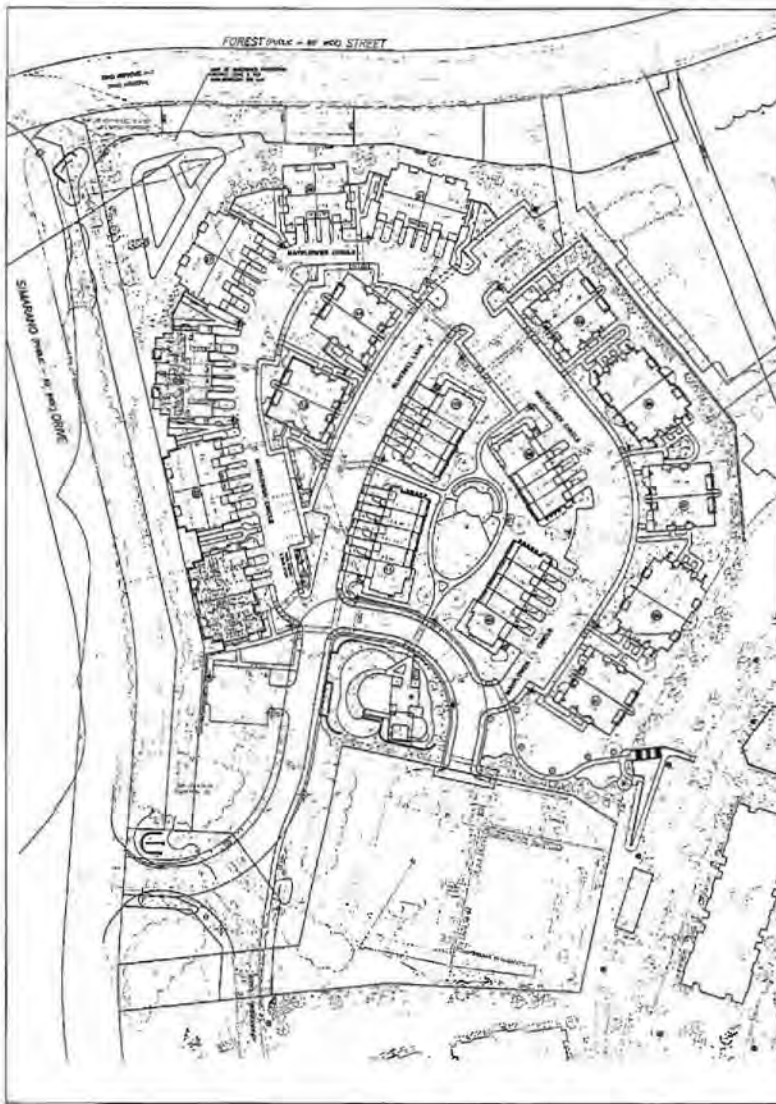
Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**L1.0**







**ACORN FIXTURES**

	ACORN 1	ACORN 1
	ACORN 2	ACORN 2
	ACORN 3	ACORN 3
	ACORN 4	ACORN 4
	ACORN 5	ACORN 5
	ACORN 6	ACORN 6
	ACORN 7	ACORN 7
	ACORN 8	ACORN 8

**ACORN FIXTURES**

	ACORN 1	ACORN 1
	ACORN 2	ACORN 2
	ACORN 3	ACORN 3
	ACORN 4	ACORN 4
	ACORN 5	ACORN 5
	ACORN 6	ACORN 6
	ACORN 7	ACORN 7
	ACORN 8	ACORN 8

**ACORN FIXTURES**

	ACORN 1	ACORN 1
	ACORN 2	ACORN 2
	ACORN 3	ACORN 3
	ACORN 4	ACORN 4
	ACORN 5	ACORN 5
	ACORN 6	ACORN 6
	ACORN 7	ACORN 7
	ACORN 8	ACORN 8

**ACORN FIXTURES**

	ACORN 1	ACORN 1
	ACORN 2	ACORN 2
	ACORN 3	ACORN 3
	ACORN 4	ACORN 4
	ACORN 5	ACORN 5
	ACORN 6	ACORN 6
	ACORN 7	ACORN 7
	ACORN 8	ACORN 8

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Revision:  
1 12/2/16  
2 7/2/2019



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Checked: TM  
Scale: 1"=42'-0"  
Key Plan



Project Name:  
**AVALON  
MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**SITE LIGHTING  
PLAN**

Project Number:  
**17030**

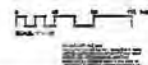
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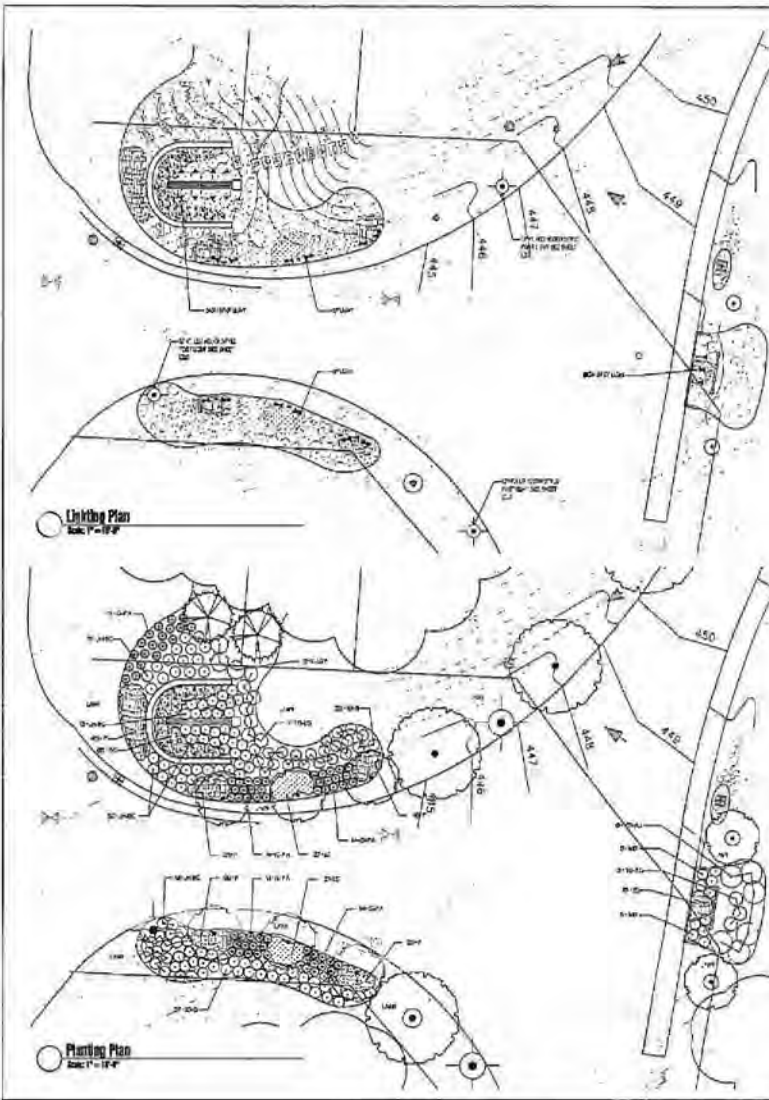
Sheet Number:  
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**Site Lighting Legend**

SYMBOL	DESCRIPTION	MANUFACTURER	FIXTURE
	ACORN 1 FLOOR MOUNTED FIXTURE NOT TO BE INSTALLED	ACORN PRODUCTS	ACORN 1 FLOOR MOUNTED FIXTURE NOT TO BE INSTALLED
	ACORN 2 FLOOR MOUNTED FIXTURE NOT TO BE INSTALLED	ACORN PRODUCTS	ACORN 2 FLOOR MOUNTED FIXTURE NOT TO BE INSTALLED

NOT TO SCALE  
SEE PLAN FOR DIMENSIONS  
UNLESS OTHERWISE NOTED  
- PARKING SPACES  
- DRIVEWAYS  
- STAIRS  
- ETC.





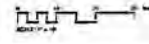
**Lighting Schedule**

SYMBOL	QUANTITY	DESCRIPTION	MANUFACTURER	SPECIFICATION
RL-4	2 EA	LED DOWN LIGHT	PROGRESS LIGHTING	PL24-30W P/850 SUC-H/DMT F/30
RL-5	1 EA	LED DOWN LIGHT	PROGRESS LIGHTING	PL04-40LED-20

- NOTES:**
- SEE SHEET L4.2 FOR LANDSCAPE PLAN FOR THE CIRCULAR ENTRY TOWER & BALCONY
  - SEE SHEET L4.3 FOR PLANTING DETAILS AND ALTERNATE PLANT SCHEDULE

**PLANT SCHEDULE - ENTRY:**

SYMBOL	QUANTITY	DESCRIPTION	MANUFACTURER	SIZE	PRICE
PL-1	1	Redwood	Redwood	12" x 12"	1200
PL-2	2	White Birch	White Birch	12" x 12"	1500
PL-3	3	Black Locust	Black Locust	12" x 12"	1000
PL-4	4	Red Maple	Red Maple	12" x 12"	1100
PL-5	5	Black Gum	Black Gum	12" x 12"	1200
PL-6	6	White Oak	White Oak	12" x 12"	1300
PL-7	7	Black Oak	Black Oak	12" x 12"	1400
PL-8	8	White Pine	White Pine	12" x 12"	1500
PL-9	9	Black Pine	Black Pine	12" x 12"	1600
PL-10	10	White Fir	White Fir	12" x 12"	1700
PL-11	11	Black Fir	Black Fir	12" x 12"	1800
PL-12	12	White Spruce	White Spruce	12" x 12"	1900
PL-13	13	Black Spruce	Black Spruce	12" x 12"	2000
PL-14	14	White Fir	White Fir	12" x 12"	2100
PL-15	15	Black Fir	Black Fir	12" x 12"	2200
PL-16	16	White Spruce	White Spruce	12" x 12"	2300
PL-17	17	Black Spruce	Black Spruce	12" x 12"	2400
PL-18	18	White Fir	White Fir	12" x 12"	2500
PL-19	19	Black Fir	Black Fir	12" x 12"	2600
PL-20	20	White Spruce	White Spruce	12" x 12"	2700
PL-21	21	Black Spruce	Black Spruce	12" x 12"	2800
PL-22	22	White Fir	White Fir	12" x 12"	2900
PL-23	23	Black Fir	Black Fir	12" x 12"	3000
PL-24	24	White Spruce	White Spruce	12" x 12"	3100
PL-25	25	Black Spruce	Black Spruce	12" x 12"	3200



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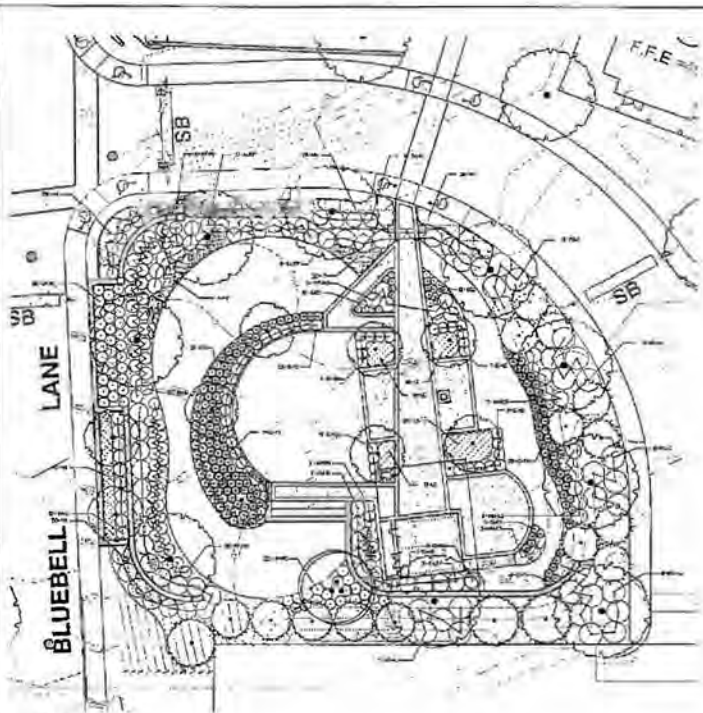
Contributor:  
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Approved of Record:

Drawn: TDM  
Checked: TM  
Scale: AS NOTED  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**  
200 FOREST STREET  
MARLBOROUGH, MA  
Sheet Name:  
**ENTRY  
ENLARGEMENT  
PLAN**

Project Number:  
17030  
Issue Date:  
January 30, 2019  
Sheet Number:  
**L4.1**



Planting Plan  
SHEET V-102

NOTE:  
1. SEE SHEET L5.2 FOR LANDSCAPE PLAN FOR THIS DEVELOPMENT & EXISTENCE  
2. SEE SHEET L5.1 FOR PLANT DETAILS AND SCHEDULE PLANT SCHEDULE

PLANT SCHEDULE LIFESTYLE			
PLANT	QUANTITY	DESCRIPTION	NOTES
101	10	Small Tree	See Schedule
102	20	Medium Tree	See Schedule
103	30	Large Tree	See Schedule
104	40	Shrub	See Schedule
105	50	Flowering Shrub	See Schedule
106	60	Groundcover	See Schedule
107	70	Perennial	See Schedule
108	80	Annual	See Schedule
109	90	Grass	See Schedule
110	100	Moss	See Schedule
111	110	Water Feature	See Schedule
112	120	Lighting	See Schedule
113	130	Seating	See Schedule
114	140	Art	See Schedule
115	150	Other	See Schedule

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Architect of Record:  
  
1/30/19

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Checked: TM  
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Key Plan:



Project Name:  
**AVALON  
MARLBOROUGH II**

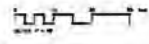
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MARLBOROUGH, MA

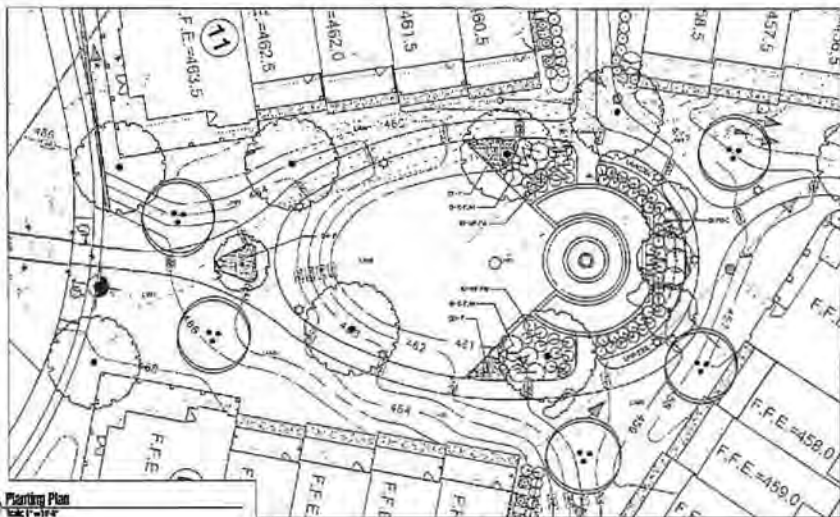
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**LIFESTYLE CENTER  
ENLARGEMENT  
PLAN**

Project Number:  
**17030**

Issue Date:  
**January 30, 2019**

Sheet Number:  
**L5.2**





Planting Plan  
L6.1-11.1

- NOTE:
- SEE SHEET L6.2 FOR LANDSCAPE PLAN FOR THE RESTROOMS & BICYCLE
  - SEE SHEET L6.3 FOR PLANT SCHEDULE AND SCHEDULE PLANT SCHEDULE

PLANT SCHEDULE AMENITY PARK

Symbol	Quantity	Plant Name	Plant Size	Plant Spacing	Plant Notes
○	1	Plant Name	Plant Size	Plant Spacing	Plant Notes
○	1	Plant Name	Plant Size	Plant Spacing	Plant Notes
○	1	Plant Name	Plant Size	Plant Spacing	Plant Notes
○	1	Plant Name	Plant Size	Plant Spacing	Plant Notes

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Reviewer:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Architect of Record:  
  
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Checked: TRM  
Scale: AS NOTED  
Key Plan:



Project Name:  
**AVALON  
MARLBOROUGH II**

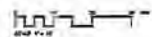
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MARLBOROUGH, MA

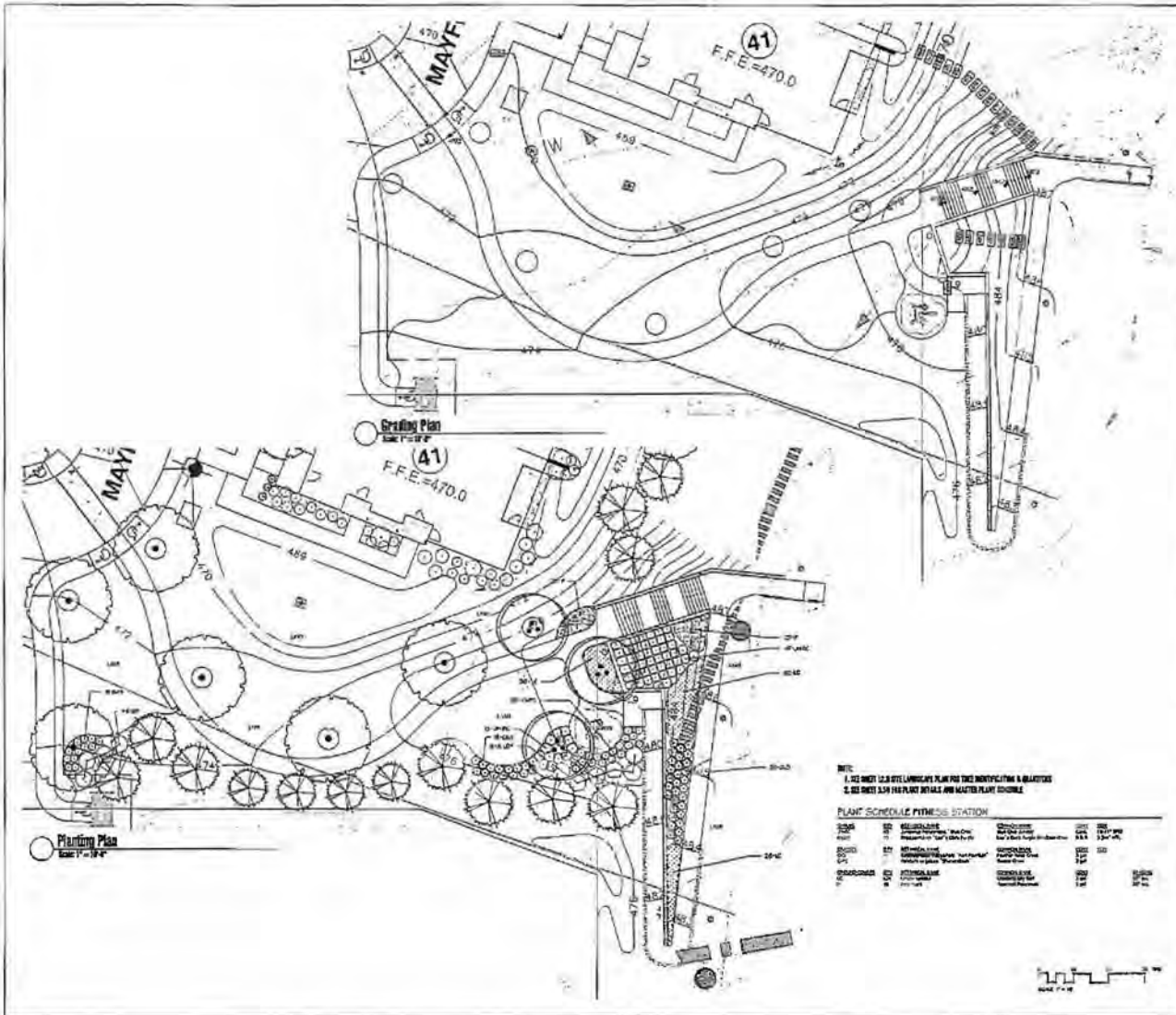
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**AMENITY PARK  
ENLARGEMENT  
PLAN**

Project Number:  
17030

Issue Date:  
January 30, 2019

Sheet Number:  
**L6.2**





NOTE:  
 1. SEE SHEET L7.0 SITE LAYOUT PLAN FOR TREE IDENTIFICATION & QUANTITIES  
 2. SEE SHEET L7.0 FOR PLANT DETAILS AND MAINTENANCE PLANT SCHEDULE

**PLANT SCHEDULE PYTHIAS STATION**

SYMBOL	PLANT NAME	PLANT SPECIES	PLANT SIZE	PLANT QUANTITY
1	SMALL TREE	SMALL TREE	12"	10
2	MEDIUM TREE	MEDIUM TREE	18"	5
3	LARGE TREE	LARGE TREE	24"	3
4	SHRUB	SHRUB	12"	20
5	PERENNIAL	PERENNIAL	12"	50
6	ANNUAL	ANNUAL	12"	100

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 www.markdesigninc.com

Reviewed: \_\_\_\_\_  
 Approved by: \_\_\_\_\_  
 Date: \_\_\_\_\_



Project Name:  
**AVALON  
 MARLBOROUGH II**

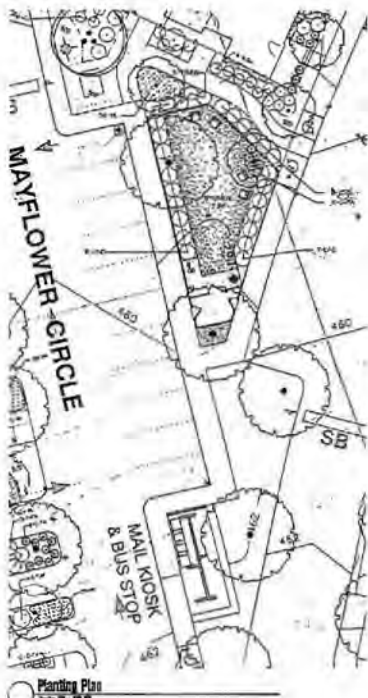
200 FOREST STREET  
 MARLBOROUGH, MA

Sheet Name:  
**PHASE 1 CONNECTOR  
 ENLARGEMENT  
 PLAN**

Project Number:  
**17000**

Issue Date:  
**January 30, 2018**

Sheet No. of:  
**L7.1**



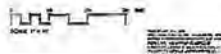
**Lighting Schedule**

SYMBOL	QUANTITY	DESCRIPTION	HEIGHT/SPACING	NOTES
4.50	15A	4' x 4' SQUARE	4' / 12' ON CENTER	SEE SCALE AND NOTES FOR LIGHTING

**NOTES:**  
 1. SEE SHEET L&L SITE LANDSCAPE PLAN FOR TREE CONTINGENTS & QUANTITIES  
 2. SEE SHEET B&M FOR PLANT MATERIALS AND MASTER PLANT SCHEDULE

**PLANT SCHEDULE DOG PARK**

SYMBOL	QUANTITY	DESCRIPTION	HEIGHT	SPACING
4.51	10	DOGWOOD	12'	12' x 12'
4.52	15	DOGWOOD	12'	12' x 12'
4.53	10	DOGWOOD	12'	12' x 12'
4.54	10	DOGWOOD	12'	12' x 12'
4.55	10	DOGWOOD	12'	12' x 12'
4.56	10	DOGWOOD	12'	12' x 12'
4.57	10	DOGWOOD	12'	12' x 12'
4.58	10	DOGWOOD	12'	12' x 12'
4.59	10	DOGWOOD	12'	12' x 12'
4.60	10	DOGWOOD	12'	12' x 12'



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 1000 The Commonwealth Building, Inc.

Consultant:  
  
**Hawk Design, Inc.**  
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 1000 State St  
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 info@hawkdesign.com  
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Architect of Record:  


Drawn: TPM  
 Checked: TM  
 Scale: AS NOTED  
 Date Plotted:

Project Name:  
**AVALON  
 MARLBOROUGH II**

200 FOREST STREET  
 MARLBOROUGH, MA

Client Name:  
**DOG PARK  
 ENLARGEMENT  
 PLAN**

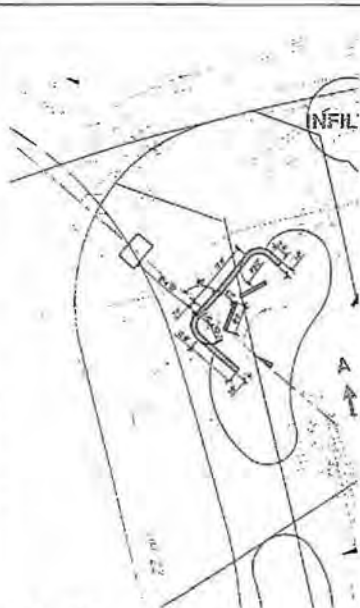
Project Number:  
 17030

Issue Date:  
 January 27, 2018

Sheet Number:  
**L9.1**



Materials Plan  
Scale: 1"=10'-0"



Layout Plan  
Scale: 1"=10'-0"



Grading Plan  
Scale: 1"=10'-0"



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 40103 The Professional Firm, Inc.

Contractor: **Ersk Design, Inc.**  
 Landscape Architecture  
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 Street, MA  
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 978.254.2300  
 www.ersdesign.com

Project: 17030



Drawn: TJE  
 Checked: TJE  
 Scale: AS NOTED  
 Key Plan:



Project Name:  
**AVALON  
 MARLBOROUGH II**

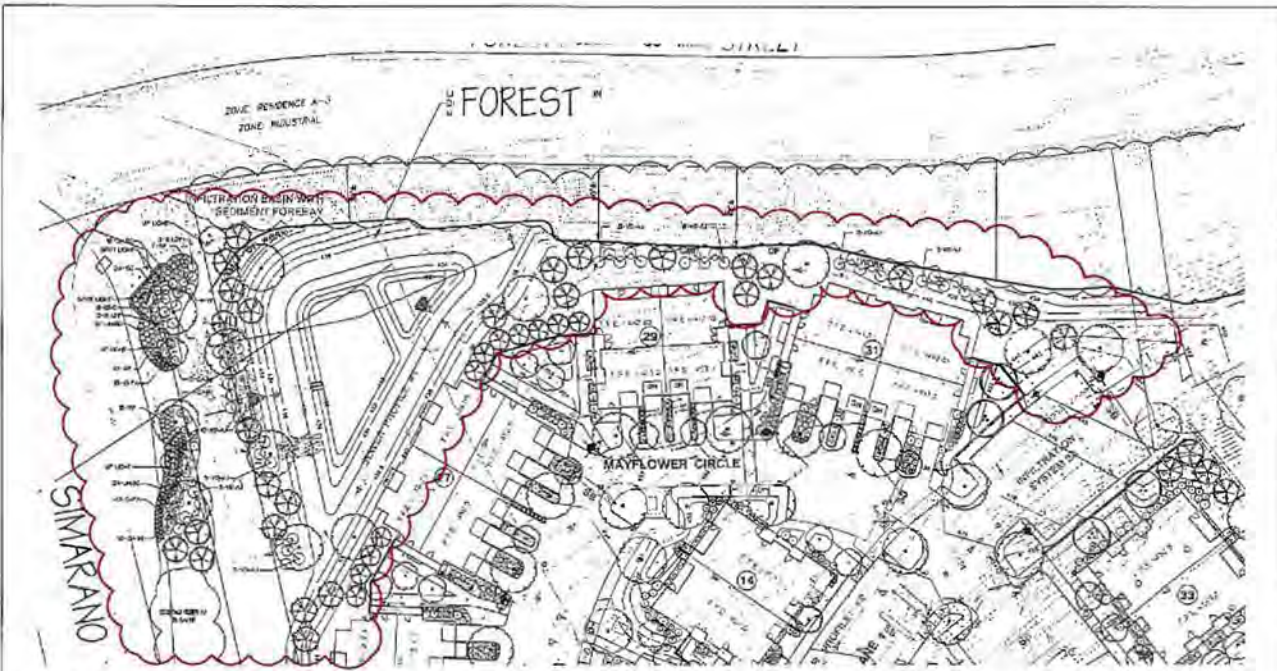
200 FOREST STREET  
 MARLBOROUGH, MA

Sheet Name:  
**INTERSECTION  
 ENHANCEMENT  
 ENLARGEMENT  
 PLAN**

Project Number:  
 17030

Issue Date:  
 December 12, 2019

Sheet Number:  
**L10.0**



**Lighting Schedule**

SYMBOL	QUANTITY	EQUIPMENT	HYDRANT/POWER	SPECIFICATION
4-4	45x	SP LIGHTS	POWER SUPPLIED	700-2000 (POSS CHECKPOINT FISH)
4	75x	SP LIGHTS	POWER SUPPLIED	700-1000 (POSS CHECKPOINT FISH)

- NOTES:**
- SEE SHEET L10.1 FOR PLANT SCHEDULES FOR THIS INTERSECTION & EXISTING
  - SEE SHEET L10.1 FOR PLANT DETAILS AND MASTER PLANT SCHEDULE

**PLANT SCHEDULE INTERSECTION I**

SYMBOL	QUANTITY	PLANT SPECIES	PLANT SIZE	PLANT DATE
100	10	FRAXINUS AMERICANA	2.5" DBH	2018
101	10	QUERCUS ALBA	2.5" DBH	2018
102	10	QUERCUS PRINCEPI	2.5" DBH	2018
103	10	QUERCUS ROBUR	2.5" DBH	2018
104	10	QUERCUS SERRATA	2.5" DBH	2018
105	10	QUERCUS VARIANS	2.5" DBH	2018
106	10	QUERCUS BICOLOR	2.5" DBH	2018
107	10	QUERCUS FUSCATA	2.5" DBH	2018
108	10	QUERCUS LAEVIS	2.5" DBH	2018
109	10	QUERCUS MONTANA	2.5" DBH	2018
110	10	QUERCUS PAUCIFLORA	2.5" DBH	2018
111	10	QUERCUS SPINOSA	2.5" DBH	2018
112	10	QUERCUS STROBILIFERA	2.5" DBH	2018
113	10	QUERCUS VITIFOLIA	2.5" DBH	2018
114	10	QUERCUS VIRGINICA	2.5" DBH	2018
115	10	QUERCUS WILSONI	2.5" DBH	2018
116	10	QUERCUS ALBA	2.5" DBH	2018
117	10	QUERCUS PRINCEPI	2.5" DBH	2018
118	10	QUERCUS ROBUR	2.5" DBH	2018
119	10	QUERCUS SERRATA	2.5" DBH	2018
120	10	QUERCUS VARIANS	2.5" DBH	2018
121	10	QUERCUS BICOLOR	2.5" DBH	2018
122	10	QUERCUS FUSCATA	2.5" DBH	2018
123	10	QUERCUS LAEVIS	2.5" DBH	2018
124	10	QUERCUS MONTANA	2.5" DBH	2018
125	10	QUERCUS PAUCIFLORA	2.5" DBH	2018
126	10	QUERCUS SPINOSA	2.5" DBH	2018
127	10	QUERCUS STROBILIFERA	2.5" DBH	2018
128	10	QUERCUS VITIFOLIA	2.5" DBH	2018
129	10	QUERCUS VIRGINICA	2.5" DBH	2018
130	10	QUERCUS WILSONI	2.5" DBH	2018



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Drawn: TMS  
Checked: TM  
Scale: 1"=10'-0"  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**INTERSECTION  
ENHANCEMENT  
BUFFER PLANTING  
PLAN**

Project Number:  
17030

Issue Date:  
December 12, 2018

Sheet Number:  
**L10.1**



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Contractor: **Knack Design, Inc.**  
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info@knackdesign.com  
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Reviewed:  
Accepted for Record:  
Drawn: YBM  
Checked: TM  
Scale: AS NOTED  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**

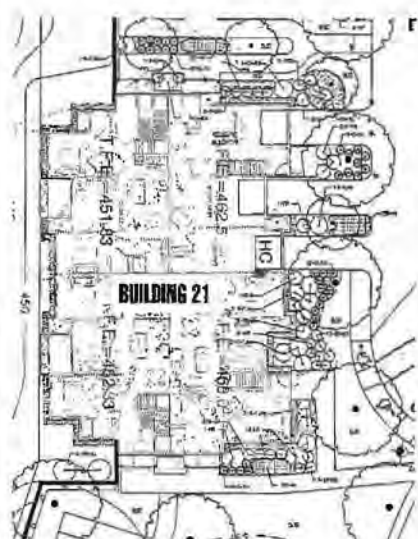
200 FOREST STREET  
MARLBOROUGH, MA

Drawn Name:  
**BUILDING TYPICAL  
PLANTING PLAN**

Project Number:  
17030

Issue Date:  
January 30, 2019

Sheet Number:  
**L11.0**

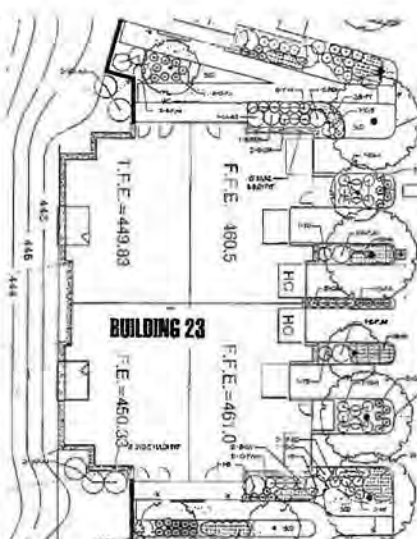


**Building 21**  
Scale 1/8" = 1'-0"

NOT:  
1. SEE SHEET L10 FOR LANDSCAPE PLAN FOR TREE INSTALLATION & MAINTENANCE  
2. SEE SHEET L10 FOR PLANT DETAILS AND MAINTENANCE PLANT SCHEDULE

PLANT SCHEDULE BUILDINGS: 21

SYMBOL	PLANT NAME	PLANT CODE	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
1	Red Maple	101	12" DBH	Tree	1
2	White Birch	102	12" DBH	Tree	1
3	Black Birch	103	12" DBH	Tree	1
4	Red Pine	104	12" DBH	Tree	1
5	White Pine	105	12" DBH	Tree	1
6	Black Pine	106	12" DBH	Tree	1
7	Red Spruce	107	12" DBH	Tree	1
8	White Spruce	108	12" DBH	Tree	1
9	Black Spruce	109	12" DBH	Tree	1
10	Red Fir	110	12" DBH	Tree	1
11	White Fir	111	12" DBH	Tree	1
12	Black Fir	112	12" DBH	Tree	1
13	Red Cedar	113	12" DBH	Tree	1
14	White Cedar	114	12" DBH	Tree	1
15	Black Cedar	115	12" DBH	Tree	1
16	Red Juniper	116	12" DBH	Tree	1
17	White Juniper	117	12" DBH	Tree	1
18	Black Juniper	118	12" DBH	Tree	1
19	Red Cypress	119	12" DBH	Tree	1
20	White Cypress	120	12" DBH	Tree	1
21	Black Cypress	121	12" DBH	Tree	1
22	Red Palm	122	12" DBH	Tree	1
23	White Palm	123	12" DBH	Tree	1
24	Black Palm	124	12" DBH	Tree	1
25	Red Yucca	125	12" DBH	Tree	1
26	White Yucca	126	12" DBH	Tree	1
27	Black Yucca	127	12" DBH	Tree	1
28	Red Agave	128	12" DBH	Tree	1
29	White Agave	129	12" DBH	Tree	1
30	Black Agave	130	12" DBH	Tree	1

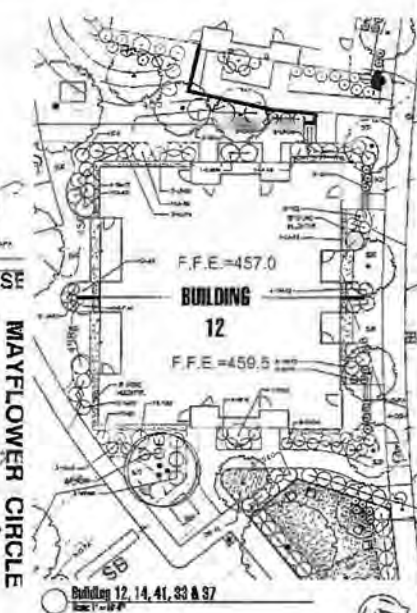


**Building 23, 25, 27 & 31**  
Scale 1/8" = 1'-0"

NOT:  
1. SEE SHEET L10 FOR LANDSCAPE PLAN FOR TREE INSTALLATION & MAINTENANCE  
2. SEE SHEET L10 FOR PLANT DETAILS AND MAINTENANCE PLANT SCHEDULE

PLANT SCHEDULE BUILDINGS: 23, 25, 27 & 31

SYMBOL	PLANT NAME	PLANT CODE	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
1	Red Maple	101	12" DBH	Tree	1
2	White Birch	102	12" DBH	Tree	1
3	Black Birch	103	12" DBH	Tree	1
4	Red Pine	104	12" DBH	Tree	1
5	White Pine	105	12" DBH	Tree	1
6	Black Pine	106	12" DBH	Tree	1
7	Red Spruce	107	12" DBH	Tree	1
8	White Spruce	108	12" DBH	Tree	1
9	Black Spruce	109	12" DBH	Tree	1
10	Red Fir	110	12" DBH	Tree	1
11	White Fir	111	12" DBH	Tree	1
12	Black Fir	112	12" DBH	Tree	1
13	Red Cedar	113	12" DBH	Tree	1
14	White Cedar	114	12" DBH	Tree	1
15	Black Cedar	115	12" DBH	Tree	1
16	Red Juniper	116	12" DBH	Tree	1
17	White Juniper	117	12" DBH	Tree	1
18	Black Juniper	118	12" DBH	Tree	1
19	Red Cypress	119	12" DBH	Tree	1
20	White Cypress	120	12" DBH	Tree	1
21	Black Cypress	121	12" DBH	Tree	1
22	Red Palm	122	12" DBH	Tree	1
23	White Palm	123	12" DBH	Tree	1
24	Black Palm	124	12" DBH	Tree	1
25	Red Yucca	125	12" DBH	Tree	1
26	White Yucca	126	12" DBH	Tree	1
27	Black Yucca	127	12" DBH	Tree	1
28	Red Agave	128	12" DBH	Tree	1
29	White Agave	129	12" DBH	Tree	1
30	Black Agave	130	12" DBH	Tree	1



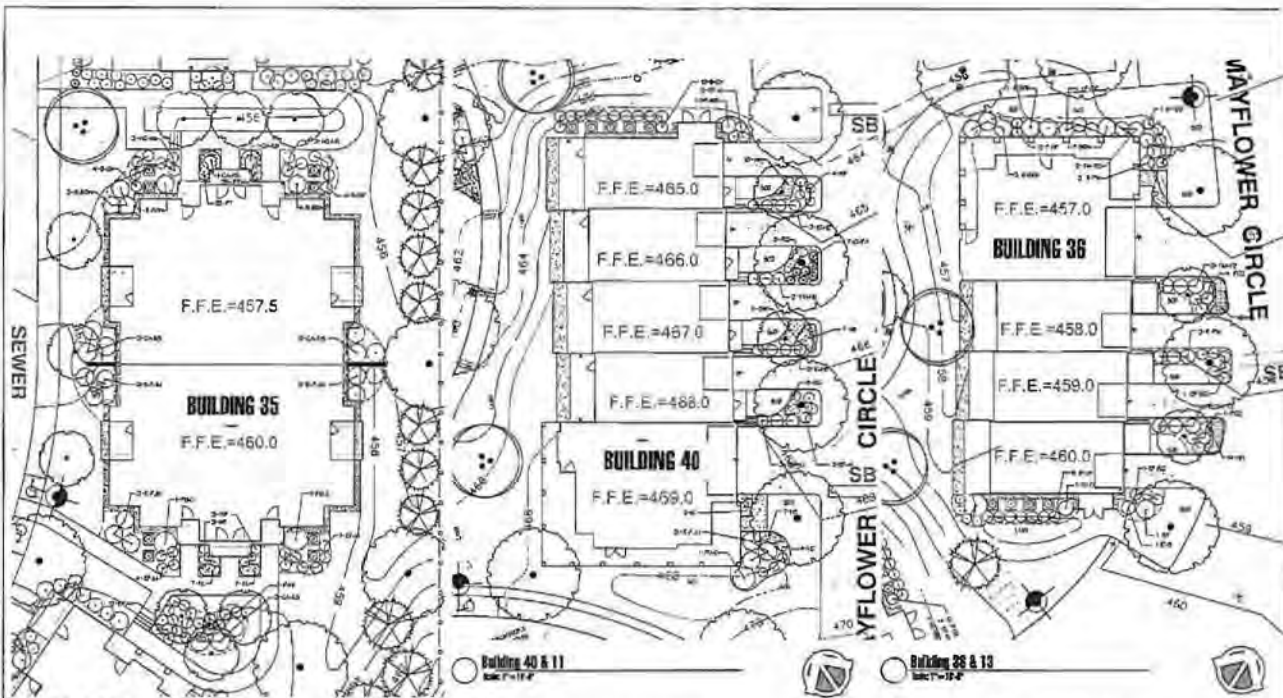
**Building 12, 14, 41, 33 & 37**  
Scale 1/8" = 1'-0"

NOT:  
1. SEE SHEET L10 FOR LANDSCAPE PLAN FOR TREE INSTALLATION & MAINTENANCE  
2. SEE SHEET L10 FOR PLANT DETAILS AND MAINTENANCE PLANT SCHEDULE

PLANT SCHEDULE BUILDINGS: 12, 14, 41, 33 & 37

SYMBOL	PLANT NAME	PLANT CODE	PLANT SIZE	PLANT TYPE	PLANT QUANTITY
1	Red Maple	101	12" DBH	Tree	1
2	White Birch	102	12" DBH	Tree	1
3	Black Birch	103	12" DBH	Tree	1
4	Red Pine	104	12" DBH	Tree	1
5	White Pine	105	12" DBH	Tree	1
6	Black Pine	106	12" DBH	Tree	1
7	Red Spruce	107	12" DBH	Tree	1
8	White Spruce	108	12" DBH	Tree	1
9	Black Spruce	109	12" DBH	Tree	1
10	Red Fir	110	12" DBH	Tree	1
11	White Fir	111	12" DBH	Tree	1
12	Black Fir	112	12" DBH	Tree	1
13	Red Cedar	113	12" DBH	Tree	1
14	White Cedar	114	12" DBH	Tree	1
15	Black Cedar	115	12" DBH	Tree	1
16	Red Juniper	116	12" DBH	Tree	1
17	White Juniper	117	12" DBH	Tree	1
18	Black Juniper	118	12" DBH	Tree	1
19	Red Cypress	119	12" DBH	Tree	1
20	White Cypress	120	12" DBH	Tree	1
21	Black Cypress	121	12" DBH	Tree	1
22	Red Palm	122	12" DBH	Tree	1
23	White Palm	123	12" DBH	Tree	1
24	Black Palm	124	12" DBH	Tree	1
25	Red Yucca	125	12" DBH	Tree	1
26	White Yucca	126	12" DBH	Tree	1
27	Black Yucca	127	12" DBH	Tree	1
28	Red Agave	128	12" DBH	Tree	1
29	White Agave	129	12" DBH	Tree	1
30	Black Agave	130	12" DBH	Tree	1





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Approval of Record:  
  
Date: 1/30/19

Drawn: TMM  
Checked: TM  
Scale: AS NOTED  
Key Plan:

**Building 25 & 39**  
Scale: 1/8" = 1'-0"

NOTE:  
1. SEE SHEET L11.0 FOR LAYOUT PLAN FOR TREE IDENTIFICATION & QUANTITIES  
2. SEE SHEET L11.0 FOR PLANT DETAILS AND BUILDED PLANT SCHEDULE

**PLANT SCHEDULE BUILDING 35 # 3.0**

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	Small Tree	10	
2	Medium Tree	5	
3	Large Tree	3	
4	Shrub	20	
5	Perennial	50	
6	Annual	100	

**Building 40 # 11**  
Scale: 1/8" = 1'-0"

NOTE:  
1. SEE SHEET L11.0 FOR LAYOUT PLAN FOR TREE IDENTIFICATION & QUANTITIES  
2. SEE SHEET L11.0 FOR PLANT DETAILS AND BUILDED PLANT SCHEDULE

**PLANT SCHEDULE BUILDING 40 # 11**

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	Small Tree	15	
2	Medium Tree	8	
3	Large Tree	4	
4	Shrub	30	
5	Perennial	70	
6	Annual	140	

**Building 36 & 13**  
Scale: 1/8" = 1'-0"

NOTE:  
1. SEE SHEET L11.0 FOR LAYOUT PLAN FOR TREE IDENTIFICATION & QUANTITIES  
2. SEE SHEET L11.0 FOR PLANT DETAILS AND BUILDED PLANT SCHEDULE

**PLANT SCHEDULE BUILDING 36 & 13**

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	Small Tree	12	
2	Medium Tree	6	
3	Large Tree	3	
4	Shrub	24	
5	Perennial	60	
6	Annual	120	

Project Name:  
**AVALON  
MARLBOROUGH II**

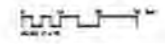
200 FOREST STREET  
MARLBOROUGH, MA

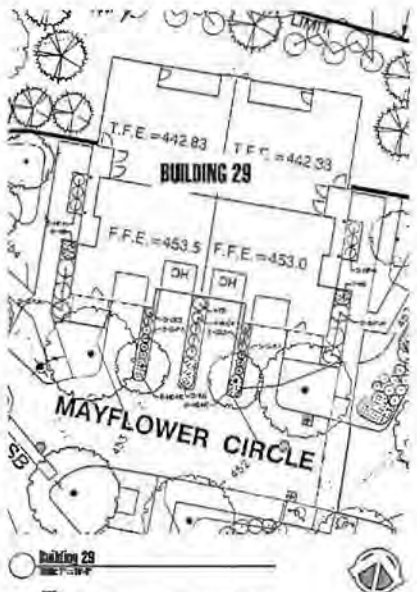
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**BUILDING TYPICAL  
PLANTING PLAN**

Project Number:  
1703(1)

Issue Date:  
January 30, 2019

Sheet Number:  
**L11.1**





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www.revitdesign.com

Revit/Date:

Architect of Record:

Drawn: TRM  
Checked: TM  
Scale: AS NOTED  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**

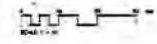
200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**BUILDING TYPICAL  
PLANTING PLAN**

Project Number:  
17030

Issue Date:  
January 30, 2019

Sheet Number:  
**L11.2**



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Revision:  
1. 12/18/18  
2. 12/20/18  
3. 01/08/19

Architect of Record:  
  
1/30/19

Drawn: TRM  
Checked: TJI  
Scale:  
Site Plan:

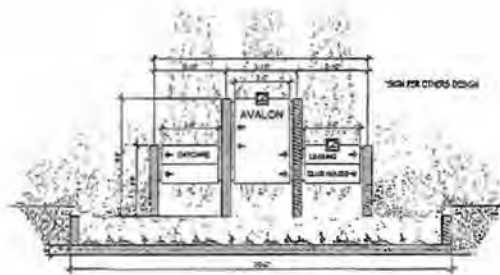
Project Name:  
**AVALON  
MARLBOROUGH II**  
200 FOREST STREET  
MARLBOROUGH, MA  
Sheet Name:

**SIGN DETAILS**

Project Number:  
17030  
Issue Date:  
May 17, 2018  
Sheet Number:  
**D1.0**



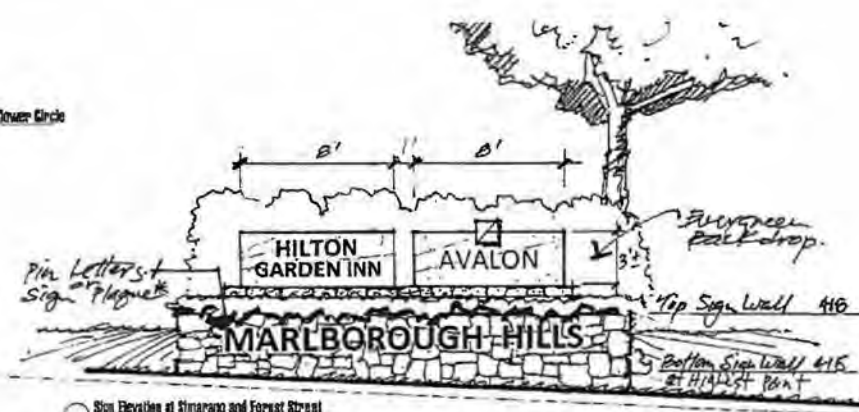
Monument Entry Sign Wall at Sinarano Drive  
Scale: 1/2" = 1'-0"



Directional Sign at Park View Lane and Phase II Main Entrance  
Scale: 1/2" = 1'-0"



Directional Sign at Intersection of Sinarano Lane & Mayflower Circle  
Scale: 1/2" = 1'-0"

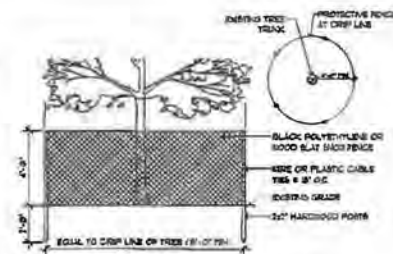


Sign Elevation at Sinarano and Forest Street  
Scale: 1/2" = 1'-0"

NOT TO SCALE

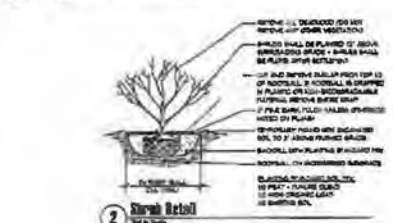
**MASTER PLANT SCHEDULE**

SYMBOL	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	Small Tree	10	EA	
2	Medium Tree	5	EA	
3	Large Tree	3	EA	
4	Shrub	20	EA	
5	Flowering Shrub	15	EA	
6	Perennial	50	EA	
7	Annual	100	EA	
8	Groundcover	1000	SQ YD	
9	Grass	1000	SQ YD	
10	Soil	1000	SQ YD	
11	Mulch	1000	SQ YD	
12	Retaining Wall	10	LF	
13	Drainage Pipe	100	LF	
14	Light Fixture	5	EA	
15	Sign	1	EA	
16	Gate	1	EA	
17	Well	1	EA	
18	Manhole	1	EA	
19	Valve	1	EA	
20	Hydrant	1	EA	
21	Fire Alarm	1	EA	
22	Security System	1	EA	
23	Intercom	1	EA	
24	Phone	1	EA	
25	Television	1	EA	
26	Radio	1	EA	
27	Music System	1	EA	
28	Lighting Control	1	EA	
29	Security Camera	1	EA	
30	Access Control	1	EA	
31	Fire Alarm Control	1	EA	
32	Security System Control	1	EA	
33	Intercom Control	1	EA	
34	Phone Control	1	EA	
35	Television Control	1	EA	
36	Radio Control	1	EA	
37	Music System Control	1	EA	
38	Lighting Control	1	EA	
39	Security Camera Control	1	EA	
40	Access Control	1	EA	
41	Fire Alarm Control	1	EA	
42	Security System Control	1	EA	
43	Intercom Control	1	EA	
44	Phone Control	1	EA	
45	Television Control	1	EA	
46	Radio Control	1	EA	
47	Music System Control	1	EA	
48	Lighting Control	1	EA	
49	Security Camera Control	1	EA	
50	Access Control	1	EA	



- NOTES:**
1. PROTECTIVE FENCE TO REMAIN UNTIL CONSTRUCTION IS COMPLETE.
  2. NO TREE SHALL BE REMOVED UNLESS SPECIFICALLY TAGGED FOR REMOVAL BY THE LANDSCAPE ARCHITECT.
  3. CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE TREES THAT ARE TO REMAIN.
  4. DO NOT NAIL, BOLTER OR NAIL TO TREES DURING CONSTRUCTION.
  5. ANY EXCAVATING OTHER CONTRACTS MUST BE APPROVED BY LANDSCAPE ARCHITECT AND MUST BE HAND-DUG. CONTRACTOR SHALL NOT CUT ANY ROOTS AND/OR BRANCHES UNLESS APPROVED BY LANDSCAPE ARCHITECT.
  6. ROOTS EXPOSED AND/OR DAMAGED DURING EXCAVATING / CONSTRUCTION OPERATIONS SHALL BE CUT OFF CLEARLY INSIDE THE EXPOSED OR DAMAGED AREA AND TOPSOIL BE PLACED OVER THE ROOTS IMMEDIATELY. EXPOSED ROOTS SHALL NOT BE CUT IN AN AREA INSIDE CRIP LINE OF THE TREE BRANCHES.
  7. ROOTS GREATER THAN 7" DIAMETER SHALL NOT BE CUT UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT.
  8. DISGUISED MATERIALS OR UNCONSIDERABLE VEHICULAR TRAFFIC SHALL NOT BE ALLOWED OVER ANY TREE ROOT SYSTEM.
  9. SUSPECT FORCE ON TRUNKS SHALL BE REPAIR DAMAGE IMMEDIATELY.

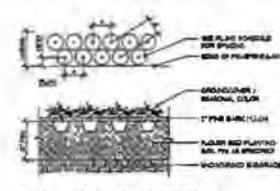
**1 Tree Protection**



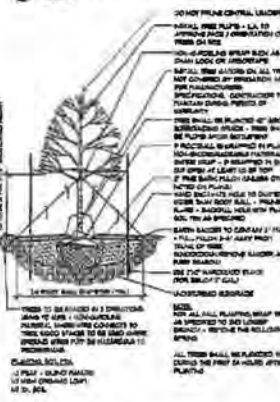
**2 Shrub Detail**

**SCHEDULE OF TOPSOILS & ADDITIVES**

LOCATION	DEPTH	COMPOSITION
GENERAL PLANTING AREA	6"	1/2 PEAT - 1/2 GROUND SOIL TO 10% ORGANIC MATTER TO 10% GROUND SOIL
PLANT BEDS	6"	1/2 PEAT - 1/2 GROUND SOIL - 10% ORGANIC MATTER TO 10% GROUND SOIL
LAND SCAPING	6"	1/2 PEAT - 1/2 GROUND SOIL - 10% ORGANIC MATTER TO 10% GROUND SOIL
PLANTING AREA	6"	1/2 PEAT - 1/2 GROUND SOIL - 10% ORGANIC MATTER TO 10% GROUND SOIL



**3 Perennial & Seasonal Color Detail**



**4 Deciduous Tree Detail**



**5 Coniferous Tree Detail**

**General Construction Detail Notes:**

1. ALL PROTECTIVE FENCES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND DEMOLISHED IMMEDIATELY UPON COMPLETION.

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Project Name: \_\_\_\_\_  
Drawing Title: \_\_\_\_\_  
Checked: TM  
Scale: \_\_\_\_\_  
Key Plan: \_\_\_\_\_

Architect of Record:

Project Name:  
**AVALON  
MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**PLANTING DETAILS**

Project Number:  
170311

Issue Date:  
May 17, 2018

Sheet Number:  
**D5.0**

**3.0 GENERAL LANDSCAPE NOTES**

**3.1 MATERIALS**  
 ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.2 CONTRACTOR'S OBLIGATIONS**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

**3.3 SITE PREPARATION**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

**3.4 PLANTING**  
 ALL PLANTS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.5 MAINTENANCE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANTS AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.6 GUARANTEE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR GUARANTEEING ALL WORKMANSHIP AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.0 PLANTING MATERIALS**

**3.1 PLANTING MATERIALS**  
 ALL PLANTS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.2 PLANTING MATERIALS**  
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**3.4 PLANTING MATERIALS**  
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**3.0 INSTALLATION CONT.**

**3.1 INSTALLATION CONT.**  
 ALL PLANTS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.2 INSTALLATION CONT.**  
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**3.3 INSTALLATION CONT.**  
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**3.0 MAINTENANCE**

**3.1 MAINTENANCE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANTS AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.2 MAINTENANCE**  
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**3.3 MAINTENANCE**  
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**3.0 INSTALLATION**

**3.1 INSTALLATION**  
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**3.2 INSTALLATION**  
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**3.3 INSTALLATION**  
 ALL PLANTS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.0 SEEDING AND SOODING**

**3.1 SEEDING AND SOODING**  
 ALL SEEDS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.2 SEEDING AND SOODING**  
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**3.3 SEEDING AND SOODING**  
 ALL SEEDS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.0 PLANT MATERIAL GUARANTEE**

**3.1 PLANT MATERIAL GUARANTEE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR GUARANTEEING ALL WORKMANSHIP AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.2 PLANT MATERIAL GUARANTEE**  
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**3.3 PLANT MATERIAL GUARANTEE**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR GUARANTEEING ALL WORKMANSHIP AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.0 SITE CLEAN UP**

**3.1 SITE CLEAN UP**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANTS AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.2 SITE CLEAN UP**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANTS AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.3 SITE CLEAN UP**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANTS AND MATERIALS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CONTRACT.

**3.0 LANDSCAPE IRRIGATION**

**3.1 LANDSCAPE IRRIGATION**  
 ALL IRRIGATION SYSTEMS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.2 LANDSCAPE IRRIGATION**  
 ALL IRRIGATION SYSTEMS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

**3.3 LANDSCAPE IRRIGATION**  
 ALL IRRIGATION SYSTEMS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.

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**Contract**

**Drawings**

**Revision**

1. 6/17/2018  
 2. 6/17/2018

Approved for Record:

**Drawn:** TRM  
**Checked:** TRM  
**Scale:**  
**Date:**

**Project Name:**  
**MARLBOROUGH II**

**Address:**  
 200 FOREST STREET  
 MARLBOROUGH, MA

**Site Name:**

**PLANTING NOTES**

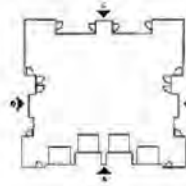
Project Number:  
 17030

Issue Date:  
 May 17, 2018

Sheet Number:  
**D6.0**

**General Construction Detail Notes:**

ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.  
 ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.  
 ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.



- KEYNOTE LEGEND - EXTERIOR ELEVATIONS**
- 001 WINDOW WITH LINEN
  - 002 CLAY TILE ROOF COURSE
  - 003 ALUMINUM CLIMATE CONTROLLED
  - 004 1/2" ASPHALT
  - 005 GUTTER/FLASHING
  - 006 INSULATION
  - 007 INSULATION
  - 008 INSULATION
  - 009 INSULATION
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Continued:

Revision	Date
1	12-13-2018
2	01-25-2019



Drawn: Y.Y.  
Checked: E.B.  
Scale: 1/8" = 1'-0"



Project Name:  
**AVALON  
MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDING 29**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**A1.01**



2 TYPICAL DIRECT ENTRY ELEVATION (2) - BUILDING 29  
SOUTH VIEW



1 TYPICAL DIRECT ENTRY ELEVATION (1) - BUILDING 29  
EAST VIEW

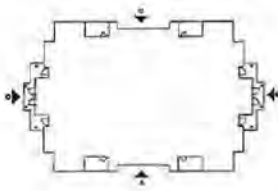


3 TYPICAL DIRECT ENTRY ELEVATION (3) - BUILDING 29  
WEST VIEW



4 TYPICAL DIRECT ENTRY ELEVATION (4) - BUILDING 29  
NORTH VIEW

17030-A1.01-EXTERIOR ELEVATIONS DIRECT ENTRY BUILDING 29.dwg  
 12/13/2018 10:00 AM  
 Y.Y.



**KEYNOTE LEGEND - EXTERIOR ELEVATION**

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PHOTO: The Architectural Team, Inc.

Consultant:

Revision:
1 12-12-2016
2 01-20-2017



Architect of Record:

Drawn: Y.Y  
Checked: E.B.  
Scale: 1/8" = 1'-0"  
Key Plan:

Project Name:  
**AVALON MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDINGS 23, 25, 27 & 31**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**A1.02**



D TYPICAL DIRECT ENTRY ELEVATION (D) - BUILDINGS 23, 25, 27, & 31



C TYPICAL DIRECT ENTRY ELEVATION (C) - BUILDINGS 23, 25, 27, & 31



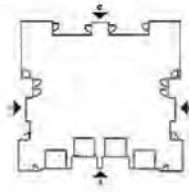
B TYPICAL DIRECT ENTRY ELEVATION (B) - BUILDINGS 23, 25, 27, & 31



A TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDINGS 23, 25, 27, & 31

DRAWN BY: Y.Y. DATE: 5/17/18 CHECKED BY: E.B. DATE: 5/17/18 SCALE: 1/8" = 1'-0"





**REVISION LEGEND - EXTERIOR ELEVATIONS**

REV	DATE	DESCRIPTION
1.0	05/17/2018	ISSUED FOR PERMITS
2.0	05/17/2018	ISSUED FOR PERMITS
3.0	05/17/2018	ISSUED FOR PERMITS
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**Revisions:**

1	15-05-2018	
2	17-05-2018	

**Architect of Record:**

Drawn: Y.Y.  
Checked: E.B.  
Scale: 1/8" = 1'-0"  
Key Plan:

**Project Name:**  
AVALON  
MARLBOROUGH II

200 FOREST STREET  
MARLBOROUGH, MA

**Sheet Name:**  
EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDINGS 12, 14, 33, 37  
& 41

**Project Number:**  
17050

**Issue Date:**  
May 17, 2018

**Sheet Number:**  
A1.03



1 TYPICAL DIRECT ENTRY ELEVATION (1) - BUILDINGS 12, 14, 33, 37 & 41  
SCALE: 1/8" = 1'-0"



2 TYPICAL DIRECT ENTRY ELEVATION (2) - BUILDINGS 12, 14, 33, 37 & 41  
SCALE: 1/8" = 1'-0"

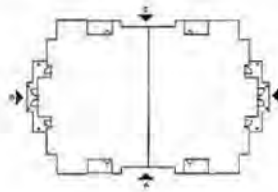


3 TYPICAL DIRECT ENTRY ELEVATION (3) - BUILDINGS 12, 14, 33, 37 & 41  
SCALE: 1/8" = 1'-0"



4 TYPICAL DIRECT ENTRY ELEVATION (4) - BUILDINGS 12, 14, 33, 37 & 41  
SCALE: 1/8" = 1'-0"

17050-A1.03-EXTERIOR ELEVATIONS DIRECT ENTRY BUILDINGS 12, 14, 33, 37 & 41.dwg  
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 Y.Y. YIP  
 17050-A1.03-EXTERIOR ELEVATIONS DIRECT ENTRY BUILDINGS 12, 14, 33, 37 & 41.dwg  
 5/17/2018 10:00 AM  
 Y.Y. YIP



- KEYNOTE LEGEND - EXTERIOR ELEVATIONS**
- 001 1ST FLOOR - NORTH SIDE
  - 002 1ST FLOOR - SOUTH SIDE
  - 003 2ND FLOOR - NORTH SIDE
  - 004 2ND FLOOR - SOUTH SIDE
  - 005 3RD FLOOR - NORTH SIDE
  - 006 3RD FLOOR - SOUTH SIDE
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  - 008 4TH FLOOR - SOUTH SIDE
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  - 011 6TH FLOOR - NORTH SIDE
  - 012 6TH FLOOR - SOUTH SIDE
  - 013 7TH FLOOR - NORTH SIDE
  - 014 7TH FLOOR - SOUTH SIDE
  - 015 8TH FLOOR - NORTH SIDE
  - 016 8TH FLOOR - SOUTH SIDE
  - 017 9TH FLOOR - NORTH SIDE
  - 018 9TH FLOOR - SOUTH SIDE
  - 019 10TH FLOOR - NORTH SIDE
  - 020 10TH FLOOR - SOUTH SIDE
  - 021 11TH FLOOR - NORTH SIDE
  - 022 11TH FLOOR - SOUTH SIDE
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  - 027 14TH FLOOR - NORTH SIDE
  - 028 14TH FLOOR - SOUTH SIDE
  - 029 15TH FLOOR - NORTH SIDE
  - 030 15TH FLOOR - SOUTH SIDE
  - 031 16TH FLOOR - NORTH SIDE
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  - 040 20TH FLOOR - SOUTH SIDE
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  - 086 43RD FLOOR - SOUTH SIDE
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  - 098 49TH FLOOR - SOUTH SIDE
  - 099 50TH FLOOR - NORTH SIDE
  - 100 50TH FLOOR - SOUTH SIDE

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Consultant:

Revised:

T 12-15-2018  
S 01-08-2019



Drawn: V.V.  
Checked: E.B.  
Scale: 1/8" = 1'-0"  
Key Plan:

Project Name:  
**AVALON MARLBOROUGH II**

200 FOREST STREET MARLBOROUGH, MA

Sheet Name:  
**EXTERIOR ELEVATIONS DIRECT ENTRY BUILDINGS 35 & 39**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**A1.04**



0 TYPICAL DIRECT ENTRY ELEVATION (C) - BUILDINGS 35 & 39  
SCALE: 1/8" = 1'-0"



1 TYPICAL DIRECT ENTRY ELEVATION (D) - BUILDINGS 35 & 39  
SCALE: 1/8" = 1'-0"



2 TYPICAL DIRECT ENTRY ELEVATION (E) - BUILDINGS 35 & 39  
SCALE: 1/8" = 1'-0"

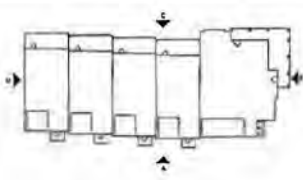


3 TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDINGS 35 & 39  
SCALE: 1/8" = 1'-0"

DRAWING MADE BY: V.V. DATE: 12/15/18

**REVISIONS LEGEND - EXTERIOR ELEVATIONS**

001	ADDED TO THE SET
002	REVISED TO REFLECT COMMENTS
003	REVISED TO REFLECT COMMENTS
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① TYPICAL DIRECT ENTRY ELEVATION (B) - BUILDINGS 11 & 45  
SCALE: 1/4" = 1'-0"



② TYPICAL DIRECT ENTRY ELEVATION (C) - BUILDINGS 11 & 45  
SCALE: 1/4" = 1'-0"



③ TYPICAL DIRECT ENTRY ELEVATION (D) - BUILDINGS 11 & 45  
SCALE: 1/4" = 1'-0"



④ TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDINGS 11 & 45  
SCALE: 1/4" = 1'-0"

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Consultant:

Revision:	1	12-13-2018
	2	01-26-2019

Architect of Record:

Drawn: T.V.  
Checked: E.S.  
Scale: 1/4" = 1'-0"  
Key Plan:

Project Name:  
**AVALON  
MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDINGS 11 & 40**

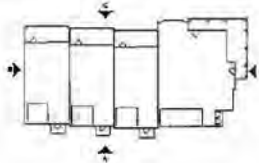
Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:

**A1.05**

17030-A1.05-EXTERIOR ELEVATIONS - DIRECT ENTRY - BUILDINGS 11 & 40 - 1/4" = 1'-0" - 5/17/18



**CONCRETE LEGS - ELEVATION ELEVATIONS**

- 001 1.000' 0.000' (3.000' 0.000')
- 002 1.000' 0.000' (3.000' 0.000')
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- 006 1.000' 0.000' (3.000' 0.000')
- 007 1.000' 0.000' (3.000' 0.000')
- 008 1.000' 0.000' (3.000' 0.000')
- 009 1.000' 0.000' (3.000' 0.000')
- 010 1.000' 0.000' (3.000' 0.000')
- 011 1.000' 0.000' (3.000' 0.000')
- 012 1.000' 0.000' (3.000' 0.000')
- 013 1.000' 0.000' (3.000' 0.000')
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- 099 1.000' 0.000' (3.000' 0.000')
- 100 1.000' 0.000' (3.000' 0.000')

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Calculations

Revision	Date
1	12-12-2018
2	01-30-2019



Project Name:  
**AVALON MARLBOROUGH II**

200 FOREST STREET  
MARLBOROUGH, MA

Sheet Name:  
**EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDINGS 13 & 36**

Project Number:  
17030

Issue Date:  
May 17, 2018

Sheet Number:  
**A1.06**



1 TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDING 13A  
SCALE: 1/8" = 1'-0"



2 TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDING 13B  
SCALE: 1/8" = 1'-0"

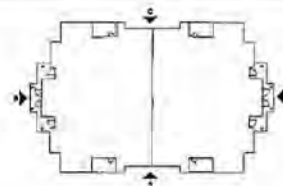


3 TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDING 13C  
SCALE: 1/8" = 1'-0"



4 TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDING 13E  
SCALE: 1/8" = 1'-0"

Drawing(s) created by: Y.Y. Date: 12/12/18  
Drawing(s) checked by: E.S. Date: 01/30/19  
Drawing(s) approved by: [Signature] Date: 02/15/19



- KEYNOTE LEGEND - EXTERIOR ELEVATIONS**
- 1.00 - 1st Floor
  - 2.00 - 2nd Floor
  - 3.00 - 3rd Floor
  - 4.00 - 4th Floor
  - 5.00 - 5th Floor
  - 6.00 - 6th Floor
  - 7.00 - 7th Floor
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  - 49.00 - 49th Floor
  - 50.00 - 50th Floor

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**Revisions:**

1	15-12-2018
2	01-26-2019

**Architect of Record:**

Drawn: Y.Y.  
Checked: E.B.  
Scale: 1/8" = 1'-0"  
Key Plan:

**Project Name:**  
AVALON  
MARLBOROUGH II

**Street Name:**  
EXTERIOR ELEVATIONS  
DIRECT ENTRY  
BUILDING 21

**Project Number:**  
17030

**Issue Date:**  
December 12, 2018

**Sheet Number:**  
A1.07



**TYPICAL DIRECT ENTRY ELEVATION (D) - BUILDING 21**  
MARLBOROUGH II



**TYPICAL DIRECT ENTRY ELEVATION (C) - BUILDING 21**  
MARLBOROUGH II



**TYPICAL DIRECT ENTRY ELEVATION (B) - BUILDING 21**  
MARLBOROUGH II



**TYPICAL DIRECT ENTRY ELEVATION (A) - BUILDING 21**  
MARLBOROUGH II

EXTERIOR ELEVATIONS - BUILDING 21 - MARLBOROUGH II - 12/12/18  
 PROJECT: 17030 - AVALON MARLBOROUGH II  
 SHEET: A1.07  
 DRAWN: Y.Y.  
 CHECKED: E.B.  
 SCALE: 1/8" = 1'-0"  
 KEY PLAN: SEE KEY PLAN



**City of Marlborough  
Legal Department**

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

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CITY OF MARLBOROUGH

2019 FEB 21 A 11:41

DONALD V. RIDER, JR.  
CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

February 21, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007424D  
Application for a Special Permit  
Marlborough TOTG, LLC  
57 Main Street, Marlborough

Dear President Clancy and Members:

Pursuant to Chapter 650-59.C(13) of the Marlborough Zoning Ordinance, I provide this letter as to the legal form of the City Council's proposed decision on the application submitted by Marlborough TOTG, LLC. The LLC proposes to construct a mixed use project at 57 Main Street, and seeks a special permit to exceed, by 4%, the maximum lot coverage of 80% otherwise allowed in the Marlborough Village zoning district. The City's zoning ordinance authorizes special permits as the means for allowing an increase in maximum lot coverage in that zoning district.

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

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Mark C. O'Hagan, Manager, Marlborough TOTG, LLC

**DECISION ON AN APPLICATION FOR SPECIAL PERMIT**

**MARLBOROUGH TOTG, LLC  
57 Main Street, Marlborough, MA**

**CITY OF MARLBOROUGH  
CITY COUNCIL ORDER No. 18/19-1007424E**

The City Council of the City of Marlborough hereby GRANTS the Application for Special Permit of Applicant (the “Application”), as provided in the Decision and SUBJECT TO THE FOLLOWING FINDINGS OF FACT AND CONDITIONS:

**EVIDENCE**

1. The Applicant is Marlborough TOTG, LLC (“TOTG”), a duly organized and existing Massachusetts Limited Liability Corporation with a principal mailing address of 206 Ayer Road, Suite 5, Harvard, MA 01451 (the “Applicant”). Mark C. O’Hagan is the manager of the Applicant.
2. The location of the proposed project is 57 Main Street, Marlborough, MA and more particularly identified on the City of Marlborough Assessor’s Map 70 on Parcels 291, 293, 294, and furthermore particularly described in deeds recorded with the Middlesex South District Registry of Deeds, Book 14539, Page 250; Book 14548, Page 518; and Book 28065, Page 95 (the “Site”).
3. The owners of the Site are John P. Rowe Funeral Home, Inc. (as to Parcels 291 and 294); and John P. Rowe, Jr. and J. Peter Rowe, as tenants in common (as to Parcel 293).

4. The commercial structure currently housing a funeral home on the Site was constructed in approximately 1850. The Site is located within the Marlborough Village (MV) zoning district.
5. The Applicant proposes to construct a mixed use project with a total of approximately 86,600 square feet within a 5-story building, which will include approximately 11,000 square feet of commercial space (office and restaurant) on the ground floor, 55 residential housing units on floors 2 through 5, and 83 parking spaces in the basement and at ground level (the "Project"). The Project is in general accordance with the requirements of the MV zoning district in chapter 650-34 of the Marlborough Zoning Ordinance; however, the proposed lot coverage for the Site is 84% as compared to the maximum of 80% as set forth in Chapter 650-41 of the Zoning Ordinance. The incremental increase in lot coverage is attributable to the proposed widening of Exchange Street, a proposed exterior patio for commercial use, and associated access ramps required by the Americans with Disabilities Act. The incremental increase in lot coverage requires a special permit from the City Council, pursuant to footnote 13 to the table in Chapter 650-41.
6. At present, Exchange Street is approximately nineteen feet wide near its intersection with Main Street. The City Engineer expressed concerns that the roadway could not safely accommodate the increase in traffic that the Project will generate. As there is no room within the right-of-way limits to widen the street, the Applicant has agreed to grant, on the Site, a permanent easement to the City of Marlborough for the purpose of widening the street. An Easement Plan has been drafted and submitted to the DPW Engineering Division for review. The Site Plans show that, with the proposed



widening, Exchange Street would be a consistent twenty-three feet wide from Main Street to High Street. The encroachment of the street pavement onto the Site contributes to the increase in lot coverage for which the Special Permit is sought. The Applicant has also agreed to make other improvements to Exchange Street, both at its intersection with Main Street where the concrete apron will be removed and the wheelchair ramps will be replaced, as well as at its intersection with High Street where the radius of the rounding will be increased.

7. West of the Site and adjacent thereto lies Union Common. Although this area is owned by the First Church of Marlborough (Congregational), it is an important City landmark and many City-sponsored events are hosted on the Common. The Applicant has worked with City staff to review and limit necessary tree clearing and has agreed to upgrade the fencing separating the two properties. The Applicant has executed a Memorandum of Understanding with the First Church for the fence updates, and is working with the First Church to secure a recordable agreement. Said agreement will be provided to the Marlborough City Council upon execution and recordation.
8. The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application for permission to increase lot coverage at the proposed mixed use building by 4% above the 80% maximum set forth in Chapter 650-41 of the Marlborough Zoning Ordinance. Specifically, the Application filed on October 2, 2018 with the City Clerk's office consisted of an original and two copies of the following: (a) Application to the City Council for Issuance of Special Permit; (b) Special Permit-Summary Impact Statement; (c) filing fee check; (d) plan delivery certification; (e) tax payment certification; (f) abutters list;

- (g) the proposed site plans and architectural plans, further described hereinbelow; and
- (h) the certification of the Building Commissioner on behalf of the Planning Director as to the Application's having complied with the provisions of Section 650-59C(7) (a), (b) and (c) of the City's Zoning Ordinance.
9. A public hearing was held on December 3, 2018, in compliance with the requirements of the City's Zoning Ordinance and the provisions of MGL Chapter 40A, as amended. All necessary abutters were provided notice as required by law, as certified by the Marlborough Assessors office. The time for the City Council to take final action on the Application is March 3, 2019.
10. The Applicant presented oral testimony and demonstrative evidence at the public hearing and represented that the proposed increase in lot coverage meets all applicable special permit criteria provided by MGL Chapter 40A, as amended, and the City's Zoning Ordinance.
11. The site plans submitted with the Application are entitled, "Tavern on the Green, 57 Main Street, Marlborough, MA Site Plan;" owner: John P. Rowe Funeral Home, Inc., 57 Main Street, Marlborough, MA 01752; applicant: Mark O'Hagan, MCO & Associates, Inc., 206 Ayer Road – Suite 5, Harvard, MA 01451; prepared by: Bruce Saluk & Assoc., Inc., Civil Engineering & Land Surveying, 576 Boston Post Road East, Marlborough, MA 01752; last revised: February 4, 2019; scale: 1" = 60' (7 sheets plus cover sheet) (the "Site Plans"), attached hereto as "Attachment A."
12. The architectural plans submitted with the Application are entitled "57 MAIN STREET - Marlborough;" Architect: Reeves Design Associates; last revised: February 4, 2019

(6 sheets plus cover sheet) (the “Architectural Plans”), attached hereto as “Attachment B.”

**BASED ON THE ABOVE EVIDENCE, THE MARLBOROUGH CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS:**

- A. The City Council finds that it may grant a special permit (“Special Permit”) subject to such terms and conditions as it deems necessary and reasonable to protect the citizens of the City of Marlborough (also referenced herein as the “City”).
- B. The City Council finds the Application for the Special Permit does not derogate from the intent or purpose of the Zoning Ordinance of the City of Marlborough, or MGL c. 40A.
- C. The City Council finds the coverage area being utilized beyond the 80% represents an appropriate use and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough.
- D. In particular, the proposed coverage increase is necessary and appropriate for site access and traffic improvements, and works towards enhancing the goals of the MV zoning district.
- E. The Applicant has complied with all the procedural rules and regulations of the City Council of the City of Marlborough and Chapter 650 (Zoning Code) of the City of Marlborough and MGL c. 40A, §§ 9 and 11.

**GRANT OF SPECIAL PERMIT WITH CONDITIONS**

The City Council, pursuant to its authority under MGL Chapter 40A and the City of Marlborough Zoning Ordinance, Chapter 650, **GRANTS** the Applicant a Special Permit, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall pertain to Applicant, its successors and assigns:

- A. Since the Project exceeds 10,000 square feet, the City Council, acting pursuant to Chapter 650-34.B(3) of the Zoning Ordinance, conditions its approval of the Special Permit on its site plan review of the Project, as delegated in part to the Site

Plan Review Committee for administrative site plan review under Chapter 270 of the City Code. Conditions imposed by administrative site plan review, as approved by the City Council, shall be conditions of this Special Permit, and any violations of those conditions shall be violations of this Special Permit. The Site Plans may be subject to modification by the City Council to the extent allowed by the Code of the City of Marlborough; and insofar as so modified, would be subject to further administrative site plan review. Other conditions and limitations may be imposed at the time of the final site plan approval by the City Council which are not inconsistent with any term or condition included in this Special Permit, and any violations of those conditions and limitations shall be violations of this Special Permit.

- B. All plans, floor plans, photos, renderings, site evaluations, studies, reports, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
- C. Construction of the proposed building and related site improvements is to be done in accordance with all applicable codes in effect in the City of Marlborough as of the time when the building permit application is submitted to the Building Commissioner. The Applicant shall comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Project.

- D. All work performed at the Site shall be in compliance with this Special Permit decision, including but not limited to the Site Plans and the Architectural Plans.
- E. The Special Permit is conditioned on the Applicant's signing a permanent easement, in a form satisfactory to the City Solicitor's office, granting the City the right to use the Site to widen and, as widened, to maintain and repair, the roadway of Exchange Street, said easement being subject to eventual acceptance by the City Council.
- F. In accordance with the provisions of MGL c. 40A, § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant shall apply to the Building Commissioner for a building permit. The Applicant shall provide a copy of the recorded Special Permit to the City Council's office, to the Building Department, and to the City Solicitor's office.

ADOPTED  
In City Council  
Order No. 18/19-1007424E  
Adopted

A TRUE COPY  
ATTEST:

2/4/19

# TAVERN ON THE GREEN

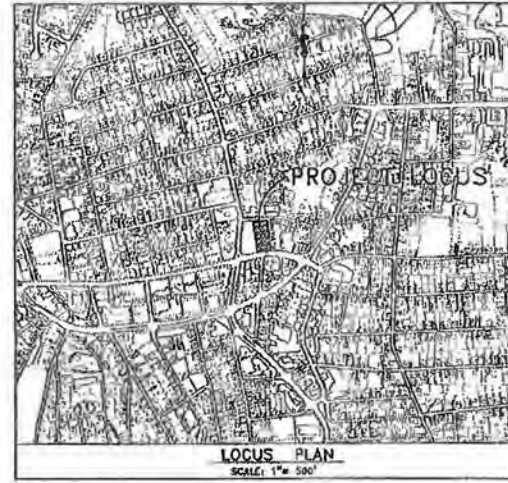
57 MAIN STREET  
MARLBOROUGH, MA

## SITE PLAN

MARLBOROUGH, MA ZONING CHART		
THE LAND SHOWN IS LISTED AS ADDRESS LOTS 284, 285 & 286 ON MAP 10 AND IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT (MVD), AND IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD ACCORDING TO FEMA FIRM MAP #25017C04187, DATED JULY 7, 2014.		
ITEM	REQUIRED	PROPOSED
LOT AREA (SFL)	5000 SF	36,000 SF
FRONTAGE	50 FT	123.0 FT
MAIN ST SETBACK	0 FT	0 FT
HIGH & EXCHANGE ST SETBACKS	10 FT	10.5 FT & 11.4 FT
SIDE SETBACK	0 FT	5.0 FT
COVERAGE	80% MAX	84% *1
BUILDING HEIGHT	70 FT (MAX)	0 STORES @ 38 FT
LOT DISTANCE FROM A RESIDENTIAL DISTRICT	-----	12.5' FROM ZONE 'R2'
TOTAL OPEN SPACE	5500 SF	8,241 SF *2

PARKING SCHEDULE		
ITEM	REQUIRED	PROPOSED
COMPACT PARKING (8' x 15')	33% MAX	12 (14%)
STANDARD PARKING (9' x 15')	67	67
HANDICAP PARKING	4	4
TOTAL PARKING	63	63

\*1- SPECIAL PERMIT SOUGHT FOR AN INCREASE IN COVERAGE UNDER SEC. 650-11.  
 \*2- OWNER TO SECTION 450-34 (M4) HAS BEEN REQUESTED TO ALLOW FOR OPEN SPACE REQUIREMENT TO BE MET WITH LOT RELOCATIONS AND COMMON SPACE LOCATED NEAR THE STREET LEVEL.



SHEET INDEX	DATE	REV. DATE
EX: EXISTING CONDITIONS PLAN	2-3-18	11-19-18
C1: LAYOUT PLAN	6-14-18	2-4-19
C2: GRADING & EROSION CONTROL	6-14-18	2-4-19
C3: DRAINAGE & UTILITIES PLAN	6-14-18	2-4-19
C4: PLANTING PLAN	6-14-18	2-4-19
C5: DETAILS	6-14-18	7-10-18
C6: DETAILS	6-14-18	11-29-18

CITY COUNCIL SPECIAL PERMIT # \_\_\_\_\_

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

OWNER: JOHN P. ROWE FUNERAL HOME, INC.  
57 MAIN STREET  
MARLBOROUGH, MA 01752

APPLICANT: MARK O'HAGAN  
MCO & ASSOCIATES, INC.  
208 AYER ROAD - SUITE 5  
HARVARD, MA 01451  
TEL: 978-456-8388

ARCHITECT: REEVES DESIGN ASSOCIATES, INC.  
70 HIGHLAND STREET  
MARLBOROUGH, MA 01752  
TEL: 508-480-0144

ENGINEER & SURVEYOR: DRUCE SALUK & ASSOC., INC.  
CIVIL ENGINEERING & LAND SURVEYING  
576 BOSTON POST ROAD EAST  
MARLBOROUGH, MA 01752  
TEL: 508-486-1802  
FAX: 508-481-9929

SITE PLAN APPROVAL # \_\_\_\_\_

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN

APPROVED:

ENGINEERING: \_\_\_\_\_ DATE: \_\_\_\_\_

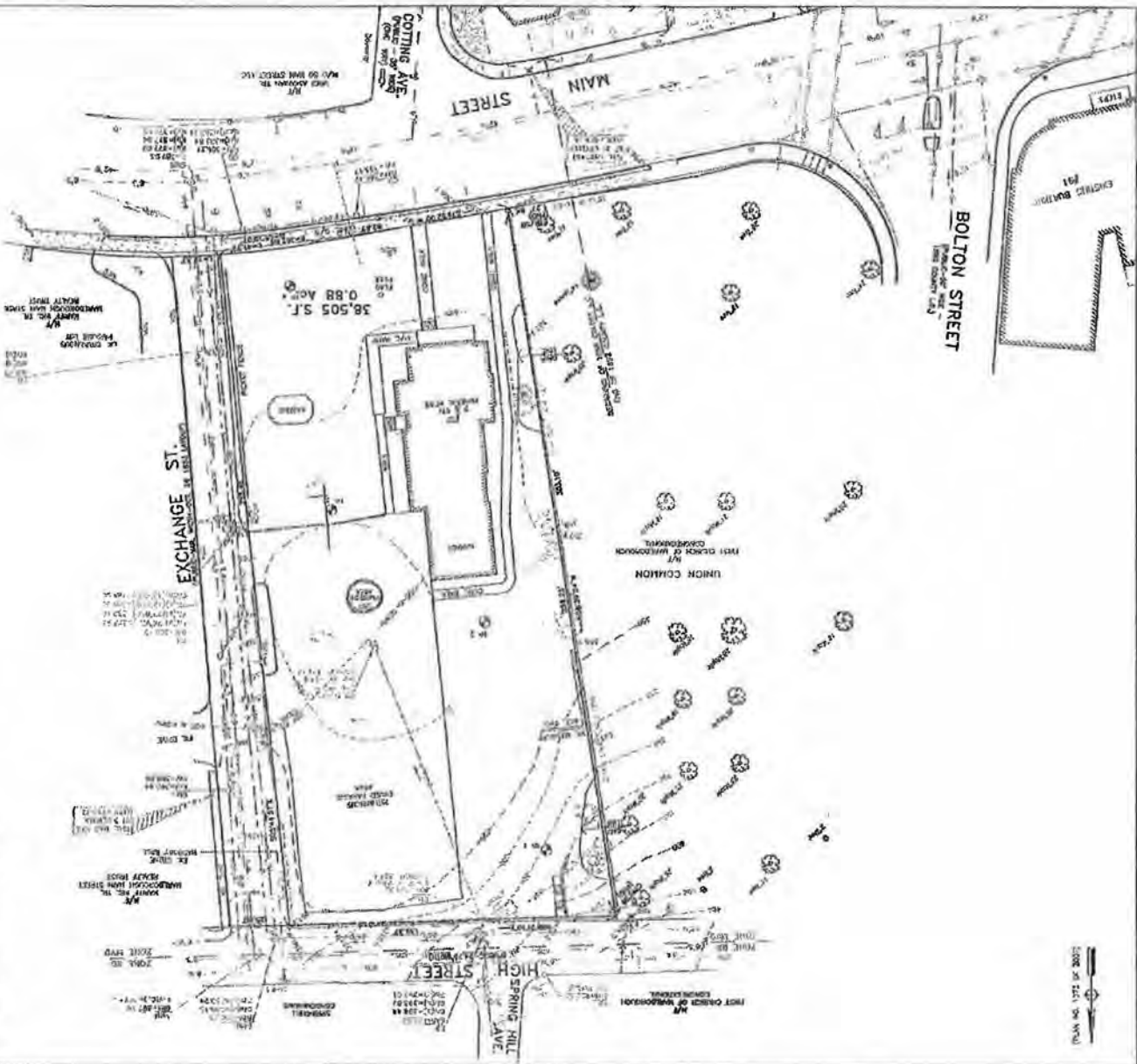
BUILDING: \_\_\_\_\_ DATE: \_\_\_\_\_

CONSERVATION: \_\_\_\_\_ DATE: \_\_\_\_\_

FIRE DEPT.: \_\_\_\_\_ DATE: \_\_\_\_\_

POLICE DEPT.: \_\_\_\_\_ DATE: \_\_\_\_\_

BOARD OF HEALTH: \_\_\_\_\_ DATE: \_\_\_\_\_



**LEGEND**

Symbol	Description
Circle with dot	Water Main
Circle with cross	Sewer Main
Circle with horizontal lines	Gas Main
Circle with vertical lines	Electric Main
Circle with diagonal lines	Telephone Main
Circle with asterisk	Storm Drain
Circle with triangle	Fire Hydrant
Circle with square	Manhole
Circle with diamond	Valve
Circle with circle	Transformer
Circle with X	Light Pole
Circle with plus	Tree
Circle with cross-hatch	Planting Area
Circle with dots	Existing Building
Circle with diagonal cross-hatch	Proposed Building
Circle with horizontal cross-hatch	Proposed Pavement
Circle with vertical cross-hatch	Proposed Sidewalk
Circle with diagonal cross-hatch (top-left to bottom-right)	Proposed Driveway
Circle with diagonal cross-hatch (bottom-left to top-right)	Proposed Fence
Circle with diagonal cross-hatch (top-right to bottom-left)	Proposed Wall
Circle with diagonal cross-hatch (bottom-right to top-left)	Proposed Gate
Circle with diagonal cross-hatch (all directions)	Proposed Site

**NOTES:**

1. THE LAND SHOWN AS BEING 27' (58.42) COINCIDES WITH THE EXISTING RECORD AS SHOWN ON THE RECORD DRAWING FOR THE LOT. THE RECORD DRAWING IS DATED 1911.
2. THE RECORD DRAWING FOR THE LOT IS DATED 1911.
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8. THE RECORD DRAWING FOR THE LOT IS DATED 1911.
9. THE RECORD DRAWING FOR THE LOT IS DATED 1911.
10. THE RECORD DRAWING FOR THE LOT IS DATED 1911.

**PREPARED BY:**  
**BRUCE SALLIE & ASSOC., INC.**  
 200 MAIN STREET, SUITE 200  
 MARLBOROUGH, MA 01752  
 TEL: 508-481-1822  
 FAX: 508-481-1823

**OWNER:**  
 JOHN P. ROIVE  
 FURNIVAL HOME, INC.  
 1000 MAIN STREET, SUITE 200  
 MARLBOROUGH, MA 01752  
 TEL: 508-481-1822  
 DATE: FEBRUARY 3, 2018

**APPLICANT:**  
 MARK O'NEAL  
 MARK O'NEAL ASSOCIATES, INC.  
 1000 MAIN STREET, SUITE 200  
 MARLBOROUGH, MA 01752  
 TEL: 508-481-1822

**EXISTING CONDITIONS PLAN  
 TAVERN ON THE GREEN  
 - 57 MAIN STREET -  
 MARLBOROUGH, MA**

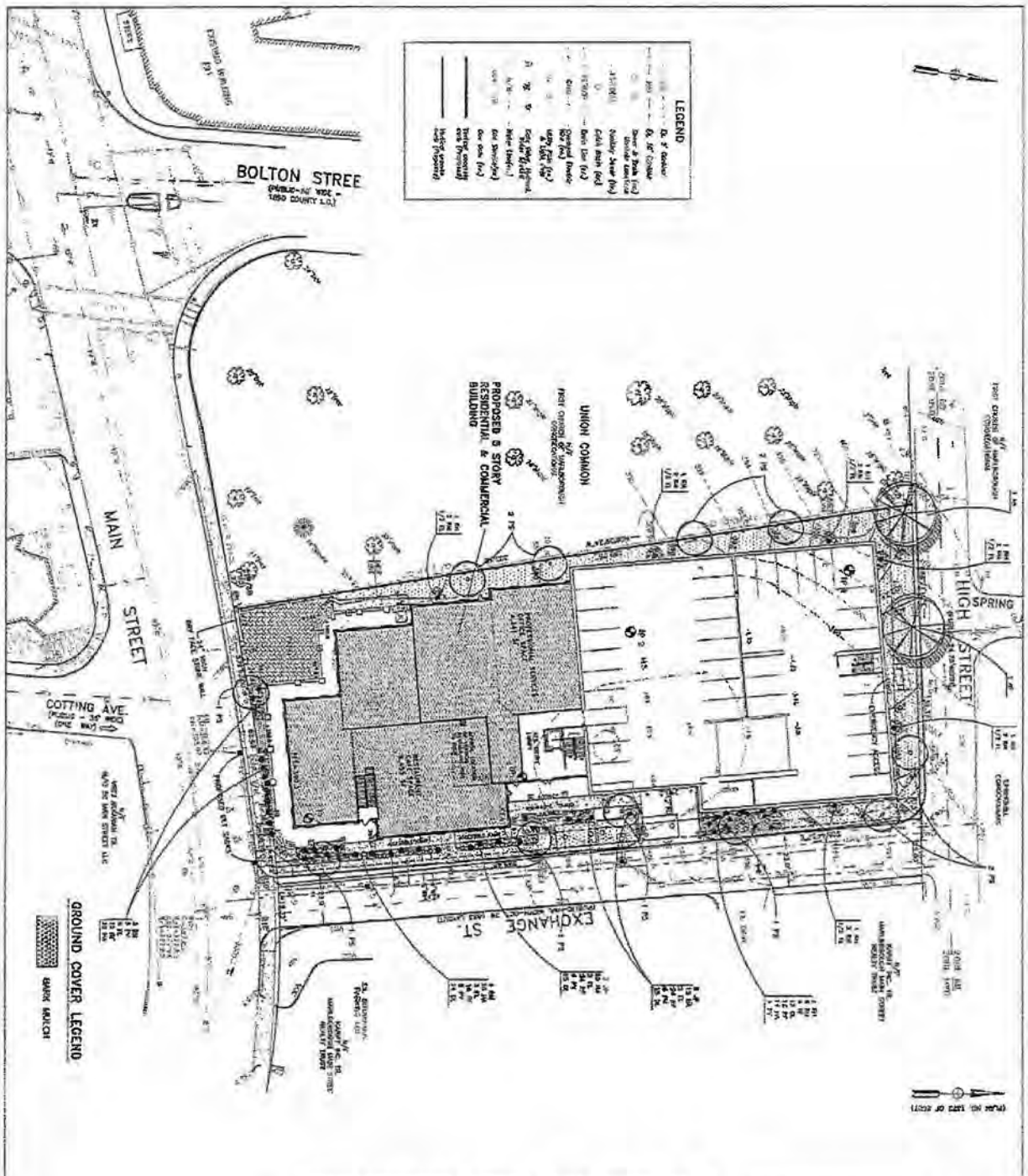
**EX**





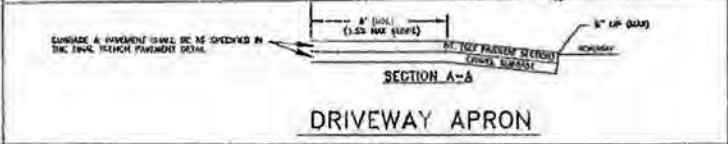
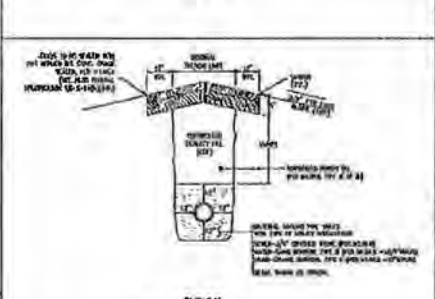
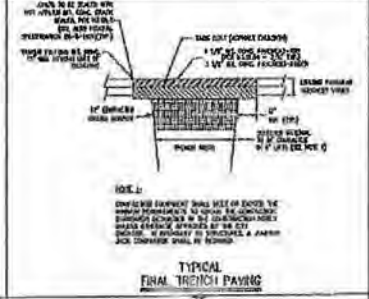
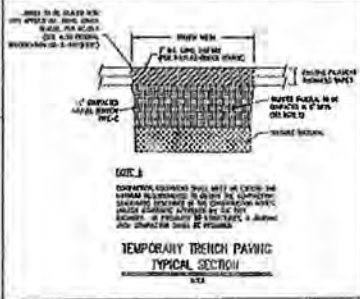
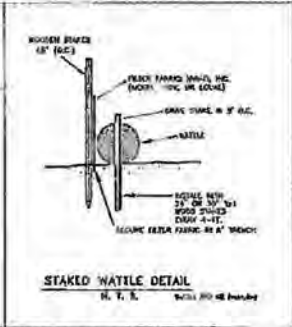
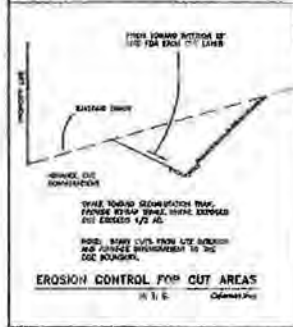
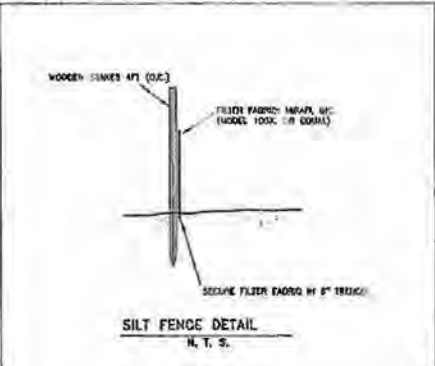
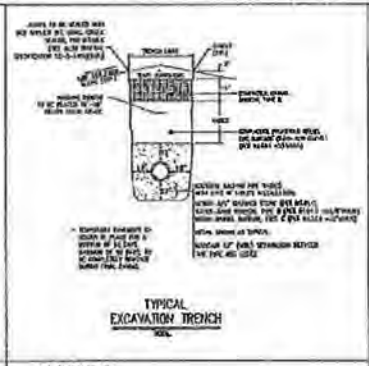
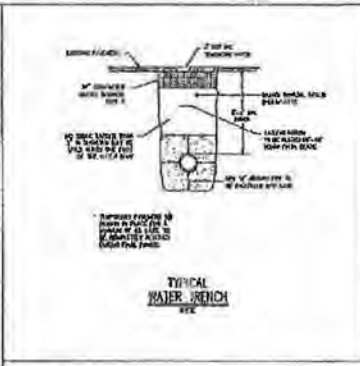
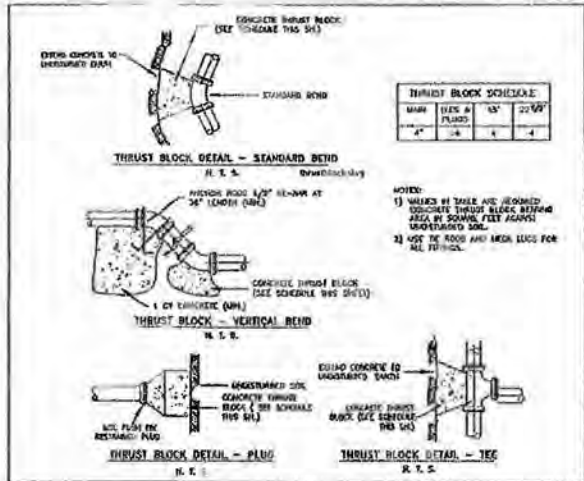




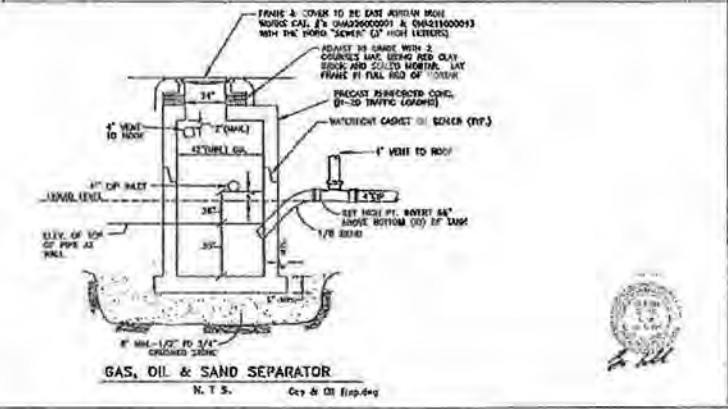


**LEGEND**

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- CONSTRUCTION NOTES FOR GASOLINE, OIL & SAND SEPARATOR**
- 1) SEPARATOR IS TO BE LOCATED OUTSIDE OF A BUILDING WHERE POSSIBLE AND THE COVER SHALL BE A MINIMUM OF 24" IN DIAMETER. IF THE SEPARATOR MUST BE INSTALLED INSIDE OF A BUILDING, THE COVER MUST BE SEALED TIGHT.
  - 2) THE SEPARATOR MUST BE CONSTRUCTED AND INSTALLED TO PREVENT SURFACE WATER FROM ENTERING.
  - 3) THE INLET OF THE SEPARATOR MUST HAVE SHALL BE NO LESS THAN 4" ABOVE THE WATER TABLE.
  - 4) THE SEPARATOR SHALL BE FILLED WITH WATER, TESTED AND INSPECTED PRIOR TO BEING PUT INTO SERVICE.
  - 5) THE MAIN OVERFLOW STEPS SHALL BE INSTALLED 18" APART.
  - 6) THE CHARGE VENT AND OUTLET VENT SHALL BE RETURNED TO THE ROOF BY THE BUILDING AND EXTENDED THROUGH THE ROOF.
  - 7) THE CHARGE VENT MUST BE LOCATED AS CLOSE TO THE TOP OF THE TANK AS POSSIBLE.
  - 8) PRECAST CONCRETE LISTS SHALL MEET OR EXCEED ASTM C-478 SPECIFICATION OF 4,000 PSI.
  - 9) JOINTS BETWEEN OR PRECAST CONCRETE SEPARATORS SHALL USE BUTYL RUBBER JOINT SEALANT FOR ASSTL Gaskets.
  - 10) ALL FIVE PENETRATIONS IN THE SEPARATOR SHALL BE SEALED WITH HYDRAULIC CEMENT GROUT.
  - 11) ALLOWABLE PUMP PARTS:
    - a) NO-HUB CAST IRON WITH PRODUCT ACCEPTED CLAMPS
    - b) STAINLESS STEEL CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & COTTON GASKETS
    - c) EXTRA HEAVY CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & COTTON GASKETS
  - 12) THE CAPACITY OF THE OIL, OIL & SAND SEPARATOR SHALL BE AS SHOWN BY FIGURE 15 OF 203 PAGES 10-22.
  - 13) THE SEPARATOR SHALL BE LOCATED BY THE LOWER CHARGE LEVEL AND FLOW TO A PUMP STREAM.



- CONSTRUCTION NOTES**
- THE FOLLOWING REVISIONS WERE MADE TO THE ORIGINAL DRAWING AND THEY REMAIN IN FORCE UNLESS OTHERWISE NOTED. ALL WORK SHALL BE DONE TO THE LETTER OF THE REVISIONS AND THE ORIGINAL DRAWING SHALL BE KEPT ON HAND FOR REFERENCE.
- BACKFILL MATERIALS**
- BACKFILL SHALL BE THE FINEST GRADE AVAILABLE AND SHALL BE CAREFULLY BACKFILLED WITH LAYERS OF 6" THICK GRANULAR. THE FINEST GRADE AVAILABLE SHALL BE USED FOR THE BACKFILL. THE BACKFILL SHALL BE COMPACTED TO 95% OF THE THEORETICAL DENSITY. THE BACKFILL SHALL BE COMPACTED TO 95% OF THE THEORETICAL DENSITY. THE BACKFILL SHALL BE COMPACTED TO 95% OF THE THEORETICAL DENSITY.
- CONSTRUCTION OF BACKFILL**
- BACKFILL SHALL BE CONSTRUCTED IN SUCCESSIVE LAYERS. EACH LAYER SHALL BE THOROUGHLY COMPACTED BEFORE THE NEXT LAYER IS PLACED. THE TOP SURFACE OF THE BACKFILL SHALL BE FINISHED TO THE FINISH GRADE. THE TOP SURFACE OF THE BACKFILL SHALL BE FINISHED TO THE FINISH GRADE.
- CONSTRUCTION OF PERMANENT PAVING**
- PERMANENT PAVING SHALL BE PLACED ON THE SURFACE OF THE TRENCH AND SHALL BE FINISHED TO THE FINISH GRADE. THE PERMANENT PAVING SHALL BE PLACED ON THE SURFACE OF THE TRENCH AND SHALL BE FINISHED TO THE FINISH GRADE.

PREPARED BY: BRUCE SALUK & ASSOCIATES, INC. CIVIL ENGINEERING & LAND SURVEYING MARLBOROUGH, MA 01752 TEL: 508-485-1822 FAX: 508-485-1828

APPLICANT: MARK O'HAGAN, INC. 100 STATE STREET, SUITE 5 MARLBOROUGH, MA 01752 TEL: 508-485-1828

OWNER: JOHN P. ROWE, INC. 100 STATE STREET, SUITE 5 MARLBOROUGH, MA 01752 TEL: 508-485-1828

DATE: JUNE 14, 2018

C5

FIG. 20300-03

DATE:	06/14/2018
PROJECT:	TAVERN ON THE GREEN
SHEET:	DETAILS
DRAWN BY:	W. J. S.
CHECKED BY:	W. J. S.
SCALE:	AS SHOWN

PREPARED BY:  
**BRUCE SALUK & ASSOC., INC.**  
 CIVIL ENGINEERING & LAND SURVEYING  
 100 STATE STREET, SUITE 501  
 MARLBOROUGH, MA 01752  
 TEL: 508-465-1666  
 FAX: 508-465-9923

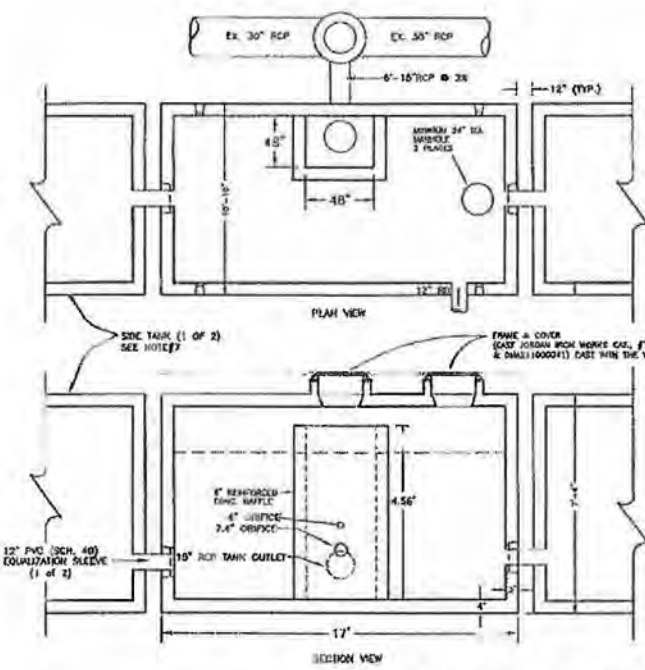
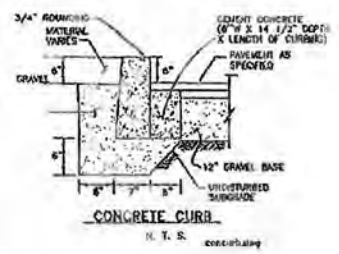
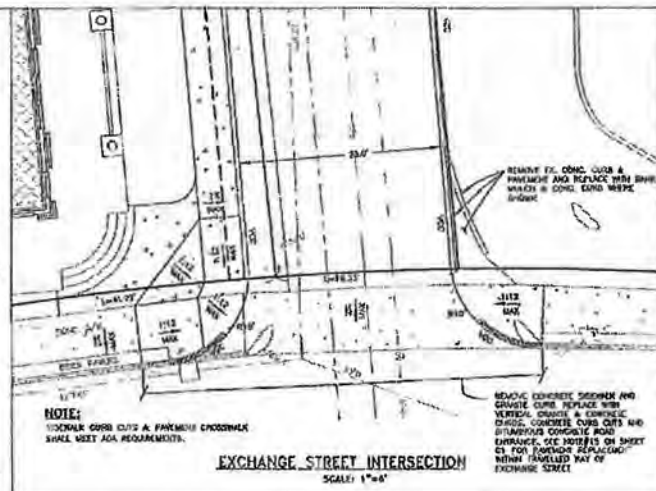
APPLICANT:  
**MARK O'HAGAN**  
 JACO & ASSOCIATES, INC.  
 100 STATE STREET, SUITE 5  
 MARLBOROUGH, MA 01752  
 TEL: 978-456-9328

OWNER:  
**JOHN P. ROWE**  
 FUNERAL HOME, INC.  
 100 STATE STREET, SUITE 5  
 MARLBOROUGH, MA 01752  
 TEL: 508-452-1278

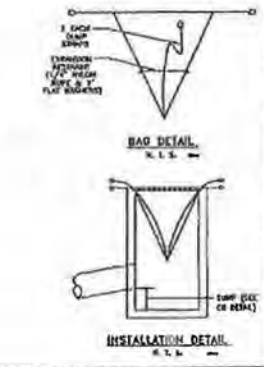
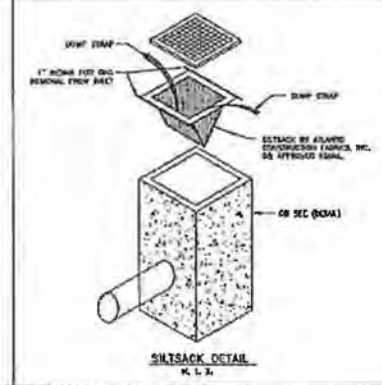
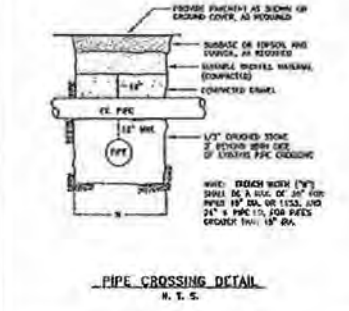
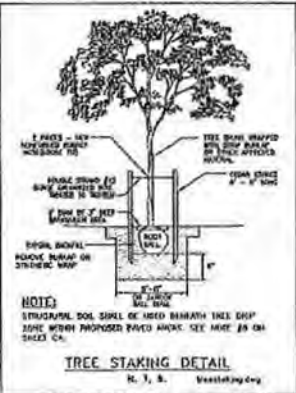
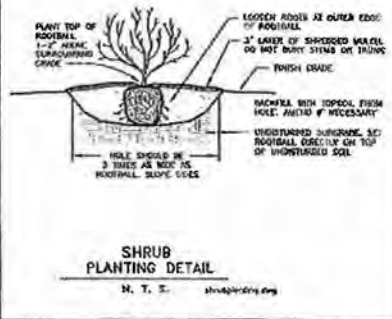
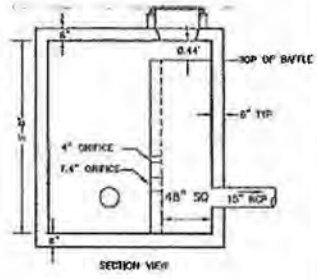
DATE: JUNE 14, 2018

**C6**

REV: 04/21/18



- NOTES:
1. CONCRETE LADD PG WASHIN AFTER 24 HRS.
  2. ALL REINFORCING PER ASTM SPEC.
  3. TONGUE AND GROOVE JOINT SEALED WITH BUTYL RESIN.
  4. EXISTING PIPE SEALS TO BE COILED ON PRECAST FOR CLEAN PIPE SHOW.
  5. USE SHAR CONCRETE 4000 GALLON 15-20 TRAFFIC LOADING OF APPROVED EQUAL.
  6. SEE PLAN FOR PIPE SIZES.
  7. SIDE WALK SHALL BE SAME OVERALL DIMENSIONS AS EITHER BANK WITHOUT THE BUFFLE.

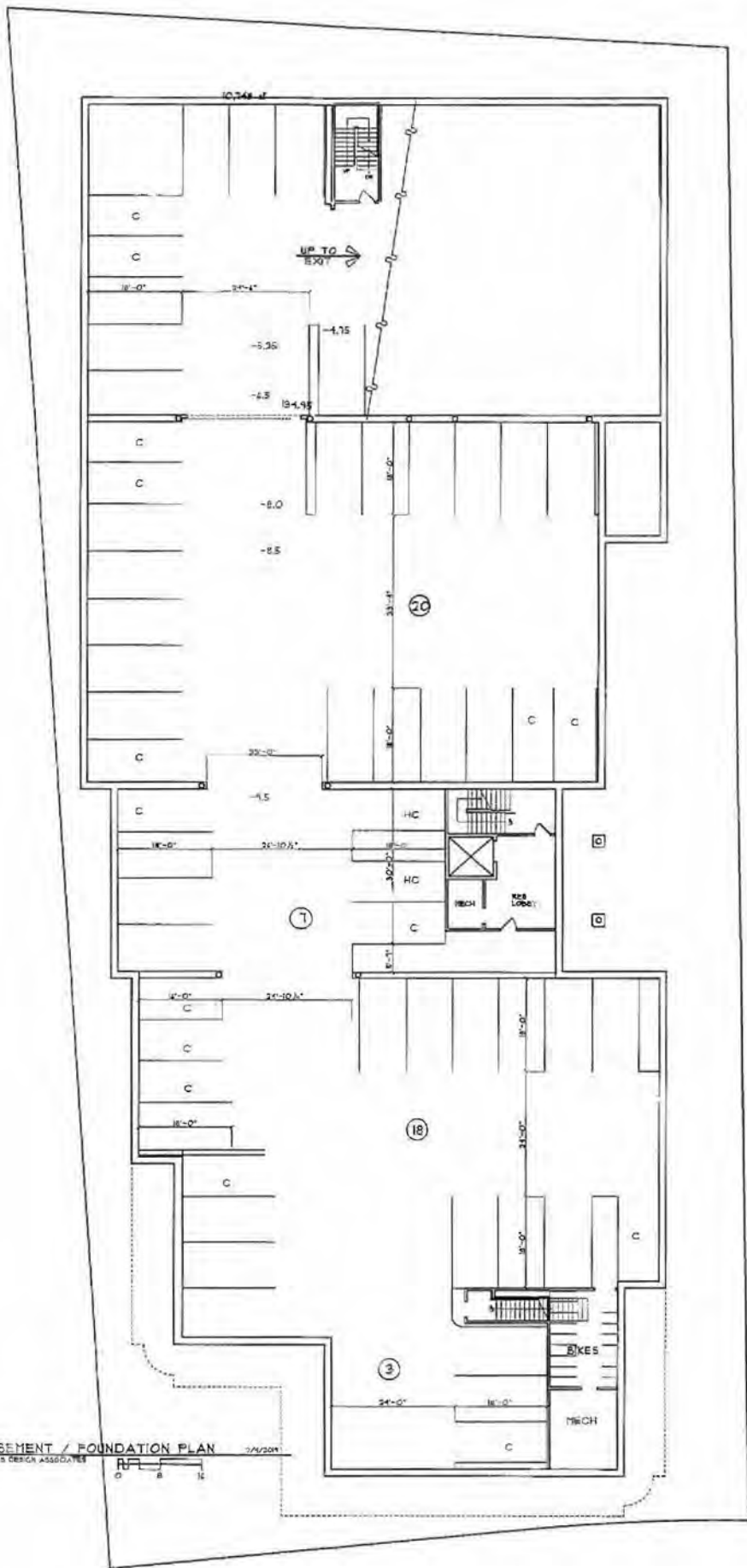




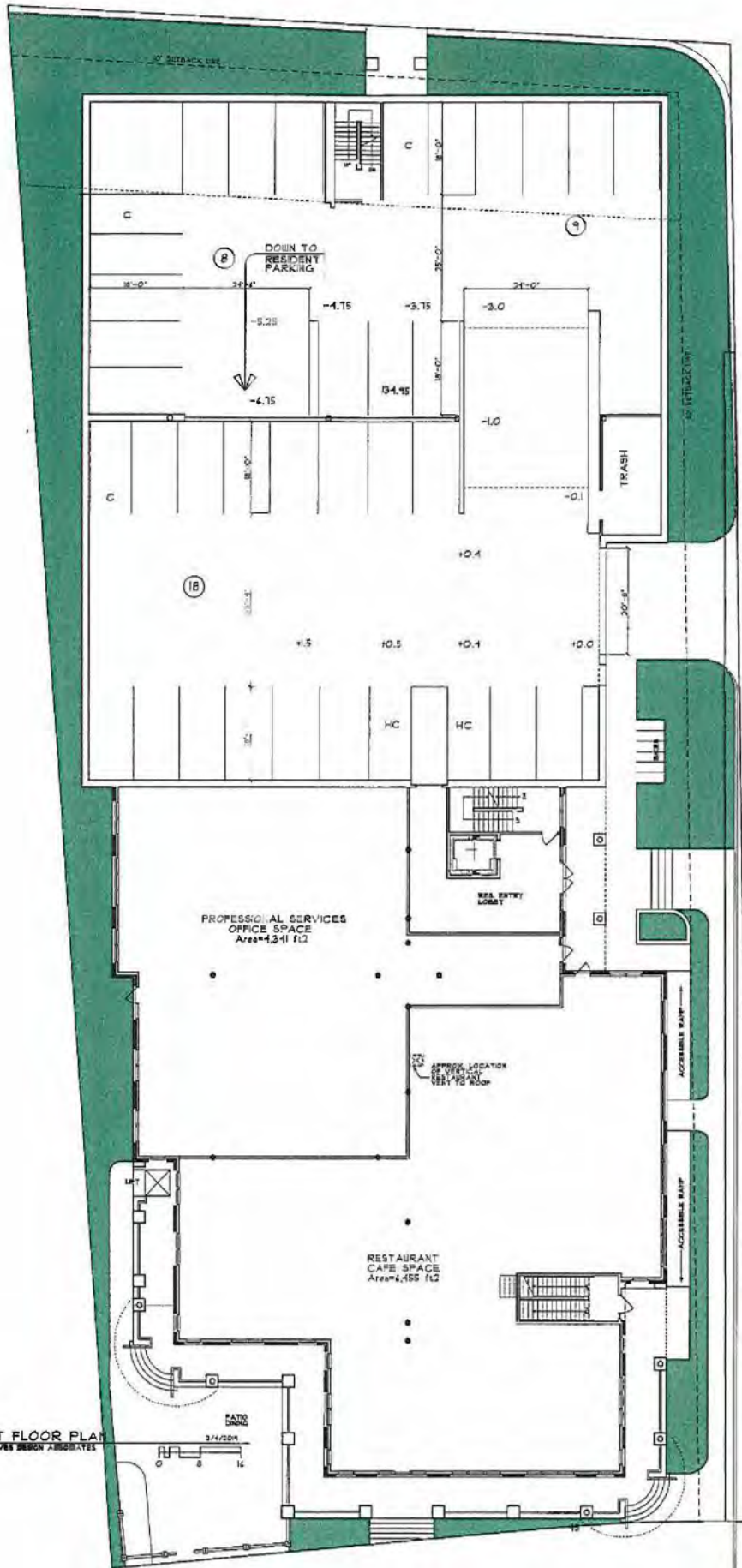
R. KUSHNERVA-2017

## 57 MAIN STREET - Marlborough

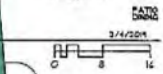
MCO & Associates, Inc. - Developer  
Reeves Design Associates - Architect  
Bruce Saluk Associates, Inc. - Civil Engineer



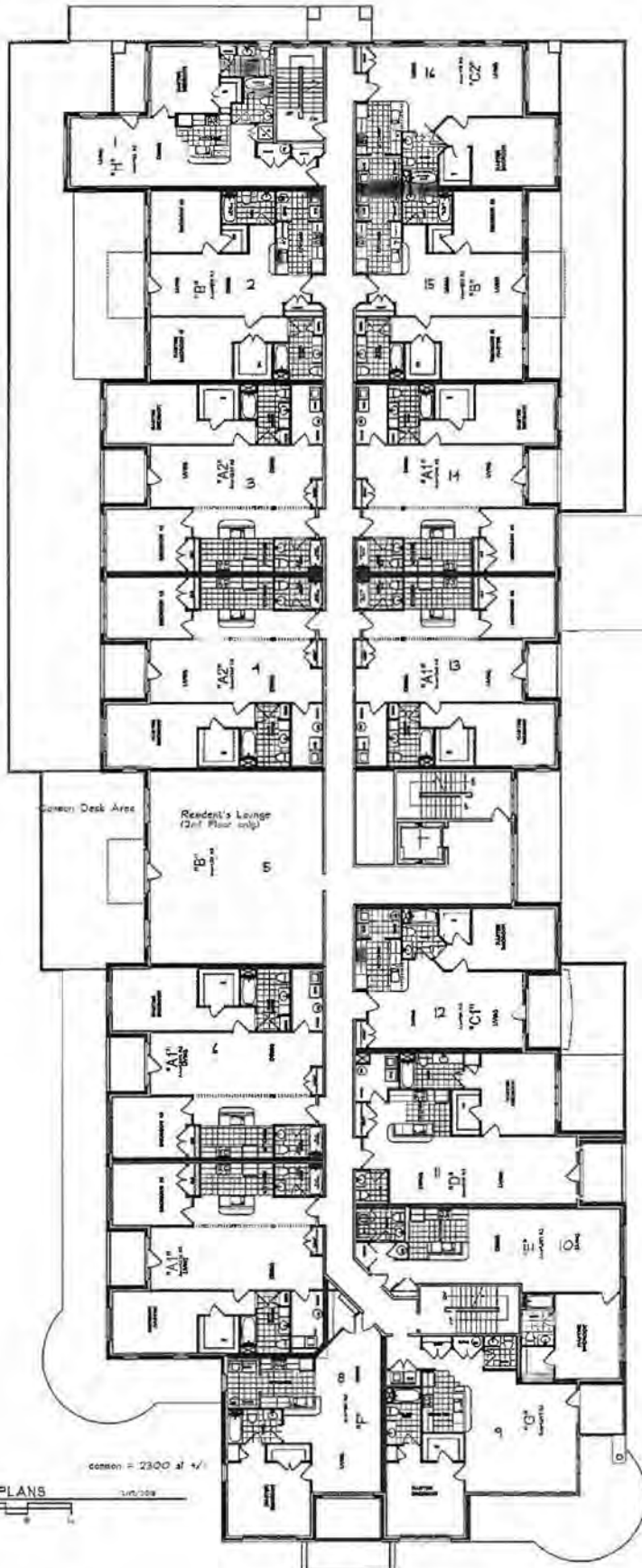
**BASEMENT / FOUNDATION PLAN**  
 REVISED ASSOCIATES  
 7/9/2011  
 0 8 16  
 R1



1ST FLOOR PLAN  
 08/04/2011 11:58 AM







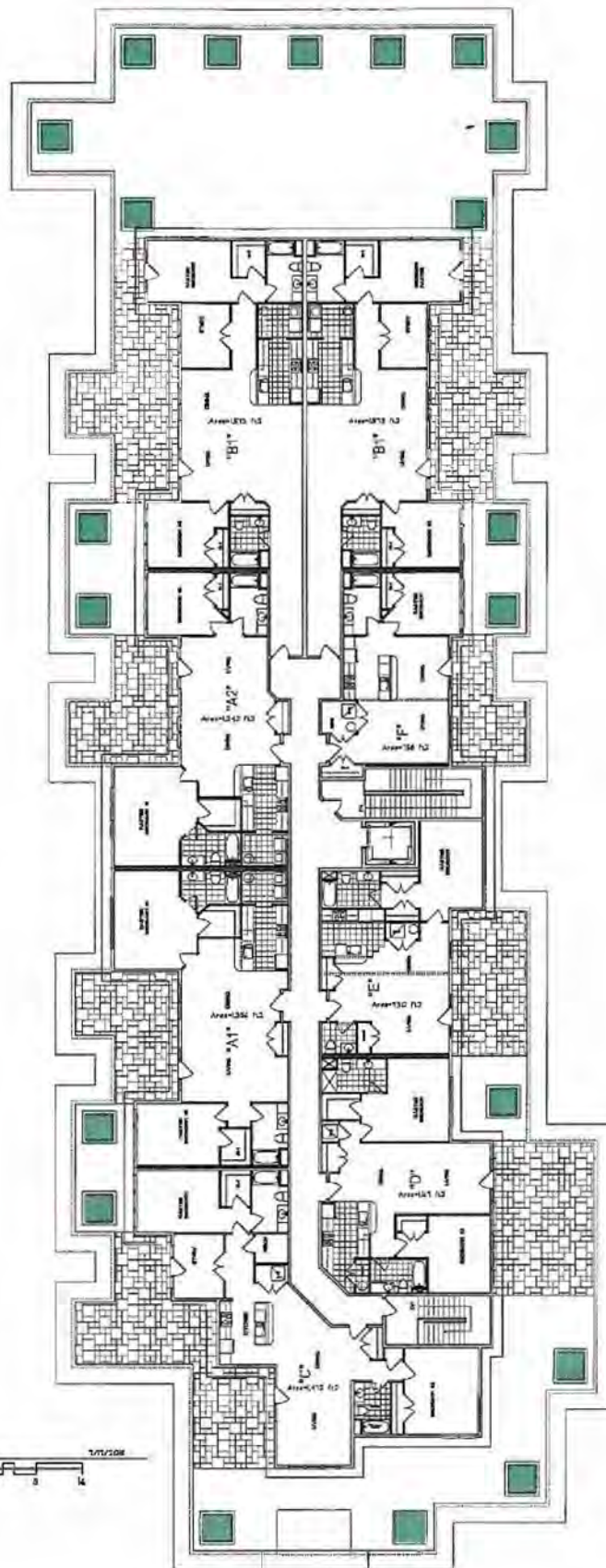
**2ND thru 4TH FLOOR PLANS**

WELLES OFFICE ASSOCIATES



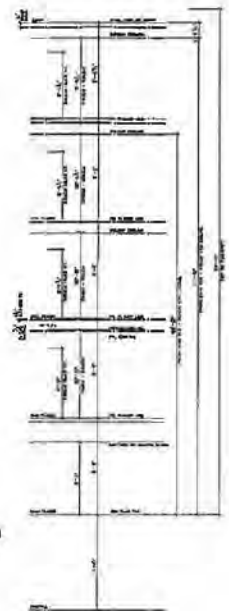
common = 2300 sf +/-

1/16/08



5TH FLOOR PLAN  
MAY/24/2008

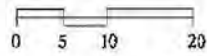


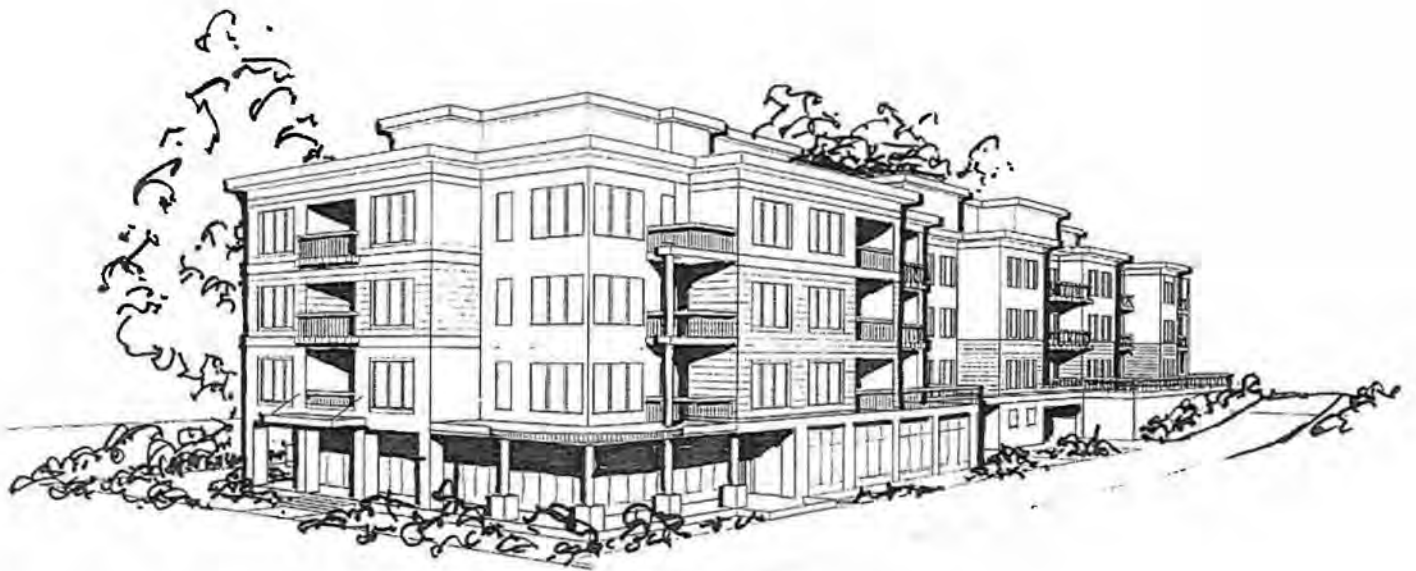


**MATERIALS STUDY for FRONT FACADE (Main Street) - Design Review**

Reeves Design Associates

2/1/2018





57 MAIN STREET  
CONCEPT SKETCH  
VIEW from SOUTHEAST

---

Reeves Design Associates



# City of Marlborough Legal Department

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
DONALD V. RIDER, JR.  
CITY SOLICITOR  
2019 FEB 21 A 11:47  
ELLEN M. STAVROPOULOS  
PARALEGAL

February 21, 2019

Edward Clancy  
President  
Marlborough City Council

RE: Order No. 18/19-1007425A  
Application for Site Plan Approval  
Marlborough TOTG, LLC  
57 Main Street, Marlborough

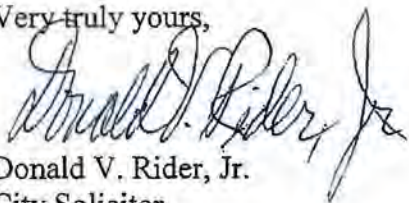
Dear President Clancy and Members:

For the City Council's consideration, I enclose a proposed order for Council approval of the site plan application submitted by Marlborough TOTG, LLC. The LLC proposes to construct a mixed use project at 57 Main Street. The Site Plan Review Committee has reviewed and recommended approval, with conditions, of the LLC's site plans for this proposed project as most recently revised on February 4, 2019.

As part of its site plan approval application, the LLC is also requesting that the Council approve a waiver from the City's zoning ordinance that would otherwise require the LLC to provide a total of 5,500 sf of private open space. Due to site-specific circumstances, the LLC requests a waiver of 2,750 sf of private open space that would otherwise be required on the ground level of the proposed project; the LLC will provide the remaining 2,750 sf of private open space within the proposed building.

The proposed order is in a form ready for the Council's action.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosure

cc: Mark C. O'Hagan, Manager, Marlborough TOTG, LLC

ORDERED:

That the City Council of the City of Marlborough does hereby approve and adopt, pursuant to § 650-34.B(3) of the Marlborough Zoning Ordinance, the Site Plan Review Committee's Site Plan Permit #SC-2019-02 (attached hereto), which sets forth the Committee's recommended approval, with conditions, of the site plans submitted by Marlborough TOTG, LLC, and most recently revised on February 4, 2019, to construct a mixed use project at 57 Main Street.

The City Council further approves, pursuant to § 650-34.H(4) of the Marlborough Zoning Ordinance, the LLC's request, made as part of its site plan approval application, for a waiver of from the requirement, set forth in § 650-34.H of the Marlborough Zoning Ordinance, that would otherwise require the LLC to provide a total of 5,500 sf of private open space at the proposed project. Due to site-specific circumstances, the waiver is granted for 2,750 sf of private open space that would otherwise be required on the ground level of the project; the LLC will provide the remaining 2,750 sf of private open space within the proposed building.

ADOPTED

In City Council

Order No. 18/19-1007425B

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

**Site Plan Permit #SC-2019-02**

**Recommended Site Plan Approval with Conditions**

**Applicant:** MCO & Associates, Inc.

**Property Owners:** John P. Rowe Funeral Home, Inc. (as to Assessors Map 70, Parcels 291 and 294); and John P. Rowe, Jr. and J. Peter Rowe, as tenants in common (as to Assessors Map 70, Parcel 293).

**Location:** 57 Main Street (the "Site") being shown as Parcels 291, 293 & 294 on Assessors Map 70.

**Zoning District:** Marlborough Village District (MV)

**Plans:** The following Site Plan Approval Final Conditions are based on a set of plans entitled "Tavern on the Green, 57 Main Street, Marlborough, MA, Site Plan" by Bruce Saluk & Associates, Inc. , said plans being comprised of 7 sheets plus a cover sheet, with the last revision date of 2-4-19 (said set of plans hereinafter, collectively, the "Site Plans"); and a set of 6 architectural drawings sheets plus a cover sheet, entitled "57 MAIN STREET – Marlborough" by Reeves Design Associates – Architect, with the last revision date of 2-4-19.

Other Permits:

City Council Special Permit #18/19-1007424E for lot coverage relief

City Council grant of a permanent easement, in a form satisfactory to the City Solicitor's office, granting the City the right to use the Site to widen and, as widened, to maintain and repair, the roadway of Exchange Street, said easement being subject to eventual acceptance by the City Council.

**SITE PLAN APPROVAL FINAL CONDITIONS:**

**A. Site Conformance:**

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

**B. Prior to Issuance of a Building Permit:**

1. Construction Staging and Safety Plan:

- a. The Applicant shall complete the project in accordance with a Construction Staging and Safety Plan (the "Construction Plan") to be approved by the Building Commissioner, Fire Chief, Police Chief, and City Engineer. Said Construction Plan shall address the building demolition phase of the project, which may take place in advance of the construction phase and under a separate demolition permit.
  - b. The Construction Plan shall provide detailed information concerning: (i.) areas of the Site and adjacent property that will be marked off for the staging of construction vehicles, etc.; (ii.) traffic management, detour routes if necessary, construction signage, pedestrian protection, blocked sidewalks, streets, etc.; (iii.) construction fencing to enclose material and equipment; (v.) fencing and/or barricades to provide limits within the construction site for the separation of construction, pedestrian and vehicular traffic; and (vi.) dedicated illuminated and covered pedestrian walkways adjacent to the structure at egress paths in accordance with 780 CMR Massachusetts State Building Code and related Mass. Amendments, including but not limited to Chapters 31, 32, 33, and 34, in effect at the time the building permit application is submitted.
2. Green Building: The building plans shall show compliance with Section 650-34.D.2.(m), concerning sustainable building design, of the Zoning Code of the City of Marlborough. Prior to the issuance of Building Permits, the Building Commissioner shall review the building plans to ensure that the design incorporates green building techniques.
  3. Rooftop Mechanicals: On the building plans, the elevation drawings shall show areas reserved for rooftop mechanicals and the elevator penthouse. Detail drawings illustrating the type, location, and dimensions of fencing/screening must be provided. The Building Commissioner shall confirm that the building drawings conform to the requirements of Section 650-34.D.2.(b) regarding screening of rooftop mechanical equipment.
  4. Easement: The Site Plans show a proposed easement to the City of Marlborough, which shall grant the City the right to use the Site to widen and, as widened, to maintain and repair, the roadway of Exchange Street. The final Easement Plan shall be recorded and the Grant of Easement fully executed in a form satisfactory to the City Solicitor's office.
  5. Entrance Fees: The applicant shall pay water and sewer entrance fees.

### **C. Construction:**

1. Preconstruction Meeting: Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner,



City Engineer, Conservation Officer, Fire Chief, Police Chief, and the site contractor responsible for doing the work. At this meeting said City officials will review the plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls. A similar meeting shall be held prior to the commencement of demolition, which may take place under a separate demolition permit.

2. Use of Ways During Construction: Consistent with the Construction Plan, all areas for construction staging and offloading of building materials, as well as any excavations, long-term construction scaffolding, or other obstructions, shall be coordinated to maximize public safety and to minimize interference with the customary use of public ways by vehicles and pedestrians. Permits are required for any street or sidewalk excavations or obstructions. The Police Chief shall have the discretion and authority to require additional protection and/or details as needed. The Applicant shall pay to the City the cost for every police detail which is provided by the Marlborough Police Department for the project.
3. OSHA: All Contractors shall abide by OSHA regulations as appropriate, including but not limited to OSHA-29 CFR, Section 1926.
4. Safety Official: The Applicant/ site contractor shall have on the Site at all times during construction, a qualified Construction Safety Official. Prior to the commencement of construction, Applicant shall provide to the Building Commissioner the name and contact information of said Construction Safety Official.
5. Hours of Operation: In accordance with Section 431-3B. of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with variance by the Board of Health or as emergency work.

#### **D. Storm Water:**

1. Siltation Control: The Applicant, Property Owners, and site contractor shall be responsible for protecting the City drainage system with erosion controls at all times during construction, and for notifying the Conservation Officer and the City Engineer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.

#### **E. Landscaping:**

1. Modifications: All modifications to the approved Landscape Plans related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor

change.

2. Site Visit: Prior to the final signoff, the Landscape Architect shall provide an as-built planting plan and a letter of confirmation that the plan conforms to the approved plans. The Conservation Officer shall confirm by a site visit that the planting has been installed according to the approved Landscape Plans, or a revision, previously approved by the Conservation Officer, of the Landscape Plans.
3. Replacement of Plantings: Following 18 months of the date of the final signoff of the site work, any plant material that has died or is dying shall be replaced by the Property Owner with a species of the same kind and size.
4. Structural soil: As described on Sheet C4 note 8. trees along Exchange St shall be installed in structural soils.
5. Tree protection report: As noted on sheet C4 note 9, a tree protection report from a certified arborist is to be submitted one week prior to the preconstruction meeting noted above.
6. Fence: Pending a final agreement between the Applicant and First Church of Marlborough, as noted on sheet C1, the chain link fence separating the parcel and the Union Common shall be replaced with a decorative fence to match the general style and appearance of the existing fence that borders Union Common. Pending a final agreement between the Applicant and First Church of Marlborough, it is anticipated the fence shall be located on the Applicants property and the Applicant shall have the longterm maintenance burden of this new installed section of fence. The agreement between the parties shall be submitted to Council upon completion. (This section can be modified accordingly if necessary.)
7. Mulch Placement: Installation of mulch at the time of planting and thereafter shall be placed so that the mulch is not in contact with the trunk of newly planted trees and shrubs as shown on the details on the Landscaping Plan.
8. Maintenance: Landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the Landscape Plans at all times. This shall be an ongoing condition.

#### **F. Parking Garage:**

1. The building design shall provide for adequate sight distances for vehicles exiting the garage to provide for pedestrian safety. The Applicant shall use appropriate signage at the entrance and exit to ensure pedestrian safety.
2. The lower level parking garage is to be for the sole use of the residents of the Site and access to this area shall be such that entering and exiting from this garage

area shall be controlled by the Site's residents. A minimum of one parking space per residential unit shall be so designated. Parking areas on the first floor can be utilized by employees and customers of retail/commercial areas as well as resident use.

**G. Prior to Issuance of a Certificate of Occupancy:**

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

**General Provisions:**

1. Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans. The City Council delegates to the Building Commissioner the authority to approve changes to the approved Site Plans consistent with future amendments to the Zoning Ordinance enacted by the City Council.
2. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.

## End Conditions



# City of Marlborough Planning Board

Administrative Offices  
135 Neil St.  
Marlborough, MA 01752

## PLANNING BOARD

Barbara L. Fenby, Chair  
Philip Hodge  
Sean N. Fay  
George LaVenture  
Christopher Russ  
Matthew Elder  
Krista Holmi, Administrator  
(508) 624-6910 x33200  
[kholmi@marlborough-ma.gov](mailto:kholmi@marlborough-ma.gov)

February 13, 2019

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

RE: Cider Mill Estates Subdivision  
Acceptance of Goodwin Street and McDermot Way as Public Ways  
(Council Order 18-1007530)

Honorable President Clancy and Members:

At its regular meeting on February 11, 2019, the Planning Board took the following action:

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to recommend to the Marlborough City Council that Goodwin Street and McDermot Way be accepted as public ways, and that their appurtenant easements be accepted as municipal easements in the City of Marlborough, as shown on a plan thereof and as hereinafter described:

Plan entitled, "Cider Mill Estates" – Acceptance Plan of Goodwin Street, McDermot Way, and Municipal Easements, Marlborough, Massachusetts," Owner: West Hill, LLC, 120 Quarry Drive, Milford, MA 01757; To Be Deeded to: City of Marlborough, 140 Mail Street, Marlborough, MA 01752; Prepared By: Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, MA 01757; Dated: July 19, 2018; Scale: 1"=40'.

Motion carried.

Should you need further information, don't hesitate to contact me.

Sincerely,

Barbara L. Fenby  
Chairperson

City Clerk  
DPW Commissioner  
Paul J. Beattie, Esq.  
F.R.E. Building Co., Inc.

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2019 FEB 14 P 4:10

PETITION FOR MANHOLE AND DUCT LOCATIONS

*Town Copy*

January 22, 2019  
RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2019 FEB 20 P 12:11

To the City Council  
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Framingham Road & Beverly Drive**

**Ngrid request install 461ft of ug primary from P13 on Framingham Rd up to Pad1-99 on Beverly Dr.  
Install 262ft of ug secondary from Pad 1-99 to HH 0-2  
Work to remain in the public way.**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. 25707653 Dated: 10/25/2018

MASSACHUSETTS ELECTRIC COMPANY

By: *Rob Leonard*  
Manager of Distribution Design

**ORDER FOR MANHOLE AND DUCT LOCATIONS**

January 22, 2019

By the City Council  
of the City of Marlborough, Massachusetts

Notice having been given and a public hearing held, as provided by law,  
**IT IS HEREBY ORDERED:**

that **MASSACHUSETTS ELECTRIC COMPANY** be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the **22nd day of January, 2019**

All construction under this order shall be in accordance with the following conditions:--

Manholes and ducts shall be set substantially at the points indicated upon the plan marked--

**MASSACHUSETTS ELECTRIC COMPANY**

Plan No. **25707653**

Dated: **10/25/2018**

The following are the public ways or parts of ways along which the manholes/ducts above referred to may be installed, and the number of manholes/ducts which may be installed thereon under this order:--

**Framingham Road & Beverly Drive**

**Ngrid request install 461ft of ug primary from P13  
on Framingham Rd up to Pad1-99 on Beverly Dr.  
Install 262ft of ug secondary from Pad 1-99 to HH 0-2  
Work to remain in the public way.**

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 \_\_\_\_\_ 2019

\_\_\_\_\_  
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 \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M

at \_\_\_\_\_ a public hearing was held on the petition of

**MASSACHUSETTS ELECTRIC COMPANY** for permission to construct the underground electric conduits described in the order herewith recorded, and that I 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 underground electric conduits 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 location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2019 and 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



**Pole & UG Petition/Permit Request Form**

**City**  
**Town of** Malborough **WR #** 25707653  
(circle one)

**Install** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Remove** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Relocate** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Beginning at a point approximately** \_\_\_\_\_ **feet** \_\_\_\_\_ **of the centerline**  
(distance) (compass heading)

**of the intersection of** \_\_\_\_\_  
(street name)

**and continuing approximately** \_\_\_\_\_ **feet in a** \_\_\_\_\_ **direction.**  
(distance) (compass heading)

**Install underground facilities:**

**Street(s)** Framingham Rd & Beverly Dr.

**Description of Work:**

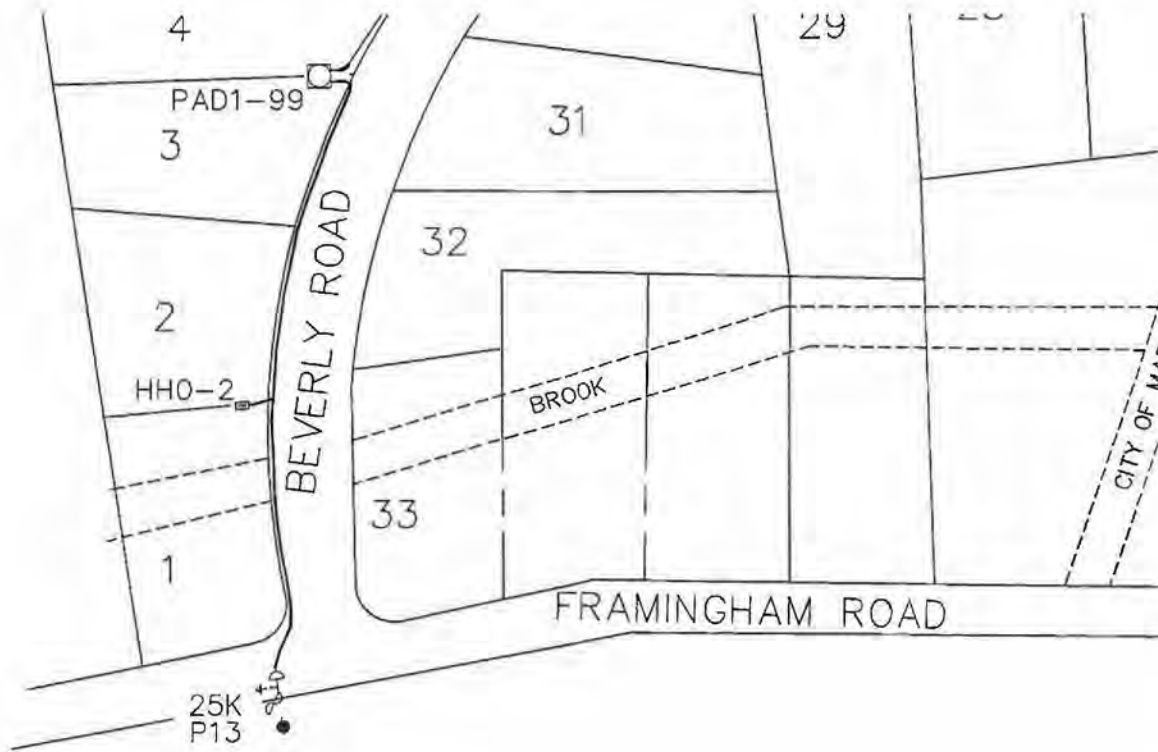
Ngrid to:  
Install 461ft of UG Primary from P13 on Framingham Rd. up to Pad 1-99 on Beverly Dr.  
Install 262ft of UG Secondary from Pad 1-99 to HH 0-2.  
Work to remain in the public way.

**ENGINEER** Veasna Eang

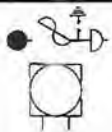
**DATE** 10/25/2018



EXHIBIT 'A' NOT TO SCALE  
THE EXACT LOCATION OF SAID FACILITIES TO BE ESTABLISHED BY AND UPON THE INSTALLATION AND ERECTION OF THE FACILITIES THEREOF.



LEGEND



URG POLE

HANDHOLE

SINGLE PHASE PAD

3 IN. PVC CONDUIT

RESERVOIR RIDGE

Petition

BEVERLY ROAD

MARLBOROUGH, MA.

Date: 6.25.2018

Designer: V.EANG

W/R: 25707653

**nationalgrid**



**Abutters for Beverly Dr (Framingham Rd to 28 Beverly Dr) trench work petition  
MARLBOROUGH, MA**

ap	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
3	116			STEINBERG RICHARD D TR	GARY AND DIANE GLICK IRREVOCABLE TR	5 ALLIS ROAD	MARLBOROUGH	MA 01752	5 ALLIS RD
4	1			BALSER THELMA		125 FRAMINGHAM RD	MARLBOROUGH	MA 01752	125 FRAMINGHAM RD
4	30			BELL WILLIAM R	MARYANN BELL	2 BEVERLY DR	MARLBOROUGH	MA 01752	2 BEVERLY DR
4	31			FILLION PAUL O	ANNETTE M FILLION	18 BEVERLY DR	MARLBOROUGH	MA 01752	18 BEVERLY DR
4	52			PLUTNICKI RICHARD J	CHRISTINE A PLUTNICKI	28 BEVERLY DR	MARLBOROUGH	MA 01752	28 BEVERLY DR
4	33			AFTOSMIS STEPHEN F	AMBER B AFTOSMIS	38 BEVERLY DR	MARLBOROUGH	MA 01752	38 BEVERLY DR
4	61			OLIVIERA MANOEL	ANA C OLIVIERA	94 WOODRIDGE RD	MARLBOROUGH	MA 01752	94 WOODRIDGE RD
4	62			CAPPELLO JAMES T	KRISTEN M CAPPELLO	29 BEVERLY DR	MARLBOROUGH	MA 01752	29 BEVERLY DR
4	63			RADIVONYK CHRISTOPHER P	MELISSA M RADIVONYK	19 BEVERLY DR	MARLBOROUGH	MA 01752	19 BEVERLY DR
4	64			SATNTUS CLEMENT		1 BEVERLY DR	MARLBOROUGH	MA 01752	1 BEVERLY DR

**MARLBOROUGH ASSESSORS**

*Anthony C. Amorese  
William K. Silverstein  
Janet May De*

---

# MIRICK O'CONNELL

A T T O R N E Y S   A T   L A W

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 FEB 20 P 3 23

Brian R. Falk  
Mirick O'Connell  
100 Front Street  
Worcester, MA 01608-1477

February 20, 2019

## VIA HAND DELIVERY

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

Re: St. Mary's Credit Union;  
Proposed Zoning Map Amendment – 31 and 35 John Street

Dear Councilor Clancy:

On behalf of my client, St. Mary's Credit Union, I respectfully request that the City Council consider amending the Zoning Map of the City of Marlborough as specified in the attached Proposed Order, rezoning the two parcels located at 31 and 35 John Street from Residence C to Business.

St. Mary's is the owner of land located at 133 South Bolton Street (Assessors Map 70, Parcel 242A), which is the site of a bank branch location and located in the Business Zoning District. St. Mary's acquired the adjacent parcels located at 31 and 35 John Street (Assessors Map 82, Parcels 112 and 113), in order to accommodate a reconstruction and expansion of the bank site.

By rezoning the two John Street parcels from the Residence C Zoning District to the Business Zoning District, St. Mary's will be able to incorporate these parcels into the larger site for bank, retail, and/or restaurant purposes. The two parcels to be rezoned are outlined in green on the enclosed plan.

In accordance with M.G.L. c. 40A, § 5, St. Mary's Credit Union is the owner of land to be affected by this proposed amendment. Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing St. Mary's Credit Union in this matter before the City Council.

---

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

[www.mirickoconnell.com](http://www.mirickoconnell.com)

MIRICK O'CONNELL

Marlborough City Council

February 20, 2019

Page 2

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "BF", with a long horizontal flourish extending to the right.

Brian R. Falk

BRF/ljk

Encl.

cc: Client  
Arthur Bergeron, Esq.

**PROPOSED CITY COUNCIL ORDER**

**ORDERED:**

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by including Assessors Map 82, Parcels 112 and 113, and adjacent portions of John Street to the center line, in the Business District.

ADOPTED

In City Council  
Order No. 19-

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



BRIDGE STREET

SOUTH BOLTON STREET

JOHN STREET

4265 SF

246  
2722 SF

241  
2490 SF

191  
6118 SF

190

192  
309 SF

**B**  
242  
45110 SF

RC

110  
3276 SF

111  
8728 SF

112  
8797 SF

113  
8733 SF

115  
0001 SF

115A  
37474 SF





CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2019 FEB 19 P 3:23

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Fabncio DaSilva

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

3 Jonas Court Map 68 Parcel 391

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

Same

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

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

Article 650 Section 12B Paragraph B Sub-paragraph \_\_\_\_\_

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

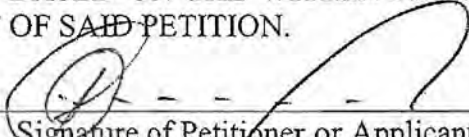
A3 & RB

7. Specific reason(s) for seeking Special Permit

Applicant would like to build a covered porch to the existing house.  
The porch is 18'x5'. The distance from the existing foundation is 29' from  
the paved road. (17'6" house to property line / 11'4" row to pavement)  
The proposed addition would be 23'4" from roadway pavement  
(11'4" row & 12' to property line). Special Permit is requested due to setback  
Owner would like to cosmetically beautify house / neighborhood rejuvenation

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: 3 Jonas Ct.

Marlborough, MA 01752

Date: 2-19-19

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

*Fabrizio DaSilva*

---

(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  
February 11, 2019

**MARLBOROUGH ASSESSORS**

*Anthony C. Amadio  
Allen K. Silverstein  
Dan May Jr.*

## Subject Property:

Parcel Number: 68-391  
CAMA Number: 68-391  
Property Address: 3 JONAS CT

Mailing Address: DA SILVA FABRICIO BERNARDES  
3 JONAS CT  
MARLBOROUGH, MA 01752

---

## Abutters:

Parcel Number: 55-85  
CAMA Number: 55-85  
Property Address: 56 FRYE ST

Mailing Address: BARTOLINI BRUCE A TR  
P O BOX 427  
ASHLAND, MA 01721

Parcel Number: 68-10  
CAMA Number: 68-10  
Property Address: 231 ELM ST

Mailing Address: RIBOT NANCY  
231 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-11  
CAMA Number: 68-11  
Property Address: 245 ELM ST

Mailing Address: STANGLE KEVIN P  
245 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-11A  
CAMA Number: 68-11A  
Property Address: 241 ELM ST

Mailing Address: DEMERS ROBERT D  
241 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-276  
CAMA Number: 68-276  
Property Address: 15 ARNOLD ST

Mailing Address: LANGAN MATTHEW  
15 ARNOLD ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-277  
CAMA Number: 68-277  
Property Address: 162 ELM ST

Mailing Address: CAPPADONA MARK A  
63 BOIVIN DR  
MARLBOROUGH, MA 01752

Parcel Number: 68-278  
CAMA Number: 68-278  
Property Address: 27 ARNOLD ST

Mailing Address: PERREIRA ARISTOTELES JR  
27 ARNOLD ST 2ND FL  
MARLBOROUGH, MA 01752

Parcel Number: 68-279  
CAMA Number: 68-279  
Property Address: 164 ELM ST

Mailing Address: WALDRON ROBERT A  
178 BARNARD RD  
MARLBOROUGH, MA 01752

Parcel Number: 68-280  
CAMA Number: 68-280  
Property Address: 172 ELM ST

Mailing Address: OLIVEIRA IRAJA J JR  
54 SPOONHILL AVE  
MARLBOROUGH, MA 01752

Parcel Number: 68-282  
CAMA Number: 68-282  
Property Address: 176 ELM ST

Mailing Address: WHITMAN CHRISTOPHER M TR  
176 ELM 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.



# 400 foot Abutters List Report

Marlborough, MA  
February 11, 2019

Parcel Number: 68-284 CAMA Number: 68-284 Property Address: 37 ARNOLD ST	Mailing Address: SPELLMAN JEAN M TR 37 ARNOLD ST MARLBOROUGH, MA 01752
Parcel Number: 68-285 CAMA Number: 68-285 Property Address: 43 ARNOLD ST	Mailing Address: VASSEL GEORGE A 43 ARNOLD ST MARLBOROUGH, MA 01752
Parcel Number: 68-286 CAMA Number: 68-286 Property Address: 47 ARNOLD ST	Mailing Address: EVANGELOUS ACHILLES 47 ARNOLD ST MARLBOROUGH, MA 01752
Parcel Number: 68-287 CAMA Number: 68-287 Property Address: 186 ELM ST	Mailing Address: WILLIAMS PHILIP A 186 ELM ST MARLBOROUGH, MA 01752
Parcel Number: 68-288 CAMA Number: 68-288 Property Address: 51 ARNOLD ST	Mailing Address: RODRIGUEZ JUANA J 51 ARNOLD ST MARLBOROUGH, MA 01752
Parcel Number: 68-289 CAMA Number: 68-289 Property Address: 55 ARNOLD ST	Mailing Address: DICKMANN BENJAMIN 55 ARNOLD ST MARLBOROUGH, MA 01752
Parcel Number: 68-290 CAMA Number: 68-290 Property Address: 190 ELM ST	Mailing Address: COOPER JURIS 190 ELM ST MARLBOROUGH, MA 01752
Parcel Number: 68-292 CAMA Number: 68-292 Property Address: 185 BROAD ST	Mailing Address: NAUGHTON BRIAN M 247A LINDEN ST BERLIN, MA 01503-1815
Parcel Number: 68-293 CAMA Number: 68-293 Property Address: 191 BROAD ST	Mailing Address: SANCHEZ SAVINO A 191 BROAD ST #2 MARLBOROUGH, MA 01752
Parcel Number: 68-294 CAMA Number: 68-294 Property Address: 195 BROAD ST	Mailing Address: CARRASCOZA JUAN H 185 BOLTON ST MARLBOROUGH, MA 01752
Parcel Number: 68-296 CAMA Number: 68-296 Property Address: 201 BROAD ST	Mailing Address: ZANETTI FLAVIO 14 AUBURN ST #1 SOMERVILLE, MA 02145
Parcel Number: 68-297 CAMA Number: 68-297 Property Address: 203 BROAD ST	Mailing Address: SALERNO BRIAN 73 FIELD POND RD MILFORD, MA 01757



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# 400 foot Abutters List Report

Marlborough, MA  
February 11, 2019

Parcel Number: 68-299 CAMA Number: 68-299 Property Address: 207 BROAD ST	Mailing Address: SKINNER GLENN R 207 BROAD ST MARLBOROUGH, MA 01752
Parcel Number: 68-302 CAMA Number: 68-302 Property Address: 212 ELM ST	Mailing Address: BIRRI MICHAEL D TR 23 ELIOT DR NORTHBOROUGH, MA 01532
Parcel Number: 68-303 CAMA Number: 68-303 Property Address: 211 BROAD ST	Mailing Address: FRAWLEY JOHN F 211 BROAD ST MARLBOROUGH, MA 01752
Parcel Number: 68-305 CAMA Number: 68-305 Property Address: 215 BROAD ST	Mailing Address: LUBERTO STELLA M 22 FONTAINE ST MARLBOROUGH, MA 01752
Parcel Number: 68-307 CAMA Number: 68-307 Property Address: 217 ELM ST	Mailing Address: CLEMONS PETER A 217 ELM ST MARLBOROUGH, MA 01752
Parcel Number: 68-308 CAMA Number: 68-308 Property Address: 225 ELM ST	Mailing Address: GIROUX TERESITA B 225 ELM ST MARLBOROUGH, MA 01752
Parcel Number: 68-310 CAMA Number: 68-310 Property Address: 11 BRIGHAM AVE	Mailing Address: BROWNING KENNETH L 11 BRIGHAM AVE MARLBOROUGH, MA 01752
Parcel Number: 68-311 CAMA Number: 68-311 Property Address: 109 SPRING ST	Mailing Address: TAMULIS JAMES TR 20615 GOLDEN RIDGE DR ASHBURN, VA 20147-3872
Parcel Number: 68-312 CAMA Number: 68-312 Property Address: 105 SPRING ST	Mailing Address: LOPEZ HUGO E 105 SPRING ST MARLBOROUGH, MA 01752
Parcel Number: 68-313 CAMA Number: 68-313 Property Address: 101 SPRING ST	Mailing Address: RICE PETER D 101 SPRING ST MARLBOROUGH, MA 01752
Parcel Number: 68-314 CAMA Number: 68-314 Property Address: 31 BRIGHAM AVE	Mailing Address: DEDECKO CHARLES J C/O SHERRY GRAY 456 GREAT RD STOW, MA 01775
Parcel Number: 68-315 CAMA Number: 68-315 Property Address: 85 SPRING ST	Mailing Address: CONNORS RITA R TR 85 SPRING ST MARLBOROUGH, MA 01752



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# 400 foot Abutters List Report

Marlborough, MA

February 11, 2019

Parcel Number: 68-316  
CAMA Number: 68-316  
Property Address: 89 SPRING ST

Mailing Address: FISCHETTI RAPHAEL B  
617 PAWTUCKET BLVD #3  
LOWELL, MA 01854

Parcel Number: 68-317  
CAMA Number: 68-317  
Property Address: 93 SPRING ST

Mailing Address: FERNANDES ENY  
93 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-319  
CAMA Number: 68-319  
Property Address: 111 SPRING ST

Mailing Address: SILVEY JANET C  
111 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-380  
CAMA Number: 68-380  
Property Address: 113 SPRING ST

Mailing Address: COLE CHARLES L JR  
113 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-381  
CAMA Number: 68-381  
Property Address: 213 ELM ST

Mailing Address: CLINGAN THOMAS R  
213 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-383  
CAMA Number: 68-383  
Property Address: 88 SPRING ST

Mailing Address: THOMPSON DOROTHY M LI EST  
88 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-384  
CAMA Number: 68-384  
Property Address: 90 SPRING ST

Mailing Address: DOYLE STEPHEN G  
90 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-385  
CAMA Number: 68-385  
Property Address: 100 SPRING ST

Mailing Address: ARSENAULT BRUCE  
100 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-386  
CAMA Number: 68-386  
Property Address: 104 SPRING ST

Mailing Address: ORDWAY CHARLES D  
104 SPRING ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-387  
CAMA Number: 68-387  
Property Address: 8 JONAS CT

Mailing Address: PERRY ANTHONY J  
8 JONAS CT  
MARLBOROUGH, MA 01752

Parcel Number: 68-388  
CAMA Number: 68-388  
Property Address: 10 JONAS CT

Mailing Address: SAWTELLE RONALD M  
10 JONAS CT  
MARLBOROUGH, MA 01752

Parcel Number: 68-392  
CAMA Number: 68-392  
Property Address: JONAS CT

Mailing Address: SAWTELLE NANCY A  
10 JONAS CT  
MARLBOROUGH, MA 01752



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# 400 foot Abutters List Report

Marlborough, MA

February 11, 2019

Parcel Number: 68-393  
CAMA Number: 68-393-183-4  
Property Address: 183 ELM ST #4

Mailing Address: PAPILLION PAUL C  
183 ELM ST #4  
MARLBOROUGH, MA 01752

Parcel Number: 68-393  
CAMA Number: 68-393-185-3  
Property Address: 185 ELM ST #3

Mailing Address: BYRNE TAMMY MCBRIDE  
185 ELM ST #3  
MARLBOROUGH, MA 01752

Parcel Number: 68-393  
CAMA Number: 68-393-187-2  
Property Address: 187 ELM ST #2

Mailing Address: SEEMUNGAL VISHAL P  
187 ELM ST #2  
MARLBOROUGH, MA 01752

Parcel Number: 68-393  
CAMA Number: 68-393-189-1  
Property Address: 189 ELM ST #1

Mailing Address: TZIMOULIS LEA S  
189 ELM ST #1  
MARLBOROUGH, MA 01752

Parcel Number: 68-394  
CAMA Number: 68-394  
Property Address: 177 ELM ST

Mailing Address: STRYER NATHAN  
177 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-395  
CAMA Number: 68-395-1-196  
Property Address: 196 ELM ST

Mailing Address: SWENSON JONATHAN G  
196 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-395  
CAMA Number: 68-395-1-198  
Property Address: 198 ELM ST

Mailing Address: ALVARENGA GILBERTO  
198 ELM ST  
MARLBOROUGH, MA 01752



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# 400 foot Abutters List Report

Marlborough, MA  
February 11, 2019

Parcel Number: 68-395  
CAMA Number: 68-395-1-200  
Property Address: 200 ELM ST

Mailing Address: RUTTERS BROOK LLC  
46 DURANT AVE  
MAYNARD, MA 01754

Parcel Number: 68-395  
CAMA Number: 68-395-1-202  
Property Address: 202 ELM ST

Mailing Address: CUNNINGHAM STACY  
36 REGAL ST  
HOLLISTON, MA 01746

Parcel Number: 68-396  
CAMA Number: 68-396  
Property Address: 173 ELM ST

Mailing Address: WANG QIN TR  
52 LITTLE POND RD  
NORTHBOROUGH, MA 01532

Parcel Number: 68-397  
CAMA Number: 68-397  
Property Address: 167 ELM ST

Mailing Address: CURRAN CHRISTOPHER M  
167 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-398  
CAMA Number: 68-398  
Property Address: 163 ELM ST

Mailing Address: DELLAPENNA JOANNE M  
163 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-399  
CAMA Number: 68-399  
Property Address: 159 ELM ST

Mailing Address: BENNETT KAYLA M  
159 ELM ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-4  
CAMA Number: 68-4  
Property Address: 34 BRIGHAM AVE

Mailing Address: CONNORS PAUL P  
34 BRIGHAM AVE  
MARLBOROUGH, MA 01752

Parcel Number: 68-400  
CAMA Number: 68-400  
Property Address: 4 FRYE ST

Mailing Address: GAO FENG  
49 NIXON RD  
FRAMINGHAM, MA 01701

Parcel Number: 68-401  
CAMA Number: 68-401  
Property Address: 18 FRYE ST

Mailing Address: DUMALAC LINDA  
18 FRYE ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-402  
CAMA Number: 68-402  
Property Address: 22 FRYE ST

Mailing Address: GANN DEREK W  
22 FRYE ST  
MARLBOROUGH, MA 01752

Parcel Number: 68-403  
CAMA Number: 68-403  
Property Address: 26 FRYE ST

Mailing Address: CRANE MICHAEL T  
26 FRYE ST  
MARLBOROUGH, MA 01752



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# 400 foot Abutters List Report

Marlborough, MA  
February 11, 2019

Parcel Number: 68-404 CAMA Number: 68-404 Property Address: 32 FRYE ST	Mailing Address: FERRIS WEBSTER 32 FRYE ST MARLBOROUGH, MA 01752
Parcel Number: 68-405 CAMA Number: 68-405 Property Address: 38 FRYE ST	Mailing Address: SOMAIO DENNIS A 38 FRYE ST MARLBOROUGH, MA 01752
Parcel Number: 68-406 CAMA Number: 68-406 Property Address: 50 FRYE ST	Mailing Address: PACIFIC DAVID P 50 FRYE ST MARLBOROUGH, MA 01752
Parcel Number: 68-407 CAMA Number: 68-407 Property Address: 43 FRYE ST	Mailing Address: BARRIOS ALEXANDER E AVILA 43 FRYE ST MARLBOROUGH, MA 01752
Parcel Number: 68-408 CAMA Number: 68-408 Property Address: 53 PEARL ST	Mailing Address: CABRAL JOHN C 7 CHADWICK RD HUDSON, MA 01749
Parcel Number: 68-410 CAMA Number: 68-410 Property Address: 54 PEARL ST	Mailing Address: LUPISELLA MATTHEW 54 PEARL ST MARLBOROUGH, MA 01752
Parcel Number: 68-411 CAMA Number: 68-411 Property Address: 52 PEARL ST	Mailing Address: MEDEIROS ANA 52 PEARL ST MARLBOROUGH, MA 01752
Parcel Number: 68-416 CAMA Number: 68-416 Property Address: 13 FRYE ST	Mailing Address: CORREA HUDSON 13 FRYE ST MARLBOROUGH, MA 01752
Parcel Number: 68-417 CAMA Number: 68-417 Property Address: 149 ELM ST	Mailing Address: MURDOCK TAMMY L 149 ELM ST MARLBOROUGH, MA 01752
Parcel Number: 68-482 CAMA Number: 68-482 Property Address: 130-132 SPRING ST	Mailing Address: CARDOSO EDUARDO SANTOS 132 SPRING ST MARLBOROUGH, MA 01752
Parcel Number: 68-71 CAMA Number: 68-71-240-1 Property Address: 240 BROAD ST #1	Mailing Address: MONTENEGRO ENRIQUETA 240 BROAD ST #1 MARLBOROUGH, MA 01752
Parcel Number: 68-71 CAMA Number: 68-71-242-2 Property Address: 242 BROAD ST #2	Mailing Address: POWELL BRIAN 242 BROAD ST #2 MARLBOROUGH, MA 01752



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# 400 foot Abutters List Report

Marlborough, MA

February 11, 2019

Parcel Number: 68-71 Mailing Address: BROAD AT REALTY ASSOCIATES

Parcel Number: 68-72 Mailing Address: MARLBOROUGH, MA 01752  
 CAMA Number: 68-72 Mailing Address: HILALI EL BOUHALI  
 Property Address: 236 BROAD ST 236 BROAD ST  
 MARLBOROUGH, MA 01752

Parcel Number: 68-73 Mailing Address: PALMA LINDA J  
 CAMA Number: 68-73 Mailing Address: 230 BROAD ST  
 Property Address: 230 BROAD ST MARLBOROUGH, MA 01752

Parcel Number: 68-74 Mailing Address: LIBBY NANCY L  
 CAMA Number: 68-74 Mailing Address: 226 BROAD ST  
 Property Address: 226 BROAD ST MARLBOROUGH, MA 01752

Parcel Number: 68-75 Mailing Address: BUSA JUSTIN  
 CAMA Number: 68-75 Mailing Address: 222 BROAD ST  
 Property Address: 222 BROAD ST MARLBOROUGH, MA 01752

Parcel Number: 68-77 Mailing Address: FIALHO MARLON M  
 CAMA Number: 68-77 Mailing Address: 27 GORDON ST #106  
 Property Address: 216 BROAD ST FRAMINGHAM, MA 01702

Parcel Number: 68-78 Mailing Address: DASILVA REGIANA L  
 CAMA Number: 68-78 Mailing Address: 229 MILES STANDISH DR  
 Property Address: 214 BROAD ST MARLBOROUGH, MA 01752

Parcel Number: 68-79 Mailing Address: FERNANDES ANTONIO D  
 CAMA Number: 68-79 Mailing Address: 200 BROAD ST APT 1  
 Property Address: 200 BROAD ST MARLBOROUGH, MA 01752

Parcel Number: 68-8 Mailing Address: LIZOTTE DOROTHY I TR  
 CAMA Number: 68-8 Mailing Address: 16 BRIGHAM AVE  
 Property Address: 16 BRIGHAM AVE MARLBOROUGH, MA 01752



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## SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: FABRICIO DA SILVA Address: 03 SONAS CT

Project Name: PORCH Address: 03 SONAS CT

1. PROPOSED USE: (describe) BUILDING FRONT PORCH

2. EXPANSION OR NEW: NEW PORCH

3. SIZE: floor area sq. ft. \_\_\_\_\_ 1<sup>st</sup> floor \_\_\_\_\_ all floors \_\_\_\_\_

# buildings \_\_\_\_\_ # stories \_\_\_\_\_ lot area (s.f.) \_\_\_\_\_

4. LOT COVERAGE: 30 % Landscaped area: 70 %

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

Normal: 3 Peak period: 3

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 1 Peak period: 3

(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? NO

8. NOISE:

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

NO

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. NO

9. AIR: What sources of potential air pollution will exist at the development? NO

10. WATER AND SEWER: Describe any unusual generation of waste. NO

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? NO

**\*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: 2-19-19

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: FRONT PORCH

Project Use Summary: REMOVE FRONT YARD SIDE WALK

Project Street Address: 3 SONAS CT MARLBORO MA 01752

Plate: \_\_\_\_\_ Parcel: # 68-391

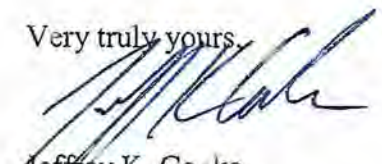
Applicant/Developer Name: FABRILIO DA SILVA

Plan Date: 12/19/18 Revision Date: 01/01/19

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

**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 [Signature]
- 1 SET FIRE CHIEF [Signature]
- 1 SET CITY ENGINEER [Signature]
- 1 SET DIRECTOR OF PLANNING [Signature]
- 1 SET CONSERVATION OFFICER (IF WETLANDS AFFECTED) [Signature]
- 1 SET BUILDING COMMISSIONER [Signature]
- 12 SETS OFFICE OF THE CITY COUNCIL \_\_\_\_\_
- 3 SETS OFFICE OF THE CITY CLERK \_\_\_\_\_ (MUST be Original & 2 Complete Sets)

[Signature]  
Signature

02/19/19  
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**

FABRÍCIO DA SILVA

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

03 JOWAS CT  
MARLBORO MA 01752

**Signature of Applicant**

A handwritten signature in black ink, appearing to read "Fabrício da Silva", is written over a horizontal line. The signature is stylized with a large initial 'F' and a long, sweeping tail.

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

---

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

Eileen Bristol

**Tax Collector**



# *City of Marlborough*

## **BUILDING DEPARTMENT**

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

**JEFFREY COOKE, C.B.O.**  
BUILDING COMMISSIONER

**PATRICK DAHLGREN**  
ASSISTANT BUILDING  
COMMISSIONER

**WILLIAM PAYNTON**  
LOCAL BUILDING INSPECTOR

**RICHARD DESIMONE**  
PLUMBING & GAS INSPECTOR

**JOHN CAIN**  
WIRING INSPECTOR

January 22, 2019

### Owner

Fabricio DaSilva  
3 Jonas Ct  
Marlborough, MA 01752

### Applicant

Fabricio DaSilva  
3 Jonas Ct  
Marlborough, MA 01752

Mr. DaSilva:

Re: 3 Jonas Ct, Marlborough, MA  
BP-2019-000058

Your application to construct a new 5' X 18', front porch at 3 Jonas Ct, Marlborough, MA Parcel ID #68-391, located in the Residence A-3 zoning district (A3) is denied as it does not comply with Chapter 650-41 of City Code of Marlborough. The "Table of Lot Area, Yards, and Height of Structures" states that your use requested requires minimum front yard set-back of 20 feet. Your proposed construction requests front yard set-back of 12'. The existing structure set back at its closest point is 17'. As a pre-existing, non-conforming lot, the construction of a new Porch that is more non-conforming requires a "Special Permit" (SP) issued by the Marlborough City Council.

The newest proposal by the applicant desires to increase the depth of the structure, thus intensifying the pre-existing conformity.

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

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

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

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

The newly proposed driveway has been denied. It does not comply with Chapter 650-41 of City Code of Marlborough. The "Table of Lot Area, Yards, and Height of Structures" states that your use requested requires Maximum lot coverage of 30% in A-3 Zone. Plan submitted Dated December 19, 2018 Proposed a lot coverage of 32%. Exceeding the maximum allowed in A-3.


Your use requested requires Zoning relief issued by the Zoning Board of Appeals.

### Mission Statement

To promote the safe and compatible development of the community through the fair and consistent enforcement of the building codes and zoning ordinances

You have the right to appeal this decision to the Zoning Board of Appeals as stated in the City Code section 650-58.

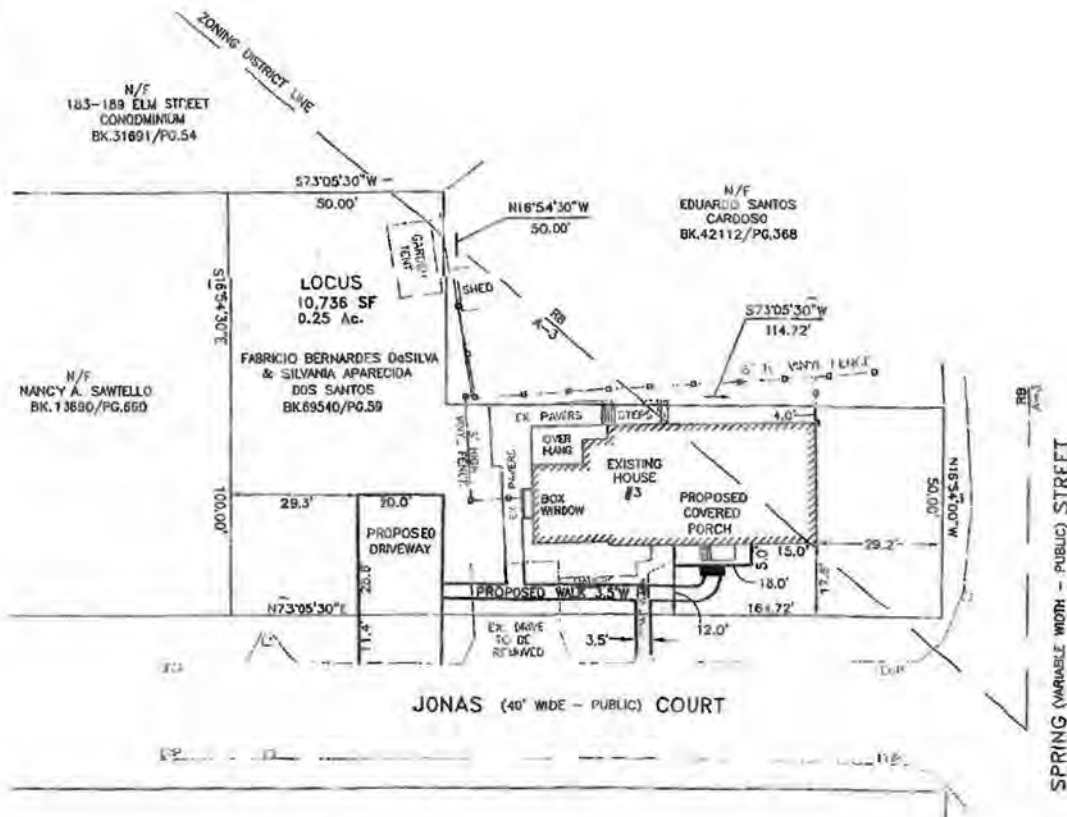
An appeal from this denial may be taken to the Zoning Board of Appeals by filing a Notice of Appeal with the City Clerk within 30 days of the date of this denial letter. Further information should be obtained from the Board of Appeals secretary, Susan Brown at 508-460-3768.



Sincerely,  
Patrick Dahlgren  
Assistant Building Commissioner

[Type here]





**NOTES:**

- 1.) THE PROPERTY SHOWN IS LISTED AS ASSESSOR'S PARCEL 391 ON MAP 68 AND IS LOCATED WITHIN ZONING DISTRICT A-3 & RB.
- 2.) THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATIONS OF PROPOSED PORCH AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.
- 3.) PROPOSED LOT COVERAGE = 29.9%  
COVERAGE ALLOWED = 30%
- 4.) AREA OF EXISTING DRIVE, WALKS AND STEPS = 821 S.F.  
AREA OF EXISTING HOUSE, OVER HANG AND BOX WINDOW = 1,869 S.F.  
EXISTING TOTAL COVERAGE = 2,690 S.F.  
EXISTING TOTAL COVERAGE = 25%  
AREA OF EXISTING HOUSE, AND PROPOSED COVERED PORCH, WALKS AND DRIVEWAY = 3,210 S.F.  
PROPOSED TOTAL COVERAGE = 29.9%

**PROPOSED  
COVERED PORCH  
& DRIVEWAY  
3 JONAS COURT  
MARLBOROUGH MA**

PREPARED FOR:  
FABRICIO DaSILVA  
3 JONAS COURT  
MARLBOROUGH, MA

PREPARED BY:  
BRUCE SALUK & ASSOCIATES, INC.  
CIVIL ENGINEERING & LAND SURVEYING  
576 BOSTON POST ROAD EAST  
MARLBOROUGH, MA 01752

DATE: DECEMBER 19, 2018  
REVISED: JANUARY 30, 2019

SCALE: 1" = 20'

**MARLBOROUGH, MA ZONING CHART**

ZONING DISTRICT "A-3" & "RB"  
ASSESSOR'S MAP 68, PARCEL 391

ITEM	ZONE A3
(MIN.) LOT AREA	12,500 S.F.
FRONTAGE	100 FT
SIDE YARD	15 FT
FRONT YARD	20 FT
REAR YARD	30 FT
BUILDING HEIGHT	2 1/2 STORIES
COVERAGE	30% (max)



EXISTING



Similar.



---

# MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 FEB 20 P 3:21

Brian R. Falk  
Mirick O'Connell  
100 Front Street  
Worcester, MA 01608-1477

February 20, 2019

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

Re: E on Main: 161-175 Main Street;  
Special Permit Application and Updated Site Plan Approval Submission

Dear Councilor Clancy:

On behalf of my client Vincenza Sambataro, I respectfully submit the enclosed application for a Special Permit for the E on Main project. Per the enclosed plans, we propose a 97,891 square foot Mixed Use Development in the Marlborough Village District at 161-175 Main Street, with 67 residential units, 50 on-site parking spaces, and street level commercial units.

Ms. Sambataro seeks a special permit for the following:

1. A 7th story and a total building height of 81 feet, including within 50 feet of a residential zone, to accommodate a roof deck with full amenities;
2. Total lot coverage of 94%;
3. A rear setback of 0 feet;
4. A Mixed Use Development over a 98 square foot portion of the project site zoned Business; and
5. A building permit for more than 100 residential units in the Village District in a single calendar year (if necessary based upon the timing of other projects in the Village District).

---

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

[www.mirickoconnell.com](http://www.mirickoconnell.com)

**MIRICK O'CONNELL**

Marlborough City Council  
February 20, 2019  
Page 2

As you may recall, Ms. Sambataro filed a Site Plan Approval application with the City Council last year, which was put on hold pending a zoning amendment. Please accept the enclosed plans as a supplement to that pending Site Plan Approval application.

In addition to these applications with the City Council, Ms. Sambataro filed a request with the City's Procurement Office to start the process of purchasing a portion of the City-owned stair land located between Main Street and Devens / McEnelly Street, to accommodate the eastern corner of the building and the reconstruction of the stairs. This real estate transaction will require the approval of the City Council.

Thank you for your time and attention to this matter.

Very truly yours,



Brian R. Falk

BRF/ljk

Encl.

cc: Client  
Bruce Saluk & Associates, Inc.  
J.D. LaGrasse & Associates, Inc.  
Arthur Bergeron, Esq.

CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2019 FEB 20 P 3:21

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Vincenza Sambataro c/o Mirick O'Connell, 100 Front Street, Worcester, MA 01608

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

161-175 Main Street; Map 70, Parcels 76A, 77, 78, 79, Portions of 33A, 34, 77A, and City stair land

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

Same.

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

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

Section 650-34.F(1); 650-34.G(1); 650-41, Attachment 2, Notes 12 and 13; 650-17, Attachment 1  
Article \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_ Sub-paragraph \_\_\_\_\_

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


Marlborough Village District; Business District (98 s.f. parcel)

7. Specific reason(s) for seeking Special Permit

The applicant plans to build a 97,891 s.f. mixed use building at 161-175 Main Street, with 67 residential units, 50 on-site parking spaces, and street level commercial units. The Applicant seeks a special permit to authorize a 7th story and a total building height of 81 feet, including within 50 feet of a residential zone, to accommodate a roof deck with full amenities. The applicant also seeks a special permit to authorize a total lot coverage of 94% and a rear setback of 0 feet. In addition, the Applicant seeks a special permit for the use over a 98 s.f. portion of the site zoned Business (B). Finally, the Applicant seeks a special permit to authorize building permits for more than 100 residential units in the Village District in a single calendar year.

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: Brian Falk, Esq.

100 Front Street, Worcester, MA 01608

Date: 2/15/2019

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

Vincenza Sambataro (E on Main)

(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**)

*Anthony C. Amodeo*  
*William K. Silverstein*  
*Paul May Jr.*

Abutters List 161-175 Main St 400 ft  
 MARLBOROUGH, MA

ap	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
9	457			MARLBORO MASONIC CORPORATION		P O BOX 265	MARLBOROUGH	MA 01752	8 NEWTON ST
9	458			EVANGELICAL BRAZILIAN CHURCH OF MAR		204 MAIN ST	MARLBOROUGH	MA 01752	204 MAIN ST
9	460			D FRANCIS MURPHY INS AGENCY INC		700 MAIN ST	MARLBOROUGH	MA 01752	196-198A MAIN ST
9	462			MULLAHY JOHN M TR	MAIN STREET REALTY TRUST	189 NOBSCOT RD	SUDBURY	MA 01776	185 MAIN ST
9	463			HART KEVIN R TR	PATRICK M HART TR	189-191 MAIN ST	MARLBOROUGH	MA 01752	189-191 MAIN ST
9	465			STEPHANIAN THOMAS H TR	SETTA M STEPHANIAN TR	258 COMMON ST	BELMONT	MA 02478	195-205 MAIN ST
9	466			MCCARTHY DAVID M		243 PARKERVILLE RD	ROUHBOROUGH	MA 01772	5 WASHINGTON CT
9	469			MULLAHY JOHN M TR	BACK LOT REALTY TRUST	489 NOBSCOT RD	SUDBURY	MA 01776	GRANT CT
9	470			CASACELI MICHAEL C	NANCY R CASACELI	15 GRANT CT	MARLBOROUGH	MA 01752	15 GRANT CT
9	472			ELPIDIO ROGERIO R	LUCIA M DA CRUZ	8 GRANT CT	MARLBOROUGH	MA 01752	8 GRANT CT
9	473			BRADLEY MARCIO OLIVEIRA		84 WASHINGTON ST	MARLBOROUGH	MA 01752	84 WASHINGTON ST
9	474			GONCALVES LINKER C	SAMYLLA D GOMES	92 WASHINGTON ST	MARLBOROUGH	MA 01752	92 WASHINGTON ST
9	477	1	1	R & J SERIES LLC		55 BRIGHAM ST	HUDSON	MA 01749	207 MAIN ST #1
9	477	1	2	CCY REALTY LLC		209 MAIN ST #2	MARLBOROUGH	MA 01752	207 MAIN ST #2
9	477	1	3	CCY REALTY LLC		59 BRIGHAM ST	HUDSON	MA 01749	207 MAIN ST #3
9	477	1	4	R & J SERIES LLC		55 BRIGHAM ST	HUDSON	MA 01749	207 MAIN ST #4
9	477	1	5	WANG JAMES ZHIYU TR	SUPERMOON REALTY TRUST	9 CALDER DR	ASHLAND	MA 01721	207 MAIN ST #5
9	477	1	6	WANG JAMES ZHIYU TR	SUPERMOON REALTY TRUST	9 CALDER DR	ASHLAND	MA 01721	207 MAIN ST #6
9	478			VASQUEZ EDWARD		27 BELLMORE RD	FRAMINGHAM	MA 01702	10 WASHINGTON CT
9	479			R & J SERIES LLC		55 BRIGHAM ST	HUDSON	MA 01749	217 MAIN ST
9	480			YAKALIS RICHARD J		69 RIVER ST	HUDSON	MA 01749	223 MAIN ST
9	483			ROMAN CATHOLIC ARCHBISHOP OF BOSTON		66 BROOKS DR	BRAINTREE	MA 02184	11 PROSPECT ST
9	484			LEDUC CHRISTOPHER	SANDRA LEDUC	12 WASHINGTON CT	MARLBOROUGH	MA 01752	12 WASHINGTON CT
9	485			GREENO MICHAEL C	LINDA A GREENO	18 WASHINGTON CT	MARLBOROUGH	MA 01752	18 WASHINGTON CT
9	486			CINCOTTA RITA M		22 WASHINGTON CT	MARLBOROUGH	MA 01752	22 WASHINGTON CT
9	487			HIGGINS JEFFREY		PO BOX 805	NORTHBOROUGH	MA 01532	22-A WASHINGTON CT
9	488			SEAY JOSEPH F JR	SALLY M SEAY	26 WASHINGTON CT	MARLBOROUGH	MA 01752	26 WASHINGTON CT
9	489			QUARANTO BRANDON	KAYLA JUPPE	110 WASHINGTON ST	MARLBOROUGH	MA 01752	110 WASHINGTON ST
9	490			BAKER BRIAN T	SUSAN L BAKER	201 CHURCH ST	MARLBOROUGH	MA 01752	112 WASHINGTON ST
9	509			SUN BRUO	YANG SHU	6 JUDITH LN APT 3	WALTHAM	MA 02452	93 WASHINGTON ST
9	519			MANNES ROBERT F JR		66259 OXFORD RD	PINELLAS PARK	FL 33782	81 WASHINGTON ST
9	520			WOOD MATTHEW A	JENNIFER L GARRON	85 WASHINGTON ST	MARLBOROUGH	MA 01752	85 WASHINGTON ST
9	521			BUTLER PAUL C		91 WASHINGTON ST	MARLBOROUGH	MA 01752	91 WASHINGTON ST
0	6			MILLER GARY R	CHERYL A MILLER	77 WASHINGTON ST	MARLBOROUGH	MA 01752	77 WASHINGTON ST
0	7			ANASTAS GAIL M		73 WASHINGTON ST	MARLBOROUGH	MA 01752	73 WASHINGTON ST
0	8			ROZA RONALDO P		69 WASHINGTON ST	MARLBOROUGH	MA 01752	69 WASHINGTON ST
0	9			GANLEY NILZADETE		110 MILL ST	FRAMINGHAM	MA 01702	65 WASHINGTON ST
0	10			LOPEZ HALIE		61 WASHINGTON ST	MARLBOROUGH	MA 01752	61 WASHINGTON ST
0	26			GROSSMAN ALAN TR	ALAN GROSSMAN TRUST	980 CAPE MARCO DR #1703	MARCO ISLAND	FL 34145	103-109 MAIN ST
0	28			DAURORA PETER V		121 MAIN ST	MARLBOROUGH	MA 01752	121 MAIN ST
0	32			149-155 MAIN STREET LJS LLC		60 LEO BIRMINGHAM PARKWAY	BRIGHTON	MA 02135	147-151 MAIN ST
0	38			TEIXEIRA HERCULANO		60 DEVENS ST	MARLBOROUGH	MA 01752	60 DEVENS ST
0	39			CARPENTER ANNABELLY Y		471 HOSMER ST	MARLBOROUGH	MA 01752	56 DEVENS ST
0	40			52 DEVENS STREET LLC		52 DEVENS ST	MARLBOROUGH	MA 01752	52 DEVENS ST
0	41			MCANDREWS SHAWN		46 DEVENS ST	MARLBOROUGH	MA 01752	46 DEVENS ST
0	42			SOSA JUAN A		42 DEVENS ST	MARLBOROUGH	MA 01752	42 DEVENS ST



Abutters List 161-175 Main St 400 ft  
MARLBOROUGH, MA

ap	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
0	52			HODNICK MICHIO		45 DEVENS ST	MARLBOROUGH	MA 01752	45 DEVENS ST
0	53			CELIBASHI KLODIANA		49 DEVENS ST FL 1	MARLBOROUGH	MA 01752	49 DEVENS ST
0	54			KEENE ROBERT D SR LI EST		42 WASHINGTON ST	MARLBOROUGH	MA 01752	42 WASHINGTON ST
0	55			HERNANDEZ OSBAN OSBEL BARRERA		46 WASHINGTON ST	MARLBOROUGH	MA 01752	46 WASHINGTON ST
0	56			WOZNIAK CHESTER E		52 WASHINGTON ST	MARLBOROUGH	MA 01752	52 WASHINGTON ST
0	58			TAYLOR PETER W	MARY E TAYLOR	53 DEVENS ST	MARLBOROUGH	MA 01752	53 DEVENS ST
0	59			LUGO DAYSI M	VICTOR LUGO	55 DEVENS ST	MARLBOROUGH	MA 01752	55 DEVENS ST
0	60			RABIDOU PAUL R	ROSEMARY M RABIDOU	67 DEVENS ST	MARLBOROUGH	MA 01752	67 DEVENS ST
0	61			RESNICK MARC TR	LOUIE REALTY TRUST	138 HARVARD AVE	ALLSTON	MA 02134	19 MCENELLY ST
0	62			PARENT ANTHONY		23 MCENELLY ST	MARLBOROUGH	MA 01752	23 MCENELLY ST
0	63			FILHO GERALDO A	RAFAEL A FARIAS & CAROL FUNNARI	29 MCENELLY ST	MARLBOROUGH	MA 01752	29 MCENELLY ST
0	64			HINCKLEY STEPHANIE A TR	MRH LIVING TRUST	115 MOOSEHEAD TRAIL	WALDO	ME 04915	58 WASHINGTON ST
0	65			DOMINGUE ANNE R	JANICE R MCCrackEN & HAROLD R DOMIN	64 WASHINGTON ST	MARLBOROUGH	MA 01752	64 WASHINGTON ST
0	66			STRATEGAKIS PAULA F TR	PFS REALTY TRUST	10 CLEVERSEY DR	MARLBOROUGH	MA 01752	68 WASHINGTON ST
0	67			NDEGWA CAROL W		74 WASHINGTON ST	MARLBOROUGH	MA 01752	74 WASHINGTON ST
0	68			SOUSA FERNANDO		78 WASHINGTON ST	MARLBOROUGH	MA 01752	78 WASHINGTON ST
0	69			WONL PROPERTIES LLC	C/O JEFFREY HIGGINS	P O BOX 805	NORTHBOROUGH	MA 01532	30 MCENELLY ST
0	70			ALLEN CHRISTOPHER JR		26 MCENELLY ST	MARLBOROUGH	MA 01752	26 MCENELLY ST
0	71			SOMRINHO BENEDITO	MARIA DIVINA N ROGUE	24-A MCENELLY ST	MARLBOROUGH	MA 01752	24-A MCENELLY ST
0	73			BATRES NOBERTO A		12 GRANT CT	MARLBOROUGH	MA 01752	12 GRANT CT
0	74			GRANATER BERNADETE A	WAGNEL C NASCIMENTO	16 GRANT CT	MARLBOROUGH	MA 01752	16 GRANT CT
0	75			XIAO LI		11 BOXFORD TER	BOSTON	MA 02132	24 GRANT CT
0	76			149-165 MAIN STREET LJS LLC		60 LEO BIRMINGHAM PARKWAY	BRIGHTON	MA 02135	20 MCENELLY ST
0	78			SHMBATARO VINCENZA		20 INDIAN ROCK RD	WAYLAND	MA 01778	167-171 MAIN ST
0	80			S-BNK MARLBORO LLC		PO BOX 841001 MA1-MB2-03-	BOSTON	MA 02284-1001	179 MAIN ST
0	132			UNITED STATES POST OFFICE		20 FLORENCE ST	MARLBOROUGH	MA 01752	20 FLORENCE ST
0	134			THE DOCTORS OF MARLBOROUGH LLC		11 COURT ST	MARLBOROUGH	MA 01752	FLORENCE ST
0	135			THE DOCTORS OF MARLBOROUGH LLC		11 COURT ST	MARLBOROUGH	MA 01752	150 MAIN ST
0	137	126	1	BABOLI LLC	C/O SEYED ZAMIRI	7 ROCKLAWN RD	WESTBOROUGH	MA 01581-3945	126 MAIN ST #1
0	137	128	2	BABOLI LLC	C/O SEYED ZAMIRI	7 ROCKLAWN RD	WESTBOROUGH	MA 01581-3945	128 MAIN ST #2
0	137	130	3	TSIANATELIS HARALAMBOS TR	ALEXANDER TSIANATELIS TR	15 FOWLER ST	MARLBOROUGH	MA 01752	130 MAIN ST #3
0	137	132	4	XANTHOPOULOS THEODOROS TR	132 MAIN STREET REALTY TRUST	28 PERRY HENDERSON DR	FRAMINGHAM	MA 01701	132 MAIN ST #4
0	137	134	5	TSIANATELIS STEVE TR	TSIANATELIS FIVE REALTY TRUST	15 FOWLER ST	MARLBOROUGH	MA 01752	134 MAIN ST #5
0	137	136	6	TSIANATELIS STEVE TR	TSIANATELIS SIX REALTY TRUST	15 FOWLER ST	MARLBOROUGH	MA 01752	136 MAIN ST #6
0	139			MOUNTZOURIS PETER TR	MOUNTZOURIS REALTY TRUST	845 ELM ST	MARLBOROUGH	MA 01752	116 MAIN ST
0	147			DOWNTOWN MARLBOROUGH LLC		11 COURT ST	MARLBOROUGH	MA 01752	17-21 WEED ST
0	149			GOLDEN JAMES III TR	MERCHANTS REALTY TRUST	186 MAIN ST	MARLBOROUGH	MA 01752	186 MAIN ST
0	527	1	101	BISSETTI JACIMAR TADEU	ELIANA BISSETTI	15 DICKENSON WAY #92L	MARLBOROUGH	MA 01752	100 GRANGER BLVD #101
0	527	1	102	BARONE JOSEPH A TR	JAJ REALTY TRUST	100 GRANGER BLVD #102	MARLBOROUGH	MA 01752	100 GRANGER BLVD #102
0	527	1	103	ALEXANDER SCOTT		172 PAR DR	ROYAL PALM BEAC	FL 33411	100 GRANGER BLVD #103
0	527	1	104	ARAUJO CELSO D		271 BOSTON POST RD EAST #	MARLBOROUGH	MA 01752	100 GRANGER BLVD #104
0	527	1	105	GIROUX SCOTT S		230 EVELINA DR	MARLBOROUGH	MA 01752	100 GRANGER BLVD #105
0	527	1	106	GRANGER BOULEVARD REALTY LLC		1359 CENTRE ST	NEWTON	MA 02459	100 GRANGER BLVD #106
0	527	1	201	SANTOS ANA CELIA PINHEIRO		100 GRANGER BLVD #201	MARLBOROUGH	MA 01752	100 GRANGER BLVD #201
0	527	1	202	ARAUJO CELSO D		241 BOSTON POST RD EAST #	MARLBOROUGH	MA 01752	100 GRANGER BLVD #202
0	527	1	203	RIBEIRO ANGELICA	C/O ANGELICA ARAUJO	100 GRANGER BLVD #203	MARLBOROUGH	MA 01752	100 GRANGER BLVD #203

Abutters List 161-175 Main St 400 ft  
MARLBOROUGH, MA

ap	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
0	527	1	204	FLANNERY WILLIAM TR	SANDRA FLANNERY TR	945 LENOX RD	RICHMOND	MA 01254	100 GRANGER BLVD #204
0	527	1	205	GALVAO ROGERIO	PRICILA SALVAO	32 GIKAS LN	MARLBOROUGH	MA 01752	100 GRANGER BLVD #205
0	527	1	206	BASSETTI ADRIANO D	C/O ANGELITA JANEIRO	58 FORT MEADOW DR	HUDSON	MA 01749	100 GRANGER BLVD #206
0	527	1	301	DACOSTA ALMIR R	GERCIELE N SILVERIO DACOSTA	100 GRANGER BLVD #301	MARLBOROUGH	MA 01752	100 GRANGER BLVD #301
0	527	1	302	GARRON EILEEN E		100 GRANGER BLVD #302	MARLBOROUGH	MA 01752	100 GRANGER BLVD #302
0	527	1	303	RODRIGO LAGE TR	RODRIGO LAGE REVOCABLE LIVING TRUST	100 GRANGER BLVD #303	MARLBOROUGH	MA 01752	100 GRANGER BLVD #303
0	527	1	305	SANTOS RAFAEL P		100 GRANGER BLVD #305	MARLBOROUGH	MA 01752	100 GRANGER BLVD #305
0	527	1	306	ARAUJO CELSO		271 BOSTON POST RD EAST #	MARLBOROUGH	MA 01752	100 GRANGER BLVD #306
0	527	1	401	ALDEN DOUGLAS K TR	DOUGLAS K ALDEN 2017 LIVING TRUST	5 FLOYD ST #2	WALTHAM	MA 02453	100 GRANGER BLVD #401
0	527	1	402	FRIED TATIANA H		100 GRANGER BLVD #402	MARLBOROUGH	MA 01752	100 GRANGER BLVD #402
0	527	1	403	FRIEST DOLORES A		100 GRANGER BLVD #403	MARLBOROUGH	MA 01752	100 GRANGER BLVD #403
0	527	1	404	BASSETTI ADRIANO	C/O ANGELITA JANEIRO	58 FORT MEADOW DR	HUDSON	MA 01749	100 GRANGER BLVD #404
0	527	1	405	STWKO CHRISTOPHER	ALEXANDRIA E BARKER	100 GRANGER BLVD #405	MARLBOROUGH	MA 01752	100 GRANGER BLVD #405
0	527	1	406	MARRERO ANA R		22-26 OAKES ST #4	EVERETT	MA 02141	100 GRANGER BLVD #406
0	527	1	501	SULLIVAN JESSICA R		100 GRANGER BLVD #501	MARLBOROUGH	MA 01752	100 GRANGER BLVD #501
0	527	1	502	ARAUJO CELSO D		271 BOSTON POST RD EAST #	MARLBOROUGH	MA 01752	100 GRANGER BLVD #502
0	527	1	503	DEALMEIDA PAULO		100 GRANGER BLVD #503	MARLBOROUGH	MA 01752	100 GRANGER BLVD #503
0	527	1	504	ARAUJO CELSO D		271 BOSTON POST RD EAST #	MARLBOROUGH	MA 01752	100 GRANGER BLVD #504
0	527	1	505	LANES HARLEN		38 LEOLEIS DR	MARLBOROUGH	MA 01752	100 GRANGER BLVD #505
0	527	1	506	WALL DIANE F		100 GRANGER BLVD #506	MARLBOROUGH	MA 01752	100 GRANGER BLVD #506
0	53A			HARE ALVA E		51 DEVENS ST	MARLBOROUGH	MA 01752	51 DEVENS ST
0	60A			JEAN-PIERRE DOMINIQUE		27 REYNOLDS CT	MARLBOROUGH	MA 01752	59 DEVENS ST
0	60B			HIGGINS JEFFREY		PO BOX 805	NORTHBOROUGH	MA 01532	61 DEVENS ST
0	60C			BUCKLEY JOHN E III	CHERYL A BUCKLEY	65 DEVENS ST	MARLBOROUGH	MA 01752	65 DEVENS ST

## SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Vincenza Sambataro Address: c/o Mirick O'Connell, 100 Front Street, Worcester, MA 01608

Project Name: E on Main Address: 161-175 Main Street

1. PROPOSED USE: (describe) Mixed use with 67 residential units, 50 on-site parking spaces and street level commercial space.

2. EXPANSION OR NEW: New.

3. SIZE: floor area sq. ft. 97,891 1<sup>st</sup> floor 19,322 all floors 97,891

# buildings 1 # stories 7 lot area (s.f.) 23,242

4. LOT COVERAGE: 94 %Landscaped area: 6 %

5. POPULATION ON SITE: Number of people expected on site at anytime:  
Normal: 45 Peak period: 110

6. TRAFFIC:  
(A) Number of vehicles parked on site:  
During regular hours: 20 Peak period: 50

(B) How many service vehicles will service the development and on what schedule?  
Standard deliveries for trash pickup and service for the residential and commercial uses.

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

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. Same as surrounding area.

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: 2/19/2019

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: E on Main

Project Use Summary: Mixed use residential and retail.

Project Street Address: 161 - 175 Main Street

Plate: 70 Parcel: 76A, 77, 78, 79; Portions of 33A, 34, 77A, and City stair land.

Applicant/Developer Name: Vincenza Sambataro

Plan Date: 1-15-18 Revision Date: 2-15-19

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**

\$190.00

300 1<sup>st</sup> 3 units  
1600 64 units @ 25



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

  
\_\_\_\_\_  
Signature

2/20/2019  
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**

Vincenza Sambataro

---

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

c/o Mirick O'Connell

---


100 Front Street, Worcester, MA 01608

---

**Signature of Applicant**

---

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

 Brian R. Falk, Esq.

---

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



---

**Tax Collector**

# E ON MAIN

## 163-175 MAIN STREET MARLBOROUGH, MA

### SITE PLAN -AMENDED-

MARLBOROUGH, MA ZONING CHART		
THE LAND SHOWN IS LISTED AS ASSESSOR LOTS 76A, 77-78 AND A PORTION OF LOTS 73A, 74, 77A ON MAP 70-20 CITY STREETWAY LOTS WITH THE EXCEPTION OF PARCEL 76A, THE PROPERTY IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT (A11), *3		
ITEM	REQUIRED	PROPOSED
LOT AREA (MIN.)	5000 SF	23,242 SF *1
FRONTAGE	0 FT	207.89 FT *1
FRONT SETBACK	0 FT	0 FT
SIDE SETBACK	0 FT	0 FT
REAR SETBACK	10 FT	10 FT ABOVE GROUND 0 FT UNDERGROUND *5
OVERLANDS	80% MAX	84% *2
BUILDING HEIGHT	70 FT (MAX)	81 FT *3
REQUIRE FROM A RESIDENTIAL DISTRICT	-----	PROPERTY COHERENT WITH ZONE *2
TOTAL PRIVATE OPEN SPACE	5700 SF	>6700 SF *4

PARKING SCHEDULE		
ITEM	REQUIRED	PROPOSED
SIBING & BEDROOM (36 UNITS @ 0.75)	27	-----
3 BEDROOM (31 UNITS @ 1.25)	39	-----
TOTAL PARKING	66	50 (42 QUALIFYING) *6
COMPACT PARKING	33% MAX	22 (14 QUALIFYING) *6
STANDARD PARKING	-----	26
ACCESSIBLE PARKING	2 FOR 50 SPACES	2

- FOOTNOTES:**
- \*1 REFER TO SECTION 80B-17 OF 803 CODE TO BE ENFORCED BY THE DEVELOPER FOLLOWING CITY OFFICIALS ASSESSOR PARCEL 70-26A WILL MERGE WITH PARCEL 70-77 WHEN THE CITY UPDATES THE ASSESSOR MAPS. THE 98 SF ASSESSOR PARCEL 70-76A AT THE REAR OF THE PROPERTY IS LOCATED IN THE BUSINESS ZONE. THE APPLICANT IS SEEKING A SPECIAL PERMIT FOR A MIXED USE DEVELOPMENT IN A BUSINESS ZONE FOR ASSESSOR PARCEL 70-76A.
  - \*2 SPECIAL PERMIT SUBJECT FOR AN INCREASE IN MAXIMUM COVERAGE IN SECTION 800-41.
  - \*3 SPECIAL PERMIT SUBJECT TO AN OR FOR AN INCREASE IN HEIGHT IN SECTION 800-34(7)(4) TO 7 SPACES AND UP TO 85 FT, INCLUDING WITHIN 50 FT OF A RESIDENTIAL ZONE.
  - \*4 REFER TO SECTION 80B-34(1)(4) IS SUBJECT TO ALLOW OPEN SPACE REQUIREMENT TO BE MET. NEW LIFT BALCONIES AND COMMON SPACE LOCATED ABOVE THE GROUND LEVEL.
  - \*5 SPECIAL PERMIT TO SECTION 805-41 IS SOUGHT FOR A 0 FT REAR UNDERGROUND SETBACK.
  - \*6 THERE ARE 50 SPACES SHOWN ON THE PLAN. 22 COMPACT AND 28 STANDARD AND ACCESSIBLE SPACES. EIGHT (8) COMPACT SPACES THAT EXCEED THE 33% ALLOWED COMPACT SPACES ARE NOT LISTED IN THE PARKING SCHEDULE AS QUALIFYING. PAYMENT OF LESS OF THIS SHALL BE MADE FOR SECTION 800-34(1)(2).



OWNER & APPLICANT:

VINCENZA JAMBATARO  
c/o MIRICK O'CONNELL  
100 FRONT STREET  
WORCESTER, MA 01608  
TEL: 508-929-1878 (ATTY. BRIAN R. FALK)

ARCHITECT:

JD LaGrassa & Associates, Inc.  
Architects, Engineers & Land Planners  
One Elm Square  
ANDOVER, MA 01810  
TEL: 978-470-3875

ENGINEER & SURVEYOR:

BRUCE SALUK & ASSOC., INC.  
CIVIL ENGINEERING & LAND SURVEYING  
578 BOSTON POST ROAD EAST  
MARLBOROUGH, MA 01752  
TEL: 508-485-1862  
FAX: 508-481-9929

#### SHEET INDEX

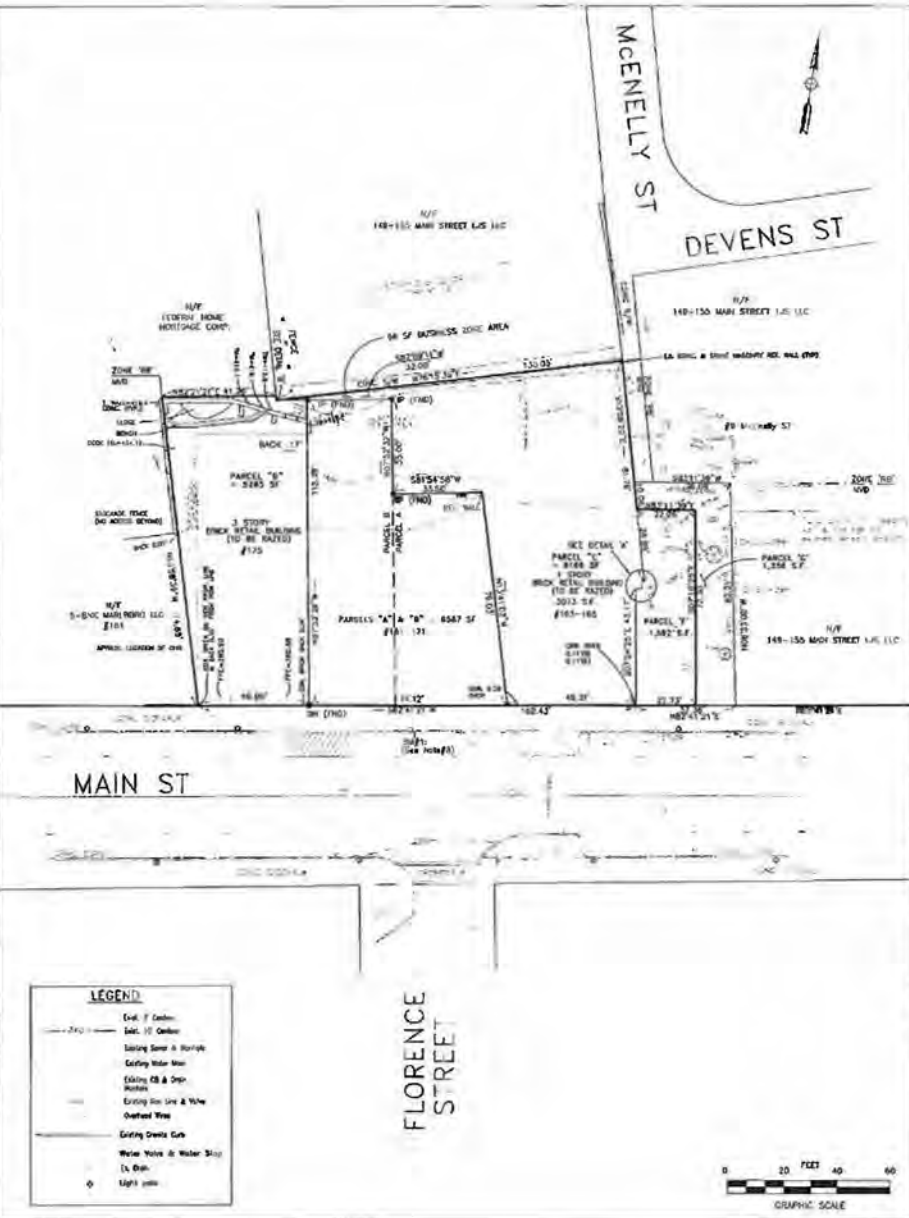
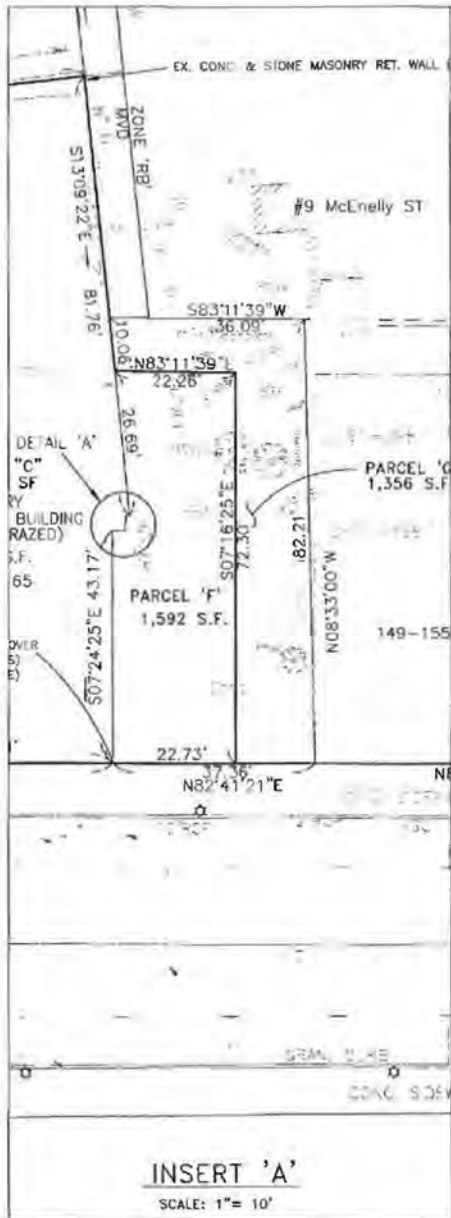
	DATE	REV. DATE
COVER SHEET	1-15-18	2-15-19
EX: EXISTING CONDITIONS	1-15-18	2-15-19
C1: LAYOUT PLAN	1-15-18	2-14-19
C2: GRADING & EROSION CONTROL	1-15-18	2-14-19
C3: DRAINAGE, WATER, SEWER & UTILITIES	1-15-18	2-14-19
C4: PLAN & PROFILE	5-23-18	2-14-19
C5: PLANTING	1-15-18	2-14-19
C6: DETAILS	1-15-18	5-31-18
C7: DETAILS	1-15-18	2-14-19
C8: DETAILS	7-17-18	-----

SITE PLAN APPROVAL # \_\_\_\_\_

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN

APPROVED:

ENGINEERING:	_____	DATE: _____
BUILDING:	_____	DATE: _____
CONSERVATION:	_____	DATE: _____
FIRE DEPT:	_____	DATE: _____
POLICE DEPT:	_____	DATE: _____
BOARD OF HEALTH:	_____	DATE: _____



<p>OWNER &amp; APPLICANT: BRUCE SALER &amp; ASSOC., INC. 160 FLORENCE STREET WILBOROUGH, MA 01898 (ATTY. BRIAN N. FAY)</p>	<p>DATE: JANUARY 15, 2018</p>
<p>PREPARED BY: BRUCE SALER &amp; ASSOC., INC. 160 FLORENCE STREET WILBOROUGH, MA 01898 TEL: 508-781-8823</p>	<p>EXISTING CONDITIONS PLAN E ON MAIN 163-175 MAIN STREET - MAP BOROUGH, MA</p>
<p>FILE: 201801-001</p>	<p>EX</p>

**NOTES:**

1.) PARCELS A, B, C & D, CONSISTING OF 28,650 (20,000) ARE OWNED BY VINCENZA SABBAGHO. PARCELS A & B ARE LISTED AS ASSASSIN LOTS 78A, 77, 78, 79 ON MAP 70. PARCEL 78A WILL MERGE WITH PARCEL 77 WHEN THE CITY UPDATES THE ASSASSIN MAPS.

PARCEL Y (1,592 SF) INCLUDES 4 SMALLER PARCELS, THREE ARE OWNED BY THE WILBOROUGH COMMUNITY DEVELOPMENT CENTER/STREET. THE 4TH PARCEL IS A PORTION OF THE STAIRWAY LOTS OWNED BY THE CITY OF WILBOROUGH. THE AREA IS LISTED AS ASSASSIN LOTS 30A, 77A & 3A ON MAP 70. THE CITY LAND IS NOT LISTED AS A SEPARATE LOT ON THE ASSASSIN MAP.

WITH THE EXCEPTION OF THE 90 SF BUSINESS ZONE AREA SHOWN, THESE PROPERTIES ARE LOCATED IN THE WILBOROUGH VILLAGE DISTRICT (EMD). THE PROPERTY IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP #2591700481Y, DATED JULY 7, 2014.

2.) PLAN REFERENCES:  
 PLANS 1506 OF 1925 IN BK 12910 PG 355  
 PLAN 155 OF 1978 IN BK 12855 PG 116  
 PLAN 517 OF 1981 IN BK 14225 PG 23  
 LAND COURT "LAW" 1458A BK 141 PG 497

PARCELS "A" & "B" SHOWN ARE LISTED AS 163-171 MAIN STREET AND THE DEED REFERENCE IS BK 10,181 PG 571  
 PARCEL "C" SHOWN IS LISTED AS 163-185 MAIN STREET AND THE DEED REFERENCE IS BK 10,181 PG 571.  
 PARCEL "D" SHOWN IS LISTED AS 175 MAIN STREET AND THE DEED REFERENCE IS BK 15,110 PG 42.

PARCEL "Y" DOCUMENTS SH 4 PARCELS WITH DEED REFERENCES BK 12910 PG 355, BK 12845 PG 116, BK 12830 PG 544 AND THE BOOK & PAGE FOR THE SURVEY PARCEL TO BE UNRESOLVED BY TITLE.

3.) THE ELEVATIONS SHOWN ARE ON THE NATIONAL GEODESIC VERTICAL DATUM OF 1928 (1928 NAVD).

4.) THE ASTRIUM SURVEY SHOWN WAS PERFORMED DURING JULY 2016.

5.) THE UTILITIES SHOWN ON THIS PLAN ARE PARTLY FROM EXISTING MUNICIPAL UTILITIES WORK SHEETS, RECORD DRAWINGS AND ARE APPROXIMATE ONLY. THERE MAY BE EXISTING LINES OTHER THAN THOSE SHOWN HEREON. THE ENGINEER IS REQUIRED TO CONTACT THE PROPER UTILITY COMPANIES & DO SAFE PRIOR TO BEGINNING WORK. OUR FIRM DOES NOT WARRANT OR GUARANTEE THE LOCATION OF ANY UTILITY, PUBLIC AND SERVICES.

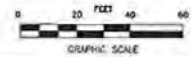
6.) THE SURVEY SHOWN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE AND IS SUBJECT TO CHANGE, BUT SAID TITLE MAY DEVELOPE.

7.) THE DEED FOR PARCEL "C" DOES NOT EXCEPT FROM THE LOCUS PREMISES A 90 SF PARCEL SHOWN AS LOT A-1 RECORDED BY PLAN 217 OF 1981.

8.) BENCHMARKS:  
 BM#1 = CHISELED SQUARE ON LIXI-HOLE BASE, ELEV=300.77  
 BM#2 = CHISELED SQUARE IN COR. OF GRANITE BLOCK BEHIND CITY HALL FRONT STEPS, ELEV=305.81

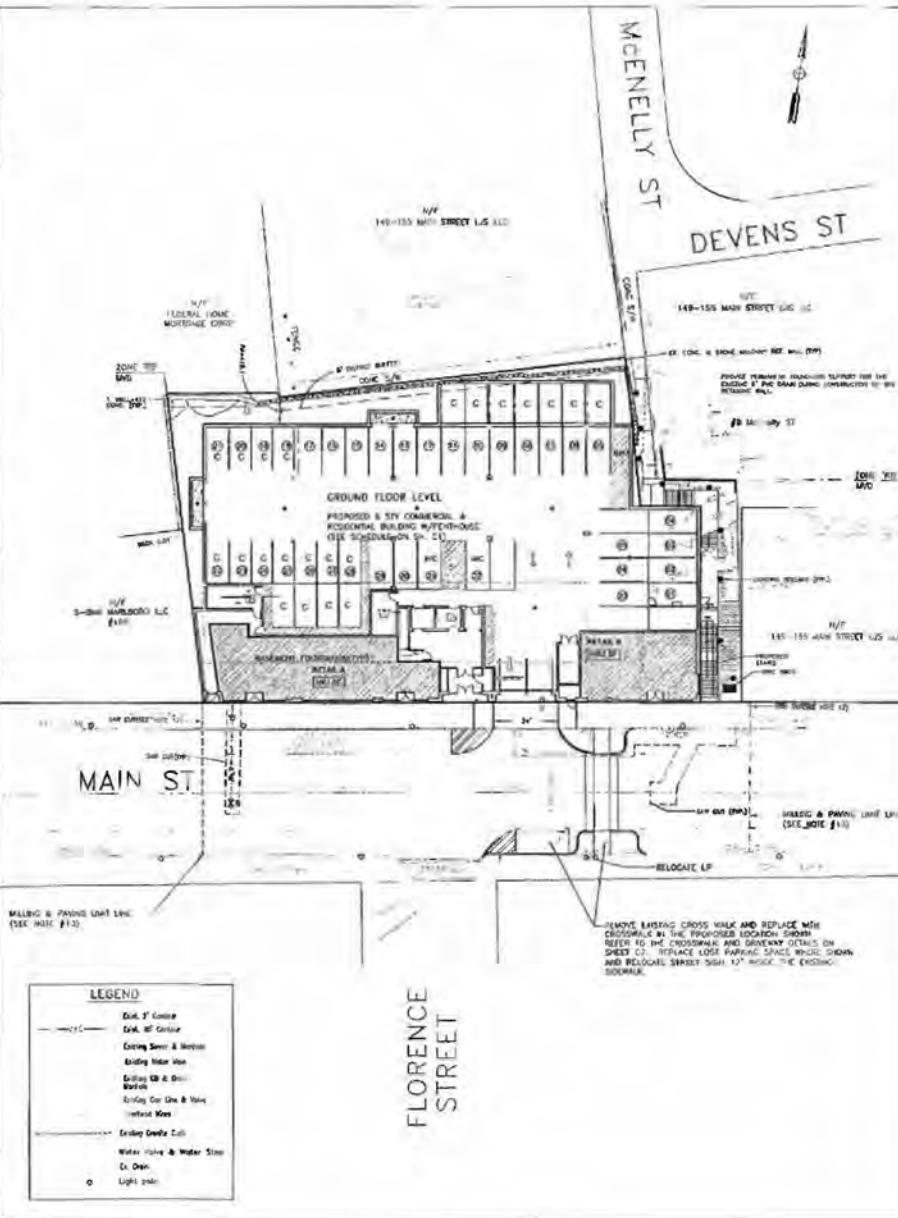
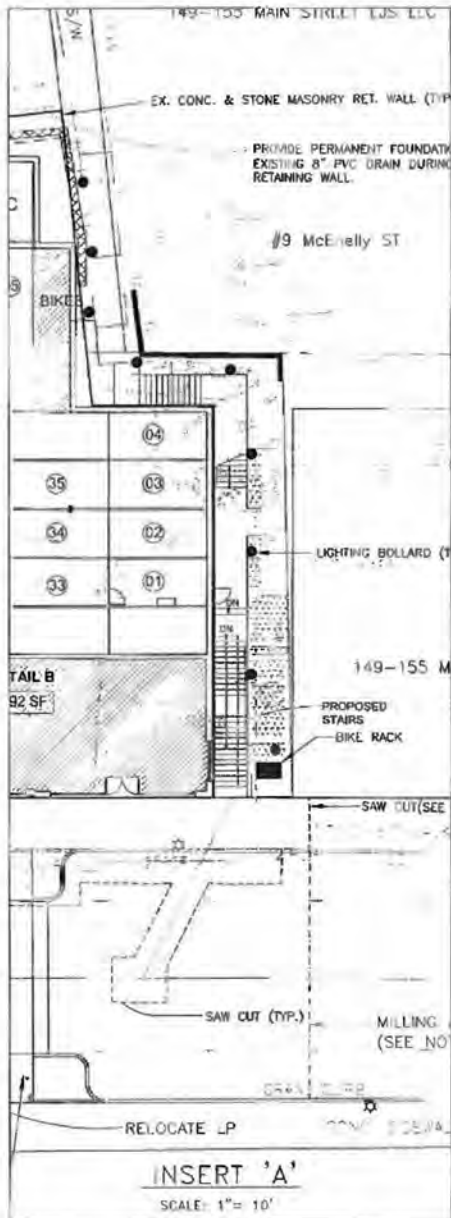
**LEGEND**

--- (Dashed line)	Ext. of Center
--- (Dotted line)	Ext. of Center
--- (Long dashed line)	Existing Sewer & Storm
--- (Short dashed line)	Existing Water Main
--- (Dash-dot line)	Existing Gas & Sept. Mains
--- (Dash-dot-dot line)	Existing Fire Line & Tele
--- (Solid line)	Overlaid Wire
--- (Dotted line)	Existing Utility Cuts
--- (Dashed line)	Water Valve & Water Stop
--- (Dash-dot line)	1/4" Chain
◆ (Diamond)	Light pole



INSERT 'A'  
SCALE: 1" = 10'





- NOTES:**
- 1) THE BUILDING USE AND AREA SCHEDULE IS AS FOLLOWS:  
GROUND FLOOR (ELEV. 101.00)  
- COMMERCIAL SPACE  
- LOBBY, VESTIBULE, MAIL ROOM, STAIRS, ELEVATOR &  
WASH/RECYCLE & EGRESS  
GRADE PARKING AREA (51 SPACES)
  - 2) LOT COVERAGE:  
SEE ZONING SCHEDULE ON THE COVER SHEET
  - 3) ANY WORK NOTIFICATION, AS DETERMINED BY THE CITY ENGINEER, TO THE CITY ENGINEER AS A MAJOR PLAN REVIEW FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED. THE CONTRACTOR SHALL BE PROPERLY LICENSED AND QUALIFIED WITH THE CITY PRIOR TO CONSTRUCTION, AND SHALL OBTAIN A STREET CLOSURE PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE CITY RIGHT OF WAY.
  - 4) ALL HANDICAP PARKING, RAMP AND ACCESS SHALL CONFORM TO AND REQUIREMENTS REFER TO 521 CMR.
  - 5) ALL PAINTWORK MARKINGS AND SIGNS SHALL CONFORM TO MAJOR REQUIREMENTS.
  - 6) ALL PROPOSED SIGNAGE SHALL COMPLY WITH THE EXISTING CITY OF MARLBOROUGH SIGN ORDINANCE.
  - 7) TURNING TYPE & EXTRASIGNS SIGNAGE ARE SUBJECT TO APPROVALS BY THE CITY OF MARLBOROUGH PER THE ROAD OPENING PERMIT REQUIREMENTS.
  - 8) ALL MATERIALS/CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH THE CODES OF THE CITY OF MARLBOROUGH. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY CONSTRUCTION COMMISSION REQUIREMENTS (SEE SHEET 'C' FOR ADDITIONAL REQUIREMENTS).
  - 9) CITY INSPECTORS REQUIRE A MINIMUM NOTICE OF 24 HOURS PRIOR TO CONSTRUCTION.
  - 10) REFER TO THE GRADING PLANS (C2) NOTES CONCERNING CURB/CORNER CUTS.
  - 11) REFER TO THE ARCHITECTS PLAN FOR BUILDING AREA & SERVICE LIGHTING AND SIGNAGE.
  - 12) SPOKEMAN SAW CUTS SHALL BE AT THE NEAREST PANEL JOINT ON THE EXTERIOR FACE OF THE SAW CUTS SHOWN. THE SPOKEMAN ALONG THE PERIMETER OF THE PROPERTY SHALL BE REPLACED WHERE LOCATION FOR THE BUILDING FOUNDATION EXISTURES OR COMPROMISE THE INTEGRITY OF THE EXISTING SIDEWALK. EROSION CONTROL MEASURES TO CONTROL SLOPE CUTS AND THE EXISTING SIDEWALK SHALL BE FURNISHED & FLOURED THE FULL WIDTH OF THE SIDEWALK AND FURNISHED TO LEAVE A FINISH FOR THE BRICK TO BE SET TOP OF THE CONCRETE. THE CONCRETE SIDEWALK SHALL BE FURNISHED WITH THE NEW SIDEWALK.
  - 13) THE SECTION OF MAIN STREET ALONG THE PROJECT FOOTPRINT SHALL BE WIDENED & REPAVED FROM CURB TO CURB TO ENCOMPASS ALL TRENCHES AND SIDEWALK/CLUB RECONSTRUCTION. THIS WILL FACILITATE REMOVAL OF THE OLD BRICK CHAMBER AND PAVED CROSSWALK AND THE CONSTRUCTION OF THE NEW SEALED BRICK PATIEN CROSSWALK IN THE NEW PAVEMENT. SEE THE CROSSWALK DETAIL ON SHEET 'C'.
  - 14) A PRE-CONSTRUCTION MEETING IS REQUIRED BETWEEN THE DEVELOPER/CONTRACTOR, POLICE AND FIRE DEPARTMENTS. A TRAFFIC MANAGEMENT PLAN SHALL BE SUBMITTED TO THE CITY OFFICIALS 5 DAYS PRIOR TO THE MEETING.
  - 15) SEE SHEET 'C' FOR ABANDONMENT, REPLACEMENT AND REPAIR OF EXISTING OVERHEAD ELECTRIC, TELEPHONE, CABLE, GAS/STEAM/HEAT, GAS, WATER, AND SEWER SERVICES.
  - 16) SEE SHEET 'C' FOR ALL PROPOSED OR EXISTING WATER, GAZ, GRADE FLOOR DRAINAGE/SEWER AND DRAIN CONNECTIONS.
  - 17) REPLACEMENT OF THE EXISTING STAIRWAY AND SIDEWALK BETWEEN MAIN STREET AND THE REAR PROPERTY LINE SHALL BE PROVIDED BY THE DEVELOPER. THE REPLACE SECTION OF THE STAIRWAY AND SIDEWALK SHALL INCLUDE A METAL ELECTRICAL LEADING SYSTEM. THE ELECTRICAL CONNECTION FOR STAIRWAY HEATING & LIGHTING SHALL BE ON A SEPARATE METERS THAT IS PAID BY THE CITY. THE PROPOSED STAIRWAY DESIGN SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.

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

DATE: JANUARY 15, 2018

OWNER & APPLICANT:  
149-155 MAIN STREET LLC  
C/O MICHAEL O'CONNELL  
100 NORTH STREET  
MARLBOROUGH, MA 01501  
(ATTY. JERAM R. TALK)

PREPARED BY:  
A. ASSOCIATES, INC.  
CIVIL ENGINEERING & LAND SURVEYING  
275 HUNTON FOST ROAD EAST  
MARLBOROUGH, MA 01501  
(TEL) 508-461-1828  
(FAX) 508-461-1829

100-70001-01

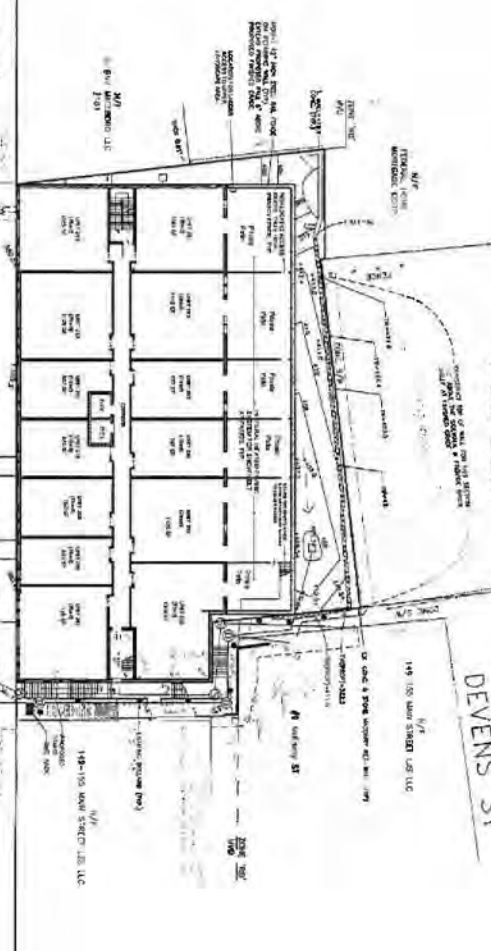
**C1**

100-70001-01

FLORENCE STREET

MAIN ST

MCENNELLY ST  
DEVENS ST



REMOVE EX. CEILING PROFILES AND CEILING LIGHT FIXTURES

- GRADING & EROSION CONTROL NOTES**
- 1) A schedule shall be submitted. See Note 1001.
  - 2) All grading shall be done in accordance with the Massachusetts Grading and Erosion Control Act, Chapter 268A, Section 10A. All grading shall be done in accordance with the Massachusetts Grading and Erosion Control Act, Chapter 268A, Section 10A. All grading shall be done in accordance with the Massachusetts Grading and Erosion Control Act, Chapter 268A, Section 10A.
  - 3) The contractor shall be responsible for obtaining all necessary permits and approvals from the local authority having jurisdiction.
  - 4) The contractor shall be responsible for maintaining all existing utilities and structures during the grading process.
  - 5) The contractor shall be responsible for providing adequate erosion control measures throughout the grading process.
  - 6) The contractor shall be responsible for providing adequate sediment control measures throughout the grading process.
  - 7) The contractor shall be responsible for providing adequate silt fence measures throughout the grading process.
  - 8) The contractor shall be responsible for providing adequate stormwater management measures throughout the grading process.
  - 9) The contractor shall be responsible for providing adequate site stabilization measures throughout the grading process.
  - 10) The contractor shall be responsible for providing adequate site revegetation measures throughout the grading process.

**LEGEND**

1/4" = 1' Grading	1/4" = 1' Grading
1/4" = 1' Grading	1/4" = 1' Grading
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**GRADING PLAN**  
**E ON MAIN**  
 - 163-175 MAIN STREET -  
 MARLBOROUGH, MA

PREPARED BY:  
**BRUCE SALUK & ASSOC., INC.**  
 CIVIL ENGINEERS  
 278 BOSTON POST ROAD EAST  
 MARLBOROUGH, MA 01752  
 TEL: 508-485-1852  
 FAX: 508-485-1852

OWNER & APPLICANT:  
**VINCENZA SAMBATARO**  
 c/o WILKINSON  
 100 FRONT STREET  
 WORCESTER, MA 01608  
 TEL: 508-853-1178  
 (ATTY: BRIAN R. FAUK)

DATE: JANUARY 15, 2018

**C2**

NO.	DATE	DESCRIPTION
1	01/15/18	ISSUED FOR PERMIT
2	01/15/18	ISSUED FOR PERMIT
3	01/15/18	ISSUED FOR PERMIT
4	01/15/18	ISSUED FOR PERMIT
5	01/15/18	ISSUED FOR PERMIT



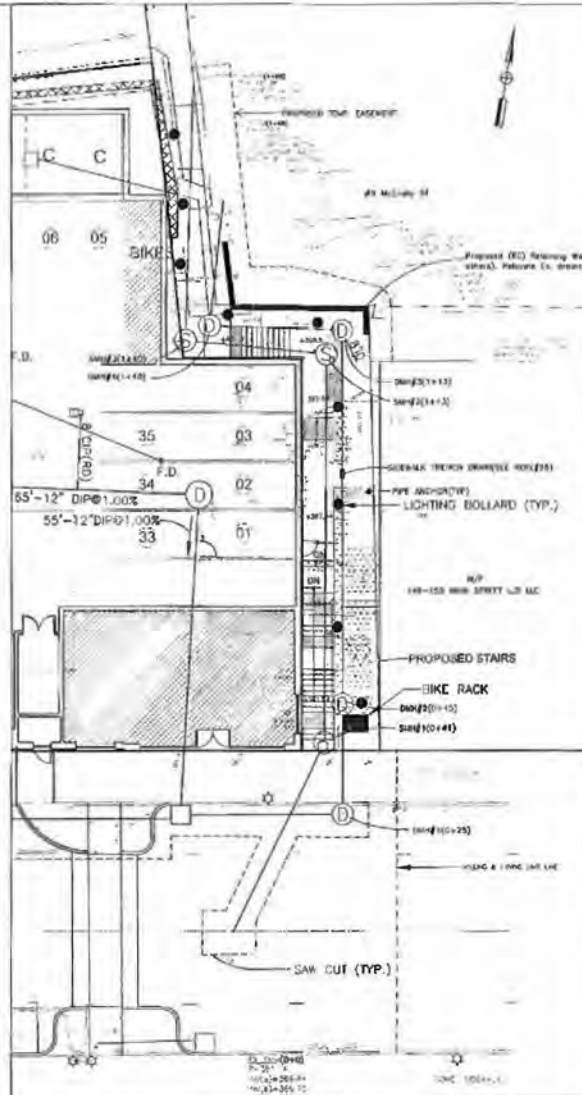


**SEWER NOTES:**

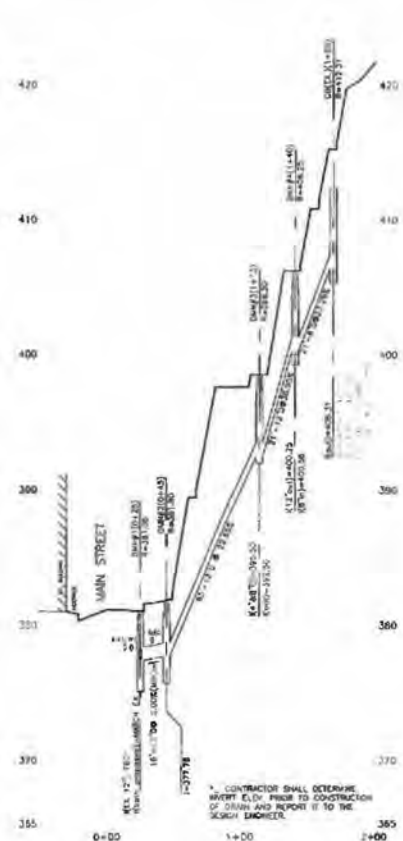
1. Prior to the pre-construction conference, the contractor shall submit a sewer flow bypass management plan to the City Engineer. Construction shall not start until the plan has been approved by the City Engineer.
2. The contractor shall determine the locations of existing house connections to the existing sewer.
3. Pipe shall be Class 52 DIP (C2).
4. Banded SMH invert bench walls shall be provided where the inlet pipe slope exceeds 10% and where the change in flow direction exceeds 70 degrees. For these SMH, the outside bench shall be constructed 24" above the bottom of the inverted arch channel.

**SEWER PROFILE**

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



**PLAN VIEW**



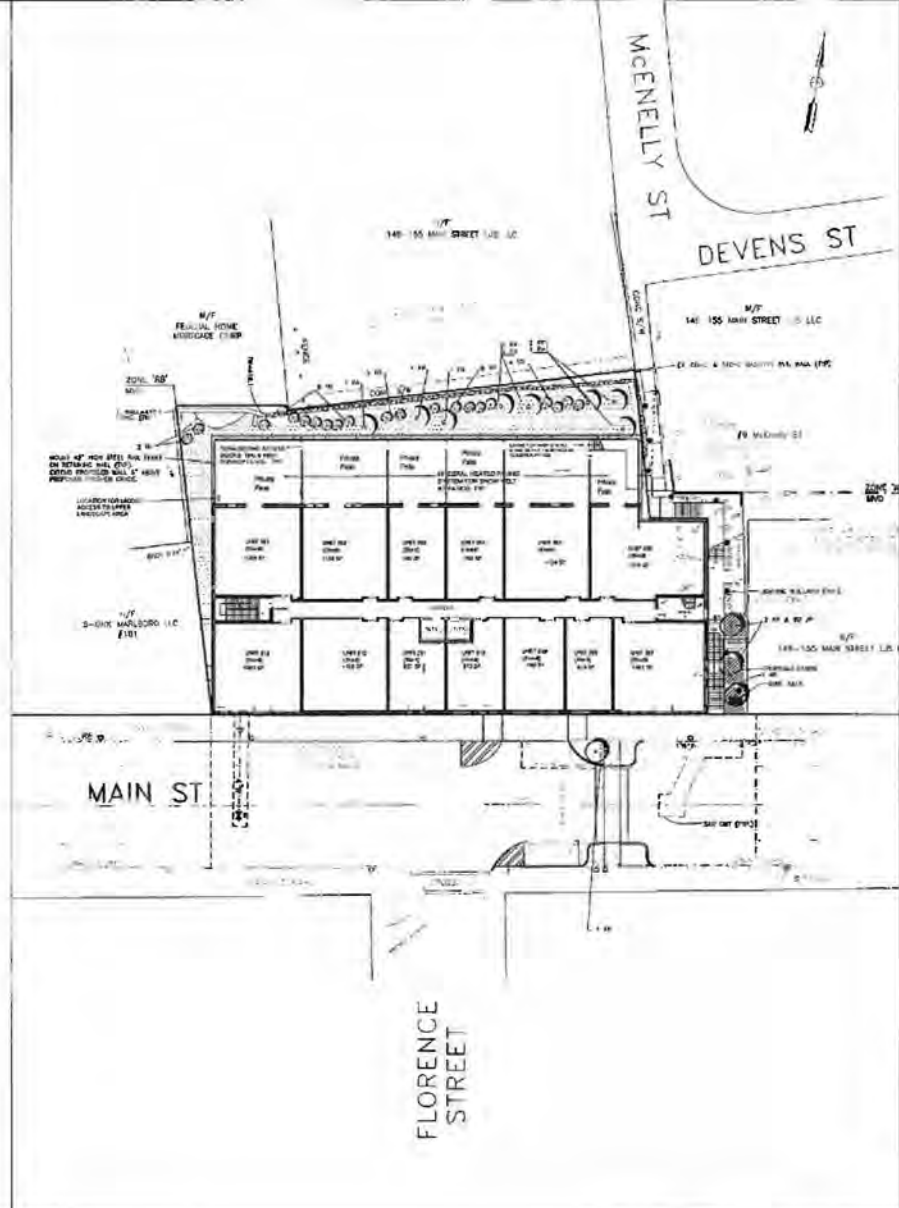
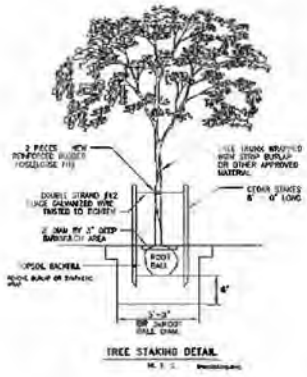
**DRAINAGE NOTES:**

1. Boxline to profile, stations and finished grade are along proposed sewer alignment, only.
2. Pipe shall be class 52 DIP (C2).

**DRAIN PROFILE**

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

<p>OWNER &amp; APPLICANT: CITY OF MARLBOROUGH 100 FRONT STREET MARLBOROUGH, MA 01501 (ATTN: BRAD R. FAIR)</p>	<p>DATE: MAY 23, 2013</p>	<p>PREPARED BY: DYNAMIC SURVEYING &amp; ASSOCIATES, LLC 200 WASHINGTON STREET 3RD FLOOR MARLBOROUGH, MA 01501 (ATTN: BRAD R. FAIR)</p>
<p><b>PLAN &amp; PROFILE E ON MAIN - 163-175 MAIN STREET MARLBOROUGH, MA</b></p>		
<p>FILE: 200701.dwg</p>		



PLANTING LEGEND				
NO.	QTY	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES</b>				
TD	33	THEA OCCIDENTALS	AMERICAN ARBUTEUM	3" CALIPER
AR	4	ACER RUBRA	AMERICAN MAPLE	3" CALIPER
PP	4	PIERIS PACIFICA	COLORADO SPRUCE	3" CALIPER
PA	4	PICTA ABIES	KORRIVY SPRUCE	3" CALIPER
<b>SHRUBS</b>				
SR	12	JUNIPERUS HORIZONTALIS	LOW SPREADING JUNIPER (M. M. C.)	-----
<b>GROUND COVER</b>				
GM	4500	THYMA FRAXINIFOLIA	HYDRANGEA	14" x 14"

- PLANTING NOTES:**
- 1) FOR LOAM & SAND AREAS, PROVIDE 4" LOAM AND 20% SAND COMPLYING WITH TOLERANCE FOR PURITY AND GERMINATION ESTABLISHED BY OFFICIAL SEED ANALYSIS OF NORTH AMERICA.
  - 2) PROVIDE PLANTS OF SIZE, DENSITY, SPECIES AND VARIETY WITH AND CORRELATED FL. LATE, LATE WOOD, AND COMPLYING WITH DIMENSIONAL AND REQUIREMENTS OF ANSI Z60.1 (AMERICAN STANDARD FOR BURSLEY STOCK).
  - 3) FINAL PLANT LOCATIONS TO BE ADJUSTED IN FIELD AS NECESSARY TO PROVIDE SUFFICIENT SPACING FOR CONSTRUCTION APPROPRIATE AND UTILITY, ETC.
  - 4) PLANTINGS ARE SUBJECT TO CHANGE DUE TO HURSDRY STOCK AVAILABILITY AS APPROVED.
  - 5) PLANTING AND WORKSHOPS SHALL COMPLY WITH THE FOLLOWING: STARTING MATERIALS TO BE DAMAGED 1 YEAR AFTER PLANTING. OWNER REPLACES PLANTS THAT DIE WITHIN 180 DAYS.
  - 6) PROVIDE AND MAINTAIN VEGETATION WITH VEGETATION HAS ESTABLISHED ROOTS ENOUGH TO PREVENT EROSION, WHERE NECESSARY PROVIDE PERMANENT POLYMER FIBRE MESH.
  - 7) A 24" DEPTH OF STRUCTURAL SOIL & 4" OF TOP SOIL SHALL BE PROVIDED WITHIN 24" OF PROPOSED RAMP OUT AREAS ON MAIN STREET.

LEGEND	
	CALL PIPE
	EXISTING SEWER LINE
	EXISTING WATER MAIN
	EXISTING GAS & DRAIN
	EXISTING STORM SEWER
	EXISTING FIRE LINE
	EXISTING ELECTRIC
	EXISTING CABLE
	GAS VALVE
	WATER VALVE
	WATER STOP
	MANHOLE
	8" CALL PIPE
	LIGHT & GROUND COVER
	DARK MULCH



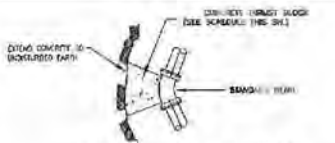
PREPARED BY: BRUCE SALICE & ASSOC., INC.  
 576 BOSTON POST ROAD EAST  
 MARLBOROUGH, MA 01752  
 TEL: 508-481-8825  
 FAX: 508-481-8825

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

DATE: JANUARY 15, 2018

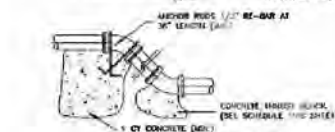
OWNER & APPLICANT: WINDMILL SANDSTARD LLC  
 146 MAIN STREET  
 MARLBOROUGH, MA 01752  
 (413) 235-1111

**C5**  
 FILE: 2017C1



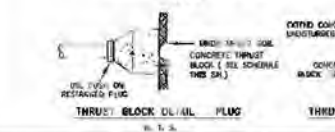
**THRUST BLOCK DETAIL - STANDARD BEND**  
M. T. S.

THRUST BLOCK SCHEDULE				
MADE	SIZE & PLAGE	45°	90°	135°
4"	16"	4"	4"	4"

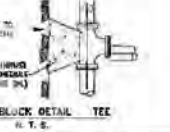


**THRUST BLOCK DETAIL - VERTICAL BEND**  
M. T. S.

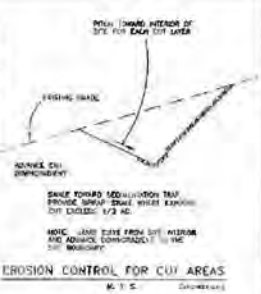
**NOTES:**  
1) VALUES IN TABLE ARE REQUIRED CONCRETE THROST BLOCK BEARING AREA IN SQUARE FEET AGAINST UNDERGROUND PRESSURE.  
2) USE THE ROOM AND REBAR LISTS FOR ALL THROST.



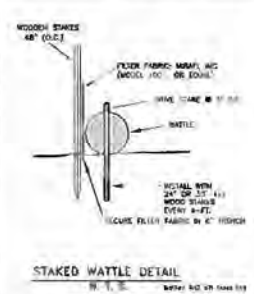
**THRUST BLOCK DETAIL - PLUG**  
M. T. S.



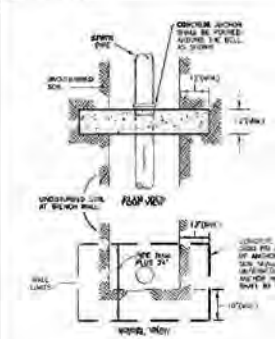
**THRUST BLOCK DETAIL - TEE**  
M. T. S.



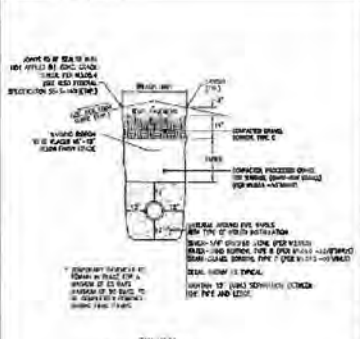
**EROSION CONTROL FOR CUT AREAS**  
M. T. S.



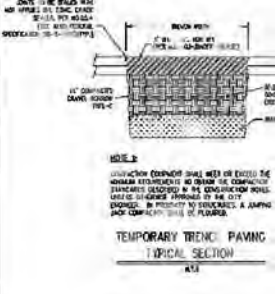
**STAKED WATTLE DETAIL**  
M. T. S.



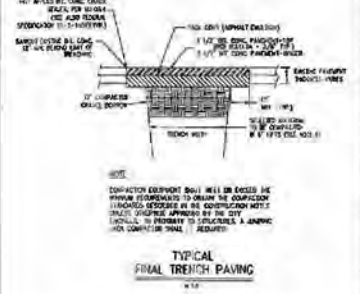
**PIPE ANCHOR**  
M. T. S.



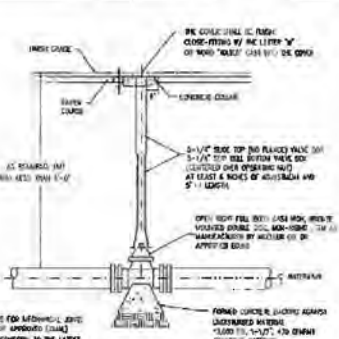
**TYPICAL EXCAVATION TRENCH**  
M. T. S.



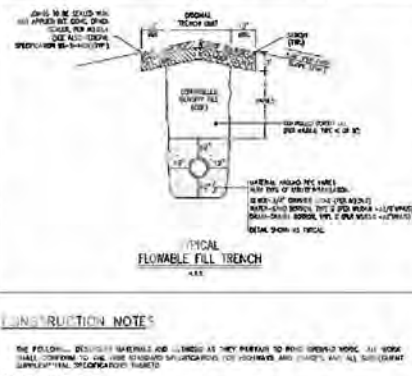
**TEMPORARY TRENCH PAVING TYPICAL SECTION**  
M. T. S.



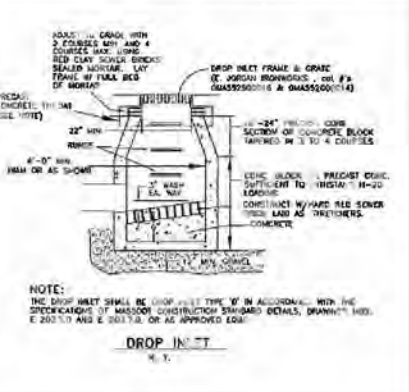
**TYPICAL TRENCH PAVING**  
M. T. S.



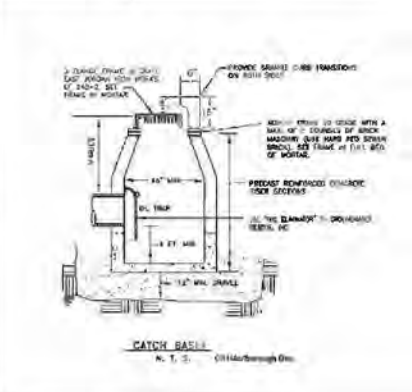
**TYPICAL GATE VALVE**  
M. T. S.



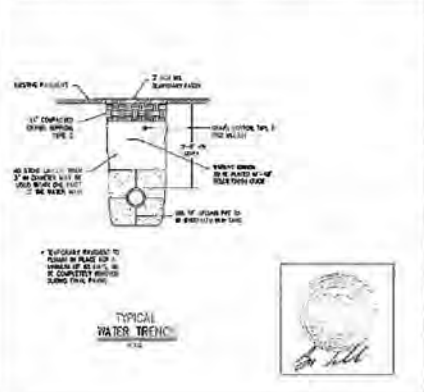
**TYPICAL FLOWABLE FILL TRENCH**  
M. T. S.



**DROP INLET**  
M. T. S.



**CATCH BASIN**  
M. T. S.



**TYPICAL WATER TRENCH**  
M. T. S.

**INSTRUCTION NOTES**

THE FOLLOWING MATERIALS ARE LISTED AS THEY PERTAIN TO THIS SPECIAL WORK. ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES AND ALL SUBSEQUENT SUPPLEMENTAL SPECIFICATIONS THEREON.

**BACKFILL MATERIALS**

EXCAVATIONS IN THE STREET PAVEMENT AREAS SHALL BE CAREFULLY BACKFILLED WITH LAYERS OF STABLE GRAVELS. THE FINEST TWO FRACTIONS OF RESIDUE BEHIND APPROXIMATELY EQUAL TO SAND GRAVELS FOR PAVEMENT COURSE SHALL BE USED IN ALL SUCH BACKFILLING. A THIRD FRACTION SHALL BE USED IN ALL SUCH BACKFILLING. THE COURSE OF THE FINEST AND APPROVED BY THE CITY OF MARLBOROUGH. BACKFILL SHALL BE OF CONTROLLED GRAVELS ALL FILL TO BE USED IN ALL SUCH BACKFILLING OF THE CITY OR AS SPECIFIED BY THE COMMISSIONER OF PUBLIC WORKS.

STABLE GRAVEL MATERIAL FOR BACKFILLING SHALL BE SUBGRADE FILL, COURSE OR SUBGRADE FILL, FINEST CLASS, SPECIFIC GRAVITY, 2.65, MOISTURE, 12%, OR OTHER EQUIVALENT, WITHIN WHICH NO MATERIAL IS FOUND WHICH IS HEAVIER THAN SAND OR HEAVIER THAN SAND, GRAVELS, OR OTHER EQUIVALENTS, AND WHICH IS HEAVIER THAN SAND, GRAVELS, OR OTHER EQUIVALENTS, AND WHICH IS HEAVIER THAN SAND, GRAVELS, OR OTHER EQUIVALENTS, AND WHICH IS HEAVIER THAN SAND, GRAVELS, OR OTHER EQUIVALENTS.

**COMPACTION OF BACKFILL**

BACKFILL SHALL BE THOROUGHLY DESTROYED IN SUCCESSIVE LAYERS, EACH LAYER BEING THOROUGHLY COMPACTED BEFORE THE SUBSEQUENT LAYER IS PLACED. THE TOP SURFACE OF THE TRENCH SHALL BE REFINISHED BY HAND OR BY MACHINE TO THE FINISH OF THE FILL IN THE TRENCH NOT LOWER THAN THE FINISH OF THE LAYERS OF BACKFILL SHALL BE THOROUGHLY COMPACTED TO THE FINISH OF THE TRENCH. THE FINISH OF A PERMANENT TRENCH OF GRAVEL COMPACTED TO THE FINISH OF THE TRENCH.

**GRAVELS, ROLLING AND FINISH**

PAVEMENT PLACES SHALL BE PLACED ON A SUFFICIENT SURFACE, FINISHED TO THE REQUIRED FINISHES AND TO A GRADE THAT WILL MAINTAIN THE EXISTING DRAINAGE PATTERN. THE CONCRETE SHALL BE PLACED AND FINISHED PROMPTLY AFTER THE SURFACE IS PREPARED. THE GRADES THAT MAY OCCUR AS TO KEEP THE SURFACE IN A SAFE AND SUFFICIENT CONDITION FOR TRAFFIC.

**TEMPORARY PAVEMENT**

A TEMPORARY PAVEMENT SHALL BE PLACED ON THE SURFACE OF THE TRENCH IMMEDIATELY COMPLETED. A TEMPORARY PAVEMENT SHALL BE PLACED IMMEDIATELY AFTER THE TRENCH IS FINISHED TO THE FINISH OF THE TRENCH. THE FINISH OF THE TRENCH SHALL BE REFINISHED BY HAND OR BY MACHINE TO THE FINISH OF THE TRENCH. THE FINISH OF THE TRENCH SHALL BE REFINISHED BY HAND OR BY MACHINE TO THE FINISH OF THE TRENCH.

**PERMANENT PAVING**

THE FINAL PAVEMENT CONCRETE SURFACE SHALL NOT BE PLACED ANY EARLIER THAN 24 HOURS OR NO LATER THAN 90 DAYS FROM THE DATE OF COMPLETION OF THE TRENCH. THE FINISH OF THE TRENCH SHALL BE REFINISHED BY HAND OR BY MACHINE TO THE FINISH OF THE TRENCH. THE FINISH OF THE TRENCH SHALL BE REFINISHED BY HAND OR BY MACHINE TO THE FINISH OF THE TRENCH.

DATE	1/15/2018
SCALE	AS SHOWN
PROJECT	63-175 MAIN STREET - MARLBOROUGH, MA
DRAWN BY	M. T. S.
CHECKED BY	M. T. S.
APPROVED BY	M. T. S.

PREPARED BY:  
BRUCE SULLIVAN & ASSOCIATES, INC.  
100 NORTH STREET, SUITE 200  
MARLBOROUGH, MA 01501  
TEL: 508-461-1100  
FAX: 508-461-1101

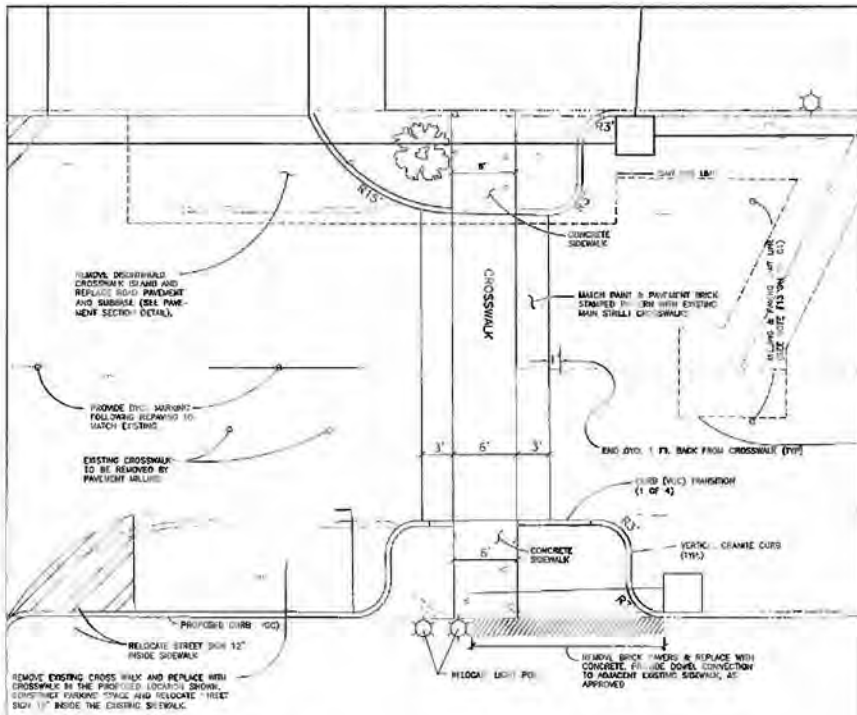
**DETAIL SHEET**  
**E ON MAIN**  
**63-175 MAIN STREET -**  
**MARLBOROUGH, MA**

DATE: JANUARY 15, 2018

OWNER & APT. DEPT.  
MARBOROUGH  
100 NORTH STREET  
MARLBOROUGH, MA 01501  
(ATTN: BRUCE SULLIVAN)

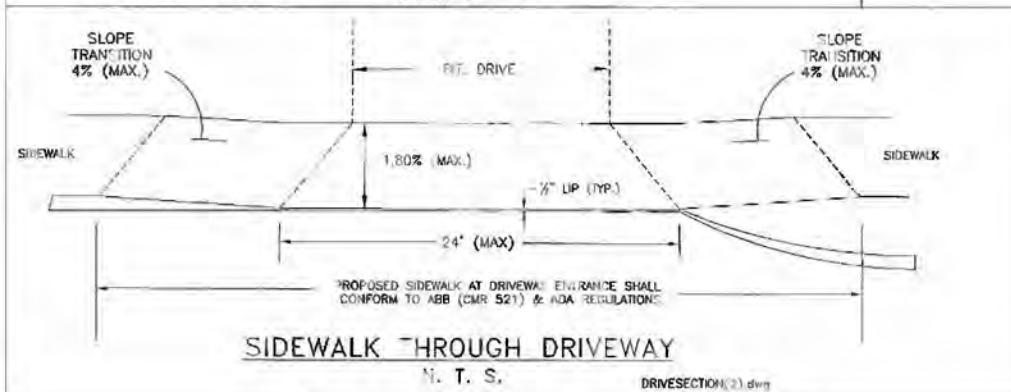
C6

(REV. 2/2010)

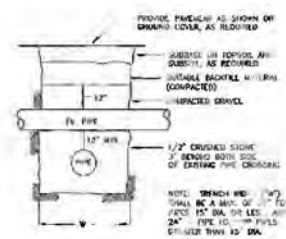


**NOTES:**  
 1. CURBLINE SHALL BE CONSTRUCTED TO CONFORM WITH STATE & ADA REGULATIONS.  
 2. FOR THE PAVEMENT: REPAVE WITH THE MAIN STREET ROAD. PROVIDE 1" MINIMUM OF COMPACTED STRUCTURAL SUBGRADE CONSISTING OF MASSDOT SPEC. #1133 TYPE 'D' COMPACT GRAVEL. THE TOP 2" LAYER SHALL BE 2" OF LOAM.

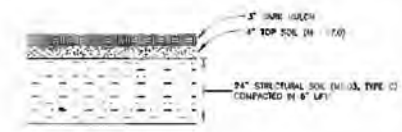
**CROSSWALK DETAIL**  
 SCALE: 1" = 5'



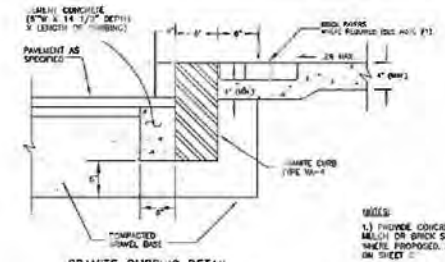
**SIDEWALK THROUGH DRIVEWAY**  
 N. T. S.



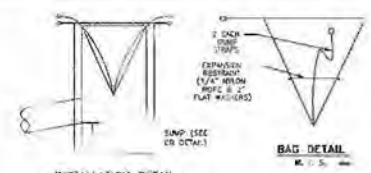
**PIPE CROSSING DETAIL**  
 N. T. S.



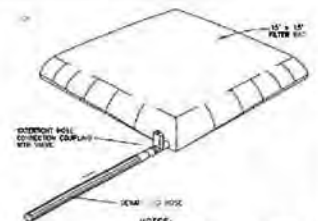
**SOIL SECTION FOR LANDSCAPED CROSS WALK AREA**  
 N. T. S.



**GRANITE CURB DETAIL**  
 N. T. S.

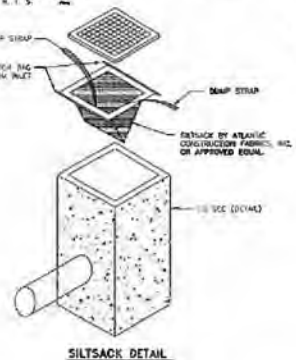


**INSTALLATION DETAIL**  
 N. T. S.



**NOTES:**  
 FILTER BAG SHALL BE 12" x 12" POLYPROPYLENE FILTER BAGS (SEE SPEC. #1133) TO BE USED IN THE PROPOSED SLOPE.  
 -LOCAL SOURCE: 12" x 12" (12" x 12") (12" x 12")  
 -CONCRETE: 24" (24" x 24" x 24")  
 -GRAVEL: 1/2" (1/2" x 1/2" x 1/2")  
 -PAVEMENT: 12" (12" x 12" x 12")  
 -SUBGRADE: 12" (12" x 12" x 12")  
 -FLOW RATE: 10 gpm/ft (10" x 12")  
 -FLOW RATE: 10 gpm/ft (10" x 12")  
 -FLOW RATE: 10 gpm/ft (10" x 12")

**DEWATERING FILTER BAG DETAIL**  
 N. T. S.



**SILTSACK DETAIL**  
 N. T. S.

DATE	1/15/2018
BY	N.T.S.
CHECKED BY	N.T.S.
APPROVED BY	N.T.S.

PREPARED BY:  
 BRUCE SALUK & ASSOC., INC.  
 278 BOSTON POST ROAD EAST  
 MARLBOROUGH, MA 01752  
 TEL: 508-481-8929

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

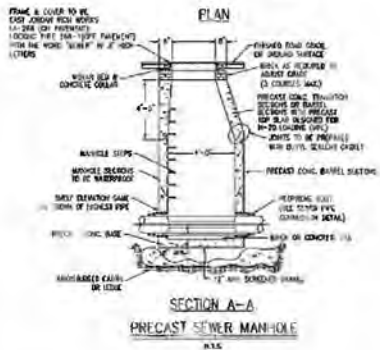
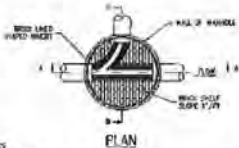
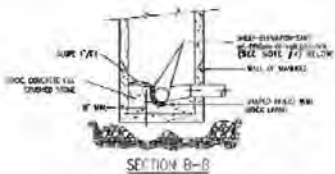
DATE: JANUARY 15, 2018

OWNER & APPLICANT:  
 C/O MARSH OF CONNECTICUT  
 100 FRONT STREET  
 WAREHOUSES, MA 01899  
 (ATTY. BRUCE R. TULL)



C7

FILE: 16321012

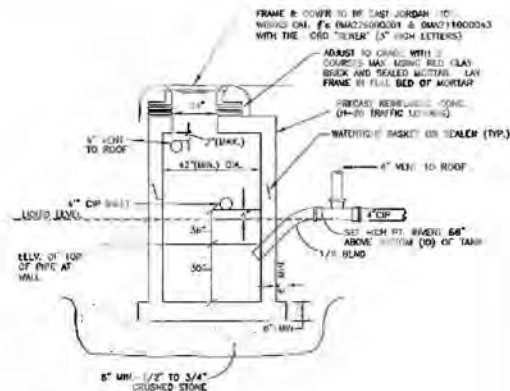


SECTION A-A  
PRECAST SEWER MANHOLE

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

**SEWER NOTES:**

1. Prior to the pre-construction conference, the contractor shall submit a sewer flow bypass management plan to the City engineer. Construction shall start only when the plan is approved by the City Engineer.
2. The contractor shall determine the locations of existing house connections to the existing sewer.
3. Pipe shall be Class 52 DIP (C).
4. Banked SMH invert bench marks shall be provided where the inlet pipe slope exceeds 10% and where the change in flow direction exceeds 70 degrees. For these SMH's the outside bench shall be constructed 24" above the bottom of the inverted siphon.

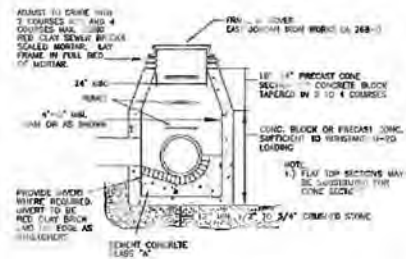


**CONSTRUCTION NOTES FOR GASOLINE, OIL & SAND SEPARATOR**

- 1.) SEPARATOR IS TO BE LOCATED OUTSIDE OF A BUILDING WHEN FEASIBLE AND THE COVER SHALL BE A MINIMUM OF 24" IN DIAMETER. IF THE SEPARATOR MUST BE INSTALLED INSIDE OF A BUILDING, THE COVER MUST BE SEALED TIGHT.
- 2.) THE SEPARATOR MUST BE CONSTRUCTED AND INSTALLED TO PREVENT SURFACE WATER FROM ENTERING.
- 3.) THE INVERT OF THE SEPARATOR INLET PIPE SHALL BE NO LESS THAN 4" ABOVE THE WATER TABLE.
- 4.) THE SEPARATOR SHALL BE FILLED WITH WATER, TESTED AND INSPECTED PRIOR TO BEING PUT INTO SERVICE.
- 5.) THE NON-CORROSIVE STEPS SHALL BE INSTALLED 16" APART.
- 6.) THE CHAMBER VENT AND OUTLET VENT SHALL BE RETURNED TO THE INSIDE OF THE BUILDING AND EXTENDED THROUGH THE ROOF.
- 7.) THE CHAMBER VENT MUST BE LOCATED AS CLOSE TO THE TOP OF THE TANK AS POSSIBLE.
- 8.) PRECAST CONCRETE CHS'S SHALL MEET OR EXCEED ASTM C-478 STANDARD UP TO 4,000 PSI.
- 9.) JOINT SECTION IN PRECAST CONCRETE SEPARATORS SHALL USE BUTYL RUBBER JOINT SEALANT FOR ASTM C-880.
- 10.) ALL PIPE PENETRATIONS IN THE SEPARATOR SHALL BE SEALED WITH HYDRAULIC CEMENT GROUT.
- 11.) ALLOWABLE PIPING MATERIAL:
  - a.) NO-HUB CAST IRON WITH PRODUCT ACCEPTED CLAMPS
  - b.) SERVICE WEIGHT CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & SLAGUM JOINTS
  - c.) EXTRA HEAVY CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & SLAGUM JOINTS
- 12.) THE CAPACITY OF THE GAS, OIL & SAND SEPARATOR SHALL BE AS SHOWN IN FIGURE NO. OF THE C.M.S. LOG.

**GAS, OIL & SAND SEPARATOR**

H. P. S. Gas & Oil Trap Shop



STORM DRAIN MANHOLE W/ STEP

NO.	DATE	REVISION

PREPARED BY:  
BRUCE SALUK & ASSOCIATES, INC.  
100 SOUTH ROAD  
MARLBOROUGH, MA 01501  
TEL: 508-481-1929

DATA SHEET  
E ON MAIN  
- 163-175 MAIN STREET -  
MARLBOROUGH, MA  
MAR. BOROUGH, MA

DATE: JULY 1, 2018

OWNER & APPLICANT:  
MUNICIPALITY OF MARLBOROUGH  
100 SOUTH STREET  
MARLBOROUGH, MA 01501  
(ATTN: BRUCE SALUK)



C 8

FILE 201800000



# E on MAIN

## Retail and Residential



163-175 Main Street

Marlborough, MA

### DESIGN TEAM

#### DEVELOPER

VINCHCA SANBARTINO  
100 FRONT STREET, WORCESTER, MA 01608  
508-853-1818

#### ARCHITECT

JR. LAFRANCE & ASSOCIATES, INC. 896 NORTHBURY AVENUE SUITE 100  
150 SQUARE AVENUE, 3RD FLOOR MARLBOROUGH, MA 01501  
781-463-3023 781-463-4000

#### STRUCTURAL ENGINEER

CHRISTOPHER ANGLINO  
10 MAIN STREET, SCARSDALE, MA 01918  
781-476-6000

#### CIVIL

BRUCE WALKER & ASSOCIATES, INC.  
276 BOSTON ROAD EAST MARLBOROUGH, MA 01501  
508-463-1562

#### MEP

SEAN F. O'BRIEN  
111 CHATEAU AVENUE, SUITE 100 MARLBOROUGH, MA 01501  
978-463-1581

### LOCUS PLAN



### SHEET LIST

SHEET NUMBER	SHEET NAME	DATED ISSUED	DATE REVISED	COMMENTS
01	GENERAL COVER SHEET	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
02	ARCHITECTURAL			
A001	TRIT AREA PLANS & SQUARE FOOTAGE	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A002	NEIGHBOR FLOOR PLAN & CONTEXT	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A100	BASEMENT PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A101	FIRST FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A102	SECOND FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A103	THIRD FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A104	FOURTH FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A105	FIFTH FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A106	SIXTH FLOOR PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A107	ROOF DECK	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A108	ROOF PLAN	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A200	SOUTH EXTERIOR ELEVATION	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A201	EAST & WEST EXTERIOR ELEVATIONS	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A202	NORTH EXTERIOR ELEVATION	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A203	REAR EXTERIOR ELEVATIONS	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A300	BUILDING SECTION I	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A301	BUILDING SECTION II	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
03	PRESENTATION			
A320	SEC Perspective View	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A321	NE Perspective	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL
A322	SW Perspective	15 Feb 2019		MUNICIPAL SITE PLAN REVIEW / APPROVAL

FLOOR	GSF	PARKING	UNITS			USE
			Studio	1 Bed	2 Bed	
Basement	4,353					Utility
Ground	10,222	50 Spaces*				Retail / Parking
Second	14,261		0	6	7	Residential
Third	14,276		1	7	6	Residential
Fourth	14,276		0	8	6	Residential
Fifth	14,276		1	7	6	Residential
Sixth	12,600		1	5	6	Residential
Roof Deck	4,649					Amenities
<b>TOTALS</b>	<b>67,891</b>	<b>50 Spaces</b>	<b>3</b>	<b>33</b>	<b>33</b>	

TOTAL UNITS 67

\*2 HAC, 32 Compact (of which 15 are tandem spaces); 26 Full (of which 17 are tandem spaces)

**MUNICIPAL SITE PLAN REVIEW / APPROVAL**  
**15 February 2019**

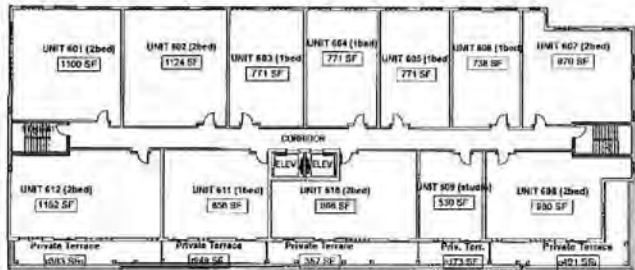
**JD LaGrasse**  
& Associates, Inc.  
100 State Street, 3rd Floor, Boston, MA 02109  
Tel: 617.452.1111 Fax: 617.452.1112  
www.jdla.com

E on MAIN - 2019  
163-175 Main Street, Marlborough, MA

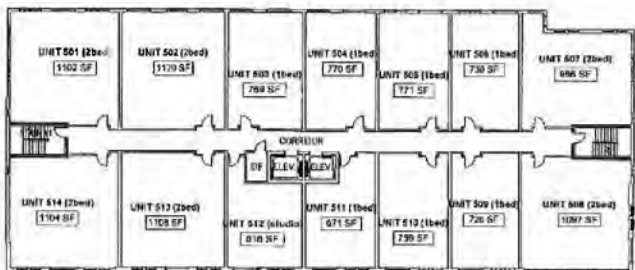
COVER SHEET

JD LA 2019  
163-175 Main Street, Marlborough, MA  
15 Feb 2019

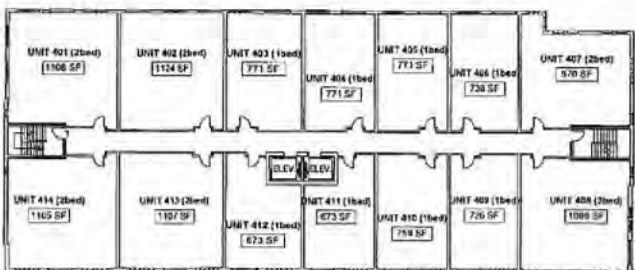
G000



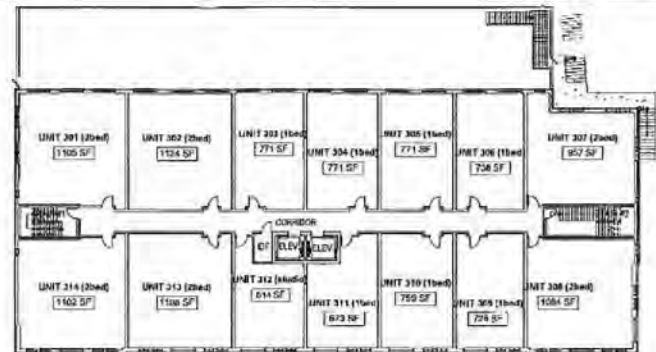
⑥ SIXTH FLOOR  
1/16" = 1'-0"



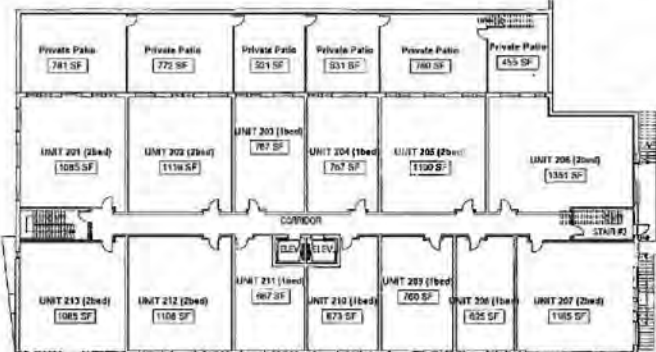
⑤ FIFTH FLOOR  
1/16" = 1'-0"



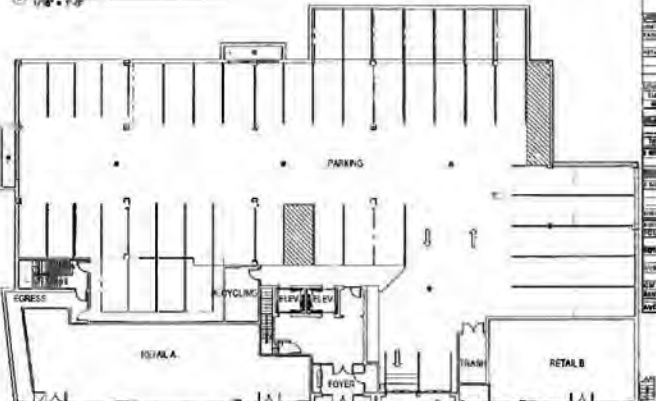
④ FOURTH FLOOR  
1/16" = 1'-0"



③ THIRD FLOOR  
1/16" = 1'-0"



② SECOND FLOOR  
1/16" = 1'-0"



① GROUND FLOOR  
1/16" = 1'-0"

7.00 sq ft/100 sq ft Max. (Marborough, MA)

Unit Type	Basement	Ground	1st	2nd	3rd	4th	5th	6th	Roof	Total
2-Bed	0	0	0	0	0	0	0	0	0	0
1-Bed	0	0	0	0	0	0	0	0	0	0
Office	0	0	0	0	0	0	0	0	0	0
Storage	0	0	0	0	0	0	0	0	0	0
Garage	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**JD LaGrasse & Associates, Inc.**  
 100 State Street, 11th Floor  
 One Old South Avenue, Suite 1000  
 South Scituate, MA 01904  
 Phone: 508-885-1100  
 Fax: 508-885-1101  
 www.jdla.com

**E on MAIN - 2019**  
 155-175 Main Street  
 MARLBOROUGH, MA

**UNIT AREA PLANS & SQUARE FOOTAGE**

Project: E on Main - 2019  
 Date: 18 Feb 2019  
 Scale: 1/16" = 1'-0"  
 Sheet: 2/24

**A001**

**JD LaGrasse & Associates, Inc.**  
 ARCHITECTS  
 100 State Street, Suite 1000  
 Southbury, CT 06488  
 TEL: 203.261.1111  
 FAX: 203.261.1112  
 WWW: JDLA.COM

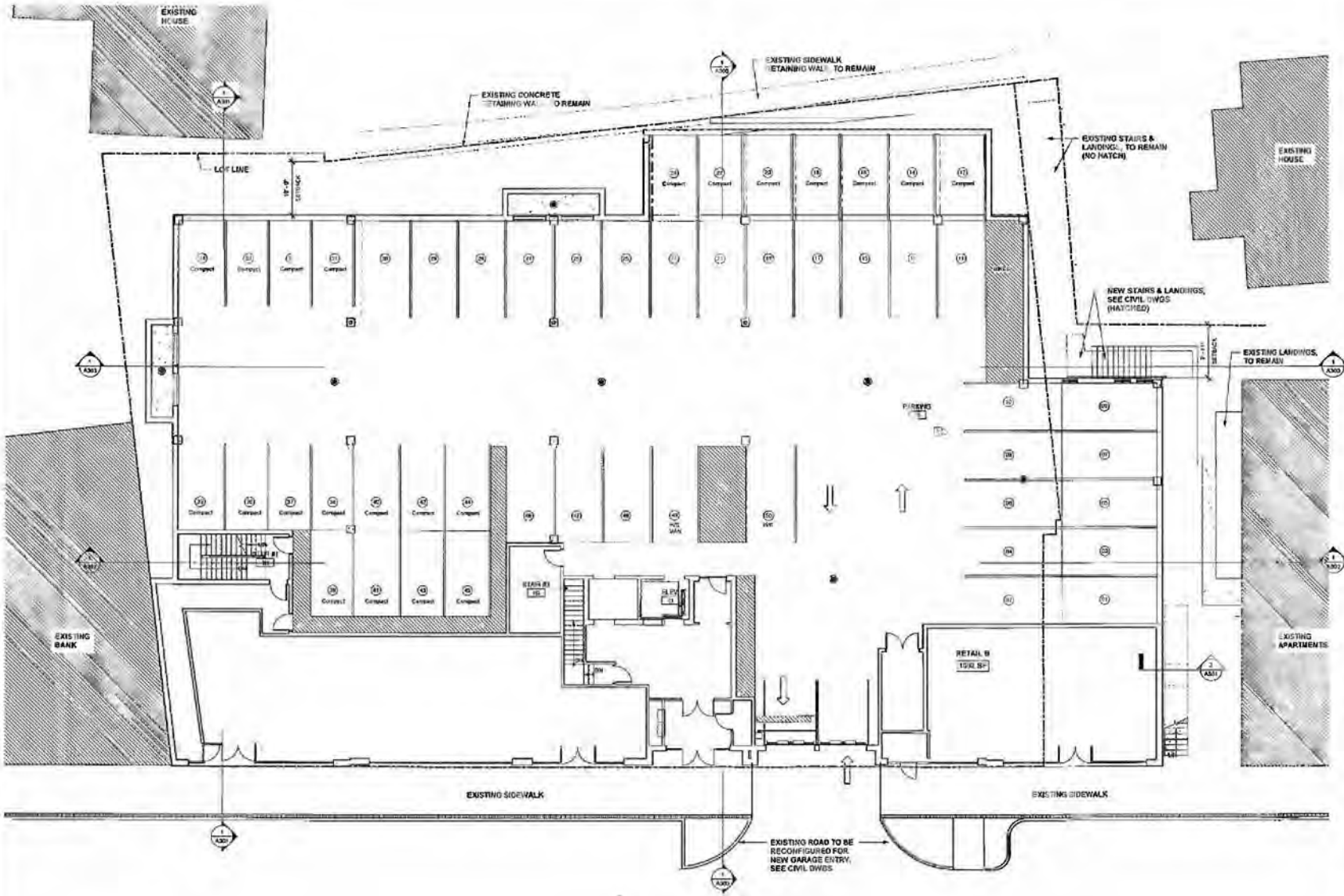
**E on MAIN - 2019**  
 100 State Street  
 Southbury, CT

**GROUND FLOOR w/ SITE CONTEXT**

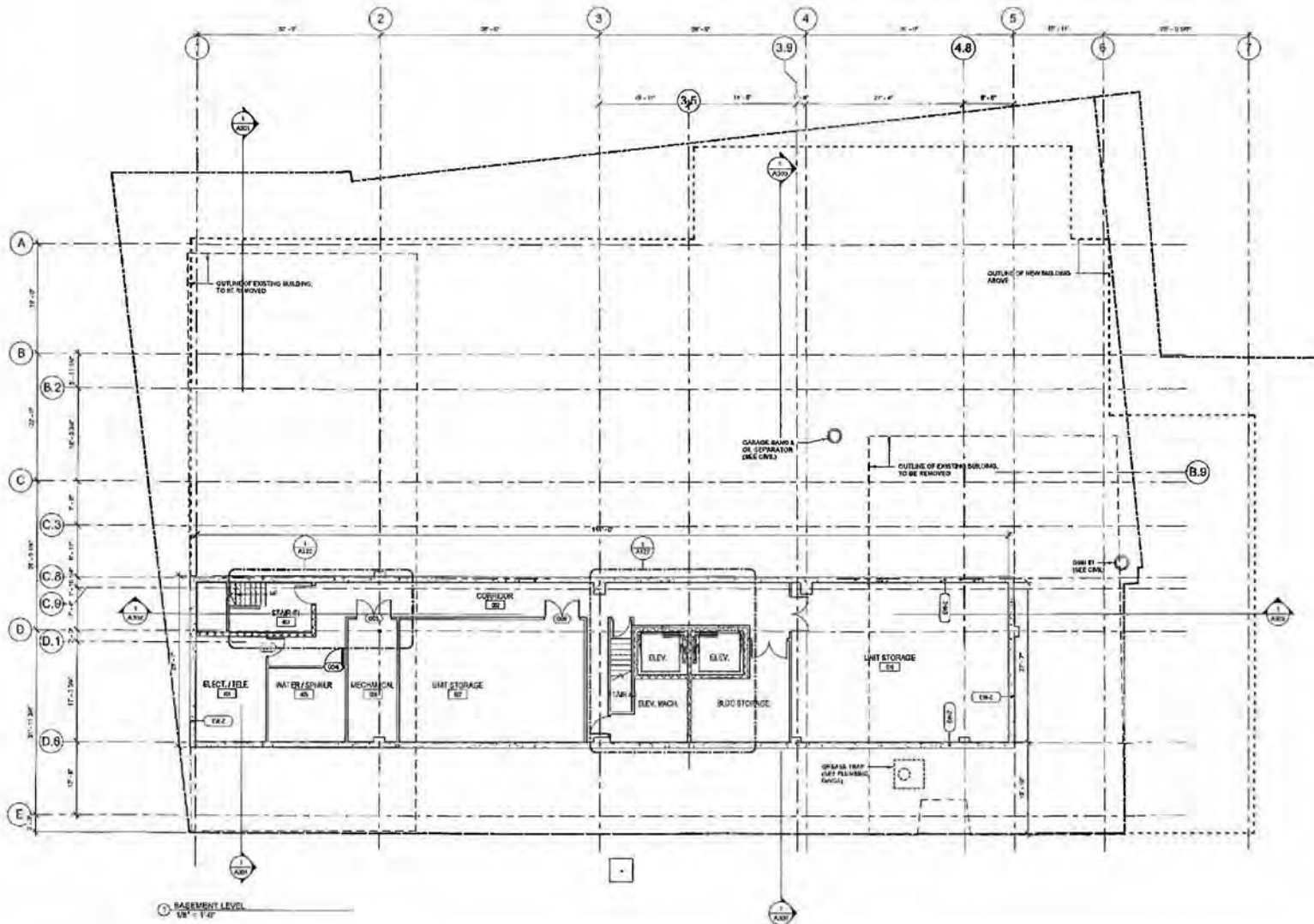
**JDLA19080**  
 PROJECT NO.  
 DATE: 02/20/19  
 DRAWN BY: JDL  
 CHECKED BY: JDL  
 SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	02/20/19	ISSUE FOR PERMIT
2	02/20/19	ISSUE FOR PERMIT
3	02/20/19	ISSUE FOR PERMIT
4	02/20/19	ISSUE FOR PERMIT
5	02/20/19	ISSUE FOR PERMIT
6	02/20/19	ISSUE FOR PERMIT
7	02/20/19	ISSUE FOR PERMIT
8	02/20/19	ISSUE FOR PERMIT
9	02/20/19	ISSUE FOR PERMIT
10	02/20/19	ISSUE FOR PERMIT

**A002**



① GROUND FLOOR w/ SITE CONTEXT  
 1/8" = 1'-0"



○ BASEMENT LEVEL  
1/8" = 1'-0"

**J.D. LaGrasse & Associates, LLC**  
 Architects, Engineers, Planners  
 10000 Old Orchard Road  
 Suite 100, Fairfax, VA 22030  
 (703) 261-1000  
 www.jdla.com

**E on MAIN - 2019**  
 100-113 Main Street  
 Manassas, VA

**BASEMENT PLAN**

**JULIA ZIRGO**  
 Architect  
 100-113 Main Street  
 Manassas, VA 20108  
 (703) 791-1000  
 www.juliazirgo.com

NO.	DATE	REVISIONS
1	10 Feb 2019	ISSUE FOR PERMIT
2	10 Feb 2019	ISSUE FOR PERMIT
3		
4		
5		
6		
7		
8		
9		
10		



**JD LaGrasse**  
 & ASSOCIATES, INC.  
 ARCHITECTS  
 1000 Main Street, Suite 200  
 The Elm Street Building - MA 02102  
 TEL: 617.552.1100 FAX: 617.552.1101  
 www.jdla.com

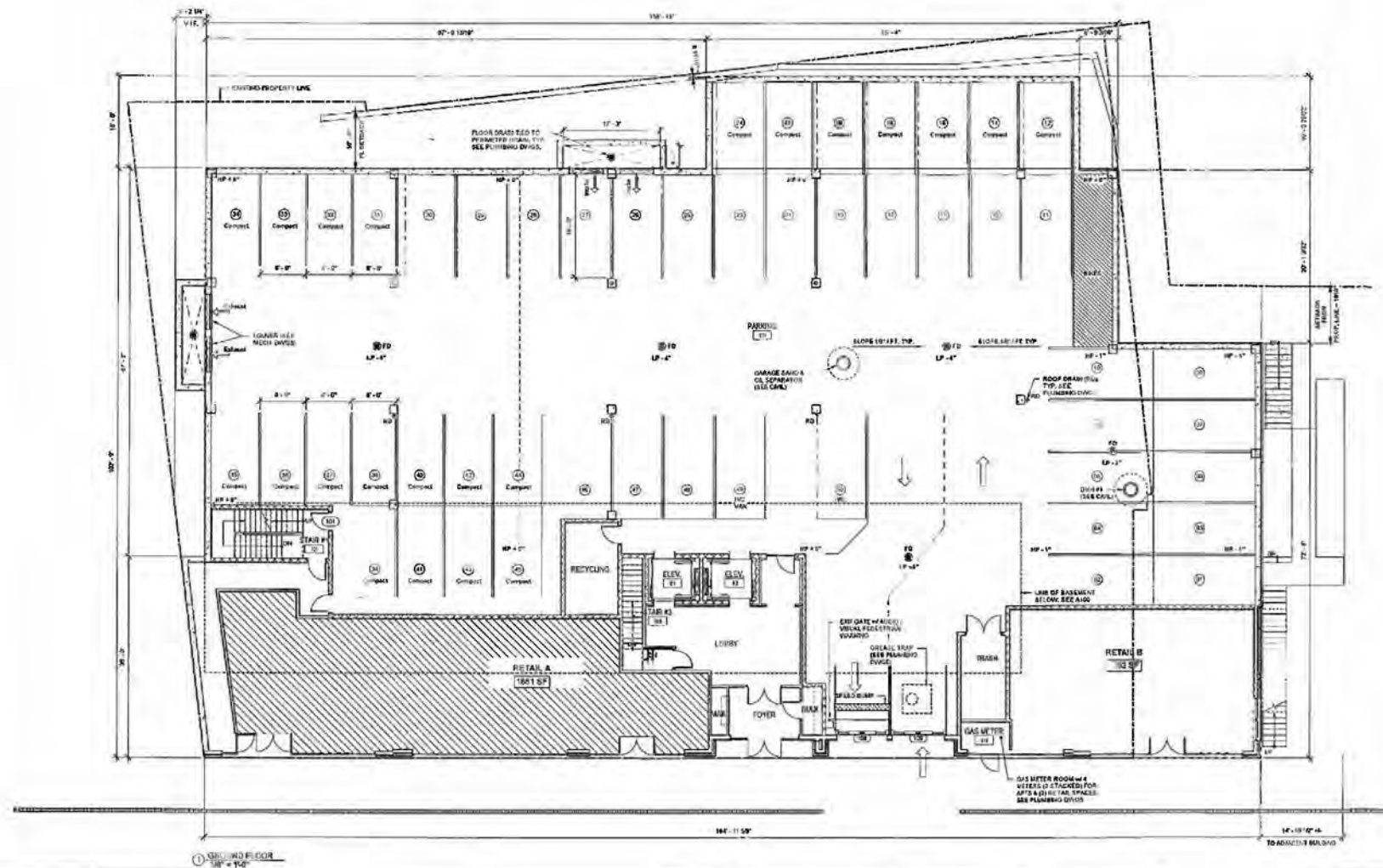
**E on MAIN - 2019**  
 100-102 MAIN STREET, MA 02109

**GROUND FLOOR PLAN**

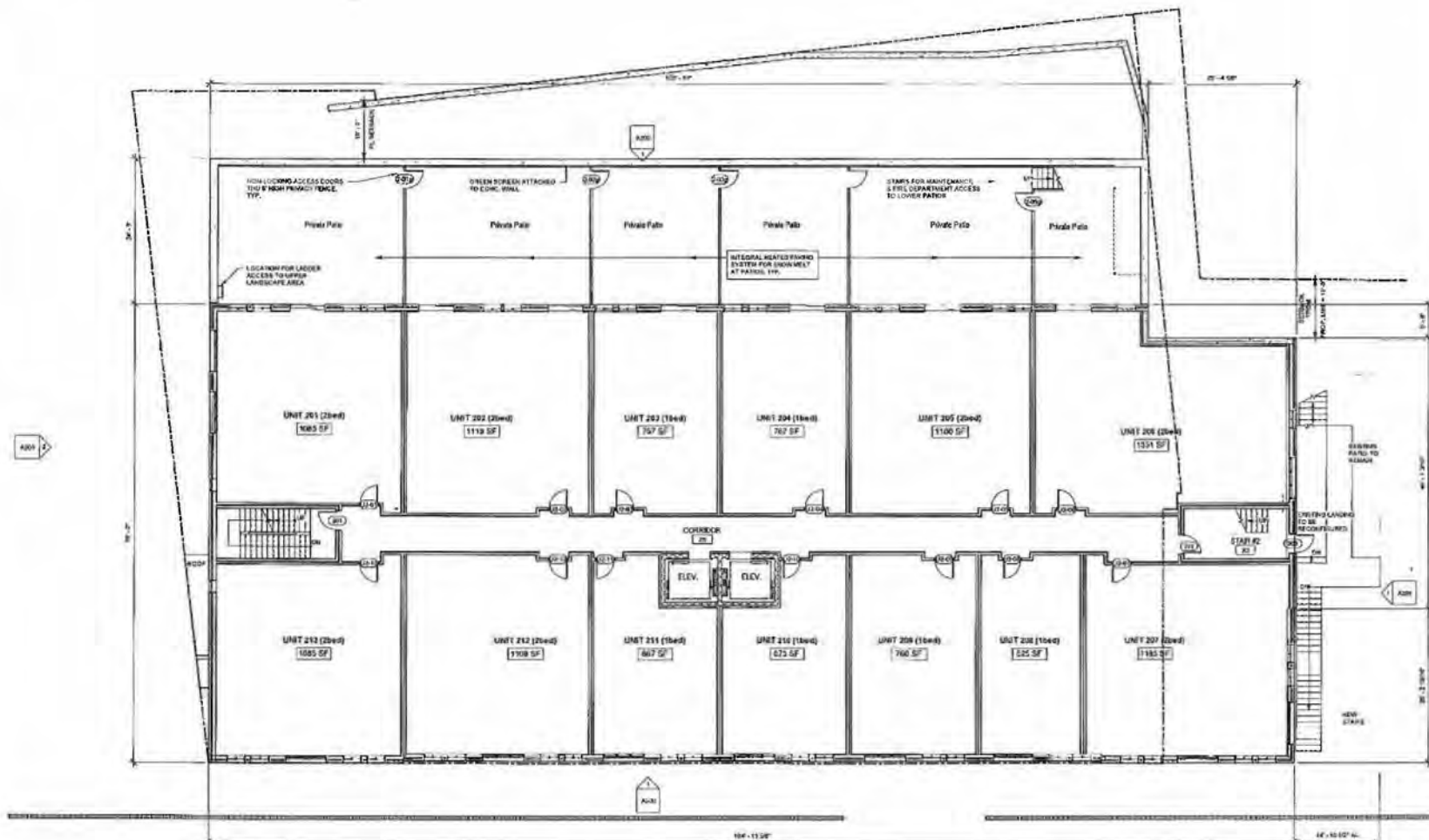
PROJECT NO. 19-001  
 DATE: 1/15/2019  
 DRAWN BY: JDL  
 CHECKED BY: JDL  
 SCALE: AS SHOWN  
 SHEET NO. 1 OF 1

REVISIONS  
 1. 15 Feb 2019  
 2. 2/19/19

**A101**



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



① SECOND FLOOR  
1/8" = 1'-0"

**JD LaGrasse & ASSOCIATES, Inc.**  
 10000 Bayview Center - 2nd Floor  
 One City Square, Atlanta, GA 30303  
 404.525.1100  
 www.jdla.com

REGISTERED ARCHITECTS  
 STATE OF GEORGIA  
 J. D. LaGrasse, AIA  
 License No. 10000  
 J. D. LaGrasse, AIA  
 License No. 10000

**E on MAIN - 2019**  
 100-173 Main Street  
 MARIETTA, GA

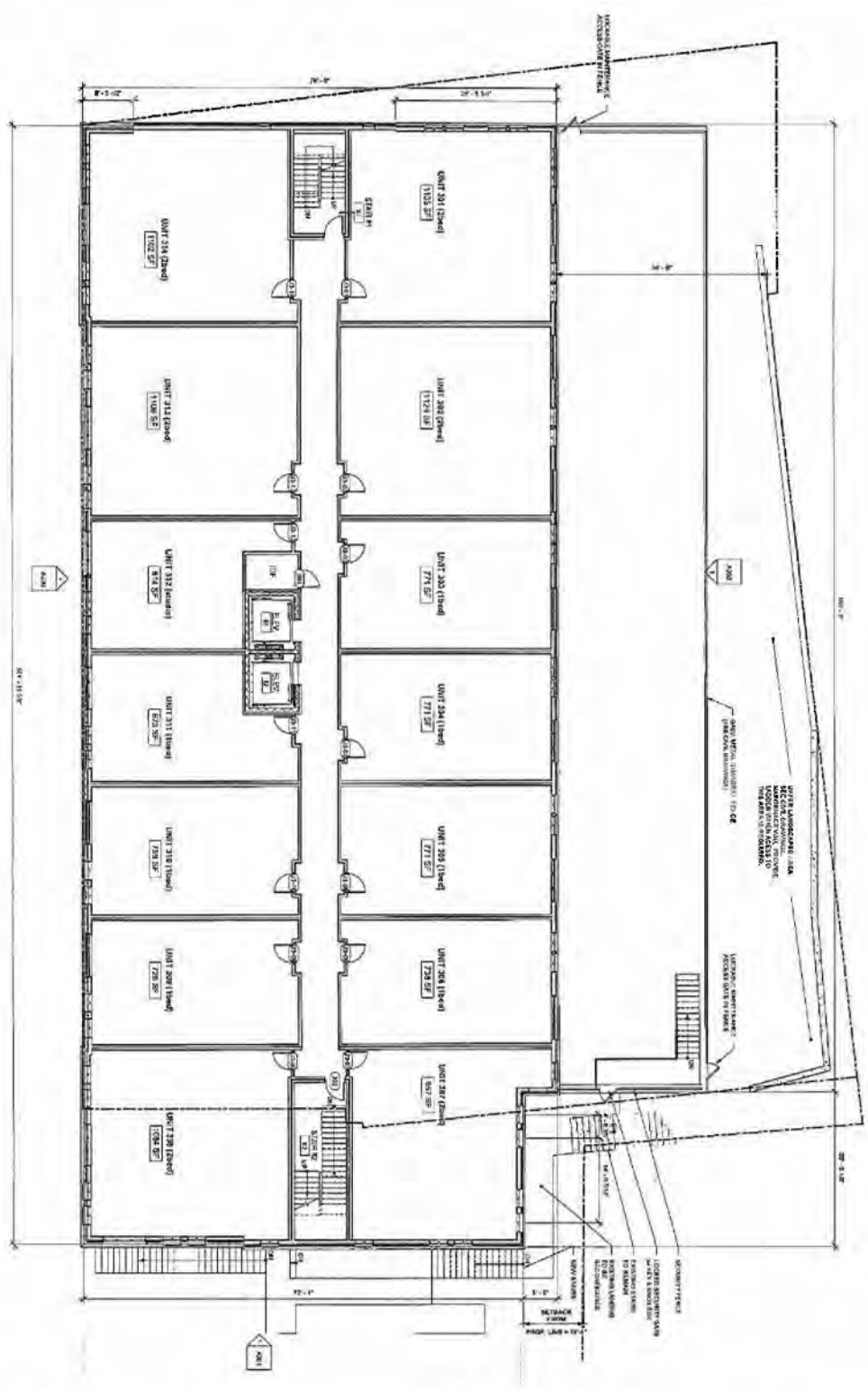
**SECOND FLOOR PLAN**

Prepared by: **JDLAI 2019.0**  
 Checked by: **Andrew**  
 Date: **15 Feb 2019**

NO.	REV.	DATE	DESCRIPTION
1		15 Feb 2019	ISSUE FOR PERMIT
2			
3			
4			
5			

**A102**

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



**REVISIONS**

NO.	DATE	REVISION
1		ISSUED FOR PERMIT
2		ISSUED FOR PERMIT
3		ISSUED FOR PERMIT
4		ISSUED FOR PERMIT
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7		ISSUED FOR PERMIT
8		ISSUED FOR PERMIT
9		ISSUED FOR PERMIT
10		ISSUED FOR PERMIT

**THIRD FLOOR PLAN**

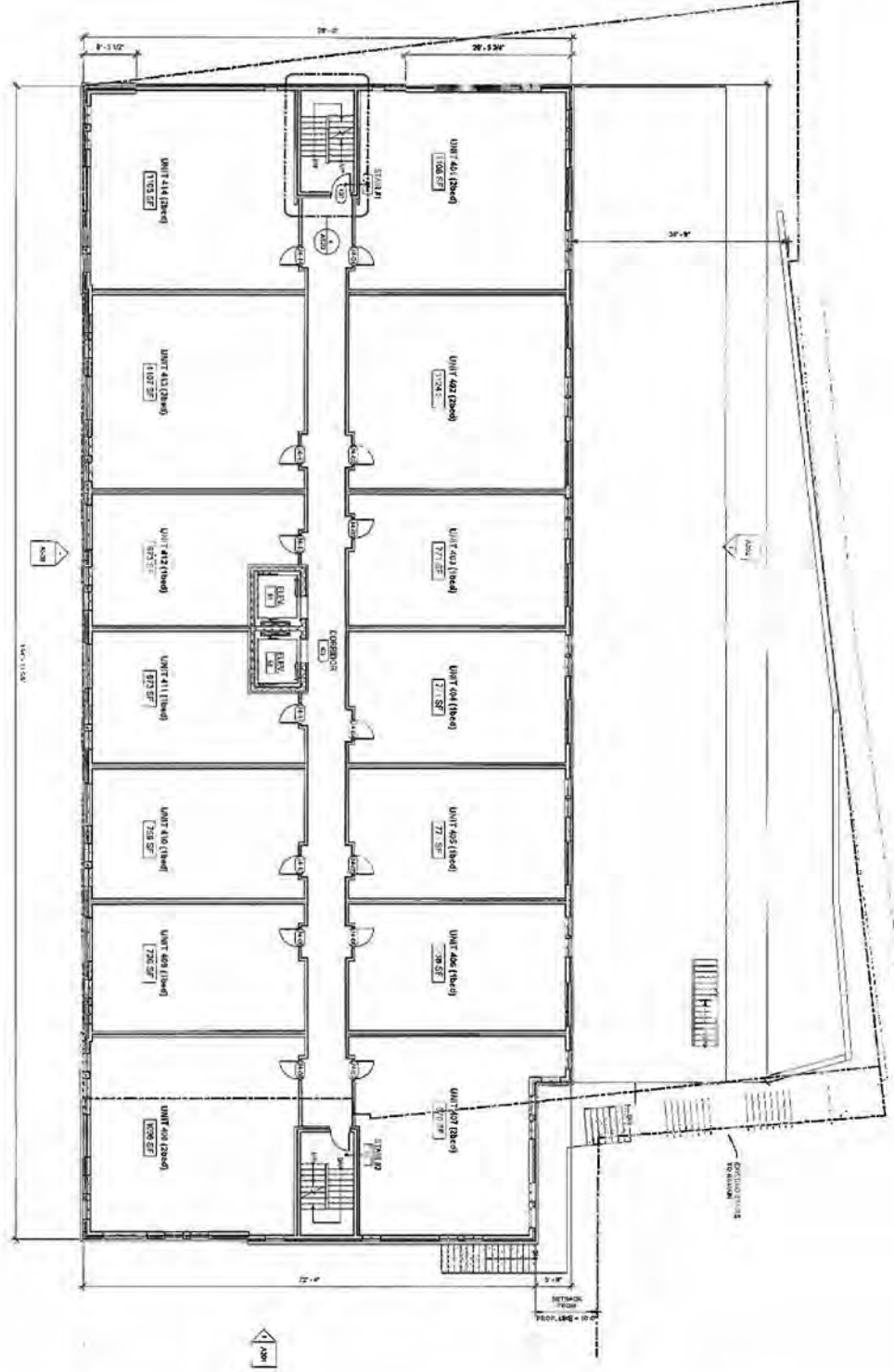
**E on MAIN - 2019**

103-172 Main Street, Mansfield, MA

**LEGEND**

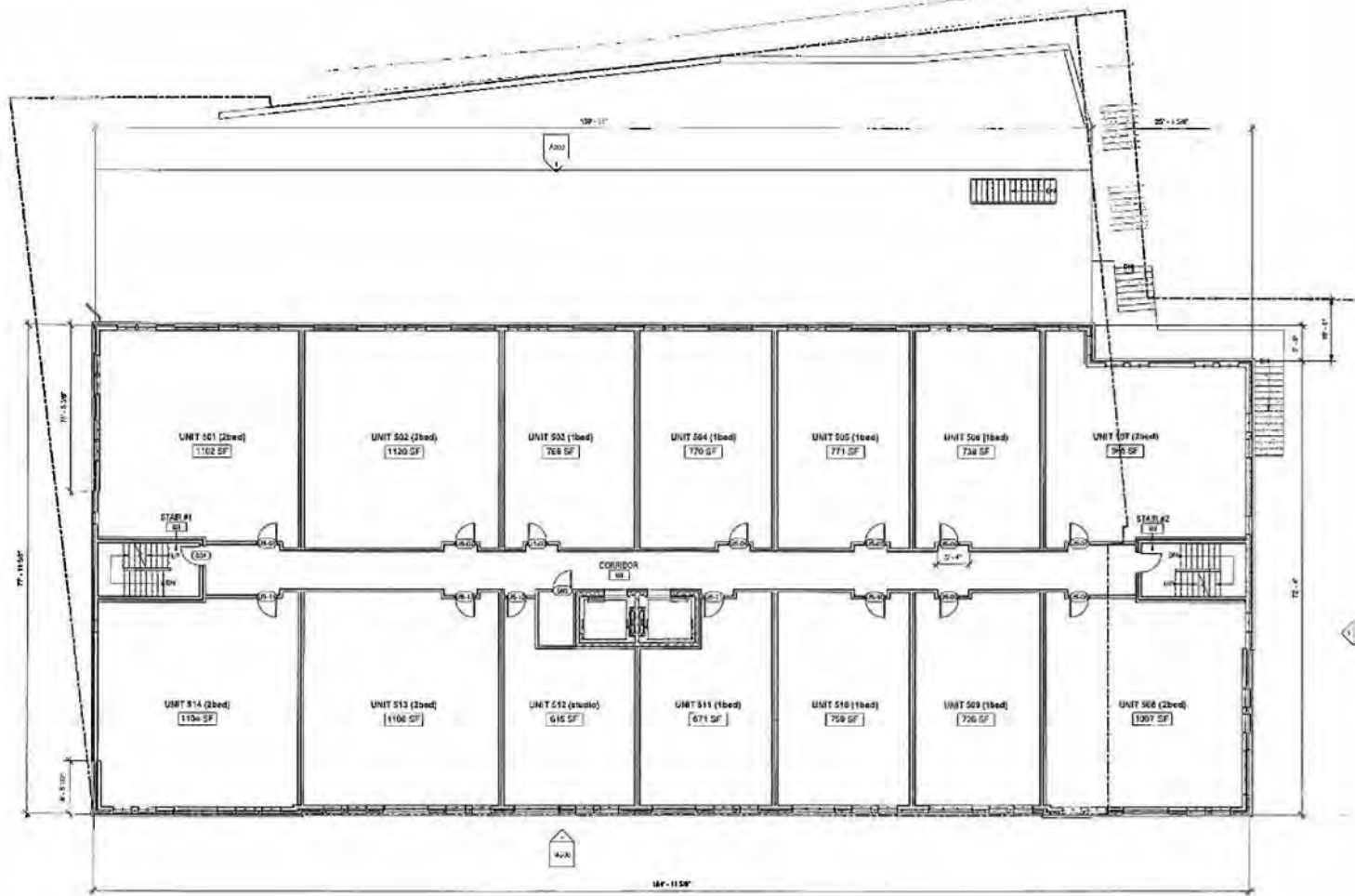
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---	ELECTRICAL EQUIPMENT ROOM
---	STAIRS
---	ELEVATOR
---	MECHANICAL EQUIPMENT ROOM
---	ELECTRICAL EQUIPMENT ROOM
---	STAIRS
---	ELEVATOR

**JD LaGrasse**  
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NO.	DATE	DESCRIPTION
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17	10/1/2018	ISSUED FOR PERMIT
18	10/1/2018	ISSUED FOR PERMIT
19	10/1/2018	ISSUED FOR PERMIT
20	10/1/2018	ISSUED FOR PERMIT





① FIFTH FLOOR

**JD LaGrasse & Associates, Inc.**  
 ARCHITECTS  
 1000 Main Street, Suite 100  
 New Bedford, MA 01905  
 Tel: 508-548-1111  
 www.jdla.com

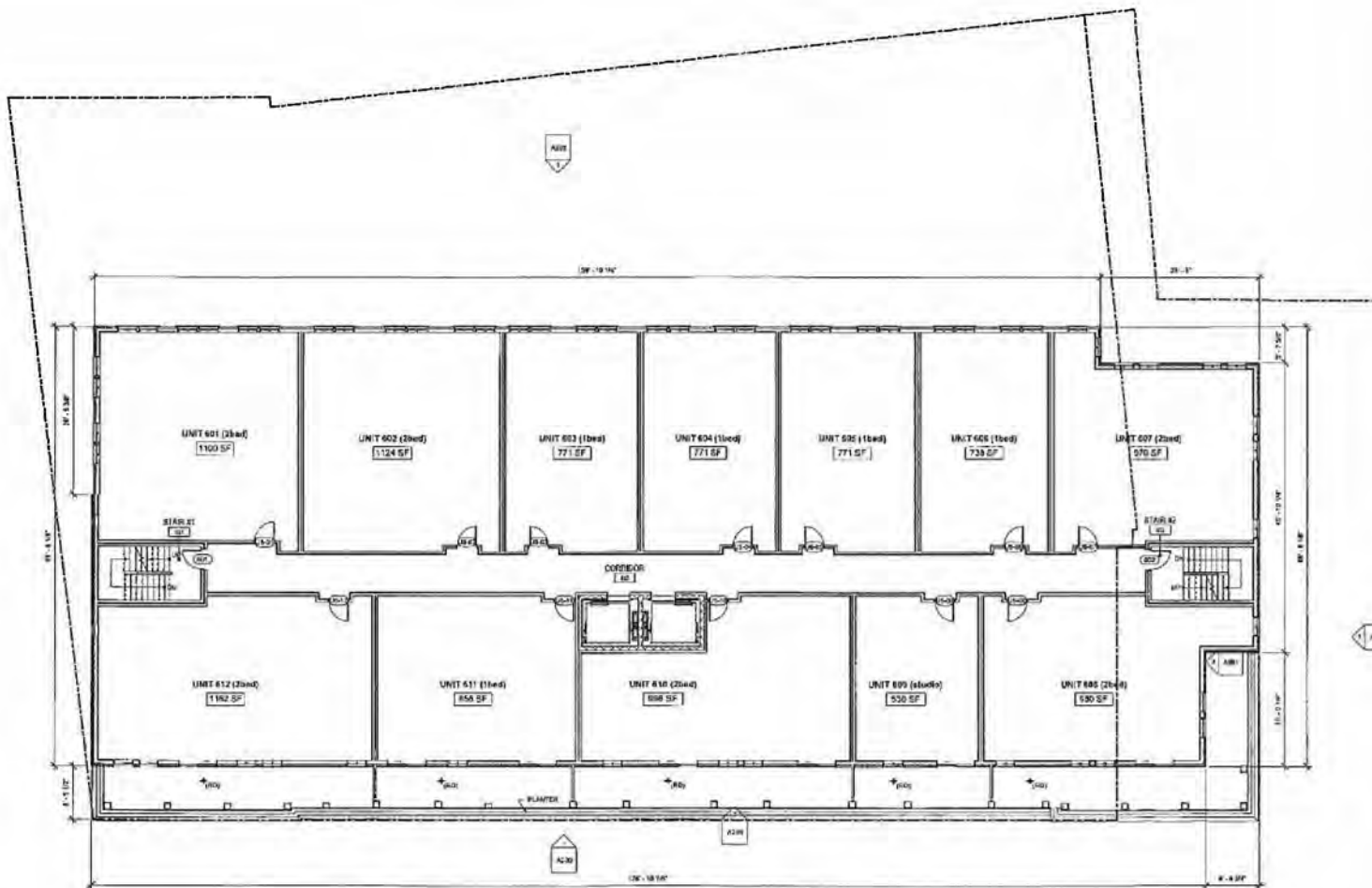
PROJECT NO. 15-001  
 DATE: 12/15/15

**E on MAIN - 2019**  
 15-001 MAIN STREET  
 NEW BEDFORD, MA

**FIFTH FLOOR PLAN**

DATE	15 Feb 2019
BY	JD
SCALE	AS SHOWN
PROJECT NO.	15-001
PROJECT NAME	E on MAIN
CLIENT	JD LA GRASSE & ASSOCIATES, INC.
ARCHITECT	JD LA GRASSE & ASSOCIATES, INC.
DESIGNER	JD LA GRASSE & ASSOCIATES, INC.
DATE	15 Feb 2019
BY	JD
SCALE	AS SHOWN

**A105**



① SIXTH FLOOR  
1/8" = 1'-0"

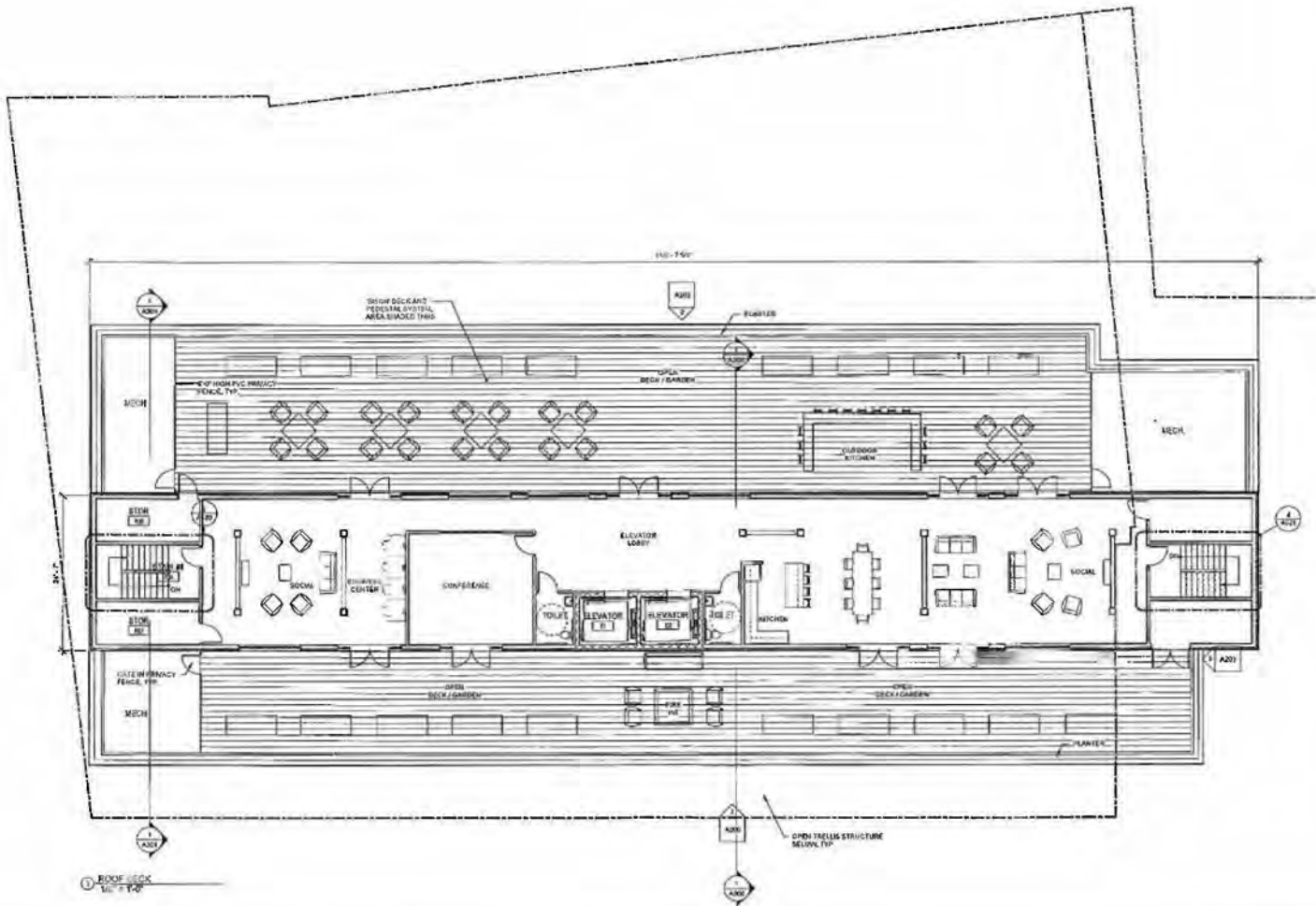
**JD LaGrasse**  
 & Associates, Inc.  
 Architects  
 1001 1/2 Main Street  
 Suite 200  
 Columbia, Maryland 21038  
 Phone: 410-326-1000  
 Fax: 410-326-1001  
 www.jdla.com

**E on MAIN - 2019**  
 1001 1/2 Main Street  
 Maryland, USA

**SIXTH FLOOR PLAN**

**JOLA1 201810**  
 This is a preliminary drawing and  
 shall not be used for construction  
 without the approval of the  
 architect. It is the responsibility of  
 the contractor to verify all  
 dimensions and conditions of the  
 site. The architect is not  
 responsible for any errors or  
 omissions in this drawing.  
 Date: 10/15/18  
 Drawn by: J. LaGrasse  
 Checked by: J. LaGrasse  
 Approved by: J. LaGrasse

Rev	Date	Description
1	10/15/18	Issue for Review
2	10/15/18	Issue for Construction



**JD LaGrasse**  
 & ASSOCIATES, Inc.  
 Architects-Engineers-Planners  
 100 South Main Street, Suite 100  
 Middlebury, VT 05753  
 Phone: 802-249-1111  
 www.jdla.com

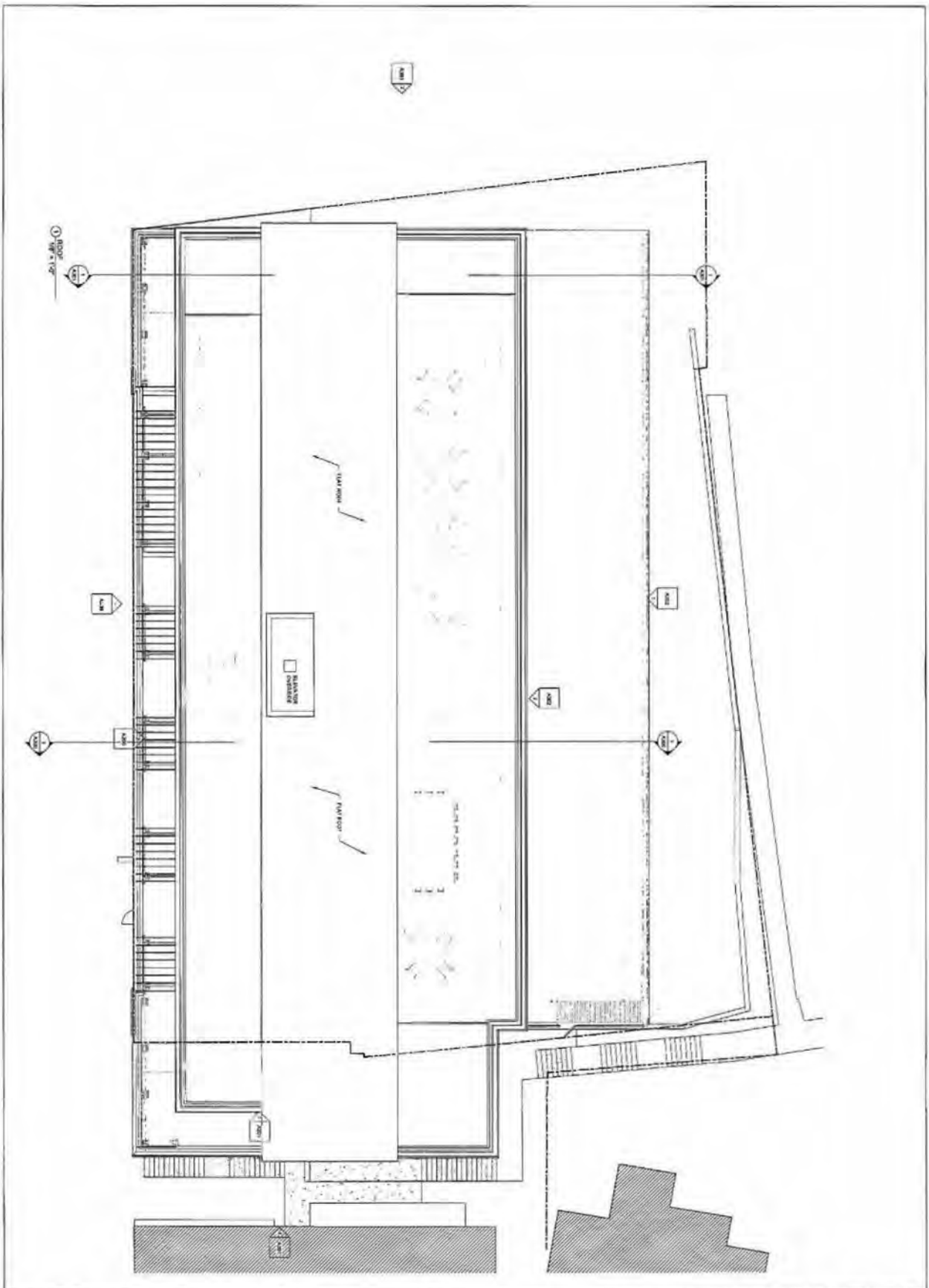
**E on MAIN - 2019**  
 Middlebury, VT  
 100-115 South Street

**ROOF DECK**

**JULAI 2018**  
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DATE	NO.	DESCRIPTION
15 Feb 2019	1	REVISED
15 Feb 2019	2	REVISED
15 Feb 2019	3	REVISED
15 Feb 2019	4	REVISED
15 Feb 2019	5	REVISED
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15 Feb 2019	10	REVISED

**A107**

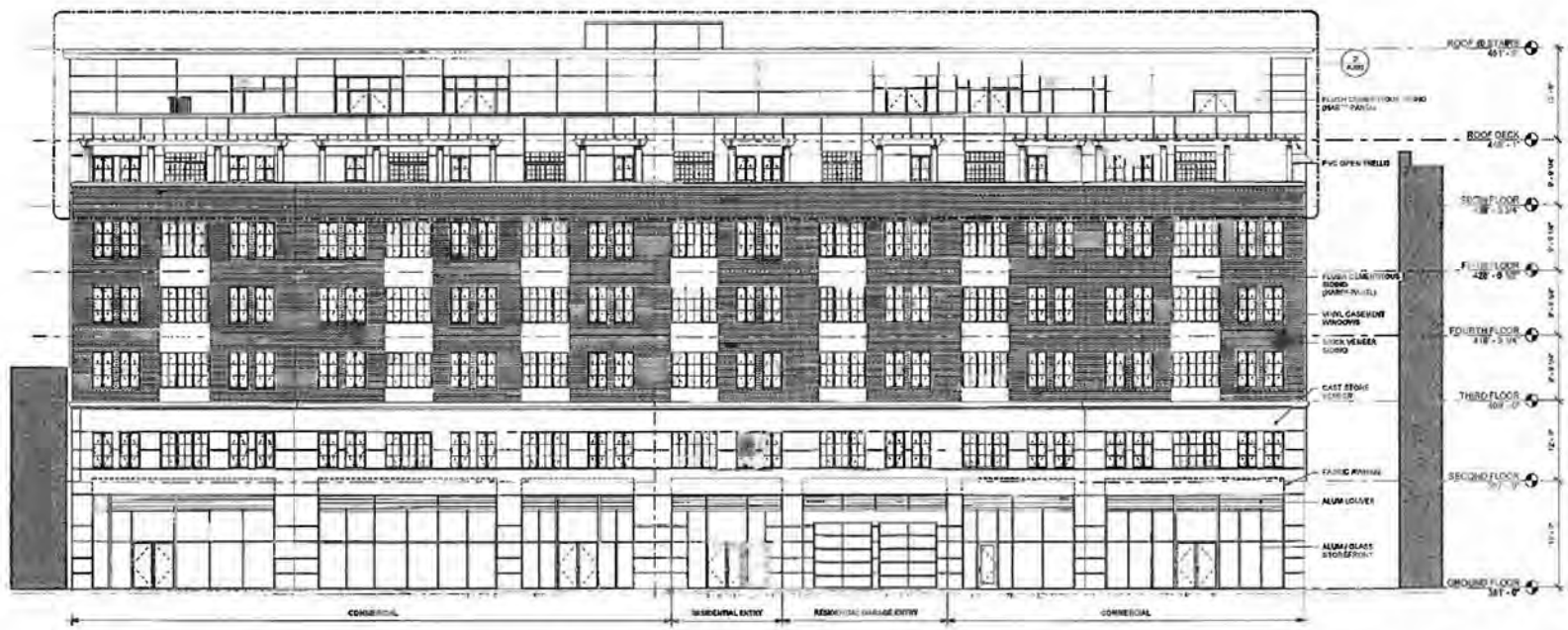


<p><b>A108</b></p> <p>DATE: 12/14/2019          TIME: 10:30 AM          DRAWN BY: JDL          CHECKED BY: JDL          PROJECT: E on MAIN - 2019</p>	<p>PROJECT: E on MAIN - 2019</p> <p>DATE: 12/14/2019</p> <p>TIME: 10:30 AM</p> <p>DRAWN BY: JDL</p> <p>CHECKED BY: JDL</p>	<p><b>ROOF PLAN</b></p>	<p><b>E on MAIN - 2019</b></p> <p>162-175 Main Street    Marlborough, MA</p>	<p>JD LaGrasse          &amp; Associates, Inc.</p> <p>Professional Engineers - Licensed and Plumber          One Elm Street, Marlborough, MA 01501          T. 978-251-1431 F. 978-251-3150  <a href="http://www.jdla.com">www.jdla.com</a></p>
	<p>© 2019 JD LaGrasse &amp; Associates, Inc. All rights reserved. No part of this drawing may be reproduced without the written permission of JD LaGrasse &amp; Associates, Inc.</p>			



South Exterior - Upper Levels  
1/8" = 1'-0"

- FLOOR CONCRETE ON 8" HDG. WALLS
- EDGE OF STAIRS 417'-0"
- PVC OPEN FIELDS
- ROOF 8" OC X 8" 428'-0"
- ROOF DECK 418'-0"
- VINYL CASHEM WINDOWS & DOORS
- SOUTH FLOOR 427'-3 1/4"



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

- ROOF STAIRS 417'-0"
- ROOF DECK 418'-0"
- SECOND FLOOR 427'-0"
- FIRST FLOOR 427'-0"
- FOURTH FLOOR 417'-3 1/4"
- THIRD FLOOR 417'-0"
- SECOND FLOOR 417'-0"
- GROUND FLOOR 417'-0"

**J.D. LaGrasse & Associates, Inc.**  
 1100 Main Street  
 Middleboro, MA 01948  
 Tel: 508-455-1100  
 Fax: 508-455-1101  
 www.jdla.com

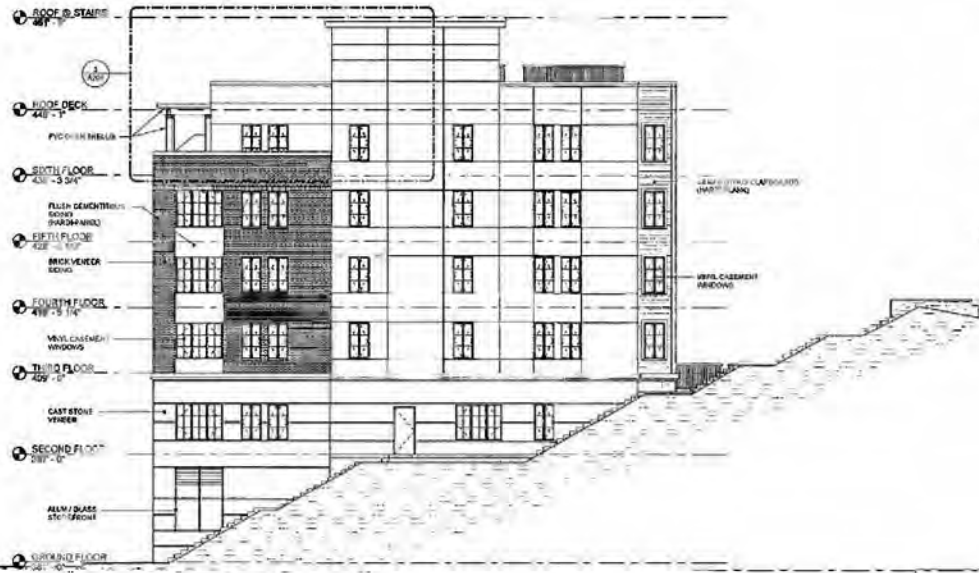
**E on MAIN - 2019**  
 1100 Main Street  
 Middleboro, MA

**SOUTH EXTERIOR ELEVATION**

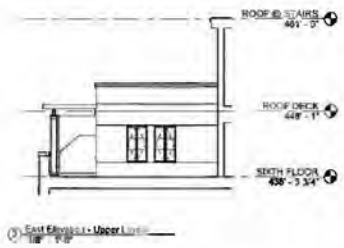
**JDAI 2018**  
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DATE	1/18
BY	JDL
DATE	12 Feb 2019
BY	JDL
DATE	02 + 1/8"
DATE	0/0

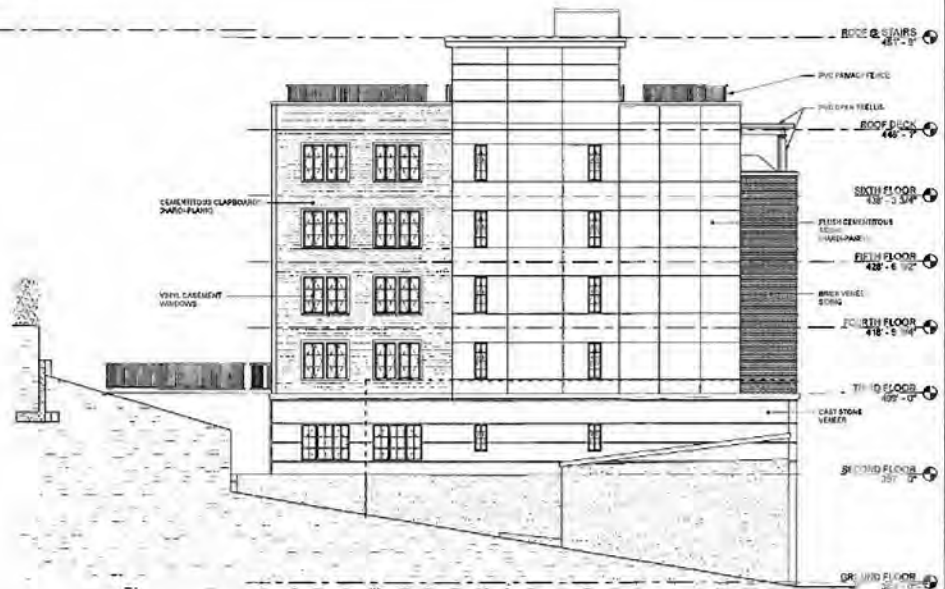
**A200**



1 East Elevation (200ft Stairs)  
10' = 1'-0"



2 West Elevation (100ft Stairs)  
10' = 1'-0"



3 East & West Exterior Elevations  
10' = 1'-0"

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Lynchburg, Virginia 24502  
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Fax: 434-399-1112  
www.jdla.com

**E on MAIN - 2019**  
1000 W. Main Street  
Martinsburg, VA  
153-173 Main Street

**EAST & WEST EXTERIOR ELEVATIONS**

DATE: 12 Feb 2019  
SCALE: 1/8" = 1'-0"  
DRAWN BY: JLA

**A201**





② Enlarged North Elevation  
1/4" = 1'-0"

① Enlarged South Elevation  
1/4" = 1'-0"

**JDL LaGrasse & Associates, Inc.**  
 1000 North Main Street, Suite 1000  
 Marlborough, MA 01752  
 Tel: 508-251-1111  
 Fax: 508-251-1112

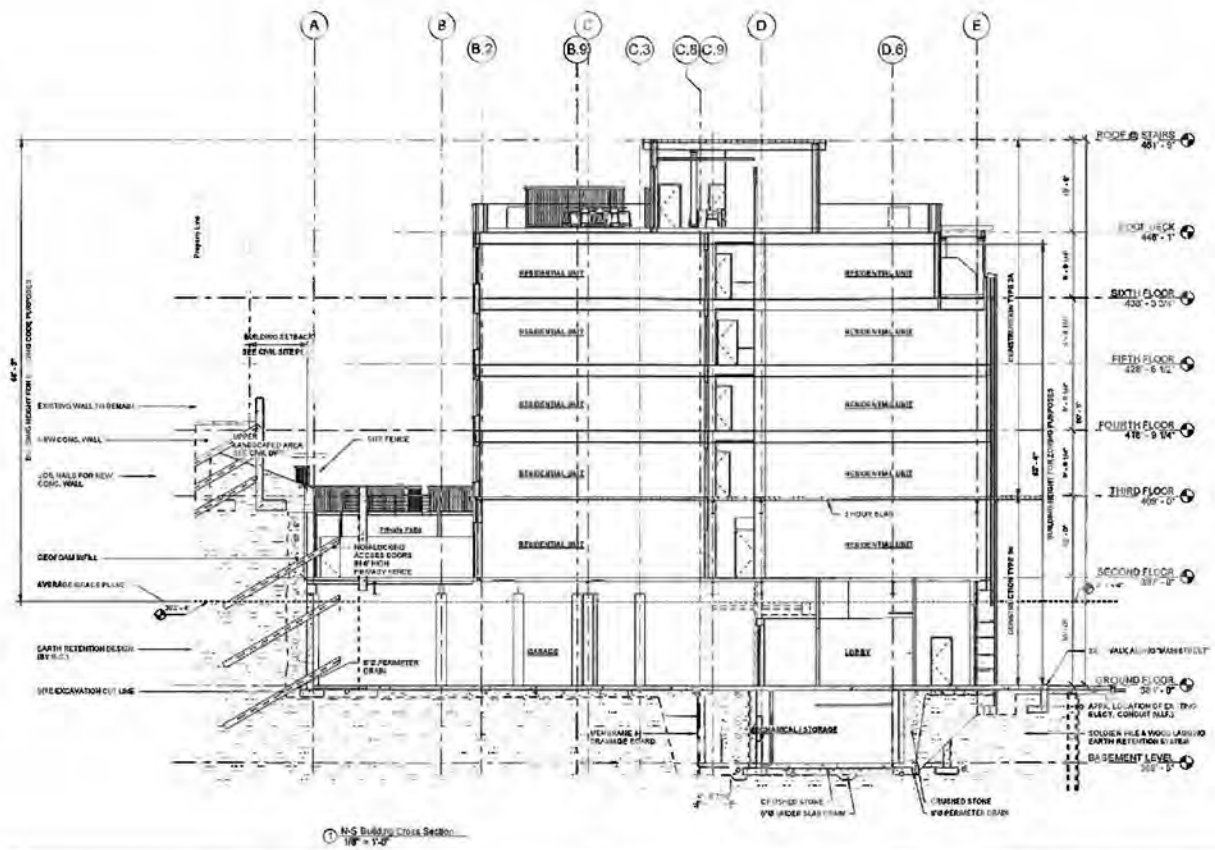
**E on MAIN - 2019**  
 100-105 Main Street  
 Marlborough, MA

**ENLARGED EXTERIOR ELEVATIONS**

**JDLA 2019C**  
 100-105 Main Street  
 Marlborough, MA  
 15 Feb 2019

DATE	15 Feb 2019
BY	JDL
SCALE	1/4" = 1'-0"
PROJECT	100-105 Main Street
DATE	15 Feb 2019
BY	JDL
SCALE	1/4" = 1'-0"
PROJECT	100-105 Main Street



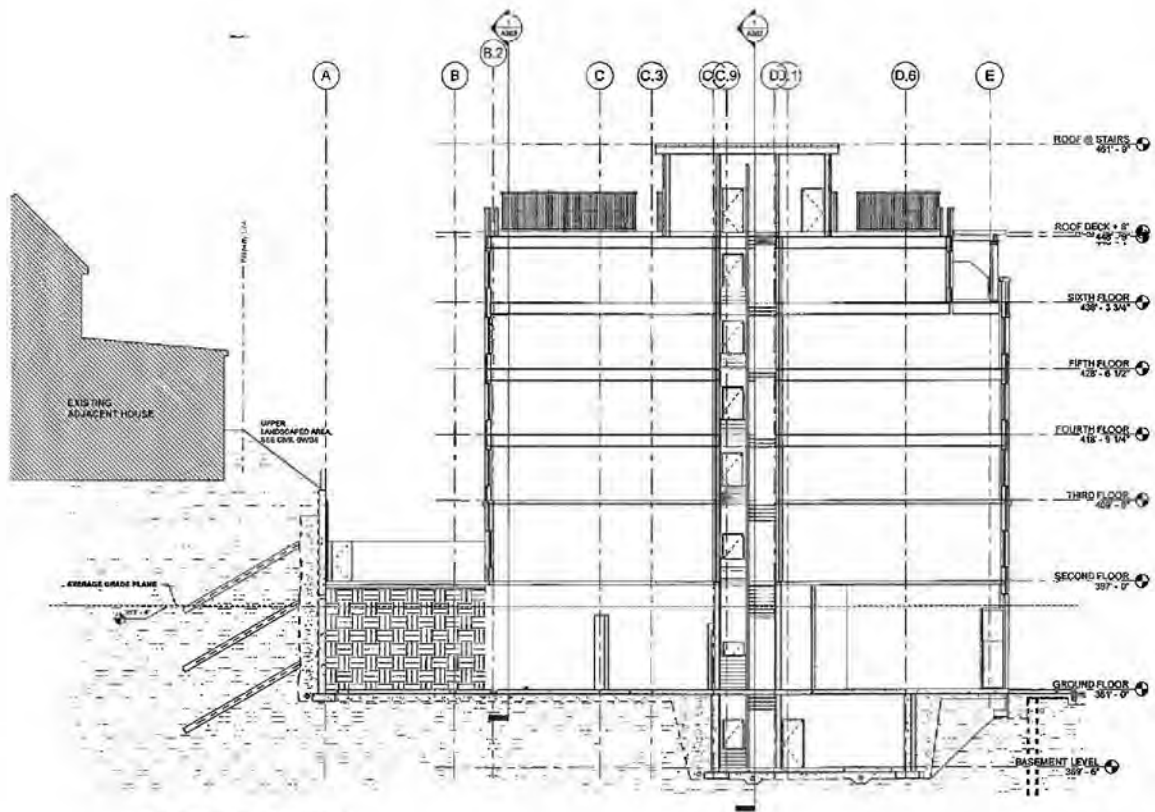


1/8" = 1'-0" Building Cross Section

**BUILDING SECTION I**

Project No: **JDLA120150**  
 Scale: As Shown  
 Date: 15 Feb 2019

Rev	2a	2a
Rev	15 Feb 2019	15 Feb 2019
Rev	15 Feb 2019	15 Feb 2019
Rev	20a	20a



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

**J.D. LaGrasse & Associates, Inc.**  
 Architects - Engineers - Interior - Land - Surveyors  
 One Elm Street, Suite 200, MA 01918  
 www.jdlagrassae.com

**E on MAIN - 2019**  
 100-173 Main Street  
 Methuen, MA

**BUILDING SECTION II**

Project No. 2019-01  
 Date 1/18/2019  
**J.D. LA GRASSE**  
 ARCHITECTS - ENGINEERS - INTERIORS - LAND SURVEYORS  
 100-173 MAIN STREET  
 METHUEN, MA 01918  
 TEL: 978-281-1111  
 FAX: 978-281-1112  
 www.jdlagrassae.com

NO.	DATE	REVISION
1	15 Feb 2019	100 - 173
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**A301**



A220

NO.	DATE	DESCRIPTION
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99	05/18/2018	ISSUED FOR PERMIT
100	05/18/2018	ISSUED FOR PERMIT

Prepared for:  
 Project Approval  
 Title: SE Perspective View

183-175 Main Street  
 Wetherborough, MA

JD LaGrasse  
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 Architects - Engineers - Planners - Land Planning  
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A221

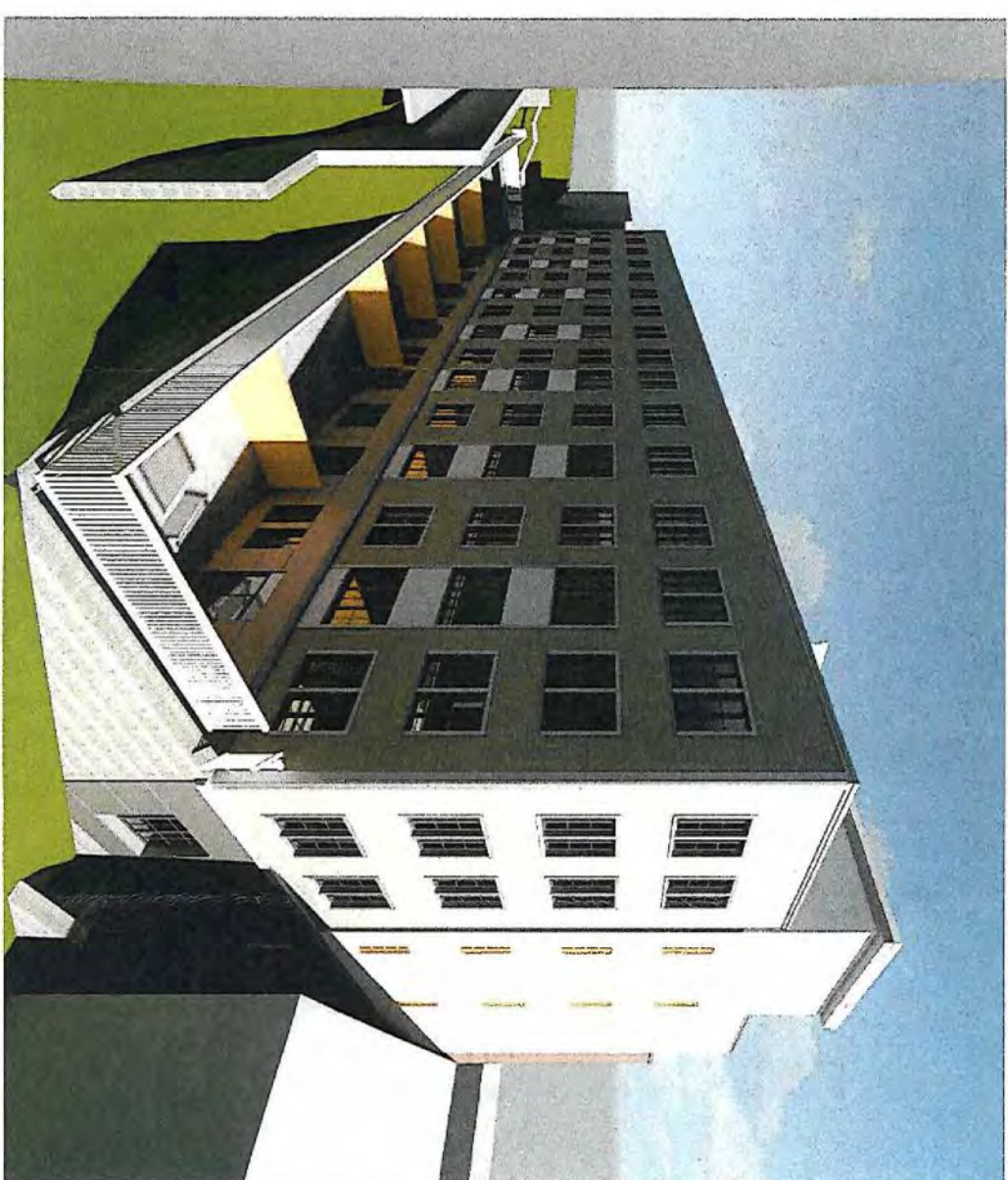
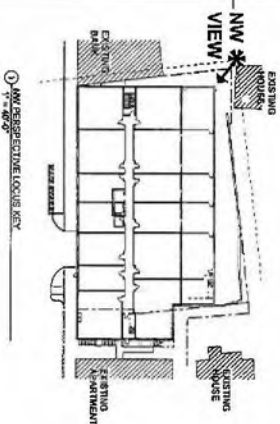
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19	05/14/2018	ISSUED FOR PERMIT
20	05/14/2018	ISSUED FOR PERMIT

prepared for  
 Architect: **JD LaGrasse & Associates, Inc.**  
 title: **NE Perspective**

**E on MAIN - 2019**  
 183-175 Main Street    Marlborough, MA



**JD LaGrasse**  
 & Associates, Inc.  
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 One Elm Square, Marlborough, MA 01752  
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NO.	DATE	REVISIONS
1	03/23/2019	REVISED
2	04/02/2019	REVISED
3	04/02/2019	REVISED
4	04/02/2019	REVISED
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9	04/02/2019	REVISED
10	04/02/2019	REVISED

**JDAI 2019**  
 JDAI 2019  
 165-175 Main Street  
 Marlborough, MA 01501  
 Tel: 508-252-3472  
 Fax: 508-252-3473  
 www.jdalagrasselandassociates.com

prepared for  
 location  
 date  
**NW Perspective**

**E on MAIN - 2019**  
 165-175 Main Street Marlborough, MA

**JD LaGrasse & Associates, Inc.**  
 Architects • Engineers • Interiors • Land Planning  
 One Elm Street, Andover, MA 01810  
 T 978-252-3472 F 978-470-3876  
 www.jdalagrasselandassociates.com

A222

Ad-Hoc Municipal Aggregation Committee

Meeting Minutes – February 11, 2019

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2019 FEB 19 A 8:45

The Ad-Hoc Municipal Aggregation Committee met on February 11, 2019 from 11:00 AM to 11:35 AM in the Mayor's Conference Room. The following individuals were in attendance:

Ad-Hoc Municipal Committee members:

- Chief Procurement Officer Beverly Sleeper
- Mayor Arthur Vigeant
- City Council President Ed Clancy
- DPW Commissioner John Ghiloni
- City Councilor Michael Ossing (Chairman of the Ad-Hoc Municipal Aggregation Committee)
- Members absent: None

Additional individuals at the meeting:

- City Solicitor Don Rider
- Colonial Power Representatives Mark Cappadona and Denise Allard

The following items were discussed:

1. **Minutes of the September 27, 2018 Ad-Hoc Municipal Aggregation Committee meeting.**
  - The Committee approved the September 27, 2018 meeting minutes 5 – 0.
2. **Council Update.**
  - The Committee was informed that the City Council October 15, 2018 agenda included the City Council notification of the six-month fixed price contract with Direct Energy Services from the December 2018 meter reads through May 2019 (Agenda item 7), the Ad-Hoc Municipal Aggregation Committee meeting minutes of September 27, 2018 (Agenda item 30) and the Council Order 18-1007435 to have the Ad-Hoc Municipal Aggregation Committee review the current Order 17-1006881 (Agenda item 35).

3. **Discuss Council Order 18-1007435:**

In trying to alleviate the price swings between the summer and winter periods and to try to provide some stability and predictability to Marlboro Residents, the following changes were suggested to the Order 17-1006881:

Current wording of Order 17-1006881:

1. This order supersedes order 06-1001337A dated November 6, 2016.
2. The goal of Municipal Aggregation is to require that the R-1 (residential) class rates be lower than the prevailing National Grid Fixed Basic Service Rate.

Recommend the following changes:

1. This order supersedes order 17-1006881 dated April 10, 2017.

2. The goal of the Ad-Hoc Municipal Aggregation Committee is to obtain competitive electric supply offers that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period.

The balance of the order remains the same:

3. Establish an Ad-Hoc Municipal Aggregation Committee that will review competitive electric supply agreements and make recommendations to the Mayor. The Municipal Aggregation Committee will consist of 5 members including:
  - The Mayor
  - Two City Councilors (appointed by the City Council President)
  - The Chief Procurement Officer
  - The DPW Commissioner (or designee)
  - A quorum shall consist of a minimum of 3 members
4. The Ad-Hoc Municipal Aggregation Committee will provide periodic updates to the City Council on Municipal Aggregation implementation.
5. All suppliers of electricity licensed by the Department of Public Utilities and qualified to do business in the Commonwealth of Massachusetts can participate in the City's Municipal Aggregation Program.

The Committee reviewed data from Colonial Power regarding contract lengths and pricing for the 46 municipalities that Colonial Power manages in the Commonwealth (Attachment 2).

The contracts range in length from 6 months to 40 months. The table below lists the contract lengths and the number of participating municipalities:

Contract Length (months)	Participating Municipalities	Contract Length (months)	Participating Municipalities
6	4	23	1
8	1	24	7
9	1	30	5
12	4	36	20
18	2	40	1

Marlboro is one of the four municipalities with a six month contract length.

Worth noting is that Marlboro has the highest electricity rate of the 46 participating municipalities managed by Colonial Power during the winter period.

The Committee also reviewed projected savings if a 12-month contract was awarded based on bids received in May 2018 (Attachment 3). While residents might tend to pay slightly higher than the NGrid rates during the summer, residents would save significantly more money on their electricity supply during the winter period. The projected savings with the 12 month contract was \$112.68 versus the actual savings of \$28.67.

The committee voted 5 – 0 to approve the changes to Order 17-1006881. The proposed new order that will require City Council approval is presented in Attachment 1.

The Committee acknowledged that the approval plan for the revised should include a public hearing and referral to a standing Council committee.

- **ACTION:** Chairman Ossing to submit the revised order at the next City Council Meeting for Council approval, set a public meeting date and refer to the Finance Committee.

Colonial Power agreed to pay the advertising costs for the proposed order to be advertised for the public meeting.

#### 4. Discuss timeline for next bid cycle for electricity supply:

- The Committee acknowledged that the City Council may not approve the proposed order in time before the current contract expires. Therefore, the Committee agreed to the following timeline (based on NGrid setting summer rates in March):

Per current Order 17-1006881:

- March 13, 2019 – National Grid sets summer rate
- March 14, 2019 – Colonial Power obtains indicative pricing
- March 20, 2019 – DPU approves NGrid Rate
- March 21, 2019 – Colonial Power Obtains formal proposal for next six months of electricity supply (May 1, 2019 to October 31, 2019)
- March 21, 2019 – Ad-Hoc Municipal Aggregation Committee votes on new electricity rates
- April 2019 – Notify City Council of new electricity rate
- May 2019 – new electricity rate takes effect

(Proposed schedule is for representative purposes only)

Dates are subject to change based on receipt of necessary proposals

#### 5. Other Business.

- The next meeting of the Ad-Hoc Municipal Aggregation Committee is tentatively set for the third week of March 2019.
- The February 11, 2019 Ad-Hoc Municipal Aggregation Committee meeting minutes will be submitted to the City Clerk to be included in a future City Council agenda. **ACTION: M. Ossing**

**Attachment 1:** Proposed Revision to Order 17-1006881

**Attachment 2:** Data showing the 46 Municipalities managed by Colonial Power with contract length and pricing

**Attachment 3:** Various graphs illustrating potential savings using a 12 month contract (example only)



## Attachment 1

### Proposed Revision to Order 17-1006881

1. This order supersedes order 17-1006881 dated April 10, 2017.
2. The goal of the Ad-Hoc Municipal Aggregation Committee is to obtain competitive electric supply offers that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period.
3. Establish an Ad-Hoc Municipal Aggregation Committee that will review competitive electric supply agreements and make recommendations to the Mayor. The Municipal Aggregation Committee will consist of 5 members including:
  - The Mayor
  - Two City Councilors (appointed by the City Council President)
  - The Chief Procurement Officer
  - The DPW Commissioner (or designee)
  - A quorum shall consist of a minimum of 3 members
4. The Ad-Hoc Municipal Aggregation Committee will provide periodic updates to the City Council on Municipal Aggregation implementation.
5. All suppliers of electricity licensed by the Department of Public Utilities and qualified to do business in the Commonwealth of Massachusetts can participate in the City's Municipal Aggregation Program.

**Attachment 2**

**List of 46 Municipalities Aggregation Plans Managed by Colonial Power (2 pages)**

<u>City/Town</u>	<u>Utility</u>	<u>Load Zone</u>	<u>Supplier</u>	<u>Contract Term</u>	<u>Length</u>	<u>Product</u>	<u>Renewable Energy Content</u>	<u>Rate</u>
Adams	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10408
Ashby	Unitil	WCMA	Constellation	November 2017 - November 2019	24	Standard	Meets RPS Requirements	.10969
Ashland	Eversource East	NEMA/SEMA	Public Power	June 2018 - December 2020	30	Green	MA RPS + 77% National Wind = 100% RECs	.10947
Auburn	National Grid	WCMA	Constellation	June 2018 - June 2019	12	Standard	Meets RPS Requirements	.12165
Berlin	National Grid	WCMA	Constellation	July 2018 - November 2021	40	Green	MA RPS + 77% National Wind = 100% RECs	.10999
Billerica	National Grid	WCMA	NextEra	January 2019 - January 2021	24	Standard	Meets RPS Requirements	.10631
						Green [OPT-IN]	100% National Wind RECs	.10733
Carlisle	Eversource East	NEMA	Public Power	July 2018 - January 2021	30	Green	MA RPS + 77% National Wind = 100% RECs	.10981
						Standard [OPT-IN]	Meets RPS Requirements	.10879
Cheshire	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10408
Clarksburg	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Dalton	Eversource West	WCMA	Public Power	January 2018 - January 2021	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Egremont	National Grid	WCMA	Verde	January 2018 - July 2019	18	Green	100% National Wind RECs	.11354
Florida	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Gardner	National Grid	WCMA	Constellation	November 2017 - November 2019	24	Standard	Meets RPS Requirements	.10249
Great Barrington	National Grid	WCMA	NextEra	November 2018 - November 2019	12	Green	100% National Wind RECs	.11259
Halifax	National Grid	SEMA	NextEra	September 2017 - September 2020	36	Standard	Meets RPS Requirements	.10876
Heath	National Grid	WCMA	Constellation	December 2018 - December 2019	12	Standard	Meets RPS Requirements	.11924
Holliston	Eversource East	SEMA/NEMA	Public Power	June 2018 - December 2020	30	Standard	Meets RPS Requirements	.11273
Kingston	Eversource East	SEMA	NextEra	September 2017 - March 2020	30	Standard	Meets RPS Requirements	.10523
Lancaster	National Grid	WCMA	NextEra	December 2018 - June 2019	6	Standard	Meets RPS Requirements	.13129
Lanesborough	Eversource West	WCMA	First Point	January 2018 - July 2019	6	Standard	Meets RPS Requirements	.11674
	National Grid/							
Lenox	Eversource West	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Leverett	Eversource West	WCMA	First Point	March 2019 - December 2019	9	Green	100% National Wind RECs	.10330
						Green [OPT-IN]	100% MA Class I Recs	.11181
Lowell	National Grid	WCMA	CMEEC	November 2017-October 2019	23	Standard	Meets RPS Requirements	.13650
Lunenburg	Unitil	WCMA	Constellation	November 2018 - November 2021	36	Standard	Meets RPS Requirements	.10998
Marlborough	National Grid	WCMA	Direct Energy	November 2018 - May 2019	6	Standard	Meets RPS Requirements	.13650
						Green [OPT-IN]	100% National Wind RECs	.13710
Millville	National Grid	SEMA	Direct Energy	November 2018 - November 2021	36	Green	100% National Wind RECs	.11417
Monterey	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
New Marlborough	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708

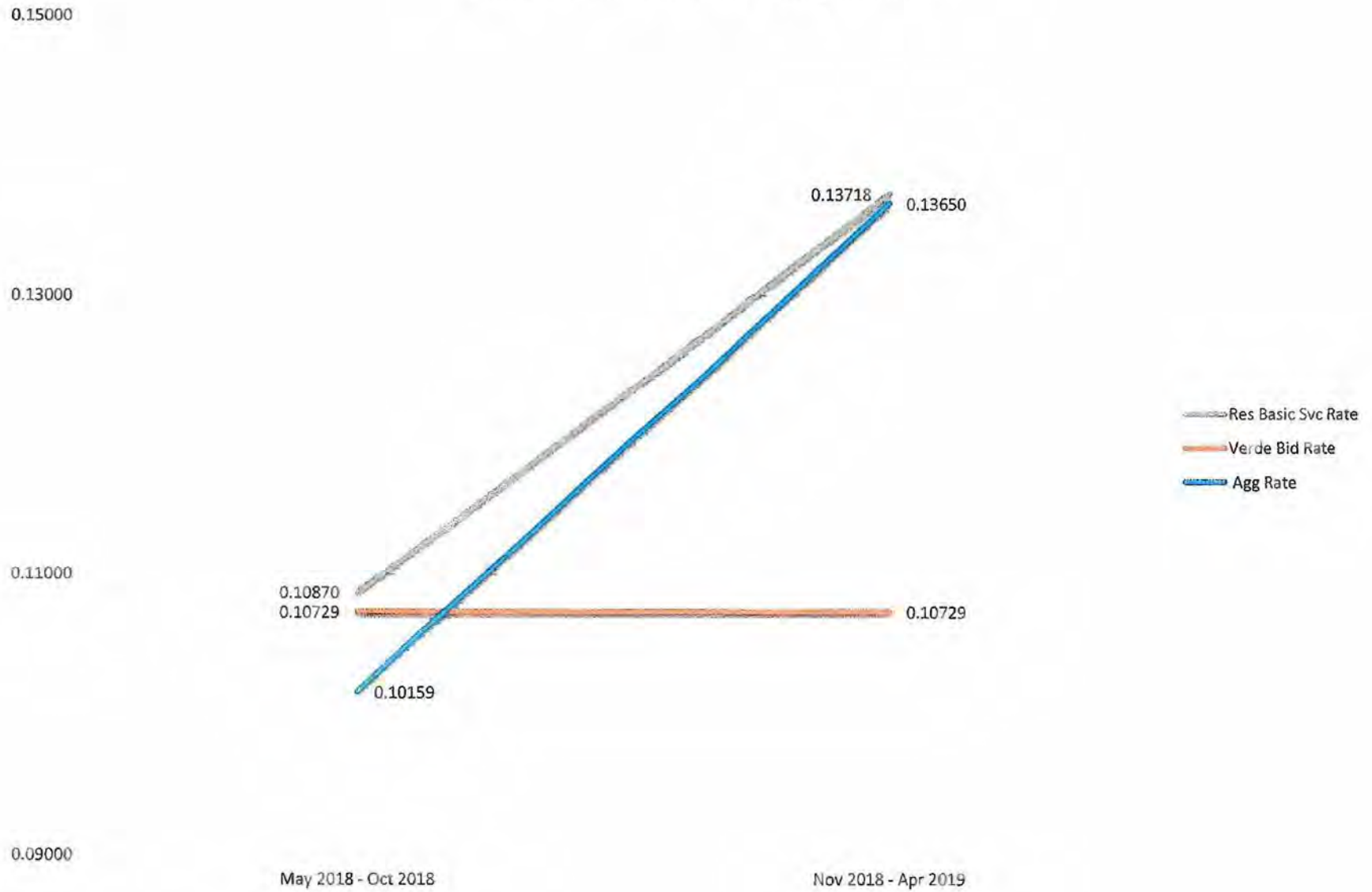
<u>City/Town</u>	<u>Utility</u>	<u>Load Zone</u>	<u>Supplier</u>	<u>Contract Term</u>	<u>Length</u>	<u>Product</u>	<u>Renewable Energy Content</u>	<u>Rate</u>
North Adams	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
North Andover	National Grid	NEMA/WCMA	Constellation	January 2019 - July 2019	6	Standard Green [OPT-IN]	Meets RPS Requirements 100% National Wind RECs	.12685 .12778
Orange	National Grid	WCMA	Verde	November 2017 - November 2019	24	Green	100% National Wind RECs	.10372
Pittsfield	Eversource West	WCMA	NextEra	January 2018 - January 2021	36	Green	25% More SREC II than Req'd by MA RPS	.09976
Plymouth	Eversource East	SEMA	NextEra	October 2017 - October 2020	36	Standard	Meets RPS Requirements	.10333
Plympton	Eversource East	SEMA	Public Power	July 2018 - January 2021	30	Standard Green [OPT-IN]	Meets RPS Requirements MA RPS + 77% National Wind = 100% RECs	.11056 .11158
Salisbury	National Grid	NEMA	First Point	January 2019 - January 2022	36	Green	100% National Wind RECs	.11065
Sandisfield	Eversource West	WCMA	First Point	January 2019 - January 2020	12	Standard	Meets RPS Requirements	.11533
Sheffield	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Tewksbury	National Grid	WCMA/NEMA	Direct Energy	December 2018 - December 2021	36	Green	100% National Wind RECs	.10990
Tyngsborough	National Grid	WCMA	First Point	November 2018 - July 2019	8	Standard	Meets RPS Requirements	.13130
Wendell	National Grid	WCMA	Verde	January 2018 - January 2020	24	Green	100% National Wind RECs	.10554
West Bridgewater	National Grid	SEMA	Direct Energy	November 2018 - November 2021	36	Standard	Meets RPS Requirements	.11326
West Brookfield	National Grid	WCMA	Verde	December 2017 - December 2019	24	Standard	Meets RPS Requirements	.09999
West Stockbridge	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Williamsburg	National Grid	WCMA	NextEra	November 2017 - May 2019	18	Green	100% National Wind RECs	.11376
Williamstown	National Grid	WCMA	Public Power	November 2017 - November 2020	36	Green	MA RPS + 77% National Wind = 100% RECs	.10708
Winchendon	National Grid	WCMA	Verde	December 2017 - December 2019	24	Green	100% National Wind RECs	.10362

**Attachment 3**

**Various Graphs Illustrating Potential Savings Using a 12 month Contract**

**Example Only – 5 Pages**

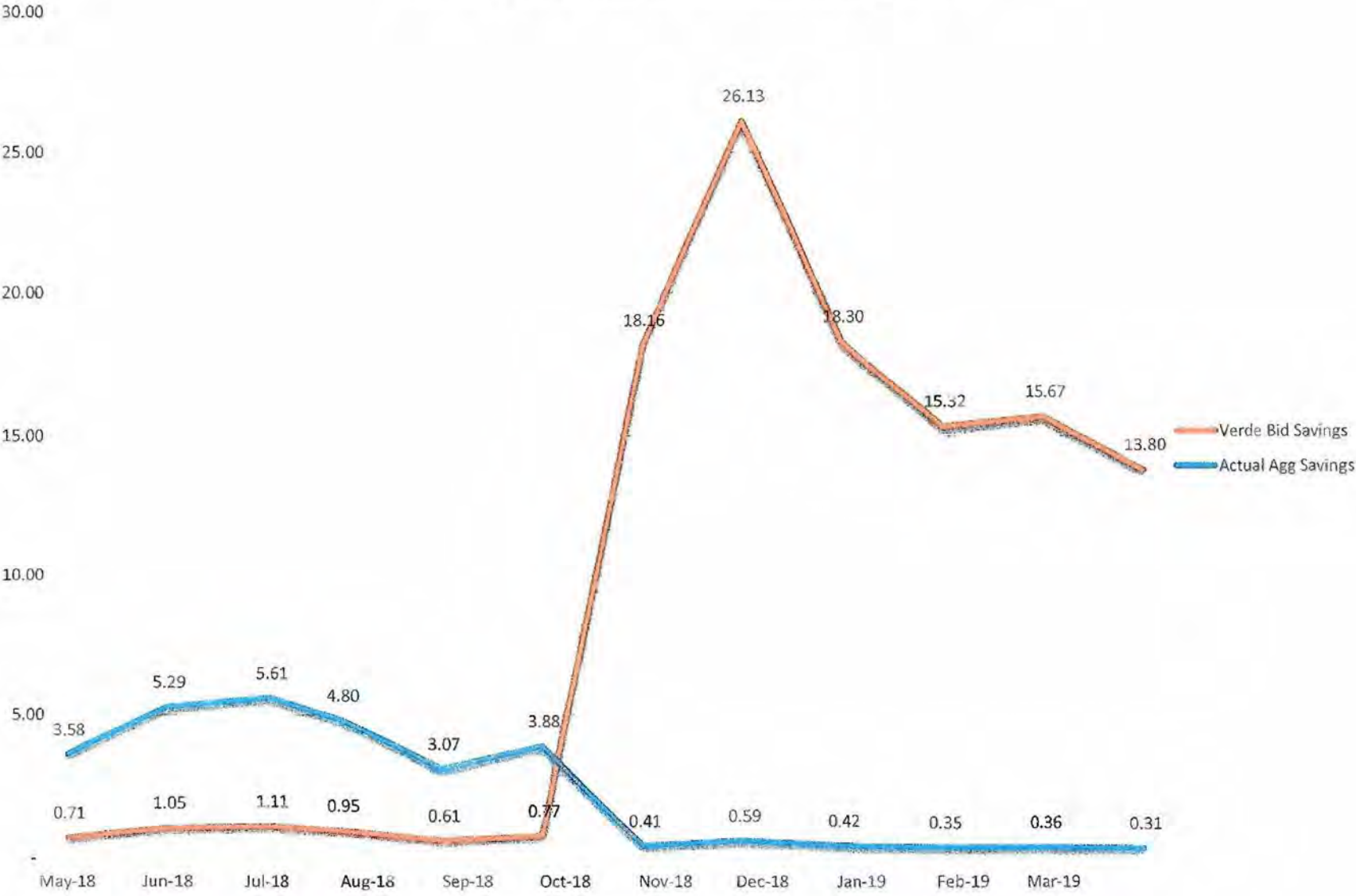
# City of Marlborough Past Residential Rate Comparison



## City of Marlborough Total Monthly Savings Comparison

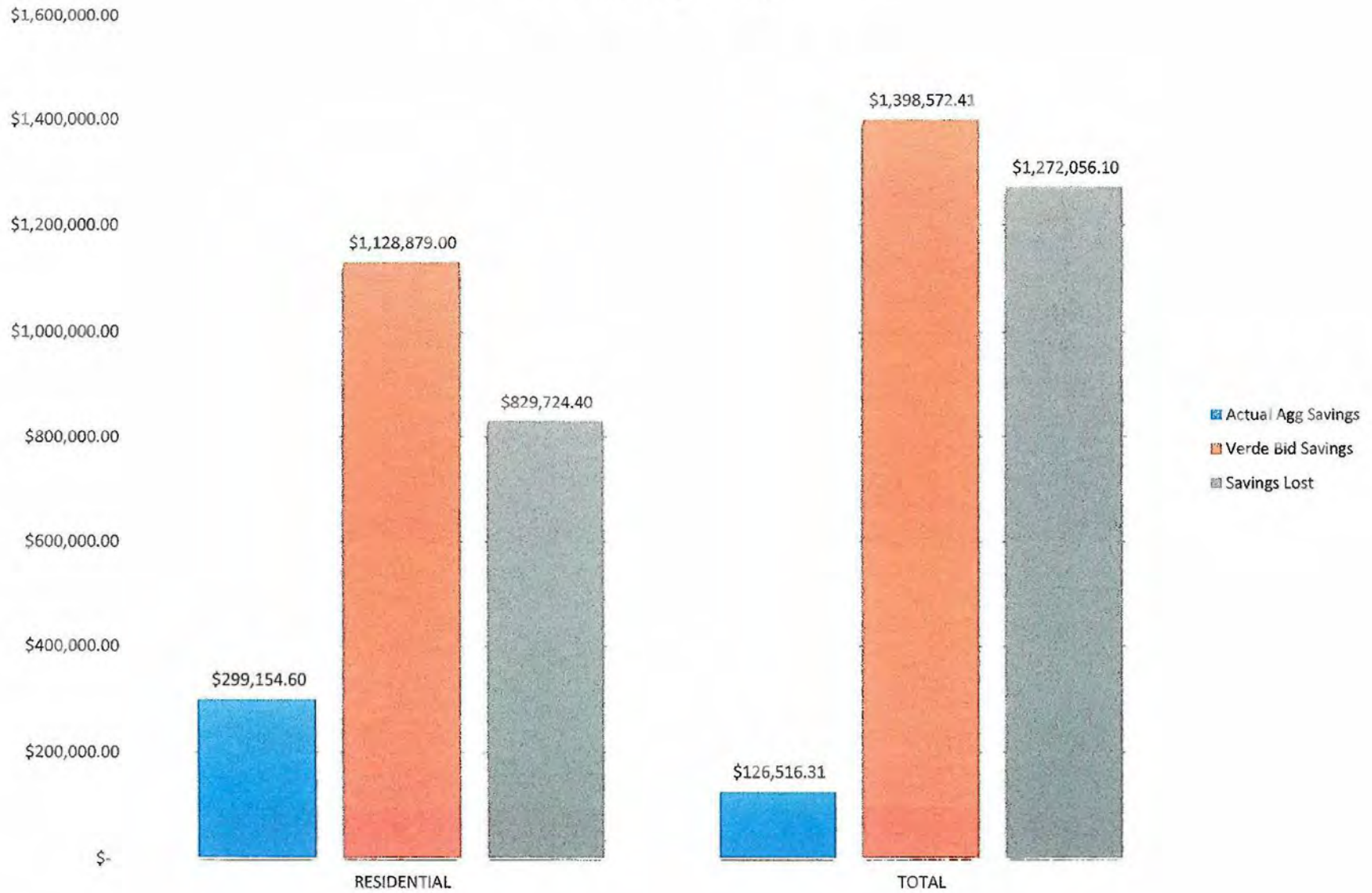


# City of Marlborough Monthly Savings Per Resident Comparison

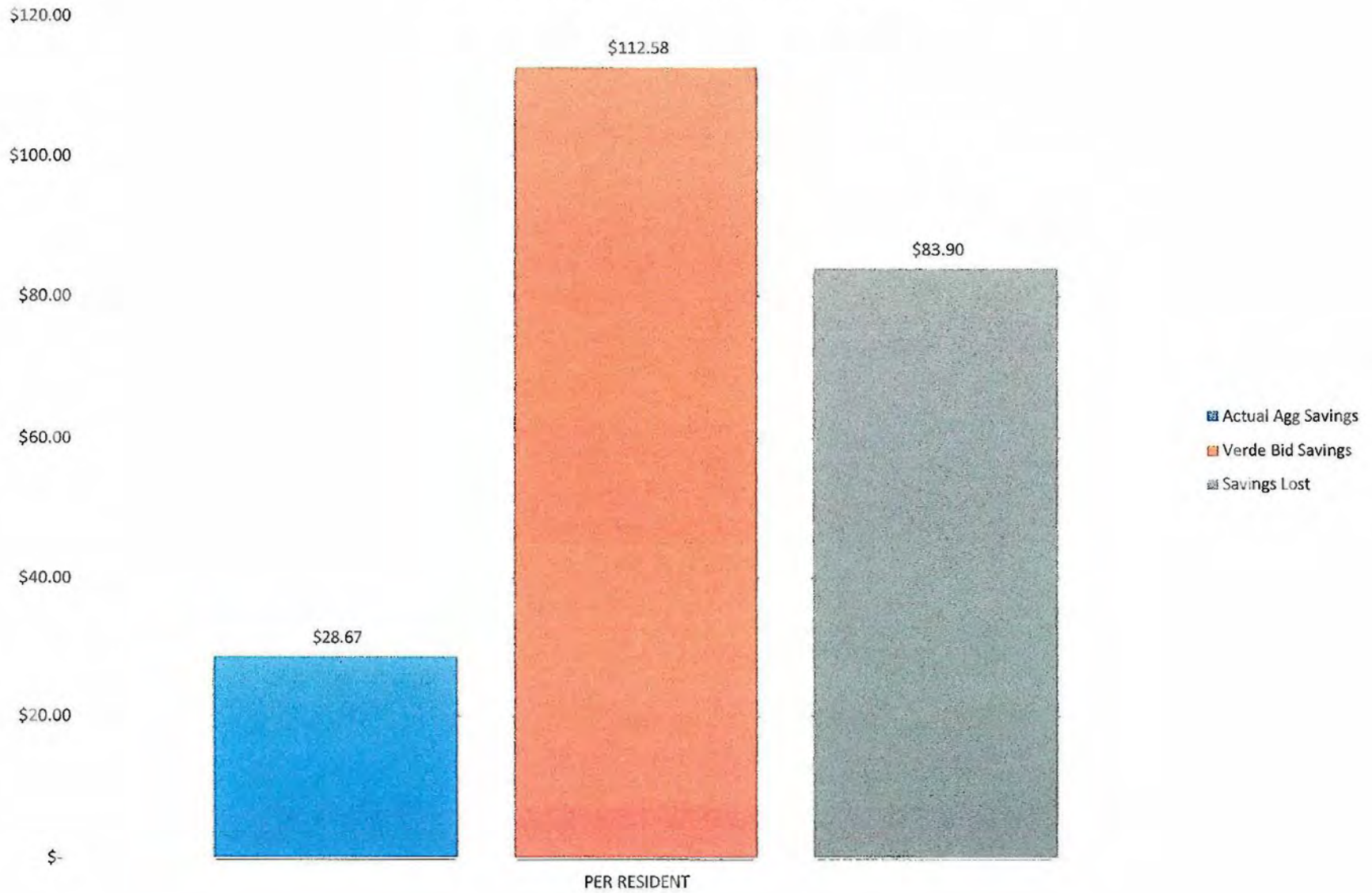




# City of Marlborough Total Savings Comparison



# City of Marlborough Total Savings Per Resident Comparison





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2019 FEB 12 A 9:17

## **BOH MEETING MINUTES -12-3-18**

### **Attending**

Robin Williams, Chairwoman  
Jim Griffin, Vice Chair  
Joseph Tennyson, MD, Member

Also in attendance: Cathleen Liberty, Director of Public Health, Tina Nolan, Senior Clerk

**Meeting called to order 6:34 pm**

### **REVIEW OF MEETING MINUTES**

Review of October meeting minutes, accepted by Member Tennyson and Vice Chair Griffin as is.

### **ADMINISTRATIVE**

### **BOARD BUSINESS**

#### **Medicinal and Adult Use of Marijuana Regulation**

Director Liberty presented the Board with the combined regulation and they agreed on the combined regulation. The Board discussed the contents of the regulation and agreed to ask the Legal Department to clarify on their comments and put back on the agenda in January.

#### **Local Food Regulations**

Chair Williams discussed writing a local regulation that included definitions and time as a public health policy that should be approved by the health department for the stores that no longer need a food permit so that we don't lose the ability to conduct inspections based on customer complaints. Director Liberty will put this item on the agenda for the November meeting.

#### **Food Code Trainings**

Director Liberty notified the board that the health department held the food code trainings in October and November for the food establishments in leu of the state adopting the 2013 Food Code. Chair Williams noted that MEHA and MHOA were having trainings for regulators.

#### **Mentee/Mentorship with NACCHO**

Director Liberty updated the board on recent grants received from NACCHO to continue working on the FDA standards.

Reorganize BOH Chair

Robin motioned to have Dr. Tennyson be the new Chair on the Board and Vice Chair Griffin to remain the Vice Chair. Jim second the motion.

## **PUBLIC HEALTH ISSUES**

### **CBD**

Director Liberty brought to the Boards attention that retail stores are selling CBD product that do not contain THC. Director Liberty asked the Board to prohibit the gummy bears being sold with CBD because they may attract children to eat the gummy bears. The Board declined to prohibit the product but agreed this was a good way to reach out to the store owners to request they keep the gummy bears behind the counter and out of reach of children.

## **MONTHLY REPORTS**

- **Nurse's Report**

Director Liberty submitted the Public Health Nurse's report and accepted to be placed on file. Director Liberty also discussed with the board contents of the report.

- **Sanitarians' Reports**

Presented by Director Liberty - reports were submitted and accepted to be placed on file.

## **OTHER BUSINESS UNKNOWN AT TIME OF POSTING**

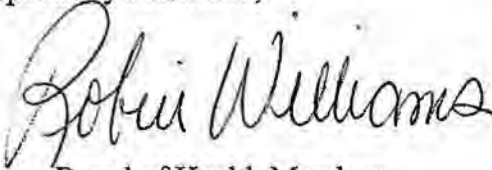
### **ADJOURN**

Motion – to adjourn the meeting at 7:18 PM – Vice Chair Griffin

Second – Member Tennyson

**Next Board of Health meeting will be on January 14, 2019.**

Respectfully submitted,



2/11/19

Dated

Cc: Board of Health Members  
City Council  
City Clerk  
City of Marlborough Website



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2019 FEB 12 A 9:17

## **BOH MEETING MINUTES –1-14-19**

### **Attending**

Joseph Tennyson, MD, Chair

Jim Griffin, Vice Chair

Robin Williams, Member

Also in attendance: Cathleen Liberty, Director of Public Health, Tina Nolan, Senior Clerk, Attorney Brian Faulk

**Meeting called to order 6:30 pm**

### **REVIEW OF MEETING MINUTES**

Minutes will be reviewed at the February meeting.

### **ADMINISTRATIVE**

### **BOARD BUSINESS**

#### **PUBLIC HEALTH ISSUES**

##### **Medicinal and Adult Use of Marijuana Regulation**

Director Liberty presented the Board with the combined regulations. The Board discussed the contents of the regulation with Director Liberty and Atty Faulk who represents Garden Remedies, a new combined facility opening in Marlborough. After much discussion regarding issues with some of the content in the regulation, the Chair requested that Director Liberty flush out the draft regulation and put it on the February agenda for further discussion. The board also discussed that a public hearing is pertinent to finalizing the regulations.

#### **MONTHLY REPORTS**

##### **• Nurse's Report**

Director Liberty submitted the Public Health Nurse's report and accepted to be placed on file. Director Liberty also discussed with the board contents of the report.

##### **• Sanitarians' Reports**

Presented by Director Liberty - reports were submitted and accepted to be placed on file.

#### **OTHER BUSINESS UNKNOWN AT TIME OF POSTING**

**ADJOURN**

Motion – to adjourn the meeting at 7:35 PM – Member, Williams  
Second – Vice Chair, Griffin

**Next Board of Health meeting will be on Monday, February 11, 2019.**

Respectfully submitted,

Dated   
2/11/19

Cc: Board of Health Members  
City Council  
City Clerk  
City of Marlborough Website

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**January 10, 2019 (Thursday)**

**Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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2019 FEB 19 P 3:57

**Present:** Ed Clancy, Chairman; Allan White; Bill Dunbar, Karin Paquin, John Skarin, also present was Priscilla Ryder, Conservation Officer

**Absent:** David Williams and Dennis Demers

**Acceptance of Minutes:** The minutes of December 6, 2018 were reviewed and unanimously approved.

**Public Hearings**

Notice of Intent

95 Lakeshore Dr. - Peter Sharon

Mr. Sharon was present and explained that he proposes to remove a portion of the existing house, install a new foundation using existing foot print and re-build the house near Ft. Meadow Reservoir. The footprint will change a little. A 9 x 14' addition will be added to the rear, to meet the lot coverage requirements; he will be removing a portion of the existing driveway. He has spoken to the building inspector and this will meet the zoning requirements. He noted that he will be adding erosion controls as shown on the plan, he may seek access from the adjacent private beach lot next door as his lot is quite small and tight. The Commission noted that any access way would need to be stabilized so mud is not tracked onto the roadway. The conclusion about the water coming off the driveway was that it would be directed into some stone and not shed onto the neighbor's property. All excess materials will be removed from the site and depending on the water table level a condition regarding dewatering would be included.

There being no further discussion the hearing was closed. Ms. Ryder will draft conditions for review at the next meeting.

Notice of Intent

176 Farm Rd. - Peter and Anne Brockmann

Mark Mooney of Guerriere and Halnon Inc. was present along with the new owner Peter Brockmann. Mr. Mooney explained that they propose to construct a single-family house with associated site work and utilities within the 100 ft. buffer zone of a bordering vegetated wetland. The wetland was delineated by Goddard Consulting, however based on inspection by Ms. Ryder and Commissioner Dunbar several flags were changed. A new plan showing these changes was provided by Mr. Mooney. The new house would have a 360' paved driveway up to the house. The Commission noted that the sewer cleanout was very close to the 20' buffer zone and needed to be moved. They also noted that the cross section of the driveway slope needed to be provided to shed water to the side of the driveway rather than onto Farm Rd. Ms. Ryder noted that a stream runs through this property crossing it in two locations with old "farm drain" pipes conveying it in three locations. Mr. Maccormac who is an abutter at 168 Farm Rd. indicated that there are lots of veins of water that seep through the slope that the new owner should be aware of.

After some discussion, the Commission continued the hearing to the January 24<sup>th</sup> meeting to allow the engineer to make the changes as noted above.

Request for Determination of Applicability –

186 Reservoir St. - Fabriana Menezes - at the applicants request prior to the meeting, this item was continued to Jan. 24, 2019 meeting

**Certificates of Compliance:**

- DEP 212-775 Dufresne Dr. – West Ridge Estates Subdivision - roadway & drainage. Ms. Ryder noted that she had done several inspections of this roadway and drainage over the summer; the detention basins have been mowed and cleared. All conditions have been met. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance for this subdivision roadway and drainage.

**Correspondence/:** The following documents were reviewed and placed on file.

- Letter from DEP, dated Dec. 12, 2018, RE: Information related to snow disposal.
- Letter from Solitude Lake Management, dated Dec. 12, 2018, RE: Ft. Meadow weed control - Annual Report.
- Letter from National grid, dated December 20, 2018 RE: 45 Day Yearly Operational Plan Public Notice, Review and Comment – 2019 Yearly Operational Plan
- List of Conservation Meetings for 2019
- City Hall's new telephone directory

**Other Business**

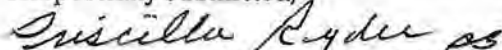
Ms. Ryder provided brief updates on projects including:

- Avalon Marlborough II which is now under review by the City Council, there are no wetlands, so the Conservation Commission will not be reviewing this one.
- The new school is moving along, the grading changes made have helped with the runoff onto Red Spring Rd., we are hopeful that is now resolved.
- A new self-storage facility is under construction at 215 Simarano Dr. on a very steep slope. They are 100' from wetlands as long as the site is stable the Commission won't have oversight.
- MWRA is almost complete with the new "redundancy" pumping facility. Ms. Ryder did inspections, some areas still need grass to grow. They will be seeking a Certificate of Compliance next spring. The Commission asked to do a site inspection at that time.
- Mr. Skarin noted that he subcontracted and did some salting for the city and was pleasantly surprised that the City was pushing for reducing salt use and explaining the new system to the contractors. They are doing a brine application now which "pretreats" the roadway and reduces salt use. He said the DPW is moving in the right direction with this change.

**Next Meetings** - January 24, 2019 (Thursday)

**Adjournment-** there being no further business, the meeting was adjourned at 8:22 PM.

Respectfully submitted,

  
Priscilla Ryder – Conservation Officer



**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
January 24, 2019 (Thursday)  
Marlborough City Hall - 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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CITY OF MARLBOROUGH

2019 FEB 19 P 3:57

**Present:** Ed Clancy, David Williams, Allan White, John Skarin, Karin Paquin, Bill Dunbar, Dennis Demers and also present was Priscilla Ryder Conservation Officer

**Absent:** None

**Public Hearings**

Notice of Intent (Continuation)

176 Farm Rd. - Peter and Anne Brockmann (DEP 212-1206)

Mark Mooney of Guerriere and Halnon as well as the new owner Peter Brockmann were present. Mr. Mooney explained that he had made changes to the plans dated Jan. 18, 2019. Changes to the plan include, flow of water on the driveway was adjusted to flow to the wetland, the sewer cleanouts were relocated, so they are not near the wetland, there are now four sewer cleanout locations. The sewer line was moved farther away from the buffer zone by 5', a detail showing the separation over the drain and sewer line was provided. There is no gas on the site, so that is not needed, they will put electric up the middle of the driveway. The Commission noted that if gas is ever provided they would need to return to the Commission for review. The wetland line adjustments were made as noted at the last meeting. There being no further questions the hearing was closed. Ms. Ryder will draft conditions for review at the next meeting.

Notice of Intent (continuation)

186 Reservoir St. - Fabriana Menezes - at the applicants request this hearing was continued to the next meeting on February 7<sup>th</sup>, 2019

**Certificates of Compliance:**

- DEP 212-999 771 Donald Lynch Blvd. - Aggregate Industries - Ms. Ryder noted that she had done a site inspection with a representative of Aggregate Industries and reviewed the Order of Conditions, all conditions have been met and she recommended a full Certificate of Compliance be issued. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance for this work.

**Draft Order of Conditions:**

- 95 Lakeshore Dr. - Peter Sharon - The Commission reviewed a draft set of conditions. There being no comments the Commission voted unanimously 7-0 to approve the Order of Conditions as written.

**Correspondence/Other Business:**

- Registration for Mass. Association of Conservation Commissions - Annual Environmental Conference, March 2, 2019. Ms. Ryder noted that she has sent in a nomination for recognition of Alan Whites 40 years of service on the Commission and Ed Clancy's 50 years of service on the commission. She will let members know if the nominations are accepted and whether we should plan to attend the conference on March 2, 2019.
- DPW - Snow dump locations- Ms. Ryder provided a plan showing proposed snow dump locations as provided by Ted Scott at the DPW. Mr. Scott wishes the Commission to look at these locations to determine if they are viable from an environmental perspective. The Commission reviewed the locations and had the following comments:
  - Ghiloni Park - inside track next to lower pond. They were concerned with runoff into the pond and salt content, also concerned with trucks accessing this area and tearing it up. Limit of snow pile would be along edge of the grass. Not an ideal spot in the Commission's opinion.

- Old Filter Beds off Framingham Rd. – The Commission noted that they had looked at this location in the past, because there is an existing berm which could contain runoff, this seems a good location. It would be good to pursue this option with DCR and finalize this location.
- DPW yard - This is being used now, need to add erosion controls around base of pile to limit erosion and add riser pipe in detention basin to detain water. Commission was interested in knowing when the larger basin was to be installed. As long as runoff is controlled, and snow is not piled in the brook this is a good location.
- Hudson St parking lot - The Commission expressed concern that the runoff would impact an already saturated and always wet section of the bike path into which this drain. That would need to be investigated before using this location.
- The Commission wondered why the old landfill on Bolton St. was not being used, the blue building has been removed and there is a large section of this area that is paved, so it would make sense to revisit this area if it is possible to use.

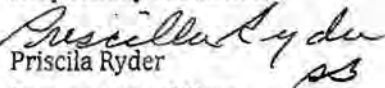
**Other Business:**

- **85 Dufresne Dr. DEP 212-1156 - Violation-** Ms. Ryder explained that the building department notified her that the foundation as-built for this lot was not in conformance with the approved plan. Ms. Ryder had done a site visit and confirmed that the foundation was 4-5' closer to the no disturb wetland buffer zone than originally approved which provided 8' from the tight spot. The closest wetland boundary marker had also been removed and should be at the silt fence line at the closest point. She notified Mike Harrington of Fafard Real Estate and George Mihov the site engineer from Guerriere and Halnon. Mr. Mihov was present at the meeting and provided a plan showing the current foundation and the approved foundation, so the deviation could be seen. The Commission noted that the lot was tight to begin with and a retaining wall was proposed in the back as the foundation floor elevation had to be lifted due to the high-water table. They expressed concern to Mr. Mihov that there wasn't much of a back yard to start with and that now this is even less. Chairman Clancy indicated that he was not happy with this situation and requested that Ms. Ryder talk to the building department about the retaining wall in relation to the footing. It may be too close to provide the frost protection necessary. He wanted to wait on any further discussion until feedback from the building commissioner was provided. Mr. Mihov asked if there were other concerns he should be aware of that they can address. Chairman Clancy noted that a cease and desist order would be issued and no work on the lot would be permitted until this foundation issue has been resolved. He indicated that details on the retaining wall would be needed and the final outcome could include removing and relocating the foundation or finding a retaining wall that works. However, the Commission reserves judgement until more information is provided. This item was continued to the February 7<sup>th</sup> meeting. In the meantime, Ms. Ryder will get information from the Building Commissioner.

**Next Meetings -** February 7, 2019 (Thursday)

**Adjournment -** There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Priscila Ryder  
Conservation Officer

CITY OF MARLBOROUGH MEETING MINUTES 2019 FEB 14 P 2:18

**MEETING:** Council on Aging Board of Directors Meeting

**DATE:** January 8, 2019

**TIME:** 8:30 A.M.

**LOCATION:** Sr. Center Conference Rm, 40 New Street, Marlborough, MA

**ATTENDANCE:** Joseph Bisol, Richard Collins, Jim Confrey, Brenda Costa (via telephone conference), Richard Cygan, Marie Elwood, Pat Gallier, Judy Kane, Jeanne McGeough, Mike Ossing, Trish Pope

**EXCUSED:** Leslie Biggar

I. Call to order at 8:30 am

II. Approval of December 2018 meeting minutes

III. Executive Director's Report – Trish Pope

Trish informed the board that senior center attendance has increased by 44% since the new building opening.

Bus trip issues were discussed.

Trish informed the board that the construction on second floor continues and that Yoga for the month of January will be cancelled and scheduled to resume in February.

The COA received ten 1-day liquor licenses. The Friends will pay for the additional insurance.

The Friends will provide \$20,000 for the 2<sup>nd</sup> floor project.

On January 15<sup>th</sup> there will be a LGBTQ meeting and on January 29<sup>th</sup> there will be a screening of the "Gen Silent" Film.

The EOE Grant provides approximately \$12.00 per senior (about 80K total).

There were no acceptable bids for the Greenhouse, the RFP will go out again.

IV. Board Updates

A. BayPath Elder Services- Richard Cygan

See attached BayPath Elder Services Dec 2018 Board Highlights (Att. #1)

B. Transportation Report – Jeanne McGeough

Jeanne's report is attached (Att. #2)

#### V. New/Old Business

Joe Bisol brought up the Marlborough Fish and Game program (through Mass Wildlife) that helps people learn to fish at no cost. Trish thought it would be a great intergenerational event.

Doing a COA survey was discussed. The results could help determine what senior center members might like to do in the future.

#### VI. Meeting adjourned at 9:10 am

The next board meeting is Tuesday, February 12, 2019 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

## Board Meetings for 2019

January 23  
April 24  
July 24  
November 20

February 27  
May 22  
September 25  
December 18

March 27  
June 26  
October 23

### **Nominating Committee**

The Board approved Larry Griffin of Framingham as a Class 3 At-Large Director effective December, 2018. Larry's first term will be 2018 – 2021, and he will be eligible for a second term 2021 – 2024.

### **Mass Home Care and contracting opportunities**

Ms. Alessandro stated that the Mass Home Care Administrative Services Unit (ASU) is coming along. They have been working with three attorneys to see if legally it would have to fall under the health commission or other governmental auspices. They determined that the entity will not need to be setup under any special category. ASU is now working on the ASAP operating agreement which is the piece that the board wants to see and review. ASU is looking for a person who can get everything up and running. BayPath did pay a special assessment fee of \$5222.00 along with the other agencies for startup money. The Blue Cross Blue Shield proposal was submitted for a medical case management model, but the Mass Home Care hasn't heard back from them yet.

### **Legislative breakfast**

Ms. Alessandro stated that we are inviting our legislators to BayPath on Friday, February 8, 2019 at 9:00am for a Legislative Breakfast to discuss our programs and the need for funding. Board members are invited to attend as well. After the breakfast, we encourage them to deliver meals or go on a home visit so they can experience what we do and meet the consumers.

### **Subaru "Share the Love Event"**

Once again we are participating in the Metrowest Subaru "Share the Love" event. Over the last 10 years, through the Share the Love event, Subaru of America and its participating retailers have donated more than \$118 million to charity, with customers choosing between four national and over 1,170 hometown charities. Through Meals on Wheels, share the love has helped deliver nearly 2 million meals to America's seniors. From now through January 2, 2019, for every Subaru that is purchased or leased, Subaru will donate \$250.00 to the customer's choice of charities. BayPath will be doing many things that will earn us money as part of this program. Last year we earned a check for \$5000.00. We hope to do well this year too!

## Board Meeting Highlights - December 19, 2018

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Home Care Programs: Total 1,141 consumers enrolled

### Town Analysis

Town	Consumer #	Town	Consumer #
Ashland	42	Natick	117
Dover	3	Northborough	32
Framingham	208	Sherborn	1
Holliston	41	Southborough	10
Hopkinton	28	Sudbury	39
Hudson	74	Wayland	21
Marlborough	101	Westborough	26

Enhanced Community Options Program (ECOP)	242
Choices Program	155

### Nutrition - Meal Days - 20

TOWN	TOTAL	TOWN	TOTAL
Ashland	420	Natick	1344
Dover	22	Northborough	273
Framingham	4590	Sherborn	111
Holliston	535	Southborough	268
Hopkinton	295	Sudbury	438
Hudson	1201	Wayland	921
Marlborough	2496	Westborough	245
		Total	13,159

**MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT**  
**MONTH OF DECEMBER, 2018**

**TOTAL NUMBER OF TRIPS = 125**

**BROKEN DOWN**

**SUPERMARKET/SHOPPING/RESTAURANTS = 19**

**SENIOR CENTER = 60**

**CITY VAN- OTHER = 33**

**MWRTA = 13**

**NEW APPLICANTS = 5**

**NEW RIDERS = 0**

**MINUTES  
MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752**

1A

**RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
January 28, 2019**

**2019 FEB 13 AM 11:21**

**Call to Order**

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 2nd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Sean Fay, George LaVenture, Chris Russ and Matthew Elder. Philip Hodge absent. Also in attendance were City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

**1. Meeting Minutes**

A. January 07, 2019

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the meeting minutes of January 07, 2019. Motion carried.

**2. Chair's Business**

- A. 2019 Planning Board Meeting Calendar: Chair Fenby indicated that the meeting calendar was in the packet. She explained that the schedule is designed to follow the City Council calendar, but to note that there are a couple of months that don't follow the typical two meeting per month routine. October currently has three meetings scheduled, while November has one. Councilor Robey was in attendance. She explained that since there is a City-wide election on Tuesday, November 5, there will not be a Council meeting the evening prior.
- B. Open Space Survey Comments: The draft report was distributed for comment earlier in the month. If anyone has feedback, please forward to Barbara as soon as possible.
- C. Chair Fenby informed the Board that Cynthia Panagore Griffin has announced her retirement effective January 31, 2019. Cynthia has been an asset to the Board over many years, and she will be missed. She would like to extend the Board's wishes to Cynthia. On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board voted to send a letter of appreciation to Ms. Panagore Griffin. Motion carried.

**3. Approval Not Required (None)**

**4. Public Hearings**

- A. Proposed Zoning Map Amendment, Council Order No. 18-1007483, Section 650-8, Rezoning Map 82, Parcels 42 and 42E (Lacombe St.) from Industrial (I) zoning district to Commercial and Automotive (CA) zoning district - Peter Bemis, Engineering Design Consultants, Inc. on behalf of Lacombe Business Center, LLC. Owner Paul Ditullio was also in attendance.

Ms. Fenby opened the public hearing. Mr. LaVenture read the public hearing notice into the record. Chairperson Fenby provided instructions to those in attendance. The hearing was conducted in the following stages: 1) Presentation 2) Those speaking in favor 3) Those speaking in opposition 4) Comments and questions from Board members.

**Presentation:**

Mr. Bemis from Engineering Design Consultants, Inc. introduced the proposed amendment. He explained that in the late 1990's there was a rezoning along a portion of Lacombe St. to Commercial and Automotive. (CA) On behalf of his client, he is requesting that two adjacent parcels, 42 and 42E, be included in the Commercial and Automotive zone. He and his client feel that it will add continuity to the other parcels in the Lacombe St. zone. A map of the parcels and current zoning was displayed.

**Speaking in Favor:** No person spoke in favor of the proposed amendment. Chair Fenby closed that portion of the hearing.

**Speaking in Opposition:** No person spoke in opposition to the proposed amendment. Chair Fenby closed that portion of the hearing.



**Questions and Comments from Board Members:**

Mr. Elder commented that since the zone change abuts the existing Commercial and Automotive uses in the Lacombe St. complex, it seems appropriate to include the two requested parcels in the CA zone. Mr. Russ questioned why the frontage on parcel 42E was under 50 feet, which is the zone frontage requirement for both Industrial (I) and the proposed Commercial and Automotive (CA) zone. Mr. Bemis said he believed it was over 50 feet. He said he would need to reference the original land plan. The land plan was pulled up and showed a small strip identified as Map 82, Parcel 62 that Mr. Bemis indicated was included with parcel 42E for frontage. He believes that his client would also want that lot included in the zone change. Ms. Fenby asked whether any of the abutting Residence C (RC) zone neighbors were informed of the proposed change and whether there was any input from the neighbors. There was no notice to the neighbors, but Mr. Bemis stated that there was considerable discussion previously, and that Brooks St. was closed to through traffic. Brooks St. is blocked off to through traffic, so industrial park traffic drives on Lacombe St., not along the residentially zoned Brooks St.

The Board discussed whether the proposed zoning amendment is incomplete as presented without parcel 62. The possibility of withdrawing the proposed amendment was discussed, but it was decided that it makes sense for the proponent to do a bit more research. Map 82 Parcel 62 may not need to be included, or perhaps it can be addressed when the City Council holds its public hearing on the matter on February 11, 2019. On a motion by Mr. Fay, seconded by Mr. Russ, it was voted to table the discussion on the proposed zoning amendment until February 11, 2019. Motion carried.

- B. Proposed Zoning Map Amendment, Council Order No. 18-1007484, Sec. 650-8, Rezoning Map 104, Parcels 29 and 29A (Brigham St and Mill St. South) from Industrial (I) zoning district to Commercial Automotive (CA) zoning district - Peter Bemis, Engineering Design Consultants, inc. on behalf of Steven Vigeant, Trustee of 22 Englewood Trust.

Ms. Fenby opened the public hearing. Mr. LaVenture read the public hearing notice into the record. Chairperson Fenby provided instructions to those in attendance. The hearing was conducted in the following stages: 1) Presentation 2) Those speaking in favor 3) Those speaking in opposition 4) Comments and questions from Board members.

**Presentation:**

Mr. Bemis, representing 22 Englewood Trust began by showing a map of the existing Industrial Zoned (I) parcels on the corner of Mill St. South and Brigham St. His client would like Map 104, Parcels 29 and 29A zoned Commercial and Automotive, which is the current zoning of the properties to the east along Maple St.

**Speaking in Favor:** No person spoke in favor of the proposed amendment. Chair Fenby closed that portion of the hearing.

**Speaking in Opposition:** Monique Duross of 261 DeSimone Drive addressed the Board. She stated she wasn't there to specifically oppose or speak in favor, but she wanted to learn more and talk about the area. The purpose of this Zoning Ordinance is to promote and conserve the health, safety and general welfare of the inhabitants of the City. She expressed some significant concerns about the history of the parcel and the surrounding area. She expressed that many times she was tempted to call Code Enforcement and her City Councilor since the site is frequently an eyesore and the area often looks more like a junkyard. The uses pose hazards to the public with tractor trailers parked in and along the road and truck traffic back and forth between the site across the street and these parcels. Some uses on the parcels are parking of crushed cars, tractor trailer parking, parking of RV's, landscaping equipment and mulch, and she has seen buses being disassembled/assembled at night. She would like to see improvements to the public's safety in the area. There are frequently pedestrians walking that stretch of roadway, and there are no sidewalks on either side. She wants the City to consider the safety of people who walk and drive in the area, which is used as a cut-through in both directions to RT 85 and the City's western side.

**Comments and Questions from Board Members:**

Mr. LaVenture, spoke as a resident of Brigham St. and Board member. He frequently travels that stretch of road and confirmed the resident's assessment of the two parcels' condition. He noted that Brigham St. (Brigham St. begins at the corner of Mill St. South) is classified as a scenic roadway in the City, and it is rather disappointing that the entrance to a scenic roadway can be used in this manner. He is strongly opposed to a rezoning of the two parcels and feels that changing the zoning designation to Commercial Automotive will further degrade the safety and aesthetics in the area. Commercial Automotive sites are not known to be the most appealing looking sites in the City. He would be opposed to the CA zone moving closer to residential zones.

Mr. Elder said that it's at least worth considering that sometimes a zoning change may have some benefit, allowing the site to be developed into something that is better. Mr. Russ felt the comments heard tonight were good.

Ms. Fenby stated that she is not in favor of allowing the Commercial Automotive zone to further "bleed" down the street from RT 85 closer to residential areas.

Mr. Fay thought that he would at least like to see the contemplated use for the parcels.

Mr. Bemis stated the current parcels make up approximately 1 acre, which is the zoning requirement for an Industrial parcel. He offered to show possible renderings of Commercial Automotive uses and Industrial uses. He stated that due to the shape of the parcel, industrial uses could have loading dock access from Brigham St. Ms. Fenby stated it was unnecessary to show the Board potential industrial renderings. Ms. Fenby stated that the public hearing would be continued until the next meeting of the Board on February 11.

C. Marlborough Hub – See 7A

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to continue the discussion under item 7A, Definitive Subdivision Submissions/Updates. Motion Carried

**5. Subdivision Progress Reports (Updates and Discussion)**

A. Subdivision Status Report

Ms. Fenby explained that the City Engineer was not present due to a death in the family.

B. Cider Mill Estates- Checks to Secure Completion of the Subdivision

On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence. Motion carried

C. Cider Mill Estates – Letter from Solicitor Rider regarding order of acceptance- Goodwin St. and McDermot Way. Mr. LaVenture read the letter into the record. On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence. Motion carried. The Board should expect a referral from City Council requesting the Board's recommendation on street acceptance.

**6. Preliminary/Open Space/Limited Development Subdivisions**

A. Hager St. Open Space Special Permit

Mr. LaVenture read the 1-28-19 extension request letter from Peter Bemis of Engineering Design Consultants, Inc. (The letter did not arrive in time to be included in the Board packet.)

On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to accept and file the January 28, 2019 extension request letter from Peter Bemis of Engineering Design Consultants, Inc. on behalf of his client, South Coast Advisors, LLC. Motion carried.

Mr. Bemis apologized for not being prepared but stated he will follow through in time for the next meeting. On a motion by Mr. Fay, seconded by Mr. LaVenture, the Board voted to approve the

extension of the decision on the special permit for the open space development application until February 28, 2018 with the following conditions:

That by February 6<sup>th</sup>, 2019, (the deadline for the next Planning Board meeting on February 11) Mr. Bemis or Mr. Andersen (the project's attorney), provide the requested zoning determination on the proposed use of the "Parcel A" barn to serve the adjacent "agricultural" use (proposed cow grazing) in the open space. The Board further requests a draft of the special permit conditions in time for the February 11<sup>th</sup> meeting, so the matter may be referred to the City's Legal Department for comment. Motion carried.

Zoning-related issues should be included as part of the project's findings. Sample documents were provided to Mr. Bemis. Should the City's Legal Department need additional time to review the zoning determination and findings, Mr. Bemis will submit an additional request for extension on the decision for the open space special permit application.

#### **7. Definitive Subdivision Submission Updates**

- A. Marlborough Hub, Extension Request Letter- Jacob Lemieux, Hancock Associates  
Mr. LaVenture read the January 22, 2019 extension request letter into the record.

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the January 22, 2019 extension request letter of Hancock Associates on behalf of Marlborough Hub, LLC, and voted to continue discussion on the definitive subdivision application on February 11, 2019, and to grant an abbreviated extension (with the agreement of Mr. Evangelous) of the decision on the definitive subdivision application of Marlborough Hub, LLC until February 28, 2019. Motions carried.

The Board had many questions regarding the status of the subdivision plan and whether the remaining issues could be resolved within the timeframe of the requested extension. The applicant (Mark Evangelous) was present and indicated his attorney filed a proposed zoning amendment for the project and that easement negotiations are ongoing. The Board acknowledged the applicant was present without the benefit of his attorney or civil engineer and that he was not expecting to address questions concerning the technical details of the proposed development, and asked Mr. Evangelous if he wanted to suspend further discussions until he could have his representatives present. Mr. Evangelous responded affirmatively.

The discussion of the Board thereafter focused only on the timeframe of the requested extension, potential increased lot size, and the pending zoning amendment. The Board felt that the issues related to the proposed development would likely require much more time to resolve than the requested extension. In addition, it was the consensus of the Board that the proposed changes would require a new public hearing. As such, the Board suggested to Mr. Evangelous that he withdraw the current proposal and resubmit once the remaining issues have been resolved. The Board suggested that Mr. Evangelous not agree to the withdrawal until he consulted with his representation. The matter will be further discussed on February 11, 2019, with the expectation that Mr. Evangelous will convey his decision regarding withdrawal and resubmitting once the zoning amendment request is resolved.

8. Signs (None)

9. Informal Discussion (None)

10. Unfinished Business (None)

**11. Calendar Updates**

The Board requested a calendar update on the following item:

- A. Marlborough Hub – Extension of the decision on the definitive subdivision application until Feb. 28, 2019.

**12. Public Notices of other Cities & Towns**

- A. City of Framingham (7 notices)

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the notices. Motion carried.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting of the Planning Board. Motion carried.

Respectfully submitted,



George LaVenture/Clerk

/kih