

REGULAR MEETING  
APRIL 27, 2020  
TIME: 8:00 PM

IN CITY COUNCIL  
ABSENT  
LOCATION: CITY HALL, 140 MAIN STREET, 2<sup>ND</sup> FLOOR

CONVENED:  
ADJOURNED:  
**RECEIVED**  
**CITY CLERK'S OFFICE**  
**CITY OF MARLBOROUGH**

**2020 APR 23 P 3:00**

This meeting of the City Council will be held virtually on Monday, April 27, 2020 at 8:00 PM with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website ([www.marlborough-ma.gov](http://www.marlborough-ma.gov)).

1. Minutes, City Council Meeting, March 23, 2020.
2. CONTINUED PUBLIC HEARING On the Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 relative to Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, Order No. 20-1007947A.  
**\*\* THIS PUBLIC HEARING WILL BE CONTINUED WITH NO TESTIMONY BEING HEARD TO MAY 18, 2020 AT 8:00 PM. \*\***
3. CONTINUED PUBLIC HEARING On the Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street, Order No. 20-1007948A.  
**\*\* THIS PUBLIC HEARING WILL BE CONTINUED WITH NO TESTIMONY BEING HEARD TO MAY 18, 2020 AT 8:00 PM. \*\***
4. Communication from the Mayor, re: FY 2021 Budget Recommendation in the amount of \$173,983,364.00 which represents a 2.93% increase over last year's appropriation.  
(The Proposed FY 2021 Budget is available for viewing in the City Clerk's Office and on the city website).
5. Communication from the Mayor, re: Transfer Request in the amount of \$775,000.00 which moves funds from Undesignated Fund to Overtime-Snow & Ice, Snow Removal and Operating Expenses in the amounts of \$182,000.00, \$173,000.00 & \$420,000.00 respectively to fund FY 2020 deficit.
6. Communication from the Mayor, re: Transfer Request in the amount of \$188,711.00 which moves funds from Reserved for Salaries to various accounts to fund the recently ratified MMEA collective bargaining agreement for fiscal years 2019 to 2021.
7. Communication from the Mayor, re: Transfer Request in the amount of \$100,000.00 which moves funds from Interest on BAN to Covid-19 Expense to cover unanticipated costs associated with efforts to mitigate the spread of Covid-19.
8. Communication from the Mayor, re: Proposed Job Title and Description Change relative to the Conservation/Sustainability Officer position.

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.

9. Communication from the Mayor, re: Notification of renewal of 60-Day Appointments of Collector Eileen Bristol as Interim Treasurer, effective April 14, 2020 at 5:00 PM and Stephen Cirillo as Interim Comptroller, effective April 23, 2020 at 5:00 PM.
10. Communication from City Solicitor Jason Grossfield, on behalf of President Ossing, re: Proposed Zoning Amendment to Chapter 650 to add a new §38 relative to creating a Large-Scale Ground-Mounted Solar Photovoltaic Overlay District.
11. Communication from City Solicitor Jason Grossfield, re: Proposed Salary Ordinance Amendment relative to Chapter 125 §6, which removes and adds salary rates from the schedule and establishes rates by Order not Ordinance, in proper legal form, Order No. 20-1007929A.
12. Communication from the Zoning Board of Appeals, re: Letter of support Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 relative to Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, Order No. 20-1007947.
13. Communication from Attorney Mark Bourbeau on behalf of Marlborough HUB LLC, re: Proposed Rezoning of land off Valley Street, identified as Map 82, Parcel 125.
14. Application for Renewal of Junk Dealer/Secondhand Dealer License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.
15. Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard.
16. Application for Renewal of Junk Dealer/Secondhand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Second Hand Store, 65 Mechanic Street.
17. Petition from Eversource Energy to install 30' of 2" IP plastic gas main as a system improvement on Jefferson Street from the current end of gas main at 23 Jefferson Street to 27 Jefferson Street.  
**(Plans are available in the City Clerk's Office for viewing).**
18. Petition from Eversource Energy to install a total of 500' of 4" IP plastic gas main as a system improvement on Neil Street and Zompetti Street as outlined in the petition.  
**(Plans are available in the City Clerk's Office for viewing).**
19. Communication from Attorney Brian Falk on behalf of Vedi Naturals, LLC, re: Request to Extend Time Limitations to July 21, 2020 at 10:00 PM, on the Application for Special Permit to operate an Adult Use Marijuana Retail Establishment, 505 Boston Post Road West (Twin Boro Crossing), in addition to supplemental documents related to the Special Permit Application, Order No. 19/20-1007881B.
20. Application for Minor Modification of an LED Sign Special Permit, from Ayoub Engineering, Inc., on behalf of Nouria Energy (Shell Station) 413 Lakeside Avenue to add electronic Diesel Price Panel to an existing Electronic Message Board Gas Pricing Sign (X 15-1006262B).
21. Notice of Filing and CANCELLED Public Hearing, and Extension of Deadline for Written Comments, Department of Public Utilities, NSTAR Gas Company d/b/a Eversource Energy, DPU 19-120.

## 22. Minutes of Boards, Commissions and Committees:

- a) School Committee, January 28, 2020, February 11, 2020, February 25, 2020, March 10, 2020 & March 24, 2020.
- b) Board of Assessors, February 21, 2020 & March 12, 2020.
- c) Conservation Commission, February 20, 2020.
- d) Historical Commission, February 20, 2020.
- e) Library Trustees, February 4, 2020.
- f) Planning Board, February 24, 2020, March 9, 2020 & March 23, 2020.
- g) Traffic Commission, January 29, 2020.

## 23. CLAIMS:

- a) Dianne Bass, 251 Pleasant Street, other property damage and/or personal injury.
- b) JoAnne Hansen, 181 West Hill Road, residential mailbox claim (2b).
- c) Dan Hedin, 102 Liberty Street, other property damage and/or personal injury.
- d) Jonathan Pekor, 46 East Dudley Street, residential mailbox claim (2a).
- e) William Poirier, 35 Windmill Drive, residential mailbox claim (2a).
- f) Thomas Tucker, 11 Hawkins Lane, other property damage and/or personal injury.
- g) Verizon, 3300 Fernbrook Lane, Plymouth, MN, other property damage and/or personal injury.

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

From Finance Committee

24. **Order No. 20-1007929 – Proposed Salary Ordinance Amendment submitted by the Mayor relative to Chapter 125 §6 of the City Code.** The Finance Committee reviewed the Mayor's letter dated February 6, 2020 proposing several salaries changes. The Mayor recommended deleting reference to several positions in Section 125-6 and creating a per meeting attended rate of \$150.00 for members of the Planning Board and Zoning Board of Appeals and a new hourly rate not to exceed \$18.00 per hour for the positions of Detention Assistant, Parking Enforcement Officer, Mail Clerk, and Crossing Guard. The proposal also establishes a four-step hourly rate of \$15.4903/Minimum to \$17.6143/Maximum for the existing part-time Council on Aging Social Services Coordinator which compensation is equal to the position of Clerk. Motion by Councilor Oram, seconded by Chair, to approve, advertise the salary ordinance, and refer to the City Solicitor for proper legal form. Vote 5-0.

**Recommendation of the Finance Committee is to approve the proposed salary ordinance, refer to the City Solicitor for proper legal form and to advertise.**





RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 APR 16 P 3:00

CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK  
Steven W. Kerrigan  
140 Main St.  
Marlborough, MA 01752  
(508) 460-3775 FAX (508) 460-3723

MARCH 23, 2020

Regular meeting of the City Council was held on Monday, March 23, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Robey, Doucette, Dumais, Tunnera, Irish, and Landers. Councilors Participating Remotely: Oram, Perlman, Wagner & Navin. Meeting adjourned at 8:38 PM.

Council President Ossing explained that this meeting is being held under the Emergency Order of the Governor allowing relief from the Open Meeting Law (MGL c. 30A §20). The Emergency Order allows for remote participation by public bodies. He thanked the Councilors who were in the Chamber in addition to the Councilors who are taking advantage of the ability to participate remotely. President Ossing further stated that all votes of the City Council will be taken by roll call vote pursuant to 940 CMR 29.10.

ORDERED: Pursuant to Massachusetts Governor Charles D. Baker's "Emergency Order Suspending Certain Provisions of the Open Meeting Law MGL c. 30A, §20" issued on March 12, 2020, the City Council is authorized to conduct its proceedings under the relief provided in the Emergency Order, and any or all members may participate remotely. This authorization shall apply to all subcommittees of the City Council, **APPROVED**; adopted.

At 8:04 PM Councilor Wagner dropped from the call, and it was noted by President Ossing.

**Yea: 10 – Nay: 0 – Absent: 1**

**Yea: Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Absent: Wagner.**

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

**Yea: 10 – Nay: 0 – Absent: 1**

**Yea: Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Absent: Wagner.**

At 8:06 PM Councilor Wagner rejoined the meeting through the conference call.

ORDERED: That the Mayor give an update on the City of Marlborough's response to the COVID—19, Coronavirus outbreak, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**



ORDERED: That the Minutes of the City Council meeting, March 9, 2020, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Public Hearing on the Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, is **CONTINUED UNTIL APRIL 27, 2020 AT 8:00 PM**; adopted.

**Councilors Present: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.**

The hearing was opened with no testimony being heard.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Public Hearing on the Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street, is **CONTINUED UNTIL APRIL 27, 2020 AT 8:00 PM**; adopted.

**Councilors Present: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.**

The hearing was opened with no testimony being heard.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Transfer Request in the amount of \$55,000.00 which moves funds from Interest on BAN to Contract Services in the Building Department, **APPROVED**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:		Building				FISCAL YEAR:		2020	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$1,012,400.00</u>	<u>\$55,000.00</u>	<u>13860006</u>	<u>59254</u>	<u>Interest on BAN</u>	<u>\$55,000.00</u>	<u>12410004</u>	<u>53140</u>	<u>Contract Services</u>	<u>\$0.00</u>
Reason:		<u>Actual interest rate came in lower than budgeted amount</u>				<u>For on-call inspectional and plan review services</u>			
\$55,000.00		Total		\$55,000.00		Total			

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That, in order to reduce interest costs, the Treasurer (or the Acting Treasurer) with the approval of the Mayor is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, §21A of the Massachusetts General Laws, or pursuant to any other enabling authority, to refund all or any portion of the City's general obligation bonds outstanding as of the date of adoption of this Order; and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the City to be refunded, and costs of issuance of the refunding bonds; and that the Treasurer (or the Acting Treasurer) is authorized to execute such documents, including, without limitation, a refunding trust agreement or escrow agreement with a bank or trust company, and take any action as may be necessary or desirable to carry out this transaction, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

## Reports of Committees:

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

**City Council Urban Affairs Committee  
Tuesday, March 10, 2020; 7:00 PM– In Council Chambers  
Minutes and Report**

**Members Present:** Chairman Katie Robey, Councilors Wagner, Navin, Landers and Doucette  
**Other Councilors:** President Ossing  
**Also Present:** Building Commissioner Cooke; Solicitor Grossfield; Asst. Solicitor Piques

The meeting convened at 7:00PM

**Order No. 20-1007915: Proposed Zoning Amendment to Chapter 650 § 17 and §18 relative to Livestock Farms**

The proposed ordinance will permit by right Chickens hens for personal use not to exceed either 6 hens or 12 hens, as stated in the Table of Uses. The raising or keeping of roosters, cocks or cockerels is prohibited. The slaughtering of Chickens hens for non-personal use is prohibited.

Chair Robey submitted that a City Council Public Hearing was held on February 24, 2020, and the Planning Board opened its Public Hearing on Monday, March 9. The Planning Board continued their hearing in order to receive additional input from the Board of Health. The Urban Affairs Committee discussed the role of the City Council to enact the ordinance to allow the raising or keeping of chickens and the role of the Board of Health to enact regulations to ensure the raising or keeping of animals in the City of Marlborough is done in such a way as to not create a public nuisance or inconvenience and to prevent the spread of disease including but not limited to rabies.

**Councilor Landers moved to approve the amendments to Chapter 650 §17 and §18 relative to Livestock Farms, pending the recommendation of the Planning Board; the motion was seconded, and motion carried 5-0.**

It was moved and seconded to adjourn; motion carried 5-0. The meeting adjourned at 7:16PM.

**ORDERED:** That the City Council approve the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for the Fiscal Year 2021 city budget, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**ORDERED:** That the Application for Renewal of Livery License, Katsunori Tanaka, d/b/a Global Limousine & Tour Services, LLC, 17 Eager Court, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**



ORDERED: That the Petition from Massachusetts Electric, to install a new pole and anchor #79-84 on Berlin Road, which will enable National Grid to remove the pole to tree guy wire, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Transfer Request in the amount of \$473,846.52 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT for FY2021, **APPROVED**; adopted.

**Councilor Ossing has filed a Disclosure of Appearance of Conflict of Interest.**

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:		Mayor				FISCAL YEAR:		2020	
FROM ACCOUNT:					TO ACCOUNT:				
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
<u>\$550,853.61</u>	<u>\$473,846.52</u>	<u>27000099</u>	<u>47750</u>	<u>Receipts Reserved-PEG Funds</u>	<u>\$473,846.52</u>	<u>89000</u>	<u>25581</u>	<u>Marlboro Cable Trust</u>	<u>\$0.00</u>
Reason:		<u>To fund WMCT's operating budget for FY21 with PEG fees</u>							
	\$473,846.52	Total			\$473,846.52	Total			

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Transfer Request in the amount of \$400,000.00 from Undesignated Fund (Free Cash) to Stabilization – Open Space to replace the money used for the purchases of land on Bolton Street, **APPROVED**; adopted.

**Councilor Dumais recused.**

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT: Mayor

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$13,009,020.00</u>	<u>\$400,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$400,000.00</u>	<u>83600</u>	<u>32918</u>	<u>Stabilization-Open Space</u>	<u>\$140,919.97</u>

Reason: To use free cash for Bolton St property and return open space funds

\$400,000.00 Total

\$400,000.00 Total

**Yea: 10 – Nay: 0 – Abstain: 1**

**Yea: Wagner, Doucette, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Abstain: Dumais.**

ORDERED That the Reappointment to the Community Development Authority Board (CDA) of David Morticelli for a three-year term to expire from date of confirmation, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Appointment of Lynn Davine as Director of Human Resources for a three-year term from date of confirmation, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Appointment of Michael Hennessy as Director of Veterans Services for a three-year term effective February 10, 2020, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Reappointment of Beverly Sleeper as Chief Procurement Officer for a three-year term from date of confirmation, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Appointment of Melynda Gallagher to the Parks and Recreation Commission for a three-year term from date of confirmation, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

Council President Ossing thanked Councilors Oram, Perlman, Wagner & Navin for participating remotely. He also thanked Councilors Doucette, Dumais, Tunnera, Irish, Landers and Robey for coming in to participate in the meeting. He also thanked the Council and City Clerk's staff for their work in preparing for the meeting.

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 8:38 PM; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**





## IN CITY COUNCIL

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Marlborough, Mass., MARCH 23, 2020

### ORDERED:

That the Public Hearing on the Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, be and is herewith **CONTINUED UNTIL APRIL 27, 2020 AT 8:00 PM.**

**Councilors Present: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.**

The hearing was opened with no testimony from the public being heard.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

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ADOPTED

ORDER NO. 20-1007947A



## IN CITY COUNCIL

Marlborough, Mass., MARCH 23, 2020

### ORDERED:

That the Public Hearing on the Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street, be and is herewith **CONTINUED UNTIL APRIL 27, 2020 AT 8:00 PM.**

**Councilors Present: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.**

The hearing was opened with no testimony from the public being heard.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ADOPTED

ORDER NO. 20-1007948A



*City of Marlborough*  
*Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*Arthur G. Nigant*  
MAYOR  
2020 APR 23 A 11:14

*Nathan R. Boudreau*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 17, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

**Re: Fiscal Year 2021 Budget Recommendation**

Honorable President Ossing and Councilors,

I am submitting for your consideration my budget recommendation for Fiscal Year 2021. I am sending you this with the highest of precautions due to unknown local revenues and state aid. The State at this point is showing models with up to a nearly 4% shortfall for the current year and as high as 15% for FY21. Usually at this point, we would have seen the Governor's budget and the House version to determine local aid. Governor Baker came out with this budget a couple months ago that was very favorable to the City of Marlborough, but to date the House has not figured out how to move forward with budget deliberations. It may be some time before we see an approved State budget. Many communities are holding off their budget process until they get answers to some of the unknowns. In working closely with the City's finance team, President Ossing and Finance Chair Irish, we have a collaborative working relationship and I know I can rely on your cooperation for changes moving forward. I am considering this a base, and do not expect this to be a final product when we look back on Fiscal 2021.

Over the last few months, City Department Heads and I have worked together to develop a comprehensive budget that builds on the savings of the past several years and includes investments ensuring a quality education for our children, cleaner and safer streets, and maintains government efficiency all while keeping in mind the fiscal standing of our City and impact on the taxpayers.

The FY21 budget totals \$173,983,364 and represents a 2.93% increase over last year's total operating budget. The entire overall increase in this year's budget is for additional school funding.



### **Health Insurance**

Health insurance continues to be a significant factor in our annual operating costs, with a 4.2% increase in both the City and School line items. There have been increases in claims with our retirement population, which has caused increases across the board. This also is a driver for our increased OPEB liability. Dental premiums have experienced no increase as we are still within the three-year agreement.

As always, we will continue to evaluate our health insurance costs working with union leadership and look for creative ways to contain costs and increase coverage. New Human Resources Director Lynn Davine is experienced and ready to assist in this capacity.

### **Departmental Changes and Updates**

Most of the salary increases within the FY21 budget are 2% cost of living adjustments (COLA) effective July 1, 2020 due to contractual raises, and step increases done through contract negotiations.

In the Building Department, we will be eliminating the Part-Time Local Inspector/Code Enforcement Officer and a 19-hour per week Part-Time Senior Clerk. Additionally, we have contracted 4leaf, Inc. to assist the building department with extensive plan reviews and other inspectional services.

I am proposing to change the job description and responsibilities of our Conservation Agent to the title of Conservation Agent/ Sustainability Officer. This will allow the position to assist the community in a wide variety of ways as we are entering several sustainability initiatives with conservation elements. This position needs to move thru the ordinance process.

Please note, I will be sending down a reorganization of the finance team. I do not anticipate any increases in the overall budget for salaries but anticipate request for transfers for the different positions with different responsibilities. I hope to have this compiled to present to you for ordinance changes for the next City Council meeting.

### **Marlborough Public Schools**

Headed into his third year with Marlborough Public Schools, Superintendent Michael Bergeron continues to provide steady leadership and guidance to both MPS employees and students as well as a reliable partner to City administration. Superintendent Bergeron, the Marlborough School Committee, and the school Building Committee were instrumental in ensuring that our new elementary school opened on time and under budget. Both goals have been achieved, we have temporary occupancy and have taken physical control of the building. We still have plenty to do on the grounds outside of the school, but the building looks great and we plan to hold tours soon. The school is set to open in September!

My colleagues on the School Committee, approved an operating budget increase for MPS of 5.97% totaling \$67,327,844 for the coming fiscal year. This was done prior to the current financial concerns. Since receiving the budget, I have communicated to the superintendent that a reduction is needed, and subsequently more reductions may need to follow. This is still much higher than usual, with most of the increase relative to costs associated with opening and operating a new

elementary school. Additionally, there are increases in the school budget due to collective bargaining agreements, critical need, and increases in student enrollment. We continue to educate our students thru virtual learning and have been expanding these opportunities for learning on a regular basis.

#### **Capital Improvement Plan**

Once we have clearer revenue projections, I intend to send down a Capital Improvement Plan (CIP), but it will not be as large as in previous years due to the impacts of COVID-19. I have included only \$300,000.00 in this budget for capital projects for any essential needs prior to a larger capital request.

#### **Additional Budget Highlights**

As of April 1, 2020, the Department of Public Works has taken over the entire operation ending a 20-year contract with We Care and will be handling all the City's municipal solid waste, recycling, and sludge operations. This will be a multiyear transition, and contracts have been put in place to continue these services.

I look forward to working with you and answering any questions you may have on this proposal.

Thank you for your consideration.

Sincerely,



Arthur G. Vigeant  
Mayor



*City of Marlborough*  
*Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

RECEIVED  
CITY CLERK'S OFFICE  
*Arthur G. Vigeant*  
MAYOR  
2020 APR 23 A 11:14  
*Nathan R. Boudreau*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 23, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

Honorable President Ossing and Councilors,

**Re: Transfer Request – Snow and Ice to Fund Fiscal Year 2020 Deficit**

Honorable President Ossing and Councilors:

I have enclosed for your review and approval a transfer request to fund the Fiscal Year 2020 Snow and Ice Deficit. Upon your approval, a total of \$775,000.00 will be transferred from the Undesignated Fund to the following snow and ice accounts:

\$182,000.00	Overtime Snow & Ice	14001203-51390
\$173,000.00	Snow Removal	14001206-52960
\$420,000.00	Operating Expenses	14001206-57040

Although we did not see a large volume and frequency in snow storms as previous years, I am pleased by how well our DPW staff and contractors maintained the roadways. I appreciate your attention on this matter. Please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: DPW

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$6,916,216.00	\$775,000.00	10000	35900	Undesignated Fund	\$182,000.00	14001203	51390	Overtime-Snow & Ice	-\$181,193.91
	Reason:	<u>To fund the snow &amp; ice deficit for FY20</u>							
					\$173,000.00	14001206	52960	Snow Removal	-\$172,512.02
	Reason:								
					\$420,000.00	14001206	57040	Operating Expenses	-\$419,082.60
	Reason:								
	Reason:								
	Reason:								
		Total			\$775,000.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

Done L

# CITY OF MARLBOROUGH



## BUDGET REPORT

AS OF APRIL 21, 2020

FOR 2020 99

ACCOUNTS FOR:			ORIGINAL	TRANFRS/	REVISED			AVAILABLE	PCT
100	GENERAL FUND		APPROP	ADJSTMTS	BUDGET	YTD EXPENDED	ENC/REQ	BUDGET	USED
<b>4000 DEPARTMENT OF PUBLIC WORKS</b>									
<b>0120 STREETS-SNOW &amp; ICE</b>									
14001203	51390	OVERTIME-SNOW &	125,000	0	125,000	306,193.91	.00	-181,193.91	245.0%
14001206	52960	SNOW REMOVAL	275,000	0	275,000	444,949.77	2,562.25	-172,512.02	162.7%
14001206	57040	OPERATING EXPENS	100,000	0	100,000	493,639.67	25,442.93	-419,082.60	519.1%
TOTAL STREETS-SNOW & ICE			500,000	0	500,000	1,244,783.35	28,005.18	-772,788.53	254.6%
TOTAL DEPARTMENT OF PUBLIC WORKS			500,000	0	500,000	1,244,783.35	28,005.18	-772,788.53	254.6%
TOTAL GENERAL FUND			500,000	0	500,000	1,244,783.35	28,005.18	-772,788.53	254.6%
TOTAL EXPENSES			500,000	0	500,000	1,244,783.35	28,005.18	-772,788.53	





# 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)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
Nathan R. Boudreau  
2020 APR 23 4:14 PM  
EXECUTIVE ADJ.

Patricia Bernard  
EXECUTIVE SECRETARY

April 23, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

## Re: Transfer Request – Marlborough Municipal Employees Association Agreement

Honorable President Ossing and Councilors:

Please find enclosed for your review and approval a transfer request to fund the recently ratified collective bargaining agreement between the City of Marlborough and the Marlborough Municipal Employees Association (MMEA) for Fiscal Years 2019, 2020 and 2021; it is effective retroactively July 1, 2018.

The contract represents months of negotiations between myself and the MMEA leadership. I believe the enclosed Memorandum of Understanding represents a financially responsible agreement that is a fair deal for both our employees as well as the City.

The City and the MMEA have agreed to review Public Safety Dispatch wages, an educational incentive for Library employees with a master's degree in Library Science, and an increase in wages for the part-time library clerks who have been difficult to hire and retain at the current wages. Further, MMEA has also agreed to a bi-weekly payroll, and there will be an increase in the clothing allowance for specified employees as well as an allowance for dispatcher uniforms.

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

Sincerely,

  
Arthur G. Vigeant  
Mayor

Enclosure

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:		Auditor		FISCAL YEAR:		2020			
FROM ACCOUNT:		TO ACCOUNT:							
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$298,125.75</u>	<u>\$188,711.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$5,670.00</u>	<u>11330002</u>	<u>50062</u>	<u>Finance Assistant</u>	<u>\$23,142.73</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$145.00</u>	<u>11330003</u>	<u>51430</u>	<u>Longevity</u>	<u>\$3.27</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$115.00</u>	<u>11330003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$6.36</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$2,895.00</u>	<u>11350002</u>	<u>50062</u>	<u>Finance Assistant</u>	<u>\$12,223.62</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$2,345.00</u>	<u>11350002</u>	<u>50520</u>	<u>Principal Clerk</u>	<u>\$9,907.77</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$1,005.00</u>	<u>11350002</u>	<u>50770</u>	<u>Senior Clerk</u>	<u>\$4,254.82</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$2,640.00</u>	<u>11410002</u>	<u>50550</u>	<u>Head Clerk</u>	<u>\$11,151.08</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$2,010.00</u>	<u>11410002</u>	<u>50770</u>	<u>Senior Clerk</u>	<u>\$8,489.64</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$101.00</u>	<u>11410003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$1.48</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	
					<u>\$4,020.00</u>	<u>11440002</u>	<u>50770</u>	<u>Senior Clerk</u>	<u>\$16,979.25</u>
	Reason:				Reason:			<u>Contractual Obligation</u>	

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:	Auditor	FISCAL YEAR:	2020
	FROM ACCOUNT:	TO ACCOUNT:	
		11550001 50210 Sr System Analyst	\$13,258.16
	Reason:	Reason: Contractual Obligation	
		11550001 50213 Network Engineer	\$16,382.20
	Reason:	Reason: Contractual Obligation	
		11550003 51920 Sick Leave Buyback	\$3.96
	Reason:	Reason: Contractual Obligation	
		11610002 50770 Senior Clerk	\$10,937.43
	Reason:	Reason: Contractual Obligation	
		11610003 51920 Sick Leave Buyback	\$0.00
	Reason:	Reason: Contractual Obligation	
		11620002 50141 Clerk	\$3,443.83
	Reason:	Reason: Contractual Obligation	
		11620002 50520 Principal Clerk	\$24,992.46
	Reason:	Reason: Contractual Obligation	
		11920001 50292 Bldg Craftsman	\$30,705.77
	Reason:	Reason: Contractual Obligation	
		11920001 50385 Electrician	\$11,589.56
	Reason:	Reason: Contractual Obligation	
		11920001 50690 Foreman	\$26,433.50
	Reason:	Reason: Contractual Obligation	

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:	Auditor	FISCAL YEAR:	2020
	FROM ACCOUNT:	TO ACCOUNT:	
		11920002 50520 Principal Clerk	\$0.00
	\$575.00	Reason: Contractual Obligation	
Reason:			
	\$8,175.00	11920003 50560 Custodian	\$37,518.75
Reason:		Reason: Contractual Obligation	
	\$1,495.00	11920003 51300 Overtime	\$3,957.65
Reason:		Reason: Contractual Obligation	
	\$485.00	11920003 51920 Sick Leave Buyback	\$178.02
Reason:		Reason: Contractual Obligation	
	\$8,285.00	13032001 50292 Bldg Craftsman	\$71,273.85
Reason:		Reason: Contractual Obligation	
	\$6,060.00	13032001 50385 Electrician	\$37,891.40
Reason:		Reason: Contractual Obligation	
	\$2,200.00	13032001 50386 HVAC Tech	\$83,268.98
Reason:		Reason: Contractual Obligation	
	\$575.00	13032002 50141 Clerk	\$88.17
Reason:		Reason: Contractual Obligation	
	\$1,000.00	13032003 51300 Overtime	\$11,525.87
Reason:		Reason: Contractual Obligation	
	\$365.00	13032003 51920 Sick Leave Buy Back	\$2.74
Reason:		Reason: Contractual Obligation	

DEPT:		Auditor		FISCAL YEAR:		2020	
		FROM ACCOUNT:		TO ACCOUNT:			
				\$4,690.00	12100002 50520	Principal Clerk	\$23,936.17
	Reason:				Contractual Obligation		
				\$18,675.00	12100003 51213	Dispatchers	\$91,845.75
	Reason:				Contractual Obligation		
				\$2,795.00	12100003 51214	Public Safety Assistant	\$11,808.99
	Reason:				Contractual Obligation		
				\$370.00	12100003 51920	Sick Leave Buy Back	\$12,652.57
	Reason:				Contractual Obligation		
				\$480.00	12100003 51450	Night Shift Differential	\$26,357.66
	Reason:				Contractual Obligation		
				\$2,895.00	12200002 50062	Finance Assistant	\$12,259.99
	Reason:				Contractual Obligation		
				\$115.00	12200003 51920	Sick Leave Buy Back	\$53,889.53
	Reason:				Contractual Obligation		
				\$9,100.00	12410001 50260	Local Inspector	\$45,994.64
	Reason:				Contractual Obligation		
				\$3,145.00	12410001 50370	Plumbing Inspector	\$18,658.46
	Reason:				Contractual Obligation		
				\$3,145.00	12410001 50380	Electrical Inspector	\$13,288.09
	Reason:				Contractual Obligation		



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:	Auditor	FISCAL YEAR:	2020
	FROM ACCOUNT:	TO ACCOUNT:	
		12410002 50770 Senior Clerk	\$28,314.98
	Reason:	Reason: Contractual Obligation	
		12410003 51920 Sick Leave Buy Back	\$0.00
	Reason:	Reason: Contractual Obligation	
		14001002 50062 Finance Analyst	\$53,360.00
	Reason:	Reason: Contractual Obligation	
		14001002 50520 Principal Clerk	\$9,907.81
	Reason:	Reason: Contractual Obligation	
		14001002 50550 Head Clerk	\$11,146.09
	Reason:	Reason: Contractual Obligation	
		14001002 50770 Senior Clerk	\$8,509.18
	Reason:	Reason: Contractual Obligation	
		14001003 51920 Sick Leave Buy Back	\$2.50
	Reason:	Reason: Contractual Obligation	
		61090002 50520 Principal Clerk	\$22,440.58
	Reason:	Reason: Contractual Obligation	
		14920001 50166 Program Manager	\$11,392.52
	Reason:	Reason: Contractual Obligation	
		14920002 50770 Senior Clerk	\$8,489.62
	Reason:	Reason: Contractual Obligation	

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:	Auditor	FISCAL YEAR:	2020
	FROM ACCOUNT:	TO ACCOUNT:	
		14920003 51920 Sick Leave Buy Back	\$2.15
	Reason:	Reason: Contractual Obligation	
		15120001 50611 Assist Sanitarian	\$26,663.44
	Reason:	Reason: Contractual Obligation	
		15120001 50770 Senior Clerk	\$8,489.64
	Reason:	Reason: Contractual Obligation	
		15410001 50312 Outreach Worker	\$9,104.88
	Reason:	Reason: Contractual Obligation	
		15410002 50584 Clerk Typist	\$7,485.52
	Reason:	Reason: Contractual Obligation	
		15410002 50770 Senior Clerk	\$8,489.63
	Reason:	Reason: Contractual Obligation	
		15410003 51920 Sick Leave Buy Back	\$2.84
	Reason:	Reason: Contractual Obligation	
		16100001 50470 Childrens Librarian	\$10,262.30
	Reason:	Reason: Contractual Obligation	
		16100001 50471 Young Adult Librarian	\$9,907.81
	Reason:	Reason: Contractual Obligation	
		16100001 50480 Cataloguer	\$9,908.81
	Reason:	Reason: Contractual Obligation	

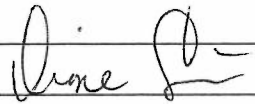

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:	Auditor				FISCAL YEAR:	2020	
	FROM ACCOUNT:				TO ACCOUNT:		
				<u>\$2,640.00</u>	<u>16100001</u> <u>50656</u> <u>Head Circulation</u>		<u>\$11,151.07</u>
	Reason:			Reason:	<u>Contractual Obligation</u>		
				<u>\$2,345.00</u>	<u>16100002</u> <u>50520</u> <u>Principal Clerk</u>		<u>\$9,907.83</u>
	Reason:			Reason:	<u>Contractual Obligation</u>		
				<u>\$2,010.00</u>	<u>16100003</u> <u>50490</u> <u>Library Staff</u>		<u>\$8,489.64</u>
	Reason:			Reason:	<u>Contractual Obligation</u>		
				<u>\$2,910.00</u>	<u>16100003</u> <u>50860</u> <u>Full Time Library Staff</u>		<u>\$12,257.52</u>
	Reason:			Reason:	<u>Contractual Obligation</u>		
				<u>\$8,035.00</u>	<u>16100003</u> <u>51261</u> <u>Part Time Clerks</u>		<u>\$47,989.28</u>
	Reason:			Reason:	<u>Contractual Obligation</u>		
				<u>\$2,280.00</u>	<u>15430001</u> <u>50080</u> <u>Veterans Director</u>		<u>\$7,707.81</u>
	Reason:			Reason:	<u>To fully fund through June 30th</u>		
	\$188,711.00			\$188,711.00			

Department Head signature:

Auditor signature:

Comptroller signature:

  
  
 \_\_\_\_\_

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
CITY OF MARLBOROUGH**

**And**

**MARLBOROUGH MUNICIPAL  
EMPLOYEES ASSOCIATION**

**APRIL 2020**

The Marlborough Municipal Employees Association (“Union” or “MMEA” or “Association”) and the City of Marlborough (“City”) agree to the following terms and conditions for a collective bargaining agreement covering the three (3) year period from July 1, 2018 to June 30, 2021 (“2018 – 2021 CBA”). This Agreement is subject to ratification vote by the membership of the MMEA in accordance with its bylaws, and City Council vote in favor of funding the 2018 – 2021 CBA. Except as provided for in this Memorandum of Agreement, and/or except for technical matters such as date changes, all other provisions of the July 1, 2015 – June 30, 2018 Contract shall be carried over intact into the successor contract.

**1. Article 1 Recognition**

Modify Article 1 to add the following positions: Head Electrician, Head HVAC Technician, HVAC Technician and Telecommunications Technician.

Also Amend Addendum B (Wage scales) to include pay schedules (Steps 0-3) for above positions.

**2. Review of Public Safety Dispatcher Wages**

The City agrees to conduct a review of Public Safety Dispatchers salaries in relation to comparable communities. If the City determines that it is appropriate to make any changes in the wages of public safety dispatchers, it will notify the Association for the purpose of engaging in mid-contract negotiations on these wages.

**3. Education Incentive**

Effective July 1, 2018, library employees who have or subsequently attain a master’s degree in Library Science will receive a \$500 annual stipend.

#### **4. Article 11 – Wages**

##### Section 1

Amend Section 1 to read as follows:

- A. Effective July 1, 2018 there will be a 2% increase in base wages
- B. Effective July 1, 2019 there will be a 2.5% increase in base wages
- C. Effective July 1, 2020 there will be a 2% increase in base wages

##### Section 4

Amend Section 4 by adding the following italicized language:

*“All employees shall be paid by way of electronic, paperless direct deposit on a weekly or biweekly basis, to be determined by the City. All references in this contract to weekly compensation shall mean biweekly compensation.”*

##### Part-Time Library Clerks

The City agrees to increase the wages of the part-time library clerks adopting the below wage schedule, effective on the next pay period following ratification of the MOA by both parties.

Step 0: \$14.00

Step 1: \$14.56

Step 2: \$15.14

Step 3: \$15.75

#### **5. Article 13 – (Benefits)**

##### Section 17 – Clothing Allowance

Amend Section 17 to increase the clothing allowance by \$200, effective July 1, 2018.

Add the following sentence to the end of Section 17

“All non-office public facilities employees and all employees who conduct inspections shall be required to purchase and wear steel or composite toe boots in the performance of their duties.”

#### **6. Article 21 – Miscellaneous**

##### Section 1 – Dispatchers Uniforms

Delete the second sentence of subsection (a) and replace with the following:

“The City, at its sole expense, will provide each Dispatcher with the initial designated uniform items. The City will reimburse employees, upon submission of a voucher, up to a maximum of \$150 per calendar year for replacement uniform items.”



Section 3 – Past Practices

Amend Section 3 of Article 21 by deleting paragraph 18.

**7. Article 22 (Duration)**

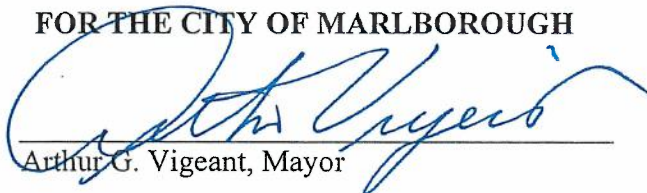
Section 1 – Amend the term of the Contract to run from July 1, 2018-June 30, 2021.

Housekeeping

1. Delete footnote 1 in Section 4 of Article 21.
2. Update Article 13 (Benefits) to remove outdated language re: past effective dates.
3. Update Article 21 (Miscellaneous) to remove outdated language re: past effective dates.
4. Change title in recognition clause from “Finance Assistant/Community Development” and “Finance Assistant/Bookkeeper” to “Finance Assistant”.

Agreed on this 20<sup>th</sup> day of April, 2020.

FOR THE CITY OF MARLBOROUGH



Arthur G. Vigeant, Mayor

FOR MARLBOROUGH MUNICIPAL  
EMPLOYEES ASSOCIATION



Christine Monfalcone, President



*City of Marlborough*  
*Office of the Mayor*

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Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 APR 23 A 11:14

*Nathan R. Boudreau*  
MAYOR  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 23, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

Honorable President Ossing and Councilors,

I have enclosed for your review and approval a transfer request in the amount of \$100,000.00 to cover unexpected expenses associated with our efforts to minimize and mitigate the potential spread of COVID-19 in our community. The transfer would come from the "Bond Anticipation Note" account as interest rates came in lower than initially expected.

Many employees of the City of Marlborough and Marlborough Public Schools are continuing to work to ensure the highest levels of service and protection are given to residents during this trying and unexpected times caused by the outbreak of COVID-19. It is impossible to predict what extraordinary expenses may arise over the coming weeks and months; however, I believe it is wise to establish a pool of funds that can be used keep both employees and residents safe.

Expenses may include the purchase of personal protective equipment, sanitation services, hotel accommodations for first responders, or any necessity that assists in our goal of combating COVID-19. Additionally, by having expenses paid out of a single account it will be easier to track and submit when it comes time for state and federal reimbursements.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

	DEPT:	Mayor				FISCAL YEAR:		2020	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$957,400.00</u>	<u>\$100,000.00</u>	<u>13860006</u>	<u>59254</u>	<u>Interest on BAN</u>	<u>\$100,000.00</u>	<u>11990006</u>	<u>53565</u>	<u>COVID 19</u>	<u>\$0.00</u>
	Reason:	<u>Actual interest rate came in lower than budgeted amount</u>				<u>Covid 19 expenses</u>			
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# *City of Marlborough*

## *Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 APR 23 A 11:14  
Nathan R. Boudreau  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 23, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

### **Re: Conservation Agent Title and Job Description Change**

Honorable President Ossing and Councilors,

Please find enclosed for your review a proposed job description for the position of Conservation / Sustainability Officer. I am proposing a change to the job description and responsibilities of our Conservation Agent due to the ever-changing scope of the work being done in our conservation office.

The job has evolved from working on wetlands permits and open space management which was included in the description in 1989 to including many more tasks that relate to a broader environmental function. Most notably as coordinating the Green Communities program efforts, organizing the Site Plan Review committee, and working closely with the DPW on our municipal vulnerability plan to be prepared for our changing climate. Therefore, I would propose the following changes to this job description to include the functions this position has incorporated over the years and the additional role of leading the city's sustainability efforts.

The position will now include:

#### **Conservation:**

- Wetlands permitting
- Open Space land management – including planning; trail maintenance and construction; and wildlife management.

#### **Sustainability:**

- Green Community efforts – municipal energy efficiency and energy reduction; renewable energy projects; fuel efficient vehicles; grant opportunities.
- Climate Change Resiliency– planning for the future and preparing for climate changes

- Site Plan Review – coordinate planning for site plan review committee meetings and working with city council on special permit projects related to large developments.
- Environmental reviews- Review any MEPA filings; comment on hazardous waste cleanup efforts; review projects as they relate to environmental impacts.

There will be no salary adjustment at this time, but I will monitor as the position evolves and review salaries and recommend changes as they become necessary. I would like to thank Conservation Agent Priscilla Ryder for working with my office to draft the proposed job description.

I look forward to discussing my recommendations with you further.

Sincerely,



**Arthur G. Vigeant**  
**Mayor**

Enclosures



POSITION DESCRIPTION, FORM 30

1. POSITION TITLE Conservation Officer	PREVIOUS TITLE	DEPARTMENT
---	----------------	------------

2. POSITION NO.	SALARY GRADE	DATE REVISED	DATE OF ORIGINAL EVALUATION April 14, 1989
-----------------	--------------	--------------	---

3. GENERAL STATEMENT OF DUTIES AND RESPONSIBILITIES  Responsible for the protection of wetlands, floodplains and open space. Duties include site planning, project environmental reviews and construction site inspections.
---

4. SUPERVISION RECEIVED  Mayor
--------------------------------------

5. SUPERVISION EXERCISED  Board Secretary
---

6. DUTIES AND RESPONSIBILITIES
<ul style="list-style-type: none"> <li>- Administer Wetlands Protection Act and other laws, regulations and ordinances relating to the environment.</li> <li>- Provide technical advice, counsel and review to the Conservation Commission on open space/environmental plans and regulations. Preconstruction review of proposed projects.</li> <li>- Post-construction site inspections of approved projects in construction and conservation areas to insure compliance with orders of conditions and federal/state laws.</li> <li>- Site review after construction is completed to insure no filling or violations take place.</li> <li>- Handle correspondence, administrative forms, project documentation, legal notices and other relevant information filed with the commission, DEQE and other relevant government agencies.</li> <li>- Provide technical review and advice on applications, when necessary, prior to Zoning Board of Appeals hearings (existing pre-construction conditions, alternatives to variance, possible conditions, etc.) Monitor compliance of conditions and variances granted.</li> <li>- Open space and environmental planning, including revisions and updating of local environmental ordinances (e.g. aquifer protection), implementing the Open Space Plan (land acquisition and management, open space and recreation grant programs), scoping and review of environmental impact reports, environmental aspects of nonresidential/multifamily site plans and residential subdivision sites.</li> <li>- Perform other related duties as required.</li> </ul>

APPROVALS

# CITY OF MARLBOROUGH

Marlborough, MA 01752

## CONSERVATION / SUSTAINABILITY OFFICER

### **Position Purpose:**

The Marlborough Conservation Commission is charged with the protection and stewardship of the City's natural resources. The Conservation / Sustainability Officer works as the Agent of, and in conjunction with, the Conservation Commission in the implementation of this mission. Consistent with the direction of the Mayor and with guidance from the Commission, the Officer must be able to act without direct guidance in some situations and be able to exercise fair and sound judgment.

### **Supervision:**

- Works under the direction of the Mayor, in accordance with applicable laws and regulations.
- Works with minimal supervision.
- Provides professional oversight for the Commission's work and projects. Supervises Board Secretary and volunteers working on Conservation land or Commission projects.

### **Job Environment:**

Majority of work is outside and employee is exposed to variable weather conditions including extremes of heat and cold, and inclement weather. Administrative work is performed under typical office conditions.

### **Essential Job Functions:**

*(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)*

- Administers Wetlands Protection Act, , and other laws, regulations, and ordinances relating to the environment in conjunction with the Marlborough Conservation Commission. Provides support, coordination, and professional management to protect the community's natural resources. Specifically, regulatory, technical, inspection, managerial, and administrative work in enforcing the provisions of conservation, wetlands, environmental and open space protection laws, bylaws, and regulations.
- Coordinates the development and implementation of the City's sustainability initiatives, including but not limited Green Communities Program, to hazard mitigation, flood insurance mapping, and energy conservation. Additionally, research funding opportunities, write grant proposals, generate progress reports when needed, coordinate with other municipal employees regarding sustainability initiatives, promote municipal, and residential efficiency programs.
- Provide technical review and advice on applications, when necessary, before Zoning Board of Appeals hearings regarding existing pre-construction conditions, alternatives to variances, possible conditions, etc. Monitor compliance of conditions and variances granted. Serves as Coordinator of the Site Plan Review Committee.
- Develops, maintains, and implements the City's hazardous mitigation plan, flood insurance program, open space plan, energy conservation, and other similar programs, including revisions and updates to local environmental ordinances and green / sustainability initiatives.

### **Additional Responsibilities:**

- Participates in public hearings, representing the City on conservation, sustainability, and environmental issues; serves on committees as required; reviews proposed site plans for potential impacts on the environment and wetlands.
- Keeps current by attending training sessions/workshops as appropriate.
- Prepares reports, maintains case files, correspondence, presentations, and other written material.

- Prepares operating budget and annual reports.
- Manages Commission office, maintains regular office hours.
- Performs similar or related work as required by the City or as the situation dictates.
- Serves as a liaison between the City, State and Federal environmental and sustainability boards.

**Minimum Qualifications:**

- Bachelor's Degree in environmental science, environmental policy/management, urban/regional planning, or related field required, Masters preferred. Minimum five (5) years related professional experience in local land-use practices and procedures, including permitting and wetlands protection, and development and implementation of sustainability programs, or equivalent combination of education and experience.
- Valid Massachusetts Class D Motor Vehicle Operator's License or equivalent from another state.
- Thorough knowledge of planning concepts, ecological systems, environmental management, climate change, energy efficiency, renewable energy, environmental sustainability principles and practices, and related activities.
- Working knowledge of the Massachusetts Wetlands Protection Act, and other local ordinances, state and federal statutes governing conservation, water resources, and land-use planning. Knowledge of Conservation Commission filing and procedures.
- Computer literacy including word processing, database management, spreadsheets, e-mail, web and digital Equipment use, including digital camera, projector, field tools, copier, fax, phone system. Proficiency in GIS applications preferred.

**Physical and Mental Requirements:**

*(The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.)*

Intellectual and mental acuity to perform conceptual and detailed technical work. Recurring intellectual effort is required to maintain a current knowledge of applicable laws, principals, rules and regulations. Employee is frequently required to walk, traverse uneven terrain, stand, sit, talk and hear; uses hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms as in physically picking up files, papers and other common office objects. Employee must be able to spend a large portion of the day walking and/or standing. Employee must occasionally lift and/or move objects weighing up to 10 pounds such as a briefcase, books, supplies, etc. Employee must possess the ability to operate a keyboard at a moderate speed. Vision and hearing at or correctable to normal ranges.

<b>Position:</b>	<input type="checkbox"/>	Union	<input checked="" type="checkbox"/>	Non-Union	<input type="checkbox"/>	Contract
<b>Class:</b>	<input checked="" type="checkbox"/>	Full-Time	<input type="checkbox"/>	Part-Time	<input type="checkbox"/>	Intermittent
	<input type="checkbox"/>	Provisional	<input checked="" type="checkbox"/>	Permanent	<input type="checkbox"/>	Temporary



*City of Marlborough*  
*Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 APR 23 A 11:14

*Nathan R. Boudreau*  
MAYOR  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 23, 2020

City Council President Michael H. Ossing  
Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

Re: 60-Day Appointment of Interim Treasurer and Interim Comptroller

Honorable President Ossing and Councilors:

I have renewed the 60-day appointment of Collector Eileen Bristol as the Interim Treasurer for the City of Marlborough effective Tuesday, April 14, 2020, at 5:00 pm for 60 days. This will allow Mrs. Bristol to continue to sign warrants, access bank statements, and assist with the duties of the Treasurer while we continue the search for a person to fill the position.

Additionally, I will be renewing the 60-day appointment of Stephen Cirillo to the position of Interim Comptroller to assist with the financial operations of the City during the Comptroller / Treasurer search process also effective Thursday, April 23, 2020 at 5:00 pm for 60 days.

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures



*City of Marlborough*  
*Office of the Mayor*

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Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nathan R. Boudreau*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 14, 2020

Eileen Bristol, Tax Collector  
City of Marlborough  
140 Main St.  
Marlborough, MA 01752

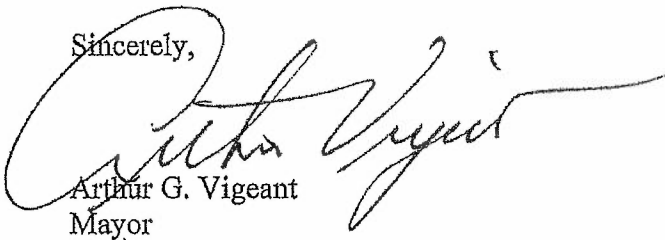
RE: Temporary Appointment Pursuant to M.G.L. c. 41 § 61A,

Dear Ms. Bristol,

In accordance with authority vested in me under M.G.L. c. 41 § 61A, I appoint you as temporary officer for the position of Treasurer because said office is vacant. Under this appointment, you shall hold and exercise the powers and perform the duties of Treasurer for not more than sixty days (60), from time to time, for so long as the position remains vacant.

Thank you for your support during this interim period.

Sincerely,

  
Arthur G. Vigeant  
Mayor

Attachment



*City of Marlborough*  
*Office of the Mayor*

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Marlborough, Massachusetts 01752  
508.460.3770 Fax 508.460.3698 TDD 508.460.3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nathan R. Boudreau*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

April 23, 2020

Stephen Cirillo  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

RE: Temporary Appointment Pursuant to M.G.L c. 41 § 61A

Dear Mr. Cirillo,

In accordance with authority vested in me under M.G.L c. 41 § 61A, I appoint you as temporary officer for the position of Interim Comptroller because said office is vacant. Under this appointment, you shall hold and exercise the powers and perform the duties of Comptroller for not more than sixty days (60), from time to time, for so long as the position remains vacant.

Thank you for your support during this interim period.

Sincerely,

Arthur G. Vigeant  
Mayor

Attachment



PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

TEMPORARY AUDITOR, TREASURER, COLLECTOR OF TAXES, ACCOUNTANT AND CLERK OF A TOWN AND  
TEMPORARY HEADS OF CITY DEPARTMENTS

Chapter 41: Section 61A. Appointment; tenure; bond; removal; powers and duties

Section 61A. If the office of city auditor, city treasurer, city collector of taxes or other officer having charge of a city department is vacant, or if any such officer, because of disability or absence, is unable to perform his duties, the mayor, without confirmation by the city council, any provision of a city charter to the contrary notwithstanding, shall appoint a temporary officer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and has qualified according to law, or the officer who was disabled or incapacitated resumes his duties; but no such temporary officer shall be appointed under this section for a period longer than sixty days. Any such temporary officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within ten days after his appointment the mayor shall rescind the appointment and appoint another.





# City of Marlborough

## Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL (508) 460-3771 FAX (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED JASON D. GROSSFIELD  
CITY CLERK'S OFFICE CITY SOLICITOR  
CITY OF MARLBOROUGH  
JASON M. PIQUES  
2020 APR 22 A 9 32 ASSISTANT CITY SOLICITOR  
HEATHER H. GUTIERREZ  
PARALEGAL

April 22, 2020

Michael H. Ossing, President  
Marlborough City Council  
City Hall  
140 Main Street  
Marlborough, MA 01752

Re: Proposed Zoning Amendment  
Large-Scale Ground-Mounted Solar Photovoltaic Overlay District

Dear Honorable President Ossing and Councilors:

At the request of City Council President Michael H. Ossing, enclosed please find the above-referenced proposed zoning amendment creating an overlay district.

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

Respectfully,

Jason D. Grossfield  
City Solicitor

Enclosure

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

ORDERED:

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

1. That a new Section 38 be inserted into Chapter 650, as follows:

## ARTICLE VI

### § 650-38 Large-scale Ground-mounted Solar Photovoltaic Overlay District

#### A. Purpose and Objectives:

- 1) The Large-scale Ground-mounted Solar Photovoltaic Overlay District (herein, also a “LGSPOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The purpose of this section is to provide standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and which provide adequate financial assurance for the eventual decommissioning of such installations.
- 2) The provisions set forth in this section apply to the construction, operation and/or repair of large-scale ground-mounted solar photovoltaic installations.
- 3) This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

- B. Designation of overlay location; as-of-right use. For the purposes of this Section, the LGSPOD shall be superimposed on the other district(s) existing at the time that any land in any said underlying district is also included in the LGSPOD, as designated by the Marlborough City Council in accordance with M.G.L. c.40A, §5, where ground-mounted large-scale solar photovoltaic installations may be sited as of right. Except as specifically provided herein, uses and provisions of Article V of Chapter 650 relating to the underlying zoning district not otherwise impacted by this Section shall continue to remain in full force and effect. In the event of any conflict between the provisions of this section and any other provisions of the Zoning Ordinance, the provisions of this Section shall govern and control. The LGSPOD overlay zoning district is located on parcels identified in Exhibit A annexed

hereto and incorporated by reference herein, and as indicated on the Zoning Map of the City of Marlborough. Said map is hereby made a part of this chapter and is on file in the office of the City Clerk.

C. Definitions. As used in this section, following terms shall have the meanings indicated:

**As-of-Right Siting:** As-of-Right Siting shall mean that development under this section may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval, however said as-of-right development is subject to site plan review as provided under Chapter 270 Code of the City of Marlborough and this section. Projects cannot be prohibited, but can be subject to reasonable regulation.

**Large-Scale Ground-mounted Solar Photovoltaic Installation:** A solar photovoltaic system that is structurally mounted on the ground, is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

**Solar Photovoltaic Installation:** A solar photovoltaic array that is constructed at a location where other allowable uses of the underlying property may occur.

**Site Plan Review:** Review by Site Plan Review conducted administratively in accordance with the procedures as governed by § 270-2 of the Code of the City of Marlborough and this section.

**Rated Nameplate Capacity:** The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

**Solar Photovoltaic Array:** An arrangement of solar photovoltaic panels.

D. General Requirements for all large-scale ground-mounted solar photovoltaic installations.

The following requirements are common to all large-scale ground-mounted solar photovoltaic installations to be sited in designated overlay locations:

1. **Compliance with Laws, Ordinances and Regulations.** The construction and operation of all large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable security, safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a large-scale ground-mounted solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. **Building Permit and Building Inspection.** No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
3. **Fees.** The application for a building permit for a large-scale ground-mounted solar photovoltaic installation must be accompanied by the fee required for a building permit.

4. Site Plan Review. Large-scale ground-mounted solar photovoltaic installations shall undergo site plan review by Site Plan Review prior to construction, installation or modification as provided in § 270-2 of the Code of the City of Marlborough and in this section, as follows:
  - a. General. All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
  - b. Required Documents. Pursuant to the site plan review process, the project proponent shall provide the following documents:
    - i. A site plan showing:
      1. Property lines and physical features, including roads, for the project site;
      2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fences or other screening structures;
      3. Drawings of the large-scale ground-mounted solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
      4. One or three-line electrical diagram detailing the large-scale ground-mounted solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
      5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
      6. Name, address, and contact information for proposed system installer;
      7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
      8. The name, contact information and signature of any agents representing the project proponent;
      9. Emergency services access points and through points; and
    - ii. Documentation of actual or prospective access and control of the project site (see also sub-section E herein); and
    - iii. An operation and maintenance plan (see also sub-section F herein); and
    - iv. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
    - v. Proof of liability insurance in an amount, and for a duration, sufficient to cover loss or damage to persons and property;
    - vi. Description of financial surety that satisfies sub-section L herein; and
    - vii. A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise informs abutters within 300' of the

property line of the project site. Site Plan Review may waive documentary requirements as it deems appropriate.

- E. Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale ground-mounted solar photovoltaic installation.
- F. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- G. Utility Notification. No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to Site Plan Review that the utility company that operates the electrical grid where the installation is to be located has been informed of the large-scale ground-mounted solar photovoltaic installation's owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- H. Dimension and Density Requirements.
  - a. Setbacks. For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
    - i. Front yard. The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the front yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
    - ii. Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the side yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
    - iii. Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the rear yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
  - b. Appurtenant Structures. All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking

and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

I. Design Standards.

- a. Lighting. Lighting of large-scale ground-mounted solar installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the large-scale ground-mounted solar installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- b. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Chapter 526 of the Code of the City of Marlborough. A sign consistent with the City's sign ordinances shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-scale ground-mounted solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the large-scale ground-mounted solar.
- c. Utility Connections. Reasonable efforts, as determined by Site Plan Review, shall be made to place all utility connections from the large-scale ground-mounted solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- d. Screening. Every abutting property, private way, private driveway, and public way shall be visually screened from the project through any one or combination of the following: location, distance, plantings, existing vegetation.
- e. Top soil. No top soil shall be removed from the site. Said topsoil shall be stockpiled on site and used to stabilize the site with a minimum cover of 6 inches cover of loam. Any topsoil remaining after stabilization shall be stockpiled on site for use during decommissioning.

J. Safety and Environmental Standards.

- a. Emergency Services. The large-scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Chief of the Marlborough Fire Department. The owner or operator shall cooperate with local emergency services in developing an emergency response plan. Every means of shutting down the large-scale ground-mounted solar photovoltaic installation shall be clearly marked. The owner or operator



shall identify a responsible person for public inquiries throughout the life of the installation.

- b. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and ordinances.

K. Monitoring and Maintenance.

- a. Large-scale Ground-mounted Solar Photovoltaic Installation Conditions. The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access or through road(s). Landscaping and fencing, including vegetation used for screening, shall be maintained in good condition.
- b. Modifications. After the required permits, have been issued, the Building Commissioner may approve minor non-material modifications to a large-sale ground-mounted solar photovoltaic installation. All major material modifications to a large-scale ground-mounted solar photovoltaic installation made after issuance of the required permits shall require approval by Site Plan Review.

L. Abandonment or Decommissioning.

- a. Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has been discontinued by reaching the end of its useful life, reaching the end of a lease term without renewal or extension, or having been abandoned (as provided in paragraph L.b. herein) shall be removed as herein provided. The owner or operator shall physically remove the installation no more than 150 days after the date of said discontinued operations. The owner or operator shall notify Site Plan Review by certified mail of the proposed date of discontinued operations and plans for removal by decommissioning. Decommissioning shall consist of:
  - i. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
  - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion, including use of any remaining topsoil stockpiled on site. Site Plan Review



may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

- b. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than six months without the written consent of the Building Commissioner. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the City may enter the property and physically remove the installation.
- c. Financial surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through a cash escrow account with interest retained for escalating decommissioning costs, bond or otherwise, to cover the cost of removal in the event that the City must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by Site Plan Review, but in no event in excess more than 125% of the cost of removal and compliance with additional requirements set forth herein, as determined by Site Plan Review. Such surety will not be required for municipally owned or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Site Plan Review may request the proponent to provide an update of the fully inclusive estimate of costs associated with removal every five years following the issuance of a building permit. Site Plan Review may require the proponent to provide additional surety based on the updated cost estimate.

M. The effective date of these amendments shall be the date of their passage.

## **EXHIBIT A**

The newly established Large-scale Ground-mounted Solar Photovoltaic Overlay District shall include all or portions of the properties shown on the Zoning Map existing at the passage of this Ordinance, which properties include the following parcels of land (herein identified by the Assessors' Map and Parcel Number):

Assessors Map 30; Parcel 4

Assessors Map 30, Parcel 4C.

ADOPTED

In City Council  
Order No 20-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:





# City of Marlborough

## Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL (508) 460-3771 FAX (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 APR 23 A 11:31  
JASON D. GROSSFIELD  
CITY SOLICITOR  
JASON M. PIQUES  
ASSISTANT CITY SOLICITOR  
HEATHER H. GUTIERREZ  
PARALEGAL

April 23, 2020

Michael H. Ossing, President  
Marlborough City Council  
City Hall  
140 Main Street  
Marlborough, MA 01752

Re: Council Order No. 20-1007929  
Salary Order and Ordinance Amendment

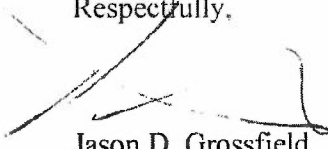
Dear Honorable President Ossing and Councilors:

In connection with the above referenced item as recommended by the Finance Committee at its February 18, 2020 meeting, enclosed please find a copy of the following documents as submitted by Mayor Arthur G. Vigeant by letter dated February 6, 2020: (1) Order and (2) Ordinance amending City Ord. 125-6. I have reviewed the proposed order and ordinance, and each is in proper legal form.

In summary, the Ordinance adds one position and its rate to the salary schedule in Ord. 125-6 and removes the salary rates for six positions from the schedule. The Order establishes the new salary rates for these six positions. As the City Council discussed at its March 9, 2020 meeting, the ordinance must first be advertised prior to a vote to ordain. Both items can be voted upon at the same meeting.

Please contact me if you have any questions.

Respectfully,

  
Jason D. Grossfield  
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL," AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	Effective Date	Minimum	Step		Maximum
			1	2	
Social Service Coordinator	Upon Ordainment				Same rate as Clerk position in City Ord. Sect 125-6

II. By deleting from the salary schedule referenced in Section 125-6: any reference to salary rate for the following positions: Planning Board Member, Zoning Board of Appeals Member (including associate member), Detention Assistant, Parking Enforcement Officer, Mail Clerk, and Crossing Guard.

Rates for said positions are included in the accompanying vote of the City Council.

ADOPTED  
In City Council  
Order No. 20-XXX  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

ORDERED: That the City of Marlborough hereby votes to establish stipend or hourly rates for the following positions as set forth below:

<u>Position</u>	<u>Rate</u>
Planning Board Member	\$150 Per Planning Board Meeting Attended
Zoning Board of Appeals Member (including associate member)	\$150 Per Zoning Board of Appeals Meeting Attended
Detention Assistant	Not to Exceed \$18 Per Hour
Parking Enforcement Officer	Not to Exceed \$18 Per Hour
Mail Clerk	Not to Exceed \$18 Per Hour
Crossing Guard	Not to Exceed \$18 Per Hour.

ADOPTED  
In City Council  
Order No. 20-XXX  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:





**City of Marlborough**  
**Zoning Board of Appeals**

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3768

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 MAR 11 P 4:54

Paul Giunta-Chairman  
Ralph Loftin  
Thomas Golden  
Thomas Pope  
Robert Levine

March 10, 2020

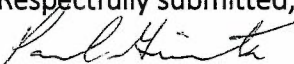
Michael H. Ossing, President  
Marlborough City Council  
City Hall  
140 Main St.  
Marlborough, MA 01752

RE: Support for Proposed Zoning Ordinance Amendment  
Contractor's yards and landscape contractor's yards

Dear Honorable President Ossing and Councilors:

The Zoning Board of Appeals (ZBA) met on February 25, 2020 and voted to express the ZBA's support for adoption of the proposed zoning ordinance amendment relative to contractor's yards and landscape contractor's yards and a zoning map amendment for parcel 85-12, now under consideration by the City Council. Please accept this letter of support for the record as part of the City Council's consideration of these zoning amendments.

Please do not hesitate to contact me with any questions.

Respectfully submitted,  
  
Paul Giunta  
Chairman  
Zoning Board of Appeals



# DROHAN TOCCHIO & MORGAN, P.C.

ATTORNEYS AT LAW  
175 DERBY STREET, SUITE 30  
HINGHAM, MASSACHUSETTS 02043  
Telephone: (781) 749-7200 ~ Facsimile: (781) 740-4335  
[www.dtm-law.com](http://www.dtm-law.com)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 MAR 11 P 5:07

MARK S. BOURBEAU  
[mbourbeau@dtm-law.com](mailto:mbourbeau@dtm-law.com)

March 6, 2020

## Via First Class Mail

Michael H. Ossing, President  
Marlborough City Council  
City Hall  
140 Main Street  
Marlborough, MA 01752

RE: Rezoning off Valley Street  
Assessor's Map 82 Parcel 125, Marlborough HUB, LLC.

Attn. President and Members:

On behalf of Marlborough HUB, LLC., we are writing to petition the City Council to rezone its land off Valley Street, being a portion of the parcel identified as Assessor's Map 82 Parcel 125, "Parcel 125." Said portion of Parcel 125 is currently zoned "Industrial," whereas the remaining Parcel 125 and the abutting property on its west side is zoned "Residence C," and on the east zoned "Business", as shown on the accompanying exhibit. As such, please submit this petition to the City Council for the rezoning of Parcel 125, owned by Marlborough HUB, LLC from part "Industrial" part "Residence C" to all "Residence C." This will maintain a consistent zoning use pattern for the subject area west of the Business Zone, and provide for a consistent use in conjunction with the residentially-zoned remainder of Petitioner's parcel, Map 82 Parcel 125. Further, the currently industrially-zoned portion of Parcel 125 consists of a long-abandoned railroad bed, which currently forms an isolated 50 foot-wide finger of industrially zoned land projecting east from Valley Street, but due to its size, configuration, and lack of connection to any other Industrial properties is totally impractical for any current or likely future industrial use.

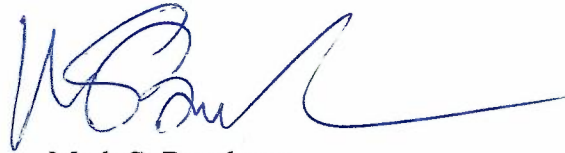
We would suggest the language for the Zoning Amendment read as follows:

That the land off Valley Street owned by Marlborough HUB, LLC., shown on Assessor's Map 82 as Parcel 125, presently zoned partly "Residence C" and partly "Industrial", be rezoned entirely as "Residence C", as said industrial portion 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."

Michael H. Ossing, President  
Marlborough City Council  
March 6, 2020  
Page 2

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

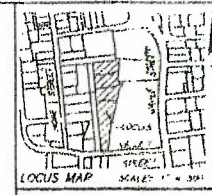
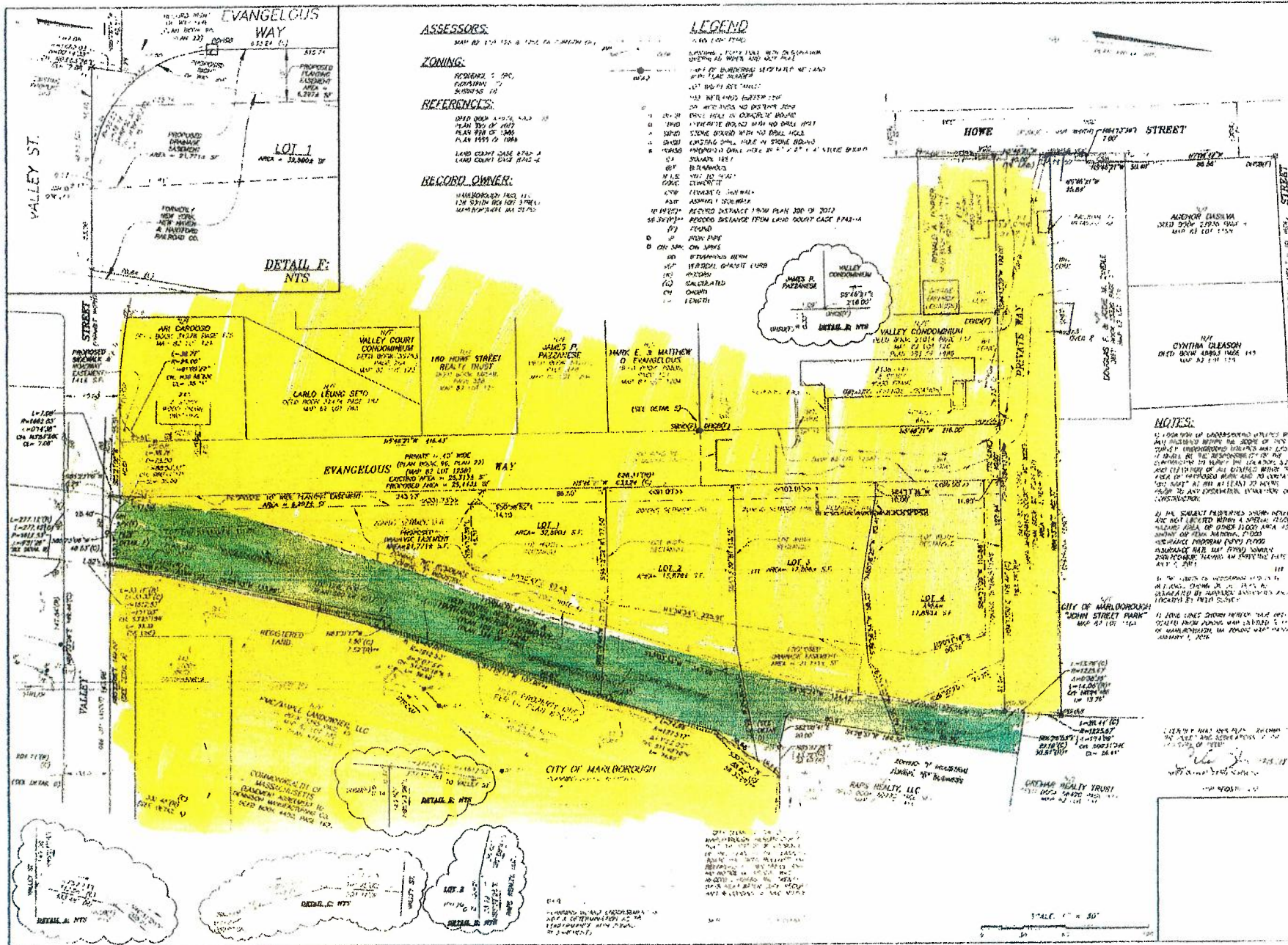
Sincerely,

A handwritten signature in blue ink, appearing to read 'MSB', followed by a long horizontal flourish.

Mark S. Bourbeau

/kjm



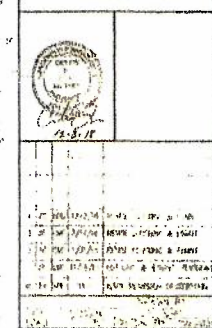


**EVANGELOUS WAY**  
Marlborough, Massachusetts 01752

PREPARED FOR  
**MARLBOROUGH HUB, LLC.**  
128 South Bolton St.  
Marlborough, MA 01752

**HANCOCK ASSOCIATES**  
Civil Engineers  
Land Surveyors  
Photogrammetrists  
Consultants

1111 North Street, Marlborough, MA 01752  
508-253-0000 FAX 508-253-0001  
www.hancockassoc.com



**DEFINITIVE PLAN OF LAND IN MARLBOROUGH, MASSACHUSETTS**

DS



# ASSESSORS:

MAP 82, LOT 125

# ZONING:

RC, I & B

# REFERENCES:

DEED BOOK 64574, PAGE 183  
PLAN 390 OF 2013  
PLAN 998 OF 1988  
PLAN 1553 OF 1988  
LAND COURT CASE 8742-A  
LAND COURT CASE 8742-C

# RECORD OWNER:

MARLBOROUGH HUB, LLC  
120 SOUTH BOLTON STREET  
MARLBOROUGH, MA 01752

# TREE ABBREVIATIONS

M O MAPLE  
D OAK

R O RECORD

C O CALCULATED

CH O CHORD

L O LENGTH

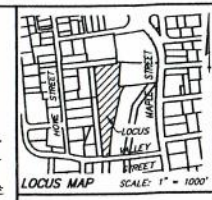
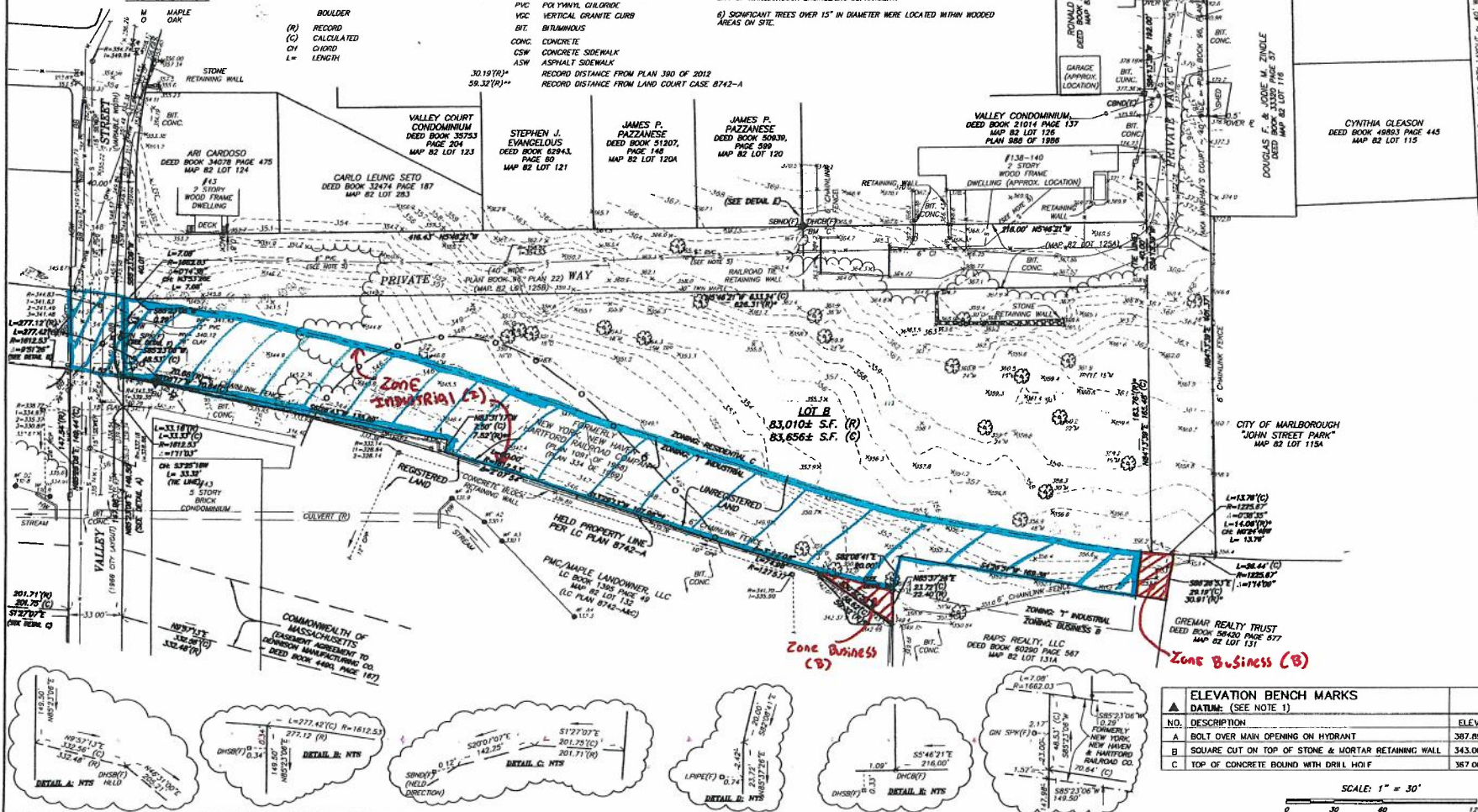
# LEGEND

- SURFACE CONTOUR
- WIRE FENCE
- EDGE OF WOODED AREA
- SEWERLINE & MANHOLE WITH PIPE SIZE, MATERIAL & FLOW DIRECTION
- DRAINAGE WITH PIPE SIZE, MATERIAL & FLOW DIRECTION, CATCHBASIN, MANHOLE & ROUND CATCHBASIN
- WATER MAIN, WATER MAIN WITH SIZE, 12" GATE VALVE & FIRE HYDRANT
- GAS MAIN WITH SIZE & GATE VALVE
- EXISTING UTILITY POLE WITH DESIGNATION OVERHEAD WIRES AND GUY POLE
- ELECTRIC MANHOLE & UNDERGROUND ELECTRIC LINES
- TELEPHONE MANHOLE & UNDERGROUND TELEPHONE LINES
- LIMIT OF BORDERING VEGETATED WETLAND WITH FLAG NUMBER AND ELEVATION
- LIMIT OF 100-FOOT WETLAND BUFFER ZONE

- \* 232.6 SPOT ELEVATION
- 232.6 PROMINENT DECIDUOUS TREE WITH ELEVATION, SIZE AND SPECIES
- 26.8 PROMINENT CONIFEROUS TREE WITH ELEVATION, SIZE AND SPECIES
- 10" P LAMINATE POLE
- MANHOLE (UNKNOWN UTILITY)
- BH BENCHMARK
- CB CATCH BASIN
- DHCB DRILL HOLE IN CONCRETE BOUND
- CBND CONCRETE BOUND WITH NO DRILL HOLE
- SBND STONE BOUND WITH NO DRILL HOLE
- DMH DRAIN MANHOLE
- SMH SEWER MANHOLE
- RCP REINFORCED CONCRETE PIPE
- MB MAILBOX
- IMPE IRON PIPE
- BTB BUTTERFLY VALVE
- CM CAST IRON
- CPP CORRUGATED PLASTIC PIPE
- PVC POLYVINYL CHLORIDE
- VGC VERTICAL GRANITE CURB
- BIT BITUMENOUS
- CONC CONCRETE
- CSW CONCRETE SIDEWALK
- ASW ASPHALT SIDEWALK
- CSW RECORD DISTANCE FROM PLAN 390 OF 2012
- 59.32(R)\* RECORD DISTANCE FROM LAND COURT CASE 8742-A

# NOTES:

- 1) PROJECT SOURCE BENCHMARK ELEVATION IS BASED ON A BOLT OVER MAIN OPENING ON A HYDRANT WITH AN ELEVATION OF 378.34. THIS BENCHMARK WAS ELEVATED BASED ON A CIRCULAR SQUARE ON TOP OF WEST PIER LOCATED ON THE NORTH SIDE OF CITY HALL ENTRANCE WITH A REPORTED ELEVATION OF 396.91 ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1928. SEE PLAN BY HANCOCK ASSOCIATES ENTITLED "EXISTING CONDITIONS PLAN OF LAND IN MARLBOROUGH, MA, DATED MARCH 2, 2009 FOR MARLBOROUGH SAVINGS BANK" FOR LOCATION OF SOURCE BENCHMARK (PROJECT #14630).
- 2) UNDERGROUND UTILITIES SHOWN HEREON ARE COMPILED FROM FIELD LOCATIONS OF STRUCTURES AND FROM AVAILABLE RECORD INFORMATION ON FILE AT THE TOWN ENGINEERING OFFICE. TOWN D.P.R., MASS HIGHWAY DEPT., AND UTILITY COMPANIES. OTHER UNDERGROUND UTILITIES MAY EXIST. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION, SIZE & ELEVATION OF ALL UTILITIES WITHIN THE AREA OF PROPOSED WORK AND TO CONTACT "DIG-SAFE" AT 1-800-344-7333 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION, DEMOLITION OR CONSTRUCTION.
- 3) THE LOCATION OF UNDERGROUND STORAGE TANKS, IF ANY, ARE UNKNOWN.
- 4) THIS TOPOGRAPHIC SURVEY WAS PREPARED TO MEET NATIONAL MAP ACCURACY STANDARDS AT A SCALE OF 1"=30' HORIZONTALLY AND A 1' FOOT CONTOUR INTERVAL VERTICALLY. ANY REPRODUCTIONS OF RE-SCALING MAY EFFECT THE MAP ACCURACY.
- 5) LOCATION OF UNDERGROUND SEWER LINE IS BASED ON FIELD LOCATED EVIDENCE OF A SEWER MANHOLE AND PLANS SUPPLIED TO THIS OFFICE BY CITY OF MARLBOROUGH ENGINEERING DEPARTMENT.
- 6) SIGNIFICANT TREES OVER 15" IN DIAMETER WERE LOCATED WITHIN WOODED AREAS ON SITE.



**HOWE & VALLEY STREET**

Marlborough, Massachusetts 01752

PREPARED FOR:

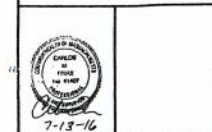
**MARLBOROUGH HUB, LLC.**

4 Essex Street  
Hudson, MA 01749

**HANCOCK ASSOCIATES**

Civil Engineers  
Land Surveyors  
Environmental Consultants

315 Elm Street, Marlborough, MA 01752  
Voice (508) 464-1111, Fax (508) 464-1121  
www.hancockassoc.com



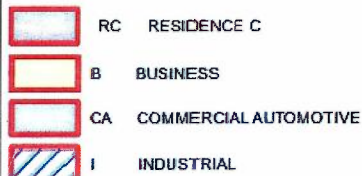
DATE	BY	DATE	BY	DATE	BY
7-13-16	CHM	7-13-16	CHM	7-13-16	CHM

EXISTING CONDITIONS PLAN	
NO.	DESCRIPTION
A	BOLT OVER MAIN OPENING ON HYDRANT
B	SQUARE CUT ON TOP OF STONE & MORTAR RETAINING WALL
C	TOP OF CONCRETE BOUND WITH DRILL HOLE

PROJECT NO.: 19010



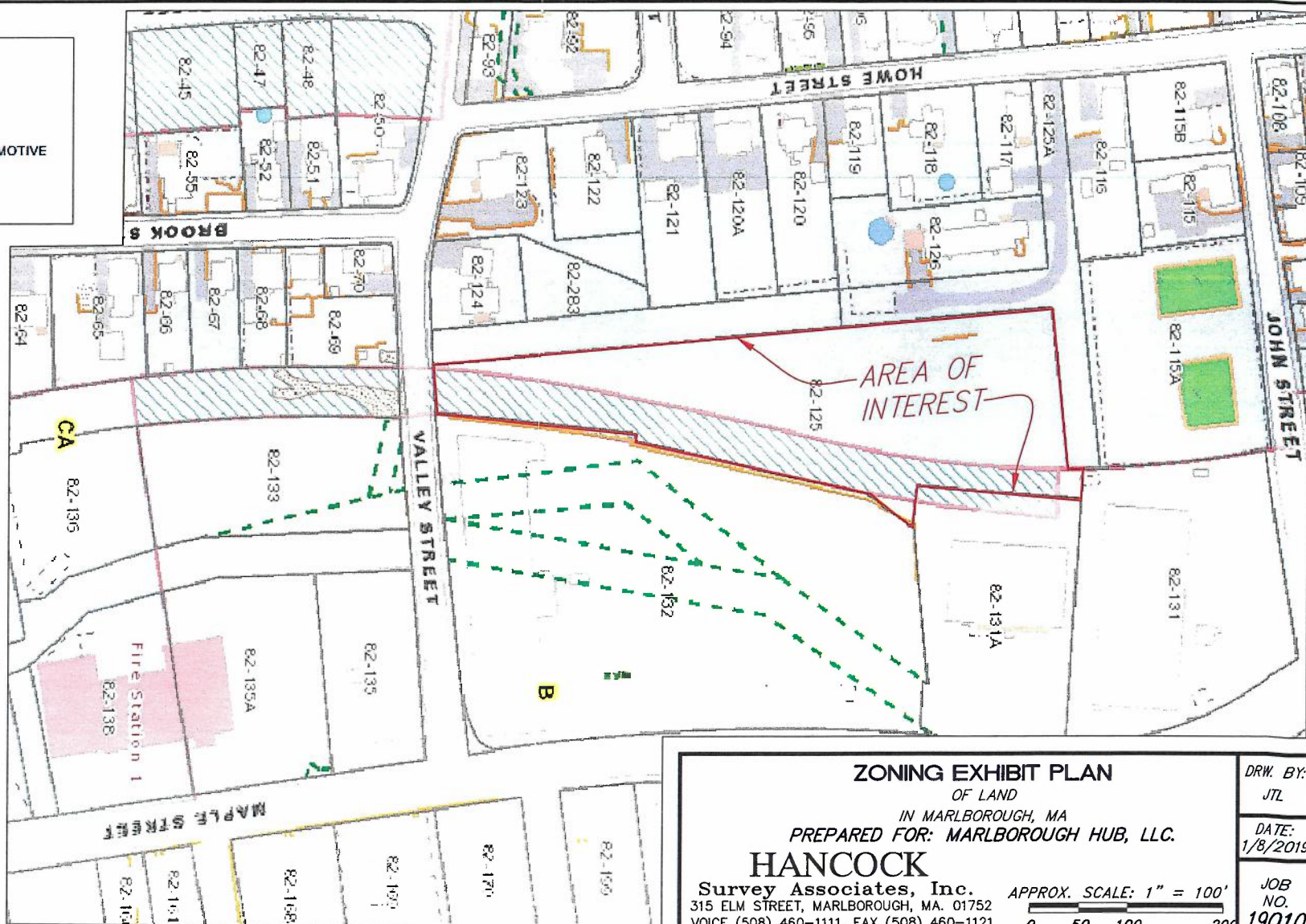
# LEGEND:



MERIDIAN FROM MARLBOROUGH,  
MA GIS SYSTEM

## NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING LOCATION OF A STRIP OF INDUSTRIAL ZONED LAND BETWEEN HOWE STREET AND MAPLE STREET, AS WELL AS THE SURROUNDING ZONING DISTRICTS.
2. ALL ZONING AND PARCEL INFORMATION SHOWN HEREON HAS BEEN TAKEN FROM THE MARLBOROUGH, MA GIS SYSTEM AS DEPICTED ON JANUARY 8, 2019.



## ZONING EXHIBIT PLAN

OF LAND

IN MARLBOROUGH, MA

PREPARED FOR: MARLBOROUGH HUB, LLC.

**HANCOCK**

Survey Associates, Inc.

315 ELM STREET, MARLBOROUGH, MA. 01752

VOICE (508) 460-1111, FAX (508) 460-1121

APPROX. SCALE: 1" = 100'

0 50 100 200

DRW. BY:

JTL

DATE:

1/8/2019

JOB

NO.

19010

\\19010-Marlboro Hub-Marlboro\Production Drawings\19010-ZONING-EXHIBIT-1-8-19.dwg Jan 08, 2019 - 10:38 am







**City of Marlborough, Massachusetts**  
**RECEIVED CITY CLERK DEPARTMENT**  
**CITY CLERK'S OFFICE**  
**CITY OF MARLBOROUGH**

**2020 MAR 18 A 10:59**

**Steven W. Kerrigan**  
**City Clerk**

MARLBOROUGH, MA

DATE: 3-16-2020

**To the City Council:**

Owner Name: Antoine Bitar

Residential Address: 5 Rolling Ridge Lane, Fallow, MA 01612

Telephone Number: 508-981-5080

Business Name: Hannoush Jewels

Business Address: 601 Donald Lynch Blvd.

Business Telephone Number: 508-303-6595

Email Address: TBitar@Hannoush.com

Cell Number: 508-981-5080

Owner Signature: [Signature]

The above signed ANTOINE BITAR respectfully requests that he/she be  
granted a Junk Dealer/Second Hand Dealer License.

**In City Council**



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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 APR 13 A 9:24

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

**Steven W. Kerrigan  
City Clerk**

MARLBOROUGH, MA

DATE: APRIL 8, 2020

**To the City Council:**

Owner Name: GERALD DUMAIS

Residential Address: 6 HIGH ST MARLBOROUGH MA 01752

Telephone Number: 508. 400 - 4647

Business Name: DUMAIS & SONS SECOND HAND STORE

Business Address: 65 MECHANIC STREET MARLBOROUGH MA  
01752

Business Telephone Number: 508. 485. 4864

Email Address: DUMAISANDSONS@GMAIL.COM  
JERRYDUMAIS@GMAIL.COM

Cell Number: 508. 400 - 4647

Owner Signature: Gerald Dumais

The above-signed \_\_\_\_\_ respectfully requests that he/she be

granted a Junk Dealer/Second Hand Dealer License.

**In City Council**

February 27, 2020

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 MAR 16 P 4:42

City Clerk  
City Hall  
140 Main Street  
Marlborough, MA 01752

Marlborough City Council,

Please approve for Grant purposes the following plan:

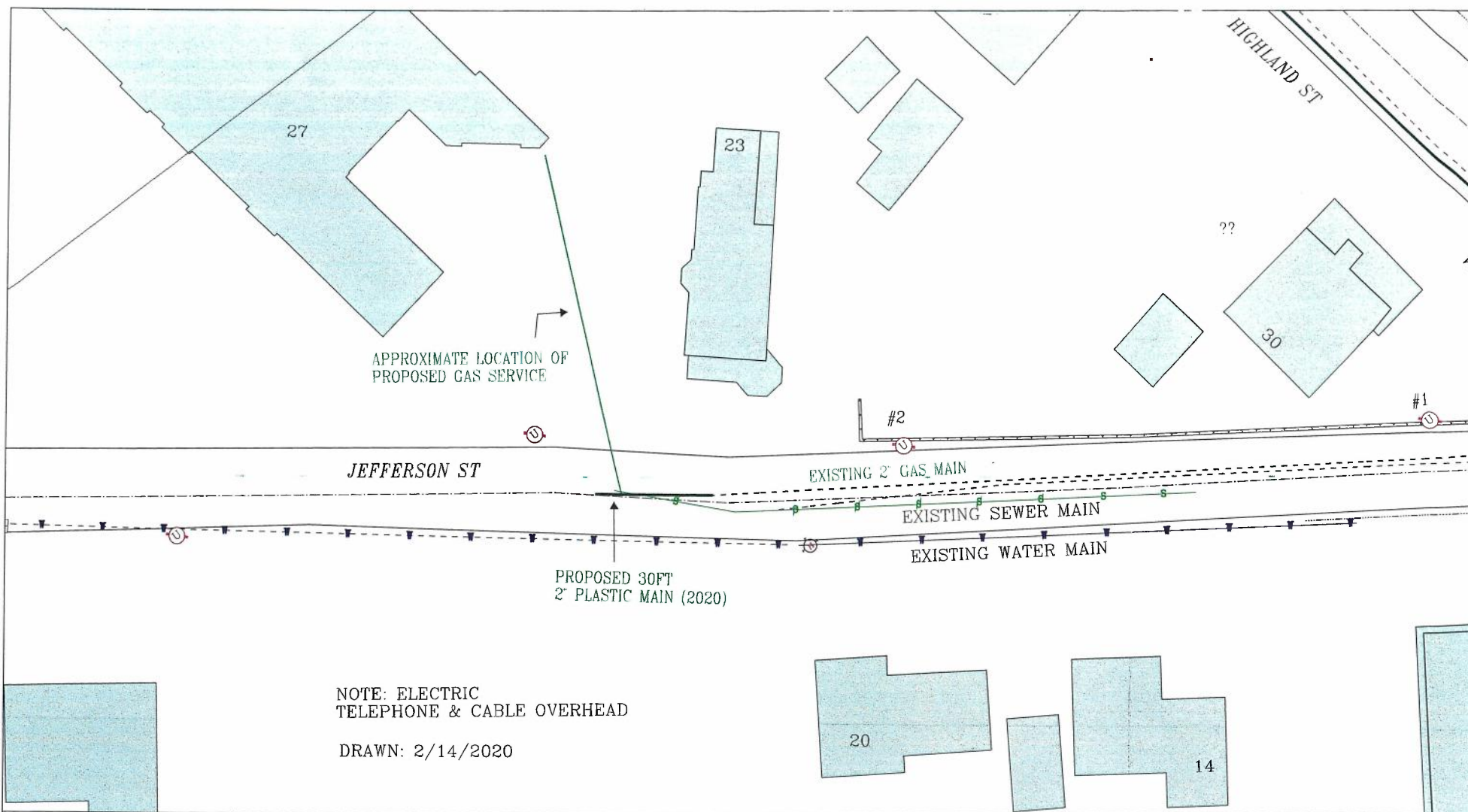
To install 30' of 2" IP plastic gas main as a system improvement on Jefferson RD in  
Marlborough as follows:

**Jefferson RD – from current end of gas main at 23 Jefferson Rd to 27 Jefferson Rd.**

Respectfully,

Pamela Gopaul  
Eversource Energy  
Supervisor of Planning & Scheduling  
157 Cordaville Rd  
Southboro, Massachusetts 01772  
(508) 305-7139  
[Pamela.gopaul.1@eversource.com](mailto:Pamela.gopaul.1@eversource.com)

**EVERSOURCE**  
ENERGY



**EVERSOURCE**



**MASS LAW**

Requires 72 hours advance notice to Utility Companies before digging by anyone

Call Dig-Safe: 811

**IMPORTANT - DO NOT SCALE**

This drawing provides approximate locations only and all facility information may not be shown. Contact EVERSOURCE MA Gas to have specific field information identified. EVERSOURCE MA Gas disclaims any liability resulting from reliance by any on the location shown on this map. Massachusetts law requires that any person performing excavation work contact Dig-Safe so that the location of any underground may be marked

Address:

27 JEFFERSON ST

City / Town:

MARLBORO (GRANT PLAN)

# MARLBOROUGH, MA

~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
RAIMUNDO COELHO ARAUJO		36 JEFFERSON ST	MARLBOROUGH	MA 01752	36 JEFFERSON ST
GUEZ DANIEL J	EMILY ANNE BLOOM	20 JEFFERSON ST	MARLBOROUGH	MA 01752	20 JEFFERSON ST
ER KENNETH N	SANDRA C WHEELER	210 BIGELOW ST	MARLBOROUGH	MA 01752	14 JEFFERSON ST
O IDA M LI EST		6 JEFFERSON ST	MARLBOROUGH	MA 01752	6 JEFFERSON ST
FFERSON LLC		110 PLEASANT ST #100	MARLBOROUGH	MA 01752	27 JEFFERSON ST
S RENATO TEXEIRA		23 JEFFERSON ST	MARLBOROUGH	MA 01752	23 JEFFERSON ST
ON DANIEL	HARMONY JOHNSON	30 HIGHLAND ST	MARLBOROUGH	MA 01752	30 HIGHLAND ST
NORBERTO SEGURA	ARACELI BRAMBILA-TORRES	25 HIGHLAND ST	MARLBOROUGH	MA 01752	25 HIGHLAND ST
MYNOR A	NICOLE A RUIZ	21 HIGHLAND ST	MARLBOROUGH	MA 01752	21 HIGHLAND ST
MARCUS P		17 HIGHLAND ST	MARLBOROUGH	MA 01752	17 HIGHLAND ST

## MARLBOROUGH ASSESSORS

*Anthony C. Amore*  
*Ellen K. Silverstein*  
*David M. May*



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CITY OF MARLBOROUGH

2020 MAR 16 P 4:42

March 16, 2020

City Clerk  
City Hall  
140 Main Street  
Marlborough, MA 01752

Marlborough City Council,

Please approve for Grant purposes the following plan:

To install an approximate total of 500' of 4" IP plastic gas main as a system improvement on Neil ST and Zompetti ST in Marlborough as follows:

**Neil ST- Approximately 200ft of 4" intermediate pressure gas main from #109 Neil ST to the intersection of Zompetti ST.**

**Zompetti ST- Approximately 300ft of 4" intermediate pressure gas main from the intersection of Neil ST to the intersection of Howe ST.**

Respectfully,

Pamela Gopaul  
Eversource Energy  
Supervisor of Planning & Scheduling  
157 Cordaville Rd  
Southboro, Massachusetts 01772  
(508) 305-7139  
[Pamela.gopaul.1@eversource.com](mailto:Pamela.gopaul.1@eversource.com)

**EVERSOURCE**  
ENERGY



## MARLBOROUGH, MA

Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
AN AMERICAN WAR VETS		111 NEIL ST	MARLBOROUGH	MA 01752	111 NEIL ST
CARLOS	MITZI SIQUE	16 SUMMIT ST	FRAMINGHAM	MA 01702	109 NEIL ST
TROM STEPHEN C	PATRICIA BERGSTROM	107 NEIL ST	MARLBOROUGH	MA 01752	107 NEIL ST
DA LAZARA A	CLEBER V MIRANDA	95 NEIL ST	MARLBOROUGH	MA 01752	95 NEIL ST
IBA NATHAN	SOFHIE LUBWAMA	97 NEIL ST	MARLBOROUGH	MA 01752	97 NEIL ST
LLE DOUGLAS		UNKNOWN	.	.	NEIL ST
CHUSETTS ELECTRIC COMPANY	C/O PROPERTY TAX DEPT	40 SYLVAN RD	WALTHAM	MA 02451-2286	NEIL ST
ELIER BRIAN A		15 AUBURN ST	MARLBOROUGH	MA 01752	173 HOWE ST
S MATTHEW R		62 MORELAND GREEN DR	WORCESTER	MA 01609	125 HOWE ST
CHARLES TR	CONNIE ESTES TR	250 STOW RD	MARLBOROUGH	MA 01752	160 HOWE ST
TIAGO BRUNO	MONALISA C DEASSIS	91 KELBER DR	MARLBOROUGH	MA 01752	158 HOWE ST

## MARLBOROUGH ASSESSORS

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



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2020 APR 22 A 7:52

CITY OF MARLBOROUGH  
*Office of the City Council*  
140 Main Street  
Marlborough, Massachusetts 01752  
(508) 460-3711 TDD (508) 460-3610


**AGREEMENT TO EXTEND  
TIME LIMITATIONS**

Order No.2019-1007881  
Application for Special Permit by Vedi Naturals, LLC  
505 Boston Post Road West (Twin Boro Crossing)  
To Operate an Adult Use Marijuana Facility

The Decision of the Special Permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on July 21, 2020

By: \_\_\_\_\_  
Michael H. Ossing, City Council President,  
acting on behalf of, and at the direction of,  
the special permit granting authority:  
**Marlborough City Council**

By:  \_\_\_\_\_  
Brian R. Falk, Esq.  
**For Petitioner**



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 APR 22 A 7:52

McMAHON ASSOCIATES  
350 Myles Standish Boulevard, Suite 103  
Taunton, MA 02780  
p 508-823-2245 | f 508-823-2246

PRINCIPALS

Joseph J. DeSantis, P.E., PTOE  
John S. DePalma  
Casey A. Moore, P.E.  
Gary R. McNaughton, P.E., PTOE  
Christopher J. Williams, P.E.

ASSOCIATES

John J. Mitchell, P.E.  
R. Trent Ebersole, P.E.  
Matthew M. Kozsuch, P.E.  
Maureen Chlebek, P.E., PTOE  
Dean A. Carr, P.E.  
Jason T. Adams, P.E., PTOE  
Christopher K. Bauer, P.E., PTOE

FOUNDER

Joseph W. McMahon, P.E.

## MEMORANDUM

**TO:** Eric Dias, Strong Point Engineering  
**FROM:** Phil Viveiros, P.E., PTOE  
**DATE:** March 26, 2020  
**RE:** 505 Boston Post Road West (Route 20), Marlborough, MA

McMahon Associates has completed a traffic assessment for the proposed Marijuana Retail Establishment (MRE) to be located at 505 Boston Post Road West (Route 20), Marlborough, MA, in the Twin Boro Crossing Plaza. Based on the "Existing Conditions Plan" prepared by Strong Point Engineering Solutions, Inc. and dated December 2, 2019, the project calls to reconstruct two of the units located in the plaza into a proposed 2,350 square foot (s.f.) MRE. Access to the proposed site is to be provided through the two existing driveways that provide access to the Twin Boro Crossing Plaza; one on Boston Post Road West (Route 20), and one on Boundary Street. This memorandum outlines the proposed project trip generation, available daily traffic volume data, and a review of project access.

### Site Location

The proposed development is to be located at 505 Boston Post Road West (Route 20) as shown in Figure 1. The site is located within the existing Twin Boro Crossing Plaza, located in the northwest corner of the signalized intersection of Boston Post Road West (Route 20) and Boundary Street, just east of the Marlborough/Northborough town line.

Boston Post Road West (Route 20) generally runs in the east-west direction and is classified as an urban principal arterial under Massachusetts Department of Transportation (MassDOT) jurisdiction. Adjacent to the project site, Boston Post Road West (Route 20) provides one travel lane in each direction, each measuring 13 feet wide with six-foot wide shoulders on both sides of the roadway. In the immediate vicinity of Boundary Street, a sidewalk is provided along the northerly side of Boston Post Road West (Route 20).

Boundary Street runs in a northwest-southeast direction and is classified as a major collector under City of Marlborough jurisdiction, connecting Robin Hill Street in the northwest, to Boston Post Road West (Route 20) in the southeast. South of Boston Post Road West (Route 20), the roadway is named Hayes Memorial Drive. In the vicinity of the project site, Boundary Street is a two-way roadway varying in width with no pavement markings. There are no sidewalks provided along Boundary Street.

The Twin Boro Crossing Plaza is located at the northwest corner of the signalized intersection of Boston Post Road West (Route 20) at Boundary Street and Hayes Memorial Drive. The eastbound approach on Boston Post Road West (Route 20) includes a left-turn lane, a through lane, and a shared through and right turn lane. The westbound approach on Boston Post Road West (Route 20) includes a left-turn lane, a through lane, a striped bicycle lane, and a right-turn lane. The northbound approach on Hayes Memorial Drive includes a shared left-turn and through lane and a right-turn lane, and the southbound approach on Boundary Street includes a left-turn lane and a shared through and right-turn lane. A signalized crosswalk is provided across the Boundary Street southbound approach.

### **Traffic Volumes**

Historical count data collected by MassDOT was used to estimate traffic volumes along Boston Post Road West (Route 20) and Boundary Street within the vicinity of the project site. Historical traffic data collected on Wednesday, June 12, 2019 on Boston Post Road West (Route 20) (Site ID 251267) just south of the project site, and traffic volumes collected on Wednesday, June 28, 2017 on Boundary Street (Station ID 3328) just northwest of the project site were reviewed. Saturday traffic data was not collected at either of the MassDOT count stations.

Based on the 2017 MassDOT seasonal factors, traffic volumes collected in June on principal arterials and major collectors are generally higher than the average month. Therefore, the traffic volumes that were reviewed were not seasonally adjusted downward to reflect an average month. The Average Daily Traffic (ADT) on the two study area roadways is shown below in Table 1.

**Table 1: MassDOT Count Station Data**

<b>Location</b>	<b>ADT (vpd)</b>
Boston Post Road West (Route 20)	12,917
Boundary Street	5,288

### **Crash Analysis**

Crash data for the existing site driveway locations was obtained from MassDOT for the most recent five-year period available. This data includes complete yearly crash summaries for 2013 through 2017. A summary of the crash data is attached. Based on a review of the available crash data, there was one reported crash along at the intersection of Boston Post Road West (Route 20) and the existing Twin Boro Crossing Plaza driveway the over the five-year period analyzed. This crash was reported as a sideswipe collision resulting in property damage only.

There were a total of four reported crashes at the intersection of Boundary Street at the existing Twin Boro Crossing Plaza driveway over the five-year period analyzed. These consisted of an angle collision, a single vehicle collision, and a collision with a deer. The manner of the fourth crash was unreported. All four crashes resulted in property damage only.

Both driveway locations had crash rates below the MassDOT and District 3 averages of 0.57 and 0.61 crashes per MEV, respectively, for unsignalized intersections. Based on this data, there are not expected to be any safety concerns for vehicles accessing the project site.

### **Site-Generated Traffic**

Vehicle trip estimates for the proposed development were generated based on two data sources. These include data presented in the Institute of Transportation Engineers' (ITE) publication, *Trip Generation Manual, 10th Edition*, for Land Use Code (LUC) 882 (Marijuana Dispensary), as well as observed trip generation data presented as part of a "Traffic Study for the Proposed Marijuana Dispensary" in Franklin, MA, prepared by BETA Group, Inc. and dated July 31, 2019.

ITE is a national research organization of transportation professionals, and the *Trip Generation Manual, 10th Edition* provides traffic generation information for various land uses compiled from studies conducted by members nationwide. ITE data establishes vehicle trip rates (in this case, expressed in vehicle trips per square foot) based on actual traffic counts conducted at similar existing land uses.

The ITE trip generation estimates were compared to a trip generation data for existing nearby marijuana dispensaries as presented in the study prepared for the proposed Franklin marijuana dispensary. As part of that trip generation study, observations at two existing marijuana dispensaries were conducted during the weekday afternoon peak period and the Saturday midday peak period. The observed sites included Caroline's Cannabis in Uxbridge, MA, and Garden Remedies in Marlborough, MA.

Based on the reported findings, the observed trip generation for the existing marijuana dispensaries was as much as 81% higher than the ITE data during the weekday afternoon peak hour, while the observed trip generation was lower than the ITE data during the Saturday midday peak hour. Weekday daily trip generation was not observed as part of the study for the Franklin dispensary, therefore only ITE data is provided for the proposed Marlborough MRE.

The vehicle trips expected to be generated by the proposed site based on both sources is shown in Table 2.



**Table 2: Vehicular Trip Generation for proposed MRE**

<u>Source</u>	<u>Weekday PM Peak Hour</u>			<u>Saturday Peak Hour</u>			<u>Daily Weekday Trips</u>		
	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
ITE, Trip Generation Manual, 10th Edition <sup>(1)</sup>	35	35	70	43	43	86	297	297	594
Observed Trip Generation <sup>(2)</sup>	63	63	126	33	33	66	-	-	-

(1) ITE Lane Use Code 882 (Marijuana Dispensary) based on 2,350 square feet of retail area

(2) Based on Traffic Study data for Franklin, MA dispensary, observed trip generation was approximately 81% higher than ITE data during the weekday afternoon peak hour, and approximately 23% lower than ITE data during the Saturday midday peak hour.

As shown in Table 2, based on ITE data, the proposed development is estimated to generate approximately 70 vehicle trips (35 entering and 35 exiting) during the weekday afternoon peak hour of the site, and approximately 86 vehicle trips (43 entering and 43 exiting) during the Saturday midday peak hour of the site. Based on the observed trip generation rates, the proposed RME would generate approximately 126 vehicle trips (63 entering and 63 exiting) during the weekday afternoon peak hour of the site, and approximately 66 vehicle trips (33 entering and 33 exiting) during the Saturday midday peak hour of the site. The proposed site is projected to generate a total of 594 trips (297 entering and 297 exiting) during a typical weekday. ITE data indicates that no vehicle trips associated with the LUC's related to the proposed site are attributed to pass-by trips.

Based on a conservative use of the trip generation estimates (i.e., using observed trip generation rates for weekday afternoon trips and ITE data for Saturday midday trips), the additional vehicle trips associated with the project would not be expected to have a noticeable impact to the operations along Boston Post Road West (Route 20) or Boundary Street. Based on the weekday daily trip generation, the projected 594 daily trips would result in an approximate 5% increase to the estimated existing ADT on Boston Post Road West (Route 20), and an approximate 11% increase to the estimated existing ADT on Boundary Street. With the site providing access along both Boston Post Road West (Route 20) and Boundary Street, it can be assumed that traffic accessing the site would not be limited to just one driveway. Therefore, the actual increase in traffic along each roadway would be expected to be lower than the above percentages, with the generated trips shared between the two site driveways.

### **Project Observations**

Parking observations were completed during the weekday afternoon, and Saturday midday peak hours of the site, during hours of operation of the existing plaza tenants. Parking utilization was observed every ten minutes during the weekday afternoon peak hour (5:00 PM to 6:00 PM) on Wednesday, February 26, 2020, and Thursday, March 5, 2020, and during the Saturday midday peak hour (12:00 PM to 1:00 PM) on Saturday, February 29, 2020.



Based on the parking inventory completed during the observations, there are a total of 114 existing parking spaces provided within the Twin Boro Crossing Plaza. A total of 35 of these spaces are intended for customers of the Westender restaurant, leaving 79 available spaces for other businesses within the plaza. These 79 spaces were split into five zones during the parking utilization observations, as shown in Figure 2. During the observations, three of the parking spaces located in Zone E were blocked by snow. These spaces were removed from the number of available spaces, leaving a total of 76 available spaces. A summary of the observed utilization of each zone during the peak hours is shown below in Table 3. The parking utilization data is attached.

**Table 3: Observed Parking Utilization**

Zone	Supply	Wednesday, 02/26		Saturday, 02/29		Thursday, 03/05	
		Peak Util. <sup>1</sup>	Peak Util. %	Peak Util.	Peak Util. %	Peak Util.	Peak Util. %
A	26	9	35%	6	23%	11	42%
B	3	2	67%	2	67%	0	0%
C	15	0	0%	0	0%	1	7%
D	24	10	42%	14	58%	11	46%
E <sup>2</sup>	8	3	38%	2	25%	1	13%
<b>Lot</b>	<b>76</b>	<b>24</b>	<b>32%</b>	<b>24</b>	<b>32%</b>	<b>24</b>	<b>32%</b>

1 Utilization by zone for the combined peak utilization of the parking lot across all zones.

2 Although Zone E has 11 striped parking spaces, three were blocked by snow during all observation periods.

As shown in Table 3, during both the weekday afternoon and Saturday midday peak hours, the 76 existing available parking spaces had a maximum utilization of 32% (24 spaces). Therefore during these peak periods there were approximately 52 vacant spaces within the plaza parking lot.

Based on the City of Marlborough's Zoning Ordinance, the site is zoned as "Business". The Zoning Ordinance indicates that a minimum of one parking space per each 225 square feet of leasable area for shopping plazas be provided. Based on these requirements, the proposed 2,350 s.f. MRE would require a minimum of eleven spaces. Based on the parking utilization results, this requirement is expected to be met within the existing parking supply provided by the Twin Boro Crossing Plaza site.

## **Conclusions**

The proposed development located at 505 Boston Post Road West (Route 20), Marlborough, MA, includes the reconstruction of one of the vacant properties located in the Twin Boro Crossing Plaza into a proposed 2,350 square foot (s.f.) MRE. Access to the proposed site is to be provided through the two existing Twin Boro Crossing Plaza driveways, one on Boston Post Road West (Route 20) and one on Boundary Street. Based on a review of both observed trip generation data from nearby dispensaries and ITE trip generation data, the additional vehicle trips expected to be generated by the development would result in an insignificant increase in traffic along the study area roadways. Overall, the proposed development is not expected to impact the traffic operations along Boston Post Road West (Route 20) or Boundary Street.

Please do not hesitate to contact me should you require any further information.

## **Attachments:**

Figures  
Traffic Count Data  
Crash Summary  
Parking Utilization Data  
Existing Conditions Plan



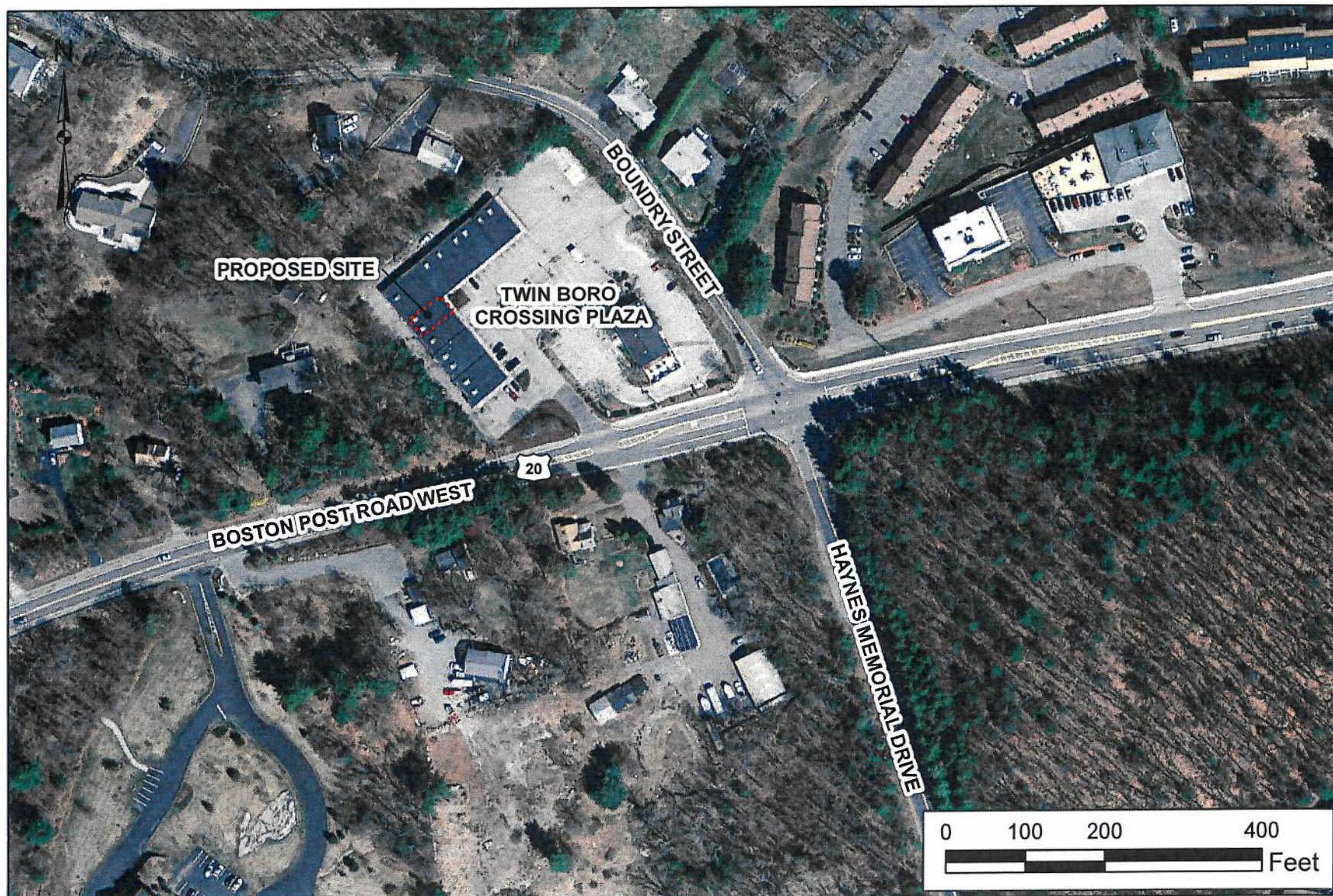


Figure 1  
Project Location  
Marijuana Retail Establishment  
Marlborough, MA



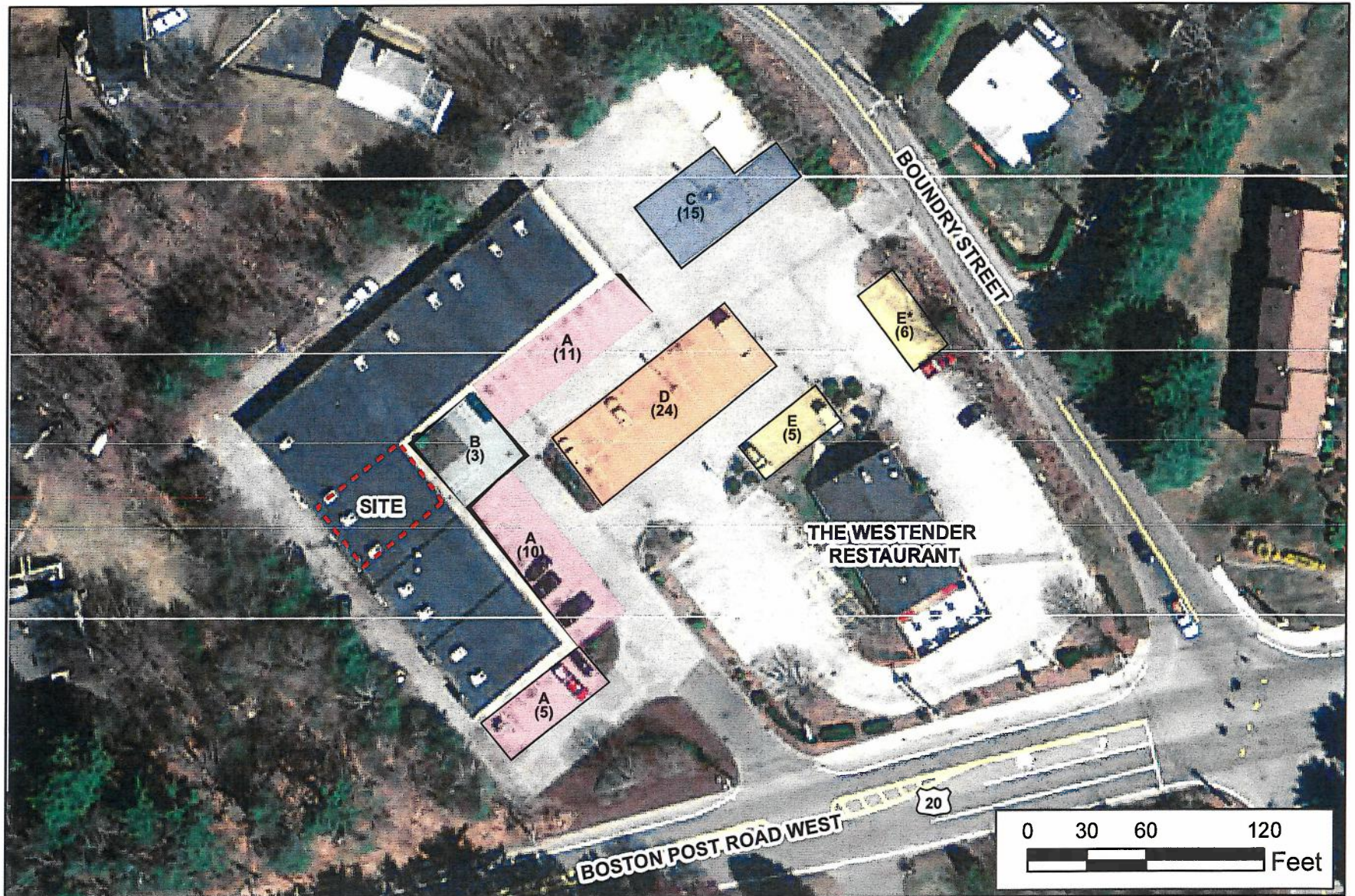


Figure 2  
Parking Zones  
Marijuana Retail Establishment  
Marlborough, MA

\* - Three spaces in this zone were obstructed by snow during all three observation periods.



Location Info					
Location ID	3328				
Type	I-SECTION				
Functional Class	MAJOR COLLECTOR				
Located On	BOUNDARY STREET				
Between	NORTH OF RTE 20				
Direction	2-WAY				
Community	Northborough				
Agency	Massachusetts Highway Department				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	9	8	5	3	25
01:00 - 02:00	3	0	2	5	10
02:00 - 03:00	1	6	4	2	13
03:00 - 04:00	0	2	1	3	6
04:00 - 05:00	4	2	3	12	21
05:00 - 06:00	8	17	25	35	85
06:00 - 07:00	33	59	77	98	267
07:00 - 08:00	77	94	118	120	409
08:00 - 09:00	142	134	122	87	485
09:00 - 10:00	79	63	47	45	234
10:00 - 11:00	47	59	64	53	223
11:00 - 12:00	49	66	73	70	258
12:00 - 13:00	67	85	68	84	304
13:00 - 14:00	26	0	0	0	26
14:00 - 15:00	65	60	82	68	275
15:00 - 16:00	100	80	104	100	384
16:00 - 17:00	112	118	171	163	564
17:00 - 18:00	180	174	175	164	693
18:00 - 19:00	110	101	85	66	362
19:00 - 20:00	69	64	39	71	243
20:00 - 21:00	47	41	49	38	175
21:00 - 22:00	35	22	27	25	109
22:00 - 23:00	20	15	14	13	62
23:00 - 24:00	22	7	20	6	55
TOTAL					5,288

Count Data Info	
Start Date	6/28/2017
End Date	6/29/2017
Start Time	2:00 PM
End Time	2:00 PM
Count Source	3328

Location Info					
Location ID	251267				
Type	I-SECTION				
Functional Class	PRINCIPAL ARTERIAL				
Located On	MAIN STREET (ROUTE 20)				
Between	WEST OF BOUNDARY STREET				
Direction	2-WAY				
Community	Northborough				
Agency	Massachusetts Highway Department				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	19	14	7	12	52
01:00 - 02:00	5	4	5	7	21
02:00 - 03:00	5	4	3	7	19
03:00 - 04:00	2	1	9	11	23
04:00 - 05:00	6	16	12	33	67
05:00 - 06:00	28	38	53	76	195
06:00 - 07:00	70	87	126	191	474
07:00 - 08:00	183	206	194	247	830
08:00 - 09:00	241	240	230	215	926
09:00 - 10:00	200	196	172	156	724
10:00 - 11:00	184	150	162	173	669
11:00 - 12:00	162	164	184	180	690
12:00 - 13:00	202	202	231	215	850
13:00 - 14:00	198	187	215	197	797
14:00 - 15:00	198	197	206	201	802
15:00 - 16:00	209	225	223	227	884
16:00 - 17:00	232	240	240	277	989
17:00 - 18:00	283	281	284	282	1130
18:00 - 19:00	248	227	237	185	897
19:00 - 20:00	202	163	161	151	677
20:00 - 21:00	166	129	120	100	515
21:00 - 22:00	106	103	85	66	360
22:00 - 23:00	66	73	45	35	219
23:00 - 24:00	32	32	26	17	107
TOTAL					12,917

Count Data Info	
Start Date	6/11/2019
End Date	6/12/2019
Start Time	11:00 AM
End Time	11:00 AM
Count Source	251267



# CRASH ANALYSIS

## MRE

### Marlborough, MA

	Twin Boro Crossing Plaza Driveway at Boston Post Road West (Route 20)	Twin Boro Crossing Plaza Driveway at Boundary Street
<b>Year</b>		
2013	0	0
2014	0	2
2015	1	1
2016	0	1
2017	<u>0</u>	<u>0</u>
Total	1	4
<b>Type</b>		
Angle	0	1
Rear-end	0	0
Sideswipe	1	0
Head-on	0	0
Pedestrian	0	0
Bicycle	0	0
Single Vehicle	0	1
Animal	0	1
Unknown	<u>0</u>	<u>1</u>
Total	1	4
<b>Severity</b>		
Property Damage	1	4
Personal Injury	0	0
Fatality	0	0
Unknown	<u>0</u>	<u>0</u>
Total	1	4
<b>Weather</b>		
Clear	1	1
Cloudy	0	0
Rain	0	1
Snow	0	1
Sleet	0	0
Fog	0	1
Unknown	<u>0</u>	<u>0</u>
Total	1	4
<b>Time</b>		
7:00 AM to 9:00 AM	1	1
9:00 AM to 4:00 PM	0	1
4:00 PM to 6:00 PM	0	0
6:00 PM to 7:00 AM	<u>0</u>	<u>2</u>
Total	1	4
Crash Rate	0.04	0.41
District 3 Unsignalized Average	0.61	0.61
Statewide Unsignalized Average	0.57	0.57

PARKING UTILIZATION OBSERVATIONS

Wednesday, February 29, 2020

Zone	Supply	Occupancy										Utilization									
		5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max	5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max
A	26	8	9	7	8	8	10	10	8.6	10	9	31%	35%	27%	31%	31%	38%	38%	33%	38%	35%
B	3	2	2	2	1	1	1	1	1.4	2	2	67%	67%	67%	33%	33%	33%	33%	48%	67%	67%
C	15	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
D	24	8	10	7	7	8	9	8	8.1	10	10	33%	42%	29%	29%	33%	38%	33%	34%	42%	42%
E <sup>1</sup>	8	3	3	2	3	2	2	3	2.6	3	3	38%	38%	25%	38%	25%	25%	38%	32%	38%	38%
X	0	0	0	0	0	0	1	1	0.3	1	0	-	-	-	-	-	-	-	-	-	-
Lot	76	21	24	18	19	19	23	23	21.0	24	5:10 PM	28%	32%	24%	25%	25%	30%	30%	28%	32%	5:10 PM

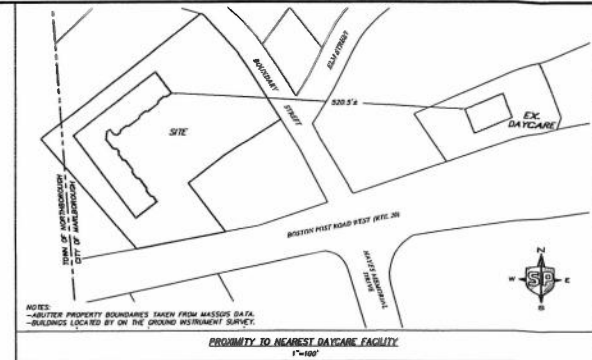
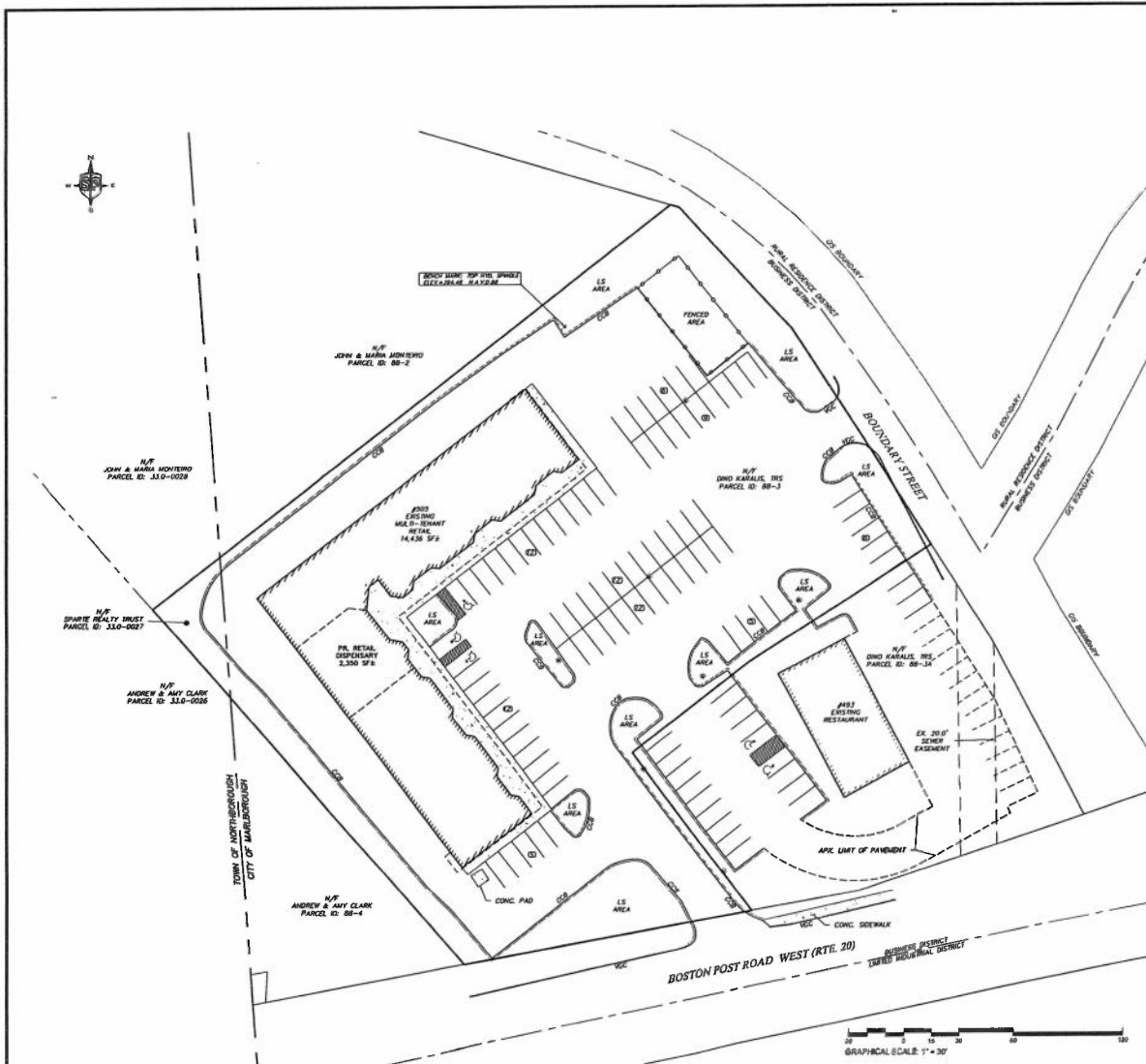
Saturday, February 29, 2020

Zone	Supply	Occupancy										Utilization									
		12:00 PM	12:10 PM	12:20 PM	12:30 PM	12:40 PM	12:50 PM	1:00 PM	Average	Local Max	Lot Max	12:00 PM	12:10 PM	12:20 PM	12:30 PM	12:40 PM	12:50 PM	1:00 PM	Average	Local Max	Lot Max
A	26	7	6	7	5	7	7	6	6.4	7	6	27%	23%	27%	19%	27%	27%	23%	25%	27%	23%
B	3	2	2	2	2	2	2	2	2.0	2	2	67%	67%	67%	67%	67%	67%	67%	67%	67%	67%
C	15	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
D	24	7	7	8	8	8	8	14	8.6	14	14	29%	29%	33%	33%	33%	33%	58%	36%	58%	58%
E <sup>1</sup>	8	2	2	2	2	2	2	2	2.0	2	2	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
Lot	76	18	17	19	17	19	19	24	19.0	24	1:00 PM	24%	22%	25%	22%	25%	25%	32%	25%	32%	1:00 PM

Thursday, March 5, 2020

Zone	Supply	Occupancy										Utilization									
		5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max	5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max
A	26	6	5	7	10	9	10	11	8.3	11	11	23%	19%	27%	38%	35%	38%	42%	32%	42%	42%
B	3	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
C	15	1	1	1	1	1	1	1	1.0	1	1	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
D	24	7	9	10	10	9	10	11	9.4	11	11	29%	38%	42%	42%	38%	42%	46%	39%	46%	46%
E <sup>1</sup>	8	1	1	2	1	1	1	1	1.1	2	1	13%	13%	25%	13%	13%	13%	13%	14%	25%	13%
Lot	76	15	16	20	22	20	22	24	19.9	24	6:00 PM	20%	21%	26%	29%	26%	29%	32%	26%	32%	6:00 PM

1 - Although Zone E has 11 striped parking spaces, three were blocked by snow during all observation periods.



- EXISTING FEATURES**
- PROPERTY LINE
  - RIGHT OF WAY
  - DE RIGHT OF WAY
  - BUILDING
  - BUILDING OVERHANG
  - EDGE OF PAVEMENT
  - CONC. SIDEWALK
  - FENCE
  - SITE LIGHT
  - HC STALL
  - PARKING CURB
  - CAPE COD BENCH
  - VERTICAL GRANITE CURB
  - TOWN BOUNDARY
  - ZONING BOUNDARY
  - EASEMENT BOUNDARY

**PARKING SUMMARY**

STALLS REQUIRED: 1 STALL PER 225 SF (Sec. 650-48 A.(1.1))  
 14,436 SF / 225 SF = 64.16 STALLS

EXISTING STALLS: 79 STALLS > 64.16 STALLS OK

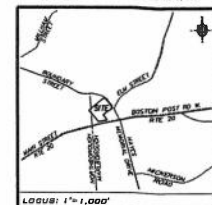
NOTE: AN ADDITIONAL 38 STALLS EXISTING IN THE WESTENDER PARKING LOT (PARCEL ID: 88-5A) AND ARE NOT INCLUDED IN THE TOTAL REPORTED ABOVE. TOTAL STALLS IN PLACE INCLUDING WESTENDER LOT = 114 STALLS.

**NOTES:**

1. EXISTING CONDITIONS SHOWN ARE THE RESULT OF AN ON THE GROUND INSTRUMENT SURVEY PERFORMED BY JULIA LAND SURVEYING INC. NOVEMBER 2019.
2. THE SUBJECT PARCEL IS LOCATED WITHIN A BUSINESS ZONING DISTRICT.
3. THE SUBJECT PARCEL IS LOCATED WITHIN A ZONE B WATER SUPPLY PROTECTION DISTRICT OF THE CITY OF MARLBOROUGH.
4. THE BUILDING ON THE SUBJECT PARCEL IS NOT LOCATED WITHIN 500 FEET OF ANY SCHOOL OR DAYCARE FACILITY.
5. THERE ARE NO KNOWN WETLAND RESOURCE AREAS LOCATED WITHIN 100' OF THE SUBJECT PARCEL, AS SHOWN ON STATE AND LOCAL GIS MAPPING DATABASES.
6. ZONING BOUNDARIES SHOWN APPROXIMATE AS INTERPOLATED FROM CITY OF MARLBOROUGH ZONING MAP.
7. EXISTING BUILDING AREA REPRESENTS "LIVING AREA" AS TAKEN FROM CITY OF MARLBOROUGH ADDRESS DATA.
8. APC LIMIT OF PAVEMENT IN WESTENDER PARKING LOT SHOWN BASED ON FIELD OBSERVATIONS.



PROFESSIONAL ENGINEER FOR  
 STRONG POINT ENGINEERING SOLUTIONS, INC.



LOCUS: 1" = 1,000'

REV	DESCRIPTION	DATE
1	WESTENDER PARKING	03/26/20
2	CLIENT COMMENTS	12/2/19



PROJECT NUMBER: 19-1-001

DATE OF ISSUE: DECEMBER 2, 2019

SCALE: 1"=50'

DESIGNED BY: SP CHECKED BY: ED

PREPARED BY: SPALP OF:

VEDI NATURALS, LLC.  
 P.O. BOX 303  
 ELINGTON, MASSACHUSETTS 01510

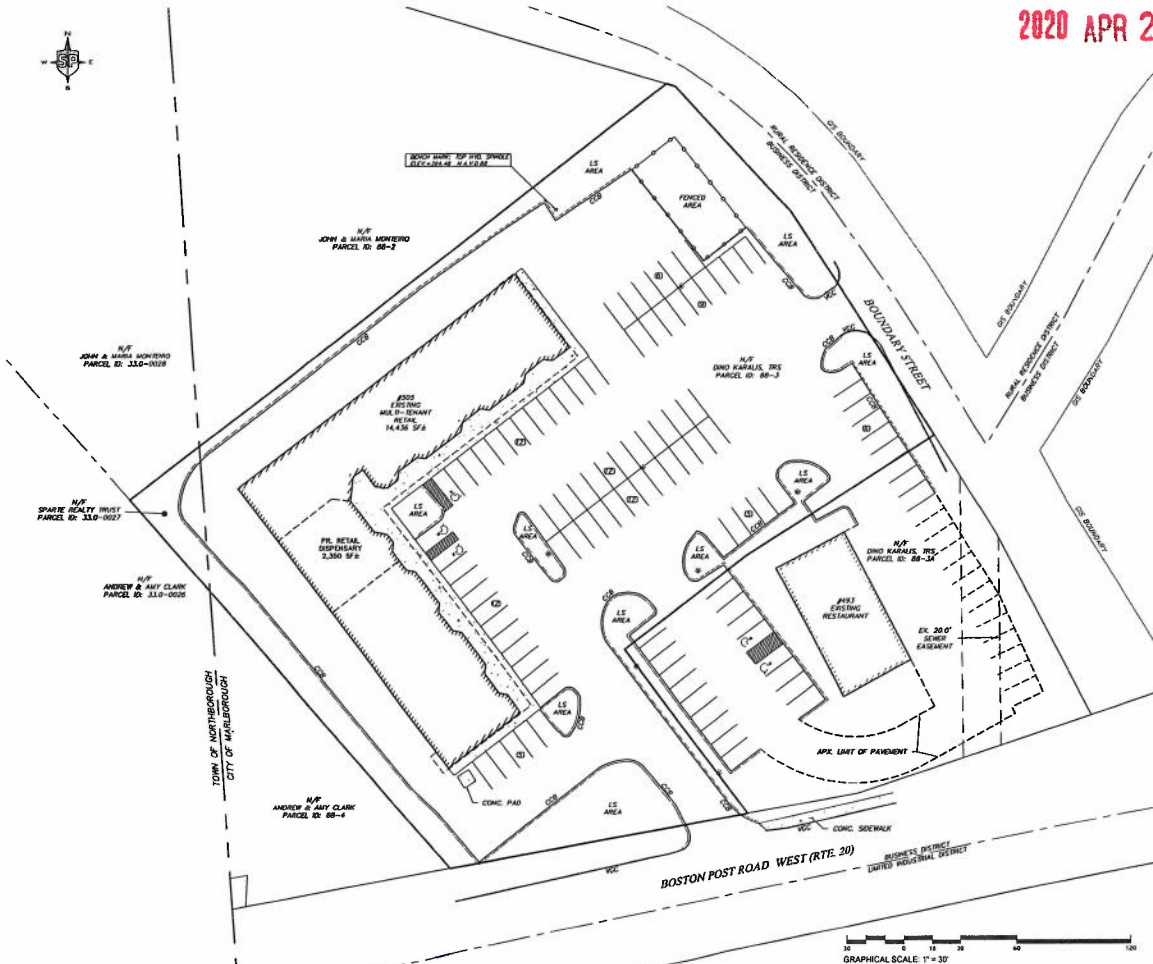
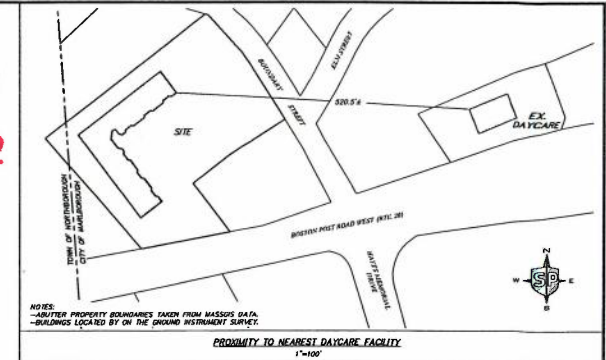
505  
 BOSTON POST ROAD  
 WEST  
 MARLBOROUGH, MA

EXISTING  
 CONDITIONS  
 PLAN

C-1

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 APR 22 A 7:52



- EXISTING FEATURES**
- PROPERTY LINE
  - RIGHT OF WAY
  - OS RIGHT OF WAY
  - BUILDING
  - BUILDING OVERHANG
  - EDGE OF PAVEMENT
  - CONC. SIDEWALK
  - FENCE
  - SITE LIGHT
  - HE STALL
  - PARKING COUNT
  - C&D
  - CAPE COD BURN
  - VEG
  - VERTICAL GRANITE CURB
  - TOWN BOUNDARY
  - ZONING BOUNDARY
  - EASEMENT BOUNDARY

**PARKING SUMMARY**

STALLS REQUIRED: 1 STALL PER 225 SF (See 650-48 A(11))  
14,436 SF / 225 SF = 64.16 STALLS

EXISTING STALLS: 79 STALLS > 64.16 STALLS OK

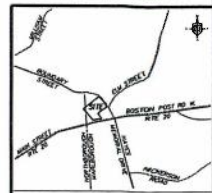
NOTE: AN ADDITIONAL 35 STALLS EXISTING IN THE WESTENDER PARKING LOT (PARCEL ID: 88-34) AND ARE NOT INCLUDED IN THE TOTAL REPORTED ABOVE. TOTAL STALLS IN PLAZA INCLUDING WESTENDER LOT = 114 STALLS.

**NOTES:**

1. EXISTING CONDITIONS SHOWN ARE THE RESULT OF AN ON THE GROUND INSTRUMENT SURVEY PERFORMED BY KLM LAND SURVEYING INC. NOVEMBER 2019.
2. THE SUBJECT PARCEL IS LOCATED WITHIN A BUSINESS ZONING DISTRICT.
3. THE SUBJECT PARCEL IS LOCATED WITHIN A ZONE B WATER SUPPLY PROTECTION DISTRICT OF THE CITY OF MARLBOROUGH.
4. THE BUILDING ON THE SUBJECT PARCEL IS NOT LOCATED WITHIN 300 FEET OF ANY KNOWN SCHOOL OR DAYCARE FACILITY.
5. THERE ARE NO KNOWN WETLAND RESOURCE AREAS LOCATED WITHIN 100' OF THE SUBJECT PARCEL AS SHOWN ON STATE AND LOCAL GIS MAPPING DATABASES.
6. ZONING BOUNDARIES SHOWN APPROXIMATE AS INTERPOLATED FROM CITY OF MARLBOROUGH ZONING MAP.
7. EXISTING BUILDING AREA REPRESENTS "IVING AREA" AS TAKEN FROM CITY OF MARLBOROUGH ASSESSOR DATA.
8. APL. LIMIT OF PAVEMENT IN WESTENDER PARKING LOT SHOWN BASED ON FIELD OBSERVATIONS.



PROFESSIONAL ENGINEER FOR  
STRONG POINT ENGINEERING SOLUTIONS, INC.



REV	DESCRIPTION	DATE
2	WESTENDER PARKING	03/26/20
1	CLIENT COMMENTS	12/8/19



PROJECT NUMBER 19111-001

DATE OF ISSUE: DECEMBER 2, 2019

SCALE: 1"=30'

DESIGNED BY: BP CHECKED BY: ED  
PREPARED ON BEHALF OF:

VEDI NATURAL, S, LLC.  
P.O. BOX 903  
CLINTON, MASSACHUSETTS 01510

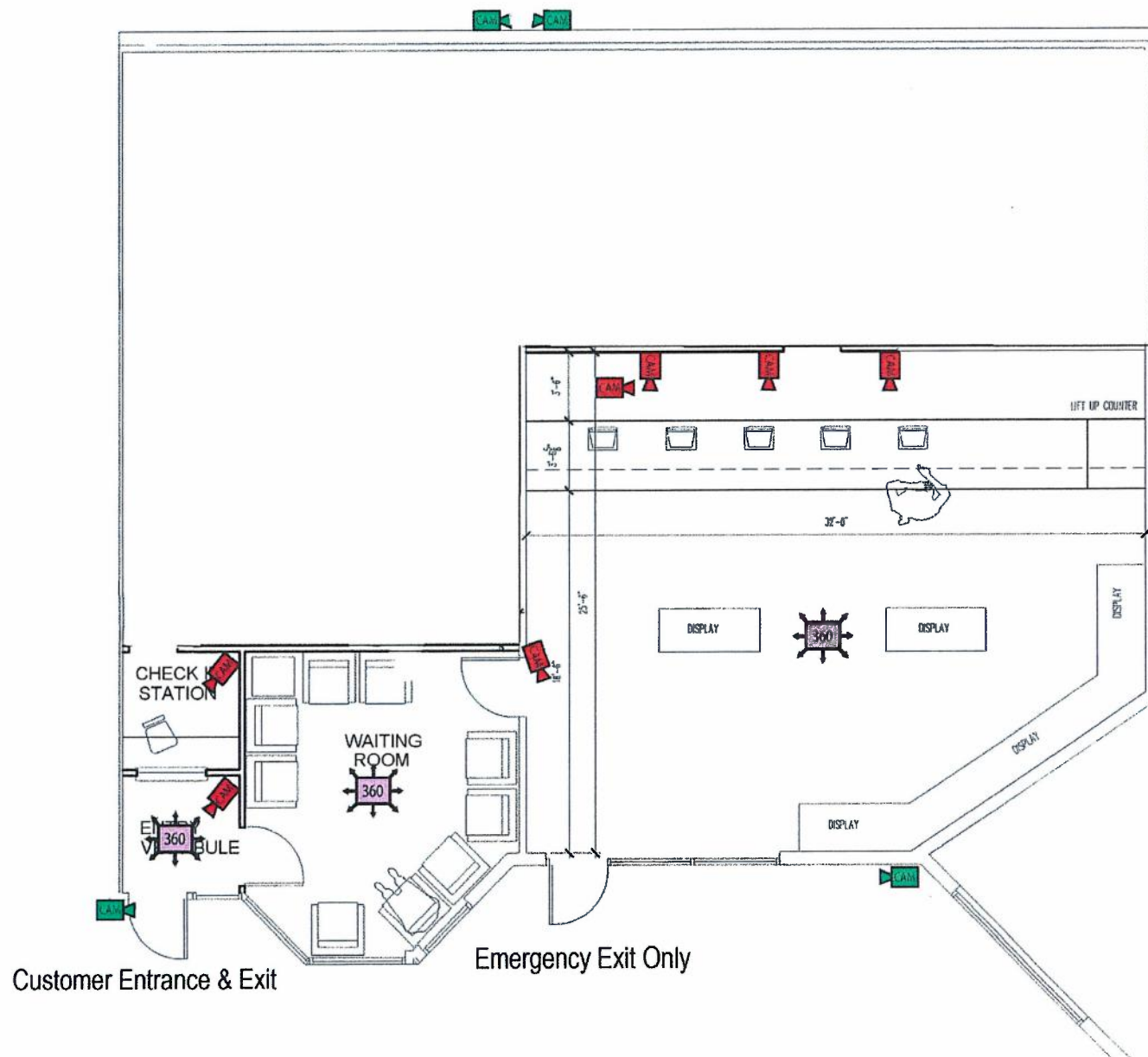
505  
BOSTON POST ROAD  
WEST  
MARLBOROUGH, MA

EXISTING  
CONDITIONS  
PLAN

C-1

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2020 APR 22 A 7:52



Floor Plan - 505 Boston Post Road



**Vedi Naturals LLC Community Outreach Meeting Summary**

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CITY OF MARLBOROUGH

2020 APR 22 A 7:52

Meeting on November 8<sup>th</sup>, 2019 @ 6PM, held at the Embassy Suites by Hilton Boston Marlborough - 123 Boston Post Road West, Marlborough, MA 01752 in the Bennington Room

Proposed Adult-Use Marijuana Retailer to be located at 505 Boston Post Road West

Hosted by Vedi Naturals LLC manager: Jigar Patel

Mr. Patel presented a Power Point that summarized the proposed location, his anticipated business practices and the licensing process in general. There were about 20 individuals in attendance, consisting mostly of abutting property owners and commercial tenants, along with Councilor Donald R. Landers Sr. and Chamber of Commerce Director Robert Schlacter. The audience could be divided into three groups based on their opinions and viewpoints.

**1) Attendees who were firmly opposed to the use in general:**

This group was small, consisting of one or two individuals, based upon the comments and questions received. One individual was concerned about the proximity of Algonquin High School to the proposed establishment and the possibility of high school students buying marijuana.

Mr. Patel explained that, unlike a liquor store, a person under the age of 21, would not be permitted to access the establishment, and there is no chance of a minor obtaining product at the establishment. All the products would be locked behind the sales counter, and the floor space displays would contain only empty packaging inside for browsing purposes

**2) Attendees who were opposed to the use based on the location:**

**A. Abutting Tenants**

During the presentation Mr. Patel described the level of security that the establishment would have and the opportunity to expand camera coverage of the property, subject to the landlord's permission to prevent illicit activities to occur. One tenant's concern was that Mr. Patel's business would attract more "junkies" to the plaza, and their current issue would continue and grow—no matter the level of security the dispensary utilized.

Mr. Patel explained that Marlborough Police Department would have oversight access to the camera systems for officers to see what is going on and when. This will enable the Police Department to take the appropriate action in a timely manner.

**B. Local Business Owners**

The owner of the local daycare center expressed concern that his business may be within the required buffer zone for marijuana establishments. He provided copies of Massachusetts General Laws Chapter 94G, Section 5, which establishes the necessary buffer between marijuana establishments and pre-existing public or private schools. He also handed out printed documents of Google Maps to show the crowd. He was under the impression that his daycare center was within the buffer zone.

Mr. Patel stated that the local zoning ordinance specified the distance between the establishment and the daycare is measured “building point to building point”, and that the buffer wasn’t between property line to property line. Hence, the measurements conducted by Mr. Patel through AXIS GIS, and the distance measured by the Mayor’s office and the Building Inspector using the same online tool, were found to be the same, about 515 to 516 feet between the two closest points between the buildings: (505 Boston Post Road W, and 497 Northboro Rd. W.)

An attendee expressed concern that a child at the daycare center may obtain marijuana. Mr. Patel stated that the establishment only allows entry to individuals who are 21 and older, and the products are sold in childproof packaging.

The owner of Funway Bark suggested Mr. Patel get a back-up generator for CCTV and power in general, because the plaza occasionally loses power. Andy Wilder, the Setronics’ security contractor, described to him that in the event of a power outage, the 24-hour battery would start up. The suggestion was helpful to become aware of the infrequent power issues.

**3) People who were there to listen, learn, observe, support or for multiple reasons:**

**A. Landlord and Property Manager**

They were asked by a member in the audience if they permitted the use and why would they allow this type of establishment in the plaza. The Property Manager responded that he does not discriminate against any legal businesses or anyone trying to propose a legal business at his establishment. The Property Manager and Landlord stated that they are willing to work with Mr. Patel for the long run.

**B. Interested Attendees**

Multiple attendees had questions regarding the overall local and state licensing process. Attorney Ian Hedges discussed both the local and state requirements: Special Permit, Site Plan Review, Local Permits from the Board of Health, and the Provisional and Final License with the State’s Cannabis Control Commission before commencing operations. Attorney Hedges and Mr. Patel also spoke to how the establishment won’t constitute nuisance. The noise, lighting, fumes, smells, etc. are all the same as the pre-existing tenant. Any traffic or parking issues would be discussed with the Police Chief and/or Landlord to determine an effective solution.

**C. Attendees in Support.**

One attendee supported Mr. Patel’s endeavor and backed Mr. Patel as a capable and competent entrepreneur with relevant experience to bring this project successfully to market. He shared a personal story with the audience about his relative who was hospitalized at Marlborough Union Hospital for some sort of health condition in his later years. He wished there was an alternative at that time so his relative in fragile condition didn’t have to endure the harmful impacts of painkillers. He asked Mr. Patel how his business could contribute to situations like that. Mr. Patel provided information on his background as a caregiver for medical marijuana, and that hospitalized patient’s family members could seek advice and input from their relative’s doctors to seek alternative therapies, even recreational product, if deemed an appropriate measure for a hospitalized patient to consume and try to heal with.

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**DECISION FOR SPECIAL PERMIT  
IN CITY COUNCIL**

**NOTICE OF DECISION  
GRANT OF SPECIAL PERMIT**

Special Permit Application of:  
Vedi Naturals LLC  
Order No. 19-1007881

Locus:  
505 Boston Post Road West  
Marlborough, MA 01752  
Assessors Map 88, Parcel 3

**DECISION**

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to Vedi Naturals LLC with mailing address of P.O. Box 303, Clinton, MA 01510, as provided in this Decision and subject to the following Findings of Fact and Conditions.

Decision date: \_\_\_\_\_, 2020.

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY  
ATTEST

City Clerk

## **DECISION ON A SPECIAL PERMIT**

Application of:  
Vedi Naturals LLC

Locus:  
505 Boston Post Road West  
Assessors Map 88, Parcel 3

## **DECISION ON A SPECIAL PERMIT ORDER NO. 19-1007881**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Vedi Naturals LLC (the "Applicant") to build and operate an Adult Use Marijuana Retail Establishment at 505 Boston Post Road West, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

### **FINDINGS OF FACT**

1. The Applicant is a duly organized and existing limited liability company having a business address of P.O. Box 303, Clinton, MA 01510.
2. The Applicant is the prospective tenant of a commercial retail unit located at 505 Boston Post Road West, Marlborough, Massachusetts, as shown on Marlborough Assessors Map 88, Parcel 3 (the "Site"). The Site's owner is Sparte II Realty Trust, Dino Karalis, Trustee with a business address of 160 Edgell Road, Framingham, MA 01701.
3. In accordance with Article VI, § 650-17, § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to operate an Adult Use Marijuana Retail Establishment at the Site (the "Use").
4. The Site is located in the Business Zoning District with frontage on Boston Post Road West (Route 20).
5. The overall Site has an area of 87,555.6 +/- square feet.
6. The Use will occupy an existing retail unit at the Site with an area of 2,350 +/- square feet.
7. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use, as provided in this Decision.



8. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site in accordance with Rule 5 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior and interior of the unit associated with the Use (collectively the "Plans").

9. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

10. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on January 27, 2020. The hearing was closed on that date.

12. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

13. At the public hearing, one member of the public spoke in favor of the Use and one member of the public spoke in opposition to the Use.

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

A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

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

C. The City Council finds that the Site is located in the portion of the Business District along Massachusetts State Highway 20 (Boston Post Road West) between the Northborough town line and Massachusetts State Highway Route 495 with frontage along Massachusetts State Highway 20 (Boston Post Road), in accordance with § 650-18(46)(a) and



(b) of the Zoning Ordinance, and that the Site is not located within 500 feet of a school or daycare center, in accordance with§ 650-32.F and§ 650-32.F.1 of the Zoning Ordinance.

D. In accordance with§ 650-32.C of the Zoning Ordinance, the City Council hereby determines that any adverse effects of the Use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, based upon consideration of the following:

1. Social, economic, or community needs which are served by the proposal:

Finding: The Use will provide a safe and convenient location adults to obtain marijuana and marijuana-infused products.

2. Traffic flow and safety, including parking and loading:

Finding: The Site will safely accommodate expected traffic flow from the Use and provide adequate parking and loading capacity.

3. Adequacy of utilities and other public services

Finding: The Site provides adequate utilities and public services for the Use.

4. Neighborhood character and social structures:

Finding: The Use is consistent with the established retail area in the vicinity of the Site.

5. Impacts on the natural environment:

Finding: The Use will have no greater impact than the established retail uses in the area.

6. Potential fiscal impact, including impact on City services, tax base, and employment:

Finding: The Use will be revenue positive, with additional revenues coming from a local sales tax and host community agreement impact fees.

7. Hours of operation:

Finding: The hours of operation of the Use are specifically conditioned below.

8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority:

Finding: The provision of contact information is specifically conditioned below.

9. Requiring payment of a community impact fee:

Finding: The City and the Applicant have entered a host community agreement that requires the payment of impact fees in accordance with statutory requirements.

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police who shall have the authority to disapprove the employment of any person( s) as a result of said background check:

Finding: This requirement is specially conditioned below.

13. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises:

Finding: This requirement is specially conditioned below.

14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes:

Finding: This requirement is specially conditioned below.

15. The ability for the Business to:

- a. provide a secure indoor waiting area for clients;

- b. provide an adequate and secure pick-up/drop-off area for clients, customers and products;
- c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals;
- d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
- e. provide opaque exterior windows;

Finding: These requirements are specially conditioned below.

16. Signs and signage:

Finding: The signage shown on the Plans is appropriate for the Use.

17. Names of businesses, business logos and symbols, subject to state and federal law and regulations:

Finding: The name of the business, logos, and symbols associated with the Use, as provided in the Application and shown on the Plans, are appropriate for the Use.

E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to operate an Adult Use Marijuana Retail Establishment, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts.

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

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit, as required by § 650-32.E of the Zoning Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

5. Compliance with State Requirements. In accordance with §650-18(46)(c) of the Zoning Ordinance, the Use shall comply with all statutes and regulations of the Commonwealth of Massachusetts for the licensure and operation of an Adult Use Marijuana Retail Establishment.

6. Security.

- a. As shown on the Plans, the Applicant, its successors and/or assigns, shall maintain a secure entrance lobby and waiting area providing a physical separation between the exterior door of the unit and interior areas of the unit where marijuana and marijuana infused products are dispensed and sold, with security personnel available during operating hours to screen individuals arriving at the unit, to ensure that interior areas of the unit are only accessible to persons over the age of 21 and to ensure that no individuals pose a direct threat to the health or safety of others.
- b. The Applicant, its successors and/or assigns, shall maintain a secure pick-up / drop-off area for customers and products.
- c. The Use shall have opaque exterior windows.
- d. The Applicant, its successors and/or assigns, shall maintain adequate staffing so that customers may make purchases in an efficient manner to avoid queuing and impacts on neighboring uses.
- e. The Applicant, its successors and/or assigns, shall maintain surveillance cameras capable of 24-hour video recording, archiving recordings, and the ability to immediately produce images, in, on, around, or at the Use.

7. Processing and Odors. There shall be no processing or manufacturing of marijuana or marijuana infused products as part of the Use. Marijuana and marijuana products shall be pre-packaged and sealed prior to arriving at the Site. Any odors associated with marijuana and marijuana infused products shall be limited to the interior of the unit. There shall be no onsite consumption or use of marijuana or marijuana infused products associated with the Use.

8. Hours. The maximum hours of operation of the Use shall be Monday through Saturday, 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 5:00 p.m.

9. Contact Information. The Applicant, its successors and/or assigns, shall provide current contact information of management and staff to the Chief of Police, the Building Commissioner, and the City Council.

10. Annual Reports. The Applicant, its successors and/or assigns, shall submit to the City Council the same annual reports that must be provided to Massachusetts Cannabis Control Commission.

11. Inspections and Records. The Applicant, its successors and/or assigns, shall make the Use available for regular inspections by City officials or their agents, and shall provide City officials or their agents with access to the same records which are available for inspection to the Massachusetts Cannabis Control Commission.

12. Background Checks. The Applicant, its successors and/or assigns, shall require that employees undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police, who shall have the authority to disapprove the employment of any person(s) as a result of said background check.

13. Unrelated Materials. The Applicant, its successors and/or assigns, shall not make available for sale as part of the Use any materials or items unrelated to the purposes of licensure by the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes.

14. Police Detail. The Applicant, its successors and/or assigns, shall employ a City of Marlborough Police detail at the Site during all operating hours for the first sixty (60) days after the commencement of operations, unless the Chief of Police determines in a letter filed with the City Council that a police detail is not necessary during certain times of the day. At the end of the 60-day period, if the Chief of Police determines in a letter filed with the City Council that a police detail is still necessary during all operating hours or at certain times, then the Applicant, its successors and/or assigns, shall continue to employ a City of Marlborough Police detail until deemed unnecessary by the Chief of Police in a letter filed with the City Council. In the event a City of Marlborough Police detail is not available when required, the Applicant, its successors and/or assigns, shall obtain a private detail.

15. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, § 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex County South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.



Yea: \_\_\_\_ - Nay: \_\_\_\_ -Absent - \_\_\_\_

Yea: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

Nay: \_\_\_\_\_, \_\_\_\_\_,

Absent: \_\_\_\_\_, \_\_\_\_\_,

\_\_\_\_\_  
Signed by City Council President  
Michael H. Ossing

ADOPTED  
In City Council  
Order No. 19-1007881

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CITY OF MARLBOROUGH

2020 APR 22 A 7:52

DECISION FOR SPECIAL PERMIT  
IN CITY COUNCIL

NOTICE OF DECISION  
GRANT OF SPECIAL PERMIT

Special Permit Application of:

~~Garden Remedies, Inc.~~

Vedi Naturals LLC

Order No. ~~18-1007318E~~19-1007881

Locus:

~~416505~~ Boston Post ~~Rd.~~Road West

Marlborough, MA 01752

Assessors Map ~~7388~~, Parcel ~~303~~

DECISION

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to ~~Garden Remedies, Inc.~~Vedi Naturals LLC with mailing address of ~~307 Airport Rd., Fitchburg~~P.O. Box 303, Clinton, MA ~~0142001510~~, as provided in this Decision and subject to the following Findings of Fact and Conditions.

Decision date: November 5, 2018, 2020.

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the 13th day of November, 2018, 2020.

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this 4th day of December, 2018, 2020.

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY

ATTEST

City Clerk

Marginal reference to Book 29928, Page 375

~~Property owner: Marlboro Square, LLC~~

## DECISION ON A SPECIAL PERMIT

Application of:

~~Garden Remedies, Inc.~~  
Vedi Naturals LLC

Locus:

416505 Boston Post Road West  
Assessors Map 7388, Parcel 303

## DECISION ON A SPECIAL PERMIT ORDER NO. ~~18-1007318E~~19-1007881

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to ~~Garden Remedies, Inc.~~ Vedi Naturals LLC (the "Applicant") to build and operate a ~~Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment at 416505 Boston Post Road West, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

### FINDINGS OF FACT

1. The Applicant is a duly organized and existing ~~corporation~~ limited liability company having a business address of ~~307 Airport Road, Fitchburg~~ P.O. Box 303, Clinton, MA ~~0142001510~~.
2. The Applicant is the prospective tenant of a commercial retail unit located at 416505 Boston Post Road West, Marlborough, Massachusetts, as shown on Marlborough Assessors Map ~~73-as88~~, Parcel 303 (the "Site"). The Site's owner is ~~Marlboro Square, LLC~~ Sparte II Realty Trust, Dino Karalis, Trustee with a business address of ~~449 Boston Post~~ 160 Edgell Road, Framingham, MA 0175201701.
3. In accordance with Article VI, § 650-17, ~~§ 650-18(45)~~, § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to operate a ~~Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment at the Site (the "Use").
4. The Site is located in the Business Zoning District with frontage on Boston Post Road West (Route 20).
5. The overall Site has an area of ~~174,240~~ 87,555.6 +/- square feet ~~(4 acres)~~.

6. The Use will occupy an existing retail unit at the Site with an area of ~~3,100~~2,350 +/- square feet.

7. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use, as provided in this Decision.

8. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site in accordance with Rule 5 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior and interior of the unit associated with the Use (collectively the "Plans").

9. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

10. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on ~~Monday, August~~January 27, ~~2018~~2020. The hearing was closed on that date.

12. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

13. At the public hearing, ~~eight members~~one member of the public spoke in favor of the Use. ~~Two members~~and one member of the public spoke in opposition to the Use.

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

A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City



Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.

C. The City Council finds that the Site is located in the portion of the Business District along Massachusetts State Highway 20 (Boston Post Road ~~West~~) between the ~~Sudbury~~Northborough town line and ~~Phelps Street~~Massachusetts State Highway Route 495 with frontage along Massachusetts State Highway 20 (Boston Post Road), in accordance with § 650-18~~(45)(a) and (b) and § 650-18~~(46)(a) and (b) of the Zoning Ordinance, and that the Site is not located within 500 feet of a school or daycare center, in accordance with § 650-32.F and § 650-32.F.1 of the Zoning Ordinance.

D. In accordance with § 650-32.C of the Zoning Ordinance, the City Council hereby determines that any adverse effects of the Use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, based upon consideration of the following:

1. Social, economic, or community needs which are served by the proposal:

Finding: The Use will provide a safe and convenient location ~~for patients and adults to obtain medication and~~ marijuana ~~and marijuana~~-infused products.

2. Traffic flow and safety, including parking and loading:

Finding: The Site will safely accommodate expected traffic flow from the Use and provide adequate parking and loading capacity.

3. Adequacy of utilities and other public services:

Finding: The Site provides adequate utilities and public services for the Use.

4. Neighborhood character and social structures:

Finding: The Use is consistent with the established retail area in the vicinity of the Site.

5. Impacts on the natural environment:

Finding: The Use will have no greater impact than the established retail uses in the area.

6. Potential fiscal impact, including impact on City services, tax base, and employment:

Finding: The Use will be revenue positive, with additional revenues coming from a local sales tax and host community agreement impact fees.

7. Hours of operation:

Finding: The hours of operation of the Use are specifically conditioned below.

8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority:

Finding: The provision of contact information is specifically conditioned below.

9. Requiring payment of a community impact fee:

Finding: The City and the Applicant have entered a host community agreement that requires the payment of impact fees in accordance with statutory requirements.

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background .check, by the Chief of Police who shall have the authority to disapprove the employment of any person( s) as a result of said background check:

Finding: This requirement is specially conditioned below.

13. Requiring surveillance cameras, capable of 24-hour video .recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises:

Finding: This requirement is specially conditioned below.

14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes:

Finding: This requirement is specially conditioned below.

15. The ability for the Business to:
- provide a secure indoor waiting area for clients;
  - provide an adequate and secure pick-up/drop-off area for clients, customers and products;
  - provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals;
  - adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
  - provide opaque exterior windows;

Finding: These requirements are specially conditioned below.

16. Signs and signage:

Finding: The signage shown on the Plans is appropriate for the Use.

17. Names of businesses, business logos and symbols, subject to state and federal law and regulations:

Finding: The name of the business, logos, and symbols associated with the Use, as provided in the Application and shown on the Plans, are appropriate for the Use.

E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to operate ~~a Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts.

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

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit, as required by § 650-32.E of the Zoning Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

5. Compliance with State Requirements. In accordance with ~~§ 650-18(45)(e) and § 650-18(46)(c)~~ of the Zoning Ordinance, the Use shall comply with all statutes and regulations of the Commonwealth of Massachusetts for the licensure and operation of ~~a Medical Marijuana Treatment Center and/or~~ an Adult Use Marijuana Retail Establishment.

6. Security.

- a. As shown on the Plans, the Applicant, its successors and/or assigns, shall maintain a secure entrance lobby ~~and~~ waiting area providing a physical separation between the exterior door of the unit and interior areas of the unit where marijuana and marijuana infused products are dispensed and sold, with security personnel available during operating hours to screen individuals arriving at the unit, to ensure that interior areas of the unit are only accessible to ~~qualified patients / caregivers or~~ persons over the age of 21 and to ensure that no individuals pose a direct threat to the health or safety of others.
- b. The Applicant, its successors and/or assigns, shall maintain a secure pick-up / drop-off area for ~~patients,~~ customers, and products.
- c. ~~As shown on the Plans, the~~ The Use shall have opaque exterior windows.
- d. The Applicant, its successors and/or assigns, shall maintain adequate staffing so that ~~patients and~~ customers may make purchases in an efficient manner to avoid queuing and impacts on neighboring uses.
- e. The Applicant, its successors and/or assigns, shall maintain surveillance cameras capable of 24-hour video recording, archiving recordings, and the ability to immediately produce images, in, on, around, or at the Use.



7. Processing and Odors. There shall be no processing or manufacturing of marijuana or marijuana infused products as part of the Use. Marijuana and marijuana products shall be pre-packaged and sealed prior to arriving at the Site. Any odors associated with marijuana and marijuana infused products shall be limited to the interior of the unit. There shall be no onsite consumption or use of marijuana or marijuana infused products associated with the Use.

8. Hours. The maximum hours of operation of the Use shall be Monday through Saturday, 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 5:00 p.m.

9. Contact Information. The Applicant, its successors and/or assigns, shall provide current contact information of management and staff to the Chief of Police, the Building Commissioner, and the City Council.

10. Annual Reports. The Applicant, its successors and/or assigns, shall submit to the City Council the same annual reports that must be provided to ~~the Commonwealth of Massachusetts Department of Public Health and/or the~~ Massachusetts Cannabis Control Commission.

11. Inspections and Records. The Applicant, its successors and/or assigns, shall make the Use available for regular inspections by City officials or their agents, and shall provide City officials or their agents with access to the same records which are available for inspection to the ~~Commonwealth of Massachusetts Department of Public Health and/or the~~ Massachusetts Cannabis Control Commission.

12. Background Checks. The Applicant, its successors and/or assigns, shall require that employees undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police, who shall have the authority to disapprove the employment of any person(s) as a result of said background check.

13. Unrelated Materials. The Applicant, its successors and/or assigns, shall not make available for sale as part of the Use any materials or items unrelated to the purposes of ~~registration by the Commonwealth of Massachusetts .Department of Public Health and/or~~ licensure by the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes.

14. Police Detail. The Applicant, its successors and/or assigns, shall employ a City of Marlborough Police detail at the Site during all operating hours for the first sixty (60) days after the commencement of operations, unless the Chief of Police determines in a letter filed with the City Council that a police detail is not necessary during certain times of the day. At the end of the 60-day period, if the Chief of Police determines in a letter filed with the City Council that a police detail is still necessary during all operating hours or at certain times, then the Applicant, its successors and/or assigns, shall continue to employ a City of Marlborough Police detail until deemed unnecessary by the Chief of Police in a letter filed with the City Council. In the event a City of Marlborough Police detail is not available when required, the Applicant, its successors and/or assigns, shall obtain a private detail.



~~15. Partial Use: The Applicant, its successors and/or assigns, is not required to operate all portions of the Use simultaneously. The Applicant, its successors and/or assigns, may commence either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use upon receipt of all local and state permits and licenses for the respective portion of the Use, and commence the other portion of the Use at a later date. Similarly, if either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use ceases, either temporarily or permanently, the Applicant, its successors and/or assigns, may operate the other portion of the Use.~~

~~16.~~15. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, § 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex County South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: ~~10~~\_\_\_ - Nay: ~~0~~\_\_\_ - Absent - ~~1~~\_\_\_

~~Yea: Delano, Doucette, Dumais, Tunnera, Irish, Claney, Landers, Juaire, Oram, & Robey.~~

~~Yea: \_\_\_\_\_,~~

~~Nay: \_\_\_\_\_,~~

~~Absent: \_\_\_\_\_, Ossing~~

Signed by City Council President  
Michael H. Ossing~~Edward J. Claney~~

ADOPTED  
In City Council  
~~18-1007318E~~Order No. 19-1007881



# City of Marlborough

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

MARLBOROUGH CITY COUNCIL 2020 APR 23 A 7:50

## ELECTRONIC MESSAGE CENTER SIGNS AND DIGITAL DISPLAY SIGNS SIGN PERMIT APPLICATION TO MARLBOROUGH CITY COUNCIL

### SIGN SPECIAL PERMIT

INSTRUCTIONS: This application must be completed and submitted to the City Council. Applicant must attach to this application a copy of the Building Commissioner's decision detailing the requirements and reason for City Council action. This application form must be signed by the applicant or authorized agent (and the owner of the property if the owner is not the applicant) prior to submittal to the City Council.

1. Location of the property where sign is located (street and number):

413 Lakeside Avenue

2. What other signs exist on the property (type, size, location):

Please refer to attached Existing Conditions Plan (A.L.O.),  
dated 3/13/20.

3. Are there other signs on the property of similar type to what is requested in the Sign Permit Application?  
If so, please state size and location:

N/A

4. Names of business or activity applying for sign:

Shell

5. Applicant:

Ayoub Engineering, Inc. / Steven Pedra

Street/City/Zip Code:

414 Benefit St.

Pawtucket, RI 02861



6. Building Owner: GTJ MA/NH Leasing, Inc.  
Nouria Energy Corp.

Street/City/Zip Code: 326 Clark Street  
Worcester, MA 01606

7. Contact Information. Please provide an E-mail address as well as Business and Mobile telephone numbers.

Building Owner.

E-mail: N/A Business: \_\_\_\_\_ Mobile: \_\_\_\_\_

Agent/Owner of Business where sign will be located.

E-mail: Paul.Belanger@nouriaenergy.com Business: 508-762-3708 Mobile: \_\_\_\_\_

Applicant.

E-mail: spadino@abuttersinc.com Business: 401-728-5533 Mobile: \_\_\_\_\_

8. Applicant is (please check).

Business Owner: \_\_\_\_\_ Tenant: \_\_\_\_\_ Other (describe): ✓ Agent

#### Required Attachments

Description of Sign and Plan: Please include letter from Building Commissioner noted above together with plans and renderings to assist the City Council in its deliberations on the application for a Sign Special Permit. Other pertinent information may be submitted with this application and may be required by the City Council.

The City Council will hold a Public Hearing on the Sign Special Permit Application. Applicant shall pay for advertising of Hearing. Applicant shall obtain a certified abutters' list from the Assessors' Office to attach to this application. Applicant shall notify abutters of Hearing and provide proof of mailing prior to the Hearing.

After the close of the Public Hearing, Applicant shall submit a draft Sign Special Permit Decision to the City Council, through the appropriate City Council Committee. A sample decision will be provided to Applicant upon request.



Applicant Signature

Date

3/25/2020



Property Owner Signature

Date

**NOTE: New Electronic Message Center Signs or Digital Display Signs may not be erected until the City Council Sign Special Permit has been granted and building permit has been issued by the Building Department.**

*City of Marlborough*  
*Commonwealth of Massachusetts*



Ethan Lippitt  
Code Enforcement Officer  
140 Main Street  
Marlborough, MA 01752  
Phone: (508) 460-3776 XT 30201  
Fax: (508) 460-3736  
Email: elippitt@marlborough-ma.gov

3/18/2020

Ayoub Engineering, Inc.  
414 Benefit Street  
Pawtucket, RI, 020861  
ATTN: Steven M. Pedro

RE: Sign Denial Letter at 413 Lakeside Ave, BP-2020-000306

To whom it may concern,

On 3/17/2020 it was noted that a Sign Permit was applied for relating to the installation of Electronic Message Signage in the form of an LED Panel to install below an existing LED Panel. As the signage for the previously installed LED Panel was a special permit, a new special permit will need to be applied for to alter the existing special permit.

**§ 526-13 Electronic message center signs; digital display signs.**

[Added 8-25-2014 by Ord. No. 14-1005880B]

**A. Applicability.**

(2) The regulations in § 526-13 permit digital display signs and electronic message center (EMC) signs in all zoning districts except for Rural Residence (RR) Districts, Residence (A-1) Districts, Residence (A-2) Districts, Residence (A-3) Districts, Residence B (RB) Districts, Residence C (RC) Districts, Retirement Community Residence (RCR) Districts, and the Downtown Business District outlined in § 526-9L, in which districts such signs are strictly prohibited. Digital display signs and EMC signs shall be permitted with the approval of the Building Commissioner, shall be subject to all other provisions governing signs in Chapter 526, the City's Sign Ordinance, and shall require a special permit.

**§ 526-13 Electronic message center signs; digital display signs.**

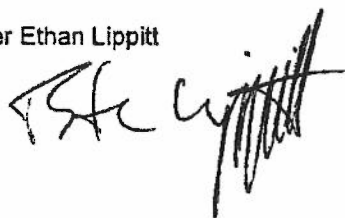
[Added 8-25-2014 by Ord. No. 14-1005880B]

C. Legally preexisting nonconforming EMC and digital display signs. Legally preexisting nonconforming EMC signs and digital display signs, to the extent they have the technical capability to do so, shall be operated in conformance with the operational standards set forth in this § 526-13. In the absence of a light-sensing device, sign owners shall ensure either that the signs are dimmed to meet brightness standards set forth in § 526-13B(6) above or that the signs are turned off from sunset to sunrise. All legally preexisting nonconforming signs shall be brought into compliance with this amendment upon being significantly updated or replaced, as determined by the Building Commissioner or a designee of the Building Commissioner, or at the end of 10 years from the date of approval of this amendment, whichever is sooner.

The special permit application package can be found at [https://www.marlborough-ma.gov/sites/marlboroughma/files/uploads/1\\_special\\_permit\\_application.pdf](https://www.marlborough-ma.gov/sites/marlboroughma/files/uploads/1_special_permit_application.pdf)

MSC'd  
3/21/20

Code Enforcement Officer Ethan Lippitt

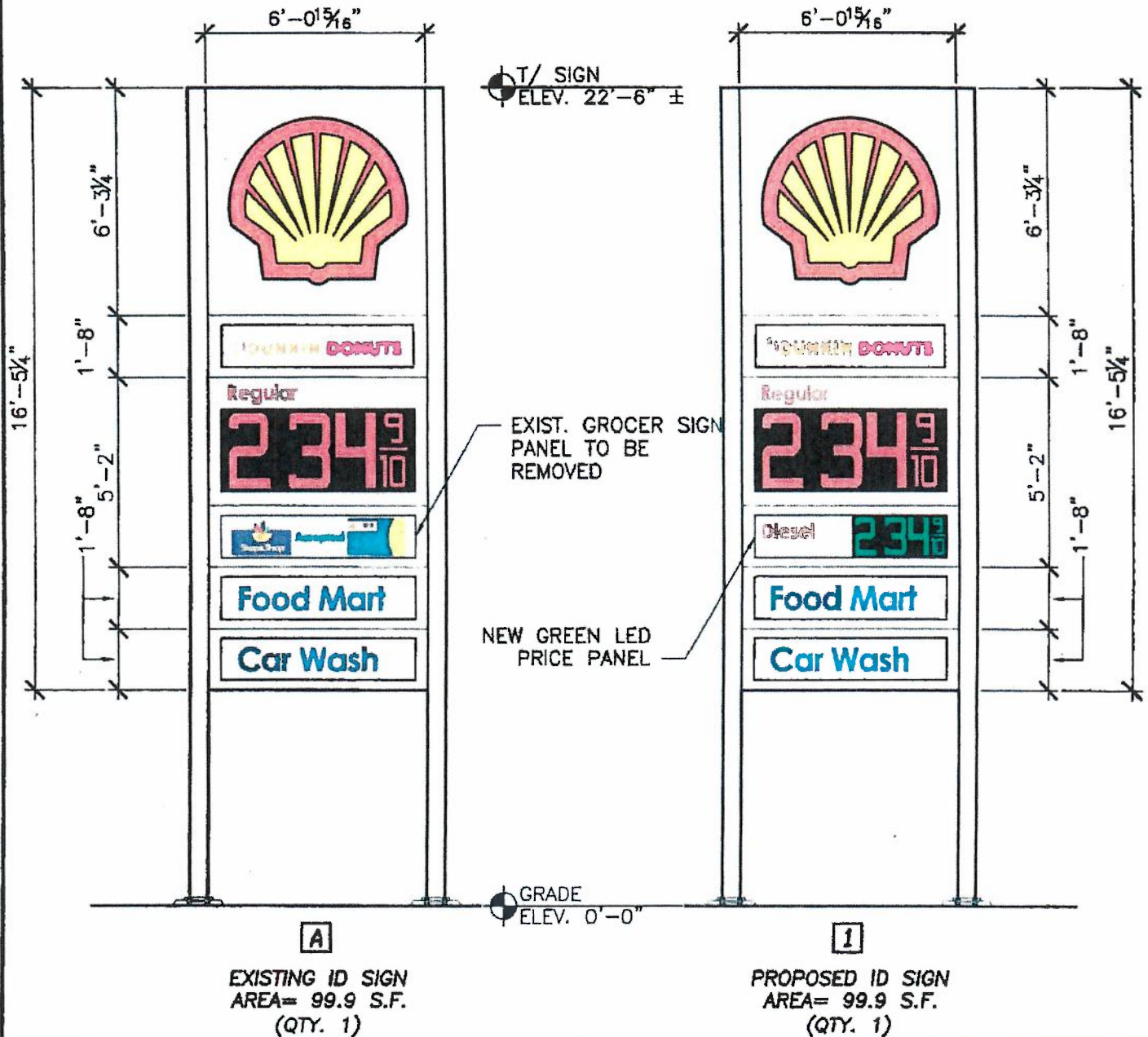
A handwritten signature in black ink, appearing to read 'Ethan Lippitt', with a stylized, scribbled end.

CC    File  
      City Council  
      Commissioner Cooke  
      City Clerk  
      Planning Board Secretary



NOTES:

1. OVERALL HEIGHT OF EXISTING FREE STANDING ID SIGN WILL REMAIN UNCHANGED.
2. ALL SIGN PANELS SHOWN ARE EXISTING AND TO REMAIN UNLESS OTHERWISE NOTED.



PROJECT NO.: 1590.119 DATE: 02/13/2020

REF. SHT: DRAWN BY: HAL

SHEET:

SIGNAGE PLAN  
SG-1

PREPARED FOR:

NOURIA ENERGY CORP.

MARLBOROUGH, MA

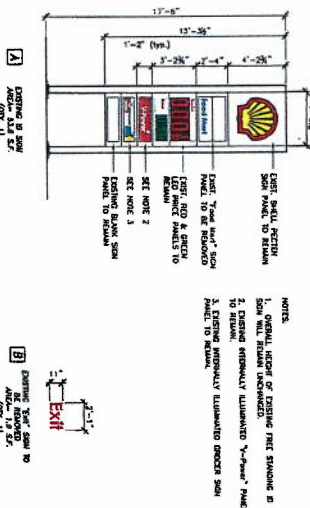
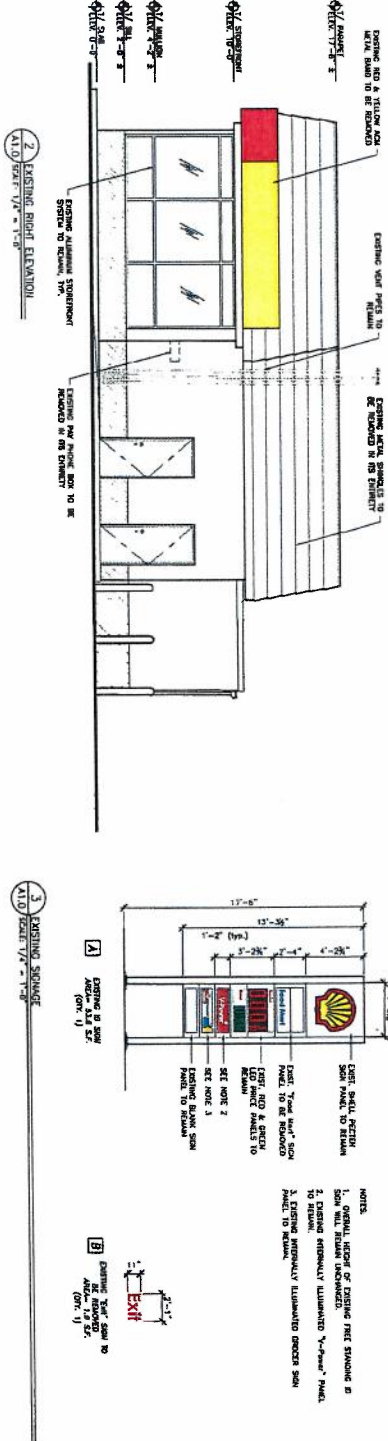
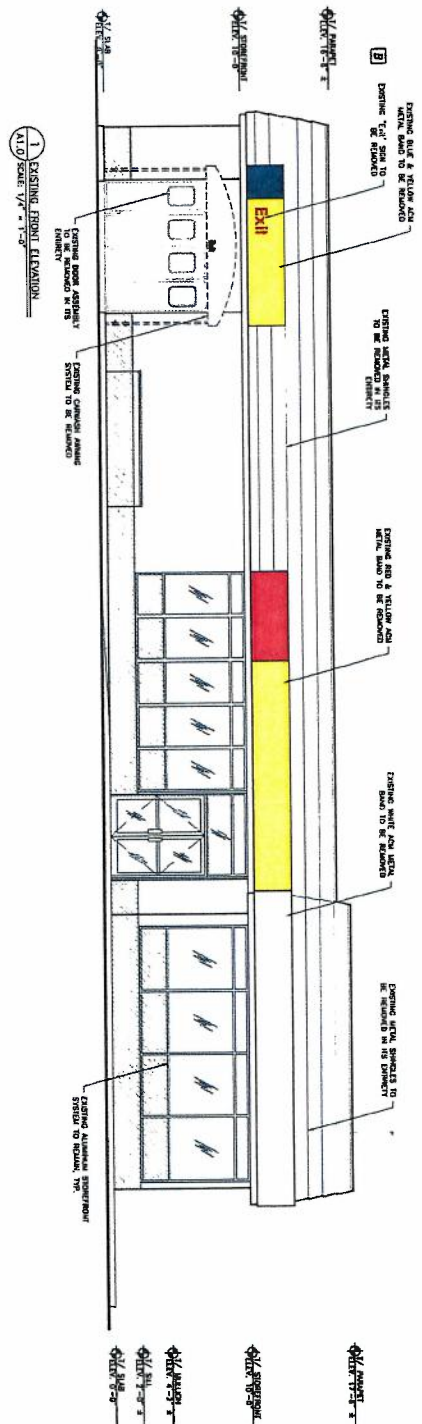
413 LAKESIDE AVENUE

PREPARED BY:

**AYOUB**  
ENGINEERING

ENGINEERS & ARCHITECTS

1000 1000 1000 1000  
1000 1000 1000 1000  
1000 1000 1000 1000



PROJECT OWNER:  
**NOURIA ENERGY CORPORATION**  
326 CLARK STREET WORCESTER, MA

PROJECT ADDRESS:  
**BRADFORD, MA**  
154 SOUTH MAIN STREET

DATE: 01/10/2010

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

**AYOUB**  
ENGINEERING

ENGINEER & ARCHITECT

CORPORATE OFFICE:  
610 BENEFIT STREET  
PAWTHCKET, RHODE ISLAND 02861  
401-726-5533

REVISIONS

NO.	DATE	DESCRIPTION
1	01/10/2010	EXISTING CONDITIONS PLAN

NOT FOR CONSTRUCTION

EXISTING CONDITIONS PLAN

1/10/2010

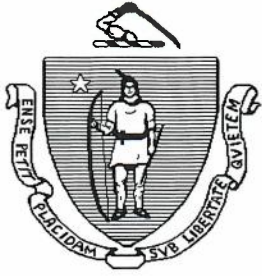
**Abutters for 413 Lakeside Ave (79-10A) 400 ft  
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
79	2			BRE/HV PROPERTIES LLC		11525 N COMMUNITY HOUSE R	CHARLOTTE	NC 28277-9550	19 NORTHBORO RD EAST
79	4			441 LAKESIDE AVENUE LLC		441 LAKESIDE AVE	MARLBOROUGH	MA 01752	441 LAKESIDE AVE
79	6			EMAX LLC		3 JOSLIN LN	SOUTHBOROUGH	MA 01772-1330	419-435 LAKESIDE AVE
79	11			TORRES LAERTE TR	TORRES FAMILY TRUST	46 FELTON ST	MARLBOROUGH	MA 01752	46 FELTON ST
79	16			MARLBOROUGH WCP HOTEL LLC		30 SOUTH WACKER DR #3600	CHICAGO	IL 60606	75 FELTON ST
79	33			CB EQUITIES MT ROYAL LLC		6 VELMA RD	WAKEFIELD	MA 01880	2 MOUNT ROYAL AVE
79	37			PMG NORTHEAST LLC		C/O PETROLEUM MARKETING G	WOODBIDGE	VA 22192	410 LAKESIDE AVE
79	41	1	101	ACUMEN PREFERRED PROPERTIES LLC		420 LAKESIDE AVE	MARLBOROUGH	MA 01752	420 LAKESIDE AVE #101
79	41	1	103	CENTERS FOR EYESIGHT LLC	C/O GISELA VELEZ MD	190 GROTON RD	AYER	MA 01432	420 LAKESIDE AVE #103
79	41	1	303	LORETTAS MULLIGAN LLC	C/O KAEDING ERNST & CO	420 LAKESIDE AVE #303	MARLBOROUGH	MA 01752	420 LAKESIDE AVE #303

**MARLBOROUGH ASSESSORS**

*Anthony C. Amadio*  
*William K. Silverstein*  
*David May Jr.*





# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING, CANCELLED PUBLIC HEARING, AND EXTENSION OF DEADLINE FOR WRITTEN COMMENTS

D.P.U. 19-120

March 12, 2020

Petition of NSTAR Gas Company doing business as Eversource Energy, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of General Increases in Base Distribution Rates for Gas Service.

On November 8, 2019, NSTAR Gas Company doing business as Eversource Energy ("NSTAR Gas" or "Company") filed a petition with the Department of Public Utilities ("Department") for a general increase in gas base distribution rates. The Department has docketed this matter as D.P.U. 19-120, and it has suspended the effective date of the proposed rate increase until October 1, 2020, to investigate the propriety of the Company's request.

NSTAR Gas seeks approval for an increase in base distribution rate revenues of \$38.03 million, which represents an increase of 19.0 percent in total base distribution rate revenues if approved without change. NSTAR Gas has requested to delay implementation of changes in rates to November 1, 2020, based on rate increases effective October 1, 2020. The Company was last granted an increase in base distribution rates in 2016. NSTAR Gas Company, D.P.U. 14-150 (2015).

The Company proposes to transfer costs that are currently recovered from customers through the gas system enhancement plan ("GSEP") to distribution rates for rates effective November 1, 2020. Because there is a delay in recovery through the GSEP, however, the Company proposes to not fully recover the remaining balance in the GSEP until May 1, 2021.

Additionally, the Company proposes to implement a performance-based ratemaking ("PBR") mechanism that would allow NSTAR Gas to adjust its distribution rates on an annual basis through the application of a revenue-cap formula and to put in place a set of metrics to evaluate the Company's performance. The PBR plan includes two demonstration projects: (1) a gas demand response project and (2) a geothermal network project. The Company proposes to implement the PBR plan for five years with the possibility for extension. Additional information regarding these and all other proposals can be found in the Company's filing.

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2020 MAR 18 A 11:04

The Company states that if its petition is approved as requested, the proposed revenue increase will have the following effects from November 1, 2020, through April 30, 2021:

- a typical residential heating customer using an average 126 therms per month will experience an average bill increase of \$22.56 per month, or 12.6 percent;
- a typical residential low-income heating customer using an average 123 therms per month will experience an average bill increase of \$16.48 per month, or 12.6 percent;
- a typical residential non-heating customer using an average of 14 therms per month will experience an average bill increase of \$3.53 per month, or 12.4 percent.

The Company states that the estimated recovery of the remaining balance in the GSEP on May 1, 2021, would reduce the bill increases customers experience after the Company's proposed rates go into effect on November 1, 2020, depending upon their rate classification and usage. In addition, bill impacts for commercial and industrial customers will vary depending upon their rate classification and level of usage. For specific impacts, please contact the Company as indicated below.

On November 26, 2019, the Department issued a Notice of Filing, Procedural Conference, and Public Hearing and scheduled five public hearings throughout the Company's service territory. One of the public hearings was scheduled in Plymouth, Massachusetts for March 5, 2020. The Notice also included a March 6, 2020, deadline for anyone interested in the Company's filing to file written comments.

On March 5, 2020, the Plymouth school district announced that all schools in Plymouth would be closed on March 6, 2020, due to possible coronavirus COVID-19 contamination. Based on this announcement, the Department determined that it was in the interest of public health and safety to cancel the public hearing. This public hearing will not be rescheduled. Instead, the Department finds it is reasonable and in the public interest to extend the deadline for anyone interested in the Company's filing to file written comments to the close of business (5:00 p.m.) on April 30, 2020.

Written comments should be addressed to: Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts 02110. Receipt by the Department, not mailing, constitutes filing.

Further, in addition to paper filings with the Department, all documents also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and the Hearing Officer, [kevin.crane@mass.gov](mailto:kevin.crane@mass.gov); or (2) on CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 19-120); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All



documents submitted in electronic format will be posted on the Department's website: website at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> (enter "19-120").

A copy of the Company's filing is available for inspection during regular business hours at the following locations: (1) the Company's offices, 247 Station Drive, Westwood, Massachusetts 02090; (2) the Cambridge Public Library, 449 Broadway, Cambridge, Massachusetts 02138; (3) the Dedham Public Library, 43 Church Street, Dedham, Massachusetts 02026; (4) the New Bedford Free Public Library, 613 Pleasant Street, New Bedford, Massachusetts 02740; (5) the Plymouth Public Library, 132 South Street, Plymouth, Massachusetts 02360; (6) the Worcester Public Library, 3 Salem Street, Worcester, Massachusetts 01608; and (7) the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110.

NSTAR Gas's filing also is available on the Department's website. To request materials in accessible formats (braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Any person desiring further information regarding the Company's petition should contact the Company's counsel, Danielle C. Winter, Esq. or Matthew C. Campbell, Esq. at Keegan Werlin, 99 High Street, Suite 2900, Boston, MA, 02110, telephone (617) 951-1400.

Reasonable accommodations at public or evidentiary hearings for people with disabilities are available upon request by contacting the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Please include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Provide as much advance notice as possible. Last-minute requests will be accepted but may not be accommodated. Any person desiring further information regarding this notice should contact Kevin Crane, Hearing Officer, Department of Public Utilities, at (617) 305-3500.

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CITY OF MARLBOROUGH

2020 MAR 23 A 10:16

KEEGAN WERLIN LLP

ATTORNEYS AT LAW  
99 HIGH STREET, SUITE 2900  
BOSTON, MASSACHUSETTS 02110

(617) 951-1400

TELECOPIER:  
(617) 951-1354

March 19, 2020

Town/City Clerks, Mayors, Chairs of the Boards of Selectmen

Re: NSTAR Gas Company d/b/a Eversource Energy, D.P.U. 19-120

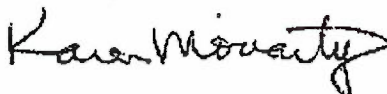
Dear Town/City Clerks, Mayors, Chairs of the Boards of Selectmen:

On March 13, 2020, NSTAR Gas Company d/b/a Eversource Energy mailed a copy of the Notice of Filing, Cancelled Public Hearing, and Extension of Deadline for Written Comments regarding the above-referenced proceeding before the Massachusetts Department of Public Utilities (the "Department"). Please be advised that on March 18, 2020, the Department issued the attached memorandum withdrawing the Department's Order of Notice issued March 12, 2020. As indicated in the memorandum, the Company will provide additional information, as necessary, when it receives further guidance from the Department.

Town and City clerks, please remove this notice from posting in your city/town hall.

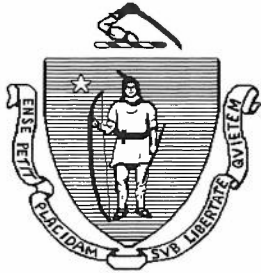
Please feel free to contact me with any questions.

Sincerely,



Karen Moriarty  
Paralegal

Enclosure



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

TO: Service List – D.P.U. 19-120

FROM: Kevin Crane, Hearing Officer

RE: NSTAR Gas Company, D.P.U. 19-120

DATE: March 18, 2020

CC: Mark D. Marini, Secretary

On November 8, 2019, NSTAR Gas Company doing business as Eversource Energy ("Company") filed a petition with the Department of Public Utilities ("Department") for a general increase in gas base distribution rates. On March 12, 2020, the Department issued a Notice of Filing, Cancelled Public Hearing, and Extension of Deadline for Written Comments ("Notice") and an Order of Notice.

On March 17, 2020, the Company filed a Motion for Amendment of the Procedural Schedule ("Motion"). The Company's Motion is under consideration by the Department. Any intervenor or limited intervenor that wishes to comment on the Company's Motion must file comments no later than the close of business (5:00 p.m.) on **Thursday, March 19, 2020**.

Additionally, if the Department grants the Motion corresponding changes to the Notice may be warranted. Therefore, I find that it is in the interest of the parties and the Company's customers to avoid the potential service and publication of inconsistent or conflicting information and hereby withdraw the Department's Order of Notice issued March 12, 2020.

The Company shall cease service and publication of the Notice until it receives further guidance from the Department. No corrective action is required on behalf of the Company in regard to actions taken prior to receipt of this memorandum.

2020 APR 15 A 9:32

**School Committee**  
17 Washington Street, Marlborough, MA 01752  
(508) 460-3509

## Call to Order

**January 28, 2020**

1. Chairman Arthur Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Denise Ryan, Katherine Hennessy, Heidi Matthews, Earl Geary and Daniel Caruso. Also present were Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations, Douglas Dias, MEA Representative Rupal Patel and Administrative Support Donna Marshall.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

3. **Presentation:** None

4. **Committee Discussion/Directives:** None

5. **Communications:** None

6. **Superintendent's Report:**

Superintendent Bergeron began his report by thanking everyone who attended Chris Sullivan's presentation at Whitcomb. He specifically recognized the Boys and Girls Club, and President and CEO Chris Duane, for sponsoring the event, Kathy Leonard for helping to organize this event and Mayor Vigeant for continuing to push for educating the community on substance abuse.

Superintendent Bergeron discussed the first item on his agenda, which was the Marlborough Public Schools Strategy for Improvement. The strategy came from his entry plan and the district review performed last year, which was the DESE Report that provided additional information on items they can work on. The priorities within the objectives are supported by research that these objectives work in low-income districts to change and improve achievement over time.

[www.mps-edu.org](http://www.mps-edu.org)



After reading the second objective, to develop a definition of common educational experiences, the Superintendent said he may reduce the priorities from five items to four in the next draft to make it more manageable. The first priority on the second objective states that a common curriculum experience across all grade levels should be implemented. Superintendent Bergeron said that is a priority because parents need to know that no matter what school their child attends, they will be learning similar things to students in their grade level district wide.

Superintendent Bergeron stressed the priority of having meaningful educational experiences using the technology in classrooms, as opposed to allowing students to play games.

The Superintendent explained how the Project-Based Learning priority has been discussed for years, so creating clear expectations for this will allow everyone to be on the same page instead of interpreting the expectations themselves.

Superintendent Bergeron spoke about the first priority of the third objective, which is to strengthen relationships in our community. He claimed that there is a lot of inbound rather than outbound being done, meaning community members are invited places to gather information rather than the information being communicated outward to these individuals wherever they may be.

The team that looked at the second priority of objective three dove into the suspension data and such to craft a PD plan and expectations to help teachers, administrators and other staff members combat behavioral issues. Superintendent Bergeron explained that there are active contracts with local collaboratives for hundreds of thousands of dollars to support social work and families.

Superintendent Bergeron ended the discussion by stating that there are short- and long-term priorities and objectives on this list, and not every priority requires financial means, some require time. Details and plans for each priority will be laid out in the budget document.

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Superintendent Bergeron discussed the second agenda item: redistricting meetings. He has asked Patty Sibilio to send this information out to everyone. The meetings for redistricting in the community are as follows: February 5<sup>th</sup> at Richer PTO at 6pm, February 12<sup>th</sup> at Kane PTO at 6:30pm, March 3<sup>rd</sup> with ELPAC at 7pm, March 4<sup>th</sup> at Jaworek PTO at 6:30pm, and ECC for March 26<sup>th</sup>. The Superintendent hopes to meet with the ECC home to school group and the City planning board to collaborate, share information and receive feedback on the redistricting plan.

Superintendent Bergeron will be bringing the school calendar to the School Committee earlier than usual because of some date issues. If they want school to begin earlier in August than usual, this proposal needs to be brought to the MEA Negotiations Team.

## **A. Director of Finance & Operations Report**

The Director of Finance and Operations, Douglas Dias, updated the School Committee on food services, facilities and construction in his report. The food services negative balance totals at -\$4,326.28, which is much higher than the balance last year at this time. Two years ago, the negative balance was about half of what it currently is, so there has been a substantial increase throughout the past few years. Mr. Dias explained that someone within his office is calling on his behalf to figure out the barriers preventing families from paying for lunch. He also spoke with two Principals whose schools are struggling. These Principals have reached out to local businesses to see if they can make donations towards this need.

At Whitcomb Middle School, 1,002 lunches were served on January 10<sup>th</sup>, which is an all-time record for lunches serviced in the district.

Mr. Dias explained that our Chef Manager is working to develop new menu items with food service staff across the district. These new items will come to fruition in the next few months. The goal is to broaden menu options, expand student palates and increase participation.

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Over December break, the field house curtain at Marlborough High School was replaced, and the roll-up doors at the MHS kitchen were finished. Mr. Dias thanked Andy White and Commissioner Ghiloni for their continued efforts in improving our buildings.

Mr. Dias reported on the construction of the new elementary school. The building is fully enclosed and much of the school is receiving finishing touches, such as paint, tile, flooring, etc. The project is ahead of schedule and anticipated to reach substantial completion in early April. Superintendent Bergeron mentioned that the project is under budget as well.

## **7. Acceptance of Minutes:**

### **A. Minutes of the January 6, 2020 School Committee Meeting**

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept these minutes.

Motion passed 6-0-0.

### **B. Minutes of the January 14, 2020 School Committee Meeting**

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to accept these minutes.

Motion passed 6-0-0.

## **8. Public Participation: None**

## **9. Action Items/Reports:**

### **A. MHS Student Council Conference Approval**

Ms. Klein, the MHS Student Council Advisor, asked for the approval to send her students to an overnight annual conference in Hyannis, MA, which is hosted by the Massachusetts Association of Student Councils. So far 6 students have applied and been selected for this experience. Mrs. Hennessy recused herself from voting because her daughter could potentially be attending this conference.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve this request.

Motion passed 5-0-0.

## **B. FY20 Operating Budget Transfers**

Mr. Dias recommended transfers within the FY20 operating budget, for balance purposes, as outlined in his attached document.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve this request.

Motion passed 6-0-0.

## **C. School Committee FY20 Goal**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to table this item until the next, regularly scheduled meeting.

Motion passed 6-0-0.

## **D. Contract between the Marlborough School Committee & Assistant Superintendent of Teaching & Learning**

Mrs. Matthews presented for the approval of the contract between the School Committee and Mrs. Murphy. This contract currently ends on June 30, 2020 but will be extended until June 30, 2025.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant to approve this request.

Motion passed 6-0-0.



## **E. Policy Removal**

### **1. Policy 2.445 Submission of Proposed Measures to Voters**

Mrs. Hennessy explained that Policy 2.445 was discussed in the December 10, 2019 School Committee meeting.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 6-0-0.

## **F. Policies for First Read/Review/Removal**

1. Policy 3.320 Line and Staff Relations
2. Policy 3.410 Adjustments & Transfers to the Budget
3. Policy 3.410 Form (Recommendation for Budget Transfers) – FOR REMOVAL
4. Policy 3.410 A form – FOR REMOVAL
5. Policy 3.410 B form – FOR REMOVAL
6. Policy 3.550 Committee Review of Administration Rules (Protocols)
7. Policy 3.590 School district Annual Report
8. Policy 3.650 Vendors (Concessions)
9. Policy 3.670 Reimbursement Requests
10. Policy 3.810 Acceptance of Gifts/Donations & Grants
11. Policy 7.150 Athletics
12. Policy 7.160 Athletic Concussion
13. Policy 7.160a Sports Related Concussion/MTBI Protocol
14. Policy 7.180 Student Athletic/Activity Eligibility
15. Policy 7.950 High School Promotion/Graduation Requirements

## **G. Policies for Approval**

### **1. Policy 2.600 Adoption & Revision of Policies**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 6-0-0.

**2. Policy 2.610 Administration in Policy Absence**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 6-0-0.

**3. Policy 2.615 School Committee Policy Development**

Mrs. Matthews noted that the first sentence should be corrected to say “guidelines” instead of “guide.”  
A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.  
Motion passed 6-0-0.

**4. Policy 2.620 Committee Review of Administrative Rules**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 6-0-0.

**5. Policy 2.810 School Committee Member Orientation**

Mrs. Ryan mentioned that the title for this policy is listed as “School Committee Member Orientation” in one place, but as “New Committee Member Orientation” in another place.  
A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.  
Motion passed 6-0-0.

**6. Policy 2.820 Committee Member Development Opportunities**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 6-0-0.

**7. Policy 2.840 Reimbursement for Expenses**

Mrs. Matthews asked if the policy being referred to should be in numerical order. A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.  
Motion passed 6-0-0.

**8. Policy 3.220 Appointment of the Superintendent of Schools**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 6-0-0.

**9. Policy 3.300 Administrative Organizational Plan**

Mrs. Hennessy will make the necessary spelling changes for this policy. A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.  
Motion passed 6-0-0.

**H. Acceptance of Donations and Gifts**

**Acceptance of Raz Plus Reading Program.** The Raz Plus Reading Program, worth \$212.45, has been donated by a parent. A motion was made by Mrs. Matthews, seconded by Chairman Vigeant, to approve.  
Motion passed 6-0-0.

**10. Reports of School Committee Sub-Committees:**

Mrs. Hennessy reported that there is another policy meeting this week, and they will be working on the committee goals as discussed in their workshop. They hopefully will be closing on Chapter Three and moving onto the next two chapters.

**11. Members' Forum:**

Mrs. Matthews reported that she has reviewed and signed the warrant.



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## 12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:09 p.m.  
Motion passed 6-0-0.

Respectfully submitted,

Heidi Matthews  
Secretary, Marlborough School Committee

HM/jm

APPROVED April 14, 2020

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## Call to Order

February 11, 2020

1. Chairman Arthur Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Denise Ryan, Heidi Matthews, and Daniel Caruso. Also present were Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations, Douglas Dias, and Administrative Support Julia Marshall.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.
3. **Presentation:** None
4. **Committee Discussion/Directives:** None
5. **Communications:** None

6. **Superintendent's Report:**

Superintendent Bergeron disclosed that a private school in Marlborough has put in a request to add an elementary school for international students in the city for September 2021. There is not a policy to approve schools in place currently, because this had previously been tabled indefinitely. The Superintendent requests that we bring the policy to approve schools back to the subcommittee to make amendments so it can be brought back to the School Committee.

The guidance that Superintendent Bergeron received about the Student Opportunity Act (SOA) reporting requirements under the new law is included in his report. In March, he will hold a public meeting, as required, with constituents to discuss his plan to send back to the Commissioner.

The Superintendent reminded the committee about the redistricting meetings he mentioned at the last School Committee meeting. The dates, times and locations have been updated and are included in his report. The first redistricting meeting happened at Richer School the other night. He also mentioned that Mr. Dias uploaded several maps, street listings and an overlay map on the frontpage of the district's website.

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The FY21 budget will be delivered tonight as it is budget night. The first budget workshop is scheduled for February 26<sup>th</sup> at 6:00pm in the room that the School Committee meetings are held.

Superintendent Bergeron withdrew his fifth item and requested that the school calendar be withdrawn from the agenda as well.

The Superintendent stated that he believed the request to put in an international elementary school refers to grades K-6.

A motion was made by Chairman Vigeant, seconded by Mrs. Matthews to ask the policy committee to review the private school policy.

Motion passed 4-0-0.

## **A. Assistant Superintendent of Teaching & Learning Report**

The Assistant Superintendent of Teaching and Learning, Mary Murphy, updated the School Committee on the January 21<sup>st</sup> professional development day. She attached the January 21<sup>st</sup> catalog of professional development offerings for all MEA members to her report. On top of these available choice sessions, Jody O'Brien scheduled behavior technicians and paraeducators in targeted sessions. Two of these sessions, Cultural Proficiency and Students with High Functioning ASD, were offered to teachers as well. Mrs. Murphy provided summaries of each of these sessions, which were presented by Massachusetts Partnerships for Youth, Inc. Selected support staff were also scheduled full day into two sessions of Safety Care Training. Mrs. Murphy added that thirty staff members from Whitcomb, Marlborough High School, and Hildreth School attended a training titled "Youth Mental Health First Aid". This was a full-day training that provided adults who work with youth the skills needed to provide initial support to 12-18-year-old adolescents who may be developing a mental health or substance use problem.

Mrs. Murphy finished her report by asking all employees to complete an online training provided by the ALICE training Institute. All MEA members will complete the module during upcoming staff trainings, but paraeducators, behavior technicians and office support will do so during the March Early Release day. Documentation of the district's drills and copies of their ALICE Emergency Operations Plan will be submitted as well.



**7. Acceptance of Minutes: None**

**8. Public Participation: None**

**9. Action Items/Reports:**

**A. FY21 School Calendar**

A motion was made by Mrs. Mathews, seconded by Chairman Vigeant to table this agenda item.

Motion passed 4-0-0.

**B. Policies (forms) for Removal**

- 1. Policy 3.410 Adjustments & Transfers to the Budget Form – Recommendation for Budget Transfer**
- 2. Policy 3.410 Adjustments & Transfers to the Budget – Form A**
- 3. Policy 3.410 Adjustments & Transfers to the Budget – Form B**

A motion was made by Mr. Caruso, seconded by Chairman Vigeant to table agenda items B1, B2 and B3.

Motion passed 4-0-0.

**C. Policies for First Read**

**1. Policy 2.100 Committee Goals**

Mr. Caruso explained that strike outs are things being removed and anything marked in red is being added to the policy.

**2. Policy 2.442.4 Public Participation – REMOVAL**

Mr. Caruso explained that they are asking to remove this policy because it will be replaced with the next one, policy 2.450.

**3. Policy 2.450 Public Participation (Marlborough Prior Version/MASC Version)**

Mr. Caruso explained that this policy is what MASC suggested as a replacement for policy 2.442.4.

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**4. Policy 3.610 Student Activity Accounts**

Mr. Caruso explained that the Superintendent is asking for some changes to be made to this policy to which the committee agreed, specifically in the amounts of money to the middle school and high school. The elementary school activity account is being eliminated as well.

**5. Policy 5.300 Security Camera System**

Mr. Caruso explained that this is an extensive and recent policy.

**6. Policy 5.400 Public Conduct on School Property**

Mr. Caruso explained that some things have been changed due to items that now are/aren't used in society today.

**7. Policy 5.500 Motor Vehicle Idling**

Superintendent Bergeron explained that this policy was being put in the correct format for the policy book.

**8. Policy 5.600 Animals in Schools**

Mr. Caruso explained that this policy described which animals are allowed in the schools and what certain terms for animals mean.

**D. Policies for Second Read/Approval**

- 1. Policy 3.320 Line and Staff Relations**
- 2. Policy 3.410 Adjustments and Transfers to the Budget**
- 3. Policy 3.550 Committee Review of Administration Rules (Protocols)**
- 4. Policy 3.590 School District Annual Report**
- 5. Policy 3.650 Vendors (Concessions)**
- 6. Policy 3.670 Reimbursement Requests**
- 7. Policy 3.810 Acceptance of Gifts/Donations and Grants**
- 8. Policy 7.150 Athletics**
- 9. Policy 7.160 Athletic Concussion**
- 10. Policy 7.160a Sports Related Concussion/MTBI Protocol**
- 11. Policy 7.180 Student Athletic/Activity Eligibility**
- 12. Policy 7.950 High School Promotion/Graduation Requirements**





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A motion was made by Mr. Caruso, seconded by Chairman Vigeant to table the twelve policies under agenda item D.  
Motion passed 4-0-0.

## **E. Acceptance of Donations and Gifts**

**Donor's Choose to Amazon.** Donor's Choose donated materials in the amount of \$346.01 for Jessica Hey's classroom in Whitcomb Middle School.  
A motion was made by Mrs. Matthews, seconded by Chairman Vigeant, to approve.  
Motion passed 4-0-0.

## **F. Reports of School Committee Sub-Committees: None**

## **G. Members' Forum:**

Mrs. Matthews reviewed the warrant and signed it for Mr. Dias. Superintendent Bergeron explained the procedure for the FY21 budget.

## **H. Adjournment:**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 7:43 p.m.  
Motion passed 4-0-0.

Respectfully submitted,

Heidi Matthews  
Secretary, Marlborough School Committee

HM/jm

**APPROVED April 14, 2020**

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School Committee  
17 Washington Street, Marlborough, MA 01752  
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## Call to Order

February 25, 2020

1. Chairman Arthur Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Michelle Bodin-Hettinger, Denise Ryan, Katherine Hennessy, Earl Geary, Heidi Matthews and Daniel Caruso. Also present were Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations, Douglas Dias, and Administrative Support Julia Marshall.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.
3. **Presentation:** None
4. **Committee Discussion/Directives:** None
5. **Communications:** None
6. **Superintendent's Report:**

Superintendent Bergeron reminded the committee of the dates/times/locations of the upcoming redistricting meetings. The same information from these meetings will be presented at a School Committee meeting in March so that parents unable to attend a session can watch it on TV.

Tomorrow night is the FY21 Budget Workshop, and the FY21 budget presentation will go on then. There is a request of a 5.97% increase due to enrollment, opening a new elementary school and investing in the Superintendent's strategy.

The Main Street Journal wrote an article about the STEM council, which is a partnership of all three local high schools to participate in STEM activities and promote the city.

The Artic Seals competed for a spot in the World Robotics Championship in Kentucky this past Saturday. They were quarter finalists and did very well. Superintendent Bergeron was able to attend this competition.

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Jeff Gay wrote a note that Joanne Mahoney won the teacher of the year for VEX; she is actually retired but continues to work with students.

The Superintendent reminded viewers and the committee that there is no school on March 3<sup>rd</sup> due to the Presidential Primary.

Superintendent Bergeron concluded his report by discussing the dates and times of the playoff games for Boys Ice Hockey and Girls Basketball and the Wrestling All-State meet.

## **A. Director of Finance & Operations Report**

Douglas Dias, the Director of Finance and Operations, updated the School Committee on food services and the budget workshop. The food services negative balance is at a total of -\$3,227.76, which is lower than it was this time last year. There is still a push to inform families of the free/reduced lunch program.

The FY21 Budget Workshop is scheduled for tomorrow at 6:00pm. There is a PDF copy of the Superintendent's budget request on the district's website. Over the past four years, district administrators have sought to produce sustainable and predictable budgets in preparation for an elevated FY21 budget request, which is increased by 5.97% or \$3,795,995.00.

**7. Acceptance of Minutes:** None

**8. Public Participation:** None

**9. Action Items/Reports:**

### **A. FY20 Operating Budget Transfers**

Mr. Dias summarized the budget transfers for Kane, Richer, Whitcomb, Marlborough High School and the district as a whole. There is an attached document of these transfer details.

A motion was made by Mrs. Mathews, seconded by Chairman Vigeant to approve these transfers as presented.

Motion passed 7-0-0.

### **B. FY20 School Committee Goal**

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Mrs. Bodin-Hettinger presented the Marlborough School Committee's yearly goals surrounding the new, fourth elementary school to the committee. The goal is "To support the administration in creating a smooth redistricting process that is well communicated to the entire community. Communication will be pro-active, inclusive, transparent, and will encourage open dialogue."

A motion was made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this FY20 School Committee goal.

Motion passed 7-0-0.

## **C. Policy Forms for Removal**

### **1. Policy 3.410 Adjustments & Transfers to the Budget Form – Recommendation for Budget Transfer**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 7-0-0.

### **2. Policy 3.410 Adjustments & Transfers to the Budget – Form A**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 7-0-0.

### **3. Policy 3.410 Adjustments & Transfers to the Budget – Form B**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 7-0-0.

## **D. Policies for Second Read/Approval**

### **1. Policy 2.100 Committee Goals**

Mrs. Matthews noted a grammar issue to be corrected and that the word policy could be removed in the title.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.



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**2. Policy 2.442.4 Public Participation – REMOVAL**

Superintendent Bergeron explained that the MASC version of this policy met the criteria and was cleaner than this version of the policy, which is why this version of the policy is being removed in order to be replaced with the MASC version.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 7-0-0.

**3. Policy 2.450 Public Participation (Marlborough Prior Version/MASC Version)**

Two versions of this policy were provided in the agenda packet given to committee members: the Marlborough Prior Version and the MASC version.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve the Marlborough Prior Version of this policy.

Motion passed 7-0-0.

Mrs. Matthews noticed that the wrong version of the policy had been voted on.

A motion was made by Chairman Vigeant to rescind the original vote to approve the Marlborough Prior version of this policy.

Motion passed 7-0-0.

Mrs. Bodin-Hettinger pointed out that the part of this policy reading “name and city or town” could be changed to “name and address.” Mrs. Matthews noted a punctuation error.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve the MASC version of this policy as amended.

Motion passed 7-0-0.

**4. Policy 3.320 Line and Staff Relations**

Mrs. Matthews noted a few punctuation errors.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**5. Policy 3.410 Adjustments and Transfers to the Budget**

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Mrs. Matthews noted a few punctuation errors.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**6. Policy 3.550 Committee Review of Administration Rules (Protocols)**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**7. Policy 3.590 School District Annual Report**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**8. Policy 3.610 Student Activity Accounts**

Mrs. Matthew noted that the word principal should be capitalized throughout the policy.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**9. Policy 3.650 Vendors (Concessions)**

Mrs. Matthew noted that the word principal should be capitalized throughout the policy.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**10. Policy 3.670 Reimbursement Requests**

Mrs. Matthews noted that numbers should be written out as numerical values.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

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Motion passed 7-0-0.

**11. Policy 3.810 Acceptance of Gifts/Donations and Grants**

Mrs. Matthews noted that School Committee should be capitalized.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**12. Policy 5.300 Security Camera System**

Mrs. Matthews noted that the word policy should be removed from the title.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 7-0-0.

**13. Policy 5.400 Public Conduct on School Property**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**14. Policy 5.500 Motor Vehicle Idling**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**15. Policy 5.600 Animals in Schools**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**16. Policy 7.150 Athletics**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 7-0-0.

**17. Policy 7.160 Athletic Concussion**

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A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 7-0-0.

**18. Policy 7.160a Sports Related Concussion/MTBI Protocol**

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 7-0-0.

**19. Policy 7.180 Student Athletic/Activity Eligibility**

Mrs. Matthews asked if the policy committee is comfortable with the policy if supports are in place. Mrs. Hennessy stated that this policy allows for more students to participate in student athletics and other activities, which keeps children actively engaged in school. Superintendent Bergeron noted that the district's policy is the strictest in the Mid-Wach.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 7-0-0.

**20. Policy 7.950 High School Promotion/Graduation Requirements**

A discussion about students being able to take multiple languages at a time, such as French I and Chinese I, was held.

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.  
Motion passed 7-0-0.

**E. Acceptance of Donations and Gifts**

**Ohiopyle Prints, Inc.** Ohioyle Prints, Inc. donated \$17.22 to Marlborough High School.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant, to approve.  
Motion passed 7-0-0.

**Donor's Choose.** Donor's Choose donated books from Amazon in the amount of \$440.51 for March Madness in Amy Cole's 5<sup>th</sup> grade classroom.

A motion was made by Mrs. Matthews, seconded by Chairman Vigeant, to approve.  
Motion passed 7-0-0.



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**10. Reports of School Committee Sub-Committees: None**

**11. Members' Forum:**

Mrs. Hennessy asked what the process was for naming the new school. Chairman Vigeant explained the process, stating that the School Committee has no say in such.

Mrs. Matthews noted that she would sign the warrant.

Mrs. Ryan announced that Mary Poppins Jr. is going on at Whitcomb this weekend: Friday and Saturday at 7pm and Sunday at 1pm.

**12. Adjournment:**

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:07 p.m.

Motion passed 7-0-0.

Respectfully submitted,



Heidi Matthews  
Secretary, Marlborough School Committee

HM/jm

**APPROVED April 14, 2020**

## Call to Order

**March 10, 2020**

1. Heidi Matthews called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Denise Ryan, Katherine Hennessy, Earl Geary, and Daniel Caruso. Also present were Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations, Douglas Dias, MEA Representative Rupal Patel and Administrative Support Julia Marshall.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Mrs. Matthews led the Pledge of Allegiance.
3. **Presentation**

### **A. MHS Student Advisory**

Alicia Bibi, a 12<sup>th</sup> grade representative, mentioned a biweekly lunch that student leaders on the Student Advisory Board attend with Principal Riley. Different topics and issues, such as race, vape posters, STEM programs and more are discussed during these meetings. Miss Bibi noted that these meetings enable students' voices to be heard. Miss Bibi attended a Student Council leadership conference this past week in Hyannis and touched upon her experience there. While she plans to take an alternate career path, she expressed how the skills she adopted during her time in STEM are still very important and transferable.

Hattie Parker, a 10<sup>th</sup> grade representative, spoke about a presentation given by Dr. Hill to 10<sup>th</sup> grade students regarding the effects of drugs and alcohol on teens. Dr. Hill is an addiction psychiatrist and Director of the Division of Addiction Psychiatry at Beth Israel Deaconess Medical Center. Ms. Parker noted that Dr. Hill went in a different direction compared to other presenters, discussing how students use marijuana to self-medicate for mental health issues. She believes this perspective should be incorporated into the curriculum because it remains evident among her peers.

**4. Committee Discussion/Directives: None**

**5. Communications: None**

**6. Superintendent's Report:**

Superintendent Bergeron began by mentioning the draft of the 2020-2021 school year calendar attached to his report. School is planned to begin on September 2<sup>nd</sup>, 2020 in this draft. The professional development days resulting in no school for students and the half days are outlined in the draft as well. Compared to other districts mentioned, Marlborough has a relatively low number of planned early release days: 6.

Superintendent Bergeron stated the schedule for the remaining redistricting meetings. It should be noted that anyone can attend these meetings; you do not need to have a child in the building or school that these meetings are being held in. On March 24<sup>th</sup>, there will be a presentation at the School Committee meeting for the public to view, which includes the information that has been presented at the redistricting meetings. This enables those who could not attend the redistricting meetings the ability to hear the information via their streaming device.

The 'Day on the Hill' event is set for Tuesday, May 5<sup>th</sup>, 2020.

UMASS Memorial will be providing community health services through the Ronald McDonald care mobile. The dates and times will be shared with local partners once Superintendent Bergeron receives them.

The Superintendent has attached his mid-cycle review for the School Committee to review and welcomes feedback.

**A. Assistant Superintendent of Teaching & Learning**

Mrs. Murphy began her report by stating that the area of focus for this year, based on the Joint Evaluation Committee survey responses, is educator evidence. On March 4<sup>th</sup>, members of this committee attended all MEA meetings in the district and presented on evidence submission and expectations. Teams of teachers are now encouraged to work on team goals and to present authentic evidence of their progress.



Mrs. Murphy shared that a goal of Title I services is to increase parent involvement. To help meet this goal, a “Social and Emotional Learning (SEL): Connecting School and Home Strategies” presentation will be held on March 18<sup>th</sup> at 6:30pm at the District Education Center. This presentation will include discussions on what SEL looks like for various situations in home. This is the third event of this type held this year. There will be free babysitting available for those attending as well.

**7. Acceptance of Minutes: None**

**8. Public Participation: None**

**9. Action Items/Reports:**

**A. FY21 MHS Program of Studies**

Mr. Riley and Mr. Padilla shared the 2020-2021 Program of Studies for MHS and Hildreth. Mr. Riley began by presenting an overview of the changes and updates to Marlborough High School’s Program of Studies. The minimum graduation requirements were changed to reflect the policy from the last School Committee meeting; 96 credits are needed to graduate. Some charts with the thematic teams in that section were changed as well.

The Early College program description page was slightly revised.

Mr. Riley talked about the addition or removal of certain classes in different departments, which are included and outlined in the attached agenda document.

Mrs. Matthews suggested that including a note next to a course stating that it will not be offered this year would be easier than continuously removing and adding the course every year during these Program of Studies presentations.

Based on Mrs. Ryan’s suggestion, Mr. Riley plans to add French to the language table in the course list since CP and Honors French 1 is now being offered again due to staffing.



**School Committee**  
17 Washington Street, Marlborough, MA 01752  
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An English Music Learners course is being added, which will enable students from diverse backgrounds to learn and perform musical pieces. This course aims to celebrate the various cultures and languages students share. Mrs. McNulty, the MHS vocal teacher and director of Chorus and the A Cappella Choir, is teaching the course. She will be supported by various departments, including the EL Department, to assist with any language barriers. There will be a live performance planned for students to showcase what they learned through this course offering.

Mr. Padilla, the Director of the Hildreth Program, Marlborough's alternative high school, presented the first ever Program of Studies for Hildreth. The courses being offered to students are very creative, flexible, modern and hands on to meet the needs of students in an alternative education setting. Such courses include True Crime Literature, Principles of Biomedical Science, U.S. History through the lens of Immigration and Spanish Gastronomy. The Principles of Biomedical Science includes a component where students can see what jobs they can hold in this field depending on the highest degree they attain.

Mr. Padilla also mentioned that there will be vocational offerings for students, such as Creative Arts and Mindfulness, the Art of Fashion, and Food Science. For the Food Science cooking courses, students will become ServSafe certified since it will be incorporated in the curriculum. This certification is necessary for most individuals in the food industry, so achieving this will enable students to become hired more easily. Mr. Padilla touched upon the Life Skills program that he plans to add to the Program of Studies. Two different courses within this program will be offered: Life Skills for the Real-World and Life Skills for College and Career Readiness. The second class will be offered to upperclassmen only. Mr. Padilla hopes to get enough funding to convert a classroom into a pseudo-apartment for the Life Skills for the Real-World class. This will enable students to actively practice the skills they are learning in class, such as how to iron, make your bed, etc.

Mr. Padilla hopes to make Fridays a community service and enrichment day, which could also incorporate Performing Arts since that field was neglected in the proposed Program of Studies as noted by Mr. Caruso.

A motion was made by Mrs. Hennessy, seconded by Mrs. Matthews to move these two Programs of Studies forward.

Motion passed 5-0-0.

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Chairman Vigeant arrived at the School Committee meeting.

## **B. FY21 School Calendar**

Superintendent Bergeron asked the School Committee to review the FY21 School Calendar draft and vote on it if seen fit. Superintendent Bergeron will speak to Chris Duane at the Marlborough Boys and Girls Club to figure out if their services will be offered during the half days.

A motion was made by Chairman Vigeant, seconded by Mrs. Matthews to approve this FY21 School Calendar.

Motion passed 6-0-0.

## **C. Job Descriptions**

### **1. Director of Elementary Curriculum and Instruction**

Superintendent Bergeron wanted to present this job description for a new position offered, though it is similar to one offered in previous years. He wanted to provide background information/details for the School Committee to better understand the Superintendent's Budget proposal.

A motion was made by Chairman Vigeant, seconded by Mrs. Matthews to approve this job description.

Motion passed 6-0-0.

### **2. Transportation Coordinator**

Superintendent Bergeron wanted to present this job description for a new position so that the School Committee better understands the Superintendent's Budget proposal.

Mr. Dias further explained the types of candidates who may apply for this job. While an individual with a four-year degree is preferred, an applicant with a high school degree and experience in this field could easily be trained on the finance aspect of the job by Mr. Dias' office.

A motion was made by Chairman Vigeant, seconded by Mrs. Matthews to approve this job description.

Motion passed 6-0-0.





# Marlborough Public Schools

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**School Committee**  
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## **D. School Committee Approval to Submit FY21 Budget Request for Public Hearing**

Superintendent Bergeron is seeking authorization to post the attached budget hearing notification in the local media. He proposed that the public hearing for the FY21 Budget be at the next School Committee meeting on March 24<sup>th</sup>.

A motion was made by Chairman Vigeant, seconded by Mrs. Matthews to hold a public hearing on March 24<sup>th</sup>.

Motion passed 6-0-0.

## **10. Reports of School Committee Sub-Committees**

Mrs. Ryan mentioned that the School Building Committee, City Councilors, School Committee and members of the MEA visited the new elementary school last week. The city posted some photos, and the keys will be given out on April 7<sup>th</sup>.

The School Committee will let the public know when the open house for the new elementary school will be held for the community. Superintendent Bergeron noted that technology and furniture needs to be moved into the new elementary school before the open house can take place.

Chairman Vigeant stated that this school has more parking available than any other school in the district.

## **11. Members' Forum:**

Mrs. Hennessy congratulated the Marlborough Girls Varsity Basketball team on their success this season regardless of the outcome of their district finals game against Medway.

Mrs. Hennessy mentioned that the MHS musical, 9 to 5, will show at the end of the month on a Friday night, Saturday night and Sunday matinee.

Mrs. Ryan spoke about the book fairs at Kane and Whitcomb. Volunteers are needed!

Mrs. Matthews has reviewed the warrant and will be signing it. Thursday is an early release day as well.

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# Marlborough Public Schools

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**School Committee**  
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## **12. Adjournment:**

Motion made by Chairman Vigeant, seconded by Mrs. Matthews to adjourn at 8:30 p.m.

Motion passed 6-0-0.

Respectfully submitted,

Heidi Matthews  
Secretary, Marlborough School Committee

HM/jm

**APPROVED April 14, 2020**

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School Committee  
17 Washington Street, Marlborough, MA 01752  
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## Call to Order

March 24, 2020

1. Chairman Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Heidi Matthews, Michelle Bodin-Hettinger, Denise Ryan, Katherine Hennessy, Earl Geary, and Daniel Caruso. Also present was Superintendent Michael Bergeron.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.
3. **Roll-Call Vote to authorize meeting remotely pursuant to the emergency Executive Order by Governor dated March 12, 2020**  
A motion was made and seconded by Chairman Vigeant to authorize meeting remotely pursuant to the emergency Executive Order placed by Governor Baker order on March 12, 2020.  
Motion passed 6-0-0. . Yes: Vigeant, Caruso, Geary, Hennessy, Matthews and Ryan. Bodin-Hettinger disconnected during the roll-call vote.

## 4. Public Participation

### A. FY21 Budget Hearing

Chairman Vigeant asked the public to dial 508-460-3503 extension 10121 if they would like to discuss the FY21 budget proposal of \$67,327,844.00.

Superintendent Bergeron waited by the phone for community members to call in.

No individuals from the community called the phone line to speak in favor of the budget, to ask questions regarding the budget or to speak in opposition of the budget.

Chairman Vigeant extended the participation to School Committee members with questions about the budget. There had previously been a budget hearing with the entire School Committee to go through the presentation by the Superintendent.

No School Committee members had questions on the proposed budget.

Chairman Vigeant closed the public hearing, which had no public input.



# Marlborough Public Schools

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*School Committee*  
17 Washington Street, Marlborough, MA 01752  
(508) 460-3509

## 5. Action Items/Reports:

### A. FY21 Budget Vote

A motion was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve the FY21 Budget for \$67,327,844.00.

Motion passed 6-0-1. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Matthews and Ryan. Chairman Vigeant abstained from voting.

## 6. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 7:43 p.m.  
Motion passed 7-0-0.

Respectfully submitted,

Heidi Matthews  
Secretary, Marlborough School Committee

HM/jm

Approved 4-14-2020

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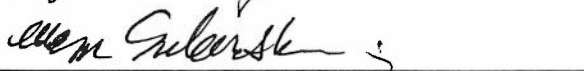
CITY OF MARLBOROUGH BOARD OF ASSESSORS

MEETING MINUTES: February 21, 2020

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2020 MAR 12 A 11:27

1. CALL TO ORDER: 10:00 am
2. MEMBERS PRESENT: Anthony Arruda, Ellen Silverstein  
Also in attendance: Jonathan Frank, Regional Principal Assessor and Paula Murphy, Head Clerk
3. MOTION TO ACCEPT: Minutes of the November 21, 2019 meeting: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
4. APPROVE AND SIGN: Excise Tax Abatements 11/20/19 to 2/14/2020  
Motion to Approve: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
5. DISCUSS AND VOTE: Real Estate Abatement Applications for 20 Applebriar Ln, 21 Austen Way, 342, 484, 681, 735, 757-773 Boston Post Rd East, 33, 219-237 Boston Post Rd West, 65 Cedar Hill St, 325, 876 Donald J Lynch Blvd, 82 Florence St, 67 Forest St, 413 Lakeside Ave, 420 Maple St, 100, 200, 300, 400, 500, 600, 700 Nickerson Rd, 75 South Bolton St  
Motion to Deny: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
6. DISCUSS AND VOTE: Real Estate Abatement Applications for 135-175 Ames St, 221 Boston Post Rd East  
Motion to Table: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
7. DISCUSS AND VOTE: Personal Property Abatement Applications for Certain Victory Martial Arts, Eaton Vance Corp, Mobil on the Run 2722, Mobil Station, Park Place International LLC, Tripath Imaging  
Motion to Grant: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
8. MOTION TO CONCLUDE – Mr. Arruda, second Ms. Silverstein  
Meeting Adjourned : 11:05

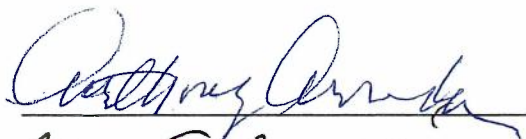
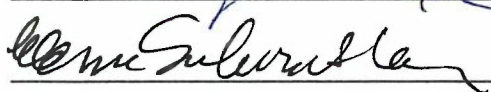
CITY OF MARLBOROUGH BOARD OF ASSESSORS

MEETING MINUTES: March 12, 2020

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CITY OF MARLBOROUGH

2020 APR 15 A 9:31

1. CALL TO ORDER: 10:00 am
2. MEMBERS PRESENT: Anthony Arruda, Ellen Silverstein  
Also in attendance: Jonathan Frank, Regional Principal Assessor and Paula Murphy, Head Clerk
3. MOTION TO ACCEPT: Minutes of the February 21, 2020 meeting: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
4. DISCUSS AND VOTE: Real Estate Abatement Applications for 221 Boston Post Rd East, 62 Forest St, Glen St (79-29, 79-29A & 79-45), Lakeside Ave (79-92A), 2-4 Main St, 286 West Main St,  
Motion to Deny: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
5. DISCUSS AND VOTE: Real Estate Abatement Application for 199-201 Forest St  
Motion to Table: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
6. DISCUSS AND VOTE: Real Estate Abatement Applications for 135-175 Ames St, 28 Boston Post Rd East, 65 Boston Post Rd West, 291-293 Boston Post Rd West, 14 Glen St, Lakeside Ave (79-33B & 79-93) 40 Mechanic St, 2 & 4 & 5 Mt Royal Ave  
Motion to Grant: Mr. Arruda, second Ms. Silverstein  
Vote 2-0
7. MOTION TO CONCLUDE – Mr. Arruda, second Ms. Silverstein  
Meeting Adjourned : 10:45

  
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**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
February 20, 2020 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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CITY OF MARLBOROUGH  
2020 MAR 26 P 3 44**

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

**Absent:** Karin Paquin

**Approval of Minutes** – The minutes of February 6, 2020 were reviewed and unanimously approved 6-0.

**Public Hearings:**

Abbreviated Notice of Intent

43 Red Spring Rd. - James Morin

Proposes to replace the existing single-family home and upgrade the septic system next to Ft. Meadow Reservoir.

At the applicants request prior to the meeting, this item was continued to the next meeting on March 5, 2020.

**Notice of Intent**

The Grove - The Marlborough Conservation Commission

Ms. Ryder explained that she has been working with the city's engineering department to install a dock and repair the eroded shoreline at the Grove Conservation area at Bolton St., next to Ft. Meadow Reservoir (Map 16, Parcel 4). She provided the Commission with a revised plan showing the location of the dead tree to be removed, the location of the shoreline stabilization and the types of docks that are being considered. After some discussion, the Commission asked for more details on the shoreline stabilization method which will be provided at the next meeting. In the meantime, because the water level of the lake is to be raised starting March 1<sup>st</sup>, the Commission agreed that the stones that are in the way of the dock area should be removed with a machine and can be stockpiled up against the shoreline, so they are out of the way of the dock and future car top boats that will use the area. They also noted that some steps to the water would be helpful for those people who want to put the boats in from the shore. Ms. Ryder will convey to the DPW to get the rocks moved sooner than later. This item was continued the next meeting on March 5, 2020 meeting

**Discussion:**

- Open Space Plan recommendations - Ms. Ryder explained that the Open Space and Recreation Committee has been meeting regularly and are finalizing the plan in hopes to have a public meeting to review the final draft sometime late March or April with a final plan approved by the end of April. She reviewed the open space map showing properties still to be protected and asked the Commission what jumped out as priorities to them. Mr. Demers noted that Houde's tree farm was an important parcel, Mr. White noted that the parcels between Elm St. and Berlin Rd. along Millham Brook are important wildlife corridors and important to watershed protection and should be protected. Others noted that the 80 Acres of Shoestring Hill are the last large contiguous parcels and are very important to Sudbury

Reservoir watershed and has abundant wildlife and should be preserved. The following list of high priority parcels were deemed to be important to protect in full or in part in no order:

- South Street Swamp and Shoestring hill
- Properties next to Ft. Meadow
  - Next to The Grove
  - 5 acres at end of Red Spring Rd.
  - Boston Scientific parcel next to Ft. Meadow (Blaiswood Ave.)
- Riano Farm – South St.;
- Houde Tree Farm- Berlin Rd.
- Magee horse farm- Rte. 20 East
- Gulbankians fields
- Hillside School – property
- Parcels along North Branch brook Millham Brook (off Elm St.) for watershed protection
- Mauro parcel on Hemenway St. (under Ch. 61A)
- Parmenter Rd. parcels next to Callahan State Park and City Conservation Land.

The Commission will continue to look at the maps and will provide final list at the next meeting to inform the planning process. Ms. Ryder will provide maps and an updated list for the next meeting.

#### **Correspondence/Other Business**

- Desert Natural Area/Memorial Forest Pitch Pine – Scrub Oak Barrens Restoration – 2020 Prescribed Burn letter to abutters. Ms. Ryder noted that the public presentation is on Thursday February 27<sup>th</sup> at the Assabet River Wildlife Refuge.
- Jenks Lane- Goodale Subdivision - Mr. White expressed concern about the subdivision off Goodale Rd. which is under development and inquired about erosion controls and control of runoff from the site. Chairman Clancy noted that unless there is muddy water leaving the site and entering the wetland down the street, the Commission has no jurisdiction. However, Ms. Ryder will talk to Mr. Collins at the DPW to be sure he is aware that work is proceeding at this project.

**Next Meeting** – March 5<sup>th</sup> and March 19<sup>th</sup>, 2020

#### **Adjournment**

There being no further business, the meeting was adjourned at 8:02 PM.

Respectfully Submitted,

  
Priscilla Ryder – Conservation Officer

**Marlborough Historical Commission Meeting Minutes**  
**February 20, 2020**  
**City Hall 140 Main Street Council Committee Meeting Room**

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2020 MAR -6 A 9:16

Board Attendees: Robert Fagone, Melanie Whapham, Brendan Downey, Alan Slattery, Cpt. Nicholas Evans, Andrea Bell Bergeron.

Absent: Pamela Wilderman

Meeting called to order 7:05 PM

1. January minutes approved.
2. Correspondence & Communications.
  - a. The MHC chair spoke to Chandra Lothian Re: Tying MHC preservation efforts to her project of documenting and creating watercolor images of historic houses in Marlborough (currently on display on the 1<sup>st</sup> floor of the Marlborough Public Library).
3. Preservation by Education
  - a. Reference Correspondence & Communications, item a from above. Shifting focus of MHC historic house sign pilot program from previously proposed "Church St" geographic area to houses that have already been documented in Chandra Lothian's complete project.
    - i. The MHC chair will re-engage resources at Marlborough High School that we have worked with in the past in an attempt to produce the house signs. Community engagement and school participation is preferred to using a commercial sign maker.
  - b. "Historic Preservation Review Period"
    - i. The MHC Board will begin to define the list of "properties of interest" based on the MACRIS list produced by Nat Bowen GIS Administrator and the Massachusetts Historical Society. We will refer to this list as the Marlborough MACRIS List. His list will be developed with the Building Department in mind as well.
    - ii. There is a need to physically inspect the properties on the Marlborough MACRIS list in order to confirm that the properties are currently in a state worthy of historical review and potential preservation. A go forward strategy for exterior "drive-by" inspections will be defined during the March MHC meeting.
4. Motion to adjourn. Seconded and so moved 8:12 PM

Respectfully submitted,  
Brendan Downey



**Marlborough Public Library Board of Trustees**

**Meeting Minutes**

February 4, 2020

Bigelow Auditorium, Marlborough Public Library

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2020 APR -1 P 12:44

Meeting called to order by Tom Abel at 7:02pm

Board Members Present: Tom Abel, Fred Haas, Nena Bloomquist, Robyn Ripley, Janice Merk, Karen Bento, Rustin Kyle, Bill Brewin

Also Present: Margaret Cardello, Library Director

Documents Reviewed/Referenced:

1. Agenda
2. Minutes from the January 7, 2020 meeting
3. Trust Fund/State Aid reports for January 2020
4. Director's Report

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the January 7, 2020 meeting was passed (Haas/Kyle).*
2. **Trust Fund Reports:** *A motion to approve the Trust Fund Reports for January 2020 was passed (Bloomquist/Haas).*
3. **Director's Report:** (see attached for more details)
  - Margaret provided several updates regarding the library renovation project:
    - A project update was shared with the City Council Finance Committee on February 3. LLB Architects presented an overview of the current design and interior layout, and answered a range of questions from committee members. The presentation was well received.
    - Margaret is working with the Marlborough Public Library Foundation on a series of similar presentations throughout the month of February for members of the community. The first is scheduled for February 5 for local businesses.
    - The next Building Committee meeting will be on February 13.
    - Library staff is hard at work sketching out layout for the temporary library space in the Walker Building. Margaret is working with Mark Gibbs in planning for network requirements in the building.
    - Margaret met with Tech Logic to begin planning for the RFID tags, self-checkout capabilities, and other security features in the new building.



- A new Votacall phone system will be installed in the library shortly, enabling the staff to become familiar with the new system before moving into the temporary space in the Walker Building later this year.
- Low salaries continue to be a major challenge in retaining staff. With several employees on medical leave, a pending retirement and a recent resignation, maintaining proper staffing levels for all of the 66 hours the library is open each week has become increasingly difficult. Salaries for all positions and especially clerks are not competitive with those offered by similar communities. The part-time positions pay well below minimum wage. The person who recently resigned took a similar position in a neighboring library paying almost double the hourly rate she earned at MPL. Margaret has been unable to fill another part-time position in the Children's Department which has been open since August 2019. A qualified candidate was interested in the position recently, but would not accept the job based on the wages. Margaret noted that she is using a temporary staffing service to cover some of staff shortages, and this service pays higher wages to its staff than Marlborough pays to its employees. She is hopeful that the project to update job descriptions, which should be completed soon, will be useful in rectifying this situation.
- MPL has received a \$649 grant from the Marlborough Board of Library Commissioners to fund online training for staff on serving vulnerable populations. Our staff is very interested in expanding their skills in this area. The grant came as a result of our attendance at a MBLC workshop on this topic.
- The first Micah Center program on Voter Registration on January 15 was well attended. The library supplied information on this important issue, including how to investigate candidates, issues, and the general news for legitimacy and facts. The next topic of the next program will be immigration and human traffic.

#### **4. Committee Reports:**

- Marlborough Public Library Foundation:  
MPLF Chair Nena Bloomquist discussed plans to build community awareness of the renovation project by hosting a series of public sessions in February for the public to see the design and learn more about the renovation. The Foundation will also be working on new materials that will include the architect's renderings of the building and proposed floorplans.

#### **5. Old Business:**

- The board discussed various rating systems to be used in evaluating essays submitted by applicants for the MPL Trustees scholarship for graduating high school students. Fred Haas will provide a draft for the board's consideration at the March meeting.

**6. Old Business:**

- There was no new business at this meeting.

**7. Adjournment:** *A motion to adjourn passed at 8:10pm (Rustin/Brewin)*

Minutes submitted by Janice Merk.

MINUTES  
MARLBOROUGH PLANNING BOARD  
MARLBOROUGH, MA 01752

1A

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CITY OF MARLBOROUGH  
February 24, 2020  
2020 MAR 10 PM 1:20

**Call to Order**

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

**1. Meeting Minutes**

**A. February 10, 2020**

Following a clarifying question by Mr. LaVenture on item 5B, on a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the minutes of February 10, 2020. Motion carried.

**2. Chair's Business (None)**

**3. Approval Not Required (None)**

**4. Public Hearings**

**A. Joint Public Hearing – Tree removal along a scenic way – Pleasant St.**

Chair 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:**

Christopher White, City of Marlborough Tree Warden, was in attendance for the presentation. Mr. White has been the City's Tree Warden since 1997 and is before the Board to discuss an upcoming Public Works project on Pleasant Street that involves the removal of five trees within the public way. Mr. White showed a construction plan with photos of the affected trees by location and explained the reasons for removal in each case. The affected trees are either damaged, diseased or causing damage to the adjacent sidewalks, walls and roadway. Mr. White also noted the tree replanting plan.

**Speaking in Favor:**

No person spoke in favor of the tree removal plan. Chair Fenby closed that portion of the hearing.

**Speaking in Opposition:**

No person spoke in opposition to the tree removal plan. Chair Fenby closed that portion of the hearing.

**Questions and Comments from Board Members:**

Mr. LaVenture asked Mr. White if there is a formal tree replacement program in the City. Mr. LaVenture recounted that he once lived in an area decimated by Dutch Elm disease. Those trees were lost and were not replaced. Mr. White said the tree replacement plans typically involve replacement with species that are more resistant to disease. Tree replacement is typically the last phase of a project, so there could be delays associated with replanting if a project is ongoing or if funding or staff is limited. Mr. White pointed out that the plan calls for more trees to be planted on this project than will be removed. Chair Fenby asked members whether they needed additional time to consider the matter or to visit the site. Members felt the presentation fully identified and explained the need for the tree removal. As there were no further comments or questions, Ms. Fenby closed the public hearing. On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted to approve the removal of the following trees within the public way: 169 Pleasant St. – 32" Oak; 207 Pleasant St. – 18" Oak; 274 Pleasant St. – 12" Pear; Maplewood Cemetery - 32" Oak and 18" Oak. Motion carried.

## 5. Subdivision Progress Reports (City Engineer, Updates and Discussion)

### A. Goodale Estates

- i) Communication from Solicitor Grossfield-Reference to signed deed for roadway and municipal easement
- ii) Performance Agreement - Recorded with Middlesex South Registry of Deeds (Book 74150, pages 335-340)
- iii) Lot Releases - Recorded with Middlesex South Registry of Deeds (Book 74150, pages 341-342)

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file each of the above referenced documents. Motion carried.

### B. Commonwealth Heights – Pre-Approval Discussion

Scott Weiss from The Gutierrez Company was present for the discussion. Mr. Weiss recapped the proposed plan revisions which were made in response to Board input. Changes includes the shortening of the cul-de-sac roadway from 1072 feet to approximately 990 feet. This change still requires a waiver for a roadway in excess of 500'. An emergency access from Forest St. remains. The revised plan will also call for additional drainage swails and additional screening between the Commonwealth Heights project and the existing surrounding neighborhoods. Mr. Fay requested that Mr. Weiss walk through the Forest St. lots. Mr. Weiss confirmed that 343 Forest St. was not part of the development. Mr. Weiss explained that lots 22 and 23 both front and gain access from Forest St. Lot 21 is on the corner of Forest and Ames, and lot 20 fronts Ames St.

Mr. Weiss explained the sketch plan showing the elimination of lots 9 and 10 at the end of the cul-de-sac. There was a discussion on two options to reduce the total lots. Option 1) combine lot 8 with lot 9 and combine lot 10 with lot 11; Option 2) Maintain two unbuildable lots (9 and 10) with a berm and separation at the rear of the cul-de-sac. Mr. Weiss preferred to leave lots 9 and 10 separate. The lots contain a detention basin and have access for maintenance. Mr. Weiss said that they could designate the lots as non-buildable and put a restriction in the deed. He said he would work with the City to do what makes the most sense. The possibility of making an open recreational space was discussed, but consideration to abutting lots may make this option less desirable. Mr. Fay felt the space should remain in private ownership.

In response to last meeting's question about whether proposed plan changes would trigger a new public hearing, Mr. LaVenture read the 2-21-20 email communication from Solicitor Grossfield (item 5Bi) into the record. In the Solicitor's opinion, because the previous public hearing on the subdivision was closed, a new public hearing would allow interested parties to participate and provide input to the Board that could be influential in their decision making. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the communication. Motion carried. Mr. LaVenture read the 2-17-20 email communication from Scott Weiss (item 5Bii) into the record. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the communication. Motion carried. In response to abutters' and Board input, the email details several proposed changes to the subdivision plan. Proposed changes include the following:

- Shortening the roadway by a minimum of 85' and designating lots 9 and 10 as "non-buildable". The area to the rear of the cul-de-sac would include a berm and additional screening from existing neighborhoods.
- The roadway cross-section would include a 28-foot paved road with a six-foot planting strip and five-foot sidewalk on both sides. (Similar to Mauro Farms subdivision).
- A permanent swail and landscape screening consisting of a row of evergreens will be planted along the rear lots 2,3, and 4. The Board also requested additional screening behind lots 11,12, 13 and lot 23. Mr. Weiss said he was agreeable to this additional screening.



Mr. Weiss requested a vote on the subdivision waivers to facilitate the plan finalization and review. Ms. Fenby said the Board would not vote on waivers at this time but asked each member to give their sense of support for the waiver requests. Each member expressed their support for the roadway length reduction. Regarding the modified cross-section, Mr. Fay asked City Engineer DiPersio if the altered cross section required any of the existing infrastructure to change. Mr. DiPersio said no installed utilities would need to be moved. The Board acknowledged they preferred this cross-section which contains a grass strip next to the roadway.

Mr. Fay asked if Mr. Weiss would commit to completing the roadway in two years even if Gutierrez didn't locate a development partner. Mr. Weiss stopped short of making that commitment since that is not their area of expertise. Mr. Fay recounted the Board's experience with another development in the City that sat unfinished for an extended period. When the roadway was completed, the lots sold, and houses were built. Mr. Weiss indicated he has a clear understanding of the Board's expectations.

Mr. Weiss expressed that he preferred not to hold a second public hearing, since he felt the project changes would result in less impact to the surrounding neighborhood. The Board, however, agreed with the Solicitor. Given the project's history, the Board felt notifying abutters of the proposed plan design changes would be in the public's best interest. A new public hearing was scheduled for Monday, March 23, 2020 at a regular meeting of the Planning Board. Mr. Fay suggested the presentation focus on the project changes and how these changes are designed to mitigate impacts to existing neighborhoods. Mr. Weiss indicated that instead of filing a new application, the revised plan will be considered as part of the pending application. Mr. Weiss will request an extension of time to act. Ms. Fenby suggested allowing an additional 60 days to render its decision. Mr. Weiss will prepare the extension request for the 03-09-20 agenda.

**6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)**

**7. Definitive Subdivision Submissions (None)**

**8. Signs (None)**

**9. Correspondence (None)**

**10. Informal Discussion**

**A. ANR Case – Long Pond Estates – Lot access discussion**

Mr. Fay introduced the topic. He refreshed the Board on its previous discussions regarding ANR plans and lot access. Specifically, the Board previously deliberated whether a lot using frontage along an unimproved way meets the standard for an ANR endorsement. Attorney Aykanian had informally shared the Long Pond Estates case in support of his assertion that a previously submitted (and later withdrawn) ANR plan meets the standard for ANR endorsement.

Chair Fenby requested feedback from members. Mr. Fay would like to refrain from comment until other members have an opportunity to express their thoughts. Mr. Russ did not see the applicability of the Long Pond Estates case in establishing adequate access in the Concord Rd./Hemenway ANR plan. He paraphrased the Long Pond case findings "[P]lanning Boards are authorized to withhold ANR endorsements in those unusual cases where the 'access implied by [the] frontage is...illusory in fact.'" In the May ANR case, frontage is derived from an unimproved way (path) that has no usual vehicular traffic. In the Long Pond Estates case, the plaintiff prevailed since lot frontage was along an improved public way, albeit with occasional flooding. The discussion also noted that access was also available via another improved public way when flooding was present. Mr. LaVenture agreed that the Long Pond case does not appear to adequately represent the situation with the Concord Rd./Hemenway ANR Plan.

Mr. Russ noted the proponent's desired lot access is from Concord Rd., a scenic way with stone walls. He wondered if the walls would restrict access. City Engineer DiPersio stated that a public hearing is required to move the walls, but there is nothing prohibitive in the regulations. He also noted that houses may be accessed from a way other than their legal frontage. He stated there are several lots fronting Sudbury St, (an improved public way), but the access is from other ways.

Mr. Russ wondered if the property owner could build a driveway on Concord to his rear lot. Mr. DiPersio stated that that he would need to build a subdivision to create the necessary frontage. Mr. Russ wondered whether an ANR endorsement in this situation would make "rear lots" commonplace. Mr. Fay added the Board must always evaluate whether decisions are in the public's best interest. He anticipates the applicant will refile the ANR plan seeking the Board's endorsement. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file item 10A. Motion carried.


**11. Calendar Updates**

A. Public Hearing: Revised Plan Commonwealth Heights Definitive Subdivision Plan 03-23-20.

**12. Public Notices of other Cities & Towns (None)**

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

**MINUTES**  
**MARLBOROUGH PLANNING BOARD**  
**MARLBOROUGH, MA 01752**

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH  
 MAR 16 2020

**Call to Order**

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

**1. Meeting Minutes**

A. February 24, 2020

On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the minutes of February 24, 2020. Motion carried.

**2. Chair's Business**

A. Chair Fenby shared that Nusrath Kahn has elected not to join the Planning Board.

B. Public Hearing Date: Council Order 20-1007947 – Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Storage Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12. The Board selected April 6, 2020 for the public hearing date.

**3. Approval Not Required (None)**

**4. Public Hearings**

A. Proposed Zoning Amendment to Section 650 §17 & §18 – Livestock Farms.

Chair 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:**

City Councilor Robey spoke about the need for the proposed zoning amendment. A resident had contacted her asking about Marlborough's livestock regulations- specifically, raising chickens. Upon research, she found the City's current code lacks specificity on what is allowed or disallowed. Councilor Robey stated the City Code contains the statement, "All uses not noted in § 650-17, entitled "Table of Uses," shall be deemed prohibited." If the code is searched for chickens, there are no results found. If the code is searched for poultry, there is some information one can reference the Table of Uses. Livestock farms need to be over ten acres, but there are few properties in and are only allowed in the Rural Residential zone. There are not many properties in Marlborough over ten acres and located in the Rural Residential area.

Councilor Robey stated she is aware that residents in the city raise chickens for fresh eggs for personal use. She noted that Framingham recently reworked its ordinance and she consulted with the City Solicitor on the proposed ordinance with input from the Board of Health and Building Commissioner Cooke. She learned that the BOH has its own regulations and permitting process for chickens. The amendment includes language allowing slaughtering of chicken hens for personal use only. The Table of Uses will be amended to allow for six or fewer chickens in Rural Residential, A-1, A-2, A-3, Residence B, and Residence C and between seven and twelve in Rural Residential, A-1, A-2, and A-3 but not in Residence B or Residence C. Chickens are not allowed in the newly created Wayside District. Councilor Robey requested the Board's consideration of the proposed amendment.

**Speaking in Favor:**

Mr. Joseph Bisol of 212 Hudson St. spoke in favor of the amendment. He had a negative experience with a rooster in his neighborhood. Without this ordinance, he feels that the City lacks the ability to enforce situations like his. He doesn't feel any resident should need to resort to legal action due to lack of specificity in the code. He states that the zoning amendment will improve the quality of life for citizens in the City. With no further comment, 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 asked whether the Board of Health requires a fee for people to register their chickens. He is opposed to any additional fees. Mr. Fay expressed concern that coyotes and other predators are attracted to chickens. Councilor Robey asked to address the Board, granted ... She said that coyotes and foxes already live in and around our neighborhoods and knows that these predators will take advantage of any opportunity. She is aware that the chickens along the rail trail have been taken by predators in the past. She still thinks the City needs this code in order to allow the keeping of chickens for personal use. Mr. Russ asked whether the Board of Health (B.O.H.) had any concerns over fecal matter. Ms. Robey said that the registration with the B.O.H. allows them to monitor the properties to see that they are being maintained. Mr. Russ brought a sample regulation from the Town of Leicester. Mr. Russ reviewed several elements of the Leicester ordinance, which includes an exclusion for lots less than 7,000 square feet, restrictions against placement of poultry structures within a protected wetland or buffer zone or near homes as well as a specification of design characteristics for structures. Mr. Russ believes the Marlborough ordinance lacks specificity. Mr. LaVenture shares some of the members' concerns. Coyotes, foxes and other wildlife may be drawn to coops. While he didn't want to overreact, considering the current concerns about virus transmission, he wondered if we should be concerned about any diseases carried by birds. Can we reach out for comment from the B.O.H.? His concerns include waste management, sickness, predators, and uncertainty about compliance with registration. Mr. Elder said the issue is no different than dog owners who fail to register their dogs. On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to refer the matter to the Board of Health for comment. Motion carried. Chair Fenby declared that the public hearing will be continued until the next meeting of the Planning Board.

**5. Subdivision Progress Reports (City Engineer, Updates and Discussion)**

- A. (Preapproval Discussion) Commonwealth Heights Definitive Subdivision– 3-2-20 Communication from Mr. Scott Weiss, The Gutierrez Company. Request for extension of time for decision.

Mr. LaVenture read the 3-2-20 email communication from Mr. Weiss into the record. On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted accept and file the communication and to grant the requested extension of time for review and consideration of the Commonwealth Heights application to 03-23-20. Motion carried.

- B. Communication from Assistant City Engineer Collins: Request for lot release – Forest Grove Subdivision (Housekeeping matter)

Mr. LaVenture read the March 5, 2020 communication from Assistant City Engineer Collins into the record. A title exam and research by D'Ambrusco Law, LLC, revealed a deficiency in the 2002 lot release for the Forest Grove Subdivision. Mr. Collins provided a detailed chronology and evolution of several subdivision applications that lead to the mistake. For the Board's consideration, Mr. Collins attached a Release of Lot(s) form which corrects the errors in the previous release.

**6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)****7. Definitive Subdivision Submissions (None)**



**8. Signs (None)**

**9. Correspondence (None)**

**10. Informal Discussion (None)**

**11. Calendar Updates**

- A. Public Hearing- Council Order 20-1007947 – Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Storage Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12. Hearing Date: Monday, April 6, 2020.

**12. Public Notices of other Cities & Towns (Included in electronic packet)**

- A. City of Framingham – 4 Notices
- B. Town of Sudbury – 2 Notices
- C. Town of Northborough - 1 Notice

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,

A handwritten signature in blue ink, appearing to read 'George LaVenture', with a stylized flourish at the end.

George LaVenture/Clerk

/kih

**MINUTES**  
**MARLBOROUGH PLANNING BOARD**  
**MARLBOROUGH, MA 01752**

1B

RECEIVED  
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CITY OF MARLBOROUGH  
March 23, 2020  
2020 APR 21 P 2:50

The Marlborough Planning Board did not conduct a regular meeting on March 23, 2020.

At 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA., Planning Board Administrator, Krista Holmi, read the 3-19-20 communication from Chair Fenby authorizing Ms. Holmi to address items 4A and 4B. No public attendance was permitted.

1. Meeting Minutes (None)
2. Chair's Business (None)
3. Approval Not Required (None)
4. Public Hearings
  - A. Commonwealth Heights Definitive Subdivision – Revised plan  
Applicant - The Gutierrez Company  
Project Engineer - Connorstone Engineering, Inc.  
Location – 10.55 Acres located on the corner of Forest Street and Ames Street. Middlesex Registry of Deeds Book 31932, page 445 (Lot 14).  
**THIS PUBLIC HEARING WAS OPENED WITH NO TESTIMONY FROM THE PUBLIC BEING HEARD AND CONTINUED UNTIL APRIL 27, 2020 AT 7:00 PM.**
  - B. Continued Public Hearing - Proposed Zoning Amendment to Section 650 §17 & §18 – Livestock Farms.  
**THIS PUBLIC HEARING WAS REOPENED WITH NO TESTIMONY FROM THE PUBLIC BEING HEARD AND CONTINUED UNTIL APRIL 27, 2020 AT 7PM.**
5. Subdivision Progress Reports (None)
6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)
7. Definitive Subdivision Submissions (None)
8. Signs (None)
9. Correspondence (None)
10. Informal Discussion (None)
11. Calendar Updates (None)
12. Public Notices of other Cities & Towns (None)

Respectfully submitted,



Krista Holmi/Planning Board Administrator

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CITY OF MARLBOROUGH

2020 MAR 26 P 5:38



**CITY OF MARLBOROUGH  
OFFICE OF TRAFFIC COMMISSION  
140 MAIN STREET  
MARLBOROUGH, MASSACHUSETTS 01752**

**Traffic Commission Minutes**

The Regular Meeting of the Traffic Commission was held on Wednesday, January 29, 2020 at 10:00 am in Memorial Hall, 3<sup>rd</sup> Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni, Fire Chief Kevin Breen and City Clerk Steve Kerrigan. Also present: Assistant City Engineer Tim Collins, Sgt. Zac Attaway and Officer Andy Larose from the MPD Traffic Services Unit and City Councilor Christian Dumais. Minutes taken by Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, November 27, 2019.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

**2 - New Business - (2a & 2b discussed together)**

**2a) Poor Streetlight Conditions – West Main St./Winthrop St.**

Councilor Irish submitted this issue on behalf of a concerned resident after the recent pedestrian accident at this location. He referred to it as “the subpar street lighting situation on West Main St./Winthrop St.”

**2b) Request for Crosswalk Warning Signage – West Main St. @ Winthrop.**

Sgt. Attaway submitted this request for the same intersection. In addition to the recent pedestrian accident here, he also noted that “the crosswalk is commonly used for foot traffic going to and from Short Funeral Home and it leads to a school on Orchard St.”

Officer Larose was on scene the night of the pedestrian accident. He is a member of the CEMLAC Reconstruction Team and is the lead investigator for this accident. As

background, he explained that the female pedestrian was crossing from the South side to the North side at Short Funeral Home with 2 dogs when she was hit in the crosswalk. Both dogs were killed. The pedestrian was seriously injured but will be OK.

The investigation is ongoing, however, he pulled up photos of the intersection along with video of the roadway showing both dry and wet conditions from different views. In the daylight when dry, the visibility was pretty good even though the crosswalk is faded. The video showing wet conditions was taken the same night as the accident. He noted that the rain and the glare from the lights makes the crosswalk almost invisible. He doesn't think it is due to the street lighting. Even in the daylight it can be difficult to see the crosswalk. The accident occurred at 8:26 pm. It had been raining during the day and was misty at the time of the accident. The speed limit here is 30 mph (not posted) and there are no advance warning signs for the crosswalk. He explained that a vehicle travels 44 feet per second at 30mph and would need 114 feet to see, react and stop. Chief Giorgi asked if you could see the crosswalk with better paint? Or if not, because of the grade of the road? Tim Collins said that the safe thing is to not enter the crosswalk until the road is clear. The pedestrian also has some responsibility. All agreed that the crosswalk should be repainted. Another issue is that this particular crosswalk is almost a midblock crosswalk and a driver doesn't expect to stop here.

Officer Larose said that he has been monitoring the area since the accident and that this is a very busy crosswalk. He said that he didn't realize how many people actually cross here. It would also be helpful if Short Funeral Home had a sign that they could put out during services that would designate, "Yield to Pedestrians".

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to paint the crosswalk and install advance warning signs and to REFER to Sgt. Attaway to reach out to Short Funeral Home on the sign. Also, Chief Giorgi will talk to Councilor Irish and advise him of the discussion.

### **3-Old Business**

#### **3a) Parking Issues on John Street around the playground area.**

Chief Giorgi prepared the amended regulation for the "Time Limit parking" on John Street (i.e. No Parking from Dawn to Dusk) near the playground and presented it for a vote.

MOTION was made, seconded, duly VOTED to APPROVE the regulation as drafted.

#### **3c) Hillside School – Dangers on Robin Hill Street.**

**Update:** Tim Collins advised that there was nothing on the site plan about putting in a crosswalk. It was discussed that the Traffic Commission can create the safety zone for children to cross, however, the regulation should be contingent upon the school putting in the crosswalk. Chief Giorgi advised that he can talk to the school or Priscilla regarding the site plan.



MOTION was made, seconded, duly VOTED to APPROVE the regulation, however, implementation (i.e. putting up signage) for the 20 MPH Safety Zone will be contingent upon installation of the crosswalk. ALL IN FAVOR.

*Chief Giorgi asked to suspend the rules to discuss an item not on the Agenda.*

**Recent incident involving bus traffic to and from the NESC and a resident of Ferrecchia Drive.**

Chief Giorgi passed out a copy of an email from Officer Snapp explaining that the residents of 94 Ferrecchia Drive wanted the Chief to be aware of this incident. The resident followed the bus and made contact with the driver to advise him that he was not supposed to be using Ferrecchia Drive to travel to the rink. A disturbance ensued and the police were called to the area.

Tim Collins pulled up an aerial photo of the area and said that buses are supposed to be advised by NESC not to use residential neighborhoods for bus travel. The driver of this particular coach bus said that he was never advised as to any alternate route and he also did not see any signs to this effect. Tim Collins said that at one time there was an agreement with the local hotels (that were currently open) and the rink to use other preferred routes for bus travel. Steve Kerrigan said that he used to work at a hotel and people would come to the desk and ask for directions. Now, many new hotels have opened in the area and people use apps on their phone for directions and best routes.

Chief Giorgi advised that Lt. Hassapes had a meeting recently with all the local hotels. The discussion was on criminal activity; however, he could also discuss preferred routes for busses. It was also discussed that it would be helpful if NESC would work with the Police Department when big events are occurring. Fire Chief Breen said that the owner of NESC had agreed in the past to work with the hotels. Chief Giorgi said he is also hoping that Lt. Hassapes can work with all the hotels in this group network on the bus route issue as well.

*Assistant City Engineer Tim Collins asked to discuss another item not on the Agenda.*

**Crosswalk and Crossing Beacons for the “Green Project” on Simarano Drive.**

Tim Collins pulled up an aerial photo and diagram of Simarano Drive and the intersection of the I495 Interchange. He said the plan is for condos to be built in this area. He highlighted the proposed crosswalk on the diagram and the proposed “rapid beacon push button signal” at the crosswalk. Mr. Collins advised that Engineering has reviewed the plan and he is now bringing it before the Traffic Commission for pre-approval of the diagram with regard to the proposed crosswalk and turn. This will also need to be regulated later.

Commissioner Ghiloni advised that he would like to look at the plan more closely before taking any action.

Tim Collins said that the members of Site Plan brought up these traffic enhancements and now the finance people want to make sure the plan is approved. The plan has been “conceptually” approved by Site Plan. All agreed the plan was “conceptually” OK.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:31 am.

Respectfully submitted,

Karen L. Lambert  
Records Clerk  
Marlborough Police Department

**List of documents and other exhibits used at the meeting:**

- City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, January 29, 2020 including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, November 27, 2019.
- Email from Councilor Irish to Chief Giorgi, dated 1/15/20, re: West Main St./Winthrop St.
- Email from Sgt. Attaway to the Traffic Commission, dated 1/15/20, re: Request for crosswalk warning signage for West Main @ Winthrop.
- Copy of amended regulation re: Time Limit Parking on John Street.
- Copy of amended regulation re: Creation of Safety Zone Speed Limit of 20 MPH on Robin Hill Street.

**Additional Handouts:**

- Copy of email from Officer Snapp to Chief Giorgi re: Incident Report #20-327-OF – Disturbance Call.
- Aerial photo and diagram of Simarano Drive and I495 Intersection.