

REGULAR MEETING
APRIL 26, 2021
TIME: 8:00 PM

IN CITY COUNCIL
ABSENT
LOCATION: CITY HALL, 140 MAIN STREET, 2ND FLOOR

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

2021 APR 22 P 1:55

This meeting of the City Council will be held virtually on Monday, April 26, 2021 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/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, April 5, 2021.
2. PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new #5 and anchor which will allow for the removal of the pole and tree guy wire at 43 Berlin Road, Order No. 21-1008258.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 827 713 911 #. ****

3. Communication from Assistant City Solicitor Jason Piques on behalf of Councilor Irish, re: Proposed Rezoning of land at 290 Hudson Street, identified as Map 43, Parcel 38 from Limited Industrial to Residence A-3.
4. Communication from the Mayor, re: Grant Acceptance in the amount of \$178,700.44 from the Massachusetts Department of Transportation (MassDOT) awarded to the DPW for a bike lane extension from the Assabet Valley Rail Trail to Main Street.
5. Communication from the Mayor, re: Grant Acceptance in the amount of \$20,000.00 from the Executive Office of Public Safety & Security awarded to the Fire Department for the purchase of individual portable radios, mobile radios, and repeaters for the department's vehicles.
6. Communication from the Mayor, re: Appointment of Tin Htway as Building Commissioner for a 3-year term from date of Council confirmation.
7. Communication from the Mayor, re: Appointment of MaryJo Nawrocki to the License Board for a 6-year term from date of Council confirmation.
8. Communication from the Mayor, re: Reappointments of Gregory Mitrakas and David Bouvier to the License Board for 6-year terms respectively from date of Council confirmation and designation of Gregory Mitrakas as Chair.
9. Communication from the Mayor, re: Reappointments to the Conservation Commission of Edward Clancy for a 3-year term to expire on April 26, 2024 in addition to Dennis Demers and David Williams for 2-year terms respectively to expire on April 23, 2023.

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

10. Communication from the Mayor, re: Proposed Tax Increment Financing (TIF) Agreement with BJ's Wholesale Club, Inc. who will be leasing two buildings, comprising of 168,581 square feet located at 350 Campus Drive and 19,244 square feet located at 100 Campus Drive, Map 111, Parcel 1.
11. Communication from the Mayor, re: Request for the Council to adopt a 90-Day Housing Moratorium on the acceptance of any new multi-family housing projects.
12. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of a Free-Standing Sign, Mobil, 656 Boston Post Road East, within the Wayside District.
13. Petition from Massachusetts Electric, to install a new pole #45/2 within the public right of way approximately 103' west of Pole 25-1 on Forest Street.
14. Application for Modification of Special Permit from Mina Property Group, LLC, to condition #20 (Signage) to allow for increased signage at 408 Maple Street, X17-1006800H.
15. Application for Site Plan Review from Attorney Brian Falk, on behalf of WoHo, to construct a mixed-use project within the Marlborough Village District, 28 South Bolton Street.
16. Application for Renewal of Junk Dealer/Secondhand Dealer License, TVI, Inc., d/b/a Savers, 222A East Main Street.
17. Application for Renewal of Junk Dealer/Secondhand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Secondhand Store, 65 Mechanic Street.
18. Application for Renewal of Junk Dealer/Secondhand Dealer License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.
19. Minutes of Boards, Commissions and Committees:
 - a) School Committee, March 23, 2021.
 - b) Board of Assessors, March 25, 2021.
 - c) Conservation Commission, March 18, 2021.
 - d) Historical Commission, March 18, 2021.
 - e) Municipal Aggregation Committee, March 30, 2021.
20. CLAIMS:
 - a) Grayce DiCenzo, 5 Richardson Road, Hudson, pothole or other road defect.
 - b) Downtown Marlborough LLC, 11 Court Street, other property damage and/or personal injury.
 - c) Loreen Jaundoo, 218 Hemenway Street, residential mailbox claim (2a).
 - d) Daniel McCarthy, 320 Cook Lane, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Personnel Committee

21. **Order No. 21-1008232: Communication from Mayor Vigeant with appointment of Robert Gustafson to the Retirement Board for a three-year term effective on the date of Council confirmation replacing David Keene whose term expired on January 31, 2021.**

Recommendation of the Personnel Committee is to approve. Motion by Councilor Doucette to postpone; discussion with Mayor ensued, and Councilor Doucette withdrew his motion. Councilor Oram asked candidate if he could act without bias. Mr. Gustafson replied in the affirmative.

Motion by Councilor Landers to approve, seconded by Chair, to recommend approval of the appointment of Robert Gustafson to the Retirement Board for a three-year term effective the day after Council confirmation. Motion carried 3-0.

From Finance Committee

22. **Order No. 21-1008242: Transfer in the amount of \$158,128.90 for the DPW as requested by Commissioner Divoll** (to fund the following: superannuation retirement, upcoming legal expenses, purchase of chemicals and maintenance at pump stations, costs for park maintenance projects and costs of scheduled weekend overtime at the west plant).

Recommendation of the Finance Committee is to approve. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll: Motion carried 5-0.

23. **Order No. 21-1008244A: Proposed Amendment to Chapter 67 “Finance”, §28 “Principal Assessor; powers and duties” of the Code to amend qualifications of the Principal Assessor.**

Recommendation of the Finance Committee is to approve. Proposed Ordinance was properly advertised on April 9, 2021 and the 10-day requirement has been met. Answering Councilor Oram’s inquiry why the city is considering a full-time employee in favor of the contract with a professional assessing company, the Mayor stated working with the company was unique with the ability to access diverse expertise and although successful, he is exploring options.

Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the amendment to the City Code, Chapter 67, Finance, section 28, Principal Assessor, powers and duties. Chair Irish called the Roll: Motion carried 5-0.

24. **Order No. 21-1008244B: Proposed Updated Job Description for the position of Principal Assessor.**

Recommendation of the Finance Committee is to approve the Job Description. Per Chair Irish, the Principal Assessor is a 40-hour week position with minimum salary of \$97,435.48 to a maximum of \$109,773.45. Councilor Perlman suggested amendment to page 2 of the job description. Supervision Received: To add and/or Finance Director after Comptroller/Treasurer to complement makeup of the current Finance Team.

Motion by Councilor Perlman, seconded by Chair, to recommend approval of the job description as amended. Chair Irish called the Roll: Motion carried 5-0.

From Human Services Committee

25. **Order No. 21-1008249: That the Human Services Committee hold a public meeting to allow the Marlborough Hospital leadership to present additional details regarding the Mass General Brigham proposed expansion (submitted by Councilor Wagner).**

Recommendation of the Human Services Committee is to accept and place on file Motion by Councilor Irish, seconded by Chair, to accept and file. Motion carried 3-0.

Councilors-at-Large

Mark A. Oram
Michael H. Ossing
Samantha Perlman
Kathleen D. Robey

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 APR -8 P 2:00



Ward Councilors

Ward 1 – Laura J. Wagner
Ward 2 – David Doucette
Ward 3 – J. Christian Dumais
Ward 4 – Robert J. Tunnera
Ward 5 – John J. Irish
Ward 6 – Sean A. Navin
Ward 7 – Donald R. Landers, Sr.

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, APRIL 5, 2021**

The regular meeting of the City Council was held on Monday, April 5, 2021 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Tunnera, Irish, Navin & Landers. Councilors Participating Remotely: Oram, Perlman & Robey. Meeting adjourned at 9:35 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. President Ossing further stated that all votes of the City Council will be taken by roll call vote pursuant to 940 CMR 29.10.

The City Council President asked for a roll call to confirm attendance of all City Councilors.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, March 22, 2021, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Mayor Vigeant provided the City Council with an update on the vaccine rollout and the city's efforts regarding COVID-19.

ORDERED: That the PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of Global Montello Group Corp., to construct and operate a drive-thru facility to serve the current Alltown Convenience Store on the site, 656 Boston Post Road East, Order No. 21-1008215, all were heard who wish to be heard, hearing closed at 8:39 PM, adopted.

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

President Ossing called a recess at 8:39 PM and returned to open meeting at 8:40 PM.

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Councilors Ossing and Tunnera, re: Municipal Aggregation – March 2021 Update, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from At-Large Councilor Kathleen Robey, re: Summary of comments made related to the Proposed Zoning Amendment to Chapter 650 §33 the Results Way Mixed Use Overlay District (RMUOD) with a Proposed Zoning Map Amendment, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Transfer Request in the amount of \$26,805.00 from Reserved for Salaries and Part Time Mail Clerk to fund vacation and sick leave buyback for two retiring employees from the Auditors Office, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:		Auditor				FISCAL YEAR:		2021			
Available Balance	Amount	FROM ACCOUNT:	TO ACCOUNT:	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$45,768.00	\$23,805.00	11990006	57820	Reserve for Salaries	\$18,600.00	11350001	50174	Procurement Officer			\$30,710.10
	Reason:							To cover vacation payout and overlap			
\$7,203.23	\$3,000.00	11330002	50588	Part Time Mail Clerk	\$5,000.00	11350003	51920	Sick Leave Buy Back			\$0.00
								To cover slbb payout			
					\$3,205.00	11350002	50770	Part Time Senior Clerk			\$2,431.20
	Reason:							To cover vacation payout			
	\$26,805.00	Total			\$26,805.00	Total					

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Presentation Materials relative to the Grant/Denial of Special Permits prepared for future Urban Affairs discussion, referred to the **URBAN AFFAIRS COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Application for Special Permit from Attorney Brian Falk, on behalf of Speedy Auto Repair, Inc., to relocate an existing auto body shop from 315 Maple Street to 412-418 Maple Street in the Commercial Automotive Zoning District; with a land area of less than one acre in addition to a preexisting nonconforming structure on the site, in proper legal form, Order No. 20/21-1008162B, **MOVED TO ITEM 22 AND FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Assistant City Solicitor Jason Piques, re: Application for Modification of Special Permit from Todd Wilson, on behalf of Diversified Funding Acquisition LLC/Atlantic Property Management, to add kitchenettes to existing guest rooms for use as an extended stay hotel and the conversion of manager's residence to a guest room for a total of 65 guest rooms at 880 Donald J. Lynch Boulevard (Quality Inn), in proper legal form, Order No. 21-1008171B, **MOVED TO ITEM 23 AND FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Assistant City Solicitor Jason Piques, re: Application for Sign Special Permit, from Serrato Signs, LLC on behalf of Starbucks (St. Mary's Credit Union), 133 South Bolton Street, in proper legal form, Order No. 21-1008199D, **MOVED TO ITEM 24 AND FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Request for Approval of a Flat Wall Sign, Best Value Kitchen & Bath, 796 Boston Post Road East, within the Wayside District, referred to the **URBAN AFFAIRS COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Communication from the Retirement Board re: Notification to City Council that a cost of living increase (COLA) pursuant to MGL Chapter 32, §103(i) will be considered at the board's April 27, 2021 meeting, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Perlman, seconded by the Chair to adopt the following:

ORDERED: That the Communication from the Cultural Council, re: Grant Cycle Awards for 2020 – 2021, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That there being no objection thereto set **MONDAY APRIL 26, 2021** as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric and Verizon New England, to install a new pole 5 and anchor which will allow for the removal of the pole and tree guy wire at 43 Berlin Road, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by the Chair to adopt the following:

ORDERED: That the Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) School Committee, March 9, 2021.
- b) Board of Assessors, January 26, 2021.
- c) Conservation Commission, March 4, 2021.
- d) Historical Commission, February 18, 2021.
- e) Library Trustees, February 2, 2021.
- f) Planning Board, March 8, 2021.
- g) Traffic Commission, February 24, 2021.
- h) Zoning Board of Appeals, March 16, 2021.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) Francisco Colon, 656 Bolton Street, other property damage and/or personal injury.
- b) Keith Goodale, 139 Pleasant Court, other property damage and/or personal injury.
- c) Kim Ho, 79 Prospect Street, other property damage and/or personal injury.
- d) Jamie Andrade & Robert Preciado, 5 Springhill Avenue, other property damage and/or personal injury.
- e) Elizabeth Rew, 13 Vals Lane, other property damage and/or personal injury.

Yea: 11 – Nay: 0

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

Reports of Committees:

Councilor Dumais reported the following out of the Finance Committee:

**City Council Personnel Committee
March 29, 2021
Minutes and Report**

The meeting convened at 7:03 PM

All members of the Personnel Committee were present in the Chamber:
Chair Dumais, Councilors Landers and Doucette

Also Present in Chamber: Councilors Wagner, Tunnera, Navin, Irish, and Ossing and Mayor Vigeant. Councilors Perlman, Robey and Oram, and HR Director Purple participating remotely.

Order No. 21-1008232: Communication from Mayor Vigeant with appointment of Robert Gustafson to the Retirement Board for a three-year term effective on the date of Council confirmation replacing David Keene whose term expired on January 31, 2021.

Motion by Councilor Doucette to postpone; discussion with Mayor ensued, and Councilor Doucette withdrew his motion. Councilor Oram asked candidate if he could act without bias. Mr. Gustafson replied in the affirmative.

Motion by Councilor Landers to approve, seconded by Chair, to recommend approval of the appointment of Robert Gustafson to the Retirement Board for a three-year term effective the day after Council confirmation. Motion carried 3-0

Order No. 1008245: Communication from Mayor Vigeant with amendment to the City Code, Chapter 19, Boards and Commissions, Article VI, Youth Commission.

Mayor Vigeant addressed the changes which will define and simplify the ordinance to allow the efficient reactivation of the Youth Commission, adding it has been difficult to recruit residents to serve on many of the boards and commissions in the city, reducing the number of members from seven to five should make it easier to reactivate this commission. Councilor Robey clarified the purpose of the Youth Commission established in 1992 is for adult members who will work to enhance the quality of life for the city's youth; not related only to sports but a large umbrella of services, and to recommend changes to enhance their quality of life.

Reports of Committee Continued:

The Mayor confirmed there are no age restrictions on membership to the Youth Commission, and he has appointed youth members in the past.

Motion by Councilor Doucette, seconded by Chair, to postpone until the next meeting. Chair Dumais urged councilors to review the ordinance and be prepared to continue this discussion at the next meeting. The item remains in committee.

It was moved and seconded to adjourn; Motion carried 3-0.

Councilor Irish reported the following out of the Personnel Committee:

**City Council Finance Committee
March 29, 2021
Minutes and Report**

The meeting convened at 6:30 PM and was held virtually with Councilors attending in person and/or remotely per the Governor's orders and began with a Roll Call vote of committee members present. Chair Irish called the Roll – All members present: Chair Irish, Councilors Dumais and Tunnera in Chamber; Councilors Oram and Perlman participating remotely.

Also Present in Chamber: Councilors Navin, Ossing, Wagner, Landers and Doucette; Mayor Vigeant. Councilor Robey and HR Director Christine Purple participating remotely.

Order No. 21-1008242: Transfer in the amount of \$158,128.90 for the DPW as requested by Commissioner Divoll to fund the following: superannuation retirement, upcoming legal expenses, purchase of chemicals and maintenance at pump stations, costs for park maintenance projects and costs of scheduled weekend overtime at the west plant.

Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll: Motion carried 5-0

Order No. 21-1008244A: Communication from Mayor Vigeant requesting an amendment to the City Code, Chapter 67, Finance, section 28, Principal Assessor; powers and duties, to amend the qualifications of the Principal Assessor, together with a proposed, updated job description.

Answering Councilor Oram's inquiry why the city is considering a full-time employee in favor of the contract with a professional assessing company, the Mayor stated working with the company was unique with the ability to access diverse expertise and although successful, he is exploring options.

Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the amendment to the City Code, Chapter 67, Finance, section 28, Principal Assessor, powers and duties. Chair Irish called the Roll: Motion carried 5-0

Order No. 21-1008244B: Proposed Job Description for the position of PRINCIPAL ASSESSOR.

Motion by Councilor Perlman, seconded by Chair, to recommend approval of the job description as amended.

Reports of Committee Continued:

Per Chair Irish, the Principal Assessor is a 40-hour week position with minimum salary of \$97,435.48 to a maximum of \$109,773.45. Councilor Perlman suggested amendment to page 2 of the job description. **Supervision Received:** To add and/or Finance Director after Comptroller/Treasurer to complement makeup of the current Finance Team.

Chair Irish called the Roll: Motion carried 5-0

It was moved and seconded to adjourn; Chair Irish the Roll: Motion carried 5-0
The meeting adjourned at 7:01 PM

Councilor Wagner reported the following out of the Human Services Committee:

**City Council Human Services Committee
March 29, 2021
Minutes and Report**

The meeting convened at 7:42 PM

All members of the Human Services Committee were present in the Chamber:
Chair Wagner, Councilors Dumais and Irish

Also Present in Chamber: Councilors Ossing, Doucette, Landers, Navin, Irish. Councilors Perlman, Oram and Robey participating remotely; UMass representatives Jim Leary and Ellen Carlucci participating remotely.

Order No. 21-1008249: Ordered: That the Human Services Committee hold a public meeting to allow the Marlborough Hospital leadership to present additional details regarding the Mass General Brigham proposed expansion...submitted by Councilor Wagner

A PowerPoint presentation dated March 29, 2021 was submitted by hospital officials detailing the proposed plan by MGB (formerly 'Partners') listing its target communities, including Ashland, Berlin, Bolton, Framingham, Grafton, Hopkinton, Hudson, Marlborough, Milford, Northborough, Shrewsbury, Southborough and Upton and its impact on local healthcare institutions, especially Marlborough Hospital as a safety net hospital and UMass Memorial a safety net system (high public payer) per the Health Policy Commission.

The MGB Application is under review by the Massachusetts Department of Public Health. A public hearing will be held on April 6, 2021 from 6-9PM; written testimony will be accepted up to April 16, 2021.

Marlborough Hospital officials believe the proposed expansion will raise costs, worsen health care equity, and destabilize safety net providers.

Chair Wagner stated she was impressed by research that found Marlborough Hospital ranks 9th in the Commonwealth and 94th across the country for value of care for safety net hospitals.

Hearing no further input, Chair Wagner thanked hospital officials for bringing this information to the attention of the City Council.

Motion by Councilor Irish, seconded by Chair, to accept and file. Motion carried 3-0

It was moved and seconded to adjourn; Motion carried 3-0
The meeting adjourned at 8:20 PM

Motion by Councilor Wagner, seconded by the Chair to adopt the following:

Suspension of the Rules requested to allow a communication – granted.

Yea: 11 – Nay: 0

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

Motion by Councilor Wagner, seconded by the Chair to adopt the following:

ORDERED: That the Human Services Committee hold a public meeting to allow the Mass General Brigham Hospital Leadership to present additional details regarding the Mass General Brigham proposed expansion, referred to the **HUMAN SERVICES COMMITTEE**; adopted.

(Submitted by Councilor Wagner)

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the request of the Department of Public Works to create the new position of Resident Drop-Off Station Attendant to be included in the Marlborough Municipal Employee Association (MMEA) as outlined in the Job Description pursuant to Chapter 125 entitled “Personnel” §5 “Preparation of Classification Descriptions” of the Code of the City of Marlborough, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

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,” §6 “SALARY SCHEDULE AS FOLLOWS:

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

RESIDENT DROP-OFF STATION ATTEMNDANT

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	\$18.0000	\$144.0000	\$720.00	\$37,440.00
01	\$18.7500	\$150.0000	\$750.00	\$39,000.00
02	\$19.5313	\$156.2504	\$781.25	\$40,625.10
03	\$20.3451	\$162.7608	\$813.80	\$42,317.81

II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule.

Suspend First Reading; Adopt Second Reading; APPROVED.

Yea: 11 – Nay: 0

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

Passage to Enroll; APPROVED.

Yea: 11 – Nay: 0

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

Passage to Ordain; APPROVED.

Yea: 11 – Nay: 0

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

No objection to passage in one evening.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Transfer Request in the amount of \$243,000.00 from PEG fund to IT to fund various upgrades to equipment and software programs, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS -												
DEPT:		IT		FISCAL YEAR:		2021						
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance		
Amount	Org Code	Object	Account Description	Amount	Org Code	Object	Account Description	Amount	Org Code	Object	Account Description	Amount
\$436,486.54												
\$243,000.00	27000099	47750	Receipts Reserved-PEG Funds	\$243,000.00	19300006	58618	IT Equipment					\$0.00
	Reason: Use PEG funds for network monitoring system											
\$243,000.00	Total			\$243,000.00	Total							

Yea: 11 – Nay: 0

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

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Appointment of Christine Purple as Human Resources Director for a 3-year term effective day after Council confirmation, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED:

**DECISION ON A SPECIAL PERMIT
SPEEDY AUTO REPAIR, INC.**

ORDER NO. 20/21-1008162C

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to Speedy Auto Repair Inc. (the “Applicant”) for an auto repair use at 412 – 418 Maple Street in the Commercial Automotive Zoning District, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Speedy Auto Repair Inc., is a Massachusetts corporation with an address of 315 Maple Street, Marlborough, MA 01752.
2. The Applicant is the prospective owner of the property located at 412 – 418 Maple Street, Marlborough, Massachusetts, being shown as Parcels 66A & 68 on Assessors Map 93 (the “Site”).
3. In accordance with Article V, Section 650-17 and Section 650-18.A(25), of the Zoning Ordinance of the City of Marlborough (the “Zoning Ordinance”), the Applicant proposes an auto repair use at the Site on a parcel with an area of less than one acre, and in accordance with Article IV, Section 650-12.B, of the Zoning Ordinance, the Applicant proposes a change in use of a preexisting nonconforming structure at the Site from retail / small engine repair to auto repair (the “Use”). As shown on the Plans referenced in paragraph 5 below, the Use consists of a building containing the auto repair operation, accessory parking, storage structures, and landscaped areas.
4. 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.
5. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a site plan entitled “Existing Condition Plan of Land in Marlborough, MA” by Hancock Associates, with the last revision date of November 23, 2020, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior of the site (collectively the “Plans”) attached hereto as “Attachment A.”
6. The Application was certified as complete by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

7. The Site is located in the Commercial Automotive Zoning District.
8. The Site has an area of 33,059 square feet +/- as shown on the Plans.
9. The Site's principal building is a preexisting nonconforming structure with respect to the front yard setbacks. The Site is preexisting nonconforming with respect to lot coverage.
10. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, January 25, 2021. The public hearing was held at the Marlborough City Hall, 140 Main Street, and by remote access in accordance with Section 17(d) of Chapter 53 of the Acts of 2020 and "An Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20" issued by Governor Charles D. Baker on March 12, 2020. The public hearing was conducted by remote participation, allowing the City Council, members of the public, and the Applicant to participate in the hearing through real-time audio and video conferencing, telephone access, and live internet streaming. The hearing was closed on January 25, 2021.
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, no members of the public spoke in opposition to the Use.

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

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed change in use of the Site from a retail/small engine repair use to an auto repair use would not be substantially more detrimental to the neighborhood than the existing use of the Site.
- C. 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.
- D. 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 for an auto repair use at 412 – 418 Maple Street on a parcel with an area of less than one acre, and a change in use of a preexisting nonconforming structure at 412 – 418 Maple Street from retail/small engine repair to auto repair as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction of all structures on the Site is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts, and shall be built according to the Plans as may be amended during Site Plan Review.
2. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the Site Plan Review Committee, including the architectural impacts of the building and the use of storage structures, in accordance with the City of Marlborough Site Plan Review Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions 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.
3. Modification of Plans. Notwithstanding conditions #1 and #2 above, the City Council or the Site Plan Review Committee may approve engineering changes to the Plans, so long as said changes do not change the Use as approved herein, or materially increase the impervious area of the Use, reduce the green area, alter traffic flow, or increase the size of the building, all as shown on the Plans.
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. Storm Water and Erosion Control Management. The Applicant, its successors and/or assigns, shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. This individual(s)' credentials shall be acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.
6. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties, with a lighting plan for the Site to be reviewed and further conditioned during the Site Plan Review process. Exterior lighting at the Site shall be shut off outside of the auto repair use operating hours, except for lighting necessary for security and emergency access.
7. Signs. Signage at the Site shall be flat wall signs and comply with the City's Sign Ordinance, specifically (but not limited to) Section 526-9, Nonresidence Districts, of the Code of the City of Marlborough. The LED sign on the south side of the building shall be removed prior to occupancy. No LED signs shall be allowed at the Site without the approval of the City Council.

8. Indoor Repairs. Auto repairs shall take place indoors, with the exception of minor, non-nuisance repair work and the temporary storage of vehicles undergoing repairs at the Site. The Applicant shall use and maintain in good working order an indoor paint spray booth or similar technology.
9. Fencing. The Applicant shall install solid fencing to screen areas of the Site used for the storage of vehicles under repair from the view of abutting properties and public ways and shall maintain the fencing in good repair. No other outdoor storage shall be permitted at the Site inside or outside of fenced areas. The fencing shall comply with the requirements of all applicable City Ordinances. Dumpsters shall be stored inside the fenced area. Fencing and gates at the Site shall be designed to prevent vehicles from using the Site as a pass-through between Maple Street and Walker Street.
10. Noise and Air Quality. The Applicant, its successors and/or assigns, shall comply with the City's Noise Ordinance and shall comply with all state and federal requirements governing air quality and emissions.
11. Paint, Solvents, and Hazardous Materials Waste. Any excess paint, solvents, or hazardous materials at the Site shall be stored in a secure container provided by a professional waste removal vendor, and the container shall be removed and replaced by the vendor as needed.
12. Curb Cuts. The Site shall have two (2) curb cuts, with one (1) along Maple Street and one (1) along Walker Street. The existing curb cut along Walker Street closest to the corner of Maple Street shall be eliminated.
13. Landscaping. The Applicant, its successor and/or assigns, shall improve the landscaping at the site, adding new landscaped areas as shown on the sketch plan attached hereto as "Attachment B." A detailed landscaping plan for the Site shall be reviewed and further conditioned during the Site Plan Review process. The landscaping shall be sufficient, in the opinion of the Site Plan Review Committee, to improve the aesthetics of the corner of Maple Street and Walker Street during all seasons with adequate trees and shrubs, and shall be more robust than is required by the Zoning Ordinance.
14. Parking. Parking areas for vehicles under repair, employees, and customers shall be orderly and in designated striped areas, to be defined during the Site Plan Review process. The Applicant, its successors and/or assigns, shall not park vehicles under repair or employee vehicles off of the Site along public ways.
15. Vehicle Sales. The Site may not be used for the sale of vehicles.
16. Storage Structures. The current use of the storage structures located on the Site as a self-service storage facility, defined in Section 650-5 of the Zoning Ordinance, shall be subject to Site Plan Review, taking into consideration parking requirements, landscaping, and screening.
17. Operating Hours. The maximum operating hours of the auto repair use shall be Monday through Saturday from 8:00 AM to 6:00 PM.

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

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED:

**DECISION ON A SPECIAL PERMIT
DIVERSIFIED FUNDING ACQUISITION LLC**

ORDER NO. 21-1008171C

The City Council of the City of Marlborough hereby **GRANTS** the application for a Modification of a Special Permit (hereinafter the "Special Permit Modification") to Diversified Funding Acquisition LLC, having a usual place of business at 63 Atlantic Avenue, Boston, Massachusetts 02110, and its successors or assigns, as provided in the Decision and subject to the following Findings of Facts and Conditions:

FINDINGS OF FACTS

1. Diversified Funding Acquisition LLC is a limited liability company authorized to do business in Massachusetts having a usual place of business at 63 Atlantic Avenue, Boston, Massachusetts 02110, hereinafter referred to as the "Applicant." Applicant is the prospective owner of the property.
2. Devki, LLC, is a limited liability company authorized to do business in Massachusetts having a usual place of business at 880 Donald J. Lynch Boulevard, Marlborough, MA 01752. Devki, LLC is the owner of the property known as 880 Donald J. Lynch Boulevard, Marlborough, Massachusetts, and shown on the City of Marlborough Assessor's Maps as Map 50, Parcel 4B (hereinafter referred to as the "Site").
3. On December 31, 2020, the Applicant filed with the City Clerk of the City of Marlborough an application (hereinafter referred to as the "Application") for a modification of a special permit under Chapter 650 (Zoning) of the Code of the City of Marlborough (hereinafter referred to as the "Zoning Ordinance"), Article VIII, Section 650-57. The Application seeks to modify the special permit granted by the City Council on October 6, 1986 (Council Order No. 1102B, Recorded with the Middlesex South Registry of Deeds at Book 18318 and Page 218) for a 64-room hotel on the Site (hereinafter the "Special Permit") as follows: (a) to approve the addition of kitchenettes to all guest rooms, and (b) to approve the conversion of the Manager's residence to a guest room, for a total of 65 guest rooms (the "Project"). The Project does not include any external changes on or to the Site or any expansion or alteration of the shape or size of the existing building on the Site (hereinafter the "Building").

4. The Application consisted of the following: (a) an Application to City Council for Issuance of a Special Permit; (b) a Special Permit Application Certification by the Planning Department; (c) a Special Permit Summary Impact Statement; (d) a Certification of Payment of Municipal Taxes; (e) a filing fee of \$250.00; and (f) Exhibits to the Application, including (i) a Special Permit Narrative, (ii) a copy of the Special Permit, as recorded, (iii) a copy of architectural drawings setting out the proposed interior improvements to the Building, (iv) a copy of the Building Commissioner's letter denying the application for a building permit until such time as the Applicant obtains the Special Permit Modification, and (v) a Certified Copy of the Abutters List from the City of Marlborough Assessor's Office.
5. The Planning Department certified the Application under the provisions of Article VIII, Section 650-57(C)(7) of the Zoning Ordinance as complying with the information requirements of the application rules and being complete and conforming to the Zoning Ordinance and the rules and regulations for submission of an application for a modification of a special permit.
6. Pursuant to the Rules and Regulations of the City Council and Massachusetts General Laws Chapter 40A, the City Clerk established a date for a public hearing on the Application and caused to be advertised notice of said date and hearing in the appropriate newspaper and received confirmation that notice of said hearing was sent to abutters entitled to notice under law. Such notice was published, mailed, and posted in accordance with applicable law.
7. Pursuant to Massachusetts General Laws Chapter 40A, the City Council held a public hearing concerning the Application (hereinafter the "Public Hearing") on Monday, February 8, 2021.
8. The Applicant presented testimony at the Public Hearing detailing the Project, its impact upon municipal services, the neighborhood, and such other issues as the City Council deemed appropriate with due consideration to the concerns of members of the public.
9. The Applicant provided written and oral documentation and testimony to the City Council regarding (a) the improvements associated with the Project and (b) the Project's positive economic impact on the community. No person or organization spoke in opposition to the Application.
10. The Project is located on a 2.2±-acre parcel of land on the south side of Donald J. Lynch Boulevard. The Applicant seeks to improve a hotel that has been in operation on the Site for approximately 34 years.
11. The Site is zoned Limited Industrial, and the proposed use is allowed with a special permit from the City Council. The hotel use was authorized in 1986 by the Special Permit.
12. There will be no change to the size or shape of the Site, to the area covered by impervious surface, or to the size or shape of the Building.
13. The Project consists of adding kitchenettes to the 64 hotel rooms in the Building without changing the dimensions of those rooms and converting the manager's residence to a 65th hotel room, also with a kitchenette. Other minor interior changes are proposed that are consistent with use as a hotel.
14. The Site presently has 70 parking spaces and will still have 70 parking spaces if the Special Permit Modification is issued. The Zoning Ordinance requires one parking space per guest room. The conversion of the manager's residence to a guest room, for a total of 65 guest rooms, does not require additional parking spaces to be added to the Site.

15. The Site is connected to the municipal water system, but not the municipal sewer system; rather, sewage disposal is currently handled through an on-site septic system. As a condition of approval set forth below, the Applicant will connect the building to the municipal sewer system. This connection will not adversely impact the municipal sewer system.
16. The Project will not create any material change to (a) the existing traffic impacts of the hotel or (b) the impact per room on the municipal water system.
17. The proposed work includes necessary upgrades to the electrical utilities serving the building. After the interior remodeling work is complete, the electricity service will be adequate to supply power to the kitchenettes added to the existing hotel rooms.
18. The Project facilitates extended stays by hotel guests, who will contribute disposable income to the local business community by purchasing goods and services.
19. The Applicant produced a report dated March 5, 2021, from Eric M. Camiel, P.E., C.E.T., a professional fire protection engineer with the firm Jensen Hughes (hereinafter referred to as the "Fire Code Report"). The Fire Code Report presents the results of an on-site inspection and code review of the existing fire protection sprinkler system, specifically evaluating the impact of the proposed guest room alterations on the code compliance of the existing sprinkler system layout. The Fire Code Report finds that the installation of cabinetry in accordance with the plans appended to the Application will not adversely affect the existing sprinkler layout in five of the six types of proposed unit layouts, those five being Type A, B, C, E, and F Units. The Fire Code Report finds that the installation of cabinetry in accordance with the plans appended to the Application will obstruct the existing sidewall sprinkler located in one type of proposed unit layout, that being Type D Units. There are four (4) proposed Type D Units. The Fire Code Report notes that the Applicant will modify the sprinkler layout for Type D Units so that these units are code compliant after the alterations are complete.

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

- A. The City Council finds that it may grant the Special Permit Modification, subject to the terms and conditions set forth in this Decision, to encourage the most appropriate use of the Site and promote and conserve the health and general welfare of the inhabitants of the City of Marlborough.
- B. Pursuant to Massachusetts General Laws Chapter 40A, § 9, the City Council finds that the Project is in harmony with the general purpose and intent of the Zoning Ordinance. In addition, pursuant to Article VIII, Section 650-57(C)(12)(a) of the Zoning Ordinance, the City Council finds that the proposed Special Permit Modification is not in conflict with public health, safety, convenience and the welfare and is not detrimental or offensive. The Project does not produce a material increase in the scale of a development, nor does it produce a material increase in impact on municipal services, the environment, or the neighborhood. The City Council makes this determination subject to the completion and adherence by the Applicant to the conditions more fully set forth herein.
- C. The Applicant has complied with all of the relevant rules and regulations promulgated by the City Council as they pertain to the Application.

- D. Pursuant to its authority under General Laws Chapter 40A, the City Council **GRANTS** the Applicant the Special Permit Modification to convert the manager's residence to a guest room for a total of 65 guest rooms and to add kitchenettes to each of the guest rooms, and to make other modifications all as set out on the plans appended to the Application, subject to the following conditions (the "Conditions"):
- (1) Project Plans and Specifications. Construction of the interior improvements to the Building shall be in accordance with all applicable building codes and zoning regulations presently in effect in the City of Marlborough and the Commonwealth of Massachusetts
 - (2) The Project shall be constructed, maintained and operated according to the specifications, terms, and conditions of the Application, and in compliance with the Conditions.
 - (3) 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 Modification and become conditions and requirements of the same, unless otherwise altered by the City Council.
 - (4) Notwithstanding Condition (2) and (3) hereof, changes may be made to said plans as approved by the Building Commissioner so long as said changes do not change the use of the Site as approved herein, or increase the size or shape of the Building.
 - (5) The Project shall be classified as Residential Group R-2 under the State Building Code and will receive a certificate of occupancy permitting guests to stay for longer than 30 days, but this classification does not prohibit guests from staying 30 days or less.
 - (6) Hazardous Waste. The Applicant shall comply with all directives by the Department of Environmental Protection of the Commonwealth of Massachusetts relative to the existence of any hazardous waste which may be located on the Site, including compliance with the provisions of Massachusetts General Laws Chapter 21E and any other laws and as they relate to the authority of the City of Marlborough Fire Chief.
 - (7) Compliance with Local, State and Federal Laws. The Applicant shall comply with all applicable rules, regulations and ordinances of the City of Marlborough and the Commonwealth of Massachusetts and Federal agencies as they may apply to the construction, maintenance, and operation of the Project, including, without limitation, the State Building Code.

- (8) Water-Sewer. The Applicant shall connect the existing building to the municipal sewer system within six (6) months of taking ownership of the Property, provided that this period may be further extended for good cause and with the consent of the City Council. Provided that it is feasible and legally permissible, the Applicant shall connect the building to the sewer system via the sewer line that serves the adjacent parcel with a street address of 876 Donald J. Lynch Boulevard, shown on the City of Marlborough Assessor's Maps as Map 50, Parcel 4A. If it is not feasible or legally permissible to connect via the service line at 876 Donald J. Lynch Boulevard, then the Applicant may connect to the municipal sewer system associated with Donald J. Lynch Boulevard, including excavating the road, if necessary, provided that the Applicant satisfy such conditions as are required by the Department of Public Works and are customary for similarly-situated connections. In either case, the Applicant shall present a design plan showing the proposed sewer connection for approval by the Department of Public Works and shall obtain all necessary permits and approvals prior to commencing the construction work on the sewer connection. The kitchenettes shall not include garbage grinders until the building is connected to the municipal sewer system. Water and sewer services provided to the Project shall be subject to applicable City-wide water and sewer charges subject to adjustment by the Commissioner of Public Works.
- (9) On Duty Employees: During the operation of the facility, at least one employee will be on duty at all times.
- (10) Fire Protection Sprinkler System: The Applicant shall adhere to the Fire Code Report and shall modify the sprinkler layouts in Type D Units so that, upon completion of the alterations to the four Type D Units, these units shall have fire protection sprinkler systems that are code compliant. Upon completion of these modifications, the Applicant shall submit a follow-up report to the Fire Department presenting the opinion of a professional fire protection engineer that the modified sprinkler layout for all four Type D Units is code compliant.
- (11) Recording of Special Permit. In accordance with the provisions of Massachusetts General Laws c. 40A, Section 11, the Applicant at his expense shall record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing the Special Permit has elapsed with no appeal having been filed, and before the Applicant shall apply to the Building Commissioner for a building permit concerning the proposed expansion. Applicant shall provide a copy of the recorded Special Permit to the City Council's office, to the Building Department and to the City Solicitor's office.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED:

**DECISION ON A
LED SIGN SPECIAL PERMIT**

ORDER NO. 21-1008199E

The City Council of the City of Marlborough hereby **GRANTS** the application for a LED Sign Special Permit to St. Mary's Credit Union (the "Applicant") for the property located at 133/137 South Bolton Street, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings, Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant is the owner of the property located at 133/137 South Bolton Street, in Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 70, Parcel 242A, Map 82, Parcels 112 and 113 (the "Site") and maintains a credit union branch and café with drive-through service lanes.
2. The Applicant seeks a LED Sign Special Permit, pursuant to Section 526-13 of the Code of the City of Marlborough entitled, "Electronic Message Center Signs; Digital Display Signs" (the "EMC and Digital Display Sign Ordinance"), to operate an electronic message center sign (the "Sign") at the Site (the "Application").
3. The Sign is one menu board which is no larger than 34 inches wide by 45 inches tall (the product specifications are attached hereto as "**Attachment A**").
4. In connection with the Application, the Applicant submitted a picture of the existing menu boards and drive thru at the Site, as well as a photo and drawing of the LED menu as proposed for the Site, attached hereto as "**Attachment B**".
5. The Marlborough City Council held public hearings on the Application on Monday, February 22, 2021 and Monday March 8, 2021.
6. The Applicant, through its representatives, presented testimony at the public hearing detailing the proposed Sign. At the public hearing, one member of the public spoke against the Sign.

BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING

FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS

- A. The Applicant has complied with all the rules and regulations promulgated by the Marlborough City Council as they pertain to an application for an LED sign special permit under Section 526-13 of the Sign Ordinance.
- B. The Applicant received a sign variance dated January 25, 2021 from the Marlborough Planning Board to approve placement of the sign within 200 feet from the nearest point of an abutting residentially zoned district subject to certain conditions.
- C. The City Council finds that the proposed Sign complies with the standards set forth in Section 526.13.B of the Sign Ordinance.

- D. The City Council finds, pursuant to Section 526-13.B(16) of the Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate: and the dimensions of the Sign complies with the area limitations of the Sign Ordinance.
- E. The City Council, pursuant to its authority under Section 526-13 of the Sign Ordinance, hereby **GRANTS** the Applicant a LED Sign Special Permit for the Sign, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
1. The Sign shall be operated in accordance with the Sign Ordinance of the City of Marlborough, and in addition, the Sign shall be turned off when the café is not open for business.
 2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.
 3. The applicant will take measures necessary to ensure compliance with the City of Marlborough Noise Ordinance (Chapter 431 of the City Code) at the site.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:35 PM; adopted.

Yea: 11 – Nay: 0

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



IN CITY COUNCIL

Marlborough, Mass., _____ APRIL 5, 2021

ORDERED:

That there being no objection thereto set **MONDAY APRIL 26, 2021** as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric and Verizon New England, to install a new pole 5 and anchor which will allow for the removal of the pole and tree guy wire at 43 Berlin Road, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE**.

Yea: 11 – Nay: 0

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

ADOPTED

ORDER NO. 21-1008258



City of Marlborough Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

JASON D. GROSSFIELD
CITY SOLICITOR

JASON M. PIQUES
ASSISTANT CITY SOLICITOR

HEATHER H. GUTIERREZ
PARALEGAL

2021 APR 20 P 4:22

April 20, 2021

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

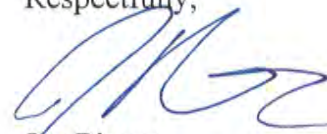
Re: Hudson Street Rezoning
Map 43, Parcel 38. 290 Hudson Street

Dear Honorable President Ossing and Councilors:

As requested by Councilor John J. Irish, enclosed please find the above-referenced proposed order to amend the City of Marlborough Zoning Ordinance, Zoning Map, Section 650-8. I have reviewed the proposed amendment and it is in proper legal form.

Please contact me if you have any questions or concerns.

Respectfully,



Jay Piques
Assistant City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Jason D. Grossfield, City Solicitor
Thomas DiPersio, City Engineer

ORDERED:

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

I. Section 650-8, entitled "Boundaries established; Zoning Map," is hereby amended as shown on the accompanying map (Exhibit "A") by re-zoning Map 43, Parcel 38, 290 Hudson Street, and portions of adjoining municipal property from "Limited Industrial District" to "Residence A-3 District."

ADOPTED
In City Council
Order No. 21-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

EXHIBIT A



LI

A-2

Proposed Change from LI to A3
Map 43 Parcel 38

290

295

278

281

276

279

A-3

18

26

34

8

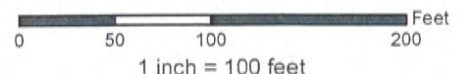
256

WINDMILL DRIVE

11

19

Proposed Zoning Change - LI to A3





City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

2021 APR 22 A 11:35

Patricia M. Bernard
EXECUTIVE AIDE

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Ryan P. Egan
EXECUTIVE SECRETARY

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Grant acceptance for the Department of Public Works

Honorable President Ossing and Councilors:

For your approval is a grant acceptance in the amount of \$178,700.44 to be expended on a bike lane extension from the Assabet Valley Rail Trail to Main Street.

This grant was made available through the Shared Streets & Spaces Grant Program by the Mass Department of Transportation, and we'd like to share our gratitude for giving us the opportunity to enhance our bike trail.

Please don't hesitate to contact me or Tom Dipersio with any questions that may arise.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Department of Public Works

135 NEIL STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. 508- 624-6910
*TDD 508-460-3610

SEAN M. DIVOLL, P.E.
COMMISSIONER

Date: April 16, 2021
To: Mayor Vigeant
From: Thomas DiPersio, Jr., City Engineer
Copy: Sean Divoll, DPW Commissioner
Re: Shared Winter Streets and Spaces Grant

In February, 2021, The DPW Engineering Division applied for a MassDOT Shared Streets Grant, to fund the extension of the Assabet River Rail Trail, from its present starting point on Lincoln Street to Main Street. This would provide a safe bicycle and pedestrian connection between the Lincoln Street corridor and the downtown village area. It is a logical extension of the ongoing Lincoln Street reconstruction project that we recently completed the design plans for, and it is hoped that it would enhance the City's efforts to revitalize both areas.

I am happy to inform you that we were notified that our application was approved, and the City has been awarded \$178,700.44 in funding for the work. Attached is the award letter from MassDOT. We are currently finalizing the design plans for the project, which will include a separated two-way bike lane on Cashman Street and a shared use sidewalk on Prospect Street. The work will be completed later this year. Please contact me with any questions.

THEODORE L. SCOTT, P.E.
ASST. COMMISSIONER, OPERATIONS

CHRISTOPHER S. LAFRENIERE
ASST. COMMISSIONER, UTILITIES

THOMAS DIPERSIO, JR. P.E.,P.L.S.
CITY ENGINEER

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Dpw DATE: 4/6/21

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Tom DiPersio

NAME OF GRANT: Shared Winter Streets & Spaces Program

GRANTOR: Mass DOT

GRANT AMOUNT: \$178,700.44

GRANT PERIOD: April - Dec 2021

SCOPE OF GRANT/
ITEMS FUNDED Bike Lane Extension from Assabet River Rail Trail
to Main Street

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? _____

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Acting MassDOT Secretary & CEO



April 6, 2021

Thomas DiPersio
135 Neil Street
Marlborough, MA 01752

Dear Thomas DiPersio:

Thank you for submitting a project application to the MassDOT Shared Winter Streets and Spaces Program. Your project application has been reviewed, and we are pleased to notify you that your Hybrid: Main Streets and Reimagined Streets project has been approved for funding. We received many applications and had a competitive applicant pool from which to select, and your application stood out. Marlborough's Hybrid: Main Streets and Reimagined Streets project will be funded at \$178,700.44 under Chapter 90 Contract Number/ MMARS #50873. Ongoing maintenance, operational, and enforcement costs associated with a project are not eligible uses of this funding.

The Shared Winter Streets and Spaces Program is intended to support projects that promote public health, safe mobility, and renewed commerce by quickly providing new or repurposed space for socially-distanced walking, bicycling, dining, retail, and bus travel. Please note that any pavement markings or signage included in your project that are not compliant with the Manual on Uniform Traffic Control Devices should be used with caution, and only on a temporary basis. Please feel free to contact the Shared Streets Team to discuss this issue in more detail, if needed.

By June 30, 2021, a report detailing lessons learned from the project must be submitted to MassDOT. We also ask that you document the project's progress by taking before, during and after photos of your Shared Winter Streets & Spaces installation. Grant recipients may also be invited to participate in a learning exchange with other municipalities to share experiences. MassDOT will work directly with you to determine the best evaluation process for your particular project.

We are excited to work with you and the full Marlborough team as this project advances.

Sincerely,

Jamey Tesler
Acting Secretary and CEO



Shared Streets & Spaces Grant Program Project Implementation Guidelines for Grant Recipients

The Massachusetts Department of Transportation's Shared Streets & Spaces quick-launch/quick-build grant program provides cities and towns with grants between \$5,000 and \$300,000 to make improvements to sidewalks, curbs, streets, on-street parking spaces, and off-street parking lots in support of public health, safe mobility, and renewed commerce.

We have prepared these guidelines, which are intended to assist Shared Streets & Spaces grant recipients with project implementation, in response to questions that we have received from awardees. Any questions not answered here should be directed to sharedstreets@dot.state.ma.us.

1. My town has received a Shared Streets & Spaces grant. What is our next step?

Once a municipality receives an award letter from MassDOT, project implementation can proceed. Any allowable project costs, per your application, can be accrued after the date on your award letter. Unlike the Chapter 90 program, Shared Streets & Spaces grants are paid in full at the project outset and are not paid through reimbursement. Grant funds will be transferred directly to the same account used for Chapter 90 reimbursements within three weeks after the award letter is sent. If you experience a delay beyond three weeks, please email sharedstreets@dot.state.ma.us.

2. Do I need to use my town's existing suppliers and contractors for the Shared Streets & Spaces project? Or can I source my own materials through alternative suppliers?

A municipality may source approved materials and labor through existing or alternative suppliers or contractors. All standard bidding and procurement rules should be followed.

3. Does MassDOT have a list of approved suppliers and contractors that I can consult?

MassDOT has not prepared a specific list of approved vendors for the Shared Streets & Spaces Grant Program and does not require materials to be purchased from a specific supplier or work to be conducted by a specific contractor. If you would like assistance with purchasing materials for your project, please contact Alison Felix, Senior Transportation Planner at the Metropolitan Area Planning Council, at afelix@mapc.org

4. There is a backorder on an item that is critical for my project and now my project will not be completed by the October 9 deadline. What should I do?

The Metropolitan Area Planning Council is available to assist communities statewide with the procurement of their materials for the Shared Streets & Spaces grant. If you find that you are having issues with procurement of your materials you can contact Alison Felix, Senior Transportation Planner at afelix@mapc.org. Please also notify the Shared Streets & Spaces Team at sharedstreets@dot.state.ma.us if you anticipate any delays to project implementation, and we will work with you to figure out best next steps.

5. Part of my approved MassDOT Shared Streets & Spaces grant budget was allocated to a specific item that was not used in full. Can my town reallocate this money to another item related to the project?

Yes, provided the purchase is in service of your Shared Streets & Spaces project, and fits within the original program goals. For instance, you may find that you have underspent an approved budget item allocated to paint and have overspent an approved budget item allocated to benches. In this case, you may reallocate the unused funds within your existing, approved budget. Grant monies may not be allocated to different projects or different uses, even if they fit within the spirit of the Shared Streets & Spaces program. If you have any questions about whether your funding can be reallocated

to a different, approved budget item within your project, please contact sharedstreets@dot.state.ma.us.

6. **One of the elements of my approved Shared Streets & Spaces project was not able to be implemented. Can I submit a revised proposal to MassDOT to propose a new use of these funds?**
Unfortunately, no. All monies not expended under these contracts, agreements, or transactions shall be credited to the account of the department from which they were advanced (in this case, MassDOT). Please contact sharedstreets@dot.state.ma.us if you are unable to complete your Shared Streets & Spaces project and we will work with you to find a way to credit the unspent grant money.
7. **What are the reporting requirements for this grant?**
Award recipients will be required to submit information regarding project progress periodically after funding is distributed. After project completion, MassDOT will provide municipalities with a form to report final project details, including lessons learned, the process of implementation, whether the project met anticipated goals, whether it was widely used, whether there were any safety concerns, public and business feedback received, and whether the project will be made permanent. Photographs of the project will also be requested. This form will be distributed in the Fall and should be submitted to MassDOT by December 30, 2020. In addition, MassDOT may work with municipalities directly to evaluate particular successes or lessons from the projects.
8. **I underestimated the price of certain items in my application budget, and the new quotes I have received exceed the total grant amount my municipality was awarded by MassDOT. Can MassDOT approve any additional funding for my Shared Streets & Spaces project?**
Unfortunately, no. MassDOT is unable to provide top-up funding for projects that have gone over budget. The Metropolitan Area Planning Council may be able to help your municipality secure a more competitive, discounted price for certain project materials. Please contact Alison Felix for more information. If, however, you receive a quote for a particular item that exceeds the amount initially budgeted in your application, which does not bring your total project budget above what was awarded by MassDOT, that is okay. We expect there to be some reallocation of funds within project budgets. Please refer to question five above for more information.
9. **I received Technical Assistance from one of the named partners working with MassDOT on the Shared Streets & Spaces grant. Can I allocate a portion of my project budget to hire the Technical Assistance provider as a contractor for project implementation?**
Unfortunately, no.
10. **I have received a Shared Streets & Spaces grant and have additional questions about how to proceed. Is there someone I can talk to?**
Yes! Please email sharedstreets@dot.state.ma.us and we will arrange a time to speak with you. If your question is specifically in relation to procurement, please contact Alison Felix at the Metropolitan Area Planning Council at afelix@mapc.org.



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

2021 APR 22 A 11:35
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www.marlborough-ma.gov

Ryan P. Egan
EXECUTIVE SECRETARY

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Grant acceptance for the Marlborough Fire Department

Honorable President Ossing and Councilors:

For your approval is a grant acceptance in the amount of \$20,000.00 to be expended on individual portable radios, mobile radios and repeaters for the department's vehicles. These enhancements will improve the city's overall communication capabilities with surrounding communities as outlined in the enclosed grant award.

I would like to take this opportunity to express our gratitude to the Executive Office of Public Safety and Security and the Department of Fire Services for their continued support.

Please don't hesitate to contact me or Fire Chief Kevin Breen with any questions that may arise.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

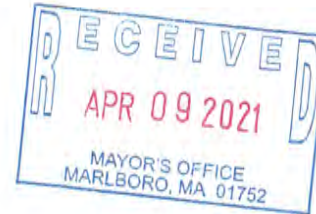


**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

215 Maple Street, Marlborough, MA 01752
Business (508) 624-6986 Facsimile (508) 460-3795

April 9, 2021

The Honorable Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, Ma. 01752



RE: Firefighter Safety Equipment Grant

Dear Mayor Vigeant,

Attached please find documentation in support of a grant in the amount of \$20,000.00 which has been awarded to the Fire Department through Executive Office of Public Safety and Security and the Department of Fire Services (DFS.)

The Firefighter Safety Equipment Grant has been approved for funding and granted to the Marlborough Fire Department to improve multi-jurisdictional communication capabilities.

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

A handwritten signature in black ink that reads "Kevin J. Breen".

Kevin J. Breen
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 4/9/2021

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: FIRE CHIEF KEVIN J. BREEN

NAME OF GRANT: Firefighter Safety Equipment Grant

GRANTOR: Executive Office of Public Safety and Security and the Department of Fire Services (DFS)

GRANT AMOUNT: \$20,000.00

GRANT PERIOD: April 1, 2021 through June 30, 2021

SCOPE OF GRANT/
ITEMS FUNDED Individual/Portable Radios
Mobile Radios and Repeaters for Fire Department Vehicles

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: _____

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



CHARLES D. BAKER
Governor

Office of the Governor Commonwealth of Massachusetts

State House
Boston, Massachusetts 02133
Tel: (617) 725-4000

KARYN E. POLITO
Lieutenant Governor

April 1, 2021

Chief Kevin Breen
Marlborough Fire Department
215 Maple Street
Marlborough, MA 01752

Dear Chief Breen,

Congratulations! I am pleased to inform you that the Executive Office of Public Safety and Security and the Department of Fire Services (DFS) has awarded the Marlborough Fire Department \$20,000 in State Fiscal Year 2021 funding for the Firefighter Safety Equipment Grant Program.

Despite the extraordinary obstacles that the last year has brought, the fire service in Massachusetts has continued to protect the citizens of Massachusetts with remarkable consistency and expertise. We would like to thank you and all of the members of your department for your dedication to keeping the public safe during this challenging period in our history.

The contract, terms and conditions, and other award documents for this program will be provided to you by DFS. Please contact Tim Moore at DFS with any questions about this award at 978-567-3721 or Timothy.Moore@mass.gov.

Sincerely,

Handwritten signature of Charles D. Baker in black ink.

Governor Charles D. Baker

Handwritten signature of Karyn E. Polito in black ink.

Lt. Governor Karyn E. Polito

Interoperable Communications Investment Proposal (ICIP)

Please complete all sections except for *SIEC Review Section*.

The completed ICIP form must be emailed with your grant application to:

Agency Name	Department of Fire Services
Email Address	OPS.DFS-TM-Grants@mass.gov

For equipment purchases, a vendor price quote that includes the equipment make, model and specifications must be submitted with this form. Please identify the quote number(s) or other identification code(s) associated with this proposal in the requesting cell below so the correct quote is tied to the ICIP during review.

Community Name	Marlborough		
Project Point of Contact	Kevin J. Breen		
Phone #	(508) 624-6986	Email	kbreen@marlborough-ma.gov

FFY / Program	FY21 Fire Equip. Grant	Project Costs	\$20,000
Project Start Date	February 2021	Project End Date	June 2021
Investment Name	Marlborough FD Communication Improvement Project		
Vendor Quote #	Motorola Quote Numbers - QU0000518471 and #1397640		

Investment Summary (describe your project)

The City of Marlborough utilizes a voter receiver communication system and has numerous geographical features (hills and low-lying areas) which significantly hamper effective radio communications. Our grant request seeks support for one (1) Motorola, P25 Digital Vehicular Repeater System (DVRS) unit and a Motorola APX8000 tri-band portable radio. These communication enhancements will dramatically improve our comms capability and increase reliability and safety for our firefighters. We propose to install a DVRS unit in our command vehicle (C5) to ensure portable radio coverage is maintained and even magnified on the fireground. Currently, we have several areas in our city where reliable communication capability is restricted due to terrain, structures, and radio reception and transmission shadows. Installation and operation of this equipment is relatively easy, requires little maintenance and training yet delivers positive impacts/results almost immediately once installed. The Motorola Tri-band portable radio will improve interoperability as we (MFD) operate on 800MHz frequency while mutual aid partners operate on either UHF or VHF frequencies. A tri-band portable radio will insure interoperability for fireground companies operating at emergency scenes.

Communications Interoperability Problem Description

Although surrounding communities all collaborate providing and receiving mutual aid support as needed, we have communication deficiencies in terms of the various frequencies used by contiguous communities to Marlborough. For instance, Marlborough uses 800MHz while surrounding communities either use VHF or UHF. Unless we use a tri-band radio, we cannot effectively communicate with our mutual aid partners because we do not share common frequencies nor do we have the ability to program all of our current portables that are not tri-band capable. The requested tri-band portable will be programmed to achieve interoperability between different communities and agencies in accordance with the Commonwealth's current SCIP. Additionally, a DVRS unit will bolster communications capability in areas of our community where coverage is poor due to terrain and other geographical limitations. This will enhance comms capability for all companies working at/on emergency scenes.

Background Information / Detailed Investment Description

Our project seeks to procure two items. A DVRS unit and a tri-band portable radio. These two investments total approximately \$20,000 and will enable Marlborough Fire Department to address poor communication capabilities related to reception and transmission issues in several areas of our city. These problems, attributable to geographical features, can be remedied by installing a DVRS in our shift commander's vehicle. The unit will receive transmissions from on scene portable radios and then rebroadcast the transmission in our current compliant configuration. Simply put, it will effectively double the power output of existing portable radios thus improving comms capability for all personnel operating on the fireground.

Expected Outcomes- Describe the communications interoperability gaps that will be addressed

Securing a tri-band portable radio, as previously explained, will eliminate the interoperability gap between various fire departments using three different frequency ranges (VHF, UHF and 800MHZ). Marlborough Fire Department also seeks to address poor communication capabilities related to reception and transmission issues in several areas of our city. These problems, attributable to geographical features, can be remedied by installing a DRVS unit in our shift commander's vehicle. The unit will address communication interoperability gaps by receiving transmissions from on scene portable radios and then rebroadcasting transmissions with increased power output in our current compliant configuration thus improving comms capability for all personnel operating on the fireground regardless of their department/agency affiliation.

SCIP Goals- Identify each SCIP goal (check the box) that this investment will support and describe how that support will be accomplished. The current Massachusetts SCIP can be found here:
www.mass.gov/doc/massachusetts-statewide-communication-interoperability-plan-scip-2020

Goal		Describe support
X	Governance	Key multi-discipline staff collaboration
X	SOP	Joint SOPs for planned and emergency events and regional set of communication SOPs
X	Technology	Common applications and shared channels
X	Training & Exercise	Multi-agencies exercises

Ownership - Identify the proposed owners of all assets procured with this investment.

Organization	Asset Description
Marlborough Fire Department	Motorola P25 Digital Vehicular Repeater System (DVRS)
Marlborough Fire Department	Motorola APX8000 Portable Radio w/Accessories

Usage Plan - Describe the usage plan for the equipment / project

Our usage plan has been thoroughly explained in previous sections but essentially includes procuring and installing a P25 compliant Motorola digital vehicle repeater system and procuring and using a P25 compliant Motorola tri-band portable radio.

Disciplines- Identify each responder discipline that will enhance its communications interoperability from this investment and describe the interoperability enhancement	
<i>Please use the following abbreviations to represent the corresponding discipline: LE - Law Enforcement; EMS - Emergency Medical Services; EMA - Emergency Management Agency; FS - Fire Service; HZ – HAZMAT; PW - Public Works; PH - Public Health; GA – Governmental Administrative; PSC - Public Safety Communications; HC - Health Care; O-Other</i>	
Discipline	Enhancement
FS-Fire Service	Improving Multi-jurisdictional communication capabilities
EMS	Improving Multi-jurisdictional communication capabilities

Multi-Jurisdictional Interoperability - All investments must provide interoperability between two or more jurisdictions. Identify each jurisdiction that will achieve interoperability from this investment.

The following jurisdictions represent those we most often interact with as mutual aid partners who will achieve interoperability: Marlborough Fire Department, Hudson Fire Department, Berlin Fire Department, Southborough Fire Department, Northborough Fire Department, Sudbury Fire Department, Framingham Fire Department, Stow Fire Department and Westborough Fire Department and Patriot Ambulance.

Following Section will be completed by SIEC:

REVIEW STATUS	APPROVE	AMEND	DENY
Statewide Interoperability Coordinator (SWIC) Recommendation			
Executive Management Committee (EMC) Recommendation			
Statewide Interoperability Executive Committee (SIEC) Recommendation			
Applicant notified of Recommendation			
SIEC Member Signature / Date			

The attached Special Condition must be signed and submitted with your completed ICIP form. ICIP forms submitted without the signed Special Conditions will not be reviewed.

**MASSACHUSETTS
STATE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC)**

**Special Conditions for Interoperability Grants
Version 2.0 – September 2020**

Radio (RF) Equipment Purchase specifications – All radio equipment purchased, upgraded or programmed from SIEC-approved funding will meet current SAFECOM P25 compliance requirements as published on the Cybersecurity and Infrastructure Security Agency (CISA) grant guidance document page (<https://www.cisa.gov/publication/emergency-communications-grant-guidance-documents>). Additionally, this equipment will comply with the SIEC Guidance Bulletin 20-1: Public Safety Agency Encryption (<https://www.mass.gov/doc/public-safety-encryption-guidance-bulletin>).

Radio (RF) Equipment programming – Compliance with this section is met by programming the full Massachusetts Tactical Channel Plan (MTCP) by appropriate band in all purchased RF equipment.

1. **National Interoperability Channels - Common.** All radios purchased, upgraded, or programmed from SIEC-approved funding must include a minimum channel complement of the National Interoperability Channels respective to the frequency band the radio operates on, (VTAC, UTAC, 8TAC, etc.). All National Interoperability Channels will use the National Public Safety Telecommunications Council (NPSTC) naming conventions.
2. **National Interoperability Channels – Discipline.** All radios purchased, upgraded, or programmed from SIEC-approved funding should include the discipline-specific National Interoperability Channels when room is available in the radio, (VLAW, VFIRE, VMED). All National Interoperability Channels will use the National Public Safety Telecommunications Council (NPSTC) naming conventions.
3. **Statewide Interoperability Channels.** All radios purchased, upgraded, or programmed from SIEC-approved funding must include statewide interoperability channels as identified in the MTCP. These channels will be programmed according to the MOU or guidance in place for the statewide system and participating agency. (Examples include: State Police 800MHz LPS Channels, FAMTRAC, MEMA VHF Channels, etc.)
4. **Regional Interoperability Channels.** All radios purchased, upgraded, or programmed from SIEC-approved funding must include regional interoperability channels as identified in the MTCP. These channels will be programmed according to the MOU or guidance in place for the statewide system and participating agency. (Examples include: BAPERN, WMLEC, Fire District Mutual Aid Channels, etc.)
5. **Cached Radios.** Cached radios purchased, upgraded, or programmed from SIEC-approved funding must include the standard interoperability template as identified in the MTCP.
6. **Radio Reprogramming.** Any reprogramming of existing equipment supported by SIEC-approved funds will follow the conditions above. If a reprogrammed radio does not possess the channel capacity to meet the MTCP programming requirements above, the SIEC will provide additional guidance.

Communications Asset Tracking Requirements

- 7. **CASM Data-Entry.** All transmitting/receiving RF devices purchased with SIEC-approved funding will be entered into CASM (Communications Asset Survey & Mapping tool) by the region, state agency or organization receiving the award.
- 8. **CASM Maintenance.** The organization receiving SIEC-approved funding agrees to maintain current and accurate information in CASM for the equipment entered should changes occur.

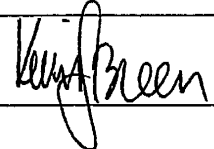
Training, Exercise and Usage Requirements

- 9. **Training.** Recipient agrees to report results of the training program identified in the application associated with interoperability awards.
- 10. **Exercise.** Recipient agrees to report results of the tiered communications requirements for exercises to the SIEC. The SIEC will provide tiered communications requirements for all exercises using voice or data systems supported by SIEC-approved funding.
- 11. **Usage.** Recipient agrees to track results of the usage plan identified in the application. This information may be requested during monitoring, site visits, or during other SIEC-approved activities.

Additional Requirements

- 12. **SIEC Policies and Guidance Bulletins.** To the extent applicable and/or practical, the recipient agrees support, to the best of their current ability, any future SIEC policies and guidance bulletins introduced for the furthering of interoperable communications across the Commonwealth.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above conditions.

Print Project Name	Marlborough FD Communication Improvement Project		
Authorized Signature	Kevin J. Breen 	Date	1/12/2021
Print Name	Kevin J. Breen		
Print Title	Fire Chief		



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
OFFICE OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

2021 APR 22 A 11: 35

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
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www.marlborough-ma.gov

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Appointment Tin Htway as Building Commissioner

Honorable President Ossing and Councilors:

I am pleased to submit for your review and approval the appointment of Tin Htway as the City of Marlborough's Building Commissioner for a three-year term to expire three years from the date of City Council approval.

Over the past year, we have contracted with 4Leaf, Inc. to provide on-call inspectional and plan review services during busy seasonal timeframes. For the past few months, Mr. Htway has provided us with additional services and has acted as an interim Building Commissioner in Jeffrey Cook's absence. During his time, Mr. Htway has identified various areas of needed improvement in our inspectional services department. Currently, the team is reorganizing the department, updating policies such as collecting fees up front, and working with the IT department to implement online permitting with some needed software upgrades this year.

Mr. Htway has served as Building Commissioner for the Town of Westborough for 6 years, worked as Senior Project Inspector during the Wynn Casino and Hotel project and has over 30 years of related experience. He is a licensed Building Commissioner in the Commonwealth of Massachusetts, familiar with the City of Marlborough, and I believe he will serve Marlborough very well as our permanent commissioner. Enclosed is Mr. Htway's resume for your review.

I would like to take this opportunity to thank Jeffrey Cooke for his service and dedication to the City of Marlborough.

Please do not hesitate to contact me with any questions that may arise.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures

TIN HTWAY

CERTIFIED BUILDING OFFICIAL

Management Executive

Over 30 years' experience driving **strategic growth, effectiveness, and efficiency** for various size smallest local governmental organizations to major jurisdictions in the northeast. Highly competitive, passionate, persuasive, and articulate, able to achieve results others believed to be impossible. **Experienced in inspectional services management, code compliance, nuisance abatement, and complex construction inspection.**

Demonstrated success record in:

- **Performing as an inspectional services department head** for several jurisdictions in Massachusetts.
- **Supervising, managing, and reviewing** field staff caseloads for zoning and code compliance.
- **Teaching and training** field staff Code Enforcement concepts, principles, and compliance techniques.
- **Prepare, approve, and execute cleanup and demolition contracts** for abatement work.
- **Consultation** with legal counsel prior to abatement performance work.
- **Motivating staff** to peak performance levels.
- **Proven record of initiative and success in improving abatement process**, streamlining, software development and project management within environments from large-scale multi-location field offices throughout a large jurisdiction.

CORE COMPETENCIES

- | | | |
|-------------------------|-----------------------------------|--------------------------|
| • Management | • Innovation | • Data Tracking |
| • Research/ Reporting | • Competitive/Strategic Planning | • Budgeting/ Forecasting |
| • Abatement/ Demolition | • Right of Entry / Privacy Rights | • Hearing Processing |

HIGHLIGHTED CAREER ACHIEVEMENTS

- **Expanded 4LEAF operations** in the New England region to 5 states including Massachusetts, Rhode Island, Connecticut, New Hampshire, and Maine with 3 years.
- **Senior Project Inspector** – \$2.5 Billion Wynn Casino and Hotel project.
- **Vice President of MetroWest Building Official Association** – with over 200 members within the MetroWest region
- **Revenue Generation** - Within 5 years, generated nearly two and half million in revenue for the County of Los Angeles Building & Safety Code Enforcement in recovered fees.
- **Initiated, designed, and implemented** - Code Enforcement tracking software for the County of Los Angeles.
- **Technical Consultant** - With a strong computer software background and extensive knowledge of local government codes and procedures, primary representative for

Multi-Agency Taskforce Development Team for a new County-wide Electronic Permit and Enforcement Tracking system.

- **Certificate of Appreciation** – Instrumental in the success of County of Los Angeles Board of Supervisors sponsored multi-agency *Nuisance Abatement Team* program.
-

PROFESSIONAL EXPERIENCE

4LEAF, Inc., Foxborough Massachusetts ***New England Regional Manager 7/2017 – Present***

- Responsible for marketing and continued growth of cliental in the Northeast region.
- Management of new and existing contracts, staffing and resource implementation.
- Certified Building Official in Massachusetts, Rhode Island, Connecticut, New Hampshire, and Maine.
- Expert technical witness for forensic testimony
- Skilled in complex plan review and special project inspections

Town of Westborough ***Building Commissioner 12/2010 – 6/2017***

- Modernized the Building Department functions by implementing – Electronic Permitting System and Document Management system – digitizing building permits, plans and supplemental documents.
- Department Head of the Building Department and Zoning Enforcement Officer for the Town of Westborough.
- Responsible for the supervision of the inspection division for all premises within the Town.
- Verified conformance with related zoning and building codes and supervised the inspection of all nursing homes, group homes, group residences, places of assembly, schools, etc. as directed under MSBC Section 110.

Department of Public Works Building & Safety Division, Los Angeles, California ***Supervising Code Enforcement Officer 9/1989 – 12/2010***

- Within five years, generated nearly \$2.5 million in recovered fee revenue.
- Obtained voluntary code compliance in 85% of cases opened within a one-year time frame.
- Promoted to business expert for Code Enforcement and served as a development team leader.
- Involved with high-level meetings with Chief Information Officer, Department Heads and line managers for strategic planning and implementation of new permitting and code enforcement software.

- Performed combination inspections (Building, Electrical, Plumbing, Mechanical, Grading) for both commercial and residential properties.
- Performed code enforcement duties and developed new user-friendly electronic tracking and reporting system to replaced antiquated paper-based system.

EDUCATION

Mt. Sierra College, Bachelor of Science in Computer Information Technology, 2001
University of California Los Angeles, Biochemistry 1985

CERTIFICATION

- International Code Council – Certified Building Official
- International Code Council – Fire Plans Examiner
- International Code Council – Commercial Building Inspector
- International Code Council – Commercial Mechanical Inspector
- International Code Council – Residential Building Inspector
- International Code Council - Uniform Building Code Inspector
- International Code Council - Uniform Mechanical Code Inspector

LICENSES

- Commonwealth of Massachusetts Certified Building Commissioner, Active # BO-1868
- State of Rhode Island Certified Building Official
- Maine Third-Party Inspector Certification #233
- State of Connecticut Licensed Building Official #TH0911

PROFESSIONAL AFFILIATIONS

- ICC
- MWBOA
- MBCIA
- SEMBOA
- MFBO
- CBOA
- RIBOA
- NFPA (5000 Technical Committee)



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MARLBOROUGH
2021 APR 22 A 11: 35

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Appointment of MaryJo Nawrocki to License Board

Honorable President Ossing and Councilors:

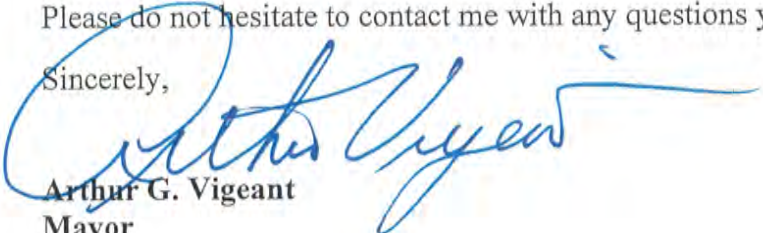
I am pleased to submit for your review and approval the appointment of MaryJo Nawrocki to the License Board for a six-year term effective from the date of City Council approval.

Ms. Nawrocki has been a resident of Marlborough for 47 years. She is a past City Councilor, served as Superintendent at Assabet Valley Regional Vocational School for five years and is still currently serving in a consultant role for the Massachusetts Association of Regional Schools. In addition, she currently serves on the Board of Directors for the Marlborough Regional Chamber of Commerce, serves on the Board of Directors for Quinsigamond Community College and is an Adjunct Professor at Fitchburg State University. I believe her experience and sound judgement will provide our board with an added perspective. Enclosed is her resume for your review.

I would like to take this opportunity to thank Walter Bonin for his longstanding service and dedication to the City of Marlborough.

Please do not hesitate to contact me with any questions you may have.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

Mary Jo Nawrocki

Marlborough, MA 01752

EDUCATION

Lesley University, Cambridge, MA
M.Ed. Leadership/Curriculum Integration May 1994

Pennsylvania State University, University Park, PA
BS Health/Physical Education and Recreation June 1971

LEADERSHIP EXPERIENCE

Consultant, Massachusetts Association of Regional Schools 2015 – Present

- Developed a Strategic Plan for the Wachusett Regional School District
- Comprehensive analysis of the Gateway Regional School District

Superintendent/Director, Assabet Valley Regional Vocational School District
Marlborough, MA 2008 - 2013

- Secured a building renovation project for \$62.4 million
- Implemented a high school to college program with Quinsigamond Community for juniors/seniors
- Secured a \$25,000 (5 year) technology grant with Verizon
- Implemented a reading program for students at risk

Principal, Assabet Valley Regional Technical High School
Marlborough, MA 2003 - 2008

- Implemented Chapter 74 Biotechnology Program
- Implemented Chapter 74 Video Production Program
- Implemented Project Lead the Way, Engineering Program
- Implement AP Classes and Virtual High School
- Selected Massachusetts Principal of the Year 2008

Director of Curriculum, Assabet Valley Regional Technical High School
Marlborough, MA 2000 – 2002

- Implemented reading and writing across the curriculum
- Implemented math across the curriculum

TEACHING EXPERIENCE

Fitchburg State University, Adjunct Professor Online Course 2016 – Present

- Critical Issues in Education

Framingham State University International Graduate Program
Adjunct Professor
Courses Include:

- Technology Integration
- Classroom Management/Behavior

2013 - Present

American International College, Program Supervisor

2013 – Present

Science, Health/Physical Education Teacher
Assabet Valley Regional Technical High School

1975 - 2000

Health Educator, Wayland High School, Wayland, MA

1974 – 1975

Health/Physical Education Teacher, Bensalem, PA

1971 – 1974

COMMUNITY INVOLVEMENT

Board of Directors, Quinsigamond Community College

2016 – Present

Commissioner New England Association of Schools and Colleges

2012 – 2014

Quinsigamond Community College Advisory Board, High School
to College Initiatives

2011 – Present

Board of Directors, Marlborough Regional Chamber of Commerce

2010 – Present

Marlborough City Councilor, Ward 3

1994 – 2000

Marlborough School Committee

1986 - 1992



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City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
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Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Re-appointments to License Board

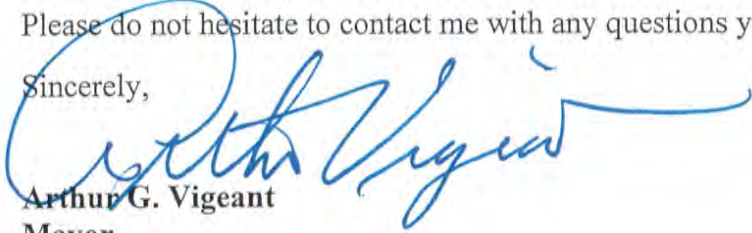
Honorable President Ossing and Councilors:

I am pleased to submit for your approval the re-appointments of Greg Mitrakas and David Bouvier to the License Board for a six-year term each effective from the date of City Council approval, and I am appointing Greg Mitrakas as Chair.

We are grateful for their dedication as Attorney Mitrakas has been serving for nearly 13 years and Mr. Bouvier has served for the last six years ensuring that all regulations are followed protecting the safety and health of our residents.

Please do not hesitate to contact me with any questions you may have.

Sincerely,


Arthur G. Vigeant
Mayor



City of Marlborough
Office of the Mayor

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CITY OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

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Ryan P. Egan
EXECUTIVE SECRETARY

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Re-appointments to the Conservation Commission

Honorable President Ossing and Councilors:

I am pleased to submit for your approval the following reappointments to the Conservation Committee:

- Edward Clancy for a term of three years to expire 4/26/24
- Dennis Demers for a term of two years to expire 4/26/23
- David Williams for a term of two years to expire 4/26/23

I'd like to take this opportunity to thank all of the committee members for their continued dedication and hard work.

We will be sending additional members down for re-appointment in the coming weeks.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Office of the Mayor

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2021 APR 22 A 11:36

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Tax Increment Financing Agreement – BJ's Wholesale Club, Inc.'s Proposal

Honorable President Ossing and Councilors:

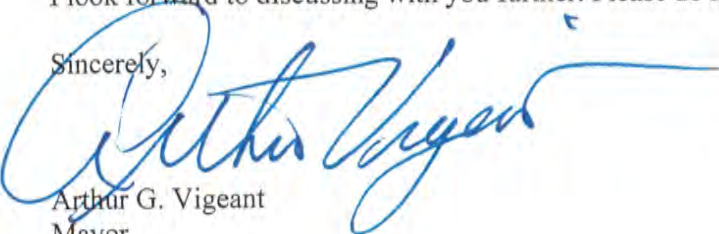
Please find enclosed for your review a tax-increment financing ("TIF") agreement with BJ's Wholesale Club, Inc., a membership-only warehouse club chain is leasing two buildings, comprised of 168,581 square feet located at 350 Campus Drive and 19,244 square feet located at 100 Campus Drive depicted on the Assessor's Map 111, Parcel 1 in Marlborough.

BJ's Wholesale Club will create and maintain 800 permanent, full time jobs available to qualified residents of Marlborough at the projected area. Additionally, the owner plans to build a new 120,000 square foot parking structure on site intended to be used by BJ's employees. Improvements to the Project Area are estimated in an initial capital investment of approximately \$26-\$28 million in combined soft, real property and personal property costs. They are also applying for Certified Project status from the Economic Assistance Coordinating Council.

All active TIF agreements are monitored and tracked by the MEDC on a continual basis to ensure job numbers and other commitments surrounding annual reporting and investment are being met. Enclosed for your review are the following: 1) preliminary application from the Commonwealth of Mass; 2) intent to apply; 3) resolution; and 4) the TIF.

I look forward to discussing with you further. Please do not hesitate to contact me with any questions.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures



COMMONWEALTH OF MASSACHUSETTS
 ECONOMIC ASSISTANCE COORDINATING COUNCIL
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**Economic Development Incentive Program (EDIP)
 LOCAL INCENTIVE-ONLY APPLICATION**

A complete application with all required attachments must be submitted in electronic form to your MOBD Regional Director by 5:00 P.M. on the application deadline date. A hardcopy with original signatures and attachments must be postmarked no later than 1 day after the submission deadline and mailed to: EDIP Manager, MOBD, 136 Blackstone Street, 5th Floor, Boston, MA 02109. **Applications that are incomplete or submitted after the deadline will not be considered at the scheduled EACC meeting, without exception.**

For assistance with this application please work with your MOBD Regional Director, local municipal officials and refer to the EDIP Guidelines and 402 CMR 2.00.

PART I. COMPANY OVERVIEW					
1. COMPANY INFORMATION					
Company Name:	BJ's Wholesale Club, Inc.				
Project Location Address:	Street Address:	350 Campus Drive			
	City:	Marlborough	MA	Zip Code:	01752
FEIN # (Federal Employer Identification Number):	#04-3360747				
DUA # (Dept. of Unemployment Assistance Number):	#60-07043-0				
2. COMPANY CONTACT					
Executive Officer/ Company Designee:	Full Name:	David Picot	Title:	SVP, Director of Real Estate and Property Development	
Contact (if different from above)	Full Name:		Title:		
Contact Address:	Street Address:	25 Research Drive			
	City:	Westborough	State:	MA	Zip Code: 01581
Telephone Number:					
Email Address:	dpicot@bjs.com				
3. COMPANY DESCRIPTION & HISTORY					
Please provide a brief description and history of the company.					
BJ's Wholesale Club was founded in 1984 in Massachusetts. BJ's Wholesale Club currently operates 221 wholesale clubs and 151 gas stations across 17 states.					

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

PART II. ECONOMIC DEVELOPMENT PROJECT

1. NATURE & PURPOSE OF PROPOSED PROJECT

Please provide a description of the proposed expansion project. Additionally, please explain why the local incentives are necessary for this project to move forward.

BJ's Wholesale intends to lease and renovate approximately 187,825 square feet in two buildings, comprised of 168,581 square feet located at 350 Campus Drive, Marlborough, MA and 19,244 square feet located at 100 Campus Drive, Marlborough together with parking facilities including a new 120,000 square foot parking structure to be constructed by Owner for BJ's Wholesale exclusive use.

2. PROJECT TIMELINE

(a) Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director:	(b) Date the applicant expects to begin the project:	(c) Date the applicant expects to complete the project:	(d) Date the applicant expects to open the facility:
2/9/2021	9/1/2021	9/1/2022	4/18/2022

Additional Information (if necessary) on Project Timeline:

3. PRIVATE INVESTMENT

Total Projected Private Investment: \$36,000,000

Additional Information (if necessary) on Investment: \$28 million in combined soft, real estate improvements and personal property costs with an additional \$8 million for the new parking structure

4. MASSACHUSETTS EMPLOYMENT

(a) Is the applicant new to Massachusetts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
(i) If no, where are the existing Massachusetts facilities?	25 Research Drive, Westborough, MA 01581	N/A <input type="checkbox"/>
(b) Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please give location of facility and explain.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please explain:	

5. EMPLOYMENT & JOB CREATION

(a) COMPANY NAME EXISTING EMPLOYMENT AT PROJECT LOCATION

Please indicate the number of Permanent Full-Time Jobs to be created in total and by year. If job creation timeline exceeds five years, please complete the "Extended Job Creation Schedule" and attach as an addendum.

(i) Permanent Full-Time Employment at Project Location at Date of Application:	(ii) Permanent Full-Time Employees to be Transferred from other Massachusetts Site to Project Location:	(iii) Total Permanent Full-Time Existing Jobs to be Retained at Project Location (sum of questions 5 (a) i. & ii.):
0	800	800

Notes (if necessary) on Current Project Location Employment:

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

(b) COMPANY NAME JOB CREATION SCHEDULE AT PROJECT LOCATION					
Permanent Full-Time Jobs to be Created (net new to facility and Massachusetts):	2023	2024	2025	2026	2027
800	FLAT	FLAT	FLAT	FLAT	FLAT
Notes (if necessary) on Job Creation: 800 jobs to be created and maintained over the life of the agreement.					
6. FACILITY					
(a) Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	Lease <input checked="" type="checkbox"/> Own <input type="checkbox"/>				
(i) If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes?	BH GRP TCAM OWNER LLC, a Delaware limited liability company, c/o Greatland Realty Partners				N/A <input type="checkbox"/>
(b) Is the site of the facility a 43D Preferred Development Site?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, name site:				N/A <input checked="" type="checkbox"/>
(c) Does the applicant intend to utilize the Commonwealth's Abandoned Building Deduction? Please note: To be eligible for the deduction the building the applicant plans to inhabit must have been at least 75% vacant or unused for 24 months or more.	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, name vacancy percentage and duration: % Vacant for months				N/A <input checked="" type="checkbox"/>

PART III. LOCAL INCENTIVE AGREEMENT INFORMATION					
Please work with the local municipality and your MOBD Regional Director in completing the below section.					
1. MUNICIPAL CONTACT					
Municipal Contact:	Full Name:	Meredith Harris	Title:	Executive Director, MEDC	
Contact Address:	Street Address:	91 Main Street, Suite 204			
	City:	Marlborough	MA	Zip Code:	01752
Telephone Number:	xxx-xxx-xxxx				
Email Address:	mharris@marlboroughedc.com				
2. LOCAL INCENTIVE AGREEMENT					
(a) Type of Local Incentive:	<input checked="" type="checkbox"/> Tax Increment Financing (TIF) Agreement <input type="checkbox"/> Special Tax Assessment (STA)				
i) Duration of Local Incentive:	20 Year Local Incentive				
ii) Exemption Schedule of Local Incentive:	100-100-100-95-95-90-90-85-85-80-75-70-65-60-50-40-30-20-10-5%				

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

<p>iii) Start & Expiration Date of Local Incentive:</p> <p>If Agreement commences upon certificate of occupancy please check box:</p>	<p>Start Date: 7/1/2022</p> <p>Expiration Date: 6/30/2042</p> <p><input type="checkbox"/> Local Incentive Agreement commences upon certificate of occupancy and the dates represent best projections of the start & expiration of the local incentive based on the project timeline.</p>
<p>iv) Date Municipality Approved Local Tax Incentive or Date of Scheduled Vote:</p>	<p>Select mm/dd/yyyy</p>
<p>(b) Attachment A: Local Incentive Agreement Please attach a signed copy of the TIF or STA Agreement.</p>	<p>Attached <input type="checkbox"/></p>
<p>(c) Attachment B: Municipal Vote by Authoritative Body Approving Incentive Please attach a copy of the vote approving the local incentive.</p>	<p>Attached <input type="checkbox"/></p>
<p>(d) Attachment C: Municipal Vote by Authoritative Body Approving submission of application of the Economic Assistance Coordinating Council (EACC)</p>	<p>Attached <input type="checkbox"/></p>
<p>(e) Exhibit 1: Local Incentive Valuation Please complete the attached exhibit detailing the estimated property tax exemption over the life of the agreement.</p>	<p>Complete <input type="checkbox"/></p>

PART IV. LABOR AFFIRMATION & DISCLOSURES

1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS

As an applicant requesting Certified Project approval, _____, affirms (check box) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

As an applicant requesting Certified Project approval, _____, affirms (check box) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

2. COMPANY DISCLOSURE

Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):

<p>(a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>

V. AUTHORIZATION & CERTIFICATIONS

1. CERTIFICATE OF GOOD STANDING

Provide proof of good tax standing in the Commonwealth of Massachusetts via a Massachusetts Department of Revenue Certificate of Good Standing for each of the businesses intending to take advantage of the state tax incentives.

*Applications will not be reviewed by the Economic Assistance Coordinating Council until a Certificate of Good Standing has been received.

To obtain a Certificate of Good Standing visit: <https://www.mass.gov/how-request-a-certificate-of-good-standing-tax-compliance-or-a-corporate-tax-lien-waiver>

Attached

Date of DOR
 Application for
 Certificate of Good
 Standing: *Select
 mm/dd/yyyy*

Notes:

2. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT

I/We, David Picot (names and titles) of the applicant business applying for "Certified Local Incentive Only Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales to the best of my/our knowledge after having conducted reasonable inquiry. I/We understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Local Incentive Only Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Local Incentive Only Project is the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information I/We make this certification under the pains and penalties of perjury. I/we agree to submit a Calendar Year Annual Report to the Massachusetts Office of Business Development to give updates on the progress of the project.

The signatories also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).

Signed:

	SVP Real Estate	April 17, 2021
Name	Title	Date

	<i>Select mm/dd/yyyy</i>	
Name	Title	Date

3. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE CONSENT FOR DISCLOSURE OF WAGE REPORTING INFORMATION

**Consent for the Disclosure of Wage Reporting Information for Federal Employment
Identification Number (FEIN): # 04-3360747**

Division of Unemployment Assistance (DUA) Number: # 60-07043-0

I/We, Lauren Walker , a duly authorized representative of BJ's Wholesale Club, Inc. and of all the other businesses listed in this Local Incentive Only Application (hereinafter "Employer"), hereby releases and gives authority to the Massachusetts Department of Unemployment Assistance, pursuant to G.L. c. 151A, §46(1), to provide the Economic Assistance Coordinating Council, upon its request, with the Employer's information, including but not limited to, wage reporting information, that is (a) necessary to verify the amount and tax year in which the Employer claims any of the Tax Incentives awarded in the Economic Development Incentive Program or Employer's fulfillment of job creation and job retention commitments as indicated in the supplemental application and job chart, or (b) otherwise necessary to ensure the proper operation or enforcement of this Agreement or the Program. This authorization is effective upon date of signature and will be valid until superseded by a subsequent application or revoked in writing.

Signed:

_____	Corporate HR Manager	April 16, 2021
Name	Title	Date
_____	_____	Select mm/dd/yyyy
Name	Title	Date



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



BJ'S WHOLESALE CLUB INC
26 WHITTIER ST
FRAMINGHAM MA 01701-4621

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, BJ'S WHOLESALE CLUB INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau



February 9, 2021

The Honorable Mayor Arthur Vigeant
Municipal Chief Executive
City of Marlborough
City Hall
140 Main Street
Marlborough, MA 01752

RE: Intent to Apply for Massachusetts Economic Development Program (EDIP) in Marlborough, MA

Dear Mayor Vigeant:

This letter is Bj's Wholesale Club, Inc.'s (Bj's) letter of intent as required pursuant to the Economic Development Incentive Program, (EDIP).

On December 4, 2020, David Picot, SVP Real Estate & Property Development for Bj's and Meredith Harris, Executive Director, Marlborough Economic Development Corporation to discuss the EDIP Program and the various incentives available.

Per our discussion, Bj's is an American membership-only warehouse club chain and operates 220 BJ's clubs in 17 states and employees approximately 25,000 team members (both full- and part-time). Bj's is considering a relocation of our corporate headquarters, currently located at 25 Research Drive, Westborough, MA to 350 Campus Drive, Marlborough, MA (aka; The Campus at Marlborough) in the Fall of 2022.

We are contemplating a lease for 190,000 SF of office space, to accommodate approximately 1,000 employees, with a twenty-year lease commitment. Bj's anticipates a significant capital investment to be made in excess of \$15 million to \$18 million dollars for tenant improvements, which include office refurbishment and Data Center installation. In addition, the Ownership will be investing an additional \$5 million to \$7 million to construct a 300-car parking garage, exclusively for Bj's, as well as additional infrastructure improvement to the building for our exclusive use and occupancy.

We view a commitment of this nature to be worthy of consideration and Bj's therefore is requesting that you accept this letter as the formal letter of intent required under the Economic Development Incentive Program, (EDIP).

Sincerely yours,

A handwritten signature in blue ink that reads "David P. Picot". The signature is fluid and cursive.

David P. Picot
SVP Real Estate & Property Development

Cc: Peter Milano, Senior Director, Business Development, MOBD

RESOLUTION:

WHEREAS, the City Council of the City of Marlborough desires a beneficial economic use creating jobs for local residents, expanding business within the City, and developing a healthy robust economy and stronger tax base for Map 111, Parcel 1 (including portions thereof) on the Marlborough Assessor's Map; and

WHEREAS, the City Council of the City of Marlborough intends to use tax increment financing as an economic development tool created by the Massachusetts Economic Development Incentive Program based on the ability of the City of Marlborough, in accordance with needs and community benefits of a specific project, that are reasonably proportional to the economic development incentives from State and local government and the resulting economic development benefits;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marlborough that the following activities which are necessary to pursue a Certified Project designation be authorized:

1. The City Council of the City of Marlborough hereby requests that the Massachusetts Economic Assistance Coordinating Council approve BJ's Wholesale Club, Inc.'s application for an EDIP Certified Project; and further, that:
 - a. The project is consistent with the City of Marlborough's economic development objectives and is likely to increase employment opportunities for Marlborough residents;
 - b. The project will not overburden the City of Marlborough's infrastructure and utilities;
 - c. The project as described in the proposal has a strong likelihood that it will cause a significant influx or growth in business activity, will create a significant number of jobs and not merely replace or relocate current jobs within the Commonwealth, and will contribute significantly to the resiliency of the Marlborough economy; and
 - d. The City Council approves BJ's Wholesale Club, Inc.'s request that the project be designated by the Massachusetts Economic Assistance Coordinating Council as an EDIP Certified Project for twenty (20) years.

2. The City Council of the City of Marlborough agrees to authorize the use of tax increment financing, authorizes the Mayor to enter into a tax increment financing agreement with BJ's Wholesale Club, Inc. and BH GRP TCAM OWNER LLC, and authorizes submission of the tax increment financing agreement (attached hereto) to the Massachusetts Economic Assistance Coordinating Council.

ADOPTED
In City Council
Order No 21-
Adopted

Approved by Mayor
Arthur G. Vigeant

Date:

A TRUE COPY
ATTEST:

**TAX INCREMENT FINANCING AGREEMENT BETWEEN
THE CITY OF MARLBOROUGH, BJ'S WHOLESALE CLUB, INC.
AND
BH GRP TCAM OWNER LLC**

This **TAX INCREMENT FINANCING AGREEMENT** (the "**TIF Agreement**" or the "**Agreement**") is made by and between the City of Marlborough (the "**City**"), BJ's Wholesale Club, Inc. (the "**Company**"), and BH GRP TCAM OWNER LLC (the "**Owner**").

WHEREAS, the City is a Massachusetts municipal corporation acting through its City Council and Mayor, having its principal office located at City Hall, 140 Main Street, Marlborough, MA 01752; and

WHEREAS, the Company is a Delaware corporation having its global and U.S. headquarters located at 25 Research Drive, Westborough, MA 01581, and is authorized to do business in Massachusetts; and

WHEREAS, the Owner is a Delaware limited liability company having its principal office at 1 Federal Street, 18th Floor, Boston, MA 02110, authorized to do business in Massachusetts, and is the fee owner of the parcel of land with buildings located respectively at 100 and 350 Campus Drive, Marlborough, Massachusetts 01752, as further depicted on Marlborough City Assessor's Map 111, Parcel 1 (the "**Property**") and which parcel is shown on the map attached to this Agreement; and

WHEREAS, the Company intends to lease from the Owner an approximately 187,825 square feet in two buildings, comprised of 168,581 square feet located at 350 Campus Drive, Marlborough, MA and 19,244 square feet located at 100 Campus Drive, Marlborough together with parking facilities (including a new 120,000 square foot parking structure to be constructed by Owner on site intended to be solely utilized by the Company) and other leasehold improvements located thereon (hereinafter, the leased space is defined as the "**Project Area**"); and

WHEREAS, beginning on the effective date of this Agreement, the Company plans to create and, maintain over the term of the TIF Agreement, 800 permanent, full-time jobs at the Project Area open to qualified residents of Marlborough ; and

WHEREAS, the improvements to the Project Area are estimated to result in an initial capital investment by the Company of approximately \$26-\$28 million in combined soft, real property and personal property costs (the "**Project**"); and

WHEREAS, the Owner shall make additional improvements to the Project Area with an estimated initial capital investment of approximately \$8 million related to the construction of the parking structure;

WHEREAS, the parties to the Agreement are desirous of entering into a TIF Agreement which shall pertain solely to the Project Area and not to any other portion of the Property, and which shall be in accordance with the Massachusetts Economic Development Incentive Program (EDIP) and Chapter 23A of the Massachusetts General Laws, as a Local Incentive-Only Project; and

WHEREAS, the City strongly supports increased economic development to provide additional jobs for residents of Marlborough, to expand business within the City, and to develop a healthy robust economy and stronger tax base; and

WHEREAS, the Project and its related job creation will further the economic development goals of the City; and

WHEREAS, by letter dated **XXX**, the Mayor recommended the TIF Plan and the TIF Agreement to the Marlborough City Council.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and contingent upon receipt of authorization from the City Council and in accordance with applicable law, the parties hereby agree as follows:

A. THE CITY'S OBLIGATIONS.

1. The City Council approved the provisions of this TIF Agreement on **XXX** pursuant to the Resolution attached hereto. The City Council hereby authorizes the Mayor to execute this TIF Agreement on the City's behalf, and to monitor and enforce compliance by the Company and the Owner with this TIF Agreement's terms. The Mayor is authorized to act for and on behalf of the City in proceedings relating to the approval of this Agreement by the Massachusetts Economic Assistance Coordinating Council (the "EACC").
2. A Tax Increment Financing exemption (the "Exemption") for the Project Area is hereby granted to the Company and the Owner by the City in accordance with Chapter 23A, Section 3E, as amended; Chapter 40, Section 59, as amended; and Chapter 59, Section 5, Cl. Fifty-first, of the Massachusetts General Laws. The Exemption shall be for a period of twenty (20) years (the "Exemption Term"), commencing on July 1, 2022 (the beginning of fiscal year 2023) and ending on June 30, 2042 (the end of fiscal year 2042). The Exemption shall pertain only to real property taxes for the Project Area, and shall provide an exemption from taxation of the new incremental value of the Project Area resulting from the Project, as determined by the City of Marlborough Assessor, according to the following schedule:

**PROJECT AREA'S REAL PROPERTY
TAX EXEMPTION SCHEDULE**

Fiscal Year	Real Property Exemption Percentage
2023	100%
2024	100%
2025	100%
2026	95%
2027	95%
2028	90%
2029	90%
2030	85%
2031	85%
2032	80%
2033	75%
2034	70%
2035	65%
2036	60%
2037	50%
2038	40%
2039	30%
2040	20%
2041	10%
2042	5%

3. The base valuation for the Project Area shall be the Project Area's assessed valuation in the base year. The Project Area shall be assigned a sub-parcel ID for tax purposes by the Assessor, and the Company and Owner shall provide the Assessor with all information necessary to establish same. The base year is the most recent fiscal year immediately preceding the fiscal year in which the property becomes eligible for the TIF exemption. As provided in 760 C.M.R. 22.05(4)(d), see 402 C.M.R. 2.22, the Project shall become eligible for the Exemption on the July 1st following the date on which the EACC approves the TIF Plan which is expected to be June 17, 2021. Therefore, the exemption is expected to commence on July 1, 2022, which is the beginning of fiscal year 2023. Accordingly, the base year for this TIF Agreement will be fiscal year 2022.

4. The base valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws and in 760 C.M.R. 22.05(4)(b), see 402 C.M.R. 2.22. This adjusted base valuation will remain fully taxable (i.e., the Tax Increment Financing Exemption shall not apply to or be calculated with respect to the adjusted base valuation and no portion of the adjusted base valuation shall be eligible for exemption from Chapter 59 property taxation) throughout the term of this TIF Agreement. Only the increased value or "increment" created by improvements will be the amount eligible for exemption from taxation.

B. THE COMPANY'S OBLIGATIONS AND THE OWNER'S OBLIGATIONS.

1. The City is granting the Tax Increment Financing Exemption for the Project Area in consideration of the following commitments:
 - (a) In anticipation of the receipt of the TIF benefits described in this Agreement, the Company agrees that it will lease the Project Area from the Owner and develop the site into a corporate headquarters site; and
 - (b) As part of leasing the Project Area, the Company agrees that the Company and the Owner will make capital improvements pursuant to the terms of the Project Area lease which are currently estimated to be approximately \$26-\$28 million in combined soft, real property and personal property costs, and construction of a new 120,000 square foot parking structure to be utilized exclusively by the Company on the Project Area at the Property, and that it will timely pay all municipal permit fees required in connection with such improvements and investment;
 - (c) The Company and the Owner agree to timely pay all of the taxes owed to the City by the Company and the Owner, respectively, over the term of this TIF Agreement; and
 - (d) The Company agrees to create and maintain 800 new permanent full-time jobs at the Project Area for permanent full-time employees (as "permanent full-time employee" is defined in 402 C.M.R. 2.03), to be employed at the Project Area as of June 30, 2022 and whose employment by the Company commences on or after the effective date of this agreement ("New Permanent Full-Time Employees"). The new jobs shall be performed, and maintained, in said two buildings at the Project Area until the termination of this TIF Agreement. The new jobs shall not be performed remotely. The following schedule details the Company's schedule of job creation:

SCHEDULE OF JOB CREATION	
End of Fiscal Year(s)	Minimum Cumulative New Permanent
2023	800
2024	800
2025	800
2026	800
2027	800
2028	800
2029	800
2030	800
2031	800
2032	800
2033	800
2034	800
2035	800
2036	800
2037	800

2038	800
2039	800
2040	800
2041	800
2042	800

The Company shall maintain said employment job creation, in accordance with the Schedule of Job Creation referenced above, during the life of the Agreement.

- (e) In meeting its cumulative New Permanent Full-Time Employee commitment above, and consistent with all federal, state and local laws and regulations, the Company may use commercially reasonable efforts to make available application opportunities for the New Permanent Full-Time Employee positions to qualified residents of Marlborough. Determination of whether any individual is qualified for any specific job or position shall be in the Company's sole discretion, and nothing herein shall be deemed to create any obligation of the Company to hire any of said residents. The Company will meet its obligation to make such application opportunities available to such residents if, in conjunction with the Mayor's office and the Marlborough Economic Development Corporation, the Company conducts a job fair in Marlborough for staffing its Project Area.
2. The Company shall submit annual written reports on job creation and maintenance at, job relocation to, and new investments at, the Project Area to the City of Marlborough Board of Assessors and Mayor and to the EACC by the end of December of each calendar year with respect to the immediately preceding fiscal year during which this TIF Agreement is in effect. Reports shall be submitted for fiscal year 2023 and for every fiscal year thereafter falling within the term of this TIF Agreement; thus, the report for fiscal year 2023, ending on June 30, 2023, shall be submitted by the end of December 2023. In addition to information that may be required by the EACC pursuant to 402 C.M.R. 2.14, the annual report shall be comprised of the following information:
- (a) Employment levels at the Project Area at the beginning and end of the reporting period, with a designation of the number of employees that are net new employees as of the effective date of this Agreement and the number of employees that were employed by the Company in Massachusetts prior to the effective date of this Agreement;
 - (b) The specific number of Marlborough residents respectively employed at the Project Area at the beginning and at the end of the reporting period;
 - (c) An accounting of the commercially reasonable efforts made by the Company to make New Permanent Full-Time Employee positions available to qualified residents of Marlborough;
 - (d) A narrative of the reasonable efforts made by the Company to solicit Marlborough businesses, vendors and suppliers to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not

limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project (collectively, "Engage Local Businesses");

- (e) The Company's financial contribution to the City (including property taxes, motor vehicle excise taxes, and water and sewer fees) for the fiscal year; and
- (f) A description of any private investment, including but not limited to donations and/or perpetual maintenance of land for recreational purposes, made by the Company for the benefit of the community during the reporting period.

During the term of this TIF Agreement, the Company and the Owner shall provide the City with any and all information reasonably related to the Project Area including the Company's and the Owner's improvements to the Project Area as the City may deem necessary to monitor the Company's compliance with this TIF Agreement.

3. The Tax Increment Financing Exemption percentage applicable to the tax exemption schedule above will automatically be adjusted downward in any particular fiscal year that the Company does not meet its minimum cumulative New Permanent Full-Time Employee requirements described in the Schedule of Job Creation above. Under this Paragraph 3, the exemption percentage applicable to the exemption schedule above will be adjusted for the fiscal year beginning after the job requirement date, utilizing the following formula:

$$\frac{\text{(Actual Cumulative New Permanent Full-Time Employee Level / Minimum Cumulative New Permanent Full-Time Employee Requirement)}}{\text{Scheduled Exemption Percentage}} = \text{Actual Exemption Percentage.}$$

For example, if the actual cumulative New Permanent Full-Time Employee level at the end of FY 2024 is 400 instead of 800, then the real property tax exemption percentage otherwise applicable for FY 2025 would be $(400/800) \times 100\%$, or 50%.

The exemption percentages applicable to the tax exemption schedule above will, for later fiscal years, revert back to the original exemption schedule if the Company restores the job level based on the minimum cumulative New Permanent Full-Time Employee requirement for that later year. If the Company meets or exceeds its minimum cumulative New Permanent Full-Time Employee requirements, the exemption schedule will not be adjusted.

4. The Company will be in default of its respective obligations under this TIF Agreement if the City determines that the Company fails to meet or comply with any of the requirements specified in Section B of this TIF Agreement, and the City further determines that such failure continues or remains uncured for one hundred eighty (180) days (or such longer time as the City may deem appropriate under the circumstances) after the date of written notice, provided by the City to the Company, explaining in

reasonable detail the grounds for or nature of such failure. Upon the City's determination that any default by the Company has continued or remained uncured for such period after the date of such written notice, the City may take such action as it deems appropriate to enforce the Company's obligations under this TIF Agreement, including but not limited to a request that EACC revoke its certification of the Project for eligibility for a Tax Increment Financing Exemption; any such request would be in addition to the automatic downward adjustment of the exemption schedules, as described in Section B.3 above. Upon any such decertification, the City shall have the right, upon written notice to the Company, to terminate the Tax Incremental Financing Exemption benefits described in Paragraph 2 of Section A, commencing as of the fiscal year in which the City has determined the Company to be in default or, if such benefits have already been received by the Company, for the fiscal year in which the City has determined the Company to be in default, commencing as of the fiscal year immediately following that fiscal year. Any notice required hereunder shall be effective upon receipt.

5. In addition to discontinuance of benefits as set forth in Paragraph B(4) above, if the Agreement is decertified because the Company has failed to satisfy any of the requirements in Section B, then, pursuant to Massachusetts General Laws Chapter 23A, Section 3F(e), the City may recapture the value of any taxes not paid due to the Exemption provided herein. Said recapture shall be made through a special assessment on the Company in the municipal fiscal year that follows the EACC's decision to revoke project certification. The assessment, payment, and collection of said special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75, notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment. This paragraph does not provide for any right of recapture against the Owner or the Property.
6. The City shall be given sixty (60) days' written notice prior to any Company announcement to the general public (specifically excluding any communications to the Owner or the Company's employees) of a proposed move from, vacation of, abandonment of, or other failure to maintain operations at, the Project Area during the term of this Agreement, unless such notice would be in violation of any law, regulation or contractual obligation of the Company. Said notice shall identify the prospective new tenant, if any; may include information about such prospective new tenant which is not otherwise subject to a confidentiality agreement; and shall be given to: Mayor's Office and to the Board of Assessor's Office, City Hall, 140 Main Street, Marlborough, MA 01752. Said notice will be the confidential information of Company, and the City shall not, except as required by law, disclose any information provided by the Company regarding any proposed disposition of the Project Area or any portion thereof by the Company or the Owner.
7. The Company shall use reasonable efforts to Engage Local Businesses to participate in requests for quotations for goods and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as

well as the purchase of new machinery and equipment as part of the Project. So long as the Company contacts the Marlborough Economic Development Corporation at the later of: (i) the beginning of the Project, or (ii) within a reasonable amount of time after the Agreement has been executed by all parties, with a description of the qualifications of the local businesses, vendors and suppliers from whom, at that time, the Company is seeking requests for quotations, the Company shall be deemed to have made reasonable efforts to Engage Local Businesses under this Section 7. However, the extent to which the Company shall hire or purchase from local businesses, vendors and suppliers under this Section 7 shall be in the Company's sole discretion, and nothing herein shall be deemed to require the Company to hire or purchase from local businesses, vendors and suppliers.

C. OTHER CONSIDERATIONS.

1. Pursuant to 760 C.M.R. 22.05(8)(d), *see* 402 C.M.R. 2.22, this Agreement shall be binding upon the Company and its successors and assigns, and upon the Owner and its successors and assigns, and upon the City and its successors and assigns, so long as the Project's certification has not been revoked by EACC.
2. This Agreement is subject to M.G.L. Chapter 23A, Sections 3A-3F inclusive; M.G.L. Chapter 40, Section 59; and M.G.L. Chapter 59, Section 5, Cl. Fifty-first.
3. The Owner shall pass along to the Company all real property tax savings resulting from this Agreement. No other building or structure (or portion thereof) at the Property shall be eligible for a Tax Increment Financing Exemption, unless specifically authorized by a separate tax increment financing agreement. The parties acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required.
4. Should any part, term or provision of this Agreement be determined by any court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms, and provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Agreement.
5. The effective date of this Agreement shall be June 17, 2021, the (presumptive) date of the Economic Assistance Coordinating Council's approval of the EDIP Preliminary Application and TIF Agreement.
6. All notices, reports or other communications required or permitted under this TIF Agreement must be in writing signed by a duly authorized representative of the City, Company, or Owner, as the case may be, and shall be (i) hand delivered, (ii) delivered by a nationally recognized overnight delivery service, or (iii) mailed by certified or registered mail, return receipt requested, postage prepaid, to the parties at the following addresses or such other addresses as each may have specified to the other by such a notice:

CITY: City of Marlborough
City Hall, 4th Floor
Attention: Mayor's Office
140 Main Street
Marlborough, MA 01752

With a copy to: Legal Department at same address

COMPANY: BJ's Wholesale Club, Inc.
Attention: Vice President Real Estate
25 Research Drive
Westborough, MA 01581

cc: General Counsel
25 Research Drive
Westborough, MA 01581

OWNER: BH GRP TCAM OWNER LLC
c/o Greatland Realty Partners
Attention: Philip Dorman
1 Federal Street, 18th Floor
Boston, MA 02110

cc: Goulston & Storrs PC
Attention: Kevin Renna
400 Atlantic Avenue
Boston, MA 02110

7. This TIF Agreement may be executed in counterparts by the parties, and each such counterpart shall be considered an original and all such counterparts shall constitute one and the same instrument.
8. This TIF Agreement may be amended, changed, modified, or altered only by a written instrument signed by the parties to this TIF Agreement. This Agreement and the terms contained herein shall not be altered without prior authorization from the EACC and a written amendment to this Agreement.
9. This TIF Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts. The rights and obligations of the parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the Commonwealth of Massachusetts.

WITNESSETH, the execution and delivery of this Agreement by the Company, the Owner and the City as an instrument under seal as of the date last written below by the signatories hereto.

AGREED TO:

COMPANY

BJ'S WHOLESALE CLUB, INC.

By: _____
Name: _____
Title: _____

Dated: _____, 2021

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2021, before me, the undersigned notary public, personally appeared _____ of BJ's Wholesale Club, Inc. and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CERTIFICATE OF AUTHORITY

The undersigned, _____, hereby certifies as follows:

1. The undersigned is the _____ of the Company.
2. The undersigned hereby certifies that _____, _____ of the Company, is authorized to execute binding agreements on the Company's behalf, including without limitation this Agreement.

The undersigned has executed this certificate as of this date.

Name:
Title:
Dated: _____

OWNER

BH GRP TCAM OWNER LLC

By its Manager:

Dated: _____, 2021

[name]
Manager

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2021, before me, the undersigned notary public, personally appeared _____, as manager of OWNER, and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CERTIFICATE OF AUTHORITY

The undersigned, _____, hereby certifies as follows:

1. The undersigned is the _____ of the Owner.
2. The undersigned hereby certifies that _____ of the Owner, is authorized to execute binding agreements on the Owner's behalf, including without limitation this Agreement.

The undersigned has executed this certificate as of this date.

Name:

Title:

Dated: _____

CITY OF MARLBOROUGH

By: _____

Arthur G. Vigeant
Mayor
City of Marlborough

Dated: _____, 2021

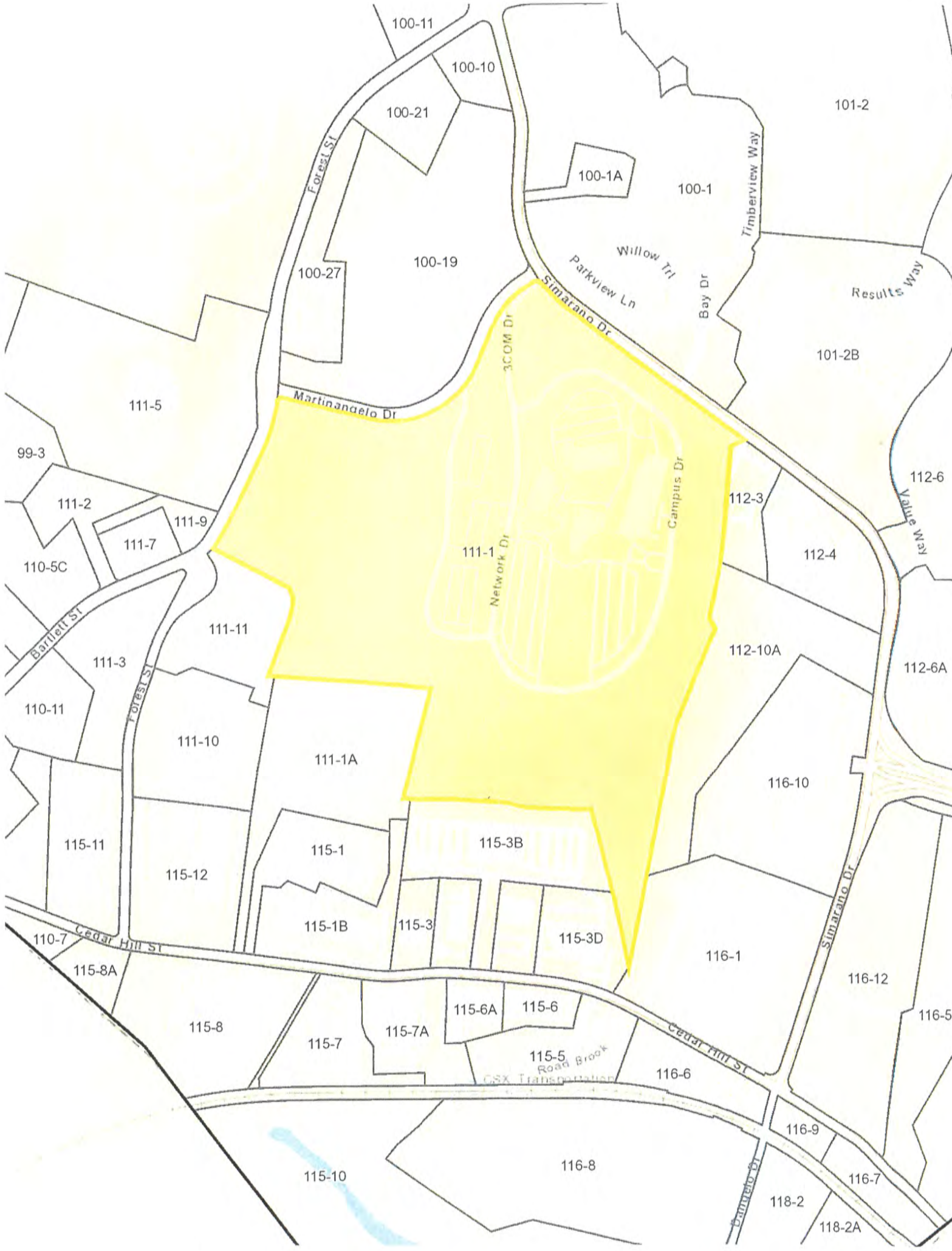
COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2021, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, as Mayor of the City of Marlborough, and proved to me through satisfactory evidence of identification, which was _____, that he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

ATTACHMENT
Property Map





City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

Arthur G. Vigeant
MAYOR

2021 APR 22 A 11:36

Patricia M. Bernard
EXECUTIVE AIDE

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Ryan P. Egan
EXECUTIVE SECRETARY

April 22, 2021

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Request for 90 Day Housing Moratorium

Honorable President Ossing and Councilors:

I am requesting the City Council to put a 90-day moratorium on accepting new housing projects. This requested moratorium does not include single family homes. I ask that the Council to advertise simultaneously while referring to Committee for further discussion. Enclosed is a draft of the proposed permitting moratorium.

We currently have 13 projects that are permitted or under consideration, totaling 1,888 units. We are waiting on the definitive regulations of the Governor's housing bill so we can adapt and potentially capitalize on state grant funding that is relevant to housing and transportation. I anticipate that we will have information from the Commonwealth within 90 days and can make more informative decisions going forward.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

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. By **inserting** a new Section 650-61 entitled “Temporary Moratorium for Multi-Family Housing Projects” as follows:

Section 650-61. Temporary Moratorium for Multi-Family Housing Projects

A. Purpose

Section 18 of chapter 358 of the Acts of 2020 adds a new section 3A to the Zoning Act (Chapter 40A of the General Laws) applicable to MBTA communities, including the city of Marlborough, providing that each MBTA community “shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right.” The Massachusetts Department of Housing and Community Development is required to promulgate guidelines to determine if an MBTA community is in compliance with section 3A, and the Department intends to issue more detailed guidelines on compliance criteria. These new requirements raise complex and novel zoning, planning, legal, and public infrastructure issues. Detailed guidelines will be informative to the city and its planning and zoning processes for siting multi-family residential uses. There is significant continued interest in the development of land and buildings for multi-family residential uses within the city which require consideration of how such development corresponds to various public infrastructure impacts. This section will allow the city time to undertake any necessary planning or zoning process to address the potential impacts of housing in the city, and consider the Department’s forthcoming detailed guidelines (once issued) and whether to amend its Zoning Ordinance.

B. Temporary Moratorium

(1) Notwithstanding any other provision of the Zoning Ordinance to the contrary, no special permit or site plan approval shall be issued for construction of multi-family housing projects for the period commencing on the first publication of notice of the public hearing on this zoning ordinance amendment and ending 90 days from the date of approval of this zoning amendment by the City Council. This moratorium shall apply to any use of land for a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building, in all zoning districts in the city. In no case shall the City accept an application for special permit or site plan approval for said housing project during this period.

(2) The provisions of this section shall not apply to an application for a special permit or site plan approval filed with the City Clerk, or granted, prior to the date of the first publication of notice of the public hearing on this zoning ordinance amendment.

(3) Notwithstanding this section, the Building Commissioner may authorize submittal of such an application pertaining to existing housing deemed by the Building Commissioner to constitute blight, a dilapidated building, a hazard or a nuisance, as defined by section 485-2 of the City Code; provided, however, that the Building Commissioner make any such authorization expressly conditional on the City Council's subsequent decision to process the application.

ADOPTED
In City Council
Order No. 21-

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH



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
pwilderman@marlborough-ma.gov

City Council Sign Approval Form

4/9/2021

To City Council President and all Councilors,
Included in this form is an applicant seeking approval from City Council as it relates to the signage project at the below address.

This sign complies with the Special Permit from 2001 Order No. 01-9068C

The sign permit application and rendering has been included as Exhibit A.

Address of Location seeking approval 656 Boston Post Road East
BP-2021-000476

Zoning District:

Meets Current Sign Code:

Planning Board Variance:

Wayside Zoning

YES

NO

Code Enforcement Officer Ethan Lippitt

CC File
City Council
Commissioner Htway

Letter to City Council RE: BP-2021-000476

Exhibit A



City of Marlborough
BUILDING DEPARTMENT
140 Main Street
Marlborough, Massachusetts 01752

RECEIVED
ONLY
BY _____

Date: 3-31-21

Permit No. BP-2021-000476

Address/Location of Sign 656 BOSTON POST ROAD

Name of Business MOBIL

Name of Owner of Business GLOBAL PARTNERS Telephone 800-225-1925

Type of Sign: (check off which applies)

Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

Is this a replacement of a same size existing sign(s) YES NO

Dimensions Sign: VARIES

Length _____ Width _____ Height (Free Standing) ETR Area 73.3 SF

Location of Sign on Bld. North _____ South _____ East _____ West _____

Dimensions Façade:

Length _____ Width _____ Area _____

Carolyn Parker _____ 774-239-2781
Signature of Responsible Party Telephone

Installer Company JSP LAND DEVELOPMENT Telephone 413-564-0404

% capconsulting@verizon.net
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

Carolyn Parker _____ 3-31-21
Signature Date

Cost of Sign(s) 2500.00 Permit Fee \$ 50.00



CITY OF MARLBOROUGH

Building Department
(508) 460-3776

BUILDING
PERMIT

PERMIT NO BP-2021-000476
ISSUE DATE 04/06/2021
APPLICANT JSP LAND DEVELOPMENT

JOB WEATHER CARD

PERMIT TO Free Standing Sign

AT (LOCATION) 656 BOSTON POST RD, MARLBOROUGH, MA 0 ZONING DISTRICT B Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT 61-2-- BUILDING IS TO BE: CONST TYPE USE GROUP B

WORK DESCRIPTION
Reface ONLY of varies Free Standing Signs for :Mobil".

CONTRACTOR
LICENSE 0000
Construction Supervisor
JSP LAND DEVELOPMENT
181 NORTE DAME STREET
WESTFIELD, MA 01085
PAID

AREA (SQ FT) EST COST(\$ 2500.00 PERMIT FEE (\$) 50.00
OWNER GLOBAL MONTELLO GROUP CORP
ADDRESS 15 NORTHEAST INDUSTRIAL RD
BRANFORD CT 06405

BUILDING DEPT BY

PHONE 774-239-2578

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE

APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.

WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

POST THIS CARD SO IT IS VISIBLE FROM STREET

BUILDING INSPECTIONS APPROVALS

	REQUIRED INSPECTIONS LISTED ON REVERSE	
	OTHER:	

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION

PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE.

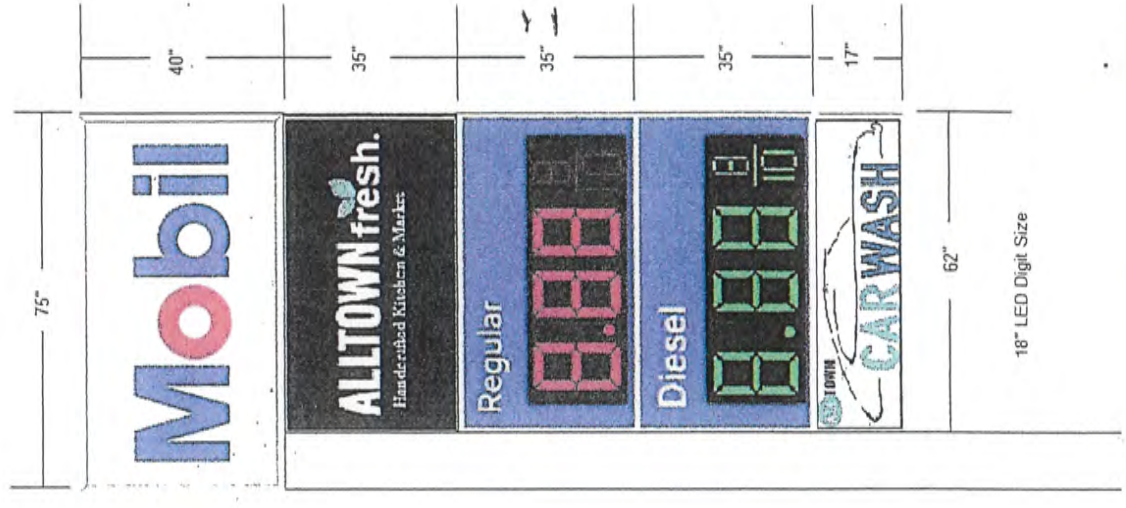
INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE OR WRITTEN NOTIFICATION.

SCOPE: REMOVE "ALLTOWN" AND "AUTOWASH" SIGN FACES. INSTALL NEW "ALLTOWN fresh" AND CAR WASH SIGN FACES.

FEE = \$5.



EXISTING PYLON SIGN
73.3 SF



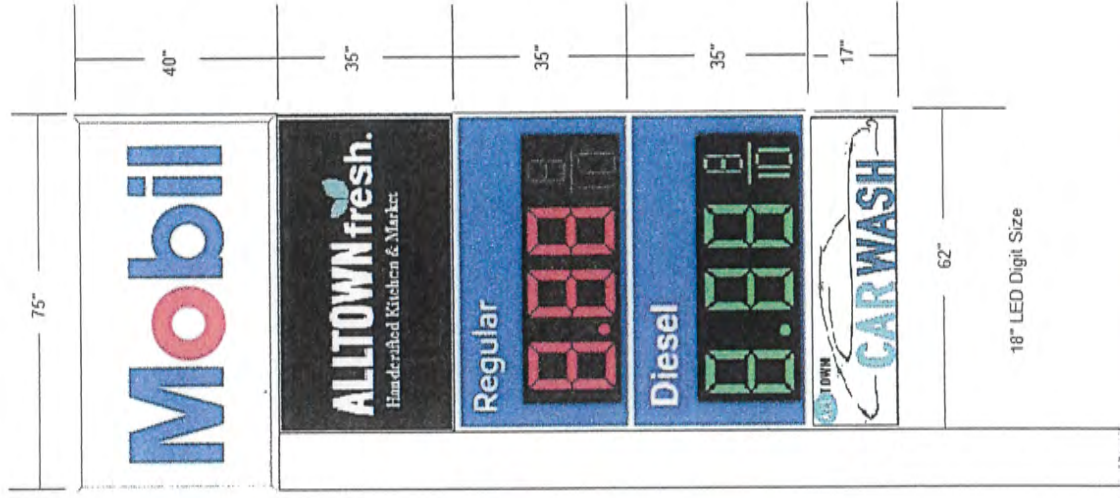
PROPOSED PYLON SIGN
73.3 SF
651 BOSTON POST ROAD

WANT TO REMOVE ALLTOWN AND CARWASH SIGN
 FACES. INSTALL NEW "ALLTOWN fresh" AND
 CARWASH SIGN FACES.

FEE = \$50



EXISTING PYLON SIGN
 73.3 SF



PROPOSED PYLON SIGN
 73.3 SF
 656 BOSTON POST ROAD
 WINDHAM, MA

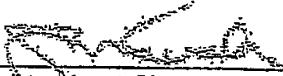
Owner Authorization

This correspondence serves as confirmation that JSP Land Development (JSP) and their agents are hereby authorized to serve as agent of Global Companies, LLC and their subsidiaries (Global Alliance, Alliance Energy, Global Montello, etc.). JSP's authority and their agent's authority is limited to project permitting on the behalf of Global Companies, LLC. Representation of the owner's interests by JSP and their agents is authorized for submittal of written materials, personal correspondence, and representation at public meetings/hearings.

Authorization

Global Companies, LLC
Owner of Record

Jamie Cook, Director
Name, Title



Authorized Signature

04/18/17
Date

March 31, 2021

City of Marlborough
140 Main Street
Marlborough, MA 01752

Attn: Ms. Pamela Wilderman
Code Enforcement Officer

Mobil
656 Boston Post Road East
Marlborough, MA 01752
Delivery: Regular Mail

Dear Ms. Wilderman,

Enclosed please find (1) one Sign Permit Application and (2) sets of drawings showing the sign changes to the existing Mobil gas station located at 656 Boston Post Road, Marlboro, MA. They will remove the existing "Alltown" and "Autowash" sign faces and install new "Alltown fresh" and "Alltown Carwash" sign faces. The existing location, illumination and overall square footage of 73.3 square feet will remain.

The contractor for the project is JSP Land Development, 181 Notre Dame Street, Westfield, MA 01085, a copy of their Worker's Compensation Insurance is enclosed. Also enclosed is an owner authorization form allowing me to obtain the necessary permits. No electrical permit is required.

Lastly, please find check #3474 in the amount of \$50.00 for the Sign Permit fee. If you find everything is in order please return the permit to me in the enclosed self-addressed stamped envelope. If you have any questions or require additional information please call me at (774) 239-2781 to discuss. Thank you in advance for your time in helping to expedite this matter.

Sincerely,


Carolyn A. Parker

Cc: JSP Land Development

PETITION FOR POLE LOCATIONS

April 8, 2021

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 APR 12 P 1:29

To the Town Council of
Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY requests permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said company may deem necessary, in the following public way or ways;

Forest St

**National Grid install new 45/2 pole at these coordinates: 42.332376, -71.579604
set pole approx 103' West of P25-1 and approx. 26' from centerline**

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

MASSACHUSETTS ELECTRIC COMPANY

Plan No. 30347879 Dated 4/5/2021

Your petitioner agrees to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: *Robert Leonida*
Manager of Distribution Design *RP*

ORDER FOR POLE LOCATIONS

April 8, 2021

To the Board of Selectmen
of the Town of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED:
that **MASSACHUSETTS ELECTRIC COMPANY** be and they are hereby granted locations for and permission
to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as
said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of
said Company dated the
8th day of April, 2021

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

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon
the plan marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. **30347879** Dated **4/5/2021** filed with this order

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires, and all
of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

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

Forest St

**National Grid install new 45/2 pole at these coordinates: 42.332376, -71.579604
set pole approx 103' West of P25-1 and approx. 26' from centerline**

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting
public ways for the purpose of making connections with such poles and buildings as each of said petitioner may
desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the

_____, 2021

Clerk of Selectmen

Received and entered in the records of location orders
of the Town of Marlborough, Massachusetts

Book: _____ Page: _____

Attest: _____
Town Clerk

I hereby certify that on _____, _____, at _____ o'clock, _____ M.,
at _____ a public hearing was held on the petition of

MASSACHUSETTS ELECTRIC COMPANY

for permission to erect the poles, wires and fixtures described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires and fixtures under said order.

And that thereupon said order was duly adopted.

Selectmen of the Town of

Marlborough, MA

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the _____ of the Town of _____, Massachusetts, on the _____ day of _____, _____, and recorded with the records of location orders of provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
Town Clerk

Pole & UG Petition/Permit Request Form

City Marlborough WR # 30347879
Town of _____
(circle one)

Install 1 SO JO Poles on Forest St
(quantity) (circle one) (street name)

Remove _____ SO JO Poles on _____
(quantity) (circle one) (street name)

Relocate _____ SO JO Poles on _____
(quantity) (circle one) (street name)

Beginning at a point approximately 720 feet West of the centerline
(distance) (compass heading)
of the intersection of Forest St and Results Way
(street name)

and continuing approximately _____ feet in a _____ direction.
(distance) (compass heading)

Install underground facilities:

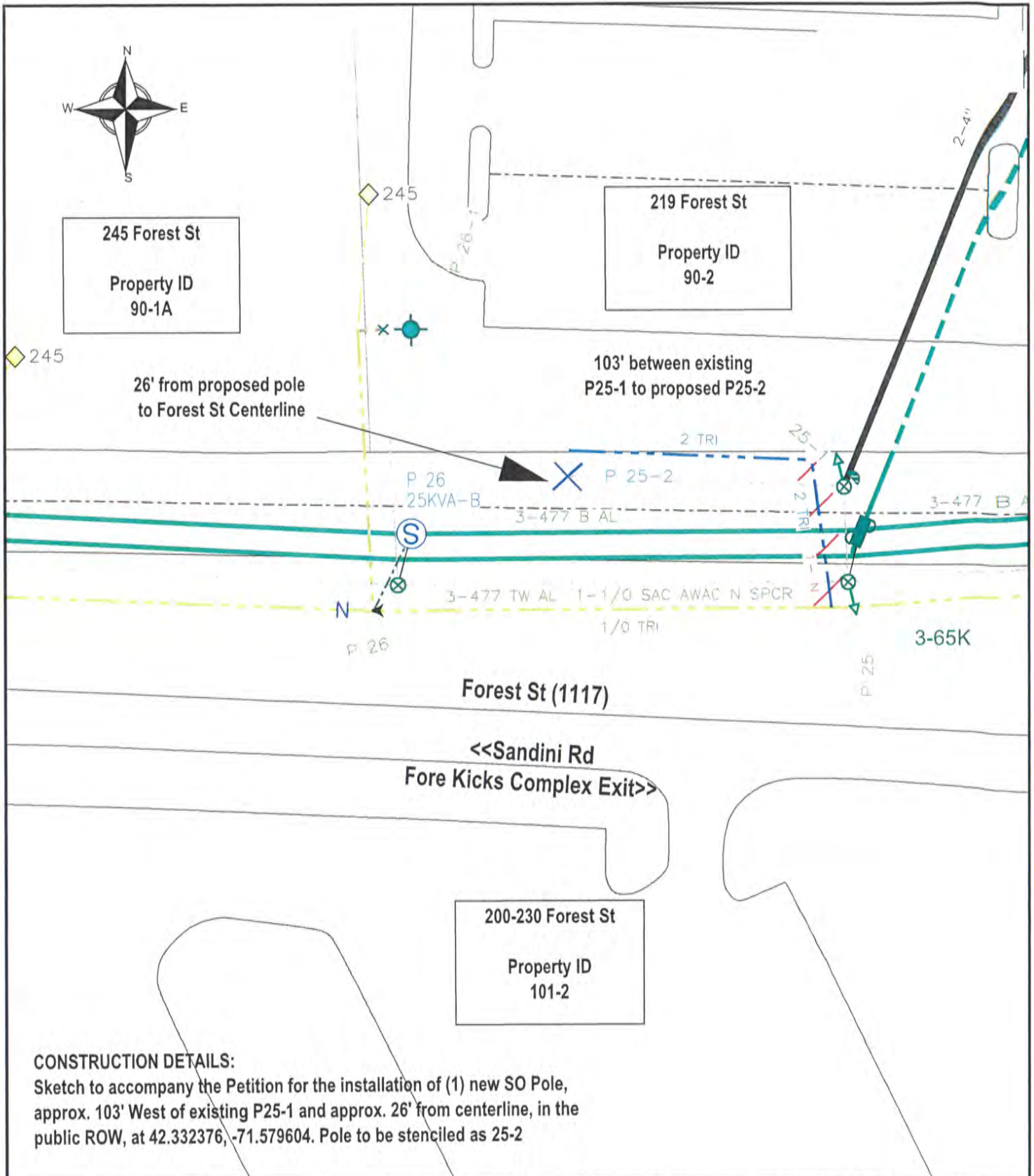
Street(s) _____


Description of Work:

ELCO install new 45/2 pole at these coordinates: 42.332376, -71.579604
Set pole approx. 103' West of P25-1 and approx. 26' from centerline

ENGINEER Fred Griffin

DATE 4/5/21



<p>Designer: Alicia Hicks WR#: 30347879</p>	<p>PETITION SKETCH - EXHIBIT A</p>	<p>NOT TO SCALE</p>
<p>Property Owner: City of Marlborough Parcel ID: 90-2 Address: 219 Forest St</p>	<p>The Exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof</p>	<p></p>

201 FOREST STREET LLC
40 MECHANIC ST STE 220
MARLBOROUGH, MA 01752

ADVANCED MATH AND SCIENCE
201 FOREST ST
MARLBOROUGH, MA 01752

ATLANTIC-MARLBORO REALTY
205 NEWBURY ST
FRAMINGHAM, MA 01701

CSM MARLBORO HOTEL LLC
500 WASHINGTON AVE SOUTH
SUITE 3000
MINNEAPOLIS, MN 55415

FORE KICKS II LIMITED PAR
190 ROLLING MEADOW DR
HOLLISTON, MA 01746

RIESSLE JAMES
245 FOREST ST
MARLBOROUGH, MA 01752

RING ANN M
257 FOREST ST
MARLBOROUGH, MA 01752

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 APR 16 P 1:45

1. Name and address of Petitioner or Applicant:

Mina Property Group, LLC

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

408 Maple Avenue, Marlboro, MA 93-65

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

- same -

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

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

Article V Section 650 Paragraph 25 Sub-paragraph _____
- 18a

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

Commercial Automotive Zone

7. Specific reason(s) for seeking Special Permit

Modification of Existing Special Permit issued
July 2017 as regards to allowed signage
as permitted in the original Special Permit.

The applicant wishes to increase the signage on the
premises located at 408 Maple Street as shown on the
accompanying plans.

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

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

Pat Scyrella - Agent
Signature of Petitioner or Applicant

Address: 408 Maple Street

Marlboro, MA

Telephone No. 978-273-8588

Date: 4/15/21

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

Mina Property Group, LLC
(Name of Petitioner)

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

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

461 SOUTH STREET MARLBORO
19 WESTGATE RD
FRAMINGHAM, MA 01701

DESOUZA VINICIUS
23 MILL ST CENTRAL
MARLBOROUGH, MA 01752

GENTILOTTI JAMES G
27 EDWARDS RD
MENDON, MA 01756

ADVOCATES INC
1881 WORCESTER RD
FRAMINGHAM, MA 01701

EVANGELOUS THEODORE J JR
PO BOX 8
SOUTHBOROUGH, MA 01772

ICBP IV HOLDINGS 32 LLC
ONE SANSOME ST STE 1500
SAN FRANCISCO, CA 94104

B & B WHOLESALE TIRE CO
109 MILL ST SOUTH
MARLBOROUGH, MA 01752

FERRO MICHAEL F
56 WALKER ST
MARLBOROUGH, MA 01752

JOSEPHSON LINDA E
49 PINE ST
HUDSON, MA 01749

BOSTON OIL CHANGE LLC
25 MAIN ST
HARTFORD, CT 06106

FERRO MICHAEL F
56 WALKER ST
MARLBOROUGH, MA 01752

LINTON DAVID H TR
110 WHITE TAIL LN
LANCASTER, MA 01523

CAFERELLI DAVID J
35 WALKER ST
MARLBOROUGH, MA 01752

FERRO MICHAEL F TR
56 WALKER ST
MARLBOROUGH, MA 01752

MARLBOROUGH MAPLE REAL ES
PO BOX 95
ATTN CREATIVE DEVELOPMENT
NEWTON UPPER FALLS, MA 02464

COMMONWEALTH OF MASSACHUS
10 PARK PLAZA STE 4160
BOSTON, MA 02116

FERRO MICHAEL F TR
56 WALKER ST
MARLBOROUGH, MA 01752

MDC
251 CAUSEWAY ST STE 900
BOSTON, MA 02114-2104

COMMONWEALTH OF MASSACHUS
10 PARK PLAZA STE 4160
BOSTON, MA 02116

FLORIO JAMES D TR
63 SHERBURN CIR
WESTON, MA 02493

MERCURIO JOSEPH F
16 BAKER ST
MILFORD, CT 06461

DEAGUIAR RONIE MOREIRA TR
69 RIVER ST
MARLBOROUGH, MA 01752

GARCEASU DAVID J SR
46 RIVER ST
MARLBOROUGH, MA 01752

METROPOLITAN DISTRICT COM
251 CAUSEWAY ST STE 900
BOSTON, MA 02114-2104

DEAGUIAR RONIE MOREIRA TR
69 RIVER ST
MARLBOROUGH, MA 01752

GARCEAU DAVID J SR
46 RIVER ST
MARLBOROUGH, MA 01752

MINA PROPERTY GROUP LLC
C/O HOWARD WILNER
1199 WORCESTER RD
FRAMINGHAM, MA 01701

DEGIACOMO JOHN
131 FRAMINGHAM RD
MARLBOROUGH, MA 01752

GENTILOTTI GERALD D TR
27 EDWARDS RD
MENDON, MA 01756

MINA PROPERTY GROUP LLC
C/O HOWARD WILNER
1199 WORCESTER RD
FRAMINGHAM, MA 01701

MINA PROPERTY GROUP LLC
C/O HOWARD WILNER
1199 WORCESTER RD
FRAMINGHAM, MA 01701

SKB DEVELOPMENT LLC
103 MECHANIC ST
UNIT E2
MARLBOROUGH, MA 01752

MINA PROPERTY GROUP LLC
C/O HOWARD WILNER
1199 WORCESTER RD
FRAMINGHAM, MA 01701

SLAAM LLC
15 FORBES AVE
MARLBOROUGH, MA 01752

MINA PROPERTY GROUP LLC
1199 WORCESTER RD
FRAMINGHAM, MA 01701

TUTTLE JUNE E TR
6 WALKER ST
MARLBOROUGH, MA 01752

MORSE W HERBERT
UNKNOWN

.. . .

NOLAN CASSIDY MAPLE STREE
PO BOX 348
MONTGOMERY CENTER, VT 05471

NOLAN CASSIDY MAPLE STREE
PO BOX 348
MONTGOMERY CENTER, VT 05471

PANTA MAYBELLINE
50 FLAGG RD
WESTFORD, MA 01886-3415

SANTOS WASHINGTON A
61 WALKER ST
MARLBOROUGH, MA 01752

SBLO BRIGHAM BUSINESS PAR
C/O LINCOLN PROPERTY CO
534 KING ST
LITTLETON, MA 01460

SERENE-SCAPE DAY SPA AND
376 MAPLE ST
MARLBOROUGH, MA 01752

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Mina Property Group, LLC Address: 408 Maple Street, Marlboro

Project Name: Meineke Address: same

1. PROPOSED USE: (describe) No change - (Service Garage)
- see existing Special Permit issued July 2017

2. EXPANSION OR NEW: N/A

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

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

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

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

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

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

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

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

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. _____

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

10. WATER AND SEWER: Describe any unusual generation of waste. _____

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? _____

***Attach additional sheets if necessary**



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall
140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 4-15-21

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Mina Property Group, LLC (Meineke Signage)

Project Use Summary: Commercial Automotive

Project Street Address: 408 Maple Street Marlboro, MA

Plate: 93 Parcel: 65


Applicant/Developer Name: Mina Property Group, LLC

Plan Date: _____ Revision Date: _____

Dear President and Members:

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

Very truly yours,


Jeffrey K. Cooke
Acting Director of Planning

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

\$250.00

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

**Steven W. Kerrigan
City Clerk**



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

Company Name

Mina Property Group, LLC

Owner Name/Officer Name of LLC or Corporation

Howard Wilner - managing Partner

Owner/Officer Complete Address and Telephone Number

1199 Worcester Road

Framingham, Ma

617 - 800 - 3005

Signature of Applicant

A. Scyilli - Agent for Mina Property Group, LLC

Attorney on behalf of Applicant, if applicable

N/A

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

Eileen Brustol

Tax Collector

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
pwilderma@marlborough-ma.gov

3/10/2021

Signs Unlimited
6801 Mount Hermon Church Rd. Suite C
Durham, NC
27705

RE: Sign Permit Application BP-2021-000137, BP-2021-000138, BP-2021-000139

To whom it may concern,

On 1/28/2021 sign permits were applied for regarding the installation of signs upon the property at 408 Maple Street. Signs on that property must comply with the Special Permit regarding that site. The sign permits associated with the site at 408 Maple St. are hereby voided until at some such time that the Special Permit governing the site can be modified to include or disallow the signage that was applied for.

The Special Permit Application can be found on the City's website.
<https://www.marlborough-ma.gov/city-clerk/pages/city-council-applications>

The Special Permit that governs 408 Maple Street has been attached to this letter as a convenience to you.

Code Enforcement Officer Ethan Lippitt

CC File
City Council
Commissioner Cooke

PROOF



UL Underwriters Laboratories Inc. •
UL File #E225570

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written consent.

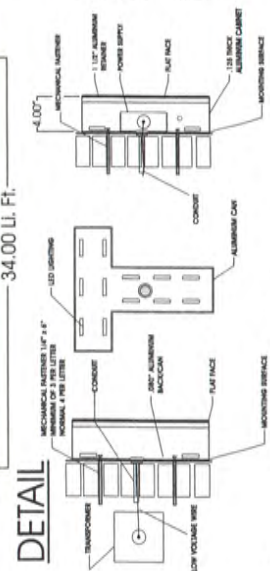
FRONT ELEVATION
MEINEKE
408 Maple St
Marlborough, MA 01752

Sq. Ft. Signage: 49.50
Signage Allowance: 49.50 Sq. Ft.
Based on Comments from
Sign Permit Application BP-2020-001659

INITIAL LAYOUT: October 26, 2020
REVISIONS: 10282020
I 010521
II
III
IV

FONT: Franklin Gothic Demi (W/ CUSTOM MODIFICATIONS)

IMPOSED IMAGERY



SPECIFICATIONS
SINGLE-SIDED ILLUMINATED
ALUMINUM CABINET

- Quantity:** See above
- Size:** As in drawing
- Face Color:** White
- Vinyl Colors:** Black
- Face:** Flat
- Cabinet Interior:** Gloss White
- Cabinet Color:** Black
- Retainer:** 1.5"
- Illumination:** LED
- Mounting:** Flush to Wall

SPECIFICATIONS
ILLUMINATED
CHANNEL

- Quantity:** See above
- Size:** As in drawing
- Trim:** 1"
- Trim Color:** Black
- Return Color:** Black
- Face Color:** As in Drawing
- Face:** Flat
- Letter Interior:** Gloss White
- Illumination:** LED
- Mounting:** Flush to Wall

COLOR: PAINT AND VINYL

PAINT: (YELLOW) PMS 109 C	PAINT: (RED) PMS 185 C
VINYL: (YELLOW) 3M 3630-15	VINYL: (RED) 3M 3630-33
PAINT: (BLACK) PMS BLACK	PAINT: (WHITE) PMS WHITE
VINYL: (BLACK) 3M 3630-22	VINYL: (WHITE) 3M 3630-20

EXISTING CONDITIONS



Owner/Landlord Approval

6801 Mount Hermon Church Rd. Ste C. Durham, NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

SIGNS: UNLIMITED
communicate your identity

PROOF

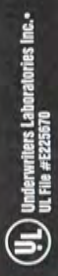
COLOR: PAINT AND VINYL

PAINT: (YELLOW) PMS 109 C	PAINT: (RED) PMS 185 C
VINYL: (YELLOW) 3M 3630-15	VINYL: (RED) 3M 3630-33
PAINT: (BLACK) PMS BLACK	PAINT: (WHITE) PMS WHITE
VINYL: (BLACK) 3M 3630-22	VINYL: (WHITE) 3M 3630-20

ADDITIONAL/INFORMATIVE ALUMINUM PAN
50.00 Sq. Ft. (10.00 Sq. Ft. Each)
80.00" TYP.

- Brakes**
- Oil Change**
- Tune-Up**
- Check Engine Light**
- Tires/Alignment**

18.00
6.00
1.00



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rights reserved by
Signs Unlimited, Inc. are
the property of Signs Unlimited,
Inc. and may not be
reproduced or
transmitted in any
form or by any means
electronic, mechanical,
photocopying, recording,
or by any information
storage and retrieval
system, without the
written permission of
Signs Unlimited, Inc.

SIDE A ELEVATION
MEINEKE
408 Maple St
Marlborough, MA 01752

INITIAL LAYOUT: October 26, 2020
REVISIONS: 010521
I
II
III
IV

Sq. Ft. Signage: 76.30
Signage Allowance: 76.66 Sq. Ft.
Based on Comments from
Sign Permit Application BP-2020-001658



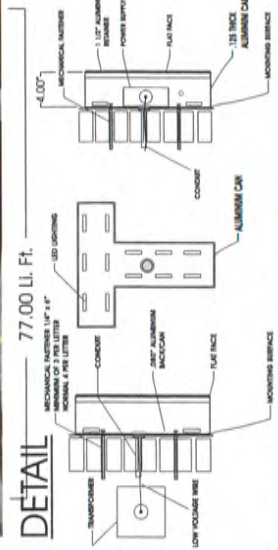
SPECIFICATIONS
SINGLE-SIDED ILLUMINATED ALUMINUM CABINET

- Quantity:** See above
- Size:** As in drawing
- Face Color:** White
- Vinyl Colors:** Black
- Face:** Flat
- Cabinet Interior:** Gloss White
- Cabinet Color:** Black
- Retainer:** 1.5"
- Illumination:** LED
- Mounting:** Flush to Wall

IMPOSED IMAGERY



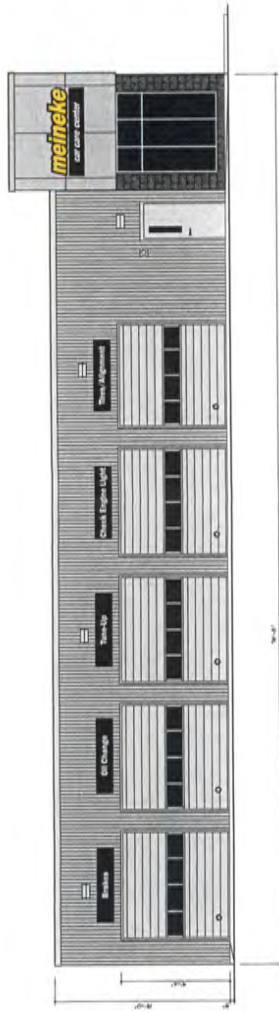
EXISTING CONDITIONS



SIGNS UNLIMITED
communicate your identity

Owner/Landlord Approval
6801 Mount Hermon Church Rd. Ste C. Durham, NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

		EXTERIOR ELEVATIONS		
--	--	---------------------	--	--



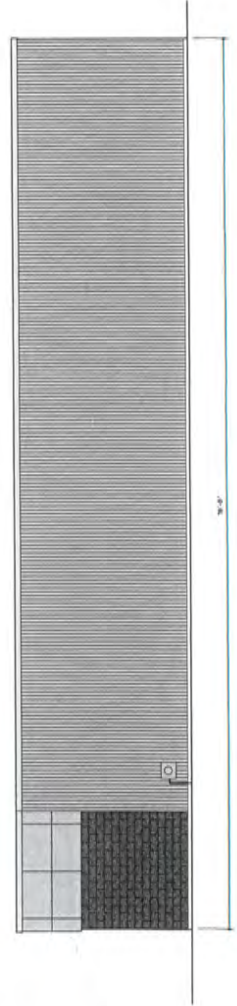
SIDE ELEVATION
0 2 4 8



FRONT ELEVATION
0 2 4 8



BACK ELEVATION
0 2 4 8



SIDE ELEVATION
0 2 4 8

GROUND SIGN - REFACE

MEINEKE

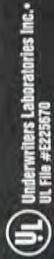
408 Maple St
Marlborough, MA 01752

INITIAL LAYOUT:

October 26, 2020

REVISIONS:

- I 10272020
- II 10282020
- III 01052020
- IV 01062020
- V 020821



UL File #E225670
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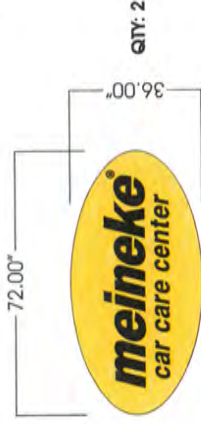
Sq. Ft. Signage: N/A

Signage Allowance:
Replacing the Existing Face

COLOR: PAINT AND VINYL

PAINT: (YELLOW) PMS 109 C	PAINT: (RED) PMS 185 C
VINYL: (YELLOW) 3M 3630-15	VINYL: (RED) 3M 3630-33
PAINT: (BLACK) PMS BLACK	PAINT: (WHITE) PMS WHITE
VINYL: (BLACK) 3M 3630-22	VINYL: (WHITE) 3M 3630-20

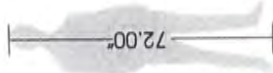
PROOF
NOTE: ENGINEERING REQUIREMENTS MAY ALTER FOOTER, POLE AND PRICE



18.00 Sq. Ft.
FLAT FACE (1/8" ACM WITH VINYL GRAPHIC)

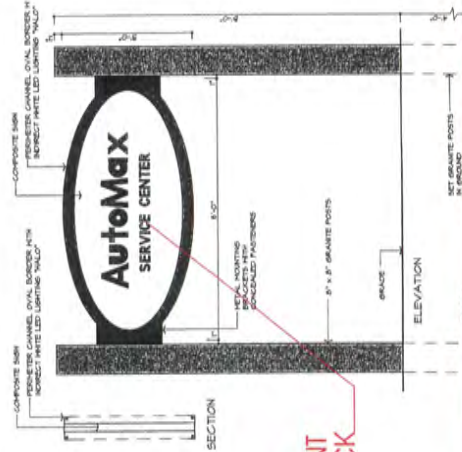
NOTE: PRODUCTION FILE TO BE USED SUPPLIED BY CLIENT
SPECIFICATIONS
NON-ILLUMINATED PANEL
REPLACEMENTS

IMPOSED IMAGERY



HAYNES LIENECK AND SMITH INC.
ARCHITECTS

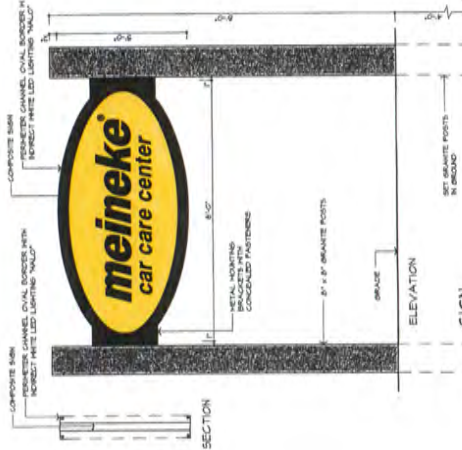
ARCHITECTS PROJECT 504
FREESTANDING SIGN
408 MAPLE STREET
MARLBOROUGH, MASSACHUSETT
NOVEMBER 22, 20



NOTE: REMOVE AND DISPOSE OF EXISTING OVAL INSERTS AND PAINT EXISTING CABINET BLACK

HAYNES LIENECK AND SMITH INC.
ARCHITECTS

ARCHITECTS PROJECT 504
FREESTANDING SIGN
408 MAPLE STREET
MARLBOROUGH, MASSACHUSETT
NOVEMBER 22, 20



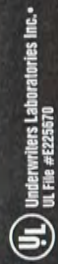
EXISTING CONDITIONS

Owner/Landlord Approval

2001 Mount Vernon Church Rd Ste C Durham NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

SIGNS: UNLIMITED
communicate your identity

SITE PLAN

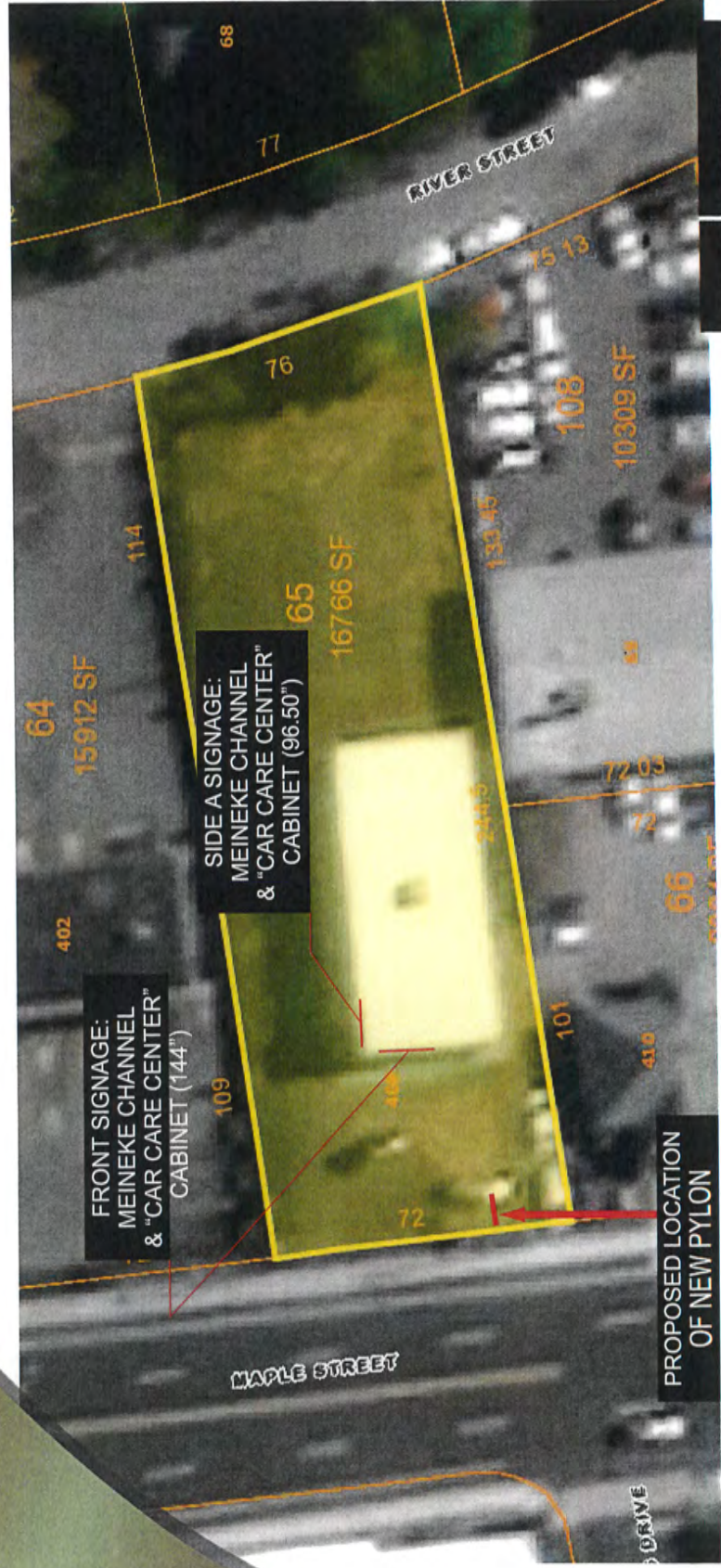
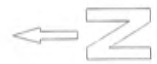


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SITE PLAN
MEINEKE
408 Maple St
Marlborough, MA 01752

INITIAL LAYOUT: October 26, 2020

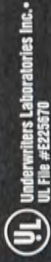
- REVISIONS:
- I
 - II
 - III
 - IV



SIGNS: UNLIMITED
communicate your identity

Owner/Landlord Approval
4801 Mount Hermon Church Rd Ste C Durham NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

REMOVAL AND LEAVE WITH OWNER PLAN



UL File #E225970

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ENTIRE SITE
MEINEKE
408 Maple St
Marlborough, MA 01752

INITIAL LAYOUT: October 26, 2020

REVISIONS:
I 10/27/2020
II 10/28/2020
III
IV

GROUND: 2 NON-ILLUMINATED PANELS 2 NON-ILLUMINATED PANELS



Owner/Landlord Approval

6801 Mount Harmon Church Rd Ste C Durham, NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

SIGNS UNLIMITED
communicate your identity

2021 APR 22 A 9:40
Brian R. Falk
Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
bfalk@mirickoconnell.com
t 508.929.1678
f 508.983.6256

April 21, 2021

VIA EMAIL

Councilor Michael Ossing, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: WoHo; 28 South Bolton Street;
Site Plan Application for a Mixed Use Project

Dear Councilor Ossing:

Enclosed please find a Site Plan Review Application package submitted on behalf of my client, WoHo, for a mixed-use project at 28 South Bolton Street in the Marlborough Village District.

This mixed-use project consists of a 6-story building with a ground floor retail unit, 40 residential units (1 and 2 bedroom), and 25 ground floor parking spaces. Pursuant to Section 650-18(42) and Section 650-34.B(1)(b) of the Zoning Ordinance, the project requires Site Plan Review by the City Council in accordance with Section 270-2 of the City Code.

Thank you for your time and attention to this matter.

Very truly yours,


Brian R. Falk

BRF/

Encl.

cc: Client



City of Marlborough

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

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: April 21, 2021

PROJECT

Name of facility: WoHo

Address: 28 South Bolton Street

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

APPLICANT

Name: WoHo

Address: 501 Massachusetts Avenue, Cambridge MA 02139

Telephone: 508-929-1678 Fax: _____
(Attorney Brian Falk)

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

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

* The applicant has entered a binding purchase and sale agreement with the owner to purchase the property.

PROPERTY OWNER

Name: M & E Ventures Corporation

Address: 28 South Bolton Street, Marlborough, MA

Telephone: (508) 509-4775 Fax: _____

Email: marilynoffice@yahoo.com

APPLICANT'S ENGINEER (preparing site plan)

Name: WSP - Jason Lavoie, PE

Address: 100 Summer Street, Boston MA 02110

Telephone: 617-426-7330 Fax: _____

Email: Jason.Lavoie@wsp.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: WOHO - Ensamble Studio of America, LLC

Address: 501 Massachusetts Avenue, Cambridge MA 02139

Telephone: 508-929-1678 Fax: _____
(Attorney Brian Falk)

Email: bfalk@mirickoconnell.com

PROJECT INFO

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

Non-Residential Residential

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

The Applicant proposes a mixed-use project with 40 residential units
and ground floor retail in a unique and impressive six-story
building. The residential mix will be 20 one-bedroom units and 20
two-bedroom units. The project will provide 25 on-site parking
spaces. Private open space on the ground level and within the
building will meet the requirements of the Marlborough Village
District of 100 s.f. per unit. The project meets all dimensional
requirements of the Marlborough Village District and does not
require a special permit.

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

ZONING DISTRICT(S) Marlborough Village District

WHAT OTHER PERMITS REQUIRED (check off which applies)

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

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? Zone X - Area of Minimal Flood Hazard
Map Number 25017C0481F

SUBMITTED PLANS AND REPORTS

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

Proposed Site Plan Set for
28 South Bolton Street April 16, 2021 Jason Lavoie, PE

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

Fee

For Minor Site Plan without a building: \$750

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

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

\$2,000.00	(base fee)
<u>\$3,778.50</u>	(62,975 s.f. X \$0.06)
<u>\$5,778.50</u>	Total Fee

PUBLIC NOTICE

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

Date of Publication: Forthcoming

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

HISTORIC BUILDING NOTICE

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

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

Chairman, Historic Commission
City Hall
Marlborough, MA 01752

APPLICANT'S SIGNATURE



Applicant or Representatives Signature

4/21/2021
Date

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

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

Office Use Only:

Date Received: _____

Site Plan Number: _____

SITE PLAN APPROVAL PUBLIC NOTICE FORM

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

City of Marlborough Public Notice of Site Plan Submission

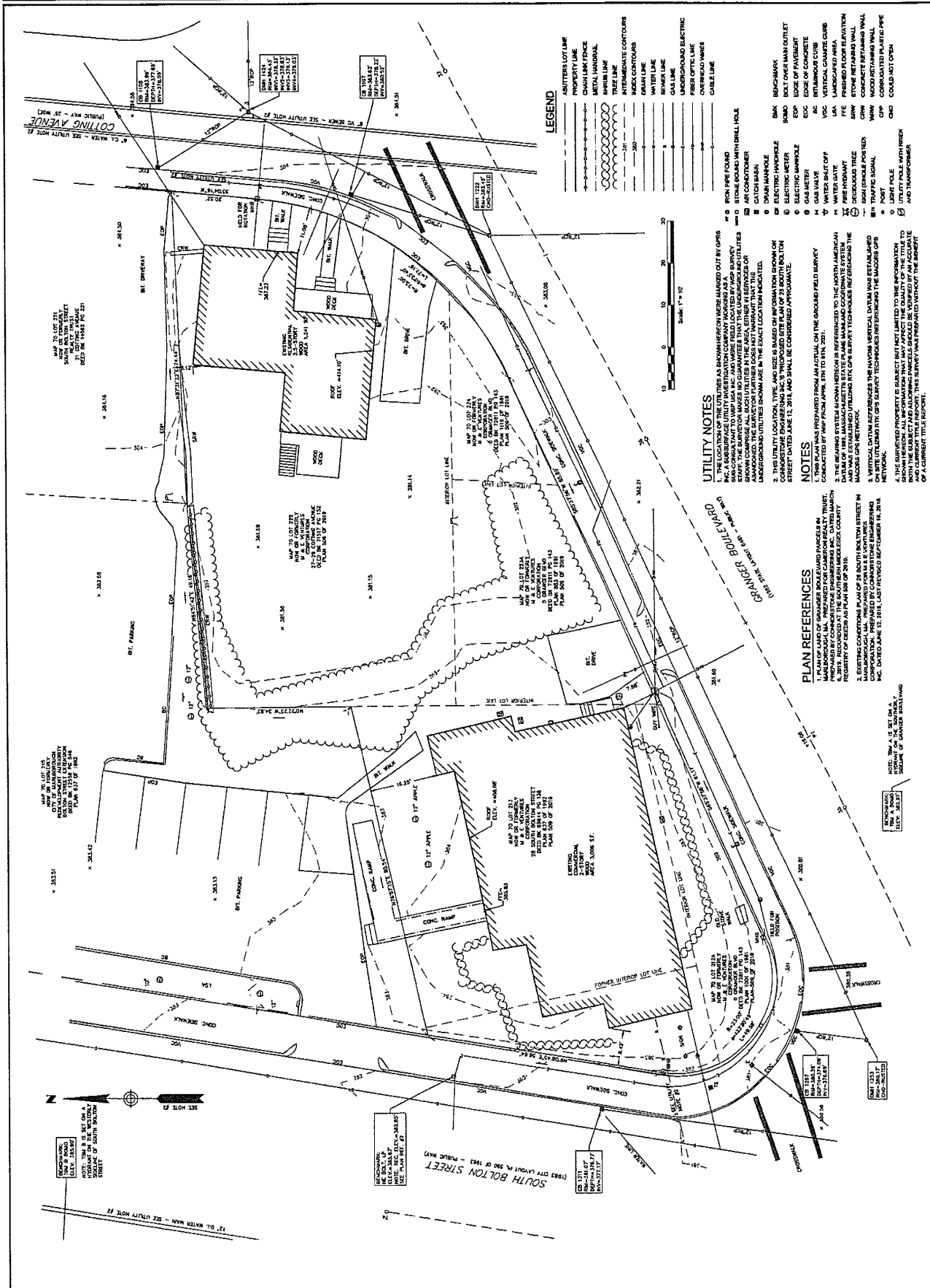
A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: WoHo, Mixed-Use Project

Project Street Address: 28 South Bolton Street, Marlborough, MA

Applicant's Name: WoHo

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



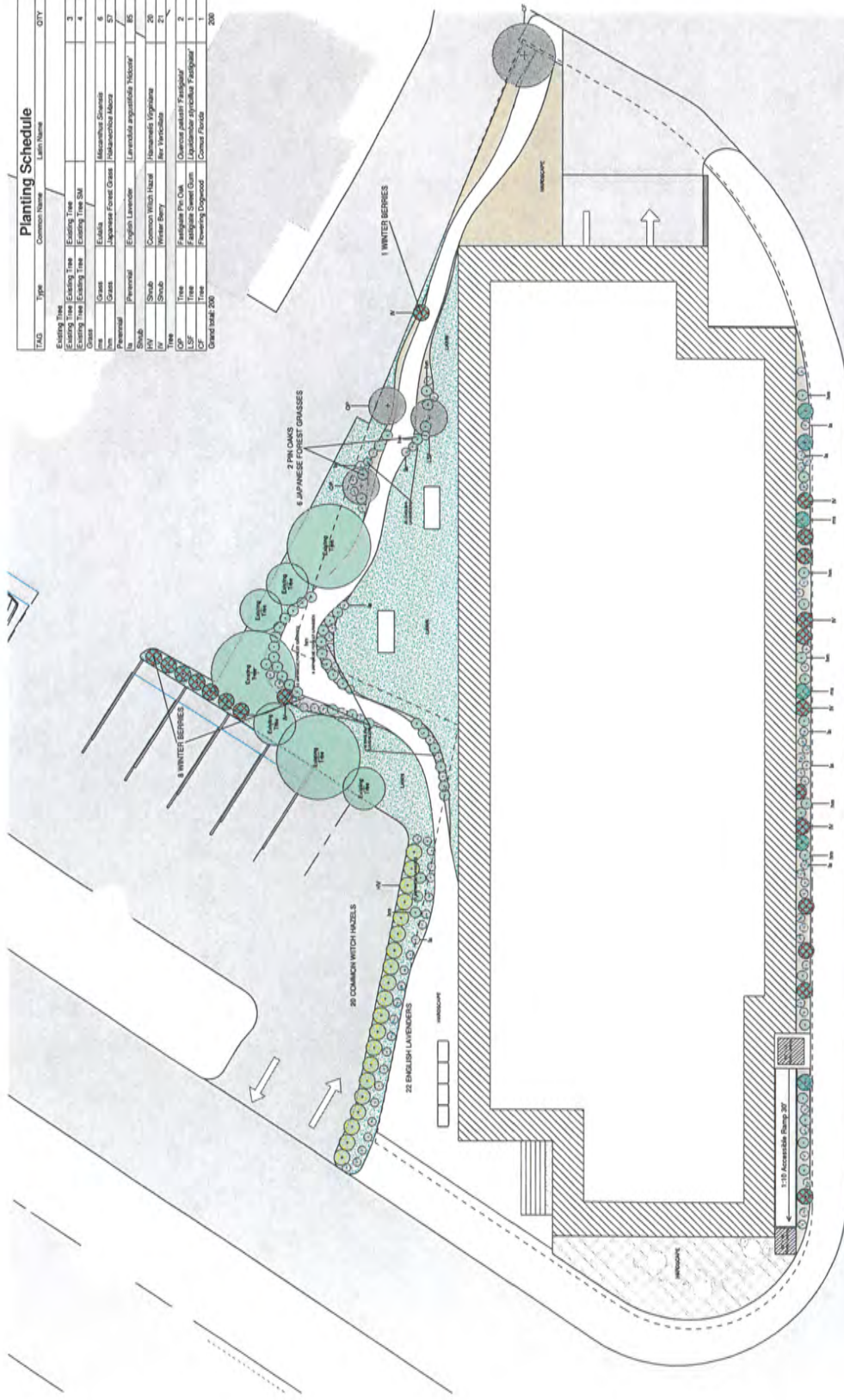
LEGEND

---	ADJUTERS LOT LINE
---	PROPERTY LINE
---	CHAIN LINK FENCE
---	METAL FENCE
---	TRAIL LINE
---	INTERMEDIATE CONTOURS
---	INDEX CONTOURS
---	DRAIN LINE
---	WATER LINE
---	SEWER LINE
---	GAS LINE
---	UNDERGROUND ELECTRIC
---	FIBER OPTIC LINE
---	OVERHEAD WIRE
---	CABLE LINE

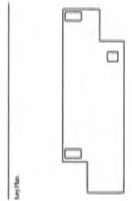
- UTILITY NOTES**
1. THE LOCATION OF THE UTILITIES AS SHOWN HEREON WERE LOCATED BY GPS BY A SURVEYING UTILITY INVESTIGATION COMPANY WORKING AS AN INDEPENDENT CONTRACTOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE ACCURATE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE THE EXACT LOCATION INDICATED.
 2. THIS UTILITY LOCATION, TYPE, AND SIZE IS BASED ON INFORMATION SHOWN ON THE RECORD DRAWING FOR THE PROJECT. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWING. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWING.
- NOTES**
1. THE SURVEYING SYSTEM IS BASED ON THE NORTH AMERICAN DATUM OF 1983. MASSACHUSETTS STATE PLANE MARIANA COORDINATE SYSTEM IS USED FOR ALL DIMENSIONS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWING.
 2. THE SURVEYING SYSTEM IS BASED ON THE NORTH AMERICAN DATUM OF 1983. MASSACHUSETTS STATE PLANE MARIANA COORDINATE SYSTEM IS USED FOR ALL DIMENSIONS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWING.
 3. VERTICAL DATUM REFERENCES THE NAVD83 VERTICAL DATUM HAS ESTABLISHED ON THE UTILITY CITY GIS SURVEY TECHNIQUES REFERENCED THE MARIANA DATUM.
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- PLAN REFERENCES**
1. PLAN OF LOT 215, MAP OF BOSTON, CITY OF BOSTON, DEPARTMENT OF CITY PLANNING, 1917.
 2. PLAN OF LOT 216, MAP OF BOSTON, CITY OF BOSTON, DEPARTMENT OF CITY PLANNING, 1917.
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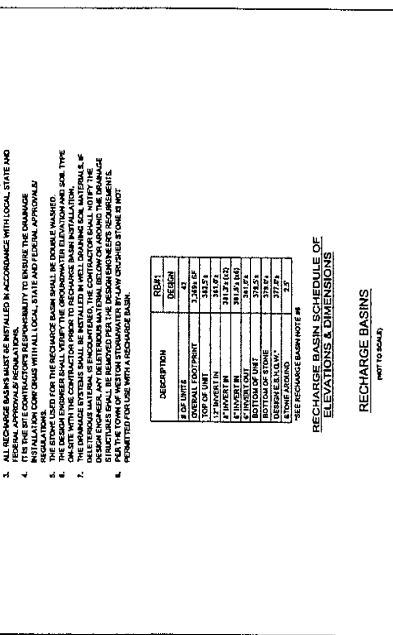
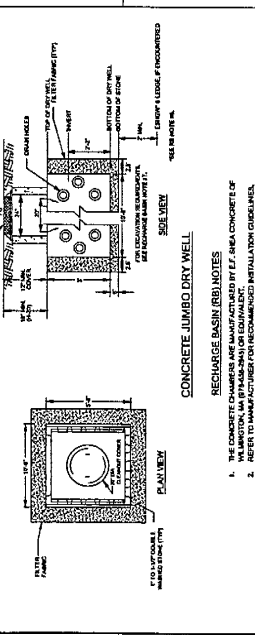
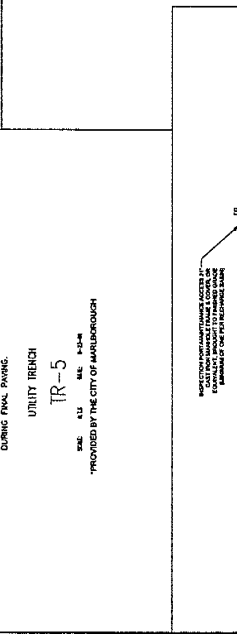
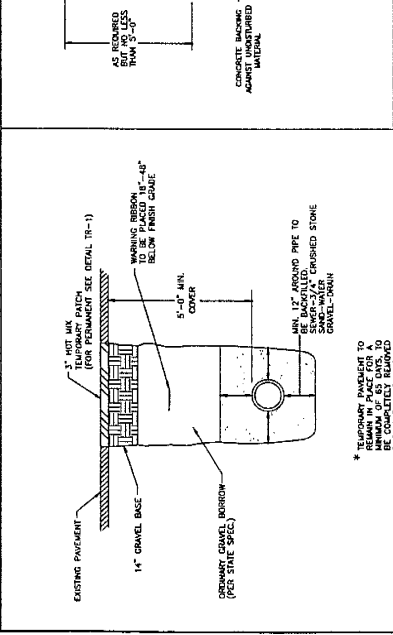
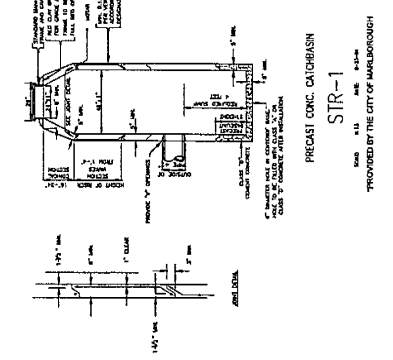
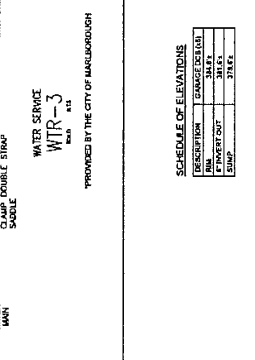
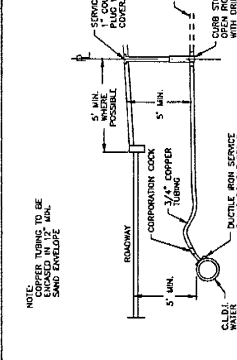
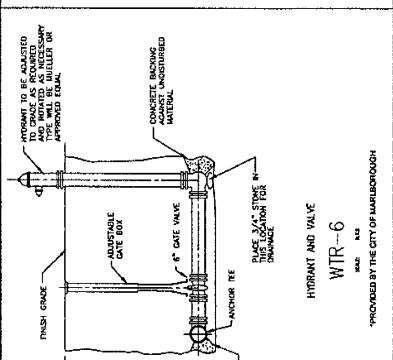
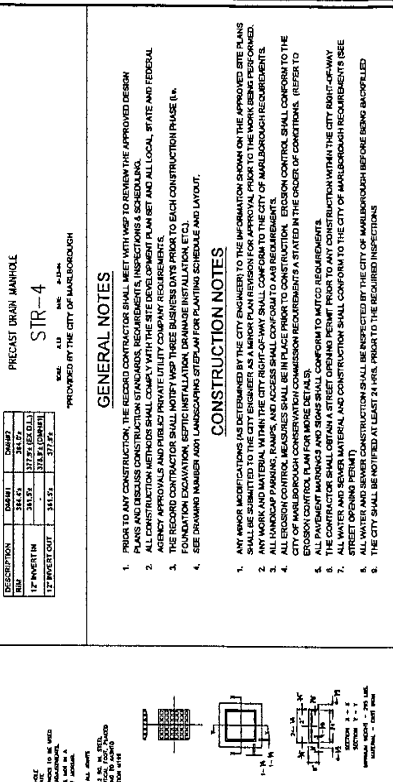
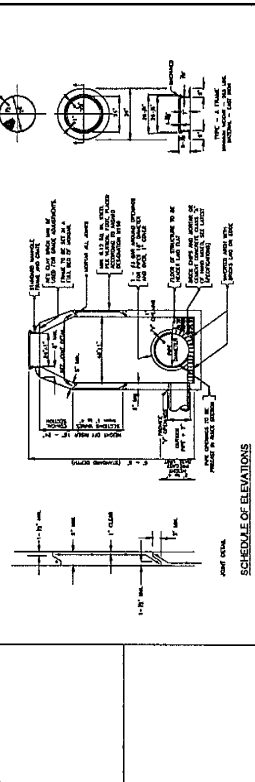
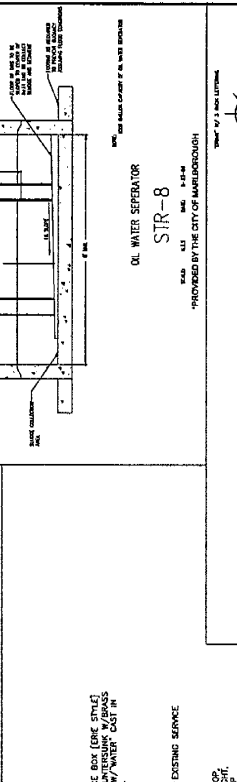
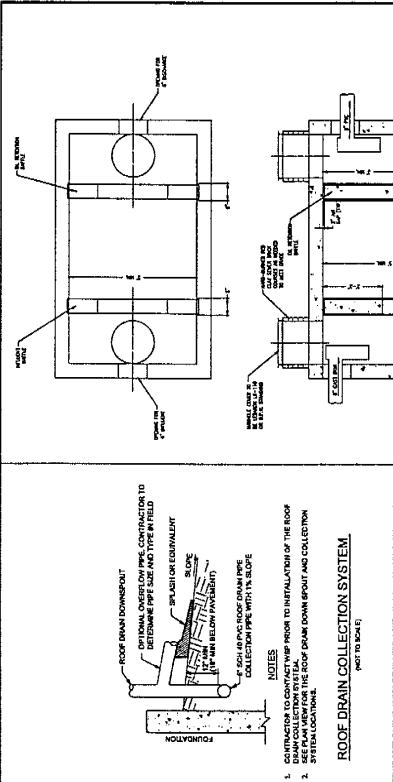
TAD	Type	Common Name	Latin Name	QTY
Existing Tree	Existing Tree	Existing Tree		3
Existing Tree	Existing Tree	Existing Tree		4
Grass	Grass	Miscanthus Saccharus		6
Grass	Grass	Japanese Forest Grass		27
Perennial	Perennial	English Lavender	<i>Lavandula angustifolia</i> 'Nobis'	85
Shrub	Shrub	Common Witch Hazel	<i>Hamamelis virginiana</i>	20
Shrub	Shrub	Winter Berry	<i>Amelanchier canadensis</i>	20
Tree	Tree	Flowering Dogwood	<i>Cornus florida</i>	2
Tree	Tree	Winter Berry	<i>Amelanchier canadensis</i>	2
Tree	Tree	Flowering Dogwood	<i>Cornus florida</i>	1
Ground Plant	Ground Plant			200



- 12 WINTER BERRIES
- 20 ENGLISH LAVENDERS
- 6 ENGLISH LAVENDERS
- 14 JAPANESE FOREST GRASSES



Scale: **1/8" = 1'-0"**
Date: **April 2021**



GENERAL NOTES:
 1. REFER TO ANY CONSTRUCTION DETAILS FOR THE INFORMATION ON THE APPROVED DESIGN PLANS AND LOCAL REQUIREMENTS.
 2. ALL CONSTRUCTION METHODS SHALL COMPLY WITH THE DEVELOPMENT PLAN SET AND ALL LOCAL, STATE AND FEDERAL AGENCY APPROVALS AND PUBLIC PRIVATE UTILITY COMPANY REQUIREMENTS.
 3. FOUNDATION CALCULATION, EROSION CONTROL, DRAINAGE INSTALLATION, ETC.
 4. SEE DRAWING NUMBER AND LANSING/STEP PLAN FOR PLANTING SCHEDULE AND LAYOUT.

CONSTRUCTION NOTES:
 1. ANY WORK NOT SHOWN ON THE INFORMATION ON THE APPROVED DESIGN PLANS SHALL BE PERFORMED BY THE CONTRACTOR.
 2. ALL WORK AND MATERIAL WITHIN THE RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF MARLBOROUGH REQUIREMENTS.
 3. ALL HANDICAP PARKING, RAMP, AND ACCESS SHALL CONFORM TO ADA REQUIREMENTS.
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MARLBOROUGH CONSTRUCTION REQUIREMENTS AS STATED IN THE ORDER OF CONDITIONS. REFER TO THE CITY OF MARLBOROUGH CONSTRUCTION REQUIREMENTS FOR MORE DETAILS.
 5. THE CONTRACTOR SHALL OBTAIN A STREET CLOSURE PERMIT FROM ANY JURISDICTION WITHIN THE CITY BOUNDARY.
 6. ALL WATER AND SEWER MATERIAL AND CONSTRUCTION SHALL CONFORM TO THE CITY OF MARLBOROUGH REQUIREMENTS (SEE STREET OPENING PERMIT).
 7. ALL CONSTRUCTION SHALL BE INSPECTED BY THE CITY OF MARLBOROUGH BEFORE BEING ACCEPTED.
 8. THE CITY SHALL BE NOTIFIED AT LEAST 24 HOURS PRIOR TO THE REQUIRED INSPECTIONS.

SCHEDULE OF ELEVATIONS

DESCRIPTION	GRADE	DEPTH
1" PIPERIM	314.75	31.75
12" PIPERIM	311.75	31.75
12" PIPERIM	311.75	31.75

SCHEDULE OF ELEVATIONS

DESCRIPTION	GRADE	DEPTH
1" PIPERIM	314.75	31.75
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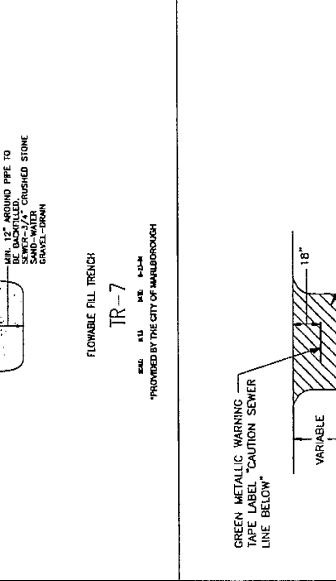
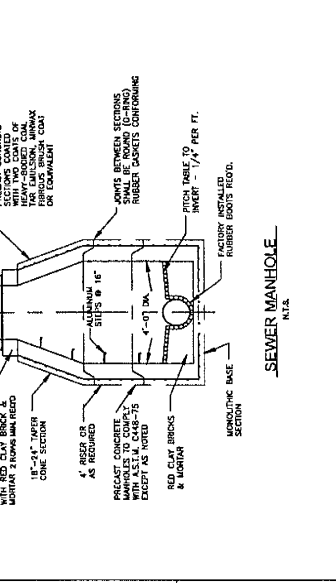
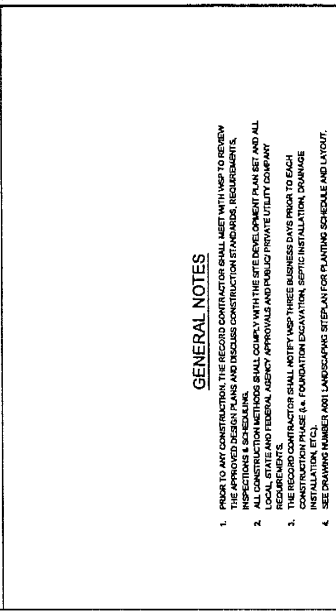
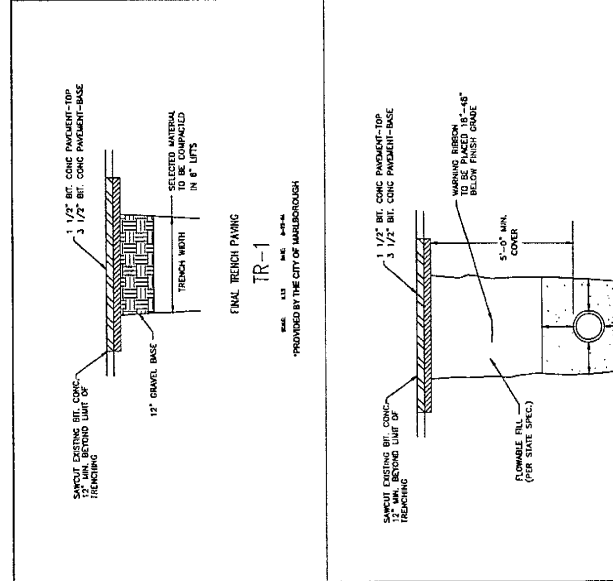
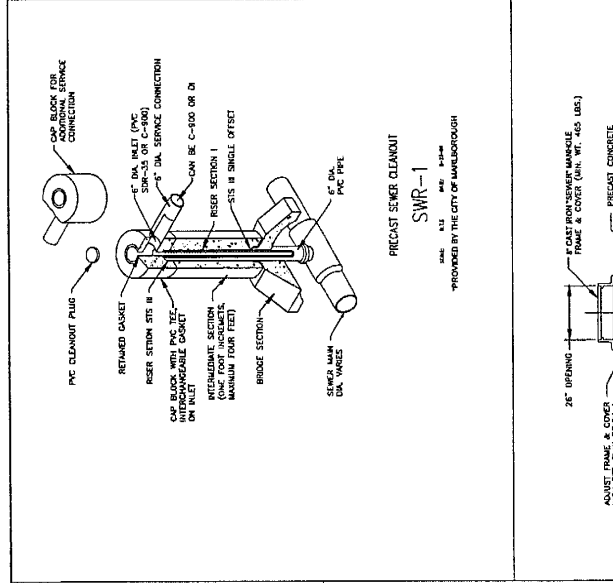
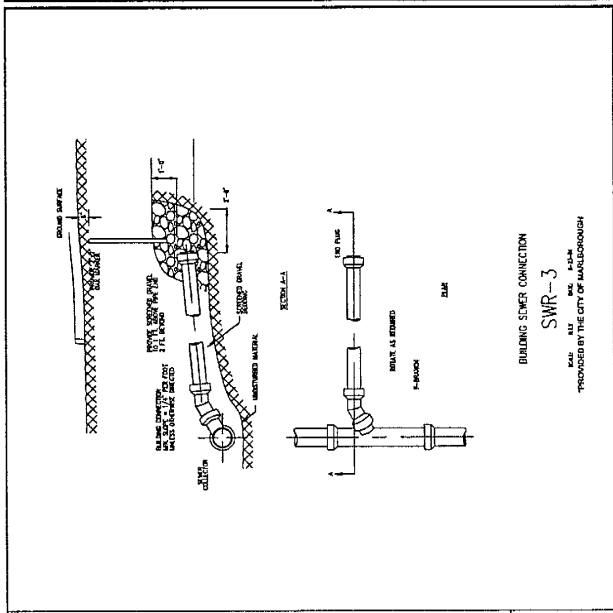
PREPARED FOR:
WHOHO SYSTEMS
 501 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139

PREPARED BY:
wsp
 100 SUMNER STREET
 BOSTON, MA 02110
 617.426.7330
 RESIDENTIAL/STAMP

DATE: 4/15/2021
 SHEET NUMBER: **C7.1**

PROJECT: **No. 28 SOUTH BOLTON STREET
 DETAIL SHEET 7 OF 3**

DATE: 4/15/2021
 SHEET NUMBER: **C7.1**



GENERAL NOTES

1. PRIOR TO ANY CONSTRUCTION THE RECORD CONTRACTOR SHALL MEET WITH WSP TO REVIEW AND DISCUSS CONSTRUCTION METHODS, REQUIREMENTS, INSPECTIONS & SCHEDULING.
2. ALL CONSTRUCTION METHODS SHALL COMPLY WITH THE SITE DEVELOPMENT PLAN SET AND ALL REQUIREMENTS AND REGULATIONS, PERMIT APPROVALS AND PUBLIC PRIVATE UTILITY COMPANY REQUIREMENTS.
3. THE RECORD CONTRACTOR SHALL NOTIFY WSP THREE BUSINESS DAYS PRIOR TO EACH CONSTRUCTION PHASE (i.e. FOUNDATION EXCAVATION, SEPTIC INSTALLATION, DRAINAGE INSTALLATION, etc.).
4. SEE DRAWING NUMBER ABOVE FOR PLANTING SCHEDULE AND LAYOUT.

CONSTRUCTION NOTES

1. ANY WORK MODIFICATIONS (AS DETERMINED BY THE CITY ENGINEER) TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A SEPARATE SET OF PLANS FOR REVIEW AND APPROVAL. ANY MODIFICATIONS SHALL CONFORM TO THE CITY OF MAHLERBOROUGH REQUIREMENTS.
2. ALL HANDS ON PERSONNEL, AND ACCESS SHALL CONFORM TO ALL REQUIREMENTS AND REGULATIONS.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MAHLERBOROUGH CONSTRUCTION CONTROL PLAN FOR MORE DETAILS.
4. THE CONTRACTOR SHALL OBTAIN A STREET CLOSURE PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY.
5. ALL WATER AND SEWER CONSTRUCTION SHALL BE INSPECTED BY THE CITY OF MAHLERBOROUGH.
6. THE CITY SHALL BE NOTIFIED AT LEAST 24 HRS. PRIOR TO THE REQUIRED INSPECTIONS.

SCHEDULE OF ELEVATIONS

DESCRIPTION	MARK
FINISH GRADE	31.75
EXISTING FINISH GRADE	31.75
ESTIMATED FINISH GRADE	31.75
ESTIMATED FINISH GRADE	31.75

NOTE:

1. EXISTING SEWER MAIN INVERTS NEED TO BE VERIFIED PRIOR TO CONSTRUCTION.

wolp

**ENSAMBLE STUDIO
OF AMERICA LLC**
RESEARCH, PRACTICE AND ASSOCIATION
IN ARCHITECTURE AND ENGINEERING
Pratt Institute, Inc.

**Marlborough
multi-family building**

**No. 28 South Bolton Street
Marlborough, MA
01752**

Concept Design

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



Southwest Facade

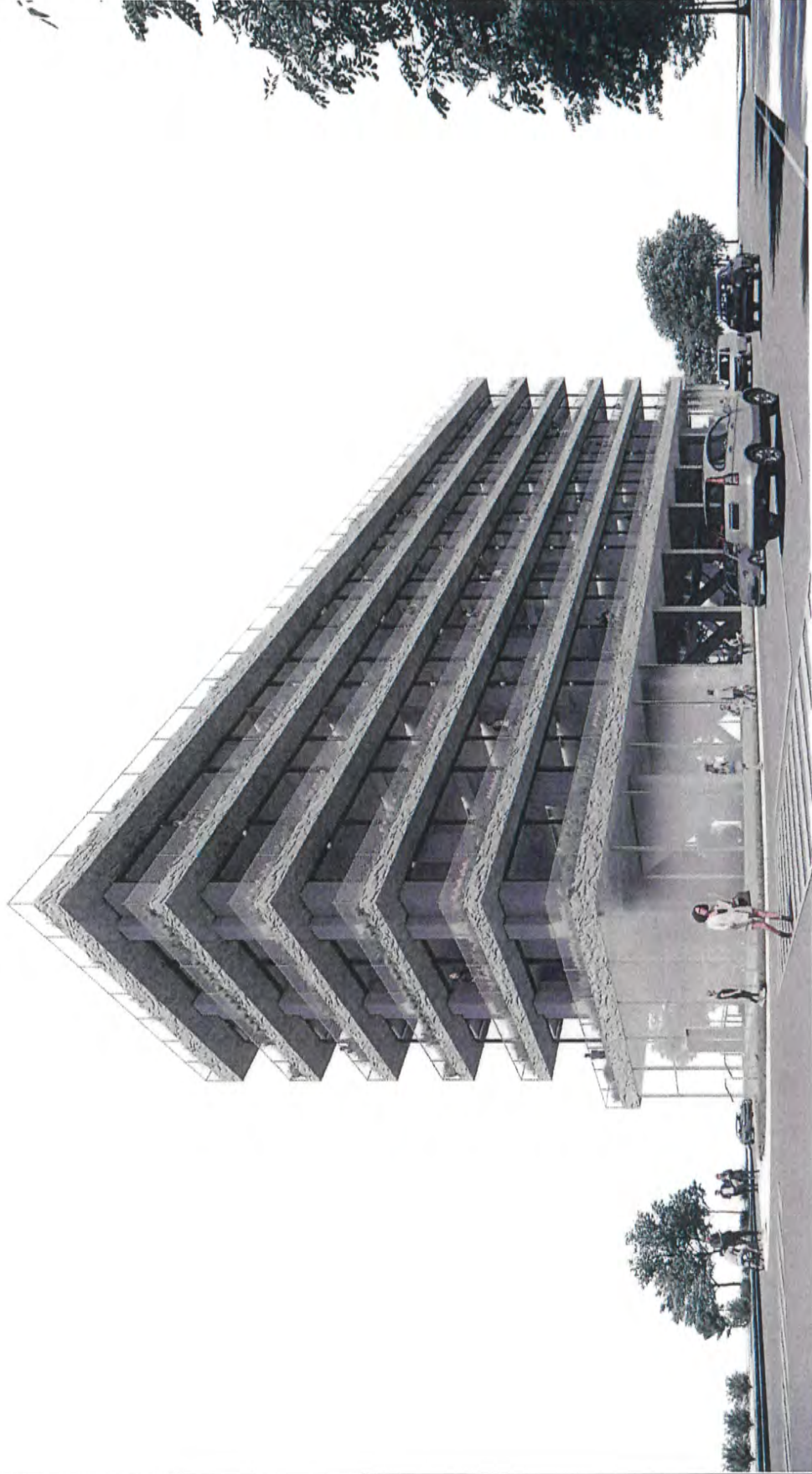
No.	Revisions	Date

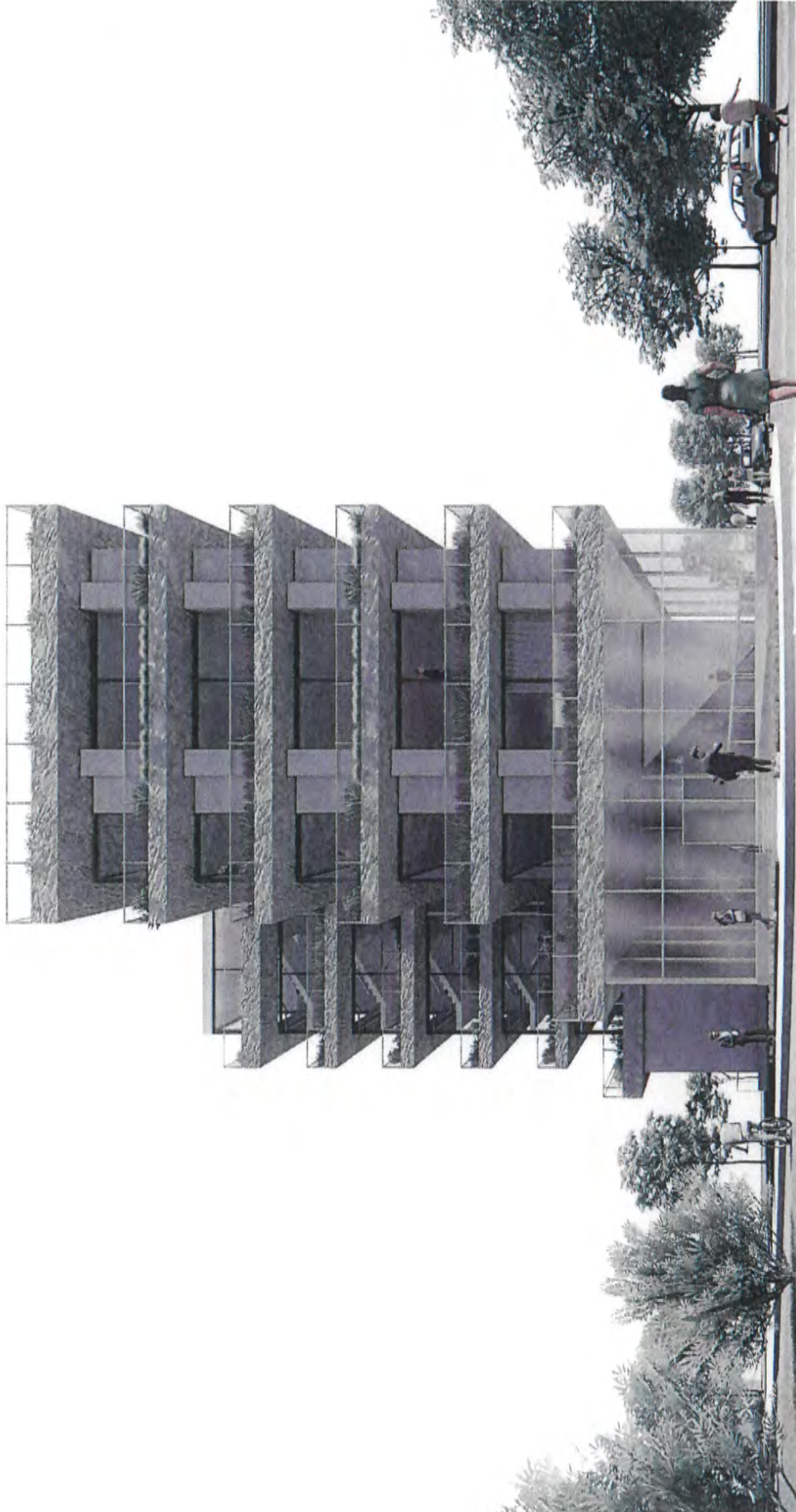
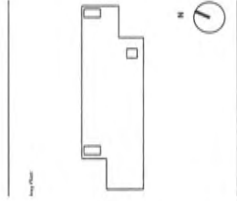
Sheet Title

April 2021

Sheet Number

R101







ENSAMBLE STUDIO
OF AMERICA LLC

RESEARCH, PRACTICE AND EDUCATION
IN ARCHITECTURE AND ENGINEERING
1000 WASHINGTON ST
BOSTON, MA 02111

Marlborough
multi-family building

No. 28 South Bolton Street
Marlborough, MA
01752

Concept Design

Image 10



Image Name
South Facade

Architect	
Client	
Date	
Scale	
Sheet	
Project	
Phase	
Author	
Reviewer	
Approver	

Date
April 2021

Image Name
R104





Floor Plan Level 1

Drawing Title

Revision

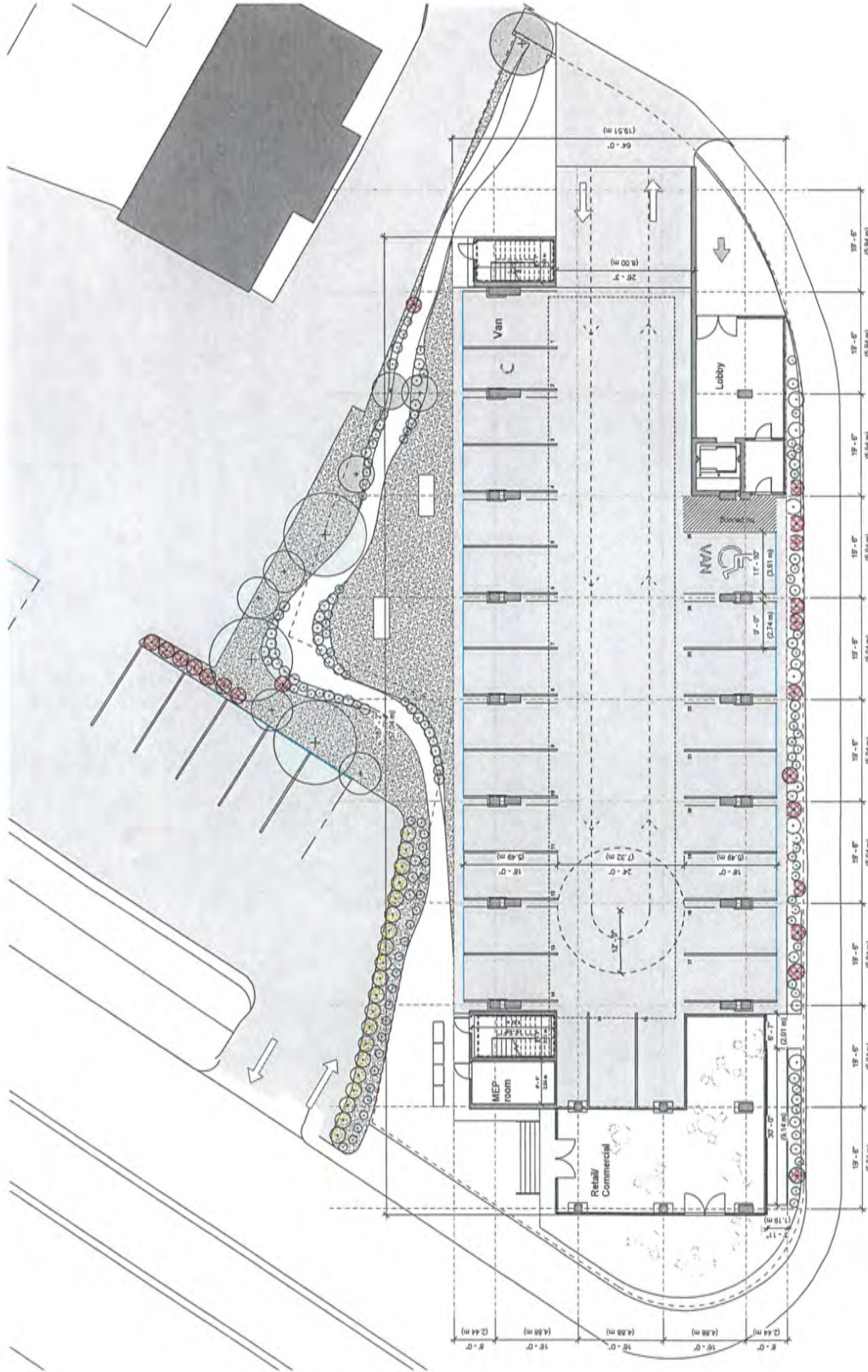
Date

Scale

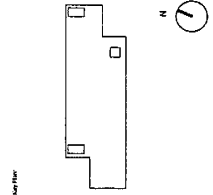
1/8" = 1'-0"

Date

April 2021

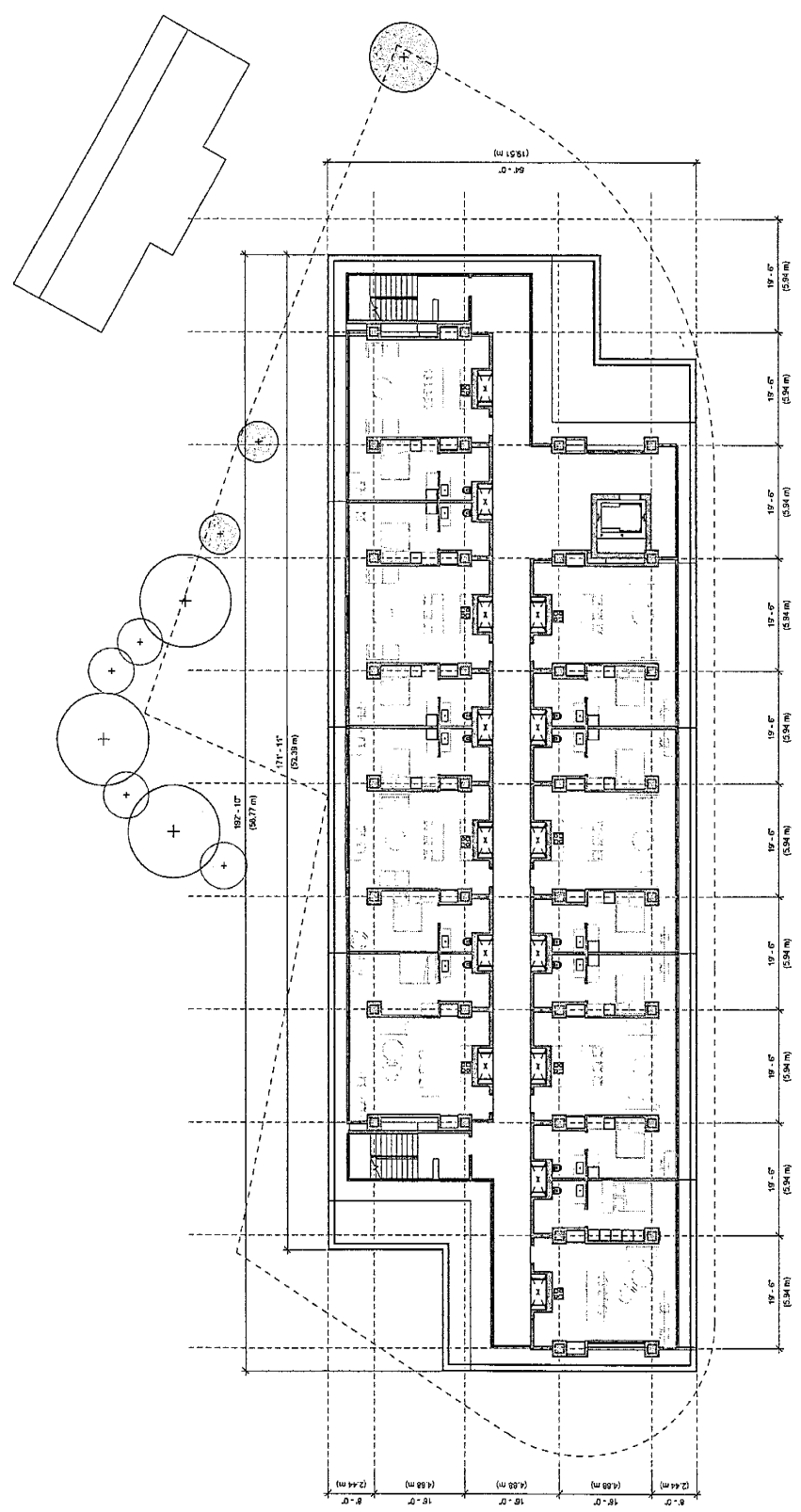


① Level 1
1/8" = 1'-0"



NO.	DATE	DESCRIPTION

Scale: **1/8" = 1'-0"**
Date: **April 2021**



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



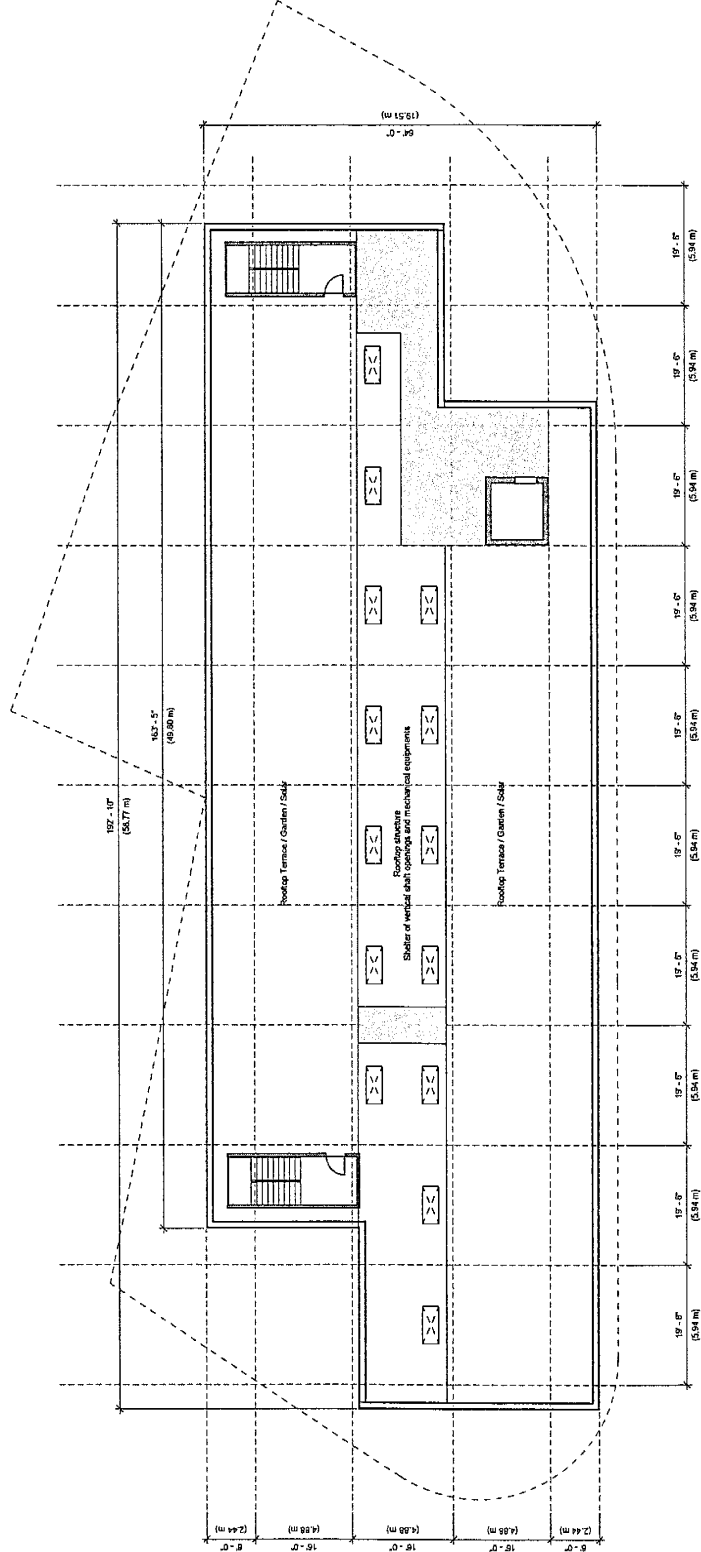
Floor Plan Rooftop

Revision	Description	Date

Drawing Scale
1/8" = 1'-0"

Date
April 2021

Drawing Number
A005



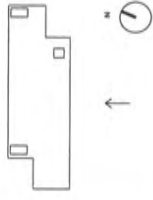
① Rooftop
1/8" = 1'-0"

Marlborough multi-family building

No. 28 South Bolton Street
Marlborough, MA
01752

Concept Design

Not to Scale

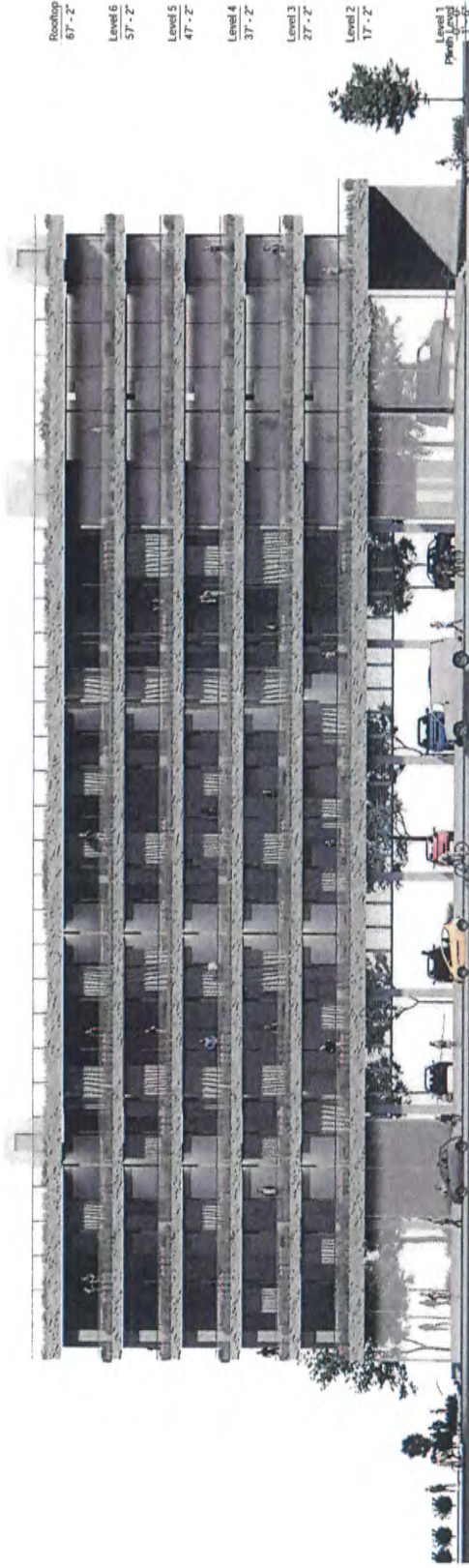


Elevation

Project No.	
Client	
Architect	
Date	

April 2021

① Elevation
1/8" = 1'-0"



A201

Make your home in the world

Previously Approved Project

TOTAL IMPERVIOUS AREA
PROPOSED LOT COVERAGE
BUILDING HEIGHT

12,531 SF
74.7%
5 STORIES
68'

PARKING
1ST RETAIL
1ST CORES
2ND - 6TH

9398 SF - 30 spaces
1950 SF
610 SF
11,958 SF - 36 units

TOTAL W/O PARKING
TOTAL W/ PARKING

50,392 SF
59,790 SF



Woho Project

TOTAL IMPERVIOUS AREA
PROPOSED LOT COVERAGE
BUILDING HEIGHT

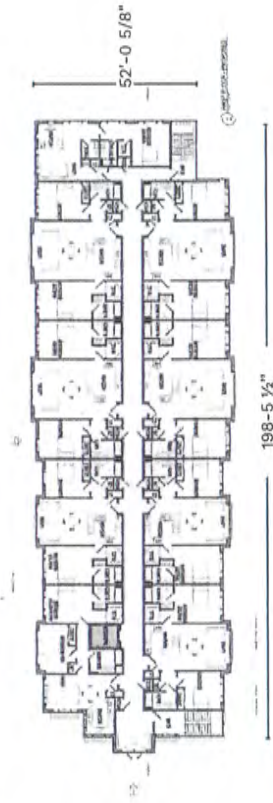
11,943 SF
71 %
6 STORIES
68'

PARKING
1ST COMMERCIAL
1ST CORES, MEP & LOBBY
2ND - 6TH

7970 SF - 25 spaces
1389 SF
1126 SF
10,498 SF - 40 units

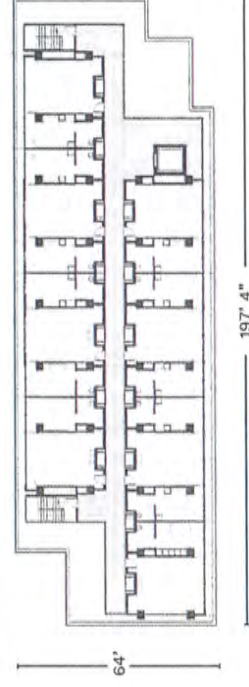
TOTAL W/O PARKING
TOTAL W/ PARKING

55,005 SF
62,975 SF



LOT AREA: 16,787 +- SF

ALLOWED LOT COVERAGE: 80%



ALLOWED BUILDING HEIGHT: < 6 STORIES
< 70'



City of Marlborough, Massachusetts

CITY CLERK DEPARTMENT

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Steven W. Kerrigan

2021 APR -5 P 3:42

City Clerk

MARLBOROUGH, MA

DATE: 3/31/21

To the City Council:

Owner Name: TVI, INC dba Savers

Residential Address: 11400 SE 6th Street #220 Bellevue WA 98007

Telephone Number: 425-462-1515

Business Name: Savers

Business Address: 222A E. Main Street

Business Telephone Number: 508-485-5191

Email Address: jkennedy@savers.com

Cell Number: _____

Owner Signature: [Signature]

The above-signed March 31, 2021 respectfully requests that he/she be

granted a Junk Dealer/Second Hand Dealer License.

In City Council



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 APR 15 A 10:44

**Steven W. Kerrigan
City Clerk**

MARLBOROUGH, MA

DATE: 4/14/2021

To the City Council:

Owner Name: GERAUD DUMAIS

Residential Address: 6 HIGH ST MARLBOROUGH MA 01752

Telephone Number: _____

Business Name: DUMAIS + Sons Second Hand Store

Business Address: 65 MECHANIC ST. MARLBOROUGH MA

Business Telephone Number: 508-485-4864

Email Address: _____

Cell Number: _____

Owner Signature: Gerald Dumais

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

In City Council

OK
4/16/21



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

**Steven W. Kerrigan
City Clerk**

2021 APR 20 P 12:22

MARLBOROUGH, MA

DATE: April, 14, 2021

To the City Council:

Owner Name: Roman Kimyagarov

Residential Address: 76 APPLE D'OR ROAD Framingham MA 01701

Telephone Number: _____

Business Name: ARTHUR & SONS SHOE REPAIR

Business Address: 107 MAIN ST MARLBOROUGH, MA

Business Telephone Number: (508) 624 70-66

Email Address: _____

Cell Number: _____

Owner Signature: Roman Kimyagarov

The above-signed ROMAN KIMYAGAROV respectfully requests that he/she be granted a Junk Dealer/Second Hand Dealer License.

In City Council



Marlborough Public Schools

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 APR 14 A 10:05

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

March 23, 2021

1. Mrs. Bodin-Hettinger called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at 17 Washington Street, Marlborough, MA. Members present included Michelle Bodin-Hettinger, Daniel Caruso, Earl Geary, Katherine Hennessy, and Heidi Matthews. Also, physically present were Superintendent Michael Bergeron, Director of Finance and Operations, Douglas Dias, Assistant Superintendent of Teaching and Learning, Mary Murphy, and Assistant Superintendent of Student Services and Equity, Jody O'Brien. MEA Representative, Eileen Barry, and Student Advisory Council Representative Allison Lucas were both present as well.

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

2. **Pledge of Allegiance:** Mrs. Bodin-Hettinger led the Pledge of Allegiance.

3. **Presentation:**

- A. **MHS Student Advisory**

Grade 12 representative Allison Lucas presented a survey given to the senior class regarding their post-secondary plans and overall senior year experience. About 50 students participated in this survey. Allison discussed her questions and responses. The issue of students not knowing how to access scholarships on Naviance surfaced through this survey. Allison is working with Ms. Rae on creating a presentation to take students through this process. Allison also spoke about the need for administration to work on career planning with students who do not plan to attend college.

Mrs. Matthews and Allison discussed how the pandemic has affected seniors and their post-secondary planning experience.

Mrs. Bodin-Hettinger and Allison spoke about Naviance usage and how to increase this throughout the student body.

Mrs. Hennessy and Allison discussed student programs for those not planning to enroll in college.

Mr. Riley thanked Allison for this feedback/survey.

www.mps-edu.org



Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

4. Committee Discussion/Directives: None.

5. Communications: None.

6. Superintendent's Report:

Superintendent Bergeron updated the committee on the Spring 2021 COVID-19 Data district wide. He presented the adjusted numbers that differ from the figures in his attached report. Mr. Bergeron discussed the changes in active cases and testing positivity rates.

The Superintendent stated that the Business Professionals of America State Leadership Conference was held virtually from February 28th to March 14th. Seven MHS students who participated are named in his report. He recognized five students that qualified for the National Leadership Conference. The Superintendent thanked Ms. Haley and Ms. Belisle. Superintendent Bergeron noted that there will be a budget workshop tomorrow at 6pm for the Superintendent's FY22 budget request.

Superintendent Bergeron presented the full return plan for grades 3-5 on April 5th. Mr. Bergeron outlined the distancing and safety protocols in his PowerPoint presentation. Additional PPE has been obtained. Testing is still available for asymptomatic and symptomatic staff. The Superintendent presented figures on students who will return to in person learning from remote learning; these detailed figures were broken up by school and grade level. He explained some changes needed to enable this transition in certain schools; a third-grade classroom at Goodnow and a fourth-grade classroom at Jaworek will be added. The Superintendent discussed who would be teaching these two classrooms. He noted that principals have been working on lunchroom spacing; other spaces will be utilized for lunch at certain schools.

www.mps-edu.org

It is the policy of the Marlborough Public Schools not to discriminate on the basis of race, gender, religion, national origin, color, homelessness, sexual orientation, gender identity, age or disability in its education programs, services, activities or employment practices.



Marlborough Public Schools

*School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509*

A. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, reported on transportation, school meals, custodial services/facilities, and PPE.

Mr. Dias outlined the safety protocols on buses. In February, DESE lifted restrictions to allow buses to be filled to full capacity. Mr. Dias explained that students must be registered to ride the bus before going to their bus stop.

The Food Service department will send breakfast and snacks home with students at the end of the school day for consumption the following morning. Meals will continue to be distributed to bus stops for remote learners.

Mr. Dias reported that custodians clean/sanitize schools every night. A contracted vendor wipes high-touch areas in buildings throughout the school day. All schools have recent HVAC reports posted on MPS's website.

Mr. Dias stated that the District has plenty of PPE in stock. He outlined the types of PPE that has been secured, and most supplies can be restocked within 24-48 hours if needed.

In response to Mrs. Bodin-Hettinger, Mr. Dias explained that the school has snacks to provide if needed, but students can bring snacks from home.

Mr. Caruso and Mr. Dias discussed transportation changes, such as the number of students allowed per bus seat.

B. Assistant Superintendent of Student Services & Equity Report

Mrs. O'Brien, the Assistant Superintendent of Student Services and Equity, reported on the Tiered Focus Monitoring audit done by the Department of Education. On March 10th, DESE was on site to review ten special education student records. Corey Steinman led this review and brought some colleagues with him. Their review was finished virtually on March 11th after various interviews. Following these interviews, Mr. Steinman held an exit meeting with Mrs. O'Brien, Superintendent Bergeron, and Assistant Director of Special Education, John Fletcher.

Mrs. O'Brien shared Mr. Steinman's findings from his audit, which are outlined in her report. Overall, MPS has progressed since the 2013 audit conducted and he commended the district's work.

www.mps-edu.org



Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

Mrs. O'Brien thanked Mr. Fletcher, the Educational Team Leaders, and the special education staff for their efforts.

Mrs. O'Brien stated that the final report from DESE was received yesterday and passed on to the School Committee this morning.

Superintendent Bergeron noted that Mr. Steinman had performed the audit in 2013 as well.

Mrs. O'Brien shared that during the exit interview, Mr. Steinman noted that an area of concern was EL drop-out rates at the high school level. She explained that it was on the District's radar and there was already a program and steps taken to address this concern.

7. Acceptance of Minutes:

A. Minutes of the March 9, 2021 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve these minutes.

Motion passed 5-0-0.

8. Public Participation: None.

It should be noted that members of the public may provide comment by dialing in to the specified number and conference ID during virtual School Committee meetings or via email before the meeting to superintendent@mps-edu.org. Public participation is a time for your comments to be heard by the committee; it is not a question-and-answer session.

9. Action Items/Reports

www.mps-edu.org

It is the policy of the Marlborough Public Schools not to discriminate on the basis of race, gender, religion, national origin, color, homelessness, sexual orientation, gender identity, age or disability in its education programs, services, activities or employment practices.



Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

A. FY21 Operating Budget Transfers

Mr. Dias outlined transfers for the FY21 operating budget in an attached document.

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve these transfers as presented.

Motion passed 5-0-0.

B. FY22 School Calendar

Superintendent Bergeron presented the FY22 School Calendar to be voted on. He stated that the February 22nd, 2022 School Committee date can be figured out later. The Superintendent pointed out that the first day of school for grades 1-12 will be on September 1st.

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve the FY22 School Calendar.

Motion passed 5-0-0.

C. Acceptance of Donations and Gifts

Follett Buy Back Program. Follett Buy Back Program donated \$11.69 to Kane School.

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve this donation.

Motion passed 5-0-0.

MA DESE FY21 ESSER II. MPS received a \$2,826, 150.00 grant.

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to approve this grant.

Motion passed 5-0-0.

www.mps-edu.org



Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy stated that the Policy Sub-Committee will have a meeting on April 1st.

11. Members' Forum:

Mrs. Matthews has reviewed the warrant and will sign it.

Mr. Caruso clarified his intent regarding a question he asked at the previous School Committee meeting.

Mrs. Hennessy stated that MIAA will have their town hall meetings on selected Spring sports. Sports Medicine will continue to have conversations regarding sports in the next year. April 26th is the tentative start date for Spring sports. Mrs. Hennessy discussed the Spring sports that will occur.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to adjourn at 8:22 p.m.
Motion passed 5-0-0.

Respectfully submitted,

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

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm
Approved April 13, 2021

www.mps-edu.org

CITY OF MARLBOROUGH BOARD OF ASSESSORS

MEETING MINUTES: March 25, 2021

OPEN SESSION

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 APR -5 A 11: 26

1. CALL TO ORDER: 10:06 a.m.
2. MEMBERS PRESENT: David Manzello (participating remotely), Ellen Silverstein (participating remotely), Jonathan Steinberg (participating remotely)

Also in attendance: Jonathan Frank, Regional Principal Assessor, Cindy Healy, Senior Clerk, Patricia Mespelli, Head Clerk, and Mark Gibbs, IT (monitoring virtual meeting)

3. MOTION TO ACCEPT: Minutes of the January 26, 2021, meeting
Ms. Silverstein; second Mr. Manzello
Vote 2-0 Mr. Manzello, Ms. Silverstein
4. INTRODUCTION: NEW BOARD OF ASSESSORS MEMBER: Jonathan Steinberg
5. VOTE: NEW CHAIRMAN OF THE BOARD OF ASSESSORS: Ellen Silverstein
Motion to accept: Mr. Steinberg; second Mr. Manzello
Vote 3-0
6. APPROVE AND SIGN: MOTOR VEHICLE EXCISE TAX ABATEMENTS (None)
7. PUBLIC INPUT: (None)
8. EXECUTIVE SESSION: 10:11 a.m.
Motion to convene in Executive Session: Mr. Steinberg; second Ms. Silverstein
Vote 3-0 Mr. Manzello, Ms. Silverstein, Mr. Steinberg
(Meeting adjourned directly from Executive Session)

MARLBOROUGH ASSESSORS

*Ellen Silverstein
David Manzello*

CITY OF MARLBOROUGH
Conservation Commission Meeting
March 18, 2021 (Thursday) 7:00 PM

This meeting was conducted via remote participation and recorded.

Chairman Clancy read the following notice: *"Due to statewide emergency actions limiting the size of public gatherings in response to COVID-19, this meeting will be held virtually with remote participation and will be closed to in-person attendance." The public can participate via Microsoft Teams. The "link" will be posted on the City's and Conservation's websites: <https://www.marlbrough-ma.gov/>*

Present: By roll call – Remotely: Karin Paquin, William Dunbar, John Skarin, and Edward Clancy. In Memorial Hall: David Williams and Dennis Demers. Also present was Priscilla Ryder, Conservation Officer.

Absent: Allan White

Approval of Minutes: The minutes of March 4, 2021 were reviewed. On a motion by to accept and place on file by Mr. Skarin and second by Edward Clancy, the minutes were unanimously approved 6-0 on a roll call vote.

Public hearings:

Request for Determination of Applicability
87 Ahlgren Circle. - Jennifer Duffin

Ms. Duffin was present and explained that she wants to add a small above ground pool near the wetland behind their home. There is already a fence around the yard, the area is already flat and filled with stone gravel in an area 20' x 20'. Pool size 12' or 15' round pool. For the dogs. No grading is needed to add the pool. Filter systems were discussed, backwash will need to be contained so as not to discharge material, condition to provide that information to the Commission. Commission noted this looks straight forward several members had checked the site and had no issues. Mr. Dunbar asked about the shed in back that is falling apart. Ms. Duffin said it was off their property and they are just going to leave it and don't intend to do anything with it, as it is overgrown. As there were no further comments from the Commission or the public, the hearing was closed. A motion for a negative determination with standard conditions was made by Mr. Skarin and second by Edward Clancy. It was unanimously approved 6-0 on a roll call vote.

Notice of Intent (Continued from March 4, 2021)

146 Phelps St. – Delray Realty Trust

Ms. Ryder noted that the applicant had called and requested the meeting be continued to April 1st in order to allow them time to revise a plan. The Chairman continued this item to the April 1st hearing.

Notice of Intent (Continued from March 4, 2021)

Next to - 107 Phelps St. (Map 72, Parcels 11B and 702)- David Franca

George Connors was present on behalf of the applicant. He has provided a revised plan showing some additional information overlain on a plan that the building department approved in 2008. The original plan had not considered the Riverfront area impacts. The new plan shows the overlay of the smaller house and different driveway configuration that is much smaller than the original 2008 plan. The driveway impacts are 1152 sq. ft. in the Riverfront area, the house is 5,000 sq. ft. in the Riverfront area. He noted that the impacts are minimal for the driveway as they go through an existing lawn and do not cut too many trees. The house has more impact as that hill is all wooded. As requested at the last meeting, he provided an alternatives analysis which covered the history of the lots creations and the sewer taking and easements over the years.

Alternatives analysis was presented which contained - new plan, a no build alternative, and the 2006-2008 plan. The new plan requires relocating some easements and avoiding the overhead utility lines. Mr. Connors also discussed the deed history of these lots. There was a sewer taking in 2017 by the city, then the owners were granted full access over the sewer line. His summary was that the revised plan meets the intent of city to minimize impact. Mr. Clancy asked questions about the sewer location and the manholes. It was explained that the manholes would be beside the new driveway and not impacted. Ms. Ryder noted that she is waiting for comments from engineering dept. on these revised plans as well as feedback from DEP. She would like some feedback from DEP regarding the filing for two separate lots. It seems that this project should consider the cumulative 5000 sq. ft. impact and not separate it between two lots. Combined the lots impact more than the maximum disturbance of 5000 sq. ft. allowed in the regulations. DEP has received the application but has not issued a DEP # which indicates that they may still have questions or comments. The Commission agreed that some response from DEP would be needed to ensure that cumulative impact should be considered and what to do if it is over the threshold.

There was further discussion about grading, erosion controls, wall construction etc., Mr. Connor agreed to add some additional erosion controls at lower level. They will be prepared for some groundwater interception and will include a dewatering system in the design. Erosion control location should be shown on the plan. As there were no further questions or comments from the Commission or the general public, the hearing was continued to the April 1st meeting to give time to get feedback from the City Engineer and the DEP.

Abbreviated Notice of Intent (Continued from March 4, 2021)

200 Concord Rd. - The Marlborough Country Club

Kenneth Snow of 200 Concord Rd. Marlborough and his representatives were present for the Marlborough Country Club. Mr. Snow explained that he had provided the stamped plans as requested at the last meeting. This satisfied the Commission. There being no further comments from the Commission or the public the hearing was closed. The Commission reviewed a draft set of conditions and incorporated some language as suggested by the applicant that had been provided prior to the meeting. Mr. Demers asked about the need for railings, it was noted that no railings are required. Mr. Dunbar and Mr. Clancy noted that the new bridge design was excellent. After some discussion Mr. Skarin made a motion to accept the draft Order of Conditions as amended. The Edward Clancy seconded the motion and on a roll call vote, the Commission unanimously voted 5-0 to approve. (Mr. Dunbar got disconnected before the vote was taken and wasn't present for the vote.)

Mr. Snow noted that he will be submitting an additional Notice of Intent for other bridge replacements in the future.

Extension Permits:

- 212-1193 149 Hayes Memorial Dr. - The Gutierrez Company is asking for a two-year extension for this project. They may be back shortly with some revisions to the plans. Ms. Ryder noted that an extension could be issued with the caveat that the wetland is reflagged per the plan, so they are visible. Motion made by Mr. Skarin and second by Edward Clancy to grant a two-year extension for this project. On a roll call vote the motion was approved unanimously 6-0. (Mr. Lopez from Gutierrez Co. entered the meeting after this vote was taken and noted that they will be back in the next few months with some amendments to the plan, so the Commission will be seeing him again soon.)
- 212-1197 90 Crowley Dr. - A new company has bought this lot and would like to extend the Order of Conditions for a two-year period. They will be finishing the existing building this

year and adding the landscaping. On a motion made by Mr. Skarin and second by Edward Clancy to grant a two-year extension for this project. On a roll call vote the motion was approved unanimously 6-0.

Withdrawal of Request for Determination of Applicability

- 215 Cullinane Dr. – Amanda Morse – Request for Determination of Applicability-for stairs to be Withdrawn. Ms. Ryder noted that the applicant has withdrawn this application which was so noted.

Discussion/Correspondence/Other Business:

The following items were reviewed by the Commission with the following actions:

- National Grid Transmission Vegetation Maintenance Notification – letter dated 3/1/2021 - the Commission asked if the vernal pools along this corridor could be protected in the area above Desimone Dr.? Ms. Ryder will respond to the notice and convey this information.
- Repaving project: Dawes Rd. – e-mail from Thomas DiPersio 3/9/21 - Ms. Ryder noted that this repaving project falls under the minor exempt project category of the regulations, so the Commission is being notified of this work, as there is a brook that runs under Dawes Rd.
- Letter from Lawrence & Phyllis Grella, 299 Lakeshore Dr. - dated March 8, 2021 RE: Tree removal. Ms. Ryder noted that after this letter was put in the packets, this issue was resolved.

Next Conservation Commission meetings: April 1, 2021 and April 15, 2021

Adjournment - There being no further business, on a motion by Mr. Demers and second by the Chairman, to adjourn the meeting. On a roll call vote, the Commission unanimously voted 5-0 to adjourn the meeting. (Mr. Dunbar was still not reconnected by the time the meeting was adjourned)

Respectfully submitted,


Priscilla Ryder

Conservation Officer

Marlborough Historical Commission Meeting Minutes

March 18, 2021

Location: Virtual meeting via Microsoft Teams due to COVID-19 emergency orders

Board Attendees: Robert Fagone, Brendan Downey, Andrea Bell Bergeron, Pamela Wilderman,

Absent: Melanie Whapham, Larry Reeves (associate member)

Additional Attendees (All remote): Mark Gibbs (IT Support)

Meeting called to order 7:03 PM

1. The following board members are participating remotely: Robert Fagone, Andrea Bell Bergeron, Pamela Wilderman, Brendan Downey
- 2.) On the Motion to approve February 2021 minutes, the Commission voted as follows: Bell Bergeron AYE; Downey AYE; Fagone AYE; Wilderman AYE. The motion passed.
- 3.) Correspondence & Communications.
 - a. Jason Grossfield, the city solicitor will be running meeting, Monday 3/22 at 12:00 PM EST, on how to run meetings for all board members to attend.
- 4.) Preservation by Education.
 - a. Historical Review Period – Design Guidelines Discussion to replace Historic Preservation Review Period.
 - i. The Marlborough Historical Commission is no longer directly working on a proposal for a formal demolition delay ordinance. The new focus will be to make sure existing processes are being followed and how the Commission can make small changes to achieve that goal.
 - ii. Pam Wilderman would like to bring any suggestions to the acting building commissioner for his review and comments. The site plan review application only stipulates a review if a property is within proximity cemetery (or within 250' of an historic building). We should be able to add a specific historical aspect to this part of the application process. In Marlborough all of the department heads sign off on each Site Plan Review project. The final action is generated after the review process documenting the comments and requirements for the project to proceed.
 - iii. Next steps: Andrea Bell-Bergeron & Bob Fagone will create a draft of the proposed modified language including examples from other communities. The final action is generated after the review process documenting the comments and requirements for the project to proceed.
 - iv. Design guidelines would be a good resource to provide but we don't have subject matter expert on the board. The Northborough booklet is a good starting point but overly broad. Ours should focus on historical properties including who has lived there in the past. Next steps: Bob Fagone will engage Larry Reeves (associate member) to kick this off.
 - v. There was quite a bit of data gathered during the research phase of the demolition delay ordinance project. It is currently in various forms including paper surveys and electronic documents. We are going to ask the mayor's office for an intern to scan the work done researching the demo delay order. Next Steps: Pam Wilderman will contact Mayor's office to see about getting help from a city intern and will coordinate with Brendan Downey.
- 5.) Historic Renovation Awards Project
 - a. This will be added to the agenda for the April meeting.
- 6.) On the Motion to adjourn meeting at 7:46 PM, the Commission voted as follows: Bell Bergeron AYE; Downey AYE; Fagone AYE; Wilderman AYE. The motion passed.

Respectfully submitted,
Brendan Downey

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2021 APR 18 P 12:02

Ad-Hoc Municipal Aggregation Committee

Meeting Minutes – March 30, 2021

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CITY OF MARLBOROUGH
2021 APR 15 A 9:18

The Ad-Hoc Municipal Aggregation Committee met on March 30, 2021 from 1:00 PM to 1:30 PM in Memorial Hall and via Team room remote access. The meeting was conducted in accordance with the Governor's March 12, 2020 Executive Order. The following individuals were in attendance:

Memorial Hall: M. Ossing, R. Tunnera, S. Divoll, B. Sleeper, K. Holmi, M. Cappadonna (Colonial Power)

Remote: A. Vigeant, D. Allard (Colonial Power)

Ad-Hoc Municipal Committee members:

- Chief Procurement Officer Beverly Sleeper
- Mayor Arthur Vigeant
- City Councilor Rob Tunnera
- DPW Commissioner Sean Divoll
- City Councilor Michael Ossing (Chairman of the Ad-Hoc Municipal Aggregation Committee)
- Members absent: None

The following items were discussed:

- 1. Recognize Bev Sleeper's performance and Krista Holmi (new Procurement Officer) as member of the Committee:**
 - The Chair recognized the outstanding service of Beverly Sleeper in the Municipal Aggregation committee. Bev's efforts were instrumental in starting the program back in 2006. The committee wished Bev well in all her future endeavors.
 - The Chair recognized Krista Holmi as the new Procurement Officer effective April 1, 2021. Krista will serve on the committee as the Chief Procurement Officer position identified in Order 19-1007578B.
- 2. Minutes of the October 29, 2020 Ad-Hoc Municipal Aggregation Committee meeting:**
 - The Committee approved the October 29, 2020 meeting minutes with a 5 – 0 vote (Roll Call – In favor – Vigeant, Sleeper, Tunnera, Divoll and Ossing).
- 3. Council Update – in accordance with Council Order 19-1007578 item 4:**
 - The Committee was informed that the City Council was provided information at the following meetings:
 - Council meeting December 21, 2020 – Agenda item 2 – Third quarter 2020 savings
 - Council meeting November 16, 2020 – Agenda Item 10b – minutes October 29, 2020
- 4. Review savings with Inspire through December 2020 and projected savings in 2021:**
 - The Chair reviewed the information in Attachment 1 that provided the savings from the Inspire contract since inception in 2019, the projected 2021 savings and the total program savings since 2007.
 - The fourth quarter residential savings from the Inspire contract was \$479,162.00.
 - The total residential savings from the Inspire contract (November 2019 to December 2020) is \$2,171,606.00.

- The projected savings for 2021 are anticipated to be more than \$1,000,000.00. This information will be updated as actual residential electricity usage is collected and the NGrid summer 2021 rate is finalized.
 - The total program savings (Residential/Commercial/Industrial) since program inception in 2007 is \$6,307,329.00.
- 5. Submit letter to the City Council regarding fourth quarter 2020 residential savings:**
- The Chair informed the Committee that City Councilors Tunnera/Ossing will submit a letter to the City Council informing the City Council of the money that was saved by the residential customers in the aggregation program in the fourth quarter 2020. The Committee agreed that this was great news for the residents as the residents saved over \$479,000.00 on their electric bills in the fourth quarter 2020.
- 6. Discuss latest forecast of NGrid rates:**
- Colonial Power provided Attachment 2 that illustrates the projected NGrid basic service rates through April 2024. The graph illustrates that the current Inspire contract (that runs through January 2024) rates will be less than the NGrid projected rates. This will result in savings to the residential electricity users in the program.
 - The Committee discussed the current energy market and concluded the timing is not beneficial to go out for bids on extending the contract. Colonial Power will continue to monitor market conditions and informed the Committee should the market conditions change to benefit the residents of Marlboro.
- 7. Discuss NGrid Summer Rates:**
- Colonial Power discussed the recent NGrid basic service filing with the Department of Public Utilities (DPU) on March 16, 2021. Attachment 3 contains the one-page summary that identifies the basic service rate (effective May 1, 2021 through October 31, 2021) for residential customers to be as high as 0.10162 \$/kW-hr to a low of 0.09739 \$/kW-hr. The DPU will finalize the rates in April 2021. In either case, the Inspire rate of 0.09390 \$/kW-hr is lower than the NGrid summer rate so Marlboro residents will continue to see savings in their electric bills over the summer 2021 compared to the NGrid basic service rate.
- 8. Basic Service Mailing for May 2021:**
- Colonial Power indicated that they would perform another mailing to inform new residential electricity users that they will be on the municipal aggregation program. Colonial Power will notify the Mayor's office before the mailing goes out to new residential electricity users.
- 9. Department of Public Utilities – Energy Switch Website**
- The committee discussed the initiative by the Department of Public Utilities to allow communities that offer a municipal aggregation program to list their program's products on the [Energy Switch website](https://www.energyswitchma.gov/#/) (<https://www.energyswitchma.gov/#/>). The purpose of the site is to provide electricity consumers in Massachusetts with choices regarding who provides their electric supply. The Massachusetts Department of Public Utilities has developed this website to assist consumers in shopping for electric supply products.
 - Colonial Power reported that the DPU website has been updated to include the Marlboro municipal aggregation rates.
 - It was noted that if individuals go onto the DPU energy switch website, enter the Marlboro zip code, there are 47 different programs residents can choose from to obtain their electricity supplier.

- It was noted the Marlboro municipal aggregation program (identified as Marlboro Community Choice Power Supply Program) provides the lowest rate for a program that runs through January 2024 and is 100% renewable.

10. Next meeting:

- The next meeting will be in October 2021 after National Grid releases their winter 2021/2022 basic service rates.
- Meeting adjourned at 1:30 PM with a 5 – 0 vote (Roll Call – In favor – Vigeant, Sleeper, Tunnera, Divoll and Ossing)

Attachment 1: Actual Savings with Inspire, Projected 2021 Savings and Total Program Savings since Inception (3 pages)

Attachment 2: Graph illustrating the projected NGrid residential basic service rates (one page)

Attachment 3: NGrid Basic Service rate filing to the DPU on March 16, 2021 (one page)

Attachment 1 (3 pages)

Actual Savings with Inspire Energy Since November 2019

Date	NGrid Basic Service Rate (\$/kW-hr)	City Rate (\$/kW-hr)	City Residential User Savings	City Residential Commercial Industrial Savings
Fourth Quarter 2019	Nov - .13957 Dec - .13957	Nov - .09690 Dec - .09690	\$550,815	\$693,006
First Quarter 2020	Jan – Mar .13957	Jan – Mar .09690	\$812,433	\$1,034,746
Second Quarter 2020	Apr - .13957 May - .09898 Jun - .09898	Apr – Jun .09690	\$250,315	\$197,043
Third Quarter 2020	Jul – Sept .09898	Jul - .09690 Aug - .09390 Sept - .09390	\$78,881	(-\$147,736)*
Fourth Quarter 2020	Oct - .09898 Nov - .12388 Dec - .12388	Oct – Dec .09390	\$479,162	\$555,368
First Quarter 2021	Jan – Mar .12388	Jan – Mar .09390	TBD	TBD

- *National Grid sets different rate for commercial/industrial users that are not associated with the National Grid residential fixed basic service rate.
- Total residential savings from Inspire (November 2019 to December 2020) - \$2,171,606.
- Total program savings (all rate classes) since inception in 2007 is \$6,307,329.

Projected Savings from the Inspire Contract for 2021

This is based on the NGrid projected summer rate of 0.10162 that was listed on the DPU website on March 16, 2021. The actual NGrid summer rate will be finalized in April 2021. This is for illustration purposes only.

Date	NGrid Basic Service Rate (\$/kW-hr)	City Rate (\$/kW-hr)	City Residential Electricity Usage NOTE 1 (kW)	City Residential User Savings NOTE 1
First Quarter 2021	Jan - Mar 0.12388	Jan – Mar 0.09390	Jan – 6,743,815 Feb – 6,116,797 Mar – 6,179,299	\$570,817
Second Quarter 2021	Apr – 0.12388 May – 0.10162 Jun – 0.10162	Apr – Jun 0.09390	Apr – 5,107,297 May – 6,689,301 Jun – 8,881,148	\$273,320
Third Quarter 2021	Jul – Sept 0.10162	Jul – Sept 0.09390	Jul – 9,048,954 Aug – 7,003,954 Sept – 4,818,752	\$161,130
Fourth Quarter 2021	Oct – 0.10162 Nov – TBD Dec – TBD	Oct – Dec 0.09390	Oct – 5,783,335 Nov – 7,334,488 Dec – 7,668,281	\$44,647 (Oct only)

NOTE 1: Electricity Usage based on 2020 residential usage values. Actual savings will vary.

Insights:

- The first 3 quarters in 2021 are projected to save \$1,005,267.
- The Inspire contract continues to save residents money over NGrid basic service rates.
- Continue to meet Council Order for savings over NGrid

Total Program Savings Since Inception – All Rate Classes

Year	Savings (Losses)
2021	TBD
2020	\$1,639,421
2019	\$951,986
2018	\$621,280
2017	\$272,419
2016	\$916,539
2015	(\$684,889)
2014	\$1,790,918
2013	Program Suspended
2012	(\$927,288)
2011	\$128,208
2010	\$294,185
2009	\$499,287
2007 – 2008	\$805,263
TOTAL Savings	\$6,307,329

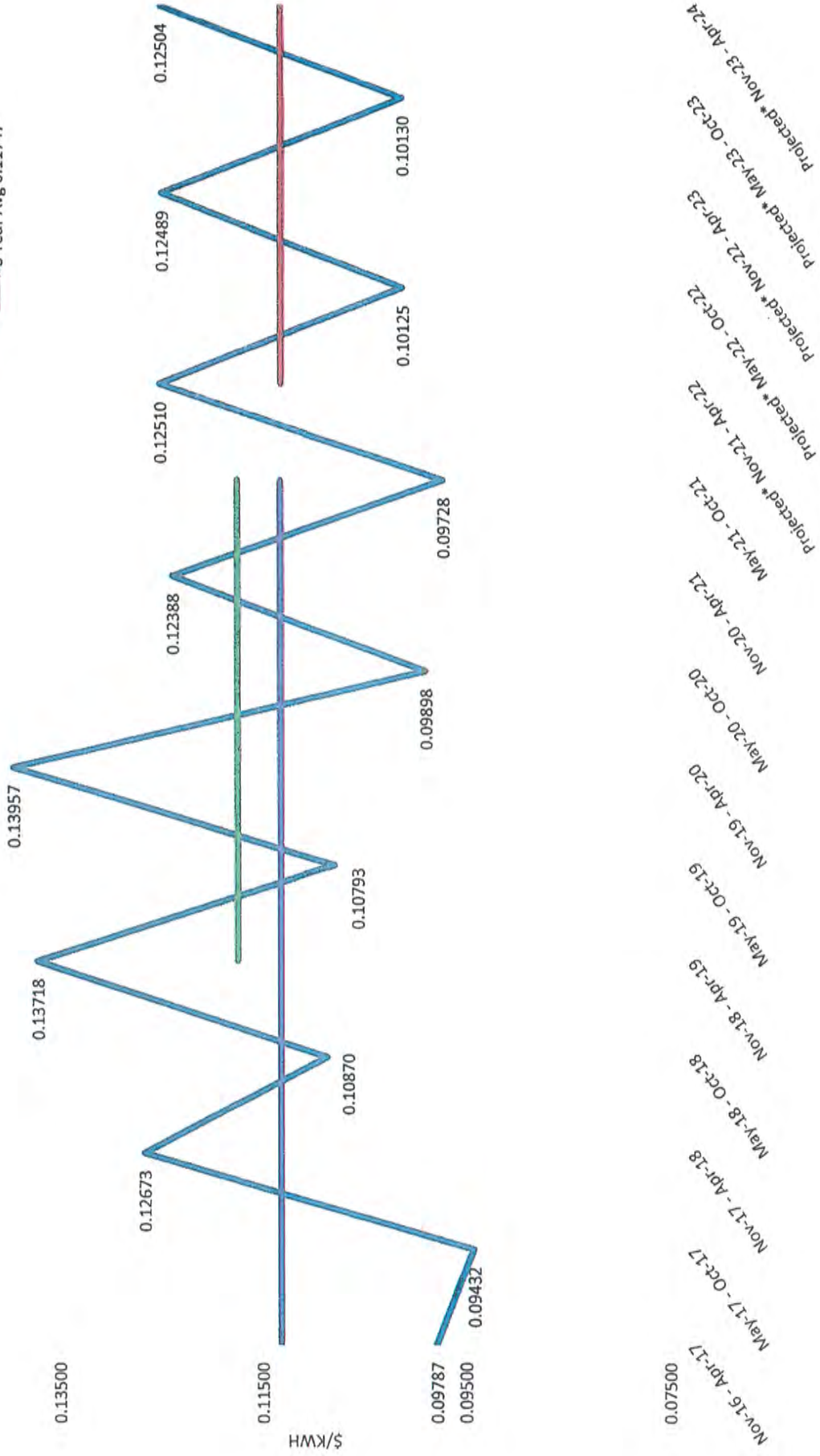
Attachment 2

Graph illustrating the projected NGrid residential basic service rates (one page)

National Grid Residential Basic Service

as of 3/22/2021

- Residential
- Projected* 3 Yr Avg 0.11318
- 5 Year Avg 0.11324
- 3 Year Avg 0.11747



Attachment 3

NGrid Basic Service rate filing to the DPU on March 16, 2021 (one page)

AGENDA #7 10/1

MASSACHUSETTS ELECTRIC COMPANY
SUMMARY OF BASIC SERVICE RATES

Rate	Components	Variable Price Option							Fixed Price Option	Effective Date
		May	June	July	August	September	October			
R-1/R-2	Base Basic Service	\$0.10412	\$0.09652	\$0.09388	\$0.09444	\$0.09854	\$0.10054	\$0.09739	5/1/2021	
	Basic Service Admin Cost Adjmt	\$0.00412	\$0.00412	\$0.00412	\$0.00412	\$0.00412	\$0.00412	\$0.00412	5/1/2020	
	Smart Grid Customer Cost Adjmt	\$0.00011	\$0.00011	\$0.00011	\$0.00011	\$0.00011	\$0.00011	\$0.00011	5/1/2020	
	Total Basic Service	\$0.10835	\$0.10075	\$0.09811	\$0.09867	\$0.10277	\$0.10477	\$0.10162	5/1/2021	
G-1, S-1, S-2, S-3, S-5, S-6	Base Basic Service	\$0.08706	\$0.08136	\$0.08644	\$0.08515	\$0.08252	\$0.08260	\$0.08419	5/1/2021	
	Basic Service Admin Cost Adjmt	\$0.00209	\$0.00209	\$0.00209	\$0.00209	\$0.00209	\$0.00209	\$0.00209	5/1/2020	
	Smart Grid Customer Cost Adjmt	\$0.00010	\$0.00010	\$0.00010	\$0.00010	\$0.00010	\$0.00010	\$0.00010	5/1/2020	
	Total Basic Service	\$0.08925	\$0.08355	\$0.08863	\$0.08734	\$0.08471	\$0.08479	\$0.08638	5/1/2021	
G-2/G-3 NEMA	Base Basic Service	\$0.08389	\$0.08103	\$0.08743	n/a	n/a	n/a	\$0.08426	5/1/2021	
	Basic Service Admin Cost Adjmt	\$0.00092	\$0.00092	\$0.00092	n/a	n/a	n/a	\$0.00092	5/1/2020	
	Smart Grid Customer Cost Adjmt	\$0.00015	\$0.00015	\$0.00015	n/a	n/a	n/a	\$0.00015	5/1/2020	
	Total Basic Service	\$0.08496	\$0.08210	\$0.08850	n/a	n/a	n/a	\$0.08533	5/1/2021	
G-2/G-3 SEMA	Base Basic Service	\$0.08816	\$0.08334	\$0.08964	n/a	n/a	n/a	\$0.08712	5/1/2021	
	Basic Service Admin Cost Adjmt	\$0.00092	\$0.00092	\$0.00092	n/a	n/a	n/a	\$0.00092	5/1/2020	
	Smart Grid Customer Cost Adjmt	\$0.00015	\$0.00015	\$0.00015	n/a	n/a	n/a	\$0.00015	5/1/2020	
	Total Basic Service	\$0.08923	\$0.08441	\$0.09071	n/a	n/a	n/a	\$0.08819	5/1/2021	
G-2/G-3 WCMA	Base Basic Service	\$0.08379	\$0.07757	\$0.08363	n/a	n/a	n/a	\$0.08168	5/1/2021	
	Basic Service Admin Cost Adjmt	\$0.00092	\$0.00092	\$0.00092	n/a	n/a	n/a	\$0.00092	5/1/2020	
	Smart Grid Customer Cost Adjmt	\$0.00015	\$0.00015	\$0.00015	n/a	n/a	n/a	\$0.00015	5/1/2020	
	Total Basic Service	\$0.08486	\$0.07864	\$0.08470	n/a	n/a	n/a	\$0.08275	5/1/2021	

NERM FILING 21-BSF-D1 MARCH 16, 2021