

REGULAR MEETING
JULY 19, 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 JUL 15 P 2:15

CITY COUNCIL AGENDA

This meeting of the City Council will be held in City Council Chambers on Monday, July 19, 2021 at 8:00 PM. **PUBLIC ATTENDANCE IS 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, June 21, 2021.
2. CONTINUED PUBLIC HEARING on the Application for Special Permit from Attorney Michael Brangwynne, on behalf of Raising Cane's Restaurants, LLC, to construct and operate a restaurant with two drive-thru service lanes on the site at, 141 Boston Post Road West, Order No. 21-1008307B.
 - a) Communication from Bayside Engineering on behalf of McDonald's Corporation, re: Concerns regarding traffic impacts of Application for Special Permit of Raising Cane's Restaurants, LLC, 141 Boston Post Road West, Order No. 21-1008307B.
3. PUBLIC HEARING on the Application for Special Permit from Edgewood Entertainment, LLC, to operate indoor golf simulators and a bar area in the existing building at 229 Boston Post Road West, Order No. 21-1008328.
4. PUBLIC HEARING on the Proposed Zoning Amendment to the Code of the City of Marlborough, Chapter 650, §5 and §18(36) by adding "Hobby Vehicle Storage" as a warehousing use in the Limited Industrial District, Order No. 21-1008344.
5. PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of Dasilva Landscaping, Inc., to construct and operate a landscaper's yard at the Airport Industrial Park, 685 Farm Road, Unit 17, Order No. 21-1008345.
6. PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of Lourival Masonry, LLC, to construct and operate a contractor's yard at the Airport Industrial Park, 685 Farm Road, Unit 18, Order No. 21-1008346.
7. Communication from Councilor Robey, re: Proposed Zoning Amendment to Chapter 650 to add a new Section 61 "Temporary Moratorium for Multi-Family Housing Projects", Order No. 21-1008274B.
8. Communication from Councilor Robey, re: Proposed Canopy, Chick-fil-A, 36 Apex Drive within the HRMUOD, plan change to install electric heaters, Order No. 21-1008317.

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

9. Communication from the Mayor, re: Appointment of John Valade as Principal Assessor for a 3-year term from date of Council confirmation.
10. Communication from the Planning Board, re: Negative Recommendation on the Proposed Zoning Amendment to Chapter 650 of the Code, by adding a new section to create the “Commercial Village Housing Overlay District”, Order No. 21-1008293A.
11. Communication from Attorney Brian Falk, re: Request to Withdraw without Prejudice, Application for Special Permit 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. 21-1008215B.
12. Communication from Attorney Brian Falk, re: Request to Withdraw without Prejudice, Application for Site Plan Review from WoHo, to construct a mixed-use project within the Marlborough Village District, 28 South Bolton Street, Order No. 21-1008277B.
13. Communication from Attorney Brian Falk, re: Application for Site Plan Review from Global Montello Group Corp., to add a patio with seating next to its newly renovated convenience store within the Wayside District, 656 Boston Post Road East.
14. Communication from Attorney Christopher Flood, re: Application for Special Permit to create a second mobile home park by dividing an existing permitted mobile home park at 181 Boston Post Road East.
15. Petitions of Verizon Wireless for the installation of three (3) small cell wireless facilities to be located on existing Poles within the public right of way at 123 Boston Post Road West, Pole #7, 493 Boston Post Road West, Pole #1 and 11 Atkinson Drive, Pole #22 (Pole located on Ames Street).
16. Communication from various residents in opposition of the Application for Special Permit to build a multifamily residential project in the Business District to be known as Walcott Heritage Farms, 339 Boston Post Road East (McGee Farm), Order No. 20-1007995.
17. Minutes of Boards, Commissions and Committees:
 - a) School Committee, May 25, 2021 & June 8, 2021.
 - b) Conservation Commission, June 3, 2021 & June 17, 2021.
 - c) Historical Commission, April 15, 2021 & May 20, 2021.
 - d) Traffic Commission, April 28, 2021.
 - e) Zoning Board of Appeals, May 18, 2021.
18. CLAIMS:
 - a) Bernadette Grant, 71 Roundtop Road, pothole or other road defect.
 - b) Jason Lane, 36 Lanewood Avenue, Framingham, pothole or other road defect.
 - c) Paulo Rego, 18 Church Street, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

Councilors-at-Large

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



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.

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2021 JUN 24 P 3:20

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, JUNE 21, 2021**

The regular meeting of the City Council was held on Monday, June 21, 2021 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:33 PM.

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

ORDERED: That the Minutes of the City Council meeting, June 14, 2021, **FILE**; adopted.

Mayor Vigeant provided the City Council with an update on COVID-19 and city events.

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

ORDERED: That the Public Hearing on the Application for Special Permit from Attorney Michael Brangwynne, on behalf of Raising Cane’s Restaurants, LLC, to construct and operate a restaurant with two drive-thru service lanes on the site at, 141 Boston Post Road West, Order No. 21-1008307, **CONTINUED UNTIL JULY 19, 2021 AT 8:00 PM**, adopted.

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

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

ORDERED: That the Communication from Attorney Michael Brangwynne, re: Request for continuance of Public Hearing on the Application for Special Permit on behalf of Raising Cane’s Restaurants, Order No. 21-1008307, **FILE**; adopted.

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

ORDERED: That the Communication from Attorney Michael Brangwynne, re: Letter sent to abutters informing them of requested continuance of Public Hearing for Raising Cane’s Restaurant’s, Order No. 21-1008307, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING on the Proposed Amendment to Zoning Code, Chapter 650 by adding a new section to create the “Commercial Village Overlay District” (X 18-1007134B), Order No. 21-1008293, all were heard who wish to be heard, hearing closed at 8:54 PM, adopted.

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

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$7,500.00 from the Massachusetts Cultural Council to assist the Marlborough Downtown Village Cultural District with the overall cost of the food truck festival and support the local artisans with interactive exhibits; adopted.

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

ORDERED: That the Communication from the Mayor, re: Notification of 60-Day Appointment of Patrick Jones as Interim Tax Collector, effective June 25, 2021 at 5:01 PM, **FILE**; adopted.

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

ORDERED: That the Appointment of William Fowler to the Planning Board for a 5-year term to expire on February 2, 2026, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Appointment of Marcia Waldman to the Cultural Council for a 3-year term from date of Council confirmation, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Reappointment of William Dunbar to the Conservation Commission for 3-year term to expire on February 2, 2024, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Communication from the Planning Board, re: Favorable Recommendation on the Proposed Zoning Amendment to Chapter 650 to add a new Section 61 "Temporary Moratorium for Multi-Family Housing Projects", Order No. 20-1008274A, **FILE**; adopted.

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

ORDERED: That the Request for Approval of a Flat Wall Sign (South Side), IC Federal Credit Union, 160 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD **APPROVED**); adopted.

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

ORDERED: That the Request for Approval of a Flat Wall Sign (North Side), IC Federal Credit Union, 160 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), **APPROVED**; adopted.

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

ORDERED: That the Communication from the Massachusetts State Lottery Commission, re: Application for a Keno License, Ginger Garden, 200 Boston Post Road East, **FILE**; adopted.

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

ORDERED: That the Council President send a communication to the MA State Lottery Commission, to record the City Council's opposition to the issuance of a Keno Monitor to existing Keno To Go agents, Lakeside Shell, 413 Lakeside Avenue and Marlboro Shell, 431 Lincoln Street, **APPROVED**; adopted.

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

ORDERED: That the Communications from various residents re: Opposition to 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, Order No. 21-1008277, **FILE**; adopted.

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

ORDERED: That the Communication from Central MA Mosquito Control Project re: Personnel will be in the community responding to residents' concerns about mosquitos on various dates in June & July 2021, **FILE**; adopted.

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

ORDERED: That the Communication from Attorney Brian Falk on behalf of Marlborough Industrial, LLC, re: Proposed Zoning Amendment to Chapter 650, §5 and §18(36) by adding "Hobby Vehicle Storage" as a warehousing use in the Limited Industrial District, referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, JULY 19, 2021**; adopted.

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

1. By amending Section 650-5, Definitions; word usage, to include the following new definition:

Hobby Vehicle Storage – the warehousing, maintenance, and repair of vehicles owned as part of a collection, provided that the vehicles shall be stored indoors in a building with a floor area not to exceed 17,000 square feet with an accessory building not to exceed a floor area of 3,000 square feet, the vehicles shall not be displayed outdoors for sale, and any maintenance or repair shall take place indoors and shall be limited to vehicles stored at the site.

2. By amending Section 650-18(36), Conditions for Uses, as follows (new text underlined):

“Manufacturing and/or warehousing of footwear, precision instruments, tool and die, dental, medical and optical equipment, electrical or electronic instruments, hobby vehicle storage, biomedical or biotechnology products, subject to the provisions governing biomedical research in Subsection A(33) above, provided truck loading and parking areas are effectively screened from abutting office and residential use. Oil or asphalt manufacturing is prohibited.”

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

ORDERED: That there being no objection thereto set **MONDAY, JULY 19, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Dasilva Landscaping, Inc., to Construct and operate a landscaper’s yard at the Airport Industrial Park, 685 Farm Road, Unit 17, referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

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

ORDERED: That there being no objection thereto set **MONDAY, JULY 19, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Lourival Masonry, LLC, to Construct and operate a contractor’s yard at the Airport Industrial Park, 685 Farm Road, Unit 18, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

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) Board of Assessors, April 20, 2021.
- b) Library Trustees, May 4, 2021.
- c) Planning Board, May 10, 2021 & May 24, 2021.
- d) Zoning Board of Appeals, May 18, 2021.

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

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

- a) Frederick O’Brien, 37 Turmaine Street, residential mailbox claim (2b).

Reports of Committees:

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

City Council Urban Affairs Committee
Thursday, June 17, 2021 – 7:00 PM
Council Chambers
Minutes and Report

Urban Affairs & Housing Committee members present were Chairman Katie Robey, Councilor Landers, Councilor Doucette, Councilor Navin and Councilor Wagner.

Other councilors present were Councilor Ossing and Councilor Tunnera (left at 7:28 PM).

Others attending this meeting are included with each order’s information.

Order No. 21-1008277: Application for Site Plan Review from Attorney Falk on behalf of WoHo to construct a mixed-use project within the Marlborough Village Zoning District at 28 South Bolton Street.

At the applicant’s request this item was not taken up and remains in committee waiting further submissions.

Order No. 17-21-1006800I: Application for Modification of Special Permit by Mina Group LLC, to condition #20 signage, to allow for increased signage at 408 Maple Street for Meineke.

Reports of Committee Continued:

Pat Scorzelli from AutoMax was present to discuss the modification for signs. The chair reviewed the draft Modification to the special permit which showed the existing Monument Sign on Rt. 85 would be a change in name only from AutoMax Service Center to Meineke Car Care Center and one on front of building will have a name change from AutoMax Service Center to Meineke Car Care Center. The additional signs would be one on the north side of building showing Meineke Car Care Center as well as service descriptions over the 5 bays on north side of building. The chair pointed out some corrections to the draft as well as some questions for the City Solicitor on areas of draft.

Councilor Doucette moved to recommend approval of the draft modification to the Special Permit for Mina Group as amended; motion was seconded. The vote carried 5-0.

As this would be reported out on Monday June 21 and typically lay on the table until the next regular meeting, the applicant requested we attempt to expedite the process so he didn't have to wait until July 19 for a final vote. The chair agreed to reach out to the City Solicitor with details of changes and question as discussed by the committee and ask for this to be reviewed and put in proper form for Monday, June 21. If the Solicitor is able to provide the revised decision in proper legal form to councilors on Monday, then a Suspension of Rules would be requested to add this matter to the agenda. Otherwise, it will be reported out and lay on table until July 19th.

Order No. 21-1008317: Request for approval of a Canopy for the drive-thru at Chick-fil-A, 36 Apex Drive within the Hospitality and Recreation Mixed Use Overlay Zoning District.

Donna Brown permit manager; Jason Rosier, construction manager; and Michael Lawson, franchise owner, were present and reviewed their plans to add a canopy to the building to protect the employees who work outside taking orders. Details of the canopy and information that it has propane heaters within the canopy resulted in some committee members feeling they needed more details and input of the building commissioner. This order remains in committee.

It was moved and seconded to adjourn. The vote was 5-0 and the meeting adjourned at 7:58 pm.

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

Suspension of the Rules requested to allow a late Communication from Assistant City Solicitor Jason Piques – granted.

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 Mina Property Group, LLC, to condition #20 (Signage) to allow for increased signage at 408 Maple Street, in proper legal form, Order No. 17/21-1006800, **FILE**; adopted.

Suspension of the Rules requested – granted.

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

ORDERED:

IN CITY COUNCIL

**DECISION ON AN AMENDMENT TO A SPECIAL PERMIT
Mina Property Group LLC
and
New England Auto Max, Inc.**

**DECISION ON AN AMENDMENT TO A SPECIAL PERMIT
ORDER NO. 17/21-1006800K**

The City Council of the City of Marlborough hereby **GRANTS** the Application for Special Permit to Mina Property Group LLC (the “Applicant”) and New England Auto Max, Inc d/b/a AutoMax Service Center (the “Tenant”) to amend an existing special permit to conduct a business owned and operated by Tenant for the service, repair, and minor refinishing of automotive cars and trucks on land owned by the Applicant at 408 Maple Street, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

PROCEDURAL FINDINGS OF FACT

1. Mina Property Group is a Limited Liability Company organized, existing and in good standing under the laws of the Commonwealth of Massachusetts having a principal place of business at 1199 Worcester Road, Framingham, MA 01701 hereinafter referred to as the “Applicant”.
2. New England AutoMax, Inc. d/b/a Automax Service Center is a corporation organized, existing and in good standing under the laws of the Commonwealth of Massachusetts having a usual place of business at 1199 Worcester Road, Framingham, MA 01701 hereinafter referred to as the “Tenant”.
3. The Applicant is the owner of land in Marlborough, MA shown as Lots #7 and #8 in Plan Book #56, Plan #20, dated November 23, 1887 and recorded in the Middlesex South District Registry of Deeds said land owned being owned by the Applicant described in said Registry of Deeds in Book 44518 Page 294. Said Lots #7 and #8 are further known as 408 Maple Street, Marlborough, MA, as shown on the City of Marlborough Assessors Maps as a portion of Map 93, Parcel 65 (hereinafter referred to as the "Site").
4. On December 4, 2017, the City Council of the City of Marlborough voted to grant a special permit authorizing the Applicant to build and operate an automobile service station at the Site (the “Use”) in accordance with Article V, § 650-17, and § 650-18(A)(25) of the Zoning Ordinance of the City of Marlborough, as further described in a document recorded at the Middlesex South Registry of Deeds in Book 70535, Page 186 (the “Original Special Permit.”).
5. The Applicant, on or about April 15, 2021 filed with the City Clerk of the City of Marlborough, an application to amend Condition No. 20 of the Original Special Permit in order to increase the allowed signage, under the provisions of MGL Chapter. 40A § 9 and the Marlborough Zoning Ordinance (the “Application”).
6. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a copy of the existing special permit dated December 4, 2017, and revised site plans for the Site in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit attached hereto as **“Attachment A”**.
7. The Application was certified by the Building Commissioner of the City of Marlborough acting on behalf of the City Planner for the City of Marlborough, as having complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

8. Pursuant to the Rules and Regulations of the City Council and 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.
9. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on May 24, 2021. The public hearing was held at 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, MGL Chapter 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 May 24, 2021.
10. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use and the requested additional signage to be placed on the building and such issues with the City Council and members of the public.
11. At the public hearing, no members of the public spoke about the Use or submitted written comments about the use.
12. On June 17, 2021, the Applicant provided written and oral documentation and testimony to the City Council and the City Council's Urban Affairs and Housing Committee (“Urban Affairs”) regarding the building and proposed signage changes.
13. Tenant AutoMax Service Center currently conducts its business at 408 Maple Street, Marlborough, MA.

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

- A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
- B. The City Council finds that the proposed Use of the Site, with the increased signage set forth in the conditions below, 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 in this Decision and in the Original Special Permit. 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 in this Decision and in the Original Special Permit.
- C. The City Council incorporates by reference Finding C in the Original Special Permit.
- D. The City Council incorporates by reference Finding D in the Original Special Permit.
- E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby **GRANTS** the Applicant an amendment to amend Conditions 1, 20, and 27 of the Original Special Permit, as follows:

By amending Condition No. 1 by inserting the following sentence at the end of the original condition:

1. Incorporated into this amended special permit are plans as amended. See **“Attachment A”**.

By amending Condition No. 20 by inserting the following paragraphs at the end of the original condition:

20. Existing Signage. Existing street signage currently erected on the subject property is a monument-type sign that is consistent in size, lay-out and design, as is other existing signage on Route 85. The existing sign on Route 85 shall be replaced with the name Meineke. The additional existing Automax signage shall also be merely replaced with the name Meineke Service Center on the front of the building and shall meet the lighting criteria as set forth in the Special Permit.

New Signage. Upon granting of this Amendment there will be new additional signage of similar construction consistent with the existing signage currently on the building on the side of the front left corner of the building facing Route 85 and 5 new signs over the 5 service bays.

All signage at the subject location shall comply with the existing City of Marlborough sign ordinance, without variance, and shall be as shown on the Building Plan.

By amending Condition No. 27 by inserting the following paragraph at the end of the original condition:

27. All plans, renderings and other documentation provided by the Applicant as part of this Amendment of a Special Permit Application and as amended 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 Amendment of Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

All other conditions of the Original Special Permit shall continue in full force and effect and are incorporated by reference as part of this Decision.

In accordance with the provisions of Massachusetts General Laws Chapter 40A, §11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex 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 a Building Permit is issued. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council’s office, the Building Department, and City Solicitor’s Office.

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 AS FOLLOWS:

- I. By amending Chapter 67, Article V, Section 67-26.1, entitled “Departmental Revolving Funds.”, by **inserting** a new Section 67-26.1(E)(4) to read as follows:

4 Water and Sewer Revolving Fund

- a. Fund Name. There shall be a separate fund called the Water and Sewer Revolving Fund for the use of the Department of Public Works.
- b. Revenues. The City Auditor shall establish the Water and Sewer Revolving Fund as a separate account and credit to the fund all entrance fees paid for the purpose of connecting buildings to the municipal water and sewer systems.
- c. Purposes and Expenditures. During each fiscal year, the Commissioner of Public Works may incur liabilities against, and spend monies from, the Water and Sewer Revolving Fund for the purposes of infrastructure projects associated with the demand of all new development on the water and sewer systems.
- d. Reports. The Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balances.
- e. Fiscal Years. The Water and Sewer Revolving Fund shall operate for fiscal years that begin on or after July 1, 2021.

- II. By amending Chapter 67, Article V, Section 67-26.1, entitled “Departmental Revolving Funds.”, by **amending** Section 67-26.1(E)(3)(c) to read as follows:

- c. Purposes and expenditures. During each fiscal year, the Mayor may incur liabilities against, and spend monies from, the Public Safety Revolving Fund for the purposes of public safety related expenses.

APPROVED.

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

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

ORDERED: That no more than three hundred fifty thousand dollars (\$350,000.00) shall be expended from the Parks and Recreation Revolving Fund during fiscal year 2022, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

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

ORDERED: That no more than one hundred twenty thousand dollars (\$120,000.00) shall be expended from the Public Safety Revolving Fund during fiscal year 2022, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

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

ORDERED: That no more than seventy thousand dollars (\$70,000.00) shall be expended from the Council on Aging Revolving Fund during fiscal year 2022, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

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

ORDERED: That no more than five hundred thousand dollars (\$500,000.00) shall be expended from the Water and Sewer Revolving Fund during fiscal year 2022, unless otherwise authorized by City Council and Mayor, **APPROVED**; adopted.

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

ORDERED: That the Transfer Requests from the Department of Public Works (\$2,356,437.77) and Auditor (\$55,475.00) totaling \$2,411,912.77 to fund various accounts for the remainder of FY 21 as outlined in the transfer sheets, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS -									
DEPT: Various					FISCAL YEAR: 2021				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$82,282.19	\$475.00	15430006	57710	Veterans Benefits	\$475.00	15430001	50080	Veterans Director	\$7,213.51
				Reason: Benefits running lower than expected				Reason: To fund step increase at higher salary ordinance	
\$5,000.00	\$5,000.00	11210004	53080	Audit Services	\$55,000.00	11940006	57410	Property Liability Ins	\$1,587.04
				Reason: Audit complete				Reason: To fund additional insurance for Library move	
\$37,745.62	\$33,000.00	11330002	50520	Principal Clerk					
				Reason: Position filled end of March					
\$4,203.23	\$4,203.23	11330002	50588	Part Time Mail Clerk					
				Reason: Vacant position					
\$97,500.00	\$12,796.77	11330006	57850	Bond Expense					
				Reason: Bond expenses down from previous years					
	\$55,475.00	Total			\$55,475.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS -									
DEPT: Mayor					FISCAL YEAR: 2021				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$4,059,007.44	\$38,500.00	10000	35900	Undesignated Fund	\$38,500.00	83600	32918	Stabilization-Open Space	\$629,483.26
				Reason: To transfer annual wireless antennae payments received by the City in fiscal year 2020 to Open Space Stabilization					
	\$38,500.00	Total			\$38,500.00	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Public Facilities				FISCAL YEAR:		2021		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$732,937.77	\$732,937.77	27000099	48470	Insurance Proceeds over 150K	\$732,937.77	19300006	58255	Capital Outlay-Compost Bldg	\$0.00	
	Reason:	Insurance Claims				Insurance proceeds for Compost Building damage				
	\$732,937.77	Total				\$732,937.77	Total			
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$4,059,007.44	\$1,042,000.00	10000	35900	Undesignated Fund	\$227,216.00	14001203	51390	Overtime-Snow & Ice	-\$227,215.36	
	Reason:	To fund the snow & ice deficit for FY21								
					\$342,402.00	14001206	52960	Snow Removal	-\$342,401.79	
	Reason:									
					\$472,382.00	14001206	57040	Operating Expenses	-\$471,386.56	
	\$1,042,000.00	Total				\$1,042,000.00	Total			

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

ORDERED: That the Transfer Request in the amount of \$546,738.00 which moves funds from Economic Development to MEDC to fund the FY22 operations of Marlborough Economic Development Corporation, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor				FISCAL YEAR:		2021		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,030,154.10	\$546,738.00	27000099	42440	Economic Development	\$546,738.00	11740006	53950	MEDC Funding	\$0.00	
	Reason:	To allow the MEDC to continue it's work in promoting the economic development of the City for FY22								
	\$546,738.00	Total				\$546,738.00	Total			

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

ORDERED: That the Appointment of MaryJo Nawrocki to the License Board for a term to expire on June 1, 2022, **APPROVED**; adopted.

(Councilor Landers opposed).

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

ORDERED: That the Reappointment of Gregory Mitrakas with a term to expire June 1, 2024 and David Bouvier with a term to expire on June 1, 2026 to the License Board and designation of Gregory Mitrakas as Chair, **APPROVED**; adopted.

(Councilor Landers opposed).

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

ORDERED: That the Reappointments to the Conservation Commission of Karin Paquin for a term to expire on May 5, 2023, John Skarin for a term to expire on March 7, 2022 and Allan White for a term to expire March 2, 2024, **APPROVED**; adopted.

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

ORDERED: That the Reappointments to the Parks & Recreation Commission of Robert F. Kays, William F. Doherty, Jr. and Mark A. Vital for 3-year terms respectively to expire on April 2, 2024, **APPROVED**; adopted.

Motion by Councilor Tunnera, 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 AS FOLLOWS:

III. By amending Chapter 270, Article V (Fences), Section 270-19, entitled "Permit required", by **inserting** a new Section 270-19(D) to read as follows:

D. No permit shall be required under this article for the following fences, provided that the fence is in full compliance with all other provisions of this article and all other City ordinances: 1) a fence not exceeding three (3) feet in height which is erected to enclose a garden and complies with Chapter 650, Zoning, Section 650-45N (Sight Distance), or 2) a fence that is not located in the minimum front, side or rear yard areas as defined in Chapter 650, Zoning, Attachment 2.

IV. Chapter 270, Article V (Fences), Section 270-24(A), entitled "Easements and rights-of-way" is hereby **amended** to read as follows:

A. On any lot subject to an easement where a fence will encroach upon or hinder the use of an easement area, the owner or applicant shall procure a release in writing from the holder of the easement, and said release shall be attached to the application for a fence filed with the Building Department.

APPROVED.

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

(Councilor Dumais & Councilor Robey opposed).

Motion by Councilor Landers, 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 510, ENTITLED "SEWERS," AS FOLLOWS:

I. Chapter 510, entitled "Sewers", Section 510-2, entitled "Use of Public Sewers.", subsection (D), is hereby amended to read as follows:

D. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated with the City and abutting on any street, alley or right-of-way in which there is now or may in the future be located a public sanitary sewer of the City, are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within the following time limits:

- (i) Where said public sewer now exists at the time of the effective date of this clause, the connection shall be completed: (a) prior to transfer of the property, (b) prior to change in use of a structure as set forth in Chapter 650, Zoning, (c) prior to an increase in the sewage design flow applicable to a structure for purposes of Title 5, 310 CMR 15.000, of the State Environmental Code, or (d) upon failure of any system under said Title 5, 310 CMR 15.000, whichever shall occur first.
- (ii) Where said public sewer is constructed and/or located after the effective date of this clause, the connection shall be completed: Within 180 days after date of official notice by the commissioner that the public sewer is available for connection.

For purposes of this subsection, the term “transfer” shall mean the conveyance of any interest in real property, with or without consideration, including by deed, lease, or assignment, but excluding: (a) taking a security interest in a property, including but not limited to issuance of a mortgage; (b) refinancing a mortgage or similar instrument, whether or not the identity of the lender remains the same; (c) a change in the form of ownership among the same owners, such as placing the property within a family trust of which the owners are the beneficiaries, or changing the proportionate interests among a group of owners or beneficiaries; (d) adding or deleting a spouse as an owner or beneficiary; or a transfer between spouses during life, out right or in trust; or the death of a spouse; and (e) the appointment of or a change in a guardian, conservator, or trustee.

An exemption from the connection requirement in this section may only be granted upon application to the board of health, and with the recommendation of the city engineer for reasons of either: (a) extraordinary site conditions due to which the land cannot be drained into such sewer, or due to weather conditions limiting the ability to connect, provided that the exemption shall apply only until such incapacity is removed and subject to a private disposal system meeting all applicable requirements and any other conditions imposed by the board, or (b) for a period of five (5) years from the date of installation of a new or replacement private disposal system which fully complies with Title 5, provided that the exemption shall expire upon the failure of any such system under said Title 5.

APPROVED.

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

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 9:33 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., JUNE 21, 2021

ORDERED:

That the Public Hearing on the Application for Special Permit from Attorney Michael Brangwynne, on behalf of Raising Cane's Restaurants, LLC, to construct and operate a restaurant with two drive-thru service lanes on the site at, 141 Boston Post Road West, Order No. 21-1008307, be and is herewith **CONTINUED UNTIL JULY 19, 2021 AT 8:00 PM.**

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

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

ADOPTED

ORDER NO. 21-1008307B



July 15, 2021

Marlborough City Council
140 Main Street, 2nd Floor
Marlborough, MA 01752

Attn: President Michael H. Ossing and Council Secretary Karen A. Boule

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUL 15 A 11:57

RE: Raising Cane's Restaurants, LLC, 141 Boston Post Road West, Marlborough, MA 01752 - Application for Special Permit

Dear President Ossing and City Councilors:

On behalf of McDonald's Corporation ("McDonald's"), I write regarding the Application for Special Permit filed by Raising Cane's Restaurants, LLC ("Raising Cane's") to build a Raising Cane's restaurant (the "Project") at 141 Boston Post Road West, Marlborough, Massachusetts (the "Project Site"). McDonald's restaurant, which is located at 155 Boston Post Road, directly abuts the Project Site. McDonald's has significant concerns regarding potential traffic impacts, on-site vehicle circulation, safety and parking which have not been addressed by Raising Cane's which could affect McDonald's. Consequently, McDonald's requests that the City Council require that Raising Cane's properly address those issues by conducting a Traffic Impact and Access Study and Site Circulation Review for the Project. McDonald's has already made the same request to representatives of Raising Cane's.

Bayside Engineering ("Bayside") has reviewed the information filed with the Application for Special Permit for the Project. Specifically, Bayside has focused on the traffic aspects of the Project. Particularly the Project's impacts on traffic flow and circulation on the Project Site, as well as potential impacts to the neighboring McDonald's restaurant.

As indicated in the Application for Special Permit, Raising Cane's restaurant would be located immediately east of the McDonald's restaurant. Access to the Raising Cane's restaurant would be provided by way of existing driveways that currently serve the McDonald's restaurant to Boston Post Road and to Northborough Road pursuant to a Reciprocal Easement Agreement.

Upon entering the McDonald's driveway from Boston Post Road, access to the Raising Cane's restaurant would be an immediate right turn into the Raising Cane's driveway. This would lead to the main parking field located east of the proposed building with access to the double drive-through lane immediately north of the proposed Raising Cane's restaurant. The drive-through lanes would wrap around the west side of the restaurant building and then exit heading to the east, again going around the building and exiting through another easement to Northborough Road.

In the materials submitted with the Application for Special Permit, no traffic data were provided relative to traffic generation to be generated by the Project or expected operations within the Project Site or within the dual drive-through lanes. More specifically, no trip generation information has been provided to assess the Project's impacts on the existing site driveways or

Marlborough City Council
July 15, 2021
Page 2

key intersections in the vicinity of the Project Site, predominantly, the intersection of Boston Post Road and Northborough Road. The only traffic-related information presented in the Application for Special Permit was unsupported, anecdotal statements about the percentage of vehicles expected to use the drive-through lanes.

Bayside is working with McDonald's counsel, Mintz Levin, in evaluating McDonald's concerns about the Project. We expect to present additional information at the Special Permit Hearing on July 19.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KPC', with a long horizontal flourish extending to the right.

Kenneth P. Cram, P.E.
Director, Traffic Engineering
Bayside Engineering, Inc.

cc: City Clerk (via email)
William J. Squires, III, Esq.
Michael Brangwynne, Esq. (via email)
Mark Donahue, Esq. (via email)



IN CITY COUNCIL

Marlborough, Mass., _____ JUNE 14, 2021

ORDERED:

That there being no objection thereto set **MONDAY, JULY 19, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Edgewood Entertainment, LLC, to operate indoor golf simulators and a bar area in the existing building at 229 Boston Post Road West, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 10/17/21 which falls on a Sunday, therefore 10/18/21 would be considered the 90th day.

ADOPTED

ORDER NO. 21-1008328



IN CITY COUNCIL

Marlborough, Mass., JUNE 21, 2021

ORDERED:

That the Communication from Attorney Brian Falk on behalf of Marlborough Industrial, LLC, re: Proposed Zoning Amendment to Chapter 650, §5 and §18(36) by adding “Hobby Vehicle Storage” as a warehousing use in the Limited Industrial District, be and is herewith referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, JULY 19, 2021.**

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

1. By amending Section 650-5, Definitions; word usage, to include the following new definition:

Hobby Vehicle Storage – the warehousing, maintenance, and repair of vehicles owned as part of a collection, provided that the vehicles shall be stored indoors in a building with a floor area not to exceed 17,000 square feet with an accessory building not to exceed a floor area of 3,000 square feet, the vehicles shall not be displayed outdoors for sale, and any maintenance or repair shall take place indoors and shall be limited to vehicles stored at the site.

2. By amending Section 650-18(36), Conditions for Uses, as follows (new text underlined):

“Manufacturing and/or warehousing of footwear, precision instruments, tool and die, dental, medical and optical equipment, electrical or electronic instruments, hobby vehicle storage, biomedical or biotechnology products, subject to the provisions governing biomedical research in Subsection A(33) above, provided truck loading and parking areas are effectively screened from abutting office and residential use. Oil or asphalt manufacturing is prohibited.”

ADOPTED

ORDER NO. 21-1008344



IN CITY COUNCIL

Marlborough, Mass., _____ JUNE 21, 2021

ORDERED:

That there being no objection thereto set **MONDAY, JULY 19, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Dasilva Landscaping, Inc., to Construct and operate a landscaper's yard at the Airport Industrial Park, 685 Farm Road, Unit 17, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 10/17/21 which falls on a Sunday, therefore 10/18/21 would be considered the 90th day.

ADOPTED

ORDER NO. 21-1008345



IN CITY COUNCIL

Marlborough, Mass., _____ JUNE 21, 2021

ORDERED:

That there being no objection thereto set **MONDAY, JULY 19, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Lourival Masonry, LLC, to Construct and operate a contractor’s yard at the Airport Industrial Park, 685 Farm Road, Unit 18, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 10/17/21 which falls on a Sunday, therefore 10/18/21 would be considered the 90th day.

ADOPTED

ORDER NO. 21-1008346



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUL 15 A 7:25

Katie Robey, Chair
Urban Affairs Committee
Marlborough City Council
140 Main Street, Marlborough, MA 01752
Office: 508-460-3711

July 14, 2021

Michael H. Ossing, President
Members of the City Council
City Hall
Marlborough, MA 01752

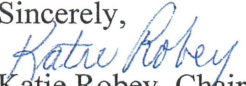
Re: Order No.21-1008274-Proposed amendment to Chapter 650 to add a new Section 61
Temporary Moratorium for Multi-family Housing Projects

Dear President and Members:

At its April 26, 2021 meeting this item was referred to Urban Affairs Committee, the Planning Board and a Public Hearing was set for May 24, 2021. The Planning Board held their Public Hearing on June 7, 2021. At the June 21, 2021 council meeting, the Planning Board's letter with a favorable recommendation (5-0) for the proposed order was filed.

MGL 40A Section 5 sets a ninety-day period from the city council hearing by which the council must act or a subsequent public hearing must be held. Ninety days from May 24 is August 22 which is a Sunday, so our council meeting of August 23 would be last day to act.

At this point in time, I don't see the need for a subcommittee meeting to discuss this and believe that councilors know how they would vote. Please consider this letter notice that I will be asking for this order to be referred back to the full committee at the July 19, 2021 meeting so that the matter can be voted on. Per the language of the order, no special permit for site plan approval shall be issued commencing on the first publication of notice of the public hearing (May 6) and ending 90 days from the date of approval by the council. It further states that in no case shall the city accept an application for special permit or site plan approval during this period. Therefore, if approved, the moratorium would continue through October 17, 2021 and nothing could be accepted for the October 18th agenda. The council's November 8th meeting would be the first opportunity for submittal of an application or site plan approval. My hope is that by that time, any regulations would have been submitted by DHCD regarding MBTA communities and the city will have guidance on our requirement to create at least one district where multi-family housing is permitted as of right.

Sincerely,

Katie Robey, Chair
Urban Affairs Committee



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUL 15 A 7:25

Katie Robey, Chair
Urban Affairs Committee
Marlborough City Council
140 Main Street, Marlborough, MA 01752
Office: 508-460-3711

July 14, 2021

Michael H. Ossing, President
Members of the City Council
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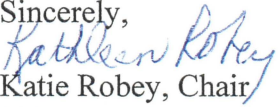
Re: Order No.21-1008317, Proposed Canopy, Chick-Fil-A, 36 Apex Drive, Plan Change, Electric Heaters

Dear President and Members:

At its June 29, 2021 meeting, the Urban Affairs Committee voted to approve the Chick-Fil-A canopy design amended to use electric heaters provided a letter was received from their corporate office by the July 19, 2021 City Council regular meeting.

I have attached the July 6, 2021 letter of confirmation from Jason Rosier, Restaurant Development, Facilities and Equipment, that the natural gas heaters within the proposed canopies for the above referenced project will be replaced with electric heaters per the motion that was approved by Urban Affairs. I have also included the updated plans reflecting electric heaters in lieu of natural gas heaters that were submitted to the City Council and Inspectional Services for final review and approval of the necessary permits.

As the Chair of Urban Affairs, I will be seeking a suspension of the City Council Rules to approve the canopy as revised with electric heaters at the July 19, 2021 meeting.

Sincerely,

Katie Robey, Chair
Urban Affairs Committee

/kb

Enclosures



July 6, 2021

Ms. Kathleen Robey, Mr. Donald Landers, Mr. David Doucette, Mr. Sean Navin and Ms. Laura Wagner
City Council Urban Affairs Committee
140 Main Street, 2nd Floor
Marlborough, MA 07152

Mr. Tin Htway – Building Commissioner
City of Marlborough Inspectional Services
140 Main Street, 2nd Floor
Marlborough, MA 07152

RE: Order No. 21-1008317
Chick-fil-A – 36 Apex Drive
Plan Change – Electric Heaters

Ms. Robey, Mr. Landers, Mr. Doucette, Mr. Navin, Ms. Wagner, and Mr. Htway:

Please accept this letter of confirmation that the natural gas heaters within in the proposed canopies for the above referenced project will be replaced with electric heaters as per the motion that was approved at the Urban Affairs Committee Meeting on June 29, 2021.

Updated plans reflecting electric heaters in lieu of natural gas heaters will be submitted to the City of Marlborough Inspectional Services Department for final review and approval of the necessary permits in order to begin construction.

Thank you for your assistance with this matter. Should you have any questions or need any additional information, I may be reached at 470.539.0522 or jason.rosier@cfacorp.com.

Sincerely,
Chick-fil-A

Jason Rosier
Restaurant Development – Facilities and Equipment

ec T. Vu, J. Fiesta, D. Brown, N. Carreras, G. Mosquera, Interplan LLC
M. Lawson, Chick-fil-A
IP File

CHICK-FIL-A, INC • 5200 BUFFINGTON ROAD • ATLANTA, GA 30349

Governmental Agencies

Building Department

AGENCY: ALTERNATE BUILDING COMMISSIONER

ADDRESS: 140 MAIN STREET CITY HALL, 2ND FLOOR
MARLBOROUGH, MA 01752

CONTACT: TIN HWAYAT, CBO

MAIN PHONE: (508) 460-3376
CELL PHONE: (617) 413-3357

EMAIL: THWAY@MARLBOROUGH-MA.GOV

Building Data

BUILDING CODE:
MASSACHUSETTS STATE BUILDING CODE - 9TH EDITION

ELECTRICAL CODE:
NATIONAL ELECTRIC CODE - 2017 EDITION

EXIST. BUILDING OCCUPANCY: A2 (NO CHANGES)
EXIST. BLDG. CONSTRUCTION TYPE: VB (SPRINKLED, NO CHANGES)
EXIST. BUILDING AREA: 4,831 GSF (NO CHANGES)
EXISTING BLDG OCCUPANCY LOAD: 210 OCC. (NO CHANGES)

PROPOSED F2F CANOPY AREA: 1,332 SF
PROPOSED OMD CANOPY AREA: 463 SF



5200 BUFFINGTON ROAD
ATLANTA, GEORGIA 30349-2998
PHONE: (404) 765-8000
FAX: (404) 684-8550

S-08-A
STANDARD CANOPY PROJECT
ORDER MEAL DELIVERY (OMD) &
FACE TO FACE (F2F) CANOPY ADDITION
WITH HEATERS

MARLBOROUGH FSR #3951
36 APEX DRIVE
MARLBOROUGH, MA 07152
JANUARY 2021

Drawing Index

ARCHITECTURAL

T-11 TITLE SHEET
ASP-00 ARCHITECTURAL SITE CONTEXT PLAN
A-20 ENLARGED CANOPY PLAN - F2F & OMD

ELECTRICAL

E-11 CANOPY POWER AND LIGHTING PLAN
E-12 CANOPY ELECTRICAL DETAILS

CANOPY SHOP DRAWINGS

F2F CANOPY

F2FCA-1 F2F CANOPY FOUNDATION PLAN
F2FCA-2 F2F CANOPY FRAMING PLAN
F2FCA-3 F2F CANOPY STANDARD DETAILS

OMD CANOPY

OMDCB-1 OMD CANOPY FOUNDATION PLAN
OMDCB-2 OMD CANOPY FRAMING PLAN
OMDCB-3 OMD CANOPY STANDARD DETAILS

PROJECT GENERAL NOTES

- ELECTRICAL WORK WILL BE PERFORMED UNDER THIS CONTRACT. ALL TO REMAIN UNLESS NOTED OTHERWISE.
- ALL WORK SHALL BE IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL BUILDING CODES, REGULATIONS, ORDINANCES, STANDARDS INCLUDING ADA, OTHER HANDICAP ACCESSIBILITY CODES AND INSURANCE RATING BOARDS. NO WORK SHALL COMMENCE UNTIL ALL JURISDICTIONAL PERMITS AND APPROVALS ARE OBTAINED.
- GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER'S VENDORS REGARDING SCHEDULING AND SEQUENCING OF THE WORK.
- THE CONSTRUCTION NOTES AND DRAWINGS ARE SUPPLIED TO ILLUSTRATE THE DESIGN AND GENERAL TYPE OF CONSTRUCTION DESIRED AND ARE INTENDED TO IMPLY THE FINEST QUALITY OF CONSTRUCTION, MATERIALS AND WORKMANSHIP THROUGHOUT AND SHALL CONFORM TO THE APPROPRIATE NATIONAL TRADE PUBLICATION.
- IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO FULLY EXAMINE THE SITE SPACE PRIOR TO THE START OF CONSTRUCTION. THE G.C. SHALL VERIFY ALL DIMENSIONS, VERTICAL, HORIZONTAL AND OTHERWISE, AS WELL AS TO VERIFY THE CONDITIONS AND NATURE OF THE PROPOSED CONSTRUCTION, MATERIALS, AVAILABLE UTILITIES AND STRUCTURAL ELEMENTS. THE G.C. SHALL NOTIFY THE OWNER'S REPRESENTATIVE (OWNER'S REP), IN WRITING OF ANY AND ALL DISCREPANCIES BETWEEN THE EXISTING CONDITIONS AND THE CONSTRUCTION DOCUMENTS.
- IT SHALL BE THE JOINT RESPONSIBILITY OF THE G.C. AND ALL SUBCONTRACTORS AND SUPPLIERS OF MATERIALS TO SECURE ALL NECESSARY ADAPTATIONS AS MAY BE REQUIRED FOR THEIR RESPECTIVE WORK, PRIOR TO ORDERING, FABRICATION OR INSTALLATION OF ANY MATERIALS, EQUIPMENT OR COMPONENTS WHICH ARE TO BE INTEGRATED INTO THE WORK. NO CLAIMS FOR ADDITIONAL COMPENSATION SHALL BE MADE OR SHALL BE VALID UNLESS WRITTEN NOTIFICATION IS RECEIVED BY THE OWNER'S REP AND THE ADDITIONAL COMPENSATION IS APPROVED IN ADVANCE OF PROCEEDING WITH THE WORK.
- REFERENCE ALL DRAWINGS FOR A COMPLETE DESCRIPTION OF THE WORK.
- COMMENCEMENT OF WORK IN ANY AREA BY THE CONTRACTOR SHALL BE CONSTRUED THAT THE CONTRACTOR HAS CHECKED THE EXISTING CONDITIONS AND FOUND THEM TO BE SATISFACTORY TO ACCEPT THIS PORTION OF THE WORK.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN IN THE DRAWINGS OR NOT & TO PROTECT THEM FROM DAMAGE DURING THE WORK. THE CONTRACTOR SHALL BEAR ALL EXPENSES OF REPAIR OR REPLACEMENT OF OTHER PROPERTY DAMAGED BY OPERATIONS IN CONJUNCTION WITH THE PERFORMANCE OF THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE JOB IS IN PROGRESS & UNTIL JOB IS COMPLETED.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS & SHALL MAINTAIN THE STRUCTURAL INTEGRITY OF ALL WORK.
- RESTAURANT REFUSE/DUMPSTER SHALL NOT BE USED FOR CONSTRUCTION DEBRIS.
- CAP AND SEAL OFF ANY PLUMBING/ELECTRICAL PENETRATIONS AS NECESSARY, DO NOT ABANDON ANY UTILITIES OR MATERIALS WITHIN THE SPACE - REMOVE BACK TO THE SOURCE.
- COVER RETURN AIR DUCTS AS NECESSARY BEFORE AND DURING CONSTRUCTION.

SCOPE OF WORK

THESE DOCUMENTS REPRESENT A CANOPY ADDITION AT THE DRIVE-THRU WINDOW & AT THE DRIVE-THRU ORDER POINT. THE FOLLOWING IS A SUMMARY OF THE INTENDED WORK TO TAKE PLACE.

ARCHITECTURAL

- REMOVAL OF EXISTING DRIVE-THRU CANOPY, PATCHING AND REPAIRING THE WALL AFFECTED BY DEMOLITION IN PREPARATION FOR THE INSTALLATION OF THE NEW OMD CANOPY.
- INSTALLATION OF NEW F2F CANOPY AND NEW DRIVE-THRU ORDER POINT.

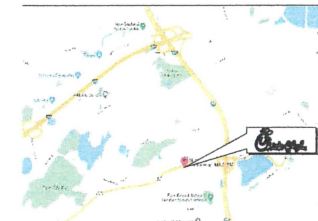
ELECTRICAL

- PROVIDING POWER FOR THE OMD & F2F CANOPY LIGHTS, FANS & ELECTRIC HEATERS FOR CANOPIES.

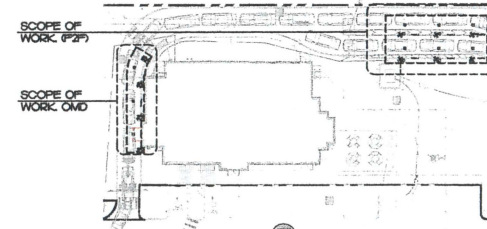
THESE DOCUMENTS REPRESENT A CANOPY ADDITION AT THE DRIVE-THRU WINDOW AND AT THE DRIVE-THRU ORDER POINT. EXISTING BUILDING SQUARE FOOTAGE AND OCCUPANCY TO REMAIN UNCHANGED.

Items of Importance

- F2F & OMD CANOPIES BY FASHION
- NO CHANGES TO BUILDING FOOTPRINT & OCCUPANCY.
- EXISTING CANOPY AT DRIVE THRU SIDE TO BE REMOVED.
- CANOPIES TO RECEIVE ELECTRIC HEATERS.



VICINITY MAP
NOT TO SCALE



KEY PLAN

REVISION SCHEDULE

REVISION NUMBER	REVISION DATE	ISSUE DESCRIPTION	CHANGE DESCRIPTION	AFFECTED SHEETS
1	07/06/21	URBAN AFFAIRS COMMENTS	GAS TO ELECTRIC HEATERS	T-11A-2.0, CA1, CA2, CA3, CB1, CB2, CB3, E1, E2, E3.
-	-	-	-	-

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PHONE: (407) 645-5008
ARCHITECT OF RECORD:
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CONTACT: TAN VU

Electrical Engineer:

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PHONE: (407) 645-5008
ENGINEER OF RECORD:
STACY HENSON
CONTACT: JONATHAN LOPEZ

Canopy Supplier:

FASHION INC.
1019 E. NORTH ST.
OTTAWA, KS 66067
PHONE: (785) 242-8111
FAX: (785) 242-2022



Chick-fil-A

5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:
Mark Date By
07/06/21 LR
URBAN AFFAIRS

COMMENTS

SEAL
Professional seal of Louise Craver, Architect, No. 3960, State of Florida, Exp. 12/31/21.

INTERPLAN ARCHITECTS LLC
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ENGINEERING
PLANNING
PROFESSIONAL CORPORATION
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ORLANDO, FLORIDA 32835
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STORE
MARLBOROUGH
FSR 3951
508H-A

36 APEX DRIVE
MARLBOROUGH, MA
07152

SHEET TITLE
TITLE SHEET

VERSION:
ISSUE DATE:

Job No.: 21.0038

Store #: 3951

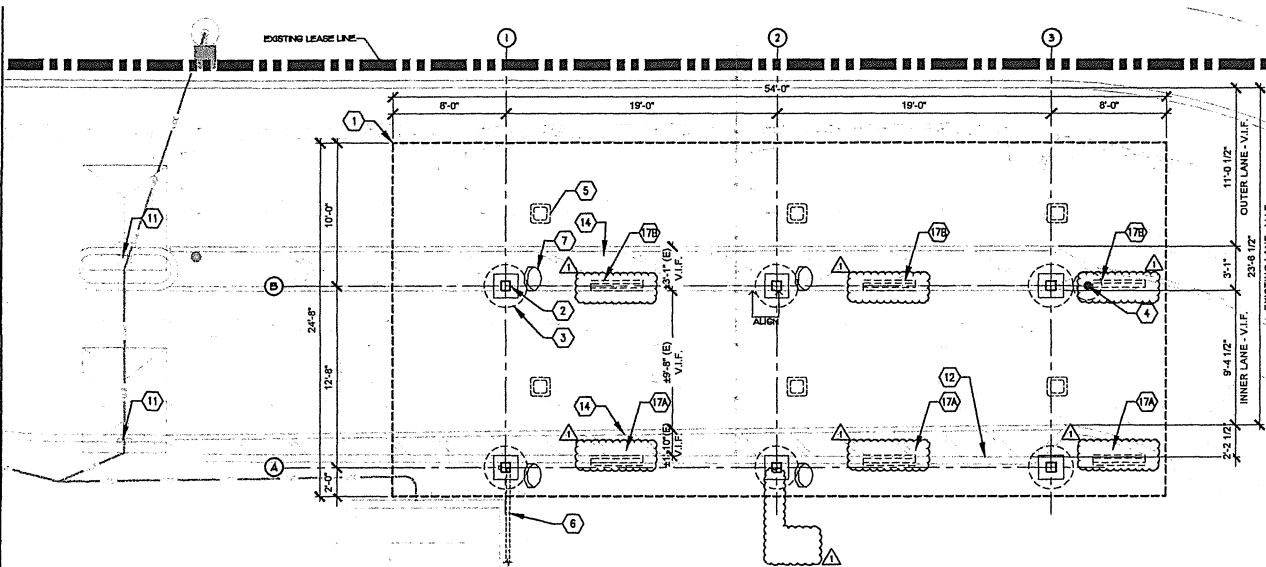
Date: 01.2021

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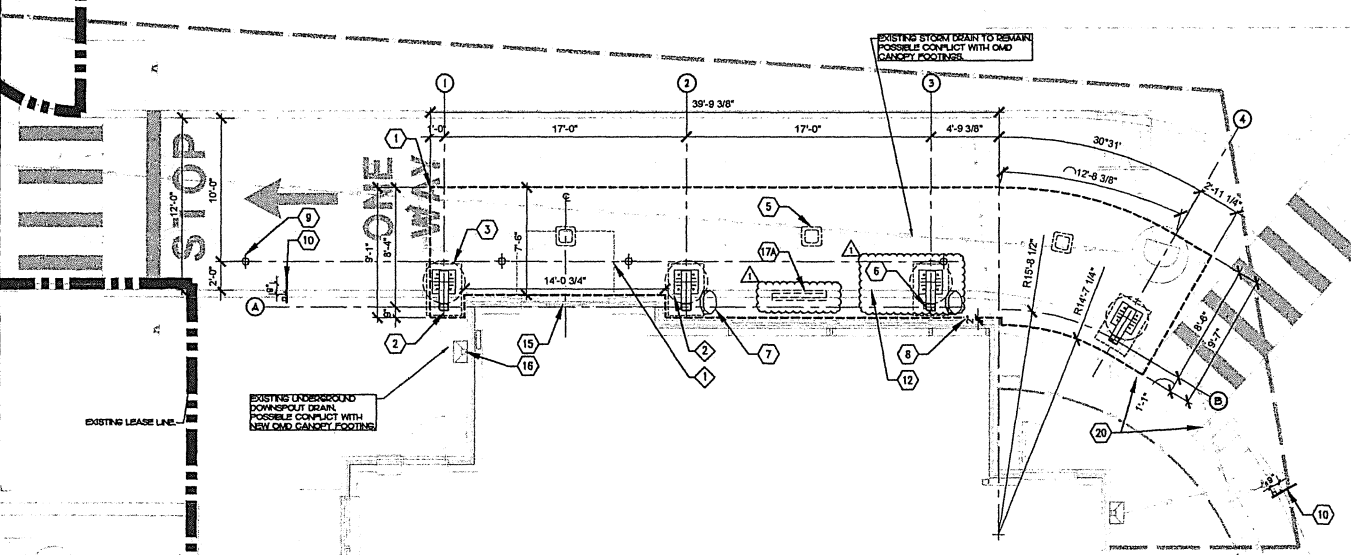
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Sheet

T-11



1 TIER 3 SINGLE LANE ORDER (F2F) CANOPY
1/4"=1'-0"



2 TIER 3 SINGLE LANE ORDER MEAL DELIVERY (OMD) CANOPY
1/4"=1'-0"



GENERAL NOTES	
1	ALL EXISTING SITE AND BUILDING ELEMENTS TO REMAIN UNLESS NOTED OTHERWISE. PROTECT IN PLACE AS REQUIRED.
2	ALLOW 4'-0" MIN BETWEEN LIGHTS/ FANS AND LEATHERS.
3	LIGHTS SHALL BE FED OVERHEAD ON EXISTING BLDGS.
4	ALL NEW FOOTINGS TO BE BELOW GRADE REFER TO CANOPY SHOP DRAWINGS FOR FOOTING DESIGN.
5	G.C. TO NOT UNDERMINE EXISTING BUILDING FOUNDATION.
6	G.C. TO PATCH AND REPAIR WALLS, CEILING, BROWNAKES AFFECTED BY DEMOLITION PERMIT TO MATCH EXISTING.
7	G.C. SHALL COORDINATE WITH CANOPY FABRICATOR PRIOR TO INSTALLATION OF NEW CANOPY FOOTINGS.
8	NOT DIMENSION DRAWING FOR ILLUSTRATIVE PURPOSES ONLY. G.C. TO FIELD VERIFY EXACT LOCATION AND NOTIFY CHOCK-PLA PROJECT TEAM IF CANOPY LOCATION CHANGES AND IMPACTS OTHER CONSULTATION RELATED CONDITIONS.
9	REFER TO CHOCK-PLA OMD SERVICE AND SAFETY GUIDELINES, AND THE GENERAL CONTRACTOR INSTALL GUIDE FOR ADDITIONAL OMD COMPONENTS INFORMATION.
10	ANY EXPOSED GAS OR ELECTRICAL CONDUIT SHALL BE PIPERAPARTED BLACK OR TO MATCH ADJACENT MATERIAL. BOTTOM OF NEW CANOPY'S ADJACENT THE EXISTING BUILDING SHALL NOT IMPIDE AND BE ABOVE THE EXISTING STOREFRONT WINDOWS.

EXTERIOR FINISH SCHEDULE	
PT#1	COLLARS & FABRICA - DURA COAT, DORSETTONE, DARK BRONZE, OIL CURED BRONZE METALLIC TEXTURE PVD.
PT#2	DISK PANELING SCHEDULE - SMOOTH WHITE, HIGH GLOSS

PLAN KEY NOTES	
1	OUTLINE OF NEW CANOPY.
2	NEW CANOPY COLLARS, TYP. RB CANOPY SHOP DRAWINGS.
3	OUTLINE OF NEW CANOPY FOOTINGS BELOW, RB CANOPY SHOP DRAWINGS.
4	NEW 6" YELLOW PERMANENT BOLLARD.
5	NEW CANOPY LED DISK LIGHTS, TYP. RB ELECTRICAL.
6	ELECTRICAL CONDUIT WITH COLLARS REFER TO ELECTRICAL PLANS FOR CONDUITS, SWITCHES AND ACCESS HOLES AT COLLAR. ROUTE CONDUIT UNDERGROUND TO RESTAURANT AS REQUIRED.
7	NEW CANOPY OVERHEAD FANS WITH NECESSARY SUPPORT TO CANOPY DESIGN, TYP. RB ELECTRICAL PLANS.
8	OUTLINE OF EXISTING BUILDING. ALLOW 2" GAP FOLLOWING BLDG CONTROLS, CANOPY VECTOR TO INSTALL FLASHING AT THE GAP MATCHING THE FINISH OF THE CANOPY.
9	NEW SAFETY POST AND MOUNT WITH MAGNETIC DELINEATOR BASE PLATE TYP. REFER TO OMD SERVICE AND SAFETY GUIDELINE AND SO INSTALL GUIDE PROVIDED BY THE CONSTRUCTION MANAGER FOR ADDITIONAL OMD COMPONENTS INFORMATION.
10	NEW MEAL DELIVERY ZONE M20 STARTED SIGN. REFER TO OMD SERVICE AND SAFETY GUIDELINE AND SO INSTALL GUIDE PROVIDED BY THE CONSTRUCTION MANAGER FOR ADDITIONAL OMD COMPONENTS INFORMATION.
11	EXISTING ORDER PORTS TO REMAIN.
12	OUTLINE OF EXISTING FACE OF CURB TO REMAIN.
13	NOT USED.
14	EXISTING TEAM MEMBER WALKWAY STRIPING TO REMAIN, REPEASH FOR APPROVAL OF CPA OMA.
15	EXISTING DRIVE-THRU WINDOW TO REMAIN.
16	EXISTING BUILDING DOWNSPOUT TO REMAIN.
17	NEW CANOPY ELECTRIC HEATERS, TYP. RB ELECTRICAL. ATTACH MOUNTED HEATER TOWARDS WALKWAY WITH SUPPORT @ PLAT MOUNTED HEATER WITH HEAT SHIELD AND SUPPORT TO CANOPY DECK.
18	NOT USED.
19	NOT USED.
20	EXISTING RAMP TO REMAIN, TYP.

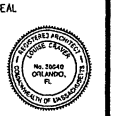
DEMOLITION KEY NOTES	
1	EXISTING CANOPY ABOVE DRIVE-THRU WINDOW TO BE REMOVED.
2	EXISTING BOLLARD TO BE DEMO'D



Crisp & Associates
5200 Buffington Rd.
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Revisions:
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07/06/21 LR
URBAN AFFAIRS

COMMENTS	



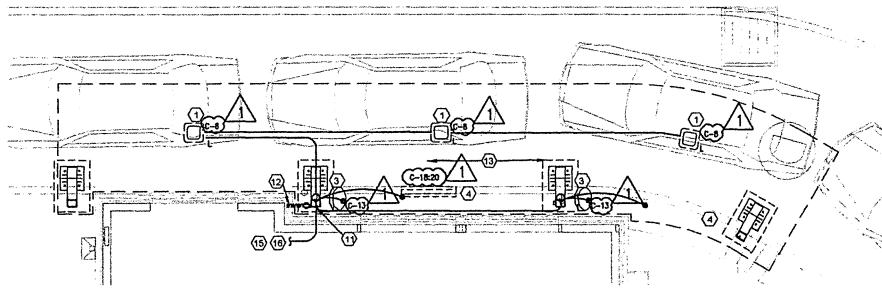
INTERPLAN
ARCHITECTS LLC
ARCHITECTURE
INTERIOR DESIGN
PROJECT MANAGEMENT
DAVID JOYCE ARCHITECT
DAVID JOYCE ARCHITECT
MEMBER/OWNER PROJECT
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STORE
MARLBOROUGH
FSR 3951
SOBH+A
36 APEX DRIVE
MARLBOROUGH, MA
07152

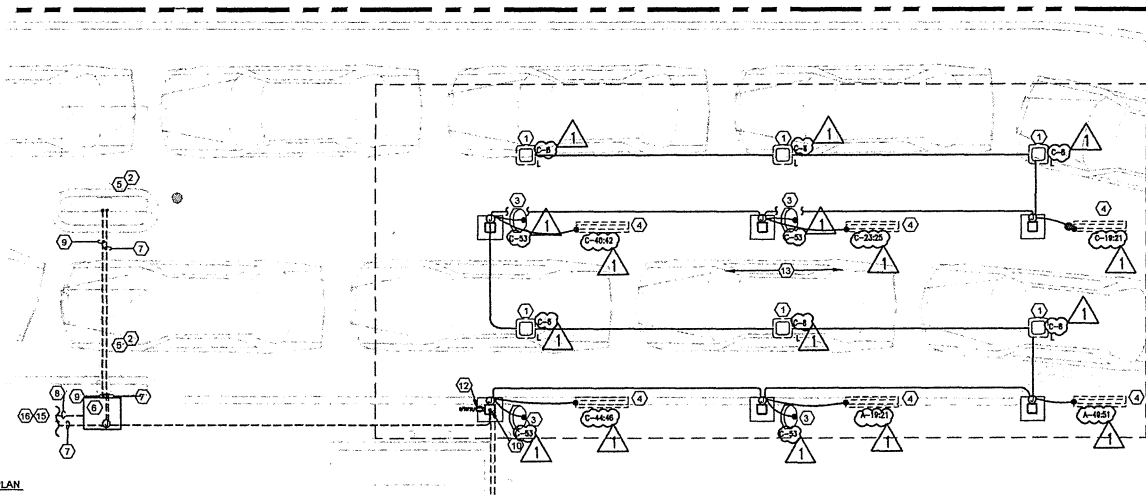
SHEET TITLE
**ENLARGED
CANOPY PLAN
- F2F & OMD**

VERSION:
ISSUE DATE:
Job No. : 21.0038
Store : 3851
Date : 01.2021
Drawn By : HMS
Checked By : JF

Sheet
A-2.0



2 MEAL DELIVERY CANOPY POWER PLAN
SCALE: 1/4" = 1'-0"



3 ORDER CANOPY POWER PLAN
SCALE: 1/4" = 1'-0"

LEGEND

---	UNDERGROUND
---	ABOVE GROUND

KEYED NOTES

- 1 CEILING LIGHT PROVIDED BY CANOPY SUPPLIER AND INSTALLED BY E.C.
- 2 EXISTING OPEN-CLOSED LIGHTS ON ORDER CANOPY.
- 3 AIR CIRCULATING FAN (WITH INTEGRAL ON-OFF SWITCH) PROVIDED BY OTHERS. FANS TO BE HARDWIRED IN APPROPRIATE CONDUIT ABOVE CANOPY.
- 4 INFRARED ELECTRIC HEATER PROVIDED BY OTHERS. PROVIDE QUICK DISCONNECT PLUG FOR EACH HEATER.
- 5 EXISTING MENUBOARD AND EXISTING CANOPY.
- 6 EXISTING IN-GROUND QUARTZITE PULLBOX FOR MLP DATA CABLES WITH POWER NEMA 3R JUNCTION BOX MOUNTED INSIDE THE PULLBOX.
- 7 EXISTING 2" UNDERGROUND SCH40 PVC CONDUIT WITH POWER CONDUCTORS. SEE WIRING SCHEMATIC.
- 8 EXISTING 2" UNDERGROUND SCH40 PVC CONDUIT FOR AUDIO SYSTEM DETECTOR LOOP CABLES.
- 9 EXISTING 1" EMPTY UNDERGROUND SCH40 PVC CONDUIT FOR AUDIO SYSTEM DETECTOR LOOP CABLES.
- 10 INSTALL UNDERGROUND (2) 3" SCH40 PVC CONDUIT UP INTO THE CANOPY COLUMN WITH TYPE MC CABLE (GALVANIZED STEEL WITH PVC JACKET) RUN WITH FOR THE 120V POWER FOR LIGHTS, 120 VOLT POWER FOR FANS, 200V POWER FOR HEATERS, AND 24V FOR HEATER CONTROL.
- 11 AT EXISTING BUILDINGS STUB A 3" CHASE THRU THE EXTERIOR WALL FROM THE CEILING SPACE ABOVE THE KITCHEN TO ABOVE THE CANOPY'S COLUMN FOR THE MC CABLE POWER CIRCUITS TO GO THRU THE COLUMN MOUNTED SWITCHES AND OUTLET.
- 12 PROVIDE ONE DUPLEX GFCI (WITH IN-RUSH WP COVER PLATE) AND THREE 120V SINGLE-POLE SWITCHES (EACH WITH RUBBER-LEAF 1500 WP COVER PLATE) MOUNTED ON THE COLUMN IN FLUSH MOUNTED METAL SINGLE GANG BOXES FOR LOCAL ON-OFF CONTROL OF THE FAN HEATERS, AND CANOPY LIGHTS. SEE WIRING SCHEMATIC AND CANOPY COLUMN DETAILS FOR FURTHER INFORMATION. ALL SURFACE MOUNTED ITEMS AND COVER PLATES TO BE FIELD PAINTED MATTE BLACK. INSTALL BLANK COVER PLATE WHEN HEATERS ARE NOT INSTALLED AND THE THIRD SWITCH IS NOT REQUIRED.
- 13 ALL CONDUIT AND BOXES SHALL BE CONCEALED FROM NORMAL VIEW. UNDERGROUND, IN COLUMNS, OR ABOVE THE CANOPY (ON THE ROOF), MC CABLE (GALVANIZED STEEL WITH PVC JACKET) TO BE USED INSIDE THE CEILING, BUT MUST CONVERT BACK TO MC ABOVE THE ROOF. ALL EXPOSED ELECTRICAL BOXES TO BE NEMA 3R CAST-METAL.

- 14 NOT USED
- 15 PROVIDE GROUNDING ELECTRODE CONDUCTORS AS REQUIRED AND SIZED PER ARTICLE 250 OF THE NEC BOND TO CANOPY STRUCTURE PER MANUFACTURER'S RECOMMENDATIONS.
- 16 PROVIDE (2) 3" UNDERGROUND SCH40 PVC CONDUITS WITH POWER CONDUCTORS, TO ACCOMMODATE CANOPY EQUIPMENT CIRCUITS. SEE WIRING SCHEMATIC. RE-SIZE THE IN-GROUND JUNCTION BOX AS REQUIRED TO MEET NEC FILL REQUIREMENTS.

NOTES: FOR ALL CONDUITS: REFER TO PLANS FOR OTHER CONDUITS, REFER TO VENDOR DRAWINGS FOR CONDUIT AND WIRING REQUIREMENTS FOR LOW VOLTAGE SYSTEMS AND CONTROL WIRING.
MULTIPLE 1PH CIRCUITS MAY OCCUPY THE SAME CONDUIT IN ACCORDANCE WITH THE NEC, MAXIMUM OF THREE AND OF DIFFERENT PHASES.
LOW VOLTAGE AND CONTROL WIRING SHALL BE IN SEPARATE CONDUIT FROM BUILDING TO CANOPY.

ELECTRIC INFRARED HEATER SCHEDULE - CHICK-FL-A

MARK	MANUFACTURER	CATALOG NUMBER	VOLTAGE	Watts	AMPS	MOUNTING	REMARKS
H	BROAN	BFH42003	200V	3000	13.6		

LIGHTING FIXTURE (LUMINAIRE) SCHEDULE - CHICK-FL-A

MARK	MANUFACTURER OR	CATALOG NUMBER	NO. LAMPS/TYPE	EST. LAMP WATTAGE	EST. AMP	REMARKS
L	LS	LSI CR10-SO-LD-1W-3R-0E-WHT	LED	74	1.90	CANOPY DECK

NOTE: 1. LUMINAIRE UTILIZING DOUBLE-DIODE LAMPS AND COLOUR BALLASTS THAT CAN BE SERVICED IN PLACE SHALL HAVE A DISCONNECTING MEANS OTHER INTERNAL OR EXTERNAL TO EACH LUMINAIRE FOR REC. 418.10(A)(5).

FIELD VERIFY ALL CONDITIONS

NOTE! AS NOTED IN THE SPECIFICATIONS, ALL WIRING LAYOUTS, LAYOUTS ARE SCHEMATIC. EXACT LOCATIONS SHALL BE DETERMINED BY THE CONSTRUCTION AND STRUCTURE OF THE BUILDING AND SHALL BE VERIFIED AND COORDINATED IN THE FIELD. EACH TRADE CONTRACTOR SHALL VERIFY WITH THE GENERAL CONTRACTOR THAT HE HAS THOROUGHLY REVIEWED AND COORDINATED ALL LOCATIONS AND ROUTINGS WITH ALL OTHER TRADES PRIOR TO FABRICATION OF CONDUITS, DUCTS, OR PIPING, AND START OF INSTALLATION OF SAME (INCLUDING SPRINKLER PIPING WHEN PRESENT ON JOB). ANY INSTALLATION OR CONSTRUCTION CONFLICTS WHICH OCCUR IN THE FIELD SHALL BE RESOLVED BY THE TRADE CONTRACTOR TO THE SATISFACTION OF THE OWNER AND ARCHITECT AND AT NO EXPENSE TO THE OWNER, ARCHITECT AND/OR GENERAL CONTRACTOR.

THE CONTRACTOR SHALL CONTACT THE ARCHITECT, ENGINEER OR OWNER PRIOR TO BIDDING FOR INTERPRETATIONS AND CLARIFICATIONS OF THE DESIGN AND INCLUDE IN HIS BID ALL COSTS TO MEET THE DESIGN INTENT. CLARIFICATIONS MADE BY THE ARCHITECT, ENGINEER OR OWNER AFTER BIDDING WILL BE FINAL AND SHALL BE IMPLEMENTED AT CONTRACTORS COST.

BIDDING CONTRACTORS SHALL HAVE A WORKING KNOWLEDGE OF LOCAL CODES AND ORDINANCES AND SHALL INCLUDE IN THEIR BIDS THE COSTS FOR ALL WORK INSTALLED IN STRICT ACCORDANCE WITH GOVERNING CODES. THE PLANS AND SPECIFICATIONS NOT WITHSTANDING, THE CONTRACTOR SHALL ALERT ARCHITECT, ENGINEER OR OWNER OF ANY APPARENT DISCREPANCIES BETWEEN GOVERNING CODES AND DESIGN INTENT.

COMPARISON LOAD SUMMARY

EXISTING LOAD BASED ON DATA RECEIVED				905.75 AMPS
	QTY.	WATTS	AMPS	
-DRIVE THRU CANOPY LIGHTS	6	X 74	1.2	AMPS
-MEAL DELIVERY CANOPY LIGHTS	3	X 74	0.6	AMPS
-DRIVE THRU CANOPY FANS	4	X 264	2.8	AMPS
-MEAL DELIVERY CANOPY FANS	2	X 264	1.4	AMPS
-DRIVE THRU CANOPY FANS	6	X 3000	50.0	AMPS
-MEAL DELIVERY HEADERS	1	X 3000	8.3	AMPS
TOTAL: 2000 AMPS				
NEW CONNECTED AMPS				870.3 AMPS
EXISTING SERVICE SIZE IS 1200 AMPS BASED ON EXISTING DATA RECEIVED				



5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:
Mark Date By
07.06.21 MM URBAN AFFAIR



INTERPLAN ARCHITECTS LLC
ARCHITECTS
INTERIOR DESIGN
PROJECT MANAGEMENT

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DREW BRYAN ARCHITECT
KEVIN PASTER ARCHITECT
DREW PAVEL ARCHITECT

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PHONE: 404.508.8740
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STORE CANOPY ROLL-OUT PROGRAM FSU 3951

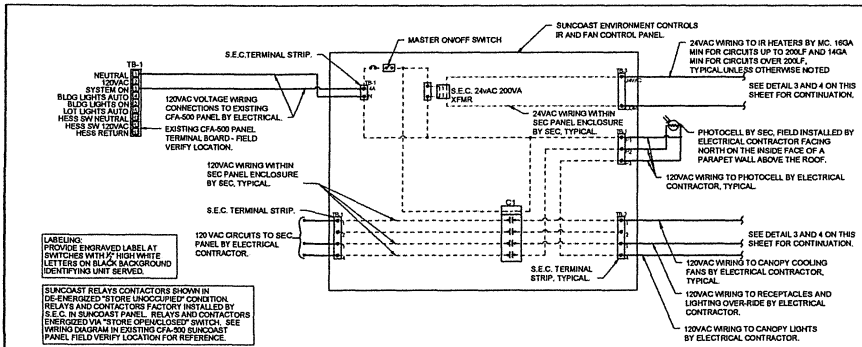
36 APEX DRIVE
MARBOROUGH, MA 07152

SHEET TITLE
CANOPY POWER
AND LGT PLAN

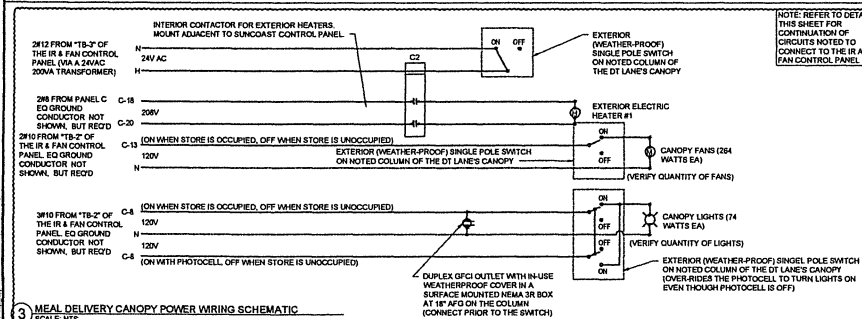
VERSION: V7.025
ISSUE DATE: 01-2021

Job No. : 21.00338
Store : 3951
Date : 01.2021
Drawn By : MM
Checked By : EAF

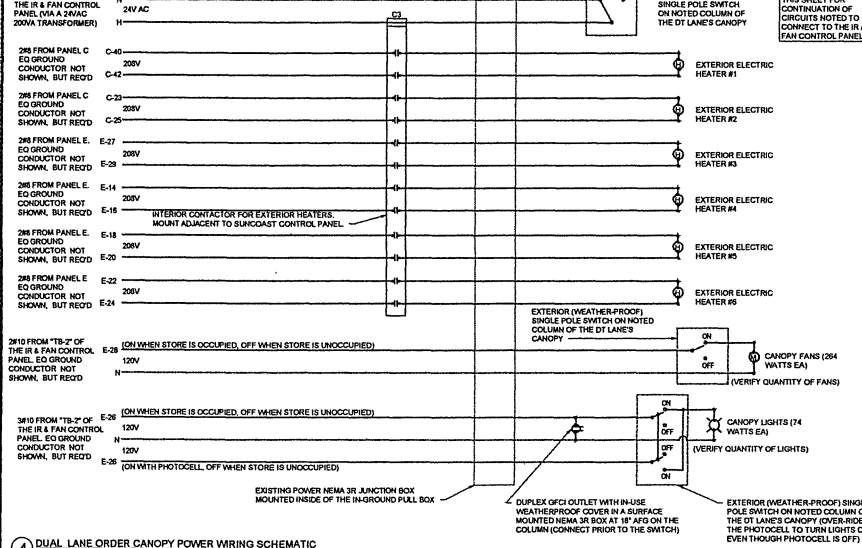




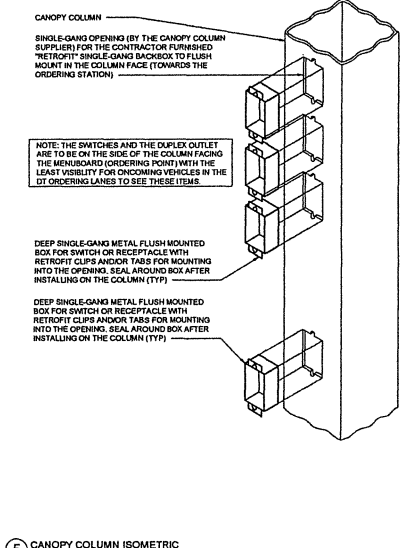
1 SUNCOAST PANEL WIRING DIAGRAM - INFRARED HEATERS, COOLING FANS



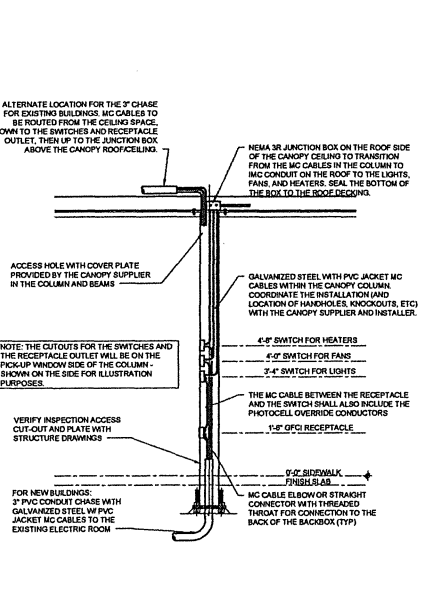
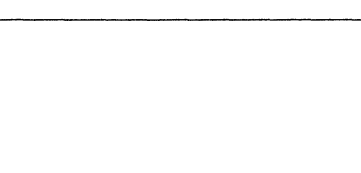
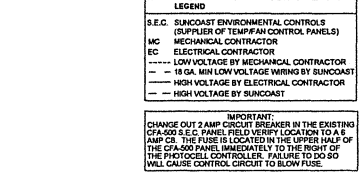
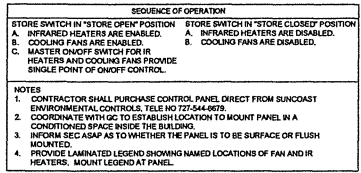
3 MEAL DELIVERY CANOPY POWER WIRING SCHEMATIC



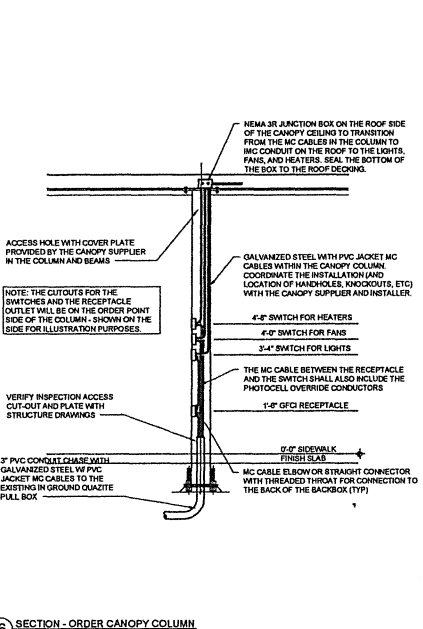
4 DUAL LANE ORDER CANOPY POWER WIRING SCHEMATIC



5 CANOPY COLUMN ISOMETRIC



2 SECTION - MEAL DELIVERY CANOPY COLUMN



6 SECTION - ORDER CANOPY COLUMN



5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:
Mark Date By
07.06.21 MI
URBAN AFFAIR

COMMENTS



INTERPLAN ARCHITECTS, LLC
ARCHITECTURE
ENGINEERING
PHOTOGRAPHY
DESIGN
36 APEX DRIVE
MARLBOROUGH, MA
07152

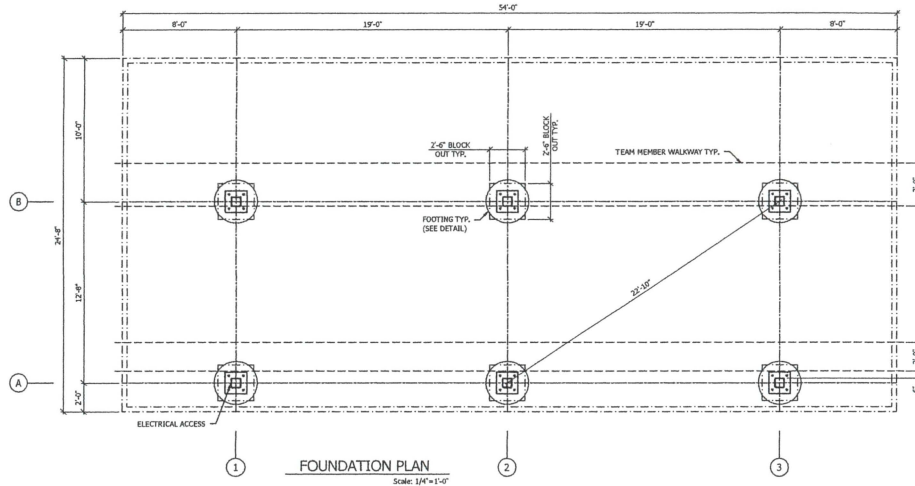
36 APEX DRIVE
MARLBOROUGH, MA
07152

SHEET TITLE
CANOPY ELEC.
DETAILS

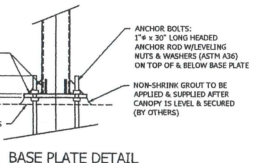
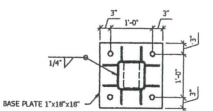
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Store: 3951
Date: 01.2021
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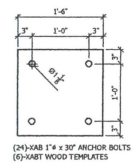
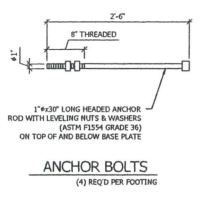
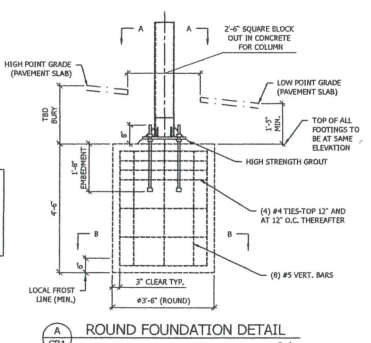
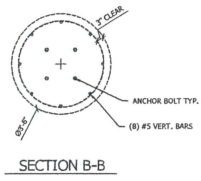
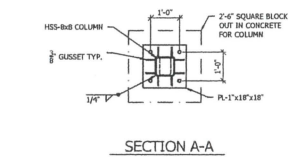


NOTE:
 NEW CANOPY FOOTINGS SHALL NOT IMPACT OR INTERFERE WITH THE EXISTING BUILDING FOOTINGS. THE GENERAL CONTRACTOR SHALL NOTIFY THE CANOPY DESIGNER, ARCHITECT AND STRUCTURAL ENGINEER OF RECORD OF ANY CONFLICTS BETWEEN THE NEW FOOTINGS AS SHOWN AND THE EXISTING BUILDING STRUCTURE PRIOR TO PLACEMENT OF CONCRETE TO ALLOW FOR MODIFICATION OF DESIGN FOR UNFORESEEN FIELD CONDITIONS.



FOOTING NOTES
 1. OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR FOOTING AND ANCHOR BOLT INSTALLATION.
 2. ALL FOOTINGS SHALL BE CAST ON LEVEL UNDISTURBED SOIL, ROCK OR PROPERLY COMPACTED SUBGRADE. FOOTING SIZE IS BASED ON MAXIMUM 3000 PSF SOIL BEARING AT BASE AND 200 PSF PER FOOT OF BIRTH LATERAL BEARING CAPACITY. A GEOTECHNICAL INVESTIGATION REPORT WAS NOT PROVIDED BY THE OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SOIL PARAMETERS AND FOLLOWING APPLICABLE SOIL PREPARATION RECOMMENDATIONS.
 3. FOOTING CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4000 PSI.
 4. FOOTING DESIGN BASED ON AN ASSUMED 1/4\"/>

ALTERNATE SQUARE FOOTING
 AN ALTERNATE SQUARE FOOTING OPTION CAN BE PROVIDED, WITH A PLAN DIMENSION OF 3'-6\"/>



REQUIRED VERIFICATION AND INSPECTION	CONTINUOUS	PERIODIC	REFERENCED STANDARD
INSPECTION OF FABRICATORS			
STEEL CONSTRUCTION			
MATERIAL VERIFICATION OF HIGH STRENGTH BOLTS, NUTS AND WASHERS	-	X	AISC 309, SECTION A3.3
INSPECTION OF HIGH STRENGTH BOLTING	-	X	AISC, SECTION M2.5
INSPECTION OF WELDING—VISUAL SINGLE PASS WELDS 3/16\"/>			
ROOF DECK	-	X	APPLICABLE ASTM MATERIAL STANDARDS
CONCRETE CONSTRUCTION			
REINFORCING STEEL, INCLUDING PLACEMENT	-	X	ACI 318: Ch. 20, 25.2, 25.3, 25.5.1-25.5.3
INSPECTION OF ANCHORS INSTALLED IN HARDENED CONCRETE	-	X	ACI 318: 3.8.6, 8.1.3, 21.2.8
VERIFYING USE OF REQUIRED DESIGN MIX	-	X	ACI 318: Ch. 19, 26.4.3, 26.4.4
CONCRETE SAMPLING FOR STRENGTH, SLUMP, TEMPERATURE AND AIR CONTENT	X	-	ASTM C172, ASTM C31, ACI 318: 26.4.5, 26.12
INSPECTION OF FORMWORK FOR SHAPE, LOCATION AND DIMENSIONS OF MEMBERS BEING FORMED	-	X	ACI 318: 26.10.1(b)
VERIFY MAINTENANCE OF SPECIFIED CURING TEMPERATURE AND TECHNIQUES	X	-	ACI 318: 26.4.7-26.4.9
INSPECT CONCRETE FOR PROPER APPLICATION TECHNIQUES	X	-	ACI 318: 26.4.5
SOIL			
VERIFY MATERIALS BELOW FOOTINGS ARE ADEQUATE TO ACHIEVE DESIGN BEARING CAPACITY	-	X	
VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH AND HAVE REACHED PROPER MATERIAL	-	X	
VERIFY USE OF PROPER MATERIALS, DENSITIES AND LIFT THICKNESS DURING PLACEMENT AND COMPACTION OF CONTROLLED FILL	X	-	
PRIOR TO PLACEMENT OF CONTROLLED FILL, OBSERVED SUBGRADE AND REPORT THAT SITE HAS BEEN PREPARED PROPERLY	-	X	

The Owner shall employ one or more special inspectors to provide inspections during construction on the types of work listed in the Schedule of Special Inspections. The special inspector shall be a qualified person certified by the MA Department of Community Affairs who shall demonstrate competence to the satisfaction of the Building Official, and be approved by the Structural Engineer of Record, for inspection of the particular type of construction or operation requiring special inspection.

The contractor shall be responsible to notify and coordinate all required special inspections with the special inspection agency prior to performing any work that requires special inspections. The contractor shall notify the special inspection agency at least 24 hours in advance to performing any work that requires special inspections.

Job safety is solely the responsibility of the contractor. Materials and activities to be inspected are not to include the contractor's equipment and methods used to erect or install the materials listed.

The special inspectors shall keep records of all inspections and shall furnish inspection reports to the Construction Official and to the Structural Engineer of Record. All discrepancies shall be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, the discrepancies shall be immediately brought to the Special Inspector to the attention of the Code Official and the Structural Engineer of Record.

The special inspection agency shall submit a final report signed and sealed by a Massachusetts PE that is in charge of the inspections. The final report shall document all required special inspections, test or structural observations and any discrepancies noted in these inspections.



DESCRIPTION	BY	DATE	REV.



EXP 06/30/2022

03/22/2021



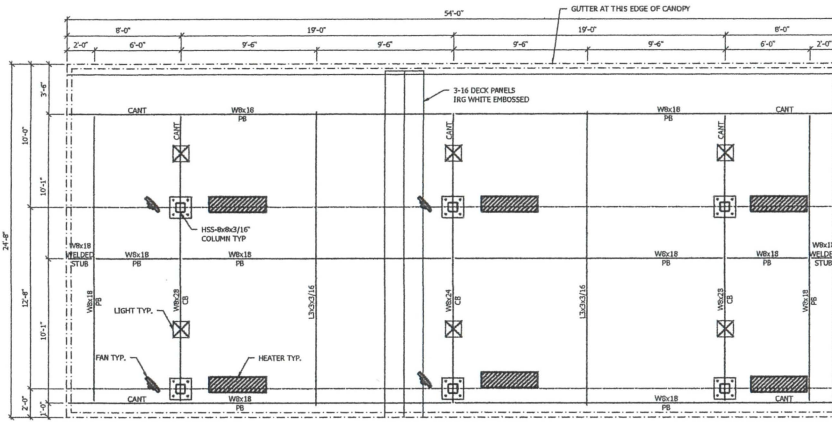
1019 E. North Street
 Chelsea, Massachusetts 02156
 Phone: 781.242.1111
 Fax: 781.242.2022

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SITE:
 CHECK-FIL-A #3951
 36 APEX DR.
 MARLBOROUGH, MA
 (5) COLUMN CANOPY
 72' CANOPY

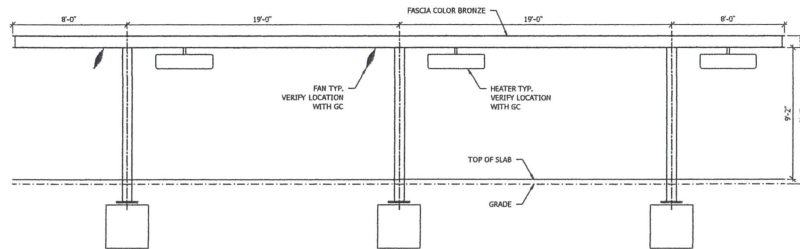
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 JOB NUMBER: 63951

SHEET TITLE: FOUNDATION PLAN
 SHEET NUMBER: CA1



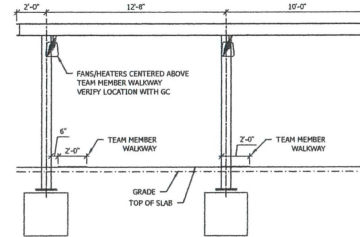
FRAMING PLAN

Scale: 1/4"=1'-0"



SIDE ELEVATION

Scale: 1/4"=1'-0"

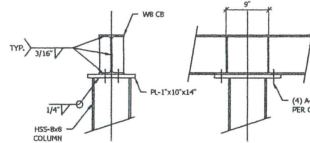


END ELEVATION

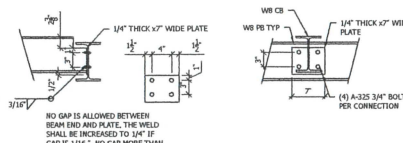
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STEEL NOTES

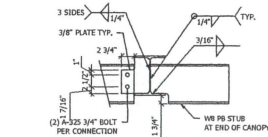
- DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL SHALL CONFORM TO THE LATEST AISC SPECIFICATIONS. DESIGN, FABRICATION AND ERECTION OF COLD FORMED STEEL SECTIONS SHALL CONFORM TO THE LATEST AISI SPECIFICATIONS.
- STRUCTURAL MATERIALS:
 WIDE FLANGE SECTIONS - ASTM A992 OR A572 GRADE 50 (Fy = 50 KSI)
 ANGLES / CHANNELS - ASTM A36 (Fy = 36 KSI)
 MIDDLE RAIL STRUCTURAL SECTIONS (TRBS) - ASTM A500 GRADE B (Fy = 46 KSI)
 PIPES SECTIONS - ASTM A51, GRADE B (Fy = 35 KSI)
 PLATE - ASTM A36 (Fy = 36 KSI)
- ROOF DECK - ASTM A53, GRADE 50 (Fy = 50 KSI), GALVANIZED (900) WITH BAKED ENAMEL FINISH
- STEEL OUTRIGGERS - ASTM A503 GR. 36
- ANCHOR BOLTS - ASTM A325
- STRUCTURAL BOLTS - ASTM A325
- FIELD CONNECTIONS SHALL BE BOLTED CONNECTIONS UNLESS SPECIFIED ON DRAWING.
- ALL STRUCTURAL BOLTED CONNECTIONS SHALL USE ASTM A325 BOLTS. BOLTED JOINTS SHALL BE TIGHTENED TO SNUG TIGHT PER LATEST RCSC SPECIFICATION.
- STRUCTURAL STEEL SHALL BE SHOP COATED WITH A RED-OXIDE RUST INHIBITIVE PRIMER, FIELD TOUCH-UP, FINISH PAINTING, AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER (UNLESS OTHERWISE SPECIFIED).
- DESIGN LOADS PER 2015 INTERNATIONAL BUILDING CODE WITH ALL AMENDMENTS AND LOCAL REQUIREMENTS:
 ROOF LIVE LOAD = 20 PSF
 FLAT ROOF SNOW LOAD = 42 PSF + DRIFT @ ADJACENT BUILDING
 BASED ON GROUND SNOW LOAD = 50 PSF
- WIND LOADS:
 LATERAL = 46.3 PSF (ULTIMATE)
 UPLIFT = 22.3 PSF (ULTIMATE)
 BASED ON 123 MPH 3 SECOND GUST WIND SPEED AND EXPOSURE 'B' PER ASCE 7-10, RISK CATEGORY II.
- SEISMIC LOADS:
 SEISMIC RISK CATEGORY II, SITE CLASS "D" ASSUMED, SEISMIC DESIGN CATEGORY "B"
 SDS = 0.251g (Sa = 0.244g, Fg = 1.4), Sd1 = 0.101g (S1 = 0.067g, FV = 2.4)
 SEISMIC FORCE RESISTING SYSTEM IS INVERTED PENDULUM - CANTILEVERED COLUMN, R = 1.25
 Cc = 0.209
- DEAD LOADS:
 DECK / GUTTER / LIGHTS - 4.5 PSF
 FASCIA - 4.5 PSF (PER DESIGN)
 STRUCTURAL STEEL - SELF WT
 CONCRETE - 150 PCF



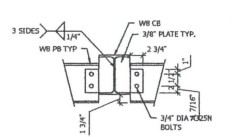
TYP. COLUMN / CROSSBEAM CONNECTION



TYP. CONTINUOUS PURLIN CONNECTION



STUB PURLIN CONNECTION



TYP. INNER PURLIN CONNECTION

REV.	DATE	BY	DESCRIPTION



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SITE:
 CHICK-FIL-A #3951
 36 APEX DR
 MARLBOROUGH, MA
 (6) COLUMN CANOPY
 CFZ CANOPY

SCALE: AS SHOWN
 DRAWN BY: JBG
 CHECKED BY: AP
 JOB NUMBER: 63951

SHEET TITLE: FRAMING PLAN
 SHEET NUMBER: CA2



NO.	DATE	BY	DESCRIPTION
1	07/06/21	JDG	URBAN AFFAIRS COMMENTS
REV.			REVISION HISTORY



03/22/2021



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Ottawa, Kansas 66067
Phone: 785.242.8111
Fax: 785.242.2022

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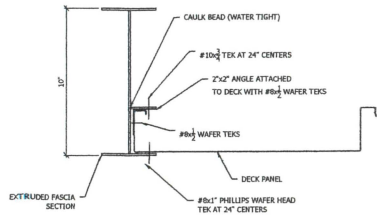
PROJECT: CHECK-FIL-A #3951
36 APEX DR
MARLBOROUGH, MA
(6) COLUMN CANOPY
F2P CANOPY

SCALE: AS SHOWN
DRAWN BY: JDG
CHECKED BY: AP

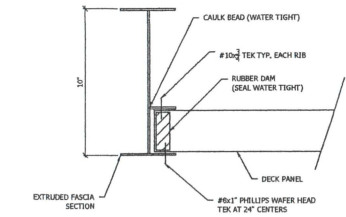
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SHEET TITLE: STANDARD DETAILS

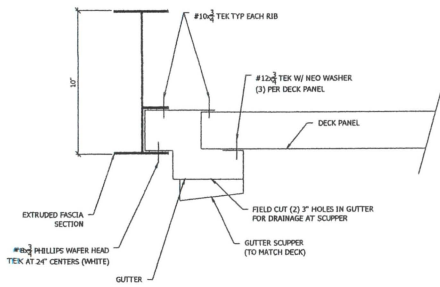
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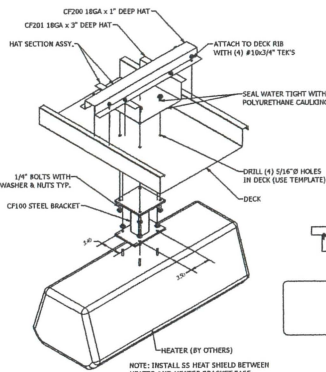
FASCIA SECTION (ENDS)



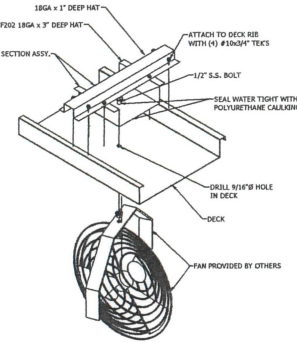
FASCIA SECTION (SIDE WITHOUT GUTTER)



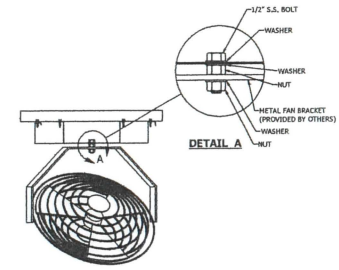
FASCIA / GUTTER SECTION W/O UNDERGROUND DRAINAGE



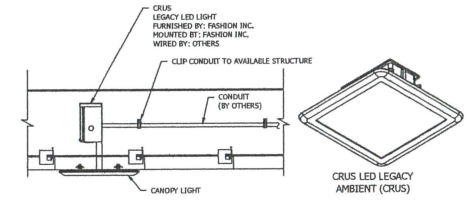
HEATER BRACKET DETAIL



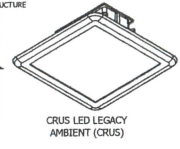
FAN BRACKET DETAIL



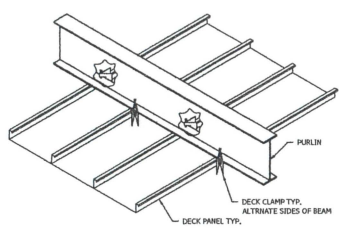
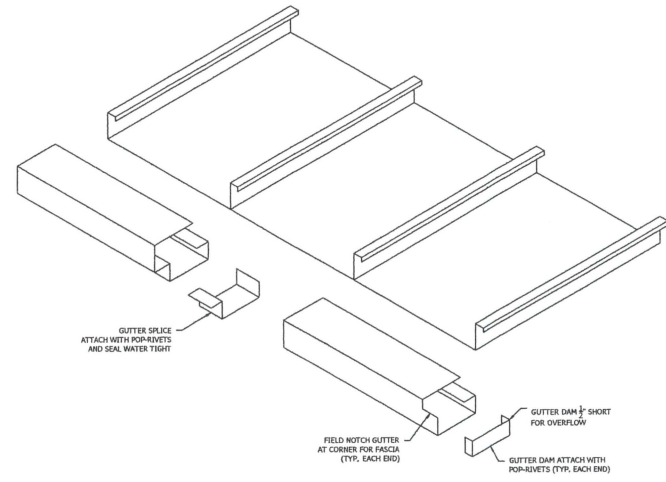
DETAIL A



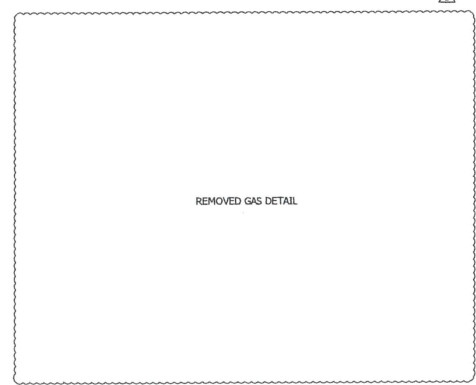
CANOPY LIGHT DETAIL



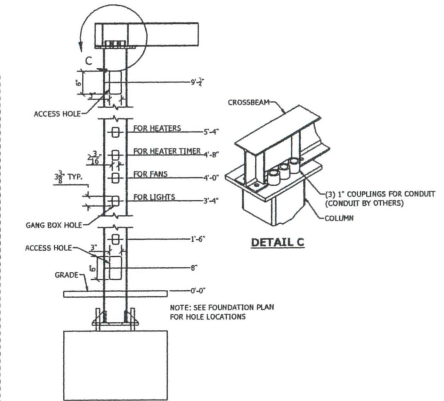
CRUS LED LEGACY AMBIENT (CRUS)



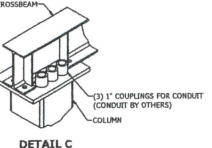
DECK CLAMP DETAIL



REMOVED GAS DETAIL



ACCESS HOLE / GANG BOX HOLE DETAIL

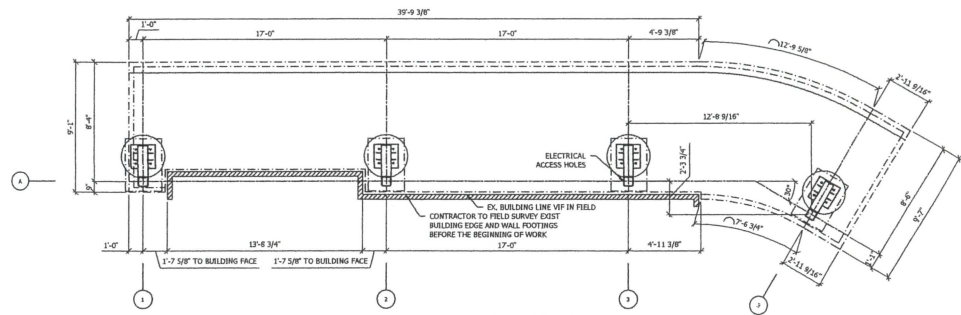


DETAIL C



REVISION HISTORY

NO.	DATE	BY	DESCRIPTION
1	07/04/21	JDS	URBAN AFFAIRS COMMENTS



FOUNDATION PLAN
Scale: 1/4"=1'-0"

REQUIRED VERIFICATION AND INSPECTION	CONTINUOUS	PERIODIC	REFERENCED STANDARD
STEEL CONSTRUCTION			
MATERIAL VERIFICATION OF HIGH STRENGTH BOLTS, NUTS AND WASHERS	-	X	AISC 360, SECTION A3.3
INSPECTION OF HIGH STRENGTH BOLTING	-	X	AISC, SECTION M2.5
INSPECTION OF WELDING-VISUAL SINGLE PASS WELDS 3/16" AND LESS	-	X	AWS D1.1
ROOF DECK	-	X	APPLICABLE ASTM MATERIAL STANDARDS
CONCRETE CONSTRUCTION			
REINFORCING STEEL, INCLUDING PLACEMENT	-	X	ACI 318: Ch. 20, 25.2, 25.3, 25.5.1-25.5.3
INSPECTION OF ANCHORS INSTALLED IN HARDENED CONCRETE	-	X	ACI 318: 3.8.6, 6.1.3, 21.2.8
VERIFYING USE OF REQUIRED DESIGN MIX	-	X	ACI 318: Ch. 19, 28.4.3, 28.4.4
CONCRETE SAMPLING FOR STRENGTH, SLUMP, TEMPERATURE AND AIR CONTENT	X	-	ASTM C173, ASTM C31, ACI 318: 28.4.5, 28.12
INSPECTION OF FORMWORK FOR SHAPE, LOCATION AND DIMENSIONS OF MEMBERS BEING FORMED	-	X	ACI 318: 28.10.1(a)
VERIFY MAINTENANCE OF SPECIFIED CURING TEMPERATURE AND TECHNIQUES	X	-	ACI 318: 28.4.7-28.4.9
APPLYING CONCRETE FOR PROPER APPLICATION TECHNIQUES	X	-	ACI 318: 28.4.5
SOIL			
VERIFY MATERIALS BELOW FOOTINGS ARE ADEQUATE TO ACHIEVE DESIGN BEARING CAPACITY	-	X	
VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH AND HAVE REACHED PROPER MATERIAL	-	X	
VERIFY USE OF PROPER MATERIALS, DENSITIES AND LIFT THICKNESS DURING PLACEMENT AND COMPACTION OF CONTROLLED FILL	X	-	
PRIOR TO PLACEMENT OF CONTROLLED FILL, OBSERVED SUBGRADE AND VERIFY THAT SITE HAS BEEN PREPARED PROPERLY	-	X	

The Owner shall employ one or more special inspectors to provide inspections during construction on the types of work listed in the Schedule of Special Inspections. The special inspector shall be a qualified person certified by the MA Department of Community Affairs who shall demonstrate competence to the satisfaction of the Building Official, and be approved by the Structural Engineer of Record, for inspection of the particular type of construction or operation requiring special inspection.

The contractor shall be responsible to notify and coordinate all required special inspections with the special inspection agency prior to performing any work that requires special inspections. The contractor shall notify the special inspection agency at least 24 hours in advance to performing any work that requires special inspections.

Job safety is solely the responsibility of the contractor. Materials and activities to be inspected are not to include the contractor's equipment and methods used to erect or install the materials listed.

The Special Inspectors shall keep records of all inspections and shall furnish inspection reports to the Construction Official and to the Structural Engineer of Record. All discrepancies shall be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, the discrepancies shall be immediately brought by the Special Inspector to the attention of the Code Official and the Structural Engineer of Record.

The special inspection agency shall submit a final report signed and sealed by a Massachusetts PE that is in charge of the inspections. This final report shall document all required special inspections, test or structural observations and any other discrepancies noted in these inspections.



EXP 06-30-2022
03/22/2021



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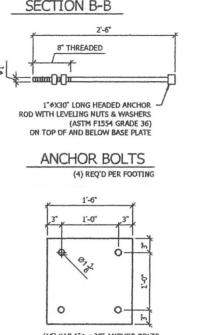
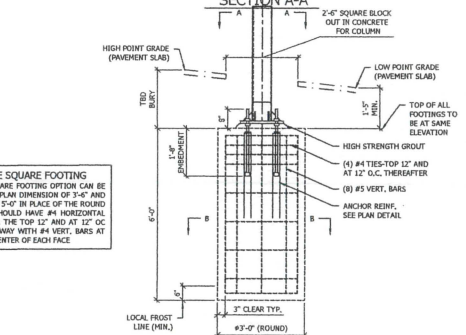
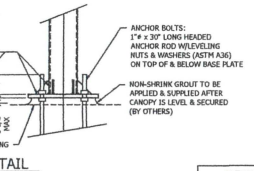
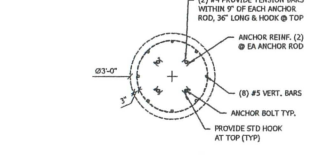
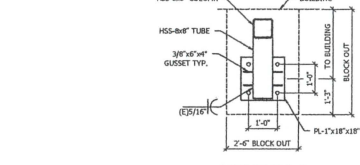
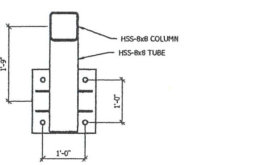
CHICK-FIL-A #39511
36 ALEX DR
MARLBOROUGH, MA

(4) COLUMN CANOPY
OND CANOPY

SCALE: AS SHOWN
JOB NUMBER: 63951.1

SHEET TITLE: FOUNDATION PLAN

SHEET NUMBER: CB1



FOOTING NOTES

- OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR FOOTING AND ANCHOR BOLT INSTALLATION.
- ALL FOOTINGS SHALL BE CAST ON LEVEL UNDISTURBED SOIL, ROCK OR PROPERLY COMPACTED SUBGRADE. FOOTING SIZE BASED ON MAXIMUM 200 PSF SOIL BEARING AT BASE AND 200 PSF PER FOOT OF DEPTH LATERAL BEARING CAPACITY. A GEOTECHNICAL INVESTIGATION REPORT WAS NOT PROVIDED BY THE OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SOIL PARAMETERS AND FOLLOWING APPLICABLE SOIL PREPARATION RECOMMENDATIONS.
- FOOTING CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4000 PSI.
- FOOTING DESIGN BASED ON AN ASSUMED 1'-0" BURY OF THE COLUMNS FROM THE BOTTOM OF BASEPLATE TO FINISHED GRADE. ANY AMOUNT OF BURY LESS THAN 1'-0" WILL RESULT IN A LARGER FOOTING SIZE.
- TOPS OF ALL FOOTINGS ARE ASSUMED TO BE AT SAME ELEVATION. OWNER / GENERAL CONTRACTOR SHALL PROVIDE BURIAL DEPTHS FROM HIGH GRADE UNDER CANOPY, WHERE TOPS OF FOOTINGS ARE AT DIFFERENT ELEVATIONS. THE OWNER / GENERAL CONTRACTOR SHALL PROVIDE THE CANOPY MANUFACTURER WITH ALL FOOTING AND GRADE ELEVATIONS PRIOR TO CANOPY FABRICATION. VARIATIONS FROM DESIGN ELEVATIONS MAY RESULT IN INADEQUATE CLEARANCE AND UNDER SIZED FOOTINGS.
- OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING NON-SHRINK GROUT UNDER ALL COLUMN BASES AFTER CANOPY IS LEVELED AND SECURED.
- FOOTING REINFORCING STEEL SHALL BE ASTM A615 GRADE 60 DEFORMED BILLET STEEL BARS WITH SPACING AS SHOWN ON DRAWING.
- FOOTINGS ARE ASSUMED TO BE CONSTRAINED BY DRIVE MAT CONCRETE, WHERE THIS CONDITION DOES NOT EXIST, THE OWNER SHALL NOTIFY CANOPY MANUFACTURER.
- ANCHOR BOLTS SHALL BE PLACED IN ACCORDANCE WITH THIS DRAWING. TEMPLATES SHALL BE USED TO ENSURE PROPER PLACEMENT OF ANCHOR BOLTS. ANCHOR BOLTS ARE TO BE INSTALLED SUCH THAT A MINIMUM OF 8" OF THREAD IS EMBEDDED ABOVE TOP OF FOOTING. BOTTOM OF THREAD SHALL NOT BE MORE THAN 3/4" ABOVE TOP OF FOOTING.
- ANY DISCREPANCIES BETWEEN THE ABOVE NOTES AND LOCAL BUILDING CODE REQUIREMENTS SHALL BE REPORTED TO THE CANOPY MANUFACTURER IMMEDIATELY. COMMENCEMENT OF FOOTING INSTALLATION SHALL INDICATE THAT THE ABOVE NOTE MEETS LOCAL BUILDING CODE REQUIREMENTS.

ALTERNATE SQUARE FOOTING
AN ALTERNATE SQUARE FOOTING OPTION CAN BE PROVIDED, WITH A PLAN DIMENSION OF 3'-0" AND FOOTING DEPTH OF 3'-0" IN PLACE OF THE ROUND FOUNDATION. IT SHOULD HAVE A HORIZONTAL BASES AT 1" OC FOR THE TOP 12" AND AT 12" OC THEREAFTER. EACH WAY WITH #4 VERT. BARS AT CORNERS AND AT CENTER OF EACH FACE.

ROUND FOUNDATION DETAIL
Scale:

FOR ANCHOR BOLT SHIPMENT



DESIGNATION	URBAN AFFAIRS COMMENTS
DATE	JOS
REV.	1

REVISION HISTORY



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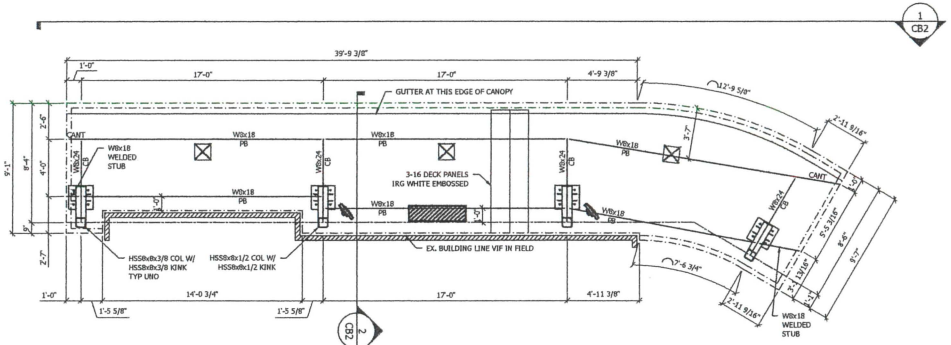
CHECK-FIL-A #3951
36 APEX DR.
MARLBOROUGH, MA
(4) COLUMN CANOPY OMD CANOPY

SCALE: AS SHOWN DRAWN BY: JDS CHECKED BY: AP

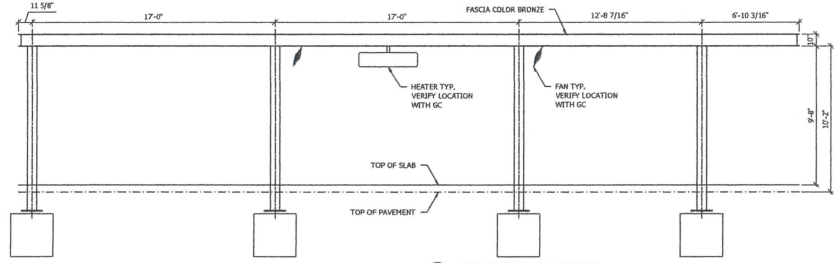
X08 NUMBER: 63951.1

SHEET TITLE: FRAMING PLAN

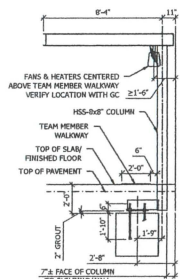
SHEET NUMBER: CB2



FRAMING PLAN
Scale: 1/4" = 1'-0"



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



END ELEVATION
Scale: 1/4" = 1'-0"

STEEL NOTES

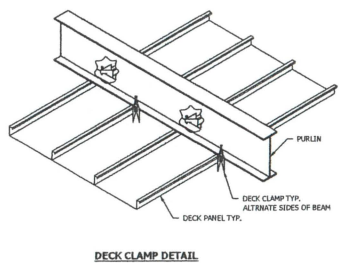
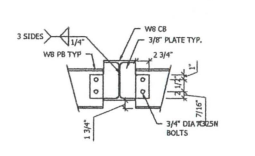
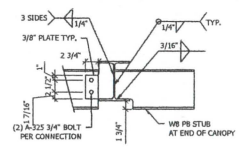
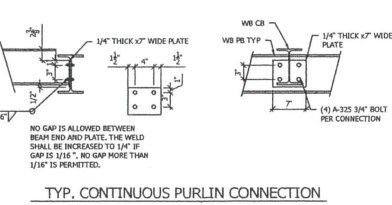
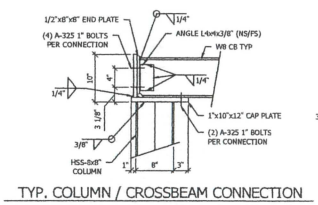
- DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL SHALL CONFORM TO THE LATEST AISC SPECIFICATIONS. DESIGN, FABRICATION AND ERECTION OF COLD FORMED STEEL SECTIONS SHALL CONFORM TO THE LATEST AISI SPECIFICATIONS.
- STRUCTURAL MATERIALS:**
WIDE FLANGE SECTIONS - ASTM A992 OR A572 GRADE 50 (F_y = 50 KSI)
ANGLES / CHANNELS - ASTM A106 (F_y = 36 KSI)
HOLLOW STRUCTURAL SECTIONS (TUBED) - ASTM A500 GRADE B (F_y = 46 KSI)
PIPE SECTIONS - ASTM A53, GRADE B (F_y = 35 KSI)
PLATE - ASTM A36 (F_y = 36 KSI)
ROOF DECK - ASTM A653, GRADE 50 (F_y = 50 KSI), GALVANIZED (G60) WITH BAKED ENAMEL FINISH
STEEL OUTRIGGERS - ASTM A583 GR. C5 (F_y = 25 KSI), GALVANIZED (G90) PER ASTM 924
STRUCTURAL BOLTS - ASTM A325
ANCHOR BOLTS - ASTM F1554 GR. 36
- MEMBERS OF STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH LATEST AISI / AWS D1.1
- FIELD CONNECTIONS SHALL BE BOLTED CONNECTIONS UNLESS SPECIFIED ON DRAWING.
- ALL STRUCTURAL BOLTED CONNECTIONS SHALL USE ASTM A325 BOLTS. BOLTED JOINTS SHALL BE TIGHTENED TO SNUG TIGHT PER LATEST AISC SPECIFICATION.
- STRUCTURAL STEEL SHALL BE SHOP COATED WITH A RED-OXIDE RUST INHIBITIVE PRIMER. FIELD TOUCH-UP, FINISH PAINTING, AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER (UNLESS OTHERWISE SPECIFIED).
- DESIGN LOADS PER 2015 INTERNATIONAL BUILDING CODE WITH MA AMENDMENTS AND LOCAL REQUIREMENTS:

ROOF LIVE LOAD = 20 PSF
FLAT ROOF SNOW LOAD = 42 PSF + DRIFT @ ADJACENT BUILDING
BASED ON GROUND SNOW LOAD = 50 PSF

WIND LOADS:
LATERAL = 40.3 PSF (ULTIMATE)
UP/LIFT = 22.3 PSF (ULTIMATE)
BASED ON 125 MPH 3 SECOND GUST WIND SPEED AND EXPOSURE '1' PER ASCE 7-10. RISK CATEGORY II

SEISMIC LOADS:
SEISMIC RISK CATEGORY II, SITE CLASS 'D' ASSUMED, SEISMIC DESIGN CATEGORY 'B'
S_{DS} = 0.261g (S_s = 0.244g, I_e = 1.0), S₀₁ = 0.101g (S₁ = 0.069g, I_v = 2.4)
SEISMIC FORCE RESISTING SYSTEM IS INVERTED PENDULUM - CANTILEVERED COLUMN, R = 1.25
C_e = 0.209

DEAD LOADS:
DECK / GUTTER / LIGHTS - 4.5 PSF
FASCIA - 4.5 PSF (PER DESIGN)
STRUCTURAL STEEL - SELF WT
CONCRETE - 150 PCF

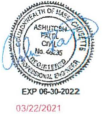


DECK CLAMP DETAIL



REV.	DATE	BY	DESCRIPTION
1	07/06/21	JDG	URBAN AFFAIRS COMMENTS

REVISION HISTORY



03/22/2021



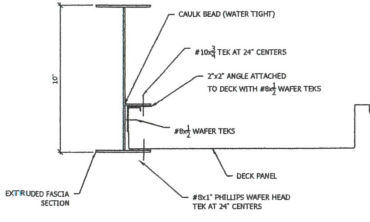
1019 E. North Street
Osbama, Kansas 66067
Phone: 785.242.1111
Fax: 785.242.2022

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT THE EXPRESS WRITTEN PERMISSION OF FASHION INC. IS PROHIBITED.

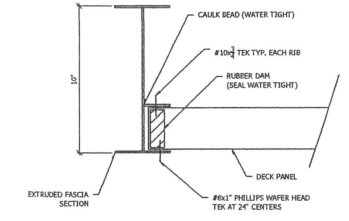
SITE:
CHICK-FIL-A #3951
36 APED DR
MARLBOROUGH, MA
(4) COLUMN CANOPY
GRID CANOPY

SCALE: AS SHOWN
DRAWN BY: JDG
JOB NUMBER: 63951.1
CHECKED BY: AP

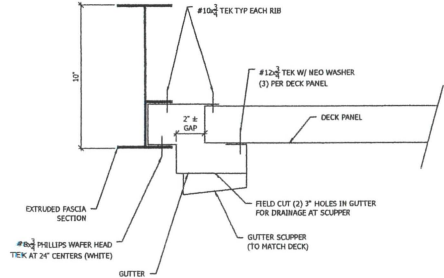
SHEET TITLE: STANDARD DETAILS
SHEET NUMBER: CB3



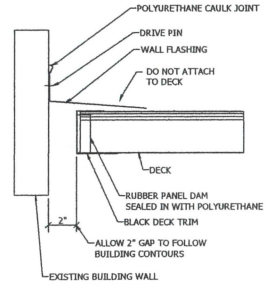
FASCIA SECTION (ENDS)



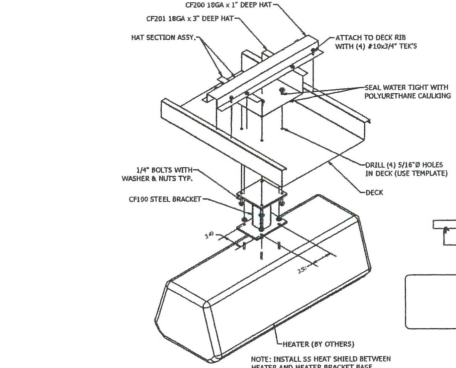
FASCIA SECTION (SIDE WITHOUT GUTTER)



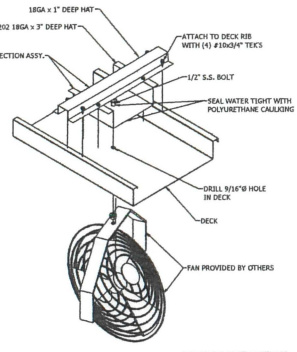
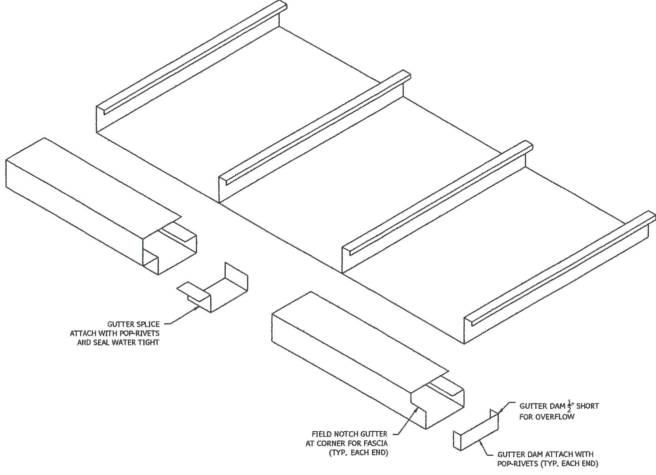
FASCIA / GUTTER SECTION W/O UNDERGROUND DRAINAGE



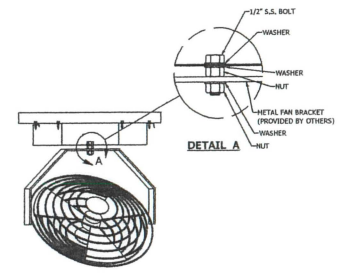
BUILDING FLASHING DETAIL



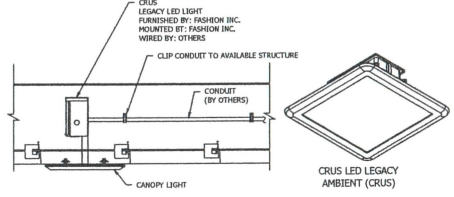
HEATER BRACKET DETAIL



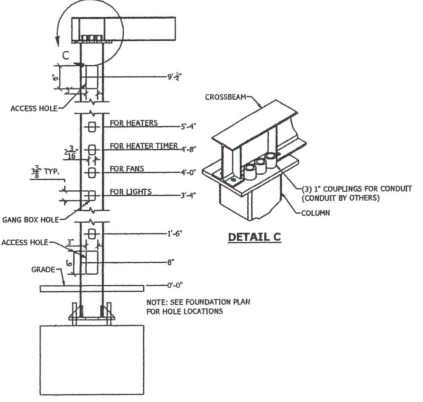
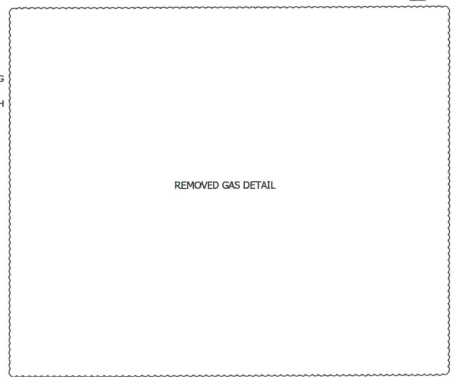
FAN BRACKET DETAIL



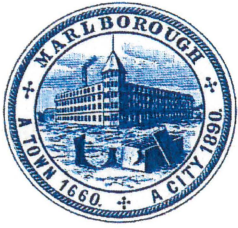
DETAIL A



CANOPY LIGHT DETAIL



ACCESS HOLE / GANG BOX HOLE DETAIL



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUL 15 A 11:07

Arthur G. Vigeant
MAYOR

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

July 15, 2021

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

RE: Appointment of John Valade as Principal Assessor

Honorable President Ossing and Councilors,

I am pleased to submit for your approval the appointment of Mr. John Valade as Principal Assessor for a term of three years to expire from his date of confirmation. By virtue of his appointment as Principal Assessor, Mr. Valade will also serve on the Board of Assessors.

Mr. Valade is a certified appraiser and accredited assessor bringing over 25 years of extensive experience in the assessing, appraising, valuations, and real estate industries. He serves on the Executive Board for the Worcester County Assessors Association and is past president.

His skillset is exactly what we need, and I'm confident his well-rounded experience will be an asset for the Board of Assessors and our department.

Mr. Valade is scheduled to start on Monday, August 2nd, and I will send a copy of his letter confirming a 60-day temporary appointment as Principal Assessor.

I'd like to take this opportunity to thank those who assisted in our recruiting efforts in this difficult market.

Sincerely,

Arthur G. Vigeant
Arthur G. Vigeant
Mayor

Enclosures

June 27, 2021

City of Marlborough
Human Resources Department
140 Main Street
Marlborough, MA 01752

Re: Principal Assessor Position

Dear Human Resources,

This letter is in response to your ad posted on the City of Marlborough website for Principal Assessor.

I feel that with my direct and extensive background in the Assessing, Real Property Appraising, Appraisal Review, Revaluation, and Real Estate Sales/Mortgage/Lending fields, I may have many of the qualifications you are seeking, and am enclosing my resume which describes my work experience and training in detail.

I've been engaged in various facets of the Assessing, Real Estate Appraising & Review, and Real Estate Sales fields for about thirty years. This included; assessing, commercial/industrial & residential appraising, residential appraisal review, property management, real estate brokerage/sales, revaluation, eminent domain, tax equalization and appellate tax appeal work. Additionally, I was a Principal owner of a full-service appraisal firm which included a total staff of eleven.

I currently serve on the Executive Board, and as Past President (2016) for the WCAA (Worcester County Assessors Association). I have experience participating in appeal hearings at the Massachusetts Appellate Tax Board (ATB). I also served on the Board of Directors for the Rhode Island Chapter of The Appraisal Institute from 1993 to 1996. In addition, I have appeared as an expert witness at the Superior Court of Rhode Island.

In closing, my extensive background and experience as an appraiser in both Massachusetts and Rhode Island, and as an assessor in the City of Worcester, would be an asset to the City of Marlborough.

I would welcome the opportunity to meet and discuss the position.

Thank you for your consideration.

Sincerely,

John H. Valade, MAA

SUMMARY:

Appraisal and Assessing professional, Certified General Appraiser and Massachusetts Accredited Assessor. Broad knowledge of assessing and appraisal techniques and methodologies with proven ability to meet deadlines and assist taxpayers.

QUALIFICATIONS & SKILLS:

- Massachusetts Accredited Assessor – MAA #1185
- Certified General Appraiser- Commonwealth of Massachusetts (3347-CG)
- Certified Real Estate Appraiser- Rhode Island (A00850R)
- Worcester County Assessors Association - Executive Board Member & Past President (2016)
- Proficient with Vision Government Solutions CAMA program, Microsoft Word, Excel, Geographic Information System (GIS)
- 5+ years of national appraisal review experience
- Management Training – City of Worcester

PROFESSIONAL EXPERIENCE:

Senior/Commercial Assessor (Principal Assistant Assessor), City of Worcester 9/2011 - Present

Acting City Assessor 1/2020 – 4/2020

City of Worcester, MA is the second largest city in New England, is comprised of an approximate population of 183,000 people, and consists of approximately 49,000 parcels

Responsibilities:

- Administration & Management of the Assessing Division
- Conduct assessment of all types of real and personal property appraisals
- Administer and manage the annual revaluations of property, administration of the motor vehicle excise program; the compliance of state regulations and proper assessment practices;
- Establish department goals and objectives, prepare departmental budget
- Represent the City at State Appellate Tax Board (ATB) reviews and defend assessment values before the ATB, review assessments and appraisals made by others
- Plan and supervise the work of subordinates

Senior/Commercial Assessor (Principal Assistant Assessor)

9/2011 – Present

Responsibilities:

- Participate with the Department of Revenue, and assist the Chief Financial Officer with issues and questions
- Measure, inspect, photograph and review properties as needed in accordance with State-mandated standards and City requirements
- Supervise and conduct inspections and valuation of all commercial, industrial, mixed-use, apartment complexes/buildings, chapter land, and personal property.
- Work with property owners and explain the process of valuation
- Perform technical work in mass appraisal of all real property classes
- Collect and maintain inventory of all real property
- Analyze, research and make recommendations of valuations for commercial/industrial real estate
- Assist in the compilation of Gateway reports required by the Department of Revenue, including annual and triennial reports
- Manage and generate various internal reports tracking cyclical inspections and the review of building permits
- Prepare Assessment Reports (Appraisals) in preparation of Appellate Tax Board (ATB) appeals, & the review of submitted appraisals
- Represent the City Assessing Department at hearings before the Appellate Tax Board
- Inspection and review of all commercial & personal property abatement applications, and 61A questionnaires
- Manage the review and data entry of 38D forms
- Supervise commercial appraisal staff, train and review on new procedures

- Maintain in the Vision Government Solutions CAMA System coefficients, and develop commercial schedules, rates, multipliers and models for valuation files
- Stay abreast of changes or trends in the field, and make recommendations for procedural changes

Clipboard Inc., Tiverton, Rhode Island

2/2008 – 9/2011

Residential/Commercial Appraiser

Clipboard Inc. is a full-service revaluation company providing services such as building permits and new construction inspections, Statistical Updates and Full Revaluations, to Computer and IT consulting, and Custom Programming

Responsibilities:

- Performed residential/commercial/industrial inspections for revaluation purposes
- Developed Personal Property (business equipment) evaluations, including inspections and reviews
- Performed abatement and valuation review hearings for municipalities in RI and MA

Accredited Home Lenders, Northeast Division, Warwick, Rhode Island

5/2002 - 8/2007

Review Appraiser

Accredited Home Lenders, Inc., is a premier mortgage banker servicing all U.S. markets for residential mortgage loans

Responsibilities:

- Review all internal and external appraisal review requests in conjunction with the Chief Appraiser and Division Credit Manager
- Essential duties and responsibilities included the national review of all incoming internal appraisal requests to determine the adequacy, completeness for value of properties primarily along the east coast (Maine to Florida), and at times in other states across the country.
- Determined if the loan collateral met minimum property guidelines; performed timely reviews of all data; worked closely with team underwriting and processing staff in the resolution of all appraisal concerns or questions; and help train new review hires and internal personnel in the appraisal guidelines and procedures

Valade Valuation Services - Attleboro, MA

9/1999 - 5/2002, 9/2007 – 9/2011

Real Estate Appraiser / Owner

- Appraise residential and commercial real property, in the states of Rhode Island and Massachusetts
- Contract residential and commercial appraisals for other appraisal companies, which supported various municipalities, governmental agencies, and cities and towns

VOLUNTEER EXPERIENCE:

Worcester County Assessors Association (WCAA)

- Served as President (2016), as an Executive Board Member & on various committees (2014-Present)
- Workshop Instructor/Presenter:
 - Understanding & Applying the Cost Approach
 - Commercial Appraisal Report Review
 - Commercial/Industrial & Residential Data Collection, Field Work, and Property Inspections

Massachusetts Association of Assessing Officers (MAAO)

Member of the Outreach Committee (Assessing Professional Development)

Prior Real Estate Experience

- Engaged in various facets of the real estate industry, including: assessing, property management, brokerage/sales, ownership, commercial/industrial and residential appraising, including eminent domain, tax equalization and appeal work
- Owned a full-service appraisal firm with a total staff of eleven
- Served on the Board of Directors for the Rhode Island chapter of The Appraisal Institute from 1993-1996
- Appeared as an expert witness in the Superior Court of Rhode Island
- Involved in tax equalization and appeal work for the city of Providence, RI
- Involved in eminent domain work for the RI Waste Management Corporation regarding the buyout of properties related to the Johnston, RI landfill

EDUCATION:

- Roger Williams University- Bristol, Rhode Island
Electro-Mechanical Engineering Technology degree, (including minor studies in Finance)
- Franklin Institute of Technology – Boston, Massachusetts (Pre-Engineering Certificate)

RELATIVE COURSEWORK:

International Association of Assessing Officers (IAAO)

Course 300 – Fundamentals of Mass Appraisal

Course 312 – Commercial/Industrial Modeling Concepts

Commonwealth of Massachusetts (Department of Revenue)

Course 101 – Assessment Administration: Law, Procedures, and Valuation

Massachusetts Association of Assessing Officers (MAAO)

Course 6 – Valuation Administration

Course 200 – Principles of Assessing Procedures

Appraisal Institute

Course 1BA & 1BB - Capitalization Theory & Techniques Part A & B

Uniform Standards of Professional Appraisal Practice Part A & B

The Appraiser as Expert Witness

And numerous other seminars, and workshops



City of Marlborough
Planning Board

Administrative Office
 135 Neil St.
 Marlborough, MA 01752

PLANNING BOARD

Barbara L. Fenby, Chair
 Philip Hodge
 Sean N. Fay
 George LaVenture
 Christopher Russ
 Matthew Elder
 Katlyn Miller, Administrator
 (508) 624-6910 x33200
kmillier@marlborough-ma.gov

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2021 JUN 24 P 4:47

June 22, 2021

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

RE: Council Orders#21-1008293 Proposed Zoning Amendment to Chapter 650 at add new Section to create the "Commercial Village Overlay District".

Honorable President Ossing and Councilors:

At its regularly scheduled meeting on 6/21/2021, the Board took the follow action regarding the above-referenced Council order:

On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted to make a negative recommendation to the City Council for the proposed zoning amendment. Motion Carried.

The Board provided the following reasons in reaching its recommendation:

- The developer did not establish the proposed Overlay District is consistent with the character of the surrounding neighborhood in that a high density is proposed abutting a single residential family area;
- In the Planning Board's opinion, approval of the Overlay District would be overly burdensome to the residential neighbors (increased traffic with the number of proposed units and 4-story height in close proximity to single family residential abutters);
- The developer did not establish the proposed Overlay District would provide the City with a type of housing that is not already available in the City, or that the proposed Overlay District would benefit the City in any compelling way, or in a manner that would outweigh the potential burdens on the residential neighbors. Although a tax benefit was cited by the developer, there could be corresponding costs for safety and other services. In addition, the developer would not be cleaning up their open space of soil contamination;
- The developers did not establish the proposed Overlay District would be keeping with the intent and purposes of the City Zoning Ordinance. The residents of the surrounding neighborhood are entitled to a reasonable expectation of being protected by the existing zoning absent a change that clearly benefits the City;

- If the City Council sees fit to approve the Overlay District, the Planning Board suggests the following limitations:
 - Significantly reducing the percentage of lot coverage allowed;
 - Reducing the number of stories allowed for the buildings;
 - Reducing the overall number of units;
 - Restricting the undeveloped portion of the property so that no further development could take place, and the existing land could not be disturbed;
 - Given the contaminated soil, the undeveloped portion of the land should not be transferred to the City; and,
 - Incorporating the environmental and soil management plan contained in the developer's current single family subdivision approval into the terms of any Special Permit issued in the future.

Sincerely,



Barbara L. Fenby
Chairperson

Enclosure

cc: Building Commissioner
City Clerk

MIRICK O'CONNELL
ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUN 29 P 2: 35

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

June 29, 2021

VIA EMAIL

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

Re: Alltown; 656 Boston Post Road East;
Special Permit Application for a Drive-Thru Use

Dear Councilor Ossing:

In accordance with § 650-57(C)(11)(b) of the Zoning Ordinance of the City of Marlborough, my client Global Montello Group Corp. hereby requests leave to withdraw without prejudice its application for a special permit to construct and operate a drive-thru facility to serve the existing Alltown convenience store and food service use at 656 Boston Post Road East.

Please note that Global will be submitting an application for site plan approval with the Council for a planned outdoor seating area near the existing convenience store building.

Thank you for your time and consideration of this matter.

Sincerely,



Brian R. Falk

BRF/

cc: Client

MIRICK O'CONNELL

ATTORNEYS AT LAW

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUN 29 P 2:35

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

June 29, 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:

Please accept this letter as notice that my client WoHo formally withdraws without prejudice its application for site plan approval for the property located at 28 South Bolton Street in Marlborough.

Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

BRF/

cc: Client

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUN 30 P 3:57

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

June 30, 2021

VIA EMAIL

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

Re: Alltown; 656 Boston Post Road East;
Site Plan Application for a New Patio and Site Improvements

Dear Councilor Ossing:

On behalf of my client Global Montello Group Corp. ("Global"), I respectfully submit the enclosed application for site plan approval for Global's Alltown location at 656 Boston Post Road East.

Global seeks to add a patio with seating next to its newly renovated convenience store. Global is also adding pedestrian and bicycle pathways and amenities, to help bring the site more in line with the goals of the new Wayside District. The preexisting nonconforming gas station and car wash uses at the site will remain unchanged.

Because this site is located in the Wayside District, the City Council is the site plan approval authority. As required by Section 650-37.B(1)(c), this application will first go through administrative site plan review with the Site Plan Committee, followed by final review and approval by the City Council.

Thank you for your time and attention to this matter.

Very truly yours,



Brian R. Falk

BRF/

Encl.

cc: Client



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JUN 30 P 3:57

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

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: June 30, 2021

PROJECT

Name of facility: Alltown

Address: 656 Boston Post Road East

Assessor's Map No. _____ Parcel No. 61-2

APPLICANT

Name: Global Montello Group Corp.

Address: 15 Northeast Industrial Road, Bradford, CT 06405

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))? **NA** **YES** **NO**

PROPERTY OWNER

Name: Global Montello Group Corp.

Address: 15 Northeast Industrial Road, Bradford, CT 06405

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

Email: bfalk@mirickoconnell.com

APPLICANT'S ENGINEER (preparing site plan)

Name: Bohler Engineering

Address: 352 Turnpike Road, Southborough, MA 01772

Telephone: (508) 480-9900 Fax: _____

Email: zpoisson@bohlereng.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

PROJECT INFO

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

Non-Residential Residential

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

The Applicant seeks Site Plan Approval from the City Council to add a patio with seating next to

the newly renovated convenience store building, along with pedestrian and bicycle pathways

and amenities. Parking will be reduced from 30 to 27 spaces, but will remain close to double what

is required in the the Wayside District. The preexisting nonconforming gas station and car wash

uses will remain unchanged.

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) Wayside

WHAT OTHER PERMITS REQUIRED (check off which applies)

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

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? Zone X

SUBMITTED PLANS AND REPORTS

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

Building and Outdoor Seating Improvement	June 30, 2021	Joshua G. Swerling, P.E.
Title	Date	Stamped By

Fee **3,951 s.f. x \$0.06 = \$237.06 + \$2,000 base fee = \$2,237.06**

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

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: July 7, 2021

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

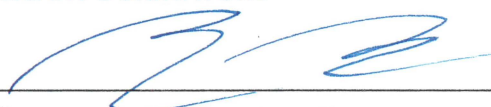
HISTORIC BUILDING NOTICE

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
(Attorney Brian R. Falk)

6/30/2021

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: Alltown

Project Street Address: 656 Boston Post Road East

Applicant's Name: Global Montello Group Corp.

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.

The LAW OFFICES OF
FLOOD & FAVATA, PC
14 WINTHROP STREET
MARLBOROUGH, MASSACHUSETTS 01752

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JUN 21 P 3:45

Tel: (508) 624-4700 FAX: (508) 624-7497
www.floodlaw.net

CHRISTOPHER M. FLOOD
LORI A. FAVATA

June 21, 2021

HAND DELIVERED

Steven W. Kerrigan
City Clerk
City Hall
140 Main Street
Marlborough, MA

RE: Special Permit – Post Road Mobile Home Park

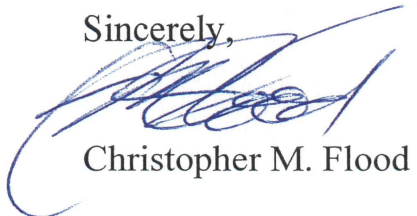
Dear Mr. Kerrigan,

Enclosed please find an original and two copies of the Application for Issuance of a Special Permit for the Post Road Mobile Home Park located at 181 Boston Post Road East, Marlborough, MA.

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

Thank you.

Sincerely,



Christopher M. Flood

Enc.

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

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CITY OF MARLBOROUGH
2021 JUN 21 P 3:45

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:
Post Road Mobile Home Park and Sales, Inc.

2. Specific Location of property including Assessor's Plate and Parcel Number.
181 Boston Post Road East, Marlborough, MA

3. Name and address of owner of land if other than Petitioner or Applicant:
Post Road Mobile Home Park and Sales, Inc.

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

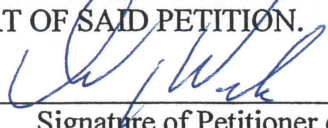
5. Specific Zoning Ordinance under which the Special Permit is sought:
Article 650 Section 18 Paragraph A Sub-paragraph 5

6. Zoning District in which property in question is located:
Business - B

7. Specific reason(s) for seeking Special Permit
The applicant is seeking a Special Permit to create a second mobile home park by dividing a currently permitted mobile home park into two parks. The existing mobile home park will retain 109 of the permitted 119 lots. The new proposed mobile home park will retain 10 lots. No new additional lots will be added.

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

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



Signature of Petitioner or Applicant

Address: 181 Boston Post Road, East
Marlborough, MA 01752

Telephone No. 508-485-0644

Date: 6/17/21

LIST OF NAMES AND ADDRESS OF ABUTTERS
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:
Post Road Mobile Home Park and Sales, Inc.

(Name of Petitioner)

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

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

ANDREWS CARLTON W III
23 PHELPS ST
MARLBOROUGH, MA 01752

CAIN JAMES J
6337 BLACKBEAR TRL
MECHANICSVILLE, VA 23116-4862

ARAUJO CARLOS
158 BOSTON POST RD EAST #6B
MARLBOROUGH, MA 01752

CAMARGO WERA L
158 BOSTON POST RD EAST #10
MARLBOROUGH, MA 01752

ARAUJO CELSO D
271 BOSTON POST RD EAST #5
MARLBOROUGH, MA 01752

CARTER RICHARD B
44 PHELPS ST
MARLBOROUGH, MA 01752

ARAUJO CLAUDIO
37 PARK ST
MARLBOROUGH, MA 01752

CASSELL PAUL A
198 BOSTON POST RD EAST #0
MARLBOROUGH, MA 01752

221 BOSTON POST LLC
21 HEYWOOD ST
WORCESTER, MA 01604

BAHMAD JOSE
12 ANDERSON RD
MARLBOROUGH, MA 01752

CHO CHONG M
236 OLD LANCASTER RD
SUDBURY, MA 01776

ALLEN DAVID P TR
297 EAST MAIN ST
MARLBOROUGH, MA 01752

BANSAL RAJIVE
P O BOX 42
E RUTHERFORD, NJ 07073

CHUMAKOV VLADIMIR
168 BOSTON POST RD EAST#7
MARLBOROUGH, MA 01752

ALLEN DAVID P TR
297 EAST MAIN ST
MARLBOROUGH, MA 01752

BARRERA ELISA
37 HOSMER ST #12
MARLBOROUGH, MA 01752

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

ALLEN DAVID TR
18 PRESIDENTIAL DR
SOUTHBOROUGH, MA 01772

BARRETT JULIE ANN TR
85 ROYCE RD
MARLBOROUGH, MA 01752

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

ALVES LUCIANO
23 BALCOM RD
MARLBOROUGH, MA 01752

BENICHIO MARIA DAS GRACAS
148 BOSTON POST RD EAST #9
MARLBOROUGH, MA 01752

CITY OF MARLBOROUGH
140 MAIN ST
MARLBOROUGH, MA 01752

AMORIM FERNANDO
178 BOSTON POST RD EAST #5
MARLBOROUGH, MA 01752

BERSON ROBERT E
79-A PHELPS ST#7
MARLBOROUGH, MA 01752

COLLETON REBECCA B
63 PHELPS ST #15
MARLBOROUGH, MA 01752

CORREA PAULO UBIRATAN
107 PHELPS ST
MARLBOROUGH, MA 01752

DEMEO FRANCIS A JR TR
270 OLD GRUMMAN HILL RD
WILTON, CT 06897

GAROZZO ALFRED J
52 ROYCE RD
MARLBOROUGH, MA 01752

COSTA LILIANE C
41 PHELPS ST #5
MARLBOROUGH, MA 01752

DOMORAES KATHARINE
81 CLEARVIEW DR
MARLBOROUGH, MA 01752

GLEASON CYNTHIA JEANNE
32 KNIGHT RD
FRAMINGHAM, MA 01701

COUTINHO FLAVIO
39 PHELPS ST #4
MARLBOROUGH, MA 01752

DOSSANTOS JOAO C
148 BOSTON POST RD EAST #3
MARLBOROUGH, MA 01752

GOMES SEBASTIAO A
158 BOSTON POST RD EAST #3
MARLBOROUGH, MA 01752

COVELL DIANA
158 BOSTON POST RD EAST #7
MARLBOROUGH, MA 01752

DUFFY BARBARA TR
497 DEPOT ST
SOUTH EASTON, MA 02675

GONCALVES ELAINE
16 UNION AVE
FRAMINGHAM, MA 01702

COWE MARGARET A
139 PHELPS ST
MARLBOROUGH, MA 01752

FAY MARY F
115 CLEARVIEW DR
MARLBOROUGH, MA 01752

GUERRA CINTIA LI EST
28-C PHELPS ST #28C
MARLBOROUGH, MA 01752

CRAIG PAMELA L
C/O PAMELA CLARK
239 FONTANELLE CIR
VENICE, FL 34292

FERREURA RENATO T
420 CENTRAL ST
FRAMINGHAM, MA 01702

HICKEY COLLEEN M
35 PHELPS ST #2
MARLBOROUGH, MA 01752

DAROCHA ALVIMAR F
168 BOSTON POST RD EAST #1
MARLBOROUGH, MA 01752

FLORIAN KIMBERLY N
10 CAMPELLO RD
FRAMINGHAM, MA 01701

HIRD JOANNA M
61 PHELPS ST #14
MARLBOROUGH, MA 01752

DASILVA BEATRIZ MORAIS
168 BOSTON POST RD EAST #5
MARLBOROUGH, MA 01752

FLYNN GERALD J
108 PHELPS ST
MARLBOROUGH, MA 01752

HUEZO ERNESTO A
107 CLEARVIEW DR
MARLBOROUGH, MA 01752

DEAGUIAR RONIE M
64 AZALEA LN #245
MARLBOROUGH, MA 01752

FLYNN GERALD J
108 PHELPS ST
MARLBOROUGH, MA 01752

JO-LEN RESIDENTS ASSOCIAT
15 COLTON LN
MARLBOROUGH, MA 01752

DELRAY REALTY TRUST
271 FARM RD
MARLBOROUGH, MA 01752

FRANCA ROBSON LUIZ
20 OREGON RD
SOUTHBOROUGH, MA 01772

KARIKAL SATCHI
5 HICKEY DR
FRAMINGHAM, MA 01701

KURUVILLA ASHOK GEORGE
48 WALNUT WAY
HOPKINTON, MA 01748

MAURO PATRICK A TR
91 ROYCE RD
MARLBOROUGH, MA 01752

PLUMMER JOYCE M
87 PHELPS ST #14
MARLBOROUGH, MA 01752

LAIDLEY KARINE J
47 BULTER CIR
MARLBOROUGH, MA 01752

MCDONALD JEAN
28-A PHELPS ST #28A
MARLBOROUGH, MA 01752

POST ROAD TRAILER PARK &
181 BOSTON POST RD EAST
SUITE #2
MARLBOROUGH, MA 01752

LAMY RICHARD A
76 PHELPS ST
MARLBOROUGH, MA 01752

MITRAKAS GERGORY G TR
297 EAST MAIN ST
MARLBOROUGH, MA 01752

PREST WILLIAM S
33 ROYCE RD
MARLBOROUGH, MA 01752

LI YING
16 MARIGOLD AVE
WELLESLEY, MA 02482

MITRAKAS GREGORY G TR
297 E MAIN ST
MARLBOROUGH, MA 01752

PYE STEPHEN J
149 LITTLEFIELD LN
MARLBOROUGH, MA 01752

MACEDO JENNIFER
230 HUDSON ST
MARLBOROUGH, MA 01752

MOORE KIERAN F
99 CLEARVIEW DR
MARLBOROUGH, MA 01752

REIS GLAUCIA VALLE TEIXEI
12 GATES AVE
MARLBOROUGH, MA 01752

MAGALHAES ANNA CAROLINA R
158 BOSTON POST RD EAST #2
MARLBOROUGH, MA 01752

ND ORCHARDS APARTMENTS LL
C/O CHARLES RIVER REALTY
INVESTORS
2310 WASHINGTON ST
NEWTON LOWER FALLS, MA 02462

RIESS JAMES W
57 PHELPS ST #12
MARLBOROUGH, MA 01752

MAGLIOZZI DONNA M
17 SHERMAN ST
MARLBOROUGH, MA 01752

OHALLORAN EILEEN TR
5 VILLAGE RD
WESTON, MA 02493

RODRIGUES JULIANA MACHADO
168 BOSTON POST RD EAST #2
MARLBOROUGH, MA 01752

MAHONEY ELIZABETH A
116 CLEARVIEW DR
MARLBOROUGH, MA 01752

OLIVEIRA REGINALDO J
33 PHELPS ST #1
MARLBOROUGH, MA 01752

ROYS MARTHA HELEN TR
178 BOSTON POST RD EAST #9
MARLBOROUGH, MA 01752

MANNETTE RUSSELL T JR
85 PHELPS ST #13
MARLBOROUGH, MA 01752

PIDACKS CHARLES R TR
45 ROYCE RD
MARLBOROUGH, MA 01752

RUOTOLO PETER
178 BOSTON POST RD EAST #7
MARLBOROUGH, MA 01752

MARLBOROUGH COUNTRY CLUB
200 CONCORD RD
MARLBOROUGH, MA 01752

PINEDA RUBEN
37 PHELPS ST #3
MARLBOROUGH, MA 01752

SANTOS LOURIVAL
24 HAGER ST
MARLBOROUGH, MA 01752

SCRIMA ERIC
97 ROYCE RD
MARLBOROUGH, MA 01752

TAPIA-PALMA ROSA
148 BOSTON POST RD EAST # 8
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SEARIAC ROBERT E
40 ROYCE RD
MARLBOROUGH, MA 01752

TAVARES FERNANDA
23 BALCOM RD
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST #2
MARLBOROUGH, MA 01752

SEYMOUR GERALD N
189 BOSTON POST RD EAST
MARLBOROUGH, MA 01752

TERRENAS MARCOS J
52 PHELPS ST
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SHAY ROBERT C
198 BOSTON POST RD EAST #7
MARLBOROUGH, MA 01752

TESTA JOSEPH A
22 ALAN DALE RD
MEDFORD, MA 02155

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SHERMAN CHARLES T
178 BOSTON POST RD EAST #6
MARLBOROUGH, MA 01752

TULLY JOHN J V
132 KINGS VIEW RD
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SINHA BIRENDRA
13 CORTLAND DR
HUDSON, MA 01749

VAZ KAREN
3 LILIAN RD
FRAMINGHAM, MA 01701

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SMITH LINDA J
59 PHELPS ST #13
MARLBOROUGH, MA 01752

WARREN DONALD E
148 BOSTON POST RD EAST #4
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SMITH WILLIAM L
17 SHERMAN ST
MARLBOROUGH, MA 01752

WINSKE ALICIA J
102 CLEARVIEW DR
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

SUGRUE FRANK L
281 STEARNS RD
MARLBOROUGH, MA 01752

WINSKE AMBER
169 BOSTON POST RD E
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
271 FARM RD
MARLBOROUGH, MA 01752

SUTHERLAND MARIAN R
91 CLEARVIEW DR
MARLBOROUGH, MA 01752

WINSKE DANIELLE
181 BOSTON POST RD EAST #2
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
271 FARM RD
MARLBOROUGH, MA 01752

WINSKE DAVID TR
181 BOSTON POST RD STE 2
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST #2
MARLBOROUGH, MA 01752

WINSKE DAVID TR
271 FARM RD
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST
SUITE 2
MARLBOROUGH, MA 01752

WINSKE JUDITH A R
169 BOSTON POST RD EAST
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
271 FARM RD
MARLBOROUGH, MA 01752

WINSKE SUSAN
860 CONCORD RD
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

WINSKE SUSAN
4 PHELPS ST
MARLBOROUGH, MA 01752

WINSKE DAVID J TR
181 BOSTON POST RD EAST STE 2
MARLBOROUGH, MA 01752

WOJCIK CARL J
7940 WOODLAND HILLS LN
FAIRFAX STATION, VA 22039

WINSKE DAVID J TR
271 FARM RD
MARLBOROUGH, MA 01752

WONG WILLIAM TR
220 BOYLSTON ST
BOSTON, MA 02116

WINSKE DAVID J TR
181 BOSTON POST RD EAST
SUITE 2
MARLBOROUGH, MA 01752

WONG WILLIAM TR
220 BOYLSTON ST
BOSTON, MA 02116

WINSKE DAVID J TR
271 FARM RD
MARLBOROUGH, MA 01752

WINSKE DAVID TR
181 BOSTON POST RD E STE#2
MARLBOROUGH, MA 01752

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Post Road Mobile Home Park and Sales, Inc. Address: 181 Boston Post Road East

Project Name: Post Road Mobile Home Park and Sales, Inc. Address: 181 Boston Post Road East

1. PROPOSED USE: (describe) Mobile Home Park and Commercial Buildings
New lot line to create two mobile home parks - no other changes

2. EXPANSION OR NEW:

3. SIZE: floor area sq. ft. Existing 1st floor Existing all floors
buildings Existing # stories Existing lot area (s.f.)

4. LOT COVERAGE: 73 %Landscaped area: 27 %

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

6. TRAFFIC:
(A) Number of vehicles parked on site:
During regular hours: 12 Peak period: 20

(B) How many service vehicles will service the development and on what schedule?
Varies - no set schedule

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? No changes to existing lighting

8. NOISE:
(A) Compare the noise levels of the proposed development to those that exist in the area now.
No changes to existing noise

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. No changes to existing noise

9. AIR: What sources of potential air pollution will exist at the development?
No changes or sources of air pollution

10. WATER AND SEWER: Describe any unusual generation of waste.
No changes to existing use

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

*Attach additional sheets if necessary



CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752

City Hall
140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 5/14/2021

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: Post Road Mobile Home Park and Sales, Inc.

Project Use Summary: Trailer Park and Commercial Buildings

Project Street Address: 181 Boston Post Road East

Plate: 72 Parcel: 29

Applicant/Developer Name: Post Road Mobile Home Park and Sales, Inc.

Plan Date: May 10, 2021 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~~ **TIN HIWAY**
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**

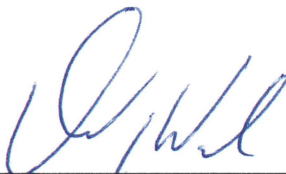


Dear Applicant,

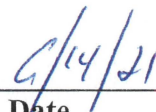
To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

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

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



Signature



Date

Thank you for your cooperation in this matter.

Sincerely,

*Steven W. Kerrigan
City Clerk*

**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

Post Road Mobile Home Park and Sales, Inc.

Owner Name/Officer Name of LLC or Corporation

David Winske

Owner/Officer Complete Address and Telephone Number

181 Boston Post Road East

Marlborough, MA 01752

508-485-0644

Signature of Applicant

Attorney on behalf of Applicant, if applicable

Christopher M. Flood

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

Eileen Bristol

Tax Collector

Hello Mr. Cooke,

As you know, this office represents Post Road Mobile Home Park and Sales, Inc.

As you also know, our client will be creating a dividing line in the park so that the ownership of the existing mobile home park can be divided among 2 owners. There will be no other changes to the existing use, configuration of the park, roadways, number of permitted mobile homes, nor will any new structures be constructed or altered.

Our client has had the proposed plan reviewed by the Site Plan Review Committee and received informal approval after making several small changes in accordance with input from the board members of which you were a participant. Further, our client has received formal approval of an ANR plan from the Marlborough Planning Board.

The original Post Road Trailer Park and Sales, Inc. was granted a permit to operate a mobile home park in 1955 with a permit for 54 units. The permit was amended in 1969 allowing for an additional 65 units for a total of 119 mobile homes. The park itself has operated unchanged since that time. Approximately one half of the mobile home park is located in the Business Zoning District and the other half is located in the Residence A-2 District. While according to the Table of Use Regulations in the Marlborough Zoning Code would require a Special Permit in either district for a new mobile home park, it is believed that the existing use is pre-existing and nonconforming since it was established well before the enactment of the Marlborough Zoning Code.

In 1985, a fully permitted commercial building was built on land owned by the same owner and in 1991, a 2nd, fully permitted commercial building was built adjacent to the 1st commercial building.

With the approval of the Site Plan and the ANR Plan, the existing Park may be divided into two without any other changes. Eventually, there will likely be a change of ownership. Our client has been discussing the transfer with potential owners including the mobile home owners who have assembled a board to investigate owning the park themselves.

You had left me a voicemail recently that our client needs to obtain a Special Permit and obtain an Amendment to the current Special Permit. Since the park was established prior to the enactment Of the Zoning Code, there is no existing Special Permit, there is just a permit issued by the City.

We have learned that there is a concern that the current garage at the mobile home park will remain with the smaller front portion of the park, while the back portion may not have a garage. The owner has planned for this and there is space in the Phelps Road section of the park where instead of placing a mobile home, there is space reserved for a maintenance garage or shed if necessary.

In addition, a permanent access, egress and utility easement will be created and recorded, running with the land, that will ensure all portions of the park have proper access to the public road.

Questions have arisen as to whether a single Special Permit necessary; whether two Special Permits are necessary or if any Special Permit is necessary at all.

We submit that as the mobile home park has existed unchanged since 1969 and since the pre-existing use, configuration of the park, roadways, infrastructure and number of permitted mobile homes

at the site will remain unchanged with no new construction or alteration of any existing structures and the only change that will occur is that the name of the owner of one section of the park, that a Special Permit may not be necessary.

We request you consider this letter and respond as to your determination as to whether the current use may simply continue unchanged. Otherwise, if one or two Special Permits are necessary that we may take the appropriate action and move forward with this endeavor. If it is determined that one or two Special Permits are necessary, is a denial or referral from your office necessary before applying?

Thank you for your consideration and cooperation to this matter.

Christopher M. Flood

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Daniel D. Klasnick
Licensed in Massachusetts, New Hampshire and New York
Desk: (781) 873-0021 - Mobile: (774) 249-2814
dklasnick@dkl-legal.com

2021 JUL 14 AM 05

July 9, 2021

City Council
c/o Office of City Clerk
City of Marlborough
140 Main Street
Marlborough, Massachusetts 01752

Re: Application for Small Cell Wireless Installations
Applicant: Cellco Partnership d/b/a Verizon Wireless

Dear Honorable City Council:

Cellco Partnership d/b/a Verizon Wireless respectfully requests the grant of the application for the installation of small cell equipment on existing and replacement utility poles located within Marlborough, Massachusetts. The total number of small cell wireless facilities being requested on this application is three (3). I have also included the \$500.00 application fee payable to City of Marlborough.

Representative: Daniel D. Klasnick
Duval & Klasnick LLC
P.O. Box 254
Boxford, MA 01921
(781) 873-0021
dklasnick@dkl-legal.com

UTILITY POLE LOCATIONS

Site Name	Pole Address	Pole Number	Pole Height	Antenna Height
Marlborough SC30	123 Boston Post Road West	Existing #7	36.75'	39.92'
Marlborough SC33	493 Boston Post Road West (Pole on Boundary Street)	Existing #1	43.0'	46.17'
Marlborough SC 35	11 Atkinson Drive (Pole on Ames Street)	Replaced #22	38.5'	41.50'

POLE ATTACHMENT RIGHTS

Verizon Wireless has entered into a Pole Attachment License with National Grid the Owner of the utility poles to install the small cell equipment. National Grid has provided full and complete authorization to Verizon Wireless and its representatives to apply for all necessary zoning permits, petitions or any other necessary approvals for the proposed small cell equipment installation.

See Exhibit 1, Letter of Authorization.

PROJECT SUMMARY

Similar to a telephone or cable companies' utility pole equipment, the proposed small cell installations consist of a single antenna and small radios that will be mounted on an existing or replacement utility pole that carries electric and communications services. The single antenna will be top mounted on an existing or replacement wooden utility pole that already carries electric and communications services. The Verizon Wireless equipment will draw power by connecting to the existing electrical service on the pole. It will also connect to the fiber already on the pole to make a backhaul connection. More specifically, Verizon Wireless' small cell facilities consist of one (1) 14"Ø x 35.4" H canister antenna top mounted, remote radio heads, and associated wires, cables, fiber demarc, supporting equipment and electric meter to the existing or replacement utility pole. The install does not include any ground equipment.

See Exhibit 2, Site Drawings.

See Exhibit 3, Structural Report.

JUSTIFICATION OF NEED

The small cell facilities operate as an integral part of the Verizon Wireless network and will improve the reliability of service for Marlborough residents and businesses. The proposed small cell facilities will provide improved service to areas where this service is currently unavailable or unreliable because the signal is dissipated by the distance from the nearest macro facility, obstructed by the intervening terrain, or diverted by high demand closer to the macro facility. The small cell installations are designed to improve wireless service in areas of high wireless usage in Marlborough. In order to further upgrade service, Verizon Wireless will need to install the proposed small cell equipment on the existing and replacement utility poles, which are located in the layout of the state highway way or city right of way in the City of Marlborough that will both address gaps in reliable coverage and enhance system performance.

See Exhibit 4, Affidavit of Radio Frequency Engineer.

See Exhibit 5, Radio Frequency Emissions Compliance.

See Exhibit 6, Site Selection Memorandum.

SATISFACTION OF ORDINANCE REVIEW STANDARDS

Small Cell technology provides for the continued deployment of Verizon Wireless' network in Marlborough and the greater Commonwealth. The size and unique design of Small Cell units allows Verizon Wireless to strategically install antennas in high demand locations while mitigating visual impact and increasing wireless performance in targeted areas of Marlborough. The purpose of the facilities is to provide adequate service capacity and coverage improvement to areas of Marlborough where Verizon Wireless does not currently provide acceptable service on its network.

In contrast to conventional single-location, multi-function macro wireless communication facilities such as telecommunication towers, small cell technology provides site-specific, multi-location network solutions, in small visually unobtrusive units. Verizon Wireless uses small cell antennas to combine transmission and processing in a single canister style unit allowing antenna placement and signal creation without the need for any onsite ground equipment. This type of facility is highly advantageous to address network coverage and capacity particularly during periods of peak use and improves overall system performance elsewhere in the network. Subsequently, municipalities can substantially improve wireless coverage and capacity by utilizing this state-of-the-art and discreet antenna technology.

See Exhibit 7, Photo Simulations.

Verizon Wireless submits that the installations are consistent with the City of Marlborough Ordinance for Small Cell Facilities within Public Rights-of-way. Due to the location of the equipment on the existing and replacement wood utility poles, the small cell installations will match the appearance of equipment that is typically installed on utility poles. The proposed antenna is within a canister enclosure with a maximum diameter of only 14" and will be mounted to the top of the utility pole with all cabling enclosed within a u-guard. There will be no ground equipment cabinets, batteries or generator installed at the locations. Any signage will be limited to identifying the location as a small cell facility with a contact phone number. There will be no lights, logos/decals or cooling fans associated with the installations.

In compliance with the City of Marlborough Ordinance, Verizon Wireless maintains liability insurance. The liability insurance shall be maintained throughout the period of construction, location and operation and use of the small cell equipment. Verizon Wireless will maintain the installation in good repair and according to FCC standards, and will remove the installation not in good repair or not in use within 60 days.

See Exhibit 8, Certificate of Liability Insurance.

See Exhibit 9, Affidavit of Verizon Wireless.

§473-29 Annual recertification and affidavit.

- A. Annual recertification and affidavit. Each year on July 1, the small cell wireless equipment owner shall submit an affidavit which shall list, by location, all small cell wireless installations it owns within the City of Marlborough, and shall certify:

- (1) Each such installation that remains in use;
- (2) That such in-use installations remain covered by liability insurance naming the City as an additional insured; and
- (3) Each such installation which is no longer in use.

Verizon Wireless will comply with this requirement.

- B. Annual recertification fee. The equipment owner shall pay to the City of Marlborough an annual recertification fee of \$250 per installation which remains in use.

Verizon Wireless will comply with this requirement.

- C. Facility no longer in use. Any small cell wireless facility which is no longer in use shall be removed by the owner, at the owner's expense, within 60 days of the City Council's receipt of the annual recertification affidavit.

Verizon Wireless will comply with this requirement.

- D. Nonremoval of facility no longer in use. Any small cell wireless installation which is not removed by the owner, at the owner's expense, within 60 days after being listed in the annual recertification affidavit as no longer in use shall be subject to a fine of \$100 per day until such installation is removed by the owner.

Verizon Wireless will comply with this requirement.

- E. Failure to timely submit recertification/remove facility no longer in use. Where such annual recertification has not been timely submitted, or equipment no longer in use has not been removed within the sixty-day period, no further applications for small cell wireless installations will be accepted by the City Clerk's office until such time as the annual recertification has been submitted and all fees and fines have been paid.

Verizon Wireless will comply with this requirement.

§473-30 Aesthetics and additional City requirements.

- A. Poles.

- (1) No small cell wireless equipment shall be installed on double poles.

The proposed small cell equipment will not be installed on a double pole.

- (2) Within the public right-of-way, only pole-mounted antennas shall be permitted, and all telecommunications towers within the meaning of

City Code § 650-25A are prohibited.

The proposal is to locate the small cell equipment on an existing or replacement utility pole.

- (3) Absent City Council permission, no new poles are permitted within the public right-of-way that are not replacing an existing pole. If an applicant proposes to replace a pole in order to accommodate the small cell wireless facility, the pole shall match the appearance of the original pole to the extent feasible, including size, height, color, materials and style, unless another design better accomplishes the objectives of this section as determined by the Council. Such replacement pole shall not exceed the height of the pole it is replacing by more than seven feet.

Two of the proposed small cell installations will be installed on an existing utility pole.

Because of the condition of the existing utility pole #22 located on Ames Street, it is necessary to replace the undersized pole with a standard class 2 45' utility pole that will have an installed overall height of 38.50'. The installed height of the existing utility pole is 31.33'. The overall increase in the installed height will be 7.17' exceeding the ordinance height standard by only 2.04". The replacement of the existing utility pole with a standard utility pole will be undertaken by the pole owner and is essential to allow for the attachment of the small cell equipment at this location.

Article III, Section 473-27.B(1) of the Small Cell Wireless Facilities Within Public Right-of-Way ordinance, provides that "[t]his article is not intended, nor shall it be interpreted or applied, to: prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services." As certified in the attached Affidavit from Verizon Wireless' Radio Frequency Engineer, the proposed small cell installation is essential to the provision of reliable wireless service in the City of Marlborough.

The Federal Communications Commission in its Declaration Ruling and Third Report and Order clarified that under Section 253(a) or 332(c)(7)(B)(i)(II), "an effective prohibition [of service] occurs where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service." Imposing a requirement that is not technically feasible effectively prohibits the provision of wireless services as it would materially inhibit Verizon Wireless from densifying its wireless network, introducing new services or otherwise improving service capabilities.

- (4) If a new pole is permitted by the City Council to be placed within the public right-of-way, the new pole shall be designed to resemble existing poles in the right-of-way, including size, height, color, materials and style, unless another design better accomplishes the objectives of this section as determined by the Council. Such new poles that are not

replacement poles shall be located no closer than 90 feet to an existing pole.

Two of the proposed small cell installations will be installed on an existing utility pole. The proposed replacement pole #22 on Ames Street is a standard class 2 pole that will resemble the existing poles in the right-of-way, including size, height, color, material and style.

- (5) Small cell wireless installation equipment (meters, boxes, etc.) shall be mounted on the pole a minimum of 11 feet above ground level.

The pole owner and servicing utility company requires that the electrical meter be set on the pole at the height of 8 feet specified in the plans. The installation of the electric meter is essential for the operation of the small cell equipment to address Verizon Wireless' network coverage and capacity requirements in the City Marlborough.

Article III, Section 473-27.B(1) of the Small Cell Wireless Facilities Within Public Right-of-Way ordinance, provides that “[t]his article is not intended, nor shall it be interpreted or applied, to: prohibit or effectively prohibit any personal wireless service provider’s ability to provide personal wireless services.” As certified in the attached Affidavit from Verizon Wireless’ Radio Frequency Engineer, the proposed small cell installation is essential to the provision of reliable wireless service in the City of Marlborough.

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- (6) No small cell wireless installation equipment shall be replaced or altered on a pole without a reapplication, hearing and approval from the City Council, unless the equipment is no longer functioning and it is being replaced with the same or substantially similar equipment.

Verizon Wireless will comply with this requirement.

- (7) The maximum height of any antenna mounted to an existing pole shall not exceed 24 inches above the height of the then- existing pole, provided that in any event:
- (a) No small cell wireless facility shall be located on a pole that is less than 26 feet in height; and
 - (b) No facility shall exceed 35 feet in height, including but not

limited to the pole and any antenna that protrudes above the pole.

Verizon Wireless proposes to install one 14" \varnothing x 35.4" H canister antenna top mounted, remote radio heads, and associated wires, cables, fiber demarc, supporting equipment and electric meter to the existing and replacement utility poles that will exceed the height requirements. It is technically impossible to install the proposed 35.4" H antenna on the top of the existing and replacement utility poles and comply with the maximum height of 24 inches above the height of the pole and that no facility shall exceed 35 feet in height. The installation of the antennas on the utility poles is essential to address Verizon Wireless' network coverage and capacity requirements in the City Marlborough.

Article III, Section 473-27.B(1) of the Small Cell Wireless Facilities Within Public Right-of-Way ordinance, provides that "[t]his article is not intended, nor shall it be interpreted or applied, to: prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services." As certified in the attached Affidavit from Verizon Wireless' Radio Frequency Engineer, the proposed small cell installation is essential to the provision of reliable wireless service in the City of Marlborough.

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- (8) Pole-mounted equipment shall not exceed six cubic feet in dimension.

Verizon Wireless installation will comply with this requirement.

- (9) Not more than one small cell wireless facility shall be mounted per pole.

Verizon Wireless is proposing to install only one small cell wireless facility on the existing and replacement utility poles.

B. Location.

- (1) Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic inconvenience to the public's use of the right-of-way, or safety hazards to pedestrians and motorists.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- (2) A facility shall not be located within any portion of the public right-of-way interfering with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital public health and safety facility.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- (3) Each pole-mounted small cell wireless telecommunications facility must be separated by at least 1,500 feet.

Two of the proposed small cell installations will comply with this requirement.

Because of Verizon Wireless' network requirements and the availability of suitable pole locations in the area, it is necessary to install the proposed small cell designated as Marlboro SC30 on the existing utility pole #7 adjacent to 123 Boston Post Road West. The pole #7 is approximately 1,300 feet from the proposed small cell installation designated as Marlboro SC31 to be located on utility pole #19 adjacent to the property at 219-237 Boston Post Road West. The overall distance between the two small cell installations is the minimum distance practical with consideration of the location requirements and to satisfy the network design standards for the proposed small cell installations. The installation of the small cell antennas at both locations is essential to address Verizon Wireless' network requirements.

Article III, Section 473-27.B(1) of the Small Cell Wireless Facilities Within Public Right-of-Way ordinance, provides that "[t]his article is not intended, nor shall it be interpreted or applied, to: prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services." As certified in the attached Affidavit from Verizon Wireless' Radio Frequency Engineer, the proposed small cell installation is essential to the provision of reliable wireless service in the City of Marlborough.

The Federal Communications Commission in its Declaration Ruling and Third Report and Order clarified that under Section 253(a) or 332(c)(7)(B)(i)(II), "an effective prohibition [of service] occurs where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service." Imposing a requirement that is not technically feasible effectively prohibits the provision of wireless services as it would materially inhibit Verizon Wireless from densifying its wireless network, introducing new services or otherwise improving service capabilities.

- (4) All new wires needed to service the wireless telecommunications facility must be installed within the width of the existing pole so as to not exceed the diameter and height of the existing pole.

Verizon Wireless' proposed small cell installations will comply with this

requirement. All cabling shall be located inside of u-guard attached to the side of the utility pole.

- C. Americans with Disabilities Act compliance. All facilities shall be built and maintained in compliance with the Americans with Disabilities Act (ADA)/Architectural Access Board (AAB).

Verizon Wireless' proposed small cell installations will comply with this requirement.

- D. Residential neighborhoods. If an applicant seeks to place a small cell wireless facility in a residentially zoned neighborhood, the applicant:
- (1) Should seek to avoid attaching to poles that are within 25 feet of an existing driveway so that the property owner can plant trees that could shield the wireless equipment from view; and
 - (2) Should seek to avoid poles where the installation and/or ongoing maintenance will require significant tree trimming due to the wireless equipment.

Verizon Wireless' proposed small cell installations will be located on a utility poles in a commercial developed areas.

- E. Satisfactory material, construction and work. The small cell wireless facility shall be of such material and construction, and all installation and maintenance work shall be done in such manner, as to be satisfactory to the City Council and DPW Engineering. If the DPW Engineering shall determine that such material, construction and/or work is a) placing or tending to place at risk the public health, safety, and welfare, b) interfering or tending to interfere with pedestrian and/or vehicular traffic and/or c) causing or tending to cause damage to the public right-of-way or any property adjacent to the location of the pole in question, the DPW Engineering shall forthwith notify the City Council, which shall review that determination for possible further action as to the applicant.

The proposed small cell wireless equipment will be installed and maintained in compliance with all applicable laws, regulations and codes including the requirements of the City of Marlborough Ordinance. The installation of the small cell equipment will not adversely impact public health, safety, adjacent properties or neighborhoods as Verizon Wireless' installations will be consistent with equipment that is commonly attached utility poles and will not significantly change the appearance of the existing or replacement utility pole.

- F. Indemnification. The applicant shall indemnify and hold harmless the City against all damages, injuries, costs, expenses, and any and all claims, demands and liabilities whatsoever of every name and nature, both in law and equity, allegedly caused by the acts or neglect of the applicant, its employees, agents and servants, in any manner arising out

of the rights and privileges granted herein to the applicant for its small cell wireless facility. Such indemnification shall not be limited by the amount of the applicant's liability insurance naming the City as an additional insured.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- G. City streets and/or sidewalks. All cutting of and/or digging into City streets and/or sidewalks by or on behalf of an applicant in conjunction with its small cell wireless facility is prohibited, as is all underground installation associated with the small cell wireless facility; provided, however, that the grounding rod proposed to be installed as part of the small cell wireless facility is permitted as long as:
- (1) The applicant installs the rod immediately adjacent to the pole so as to cause minimal disturbance to the surface of the street or sidewalk; and
 - (2) The applicant restores the street or sidewalk surface to its predisturbance condition to the satisfaction of the DPW Engineering.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- H. Repair of damage. The applicant shall repair, at its sole cost and expense, any damage, including, but not limited to, subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to City streets, sidewalks, walks, curbs, gutters, trees, parkways, streetlights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation or maintenance of a wireless telecommunications facility in the public right-of-way. The applicant shall restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs. In the event the applicant fails to complete such repair within the number of days stated on a written notice from the City Engineering Division, the Division shall cause such repair to be completed at the applicant's sole cost and expense.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- I. Visual impact minimization. The small cell wireless facility shall be color coordinated so as to best minimize the visual impact of the facility.

The Canister will be light gray. Verizon Wireless submits and will demonstrate through the Application materials and the written and oral evidence at the public

hearing in connection with the Application that the proposed small cell wireless equipment meets with all applicable requirements of the City of Marlborough Ordinance or is necessary to prevent the prohibition of wireless service. The installation of the small cell equipment will not adversely impact adjacent properties and neighborhoods as Verizon Wireless' installations will not significantly change the appearance of the existing or replacement utility pole.

- J. Side of pole on which to mount equipment. The small cell wireless facility's equipment cabinet, circuit breaker box, and electric meter main shall be mounted on the side of the pole facing away from the roadway.

Verizon Wireless' proposed small cell installations will comply with this requirement.

- K. Future road reconstruction repair. Any future road reconstruction or repair project by the City and/or the commonwealth requiring the relocation of the pole shall result in the applicant's moving its small cell wireless facility to another pole in a timely fashion after having been notified by the DPW Engineering about the road project; provided, however, that any such relocation shall require further City Council approval.

Verizon Wireless will comply with this Ordinance requirement.

- L. Construction and/or installation schedule. Prior to the commencement of construction and/or installation of the small cell wireless facility, the applicant shall provide the DPW Engineering with a written construction and/or installation schedule satisfactory to DPW Engineering.

Verizon Wireless will comply with this Ordinance requirement.

- M. Removal bond. Prior to the commencement of construction and/or installation of its small cell wireless facility, an applicant shall provide the City's Chief Procurement Officer (the City CPO) with a bond from a surety authorized to do business in Massachusetts and satisfactory to the City CPO in an amount equal to the cost of removal of the small cell wireless facility from the pole in question and for the repair and/or restoration of the public way, in the vicinity of the pole in question, to the condition the public way was in as of the date when the relevant application was submitted to the City Clerk's office, said amount to be determined by DPW Engineering. The amount of the bond shall be the total of the estimate by DPW Engineering plus an annual increase of 3% for the operating life of the small cell wireless facility. The applicant shall notify the City CPO and DPW Engineering of any cancellation of, or change in the terms or conditions in, the bond.

Verizon Wireless will comply with this Ordinance requirement.

WAIVERS

The Applicant has submitted detailed Plans and documentation in support of its application. The Plans and supporting documentation include information on all aspects of the proposed small cell equipment installation on the utility pole.

Due to the size and scope of the proposed installation of small cell equipment, Verizon Wireless believes that the Plans, Elevation, and other documents submitted meet the requirements of the City of Marlborough Ordinance to the extent applicable to this proposal. To the extent the Council believes that the provided Plans and exhibits do not comply with the requirements, the Applicant believes that the additional detail will not tend to provide substantive assistance to the Council and therefore the Applicant requests a waiver from any such requirements or, in the alternative, a determination of non-applicability for all standards and requirements that do not apply to the installation of small cell equipment on the utility pole.

COMPLIANCE WITH TELECOMMUNICATIONS ACT OF 1996

Verizon Wireless further respectfully requests that the City of Marlborough grant this application under the Federal Telecommunications Act of 1996 (hereinafter the "TCA"). Pub. L. No. 104-104, 110 Stat. 56 (1996). In 1996, Congress enacted the TCA to facilitate the rapid deployment of telecommunications infrastructure in the United States. 47 U.S.C. § 332; *City of Arlington, Texas v. Federal Communications Commission*, 133 S.Ct. 1863, 1866-67 (2013). The TCA preserves state and municipal authority to regulate personal wireless service facilities, subject to five substantive and procedural limitations designed to prevent state and municipal government from prohibiting the provision of wireless service, delaying the application process and/or discriminating against specific wireless service providers. 47 U.S.C. § 332(C)(i)-(v); *T-Mobile South, LLC v. City of Roswell, Ga.*, 135 S.Ct. 808, 814 (2015); *City of Arlington*, 133 S.Ct. at 1866-67; *Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 (2005); *Omnipoint Holdings, Inc. v. City of Cranston*, 586 F.3d 38, 45 (1st Cir. 2009).

The Federal Communications Commission in its Declaration Ruling and Third Report and Order clarified that under Section 253(a) or 332(c)(7)(B)(i)(II), “an effective prohibition [of service] occurs where a state or local legal requirement materially inhibits a provider’s ability to engage in any of a variety of activities related to its provision of a covered service.” By this ruling, the FCC makes it clear that a state or local legal requirement effectively prohibits the provision of wireless services if it inhibits or limits a provider “not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities.” The FCC also makes clear that an effective prohibition includes inhibiting a provider from deploying the “performance characteristics” of its choosing.

The Federal Communications Commission in the final text of the Declaratory Ruling and Third Report and Order also promulgated rules imposing new “shot clocks” for Small Wireless Facility application review. The Commission establishes the following application review

timeframes for Small Wireless Facilities: (1) 60 days for collocations of Small Wireless Facilities on existing structures and (2) a shot clock of 90 days for new construction of Small Wireless Facilities.

CONCLUSION

Accordingly, while Small Cell installations do not obviate the need for traditional wireless communication facilities, they are overwhelmingly the least intrusive means available to address network requirements in areas of dense demand for Verizon Wireless' voice and data services. The equipment proposed herein provides enhanced service to an area of concentrated demand in Marlborough while avoiding the possible aesthetic impact of larger wireless service facilities. Furthermore, the Telecommunications Act of 1996 supports the granting of the application in light of its goal to promote the rapid expansion of new technologies.

For the foregoing reasons, Verizon Wireless respectfully requests (*with all rights reserved*) that the Council: Grant the request to install the small cell pole attachment equipment on the existing and replacement utility poles in accordance with this application and grant any other relief or waivers necessary to allow the installation and operation of this small cell pole attachment equipment.

Verizon Wireless respectfully requests grant of the application in accordance with your regulations and guidelines. If you need any further information, please don't hesitate to contact me. Thank you.

Very truly yours,
DUVAL & KLASNICK LLC



By: Daniel D. Klasnick
Attorney at Law

PETITION FOR SMALL CELL POLE ATTACHMENT

To the City Council
Of **Marlborough**, Massachusetts

Cellco Partnership d/b/a Verizon Wireless hereby provides a petition to this Honorable City Council for the location of a small cell wireless antenna, and the necessary sustaining and protecting fixtures, on an existing utility pole in **Marlborough, Massachusetts**, as more particularly shown on the plans included herewith.

Pole Location

Existing Pole Location: Boston Post Road West – Route 20 (Adjacent to 123 Boston Post Road West) Utility Pole Number: #7

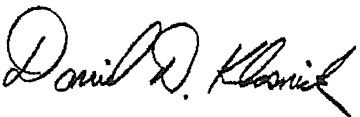
Proposed Equipment: Canister Antenna, Remote Radio Heads, Main Load Center, Diplexer and associated wires, cables, fiber demarc box, electric meter and associated equipment on an existing utility pole as shown on the attached Plans Titled MARLBORO_SC30_MA-391558 prepared by NB+C Engineering Services, LLC with a date of 01/07/21.

Purpose: To address network coverage and capacity in the immediate area of the subject pole. Offload wireless traffic from macro sites and designed to increase throughput to customers in proximity to the pole.

Respectfully submitted,

PETITIONER:

Cellco Partnership d/b/a
Verizon Wireless

By 

Daniel D. Klasnick, Esquire
Duval & Klasnick LLC
P.O. Box 254
Boxford, MA 01921
July 2, 2021

PETITION FOR SMALL CELL POLE ATTACHMENT

To the City Council
Of **Marlborough**, Massachusetts

Cellco Partnership d/b/a Verizon Wireless hereby provides a petition to this Honorable City Council for the location of a small cell wireless antenna, and the necessary sustaining and protecting fixtures, on an existing utility pole in **Marlborough, Massachusetts**, as more particularly shown on the plans included herewith.

Pole Location

Existing Pole Location: Boundary Street (Adjacent to 493 Boston Post Road West – Route 20) Utility Pole Number: #1

Proposed Equipment: Canister Antenna, Remote Radio Heads, Main Load Center, Diplexer and associated wires, cables, fiber demarc box, electric meter and associated equipment on an existing utility pole as shown on the attached Plans Titled MARLBORO_SC33_MA-B-391561 prepared by NB+C Engineering Services, LLC with a date of 01/07/21.

Purpose: To address network coverage and capacity in the immediate area of the subject pole. Offload wireless traffic from macro sites and designed to increase throughput to customers in proximity to the pole.

Respectfully submitted,

PETITIONER:

Cellco Partnership d/b/a
Verizon Wireless

By 

Daniel D. Klasnick, Esquire
Duval & Klasnick LLC
P.O. Box 254
Boxford, MA 01921
July 2, 2021

PETITION FOR SMALL CELL POLE ATTACHMENT

To the City Council
Of **Marlborough**, Massachusetts

Cellco Partnership d/b/a Verizon Wireless hereby provides a petition to this Honorable City Council for the location of a small cell wireless antenna, and the necessary sustaining and protecting fixtures, on a replacement utility pole in **Marlborough, Massachusetts**, as more particularly shown on the plans included herewith.

Pole Location

Replacement Pole Location: Ames Drive (Adjacent to 11 Atkinson Drive) Utility Pole
Number: #22

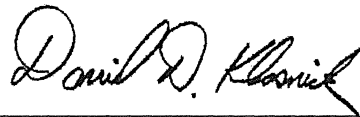
Proposed Equipment: Canister Antenna, Remote Radio Heads, Main Load Center, Diplexer and associated wires, cables, fiber demarc box, electric meter and associated equipment on a replacement utility pole as shown on the attached Plans Titled MARLBORO_SC_MA-391564 prepared by NB+C Engineering Services, LLC with a date of 05/18/21.

Purpose: To address network coverage and capacity in the immediate area of the subject pole. Offload wireless traffic from macro sites and designed to increase throughput to customers in proximity to the pole.

Respectfully submitted,

PETITIONER:

Cellco Partnership d/b/a
Verizon Wireless

By 
Daniel D. Klasnick, Esquire
Duval & Klasnick LLC
P.O. Box 254
Boxford, MA 01921
July 2, 2021

May 10, 2021

Attn: Marlboro MA City Council

To Whom It May Concern:

National Grid, as owner of certain utility poles in public rights-of-way in Marlboro, MA, is aware and authorizes Verizon Wireless to complete the process of permitting for the installation of necessary telecommunications equipment and corresponding aerial fiber optic cable on National Grid-owned utility poles at the following location (s);

VZW Site Name	Address
MARLBORO_SC30_MA	123 Boston Post Rd W
MARLBORO_SC33_MA	493 Boston Post Rd W - Pole on Boundary St
MARLBORO_SC35_MA	292 Ames St Pole 22

Accordingly, National Grid hereby submits its authorization for Verizon Wireless to install its antennae and appurtenant equipment and aerial fiber routes to National Grid poles at the above locations. Please be advised that the undersigned has entered into a master lease agreement authorizing Verizon Wireless to install, attach, maintain, repair, upgrade and use wireless communications equipment and appurtenances on certain utility poles. The installations on National Grid utility poles will be subject to the underlying terms and conditions of the aforementioned agreement by and between National Grid and Verizon Wireless, as the same may be in effect from time to time.

Sincerely,



Keith Amelin
Senior Data Analyst
National Grid



MARLBORO_SC30_MA-391558



UTILITY POLE #7
 123 BOSTON POST ROAD WEST
 MARLBOROUGH, MA 01752

ENGINEER

NB+C
 TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
 180 APOLLO DRIVE, SUITE 301
 CHELSEA, MA 01924
 978.284.8500

APPLICANT

verizon

118 FLANDERS ROAD
 WESTBORO, MA 01581
 (508) 330-3330

SITE INFORMATION

MARLBORO_SC30_MA-391558
 UTILITY POLE #7
 123 BOSTON POST ROAD WEST
 MARLBOROUGH, MA 01752

DESIGN RECORD

REVISIONS		
REV	DATE	DESCRIPTION
B	01/07/21	REVISED PER COMMENTS
A	11/16/20	PRELIMINARY

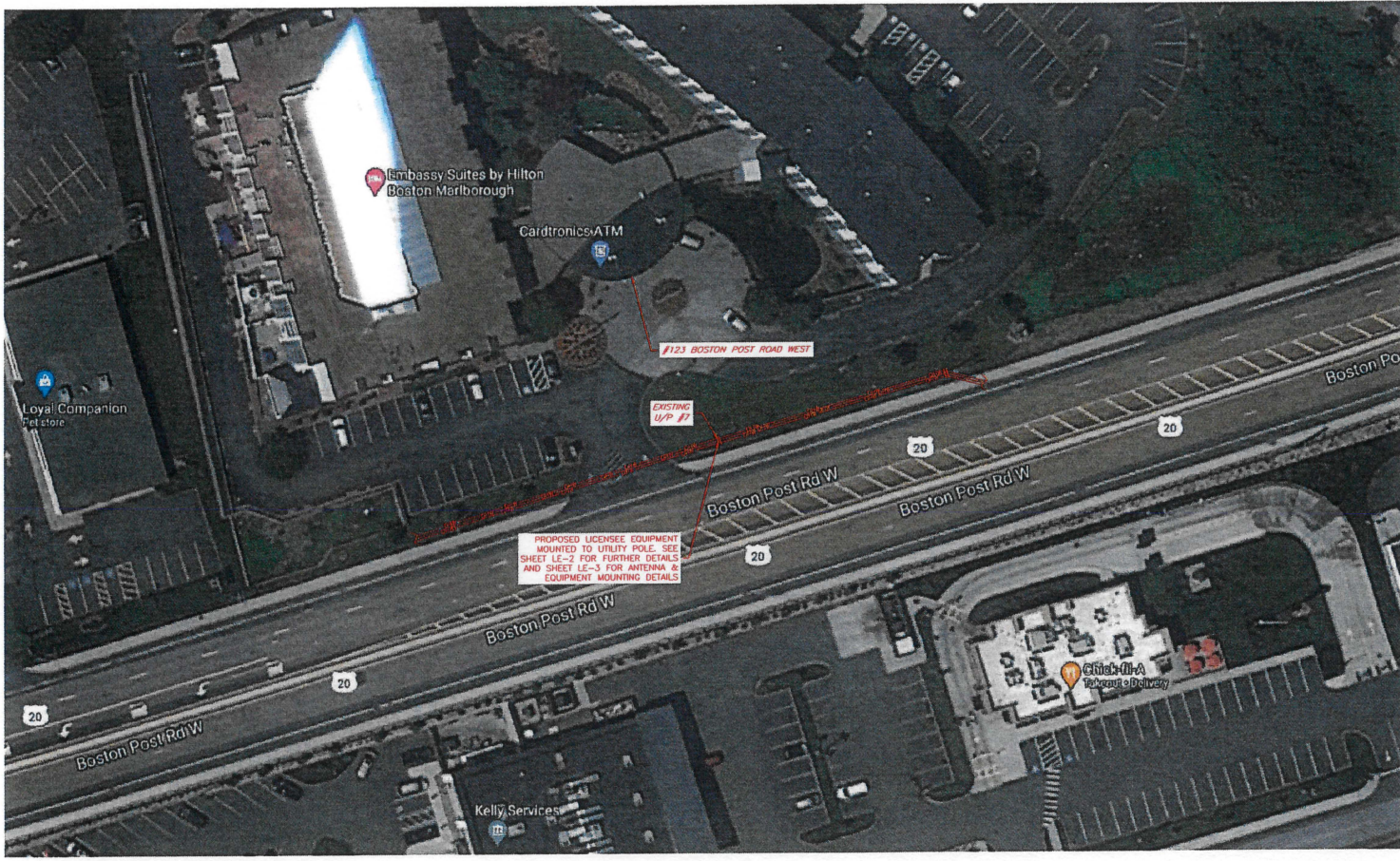
GENERAL NOTES

THIS DOCUMENT IS THE DESIGN PROPERTY AND COPYRIGHT OF NB+C ENGINEERING SERVICES, LLC, AND FOR THE EXCLUSIVE USE BY THE TITLE CLIENT. DUPLICATION OR USE WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CREATOR IS STRICTLY PROHIBITED.

THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 11"x17" ALL OTHER PRINTED SIZES ARE DEEMED "NOT TO SCALE"

SHEET NUMBER

LE-1

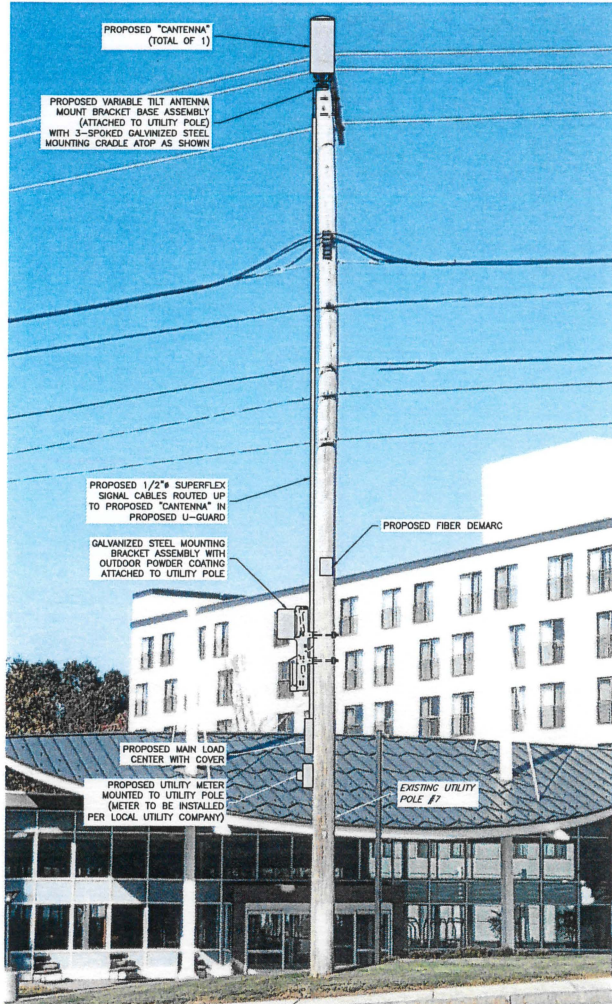


SITE CONTROL POINT:
 CENTER OF EXISTING U/P #7
 N 42.339748° (42°-20'-23.093")
 W 71.586644° (71°-35'-11.918")

1 LOCATION PLAN/AERIAL IMAGE
 LE-1 SCALE: 1" = 50'

GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE INTENDED TO PROVIDE GENERAL INFORMATION REGARDING THE LOCATION, SIZE AND ORIENTATION OF THE PROPOSED WIRELESS TELECOMMUNICATIONS EQUIPMENT INSTALLATION ON THE UTILITY POLE AND ARE NOT SPECIFICALLY INTENDED FOR CONSTRUCTION.
2. VERIZON WIRELESS SHALL PLACE WEATHER RESISTANT PHENOLIC PLACARDS ON UTILITY POLE AND ANCILLARY EQUIPMENT TO IDENTIFY EQUIPMENT OWNERSHIP & CONTACT INFORMATION TO BE UTILIZED IN CASE OF EMERGENCY.
3. AN ANALYSIS OF THE CAPACITY OF THE EXISTING UTILITY POLE TO SUPPORT THE PROPOSED LOADING HAS NOT BEEN COMPLETED BY NB+C ENGINEERING SERVICES, LLC AND THUS, THESE DRAWINGS ARE SUBJECT TO CHANGE PENDING THE OUTCOME OF A STRUCTURAL ANALYSIS (TO BE PERFORMED BY OTHERS).
4. VERIZON WIRELESS' GENERAL CONTRACTOR SHALL EXTEND EFFORTS TO ENSURE THAT ALL PROPOSED EQUIPMENT MEETS THE REQUIREMENTS OF THE EXISTING UTILITY COMPANY OR COMPANIES CURRENTLY OCCUPYING THE UTILITY POLE AND THE 2017 NATIONAL ELECTRICAL SAFETY CODE.



1 UTILITY POLE PHOTO (EXISTING CONDITIONS/SCHEMATIC RENDERING)
SCALE: NTS
LE-2

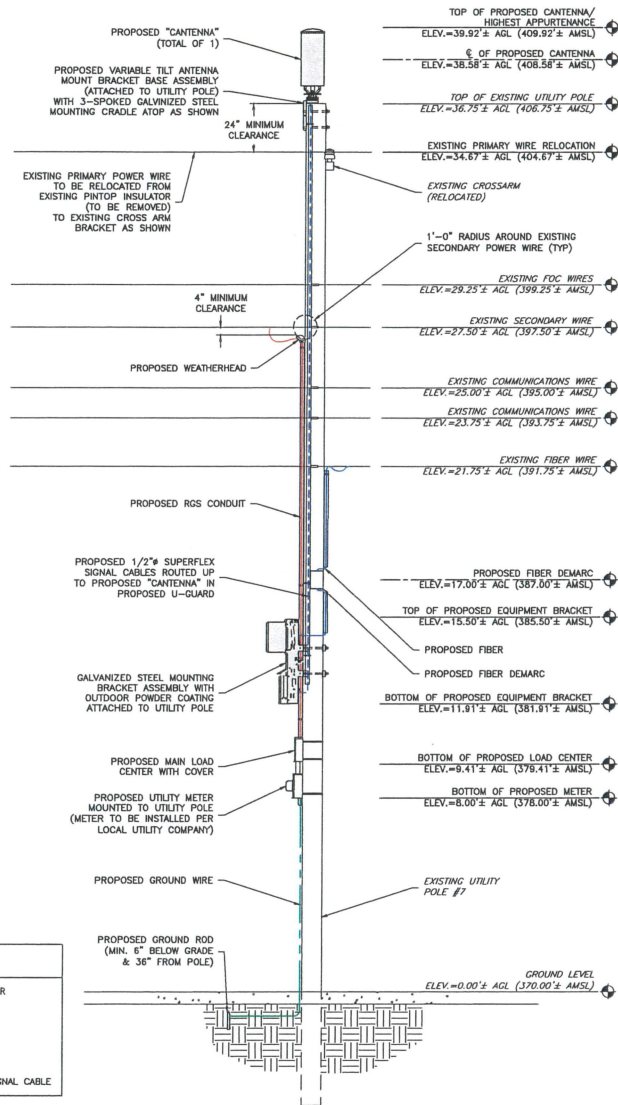
ANTENNA AND MOUNT NOTE:
CONTRACTOR SHALL POSITION/ROTATE PROPOSED ANTENNA MOUNT/BRACKET IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING STREET LIGHT, PRIMARY POWER CROSSARM(S) (IF PRESENT), BRACKETS, BRACES, SECONDARY POWER SUPPORTS OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE EXISTING UTILITY POLE.

EQUIPMENT AND MOUNT NOTE:
CONTRACTOR SHALL POSITION/ROTATE PROPOSED EQUIPMENT AND ASSOCIATED MOUNTS/BRACKETS IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING WIRES/PANELS ETC. OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE FACE OF THE EXISTING UTILITY POLE.

NOTE:
UTILITY POLE, EXISTING APPURTENANCES AND DETAILS OF PROPOSED INSTALLATION SHOWN SCHEMATICALLY.

LEGEND

- FIBER BUNDLE/JUMPER
- AC POWER
- DC POWER
- GROUND
- - - 1/2" SUPERFLEX SIGNAL CABLE



2 UTILITY POLE ELEVATION (PROPOSED CONDITIONS)
SCALE: 1" = 5'
LE-2

NB+C
TOTALLY COMMITTED.
NB+C ENGINEERING SERVICES, LLC.
188 APOLLO DRIVE, SUITE 303
CHESHAMINGFORD, MA 01520
(978) 966-6200

verizon
118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

MARLBORO_SC30_MA-391558
UTILITY POLE #7
123 BOSTON POST ROAD WEST
MARLBOROUGH, MA 01752

REVISIONS

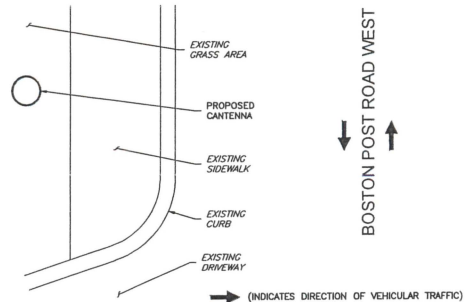
REV	DATE	DESCRIPTION	BY
B	01/07/21	REVISED PER COMMENTS	DRG
A	11/16/20	PRELIMINARY	JMS

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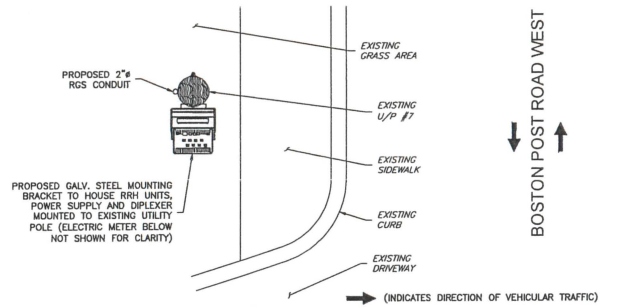
THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 11"x17" ALL OTHER PRINTED SIZES ARE DEEMED "NOT TO SCALE"

LE-2

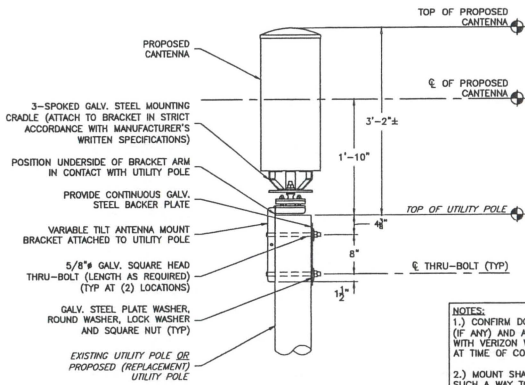
ENGINEER
APPLICANT
SITE INFORMATION
DESIGN RECORD
GENERAL NOTES
SHEET NUMBER



1 ANTENNA ORIENTATION PLAN
SCALE: NTS
LE-3

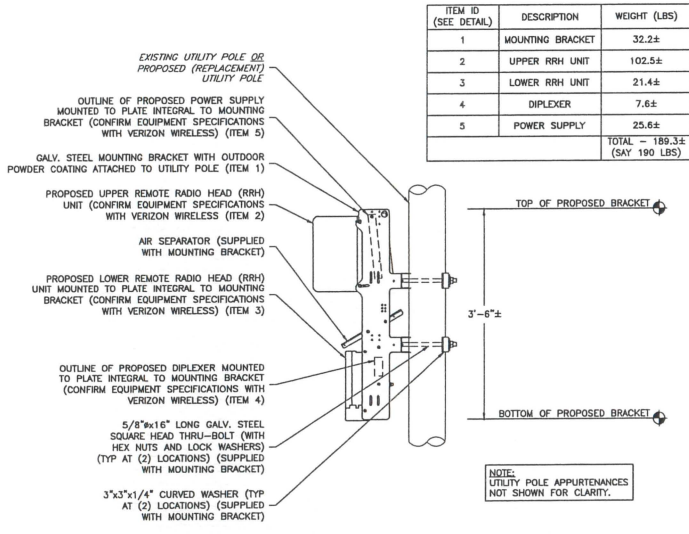


2 ANCILLARY EQUIPMENT ORIENTATION PLAN
SCALE: NTS
LE-3



3 CANTENNA MOUNT DETAIL
SCALE: NTS
LE-3

- NOTES:
- 1.) CONFIRM DOWNTILT REQUIREMENTS (IF ANY) AND AZIMUTH SPECIFICATIONS WITH VERIZON WIRELESS RF ENGINEER AT TIME OF CONSTRUCTION.
 - 2.) MOUNT SHALL BE INSTALLED IN SUCH A WAY TO ENSURE PLUMB INSTALLATION OF CANTENNA.
 - 3.) UTILITY POLE APPURTENANCES NOT SHOWN FOR CLARITY.



4 ANCILLARY EQUIPMENT MOUNTING BRACKET DETAIL
SCALE: NTS
LE-3

ITEM ID (SEE DETAIL)	DESCRIPTION	WEIGHT (LBS)
1	MOUNTING BRACKET	32.2±
2	UPPER RRH UNIT	102.5±
3	LOWER RRH UNIT	21.4±
4	DIPLEXER	7.6±
5	POWER SUPPLY	25.6±
		TOTAL - 189.3± (SAY 190 LBS)

NOTE:
UTILITY POLE APPURTENANCES NOT SHOWN FOR CLARITY.

ENGINEER

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
100 WAPPOLE DRIVE, SUITE 201
CHELSEA, MA 01938
978.244.4444

APPLICANT

verizon

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

SITE INFORMATION

MARLBORO_SC30_MA-391558
UTILITY POLE #7
123 BOSTON POST ROAD WEST
MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	01/07/21	REVISED PER COMMENTS	DRG
A	11/18/20	PRELIMINARY	JMS

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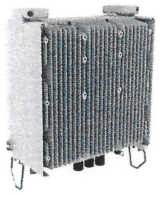
SHEET NUMBER

LE-3



SMALL CELL ANTENNA
 DIMENSIONS: 14.0"±# x 35.4"±#H
 WEIGHT: 35.0± LBS
 QUANTITY: TOTAL OF 1

1 **TYPICAL ANTENNA SPECIFICATIONS**
 LE-4 SCALE: NTS

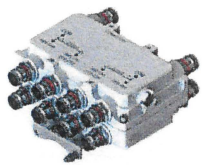


REMOTE RADIO HEAD
 DIMENSIONS: 17.3"±H x 17.3"±W x 11.5"±D
 WEIGHT: 102.5± LBS
 QUANTITY: TOTAL OF 1



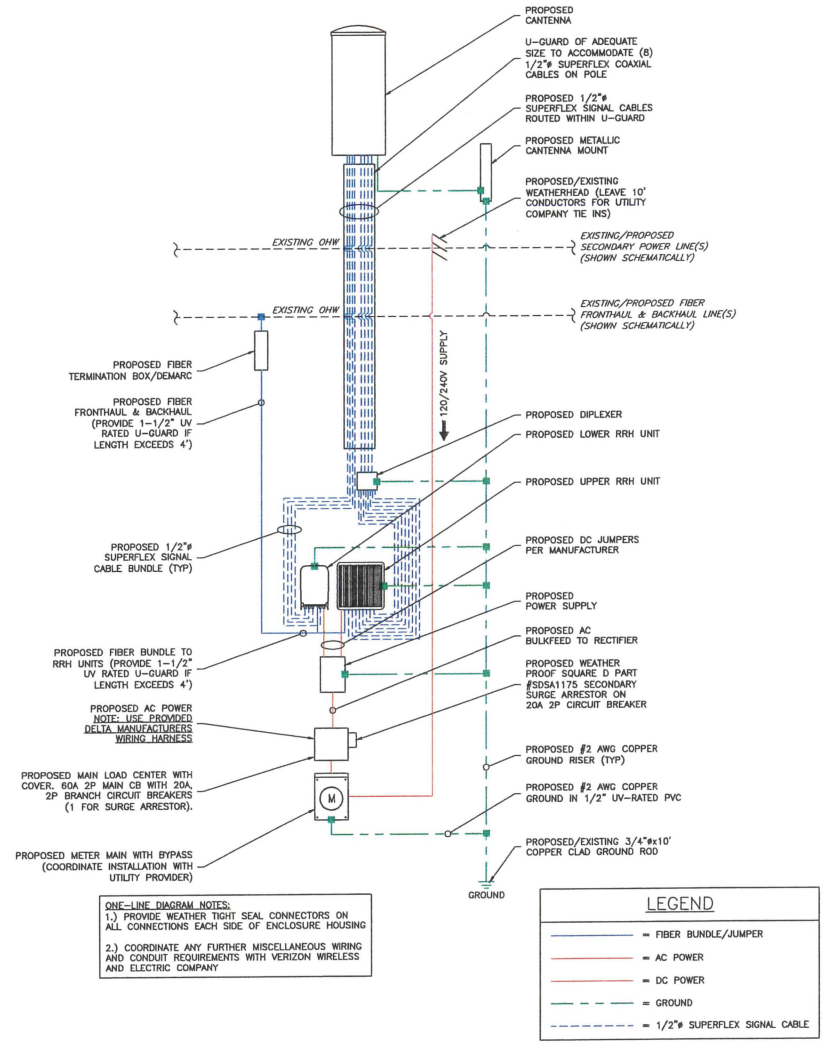
REMOTE RADIO HEAD
 DIMENSIONS: 13.9"±H x 9.8"±W x 4.8"±D
 WEIGHT: 21.4± LBS
 QUANTITY: TOTAL OF 1

2 **TYPICAL REMOTE RADIO HEAD (RRH) UNIT DIMENSIONS**
 LE-4 SCALE: NTS



DIPLEXER
 DIMENSIONS: 4.8"±H x 7.9"±W x 3.3"±D
 WEIGHT: 7.6 LBS
 QUANTITY: TOTAL OF 1

3 **TYPICAL DIPLEXER DIMENSIONS**
 LE-4 SCALE: NTS



ONE-LINE DIAGRAM NOTES:
 1.) PROVIDE WEATHER TIGHT SEAL CONNECTORS ON ALL CONNECTIONS EACH SIDE OF ENCLOSURE HOUSING
 2.) COORDINATE ANY FURTHER MISCELLANEOUS WIRING AND CONDUIT REQUIREMENTS WITH VERIZON WIRELESS AND ELECTRIC COMPANY

4 **FIBER/ELECTRICAL ONE-LINE DIAGRAM**
 LE-4 SCALE: NTS

NB+C
 TOTALLY COMMITTED
 NB+C ENGINEERING SERVICES, LLC.
 99 ARLO DRIVE, SUITE 901
 CHELSEA, MA 01824
 617.343.8800

verizon
 118 FLANDERS ROAD
 WESTBORO, MA 01581
 (508) 330-3330

MARLBORO_SC30_MA-391558
 UTILITY POLE #7
 123 BOSTON POST ROAD WEST
 MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	01/27/21	REVISED PER COMMENTS	DRG
A	11/16/20	PRELIMINARY	JMB

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LE-4

ENGINEER
 APPLICANT
 SITE INFORMATION
 DESIGN RECORD
 GENERAL NOTES
 SHEET NUMBER

MARLBORO_SC33_MA-B-391561



NB+C ENGINEERING SERVICES, LLC.
118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

UTILITY POLE #1

493 BOSTON POST ROAD WEST
(POLE ON BOUNDARY STREET)
MARLBOROUGH, MA 01752

ENGINEER

APPLICANT



118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

SITE INFORMATION

MARLBORO_SC33_MA-B-391561
UTILITY POLE #1
493 BOSTON POST ROAD WEST
(POLE ON BOUNDARY STREET)
MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	01/03/21	REVISED PER COMMENTS	DWG
A	11/16/20	PRELIMINARY	JMS

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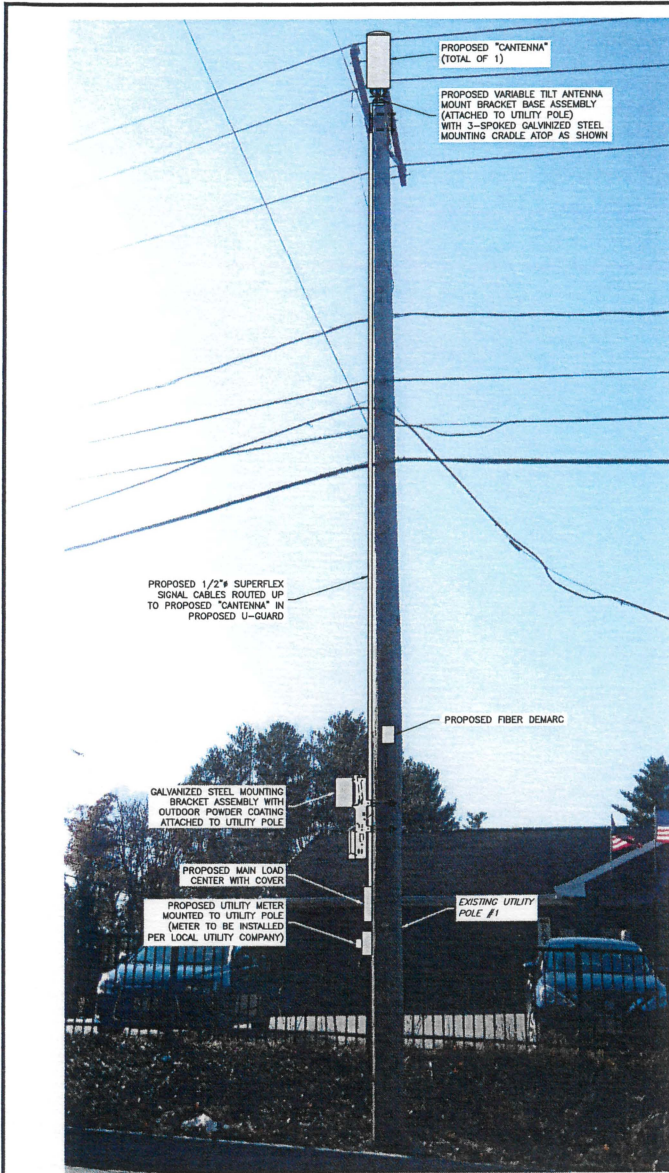
SHEET NUMBER

LE-1



SITE CONTROL POINT:
CENTER OF EXISTING U/P #1
N 42.335944° (42°-20'-09.398")
W 71.802488° (71°-36'-08.992")

1 LOCATION PLAN/AERIAL IMAGE
LE-1 SCALE: 1" = 50'



GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE INTENDED TO PROVIDE GENERAL INFORMATION REGARDING THE LOCATION, SIZE AND ORIENTATION OF THE PROPOSED WIRELESS TELECOMMUNICATIONS EQUIPMENT INSTALLATION ON THE UTILITY POLE AND ARE NOT SPECIFICALLY INTENDED FOR CONSTRUCTION.
2. VERIZON WIRELESS SHALL PLACE WEATHER RESISTANT PHENOLIC PLACARDS ON UTILITY POLE AND ANCILLARY EQUIPMENT TO IDENTIFY EQUIPMENT OWNERSHIP & CONTACT INFORMATION TO BE UTILIZED IN CASE OF EMERGENCY.
3. AN ANALYSIS OF THE CAPACITY OF THE EXISTING UTILITY POLE TO SUPPORT THE PROPOSED LOADING HAS NOT BEEN COMPLETED BY NB+C ENGINEERING SERVICES, LLC AND THUS, THESE DRAWINGS ARE SUBJECT TO CHANGE PENDING THE OUTCOME OF A STRUCTURAL ANALYSIS (TO BE PERFORMED BY OTHERS).
4. VERIZON WIRELESS' GENERAL CONTRACTOR SHALL EXTEND EFFORTS TO ENSURE THAT ALL REQUIREMENTS OF THE EXISTING UTILITY COMPANY OR COMPANIES CURRENTLY OCCUPYING THE UTILITY POLE AND THE 2017 NATIONAL ELECTRICAL SAFETY CODE.

ANTENNA AND MOUNT NOTE:

CONTRACTOR SHALL POSITION/ROTATE PROPOSED ANTENNA MOUNT/BACKET IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING STREET LIGHT, PRIMARY POWER CROSSARMS (IF PRESENT), BRACKETS, BRACES, SECONDARY POWER SUPPORTS OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE EXISTING UTILITY POLE.

EQUIPMENT AND MOUNT NOTE:

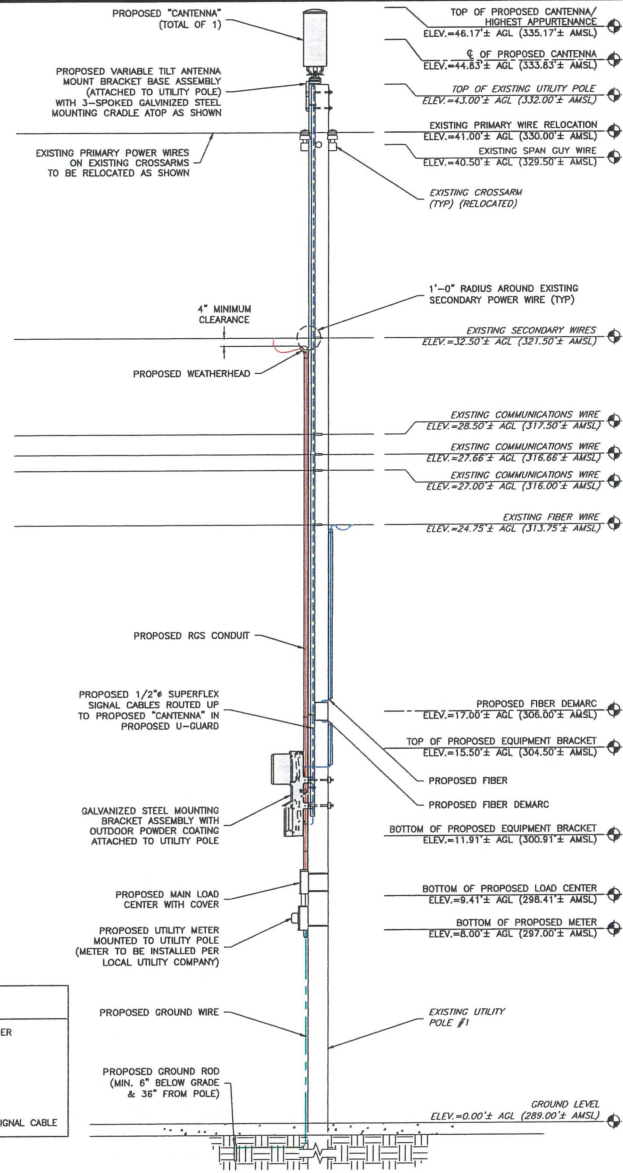
CONTRACTOR SHALL POSITION/ROTATE PROPOSED EQUIPMENT AND ASSOCIATED MOUNTS/BRACKETS IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING WIRES/PANELS ETC. OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE FACE OF THE EXISTING UTILITY POLE.

NOTE:

UTILITY POLE, EXISTING APPURTENANCES AND DETAILS OF PROPOSED INSTALLATION SHOWN SCHEMATICALLY.

LEGEND

- - - FIBER BUNDLE/JUMPER
- - - AC POWER
- - - DC POWER
- - - GROUND
- - - 1/2" SUPERFLEX SIGNAL CABLE



1 UTILITY POLE PHOTO (EXISTING CONDITIONS/SCHEMATIC RENDERING)
SCALE: NTS

2 UTILITY POLE ELEVATION (PROPOSED CONDITIONS)
SCALE: 1"=5'

NB+C
TOTALLY COMMITTED

NB+C ENGINEERING SERVICES, LLC.
180 APOLLON DRIVE, SUITE 301
WESTBORO, MA 01581
(508) 864-6300

verizon

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

MARLBORO_SC33_MA-B-391561
UTILITY POLE #1
493 BOSTON POST ROAD WEST
(POLE ON BOUNDARY STREET)
MARLBOROUGH, MA 01752

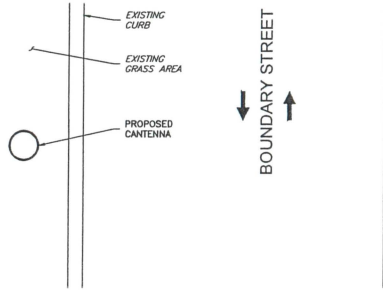
REVISIONS

REV	DATE	DESCRIPTION	BY
B	01/07/21	REVISED PER COMMENTS	DRG
A	11/18/20	PRELIMINARY	JMS

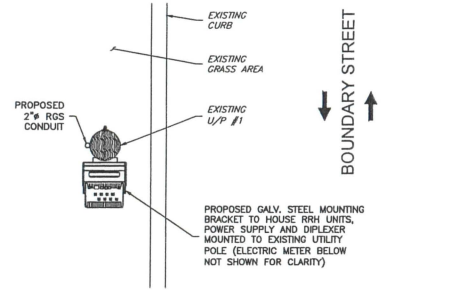
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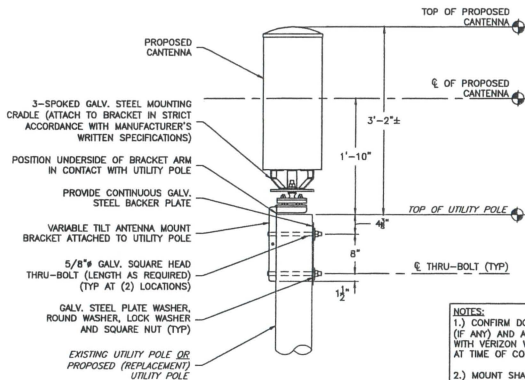
LE-2



1 ANTENNA ORIENTATION PLAN
LE-3 SCALE: NTS

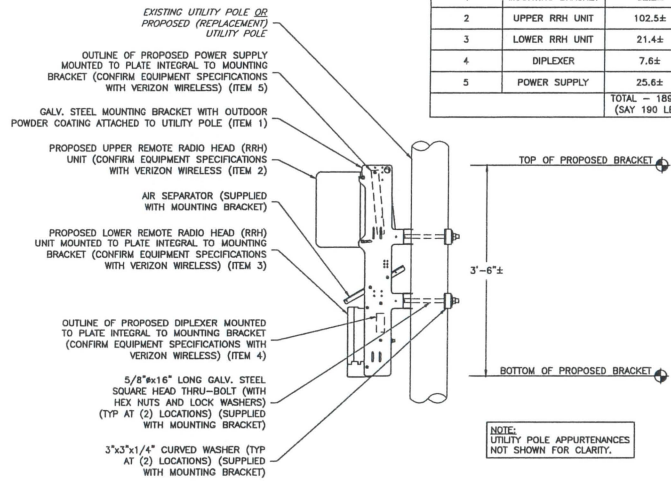


2 ANCILLARY EQUIPMENT ORIENTATION PLAN
LE-3 SCALE: NTS



3 ANTENNA MOUNT DETAIL
LE-3 SCALE: NTS

- NOTES:
- 1.) CONFIRM DOWNTILT REQUIREMENTS (IF ANY) AND AZIMUTH SPECIFICATIONS WITH VERIZON WIRELESS RF ENGINEER AT TIME OF CONSTRUCTION.
 - 2.) MOUNT SHALL BE INSTALLED IN SUCH A WAY TO ENSURE PLUMB INSTALLATION OF ANTENNA.
 - 3.) UTILITY POLE APPURTENANCES NOT SHOWN FOR CLARITY.



4 ANCILLARY EQUIPMENT MOUNTING BRACKET DETAIL
LE-3 SCALE: NTS

ITEM ID (SEE DETAIL)	DESCRIPTION	WEIGHT (LBS)
1	MOUNTING BRACKET	32.2±
2	UPPER RRH UNIT	102.5±
3	LOWER RRH UNIT	21.4±
4	DIPLXER	7.6±
5	POWER SUPPLY	25.6±
		TOTAL - 189.3± (SAY 190 LBS)

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
185 WOODLAND DRIVE, SUITE 300
CHELSEA, MA 01924
(978) 552-6600

verizon

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

MARLBORO_SC33_MA-B-391561
UTILITY POLE #1
493 BOSTON POST ROAD WEST
(POLE ON BOUNDARY STREET)
MARLBOROUGH, MA 01752

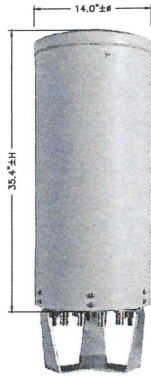
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A	11/16/20	PRELIMINARY	JMS

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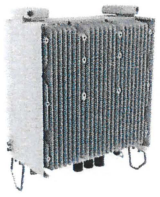
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LE-3



SMALL CELL ANTENNA
 DIMENSIONS: 14.0"±H x 35.4"±H
 WEIGHT: 35.0± LBS
 QUANTITY: TOTAL OF 1

1 **TYPICAL ANTENNA SPECIFICATIONS**
 LE-4 SCALE: NTS

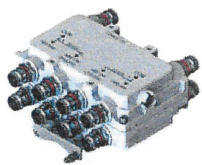


REMOTE RADIO HEAD
 DIMENSIONS: 17.3"±H x 17.3"±W x 11.5"±D
 WEIGHT: 102.5± LBS
 QUANTITY: TOTAL OF 1



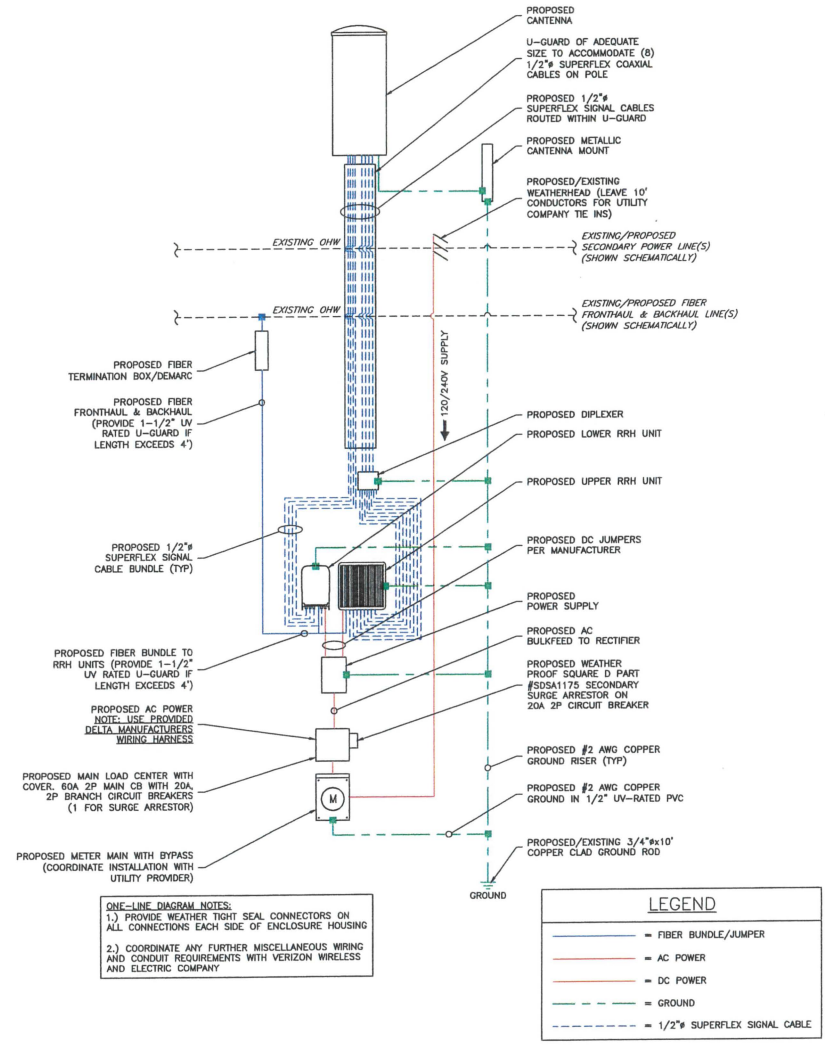
REMOTE RADIO HEAD
 DIMENSIONS: 13.9"±H x 9.8"±W x 4.8"±D
 WEIGHT: 21.4± LBS
 QUANTITY: TOTAL OF 1

2 **TYPICAL REMOTE RADIO HEAD (RRH) UNIT DIMENSIONS**
 LE-4 SCALE: NTS



DIPLEXER
 DIMENSIONS: 4.8"±H x 7.9"±W x 3.3"±D
 WEIGHT: 7.6 LBS
 QUANTITY: TOTAL OF 1

3 **TYPICAL DIPLEXER DIMENSIONS**
 LE-4 SCALE: NTS



4 **FIBER/ELECTRICAL ONE-LINE DIAGRAM**
 LE-4 SCALE: NTS

NB+C
 TOTALLY COMMITTED.
 NB+C ENGINEERING SERVICES, LLC.
 118 FLANDERS ROAD
 WESTBORO, MA 01581
 (508) 330-3330

verizon
 118 FLANDERS ROAD
 WESTBORO, MA 01581
 (508) 330-3330

MARLBORO_SC333_MA-B-391561
 UTILITY POLE #1
 493 BOSTON POST ROAD WEST
 (POLE ON BOUNDARY STREET)
 MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	01/07/21	REVISED PER COMMENTS	DRG
A	11/16/20	PRELIMINARY	JMS

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LE-4

MARLBORO_SC_MA-391564

UTILITY POLE #22

11 ATKINSON DRIVE
(POLE ON AMES STREET)
MARLBOROUGH, MA 01752



ENGINEER

TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

APPLICANT

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

SITE INFORMATION

MARLBORO_SC5_MA-391564
UTILITY POLE #22
11 ATKINSON DRIVE
(POLE ON AMES STREET)
MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
D	05/16/21	POLE REPLACEMENT	CWE
C	01/07/21	REVISED PER COMMENTS	DRG
B	12/04/20	ELEVATION HEIGHTS REVISED	DRG
A	11/16/20	PRELIMINARY	JMS

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SHEET NUMBER

LE-1

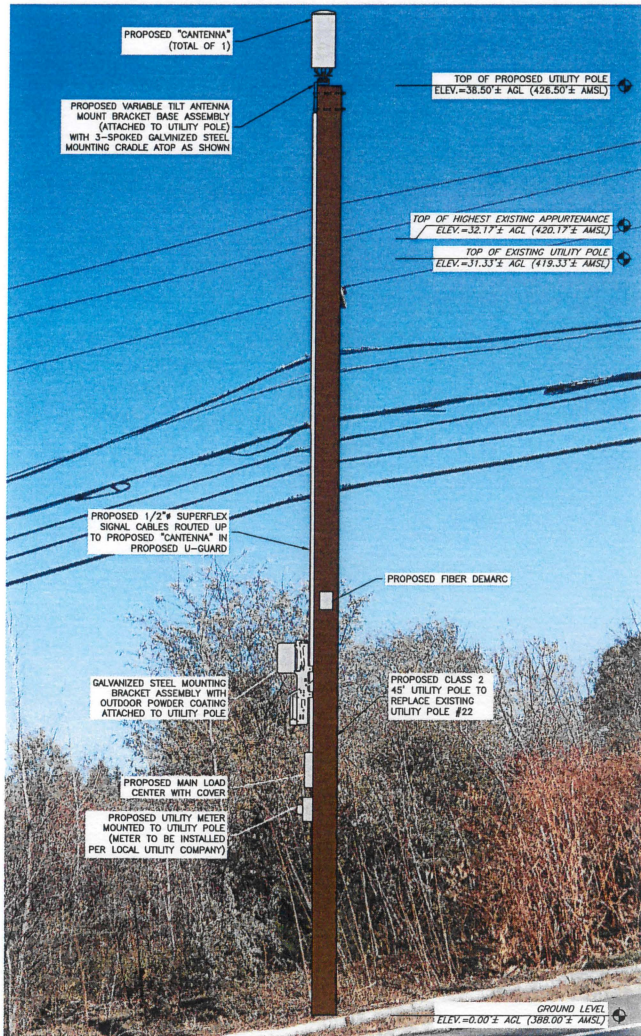


SITE CONTROL POINT:
CENTER OF EXISTING U/P #22
N 42.332958° (42°-19'-08.646")
W 71.566576° (71°-35'-11.673")

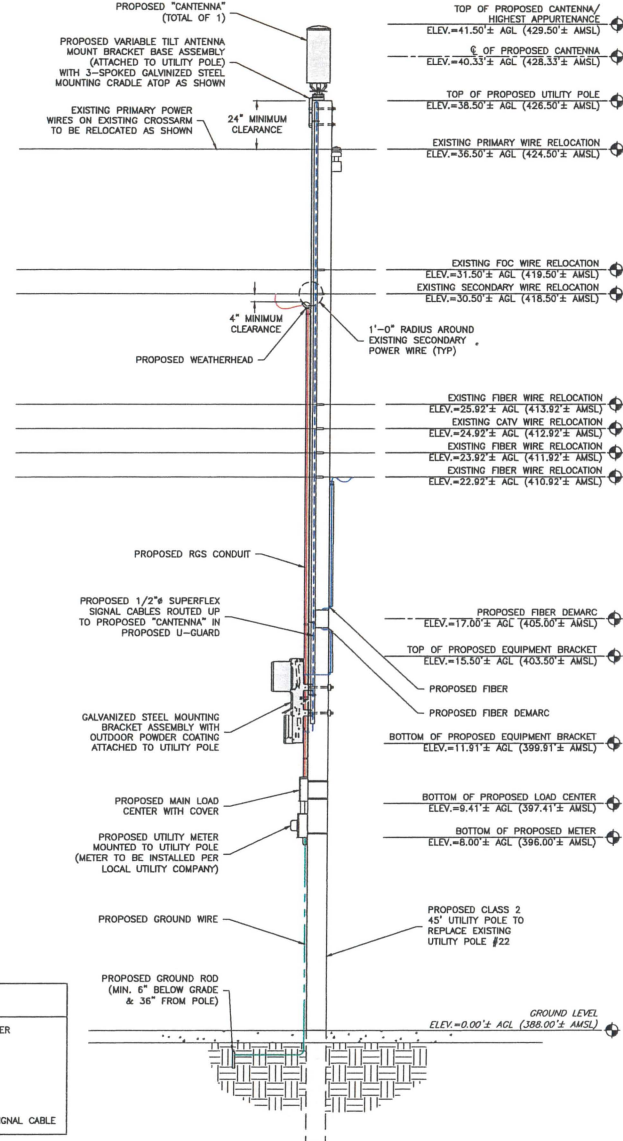
1 LOCATION PLAN/AERIAL IMAGE
LE-1 SCALE: 1" = 50'

GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE INTENDED TO PROVIDE GENERAL INFORMATION REGARDING THE LOCATION, SIZE AND ORIENTATION OF THE PROPOSED WIRELESS TELECOMMUNICATIONS EQUIPMENT INSTALLATION ON THE UTILITY POLE AND ARE NOT SPECIFICALLY INTENDED FOR CONSTRUCTION.
2. VERIZON WIRELESS SHALL PLACE WEATHER RESISTANT PHENOLIC PLACARDS ON UTILITY POLE AND ANCILLARY EQUIPMENT TO IDENTIFY EQUIPMENT OWNERSHIP & CONTACT INFORMATION TO BE UTILIZED IN CASE OF EMERGENCY.
3. AN ANALYSIS OF THE CAPACITY OF THE EXISTING UTILITY POLE TO SUPPORT THE PROPOSED LOADING HAS NOT BEEN COMPLETED BY NB+C ENGINEERING SERVICES, LLC AND THUS, THESE DRAWINGS ARE SUBJECT TO CHANGE PENDING THE OUTCOME OF A STRUCTURAL ANALYSIS (TO BE PERFORMED BY OTHERS).
4. VERIZON WIRELESS' GENERAL CONTRACTOR SHALL EXTEND EFFORTS TO ENSURE THAT ALL PROPOSED EQUIPMENT MEETS THE REQUIREMENTS OF THE EXISTING UTILITY COMPANY OR COMPANIES CURRENTLY OCCUPYING THE UTILITY POLE AND THE 2017 NATIONAL ELECTRICAL SAFETY CODE.



1 UTILITY POLE PHOTO (EXISTING CONDITIONS/SCHEMATIC RENDERING)
SCALE: NTS
LE-2



2 UTILITY POLE ELEVATION (PROPOSED CONDITIONS)
SCALE: 1"=8'
LE-2

ANTENNA AND MOUNT NOTE:

CONTRACTOR SHALL POSITION/ROTATE PROPOSED ANTENNA MOUNT/BRACKET IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING STREET LIGHT, PRIMARY POWER CROSSARM(S) (IF PRESENT), BRACKETS, BRACES, SECONDARY POWER SUPPORTS OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE EXISTING UTILITY POLE.

EQUIPMENT AND MOUNT NOTE:

CONTRACTOR SHALL POSITION/ROTATE PROPOSED EQUIPMENT AND ASSOCIATED MOUNTS/BRACKETS IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING WIRES/PANELS ETC. OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE FACE OF THE EXISTING UTILITY POLE.

NOTE:

UTILITY POLE, EXISTING APPURTENANCES AND DETAILS OF PROPOSED INSTALLATION SHOWN SCHEMATICALLY.

LEGEND

- - - - - = FIBER BUNDLE/JUMPER
- — — — — = AC POWER
- — — — — = DC POWER
- — — — — = GROUND
- - - - - = 1/2" SUPERFLEX SIGNAL CABLE

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
188 APOLLO DRIVE, SUITE 201
CHELSEA, MA 01824
(978) 684-6282

verizon

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

MARLBORO_SC35_MA-391564
UTILITY POLE #22
11 ATKINSON DRIVE
(POLE ON AMES STREET)
MARLBOROUGH, MA 01752

REVISIONS

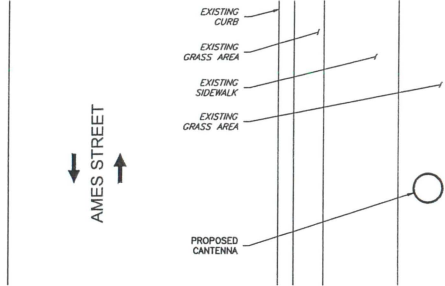
REV	DATE	DESCRIPTION	BY
D	05/18/21	POLE REPLACEMENT	CWE
C	01/07/21	REVISED PER COMMENTS	DRG
B	12/04/20	ELEVATION HEIGHTS REVISED	DRG
A	11/18/20	PRELIMINARY	JMS

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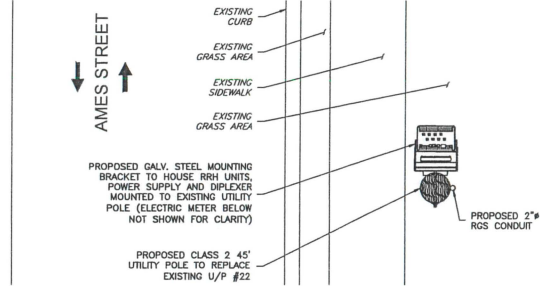
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LE-2

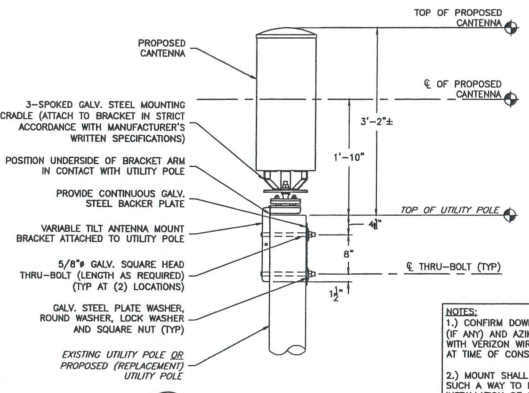
SHEET NUMBER



1 ANTENNA ORIENTATION PLAN
SCALE: NTS

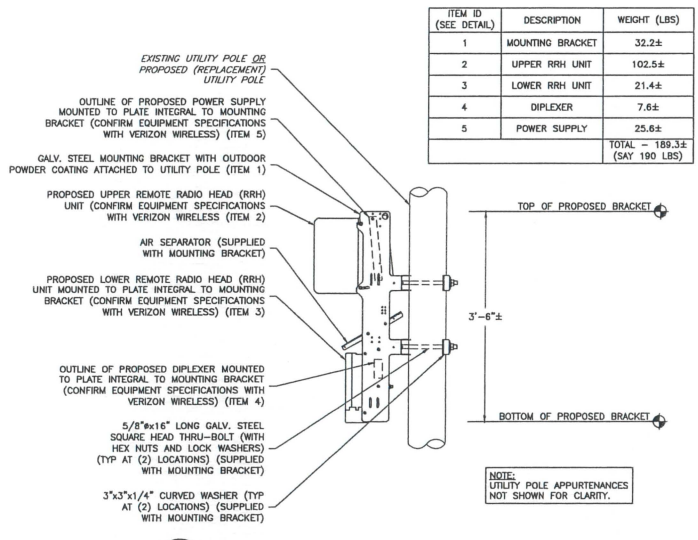


2 ANCILLARY EQUIPMENT ORIENTATION PLAN
SCALE: NTS



3 ANTENNA MOUNT DETAIL
SCALE: NTS

- NOTES:**
- 1.) CONFIRM DOWNTILT REQUIREMENTS (IF ANY) AND AZIMUTH SPECIFICATIONS WITH VERIZON WIRELESS RF ENGINEER AT TIME OF CONSTRUCTION.
 - 2.) MOUNT SHALL BE INSTALLED IN SUCH A WAY TO ENSURE PLUMB INSTALLATION OF ANTENNA.
 - 3.) UTILITY POLE APPURTENANCES NOT SHOWN FOR CLARITY.



4 ANCILLARY EQUIPMENT MOUNTING BRACKET DETAIL
SCALE: NTS

ITEM ID (SEE DETAIL)	DESCRIPTION	WEIGHT (LBS)
1	MOUNTING BRACKET	32.2±
2	UPPER RRH UNIT	102.5±
3	LOWER RRH UNIT	21.4±
4	DIPLEXER	7.6±
5	POWER SUPPLY	25.6±
TOTAL - 189.3±		(SAY 190 LBS)

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
180 APOLLO DRIVE, SUITE 303
CHESHAM, MA 01929
(978) 884-6338

verizon

118 FLANDERS ROAD
WESTBORO, MA 01581
(508) 330-3330

MARLBORO_SC35_MA-391564
UTILITY POLE #22
11 ATKINSON DRIVE
(POLE ON AMES STREET)
MARLBOROUGH, MA 01752

REVISIONS

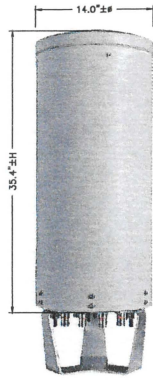
REV	DATE	DESCRIPTION	BY
D	05/16/21	POLE REPLACEMENT	CWE
C	01/27/21	REVISED PER COMMENTS	DRG
B	12/24/20	ELEVATION HEIGHTS REVISED	DRG
A	11/18/20	PRELIMINARY	JMS

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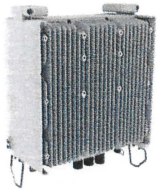
LE-3

ENGINEER
APPLICANT
SITE INFORMATION
DESIGN RECORD
GENERAL NOTES
SHEET NUMBER



SMALL CELL ANTENNA
 DIMENSIONS: 14.0"±H x 35.4"±H
 WEIGHT: 35.0± LBS
 QUANTITY: TOTAL OF 1

1 TYPICAL ANTENNA SPECIFICATIONS
 LE-4 SCALE: NTS

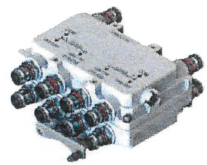


REMOTE RADIO HEAD
 DIMENSIONS: 17.3"±H x 17.3"±W x 11.5"±D
 WEIGHT: 102.5± LBS
 QUANTITY: TOTAL OF 1



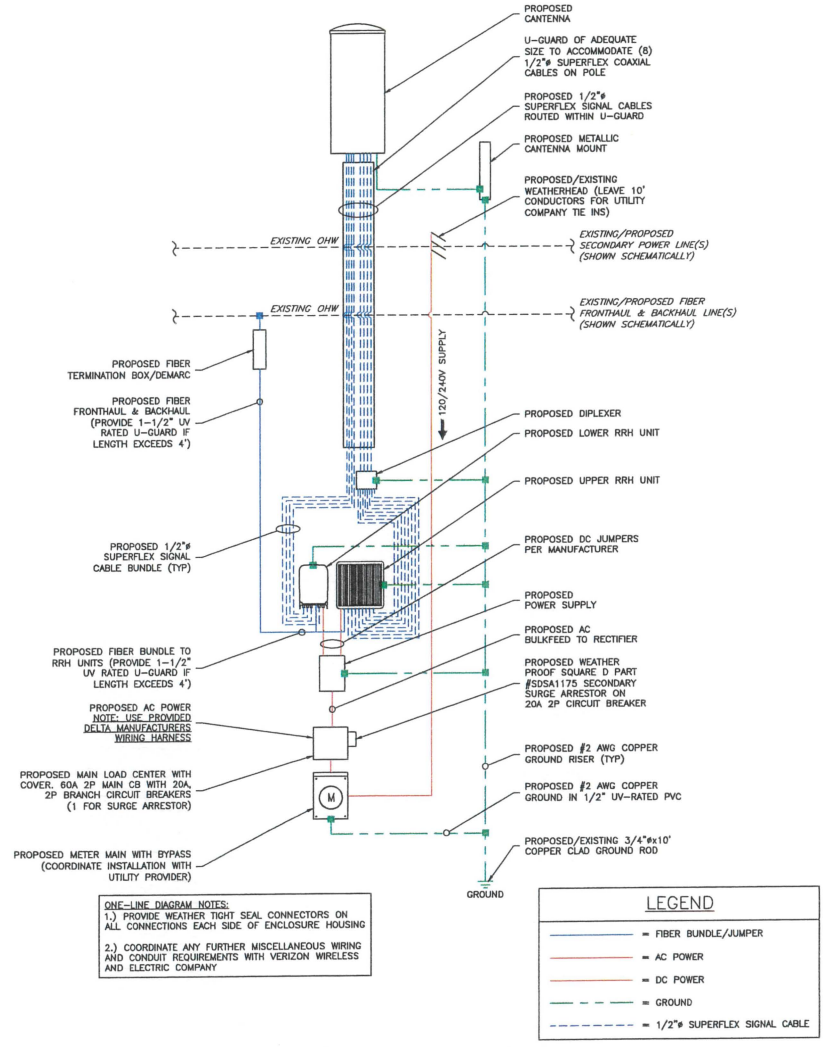
REMOTE RADIO HEAD
 DIMENSIONS: 13.9"±H x 9.8"±W x 4.8"±D
 WEIGHT: 21.4± LBS
 QUANTITY: TOTAL OF 1

2 TYPICAL REMOTE RADIO HEAD (RRH) UNIT DIMENSIONS
 LE-4 SCALE: NTS



DIPLEXER
 DIMENSIONS: 4.8"±H x 7.9"±W x 3.3"±D
 WEIGHT: 7.6 LBS
 QUANTITY: TOTAL OF 1

3 TYPICAL DIPLEXER DIMENSIONS
 LE-4 SCALE: NTS



4 FIBER/ELECTRICAL ONE-LINE DIAGRAM
 LE-4 SCALE: NTS

NB+C
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 NB+C ENGINEERING SERVICES, LLC.
 100 APOLLO DRIVE, SUITE 301
 CHELSEA, MA 01938
 (508) 948-8300

verizon
 118 FLANDERS ROAD
 WESTBORO, MA 01581
 (508) 330-3330

MARLBORO_SC35_MA-391564
 UTILITY POLE #22
 11 ATKINSON DRIVE
 (POLE ON AMES STREET)
 MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
D	05/16/21	POLE REPLACEMENT	CWE
C	05/16/21	REVISED PER COMMENTS	DRG
B	12/04/20	ELEVATION HEIGHTS REVISED	DRG
A	11/16/20	PRELIMINARY	JMS

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LE-4



Site Name: Marlboro_SC30_
MA_391558
Wireless Communication Facility
123 Boston Post Road West
Marlborough, MA 01752

Photograph Information:
Boston Post Road West
View from the South
Showing the Existing Site

NB-CTM
TOTALLY COMMITTED.



Site Name: Marlboro_SC30_
MA_391558
Wireless Communication Facility
123 Boston Post Road West
Marlborough, MA 01752

Photograph Information:
Boston Post Road West
View from the South
Showing the Proposed Site

NB+CTM
TOTALLY COMMITTED.



Site Name: Marlboro_SC33_
MA-B-391561
Wireless Communication Facility
493 Boston Road West
Marlborough, MA 01752

Photograph Information:
Boston Road West
View from the South
Showing the Existing Site

NBICTM
TOTALLY COMMITTED.



Site Name: Marlboro_SC33_
MA-B-391561
Wireless Communication Facility
493 Boston Road West
Marlborough, MA 01752

Photograph Information:
Boston Road West
View from the South
Showing the Proposed Site

NB-CTM
TOTALLY COMMITTED.



Site Name: Marlboro_SC35_
MA-B-391564
Wireless Communication Facility
11 Atkinson Drive
Marlborough, MA 01752

Photograph Information:
Ames Street
View from the West
Showing the Existing Site

NBICTM
TOTALLY COMMITTED.



Site Name: Marlboro_SC35_
MA-B-391564
Wireless Communication Facility
11 Atkinson Drive
Marlborough, MA 01752

Photograph Information:
Ames Street
View from the West
Showing the Proposed Site

NB-CTM
TOTALLY COMMITTED.

Steven Kerrigan

From: City Council
Sent: Thursday, July 1, 2021 3:52 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; Mike Ossing; Robert Turnera; Samantha Perlman; Sean Navin
Cc: Steven Kerrigan; Wilson Chu
Subject: From Robert Cucchi: McGee Veterinary Clinic

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CITY OF MARLBOROUGH

2021 JUL - 1 P 5 10

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

From: Robert Cucchi
Sent: Thursday, July 1, 2021 3:46 PM
To: City Council
Subject: McGee Veterinary Clinic

I am writing this email to voice my opinion on the construction of three apartment building at the former McGee Clinic. The plan is for the entrance and exit would be directly across from the Villages at Marlborough East where I reside along with another 99 homes. If there is no traffic light installed it would be a nightmare to get in and out of the complexes. Also it would be a great safety issue.

I am asking you to not approve the construction of these apartments unless the state installed a traffic light.

Thank you for your cooperation.
Bob Cucchi

Sent from my iPad

Steven Kerrigan

From: City Council
Sent: Thursday, July 1, 2021 2:39 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; Mike Ossing; Robert Tunnera; Samantha Perlman; Sean Navin
Cc: Steven Kerrigan; Wilson Chu
Subject: From Mary Laity: Vote NO for the Walcott Heritage proposal at 339 Boston Post Road

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CITY OF MARLBOROUGH
2021 JUL -1 P 3:04

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

From: Mary Laity
Sent: Wednesday, June 30, 2021 9:54 PM
To: City Council
Subject: Vote NO for the Walcott Heritage proposal at 339 Boston Post Road

I would like to go on record as opposing the proposed three buildings with 140 units on the land, adding an estimated 280 cars to the traffic on that stretch of the road daily. Route 20 cannot accommodate that much traffic. Please vote NO for the Walcott Heritage project.

Thank you
Mary Laity
607 Concord Road

Hello, Councilors!

Once again, I would like to beseech you to deny the Special Permit for Walcott Heritage properties, at 339 Boston Post Road, when it comes before the full council.

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CITY OF MARLBOROUGH
2021 JUN - 11 PM 04

I would like to thank Councilors Wagner, Doucette and Navin for standing by their word that without a signal at the entrance, they could not in good conscience add that much traffic to that spot. Their votes at the Urban Affairs committee meeting were much appreciated.

Now, however, with the proposal going to the full council for a vote, I am concerned. Generally, the vote of the Urban Affairs committee is upheld by the full Council, but I am sure there will be much discussion on this. Several of you have waffled over the last few months, have warned that maybe this project is better than the next one that might come down the road (sure wish my crystal ball weren't on the blink!), and some of you just seem to have no issue with adding that much congestion to an already impossible commute, all in the name of more tax revenue. Remember there are really only about 4.5 acres of buildable land on that site because of the wetlands.

I live near Memorial Beach and used to be able to take Stow Road to Concord Road and come out by Firefly's to go East on Rt. 20. That plan went by the wayside years ago because it is now nearly impossible to get across Rt 20. To go to Home Depot or Target, I travel the back way down Goodale to Sudbury St. and come out at the light in Sudbury to backtrack to my destination. It saves many minutes even though it is decidedly longer. I made the mistake (DD at Hosmer was out of decaf, I had to go to the next one by the Shell) of picking up a coffee and then trying to get back on Rt 20 (going WEST, WITH traffic) and it still took at least 5 minutes to be able to pull into traffic safely, mid-afternoon. How people will come out of either the Villages or this new development and go against traffic is beyond my comprehension. When Councilor Robey mentioned that the state must not think it's too much traffic since they repeatedly have denied a signal there, I have to disagree and think that what the state is really saying is that a signal would not even help in the long run, it would just add more starts and stops to the traffic and muck up the flow even more. And when you add a sidewalk, a crosswalk, and a bike lane to the mix, with a turning lane, too, it can't get more chaotic!

Please consider this vote carefully. Think about the Marlborough of the future...what should it look like? Take the opportunity to shape our city going forward. Add greenspace where possible. Eliminate traffic gridlock if given the chance. Provide a good quality of life for those who already live here before adding more people and vehicles. Hold out for a smaller project and pick up more tax revenue from the corporations who flock here. They don't ALL need a TIF, do they?

Councilor Landers was concerned that most of the city is unaware of this proposal. He is probably right...those on the western side of the city may have other means to get to Sudbury or Stephen Anthony's that I don't know about, so they may not be paying attention. However, over 1,000 residents already signed a petition against this proposal, and 171 have sent letters or emails to you expressing their feelings...170 against, 1 in favor (the owner). How many projects ever get that much attention unless it's when someone talks about defunding the schools or laying off teachers? I think the voters have already expressed themselves. Please pay attention.

Thank you for your time and consideration.

Sincerely,
Cindy Zomar

Steven Kerrigan

From: City Council
Sent: Thursday, July 1, 2021 2:38 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; Mike Ossing; Robert Tunnera; Samantha Perlman; Sean Navin
Cc: Steven Kerrigan; Wilson Chu
Subject: From Caroline Hanlon: McGee Farm

RECEIVED
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 CITY OF MARLBOROUGH
 2021 JUL -1 P 3:04

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

From: Caroline Hanlon
 Sent: Thursday, July 1, 2021 7:37 AM
 To: City Council
 Subject: McGee Farm

Hi all,

Happy for what seems to be a return of a semblance of normalcy. I hope you & yours all fared well.

I was glad to learn the Waypoint Development was voted down by Urban Affairs but I also learned there remains additional considerations to be reviewed. I'd like to submit my thoughts (again 😊)

This is my post from Facebook after a comment was made that some councilors believe many people are unaware of this project & therefore refrained from voting. No idea if that's accurate but thought I'd share if that's the case:

"Maybe it would be worth considering a direct mail piece to be sent to residents with an unbiased explanation of this project, which should responsibly include number of existing rental units, number of affordable rental units, the current vacancy rate (rental market is in decline & Boston is #2 in the country at 5.9%) & the change this project will bring. They should also include current tax revenue & new tax revenue & how the residents would benefit. Wouldn't that be useful for folks to know? Just thinking out loud since you mentioned some councilors think folks are unaware..."

There has to be a better use for this property that doesn't include increasing rental units. That is not (& very unlikely will be) where the housing shortage exists. If this market demonstrates anything, it's loud & clear the demand is for home ownership.

I have plenty more data if you'd like it for further consideration.

Best regards,

Caroline Hanlon, Broker/Owner

Fireside Real Estate

27 Main Street

Marlborough, MA 01752

(D) 508.868.8729

(O) 978.579.3000

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.firesidere.com%2F&data=04%7C01%7Cskerrigan%40marlborough-ma.gov%7C99f9b02ba9404f014c9e08d93cbf49e3%7C504de19be2864f55ac8858ce0193f4c3%7C0%7C0%7C637607614541184714%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0>

Steven Kerrigan

From: City Council
Sent: Friday, July 2, 2021 4:04 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; Mike Ossing; Robert Tunnera; Samantha Perlman; Sean Navin
Cc: Steven Kerrigan; Wilson Chu
Subject: From Marilyn Fenter: Subject: Land use on Route 20 Marlboro, McGee Farm

RECEIVED
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CITY OF MARLBOROUGH
2021 JUL - 6 A 8:12

From: Marilyn Fenter
Sent: Friday, July 2, 2021 1:24 PM
To: City Council
Subject: Subject: Land use on Route 20 Marlboro

This email is written to the entire city council:

I have read online that the city council is about to make a decision about land that was formally farmland and Dr Magee's veterinarian's business for many many years. Please do not allow a large condominium complex to be built along route 20 on this land. If those kinds of developers are interested in Marlboro, let them find land that is away from route 20 and the heavier traffic that occurs there.

I am a registered voter and resident of Marlboro for the past 36 years. I have seen the city grow by leaps and bounds, sometimes for the good and sometimes not. Fortunately I do not live near route 20, and I believe we should still try to maintain some of Marlborough's rural and historical heritage. Perhaps we can do something with the Magee land that would reflect our historical American heritage to especially teach the children and the newer immigrants who live here.

Thank you for considering my comments.

Marilyn J Fenter

From: Joe Deneen
Sent: Friday, July 2, 2021 5:20 PM
To: City Council
Subject: Walcott Heritage Proposal

RECEIVED
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 CITY OF MARLBOROUGH
 2021 JUL -7 A 8:16

Dear Councilors:

I am communicating with each and all of the council members today on this most critical proposal soon to face a council vote.

As a nearby resident and, therefore, frequent and necessary traveler of Route 20, I have first hand perspective and valid opinion as your vote will either stand up for the clear and detrimental reality this project will impose on us as close residents, as well as the common sense judgment that only mass disaster will follow any project approval that occurs without a reasonable and realistic view of the traffic outcomes on both Marlborough residents as well as daily Route 20 commuters.

During the recent utility work along this same section of Route 20 we have all been presented with overwhelming evidence of the impending havoc that will occur once 200 - 250 additional vehicles are dumped onto this roadway, not only at the most critical prime commuter hours but also at various and other times during a normal day.

I personally exchanged conversations with at least five kind police officers on traffic detail during the ongoing utility project. As each officer prepared to assist me to gain East or West access to Route 20, I asked each of them if they now clearly understand the extreme and dangerous nature of making any turn, each smiled with the same "of course" statement with a sarcasm laden smile, all of them in agreement with what has been the ongoing plight of us residents for years.

Please keep in mind that this is before you might choose to actually vote in favor of the project and thereby make a bad situation not only worse but untenable.

Sure, you can somehow force in a traffic signal where The Villages and Walcott Heritage will face off and dual each and every day as they fight to access Route 20. While you do this, just imagine yourself heading East from Boston, having already been hogtied at Farm Road, making it through that light only to be "stuck" in the new backup caused by the new Vilages/ Walcott Heritage traffic signal.

Have you considered the need for A Marlborough city bypass road??!!

Yes, I am a resident of The Villages! As such, while SSA income adjustments have been minimal, the city's increase in my property taxes has been major!!!

Seriously, one of my five conversations with city police, as we both had to wait and wait for a chance for me to get going again, came around to the common sense answer to a question he had, I had..... and each of you will soon have: " In light of all the reasons why this project is nonsense, why might it ever be approved????"

His answer resembled mine only with greater spoken clarity.... " It's about the money. It's always about the money!!!"

Certainly my recently incredible property taxes were!!! Could the project vote soon defy the public, the residents, the abutters, the unfortunate city and state Route 20 commuters and just "go for the money once again?"

Can you hear the cascading flow of curses loud and clear pouring out the frustrations and anger from each and every daily commuter and Heritage/ The Villages resident coming just down the road.... should you choose to throw common sense to the winds and decide to "go for the money" ?!!!!

Gee, I hope not! really do hope not!!!

This has to be the clearest choice you have faced in a long time. You just have to vote on the right thing to do. Not the political thing or the personal thing. Just the right thing.

Respectfully

Joe Deneen

Steven Kerrigan

From: City Council
Sent: Tuesday, July 13, 2021 6:24 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; Mike Ossing; Robert Tunnera; Samantha Perlman; Sean Navin
Cc: Steven Kerrigan; Wilson Chu
Subject: From Cindy Zomar: and one more time...339 Boston Post Road

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2021 JUL 14 A 8:04

From: Cindy Zomar <
Sent: Tuesday, July 13, 2021 6:13 PM
To: City Council
Subject: and one more time...339 Boston Post Road

Hello, Councilors!

To those of you who have reached out to me in response to my previous emails and/or calls, thank you! I just wanted to make sure that I put my two cents worth in one last time before your full council vote on the Walcott Heritage project now that Urban Affairs has voted.

I am no longer in Ward 7 (funny how I didn't move but am now in Ward 1!), and I sincerely appreciate Councilor Wagner, but since Councilor Landers did say that he wasn't sure what his constituents wanted I thought I would jump in as a FORMER constituent of his to say that this project, although lovely in some respects, is not the right plan for that property.

I understand that something will go there...and I acknowledge that the owner has a right to sell and get as much as she can for her father's farm. However, in an area that is already congested and has way too much traffic, I find it unconscionable that anyone would consider dumping 140 rental units there.

In talking to some local realtors, it is my understanding that the local rental properties are offering big incentives to compete with each other BECAUSE THERE IS A GLUT OF OPEN RENTALS IN MARLBOROUGH. Conversely, the housing market is seeing single family homes sell in less than a week, with huge 'over-asking' bonuses to the sellers, BECAUSE THERE ARE NOT ENOUGH SINGLE FAMILY DWELLINGS ON THE MARKET. Perhaps a nice, reasonably priced, aesthetically pleasing, small housing development would be a better fit on the 4.5 buildable acres. Less people, less cars, less school children, less demand on water and sewer, less need for police and fire.

If this permit is denied, someone else will come forward. Yes, there is that looming potential danger that a strip mall might make a run at it, but, honestly, it's a high price to pay for all those acres when only a few are buildable, and strip mall businesses want to think that their customers will be able to get in and out with easy access, or they won't stop.

Please deny the special permit for 339 Boston Post Road. I saw on Facebook that I had posted something saying this EXACTLY A YEAR AGO! Wow, this has taken forever! There is no need to think that both sides haven't done their due diligence...the state has been contacted numerous times...over 1,000 people signed a petition against the project. It's time to put it to rest and move on.

Thank you!
Cindy Zomar
40 Dean Road

Cindy Zomar

Steven Kerrigan

From: City Council
Sent: Tuesday, July 13, 2021 2:43 PM
To: Steven Kerrigan; Wilson Chu
Subject: From Diane McNally: McGee property use

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CITY OF MARLBOROUGH
2021 JUL 13 P 2:55

From: dmckjm4
Sent: Monday, July 12, 2021 7:17 PM
To: City Council

Subject: McGee property use

Hello,

I am a resident @70 Linda Circle. I have voiced my concern before and am doing so again regarding the proposed plan for the McGee property.

I understand there is thought of solving traffic issues by installing a traffic light at that section. With or without a traffic light there, traffic will be horrible. It already is. There's a set of traffic lights at Wilson St and Rte 20 and sometimes traffic gets backed up in either direction and drivers block Wilson St and Farm Road into Route 20 because the light turns on them while traffic is already slowed or stopped. I've been trying, whenever possible, to go all the way around by Hemingway, Raymond, Symphony then Concord Road just to go to my destinations on the Westside of Marlborough. To go Easterly I go Hemingway to Sudbury St and come out by the lights bear the Coubrty Store. That's not only ridiculous to do that but time consuming. Putting your plan in place plus another traffic light will only force more of us to seek alternate ways to get anywhere. People are already creating traffic issues using Farm Road in both directions to avoid Route 20. Farm Road is going to get worse once the businesses are in at the old airport. Another bad plan!

I urge that this project be turned down and a better use that does not involve adding more traffic or utting in another set of lights backing up traffic even more.

I want to add that you may as well forget trying to cross Rte 20. Another issue.

Thank you.

Diane McNally
Ward 1 resident

Sent from my Galaxy

Steven Kerrigan

From: City Council
Sent: Wednesday, July 7, 2021 5:37 PM
To: Kathleen Robey; Mike Ossing; Samantha Perlman; Christian Dumais; David Doucette; Karen Boule; John Irish; Don Landers; Mark Oram; Laura Wagner; Robert Tunnera; Sean Navin; Ossing; Donald Landers; Tunnera; Robey
Cc: Steven Kerrigan; Wilson Chu
Subject: From Marge and Steve Peck, Victoria Lane—Upcoming Vote on FOR ISSUANCE OF SPECIAL PERMIT: 339 Boston Post Road East and surrounding land

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2021 JUL -8 A 8:51

From: Steven Peck
Date: July 7, 2021 at 4:25:17 PM EDT
To:

Subject: Up coming Vote on FOR ISSUANCE OF SPECIAL PERMIT: 339 Boston Post Road East and surrounding land

Reply-To: Steven Peck

Councilors:

My wife and I are residents of Jo-Len Village in Marlborough. We want you to deny the special permit for the construction of 3 apartment buildings at 339 Boston Post Road East (State Route 20) unless Massachusetts DOT agrees to install a traffic control device at the intersection of Village Drive and Boston Post Road East, and all the other proposed requirements of the City of Marlborough committees are met.

I was going to attach the SEGMENT CRASH RATE WORKSHEET taken from the Massachusetts DOT Route 20 East Corridor Study for this section of Boston Post Road East. The data on this worksheet was collected in April of 2016. 5 years ago. The previous 5 year crash rate was calculated at 6.99, double the 2013 State Average for Urban Principal Arterial (Other) of 3.49. The average daily traffic volume was 21,000, five years ago.

I did not attach the pdf because I don't want you to click on a links in emails for the protection of our city's computer systems. Also, I believe you have already been given a copy of this study as part of an agenda packet some time ago.

Regards,
 Marge and Steve Peck
 64 Victoria Ln
 Marlborough, MA



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2021 JUN 23 AM 11:13

Marlborough Public Schools

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

Call to Order

May 25, 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, Heidi Matthews, and Denise Ryan. Also, physically present were Superintendent Michael Bergeron, Director of Finance and Operations, Douglas Dias, Assistant Superintendent of Teaching and Learning, Mary Murphy, and the Assistant Superintendent of Student Services and Equity, Jody O'Brien. MEA Representative Eileen Barry and Student Advisory Council Representative Allison Lucas were physically present.

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. **MPS Permanent Art Collection**

Julie Baker presented the 2020 and 2021 artwork chosen for the MPS Permanent Art Collection, which began in 2008. The artwork was divided by school and included in a presentation, which is attached to this agenda item. Ms. Baker also outlined details for the Citywide Art Show.

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

5. **Communications:** None.

www.mps-edu.org



Marlborough Public Schools

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

6. Superintendent's Report:

Superintendent Bergeron updated the committee on the Spring 2021 COVID-19 Data throughout the district, city, and state. He presented the adjusted numbers that differ from the figures in his attached report.

The Superintendent informed the committee that vaccines will be offered in clinics at MHS and Whitcomb tomorrow with the help of Marlborough Hospital and the Board of Health. The second shot will be administered while school is in session around June 16th. There is no limit to the number of vaccines these clinics could administer.

Superintendent Bergeron reviewed the updates on mask and quarantine protocols from the state. He included the Frequently Asked Questions (FAQ) from DESE in his report. Masks are not required when outside or during athletics, but everyone must wear masks indoors at school.

The Superintendent requested that the School Committee revises Policy 8.031 to allow the Superintendent to admit non-resident students on an individual basis during emergencies *and* non-emergencies. He has received a request to allow a student to maintain enrollment at MPS next year.

Motion made by Mrs. Hennessy, seconded by Mr. Caruso to move this policy request to the Policy Committee for consideration.

Motion passed 6-0-0.

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to allow the Superintendent to move forward with the individual case in absence of the policy change. Motion passed 6-0-0.

Mrs. Matthews, Superintendent Bergeron, and Mrs. Hennessy discussed the level of urgency on this matter and policy meeting logistics.

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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, explained that the district contracted Dr. Jerome McKibben from McKibben Demographic Research to create a 10-year enrollment projection for MPS. This projection table is included in Mr. Dias' report and some key points are highlighted. In addition, Mr. McKibben's detailed report is attached at the end of Mr. Dias' report. The district will send Mr. McKibben the enrollment data in October 2021 for him to update his report.

Mr. Dias stated that the district will provide free breakfast and lunch to students that attend summer programs in any of the school buildings. Richer School and MHS will be open sites for community members interested in the school lunch program during the summer as well, regardless of whether they attend MPS or live in Marlborough. This week, a survey will be sent to parents about the summer meal delivery program. Next week, a survey will be sent to parents for transportation registration.

Mr. Dias informed the committee that the district is considering an upgrade of student seats and desks for an end of the year project depending on costs.

B. Assistant Superintendent of Student Services and Equity

Mrs. O'Brien, the Assistant Superintendent of Student Services and Equity, shared that two school adjustment counselor positions will be funded through the ESSER II grant for the upcoming academic year. Mrs. O'Brien listed the current school adjustment counselors employed at each school.

7. Acceptance of Minutes: None.

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.

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Marlborough Public Schools

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

9. Action Items/Reports

A. Ratification of the contract between the Marlborough School Committee and Para Educators Union, SEIU Local 888

Mrs. Matthews thanked the para educators for a speedy process.

Motion made by Mrs. Matthews, seconded by Mrs. Hennessy to publicly accept this contract with the SEIU for July 1, 2021 to June 30, 2024.

Motion passed 6-0-0.

B. Ratification of the contract between the Marlborough School Committee and the Marlborough Schools Administrators Association

Mrs. Matthews thanked the Marlborough Schools Administrators Association for a quick and speedy process.

Motion made by Mrs. Matthews, seconded by Mrs. Ryan to approve the contract extension between the Marlborough School Committee and the Marlborough Schools Administrators Association for July 1, 2021 to June 30, 2024.

Motion passed 6-0-0.

C. Acceptance of Donations and Gifts

Donor's Choice. Mr. Rodriquez's classes at Whitcomb School received a donation of \$534.40.

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

Motion passed 6-0-0.

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10. Reports of School Committee Sub-Committees:

Mrs. Matthews stated that a tentative agreement was reached with the Office Support Group, and they will vote next week. She also noted that there may be an executive session for the June 8th meeting for their ratification as well. She mentioned that tomorrow is the first of four planned sessions with the MEA utilizing IBB (Interest Based Bargaining).

11. Members' Forum:

Mrs. Matthews wished the graduates congratulations. She thanked the educators and students for their flexibility.

Allison Lucas noted that the MHS outdoor track is in poor shape, and she felt the need to address this. Superintendent Bergeron responded that renovations are in the long-term capital plan.

Superintendent Bergeron also discussed the ropes course plans.

Mrs. Hennessy emphasized how amazing this year has been.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to adjourn at 8:23 p.m.

Motion passed 6-0-0.

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm

Approved June 22, 2021

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Marlborough Public Schools

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2021 JUN 23 A 11:13

School Committee
District Education Center
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Call to Order

June 8, 2021

1. Chairman Vigeant 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, Heidi Matthews, and Denise Ryan. Katherine Hennessy was remote. Also, physically present were Superintendent Michael Bergeron, Director of Finance and Operations, Douglas Dias, Assistant Superintendent of Teaching and Learning, Mary Murphy, and the Assistant Superintendent of Student Services and Equity, Jody O'Brien. MEA Representative Eileen Barry and Student Advisory Council Representative Allison Lucas were also present.

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

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

3. Presentation:

A. MHS Student Representative

Hattie Parker stated that she will be the 2021-2022 Student Advisory Council Representative.

Allison Lucas, the current Student Advisory Council Representative, shared feedback on her experience in this position. Ms. Lucas stated her appreciation for the Red Carpet Gala and Graduation. She made recommendations for the role of the Student Representative. Ms. Lucas suggested that graduation should continue to be livestreamed in the future as well.

The School Committee thanked and congratulated Allison.

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

5. **Communications:** None.

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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.



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6. Superintendent's Report:

Superintendent Bergeron requested to return to the previous format of School Committee meetings on June 22nd as the State of Emergency will end on June 15th and all Covid-19 restrictions will be lifted. Public participation would be in person, meetings would not be livestreamed on Teams anymore, and other changes seen fit would be made. He also inquired that the School Committee decide whether to wear masks going forward.

Mrs. Matthews, Mrs. Bodin-Hettinger, Mrs. Hennessy, and Chairman Vigeant discussed these changes and potential situations that could arise.

Chairman Vigeant stated that these meetings will still be recorded and posted online for the public to view.

Mrs. Matthews clarified that School Committee meetings will also remain live on WMCT-TV. She further explained the parameters of livestreaming and the item the committee might vote on tonight.

Superintendent Bergeron reiterated that public participation comments and questions can continue to be emailed to him if individuals can not or do not want to attend meetings in person.

The School Committee agreed to get clarification on certain changes and vote at the next meeting.

Superintendent Bergeron updated the committee on the Spring 2021 COVID-19 Data throughout the district, city, and state. He presented the adjusted numbers that differ from the figures in his attached report.

Superintendent Bergeron discussed his thoughts on graduation, and he incorporated a copy of his graduation speech to the Class of 2021 in his report. Mr. Bergeron thanked the All-Nighter Committee, Senior Advisors, Principal Riley, and the many volunteers.

Principal Riley shared his thoughts on graduation as well. He thanked those who helped with and attended the ceremonies.

The Superintendent included a copy of his self-evaluation in his report for the committee. Mrs. Bodin-Hettinger emphasized that School Committee members need to send her their feedback on the Superintendent's self-evaluation by Thursday, June 17th.

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Marlborough Public Schools

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A. Assistant Superintendent of Teaching & Learning Report

Mrs. Murphy, the Assistant Superintendent of Teaching and Learning, shared that FY22 in-person school events will likely be added to the school calendar. Mrs. Murphy reported that participation in Parent/Teacher conferences increased when remote tools, such as Zoom, were utilized; MPS plans to continue to use these remote tools. Mrs. Murphy introduced Jose Reyes, the Supervisor of Humanities, and Caroline Cadel, a Whitcomb School teacher; they will share an overview of the annual review for bias process.

Mr. Reyes and Ms. Cadel presented a project an Anti-Bias and Anti-Racist sub-committee completed this year. This presentation is attached to Ms. Murphy's report. Mr. Reyes discussed the context, the scope of this work, and the two sources used to develop their tool.

Ms. Cadel discussed the nine focus areas the sub-committee selected. She briefly explained each of the nine focus areas: visibility/representation, challenging the idea of a 'single story' (Adichie), balance and complexity, historical unearthing, connectedness, bias-free language, linguistic justice (Baker-Bell), authenticity, and stimulating social improvement. Ms. Cadel summarized an example of the tool for the second focus area; she noted that there is an overview of what certain grades should be looking for underneath each focus area in the tool.

Mr. Reyes stated that the complete curriculum tool for each of the nine focus areas was added to this presentation packet.

Mrs. Murphy clarified that this tool would be used in the curriculum maps.

B. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, outlined purchases that the district is exploring with FY21 funds. In addition to the list in his report, the district is looking at potential curriculum purchases.

Mr. Dias stated that Steve Phalen sent parents a transportation registration survey. The deadline to respond is June 14th, and all students must register for transportation in FY22. About 1,000 registrations have been received so far.

Mr. Dias explained that Pam Whelan is the new Food Services Director. He thanked Jenna Janson for her service to MPS.

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Mr. Dias shared a report that Daisy Reis, the Registration Center and Translation Services Manager, sent him regarding the number of documents translated in-house as of May 31, 2021: 3,296 documents. This was completed by a team of ten in-house translators.

Superintendent Bergeron communicated that the city sometimes utilizes MPS's translation team.

7. Acceptance of Minutes:

A. Minutes of the May 11, 2021 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these minutes.

Motion passed 7-0-0. Yes: Hennessy

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

A. Ratification of the contract between the Marlborough School Committee and the Marlborough School Administrative Office Support Association

Mrs. Matthews thanked the members for moving swiftly with this.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to publicly accept this contract for July 1, 2021 to June 30, 2024.

Motion passed 7-0-0. Yes: Hennessy (Remote)

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B. Approval of Overnight Football Trip

Superintendent Bergeron presented background information about this overnight football trip. The Wachusett coaching staff invited MHS for the overnight on Friday, August 27th, 2021 at Eagle Hill School in Hardwick, MA.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve this football trip.

Motion passed 7-0-0. Yes: Hennessy (Remote)

C. Approval of Out of State Soccer Scrimmage

Superintendent Bergeron presented background information about these scrimmages. The Varsity and Junior Varsity teams request to take day trips for scrimmages in East Hartford on August 28th, 2021 and Avon Old Farms on September 4th, 2021.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these scrimmages.

Motion passed 7-0-0. Yes: Hennessy (Remote)

D. FY21 Operating Budget Transfers

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

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these transfers as presented.

Motion passed 7-0-0. Yes: Hennessy (Remote)

E. Acceptance of Donations and Gifts

Ohiopyle Prints, Inc. MHS received \$23.81 from Ohiopyle Prints, Inc.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve this donation.

Motion passed 7-0-0. Yes: Hennessy (Remote)

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10. Reports of School Committee Sub-Committees:

Mrs. Matthews reported that the Negotiations Sub-Committee has tentatively reached agreement with Behavior Techs and are waiting on ratification. Additionally, this sub-committee hopes to have their final session with the teachers tomorrow.
Mrs. Hennessy stated that the Policy Sub-Committee has a meeting on the 16th.

11. Members' Forum:

Mrs. Matthews has read the warrant and will sign it.
Mrs. Hennessy shared her appreciation for the graduation ceremonies, Red Carpet Gala, and Operation Graduation.
Allison Lucas asked when senior's google accounts will be shut down.
Mr. Caruso requested an itemized list of pandemic funds received and how they were spent.
Mr. Dias stated that the budget document included some grants received and how they were used.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:33 p.m.
Motion passed 7-0-0. Yes: Hennessy

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm

Approved June 22, 2021

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CITY OF MARLBOROUGH

Conservation Commission

Minutes

June 3, 2021 (Thursday) 7:00 PM

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CITY OF MARLBOROUGH

2021 JUL -7 P 2:54

This meeting was conducted virtually and recorded using the Microsoft Team's platform.

Chairman Edward 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.marlborough-ma.gov/>

Present: By roll call – Remotely: Edward Clancy- Chairman, William Dunbar, David Williams, Karin Paquin, and John Skarin,

In Memorial Hall: Dennis Demers and Allan White. Also present was Priscilla Ryder, Conservation Officer.

Absent: none

Approval of Minutes: The minutes of May 20, 2021 were reviewed. On a motion to accept and place on file by Allan White and second by Edward Clancy. The minutes were unanimously approved 7-0 on a roll call vote.

Public hearings:**Request for Determination of Applicability**

656 Boston Post Rd. - Global Montello Group Corp.

At the applicants request prior to the meeting, the applicant has asked this item to be continued to the June 17, 2021 meeting. The Commission unanimously agreed to continue this item.

Discussion/Correspondence/Other Business:

- 149 Hayes Memorial Dr. (212-1193) – Discussion with contractors, pre-construction meeting as required per Order of Conditions - Israel Lopez from the Gutierrez Co. introduced the team that will be working on this project. Will Park from SMMA; Vern Kakosa Erosion Control experts from Sanborn Head; and Andrew Surmick of J. R. Vinagro Corp the site contractor. Mr. Surmick explained the construction sequence and reviewed the revised set of plans showing the temporary sewer connection before the final sewer will be connected. They will use a feller buncher to clear the property. Limbs will be chipped, and logs hauled away. Mr. Demers asked about the sewer bypass and was assured that they would have adequate pumps to bypass double the capacity needed so they will have plenty of redundancy. They will monitor for one day prior to doing any of

the work to be sure they have the correct equipment. In phase 2 the access road will be under control, they will remove the over burden, and create the ponds. They will install woodchip/stump grinding berms. Quite a bit of blasting will be needed. The Commission was assured that the tracking pad would be thick and rugged to remove any mud from tires- 8"-12" stones will be used. There was discussion about trucking excess material off site, structural fill being made on site from blasted material, staging areas and equipment to be used. They would like to begin work on June 14th to install erosion control with tree cutting to follow on June 16th and the sewer bypass to start on June 21st. Mr. Kakosa from Sanborn Head explained they will do weekly reports and after every storm of ½ " they will also have a Geotech on site who will assist and have eyes on the project. Ms. Ryder noted that an onsite preconstruction meeting is needed as well. Several commission members expressed interest. Ms. Ryder will notify. As there were no further questions, the Chairman thanked the applicant and his team for attending.

Order of Conditions

- 146 Phelps St. – Review “draft” Order of Conditions - Mr. Demers indicated he would be abstaining from this discussion. Chairman Clancy reviewed the draft Order, after some discussion, it was noted to eliminate #38, 37 & 36 as they seem to relate to another project and not this one. All the remaining conditions were ok. On a motion by Mr. White second by Mr. Clancy to approve the Order as written and amended. The Commission voted as follows on a roll call vote: Yeas – Allan White, David Williams, Karin Paquin, John Skarin, William Dunbar, and Edward Clancy. Nay: 0. Abstained 1 (Dennis Demers) Vote 6-0 it was approved.

Extension Permit:

- 212-1201 241 Stow Rd. – 3 yr. extension – Ms. Ryder noted that the owner has not been able to move on this lot due to Covid-19 and other issues. This was for a delineation. The Commission decided that they could grant an extension as long as the wetland flags were re-established, so they are visible. On a motion by John Skarin second by Mr. Clancy to approve the extension for 3 years pending reflagging. The Commission voted unanimously on a roll call vote 7-0.

Current projects and Violation updates:

- DEP 212-1224 178 Simpson Rd. violation. Ms. Ryder shared pictures of the site and the work that had been done last fall and the beginning of the loaming being started. But no real progress has been made since the May 24th site visit. She also noted that she had asked City Engineer DiPersio what the definition of “clean fill” is and was told that 5% or less of asphalt, and bricks was the standard and given the pictures it may meet that definition. Mr. Demers explained what this should look like when it is blended to meet the “clean fill 5%” rule. (not in big chunks) The Commission asked Ms. Ryder to ask Mr. Biaszza to come to the next meeting and to issue daily fines of \$100 until all the items in the Order are completed. The letter should note: 1. Needs loam

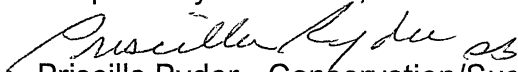
on big slope, 2. Stumps to be removed, 3. Top to be stabilized, and 4. He's had plenty of time and he needs to provide progress updates.

- 541 Pleasant St.- Ms. Ryder noted that the homeowner has responded that he is still looking for a wetland consultant. She has provided another e-mail looking for an update. She will visit the site soon to check the regrowth. Mr. Dunbar was concerned this has been dragging on too long. Mr. Clancy asked that Ms. Ryder communicate with him to get a consultant and to check the site and to file soon.
- Avalon Marlborough Phase II – Ms. Ryder said they did a walk through with this company and they are almost done but still need a few additional items to be met before they will be complete before requesting a Certificate of Compliance.
- Ft. Meadow Reservoir - Lake treatment with an herbicide to control Watermilfoil is being conducted on June 9th. The lake will be closed to use that day, with other water use restrictions for watering lawns or drinking for a few days after that. The notice was provided to the members.
- Memorial Beach – Commission members, Mr. Williams and Mr. Dunbar noted that Memorial beach has been a disaster with beer bottles and broken glass everywhere. Ms. Ryder noted that the beach is not “officially open” with lifeguards who can control this, the police she believes are aware. Ms. Ryder can convey this to the Recreation Department.
- Felton Conservation Land - Ms. Ryder asked if any members knew people who could hay the Felton Conservation land fields. The Commission suggested contacting Framingham, Hudson, and Sudbury Conservation Commissions to see who they might use. Ms. Ryder will inquire.
- Goodale Farms Subdivision – Jenks Rd. - Mr. Dunbar and Mr. Williams noted that the detention basin in this subdivision doesn't seem to be working as there was muddy discharge downstream. Ms. Ryder will investigate.

Next Conservation Commission meetings: June 17th and July 1, 2027 (All these meetings will be in person at city hall as the Covid-19 emergency order has been lifted.)

Adjournment: There being no further business, on a motion by Mr. White second by Edward Clancy, the Commission voted unanimously 7-0 on a roll vote.

Respectfully submitted,



Priscilla Ryder - Conservation/Sustainability Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

June 17, 2021(Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

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2021 JUL -7 P 2:54

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

Absent: None

Public hearings:

- Request for Determination of Applicability
656 Boston Post Rd. - Global Montello Group Corp.

At the applicants request prior to the meeting the hearing was continued to July 1, 2021

Current projects and Violation updates:

- Letter to Centro Cristiano Emanuel, dated June 7, 2021, RE: Wetland Violation - \$100 fine. 814 Boston Post Rd. East.

Mr. Clancy explained that he had visited the site with Ms. Ryder and Pastor Abiud Chacon to review fill that was placed next to the parking lot and the wetland as outlined in the violation notice. Pastor Chacon was present and explained that he had put the soil there to flatten out the grass area, which they use for overflow parking, however someone – undenounced to him had placed asphalt grindings on top of the soil. He explained that after he'd met with Mr. Clancy and Ms. Ryder, he was able to get the grindings removed. Mr. Clancy confirmed it was removed. Ms. Ryder noted that the GIS map shows the location of the top of slope, she can go out with Pastor Chacon to mark the edge of slope and then the Pastor can work to remove any fill from the slope and restore the area to it's initial grades. Ms. Ryder will meet the Pastor on Tuesday June 22 to review. Pastor Chacon also expressed concern that people are always dumping over the slope since he doesn't have any gates or barriers to prevent people from accessing the parking lot when not in use. He discussed adding a chain link fence or barriers into the site. The church now owns all the buildings in this strip mall, so they now have control over the entire site. He will investigate ways to prevent dumping. The Commission noted that the city transfer station is just down the road, and suspect that if the transfer station is closed his parking lot may be a convenient place to dump. Ms. Ryder indicated that she would ask Police & Fire Dept. & Engineering if there are issues with gates or fences.

Given that the work was done without the Pastors knowledge and that dumping seems to be an issue at the site, and the fact that they took immediate action to begin correcting the problem, the Commission determined that the fine should be rescinded. On motion by Ms. Paquin second by Mr. Demers to rescind the \$100 fine assessed for this violation as noted above, the Commission voted unanimously 7-0 to rescind the fine. Ms. Ryder will inform the City Clerk.

- Letter to Joseph Biaszza, dated June 8, 2021 RE: DEP 212-1224, 178 Simpson Rd. Wetland Violation – failure to meet deadlines - \$200 fine.
Ms. Ryder noted that she had received an e-mail at 5:30 PM this evening from Mr. Joe Biaszza indicating he was out of town and would not be attending the hearing. Ms. Ryder noted that some progress had been made, the loam was delivered and spread, the plantings were to have been planted on 6/10. The Commission asked if the stumps had been removed, and if the slope that was seeded last fall had been loamed. Because the work has not yet been completed a fine should be issued for each day it is not completed. Ms. Ryder will send a letter.
- 541 Pleasant St. - Ms. Ryder indicated that she has not heard back from the owner since her e-mail asking for an update. She will reach out to him again. The Commission noted that if she hasn't heard back before the next meeting fines should be issued, as the hiring of a consultant and re-delineation of the wetland was part of the enforcement order requirements.

Discussion/Correspondence/Other Business: The following correspondences were reviewed:

- Memo from Forestry, Parks & Cemeteries Division – dated June 1, 2021 RE: Rights of Way Application
- Letter from Wood Environment and Infrastructure Solution, Inc., RE: 2021 Vegetation Management, railroad right-of-way
- Letter from Mass Audubon, dated Dec. 29, 2020
- Summer intern: Ms. Ryder noted that a summer intern will start on July 5-Aug 13 for 6 weeks and will help with trail and other work.
- Felton Conservation Land field mowing: Ms. Ryder noted that she has met with Doug Stephan has hayed quite a few fields in the area for Framingham Conservation Commission, and Sudbury Valley Trustees. Mr. Stephan is interested in haying these fields. The Commission asked Ms. Ryder to check his work in other communities. They also asked here to inquire as to who was mowing the Jackson fields on Williams St. Ms. Ryder will investigate.

Next Conservation Commission meetings: July 1st and July 22, 2021 (All these meetings will be in person at city hall as the Covid-19 emergency order has been lifted.)

Adjournment - There being no further business, on a motion by Mr. White second by Edward Clancy to adjourn, the Commission voted unanimous 7-0. The meeting was adjourned at 8:02 PM.

Respectfully submitted,


Priscilla Ryder

Conservation/Sustainability Officer

Marlborough Historical Commission Meeting Minutes

April 15, 2021

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

Board Attendees: Robert Fagone, Brendan Downey, Andrea Bell Bergeron, Pamela Wilderman, Melanie Whapham (joined at 7:08), Alan Slattery (joined at 7:28), Larry Reeves (associate member)

2021 JUN 18 A 8:45

Additional Attendees (All remote): Michael Ossing (President, City Council), Steve Kerrigan (City Clerk), Wilson Chu (Assistant City Clerk), Scott Parmenter, City IT Department

Meeting called to order 7:06 PM

1. The following board members are participating remotely: Robert Fagone, Andrea Bell Bergeron, Pamela Wilderman, Brendan Downey, Melanie Whapham (joined at 7:08), Alan Slattery (joined at 7:28), Larry Reeves (associate member)
2. On the Motion to approve March 2021 minutes, the Commission voted as follows: Bell Bergeron AYE; Downey AYE; Fagone AYE; Wilderman AYE; The motion passed.
3. Correspondence & Communications.
 - a. Sons of the American Revolution (SAR) made a request for “official” list of Revolutionary War Veterans buried in Marlborough. The request sent through USNR Commander Matt Sargent and the Chair. SAR to supply War Memorial Plaque in either Evergreen or Brigham Cemeteries. 92 veterans of the Revolutionary War are buried in Marlborough and the SAR has a grant to put up such plaques. City will participate.
 - b. 28 South Bolton St WoHo development. The MHC Chair attended a Site Plan Review committee meeting reviewing the project. The developer: a very “modern” design proposal. In the chair’s opinion our future cannot continue to be 19th century shoe factories architecture. We should look forward, but not forget our heritage. General discussion followed about how the MHC can play a proactive role helping to develop this and similar projects. (Question raised by Commission member Wilderman and Council President Ossing as to whether Site Plan Review comments should be open to “public discussion” before the Review proposal is sent to City Council.)
4. Preservation by Education.
 - a. Historical Review Period – Design Guidelines Discussion to replace Historic Preservation Review Period.
 - i. Site Plan Review Application “historical” additions or deletions. No progress made here since the department head is new and Inspectional Services are looking at more pressing issues at this time. This item however is still important for the Commission to pursue.
 - ii. Request for definition of “historical” for Planning Board Ordinance revisions--proposed wording sent by Member Bergeron and Chair to Planning Board. Wording proposal reads:

Proposal 1:

5. *Article II Definitions; Applicability § A676-2 Definitions. As used in this chapter, the following terms shall have the meanings indicated: ...*

6. *GENERAL LAWS (Abbreviated MGL.) The General Laws of Massachusetts. In case of rearrangement of the General Laws, any citation of particular sections of the General Laws shall be applicable to the corresponding sections of the new codification.*
7. *HISTORIC SPOT AND HISTORIC ENVIRONS. Refers to any building or structure 1) constructed more than 100 years prior to the date of the subdivision application, or 2) that has been endorsed by the Historic Commission as having historical value based on the architectural features and/or its association with a historical person or event.*
8. *LANE A secondary street which serves as access to no more than eight potential dwelling units, has lot frontages averaging 150 feet or more, and is incapable of extension...*
- 9.
10. *Proposal 2:*
11. *(11) Comparative impact analysis. A comparative impact analysis shall be submitted for any subdivision creating frontage potentially allowing 10 or more dwelling units and in other cases where the Board determines it appropriate in light of special circumstances. If a preliminary plan is filed, the analysis shall be submitted during the preliminary plan process. If a preliminary plan is not filed, the analysis shall be filed during the definitive plan process.*
12. *(a) Alternatives. The analysis shall include a minimum of two layouts, which shall be considered as alternatives. The alternative layouts shall be substantially different, practical and conform to the requirements for a preliminary plan or a definitive plan, if applicable. If the Zoning Ordinance allows flexibility in lot area or dimensions, then one of the development alternatives shall attempt to optimize the intent of said flexibility as stated in the Zoning Ordinance.*
13. *(b) Scope. The scope of such analysis, including development alternatives to be compared and consequences to be studied, shall be proposed by the applicant for review and approval by the Planning Board. The applicant shall consult with the City Engineer, City Planner and Conservation Officer regarding the scope, and said officials shall submit their recommendations regarding the scope to the Planning Board. After due consideration of said recommendations, the Planning Board may waive any or all the requirements for an analysis only when it is found that no useful purpose would be served thereby, as when the characteristics of the site preclude substantially different layouts, or when the applicant has provided assurance that the Planning Board's stated concerns will be met. The Planning Board may issue guidelines for the preparation of an analysis, including types of technical data that will be accepted.*
14. *(c) Mitigation. Possible measures for mitigation shall be outlined with the preliminary plan, if the analysis is submitted during the preliminary plan. However, specific measures for mitigation do not have to be proposed until the definitive plan.*
15. *(d) Differences. The analysis shall indicate differences between the alternatives regarding the following, unless requested otherwise by the Planning Board:*
16. *[1] Groundwater and surface water. Impact upon groundwater and surface water quality and level, including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer and other activities within the development;*
17. *[2] Wildlife and botanical features. Material effects upon important wildlife habitats, and outstanding botanical features, including wildlife corridors, and relationships to and through adjacent properties;*
18. *[3] Soil and vegetation. Capability of soils, vegetative cover and proposed erosion control efforts to support proposed development without danger of erosion, silting or other instability;*
19. *[4] Public water supply and sewerage. Impact upon City water supply and sewerage systems as existing or proposed to be improved by the developer;*
20. *[5] Streets and traffic. Ability of streets providing access to the subdivision to safely provide such access, including measurement of sight distance at each intersection with proposed streets, impact of*

- development traffic on the traffic level of service, gap acceptance analysis, and analysis of hazards owing to the limited sight distances, alignment or other characteristics of access roads; and*
21. [6] *Recreation, open space and scenic values. Difference in potential recreation for residents of the site and general public. Impact upon open space preservation and values, including trail connections and scenic views from outside and inside the site and across the site.*
 22. [7] *Historic Spot and Historic Environs. Difference in the potential for preserving historic spots and historic environs, including but not limited to historic homes and property features, such as stone walls.*
 23. (e) *Decision. The Planning Board shall determine and indicate to the applicant which layout is preferred during the preliminary plan process or, alternatively, the Board may defer its determination until the definitive plan process when further information may be submitted or required.*
 24. C. *Approval. The Planning Board, preferably with the advice of the Board of Health, may give such preliminary plan approval, with or without modification or suggestion. Such approval does not constitute approval of the subdivision but facilitates the procedures for preparing and securing final approval of the definitive plan. One copy of the preliminary plan will be returned to the subdivider.*

iii. On the Motion to endorse the wording of these 2 proposed additions the Commission voted as follows: Bell Bergeron AYE; Downey AYE; Fagone AYE; Wilderman AYE; Whapham, AYE; The motion passed.

- b. Design Guidelines Discussion (Continued) to replace the previous Historic Preservation Review Period Ordinance proposal. Do we want to add to or create additional guidelines in the form of a non-binding set of design guidelines for the city similar to what other surrounding communities have done? During the discussion it was noted that it would be difficult to come up with one set of guidelines that would be appropriate for the entire city and it would be too restrictive to have one set. The idea was floated to pick one area to use as an example (Lincoln St) It was suggested that the MHC could surface a positive set of examples from the entire city to provide guidance. It was also suggested that the MHC should plug into the planning board and be a part of that process and now would be a good time because they are adjusting their current process.
5. MHC meeting procedure. Currently the materials for each meeting are distributed ad-hoc by the chair to the rest of the committee as he receives them. There was a general discussion about what is the best way for the board to receive meeting materials and it was decided that the most efficient way would be for the chair to send a consolidated “meeting packet” prior to each meeting. Chair would discuss this procedure with City Clerk’s office.
 6. On the Motion to adjourn meeting at 8:30 PM, the Commission voted as follows: Bell Bergeron AYE; Downey AYE; Fagone AYE; Wilderman AYE; Whapham, AYE; Slattery, AYE. The motion passed.

Respectfully submitted,
Brendan Downey

Marlborough Historical Commission Meeting Minutes

MAY 20, 2021

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CITY OF MARLBOROUGH

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

Board Attendees: Robert Fagone, Brendan Downey, Andrea Bell Bergeron, Pamela Wilderman, Melanie Whapham, Alan Slattery (joined at 7:10)

2021 JUN 18 A 8:45

Additional Attendees (All remote): Steve Kerrigan (City Clerk),

Meeting called to order 7:03 PM

1. The following board members are participating remotely: Robert Fagone, Andrea Bell Bergeron, Pamela Wilderman, Brendan Downey, Melanie Whapham, Alan Slattery (joined at 7:10)
2. On the Motion to approve April 2021 minutes, the Commission tabled the approval until next meeting.
3. Correspondence & Communications.
 - a. Brendan Downey is stepping down as Commission Secretary.
 - b. Planning Board will refer historical "issues" to the Historical Commission rather than insert their own definition of "historical" in their newly written SOP.
 - c. 28 South Bolton St WoHo development. Historical Commission will not discuss design and development of this project until after the City Council receives the WoHo proposal. Urban Affairs will discuss this proposal specifically in public on May 25th at 7PM. Suggested strongly that our Commission watch this Urban Affairs meeting.
4. Design Guidelines:
 - a. New Example: 982 Boston Post Rd East applying for and will receive a demolition permit once fines paid or cleared. 1765 -1780 building. Owner wants to demolish to rebuild a farmhouse for his personal residence. Cannot be used for business development per zoning ordinance. Owner may be amenable to meeting Historical Commission or member to walk through fire damaged property.
 - b. MHC has no "authority" to demand or request a specific design, e.g., keep the shell of the old building intact during renovation. We're limited to conversations over coffee about stewardship of a very old building at an entryway to the City. Is this our only role?
 - c. In reviewing the current historical guidelines for the Downtown District (as an example of specific guidelines established by the City), there seems to be a tendency to skip over the very first guideline (e.g., 28 South Bolton St.) which specifically references respect for the "historical character" of the downtown village. Again, we are limited to a moral authority only to point this out.
 - d. The MHC Chair attends Site Plan Review committee meetings to see projects in the pipeline. However, although design is mentioned in Site Plan Review, the authority to request changes to specific designs can come only from the City Council (and their Urban Affairs committee). MHC Chair will now sit in on Planning Board discussions as well. The role of the Historical Commission, then, will be to clarify historicity within these other municipal constituencies.
5. Preservation by Education:
 - a. Signage/Awards initiatives are on the back burner but should be brought forward. There are grants and State awards for such ideas. Sources of money are out there. We should pursue this.

6. Adjourn

- a. Motion made to adjourn Andrea; seconded Pamela. 7:45PM

Respectfully submitted,

Andrea Bell Bergeron/Robert A. Fagone

April 28, 2021

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CITY OF MARLBOROUGH

2021 JUN 24 P 4: 38



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held as a **virtual meeting** on Wednesday, April 28, 2021 at 10:00 am. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen and Commissioner of Public Works Sean Divoll. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins, Ashley Miller & Ryan Malcolm also from the Engineering Department, Sgt. Zac Attaway from the MPD Traffic Services Unit, City Council President Mike Ossing, City Councilor Christian Dumais, City Councilor Samantha Perlman and local residents Aura Gauthier and Roland Lachapelle.

Minutes taken by Karen Lambert, MPD Records Clerk.

Chief Giorgi started recording the meeting at 10:03 a.m. and began by welcoming everyone and making introductions.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, March 31, 2021.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

2 - New Business –

2a) 406 Lincoln Street – Questions regarding Lincoln St. Paving Project & Request for flashing pedestrian crossing.

Chief Giorgi received an email from the Property Manager of 406 Lincoln Street. He was specifically asking:

1. When will the Lincoln St. paving project be starting?

2. Will this affect any of the current crosswalks between the parking lots and the building?
3. Can a flashing pedestrian crossing sign be installed in front of the Coffee Shop?

Chief Giorgi reviewed that the Traffic Commission has dealt with these issues a few times over the years in an effort to make the area safer. Tom DiPersio addressed the timeline. He said that they are finishing the utility work now and the paving project is going out to bid in the next week or so. It should be starting in June. The west end of Lincoln Street will be done first. They are hoping to finish the project before the Labor Day Parade. This end of Lincoln Street will be scheduled later in the fall. There will be some modifications to the crosswalk as part of the project. He pulled up a draft diagram for the project for reference and explained that the curb will be bumped out at the midblock crosswalk. This will make the crosswalk more visible and safer by preventing parked cars from blocking the view of those crossing. It will also make it a shorter route across. He thinks this will go a long way in addressing the safety concerns. The bump out will be on the side with the building. Chief Giorgi asked if this would then cause them to lose a parking spot? Mr. DiPersio said no because there was no parking allowed here anyways because it was so close to the intersection of Harrison Place.

Mr. DiPersio said that the crosswalk doesn't have enough people crossing to warrant a flashing pedestrian crossing signal. Tim Collins also said that this is not the City's crosswalk. It is the property of 406 Lincoln Street. He pulled up information on the Special Permit that was granted to Fairbanks Development LLC back in 2007. He said that they keep coming to the Traffic Commission and asking for things, but the owners of the property are responsible for maintenance.

Chief Giorgi asked if Mr. Collins could forward a copy of the permit so that he can walk through the conditions regarding the crosswalk and discuss it with the Property Manager.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to get back to the Property Manager and advise as to this discussion.

2b) Traffic Concerns on Tucker Avenue

Councilor Perlman was in attendance for this issue. She had forwarded an email to the Traffic Commission from one of her constituents from Tucker Avenue. He was concerned with the speed of school buses and other vehicles "whipping down Tucker from Sandini". He mentioned many children living on the street, including a daycare with toddlers, and kids playing street hockey. He is looking for an "out-of-the-box solution for a visual to slow down vehicles".

Chief Giorgi agreed that this can be a tough area. At the last meeting, we discussed changes in the area with an upcoming reconstruction project. Sgt. Attaway advised that he has had the speed signs up for the last four days (4/24/21 to 4/27/21) on the westbound side and provided the Extended Speed Summary. He reviewed that the average number of cars per day was 28. The maximum speed was 28 mph with an average speed of 14.6 mph. He is planning to leave the sign here for a few more days and then switch it to the other side of the street. Chief Giorgi said that the Traffic Unit can also increase enforcement there at the same time and report back at the next meeting. Councilor

Pearlman asked if she could have a copy of the summary. Sgt. Attaway will forward a copy to her.

Chief Giorgi said that sometimes speed is a matter of perception. When someone is standing still on the side of the road, the speed seems faster.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT to continue monitoring the speed and report back at the next meeting.

2c) Parking concerns on Gay Street

Officer Larose requested that this issue be added to the agenda. He was not able to attend today's meeting. Sgt. Attaway advised that there was a recent accident here involving a City vehicle, so Officer Larose was out here monitoring the area and saw another issue. He received a parking complaint about a school bus not being able to get by parked cars. The reporting party had to move her car to let the bus through. She said that there used to be signs for no parking on the north side of the street, however, the signs are not there now. The regulations show that only the first 150 ft. from Mechanic St. on the north side is restricted.

He had the Fire Department come down with a truck to see if they could get through. They arrived in an older spare truck that is narrower than their newer vehicles and were able to just make it. He included photos which showed the truck just being able to get by. Tim Collins had also sent an email to the Traffic Commission with information from Marlborough E Code, Chapter 586-22, General Prohibitions. This chapter and section outline basic parking parameters in the city. He explained that you can't park cars on both sides unless you allow for 2 10-foot lanes. The problem with the core of the City of Marlborough is that the streets are very narrow. He said in his email that "The solution will not be as simple as instituting No Parking regulations on one side of the street, on a street -by-street basis.

He pulled up an aerial photo of Gay Street for reference. We could designate one side as No Parking, however, then everyone just parks on the other side and now people can't park in front of their own houses. Many of the houses are multi-family with not enough driveway space available. It's definitely a problem and we've had the same issue on Newton Street a few times. In that instance, we chose not to do anything as it would cause more problems than it would solve. Other than making many streets one way in all of the core of Marlborough, there is not much that can be done.

Chief Giorgi also said the same issue is on Howland Street as well. Mr. Collins said that people are supposed to judge when they park so that there is room for others to get by. If we do restrict parking to one side, it is usually on the side with the most spots. Howland Street was a 50/50 split and people need to use common sense when they are parking. Same issue on Newton Street. As Marlborough has grown, we haven't been able to widen the streets.

Chief Giorgi asked if we could at least see which side has the most spots? A cruiser and a car wouldn't normally have a problem; however, his concern is that a fire truck can't get through. Chief Breen asked what is the curb to curb width of the road? Mr. Collins did a quick GIS calculation and said it is about 22-23 feet wide. You clearly can't park

on both sides. If parking was restricted to one side, it would definitely allow enough room for the engine to get by, but then everyone is stacked on one side. At least when using both sides, it's staggered, and you can weave in and out. If cars are all on one side and the lane is 12 feet wide, if someone is coming the other way you either have to back up or pull into a driveway. Weaving in and out may actually be better. A comprehensive study of the core or Marlborough would be needed if one way all over were to be considered. He can start by doing a count of available parking spots here on Gay Street to gather information.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to count available parking spots on both sides of Gay Street.

2d) Continued parking concerns on Preston Street @ Elm Street

Sgt. Attaway asked that this issue be put back on the agenda. It was discussed a few months ago and Sgt. Attaway was going to continue with monitoring and enforcement. This helped for a while; however, it is continuing to cause a problem when cars are legally parked in the area near the intersection. Cars have difficulty making the turn from Elm Street onto Preston. Sgt. Attaway is asking if the No Parking area can be extended at the corner.

Tim Collins advised that he went out and looked at the area. He pulled up a diagram showing the breakdown of the type of houses (single or multifamily), the number of bedrooms and the number of rooms in each home. The two houses on the corner are multifamily. The two houses on the corner, lot 172 and 174, are two and three family houses. The Assessors may say a certain number of people, however, there can actually be more with extra vehicles. Sgt. Attaway said that opening up the area in front of these two lots would help. Mr. Collins said that would be about 150 feet. Sgt. Attaway said that 150 feet is actually more than what is needed. He thinks that 100 feet would work. Mr. Collins said that it's the actual width of the street that is the problem, as with other streets throughout Marlborough. Restricting parking here though, may make sense. The normal restriction in the City is No Parking within 20 feet of an intersection, maybe 50 to 60 feet would be work. If the No Parking area was extended, on both sides, it would clear out the intersection and the driveway area.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to determine the exact measurements and wording for a No Parking area within 60 feet of the intersection and FORWARD the language to Chief Giorgi so he can then create the No Parking regulation for the next meeting.

2e) Issues with Cotting Ave: Do Not Enter – One Way Signage

Sgt. Attaway asked that this issue be added to the agenda. He said in his email that there are constant violations here as vehicles pull into the gas station. He would like to replace the signs and discuss a better location for them. Residents have been complaining. He had Officer Connors monitor the area and he saw several violations but could not enforce them because of the sign placement and faded condition.

Tim Collins pulled up a schedule of specific streets with signs that needed attention. The necessary changes were marked in red. With regard to this sign he noted "DO NOT

ENTER sign at the Main Street end of the street is faded and should be replaced/relocated closer to Main Street and aligned so traffic from both directions of Main Street can see it – traffic from Main Street eastbound is using Cotting Street to access the gas station.” He also noted No Parking signs and a Stop Sign on Chestnut Street that are faded and need to be replaced. He has already talked to the sign people about fixing the signs.

Mr. DiPersio remembers this issue coming up before and was questioning if we put the sign the way it is so that cars could enter the gas station here. He thinks the gas station came to them before and asked if the sign could be angled the way it is. The gas station owner may complain if the sign is moved.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to replace/relocate the sign as per Mr. Collin’s instructions.

3-Old Business

Old Business Items taken out of order – Items concerning residents in attendance will be taken first.

3e) Traffic Concerns on Oakcrest Ave.

Mr. Lachapelle and Mrs. Gauthier were in attendance for this issue. At the last meeting, this issue was referred to Engineering to investigate further. Mr. Collins went out and studied the area and determined that if a new crosswalk were created it would need to be 200 feet down from Oakcrest. The existing crosswalk, 340 feet further down the street, can’t be eliminated as it is part of the School Zone. He pulled up an aerial photo with the proposed crosswalk and distance indicated. He also noted that the proposed crosswalk was a 2 ½ to 3-minute difference in time to go to the new crosswalk vs. the old crosswalk. He also looked at how many people used the trail to go school and he saw none. He did see two students that were walked to school by their parents. The question is whether a second crosswalk is warranted for just a few people. It would also be a lot of work to install as it would require curb cuts and would need to be ADA compliant. It also couldn’t be any closer to Oakcrest because of the site distance required for cars to slow down.

One of the residents asked about the possibility of a flashing crossing signal. Mr. DiPersio explained about required warrants and that there are not enough people crossing here to meet the warrants. Mrs. Gauthier said that Covid was still an issue and therefore there were not as many people crossing. Now all the kids are back in school and there are more people crossing. She said that yesterday she was coming down the hill with a car in front of her when she saw someone running across the street with a carriage. She also said that when her daughter was in school, she would drive her to school because it was not safe to cross here. She has lived here for 48years. Mr. Gauthier also talked about the two new lots on Stevens Street. People don’t cross here because it’s too dangerous. She thinks more people would cross if it were safer. Mr. DiPersio explained that even with a flashing sign at Oakcrest, this would not be a safe place to cross.

The other issue is that there is no sidewalk if you go south from Oakcrest toward the High School and new elementary school. Maybe a better choice would be to have a sidewalk go in that direction. Mr. DiPersio said that this would be something to consider as part of a reconstruction project, however, there is no new project planned here any time soon. Mrs. Gauthier feels that Oakcrest is getting more and more cut off and isolated from the community because of more and more development in the area. Chief Giorgi said that he does understand the issue, but Engineering Guidelines don't allow for a flashing light to be placed here. Also, it may not make sense to put a crosswalk 200 feet down when it is so close to the existing one.

Mrs. Gauthier also said that the parking lot is not being used by anyone who is handicapped. The City has made it more dangerous by adding the lot. People are using it for drop off. They are also stopping along the side of Stevens Street to drop off and pick up kids. It's a dangerous curve and the lot has added more dangers to the area. Is the crosswalk more dangerous than adding the lot? Chief Giorgi said that we are blending two issues here. If the lot was not there, we still could not put a crosswalk here.

Mrs. Gauthier said that when they moved the driveway for the McCarthy house it helped so they could see the corner. With two other houses coming in, it will block traffic even more for them. Chief Giorgi said again that if they want to cross the road safely, they need to go down to the existing crosswalk and turn around. Mrs. Gauthier asked again about the sidewalk in the other direction so they can cross up the other way. Chief Giorgi deferred to Engineering. Commissioner Divoll said that we all understand the concern, however, the last thing we want to do is put in a crosswalk that implies safety that is not there. He is willing to look into the other alternative. The problem is that Oakcrest is on the inside curve which greatly reduces site distance. Going in the other direction is also in the inside curve. Mrs. Gauthier said she is only asking that the City do more research and explore other alternatives. She knows the City has gotten very busy and that there have been a few recent deaths with people crossing the street. She knows traffic has increased. It's hard getting out of their street and it will be even more difficult when the 2 new house come in.

Chief Giorgi asked if Mr. Lachapelle would like to add anything. He was having issues with his microphone and we could not hear him. The Chief advised Mr. Lachapelle to send an email or call him if he had anything further to discuss.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to look into other options.

3a) Issues with the turn movement at intersection of Boston Post Road West & Ames Street

Update: Engineering drafted a response to MA DOT with the additional information they required.

MOTION was made, seconded, duly VOTED to TABLE.

3b) Review of School Zone Regulations

Update: Mr. Collins reviewed the regulations for all the schools. He pulled up the wording for “Schedule XIVA: School Zone” on which he marked changes in red. The school zone regulation currently uses the time frame “between the hours of 7:00 a.m. and 3:30 p.m.” at certain locations and “between the hours of 8:00 a.m. and 4:00 p.m.” for others. He would like to replace this with “from one hour before classes start to one hour one hour after classes end”. He would also like to add wording (Section C) to include the flashing lights on Hosmer Street and Farm Road to the regulation. He took this wording from the Mass DOT School Zone Regulations. He advised that the Traffic Commission would need to vote on the addition of Section C to our regulations.

The actual signs in the School Zone would have specific time frames on them. We are just making the regulations standard, so they won’t have to be revised if school times change.

Chief Giorgi asked about AMSA. Mr. Collins advised that he would have to table this for now as the pages for AMSA and IC School are missing. He will bring it to the next meeting.

3c) Review Crosswalks & Stop Signs for 2021

Update on Crosswalks: Tim Collins prepared the wording for the crosswalks for the regulations. In his review, he had found existing crosswalks that were not regulated. They all need to be regulated before reconstruction can be done. He will forward the language to Chief Giorgi so that he can prepare the regulation for the next meeting.

Update of Stop Signs: Tim Collins revised the wording for the Stop Intersections. Six stop signs will be added to the regulations and 2 stop signs will be removed. He will forward the wording to Chief Giorgi so that he can prepare the regulation for the next meeting.

3d) Speed Concerns on Red Spring Road & Reservoir Street

Update: Tim Collins reviewed what was discussed previously. The old school bus sign will be removed, the speed limit sign will be relocated and a sign with a graphic for the side street will be added. This should all be getting done shortly.

3f) Safety Concerns at the intersection of Lincoln St. & Cashman St. at Assabet Valley Rail Trail

Update: Mr. Collins advised that this should be mostly taken care of by the next meeting. This work would normally be done at night (crosswalk painting and new signage) but the temperatures have been too cold.

Chief Giorgi asked if anyone else had anything else they would like to add.

Councilor Dumais asked if he could have a copy of the schedule of crosswalks. He looked in the minutes from the last meeting but did not see it attached. Karen Lambert will get a copy from Mr. Collins.

No other concerns or comments.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:12 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday 4/28/21, including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, March 31, 2021.
- Email from Devin Desautels to Chief Giorgi, dated 4/20/21, re: Lincoln Street issues at 406 Lincoln St.
- Email forwarded by Councilor Perlman to Chief Giorgi, dated 4/11/21, re: Street Safety for Marlboro's Children. Original email from Carl Hansen.
- Email from Officer Larose to the Traffic Commission Members, dated 4/7/21, re: Gay Street (including photos).
- Email from Tim Collins to the Traffic Commission Members, dated 4/7/21, re: Gay Street.
- Email from Sgt. Attaway to Karen Lambert, dated 4/12/21, re: April Traffic Commission agenda items – Traffic Concerns on Preston St. and Cotting Ave.

Additional Handouts

- Copy of Special Permit No. 05-07-100931C for 406 Lincoln St. (Fairbanks Development LLC)
- Draft copy of Lincoln Street Reconstruction Project (from the Construction Drawings)
- Extended Speed Summary Report for Tucker Avenue (WB)
- Extended Speed Summary Report for Stevens St. @ Oakcrest Ave. (NB)
- Aerial photo of Stevens Street near Oakcrest with potential crosswalk location indicated and distance from Oakcrest.
- Diagram of Preston Street area with housing density indicated
- Proposed wording for Crosswalk Locations
- Proposed wording for Stop Intersections
- Proposed wording for School Zone Regulations
- Traffic Sign Corrections on Chestnut Street and Cotting Ave.