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CITY OF MARLBOROUGH
City Council Agenda

Monday, October 3, 2022

8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **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, September 12, 2022.
2. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches, Order No. 22-1008679.
 - a) Communications from various residents, re: Proposed Zoning Amendment to Chapter 650, §40, in support of the proposed change.
3. PUBLIC HEARING on the Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, d/b/a Kosa Dispensary, to amend condition #8 relative to the hours of operation for the adult use marijuana retail establishment located at 505 Boston Post Road West, Order No. 19/22-1007881I.
4. PUBLIC HEARING on the Application for Modification of Special Permit and Site Plan from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., to allow for a stand-alone Chipotle Restaurant with a drive through facility and eliminate the proposed bank and retail addition to the plaza located at 661 Boston Post Road East, Order No. 21/22-1008395F.
5. Communication from Councilors Ossing & Wagner, re: Municipal Aggregation – September 2022 Update.
6. Communication from the Mayor, re: Municipal Aggregation Press Release.
7. Communication from the Mayor, re: Transfer Request in the amount of \$250,000.00 which moves funds from the Stabilization account to the Police Department Equipment account to fund the purchase of five new unmarked police vehicles.
8. Communication from the Mayor, re: Transfer Request in the amount of \$168,979.00 which moves funds from the Stabilization account to the Fire Department Equipment account to fund a new 100' aerial platform tower truck.
9. Communication from the Mayor, re: Transfer Request in the amount of \$8,598.30 which moves funds from Reserved TNC Surcharge to Capital Outlay Police for the purchase of additional traffic enforcement equipment.

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

10. Communication from the Mayor, re: Gift Acceptance in the amount of \$1,000.00 from ERA Key Charitable Organization awarded to the Council on Aging to assist seniors with unanticipated fuel expenses.
11. Communication from the Mayor, re: Appointment of N. Paul Tonthat to the Community Development Authority (CDA) for a three-year term to expire on March 25, 2025, to fill the position vacated by Josh Daigle who moved to the state appointed seat, and the Reappointments of Rene Perdicaro and Paul Sliney for three-year terms respectively to expire on March 9, 2024, and March 9, 2025.
12. Communication from City Solicitor, Jason Grossfield, re: Information on dismissal relative to WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451).
13. Communication from City Solicitor, Jason Grossfield, re: Howes Landing Subdivision/Acceptance of Gikas Lane as a Public Way (X 22-1008553).
14. Communication from City Clerk Steven Kerrigan, re: Notice of Early Voting Hours, for the State Election.
15. Communication from Ohde Hidehiro, Director of Planning & Policy for Akiruno City, re: Notice that Akiruno City has a new Mayor, Nakajima Hiroyuki as of September 4, 2022.
16. Application for Site Plan Review from Attorney Brian Falk, on behalf of JW Capital Partners, LLC, for a mix-use project at 57 Main Street in the Marlborough Village District.
17. Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #34 within the layout near 385 Farm Road.
18. Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 25-5) on Hayes Memorial Drive beginning at a point approximately 350' north/northwest of the centerline of the intersection of Nickerson Road for new commercial service.
19. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its 2019-2021 Three Year Energy Efficiency Plan Term Report.
20. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2019-2021 Three Year Energy Efficiency Plan Term Report.
21. Minutes of Boards, Commissions and Committees:
 - a) School Committee, August 23, 2022, August 30, 2022 & September 13, 2022.
 - b) Council on Aging, June 10, 2022.
 - c) Historical Commission, June 16, 2022.
 - d) Planning Board, July 25, 2022.
 - e) Traffic Commission, June 29, 2022.
22. CLAIMS:
 - a) Lisa & Mark Whitmore, 43 Marien Lane, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

Councilors-at-Large

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



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Ward Councilors

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

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, SEPTEMBER 12, 2022**

The regular meeting of the City Council was held on Monday, September 12, 2022, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:30 PM.

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

ORDERED: That the Minutes of the City Council meeting, August 22, 2022, **FILE**; adopted.

That the PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 18-84) on Bolton Street beginning at a point approximately 15’ west of the centerline of the intersection of Bolton & State Streets and install a new guy wire from P18 to P18-84, this is to relieve stress of P18 from cables going down State Street, Order No. 22-1008666, all were heard who wish to be heard, hearing closed at 8:03 PM, adopted.

- a) Communication from City Engineer Thomas DiPersio, re: Recommended conditions for Petition from Massachusetts Electric and Verizon New England, Bolton & State Streets.

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

That the PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Broad Street beginning at a point approximately 240’ northwest of the centerline at the intersection of Broad & West Main Streets, Order No. 22-1008667, all were heard who wish to be heard, hearing closed at 8:05 PM; adopted.

- a) Communication from City Engineer Thomas DiPersio, re: Recommended conditions for Petition from Massachusetts Electric and Verizon New England, Broad & West Main Streets.

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

That the PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Simarano Drive beginning at a point approximately 450' north of the centerline at the intersection of Simarano Drive & Cedar Hill Street for new overhead equipment, Order No. 22-1008668, all were heard who wish to be heard, hearing closed at 8:07 PM; adopted.

- a) Communication from City Engineer Thomas DiPersio, re: Recommended conditions for Petition from Massachusetts Electric and Verizon New England, Simarano Drive & Cedar Hill Street.

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

That the CONTINUED PUBLIC HEARING on the Revised Application for a Special Permit from WP Marlborough MA Owner, LLC, to build a multifamily residential project in the Business District, consisting of 140 units in 3 buildings to be located at 339 Boston Post Road East, (McGee Farm), per the Court Ordered Remand, Order No. 20/22-1007995R, all were heard who wish to be heard, hearing closed at 8:43 PM; adopted.

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

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

ORDERED: That the Communication from the Mayor, re: Informational Notice of appointments of Heath Karp and Amanda Mayo to the Cultural Council, **FILE**; adopted.

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

ORDERED: That the Communication from the Mayor, re: Informational Notice of appointment of Joshua Daigle as the state member of Community Development Authority, **FILE**; adopted.

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

ORDERED: That the Proposed Amendment to the City Code, Chapter 125 §6 “Salary Schedule” and a Proposed Job Description to create a new position of Substance Use Prevention Coordinator and Intervention Specialist within the Health Department as submitted by the Mayor, referred to the **FINANCE COMMITTEE**; adopted.

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

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

Position	Step 1 Start	Step 2 6-months of service	Step 3 1-year of service	Step 4 2-years of service	Step 5 3-years of service	Step 6 4-years of service	Step 7 5-years of service
Substance Use Prevention Coordinator and Intervention Specialist (35 hours per week)	\$58,000.00	\$59,160.00	\$60,343.20	\$61,550.06	\$62,781.07	\$64,036.69	\$65,317.42

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

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

ORDERED: That the Proposed Zoning Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches, referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, OCTOBER 3, 2022**; adopted.

THAT, PURSUANT TO SECTION 5 OF CHAPTER 40A OF THE GENERAL LAWS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT CHAPTER 650 OF THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. By amending Chapter 650 (Zoning), Section 650-40 (Location and Height of Buildings), Subsection F(5) to read as follows (new text shown as underlined):

(5) (a) Nothing herein shall prevent the projection of cornices or eaves not exceeding 18 inches in width or of uncovered steps, unroofed porches or windowsills into a required yard or other open space.

(b) For single-family and two-family dwellings, in all zoning districts: An attached roof covering an entryway or porch may project into the required yard setback, subject to compliance with all of the following requirements:

[1] Attached roof is permitted to project up to sixty (60) inches into the required yard setback;

[2] Attached roof shall not exceed forty (40) square feet;

[3] Attached roof shall not exceed allowable height per §650-41, Table of Lot Area, Yards and Height of Structures;

[4] Entryway or porch may not be enclosed nor living space or balconies erected above, excepting required elements such as railings;

[5] Space beneath the porch may not be occupied; and

[6] Minimum setback from any street or way for an attached roof authorized under this subsection shall be five (5) feet.

II. The effective date of these amendments shall be the date of passage.

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

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Revised Application for a Special Permit from WP Marlborough MA Owner, LLC, to build a multifamily residential project in the Business District, consisting of 140 units in 3 buildings to be located at 339 Boston Post Road East, (McGee Farm), per the Court Ordered Remand, in proper legal form, Order No. 20/22-1007995, **MOVED TO ITEM #15** and **FILE**; adopted.

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

ORDERED: That there being no objection thereto set **MONDAY OCTOBER 3, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, d/b/a Kosa Dispensary, to amend condition #8 relative to the hours of operation for the adult use marijuana retail establishment located at 505 Boston Post Road West, referred to the **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

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

ORDERED: That there being no objection thereto set **MONDAY OCTOBER 3, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Modification of Special Permit and Site Plan from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., to allow for a stand-alone Chipotle Restaurant with a drive through facility and eliminate the proposed bank and retail addition to the plaza located at 661 Boston Post Road East, referred to the **URBAN AFFAIRS COMMITTEE AND 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) Commission on Disabilities, May 3, 2022 & June 6, 2022.
- b) Conservation Commission, July 21, 2022.
- c) Cultural Council, July 13, 2022 & August 10, 2022.
- d) Planning Board, June 27, 2022
- e) Traffic Commission, May 25, 2022.

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

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

- a) Joshua Irons, 4 Farmhouse Lane, #7, pothole or other road defect.
- b) Jennifer Jordan-MacArthur, 11 Packard Street, Hudson, pothole or other road defect.

Reports of Committees:

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

Order No. 22-1008666 – Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 18-84) on Bolton Street beginning at a point approximately 15’ west of the centerline of the intersection of Bolton & State Streets and install a new guy wire from P18 to P18-84, this is to relieve stress of P18 from cables going down State Street.

On a motion by Councilor Chair Landers, seconded by President, a Suspension of the Rules to Remove Order No. 22-1008666 from Public Services Committee and to place this matter before the Council.

Order No. 22-1008667 – Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Broad Street beginning at a point approximately 240’ northwest of the centerline at the intersection of Broad & West Main Streets.

On a motion by Councilor Chair Landers, seconded by President, a Suspension of the Rules to Remove Order No. 22-1008667 from Public Services Committee and to place this matter before the Council.

Order No. 22-1008668 – Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Simarano Drive beginning at a point approximately 450’ north of the centerline at the intersection of Simarano Drive & Cedar Hill Street for new overhead equipment.

On a motion by Councilor Chair Landers, seconded by President, a Suspension of the Rules to Remove Order No. 22-1008668 from Public Services Committee and to place this matter before the Council.

Suspension of the Rules requested – Motion by Councilor Landers, seconded by the Chair to remove from the Public Services Committee Order No. 22-1008666 – granted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 18-84) on Bolton Street beginning at a point approximately 15’ west of the centerline of the intersection of Bolton & State Streets and install a new guy wire from P18 to P18-84, this is to relieve stress of P18 from cables going down State Street, **APPROVED WITH THE FOLLOWING CONDITIONS.**

1. The new pole and anchor should be installed as close to the property line between numbers 138 and 140 Bolton Street as possible.
2. The Engineering Division will issue a road opening permit for this work, which will include review and approval of exact pole and anchor locations prior to start of work.
3. Any necessary easements are to be obtained from affected property owners.
4. A street opening permit must be applied for by the proposed contractor performing the work.
5. The contractor performing the work must obtain a street opening bond with the City of Marlborough.

6. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
7. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
8. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
9. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
10. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
11. Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
12. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
13. Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.

Suspension of the Rules requested – Motion by Councilor Landers, seconded by the Chair to remove from the Public Services Committee Order No. 22-1008667 – granted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Broad Street beginning at a point approximately 240' northwest of the centerline at the intersection of Broad & West Main Streets, **APPROVED WITH THE FOLLOWING CONDITIONS.**

1. The new pole should not be installed directly in front of the concrete steps leading to Academy Knoll.
2. The Engineering Division will issue a road opening permit for this work, which will include review and approval of exact pole and anchor locations prior to start of work.
3. Any necessary easements are to be obtained from affected property owners.
4. A street opening permit must be applied for by the proposed contractor performing the work.
5. The contractor performing the work must obtain a street opening bond with the City of Marlborough.
6. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
7. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
8. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).

9. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
10. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
11. Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
12. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
13. Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.

Suspension of the Rules requested – Motion by Councilor Landers, seconded by the Chair to remove from the Public Services Committee Order No. 22-1008668 – granted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 2-5) on Simarano Drive beginning at a point approximately 450' north of the centerline at the intersection of Simarano Drive & Cedar Hill Street for new overhead equipment, **APPROVED WITH THE FOLLOWING CONDITIONS.**

1. The Engineering Division will issue a road opening permit for this work, which will include review and approval of exact pole and anchor locations prior to start of work.
2. Any necessary easements are to be obtained from affected property owners.
3. A street opening permit must be applied for by the proposed contractor performing the work.
4. The contractor performing the work must obtain a street opening bond with the City of Marlborough.
5. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
6. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
7. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
8. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
9. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
10. Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
11. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
12. Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.

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

IN CITY COUNCIL

**DECISION ON A SPECIAL PERMIT
ORDER NO. 21/22-1007995T**

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to WP Marlborough MA Owner, LLC (the "Applicant") to build and operate a 140-unit multifamily dwelling residential project at 339 Boston Post Road East, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, WP Marlborough MA Owner, LLC, is a Connecticut limited liability company with an address of 9 West Broad Street, Suite 800, Stamford, CT 06902.
2. The Applicant is the prospective owner of the property located at 339 Boston Post Road East, Marlborough, Massachusetts, being shown as Parcel 35 of Assessor Map 72, and Parcels 24, 26, 26A, and 28 on Assessors Map 73 (the "Site").
3. In accordance with Article V, Section 650-17 and Section 650-18(4), of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), the Applicant proposes to build and operate a 140-unit multifamily dwelling residential project at the Site, in three buildings, with 280 on-site parking spaces, open areas, walking paths, and residential amenities (the "Use" or "Project").
4. The Site is located in the Business and Residence A-2 Zoning Districts.
5. The Site has an area of 25.7 acres +/- as shown on the Plans referenced in paragraph 7 below.
6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use.
7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a Fiscal Impact Analysis dated January 3, 2019 by Fougere Planning & Development, Inc., a Transportation Impact Assessment dated January 12, 2019 by Vanasse & Associates, Inc., and the following plans: a detailed site plan entitled "Preliminary Site Development Plans for Walcott Heritage Farms" by Allen & Major Associates, Inc., comprised of Sheets 1 through 6 with the last revision date of December 16, 2020 (the "Plans"), attached hereto as "Attachment A."
8. By Notice of Decision dated August 23, 2021, and filed in the Office of the City Clerk of Marlborough on August 24, 2021, the Marlborough City Council denied the Applicant's Application.

9. On September 10, 2021, the Applicant filed an appeal of the Decision of the Marlborough City Council denying the Application in the action entitled *WP Marlborough MA Owner, LLC v. Marlborough City Council, et al.* (Land Court No. 21 MISC 000451) (the “Appeal”). During the Appeal, a settlement was reached between the Applicant and the Marlborough City Council which agreed upon a remand for the purposes of considering the Application subject to certain changes agreed upon between the Applicant and the Marlborough City Council, and pursuant to that Settlement Agreement, the Applicant and the Marlborough City Council filed a Joint Motion to Remand in the Appeal on or about May 26, 2022.
10. In the Appeal, the Massachusetts Land Court entered a certain Order on Joint Motion for Remand dated May 31, 2022, which remanded to the Marlborough City Council the matter which ordered the Marlborough City Council to conduct a public hearing for the purpose of considering the Applicant’s revised special permit application (the “Remand Order”).
11. Pursuant to the Remand Order, the Applicant submitted to the Marlborough City Council a request on July 1, 2022, that the Marlborough City Council grant the Application, as amended, consistent with the Settlement Agreement reached between the Applicant and the Marlborough City Council (collectively, the “Revised Application”).
12. The Remand Order required the Marlborough City Council to hold the public hearing on the revised special permit application by August 30, 2022. The Remand Order required that the remanded public hearing process be for the limited purposes of considering the changes to the previously contemplated draft decision to grant a special permit for the Project.
13. During the remanded public hearing process, the Appeal has been stayed by the Remand Order.
14. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
15. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, and pursuant to the Remand Order, the City Council established a date for a public hearing on the Revised 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.

16. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Revised Application on August 22, 2022. The public hearing was held at the Marlborough City Hall, 140 Main Street. In accordance with the Remand Order, the public hearing incorporated by reference all materials and testimony previously submitted to the Marlborough City Council during the prior July 20, 2020, public hearing relating to the Application. The hearing was closed on September 12, 2022.
17. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic, pursuant to the Remand Order.

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

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.
- C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby **GRANTS** the Applicant a Special Permit to build and operate a 140-unit multifamily dwelling residential project as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
 1. Construction in Accordance with Applicable Laws. Construction of all structures on the Site is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts and shall be built according to the Plans as may be amended during Site Plan Review.
 2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.
 3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the Site Plan Review Committee in accordance with the City of Marlborough Site Plan Review Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant, its successors and/or assigns, has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed, and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs, and other documentation provided by the Applicant as part of the Revised Application, the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council. The final architectural design of the Site shall be reasonably consistent with the Plans submitted by the Applicant. The final exterior features of the Site, including landscaping, shall be maintained in good condition and shall be reasonably consistent with the Plans submitted and representations made to the City Council.
5. Storm Water and Erosion Control Management. The Applicant, its successors and/or assigns, shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. The Applicant shall also hire an independent Erosion Control Expert, with credentials acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.
6. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties, with a lighting plan for the Site to be reviewed and further conditioned during the Site Plan Review process.
7. Affordable Units. Twenty percent (20%) of the dwelling units at the Site shall be made available as rental units at affordable prices to renters (whose annual income does not exceed eighty percent (80%) of the Area median income adjusted for family size as determined by the U.S. Department of Housing and Urban Development) in perpetuity or the longest period allowed by law (the "Affordable Housing Units"), in accordance with the provisions of Section 650-26 of the Zoning Ordinance and this condition. The Affordable Housing Units shall comply with all requirements for inclusion in the Subsidized Housing Inventory ("SHI") of the Commonwealth of Mass. Department of Housing and Community Development ("DHCD"). Prior to obtaining a certificate of occupancy for any unit within the Use, the Applicant, its successors and/or assigns, in coordination with the City and its Community Development Authority, shall file all required submissions to DHCD for inclusion of the Affordable Housing Units on the SHI and shall diligently take all actions necessary to include the Affordable Housing Units on the SHI, including without limitation, preparing and executing a regulatory agreement and declaration of restrictive covenants and/or any other restrictive instrument necessary to ensure compliance with said Zoning Ordinance and this condition, a marketing plan, and all other required documentation. All costs associated with complying with this condition, including but not limited to, the DHCD process, recording of all documents with the registry of deeds, and the marketing plan for the Affordable Units shall be borne by the Applicant, its successors and/or assigns.

8. Site Access and Roadway Improvements.

- a. The Use shall access Route 20 with a single driveway entrance located directly opposite Village Drive. The Applicant shall provide an emergency access driveway off of Route 20 on the western side of the Site, with an access or gating system approved during Site Plan Review.
- b. The Applicant, its successors and/or assigns, shall coordinate with the City and the Massachusetts Department of Transportation to ensure that development of the Use does not conflict with planned improvements to Route 20 in the vicinity of the Site. The final design and configuration of the Site's access driveways shall incorporate the latest design of the planned MassDOT improvements to Route 20 and shall be approved by both MassDOT and the Engineering Division of the Department of Public Works.
- c. In addition to the planned improvements to Route 20, the Applicant shall, in coordination with MassDOT and the Engineering Division of the Department of Public Works, make the following traffic calming improvements in the vicinity of the Site:
 - (i) A radar speed sign on the southern side of Route 20 to the west of Victoria Lane;
 - (ii) A radar speed sign on the northern side of Route 20 to the east of Village Drive; and
 - (iii) Rectangular rapid flashing beacons at the proposed crosswalks over Route 20 in the vicinity of the Site.
- d. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$200,000 to be used by the City Council or its designee towards the study, design, and construction of a traffic signal at the intersection Route 20, Village Drive, and the Site's main entrance; provided however, that if the Massachusetts Department of Transportation does not authorize said traffic signal within three (3) years following the issuance of a final certificate of occupancy for the Use, then the funds may be used by the City Council or its designee for the study, design, and construction of comparable transportation safety improvements in the vicinity of the Site, for beautification improvements along Route 20 in the vicinity of the Site, or another project designed to improve transportation and aesthetics along Route 20 in the vicinity of the Site.
- e. Within six (6) months after the issuance of the final certificate of occupancy for the Project, the Applicant shall make a written request to MassDOT asking MassDOT to reconsider the traffic signal at the intersection of Route 20, Village Drive, and the Site's main entrance based upon traffic data reflecting the actual full occupancy of the Project.
- f. Within six (6) months after the issuance of the final certificate of occupancy for the Project, the Applicant agrees to have its traffic engineer update its traffic analysis, and make and provide written recommendations to the Marlborough City Council as to the best use of the \$200,000 paid pursuant to Condition 8D above for traffic safety and improvements in the area of the Site and Village Drive, taking into consideration the full occupancy of the Project and ongoing improvements in the area made by MassDOT.

9. Transportation Alternatives.
 - a. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$20,000 to be used by the City Council or its designee to study and/or fund shared transportation options, including but not limited to a shuttle service, to provide access between the Site and its neighboring residential properties and Downtown Marlborough.
 - b. Prior to applying for a building permit for the Use, the Applicant, its successors and/or assigns, shall submit a request to the MetroWest Regional Transit Authority to add a bus stop in the vicinity of the Site and its neighboring residential properties.
 - c. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a written summary of a program sponsored for the Site's residents to encourage shared trips and carpooling to reduce vehicle trips to and from the Site, and shall submit an annual report on this program to the Building Commissioner on or before January 30th during each year that the Use remains in operation.
10. Open Space.
 - a. The Applicant, its successors and/or assigns, shall grant a conservation restriction to the City's Conservation Commission or its designee over areas of the Site identified as "CR Area 1", "CR Area 2", and "CR Area 3" (including any area outlined in red) shown on the plan attached as "Attachment B" (the "Restricted Land"). The form of the conservation restriction over the Restricted Land shall be approved by the City Solicitor and the City Conservation Officer prior to the issuance of a building permit. The Conservation Restriction must be approved by the Conservation Commission, the City Council, and finally signed by the Mayor before being approved by the State Secretary of Energy and Environmental Affairs. The conservation restriction must be granted and recorded prior to the issuance of a certificate of occupancy for any unit within the Use, or at a later time agreed to in writing by the City Conservation Officer. The Conservation Restriction will allow for the mowing and management of portions of CR Area 1 to enhance wildlife habitat and meadows as approved by the Conservation Commission and shall allow for the passive recreational use of CR Area 1 by the Site's residents.
 - b. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City in the amount of \$20,000 to be used by the City Council or its designee to study and/or fund a recreational trail for pedestrians along the City-owned sewer land adjacent to the Site, to provide public access and connections between Route 20 and the Site's neighboring residential properties and Kane School.
11. Issuance of Building Permit. Construction of the project shall not begin until April 14, 2023. Issuance of a building permit shall be conditioned such that construction of the project may not begin until April 14, 2023.
12. Charging Station. The Applicant agrees to increase the number of charging stations at the Project from the original two (2) to four (4) charging stations.

13. Sewer Pump Station Improvements. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City for its Department of Public Works or its designee, not to exceed \$35,000, to be used by the City for the installation of an in-line sewage grinder at the Boston Post Road pump station in the vicinity of the Site.
14. Snow Removal. Snow removed from driveways, parking areas, and walkways at the Site may not be stored in a manner that creates a shortage of on-site parking for residents. If on-site snow storage creates a shortage of on-site parking for residents, the Applicant, its successors and/or assigns, shall have stockpiled snow removed from the Site.
15. Other Approvals. The Applicant, its successors and/or assigns, shall comply with an order of conditions from the City's Conservation Commission and a floodplain special permit from the City's Zoning Board of Appeals.
16. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: 10 – Nay: 1 – Absent – 0

Yea: Wagner, Doucette, Doucette, Brown, Irish, Navin, Landers, Ossing, Perlman, & Robey.

Nay: Oram

Motion by Councilor Dumais, 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 9:30 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

ORDERED:

That the Proposed Zoning Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches, be and is herewith referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, OCTOBER 3, 2022.**

THAT, PURSUANT TO SECTION 5 OF CHAPTER 40A OF THE GENERAL LAWS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT CHAPTER 650 OF THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. By amending Chapter 650 (Zoning), Section 650-40 (Location and Height of Buildings), Subsection F(5) to read as follows (new text shown as underlined):

(5) (a) Nothing herein shall prevent the projection of cornices or eaves not exceeding 18 inches in width or of uncovered steps, unroofed porches or windowsills into a required yard or other open space.

(b) For single-family and two-family dwellings, in all zoning districts: An attached roof covering an entryway or porch may project into the required yard setback, subject to compliance with all of the following requirements:

[1] Attached roof is permitted to project up to sixty (60) inches into the required yard setback;

[2] Attached roof shall not exceed forty (40) square feet;

[3] Attached roof shall not exceed allowable height per §650-41, Table of Lot Area, Yards and Height of Structures;

[4] Entryway or porch may not be enclosed nor living space or balconies erected above, excepting required elements such as railings;

[5] Space beneath the porch may not be occupied; and

[6] Minimum setback from any street or way for an attached roof authorized under this subsection shall be five (5) feet.

II. The effective date of these amendments shall be the date of passage.

ADOPTED

ORDER NO. 22-1008679

City Council

RECEIVED
CITY CLERK'S OFFICE
CITY OF HARLBOROUGH
2022 SEP 28 PM 3:46

From: City Council
Sent: Tuesday, September 27, 2022 1:48 PM
To: City Council
Cc: Steven Kerrigan
Subject: For October 3, 2022 Public Hearing: From Nicole and Matthew Adamowicz: Zoning Change for Attached Roofs/Porchways

From: Nicole Adamowicz
Sent: Tuesday, September 27, 2022 11:47 AM
To: Mike Ossing
Subject: Zoning Change for Attached Roofs/Porchways

We are neighbors of Aura and Robert Gauthier. We live at 54 Oakcrest Ave, and just wanted to write in to let you know that we support the zoning change.
Thank you,
Nicole and Matthew Adamowicz

City Council

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 SEP 28 PM 3:47

From: City Council
Sent: Wednesday, September 28, 2022 3:43 PM
To: City Council
Cc: Steven Kerrigan
Subject: For October 3, 2022 Public Hearing: From Aura and Bob Gauthier: Zoning Change for Attached Roofs/Porchways

From: Aura Gauthier
Sent: Monday, September 26, 2022 9:33 PM
To: Mike Ossing
Subject: Zoning Change for Attached Roofs/Porchways

Bob and I would like to let you know that we approve the new zoning change. We would like to thank both you and Councilor Sean Navin for your effort to bring about this change.

Gratefully,

Aura and Bob Gauthier

--

Aura Gauthier
Realtor, Notary Public,
ERA Key Realty Services
19B Maple St.
Marlborough, MA 01752

Steven Kerrigan

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

From: City Council
Sent: Thursday, September 29, 2022 10:36 AM
To: City Council
Cc: Steven Kerrigan
Subject: For October 3, 2022 Public Hearing: From Roland and Kathleen Lachapelle: Zoning Change for Attached Roofs/Porchways

2022 SEP 29 AM 10:36

From:
Sent: Wednesday, September 28, 2022 7:42 PM
To: City Council
ma.gov>
Subject: Zoning Change for Attached Roofs/Porchways

Mike Ossing

Dear Mr. Ossing and City Council Members,

I am resending this letter in regard to the proposed Zoning changes for Attached Roofs and Porchways as requested since the document could not be opened earlier.

I appreciate your time and attention to this matter. We are in favor of the changes.

Sincerely,
Roland and Kathleen Lachapelle

Zoning Change for Attached Roofs/ Porch ways
Attention : Mike Ossing
Zoning Board Members

Dear Mr. Ossing and Board Members,

We are writing to say we are in favor of the proposed Zoning changes for the Roof / Porchways. We understand that the changes may be helpful to those homeowners that are looking to improve their homes and property. Therefore, we do approve these changes.

This is a welcoming change for homeowners that may wish to add a Porch or Portico to their exciting homes and at the same time the changes allow for the flexibility and possibility to do so. As homeowners we always wish to improve our property and neighborhoods. All benefit from these improvements.

Thank you for the hard work you all have taken to help us homeowners. Thank you to Councilor Navin , the Building Department and Legal Department, Mr. Ossing and all for taking this step to allow homeowners some flexibility to make improvements and changes to their homes.

Thank you all for all the efforts and work you put into this Zoning Change proposal. It is very much appreciated.

Sincerely:
Roland and Kathleen Lachapelle
73 Oakcrest Ave
Marlborough, Mass 01752



IN CITY COUNCIL

Marlborough, Mass., ~~SEPTEMBER 12, 2022~~

ORDERED:

That there being no objection thereto set **MONDAY OCTOBER 3, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, d/b/a Kosa Dispensary, to amend condition #8 relative to the hours of operation for the adult use marijuana retail establishment located at 505 Boston Post Road West, be and is herewith referred to the **URBAN AFFAIRS COMMITTEE AND ADVERTISE**.

Ninety days after public hearing is 01/02/23 which falls on a Holiday, therefore 01/03/23 would be considered the 90th day.

ADOPTED

ORDER NO. 19/22-1007881I



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 12, 2022

ORDERED:

That there being no objection thereto set **MONDAY OCTOBER 3, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Modification of Special Permit and Site Plan from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., to allow for a stand-alone Chipotle Restaurant with a drive through facility and eliminate the proposed bank and retail addition to the plaza located at 661 Boston Post Road East, be and is herewith referred to the **URBAN AFFAIRS COMMITTEE AND ADVERTISE**.

Ninety days after public hearing is 01/02/23 which falls on a Holiday, therefore 01/03/23 would be considered the 90th day.

ADOPTED

ORDER NO. 21/22-1008395F
X 21-1008418C

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 SEP 28 AM 11:46

Marlborough City Council
Laura J. Wagner
Michael H. Ossing
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

September 22, 2022

Honorable Members
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Municipal Aggregation – September 2022 Update

Dear Honorable Members:

In accordance with Order No.19-1007578B, this correspondence informs the City Council of the second quarter 2022 savings from the approved fixed price contract with Inspire that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period. The contract with Inspire runs through the January 2024 meter reads.

Colonial Power has compiled the second quarter 2022 data and the City residents saved \$579,546 in their electricity bill compared to the National Grid Basic Service rate. Refer to the table in Attachment 1 and the graph in Attachment 2.

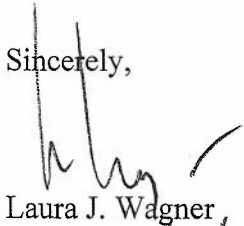
As a reminder, the City contract with Inspire is 100% National Wind Renewable Energy Credits (RECs). The savings are even greater when compared to the National Grid Green options.

Looking ahead to the third quarter 2022, the City rate is lower than the National Grid Summer Basic Service rate of 0.11491 \$/kWh. This is significant as the City residents will continue to see savings over the National Grid Basic Service rate and the requirements in order 19-1007578B will be satisfied by “on a yearly average be lower than the National Grid Basic Service rates during the same time period.”

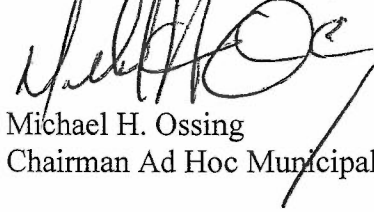
This information will be updated periodically and forwarded to the Councilors in accordance with Order 19-1007578B.

As Councilors, you can take pride in your decision to support Municipal Aggregation as we are saving our residents money on their electricity bills. Since November 2019, City residents have saved over \$5,562,000 on their electric bills with Inspire.

Sincerely,



Laura J. Wagner
Member, Ad Hoc Municipal Aggregation Committee



Michael H. Ossing
Chairman Ad Hoc Municipal Aggregation Committee

Attachment 1: Table showing Residential Savings with Inspire

Attachment 2: 2nd quarter 2022 status report – Graph illustrating Marlboro aggregation savings

Attachment 1

Table Showing Residential Savings with Inspire

Date	NGrid Basic Service Rate (\$/kW-hr)	City Rate (\$/kW-hr)	City Residential User Savings	City Residential Commercial Industrial Savings
Fourth Quarter 2019	Nov - .13957 Dec - .13957	Nov - .09690 Dec - .09690	\$550,815	\$693,006
First Quarter 2020	Jan – Mar .13957	Jan – Mar .09690	\$812,433	\$1,034,746
Second Quarter 2020	Apr - .13957 May - .09898 Jun - .09898	Apr – Jun .09690	\$250,320	\$196,841
Third Quarter 2020	Jul – Sept .09898	Jul - .09690 Aug - .09390 Sept - .09390	\$78,989	(-\$148,635)*
Fourth Quarter 2020	Oct - .09898 Nov - .12388 Dec - .12388	Oct – Dec .09390	\$482,513	\$564,251
First Quarter 2021	Jan – Mar .12388	Jan – Mar .09390	\$624,406	\$762,385
Second Quarter 2021	Apr - .12388 May – .09707 Jun - .09707	Apr – Jun .09390	\$187,609	\$129,809
Third Quarter 2021	Jul – Sept .09707	Jul – Sept .09390	\$64,802	(-\$60,875)*
Fourth Quarter 2021	Oct - .09707 Nov - .14821 Dec - .14821	Oct – Dec .09390	\$835,669	\$1,444,333
First Quarter 2022	Jan – Mar .14821	Jan – Mar .09390	\$1,100,399	\$1,806,031
Second Quarter 2022	Apr – .14821 May - .11491 Jun - .11491	Apr – Jun .09390	\$579,546	\$870,124
Third Quarter 2022	Jul – Sept .11491	Jul – Sept .09390	TBD	TBD

- *National Grid sets different rate for commercial/industrial users that are not associated with the National Grid residential fixed Basic Service rate.

- Total residential savings from Inspire (November 2019 to December 2021) is over **\$5,562,000.**
- Total program savings (all rate classes) since inception in 2007 is over **\$11,206,000.**

CITY OF MARLBOROUGH COMMUNITY CHOICE POWER SUPPLY PROGRAM STATUS REPORT Q2 2022 **ATTACHMENT #2**

Prepared September 2022

This report has been prepared by Colonial Power Group with information/data being provided by the Competitive Supplier and National Grid. The purpose of the report is to provide information about the City of Marlborough's Community Choice Power Supply Program, which currently provides competitive power supply to approximately 13,000 customers in the City. The data provided by the Competitive Supplier is not available until three months after the month it is used. For example, power is *Used* in January, *Invoiced* in February, *Paid* in March and *Reported* in April.

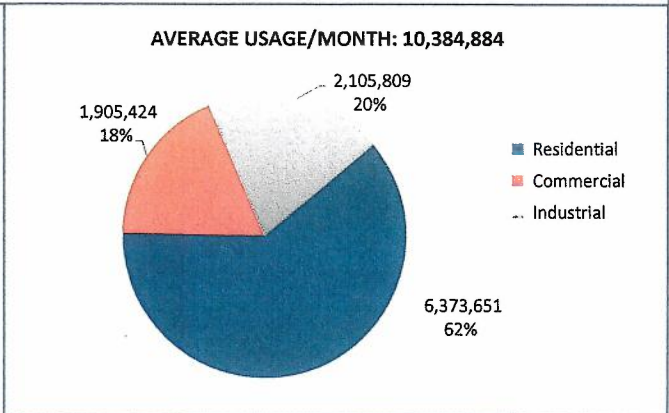
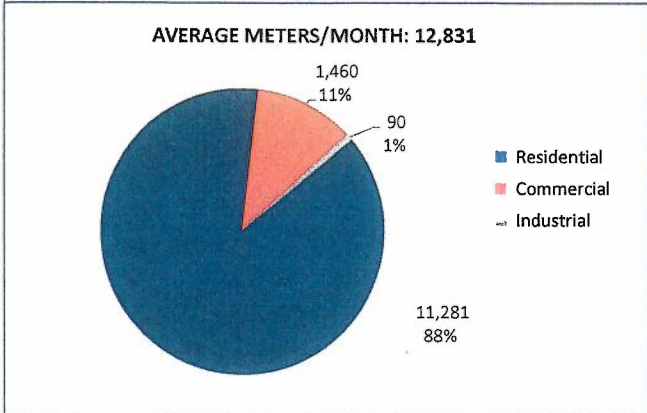
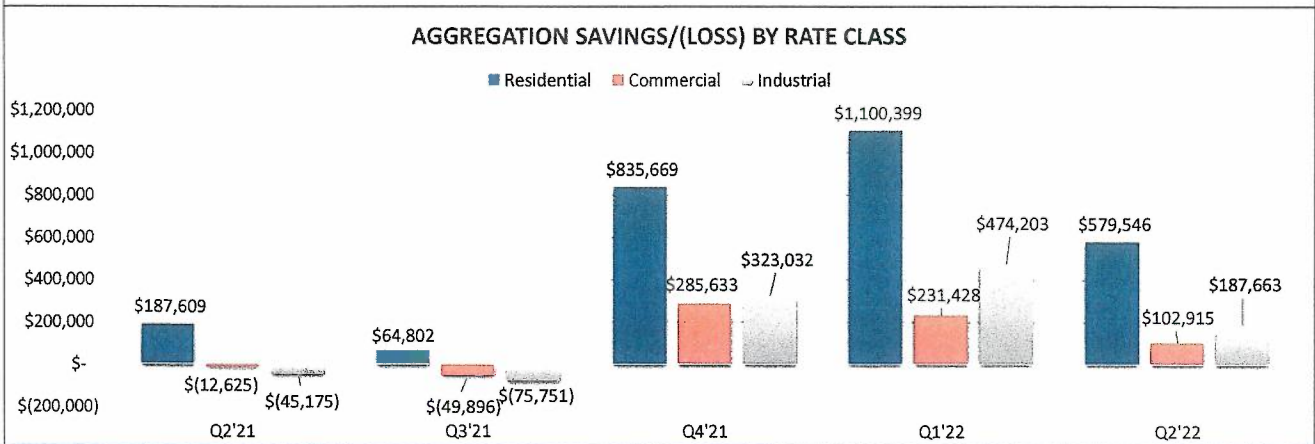
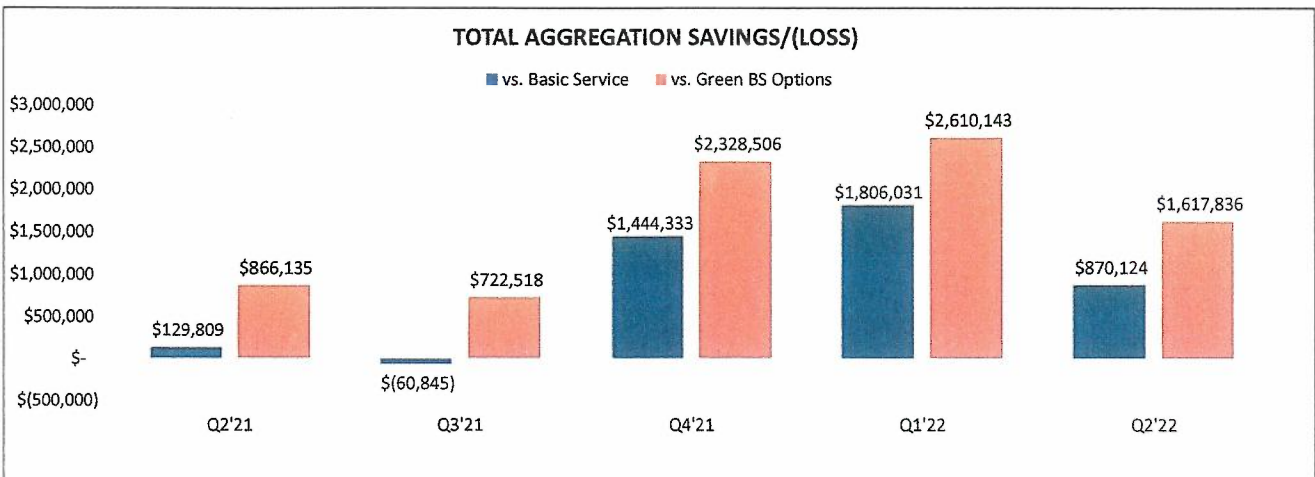
[Click here for more information about the Program](#)

PROGRAM RATES		
Term	November 2019 - August 2020	August 2020 - January 2024
Competitive Supplier	Inspire	Inspire
Standard (default)	\$0.09690 / kWh 100% National Wind RECs	\$0.09390 / kWh 100% National Wind RECs
Optional	N/A	N/A

COMPARISON TO NATIONAL GRID RATES

[Click here for NGRID GreenUp Info](#)

The City's aggregation savings are directly tied to the margin of savings between the Program's rates and National Grid's corresponding Basic Service rates as well as the level of consumption by participating consumers. Basic Service rates change twice a year or more, depending on utility and rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against the Basic Service rate. However, such savings and future savings cannot be guaranteed.





City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candice McGrath
EXECUTIVE ADMINISTRATOR

September 29, 2022

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

Re: Municipal Aggregation Press Release

Dear President Ossing and Members:

Attached is the press release that highlights the savings the residents participating in the Municipal Aggregation will benefit from when the National Grid winter rates go into effect from November 2022 to April 2023.

I sincerely thank Councilor Ossing and members of the Municipal Aggregation Committee for their outstanding efforts in this matter.

Sincerely,

Arthur G. Vigeant
Mayor

AV/kb

enclosure



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

-FOR IMMEDIATE RELEASE-
September 23, 2022

CONTACT: Trish Bernard 508-460-3770 or pbernard@marlborough-ma.gov

Marlborough's Community Choice Power Supply Participants Will Reap Significant Savings this Heating Season

MARLBOROUGH—The Colonial Power Group, the City's aggregate broker, reported second quarter savings of nearly \$580,000 for residents who take part in the City of Marlborough's Community Choice Power Supply Program. Residents participating in the program have saved over \$1,600,000 on their electricity bill for the first six months of 2022. **The City's rate with energy supplier Inspire Energy is \$0.09390 per kWh** for all rate classes and this rate will be in effect until January 2024. Residents' total savings with Inspire (since 2019) to date is over \$5.5 million and the energy is 100% wind renewable energy.

National Grid's recently announced winter rate (November 2022 to April 2023) is projected to be \$0.33891 per kWh compared to the City's \$0.0939 per kWh. *The average homeowner uses 600 kWh per month and the anticipated savings will be \$147.00 per month or \$882.00 during this winter season.* Overall, the anticipated savings for all residents in the program during the winter period will be in excess \$9,960,000.

This program is a municipal aggregation that enables local government to combine the purchasing power on behalf of its residents and businesses to provide them with an alternative to National Grid Basic Service (M.G.L. c. 164, § 134).

By leveraging its purchasing power, the City is able to negotiate a lower rate. The City estimates there are around 4000 customers who are using other energy suppliers who may be paying a higher rate this winter season.

“Last year we were about five cents below National Grid's rate. This year we are **24.5 cents below** the National Grid rate. If you compare a monthly bill to a friend or family member who is not on our aggregate program, their bill is going to be significantly higher. Rates have never

been so high and Marlborough residents will reap the savings from our program this heating season,” cited Mayor Arthur Vigeant.

A special thanks to Aggregation Committee Chair Michael Ossing and members who review rates and trends getting the best possible rate for our residents.

If you would like to take part in the program, please contact Colonial Power at 866-485-5858 x1 and to learn more about the program, visit <http://colonialpower.com/Marlborough>

For more information, please contact the Mayor’s Office at 508-460-3770 or go to the Department of Public Utilities website, frequently asked questions about my electricity: [Energy Switch Massachusetts | The Massachusetts Department Of Public Utilities' Shopping for Electric Supply website](#)

#



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

September 29, 2022

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

RE: Transfer request from Stabilization to Public Safety for new police vehicles

Honorable President Ossing and Councilors:

I am requesting a transfer in the amount of \$250,000.00 from the Stabilization account to the Public Safety to fund the purchase of five new unmarked police vehicles.

We would like to expedite this order to avoid a lengthy turnaround time. More information is included in Police Chief Giorgi's enclosed letter.

Chief Giorgi will be available at a future meeting to discuss in more detail.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police

FISCAL YEAR: 2023

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$18,311,188.27

\$250,000.00

83600

35900

Undesignated Stabilization

\$250,000.00

19300006

58512

Department Equip Police

\$0.00

Reason:

To fully fund 5 unmarked cars

Reason:

Reason:

Reason:

\$250,000.00

Total

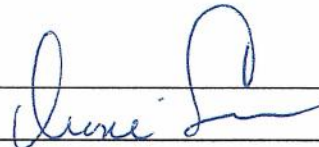
\$250,000.00

Total

Department Head signature:

Auditor signature:

Finance Director signature:





City of Marlborough POLICE DEPARTMENT

355 Bolton St.
Marlborough, MA 01752
Phone: 508-485-1212 Fax: 508-624-6949



DAVID A. GIORGI
Chief of Police

September 28, 2022

Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

Dear Mayor Vigeant,

The Police Department is requesting the funding to allow for the purchase of five (5) unmarked police cruisers. Currently, the department has several unmarked cruisers which need replacement due to a combination of age and advanced mileage on each cruiser.

Please see the attached request for a FY2023 Budget Capital Item purchase:

<u>DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>
(5) Unmarked cruisers	19300006 58512 Capital Outlay Police	\$250,000.00 (@\$45,000-\$50,000/each)

EXPLANATION:

Replace five (5) unmarked cruisers which are between 8-10 years old and/or have +100,000 miles. All unmarked cruisers are designated as "Poor" or "Fair" in the accompanying service spreadsheet and have experienced re-occurring service-related maintenance issues. All cruisers (marked and unmarked) come with a 5 year/100,000 mile power train warranty, but once the cruiser reaches 100,000 miles they are no longer covered and service costs increase. Unmarked cruisers and administrative vehicles typically are driven less frequently and can stay in serviceable condition for much longer time. However, the department currently has 5 unmarked cruisers which need replacement. Two cruisers are 10+ years old (A-3, A-5), two cruisers are between 8-10 years old and/or have high mileage (C-2, D-4), and the last cruiser (C-1) is 15+ years old and in poor condition. Their serviceable years are past, and the cruisers are not reliable to run properly.

Thank you for your consideration.

Respectfully,

David A. Giorgi



CAPITAL IMPROVEMENT PROJECT REQUEST FORM – *City of Marlborough*

Project Request Date: FY 2023 (September 2022)		Priority Level 1-5: 1	
Project Name: Unmarked Cruiser Replacement			
Project Location: 355 Bolton Street Marlborough, MA 01752			
Department Requesting: Police Department		Contact Person: Chief David A. Giorgi	
Phone Number: 508-485-1212		Ext: 36974	Email: dgiorgi@marlborough-ma.gov
Replacing Existing Item: cruisers	Age of Current Item: + years old	Mileage: 100,000+	
Condition of Current Item: Fair to Poor		Make/Model: Ford Police Interceptor	
Estimated Cost: \$200,000		Borrowing/Funding Source: Free Cash/Other <input type="checkbox"/>	
Amount Per Fiscal Year: <i>Identify amount needed each year of Five-Year Capital Plan</i>			
FY22: 270,000	FY23: 250,000	FY24: 270,000	FY25: 270,000
		FY26: 270,000	

Project Description

The serviceable time of an unmarked cruiser is different than a marked cruiser. Marked cruisers normally reach 100,000+ miles in approximately 3 years and after that, the cruisers are no longer under warranty and should be replaced. Unmarked cruisers, however, last longer than 100,000 miles and may be serviceable for 5-10 years as they are not driven for the same number of hours and miles each day, and can be maintained for a longer period of time. However, the department currently has 5 unmarked cruisers which need replacement. Two cruisers are 10+ years old (A-3 and A-5); two cruisers are between 8-10 years old and/or have high mileage (C-2, D-4), while the last cruiser (C-1) is over 15 years old and in poor condition. All cruisers are rated as "Fair" or "Poor" on the accompanying cruiser inventory spreadsheet. Their serviceable years are past and the cruisers are not reliable to run properly.

Describe Impact on Operating Costs

Describe Dept. Priority: 1



Estimate

Date: 9/14/2022

Customer ID: Marlborough PD

To: ATT: Officer Andrew Larose
 Marlborough Police Department Traffic Services Division
 355 Bolton Street
 Marlborough, MA 01752
 508-485-1212 / alarose@marlborough-ma.gov

Salesperson: Rudy Espinoza

339-215-4868

Qty	Item #	Description	Unit Price	Line Total
1.00	K8A	2022 Ford Police Interceptor Utility AWD Gray Admin	\$ 36,802.00	\$ 36,802.00
1.00	55F	Keyless Entry	\$ 329.80	\$ 329.80
1.00	64E	18" Painted Aluminum Wheels	\$ 460.75	\$ 460.75
1.00	65U	Interior Upgrade with Console and Carpet	\$ 378.30	\$ 378.30
1.00	549	Power Heated Mirrors	\$ 58.20	\$ 58.20
1.00	76R	Reverse Sensing System	\$ 266.75	\$ 266.75
1.00	53M	SYNC Voice Activated System	\$ -	\$ -
1.00	86P	Front Headlamp Housing	\$ -	\$ -
1.00	87R	Rear View Camera Relocate to Mirror	\$ -	\$ -
1.00	18D	Rear Liftgate Lock Disable Delete	\$ -	\$ -
1.00	OL	Immediate need of Stock order Vehicle	\$ 1,000.00	\$ 1,000.00
			\$ -	\$ -
1.00	ENGS5200HPP	SoundOff Signal 500 Series	\$ 1,200.00	\$ 1,200.00
1.00	ENGSYMD01	SoundOff Signal sync module	\$ 300.00	\$ 300.00
1.00	ENGLMK008	SoundOff Signal blueprint link module	\$ 250.00	\$ 250.00
2.00	ENGND04101	Remote Node for 500 series Front and Rear	\$ 200.00	\$ 400.00
2.00	ENGHNK02	Harness Kit for Node Front & Rear	\$ 75.00	\$ 150.00
2.00	ETSS100J	Siren Speaker	\$ 250.00	\$ 500.00
2.00	ETSSVBK01	Speaker Bracket	\$ -	\$ -
1.00	ETSKLF200	After Shock 200w	\$ 1,000.00	\$ 1,000.00
1.00	ETSSLFVBK07	Soundoff Aftershock Bracket	\$ -	\$ -
1.00	ETSSLFVBK09	Soundoff Aftershock Bracket	\$ -	\$ -
1.00	ENFWB004YL	Inner Edge Rear	\$ 1,200.00	\$ 1,200.00
1.00	ENFWB002P4	Inner Edge Front Half Visor	\$ 1,000.00	\$ 1,000.00
2.00	PLUCTCL1	Screw In LED Light Kit	\$ -	\$ -
2.00	ELUC3H010E	LED Hideaway both Front Headlights	\$ 150.00	\$ 300.00
2.00	EMPS2QMS5RBW	Mpower 4" LED on rear hatch plastic trim above plate (red/blue/white) set of (2)	\$ 190.00	\$ 380.00

2.00	ELUC3H010E	Rear lamp hideaway flasher(blue/white)	\$ 150.00	\$ 300.00
2.00	ENFSGS3E	Rear Quarter Glass Lights	\$ 190.00	\$ 380.00
2.00	EMPS1STS4RBW	3" LED Grille knockout lights (blue/white)	\$ 190.00	\$ 380.00
1.00	TINT	35% Tint front door glass	\$ 250.00	\$ 250.00
1.00	94332	Set of 4 vent shades	\$ 110.00	\$ 110.00
1.00	#EST3486	Panorama All in one antenna Quote number: #EST3486	\$ 400.00	\$ 400.00
1.00	LABOR	Installation of supplied 2 way radio	\$ 250.00	\$ 250.00
1.00	MNMOM-5	Antenna cable	\$ 95.00	\$ 95.00
1.00	441575-1-2	Weather Tech Floor Mats	\$ 200.00	\$ 200.00
1.00	NC	Shop Supplies	\$ 175.00	\$ 175.00
				\$

TRADE	\$0.00
Vehicle Subtotal	\$39,295.80
Upfit Subtotal	\$9,220.00
Grand Total	\$48,515.80

Special Instructions:

Custom or Special Orders are Non-Refundable
 This Estimate is for Budgetary Purposes and is Not a Guarantee of Cost for Services.
 Estimate is Based on Current Information From Client About the Project Requirements
 Actual Cost May Change Once Project Elements are Finalized

McGovern Municipal Headquarters
 1200 Worcester Road
 Framingham, MA 01702



Marlborough Police Department
355 Belton Street Marlborough MA 01752

VEHICLE INFORMATION										COMPUTER INFORMATION	
Car	Vehicle Type (Year / Make / Model)	Plate #	Vin #	Purchase Date	Tire Size	MA REG. RENEW DATE	Car Stickers Renewal Month	Current Mileage (as of 3/24/2022)	Car Condition	Service Tag	Service Code
UN-MARKED CARS											
A-1	2017 Ford Explorer Utility (GRAY)	888V52	1FMSK8D85HGD44153	12/24/2017		23-Feb	October	109,650	GOOD	N/A	N/A
A-2	2014 Ford Taurus (Black)	4ZCV70	1FAHP2MIXEG107289	12/13/2013		23-Oct	January	38,535	FAIR	N/A	N/A
A-3	2012 Ford Explorer Utility (Black)	952WGB	1FMHK8881CGA17766	3/1/2012		24-Feb	January	123,038	poor	N/A	N/A
A-4	2018 Ford Explorer Utility (Black)	MPD698	1FMSK8D88JGCL7833	8/2/2018			August	35,712	GOOD	N/A	N/A
A-5	2011 Ford Taurus (Black)	6261FZ	1FAHP2HW58G127524	12/6/2010		24-Jan	December	75,785	POOR	N/A	N/A
C-2	2011 Ford Taurus (Blue)	811WKH	1FAHP2HW28G118683	12/3/2010		23-Jan	February	49,180	FAIR	N/A	N/A
C-3	2019 FORD EDGE UTIL (BLACK)	1BXR29	2FMRK4G93KBC64153	9/25/2019		23-Sep	December	36,242	GOOD	N/A	N/A
D-2	2016 Ford Fusion (Gray)	1XB613	3FA6POD92GR125452	5/21/2015		23-Aug	September	39,599	FAIR	N/A	N/A
D-3	2017 FORD FUSION (black)	3AWT20	3FA6POLU1HR123313	08/22/2021		23-Oct	September	52,287	GOOD	N/A	N/A
D-4	2014 Ford Explorer Utility (BLACK)	4ZCJ70	1FMSK8B86EGAS0199	08/18/2013		23-Oct	February	66,038	POOR	N/A	N/A
D-5	2019 FORD EDGE UTIL (GRAY)	9EW539	2FMPK4G91KBC64796	9/25/2019		23-Sep	October	11,224	GOOD	N/A	N/A
K-9	2019 CHEVROLET TAHOE	MP3628	1G6SNKDEC2KR202812	9/20/2019			August	51,902	GOOD	N/A	N/A
MARKED CARS											
P-1	2022 Ford Interceptor Utility	MPS65J	1FMSK8AWXNNA03379	8/1/2022	full cage		August	1,500	NEW	N/A	N/A
P-2	2020 Ford Interceptor Utility	MPG500	1FMSK8AWXLGC92491	1/14/2021	full cage		January	42,705	GOOD	N/A	N/A
P-3	2022 Ford Interceptor Utility	3KPW37	1FMSK8AW9NNA04006	8/30/2022	full cage	24-Jul	September	2,076	NEW	N/A	N/A
P-4	2020 Ford Interceptor Utility	MP55	1FMSK8AW8LGC92490	1/4/2021	full cage		January	52,905	GOOD	N/A	N/A
P-5					full cage				GOOD	N/A	N/A
P-6	2022 Ford Interceptor Utility	H789	1FMSK8AW4NNA01191	2/14/2022	1/2 cage		February	17,862	NEW	N/A	N/A
P-7	2022 Ford Interceptor Utility	MP665H	1FMSK8AW3NNA01196	2/14/2022	1/2 cage		February	13,744	NEW	N/A	N/A
P-8	2022 Ford Interceptor Utility	F713	1FMSK8AWONNA00555	2/28/2022			March	12,776	NEW	N/A	N/A
P-9	2020 Ford Interceptor Utility	MPG501	1FMSK8AW3LGC92493	1/13/2021			April	44,158	GOOD	N/A	N/A
P-10	2020 Ford Interceptor Utility	MPD283	1FMSK8AWLGC92492	1/7/2021	1/2 cage		January	38,926	GOOD	N/A	N/A
P-11	2019 Ford Interceptor Utility	MP285F	1FMSK8AR1KGB45971	08/22/2019	full cage		August	49,349	GOOD	N/A	N/A

S-1	2017 FORD EXPLORER SUV	MP7484	1FM5K8AR3HGA13240	10/07/2016	full cage		November	68,830	FAIR	N/A	N/A
T-1	2017 Ford Interceptor Utility	3JDC54	1FM5K8AR6HGD26721	05/00/2017	full cage		August	31,857	GOOD	N/A	N/A
T-3	2019 Harley Davidson Motorcycle	MMC7879	1HD1FMP12K8668994	9/8/2021			June	2,902	NEW	N/A	N/A
T-4	2011 Harley Davidson Motorcycle	MMC7972	1HD1FMM168Y656082	6/6/2011			June	23,548	GOOD	N/A	N/A
T-5	2018 Ford Interceptor Utility	8MT515	1FM5K8ARA4JGB68112	6/1/2018	1/2 cage	24-May	August	37,777	GOOD	N/A	N/A
SRO1	2017 Ford Interceptor Utility	MP23U	1FM5K8ARX1HGD26723	08/22/2016			August	83,448	FAIR	N/A	N/A
SRO2	2018 Ford Interceptor Utility	MP354J	1FM5K8AR8JGC43197	3/22/2019			March	95,905	FAIR	N/A	N/A
SRO3	2019 Ford Interceptor Utility	MPD946	1FM5K8AR0KGB45900	08/22/2019	FULL CAGE		August	100,453	FAIR	N/A	N/A
→ CP-1	2007 Crown Victoria (Light Blue)	55FW81	2FAHP71W17X129814	8/1/2007			23-Jan March	77,170	POOR		
DT-1	2018 Ford Interceptor Utility	M3135A	1FM5K8ARXJGB92155	11/2/2018	Full cage		November	89,476	FAIR		



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

September 29, 2022

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

RE: Transfer request for Marlborough Fire Department to fund new tower truck

Honorable President Ossing and Councilors:

I am requesting a transfer in the amount of \$168,979.00 from the Stabilization account to the Fire Department Equipment line item to fund a new 100' aerial platform tower truck.

This new vehicle will replace old equipment that is vital to public safety.

We are asking Council to expedite this item by taking it up on Monday evening to avoid potentially losing the stock vehicle and having to wait another 28 months for something to be built.

Chief Kevin Breen and I will be available to answer any questions.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Fire

FISCAL YEAR: 2023

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$18,311,188.27

\$168,979.00

83600

35900

Undesignated Stabilization

\$168,979.00

19300006

58512

Fire Department Equip

\$0.00

Reason:

To fully fund new Tower Truck

Reason:

Reason:

Reason:

\$168,979.00

Total

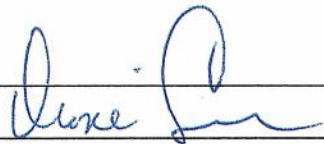
\$168,979.00

Total

Department Head signature:

Auditor signature:

Finance Director signature:





City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752

KEVIN J. BREEN
FIRE CHIEF

PHONE: (508) 624-6986
FAX: (508) 460-3795

September 29, 2022

Hon. Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, MA 01752

REF: MFD Capital – Pierce Tower Ladder Truck

Dear Mayor Vigeant:

On behalf of Marlborough Fire Department, I am respectfully requesting approval from your office and city council for additional funds to secure a new Pierce Enforcer 100' aerial tower-ladder truck. As outlined in previous correspondence, this important piece of fire apparatus is part of our capital improvement plan and replaces a 1999 E-One, rear mounted "straight-stick" style ladder (Ladder #2). The final price for this new tower-ladder truck, purchased through the Houston-Galveston Area Council (HGAC) bid process, is \$1,712,479. An earlier estimate of \$1.54M is not sufficient. Therefore, we are requesting an additional allocation of \$168,979 to complete this capital replacement. The total amount requested includes funding for the vehicle, emergency lighting, lettering and all associated tools and equipment to properly outfit a modern tower-ladder truck company.

In closing, I am happy we were able to take advantage of this opportunity to procure a Pierce tower-ladder through their "stock build" program thereby shortening delivery time by at least one year. Additionally, by acting now, we are avoiding a reported price increase of approximately ten percent. If supported, we expect delivery of this new ladder truck within twelve months. I remain available to answer any questions and wish to thank you in advance for your anticipated support.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Breen". The signature is written in a cursive, flowing style.

Kevin J. Breen
Fire Chief



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
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Candace McGrath
EXECUTIVE ADMINISTRATOR

September 29, 2022

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

Re: Transfer Request – Marlborough Police Department

Honorable President Ossing and Councilors:

Please find enclosed for your review a transfer request in the amount of \$8,598.30 that moves funds to the Marlborough Police Department for the purchase of additional traffic enforcement equipment.

These funds are available to the City of Marlborough due to the per-ride assessment on rides taken on transportation network companies (TNC) that originate in Marlborough. In 2021, 85,983 TNC rides originated in Marlborough. These funds may be used to address the impact of transportation network services on municipal roads, bridges, and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program.

The Marlborough Police Department Traffic Division has been working hard to ensure that Marlborough's streets are safe for all users, pedestrians, cyclists, and drivers. I recommend transferring these funds to the Police Department for our Traffic Unit for items which include: traffic signage, annual software subscriptions for our electric signs, replacement and and batteries for our radar units.

The City must file a report with the state identifying how the funds are used, and we will include a copy of the report to the City Council.

If you have any questions, please feel free to reach out to me or Chief David Giorgi.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police

FISCAL YEAR: 2023

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code Object

Account Description:

Amount

Org Code Object

Account Description:

Available
Balance

\$8,593.30

\$8,598.30

27000 33088

Receipts Reserved-TNC Surcharge

\$8,598.30

19300006 58593

Capital Outlay-Police Equip

\$0.00

Reason:

Traffic enforcement equipment purchase

Reason:

Reason:

Reason:

\$8,598.30

Total

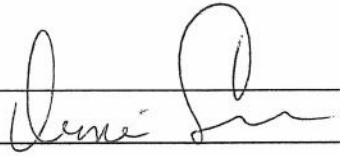
\$8,598.30

Total

Department Head signature:

Auditor signature:

Finance Director signature:





City of Marlborough
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September 29, 2022

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

RE: Gift acceptance for Council on Aging for heat assistance

Honorable President Ossing and Councilors:

Enclosed for your acceptance is a gift in the amount of \$1,000.00 from ERA Key Charitable Organization for the Council on Aging (COA) to assist seniors with unanticipated fuel expenses.

I would like to thank the ERA Key Charitable Organization for their continued generosity. With the rise in utility costs, this gift will come in handy to assist seniors who need help paying their heating bills this winter.

Please feel free to contact my office if questions arise.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



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September 29, 2022

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

Re: Community Development Authority Appointments

Honorable President Ossing and Councilors:

I am pleased to submit for your approval the appointment of N. Paul Tonthat to the Community Development Authority (CDA) for a three year term expiring on March 25, 2025. He will fill the vacant position that arose when Josh Daigle moved to the state appointed seat.

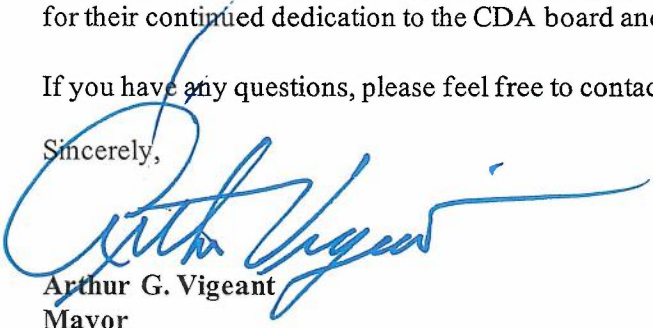
I met with Mr. Tonthat and was impressed with his familiarity and experience with executive management in non-profit housing. We are fortunate to have connected with Mr. Tonthat, and I have no doubt that his vast knowledge will be an asset to our CDA board. Enclosed is his resume for your review.

In addition, I am happy to submit the reappointment of Rene Perdicaro for a three year term to expire on March 9, 2024 and Paul Sliney to expire on March 9, 2025 upon City Council approval.

Each have been serving as holdovers, and I would like to thank both Ms. Perdicaro and Mr. Sliney for their continued dedication to the CDA board and its mission.

If you have any questions, please feel free to contact my office.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

TCF Collaborative, LLC

PROVIDING SUSTAINABILITY SUPPORT TO NONPROFITS

N. PAUL TONTHAT

617.230.2204 | nptonthat@tcfcollaborative.com

Cross-functional leader with a strong industry reputation for revenue creation, program delivery, operational efficiency, and the ability to remain aligned to core mission and values. Leads by example while achieving optimal contributions from board members, employees, volunteers and external stakeholders. Leverage perspectives gained from interim and turnaround engagements to make quick and accurate assessments of financial/operational viability and partnership potential.

TCF COLLABORATIVE, LLC, Marlborough, MA
Principal and Managing Member

December 2020 to Present

The TCF Collaborative, LLC is a nonprofit sustainability practice of seasoned interim executive transition consultants and former chief executives who have spent more than three decades helping nonprofits survive and thrive through organizational challenges and executive change. Our approach is guided by our commitment to building equitable leadership, growing respectful organizational cultures, and strengthening the nonprofit's agility and ability to meet its mission

Clients include:

- City Mission Boston, Interim Executive Director
- MARCH, Inc, Interim Chief Operating Officer
- Nuestra CDC, Co-Interim Executive Director

TONTHAT CONSULTING, Marlborough, MA
Principal

September 2005 to Present

Specializing in Interim Executive Management, Strategy, and Coaching.

More recent clients:

- Kennedy Donovan Center, Inc., Interim Chief Executive Officer
- Southeastern Connecticut Council of Governments, Project Manager for IES, LLC
- Coalition for Occupied Homes in Foreclosure, Interim Executive Director
- MetroWest Nonprofit Network, Strategy Consultant
- New Sector Alliance, Interim Executive Director
- Step to Success Brookline, Interim Executive Director
- Metro West Collaborative Development and Can-Do, Strategy Consultant

NATIONAL BRAIN TUMOR SOCIETY, Newton, MA

July 2008 to August 2014

Non-profit formed in 2008 by the merger of the National Brain Tumor Foundation and the Brain Tumor Society.

Chief Executive Officer

Developed and implemented short- and long-term strategies to leverage assets from each of the merger partners. Drove revenue by building relationships with current and prospective

donors and by promoting the Society to become "top of mind" as the primary driver of brain cancer related policy. Ensured programs were effectively delivered while balancing resources to drive maximum benefit into the cause. Liaised with Board, aligned partner organizations, community, staff, and volunteers to optimize collaboration and new ideas.

- Orchestrated successful merger of 3 brain tumor organizations over the course of 2 years, creating the largest national brain tumor organization with a budget of >\$10M
- Engaged in permanent capacity post-merger to foster innovation, manage growth, and ensure positioning as the 'go to' organization in the brain tumor community at the national level
- Established a game-changing, multi-partner, multi-institution GBM (most deadly brain cancer) research program with a goal to double life expectancy for GBM patients within 5 years (launched in 2013)
- Launched public/private collaborative with FDA, a coalition of nonprofit organizations, and leaders in the medical/academic community and industry to define new endpoints for phase III clinical trials, accelerating the investment in drug development
- Enhanced Development Department capacity by upgrading information systems that support 15 national events, programs, community relations, and communications. Added Community Research Fund to encourage donors and colleague organizations to invest in specific BT diseases
- Created a two-tiered approach of policy and complementary advocacy programs. Engaged a lobbyist in Washington, D.C. Organized all efforts under a Public Policy Director
- Built marketing-communications and community relations capacity to focus messaging and branding programs. Managed > 80,000 constituents
- Upgraded grant programs by adding equivalents of R21 NIH Exploratory / Development Grant and R01 Research Project Grant

BRAIN TUMOR SOCIETY, Watertown, MA
Interim Executive Director

May 2007 to June 2008

Led patient advocacy organization to implement the aggressive growth business plan. Refocused the research program to continue to enjoy the respect of the medical community but have greater national power to drive brain tumor research in critical areas.

- Conducted parallel merger negotiations over 6 months with two similar sized brain tumor non-profits

ALZHEIMER'S ASSOCIATION, CT CHAPTER, Kensington, CT

December 2006 to April 2007

Mission focused on the advancement of research; to provide and enhance care and support for all affected.

Interim Executive Director

Restructured programs and financial/operations activities to support mission in preparation for hiring a permanent ED. Executed workforce reduction and reassignment of staff roles. Developed personnel policies to align senior staff job descriptions with those of the national organization. Created work plans and conducted employee performance evaluations. Brought state chapter into productive and collaborative relationship with the national organization.

- Reestablished alignment with national Alzheimer's Association following 2 unsuccessful interim executives. Restored program and development operations to comply with national standards and directives

- Implemented MAS 500 financial software system compatible with and required by National
-

NATIONAL NETWORK OF FOREST PRACTITIONERS, Providence, RI January 2006 to November 2006
Grass roots alliance of rural people and organizations involved in community forestry.

Interim Executive Director

Worked intensively with Board, consultants, staff, and funders to update financial management systems and procedures (including a risk management review). Reinstated staffing and program accountability to meet promised deliverables. Developed Board capacity and reinstated governance and control. Developed and introduced RFP process. Designed and implemented web system with online forums.

- Negotiated with major funding partner on a plan and timetable for transition to new leadership
- Led the Executive Director search process
- Earned a \$400K grant from the Ford Foundation

VIETNAMESE AMERICAN INITIATIVE FOR DEVELOPMENT, INC., Dorchester, MA April 2004 to December 2005

Community Development Corporation serving Vietnamese communities through economic development, community advocacy, affordable housing, and childcare services.

Interim Executive Director

Retained to identify and rectify funding compliance irregularities and to restructure \$4M debt from a community center, allowing for long term operational viability.

- Brought property management services in-house to increase the residential portfolio from 9 to 21; began development on a transit-oriented mixed-use project yielding 43 units of affordable housing plus 8K sq ft of commercial space
- Restructured 4 program divisions and administrative structure toward greater effectiveness and efficiency
- Joined a coalition and partnered with U.S. Department of Justice to enforce Help America Vote Act compliance by the City of Boston
- Addressed organization's misuse of ~\$500K of programmatic grant monies from 2 national foundations by refinancing capital assets and by renegotiating the effective grant period so that all the funded programs could be implemented

FBC PROPERTY MANAGEMENT CORPORATION, Beverly, MA

May 2000 to April 2004

Division of First Baptist Church focused on federally subsidized elder housing, nursery school program, DYS residential group homes, and aftercare apartments programs, and food pantry.

Executive Director

Spearheaded all property management, accounting and budgeting, contract auditing and risk management, and insurance purchase for all 7 program subsidiaries. Reported to 7 distinct boards and church committees. Supervised and directed staff in site management, financial services, facilities, and personal care and homemaking.

- Refinanced HUD 202s (120 units); maintained compliance for LIHTC project (35 units)
- Developed a 5-year capital plan for the properties owned by the First Baptist Church

- Built a unique continuum of supportive housing by connecting 3 different elder housing projects. Maximized a newly created 501c3 Home Health Aide organization to provide services and staffing. Costs were mitigated through contracts with the State Department of Elders Affairs

BAY COVE HUMAN SERVICES, INC. Boston, MA

October 1992 to May 2000

Provides effective, compassionate care to more than 20,000 individuals and families who face the challenges of developmental disabilities, addiction, mental illness and/or aging.

Director of Operations (1999 to 2000)

Promoted to take over operational leadership within the agency during a period of expansion of privatized human services in the Commonwealth. Oversaw the Property and Housing Department, the Information Technology (IT) Department, and the Business Resource Manager.

- Directed start-up of the first residential program in the country designed to service Asians who are homeless and have chronic major mental illness
- Following rapid post-privatization growth, oversaw the development and maintenance of 55 residential and commercial sites, including >250 supported apartment units across Metro Boston

Previous positions at Bay Cove included Director of Property & Housing and Senior Program Director - MH Residential Services

EDUCATION

HARVARD BUSINESS SCHOOL, Cambridge, MA

Strategic Perspectives in Non-Profit Management (SPINM) 2011

BENTLEY COLLEGE, Waltham, MA

Bachelor of Science in Economics-Finance

Project Management Courses

GORDON-CONWELL THEOLOGICAL SEMINARY, South Hamilton, MA

Master of Divinity



City of Marlborough

Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

JASON D. GROSSFIELD
CITY SOLICITOR

2022 SEP 27 PM 3:03

JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR

September 27, 2022

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

Re: WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451)

Dear Honorable President Ossing and Councilors:

In accordance with the Land Court's Order on Joint Motion for Remand and the Settlement Agreement by WP Marlborough MA Owner, LLC and the City Council dated May 17, 2022, the parties filed a dismissal of the above-referenced civil action (appeal of the August 2021 denial of the special permit application) with the Land Court.

Enclosed for the City Council's records is a copy of the stipulation of dismissal with prejudice docketed with the Land Court, concluding this litigation. This transmittal is informational only and no action is required.

Please contact me if you have any questions or concerns.

Respectfully,

Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

LAND COURT DEPARTMENT
OF THE TRIAL COURT
DOCKET NO. 21 MISC 000451
(Judge Roberts)

LAND COURT
FILED
22 SEP 21 PH 12:11

<p>WP MARLBOROUGH MA OWNER, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>MICHAEL H. OSSING, KATHLEEN D. ROBEY, MARK A. ORAM, SAMANTHA PERLMAN, LAURA J. WAGNER. DAVID DOUCETTE, J. CHRISTIAN DUMAIS, ROBERT J, TUNNERA, JOHN J. IRISH, SEAN A. NAVIN and DONALD R. LANDERS, SR., As They Are Members Of The CITY COUNCIL OF THE CITY OF MARLBOROUGH,</p> <p style="text-align: center;">Defendant.</p>

STIPULATION OF DISMISSAL WITH
PREJUDICE

Pursuant to Massachusetts Rule of Civil Procedure 41(a)(1)(ii), the parties hereby stipulate and agree to the dismissal of this action in its entirety with prejudice, including all claims in this action. Each party shall bear its own attorneys' fees and costs, and each party waives all rights of appeal.

MEMBERS OF THE MARLBOROUGH
CITY COUNCIL

WP MARLBOROUGH MA OWNER, LLC

By their attorneys,

By its attorneys

/s/ Jason D. Grossfield
Jason D. Grossfield, BBO #666122
City Solicitor
City of Marlborough
City Hall, 4th Floor
140 Main Street
Marlborough, MA 01752
T: (508) 460-3771
F: (508) 460-3698
jgrossfield@marlborough-ma.gov

/s/ Dennis E. McKenna
Dennis E. McKenna, BBO #556428
Riemer & Braunstein LLP
100 Cambridge Street, 22nd Floor
Boston, Massachusetts 02114-2527
(617) 880-3454
dmckenna@riemerlaw.com



City of Marlborough

Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 SEP 28 AM 9:42

JASON D. GROSSFIELD
CITY SOLICITOR

JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR

September 28, 2022

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

Re: Howes Landing Subdivision / Acceptance of Gikas Lane as a Public Way
Order No. 22-1008553

Dear Honorable President Ossing and Councilors:

As requested, we have reviewed the above-referenced item as to legal form. Enclosed, please find a proposed order of acceptance for the above-referenced street and municipal easements in the Howe's Landing subdivision. The order is in proper legal form. This office takes no position on whether the street should be accepted. In any event, should the Council wish to proceed, then pursuant to MGL c. 41, § 81I the Council must refer this proposed street acceptance to the Planning Board for its review and report. Thereafter, the Council may act on the proposal upon receipt of the Planning Board's report, or upon the expiration of forty-five days after referral, whichever occurs first. Copies of the acceptance plan and the deed, which includes a description of the easements, are attached. The City Engineer has reviewed and approved the submittals.

Respectfully,

Jeremy P. McManus
Assistant City Solicitor

Enclosure

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

ORDERED:

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require:

that GIKAS LANE be accepted as a public way

from Hudson Street at Station 0+00 to its terminus at Station 4+98.67

and that the appurtenant easements be accepted as municipal easements,

as shown on plans thereof and as hereinafter described:

DESCRIPTION

Plan entitled, "Acceptance Plan of Land in Marlborough, MA", Owner: Howe's Landing Developers, LLC, 1818 Worcester Road, Suite 200, Framingham, MA 01701, Dated March 12, 2019, Prepared by: Colonial Engineering, Inc., 11 Awl Street, Medway, MA, Scale: 1"=40', which plan is to be recorded herewith.

Title to the roadways shown as Gikas Lane on said plan, and title to all the municipal easements shown on said plan as:

Drainage/Flowage Easements:

- Drainage/Flowage Easement, over Lot 7, containing 3,442 square feet
- Drainage/Flowage Easement, over Lot 7, containing 2,499 square feet
- Drainage/Flowage Easement, over Lot 8, containing 5,390 square feet
- Drainage/Flowage Easement, over Lot 9, containing 900 square feet
- Drainage/Flowage Easement, over Lot 10, containing 6,862 square feet

Landscape Easements:

- 20 ft. wide Landscape Easement, over Lot #1*,
- 20 ft. wide Landscape Easement, over Lot #2*,
- 20 ft. wide Landscape Easement, over Lot #3*,
- 20 ft. wide Landscape Easement, over Lot #4,
- 20 ft. wide Landscape Easement, over Lot #5,
- 20 ft. wide Landscape Easement, over Lot #6,
- 20 ft. wide Landscape Easement, over Lot #7*,
- 20 ft. wide Landscape Easement, over Lot #8*,
- 20 ft. wide Landscape Easement, over Lot #9*,
- 20 ft. wide Landscape Easement, over Lot #10*.

*A 20 ft. wide private utility (forced sewer) easement also exists within the Landscape Easement has been granted to the City of Marlborough in a quitclaim deed from Howe's Landing Developers, LLC, a Massachusetts limited liability company with a principal place of business at 1818 Worcester Road, Suite 200, Framingham, MA 01701, said deed to be recorded in substantially the same form herewith at the Middlesex County (South District) Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

GIKAS LANE be accepted as a public way, and its appurtenant easements be accepted as municipal easements, in the City of Marlborough.

ADOPTED
In City Council
Order No. 22-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

QUITCLAIM DEED

HOWE’S LANDING DEVELOPERS, LLC, a Massachusetts limited liability company with a principal place of business at 1881 Worcester Road, Suite 200, Framingham, Massachusetts 01701 (“Grantor”),

for consideration of less than ONE HUNDRED DOLLARS (\$100.00)

grants to the **CITY OF MARLBOROUGH**, a municipal corporation with offices at 140 Main Street, Marlborough, Massachusetts 01752 (“Grantee”)

with **QUITCLAIM COVENANTS**,

the land in Marlborough, Middlesex County, Massachusetts, on the southerly side of Hudson Street and being shown as “GIKAS LANE (40’ WIDE)” on a plan entitled “Acceptance Plan of Land in Marlborough, MA” Owner: Howe’s Landing Developers, LLC, 1818 Worcester Road, Suite 200, Framingham, MA 01701, Dated March 12, 2019, Prepared by: Colonial Engineering Inc., 11 Awl Street, Medway, MA, Scale: 1”=40’.” which plan is recorded with the Middlesex South District Registry of Deeds herewith as Plan No. ____ of 2019. (the “Plan”). According to said Plan, Gikas Lane contains an area of 24,306 square feet and is more particularly described as follows:

Beginning at a stone bound on the southerly side of Hudson Street along the northerly sideline of Lot 1 as shown on said Plan,

THENCE running in a curved line having a radius of 30.00 feet along said Lot 1 a distance of 47.25 feet to a nail set;

THENCE running South 01° 58’ 51” East along the westerly lot lines of Lot 1, Lot 2 and Lot 3 as shown on said Plan a distance of 287.96 feet to a stone bound;

THENCE running in a curved line having a radius of 200.00 feet through land shown as “City of Marlborough Sewer Taking” and along the westerly lot line of Lot 4 as shown on said Plan a distance of 84.95 feet to a nail set;

- THENCE running in a curved line having a radius of 25.00 feet along said Lot 4 a distance of 19.65 feet to a nail set;
- THENCE running in a curved line having a radius of 50 feet along Lot 4, Lot 5, Lot 6, land shown as "Open Space City of Marlborough" and Parcel A as shown on said Plan a distance of 248.72 feet to a stone bound;
- THENCE running in a curved line having a radius of 25.00 feet along said Parcel A a distance of 28.37 feet to a re-bar/cap set;
- THENCE running in a curved line having a radius of 160 feet along said Parcel A and along Land shown as "City of Marlborough Sewer Taking" and by the easterly lot line of Lot 7 as shown on said Plan a distance of 53.87 feet to a stone bound;
- THENCE running North $01^{\circ} 58' 51''$ West along Lot 7, Lot 8, Lot 9 and Lot 10 as shown on said Plan a distance of 288.02 feet to a stone bound;
- THENCE running in a curved line having a radius of 30.00 feet along said Lot 10 a distance of 47.74 feet to a stone bound;
- THENCE running North $88^{\circ} 16' 03''$ East a distance of 85.13 feet along Hudson Street to a stone bound at the point of beginning.

The Grantor hereby conveys to the Grantee all of its right, title and interest in and to the easements shown on said Plan as "20' Utility & Landscape Easement" and "Drainage/Flowage Easement."

For title, see Deed from Sage Investors, Inc. to Grantor dated April 16, 2015 and recorded with said Registry on April 21, 2015 in Book 65244, Page 455.

(Signatures appear on the following page)

Executed at Framingham, Massachusetts this ____ day of _____, 2022

HOWE'S LANDING DEVELOPERS, LLC

By: _____
John R. Parsons, Jr., its manager

By: _____
Victor C. Galvani, its manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this ____ day of _____, 2022, before me, the undersigned Notary Public, personally appeared John R. Parsons, Jr. and Victor C. Galvani, managers as aforesaid, and proved to me through satisfactory evidence of identification, which was [] photographic identification with signature issued by a federal or state governmental agency, [] oath or affirmation of a credible witness, [] personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that each one signed it as a duly authorized manager of Howe's Landing Developers, LLC, voluntarily for its stated purpose, before me.

Notary Public



City of Marlborough
Office of the City Clerk

140 Main Street
 Marlborough, Massachusetts 01752
 Telephone (508) 460-3775 Facsimile (508) 460-3723

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

2022 SEP 29 AM 11:30

Steven W. Kerrigan

City Clerk

Wilson Chu

Assistant City Clerk

Early Voting will be available for two (2) weeks prior to the State Election, which is scheduled for Tuesday, November 8, 2022.

Marlborough residents can Early Vote at **City Hall, 140 Main Street** during the following times:

EARLY VOTING HOURS

Saturday – October 22, 2022	9:00 AM to 3:00 PM
Sunday – October 23, 2022	9:00 AM to 3:00 PM
Monday – October 24, 2022	8:30 AM to 7:00 PM
Tuesday – October 25, 2022	8:30 AM to 5:00 PM
Wednesday – October 26, 2022	7:00 AM to 5:00 PM
Thursday – October 27, 2022	8:30 AM to 5:00 PM
Friday – October 28, 2022	8:30 AM to 5:00 PM
Saturday – October 29, 2022	9:00 AM to 5:00 PM
Sunday – October 30, 2022	9:00 AM to 3:00 PM
Monday – October 31, 2022	8:30 AM to 7:00 PM
Tuesday – November 1, 2022	8:30 AM to 5:00 PM
Wednesday – November 2, 2022	7:00 AM to 5:00 PM
Thursday – November 3, 2022	8:30 AM to 5:00 PM
Friday – November 4, 2022	8:30 AM to 5:00 PM

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 SEP 28 PM 4:50

9th September, 2022

To
Mr. Michael H. Ossing
President
Marlborough City Council

This is an official announcement from Akiruno City that Mayor of Akiruno City has changed from MURAKI Hideyuki to NAKAJIMA Hiroyuki as of September 4th.

Thank you very much for your continued support of our sister city relationship.

OHDE Hidehiro
Director of Planning and Policy Department
Akiruno City

MIRICK O'CONNELL

A T T O R N E Y S A T L A W

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

~~2022 SEP 20~~ AM 11:39
Brian R. Falk
Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
bfalk@mirickoconnell.com
t 508.929.1678
f 508.983.6256

September 22, 2022

Via Hand Delivery

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

Re: Exchange Place – 57 Main Street;
Site Plan Application for a Mixed-Use Project

Dear Councilor Ossing:

Enclosed please find a Site Plan Review application package submitted on behalf of my client, JW Capital Partners, LLC (Principal Will Adams), for a mixed-use project at 57 Main Street in the Marlborough Village District.

This mixed-use project consists of a 5-story building with 5,047 square feet of ground floor retail/restaurant space along Main Street, 99 residential units (72 one-bedroom/studio and 27 two-bedroom), 25 ground floor parking spaces, and a courtyard adjacent to Union Common. Pursuant to Section 650-18(42) and Section 650-34.B(1)(b) of the Zoning Ordinance, the project requires Site Plan Review by the City Council in accordance with Section 270-2 of the City Code. This project has been designed to comply with the dimensional and design requirements of the Marlborough Village District without special permit relief.

We look forward to administrative review before the Site Plan Committee and further review before the City Council.

Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

BRF/

Encl.

cc: Client

{Client Matter 32595/00001/A8002977.DOCX}

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com



City of Marlborough

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

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: September 22, 2022

PROJECT

Name of facility: Exchange Place

Address: 57 Main Street

Assessor's Map No. 70 Parcel No. 291

APPLICANT

Name: JW Capital Partners, LLC (Principal Will Adams)

Address: 34 Washington Street, Suite 230, Wellesley, MA 02841

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

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

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

PROPERTY OWNER

Name: Marlborough TOTG LLC (Principal Mark O'Hagan)

Address: 206 Ayer Road, Suite 5, Harvard, MA 01451

Telephone: 978-456-8388 Fax: _____

Email: markohagan@mcoassociates.com

APPLICANT'S ENGINEER (preparing site plan)

Name: Bruce Saluk & Assoc., Inc.

Address: 576 Boston Post Road East, Marlborough, MA 01752

Telephone: 508-485-1662 Fax: _____

Email: bruce@salukassoc.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: Verdant Landscape Architecture

Address: 318 Harvard Street, Suite 25, Brookline, MA 02446

Telephone: 617-735-1180 Fax: _____

Email: _____

PROJECT INFO

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

X Non-Residential X 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 proposes a five-story mixed-use project at 57 Main Street. The project will
consist of 5,047 s.f. of commercial space along Main Street, 99 residential units
(72 one-bedroom / studio and 27 two-bedroom), a courtyard area adjacent to Union Common,
and 25 off-street parking spaces. The project is designed to meet all dimensional and design
requirements in the Marlborough Village District without special permit relief.

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

ZONING DISTRICT(S) Marlborough Village District

WHAT OTHER PERMITS REQUIRED (check off which applies)

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

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)

"Exchange Place"	9-6-2022	Bruce Saluk
Title	Date	Stamped By

Fee

For Minor Site Plan without a building: \$750

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

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area $\$2,000 + \text{plus } \$0.06 \times 110,097 \text{ s.f.} = \underline{\$8,605.82}$

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: September 2022

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

9/22/2022
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: Exchange Place

Project Street Address: 57 Main Street

Applicant's Name: JW Capital Partners, LLC

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.

MARLBOROUGH TOTG, LLC
c/o MCO & Associates, Inc.
206 Ayer Road – Suite 5
Harvard, Massachusetts 01451

August 11, 2022

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


RE: Exchange Place Project

Dear Councilor Ossing:

Please be advised that the undersigned is the owner of property located at 57 Main Street in Marlborough, shown on Assessors Map 70 as Parcel 291. The undersigned hereby authorizes Mirick O'Connell, on behalf of JW Capital Partners, LLC, to file any land use applications necessary for JW Capital Partners, LLC to pursue a mixed-use development project at the property.

Thank you for your time and attention to this matter.

Marlborough TOTG, LLC


Mark C. O'Hagan, Manager

SITE PLAN "EXCHANGE PLACE" 57 MAIN STREET MARLBOROUGH, MA

MARLBOROUGH, MA ZONING CHART		
THE LAND SHOWN IS LISTED AS ASSESSOR LOTS 291, 293 & 294 ON MAP 70 AND IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT.		
ITEM	REQUIRED	PROPOSED
LOT AREA (MIN.)	5000 SF	38,505 SF
FRONTAGE (EXCHANGE STREET)	50 FT	285.48 FT
MAIN ST SETBACK	0 FT	3 FT
HIGH & EXCHANGE ST SETBACKS	10 FT	10.5 FT
SIDE SETBACK (UNION COMMON)	0 FT	10.3 FT
COVERAGE	80% MAX	74.9% *1
BUILDING HEIGHT BEYOND 50 FT. OF RBD*2	70 FT (MAX)	51.3 FT *3
BUILDING HEIGHT WITHIN 50 FT. OF RBD*2	52 FT (MAX)	51.3 FT *3
LOT DISTANCE FROM A RESIDENTIAL DISTRICT	-----	12.5' FROM ZONE 'RB'
TOTAL OPEN SPACE	9,900 SF	>9,900 SF *4

PARKING SCHEDULE		
ITEM	SOUGHT	PROPOSED
COMPACT PARKING (8' x 15')	33% MAX	11
STANDARD PARKING (9' x 18')	23	16
HANDICAP PARKING	2	7
TOTAL PARKING	---	25

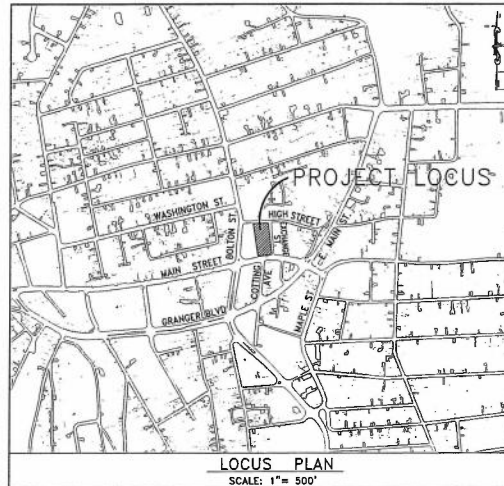
FOOTNOTE:

- *1 - SEE NOTE#3 ON SHEET C1 FOR CALCULATION.
- *2 - BUILDING HEIGHT RESTRICTION AT THE RESIDENTIAL DISTRICT BOUNDARY(RDB).
- *3 - HEIGHTS GIVEN ARE TO ROOF ELEVATION. HEIGHTS AT CEILING WILL BE LESS THAN HEIGHTS SHOWN.
- *4 - SEE NOTE#2 ON SHEET C1 FOR CALCULATION OF OPEN SPACE AREA.

ARCHITECT: THE ARCHITECTURAL TEAM, INC.
50 COMMANDANT'S WAY
AT ADMIRAL'S HILL
CHELSEA, MA 02150
TEL: (617) 889-4402

ENGINEER & SURVEYOR: BRUCE SALUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
576 BOSTON POST ROAD EAST
MARLBOROUGH, MA 01752
TEL: (508) 485-1662

LANDSCAPE ARCHITECT: VERDANT
LANDSCAPE ARCHITECTURE
318 HARVARD STREET, SUITE 25
BROOKLINE, MA 02446
TEL: (617) 735-1180



SHEET INDEX

	DATE	REV. DATE
C0.0: TITLE SHEET -----	6-6-22	9-06-22
C0.1: EXISTING CONDITIONS PLAN-----	6-6-22	9-06-22
C1: LAYOUT PLAN -----	6-6-22	9-06-22
C2: GRADING & EROSION CONTROL -----	6-6-22	9-06-22
C3: DRAINAGE PLAN -----	6-6-22	9-06-22
C4: SEWER, WATER & UTILITIES -----	6-6-22	9-06-22
LA: PLANTING PLAN -----	8-26-22	- - -
C5: DETAILS -----	6-6-22	9-06-22
C6: DETAILS -----	6-6-22	9-06-22
C7: DETAILS -----	6-6-22	9-06-22

SITE PLAN APPROVAL # _____

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN

APPROVED:

ENGINEERING: _____ DATE: _____

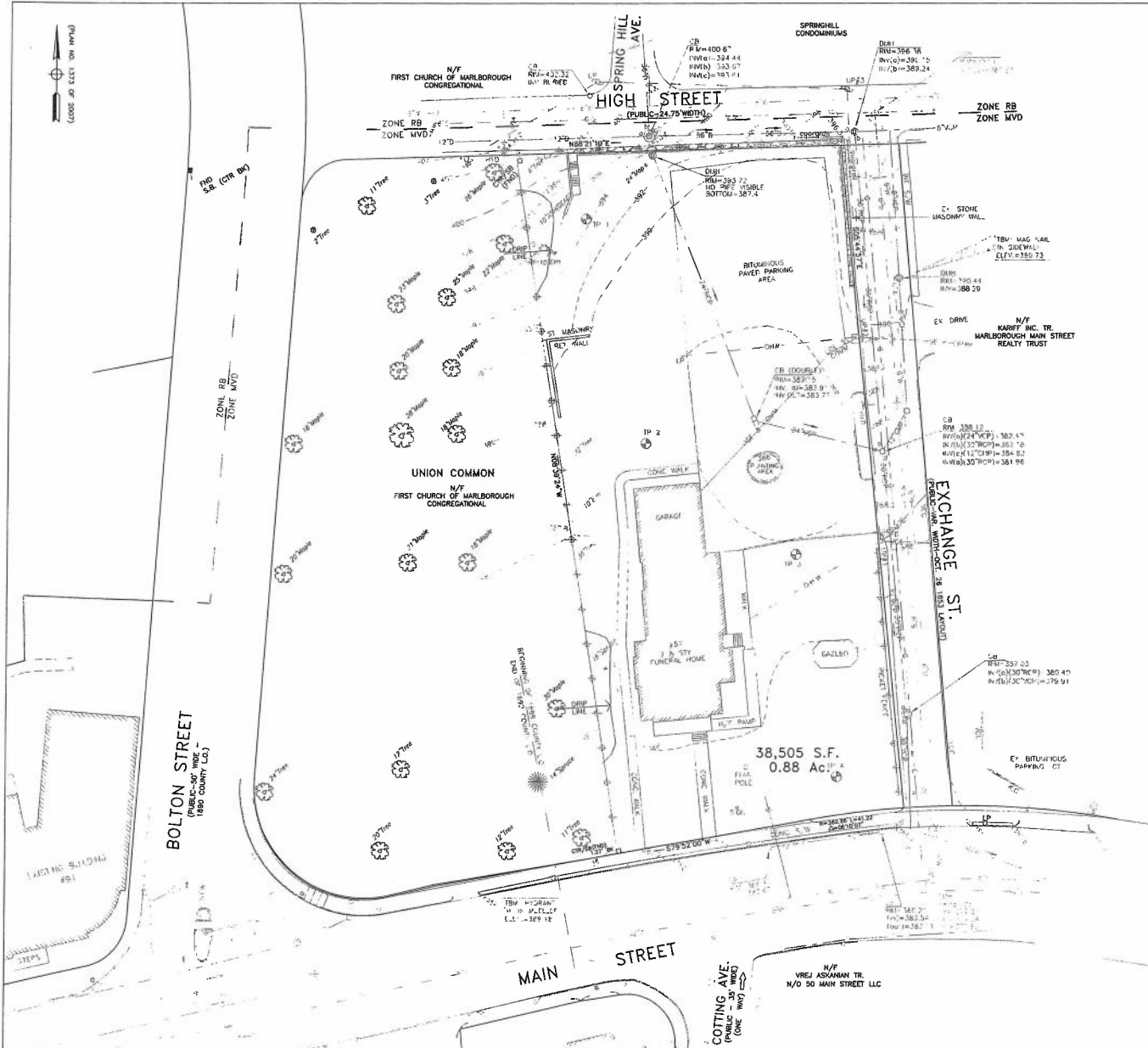
BUILDING: _____ DATE: _____

CONSERVATION: _____ DATE: _____

FIRE DEPT.: _____ DATE: _____

POLICE DEPT.: _____ DATE: _____

BOARD OF HEALTH: _____ DATE: _____



NOTES:

- 1.) THE LAND SHOWN IS 38,505 SF (0.88 AC.) CONSISTING OF ONE PARCEL OWNED BY MARLBOROUGH TOTG LLC, AND IS LISTED AS ASSESSOR LOT 291 ON MAP 70, LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT (MVD), AND IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA F.I.R.M. MAP #25017C0481F, DATED JULY 7, 2014.
- 2.) REFERENCES:
DEED BK 28065 PG 85
DEED BK 14548 PG 518
DEED BK 14539 PG 250
- 3.) THE ELEVATIONS SHOWN ARE ON THE NORTH AMERICAN VERTICAL DATUM (NAVD 83).
- 4.) THE INSTRUMENT SURVEY WAS PERFORMED DURING JANUARY 2018.
- 5.) THE UTILITIES SHOWN ON THIS PLAN ARE PARTLY FROM EXISTING MUNICIPAL UTILITY MAPS AND RECORD DRAWINGS AND ARE APPROXIMATE ONLY. THERE MAY BE EXISTING LINES OTHER THAN THOSE SHOWN HEREON. THE CONTRACTOR IS REQUIRED TO CONTACT THE PROPER UTILITY COMPANIES & GO SAFE (TEL: 811) PRIOR TO BEGINNING WORK. OUR FIRM DOES NOT WARRANT OR GUARANTEE THE LOCATION OF ANY UTILITY, PIPING AND SERVICES.
- 6.) THE SURVEY SHOWN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE AND IS SUBJECT TO CHANGE THAT SAID TITLE MAY DISCLOSE.

PREPARED BY:
BRUCE SALLUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
100 WASHINGTON STREET
MARLBOROUGH, MA 01752
TEL: 508-485-1822

EXISTING CONDITIONS
"EXCHANGE PLACE"
SITE PLAN
- 57 MAIN STREET -
MARLBOROUGH, MA

APPLICANT:
WILLIAM D. ADAMS
JW CAPITAL PARTNERS, LLC
100 WASHINGTON STREET, SUITE 230
WELLESLEY, MA 02184
TEL: (781) 566-2458

OWNER:
MARLBOROUGH TOTG LLC
100 WASHINGTON STREET, SUITE 5
HARVARD, MA 01459
TEL: (978) 456-8388

DATE: SEPTEMBER 6, 2022

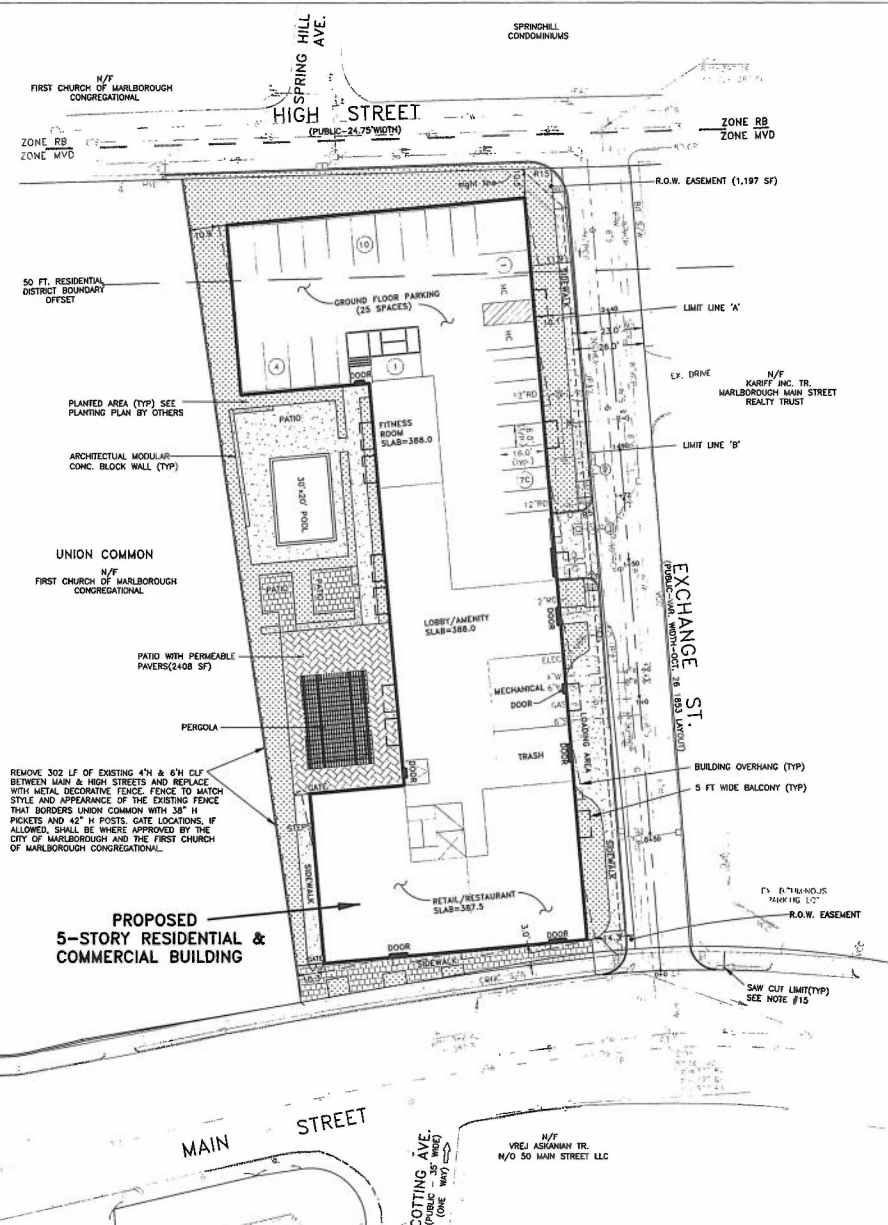
LEGEND

	Ex. 2' Contour
	Ex. 10' Contour
	Sewer & Drain (ex.)
	Manhole Locations
	Sanitary Sewer (ex.)
	Catch Basin (ex.)
	Drain Line (ex.)
	Overhead Electric Wire (ex.)
	Utility Pole (ex.) & Light Pole
	Gate Valve, Hydrant, Water Shutoff
	Water Line (ex.)
	Gas Service (ex.)
	Gas Gate
	Vertical Granite Curb
	Vertical Concrete Curb
	Deciduous Tree
	Evergreen Tree



EX

FILE: 2916.dwg



LEGEND

--- 12" ---	Ex. 2" Contour
--- 10" ---	Ex. 10" Contour
--- 392	Prop. Contour
+292.2	Prop. Spot Grade
⊙ ⊙	Prop. Sewer & Drain Manhole Locations
⊕	Treatment Unit
--- S-10(S) ---	Prop. Sewer
□	Prop. Catch Basin
--- 12" ---	Prop. Drain Line
--- OHW ---	Prop. Overhead Electric
⊕ ⊕	Prop. Utility Pole & Light Pole
--- UGE ---	Prop. Underground Electric
--- Gas ---	Prop. Gas Service
⊕	Prop. Gas Valve
⊕ ⊕	Prop. Water Gate, Hydrant & Street
--- 10" ---	Prop. Water Line
---	Prop. Vertical Concrete Curb
---	Prop. Vertical Granite Curb

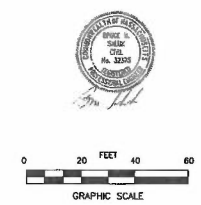
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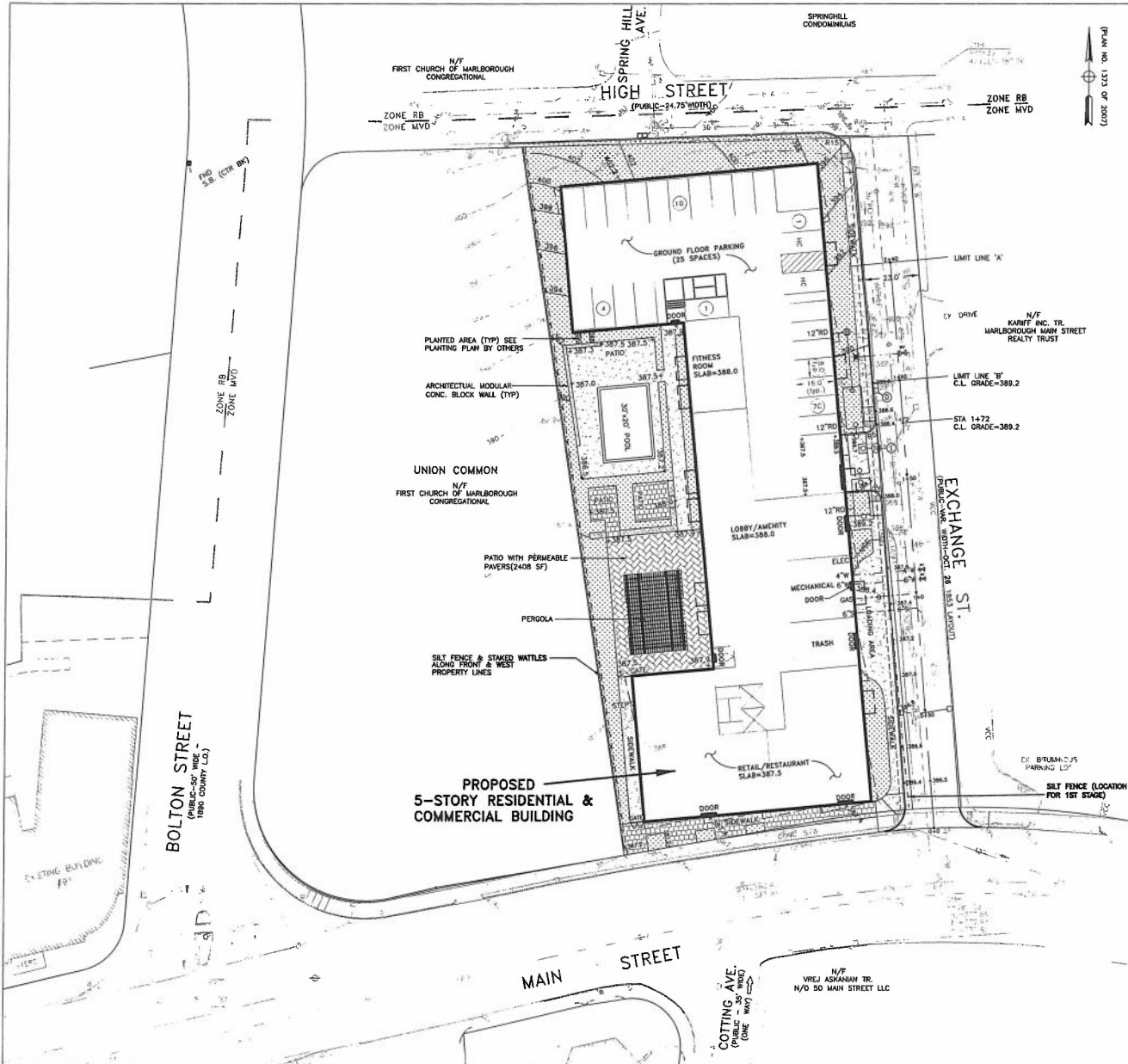
- 1) THE BUILDING USE AND AREA SCHEDULE IS AS FOLLOWS:
 GROUND FLOOR
 - COMMERCIAL SPACE = 5,047 CSF
 - COMMON AREA = TBD
 - GARAGE = TBD CSF

FLOOR	FUR. ELEV.	CSF	1 BEDROOM	2 BEDROOMS	STUDIO
GROUND FLR	290.0	21,886	18	0	0
2ND FLOOR	---	22,334	18	7	0
3RD FLOOR	---	22,334	18	7	0
4TH FLOOR	---	22,334	18	7	0
5TH FLOOR	---	21,209	16	6	2
ROOF	---	0	0	0	0
TOTALS:	110.097'	---	78	27	2

 TOTAL: UNITS 99
 *...DENOTES TOTAL RESIDENTIAL, COMMERCIAL AND GARAGE FLOOR AREAS.
- 2) PRIVATE OPEN SPACE:
 REQUIRED: 100 x 99 UNITS = 9,900 SF
 PROVIDED: 44 BALCONIES = 2,200 SF
 ROOF DECK = 1,125 SF
 LANDSCAPE/COURTYARD = 7,087 SF
 BUILDING INTERIOR = 5,311 SF
 TOTAL PROVIDED PRIVATE OPEN SPACE = 15,723 SF
- 3) LOT COVERAGE (SECTION 850-5, DEFINITIONS "LOT COVERAGE"):
 TOTAL LOT AREA = 38,505 SF
 PROPOSED COVERAGE AREA = 28,848 SF
 TOTAL % COVERAGE = 74.9%
 PERMEABLE AREAS OF THE PATIO INTERPRETED AS OPEN SPACE FOR COVERAGE PURPOSES. THIS AREA WILL NOT BE USED FOR RESTAURANT OR COMMERCIAL PURPOSES.
- 4) ANY MINOR MODIFICATIONS, AS DETERMINED BY THE CITY ENGINEER TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED. THE CONTRACTOR SHALL BE PROPERLY LICENSED AND BONDED WITH THE CITY PRIOR TO CONSTRUCTION, AND SHALL OBTAIN A STREET OPENING PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE CITY RIGHT OF WAY.
- 5) ALL HANDICAP PARKING, RAMPS AND ACCESS SHALL CONFORM TO AAB REQUIREMENTS. REFER TO 221 CUR.
- 6) ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO MUTCD REQUIREMENTS.
- 7) ALL PROPOSED SIGNAGE SHALL COMPLY WITH THE CITY OF MARLBOROUGH SIGN ORDINANCE.
- 8) CURBING TYPE & ENTRANCES SHOWN ARE SUBJECT TO APPROVALS BY THE CITY OF MARLBOROUGH PER THE ROAD OPENING PERMIT REQUIREMENTS.
- 9) ALL MATERIALS/CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH THE CODE OF THE CITY OF MARLBOROUGH; ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY CONSERVATION COMMISSION REQUIREMENTS (SEE SHEET C2 FOR ADDITIONAL REQUIREMENTS). REFER TO THE GRADING PLAN NOTES CONCERNING EROSION CONTROL.
- 10) CITY INSPECTORS REQUIRE A MINIMUM NOTICE OF 24 HOURS PRIOR TO INSPECTION.
- 11) REFER TO THE ARCHITECTS PLAN FOR BUILDING AREA, SCODING LIGHTING AND SIGNAGE.
- 12) A PRE-CONSTRUCTION MEETING IS REQUIRED BETWEEN THE DEVELOPER, CONTRACTOR, POLICE AND FIRE DEPARTMENTS. A TRAFFIC MANAGEMENT PLAN SHALL BE SUBMITTED TO THE CITY OFFICIALS 5 DAYS PRIOR TO THE MEETING.
- 13) ALL OPEN SPACE AREAS ARE PRIVATE.
- 14) THE SECTION OF EXCHANGE STREET FROM LIMIT LINE 'A' TO LIMIT LINE 'B' SHALL BE MALLED & REPAVED, FOR THE FULL WIDTH OF THE ROAD TO ENCOMPASS ROAD RECONSTRUCTION. FROM LIMIT LINE 'B' AT STATION 1+80 TO MAIN STREET, REMOVE PAVEMENT & REGRADE SUBBASE AND PAVEMENT AT THE FOLLOWING ROAD GRADES:
 MAIN STREET TO STATION 1+722.....1.43% SLOPE
 FROM STATION 1+722 TO 1+90.....3.42% SLOPE
 PROVIDE ROAD CROWN AT 2% PITCH FROM CENTERLINE TO CURB LINE.
- 15) SAW CUTS SHALL BE AT THE NEAREST PANEL JOINT ON THE EXTERIOR SIDE OF THE SAW CUTS SHOWN. THE SIDEWALK ALONG THE FRONTAGE OF THE PROPERTY SHALL BE REPLACED WHERE EXCAVATION FOR THE BUILDING FOUNDATION DISTURBS OR COMPROMISES THE INTEGRITY OF THE EXISTING WALK. THE SIDEWALK SHALL BE FRAMED AND POURED THE FULL WIDTH OF THE SIDEWALK AND FORMED TO LEAVE A SPACE FOR THE BRICK TO SIT ON TOP (BONDED TO THE CONCRETE). THE CONCRETE WALK SHALL BE FLUSH WITH THE EXISTING WALK.

DATE: SEPTEMBER 6, 2022
OWNER: MARLBOROUGH TOTG LLC MARLBOROUGH, MA 01923 HARVARD, MA 01457 TEL: (978) 456 8388
APPLICANT: WILLIAM D. ADAMS ADAMS ENGINEERS, LLC 34 WASHINGTON STREET, SUITE 230 WELLESLEY, MA 02817 TEL: (781) 366 2436
PREPARED BY: BRUCE SALLUK & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING 100 MAIN STREET, SUITE 101 MARLBOROUGH, MA 01752 TEL: 508-485-1662
LAYOUT PLAN "EXCHANGE PLACE" 57 SITE PLAN 57 MAIN STREET - MARLBOROUGH, MA
FILE: 2916.dwg

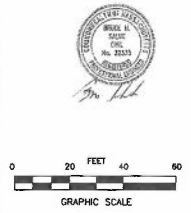




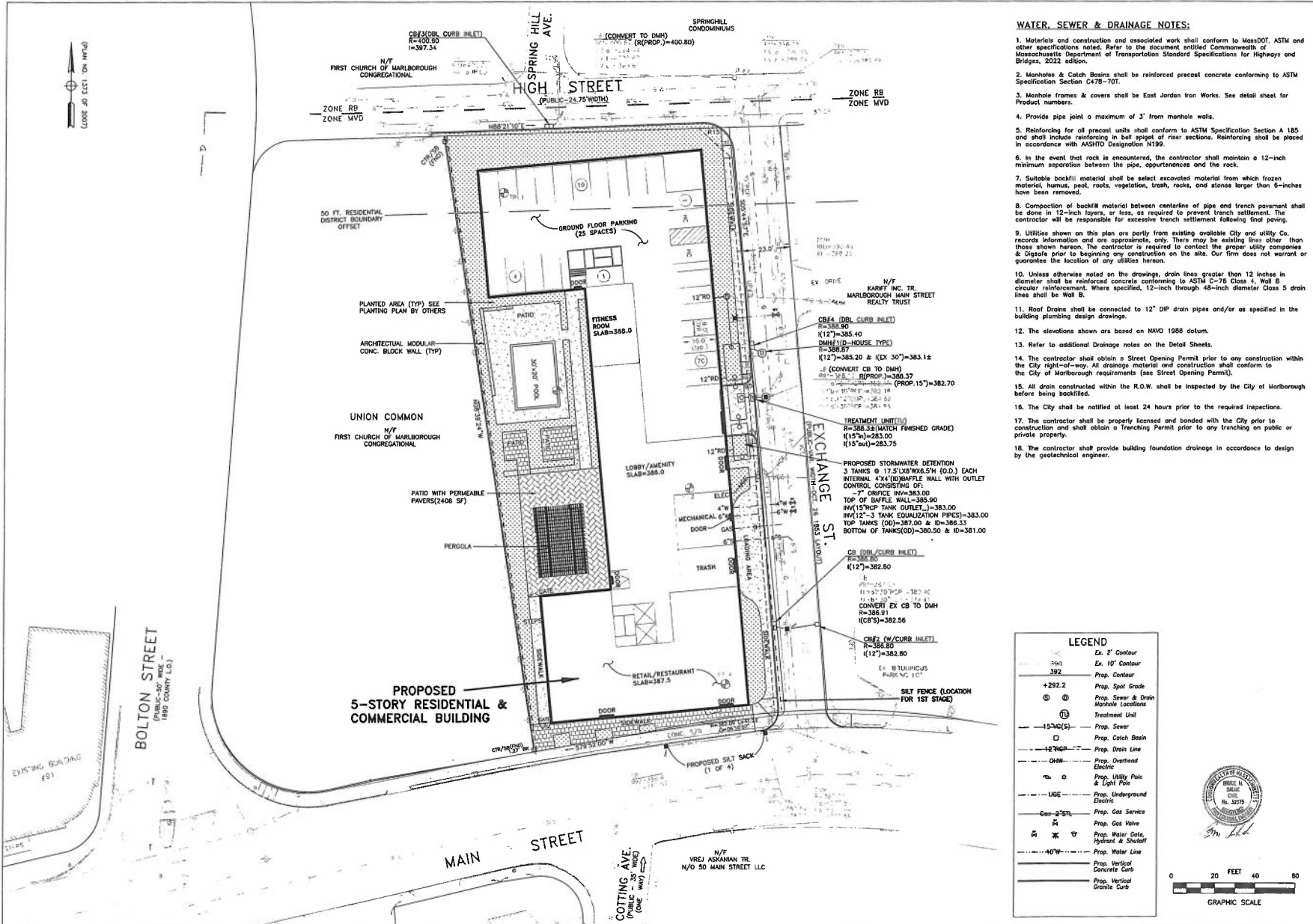
GRADING & EROSION CONTROL NOTES:

- 1.) The elevations shown are based on Mean Sea Level datum (1988 N.A.V.D.)
 - 2.) All work, material storage & stockpile areas shall include erosion control barriers consisting of staked haybales, wattles and siltation fence to prevent erosion onto the public way and adjoining properties.
 - 3.) Prior to commencing work, the contractor shall familiarize himself with the soil types on the site, and provide the appropriate erosion control measures, as outlined on this plan and required by the Marlborough Conservation Commission agent. The contractor shall be responsible for providing erosion and temporary storm runoff control measures that include siltation fence, wattles, ditches, temporary sediment basins, etc. as necessary to contain soil and excess runoff on the site.
- The general sequence of erosion control measures shall be as follows:
- a) Install all siltation fencing and staked wattles, along the front and west property lines. Install silt fence along Exchange Street frontage. Install silt socks in the existing CB's where shown.
 - b) Construct a sedimentation trap down gradient of the excavation area during the construction earthwork stage. Construct other temporary sedimentation trap(s) where required at the beginning stage of earthwork. Retain storm water within the trap(s), and filter the water using silt bags or other approved means prior to discharge. Periodically remove sediment at bottom of the silt traps to allow for natural infiltration.
 - c) Construct the anti-tracking berm of site entrances consisting of a 3/4"-3" crushed stone 12" depth by 30' long lines the width of all traveled construction accesses. The stone shall project above grade to form a berm barrier that prevents sediment from washing into adjoining properties and the public road.
 - 4.) Demolished material from the existing buildings & site shall be stockpiled, transported, disposed of or reprocessed in accordance with state and federal regulations.
 - 5.) Provide siltation & trench wall protection in accordance with OSHA Standards, as specified by the geotechnical engineer.
 - 6.) The contractor shall follow the stabilization management practices and sequence proposed by the structural and geotechnical engineers. Said management plan includes protection and stabilization of the soils and walls on the abutting High Street & Exchange Street R.O.W.'s.
 - 7.) Soil stabilization measures shall be implemented immediately after finish grading. Loom and seed shall be applied as soon as reasonably possible.
 - 8.) Provide subdrains for proposed site walls.

LEGEND	
--- 140' ---	Ex. 2' Contour
--- 143' ---	Ex. 10' Contour
--- 392 ---	Prop. Contour
+292.2	Prop. Spot Grade
⊙	Prop. Sewer & Drain Manhole Locations
⊕	Treatment Unit
--- 15" (S) ---	Prop. Sewer
□	Prop. Catch Basin
--- 10" (D) ---	Prop. Drain Line
OHW	Prop. Overhead Electric
⊙	Prop. Utility Pole & Light Pole
--- UGE ---	Prop. Underground Electric
Gas 2" (S)	Prop. Gas Service
⊙	Prop. Gas Valve
⊙	Prop. Water Gate, Hydrant & Shutoff
--- 40" ---	Prop. Water Line
⊙	Prop. Vertical Concrete Curb
⊙	Prop. Vertical Granite Curb



<p>PREPARED BY: BRUCE SALIK & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING 100 WASHINGTON STREET, SUITE 230 MARLBOROUGH, MA 01752 TEL: 508-485-1862</p>	<p>APPLICANT: MARLBOROUGH TRTG LLC WILLIAM D. ADAMS 200 WASHINGTON STREET, SUITE 5 HARVARD, MA 01451 TEL: (978) 456 8388</p> <p>OWNER: MARLBOROUGH TRTG LLC 200 WASHINGTON STREET, SUITE 5 HARVARD, MA 01451 TEL: (978) 456 8388</p>
<p>GRADING & EROSION CONTROL EXCHANGE PLACE SITE PLAN - 57 MAIN STREET - MARLBOROUGH, MA</p>	
<p>DATE: SEPTEMBER 6, 2022</p>	
<p>FILE: 2916.dwg</p>	

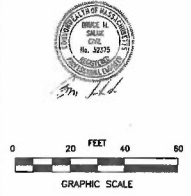


WATER, SEWER & DRAINAGE NOTES:

1. Materials and construction and associated work shall conform to MassDOT, ASTM and other specifications noted. Refer to the document entitled Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highways and Bridges, 2022 edition.
2. Manholes & Catch Basins shall be reinforced precast concrete conforming to ASTM Specification Section C478-70T.
3. Manhole frames & covers shall be East Jordan Iron Works. See detail sheet for Product numbers.
4. Provide pipe joint a maximum of 3' from manhole walls.
5. Reinforcing for all precast units shall conform to ASTM Specification Section A 185 and shall include reinforcing in bell spigot of riser sections. Reinforcing shall be placed in accordance with AASHTO Designation N199.
6. In the event that rock is encountered, the contractor shall maintain a 12-inch minimum separation between the pipe, appurtenances and the rock.
7. Suitable backfill material shall be select excavated material from which frozen material, humus, peat, rocks, vegetation, trash, rocks, and stones larger than 8-inches have been removed.
8. Composition of backfill material between centerline of pipe and trench pavement shall be done in 12-inch layers, or less, as required to prevent trench settlement. The contractor will be responsible for excessive trench settlement following final paving.
9. Utilities shown on this plan are partly from existing available City and Utility Co. records information and are approximate, only. There may be existing lines other than those shown hereon. The contractor is required to contact the proper utility companies & Digsafe prior to beginning any construction on the site. Our firm does not warrant or guarantee the location of any utilities hereon.
10. Unless otherwise noted on the drawings, drain lines greater than 12 inches in diameter shall be reinforced concrete conforming to ASTM C-76 Class 1, Wall B circular reinforcement. Where specified, 12-inch through 48-inch diameter Class 5 drain lines shall be Wall B.
11. Roof Drains shall be connected to 12" DIP drain pipes and/or as specified in the building plumbing design drawings.
12. The elevations shown are based on MVD 1988 datum.
13. Refer to additional Drainage notes on the Detail Sheets.
14. The contractor shall obtain a Street Opening Permit prior to any construction within the City right-of-way. All drainage material and construction shall conform to the City of Marlborough requirements (see Street Opening Permit).
15. All drain constructed within the R.O.W. shall be inspected by the City of Marlborough before being backfilled.
16. The City shall be notified at least 24 hours prior to the required inspections.
17. The contractor shall be properly licensed and bonded with the City prior to construction and shall obtain a Trenching Permit prior to any trenching on public or private property.
18. The contractor shall provide building foundation drainage in accordance to design by the geotechnical engineer.

LEGEND

- Ex. 2' Contour
- Ex. 10' Contour
- Prop. Contour
- +292.2 Prop. Spot Grade
- Prop. Sewer & Drain Manhole Locations
- Prop. Sewer
- Prop. Catch Basin
- Prop. Drain Line
- Prop. Overhead Electric
- Prop. Utility Pole & Light Pole
- Prop. Underground Electric
- Prop. Gas Service
- Prop. Gas Valve
- Prop. Water Gate, Hydrant & Shutoff
- Prop. Water Line
- Prop. Vertical Concrete Curb
- Prop. Vertical Granite Curb



DRAINAGE PLAN
"EXCHANGE PLACE"
SITE PLAN
 - 57 MAIN STREET -
 MARLBOROUGH, MA

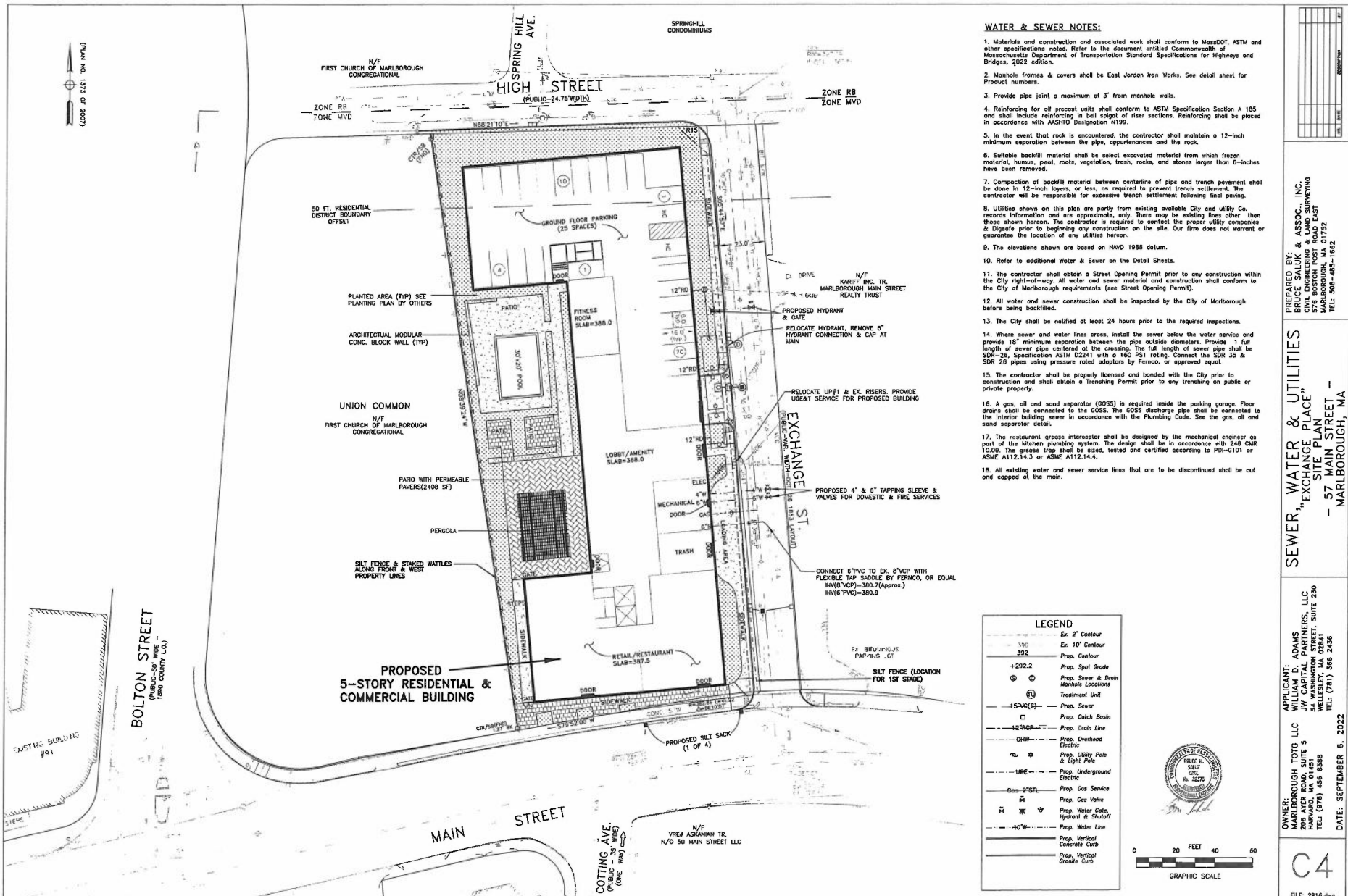
PREPARED BY:
 BRUCE SALUK & ASSOC., INC.
 CIVIL ENGINEERING & LAND SURVEYING
 34 WASHINGTON STREET, SUITE 210
 MARLBOROUGH, MA 01752
 TEL: 508-485-1862

APPLICANT:
 ADAMS ENGINEERS, LLC
 WILLIAM D. ADAMS, P.E.
 34 WASHINGTON STREET, SUITE 210
 WELLESLEY, MA 02481
 TEL: (978) 458-8388

OWNER:
 MARLBOROUGH TOTG LLC
 WILLIAM D. ADAMS, P.E.
 34 WASHINGTON STREET, SUITE 210
 WELLESLEY, MA 02481
 TEL: (978) 458-8388

DATE: SEPTEMBER 6, 2022

FILE: 2916.dwg

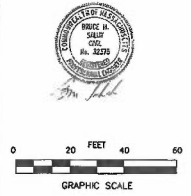


WATER & SEWER NOTES:

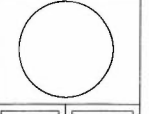
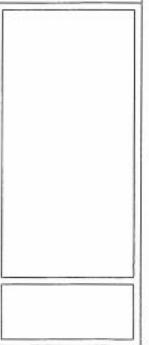
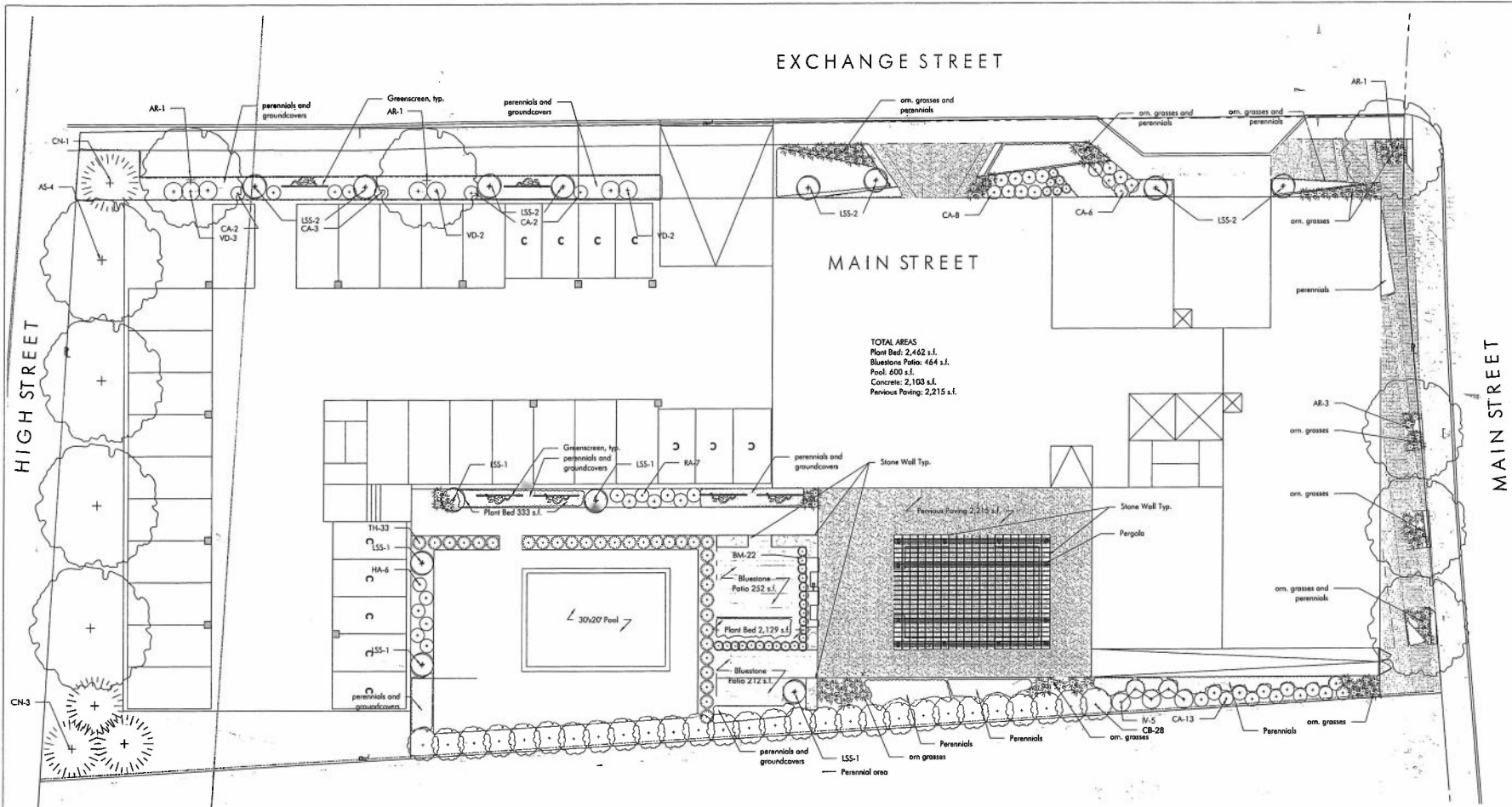
- Materials and construction and associated work shall conform to MassDOT, ASTM and other specifications noted. Refer to the document entitled Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highways and Bridges, 2022 edition.
- Manhole frames & covers shall be East Jordan Iron Works. See detail sheet for Product numbers.
- Provide pipe joint a maximum of 3' from manhole walls.
- Reinforcing for all precast units shall conform to ASTM Specification Section A 185 and shall include rebar in full depth of riser sections. Reinforcing shall be placed in accordance with ASHTO Designation A199.
- In the event that rock is encountered, the contractor shall maintain a 12-inch minimum separation between the pipe, appurtenances and the rock.
- Suitable backfill material shall be select excavated material from which frozen material, humus, peat, roots, vegetation, trash, rocks, and stones larger than 6-inches have been removed.
- Composition of backfill material between centerline of pipe and trench pavement shall be done in 12-inch layers, or less, as required to prevent trench settlement. The contractor will be responsible for excessive trench settlement following final paving.
- Utilities shown on this plan are partly from existing available City and utility Co. records information and are approximate, only. There may be existing lines other than those shown hereon. The contractor is required to contact the proper utility companies & Digsafe prior to beginning any construction on the site. Our firm does not warrant or guarantee the location of any utilities hereon.
- The elevations shown are based on NAVD 1988 datum.
- Refer to additional Water & Sewer on the Detail Sheets.
- The contractor shall obtain a Street Opening Permit prior to any construction within the City right-of-way. All water and sewer material and construction shall conform to the City of Marlborough requirements (see Street Opening Permit).
- All water and sewer construction shall be inspected by the City of Marlborough before being backfilled.
- The City shall be notified at least 24 hours prior to the required inspections.
- Where sewer and water lines cross, install the sewer below the water service and provide 18" minimum separation between the pipe outside diameters. Provide 1 full length of sewer pipe centered on the crossing. The full length of sewer pipe shall be SDR-26, Specification ASTM D2241 with a 160 PSI rating. Connect the SDR 35 & SDR 26 pipes using pressure rated adaptors by Fernco, or approved equal.
- The contractor shall be properly licensed and bonded with the City prior to construction and shall obtain a Trenching Permit prior to any trenching on public or private property.
- A gas, oil and sand separator (GOSS) is required inside the parking garage. Floor drains shall be connected to the GOSS. The GOSS discharge pipe shall be connected to the interior building sewer in accordance with the Plumbing Code. See the gas, oil and sand separator detail.
- The restaurant grease interceptor shall be designed by the mechanical engineer as part of the kitchen plumbing system. The design shall be in accordance with 248 CMR 10.09. The grease trap shall be sized, tested and certified according to PSD-G101 or ASME A112.14.3 or ASME A112.14.4.
- All existing water and sewer service lines that are to be discontinued shall be cut and capped at the main.

LEGEND

---	Ex. 2' Contour
---	Ex. 10' Contour
---	Prop. Contour
+	Prop. Spot Grade
⊙	Prop. Sewer & Drain Manhole Locations
⊕	Treatment Well
⊖	Prop. Catch Basin
---	Prop. Drain Line
---	Prop. Overhead Electric
---	Prop. Utility Pole & Light Pole
---	Prop. Underground Electric
---	Prop. Gas Service
---	Prop. Gas Valve
---	Prop. Water Gate Hydrant & Shutoff
---	Prop. Water Line
---	Prop. Vertical Concrete Curb
---	Prop. Vertical Granite Curb



<p>PREPARED BY: BRUCE SALUK & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING MARLBOROUGH, MA 01752 TEL: 508-485-1822</p>	<p>APPLICANT: WILLIAM D. ADAMS ADAMS ENGINEERS, LLC 34 WASHINGTON STREET, SUITE 230 WELLESLEY, MA 02841 TEL: (978) 458-8388 TEL: (978) 386-2436</p>
<p>SEWER, WATER & UTILITIES "EXCHANGE PLACE" SITE PLAN - 57 MAIN STREET - MARLBOROUGH, MA</p>	
<p>DATE: SEPTEMBER 6, 2022</p>	
<p>OWNER: MARLBOROUGH TOTG LLC MARLBOROUGH, MA 01752 TEL: (978) 458-8388</p>	
<p>FILE: 2916.dwg</p>	

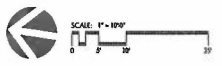


57 MAIN STREET
MARLBOROUGH, MA

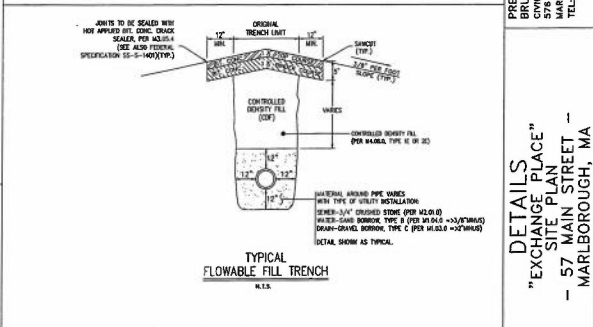
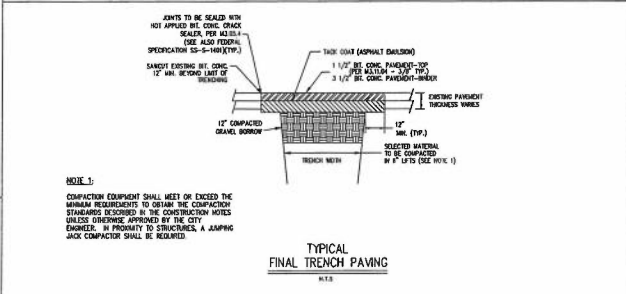
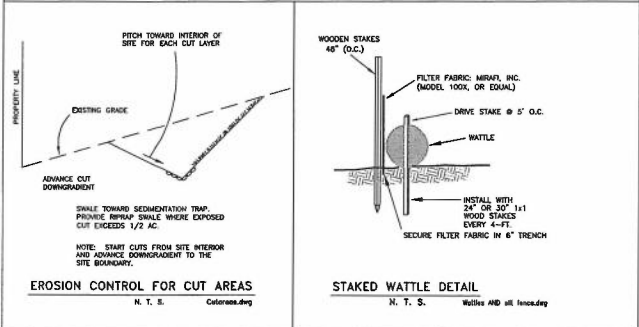
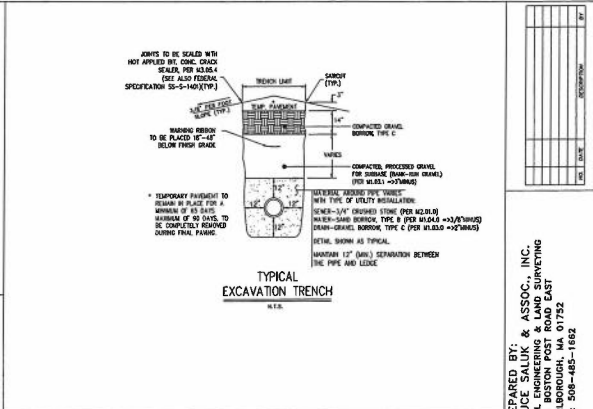
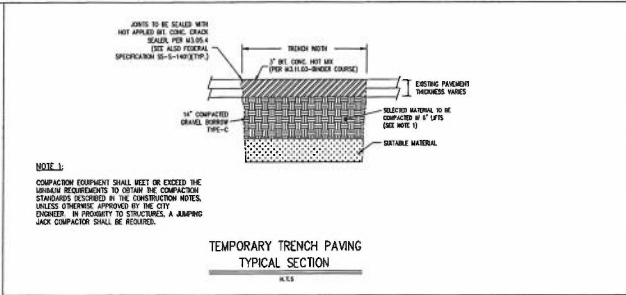
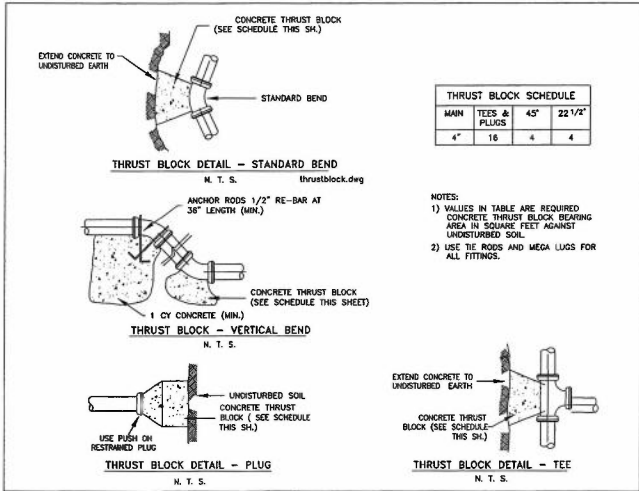
LANDSCAPE PLAN

Project #	Date: 08/24/2022
Drawn by: JH	Reviewed by:
Scale: AS 1/8"=1'-0"	

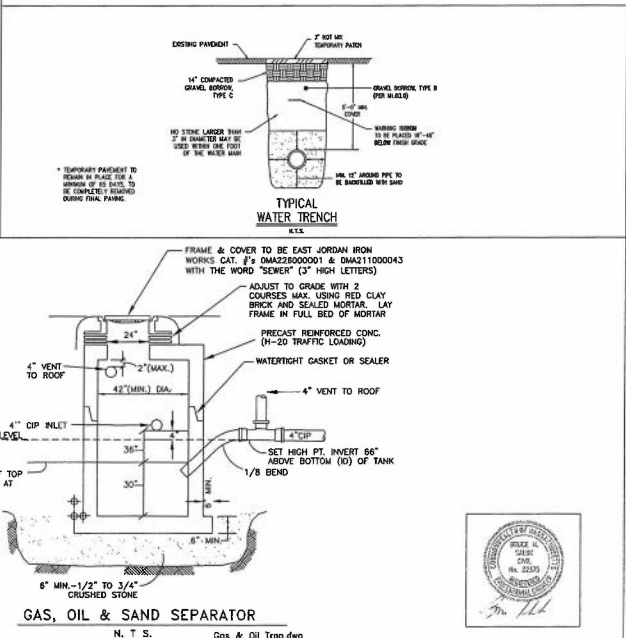
Revisions:



KEY	QTY	LATIN NAME	COMMON NAME	MIN. SIZE	NOTES
TREES					
AS	4	<i>Acer saccharum</i>	Sugar Maple	3'-3.5' cal.	B&B
AR	5	<i>Acer rubrum 'Armstrong'</i>	Armstrong Red Maple	3'-3.5' cal.	B&B
CB	28	<i>Cornus betulosa 'fastigiata'</i>	Columnar Hornbeam	2.5-3' cal.	B&B
CN	4	<i>Chamaecyparis nootkatensis 'pendula'</i>	Weeping Alaskan Cedar	7'-8'	B&B
LSS	13	<i>Liquidambar styraciflua 'Slender Silhouette'</i>	Fatsioliote Sweetgum	2.5-3' cal.	B&B
SHRUBS AND VINES					
BM	22	<i>Buxus microphylla 'Green Velvet'</i>	Borwood	3 gal.	Pots
CR		<i>Compsa rotundifolia</i>	Trumpet Creeper	2 gal.	
CA	34	<i>Clethra alnifolia</i>	Summersweet	3 gal.	Pots
HA	6	<i>Hydrangea arborescens 'Annabelle'</i>	Annabelle Hydrangea	3 gal.	Pots
HM		<i>Hydrangea macrophylla 'Blue Wave'</i>	Big Leaf Hydrangea	5 gal.	Pots
IG		<i>Ilex glabra 'Gem Box'</i>	Compact Highberry	3 gal.	Pots
IV	5	<i>Ilex verticillata</i>	Winterberry Holly	3-4'	
RA	7	<i>Rhus aromatica 'Crisp-Leaf'</i>	Fragrant Sumac	3' gal.	Pots
TA		<i>Taxus x media 'Piculet'</i>	Hick's Yew	30-30' ht.	Pots



- CONSTRUCTION NOTES FOR GASOLINE, OIL & SAND SEPARATOR**
- SEPARATOR IS TO BE LOCATED OUTSIDE OF A BUILDING WHERE POSSIBLE AND THE COVER SHALL BE A MINIMUM OF 24" IN DIAMETER. IF THE SEPARATOR MUST BE INSTALLED INSIDE OF A BUILDING, THE COVER MUST BE SEALED TIGHT.
 - THE SEPARATOR MUST BE CONSTRUCTED AND INSTALLED TO PREVENT SURFACE WATER FROM ENTERING.
 - THE INVERT OF THE SEPARATOR INLET PIPE SHALL BE NO LESS THAN 4" ABOVE THE LIQUID LEVEL.
 - THE SEPARATOR SHALL BE FILLED WITH WATER, TESTED AND INSPECTED PRIOR TO BEING PUT INTO SERVICE.
 - THE NON CORROSIIVE STEPS SHALL BE INSTALLED 18" APART.
 - THE CHAMBER VENT AND OUTLET VENT SHALL BE RETURNED TO THE INSIDE OF THE BUILDING AND EXTENDED THROUGH THE ROOF.
 - THE CHAMBER VENT MUST BE LOCATED AS CLOSE TO THE TOP OF THE TANK AS POSSIBLE.
 - PRECAST CONCRETE UNITS SHALL MEET OR EXCEED ASTM C-478 STANDARD OF 4,000 PSI.
 - JOINT SECTIONS ON PRECAST CONCRETE SEPARATORS SHALL USE BUTYL RUBBER JOINT SEALANT PER ASTM C-880.
 - ALL PIPE PENETRATIONS IN THE SEPARATOR SHALL BE SEALED WITH HYDRAULIC CEMENT ONLY.
 - ALLOWABLE PIPING MATERIAL:
 - NO-HUB CAST IRON WITH PRODUCT ACCEPTED CLAMPS
 - SERVICE WEIGHT CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & OAKUM JOINTS
 - EXTRA HEAVY CAST IRON WITH PRODUCT ACCEPTED GASKETS OR LEAD & OAKUM JOINTS
 - THE CAPACITY OF THE GAS, OIL & SAND SEPARATOR SHALL BE AS SHOWN IN FIGURE 15 OF 248 CMR 10.22.



CONSTRUCTION NOTES FOR EXCHANGE STREET

THE FOLLOWING DESCRIBES MATERIALS AND METHODS AS THEY PERTAIN TO ROAD OPENING WORK. ALL WORK SHALL CONFORM TO THE 1988 STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AND ALL SUBSEQUENT SUPPLEMENTAL SPECIFICATIONS HERETO.

BACKFILL MATERIALS

EXCAVATIONS IN THE STREET PAVEMENT AREAS SHALL BE CAREFULLY BACKFILLED WITH LAYERS OF SUITABLE GRAVEL. THE TWELVE (12) INCHES OF REDUCING MATERIAL AROUND PIPES SHALL BE SAND (M100.0) FOR WATER, CRUSHED STONE (M20.0) FOR SEWER, GRAVEL (M200.0) - TYPE C OR M20.0 FOR DRAIN OR AS SPECIFIED BY THE OWNER OF THE UTILITY AND APPROVED BY THE CITY OF MARLBOROUGH. BACKFILL MATERIAL SHALL CONSIST OF CONTROLLED DENSITY FILL (CDF) - TYPE 1E OR 2E (M20.0) FOR ALL MAJOR ROADWAYS OF THE CITY OR AS DECREED BY THE COMMISSIONER OF PUBLIC WORKS.

SUITABLE GRAVEL MATERIAL FOR BACKFILLING SHALL BE GRANULAR FILL CONSISTING OF SOIL SUBSTANTIALLY FREE FROM CLAY, ORGANIC MATERIAL, LOAM, ROCK, TRASH OR OTHER COMBUSTIBLE MATERIAL WHICH MAY BE COMPRESSIBLE OR WHICH CANNOT BE PROPERLY COMPACTED. IT SHALL NOT CONTAIN STONES, BROKEN CONCRETE, MASONRY RUBBLE OR OTHER SIMILAR MATERIALS. IT SHALL HAVE PHYSICAL PROPERTIES SUCH THAT IT CAN BE READILY SPREAD AND COMPACTED. IT SHALL NOT CONTAIN ANY SNOW, ICE OR FROZEN SOIL.

COMPACTION OF BACKFILL

BACKFILL SHALL BE UNIFORMLY DISTRIBUTED IN SUCCESSIVE LAYERS. EACH LAYER BEING THOROUGHLY COMPACTED BEFORE THE SUCCESSIVE LAYER IS PLACED. THE ENTIRE BOTTOM OF THE TRENCH SHALL BE MECHANICALLY OR HAND TAMPED IN SIX (6) INCH LIFTS. A MINIMUM OF TWO (2) FEET ABOVE THE UTILITY INSTALLATION, AND MECHANICALLY TAMPED THE REMAINDER OF THE FILL IN LIFT LIFTS NOT GREATER THAN SIX (6) INCHES. THE TOP LAYER OF BACKFILL SHALL BE FOURTEEN (14) INCHES ON A TEMPORARY TRENCH, AND TWELVE (12) INCHES ON A PERMANENT TRENCH OF GRAVEL COMPACTED TO SIX (6) PERCENT DENSITY.

GRADING ROLLING AND FINISHING

PAVEMENT PLACED SHALL BE PLACED AND RAVED TO A UNIFORM SURFACE, ROLLED TO THE REQUIRED THICKNESS AND TO A GRADE THAT WILL MATCH THE EXISTING BITUMINOUS ROAD SURFACE. THE PERMITTEE SHALL MAINTAIN THE SURFACING AND SHALL PROMPTLY FILL WITH SIMILAR MATERIAL ANY DEPRESSIONS AND HOLES THAT MAY OCCUR SO AS TO KEEP THE SURFACING IN A SAFE AND SATISFACTORY CONDITION FOR TRAFFIC.

TEMPORARY PAVEMENT

A TEMPORARY PAVEMENT SHALL BE PLACED ON THE SURFACE OF THE FILL AND THOROUGHLY COMPACTED. A TEMPORARY PAVEMENT SHALL BE CLASS 1 BITUMINOUS CONCRETE TYPE 1-1 THREE (3) INCHES THICK (SEE EXCAVATION TRENCH DETAILS). "SOIL PATCH" MAY BE ALLOWED IF APPROVED BY THE COMMISSIONER OF PUBLIC WORKS DUE TO ADVERSE WEATHER CONDITIONS. IF PLATES ARE USED THEY SHALL BE RAISED TO MATCH THE EXISTING PAVEMENT. TEMPORARY PAVING ON STEEL PLATING SHALL IMMEDIATELY FOLLOW THE BACKFILLING OPERATION.

PERMANENT PAVING

THE FINAL BITUMINOUS CONCRETE SURFACE SHALL NOT BE PLACED ANY EARLIER THAN 60 DAYS OF NO LATER THAN 90 DAYS FROM THE DATE OF COMPLETION OF THE TEMPORARY SURFACE WITHOUT APPROVAL FROM THE COMMISSIONER OF PUBLIC WORKS. THE TEMPORARY PAVEMENT AND SUB-BASE SHALL BE EXCAVATED TO THE GRADE REQUIRED BY THE PERMIT PRIOR TO THE INSTALLATION OF THE FINAL BITUMINOUS CONCRETE SURFACE. THE BINDER COURSE SHALL NOT BE LESS THAN THE EXISTING ROADWAY BINDER COURSE AND SHALL NOT BE LESS THAN THREE AND ONE-HALF (3 1/2) INCHES IN DEPTH AND THE TOP COURSE SHALL BE ONE AND ONE-HALF (1 1/2) INCHES IN DEPTH. IN SOME INSTANCES, BEYOND A SIMPLE TRENCH EXCAVATION, PAVEMENT DETAILS AND REPAIRING REQUIREMENTS WILL BE INCLUDED AS A SPECIAL CONDITION IN THE PERMIT (E.G. PAVEMENT REQUIREMENTS ON ROUTE 85).

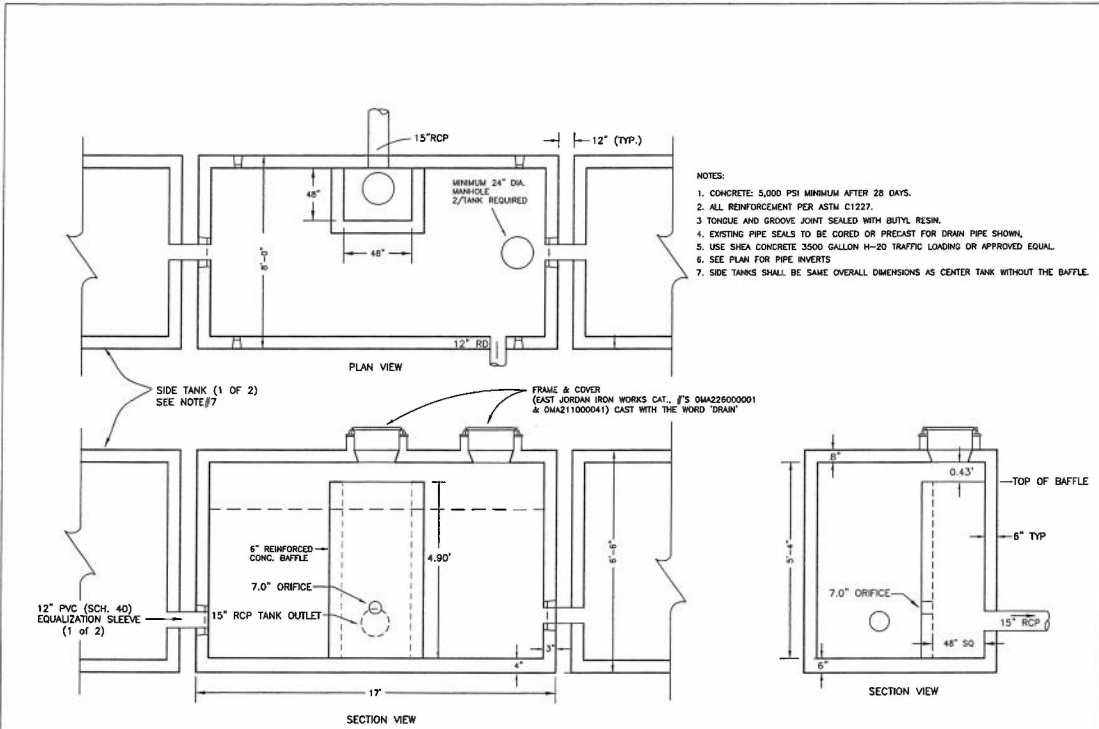
PREPARED BY: BRUCE SALUK & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING 100 WASHINGTON STREET EAST MARLBOROUGH, MA 01752 TEL: 508-485-1662

APPLICANT: ADAMS BROTHERS, LLC WILLIAM D. ADAMS, PROJECT MANAGER 34 WASHINGTON STREET, SUITE 200 WELLESLEY, MA 02457 TEL: (781) 366-2436

OWNER: MARLBOROUGH TOWN LLC WILLIAM D. ADAMS, PROJECT MANAGER 34 WASHINGTON STREET, SUITE 200 WELLESLEY, MA 02457 TEL: (781) 458-8388

DATE: SEPTEMBER 6, 2022

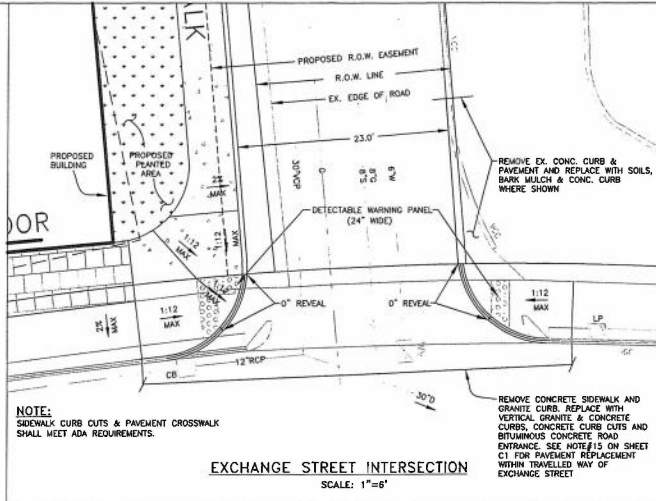
FILE: 2016.dwg



- NOTES:
1. CONCRETE: 5,000 PSI MINIMUM AFTER 28 DAYS.
 2. ALL REINFORCEMENT PER ASTM C1227.
 3. TONGUE AND GROOVE JOINT SEALED WITH BUTYL RESIN.
 4. EXISTING PIPE SEALS TO BE CORED OR PRECAST FOR DRAIN PIPE SHOWN.
 5. USE SHEA CONCRETE 3500 GALLON H-20 TRAFFIC LOADING OR APPROVED EQUAL.
 6. SEE PLAN FOR PIPE INVERTS.
 7. SIDE TANKS SHALL BE SAME OVERALL DIMENSIONS AS CENTER TANK WITHOUT THE BAFFLE.

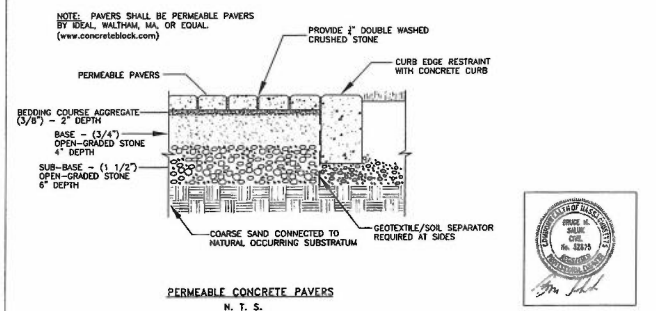
DETENTION/WATER QUALITY TANK

N. T. S. WATER QUALITY TANK.DWG



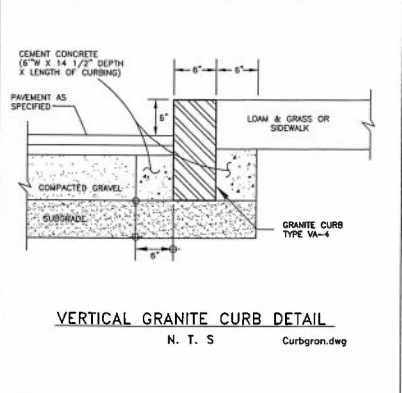
EXCHANGE STREET INTERSECTION

SCALE: 1"=6'



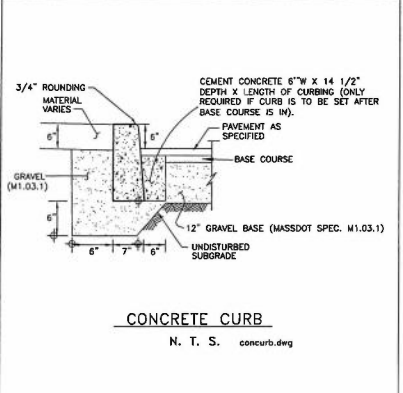
PERMEABLE CONCRETE PAVERS

N. T. S.



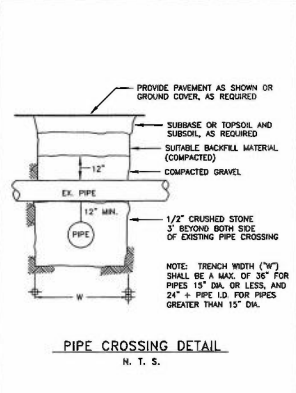
VERTICAL GRANITE CURB DETAIL

N. T. S. Curbgran.dwg



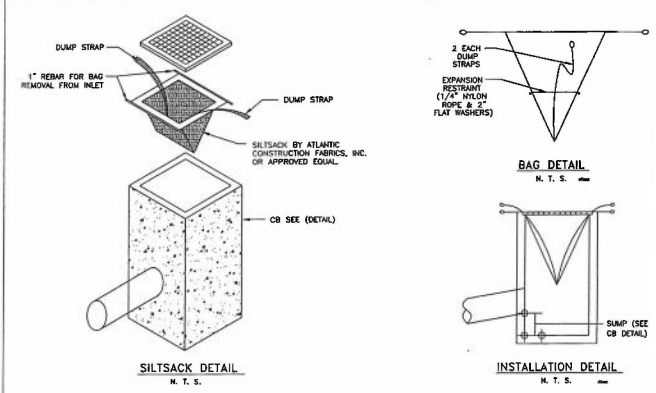
CONCRETE CURB

N. T. S. concurb.dwg



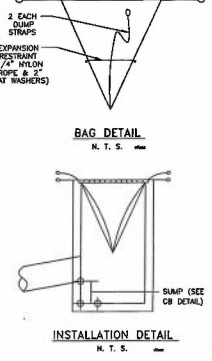
PIPE CROSSING DETAIL

N. T. S.



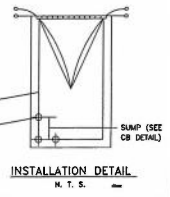
SILTSACK DETAIL

N. T. S.



BAG DETAIL

N. T. S.



INSTALLATION DETAIL

N. T. S.

NO.	DATE	DESCRIPTION

PREPARED BY:
BRUCE SALUK & ASSOC., INC.
 CIVIL ENGINEERING & LAND SURVEYING
 576 BRISTOL POST ROAD EAST
 MARLBOROUGH, MA 01752
 TEL: 508-485-1662

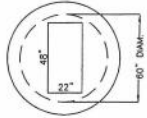
DETAILS
 10 EXCHANGE PLACE
 MAIN PLAN
 - 57 MAIN STREET -
 MARLBOROUGH, MA

APPLICANT:
WILLIAM D. ADAMS
JW CAPITAL PARTNERS, LLC
 200 PARKER ROAD, SUITE 3
 MARLBOROUGH, MA 01752
 TEL: (978) 458 8388

OWNER:
MARLBOROUGH TOTG LLC
 200 PARKER ROAD, SUITE 3
 MARLBOROUGH, MA 01752
 TEL: (978) 458 8388

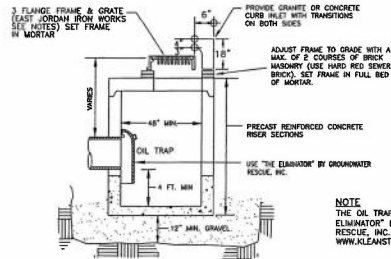
DATE: SEPTEMBER 6, 2022

C6
 FILE: 2918.dwg



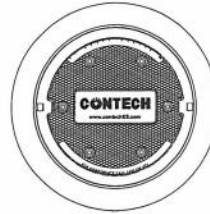
DOUBLE CB TOP SLAB

- NOTES:
- 1.) SINGLE FRAME GRATE:
EJW FRAME CAT# 0M4SS2000024
EJW GRATE CAT# 0M4SS2000075
 - 2.) DOUBLE FRAME & GRATE:
EJW FRAME CAT# 0M4S44000001
EJW GRATE CAT# 0M4SS2000075

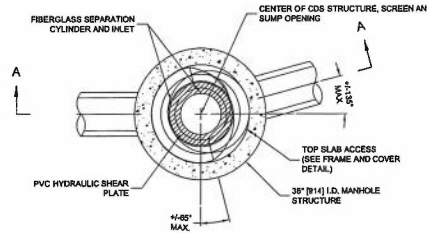


SINGLE & DOUBLE CATCH BASIN WITH CURB INLET
N. T. S. CB1-Marlborough.dwg

NOTE:
THE OIL TRAP SHALL BE THE "ELIMINATOR" BY GROUNDWATER RESCUE, INC. QUINCY, MA WWW.KLEANSTREAM.COM

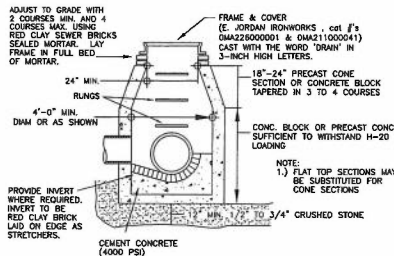


FRAME AND COVER
(DIAMETER VARIES)
N.T.S.



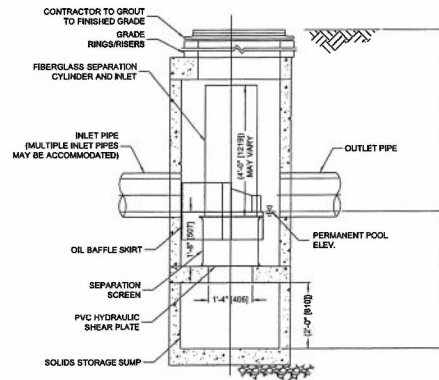
PLAN VIEW B-B
N.T.S.

- GENERAL NOTES
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE www.ContechES.com
 3. STORMCEPTOR WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
 4. STORMCEPTOR STRUCTURE SHALL MEET AASHTO H209 LOAD RATING, ASSUMING EARTH COVER OF 0 - 2' (B10), AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO.
 5. STORMCEPTOR STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C976 AND AASHTO LOAD FACTOR DESIGN METHOD.
 6. COVERS AND GRATES SHALL BE STORMCEPTOR FRAMES & COVERS FOR HOA INLET UNITS(TU) AND FRAME & GRATES FOR INLET UNITS(WO)H. FRAMES AND GRATES SHALL MATCH YARD DRAIN DETAIL SPECIFICATIONS (EAST JORDAN IRON WORKS CAT# 0M4SS2000025).
- INSTALLATION NOTES
- A. ANY SUB-BASE, BACKFILL, DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
 - B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMCEPTOR MANHOLE STRUCTURE.
 - C. CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
 - D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
 - E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



STORM DRAIN MANHOLE W/ STEP
N. T. S. DMH4Marlboro.dwg

NOTE:
1.) FLAT TOP SECTIONS MAY BE SUBSTITUTED FOR CONE SECTIONS



ELEVATION A-A
N.T.S.

STORMWATER TREATMENT UNIT (TU)
MODEL CDS 1515-3-C BY CONTECH

N. T. S.

DATE	SCALE	APPROVED	BY

PREPARED BY:
BRUCE SALUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
574 BOSTON POST ROAD EAST
WELLESLEY, MA 02481
TEL: 508-485-1882

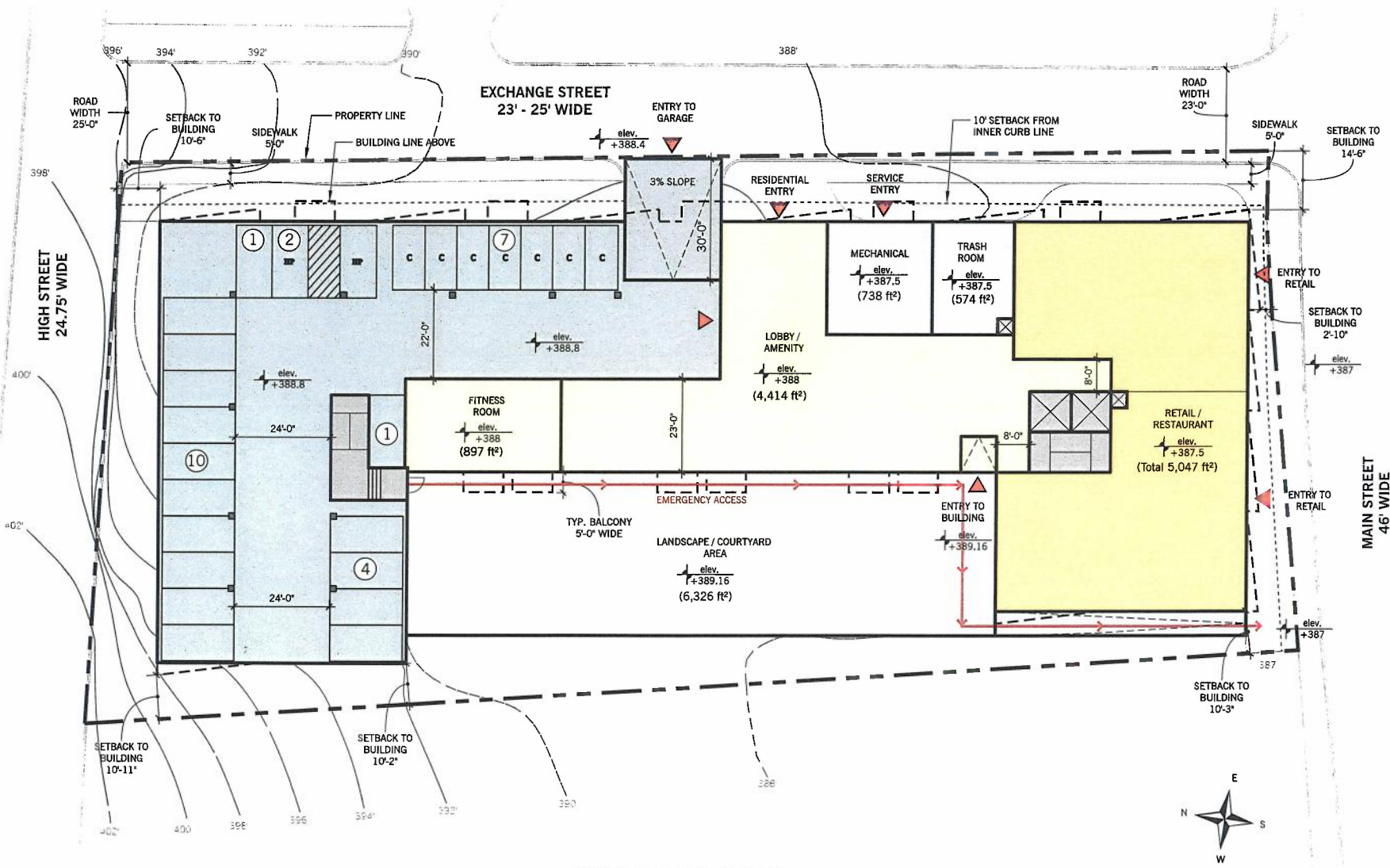
DETAILS
"EXCHANGE PLACE"
SITE PLAN
57 MAIN STREET
MARLBOROUGH, MA

APPLICANT: ADAMS
WILLIAM D. ADAMS
JW CAPITAL PARTNERS, LLC
MARLBOROUGH, MA 01501, SUITE 230
WELLESLEY, MA 02481
TEL: (781) 366 2436

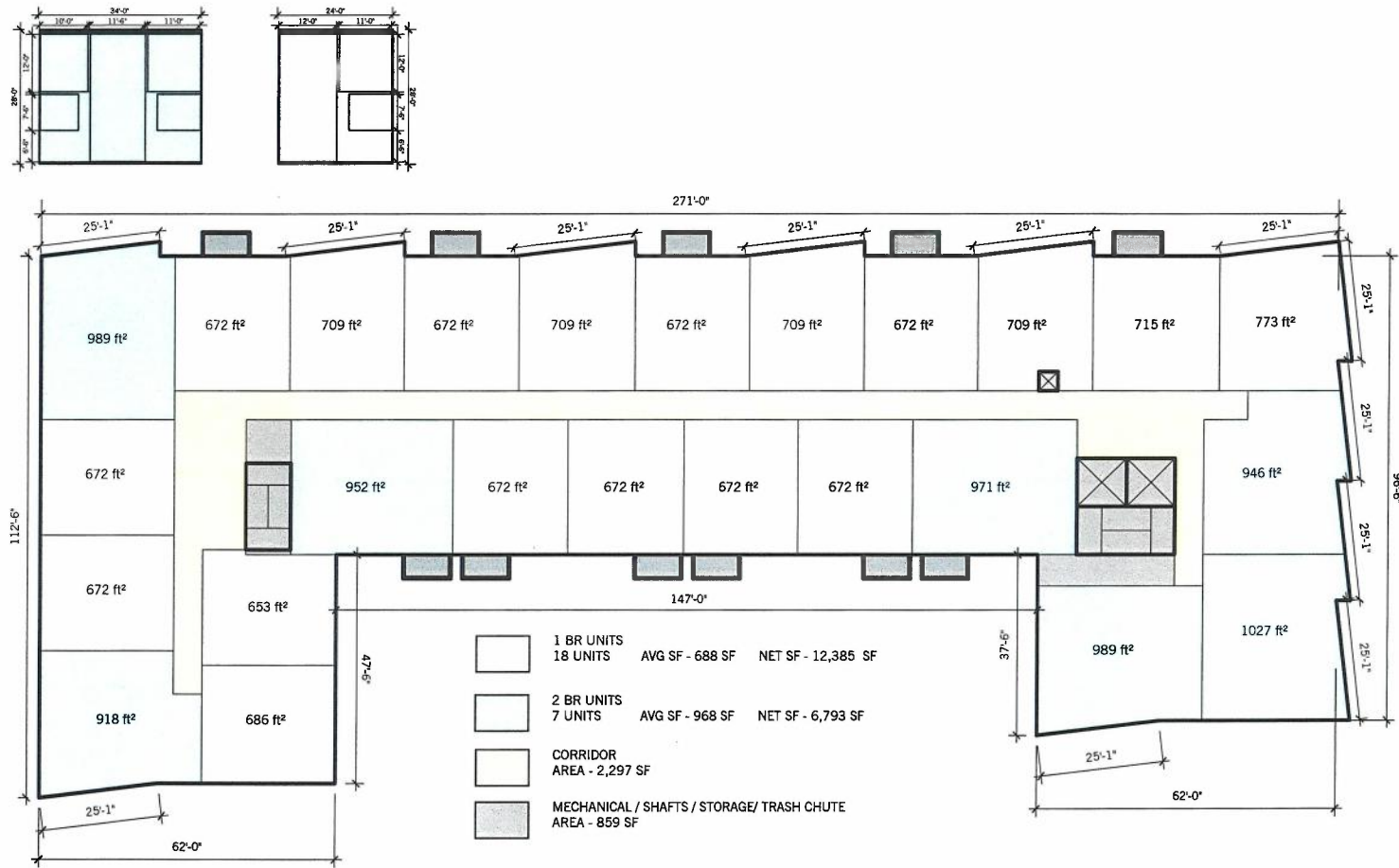
DATE: SEPTEMBER 6, 2022



C7



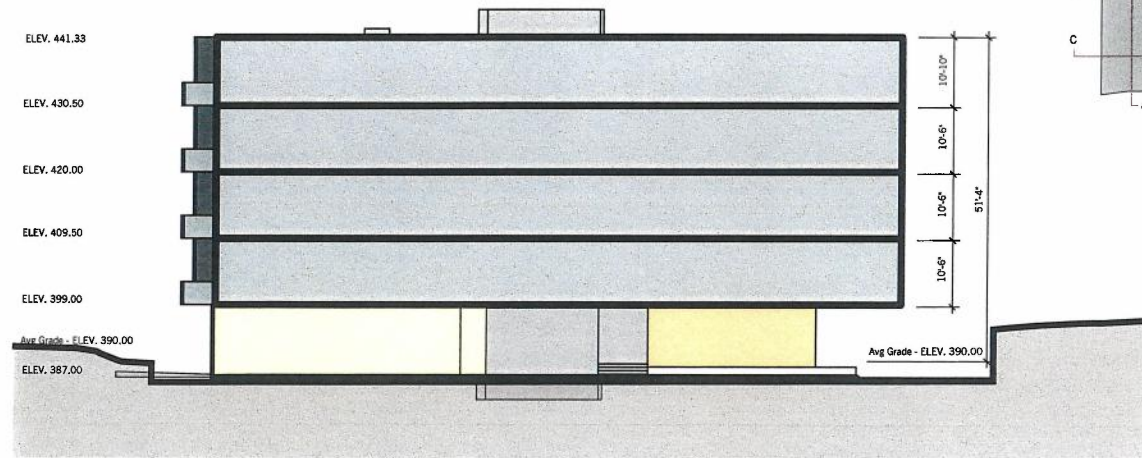
BUILDER GROSS AREA - 21,886 SF
 NO. OF PARKING SPACES - 25 (16 STANDARD | 7 COMPACT | 2 HANDICAP)



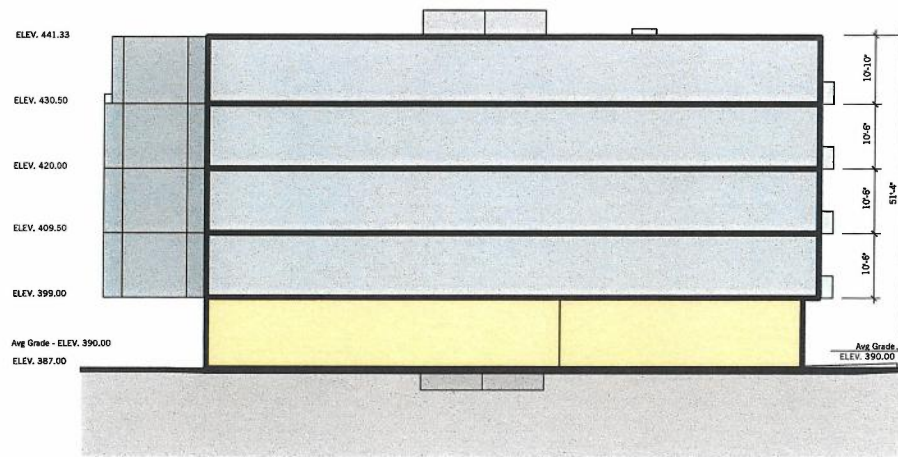
BUILDER GROSS AREA - 22,334 SF



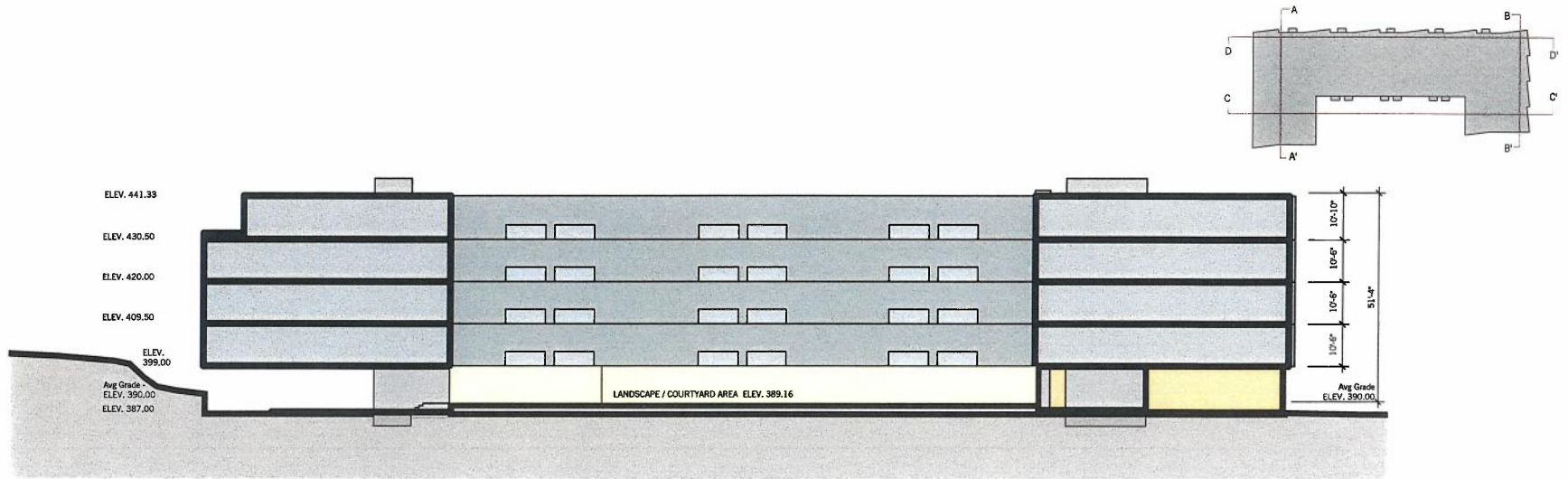
Option 12 - Typical Floor Plan (2nd - 4th)



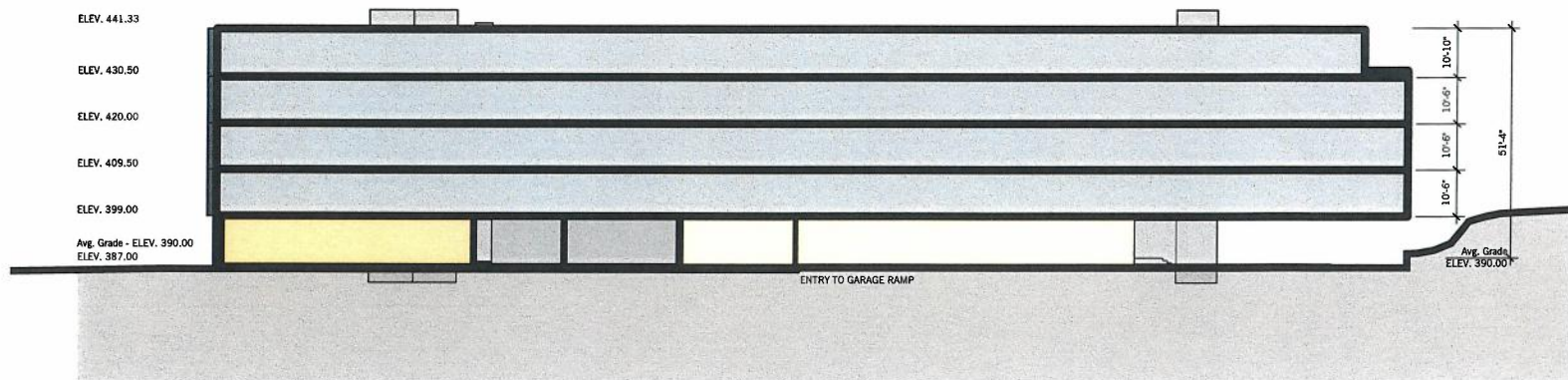
SECTION A-A'



SECTION B-B'



SECTION C-C'



SECTION D-D'







original



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 SEP 28 PM 4:45

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: _____

SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: Verizon Small Cell special permit

Project Use Summary: small cell attachment on utility pole

Project Street Address: 385 Farm Road

Plate: 84 Parcel: 55

Applicant/Developer Name: Liz Glidden for Verizon Wireless

Plan Date: _____ Revision Date: _____

Dear President and Members:

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

Very truly yours,

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

Jeffrey K. Cooke
Acting Director of Planning

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT Applicant's

Name: Verizon Wireless Address: 20 Alexander Dr Wallingford, CT 06492

Project Name: Marlboro SC 42 Address: 385 Farm Road

1. PROPOSED USE: (describe) Small cell antenna in public ROW

2. EXPANSION OR NEW: Not applicable

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

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

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

5. POPULATION ON SITE: Number of people expected on site at anytime:

Normal: _____ Peak period: _____

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: _____ Peak period: _____

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

7. LIGHT: How will the development be lit at the exterior?

How much light will leave the property *No lighting*

8. NOISE: there will be no noise

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

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

9. AIR: What sources of potential air pollution will exist at the development? None

10. WATER AND SEWER: Describe any unusual generation of waste. None

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? There will be a battery back up as part of the installation.

***Attach additional sheets if necessary**

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

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF WIRELESS SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Cellco Partnership dba Verizon Wireless 20 Alexander Drive Wallingford, CT 06492

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

Utility Pole # 34 at 385 Farm Road Map 84 Parcel 55

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

National Grid P.O. Box 371396 Pittsburgh, PA 15250-7396

4. Legal interest of Petitioner or Applicant (lessee)

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

Article 650-59 Paragraph ___4H

6. Zoning District in which property in question is located: Residential **A3**

7. Specific reason(s) for seeking Special Permit

Verizon Wireless seeks to enhance coverage in this area of town on an existing, wood utility pole by attaching small cell equipment on this pole.

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: __Liz Glidden for Verizon Wireless
20 Alexander Drive Wallingford, CT 06492

Telephone No. 508-245-8832

Date: _____

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

Venzon Wiress (see attached)

(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

BIGHAM JOAN M
392 FARM RD
MARLBOROUGH, MA 01752

DELLACANONICA HOLLY A
DREW W CARLSON
33 BLAKE CIR
MARLBOROUGH, MA 01752

DINALLO CAITLIN A
ANDREW BAKER
12 DOVE RD
MARLBOROUGH, MA 01752

HUGHES MICHAEL F
391 FARM RD
MARLBOROUGH, MA 01752

PLACE ROBERT I
JANICE F PLACE
9 PHEASANT HILL RD
MARLBOROUGH, MA 01752

SHAH KEYUR I
FORAM PATEL
412 COOK LN
MARLBOROUGH, MA 01752

SOUZA RODRIGO R
EULER M SILVA
14 PHEASANT HILL RD
MARLBOROUGH, MA 01752

WILLIAMS EARL J
ROSA R WILLIAMS
376 FARM RD
MARLBOROUGH, MA 01752

**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

Cellco Partnership dba as Verizon Wireless

Owner Name/Officer Name of LLC or Corporation Hans Vesterberg, CEO

Owner/Officer Complete Address and Telephone Number

Verizon Wireless, One Verizon Way, Basking Ridge New Jersey 07920

Signature of Applicant

H W Blidden for Verizon Wireless

Attorney on behalf of Applicant, if applicable

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

Tax Collector



Glidden, Elizabeth <elizabeth.glidden@verizonwireless.com>

Re: Marlborough apps

Loycano, Christopher C <christopher.loycano@verizonwireless.com>

Mon, Jan 4, 2021 at 3:40 PM

To: "Glidden, Elizabeth" <elizabeth.glidden@verizonwireless.com>

Cc: "Maurice, Derek J" <derek.maurice@verizonwireless.com>

Elizabeth,
 Derek's estimate was pretty spot on, without information on the actual location it would run right around 6,000.00
 The highline crews depending on the site can run as high as 3,600.00. But on average this would be a pretty safe number.
 Chris

Repair/Troubleshoot Mobilization	1,181.88
General Operative & Bucket Truck	1,302.72
Highline crew	2,440.00
Police Detail	484.01
Permit	688.04
	6,096.65

On Mon, Jan 4, 2021 at 3:29 PM Glidden, Elizabeth <elizabeth.glidden@verizonwireless.com> wrote:

Thanks for getting back to me,
 Liz

On Mon, Jan 4, 2021 at 3:04 PM Loycano, Christopher C <christopher.loycano@verizonwireless.com> wrote:

Derek,
 Will do. Get back to you shortly.
 chris

On Mon, Jan 4, 2021 at 2:58 PM Maurice, Derek J <derek.maurice@verizonwireless.com> wrote:

Because of matrix pricing we can't get a GC to even roll a truck for \$2k. My rough guess is we are looking at around \$6k.

Chris, can you put together the cost based on the matrix? Account for high line crew and bucket truck. Thank you.

Derek Maurice
 Sr. Manager - Implementation/ Construction
verizon
New England East
 Cell: 617.680.8861

On Mon, Jan 4, 2021 at 2:48 PM Glidden, Elizabeth <elizabeth.glidden@verizonwireless.com> wrote:

Hi Chris-

Hope you had a nice holiday.

Our attorney has asked us to provide him with an estimate of the cost of removal of a small cell from a wood utility pole. He is asking so that we have something to show to the DPW department for the purpose of estimating a performance bond.

I have cc'd Derek as well in case he has had this request before and has a 'stock' document he would like to use. VzW does not like to post a bond that is more than \$2,000 so it is my hope that any removal estimate would be considerably less than that amount.

August 25, 2022

Attn: MA DOT

To Whom It May Concern:

National Grid, as owner of certain utility poles in public rights-of-way in Marlborough, 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_SC42_MA	Farm Rd-pole no. 34

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
National Grid



NB+C Engineering Services

Proposed Wood Pole Antenna Installation

Prepared for VZW New England – Small Cell

SITE INFORMATION

Address	385 Farm Road Marlborough, MA 01752 Middlesex County Latitude: 42.3407523° Longitude: -71.5247867°
VZW Utility Pole ID	#34
NB+C Project Number	100381
Date	August 11, 2022

TABLE OF CONTENTSSection

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3.0	ASSUMPTIONS
4.0	ANALYSIS
5.0	CONCLUSIONS & RECOMMENDATIONS
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APPENDIX B:	NESC 250C CALCULATIONS

1.0 INTRODUCTION

The structure is a proposed 45' Southern Pine Class 2 wood pole, located in Marlborough, MA. Pursuant to your request, **NB+C ES** has performed a structural analysis for the proposed wood pole to verify if the structure can support the loads induced due to proposed installation and if it is in compliance with the applicable codes and standards. Information we have received and used for this analysis includes:

- Lease Exhibit prepared by **NB+C ES** dated April 12, 2022
- Photos and notes by **NB+C ES** personnel dated January 21, 2022

2.0 APPURTENANCES LOADING

Center Line Elevation (ft)	Antenna Model	Carrier	Feed Lines (in)
40'-5"	(1) Proposed "Cantenna"	Verizon Wireless	(1) Fiber Cable (1) Superflex Signal Cable (1) Ground Wire
17'-0"	(1) Proposed Fiber Demarc		
14'-6"	(1) Mounting Bracket with proposed RRHs and Diplexer		
9'-5"	(1) Proposed Load Center		
8'-0"	(1) Proposed Meter		

3.0 ASSUMPTIONS

This report is based on the theoretical capacity of the proposed structural elements and is not an assessment of the overall suitability of the proposed structure or its components for any particular use other than specified here in this report:

- This report makes no warranties, expressed and/or implied, and disclaims any liability arising from material, fabrication, and erection of the existing Structure and any other existing or proposed components or appurtenances.
- All proposed and existing antennas, mounts, coaxial cables, and appurtenances are assumed to be properly installed and configured according to manufacturer requirements.
- All existing structural elements are assumed to be in place and in good condition and were previously designed and constructed in accordance with applicable codes and standards.
- All antennas and equipment are conservatively assumed to be normal to the wind for all load combinations considered.

- Contractor to verify existing site conditions. In the event the existing site conditions are different than the assumptions made in this report, this has to be brought to the structural engineer's attention before proceeding any further with bidding, fabrication and/or erection.
- The soil at this location has normal (average) soil properties.

4.0 ANALYSIS

Calculations for this analysis are provided in Appendix A and Appendix B of this report.

5.0 CONCLUSIONS & RECOMMENDATIONS

Based on the performed analysis of this structure for applied gravity and lateral loads, the proposed wood pole structure has been determined to have **adequate** structural capacity to support the proposed Verizon telecommunication equipment and is in compliance with the building codes and standards listed here in this report. **The proposed wood pole was calculated to be stressed to a maximum of 97% of its theoretical capacity.** The Guy Wire was calculated to be stressed to a maximum of 82.5% of its theoretical capacity, and the Guy Anchor will be stressed to a maximum of 75.3% of its capacity. Refer to the construction drawings prepared by **NB+C ES** for the proposed location of the appurtenances.

The results in Appendix A and Appendix B of the report show that the additional forces imparted to the proposed wood pole due to the proposed telecommunications antenna and mount are within acceptable limits considering the overall configuration of the support structure.

The conclusions reached by **NB+C ES** in this report are only applicable for the previously mentioned structural members supporting the Verizon telecommunication antennas. Further, no structural qualification is made or implied by this report for existing structural members not supporting the Verizon equipment.

NB+C ENGINEERING SERVICES, LLC

Prepared by: Linda Gallagher, E.I.T.

Respectfully Submitted by:

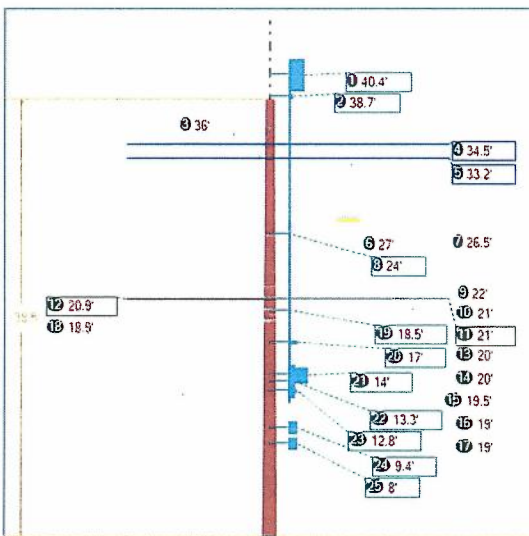
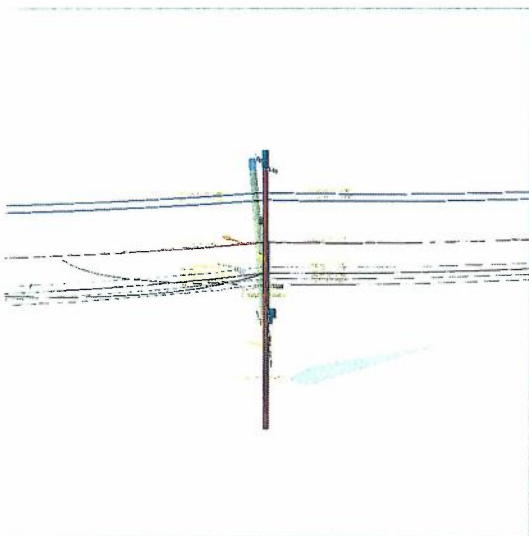
Krupakaran Kolandaivelu, P.E.
 Vice President of Engineering
 CT PE License #0028997



APPENDIX A
NESC 250B CALCULATIONS

17-14

Pole Num:	MARLBORO SC42	Pole Length / Class:	45 / 2	Code:	NESC	Structure Type:	Guyed Tangent
Aux Data 1	Unset	Species:	SOUTHERN PINE	NESC Rule:	Rule 250B	Status	Guy Wires Adequate
Aux Data 2	Unset	Setting Depth (ft):	6.50	Construction Grade:	B	Pole Strength Factor:	0.65
Aux Data 3	Unset	G/L Circumference (in):	40.30	Loading District:	Heavy	Transverse Wind LF:	2.50
Aux Data 4	Unset	G/L Fiber Stress (psi):	8,000	Ice Thickness (in):	0.50	Wire Tension LF:	1.65
Aux Data 5	Unset	Allowable Stress (psi):	5,200	Wind Speed (mph):	39.53	Vertical LF:	1.50
Aux Data 6	Unset	Fiber Stress Ht. Reduc:	No	Wind Pressure (psf):	4.00		
Latitude:	42.340752 Deg		Longitude:	-71.524787 Deg		Elevation:	0 Feet



Pole Capacity Utilization (%)	Height (ft)	Wind Angle (deg)
Maximum	0.0	284.1
Groundline	0.0	284.1
Vertical	32.8	315.0

Pole Moments (ft-lb)	Load Angle (deg)	Wind Angle (deg)
Max Cap Util	84,004	270.6
Groundline	84,004	270.6
GL Allowable	89,811	

Guy System Component Summary				Load From Worst Wind Angle on Pole		Individual Maximum Load	
Description	Lead Length (ft)	Lead Angle (deg)	Height (ft)	Nominal Capacity (%)	Wind Angle (deg)	Max Load Capacity (%)	Wind Angle (deg)
Expanding - 12" - Soil Class 5	6.0	135.0		43.1	284.1	75.3	310.0
EHS 1/2 (Down)			36.0	47.2	284.1	82.5	310.0
System Capacity Summary:				Adequate		Adequate	

Groundline Load Summary - Reporting Angle Mode: Load - Reporting Angle: 270.6°

17-15

	Shear Load* (lbs)	Applied Load (%)	Bending Moment (ft-lb)	Applied Moment (%)	Pole Capacity (%)	Bending Stress (+/- psi)	Vertical Load (lbs)	Vertical Stress (psi)	Total Stress (psi)	Pole Capacity (%)
Powers	1,717	38.5	49,952	59.5	55.6	3,114	965	7	3,121	60.0
Comms	3,449	77.4	65,365	77.8	72.8	4,075	2,080	16	4,091	78.7
GuyBraces	-1,258	-28.2	-42,063	-50.1	-46.8	-2,622	16,969	131	-2,491	-47.9
GenericEquipments	180	4.0	3,465	4.1	3.9	216	730	6	222	4.3
Pole	324	7.3	5,831	6.9	6.5	364	2,079	16	380	7.3
Streetlights	35	0.8	1,180	1.4	1.3	74	90	1	74	1.4
Insulators	7	0.2	274	0.3	0.3	17	70	1	18	0.3
Pole Load	4,455	100.0	84,004	100.0	93.5	5,236	22,984	178	5,414	104.1
Pole Reserve Capacity			5,807		6.5	-36			-214	-4.1

Load Summary by Owner - Reporting Angle Mode: Load - Reporting Angle: 270.6°

	Shear Load* (lbs)	Applied Load (%)	Bending Moment (ft-lb)	Applied Moment (%)	Pole Capacity (%)	Bending Stress (+/- psi)	Vertical Load (lbs)	Vertical Stress (psi)	Total Stress (psi)	Pole Capacity (%)
CUC	2,530	56.8	48,841	58.1	54.4	3,045	1,972	15	3,060	58.8
<Undefined>	1,600	35.9	29,333	34.9	32.7	1,829	18,933	146	1,975	38.0
Pole	324	7.3	5,831	6.9	6.5	364	2,079	16	380	7.3
Totals:	4,455	100.0	84,004	100.0	93.5	5,236	22,984	178	5,414	104.1

Detailed Load Components:

Power	Owner	Height (ft)	Horiz. Offset (in)	Cable Diameter (in)	Sag at Max Temp (ft)	Cable Weight (lbs/ft)	Lead/Span Length (ft)	Span Angle (deg)	Wire Length (ft)	Tension (lbs)	Tension Moment* (ft-lb)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
Secondary	DUPLEX 2 AWG	CUC	26.46	7.10	0.7460	0.164	147.0	32.0	147.1			-26	676	650
Secondary	DUPLEX 2 AWG	CUC	26.46	7.41	0.7460	0.164	147.0	32.0	147.1			-30	676	646
Secondary	DUPLEX 2 AWG	CUC	26.46	7.09	0.7460	0.164	200.0	220.0	200.1			-36	802	766
Secondary	DUPLEX 2 AWG	CUC	26.46	7.40	0.7460	0.164	200.0	220.0	200.1			-41	802	761
Secondary	DUPLEX 2 AWG	CUC	26.45	7.24	0.7460	0.164	25.0	133.0	25.3			-3	55	53
Secondary	DUPLEX 2 AWG	CUC	26.39	7.25	0.7460	0.164	25.0	133.0	25.3			-3	55	53
Primary	AAC 2 AWG 7 STRAND IRIS		34.50	15.73	0.2920	2.71	147.0	32.0	147.1	548	-16,279	57	2,217	-14,005
Primary	AAC 2 AWG 7 STRAND IRIS		34.50	15.73	0.2920	3.59	200.0	220.0	200.1	656	23,727	78	2,581	26,385

Primary	AAC 2 AWG 7 STRAND IRIS	34.50	15.73	0.2920	2.71	0.062	147.0	32.0	147.1	548	-16,279	57	2,217	-14,005
Primary	AAC 2 AWG 7 STRAND IRIS	34.50	15.73	0.2920	3.59	0.062	200.0	220.0	200.1	656	23,727	78	2,581	26,385
Primary	AAC 2 AWG 7 STRAND IRIS	33.25	15.81	0.2920	2.71	0.062	147.0	32.0	147.1	548	-15,690	58	2,137	-13,496
Primary	AAC 2 AWG 7 STRAND IRIS	33.25	15.81	0.2920	3.59	0.062	200.0	220.0	200.1	656	22,867	78	2,487	25,433
Overlashed Bundle	6M	26.50	7.24	0.2420	1.85	0.104	147.0	32.0	147.1	1,411	-32,190	-25	1,994	-30,220
Overlashed Bundle	6M	26.50	7.24	0.2420	3.01	0.104	200.0	220.0	200.1	1,618	44,933	-34	2,336	47,235
Overlashed Bundle	6M	26.50	7.24	0.2420	1.49	0.104	25.0	133.0	25.3	109	-3,005	-2	146	-2,861
Totals:											31,812	207	21,761	53,779

Comm	Owner	Height (ft)	Horiz. Offset (in)	Cable Diameter (in)	Sag at Max Temp (ft)	Cable Weight (lbs/ft)	Lead/Span Length (ft)	Span Angle (deg)	Wire Length (ft)	Tension (lbs)	Tension Moment* (ft-lb)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
Overlashed Bundle	6M	21.00	7.59	0.2420	1.62	0.104	147.0	32.0	147.1	2,816	-50,891	24	1,492	-49,375
CATV	CATV .50	CUC	20.97	7.73	0.5700	0.600	147.0	32.0	147.1			51	447	499
CATV	CATV .50	CUC	20.96	7.46	0.5700	0.600	147.0	32.0	147.1			45	447	493
Overlashed Bundle	6M	21.00	7.59	0.2420	3.82	0.104	200.0	220.0	200.2	2,393	52,667	30	1,687	54,384
CATV	CATV .50	CUC	20.97	7.69	0.5700	0.600	200.0	220.0	200.2			67	470	537
CATV	CATV .50	CUC	20.97	7.47	0.5700	0.600	200.0	220.0	200.2			61	471	531
CATV	CATV .50	CUC	20.95	7.59	0.5700	3.05	70.0	277.0	70.5	232	7,933	38	-13	7,958
CATV	CATV .50	CUC	20.90	7.59	0.5700	1.50	25.0	133.0	25.3	67	-1,578	18	112	-1,449
CATV	CATV .50	CUC	20.95	7.59	0.5700	6.15	126.0	252.0	127.0	375	12,278	61	292	12,631
Fiber	Generic Span	CUC	22.00	7.52	0.6570	2.66	147.0	32.0	147.1	1,420	-26,894	40	1,812	-25,042
Fiber	Generic Span	CUC	22.00	7.52	0.6570	4.41	200.0	220.0	200.2	1,159	26,727	54	2,110	28,891
Fiber	Generic Span	CUC	19.52	479.40	0.6570	3.93	55.0	300.0	56.0	61	1,362	8	80	1,450
Overlashed Bundle	6M	20.00	7.65	0.2420	2.07	0.104	147.0	32.0	147.1	952	-16,387	30	1,523	-14,835
Fiber	Generic Span	CUC	19.96	7.50	0.6570	0.087	147.0	32.0	147.1			27	527	554
Overlashed Bundle	6M	20.00	7.65	0.2420	4.20	0.104	200.0	220.0	200.2	962	20,162	40	1,777	21,979
Fiber	Generic Span	CUC	19.96	7.50	0.6570	0.087	200.0	220.0	200.2			37	618	655
Fiber	Generic Span	CUC	19.95	7.65	0.6570	3.07	70.0	277.0	70.5	133	4,329	24	-13	4,340
Fiber	Generic Span	CUC	19.95	7.65	0.6570	6.18	126.0	252.0	127.0	216	6,728	39	293	7,060
Overlashed Bundle	6M	19.00	7.71	0.2420	1.98	0.104	147.0	32.0	147.1	1,153	-18,851	25	1,382	-17,444
Fiber	Generic Span	CUC	18.96	7.82	0.6570	0.087	147.0	32.0	147.1			25	436	462
Fiber	Generic Span	CUC	18.96	7.56	0.6570	0.087	147.0	32.0	147.1			22	693	715
Overlashed Bundle	6M	19.00	7.71	0.2420	4.15	0.104	200.0	220.0	200.2	1,151	22,927	34	1,597	24,558
Fiber	Generic Span	CUC	18.96	7.84	0.6570	0.087	200.0	220.0	200.2			34	497	531
Fiber	Generic Span	CUC	18.96	7.58	0.6570	0.087	200.0	220.0	200.2			31	497	527
Fiber	Generic Span	CUC	18.95	7.71	0.6570	3.07	70.0	277.0	70.5	133	4,112	24	-13	4,124
Fiber	Generic Span	CUC	18.90	7.71	0.6570	1.01	25.0	133.0	25.1	54	-1,190	12	107	-1,071

Fiber	Generic Span	CUC	18.95	7.71	0.6570	6.18	0.087	126.0	252.0	127.0	216	6,391	39	279	6,708
											Totals:	49,826	941	19,606	70,372

Generic Equipment		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Height (in)	Unit Depth (in)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
Cylinder	Cantenna		40.42	0.86	210.0	0.0	35.00	35.40	--	14.00	--	2	1,353	1,355
Cylinder	Mounting Bracket		38.74	0.04	210.0	0.0	6.00	6.00	--	4.00	--	0	63	63
Cylinder	Conduit		24.00	5.90	202.0	0.0	100.00	360.00	--	2.00	--	27	1,167	1,194
Cylinder	Weatherhead		18.50	6.24	40.0	0.0	100.00	192.00	--	2.00	--	-50	480	430
Box	Fiber Demarc		17.00	6.99	311.0	0.0	7.60	4.80	3.30	--	7.90	5	57	62
Box	RRH		14.00	14.28	40.0	0.0	103.20	17.30	11.50	--	17.30	-117	344	227
Box	Diplexer		12.75	11.26	40.0	0.0	7.60	4.80	3.30	--	7.90	-7	31	24
Cylinder	Mounting Bracket		13.33	5.43	40.0	0.0	6.00	36.00	--	6.00	--	3	194	197
Box	RRH		12.75	11.01	40.0	0.0	21.40	13.90	4.80	--	9.80	-19	119	101
Box	Load Center		9.41	8.01	40.0	0.0	50.00	14.00	4.38	--	8.00	-32	77	45
Box	Meter		8.00	8.10	40.0	0.0	50.00	14.00	4.38	--	8.00	-32	66	33
											Totals:	-220	3,950	3,731

Streetlight		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Height (in)	Unit Depth (in)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
General	Streetlight - 6 ft. Arm		27.00	4.71	311.0	311.0	60.00	24.00	20.00	3.00	72.00	330	941	1,271
											Totals:	330	941	1,271

Insulator		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)		
Bolt	Three Bolt		26.50	0.00	135.0	135.0	5.00	3.00	0.00	-3	0	-3		
Bolt	Three Bolt		21.00	0.00	315.0	315.0	5.00	3.00	0.00	3	0	3		
Post	Post Insulator - 15 kV		34.50	0.00	315.0	315.0	11.00	4.75	11.50	15	129	144		
Post	Post Insulator - 15 kV		33.25	0.00	315.0	315.0	11.00	4.75	11.50	16	124	140		
Bolt	Three Bolt		22.00	0.00	315.0	315.0	5.00	3.00	0.00	3	0	3		
Bolt	Three Bolt		20.00	0.00	315.0	315.0	5.00	3.00	0.00	3	0	3		
Bolt	Three Bolt		19.00	0.00	315.0	315.0	5.00	3.00	0.00	3	0	3		
											Totals:	41	253	295

Guy Wire and Brace		Owner	Attach Height (ft)	End Height (ft)	Lead/Span Length (ft)	Wire Diameter (in)	Percent Solid (%)	Lead Angle (deg)	Incline Angle (deg)	Wire Weight (lbs/ft)	Rest Length (ft)	Stretch Length (in)
EHS 1/2	Down		36.00	0.00	6.00	0.5	75.00	135.0	80.2	0.517	42.88	1.74

Guy Wire and Brace (Loads and Reactions)		Elastic Modulus (psi)	Rated Tensile Strength (lbs)	Guy Strength Factor	Allowable Tension (lbs)	Initial Tension (lbs)	Loaded Tension* ² (lbs)	Maximum Tension ² (lbs)	Applied Tension ³ (lbs)	Vertical Load (lbs)	Shear Load In Guy Dir (lbs)	Shear Load At Report Angle (lbs)	Moment at GL ³ (ft-lb)
EHS 1/2	Down	2.30e+7	26,900	0.90	24,210	700	19,963	12,099	11,430	11,264	1,937	-1,383	-45,285
Totals:										11,264	1,937	-1,383	-45,285

Anchor/Rod Load Summary	Owner	Rod Length AGL (in)	Lead Length (ft)	Lead Angle (deg)	Strength of Assembly (lbs)	Anchor/Rod Strength Factor	Allowable Load (lbs)	Max Load ² (lbs)	Load at Pole MCU ³ (lbs)	Max Required Capacity ² (%)
Expanding - 12" - Soil Class 5		0.00	6.00	135.0	26,500	1.00	26,500	19,963	11,430	75.3

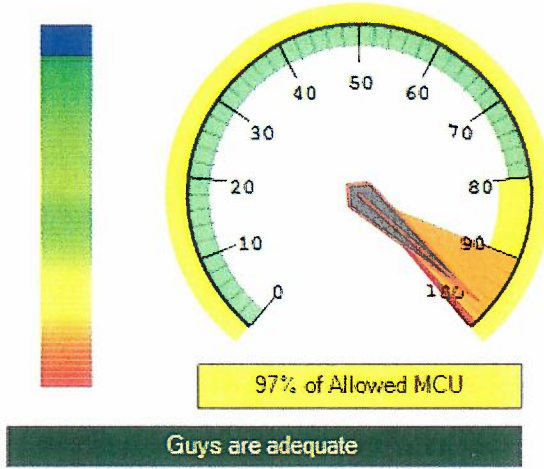
Pole Buckling													
Buckling Constant	Buckling Column Height* (ft)	Buckling Section Height (% Buckling Col. Hgt.)	Buckling Section Diameter (in)	Minimum Buckling Diameter at GL (in)	Diameter at Tip (in)	Diameter at GL (in)	Modulus of Elasticity (psi)	Pole Density (pcf)	Ice Density (pcf)	Pole Tip Height (ft)	Buckling Load Capacity at Height (lbs)	Buckling Load Applied at Height (lbs)	Buckling Load Factor of Safety
0.71	32.78	34.85	11.38	27.49	7.96	12.83	1.60e+6	60.00	57.00	38.50	109,351	1094.45	4.76

O-Calc® Pro Capacity Summary Info

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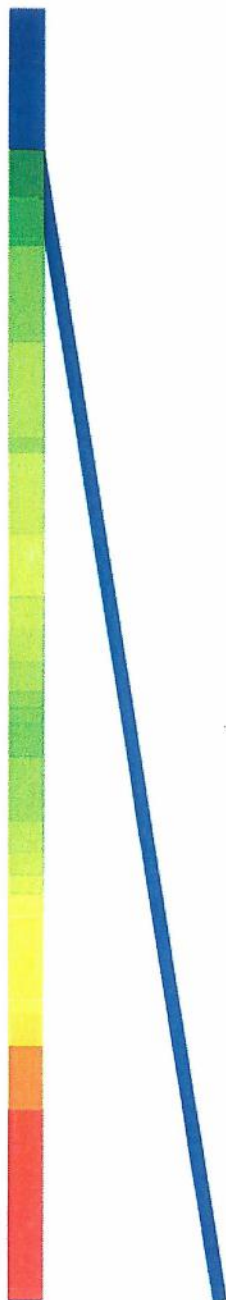
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O-Calc® Pro Heat Map View

Report Created: 8/11/2022

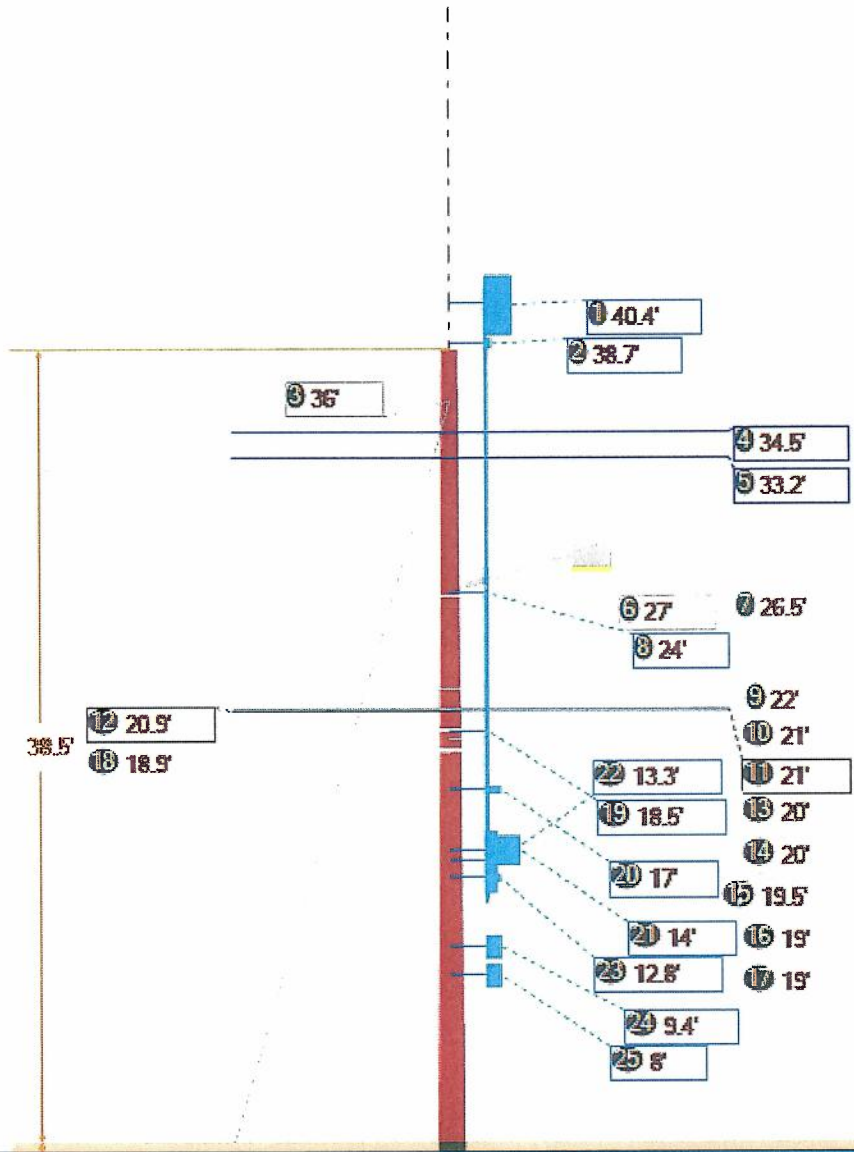


O-Calc® Pro Schematic View

Pole Identification: MARLBORO SC42

Report Created: 8/11/2022

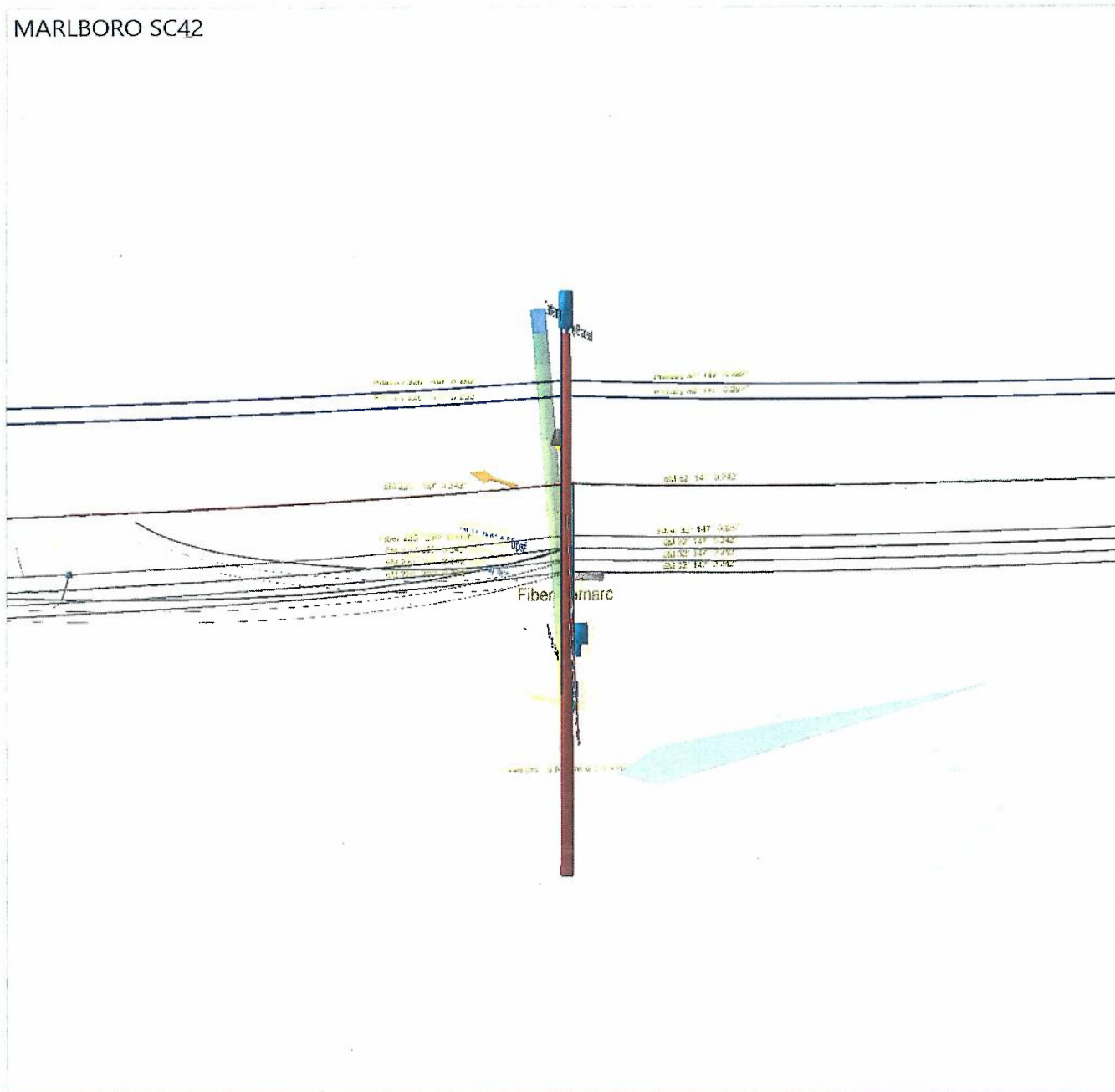
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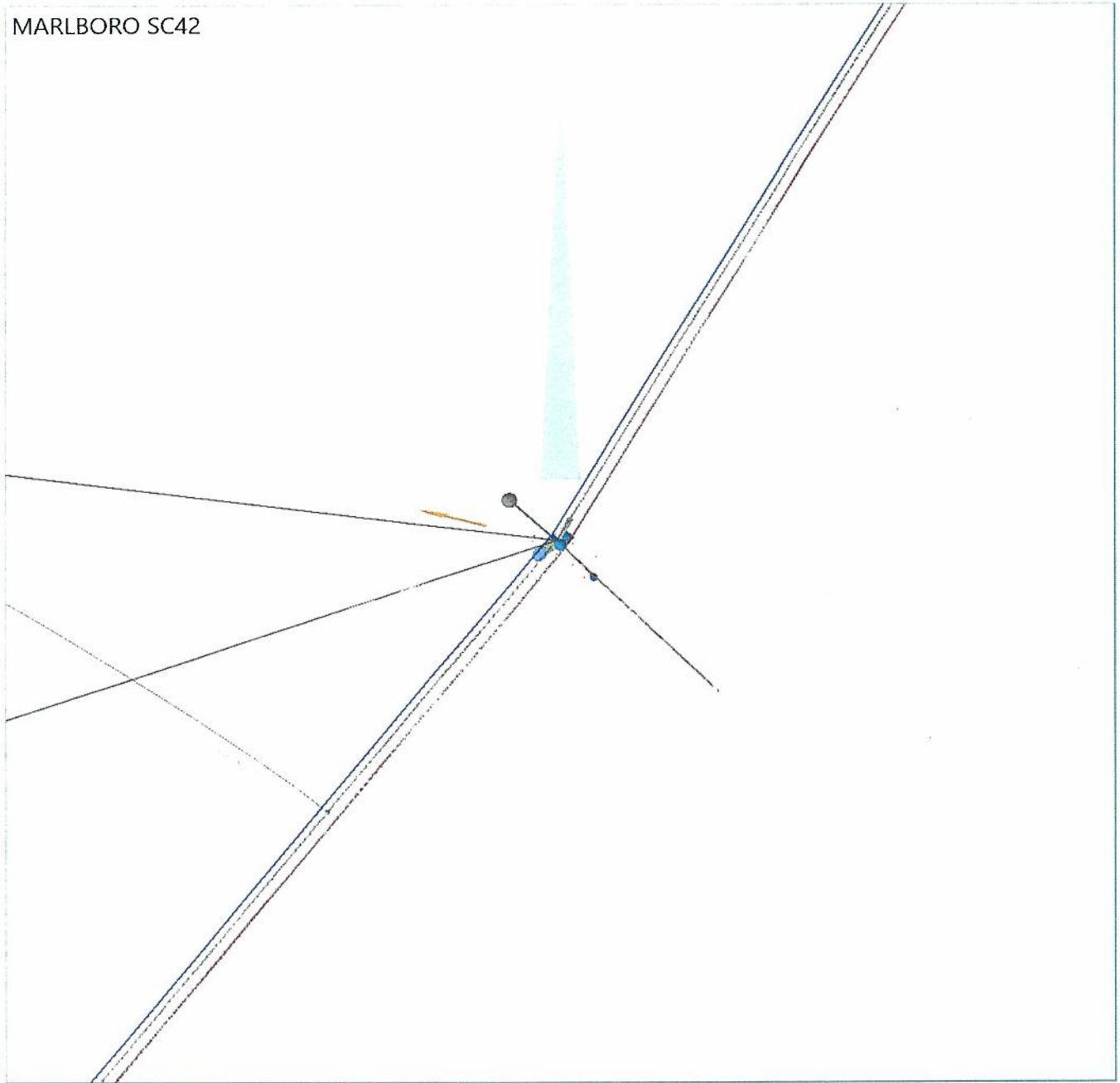


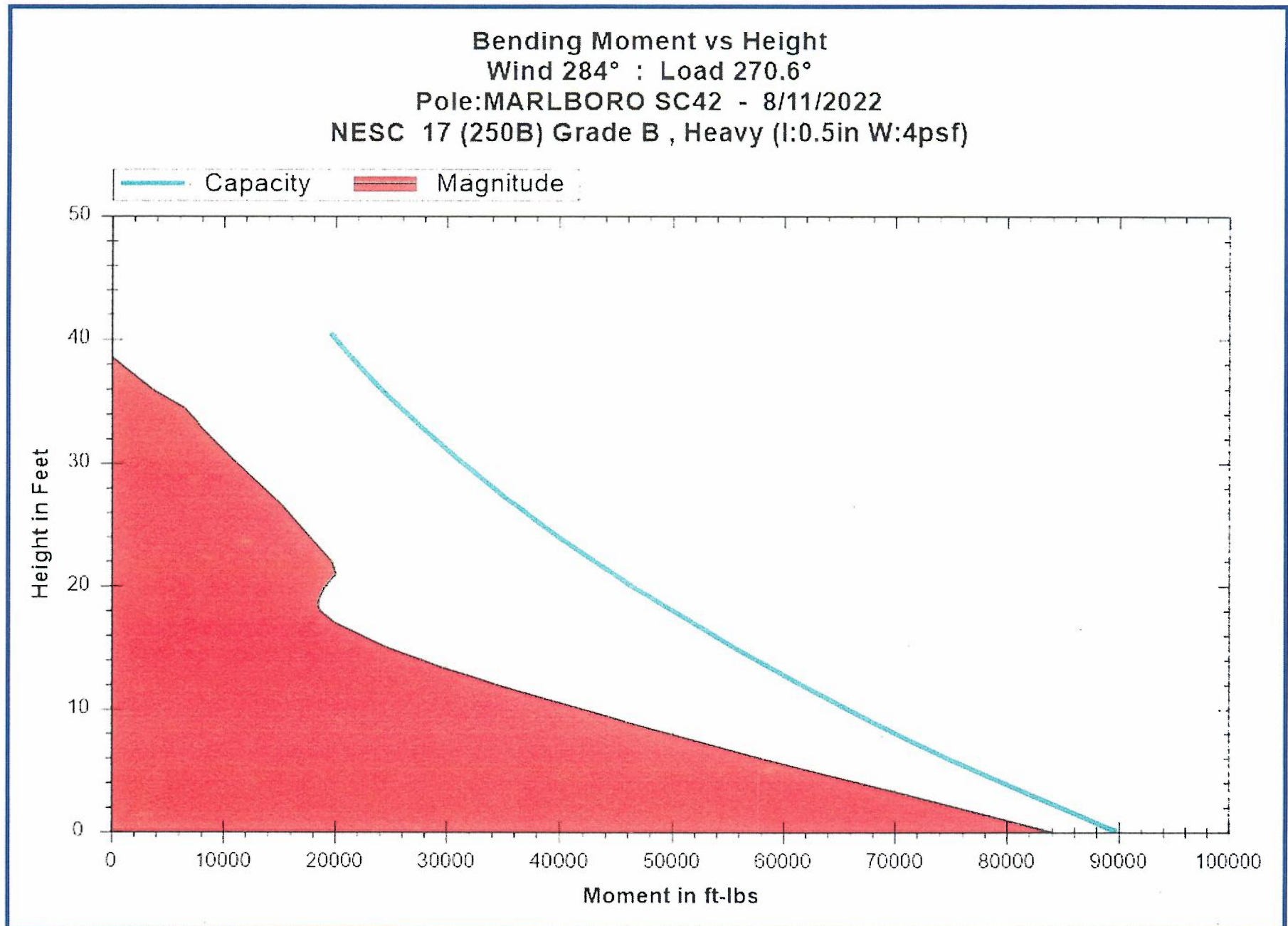
1 - 40.4' (485")	Cantenna
2 - 38.7' (464.9")	Bracket
3 - 36' (432")	EHS 1/2 Down Guy 36.0 ft hgt, 80.5° angle
4 - 34.5' (414")	Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS)
5 - 33.2' (399")	Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS)
6 - 27' (324")	Streetlight - 6 ft. Arm 6.0 ft arm

7 - 26.5' (318")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242" 6M 133° 25' Msgr:0.242"
8 - 24' (288")	Conduit
9 - 22' (264")	Fiber 32° 147' 0.657" (Generic Span) Fiber 220° 200' 0.657" (Generic Span)
10 - 21' (252")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
11 - 21' (251.4")	CATV 277° 70' 0.570" Voff=-0.6 (CATV .50) CATV 252° 126' 0.570" Voff=-0.6 (CATV .50)
12 - 20.9' (250.8")	CATV 133° 25' 0.570" Voff=-1.2 (CATV .50)
13 - 20' (240")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
14 - 20' (239.4")	Fiber 277° 70' 0.657" Voff=-0.6 (Generic Span) Fiber 252° 126' 0.657" Voff=-0.6 (Generic Span)
15 - 19.5' (234.2")	Fiber 300° 55' 0.657" (Generic Span)
16 - 19' (228")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
17 - 19' (227.4")	Fiber 277° 70' 0.657" Voff=-0.6 (Generic Span) Fiber 252° 126' 0.657" Voff=-0.6 (Generic Span)
18 - 18.9' (226.8")	Fiber 133° 25' 0.657" Voff=-1.2 (Generic Span)
19 - 18.5' (222")	Weatherhead
20 - 17' (204")	Fiber Demarc
21 - 14' (168")	RRH
22 - 13.3' (160")	Bracket
23 - 12.8' (153")	Diplexer RRH
24 - 9.4' (112.9")	Load Center
25 - 8' (96")	Meter

MARLBORO SC42



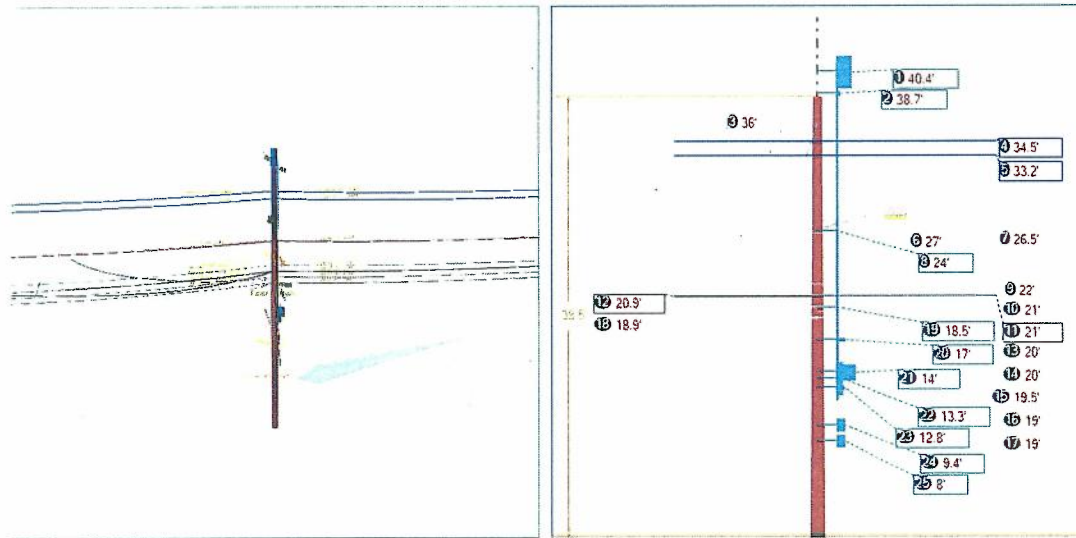




APPENDIX B

NESC 250C CALCULATIONS

Pole Num:	MARLBORO SC42	Pole Length / Class:	45 / 2	Code:	NESC	Structure Type:	Guyed Tangent
Aux Data 1	Unset	Species:	SOUTHERN PINE	NESC Rule:	Rule 250C	Status	Guy Wires Adequate
Aux Data 2	Unset	Setting Depth (ft):	6.50	Construction Grade:	B	Pole Strength Factor:	0.75
Aux Data 3	Unset	G/L Circumference (in):	40.30	Loading District:	Special	Transverse Wind LF:	1.00
Aux Data 4	Unset	G/L Fiber Stress (psi):	8,000	Ice Thickness (in):	0.00	Wire Tension LF:	1.00
Aux Data 5	Unset	Allowable Stress (psi):	6,000	Wind Speed (mph):	100.00	Vertical LF:	1.00
Aux Data 6	Unset	Fiber Stress Ht. Reduc:	No	Wind Pressure (psf):	25.60	Max 250C Wind (mph)	126.76
Latitude:	42.340752 Deg		Longitude:	-71.524787 Deg		Elevation:	0 Feet



Pole Capacity Utilization (%)	Height (ft)	Wind Angle (deg)
Maximum	56.8	129.3
Groundline	56.8	129.3
Vertical	0.6	315.0

Pole Moments (ft-lb)	Load Angle (deg)	Wind Angle (deg)
Max Cap Util	58,521	129.3
Groundline	58,521	129.3
GL Allowable	103,628	

Guy System Component Summary				Load From Worst Wind Angle on Pole		Individual Maximum Load	
Description	Lead Length (ft)	Lead Angle (deg)	Height (ft)	Nominal Capacity (%)	Wind Angle (deg)	Max Load Capacity (%)	Wind Angle (deg)
Expanding - 12" - Soil Class 5	6.0	135.0		0.0	129.3	31.8	310.0
EHS 1/2 (Down)			36.0	0.0	129.3	34.9	310.0
System Capacity Summary:				Adequate		Adequate	

Groundline Load Summary - Reporting Angle Mode: Load - Reporting Angle: 129.6°

	Shear Load* (lbs)	Applied Load (%)	Bending Moment (ft-lb)	Applied Moment (%)	Pole Capacity (%)	Bending Stress (+/- psi)	Vertical Load (lbs)	Vertical Stress (psi)	Total Stress (psi)	Pole Capacity (%)
Powers	596	23.2	18,024	30.8	17.4	1,009	101	1	1,010	16.8
Comms	706	27.4	14,117	24.1	13.6	790	469	4	794	13.2
GuyBraces	1	0.0	45	0.1	0.0	3	15	0	3	0.0
GenericEquipments	395	15.3	9,481	16.2	9.2	531	487	4	534	8.9
Pole	770	29.9	14,126	24.1	13.6	791	1,386	11	801	13.4
Streetlights	86	3.3	2,103	3.6	2.0	118	60	0	118	2.0
Insulators	19	0.7	626	1.1	0.6	35	47	0	35	0.6
Pole Load	2,572	100.0	58,521	100.0	56.5	3,276	2,564	20	3,296	54.9
Pole Reserve Capacity			45,107		43.5	2,724			2,704	45.1

Load Summary by Owner - Reporting Angle Mode: Load - Reporting Angle: 129.6°

	Shear Load* (lbs)	Applied Load (%)	Bending Moment (ft-lb)	Applied Moment (%)	Pole Capacity (%)	Bending Stress (+/- psi)	Vertical Load (lbs)	Vertical Stress (psi)	Total Stress (psi)	Pole Capacity (%)
CUC	1,090	42.4	24,509	41.9	23.7	1,372	449	3	1,375	22.9
<Undefined>	712	27.7	19,887	34.0	19.2	1,113	729	6	1,119	18.6
Pole	770	29.9	14,126	24.1	13.6	791	1,386	11	801	13.4
Totals:	2,572	100.0	58,521	100.0	56.5	3,276	2,564	20	3,296	54.9

Detailed Load Components:

Power	Owner	Height (ft)	Horiz. Offset (in)	Cable Diameter (in)	Sag at Max Temp (ft)	Cable Weight (lbs/ft)	Lead/Span Length (ft)	Span Angle (deg)	Wire Length (ft)	Tension (lbs)	Tension Moment* (ft-lb)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)	
Secondary	DUPLEX 2 AWG	CUC	26.46	7.10	0.7460	0.164	147.0	32.0	147.1			7	1,744	1,751	
Secondary	DUPLEX 2 AWG	CUC	26.46	7.41	0.7460	0.164	147.0	32.0	147.1			7	1,744	1,752	
Secondary	DUPLEX 2 AWG	CUC	26.46	7.09	0.7460	0.164	200.0	220.0	200.1			10	2,397	2,407	
Secondary	DUPLEX 2 AWG	CUC	26.46	7.40	0.7460	0.164	200.0	220.0	200.1			10	2,397	2,407	
Secondary	DUPLEX 2 AWG	CUC	26.45	7.24	0.7460	0.164	25.0	133.0	25.3			1	1	2	
Secondary	DUPLEX 2 AWG	CUC	26.39	7.25	0.7460	0.164	25.0	133.0	25.3			1	1	2	
Primary	AAC 2 AWG 7 STRAND IRIS		34.50	15.73	0.2920	2.77	0.062	147.0	32.0	147.1	135	-621	-6	1,344	717
Primary	AAC 2 AWG 7 STRAND IRIS		34.50	15.73	0.2920	3.71	0.062	200.0	220.0	200.1	182	-40	-8	1,815	1,766

Primary	AAC 2 AWG 7 STRAND IRIS	34.50	15.73	0.2920	2.77	0.062	147.0	32.0	147.1	135	-621	-6	1,344	717
Primary	AAC 2 AWG 7 STRAND IRIS	34.50	15.73	0.2920	3.71	0.062	200.0	220.0	200.1	182	-40	-8	1,815	1,766
Primary	AAC 2 AWG 7 STRAND IRIS	33.25	15.81	0.2920	2.77	0.062	147.0	32.0	147.1	135	-599	-6	1,289	684
Primary	AAC 2 AWG 7 STRAND IRIS	33.25	15.81	0.2920	3.71	0.062	200.0	220.0	200.1	182	-39	-8	1,739	1,692
Overlashed Bundle	6M	26.50	7.24	0.2420	2.02	0.104	147.0	32.0	147.1	835	-2,941	5	1,747	-1,190
Overlashed Bundle	6M	26.50	7.24	0.2420	3.27	0.104	200.0	220.0	200.1	925	-157	6	2,400	2,250
Overlashed Bundle	6M	26.50	7.24	0.2420	1.49	0.104	25.0	133.0	25.3	31	700	0	1	702
Totals:											-4,359	4	21,779	17,425

Comm	Owner	Height (ft)	Horiz. Offset (in)	Cable Diameter (in)	Sag at Max Temp (ft)	Cable Weight (lbs/ft)	Lead/Span Length (ft)	Span Angle (deg)	Wire Length (ft)	Tension (lbs)	Tension Moment* (ft-lb)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
Overlashed Bundle	6M	21.00	7.59	0.2420	1.64	0.104	147.0	32.0	147.1	2,409	-6,721	-5	1,117	-5,608
CATV	CATV .50	CUC	20.97	7.73	0.5700	0.600	147.0	32.0	147.1			-28	1,116	1,087
CATV	CATV .50	CUC	20.96	7.46	0.5700	0.600	147.0	32.0	147.1			-27	1,115	1,088
Overlashed Bundle	6M	21.00	7.59	0.2420	3.85	0.104	200.0	220.0	200.2	1,876	-252	-7	1,361	1,102
CATV	CATV .50	CUC	20.97	7.69	0.5700	0.600	200.0	220.0	200.2			-38	1,359	1,320
CATV	CATV .50	CUC	20.97	7.47	0.5700	0.600	200.0	220.0	200.2			-37	1,359	1,322
CATV	CATV .50	CUC	20.95	7.59	0.5700	3.06	70.0	277.0	70.5	125	-2,184	-21	216	-1,989
CATV	CATV .50	CUC	20.90	7.59	0.5700	1.50	25.0	133.0	25.3	37	711	-12	1	701
CATV	CATV .50	CUC	20.95	7.59	0.5700	6.16	126.0	252.0	127.0	202	-2,256	-30	928	-1,359
Fiber	Generic Span	CUC	22.00	7.52	0.6570	2.69	147.0	32.0	147.1	247	-724	-4	1,804	1,076
Fiber	Generic Span	CUC	22.00	7.52	0.6570	4.46	200.0	220.0	200.2	222	-31	-5	2,432	2,396
Fiber	Generic Span	CUC	19.52	479.40	0.6570	3.93	55.0	300.0	56.0	9	-131	0	14	-117
Overlashed Bundle	6M	20.00	7.65	0.2420	2.28	0.104	147.0	32.0	147.1	414	-1,100	-5	1,307	203
Fiber	Generic Span	CUC	19.96	7.50	0.6570	0.087	147.0	32.0	147.1			-4	1,305	1,301
Overlashed Bundle	6M	20.00	7.65	0.2420	4.42	0.104	200.0	220.0	200.2	356	-46	-7	1,776	1,724
Fiber	Generic Span	CUC	19.96	7.50	0.6570	0.087	200.0	220.0	200.2			-5	1,772	1,767
Fiber	Generic Span	CUC	19.95	7.65	0.6570	3.09	70.0	277.0	70.5	20	-326	-3	236	-93
Fiber	Generic Span	CUC	19.95	7.65	0.6570	6.20	126.0	252.0	127.0	41	-425	-5	1,011	582
Overlashed Bundle	6M	19.00	7.71	0.2420	2.20	0.104	147.0	32.0	147.1	573	-1,448	-5	1,074	-379
Fiber	Generic Span	CUC	18.96	7.82	0.6570	0.087	147.0	32.0	147.1			-4	1,072	1,068
Fiber	Generic Span	CUC	18.96	7.56	0.6570	0.087	147.0	32.0	147.1			-4	1,702	1,698
Overlashed Bundle	6M	19.00	7.71	0.2420	4.39	0.104	200.0	220.0	200.2	484	-59	-7	1,416	1,350
Fiber	Generic Span	CUC	18.96	7.84	0.6570	0.087	200.0	220.0	200.2			-6	1,413	1,407
Fiber	Generic Span	CUC	18.96	7.58	0.6570	0.087	200.0	220.0	200.2			-5	1,413	1,407
Fiber	Generic Span	CUC	18.95	7.71	0.6570	3.09	70.0	277.0	70.5	20	-310	-3	222	-90
Fiber	Generic Span	CUC	18.90	7.71	0.6570	1.01	25.0	133.0	25.1	8	140	-2	1	139

Fiber	Generic Span	CUC	18.95	7.71	0.6570	6.20	0.087	126.0	252.0	127.0	41	-403	-5	953	545
											Totals:	-15,565	-284	29,496	13,648

Generic Equipment		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Height (in)	Unit Depth (in)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
Cylinder	Cantenna		40.42	0.86	210.0	0.0	35.00	35.40	--	14.00	--	0	3,514	3,515
Cylinder	Mounting Bracket		38.74	0.04	210.0	0.0	6.00	6.00	--	4.00	--	0	162	162
Cylinder	Conduit		24.00	5.90	202.0	0.0	100.00	360.00	--	2.00	--	15	2,728	2,742
Cylinder	Weatherhead		18.50	6.24	40.0	0.0	100.00	192.00	--	2.00	--	0	1,062	1,062
Box	Fiber Demarc		17.00	6.99	311.0	0.0	7.60	4.80	3.30	--	7.90	-4	151	147
Box	RRH		14.00	14.28	40.0	0.0	103.20	17.30	11.50	--	17.30	1	638	639
Box	Diplexer		12.75	11.26	40.0	0.0	7.60	4.80	3.30	--	7.90	0	46	46
Cylinder	Mounting Bracket		13.33	5.43	40.0	0.0	6.00	36.00	--	6.00	--	0	412	412
Box	RRH		12.75	11.01	40.0	0.0	21.40	13.90	4.80	--	9.80	0	195	195
Box	Load Center		9.41	8.01	40.0	0.0	50.00	14.00	4.38	--	8.00	0	132	132
Box	Meter		8.00	8.10	40.0	0.0	50.00	14.00	4.38	--	8.00	0	112	113
											Totals:	13	9,153	9,166

Streetlight		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Height (in)	Unit Depth (in)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)
General	Streetlight - 6 ft. Arm		27.00	4.71	311.0	311.0	60.00	24.00	20.00	3.00	72.00	-289	2,322	2,033
											Totals:	-289	2,322	2,033

Insulator		Owner	Height (ft)	Horiz. Offset (in)	Offset Angle (deg)	Rotate Angle (deg)	Unit Weight (lbs)	Unit Diameter (in)	Unit Length (in)	Offset Moment* (ft-lb)	Wind Moment* (ft-lb)	Moment at GL* (ft-lb)		
Bolt	Three Bolt		26.50	0.00	135.0	135.0	5.00	3.00	0.00	3	0	3		
Bolt	Three Bolt		21.00	0.00	315.0	315.0	5.00	3.00	0.00	-3	0	-3		
Post	Post Insulator - 15 kV		34.50	0.00	315.0	315.0	11.00	4.75	11.50	-14	329	314		
Post	Post Insulator - 15 kV		33.25	0.00	315.0	315.0	11.00	4.75	11.50	-14	315	301		
Bolt	Three Bolt		22.00	0.00	315.0	315.0	5.00	3.00	0.00	-3	0	-3		
Bolt	Three Bolt		20.00	0.00	315.0	315.0	5.00	3.00	0.00	-3	0	-3		
Bolt	Three Bolt		19.00	0.00	315.0	315.0	5.00	3.00	0.00	-3	0	-3		
											Totals:	-38	644	605

Guy Wire and Brace		Owner	Attach Height (ft)	End Height (ft)	Lead/Span Length (ft)	Wire Diameter (in)	Percent Solid (%)	Lead Angle (deg)	Incline Angle (deg)	Wire Weight (lbs/ft)	Rest Length (ft)	Stretch Length (in)
EHS 1/2	Down		36.00	0.00	6.00	0.5	75.00	135.0	80.2	0.517	42.88	0.00

Guy Wire and Brace Loads and Reactions		Elastic Modulus (psi)	Rated Tensile Strength (lbs)	Guy Strength Factor	Allowable Tension (lbs)	Initial Tension (lbs)	Loaded Tension* ² (lbs)	Maximum Tension ² (lbs)	Applied Tension ³ (lbs)	Vertical Load (lbs)	Shear Load In Guy Dir (lbs)	Shear Load At Report Angle (lbs)	Moment at GL ³ (ft-lb)	
EHS 1/2	Down	2.30e+7	26,900	0.90	24,210	700	8,439	8,439	0	0	0	0	43	
Totals:											0	0	0	43

Anchor/Rod Load Summary	Owner	Rod Length AGL (in)	Lead Length (ft)	Lead Angle (deg)	Strength of Assembly (lbs)	Anchor/Rod Strength Factor	Allowable Load (lbs)	Max Load ² (lbs)	Load at Pole MCU ³ (lbs)	Max Required Capacity ² (%)
Expanding - 12" - Soil Class 5		0.00	6.00	135.0	26,500	1.00	26,500	8,439	0	31.8

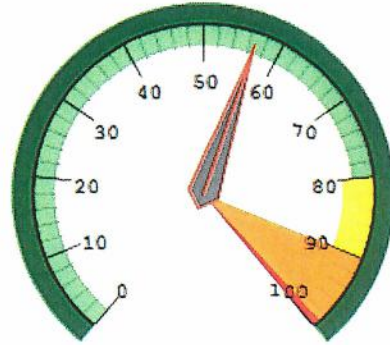
Pole Buckling													
Buckling Constant	Buckling Column Height* (ft)	Buckling Section Height (% Buckling Col. Hgt.)	Buckling Section Diameter (in)	Minimum Buckling Diameter at GL (in)	Diameter at Tip (in)	Diameter at GL (in)	Modulus of Elasticity (psi)	Pole Density (pcf)	Ice Density (pcf)	Pole Tip Height (ft)	Buckling Load Capacity at Height (lbs)	Buckling Load Applied at Height (lbs)	Buckling Load Factor of Safety
0.71	19.22	32.84	12.03	7.03	7.96	12.83	1.60e+6	60.00	57.00	38.50	457,808	4272.90	166.67

O-Calc® Pro Capacity Summary Info

Pole Identification: MARLBORO SC42

Report Created: 8/11/2022

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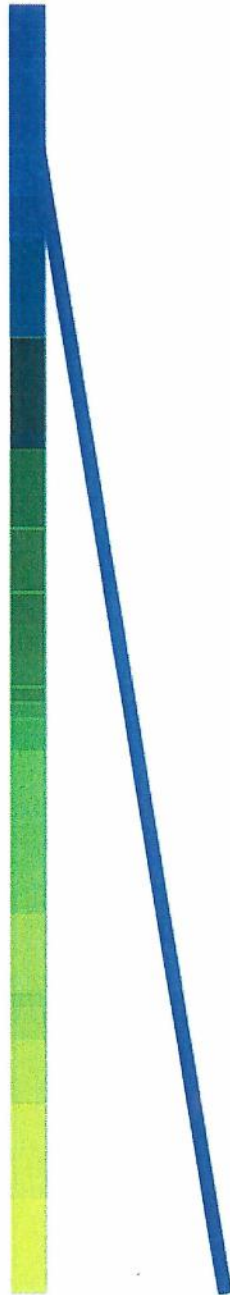


56.8% of Allowed MCU

Guys are adequate

O-Calc® Pro Heat Map View

Report Created: 8/11/2022

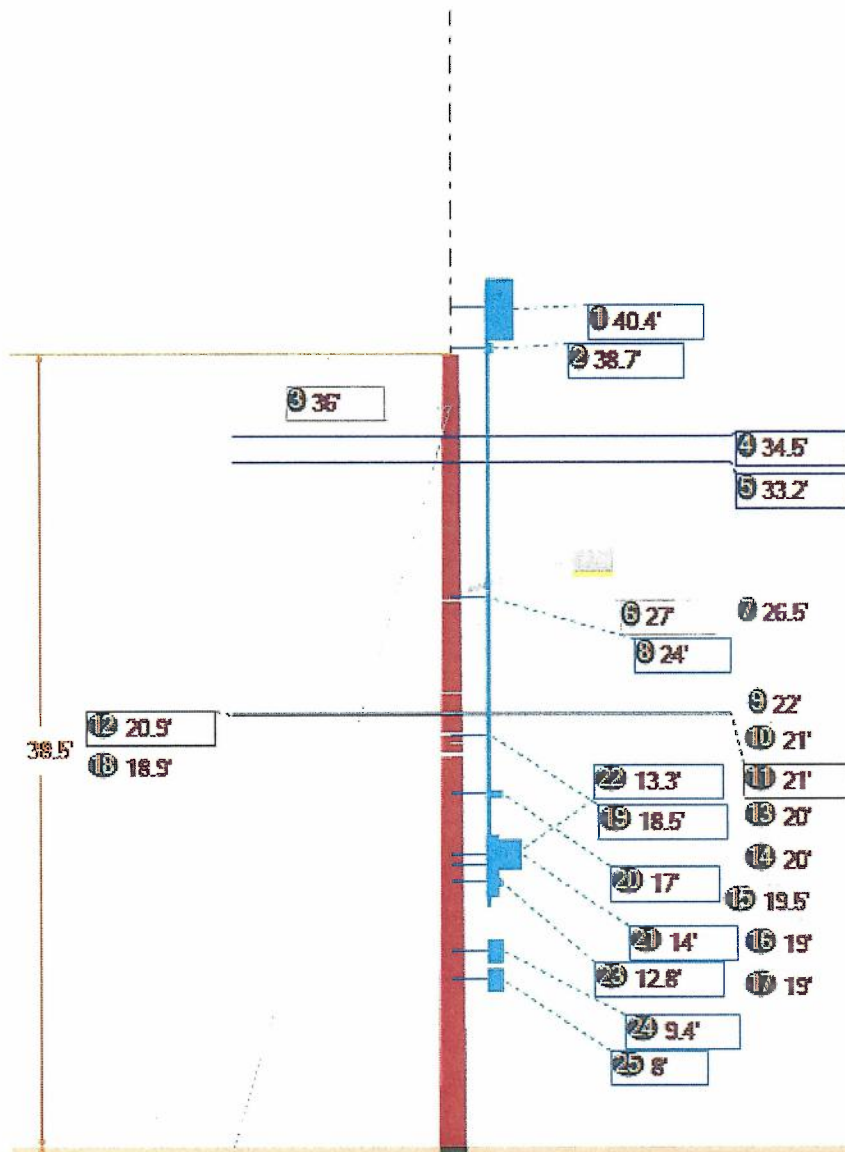


O-Calc® Pro Schematic View

Pole Identification: MARLBORO SC42

Report Created: 8/11/2022

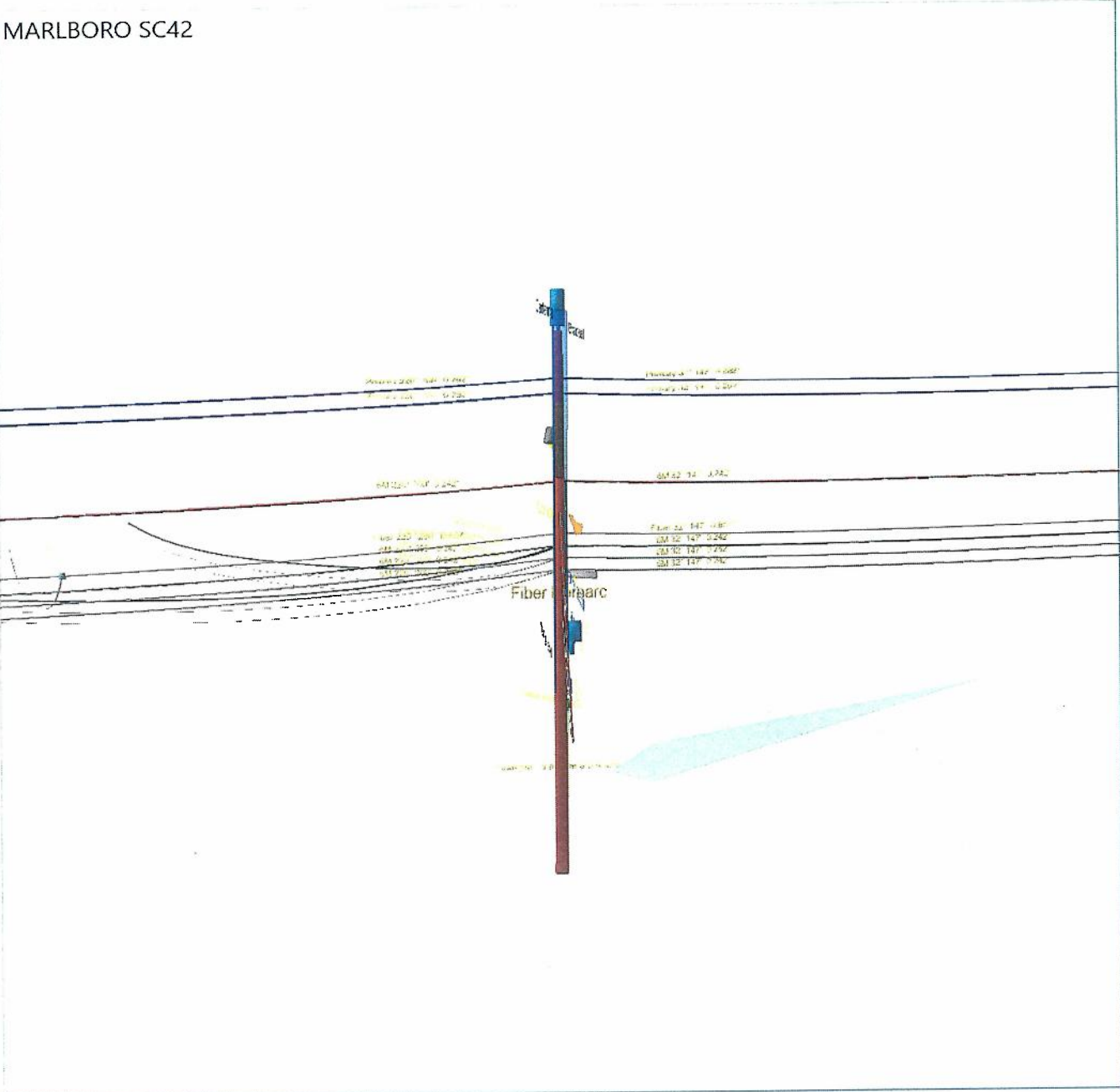
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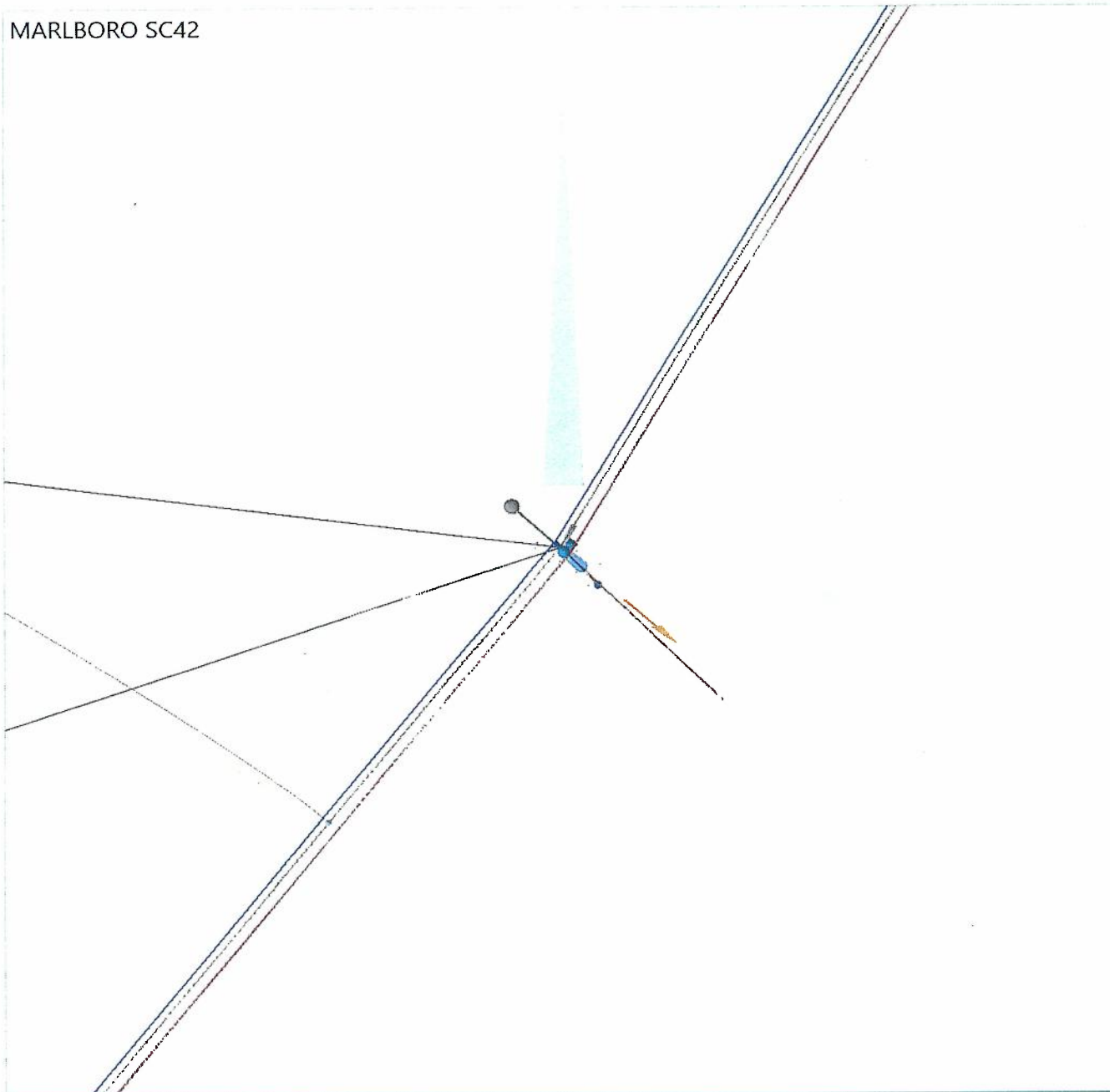


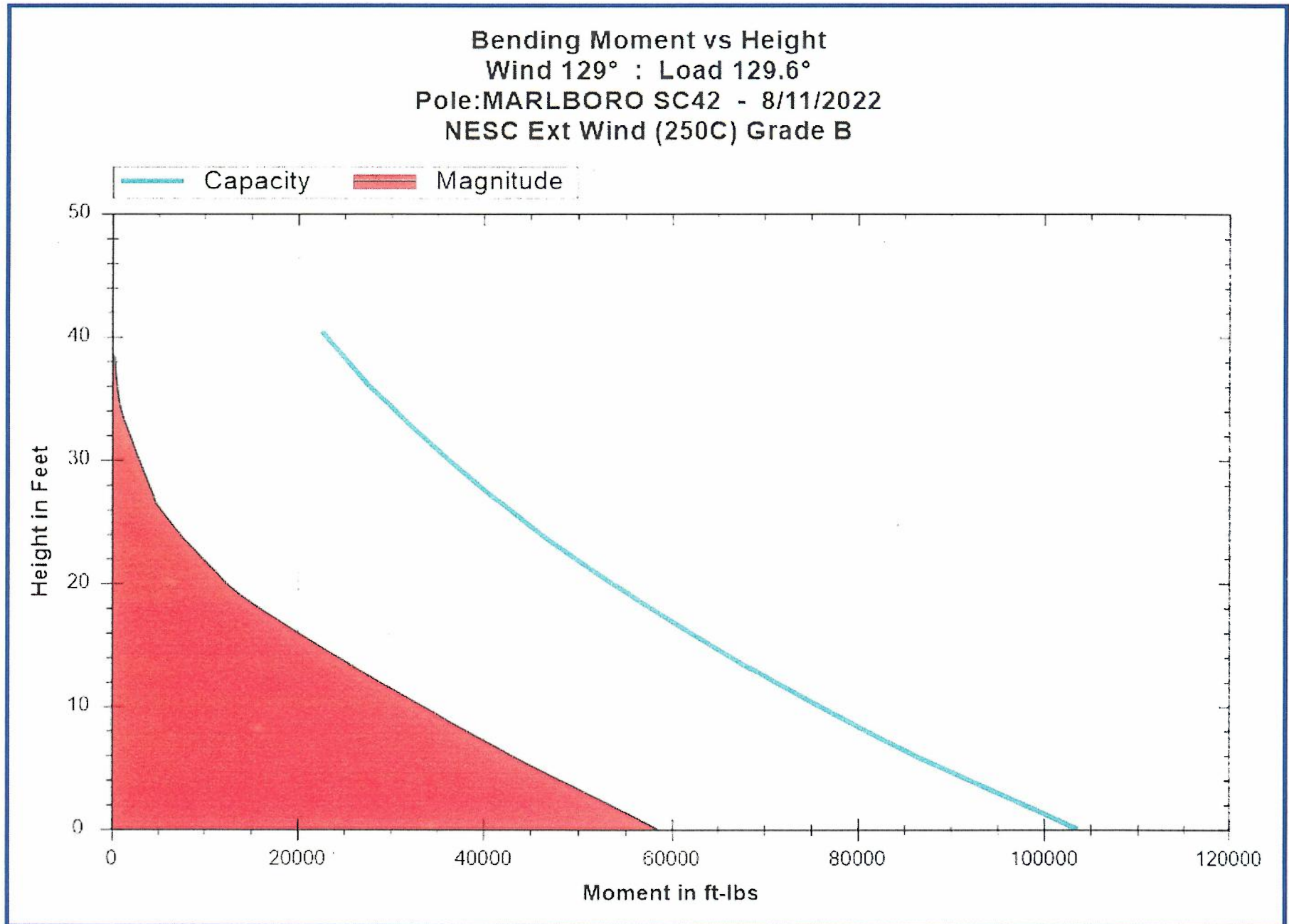
1 - 40.4' (485")	Cantenna
2 - 38.7' (464.9")	Bracket
3 - 36' (432")	EHS 1/2 Down Guy 36.0 ft hgt, 80.5° angle
4 - 34.5' (414")	Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS)
5 - 33.2' (399")	Primary 32° 147' 0.292" (AAC 2 AWG 7 STRAND IRIS) Primary 220° 200' 0.292" (AAC 2 AWG 7 STRAND IRIS)
6 - 27' (324")	Streetlight - 6 ft. Arm 6.0 ft arm

7 - 26.5' (318")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242" 6M 133° 25' Msgr:0.242"
8 - 24' (288")	Conduit
9 - 22' (264")	Fiber 32° 147' 0.657" (Generic Span) Fiber 220° 200' 0.657" (Generic Span)
10 - 21' (252")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
11 - 21' (251.4")	CATV 277° 70' 0.570" Voff=-0.6 (CATV .50) CATV 252° 126' 0.570" Voff=-0.6 (CATV .50)
12 - 20.9' (250.8")	CATV 133° 25' 0.570" Voff=-1.2 (CATV .50)
13 - 20' (240")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
14 - 20' (239.4")	Fiber 277° 70' 0.657" Voff=-0.6 (Generic Span) Fiber 252° 126' 0.657" Voff=-0.6 (Generic Span)
15 - 19.5' (234.2")	Fiber 300° 55' 0.657" (Generic Span)
16 - 19' (228")	6M 32° 147' Msgr:0.242" 6M 220° 200' Msgr:0.242"
17 - 19' (227.4")	Fiber 277° 70' 0.657" Voff=-0.6 (Generic Span) Fiber 252° 126' 0.657" Voff=-0.6 (Generic Span)
18 - 18.9' (226.8")	Fiber 133° 25' 0.657" Voff=-1.2 (Generic Span)
19 - 18.5' (222")	Weatherhead
20 - 17' (204")	Fiber Demarc
21 - 14' (168")	RRH
22 - 13.3' (160")	Bracket
23 - 12.8' (153")	Diplexer RRH
24 - 9.4' (112.9")	Load Center
25 - 8' (96")	Meter

MARLBORO SC42







ℹ The ATC Hazards by Location website will not be updated to support ASCE 7-22. [Find out why.](#)

ATC Hazards by Location

Search Information

Address: 385 Farm Rd, Marlborough, MA 01752, USA
Coordinates: 42.3406328, -71.5247184
Elevation: 306 ft
Timestamp: 2022-08-11T16:15:02.564Z
Hazard Type: Wind



ASCE 7-16

MRI 10-Year 74 mph
 MRI 25-Year 83 mph
 MRI 50-Year 90 mph
 MRI 100-Year 97 mph
 Risk Category I 108 mph
 Risk Category II 118 mph
 Risk Category III 126 mph
 Risk Category IV ⚠ 131 mph

You are in a wind-borne debris region if you are also within 1 mile of the coastal mean high water line.

ASCE 7-10

MRI 10-Year 78 mph
 MRI 25-Year 87 mph
 MRI 50-Year 95 mph
 MRI 100-Year 101 mph
 Risk Category I 115 mph
 Risk Category II 125 mph
 Risk Category III-IV ⚠ 136 mph

If the structure under consideration is a healthcare facility and you are also within 1 mile of the coastal mean high water line, you are in a wind-borne debris region. If other occupancy, use the Risk Category II basic wind speed contours to determine if you are in a wind-borne debris region.

ASCE 7-05

ASCE 7-05 Wind Speed 100 mph

The results indicated here DO NOT reflect any state or local amendments to the values or any delineation lines made during the building code adoption process. Users should confirm any output obtained from this tool with the local Authority Having Jurisdiction before proceeding with design.

Please note that the ATC Hazards by Location website will not be updated to support ASCE 7-22. [Find out why.](#)

Disclaimer

Hazard loads are interpolated from data provided in ASCE 7 and rounded up to the nearest whole integer. Per ASCE 7, islands and coastal areas outside the last contour should use the last wind speed contour of the coastal area – in some cases, this website will extrapolate past

the last wind speed contour and therefore, provide a wind speed that is slightly higher. NOTE: For queries near wind-borne debris region boundaries, the resulting determination is sensitive to rounding which may affect whether or not it is considered to be within a wind-borne debris region.

Mountainous terrain, gorges, ocean promontories, and special wind regions shall be examined for unusual wind conditions.

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MARLBORO_SC42_MA-684895



UTILITY POLE #34
 385 FARM ROAD
 MARLBOROUGH, MA 01752



ENGINEER

TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
 89 ARNOLD DRIVE, SUITE 202
 CHELSEA, MA 01924
 978 562-0008

APPLICANT

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

SITE INFORMATION

MARLBORO_SC42_MA-684895
 UTILITY POLE #34
 385 FARM ROAD
 MARLBOROUGH, MA 01752

DESIGN RECORD

REVISIONS		
REV	DATE	DESCRIPTION
B	04/22/22	POLE REPLACEMENT
A	02/02/22	PRELIMINARY

GENERAL NOTES

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

SHEET NUMBER

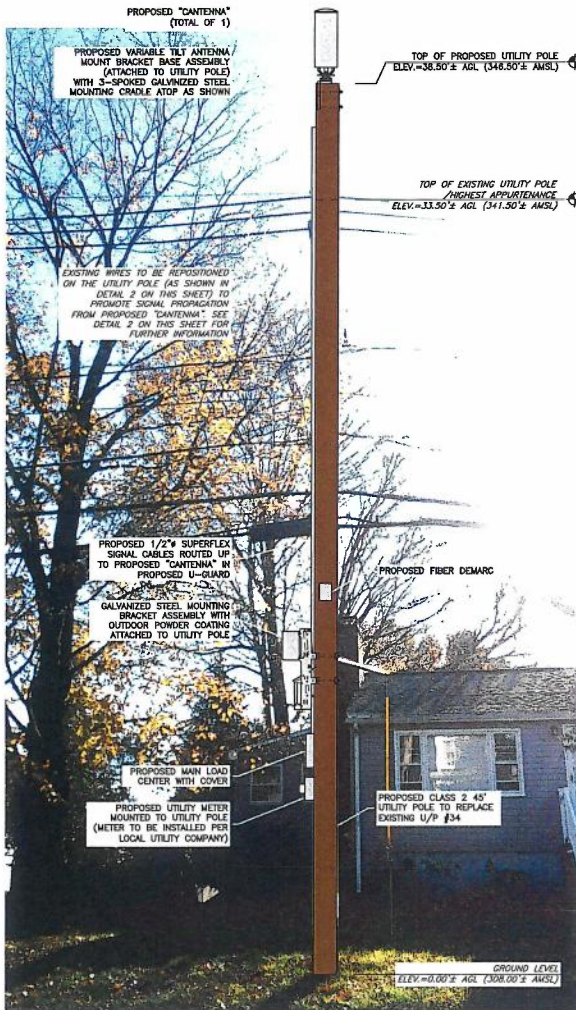
LE-1

SITE CONTROL POINT:
 CENTER OF EXISTING U/P #34
 N 42.3407023' (42'-20"-26.71")
 W 71.5247867' (71'-31"-29.23")

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.



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 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:

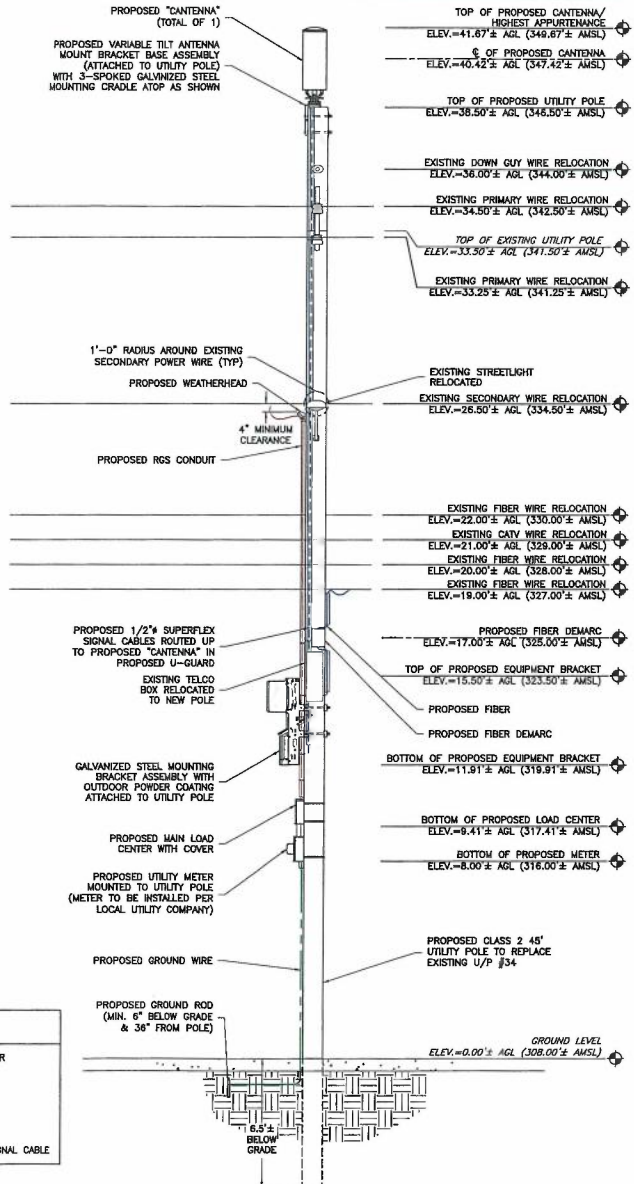
CONTRACTOR SHALL POSITION/ROTATE PROPOSED EQUIPMENT AND ASSOCIATED MOUNTS/BRACKETS IN SUCH A WAY SO AS TO NOT INTERFERE WITH EXISTING WIRES/PANELS ETC. OR ANY OTHER MISCELLANEOUS APPURTENANCES AND RELATED SUPPORT BRACKETS ENCOUNTERED LOCATED ON THE FACE OF THE EXISTING UTILITY POLE.

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



ENGINEER

TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
100 ANKLO DRIVE, SUITE 203
CHILMARK, MA 01924
(978) 858-8300

APPLICANT

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

SITE INFORMATION

MARLBORO_SC42_MA-684895
UTILITY POLE #34
385 FARM ROAD
MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	04/20/22	POLE REPLACEMENT	CVE
A	01/20/22	PRELIMINARY	CSG

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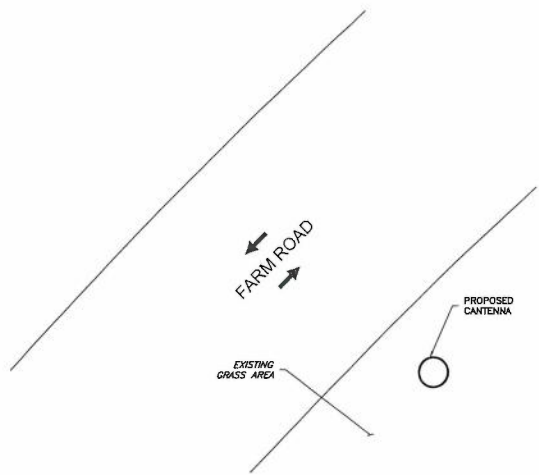
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SHEET NUMBER

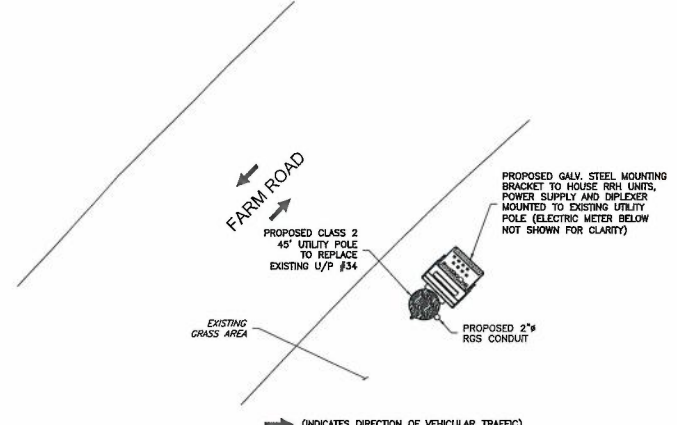
LE-2

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

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

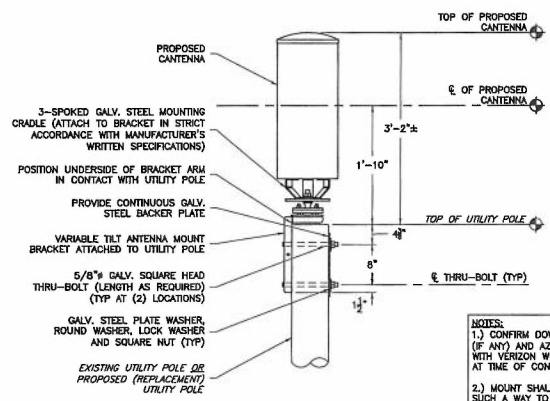


1 ANTENNA ORIENTATION PLAN
SCALE: NTS



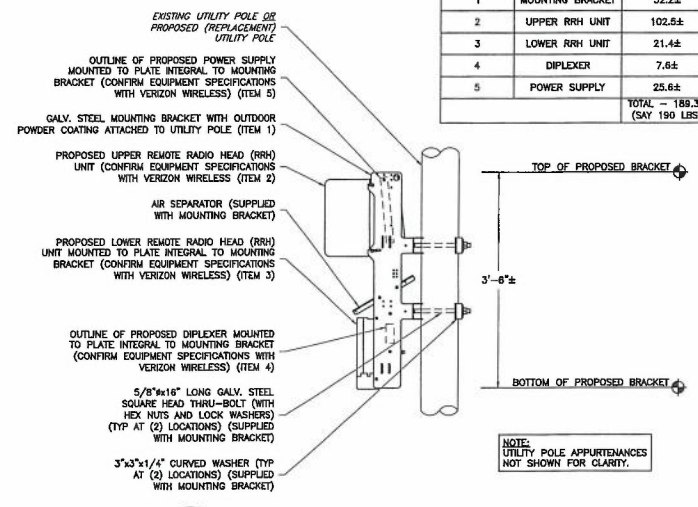
2 ANCILLARY EQUIPMENT ORIENTATION PLAN
SCALE: NTS

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)



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

NB+C
TOTALLY COMMITTED.
NB+C ENGINEERING SERVICES, L.L.C.
100 APOLLO DRIVE, SUITE 203
CHILMARK, MA 01928
(508) 858-4308

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

MARLBORO_SC42_MA-684895
UTILITY POLE #34
385 FARM ROAD
MARLBOROUGH, MA 01752

ENGINEER
APPLICANT
SITE INFORMATION
DESIGN RECORD
GENERAL NOTES
SHEET NUMBER

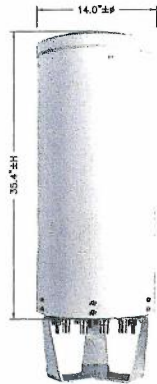
REVISIONS

REV	DATE	DESCRIPTION	BY
B	04/12/22	POLE REPLACEMENT	CWE
A	01/25/22	PRELIMINARY	CSD

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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
 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



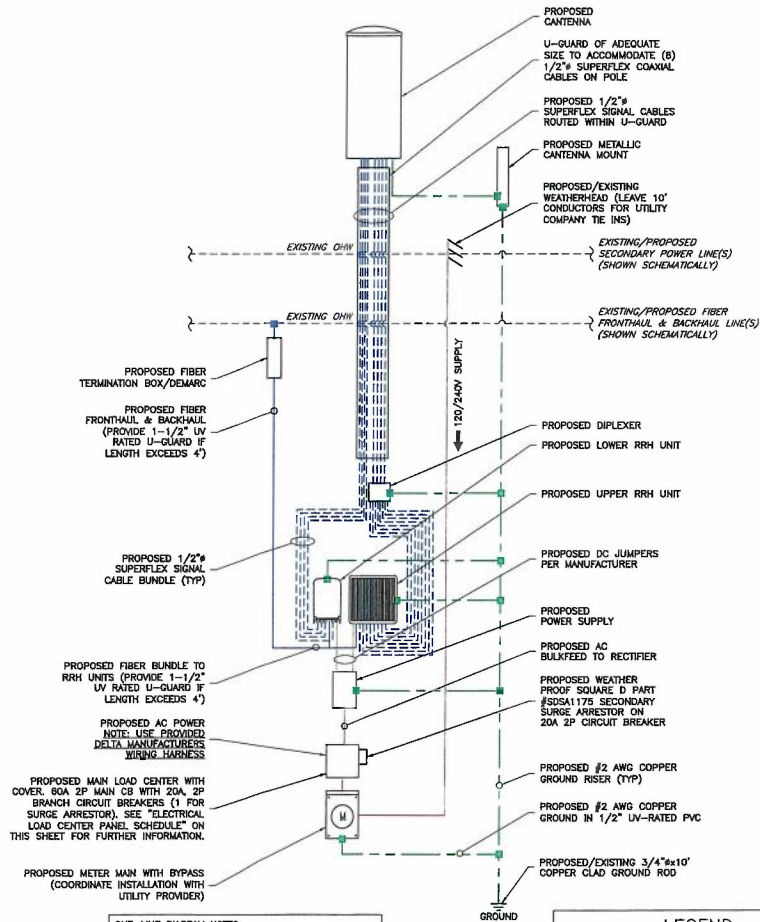
REMOTE RADIO HEAD
 DIMENSIONS: 13.9"±H x 9.8"±W x 4.8"±D
 WEIGHT: 21± LBS
 QUANTITY: TOTAL OF 1

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



DIPLEXER
 DIMENSIONS: 4.8"±H x 7.0"±W x 3.3"±D
 WEIGHT: 7.8 LBS
 QUANTITY: TOTAL OF 1

3 TYPICAL DIPLEXER DIMENSIONS
 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

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

4 FIBER/ELECTRICAL ONE-LINE DIAGRAM
 SCALE: NTS

NB+C
 TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
 90 WOLCOTT DRIVE, SUITE 200
 CHELSEA, MA 01924
 (978) 552-2000

verizon

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

MARLBORO_SC42_MA-684895
 UTILITY POLE #34
 385 FARM ROAD
 MARLBOROUGH, MA 01752

REVISIONS

REV	DATE	DESCRIPTION	BY
B	04/12/22	POLE REPLACEMENT	CWE
A	01/26/22	PRELIMINARY	CISG

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LE-4

Verizon Wireless Communications Facility

Engineering Necessity Case – Marlborough SC42, MA



Prepared by: Juan (Jay) F. Latorre III

August 3rd, 2022



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Project Need Overview:

The primary objective for this project is to improve service quality along Farm Road in Marlborough, MA. Farm Road is a busy residential street that connects to Boston Post Road (Route 20). To ensure that Verizon can continue to provide the service quality our customers rely on, we propose the installation of a small antenna, radio unit, and ancillary equipment on an existing utility pole within the right of way.

Additional details and explanations follow in this presentation.



Introduction:

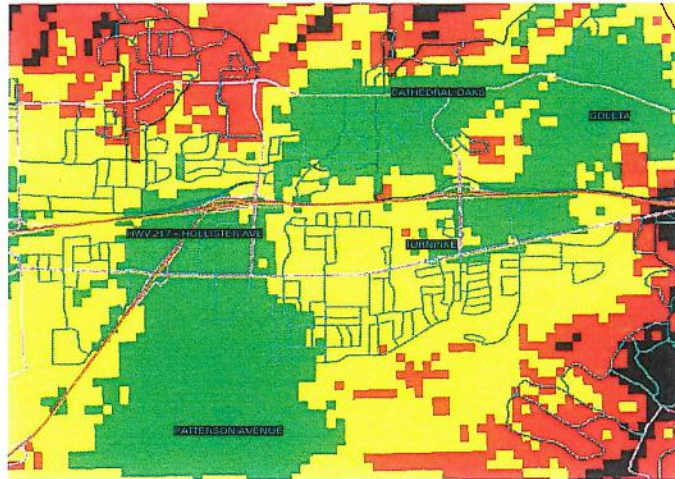
Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility (WCF). Most WCF provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage describes the existence or lack of wireless service in an area. The request for improved service often comes from our customers or emergency services personnel that have no service or poor service. Coverage used to refer to the ability to make or place a call in vehicles, however, as usage patterns have shifted, coverage is now determined based on whether or not sufficient WCF exist to provide a reliable signal inside of buildings and residential areas, as well. Historically, when wireless was still in its infancy, coverage was the primary means to measure the effectiveness of the network in a given area.

Capacity is the metric used to determine if sufficient wireless resources exist and is now the primary means to measure how a community's wireless needs are being addressed. "Five bars" no longer means guaranteed coverage and capacity because each WCF has a limited amount of resources to handle voice calls, data connections and data volume. When these limits are reached and the WCF becomes overloaded (meaning there is more demand than signal to service it), the user experience quickly degrades preventing customers from making/receiving calls or getting applications to run. A WCF short on capacity could also make internet connections time out or delay information to emergency response personnel.



Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use tools that take into account terrain, vegetation, building types, and WCF specifics to model the existing coverage and predict what we expect to see with the addition of a proposed WCF.

Coverage also changes depending on which frequencies are used. Most phones today use 3G at 800 MHz or 4G at 700 MHz spectrum which are considered low frequencies. Low frequencies can travel further distances than the higher 1900 MHz and 2100 MHz frequencies now being employed due to increased capacity demands. Operating at higher frequencies makes it necessary for carriers to install substantially more wireless facilities to achieve the same coverage as one tower operating on the lower frequencies.



Explanation of Wireless Capacity



Capacity is the amount of resources that a WCF has to service customer demand. Verizon utilizes sophisticated programs and customer feedback to monitor current usage trends and to forecast future needs. Because it takes an average of 2-3 years to complete a WCF, we have to start the process of adding a new WCF several years in advance of when the WCF will be needed.

Location, Location, Location. A good capacity WCF needs to be in the center of a user population which insures that traffic is evenly distributed around the WCF. A typical WCF is configured into three sectors (like a pie cut into three pieces), with each slice (sector) having 33% of the WCF resources. If one sector is under-utilized, it's resources can not necessarily be diverted to another sector. Therefore, optimal performance is only obtained when all three sectors have an even traffic distribution.



Explanation of Wireless Data Growth

Wireless Data Growth

Each year Verizon sees large increases in how much data its customers need. As the resolution of the pictures we send increases, the quality of the video we watch improves and the complexity of the applications grow, we commonly see tremendous growth year-over-year. [Insert latest growth info from COMET web page and citing the source]

Machine to Machine communications will also increase the data burden on wireless networks, as over the next five (5) years more and more services that improve our safety and make our lives easier will be available over the wireless infrastructure, such as:

- Cars that notify 911 when an airbag deploys.
- “Driverless” cars needing traffic data and maps to reach your destination as quickly as possible.
- Medical monitors that will alert us should a loved one neglect taking their prescription drugs.
- Home alarms that notify you when your child arrives home from school.
- Smart street lights that notify the city when they are not working.
- City garbage cans that let people know when they need to be emptied.
- Tracking watches will aid in finding lost Alzheimer patients.



Radio Emission Safety...

A common question received is “Are the radio emissions safe?”

Verizon goes to great effort to ensure that all of its projects meet the standards established by the FCC to ensure safety of the public and its employees. The links below are to three reputable organizations that have performed extensive reviews of the science available on this subject and have good educational articles on the results of their research.

World Health Organization

<http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html>

America Cancer Society

<http://www.cancer.org/cancer/cancercauses/othercarcinogens/athome/wirelessfacilityular-phone-towers>

FCC Radio Frequency Safety

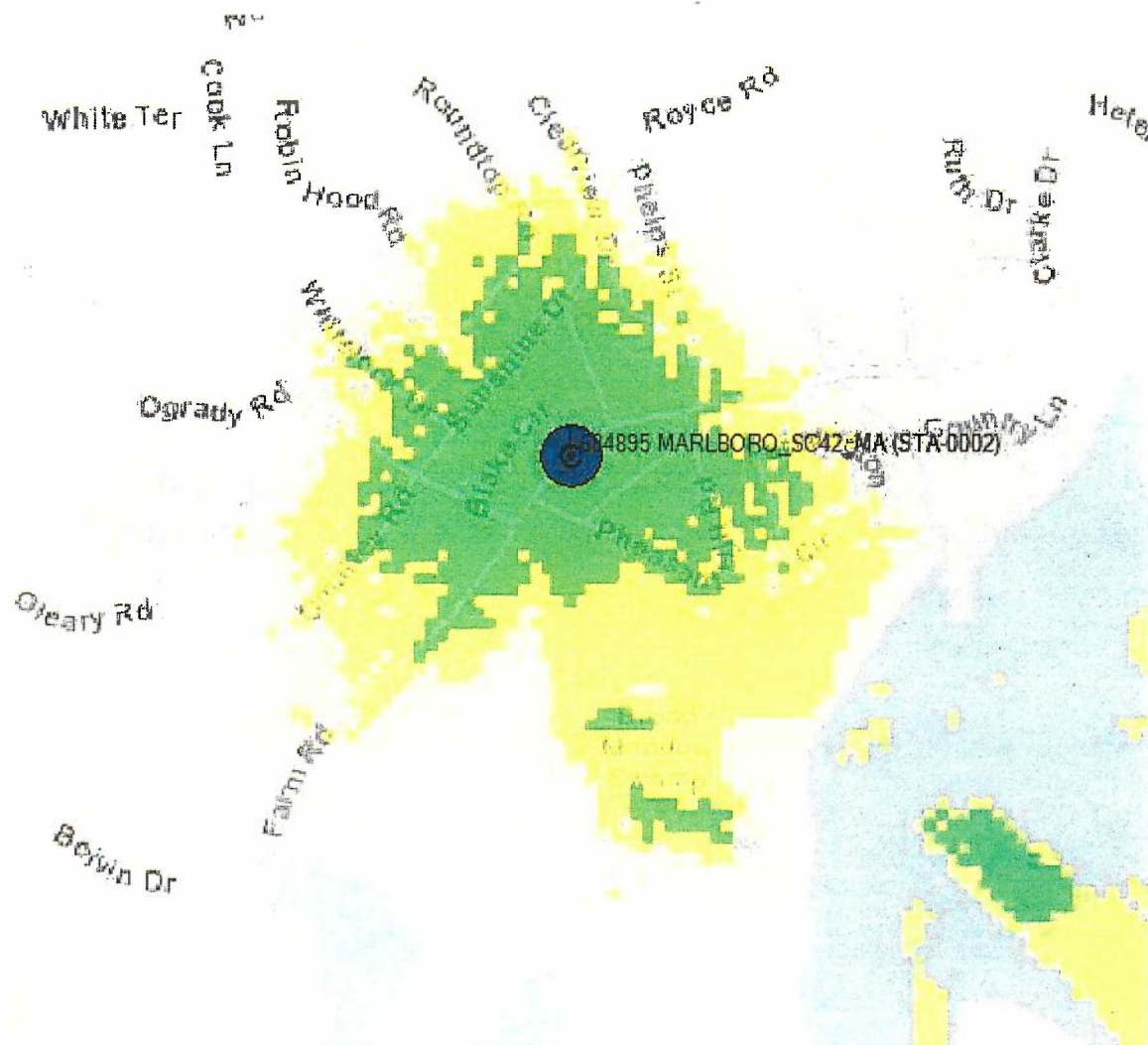
<https://www.fcc.gov/general/radio-frequency-safety-0>



Marlborough SC42, MA Area Overview



Marlborough SC42, MA Proposed Coverage



- 105 = On-Street Coverage
- 95 = In-Vehicle Coverage
- 85 = In-Building Coverage



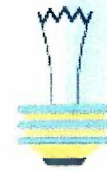
**Verizon is part of
your community.
Because we live
and work there too.**

**We believe technology can help solve
our biggest social problems.**

**We're working with innovators,
community leaders, non-profits,
universities and our peers to
address some of the unmet
challenges in education, healthcare
and energy management.**

Learn more about our corporate social
responsibility at www.verizon.com.

verizon^v



AFFIDAVIT OF VERIZON WIRELESS

The undersigned, in support of the application to install a wireless telecommunications facility consisting of multiple antennas and associated radio equipment on the existing wooden utility poles located in the City of Marlborough, Massachusetts, states the following:

1. My name is Sean Conway. I am the Small Cell Project Manager for Verizon Wireless in Massachusetts.
2. Verizon Wireless is a federally licensed provider of wireless communications services with a national footprint.
3. Verizon Wireless certifies that it will maintain the installations in good repair and in accordance to FCC standards.
4. Verizon Wireless certifies that it will remove the above identified installation not in such good repair, or not in use, within 60 days of being no longer in use.

Signed and sworn under the pains and penalties of perjury on November 24, 2020.

Sean Conway

Sean Conway
Engineer IV Specialist Real Estate / Regulatory
Verizon Wireless
118 Flanders Road, 3rd Floor
Westborough, MA 01581

Small Cell Siting Memo – Utility Pole # 34 Farm Road

Verizon Wireless Site Name: Marlboro SC42 MA

Address: 385 Farm Road Marlborough, MA.

The location required for this Verizon Wireless 4G Small Cell NODE was limited to the use of a utility pole in a specific area on Farm Road. The wood utility poles located along Farm Road in this area are limited in number.

The pole selected and licensed by Verizon Wireless is tagged as Pole # 34 and is a jointly owned pole by National Grid and Verizon Communications. The antenna will be mounted to the pole top which is 38 feet 6 inches. This pole is in the preferred location to provide the coverage needed in this area.

In reviewing nearby Pole locations, the poles found were not ones that National Grid would allow an antenna attachment on. Pole # 35 has a transformer attached which excludes it use for an antenna location. Pole #33 is a junction pole located at the corner of Farm Road and Pheasant Hill Road. Junction poles are not allowed to be used for antenna attachments by the electric utility.

A review of alternatives in the area found no options nearby that could be utilized by Verizon Wireless to provide the coverage needed. This is a busy traffic area and the location of the antenna on this pole will serve to enhance the wireless coverage in this area. Pole # 34 on Farm Road is an ideal location.



Site Name: Marlboro_SC42
Wireless Communication Facility
385 Farm Road
Marlborough, MA 01752

Photograph Information:
Farm Road
View from the Northwest
Showing the Existing Site

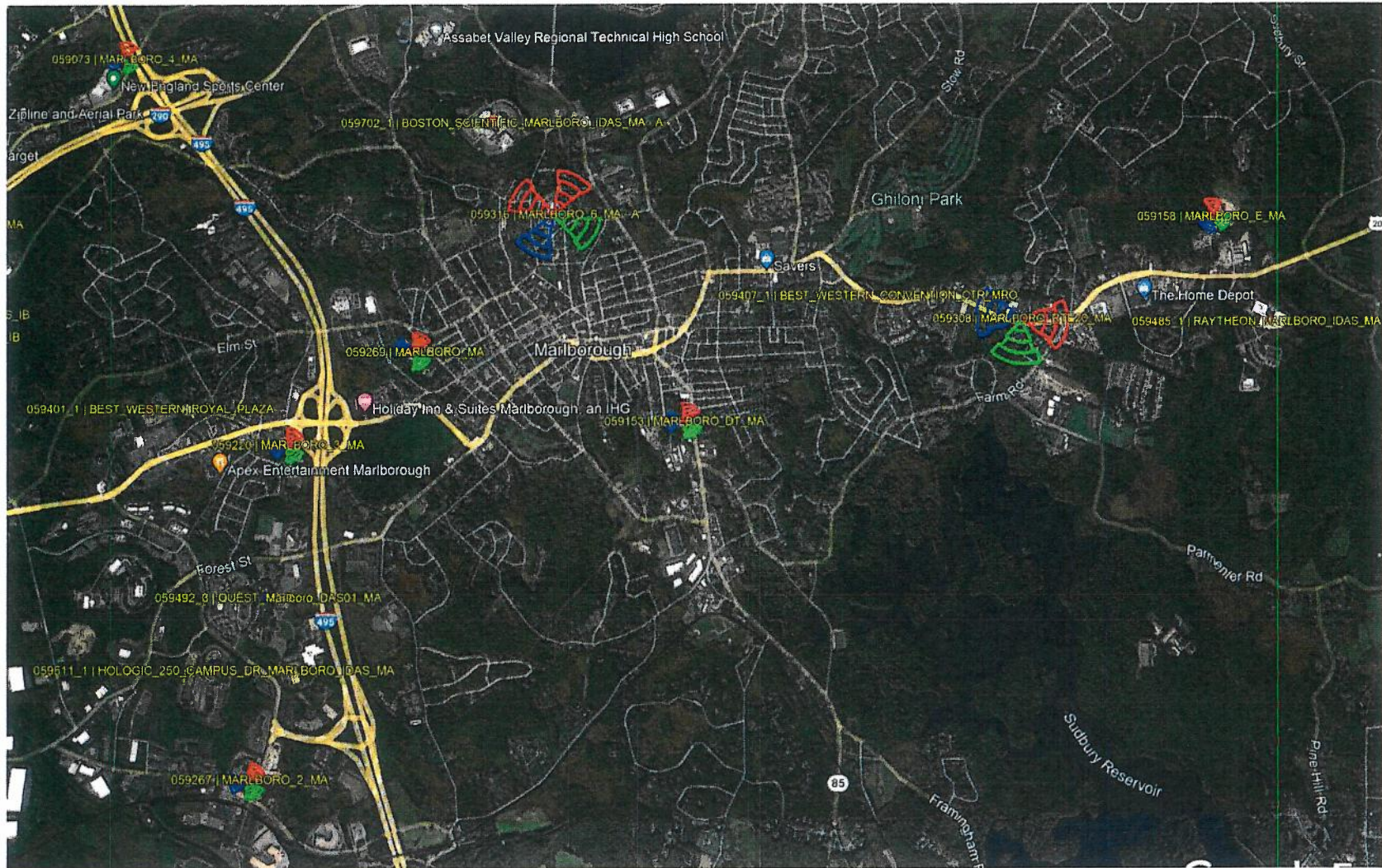
NB+C
TOTALLY COMMITTED.



Site Name: Marlboro_SC42
Wireless Communication Facility
385 Farm Road
Marlborough, MA 01752

Photograph Information:
Farm Road
View from the Northwest
Showing the Proposed Site





On-Air Sites in Marlborough, MA as of 8/3/2022

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 SEP 26 PM 4:29

Questions contact – Dana Larson 508-482-1243

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the Board of Selectmen
Of Marlborough, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Hayes Memorial Dr - National Grid to install 1 JO Pole on Hayes Memorial Dr beginning at a point approximately 350' feet north/northwest of the centerline of the intersection of Nickerson Dr. Installing new Pole 25-5 for new commercial service.

Location approximately as shown on plan attached

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

No. 30530691 August 24, 2022

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

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

Massachusetts Electric Company d/b/a
NATIONAL GRID *Helton Lopes*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 24th day of August, 2022.

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

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Hayes Memorial Dr - Marlborough - Massachusetts.

No. 30530691 Dated August 24, 2022. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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

Hayes Memorial Dr - National Grid to install 1 JO Pole on Hayes Memorial Dr beginning at a point approximately 350' feet north/northwest of the centerline of the intersection of Nickerson Dr. Installing new Pole 25-5 for new commercial service.

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

I hereby certify that the foregoing order was adopted at a meeting of the of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__.

Massachusetts City/Town Clerk.
20__

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____, 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

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

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of
Massachusetts, on the _____ day of _____, 20____, and recorded with the
records of location orders of the said City, Book _____, Page _____. This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:

City/Town Clerk

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 24th day of August, 2022.

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There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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

Hayes Memorial Dr - National Grid to install 1 JO Pole on Hayes Memorial Dr beginning at a point approximately 350’ feet north/northwest of the centerline of the intersection of Nickerson Dr. Installing new Pole 25-5 for new commercial service.

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

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__ .

Massachusetts City/Town Clerk.
20__ .

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:

City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

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

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

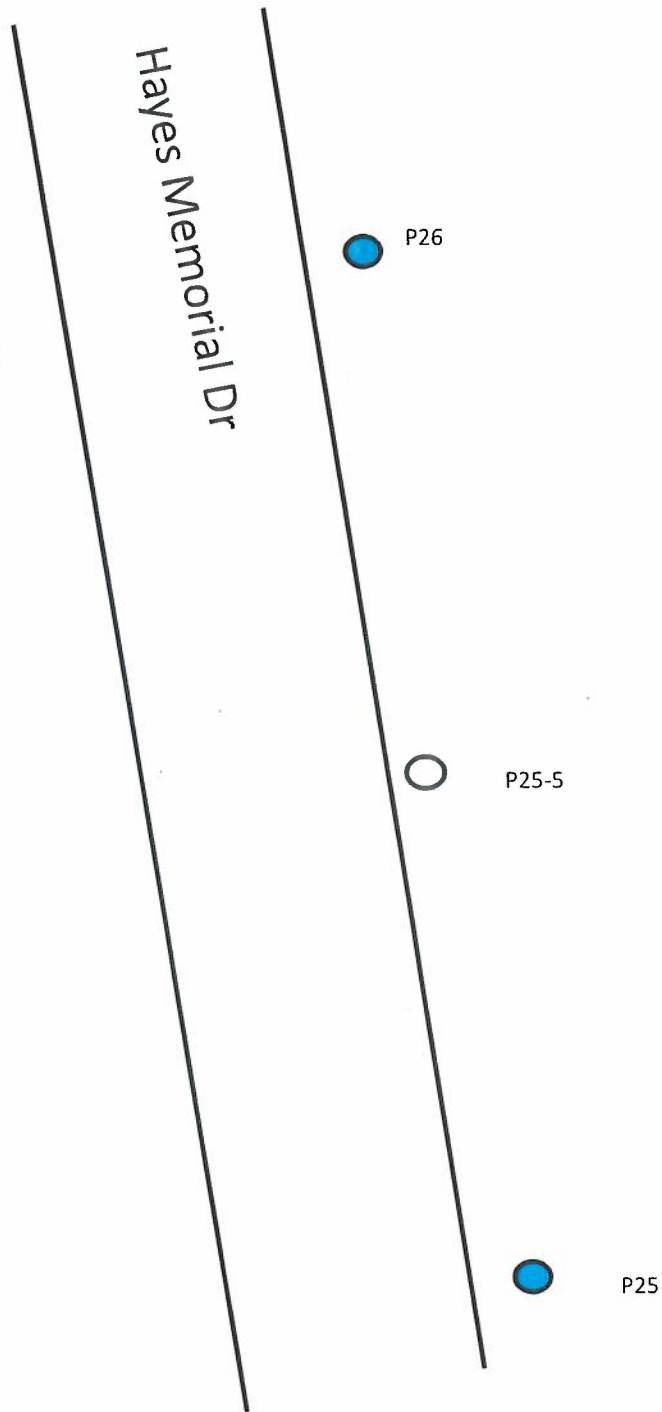
CERTIFICATE



I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of
Massachusetts, on the _____ day of _____ 20____, and recorded with the
records of location orders of the said City, Book _____, Page _____. This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:
City/Town Clerk



Install new pole 25-5
for new service to
1000 Nickerson Dr



LEGEND	City of Marlborough	DATE: 8/19/22
 Existing Pole	Town Petition	DESIGNER: D.LARSON
 Proposed Pole	Hayes Memorial Dr Marlborough, MA	WR—30530691
Exhibit 'A' not to scale. The said facilities to be established by and upon the installation and erection of the facilities thereof.		Nationalgrid

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 SEP 21 AM 8:57



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 22-115

September 8, 2022

Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its 2019-2021 Three-Year Energy Efficiency Plan Term Report.

On August 1, 2022, NSTAR Gas Company d/b/a Eversource Energy ("Company") filed with the Department of Public Utilities ("Department") its 2019-2021 Three-Year Energy Efficiency Plan Term Report ("Term Report"). The Term Report documents actual energy savings, benefits, and expenditures resulting from the implementation of the Company's 2019-2021 three-year energy efficiency plan approved by the Department in NSTAR Gas Company, D.P.U. 18-115 (2019). The Term Report also describes all pending internal and/or external investigations within the Company's service area regarding potential fraud in the implementation of the Mass Save program. The Department has docketed this matter as D.P.U. 22-115.

The Department will review the Term Report to determine, among other things, whether the Company: (1) reported its program savings, benefits, and costs accurately and reliably; and (2) implemented its energy efficiency programs in a manner that was consistent with statutory requirements and the Department-approved three-year plan. See G.L. c. 25, § 19(d)(2); G.L. c. 25, § 21(b)(3); G.L. c. 25, §§ 19(a) and (c). Based on the results of the investigation, the Department will approve final recovery of costs incurred during the three-year term, including performance incentive payments. G.L. c. 25, § 19.

Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company's filing. The Department will conduct the hearing using Zoom videoconferencing on **Thursday, October 27, 2022**, beginning at **2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/81162104126>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 811 6210 4126**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Tuesday, October 25, 2022**, to sarah.smegal@mass.gov with your name, email address, and mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Tuesday, October 25, 2022**, at (617) 305-3653 with your name, telephone number, and mailing address.

Any person interested in commenting on the Company's filing may also submit written comments to the Department no later than the close of business (5:00 p.m.) on **Friday, October 28, 2022**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directive related to modified filing requirements. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)); however, until further notice, parties must retain the original paper version and the Department will later determine when the paper version must be filed with the Department Secretary.

Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Thursday, October 20, 2022**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

All documents must be submitted to the Department in **pdf format** by e-mail attachment to dpu.efiling@mass.gov and sarah.smegal@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-115); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "22-115") at: <https://eeasonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>. In addition, one copy of all written comments and petitions to intervene should be emailed to the Company's attorneys, John K. Habib, Esq., at jhabib@keeganwerlin.com, and Ashley S. Marton, Esq., at amarton@keeganwerlin.com.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic. The filing and all subsequent related documents, pleadings and/or filings submitted to the Department and/or issued by the Department will be available on the Department's website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments or intervene in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov.

D.P.U. 22-115

Page 3

For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Sarah Smegal, Hearing Officer, Department of Public Utilities, at sarah.smegal@mass.gov.

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 SEP 26 AM 8:40



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 22-119

September 8, 2022

Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2019-2021 Three-Year Energy Efficiency Plan Term Report.

On August 1, 2022, NSTAR Electric Company d/b/a Eversource Energy (“Company”) filed with the Department of Public Utilities (“Department”) its 2019-2021 Three-Year Energy Efficiency Plan Term Report (“Term Report”). The Term Report documents actual energy savings, benefits, and expenditures resulting from the implementation of the Company’s 2019-2021 three-year energy efficiency plan approved by the Department in NSTAR Electric Company, D.P.U. 18-119 (2019). The Term Report also describes all pending internal and/or external investigations within the Company’s service area regarding potential fraud in the implementation of the Mass Save program. The Department has docketed this matter as D.P.U. 22-119.

The Department will review the Term Report to determine, among other things, whether the Company: (1) reported its program savings, benefits, and costs accurately and reliably; and (2) implemented its energy efficiency programs in a manner that was consistent with statutory requirements and the Department-approved three-year plan. See G.L. c. 25, § 19(d)(2); G.L. c. 25, § 21(b)(3); G.L. c. 25, §§ 19(a) and (c). Based on the results of the investigation, the Department will approve final recovery of costs incurred during the three-year term, including performance incentive payments. G.L. c. 25, § 19.

Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company’s filing. The Department will conduct the hearing using Zoom videoconferencing on **Thursday, October 27, 2022**, beginning at **2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/81162104126>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 811 6210 4126**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Tuesday, October 25, 2022**, to sarah.smegal@mass.gov with your name, email address, and mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Tuesday**,

D.P.U. 22-119

Page 2

October 25, 2022, at (617) 305-3653 with your name, telephone number, and mailing address.

Any person interested in commenting on the Company's filing may also submit written comments to the Department no later than the close of business (5:00 p.m.) on **Friday, October 28, 2022**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directive related to modified filing requirements. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)); however, until further notice, parties must retain the original paper version and the Department will later determine when the paper version must be filed with the Department Secretary.

Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Thursday, October 20, 2022**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

All documents must be submitted to the Department in **pdf format** by e-mail attachment to dpu.efiling@mass.gov and sarah.smegal@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-119); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "22-119") at: <https://eeaonline.eea.state.ma.us/DPU/Filesroom/dockets/bynumber>. In addition, one copy of all written comments and petitions to intervene should be emailed to the Company's attorneys, John K. Habib, Esq., at jhabib@keeganwerlin.com, and Ashley S. Marton, Esq., at amarton@keeganwerlin.com.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic. The filing and all subsequent related documents, pleadings and/or filings submitted to the Department and/or issued by the Department will be available on the Department's website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments or intervene in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille,

D.P.U. 22-119

Page 3

large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov.

For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Sarah Smegal, Hearing Officer, Department of Public Utilities, at sarah.smegal@mass.gov.



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 SEP 14 PM 1:15

Marlborough Public Schools

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

Call to Order

August 23, 2022

1. Mrs. Matthews 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 Daniel Caruso, Earl Geary, Katherine Hennessy, and Heidi Matthews. Also present were Superintendent Mary Murphy, Director of Finance and Operations, Douglas Dias, and MEA Representative Brenden St. George.

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

2. **Pledge of Allegiance:** Mrs. Matthews led the Pledge of Allegiance.
3. **Presentation:** None.
4. **Committee Discussion/Directives:** None.
5. **Communications:** None.
6. **Superintendent's Report:**
Superintendent Murphy shared that a monthly MPS Family and Community update will be posted on the district website.
Superintendent Murphy expressed gratitude for the school custodians, Facilities Department, and the food services team for their hard work and dedication. She noted that renovations in the Early Childhood Center, Richer School, and Whitcomb School were completed by the custodial team and Facilities Department.
The Superintendent explained that various MPS traditions will return this academic year. One of these is the Employee Service Awards that will occur on Monday, August 29th. Students in grades 1-5 will participate in "Open Door Day" at their elementary school later that day as their first day of school is August 31st. ECC and Kindergarten students will visit their school the following week as their first day is September 8th.
Mrs. Matthews reminded families that school breakfast & lunch will be free again.

www.mps-edu.org

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



Marlborough Public Schools

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

7. Acceptance of Minutes:

A. Minutes of the July 12, 2022 School Committee Meeting

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table these minutes.
 Motion passed 4-0-0.

8. Public Participation:

Kevin Maccioli, who lives at 58 Ridge Road, returned to speak about the Bully Prevention Policy that are on tonight's agenda. He proposed three amendments for the committee to consider.

It should be noted that members of the public may provide comment 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. Policy for Removal

1. Policy 8.110 Student Advisory Committee

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table the removal of Policy 8.110 Student Advisory Committee.
 Motion passed 4-0-0.

B. Policies for First Read

1. Policy 1.010 Mission Statement

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.
 Motion passed 4-0-0.

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2. Policy 1.200 Prayer in School (Name Change: constitutionally protected Religious Expression/Prayer)

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.

Motion passed 4-0-0.

3. Policy 1.300 Bullying

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.

Motion passed 4-0-0.

4. Policy 2.223 Student Advisory Committee

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table this policy.

Motion passed 4-0-0.

5. Policy 8.015 DNR/Comfort Care

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table this policy.

Motion passed 4-0-0.

6. Policy 8.130 Student Discipline

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.

Motion passed 4-0-0.

7. Policy 8.140 Student Conduct

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.

Motion passed 4-0-0.

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Marlborough Public Schools

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

8. Policy 8.145 Hazing

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.
Motion passed 4-0-0.

9. Policy 8.450 Foster Care Education

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table this policy.
Motion passed 4-0-0.

10. Policy 8.600 Student Dress Code

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to move forward with this policy as a first read.
Motion passed 4-0-0.

11. Policy 9.700 Homeless Education (new number 8.350)

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to table this policy.
Motion passed 4-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy shared that another Policy Sub-Committee meeting will be planned.

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to suspend the rules.
Motion passed 4-0-0.

Motion made by Mrs. Hennessy, seconded by Mrs. Matthews to call a Special Meeting for Tuesday, August 30th.
Motion passed 4-0-0.

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Marlborough Public Schools

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11. Members' Forum:

Mrs. Hennessy thanked her colleagues for attending the meeting tonight.
 Mrs. Matthews welcomed Brenden St. George back to the School Committee meeting. He is sharing the MEA Representative position with Eileen Barry.
 Mrs. Matthews has reviewed and signed the warrant.
 Mrs. Murphy shared that tomorrow will be New Staff Orientation. Most of these faculty have spent the past two days working on Restorative Justice.

12. Adjournment:

Motion made by Mrs. Hennessy seconded by Mrs. Matthews to adjourn at 7:55 p.m.
 Motion passed 4-0-0.

Respectfully submitted,

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

Heidi Matthews
 Secretary, Marlborough School Committee

HM/jm

Approved September 13, 2022

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CITY OF MARLBOROUGH

2022 SEP 14 PM 1:15

Marlborough Public Schools

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

Call to Order

August 30, 2022

1. Vice-Chair Bodin-Hettinger called the special meeting of the Marlborough School Committee to order at 7:30 p.m. at 17 Washington Street, Marlborough, MA. Members present included Daniel Caruso, Katherine Hennessy, and Denise Ryan. Also present were Superintendent Mary Murphy, Assistant Superintendent of Teaching and Learning, Robert Skaza, Assistant Superintendent of Student Services and Equity, Jody O'Brien, and Director of Finance and Operations, Douglas Dias. Additionally, MEA Representative Eileen Barry was 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:** None.
4. **Committee Discussion/Directives:** None.
5. **Communications:** None.
6. **Superintendent's Report:**
Superintendent Murphy shared the district enrollment as of August 25, 2022. Sixteen additional students have enrolled since the time of her report.
Superintendent Murphy updated the committee on MPS staffing. There are currently 65 open positions in the district. Mrs. Murphy broke down the categories of the positions. She noted that there are many more open paraeducator positions than there have been in previous years.
Committee members discussed their concern for the class sizes with Superintendent Murphy.
The Superintendent attached the updated PreK-8 Student Handbook for the committee's review. She noted that the bullying information in the handbook has been updated, which public participant Mr. Maccioli requested at the previous School Committee meeting. Numerous other policies have been updated in the handbook as well. Each PreK-8 school will provide families with a handbook specific to their child/children's school.

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The logistics of policies listed in the handbook was discussed by various committee members and Superintendent Murphy.

A. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, reminded MPS families that school breakfast & lunches are free for students. He reported that the district was formally approved into the community eligibility provision (CEP) for another four years.

Mr. Dias explained that there is new furniture in the classrooms for students to utilize this year. He thanked Andy White, Graciela Kelly, the custodians, the facilities staff, and the church volunteers for their efforts.

Mr. Dias reminded the committee that the Richer Statement of Interest (SOI) was submitted to the MSBA this past spring. The MSBA invited the district to move on to the next stage of the process and will be visiting Richer Elementary School.

Mr. Dias updated the committee and viewers on the transportation services for this school year. He explained that there is a national shortage of CDL drivers; other districts in MA are struggling to run all of their bus routes as well. Mr. Dias and Steve Phalen have been meeting weekly with NRT since the start of August. There have been many incentives that the district and NRT has created to try to fill the shortage.

Mr. Dias noted that 8 out of 33 Marlborough routes do not have a permanent bus driver. He explained some of the other challenges that the district is facing due to this shortage, such as students arriving late to school.

Mr. Dias outlined the recruitment pipeline for Marlborough; he encouraged individuals to reach out to anyone that would be willing to work as a driver.

Mrs. Hennessy and Mrs. Ryan inquired about potential solutions to these transportation problems.

7. Acceptance of Minutes: None.

8. Public Participation:

Kelly Maccioli, who lives at 58 Ridge Road, reiterated her and her husband's suggestions for the bullying policy that will be presented tonight.

www.mps-edu.org



Marlborough Public Schools

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

It should be noted that members of the public may provide comment 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. Policy for Removal

1. Policy 8.110 Student Advisory Committee

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to remove Policy 8.110 Student Advisory Committee.
 Motion passed 4-0-0.

B. Policies for Acceptance

1. Policy 1.010 Mission Statement

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
 Motion passed 4-0-0.

2. Policy 1.200 Prayer in School (Name Change: constitutionally protected Religious Expression/Prayer)

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
 Motion passed 4-0-0.

3. Policy 1.300 Bullying

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to table this policy.
 Motion passed 4-0-0.

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4. Policy 2.223 Student Advisory Committee

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

5. Policy 8.015 DNR/Comfort Care

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

6. Policy 8.130 Student Discipline

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

7. Policy 8.140 Student Conduct

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

8. Policy 8.145 Hazing

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

9. Policy 8.450 Foster Care Education

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
Motion passed 4-0-0.

www.mps-edu.org



Marlborough Public Schools

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10. Policy 8.600 Student Dress Code

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.
 Motion passed 4-0-0.

11. Policy 9.700 Homeless Education (new number 8.350)

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve the amended version of this policy.
 Motion passed 4-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy shared that there will be another Policy Sub-Committee meeting, but the date is unknown.

11. Members' Forum:

Mrs. Hennessy wished everyone a great start to the school year.
 Dr. Skaza expressed his gratitude and his excitement for the upcoming school year.

12. Adjournment:

Motion made by Mrs. Hennessy seconded by Mrs. Bodin-Hettinger to adjourn at 8:47 p.m.
 Motion passed 4-0-0.

Respectfully submitted,

Heidi Matthews
 Secretary, Marlborough School Committee

HM/jm

Approved September 13, 2022

www.mps-edu.org



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CITY OF MARLBOROUGH

2022 SEP 28 AM 9:59

21-11

Marlborough Public Schools

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

Call to Order

September 13, 2022

1. Michelle 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 Daniel Caruso, Katherine Hennessy, Earl Geary, and Denise Ryan. Also present were Superintendent Mary Murphy, Assistant Superintendent of Teaching and Learning, Robert Skaza, Assistant Superintendent of Student Services and Equity, Jody O'Brien, and Director of Finance and Operations, Douglas Dias. Additionally, MEA Representative Brendan St. George and Student Advisory Representative Jessica Rosenzweig were 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:** None.
4. **Committee Discussion/Directives:** None.
5. **Communications:**
 - A. **Akiruno City**
Superintendent Murphy reported that the Director of Planning and Policy Committee at Akiruno City shared a communication this past week that the Mayor of Akiruno City is now Nakajima Hiroyuki.
6. **Superintendent's Report:**

Superintendent Murphy reported the current district enrollment data as of September 9, 2022. These numbers do not include students that are in the pre-enrollment stage currently.

The Superintendent and various School Committee members discussed the challenge of larger elementary school class sizes in the district.

Mrs. Murphy shared that Christina Harrington is the newly appointed Supervisor of Health Services for the district. She will update the committee on nursing services at the end of the month.

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Superintendent Murphy attached a copy of the updated Marlborough Bullying Plan to her report.

The Superintendent submitted the draft of her Superintendent Entry plan for the committee's review and feedback.

A. Assistant Superintendent of Teaching and Learning

Dr. Skaza, the Assistant Superintendent of Teaching and Learning, shared that about 60 individuals were newly hired to fill positions within numerous departments; they took part in the district's New Staff Orientation. He shared some positive feedback he received from the new staff/faculty; he also mentioned that Donna Marshall was instrumental in planning and prepping for this event.

Dr. Skaza explained that the mentoring program is running with 130 mentors and mentees that have met to go through the program's process/plan. It should be noted that all new hires received a mentor to promote retention in the district.

Almost all of the new hires took part in Tier 1 Restorative Justice training. Starting this month, each school will experience these trainings to build community within the classroom.

Dr. Skaza reported that the FY23 ESSA grants were accepted with a start date of August 23, 2022. This grant provides funding for MPS in respect to Title I, II, III, and IV. He thanked Superintendent Murphy and Karen Rundlett for assisting him in this process.

Dr. Skaza mentioned that the 2022-2023 evaluation process has begun; next steps include creating goals and developing educator plans.

Dr. Skaza congratulated MHS Seniors Eduardo Castro and Silas Gemas on behalf of Principal Riley and MPS. Both students received the College Board's National Hispanic Recognition Award for their work in class and on College Board assessments.

7. Acceptance of Minutes:

A. Minutes of the August 23, 2022 School Committee Meeting

Mrs. Ryan abstained from this vote due to her absence during this meeting.

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to accept these minutes.

Motion passed 4-0-1.

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B. Minutes of the August 30, 2022 School Committee Meeting

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to accept these minutes.

Motion passed 5-0-0.

8. Public Participation:

Kevin Maccioli, who lives at 58 Ridge Road, spoke further on the Bullying Policy that will be voted on tonight. He shared his appreciation for the amendments and changes made to the policy, but he did express existing concerns.

It should be noted that members of the public may provide comment 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. Policy 1.300 Bullying

Motion made by Mrs. Hennessy, seconded by Mrs. Bodin-Hettinger to approve this policy.

Motion passed 5-0-0.

B. Acceptance of Donations and Gifts

First Church Congregational. MPS students received \$3,450.00 from the First Church Congregational.

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

Motion passed 5-0-0.

Donor's Choose. Jaworek Kindergarten students in Ms. Sherman's class received \$515.00 from Donor's Choose.

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

Motion passed 5-0-0.

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FY23 Title I Entitlement Grant FC305 Title I. MPS received \$1,062,154.00 from this grant.

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

Motion passed 5-0-0.

FY23 Title I Entitlement Grant FC140 Title IIA. MPS received \$150,910.00 from this grant.

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

Motion passed 5-0-0.

FY23 Title I Entitlement Grant FC180 Title III. MPS received \$235,379.00 from this grant.

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

Motion passed 5-0-0.

FY23 Title I Entitlement Grant FC309 Title IV. MPS received \$64,411.00 from this grant.

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

Motion passed 5-0-0.

10. Reports of School Committee Sub-Committees:

Superintendent Murphy shared that Mr. Dias wanted to report on the before and after school programs at the elementary schools.

Mr. Dias shared an update from the Marlborough Boys and Girls Club. The Kane School before school program is full. The remaining AM/PM programs have capacity for registrations. Each program has appropriate staffing for their license, however the BGC is actively searching for staff to fill more positions to meet the childcare needs of families.

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11. Members' Forum:

Mrs. Bodin-Hettinger shared that Mrs. Matthews reviewed the warrant and instructed another member to sign it.

Mrs. Bodin-Hettinger introduced Jessica Rosenzweig, the new Student Advisory Representative, for the 2022-2023 school year.

Mrs. Bodin-Hettinger shared that the Student Advisory Committee (SAC) requested that the School Committee holds another orientation for their new members.

Mr. Dias provided a brief update on transportation; the bus driver testing and training process takes a while, so no major changes have occurred yet. There are a few drivers in the pipeline though. He went over the transportation communication process to students and families.

Mr. St George shared that he and Eileen Barry will be splitting the meetings to attend.

12. Adjournment:

Motion made by Mrs. Ryan seconded by Mrs. Bodin-Hettinger to adjourn at 8:14 p.m.

Motion passed 5-0-0.

Respectfully submitted,

Heidi Matthews
 Secretary, Marlborough School Committee

HM/jm

Approved September 27, 2022

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City of Marlborough COA Meeting Minutes

2022 SEP 13 PM 3:19

MEETING: Council on Aging Board of Directors Meeting
DATE: June 10, 2022
TIME: 8:30 AM
ATTENDANCE: Leslie Biggar, Joseph Bisol, Jim Confrey, Pat Gallier, Judy Kane, Ray Magee, Mike Ossing, Donna Scalclone, Linda Warren and Trish Pope

- I. Called to order at 8:30 AM
- II. May 10th Minutes approved
- III. Jim received an email from Board Member Jeanne McGeough stating she is resigning from the COA Board for personal reasons. She will miss the meetings as she has enjoyed all her time working with the Council on Aging Board. She also sent a copy of this letter to Mayor Vigeant as he was the one who interviewed her for the Council on Aging Board of Directors
- IV. The Board welcomed Zella Haesche as the newest member.
- V. Director's Update:
 - a. The Budget for next year was approved by the City Council.
 - i. The Center will be spending funds from different accounts due to funds were not spent during Covid shut down
 - b. Springtime Elvis
 - i. 80 people attended
 - ii. Caterer was a no show (so we will not be using them again!)
 - iii. Trish ordered 20 pizzas from Marlboro House of Pizza.
 1. Everyone received a refund due to the caterer not showing.
 - c. Exercise Lottery will be start next Tuesday
 - i. Two additional instructors have been added
 - ii. There are now have 6 yoga classes and 11 fitness classes
 1. This Center offers more fitness classes than any Senior Center in the area

2. Yoga classes are capped at 20 clients and fitness classes are capped at 15 clients at instructor's request.
 3. Seniors can sign up for 2 yoga classes
 4. Because there are 11 fitness classes and it is summer time, we will be allowing Seniors to sign up for unlimited fitness classes so they get what they want
 - a. Only one or two of the fitness classes are full
 - b. We do have clients that take 4 or 5 classes per week
 - c. We are trying to push new classes as 10:30 Chair Yoga is the most popular we are adding a new afternoon class with a new teacher
- iii. Staff believes the lottery is working well and the best solution
1. Seniors have an entire week to sign up
 2. Eliminates the long lines
- iv. This is a balancing act for the Center as they can't schedule events during fitness classes because many that attend classes also want to attend events. Also, there are many seniors that only attend events and programs. We need to remember we are not the Senior Fitness Center but rather the Senior Center. The Staff is trying to meet the wants and needs all seniors.
- v. A few more afternoon classes have been added
1. One Yoga class and 2 Fitness
 2. Lately afternoon classes have been going very well
- d. Bus trips are returning
1. Woo Sox on August 17th at Polar Park
 - a. Pick up Bigelow School parking lot
 - b. Cost is \$25 which includes ticket to game and buffet lunch at the park
 - c. Open to Marlborough Seniors only thru June 17th since the Senior Center is heavily subsidizing the cost.
 2. Casablanca By the Sea; Portland ME
 - a. September 7th
 - b. Cost is \$109 per person
 - c. Portland Island Seal Harbor Cruise, Old Port Visit
 - d. Luncheon at Bull & Claw Restaurant
 3. We are looking into an additional trip in late September or early October due the popularity and quick sell out of both trips. We are trying to find something mostly outdoors due to the predicated COVID surge expected in the fall.
 4. Release forms need to be signed for each trip
 - a. The escort has the emergency contact information readily available should it be needed

- e. Mayor's Beach Party is rescheduled to next week due to the predicted rain for this Thursday
- f. Patio Parties are popular however since everyone wants to sit in the shade it limits the amount of people that can attend.
 - i. Additional tables with umbrellas have been ordered.

VI. BayPath Services Update

- a. Still conducting Covid shots at housing sites
 - i. Many seniors are holding off on receiving an additional booster shot as they believe a different shot will be available in the fall
 - 1. This new shot maybe a combination of Covid and Flu shots
 - ii. There is funeral cost help with death due to Covid
- b. Springwell merger notification will be sent out to present BayPath clients in the form of a letter
 - i. Letter will explain that the only change will be the name and services will not be affected
 - 1. Later down the road any changes will be to Senior Management duplication
 - ii. Name change will take place July 1, 2022
 - iii. Client will remain with the same BayPath agent
 - iv. There will be a combining of services between Springwell and BayPath
 - 1. Services presently not offered by BayPath will now be added
 - 2. Springwell has a very strong volunteer network
 - v. To learn more, visit the Springwell site at <https://springwell.com/>
- c. Joe Bisol is still on the Springwell/ BayPath Board and has been elected to the Executive Committee

- VII. The Friends of Marlborough Seniors is an all-volunteer organization that supports, helps to fund things not covered in the Senior Center budget
 - a. They will be sponsoring a luncheon in July, August and September to increase membership in their organization
 - i. Marilyn McDonald is doing a wonderful job trying to help move this group forward
 - b. The Friends are available as a resource to the Center to help Marlborough Seniors who end up with a substantial emergency
 - c. The Friends currently pay for the Marlborough Senior Newsletter postage which is about \$850 per month
 - i. The newsletter does not cost the Senior Center anything since the Friends pay the postage and the advertising paying for the booklet itself

- d. Friends will be sponsoring a few activities/events in the Fall
 - i. Tickets will be \$5 for Friends and \$10 for non-members in an effort to help increase membership
- e. Friends also run the Gift Shop
 - i. Open: Monday and Wednesday 10am to 2pm
Thursday 11:45am to 1:45pm and Friday 10am to 12pm
 - ii. The Gift Shop no longer accepts donations of electrical items or clothing.
- f. Due to Covid many Seniors have retired resulting in a lot of new Seniors coming to the Center.

- VIII. The COA Board will be on summer break July and August
 - a. Next Board meeting is scheduled Sept 13th

Respectfully Submitted,

Leslie Biggar, Secretary

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2022 SEP 19 AM 7:57

Marlborough Historical Commission Meeting Minutes

June 16, 2022

Location: City Hall 140 Main Street Council Committee Meeting Room

Board Attendees: Andrea Bell Bergeron, Brendan Downey, Sarah Hough, Pamela Wilderman.

Absent: None

Meeting called to order 7:05 PM

1. A motion was put forth and seconded to approve the March minutes.

Downey AYE

Bell Bergeron AYE

Hough AYE

Wilderman AYE

The motion passed.

2. A motion was put forth and seconded to approve the April minutes.

Downey AYE

Bell Bergeron AYE

Hough AYE

Wilderman AYE

The motion passed.

3. There was not official meeting in May so there will be no minutes to approve.

4. Correspondence & Communications.

- a. 28 Bovin Drive Barn Preservation

- i. 1800's barn restored by Robert Valchuis

- ii. Mr. Valchuis requests consideration of the Commission assisting the preservation of the Barn through the Historic Preservation Act

- iii. A motion was put forth and seconded to forward the proposed preservation documents to the city solicitor for legal review before formal commission approval.

- iv. There was a discussion about the merits of the structure and whether it was something that need to be protected in this manner based on the number of modifications to the original 1880s building. It was decided that while the barn was not a perfectly preserved building, the main character of the original remains and the proposal represents a good faith action by Mr. Valchuis showing his commitment for preserving historic buildings in the city.

- v. Vote to send proposal to city solicitor for review:

Downey AYE

Bell Bergeron AYE

Hough AYE

Wilderman AYE

The motion passed.

5. Historical house marker inquiries.
 - a. Ted Parker has submitted a sample sign that was received favorably by the Commission and he has agreed in principle to supply signs as ordered. He asked that the rate be increased to \$100 from \$60 based on the increasing cost of materials and his time. The Commission agreed that the new rate is reasonable and the next step is to establish a formal production process.
6. New Historical Commission Chair Election.
 - a. Due to a relocation out of the city Andrea Bell Bergeron has resigned from the Commission.
 - b. A motion was put forth and seconded to elect Brendan Downey as the chair of the Commission.

Downey AYE

Bell Bergeron AYE

Hough AYE

Wilderman AYE

The motion passed.

7. On the Motion to adjourn meeting at 7:56 PM, the Commission voted as follows:

Downey AYE

Bell Bergeron AYE

Hough AYE

Wilderman AYE

The motion passed. Meeting adjourned.

Respectfully submitted,

Brendan Downey

MINUTES
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2022 SEP 13 AM 11:29

1A

Call to Order

July 25, 2022

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Sean Fay, George LaVenture, Chris Russ, Matthew Elder and William Fowler. Members Absent: Phil Hodge.

1. Draft Meeting Minutes

A. June 27, 2022

On a motion by Mr. LaVenture, seconded by Mr. Elder, the Board voted to accept and file the June 27, 2022, meeting minutes. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

2. Chair's Business

A. Boundary Street-Scenic Road, hazardous tree removal, correspondence from Chris White
Mr. LaVenture read the July 7, 2022, correspondence from Chris White into the record.

On a motion by Mr. Elder, seconded by Mr. Russ, the board voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

3. Approval Not Required

A. Hager Street, Parmenter Road, Boston Post Road
Map 62, Parcel 27 (0 Boston Post Road East), Marlborough MA 01752

- i. Form A
- ii. ANR, Plan of Land Dated: 6/3/22
- iii. Engineering review, Thomas DiPersio, City Engineer

Mr. LaVenture read the July 20, 2022, correspondence from Thomas DiPersio into the record.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the correspondence and endorse the below referenced Approval Not Required, Plan of Land dated June 3, 2022, as Approval Not Required under the Subdivision Control Law. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Applicant: South Coast Advisors, LLC (2 Monroe Parkway, Wareham, MA 02571)
Land Surveyor: Cliff Rober, Engineering Design Consultants, Inc.
(32 Turnpike Road, Southborough, MA 01772)
Deed Reference: Middlesex South registry of Deeds
Book: 68980 Page: 591
Book: 68015 Page: 229
Location: Hager Street, Marlborough, MA, Parmenter Road, Framingham, MA,
Boston Post Road E (Marlborough, MA)
(Marlborough) Map: 62 Parcel: 27
(Marlborough) Map: 62 Parcel: 27A
(Framingham) 001-02-7708
(Framingham) 001-03-6067
(Framingham) 001-03-8024

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B. 351 Concord Road, Map 46, Parcel 36, Marlborough MA 01752

- i. Form A
 - ii. ANR, Plan of Land Dated: 6/14/22
 - iii. Engineering review, Thomas DiPersio, City Engineer
- Mr. LaVenture read the July 20, 2022, correspondence from Thomas DiPersio into the record.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the correspondence and endorse the below referenced Plan of Land dated June 14, 2022, as Approval Not Required under the Subdivision Control Law. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Applicant: 351 Concord Road Nominee Trust (351 Concord Road, Marlborough, MA 01752)
 Land Surveyor: Robert J. Parente, P.L.S. (328 Desimone Drive, Marlborough, MA 01752)
 Deed Reference: Middlesex South registry of Deeds
 Book: 51973 Page: 488
 Location: 351 Concord Road, Marlborough, MA 01752
 Map: 46 Parcel: 36

4. Public Hearings (None)

5. Subdivision Progress Reports

A. 342 Sudbury Street Update

Mr. LaVenture read the July 7, 2022, correspondence from Kevin O'Malley into the record.

On a motion by Mr. Elder, seconded by Mr. Russ, the board voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

6. Preliminary/Open Space/Limited Development Subdivision

A. Beauchemin Estates, Preliminary Open Space Concept Plan

Map 28, Parcel 18B, 689 Pleasant Street, Marlborough, MA 01752

Owner of Land: Joyce Beauchemin Realty Trust, Timothy L. Beauchemin, Trustee
 (P.O. Box 1067, Townsend, MA 01469)

Name of Engineer: Daniel Koravos, P.E. (59 Granite Lane, Chester, NH 03036)

Deed Reference: Book: 45210 Page: 560

- i. Final Draft – Certificate of Vote, Open Space Development Special Permit - **VOTE**

Mr. Fay went over Project Findings 7.a, within the special permit to familiarize newer Board members with the objectives and explained how the developer needs to meet a majority of these objectives and went over the developers next step within the submission process, which is to submit the definitive plan.

Dr. Fenby went over the objectives and the Board discussed if the open space development met these objectives:

1. Encouraging a less sprawling form of development that would consume excessive open space, cause land erosion, and destroy attractive natural features of the land.
 - The Board determined the open space development is compact and a majority of the subdivision is situated away from the wetlands.
2. Allowing for greater flexibility and creativity in the design of residential subdivisions.
 - The Board determined this also falls under the compactness and the developer's willingness to

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- provide barriers between abutting properties.
3. Encouraging the permanent preservation of natural resources and open space.
 - The Board determined this is part of the agreement.
 4. Protecting scenic vistas.
 - The Board determined this objective does not apply to this subdivision.
 5. Allowing for more economical construction and maintenance of streets and utilities.
 - The Board determined the developer met this objective.
 6. Encouraging the production of more affordable and diverse housing types.
 - The Board determined these homes will have a price point flexibility.
 7. Allowing for more economical construction and maintenance of recreational amenities through common ownership.
 - The Board determined this objective does not apply to this subdivision.

The Board reviewed chapter 650-28 of the City of Marlborough Code.

(8) Findings. The Planning Board may grant a special permit only if the Planning Board finds that:

- (a) The development meets the objectives of an open space development listed in Subsection B.
- (b) The development meets the design criteria of an open space development listed in Subsection H(7)(b).
- (c) The development will not have a substantial or undue adverse effect upon adjacent property or the character of the neighborhood.

On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to approve the special permit, to endorse the draft decision, and to confirm the findings therein. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

B. Informal Discussion

547 Stow Road Sketch Plan of Land Open Space Development

Name of Engineer: Vito Colonna, Connorstone Engineering (59 Granite Lane, Chester, NH 03036)

i. Correspondence from Thomas DiPersio, City Engineer

Mr. LaVenture read the July 20, 2022, correspondence from Thomas DiPersio into the record.

On a motion by Mr. Elder, seconded by Mr. LaVenture, the board voted to accept and file the correspondence.

Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Vito Colonna, Connorstone Engineering (59 Granite Lane, Chester, NH 03036) spoke on behalf of the applicant, Kendall Homes. Mr. Colonna explained they are looking to do a three Lot open space development with two existing ANR Lots along Stow Road. A conventional plan was created to demonstrate the number of Lots which could be developed, but was not provided for display. Mr. Colonna explained there is a regulation regarding street access which typically requires the road width to be 22-feet, and with this portion of Stow Road being 17-feet wide, Mr. Colonna asked for the Board's opinion on whether or not they should move forward with this open space subdivision.

Dr. Fenby asked for a locus. Mr. Colonna displayed the GIS map of the parcel, and the Board discussed the positioning of the proposed open space 3.4-acre parcel which includes the detention basin. Mr. Colonna went over the option to put an easement around the detention basin.

Mr. Fay asked if the existing trail cuts through Lots 1 or 2. Mr. Colonna explained he walked the site and there is no evidence of this trail being used nor does it appear to exist anymore.

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Mr. Colonna confirmed the sight lines are over 300 feet.

Dr. Fenby asked Mr. Colonna to flag the property so the Board could walk through and assess the traffic patterns.

Dr. Fenby asked for Engineering to comment on the following:

- Is there private ownership of portions of Stow Road?
- Confirmation of Stow Road being repaved.
- Is there extra room in the two ANR Lots along Stow Road to do a taking and widen the road?

The Board decided they would provide feedback to Mr. Colonna at the August 22, 2022, meeting.

7. Definitive Subdivision

A. Colchester Drive, Definitive Subdivision Plan

Map 44, Parcel 148 (0 Stevens Street), Marlborough, MA 01752

Owner of Land: James & Rebecca Chaousis (283 Bolton Street, Marlborough, MA 01752)

Name of Applicant: Charles Bourque (P.O. Box 642, Weston, MA 02493)

Name of Engineer: Jason Lavoie, WSP, (100 Summer Street, 13th Floor, Boston, MA 02110)

Deed Reference: Book: 9742 Page: 148

- i. Request for extension on decision
- ii. Revised plans Dated: July 21, 2022
- iii. Emerald Acres, Arborist Letter

On a motion by Dr. Fenby, seconded by Mr. Elder, the Board voted to grant the extension for the decision on the definitive subdivision submission for Colchester Drive (0 Stevens Street) to September 12, 2022. Yea: Fay, Elder, Flower, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Mr. LaVenture read the June 6, 2022, correspondence from Emerald Acres into the record. – See attached.

On a motion by Mr. Fay, second by Mr. Elder, the board voted to accept and file the correspondence. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

- iv. Engineering review letter from Thomas DiPersio, WSP response to comments

Mr. LaVenture read the summary portion of the May 3, 2022, correspondence from Thomas DiPersio into the record. – See attached.

Jason Lavoie, WSP, (100 Summer Street, 13th Floor, Boston, MA 02110) went over the changes on the plan. The name changed from Colchester Drive to Pettes Drive, which is the next name on the Veterans list. The Plan went from 6 Lots to 5 Lots due to the lot shape rectangle requirement in the zoning by-law. Miscellaneous typos were corrected, and additional details were provided throughout the Plan.

Mr. Russ asked, if the roadway layout change. Mr. Lavoie explained, no, it shifted slightly to the left.

Dr. Fenby and Mr. Fay questioned if these changes represent a major change and if it would require re-opening the public hearing. The Board discussed and agreed they did not feel an additional public hearing would be required but wanted to confirmation from the Legal Department. Dr. Fenby explained most of the changes are engineering details, per the request of Mr. DiPersio in his engineering review letter.

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On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to refer the question "Does the Legal Department disagree with the Board, on the determination that the revised plans are not a substantial deviation and would not require an additional public hearing?" to the Legal Department for response. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

The Board discussed the options of waivers that would benefit the City and the developer.

On a motion by Mr. Elder, seconded Mr. Russ, the Board voted to refer the Pettes Drive Definitive Subdivision to Engineering for review. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

8. Signs

A. 141 Boston Post Road West (Raising Canes)

- i. Application
- ii. Denial letter, William Paynton, Building Inspector
- iii. Brand book – proposed sign locations
- iv. Correspondence from Michael Brangwynne, Fletcher Tilton

Mr. LaVenture read specific portions of the July 22, 2022, correspondence from Michael Brangwynne into the record. – See attached.

Michael Brangwynne, Fletcher Tilton, (12 Post Office Square, 6th Floor, Boston, MA 02109) and Adam Caracci, Raising Cane's Chicken Fingers (6800 Bishop Road, Plano, TX 75024) spoke on behalf of this sign variance application. Mr. Caracci went over the history of Raising Canes.

Mr. Brangwynne went over details within the Raising Canes brand book and explained two of the original signs were denied and he explained they changed these two signs to be artistic murals and is looking for the Board's support in the determination that these murals are not considered flat wall signage. He argued if the Board agrees that the artistic murals are not considered signs their total wall signage would be 128 sq ft.

Mr. Brangwynne went over the "ONE LOVE" canopy sign that was denied by the building department. He argued this canopy sign would be approved if the ONE LOVE language was printed on a traditional awning/canopy. The sign would add 17.5 sq ft to the flat wall signage, keeping it under the 150 sq ft maximum.

Mr. LaVenture asked if any of the images were copy righted, trademarked or legally owned. Mr. Caracci, said the "One Love" is not, but could not confirm the other two murals, but explained he did not believe they were. Mr. Brangwynne argued the murals might have some internal significance to the founders of the restaurant but to the average passerby it doesn't really have a relation to the business.

The Board members discussed their opinions on the three signs, some members were for, and some were against.

On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted on the approval of the two artistic murals. Yea: Elder, Fay and Russ. Nay: Fowler, LaVenture and Fenby. Motion denied (tie) 3-3.

On a motion by Mr. Fay, seconded by Mr. Elder the Board voted to approve the variance for the ONE LOVE sign due to its reasonable request for the deviation of design. Yea: Elder, Fay, Russ, and Fenby. Nay: Fowler and LaVenture. Motion carried. 4-2.

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Mr. Brangwynne discussed the option to consider the two murals as flat wall signs and request a variance for additional square feet of flat wall signage. The smaller dog sign is approximately 32 sq ft and the large dog sign is 68 sq ft.

Mr. Fay reminded Mr. Caracci to not leave their welcome banner up for an unnecessary period of time.

The Board and the applicant discussed the options of approving one of the two signs totaling roughly 68 sq ft.

On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted on the approval of the total square footage of wall signs to 210 square feet +/- due to the set back and location of the restaurant. Yea: Elder, Fay and Russ. Nay: Fowler, LaVenture and Fenby. Motion denied (tie) 3-3.

Mr. Fay asked for an alternative to the heart dog sign.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to table the consideration of the two signs. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

9. Correspondence (None)

10. Unfinished Business

A. Working Group

- i. Correspondence from Donald Rider, a previous City Solicitor for the City of Marlborough
Mr. LaVenture summarized the May 1, 2014, correspondence from Donald Rider. – See attached.
- ii. Correspondence from Jason Grossfield, City Solicitor
Mr. LaVenture summarized the July 5, 2022, correspondence from Jason Grossfield.

Mr. LaVenture updated the Board on discussions the Working Group had. If a Subdivision/Open Space application is not complete the only options are to request the applicant to request an extension, or deny it for its incompleteness. The Board planned to discuss this further with Mr. Grossfield when he attends the August 22, 2022, meeting.

Mr. LaVenture updated the Board on the items the working group will be working through:

- 1. Checklists
- 2. Subdivision submission procedure and coversheets
- 3. Decision making criteria
- 4. Acceptance procedures
- 5. Process flowcharts
- 6. Boiler plates

11. Calendar Updates

- A. Colchester Drive, Definitive Subdivision Plan, 135 days is Sunday July 24, 2022. One day extension granted, vote by **July 25, 2022**, meeting.
- B. Beauchemin Estates, Preliminary Open Space Concept Plan, 90 Days is August 7, 2022, vote on Special Permit by **July 25, 2022**, meeting.

12. Public Notices of other Cities & Towns (None)

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

The Board discussed specifications within the special permit process of an open space development.

Mr. Elder signed the ANR plans for 351 Concord Road and 0 Boston Post Road East.

On a motion by Mr. Fowler, seconded by Mr. Elder, the Board voted to adjourn the meeting. Yea: Elder, Fay, Fowler, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 6-0.

Respectfully submitted,



George LaVenture/Clerk

/kmm



88 Nason Street
 Maynard, MA 01754
 (978) 897-0011
 1-800-498-8873
 mail@emeraldacresinc.com

June 6, 2022

Dear City of Marlborough,

I have visited the site and confirm the following findings:

- All trees greater than eighteen inches have been identified and correspond to the drawings being submitted to the City.
- All trees noted to be removed (REM) in the roadway limit of work correspond to the drawings being submitted to the City.
- Roadway and retention area installations are clearly shown, located and properly titled.
- The boundary area (limit of work) is clearly shown, located and property titled.
- The limit of work will be delineated with required tree protection barriers per the mandated regulations.
- There is no high density housing requiring greater land clearing.
- The tree protection zone includes all trees outside the new roadway and staging limit of work area.
- The tree protection zone is clearly noted on the drawings submitted to the City.

It is my opinion that the proposed new road, staging area and retention areas limit of work provide for the maximum number of significant trees to be left undisturbed.

Immediately prior and after construction commences, a professional will be onsite. The professional shall oversee the installation of the tree protection barrier and any required maintenance or construction at or around the limit of work.

Regards,

Rebecca Mola, MCA #2170

Emerald Acres, Inc.



City of Marlborough
Department of Public Works

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

SEAN M. DIVOLL, P.E.
 COMMISSIONER

May 3, 2022

Marlborough Planning Board

RE: Definitive Subdivision Plan
 "Colchester Drive", Stevens Street

Chair Fenby and Board Members,

The Engineering Division has conducted a review of the Definitive Subdivision Plans entitled:

"Definitive Plan for Colchester Drive,
 Map 44, Lot 148,
 Marlborough, Massachusetts"
 Dated: March 11, 2022
 Applicant: Charles Bourque
 Owner: James & Rebecca Chaousis
 Prepared by: WSP USA, Jason Lavoie, PE

We have also reviewed supporting documents including "Colchester Drive Subdivision Stormwater & Erosion Control Report" dated March 11, 2022 and "Colchester Drive Subdivision Operation & Maintenance Plan" (undated), by WSP. Our comments on the plans and supporting documents are listed below.

Summary

The existing property consists of a total of approximately 20.1 acres. The property is bisected by a 30 foot wide City of Marlborough sewer taking, dividing it into two parcels. The subject of this subdivision is a 6.1 acre parcel with approximately 233 feet of frontage on Stevens Street. The remaining parcel is approximately 14 acres with a small amount of frontage to the north on Stevens Street. In 2020 the Planning Board endorsed an ANR plan which created two frontage lots from the northern part of the property on Stevens Street. The subdivision would create six building lots on a five-hundred foot roadway, which has been designed as a "Lane" in accordance with the Planning Board Regulations.

General comments

- 1 "Colchester Drive" cannot be used for the proposed street name. The next name from the list of deceased Marlborough veterans is "Pettes Drive".
- 2 The Planning Board signature block should contain seven lines.
- 3 The Lot Shape Rectangles shown within the proposed lots are incorrect and need to be revised. The proposed lot lines will have to be adjusted to accommodate the correct rectangles. This could have a significant impact on the lot layout.

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

CHRISTOPHER S. LAFRENIERE
 ASST. COMMISSIONER, UTILITIES

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

- 4 A Tree Preservation and Protection Plan has not been provided, in accordance with 676-22 of the Planning Board Regulations.

Sheet C-001 Lotting Plan

- 5 As noted above the lot shape Rectangles are incorrect.
- 6 Proposed Lot 4 is not labeled.
- 7 Roadway stationing should be provided, showing dimensions to the radius point of the cul-de-sac and the overall length of the road.
- 8 The area of the proposed easements should be provided.
- 9 Proposed easements should be bounded at the angle points.
- 10 The drainage easement on Lot 4 is shown as 20 feet wide. It should be revised to 30 feet wide.
- 11 Proposed "Lot B" should be called "Parcel B", as it is not a buildable lot.
- 12 "Proposed Zoning Easement" shown in the legend is not applicable and should be removed.

Sheet C-002 Grading and Drainage Plan

- 13 Proposed houses and driveways, and lot grading back to the house line, should be shown schematically on each lot.
- 14 The proposed grading does not reflect that the roadway will have curbing. This should be revised and the curbing should be called out with the material indicated.
- 15 The limits of sidewalk disturbance on Stevens Street should be shown. Wheelchair ramps should be shown as well as a crosswalk across the new roadway opening. The wheelchair ramps should be constructed of cement concrete. Wheelchair ramps should be provided at the opening of the cul-de-sac as well.
- 16 The roadway stationing should be shown, with the location of the high point called out.
- 17 The construction material for the 5.5' sidewalk should be indicated.
- 18 Details for the "proposed curb inlet" should be provided. This structure may not be allowed.
- 19 The proposed infiltration basin 1 is designed such that the only outlet is an emergency overflow directed to the Stevens Street sidewalk. A primary overflow structure should be added, that is piped directly into the Stevens Street drainage system.
- 20 The proposed retaining wall types and elevations should be shown. The limits and location of the proposed wall on Lot 1 are not clear. The wall should not be on (future) City property.
- 21 Proposed tree plantings should be shown in accordance with the regulations. Plantings for screening should be shown around the infiltration basins.
- 22 Exposed ledge is shown partially in proposed infiltration basin. Test pits should be conducted in the areas of both basins, to determine the extent and depth of ledge under the bottom of the basins. The data should be added to the plans.

Sheet C-003 Utility Plan & Profile

- 23 There is no gas main shown. Is it proposed?
- 24 The proposed size and type of water main should be indicated.
- 25 A hydrant should be provided at the end of the water main at the cul-de-sac.
- 26 The proposed type of sewer main should be indicated, as well as the length of each proposed segment.
- 27 The proposed type of drainage pipe should be indicated, as well as the length and slope of each proposed segment.
- 28 The proposed water and sewer laterals to each lot should be shown.
- 29 The proposed street lights are shown on the curb line. They should be moved to within the grass strip.
- 30 The proposed underground electric, telephone, and communication lines should be shown.
- 31 Stevens Street shall be milled and paved from curb to curb, for a length that includes all new utility trenches. This should be indicated on the plan with the limits shown.

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

CHRISTOPHER S. LAFRENIERE
ASST. COMMISSIONER, UTILITIES

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

- 32 The proposed drain connection to the existing drain manhole in Stevens Street should be shown on the plan. It should be verified that this connection will be possible, given the locations of the existing pipes connected to that manhole.
- 33 Details for the "proposed curb inlet" should be provided. This structure may not be allowed.
- 34 The water main should be shown in the profile view.
- 35 Ledge conditions, where they are known, should be indicated in the profile view.
- 36 Is the sewer connection in Stevens Street proposed as a "dog house"-style manhole? This should be detailed.
- 37 The proposed "DMH#1-1" is not shown.

Sheet C-004 Erosion Control Plan

- 38 Proposed stockpile area(s) should be shown.
- 39 Temporary sediment basins to be used and maintained during construction should be shown. The areas of the proposed infiltration basins should not be used for temporary sediment basins during construction, or if it is unavoidable, specifications should be provided on the plans to ensure that the native soil at those locations is not made suitable for infiltration upon completion of construction.
- 40 Proposed tree clearing limits should be shown.
- 41 Construction dewatering specifications should be provided.
- 42 Notes regarding construction sequencing as it relates to erosion control and site stability, should be provided.

Sheets C-005-007 Construction Details

- 43 A detail for the proposed "curb inlet" should be provided.
- 44 A detail for flared end section is provided. Are there any on the plans?
- 45 A drainage trench detail should be provided.
- 46 A detail for the dog house sewer manhole should be provided.
- 47 A water service detail should be provided.
- 48 Additional information is needed on the infiltration basin detail, including soil profile specifications, basin side slopes, construction details for
- 49 A detail for the plug at the end of the water main should be provided.
- 50 There are several notes related to contractor permitting, required inspections, etc. that are listed on the Engineering Division checklist that should be added to the plans.

Supporting Documents – Stormwater & Erosion Control Report

- 51 Section 6 "Estimated Construction Phasing" is listed in the table of contents but is not in the report. This section should be provided.
- 52 The "Tables" listed in the table of contents do not appear to be included in the report.
- 53 The Appendices are listed in the table of contents with page numbers. There are no page numbers in the report.
- 54 Proposed conditions runoff calculations – proposed houses and driveways should be included in the curve number calculations. As noted previously they should be shown schematically on the subdivision plans along with the proposed grading. This information should be used for the proposed runoff calculations.
- 55 Proposed conditions runoff calculations – a "sheet flow" length of 50 feet was used on all time of concentration calculations. This should not be a "default" value but should be estimated based on specific conditions. We do not feel that this maximum length is appropriate in all cases, such as for "SA#15", where the slope is 11%. Times of concentration should be revisited for confirmation.

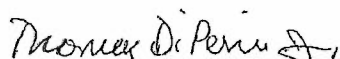
- 56 Proposed Infiltration Basin #2 does not meet the requirement for drawdown within 72 hours. The summary indicates 91.3 hours. The report should certify that the design meets all of the DEP Stormwater Standards.
- 57 Soil test pit data should be provided for each of the infiltration basins, as noted above.

Supporting Documents – Operation & Maintenance Plan

- 58 A section should be provided describing maintenance of the roadway, plantings, and infrastructure by the owner until such time as the roadway is accepted by the City.
- 59 Infiltration basins: add language regarding inspecting after major storms.
- 60 Infiltration basins: add language regarding maintenance of slopes/mowing.
- 61 Sediment forebays: same comments as infiltration basins.
- 62 "Drainage Manholes & Cleanouts": change to "Drainage Manholes"
- 63 "Trench Drains, Catch Basins & Area Drains": change to "Catch Basins & Area Drains"
- 64 "Trench Drains, Catch Basins & Area Drains": indicate that catch basins must have 4' deep sumps with hoods for oil separation, and include language that catch basins should be cleaned by a proper catch basin cleaning device.

Should you have any question regarding the above, please do not hesitate to contact me.

Sincerely,



Thomas DiPersio, Jr., PE, PLS
City Engineer

copy: Sean Divoll, P.E. – DPW Commissioner
Project applicant and engineer



PETTES DRIVE DEFINITIVE PLAN RESPONSE TO COMMENTS

Below is a response to the City of Marlborough Planning Board's comments on the Pettes Drive Definitive plan and supporting documents.

1. The proposed street has been renamed to Pettes Drive.
2. The planning board block has been revised.
3. The lot shape rectangles have been revised.
4. A letter from the Arborist has been attached to this submission.
5. See response #3.
6. Lot 4 has been labeled.
7. Stationing and other elements have been added.
8. Areas have been provided.
9. Bounds have been added.
10. Wide of easement revised.
11. Lot B has been changed to Parcel B.
12. This should have read "Proposed Drainage Easement" and has been changed to such.
13. A conceptual site plan showing all of the requested data has been added to the plan set.
14. Roadway grading has been revised to reflect the curb.
15. Limits of sidewalk disturbance and WCR's have been added.
16. Roadway stationing added.
17. Material has been indicated.
18. Detail for the curb inlet has been added. See detail sheet number C-010.
19. The primary overflow structure has been added.
20. The retaining wall has been removed on Lot 1 and elevations have been added.
21. Tree plantings along road and plantings for screening have been shown.



22. Test pit logs have been added to the plans and detail sheets.
23. There is no gas main proposed.
24. Size and type of water main added.
25. Hydrant has been added.
26. All sewer main data added.
27. All drainage data has been added.
28. Water and sewer laterals have been shown on the conceptual site plan.
29. Proposed street light located have been revised.
30. Underground electric, telephone and communications shown.
31. Limits of milling on Stevens Street has been added.
32. This drainage connection has been shown on the plans.
33. See response #18.
34. Water main has been added to the profile.
35. The proposed street does not intersect with any know ledge outcrops.
36. Yes and the detail has been added.
37. DMH #1-1 has been removed.
38. Stockpile areas have been shown.
39. Temporary sediment basin locations have been shown.
40. Any trees that shall be protected within the limits of work have been indicated.
41. Construction dewatering detail and specs have been added.
42. Construction sequencing has been added. Erosion control barrier details were provided on the Stormwater and Erosion Control Report.
43. See response #18.
44. Flared ends are located at the sediment forebays for the outfall of the roadway drainage.
45. A general utility/ drainage trench detail has been added.
46. Dog house sewer manhole detail has been added.
47. Water service detail has been added.



48. Additional infiltration basin details added. In the Infiltration basin notes there is a note that states the infiltration basin shall extend a minimum of 6" in to the "C" soil horizon.
49. Plug end detail added.
50. Notes have been added.
51. Estimated construction phasing has been added.
52. Table of contents has been revised to reflect what's in the report.
53. Appendices page numbers have been removed.
54. Proposed drainage systems for the roofs have been show on the plan and any driveways that flowed to the street were taken in to account in the proposed runoff calculations. Its listed as "Conceptual Driveway" in the HydroCAD sub-area.
55. The HydroCAD model was reviewed. The time of concentrations were revised to show the change from sheet flow to shallow concentrated flow if there was a grade brake prior to the 50'.
56. Infiltration basin #2 has been revised and now drains in less than 72 hours.
57. Test pit data has been added to the detail sheets.
58. The O&M has been revised to include these sections.
59. Revised.
60. Revised.
61. Revised.
62. Name has been changed.
63. Name has been changed.
64. Revised.

Fletcher Tilton PC
Attorneys at law

July 22, 2022

VIA EMAIL

Town of Marlborough Planning Board
c/o Katlyn Miller
140 Main Street
Marlborough, MA 01752
kmliller@marlborough-ma.gov

*Re: Raising Cane's Chicken Fingers - Sign Application
141 Boston Post Road West (Route 20), Marlborough, Massachusetts*

Dear Members of the Planning Board:

This letter is to being submitted with the application of Raising Cane's Chicken Fingers ("Raising Cane's") for signage approval pursuant to Chapter 526 of the Code of the City of Marlborough ("Sign Ordinance") for its location at 141 Boston Post Road West (the "Property").

On February 23, 2022, Raising Cane's submitted its Brand Book to the City of Marlborough Building Department for approval of various signage at the Property, including canopy, marquee, flat wall, freestanding, window and menu board signs. On June 10, 2022, Local Building Inspector William Payton issued an Allowable Sign Determination, which is attached hereto at Tab 1. All signs were determined to be allowable as-of-right, with the exception of the proposed flat wall signs and canopy signs.

Raising Cane's has submitted with this appeal (the "Appeal") a revised Brand Book, a copy of which is attached hereto at Tab 2. Raising Cane's has modified the proposed flat wall signs to bring them into compliance with the Sign Ordinance. Raising Cane's seeks a variance from the Sign Ordinance for approval of the proposed canopy signs.

Description of Proposal

Raising Cane's was founded in 1996 by Todd Graves in Baton Rouge, LA. Still family owned and operated, it today operates 545 Restaurants in 25 states and the Middle East. The Restaurant's concept is focused on its One Love, the chicken finger meal. That's all Raising Cane's serves ... boxes of chicken fingers, served with crinkle cut fries, coleslaw, Texas toast, and homemade Cane's sauce.

Fletcher Tilton

FletcherTilton.com

Fletcher Tilton PC

Attorneys at law

Raising Cane's will be unique to Massachusetts in that it is one of the first national concepts with a single item on its menu to enter the market. Raising Cane's gives back to the local communities it serves in five core areas – education, feeding the hungry, pet welfare, promoting active lifestyles, and developing entrepreneurship.

The Property is located on Boston Post Road (Route 20) to the west of Interstate 495, between Boston Post Road and Northboro Road, with access to both Boston Post Road and Northboro Road. The Property is surrounded by commercial uses, including a number of fast-food retail establishments including MacDonald's, Chick-fil-A, Wendy's and Chipotle.

Under the revised Brand Book, Raising Cane's proposes various signage and artwork as depicted at Tab 2, including four flat wall signs, two artistic images, and lettering above the canopy at the Property with the company's "One Love" slogan.

Modification of Flat Wall Signs

In its original Brand Book, Raising Cane's proposed four (4) flat wall signs depicting the Raising Cane's logo which were labeled as "A", one (1) painted wall sign also depicting the Raising Cane's logo labeled as "D", and one (1) digital print of a dog wearing sunglasses on aluminum substrate labeled as "E". Local Building Inspector William Paynton included all of these signs in his flat wall sign calculation and cited the plans for exceeding the total allowable sign area of 150 square feet. *See* Tab 1, pp. 1-2.

Raising Cane's has modified its Brand Book to replace sign "D" – the painted wall sign depicting the Raising Cane's logo – with a painted artistic mural showing a heart. Raising Cane's seeks confirmation that two proposed artistic images - one showing a painted heart and one showing a digital image of a dog wearing sunglasses – do not meet the definition of "Sign" under the Sign Ordinance and therefore should not be included in total allowable sign area. Under Section 226-2 of the Sign Ordinance, "Sign" is defined as:

Any object, device, display or structure or part thereof which is placed outdoors or which is visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

It is Raising Cane's position that the two images do not fall under this definition, as they are not "used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location..." Rather, the two murals are meant to serve as decorative artwork at the premises.

Fletcher Tilton PC

Attorneys at law

Excluding these two artistic images will result in a total of four (4) wall signs, each 4' x 8', for a total flat wall sign area of 128 square feet – which is below the total allowable sign area of 150 square feet.

Raising Cane's therefore requests that the Planning Board make a determination that the sign plan for flat wall signs shown in its revised Brand Book is allowable as-of-right.

Canopy Lettering Variance

Raising Cane's proposes the inclusion of "One Love" canopy lettering located on top of the canopy at the property. The proposed canopy letters are 20 inches tall and 10 feet, 3 3/8 inches wide, for a total sign area of approximately 17.5 square feet.

With respect to canopy lettering, the Sign Ordinance provides that, "a sign may be located on any face of a canopy, marquee or awning located on the first-floor level only." Sign Ordinance, § 526-9(B)(2)(a). Canopy lettering is included in the total allowable sign area for flat wall signs. *See* Sign Ordinance, § 526-9(B).

The Planning Board may grant a variance from the provisions of the Sign Ordinance "in specific cases which appear to it not to have been contemplated by this chapter, and in cases wherein its enforcement would involve practical difficulties if... desirable relief may be granted without substantially derogating from the intent and purpose of this chapter but not otherwise." Sign Ordinance, § 526-12(C)(2) (emphasis added).

1. *The design of the canopy at the Property does not appear to have been contemplated by the Sign Ordinance.*

It is important to note that the "canopy" in question is in fact located on the first-floor level at the Property. Unlike a traditional canopy or awning - which extends out at an angle from the wall to which it is attached – the canopy at the Property is flat and extends straight out from the wall. The Sign Ordinance seems to contemplate an image being depicted on the angled part of the canopy or awning visible to passersby.

Here, based on corporate design specifications the canopy extends straight out, and there is no such angled surface area onto which a canopy sign could be added. The letters have therefore been added to the top of the "canopy". Accordingly, given the design of the canopy in question, Raising Cane's suggests that this is a design which has not been contemplated by the Sign Ordinance, and therefore is an appropriate case for a variance.

2. *The requested relief may be granted without substantially derogating from the intent and purpose of the Sign Ordinance.*

Fletcher Tilton ^{PC}

Attorneys at law

The proposed lettering may be approved without substantially derogating from the intent and the purpose of the Sign Ordinance. If Raising Caine's had designed its "canopy" with a sloped angle, it could place the same size "One Love" lettering on the canopy as-of-right. The combined sign area of the four wall signs and the canopy lettering is 145.5 square feet – less than the total allowable sign area of 150 square feet at the Property.

For these reasons, Raising Cane's suggest that the allowance of its "One Love" canopy lettering is compliant with the intent of the Sign Ordinance, and the Planning Board should issue the requested variance.

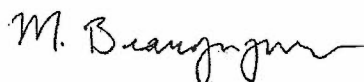
Conclusion

For all of the foregoing reasons, Raising Cane's respectfully requests that the Board grant the relief requested, and issue a determination:

1. that two proposed artistic murals - one showing a heart and one showing a dog wearing sunglasses – do not meet the definition of "Sign" under the Sign Ordinance and therefore should not be included in the total allowable sign area for flat wall signs at the Property; and
2. that the design of the proposed "One Love" lettering on the top of the canopy at the premises is not a case contemplated by the Sign Ordinance, that the lettering may be permitted without substantial derogation of the intent of the Sign Ordinance, and that therefore a variance of the Sign Ordinance is appropriate.

Thank you for your attention to this matter.

Very truly yours,



Michael E. Brangwynne
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Boston, MA 02109
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City of Marlborough
Legal Department

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DONALD V. RIDER, JR.
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
 ASSISTANT CITY SOLICITOR

ELLEN M. STAYROPOULOS
 PARALEGAL

May 1, 2014

Marlborough Planning Board
 Chairwoman Barbara Fenby
 140 Main Street
 Marlborough, MA 01752

Re: The Process of a Plan's Submission to the Planning Board and Subsequent Notice to the City Clerk

Dear Dr. Fenby:

In supplementation of Legal's letter to the Planning Board ("the Board") dated December 16, 2013, this letter offers further clarification as to 1) the process for a plan's submission to the Board, whether a subdivision plan or an ANR plan; and 2) the subsequent notice to be filed with the City Clerk regarding that submission.

1. Submission Of A Plan To The Board.

Mass. Gen. Laws c. 41, § 81O governs the submission of a subdivision plan. As for submission of ANR plans, a planning board's regulation, if it is consistent with § 81O, "controls the determination of the submission date of an ANR plan."¹

The relevant portion of § 81O provides as follows:

A plan shall be submitted under this section when delivered at a meeting of the board or when sent by registered mail to the planning board. If so mailed, the date of receipt shall be the date of submission of the plan.

Thus, under § 81O, the date of a plan's submission is either 1) the date when it is delivered at a meeting of the Board, or 2) the date when it is received by the Board by registered mail.²

In contrast, for ANR plans under Section II.B.1, and for preliminary plans under Section III.A.1, the Board's Rules and Regulations provide that, "[f]or the purpose of establishing the official submission date, said submission shall be made to the Planning Board at a regularly scheduled meeting of the Planning Board." In other words, there is no opportunity under the

¹ Peters v. Labonte, 2012 WL 273714 (Land Ct. 2012), at * 5 (citing Maini v. Whitney, 7 LCR 263, 264 (1999)(Land Court)).

² "Registered mail", when used with reference to the sending of notice or of any article having no intrinsic value shall include certified mail." Mass. Gen. Laws c. 4, § 7, cl. Forty-fourth.

Board's Rules and Regulations for either ANR plans or preliminary plans to be received by the Board by registered mail. As to definitive plans, the Board's Rules and Regulations appear to be silent, so Section III.A.1 for preliminary plans would likely apply by default.³

In order to satisfy the Board's requirement that submission of a plan "shall be made to the Planning Board at a regularly scheduled meeting of the Planning Board," it is not enough if a plan's proponent merely delivers the plan to the Board. Rather, according to Section II.B.1 (for ANR plans) and Section III.A.1 (for preliminary and, by default, definitive plans), the plan's submission is to be "made to the Planning Board at a regularly scheduled meeting of the Planning Board" (emphasis added). The word "made" should be interpreted to mean "presented," thus, under Section II.B.1 and Section III.A.1, "[f]or the purpose of establishing the official submission date, said submission shall be ... [presented] to the Planning Board at a regularly scheduled meeting of the Planning Board." Similar language has been judicially interpreted to distinguish between mere delivery of a plan to the planning board, versus delivery of the plan to the board "at a meeting of the board;"⁴ in other words, submission of a plan should mean that the proponent is to present the plan at a regularly scheduled Board meeting.⁵

Note that this submission-as-presentment requirement can be inadvertently waived by a board. For example, if a board fails to take timely action on a subdivision plan and, believing it to have been constructively granted, thereafter proceeds to make modifications to the plan under § 81W,⁶ the board can be deemed to have waived any objection it otherwise would have had that the proponent had failed to properly submit the plan to the board in the first place.⁷

2. Notice To The City Clerk Of A Plan Having Been Submitted To The Board.

Once a plan has been submitted to the Board, the plan's proponent must file with the City Clerk a notice under Mass. Gen. Laws c. 41, § 81T. "By its terms, § 81T distinguishes between the submission of a plan to the planning board [under § 81O⁸] and the delivery of notice of such submission to the town clerk."⁹ Under § 81T, the notice shall:

describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land.

³ The Board may wish to consider conforming its Rules and Regulations to § 81O to explicitly address submission of definitive plans.

⁴ Woodhouse v. Marot, 2008 WL 331107 (Land Ct. 2008), at *5 (emphasis in original)(discussing subdivision plan).

⁵ Peters, 2012 WL 273714, at *6 (discussing ANR plan). The Board may wish to consider amending its Rules and Regulations to clarify that submission of a plan means presenting the plan at a Board meeting.

⁶ Note that § 81W deals only with subdivision plans because only they can be "approved." Therefore, § 81W does not authorize modification, amendment or rescission of ANR plans because they have been "endorsed," not "approved." Cassani v. Planning Board of Hull, 1 Mass. App. Ct. 451, 453-58 (1973).

⁷ Woodhouse, 2008 WL 331107, at *5 (discussing subdivision plan).

⁸ Twenty years ago, the City Clerk's office ceased to play a § 81O role in the submission of a plan to the Board. Statute 1994, c. 169 amended § 81O by removing the words "care of the city or town clerk" from the end of the first sentence of § 81O quoted on page 1 above.

⁹ Peters, 2012 WL 273714 at *4 (quoting Maini, 7 LCR at 264).

However, § 81T “lacks precision as to the timing of the filing of the notice.”¹⁰ So § 81T has been judicially interpreted as requiring that notice to the City Clerk must be filed “simultaneously with or, at least, very promptly after submission to the [planning] board,”¹¹ but in any event “after submission to the Planning Board, since the required notice must include the date of submission.”¹²

Note that this § 81T filing requirement is crucial in circumstances where a board may have failed to timely act on a plan, otherwise resulting in a constructive grant (for a subdivision plan) or a constructive endorsement (for an ANR plan). Thus, if the plan’s proponent has itself failed to file such a § 81T notice with the city or town clerk, that failure is fatal to the proponent’s claim of the constructive grant or constructive endorsement.¹³ Section 81T’s filing requirement serves the statutory purposes of providing aggrieved persons with “the definitive date from which an appeal is measured,” while at the same time “limiting the period during which an appeal may be taken” and precluding an “indefinite protraction of the appeal process.”¹⁴

Thank you for your attention to this matter.

Very truly yours,

/s/ Donald V. Rider, Jr.
Donald V. Rider, Jr.
City Solicitor

¹⁰ Korkuch v. Planning Board of Eastham, 26 Mass. App. Ct. 307, 308 (1988).

¹¹ Korkuch, 26 Mass. App. Ct. at 309.

¹² Peters, 2012 WL 273714 at * 6 (emphasis in original).

¹³ Korkuch, 26 Mass. App. Ct. at 309 (discussing ANR plan); Peters, 2012 WL 273714 at *4 (discussing ANR plan).

¹⁴ Korkuch, 26 Mass. App. Ct. at 309 (citations omitted).

June 29, 2022
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2022 SEP 28 AM 11:19



**CITY OF MARLBOROUGH
 OFFICE OF TRAFFIC COMMISSION
 140 MAIN STREET
 MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Wednesday, June 29, 2022, at 10:00 am. (The meeting was also recorded and is available to view online at the City of Marlborough's website www.marlbrough-ma.gov). Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, Commissioner of Public Works Sean Divoll and City Clerk Steve Kerrigan. Also present: City Engineer Tom DiPersio, Ashley Miller from the Engineering Department, Sgt. Ronnie Ney and Officer Andy Larose (Remote) from the MPD Traffic Services Unit, City Councilor Sean Navin and local resident Judith Benesh.

Minutes taken by Karen Lambert, MPD - Public Safety Administrative Assistant.

Chief Giorgi started recording the meeting at 10:02 a.m. and began by welcoming everyone and making introductions.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, May 25, 2022:

VOTE TO APPROVE. All in Favor - Accept and Place on File.

2 - New Business

2a) Stop sign concern on Bigelow Street.

Chief Giorgi received an email from Councilor Brown in which she included an email from a constituent regarding concerns about the stop sign at the bottom of the hill at the intersection of Bigelow Street and Evelina Drive. She travels through this intersection daily and has almost been hit "by countless drivers that are unprepared to stop at this stop sign because it is at the bottom of a hill and around a curve". She went on to say that the situation continues to get worse with the increased traffic on Bigelow from out-of-town

guests driving to the hockey rink from Route 20. She has requested a ‘stop sign ahead’ sign in the past and she said, “it was deemed unnecessary”.

The history of the Bigelow Street stop signs was reviewed for the benefit of Commissioner Divoll. There were initially multiple stop signs on Bigelow Street, one at each of the intersecting side streets. They were installed years ago as a mitigation effort to slow the speed of traffic traveling to the mall. The majority of the stop signs were later deemed to not meet the warrants established by the MUTCD (Manual of Uniform Traffic Controls and Devices) for the use of stop signs and were removed. The Traffic Commission agreed to keep two of the stop signs, even though they did not meet the warrants, in the event that potential future crosswalks could make the area busier with pedestrians.

All agreed that it is a busy area with the mall and NESCC. Engineering checked the sight distance on Bigelow and found that you can see the stop sign from 200 – 250 feet. Steve Kerrigan asked about the sightline from the end of Evelina looking at traffic coming down the hill. Engineering will look at this.

Commissioner Divoll advised that he thinks the Traffic Commission should look at the area as a whole and determine what is warranted now and does it meet the MUTCD requirements. Maybe this stop sign should not be there at all. A current engineering study, with traffic counts, should be done to get an accurate picture. They can also look at clearing some of the growth and vegetation in the area. Ashley Miller advised that she spoke to the sign department and it’s also an old sign that may not be reflective enough.

Tom DiPersio said he thinks it might actually be safer without the stop signs here. People are pulling out of Evelina thinking that cars coming down the hill on Bigelow are stopping when sometimes they are not.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for further review.

2b) Request to revise start time noted on permanent “No Beach Parking” signs around Memorial Beach from June 15th to May 15th.

The June 15th date was initially chosen for the permanent signs around the beach to coincide with the date the beach officially opens. Due to the hot weather in May the last two years, the beach was very busy prior to the official opening. Temporary signs were put up this year with the May 15th date when the hot weather was forecasted. All agreed that it does make sense to change the start date to May 15th due to Memorial Day Weekend and the continued hot weather. The temporary signs were placed over the permanent signs for the month. The temporary signs have now been taken down and the permanent signs will be revised for the opening of the beach next summer. The regulation will also need to be revised to reflect the new timeframe.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for the revised wording for the regulation.

2c) Speed management concerns on Kings Grant Road.

Chief Giorgi reviewed an email from a resident of Kings Grant on this issue. The resident notes that it is “a heavily populated street that is used as a cut through, and there is absolutely no signage”. There are many residents on the street with young children, including himself, and he is concerned for their safety.

Chief Giorgi said he would assume that this would be considered a thickly settled 30 mph area and that the resident is probably looking for some type of signage to this effect. Councilor Navin said that once you come down Old Charter, there is a flat area which generates a good amount of speed. Sgt. Ney advised that he had the speed sign out there yesterday. He will continue to gather data and bring the report back for the next meeting. Step 1 is to have accurate information.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT (Sgt. Ney) for updated speed information.

2d) Traffic concerns in the State/Chandler Street neighborhood.

Chief Giorgi received an email from Councilor Navin on behalf of several constituents. He has received a few complaints regarding the No Left Turn signs, some would like to see more enforcement while others see it as a nuisance. Speeding is also a major concern. He mentioned the narrow streets and that even if someone is not driving way over the speed limit, they seem to be going very fast. Also, there are many children in the area. He knows that speed bumps and one-way streets have been suggested in the past, all have merit, but every solution also has a negative impact on others.

Judith Benesh, resident of State Street, was also in attendance. She has lived here for over 45 years. Over the past few years, she has seen speed increase so bad that you can't even walk out your front door without someone speeding past. It's not specific times but all the time. She knows that the Police Department has put the speed signs out and that sometimes people actually speed up when they see the sign so they can see how fast they can go. She is asking for help and would appreciate it if the Traffic Commission would consider speed bumps. She specifically mentioned rubber ones that can be taken up in the winter. She knows that other towns have them and doesn't understand why we can't. She also mentioned all the children in the area. People cut through to beat the traffic lights and GPS and other phone apps. direct cars this way.

Officer Larose advised that he had the speed signs out on Chandler and State Street from 5/26 through 6/3. He pulled up the summary page. The majority of cars were traveling under 30 mph. The 85th percentile was doing 26.8. The maximum speed caught was 53mph. The blue graph shows the vehicles that slow down when they see the sign.

Ms. Benesh says the problem is that the speed signs are not there 24/7 and that people do slow down when they see them. They need relief when the signs are not there. Chief Giorgi agreed that it does come down to enforcement, but we only have 5 of these signs to use throughout the whole city. Ms. Benesh again asked if the city could please consider speed bumps. Chief Giorgi said that this is an engineering questions and has been discussed many times. Fire Chief Breen added that if we are going to consider speed bumps it would have to be on both State Street and Chandler Street as cars would just go to the other street if speed bumps were only on one. We don't want to just push cars

from one street to another. Officer Larose found that there is twice as much traffic per day on State Street then Chandler.

Sgt. Ney asked if there was anything that could be done with the light at East Main and Bolton St. He saw it backed up to Allen Court on a recent Saturday. This backup also sends people to State St. and Chandler St. He said he does everything he can do avoid this area. Maybe looking at the cycle for the lights can also help. Mr. DiPersio said he thought this was done before.

Officer Larose said that the other issue with speed bumps is a “quality of life” issue. He mentioned a rumble strip in another area. People ask for these things and then complain that it’s too loud. Chief Giorgi also mentioned the other side, where the majority of people are going the speed limit. Sometimes it is the perception of speed. If you’re outside you can think someone is going 50 mph when they may only be going 33 mph. Councilor Navin said that when he was out putting up flyers for the meeting in the middle of the afternoon, it really did seem like cars were going fast. All agreed that enforcement would help. Ms. Benesh said that officers can feel free to park in her driveway. Officer Larose mentioned that any time he has stopped a car on Chandler, it has been a resident.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement and to ENGINEERING for further internal discussion on speed bumps.

3-Old Business

3a) Issues with the turn movement at intersection of Boston Post Road West & Ames Street

Update: Ashley received an email back from Lori Shattuck of MADOT. They have completed their analysis. Based on existing traffic volume, “it appears that the intersection would have acceptable operations with the single right turn lane on Ames Street.” She went on to state in her email, however, that current traffic volumes collected in March 2022 are down considerably from the 2016 volumes that were included as part of the traffic study for the Apex Center. If the volume rebounds, Ames Street would experience lengthy delays and queues with only a single right turn lane. Ms. Shattuck plans to discuss the results internally. If they made the changes now, they wouldn’t have the resources to change it back later.

Tom DiPersio asked how this issue initially placed on the agenda. It was added by Commissioner Divoll. He reviewed the fact that there is not a demand for 2 turn lanes now and had given two options to change it: 1) hash out the far right turn lane or 2) hash out the middle lane. The Traffic Commission was in favor of Option 2. It was also noted that the light would have to be changed as there are two turn arrows. The issue was with rush hour back up for businesses. It was not a residential concern.

Ashley Miller will give the DOT a couple weeks to discuss it internally and will continue to follow up.

3b) Request for permanent speed limit sign & other signage on Lincoln St.

Update: Sgt. Ney submitted another email regarding a request for speed limit signs on Lincoln St. between East Main and Bolton Street and additional signs for the Commercial Vehicle Exclusion from Lincoln St. on Bolton St., in both the north and southbound directions. Ashley Miller advised that she looked back and found that everyone was in agreement with additional speed signs, but no further action was taken. The yellow “Thickly Settled” speed signs should have been installed. She will take care of this.

Sgt. Ney also asked if the Commercial Vehicle Exclusion signs could be moved to give more warning to drivers. With the current placement, drivers are already in the committed lane before they see the sign. Engineering will look at this.

Ashley also noted that there are two “no turn on red” signs that were part of the Lincoln Street project that are not regulated or installed, one at Lincoln and Mechanic (WB) and one at Lincoln and Broad Street (WB).

Chief Giorgi had prepared the amended regulation for the two new signs with an emergency preamble, so that they can be installed right away and presented it for a vote. All in favor.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:55 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 the Traffic Commission Meeting on Wednesday, June 29, 2022, including meeting agenda.
- Draft of Traffic Commission Minutes from Monday, May 25, 2022
- Email City Council to Chief Giorgi, dated 6/15/22, re: Stop Sign Concerns on Bigelow (original email from Amy Bronkema to Councilor Brown on 6/14/22).
- Email from Councilor Oram to Chief Giorgi, dated 6/2/22, re: Beach Parking.
- Email from Joshua Buckland to the Police Department, dated 6/21/22, re: Speed Management on Kings Grant Rd.
- Email from Councilor Navin to Chief Giorgi, dated 6/10/22, re: Traffic Concerns in the State/Chandler St. area.
- Email from Lori Shattuck to Ashley Miller, dated 6/17/22, re: Ames Street/Rte. 20 “No Right on Red”, including lengthy email chain between DOT and Engineering.
- Email from Sgt. Ney to the Traffic Commission, dated 6/21/22, re: Lincoln Street.
- Email from Ashley Miller to Chief Giorgi, dated 6/23/22, re: Lincoln Street.

Additional Handouts