

Draft Decision  
Site Plan Approval  
With Conditions  
Revised from Site Plan Managers  
January 28, 2022

Aubuchon Realty Co., Inc.  
661 Boston Post Road East  
Map 61, Parcel 27A  
Wayside Zoning District

In Urban Affairs  
January 31, 2022

## City Council

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**From:** Priscilla Ryder  
**Sent:** Friday, January 28, 2022 5:27 PM  
**To:** City Council  
**Cc:** Falk, Brian R.; Jason Grossfield; Tin Htway; Thomas DiPersio; Kevin Breen; David Giorgi; John Garside; Patricia Bernard; Ryan Egan  
**Subject:** 661 Boston Post Rd. Draft Site Plan Review Permit Conditions  
**Attachments:** 3- 661 Boston Post Rd - Proposed Site Plan Documents (01-18-2022).pdf; site plan review Draft conditions 661 Boston Post Rd\_.docx

Hi,

Attached please find the draft site plan review conditions for 661 Boston Post Rd. which the site plan review committee recommends to you for review. The revised plans, dated 1/18/22, were also reviewed and are attached and reflect minor changes to underground utilities and drainage systems but didn't change the overall layout above ground.

I'm available to attend the Urban Affairs Committee meeting if that is needed.  
Any questions please let me know.

*Priscilla Ryder  
Conservation/ Sustainability Officer  
140 Main St., City Hall  
Marlborough, MA 01752  
508-460-3768*

*"Whenever there's a large spill of solar energy, it's just called a nice day"* northern sun

**Site Plan Permit # 2022-1**  
**Site Plan Approval with Conditions**

**Applicant:** Aubuchon Realty Company, Inc.

**Property Owner:** Aubuchon Realty Company, Inc.

**Location:** 661 Boston Post Road East (the "Site") being shown as Parcel 27A on Assessors Map 61.

**Zoning District:** Wayside District

**Other Permits:** City Council Special Permit # [REDACTED]

**Plans:** The following Site Plan Approval Final Conditions are based on a set of plans entitled Title: "Proposed Site Plan Documents"  
Prepared and stamped by: John Kucich, P.E. of Bohler Engineering,  
Dated: with the last revision date of January 18, 2022 (the "Site Plan" attached hereto as "Exhibit A").

**SITE PLAN APPROVAL FINAL CONDITIONS:**

**Site Conformance:**

1. Construction of the Site shall be in conformance with the approved Site Plan, the provisions of Chapter 270 of the Code of the City of Marlborough, and the conditions stated herein.
2. All construction on the Site shall conform to the appropriate National, State and City of Marlborough codes and regulations in force for each respective discipline and shall be in accordance with the Site Plan, subject to minor changes approved by the Building Commissioner pursuant to #31 below. Codes and regulations shall include but are not limited to State Building, Plumbing, Wiring, NFPA, Zoning, DPW utility and roads, Noise and Signs.
3. The issuance of this decision confirms compliance with Marlborough City Code Ch. 271 "Stormwater Management" and shall serve as the "stormwater management permit" as required in the ordinance.

**Preconstruction meeting:**

4. Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner, City Engineer and Conservation Officer and site contractor responsible for doing the work. At this meeting the departments will review the plans, conditions, exchange contact information including emergency contact numbers, and inspect erosion controls.



**Erosion Control; Construction and Storm Water:**

5. Siltation Control: Erosion controls as shown on the plans shall be installed prior to and inspected at the preconstruction meeting. The Applicant, Property Owner, and site contractor shall be responsible for protecting the City drainage system with erosion controls at all times during construction, and for notifying the Conservation Officer and the City Engineer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
6. The construction sequencing as provided in the approved plans shall be followed. Any deviation to these plans shall first be discussed with, City Engineer and Conservation Officer.
7. All large stockpiles must be maintained in a stabilized condition with erosion control in place and approved by the Conservation Officer. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days will be shaped, stabilized and circled with erosion controls.
8. The Applicant shall be responsible for weekly reporting during construction via email to the Conservation Officer and the City Engineer, which reporting shall summarize the work that has been completed and compliance of the project with the site preparation and erosion control plan. These weekly reports shall begin as soon as the work begins on the site.
9. During the construction of the underground infiltrating drainage system, the Conservation Officer and/or City Engineer shall be notified and shall inspect the bottom of the infiltration hole to ensure that it is not in the groundwater table or on ledge. The site engineer shall confirm that the soils are per design. Once installed, only clean water is to be directed to this system.
10. The infiltration system shall have one inspection port for each infiltration row as this is the only means to ensure proper functioning over the year.
11. The temporary detention basin or other controls can be used during construction as a sedimentation basin allow sediments to settle in the basin before being discharged into the off-site drainage system. This shall be discussed at the preconstruction meeting.

**Landscaping**

12. The approved landscape plan shall be followed. All modifications to the Landscape plan related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer.
13. Prior to the final signoff, a registered landscape architect shall certify to the Conservation Officer in writing that the landscape planting has been installed according to the approved landscape plan, or a revision of the landscape plan previously approved by the

Conservation Officer. An as-built landscape plan prepared and stamped by the landscape architect is also required.

14. All landscaped areas shall be served by subsurface irrigation, or other means to ensure that the plants planted will survive.
15. Following 18 months of the final occupancy permit of the site work, any plant material that has died or is dying shall be replaced with a species of the same kind and size.
16. Installation of mulch at the time of planting and thereafter shall be places so that the mulch is not in contact with the trunk of newly planted trees and shrubs.
17. As shown on the approved plan the dumpster shall be properly screened.

**Prior to issuance of Occupancy Permit**

18. Prior to requesting the occupancy permit, the applicant or its agent shall clean infiltration systems, detention basins, all drainage pipes and catch basins of accumulated sediment and debris. A site meeting with the Conservation Officer and /or City Engineer to inspect these structures is required prior to final signoff.
19. Prior to the issuance of the Certificate of Occupancy the applicant shall provide the City Engineer and the Conservation Officer with the name, address and phone number of the contract person who will be in charge of authorizing the annual maintenance.
20. The stormwater Operation and Maintenance Plan shall be provided to the Conservation Officer and City Engineer electronically so that it can be added to the annual cleaning data base for this property.
21. An annual storm water maintenance report shall be provided to the City Engineer and the Conservation Officer by June 1st of each year reporting on the maintenance and operation procedures outlined in the Storm Water Management Maintenance Plan, which have been met for that year. This reporting requirement will follow the issuance of the occupancy permit and shall be ongoing.
22. An as-built plan(s) must be submitted to the City Engineer for review prior to the issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy. The as-built plan(s) shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the website for the City of Marlborough. An as-built landscape plan is also required as noted above.
23. The maintenance and upkeep of the approved landscaping shall be an ongoing condition required by the landowner and any subsequent owners.
24. A temporary occupancy permit may be issued for either the new bank structure or the new coffee shop structure while site work required by the Special Permit and this Decision remain incomplete, subject to a phasing plan approved by the Site Plan



Committee

**General Provisions:**

25. Hours of Operation: In accordance with Section 431-3B of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with variance by the Board of Health or as emergency work.
26. Time for Completion: Work as provided for on the Site Plan shall be carried into effect and completed within two (2) years following the date of issuance of a building permit for the project, unless the City Council has granted in writing an extension of time for completion of the work.
27. Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plan.
28. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.

END

**EXHIBIT A**

DRAFT