

# Manager Comments

Special Permit Application  
Revised Draft Decision  
Walcott Heritage Farm  
(McGee Farm)

In Urban Affairs  
January 26, 2021



**From:** Priscilla Ryder <pryder@marlborough-ma.gov>

**Sent:** Monday, January 25, 2021 5:24 PM

**To:** City Council <citycouncil@marlborough-ma.gov>

**Cc:** Jason Grossfield <jgrossfield@marlborough-ma.gov>; Jason Piques <jpiques@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Patricia Bernard <pbernard@marlborough-ma.gov>; Falk, Brian R. <bfalk@MirickOConnell.com>; Susan Brown <sbrown@marlborough-ma.gov>

**Subject:** RE: Waypoint Residential, 339 Boston Post Rd Amended Draft Decision January 22, 2021

Councilor Robey and Urban Affairs Committee:

I have reviewed the revised Draft Special Permit Decision dated 1-22-21 for Walcott Heritage Farm and have the following comments as it relates to conservation items. The highlighted items shown below should be added or deleted as noted to clarify these proposed conditions.

Item C. #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, this individual(s) credentials shall be acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls. As required by the Conservation Commission's final approved Order of Conditions for the Use, the Applicant, its successors and/or assigns, shall hire an independent Erosion Control Expert to oversee construction work at the Site.**

Item C. #10 Open Space. Please see the attached Conservation Restriction Plan showing the additional area outlined in red of the "Conservation Restriction Area 1" which I believe should be covered by the restriction to ensure no further development on the land.

- a. The Applicant, its successors and/or assigns, shall grant a conservation restriction to the City's Conservation Commission or its designee over \_\_\_\_ acres of the Site as shown on the plan attached as Exhibit 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, **final approval of the Conservation Restriction must be approved by the Conservation Commission, City Council and finally signed by the Mayor before being approved by the State Secretary of Energy and Environmental Affairs. The conservation restriction shall 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 residents of Applicants, its successors and/or assigns.

- b. Prior to the issuance of a building permit, the Applicant, its successors and/or assigns, shall provide a payment to the City Council or its designee 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 and cyclists\* along the City-owned sewer land adjacent to the Site, to provide public access to the Restricted Land and connections between Route 20 and the Site's neighboring residential properties and Kane School.

\*Note the path is not intended to be paved, it will just be a regular woods path on top of the sewer line. Mountain bikes will be able to use it, but not street bikes so I don't want that to be implied.

I will plan to attend your meeting and am happy to answer any questions on the above.

Thank you,

*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

**From:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>

**Sent:** Friday, January 22, 2021 4:28 PM

**To:** Jeffrey Cooke <[jcooke@marlborough-ma.gov](mailto:jcooke@marlborough-ma.gov)>; Kevin Breen <[kbreen@marlborough-ma.gov](mailto:kbreen@marlborough-ma.gov)>; David Giorgi <[dgiorgi@marlborough-ma.gov](mailto:dgiorgi@marlborough-ma.gov)>; Priscilla Ryder <[pryder@marlborough-ma.gov](mailto:pryder@marlborough-ma.gov)>; John Garside <[jgarside@marlborough-ma.gov](mailto:jgarside@marlborough-ma.gov)>; Thomas DiPersio <[tdipersio@marlborough-ma.gov](mailto:tdipersio@marlborough-ma.gov)>

**Cc:** Jason Grossfield <[jgrossfield@marlborough-ma.gov](mailto:jgrossfield@marlborough-ma.gov)>; Jason Piques <[jpiques@marlborough-ma.gov](mailto:jpiques@marlborough-ma.gov)>

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Please send comments for next Tuesday's Urban Affairs meeting.

Thanks!

KB

**From:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>

**Sent:** Friday, January 22, 2021 4:21 PM

**To:** Christian Dumais <[ward\\_3@marlborough-ma.gov](mailto:ward_3@marlborough-ma.gov)>; David Doucette <[ward\\_2@marlborough-ma.gov](mailto:ward_2@marlborough-ma.gov)>; Don Landers <[ward\\_7@marlborough-ma.gov](mailto:ward_7@marlborough-ma.gov)>; John Irish <[ward\\_5@marlborough-ma.gov](mailto:ward_5@marlborough-ma.gov)>; Karen Boule <[kboule@marlborough-ma.gov](mailto:kboule@marlborough-ma.gov)>; Kathleen Robey <[atlarge\\_4@marlborough-ma.gov](mailto:atlarge_4@marlborough-ma.gov)>; Laura Wagner <[ward\\_1@marlborough-ma.gov](mailto:ward_1@marlborough-ma.gov)>; Mark Oram <[atlarge\\_2@marlborough-ma.gov](mailto:atlarge_2@marlborough-ma.gov)>; Michael Ossing <[Michael.Ossing@comcast.net](mailto:Michael.Ossing@comcast.net)>; Mike Ossing <[atlarge\\_3@marlborough-ma.gov](mailto:atlarge_3@marlborough-ma.gov)>; Robert Tunnera <[ward\\_4@marlborough-ma.gov](mailto:ward_4@marlborough-ma.gov)>; Samantha Perlman <[atlarge\\_1@marlborough-ma.gov](mailto:atlarge_1@marlborough-ma.gov)>; Sean Navin <[ward\\_6@marlborough-ma.gov](mailto:ward_6@marlborough-ma.gov)>

**Subject:** Waypoint Residential, 339 Boston Post Rd Amended Draft Decision January 22, 2021

## City Council

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**From:** Thomas DiPersio  
**Sent:** Tuesday, January 26, 2021 10:20 AM  
**To:** Priscilla Ryder; City Council  
**Cc:** Jason Grossfield; Jason Piques; Jeffrey Cooke; Kevin Breen; David Giorgi; John Garside; Patricia Bernard; Falk, Brian R.; Susan Brown; Sean Divoll  
**Subject:** Waypoint Residential, 339 Boston Post Rd Amended Draft Decision January 22, 2021

Councilor Robey and Urban Affairs Committee:

I offer the following comments on the traffic-related issues:

The main aspect of my review and comments to date have been centered on making sure the applicant's engineers have evaluated and selected the safest location for the site access driveway(s). My recommendation has been to limit the access to one main driveway, and that it be located such that potential conflicts with other driveways in the area are minimized. There have been several different access designs proposed to date. In the current proposal, there is one main entrance to the site, across from Village Drive, and a west driveway for emergency vehicles only. I believe that this is the safest and best access configuration for the project.

As discussed at the last meeting of the committee, the need for a traffic signal is determined by certain specific criteria set forth by the Federal Highway Administration (signal warrants). The applicant's traffic engineer has analyzed each of the warrants and has determined that, in spite of the difficulty to make left turns onto the roadway at certain times of day, none of the criteria for a signal are met by the project. I have reviewed their warrant analysis and am in agreement with that conclusion. Nonetheless, the applicant has proposed a mitigation payment to the City in the amount of \$200,000 for the construction of a signal should it be determined by MassDOT to be warranted in the future, or for other improvements along this portion of the roadway.

The applicant has also proposed to make the following traffic improvements as part of the project: radar speed signs on each side of the roadway near the project, and pedestrian flashing beacons at the nearby crosswalk. These are good proposals. The radar speed signs have been proven to be effective in reducing vehicle speed, and the flashing beacons are definitely necessary at the proposed mid-block crosswalk. I plan to request input from MassDOT on these proposals and the proposed signal mitigation funding during the Site Plan Review process.

With the reduction of the project from four buildings to three, the revisions to the site access design, the proposed traffic improvements, and mitigation payments now being proposed, the applicant has made significant concessions and a genuine effort to address the City's concerns as they relate to traffic. In my view they have been adequately satisfied. I have reviewed the revised Draft Special Permit Decision Condition #8 and am in agreement with the language therein.

I will plan to attend your meeting and am happy to answer any questions on the above.  
Thank you,

**Thomas DiPersio, Jr., PE, PLS**  
City Engineer  
Department of Public Works  
135 Neil Street  
Marlborough, MA 01752  
Phone:(508)624-6910x33200  
[tdipersio@marlborough-ma.gov](mailto:tdipersio@marlborough-ma.gov)

## City Council

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**From:** David Giorgi  
**Sent:** Tuesday, January 26, 2021 12:15 PM  
**To:** City Council; Jeffrey Cooke; Kevin Breen; Priscilla Ryder; John Garside; Thomas DiPersio  
**Cc:** Jason Grossfield; Jason Piques  
**Subject:** RE: Waypoint Residential, 339 Boston Post Rd Amended Draft Decision January 22, 2021

Good Morning Councilor Robey and Members of the Urban Affairs Committee,

My comments regarding this project focus primarily on the traffic-related issues. I would agree with City Engineer Tom DiPersio's opinion that the current location of the main entrance/exit is the best of the offered configurations for engineering purposes. I would also agree that the applicant's proposal to offer flashing radar speed signs on each side of the road, as well crosswalk beacons, could significantly enhance the safety of this part of Route 20. It is my understanding that the proposed MA DOT redesign project in the coming years will improve sidewalks and allow for pedestrian traffic in the area, and any added safety features which will benefit vehicles and pedestrians traffic should be welcomed.

During Site Plan review, the members also discussed the second "emergency" entrance/exit for the site which is proposed to be on the western end of the parking lot. We did discuss how best to restrict access through this driveway and how to keep it for emergency vehicles only. In my opinion, this could best be accomplished through clear signage to designate this driveway for "use by emergency vehicles only" and not for use by the general public. I think that installing multiple signs on each side of the entrance and exit would be more beneficial and practical. There was discussion about installing a gate or chain to prevent everyday use by residents or the public, but I would suggest that this type of barrier will defeat the purpose of providing emergency access for police, fire or EMS.

I too plan on being accessible for the meeting and can provide comment should any questions arise.

Thank you,  
David A. Giorgi

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**From:** City Council <[citycouncil@marlborough-ma.gov](mailto:citycouncil@marlborough-ma.gov)>  
**Sent:** Friday, January 22, 2021 4:28 PM  
**To:** Jeffrey Cooke <[jcooke@marlborough-ma.gov](mailto:jcooke@marlborough-ma.gov)>; Kevin Breen <[kbreen@marlborough-ma.gov](mailto:kbreen@marlborough-ma.gov)>; David Giorgi <[dgiorgi@marlborough-ma.gov](mailto:dgiorgi@marlborough-ma.gov)>; Priscilla Ryder <[pryder@marlborough-ma.gov](mailto:pryder@marlborough-ma.gov)>; John Garside <[jgarside@marlborough-ma.gov](mailto:jgarside@marlborough-ma.gov)>; Thomas DiPersio <[tdipersio@marlborough-ma.gov](mailto:tdipersio@marlborough-ma.gov)>  
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Thanks!  
KB

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**Sent:** Friday, January 22, 2021 4:21 PM  
**To:** Christian Dumais <[ward\\_3@marlborough-ma.gov](mailto:ward_3@marlborough-ma.gov)>; David Doucette <[ward\\_2@marlborough-ma.gov](mailto:ward_2@marlborough-ma.gov)>; Don Landers

## City Council

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**From:** Kevin Breen  
**Sent:** Tuesday, January 26, 2021 1:18 PM  
**To:** City Council; Jeffrey Cooke; David Giorgi; Priscilla Ryder; John Garside; Thomas DiPersio  
**Cc:** Jason Grossfield; Jason Piques  
**Subject:** RE: Waypoint Residential, 339 Boston Post Rd Amended Draft Decision January 22, 2021

Good Afternoon Karen and City Councilors:

I previously offered comments pertaining to this site which were related to density, traffic volume, and entrance and exit design features due to its location along BPW Route 20. I feel many of these issues have been lessened and the project, as currently planned, is far more suitable when compared to previous proposals. I also support the applicant's plan for flashing signs and any other means to communicate the need for driver and pedestrian safety. Finally, one concern the applicant might wish to address/answer is related to snow removal/storage.

Thank you,

KJB

**KEVIN J. BREEN, FIRE CHIEF**  
**MARLBOROUGH FIRE DEPARTMENT**  
**215 MAPLE STREET**  
**MARLBOROUGH, MA 01752**  
**(508) 624-6986**

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