

City of Marlborough Public Meeting Posting

Meeting Name: City Council Urban Affairs Committee
Date: June 17, 2021
Time: 7:00 PM
Location: City Council Chamber, 2nd Floor, City Hall

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JUN 10 P 2:49

1. Continued Review:
4-26-21- Order No.21-1008277: Application for Site Plan Review from Attorney Brian Falk on behalf of WoHo to construct a mixed-use project within the Marlborough Village Zoning (MVD) District at 28 South Bolton Street, formerly approved as the Cameron site, Marilyn Green.
2. 4-26-21 – Order No.17-21-1006800I: Application for Modification of Special Permit by Mina Property Group, LLC, to condition #20 Signage, to allow for increased signage at 408 Maple Street for Meineke Muffler. PUBLIC HEARING: MAY 24, 2021
3. 6-7-21 – Order No.21-1008317: Request for approval of a Canopy for the Drive-thru at Chick-fil-A, 36 Apex Drive within the Hospitality and Recreation Mixed Use Overlay (HRMUOD) Zoning District

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.

City Council

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Wednesday, June 9, 2021 5:08 PM
To: City Council
Subject: FW: 28 S Bolton Street - Updated Design Images
Attachments: WoHo_28 S Bolton Street_Design Update_06.08.2021.pdf

Greetings,

Attached is a working draft of WoHo's updated building design, submitted for informal review. Below are comments from WoHo regarding this design.

We will submit final revisions in advance of next week's Urban Affairs Committee meeting.

Thanks,
Brian

From: Zak Kiritsy <zak@woho.us>

Please find attached a package of images in response to our last Urban Affairs Council meeting, in which we were asked to create a hybrid version of our second design ("version 2") and the latest proposal ("version 3") we presented on June 3rd.

To that extent, this design incorporates the all glass facade along the South side of the building from "version 2" and ground floor brick elements with vegetation and openness from "version 3".

In addition to these primary exterior design features that we have combined from those two design versions, we have enhanced several architectural features to further integrate the design with downtown, including:

- Dark window frames, which create an outline (and contrast to the concrete/ brick / stone) that mirrors the details of Main Street Bank and other downtown buildings.
- Cabled grid pattern along the open garage that ties into the black frames of the windows above, and provides support for the vegetation.
- Thickened first floor slab (that separates the garage from the residential floors above) with an angled face that creates a cornice effect. Option to create similar effect in the slabs above.

Lastly, we have included two alternative images (Slides 9 and 10), one for each elevation (South facade and North facade). We wanted to present these as to receive feedback from the councilors and see if these would potentially be acceptable if we went this route. In particular, I wanted to note the North Facade alternative, which includes a portion of solid surfaces that are vertically aligned throughout the entire elevation (a different approach from our latest proposal on June 3rd which took on a bit more solid surface area in a scattered pattern).

--

Zak Kiritsy

wohho



28 S. Bolton Street

Design Update

June 2021

This document is proprietary and confidential. No part of this document may be disclosed in any manner to a third party without the prior written consent of WoHo.

Make your home in the world

28 S. Bolton St

wolp



Make your home in the world

Granger Blvd

wolp



Make your home in the world

wolrd

[LINK TO IMAGES](#)



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Centennial Park

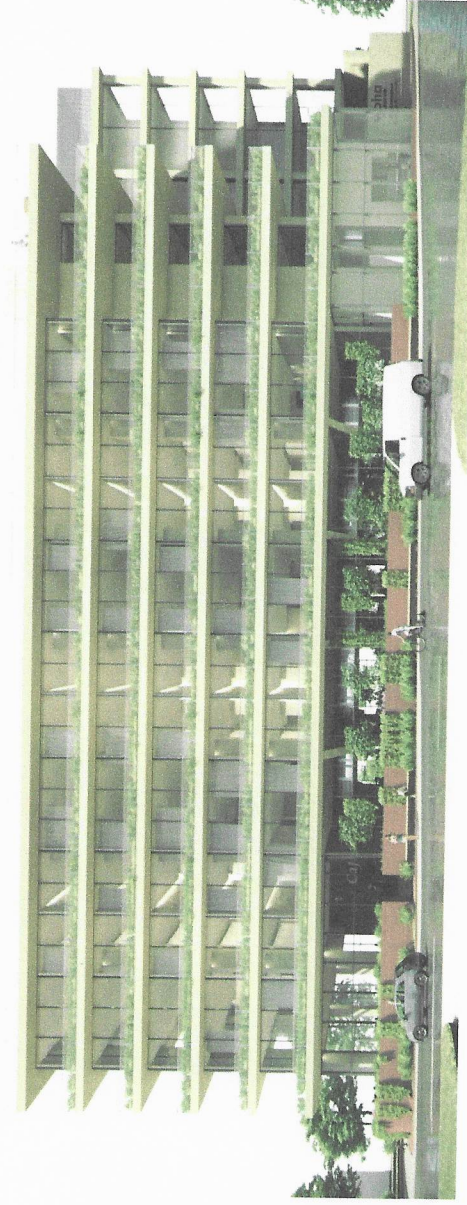
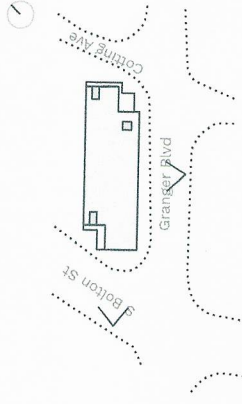
wol|p



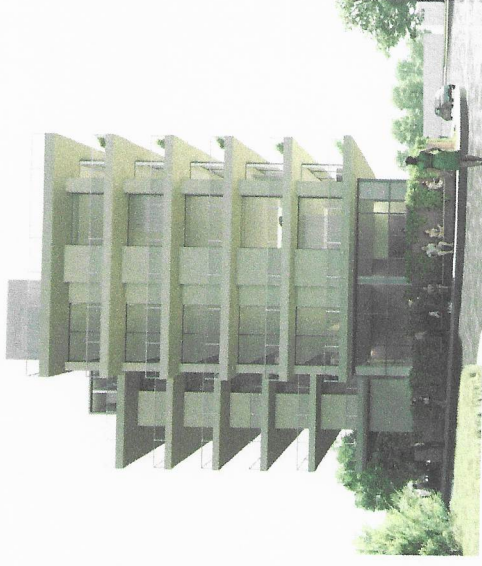
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South Elevation



South

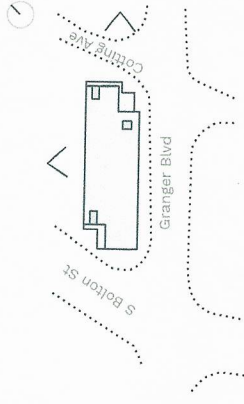


West

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North Elevation



North



East

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Building Context



wolp

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world

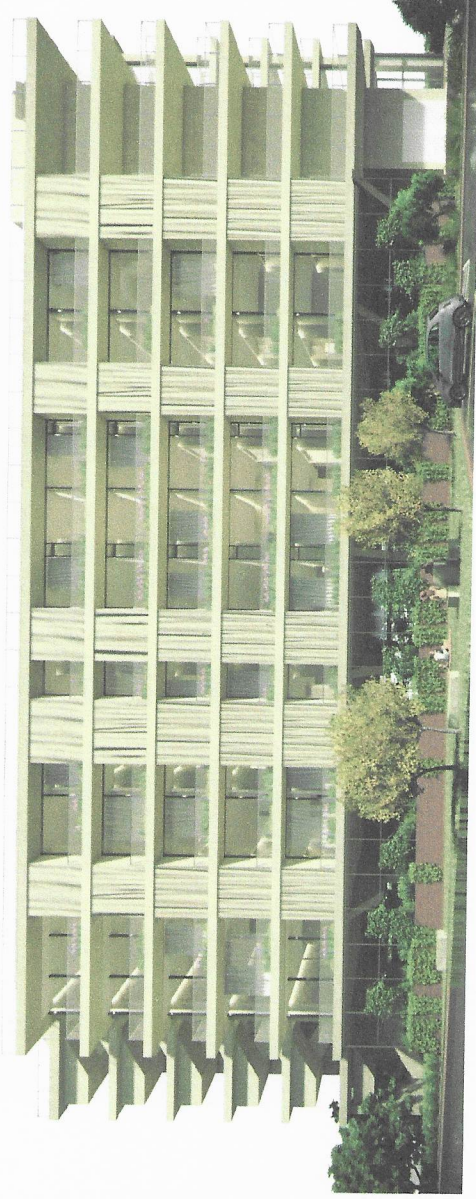
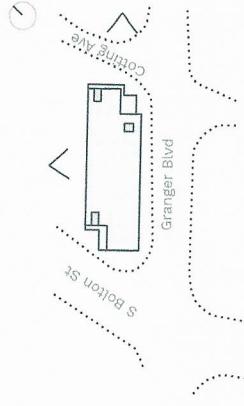
South Elevation Alternative



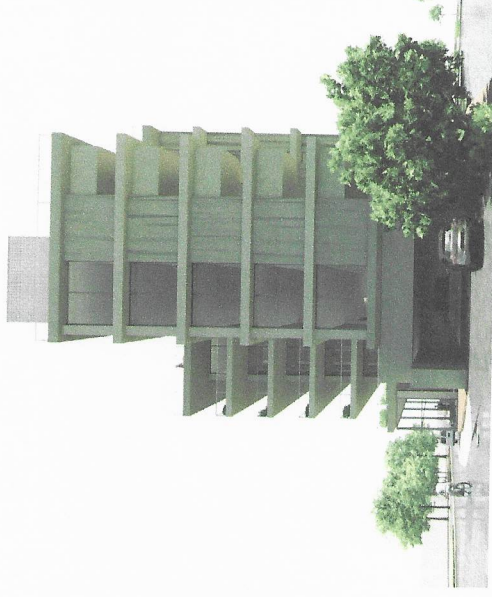
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North Elevation Alternative



North



East

wo|ho

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HEADQUARTERS

501 Massachusetts
Av. Cambridge
MA 0213
USA

WOHO LAB

Calle Alondras 7,
28320 Pinto,
Madrid
SPAIN

This document is proprietary and confidential. No part of this document may be disclosed in any manner to a third party without the prior written consent of WoHo.



IN CITY COUNCIL

Marlborough, Mass., APRIL 26, 2021

ORDERED:

That the Application for Site Plan Review from Attorney Brian Falk, on behalf of WoHo, to construct a mixed-use project within the Marlborough Village District, 28 South Bolton Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE**.

Yea: 11 – Nay: 0

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

ADOPTED

ORDER NO. 21-1008277

X 17-1006964

X 18-1007317B

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

J/A

April 21, 2021

VIA EMAIL

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

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

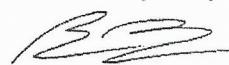
Dear Councilor Ossing:

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

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

Thank you for your time and attention to this matter.

Very truly yours,



Brian R. Falk

BRF/

Encl.

cc: Client



City of Marlborough

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

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: April 21, 2021

PROJECT

Name of facility: WoHo

Address: 28 South Bolton Street

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

APPLICANT

Name: WoHo

Address: 501 Massachusetts Avenue, Cambridge MA 02139

Telephone: 508-929-1678

Fax: _____

(Attorney Brian Falk)

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

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

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

PROPERTY OWNER

Name: M & E Ventures Corporation

Address: 28 South Bolton Street, Marlborough, MA

Telephone: (508) 509-4775

Fax: _____

Email: marilynoffice@yahoo.com

APPLICANT'S ENGINEER (preparing site plan)

Name: WSP - Jason Lavoie, PE
Address: 100 Summer Street, Boston MA 02110
Telephone: 617-426-7330 Fax: _____
Email: Jason.Lavoie@wsp.com

APPLICANT'S LANDSCAPE ARCHITECT

Name: WOHO - Ensemble Studio of America, LLC
Address: 501 Massachusetts Avenue, Cambridge MA 02139
Telephone: 508-929-1678 Fax: _____
(Attorney Brian Falk)
Email: bfalk@mirickoconnell.com

PROJECT INFO

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

Non-Residential Residential

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

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

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

ZONING DISTRICT(S) Marlborough Village District

WHAT OTHER PERMITS REQUIRED (check off which applies)

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

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

SUBMITTED PLANS AND REPORTS

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

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

Fee

For Minor Site Plan without a building: \$750

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

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

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



IN CITY COUNCIL

Marlborough, Mass., _____ APRIL 26, 2021

ORDERED:

That there being no objection thereto set **MONDAY, MAY 24, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Modification of Special Permit from Mina Property Group, LLC, to condition #20 (Signage) to allow for increased signage at 408 Maple Street, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Yea: 11 – Nay: 0

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

Ninety days after public hearing is 08/22/21 which falls on a Sunday, therefore 08/23/21 would be considered the 90th day.

ADOPTED

ORDER NO. 17/21-1006800I

CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:
Mina Property Group, LLC
2. Specific Location of property including Assessor's Plate and Parcel Number.
408 Maple Avenue, Marlboro, MA 93-65
3. Name and address of owner of land if other than Petitioner or Applicant:
- same -
4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.) owner
5. Specific Zoning Ordinance under which the Special Permit is sought:
Article V Section 650 Paragraph 25 Sub-paragraph - 18a
6. Zoning District in which property in question is located:
Commercial Automotive Zone
7. Specific reason(s) for seeking Special Permit
Modification of Existing Special Permit issued July 2017 as regards to allowed signage as permitted in the original Special Permit. The applicant wishes to increase the signage on the premises located at 408 Maple Street as shown on the accompanying plans.
8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

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

Pat Scyella - Agent
Signature of Petitioner or Applicant

Address: 408 Maple Street
Marlboro, MA

Telephone No. 978-273-8588

Date: 4/15/21

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

Mina Property Group, LLC
(Name of Petitioner)

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

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

City Council

From: City Council
Sent: Tuesday, June 8, 2021 3:55 PM
To: Pat Scorzelli
Cc: Kathleen Robey; Karen Boule
Subject: Order No. for AutoMax Modification: Order No.17/21-1006800I

For your info, the order number for your modification is Order No.17/21-1006800I
KB

Karen A. Boule, Secretary
Marlborough City Council
City Hall, 2nd Floor
Marlborough, MA 01752
508-460-3711
citycouncil@marlborough-ma.gov

Draft Decision

Special Permit Modification

Auto Max, 408 Maple Street
Request to Amend Signage

In Urban Affairs

June 17, 2021

IN CITY COUNCIL

Marlborough, Mass. June , 2021

ORDERED:

DECISION FOR MODIFICATION OF A SPECIAL PERMIT

IN CITY COUNCIL

Special Permit Modification
Mina Property Group, LLC
New England AutoMax, Inc. dba AutoMax Service Center
Order No. 17/21-1006800I

DECISION ON AN APPLICATION FOR THE MODIFICATION OF A SPECIAL PERMIT

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit Modification to Mina Property Group, LLC (Applicant) and New England AutoMax, Inc. dba AutoMax Service Center (Tenant), each having a usual place of business at 400 Maple Street and 408 Maple Street, respectively, Marlborough, Massachusetts 01752 as provided in the Decision and subject to the following Procedural Findings, Findings of Facts and Conditions:

PROCEDURAL FINDINGS

1. Mina Property Group is a Limited Liability Company organized, existing and in good standing under the laws of the Commonwealth of Massachusetts having a usual place of business at 400 Maple Street, Marlborough hereinafter referred to as the "Applicant".
2. New England AutoMax, Inc. dba Automax Service Center is a corporation organized, existing and in good standing under the laws of the Commonwealth of Massachusetts having a usual place of business at 408 Maple Street, Marlborough hereinafter referred to as the "Tenant".
3. The Applicant is the owner of the property shown as "Lot #1" on a Plan of Land in Marlborough, MA recorded in the Middlesex South District Registry of Deeds as Plan No. and being land owned by the Applicant described in said Registry of Deeds in Book 20317 Page 602. Said Lot #1 is further known as 408 Maple Street, Marlborough, MA, as shown on the City of Marlborough Assessors Maps as a portion of Map 93, Parcel 65 (hereinafter referred to as the "Site").

4. The Applicant, on or about May 10, 2021 filed with the City Clerk of the City of Marlborough, an Application To City Council for Issuance of a Modification to a Special Permit (hereinafter referred to as the "Application") previously granted by The City Council on January ?, 2018 under the Ordinances of the City of Marlborough, **Article VI Section 650-18a, Paragraph 25**, to permit Tenant to increase their building signage as shown on a plan submitted with this application owned by the Applicant located at 408 Maple Street being Lot #1 referenced in paragraph 3 above (the "Building").
5. The Site is located in the Commercial Automotive Zone of the City of Marlborough and is subject to the Zoning Ordinance Chapter 650-18a section 25 Paragraph for commercial automotive use on less than an acre of land.
6. The Application filed on May 10, 2021 consisted of an original and two copies of the following: (a) Application to the City Council for Issuance of Special Permit (b) Filing Fee check in the amount of \$500.00 (c) Plan Delivery Certification (d) Tax Payment Certification (e) Abutters List (f) Site Plan (the "Site Plan") (g) Planning Department Certification (collectively the "Documents") which Documents are incorporated herein and become a part of this decision. Twelve sets of documents were delivered to the City Council and one set each to the Police Chief, the Fire Chief, the City Planner (Building Commissioner), the City Engineer and the Conservation Officer, all in accordance with Chapter 650 Section 650-18a Paragraph 25 of the Zoning Code of the City of Marlborough. The Abutters List was updated as of May 10, 2021 and filed with the City Clerk.
7. Under the provisions of Massachusetts General Laws Chapter 40A, on May 10, 2021 Applicant filed with the City Clerk to be placed on the City Council Agenda for May 24, 2021 the Application for Modification of a Special Permit. At the May 10, 2021 meeting, the Council voted to schedule a public hearing to be held on May 24 2021.
8. In accordance with the Rules and Regulations of the City Council and Massachusetts General Laws Chapter 40A Sections 9 and 11, the City Council established May24, , 2021as the date for a public hearing on the Application, caused to be advertised notice of said hearing and the date thereof in the MetroWest Daily News and mailed said notice to those entitled thereto, all in accordance with Massachusetts General Laws Chapter 40A.
9. The Marlborough City Council held a public hearing on the Application on May 24 , 2021 in accordance with the published notice, (the "Public Hearing"). The hearing was opened at the time provided for in the notice and following the completion of testimony the hearing was closed on said date.
10. The Applicant presented testimony at the Public Hearing detailing the requested additional signage to be placed on the building and such issues with the City Council and members of the public deemed appropriate. Members of the public had the opportunity to testify at the public hearing and there was no public input.

11. The Applicant provided written and oral documentation and testimony to the City Council and the City Council's Urban Affairs and Housing Committee ("Urban Affairs") regarding the building and proposed signage changes.
12. Tenant AutoMax Service Center currently conducts its business at 408 Maple Street, Marlborough, MA.
13. The Site is located on Route 85 (Maple Street) and is bounded to the south by Walker Street, to the north by South Street.
14. The Site is less than 1/2 acre (16,816 square feet +/-) and is located within the Commercial Automotive Zone. According to the Building Inspector, the Project proposes a use which is allowed as by Special Permit in the Commercial Automotive Zoning district on land less than 1 acre.
15. According to the Building Inspector, the Project meets all requirements of the zoning ordinance.

BASED UPON THE ABOVE, THE CITY COUNCIL OF THE CITY OF
MABLBOROUGH MAKES THE FOLLOWING FINDINGS:

- A. The City Council finds that it may grant a Modification to a Special Permit (Special Permit) subject to such terms and conditions as it deems necessary and reasonable to protect the citizens of the City of Marlborough (also referenced herein as the "City").
- B. The City Council finds the Application for the Modification of the Special Permit does not derogate from the intent or purpose of the Zoning Ordinance of the City of Marlborough, or General Laws. C.40A.
- C. The City Council finds that the use of the site and proposed changes to the Project is an appropriate use and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough. The granting of this request will complement the business nature of the building and the abutting properties and the surrounding neighborhood.
- D. The Applicant has complied with all the procedural rules and regulations of the City Council of the City of Marlborough and Chapter 650 (Zoning Code) of the City of Marlborough and Massachusetts General Laws Chapter 40A, Sections 9 and 11.

GRANT OF MODIFICATION TO A SPECIAL PERMIT WITH CONDITIONS

The City Council of the City of Marlborough pursuant to its authority under Chapter 650 (Zoning Code) of the Code of the City of Marlborough and Massachusetts General Laws Chapter 40A, GRANTS to the Applicant a Modification to a Special Permit to add additional signage to the property located at 408 Maple Street , Marlboro, MA “Project” as set forth in the application documents and as per plans submitted to the City Council, and subject to the following conditions which shall be binding on the Applicant, its successors and assigns, as well as on the Tenant:

1. Construction. Construction of all signage on the Site is to be in accordance with all building codes and zoning regulations in effect in the City of Marlborough and Commonwealth of Massachusetts and shall be built according to the Building Plan entitled Mina Property Group. 408 Maple Street Marlborough and filed with the Application and as may have been amended during the application process.
2. Compliance with Local State and Federal Laws. The Applicant shall comply with all applicable rules, regulations and ordinances of the City of Marlborough and Commonwealth of Massachusetts as they may apply to the construction and maintenance of the structures including, without limitation to the State Building Code. The terms and conditions of such decisions and findings will become a part of this decision.
3. Existing Signage. Existing street signage currently erected on the subject property is a monument-type signs that is consistent in size, lay-out and design, including fonts, as is other existing signage on Route 85. The existing sign on Rt 85 shall be merely refaced with the name Meineke. The additional existing Automax signage shall also be merely replaced with the name Meineke Service Center on the front of the building and shall meet the lighting criteria as set forth in the Special Permit.
4. New Signage. Upon granting of this Modification there will be new additional signage of similar construction consistent with the existing signage currently on the building on the side of the front left corner of the building facing Rt 85 and 5 new signs over the 5 service bays.
5. All signage at the subject location shall comply with the existing City of Marlborough sign ordinance, without variance, and shall be as shown on the Building Plan.
6. All plans, renderings and other documentation provided by the Applicant as part of this Modification of a Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council’s Urban Affairs Committee are herein incorporated into and become a part of this Modification of Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
7. In accordance with the provisions of Massachusetts General Laws c. 40A, § 11, Applicant at its expense shall record this Modification to Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before a Building Permit is issued. Applicant shall also furnish proof of recording to the City Solicitor’s Office and the City Council immediately subsequent to recording.

Yea: - Nay: - Absent:

ADOPTED

In City Council

Order No.

Adopted June ,2021

Approved by Mayor

Date: June ,2021

A TRUE COPY

ATTEST:

Addendum "A"

This addendum is in response to what the proposed "master plan" is for 386, 400 and 408 Maple Street, Marlborough, MA.

It is the intent of Mina Property Group, LLC, AutoMax PreOwned and AutoMax Service Center with the necessary approvals by the City of Marlborough to upgrade and re-purpose the properties owned by Mina Property Group, LLC (386 ,400 and 408 Maple Street) and utilized by AutoMax PreOwned (400 Maple Street) and AutoMax Service Center (386 Maple Street).

The first step to the overall "master plan" is the one currently before you. AutoMax Service Center will be relocated from its current address of 386 Maple Street to 408 Maple Street as proposed. This new facility will allow AutoMax Service Center to better meet the needs of AutoMax PreOwned and its current customer pay clientele.

The second step of the "master plan" upon the completion of the first step will be to renovate 386 Maple Street to a new sales facility for AutoMax PreOwned. This second step will provide a more modern sales facility and allow for a better design and configuration of 386 and 400 Maple Street which are adjoining properties.

The final step in the "master plan" once the renovation of 386 Maple Street is complete will be the demolition of the dated structure that is currently being utilized as the AutoMax PreOwned Sales Center. This step will result in an updated engineered plan for the parking layout for customers and the display and sales of the vehicles being presented by AutoMax PreOwned.

This "master plan" is being proposed in conjunction with the upgrade to Route 85 and represents a major commitment of both time and investment by Mina Property Group, LLC and the AutoMax companies.

Prior Signage
and
Condition

Auto Max, 408 Maple Street
Request to Amend Signage

In Urban Affairs
June 17, 2021



IN CITY COUNCIL

Marlborough, Mass., _____ DECEMBER 4, 2017

PAGE 9

ORDERED:

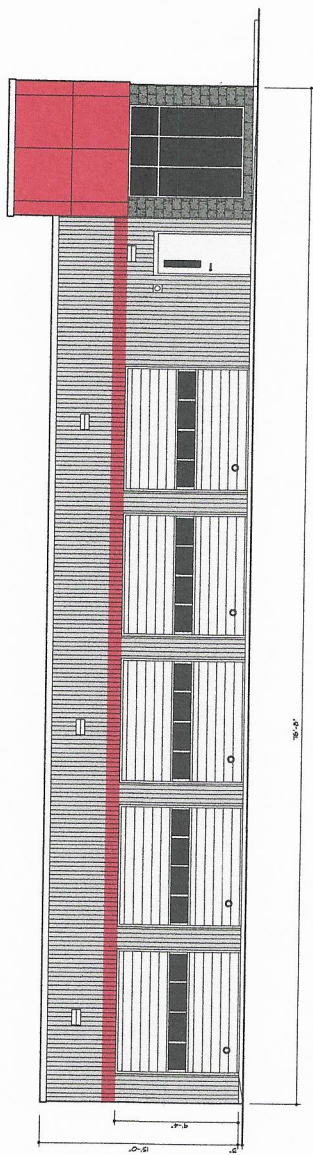
17. Parking Area Lighting. All illuminations of individual parking area light fixtures shall not exceed 250-watt fixtures and shall be screened from abutting property. Deflectors shall be utilized and configured to mitigate light from entering abutting properties.

18. Site Access and Egress. Access to the building and parking will be off Maple Street (Route 85) (one-way entrance) and exit onto River Street (one-way exit) as shown on the Site Plan and requested by the Police Chief and Site Plan Review Committee. The Site shall be designed, and signage created, to specify enter "one way in" from Maple Street (Route 85) and exit "one way out" onto River Street.

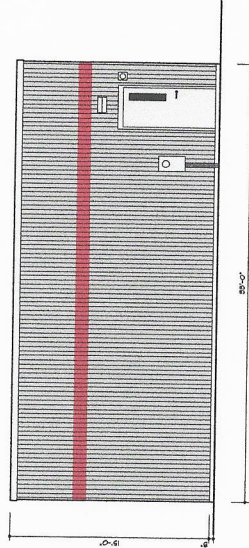
19. Building. The building to be constructed on the Site shall be a freestanding steel building with metal siding and a proposed stone veneer in the front "customer" area of the building, and shall conform to a plan entitled, "AutoMax Vehicle Maintenance Building, 408 Maple Street, Marlborough, Massachusetts," prepared by: Haynes Lieneck and Smith Inc., Architects; dated: November 22, 2017, and attached hereto as Exhibit 1. There will be 5 service bays. The siding and service doors shall be similar in style and design to the siding and doors currently used at AutoMax Service Center. The operation of the business shall be conducted within the facility as to not create abnormal noise or nuisance on the Site. There shall be no external storage of junk vehicles or parts. There shall be minor repair and paint work done on vehicles at this location; however, no major auto body operation involving insurance type collision work shall be allowed to be conducted on-Site.

20. Signage. All Site signage erected on the subject property shall be consistent with low profile entrance and exit signage that is consistent with lighting, size, lay-out and design, including fonts, as signage requested and approved by the City Council. As shown on the building plan (Exhibit 1) referenced in condition 19 above, the signage will be mounted on the building with internal illumination that meets the lighting criteria as set forth in the review of the Site Plan. All signage at the subject location shall comply with the existing City of Marlborough sign ordinance, without variance. The freestanding sign for the Site shall conform to a plan, entitled "Freestanding Sign, 408 Maple Street, Marlborough, Massachusetts," prepared by: Haynes Lieneck and Smith Inc., Architects; dated: November 22, 2017, and attached hereto as Exhibit 2.

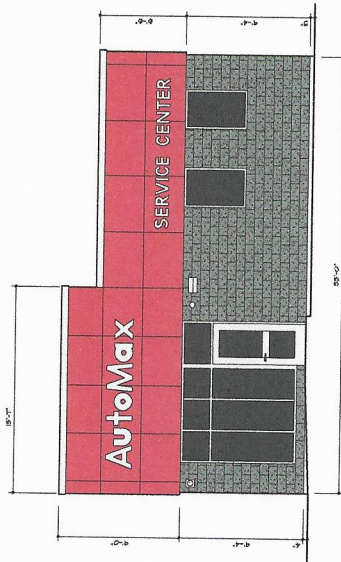
Signage Condition
2017 Special Permit



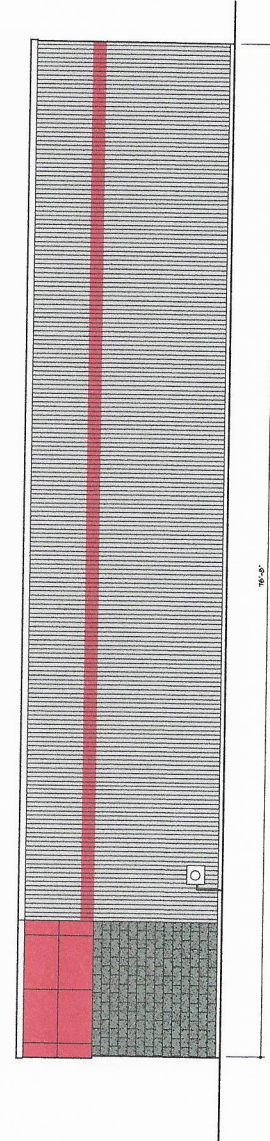
SIDE ELEVATION
0 2 4 6



BACK ELEVATION
0 2 4 6



FRONT ELEVATION
0 2 4 6



SIDE ELEVATION
0 2 4 6

Signage Approved 2017



IN CITY COUNCIL

Marlborough, Mass., _____ JUNE 7, 2021

ORDERED:

That the Request for Approval of a Canopy for the Drive-thru at Chick-fil-A, 36 Apex Drive within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), be and is herewith referred to the **URBAN AFFAIRS COMMITTEE**.

Yea: 11 – Nay: 0

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

ADOPTED

ORDER NO. 21-1008317



City of Marlborough

BUILDING DEPARTMENT

140 Main Street
Marlborough, MA 01752
Tel. (508) 460-3776 Facsimile (508) 460-3736
building_dept@marlborough-ma.gov

TIN HTWAY
BUILDING COMMISSIONER

PATRICK DAHLGREN
ASSISTANT BUILDING
COMMISSIONER

LAUREWNT "LARRY" LEMIEUX
PLUMBING & GAS INSPECTOR

JOHN CAIN
WIRING INSPECTOR

WILLIAM PAYTON
BUILDING INSPECTOR

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 MAY 26 A 8:30

11

May 25, 2021

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

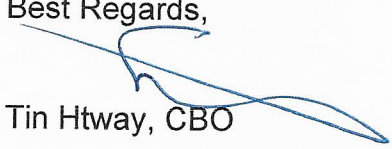
*Uehaw
Alfonso*

**RE: CHIC-FIL-A
CANOPY AT DRIVE-THRU**

Attached please find plans to erect a canopy over the existing drive-thru at the Chic-Fil-A location at the Apex Center. As you might recall, this vendor received one of the two drive-thru permits as part of the original special permit. Additionally, in 2016 the Council approved an amendment to Section 650-35 **"the City Council shall retain authority over those aspects of Site Plan Approval for the Project which concern (i) the appearance of buildings and structures, (ii) signage, (iii) final landscaping design, and (iv) the appearance of retaining walls facing public ways."**

Therefore, the Council shall perform waive, review and approve (or disapprove) the design. Should the design be waived or approved, a building permit application can be submitted and processed by this office.

Best Regards,


Tin Htway, CBO

4LEAF, Inc.

Alternate Building Commissioner



January 11, 2021

Letter of Authorization

Chick-fil-A, Inc.

5200 Buffington Road

Atlanta, Georgia 30349

To Whom it May Concern,

Chick-fil-A, Inc. authorizes Interplan, LLC and their representatives to represent the company in all matters associated with the permitting of drive-thru canopies at its various locations nationwide.

X

Jason Rosier
Project Lead, FEQ Tests & Rollouts

Subscribed and sworn to before me this 19 day of January, 2021.

Notary Public Sharon G Robinson

Seal Sharon G Robinson
NOTARY PUBLIC
Fayette County, GEORGIA
My Commission Expires 07/31/2021

My Commission Expires: 07/31/2021

CFA #9357 Marlborough

Legend
38 Apex Dr



Google Earth
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SFWIS

8.12ft



CFA #9357 Marlborough

Legend
36 Apex Dr



Google Earth
©2021 Earthstar Technologies
©2021 Google
ESTWMS

7.80 ft



CFA #9357 Marlborough

Legend
📍 36 Apex Dr



7.80 ft



Google Earth
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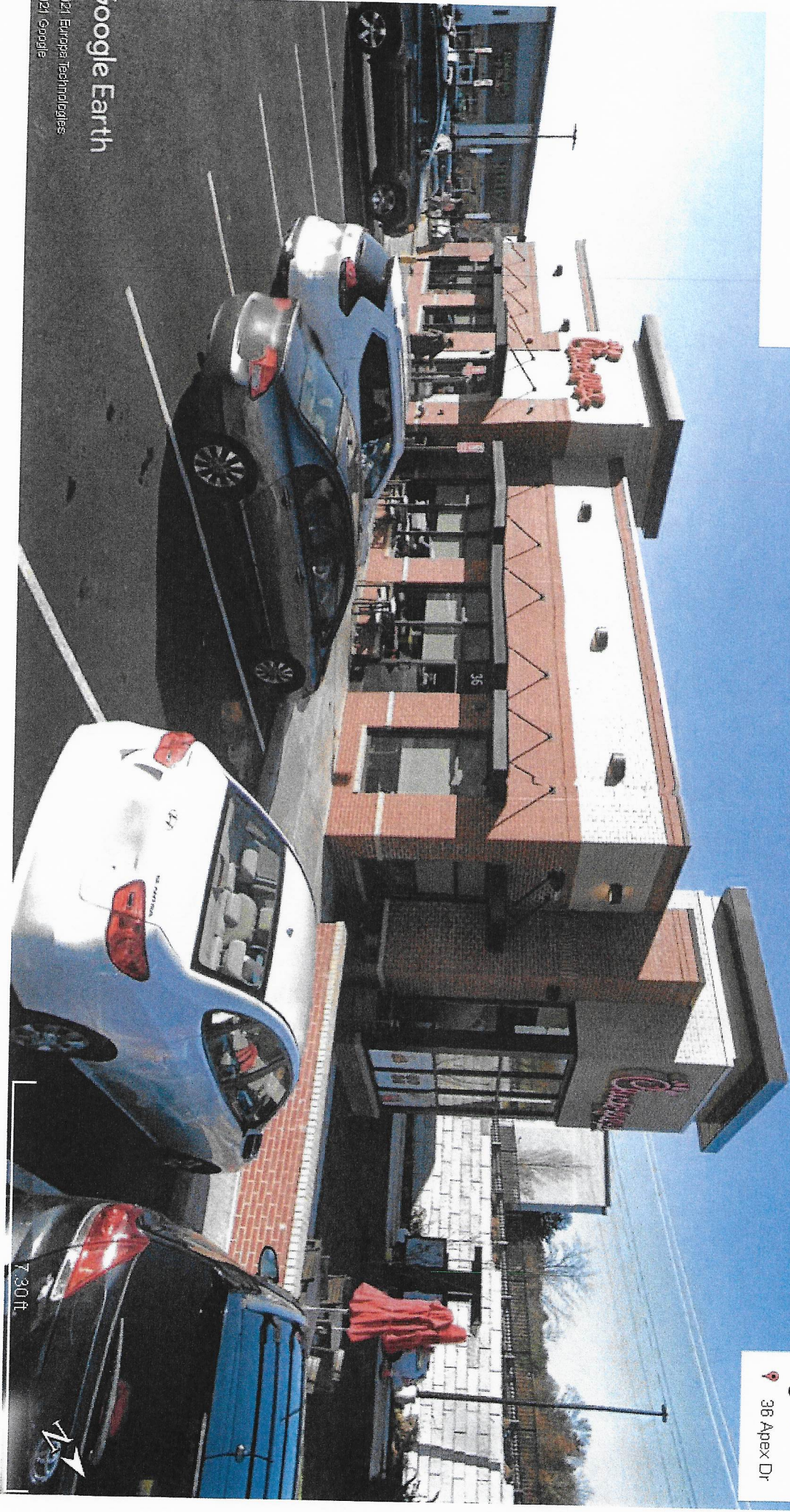
CFA #9357 Marlborough



Legend
38 Apex Dr

CFA #9357 Marlborough

Legend
36 Apex Dr

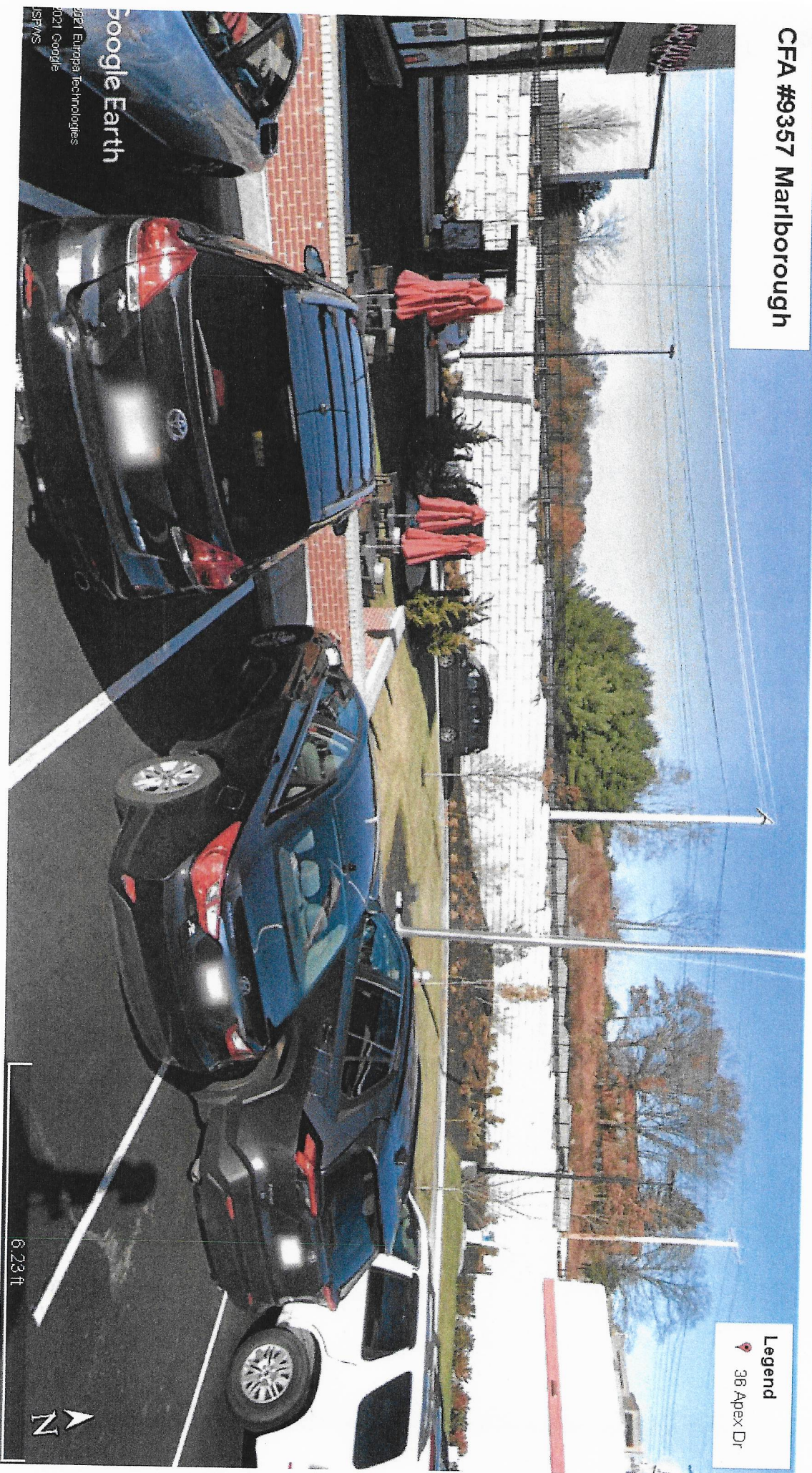


Google Earth
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02/21 Google

7.30ft



CFA #9357 Marlborough



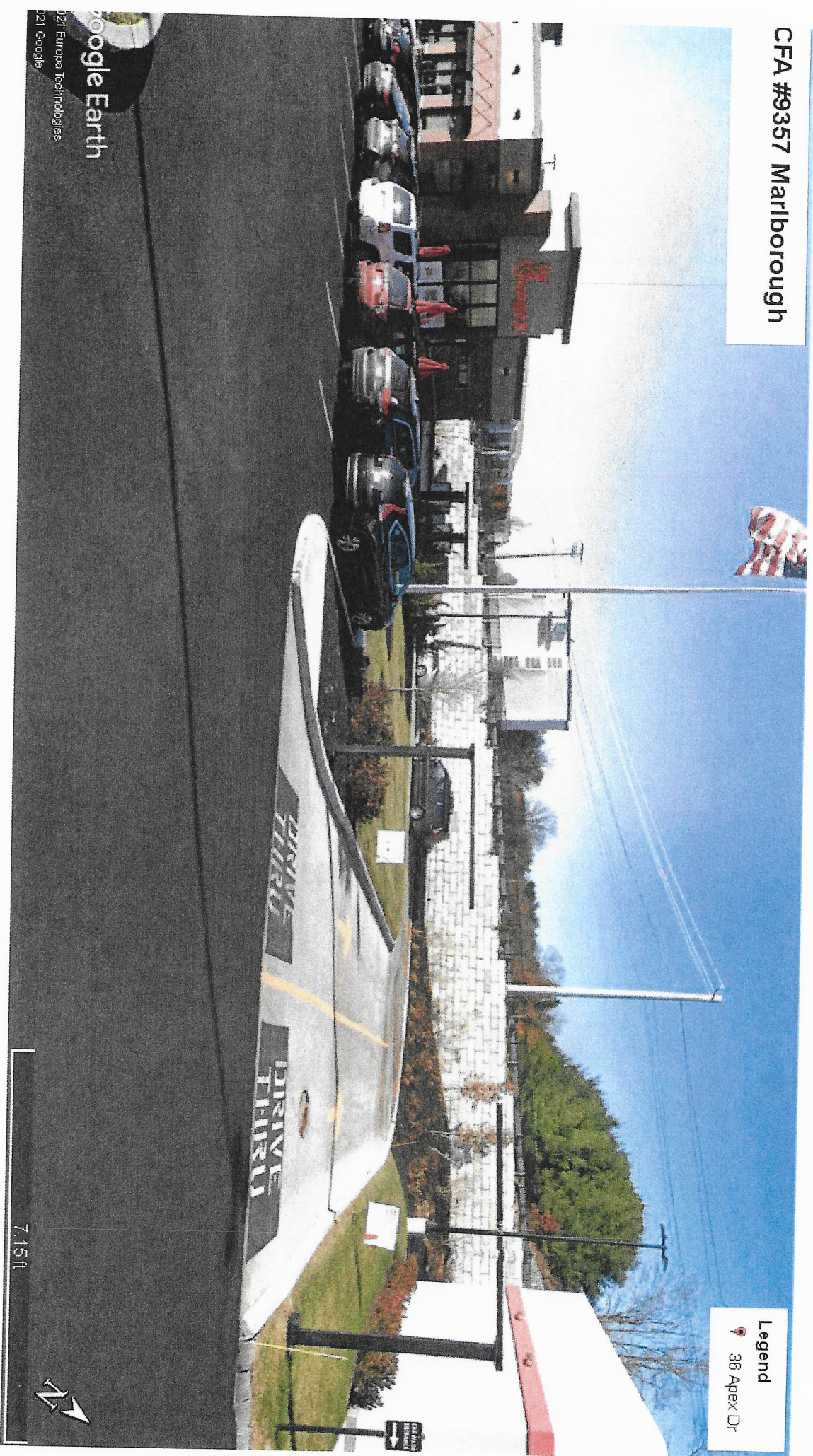
Legend
36 Apex Dr

Google Earth
©2021 Google
SWMIS

6.23 ft



CFA #9357 Marlborough



Legend
38 Apex Dr

7.15ft



Google Earth
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