

Order No.21-1008345
Special Permit Application
Dasilva Landscaping

Construction/Operation of Contractor Yard
685 Farm Road, Unit 17

- Draft Decision from Petitioner
- Comments from Managers

In Urban Affairs – August 16, 2021



IN CITY COUNCIL

Marlborough, Mass., _____ JUNE 21, 2021

ORDERED:

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

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

ADOPTED

ORDER NO. 21-1008345

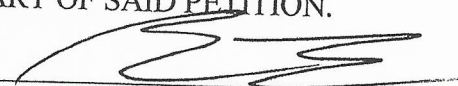
**CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK**

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:
Dasilva Landscaping, Inc. 110 Dartmouth Street, Marlborough, MA 01752
2. Specific Location of property including Assessor's Plate and Parcel Number.
685 Farm Road, Unit 17, Map 73, Parcel 52
3. Name and address of owner of land if other than Petitioner or Applicant:
Marlborough Industrial LLC 259 Turnpike Road, Suite 100, Southborough, MA 01772
4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.)
5. Specific Zoning Ordinance under which the Special Permit is sought:
Article 650-17, 650-18(48) Section _____ Paragraph _____ Sub-paragraph _____
6. Zoning District in which property in question is located:
Limited Industrial
7. Specific reason(s) for seeking Special Permit
The applicant seeks to operate a landscaper's yard at 685 Farm Road, Unit 17.

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
Brian Falk, Attorney for the Applicant
Address: Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
Telephone No. 508.929.1678

Date: 6/16/2021

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

Dasilva Landscaping, Inc.

(Name of Petitioner)

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

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

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Dasilva Landscaping, Inc. Address: 110 Dartmouth Street

Project Name: _____ Address: 685 Farm Road

1. PROPOSED USE: (describe) Landscaper's Yard

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 3,225 sq. ft. 1st floor 3,225 sq. ft. all floors 3,225 sq. ft.
buildings 1 # stories 1 lot area (s.f.) 818,282 sq. ft. (entire site)

4. LOT COVERAGE: 58.5 % Landscaped area: 41.5 %

5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: 5 Peak period: 10

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 3 Peak period: 10

(B) How many service vehicles will service the development and on what schedule?
Deliveries of materials as needed.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Downward facing lighting.

8. NOISE:

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

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

9. AIR: What sources of potential air pollution will exist at the development? Vehicle exhaust.

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? None.

***Attach additional sheets if necessary**



CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752

City Hall
140 Main St.

Marlborough, Massachusetts 01752

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

President and Members City Council

Date: 6/15/2021

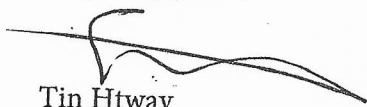
SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: Dasilva Landscaping, Inc.
Project Use Summary: Landscaper's Yard
Project Street Address: 685 Farm Road
Plate: 73 Parcel: 52
Applicant/Developer Name: Dasilva Landscaping, Inc.
Plan Date: 6-24-19 Revision Date: 9-23-19

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,


Tin Htway
Acting Director of Planning

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

\$500

**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

Dasilva Landscaping, Inc.

Owner Name/Officer Name of LLC or Corporation

Flavio J. DaSilva

Owner/Officer Complete Address and Telephone Number

110 Dartmouth Street

Marlborough, MA 01752

Signature of Applicant

Attorney on behalf of Applicant, if applicable


Attorney Brian Falk

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



Tax Collector



**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**

**Steven W. Kerrigan
City Clerk**

Dear Applicant,

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

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

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

Signature

Date

Thank you for your cooperation in this matter.

Sincerely,

*Steven W. Kerrigan
City Clerk*

City Council

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Friday, July 23, 2021 12:17 PM
To: City Council; Karen Boule; Steven Kerrigan; Wilson Chu
Cc: Priscilla Ryder; Tin Htway; Thomas DiPersio; David Giorgi; Kevin Breen; John Garside; Susan Brown
Subject: RE: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)
Attachments: Special Permit - Dasilva Landscaping (Landscaper's Yard) (A7251024-3x7A575).DOCX; Special Permit - Lourival Masonry (Contractor's Yard) (A7250796-3x7A575).DOCX

Greetings,

Attached are draft decisions for the Dasilva Landscaping and Lourival Masonry special permit applications. The proposed conditions of approval are based upon feedback we received during the July 19 public hearing and our informal meeting with the Site Plan Committee. In addition, we will be submitting revised plans that depict the general areas on each site where materials will be stored outdoors.

We look forward to your comments and our meeting with the Urban Affairs Committee on August 16.

Thanks, and enjoy your weekend.

Brian

MIRICK O'CONNELL

ATTORNEYS AT LAW

BRIAN R. FALK

Partner

Mirick, O'Connell, DeMallie & Lougee, LLP

100 Front Street | Worcester | MA | 01608-1477

t 508.929.1678 | f 508.983.6256

bfalk@mirickoconnell.com | Bio



Please visit our website: www.mirickoconnell.com

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Thursday, July 15, 2021 3:29 PM
To: 'City Council' <citycouncil@marlborough-ma.gov>; kboule@marlborough-ma.gov; 'Steven Kerrigan' <skerrigan@marlborough-ma.gov>; Wilson Chu <wchu@marlborough-ma.gov>
Cc: Priscilla Ryder <pryder@marlborough-ma.gov>; 'Tin Htway' <thtway@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>; 'Susan Brown' <sbrown@marlborough-ma.gov>
Subject: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

_____, 2021

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. #21-1008345

Application of:
Dasilva Landscaping, Inc.

Locus:
685 Farm Road, Unit 17, Marlborough, MA (also known as 49 Airport Boulevard)
Parcel 73 on Assessors Map 52

DECISION
The City Council of the City of Marlborough hereby **GRANTS** the Application of Dasilva Landscaping, Inc., with a mailing address of 110 Dartmouth Street, Marlborough, MA, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: _____, 2021

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the [] day of [], 2021.

APPEALS

Appeals, if any shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17 and shall be filed within twenty (20) days after the date of the filing of this Notice of Decision in the Office of the City Clerk of the City of Marlborough, MA.

A TRUE COPY
ATTEST:

City Clerk

ORDERED:

IN CITY COUNCIL

DECISION ON A SPECIAL PERMIT

Application of:
Dasilva Landscaping, Inc.

Locus:
685 Farm Road, Unit 17, Marlborough, MA (also known as 49 Airport Boulevard)
Parcel 73 on Assessors Map 52

**DECISION ON A SPECIAL PERMIT
ORDER NO. 21-1008345**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Dasilva Landscaping, Inc. (the "Applicant") for a landscape contractor's yard at 685 Farm Road, Unit 17, also known as 49 Airport Boulevard, in the Limited Industrial Zoning District, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Dasilva Landscaping, Inc., is a Massachusetts corporation with an address of 110 Dartmouth Street, Marlborough, MA 01752.
2. The Applicant is the prospective owner of the property located at 685 Farm Road, Unit 17, Marlborough, Massachusetts, also known as 49 Airport Boulevard, being shown as a portion of Parcel 73 on Assessors Map 52 (the "Site").
3. In accordance with Article V, Section 650-17 and Section 650-18.A(48), of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), the Applicant proposes a landscape contractor's yard at the Site (the "Use"). As shown on the Plans referenced in paragraph 5 below, the Use consists of a building, accessory parking, outdoor storage areas, and landscaped areas.
4. 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.
5. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a site plan entitled "Proposed Site Plan of Use Area #17 Airport Boulevard"

by Connorstone Engineering, with the last revision date of _____, 2021, a landscaping plan entitled “Proposed Landscape Plan of Use Area #17 Airport Boulevard” by Connorstone Engineering, with the last revision date of _____, 2021, and a site plan for the overall Airport Industrial Park entitled “Proposed Site Plan for Driveway, Drainage & Landscaping of 677-681 Farm Road” approved by the Site Plan Committee on October 24, 2019, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special (collectively the “Plans”) attached hereto as “Attachment A.”

6. The Application was certified as complete by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

7. The Site is located in the Limited Industrial Zoning District.

8. The Site has an area of 30,000 square feet +/- as shown on the Plans.

9. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

10. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, July 19, 2021. The public hearing was held at the Marlborough City Hall, 140 Main Street. The hearing was closed on July 19, 2021.

11. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

12. At the public hearing, no members of the public spoke in favor of the Use and no members of the public spoke in opposition to the Use.

**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 for a landscape contractor's yard at 685 Farm Road, Unit 17, also known as 49 Airport Boulevard, 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. 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 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.

3. Modification of Plans. Notwithstanding conditions #1 and #2 above, the City Council or the Site Plan Review Committee may approve engineering changes to the Plans, so long as said changes do not change the Use as approved herein, or materially increase the impervious area of the Use, reduce the green area, alter traffic flow, or increase the size of the building, all as shown on the Plans.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of 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.

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. 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.

6. Fencing. In accordance with Section 650-18(48) of the Zoning Ordinance, the Applicant shall install solid fencing to screen areas of the Site used for the storage of vehicles, equipment, and materials from the street and adjacent properties, and shall maintain the fencing in good repair. The fencing shall comply with the requirements of all applicable City Ordinances.

7. Outdoor Storage Areas. In accordance with Section 650-18(48) of the Zoning Ordinance, the outdoor storage of vehicles, equipment, and materials shall be located on impervious and otherwise dust-free surfaces. Materials shall be stored with sufficient protections to avoid damage to landscaped areas and to avoid interference with the proper functioning of stormwater infrastructure. Lawn areas shall be separated from adjacent parking/storage areas with curbing. The bulk storage of bark mulch at the Site shall be subject to fire safety conditions approved through the Site Plan Review process. The Site shall not be used to store grass clippings or similar debris.

8. Indoor Storage Areas. Building areas used to store vehicles, equipment, and materials indoors shall be equipped with floor drainage systems designed to prevent fuel, oil, and other hazardous materials from entering the stormwater or sewer systems, approved through the Site Plan Review process.

9. Vehicle Repairs and Maintenance. The Site may not be used for major repairs of vehicles and equipment, but may be used for minor maintenance of vehicles and equipment performed indoors and subject to Condition 10.

10. Noise and Air Quality. The Applicant, its successors and/or assigns, shall comply with the City's Noise Ordinance and shall comply with all state and federal requirements governing air quality and emissions.

11. 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. Exterior lighting at the Site shall be shut off outside of operating hours, except for lighting necessary for security and emergency access.

12. 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: ___ - Nay: ___ - Absent - ___

Yea: _____, _____, _____, _____, _____, _____, _____, _____,

Nay: _____, _____,

Absent: _____, _____,

Signed by City Council President
Michael H. Ossing

ADOPTED
In City Council
Order No. 21-1008345

Attachment A

Manager Comments

City Council

From: David Giorgi
Sent: Wednesday, July 28, 2021 5:36 PM
To: City Council
Subject: Re: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

The Police Department does not have any objections or comments on either of these projects.
Thank you,
D. Giorgi

On Jul 28, 2021, at 3:46 PM, City Council <citycouncil@marlborough-ma.gov> wrote:

To All:
You received these two decisions earlier from Atty. Falk.
Please submit comment as required to the Urban Affairs Committee for the August 16, 2021 meeting.
Thank you.

Karen A. Boule
City Council Office
508-460-3711

From: Falk, Brian R. <bfalk@MirickOConnell.com>
Sent: Friday, July 23, 2021 12:17 PM
To: City Council <citycouncil@marlborough-ma.gov>; Karen Boule <kboule@marlborough-ma.gov>; Steven Kerrigan <skerrigan@marlborough-ma.gov>; Wilson Chu <wchu@marlborough-ma.gov>
Cc: Priscilla Ryder <pryder@marlborough-ma.gov>; Tin Htway <tthtway@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>; Susan Brown <sbrown@marlborough-ma.gov>
Subject: RE: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

Greetings,

Attached are draft decisions for the Dasilva Landscaping and Lourival Masonry special permit applications. The proposed conditions of approval are based upon feedback we received during the July 19 public hearing and our informal meeting with the Site Plan Committee. In addition, we will be submitting revised plans that depict the general areas on each site where materials will be stored outdoors.

We look forward to your comments and our meeting with the Urban Affairs Committee on August 16.

City Council

From: John Garside
Sent: Wednesday, August 4, 2021 1:38 PM
To: City Council
Subject: Re: 2ND: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

Hi Karen,

The BOH has no issues with either of the Airport special permits.

Thanks,

-John

Get [Outlook for iOS](#)

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Wednesday, August 4, 2021 1:30:01 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; Tin Htway <thtway@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>
Cc: David Giorgi <dgiorgi@marlborough-ma.gov>
Subject: 2ND: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

I don't believe I have received input from anyone but Chief Giorgi on the attached special permit decisions. Thank you for your responses.

KB

From: City Council
Sent: Wednesday, July 28, 2021 3:46 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; Jason Grossfield <jgrossfield@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>
Subject: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

To All:

You received these two decisions earlier from Atty. Falk.

Please submit comment as required to the Urban Affairs Committee for the August 16, 2021 meeting.

Thank you.

*Karen A. Boule
City Council Office
508-460-3711*

City Council

From: Kevin Breen
Sent: Wednesday, August 4, 2021 4:55 PM
To: City Council; Priscilla Ryder; Thomas DiPersio; Tin Htway; John Garside
Cc: David Giorgi
Subject: RE: 2ND: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

Hello Karen:

There are no outstanding issues with this special permit .

Thank you,

KJB

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

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Wednesday, August 4, 2021 1:30 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; Tin Htway <tthtway@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>
Cc: David Giorgi <dgiorgi@marlborough-ma.gov>
Subject: 2ND: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

I don't believe I have received input from anyone but Chief Giorgi on the attached special permit decisions.
Thank you for your responses.

KB

From: City Council
Sent: Wednesday, July 28, 2021 3:46 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; Jason Grossfield <jgrossfield@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>
Subject: FROM ATTY. FALK: Special Permit Decisions for comment to Urban Affairs: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

To All:
You received these two decisions earlier from Atty. Falk.

City Council

From: Thomas DiPersio
Sent: Saturday, August 7, 2021 11:38 AM
To: City Council; David Giorgi; Kevin Breen; Tin Htway; Jason Grossfield; John Garside; Priscilla Ryder
Cc: Mayor; Patricia Bernard; Ryan Egan; Kathleen Robey
Subject: RE: TO MANAGERS: City Council Urban Affairs Committee to meet August 16, 2021 in Council Chamber, 2nd Floor, City Hall, 140 Main Street - Posting Agenda Attached

To the Urban Affairs Committee,

Regarding **Orders No.: 21-1008345 and 21-1008346**, Applications for Special Permit for DaSilva Landscaping Inc. to construct and operate a landscaper's yard at the Airport Industrial Park, 685 Farm Road, Unit 17, and; for Lourival Masonry, LLC to construct and operate a contractor's yard at the Airport Industrial Park, 685 Farm Road, Unit 18; I have the following comments:

The proposed Special Permit Decisions drafted by the Applicant incorporate language that was discussed during Site Plan Review Committee meetings, with respect to the locations, conditions, and screening of outdoor materials storage.

I have no further comments on the draft decisions.
Please contact me with any questions.
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



From: City Council citycouncil@marlborough-ma.gov
Sent: Thursday, August 5, 2021 4:09 PM
To: David Giorgi dgiorgi@marlborough-ma.gov; Kevin Breen kbreen@marlborough-ma.gov; Thomas DiPersio tdipersio@marlborough-ma.gov; Tin Htway thtway@marlborough-ma.gov; Jason Grossfield jgrossfield@marlborough-ma.gov; John Garside jgarside@marlborough-ma.gov; Priscilla Ryder pryder@marlborough-ma.gov
Cc: Mayor mayor@marlborough-ma.gov; Patricia Bernard pbernard@marlborough-ma.gov; Ryan Egan regan@marlborough-ma.gov; Kathleen Robey atlarge_4@marlborough-ma.gov
Subject: TO MANAGERS: City Council Urban Affairs Committee to meet August 16, 2021 in Council Chamber, 2nd Floor,

City Council

From: Priscilla Ryder
Sent: Friday, August 13, 2021 3:29 PM
To: City Council
Cc: Tin Htway; Thomas DiPersio; Falk, Brian R.; Patricia Bernard
Subject: RE: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

Hi Karin,

I have reviewed the two draft Special Permit Decisions for the Airport Industrial Parks units 17 & 18. They address the issues we had discussed at the Site Plan Review Committee. I have no further comments.

Thanks!

*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>
Sent: Thursday, August 12, 2021 4:47 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>
Subject: FW: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)

From: "Falk, Brian R." <bfalk@MirickOConnell.com>
Subject: RE: Dasilva Landscaping and Lourival Masonry (Airport Industrial Park)
Date: 23 July 2021 12:16
To: "'City Council'" <citycouncil@marlborough-ma.gov>, "kboule@marlborough-ma.gov" <kboule@marlborough-ma.gov>, "'Steven Kerrigan'" <skerrigan@marlborough-ma.gov>, "'Wilson Chu'" <wchu@marlborough-ma.gov>
Cc: "Priscilla Ryder" <pryder@marlborough-ma.gov>, "'Tin Htway'" <thtway@marlborough-ma.gov>, "Thomas DiPersio" <tdipersio@marlborough-ma.gov>, "David Giorgi" <dgiorgi@marlborough-ma.gov>, "Kevin Breen" <kbreen@marlborough-ma.gov>, "John Garside" <jgarside@marlborough-ma.gov>, "'Susan Brown'" <sbrown@marlborough-ma.gov>

Greetings,

Attached are draft decisions for the Dasilva Landscaping and Lourival Masonry special permit applications. The proposed conditions of approval are based upon feedback we received during the July 19 public hearing and our informal meeting with the Site Plan Committee. In addition, we will be submitting revised plans that depict the general areas on each site where materials will be stored outdoors.

We look forward to your comments and our meeting with the Urban Affairs Committee on August 16.