

City of Marlborough Public Meeting Posting

Meeting Name: City Council Urban Affairs Committee
Date: March 15, 2023
Time: 7:00 PM
Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

This meeting will be held in the City Council Chamber. Public attendance is permitted. The 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's website, home page (www.marlborough-ma.gov).

Order No.2022-1008768: Application for a Special Permit from Stephen Copper, on behalf of Alliance Health & Human Services to renovate 10,490 sf of the existing building to provide twelve (12) rest home beds at 720 Boston Post Road East within the Wayside Zoning District. Public Hearing held on January 23, 2023.

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.



IN CITY COUNCIL

Marlborough, Mass., JANUARY 23, 2023
PAGE 1

ORDERED:

That the PUBLIC HEARING on the Application for Special Permit from Stephen Copper, on behalf of Alliance Health & Human Services to renovate 10,490 sf of the existing building to provide twelve (12) rest home beds at 720 Boston Post Road East within the Wayside District, Order No. 22-1008768, all were heard who wish to be heard, hearing closed at 8:19 PM.

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

PUBLIC SPEAKING IN FAVOR

Speaking in favor was Mary Kilcommons, the Director of Operations for Alliance Health & Human Services. Alliance Health at Marie Esther is a skilled nursing facility which they acquired approximately four years ago. They are proposing an addition of twelve beds to their rest home unit in the existing footprint of the building. They are a skilled nursing facility, rest home, and rehab center. They provide short term rehab, long term care, and rest home services. This addition would allow them to provide more services for the women of this community, they have an all-woman facility which is unique. There was the former facility for The Sisters of Saint Anne which they stepped in to assist and in order to continue to allow that facility to operate and succeed. Hence, the need for twelve more beds. It has been very successful, and they want to continue that in this community. Ms. Kilcommons was available to answer any questions.

Katherine Robinson represents LWDA, an architectural firm in Concord, Massachusetts and they did the plans for the renovation project. They would appreciate the City Council's support, were available to answer questions, and support the application.

QUESTIONS FROM THE PUBLIC

There were no questions from the public.

PUBLIC SPEAKING IN OPPOSITION

No one spoke in opposition.

QUESTIONS FROM THE CITY COUNCIL

Councilor Oram asked if it was a skilled nursing facility or if the nurses come to visit the patients because he did not see any nursing offices in the plans. Ms. Robinson explained it is a skilled nursing facility however there is a rest home portion. She further explained there are many different categories of skilled nursing and rest home is the least stringent medically speaking. There are nurses on staff, there are people who assist with residents taking their medications but people in rest homes generally do not need a lot of nursing assistance, they are there for more of an assisted living arrangement.



IN CITY COUNCIL

Marlborough, Mass., JANUARY 23, 2023
PAGE 2

ORDERED:

Councilor Oram thanked Ms. Robinson for the clarification because he saw rest home on one of the plans, but it was also stating it was a skilled nursing facility. Ms. Robinson explained skilled nursing is a technical term. This is a licensed skilled nursing facility under the Department of Public Health. There are rest homes that are not licensed but this one is, and it is skilled nursing.

Councilor Oram stated he recently had a family member enter an upper skilled nursing home versus a rest home and he was unclear on the difference. Ms. Robinson explained not as many staff members are needed because people are more mobile and able to take care of some of their own activities of daily living. As an example, they have showers in their bedrooms and people are generally able to help themselves. In the bathroom, they have grab bars and things that assist but if they need assistance, they can get it.

That ends the entire Public Hearing. This is currently in the Urban Affairs Committee.

ADOPTED

ORDER NO. 22/23-1008768A



City of Marlborough
CODE ENFORCEMENT

140 MAIN STREET
MARLBOROUGH, MA 01752
TEL. (508) 460-3776 FACSIMILE (508) 460-3736
BUILDING_DEPT@MARLBOROUGH-MA.GOV

TIN HTWAY
BUILDING COMMISSIONER

PAMELA WILDERMAN
CHIEF CODE ENFORCEMENT
OFFICER

November 30, 2022

Steve Copper, Executive Director
Alliance Health at Marie Esther
720 Boston Post Rd East
Marlborough, MA 01752

**RE: SPECIAL PERMIT REQUIREMENT
INTERIOR RENOVATION & EXPANSION OF USE
720 BOSTON POST RD – EAST, MARLBOROUGH MA**

The building permit, HBP-11771, "Interior renovations of the 1st floor to create 12 new guest rooms for "Marie Esther Rest Home" was issued in error. The proposed work for expansion of a pre-existing non-conforming use would require prior approval from the City Council per Chapter 650. §650-12(b) Nonconforming Uses.

This office does not anticipate that this will be a difficult process as the property is large enough to accept the addition. We hope that your December 6, 2022, Open House goes well but we would need to discuss this process immediately after the event. Failure to address this issue in a timely manner may cause the revocation of the building permit, Certificate of Occupancy, and code enforcement action for non-compliance with the City of Marlborough, Zoning Ordinance Chapter 650.

Sincerely,

Tin Htway, C.B.O.
Marlborough Building Commissioner

Cc: File



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 19, 2022

ORDERED:

That there being no objection thereto set **MONDAY JANUARY 23, 2023**, as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Stephen Copper, on behalf of Alliance Health & Human Services to renovate 10,490 sf of the existing building to provide twelve (12) rest home beds at 720 Boston Post Road East within the Wayside District, be and is herewith referred to the **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 04/23/23 which falls on a Sunday, therefore 04/24/23 would be considered the 90th day.

ADOPTED

ORDER NO. 22-1008768

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT: 12

1. Name and address of Petitioner or Applicant:

Alliance Health & Human Services, 144 Turnpike Road, Suite 220, Southborough, MA 01752

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

720 Boston Post Road E, Marlborough, MA 01752 61-7

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

Marie Esther Health Center, Inc.

4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.)

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

Article IV Section 650 Paragraph 12 Sub-paragraph B

6. Zoning District in which property in question is located:

Wayside

7. Specific reason(s) for seeking Special Permit

The property owner requests permission to renovate 10,490 SF of the existing building to provide twelve (12) rest home beds. The renovated area previously contained four (4) guest rooms and a community room, conference room, parlor, office, coat area, and men's toilet room. This project has already been constructed as the building permit was issued in error before the need for a special permit was identified.

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.

Stephen Copper

Signature of Petitioner or Applicant

Address: **45 Lebeaux Drive**

Shrewsbury, MA 01545

Telephone No. **508-868-9825**

Date: **12/13/22**

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

Stephen Copper

(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: Stephen Copper Address: 720 Boston Post Road E, Marlborough, MA

Project Name: Marie Esther Rest Home Expansion Address: 720 Boston Post Road E, Marlborough, MA

1. PROPOSED USE: (describe) Twelve (12) private rest home bedrooms with private baths.

2. EXPANSION OR NEW: None - This project is an interior renovation within the existing building.

3. SIZE: floor area sq. ft. 10,490 SF Reno. 1st floor 31,477 SF all floors 80,000 SF

buildings 1 # stories 3 lot area (s.f.) 1,001,729 SF

4. LOT COVERAGE: 13.48 % Landscaped area: 86.52 %

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

Normal: 127 Peak period: 142

6. TRAFFIC: THE NEW RESIDENTS WILL NOT DRIVE SO THERE

(A) Number of vehicles parked on site: WILL BE MINIMAL TRAFFIC IMPACT

During regular hours: 45 Peak period: 50

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

Waste Removal: Monday & Friday each week Ambulances: Twice daily Haz. Waste Removal: Monthly

Supply Delivery: Bi-weekly Monday & Thursday Food Delivery: Tuesday & Thursday each week

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Existing overhead light poles and building mounted lighting.

The existing site lighting and the light entering neighboring properties is unchanged.

8. NOISE:

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

No significant change

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None

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

Cars and Trucks

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? Bio-hazard waste will be on site. It is stored in a locked closet. 1-30 gallons is stored on a daily basis and removed monthly.

***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: 12/14/22

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Marie Esther Rest Home Expansion

Project Use Summary: Rest Home

Project Street Address: 720 Boston Post Road, Marlborough, MA 01752

Plate: 61 Parcel: 7

Applicant/Developer Name: Alliance Health & Human Services

Plan Date: 3/4/22 & 05/16/22 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,

Tin Htway
Acting Director of Planning

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

\$500.00









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

Signature

Date

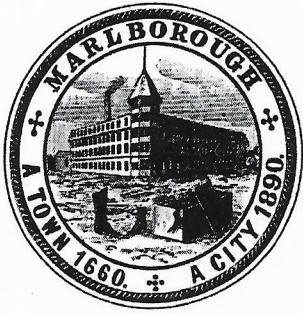
Thank you for your cooperation in this matter.

Sincerely,

*Steven W. Kerrigan
City Clerk*

**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.

MARIE ESTHER HEALTH CENTER IS A 501 C3 (NOT FOR PROFIT ENTITY)
AND IS EXEMPT FROM PAYING REAL ESTATE TAXES.

Company Name

Alliance Health & Human Services

Owner Name/Officer Name of LLC or Corporation

Marie Esther Health Center, Inc.

Owner/Officer Complete Address and Telephone Number

Marie Esther Health Center, Inc.

720 Boston Post Road E

Marlborough, MA 01752

Signature of Applicant

Stephen Copper

Attorney on behalf of Applicant, if applicable

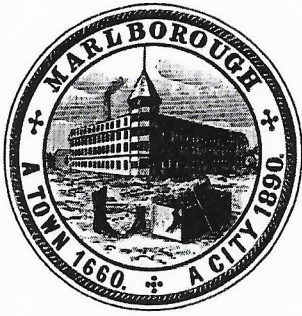
The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.

CJ

Tax Collector

**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

Alliance Health & Human Services

Owner Name/Officer Name of LLC or Corporation

Marie Esther Health Center, Inc.

Owner/Officer Complete Address and Telephone Number

Marie Esther Health Center, Inc.

720 Boston Post Road E

Marlborough, MA 01752

Signature of Applicant

Stephen Rappier

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.

[Signature]

Tax Collector