

City of Marlborough Public Meeting Posting

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Meeting Name: City Council Urban Affairs Committee

Date: September 26, 2023

Time: 7:30 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

2023 SEP 20 PM 4:08

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).

08-21-2023 – Order No.23-1008952: Application for Special Permit from Attorney Brian Falk on behalf of Post Road Realty, LLC to construct a multi-family and commercial (retail/restaurant /other commercial use) project in the Executive Residential Overlay (EROD) District which will consist of 475 residential units, 4,800 s.f. of commercial space, 754 parking spaces, open space, landscaping and walking trails at Simarano Drive, Cedar Hill Street and Green District Boulevard. Public Hearing held on September 18, 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.

Comments
From
City Managers

City Council

From: Kevin Breen
Sent: Thursday, September 21, 2023 4:07 PM
To: City Council; Thomas DiPersio; Tin Htway; David Giorgi; Priscilla Ryder
Cc: Karen Boule; Kathleen Robey; Mike Ossing; Jeffrey Emanuelson
Subject: RE: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Good Afternoon:

Thank you for providing an opportunity to share comments for this project. We at Marlborough FD have seen conceptual designs. I recall the developer has made some minor modifications/changes to the roadway and we have to confirm truck movements and allay concerns about emergency access to both Phase 3 and 4 A&B. These are issues we can review/monitor as we proceed.

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, September 20, 2023 4:05 PM
To: Thomas DiPersio <tdipersio@marlborough-ma.gov>; Tin Htway <thtway@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>
Cc: Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mike Ossing <atlarge_3@marlborough-ma.gov>
Subject: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

FOR YOUR COMMENT TO ASSIST THE COMMITTEE IN ITS DELIBERATIONS.
THANKS.

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

City Council

From: Tin Htway
Sent: Friday, September 22, 2023 4:30 PM
To: City Council
Cc: Kevin Breen; Thomas DiPersio; David Giorgi; Priscilla Ryder; Karen Boule; Kathleen Robey; Mike Ossing; Jeffrey Emanuelson
Subject: Re: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Building has no additional comments.

Best Regards,

Tin Htway, CBO
Building Commissioner
Marlborough Building Department
140 Main St. 2nd Floor, City Hall
Marlborough, MA 01752
(508) 460-3776 option 3

Sent from iPhone, apologies for any typos.

On Sep 22, 2023, at 4:05 PM, City Council <citycouncil@marlborough-ma.gov> wrote:

Heard from Chief Breen as shown below...anyone else care to share. 😊
KB

From: Kevin Breen <kbreen@marlborough-ma.gov>
Sent: Thursday, September 21, 2023 4:07 PM
To: City Council <citycouncil@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Tin Htway <thtway@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>
Cc: Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mike Ossing <atlarge_3@marlborough-ma.gov>; Jeffrey Emanuelson <jeffemanuelson@marlborough-ma.gov>
Subject: RE: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Good Afternoon:

Thank you for providing an opportunity to share comments for this project. We at Marlborough FD have seen conceptual designs. I recall the developer has made some minor modifications/changes to the roadway and we have to confirm truck movements and allay concerns about emergency access to both Phase 3 and 4 A&B. These are issues we can review/monitor as we proceed.

Thank you,

City Council

From: Thomas DiPersio
Sent: Monday, September 25, 2023 11:08 AM
To: City Council; Kevin Breen; Tin Htway; David Giorgi; Priscilla Ryder
Cc: Karen Boule; Kathleen Robey; Mike Ossing; Jeffrey Emanuelson
Subject: RE: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Good morning,

I have the following comments on the draft Special Permit:

- The applicant is proposing a significant relocation of Green District Boulevard through the 'Phase 3' site. This will necessitate the relocation of utility lines and the existing stormwater management facilities for 'Phases 1 and 2'. It also will necessitate substantial wetland buffer zone impacts. This extent of this relocation warrants further consideration. I recommend a condition that the applicant evaluate the use of parking decks for 'Phase 3', as they are proposing on 'Phase 4', in order to reduce the overall parking footprint so that the entire site can be moved to the southeast away from the wetlands.
- The following should be added to Condition 6 - Crosswalk Installation: The crosswalk work shall include proper wheelchair ramps, and pedestrian signals which are integrated into the existing traffic signal equipment.
- I request an additional condition that the applicant shall incorporate an assessment of existing drainage issues along the property line between 'Phase 4' and Cedar Hill Street into their overall site stormwater management design.
- Finally, the applicant should share up-to-date parking data from the Phase 1 site (number of units currently occupied vs average number of parking spaces being utilized per day). This could be helpful information for the Council, and also to be used during the future review of the Phase 3 and 4 site designs.

Please contact me with any questions.

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: Friday, September 22, 2023 4:05 PM

To: Kevin Breen <kbreen@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; Tin Htway <thtway@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>

Cc: Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mike Ossing

City Council

From: David Giorgi
Sent: Monday, September 25, 2023 8:08 PM
To: Thomas DiPersio; City Council; Kevin Breen; Tin Htway; Priscilla Ryder
Cc: Karen Boule; Kathleen Robey; Mike Ossing; Jeffrey Emanuelson
Subject: Re: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Good Evening,

With respect to traffic volume and the addition of Phase 3 and Phase 4 of the Green District, a review of the Traffic analysis report reveals that approximately 60% of those vehicles will be moving to and from Rt. 495. Therefore the impact on vehicle congestion should be minimal.

Outside of this issue, the other concern for the Police Department, as with other large scale residential projects, is the potential for an increase in calls for service that comes from adding more residential units.

Thank you,

D. Giorgi

Chief David A. Giorgi
Marlborough Police Department
355 Bolton Street
Marlborough, MA 01752
Office: (508)485-1212 ext. 36974
Fax: (508)624-6938
FBI NA #234

From: Thomas DiPersio <tdipersio@marlborough-ma.gov>
Sent: Monday, September 25, 2023 11:07:55 AM
To: City Council <citycouncil@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; Tin Htway <thtway@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>
Cc: Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mike Ossing <atlarge_3@marlborough-ma.gov>; Jeffrey Emanuelson <jeffemanuelson@marlborough-ma.gov>
Subject: RE: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

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- The following should be added to Condition 6 - Crosswalk Installation: The crosswalk work shall include proper wheelchair ramps, and pedestrian signals which are integrated into the existing traffic signal equipment.

City Council

From: Priscilla Ryder
Sent: Tuesday, September 26, 2023 4:38 PM
To: City Council
Cc: Mayor; Patricia Bernard; Thomas DiPersio; Tin Htway; Kevin Breen; David Giorgi; Kathleen Robey; Mike Ossing; Jason Grossfield
Subject: RE: TO MANAGERS FOR COMMENT: From Atty. Falk: Green District Special Permit Draft Decision for September 26, 2023 Urban Affairs Committee Meeting Review

Hi,

I have reviewed the Draft Special Permit Decision for the Green District Phases 3 & 4 and have the following minor comments.

1. The document references Map 116 parcels 5 & 12 which are part of Phases 1 & 2, the work of this special permit is for Map 116 parcels 11 & 13 so I'm just confirming these parcels should be referenced here too.
2. The last sentence in C. 2. Indicates that the Building Commissioner may approve minor changes to Special permit and Site Plan. In the past this was only allowed for Site Plan changer, so I just bring this to your attention to be sure that's what you wanted.
3. The Conservation Commission has had some conversations with the developer about the layout of the project and the adjacent wetlands. The new roadway does cut into wetland buffer zone significantly. In our discussion with the developer, we have agreed that conceptually this layout they have shown is just the concept but reserved the ability through the Site Plan Review and Conservation Commission review process to make adjustments to buildings and roadways to ensure full protection of the wetland resources. There is a vernal pool on site that we will look at closely to ensure it will remain viable. These can be worked out through the Site Plan Review process, and the language of this special permit allows that flexibility.
4. During the site plan review design, we will look closely at landscaping and shade trees along roadways to minimize heat island effect.
5. I didn't see any condition that these building will be energy efficient and "green". A condition to require this should be included, as we are striving to be a greener community.

Thanks, sorry for the late reply.

Any questions please let me know.

Priscilla Ryder

Conservation/ Sustainability Officer

140 Main St., City Hall, Marlborough, MA 01752 tel: 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: Wednesday, September 20, 2023 4:05 PM

To: Thomas DiPersio <tdipersio@marlborough-ma.gov>; Tin Htway <tthtway@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Priscilla Ryder <pryder@marlborough-ma.gov>

Cc: Karen Boule <kboule@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>; Mike Ossing <atlarge_3@marlborough-ma.gov>

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

In City Council
Order No. # 23-1008952

Application of:
Post Road Realty LLC

Locus:
Simarano Drive, Cedar Hill Street, and Green District Boulevard, Marlborough, MA
Parcels 5, 11, 12, and 13 on Assessors Map 116

DECISION
The City Council of the City of Marlborough hereby **GRANTS** the Application of Post Road Realty LLC, with a mailing address of 11 Unquowa Road, Fairfield, CT, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: _____, 2023

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the [] day of [], 2023.

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:
Post Road Realty LLC

Locus:
Simarano Drive, Cedar Hill Street, and Green District Boulevard, Marlborough, MA
Parcels 5, 11, 12, and 13 on Assessors Map 116

**DECISION ON A SPECIAL PERMIT
ORDER NO. 23-1008952**

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Post Road Realty LLC (the “Applicant”) to build and operate a two-phase mixed-use project, with 475 residential units and commercial space (retail/restaurant/other commercial use), at Simarano Drive, Cedar Hill Street, and Green District Boulevard, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, Post Road Realty LLC, is a Connecticut limited liability company with an address of 11 Unquowa Road, Fairfield, CT 06824.
2. The Applicant is the prospective owner of the property located at Simarano Drive, Cedar Hill Street, and Green District Boulevard in Marlborough, Massachusetts, being shown as Parcels 5, 11, 12, and 13 on Assessors Map 116 (the “Site”).
3. In accordance with Article VI, Section 650-36.D(2), of the Zoning Ordinance of the City of Marlborough (the “Zoning Ordinance”), the Applicant proposes to build and operate a two-phase mixed-use, multi-family residential and commercial (retail/restaurant/other commercial use) project, with 475 residential units, commercial space, on-site parking, open space areas, walking trails, and residential amenities (the “Use”).
4. The Site is located in the Executive Residential Overlay District.
5. The Site has an area of 1,873,840 square feet +/- as shown on the Site Plan referenced in paragraph 7 below.

6. 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.

7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, and a detailed site plan entitled “Green District Phases 3 & 4”, with civil engineering plans by Hancock Associates, a set of architectural plans by Bargmann Hendrie + Archetype, Inc., and a landscaping plan by Brown + Sardina, with a last revision date of August 16, 2023 (collectively, the “Site Plan”, attached hereto as “Attachment A.”)

8. 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.

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, September 18, 2023. The hearing was closed on that date.

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 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 to build and operate a two-phase mixed-use project, with 475 residential units and commercial space (retail/restaurant/other commercial use), as shown on the

Site Plan, 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 Site Plan 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 City Council in accordance with Section 650-36 of the Zoning Ordinance prior to the issuance of a building permit. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Site Plan submitted, reviewed, and approved by the City Council as the Special Permit Granting Authority. Any additional changes, alterations, modifications, or amendments, as required during the process of Site Plan Review, shall be further conditions of this Special Permit and conditions attached to the building permit, and a final occupancy permit shall not be issued until the Applicant has complied with all conditions, provided, however, that subsequent to the issuance of this Special Permit and Site Plan Approval, the Site Plan Review Committee may authorize the phasing of site and building work depending upon weather conditions and other factors. In accordance with Section 650-36.H of the Zoning Ordinance, the Building Commissioner may approve minor modifications to the Special Permit and the Site Plan.

3. 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. The final architectural design of the Site shall be reasonably consistent with the Site Plan submitted by the Applicant. The final exterior features of the Site, including landscaping, shall be maintained in good condition and shall be reasonably consistent with the Site Plan submitted and representations made to the City Council.

4. Storm Water and Erosion Control Management. The Applicant 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 shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.

5. Affordable Units. Ten percent (10%) of the dwelling units at the Site shall be made available at affordable prices to renters, in accordance with the provisions of Section 650-26 of the Zoning Ordinance. In lieu of requiring that fifteen percent (15%) of the dwelling units

at the Site be made available at affordable prices to renters, the Applicant shall provide a payment to the City of \$50,000 per affordable dwelling unit that would have been otherwise required under Section 650-26 of the Zoning Ordinance. For Phase 3 of the Use, the number of applicable units is 12, for a total payment of \$600,000. For Phase 4 of the Use, the number of applicable units is 12, for a total payment of \$600,000. The payments required by this condition shall be made prior to the issuance of a building permit for Phase 3 and Phase 4, respectively, and shall be payable to a fund or funds designated by the City Council prior to submission of each payment.

6. Crosswalk Installation. Not later than the issuance of a final certificate of occupancy for Phase 4 of the Use, the Applicant shall have a crosswalk installed across Simarano Drive, connecting to the sidewalk along Cedar Hill Street.

7. Conservation Commission Approval. The Applicant shall obtain and comply with an Order of Conditions from the City's Conservation Commission.

8. Compliance with Applicable Laws. The Applicant agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.

9. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, 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: _____

ADOPTED
In City Council
Order No. # 23-1008952

Adopted: _____ 2023

Approved by Mayor
Arthur Vigeant

Date: _____ 2023

A TRUE COPY

ATTEST: _____ City Clerk



IN CITY COUNCIL

Marlborough, Mass., AUGUST 21, 2023

ORDERED:

That there being no objection thereto set **MONDAY SEPTEMBER 18, 2023**, as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk on behalf of Post Road Realty, LLC to construct a mixed-use, multi-family residential and commercial (retail/restaurant/other commercial use) project in the Executive Residential Overlay District (EROD) which will consist of 475 residential units at the corner of Simarano Drive and Cedar Hill Street, be and is herewith referred to the **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 12/17/23 which falls on a Sunday, therefore 12/18/23 would be considered the 90th day.

ADOPTED

ORDER NO. 23-1008952
X 19-1007762C

MIRICK O'CONNELL

A T T O R N E Y S A T L A W

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

August 16, 2023

BY HAND DELIVERY

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

Re: Special Permit Application: Green District Phases 3 & 4;
Mixed-Use Development (Multifamily and Commercial)

Dear Councilor Ossing:

Enclosed please find a special permit application package submitted on behalf of my client, Post Road Realty LLC, for a mixed-use development (multifamily and commercial) in the Executive Residential Overlay District at the corner of Simarano Drive and Cedar Hill Street.

Post Road is proud of the Green District, a premier community providing beautiful, modern homes for its residents with unrivaled indoor and outdoor amenities. With Phase 1 (The Burrow) approaching full occupancy and Phase 2 (The Lodge) under construction, Post Road is excited to bring forward plans for Phases 3 and 4 of the Green District community.

This application proposes a mixed-use development with 475 residential units, 4,800 square feet of commercial space at the corner of Simarano and Cedar Hill, 754 parking spaces, walking trails, resident amenities, and landscaped areas. The plans submitted with this application benefit from initial discussions with the City's Site Plan Review Committee, which encouraged Post Road to increase sideline buffers and landscaping, include additional trees along Green District Boulevard, and provide connectivity to the Boroughs Loop Trail system.

Under M.G.L. c. 40A, Sec. 9, a special permit for the project requires a simple majority vote because this is a mixed-use development in a center of commercial activity in Marlborough that will restrict at least 10% of its residential units as affordable.

Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

Encl.

**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:

Post Road Realty LLC, 11 Unquowa Road, Fairfield, CT 06824

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

Simarano Drive, Cedar Hill Street, and Green District Boulevard; Parcels 116-5, 116-11, 116-12, and 116-13

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

Marlborough Apartment Partners 2 LLC and Green District Owner LLC, 11 Unquowa Road, Fairfield, CT 06824

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

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

Article VI Section 650 Paragraph 36 Sub-paragraph D(2)

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

Executive Residential Overlay District

7. Specific reason(s) for seeking Special Permit

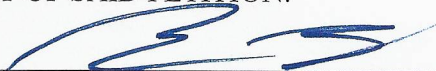
The Applicant proposes a mixed-use, multifamily and commercial (retail/restaurant/other commercial use)

project in the Executive Residential Overlay District as Phase 3 and Phase 4 of the Green District community.

The project will consist of 475 residential units, 4,800 s.f. of commercial space, 754 parking spaces, open space,
landscaping, and walking trails.

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
Attorney Brian R. Falk, Attorney for Applicant
Address: Mirick O'Connell
100 Front Street
Worcester, MA 01608

Telephone No. 508-929-1678

Date: 8/16/2023

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

Post Road Realty LLC (Green District , Phase 3 and Phase 4)

(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: Post Road Realty LLC Address: 11 Unquowa Road, Fairfield, CT 06824
Simarano Drive, Cedar Hill Street, and
Project Name: Green District, Phases 3 and 4 Address: Green District Boulevard

1. PROPOSED USE: (describe) _____
Mixed-use, multifamily and commercial (retail/restaurant/other commercial use)
2. EXPANSION OR NEW: New
3. SIZE: floor area sq. ft. 114,710 1st floor 114,710 all floors 533,350
buildings 3 # stories 5 lot area (s.f.) 1,873,840 s.f. (entire EROD)
4. LOT COVERAGE: 43.2 % %Landscaped area: 65.8% % (Entire EROD)
5. POPULATION ON SITE: Number of people expected on site at anytime:
Normal: 713 (1.5 per unit) Peak period: 713 (1.5 per unit)
plus 25 in commercial space plus 25 in commercial space
6. TRAFFIC:
(A) Number of vehicles parked on site:
During regular hours: 566 Peak period: 679
(B) How many service vehicles will service the development and on what schedule?
Periodic rubbish and recycling removal, maintenance vehicles, deliveries, move-ins and outs, commensurate with a mixed multifamily and commercial use.
7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Standard downward facing light fixtures.
8. NOISE:
(A) Compare the noise levels of the proposed development to those that exist in the area now.
Same as Phase I (The Burrow)
(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. Resident, customer, and employee vehicles, delivery and service vehicles, use of exterior areas by residents and customers.
9. AIR: What sources of potential air pollution will exist at the development? _____
Vehicles.
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: 8/15/2023

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Green District , Phase 3 and Phase 4

Project Use Summary: Mixed-use, multifamily and commercial (retail/restaurant/other commercial use)

Project Street Address: Simarano Drive, Cedar Hill Street, and Green District Boulevard

Plate: _____ Parcel: Parcels 116-5, 116-11, 116-12, and 116-13

Applicant/Developer Name: Post Road Realty LLC

Plan Date: August 16, 2023 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**

\$12,600

Residential Base Fee:	\$300
\$25 per res. unit over 3:	\$11,800 (\$25 X472)
Commercial Base Fee:	\$500
Total:	<u>\$12,600</u>



**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 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

Post Road Realty LLC

Owner Name/Officer Name of LLC or Corporation

Marlborough Apartment Partners 2 LLC; Green District Owner LLC

Owner/Officer Complete Address and Telephone Number

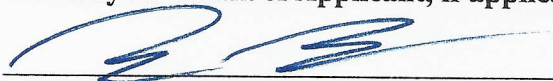
11 Unquowa Road

Fairfield, CT 06824

508-929-1678

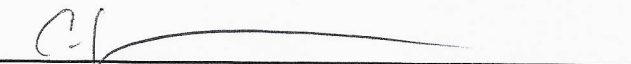
Signature of Applicant

Attorney on behalf of Applicant, if applicable



Brian Falk, Esq., on behalf of the Applicant

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



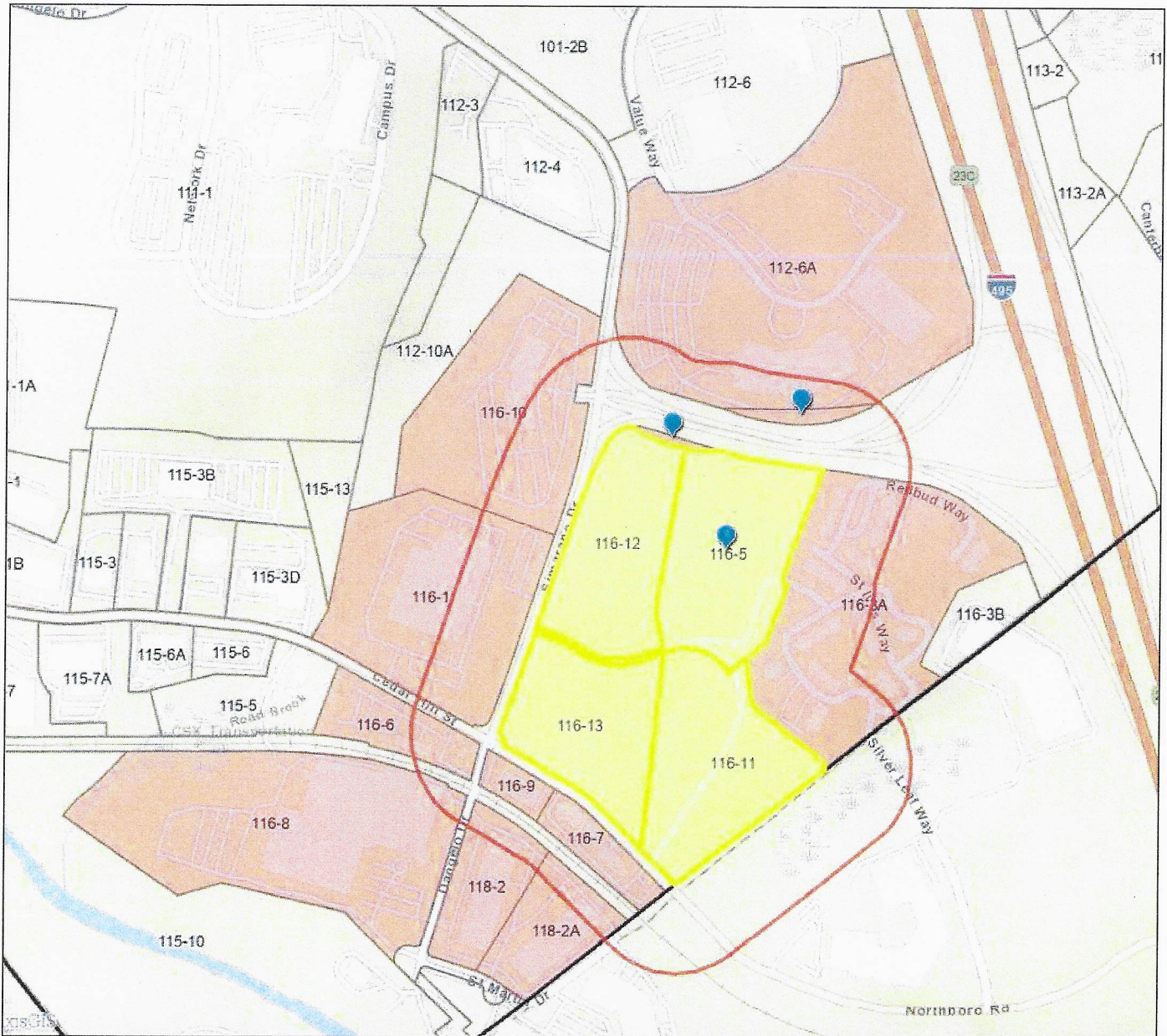
Tax Collector

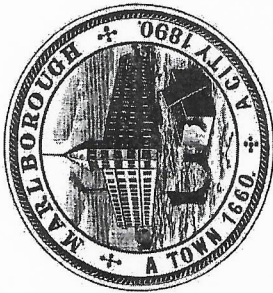


City of Marlborough
 Office of the Assessors
 140 Main Street
 Marlborough, Massachusetts 01752
 TDD (508) 460-3610
 Phone: (508) 460-3779

ABUTTERS LIST MAP

(116-5)(116-11)(116-12)(116-13) SIMARANO DR, CEDAR HILL ST, GREEN DISTRICT BLVD
 CITY COUNCIL - 400 FT





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CERTIFIED ABUTTERS LIST

(116-5)/(116-11)(116-12)/(116-13) SIMARANO DR, CEDAR HILL ST, GREEN DISTRICT BLVD : CITY COUNCIL 400 FT

PARCEL #	GIS NUMBER	CAMA #	PROPERTY ADDRESS	OWNER NAME	CO-OWNER	OWNER ADDRESS	O_CITY	O_STATE	O_ZIP	USE_CODE
112-6A	M_193633_896910	112-6A	400 VALUE WAY	TXJ COMPANIES INC		PO BOX 5369	COCHITUATE	MA	01778-6369	3400
116-1	M_193265_896494	116-1	445 SIMARANO DR	METROPOLIS BLOOMFIELD INVESTORS LP		ONE MARKET ST STE 4025	SAN FRANCISCO	CA	94105	4000
116-10	M_193363_896751	116-10	377 SIMARANO DR	IPG PHOTONICS CORPORATION		50 OLD WEBSTER RD	OXFORD	MA	01540	3400
116-3A	M_193862_896487	116-3A	65 CEDAR HILL ST	G5 STONEGATE PROJECT OWNER LLC		750 BERING DR SUITE 300	HOUSTON	TX	77057	1120
116-5A	M_193711_896749	116-5A	SIMARANO DR	CITY OF MARLBOROUGH		140 MAIN ST	MARLBOROUGH	MA	01752	9300
116-5B	M_193565_896723	116-5B	SIMARANO DR	CITY OF MARLBOROUGH		140 MAIN ST	MARLBOROUGH	MA	01752	9300
116-6	M_193156_896345	116-6	100 CEDAR HILL ST	SUBURBAN PROPANE LP		240 ROUTE 10 WEST	WHIPPANY	NJ	07981-0206	4020
116-7	M_193451_896185	116-7	40 CEDAR HILL ST	40 CEDAR HILL LLC		PO BOX 836	MARLBOROUGH	MA	01752	4000
116-8	M_193033_896186	116-8	1A DANGELO DR	CROWLEY FRANK A III TR		1 DANGELO DR PO BOX 849	MARLBOROUGH	MA	01752	4000
116-9	M_193353_896251	116-9	72 CEDAR HILL ST	CMJ REALTY TRUST LLC		72 CEDAR HILL ST #C	MARLBOROUGH	MA	01752	4020
118-2	M_193336_896098	118-2	50 DANGELO DR	MARLBOROUGH ROYCE LLC		220 WEST GERMANTOWN PIKE STE 250	PLYMOUTH MEETING	PA	19462	4010
118-2A	M_193425_896038	118-2A	24 ST MARTIN DR	24 ST MARTIN DRIVE LLC		1 DUNDEE PARK STE 3	ANDOVER	MA	01810	4010

This is to certify that the owners listed above are as shown in the latest Assessors records.

John H. Valade
 JOHN VALADE, PRINCIPAL ASSESSOR
 7/26/2023

Date