

Marlborough Community Development Authority
Motion to List for Sale Real Property Located at 16 Clinton Street

WHEREAS, the Marlborough Community Development Authority (MCDA) owns a certain parcel of land located at 16 Clinton Street in Marlborough as shown on Assessors' Map 58, Parcels 7, ("the Property"),

WHEREAS, the MCDA has determined that the property is no longer needed,

NOW THEREFORE, at their regular Board of Directors meeting on March 30th, 2017 held at 8:45 a.m. at 140 Main Street, Marlborough, the MCDA Board by majority vote to make said land available for disposition subject to the following restrictions, including but not limited to:

1. The building of a single family home whose design fits in with the surrounding neighborhood, and
2. Subject to a variance dated June 13, 2013 and recorded at the Middlesex South Registry of Deeds, Book 62591, Page 224.

MCDA Members Present: 8 MCDA Members Absent: 0

Signatures of MCDA Members Approving this Motion:

Genevieve Cardenas *Stefania Forreclina*
A.P.C. *Paul & Sherry*
Donna

Arthur Vigier
Arthur Vigier, Mayor & Chair of the MCDA

3/30/, 2017
DATE

 Assessment and Sales Report

Location & Ownership Information

Address:	16 Clinton St, Marlborough, MA 01752-2314		
Map Ref.:	M:058 B:007 L:000	Zoning:	
Owner 1:	Marlborough Community Dev		
Owner 2:			
Owner Address:	255 Main St, Unit 212, Marlborough, MA 01752-5505		

Property Information

Use:		Style:	
Levels:	0	Lot Size:	0.15 Acres (6470 sqft.)
Year Built:		Total Area:	0 sqft.
Total Rooms:	0	Living Area:	0 sqft.
Bedrooms:	0	First Floor Area:	0 sqft.
Full Baths:	0	Addl Floor Area:	0 sqft.
Half Baths:	0	Attic Area:	0 sqft.
Roof Type:		Finished Basement:	0 sqft.
Heat Type:		Basement:	0 sqft.
Fuel Type:		Basement Type:	
Exterior:		Attached Garage:	0
Foundation:		Other Garage:	0
Air Conditioned:	No	Fireplaces:	0

Condition:

Assessment Information

Last Sale Date:	4/2/2010	Last Sale Price:	\$200,000
Last Sale Book:	54494	Last Sale Page:	439
Map Ref.:	M:058 B:007 L:000	Tax Rate (Res):	15.32
Land Value:	\$87,600	Tax Rate (Comm):	26.41
Building Value:	\$0	Tax Rate (Ind):	26.41
Misc Improvements:	\$0	Fiscal Year:	2017
Total Value:	\$87,600	Estimated Tax:	\$1,342.03

Sales History

Recent Sale #1

Sale Price:	\$200,000	Sale Date:	4/2/2010
Buyer Name:	Marlborough Cmnty Dev Aut	Seller Name:	Us Bk
Lender Name:		Mortgage Amount:	\$0
Sale Book:	54494	Sale Page:	439

Recent Sale #2

Sale Price:	\$173,000	Sale Date:	10/29/2009
Buyer Name:	Us Bk	Seller Name:	Maria A Noriega
Lender Name:		Mortgage Amount:	\$0
Sale Book:	53747	Sale Page:	72

Recent Sale #3

Sale Price:	\$337,250	Sale Date:	8/4/2003
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Buyer Name:	Steven D Anastasia	Lender Name:	Greenpoint Mtg Corp
Mortgage Amount:	\$33,000	Mortgage Date:	4/6/2001
Mortgage Book:	0	Mortgage Page:	0

The information in the Public Record is set forth verbatim as received by MLS PIN from third parties, without verification or change.
MLS PIN is not responsible for the accuracy or completeness of this information.



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QUITCLAIM DEED

U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust, 2006-HE2 a national association duly established under the laws of the United States of America and having its usual place of business at 425 Walnut Street, Cincinnati, OH 45202.

For consideration paid, and in full consideration of TWO HUNDRED THOUSAND AND 00/100 (\$200,000.00) DOLLARS

grants to **MARLBOROUGH COMMUNITY DEVELOPMENT AUTHORITY**
of 255 Main Street, Suite 212, Marlborough, MA

with Quitclaim Covenants the following described premises:

ALL THE LAND IN SAID MARLBOROUGH WITH THE BUILDINGS THEREON SITUATED ON THE WESTERLY SIDE OF CLINTON STREET AND BOUNDED; BEGINNING AT THE NORTHEASTERLY CORNER OF SAID GRANTED PREMISES AT A POINT ON THE WESTERLY SIDE OF SAID CLINTON STREET AND AT LAND NOW OR FORMERLY OF MINA M. PAINTON; AND RUNNING THENCE WESTERLY BY LAST-MENTIONED LAND AND LAND NOW OR FORMERLY OF JOSEPHINE D. GEYER ONE HUNDRED TWENTY EIGHT AND EIGHT TENTHS (128.8) FEET TO LAND NOW OR FORMERLY OF RICHARDSON THENCE RUNNING SOUTH 5 1/2 DEG. WEST FORTY-EIGHT (48) FEET BY LAST MENTIONED LAND TO LAND NOW OR FORMERLY OF EDWIN R. CLARK; THENCE RUNNING EASTERLY BY LAST MENTIONED LAND ONE HUNDRED AND NINE TENTHS (120.9) FEET TO SAID STREET; THENCE NORTHERLY BY SAID STREET FIFTY-FIVE AND EIGHT TENTHS (55.8) FEET TO THE POINT OF BEGINNING.

For title reference see Foreclosure Deed recorded with the Middlesex County (Southern District) Registry of Deeds in Book 53747, Page 72.

This conveyance is in the ordinary course of business and does not constitute a transfer of all or substantially all of the assets of U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust, 2006-HE2, in Massachusetts.

The Seller is exempt from paying excise taxes because the Buyer is a government municipality.

16 Clinton St., Marlboro, MA 01752

Marlborough Redevelopment Auth.
255 Main St, Suite 212
Marlboro, MA 01752

WITNESS the execution and corporate seal of the corporation, this 13th day of March, 2010.

U.S. Bank National Association, as Trustee for MASTR
Asset Backed Securities Trust, 2006-HE2
By: Wells Fargo Bank, N.A., Its Attorney in Fact

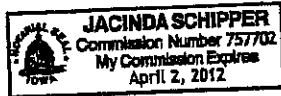
Melanie Hopke
By: MELANIE HOPKE
Vice President Loan Documentation

STATE OF Iowa

_____, ss.

March 10, 2010

Then personally appeared the above-named Melanie Hopke, the
VP of Wells Fargo Bank, N.A., Attorney in Fact for U.S. Bank
National Association, as Trustee for MASTR Asset Backed Securities Trust, 2006-HE2, and
acknowledged the foregoing to be the free act and deed of U.S. Bank National Association, as
Trustee for MASTR Asset Backed Securities Trust, 2006-HE2 before me,



Jacinda Schipper
Notary Public
My Commission Expires:

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City of Marlborough Zoning Board of Appeals

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

JUN 13 P 3:57

ZBA Case 1416-2013
Location: 16 Clinton St.

Date: June 13, 2013

Certificate of Granting of Variance or Special Permit or Extension Permit (General Laws Chapter 40A, Section 11)

The Board of Appeals of the City of Marlborough, MA hereby certifies that a Variance or Special Permit or Extension Permit has been Granted:

To: Marlborough Community Development Authority (Anne Marie Blake)
Address: 255 Main St.
City: Marlborough, MA 01752

MARG REF.
BK 54494 PG 439

affecting the rights of the owner with respect to land or buildings at:

16 Clinton St. (Map 58 Parcel 7 of the Assessor's Maps)

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision GRANTING said variance(s), or special permit or extension, and that copies of said decision, and of all plans referred to in the decision, have been filed with the City Clerk.

John Sahagian
John Sahagian - Acting-Chairman

Susan Brown
Susan Brown - Secretary



2013 00195836

Submitted to the City Clerks' office on June 13, 2013.

Bk: 62591 Pg: 224 Doc: DECIS
Page: 1 of 8 09/08/2013 11:19 AM

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this 8th day of July, 2013.

Given under Chapter 40A, Section 11 of the Massachusetts General Laws.

A TRUE COPY

ATTEST:

Jan M. [Signature]
City Clerk

MAIL TO
MARLBOROUGH COM. DEV
255 MAIN ST, RM 219
MARLBOROUGH, MA
01752

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section II (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city clerk that twenty days have elapsed after the decision has been filed in the office of the city clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

If the rights authorized by a variance are not exercised within one (1) year of the date of grant of such variance, such rights shall lapse; provided however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six (6) months; and provided, further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period.

Respectfully submitted,


John Sahagian - Acting Chairman

Submitted to the City Clerk's office on June 13, 2013.

2. The legal notice was read by John Sahagian.
3. Representing the proposal were Joyce Torelli - member of the Community Development Authority (CDA) and Linda Overing of Breezeway Farm Consulting.
4. The proposal before the Board is to demolish the existing vacant 2 family structure and build and sell a new 24 ft. x 50 ft. single family home.
The existing 2 family structure is not habitable.
The proposed new single, 2 story family home will be 12 ft. vs. the minimum required 15 ft. from the side lot line. The applicant is asking for a 3 ft. deviation.
5. The makeup of the proposed new home may be 3-4 bedrooms with 1 ½ - 2 bathrooms, with a new foundation and basement.
6. The house will be serviced by all utilities. They will probably keep the existing driveway and curb opening, which may accommodate 3 parked cars.
7. The applicants stated it will probably take 6 mos. for the construction to be completed.
8. The **Hardship** as stated by the applicant:
 - To rebuild on the current footprint will be difficult. The existing house is closer to the side lot line (the side lot line in question) then what is being proposed for the new structure. The existing 2 family has many bump outs which is not attractive to the lot.
 - The small and odd shaped lot restricts the design of the new home.
 - The only variance request is for side setback, a deviation of 3 ft. In order to design a rectangular house to be position nicely on the lot vs. the existing deteriorated house with many bump outs, a variance is required.
 - The applicant stated they would like to quickly move forward with the re-building of this proposed house, because they fear a vacant house will be vandalized.
9. Paul Giunta, Board Member stated that a certified surveyed plot plan would have been nice to review. If the Board had such a plan, there will be no questions about the setbacks and the size of the house being proposed. The applicants stated that it did not make sense to go into that expense yet, because they were not positive on the design of the proposed house yet, and all they knew was the shape of the house being proposed. The applicants stated they will invest in a more definitive plan once they know they can go forward with their proposal.
10. Ralph Loftin, Board Member stated the lot in question is undersized for this Zoning District? Answer-this lot is a grandfathered lot.
11. **Questions from the audience:**



City of Marlborough Zoning Board of Appeals

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747

Case # 1416-2013
Name: Marlborough Community Development (CDA)
Location: 16 Clinton St.

Date: June 13, 2013

Decision of the Board of Appeals Granting a Variance

Pursuant to a Notice of Public Hearing, a copy of which is annexed hereto, which was published in the Metro West Daily or the Marlboro Enterprise Weekly and a public hearing was held on June 4, 2013.

The Board, after the hearing makes the following findings of fact:

- A. The Board makes the following finding concerning circumstances relating to soil conditions, shape or topography of land or structures: The lot is relatively odd shaped with a building that was originally used as a two family, but it is now in deteriorating conditions and vacant. The applicant intends to rebuild a new single family house in a neighborhood of single family homes. The new requirement for this house would need a 3 ft. variance for one side lot line.
- B. Those conditions described in A especially affect the land or structures, but do not affect generally the zoning district in which it is located because: The conversion of a 2 family to a single family is a more consistent common use in the neighborhood. The side lot requirement can be approved for 12 ft., thus a deviation of 3 ft.
- C. These conditions described in Paragraph A which affects the land or structure(s), but not the zoning district generally cause the following substantial hardship: The hardship caused by this unique condition is due to the odd shape and small lot size. The 3 ft. deviation is only a minor deviation and all other zoning requirements will be met. The original structure is closer to the side lot line vs. what is being proposed.
- D. Desirable relief may be granted without substantial detriment to the public good because: Based on the premise that the applicant will provide a detailed plot plan and building plan to the building commissioner prior to obtaining an approved building permit. It would be in the public good to conditionally approve the requested side setback variance because the replacement building will add significantly to the neighborhood without adversely impacting the zoning restrictions.
- E. Desirable relief may be granted without substantially derogating from the intent and purpose of the zoning bylaw because: Requested relief is small and presents no issues to abutters. The request meets all other zoning requirements and granting the requested relief permits substantial improvements to the neighborhood.