



IN CITY COUNCIL

Marlborough, Mass., ~~FEBRUARY 27, 2023~~

ORDERED:

IN CITY COUNCIL
NOTICE OF DECISION
GRANT OF SPECIAL PERMIT

Special Permit Application of:
272 Lincoln LLC
11 Placid Avenue
Newton, MA 02459
Order No. 22/23-1008709D

Locus:
272 Lincoln Street
Marlborough, MA 01752
Assessors Map 69, Parcel 523 & 523A

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of 272 Lincoln LLC, with a mailing address of 11 Placid Road, Newton, MA, 02459 as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: **February 27, 2023.**

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the **1st of March 2023.**

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 **22nd of March 2023.**

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY
ATTEST:


City Clerk



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 27, 2023

ORDERED:

PAGE 1

IN CITY COUNCIL

DECISION ON A SPECIAL PERMIT 272 LINCOLN LLC ORDER NO. 22/23-1008709D

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to 272 Lincoln LLC (the "Applicant") for a 12-unit multifamily dwelling at 272 Lincoln Street, in the Neighborhood Business Zoning District, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant, 272 Lincoln LLC, is a Massachusetts limited liability company with an address of 11 Placid Road, Newton, MA 02459.
2. The Applicant is the owner of the property located at 272 Lincoln Street, Marlborough, Massachusetts, being shown as Parcel 523 and 523A on Assessors Map 69 (the "Site").
3. In accordance with Article V, Section 650-17, and Section 650-18.A(4), of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), the Applicant proposes a 12-unit multifamily dwelling at the Site (the "Use"). As shown on the Plans referenced in paragraph 5 below, the Use consists of a single building with 12 two-bedroom units, 24 accessory parking spaces (18 garaged and 6 open-air), a pocket park and other landscaped areas.
4. The Applicant, by and through its counsel, filed with the 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 civil plan set entitled "Proposed Multifamily Development - 272 Lincoln Street" with the last revision date of February 2, 2023, consisting of a Cover Sheet, Existing Conditions Plan, Site Layout Plan, Grading & Drainage Utility Plan, and Construction Detail Sheets and an architectural plan set entitled, "Proposed Multifamily Development for 272 Lincoln Street, Marlborough, MA" dated September 12, 2022", consisting of a Locus Map, Street Views, Parking Level Plan, Floor Plans and Building Elevations, Renderings and Perspectives, with the last revision date of February 9, 2023, (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.



IN CITY COUNCIL

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7. The Site, which is near the Assabet River Rail Trail, has an area of 18,409 square feet +/- as shown on the Plans.
8. The Site is located in the Neighborhood Business (NB) Zoning District.
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 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, November 21, 2022. The public hearing was held at the Marlborough City Hall, 140 Main Street. The hearing was closed on that same 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, two members of the public spoke in favor of the Use and two 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 multifamily dwelling at the Site, as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 27, 2023

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PAGE 3

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. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties.



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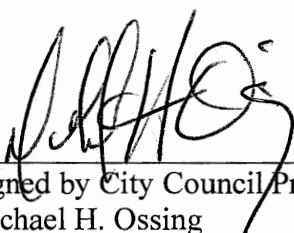
PAGE 4

7. Screening for Abutters. The Applicant shall install solid fencing, and/or appropriate vegetated landscaping along the eastern side lot line of the site to screen areas of the Site used for parking and driveways from adjacent properties and shall maintain the fencing in good repair. The fencing shall comply with the requirements of all applicable City Ordinances.
8. Crosswalk Painting. Prior to the issuance of an occupancy permit for the Use, the Applicant shall repaint the crosswalks of the Assabet River Rail Trail on Lincoln Street and Cashman Street in a manner approved by the City Engineer.
9. Cashman Street Improvements. Prior to issuance of an occupancy permit for the Use, the sidewalk shall be designed and constructed by the Applicant in a manner that the travelled way of Cashman Street shall be widened by the Applicant to the maximum extent possible along the Site frontage while incorporating the sidewalk. Final details shall be approved by the City Engineer.
10. Billboard Signage. During demolition of the existing building on the Site and prior to the issuance of a building permit for the Use, the Applicant, at its expense, shall remove the existing billboard sign (including all components of the sign and all structures supporting or capable of supporting the sign) on the Site. No replacement or new billboard sign shall be allowed on the Site at any time.
11. 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: 10 – Nay: 0 – Abstain: 1

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

Abstain: Dumais.


Signed by City Council President
Michael H. Ossing

ADOPTED
In City Council
22/23-1008709D

ORDER NO. 22/23-1008709D

ATTACHMENT

A

PROPOSED MULTI-FAMILY DEVELOPMENT

272 Lincoln Street
(Tax Map 69 Lots 523 & 523A)
Marlborough, Massachusetts 01752

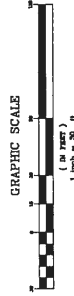
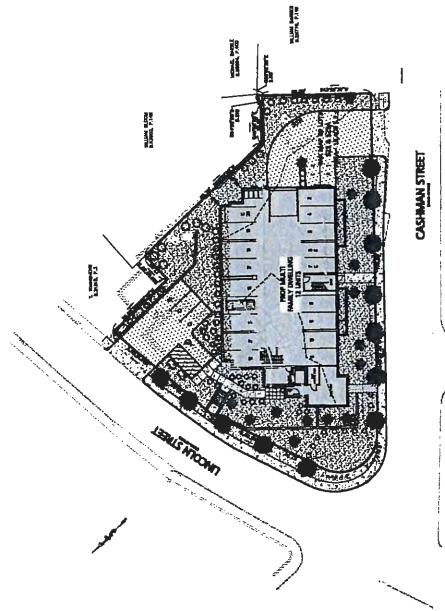


LOCUS MAP
SCALE: 1:25,000

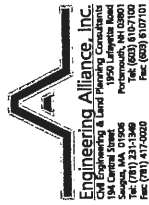
OWNER/APPLICANT:
272 LINCOLN LLC
11 PLACID ROAD
NEWTON, MA 02459

CIVIL ENGINEER:
ENGINEERING ALLIANCE, INC.
194 CENTRAL STREET
SAUGUS, MA 01906
(781) 231-1349

ARCHITECT:
BOURQUE DESIGN
9 MORTON STREET
WALTHAM, MA 02543
(781) 296-6654



PREPARED BY:



KEY MAP
SCALE: 1"=20'

PREPARED FOR:
272 Lincoln LLC
11 Placid Road
Newton, MA 02459

SHEET NUMBER AND TITLE
COVER SHEET
C-0 EXISTING CONDITIONS PLAN
C-1 SITE LAYOUT PLAN
C-2 GRADING & DRAINAGE PLAN
C-3 CONSTRUCTION DETAILS I
D-1 CONSTRUCTION DETAILS II

Engineering Alliance, Inc. 194 Central Street Saugus, MA 01906 Tel: (781) 231-1349 Fax: (781) 417-0020		PROJECT: 272 Lincoln Street (Tax Map 69 Lots 523 & 523A) Marlborough, Massachusetts	PROJECT #: 21-68510 DATE: January 19, 2022 DWS FILE NAME: 21-68510.DWG DESIGNED BY: Russ Greenway	ENGINEER: [Signature] REGISTERED PROFESSIONAL ENGINEER STATE OF MASSACHUSETTS LICENSE NO. 10000	OWNER / APPLICANT: 272 Lincoln LLC 11 Placid Road Newton, MA 02459	SHEET NO.: C-0 SHEET TITLE: Cover Sheet
MOOREY PARK SITE PLAN REVIEW COMMENTS 12/29/22	REVERSE BUILDING FOOTPRINT 9/7/22	DATE: 2/7/2023	DESCRIPTION OF REVISION:			

C-2 Site Layout Plan DRAWING TITLE 777 Lincoln LLC 11 Road Road Newton, MA 02459		PROJECT # 21-06910 SCALE AS SHOWN DESIGN BY: PAUL GARDNER DRAWN BY: MICHAEL S. SHELTON	PROJECT # 21-06910 DATE: January 19, 2022 CHECKED BY: MICHAEL S. SHELTON DRAWN BY: PAUL GARDNER
		777 Lincoln Street (Tax Map 69 Lots 523 & 523A) Marlborough, Massachusetts PROJECT:	

LEGEND - SITE LAYOUT PLAN

PROPERTY LINE	---
PROPOSED STRIPING	---
PROPOSED MILEAGE	---
PROPOSED CURBING	---
PROPOSED PAVEMENT	---
PROPOSED LANDSCAPED AREA	---
PROPOSED CONCRETE	---
PROPOSED DIRECTIONAL LANDSCAPING	---
PROPOSED ACCESSIBLE SPACE	---
PROPOSED WALL	---
PROPOSED SIGN	---

DIMENSIONAL AND DENSITY REGULATIONS

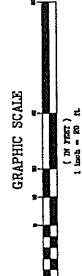
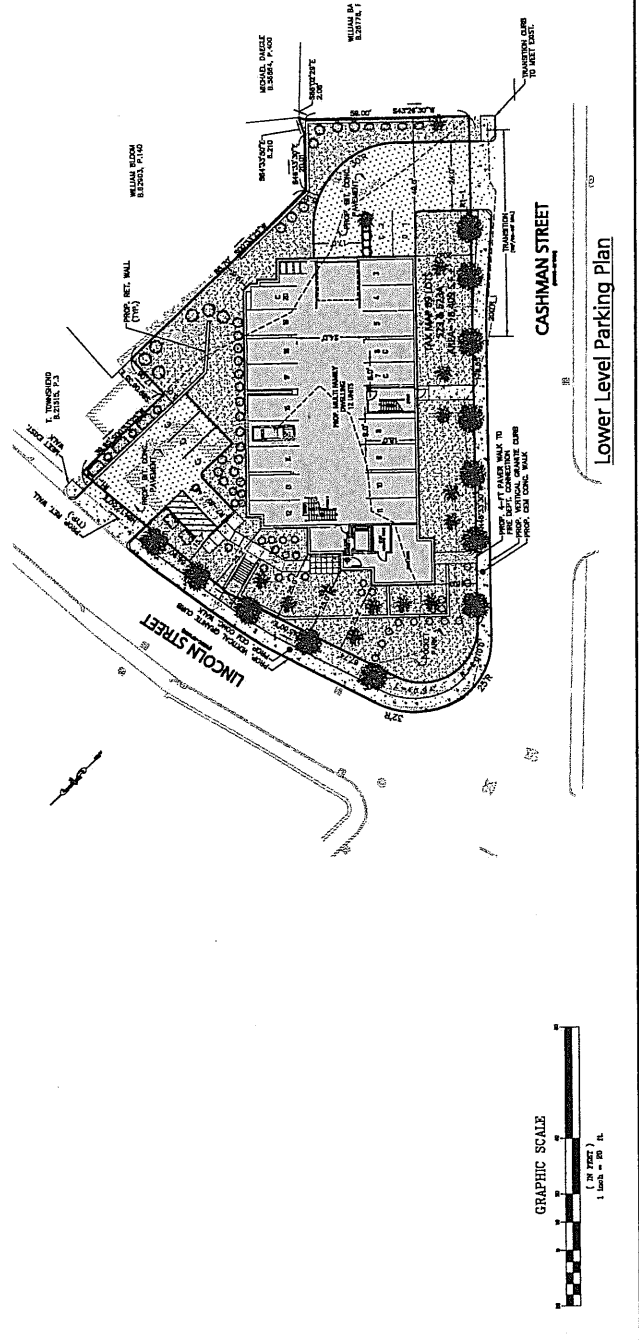
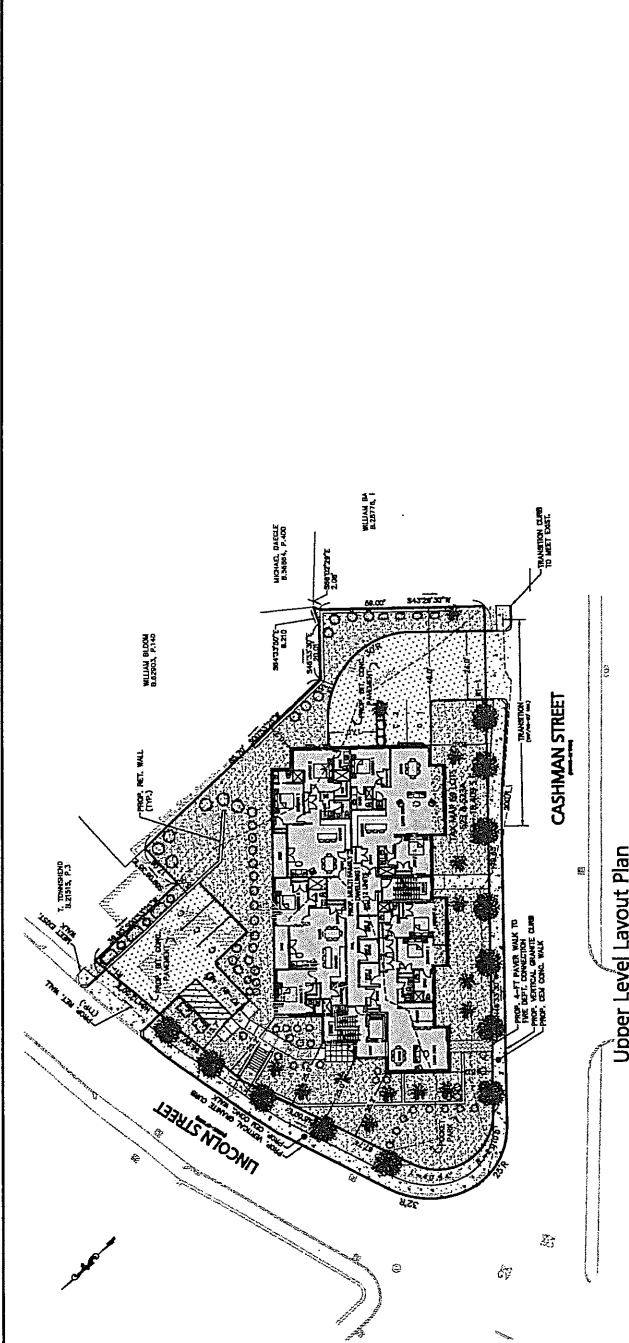
ITEM	REQUIRED	PROPOSED	REMARKS
MINIMUM LOT AREA	3,000 S.F.	13,428 S.F.	
MINIMUM FRONTAGE & LOT WIDTH	20 FT	155.11 FT	
MINIMUM SIDE YARD SETBACK	10 FT	15.87 FT	
MINIMUM FRONT YARD SETBACK	15 FT	15.87 FT	
MINIMUM REAR YARD SETBACK	25 FT	15.87 FT	
HEIGHT	21 METER (69 FT) MAX	24.40 M (79 FT)	
MAXIMUM LOT COVERAGE	75%	34.48%	
OPEN SPACE (100 S.F./250)	1,000 S.F.	3,100 S.F.	

- ### PARKING CALCULATIONS
- | COMPONENT | REQUIRED | PROPOSED |
|----------------------------|--|--|
| NEIGHBORHOOD BUSINESS (NB) | 10 SPACES
15' x 20' x 10' (10' x 10' x 10' = 10' x 10' x 10') | 10 SPACES
15' x 20' x 10' (10' x 10' x 10' = 10' x 10' x 10') |
| TOTAL | 10 SPACES | 10 SPACES |
- NOTE: 1. NEIGHBORHOOD BUSINESS PARKING = 10 SPACES
2. COMPACT PARKING SPACE DIMENSIONS = 8' x 12'

SIGN TABLE

SPACER	SIZE	TEXTURE	DESCRIPTION	REQUIREMENTS
REF	12" x 24"	7'-0"	CONCRETE CURB WALL	YES
REF	12" x 24"	7'-0"	CONCRETE CURB WALL	YES
REF	12" x 24"	7'-0"	CONCRETE CURB WALL	YES

ALL SIGN AND PARKING MARKINGS TO BE INSTALLED SHALL CONFORM TO THE APPLICABLE REGULATIONS OF THE CURRENT EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)



Proposed Multi Family Development for 272 Lincoln Street, Marlborough, MA.



BD
Bourque
Design

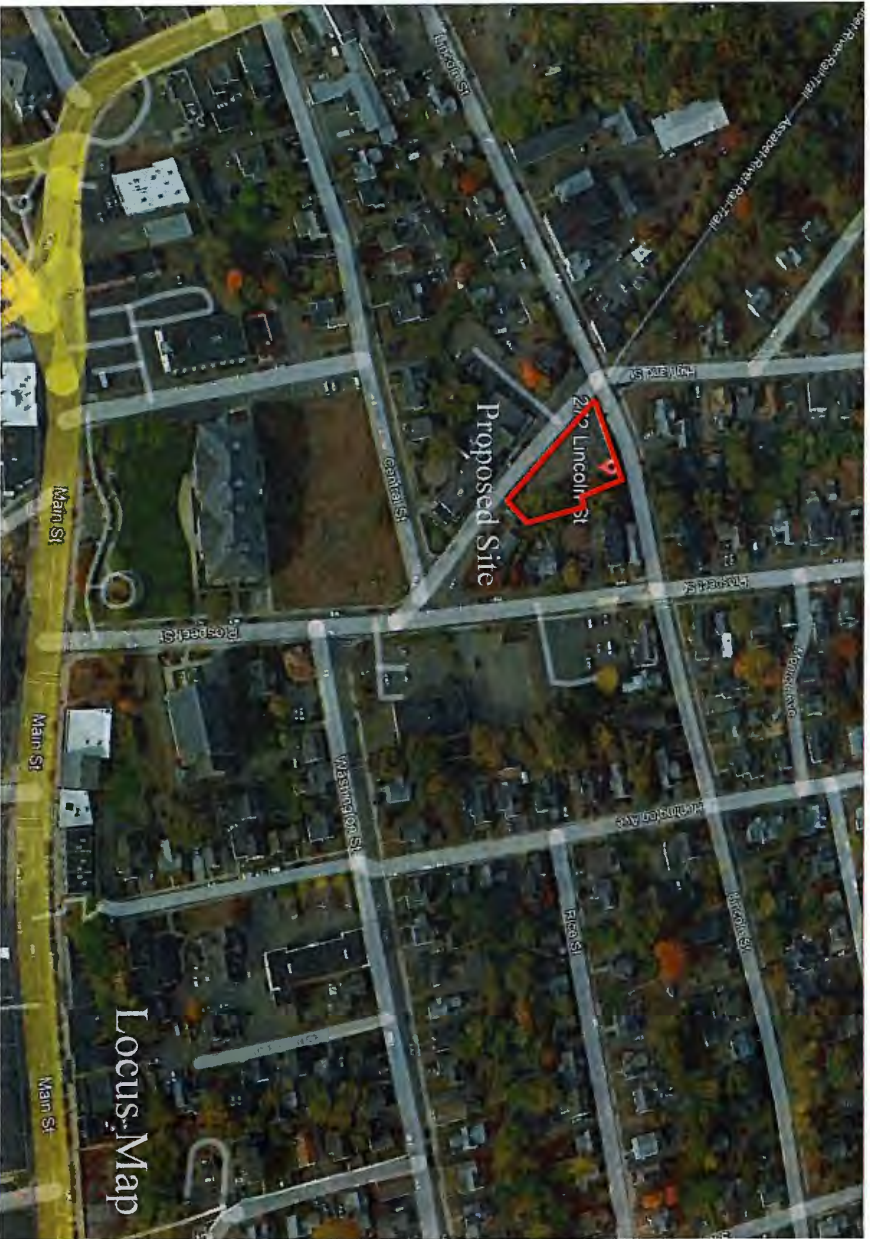
Bourque Design
Architectural Design from
Conception to Construction

Ron Bourque
781-396-6554
rbourque@gmail.com

9 Morton Street, Waltham, MA 02453

February 9, 2023





Architect

BD
Bourque Design
 Architectural Design from
 Conception to Construction
Ron Bourque
 781.966.6654
 rbourq@gmail.com
 9 Morton Street, Waltham, MA 02453

Proposed Multi-Family Development
 for
272 Lincoln Street, Marlborough, MA.

February 9, 2023

Developer

CHARLES ZAMMUTO
 President
 charlez@legacym.com
 Phone: (781) 391-5629
 Cell: (781) 584-4113
 Fax: (617) 244-4251
 • Construction • Painting
 • Snow Removal
legacym.com



View from Assabet River Rail Trail looking East



View from Lincoln Street looking North



View from Cashman Street looking West

Architect

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 Bourque Design
 Architectural Design from
 Conception to Construction

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 rbourq@gmail.com

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February 9, 2023

Developer

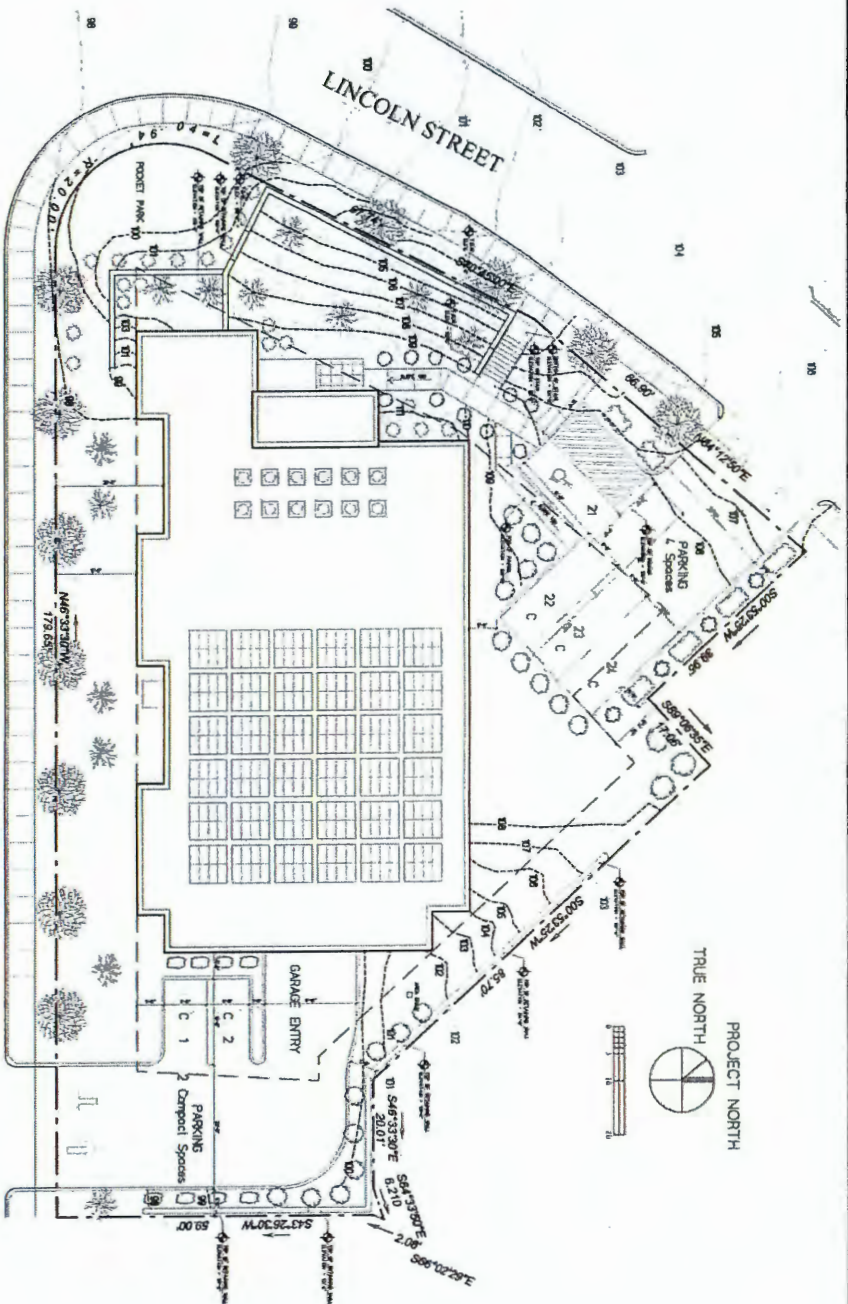
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Roof / Site Plan

Architect

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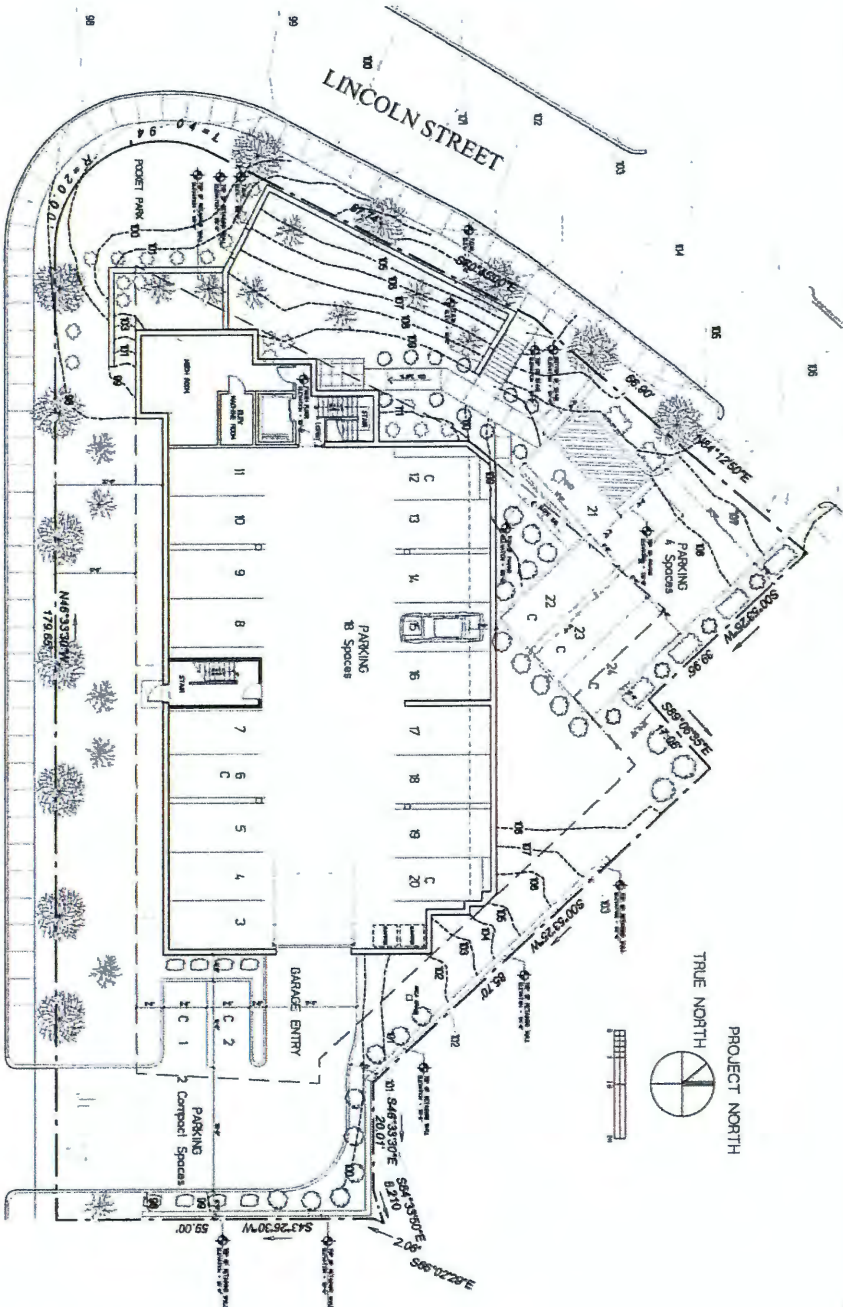
CASHMAN STREET

Proposed Multi-Family Development
 for
272 Lincoln Street, Marlborough, MA.

February 9, 2023

Developer

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Parking Level Plan
6,500 g.s.f

Architect

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Boutique
Design

Bourque Design
Architectural Design Firm
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9 Morton Street, Waltham, MA 02453

CASHMAN STREET

Developer

Proposed Multi-Family Development
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272 Lincoln Street, Marlborough, MA.

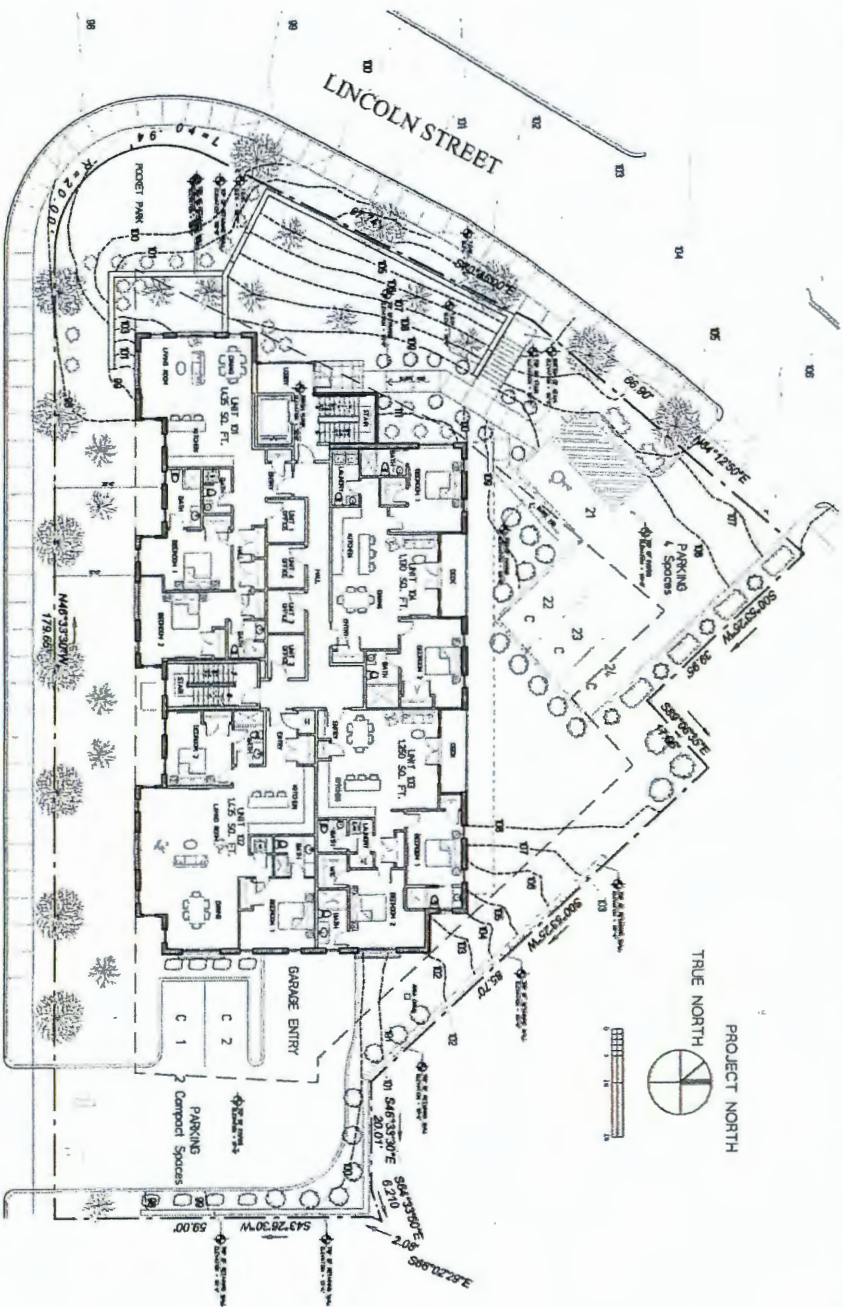
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First Floor Plan
6,175 g.s.f

Architect

BD
Bourque
Design

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9 Morton Street, Waltham, MA 02453

CASHMAN STREET

Proposed Multi-Family Development
for
272 Lincoln Street, Marlborough, MA.

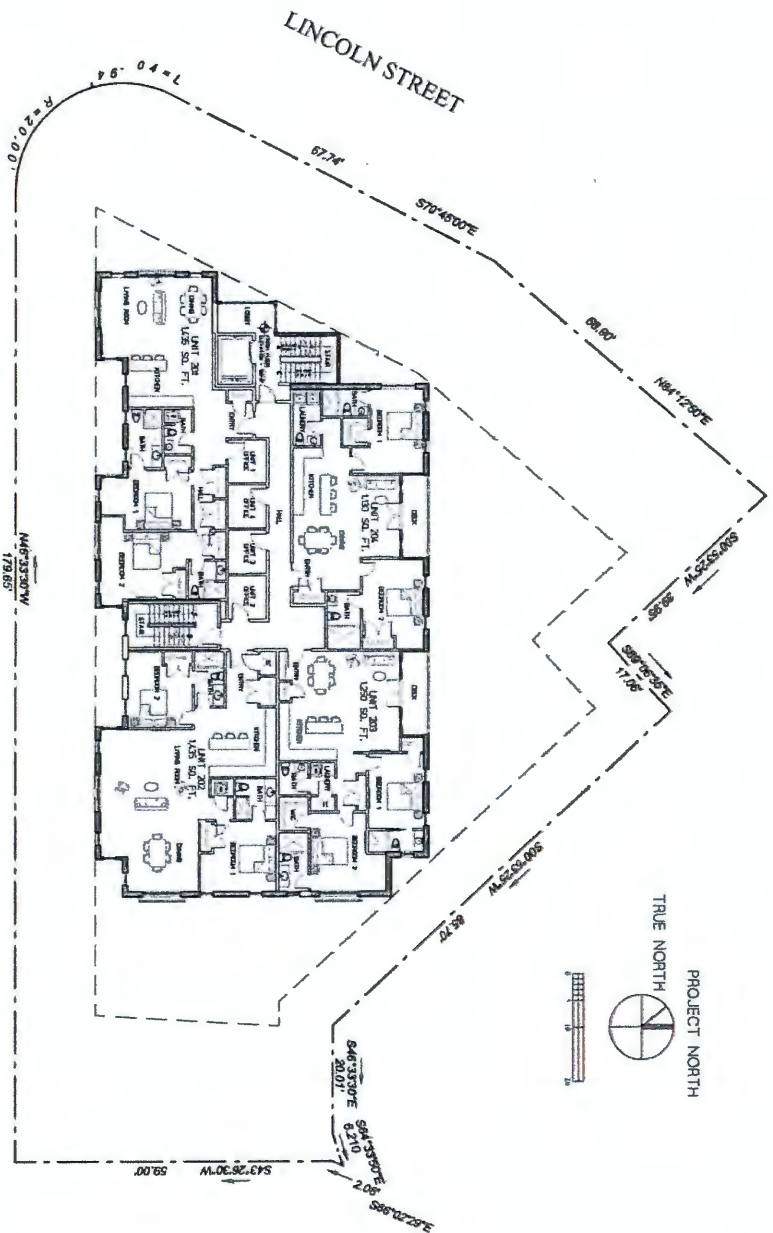
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Developer

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Second Floor Plan
6,100 g.s.f.

Architect

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9 Morton Street, Waltham, MA 02453

CASHMAN STREET

Proposed Multi-Family Development
for
272 Lincoln Street, Marlborough, MA.

February 9, 2023

Developer

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Bourque
Design

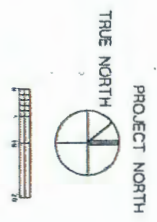
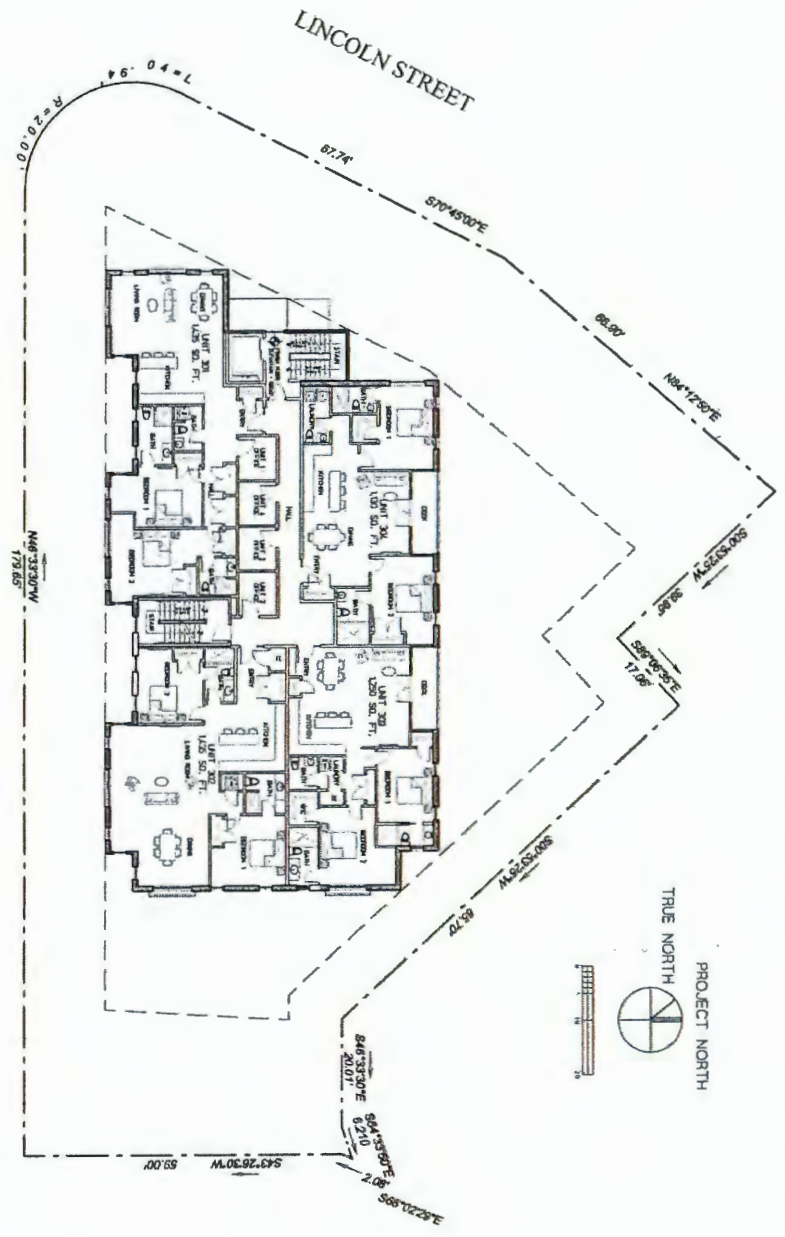
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9 Morton Street, Waltham, MA 02453

Architect

CASHMAN STREET



Third Floor Plan
6,100 g.s.f.

Proposed Multi-Family Development
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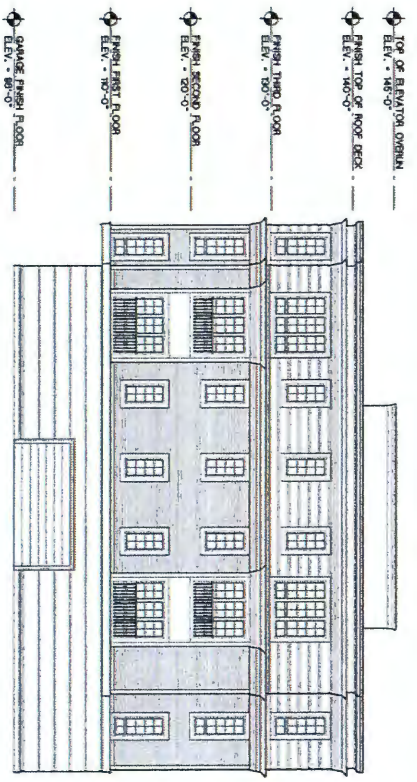
February 9, 2023

CHARLES ZAMMUTO
President

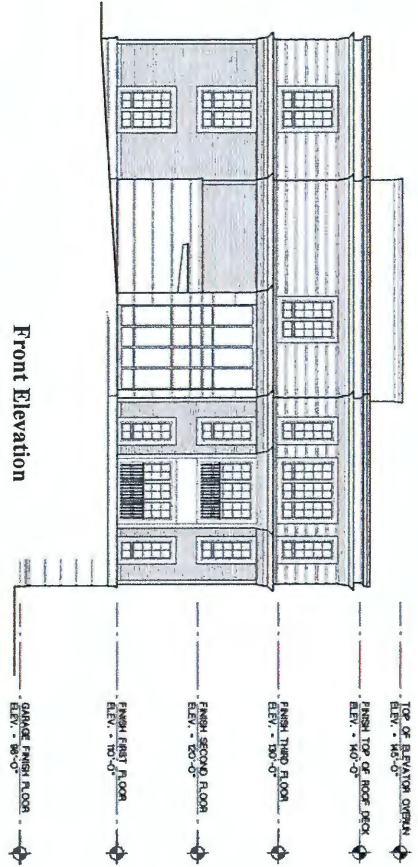
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Rear Elevation



Front Elevation

Building Elevations

Developer

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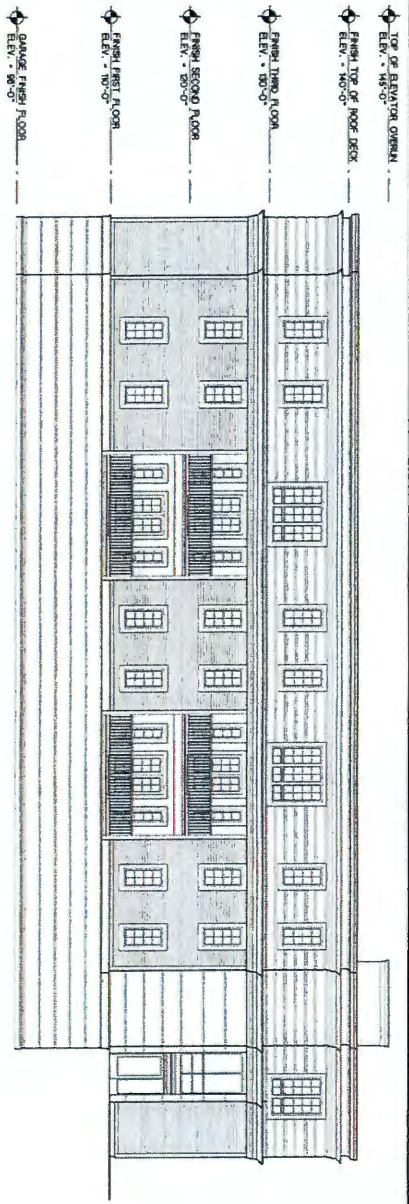
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Proposed Multi-Family Development
 for
 272 Lincoln Street, Marlborough, MA.

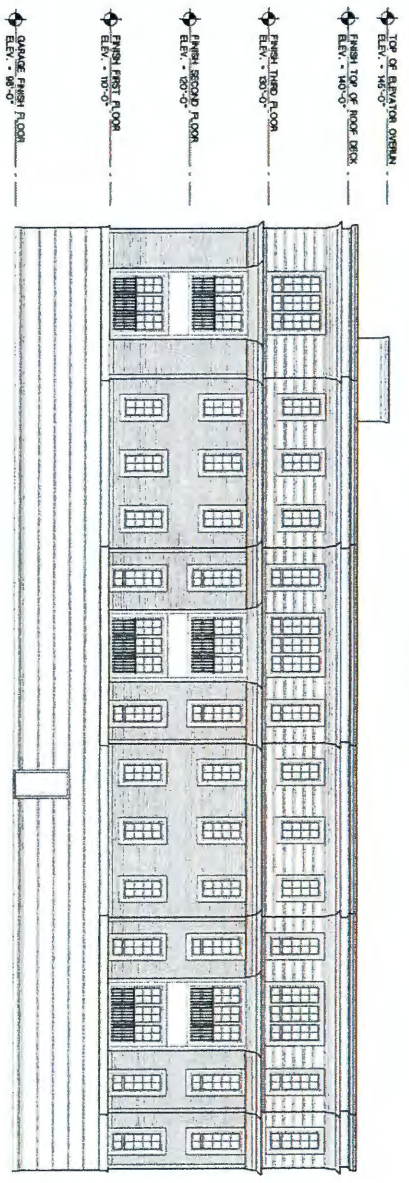
February 9, 2023

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 9 Marten Street, Waltham, MA 02453

Architect



Rear Elevation



Front Elevation

Building Elevations

Architect

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 9 Morton Street, Waltham, MA 02453

Developer

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Proposed Multi-Family Development
 for
 272 Lincoln Street, Marlborough, MA.

February 9, 2023

Zoning Data

Neighborhood Business District (NB)

	Required	Proposed
Minimum Lot Area	5,000 sq. ft.	18,409 sq.ft.
Minimum Frontage & Lot Width	50 ft	155.11 ft
Minimum Front Setback	25 ft	15 ft w/ exception
Minimum Rear Setback	25 ft	N/A
Maximum Side Yard Setback	10 ft	10.8 ft
Height	2.5 Stories / 52' max.	47 ft
Maximum Lot Coverage	75%	33.5%
Parking - 2 Spaces per unit	24 spaces	16 standard / 8 compact

Building Data

Parking Level - 6,500 g.s.f.

	Indoor Parking Site Parking	18 spaces 6 spaces
Level 1 -	6,175 g.s.f.	
	2 Bedroom Unit	4 Units
Level 2 -	6,100 g.s.f.	
	2 Bedroom Unit	4 Units
Level 3 -	6,100 g.s.f.	
	2 Bedroom Unit	4 Units
Total -	18,375 g.s.f.	12 Units

Architect



Bourque Design
Architectural Design From
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9 Morton Street, Waltham, MA 02453

Proposed Multi-Family Development for 272 Lincoln Street, Marlborough, MA.

February 9, 2023

Developer



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Front Elevation

Architect

BD
Boutique
Design

Boutique Design
Architectural Design from
Conception to Construction

Ron Bourque
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rbourq@gmail.com

9 Morton Street, Waltham, MA 02453

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February 9, 2023

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- Snow Removal

legacym.com





Rear Elevation

Architect

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272 Lincoln Street, Marlborough, MA.

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 • Snow Removal
 legacym.com





Right Elevation

Architect

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Bourque Design
 Architectural Design from
 Conception to Construction
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Proposed Multi-Family Development
 for
272 Lincoln Street, Marlborough, MA.

February 9, 2023

Developer

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 Fax: (617) 244-4251
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Left Elevation

Architect

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**Architect
 Developer**



View to corner of Lincoln / Castinhan Streets

Architect

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View from Cashman Street looking toward Lincoln Street

Architect

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Proposed Multi-Family Development for 272 Lincoln Street, Marlborough, MA.

February 9, 2023

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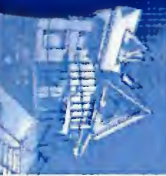
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View from Asschen River Rail Trail

Architect

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