



# IN CITY COUNCIL

Marlborough, Mass.,

MAY 5, 2014

PAGE 1

ORDERED:

## DECISION FOR SPECIAL PERMIT IN CITY COUNCIL

### NOTICE OF DECISION

Application of:  
VNG.co LLC  
150 Monument Road, Suite 500  
Bala Cynwyd, PA 19004

Order No. 13/14-1005581E

Locus:  
413 Lakeside Avenue  
Marlborough, MA 01752  
Map 79, Parcel 6B & 10A

### DECISION

The City Council of the City of Marlborough, by a vote of six to five in favor of approval, **DENIES** a Special Permit, as amended, to VNG.co LLC of 150 Monument Road, Suite 500 Bala Cynwyd, PA 19004 to construct and operate a Compressed Natural Gas (CNG) facility with one dispenser at the site of the Shell Gas Station located at 413 Lakeside Avenue, Marlborough, MA (hereinafter, the "Site"). The owner of the Site, GTY MA/NH Leasing, 125 Jericho Turnpike, Suite 103, Jericho, NY 11753, and/or the operator of the Site, Nouria Energy Ventures I, LLC, 326 Clark Street, Worcester, MA 01606 (the latter of which VNG.co LLC has executed or would have executed an Operating Agreement for a portion of the Site pursuant to the terms of this Special Permit) have failed to address existing conditions at the Site, including safety issues attendant to the display of products on the sidewalk, located at the front of the convenience store, so as to obstruct safe passage of pedestrians and the parking of vehicles in front of the sidewalk in an area not designated for parking, and they have allowed to exist numerous violations of the Americans With Disabilities Act and the regulations of the Massachusetts Architectural Access Board, including the size and location of handicapped parking spaces and signage.

**Yea: 6 – Nay: 5**

**Yea: Elder, Tunnera, Clancy, Landers, Ossing & Robey**

**Nay; Delano, Page, Irish, Oram & Pope**

Signed by City Council President  
Patricia A. Pope

ADOPTED  
In City Council  
Order No. 13/14-1005581E



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PAGE 2

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Decision filed: May 13, 2014

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the 13<sup>th</sup> day of May, 2014.

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 2<sup>nd</sup> day of June, 2014.

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

A TRUE COPY  
ATTEST

City Clerk