

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JAN -5 P 3:50

1. Organizational Meeting.
2. Minutes, City Council Meeting, December 19, 2016.
3. Communication from the Mayor re: Proposed Housing Plan Order to temporarily cease City Council consideration of new proposals for housing developments in the City for a six-month period.
4. Communication from the Mayor re: Formula Grant acceptance in the amount of \$67,030.00 awarded to the Council on Aging to provide classes, transportation and administrative support as depicted in the scope of the Grant.
5. Communication from the Mayor re: Marlborough EMPG 2017 Grant acceptance in the amount of \$9,460.00.00 awarded to Emergency Management to purchase two video recording cameras for two police cruisers.
6. Communication from the Mayor re: Order of Grant and Acceptance of Easements Regarding City-owned Land-Rt. 85/Maple St., Reconstruction Project.
7. Communication from Assistant City Solicitor Panagore Griffin re: Order of Taking by Eminent Domain-Rt.85/Maple St. Reconstruction Project.
8. Communication from Assistant City Solicitor Panagore Griffin re: Order of Taking by Eminent Domain-East Main St. Reconstruction, Order No. 16-1006732.
9. Communication from the Planning Board regarding their approval of Proposed Amendment to City Code by providing the Zoning Board of Appeals 100 days to file a decision on an appeal or a variance. Order No. 16-1006702B.
10. Communication from Attorney Ericksen re: Revised color renderings for proposed Friendly's restaurant, Order No. 16-1006735A.
11. Communication from Attorney Cipriano on behalf of Tiger Cat Properties LLC, re: request to extend time limitations on Application for Special Permit to construct a multifamily dwelling at 487 Lincoln St. until on or before March, 14, 2017, Order No. 16-1006634B.
12. Minutes, Assabet Valley Technical High School, November 15, 2016.
13. Minutes, Conservation Commission, October 20 & November 17, 2016.
14. Minutes, Traffic Commission, October 25, 2016.
15. Minutes, Library Board of Trustees, December 6, 2016.
16. CLAIMS:
 - a. Patricia Hafer, 108 Andrews Rd., other property damage.
 - b. Kevin Paquin, 167 Farrington Lane, other property damage.
 - c. Meaghan Deraad, 264 W. Hill Rd., other property damage.
 - d. Paul Bates, 100 Goodale St., other property damage.

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.

REPORTS OF COMMITTEES:

From Finance Committee

17. **Order No. 16-1006718A & B-** At a regular meeting of the Marlborough City Council on December 19, 2016, the Proposed Amendment to the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, Order revising salaries for the Assistant City Solicitor, Recreation Director, Executive Director of the Council on Aging and DPW Assistant, changing the title of the Senior Clerk (non-union) to Administrative Assistant, changing the Position of the Financial Assistant (non-union) to DPW Financial Assistant and all positions on the Step 7 Schedule shall work a 40-hour week was **ORDERED ADVERTISED. TABLE UNTIL THE FOLLOWING MEETING AFTER JANUARY 9, 2017 AS THE TEN DAY PERIOD WILL NOT BE MET FOLLOWING THE ADVERTISEMENT DATE OF JANUARY 5, 2017.**
At a regular meeting of the Marlborough City Council on December 19, 2016, the following proposed amendment to the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, Order revising salaries in its entirety was **ORDERED ADVERTISED. TABLE UNTIL THE FOLLOWING MEETING AFTER JANUARY 9, 2017 AS THE TEN DAY PERIOD WILL NOT BE MET FOLLOWING THE ADVERTISEMENT DATE OF JANUARY 5, 2017.** (Salary Ordinance is available in the City Clerk's Office)
18. **Order No. 16-1006761 – Acceptance of the Provisions of MGL c. 44 Section 53F ¾.** The Finance Committee reviewed the Mayor's letter dated December 1, 2016 requesting the approval of an order accepting the provisions of MGL c. 44 Section 53F ¾ which would create a separate revenue account for receipts received in connection with the City's franchise agreements with cable providers. **The Finance Committee voted 5 – 0 to approve the order accepting the provisions of MGL c. 44 Section 53F ¾. Note that Councilor Ossing read a disclosure that was filed with the City Clerk's office per MGL c. 268A section 23(b)(3).**
19. **Order No. 16-1006762 (X-92-4412) – Order Repealing Order 92-4412 Which Established the Watershed Protection and Acquisition Fund.** The Finance Committee reviewed the Mayor's letter dated December 1, 2016 requesting the repeal of order 92-4412 which established the Watershed Protection and Acquisition Fund. **The Finance Committee voted 5 - 0 to approve the order to repeal Order 92-4412.**

From Legislative and Legal Affairs Committee

20. **Order No. 16-1006702B - Proposed Amendment to City Code providing Zoning Board of Appeals 100 days to file a decision on an appeal or variance.** ZBA chairman wrote to Solicitor Rider requesting City Code be updated to be in conformance with MGL C. 40A s. 15 which allows 100 days for ZBA to file its decision on an appeal by a petitioner or Building Commissioner and states 100 days as timeframe for failure to act before an appeal or petition is deemed approved. This matter was referred to Planning Board and L&L. The Council's public hearing was continued to Nov. 28th when ZBA vice-chairman Ralph Loftin spoke in favor; the Planning Board held their public hearing on Dec. 5th and voted favorably to support the zoning change and a letter from them should be on the Council's Dec. 19 agenda. **It was moved and seconded to recommend approval of the zoning changes to Section 650-58 Subsection C3 which will change current 75 days to 100 days to hold a public hearing upon receipt of appeal or petition and C4 which will change current 75 days to 100 days period when failure to act will cause the appeal or petition to be deemed approved; motion carried 2-0.**

21. **Order No-16-1006732 - Order of Taking by Eminent Domain of permanent and temporary easements on E. Main St. for the purposes of reconstruction, construction and maintenance of improvements to E. Main St.** Received letter from Mayor dated Nov. 9th explaining the Order of Taking by Eminent Domain parcels, a letter from commissioner Ghiloni asking for the easements, as well as maps showing all the parcels related to E. Main St. construction. The work is funded thru a MassWorks Grant so no appropriation is needed for this. The project includes 15 separate parcels of miscellaneous size at 48, 56, 59, 60, 79, 83-A, 87, 95, 99, and 114 E. Main St.; 19, 21, & 38 Brown St.; & 15 Sawin St. with either temporary or permanent easements and various awards totaling \$8,779 to be paid for the takings. Also received a memo from City Engineer DiPersio stating temporary easements are for grading, driveway, walkway and stone wall reconstruction and permanent easements are "aerial" for overhead wires to cross private property due to utility pole relocation. Solicitor Rider informed us of two changes that will be made to the Order before it is on the agenda for final Council vote. One is an error by VHP in the numbering of map pages-1st page is 1 of 6, then it goes 2-5 of 7 and back to 6 of 6, 2nd is in the Description of Land Taken, items #1, 2, 3, 4, 9, 10, 12, 13 & 14 where it states the temporary easement will be terminated "on and after the third anniversary" which should read second anniversary. **It was moved and seconded to recommend approval of Order 16-1006732 with corrections to be done by Solicitor Rider before final vote; motion carried 2-0.**

From Personnel Committee

22. **Order No. 16-1006654 - The Reappointments of the following individuals to the Council on Aging with staggered terms: Leslie Biggar to a three-year term expiring in May 2019; and Rose Marie Elwood, Jeanne McGeough and Pat Gallier to two year terms expiring May 2018.** Recommendation of the Personnel Committee is to approve the reappointments of Rose Marie Elwood, Jeanne McGeough, Pat Gallier, and Leslie Biggar to the Council on Aging. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointments. The motion carried 3-0.**
23. **Order No. 16-1006727 - The Cultural Council Appointments as follows: Stephan D'Alessandro and Jessica Bowen to the Cultural Council for a term of three years and Reappointments of Mark Bartlett and Melissa Vera for a term of three years which expired in August 2016.** Recommendation of the Personnel Committee is to approve the reappointment of Melissa Vera and appointments of Jessica Bowen and Stephan D'Alessandro to the Cultural Council. Mark Bartlett was unable to attend the meeting and his reappointment remained in the Personnel Committee. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment of Melissa Vera and appointments of Stephan D'Alessandro and Jessica Bowen. The motion carried 3-0.**
24. **Order No. 16-1006728 - The Reappointment of Auditor, Diane Smith, for a term of three years to commence upon City Council approval.** Recommendation of the Personnel Committee is to approve the reappointment of Diane Smith as Auditor. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**
25. **Order No. 16-1006729 - The Reappointment of Chief Procurement Officer, Beverly Sleeper, for a term of three years to commence upon City Council approval.** Recommendation of the Personnel Committee is to approve the reappointment of Beverly Sleeper as Chief Procurement Officer. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**

26. **Order No. 16-1006733 - The Reappointment of Lisa Thomas as City Clerk for a term of three years to expire on February 28, 2020.** Recommendation of the Personnel Committee is to approve the reappointment of Lisa Thomas as City Clerk. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**



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2017 JAN -5 A 10: 21

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

DECEMBER 19, 2016

Regular meeting of the City Council held on Monday, DECEMBER 19, 2016 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Ossing, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Meeting adjourned at 9:42 PM.

ORDERED: That the Minutes of the City Council meeting December 5, 2016, **FILE AS AMENDED**; adopted.

ORDERED: That the PUBLIC HEARING On Proposed Zoning Amendment to Chapters 650-56 & 650-59, Order No. 16-1006734, all were heard who wish to be heard, hearing recessed at 8:04 PM.

Councilors Present: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juaire, Oram, Ossing & Robey.

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

1. Section 650-56, entitled "Enforcement," is hereby amended by striking out, in subsection F, the word "six" and inserting in place thereof the following word:-- twelve.
2. Section 650-59, entitled "Powers and procedures of special-permit-granting authorities," is hereby amended by striking out, in subsection A(1), entitled "Special permits," the number "two" and inserting in place thereof the following word:-- three.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: That the Fire Department transfer request in the amount of \$200,000.00 which moves funds from and to various accounts as noted below to continue funding overtime costs, **APPROVED;** adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,885,795.05	\$178,772.22	12200001	50450	Firefighter	\$178,772.22	1.2E+07	51300	Overtime	\$16,356.66	
Reason:		Transfer is available due to unfilled positions				Firefighter vacancies, retirements and medical absences				
\$1,885,795.05	\$3,412.45	12200001	50450	Firefighter	\$3,412.45	1.2E+07	51300	Overtime	\$16,356.66	
Reason:		Transfer is available due to 111F payments				Firefighter vacancies, retirements and medical absences				
\$652,447.59	\$17,815.33	12200001	50810	Fire Lieutenant	\$17,815.33	1.2E+07	51300	Overtime	\$16,356.66	
Reason:		Transfer is available due to 111F payments				Firefighter vacancies, retirements and medical absences				
	\$200,000.00	Total			\$200,000.00	Total				

ORDERED: That the Police Department transfer request in the amount of \$192,300.00 which moves funds from and to various accounts as noted below to continue funding overtime costs, refer to **FINANCE COMMITTEE;** adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FY:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,732,925	\$170,000.00	12100001	50420	Police Officers	\$170,000.00	12100003	51310	Overtime - Regular	\$66,527	
Reason:		Surplus due to vacancy and injuries				Vacancies and injuries requiring OT to fill shifts				
\$2,325	\$2,300.00	12100003	51370	Overtime - Celebrations	\$2,300	12100003	51310	Overtime - Regular	\$66,527	
Reason:		Surplus from Labor Day OT needs				As above				
\$141,968	\$20,000.00	12100003	51320	Overtime - Court	\$20,000	12100003	51310	Overtime - Regular	\$66,527	
Reason:		Less court OT needed thus far				As above				
	\$192,300.00	Total			\$192,300.00	Total				

ORDERED: That the Assabet Valley Property Acquisition which includes a transfer request in the amount of \$1,600.00 which moves funds from Stabilization-Open Space to Open Space Acquisition for the purpose of depositing funds on any negotiated purchase and sale, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$1,018,295.76	\$1,600.00	83600	32918	Stabilization-Open Space	\$1,600.00	19300006	58170	Open Space Acquisition		\$0.00
Reason:					For deposit on purchase and sale					
	\$1,600.00	Total			\$1,600.00	Total				

ORDERED: That the Communication from the Mayor re: Revised Salary Ordinance pertinent to nonunion positions, Order No. 16-1006718, moved to **REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from the Mayor re: Revised Order to Approve Unique Acquisition & to Authorize Negotiation and Entering into Purchase & Sales Agreement, Order No. 16-1006760, moved to **REPORTS OF COMMITTEE**; adopted.

ORDERED: That pursuant to § 14 of Chapter 40 of the General Laws of Massachusetts, the City, acting by and through the City Council of the City of Marlborough, does hereby accept title, by deed of conveyance, from the Marlborough Community Development Authority to the fee simple interest in a certain parcel of below-described land located at 20 Witherbee Street, Marlborough, MA, the purposes of which land shall be for public library uses including but not limited to parking, said deed to be recorded herewith at the Middlesex County South Registry of Deeds:

That certain parcel containing about five-thousand ninety-six and 52/100 (5,096.52) square feet, or 0.117 acres, more or less, also known as 20 Witherbee Street, Marlborough, MA and shown on the Assessor's Map of the City of Marlborough as Map 69, Parcel 236, and recorded at the South Middlesex County Registry of Deeds at Book 53208, Page 549.

And that pursuant to § 15A of chapter 40 of the General Laws of Massachusetts, the City Council of the City of Marlborough hereby transfers the below-described portion of land of the City of Marlborough, being less than the entire land or parcel of land located at 355 Bolton Street, from general municipal purposes to the purposes of a grant of easement,

And further, that in exchange for the above-described fee simple interest in land of the Marlborough Community Development Authority, pursuant to § 3 of chapter 40 of the General Laws of Massachusetts the City Council hereby authorizes the Mayor to grant to the Marlborough Community Development Authority said easement, which shall be a permanent easement for parking purposes for the Bolton Street Senior Housing

located at 397 Bolton Street, Marlborough, MA, in said certain portion of land being described on Exhibit "A" attached hereto and made a part hereof, said grant of easement to be recorded herewith at the Middlesex County South Registry of Deeds.

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**.

ORDERED: That the Revised City of Marlborough Aggregation Plan which can be viewed at the City Clerk's office, **FILE**; adopted.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Zoning Ordinance Amendment, Marlborough Village District, in proper legal form, Order No. 16-1006667C, **MOVED TO ITEM 19**; adopted.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Special Permit for a Car Wash in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD) in proper legal form, Order No. 16-1006634C, **MOVE TO ITEM 20**; adopted.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Special Permit for a Car Wash in Zone B of the Water Supply Protection District, in proper legal form, Order No. 16-1006635B, **MOVED TO ITEM 21**; adopted.

ORDERED: That the Communication which included a draft Order, from Assabet Valley Regional Technical High School, Superintendent-Director Houle re: Assabet Valley Acquisition of property located on Fitchburg St., **DENIED**; adopted.

ORDERED: That the Minutes, License Board, October 26, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, November 1, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Cultural Council, November 28, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, November 1, 2016, **FILE**; adopted.

ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT**; adopted.
a. Anthony Annese, 111 West Hill Rd., other property damage.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Monday December 12, 2016
In Council Chambers**

Present: Chairman Ossing; Finance Committee Members Councilors Robey, Oram, Doucette and Irish. Councilor Clancy was also in attendance. The meeting convened at 7:00 PM.

1. **Order No. 16-1006718 – Non Union Compensation Proposal and Proposed Job Title Changes.** The Finance Committee reviewed the Mayor’s letter dated November 9, 2016 requesting the review and approval of an updated salary ordinance. The Finance Committee voted 5– 0 to approve the following four items:
 - The order revising the salaries for the Assistant City Solicitor, Recreation Director, Executive Director of the Council on Aging and DPW Assistant, changing the title of the Senior Clerk (non union) to Administrative Assistant, changing the position of Financial Assistant (non union) to DPW Financial Assistant and all positions on the 7 Step schedule shall work a 40-hour week.
 - The Finance Committee agreed to support suspending the rules at the December 19, 2016 City Council meeting to approve advertising the order.
 - The order to revise the Compensation schedule in its entirety. The Mayor will incorporate the comments of the Finance Committee which included removing the Retirement Director, Retirement Board Financial Assistant and the Director of Information Technology (schools).
 - The Finance Committee agreed to support suspending the rules at the December 19, 2016 City Council meeting to approve advertising the order.

2. **Order No. 16-1006760 – Proposed Orders to Enter into Purchase and Sales Agreements and Transfer of \$75,000.00 from the Undesignated Account to the Land Acquisition Account.** The Finance Committee reviewed the Mayor’s letter dated December 1, 2016 requesting the approval of an order to acquire land for the purposes of the proposed construction project at the Marlboro Public Library. The four parcel locations are 49 West Main Street, 29 Witherbee Street, 24 Gay Street and 30 Gay Street. The Finance Committee approved the following two orders 5 – 0:
 - Order to authorize the Mayor to enter into negotiations for four parcels for parking at the Library. The Mayor to amend the order by adding the words “more than” in the last paragraph prior to the “25%”.
 - Order approving the transfer of \$75,000.00 from the Undesignated fund for the purpose of providing the deposits to bind offers on the four parcels for parking at the Library.
 - The Finance Committee agreed to support suspending the rules at the December 19, 2016 City Council meeting to approve both orders.

Reports of Committee Cont'd.

3. **Order No. 16-1006761 – Acceptance of the Provisions of MGL c. 44 Section 53F ¾.** The Finance Committee reviewed the Mayor's letter dated December 1, 2016 requesting the approval of an order accepting the provisions of MGL c. 44 Section 53F ¾ which would create a separate revenue account for receipts received in connection with the City's franchise agreements with cable providers. **The Finance Committee voted 5 – 0 to approve the order accepting the provisions of MGL c. 44 Section 53F ¾.**

Note that Councilor Ossing read a disclosure that was filed with the City Clerk's office per MGL c. 268A section 23(b)(3).

4. **Order No. 16-1006762 (X-92-4412) – Order Repealing Order 92-4412 Which Established the Watershed Protection and Acquisition Fund.** The Finance Committee reviewed the Mayor's letter dated December 1, 2016 requesting the repeal of order 92-4412 which established the Watershed Protection and Acquisition Fund. **The Finance Committee voted 5 - 0 to approve the order to repeal Order 92-4412.**

The Finance Committee adjourned at 9:16 PM.

Councilor Robey reported the following out of the Legislative and Legal Affairs Committee.

City Council Legislative and Legal Affairs Committee
Wednesday, December 7, 2016, 7:05 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, Councilor Clancy; Councilor Delano and Councilor Juare were absent. Also attending were Don Rider, City Solicitor and Tom DiPersio, City Engineer.

Order No. 16-1006702 - Proposed Amendment to City Code providing Zoning Board of Appeals 100 days to file a decision on an appeal or variance.

ZBA chairman wrote to Solicitor Rider requesting City Code be updated to be in conformance with MGL C. 40A s. 15 which allows 100 days for ZBA to file its decision on an appeal by a petitioner or Building Commissioner and states 100 days as timeframe for failure to act before an appeal or petition is deemed approved. This matter was referred to Planning Board and L&L. The Council's public hearing was continued to Nov. 28th when ZBA vice-chairman Ralph Loftin spoke in favor; the Planning Board held their public hearing on Dec. 5th and voted favorably to support the zoning change and a letter from them should be on the Council's Dec. 19 agenda. **It was moved and seconded to recommend approval of the zoning changes to Section 650-58 Subsection C3 which will change current 75 days to 100 days to hold a public hearing upon receipt of appeal or petition and C4 which will change current 75 days to 100 days period when failure to act will cause the appeal or petition to be deemed approved; motion carried 2-0.**

Reports of Committee Cont'd.

Order No-16-1006732 - Order of Taking by Eminent Domain of permanent and temporary easements on E. Main St. for the purposes of reconstruction, construction and maintenance of improvements to E. Main St.

Received letter from Mayor dated Nov. 9th explaining the Order of Taking by Eminent Domain parcels, a letter from Commissioner Ghiloni asking for the easements, as well as maps showing all the parcels related to E. Main St. construction. The work is funded thru a MassWorks Grant so no appropriation is needed for this. The project includes 15 separate parcels of miscellaneous size at 48, 56, 59, 60, 79, 83-A, 87, 95, 99, and 114 E. Main St.; 19, 21, & 38 Brown St.; & 15 Sawin St. with either temporary or permanent easements and various awards totaling \$8,779 to be paid for the takings. Also received a memo from City Engineer DiPersio stating temporary easements are for grading, driveway, walkway and stone wall reconstruction and permanent easements are "aerial" for overhead wires to cross private property due to utility pole relocation.

Solicitor Rider informed us of two changes that will be made to the Order before it is on the agenda for final Council vote. One is an error by VHP in the numbering of map pages-1st page is 1 of 6, then it goes 2-5 of 7 and back to 6 of 6, 2nd is in the Description of Land Taken, items #1, 2, 3, 4, 9, 10, 12, 13 & 14 where it states the temporary easement will be terminated "on and after the third anniversary" which should read second anniversary.

It was moved and seconded to recommend approval of Order 16-1006732 with corrections to be done by Solicitor Rider before final vote; motion carried 2-0.

It was moved and seconded to adjourn; motion carried 2-0. The meeting adjourned at 7:26 PM.

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: December 7, 2016

Time: 5:00 PM

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

Convened: 5:03 PM – Adjourned: 5:45 PM

Present: Chairman Tunnera; Personnel Committee Members Councilors Irish and Elder; Councilors Clancy and Ossing

Also Present: Rose Marie Elwood, Jeanne McGeough, Pat Gallier, Leslie Biggar, David Elmore, Melissa Vera, Jessica Bowen, Stephan D'Alessandro, Diane Smith, Beverly Sleeper, and Lisa Thomas

Order No. 16-1006654 - The Reappointments of the following individuals to the Council on Aging with staggered terms: Leslie Biggar to a three-year term expiring in May 2019; and Rose Marie Elwood, Jeanne McGeough and Pat Gallier to two year terms expiring May 2018. Recommendation of the Personnel Committee is to approve the reappointments of Rose Marie Elwood, Jeanne McGeough, Pat Gallier, and Leslie Biggar to the Council on Aging. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointments. The motion carried 3-0.**

Reports of Committee Cont'd.

Order No. 16-1006727 - The Cultural Council Appointments as follows: Stephan D'Alessandro and Jessica Bowen to the Cultural Council for a term of three years and Reappointments of Mark Bartlett and Melissa Vera for a term of three years which expired in August 2016. Recommendation of the Personnel Committee is to approve the reappointment of Melissa Vera and appointments of Jessica Bowen and Stephan D'Alessandro to the Cultural Council. Mark Bartlett was unable to attend the meeting and his reappointment remained in the Personnel Committee. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment of Melissa Vera and appointments of Stephan D'Alessandro and Jessica Bowen. The motion carried 3-0.**

Order No. 16-1006728 - The Reappointment of Auditor, Diane Smith, for a term of three years to commence upon City Council approval. Recommendation of the Personnel Committee is to approve the reappointment of Diane Smith as Auditor. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**

Order No. 16-1006729 - The Reappointment of Chief Procurement Officer, Beverly Sleeper, for a term of three years to commence upon City Council approval. Recommendation of the Personnel Committee is to approve the reappointment of Beverly Sleeper as Chief Procurement Officer. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**

Order No. 16-1006733 - The Reappointment of Lisa Thomas as City Clerk for a term of three years to expire on February 28, 2020. Recommendation of the Personnel Committee is to approve the reappointment of Lisa Thomas as City Clerk. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment. The motion carried 3-0.**

Motion made by Councilor Elder, seconded by the Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 5:45 PM.

ORDERED: That Item 6, Communication from the Mayor re: Revised Salary Ordinance pertinent to nonunion positions, Order No. 16-1006718, **FILE.**; adopted.

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council on December 19, 2016, the following proposed amendment to the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, Order revising salaries for the Assistant City Solicitor, Recreation Director, Executive Director of the Council on Aging and DPW Assistant, changing the title of the Senior Clerk (non-union) to Administrative Assistant, changing the Position of the Financial Assistant (non-union) to DPW Financial Assistant and all positions on the Step 7 Schedule shall work a 40-hour week,

ADVERTISED AS INDICATED ABOVE AND TABLE UNTIL THE FOLLOWING MEETING AFTER JANUARY 9, 2017 AS THE TEN DAY PERIOD WILL NOT BE MET FOLLOWING THE ADVERTISEMENT DATE OF JANUARY 5, 2017; adopted.

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council on December 19, 2016, the proposed amendment to the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, Order revising salaries in its entirety. (Salary Table available in Clerk's Office for viewing).

ADVERTISED AS INDICATED ABOVE AND TABLE UNTIL THE FOLLOWING MEETING AFTER JANUARY 9, 2017 AS THE TEN DAY PERIOD WILL NOT BE MET FOLLOWING THE ADVERTISEMENT DATE OF JANUARY 5, 2017; adopted.

ORDERED: That Item 7, Communication from the Mayor re: Revised Order to Approve Unique Acquisition & to Authorize Negotiation and Entering into Purchase & Sales Agreement, Order No. 16-1006760, **FILE;** adopted.

Suspension of the Rules requested – granted

ORDERED: Pursuant to MGL c. 30B, § 16(e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of one or more of four (4) parcels of land will not benefit the City's interest because of the unique qualities and location of the properties as hereinafter defined:

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 224, containing 0.289 acres or 12,588.84 S.F., more or less, located at 49 West Main Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 31600, Page 517. The person having a beneficial interest in this parcel is Lawrence R. Nourse;

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 245 containing 0.1997 acres or 8,698.93 S.F., more or less, located at 29 Witherbee Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 47304, Page 279. The persons having a beneficial interest in this parcel are Roy E. Hanson and Eileen Maguire;

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 256 containing 0.1169 acres or 5,092.16 S.F., more or less, located at 24 Gay Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 64881, Page 116. The persons having a beneficial interest in this parcel are Dalvan Ferreira Dos Santos and Sinara Teresinha Klipp; and

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 255 containing 0.1563 acres or 6,808.43 S.F., more or less, located at 30 Gay Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 67384, Page 457. The person having a beneficial interest in this parcel is Alex Hernandes.

The above-identified parcels satisfy the requirements of said M.G.L. c. 30B, § 16(e)(2), because:

- (i) the parcels are uniquely situated because they are located within close proximity to the existing Marlborough Public Library which does not currently have sufficient parking to meet the requirements of the Board of Library Commissioners in relation to the proposed renovation and addition project; (ii) the only way to increase the amount of parking is to purchase parcels uniquely located either adjacent to, or within close proximity of, the Marlborough Public Library; and (iii) the proposed acquisition of these parcels will increase parking for access to, and increased usage of, the Marlborough Public Library.

It is further ordered that the Mayor is authorized to negotiate and enter into individual purchase and sales agreements for each of the above-identified parcels subject to the following conditions: (i) that, in accordance with M.G.L. c. 43, § 30, the purchase price of any parcel shall not be more than 25% higher than the average assessed value of the parcel during the previous three years; (ii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the City to acquire the parcel for the amount stated in the purchase and sales agreement; and (iii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the appropriation of sufficient funds for the purchase of the parcel. As of this date, the average assessed value of each of the above-described parcels during the previous three years is as follows:

49 West Main Street (Map 69 Parcel 224) = \$303,266.66
29 Witherbee Street (Map 69 Parcel 245) = \$206,600.00
24 Gay Street (Map 69 Parcel 256) = \$223,133.33
30 Gay Street (Map 69 Parcel 255) = \$227,266.66

APPROVED; adopted.

Suspension of the Rules requested – granted

ORDERED: That the pursuant to Mass. Gen. Laws c. 43, § 30, the City Council, by a two-thirds vote of all its members, hereby authorizes an appropriation in the amount of \$75,000 from the Undesignated Fund, Account Number 10000-35900, for the purposes of providing the deposit(s) which would be paid by the City to bind offers on the proposed purchase and sales agreements which are the subject of Order No. 16-1006760, with respect to the any or all of the following parcels:

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 224, containing 0.289 acres or 12,588.84 S.F., more or less, located at 49 West Main Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 31600, Page 517. The person having a beneficial interest in this parcel is Lawrence R. Nourse;

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 245 containing 0.1997 acres or 8,698.93 S.F., more or less, located at 29 Witherbee Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 47304, Page 279. The persons having a beneficial interest in this parcel are Roy E. Hanson and Eileen Maguire;

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 256 containing 0.1169 acres or 5,092.16 S.F., more or less, located at 24 Gay Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 64881, Page 116. The persons having a beneficial interest in this parcel are Dalvan Ferreira Dos Santos and Sinara Teresinha Klipp; and

The parcel identified on the Assessors Map of the City of Marlborough as Map 69 Parcel 255 containing 0.1563 acres or 6,808.43 S.F., more or less, located at 30 Gay Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 67384, Page 457. The person having a beneficial interest in this parcel is Alex Hernandes.

APPROVED; adopted.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Zoning Ordinance Amendment, Marlborough Village District, in proper legal form, Order No. 16-1006667C, **FILE;** adopted.

President Clancy called a recess at 8:50 PM and returned to open meeting at 8:53 PM.

Suspension of the Rules requested to allow the Solicitor to speak – granted

President Clancy called a recess at 9:21 PM and returned to open meeting at 9:24 PM.

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended by amending certain provisions of Section 650-34, Marlborough Village District, and Section 650-41, Table of Lot Area, Yards, and Height of Structures, to Approve as was **Originally Submitted by petitioner and duly Advertised in proper legal form, with a correction of Scrivener’s error for Item 3 as follows:**

By amending Section 650-41, Table of Lot Area, Yards, and Height of Structures, as follows (*new text is underlined, deleted text has strikethrough*):

District	Minimum Lot Area	Minimum Lot Frontage (feet)	Minimum Side Yard (feet)	Minimum Front Yard (feet)	Minimum Rear Yard (feet)	Height	Minimum Lot Coverage
Marlborough Village District MV	5,000 square feet	25	10 ³	10 ¹⁴	10 ¹⁵	Minimum: 35 feet 6 stories: not to exceed a maximum of 70 feet ¹²	80% ¹³

NOTES:

1. Note deleted.
2. Applies to all buildings erected on or after January 27, 1969; all others, 10 feet.
3. Where abutting a residence district, or within the Marlborough Village District where abutting an existing structure that has side-facing windows at the structure’s lot line; otherwise 0 feet.
4. Except where abutting a residence district, shall be 50 feet.
5. Except for buildings extending through a block or to a railroad siding.
6. For the purpose of measuring setback distances for the corresponding height restrictions, an owner of LI or I zoned land may count abutting residentially zoned land toward the setback requirement if such land is owned by the same owner. Ownership of the residential land and the LI or I land must continue to be held by the same entity.
7. However, this frontage need not be contiguous.
8. No part of any principal building shall be within 25 feet of any exterior lot line nor shall any part of any building be closer to any exterior lot line than the minimum side yard requirement which would have been applicable in the zoning district in which the land in question was located before it was rezoned into a Retirement Community Residence District. A building may be as close as 25 feet to the front yard line of the exterior lot; provided, however, that no said building shall be less than 50 feet from the side line of a public way.

9. Excluding from lot size any land which prior to development of the site as a Retirement Community would be defined as a resource area as that term is defined in MGL c. 131, § 40.
10. Buildings on a Large Tract Development Lot, which are more than 1,200 feet from a Residential Zone, may be built to a maximum height of 85 feet.
11. Maximum lot coverage for a Large Tract Development Lot shall be 50%.
12. Within the Marlborough Village District, special permits may allow for an increase in height to 80 feet; also, provided that the height of any development adjacent to any residential district shall be stepped down and shall not exceed 52 feet. [See Section 650-33(F).]
13. Within the Marlborough Village District, special permits may allow for an increase in lot coverage.
14. Except along ~~Main Street~~ within the following streets in the Marlborough Village District where zero-foot setback is allowed by right: : Main Street, the eastern side of South Bolton Street between Main Street and Granger Boulevard, and the northern side of Granger Boulevard between South Bolton Street and Main Street.
15. Except that a special permit may be granted to reduce this to zero where public safety will not be impacted and the reduction will yield a better design.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. Councilor Oram objected to passage in one evening.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Special Permit for a Car Wash in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD) in proper legal form, Order No. 16-1006634C, FILE; adopted.

ORDERED:

DECISION ON A SPECIAL PERMIT

IN CITY COUNCIL

Special Permit
Ryan Development LLC
Order No. 16-1006634D

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 16-1006634D**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Ryan Development LLC (the "Applicant") to build and operate a car wash in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD) located at 22 Apex Drive, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant, is a duly organized and existing Limited Liability Company having a business address of 4 Lan Drive, Westford, Massachusetts 01886.
2. Apex WR 1031 LLC is the owner of the property located at 22 Apex Drive, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 78, Parcels 12, 14, 38 and 39, and Map 89, Parcel 7 (the "Site").
3. The Applicant proposes to build and operate a new car wash facility at the Site (the "Use") as part of the larger Apex Center development (the "Project").
4. The Site is located in the HRMUOD, following the City Council's approval of a Master Concept Plan for the Project (Order No. 16-1006443G-1), approval of the Development Agreement for the Project (Order No. 16-1006443G-2), and the Owner's acquisition of the Site (deed recorded in the Middlesex South District Registry of Deeds in Book 67444, Page 575).
5. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an application for a special permit for the Use in the HRMUOD as provided in this Decision and subject to the following.
6. In connection with the Application, the Applicant has submitted a certified list of abutters, filing fees, and a detailed site plan entitled "22 Apex Drive Building Pad and Site Plan" prepared by Hancock Associates and dated May 16, 2014, last revised August 10, 2016 (the "Plans").
7. The Plans were certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
8. 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.

9. The Marlborough City Council, pursuant to Massachusetts General Laws, Chapter 40A, held a public hearing on the application on Monday, September 12, 2016. The hearing was opened and closed on that date.
10. The Applicant, through its representatives, presented testimony at the public hearing detailing the Project, describing its impact upon municipal services, the neighborhood, and traffic.

**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 to the Applicant a Special Permit to build and operate a car wash in Hospitality and Recreation Mixed Use Overlay District (HRMUOD) as shown on the Plans filed, 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 shall 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. Compliance with Applicable Laws. The Applicant, its successors and/or assigns 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 Project.
 3. Site Plan Review. The issuance of the Special Permit is further subject to that certain Site Plan Review Decision issued on November 2, 2016 for the overall Project, which Site Plan Review Decision was issued in accordance with the HRMUOD Ordinance and the City of Marlborough Site Plan Review Ordinance.
 4. Modification of Plans. Notwithstanding conditions #1 and #3 above, the City Council or the Site Plan Review Committee may make engineering changes to the Plans, so long as said changes do not change the use of the Project as approved herein, or materially increase the impervious area of the Project, reduce the green area, alter traffic flow, or increase the size, or shape or position of the building, all as shown on the Plans.

5. 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.
6. Car Wash Safety Factor. The Chief of Police or his designee shall have authority to order the carwash temporarily closed when an "icing" or unsafe condition on the public way exists due to the carwash or weather conditions, as determined solely by the Chief of Police or his designee.
7. Carwash Equipment Monitoring. All carwash equipment shall be monitored on an annual basis with reports given by the Applicant to the Assistant Commissioner of Utilities of the Marlborough Department of Public Works. The purpose of said report is for the Applicant to demonstrate that the effluent from the car wash to the City's sewer system is acceptable to the City.
8. Concrete Aprons. The concrete aprons located at the exit of the carwash bays shall be heated during the winter months to prevent icing. This shall be included in the design submitted for a building permit.
9. Disposal of Chemical Containers. All containers that have been used for the storage of chemicals shall adhere to any and all disposal requirements consistent with safety precautions and the RCRA.
10. Hours of Operation. The hours of operation for the carwash shall be from 6AM to 12AM, seven (7) days per week. The Applicant may, after 12 months from the date of the final occupancy permit for the carwash, request from the City Council a modification to the hours of operation, up to 24 hours per day, through an amendment to this Special Permit.
11. Compliance with Related Special Permit. The Applicant has also applied for a special permit for the Use in Zone B of the Watershed Protection District (Order No. 16-1006635). Any conditions attached to the approval of said special permit are also incorporated herein and made a part hereof.
12. Recording of Decision. In accordance with the provisions of M.G.L. c. 40A, § 11, 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.

Yea: 11 – Nay: 0

Yea: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juaire, Oram, Ossing & Robey.

ORDERED: That the Communication from Assistant City Solicitor Panagore Griffin re: Special Permit for a Car Wash in Zone B of the Water Supply Protection District, in proper legal form, Order No. 16-1006635B, **FILE**; adopted.

ORDERED:

DECISION ON A SPECIAL PERMIT

IN CITY COUNCIL

Special Permit
Ryan Development LLC
Order No. 16-1006635C

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 16-1006635C**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Ryan Development LLC (the "Applicant") to build and operate a car wash in Zone B of the Water Supply Protection District located at 22 Apex Drive, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant, is a duly organized and existing Limited Liability Company having a business address of 4 Lan Drive, Westford, Massachusetts 01886.
2. Apex WR 1031 LLC is the owner of the property located at 22 Apex Drive, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 78, Parcels 12, 14, 38 and 39, and Map 89, Parcel 7 (the "Site").
3. The Applicant proposes to build and operate a new car wash facility at the Site (the "Use") as part of the larger Apex Center development (the "Project").
4. The Site is located in the Hospitality and Recreation Mixed Use Overlay District (HRMUOD), following the City Council's approval of a Master Concept Plan for the Project (Order No. 16-1006443G-1), approval of the Development Agreement for the Project (Order No. 16-1006443G-2), and the Owner's acquisition of the Site (deed recorded at the Middlesex South District Registry of Deeds in Book 67444, Page 575).
5. The Site is also located in Zone B of the Water Supply Protection District (WSPD).
6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an application for a special permit for the Use in Zone B of the WSPD as provided in this Decision and subject to the following.
7. In connection with the Application, the Applicant has submitted a certified list of abutters, filing fees, and a detailed site plan entitled "22 Apex Drive Building Pad and Site Plan" prepared by Hancock Associates and dated May 16, 2014, last revised August 10, 2016 (the "Plans").
8. The Plans were certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of 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, held a public hearing on the application on Monday, August 29, 2016. The hearing was opened and closed on that date.
11. The Applicant, through its representatives, presented testimony at the public hearing detailing the Project, describing its impact upon municipal services, the neighborhood, and traffic.

**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 to the Applicant a Special Permit to build and operate a car wash in Zone B of the Water Supply Protection District as shown on the Plans filed, 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 shall 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. Compliance with Applicable Laws. The Applicant, its successors and/or assigns 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 Project.
 3. Site Plan Review. The issuance of the Special Permit is further subject to that certain Site Plan Review Decision issued on November 2, 2016 for the overall Project, which Site Plan Review Decision was issued in accordance with the HRMUOD Ordinance and the City of Marlborough Site Plan Review Ordinance.
 4. Modification of Plans. Notwithstanding conditions #1 and #3 above, the City Council or the Site Plan Review Committee may make engineering changes to the Plans, so long as said changes do not change the use of the Project as approved herein, or materially increase the impervious area of the Project, reduce the green area, alter traffic flow, or increase the size, shape or position of the building, all as shown on the Plans.

5. 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.
6. Disposal of Chemicals Containers. No container that has been used for the storage of chemicals which are used in the carwash process will be disposed of in the dumpster located on the Site.
7. Hazardous Materials Spill Containment. Protection against toxic or hazardous material discharge or loss through corrosion, accidental damage, spillage or vandalism shall be provided. Such protection shall include provisions for spill control in the vicinity of chemical delivery points and shall include secure storage provisions for corrodible or dissolvable materials. Secondary containment structures must be provided which are large enough to contain the volume of the containers total storage capacity per local Fire Department requirements.
8. Emergency response. A spill prevention, control and countermeasure plan to prevent contamination of soil and water in the event of accidental spills or the release of materials shall be reviewed by the Fire Department. Compliance with recommendations of the Fire Department on said plan shall be required.
9. Sewer Discharge. The Applicant shall utilize some recycling of water (approximately 25% of their water usage) to reduce sewer discharge from the car wash. Prior to the issuance of a building permit, the Applicant shall review with the Assistant Commissioner of Utilities, Marlborough Public Works Department, the final process design and the need to apply for an Industrial Waste Discharge Permit for the proposed discharge.
10. Water Use - Well. The Applicant has proposed to drill a well to partially service the car wash to reduce the need for City water for this facility. Therefore, the following steps are necessary:
 - a. Prior to the issuance of a building permit, the Applicant will provide a report on the well construction. The report shall indicate flow capacity and construction details of the well and its connection to the car wash system.
 - b. The well report shall also confirm to the Board of Health Agent, the Conservation Officer, and the City Engineer that the well is deep enough so as not to interfere with surface water in the adjacent wetlands, or the supply of water to the Millham Reservoir.
 - c. The well must be located outside of the Floodplain and Wetlands Protection District, and must be properly sealed to prevent potential contamination from entering the aquifer.
 - d. Any sinks located in restroom facilities or wash rooms which are for the use of car wash employees or employees of the Applicant, and which restroom facilities or wash rooms are located within the subject car wash building, must be serviced by potable water, and not well water, as per Board of Health requirements.

11. Storage of Flammables Prohibited. No flammable materials except those, like diesel and oil, that may be used to heat the premises, will be stored at the site.
12. Activity Prohibition in Zone A. No activity that is accessory to a carwash, including but not limited to the pre-washing of cars, will be allowed in Zone A.
13. Compliance with Related Special Permit. The Applicant has also applied for a special permit for the Use in the HRMUOD (Order No. 16-1006634). Any conditions attached to the approval of that special permit are also incorporated herein and made a part hereof.
14. Recording of Decision. In accordance with the provisions of M.G.L. c. 40A, § 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.

Yea: 11 – Nay: 0

Yea: Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juair, Oram, Ossing & Robey.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 485, ENTITLED "PROPERTY MAINTENANCE," AS FOLLOWS:

1. Chapter 485, entitled "Property Maintenance," is hereby amended by adding a new Article III, entitled "Reporting Obligations After a Devastating Event," as follows:

ARTICLE III: Reporting Obligations After a Devastating Event

Section 485-16. Definitions.

When used in this article, the following terms shall have the following meanings, unless a contrary intention clearly appears:

BUILDING

A structure, whether portable or fixed, with exterior walls or firewalls and a roof, built, erected or framed of a combination of any materials, to form shelter for persons, animals, or property.

CITY

The City of Marlborough.

COMMISSIONER

The Building Commissioner of the City of Marlborough or his/her designee.

DEVASTATING EVENT

A fire, gas explosion, lightning strike, storm, flood, falling tree, earthquake, act of vandalism, plumbing burst or freeze, or other similar event that significantly damages, in the estimation of the Commissioner, a building or structure located, at least in part, within the City.

OWNER

Every person, entity, mortgage lender, service company, property manager or real estate broker, who alone or severally with others:

- A. Has legal or equitable title to any dwelling, dwelling unit, manufactured home (mobile home unit), building or parcel of land, vacant or otherwise; or
- B. Has care, charge or control of any dwelling, dwelling unit, manufactured home (mobile home unit), building or parcel of land, vacant or otherwise, in any capacity, including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or
- C. Is a mortgagee in possession of any such dwelling, dwelling unit, mobile home unit, building or parcel of land, vacant or otherwise; or
- D. Is an officer or trustee of the association of unit owners of a condominium;
- E. Is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property; or
- F. Is a person who operates a rooming house.

STRUCTURE

A combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter or enclosure such as a building, framework, retaining wall, stand, platform, bin, fence (having a height at any point of six feet or greater above grade), parking area sign, flagpole, or mast for an antenna or the like.

Section 485-17. Reporting Obligations.

- A. Within 72 hours after the City has sent, by first class mail and by certified mail, written notification to the owner of a building or structure damaged by a devastating event, the owner of the building or structure damaged by the devastating event shall report in writing to the Building Commissioner the name, mailing address, and contact information including phone number of the insurance company providing insurance on the building or structure, as well as the name, mailing address, and contact information including phone number of any licensed public insurance adjuster retained by or on behalf of the owner.
- B. No later than 30 calendar days after the date of the devastating event, and at no less than 30-calendar-day intervals thereafter, the owner shall report in writing to the Building Commissioner the status of settlement negotiations with the insurer of the damaged building or structure, together with a timetable for repairing, renovating or otherwise disposing of the building or structure. The building or structure will be subject to evaluation by the Building Commissioner or his/her designee every 30 calendar days after the date of the devastating event.

- C. Failure of the owner to comply, within the pertinent 30-calendar-day period, with the reporting obligations of this Section 485-17 shall subject the owner to the antiblight provisions set forth in Article I of this Chapter.
- D. Nothing contained in this Section 485-17 shall prohibit the City from seeking any relief the City deems appropriate to protect and advance the health, safety, welfare and aesthetic concerns of the public, including but not limited to a demolition order pursuant to M.G.L. c. 139, § 1; an inspection of the building or structure by the Building Commissioner or his/her designee pursuant to M.G.L. c. 143, § 6; or a referral of the matter to the City's Board of Health to enforce the provisions of the sanitary code including by means of judicial appointment of a receiver pursuant to M.G.L. c. 111, § 127I. All costs incurred by the City pursuant to this section shall constitute a debt due the City pursuant to the provisions of M.G.L. c. 139, § 3A, M.G.L. c. 143, § 9, or M.G.L. c. 111, § 125, as applicable.
 - 2. Since the deferred operation of this ordinance would tend to defeat its purpose, which is to make effective its provisions as soon as possible in order to protect the health and safety of the people or their property, this ordinance shall become effective immediately upon passage.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

Councilor Oram withdrew his objection to Item 19, Marlborough Village District Zoning Ordinance. All stages were approved in one evening.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:42 PM.



City of Marlborough

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Office of the Mayor

2017 JAN -5 A 11:48
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
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Arthur J. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patrieta Bernard
EXECUTIVE SECRETARY

January 5, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Housing Plan

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval an order to temporarily cease City Council consideration of new proposals for housing developments in the City for a six-month period in order to give the City an opportunity to strategically review our housing inventory, demand for housing, and impacts to quality of life for Marlborough residents.

After working with Council President Clancy to draft the attached order, I believe it is necessary for the City to develop a housing plan before additional housing growth moves forward through the City's permitting processes. In recent weeks, as many as 13 new housing projects have been discussed in various forms throughout the City. While not all of these projects may move forward as formal proposals, there is certainly a strong appetite among developers to bring forward large scale projects in Marlborough.

Please note that since this is a zoning amendment, it must follow MGL, C. 40A, § 5 to be adopted. Under MGL, C. 40A, § 5, zoning amendments may be initiated by a City Councilor, but not by the Mayor. While this order is my recommendation, I request that a City Councilor make a motion to refer to the Planning Board and advertise the attached order under his or her name. The Solicitor's office has confirmed that this order will de facto go into effect upon the date of advertisement, but to be formally adopted it must go through the steps outlined in MGL c. 40A, § 5.

Upon your approval of the order, I will direct the Marlborough Economic Development Corporation to immediately contract with a planning agency to conduct the housing study. I will also form an ad hoc committee, which will include a City Councilor, to oversee and report back on the study to the City Council by July 1, 2017.

Marlborough is known as a community where families can afford a home, have access to ample job opportunities and send their children to a great school system. I am proud that we are one of a small number of communities in Massachusetts where more than 10 percent of our housing inventory is affordable in accordance with Massachusetts Department of Housing and Community Development regulations.

More than 950 housing units of various sizes have been approved for development in Marlborough since 2010. Recently completed projects include Ice House Landing and the Talia Apartments. Other projects

approved during this time period include the beautiful new apartments at Avalon Marlborough and the Condominiums at St. Mary's.

As standalone projects, these represent good developments by developers the City can rely on to deliver high quality work. Taken as a whole, they represent a large influx of new housing units.

Were this pace of development to continue without a comprehensive housing plan, transportation and other issues related to extensive development may worsen. At this time, I believe it is necessary to temporarily pause consideration of housing projects and draft a housing plan in order to make sure future developments mitigate any potential impact to our open space, school enrollment, traffic, water protection, as well as the demands placed on our police and fire.

In our 2011 master plan for economic development (the Marlborough Economic Development Master Plan: Building the New Marlborough Economy), housing was identified as a potential for future tax revenue growth if the City was able to capture young professionals and empty nesters who do not have school-aged children. Our rezoning of Downtown Marlborough and the approval of projects like Avalon Marlborough attempts to do just that. These developments are high end, 1 or 2 bedrooms, and are targeted at those young professionals who work in Marlborough.

The Marlborough Economic Development Master Plan offered some insight into the housing market in Marlborough, but concluded that:

A comprehensive analysis of housing in Marlborough was beyond the scope of this report...affordable housing, and particularly affordable housing for Marlborough's workforce, should be addressed in the context of a City-wide Comprehensive Plan that takes into consideration all items relevant to housing policy, including: open space playgrounds, school capacities and student enrollment projections, police and fire protection capacities, as well as transportation, water, sewer, and other infrastructure capacities.

A number of factors have contributed to our stunning economic growth in the past few years, such as our location, the Marlborough Economic Development Corporation, and our reputation as a hub for life sciences; however, I believe one of the strongest factors is our commitment to strategically planning where and how commercial development grows in Marlborough. As the Master Plan itself states, it is crucial that we also have a housing plan.

As we prepare to consider a number of new housing projects in the City, it is necessary for us to follow that same template: plan first to determine the type and amount of housing projects that benefit Marlborough residents for years to come.

I appreciate your consideration of the attached order and will be available to speak in further detail at the upcoming City Council meeting. In the meantime, please do not hesitate to contact me with any questions or concerns.

Sincerely,



Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING THERETO AS FOLLOWS:

A new Section 650-63, entitled "TEMPORARY CESSATION OF THE ACCEPTANCE OF APPLICATIONS FOR SPECIAL PERMITS FOR HOUSING PROJECTS," is hereby added, as follows:

650-63 TEMPORARY CESSATION OF THE ACCEPTANCE OF APPLICATIONS FOR SPECIAL PERMITS FOR HOUSING PROJECTS

A. Purpose.

The regulation of housing projects by special permit raises novel and complex legal, planning, public health and safety issues, and the City needs time to undertake a planning process to consider amendments to the Zoning Ordinance regarding the regulation of said housing projects. The City intends to adopt a temporary cessation on the use of land and structures in the City for the purpose of housing projects by special permit, so as to allow the City sufficient time to engage in a planning process to consider various issues and impacts, including without limitation the adequacy of the water supply and sewer treatment systems, the condition and repair of public ways, proper staffing at the Department of Public Works, potential staffing and equipment needs for the Police Department and the Fire Department, pending fiscal responsibilities for schools and the Library, the Subsidized Housing Inventory by which the City is currently at or above the 10% threshold and therefore exempt from 40B Comprehensive Permits, vehicular traffic and municipal services, in order to address the effects of such use for the welfare of its inhabitants, present and future, and to enact ordinances in a manner consistent with sound land use planning goals and objectives.

B. Temporary Cessation.

For the reasons sets forth above, and notwithstanding any other provision of the Zoning Ordinance to the contrary, the City hereby adopts a temporary cessation on the use of land or structures for housing projects by special permit. In no case shall the City accept an application for special permit for a housing project. Said temporary cessation, and non-acceptance of applications for special permits for housing projects, shall be in effect for six months from the date of approval by the City Council. During the temporary cessation period, the City shall undertake a planning process to address the potential impacts of housing projects in the City, and shall consider amending its Zoning Ordinance to address the impact of said housing projects.

ADOPTED

In City Council
Order No 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JAN -5 A 11:48

City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 5, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance – Council on Aging

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant award for the Council on Aging in the amount of \$67,030.00 from the Executive Office of Elder Affairs.

This grant would allow the Council on Aging to provide programs such as exercise classes and transportation, as well as administrative support with additional enrichment opportunities for seniors. I have enclosed for your information documentation regarding the grant, as well as the grant award notification and a standard contract form.

If you have any questions, please do not hesitate to contact me or Trish Pope.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

40 New Street
Marlborough, Massachusetts 01752
Telephone (508) 485-6492 Facsimile (508) 460-3726

Patricia A. Pope
EXECUTIVE DIRECTOR

January 4, 2017

Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

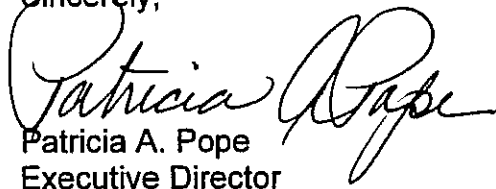
Re: Formula Grant Funding

Dear Mayor Vigeant,

I am pleased to submit to you a grant award in the amount of \$67,030.00 from the Executive Office of Elder Affairs. This essential funding will allow our Council on Aging to provide exercise classes, transportation, programs, administrative support as well as additional enrichment opportunities for our seniors.

We look forward to utilizing this grant to continue to enhance the quality of life for our senior population here in Marlborough. I am available should you or the Council have any questions.

Sincerely,


Patricia A. Pope
Executive Director

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: January 4, 2017

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia Pope

NAME OF GRANT: Formula Grant Funding

GRANTOR: EDEA

GRANT AMOUNT: \$67,030.00

GRANT PERIOD: July 1, 2016 - June 30, 2017

SCOPE OF GRANT/
ITEMS FUNDED Programs, Administrative Support,
enrichment opportunities and transportation

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO
BE USED:

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: as soon as possible

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osc under OSD Forms.

CONTRACTOR LEGAL NAME: CITY OF MARLBOROUGH		COMMONWEALTH DEPARTMENT NAME: Executive Office of Elder Affairs MMARS Department Code: ELD	
Legal Address: (W-9, W-4, T&C): 140 MAIN ST MARLBOROUGH, MA 01752		Business Mailing Address: 1 Ashburton Place Room 517, Boston, MA 02108	
Contract Manager: Patricia (Trish) Pope		Billing Address (if different):	
E-Mail: ppope@marlborough-ma.gov		Contract Manager: Stacey O'Connell	
Phone: 508-485-6492	Fax:	E-Mail: Stacey.O'Connell@MassMail.state.ma.us	
Contractor Vendor Code: VC6000192112		Phone: 1-617-222-7419	Fax: 1-617-727-9368
Vendor Code Address ID (e.g. "AD001"): AD001. Note: The Address ID must be set up for <u>EFT</u> payments.)		MMARS Doc ID(s): FY17COA_Marlborough0	
		RFR/Procurement or Other ID Number: Grant Award	
X NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <u>Statewide Contract</u> (OSD or an OSD-designated Department) <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <u>Department Procurement</u> (Includes State or Federal grants §15 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <u>X Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____ (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <u>Contract Employee</u> (Attach any updates to scope or budget) <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <u>X</u> Commonwealth Terms and Conditions _____ Commonwealth Terms and Conditions For Human and Social Services.			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <u>X Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$67,021.17			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through <u>EFT</u> 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days % PPD; Payment issued within 15 days % PPD; Payment issued within 20 days % PPD; Payment issued within 30 days % PPD. If PPD percentages are left blank, identify reason: <u>X</u> agree to standard 45 day cycle statutory/legal or Ready Payments (G.L. c. 29, § 23A); only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <u>Prompt Pay Discounts Policy</u> .)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: This contract is to locally distribute a formula grant award to the Councils on Aging of the municipalities of the Commonwealth. The award amount is determined by a census-based allocation of available grant funding. Funds may support Council on Aging activities as identified in the annually published COA Formula Grant Guide. The activity performance period for this award is 7/1/2016 – 6/30/2017. The municipality will complete a final fiscal report accounting for how these grant funds were applied. Ongoing eligibility for formula grant funding is contingent on satisfactory prior year performance.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ___ 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ___ 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <u>X</u> 3. were incurred as of <u>July 1st, 2016</u> , a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30th, 2017</u> with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR:		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:	
X: _____, Date: <u>12/14/16</u> (Signature and Date Must Be Handwritten At Time of Signature)		X: _____, Date: _____ (Signature and Date Must Be Handwritten At Time of Signature)	
Print Name: <u>Arthur G. Vignani</u>		Print Name: <u>Rosalba Schino</u>	
Print Title: <u>Mayor</u>		Print Title: <u>Chief Financial Officer</u>	



City of Marlborough

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CITY OF MARLBOROUGH

Office of the Mayor

2017 JAN -5 A 11:48

140 Main Street

Marlborough, Massachusetts 01752

Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 5, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance – Emergency Management

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant for Emergency Management in the amount of \$9,460.00 from the Massachusetts Emergency Management Agency (MEMA).

This grant awarded to the City would be used for the purchase of two video recording cameras for two police cruisers. I have enclosed for your information documentation regarding the grant, as well as a grant award notification form, and a copy of the grant contract.

The requirement for matching funds for this grant is met through the City's contract with Blackboard Connect, which is funded through the Emergency Management budget. No additional costs are involved.

These funds must be used and requested for reimbursement by June 30, 2017.

If you have any questions, please do not hesitate to contact me or Don Cusson.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Emergency Management

696 CONCORD ROAD
MARLBOROUGH, MASSACHUSETTS 01752-5617
TEL. (508) 481-1933 ■ FACSIMILE (508) 460-3795 ■ TDD (508) 460-3610
CELL (508) 726-1088 ■ PAGER (978) 803-2061

Don Cusson
EMERGENCY MANAGEMENT
DIRECTOR
dcusson@marlborough-ma.gov

December 22, 2016

Mayor Arthur G. Vigeant
140 Main St. City Hall
Marlborough, MA 01752

Re: 2017 EMPG Grant

Dear Mayor Vigeant;

Please find enclosed a grant in the amount of \$9,460.00 from the Massachusetts Emergency Management Agency (MEMA), a copy of my EMPG 2017 grant application, a notice of Grant Award form, and a copy of the grant contract. Please submit to the City Council for their acceptance.

As the grant states, these funds are to be used for the purchase of two video recording cameras for two Police Cruisers. I have worked with Capt. Paul Valianti on this project to coordinate the system to mirror the recording system already used in Booking.

The requirement for matching funds for this grant is met through the City's contract with Blackboard Connect which is funded through the Emergency Management budget. No additional costs are involved.

These funds must be used and requested for reimbursement by June 30, 2017.

If you have any questions, please feel free to call at any time.

Respectfully,

Donald E. Cusson

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Emergency Management DATE: 12/22/2016

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Donald E. Cusson

NAME OF GRANT: Marlborough EMPG 2017

GRANTOR: Massachusetts Emergency Management Agency

GRANT AMOUNT: \$9,460.00

GRANT PERIOD: Fiscal Year 2017

SCOPE OF GRANT/
ITEMS FUNDED These funds are to be used for the purchase of two video recording cameras
for two police cruisers.

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? No

ARE MATCHING CITY
FUNDS REQUIRED? Yes, but the requirement for Matching Funds is met through the City's contract with
BlackBoard Connect.

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
N/A

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:
N/A

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

**DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER
LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT**

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/ocg under Guidance For Vendors - Forms or www.mass.gov/osd under OSD Forms.

CONTRACTOR LEGAL NAME: (and d/b/a): <u>MARBOROUGH, City of</u>	COMMONWEALTH DEPARTMENT NAME: <u>Massachusetts Emergency Management Agency</u> MMARS Department Code:
Legal Address: (W-9, W-4, T&C): <u>140 Main Street, Marlborough, MA 01752-3812</u>	Business Mailing Address: <u>400 Worcester Road, Framingham, MA 01702-5399</u>
Contract Manager: <u>Donald E Cusson</u>	Billing Address (if different): <u>same</u>
E-Mail: <u>dcusson@marlborough-ma.gov</u>	Contract Manager: <u>Lorri Gifford</u>
Phone: <u>781.639.3427 / 781.983.3580 (cell)</u> Fax:	E-Mail: <u>lorri.gifford@maesmail.state.ma.us</u>
Contractor Vendor Code: <u>VC6000192111</u>	Phone: <u>508.820.1407</u> Fax: <u>508.820.2030</u>
Vendor Code Address ID (e.g. "AD001"): <u>AD</u> (Note: The Address ID must be set up for EFT payments.)	MMARS Doc ID(s): <u>FY17EMPG1600000MARLB</u> RFR/Procurement or Other ID Number: <u>FFY2016 EMPG</u>
<input checked="" type="checkbox"/> NEW CONTRACT	<input type="checkbox"/> CONTRACT AMENDMENT
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> <u>Department Procurement</u> (includes State or Federal grants <u>815 CMR 2.00</u>) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)	Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____, (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services	
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). <u>\$9,460.00</u>	
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ___agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>G.L. c. 29, § 23A</u>); <input checked="" type="checkbox"/> <u>only initial payment</u> (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)	
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Funding for this grant is provided via a Federal Fiscal Year 2016 (FFY16) Emergency Management Performance Grant (EMPG), CFDA #97.042 and has a required dollar for dollar match. The Contractor/Subrecipient will perform activities as stated in your approved 16EMPG application and in accordance with DHS/FEMA Terms and Conditions, and MEMA-PMO Special Terms and Conditions.	
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 3. were incurred as of _____, 20____, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.	
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2017</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.	
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.	
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>Donald E Cusson</u> Date: <u>12/22/2016</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Donald E Cusson</u> Print Title: <u>EMF Director</u>	AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>

2016 EMPG Application Template

1. Entity submitting this Application

Community(s)/Tribe(s): City of Marlborough EMA

Point of Contact Name (only one POC for joint applications): Donald E. Cusson

Title: EMA Director

Telephone: Cell 508-726-1088

Email: dcusson@marlborough-ma.gov

Organization DUNS Number (required) 045633484

Fiscal Point of Contact (if different than above)

Name: Diane Smith

Telephone: 508-460-3713

Email: dsmith@marlborough-ma.gov

This 2016 EMPG application is submitted by:

Name: Donald E. Cusson

Title: EMA Director

Telephone: Cell 508-726-1088

Email: dcusson@marlborough-ma.gov

2. Project Description

In order for MEMA to ensure all costs and activities are reasonable, allowable, and support the National Preparedness Goal and State Homeland Security Strategy, please provide clear and comprehensive responses to items a-f below:

- a) Provide a description of your project, to include how the funds will be used and a description of the objective(s):

Two mobile video Cameras installed in cruisers for recording and viewing of stops.

- b) Identify the gap and/or capability you are seeking to address, sustain, or build;

To build a system for the security and verification of all stops or incidents per cruiser.

- c) Provide detail on how this project will enhance all-hazards preparedness, emergency management, or otherwise benefit your community (the anticipated outcomes);

A better and safer operations to be documented and also used for training for future uses.

- d) Identify **and** describe how your proposal supports one (or more) of the five FEMA Mission Areas (*Prevention, Protection, Mitigation, Response, and Recovery*). Information on the FEMA Mission Areas may be found on FEMA's website here: <https://www.fema.gov/mission-areas>

As we see Nationwide it is imperative we do this to prevent and protect from future incidents of all nature of calls.

- e) Identify **and** describe how your proposal supports one (or more) of the 32 FEMA Core Capabilities. Information on the FEMA Core Capabilities may be found on FEMA's website here: <https://www.fema.gov/core-capabilities>

Provide timely, accurate, and actionable information resulting from the action, processing, analysis, dissemination, evaluation, and feedback of available videos, information concerning physical and actual routine stops. Its people, property, or interests the Information sharing is the ability to exchange intelligence, information, data, or knowledge among sector entities, as appropriate or needed for the record and training as well as documentation.

- f) Identify **and** describe how your proposal supports one (or more) of the six Massachusetts State Homeland Security Strategy (SHSS) Goals. The SHSS may be found on the EOPSS website here: <http://www.mass.gov/eopss/home-sec-emerg-resp/shss>

3. Funding Amount

Please refer to Appendix E on pages 22-23 for your community's proposed award amount.

Amount of Community/Tribe FFY 2016 EMPG funding: \$ 9,460.00_____

4. Budget Detail

All costs must be identified below. Insert additional rows if needed.

Complete this budget table to itemize all proposed grant expenditures from date of award through 6/30/17

Description of Each Proposed Expenditure	AEL # (as applicable)	For Equipment, Fixed or Portable	Quantity	Unit Cost	Total Cost
Video cameras in cruisers	04-MD-01-VCAM	Portable	2	\$ 4,730.00	\$9,460.00

As needed, complete this budget table to itemize proposed grant expenditures from 7/1/17/- 9/30/17

Description of Each Proposed Expenditure	AEL # (as applicable)	For equipment, Fixed or Portable	Quantity	Unit Cost	Total Cost

5. Match

Per FEMA, the EMPG requires a dollar-for-dollar match. The provided match must be verifiable (i.e.; adequate back-up documentation must be maintained) and relate to an allowable cost under the EMPG.

The questions (and your responses) in Section 6 below will help document that the match meets the federal requirements in accordance with MEMA's Match and Reimbursement Policies, which may be found in Appendix L and Appendix M.

Match Definitions

Cash Match: Subrecipient non-Federal funding spent for program-related costs, according to the applicable grant program guidance. Allowable cash match must only include those costs which would be allowable with Federal funds in compliance with the program regulations.

In-kind Match: Non-cash contributions made by the sub-recipient or a third party in support of project-related activities, according to the program guidance. Allowable in-kind match must only include those costs which are allowable with Federal funds in compliance with the program regulations.

6. Match Questions

In order for MEMA to ensure each sub-recipient can provide and account for the required match, and to expedite processing of reimbursement requests, please provide responses to each question below as applicable:

1. Match amount to be provided (match amount must equal the amount of the grant):

With approval from council a line item will be assigned for the dollar amount of \$ 9,460.00

2. Type of match (Cash and/or In-kind):

This would be a cash match.

3. If a combination of Cash and In-kind match will be used, please identify the dollar amount for each type:

4. The specific match source(s):

A budgeted amount to cover the cost, a line item would be assigned after council approval.

5. For Cash and In-kind match, the date(s) when the match will be available to be expended or provided

6. For Cash match, the date when the match will be fully expended by the applicant:

Between the contract approval and through 6/30/2017.

7. For In-kind match, how will the applicant document/record and track the match?

8. If salary is to be used as Cash match, please provide the following:

- confirmation that federal funds will not be used towards this salary;
- describe the time reporting system that will be used (e.g. Town-wide system or formal department log) and how the applicant will 'code' emergency management-specific activities (i.e. how is the time spent conducting EM-related work identified on the time sheets and related payroll?)



RECEIVED
CLERK'S OFFICE
OF MARLBOROUGH

City of Marlborough
Office of the Mayor

2017 JAN -5 A 11:48

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 5, 2017

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Order of Grant and Acceptance of Easements Regarding City-owned Land - Route 85/Maple Street Reconstruction Project

Honorable President Clancy and Councilors:

Enclosed herewith please find a proposed Order concerning a grant and acceptance of easements in City-owned land. This action is necessitated by the Federal Highway Administration in relation to the proposed Route 85/Maple Street Reconstruction Project. No appropriation is necessary.

The plans referenced in the order and the deed are the same plans that will be provided to the Council in a taking order related to this project as well that will be submitted for your review by Assistant City Solicitor Cynthia Panagore Griffin.

The Commissioner and/or the Engineering Division will be available to answer any specific questions relative to the proposed easements and the project.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 * TDD (508) 460-3610

January 3, 2017

Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

RE: Order to Grant to the City of Marlborough Certain Easements Located on City on Maple Street

Dear Mayor Vigeant:

I request that you send to the City Council for its action the attached Order to Grant to the City of Marlborough Certain Easements Located on City Land on Maple Street and the attached Grant of Easements. Although the City owns the land in which it would, by the Grant of Easements, grant to itself certain easements, this proposed action is required by MassDOT and the Federal Highway Administration as part of the funding for the proposed reconstruction of Maple Street (Route 85).

City Engineer Tom DiPersio, is available to answer any specific questions relative to the project.

Sincerely,

John L. Ghiloni
Commissioner

Attachments

cc: Thomas DiPersio, City Engineer
Timothy Collins, Assistant City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor

ORDERED:

THAT PURSUANT to § 15A of chapter 40 of the General Laws of Massachusetts, the City Council of the City of Marlborough hereby transfers the below-described portions of land of the City of Marlborough, being less than the entire land or parcels of land described therein and being no longer required for the purposes for which said portions of land were acquired, from general municipal purposes (Map 104, Parcel 46), the purpose of relocating South Street (Map 93, Parcel 54), the purpose of widening Maple Street at or near South Street (Map 93, Parcel 56), the purpose of the erecting a new fire station (Map 82, Parcels 138 and 135A), and the purposes of laying out a new City Highway location (Map 93, Parcel 49), to the purposes of a grant of easements,

AND WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that the hereinafter described easements, as shown on a set of plans thereof, be accepted as municipal easements:

DESCRIPTION

1. In, on, under, through and across a portion of the land located at 506 Maple Street, Marlborough, MA, which land is also known and numbered as Map 104, Parcel 46 on the Assessors' Map of the City of Marlborough, being a 108 ± S.F. permanent easement for a guy pole, grading, and driveway tie-in purposes identified as PUE-28 on sheets 10 and 15 of a set of plans; and a 759 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-72 on sheet 15 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;
2. In, on, under, through and across a portion of the land located at the corner of South Street and Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 54 on the Assessors' Map of the City of Marlborough, being a 282 ± S.F. permanent easement for a sidewalk and signal equipment purposes identified as E-36 on sheet 18 of a set of plans; and a 737 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-75 on sheets 11 and 18 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;
3. In, on, under, through and across a portion of the land located at 361 Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 56 on the Assessors' Map of the City of Marlborough, being a 666 ± S.F. permanent easement for sidewalk purposes identified as E-37 on sheets 11 and 18 of a set of plans; and a 1,725 ± S.F. temporary easement for grading purposes identified as TE-76 on sheet 18 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;

-
4. In, on, under, through and across a portion of the land located at 215 Maple Street, Marlborough, MA, which land is also known and numbered as Map 82, Parcel 138 on the Assessors' Map of the City of Marlborough, being a 434 ± S.F. permanent easement for signal cabinet and conduit purposes identified as E-38 on sheets 11, 12, 21, and 22 of a set of plans; a 1,353 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-78 on sheets 21 and 22 of a set of plans; and a 361 ± S.F. temporary easement for grading purposes identified as TE-81 on sheets 21 and 22 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;
 5. In, on, under, through and across a portion of the land located at Maple Street, Marlborough, MA, which land is also known and numbered as Map 82, Parcel 135A on the Assessors' Map of the City of Marlborough, being a 755 ± S.F. temporary easement for grading purposes identified as TE-38 on sheet 22 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;
 6. In, on, under, through and across a portion of the land located at Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 49 on the Assessors' Map of the City of Marlborough, being a 1,337 ± S.F. permanent easement for a signal cabinet and conduit purposes identified as E-10 on sheets 10,11, 16, and 17 of a set of plans; and a 1,539 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-17 on sheets 16 and 17 of a set of plans, said plans being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016;

Said set of plans relating to the proposed Route 85 (Maple Street) Reconstruction Project and being entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a revised date of 8/23/2016, as further revised, to be recorded at the Middlesex County South Registry of Deeds.

Title to the above described easements as shown on said set of plans has been granted to the City of Marlborough in a Grant of Easements from the City of Marlborough, said Grant of Easements to be recorded in the Middlesex County South Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

The easements described herein be accepted as municipal easements in the City of Marlborough.

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

GRANT OF EASEMENTS

The City of Marlborough, a Massachusetts municipal corporation having an address at 140 Main Street, Marlborough, MA 01752 (“Grantor”), for consideration paid of one and 00/100 dollar (\$1.00), grants to the City of Marlborough, a Massachusetts municipal corporation having an address at 140 Main Street, Marlborough, MA 01752 (“Grantee”),

with quitclaim covenants,

the following easements:

1. In, on, under, through and across a portion of the land located at 506 Maple Street, Marlborough, MA, which land is also known and numbered as Map 104, Parcel 46 on the Assessors’ Map of the City of Marlborough, and described as follows:

A 108 ± S.F. permanent easement for a guy pole, grading, and driveway tie-in purposes identified as PUE-28 on sheets 10 and 15 of a set of plans with a revised date of 8/23/2016, entitled “Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

A 759 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-72 on sheet 15 of a set of plans with a revised date of 8/23/2016, entitled “Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

For Grantor’s title, see deed to the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 12787 Page 69, Plan 296 of 1975.

2. In, on, under, through and across a portion of the land located at the corner of South Street and Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 54 on the Assessors’ Map of the City of Marlborough, and described as follows:

A 282 ± S.F. permanent easement for a sidewalk and signal equipment purposes identified as E-36 on sheet 18 of a set of plans with a revised date of 8/23/2016, entitled “Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

A 737 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-75 on sheets 11 and 18 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

For Grantor's title, see Order of Taking by Eminent Domain the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 11874 Page 116, Plan 1303 of 1970.

3. In, on, under, through and across a portion of the land located at 361 Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 56 on the Assessors' Map of the City of Marlborough, and described as follows:

A 666 ± S.F. permanent easement for a sidewalk purposes identified as E-37 on sheets 11 and 18 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

A 1,725 ± S.F. temporary easement for grading purposes identified as TE-76 on sheet 18 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

For Grantor's title, see Order of Taking by Eminent Domain of the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 23831 Page 521, Plan 253 of 1968.

4. In, on, under, through and across a portion of the land located at 215 Maple Street, Marlborough, MA, which land is also known and numbered as Map 82, Parcel 138 on the Assessors' Map of the City of Marlborough, and described as follows:

A 434 ± S.F. permanent easement for a signal cabinet and conduit purposes identified as E-38 on sheets 11, 12, 21, and 22 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

A 1,353 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-78 on sheets 21 and 22 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

A 361 ± S.F. temporary easement for grading purposes identified as TE-81 on sheets 21 and 22 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

For Grantor's title, see Order of Taking by Eminent Domain of the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 21718 Page 438, Plan 59 of 1992.

5. In, on, under, through and across a portion of the land located at Maple Street, Marlborough, MA, which land is also known and numbered as Map 82, Parcel 135A on the Assessors' Map of the City of Marlborough, and described as follows:

A 755 ± S.F. temporary easement for grading purposes identified as TE-38 on sheet 22 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

For Grantor's title, see Order of Taking by Eminent Domain of the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 21718 Page 438, Plan 59 of 1992.

6. In, on, under, through and across a portion of the land located at Maple Street, Marlborough, MA, which land is also known and numbered as Map 93, Parcel 49 on the Assessors' Map of the City of Marlborough, and described as follows:

A 1,337 ± S.F. permanent easement for a signal cabinet and conduit purposes identified as E-10 on sheets 10,11, 16, and 17 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

A 1,539 ± S.F. temporary easement for grading and driveway tie-in purposes identified as TE-17 on sheets 16 and 17 of a set of plans with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

For Grantor's title, see Order of Taking by Eminent Domain by Massachusetts Highway Department in behalf of the City of Marlborough recorded with the Middlesex South District Registry of Deeds in Book 24909, Page 481, Plan 996 of 1994.

Grantee shall have all other rights and benefits that it deems necessary for the full implementation and use of the rights herein granted, including, but not limited to, the right to remove and clear all rocks, trees, brush, limbs, structures and other obstructions which in the opinion of the Grantee might interfere with the rights herein granted, and the right of vehicular and pedestrian access across Grantor's land for all the above purposes.

Said plans entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB" with a

revised date of 8/23/2016 recorded with the South Middlesex Registry of Deeds in Book _____
Page _____ as Plan _____ of _____.

Pursuant to M.G.L. c. 64D, § 1, no tax stamps are due in connection with this municipal transaction.

Executed as a sealed instrument by an authorized signatory this ____ day of _____, 2017.

City of Marlborough
By Its Mayor,

Arthur G. Vigeant

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, Mayor for the City of Marlborough, proved to me through satisfactory evidence of identification which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:



City of Marlborough
Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

DONALD V. RIDER, JR.
CITY SOLICITOR

2017 JAN -5 A 11:54

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

January 5, 2017

Edward Clancy
President
Marlborough City Council

RE: Order of Taking by Eminent Domain – Route 85/Maple Street Reconstruction Project

Dear President Clancy and Members:

As the Mayor's designee, I am sending the above-captioned proposed Orders and related documents, enclosed herewith, relating to the Route 85/Maple Street Reconstruction Project. More specifically, these orders concern the taking of temporary and permanent easements along Route 85/Maple Street. A separate vote on the Order of Appropriation for damages awards relating to the takings is not necessary because an existing appropriation is available for these purposes.

The Commissioner and/or the Engineering Division will be available to answer any specific questions relative to the proposed takings and the project.

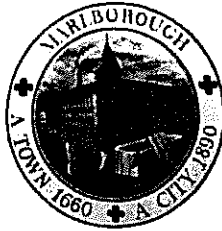
Very truly yours,

/s/ Cynthia M. Panagore Griffin

Cynthia M. Panagore Griffin
Assistant City Solicitor

Enclosures

Cc: Arthur G. Vigeant, Mayor
John Ghiloni, Commissioner
Tom DiPersio, City Engineer



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 • TDD (508) 460-3610

January 3, 2017

Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

RE: Order of Taking by Eminent Domain Easements on Maple Street (Route 85)

Dear Mayor Vigeant:

I request that you send to the City Council for its action the attached Order of Taking by Eminent Domain Easements on Maple Street (Route 85). This proposed action is required by MassDOT and the Federal Highway Administration for the proposed reconstruction of Maple Street (Route 85).

City Engineer, Tom DiPersio, is available to answer any specific questions relative to the project.

Sincerely,

John L. Ghiloni
Commissioner

Attachments

cc: Thomas DiPersio, City Engineer
Timothy Collins, Assistant City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain portions of land located on Maple Street, also known as Route 85, and located on land at the intersections of Maple Street with other streets including without limitation Mill Street South, South Street, Framingham Road and Valley Street, (hereinafter, collectively, "Maple Street"), as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to Maple Street, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the easement interests in the following described land, including all trees and other vegetation thereon. Excepting from said takings all easements of record on, over, under, across, and through said land.

DESCRIPTION OF LAND TAKEN

1. **Street address: 555 Maple Street**

Temporary easement for grading, erosion control and driveway tie-in purposes: Being a 6,228 S.F portion of the property located at 555 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 32 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-2 on Sheets 13 and 14 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, erosion control purposes: Being a 424 S.F portion of the property located at 555 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 32 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-3 on Sheet 14 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent easement for overhead wires, grading and erosion control purposes: Being a 383 S.F. portion of the property located at 555 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 32 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-1 on Sheets 10 and 14 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for sidewalk purposes: Being an 827 S.F. portion of the property located at 555 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 32 on the Assessors' Map of the City of Marlborough and shown as Parcel E-39 on Sheets 10 and 13 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNERS: Joyce L. Nye & Robert L. Nye, as Trustees, Howard B. Nye Revocable Trust
3 Newton Street
Northborough, MA

2. Street Address: 525 Maple Street

Temporary easement for grading, erosion control and driveway tie-in purposes: Being a 3,019 S.F. portion of the property located at 525 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 37 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-5 on Sheets 14 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent utility easement for overhead wires, utility pole and grading purposes: Being a 1,778 S.F. portion of the property located at 525 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 37 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-2 on Sheets 10, 14 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for sidewalk purposes: Being a 797 S.F. portion of the property located at 525 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 37 on the Assessors' Map of the City of Marlborough and shown as Parcel E-1 on Sheets 10, 14 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Robert Arcieri, Trustee, Gwenliz Realty Trust
75 East Main Street
Westborough, MA

3. Street Address: 433 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 2,695 S.F. portion of the property located at 433 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-6 on Sheet 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent easement for overhead wires, utility pole and grading purposes: Being a 470 S.F. portion of the property located at 433 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42A on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-3 on Sheets 10 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for sidewalk purposes: Being a 775 S.F. portion of the property located at 433 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42A on the Assessors' Map of the City of Marlborough and shown as Parcel E-2 on Sheets 10 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Robert Arcieri, Trustee, Milo Realty Trust
75 East Main Street
Westborough, MA

4. Street Address: 428 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 1,618 S.F. portion of the property located at 428 Maple Street, Marlborough, MA, known and numbered as Map 104,

Parcel 45 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-7 on Sheet 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent easement for overhead wires, grading, driveway tie-in purposes: Being a 121 S.F. portion of the property located at 428 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 45 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-4 on Sheets 10 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Claude B. Levesque
c/o Wayside Ford
428 Maple Street
Marlborough, MA

5. Street Address: 424 Maple Street

Permanent easement for overhead wires, utility pole and grading purposes: Being a 111 S.F. portion of the property located at 424 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 44 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-5 on Sheets 10 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 2,257 S.F. portion of the property located at 424 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 44 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-8 on Sheets 15 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 113 S.F. portion of the property located at 424 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 44 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-73 on Sheet 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Napolean Realty Corp.
 428 Maple Street
 Marlborough, MA 01752

6. Street Address: 417 Maple Street

Temporary easement for grading purposes: Being a 29 S.F portion of the property located at 417 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-10 on Sheet 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 2,307 S.F portion of the property located at 417 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-9 on Sheets 15 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent easement for utility pole, drive tie-in purposes: Being a 130 S.F. portion of the property located at 417 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-6 on Sheets 10 and 15 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for sidewalk purposes: Being an 1,804 S.F. portion of the property located at 417 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 42 on the Assessors' Map of the City of Marlborough and shown as Parcel E-3 on Sheets 10, 15 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: A & S Development
 186 Main Street
 Marlborough, MA

7. Street address: 415 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 1,063 S.F portion of the property located at 415 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 53 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-11 on Sheet 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

Permanent easement for sidewalk purposes: Being an 1,186 S.F. portion of the property located at 415 Maple Street, Marlborough, MA, known and numbered as Map 104, Parcel 53 on the Assessors' Map of the City of Marlborough and shown as Parcel E-4 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Joan M. & R. Vigeant, D. Levin, Trustees, JMV Realty Trust
525 Sugar Road
Bolton, MA 01740

8. Street Address: 420 Maple Street

Permanent easement for sidewalk purposes: Being a 434 S.F. portion of the property located at 420 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough and shown as Parcel E-5 on Sheets 10, 15 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for traffic signal equipment purposes: Being a 640 S.F. portion of the property located at 420 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough and shown as Parcel E-6 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for overhead wires, utility pole, and grading purposes: Being an 823 S.F. portion of the property located at 420 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough and shown as Parcel E-6 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 3,500 S.F. portion of the property located at 420 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-12 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and tree protection purposes: Being a 226 S.F. portion of the property located at 420 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 67A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-74 on Sheets 15 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Barbara Murphy, Marlborough Maple Real Estate Trust,
c/o Creative Development
P.O. Box 95
Newton Upper Falls, MA 02464

9. Street Address: 115 Mill Street South

Permanent easement for sidewalk purposes: Being a 103 S.F. portion of the property located at 115 Mill Street South, Marlborough, MA, known and numbered as Map 104, Parcel 43 on the Assessors' Map of the City of Marlborough and shown as Parcel E-7 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 98 S.F. portion of the property located at 115 Mill Street South, Marlborough, MA, known and numbered as Map 104, Parcel 43 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-13 on Sheet 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Aubrey E. Elms d/b/a Viking Industrial Products

1 Brigham Street
Marlborough, MA 01752

10. Street Address: 109 Mill Street South

Permanent easement for sidewalk purposes: Being a 161 S.F. portion of the property located at 109 Mill Street South, Marlborough, MA, known and numbered as Map 104, Parcel 51 on the Assessors' Map of the City of Marlborough and shown as Parcel E-8 on Sheets 10 and 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 489 S.F portion of the property located at 109 Mill Street South, Marlborough, MA, known and numbered as Map 104, Parcel 51 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-14 on Sheet 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: B & B Wholesale Tire Co.
109 Mill Street South
Marlborough, MA 01752

11. Street Address: 418 Maple Street

Permanent easement for traffic signal equipment and sidewalk purposes: Being a 455 S.F. portion of the property located at 418 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 68 on the Assessors' Map of the City of Marlborough and shown as Parcel E-9 on Sheets 10, 16 and 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 474 S.F. portion of the property located at 418 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 68 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-15 on Sheet 16 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 1,149 S.F portion of the property located at 418 Maple Street, Marlborough, MA, known and numbered as Map 93,

Parcel 68 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-16 on Sheets 16 and 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Nolan Cassidy Maple Street LLC
24 Annie Moore Road
Bolton, MA 01740

12. Street Address: 405 Maple Street

Permanent easement for sidewalk purposes: Being a 1,663 S.F. portion of the property located at 405 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 51 on the Assessors' Map of the City of Marlborough and shown as Parcel E-11 on Sheets 10, 11 and 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 1,609 S.F portion of the property located at 405 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 51 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-18 on Sheet 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Gerald D. Gentilotti & James G. Gentilotti
27 Edwards Road
Mendon, MA 01756

13. Street Address: 401 Maple Street

Permanent easement for road widening and sidewalk purposes: Being a 4,021 S.F. portion of the property located at 401 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 52 on the Assessors' Map of the City of Marlborough and shown as Parcel E-12 on Sheets 11, 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 2,797 S.F portion of the property located at 401 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 52 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-19 on Sheets 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Gerald D. Gentilotti & James G. Gentilotti
27 Edwards Road
Mendon, MA 01756

14. Street Address: 410 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being an 894 S.F portion of the property located at 410 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 66 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-20 on Sheet 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: David H. Linton & Diane E. Linton, Trustees, Linton Living Trust
110 Whitetail Lane
Lancaster, MA 01523

15. Street Address: 408 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being an 1,052 S.F portion of the property located at 408 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 65 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-21 on Sheet 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and

employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: MINA Property Group LLC
400 Maple Street
Marlborough, MA 01752

16. Street Address: 402 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 939 S.F portion of the property located at 402 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 64 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-22 on Sheet 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Jabe Partners LLC
c/o Shell Lubricants/Jiffy Lube
Attn: Polly Jones
P.O. Box 4427
Houston, TX. 77210-4458

17. Street Address: 398-400 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 933 S.F portion of the property located at 398-400 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 63A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-23 on Sheet 17 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: MINA Property Group LLC
400 Maple Street
Marlborough, MA 01752

18. Street Address: 390 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 929 S.F portion of the property located at 390 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 63 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-24 on Sheets 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: MINA Property Group LLC
400 Maple Street
Marlborough, MA 01752

19. Street Address: 386 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 895 S.F portion of the property located at 386 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 62 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-25 on Sheets 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: MINA Property Group LLC
400 Maple Street
Marlborough, MA 01752

20. Street Address: 376 Maple Street

Permanent easement for sidewalk purposes: Being a 141 S.F. portion of the property located at 376 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 61 on the Assessors' Map of the City of Marlborough and shown as Parcel E-13 on Sheets 11, 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and stairs reconstruction purposes: Being a 599 S.F portion of the property located at 376 Maple Street, Marlborough, MA, known and numbered as Map

93, Parcel 61 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-26 on Sheets 17 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Serene-Scape Day Spa and Salon LLC
376 Maple Street
Marlborough, MA 01752

21. Street Address: 364 Maple Street

Permanent easement for sidewalk purposes: Being a 428 S.F. portion of the property located at 364 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 59 on the Assessors' Map of the City of Marlborough and shown as Parcel E-14 on Sheets 11 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 1,166 S.F portion of the property located at 364 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 59 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-27 on Sheet 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: MINA Property Group LLC
400 Maple Street
Marlborough, MA 01752

22. Street Address: 358 Maple Street

Permanent easement for sidewalk purposes: Being a 316 S.F. portion of the property located at 358 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 58 on the Assessors' Map of the City of Marlborough and shown as Parcel E-15 on Sheets 11 and 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 773 S.F portion of the property located at 358 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 58 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-28 on Sheet 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Julio C. Ferreira and Leila R. Ferreira
358 Maple Street
Marlborough, MA 01752

23. Street Address: 354 Maple Street

Permanent easement for sidewalk and guardrail purposes: Being a 766 S.F. portion of the property located at 354 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 57 on the Assessors' Map of the City of Marlborough and shown as Parcel E-16 on Sheet 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, driveway tie-in and erosion control purposes: Being a 573 S.F portion of the property located at 354 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 57 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-29 on Sheet 18 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Julio C. Ferreira and Leila R. Ferreira
358 Maple Street
Marlborough, MA 01752

24. Street Address: 340 Maple Street

Permanent easement for sidewalk and guardrail purposes: Being a 660 S.F. portion of the property located at 340 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 95 on the Assessors' Map of the City of Marlborough and shown as Parcel E-18 on

Sheets 11, 18 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in: Being a 1,670 S.F portion of the property located at 340 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 95 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-31 on Sheets 18 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: J. C. Marlborough Realty LLC
340 Maple Street
Marlborough, MA 01752

25. Street Address: 322 Maple Street

Temporary easement for grading and driveway tie-in: Being a 1,272 S.F portion of the property located at 322 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 96 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-32 on Sheet 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Commerce Bank & Trust
386 Main Street
Worcester, MA 01608

26. Street Address: 312 Maple Street

Temporary easement for grading and driveway tie-in: Being a 909 S.F portion of the property located at 312 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 97 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-33 on Sheet 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Constantine L. Scrivianos, Trustee, Nectaria Realty Trust
15 Parkridge Road
Ward Hill, MA 01835

27. Street Address: 341 Maple Street

Permanent easement for overhead wires, grading, driveway tie-in and erosion control purposes:

Being an 749 S.F. portion of the property located at 341 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 41A on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-10 on Sheets 11, 18 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, driveway tie-in and erosion control purposes: Being a 1,038 S.F. portion of the property located at 341 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 41A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-34 on Sheets 18 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Benjamin Donnarumma, Trustee, BPD Realty Trust III
329 Maple Street
Marlborough, MA 01752

28. Street Address: 323 Maple Street

Permanent easement for overhead wires, utility poles, and grading purposes: Being an 1,081 S.F. portion of the property located at 323 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 102 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-11 on Sheets 11 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 927 S.F portion of the property located at 323 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 102 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-34 on Sheet 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: John Gagas & Constance Gagas, Trustees, Crust Realty Trust
323 Maple Street
Marlborough, MA 01752

29. Street Address: 315 Maple Street

Permanent easement for overhead wires, utility poles, grading and driveway tie-in purposes: Being an 779 S.F. portion of the property located at 315 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 39 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-12 on Sheets 11 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: John J. Moreira & Magna A. Moreira, Trustees, John J. Moreira Trust
13 Thomas Drive
Framingham, MA 01701

30. Street Address: 311 Maple Street

Permanent easement for overhead wires, utility poles, and grading purposes: Being an 699 S.F. portion of the property located at 311 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 40 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-13 on Sheets 11 and 19 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNERS: Francis E. Mason & Brenda J. Mason
71 Fisher Road
Southborough, MA 01772

31. Street Address: ----- Maple Street (having no street address number)

Permanent easement for overhead wires, utility poles, and grading purposes: Being a 143 S.F. portion of the property located at --- Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 99 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-14 on Sheets 11, 19 and 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNERS: Terrill W. Wright & Jacqueline Wright
301 Maple Street
Marlborough, MA 01752

32. Street Address: 299 Maple Street

Permanent easement for overhead wires, utility poles, and grading purposes: Being a 558 S.F. portion of the property located at 299 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 36 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-15 on Sheets 11, 19 and 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Benjamin Donnarumma, Trustee, BPD Realty Trust III
329 Maple Street
Marlborough, MA 01752

33. Street Address: 274 Maple Street

Permanent easement for guardrail purposes: Being a 213 S.F. portion of the property located at 274 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 149 on the Assessors' Map of the City of Marlborough and shown as Parcel E-20 on Sheets 11, 12 and 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for utility pole anchor purposes: Being a 102 S.F. portion of the property located at 274 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 149 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-29 on Sheets 11, 12 and 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 2,884 S.F. portion of the property located at 274 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 149 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-36 on Sheet 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of

Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNERS: L.G. Monti LLC
18 Ahern Road
Marlborough, MA 01752

34. Street Address: 257-267 Maple Street

Permanent easement for overhead wires and driveway tie-in purposes: Being a 73 S.F. portion of the property located at 257-267 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 148 on the Assessors’ Map of the City of Marlborough and shown as Parcel PUE-19 on Sheets 11, 12, 19 and 20 of a set of plans, with a revised date of 8/23/2016, entitled “Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

OWNER: K5 Realty Trust, LLC
245 Maple Street
Marlborough, MA 01752

35. Street Address: 256 Maple Street

Temporary easement for driveway reconstruction and grading purposes: Being a 3,994 S.F. portion of the property located at 256 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 150 on the Assessors’ Map of the City of Marlborough and shown as Parcel TE-39 on Sheets 20 and 21 of a set of plans, with a revised date of 8/23/2016, entitled “Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB.”

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Donald A. Giombetti & Tharon E. Giombetti, Trustees
Maple Street Realty II Trust
80 Glen Street
Marlborough, MA 01752

36. Street Address: 250 Maple Street

Permanent easement for sidewalk purposes: Being a 199 S.F. portion of the property located at 250 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 156 on the Assessors' Map of the City of Marlborough and shown as Parcel E-21 on Sheets 20 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 1,284 S.F. portion of the property located at 250 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 156 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-40 on Sheets 20 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: McDonalds Corporation
c/o Davis Baldacci
P.O. Box 902
Spencer, MA 01562

37. Street Address: being a portion of 250 Maple Street

Permanent easement for sidewalk purposes: Being a 69 S.F. portion of the property located at 250 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 157B on the Assessors' Map of the City of Marlborough and shown as Parcel E-40 on Sheets 11, 12 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 126 S.F. portion of the property located at 250 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 157B on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-37 on Sheet 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: McDonalds Corporation
c/o Davis Baldacci
P.O. Box 902
Spencer, MA 01562

38. Street Address: 230-246 Maple Street

Permanent easement for sidewalk purposes: Being a 324 S.F. portion of the property located at 230-246 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 281 on the Assessors' Map of the City of Marlborough and shown as Parcel E-22 on Sheets 11, 12 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 737 S.F. portion of the property located at 230-246 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 281 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-41 on Sheet 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Joseph J. Normant, Jr. and Iype Geevarghese, Trustees
The 230 & 246 Maple Street Condominium Trust
230 & 246 Maple Street
Marlborough, MA 01752

39. Street Address: ----- Maple Street (having no street address number)

Permanent easement for sidewalk purposes: Being a 403 S.F. portion of the property located at --- Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 158 on the Assessors' Map of the City of Marlborough and shown as Parcel E-23 on Sheets 11, 12, 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 611 S.F. portion of the property located at --- Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 158 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-42 on Sheets 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: M+E Realty Associates LLC
172 Worcester Road
Natick, MA 01760

40. Street Address: 279 Maple Street

Permanent easement for overhead wires, utility poles, grading, and erosion control purposes:

Being a 784 S.F. portion of the property located at 279 Maple Street, Marlborough, MA, known and numbered as Map 93, Parcel 33 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-17 on Sheets 11, 12 and 20 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Mobil Oil Corp. Property Tax Division CORP-EMB-2305A
P.O. Box 53
Houston, TX 77001-0053

41. Street Address: 257-267 Maple Street

Permanent easement for overhead wires, utility poles, grading, and erosion control purposes:

Being a 253 S.F. portion of the property located at 257-267 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 140 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-8 on Sheets 11, 12, 20 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: K5 Realty Trust, LLC
245 Maple Street
Marlborough, MA 01752

42. Street Address: 257-267 Maple Street

Permanent easement for overhead wires, utility poles, and grading purposes: Being a 764 S.F. portion of the property located at 257-267 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 141 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-20 on Sheets 11, 12, 20 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 89 S.F. portion of the property located at 257-267 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 141 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-45 on Sheet 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: K5 Realty Trust, LLC
245 Maple Street
Marlborough, MA 01752

43. Street Address: 241 Maple Street

Permanent easement for overhead wires, utility poles, and grading purposes: Being a 1,034 S.F. portion of the property located at 241 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 143 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-21 on Sheets 11, 12 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

OWNER: Louis Monti, Jr.
4 Auburn Street
Marlborough, MA 01752

44. Street Address: 223 Maple Street

Permanent easement for overhead wires, utility poles, grading and driveway tie-in purposes: Being a 681 S.F. portion of the property located at 223 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 139 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-22 on Sheets 11, 12 and 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 236 S.F. portion of the property located at 223 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 139 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-77 on Sheet 21 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: JACS, Inc.
223 Maple Street
Marlborough, MA 01752

45. Street Address: 221 Maple Street

Permanent easement for overhead wires, utility poles, grading and driveway tie-in purposes:

Being a 202 S.F. portion of the property located at 221 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 138A on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-23 on Sheets 11, 12, 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 30 S.F. portion of the property located at 221 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 138A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-46 on Sheets 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 19 S.F. portion of the property located at 221 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 138A on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-79 on Sheets 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: K5 Realty Trust, LLC
245 Maple Street
Marlborough, MA 01752

46. Street Address: 214 Maple Street

Permanent easement for sidewalk purposes: Being a 143 S.F. portion of the property located at 214 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 160 on the Assessors' Map of the City of Marlborough and shown as Parcel E-24 on Sheets 11, 12, 21

and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, stairs reconstruction and wall reconstruction purposes: Being a 581 S.F portion of the property located at 214 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 160 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-43 on Sheets 21 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Edward T. Parker
214 Maple Street
Marlborough, MA 01752

47. Street Address: 212 Maple Street

Permanent easement for sidewalk purposes: Being a 142 S.F. portion of the property located at 212 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 161 on the Assessors' Map of the City of Marlborough and shown as Parcel E-25 on Sheets 12 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, stairs reconstruction and wall reconstruction purposes: Being a 720 S.F portion of the property located at 212 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 161 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-44 on Sheet 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Craig Stoddard
212 Maple Street
Marlborough, MA 01752

48. Street Address: 175 Maple Street

Permanent easement for road realignment and sidewalk purposes: Being a 456 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel E-30 on Sheets 12 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for overhead wires, utility poles, and grading purposes: Being a 369 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-24 on Sheets 12, 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Permanent easement for grading purposes: Being a 175 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-30 on Sheets 12 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 1,216 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-52 on Sheets 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading, erosion control and driveway tie-in purposes: Being a 1,226 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-53 on Sheets 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 2,689 S.F. portion of the property located at 175 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 132 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-80 on Sheet 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easements shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and

employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: PMC/Maple Landowner LLC
c/o PMC Property Group LLC
1608 Walnut Street, 14th FL.
Philadelphia, PA 19103

49. Street Address: 177 Maple Street

Temporary easement for grading purposes: Being a 593 S.F. portion of the property located at 177 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 135 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-47 on Sheet 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: 177 Maple Street Associates LLC
c/o PMC Property Group, Inc.
1411 Walnut Street, 3rd Floor
Philadelphia, PA

50. Street Address: 200 Maple Street

Permanent easement for sidewalk purposes: Being a 94 S.F. portion of the property located at 200 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 168 on the Assessors' Map of the City of Marlborough and shown as Parcel E-26 on Sheets 12 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 545 S.F. portion of the property located at 200 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 168 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-48 on Sheet 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Maple Madison LLC
32 Knight Road
Framingham, MA 01701

51. Street Address: 192 Maple Street

Permanent easement for sidewalk purposes: Being an 18 S.F. portion of the property located at 192 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 169 on the Assessors' Map of the City of Marlborough and shown as Parcel E-27 on Sheets 12 and 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 558 S.F. portion of the property located at 192 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 169 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-49 on Sheet 22 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNERS: Robert A. Boule, Dorothy M. Boule, Roxanne M. Seagrave & John A. Seagrave
192 Maple Street
Marlborough, MA 01752

52. Street Address: --- Maple Street (having no street address number)

Permanent easement for road realignment: Being a 49 S.F. portion of the property located at --- Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 170 on the Assessors' Map of the City of Marlborough and shown as Parcel E-28 on Sheets 12, 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for wall reconstruction and grading purposes: Being a 1,287 S.F. portion of the property located at ---- Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 170 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-50 on Sheets 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Ackerley Communications of Massachusetts, Inc.
89 Maple Street
Stoneham, MA 02180

53. Street Address: 176 Maple Street

Permanent easement for sidewalk purposes: Being a 56 S.F. portion of the property located at 176 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 199 on the Assessors' Map of the City of Marlborough and shown as Parcel E-29 on Sheets 12, 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 496 S.F. portion of the property located at 176 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 199 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-51 on Sheets 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Brigham Realty LLC
159 Shawmut Avenue
Marlborough, MA 01752

54. Street Address: 170 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 485 S.F. portion of the property located at 170 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 200 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-54 on Sheets 22 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: James T. Roche & Joyce F. Roche, Trustees, James T. Roche and Joyce F. Roche Realty Trust
270 East Main Street
Westborough, MA 01581

55. Street Address: 164 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being an 883 S.F. portion of the property located at 164 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 201 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-55 on Sheet 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Stephen Garofalo & Elizabeth T. Garofalo, Trustees, SMC Realty Trust
P.O. Box 551
Marlborough, MA 01752

56. Street Address: 146 Maple Street

Permanent easement for utility pole relocation and grading purposes: Being an 136 S.F. portion of the property located at 146 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 221 on the Assessors' Map of the City of Marlborough and shown as Parcel PUE-25 on Sheets 12 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading and driveway tie-in purposes: Being a 786 S.F. portion of the property located at 146 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 221 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-56 on Sheet 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Jizrale LLC
420 Lakeside Avenue, Suite 302

Marlborough, MA 01752

57. Street Address: 142 Maple Street

Temporary easement for grading and driveway tie-in purposes: Being a 247 S.F. portion of the property located at 142 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 222 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-57 on Sheet 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street

OWNER: Maplewealth LLC
c/o One Energy, Inc.
420 Lakeside Avenue, Suite 402
Marlborough, MA 01752

58. Street Address: 134 Maple Street

Permanent easement for sidewalk purposes: Being a 37 S.F. portion of the property located at 134 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 241 on the Assessors' Map of the City of Marlborough and shown as Parcel E-32 on Sheets 12 and 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 283 S.F. portion of the property located at 134 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 241 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-58 on Sheets 23 and 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Tong Li Williams
134 Maple Street
Marlborough, MA 01752

59. Street Address: 130 Maple Street

Temporary easement for grading purposes: Being a 39 S.F. portion of the property located at 130 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 242 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-59 on Sheets 23 and 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNERS: Fredy H. Linares & Juana E. Linares
130 Maple Street
Marlborough, MA 01752

60. Street Address: 141 Maple Street

Temporary easement for sidewalk purposes: Being a 1,439 S.F. portion of the property located at 141 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 131A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-67 on Sheet 23 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: RAPS Realty, LLC
499 Washington Street
Auburn, MA 01501

61. Street Address: 135 Maple Street

Temporary easement for grading, driveway tie-in and erosion control purposes: Being a 4,146 S.F. portion of the property located at 135 Maple Street, Marlborough, MA, known and numbered as Map 82, Parcel 131 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-60 on Sheets 23 and 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: Greomar Realty, LLC
759 Waverly Street
Framingham, MA 01702

62. Street Address: 95 Maple Street

Temporary easement for grading purposes: Being a 76 S.F. portion of the property located at 95 Maple Street, Marlborough, MA, known and numbered as Map 70, Parcel 243 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-63 on Sheet 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNERS: Francis P. DeCiero & Maryanne DeCiero
17 Wilkins Street
Hudson, MA 01749

63. Street Address: 133 South Bolton Street

Permanent easement for sidewalk purposes: Being a 349 S.F. portion of the property located at 133 South Bolton Street, Marlborough, MA, known and numbered as Map 70, Parcel 242A on the Assessors' Map of the City of Marlborough and shown as Parcel E-33 on Sheets 12 and 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Temporary easement for grading purposes: Being a 1,475 S.F. portion of the property located at 133 South Bolton Street, Marlborough, MA, known and numbered as Map 70, Parcel 242A on the Assessors' Map of the City of Marlborough and shown as Parcel TE-64 on Sheet 24 of a set of plans, with a revised date of 8/23/2016, entitled "Massachusetts Department of Transportation Highway Division, Plan of Route 85 (Maple Street), Marlborough, Middlesex County, Preliminary Right-Of-Way, by VHB."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the third anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to Maple Street.

OWNER: St. Mary's Credit Union
 46 Lizotte Drive
 Marlborough, MA 01752

AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNER</u>	<u>MARLBOROUGH ASSESSORS MAP/PARCEL and LAND COURT CERT. NO. (IF ANY)</u>	<u>AREAS</u>	<u>TOTAL AWARD</u>
Joyce L. Nye & Robert L. Nye, Trustees, Howard B. Nye Revocable Trust	104/32	6,228 +SF 424 +SF 383 +SF 827 +SF	\$7,361
Robert Arcieri, Trustee, Gwenliz Realty Trust	104/37	3,019 +SF 1,778 +SF 797 +SF	\$8,531
Robert Arcieri, Trustee, Milo Realty Trust	104/42A	2,695 +SF 470 +SF 775 +SF	\$10,081
Claude B. Leveque c/o Wayside Ford	104/45	1,618+SF 121+SF	\$695
Napolean Realty Corp.	104/44	111+SF 2,257+SF 113+SF	\$1,130
A & S Development	104/42	29+SF 2,307+SF 130+SF 1,804+SF	\$12,247
Joan M. & R. Vigeant, D. Levin, Trustees, JMV Realty Trust	104/53	1,063+SF 1,186+SF	\$6,516
Marlborough Maple Real Estate Trust c/o Creative Development	93/67A	434+SF 640+SF 823+SF 3,500+SF 226+SF	\$6,032
Aubrey E. Elms d/b/a Viking Industrial Products	104/43	103+SF 98 +SF	\$446
B & B Wholesale Tire Co.	104/51	161+SF 489+SF	\$1,272

Nolan Cassidy Maple Street LLC	93/68	455+SF 474+SF 1,149+SF	\$5,149
Gerald D. Gentilotti & James G. Gentilotti	93/51	1,663+SF 1,609+SF	\$12,378
	93/52	4,021+SF 2,797+SF	\$23,584
David H. Linton & Diane E. Linton, Trustees, Linton Living Trust	93/66	894+SF	\$1,557

MINA Property Group LLC	93/65	1,052+SF	\$1,440
Jabe Partners LLC	93/64	939+SF	\$1,517
MINA Property Group LLC	93/63A	933+SF	\$1,161
MINA Property Group LLC	93/63	929 +SF	\$1,156
MINA Property Group LLC	93/62	895+SF	\$1,114
Serene-Scape Day Spa and Salon LLC	93/61	141+SF 599+SF	\$2,329
MINA Property Group LLC	93/59	428 ±SF 1,166+SF	\$3,592
Julio C. Ferreira & Leila R. Ferreira	93/58	316+SF 773+SF	\$3,050
Julio C. Ferreira & Leila R. Ferreira	93/57	766+SF 573+SF	\$5,451
J.C. Marlborough Realty LLC	93/95	660+SF 573+SF	\$2,956
Commerce Bank & Trust	93/96	1,272+SF	\$1,266
Constantine L. Scrivianos, Trustee, Nectaria Realty Trust	93/97	909+SF	\$1,584
Benjamin Donnarumma, Trustee, BPD Realty Trust III	93/41A	749+SF 1,038+SF	\$3,108
John Gagas & Constance Gagas, Trustees, Crust Realty Trust	93/102	1,081+SF 927+SF	\$5,398
John J. Moreira & Magna A. Moreira, Trustees, John J. Moreira Trust	93/39	779+SF	\$1,753
Francis E. Mason & Brenda J. Mason	93/40	699+SF	\$11,049

Terrill W. Wright & Jacqueline Wright	93/99	143±SF	\$143
Benjamin Donnarumma, Trustee, BPD Realty Trust III	93/36	558+SF	\$1,674
L.G. Monti LLC	82/149	213+SF 102+SF 2,884+SF	\$4,906

K5 Realty Trust, LLC	82/148	73+SF	\$73
Donald A. Giombetti & Tharon E. Giombetti, Trustees Maple Street Realty II Trust	82/150	3,994+SF	(N/A- Gift)
McDonalds Corporation c/o David Baldacci	82/156 CERT. # 0186117	199+SF 1,284+SF	\$2,592
McDonalds Corporation c/o David Baldacci	82/157B CERT. # 196630	69+SF 126+SF	\$200
Joseph J. Normant, Jr. and Iype Geevarghese, Trustees The 230 & 246 Maple Street Condominium Trust	82/281 CERT. # C814	324+SF 737+SF	\$762
M+E Realty Associates LLC	82/158	403+SF 611+SF	\$1,316
Mobil Oil Corp. Property Tax Division CORP-EMB-2305A	93/33	784+SF	\$1,176
K5 Realty Trust, LLC	82/140	253+SF	\$190
K5 Realty Trust, LLC	82/141	764+SF 89+SF	\$1,618
Louis Monti, Jr.	82/143	1,034+SF	\$3,102
JACS, Inc.	82/139	681+SF 236+SF	\$2,794
K5 Realty Trust, LLC	82/138A	202+SF 30+SF 19+SF	\$171
Edward T. Parker	82/160	143+SF 581+SF	\$2,013
Craig Stoddard	82/161	142+SF 720+SF	\$2,247
PMC/Maple Landowner LLC	82/132	456+SF 369+SF 175+SF 1,216+SF 1,226+SF 2,689+SF	\$4,007
177 Maple Street Associates LLC	82/135 CERT. # 248072	593+SF	\$664
Maple Madison LLC	82/168	94+SF 545+SF	\$1,608
Robert A. Boule, Dorothy M. Boule, Roxanne M. Seagrave & John A. Seagrave	82/169	18+SF 558+SF	\$1,098
Ackerley Communications of Massachusetts, Inc.	82/170	49+SF 1,287+SF	\$2,584

Brigham Realty LLC	82/199	56±SF 1,287±SF	\$987
James T. Roche & Joyce F. Roche, Trustees, James T. Roche and Joyce F. Roche Realty Trust	82/200	485±SF	\$846
Stephen Garofalo & Elizabeth T. Garofalo, Trustees, SMC Realty Trust	82/201	883±SF	\$1,537
Jizralely LLC	82/221	136±SF 786±SF	\$1,844
Maplewealth LLC	82/222	247±SF	\$430
Tong Li Williams	82/241	37±SF 283±SF	(N/A – GIFT)
Fredy H. Linares & Juana E. Linares	82/242	39±SF	\$50
RAPS Realty, LLC	82/131A	1,439±SF	\$1,611
Greymar Realty, LLC	82/131	4,146±SF	\$4,123
Francis P. DeCiero & Maryanne DeCiero	70/243	76±SF	\$132
St. Mary's Credit Union	70/242A	349±SF 1,475±SF	\$2,501

ADOPTED
In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION

PLAN OF
ROUTE 85 (MAPLE STREET)

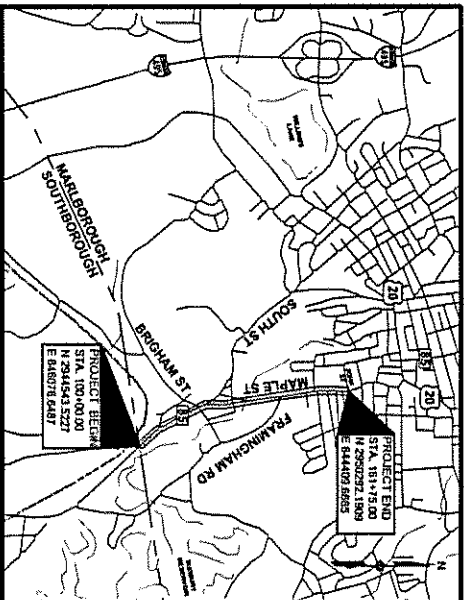
IN THE CITY OF
MARLBOROUGH
MIDDLESEX COUNTY

FEDERAL AID PROJECT NO. 1B0

PRELIMINARY RIGHT OF WAY

INDEX

SHEET NO.	DESCRIPTION
1	TITLE & INDEX
2-4	TYPICAL SECTIONS
6-8	PARCEL BOUNDARY
10-12	LOCATION PLAN
13-14	PRELIMINARY PLAN



LENGTH OF PROJECT = 4,178.00 FEET • 1,170 METERS

**MARLBOROUGH
ROUTE 85 (MAPLE ST)
PRELIMINARY RIGHT OF WAY
TITLE & INDEX**

SHEET NO.	TITLE & INDEX	DATE
1	TITLE & INDEX	2/1/78

THE MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES DATED 1976, AS AMENDED, THE SUPPLEMENTAL SPECIFICATIONS DATED MAY 1, 1978, AND THE SUPPLEMENTAL SPECIFICATIONS DATED MAY 1, 1979, SHALL BE APPLIED TO THE PROJECT. THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AS RELATED TO TRAFFIC STANDARD DETAILS DATED THE LATEST EDITION OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, SHALL BE APPLIED TO THE PROJECT. THE STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AS RELATED TO TRAFFIC STANDARD DETAILS DATED THE LATEST EDITION OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, SHALL BE APPLIED TO THE PROJECT.

DESIGN DESIGNATION - ROUTE 85 (MAPLE STREET)

40 FEET (RIGHT OF MARLBOROUGH ROAD
35 FEET (RIGHT OF MARLBOROUGH ROAD)

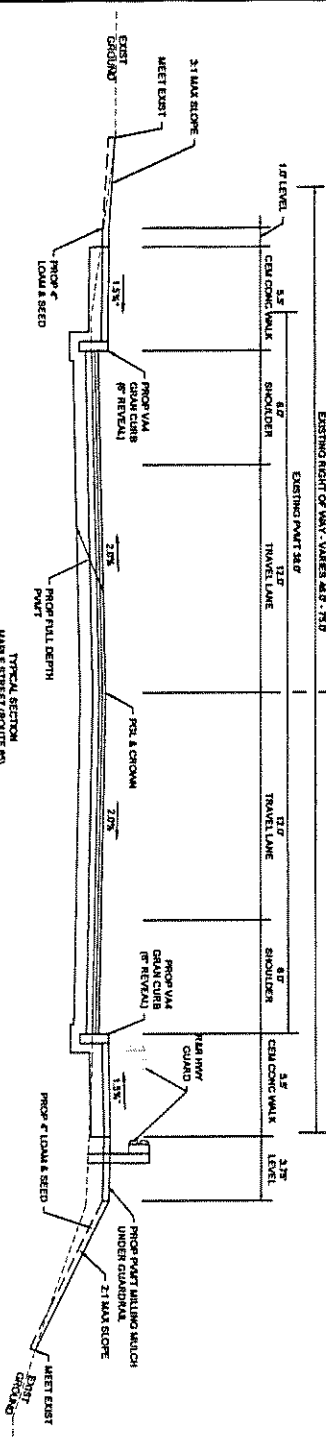
DESIGN SPEED
ADT (2014)
ADT (2024)
K
O
TYPICAL HOUR
T (AVERAGE DAY)
DAY
DAILY

FUNCTIONAL CLASSIFICATION

URBAN INTERSTATE

<p>Vhb Vermont Highway Builders 100 SOUTH ST MIDDLESEX COUNTY, MA 01501</p>	<p>MASSACHUSETTS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION</p>
	<p>RECOMMENDED FOR APPROVAL</p> <p>DATE</p>
<p>APPROVED</p> <p>DATE</p>	<p>DATE</p>

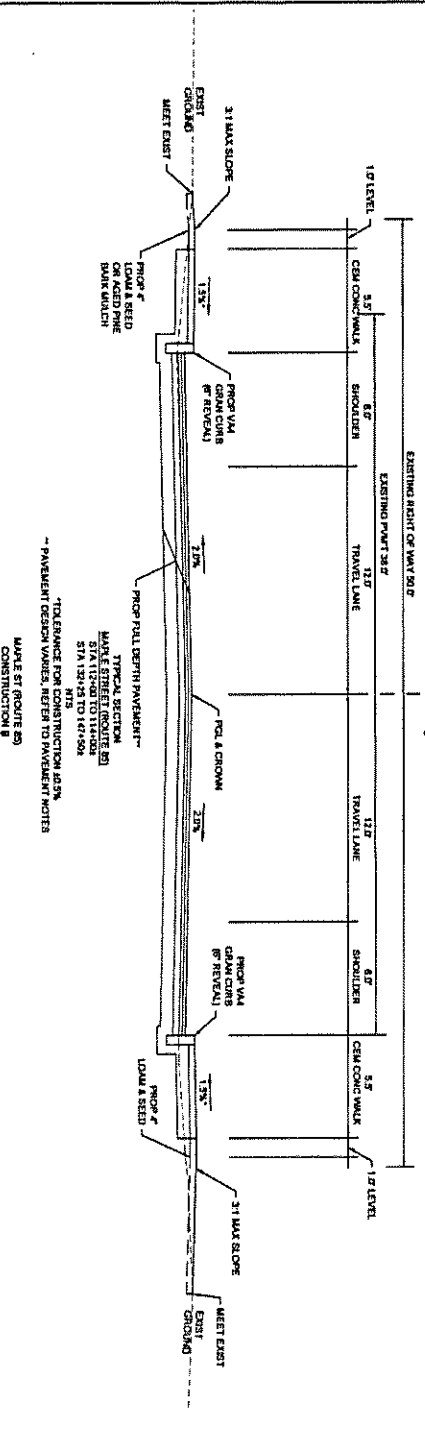
MAPLE STREET R/W CONSTRUCTION E



TYPICAL SECTION
 MAPLE STREET (ROUTE 83)
 STA 112+00 TO 112+50
 N1S

TOLERANCE FOR CONSTRUCTION ±1.5%

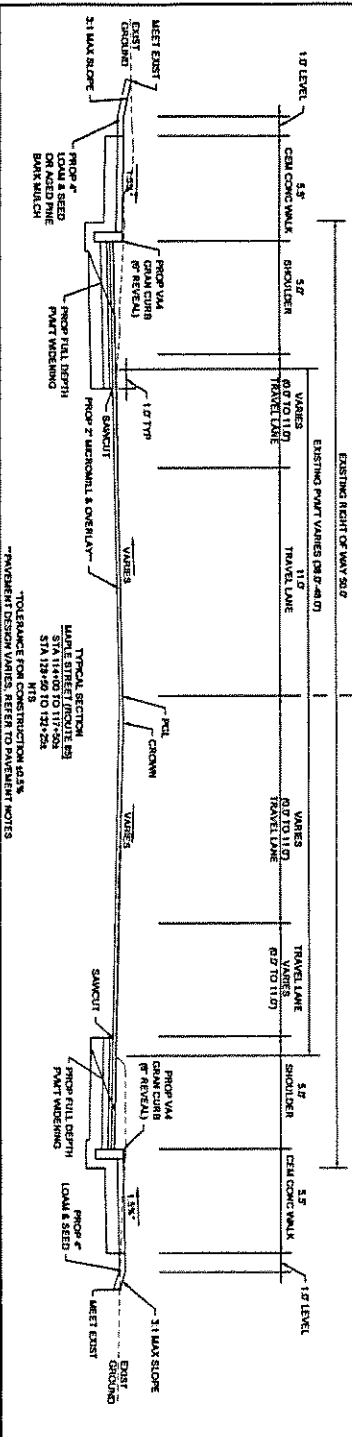
MAPLE ST (ROUTE 83)
 CONSTRUCTION E



TYPICAL SECTION
 MAPLE STREET (ROUTE 83)
 STA 112+00 TO 112+50
 N1S

TOLERANCE FOR CONSTRUCTION ±2.5%

MAPLE ST (ROUTE 83)
 CONSTRUCTION E



TYPICAL SECTION
 MAPLE STREET (ROUTE 83)
 STA 112+50 TO 124+25
 N1S

TOLERANCE FOR CONSTRUCTION ±2.5%

MAPLE ST (ROUTE 83)
 CONSTRUCTION E

PAVEMENT NOTES

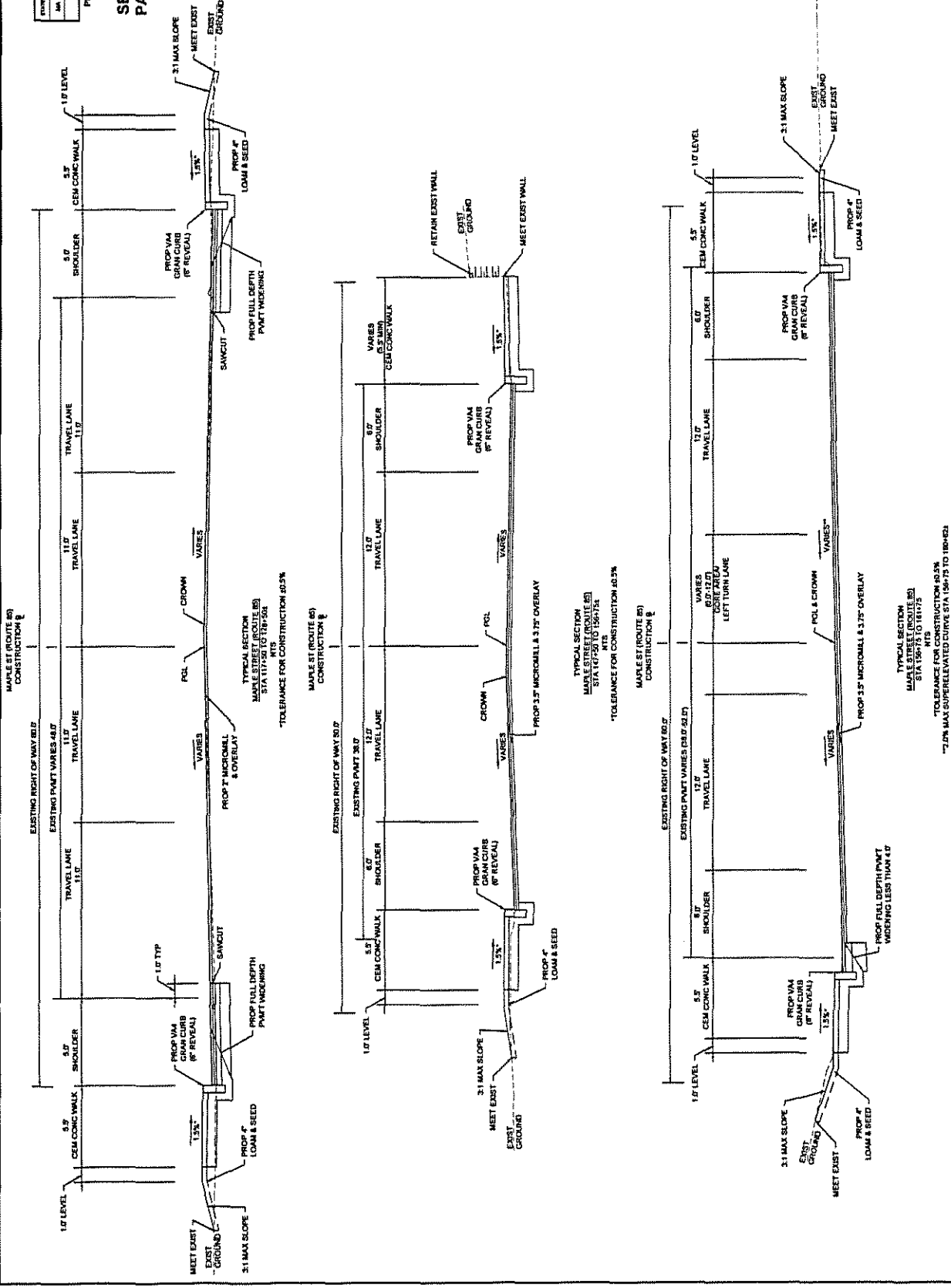
- PROPOSED FULL DEPTH PAVEMENT (S1A 120+00 TO 114+00)
- SURFACE:
 - 3" HOT MIX ASPHALT
 - 7" SUPERPAVE SURFACE COURSE - 1S3 (SSC-12S)
 - 11" SUPERPAVE INTERMEDIATE COURSE - 1S7 (SSC-12S)
 - 3" SUPERPAVE INTERMEDIATE COURSE - 1S4 (SSC-12S) AS BASE COURSE
- BASE:
 - 1" GRAVEL BORROW, TYPE B
- SUBBASE:
 - ASPHALT EMULSION FOR TRUCK COAT (RS-1) AT 90S
 - ASPHALT OVER EXISTING SURFACE
- PROPOSED 2" MICROBALL & OVERLAY (S1A 114+00 TO 124+00)
- SURFACE:
 - 3" HOT MIX ASPHALT
 - 7" SUPERPAVE SURFACE COURSE - 1S3 (SSC-12S)
 - 7" MICROBALLING DEPTH
- BASE:
 - 1" GRAVEL BORROW, TYPE B
- SUBBASE:
 - ASPHALT EMULSION FOR TRUCK COAT (RS-1) AT 90S
 - ASPHALT OVER EXISTING SURFACE
- PROPOSED 3.5" MICROBALL & 1.75" OVERLAY (S1A 120+00 TO 124+25)
- SURFACE:
 - 3" HOT MIX ASPHALT
 - 7" SUPERPAVE SURFACE COURSE - 1S3 (SSC-12S)
 - 7" SUPERPAVE INTERMEDIATE COURSE - 1S4 (SSC-12S)
- BASE:
 - 1" GRAVEL BORROW, TYPE B
- SUBBASE:
 - ASPHALT EMULSION FOR TRUCK COAT (RS-1) AT 90S
 - ASPHALT OVER EXISTING SURFACE
- PROPOSED FULL DEPTH PAVEMENT - WIDENING (LESS THAN 4.00' WIDE)
- SURFACE:
 - 3" HOT MIX ASPHALT
 - 7" SUPERPAVE SURFACE COURSE - 1S3 (SSC-12S)
 - 11" SUPERPAVE INTERMEDIATE COURSE - 1S7 (SSC-12S)
 - 3" SUPERPAVE INTERMEDIATE COURSE - 1S4 (SSC-12S) AS BASE COURSE
- BASE:
 - 1" GRAVEL BORROW, TYPE B
- SUBBASE:
 - ASPHALT EMULSION FOR TRUCK COAT (RS-1) AT 90S
 - ASPHALT OVER EXISTING SURFACE
- PROPOSED FULL DEPTH PAVEMENT - WIDENING (LESS THAN 4.00' WIDE)
- SURFACE:
 - 3" HOT MIX ASPHALT
 - 7" SUPERPAVE SURFACE COURSE - 1S3 (SSC-12S)
 - 11" SUPERPAVE INTERMEDIATE COURSE - 1S7 (SSC-12S)
 - 3" SUPERPAVE INTERMEDIATE COURSE - 1S4 (SSC-12S) AS BASE COURSE
- BASE:
 - 1" GRAVEL BORROW, TYPE B
- SUBBASE:
 - ASPHALT EMULSION FOR TRUCK COAT (RS-1) AT 90S
 - ASPHALT OVER EXISTING SURFACE

DATE	BY	CHKD	APP'D	REVISION
1/10	1/10	2	24	

PRELIMINARY RIGHT OF WAY
 SHEET 1 OF 3

MAPLE ST (ROUTE 80) CONSTRUCTION §			
DATE	BY	CHKD	APPV
08/15/18	MM	MM	MM
PROJECT FILE NO. 156775			
SHEET 2 OF 2			

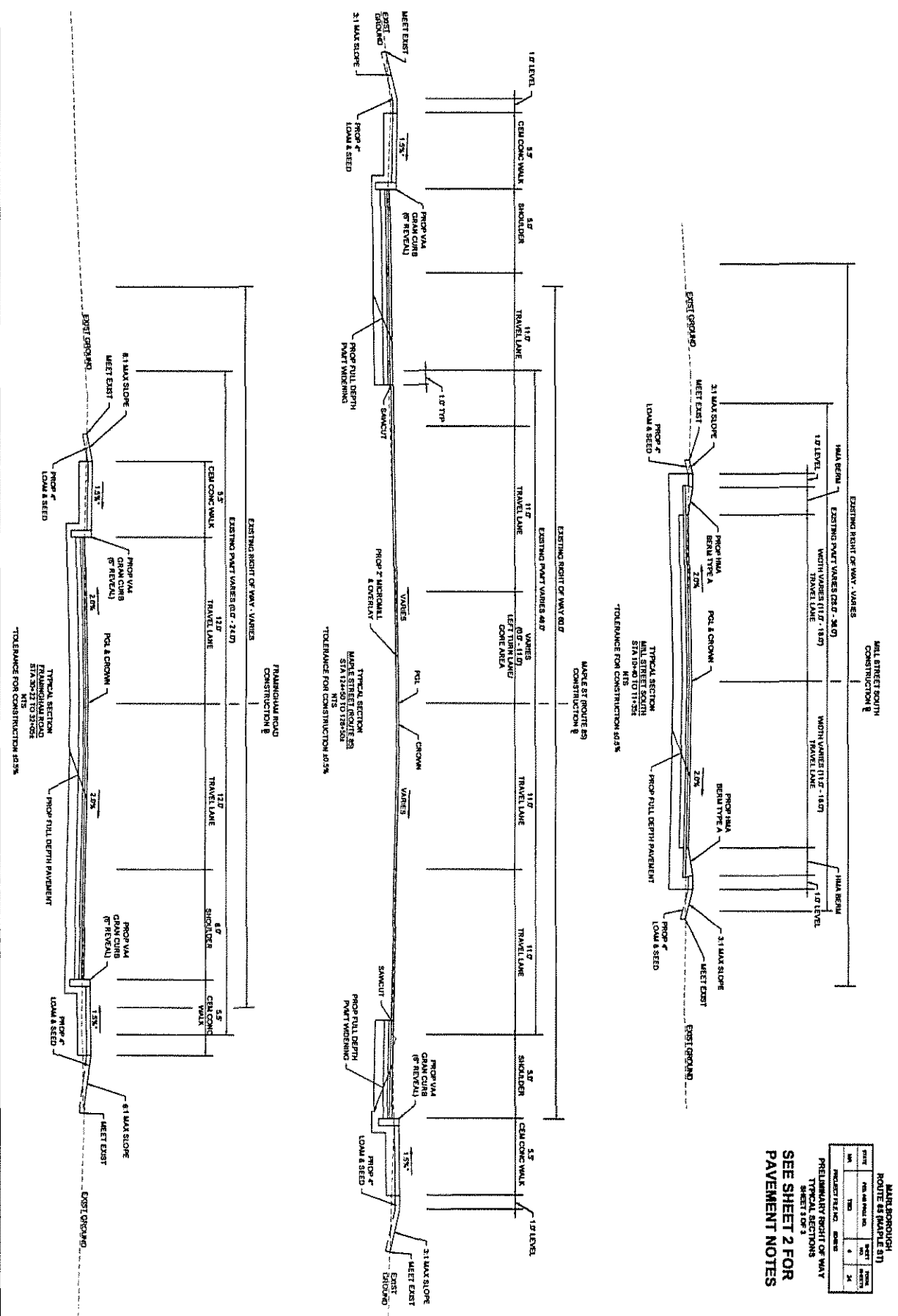
**SEE SHEET 2 FOR
PAVEMENT NOTES**



TOLERANCE FOR CONSTRUCTION ±0.5%
TOLERANCE FOR CONSTRUCTION ±0.5%
TOLERANCE FOR CONSTRUCTION ±0.5%

PROF FULL DEPTH PART WIDENING
PROF FULL DEPTH POINT WIDENING LESS THAN 4.0'

PROF 4" LOAM & SEED
PROF 4" LOAM & SEED
PROF 4" LOAM & SEED



PLAN SECTION
ROUTE 44 (MAPLE AVE)
 PRELIMINARY RIGHT OF WAY
 TYPICAL SECTIONS
 SHEET 1 OF 3
SEE SHEET 2 FOR PAVEMENT NOTES

DATE	BY	FOR	NO.	REV.	DESCRIPTION
10/11/11	JL	1110	1	1	INITIAL
11/15/11	JL	1110	2	1	REVISED

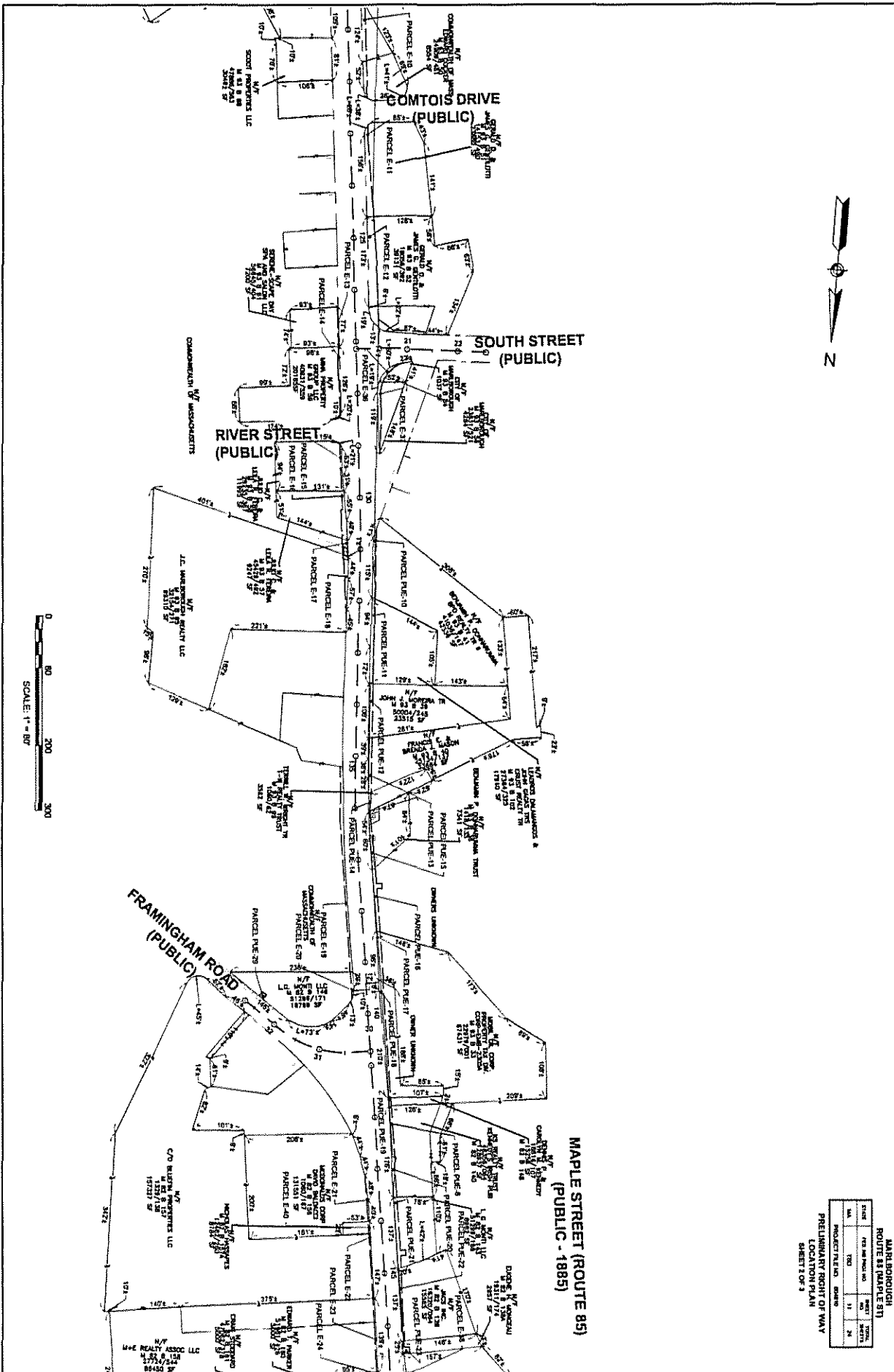
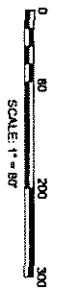
MARLBOROUGH
ROUTE 84 (WAYTE ST)
PROJECT FILE NO. 2013013
PRELIMINARY RIGHT OF WAY
PARCEL SUMMARY
SHEET 2 OF 8

PARCEL NO.	PLAT SHEET NO.	TITLE/OWNER	APPROX. ACRES	TITLE REFERENCE		TAXES		ASSESSMENT		TOTAL ASSESSED VALUE	TOTAL TAXES	REMARKS
				BOOK	PAGE	CITY	TAX RATE	TYPE	AREA			
E-3	10-18-18	MARLBOROUGH FREE ESTATE TRUST CO CREATIVE DEVELOPMENT	1537	401	-	-	-	PERM	44	-	19,214	SIDEWALK TRAFFIC SIGNAL EQUIPMENT
E-4	10-18							PERM	60	-		OVERHEAD WHEEL UTILITY POLE & GRADING
E-7	10-18							PERM	83	-		GRADING
E-7	10-18	AUBREY E. ELIAS	3725	393	-	-	-	PERM	103	-	14,728	SIDEWALK GRADING AND DRIVEWAY TIE IN
E-8	10-18	BRIAR WOODS REALTY CO.	15018	240	-	-	-	PERM	181	-	13,531	SIDEWALK GRADING DRIVE WAY TIE IN
E-8	10-18-17	ROOT PROPERTIES LLC	4783	543	-	-	-	PERM	45	-	30,497	TRAFFIC SIGNAL EQUIPMENT, SIDEWALK GRADING
E-10	10-18-17	COMMONWEALTH OF MASS DEPT. OF HIGHWAYS	2409	461	-	-	-	PERM	137	-	8,564	SIDEWALK GRADING
E-11	10-11-17	GERALDO S. JAMES G. GERINOTTI	1113	400	-	-	-	PERM	183	-	23,880	SIDEWALK GRADING DRIVE WAY TIE IN
E-12	11-17-18	GERALDO S. JAMES G. GERINOTTI	1806	390	-	-	-	PERM	431	-	38,171	ROADWAY WIDENING, SIDEWALK GRADING, DRIVE WAY TIE IN
E-20	17	DAVID H. & EMME E. LINTON	1823	278	-	-	-	TEMP	84	-	8,084	GRADING, DRIVE WAY TIE IN
E-21	17	MMA PROPERTY GROUP LLC	4431	284	-	-	-	TEMP	1,252	-	18,726	GRADING, DRIVE WAY TIE IN
E-22	17	402 WATLE MARLBOROUGH REALTY CORP. C/O SHELL US TAX ORGANIZATION	1771	467	-	-	-	TEMP	89	-	1,512	GRADING, DRIVE WAY TIE IN
E-23	17	MMA PROPERTY GROUP LLC	4282	407	-	-	-	TEMP	83	-	23,687	GRADING, DRIVE WAY TIE IN
E-24	17-18	MMA PROPERTY GROUP LLC	4889	598	-	-	-	TEMP	579	-	7,484	GRADING, DRIVE WAY TIE IN
E-25	17-18	MMA PROPERTY GROUP LLC	5130	382	-	-	-	TEMP	692	-	15,048	GRADING, DRIVE WAY TIE IN
E-13	11-17-18	BERNICE SCARPE DOW SPA AND SALON LLC	5984	404	-	-	-	PERM	141	-	7,230	SIDEWALK GRADING/STAIR RECONSTRUCTION
E-14	11-18	MMA PROPERTY GROUP LLC	4031	559	-	-	-	PERM	428	-	20,165	SIDEWALK GRADING
E-15	11-18	JALDO C. FERREIRA	2825	307	-	-	-	PERM	318	-	11,295	SIDEWALK GRADING

PANEL NO	SHEET NO	TITLE/HOLDER	GRID ELEV	PUGS NO	LIC NO	CST NO	CITY	STATE	EXEMPT	TOTAL	REMAINING	TOTAL	REMARKS
E-40	11-12-21	NICOLAS HASSAERS	12482	260	-	-	-	PA	68	-	-	0.234	SIDEWALK GRADING, DRIVEWAY THE IN
TE-37	21							TE	126				
E-32	11-12-21	BALEBN PROPERTIES HOLDING COLLIC	1259	158	-	-	-	PA	217	-	-	117.237	SIDEWALK GRADING, DRIVEWAY THE IN
TE-41	21							TE	126				
E-23	11-12-21-22	M&E REALTY ASSOC LLC	27724	544	-	-	-	PA	407	-	-	86.450	SIDEWALK GRADING, DRIVEWAY THE IN
TE-42	21-22							TE	611				
PUE-17	11-12-20	MOORE OIL CORP PROPERTY TAX DIVISION CONF-EUB-2355A	27079	601	-	-	-	PA	784	-	-	67.431	OVERHEAD WIRES, UTILITY POLES, GRADING, EROSION CONTROL
PUE-8	11-12-20-21	M3 REALTY TRUST LLC	48256	604	-	-	-	PA	253	-	-	128.827	OVERHEAD WIRES, UTILITY POLES, GRADING, EROSION CONTROL
PUE-20	11-12-20-21	M3 REALTY TRUST LLC	51814	159	-	-	-	PA	784	-	-	15.254	OVERHEAD WIRES, UTILITY POLES, GRADING GRADING, DRIVEWAY THE IN
TE-45	21							TE	68				
PUE-31	11-12-21	L3 MONTICLO	31299	166	-	-	-	PA	1204	-	-	8.262	OVERHEAD WIRES, UTILITY POLES, GRADING
PUE-23	11-12-21	JACS INC	18235	624	-	-	-	PA	681	-	-	13.585	OVERHEAD WIRES, UTILITY POLES, GRADING, DRIVEWAY THE IN
TE-27	21							TE	238				
PUE-23	11-12-21-22	EDUARDO H. MONCIEU	19311	174	-	-	-	PA	202	-	-	2.267	OVERHEAD WIRES, UTILITY POLES, GRADING, DRIVEWAY THE IN GRADING
TE-46	21-22							TE	30				
TE-28	21-22							TE	18				
E-34	11-12-21-22	EDUARDO T. PARRER	51861	428	-	-	-	PA	143	-	-	5.020	SIDEWALK GRADING, STAIRS AND WALL RECONSTRUCTION
TE-43	21-22							TE	581				
E-38	11-12-21-22	CITY OF MARLBOROUGH	21718	438	-	-	-	PA	434	-	-	20.140	SIGNAL CABINET, CONDUIT GRADING, DRIVEWAY THE IN
TE-78	21-22							TE	1,253				
TE-81	21-22							TE	361				
E-29	12-23	GRAND STOCKLAND	47050	378	-	-	-	PA	142	-	-	5.000	SIDEWALK GRADING, STAIRS AND WALL RECONSTRUCTION
TE-44	22							TE	720				
E-30	12-23	PRISCILLA E. SANDOZ INC	1358	48	-	-	-	PA	428	-	-	118.870	ROAD REPAIRMENT, SIDEWALK OVERHEAD WIRES, UTILITY POLES, GRADING
PUE-24	12-23-23							PA	289				
PUE-26	12-23							PA	775				
TE-52	22-23							TE	1,216				
TE-53	22-23							TE	1,226				
TE-49	23							TE	2,899				
TE-28	22	CITY OF MARLBOROUGH	21718	438	-	-	-	TE	753	-	-	20.100	GRADING
TE-47	22	177 MAINE STREET ASSOCIATES LLC	1359	50	-	-	-	TE	583	-	-	20.514	GRADING

MARLBOROUGH
ROUTE 88 ROUTE 87
PRELIMINARY RIGHT OF WAY
SHEET 4 OF 8

PARCEL NO.	PLAT NO.	SUBJECT	OWNER	DEED BOOK	PAGE NO.	TAXID INFORMATION			APPLICABLE TAXES			TOTAL TAXABLE AREA (SQ. FT.)	REMARKS
						TAXID	STATE	CITY	PERM TYPE	AREA	TAXES		
E-18	1222		TITLE HOLDER WAYNE MADSON LLC	4310	344								REMARKS SIDEWALK GRADING
E-27	1222		ROBERT A. & DOMINIQUE BOULE & ROYALNE SEAGRAVE	2094	12								REMARKS SIDEWALK GRADING
E-28	1223		DOMINIQUE BOULE TRUST FOR AGENTLY OUTDOOR ADVERTISING	1354	242								REMARKS ROAD RELOCATION WALL RECONSTRUCTION, GRADING
E-29	1223		STEPHEN A. GAROFALO TR.	1846	387								REMARKS SIDEWALK GRADING
E-34	2323		JAMES T. & JONICE F. MOCHIE TR.	19012	488								REMARKS GRADING, DRIVEWAY TIE IN
E-35	23		STEPHEN & ELIZABETH T. GAROFALO TR. SMC REALTY TRUST	31808	290								REMARKS GRADING, DRIVEWAY TIE IN
E-36	1223		ADAMETI LLC	20972	473								REMARKS UTILITY POLE RELOCATION, GRADING GRADING, DRIVEWAY TIE IN
E-37	23		ADAMETI LLC	20972	473								REMARKS GRADING
E-38	1223		RUSSEL W. RACEBOT	59877	248								REMARKS SIDEWALK GRADING
E-39	2324		FREDRY H. & ALYAN E. LEWIS	20294	298								REMARKS GRADING
E-47	23		ROAD REALTY LLC	60280	587								REMARKS SIDEWALK
E-50	2324		GREGORY J. MONTAVANO	58420	577								REMARKS GRADING, DRIVEWAY TIE IN, EROSION CONTROL
E-51	24		COMMONWEALTH OF MASS										REMARKS GRADING
E-52	24		OWNERS UNKNOWN										REMARKS GRADING
E-53	24		FRANCIS P. DECENIO	48974	247								REMARKS GRADING
E-54	24		SANIT JUVENIS CREDIT UNION	11739	442								REMARKS SIDEWALK GRADING

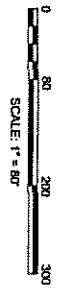
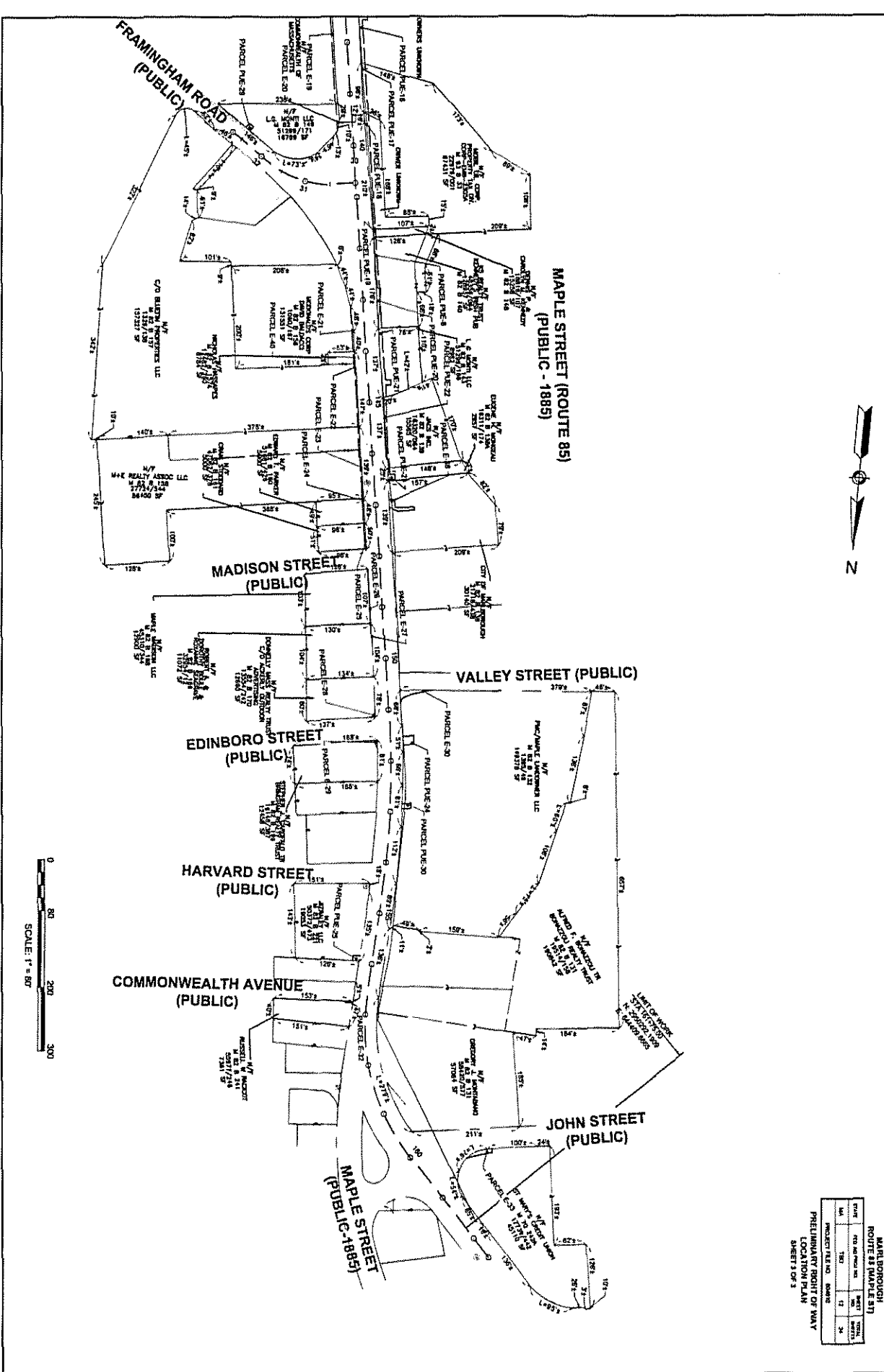


MARLBOROUGH
ROUTE 85 (MAPLE ST)

DATE	BY	PROJECT FILE NO.	SHEET NO.	TOTAL SHEETS
11/11/17	11	24		

PRELIMINARY RIGHT OF WAY
LOCATION PLAN
SHEET 1 OF 3

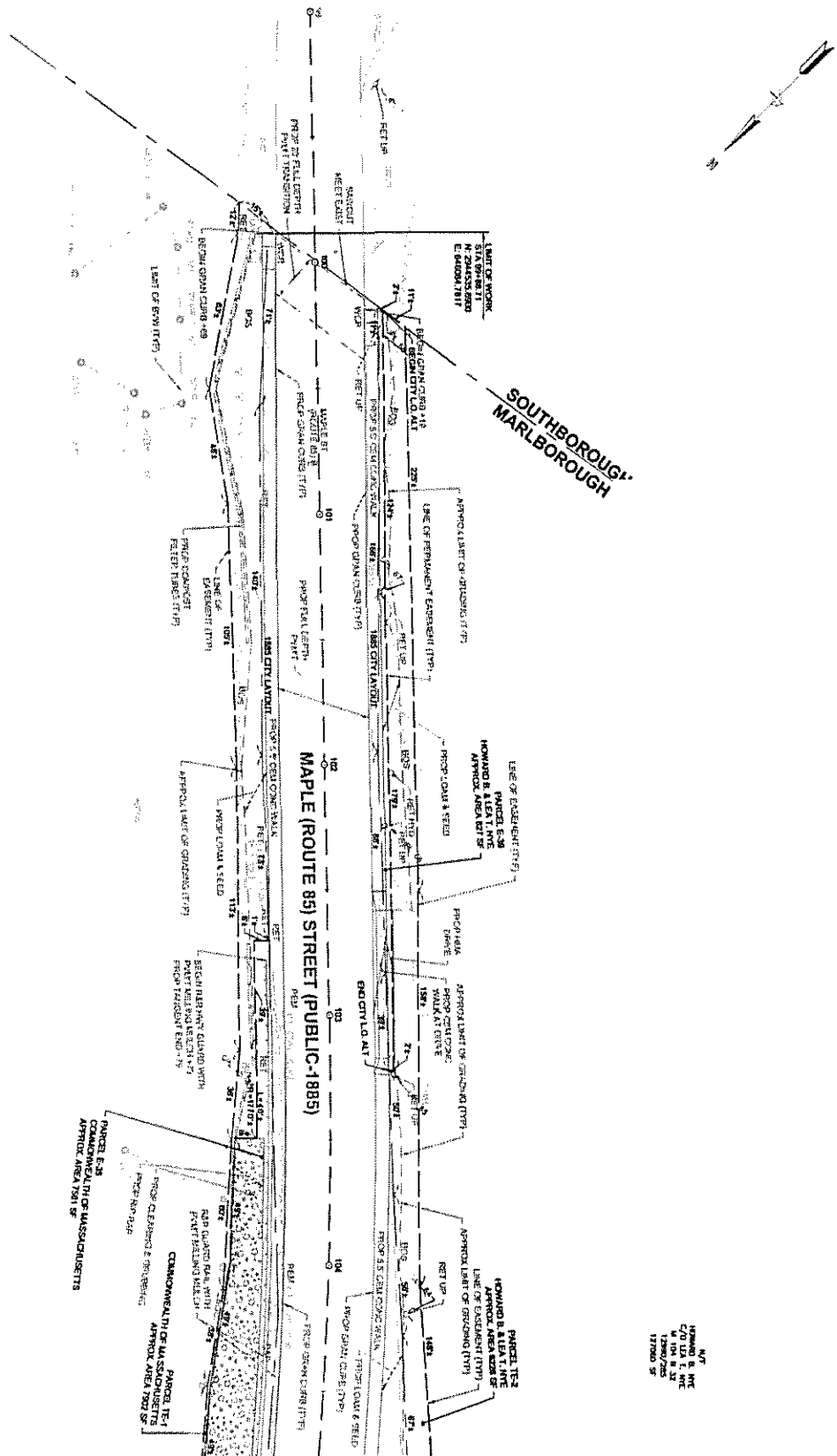
MAPLE STREET (ROUTE 85)
(PUBLIC - 1885)



MARLBOROUGH
 ROUTE 85 (MAPLE ST)
 PRELIMINARY RIGHT OF WAY
 LOCATION PLAN
 SHEET 3 OF 3

DATE	FILE NO.	SHEET	TOTAL SHEETS
08/23/16	1885	12	30

PROJECT FILE NO. 1885
 SHEET 3 OF 3

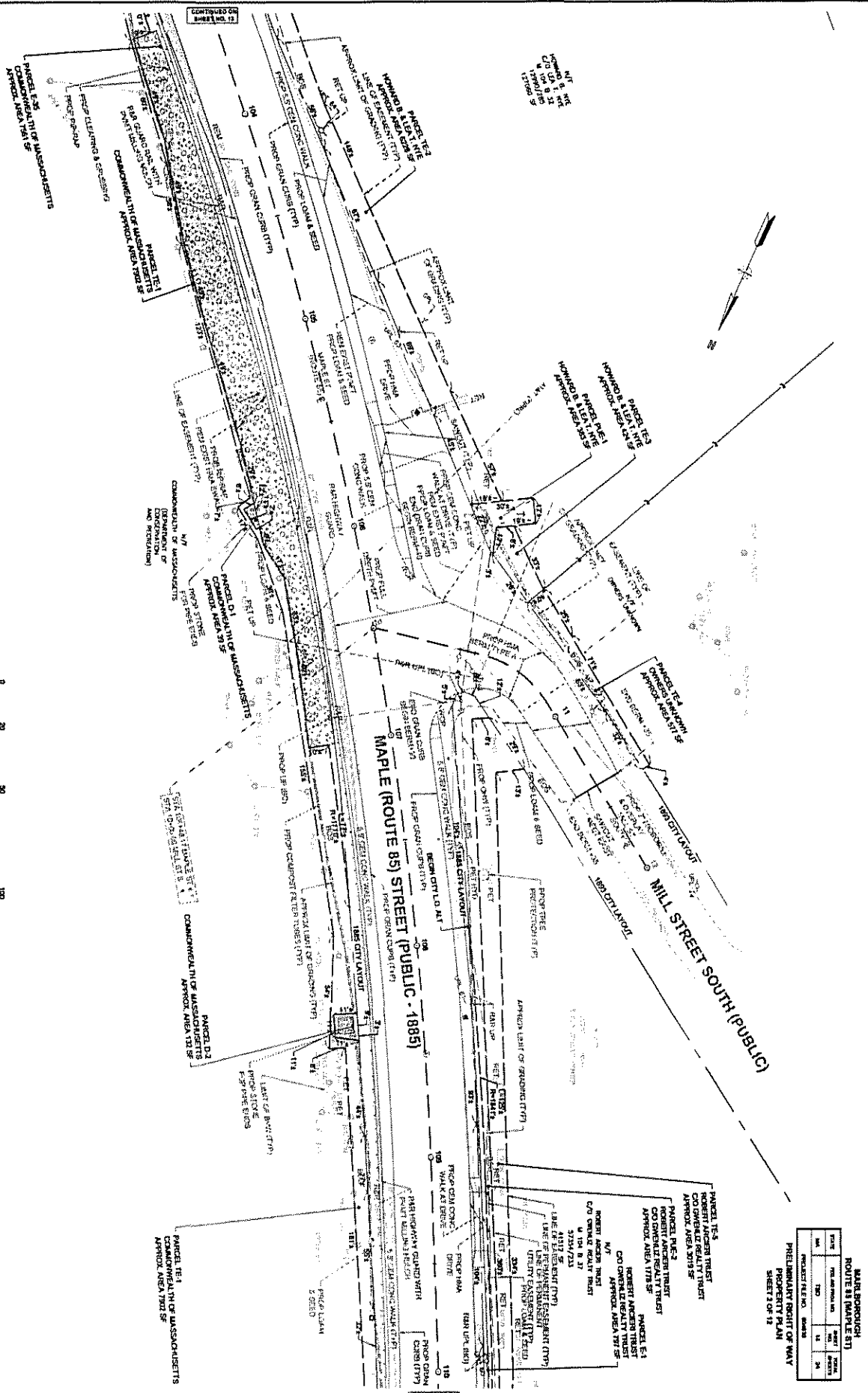


**MARLBOROUGH
ROUTE 89 MAPLE ST
PROPERTY PLAN
SHEET 01 OF 01**

NO.	DATE	BY	REVISION
1	12/01/2014	...	...
2	...	...	...

N.T.
 HOWARD & ALVA
 C/O LIA E. WICK
 1290/2020
 127000 SF

11 100 1885
 11 100 1885



MARLBOROUGH
ROUTE 85 (MAPLE ST)

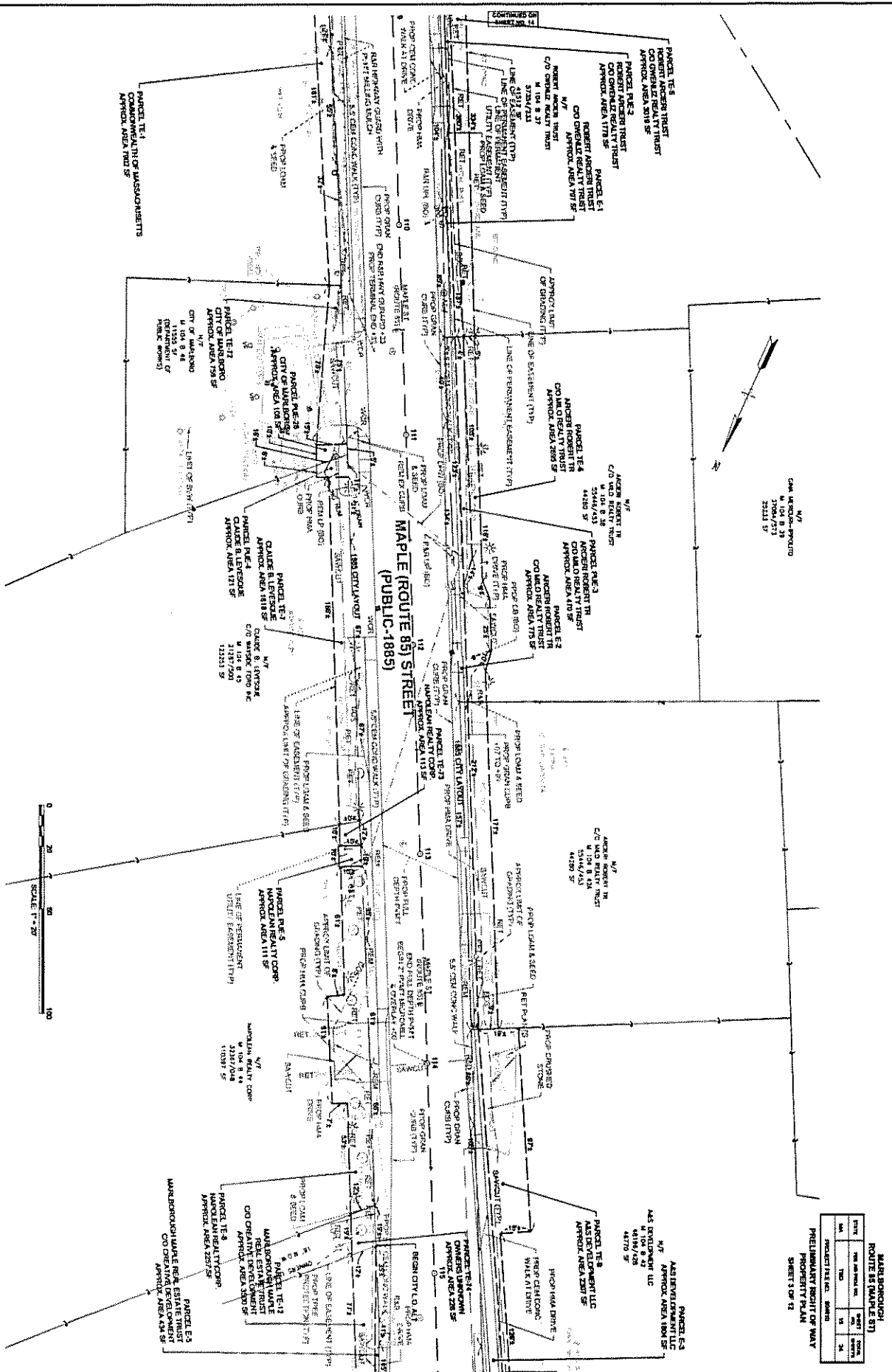
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101	101	10/11/10	APPROVED
102	102	10/11/10	APPROVED
103	103	10/11/10	APPROVED
104	104	10/11/10	APPROVED
105	105	10/11/10	APPROVED
106	106	10/11/10	APPROVED
107	107	10/11/10	APPROVED
108	108	10/11/10	APPROVED
109	109	10/11/10	APPROVED
110	110	10/11/10	APPROVED

PRELIMINARY RIGHT OF WAY
 PROPERTY PLAN
 SHEET 2 OF 12

NOT TO SCALE
 NORTH
 10/11/10

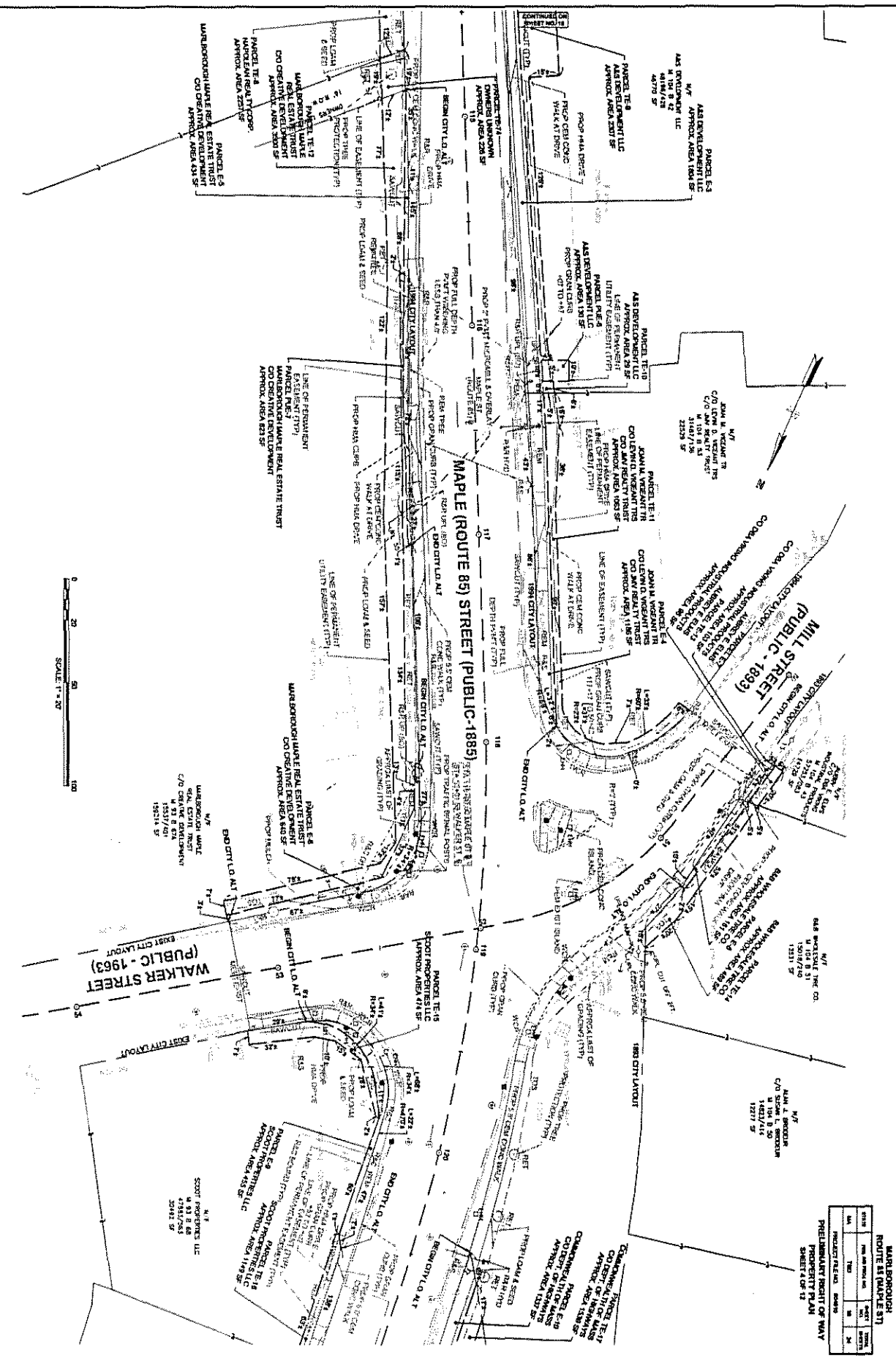


MAP
 N 104° 0' 31"
 21064/213
 22311 5'



MAPLEBOROUGH ROUTE 85 (MAPLE ST)			
DATE	BY	REVISION	DESCRIPTION
10/15/11	WALTON	1	PRELIMINARY
11/15/11	WALTON	2	REVISED
01/15/12	WALTON	3	REVISED
03/15/12	WALTON	4	REVISED
05/15/12	WALTON	5	REVISED
07/15/12	WALTON	6	REVISED
09/15/12	WALTON	7	REVISED
11/15/12	WALTON	8	REVISED
01/15/13	WALTON	9	REVISED
03/15/13	WALTON	10	REVISED
05/15/13	WALTON	11	REVISED
07/15/13	WALTON	12	REVISED
09/15/13	WALTON	13	REVISED
11/15/13	WALTON	14	REVISED
01/15/14	WALTON	15	REVISED
03/15/14	WALTON	16	REVISED
05/15/14	WALTON	17	REVISED
07/15/14	WALTON	18	REVISED
09/15/14	WALTON	19	REVISED
11/15/14	WALTON	20	REVISED
01/15/15	WALTON	21	REVISED
03/15/15	WALTON	22	REVISED
05/15/15	WALTON	23	REVISED
07/15/15	WALTON	24	REVISED
09/15/15	WALTON	25	REVISED
11/15/15	WALTON	26	REVISED
01/15/16	WALTON	27	REVISED
03/15/16	WALTON	28	REVISED
05/15/16	WALTON	29	REVISED
07/15/16	WALTON	30	REVISED
09/15/16	WALTON	31	REVISED
11/15/16	WALTON	32	REVISED
01/15/17	WALTON	33	REVISED
03/15/17	WALTON	34	REVISED
05/15/17	WALTON	35	REVISED
07/15/17	WALTON	36	REVISED
09/15/17	WALTON	37	REVISED
11/15/17	WALTON	38	REVISED
01/15/18	WALTON	39	REVISED
03/15/18	WALTON	40	REVISED
05/15/18	WALTON	41	REVISED
07/15/18	WALTON	42	REVISED
09/15/18	WALTON	43	REVISED
11/15/18	WALTON	44	REVISED
01/15/19	WALTON	45	REVISED
03/15/19	WALTON	46	REVISED
05/15/19	WALTON	47	REVISED
07/15/19	WALTON	48	REVISED
09/15/19	WALTON	49	REVISED
11/15/19	WALTON	50	REVISED

PRELIMINARY RESULT OF WALK
 PROPERTY PLAN
 SHEET 1 OF 12



**MARIBOROUGH
ROUTE 85 (PARCELS 87)
PROPERTY PLAN
SHEET 4 OF 12**

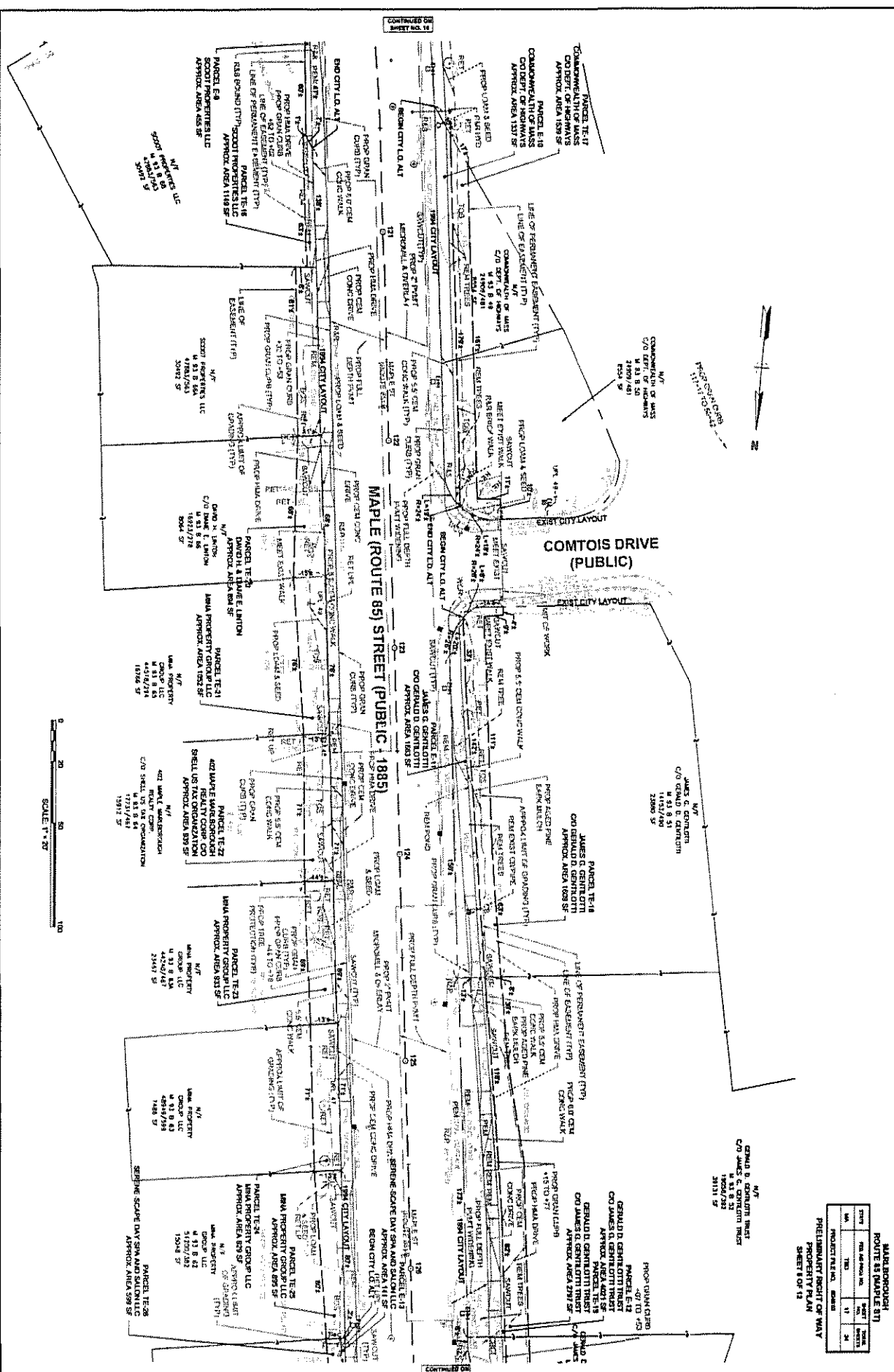
DATE	BY	REVISION
08/11/16	WAV	ISSUE FOR PERMIT
08/11/16	WAV	ISSUE FOR PERMIT
08/11/16	WAV	ISSUE FOR PERMIT

PRELIMINARY RIGHT OF WAY

CONTINUED ON
SHEET NO. 12

MAP APPROVAL
ROUTE 85 MAPLE ST
PROPERTY PLAN
SHEET 8 OF 12

DATE	BY	REVISION
11/11/15	11	REVISED
08/11/15	10	REVISED



CONTINUED ON SHEET NO. 11

CONTINUED ON SHEET NO. 9

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 1192/480
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

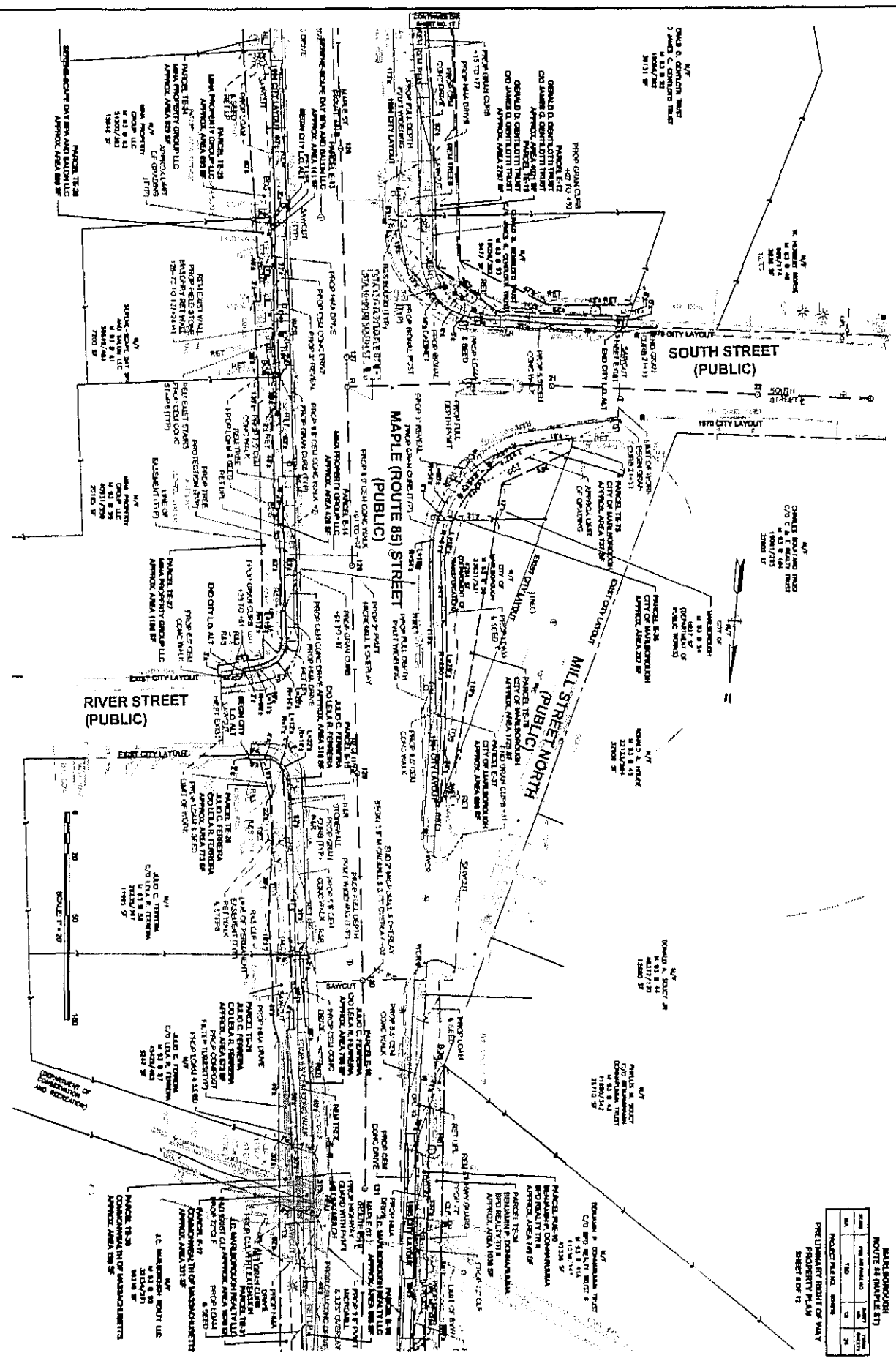
N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

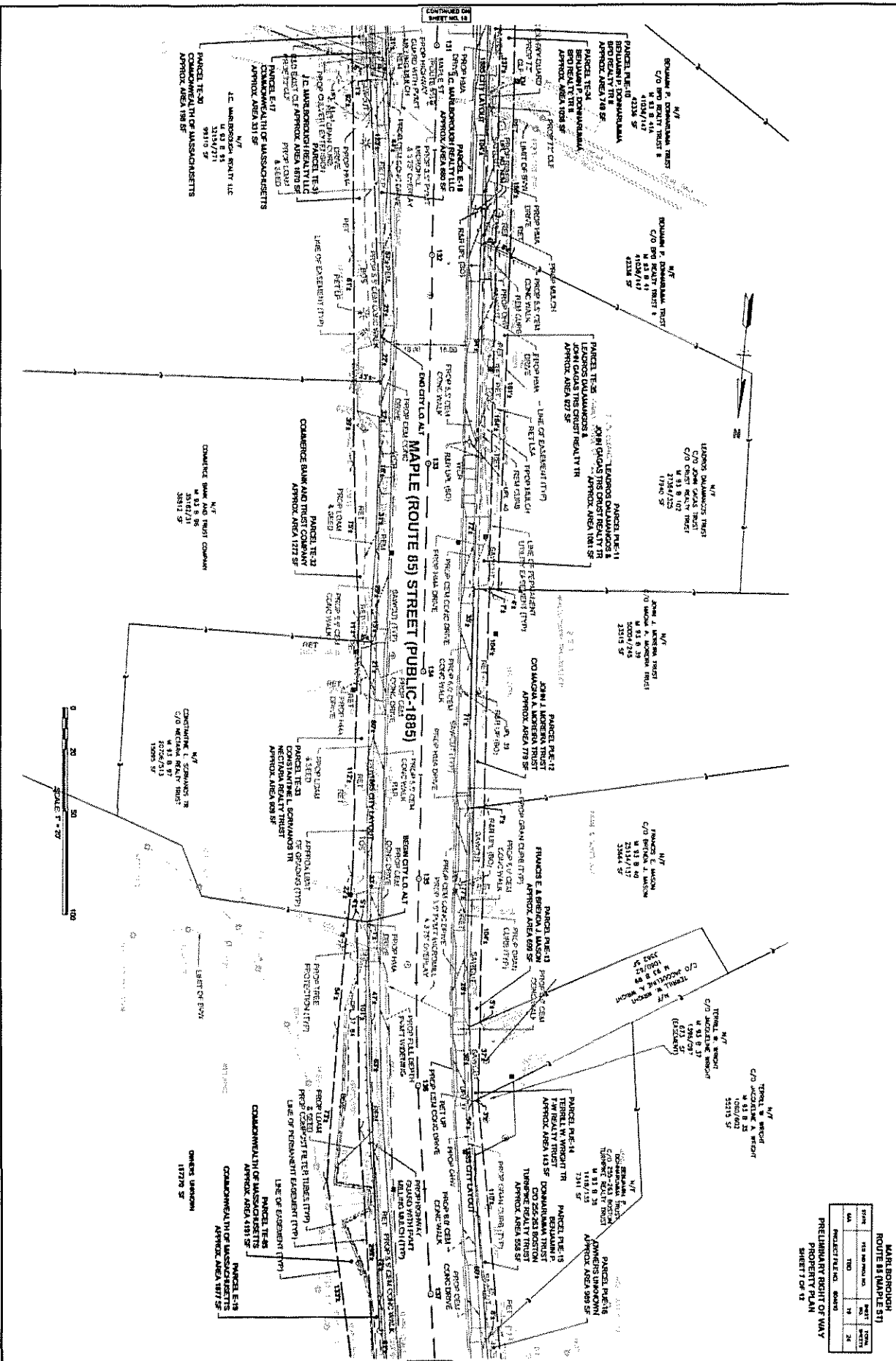
N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF

N/T OF MASS
 C/O DEPT. OF HIGHWAYS
 M 81 B 51
 2380 SF



WALTHAM
ROUTE 28 (MILL ST.)
PRELIMINARY STREET OF WAY
PROPERTY PLAN
SHEET 1 OF 12

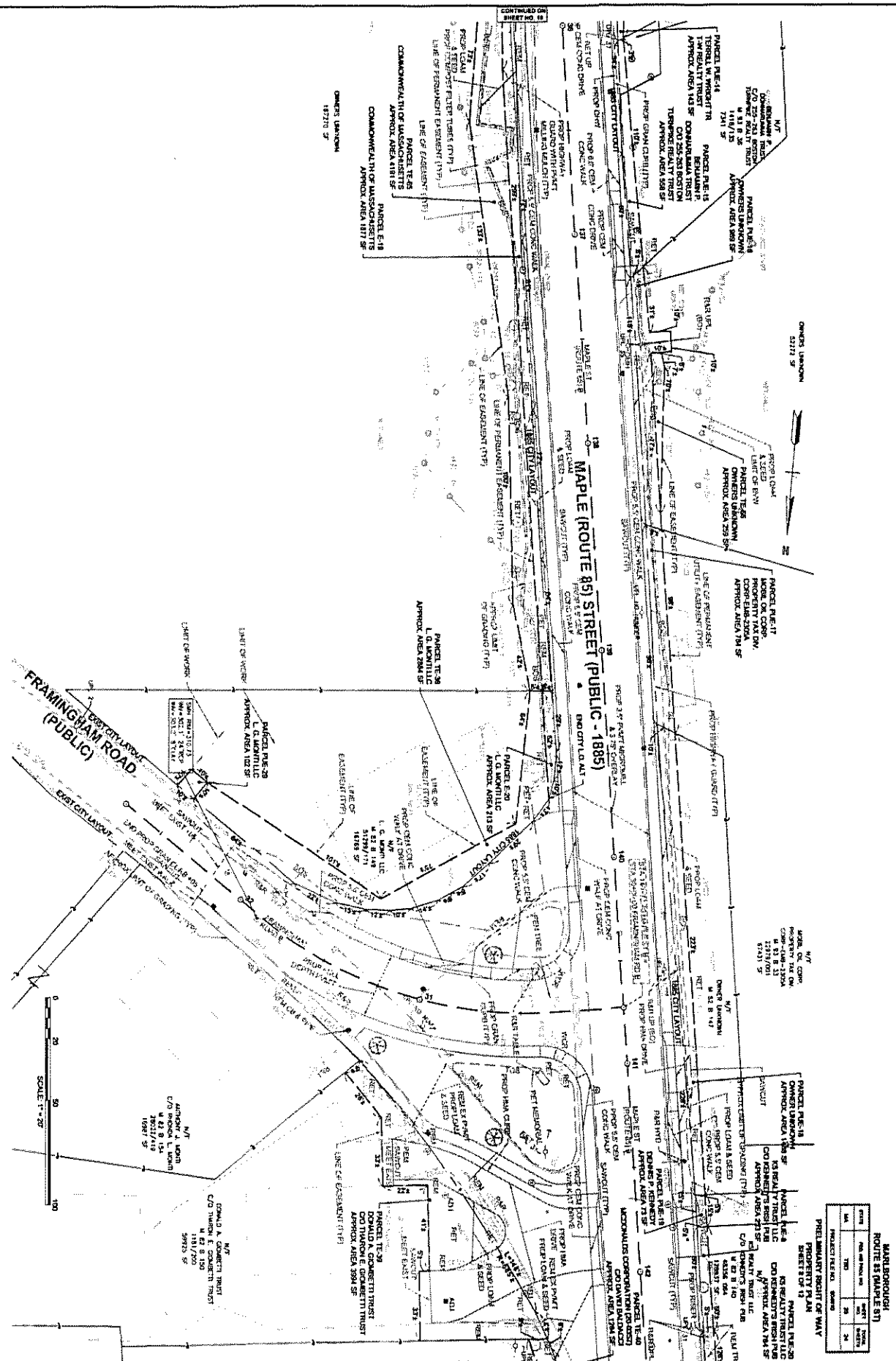
NO.	DATE	BY	REVISION
1	11/11/11	...	...
2	...	...	...
3	...	...	...
4	...	...	...



MARIBOROUGH
ROUTE 85 MAPLE ST

DATE	FILE NO.	PLAT NO.	SHEET NO.	TOTAL SHEETS
MA	180	14	21	24

PRELIMINARY RIGHT OF WAY
PROPERTY PLAN
SHEET 1 OF 12



MARLBOROUGH
ROUTE 85 (TOWN LOT)
SHEET 2 OF 12

DATE	BY	REVISION
01/11/11
02/11/11
03/11/11
04/11/11
05/11/11
06/11/11
07/11/11
08/11/11
09/11/11
10/11/11
11/11/11
12/11/11

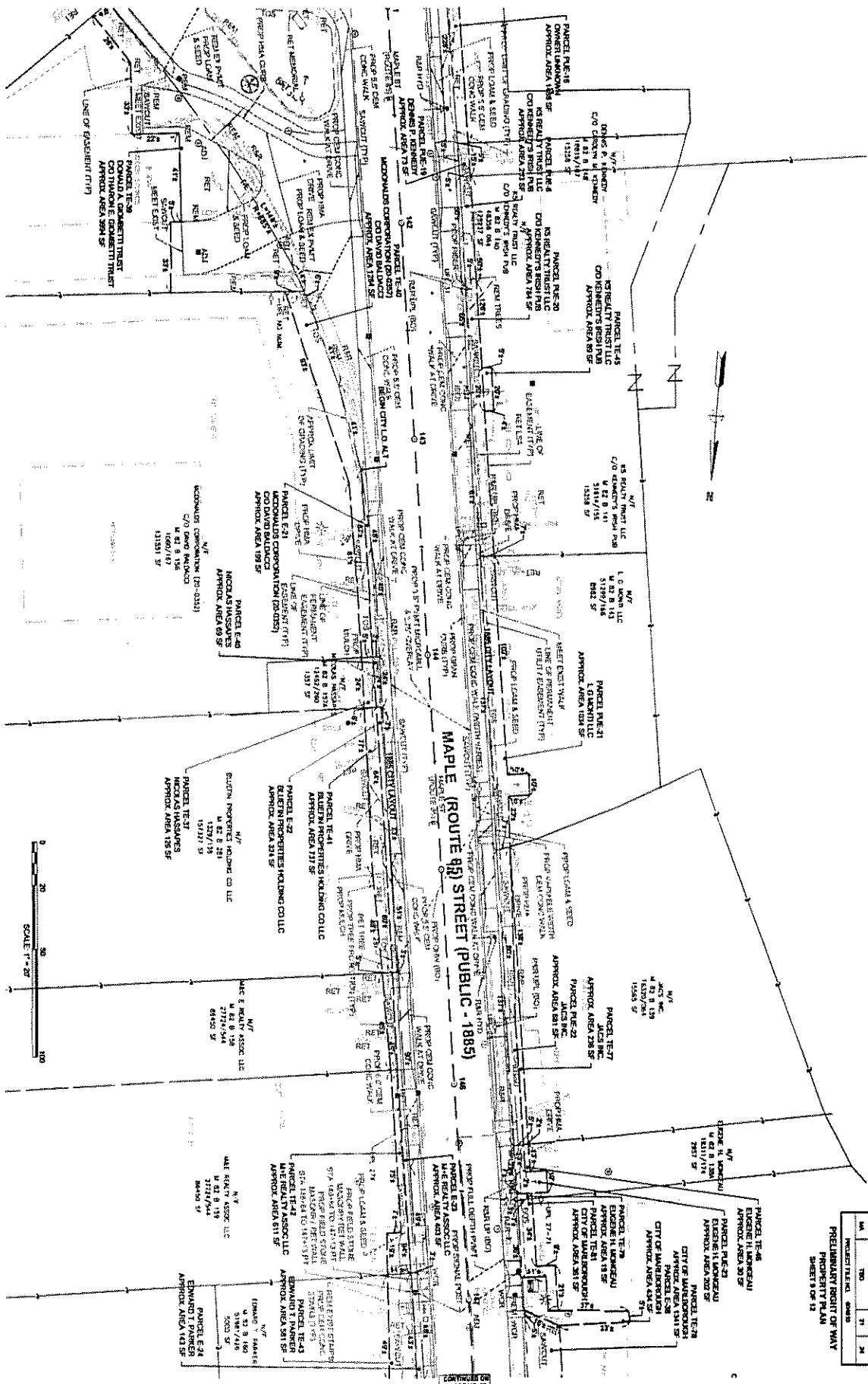
PROJECT FILE NO. 000000

PRELIMINARY DRAFT OF PLAN

PROPERTY PLAN

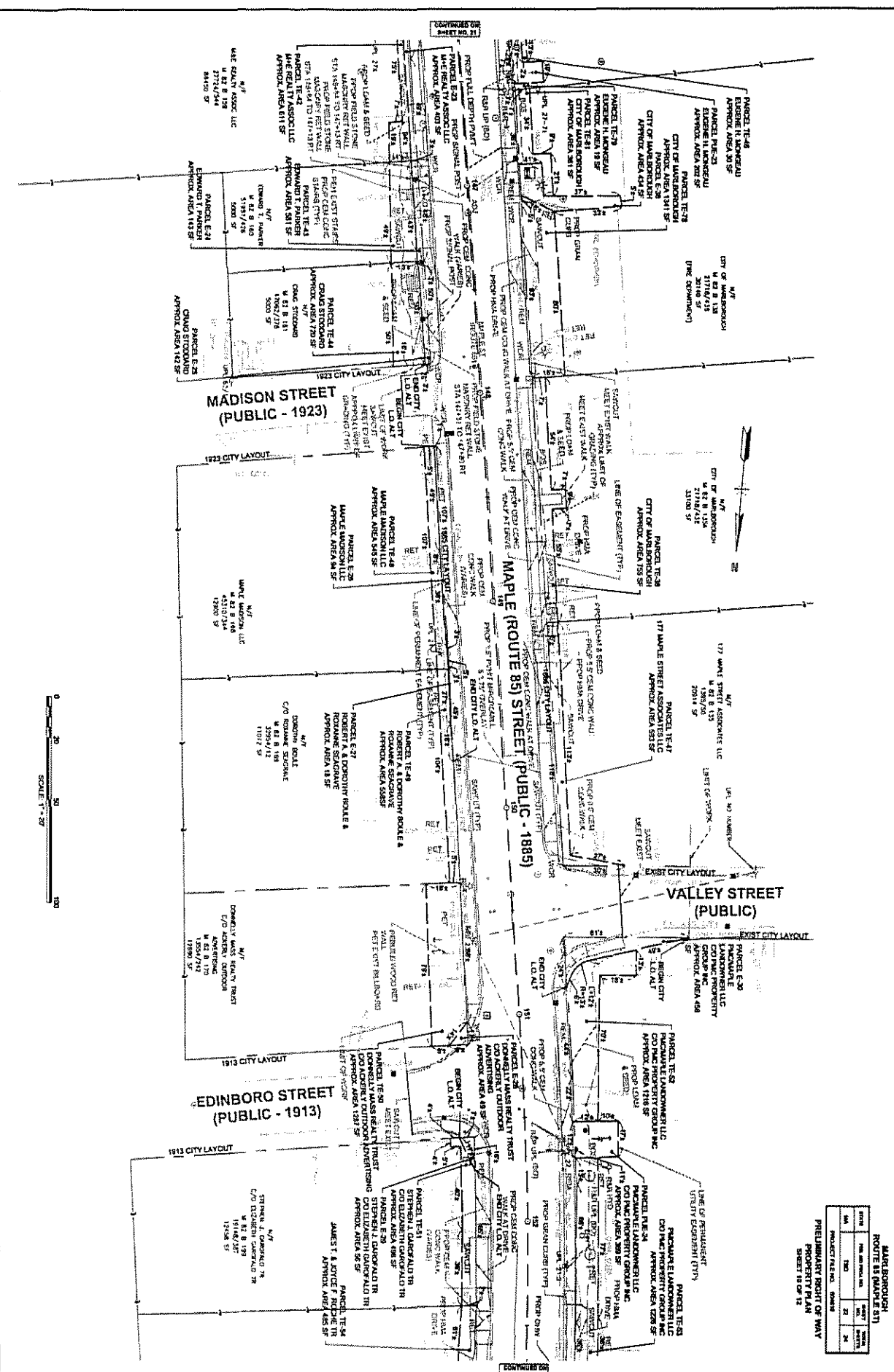
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Parcel ME-100

CENTRELINE OF
HIGHWAY NO. 20



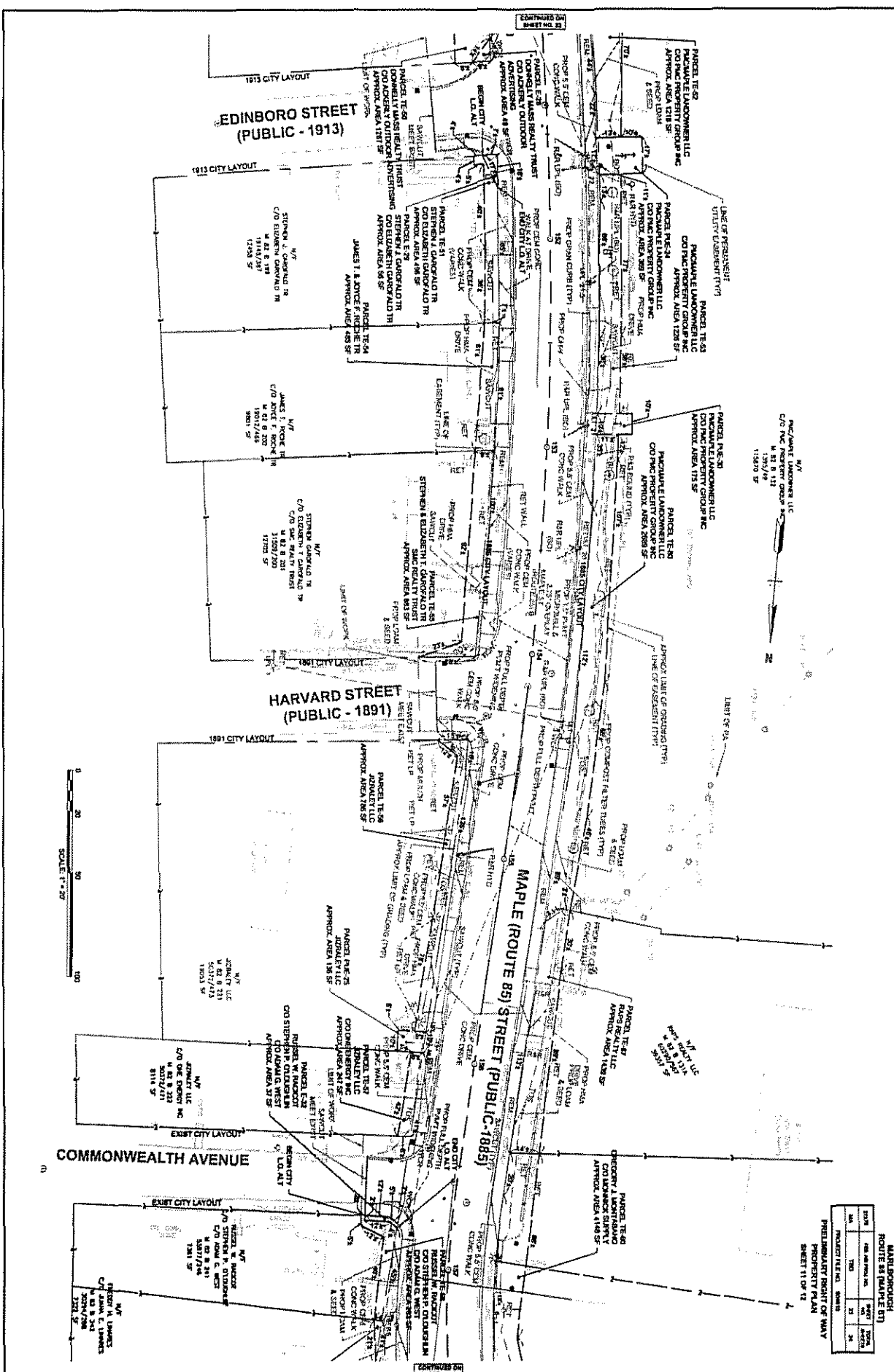
MARLBOROUGH ROUTE 13 (MAPLE ST)			
DATE	BY WHOM MADE	REASON	APPROVED
1885			
1913			
1914			
1915			

PRESENTLY RIGHT OF WAY
SHEET 9 OF 13



ALAN BOBBERT
 ROUTE 18 (MAPLE ST)
 PRELIMINARY RIGHT OF WAY
 PROPERTY PLAN
 SHEET 18 OF 22

DATE	BY	REVISION
08/13/16	ALB	1
08/13/16	ALB	2
08/13/16	ALB	3
08/13/16	ALB	4



MARLBOROUGH
ROUTE 85 (MAPLE ST)
PRELIMINARY PLAT OF WAY
PROPERTY PLAN
SHEET 11 OF 12

DATE	BY	FOR
08/13/19	W. J. B. B. B.	PRELIMINARY PLAT OF WAY
08/13/19	W. J. B. B. B.	PROPERTY PLAN
08/13/19	W. J. B. B. B.	SHEET 11 OF 12



City of Marlborough
Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JAN -5 10:14
DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

January 5, 2017

Edward Clancy, President and Members
Marlborough City Council

RE: Order No. 16-1006732 Order of Taking by Eminent Domain – East Main Street
Reconstruction Project

Dear President Clancy and Members:

Attached for your consideration is Order No. 16-1006732, Order of Taking by Eminent Domain, which concerns the taking of various easements for the purposes of the East Main Street Reconstruction Project. As per discussion at the Legal & Legislative Committee meeting on December 7, 2016, the word “third” has been deleted with respect to the duration of the temporary easements, and the word “second” has been inserted in place thereof.

Also, as provided in the attached set of plans entitled “Right-of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County” (dated July 28, 2016), the numbering of each sheet has been corrected to accurately represent the total number of sheets in the set.

Said Order is in proper form for consideration by the body. I am available to answer your questions. Thank you for your attention to this matter.

Very Truly Yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin
Assistant City Solicitor

Enclosure

Cc: John Ghiloni, Commissioner, Public Works
Tom DiPersio, City Engineer

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain portions of land located on East Main Street and located on land at the intersection of East Main Street and Brown Street, and at the intersection of East Main Street and Sawin Street (hereinafter, collectively, "East Main Street"), as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to East Main Street, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the easement interests or fee simple interest in the following described land, including all trees and other vegetation thereon.

DESCRIPTION OF LAND TAKEN

1. **Street address: East Main Street, Marlborough, MA 01752**

Temporary easement for purposes of grading and driveway reconstruction: Being an approximately 232 S.F portion of the property located on East Main Street, Marlborough, MA, known and numbered as Map 70, Parcel 323 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-28 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNER: B.B. Realty Corp.
262 Main Street
P.O. Box 5
Marlborough, MA 01752

2. Street Address: 48 East Main Street, Marlborough, MA

Temporary easement for the purposes of grading, driveway reconstruction, pedestrian walk reconstruction: Being a 703 S.F. portion of the property located at 48 East Main Street, Marlborough, MA, known and numbered as Map 70, Parcel 322 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-29 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNERS: U.S. Bank National Association, Trustee
425 Walnut Street
Cincinnati, OH 45202

3. Street Address: 56 East Main Street, Marlborough, MA 01752

Temporary easement for purposes of grading and driveway reconstruction: Being a 643 S.F. portion of the property located at 56 East Main Street, Marlborough, MA, known and numbered as Map 70, Parcel 324 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-27 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNER: William W. George, Trustee, Carlisle Realty Trust
P.O. Box 436
Marlborough, MA 01752

4. Street Address: 60 East Main Street, Marlborough, MA 01752

Temporary easement for purposes of grading and sidewalk reconstruction: Being a 1,210 S.F. portion of the property located at 60 East Main Street, Marlborough, MA, known and numbered as Map 57, Parcel 125 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-26 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNER: William W. George, Trustee, Carlisle Realty Trust
P.O. Box 436
Marlborough, MA 01752

5. Street Address: 59 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 568 S.F. portion of the property located at 59 East Main Street, Marlborough, MA, known and numbered as Map 57, Parcel 133 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-6 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: Michael Triaforos, Trustee
59 East Main Street Realty Trust
49 East Main Street
Marlborough, MA 01752

6. Street Address: 79 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 335 S.F., more or less, portion of the property located at 79 East Main Street, known and numbered as Map 57, Parcel 182 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-4 on Sheet 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: Todd Uminsky, Trustee
79 East Main Street Realty Trust
Marlborough, MA 01752

7. Street Address: 83-A East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 209 S.F., more or less, portion of the property located at 83-A East Main Street, known and numbered as Map 57, Parcel 184 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-3 on Sheets 3 and 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: Glayton DaCruz, Trustee
DaCruz Realty Trust
Marlborough, MA 01752

8. Street Address: 87 East Main Street, Marlborough, MA 01752

Permanent easement for aerial utility purposes: Being a 411 S.F., more or less, portion of the property located at 87 East Main Street, known and numbered as Map 57, Parcel 185 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-2 on Sheets 3 and 4 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: Fred R. Angier, Jr.
87 East Main Street
Marlborough, MA 01752

9. Street Address: 95 East Main Street, Marlborough, MA 01752

Temporary easement for purposes of grading, driveway reconstruction, and restoration and reconstruction of stonewall: Being a 593 S.F. portion of the property located at 95 East Main Street, Marlborough, MA, known and numbered as Map 57, Parcel 186 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-5 on Sheet 3 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNER: David P. DeCenzo
95 Oakbridge Drive
Pueblo, CO 81001

10. Street Address: 99 East Main Street, Marlborough, MA 01752

Temporary easement for purposes of grading, driveway reconstruction, and restoration and reconstruction of stonewall: Being a 314 S.F. portion of the property located at 99 East Main Street, Marlborough, MA, known and numbered as Map 57, Parcel 187 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-2 on Sheet 3 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNER: Jeanne Bengiovanni
99 East Main Street
Marlborough, MA 01752

11. Street Address: 114 East Main Street, Marlborough, MA 01752

Permanent easement for purposes of new utility pole installation and aerial utility: Being a 298 S.F., more or less, portion of the property located at 114 East Main Street, known and numbered as Map 57, Parcel 194 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-1 on Sheets 3 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: Cumberland Farms, Inc.
777 Dedham Street
Canton, MA 02021

12. Street Address: 19 Brown Street, Marlborough, MA 01752

Temporary easement for purposes of grading, construction of retaining wall, installment of fence, removal of trees: Being a 148 S.F. portion of the property located at 19 Brown Street, Marlborough, MA, known and numbered as Map 70, Parcel 318 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-20 on Sheet 5 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNERS: Thomas J. Parks & Cheryl Greska
19 Brown Street
Marlborough, MA 01752

13. Street Address: 21 Brown Street, Marlborough, MA 01752

Temporary easement for purposes of grading, construction of retaining wall, installment of fence, removal of trees: Being a 795 S.F. portion of the property located at 21 Brown Street, Marlborough, MA, known and numbered as Map 70, Parcel 319 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-18 on Sheet 5 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNERS: David E. Grant & Tina L. Grant
21 Brown Street
Marlborough, MA 01752

14. Street Address: 38 Brown Street, Marlborough, MA 01752

Temporary easement for purposes of grading, construction of retaining wall, reconstruction of pedestrian walk: Being a 335 S.F. portion of the property located at 38 Brown Street, Marlborough, MA, known and numbered as Map 70, Parcel 321 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-35 on Sheets 4 and 5 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

Said temporary easement shall automatically terminate and be of no further force or effect on and after the second anniversary of the date of entry by the City of Marlborough, its agents and employees, onto said land for the purposes of the reconstruction, construction, and maintenance of improvements to East Main Street.

OWNERS: James C. Thomas & Lauren B. Thomas
31 Ash Street
Hopkinton, MA 01748

15. Street Address: 15 Sawin Street, Marlborough, MA 01752

Permanent easement for purposes of new utility pole installation and aerial utility: Being a 67 S.F., more or less, portion of the property located at 15 Sawin Street, known and numbered as Map 70, Parcel 373 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-5 on Sheets 3 of 6 of a set of plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County."

OWNER: 15 Sawin Street LLC
15 Sawin Street
Marlborough, MA 01752

Said plans, dated July 28, 2016, entitled "Right-Of-Way Plans, East Main Street, in the City of Marlborough, Middlesex County" to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Order.

AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AREA (OF TAKING OF EASEMENT)</u>	<u>AWARD</u>
B.B. Realty Corp. 262 Main Street P.O. Box 5 Marlborough, MA	70/323	232 S.F.	\$40.00
U.S. Bank National Association, Trustee 425 Walnut Street Cincinnati, OH 45202	70/322	703. S.F.	\$366.00
William W. George, Trustee, Carlisle Realty Trust P.O. Box 436 Marlborough, MA 01752	70/324	643 S.F.	\$390.00
William W. George, Trustee, Carlisle Realty Trust P.O. Box 436 Marlborough, MA 01752	57/125	1,210 S.F.	\$2,130.00
Michael Triaforos, Trustee 59 East Main Street Realty Trust 49 East Main Street Marlborough, MA 01752	57/133	568 S.F.	\$630.00
Todd Uminsky, Trustee 79 East Main Street Realty Trust Marlborough, MA 01752	57/182	335 S.F.	\$630.00
Glayton DaCruz, Trustee DaCruz Realty Trust 26 Hilldale Road Ashland, MA 01721	57/184	209 S.F.	\$627.00
Fred R. Angier, Jr. 87 East Main Street Marlborough, MA 01752	57/185	411 S.F.	\$567.00

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AREA (OF TAKING OF EASEMENT)</u>	<u>AWARD</u>
David P. DeCenzo 95 Oakbridge Drive Pueblo, CO 81001	57/186	593 S.F.	\$335.00
Jeanne Bengiovanni 99 East Main Street Marlborough, MA 01752	57/187	314 S.F.	\$545.00
Cumberland Farms, Inc. 777 Dedham Street Canton, MA 02021	57/194	298 S.F.	\$1,043.00
Thomas J. Parks & Cheryl Greska 19 Brown Street Marlborough, MA 01752	70/318	148 S.F.	\$161.00
David E. Grant & Tina L. Grant 21 Brown Street Marlborough, MA 01752	70/319	795 S.F.	\$863.00
James C. Thomas & Lauren B. Thomas 31 Ash Street Hopkinton, MA 01748	70/321	335 S.F.	\$335.00
15 Sawin Street LLC 15 Sawin Street Marlborough, MA 01752 (Land Court Book 1362, Page 007, Certificate No. 243066)	70/373	67 S.F.	\$117.00

ADOPTED
In City Council
Order No. 16-1006732
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST

RIGHT-OF-WAY PLANS
 EAST MAIN STREET
 IN THE CITY OF
 MARLBOROUGH
 MIDDLESEX COUNTY

INDEX

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- 2 LEGEND & GENERAL NOTES
- 3-5 PRELIMINARY RIGHT-OF-WAY PLANS
- 6 PARCEL SUMMARY

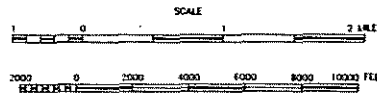
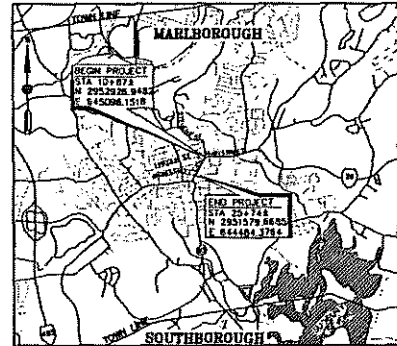
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THE MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES DATED 1988, AS AMENDED, THE SUPPLEMENTAL SPECIFICATIONS DATED JULY 1, 2015, THE INTERIM SUPPLEMENTAL SPECIFICATIONS DATED MARCH 4, 2016, THE 2014 CONSTRUCTION STANDARD DETAILS, THE 2015 OVERHEAD SIGNAL STRUCTURE AND FOUNDATION STANDARD DRAWINGS, MASSDOT TRAFFIC MANAGEMENT PLANS AND DETAIL DRAWINGS, THE 2009 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS WITH MASSACHUSETTS AMENDMENTS, THE 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS, THE 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, WILL GOVERN.

DESIGN DESIGNATION

DESIGN SPEED	= 30 mph
ADT (2006)	= 13,418 vpd
ADT (2015)	= 14,822 vpd
K	= 8.0%
Q	= 59% (EB)
T (PEAK HOUR)	= 3%
T (AVERAGE DAY)	= 3%
DHV	= 1,186 vph
DDHV	= 706 vph

PROJECT ENGINEER: _____
 STRUCTURAL REVIEW: _____
 TRAFFIC DESIGN REVIEW: _____
 HIGHWAY DEPT. APPROVAL: _____
 HIGHWAY TECH. REVIEW: _____
 CONSTRUCTION REVIEW: _____



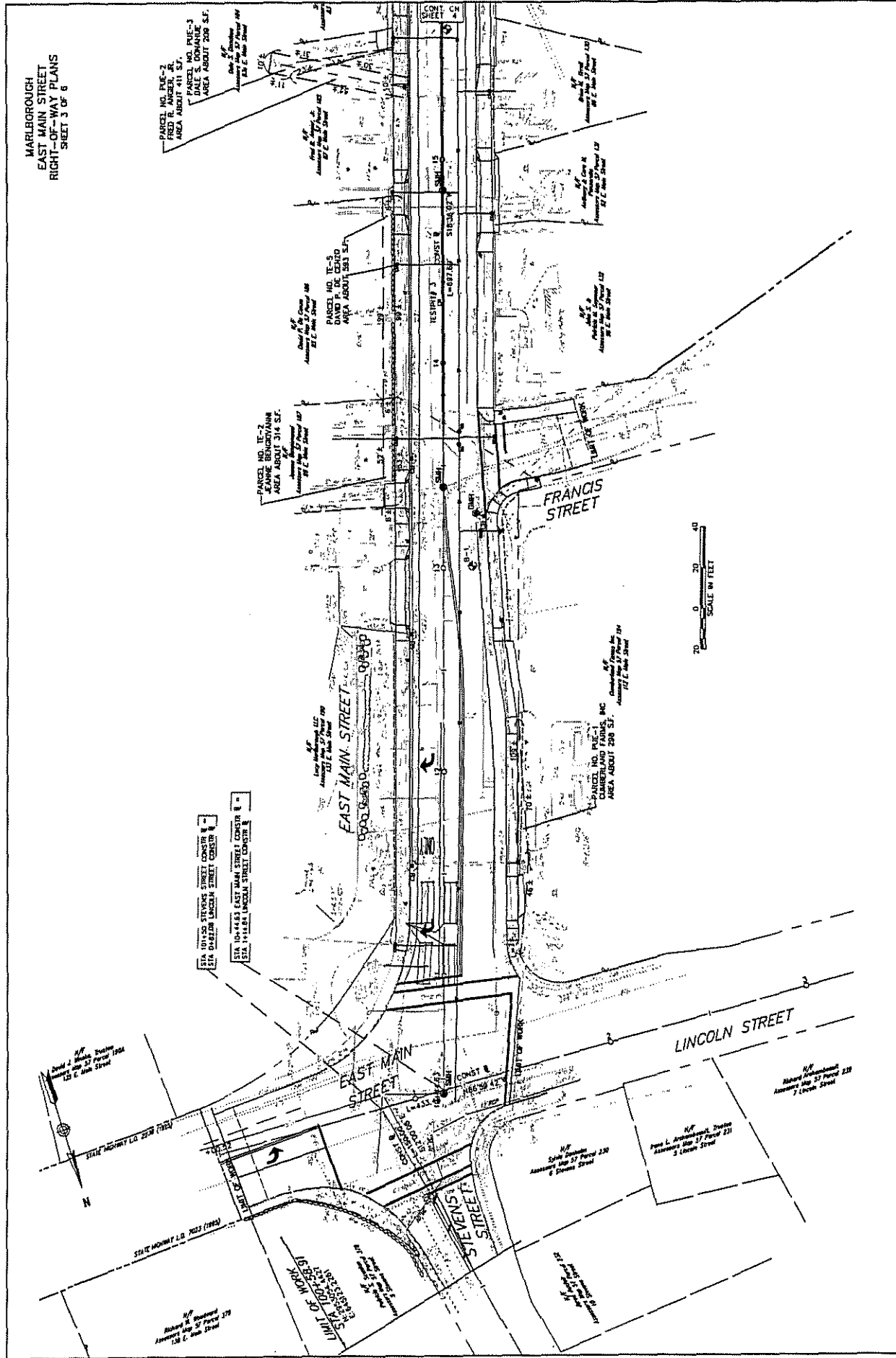
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JULY 28, 2016

CONVENTIONAL SIGNS

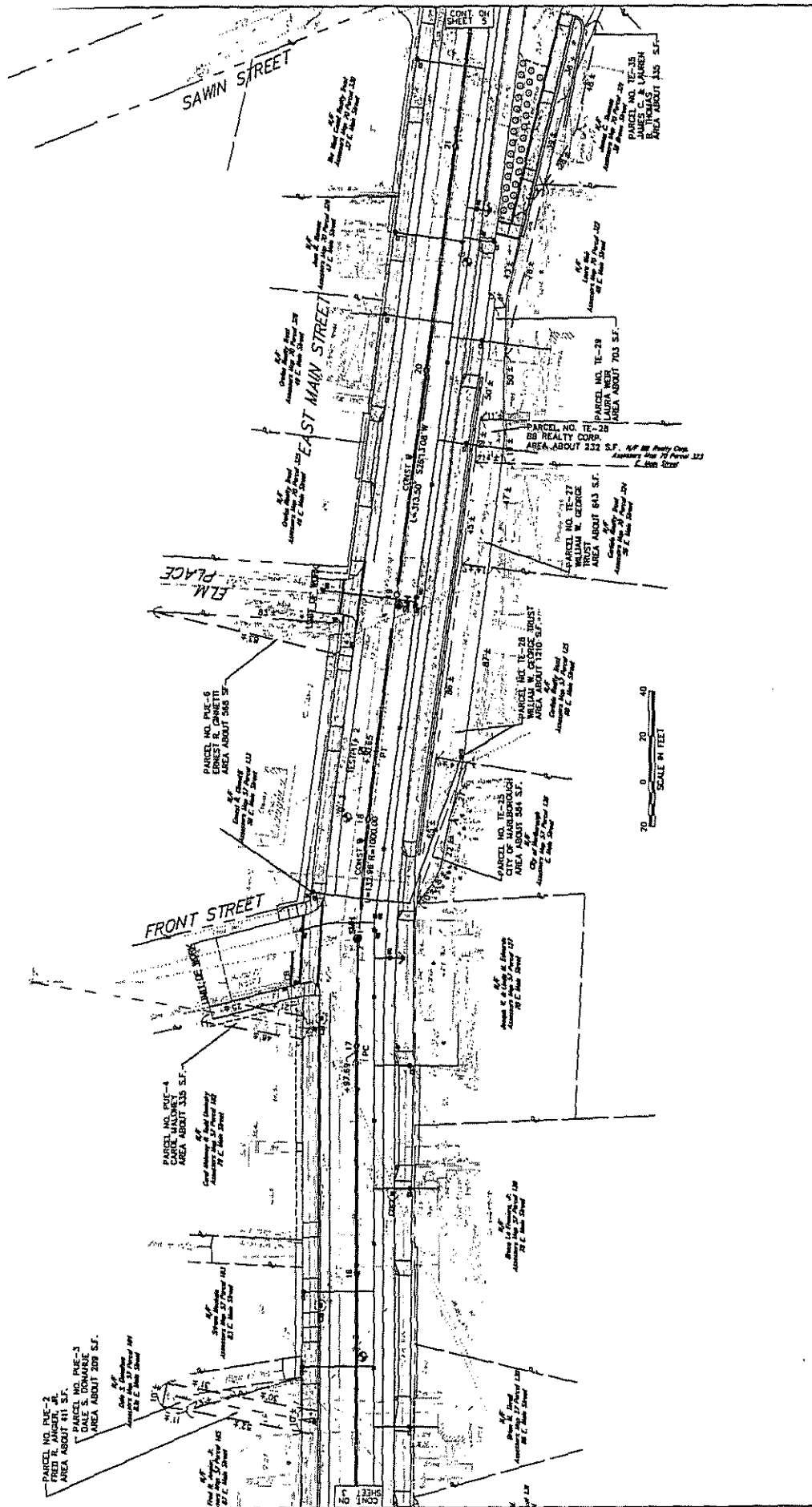
COUNTY, CITY OR TOWN BOUNDARY	_____	-----
COUNTY, CITY OR TOWN SIDE LINE	_____	-----
FENCE LINE	_____	-x-x-x-x-
BASE LINE OR SURVEY LINE	_____	75
RIGHT OF WAY LINE	_____	N00°-31'-37"W 132.57
CULVERT	_____	=====
ELEVATIONS	_____	PROPOSED SURFACE EXISTING SURFACE 75
UTILITY POLE	_____	⊕

MARLBOROUGH
 EAST MAIN STREET
 RIGHT-OF-WAY PLANS
 SHEET 3 OF 6



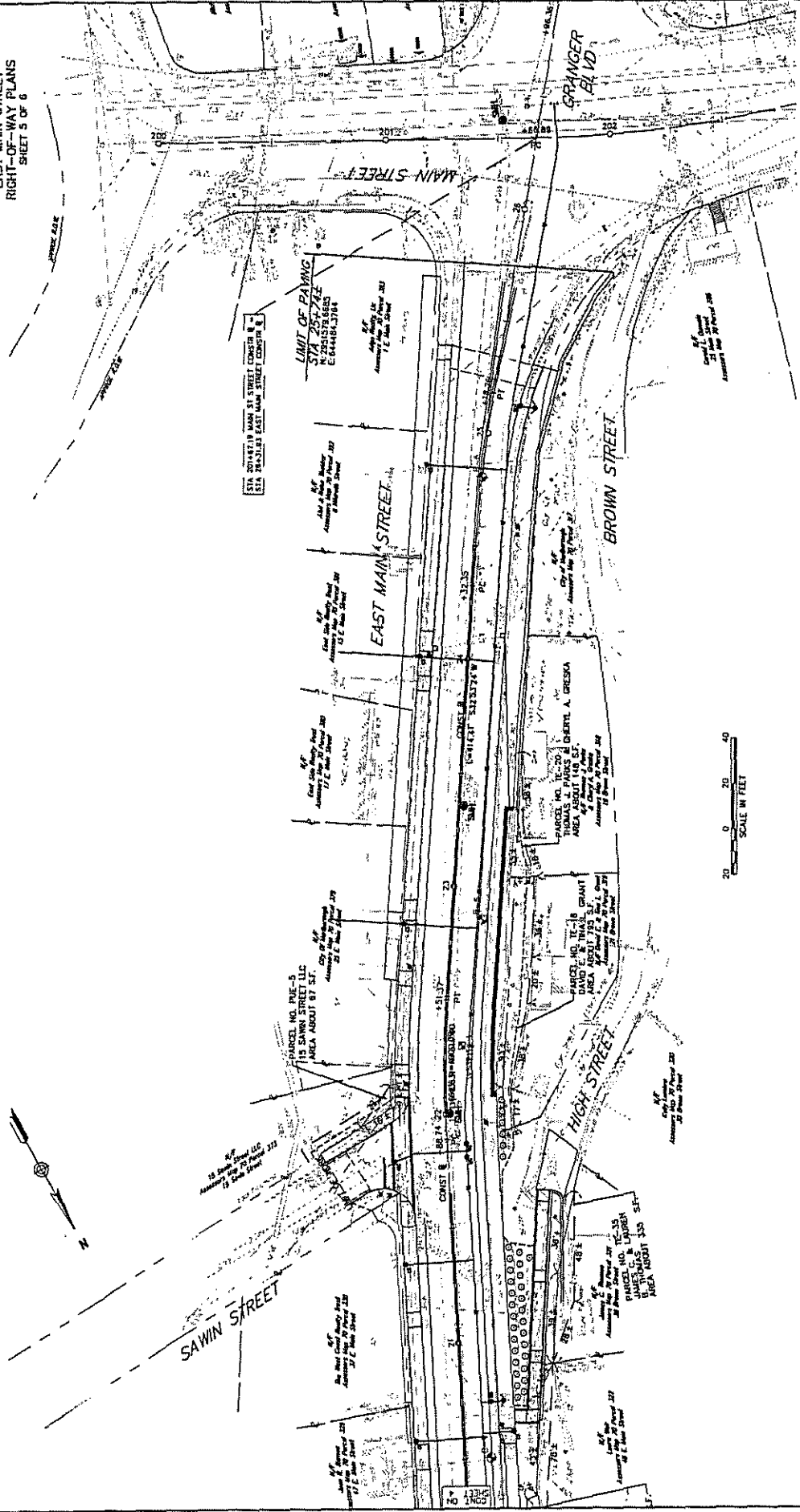
\\jamespc\11\user\10175\10175.dwg 1/10/01 10:55:06 AM

MARLBOROUGH
 EAST MAIN STREET
 RIGHT-OF-WAY PLANS
 SHEET 4 OF 6



1 MARLBOROUGH, MASSACHUSETTS, 1973, BY THE MARLBOROUGH BOARD OF SELECTMEN

MARLBOROUGH
 EAST MAIN STREET
 RIGHT-OF-WAY PLANS
 SHEET 5 OF 6



MARLBOROUGH ENGINEERING & SURVEYING, INC. 100 STATE STREET, SUITE 200, MARLBOROUGH, MA 01501-1000

RIGHT-OF-WAY PLANS
EAST MAIN STREET
IN THE CITY OF
MARLBOROUGH
MIDDLESEX COUNTY

REFERENCE MANUALS

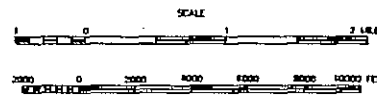
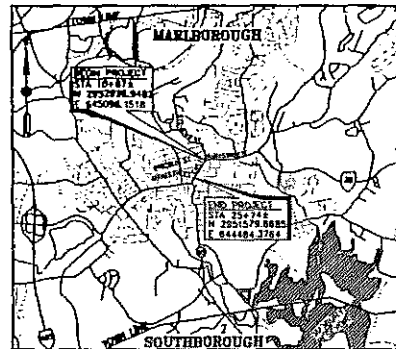
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DESIGN DESIGNATION

DESIGN SPEED	= 30 mph
ADT (2006)	= 13,418 vpd
ADT (2016)	= 14,822 vpd
K	= 8.0%
D	= 56% (EB)
T (PEAK HOUR)	= 3%
T (AVERAGE DAY)	= 3%
DHV	= 1,186 vph
DHVV	= 708 vph

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6	PARCEL SUMMARY

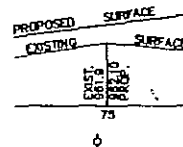


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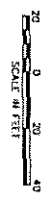
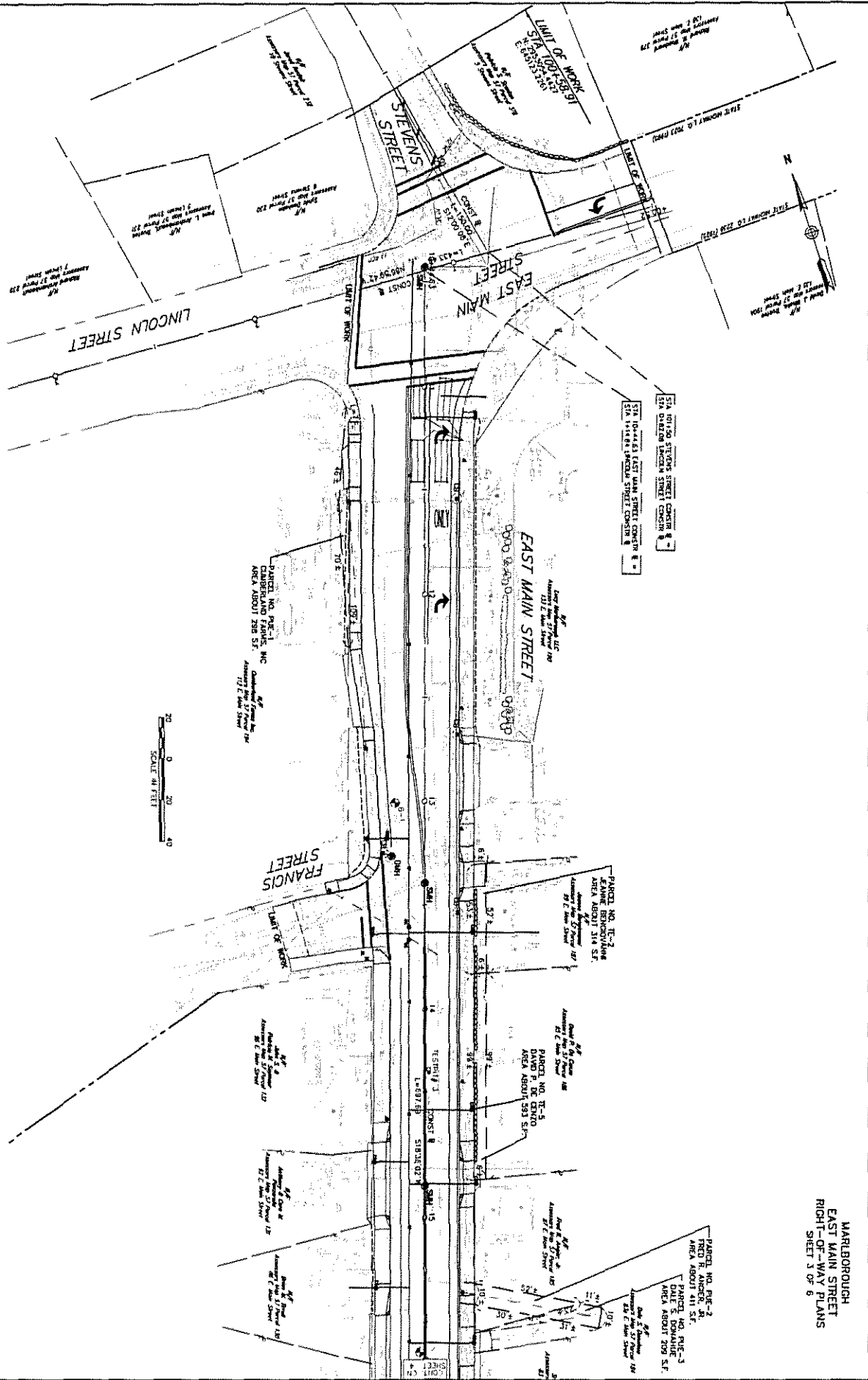
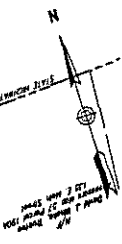
JULY 28, 2016

CONVENTIONAL SIGNS

COUNTY, CITY OR TOWN BOUNDARY	-----
COUNTY, CITY OR TOWN SIDE LINE	-----
FENCE LINE	-----
BASE LINE OR SURVEY LINE	-----
RIGHT OF WAY LINE	-----
CLVERT	-----
ELEVATIONS	-----
UTILITY POLE	-----

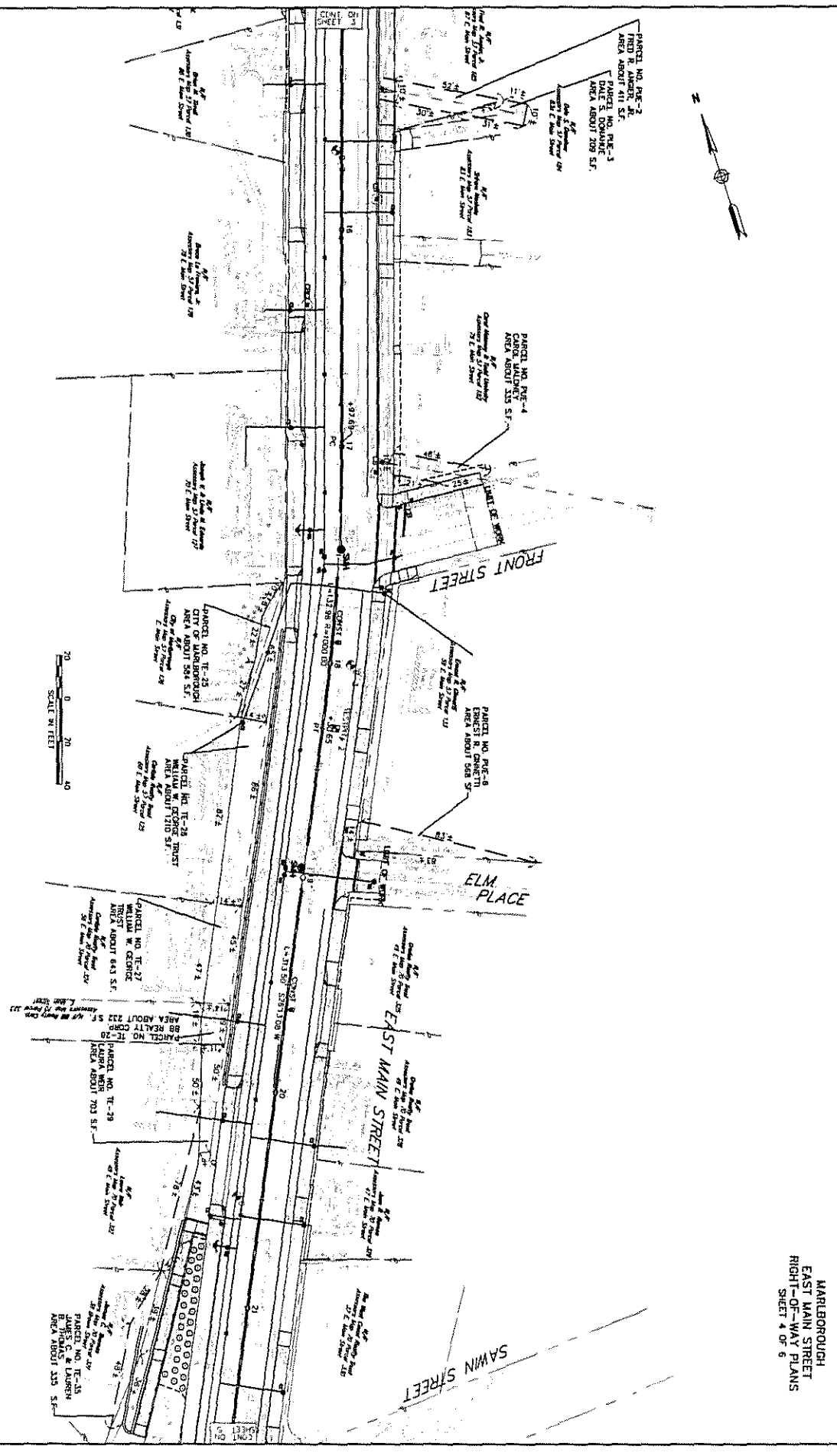


PROJECT CHECKED: _____
 PROJECT DRAWN: _____
 PROJECT DATE: _____
 PROJECT NO.: _____
 PROJECT TITLE: _____



**MARLBOROUGH
EAST MAIN STREET
RIGHT-OF-WAY PLANS
SHEET 3 OF 6**

1 MAR 20 2011 10:27:55 AM (REV. 11/10/09) 1097-15279.dwg



MARLBOROUGH
EAST MAIN STREET
RIGHT-OF-WAY PLANS
SHEET 4 OF 6

1/10/2011 10:21:10 AM

PARCEL SUMMARY

PARCEL NUMBER	SHEET NO.	OWNER	AREA OF TRACT		RECORDING OF DEEDS		REMARKS
			TYPE	ACRES	BOOK	PAGE	
REC-1	3	COMMONLAND FARM INC	UTILITY	298 SF.	41825	391	INSTALL NEW UTILITY POLE. AERIAL UTILITY ESTABLISH
REC-2	3	ELMOR BROWNAINE	TRAP	214 SF.	21315	002	CHANGING DIRECTIONAL RECORDS; ROAD STAKE WALL
REC-3	3	DAVID P. DE COUO	TRAP	393 SF.	15016	31	CHANGING DIRECTIONAL RECORDS; ROAD STAKE WALL
REC-2	3 & 4	FRED R. MOORE, JR.	UTILITY	411 SF.	28228	291	AERIAL UTILITY ESTABLISH
REC-3	3 & 4	GULF T. DONAHUE	UTILITY	289 SF.	22124	127	AERIAL UTILITY ESTABLISH
REC-4	4	CAROL WILSON	UTILITY	315 SF.	20118	008	AERIAL UTILITY ESTABLISH
REC-2	4	OTT OF WARDENBOROUGH	TRAP	584 SF.	11134	118	CHANGING DIRECTIONAL RECORDS
REC-2	4	MELBA W. GEORGE TRUST	TRAP	1210 SF.	22982	480	CHANGING DIRECTIONAL RECORDS
REC-2	4	MELBA W. GEORGE TRUST	TRAP	843 SF.	22982	478	CHANGING DIRECTIONAL RECORDS
REC-2	4	88 REALTY CORP.	TRAP	231 SF.	11095	14	CHANGING DIRECTIONAL RECORDS
REC-2	4	ELLEN MOH	TRAP	710 SF.	56064	548	CHANGING DIRECTIONAL RECORDS; ROAD WALK RECORDS
REC-2	4 & 5	JAMES C. & LUCY B. HOBBS	TRAP	125 SF.	48195	047	CHANGING ROAD WALK RECORDS; ROAD RET. WALL
REC-4	4	ERNEST R. CORRETTI	UTILITY	268 SF.	28771	424	AERIAL UTILITY ESTABLISH
REC-4	5	15 STARV. STREET LLC	UTILITY	97 SF.	1241	029	AERIAL UTILITY ESTABLISH
REC-1	5	DAVID C. & MAI L. GRANT	TRAP	170 SF.	1248	13	CHANGING ROAD RET. WALL; INSTALL FENCE; ROAD TREES
REC-2	5	THOMAS J. PLANS & CHERYL A. ORESKA	TRAP	148 SF.	28229	278	CHANGING ROAD RET. WALL; INSTALL FENCE; ROAD TREES

MARBOROUGH
EAST MAIN STREET
RIGHT-OF-WAY PLANS
SHEET 6 OF 6

City of Marlborough
Commonwealth of Massachusetts

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CLERK'S OFFICE
CITY OF MARLBOROUGH



PLANNING BOARD: 53

Barbara L. Fenby, Chair
Colleen M. Hughes
Philip J. Hodge
Sean N. Fay
Shawn McCarthy
Brian DuPont

Melissa Peltier - Secretary
Phone: (508) 460-3769
Fax: (508) 460-3736
Email: MPeltier@marlborough-ma.gov

December 15, 2016

City Council President Clancy & Members
140 Main Street
Marlborough, MA 01752

City Council Order #16-1006702

President Clancy & Members,

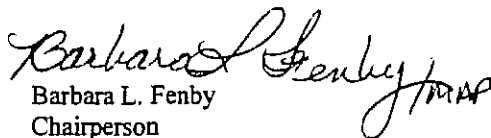
At the regular meeting of the Marlborough Planning Board on December 5, 2016 the Board took the following action:

The Public Hearing for City Council Order #16-1006702 was held and closed on December 5, 2016. The following motion and vote took place at the conclusion of the Public Hearing.

On a motion made by Mr. Hodge, seconded by Ms. Hughes it was voted to forward a favorable recommendation to the City Council regarding this amendment as presented. Motion carried.

Should you have any questions or concerns regarding this communication please do not hesitate to contact the Board Secretary above.

Sincerely,


Barbara L. Fenby
Chairperson

WALKER REALTY LLC

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

December 28, 2016 2017 JAN -4 A 8:40

Councilor Edward Clancy, President Marlborough City Council
City Hall
Marlborough, MA 01752

Re: 157 Apex Drive, Apex Center- Friendly's

Dear Councilor Clancy and Councilors:

Enclosed please find the revised color rendering for the proposed Friendly's restaurant to be constructed at 157 Apex Drive (attached hereto as Exhibit A). Although Walker Realty LLC believes that the attached rendering of the Friendly's restaurant substantially conforms in all material respects with the details previously provided to the Council and approved this past Fall (attached hereto as Exhibit B), Walker Realty, LLC recognizes that there have been some changes that the Council may wish to review and discuss. Accordingly, Walker Realty LLC kindly requests that the City Council place this matter on your next available agenda on January 9, 2016 for discussion and approval. Thank you in advance for your attention and consideration to this matter.

Sincerely,

Walker Realty LLC



Kevin S. Eriksen, Esq.

*** COLOR RENDERINGS ARE AVAILABLE FOR VIEWING IN THE CLERKS OFFICE ***

ALDO A. CIPRIANO
ATTORNEY AND COUNSELLOR AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JAN - 3 P 12:42

277 MAIN STREET
VICTORIA BUILDING
SECOND LEVEL • ATRIUM SUITE
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 485-7245
FAX (508) 485-2304

December 20, 2016

Karen Boule
Office of the City Council
City of Marlborough
140 Main Street
Marlborough, MA 01752

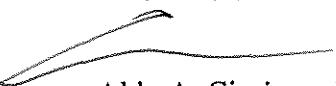
**Re: Special Permit – Tigercat Properties, LLC for 487 Lincoln Street, Marlborough,
Agreement to Extend Time Limitations**

Greetings Karen,

Attached hereto please find an original executed Agreement to Extend Time Limitations as to the above-referenced matter with the correct address referencing 487 Lincoln Street, Marlborough.

Kindly file same.

Very truly yours,



Aldo A. Cipriano, Esq.

AAC/fc

Enclosure



CITY OF MARLBOROUGH
Office of the City Council
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

December 19, 2016 – ORDER # 16-1006735
Application for Special Permit from TigerCat Properties, LLC for multi-family dwelling at 487
Lincoln Street, Marlborough, Massachusetts 01752
-REFER TO URBAN AFFAIRS COMMITTEE
PUBLIC HEARING: DECEMBER 5, 2016

The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on Tuesday, March 14, 2017.

By: _____
Edward J. Clancy, City Council President,
acting on behalf of, and at the direction of,
the special permit granting authority:
Marlborough City Council

By: _____
Aldo A. Cipriano, Esq.
Acting on behalf of, and at the direction of,
Petitioner:
TigerCat Properties, LLC

MINUTES

2016 DEC 19 A 10:10

**Assabet Valley Regional Technical High School
School Committee
School Committee Meeting
Tuesday, November 15, 2016, 5:30 pm - 8:30 pm
School Committee Conference Room**

In Attendance:

Bill Charbonneau; Christopher Evers; Dawn Bacon; Emily Blackwood; Ernest F. Houle;
Kris Luoto; Laura Ross; Lynn Ryan; Mark Hollick; Peggy Ayres; Virginia Simms George

Not In Attendance:

Paul George

BoardPaq Training was held before the meeting, members reviewed the process of using BoardPaq and newly-acquired iPads.

The meeting was called to order at 6:30 p.m. by the Chair.

Approval of Minutes

A motion was made to approve the proposed meeting minutes of October 18, 2016.

Move: Virginia Simms George Second: Peggy Ayres Status: Passed

Mr. Charbonneau and Ms. Ross abstained due to their absence from the October 18 meeting.

Bills and Payroll

A motion was made and seconded to approve Warrant Nos. 12-13, 1039-1051, 5548-5552.

Move: Virginia Simms George Second: Peggy Ayres Status: Passed

Audience

Keith Baldinger, JROTC parent auxiliary Liaison, was present to give an overview of recent and upcoming JROTC activities.

Student Representative Report

Molly Manganaro was present to give an overview of recent student activities. A handout outlining some activities was distributed to members.

Chair's Report

Mr. Charbonneau asked members for feedback regarding their attendance at the meeting. Several members shared their thoughts on some of the sessions they attended. Ms. Ayres, a delegate to the convention, reported that all four proposed resolutions passed.

Mr. Charbonneau reported a session relating to budget oversight – how to watch for financial pitfalls, “Lessons learned from the Wachusett Regional School District Financial Disaster.” Ms. Simms George added feedback concerning new teacher mentoring. Ms. Ryan reported on later start times for high school students. Members attended sessions relating to School Committee practices and procedures. Including the mission of the School Committee is continuous improvement in student achievement.

Superintendent-Director's Report

Mr. Houle conducted a review of his mailed report as follows:

Update on meetings with town officials..

Mass DESE Coordinated Program Review (CPR) - review is ongoing and Mr. Houle will keep the Committee updated on the feedback of the team after the exit interview.

DESE Chapter 74 Non-Resident Tuition Update - Mr. Houle updated the Committee on the progress of the agreement between West Boylston and Leominster and how the agreement will affect Assabet and West Boylston students present and future.

Supervisor of Attendance - Existing staff members will complete training to serve in this newly-required role. The School Committee will need to vote at a future meeting to make this official.

MAVA Outstanding Support Recognition has been received by Assabet.

Initial enrollment and data analysis numbers discussed.

Mr. Houle made a request that the District School Committee approve an LPN Professional Development out-of-state trip at a cost of \$1600. The motion was passed unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Director of Business Operations

Mr. Luoto discussed his report as follows:

Review and discussion of new stadium/field project. School Committee members expressed full support for the project. Ms. Ryan and Ms. Ayres and Ms. Simms George volunteered to sit on the subcommittee going forward. Mr. Charbonneau appointed Ms. Ryan, Ms. Ayres and Ms. Simms George to the subcommittee with the support of the full School Committee.

FY18 Budget Development -Health Insurance – Mr. Luoto reviewed the proposed Health Insurance rate increases for 2017. Ms. Ayres explained that she completed a comparison of health insurance costs as well as school to employee ratio for costs and commended Mr. Luoto for his cost-saving measures in this area.

Members voted to accept the Health Insurance rate increases for 2017 as approved by the insurance advisory committee

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Principal's Report

Mr. Hollick reviewed his report as follows:

- Student Participation in Fall Athletics – Members received copies of the current number of students participating in fall 2016-2017 sports programs along with six (6) years' historical data.
- Back to School Night – review of the schedule and attendance for the evening.
- Assabet Road Show – discussion of attendance at area events to promote the school and recruit potential students.
- Future Steps Program – update on the program run in conjunction with QCC.
- School Events – overview of upcoming events at Assabet.

- Notification of the receipt of mini-grants won by Assabet Teachers

- Out-of-State Travel

The Biotech Department requested approval to take a trip to Providence, RI on November 22, 2016 to attend the Body World Vital Exhibit. Members approved the request unanimously.

Move: Lynn Ryan Second: Virginia Simms George Status: Passed

The FIRST Robotics team requested authorization to attend two out-of-state events in Merrimack, NH on February 18, 2017 and at Bryant University in Smithfield, RI from March 24-26, 2017. The request was approved unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

The Student Council requested approval for 14 students and 2 advisors to attend the MASC Annual Spring Conference in Hyannis on March 8-10, 2017. The request was approved unanimously.

Move: Lynn Ryan Second: Peggy Ayres Status: Passed

Communications

Reading and distribution of communications received by the Committee and the Superintendent as follows:

- Article re: Assabet high school to undergo program review
- Article re: Assabet to host LEGO League competition
- Article re: Young Assabet soccer team fighting for playoff spot
- Letter from the Town of Northborough re: Pump Station Roof at Town Hall

Old Business

- None

Executive Session

At 8:20 p.m., a motion was made by Virginia Simms George and seconded by Laura Ross to enter into Executive Session for purposes of discussing matters pertaining to Collective Bargaining, it was noted that the Committee would not be returning to regular session.

The motion was passed unanimously by a roll call vote. Voting 'yea' on the motion were Lynn Ryan, Chris Evers, Laura Ross, Peggy Ayres, Virginia Simms George and Bill Charbonneau. There were no 'nay' votes.

At 8:30 p.m., a motion was made by Lynn Ryan and seconded by Laura Ross to go out of Executive Session and adjourn the meeting. The motion was passed unanimously by a roll call vote. Voting 'yea' on the motion were Lynn Ryan, Chris Evers, Laura Ross, Peggy Ayres, Virginia Simms George and Bill Charbonneau. There were no 'nay' votes.

The minutes herein were recorded by the Clerk, approved by the Committee, and so noted in a subsequent record.

Laura Ross, Secretary

**Accompanying Paperwork for School Committee Meeting
11-15-2016**

- Agenda for 11-15-2016
- Proposed Regular Session meeting minutes of 10-18-16
- Memo from Mr. Houle to School Committee members dated November 15, 2016, re: Warrant Vote
- Student representative report
- Ernie Houle's report dated November 9, 2016
- Comparative Data Information Sheet
- Kris Luoto's Report dated 11-9-16
- Copy of FY18 Employee Insurances Budget dated 11-15-16
- Mark Hollick's Report dated 11-9-16
- Aztechs trip request memo
- FIRST trip request to Bryant and Merrimack memo
- Biotechnology field trip request memo
- Student Council Spring Conference attendance request memo
- Memo from the LPN program requesting Professional Development Travel
- Article from Harvard Wicked Local dated 10/24/2016, re: Assabet high school to undergo program review
- Article from MetroWest Daily news dated 11/2/2016 re: Assabet to host LEGO League competition
- Community Advocate article dated 10/27/2016 re: Young Assabet soccer team fighting for playoff spot
- Copy of photo of proposed football field upgrade
- Proposed Executive Session meeting minutes of 10-18-2016

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

October 20, 2016 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2016 DEC 20 P 3:53

Present: Edward Clancy – Chairman, Dennis Demers, John Skarin, David Williams, Allan White, Lawrence Roy and Karin Paquin. Also present was Priscilla Ryder - Conservation Officer.

Absent: None

Approval of Minutes – The Commission reviewed the minutes of October 6, 2016 and voted 6-0 to approve. (Allan White arrived after the vote)

Public Hearings:

7:00 423 Bigelow St. - Kathleen Lirette

Ms. Lirette was present and explained that she proposes to add stairs and a deck behind the house near wetlands. The work is outside the 50' Water Supply Protection District set back and 60' from the wetland edge. Work will involve posts in the ground with little or no disturbance. The Commission asked some questions and then closed the hearing. The Commission voted unanimously 7-0 to issue a negative Determination of Applicability with standard conditions.

Discussion:

- Donald Wright – haying, nesting bird, etc. - Ms. Ryder is still gathering information and will report back when information is available.
- Hazardous Waste Day – Oct. 22, 2016- this was announced, Mr. Williams indicated they needed volunteers for the day.
- 329 Maple St. – Violation update - Attorney Bergeron and Mr. Donnarumma were present to discuss the problems at the site. Mr. Bergeron explained that there were 4 issues he needed to address from the last meeting as follows: 1) the fence across the brook needs to be high enough to avoid the 100-year flood elevation; 2) storage bins are to be moved outside the floodplain; 3) provide fence/landscaping along the brook edge. A rendering of proposed shrubs along the edge of the brook was provided. The Commission asked what the species type was, how tall it would grow and how big the plants would be when they were installed. Mr. Donnarumma did not know, but said he'd find out from his landscaper and get back to the Commission. The Commission noted that they wanted a physical barrier between the parking lot and the brook, so the shrubs would need to be at least 3' tall and be a continuous hedge. Previous discussion talked about a fence and plantings. Mr. Donnarumma would like it to be a hedge as the barrier maintained at a height of 3-4 ft. high. The Commission asked that he provide the type of plant to Ms. Ryder for review and approval before planting. Provide this information on or before Oct. 28th and plant them prior to Nov. 15th. The other items it was

agreed upon would be completed on or before Nov. 30, 2016 including: moving the storage bins outside the floodplain and adjusting the fence across the brook, so it is above the 100-year flood elevation. Ms. Ryder was asked to provide a letter summarizing these requirements.

Other Business/Correspondence:

- Letter from National Grid – dated Oct. 4, 2016 – Notification of Utility Maintenance Activities (Public Utility Maintenance Exemption) under MGL 131, Section 40 - Distribution Pole Replacement, Stevens St. The Commission reviewed and voted to place on file.
- 140 Stevens St. – Ms. Ryder indicated she received a call about filling in the wetland and had sent a letter to the owner to meet on site. She will report on this at the next meeting.
- Inspection Reports – All Commission members were asked if they would like to receive the weekly inspection reports provided by e-mail on the larger sites. The Commission noted “Yes” they would like to see them.
- Emergency Certificate 688 Boston Post Rd. - Northborough Management who manages the Wayside Condos at 688 Boston Post Rd. had requested permission to repair a section of the sewer line that is currently backing up into the building. They would like to get the work done as soon as possible to eliminate the backup and prevent anything from getting into the wetland. Ms. Ryder had written up the Emergency Certificate (EC) today and the Commission voted unanimously 7-0 to approve and issue the Emergency Certificate.

Meetings – Next Conservation meetings – Nov. 3rd and Nov. 17th, 2016 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 7:48 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Priscilla Ryder" with a small "PR" monogram at the end.

Priscilla Ryder
Conservation Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Minutes

November 17, 2016 (Thursday) 2016 DEC 20 P 3: 53

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

Present: Edward Clancy-Chairman, David Williams, Allan White, Dennis Demers, John Skarin, Karin Paquin. Also present was Priscilla Ryder,-Conservation Officer.

Absent: Lawrence Roy

Approval of Minutes – The Commission voted unanimously to approve the minutes of October 20, 2016

Public Hearings: None

Discussion:

• **Apex Center – DEP 212-1177 – Wetland Violation – follow-up**

Mark Arnold from Goddard Consulting, Vinny Farese and Rich Zucco from ETL, a representative from Republic and Joe Trolla were all present. Mr. Arnold provided an overview of the events and wetland damage that occurred during the Oct. 21-22 rainfall event. He showed the areas on a plan and showed photographs of the wetland impacted areas. In some locations, the silt was 6" deep and in some location 2" and other areas were just a dusting of silt. He explained the cleanup process and procedures and areas that have been completed thus far. The middle wetland is still being cleaned up. They anticipate that they have 2 more weeks of cleanup. They have 5 men shoveling and hauling buckets and one gaiter machine to remove the material once collected. In the larger pond areas, they have dewatered the ponds and excavated out the silt. Mr. Farese explained that ETL is now on site during rain events and they will keep the site under control, because they do not want to have to do any more wetland cleaning again.

The Commission asked about the walls and why they had not put in place, as per the construction sequencing plan, which noted that the walls would be installed and serve as part of the erosion control process. Mr. Farese explained that there has been some delay on the wall block manufacturer's part and that has caused them to switch the construction procedure. However, the blocks for the remaining walls will be delivered shortly and they will have 3 crews working on walls for the next few weeks to get those in place. He explained that once the wall was in, they would build a berm inside to help contain runoff as they built up. Chairman Clancy asked where the temporary detention basins were on the site. ETL and Republic assured the Commission that they will have the site under control and prepared for any future storm events. Ms. Ryder mentioned the need to clean the trash grate on the large drainage pipe that parallels Glen St. on their property. This will prevent overflow either onto their work site or Glen St. Mr. Zucco said they would do so. After additional discussion about procedures and preparing for storm events, the Commission was satisfied that the wetland violation and cleanup were proceeding and would be completed within two weeks' time (on

or before Dec. 1st) and were given assurances that the site would be kept under control. The Commission will get a copy of the photos provided at the meeting.

- **279 Maple St. RE: Proposed drilling, former Mobil Terminal** - E-mail dated Oct. 27, 2016 - from Cedwyn Morgan The Commission reviewed the testing plan for this property. Due diligence is being done to determine the extent of any remaining contamination in anticipation of selling the property. The drilling is an exempt activity under the new rules as it is exploratory and is not in the wetland.
- **329 Maple St. - Wetland Violation** - steps to resolution of violation. Letter dated Oct. 28, 2016. Ms. Ryder noted that the applicant had received approval for the plant type which is a juniper that will grow into a hedge 4-6' in size. They have begun planting today 11-17-16, but it was not yet complete during the inspection by Ms. Ryder. The Commission expressed concern that although the plants will grow, they do not provide an adequate barrier now or when snow is plowed. Ms. Ryder will discuss with the owner adding a temporary barrier to protect the plants and prevent snow being plowed into the brook. Snow fencing or similar would be sufficient.

Correspondence and Other Business:


- **Letter from ADDA Farms** - dated Nov. 5, 2016, RE: Account of the 2016 haying season on Elm St. The Commission noted that there was only one cut this year due to the drought. The letter was accepted and placed on file.
- **Reflective vests** - Mr. Demers asked if the Commission could get hats or something to identify themselves when going on site. It was agreed to consider getting reflective vests for the Commission.

Meetings - Next Conservation meetings - December 15th, 2016 and January 5th, 2017 (Thursdays)

Adjournment

There being no further business, the meeting was adjourned at 8:10 PM

Respectfully submitted,


Priscilla Ryder
Conservation Officer

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 DEC 22 A 10:55



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, October 25, 2016 at 10:00am upstairs in Memorial Hall, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner John Ghiloni and Fire Chief Kevin Breen. Also present: Assistant City Engineer Tim Collins. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, September 27, 2016.

MOTION was made, seconded, duly VOTED:
TO APPROVE - Accept and Place on File.

2 – New Business

2a) Request to review right turn on red restriction on Wilson St. at Boston Post Road East.

Resident is requesting that the “No Turn on Red” sign be taken down or that a green turn arrow be added to the existing light. She said that she often sits at this light “for quite a while waiting for it to turn, when no cars are coming. Your view is not obstructed and it would be safe to turn, if it wasn’t for the sign”.

Chief Leonard sent a reply back explaining that this intersection is part of the state highway section of Rte. 20 and is controlled by Mass DOT. They would have to approve any changes. He noted that the Traffic Commission has looked into this in the past and determined that there was a sight distance issue when looking to the left. He said, “the curve makes the sight distance less than ideal for the speed at which cars westbound on Rte. 20 typically travel in this area”.

Tim Collins said that Mass DOT reviewed this back in 2011. He received an answer from them on 8/27/11 indicating that they wanted to keep it the way it is due to limited site distance to the left. Mr. Collins also mentioned that there are two separate lanes there, one for straight and left and one for an exclusive right. The Traffic Commission discussed this issue further and determined that the intersection is operating "at an acceptable level".

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE, as Mass DOT recommends that the restriction stay.

2b) Beach Street traffic pattern concerns.

Resident of Beach Street sent an email to Chief Leonard requesting clarification "on the traffic pattern at the end of Beach Street". He explained that the road is physically wide enough for at least 2 lanes of traffic but it is very difficult to make a safe left turn when there are vehicles trying to make the right turn at the same time. The resident also said that he has seen the flashing speed warning signs in other areas of the City and feels that they would help here as well.

Chief Leonard said that this issue does come up "every once in a while". Tim Collins passed out a large diagram of the area with a proposed single yellow line that would basically funnel the traffic to one lane. He advised, however, that he does not see the benefit of changing it to one lane. If this were done, it would cause everyone to have to wait for others to make their turns.

Fire Chief Breen said that he drives this way often and can see what they are saying, however, he also noted that he sees very little traffic here. It is probably mainly residents of Beach Street who are having this issue. It seems that there would probably be more complaints if the street were lined differently.

Chief Leonard advised that Beach Street already has some traffic calming measures. There are bump outs in the road and officers have done speed enforcement here. He also noted that the flashing warning signs are very expensive and there is no funding currently available.

After further discussion, the group determined that it would be better to leave the street as it is and not stripe it to create a single lane roadway at the end. Chief Leonard advised that he would reply to the resident of Beach Street.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to reply to the resident of Beach Street.

Tim Collins provided Chief Leonard with a new agenda item for the next meeting:

Thickly Settled speed sign changes.

Chief Leonard will put this item on the Agenda for the next meeting.

3-Old Business

3b) Traffic Concerns at Wilson & Hemenway Sts.

Update: Tim Collins provided a revised diagram of the proposed island. The area in black is what was previously discussed and the area in red is what is now being proposed. Mr. Collins advised that Tom DiPersio wanted to take out the painted line and replace it with a raised area that would actually make you slow down. Mr. Collins advised that he was watching the area this morning. They are planning to put out barrels with a "keep right" sign to simulate the raised island and then monitor how it seems to be working. With the original proposal, cars could still drive over the painted lines.

MOTION was made, seconded, duly VOTED to monitor and provide feedback at the next meeting.

3c) Request for stop signs on Weed St. at Florence St.

Commissioner Ghiloni advised that this issue is still pending.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Parking concerns on Paris Street.

Update: Fire Chief Breen advised that he went out to Paris Street to see if there would be a problem for his trucks. He said that this street is "like every other street in the area". He is OK with getting through there if he needed to. He did note, however, that he saw the truck that was discussed in the last meeting and he saw it off on the left. Tim Collins advised that he saw the truck too and it was not taking up any more space than other vehicles. He also checked on the signage and found that everything is now all set.

MOTION was made, seconded, duly VOTED to REMOVE from the Agenda.

3a) Traffic Commission rules and regulations update.

Tim Collins advised that he sent another group to Lisa for advertisement and that he is just about done. He needs to check with her to see what she has left to advertise. Chief Leonard and Karen Lambert will get together soon to organize all the updates.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to work with Karen Lambert on compiling what is missing for General Code.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:25 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, October 25, 2016. (Including City of Marlborough Meeting Posting).
- Draft of minutes from Tuesday, September 27, 2016.
- E-mail from Karolyn Gowaski to Chief Leonard, dated 10/8/16, re: No turn on red sign on Farm/Wilson and 20 intersection, along with Chief Leonard's reply.
- E-mail from Andrew MacIntosh to Chief Leonard, dated 10/19/16, re: Traffic on Beach Street.

Additional Handouts:

- Diagram of proposed island at intersection of Wilson and Hemenway.
- Diagram of intersection of Beach Street and South Street with proposed single yellow line indicated.
- Copy of amendment to Section 193 and Section 194, Chapter 90 of the General Laws, regarding new "Thickly Settled" Speed Zone and new 20 MPH Safety Zone, along with an information/guidance packet, dated 10/17/16, prepared by the Mass DOT.

Marlborough Public Library Board of Trustees

Meeting Minutes

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December 6, 2016

Bigelow Auditorium, Marlborough Public Library

2017 JAN -4 P 2: 27

Meeting called to order by Rustin Kyle at 7:04pm

Board Members Present: Tom Abel, Karen Bento, Nena Bloomquist, Ray Hale, Raymond Johnson, Rustin Kyle, and Robyn Ripley

Also Present: Margaret Cardello, Library Director

Absent: William Brewin and Janice Merk

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the November 1st meeting was passed (Bloomquist/Bento).*
2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for October (Johnson/Bloomquist).*
3. **Director's Report:** (see attached for more details)
 - The Building Committee has been meeting with more frequency and now working with the architect on a design of the outside of the structure, with the interior design being completed. The first designs for the exterior were met with some criticism by the committee and subsequent design changes have seen much improvement. The mayor is moving forward with approvals needed to enter into purchase and sales agreements with area properties. Having signed P&Ss in a timely manner will allow the city to be reimbursed for up to \$800,000 by the library construction grant.
 - The local history collection will soon be moved to the new cabinets which will allow patrons a greater opportunity to browse the collection. The old cabinets cannot be stored with the city as there is no room. *A motion to allow Margaret, as Library Director, to list the old cabinets on the state's surplus equipment list at her discretion was approved (Hale/Ripley).*
 - Margaret presented the proposed 2017 calendar for the library's hours. Once approved it will be entered into the Evergreen library software and included in the events calendar. *A motion to approve the 2017 calendar as presented was passed (Ripley/Abel).*
 - Margaret has been looking at the Library's Mission Statement in anticipation of fundraising materials that will need to be created. Our current mission statement could be updated to put more emphasis on the community center aspect of the library. Further discussion was tabled until all trustees could be present.

- Our current Long Range Plan will expire in 2017 and the MLBC will require us to have another one on file for the years 2018-2021. Margaret will plan on starting this process in the spring as there will be plenty of time to work on it for the October 1, 2017 deadline.

4. **Committee Reports:**

- Foundation: The fundraising feasibility report is finished and concludes that Marlborough should be able to raise \$2 million dollars for the library building. The Foundation is considering hiring the firm that worked on the report to aid in keeping fundraising on target. The next Foundation meeting is set for December 20th.
- Friends: (see attached for more details) The Friends did receive a \$1000 donation from the Cummings Foundation.

5. **Old Business:**

- None

6. **New Business:**

- Scholarship question: The trustees decided to keep last year's question about a favorite, influential book.
- Next month we will need to hold officer elections as stated in our by-laws. Ray Johnson will head a nomination committee which includes Rustin Kyle and Bill Brewin. Ray Hale is willing to serve another term as Vice Chair.

7. **Adjournment:** *A motion to adjourn passed at 8:02pm (Abel/Bloomquist).*

Minutes submitted by Secretary Robyn Ripley.