

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN -3 P 6:45

1. Minutes, City Council Meeting, December 18, 2017.
2. Minutes, Organizational Meeting, January 1, 2018.
3. **From City Council President Clancy – 2018 City Council Regular Meeting Schedule and City Council Committee Assignments for Legislative Year 2018.**
4. PUBLIC HEARING: On the Proposed Ordinance in which Article IV, Section 328-4 of the Code of the City of Marlborough, as Amended, be further amended as follows: Delete from Article IV, §328-4 of the Code of the City of Marlborough, entitled Fee Schedule for Other City Departments, the fee amount of "\$50.00" respecting Lodging Houses (M.G.L. c. 140, § 34) and insert in place thereof the fee amount of "\$500 for first 20 lodging units" and "\$50 per additional lodging unit over 20", Order No. 17-1007097-2A.
5. CONTINUED PUBLIC HEARING: On the Application for Special Permit to construct an Ancillary Residential Community in a single 28-unit building to be built at 615 Williams Street in conjunction with the Village at Crane Meadow Retirement Community, Order No. 17-1007054A.
6. Communication from Mayor re: Appointment of Jeffrey Cooke as Building Commissioner.
7. Apex Sign Requests (2) Signs, Batteries and Bulbs, 58 Apex Drive, Order No. 16/17-1006443.
8. Apex Sign Request, MindTrek Sign, 11-169 Apex Drive, Order No. 16/17-1006443.
9. Communication from Attorney Buckley on behalf of Marlborough/Northborough Land Realty Trust of 200 Summit Dr., Suite 400, Burlington, MA 01803 re: Amendment to Zoning Code as it pertains to Article VI Section 650-35, Commercial Village Overlay District.
10. Communication from Attorney Falk on behalf of Vincenza Sambataro, re: Proposed Amendment to Site Plan Approval, Marlborough on Main, 163-175 Main St., X16-1006668.
11. Communication from Attorney Falk on behalf of Capital Group Properties LLC, re: Proposed Zoning Amendment, Retirement Community Overlay District, 685 Farm Rd., Order No. 17/18-1006963C.
12. Communication from Attorney Falk on behalf of David Skarin, re: Proposed Zoning Amendment, Rail Trail Overlay District, 685 Farm Rd., Order No. 17/18-1006983A.
13. Minutes, Board of Health, September 12 & October 10, 2017.
14. Minutes, Council on Aging, November 14, 2017.
15. Minutes, School Committee, November 14 & 28, 2017.
16. Minutes, Conservation Commission, November 16, 2017.
17. Minutes, Planning Board, December 4, 2017.
18. Minutes, Traffic Commission Minutes, October 24 & November 28, 2017.
19. Minutes, License Board, November 29, 2017.
20. Minutes, Library Board of Trustees, November 7 & December 5, 2017.

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.

21. CLAIMS:

- a. Unmesh Gundewar, 8 Flint Dr., residential mailbox claim (2a).
- b. James Burgarella, 76 O'Grady Rd., residential mailbox claim (2b).
- c. Robert Luke, 218 West Main St., other property damage.

REPORTS OF COMMITTEES:

22. ORDERED: That the City Council Urban Affairs Committee meet with DPW Commissioner Ghiloni and Police Chief Giorgi to consider replacing the seasonal (winter) all night parking ban in the City of Marlborough with an ordinance providing for a Declaration of a Snow Emergency during which no parking of vehicles would be allowed on any streets or ways that are plowed by the City. The objective would be to make life easier for city residents by allowing them to park on the streets during the winter season, except during snow events or other hazardous conditions requiring that the streets be clear of vehicles....Submitted by Councilors Juare and Delano

UNFINISHED BUSINESS:



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CITY OF MARLBOROUGH

2018 JAN -3 A 9 46

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

DECEMBER 18, 2017

Regular meeting of the City Council held on Monday, December 18, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Oram, Ossing, Robey, Delano, Doucette, Elder, Tunnera, Irish and Landers. Meeting adjourned at 8:54 PM.

President Clancy introduced and the Council welcomed the new Building Commissioner Jeffrey Cooke.

ORDERED: That the Minutes of the City Council meeting DECEMBER, 4, 2017, **FILE;** adopted.

ORDERED: That the PUBLIC HEARING on the Application for Sign Special Permit, Halfway Café, 820 Boston Post Road East, for proposed new 90" x 96" x 15" double sided U.L. listed LED internally illuminated sign w/ 31" x 66" electronic message board, all were heard who wish to be heard, hearing closed at 8:05 PM; adopted.

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

MOTION made by Councilor Delano and seconded to carry over to the 2018-2019 Legislative Session-CARRIES

ORDERED: That the PUBLIC HEARING on the Application for Sign Special Permit, Mobil, 656 Boston Post Road East, in which the four manual price panels will be removed and replaced with two LED price panels for regular and diesel prices, all were heard who wish to be heard, hearing closed at 8:10 PM.

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

MOTION made by Councilor Delano and seconded to carry over to the 2018-2019 Legislative Session-CARRIES

ORDERED: That by Order No. 16-1006760B the City Council of the City of Marlborough appropriated funds and approved the use of said funds to bind an offer by the City on a purchase and sales agreement for 28 Witherbee Street, and that by Order No.17-1006978-2 the City Council authorized the Mayor to negotiate and enter into said purchase and sales agreement, the performance of which is contingent upon a favorable vote of the City Council authorizing the City to acquire the parcel for the amount stated in said agreement and an appropriation of sufficient funds for said purchase, the Mayor, having thereby negotiated a purchase and sales agreement bound by an offer to purchase, the City Council hereby authorizes the City to acquire the parcel in the total amount of \$483,916.67 as provided in said purchase and sales agreement, and further makes an appropriation of the balance due on said purchase by approving the transfer request attached hereto in the amount of \$459,720.84, refer to **FINANCE COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE YEAR**; adopted.

ORDERED: That Library Project Land Acquisition transfer request in the amount of \$459,720.84 which moves funds from Undesignated to Land Acquisition to support the library renovation project and authorize negotiations to purchase 28 Witherbee Street, refer to **FINANCE COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE YEAR**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		Mayor				FISCAL YEAR:		2018	
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$9,029,104.00	\$459,720.84	10000	35900	Undesignated Fund	\$459,720.84	19300006	58120	Land Acquisition	\$0.00
Reason:		Purchase and sale of 28 Witherbee Street							
\$459,720.84		Total			\$459,720.84		Total		

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant acceptance from US Food & Drug Administration through the Association of Food & Drug Officials in the amount of \$3,000.00 to provide community outreach to local retail and food service establishments & implement quarterly trainings; adopted.

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 the fee simple interest in certain parcels of land located at 28 Witherbee Street and at 29 Witherbee Street, as more particularly described herein, be taken by eminent domain as general corporate property, confirming and making clear the title of the City of Marlborough to said parcels of land 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 fee simple interests in the land for the purposes 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 fee simple interest in the following described land, including all structures, trees and other vegetation thereon, together with any and all appurtenant easements and interests.

DESCRIPTION OF LAND TAKEN

1. Street address: 28 Witherbee Street, Marlborough, MA 01752

Fee simple interest: Being approximately 16,117.2 square feet, more or less, of land at 28 Witherbee Street, Marlborough, MA, known and numbered as Map 69, Parcel 235 on the Assessors' Map of the City of Marlborough. For further description, see below owners' deed recorded with Middlesex South Registry of Deeds in Book 25364, Page 378.

OWNERS: Katherine A. Ribeiro (fka Katherine R. Ribeiro) and Paulo S. Ribeiro

2. Street Address: 29 Witherbee Street, Marlborough, MA 01752

Fee simple interest: Being approximately 8,698.93 square feet, more or less, of land at 29 Witherbee Street, Marlborough, MA, known and numbered as Map 69, Parcel 245 on the Assessors' Map of the City of Marlborough. For further description, see below owners' deed recorded with Middlesex South Registry of Deeds in Book 47304, Page 279.

OWNERS: Roy E. Hansen and Eileen Maguire

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee simple interest and each of them are hereby taken whether the ownership is as stated herein or otherwise. Owners have agreed to accept \$1.00 (one dollar) as adequate compensation and damages for this taking, have waived and released the City of Marlborough from all claims resulting from said taking, and have waived their right to appeal or contest said taking.

TABLE OF 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>AWARD</u>
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Katherine A. Ribeiro (fka Katherine R. Ribeiro) and Paulo S. Ribeiro	69/235	\$1.00
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Roy E. Hansen and Eileen Maguire	69/245	\$1.00
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Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE YEAR**; adopted.

ORDERED: It is moved, in conformance with MGL c. 30A, § 21(a)(3), that the Marlborough City Council conduct an executive session for the purpose of discussing strategy in pending litigation concerning a land use request involving a property off Boston Post Road, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough and the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session.

Yea: 11 – Nay: 0

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

ORDERED: That the Communication from the Planning Board re: their decision of the Proposed Zoning Amendment-Section 650-59.C (11) as it pertains to Powers & Procedures of Special Granting Authority, Order No. 17-1007030, refer to **URBAN AFFAIRS COMMITTEE AND CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

ORDERED: That the Applicant, Apex Sign Request, Half Axe Co., 21 Apex Drive, request for flat wall signage pursuant to Section 650-35H, **APPROVED**; adopted.

ORDERED: That the Communication from Public Employee Retirement Administration Commission (PERAC) re: FY19 Appropriation, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, November 13, & 27, 2017, **FILE**; adopted.

ORDERED: That the Minutes, School Building Committee, August 30, & October 12, 2017, **FILE**; adopted.

ORDERED: That the Minutes, License Board, October 25, 2017, **FILE**; adopted.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Monday December 11, 2017
In Council Chambers**

Reports of Committee Cont'd:

Finance Committee Members Present: Chairman Ossing; Councilors Robey, Oram, Doucette and Irish.

Finance Committee Members Absent: None

Other Councilors in Attendance: Councilors Clancy, Juairé and Landers.

The meeting convened at 7:00 PM.

1. **Order #17-1007095 – Transfer \$282,100.00 From Cable PEG Funds to IT Equipment:** The Finance Committee reviewed the Mayor's letter dated November 21, 2017 requesting the approval of a transfer of \$282,100.00 from the Cable PEG (Public, Education & Government) fund to the IT Equipment account for investments in the information technology infrastructure. **The Finance Committee voted 5 - 0 to approve the transfer.**
2. **Order #17-1007096 – Transfer \$40,000.00 from Undesignated Fund to Fire Station Study:** The Finance Committee reviewed the Mayor's letter dated November 21, 2017 requesting the approval of a transfer of \$40,000.00 from the Undesignated Fund to the Capital Outlay account for the Fire Station Study on the west side of the City. **The Finance Committee voted 5 - 0 to approve the transfer.**
3. **Order #17-1007110 – Transfer \$245,300.00 from Undesignated Fund for Library Project Land Acquisition -** The Finance Committee reviewed the Mayor's letter dated November 30, 2017 requesting the approval of a transfer of \$245,300.00 from the Undesignated Fund to purchase the property at 29 Witherbee Street as part of the land acquisition for the Library Renovation Project. **The Finance Committee voted 5 - 0 to approve the transfer.**

The Finance Committee agreed to support suspending the rules at the December 18, 2017 City Council meeting to approve all three transfers.

The Finance Committee adjourned at 8:01 PM.

Councilor Robey orally reported the following out of the Legislative & Legal Affairs Committee:

Suspension of the Rules requested - granted

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

An act authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises.

Reports of Committee Cont'd:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Marlborough may grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138. A license granted pursuant to this act shall be subject to the conditions set by the said licensing authority and shall be subject to all of said chapter 138 except said section 17.

- (b) The licensing authority of the said city shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.
- (c) If a license granted pursuant to this act is cancelled, revoked, or no longer in use at the location of original issuance, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority of the said city and the said licensing authority may then grant the license to a new applicant at the same location under the same conditions as authorized in this act if the applicant files with the said licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

SECTION 2. This act shall take effect upon its passage.

IN LEGISLATIVE & LEGAL AFFAIRS COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION; adopted.

Councilor Robey noted that Order No. 17-1006949C, as follows: That the Marlborough City Council review the merits of a Zoning Moratorium for recreational marijuana establishments in the City of Marlborough for a period of eighteen months to ensure that the City's current zoning ordinance offers appropriate zoning protections to neighborhoods in all sections of the City; and, moreover, until the Massachusetts Legislature completes its review of the ballot initiative that led to the legalization of marijuana in the Commonwealth, was not acted upon by the Legislative and Legal Committee within 90 days of the public hearing, therefore is now null and void.

Suspension of the Rules requested by Councilor Robey as a representative on the School Building Committee, to orally report out the following as it pertains to the Richer Elementary School Project - granted

The minutes of Oct. 12th of the School Building Committee are included in this agenda. I wanted to give you an update on what has happened since that meeting. To remind everyone, the committee had contracted with Lamoureux Pagano & Associates as an architectural firm to do the Schematic Design Phase of the project. When the project team went to present to MSBA, it was suggested that a model school could fit on the site and we were asked to look at using a model school instead of the site specific design with an estimated construction cost of \$55.8M and total project cost of \$67.5M. The Model School program seeks to adapt and re-use the design of successful, recently built schools and thus shorten and streamline the design process to reduce fees and give an opportunity for districts to see a school built from the model.

Reports of Committee Cont'd:

On Oct. 12th, the committee approved a motion to have MSBA allow us to explore the model schools of 4 firms as well as hear from LPA on why their preferred design should remain. The committee met on Dec. 4th and interviewed the teams from Mount Vernon Group and Flansburgh Architects, the 2 firms who responded to our request. We also had a presentation from LPA. After that meeting, it was decided to visit the Athol Elementary School in Athol that was designed by the Mount Vernon Group based on their MSBA Model Elementary School built in New Bedford, the Lincoln Elementary School. Several members of the committee, including myself, went on a tour of the school.

The Committee met again on December 11th to make a decision on keeping LPA and moving forward or choosing to negotiate with one of the model school firms. Based on some assumptions on costs provided at the interview and a positive reaction on the tour, the Committee rated the Mount Vernon Group as the number one choice and voted to allow the mayor to negotiate a schematic design fee with them. As a committee, we hope that by using the Mount Vernon Group's model school design, we are able to achieve savings, but they could fall anywhere from \$0 to \$6 million. We will have a better project cost estimate in a couple of months.

With the streamlining from the model school program, we should run ahead of schedule for building the school, but again, we will have a better idea on the project schedule once Mount Vernon Group is on board. Last week, the city and MVG met to negotiate and are close to an agreement.

The committee did want the council to know they are taking serious the responsibility to bring forward a school that not only meets the educational needs of the city but also takes into consideration the cost to the taxpayers of the project.

Councilor Delano orally reported the following out of the Urban Affairs Committee:

Suspension of the Rules requested – granted

That the Housing Study Report compiled by RKG Associates, Inc., **IN URBAN AFFAIRS COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

Suspension of the Rules requested - granted

At a regular meeting of the Marlborough City Council held on Monday, NOVEMBER 27, 2017 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was ORDERED ADVERTISED as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING A NEW CHAPTER 421 AS FOLLOWS:

35) Lodging Houses and Boardinghouses \$100 Building Commissioner and his designee.....(Chapter 421)

Reports of Committee Cont'd:

AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING A NEW CHAPTER 421, AS FOLLOWS:

CHAPTER 421: Lodging Houses and Boarding Houses

§ 421-1 Authority and Scope

The following ordinance concerning lodging houses and boardinghouses has been adopted by the City Council pursuant to the provisions of Massachusetts General Laws ("M.G.L.") Chapter 140, as amended. Any and all licenses issued by the Licensing Board shall be governed by, and subject to the Licensee's compliance with all applicable federal, state and local laws, regulations and by-laws, including but not limited to the M.G.L., regulations of the Licensing Board, the ordinances of the City of Marlborough, all applicable building, fire prevention, zoning, health and sanitary codes, and any conditions the Licensing Board imposes on specific licenses. Where there is conflict between these ordinances and a condition on the license, the condition shall govern unless it is inconsistent with the law.

§ 421-2 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boarder, lodger, boardinghouse, lodging house, boarding unit, lodging unit shall have the same definitions as provided in § 650-5 of the City Code; consistent therewith, where the words lodging house are used, they shall also mean boardinghouse.

Licensee shall mean that person(s) or entity listed on the lodging house license and the owners of the land and building where the lodging house is operated.

§ 421-3 Application for a New or Renewed License

Prior to a new or renewed license being issued, Licensees and first-time applicants for a lodging house license shall request advisory reports from the Police Department, Fire Department, Collector, Board of Health, and Building Department, which advisory reports Licensees or first-time applicants shall furnish to the Licensing Board. The Licensing Board may deny an application for renewal of a license where there is cause for doing so. The Licensee's, or first-time applicant's, failure to comply with any federal, state or local law, regulation, or ordinance may be cause for denial of the application. This includes, but is not limited to, the ordinances of the City of Marlborough, state and local health regulations, the state Building Code, and the state Fire Code.

Reports of Committee Cont'd:

§ 421-4 New or Newly Renovated Facilities and Existing Licensed Facilities:

- A. New and renovated lodging houses must comply with all applicable State and Local Codes, Rules and Regulations in effect at time of construction.
- B. Consistent with and as may be permitted by Building Code, Fire Code, and Health Code, respective City officials may establish more flexible standards than certain provisions of this ordinance, applicable to existing facilities previously licensed as lodging houses, so long as they conform with applicable code requirements in effect at the time of construction or rehabilitation.

§ 421-5 Responsibilities of Licensee:

The Licensee shall be responsible for the proper supervision, operation, and maintenance of the lodging house in accordance with the requirements of this ordinance and all other pertinent laws, regulations and ordinances. The appointment of an agent shall in no way relieve the Licensee from responsibility for full compliance with the law.

§ 421-6 Agent(s)

- A. If the Licensee, because of health, other employment, non-residence on the premises of the lodging house, frequent or extended absences from the lodging house or other reason, is unable to exercise proper supervision of the lodging house, he/she shall designate one or more agent(s) to carry out all or part of his/her responsibilities.
- B. If, for any reason, an agent ceases to exercise his/her responsibilities, the Licensee shall at once notify the Licensing Board, Board of Health, Building Department, Fire Department and Police Department and take immediate steps to provide proper interim supervision and obtain a suitable replacement.
- C. The agent(s) shall be available on a 24-hour basis and must post his/her telephone numbers (including cell phone number) and beeper number, as applicable, in a location accessible to lodgers.

§ 421-7 City Inspections

- A. City inspections of licensed lodging houses shall be made on an annual basis by authorized inspectional departments to determine compliance with applicable state and local laws, regulations and codes, and upon request pursuant to §25 of M.G.L. c. 140, as amended.
- B. Annual inspections shall be made on week-days during normal City business hours. In addition, inspections may be made at other times (including but not limited to evenings and weekends) to investigate complaints or non-compliance issues. Inspections may include all areas occupied, used or controlled by the Licensee and within the structure containing the licensed premises, including rented and unrented units and other occupied and non-occupied space.

Reports of Committee Cont'd:

- C. Inspections shall be conducted in conformity with applicable federal, state and local law. Facilities requiring re-inspection are subject to applicable re-inspection fees.
- D. City officials shall, pursuant to an inspection under this ordinance or any other regulation or law, refer all violations of this ordinance and any other ordinance, regulation or law, whether federal, state, or local, which said officials are authorized to enforce, to the Licensing Board. All referrals to the Licensing Board shall also be mailed by first class mail to the Licensee and to the Licensee's agent, if any.

§ 421-8 Minimum Standards

- A. These regulations are minimum standards intended for the maintenance and enforcement required for the protection of health, safety and welfare of all persons concerned. If there is any conflict with state or local law, the stricter provision shall apply.
- B. All lodging houses shall comply with the requirements of Article II of the State Sanitary Code, Minimum Standards of Fitness for Human Habitation, which is incorporated herein by reference, and with the requirements of these regulations, whenever they are in addition to or more stringent than the requirements of Article II of said code.
- C. Licensees must have inspections performed by a licensed pest control operator (PCO) every 6 months (unless ordered to do so more frequently by the Health Department). PCO inspection reports must be kept on file for review. Inspections must include, but not be limited to, bed bugs, insects, and rodents. The licensee must take appropriate action to address any findings by the PCO. Licensees that can demonstrate long-term occupancy by a majority of the residents (greater than one year continued occupancy) may request a waiver of this inspection requirement. Waivers will be applied for and approved by the Director of Public Health.
- D. The Licensee and his/her agent(s) shall comply with Chapter 406, Littering, of the City Code, and all other state or local regulations and laws pertaining to the proper storage, collection and disposal of waste. Responsibilities of the Licensee and agent(s) include, but are not limited to, the following:
 - (1) Storing garbage and trash in watertight, rodent-proof receptacles with tight-fitting covers;
 - (2) Providing to lodgers as many receptacles as are sufficient to contain accumulation of all garbage and trash before collection for disposal;
 - (3) Locating garbage and trash containers in an area where objectionable odors will not enter any boarding or lodging unit;
 - (4) Removal of dumpster waste as frequently as necessary to prevent overflow, windblown trash and garbage, rodent infestation, and odors.

Reports of Committee Cont'd:

§ 421-9 Supervision

Licensees and their agent(s) shall:

- (1) Exercise due care in the selection of lodgers;
- (2) Inspect all common areas at least daily and all occupied rooms at least monthly and at every change of lodger to ensure that all such areas are in a clean and orderly condition and in compliance with Licensee's electrical use policy and regulations pertaining to obstruction of egress, cooking in rooms, and other health and safety hazards;
- (3) Post a schedule of inspections, for the purposes of notifying lodgers, at least forty-eight hours prior to said inspections. Posting of the schedule for inspections shall not apply in the case of an emergency;
- (4) Ensure that lodgers dispose of trash and garbage properly, and that lodgers store food items in a sanitary manner;
- (5) Ensure cleanliness of rooming units and common areas, if any;
- (6) Ensure an unobstructed path of egress from entry door to fire escape, particularly in exit rooms, stairs and hallways;
- (7) Ensure compliance by lodgers with Licensee's electrical use policy, and prohibit the use of candles and other items that requires burning to be used (incense, odor oils, etc.);
- (8) Prohibit the use of portable heaters;
- (9) Take whatever steps are necessary to prevent lodger(s) from repeatedly violating Licensee's rules or the requirements of this ordinance, or any other law or regulation, up to and including eviction; and
- (10) Comply with any other provisions or requirements as may be required by any department or board of the City of Marlborough.

§ 421-10 Automatic Fire Alarm System, Sprinkler Systems, Carbon Monoxide Protection

- A. All lodging houses shall be equipped with automatic smoke or heat detectors, an automatic sprinkler system, carbon monoxide alarms, carbon monoxide detectors and combination smoke/carbon detectors. The design, installation, and performance of said systems, alarms and detectors shall be in accordance with the state Building Code, the state Fire Code, NFPA and all applicable laws and regulations.
- B. The Licensee shall be responsible for the care and maintenance of all fire protection systems, including equipment and devices, to insure the safety and welfare of the lodgers. Installation of, or modification to, any automatic fire protection system shall require a permit from the Fire Department.
- C. Fire protection systems shall not be disconnected or otherwise rendered unserviceable, for purposes including but not limited to repair and maintenance, without first notifying the Fire Department.
- D. As part of the annual Fire Department inspection, all lodging houses must submit to Fire Department annual Fire Alarm and Sprinkler System tests.

Reports of Committee Cont'd:

§ 421-11 Penalty

- A. Refusal, neglect or failure to comply with any section of this ordinance shall be cause for a fine imposed pursuant to and in conformity with Chapter 315 of the City Code, and/or to the penalties imposed by M.G.L. c. 140 § 22, *et seq.*, as amended, where applicable, and/or such other provisions of law including but not limited to the state Sanitary Code, Fire Code, and Building Code, ordinances of the City of Marlborough and other regulations and fines applicable to the particular violation.
- B. The Licensee's refusal, neglect or failure to comply with any federal, state or local law, regulation, or ordinance including, but not limited to, this ordinance and any other ordinance of the City of Marlborough, the state Sanitary Code, Fire Code, and Building Code, and any other local codes and regulations may be cause for denial, suspension or revocation of a license by the Licensing Board, and/or a fine as above.

IN URBAN AFFAIRS COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION; adopted.

Suspension of the Rules requested - granted

At a regular meeting of the Marlborough City Council held on Monday, NOVEMBER 27, 2017 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was ORDERED ADVERTISED as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT ARTICLE IV, SECTION 328-4 OF THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Delete from Article IV, §328-4 of the Code of the City of Marlborough, entitled Fee Schedule for Other City Departments, the fee amount of "\$50.00" respecting Lodging Houses (M.G.L. c. 140, § 34) and insert in place thereof the fee amount of "\$500 for first 20 lodging units" and "\$50 per additional lodging unit over 20".

IN URBAN AFFAIRS COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION; adopted.

Councilor Tunnera orally reported the following out of the Personnel Committee:

Suspension of the Rules requested - granted

That the Appointment of William Dunbar to the Conservation Commission for a three-year term, replacing longtime member Lawrence Roy who has stepped down, **IN PERSONNEL COMMITTEE CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION;** adopted.

Suspension of the Rules requested - granted

That the Appointment of Joseph Bisol to the Council on Aging for a term of four years, **IN PERSONNEL COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

Councilor Oram orally reported the following out of the Wireless Communications Committee:

Suspension of the Rules requested - granted

That the Petition of AT & T to deploy one small cell site which will be mounted on existing utility pole at 319 East Main Street, **IN WIRELESS COMMUNICATIONS & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

Suspension of the Rules requested - granted

That the Petition of AT & T to deploy a small cell site which will be mounted on existing utility pole at 28 Concord Rd, **IN WIRELESS COMMUNICATIONS & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

Councilor Elder orally reported the following out of the Operations & Oversight Committee:

Suspension of the Rules requested - granted

That the Mayor hire a full time and permanent Code Enforcement Officer for the City of Marlborough within 90 days of approval of this Order, **IN OPERATIONS & OVERSIGHT COMMITTEE & CARRY OVER TO THE 2018-2019 LEGISLATIVE SESSION**; adopted.

Suspension of the Rules requested - granted

ORDERED: That the IT transfer request in the amount of \$282,100.00 which moves funds from PEG account to IT Equipment account to improve the IT Department's information technology infrastructure, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		IT				FISCAL YEAR:		2018	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description	Amount	Org Code	Object	Account Description	Available Balance
\$320,856.97	\$282,100.00	27000099	47750	Receipts Reserved-PEG Funds	\$282,100.00	15300006	58618	IT Equipment	\$0.00
	Reason:	Use PEG funds for upcoming projects and various equipment purchases							
	\$282,100.00	Total			\$282,100.00	Total			

Suspension of the Rules requested - granted

ORDERED: That the Fire Station Study transfer request in the amount of \$40,000.00 which moves funds from Undesignated to Capital Outlay to conduct a Fire Station study, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2018		
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$11,229,104.00	\$40,000.00	10000	35900	Undesignated Fund	\$40,000.00	19300006	52695	Fire Station Site Study	\$0.00	
Reason:		Mitigation funds received from Apex permit to fund a fire station site study								
	\$40,000.00	Total			\$40,000.00	Total				

ORDERED: That the Communication from Mayor re: Library Project transfer request in the amount of \$245,300.00 which moves funds from Undesignated to Land Acquisition to support the library renovation project, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2018		
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$11,229,104.00	\$245,300.00	10000	35900	Undesignated Fund	\$245,300.00	19300006	58120	Land Acquisition	\$0.00	
Reason:		Purchase and sale of 29 Witherbee Street								
	\$245,300.00	Total			\$245,300.00	Total				

ORDERED: That the Marlborough City Council hereby accepts Section 17C of Chapter 90 of the Massachusetts General Laws, as amended, as follows:

- (a) Notwithstanding section 17 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway.
- (b) Upon establishing a speed limit under this section, the city or town shall notify the department. The operation of a motor vehicle at a speed in excess of a speed limit established under this section shall be a violation of section 17.

And further, that the Marlborough City Council hereby accepts Section 18B of Chapter 90 of the Massachusetts General Laws, as amended, as follows:

- (a) Notwithstanding section 18 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish designated safety zones on, at or near any way in the city or town which is not a state highway, and with the approval of the department if the same is a state highway. Such safety zones shall be posted as having a speed limit of 20 miles per hour.
- (b) The operation of a motor vehicle in such zone at a speed exceeding the speed limit established under this section shall be a violation of section 17.

APPROVED; adopted.

ORDERED: That the Appointment of Councilor Michael Ossing to the Council on Aging Board for a four-year term, **APPROVED;** adopted.

Councilor Ossing abstained.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:54 PM.



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN -3 P 1:16

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

JANUARY 1, 2018

ORGANIZATION MEETING

The City Clerk called the meeting to order at 11:21 AM. Father Marc Bishop offered the invocation. Nominations called for the election of City Council President Pro-Tem of the Marlborough City Council for 2018. Councilor Delano nominated Councilor Ossing as President Pro-Tem. Councilor Clancy seconded the motion for nomination of Councilor Ossing as President Pro-Tem. Councilor Ossing received eleven votes for President Pro-Tem. Yea – Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juair, Oram, Ossing, & Robey. Councilor Ossing was escorted to the podium by Councilor Clancy and Councilor Oram.

Councilor Ossing called for the election of the City Council President of the Marlborough City Council for 2018. Councilor Delano nominated Councilor Clancy as President. Councilor Juair seconded the motion for nomination of Councilor Clancy as President. Councilor Clancy received eleven votes for President. Yea – Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juair, Oram, Ossing, & Robey. Councilor Clancy was escorted to the podium by Councilor Delano and Councilor Landers.

Councilor Clancy called for the Election of the City Council Vice-President of the Marlborough City Council for 2018. Councilor Ossing nominated Councilor Delano as Vice-President. Councilor Tunnera seconded the motion for nomination of Councilor Delano as Vice-President. Councilor Delano received eleven votes for Vice-President. Yea – Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juair, Oram, Ossing, & Robey.

Councilor Ossing made a motion to adopt the City Council Rules for operation in 2018 until otherwise amended. Motion was seconded by Councilor Clancy-Carries. Councilor Ossing made a motion to adjourn with the motion seconded by Council President Clancy-Carries. Meeting adjourned at 11:29 AM.

RECEIVED
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CITY OF MARLBOROUGH

City Council Regular Meeting Schedule – 2018

2018 JAN -3 P 3: 51

January 8

January 22

February 5

February 26

March 5

March 19

April 2

April 23

May 7

May 21

June 4

June 18

July 23

August 27

September 10

September 24

October 15

October 29

November 5

November 19

December 3

Tax Classification Public Hearing

December 17

RECEIVED
CITY CLERK'S OFFICE CITY COUNCIL COMMITTEES
CITY OF MARLBOROUGH 2018

2018 JAN -3 P 4: 04 Edward J. Clancy, President
Joseph F. Delano, Jr., Vice-President

FINANCE

Michael H. Ossing
Kathleen D. Robey
Mark A. Oram
Christian Dumais
John J. Irish

URBAN AFFAIRS & HOUSING

Joseph F. Delano, Jr.
Peter J. Juairé
Donald R. Landers
David Doucette
Robert J. Tunnera

PUBLIC SERVICES

Donald R. Landers
David Doucette
John J. Irish

HUMAN SERVICES

Mark A. Oram
Donald R. Landers
Christian Dumais

LEGISLATIVE & LEGAL AFFAIRS

Kathleen D. Robey
Donald R. Landers
Joseph F. Delano, Jr.

VETERANS' AFFAIRS

Peter J. Juairé
Michael H. Ossing
Kathleen D. Robey

AFFORDABLE HOUSING

*Combined with
Urban Affairs in 2008*

OPERATIONS & OVERSIGHT

Peter J. Juairé
Kathleen D. Robey
Donald R. Landers

WIRELESS COMMUNICATIONS

David Doucette
Mark A. Oram
Peter J. Juairé

OPEN SPACE

Christian Dumais
David Doucette
Joseph F. Delano Jr.

PUBLIC SAFETY

John J. Irish
Robert J. Tunnera
Michael H. Ossing

PERSONNEL

Robert J. Tunnera
John J. Irish
Donald R. Landers

RULES COMMITTEE

Edward J. Clancy
Joseph F. Delano, Jr.
Michael H. Ossing

*****FIRST PERSON NAMED SHALL SERVE AS CHAIRMAN*****
The **second** person named denotes vice-chair. The President or Vice-President may serve as an ex-officio member of any of the above Committees to form the required quorum.



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 27, 2017

ORDERED:

At a regular meeting of the Marlborough City Council held on Monday, NOVEMBER 27, 2017 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was ORDERED ADVERTISED as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT ARTICLE IV, SECTION 328-4 OF THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Delete from Article IV, §328-4 of the Code of the City of Marlborough, entitled Fee Schedule for Other City Departments, the fee amount of "\$50.00" respecting Lodging Houses (M.G.L. c. 140, § 34) and insert in place thereof the fee amount of "\$500 for first 20 lodging units" and "\$50 per additional lodging unit over 20".

Be and is herewith SET A PUBLIC HEARING FOR JANUARY 8, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.

ADOPTED

ORDER NO. 17-1007097-2



IN CITY COUNCIL

DECEMBER 18, 2017

Marlborough, Mass., _____

ORDERED:

Suspension of the Rules requested - granted

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT ARTICLE IV, SECTION 328-4 OF THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Delete from Article IV, §328-4 of the Code of the City of Marlborough, entitled Fee Schedule for Other City Departments, the fee amount of "\$50.00" respecting Lodging Houses (M.G.L. c. 140, § 34) and insert in place thereof the fee amount of "\$500 for first 20 lodging units" and "\$50 per additional lodging unit over 20".

Be and is herewith IN URBAN AFFAIRS COMMITTEE & CARRIED OVER TO THE 2018/2019 LEGISLATIVE SESSION.

ADOPTED

ORDER NO. 17-1007097-2A



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 4, 2017

ORDERED:

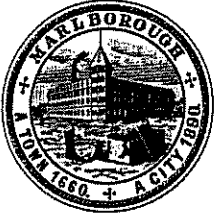
That the PUBLIC HEARING on the Application for Special Permit to construct an Ancillary Residential Community in a single 28-unit building to be built at 615 Williams Street in conjunction with the Village at Crane Meadow Retirement Community, Order No. 17-1007054 be and is herewith **OPENED AND CONTINUED, WITH NO TESTIMONY BEING HEARD, UNTIL JANUARY 8, 2018 CITY COUNCIL MEETING .**

Ordered that the Communication from Attorney Bergeron, Mirick O'Connell re: Public Hearing be opened then continued to the first working meeting in January 2018 be read by City Clerk-Carries

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

ADOPTED

ORDER NO. 17-1007054A



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
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
EXECUTIVE AIDE
2018 JAN -3 P 1:38
Patricia Bernard
EXECUTIVE SECRETARY

January 3, 2018

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

Re: Building Commissioner Appointment

Honorable President Clancy and Councilors:

I am pleased to submit for your review and confirmation the appointment of Jeffrey Cooke as the new Building Commissioner for the City of Marlborough. Jeffrey began working in Marlborough in December prior to a preplanned vacation with his family. He returns to the office on Monday, January 8.

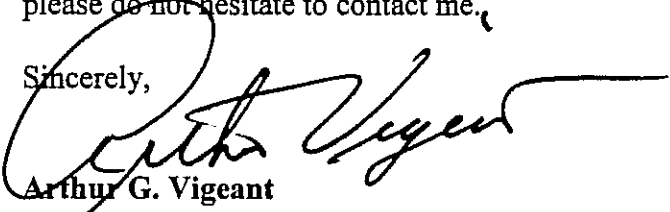
Mr. Cooke was most recently the Building Commissioner in the City of Gardner where he had been since 2011. Prior to that, he was the Inspector of Buildings for the Town of Athol for eight years.

Mr. Cooke has extensive experience managing all facets of a building department including, making zoning determinations, managing personnel, reviewing permit applications, and conducting inspections.

In addition to his management of the Building Department in Gardner, he also had oversight of the custodial team for Gardner City Hall and Gardner's vacant building inventory.

I appreciate your consideration of this appointment. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures

JEFFREY K. COOKE

[REDACTED]
[REDACTED]
jcooke6977@yahoo.com

10 October, 2017

Human Resources Department
City of Marlborough
140 Main Street
Marlborough, Massachusetts 01752

Dear Director:

I desire to be considered for the position of Building Commissioner for the City of Marlborough, MA. I feel that I have all the qualifications necessary to fill this position.

I am currently employed by the City of Gardner, MA as the Building Commissioner/Zoning Enforcement Agent. I supervise a department consisting of 2 full-time clerical support staff, 1 full-time Local Inspector, 1 full-time electrical inspector, and 1 part-time plumbing & gas inspector. Additionally with my duties of the Building Department, I am in charge of the maintenance for City Hall, directing 2 full-time and 1 part-time employees. I am responsible for creating and administering budgets for the Building Department - FY18 \$363,093.00 and City Hall Maintenance - FY18 \$166,978.00.

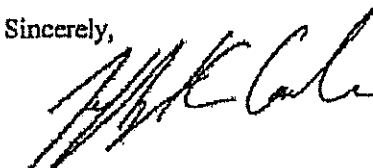
I am a member of the Building Officials of Western Massachusetts, Wachusetts District 3 Building Officials and the International Code Council. I continue to avail myself to training that is offered to further my knowledge of my duties and responsibilities of being a building official which in return will benefit the citizens of the your community.

I trust that once you review my qualifications you will find that I am qualified to fulfill the obligations of this appointment.

I am available for an interview, at your convenience.

Thank you for your consideration.

Sincerely,



Jeffrey K. Cooke, C.B.O.

JEFFREY K. COOKE

[REDACTED]
[REDACTED]
jcooke6977@yahoo.com

CAREER OBJECTIVE

- To continually advance in my career of a Massachusetts Building Commissioner

PROFILE OF SKILLS

- Currently in the position of a Building Commissioner for a City
- Successful business owner, sole proprietor and partnership
- Enjoy working and helping people
- Like a workload with variety
- Excellent communication and interpersonal skills
- Strong team player and can work independently
- Learns new tasks quickly/ requires little supervision
- Read blueprints and drawings

RELEVANT EXPERIENCE

- 6 years experience as a Building Commissioner for a City
- 8 years experience as a Inspector of Buildings for a Town
- 1 year experience as a local Inspector for a Town, briefly in a City
- Involved with the building industry since 1975
- Builder of custom homes
- General Contracting business owner

EDUCATION and TRAINING

- Commonwealth of Massachusetts Building Commissioner #BO-1413
- International Code Council (ICC) Certified Building Official (CBO) # 5264476
- Commonwealth of Massachusetts Construction Supervisor License #CS 061261
- Commonwealth of Massachusetts Home Improvement Contractor Register #135152
- 10 hour OSHA safety training
- E.P.A. RRP (Renovation, Repair and Painting program) certified
- Athol C.E.R.T team member, Community Emergency Response Training
- Graduate of Athol - Royalston Regional High School
- Orange Citizen Police Academy
- Computer Training at Athol CDC
- Safe Driving Course - U.S.P.S.
- Training seminar on Royal Edge E.P.D.M. roofing systems
- EMT-A
- CPR and previous CPR Instructor

JEFFREY K. COOKE

[REDACTED]
[REDACTED]
[REDACTED]
jcooke6977@yahoo.com

EMPLOYMENT HISTORY

2011 - Present Building Commissioner/ Zoning Enforcement, City of Gardner, MA
 2003 - 2011 Inspector of Buildings/ Zoning Agent, Town of Athol, MA
 2014 - Present Instructor of Contractor Supervisor License Training, Contractor
 Success, Mount Wachusets Community College - Devenas Campus
 2015 - Present Alternate Inspector of Buildings, Town of Winchendon, MA
 2004 - Present Alternate Inspector of Buildings, Town of Royalston, MA
 2004 - 2015 Alternate Inspector of Buildings, Town of Phillipston, MA
 2003 - 2011 Alternate Inspector of Buildings, Town of Orange, MA
 2003 - 2003 Local Building Inspector, City of Gardner, MA
 2002 - 2003 Local Building Inspector, Town of Orange, MA
 2001 - 2005 Maplewood Carpentry, Sole proprietor
 1996 - 2001 Maplewood Builders 50% general partner
 Light construction, Wood framing and masonry, concrete foundations
 1992 - 1996 Cooke Construction Co., Sole proprietor Light construction
 1984 - 1992 United States Post Office, Athol, MA PTF Postal Clerk
 1983 - 1984 Walter E. Fernald State School, Templeton, MA
 Campus Police Officer, EMT-A
 1981 - 1983 Newton Ambulance Co., Athol, MA EMT-A/ambulance driver
 National Registered Emergency Medical Technician # A140285
 1976 - 1981 Soucie Construction Co. Athol, MA
 Light construction, lead carpenter on a 4 man crew
 1975 - 1976 Robert Howes Roofing & Insulation Co. Orange, MA
 Insulation installer, roofing and general carpentry

REFERENCES

Mr. Brian Gale
 Retired Building Commissioner/Zoning Agent, Town of Orange, MA
 Past Chairman of Board of Regulations and Standards (BBRS)
 Warwick, MA 01364
 978-821-9394

Mr. Geoffrey Newton
 Building Commissioner/Zoning Agent, Towns of Royalston & Phillipston, MA
 North Fritzwilliams Road
 Royalston, MA 01368
 508-797-8119 cell
 978-249-3726 home

Mr. David C. Holmes
 State Building Inspector, C.B.O.
 Department of Public Safety
 Commonwealth of Massachusetts
 413-736-3628 cell
 413-253-7212 home

City of Marlborough
Commonwealth of Massachusetts



RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

Pamela A. Wilderman
 Code Enforcement
 140 Main Street
 Marlborough, MA 01752
 Phone: (508) 460-3765
 Fax: (508) 460-3736
 Email: pwilderman@marlborough-ma.gov

January 2, 2018

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

RE: Sign Application "Batteries and Bulbs"
 58 Apex Drive

Dear Mr. President and Members:

Attached please find the application submitted this date for two signs at the above referenced location. It appears that the signs requested exceed the allowed square footage under the City's current ordinance by 48.5 feet but since the applicant has not given the façade dimensions I can only assume the excess.

Please feel free to contact my office if you have any questions or if I can be of any further assistance to you.

Sincerely,

Pamela A. Wilderman
 Code Enforcement Officer

cc: File



CITY OF MARLBOROUGH

**Building Department
(508) 460-3776**

**BUILDING
PERMIT
JOB WEATHER CARD**

PERMIT NO BP-2018-000003
ISSUE DATE 01/02/2018
APPLICANT HARVEY SIGNS

PERMIT TO _____

AT (LOCATION) 58 APEX DRIVE, MARLBOROUGH, MA 01752

ZONING DISTRICT _____

Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT 78-14

BUILDING IS TO BE: CONST TYPE

USE GROUP _____

WORK DESCRIPTION

Installation of 2 Flat Wall Signs for "Batteries and Bulbs" Length 12'8", Height 5'8" each at 58 Apex Drive.

CONTRACTOR

LICENSE 0000
Construction Supervisor

SIGN INSTALLATION

AREA (SQ FT) 925,388,204 **EST COST(\$)** 5500.00 **PERMIT FEE (\$)** 100.00

OWNER GUTIERREZ ARTURO J TR

BUILDING DEPT BY _____

ADDRESS 1 WALL ST

PHONE 603-341-0078

PAID 1-2-18

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE

APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.

WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

POST THIS CARD SO IT IS VISIBLE FROM STREET

BUILDING INSPECTIONS APPROVALS

REQUIRED INSPECTIONS LISTED ON REVERSE		
	OTHER:	

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION

PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE

INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE OR WRITTEN NOTIFICATION.

CITY OF MARLBOROUGH

140 Main Street
 Marlborough, MA 01752
 Telephone: 508 460 3776

Receipt No.: **191433**Receipt Date: **01/02/2018****RECEIPT****RECORD & PAYER INFORMATION**

Record ID: BP-2018-000003
 Record Type: Commercial Building
 Property Address: 58 APEX DRIVE, MARLBOROUGH, MA 01752
 Description of Work: Installation of 2 Flat Wall Signs for "Batteries and Bulbs" Length 12'8", Height 5'8" each at 58 Apex Drive.
 Payer: HARVEY SIGNS
 Applicant: HARVEY SIGNS
 30 OSGOOD STREET
 METHUEN, MA 01844

PAYMENT DETAIL

Date	Payment Method	Reference	Cashier	Comments	Amount
01/02/2018	Check	3919	ICSERRANO		\$100.00

FEE DETAIL

Fee Description	Invoice #	Quantity	Fee Amount	Current Paid
Building Permit Fee	74139	100.00	\$100.00	\$100.00
			\$100.00	\$100.00



City of Marlborough
BUILDING DEPARTMENT
140 Main Street
Marlborough, Massachusetts 01752



Handwritten signature in a circle

Date: 1/2/2018

Permit No. BP-2018-000003

Address/Location of Sign 58 Apex Drive Boston Post Rd Marlboro ma.

Name of Business Batteries and Bulbs

Name of Owner of Business Telephone

Type of Sign: (check off which applies)

Flat Wall (X) signs Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

Is this a replacement of a same size existing sign(s) YES (X) NO

Dimensions Sign:

Length 12' 8" Width Height (Free Standing) 5' 8" Area

Location of Sign on Bld. North (X) South East (X) West

Dimensions Façade:

Length Width Area

Signature of Responsible Party (Handwritten) Telephone 978 794 2071

Installer Company Harvey sign Telephone 603 341 0578 (call)

Email info@HarveySigns.com

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

Signature (Handwritten)

Date 1/2/18

Cost of Sign(s) 5,500.00

Permit Fee \$ 100.00



TUBE ART GROUP

Yakima Office
 2323 West Washington Ave
 Yakima, WA 98903
 509.469.8186
 800.562.2854
 Fax 509.469.7546

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B+B406
 Customer Number

132370
 Quote Number

B+B406-MarlboroughMA-370
 File Name

Mark McKinlay
 Salesperson

Brian Bimbi
 Drawn By

**
 Checked By

September 14, 2017 .75
 Date

Revisions
 Approved
 Approved With Changes Noted

Customer Signature _____

Date _____

Landlord Signature _____

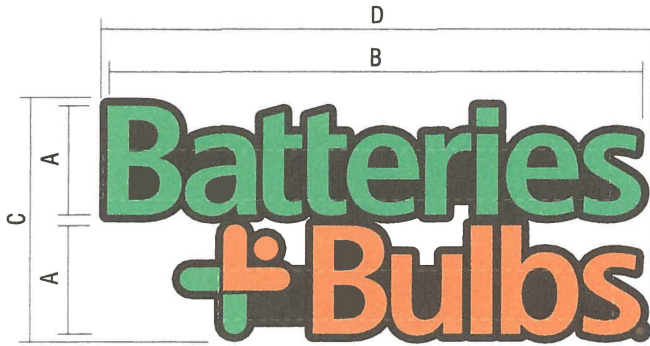
Date _____



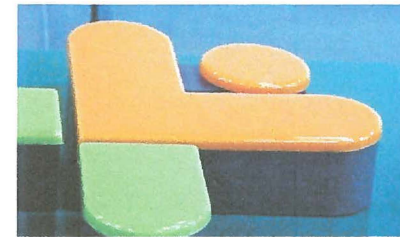
**58 Apex Drive Boston Post Rd. West
 Marlborough, MA 01752**

Colors on print do not accurately depict specific colors.

SIGN TYPE	A	B	C	D	Sq. Ft. Bk OL	120 volts
B+BRW-30S	30"	12'-3"	5'-8"	12'-8"	71.6	1.3 amps



Stacked Channel Letter Front Detail - Raceway Mounted (RW)
 Not To Scale



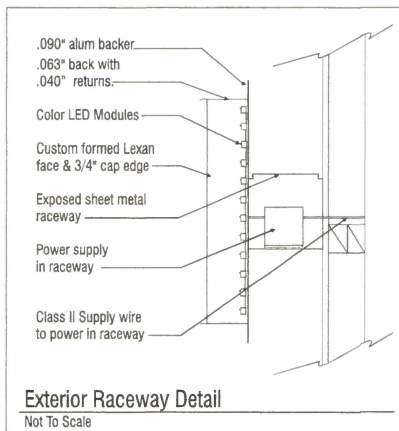
Formed Letter Face

Manufacture and install (1) new illum. channel letters and logo with cutout alum. backer

"Batteries" & "Logo" & "Bulbs" segments fabricated .040 bronze 5"alum. channel coil returns. Faces to be formed custom cast pigmented .150 polycarbonate to match corporate PMS colors. "Batteries" - is custom cast green polycarbonate "Bulbs" & "Logo" - will be custom cast .150 tangerine and .150 green polycarbonate. Illumination: "Batteries" - Green LED modules. "Bulbs" & Logo - Amber & Green LED modules. Register marks will be vinyl, 3M (3630-84) tangerine overlay onto a .090 black aluminum backer.

Raceway OPTION:

Exposed waterproof raceways fabricated from .090 alum. Paint raceway black with polyurethane finish.



Exterior Raceway Detail
 Not To Scale



New- East Elevation
 NTS



TUBE ART GROUP

Yakima Office
 2323 West Washington Ave
 Yakima, WA 98903
 509.469.8186
 800.562.2854
 Fax 509.469.7546

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B+B406
 Customer Number

132370
 Quote Number

B+B406-MarlboroughMA-370
 File Name

Mark McKinlay
 Salesperson

Brian Bimbi
 Drawn By

**

Checked By
September 14, 2017 .75
 Date

Revisions

- Approved
- Approved With Changes Noted

Customer Signature _____

Date _____

Landlord Signature _____

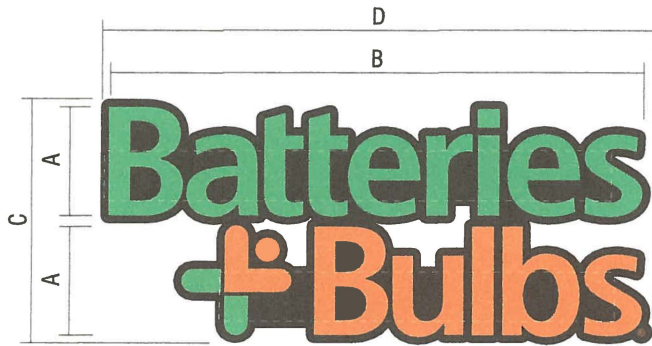
Date _____



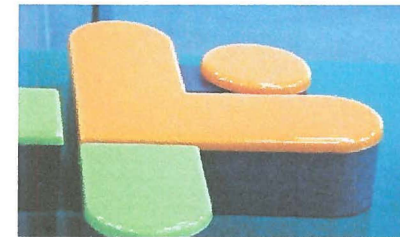
**58 Apex Drive Boston Post Rd. West
 Marlborough, MA 01752**

Colors on print do not accurately depict specific colors.

SIGN TYPE	A	B	C	D	Sq. Ft. Blk OL	120 volts
B+BRW-30S	30"	12'-3"	5'-8"	12'-8	71.6	1.3 amps



Stacked Channel Letter Front Detail - Raceway Mounted (RW)
 Not To Scale



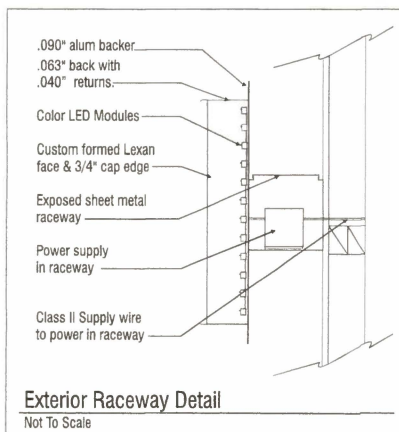
Formed Letter Face

Manufacture and install (1) new illum. channel letters and logo with cutout alum. backer

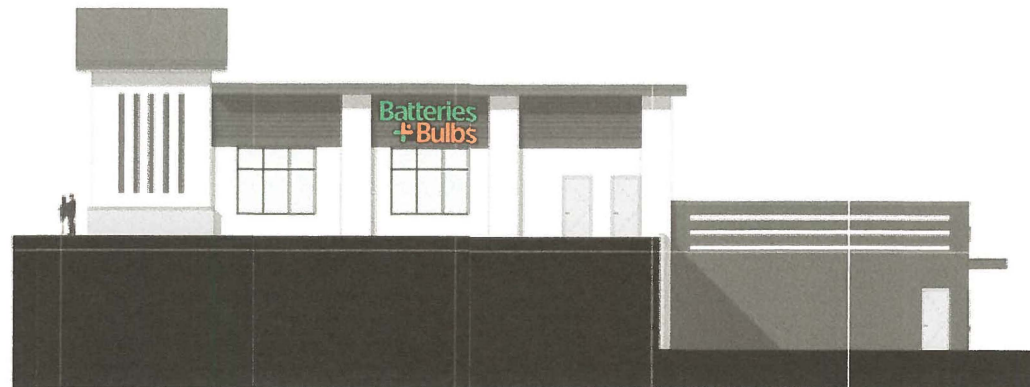
"Batteries" & "Logo" & "Bulbs" segments fabricated .040 bronze 5"alum. channel coil returns. Faces to be formed custom cast pigmented .150 polycarbonate to match corporate PMS colors. "Batteries" - is custom cast green polycarbonate "Bulbs" & "Logo" - will be custom cast .150 tangerine and .150 green polycarbonate. Illumination: "Batteries" - Green LED modules. "Bulbs" & Logo - Amber & Green LED modules. Register marks will be vinyl, 3M (3630-84) tangerine overlay onto a .090 black aluminum backer.

Raceway OPTION:

Exposed waterproof raceways fabricated from .090 alum. Paint raceway black with polyurethane finish.



Exterior Raceway Detail
 Not To Scale



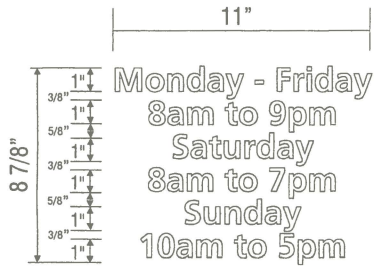
New-North Elevation-Arch. Renderings
 NTS

Door/Window Graphics



Front Elevation
Scale: 1 1/2" = 1'-0"

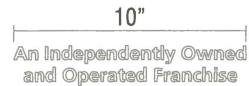
"Batteries" - 3M 3630-136 green vinyl.
 Logo - 3M 3630-84 tangerine vinyl & 3M 3630-136 green vinyl.
 "Bulbs" - 3M 3630-84 tangerine vinyl.
 Register marks - 3M 3630-84 tangerine vinyl.
 Applied 1st Surface.



NOTE: M-F (minimum 12 hrs.)
 S (minimum 11 hrs.)
 Su (minimum 7 hrs.)

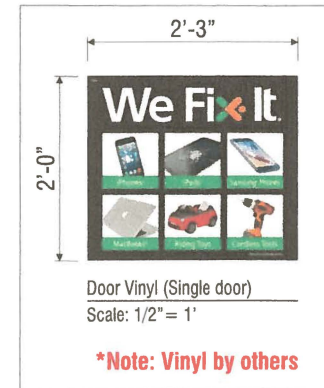
Door Hours Vinyl - (Sample Only)
Scale: 1 1/2" = 1'

White vinyl - Applied 1st Surface



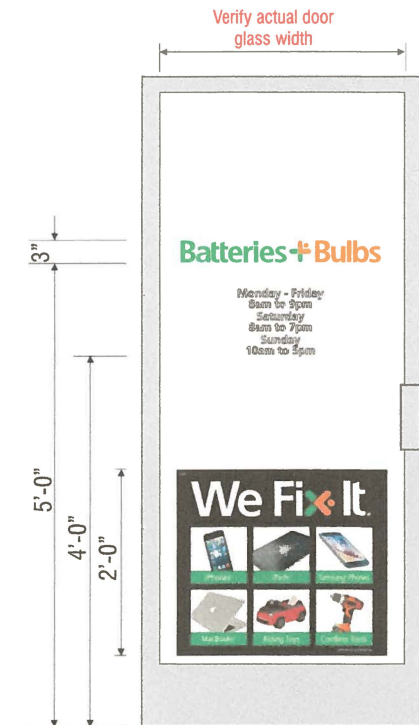
Window Vinyl
Scale: 1 1/2" = 1'

White vinyl - Applied 1st Surface
 *Note: Apply to window next to door - Right side of door preferred.



Door Vinyl (Single door)
Scale: 1/2" = 1'

***Note: Vinyl by others**



Single Door Vinyl Elevation
Scale: 1/2" = 1'-0"



TUBE ART GROUP

Yakima Office
 2323 West Washington Ave
 Yakima, WA 98903
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 800.562.2854
 Fax 509.469.7546

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B+B406
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 Checked By

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 Date

Revisions
 Approved
 Approved With Changes Noted

Customer Signature _____

Date _____

Landlord Signature _____

Date _____



**58 Apex Drive Boston Post Rd. West
 Marlborough, MA 01752**

Colors on print do not accurately depict specific colors.

Phil Naffah

30 Osgood St. Methuen, MA
www.harveysigns.com
info@harveysigns.com



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City of Marlborough
Commonwealth of Massachusetts



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CITY OF MARLBOROUGH

2018 JAN -3 P 3: 51

Pamela A. Wilderman
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3765
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov

January 3, 2018

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

RE: MindTreck Sign
Apex Center

Dear President Clancy and Members:

Enclosed please find the application for a sign at the Apex Center for Mindtreck. It appears to exceed the allowed square footage but is certainly in line with the other approved signs at the center.

As always, please feel free to contact my office if you have any questions or if I can be of any further assistance to you.

Sincerely,

Pamela A. Wilderman
Code Enforcement Officer

cc: File



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752

Date: 01/03/17 Permit No.

Address/Location of Sign 11-169 APEX DRIVE

Name of Business MINDTRECK

Name of Owner of Business SAME Telephone

Type of Sign: (check off which applies)

X Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit X YES NO

Is this a replacement of a same size existing sign(s) YES X NO

Dimensions Sign: See enclosed plans

Length 22'8 Width 3'10" Height (Free Standing) Area 88 SF

Location of Sign on Bld. North South East West

Dimensions Façade:

Length 45' +/- Width 20' +/- Area 900

JENN ROBICHAUD 603 882 2638 X 333
Signature of Responsible Party Telephone

Installer Company BARLO SIGNS Telephone 603 882 2638 X 333

jenn@barlosigns.com
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

Signature Date 01/03/17

Cost of Sign(s) Permit Fee \$



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
 Marlborough, Massachusetts 01752
 Tel. (508) 460-3776 Facsimile (508) 624-6504

SIGN PERMIT APPLICATION

What is needed to be submitted:

Sign on the Façade:

1. A photo of the site which will show all existing signage; signs that are being removed; and sign(s) being installed.
2. 2 sets of plans which will show the length, width, height, area, how it is attached, how it is illuminated and the location on the building.

Free Standing Sign:

1. 2 sets of plans which will show the length, width, height, area, how it is attached, and how it is illuminated.
2. A site plan, to scale, which will show the location of the sign and the building for which it will serve. (526-9 C 1(c))
3. Address to be posted on the top of the sign (526-9 C 2(b))

All Other Signs:

1. 2 sets of plans which will show the length, width, height, area, how it is attached, how it is illuminated and the location on the building or on the land.

Further information about signs can be found on the City's website under "City of Marlborough City Code."

Please be aware that a Wiring Permit shall also be needed for the installation of any sign(s) which are to be illuminated. (527-CMR 12.00)

If you had applied to the Planning Board for a Variance, that recorded Variance must be submitted with this application.

CONTINUE ON BACK

Rev 8/16/13






JOB#:

ELEVATIONS

SCALE: 1/32"=1'-0"



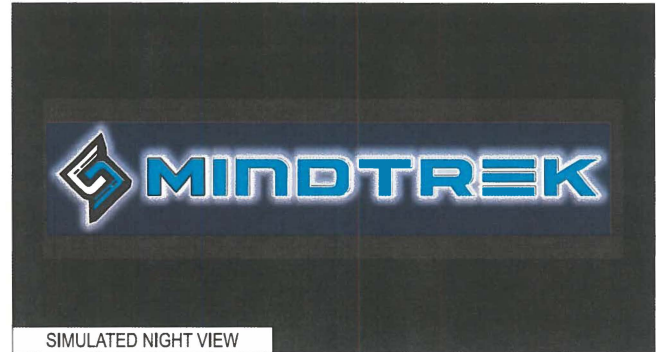
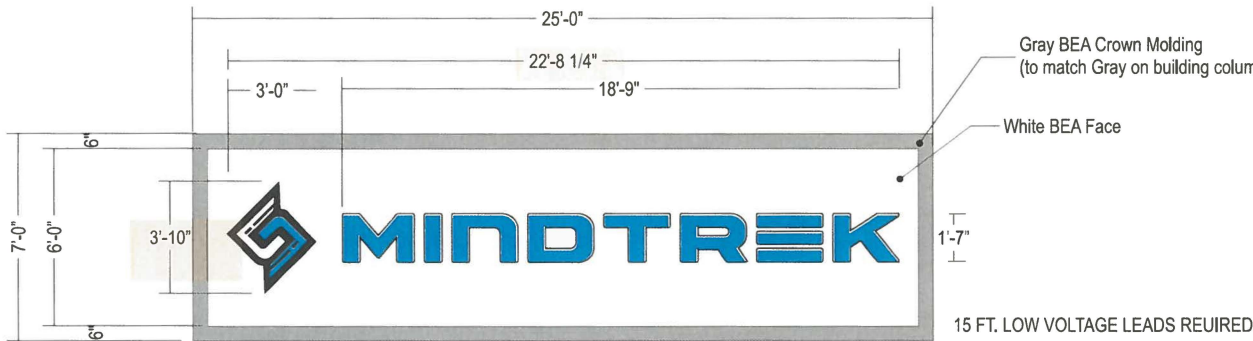
SIMULATED NIGHT VIEW

Job Name: MINDTRAK VR @ APEX		 <p>159 Greeley St. Hudson, NH 03051 (603) 882-2638 Fax (603) 882-7680 For Service: 800-227-5674</p>
Location: APEX DRIVE MARLBOROUGH, MA 01752		
Design Specifications Accepted By:	Drawn By: AS	
Client:	Sales Rep: KELL	
Landlord:	PM: HL	Date: 12-21-07
<p>PROJECT APPROVAL</p> <p>Design: AS Date: 12-21</p> <p>Engineering: Date:</p> <p>Estimating: Date:</p> <p>Sales: Date:</p> <p>Production: Date:</p> <p>Installation: Date:</p>		<p>© COPYRIGHT 2017 THE BARLO GROUP</p> <p>THIS DESIGN CONCEPT IS THE PROPERTY OF THE BARLO GROUP. ALL PRODUCTION AND DUPLICATION RIGHTS ARE RESERVED BY THE BARLO GROUP. THIS PRINT IS DESIGNED FOR YOUR PERSONAL USE AND IS NOT TO BE USED OUTSIDE YOUR ORGANIZATION OR EXHIBITED IN ANY FASHION.</p> <p>  Underwriters Laboratories Inc.    </p> <p>File Name: Mindtrak VR @ Apex 17-12-01627C-2B J</p> <p>B-17-12-01627C-2B SHEET 1.0</p>

ITEM A - FACE-LIT/BACK-LIT LED CHANNEL LETTERS ON BACKER PAN

SCALE: 1/4"=1'-0"

JOB#:



COLORS: FABRICATION - LETTERS

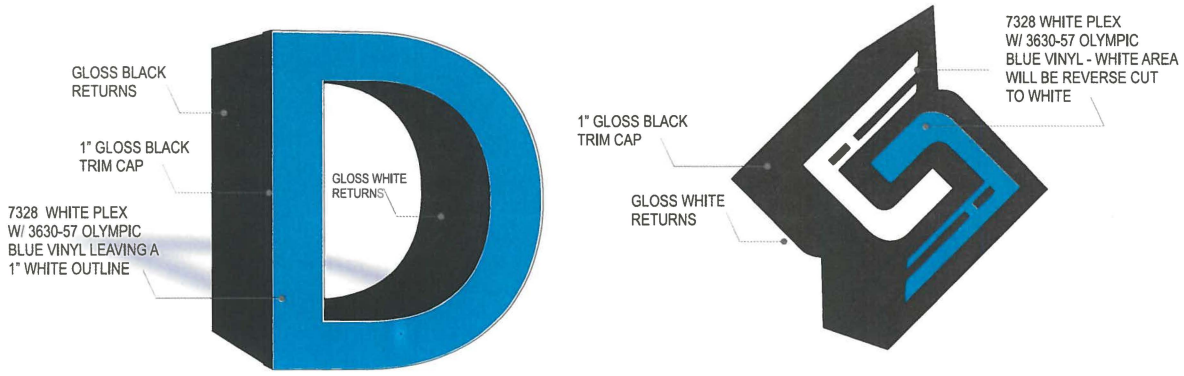
FACES:	3/16" 7328 WHITE PLEX W/ 3630-57 OLYMPIC BLUE VINYL LEAVING A 3/8" WHITE OUTLINE
RETURNS:	.040" GLOSS BLACK BEA 5" DEEP
TRIMCAP:	1" BLACK
BACKS:	3/16" Clear Polycarbonate sanded
RACEWAY:	N/A

COLORS: FABRICATION - LOGO

FACES:	3/16" 7328 WHITE PLEXW/ 3630-57 OLYMPIC BLUE VINYL - WHITE AREA WILL BE REVERSE CUT TO WHITE
RETURNS:	.040" BLACK BEA 5" Deep
TRIMCAP:	1" OR 2" BLACK with metal J-clips as required
BACKS:	3/16" Clear Polycarbonate sanded
RACEWAY:	N/A

COLORS: COPY

	3630-22 BLACK
	3630-57 OLYMPIC BLUE



SCOPE OF WORK Sign Area: **86.9** SQ. FT.

MANUFACTURE AND INSTALL (1) 7'-0" X 25'-0" WALL SIGN WITH ALUMINUM FACE AND FACE-LIT/BACK-LIT LED CHANNEL LETTERS INSTALLED ON THE SURFACE. POWER SUPPLIES TO BE SELF CONTAINED IN CABINET WITH ACCESS DOORS FOR SERVICING.

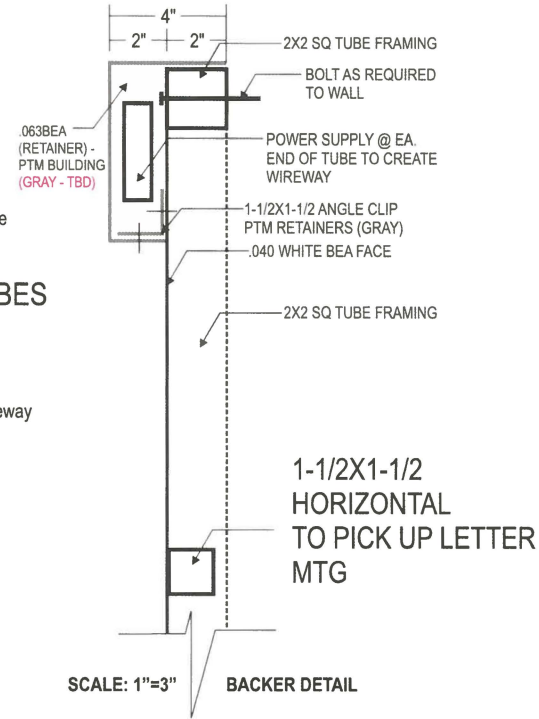
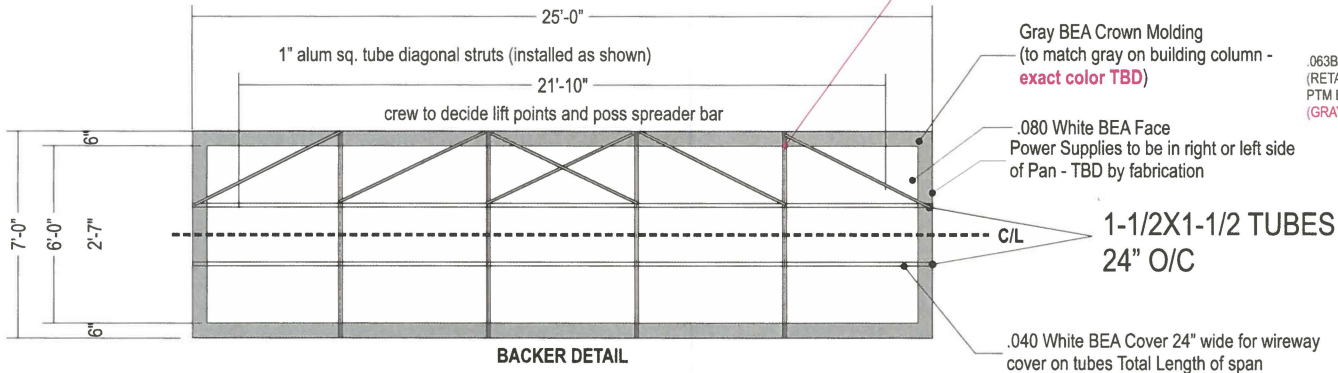
SEE SHEET 1.1 FOR MANUFACTURING SPE

Job Name: MINDTRAK VR @ APEX		<p>59 Cressley St. Hudson, NH 03051 (603) 882-2638 Fax: (603) 882-7680 For Service: 800-227-5674</p>
Location: APEX DRIVE MARLBOROUGH, MA 01752		
Design Specifications Accepted By:	Drawn By: AS	
Client:	Sales Rep: KELL	
Landlord:	PM: HL	Date: 12-21-07
<p>PROJECT APPROVAL</p> <p>Design: AS Date: 12-21</p> <p>Engineering: Date:</p> <p>Estimating: Date:</p> <p>Sales: Date:</p> <p>Production: Date:</p> <p>Installation: Date:</p>		
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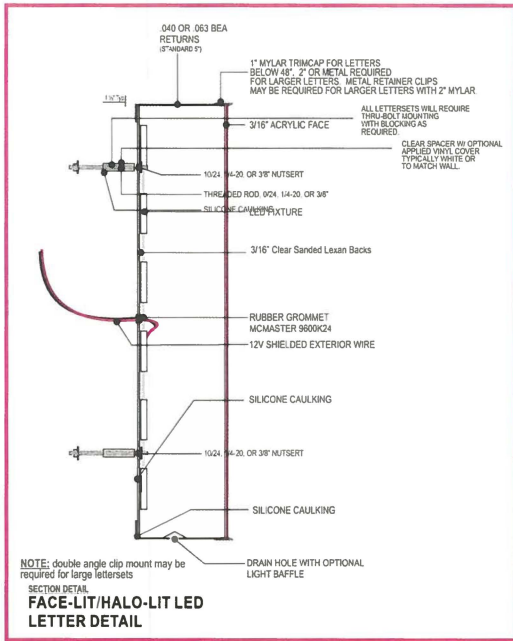
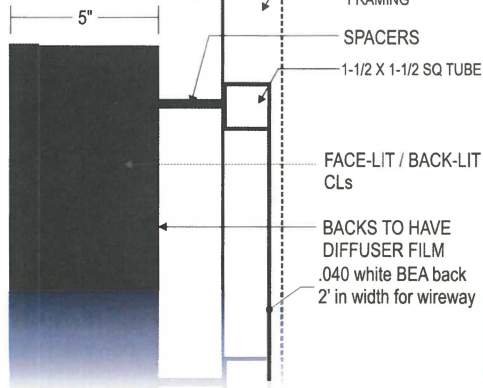
JOB#:

ITEM A - FACE-LIT/BACK-LIT LED CHANNEL LETTERS ON BACKER PAN

SCALE: 1/4"=1'-0"



SCALE: 1"=3"
LETTER DETAIL



***** ALL LEDs TO BE GE TETRA MAX *****
***** WHITE MODEL GEMX2471-W1 *****

Job Name: MINDTRAK VR @ APEX		 150 Greedy St. Hudson, NH 03051 (603) 882-2638 Fax (603) 882-7680 For Service: 800-227-5674
Location: APEX DRIVE MARLBOROUGH, MA 01752		
Design Specifications Accepted By:	Drawn By: AS	
Client:	Sales Rep: KELL	
Landlord:	PM: HL	Date: 12-21-07
PROJECT APPROVAL Design: AS Date: 12-21 Engineering: Date: Estimating: Date: Sales: Date: Production: Date: Installation: Date:		
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File Name: Mindtrak VR @ Apex 17-12-01627C-2B J		SHEET: 1.2
B-17-12-01627C-2B		

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Robert C. Buckley
rbuckley@riemerlaw.com
(617) 880-3537 direct
(617) 692-3537 fax

2017 DEC 22 A 8:35

December 22, 2017

President and Members
Marlborough City Council
City Hall 140 Main Street
Marlborough, MA 01752

Re: Petition for Amendment to Zoning Code

Dear President and Members:

This Firm and the undersigned represent Marlborough/Northborough Land Realty Trust of 200 Summit Drive, Suite 400, Burlington, Massachusetts 01803 (herein after referred to as Petitioner), owner the land which is the subject matter of this Petition. The said land is shown on the City of Marlborough Assessor's Map 100, Parcels 24, 25, 26 and 15 (including the private way "Atkinson Way"); and Map 89, Parcels 80-99.

Our client hereby petitions the City Council to amend the Zoning Code of the City of Marlborough Chapter 650 by adding to Article VI Section 650-35 COMMERCIAL VILLAGE OVERLAY DISTRICT in accordance with the attached proposed change.

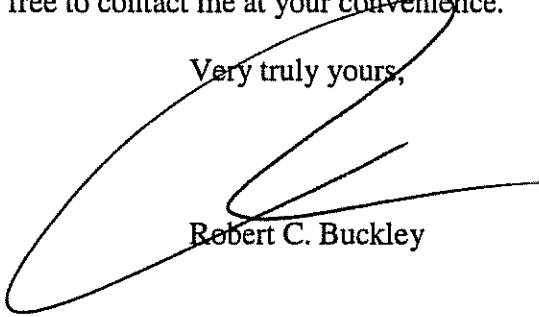
Attached hereto as Exhibit "A" is the proposed Commercial Village Overlay District zoning ordinance provision. During the public hearing, our client will explain the reasons for the requested change and the economic benefit it will bring to the City of Marlborough. The Petitioner believes the proposed overlay district will provide a reasonable vehicle for the development of the parcel of land being the subject matter of this request.

Please schedule a public hearing on the Petition, publish notice as provided for in Massachusetts General Laws Chapter 40A Section 5, give written notice as provided for therein and request a recommendation from the Planning Board.

President and Members
December 22, 2017
Page 2

If you have any questions, please feel free to contact me at your convenience.

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Robert C. Buckley

RCB:mw

Encl: Proposed Zoning Ordinance Change

2218722.1

ARTICLE VI

§650-35 - COMMERCIAL VILLAGE HOUSING OVERLAY DISTRICT

A. Purpose and Objectives

The Commercial Village Housing Overlay District (herein, also a “CV Housing Overlay”) allows the application of supplemental land use controls within the boundaries of a certain overlay district, subject to City Council approval (hereinafter any reference to City approval shall be deemed to mean approval by the City Council) as an alternative to land use controls that exist in the underlying zoning district(s). The establishment goals of the CV Housing Overlay are to enhance land use development and encourage desired residential growth patterns for the benefit of the public health, safety and welfare and to allow for the development of higher density housing in close proximity to commercial property and uses consistent with the stated economic development objectives of the City.

The CV Housing Overlay shall be applicable to the property identified as Map 100, Parcels 24, 25, 26, and 15 (including the private way “Atkinson Drive”) and Map 89, Parcels 80-99 City of Marlborough Assessor’s map dated September 21, 2012 (formerly the property shown on Map 100, Parcels 14 and 15 as shown on City of Marlborough Assessor’s Map in effect on May 2006) and as further described on Exhibit “A” annexed hereto. The CV Housing Overlay shall be superimposed on the other zoning districts existing at the time that any land in any said underlying district is also included in the CV Housing Overlay.

B. Authority of Permit Granting Authority

The City Council shall be the Permit Granting Authority for the Master Plan approval (defined below) and for any Special Permit to be issued in the CV Housing Overlay. In all instances, a development which proceeds under the CV Housing Overlay is subject to Site Plan Approval in accordance with §270-2 of the Marlborough City Code, with the exception that the City Council shall be the Permit Granting Authority for any Special Permit approval in the CV Housing Overlay.

The City Council may elect to vary the dimensional and parking requirements of this Section by Special Permit if, in their opinion, such change shall result in a substantially improved project and will not nullify or substantially derogate from the intent or purpose of this section. This authority continues subsequent to development and occupancy.

Special Permits within the CV Housing Overlay shall be approved by a super majority (2/3) vote of the City Council. Amendments to any Special Permits issued by the City Council shall be per the requirements of this Section (§650-35 et. seq.).

C. Master Plan

The property owner/developer of the CV Housing Overlay shall, prior to, or simultaneously with, the first application for approval of a site plan and/or special permit for the CV Housing Overlay, file the following with the City Council for approval:

- (1) A Master Plan, or preliminary project plan, inclusive of the following:
 - (a) A project narrative describing the proposed development including, without limitation, the number of units, format, restrictions, if any, of the proposed project.
 - (b) A Master Concept Plan (“Master Plan”) which shall in a general manner show:
 - (i) The location and areas of proposed development;
 - (ii) Proposed open space (usable and natural);
 - (iii) Proposed site access curb cuts off of public ways; and
 - (iv) Proposed building “envelope(s)” where construction is anticipated to occur.
 - (c) The following information for the proposed development:
 - (i) Total land area of each development area (building envelope area);
 - (ii) Total development limitations, if any, of uses in any developable area;
 - (iii) Total maximum development (number of units; square footage/use limitations); and
 - (iv) A report/memorandum discussing site circulation and traffic impacts.

The Master Plan shall be approved by a majority vote of the City Council in order to proceed with the proposed development and, if approved, shall thereafter become the general development plan governing development at the CV Housing Overlay. The Master Plan may be amended from time to time by a majority vote of the City Council by application from the property owner/developer to reflect changing development conditions.

- (2) A Development Agreement in recordable form binding upon the developer/property owner. The Development Agreement shall be approved by a majority vote of the City Council prior to the issuances of the first permit/site plan

approval for development within the CV Housing Overlay, which Development Agreement may contain, without limitation:

- (a) Required mitigation (including any traffic demand management initiatives), if any, to address the impacts arising out of the use and occupancy of the proposed project, or if at the time of execution such impacts are not known, the methodology for assessing and addressing such impacts as the development of the CV Housing Overlay progresses.
- (b) Restrictions on development areas and such other development limitations as may be agreed upon such as, but not limited to, age restrictions and provision for affordable housing units and/or contributions, if any.
- (c) Proposed phasing of the development of the CV Housing Overlay, if any.
- (d) Obligations with respect to pedestrian and vehicular interconnectivity within the CV Housing Overlay, if any, to facilitate pedestrian access and circulation efficiencies.
- (e) The authority of the City Council to retain the necessary professionals to assist in their review of development applications, if needed.

The Development Agreement shall govern the implementation of the Master Plan and development at the CV Housing Overlay.

D. Exclusivity/Control

Except as specifically provided herein, uses and provisions of Article V of Chapter 650 (Zoning) relating to the underlying zoning district not otherwise impacted by this Section (§650-33 et. seq.) shall continue to remain in full force and effect, provided however that the City Council shall be the Special Permit Granting Authority, if applicable. This Section (§650-35 et. seq.) of the Zoning Ordinance exclusively controls the establishment, development, and design of any development undertaken in the CV Housing Overlay and supersedes any other provision of the Zoning Ordinance (except the provisions of the Water Supply Protection District). In the event of any conflict between the provisions of this Section (§650-35 et. seq.) and any other provision of the Zoning Ordinance, the provisions of this Section (§650-35 et. seq.) shall govern and control.

E. Eligible Uses

Except as specifically set forth below, all uses permitted in Residence Districts (RR, A-1, A-2, A-3, RB, RC, and RCR) either as of right or by special permit in accordance with §650-17 of the Zoning Ordinance are permitted in the CV Housing Overlay. If a use requires a special permit under §650-17, Table of Use Regulations, such use shall continue to require a special permit under this Section.

- (1) The following additional uses are also permitted BY-RIGHT in the CV Housing Overlay:

- (a) Multi-family dwelling – up to 120 dwelling units within the entire CV Housing Overlay Zoning if said units are age restricted/targeted dwelling units
 - (b) Consumer service and retail establishments complimentary to the other principal uses at the property
 - (c) Restaurant, café with or without table service (including outside seating and service)
 - (d) Health, sports and fitness clubs (indoor and/or outdoor) and related facilities
- (2) The following additional uses are also permitted BY-SPECIAL PERMIT in the CV Housing Overlay:
- (a) Multi-family dwelling within the entire CV Housing Overlay Zoning District including, without limitation, age restricted dwelling units in excess of 120 units
- (3) Single family detached residential use is prohibited in the CV Housing Overlay

F. Dimensional Requirements

The CV Housing Overlay shall be subject to the dimensional standards in accordance with Article VII of the Marlborough Zoning Ordinance with the following exceptions:

- (1) The CV Housing Overlay may consist of one or more lots. There is no minimum acreage requirement for a lot to be a part of the CV Housing Overlay so long as a CV Housing Overlay district shall be no less than 10 contiguous acres.
- (2) Minimum Lot Frontage measurement shall be no less than twenty (20) feet for any lot wholly located within the boundaries of the CV Housing Overlay.
- (3) Minimum Front Yard measurement shall be no less than twenty (20) feet for any lot wholly located within boundaries of a CV Housing Overlay.
- (4) No less than fifteen (15) feet shall separate the structural side wall of any two or more structures within the CV Housing Overlay, even if on separate lots. No less than fifteen (15) feet shall separate any area behind and or between structures, and fire suppression vehicles shall have clear and adequate access to all structures.
- (5) Maximum building height in CV Housing Overlay shall not exceed 60 feet; a structure located within 50 feet from the property line of a directly abutting parcel in a residentially zoned district shall not exceed 40 feet in height.

- (6) Maximum Lot Coverage shall be calculated on the entire land area of the CV Housing Overlay and not on an individual lot basis, and shall not exceed 65% percent of the total area of the CV Housing Overlay.

G. Parking and Curb Cut Requirements.

Except as otherwise provided in this section, parking and circulation requirements shall conform with the provisions of Section §650-48 and §650-49 of the Zoning Ordinance.

- (1) General - In the CV Housing Overlay adequate off-street parking shall be provided. The City Council and the applicant shall have as a goal for the purposes of defining adequate off-street parking, making the most efficient use of the parking facilities to be provided and minimizing the area of land to be paved for this purpose.
- (2) Parking Locations - Parking may be provided at ground level, underground or in a parking garage. Parking garages can be free standing or as part of buildings dedicated to permitted uses.
- (3) Parking Spaces for Each Dwelling Unit - There shall be a minimum of 1.5 parking spaces for each dwelling unit. Where feasible, sharing of parking shall be encouraged among the various uses in the CV Housing Overlay.
- (4) Granting of Relief from Parking Regulations - The City Council may waive any of the foregoing requirements or the requirements of Section §650-48 if it makes a finding that to do so will enhance the overall design of the CV Housing Overlay.

H. Signage

Except as otherwise provided in this Mixed Use Ordinance, signage shall conform with the provisions of Chapter 526 of the Marlborough City Code – the Sign Ordinance.

- (1) Granting of Relief from Signage Regulations - The City Council may waive any of the requirements of the Sign Ordinance if it makes a finding that to do so will enhance the overall design of the CV Housing Overlay.

I. Application

An application for a Special Permit for a development in the CV Housing Overlay shall comply with the requirements of §650-59 et. seq. of the Zoning Ordinance. In the matter of a Site Plan Approval, the application shall comply with the requirements of the City Code, Article II, Permits and Approvals, §270-2 et. seq.

The City Council in connection with a Special Permit application shall review such applications with respect to the following design criteria:

- (i) Compliance of sidewalks with Americans with Disabilities Act (ADA) Design Standards;

- (ii) Street façade and exterior walls visible from public ways;
- (iii) Public space;
- (iv) Scale of buildings; and
- (v) External Lighting

Concurrent with any public hearing/meeting associated with a special permit and/or site plan filing, the applicant shall make a presentation to the City Council to present the proposed architectural design and shall consider the comments and input from the City Council. A building elevation shall be submitted prior to the close of the public hearing/meeting.

J. Standards for Roadways and Drainage

- (1) Roadways – Internal CV Housing Overlay roadways shall be private ways and shall be maintained by the owners/developers of the CV Housing Overlay and portions thereof. Private ways within the CV Housing Overlay, to the extent feasible, shall be constructed using the methods and materials prescribed in the Rules and Regulations for the Subdivision of Land in the City, but shall not be required to conform to the dimensional or material requirements thereof, provided that those private roadways shall be adequate for the intended vehicular and pedestrian traffic and shall be maintained by the owner/developer or an association of owners.
- (2) Storm Water Management System - The CV Housing Overlay shall have a storm water management system designed in accordance with the Rules and Regulations for the Subdivision of Land in the City and the Department of Environmental Protection's Storm Water Management Guidelines, as amended. This system shall be privately maintained.

K. Amendments

After approval, the owner/developer may seek amendments to the approved permits. Minor amendments to a Special Permit may be made by a simple majority of the City Council at a public meeting. A major amendment shall be approved by a super majority (2/3) vote of the City Council at a public hearing. It shall be a finding of the City Council, not subject to dispute by the applicant, whether a requested amendment is deemed to be a minor or major amendment. In general, a minor modification shall not produce more than an immaterial increase in the scale of a project nor produce more than an immaterial increase in impact on City services, the environment or the neighborhood. If it is determined that revisions to a Special Permit are not minor, per Section 650-59 of the Zoning Ordinance, an application for a revised Special Permit shall be filed, and a public hearing shall be held in the same manner as required for a new application, subject to the fee schedule under Subsection C(3)(f) of Section 650-59.

Exhibit "A"

- A) Lots 1-23 as shown on a plan entitled a Definitive Subdivision Plan "Commonwealth Heights in Marlborough, MA. Endorsed by the City of Marlborough Planning Board on April 9, 2007 and recorded with the Middlesex South Registry of Deeds as Plan 549 of 2007; and
- B) The property on Forrest Avenue shown on the above referenced plan as being owned by "N/F David E. Silva"

RCB:mw
25560/26
2190920.1
2190920.5
2190920.5
2190920.6

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN -3 P 4:30

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

January 3, 2018

HAND DELIVERED

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

Re: Amendment to Site Plan Approval;
Marlborough on Main, 163-175 Main Street

Dear Councilor Clancy:

Enclosed please find an application to amend the Site Plan Approval granted for Marlborough on Main, 163 – 175 Main Street in the Marlborough Village District, Order No. 16-1006668, submitted on behalf of my client Vincenza Sambataro.

Ms. Sambataro is the new owner of the property, and wishes to make architectural improvements to enhance the project's aesthetic values and marketability. The amended project will consist of a 69,470 square foot, 6-story building with 39 residential condominium units and a ground floor restaurant. The project will include 25 on-site parking spaces on the ground floor.

Pursuant to Section 650-18(42) of the Zoning Ordinance and the Site Plan Approval issued by the Council (enclosed), the modified project requires Site Plan Approval by the City Council.

We respectfully request that you refer this matter to the Site Plan Review Committee and take the appropriate steps for review by the City Council.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

MIRICK O'CONNELL

Marlborough City Council
January 3, 2018
Page 2

Pursuant to City Council Order No. 91-3822A, I am notifying you that Mirick O'Connell is representing Vincenza Sambataro in this matter before the City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'BRF', with a long horizontal flourish extending to the right.

Brian R. Falk

BRF/ljk

Enclosures

cc: Client
Arthur P. Bergeron



City of Marlborough

SITE PLAN APPROVAL APPLICATION (For Non-Residential and Major Residential Projects)

Type of Hearing (check one)

Major Renovation Minor Renovation

Please Print

DATE: January 3, 2018

PROJECT

Name of facility: Marlborough on Main

Address: 163-165, 167-171 and 175 Main Street

Assessor's Map No. 70-77, 70-78, 70-79 Parcel No. _____

APPLICANT

Name: Vincenza Sambataro
c/o Mirick O'Connell

Address: 100 Front Street, Worcester, MA 01608

Telephone: 508-929-1678 (Attorney Brian R. Falk) Fax: 508-983-6256

Email: bfalk@mirickoconnell.com

OWNER'S CONSENT

If applicant is not the owner, is written consent of the owner or owner's agent attached (see Section 270-2(B) (7))? YES NO

PROPERTY OWNER

Name: Same

Address: _____

Telephone: _____ Fax: _____

Email: _____

APPLICANT'S ENGINEER (preparing site plan)

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

APPLICANT'S LANDSCAPE ARCHITECT

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

PROJECT INFO

PROPOSED USE (see Section 63-5(B) (1))

_____ Non-Residential X Residential

Provide a brief description of the project; including the proposed type of use, whether expansion of new, size of buildings, number of new parking spaces, any unusual utility use or impact on abutters (traffic, noise, lighting, odors, hazardous material, etc.)

This amended application proposes a mixed-use project consisting of a 69,470 square-foot, 6-story building with 39 residential condominium units and a ground floor restaurant.

The project will provide 25 on-site parking spaces on the ground floor.

Identify all zoning districts, including overlay zones applicable to this site. The zones must also be shown on the site plan cover sheet. (See Section 270-2 (C) (2) (b) (3)).

ZONING DISTRICT(S) Marlborough Village District

WHAT OTHER PERMITS REQUIRED (check off which applies)

- City Council for Special Permit
 - ZBA Special Permit
 - ZBA Variance
 - Wetlands Protection Act
 - Section 404, Clean Water Act (Army Corps)
 - C 91 Waterways Permit
 - Subdivision Control Act (Planning Board)
 - State Curb Cut (MA Highway)
 - Indirect Access Permit (MA Highway)
 - MEPA ENF or EIR (EOEA)
 - Sewer Connection Permit (DPW, City Council, DEP)
 - Street Opening Permit (DPW, Engineering Dept)
 - Sewer Connection (DPW, City Council, DEP)
 - Other: _____
- Blasting Permit (Fire Dept)
 - Title V Approval (Board of Health)
 - Food Permit (Board of Health)
 - Building Permit (Building Dept)
 - Sign Permit (Building Dept)

WHAT IS THE FEDERAL FLOOD INSURANCE RATE ZONE? _____

SUBMITTED PLANS AND REPORTS

See Section 270-2 (C) for submission requirements. Please include a locus map per Section 270-2 (C) (2) (b) (1)

Title	Date	Stamped By
Site Plan: Marlborough on Main Street	9/7/16	Bruce Saluk

Fee

For Minor Site Plan without a building: \$750

For a Minor Site Plan (with a building under 8,000 square feet): \$1,000, plus \$0.03 a square foot of building gross floor area

For a Major Site Plan (with a building over 8,000 square feet): \$2,000, plus \$0.06 square feet per square feet of building gross floor area

PUBLIC NOTICE

Applicants for Site Plan Approval under Chapter 270-2 of the Marlborough City Code must publish a public notice in a newspaper of general circulation within the area at least once within two weeks of filing a Site Plan application using the format below. A copy of the public notice must be submitted with the application. Applications for Site Plan Approval shall not be certified as complete unless the public notice is properly published.

Date of Publication: January 8, 2018

Name of Newspaper: MetroWest Daily News

(Form of notice attached)

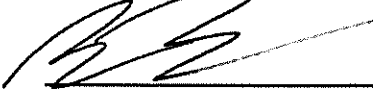
HISTORIC BUILDING NOTICE

Is the site within 250 feet of any building, cemetery or monument built before 1850? YES NO

If in doubt, ask the Historic Commission (508 481-2400). If the answer is YES, send a photocopy notice and one copy of the site plans (excluding utilities) to:

Chairman, Historic Commission
City Hall
Marlborough, MA 01752

APPLICANT'S SIGNATURE

 Brian Falk, Attorney for the Applicant 1/3/2018

Applicant or Representatives Signature

Date

Applicant shall submit this form to the Building Dept will all required plans (8 copies of plans, 4 copies of Traffic and Drainage reports) after a "Pre-Application Review" with the City reviewing Authority at which most requirements can be examined and discussed.

The applicant maybe required to attend a Preliminary scoping session with the Site Plan Review Committee prior to submitting this form.

Office Use Only:

Date Received: _____

Site Plan Number: _____

SITE PLAN APPROVAL PUBLIC NOTICE FORM

Applicants for Site Plan Approval under Chap 270-2 of the Marlborough City Code must publish a public notice once in a newspaper of local circulation, using the format below at least once within two weeks of filing an application. A copy of the public notice must be submitted to the Building Dept with the application for Site Plan Approval.

Metrowest Daily News, Framingham 01701
Advertising: Fax: 1-781-453-6650

City of Marlborough Public Notice of Site Plan Submission

A proposed site plan has been submitted for the following project and is available for public inspections during regular business hours at the office of the Building Inspector, City Hall, Second Floor, 140 Main Street, Marlborough, MA 01752

Project Name and Type or Use: Marlborough on Main

Project Street Address: 163-175 Main Street

Applicant's Name: Vincenza Sambataro

The City will accept public comments in written form until 14 days from the date of this publication. This notice is published in accordance with the City Code, Chapter 270-2 Site Plan Review and Approval.



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 14, 2016
PAGE 1

ORDERED:

Suspension of the Rules requested - granted

Site Plan Permit # _____
Site Plan Approval with Conditions

Applicant: Marlborough on Main Development LLC

Property Owner: Marlborough on Main Development LLC

Location: 163-175 Main Street (the "Site") being shown as Parcels 77, 78 and 79 on Assessors Map 70, consolidated as a single lot as shown on a plan recorded with the Middlesex South Registry of Deeds in Plan Book _____, Plan _____.

Zoning District: Marlborough Village District (MV)

Plans: The following Site Plan Approval Final Conditions are based on a set of plans entitled "Marlborough On Main, 165-175 Main Street, Marlborough, MA, Site Plan," said plans being comprised of sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of 11-3-16 (said set of plans hereinafter, collectively, the "Site Plans"); a set of seven (7) architectural drawings including "Front Elevation – Proposed Concept" (dated September 27, 2016), "Section Through Building Showing Stepped Condition" (dated September 7, 2016), "Main Floor Plan – Parking and Commercial Space" (dated September 7, 2016), "2nd Floor Plan - Prelim. Unit Concept" (dated September 7, 2016), "3rd and 4th Floor Plans - Prelim. Unit Concept" (dated September 2, 2016), "5th Floor Plan - Prelim. Unit Concept" (dated September 2, 2016), and "Prelim. 6th/Roof Plan" (dated September 2, 2016), all of which seven (7) architectural drawings are by Reeves Design Associates; and a set of two (2) conceptual architectural renderings entitled "175 Main Street - Reeves Design Associates – 2016," and "175 Main Street - Marlborough, MA, Conceptual Sketch - Rear View from Devens/McEnelly, Reeves Design Associates - Architects - 2016."

SITE PLAN APPROVAL FINAL CONDITIONS:

A. Site Conformance:

1. Construction of the Site shall be in conformance with the approved Site Plans, the provisions of Chapter 270 of the Code of the City of Marlborough, and the conditions stated herein.



IN CITY COUNCIL

NOVEMBER 14, 2016
 Marlborough, Mass. _____ PAGE 2

ORDERED:

2. All construction on the Site shall conform to the appropriate National, State and City of Marlborough codes and regulations in force for each respective discipline and be in accordance with the approved plans and permits. Codes and regulations shall include but are not limited to State Building, Plumbing, Wiring, NFPA, Zoning, DPW utility and roads, Noise and Signs.

B. Prior to Issuance of a Building Permit:

1. Construction Staging and Safety Plan:

- a. The Applicant shall complete the project in accordance with a Construction Staging and Safety Plan (the "Construction Plan") approved by the Building Commissioner, Fire Chief, Police Chief, and City Engineer, which shall be consistent with the document entitled "Construction Safety and Staging Plan for The Landmark Building on Main Street," dated October 1, 2016, or as modified at the direction of the City officials listed above.
- b. The Construction Plan shall provide detailed information concerning:
 - (i.) areas of the Site and adjacent property that will be marked-off for the staging of construction vehicles, etc.;
 - (ii.) traffic management, detour routes if necessary, construction signage, pedestrian protection, blocked sidewalks, streets, etc.;
 - (iii.) construction fencing to enclose material and equipment;
 - (iv.) fencing and/or barricades to provide limits within the construction site for the separation of construction, pedestrian and vehicular traffic; and
 - (vi.) dedicated illuminated and covered pedestrian walkways adjacent to the structure at egress paths in accordance with 780 CMR Massachusetts State Building Code and related Mass. Amendments, including but not limited to Chapters 31, 32, 33, and 34, in effect at the time the building permit application is submitted.



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 14, 2016
PAGE 3

ORDERED:

2. Green Building: The building plans shall show compliance with Section 650-34.D.2.(m), concerning sustainable building design, of the Zoning Code of the City of Marlborough. Prior to the issuance of Building Permits, the Building Commissioner shall review the building plans to ensure that the design incorporates green building techniques.
3. Rooftop Mechanicals: On the building plans, the elevation drawings shall show areas reserved for rooftop mechanicals and the elevator penthouse. Detail drawings illustrating the type, location, and dimensions of fencing/screening must be provided. The Building Commissioner shall confirm that the building drawings conform to the requirements of Section 650-34.D.2.(b) regarding screening of rooftop mechanical equipment.
4. Footings: If the footings for the proposed building will be located within the City of Marlborough public way layout, an easement from City Council will need to be obtained prior to the issuance of any building permits.

C. Construction:

1. Preconstruction Meeting: Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner, City Engineer, Conservation Officer, Fire Chief, Police Chief, and the site contractor responsible for doing the work. At this meeting said City officials will review the plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls.
2. Use of Ways During Construction: Consistent with the Construction Plan, all areas for construction staging and offloading of building materials shall be coordinated to maximize public safety and to minimize interference with the customary use of public ways. Police Chief shall have the discretion and authority to require additional protection and/or details as needed. The Applicant shall pay to the City the cost for every police detail which is provided by the Marlborough Police Department for the project.



IN CITY COUNCIL

NOVEMBER 14, 2016

Marlborough, Mass., _____ PAGE 4

ORDERED:

3. OSHA: All Contractors shall abide by OSHA regulations as appropriate, including but not limited to OSHA – 29 CFR, Section 1926.
4. Safety Official: The Applicant / site contractor shall have on the Site at all times during construction, a qualified Construction Safety Official. Prior to the commencement of construction, Applicant shall provide to the Building Commissioner the name and contact information of said Construction Safety Official.
5. Hours of Operation: In accordance with Section 431-3B. of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with variance by the Board of Health or as emergency work.

D. Storm Water:

1. Siltation Control: The Applicant, Property Owner, and site contractor shall be responsible for notifying the Conservation Officer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.

E. Landscaping:

1. Modifications: All modifications to the approved Landscape Plans related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor change. The final landscape plan should indicate what will happen with the existing trees which were recently planted on the site. They should be saved for re-planting in the City.
2. Site Visit: Prior to the final signoff, the Landscape Architect shall provide an as-built planting plan and a letter of confirmation that the plan conforms to the approved plans. The Conservation Officer shall confirm by a site visit that the planting has been installed according to the approved Landscape Plans, or a revision, previously approved by the Conservation Officer, of the Landscape Plans.



IN CITY COUNCIL

NOVEMBER 14, 2016
Marlborough, Mass., _____ PAGE 5

ORDERED:

3. Replacement of Plantings: Following 18 months of the date of the final signoff of the site work, any plant material that has died or is dying shall be replaced by the Property Owner with a species of the same kind and size.
4. Mulch Placement: Installation of mulch at the time of planting and thereafter shall be placed so that the mulch is not in contact with the trunk of newly planted trees and shrubs as shown on the details on the Landscaping Plan.
5. Maintenance: Landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the Landscape Plans at all times. This shall be an ongoing condition.

F. Parking Garage:

1. The design of the parking garage access shall be such that entering and exiting from the garage is controlled by the Site's residents and business operators. The building design shall provide for adequate sight distances for vehicles exiting the garage to provide for pedestrian safety.
2. The parking garage is to be for the sole use of the residents of the Site, with two (2) spaces designated for employee parking for two (2) businesses located on the Site. The parking garage is not intended for public use.
3. The final design of the garage has not been completed and is therefore not included in the Site Plans reviewed. Once complete, details such as the locations of columns, dumpster(s), drains, grease trap, lighting and ventilation, final parking layout, and other items shall be reviewed and approved by the Building Commissioner and other City officials as appropriate.

G. Main Street Parking Spaces:

1. The Site Plans indicate that two (2) existing parking spaces on the north side of Main Street will be eliminated (see Section H.2 below).



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 14, 2016
PAGE 6

ORDERED:

H. Prior to Issuance of a Certificate of Occupancy:

1. Payment in Lieu of Parking: The Project contains a residential component, and therefore must either (i.) comply with parking space requirements, or (ii.) make a "payment in lieu of parking" for each space not provided, per Section 650-34.E. of the Zoning Ordinance. Required parking for the Project is as follows:

1 bedroom units:	2 @ .75 spaces per unit =	1.5 spaces
2 bedroom units:	30 @ 1.25 spaces per unit =	37.5 spaces
Total Spaces Required		= 39 spaces

Of the 27 parking spaces shown on the Site Plans, 25 spaces will be reserved for residential use (with 2 additional spaces for the use of the businesses located on site) providing a delta of 14 spaces. The Project will make a payment to the City in the amount of \$10,000 per space, for a total of \$140,000, in accordance with Section 650-34.E.(2)(b) of the Zoning Ordinance. With this payment, the Project complies with the parking requirements of the Marlborough Village District.

Of the 27 parking spaces shown on the Site Plans, the 25 spaces reserved for residential use count towards the total of 39 required parking spaces. The difference between the parking spaces provided and the parking spaces required, which is 14 spaces, will be addressed in strict accordance with Section 650-34.E.(2)(b) of the Zoning Ordinance of the City of Marlborough. Per the Ordinance, a payment-in-lieu-of-parking equal to \$140,000 (\$10,000 for each of the 14 spaces required but not provided on the Site) shall be paid to the City of Marlborough prior to the issuance of the first Certificate of Occupancy for the project. In addition, prior to the issuance of the first Certificate of Occupancy for the project, the Applicant shall pay to the City of Marlborough \$20,000 for the two (2) parking spaces (\$10,000 per space) eliminated on Main Street as part of the project (\$10,000 per space).

2. Work Within Public Way: All work within the public way layout, including but not limited to the street landscaped islands, planting, repaving, catch basin replacement, pavement milling and overlay, pavement markings, etc., as shown on the approved plans, shall be completed prior to the issuance of the first Certificate of Occupancy.



IN CITY COUNCIL

NOVEMBER 14, 2016
 Marlborough, Mass., _____ PAGE 7

ORDERED:

3. **As-Built Plan:** An as-built plan(s) must be submitted to the City Engineer for review prior to the issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy. The as-built plan(s) shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the website for the City of Marlborough.
4. **Time for Completion:** Work as provided for on the Site Plans shall be carried into effect and completed within three (3) years following the date of issuance of the Building Permit, unless the City Council has granted an extension of time for completion of the work in writing.
5. **Signage.** Pursuant to Section 650-34.I. of the Code of the City of Marlborough, the City Council hereby retains jurisdiction over all signage of the project to the extent such signage requires a sign permit under the Sign Ordinance. The final design, material, dimensions, content, and location of all such signage, including any freestanding entry signs and the project's internal signage, shall be subject to further review and sign permit approval from the City Council which must meet the requirements of Section 650-34.I. of the Code of the City of Marlborough.

I. General Provisions:

1. **Minor Changes:** The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans.
2. **Enforcement:** The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.
3. **Deliveries:** In order to mitigate the impact on traffic flow on Main Street and the impact of noise to the residents of and abutters to the Site, deliveries to the business on the Site by semi-trailers shall occur between 8:00 a.m. and 8:30 p.m. Daily deliveries to business on the Site by a small box truck, van or similar sized vehicle may occur between the hours of 7:00 a.m. and 9:00 p.m. On-site trash collection shall occur twice a week, or as required by management or the Board of Health to facilitate disposal demand, between the hours of 7:00 a.m. and 9:30 a.m. All possible measures shall be taken to avoid noise and disturbances to residents and neighboring businesses.



IN CITY COUNCIL

NOVEMBER 14, 2016
Marlborough, Mass., PAGE 8

ORDERED:

Council President Clancy asked the Councilors to stand in affirmation of the vote.
All eleven Councilors stood.

ADOPTED
In City Council
Order No. 16-1006668A

Approved by Mayor
Arthur G. Vigeant
Date: November 21, 2016

TRUE COPY
ATTEST:

John M. [Signature]
City Clerk

MARLBOROUGH ON MAIN

165-175 MAIN STREET

MARLBOROUGH, MA

SITE PLAN

MARLBOROUGH, MA ZONING CHART		
THE LAND SHOWN IS LISTED AS ASSESSOR LOTS 77-79 ON MAP 70 AND IS LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT (MVD), AND IS NOT LOCATED IN A FEMA SPECIAL FLOOD FLOOD HAZARD ACCORDING TO FEMA F.I.R.M. MAP #25017C0478F, DATED JULY 7, 2014.		
ITEM	REQUIRED	PROPOSED
LOT AREA (MIN.)	5000 SF	20,058 SF
FRONTAGE	25 FT	162.43 FT
FRONT SETBACK	0 FT	0.3 FT
SIDE SETBACK	0 FT	0 FT
REAR SETBACK	10 FT	13 FT
COVERAGE	80% MAX	73%
BUILDING HEIGHT	70 FT (MAX)	65.3 FT
DISTANCE FROM A RESIDENTIAL DISTRICT	-----	COTERMINOUS WITH ZONE 'RB'
OPEN SPACE	3200 SF	7970 SF

PARKING SCHEDULE		
ITEM	SOUGHT	PROPOSED
COMPACT PARKING (8' x 16')	33% MAX	4 (15%)
STANDARD PARKING (9' x 18')	22	21
HANDICAP PARKING	2	2
TOTAL PARKING	27	27



SHEET INDEX

	DATE	REV. DATE
EX: EXISTING CONDITIONS -----	9-7-16	10-17-16
C1: LAYOUT PLAN -----	9-7-16	11-3-16
C2: GRADING & EROSION CONTROL -----	9-7-16	11-3-16
C3: DRAINAGE & UTILITIES -----	9-7-16	11-3-16
C4: PLANTING & LIGHTING -----	9-7-16	11-3-16
C5: DETAILS -----	9-7-16	-----
C6: DETAILS -----	9-7-16	11-1-16

DEVELOPER & OWNER: MARLBOROUGH ON MAIN DEVELOPMENT, LLC
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 TEL: 617-224-2810

ARCHITECT: REEVES DESIGN ASSOCIATES, INC.
 79 HIGHLAND STREET
 MARLBOROUGH, MA 01752
 TEL: 508-460-0144

ENGINEER & SURVEYOR: BRUCE SALUK & ASSOC., INC.
 CIVIL ENGINEERING & LAND SURVEYING
 576 BOSTON POST ROAD EAST
 MARLBOROUGH, MA 01752
 TEL: 508-485-1662
 FAX: 508-481-9929

SITE PLAN APPROVAL # _____

PLANS LISTED ON THIS SHEET WITH REVISION DATES AS SHOWN	
APPROVED:	
ENGINEERING: _____	DATE: _____
BUILDING: _____	DATE: _____
CONSERVATION: _____	DATE: _____
FIRE DEPT: _____	DATE: _____
POLICE DEPT: _____	DATE: _____
BOARD OF HEALTH: _____	DATE: _____

NOTES:

1.) THE LAND SHOWN IS 20,058 SF (0.46 Ac.±) CONSISTING OF PARCELS A, B, C & D SHOWN, OWNED BY MARLBOROUGH ON MAIN DEVELOPMENT, LLC, LISTED AS ASSESSOR LOTS 77, 78 & 79 ON MAP 70, LOCATED IN THE MARLBOROUGH VILLAGE DISTRICT(MVD), AND IS NOT LOCATED IN A FEMA SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA F.I.R.M. MAP #25017C0481F, DATED JULY 7, 2014.

2.) PLAN REFERENCES:
 PLAN#1355 OF 1975 IN BK 12910 PG 555
 PLAN#358 OF 1976 IN BK 12965 PG 119
 PLAN#217 OF 1981 IN BK 14229 PG 23
 LAND COURT PLAN# 11469A BK 141 PG 497

PARCELS 'A' & 'B' SHOWN ARE LISTED AS 161-171 MAIN STREET AND THE DEED REFERENCE IS BK 67,383 PG 121.
 PARCEL 'C' SHOWN IS LISTED AS 163-165 MAIN STREET AND THE DEED REFERENCE IS BK 50,488 PG 595.
 PARCEL 'D' SHOWN IS LISTED AS 175 MAIN STREET AND THE DEED REFERENCE IS BK 1398 PG 83.

3.) THE ELEVATIONS SHOWN ARE ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (1929 NGVD).

4.) THE INSTRUMENT SURVEY SHOWN WAS PERFORMED DURING JULY 2016.

5.) THE UTILITIES SHOWN ON THIS PLAN ARE PARTLY FROM EXISTING MUNICIPAL UTILITY MARK OUTS, RECORD DRAWINGS AND ARE APPROXIMATE, ONLY. THERE MAY BE EXISTING LINES OTHER THAN THOSE SHOWN HEREON. THE CONTRACTOR IS REQUIRED TO CONTACT THE PROPER UTILITY COMPANIES & DIG SAFE PRIOR TO BEGINNING WORK. OUR FIRM DOES NOT WARRANT OR GUARANTEE THE LOCATION OF ANY UTILITY, PIPING AND SERVICES.

6.) THE SURVEY SHOWN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE AND IS SUBJECT TO CHANGE THAT SAID TITLE MAY DISCLOSE.

7.) THE DEED FOR PARCEL "C" DOES NOT EXCEPT FROM THE LOCUS PREMISES A 98 SF PARCEL SHOWN AS LOT A-1 RECORDED ON PLAN 217 OF 1981.

8.) BENCHMARKS:
 BM#1 = CHISELED SQUARE IN LIGHTPOLE BASE. ELEV=380.77
 BM#2 = CHISELED SQUARE NW COR. OF GRANITE BLOCK BESIDE CITY HALL FRONT STEPS. ELEV=386.91

NO.	DATE	REV. COMMENTS	BY	CHK.

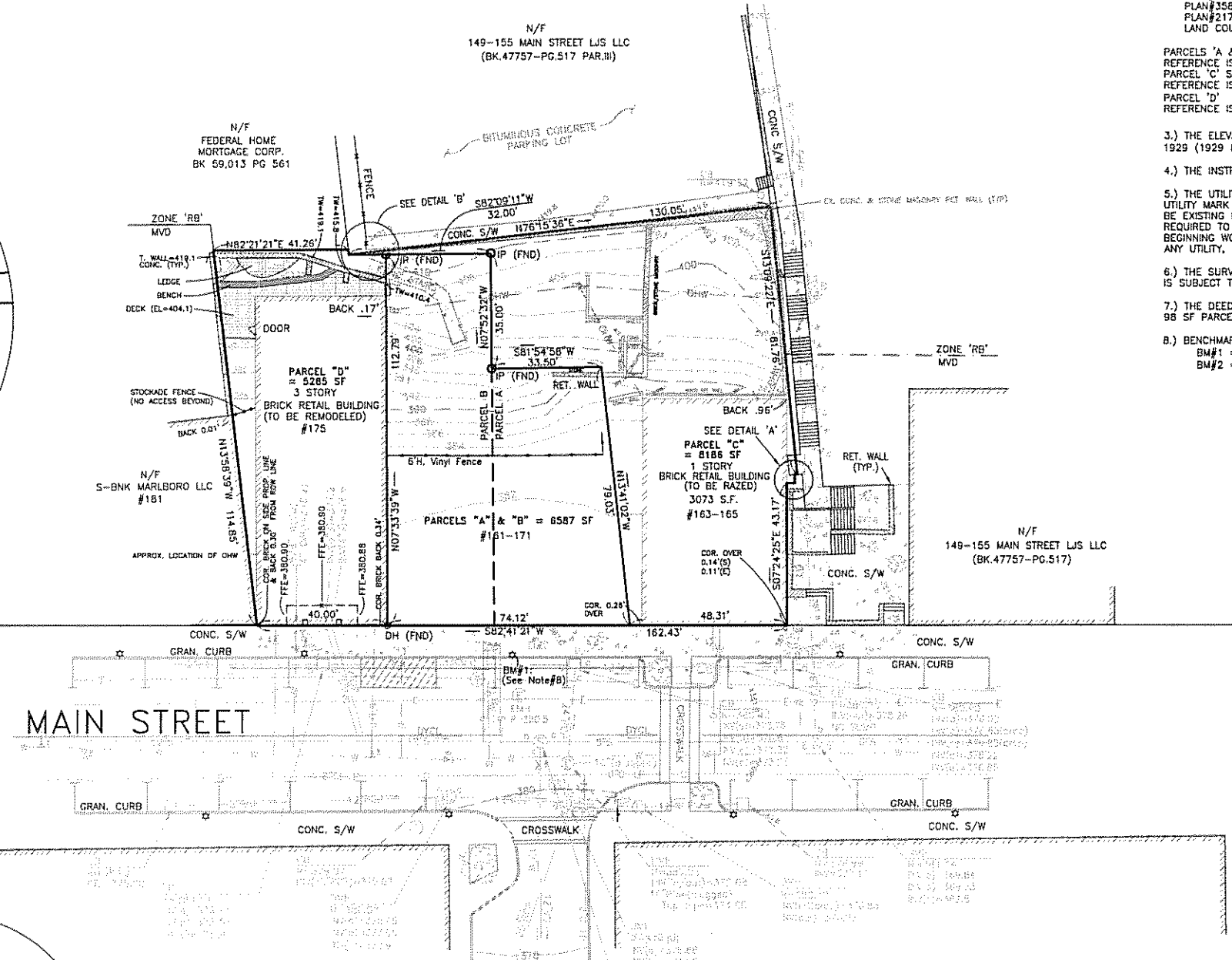
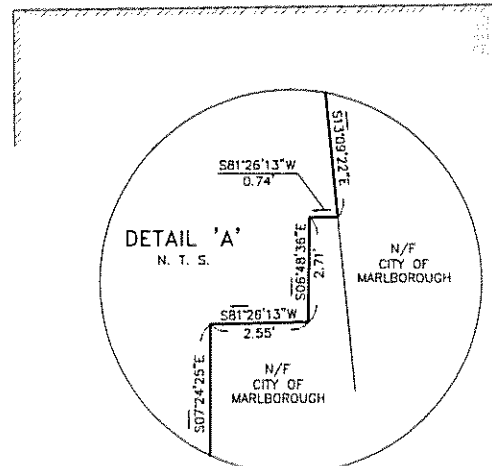
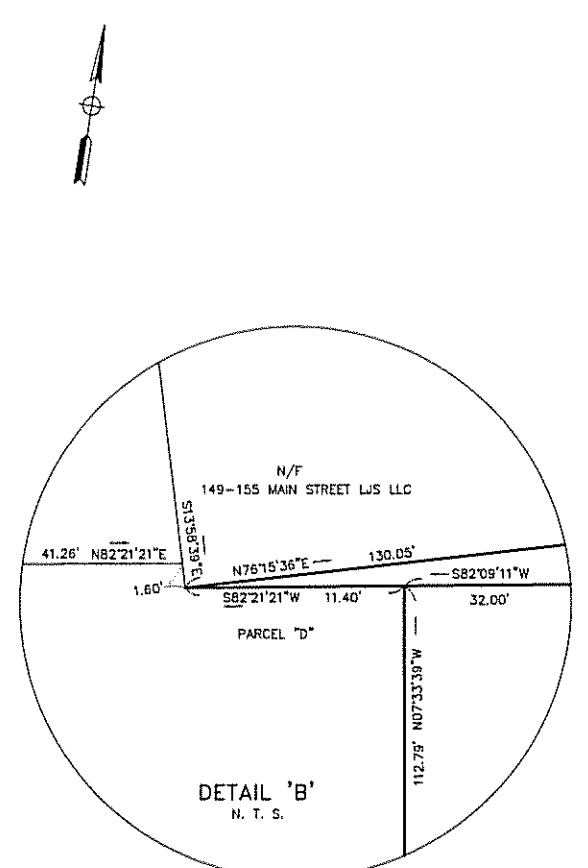
PREPARED BY:
 BRUCE SALLIK & ASSOC., INC.
 CIVIL ENGINEERING & LAND SURVEYING
 576 BOSTON POST ROAD EAST
 MARLBOROUGH, MA 01752
 TEL: 508-485-1662
 FAX: 508-481-9929

EXISTING CONDITIONS PLAN
 MARLBOROUGH ON MAIN
 - 165-175 MAIN STREET -
 MARLBOROUGH, MA

PROJECT MANAGEMENT:
 WELLBUILT COMPANY
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 DATE: SEPTEMBER 7, 2016

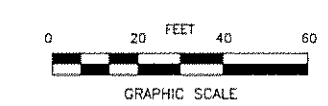
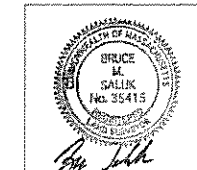
OWNER & APPLICANT:
 MARLBOROUGH ON MAIN
 DEVELOPMENT, LLC.
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 TEL: 617-224-2810

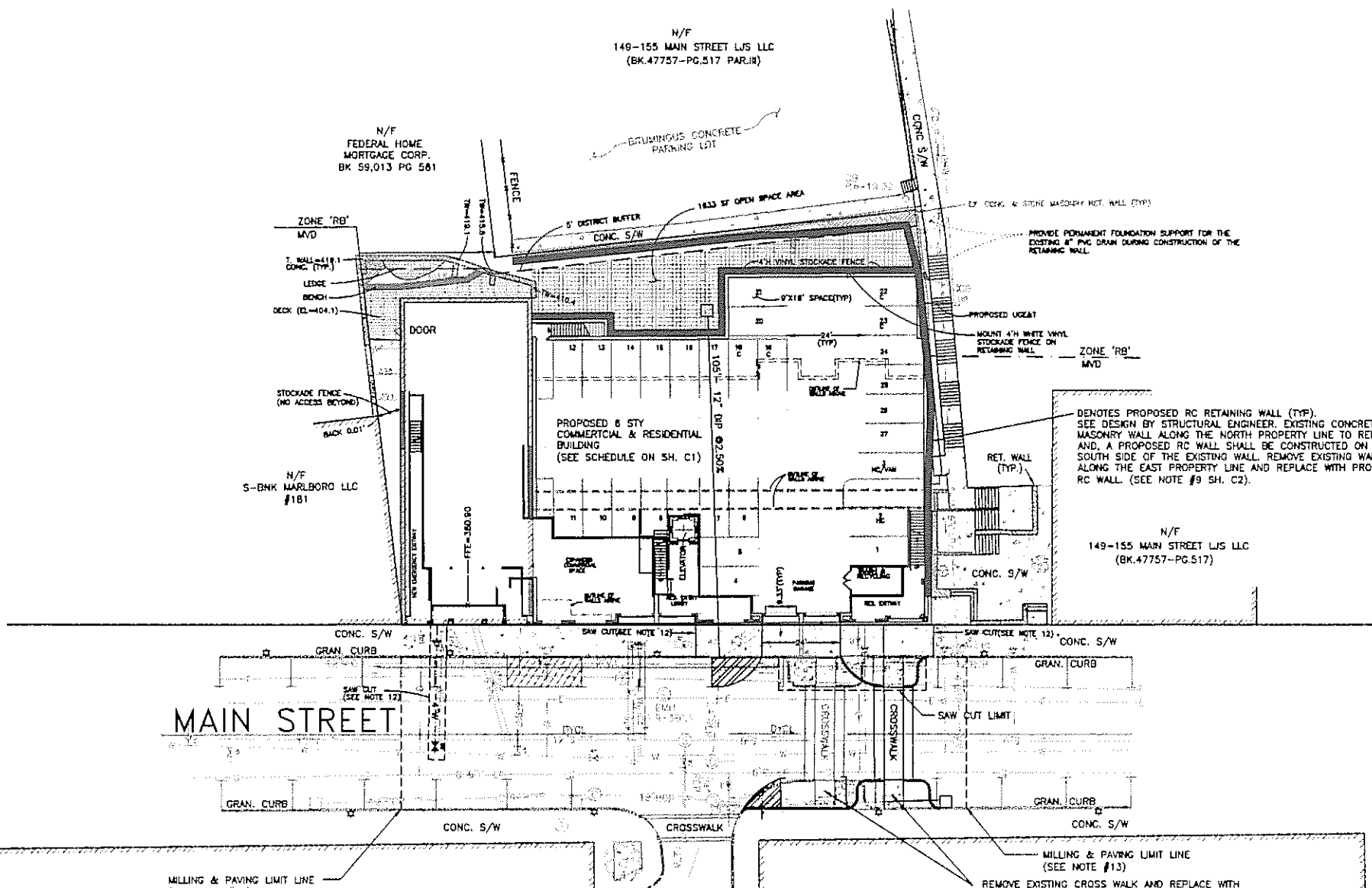
EX



LEGEND

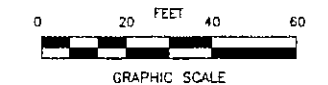
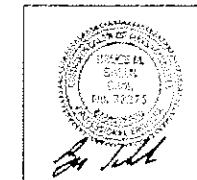
	Exist. 2' Contour
	Exist. 10' Contour
	Existing Sewer Line
	Existing Water Main
	Existing CB & Drain Manhole
	Existing Sewer Manhole
	Existing Gas Line
	Overhead Wires
	Existing Granite Curb
	GAS VALVE
	WATER VALVE
	WATER STOP
	LIGHT POLE





LEGEND	
	Exist. 2' Contour
	Exist. 10' Contour
	Existing Sewer Line
	Existing Water Main
	Existing CB & Drain Manhole
	Existing Sewer Manhole
	Existing Gas Line
	Overhead Wires
	Existing Granite Curb
	GAS VALVE
	WATER VALVE
	WATER STOP
	LIGHT POLE
	8" DRAIN PIPE

- NOTES:**
- THE BUILDING USE AND AREA SCHEDULE IS AS FOLLOWS:
 - MAIN FLOOR (ELEV=380.90)
 - COMM./RESTAURANT SPACE (EX. BUILDING) = 3284 SF
 - NEW EXTERIOR SEATING AREA (RESTAURANT) = 295 SF
 - NEW COMMERCIAL SPACE = 1,020 SF
 - RESIDENTIAL LOBBIES = 1,157 SF
 - GROSS PARKING AREA = 9,943 SF
 - TOTAL FLOOR AREA FOOTPRINT(GROSS) = 15,817 SF
 - 2ND FLOOR (ELEV=392.40) (GROSS)= 13,139 SF
 - 3RD FLOOR (ELEV=403.90) (GROSS)= 12,588 SF
 - 4TH FLOOR (ELEV=414.96) (GROSS)= 12,588 SF
 - 5TH FLOOR (ELEV=426.02)
 - GROSS ENCLOSED AREA= 10,304 SF
 - ROOF TOP PUBLIC AREA= 845 SF
 - 6TH FLOOR (ELEV=437.06)
 - GROSS ENCLOSED AREA = 4,425 SF
 - ROOF TOP PUBLIC AREA = 3,568 SF
 - LOT COVERAGE:
 - TOTAL LOT AREA = 20,058 SF
 - PROPOSED COVERAGE AREA = 14,726 SF
 - TOTAL % COVERAGE = 73%
 - ANY MINOR MODIFICATIONS, AS DETERMINED BY THE CITY ENGINEER, TO THE INFORMATION SHOWN ON THE APPROVED SITE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER AS A MINOR PLAN REVISION FOR APPROVAL PRIOR TO THE WORK BEING PERFORMED. THE CONTRACTOR SHALL BE PROPERLY LICENSED AND BONDED WITHIN THE CITY PRIOR TO CONSTRUCTION, AND SHALL OBTAIN A STREET OPENING PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE CITY RIGHT OF WAY.
 - ALL HANDICAP PARKING, RAMPS AND ACCESS SHALL CONFORM TO A&B REQUIREMENTS. REFER TO 521 CMR.
 - ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO MUTCD REQUIREMENTS.
 - ALL PROPOSED SIGNAGE SHALL COMPLY WITH THE EXISTING CITY OF MARLBOROUGH SIGN ORDINANCE.
 - CURBING TYPE & ENTRANCES SHOWN ARE SUBJECT TO APPROVALS BY THE CITY OF MARLBOROUGH PER THE ROAD OPENING PERMIT REQUIREMENTS.
 - ALL MATERIALS/CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH THE CODE OF THE CITY OF MARLBOROUGH. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO CONSTRUCTION. EROSION CONTROL SHALL CONFORM TO THE CITY CONSERVATION COMMISSION REQUIREMENTS (SEE SHEET C2 FOR ADDITIONAL REQUIREMENTS).
 - CITY INSPECTORS REQUIRE A MINIMUM NOTICE OF 24 HOURS PRIOR TO INSPECTION.
 - REFER TO THE GRADING PLAN NOTES CONCERNING EROSION CONTROL.
 - REFER TO THE ARCHITECTS PLAN FOR BUILDING AREA & SCENE LIGHTING AND SIGNAGE.
 - SIDEWALK SAW CUTS SHALL BE AT THE NEAREST PANEL JOINT ON THE EXTERIOR SIDE OF THE SAW CUTS SHOWN. THE SIDEWALK ALONG THE FRONTAGE OF THE PROPERTY SHALL BE REPLACED WHERE EXCAVATION FOR THE BUILDING FOUNDATION DISTURBS OR COMPROMISES THE INTEGRITY OF THE EXISTING SIDEWALK, EXCEPT WHERE ADJACENT TO CROSSWALK BUMP OUTS AND THE DRIVEWAY, THE SIDEWALK SHALL BE FRAMED & POURED THE FULL WIDTH OF THE SIDEWALK AND FORMED TO LEAVE A SPACE FOR THE BRICK TO SIT ON TOP OF (BONDED TO THE CONCRETE) THE CONCRETE SIDEWALK AND SHALL BE FLUSH WITH THE NEW SIDEWALK.
 - THE SECTION OF MAIN STREET ALONG THE PROJECT FRONTAGE SHALL BE MILLED & REPAVED, FROM CURB TO CURB TO ENCOMPASS ALL TRENCHES AND SIDEWALK/CURB RECONSTRUCTION. THIS WILL FACILITATE REMOVAL OF THE OLD BRICK STAMPED AND PAINTED CROSSWALK AND THE CONSTRUCTION OF THE NEW STAMPED BRICK PATTERN CROSSWALK IN THE NEW PAVEMENT. SEE THE CROSSWALK DETAIL ON SHEET C6.
 - A PRE-CONSTRUCTION MEETING IS REQUIRED BETWEEN THE DEVELOPER, CONTRACTOR, POLICE AND FIRE DEPARTMENTS. A TRAFFIC MANAGEMENT PLAN SHALL BE SUBMITTED TO THE CITY OFFICIALS 5 DAYS PRIOR TO THE MEETING.



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/18/16
2	REVISED PARKING SPACE & USE	08/18/16
3	REVISED PARKING SPACE & USE	08/18/16
4	REVISED PARKING SPACE & USE	08/18/16
5	REVISED PARKING SPACE & USE	08/18/16
6	REVISED PARKING SPACE & USE	08/18/16
7	REVISED PARKING SPACE & USE	08/18/16
8	REVISED PARKING SPACE & USE	08/18/16
9	REVISED PARKING SPACE & USE	08/18/16
10	REVISED PARKING SPACE & USE	08/18/16

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 FAX: 508-481-9929

LAYOUT PLAN
MARLBOROUGH ON MAIN
 - 165-175 MAIN STREET -
 MARLBOROUGH, MA

PROJECT MANAGEMENT:
WELLBUILT COMPANY
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 DATE: SEPTEMBER 7, 2016

OWNER & APPLICANT:
MARLBOROUGH ON MAIN DEVELOPMENT, LLC.
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 TEL: 617-224-2810

C1

GRADING & EROSION CONTROL NOTES:

- 1.) The elevations shown are based on Mean Sea Level datum (1929 N.V.D.)
 - 2.) All work, material storage & stockpile areas shall include erosion control barriers consisting of staked haybales, wattles and siltation fence to prevent erosion onto the public way and abutting properties.
 - 3.) Prior to commencing work, the contractor shall familiarize himself with the soil types on the site, and provide the appropriate erosion control measures, as outlined on this plan and required by the Marlborough Conservation Commission agent. The contractor shall be responsible for providing erosion and temporary storm runoff control measures that include siltation fence, wattles, dams, ditches, temporary sediment basins, etc. as necessary to contain soil and excess runoff on the site.
- The general sequence of erosion control measures shall be as follows:
- a) Install all siltation fencing and staked wattles, as shown on the plan.
 - b) Construct a sedimentation trap down gradient of the excavation areas during the construction earthwork stage. Construct other temporary sedimentation trap(s) where required at the beginning stage of earthwork. Retain storm water within the trap(s), and filter the water using silt bags or other approved means prior to discharge. Periodically remove sediment at bottom of the silt traps to allow for natural infiltration.
 - c) Construct the anti-tracking berm at the site entrance consisting of a 3/4"-3" crushed stone 12" depth by 30' long times the width of the traveled construction access. The stone shall project above grade to form a berm barrier that prevents sediment from washing into abutting properties and the public road.
- 4.) Siltation fencing and staked wattles shall be installed prior to commencing work of this site, and shall be maintained throughout the course of construction until the binder is down and vegetation on the site has had a chance to fully establish itself.
 - 5.) Pavement and soil removal shall be done in stages to minimize the amount of exposed soil for the project. Soil stabilization measures shall be implemented immediately after finish grading. Loam and seed shall be applied as soon as reasonably possible.
 - 6.) Asphalt and other deleterious material that is removed shall be stockpiled, transported, disposed of or reprocessed in accordance with state and federal regulations.
 - 7.) Siltation fence shall be located where shown. Acceptable products for siltation fence is Mirafi, Inc., Charlotte, NC, Model 100s, or equal.
 - 8.) Provide excavation & trench wall protection in accordance with OSHA Standards, as specified by the geotechnical engineer.
 - 9.) The contractor shall follow the stabilization management practices and sequence proposed by the structural and geotechnical engineers. Said management plan includes protection and stabilization of the soils, walls and improvements on the abutting properties.

DATE	10/17/16	SCALE	AS SHOWN
PROJECT	GRADING PLAN	DATE	10/17/16
OWNER	BRUCE SALUK & ASSOC., INC.	SCALE	AS SHOWN
PROJECT	576 BOSTON POST ROAD EAST	DATE	10/17/16
OWNER	MARLBOROUGH, MA 01752	SCALE	AS SHOWN
PROJECT	165-175 MAIN STREET	DATE	10/17/16
OWNER	MARLBOROUGH, MA	SCALE	AS SHOWN
PROJECT	TEL: 508-485-1662	DATE	10/17/16
OWNER	FAX: 508-481-8929	SCALE	AS SHOWN

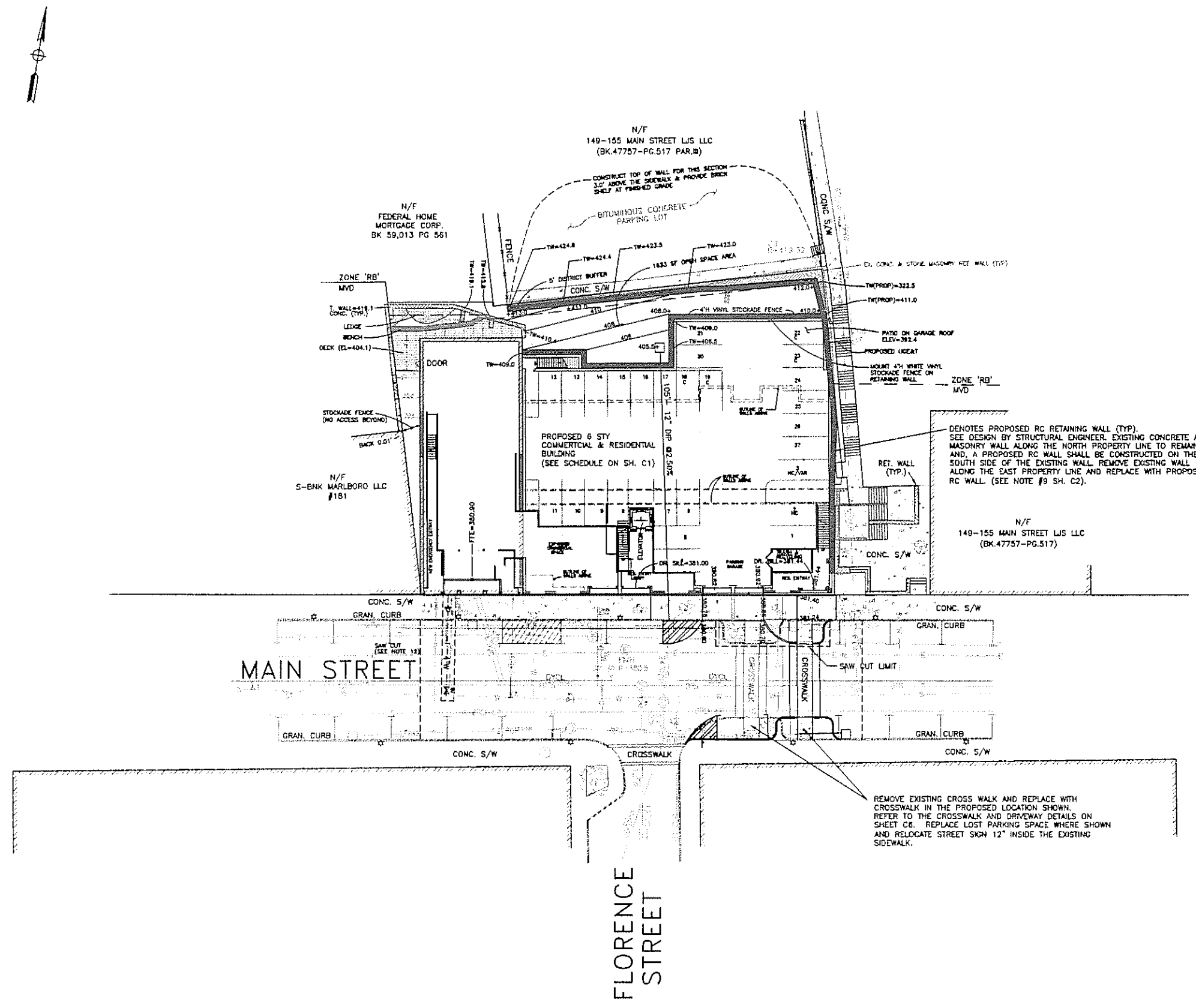
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GRADING PLAN
MARLBOROUGH ON MAIN
 - 165-175 MAIN STREET -
 MARLBOROUGH, MA

PROJECT MANAGEMENT:
WELLBUILT COMPANY
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 DATE: SEPTEMBER 7, 2016

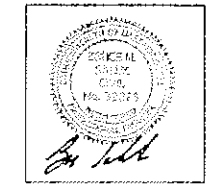
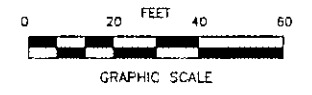
OWNER & APPLICANT:
MARLBOROUGH ON MAIN DEVELOPMENT, LLC.
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 TEL: 617-224-2810

C2



LEGEND

	Exist. 2' Contour
	Exist. 10' Contour
	Existing Sewer Line
	Existing Water Main
	Existing CB & Drain Manhole
	Existing Sewer Manhole
	Existing Gas Line
	Overhead Wires
	Existing Granite Curb
	GAS VALVE
	WATER VALVE
	WATER STOP
	LIGHT POLE
	8" DRAIN PIPE



WATER, SEWER & DRAINAGE NOTES:

- Materials and construction and associated work shall conform to Mass. DPW Standard Specifications. Refer to the document entitled Standard Specifications for Highways and Bridges, 1988 as amended.
- Manholes & Catch Basins shall be reinforced precast concrete conforming to ASTM Specification Section C478-70T.
- Manhole frames & covers shall be East Jordan Iron Works. See detail sheet for Product numbers.
- Provide pipe joint a maximum of 3' from manhole walls.
- Reinforcing for all precast units shall conform to ASTM Specification Section A 185 and shall include reinforcing in bell spigot of riser sections. Reinforcing shall be placed in accordance with AASHTO Designation N199.
- In the event that rock is encountered, the contractor shall maintain a 12-inch minimum separation between the pipe and the rock.
- Suitable backfill material shall be select excavated material from which frozen material, humus, peat, roots, vegetation, trash, rocks, and stones larger than 6-inches have been removed.
- Compaction of backfill material between centerline of pipe and trench pavement shall be done in 12-inch layers, or less, as required to prevent trench settlement. The contractor will be responsible for excessive trench settlement following final paving.
- Utilities shown on this plan are partly from existing available City and utility Co. records information and are approximate, only. There may be existing lines other than those shown hereon. The contractor shall be required to contact the proper utility companies & Digsafe prior to beginning any construction on the site. Our firm does not warrant or guarantee the location of any utilities hereon.
- Unless otherwise noted on the drawings, drain lines greater than 12 inches in diameter shall be reinforced concrete conforming to ASTM C-76 Class 4, Wall B circular reinforcement. Where specified, 12-inch through 48-inch diameter Class 5 drain lines shall be Wall B.
- Roof Drain shall be connected to the proposed 12" DIP drain pipe and/or as specified in the building plumbing design drawings.
- The elevations shown are based on Mean Sea Level datum (1929 N.V.D.)
- Refer to additional Water, Sewer & Drainage notes on the Detail Sheets.
- The contractor shall obtain a Street Opening Permit prior to any construction within the City right-of-way.
- All water and sewer material and construction shall conform to the City of Marlborough requirements (see Street Opening Permit).
- All water and sewer construction shall be inspected by the City of Marlborough before being backfilled.
- The City shall be notified at least 24 hours prior to the required inspections.
- Where sewer and water lines cross, install the sewer below the water service and provide 18" minimum separation between the pipe outside diameters. Provide 1 full length of sewer pipe centered at the crossing. The full length of sewer pipe shall be SDR-26, Specification ASTM D2241 with a 160 PSI rating. Connect the SDR 35 & SDR 26 pipes using pressure rated adaptors by Fernco, or approved equal.
- The contractor shall be properly licensed and bonded with the City prior to construction.
- The contractor shall obtain a Trenching Permit prior to any trenching on public or private property.
- The proposed 4" domestic water service shown is for the entire building (commercial & residential). The existing 6" DIP Fire line shall also service the entire building. Any existing water services which will be discontinued for the building that burned down or for #163-165, shall be shut off at the main and the pipe removed from that point.
- Line easements, if required, for the UCE&T service from the existing U.P. to the proposed building shall be provided by the facility owners.

NO.	DATE	DESCRIPTION
1	11/20/16	REVISIONS
2	12/14/16	REVISIONS
3	1/17/17	REVISIONS
4	2/15/17	REVISIONS
5	3/1/17	REVISIONS
6	3/1/17	REVISIONS
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50	3/1/17	REVISIONS

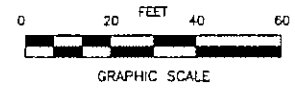
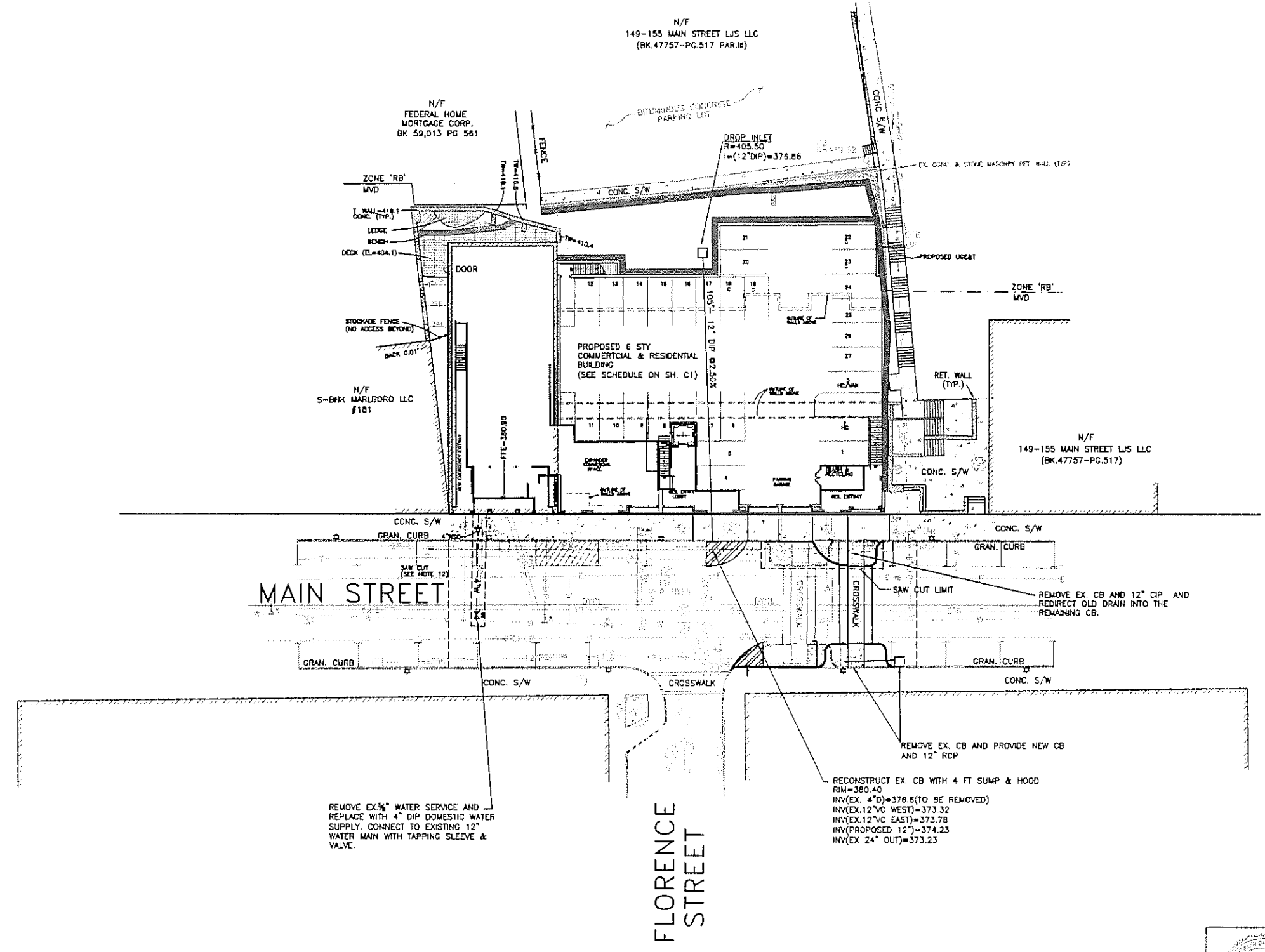
PREPARED BY:
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 FAX: 508-481-9929

DRAINAGE & UTILITIES PLAN
MARLBOROUGH ON MAIN
 - 165-175 MAIN STREET -
 MARLBOROUGH, MA

PROJECT MANAGEMENT:
WELLBUILT COMPANY
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 DATE: SEPTEMBER 7, 2016

OWNER & APPLICANT:
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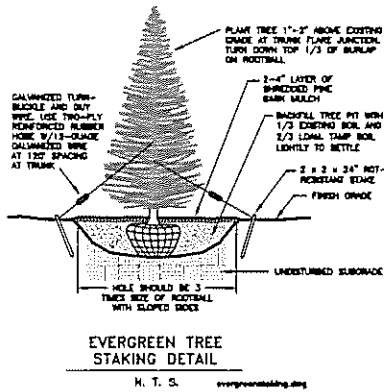
C3



PLANTING LEGEND				
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
TO	23	THUJA OCCIDENTALIS	AMERICAN ARBORVITAE	3" CALIPER
AR	1	ACER RUBRUM	ARMSTRONG MAPLE	3" CALIPER
PP	4	PICEA PUNGENS	COLORADO SPRUCE	3" CALIPER
PA	4	PICEA ABIES	NORWAY SPRUCE	3" CALIPER

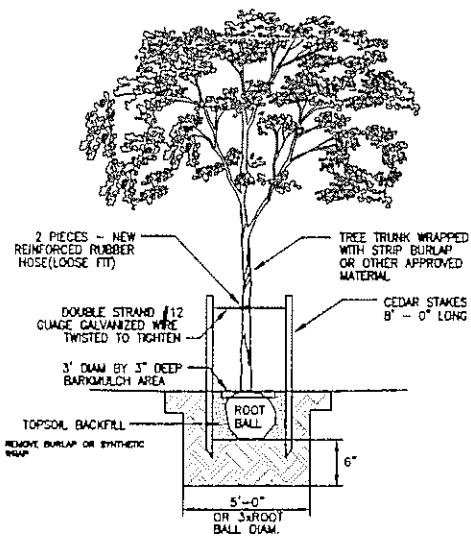
PLANTING NOTES:

- 1.) FOR LOAM & SEED AREAS, PROVIDE 4" LOAM AND SEED MIX COMPLYING WITH TOLERANCE FOR PURITY AND GERMINATION ESTABLISHED BY OFFICIAL SEED ANALYSTS OF NORTH AMERICA.
- 2.) PROVIDE PLANTS OF SIZE, GENUS, SPECIES AND VARIETY SHOWN AND SCHEDULED FOR LANDSCAPE WORK AND COMPLYING WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 "AMERICAN STANDARD FOR NURSERY STOCK".
- 3.) FINAL PLANT LOCATIONS TO BE ADJUSTED IN FIELD AS NECESSARY TO PROVIDE REQUIRED OFFSETS TO CONSTRUCTION APPURTENANCES AND UTILITIES, ETC.
- 4.) PLANTINGS ARE SUBJECT TO CHANGE DUE TO NURSERY STOCK AVAILABILITY, AS APPROVED.
- 5.) PLANTING AND WORKMANSHIP SHALL COMPLY WITH THE FOLLOWING:
 -STAKING MATERIALS TO BE REMOVED 1 YEAR AFTER PLANTING.
 -OWNER REPLACES PLANTS THAT DIE WITHIN 180 DAYS.



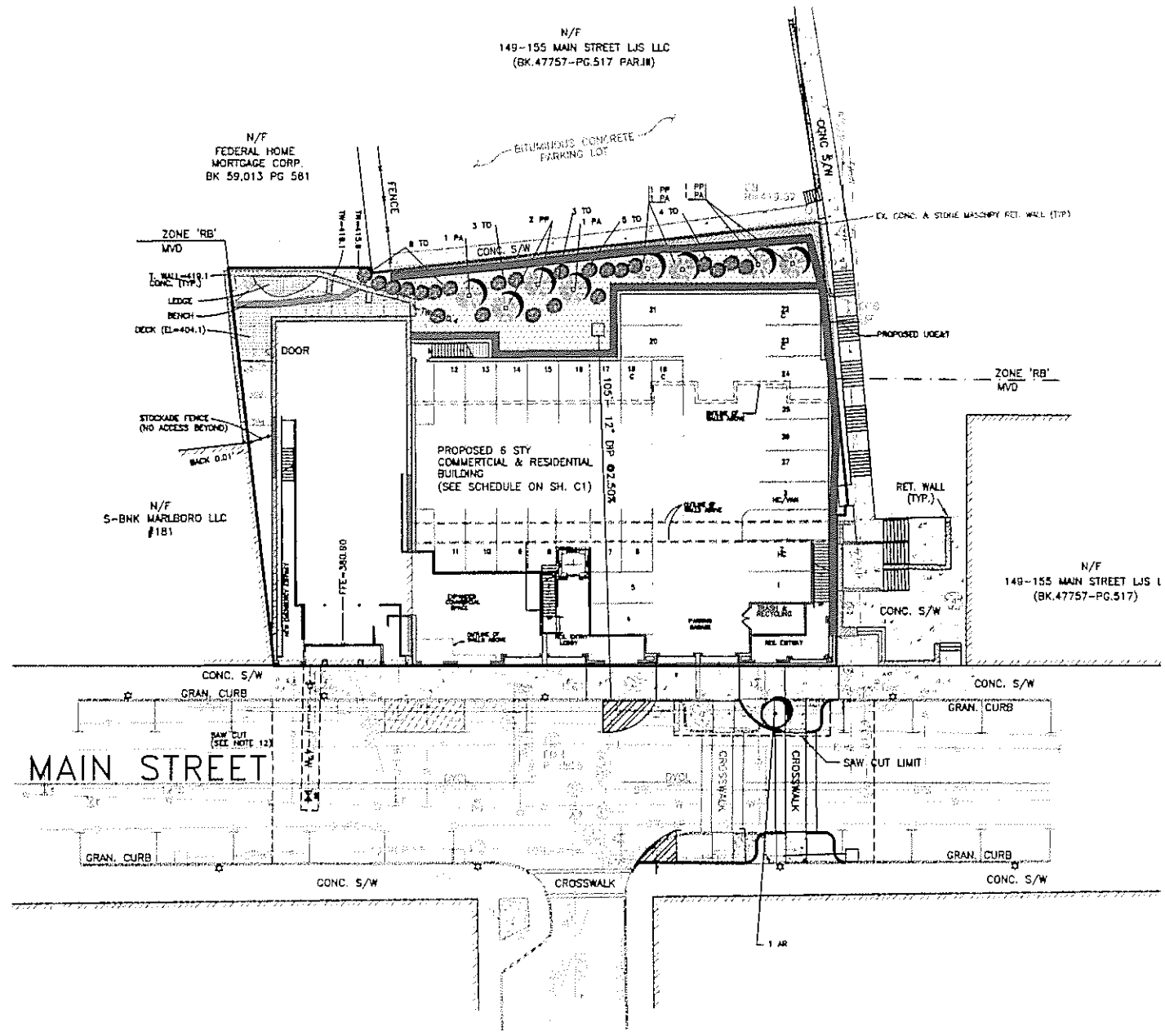
EVERGREEN TREE STAKING DETAIL

H. T. S. www.hts.com



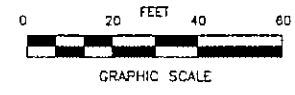
TREE STAKING DETAIL

H. T. S. www.hts.com



FLORENCE STREET

LEGEND	
	Exist. 2' Contour
	Exist. 10' Contour
	Existing Sewer Line
	Existing Water Main
	Existing CB & Drain Manhole
	Existing Sewer Manhole
	Existing Gas Line
	Overhead Wires
	Existing Concrete Curb
	GAS VALVE
	WATER VALVE
	WATER STOP
	LIGHT POLE
	LOAM & SEED
	BARK MULCH



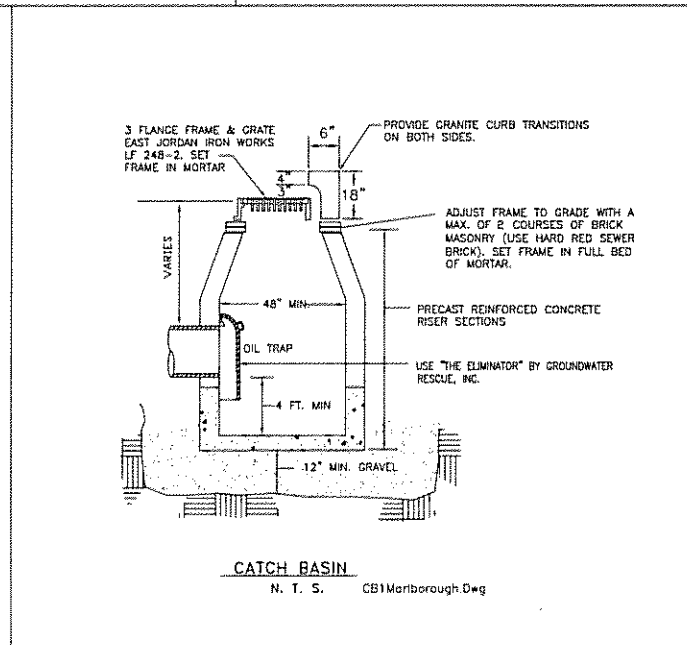
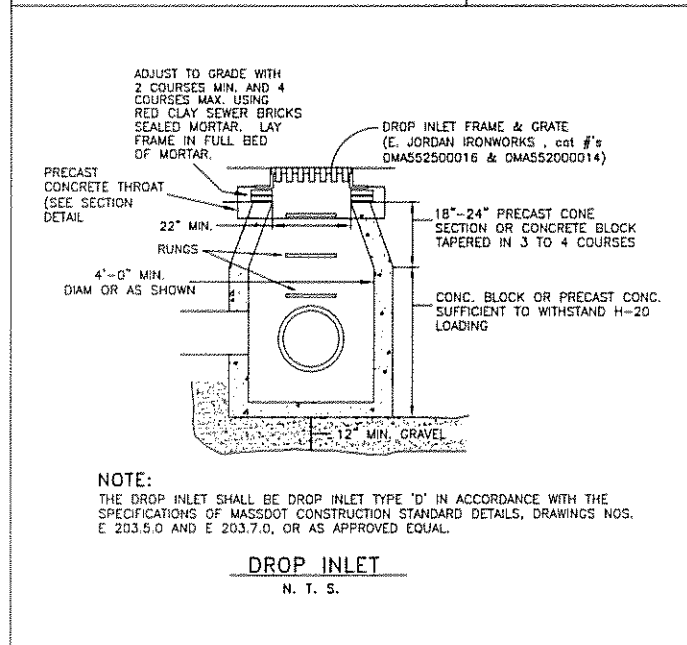
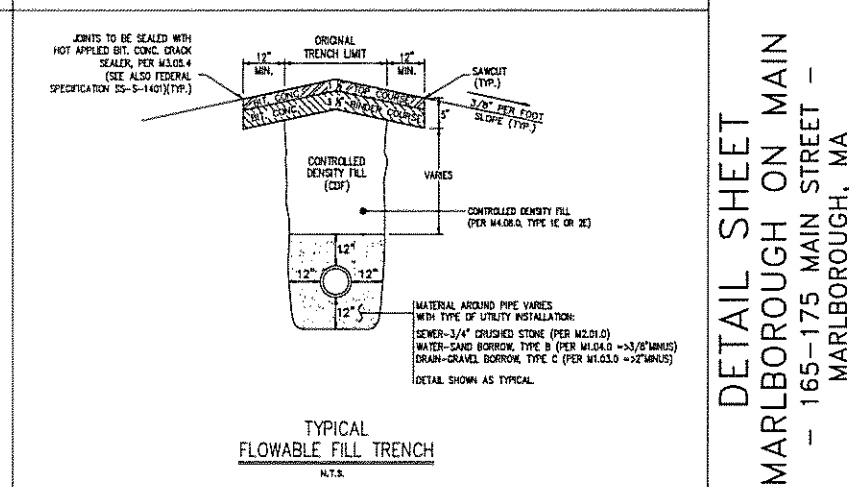
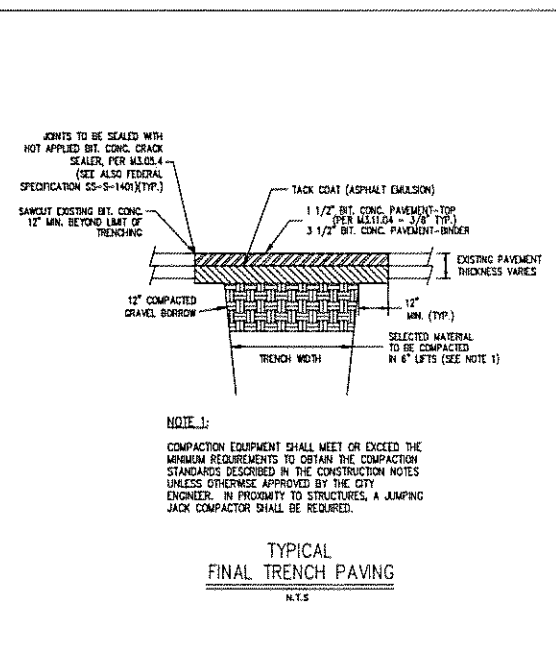
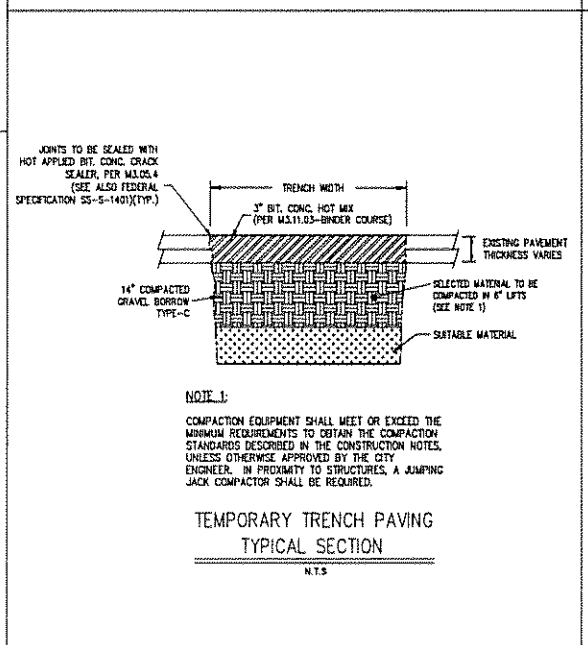
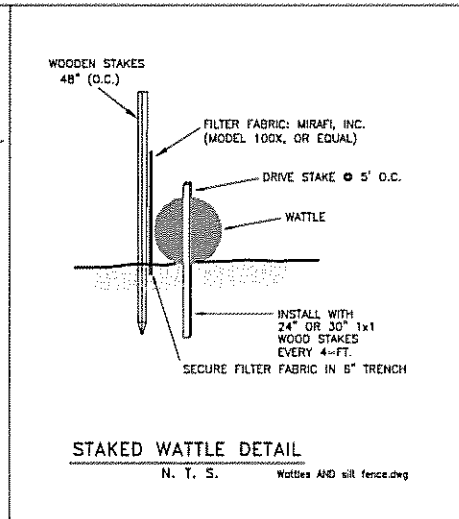
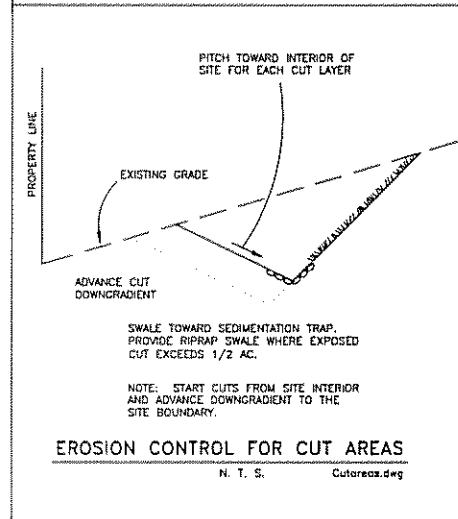
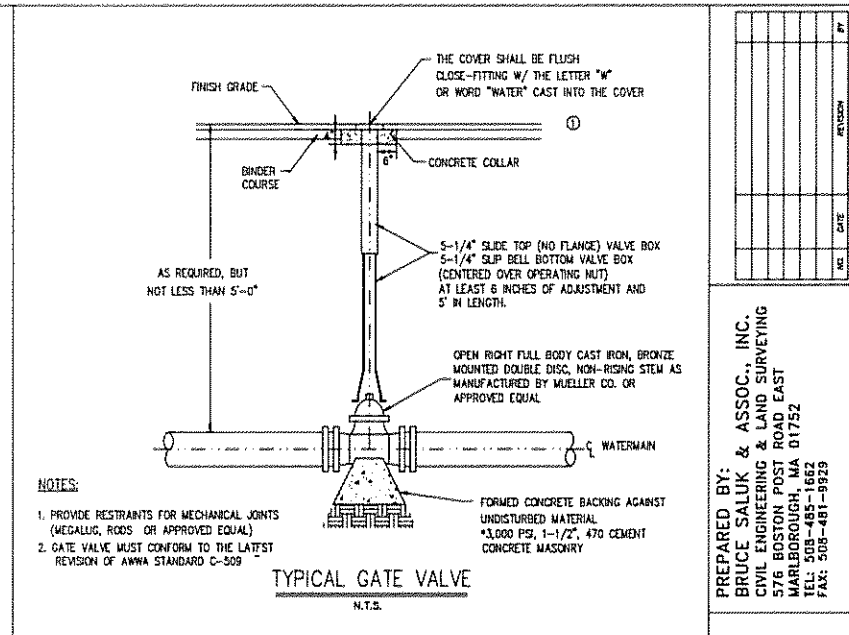
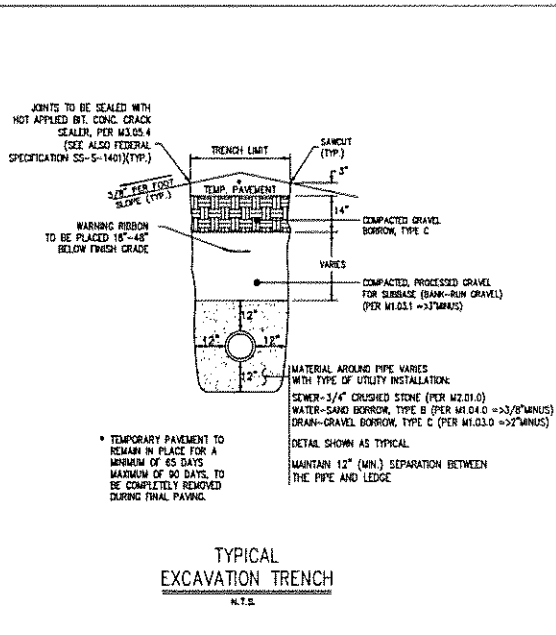
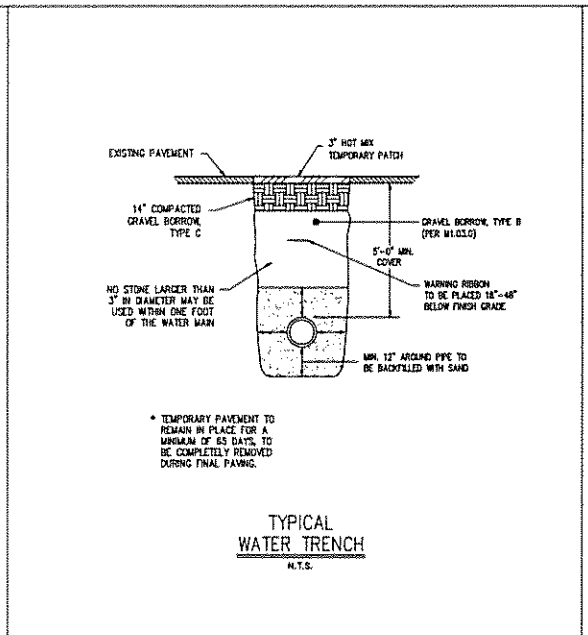
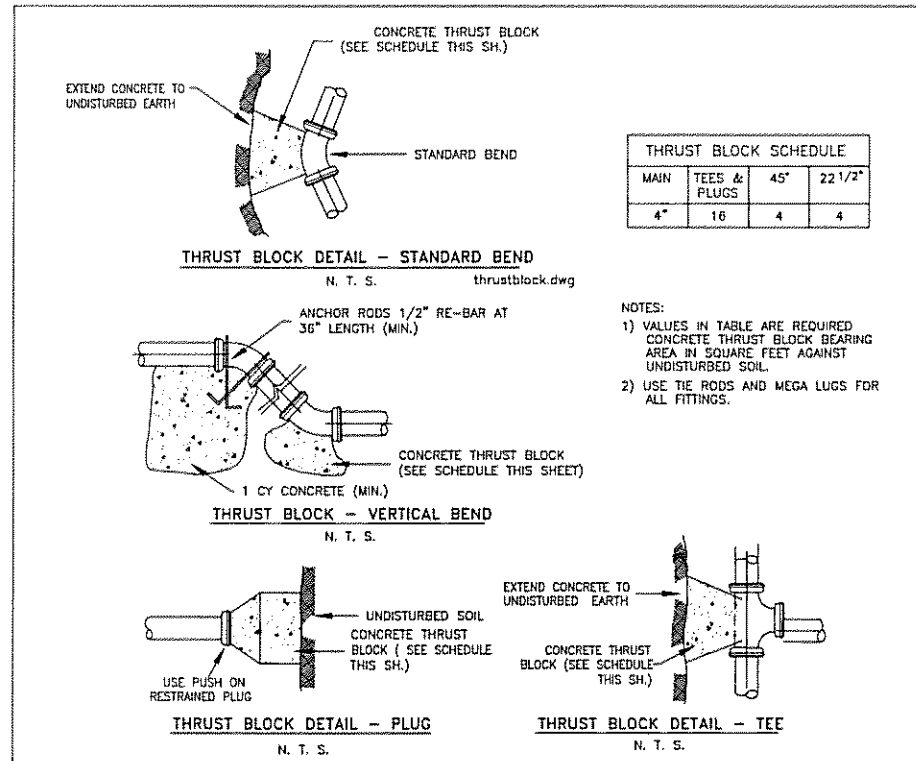
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**PLANTING PLAN
 MARLBOROUGH ON MAIN
 - 165-175 MAIN STREET -
 MARLBOROUGH, MA**

PROJECT MANAGEMENT:
WELLBUILT COMPANY
 57 MISHAWUM ROAD
 WOBURN, MA 01801
 DATE: SEPTEMBER 7, 2016

OWNER & APPLICANT:
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 DEVELOPMENT, LLC.**
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C4



CONSTRUCTION NOTES

THE FOLLOWING DESCRIBES MATERIALS AND METHODS AS THEY PERTAIN TO ROAD OPENING WORK. ALL WORK SHALL CONFORM TO THE 1988 STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, AND ALL SUBSEQUENT SUPPLEMENTAL SPECIFICATIONS THERETO.

BACKFILL MATERIALS

EXCAVATIONS IN THE STREET PAVEMENT AREAS SHALL BE CAREFULLY BACKFILLED WITH LAYERS OF SUITABLE GRAVEL. THE TWELVE (12) INCHES OF BEDDING MATERIAL AROUND PIPES SHALL BE SAND (M1.03.0) FOR WATER, 2" CRUSHED STONE (M2.01.0) FOR SEWER, GRAVEL BORROW - TYPE C (M1.03.0) FOR DRAIN OR AS SPECIFIED BY THE OWNER OF THE UTILITY AND APPROVED BY THE CITY OF MARLBOROUGH. BACKFILL MATERIAL SHALL CONSIST OF CONTROLLED DENSITY FILL (CDF) - TYPE 1E OR 2E (M4.08.0) FOR ALL MAJOR ROADWAYS OF THE CITY OR AS DIRECTED BY THE COMMISSIONER OF PUBLIC WORKS.

SUITABLE GRAVEL MATERIAL FOR BACKFILLING SHALL BE GRANULAR FILL CONSISTING OF SOIL SUBSTANTIALLY FREE FROM CLAY, ORGANIC MATERIALS, LOAM, WOOD, TRASH OR OTHER OBJECTIONABLE MATERIAL WHICH MAY COMPRESSIBLE OR WHICH CANNOT BE PROPERLY COMPACTED. IT SHALL NOT CONTAIN STONES, BROKEN CONCRETE, MASONRY RUBBLE OR OTHER SIMILAR MATERIALS. IT SHALL HAVE PHYSICAL PROPERTIES SUCH THAT IT CAN BE READILY SPREAD AND COMPACTED. IT SHALL NOT CONTAIN ANY SNOW, ICE OR FROZEN SOIL.

COMPACTION OF BACKFILL

BACKFILL SHALL BE UNIFORMLY DISTRIBUTED IN SUCCESSIVE LAYERS, EACH LAYER BEING THOROUGHLY COMPACTED BEFORE THE SUCCEEDING LAYER IS PLACED. THE ENTIRE WIDTH OF THE TRENCH SHALL BE MECHANICALLY OR HAND TAMPED IN SIX (6) INCH LIFTS, A MINIMUM OF TWO (2) FEET ABOVE THE UTILITY INSTALLATION, AND MECHANICALLY TAMPED THE REMAINDER OF THE FILL IN LIFT DEPTHS NOT GREATER THAN SIX (6) INCHES. THE TOP LAYER OF BACKFILL SHALL BE FOUR (4) INCHES (IN A TEMPORARY TRENCH), AND TWELVE (12) INCHES (IN A PERMANENT TRENCH) OF GRAVEL COMPACTED TO 97% OF MAXIMUM DENSITY.

GRADING ROLLING AND FINISHING

PAVEMENT PLACED SHALL BE PLACED AND RAKED TO A UNIFORM SURFACE, ROLLED TO THE REQUIRED THICKNESS AND TO A GRADE THAT WILL MATCH THE EXISTING BITUMINOUS ROAD SURFACE. THE PERMUTEE SHALL MAINTAIN THE SURFACING AND SHALL PROMPTLY FILL WITH SIMILAR MATERIAL ANY DEPRESSION AND HOLES THAT MAY OCCUR SO AS TO KEEP THE SURFACING IN A SAFE AND SATISFACTORY CONDITION FOR TRAFFIC.

TEMPORARY PAVEMENT

A TEMPORARY PAVEMENT SHALL BE PLACED ON THE SURFACE OF THE FILL AND THOROUGHLY COMPACTED. A TEMPORARY PAVEMENT SHALL BE CLASS 1 BITUMINOUS CONCRETE TYPE 1-1 THREE (3) INCHES THICK (SEE EXCAVATION TRENCH DETAIL). "COLD PATCH" MAY BE ALLOWED IF APPROVED BY THE COMMISSIONER OF PUBLIC WORKS DUE TO ADVERSE WEATHER CONDITIONS. IF PLATES ARE USED THEY SHALL BE RAMPED TO MATCH THE EXISTING PAVEMENT. TEMPORARY PAVING OR STEEL PLATING SHALL IMMEDIATELY FOLLOW THE BACKFILLING OPERATION.

PERMANENT PAVING

THE FINAL BITUMINOUS CONCRETE SURFACE SHALL NOT BE PLACED ANY EARLIER THAN 65 DAYS OR NO LATER THAN 90 DAYS FROM THE DATE OF COMPLETION OF THE TEMPORARY SURFACE WITHOUT APPROVAL FROM THE COMMISSIONER OF PUBLIC WORKS. THE TEMPORARY PAVEMENT AND SUB-BASE SHALL BE EXCAVATED TO THE GRADE REQUIRED BY THE PERMIT PRIOR TO PLACEMENT OF THE FINAL BITUMINOUS CONCRETE SURFACE. THE BINDER COURSE SHALL NOT BE LESS THAN THE EXISTING ROADWAY BINDER COURSE, AND SHALL NOT BE LESS THAN THREE AND ONE-HALF (3 1/2) INCHES IN DEPTH AND THE TOP COURSE SHALL BE ONE AND ONE-HALF (1 1/2) INCHES IN DEPTH. IN SOME INSTANCES, BEYOND A SIMPLE TRENCH EXCAVATION, PAVEMENT DETAILS AND RESURFACING REQUIREMENTS WILL BE INCLUDED AS A SPECIAL CONDITION IN THE PERMIT (E.G. PAVEMENT REQUIREMENTS ON ROUTE 85).

PREPARED BY: BRUCE SALUK & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING 576 BOSTON POST ROAD EAST MARLBOROUGH, MA 01752 FAX: 508-481-8929

DETAIL SHEET MARLBOROUGH ON MAIN MARLBOROUGH ON MAIN STREET - 165-175 MAIN STREET - MARLBOROUGH, MA

PROJECT MANAGEMENT: WELLBUILT COMPANY 57 MISHAWUM ROAD WOBURN, MA 01801 DATE: SEPTEMBER 7, 2016

OWNER & APPLICANT: MARLBOROUGH ON MAIN DEVELOPMENT, LLC. 57 MISHAWUM ROAD WOBURN, MA 01801 TEL: 617-224-2810

C5

FILE: 2640 DETAILS.dwg

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN -3 P 4: 31

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

January 3, 2018

HAND DELIVEREDCouncilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752Re: Capital Group Properties LLC, 685 Farm Road;
Proposed Zoning Map Amendment – Retirement Community Overlay District

Dear Councilor Clancy:

On behalf of my client, Capital Group Properties LLC, I hereby resubmit a petition to rezone approximately 20 acres of land located at 685 Farm Road, Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15.

An identical petition was submitted to the Council in June of 2017, with a public hearing on October 16, 2017. However, that petition did not receive action from the Council (favorable or unfavorable) before the expiration of the last Council session.

The land is currently owned by Sandra A. Stetson and Marlborough Airport Properties, Inc., and is located entirely within the Limited Industrial (LI) Zoning District. As noted in the enclosed Letters of Authorization, Ms. Stetson and Marlborough Airport Properties, Inc., whose properties would be affected by this proposal, request in accordance with M.G.L. c. 40A, § 5 that the City Council consider amending the Zoning Map as specified in the attached Proposed Order, such that the Retirement Community Overlay District is superimposed over Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

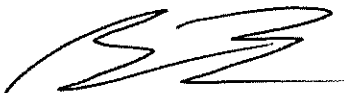
www.mirickoconnell.com

MIRICK O'CONNELL

Marlborough City Council
January 3, 2018
Page 2

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'BRF', with a horizontal line extending to the right.

Brian R. Falk

BRF/ljk

cc: Client
Arthur P. Bergeron

PROPOSED CITY COUNCIL ORDER

ORDERED:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by superimposing the Retirement Community Overlay District over Assessors Map 73, Parcels 52 and 53, and Assessors Map 85, Parcels 14 and 15.

ADOPTED

In City Council
Order No. 18-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

**Marlborough Airport Properties, Inc.
685 Farm Road
Marlborough, MA 01752**

June 7, 2017

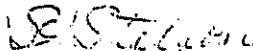
Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Dear Councilman Clancy:

Please be advised that the undersigned, Marlborough Airport Properties, Inc, is the owner of the property located at 685 Farm Rd, Marlborough, MA 01752, Assessors Map 73, Parcel 52, and does hereby authorize Mirick O'Connell, on behalf of Capital Group Properties LLC, to submit to the City Council for consideration a proposed zoning amendment to superimpose the Retirement Community Overlay District, on the property described above.

Thank you for your time and attention to this matter

Sincerely,
Marlborough Airport Properties, Inc



Sandra A. Stetson, President

Sandra A. Stetson
685 Farm Road
Marlborough, MA 01752

June 7, 2017


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

Dear Councilman Clancy:

Please be advised that the undersigned, Sandra A Stetson, is the owner of the property located at 685 Farm Rd, Marlborough, MA 01752, Assessors Map 73, Parcel 53, and does hereby authorize Mirick O'Connell, on behalf of Capital Group Properties LLC, to submit to the City Council for consideration a proposed zoning amendment to superimpose the Retirement Community Overlay District on the property described above.

Thank you for your time and attention to this matter

Sincerely,



Sandra A. Stetson

MIRICK O'CONNELL

ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 JAN -3 P 4:31

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

January 3, 2018

Councilor Edward Clancy, President
Marlborough City Council
City Hall
Marlborough, MA 01752Re: Proposed Zoning Amendment – Rail Trail Overlay District

Dear Councilor Clancy:

I represent David Skarin, the owner of land located at 19 Ash Street, Assessors Map 43, Parcel 29. On behalf of Mr. Skarin, I respectfully request that the City Council consider amending the Zoning Ordinance of the City of Marlborough by adding a new Section 650-36, Rail Trail Overlay District, as specified in the enclosed Proposed Order.

A similar petition was submitted to the Council in July of 2017, with a public hearing on September 11, 2017. However, that petition did not receive action from the Council (favorable or unfavorable) before the expiration of the last Council session. Further, this new proposal reflects feedback from the Council and MAPC.

The amendment would allow modified use and dimensional requirements for properties within the new Overlay District, consisting of the Rail Trail property itself and certain adjacent parcels (more limited in scope than the original proposal). These "Rail Trail Developments" would be required to improve the appearance of the property as seen from the Rail Trail, encourage the use of the Rail Trail, and provide certain public amenities that enhance the Rail Trail. In accordance with M.G.L. c. 40A, § 5, Mr. Skarin is the owner of land to be affected by this proposed amendment.

Please refer this matter to the Planning Board and take the appropriate steps for review by the City Council.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

WORCESTER | WESTBOROUGH | BOSTON

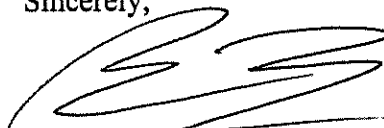
www.mirickoconnell.com

MIRICK O'CONNELL

Marlborough City Council
January 3, 2018
Page 2

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'BRF', written over a horizontal line.

Brian R. Falk

BRF/ljk

cc: Client
Arthur P. Bergeron

PROPOSED CITY COUNCIL ORDER

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 adding a new Section 650-36 as follows:

ARTICLE VI

§650-36 – RAIL TRAIL OVERLAY DISTRICT

A. Purpose and Objectives

- (1) The Assabet River Rail Trail Overlay District (herein, the “ARRTOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the ARRTOD are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety and welfare, by promoting pedestrian and bicycle friendly development complimentary to the Assabet River Rail Trail.
- (2) For the purposes of this section, the ARRTOD shall be superimposed on the other districts existing at the time of the adoption of this Section. The ARRTOD consists of (i) the Assabet River Rail Trail property, and (ii) the parcels identified in Exhibit A annexed hereto and incorporated by reference herein.

B. Authority of Permit Granting Authority

- (1) The City Council shall be the Permit Granting Authority for Special Permit Approval in the ARRTOD. In all instances, a development which proceeds under the ARRTOD is subject to Site Plan Approval in accordance §270-2 of the Marlborough City Code.
- (2) The City Council may, by special permit in accordance with Section 650-59, permit a “Rail Trail Development”, defined in Subsection C, on any lot or combination of lots located in the ARRTOD (a “Development Parcel”) provided that the Rail Trail Development compliments the Assabet River Rail Trail by improving the appearance of the Development Parcel as seen from the Assabet River Rail Trail, encourages the use of the Assabet River Rail Trail, and provides certain public amenities (including, but not limited to, landscaping, trash receptacles, public safety enhancements, or other benefits) that enhance the Assabet River Rail Trail, either at the Development Parcel or, in the discretion of the City Council, at other locations along the Assabet River Rail Trail.

C. Eligible Uses, Dimensional Controls:

- (1) A Rail Trail Development shall include any use allowed in the underlying zoning district, either as of right or by special permit, in addition to the following:
 - a. Retail sales and services, up to 5,000 square feet of gross floor area per establishment.
 - b. Restaurant, café with or without table service (including outside seating and service) without drive-thru, up to 5,000 square feet of gross floor area per establishment.
 - c. Residential uses, with such density as seemed appropriate by the City Council.
- (2) A Rail Trail Development may include multiple uses, which may be commingled into a single structure or structures or may be located in multiple separate structures on one building lot.
- (3) A Rail Trail Development shall be subject to the dimensional, parking and landscaping requirements of the underlying zoning district and for the use or combination of uses of the Rail Trail Development, provided, however, that the City Council may elect to vary dimensional, lot coverage, and parking requirements by Special Permit if, in the City Council's opinion, such change shall result in an improved project and will not nullify or substantially derogate from the intent or purpose of this Section. This authority shall continue subsequent to initial occupancy.

EXHIBIT A

The newly established Assabet River Rail Trail Overlay District shall include all or portions of the properties shown on the Zoning Map existing at the passage of this Ordinance, which properties include the following parcels of land:

1. The Assabet River Rail property, from the Marlborough-Hudson municipal boundary line to the intersection of Highland and Lincoln Streets.
2. Assessors Map 43, Parcel 29 (19 Ash Street).
3. Assessors Map 56, Parcel 125 (269 Mechanic Street).
4. Assessors Map 56, Parcel 96 (3-7 Longley Street).
5. Assessors Map 56, Parcel 85 (297 Lincoln Street).
6. Assessors Map 69, Parcel 345 (283 Lincoln Street).
7. Assessors Map 69, Parcels 340, 341, 342 and 343 (293 Lincoln Street).



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CITY OF MARLBOROUGH

BOH MEETING MINUTES – 09/12/17 2017 DEC 14 P 3:25

Attending

Robin Williams, Chairwoman
James Griffin, Vice Chair
Joseph Tennyson, MD, Member

Also in attendance: Cathleen Liberty, Director of Public Health and Tina Nolin, Senior Clerk

Meeting called to order 6:30 pm

REVIEW OF MEETING MINUTES

Meeting minutes of May 9, 2017

Motion to accept March 7th, 2017 minutes – Vice Chair Griffin

Second – Member Tennyson

3-0 Vote to accept and place on file the minutes of May 9, 2017 Yes, Chairwoman Williams; Yes, Vice Chair Griffin, Yes, Member Tennyson.

ADMINISTRATIVE

BOARD BUSINESS

Vape City Smoke Shop

The owner of Vape City Smoke Shop requested permission from the board to sample non-nicotine flavor samples to the public in the store. The board agreed the sampling on non-nicotine flavors was not in violation of the Marlborough Tobacco Regulations.

The owner also requested that their customers be allowed to vape in the store with nicotine products. The board agreed this was in direct violation of the regulations but would like to discuss the notion with DJ Wilsons at the next meeting.

Tobacco Violation Hearings

Director Liberty introduced the owner of Marlborough Country Convenience store to the board and stated that the owner was before the board due to second tobacco violation offense. The owner stated that he has purchased a card reader and he had his staff attend a retail tobacco training recently. The board voted to waive the fine and the penalty contingent upon no other violations occurring within a six-month period.

After much discussion over Marlboro Markets tobacco violation, the board voted to waive the fine and suspension with the same condition that there will not be another violation within 6 months from September 13, 2017.

After much discussion over Sperry's tobacco violation, the board voted to waive the suspension but the fine must be paid. The same condition stands for Sperry's that a tobacco violation cannot occur within 6 months from September 13, 2017.

• **Animal Regulations**

Director Liberty asked the board if they would like the health department staff to enforce the existing animal regulations. After much discussion the board agreed that the health department staff should enforce the regulation, but the regulation needs to be amended. The board requested the amended regulation be put on the next agenda.

PUBLIC HEALTH ISSUES

OTHER BUSINESS UNKNOWN AT TIME OF POSTING

Body Art Regulations

Robin requested that the Body Art Regulation be updated to include new types of body art that salons are offering. After much discussion, the board asked for the updated regulation be on the next agenda.

MONTHLY REPORTS


- **Nurse's Report**
Director Liberty submitted the Public Health Nurse's report and accepted to be placed on file..
- **Sanitarians' Reports**
Presented by Director Liberty - reports were submitted and accepted to be placed on file.

ADJOURN

Motion – to adjourn meeting at 7:20 PM – Vice Chair Griffin
Second – Member Tennyson
3-0 vote to adjourn Board of Health Meeting at 7:20 PM, Yes, Chairwoman Williams; Yes, Vice Chair Griffin. Yes, Member Tennyson

Next Board of Health meeting will be on October 10, 2017

Respectfully submitted,



Chairwoman Williams

12/12/2017

Dated

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website



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CITY OF MARLBOROUGH

BOH MEETING MINUTES -10/10/17 2017 DEC 14 P 3:25

Attending

Robin Williams, Chairwoman
James Griffin, Vice Chair
Joseph Tennyson, MD, Member

Also in attendance: Cathleen Liberty, Director of Public Health and Tina Nolin, Senior Clerk

Meeting called to order 6:34 pm

REVIEW OF MEETING MINUTES

Table to next meeting.

ADMINISTRATIVE

BOARD BUSINESS

Animal Regulations

Director Liberty discussed waiting to write new animal regulations until the MAHB provides a sample template for a regulation for the keeping of animals. The board agreed with the Director that waiting for the sample template would be helpful in writing a regulation for the city.

Body Art Regulations

Director Liberty and the board discussed writing new body are regulations. Robin noted that Boston, Quincy and Cambridge has good regulations that Director Liberty should review in preparation of writing new body art regulations for the city.

Adoption of the 2013 Food Code

The board agreed that the 2013 Food Code should be adopted. Director Liberty will discuss with legal the process of adopting the 2013 Food Code and put it on the agenda for November for further discussion.

Goldfish Swim School Variance

After much discussion regarding the variance and that it has proved that the "same degree of protection" required Under this code can be achieved without strict application of the mandated provision(s), the board voted to accept the variance and it's conditions that Steven Hughes drafted for Westford's Goldfish Swim School.

Motion-to accept the variance and the conditions-Member Tennyson

Second-Vice Chair Griffin

3-0 vote to accept the variance and conditions for the Goldfish Swim School. Yes, Chairwoman Williams; Yes, Vice Chair Griffin. Yes, Member Tennyson

PUBLIC HEALTH ISSUES

Beaches

Director Liberty and the board discussed the issue of closing Memorial beach and Rogers and MacDonald beaches due to blue green algae.

OTHER BUSINESS UNKNOWN AT TIME OF POSTING

Loyal order of Moose

Director Liberty showed the board a picture of the smoking shed located behind the building of the Loyal Order of Moose and gave the board the written response that DJ Wilson offered regarding the legalities of the members smoking in the shed. The board asked for the subject to be on the agenda for the November meeting for further discussion.

MONTHLY REPORTS

- **Nurse's Report**
Director Liberty submitted the Public Health Nurse's report and accepted to be placed on file..
- **Sanitarians' Reports**
Presented by Director Liberty - reports were submitted and accepted to be placed on file.

ADJOURN

Motion – to adjourn meeting at 7:13 PM – Chair Williams

Second – Vice Chair Griffin

3-0 vote to adjourn Board of Health Meeting at 7:13 PM, Yes, Chairwoman Williams; Yes, Vice Chair Griffin. Yes, Member Tennyson

Next Board of Health meeting will be on November 14, 2017

Respectfully submitted,



Chairwoman Williams

12/12/17

Dated

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website

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CITY OF MARLBOROUGH

CITY OF MARLBOROUGH MEETING MINUTES

2017 DEC 15 A 11: 54

MEETING: Council on Aging Board of Directors Meeting
DATE: November 14, 2017
TIME: 8:30 A.M.
LOCATION: Sr. Center Conference Rm, 40 New Street, Marlborough, MA
ATTENDANCE: Leslie Biggar, Richard Collins, Jim Confrey, Brenda Costa, Richard Cygan, Marie Elwood, Pat Gallier, Judy Kane, Jeanne McGeough, Trish Pope

I. Call to Order at 8:30 am.

II. Board approved the October 10, 2017 Minutes.

III. Director's Update – Trish Pope

Trish reported that she has received 12 - 1 day liquor licenses for events.

The Friends purchased winter covers for the patio furniture. The patio is being well used.

The EOE grant formula was reduced from \$10.00 to \$9.70 per senior. The funds should be received sometime in February.

The senior center will be short staffed in November & December.

Dana is working hard on open enrollment.

Mike Ossing (Marlborough Councilor at Large) was appointed by Mayor Vigeant to serve on The COA board.

The senior center received a great donation of a motorized chair.

IV. Board Updates

A. BayPath Elder Services Update – Richard Cygan

See attached Board Highlights (Att. #1)

B. Transportation Report for October – Jeanne McGeough

See attached Transportation Report (Att. #2). Fish provides approximately 450 - 500 hrs. per quarter.

V. New/Old Business

The upstairs floor is planned to be done in January.

The greenhouse will have footings poured in the spring after the thaw.

The Thanksgiving party sold out.

The Amvets in Hudson will deliver dinners for Thanksgiving.

VI. Discuss Senior Center Issues

The fitness floor complaints have been addressed. Rob Folan (Touchdown Carpet & Flooring, Inc.) came out to the senior center to consider the possibility of hard wood, but it would limit what activity can be done in that room.

The veteran's only event had some complaints regarding surviving spouses.

VII. Meeting adjourned at 9:10 am.

The next board meeting is Tuesday, December 12, 2017 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

**BayPath Board Highlights
October 2017**

Nutrition Program - Kitchen

Ms. Alessandro provided an update on the caterer's site. Bateman has vacated the Lancaster site on 9/30 and the condition was left in "better than broom clean" which was appreciated by DCAMM. The construction on the new kitchen should be completed by Thanksgiving. The concrete is poured and the grease traps are going to be installed. The equipment has been ordered. We hope there will be a greater variety of home delivered meals because the facility will be larger and will be able to make meals with more ingredients due to increased storage space. The diversity in meals and the ability to prepare ethnic meals is very important to nutrition.

Senate Health Care Bill

Ms. Alessandro said there were 160 sections to the Bill. The section of the Bill that is most important for us is Section 130 which enrolls all Medicaid consumers currently in our Home Care Program in to Senior Care Options Program (SCO) and transfers money with them. Currently, we have consumers in our Home Care Program that are on Medicaid that have chosen not to go in to a SCO program, which are for consumers that are dually eligible. It could be that the physician may not accept the health insurance or other reasons. This Bill will be a forced enrollment from the Home Care Program to a SCO Program and thus eliminate the consumer's choice. This Bill will be watched very closely.

**BayPath Board Highlights
October 2017**

The Choices Program is designed to provide intensive services to enrollees in the Frail Elder Waiver (FEW) who are at imminent risk of nursing home placement. Consumers must be eligible for Mass Health Standard. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.

**BayPath Board Highlights
October 2017**

Town Analysis September 2017

Town	Sep-17
meal days	20
Ashland	307
Dover	11
Framingham	4021
Holliston	696
Hopkinton	215
Hudson	966
Marlborough	2531
Natick	1173
Northborough	372
Sherborn	75
Southborough	385
Sudbury	488
Wayland	468
Westborough	383
Total	12,091

Town	ECO P	Choices	Town	ECO P	Choices
Ashland	12	2	Natick	33	26
Dover	0	0	Northborough	11	3
Framingham	68	45	Sherborn	0	0
Holliston	13	5	Southborough	4	4
Hopkinton	11	3	Sudbury	5	4
Hudson	31	14	Wayland	9	4
Marlborough	31	17	Westborough	10	3

ECOP Total = 239

Choices Total = 131

The Enhanced Community Options Program (ECOP) provides a higher level of service in the community to elders who are ineligible for Mass Health Standard and meet the requirements for nursing facility services. Individuals must be assessed by a BayPath RN and meet the eligibility criteria in order to qualify for this program.

MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT
MONTH OF OCTOBER, 2017

TOTAL NUMBER OF TRIPS = 94

BROKEN DOWN

SUPERMARKET/SHOPPING/RESTAURANTS = 31

SENIOR CENTER = 57

CITY VAN- OTHER = 4

MWRTA = 2

EMPLOYMENT OPTIONS = 0

NEW APPLICANTS = 5 – 4 Female, 1 Male

NEW RIDERS = 26

RETURNING = 0



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CITY OF MARLBOROUGH

2017 DEC 18 4:08
Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

November 14, 2017

1. Chairman Vigeant called the Regular Meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Bodin-Hettinger, Mrs. Ryan, Mrs. Matthews, Mrs. Hennessy and Mr. Walter. Also present were Superintendent Maureen Greulich, Assistant Superintendent of Finance and Operations Michael Bergeron, Assistant Superintendent of Teaching and Learning Mary Murphy, MEA Representative Brendan St. George, Student Representative Heidi DiPersio and Administrative Support Christine Martinelli.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

3. **Presentation:**

A. MHS Student Advisory Committee Presentation

Student representatives updated the School Committee on various activities at MHS. Madison Hediger 12th grade, discussed the benefits to students having AP classes offered in the HS curriculum, Timothy Goliger, 11th grade, spoke of the wonderful opportunity MHS students have to try out and work in an ensemble program with the upcoming district auditions November 18th, Allison Lucas, 9th grade, shared how being part of the Cross Country team helped her transition into the HS and Student Representative, 12th grader, Heidi Di Persio also commented on the positive impact of being part of a team sport.

B. Akiruno Student Visit Presentation

Ten 7th and 8th grade students from Whitcomb spoke about their experiences while in Akiruno City, Japan participating in the student exchange program. The students had warm and positive stories to share about their host families and time in Japan. The main theme from them all was that their trip was a life changing experience they will never forget. Whitcomb teacher, Jack Pannier, closed with his experience as a chaperone for this trip to Japan. He spoke of the amazing group of ten Whitcomb students, the host country, people treated them like royalty and the experience was priceless.

Motion to suspend rules and move up Action item #9A Whitcomb School/Akiruno Exchange Program 2018. Motion made by Mrs. Bodin-Hettinger, and seconded by Mayor Vigeant to move up the action item. Motion passed 6-0-0.

www.mps-edu.org

It is the policy of the Marlborough Public Schools not to discriminate on the basis of race, gender, religion, national origin, color, homelessness, sexual orientation, gender identity, age or disability in its education programs, services, activities or employment practices.



Marlborough Public Schools

School Committee
 17 Washington Street, Marlborough, MA 01752
 (508) 460-3509

9. Action Items/Reports:

A. Whitcomb School/Akiruno Exchange Program 2018:

Program Coordinator Rupal Patel is recommending that the School Committee approve the proposed dates for the 2018 Whitcomb School/Akiruno Exchange Program. Next year, 2018, will be the 20th anniversary of Whitcomb students going to Akiruno. The dates proposed are October 12 to October 23, 2018. A motion was made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the dates. Motion passed 6-0-0.

3. Presentation:

C. MCAS Accountability Report:

Mary Murphy presented the outcome of the Spring 2017 MCAS report, outlining many details, beginning with the Next Generation MCAS which was first given in Spring 2017 for grades 3 – 8 and will replace the older Legacy MCAS tests, as well differences in MCAS achievement level between the Legacy and Next Generation tests. Mrs. Murphy outlined taking specific action to improve and address MCAS achievement in the district, aiming to being above state average.

Lynne Medailleu, Director of EL, followed giving an update of numbers in the growing EL population in the school district, and thanking the School Committee for their support in allowing the program and staff to grow and meet the students' needs. Mrs. Medailleu outlined the next steps to advance MCAS success with students, the November 2017 breakdown of students receiving EL services K–12, and the highlights and new things this year for EL students regarding the classroom and staff.

4. Committee Discussion/Directives: None

5. Communications: None

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Marlborough Public Schools

School Committee
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6. Superintendents Report:

Superintendent Greulich presented her report covering a range of topics, beginning with Screening, Brief Intervention, and Referral for Treatment (SBIRT) that is a mandated health screening tool for all middle and high school students. She also thanked Boston Scientific for their continued partnership with MPS and hosting the 9th grade STEM team on October 25th. The Superintendent, Mayor Vigeant, several School Committee and MPS staff members attended MASC/MASS Joint Conference. Superintendent Greulich also discussed the MA Municipal Association Contest for 3rd and 8th graders. Information/Handouts were provided for the MPS Partnership Opportunities along with a document that will be useful to new and established businesses in outlining ways for businesses to get involved with schools. The list of student recipients of the John and Abigail Adams Scholarship for 2018 was read.

Superintendent Greulich acknowledged the sudden passing of a Richer School Kindergarten student and commended Richer School Principal Skaza, teacher Rachel Simmons, Adjustment Counselor Karen Rivera and district support staff for their help during this difficult time. Mrs. Greulich continued and read a letter from a parent at Richer School who wrote of witnessing such compassion and caring spirit from all the staff and students at Richer School during this tragic time.

Mrs. Greulich closed by congratulating the newly re-elected School Committee members and Mayor Vigeant for his unprecedented fourth term as Mayor.

- A. Assistant Superintendent of Teaching and Learning Mary Murphy reported on November 7th Professional Development Day held throughout the district with morning and afternoon sessions attended by staff. Mrs. Murphy also presented on the MTSS Steering Committee meeting on November 7th.

7. Acceptance of Minutes:

A. Minutes of September 26, 2017 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept the minutes of the September 26, 2017 School Committee meeting.

Motion passed 6-0-0.

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Marlborough Public Schools

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B. Minutes of October 10, 2017 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes of the October 10, 2017 School Committee meeting.
 Motion passed 6-0-0.

C. Minutes of October 24, 2017 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes of the October 24, 2017 School Committee meeting.
 Motion passed 6-0-0.

8. Public Participation: None

9. Action Items/Reports:

B. Whitcomb School/Akiruno Exchange Program 2018:

Program Coordinator Rupal Patel is recommending that the School Committee approve the proposed dates for the 2018 Whitcomb School/Akiruno Exchange Program. Next year, 2018, will be the 20th anniversary of Whitcomb students going to Akiruno. The dates proposed are October 12 to October 23, 2018. A motion was made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the dates. Motion passed 6-0-0.

C. Transfers in the FY18 Operating Budget:

Assistant Superintendent of Finance and Operations Michael Bergeron is recommending the monies be transferred for balance purposes. A motion was made by Mrs. Matthews, seconded by Mayor Vigeant to approve the transfers as presented.
 Motion passed 6-0-0.

D. Update from Assabet Valley Collaborative (1st of 4)

Superintendent Greulich recommended that the School Committee read the first of four updates for the 2017 – 2018 school year and have the chance to ask clarifying questions. This item is informational only, no action is required now by the Committee.

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School Committee
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E. Acceptance of Donations and Gift:

MA DESE Early Literacy Grant for \$52,500 was awarded to Jaworek School for early literacy programming. A motion was made by Heidi Matthews and seconded by Chairman Vigeant to accept with gratitude the \$52,500 Grant.

Motion passed 6-0-0.

Wegman's Supermarket of Northborough donated a \$200.00 gift card towards the purchase of food for Jaworek School's Bilingual Night held on November 2nd. A motion was made by Heidi Matthews and seconded by Chairman Vigeant to accept with gratitude the donation of \$200.00 from Wegmans Supermarket.

Motion passed 6-0-0.

Hannaford's In-Kind Donation of \$36.33 was received by Kane School from the Hannaford Helps Program. A motion was made by Heidi Matthews and seconded by Chairman Vigeant to accept with gratitude the donation of \$36.33.

Motion passed 6-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Matthews reported that negotiations with the subcommittee opened with the MEA and will move forward soon.

11. Members' Forum:

Mrs. Hennessey gave kudos to Jeff Rudzinsky for the High School sports teams doing so well and commented that the new turf field is getting much use by not only Marlborough teams but other towns as well. She mentioned the possibility of Mayor Yvonne Spicer, Framingham's new mayor, working together with Mayor Vigeant in the future, sighting the two towns' similarities and the challenges they are facing.

Mrs. Matthews reported that she and Mr. Bergeron reviewed and signed the warrants.

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Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

12. Adjournment

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:56 p.m. Motion passed 6-0-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Matthews", with a long, sweeping horizontal stroke extending to the right.

Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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Marlborough Public Schools

2017 DEC 15 A 11:27

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

November 28, 2017

1. Chairman Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Bodin-Hettinger, Mrs. Ryan, Mrs. Matthews, Mrs. Hennessy, Mr. Walter and Mr. Geary. Also present were Superintendent Maureen Greulich, Assistant Superintendent of Finance and Operations, Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, MEA Representative Brendan St. George, Student Representative Heidi Di Persio and Administrative Support Christine Martinelli.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

3. Presentation:

A. **Metro West Adolescent Health Survey for 2016** – the completed biannual health survey was closely collaborated on and prepared by Sharon Buckley, Todd Turcotte and Mary Zakrzewski. An analysis of the results was done in consultation with Counseling Services, Health Services and Wellness. The results were compiled and presented to the School Committee in Power Point slides for review and questions. The survey participation was from 2008 to 2016 and included over 1600 Marlborough Middle School and High School students. The presentation showed the results in both the High School and Whitcomb School, discussing both the upward and downward trends, the programs and interventions used, and the next steps to take in continuing to monitor and adjust programming to support the student's healthy behavior.

Mr. Turcotte will send the School Committee further results, specifically on the Opiate and prescription drug use that was not submitted at this meeting. He did state that both were trending downward.

4. **Committee Discussion/Directives:** None

5. **Communications:** None

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6. Superintendents Report:

Superintendent Greulich presented awards to the following members of the Class of 2018, Rachael Curley and Devin Raun both were honored for being MASS Academic Excellence Award and Worcester County Superintendent Roundtable Honorees. Gabriel De Araujo and Leeor Harel were both honored for receiving the NESDEC Academic Growth and Student Leadership in Learning Award. The Superintendent read the name of each recipient with a short summary of their personal and academic achievements. Mrs. Greulich continued her report discussing changes to bi-lingual regulations, with a summary of the November 15th bill's provisions provided in the Information/Handouts. The Superintendent also spoke about the MSBA 2016 School Survey Report that assesses the general condition of each building. A link was shared to see many specifics of the lengthy report.

The Superintendent ended her report commending Communications Coordinator, Reina Rago for her work with the printed publication of *Panther Pride* that is printed twice a year and incorporated in Marlborough's *Main Street Journal*.

A. Assistant Superintendent of Finance and Operations:

Mr. Bergeron gave his report leading with the Superintendent and Leadership team requesting the adoption of the budget calendar for this year, and clarifying that the February 29th budget date is an error. Mr. Bergeron spoke of the balance from the food services accounts as of 11-17-17, the food service online payments balance that continues to have great growth and success each year, and the FY19 budget that is in the early stages of being calculated.

7. Acceptance of Minutes: None

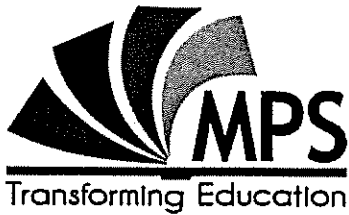
8. Public Participation: None

9. Action Items/Reports:

A. School Improvement Plans

Mrs. Greulich recommends that the School Committee review the transitional School Improvement Plans documents submitted by the site managers for the 2017-2018 school year. This item is informational only, no action is required at this time by the committee.

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B. Transfers

Mr. Bergeron is recommending transfers within the FY18 operating budget for balance purposes. Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to approve the transfers as recommended.

Motion 7-0-0

C. Acceptance of Donations and Gifts:

Commonwealth of MA Executive Office of Education awarded Marlborough Public Schools the total amount of the \$343,897.87 grant applied for through the Commonwealth of Massachusetts. Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept with gratitude the Commonwealth of Massachusetts Skills Capital \$343,897.87 grant on behalf of the MPS.

Motion 7-0-0

Department of Elementary and Secondary Education Title IIA awarded the total amount of the \$134,714 grant applied for. Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept with gratitude DESE's \$134,714 grant.

Motion 7-0-0

Department of Elementary and Secondary Education FY18 Title III awarded MPS the total amount of the \$144,380 grant applied for. Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept with gratitude DESE's \$144,380 grant.

Motion 7-0-0

Department of Elementary and Secondary Education FY 18 Title IV309 awarded the total amount of the \$23,022 grant applied for. Motion made by Mrs. Matthews, seconded by Chairman Vigeant, to accept with gratitude DESE's \$23,022 grant.

Motion 7-0-0

10. Reports of School Committee Sub-Committees:

Mrs. Matthews announced that the Interest-Based Bargaining (IBB) negotiations with the MEA will begin in January 2018.

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11. Members' Forum:

Mr. Walters reported that he reviewed and signed the Warrant.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 9:00 pm. Motion passed 7-0-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heidi Matthews", with a long, sweeping horizontal line extending to the right.

Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
November 16, 2017 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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2017 DEC 20 P 3:52

Present: Edward Clancy-Chairman, Dennis Demers, Lawrence Roy, Allan White, David Williams, Karin Paquin and Priscilla Ryder-Conservation Officer.

Absent: John Skarin

Acceptance of Minutes: The minutes of October 19, 2017 and November 2, 2017 were reviewed and unanimously accepted as written.

Public Hearing:

Notice of Intent (continuation)

149 Hayes Memorial Dr. - Marlborough/Northborough Land Realty Trust

At the applicant's request, prior to the meeting, this item was continued to the Dec. 7, 2017 meeting.

Abbreviated Notice of Resource Area Delineation (Continuation)

431 Bolton St. - Marlborough High School - City of Marlborough

The Commission did a site walk at this property on Saturday November 11, 2017 at 1:00 PM. Those attending the walk were Allan White, John Skarin, David Williams, Karin Paquin and resident Mr. Dunbar. Ms. Ryder reported that they walked the wetland boundaries and reviewed the two outlet points onto Red Spring Rd. and the group agreed that the wetlands as shown on the plans were correct. No isolated wetland exists, as this area appears to be wet from the "ice melt" from the ice skating rink. The streams are intermittent; therefore, the only resource area is Bordering Vegetated Wetland as flagged in the field. The Commission voted unanimously 6-0 to accept the wetland delineation as presented without the isolated wetland area.

Discussion

- City of Marlborough – water line extension to #s 3, 5, 7 and 9 Red Spring Rd.

Tom DiPersio, City Engineer, was present and explained that as part of the IRA plan with DEP for the landfill assessment, they sampled wells from house number 3 to 21. In the first well they detected 1,4-dioxane (which is in lots of household products). Some of the other houses tested positive for lead from the faucet, but not from the well. However, because the first 4 houses are within 500 feet of the first well, DEP requires that they receive city water. Therefore, Mr. DiPersio was asking permission to install a waterline along Red Spring Rd. to service the first 4 houses. The line itself is outside the 100' buffer zone, however the 4 connections to the houses are within the buffer zone, but more than 50 feet from the waterline of Ft. Meadow Reservoir. At the end of the waterline, they will add a blowout hydrant to assist in flushing the line periodically. The water line will be approximately 500'. Mr. DiPersio asked that the work can start ASAP, so these houses can be hooked up. The Commission voted unanimously to allow the project to move forward. Mr. DiPersio will file a Request for Determination of Applicability (RDA) after the fact to document the process.

Extension Permits:

DEPs 212-1028 (38 Boivin Dr.), 212-1030 (58 Boivin Dr.), 212-1034 (55 Boivin Dr.), 212-1035 (41 Boivin Dr.), 212-1036 (37 Boivin Dr.) and 212-1037 (23 Boivin Dr.)

Ms. Ryder noted that a few of these lots have already been built and noted that only 6 lots needed Extension Permits. The Orders of Conditions were issued in 2007 and extended twice by the "extension act" and are all due to expire on Dec. 12, 2017. Mr. Valchius was present and asked for a three-year extension. He explained that he has started three new lots and just wanted his permits to be extended to keep them valid. The Commission voted unanimously 6-0 to issue Extension Permits for the above Orders of Conditions.

Certificates of Compliance:

DEPs 212-576 and 212-828 Lacombe St. – full Certificates of Compliance - Ms. Ryder noted that the catch basins were cleaned and that the Stormwater Management plan will be submitted shortly. She met on site with the owner to review the Order of Conditions and all were in compliances. The Commission voted unanimously 6-0 to issue a Full Certificates of Compliance for each of these Orders of Conditions (one for the subdivision and one for the lots). The Commission asked Ms. Ryder to hold the Certificates until all documents have been submitted. They also noted that no snow may be plowed into the brook.

DEP 212-592 186 Reservoir St. - Ms. Ryder noted that this is the house next to 186 Reservoir St. on which ONLY the foundation was built. The house was never finished, but the Order of Conditions has expired and the lot is being sold, therefore they would like to clear the title to the property. She suggested the vote be for a partial Certificate of Compliance because it was never completed. After some discussion, the Commission voted unanimously 6-0 to issue partial Certificate of Compliance as noted.

Correspondence and other business:

- Letter from VHB – dated Oct. 31, 2017 RE: Sudbury-Hudson Transmission Reliability Project. MEPA Draft Environmental Impact Report - EEA No. 15703- Ms. Ryder will review and draft comments for the next meeting.
- SuAsCo CISMA – membership fee - Ms. Ryder will check the budget to determine if this is feasible.
- TerraCorps Volunteer – Ms. Ryder noted that the Commission was successful in getting a TerraCorp volunteer, Paige Dolc, (at no cost to the city) for 120 hours to help with volunteer recruitment for the Panther Trail and other trail projects. She will begin in a few weeks.

Adjournment

There being no further business, the meeting was adjourned at 7:57.

Respectfully submitted,


Priscilla Ryder

Conservation Officer.

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A
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 CITY OF MARLBOROUGH

Call to Order

December 4, 2017

2017 DEC 19 P 12:12

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Philip Hodge, Colleen Hughes, Sean Fay, Brian DuPont and George LaVenture. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes

A. November 27, 2017

On a motion by Mr. DuPont, seconded by Mr. Fay, the Board voted to approve the Planning Board meeting minutes of November 27, 2017. Ms. Hughes abstained. Motion carried.

2. Chair's Business (Tabled)

A. Lacombe St. Lot Releases

City Solicitor Rider was not present at the time the agenda item was first called.

On a motion by Mr. DuPont, seconded by Mr. LaVenture, the Board voted to table Items 2 and 3 until later in the meeting. Motion carried.

3: Approval Not Required (Tabled)

4: Public Hearings (None)

Chairperson Fenby requested that Item 5, Engineer's Report, be moved up in the agenda.

5. Pending Subdivision Plans: Updates and Discussion

A. Engineer's Report

Mauro Farm – City Engineer DiPersio updated the Board on the status of the deeds. We are in receipt of the deeds and plans and are reviewing to confirm that they are in order. In accordance with City procedures, the developer must make a request to the City Council that the roadways be accepted by the City. The Council will then refer to the Planning Board for recommendation.

B. Howe's Landing Extension Request

Ms. Hughes read a letter from Attorney Paul Galvani into the record. Attorney Galvani requested an extension of time to complete the subdivision to June 30, 2018. On a motion by Mr. DuPont and seconded by Mr. LaVenture, the Board voted to accept the correspondence and place on file. The subdivision expiration date is currently December 18, 2017. City Engineer DiPersio explained that a new construction schedule was submitted along with proof that the property taxes are up to date. Code Enforcement Officer Wilderman will provide the required property blight status report in time for the next agenda. Solicitor Rider explained that he is reviewing the updated Tripartite Agreement. There are a few typographical errors to correct and Engineering will also submit a clean copy of EXHIBIT "C", Estimate for Bonding Purposes.

On a motion by Ms. Hughes, seconded by Mr. DuPont, the Board voted to resume Item 2A. Motion carried.

2. Chair's Business

A. Lacombe St. Lot Releases

City Solicitor Rider explained that while the subdivision was completed some time ago, there was not a letter or recording indicating that the lots were ever released from the covenant. Solicitor Rider worked with the owner's attorney, Bill Brewin, to create a lot release for the subdivision. On a motion by Mr. Fay and seconded by Ms. Hughes, the Board voted to release lots 1,2,3,4,5 and 6 from the covenant. Motion carried. Board members signed the Release of Covenant/Lots document to enable recording.

3. Approval Not Required:

A. 159 Stevens Street ANR Decision

Owners' representative Bruce Saluk was in attendance. Ms. Hughes read the letter from Assistant City Engineer Collins into the record. The letter detailed the Engineering Division's favorable recommendation for the Planning Board's endorsement of the ANR plan dated 11-13-17 rev. 12-04-17 (note: the letter referenced an incorrect plan date of 11-1-17). On a motion by Mr. Fay, seconded by Mr. DuPont, the board voted to accept the correspondence, place on file and endorse the 11-13-17 rev. 12-04-17 ANR plan. Motion carried.

B. 215 Simarano ANR Decision

Matthew Watsky, Counsel for Jeremiah 29, LLC was in attendance along with a representative from Stamski and McNary. Ms. Hughes read the letter from Assistant City Engineer Collins into the record. The letter detailed the Engineering Division's favorable recommendation for the Planning Board's endorsement of the ANR plan dated 11-01-17. On a motion from Mr. LaVenture, seconded by Ms. Hughes, the Board voted to accept the correspondence, place on file and endorse the 11-01-17 ANR plan. Motion carried.

Chairperson Fenby requested that Item 5 be resumed.

5. Pending Subdivision Plans: Updates and Discussion: (Continued)

C. Commonwealth Heights Subdivision Expiration

Ms. Hughes read into the record the 11-30-17 letter from Planning Board Chair Fenby to Scott Weiss, Vice President of Development for The Gutierrez Company, RE: Commonwealth Heights Subdivision Extension Expiration. The letter acknowledged that The Gutierrez Company would not pursue an additional extension for the subdivision that expired on 11-27-17. Should the Gutierrez Company elect to proceed with the subdivision in the future, they will re-file for a new approval. Q: Mr. Fay wondered whether the site was left in a condition that may pose any danger to anyone who may enter the premises? City Engineer DiPersio indicated that he did not believe that the site posed any danger to the public. Mr. DiPersio indicated that the detention basin may require some future maintenance to keep it clear and functional. On a motion by Mr. DuPont and seconded by Ms. Hughes, the Board voted to accept and place on file. Motion carried.

D. Hager St. Decision Letter

Ms. Hughes read into the record the 11-30-17 letter from Planning Board Chair Fenby to the owner representative, Peter Bemis, of Engineering Design Consultants, Inc. RE: Vote of the Marlborough Planning Board. The letter detailed two votes by the Board. 1) a denial of all 10 waivers of the definitive submission plan 2) a denial without prejudice of the definitive subdivision plan for the 72 Hager St. & Boston Post Road East property described in the Middlesex South Registry of Deeds Book 68015, Page 229, Marlborough Assessor's Map 62, Parcel 7. On a motion by Mr. Fay, seconded by Ms. Hughes, the Board voted to accept the correspondence and place on file. Motion carried.

E. Slocumb Lane Bond Reduction Request and Street Acceptance

Ms. Hughes read the 11-22-17 letter sent by Attorney Paul Beattie on behalf of his client, Slocumb Realty, LLC. The letter was addressed to the City Clerk (and copied to Planning Board Chair, Barbara Fenby) Re: Request for street acceptance and bond reduction of the Black Horse Subdivision (Slocumb Lane). On a motion by Ms. Hughes, seconded by Mr. DuPont, the board voted to accept and place on file. Attorney Beattie was advised that he must first send a letter to City Council requesting that Slocumb Lane be accepted as a public way. The matter will then be referred to the Planning Board for a determination and formal recommendation.

Motion by Ms. Hughes, seconded by Mr. Fay, to move item 9A up in the agenda. Motion carried.

9. Unfinished Business

A. Proposed Zoning Amendment – 650-59. C (11)

Powers and Procedures of Special Permit Granting Authorities

Follow up discussion on the public hearing held Monday, November 13, 2017

Chairperson Fenby requested Board members' opinions on the proposed amendment. Mr. Fay expressed reservations about the amendment. Enabling extension agreements by the Council President or Vice-President without the necessity of a formal vote reduces the transparency of the body and removes the discussion regarding the justification for the extension from public view. Ms. Hughes agreed, and expressed that she was not in favor of the amendment providing this extension provision. Mr. LaVenture favored a middle ground on the issue and wondered whether an extension could be granted until the next scheduled Council meeting. Additionally, although the Board expressed its confidence in the current makeup of the Council and spoke highly of more experienced councilors and leadership, the makeup of the Council changes with each election. While the intent of the contemplated changes is to provide administrative convenience, the Board's consensus is that an expansion of power for administrative convenience could result in unintended consequences.

The Board took the following action regarding the above referenced zoning amendment:

On a motion by Mr. Fay, seconded by Mr. DuPont, the Board voted to make a negative recommendation to the City Council for the proposed zoning amendment, Section 650-59. C (11), entitled "Extension of time for action; leave to withdraw" with a request that the letter highlight the following reservations: a) potential lack of transparency b) discretionary powers of future, unknown Councilors, and future, unknown Council leadership could result in unintended consequences. Motion carried. (Mr. Hodge abstained.)

Motion by Ms. Hughes, seconded by Mr. Fay, to return to item 6A. Motion carried.

6. Preliminary Subdivisions

A. **215 Simarano Drive-** Stamski and McNary, Engineer, on behalf of Jeremiah 29, LLC
Matthew Watsky, Council for Jeremiah 29, LLC, was in attendance.

The preliminary plan submission was briefly addressed by Solicitor Rider. His recommendation was for the Board to move forward with a referral to Engineering. Once Engineering has an opportunity to review the plan, the Board would make one of three decisions: Approval, approval with conditions, or disapproval of the preliminary plan. The Board's recommendation is due by December 28 (Vote on Dec. 18) Q: Mr. Fay – Can the Planning Board request an extension of the 45-day review period. A: Solicitor Rider- There does not appear to be a provision for the extension of the 45-day review period. City Engineer DiPersio indicated that an Engineering review could be completed by December 18. On a motion by Ms. Hughes and seconded by Mr. LaVenture, the Board voted to refer the preliminary plan to Engineering. Motion carried.

7. Definitive Subdivision Submission: (None)

8. Signs: (None)

11. Correspondence: (None)

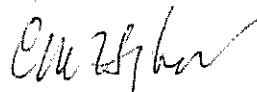
12. Public Notices of other Cities and Towns:

On a motion made by Ms. Hughes, seconded by Mr. Fay, item 12 accepted and placed on file. Motion carried.

Adjournment: On a motion made by Mr. LaVenture, seconded by Ms. Hughes, it was voted to adjourn at 8:00 pm. Motion carried.

/kih

Respectfully submitted,



Colleen Hughes
Clerk

TRAFFIC COMMISSION

1

October 24, 2017

RECEIVED
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CITY OF MARLBOROUGH

2017 DEC 22 P 3:42



**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 24, 2017 at 10:00 am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: City Engineer Tom DiDersio, Assistant City Engineer Tim Collins, City Councilor Matt Elder, City Councilor Dave Doucette and City Councilor Katie Robey. Minutes taken by Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, September 26, 2017.

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

2 – New Business

2a) Request for a stop sign on Brigham Street.

Councilor Elder was in attendance for this issue. He had emailed Chief Giorgi with resident concerns about speeding on Brigham Street. He asked if the Traffic Commission would consider putting up a stop sign at Westboro Rd. and Brigham St. to at least make some cars slow down.

Tim Collins advised that there is already a stop sign on Westboro Road. This issue was also brought up in 2006. He explained how there are specific requirements (warrants) that need to be met for a multi-way stop. One of the requirements is a minimum of 5 or more reported accidents in a 12-month period. This was not the case back in 2006. Another requirement states a minimum of 300 cars per hour for an 8-hour period with 200 cars traveling in the other direction. These requirements are outlined in the MUTCD (Manual on Traffic Code Devices). The Traffic Commission has explained in the past that stop signs are not meant to be used to slow traffic.

Councilor Elder asked if there was any updated data for the volume at this intersection. Tim advised that the last vehicle count was done in 2006. Commissioner Ghiloni said that we can do another count and suggested putting out one of the new temporary speed signs here. The new portable signs also count vehicles and documents speed.

Councilor Elder also asked if there had every been a study about commercial vehicles here. Mr. Collins advised that a study was done a few years ago. A volume of 5 – 8 % is needed for a commercial vehicle exclusion. Also, the City would need to show an alternate route that would be a better choice. The alternate route here would be through the Town of Southboro, however, the Town of Southboro did not agree with this option. The new portable speed signs cannot monitor truck volume. The road tubes are needed to register the weight of a vehicle. Mr. Collins believes that last study was done less than 2 years ago.

Lisa Thomas asked how many of the new speed signs we have and how much they cost. Chief Giorgi advised that the Police Department now has two of the signs and they cost about \$4,500 each.

MOTION was made, seconded, duly VOTED to forward to the Police Department to move the portable speed sign to this location and provide feedback to Councilor Elder.

Chief Giorgi made a motion to suspend the rules and take the agenda items out of order as Councilor Doucette was in attendance for New Business Items 2c. All in Favor.

2c) Crosswalk concerns on Farm Road. Intersection of Pheasant Hill and Phelps.

Councilor Doucette was in attendance for this issue. A local resident had visited Engineering to discuss this crosswalk, which he felt was a safety hazard. He also noted that the pedestrian sign was obscured by brush along Farm Road. Tim Collins had replied by email that the location of the crosswalk was moved to meet ADA guidelines and is now in the preferred location for a crosswalk. He also noted that the trees to be trimmed for site distance were placed on the tree trimming schedule. He was not sure if this had been done yet.

Tim Collins said that the crosswalk at Farm Road and Country Way has signs indicating that a blind person crosses there. There is a sign on both sides of the street to clearly identify the crosswalk. He suggested that this could also be done at the other intersection to make it stand out more.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and the DPW to install a second sign at the crosswalk.

2b) Crosswalk Locations on Gilkas Lane & Hudson Street.

Tim Collins asked to have this item added to the Agenda. He advised the developer will soon begin installing granite curbing, which includes not installing them where the crosswalks will be located. He included a diagram and the specific wording for the

regulation to add the crosswalks at the appropriate locations. They want to be sure that there is connectivity to the rail trail. The planning board has approved the locations for the crosswalk. The sidewalk on the east side will be going in soon as the homes on that side are complete. The developer will paint the two crosswalks as well - one on Hudson Street at Gikas Lane and one on Gikas Lane at Hudson Street. It is really just a formality to have it all approved by the Traffic Commission.

MOTION was made, seconded, duly VOTED to REFER to CHIEF GIORGI to prepare the regulation for the new crosswalks for a vote at the next meeting.

2d) Request for Relief from seasonal "No Parking" in front of 147 Cullinane Drive.

Chief Giorgi received this request from the resident of 147 Cullinane Drive. Her elderly parents also live with her. There is very little parking available at or near her property in the summer. She said in her email that her parents and their friends and relatives, "several of which are disabled/aged, are not able to park at or near my property in summer, when my driveway is full and most visits happen to take advantage of the lake, presents significant difficulties for them."

She is specifically requesting that the no summer parking sign on the pole at the far end of her property be moved to the pole at the beginning of her property. This would allow for parking directly in front of her home which is the case for the rest of the street.

Chief Giorgi drove down to the area this morning to speak to the residents and see the location himself. Tim Collins passed out a GIS diagram of Cullinane Drive with the area in question marked in orange. Mr. Collins wanted to be sure that the resident realizes that if the no parking sign were moved to the beginning of her property, the property in front of her house becomes public parking. It would not be specifically marked as parking for her home. Someone else can still use the boat launch and park in front of her house. The regulation would need to be created in addition to moving the sign.

MOTION was made, seconded, duly VOTED to REFER to CHIEF GIORGI to repeal the existing no parking regulation and create new language for the revised no parking area, for a vote at the next meeting.

2e) Request regarding speed bumps on private ways.

This request was forwarded by Priscila Ryder. The initial request came from Sue Fahey, who manages the condos off Dicenzo Blvd. They were asking if any approvals were necessary from the City or if the Traffic Commission would have any concerns. Tim Collins said that they should have gone before Site Plan Review. If speed bumps are put in after the fact they can be problematic for drainage. He also said that they can cause damage to vehicles, they are noisy, they tend to bring down property values, they are not good for the environment and they can delay emergency vehicles. He finds that speed bumps are just a deterrent and that there are better options available.

Councilor Doucette said that "speed dips" were installed at one time, however, they didn't talk to the City first and they were filled in. He also asked about rumble strips. He said that the condo association didn't know what to ask. What can be done within the

association? Councilor Robey said that for the most part, it is probably the residents who are doing the speeding as it is mainly residents and family or friends or delivery drivers that are going through there. Councilor Doucette said it could also be younger drivers "with a heavy foot". What are the options?

Commissioner Ghiloni said that there are pros and cons to everything. They tried rumble strips at one time on Farm Road and after three months the neighbors hated them. Maybe they wouldn't be so bad on Violetwood Circle because the speed limit here is supposed to be only 10-15 mph. The speed dips were probably filled in because they did not come before Site Plan first. The Police Department can't ticket here because it's private property. Tim Collins said that they could put up speed limit signs here but they aren't enforceable on private property. They could put them up in the hopes that drivers would adhere to them. It was also suggested that someone could take down plate #'s if they saw a car speeding through and management could send a letter out and advise them. It is definitely difficult to regulate when the area is private property.

MOTION was made, seconded, duly VOTED to REFER to SITE PLAN and to ENGINEERING to review options.

2f) Revised Regulations for No Stopping, Standing or Parking on Brook Street.

Chief Giorgi had prepared the revised regulations for a vote:

MOTION was made, seconded, duly VOTED to DELETE the existing No Stopping, Standing or Parking Anytime regulation on Brook Street. All in Favor.

MOTION was made, seconded, duly VOTED to APPROVE the amended regulation for No Stopping Standing or Stopping on the entire length of Brook Street, on the West side. All in Favor.

Chief Giorgi will send an electronic copy of the regulation to Lisa Thomas for advertisement.

3-Old Business

3a) Traffic Commission rules and regulations update.

Lisa Thomas wanted to make sure that the Traffic Commission is now on track with what has been advertised since the Traffic Code section was updated with General Code. She said that when you look at the e-code online any subsequent regulations will be added under the new laws section off to the left. They will remain here until the code is recodified at a later date. She noted that the first "post codification date" was 9/8/17.

Lisa Thomas also made a point of thanking Tim Collins for all his hard work in updating the Rules and Regulations of the Traffic Commission.

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

Commissioner Ghiloni advised that this issue is still pending and needs to stay on the agenda.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Intersection of Ash Street & Hudson Street – Failure to stop at Stop Sign

Tim Collins advised that the Advance Warning signs have now been moved closer to the stop intersection and the stop sign at the driveway opening to the hospital has also been repaired, as discussed at the last meeting. The Advance Warning signs also now clearly show a red symbol with “stop ahead”. Hopefully this will fix some of the problem.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

3d) Unattended trailers parking in public way.

Commissioner Ghiloni said that the boat on Sandini Road over by Richer School is still in the roadway. It has been there since June. It was reviewed that Tim Collins had drafted wording for a new regulation that would help to deal with this issue. Pam Wilderman also felt his would be helpful as she also deals with this type of issue. Chief Giorgi was going to work with the legal department on this, however, he has not yet had the opportunity.

MOTION was made, seconded, duly to REFER to CHIEF GIORGI to discuss the language with the Legal Department.

3f) Traffic Regulations at the 1st LT Charles W. Whitman School.

Tim Collins amended the wording for the regulations to make it cleaner. He had a large diagram of the school parking lot which was separated into four areas – South Lot, North Lot, East Lot and the Loop Road. He went through the wording for each section and showed where it applied on the diagram. The specific sections are:

1. Prohibited Right Turns
2. One-Way Streets
3. Stop Intersections
4. Do-Not Enter Streets
5. No Stopping, Standing or Parking Anytime
6. Parking Prohibited Certain Hours
7. Crosswalk Locations

Councilor Doucette pointed out an area near the bus parking that he thought was confusing. Commissioner Ghiloni wanted to go out and look at the lot onsite again rather than try to visualize in on the diagram. He would like to hold off on finalizing the wording until the next meeting so he can take another look.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review the specific area of concern and advise at the next meeting.

3g) Request for Stop Sign at Stow Road and Beaman Lane (Additional Information/Clarification.

Commissioner Ghiloni had to leave to go to another meeting. He asked if we could keep this item on the agenda for discussion at the next meeting.

MOTION was made, seconded, duly VOTED to TABLE.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:00 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 24, 2017. (Including City of Marlborough Meeting Posting).
- Draft of Traffic Commission Minutes from Tuesday, September 26, 2017.
- Email from Councilor to Chief Giorgi, dated 9/29/17, re: Stop Sign on Brigham.
- Email from Tim Collins to Chief Giorgi, dated 10/19/17, re: Gikas Lane & Hudson Street (along with diagram and wording for the regulation).
- Email chain from Krista Holmi to Engineering and Chief Giorgi, dated 9/27/17, re: Concern of Resident – Farm Rd. Intersection at Pheasant Hill and Phelps (including photos).
- Email from Deborah Novicki to Chief Giorgi, dated 10/3/17, re: Relief from seasonal “no parking” in front of 147 Cullinane (including photos).
- Email from Pricilla Ryder to Tom DiPersio and Chief Giorgi, dated 10/18/17, re: Speed Bumps on private ways?
- Wording for revised regulation on Brook Street, re: No Stopping, Standing or Parking Anytime.

Additional Handouts:

- GIS Diagram of Cullinane Drive with No Parking – June 15th to September 15th, area indicated in orange.
- Proposed wording for regulations at the 1LT Charles Whitcomb School Parking Lot – multiple schedules.

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**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, November 28, 2017 at 10:00 am in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen and City Clerk Lisa Thomas. Also present: City Engineer Tom DiDersio, Assistant City Engineer Tim Collins, City Councilor Rob Tunnera, City Councilor Katie Robey and City Councilor Ed Clancy and local resident Susie Ouellette. Minutes taken by Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, October 24, 2017.

MOTION was made, seconded, duly VOTED:

TO APPROVE – Accept and Place on File.

(Fire Chief Breen abstained from voting as he was not present at the last meeting.)

Chief Giorgi opened the meeting by referring to Lisa Thomas as she wanted to make a request regarding the meeting schedule for 2018.

Lisa Thomas asked if it would be possible to change the meeting day to Wednesdays next year rather than Tuesdays. It is getting more and more difficult for her to have the monthly Traffic Commission meeting fall so close to the City Council Meeting which is on Monday. Chief Giorgi said this would be fine with him, however, he also wanted to check with Commissioner Ghiloni who was not in attendance for this meeting. Ms. Thomas asked if the schedule could be confirmed for the next meeting so that she can post the full 2018 schedule on the City's website

2 – New Business

Chief Giorgi made a motion to suspend the rules to start the meeting with Agenda Item 2e) as Susie Ouellette and Councilor Tunnera were in attendance for this issue. All in Favor.

2e) Northboro Rd. East and New Apex Center.

Susie Ouellette, longtime resident of Northboro Rd. East, sent an email to the City Council regarding traffic concerns here. With the new Apex Center, traffic concerns have become increasingly worse. One of her main concerns is that drivers constantly ignore the stop sign for cars coming out of Hannaford Plaza when they are trying to make the green light at Rte. 20 before it changes. She also noted that this makes it very dangerous for people waiting to pull out into traffic at the bottom of Northborough Road East. She also mentioned the fact that people don't stop at the stop sign at East Dudley either. They look to the left and see that no one is coming and roll right through.

Another major issue is why there only one entrance to the Apex Center from the east. She said that it results in more people using Northborough Road East to cut through to avoid the traffic on Rte. 20 to get to the entrance. She mentioned that initially there was talk of another entrance off Glenn Street but that did not happen out of respect for the neighborhood. She also noted that there is no posted speed limit on this road and she would like to see one installed.

Chief Giorgi said that an Officer was out there yesterday to monitor the traffic. Tim Collins passed out a diagram of the area and said that part of the problem with the stop sign near Hannaford is that people think that section of roadway is actually the driveway to the Plaza. He said that the stop sign should actually be moved back closer onto Hannaford property before cars enter the roadway. It is currently located on Northboro Road. It should be about 10 feet back. This should help with this issue. Ms. Ouellette asked if there was a way to draw more attention to the stop sign. Mr. Collins said that the issue is that it is not our sign, it is Hannaford's sign.

He also advised that the traffic signals at the entrance to the Apex Center are only signaled temporarily right now and there is still a large signal pole in the driveway opening. Once this is removed and the lights are properly set with the timing sequence, it will alleviate some of the back up at the entrance. Tom DiPersio said that the lights on the Hannaford section are being properly set up as we speak. The other side will be done soon. It will be easier to enter the Apex Center from Rte. 20 when the left turn arrow is functioning properly.

With regard to the request for a speed limit sign, Mr. Collins said that it would require a speed study and approval from the State. You can't just say you want the speed to be set at 20-25 mph. The speed limit would be based on the speed that 85% of cars are traveling. It may be able to be posted as Thickly Settled though.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for more presence in the area to monitor speed and stop sign adherence.

and

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review the requirements for a Thickly Settled area. Engineering can also speak to Hannaford about moving the stop back onto their own property.

NOTE: Councilor Tunnera and Ms. Ouellette started to leave the meeting, however, came back with another question regarding the possibility of a truck exclusion on Dudley Street. Mr. Collins briefly explained some of the requirements for a truck exclusion, i.e. a specific percentage of traffic needs to be trucks and the State needs to approve an alternate truck route.

2d) Elm Street Reconstruction Project (Pleasant to Mechanic) – 2 issues for discussion.

Tom DiPersio presented two issues to be addressed by the Traffic Commission (he also passed out a diagram of the plans for this reconstruction project):

- 1) Possible parking restriction on one side of Elm Street. Previously there was no curbing so cars parked along the shoulder and sidewalk on both sides. With the new granite curbing, this is no longer possible. He said that there is no longer room for parking on both sides and feels that a restriction on one side is warranted.
- 2) Possible elimination of “No Right on Red” at the intersection of Elm and Pleasant. Elm Street was previously very wide at the intersection and cars formed two lanes at the light even though there was only 1 marked lane. With the realignment of the intersection, there is no longer room for two lanes. He feels there is sufficient site distance looking south to allow a safe right turn on red condition. This would help to clear the backup at the intersection.

With regard to the parking restriction, Tim Collins advised he would need to determine which side allows for the most parking and then restrict parking to only one side. Currently, there are also people parking at the corner of Elm and Pleasant making it difficult to make the turn.

With regard to the elimination of the “No Turn of Red”, Mr. Collins said the safest thing is to upgrade the pedestrian crossing so there is no chance of anyone getting hit. This can be done with the lights here.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to see 1) how many cars can park on each side of Elm Street and determine which side should have restricted parking and 2) to modify the traffic signal code for the pedestrian crossing in order to safely allow a right turn on red at this intersection.

2a) Request for 4-way stop at Essex Street and Church Street.

This request was received through SeeClickFix. Tom DiPersio said he does not think this intersection would meet the warrants for a 4-way stop. Tim Collins has information to provide but had to step out of the room to receive a phone call. (The Group moved on to 2b).

2b) Crosswalk – Hildreth @ Curtis Ave.

Tim Collins added this item to the Agenda. All crosswalks should be added under Chapter 586-60.1 Crosswalk Locations, in the City Code. He found that this crosswalk is not on the schedule nor are most of the crosswalks on Hildreth. Regulations are needed for those that are missing on Hildreth and the side street off Hildreth. Chief Giorgi will prepare the proper regulations for a vote at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to prepare the Crosswalk regulations for the next meeting.

Back to New Business Item 2a) – Request for 4-way stop at Essex and Church.

Tim Collins passed out a GIS photo of the area with two stop signs indicated and direction of travel (one way) on Essex marked. He also passed out an example of 2 of the MUTCD Warrants for a 4-way stop.

Warrant 1: Traffic volume – Where the Major Approach maintains 300 vehicles per hour for a sustained 8-hour period AND the Minor Approach maintains a 200 vehicles per hour count for the same eight-hour period.

Warrant 2: The average delay to the minor street vehicular traffic must be at least 30 seconds per vehicle during the highest hour.

MUTCD Warrants need to be met in order to install a 4-way stop. The idea behind a 4-way stop is not to slow traffic. It is used when there is so much traffic on the main road that the side road traffic can't get out.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to discuss this issue with Councilor Doucette, as he made the initial request. ACCEPT AND PLACE ON FILE.

Tim Collins advised that he would respond on SeeClickFix and close out the item.

2c) Dead End Sign on Greenwood Street.

This request was received through SeeClickFix. The complaint was that you couldn't really see the sign. Tim Collins advised that it is currently a small Dead End sign on top of the street sign. He did agree that it was difficult to see and that it would make sense to add a sign stating, "Not a Through Street" on the opposite side. It would be a 12 x 18 sign on a post on the right side of the street. All agreed this could be done.

MOTION was made, seconded, duly VOTED to REFER to the DPW to add the new sign.

2f) Mayor & DPW Commissioner – Feedback from 11-16-17 – Traffic Commission Issues.

The Agenda packet included a list of 4 items for the Traffic Commission to review:

- a. Stop sign at Peters Ave./Cook Lane
- b. Stop sign Cook Lane and Hildreth Street
- c. Stop sign at Park Street and Newton Street

d. No Turn on Red sign at Farm Road onto Route 20

Tim Collins said that it would be helpful to have the reason behind the requests so the Traffic Commission can see if there is something else that can possibly be done. For example, which way are they talking about on Cook Lane and why? Commissioner Ghiloni was not present at the meeting to provide feedback.

MOTION was made, seconded, duly VOTED to TABLE for the next meeting when Commissioner Ghiloni is available for the discussion.

2g) Review of Hosmer St. & Concord Rd. Merge Lane.

This request was received through SeeClickFix. The complaint was that “regardless of the time of day, cars speed and tailgate from the left lane on Rte. 20 by Hosmer to cut off vehicles so they can merge...”

Tim Collins agreed that right now there are two lanes that do race to get ahead, however, there is a new plan in the works for reconstruction in 2020-21 that would create three lanes so there would be room for all with a turn lane included. Chief Giorgi advised that he can reach out to the reporting party and advise. Mr. Collins also said that this area is a state highway and would require their input. He will get the contact information for the State Highway in Worcester for the Chief.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to close out the items and speak with the reporting party.

2h) Warning sign permit for Oakcrest Ave.

Requesting party came into the Engineering Office with this request for a sign indicating “Slow Children at Play”. She mentioned that cars drive too fast here and there are many children on the street, including an autistic child. Tim Collins passed out a GIS diagram of the area and said that the City doesn’t really like to install these signs because there are truly children at play everywhere. The request is also not coming from the parents of the autistic child but from a neighbor. The City has put up “Deaf Child” and “Autistic Child” signs in the past, however, they usually require documentation and this type of sign also needs to be renewed annually.

Mr. Collins also said that Oakcrest is a Dead-End street and the request is coming from a resident of the middle section. The residents know that there are children there. You can only go so fast on that road. Maybe it is more of a neighborhood issue, maybe a resident who is a newly licensed driver going too fast?

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to reach out to the family with the autistic child. They would need to be the ones to request the sign.

2i) Stop -Barrier – Greenwood Street.

This request was received through SeeClickFix. There is no stop barrier at the end of Greenwood and because of the slope of the road it can be a dangerous situation for speed if someone is unfamiliar with the area. Tim Collins agreed and said it is also dark there

with a lot of trees. He passed out an example of the type of signage used as “end of road signage” on White Terrace. (See diagram.) This would draw attention to the dark end of the roadway. He advised that no regulation is needed, it is simply an “object marker”, that can just be installed. All agreed this was a good idea.

MOTION was made, seconded, duly VOTED to REFER to the DPW to install the proper signage.

2j) Parking Issues on Water Terrace.

This request was received through SeeClickFix. The complaint is that when cars are parked on both sides of Water Terrace it is very tight to fit a fire truck or ambulance through in the event of an emergency. Tim Collins passed out a GIS Diagram of the area. He said that this section of roadway has 24 feet of pavement and it narrows at the end. He agreed that it makes sense to restrict parking to one side here. There are four houses with driveways off Water Terrace. There is currently a sign at the end that says, “No Parking Her to Corner”. People park here for the Senior Center.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to determine how many spaces there are available on each side of the street and where there are driveways. Parking can then be restricted on the side with the least amount of parking.

3-Old Business

3a) Traffic Commission rules and regulations update.

This information is currently up to date with General Code and is available on the City Website.

MOTION was made, seconded, duly VOTED to REMOVE FROM THE AGENDA.

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

This issue is still pending and needs to stay on the agenda.

MOTION was made, seconded, duly VOTED to TABLE.

3c) Unattended trailers parking in public way.

Chief Giorgi sent the proposed wording to the Legal Dept. and is waiting to hear back. Don Ryder said that he would review it and have something ready for the next meeting.

MOTION was made, seconded, duly to REFER to TABLE.

3d) Traffic Regulations at the 1st LT Charles W. Whitman School.

Tim Collins had wanted to go out to the site again to take a closer look at the area in question, however, he has not been able to get there yet.

MOTION was made, seconded, duly VOTED to TABLE.

3e) Request for Stop Sign at Stow Road and Beaman Lane (Additional Information/Clarification).

Tom DiPersio said that he lives near this area and can understand the issue, however, it does not meet the warrants for a stop sign. It could also be a little bit of a sight distance issue.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to contact the requesting party to discuss.

3f) Request for a stop sign on Brigham Street.

Chief Giorgi had the portable speed sign put out here for the period of 11/3/17 to 11/17/17 and included the feedback reports in the Agenda Packet. It was placed at the bottom of Brigham at Westboro Rd. The feedback did not support the request.

MOTION was made, seconded, duly VOTED to ACCEPT AND PLACE ON FILE.

3g) Crosswalk concerns on Farm Road. Intersection of Pheasant Hill and Phelps.

The additional sign at the crosswalk will be added. The DPW will be taking care of this.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

3h) Crosswalk Locations on Gikas Lane & Hudson Street.

Chief Giorgi had prepared the wording for the regulation and presented it for a vote. He will forward an electronic copy to Lisa Thomas for advertisement.

MOTION was made, seconded, duly VOTED to APPROVE the regulation to add crosswalks on Hudson Street and Gikas Lane. ALL IN FAVOR.

3i) Request for Relief from seasonal "No Parking" in front of 147 Cullinane Drive.

Chief Giorgi had prepared the wording the revised regulation and presented it for a vote. He will forward an electronic copy to Lisa Thomas for advertisement.

MOTION was made, seconded, duly VOTED to APPROVE the wording to delete the exiting regulation and change the location of the area for "Parking Prohibited Certain Hours" on Cullinane Drive.

3j) Request regarding speed bumps on private ways.

Property manager was looking for other ideas from the Traffic Commission to control speeding. Tim Collins advised that he would look into this and try to make some other recommendations for the next meeting.

MOTION was made, seconded, duly VOTED to TABLE.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:11 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, November 28, 2017. (Including City of Marlborough Meeting Posting).
- Draft of Traffic Commission Minutes from Tuesday, October 24, 2017.
- SeeClickFix Entry re: Request for 4-way stop at Essex Street and Church Street.
- Email from Tim Collins to James Driscoll, dated 11/3/17, re: Hildreth @ Curtis Ave.
- SeeClickFix Entry re: Dead End Sign on Greenwood Street.
- Email from Tom DiPersio to Chief Giorgi, dated 10/24/18, re: Elm Street Reconstruction Project – 2 issues for discussion.
- Email from local resident, Susi Ouellette, to the City Council, dated 11/16/17, re: Northboro Rd. East and new Apex Center (forwarded to Traffic Commission on 11/16/17).
- Items requiring feedback, from Mayor and DPW Commissioner, dated 11/16/17.
- SeeClickFix Entry re: Review of Hosmer ST & Concord Rd. Merge Lane.
- Warning Sign Permit Application for Oakcrest Ave.
- SeeClickFix Entry, re: Stop Barrier – Greenwood Terrace.
- SeeClickFix Entry, re: Parking Issues of Water Terrace.
- Extended Speed Summary Report for Brigham @ Westborough, EB, 11-3/17 to 11/17/17.
- Volume by Speed Report (Same location & timeframe).
- Compliance and Risk Report (Same location & timeframe)
- Revised Regulation for Crosswalk on Hudson St. & Gikas Lane.
- Revised Regulation for Parking Prohibited Certain Hours on Cullinane Drive.

Additional Handouts:

- GIS aerial image of Intersection of Church Street and Essex Street.
- Example of Meeting Warrants for a Multi-Way Stop Condition.
- Construction Plans for Reconstruction of Elm Street & Appurtenant Work
- GIS Diagram of area of Stevens Street and Oakcrest Ave. for Warning Sign Permit Request.

- GIS Diagram of Apex Site, Rte. 20 & Northboro Road Intersection.
- Example of end of road signage used on White Terrace (for Greenwood St.)
- GIS Diagram of Water Terrace.

City of Marlborough
License Board
 140 Main Street, Lower Level
 Marlborough, MA 01752
 (508) 460-3751 FAX (508) 460-3625

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2017 DEC 28 A 11: 17

Minutes of the License Board Regular Meeting Held Wednesday, November 29, 2017
 at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM); David Bouvier (DB)
 Member; Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

- **Masonic Hall / Stevie's Eatery (1 Permit)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

2. Change of Manager Application - Evviva Cucina, 142 Apex Drive - Daniel Azzarello

- Member Mitrakas motioned to table until applicant was present, Member Bouvier seconded; Board vote to table: 3-0 approved

3. New Wine & Malts Application – Lake Williams Pizza, 270 West Main St. - Evelyn Lima and Beatriz Desiqueira

Public meeting opened at 7:32 PM

No public positives or opposition/concerns were voiced from the floor – public hearing closed at 7:36 PM

Member Mitrakas expressed some concern over parking and safety getting out of the lot back onto Route 20. Also, concerned regarding the slippery slope of primarily takeout establishments getting a liquor license. Ms. Lima and Ms. Desiqueira explained that they would be making additions to their menu that included in-house dining only options if they got the license.

Member Bouvier requested if the Land Lord was on board with them having liquor license. They said he was.

Chairman Bonin felt the attitude of the applicants, the appearance of the shop showing pride of ownership, and the menu being extensive he was very comfortable with approving.

Member Bouvier motioned for approval, Member Mitrakas seconded; Board vote: 3-0 approved

License Board Meeting Minutes-October 25, 2017, Page 3

4. Pledge of Liquor License Application – Thairrific, 126-128 Main St Paul Tran

Pledge made against items in promissory note.

Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved pledge application against the promissory note.

5. Transfer of License Application – Tandoori Grill to Magik Ventures, Inc.

DBA Mirchi Nation, 197H Boston Post Rd W – Mr. Piyush Shah

Public meeting opened at 8:10 PM

No public positives or opposition/concerns were voiced from the floor – public hearing closed at 8:20 PM

Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved.

6. New On-Premise Beer and Wine License Application – Milos Restaurant Inc. (DBA Labaredas), 500 Boston Post Rd E – Itamar Da Costa, Jr.

Public meeting opened at 7:55 PM

No public positives or opposition/concerns were voiced from the floor – public hearing closed at 8:03 PM

Buffet style food service, with table service for the alcoholic beverages.

Member Mitrakas motioned for approval of the license application, Member Bouvier seconded the motion, Board vote: 3-0 for approval of application.

7. New Off-Premise Beer and Malt Application – Rick Lombardi

197 Boston Post Road West

Public meeting opened at 8:06 PM

No public positives or opposition/concerns were voiced from the floor – public hearing closed at 8:08 PM

The Board held off on a decision until a special meeting on December 13th at which Michael Kennedy would be applying for the same license. A decision would be made the night of the 13th.

8. Bahama Motors – Jose Bahama

Member Mitrakas recused himself from the discussion and decision of the Board.

After some discussion, the Board determined that Mr. Bahama allowed his dealer plates to be used by Oscar's Auto Repair, located at 424 Lincoln St in an unlawful transaction in the commission of an illegal, non-licensed sale of an automobile. The chairman made it clear that if Mr. Bahama ever loaned his plates again the Board would take back his plates and revoke his dealer's license.

9. Reports from the Chairman

Discussion of the new Brewing Pub licenses and the process for obtaining them as they pertain to Walden Woods was discussed.

To the Chairman's question, license renewals were reported to be on track.

10. Review minutes –

- October 25, 2017 special meeting

Member Mitrakas motioned to accept the meeting minutes and place on file, Member Bouvier seconded, Vote: 3 – 0 to accept both sets of minutes and place on file.

Member Bouvier motioned to adjourn 9:30 PM, seconded by Member Mitrakas, Board vote: 3-0 to adjourn.

The next meeting of the Licensing Board is Wednesday, December 13th for a special meeting regarding the Kennedy's Market New License Application.

The next regular meeting of the Licensing Board is December 27, 2017.

Respectfully submitted,



Walter Bonin, Chairman

Marlborough Public Library Board of Trustees
Meeting Minutes

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November 7, 2017

2018 JAN -3 A 8:08

Bigelow Auditorium, Marlborough Public Library

Meeting called to order by Rustin Kyle at 7:02pm

Board Members Present: Tom Abel, Karen Bento, Nena Bloomquist, William Brewin, Ray Hale, Rustin Kyle, and Robyn Ripley

Also Present: Margaret Cardello, Library Director

Absent: Ray Johnson and Janice Merk

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the October meeting was passed (Abel/Bento).*

2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for October of 2017 (Hale/Abel).*

3. **Director's Report:** (see attached for more details)
 - Margaret met with the Historical Commission regarding the library building project and the state grant. They are very interested in remaining "in the loop" as the project moves forward.
 - The Hopkinton Public Library is now open and is well received within the community.
 - Margaret will be attending the December 5th meeting of the Junior Women's Club regarding the new library project, the Library Foundation, and fundraising.
 - There has been a meeting room request from a mortgage company to offer a home buying class. It is a for-profit company using a class as a lead-generating opportunity and it is not a Marlborough-based company. The trustees suggested Assabet Valley as a more appropriate location for the class.
 - The staff is evaluating scheduling software on a one-year basis. The cost of the evaluation is \$617. *A motion was passed authorizing the payment of \$617 to Springshare LLC from State Aid (Abel/Hale).*

4. Committee Reports:

- Foundation:
 - The regular meetings have been moved as to not conflict with Rotary Board meetings.
 - Tom Abel's findings regarding naming rights: Trustees are considered custodians of the library and do not, necessarily, have naming rights. A broad decision in 1998 proclaimed all buildings in the city to be named after veterans. The trustees should seek to obtain City Council approval to allow the Trustees (not the Foundation) to approve naming rights within the library. *A motion was passed to request the Assistant City Solicitor to draft an amendment to the existing order for City Council approval that would grant naming rights to spaces in the library to the library trustees (Abel/Hale).*
- Friends: (see attached report for detailed information)
 - Ray Johnson is quite ill. The Friends are working very hard to fill his shoes as he did all the PR for their programs.
 - *A motion for the Trustees to pay \$50 for the First Honorable Mention prize in the current art show was passed (Brewin/Hale).*

5. Old Business:

- DCU Donation: Margaret has gathered some pricing for few options:
 - New chairs for the auditorium. Stackable, with carts - \$8,337.48
 - Tutoring programs such as Brainfuse (\$3,850) or Tutor.com (\$4,900) may take addition staff resources in order to get up and running properly. Importantly, the fee may increase after the first 2 years after more people are accessing the service.
 - The portion of the cost of the Microfilm ScanPro machine, which would not be covered by the Brigham Trust, if granted (minimum of \$2,655).

6. New Business:

- The wireless hotspots are very popular but have been problematic, as well. Margaret has switched to a new vendor which costs less and a new rotation of devices should limit the problems with speed issues that were occurring.
- Since both Margaret and a few trustees will be attending the Junior Women's Club meeting December 5th, an alternate meeting date for the trustees' monthly meeting is proposed. Next month's meeting will take place on December 12th.
- *A motion to approve the 2018 Holiday Calendar for the Marlborough Public Library was passed (Ripley/Abel).*

7. **Adjournment:** *A motion to adjourn passed at 7:59 (Abel/Bloomquist).*

Minutes submitted by Secretary Robyn Ripley.

Marlborough Public Library Board of Trustees
Meeting Minutes

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December 5, 2017
Bigelow Auditorium, Marlborough Public Library

2018 JAN -3 A 8:08

Meeting called to order by Rustin Kyle at 7:15pm

Board Members Present: Karen Bento, Nena Bloomquist, William Brewin, Ray Hale, Rustin Kyle, and Janice Merk

Also Present: Margaret Cardello, Library Director

Absent: Tom Abel, Robyn Ripley

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the November meeting was passed (Bloomquist/Hale).*
2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for November of 2017 (Hale/Brewin).*
3. **Director's Report:** (see attached for more details)
 - The library received a grant from the Brigham Family Trust in the amount of \$4500 for a new digital scanner to replace the outdated microfilm machine. A new PC and printer will be needed when the machine is installed. Margaret is meeting with Mark Gibbs to review the library's 2018 tech needs and will include this hardware in the list.
 - Margaret reported that the city's Finance Committee has approved the purchase of 29 Witherbee Street on a 5-0 vote. The request will be taken up by the City Council at the December 18 meeting.
 - Margaret has asked for a quote from the Minuteman Library Network as she considers the pros and cons of moving to MLN from CW MARS.
 - The MPL has been asked to host a Library Legislative Breakfast on January 26 from 8am – 9:30am. Libraries on the waiting list for state building grants are asked to host these events, which provide legislators and communities with updates on FY19 library funding priorities. Sen. Eldridge and Rep. Gregoire have already accepted an invitation to attend. About 30 – 50 people are expected to be present at the breakfast.
 - Margaret coordinated a reception on December 3 for Ray Johnson, a long-time MPL Trustee and President of the Friends of MPL. Approximately 200 people attended to celebrate Ray's many accomplishments and dedicated service to the

library. The Trustees discussed how the board could best honor Ray's memory. Margaret is checking with the Friends to see what plans they may have and will report back at the next Trustees meeting.

- The staff is creating welcome bags which are presented to new library card recipients. There are three versions of the bags (for children, teens and adults) containing an assortment of age-appropriate information and fun items.
- Margaret received a request from a Marlborough resident who would like to host a monthly bible study session entitled "Walk in the Way" at the library. The organization is non-profit and open to the public. About 7-10 people are expected to attend each month. The request is in line with the library's current policies, which do not limit access as long as the content is lawful and the meeting is open to the public and not disruptive to the operations of the library. These MPL policies were established in accordance with the recommendations of the American Library Association.

Committee Reports:

- Foundation:
 - Nena Bloomquist provided an update on the Foundation's fundraising activities. To date the Foundation has received nearly \$110,000 in total pledges. This has been accomplished without the benefit of any large corporate donations, which the Foundation is still working to secure. The fact that the library is still on a waiting list appears to be holding some donors back, so the Foundation has begun accepting "conditional" donations, which will be paid once the grant is awarded and the city council approves the project.
- Friends:
 - Margaret reported that with Ray's passing, the Friends did not submit a report this month. The group will resume reports in January as they work to reallocate Ray's many tasks to other members.

4. Old Business:

- There was no old business to discuss this month.

5. New Business:

- In accordance with the Board of Trustees' bylaws, nominations for officers were put forward for the next term. The board will vote on the officers at the January 2018 meeting. *A motion to approve the following nominees was passed.*
(Kyle/Bloomquist):
 - Chair: Ray Hale
 - Vice-Chair: Bill Brewin
 - Secretary: Janice Merk
- Ray Johnson has served as the library's representative on the board of the Brigham Family Trust for many years. With his death, a new representative

needed to be named. *A motion to have Bill Brewin replace Ray Johnson on the board was passed. (Hale/Merk)*

- Ray's passing also creates a vacancy on the Board of MPL Trustees. Members were asked to think about possible candidates for the position.

6. Adjournment: *A motion to adjourn passed at 8:15pm (Brewin/Bloomquist).*

Minutes submitted by Janice Merk.