

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 APR 23 P 1:08

1. Minutes of the City Council Meeting, April 6, 2015.
2. Communication from the Mayor re: Amendatory Vote on Turf Field Bond Request, Order No. 14/15-1005997C.
3. Communication from the Mayor re: Order of Taking by Eminent Domain, Farm Rd. Reconstruction Project.
4. Communication from the Mayor re: Grant of Easement to the MA Water Resources Authority (MWRA).
5. Communication from the Mayor re: Appointment of Ana Cristina Oliveira as Interim Council on Aging Director due to Jen Claro's resignation effective April 29, 2015.
6. Communication from the Retirement Board re: Consideration of Cost-of-Living Increase.
7. Communication from David McKay of Mirick O'Connell on behalf NPG Management LLC, re: request to extend time limitations on Application for Special Permit, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple Street, to June 16, 2015, Order No. 15-1006070B.
8. Communication from Attorney Gadbois on behalf of Ferris Development 325 DJL Blvd. LLC, re: Request for a Zoning Change for property at 325 Donald Lynch Blvd.
9. Petition of Comcast to construct a line for such telecommunications on Newton St. Full narrative is attached.
10. Application for renewal of Junk Dealers/Second Hand License, Best Buy Stores, LP, d/b/a Best Buy Stores, LP #1966, 601 Donald Lynch Blvd.
11. Application for renewal of Junk Dealers/Second Hand License, Best Buy Stores, LP, d/b/a Best Buy Stores, LP #820, 769 Donald Lynch Blvd.
12. Communication from Department of Public Utilities, Condensed Financial Return, for Year 2014.
13. Minutes, Planning Board, March 23, 2015.
14. Minutes, Recreation Commission, January 14 & March 11, 2015.
15. Minutes, Board of Assessors, March 18, 2015.
16. Minutes, Zoning Board of Appeals, March 24, 2015.
17. CLAIMS:
 - a. Charlotte Zakarian, 9 Clarke Dr., pothole or other road defect claim.
 - b. Michael Moreau, 114 Lodi Rd., pothole or other road defect claim.
 - c. Claude Tsai, 96 Barnard Rd., residential mailbox claim 2(a).
 - d. M. Susan MacMaster, 164 South St., other property damage.
 - e. Elizabeth Montgomery, 70 Clarke Dr., other property damage.
 - f. Claire Finlay, 14 Summit Ave., other property damage.
 - g. Scott Ferguson, 98 Wellington St., other property damage.
 - h. Robert Nims Jr., 29 Old Charter Rd., other property damage.
 - i. Tom Golden, 331 Hosmer St., other property damage.
 - j. Brenda Melanson, 13 State St., other property damage.
 - k. Robert Rennie, 281 Pleasant St., other property damage.
 - l. Georjanne Sefter, 18 Beaman Ln., other property damage.
 - m. Marguerite Skog, 389 Hosmer St., residential mailbox claim 2(a).
 - n. Jerry Dubay, 26 Nashoba Dr., other property damage.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Legislative and Legal Affairs Committee

18. **Order No. 14-1006005C: Amendment to the City of Marlborough General Code Relative to Department and Title Change of Personnel Department/Director to Human Resources Department/Director.**

Motion made by Councilor Robey, seconded by the Chair, to remove Order No. 14-1006005C, parts A. and B. from the table. The motion carries 3-0.

The committee reviewed the request by the Mayor to amend the City Code by changing the title of Personnel Director and Department to Human Resources Director and Department. The committee supported the request to change the City Code relevant to this director and department.

Motion made by Councilor Delano, seconded by the Chair, to approve the amendments to the City Code as follows:

A. The City Code is hereby amended in its entirety by deleting the words “Personnel Director” wherever they appear throughout the City Code, and inserting in place thereof the words “Human Resources Director.”

B. The City Code is hereby amended in its entirety by deleting the words “Personnel Department” wherever they appear throughout the City Code, and inserting in place thereof the words “Human Resources Department.”

The motion carries 3-0.

Motion made by Councilor Robey, seconded by the Chair, to request a suspension of the rules at the next City Council meeting to advertise the amendments to the City Code. The motion carries 3-0.

19. **Order No. 15-1006127: Proposed Order concerning Acceptance of MGL, Chapter 83, Sections 16A-16F.**

The committee reviewed the proposed order requesting local acceptance of MGL, Chapter 83, Sections 16A – 16F which if accepted, would allow the City of Marlborough to collect past due amounts for nonpayment of sewerage bills by placing liens and terminating sewerage use to a property. The City already has the ability to place liens and termination of service on properties for nonpayment of water bills due to its local acceptance of Chapter 40, Sections 42A – 42F in 1924.

Motion made by Councilor Delano, seconded by the Chair, to approve the acceptance of MGL, Chapter 83, Sections 16A – 16F. The motion carries 3-0.

From Public Services

20. **Order No. 15-1006147: Application for Renewal of Junk Dealers/Second Hand License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Boulevard.**
Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of a Junk Dealers/Second Hand License to Antoine Bitar, Hannoush Jewelers. The motion carries 3-0.
21. **Order No. 15-1006133: Application for Renewal of Junk Dealers/Second Hand License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.**
Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of a Junk Dealers/Second Hand License to Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair. The motion carries 3-0.
22. **Order No. 15-1006132: Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc., d/b/a Savers, 222A East Main Street.**

Chairman Landers read through the conditions and waivers that are a part of their license which are as follows:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.
6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.
7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.
3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve with conditions the Junk Dealers/Second Hand License to TVI, Inc., d/b/a Savers. The motion carries 3-0.

23. **Order No. 15-1006131: Application for Renewal of Junk Dealers/Second Hand License, Mary Giorgi, d/b/a Giorgi's Boutique, 266 Main Street.**

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of Junk Dealer/Second Hand Article Dealer License to Mary Giorgi, Giorgi's Consignment Boutique. The motion carries 3-0.



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

APRIL 6, 2015

Regular meeting of the City Council held on Monday, APRIL 6, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy and Landers. Meeting adjourned at 9:10 PM.

ORDERED: That the minutes of the City Council meeting MARCH 23, 2015, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** Proposed Zoning Amendment, Chapter 650, Section 26.A(1)(a), Order No. 15-1006130, all were heard who wish to be heard, hearing recessed at 8:27 PM; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy & Landers.

ORDERED: That the recommendation from the City's OPEB Board of Trustees pursuant to "Article 14" of City Council Order No. 13-1005335C, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the OPEB transfer request in the amount of \$5,000,000.00 which will mark the inaugural deposit towards the City's unfunded post-employment liability, better known as OPEB, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:		Mayor				FISCAL YEAR:		2015	
		FROM ACCOUNT:				TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
Balance									Balance
\$5,000,000.00	\$5,000,000.00	83800	32726	Stabilization- OPEB	\$5,000,000.00	8759910	49761	OPEB Trust	\$0.00
	Reason:	Transfer funds designated for OPEB to new trust							
	\$5,000,000.00	Total			\$5,000,000.00	Total			

ORDERED: That the Police Department transfer request in the amount of \$112,488.00 which moves funds from Fringes to Sick Leave Buy Back and Sergeants to fund the contractually obligated sick leave buyback due to two retiring members of the Police Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		2015		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$129,346.42	\$112,488.00	11990006	51500	Fringes	\$78,402.00	12100003	51920	Sick Leave Buy Back	\$0.00	
				Retirement payout for 2 employees						
					\$34,086.00	12100001	50820	Sergeants	\$143,158.61	
	\$112,488.00	Total			\$112,488.00	Total				

ORDERED: That the Fire Department transfer request in the amount of \$7,244.24 which moves funds from Fringes to Sick Leave Buy Back to fund the contractually obligated sick leave buyback due to a retiring member of the Fire Department, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		15		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$187,516.60	\$7,244.24	11990006	51500	Fringe	\$7,244.24	1220003	51920	Sick Leave Buy Back	\$30,535.96	
	Reason:	Retirement payout of sick leave				Account balance insufficient				
	\$7,244.24	Total			\$7,244.24	Total				

ORDERED: That the Mayor’s office transfer request in the amount of \$5,610.25 to fund the sick leave buyback and unused vacation payout due to a departing member of his staff, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2015		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$18,400.00	\$5,610.25	11330002	50770	Treasurer-Senior Clerk	\$1,000.00	11210003	51920	Sick Leave BuyBack	\$0.00	
		Surplus due to prior vacancy					Sick leave due to departing employee			
					\$4,610.25	11210001	50321	Executive Aide to Mayor	\$14,023.96	
						Vacation due to departing employee				
	\$5,610.25	Total			\$5,610.25	Total				

ORDERED: That the Application for Special Permit from Digital Federal Credit Union to amend Special Permit, Order No. 03-10047B, by removing condition #7 in proper legal form, Order No. 14/15-1006011D, X14/15-1006053C, **MOVED TO ITEM 25**; adopted.

ORDERED: That the Application for Special Permit from Digital Federal Credit Union to operate an electronic message center sign pursuant to City Code, §526-13 in proper legal form, Order No. 14/15/1006053C, X14/15-1006011D, X03-10047B, **MOVED TO ITEM 26**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MAY 4, 2015** as a date for a **PUBLIC HEARING** on the Application, Fuel Storage License, Discount Gas, 50 Main St., to increase Fuel Storage capacity from 15,000 to 18,000 gallons, refer to **PUBLIC SERVICES COMMITTEE, AND ADVERTISE**; adopted.

ORDERED: That the Application for renewal of Junk Dealers/Second Hand License, Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for renewal of Junk Dealers/Second Hand License, ecoATM, Inc., 601 Donald Lynch Blvd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for renewal of Junk Dealers/Second Hand License, Jean Rabelo, d/b/a Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Rd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MAY 4, 2015** as date for a **PUBLIC HEARING** On the Petition of Mass Electric Company and Verizon New England Inc. to install new p22-50 to be set approximately 52' from existing p23 and 175' from existing p22; p22-p50 will be used to feed new 3ph xfmr bank and oh quadruplex service to construction trailer at 200 Forest St. where proposed p22-50 will later be used for permanent service to feed pad mount for new Hotel, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Central Mass. Mosquito Control Project re: Annual Reports, **FILE**; adopted.

ORDERED: That the Communication from Central Mass. Mosquito Control Project re: Commencement of Mosquito Larval Control in Marlborough, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, March 10, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, March 9, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, January 6, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, February 24, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Community Development Authority, Personnel Committee, January 15 & February 10, 2015, Special Board Meeting, February 18 & March 5, 2015, and Regular meetings, December 18, 2014 & January 9, 2015, **FILE**; adopted.

ORDERED: That the Minutes, OPEB Trust, March 3, 2015, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Paul Priestley, 20 Crestwood Ln., other property damage.
- b. Kieran Moore, 99 Clearview Dr., other property damage.
- c. Luis Saquich, 26 Boudreau Ave #1, pothole or other road defect claim.
- d. John & Maryann Furtado, 30 Pheasant Hill Rd., other property damage.
- e. Clifford Bodenweiser, 51 Leoleis Dr., other property damage.
- f. Richard Sebeika, 86 Cloverhill St., residential mailbox claim 2(a).
- g. Judith Hayes, 92 Porter Rd., other property damage.
- h. Lisa McCarthy, 615 Berlin Rd., other property damage.
- i. Carla White, 64 Morrisey Rd., residential mailbox claim 2(a).
- j. Lindsay Spada, 80 Ripley Ave., pothole or other road defect claim

Reports of Committees:

Councilor Clancy reported the following out of the Legislative and Legal Affairs Committee:

Meeting Name: City Council Legislative & Legal Affairs Committee

Date: March 31, 2015

Time: 5:30 PM

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

Convened: 5:30 PM

Adjourned: 5:55 PM

Present: Chairman Clancy; Legislative & Legal Affairs Committee Members Councilors Robey and Delano

Also Present: Mayor Arthur Vigeant; David Brumby, Personnel Director; Assistant City Solicitor Cynthia Panagore Griffin

Order No. 14-1006005C: Amendment to the City of Marlborough General Code Relative to Department and Title Change of Personnel Department/Director to Human Resources Department/Director.

Reports of Committees cont'd:

Motion made by Councilor Robey, seconded by the Chair, to remove Order No. 14-1006005C, parts A. and B. from the table. The motion carries 3-0.

The committee reviewed the request by the Mayor to amend the City Code by changing the title of Personnel Director and Department to Human Resources Director and Department. The committee supported the request to change the City Code relevant to this director and department.

Motion made by Councilor Delano, seconded by the Chair, to approve the amendments to the City Code as follows:

- A. The City Code is hereby amended in its entirety by deleting the words "Personnel Director" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Director."
- B. The City Code is hereby amended in its entirety by deleting the words "Personnel Department" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Department."

The motion carries 3-0.

Motion made by Councilor Robey, seconded by the Chair, to request a suspension of the rules at the next City Council meeting to advertise the amendments to the City Code. The motion carries 3-0.

Order No. 15-1006127: Proposed Order concerning Acceptance of MGL, Chapter 83, Sections 16A-16F.

The committee reviewed the proposed order requesting local acceptance of MGL, Chapter 83, Sections 16A – 16F which if accepted, would allow the City of Marlborough to collect past due amounts for nonpayment of sewerage bills by placing liens and terminating sewerage use to a property. The City already has the ability to place liens and termination of service on properties for nonpayment of water bills due to its local acceptance of Chapter 40, Sections 42A – 42F in 1924.

Motion made by Councilor Delano, seconded by the Chair, to approve the acceptance of MGL, Chapter 83, Sections 16A – 16F. The motion carries 3-0.

Motion made by Councilor Delano, seconded by the Chair, to adjourn.
The motion carries 3-0. The meeting adjourned at 5:55 PM.

*Reported by: Chairman Clancy
For Agenda: April 6, 2015*

Reports of Committees cont'd:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: March 31, 2015

Time: 5:00 PM

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

Convened: 5:00 PM

Adjourned: 5:27 PM

Present: Chairman Landers; Public Services Committee Members Councilors Clancy and Irish

Order No. 15-1006147: Application for Renewal of Junk Dealers/Second Hand License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Boulevard.

Police Chief Leonard approved the CORI report for Antoine Bitar and has no objection to the renewal of his Junk Dealer License. Mr. Bitar explained the purchase of used gold is almost nonexistent and has been in decline the past several years. He continues to offer it as a service to his customers.

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of a Junk Dealers/Second Hand License to Antoine Bitar, Hannoush Jewelers. The motion carries 3-0.

Order No. 15-1006133: Application for Renewal of Junk Dealers/Second Hand License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.

Police Chief Leonard approved the CORI report for Roman Kimyagarov and has no objection to the renewal of his Junk Dealer License. Mr. Kimyagarov indicated his shoe business is good but the gold business is slow.

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of a Junk Dealers/Second Hand License to Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair. The motion carries 3-0.

Order No. 15-1006132: Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc., d/b/a Savers, 222A East Main Street.

Police Chief Leonard approved the CORI report for Roger Gauthier and has no objection to the renewal of their Junk Dealer License. David Manoogian, an Attleboro attorney representing Savers, and Roger Gauthier, Store Manager for Savers, appeared before the committee to request renewal of their Junk Dealer License. Mr. Gauthier explained Savers has a unique business model in that they believe in a better world through re-use. Last year alone, the Savers Company kept 650 million pounds out of landfills because items were either sold or recycled.

Chairman Landers asked Mr. Gauthier to explain their program with the schools. Savers, in the spirit of an earth day celebration, is requesting a city-wide drive for donations. A clothing drive does not require participants to buy any merchandise, but provide a donation to Savers who will provide each school with \$0.20 per pound for all donations in their school's name. Their usual charity partner is the Epilepsy Foundation of New England.

Reports of Committees cont'd:

Chairman Landers read through the conditions and waivers that are a part of their license which are as follows:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.
6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.
7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.

Reports of Committees cont'd:

3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve with conditions the Junk Dealers/Second Hand License to TVI, Inc., d/b/a Savers. The motion carries 3-0.

Order No. 15-1006131: Application for Renewal of Junk Dealers/Second Hand License, Mary Giorgi, d/b/a Giorgi's Boutique, 266 Main Street.

Police Chief Leonard approved the CORI report for Mary Giorgi and has no objection to the renewal of her Junk Dealer/Second Hand Article Dealer License. Ms. Giorgi stated business was slow this winter due to the weather but has improved with the better weather.

Motion made by Councilor Clancy, seconded by Councilor Irish, to approve renewal of Junk Dealer/Second Hand Article Dealer License to Mary Giorgi, Giorgi's Consignment Boutique. The motion carries 3-0.

Motion made by Councilor Clancy, seconded by Chair, to adjourn. The motion carries 3-0. The meeting adjourned at 5:27.

*Reported by: Chairman Landers
April 6, 2015*

Suspension of the Rules requested – granted

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, April 6, 2015 at 8:00 PM in the City Council Chambers, 2nd Floor, City Hall, the following proposed ordinance to the Code of the City of Marlborough having been read was ordered **ADVERTISED**; adopted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH (HEREINAFTER, THE "CITY CODE"), AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- A. The City Code is hereby amended in its entirety by deleting the words "Personnel Director" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Director."
- B. The City Code is hereby amended in its entirety by deleting the words "Personnel Department" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Department."

ORDERED: That the City Council review with the Mayor and DPW Commissioner the practice of charging homeowners for work performed by city employees, and including individual manpower hours and hourly rates for municipal vehicles, in connection with repairs to water /sewer service problems and other services involving work in the public street or way, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED:

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 14/15-1006011E**

The City Council of the City of Marlborough hereby GRANTS the application to amend a Special Permit to Digital Federal Credit Union (the "Applicant") for the property located at 835-865 and 905 Donald J. Lynch Boulevard, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant is the owner of the property located at 835-865 and 905 Donald J. Lynch Boulevard, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 50, Parcels 9, 3A and 3B (the "Site").
2. The Site is subject to a special permit issued by the City Council of the City of Marlborough dated June 16, 2003, Order No. 03-10047B (the "Original Special Permit," attached hereto as Exhibit A).
3. In light of the recent amendment to the City Code creating § 526-13 entitled, Electronic Message Center Signs and Digital Display Signs, the Applicant seeks to amend the Original Special Permit by removing Condition #7 which prohibits signs on the Site which have moving parts, message boards, LCDs or equivalent features; and inserting in place thereof a new Condition #7 comporting with § 526-13 (the "Application").
4. In connection with the Application, the Applicant has submitted a certified list of abutters, filing fees, and the existing approved site plan for the Site entitled, "As-Built Plan, Donald J. Lynch Boulevard Office Park," prepared by Cornerstone Consulting Civil Engineers and Land Surveyors, dated July 20, 2004 (the "Plans").
5. The Plans were certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
6. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

7. The Marlborough City Council, pursuant to Massachusetts General Laws, Chapter 40A, held a public hearing on the application on Monday, February 23, 2015.
8. The Applicant, through its representatives, presented testimony at the public hearing detailing the Application. No individual in attendance at the public hearing spoke in opposition to the Application.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS AND TAKES THE FOLLOWING ACTIONS**

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns, to the conditions more fully set forth herein.
- C. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough, hereby GRANTS the Applicant an Amended Special Permit, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:
 1. The Original Special Permit is amended by removing Condition #7 in its entirety and inserting in place thereof the following:
 - 7) The location and design of any signage on the Site shall be reviewed and approved by the City of Marlborough in accordance with the Sign Ordinance of the City of Marlborough.
 2. In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant, its successors and/or assigns shall, at its expense, record this Amended Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Amended Special Permit has elapsed with no appeal having been filed, and before the Applicant, its successors and/or assigns, has applied to the Building Commissioner for any building permit that may be required concerning the Sign. The Applicant, its successors and/or assigns shall also furnish proof of recording to the City Solicitor's Office and the City Council immediately subsequent to recording.
 3. Except as amended by this Decision, the Original Special Permit remains in full force and effect.

Yea: 9 – Nay: 1 – Abstain: 1

Yea: Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey

Nay: Elder

Abstain: Delano

ORDERED:

**DECISION ON A SIGN ORDINANCE SPECIAL PERMIT
CITY COUNCIL ORDER NO. 15-1006053D**

The City Council of the City of Marlborough hereby GRANTS the application to for a Sign Ordinance Special Permit to Digital Federal Credit Union (the "Applicant") for the property located at 865 Donald J. Lynch Boulevard, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant is the owner of the property located at 865 Donald J. Lynch Boulevard, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 50, Parcel 9 (the "Site").
2. The Applicant seeks a Sign Ordinance Special Permit, pursuant to Section 526-13 of the Code of the City of Marlborough entitled, Electronic Message Center Signs and Digital Display Signs (the "EMC and Digital Display Sign Ordinance"), to operate an electronic message center sign (the "Sign") at the Site (the "Application").
3. The Sign is a 41-inch by 87-inch double-faced full color electronic message center (EMC) sign, with a display area of 24.77 square feet. The Sign is located on a 17-foot high free-standing pylon sign below an internally-illuminated sign. The Sign installer is Poyant Signs of 125 Samuel Barnet Blvd., New Bedford, Massachusetts 02745.
4. At its meeting on February 12, 2015, the Planning Board issued a variance decision for the Sign, granting variances from certain requirements applicable to the Sign under the EMC and Digital Display Sign Ordinance, with the Applicant agreeing to maintain only the levels allowed for the maximum daytime brightness as well as brightness levels from sunset to sunrise as allowed by the EMC and Digital Display Sign Ordinance and further agreeing to utilize static messages only as allowed by said Ordinance (the "Variances.>").
5. In connection with the Application, the Applicant has submitted schematic designs of the Site and a sketch plan showing the location of the Sign on the Site.
6. The Marlborough City Council held a public hearing on the Application on Monday, February 23, 2015.
7. The Applicant, through its representatives, presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS AND TAKES THE FOLLOWING ACTIONS**

- A. The Applicant has complied with all rules and regulations promulgated by the Marlborough City Council as they pertain to application for a special permit under the EMC and Digital Display Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13.B of the EMC and Digital Display Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the EMC and Digital Display Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or the view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the EMC and Digital Display Sign Ordinance, as permitted by the Variances.
- D. The City Council, pursuant to its authority under the EMC and Digital Display Sign Ordinance, hereby GRANTS the Applicant a special permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:
 1. The Sign shall be operated in accordance with the EMC and Digital Display Sign Ordinance of the City of Marlborough.

Yea: 9 – Nay: 1 – Abstain: 1

Yea: Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey

Nay: Elder

Abstain: Delano

ORDERED:

TURF FIELD BOND

That the sum of \$3,855,059.00 (three million eight-hundred fifty-five thousand and fifty-nine) dollars be and is hereby appropriated for the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field and that to meet said appropriations, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,855,059.00.

Pursuant to the provisions of Chapter 44, Section 7 (3) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

APPROVED; adopted.

Yea: 10 – Abstain: 1

Yea: Delano Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey
Abstain: Elder

ORDERED: That a portion (Lot 2) containing 11.31 acres of the Hudson Street Landfill property located at Hudson Street and shown on the Marlborough Assessor's Maps as Map 30, Parcel 4, as taken by the City of Marlborough in October 5, 1959 for purposes of a public dump and other municipal purposes, is hereby permanently dedicated to park and recreation purposes under the provisions of M.G.L. c. 45, § 3; and further, that, as so dedicated, said property is hereby placed under the care, custody, management and control of the City of Marlborough Recreation Commission, **APPROVED;** adopted.

Yea: 10 – Abstain: 1

Yea: Delano Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey
Abstain: Elder

ORDERED: That the sum of \$3,095,000 (three million ninety-five thousand) dollars be and is hereby appropriated for the construction of municipal outdoor recreational facilities.

That to meet said appropriation, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,095,000.

Pursuant to the provisions of Chapter 44, section 7 (25) of the Massachusetts General Laws, as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

APPROVED; adopted.

Yea: 10 – Abstain: 1

Yea: Delano Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey
Abstain: Elder

ORDERED:

**A RESOLUTION
TO APPLY FOR AND ACCEPT A GRANT FROM
THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,
FOR THE HUDSON STREET LANDFILL RECREATION FACILITY**

WHEREAS, by vote of the City Council on **April 6, 2015**, the care, custody, management and control of a portion (Lot 2) containing 11.31 acres of the Hudson Street Landfill property located at Hudson Street and shown on the Marlborough Assessor's Maps as Map 30, Parcel 4, as taken by the City of Marlborough in October 5, 1959 for purposes of a public dump and other municipal purposes, has been dedicated to park and recreation purposes under M.G.L. c. 45, § 3, and has been placed under the care, custody, management and control of the Recreation Commission of the City of Marlborough; and

WHEREAS, the Hudson Street landfill is an under-used parcel of land, and the development of this land into a large recreation center is a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, the main focus of a conceptual Master Plan prepared for the Hudson Street landfill's reuse is to build a new multi-purpose recreation center for the City; and

WHEREAS, the Hudson Street landfill's reuse is to be guided by the said Master Plan and will include a softball/baseball field, two multi-use fields, playground area, parking lot for 100+ parking spaces, a concession stand with restroom facilities, a water bubbler, bike racks, exercise center, picnic tables, and landscaping with the addition of 60+ trees and shrubs. In addition, a 0.25 mile walking path loop is to be developed for this project and lights will be added to extend play time on the fields; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for Communities ("PARC") grant program (301 CMR 5.00); and

WHEREAS, the project cost as outlined in the Master Plan totals \$3,095,000 (three million ninety-five thousand), and the City Council has voted on **April 6, 2015** to authorize the bond funding in the amount of \$3,095,000 (three million ninety-five thousand);

NOW, THEREFORE, be it resolved, as follows:

1. That the Mayor be, and hereby is, authorized to apply for and accept a PARC grant from EOEEA; and
2. That the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of the PARC grant to be administered by the Recreation Commission of the City of Marlborough; and
3. That this Resolution shall take effect upon its passage.

APPROVED; adopted.

Yea: 10 – Abstain: 1

Yea: Delano Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey

Abstain: Elder

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:10 PM.



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 APR 23 A 11: 38

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

April 23, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Amendatory Vote on Turf Field Bond Request

Honorable President Pope and Councilors:

On April 6, 2015, the Council approved the bond request in the amount of \$3,855,059.00 to fund the city's first synthetic turf athletic field at the Whitcomb Middle School. (See Order No. 14/15-1005997C, enclosed herewith.) However, the approved bond request contained a scrivener's error by referring to a subsection of the municipal bonding statutes that pertains to acquiring land or interests in land and to constructing buildings (MGL c. 44, § 7(3)). Since the request for the turf field also included construction of a new track and concession stand, the more appropriate subsection of the municipal bonding statutes pertains to the construction of municipal outdoor recreational and athletic facilities (MGL c. 44, § 7(25)).

Accordingly, I respectfully ask for your vote amending your April 6 approval of the \$3,855,059.00 bond request so that MGL c. 44, § 7(25), pertaining to the construction of municipal outdoor recreational and athletic facilities, is now cited in the order. The bond's repayment period remains at fifteen years. For your convenience, a copy of the proposed order is enclosed for your approval following advertisement in the newspaper.

Thank you for your attention to this matter.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



IN CITY COUNCIL

Marlborough, Mass.,

APRIL 6, 2015

ORDERED:

TURF FIELD BOND

That the sum of \$3,855,059.00 (three million eight-hundred fifty-five thousand and fifty-nine) dollars be and is hereby appropriated for the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field and that to meet said appropriations, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,855,059.00.

Pursuant to the provisions of Chapter 44, Section 7 (3) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

Be and is herewith **APPROVED**.

Yea: 10 – Abstain: 1

Yea: Delano Page, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Oram & Robey

Abstain: Elder

ADOPTED

In City Council

Order No. 14/15-1005997C

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

City Clerk

TURF FIELD BOND (AMENDED)

That the sum of \$3,855,059.00 (three million eight hundred fifty-five thousand and fifty-nine) dollars be and is hereby appropriated for the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field and that to meet said appropriations, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,855,059.00.

Pursuant to the provisions of Chapter 44, Section 7(25) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

ADOPTED
In City Council
Order No.

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



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.marlbrough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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CITY OF MARLBOROUGH
2015 APR 23 A 11:38

April 23, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Order of Taking by Eminent Domain Regarding Farm Road Reconstruction Project

Dear Honorable President Pope and Councilors:

Enclosed herewith please find a proposed Order Of Taking By Eminent Domain concerning the Farm Road reconstruction project. The proposed order is requested on behalf of the Department of Public Works.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

Cc: John Ghiloni, Commissioner
Evan Pilachowski, City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

April 24, 2015

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

RE: Order of Taking by Eminent Domain Regarding Farm Road Reconstruction Project

Dear Mayor Vigeant:

I request that you send to the City Council, for their action, the attached Order of Taking by Eminent Domain.

By the proposed Order of Taking, the City would acquire certain easement interests, and a fee interest, in private land located on Farm Road and at its intersection with Phelps Street, Helen Drive, and Broadmeadow Street. The purpose of the takings, more fully described in the order, is related to the reconstruction of Farm Road.

I am available to answer any specific questions relative to the project.

Sincerely,

For John Ghiloni
Commissioner of Public Works

Enclosures

Cc: Donald V. Rider, Jr., City Solicitor
Cynthia Panagore Griffin, Assistant City Solicitor
Evan Pilachowski, City Engineer

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that the easement interests in certain portions of land located on Farm Road and located on land at the intersections of Farm Road with Phelps Street, Helen Drive, and Broadmeadow Street (hereinafter, "Farm Road"), as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to Farm Road, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

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

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

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

DESCRIPTION OF LAND TAKEN

1. **Street address: 500 Farm Road, Marlborough, MA 01752**

Temporary easement for hay bale placement purposes: Being a 471 S.F portion of the property located on Farm Road, Marlborough, MA, known and numbered as Map 84, Parcel 105 on the Assessors' Map of the City of Marlborough and shown as Parcel TE-23 on Sheet 10 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

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

OWNERS: Alexander Akers & Augustine Onoja
500 Farm Road
Marlborough, MA

2. Street Address: 747 Farm Road, Marlborough, MA

Temporary easement for the purposes of grading, driveway reconstruction, and access to communications box services box (on utility pole): Being a 235 S.F. portion of the property located at 747 Farm Road, Marlborough, MA, known and numbered as Map 73, Parcel 46 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-65 on Sheet 16 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

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

OWNERS: David B. Richard & Patricia A. Richard
747 Farm Road
Marlborough, MA 01752

3. Street Address: 184 Helen Drive, Marlborough, MA 01752

Temporary easement for hay bale placement purposes: Being a 371 S.F. portion of the property located at 184 Helen Drive, Marlborough, MA, known and numbered as Map 85, Parcel 6 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-40 on Sheet 12 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

Temporary easement for grading purposes: Being a 937 S.F. portion of the property located at 184 Helen Drive, Marlborough, MA, known and numbered as Map 85, Parcel 6 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-42 on Sheet 12 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

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

Permanent easement for culvert replacement and maintenance purposes: Being a 2,263 S.F. portion of the property located at 184 Helen Drive, Marlborough, MA, known and numbered as Map 85, Parcel 6 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel E-10 on Sheet 12 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

OWNER: William P. Shea
184 Helen Drive
Marlborough, MA 01752

4. Street Address: 233 Phelps Street, Marlborough, MA 01752

Temporary easement for grading and sidewalk purposes: Being a 100 S.F. portion of the property located at 233 Phelps Street, Marlborough, MA, known and numbered as Map 84, Parcel 139 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel TE-13 on Sheet 8 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

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

Permanent easement for sidewalk construction and maintenance purposes: Being a 56 S.F. portion of the property located at 233 Phelps Street, Marlborough, MA, known and numbered as Map 84, Parcel 139 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel E-02 on Sheet 8 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

OWNERS: Duarte Domingues & Maria Domingues
233 Phelps Street
Marlborough, MA 01752

5. Street Address: 10 Broadmeadow Street, Marlborough, MA 01752

Fee interest acquisition for sidewalk construction purposes: Being a 173 S.F. portion of the property located at 10 Broadmeadow Street, Marlborough, MA, known and numbered as Map 85, Parcel 10 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel E-11 on Sheet 13 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Farm Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

OWNER: Charles P. Trombetta, Trustee
10 Broadmeadow Street Realty Trust
655 Farm Road
Marlborough, MA

6. Street Address: 479 Farm Road, Marlborough, MA 01752

Permanent easement for installation and maintenance of new utility support pole: Being a 68 S.F., more or less, portion of the property located at 479 Farm Road, known and numbered as Map 84, Parcel 96 on the Assessors' Map of the City of Marlborough, which portion is shown as Parcel PUE-28 on Sheet 10 of 17 of a set of plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc."

OWNERS: Marcos Flores & Lucy Montoya
479 Farm Road
Marlborough, MA 01752

Said plans, dated April 21, 2015, entitled "Preliminary Right-Of-Way Plans, Far, Road, in the city of Marlborough, Middlesex County, by Vanasse Hangen Bruslin, Inc." to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Order.

AWARDS

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

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS MAP/PARCEL</u>	<u>AREA</u>	<u>AWARD</u>
Alexander Akers & Augustine Onoja 500 Farm Road Marlborough, MA	84-105	471 S.F. (TE-23)	
David B. Richard & Patricia A. Richard 747 Farm Road Marlborough, MA 01752	73-46	235 S.F. (TE-65)	
William P. Shea 184 Helen Drive Marlborough, MA 01752	85-6	371 S.F. (TE-40) 937 S.F. (TE-42) 2,263 S.F. (E-10)	
Duarte Domingues & Maria Domingues 233 Phelps Street Marlborough, MA 01752	84-139	100 S.F. (TE-13) 56 S.F. (E-02)	
Charles P. Trombetta, Trustee 10 Broadmeadow Street Realty Trust 655 Farm Road Marlborough, MA	85-10	173 S.F. (E-11)	

Marcos Flores & Lucy Montoya
479 Farm Road
Marlborough, MA 01752

84-96

68 S.F. (PUE-28)

ADOPTED
In City Council
Order No. 15-
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

April 24, 2015

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

RE: Order of Taking by Eminent Domain Regarding Farm Road Reconstruction Project


Dear Mayor Vigeant:

I request that you send to the City Council, for their action, the attached Order of Taking by Eminent Domain.

By the proposed Order of Taking, the City would acquire certain easement interests, and a fee interest, in private land located on Farm Road and at its intersection with Phelps Street, Helen Drive, and Broadmeadow Street. The purpose of the takings, more fully described in the order, is related to the reconstruction of Farm Road.

I am available to answer any specific questions relative to the project.

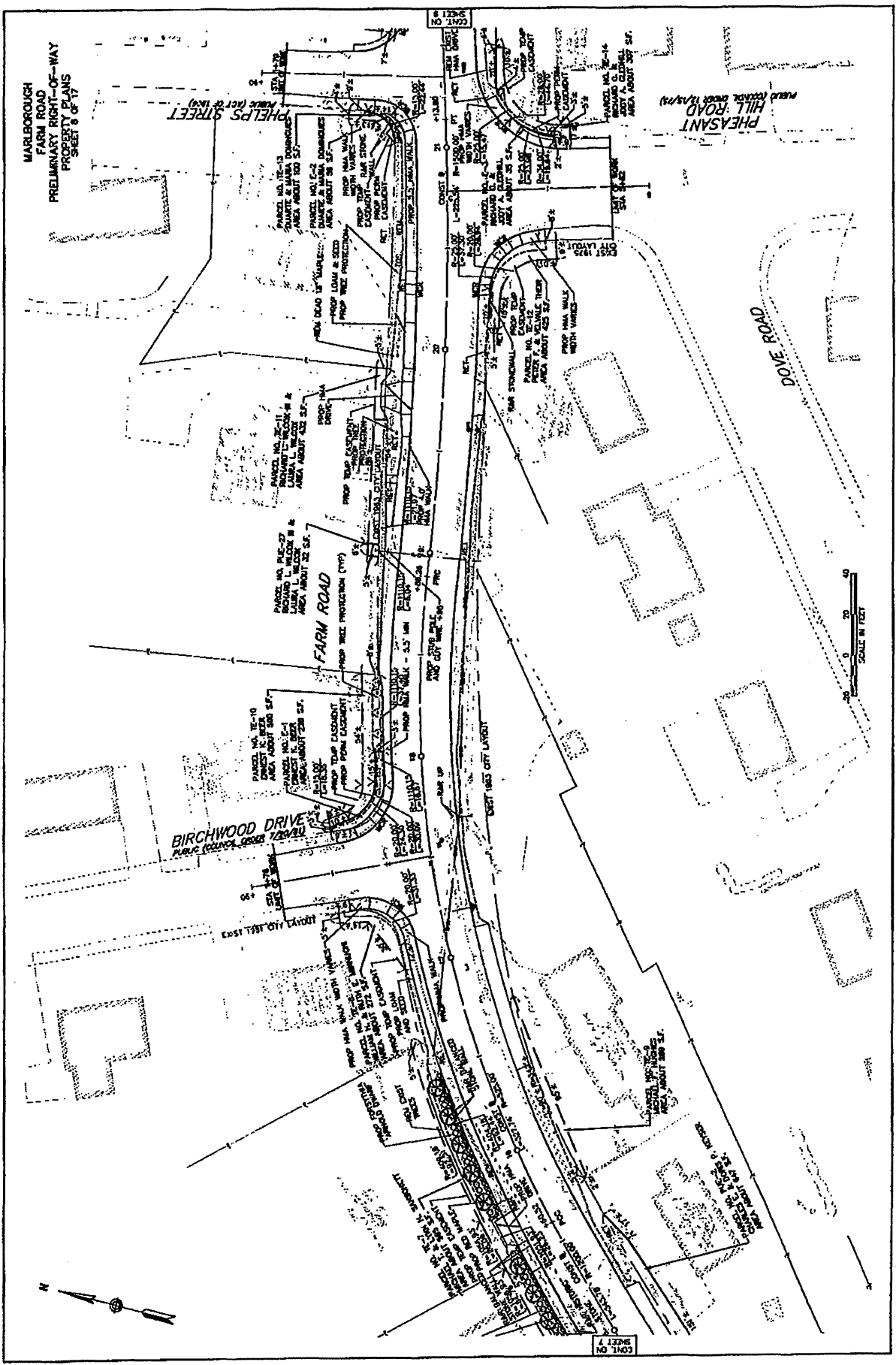
Sincerely,


for John Ghiloni
Commissioner of Public Works

Enclosures

Cc: Donald V. Rider, Jr., City Solicitor
Cynthia Panagore Griffin, Assistant City Solicitor
Evan Pilachowski, City Engineer

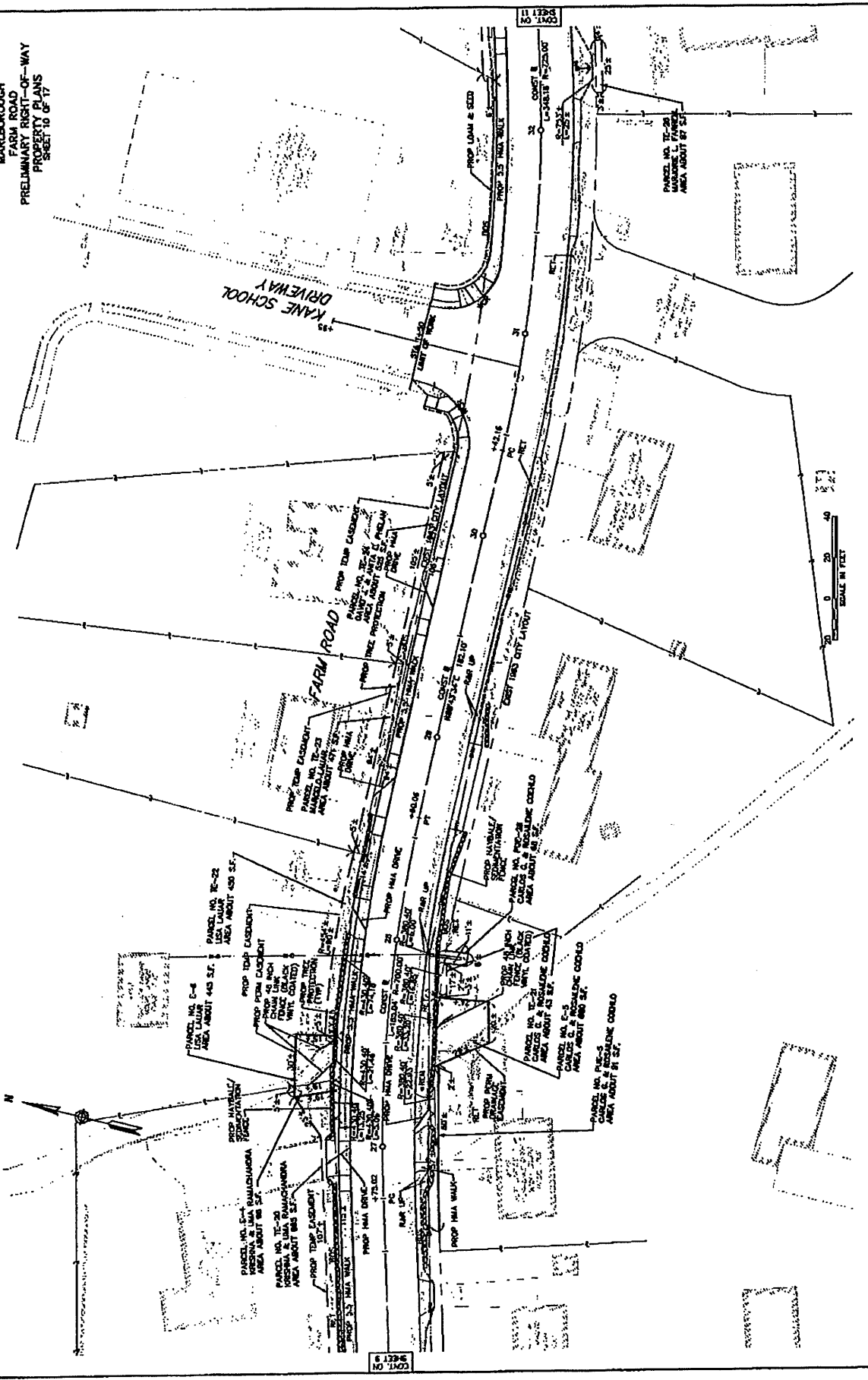
MARLBOROUGH
FARM ROAD
PRELIMINARY RIGHT-OF-WAY
PROPERTY PLANS
SHEET 6 OF 17



SCALE IN FEET
0 20 40

CONT. ON
SHEET 7

MARLBOROUGH
 FARM ROAD
 PRELIMINARY RIGHT-OF-WAY
 PROPERTY PLANS
 SHEET 10 OF 17



CON'T. ON SHEET 9
 SCALE IN FEET
 0 20 40
 1" = 40'
 NORTH
 MARLBOROUGH, MASS. 01501
 PREPARED BY: [unreadable]
 DATE: [unreadable]



City of Marlborough

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 APR 23 A 11:30
Arthur G. Vigeant
MAYOR
Michael C. Berry
EXECUTIVE AIDE

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

Patricia Bernard
EXECUTIVE SECRETARY

April 23, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Grant of Easement To The Massachusetts Water Resources Authority (MWRA)

Dear Honorable President Pope and Councilors:

Enclosed herewith please find a proposed Order for Grant of Easements to the Massachusetts Water Resources Authority (MWRA) concerning a portion of City-owned land on D'Angelo Drive. The MWRA has requested the easements for the purposes of constructing a new security gate for the John J. Carroll Water Treatment Plant. The proposed order is requested on behalf of the Department of Public Works.

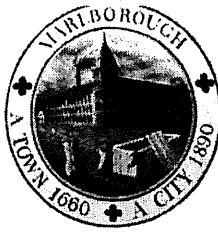
The Commissioner and/or Engineering will be available to answer any specific questions relative to the project.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

Cc: John Ghiloni, Commissioner
Evan Pilachowski, City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

April 24, 2015

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


RE: Grant of Easement To The Massachusetts Water Resources Authority (MWRA)

Dear Mayor Vigeant:

I request that you send to the City Council, for their action, the attached Order for a Grant of Easements to the Massachusetts Water Resources Authority (MWRA) concerning a portion of City-owned land on D'Angelo Drive. The MWRA has requested the easements for the purposes of constructing a new security gate for the John J. Carroll Water Treatment Plant.

I am available to answer any specific questions relative to the project.

Sincerely,


for John Ghiloni

Commissioner of Public Works

Enclosures

Cc: Donald V. Rider, Jr., City Solicitor
Cynthia Panagore Griffin, Assistant City Solicitor
Evan Pilachowski, City Engineer

ORDERED:

That the City of Marlborough grant a permanent easement, to be executed by the Mayor on behalf of the City, to the MASSACHUSETTS WATER RESOURCES AUTHORITY, a Massachusetts public authority having its principal place of business at the Charlestown Navy Yard, 100 First Avenue, Building 39, Boston, Massachusetts 02129, and a facility known as the John J. Carroll Water Treatment Plant located at 86 D'Angelo Drive, Marlborough, MA, described as PARCEL 1, PARCEL 2, and PARCEL 3 in the attached Grant of Permanent Easements and as shown on the plan attached to said Grant as Exhibit "A", entitled "Easement Plan of Land In Marlborough, Massachusetts, Prepared For Massachusetts Water Resources Authority, March 26, 2014, By Bryant Associates, Inc., 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1" = 20 FT." for the purposes of entering upon, passing and re-passing, and excavating, locating, relocating, erecting, constructing, reconstructing, adding to, extending, repairing, replacing, maintaining, operating, inspecting or removing structures, utilities, equipment, appurtenances and fixtures on, over, under and across those certain parcels of land of the City of Marlborough described and shown on Exhibit "A", which shall be recorded at the Middlesex South District Registry of Deeds.

ADOPTED

In City Council
Order No. 15-
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

GRANT OF PERMANENT EASEMENTS

The CITY OF MARLBOROUGH, a municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts having an address of 140 Main Street, Marlborough, Massachusetts (hereinafter called the Grantor), in consideration of the mutual covenants contained herein, grant(s) to the MASSACHUSETTS WATER RESOURCES AUTHORITY, a Massachusetts public authority having its principal place of business at the Charlestown Navy Yard, 100 First Avenue, Building 39, Boston, Massachusetts 02129, and a facility known as the John J. Carroll Water Treatment Plant located at 86 D'Angelo Drive, Marlborough, MA, its successors and assigns (hereinafter called the Grantee), with quitclaim covenants, the right and easement to enter upon, pass and repass, excavate, locate, relocate, erect, construct, reconstruct, add to, extend, repair, replace, maintain, operate, inspect or remove structures, utilities, equipment, appurtenances and fixtures on, over, under and across those certain parcels of Grantor's land described and shown as PARCEL 1, PARCEL 2, and PARCEL 3 on the plan entitled "Easement Plan of Land In Marlborough, Massachusetts, Prepared For Massachusetts Water Resources Authority, March 26, 2014, By Bryant Associates, Inc., 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1" = 20 FT.", a reduced copy of said plan being attached hereto as "Exhibit A".

Grantor shall have no right to relocate said easements without the express written consent of the Grantee, which may be withheld in Grantee's sole discretion. The Grantee shall have all other rights and benefits that it deems necessary for the full implementation and use of the rights herein granted, including, but not limited to, the right to remove and clear all rocks, trees, brush, limbs, structures and other obstructions which in the opinion of the Grantee might interfere with the rights herein granted, and the right of vehicular and pedestrian access across the Grantor's land for all the above purposes.

It is agreed that such structures, utilities, equipment, appurtenances and fixtures and each and every part thereof, whether fixed to the realty or not, shall be and remain the property of the Grantee, its successors and assigns, as their interests may appear.

Executed as a sealed instrument by an authorized signatory this ____ day of _____, 2015.

City of Marlborough
By Its Mayor,

Arthur G. Vigeant

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this ____ day of _____, 2015, before me, the undersigned notary public, personally appeared Arthur G. Vigeant proved to me through satisfactory evidence of identification which was personal knowledge, to be the person whose name is signed on the preceding document and acknowledged to me that he, in his capacity as the Mayor of the City of Marlborough, signed it voluntarily for its stated purpose as the free act and deed of the City of Marlborough.

Notary Public
My commission expires:



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

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CITY OF MARLBOROUGH
2015 APR 23 A 11:38

Arthur G. Vigeant
MAYOR
Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

April 23, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Appointment for Interim COA Director

Honorable President Pope and Councilors:

I am recommending temporarily appointing Ana Cristina Oliveira as our interim Council on Aging Director until we find a suitable replacement for Jen Claro who has resigned effective April 29, 2015.

Ms. Oliveira has been employed with the City of Marlborough since 2006 as our lead social outreach coordinator for the Council on Aging. She oversees all aspects of the elder services and handles all referrals to service providers. She is well respected, has a good knowledge of all of the activities at the Senior Center and I'm confident that she can handle this position temporarily.

We also would like to extend our gratitude to Jen Claro and wish her well in her new position.

Sincerely,

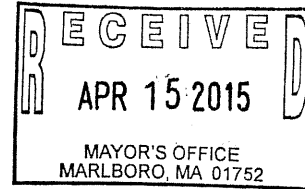
Arthur G. Vigeant
Mayor

Enclosure

cc: D. Brumby

April 15, 2015

The Honorable Arthur Vigeant
City Hall- Fourth Floor
14 Main Street
Marlborough, MA. 01752



Dear Mayor Vigeant,

I want to let you know it has been a privilege to work as the director of the Marlborough Council on Aging and Senior Center for the last four years. I have been afforded many wonderful opportunities through my work and association with the City of Marlborough. However, I have made a professional decision to leave the City of Marlborough to assume a new job for the Town of Westford as their new Council on Aging Director. Please accept this letter of resignation effective Tuesday, April 15, 2015 and concluding my service to the City of Marlborough on Wednesday, April 29, 2015.

Thank you for the opportunity to serve our great city and more importantly the older adults of Marlborough.

Most Sincerely,

Jennifer Claro

CC: Jim Confrey, Chairman of the Marlborough Council on Aging
Sean Fay, President of the Friends of Marlborough Seniors

MARLBOROUGH RETIREMENT BOARD

255 Main Street, Suite 021
Marlborough, Massachusetts 01752-3812

Telephone (508) 460-3760

Fax (508) 481-7814

Board Members

Gregory P. Brewster, Chairman
Thomas J. Abel
Christopher M. Sandini, Sr.
Diane Smith
William S. Taylor

April 13, 2015

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

Dear President and Members:

Please be advised that the Marlborough Retirement Board will consider whether to grant an increased cost-of-living adjustment (COLA) pursuant to M.G.L. Chapter 32, Section 10A at its May meeting. The meeting will be held on May 26, 2015 at 4:30 p.m. in the first floor conference room at the Walker Building, 255 Main Street, Marlborough.

Sincerely,



Margaret R. Shea
Director

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CITY OF MARLBOROUGH
2015 APR 14 P 3:56

rec'd 4/22/15
Patricia Pope

MIRICK O'CONNELL
ATTORNEYS AT LAW

David K. McCay
Mirick O'Connell
1800 West Park Drive, Suite 400
Westborough, MA 01581-3926
dmccay@mirickoconnell.com
t 508.860.1460
f 508.983.6273

April 22, 2015

VIA EMAIL: citycouncil@marlborough-ma.gov and

HAND DELIVERY

Patricia A. Pope
City Council President
Marlborough City Council
City Hall
Marlborough, MA 01752

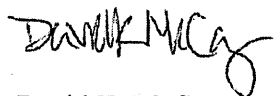
Re: NGP Management LLC Application for Special Permit, 525 Maple Street

Dear President Pope:

Chairman Delano of the Urban Affairs Committee requested that the Applicant, NGP Management, LLC ("NGP") agree to an extension of time for the City Council to act upon NGP's Special Permit Application for the 525 Maple Street project. NGP is happy to oblige so that we may resolve any remaining issues at the Urban Affairs Committee and provide the full City Council sufficient time to consider the Application and the Urban Affairs Committee's recommendation.

Accordingly, NGP respectfully requests an extension of the decision deadline to June 16, 2015. Should you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Very truly yours,


David K. McCay

DKM/ljg

cc: NGP Management, LLC
Arthur P. Bergeron, Esq.

David P. Gadbois
Attorney-at-Law
PO Box 773
Marlborough, Massachusetts 01752

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 APR 23 A 11:43

Phone (508) 481-0101
Cell (508) 380-9558

E-mail David@attygadbois.com

Fax (508) 484-9435

April 23, 2015

Ms. Lisa M. Thomas, City Clerk
City Hall 140 Main Street
Marlborough, MA 01752

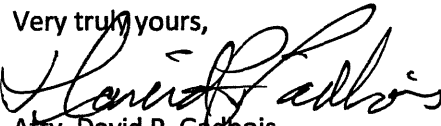
RE: Petition of Ferris Development
For a Zoning Change

Dear Ms. Thomas:

Enclosed herewith please find Petition for a Zoning Change from Ferris development 325 DJL Boulevard, LLC, owner of the property located at 325 Donald J. Lynch Boulevard. Please forward this matter to the City Council and place it on its agenda for the meeting of Monday April 27, 2015.

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

Very truly yours,


Atty. David P. Gadbois

Encl: Petition 14 sets

David P. Gadbois
Attorney-at-Law
PO Box 773
Marlborough, Massachusetts 01752

Phone (508) 481-0101
Cell (508) 380-9558

E-mail David@attygadbois.com

Fax (508) 484-9435

April 23, 2015

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:

I represent Ferris Development 325 DJL Boulevard, LLC, herein after referred to as Petitioner, owner of 325 Donald J. Lynch Boulevard. 325 Donald J. Lynch Boulevard is in a Limited Industrial District under the Zoning Code. My client hereby petitions the City Council to amend the Zoning Code of the City of Marlborough Article V Section 650-17 Table of Uses Mixed Use Development (42) and Section 650-17 Restaurant with Drive-In or Drive thru facilities (31) in accordance with the attached proposed change. In each case the use would be allowed with a Special Permit from the City Council.

Attached hereto as Exhibit "A" is the proposed change to the Zoning Ordinance. During the public hearing, I will explain the reasons for the requested change. The Petitioner believes the amended Zoning Ordinance will provide a reasonable vehicle for the development of retail sales and service uses within the limited industrial district. It is clear that mixed use development will provide for future commercial growth within the Limited Industrial District.

Would you kindly 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.

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

Very truly yours


Atty. David P. Gadbois

Encl: Proposed Ordinance Change

EXHIBIT "A"

IN CITY COUNCIL

Marlborough, Mass., _____ 2015

Order No. 15-_____
Zoning Change Limited Industrial District

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, Chapter 650 Article V Section 650 -17 Mixed Use Development (42) as amended be further amended by deleting the letter "N" and inserting in place thereof the letters "SP"; and that Chapter 650 Article V Section 650-17 Restaurant with Drive-In or Drive Thru facilities (31) as amended be further amended by deleting the letter "N" and inserting in place thereof the letters "SP".

PETITION OF COMCAST FOR LOCATION FOR CONDUITS AND MANHOLES
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

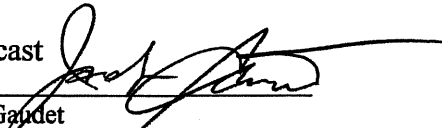
To the City Council for the City of Marlborough, Massachusetts: 2015 APR 23 A 9 57

Respectfully represents Comcast of Massachusetts I, Inc., a company incorporated for the distribution of telecommunications services, that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

Newton St.: starting at the utility pole opposite the intersection of Weed St., excavate and place 3" schedule 40 PVC conduit system continuing in an easterly direction toward Weed St. Continue within Weed St. and turn in a northerly direction toward Main St. within the paved foot path between 194 Main St. and 200 Main St. Turn in an easterly direction to the rear of 178-194 Main St.

Placement of this conduit is allow for Comcast service to be offered to the current and future occupants of 178-194, 200, 204 Main St.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Comcast Communications, dated April 22, 2015, and filed here with, under the following public way or ways of said City of Marlborough:

Comcast
By: 
Jody Gaudet
Project Coordinator

Dated this April 22, 2015

City of Marlborough Massachusetts

Received and filed _____, 2015

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Marlborough, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast of Massachusetts I, Inc., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated April 22, 2015

Newton St.: starting at the utility pole opposite the intersection of Weed St., excavate and place 3" schedule 40 PVC conduit system continuing in an easterly direction toward Weed St. Continue within Weed St. and turn in a northerly direction toward Main St. within the paved foot path between 194 Main St. and 200 Main St. Turn in an easterly direction to the rear of 178-194 Main St.

Placement of this conduit is allow for Comcast service to be offered to the current and future occupants of 178-194, 200, 204 Main St.

Substantially as shown on plan marked - Comcast Conduit Petition, dated 04/22/2015, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.

2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.

4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Marlborough, Massachusetts, held on the _____ day of _____ 2015.

(over)

City Clerk

We hereby certify that on _____, 2015, at _____ o'clock _____ M., at Marlborough, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

Marlborough City Council; Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Marlborough, Massachusetts, on the _____ day of _____ 2015, recorded with the records of location orders of said City, Book _____, Page _____. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



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CITY OF MARLBOROUGH

2015 APR -9 A 10:13

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 3/12/2015

To the City Council:

Owner Name: Best Buy Stores, LP #1966

Residential Address: c/o KPMG 2200 Cabot Dr, #400 Lisle, IL 60532

Telephone Number: 612-291-4863

Business Name: Best Buy Stores, LP #1966

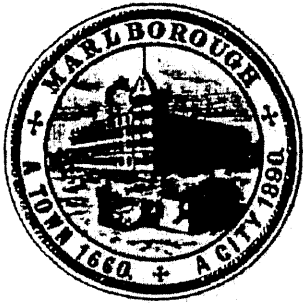
Business Address: 601 Donald Lynch Blvd, Marlborough, MA 01752

Business Telephone Number: 508-460-0232

Officer's ~~Owner~~ Signature: 

The above signed Flavio Costa respectfully requests that he/she be granted a Junk Dealer's License license.

In City Council



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CITY OF MARLBOROUGH

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT

2015 APR -9 A 10:12

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: 3/12/2015

To the City Council:

Owner Name: Best Buy Stores, LP #820

Residential Address: c/o KPMG 2200 Cabot Dr, #400 Lisle, IL 60532

Telephone Number: 612-291-4863

Business Name: Best Buy Stores, LP #820

Business Address: 769 Donald Lynch Blvd, Marlborough, MA 01752

Business Telephone Number: 508-460-3775

Officer's Owner Signature: 

The above-signed Flavio Costa respectfully requests that he/she be granted a Junk Dealer's License license.

In City Council

DEPARTMENT OF Public Utilities

This statement is filed in accordance with Chapter 164, Section 84A

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

CONDENSED FINANCIAL RETURN

FOR YEAR ENDED DECEMBER 31, 2014

2015 APR 21 A 8 47

NSTAR GAS COMPANY

FULL NAME OF COMPANY

LOCATION OF PRINCIPAL BUSINESS OFFICE

800 BOYLSTON STREET

BOSTON, MA 02199

STATEMENT OF INCOME FOR THE YEAR

Item	Current Year	Increase or (Decrease) from Preceding Year
OPERATING INCOME		
Operating Revenues		
Operating Expenses		
Operation Expense		
Maintenance Expense		
Depreciation Expense		
Amortization of Utility Plant		
Amortization of Regulatoru Debits		
Amortization of Investment Tax Credit		
Taxes other than Income Taxes		
Income Taxes		
Provisions for Deferred Federal Income Taxes		
Federal Income Taxes Deferred In Prior Years..(Credit)		
Total Operating Expenses		
Net Operating Revenues		
Income from Utility Plant Leased to Others		
Other Utility Operating Income		
Total Utility Operating Income		
OTHER INCOME		
Income from Mdse. Jobbing & Contract Work		
Income from Nonutility Operations		
Nonoperating Rental Income		
Interest and Dividend Income		
Miscellaneous Nonoperating Income		
Total Other Income		
Total Income		
MISCELLANEOUS INCOME DEDUCTIONS		
Miscellaneous Amortization		
Other Income Deductions		
Total Income Deductions		
Income Before Interest Charges		
INTEREST CHARGES		
Interest on Long-Term Debt		
Amortization of Debt Discount and Expense		
Amortization of Premium on Debt-Credit		
Interest on Debt to Associated Companies		
Other Interest Expense		
Interest Charged to Construction-Credit		
Total Interest Charges		
Net Income		

SEE THE ATTACHED INCOME STATEMENT FOR 2014 AS FILED IN THE DPU ANNUAL RETURN

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31, 2014

STATEMENT OF INCOME FOR THE YEAR

Line No.	Account (a)	Current Year (b)	Increase or (Decrease) from Preceding Year (c)
1	OPERATING INCOME		
2	Operating Revenues (400) P.43.....	\$ 499,959,882	\$ 72,887,892
3	Operating Expenses:		
4	Operation Expense (401) P.42,47.....	390,371,965	68,340,082
5	Maintenance Expense (402) P.42,47.....	9,491,100	(471,689)
6	Depreciation Expense (403) P.34.....	28,444,632	1,275,576
7	Amortization of Utility Plant (404 and 405).....	589,349	(8,693)
8	Amortization of Regulatory Debits (407.3).....	2,898,001	(1,881,685)
9	Amortization of Investment Tax Credit (406).....	-	186,736
10	Taxes Other Than Income Taxes (408) P.49.....	13,595,200	(4,693,294)
11	Income Taxes (409) P.49.....	(3,743,245)	(3,030,302)
12	Provision for Deferred Fed. Inc. Taxes (410) P.36.....	37,663,394	26,043,143
13	Fed. Inc. Taxes Def. in Prior Yrs.-Cr. (411) P.36.....	(14,374,752)	(14,374,752)
14	Total Operating Expenses.....	464,935,643	71,385,121
15	Net Operating Revenues.....	35,024,238	1,502,771
16	Income from Utility Plant Leased to Others (412)-Net.....	-	-
17	Other Utility Operating Income (414) P.50.....	-	-
18	Total Utility Operating Income.....	35,024,238	1,502,771
19	OTHER INCOME		
20	Income from Mdse. Job & Contract Work (415) P.51.....	-	-
21	Income from Nonutility Operations (417).....	35,114	(1,568)
22	Nonoperating Rental Income (418).....	162,272	(70,590)
23	Interest and Dividend Income (419).....	14,264	(9,838)
24	Miscellaneous Nonoperating Income (421).....	1,484,229	1,467,016
25	Total Other Income.....	1,695,879	1,385,021
26	Total Income.....	36,720,117	2,887,792
27	MISCELLANEOUS INCOME DEDUCTIONS		
28	Miscellaneous Amortization (425).....	-	-
29	Other Income Deductions (426).....	449,507	58,751
30	Total Income Deductions.....	449,507	58,751
31	Income Before Interest Charges.....	36,270,610	2,829,041
32	INTEREST CHARGES		
33	Interest on Long-Term Debt (427) P.31.....	12,311,000	-
34	Amortization of Debt Disc. & Expense (428).....	176,214	5,891
35	Amortization of Prem. on Debt-Credit (429) P.26.....	-	-
36	Int. on Debt to Associated Companies (430) P.32.....	244,367	97,298
37	Other Interest Expense (431).....	(669,021)	(970,906)
38	Interest Charged to Construction-Credit (432).....	(67,802)	(40,589)
39	Total Interest Charges.....	11,994,758	(908,305)
40	Net Income.....	24,275,853	3,737,346
41	EARNED SURPLUS		
42	Unappropriated Earned Surplus (at beginning of period) (216).....	(4,317,783)	3,591,537
43	Balance Transferred from Income (433).....	24,275,853	3,737,346
44	Miscellaneous Credits to Surplus (434).....	395,732	395,732
45	Miscellaneous Debits to Surplus (435).....	-	-
46	Appropriations of Surplus (436).....	-	(946,970)
47	Net Additions of Earned Surplus.....	24,671,585	4,684,316
48	Dividends Declared-Preferred Stock (437).....	-	-
49	Dividends Declared-Common Stock (438).....	16,000,000	-
50	Unappropriated Earned Surplus (at end of period) (216).....	\$ 4,353,802	\$ 8,275,852

NOTES: SEE THE ATTACHED BALANCE SHEET FOR 2014 AS FILED IN THE DPU ANNUAL RETURN

BALANCE SHEET

Title of Account	Balance End of Year	Title of Account	Balance End of Year
UTILITY PLANT		PROPRIETARY CAPITAL	
Utility Plant.....		CAPITAL STOCK	
OTHER PROPERTY AND INVESTMENTS		Common Stock Issued.....	
Nonutility Property.....		Preferred Stock Issued.....	
Investment in Associated Companies.....		Capital Stock Subscribed.....	
Other Investments.....		Premium on Capital Stock.....	
Special Funds.....		Total.....	-
Total Other Property and Investments	-	SURPLUS	
CURRENT AND ACCRUED ASSETS		Other Paid-In Capital.....	
Cash.....		Earned Surplus.....	
Special Deposits.....		Surplus Invested in Plant.....	
Working Funds.....		Total.....	-
Temporary Cash Investments.....		Total Propriety Capital.....	-
Notes and Accounts Receivable.....		LONG-TERM DEBT	
Receivables from Associated Companies.....		Bonds.....	
Materials and Supplies.....		Advances from Associated Companies	
Prepayments.....		Other Long-Term Debt.....	
Interest and Dividends Receivable.....		Total Long-Term Debt.....	-
Rents Receivable.....		CURRENT AND ACCRUED LIABILITIES	
Accrued Utility Revenues.....		Notes Payable.....	
Misc. Current and Accrued Assets.....		Accounts Payable.....	
Total Current and Accrued Assets.....	-	Payables to Associated Companies.....	
DEFERRED DEBITS		Customer Deposits.....	
Unamortized Debt Discount and Expense....		Taxes Accrued.....	
Extraordinary Property Losses.....		Interest Accrued.....	
Preliminary Survey and Investigation Charges.....		Dividends Declared.....	
Clearing Accounts.....		Matured Long-Term Debt.....	
Temporary Facilities.....		Matured Interest.....	
Miscellaneous Deferred Debits.....		Tax Collections Payable.....	
Total Deferred Debits.....	-	Misc. Current and Accrued Liabilities.....	
CAPITAL STOCK DISCOUNT AND EXPENSE		Total Current and Accrued Liabilities.....	-
Discount on Capital Stock.....		DEFERRED CREDITS	
Capital Stock Expense.....		Unamortized Premium on Debt.....	
Total Capital Stock Discount and Expense.....		Customer Advances for Construction.....	
REACQUIRED SECURITIES		Other Deferred Credits.....	
Reacquired Capital Stock.....		Total Deferred Credits.....	-
Reacquired Bonds.....		RESERVES	
Total Reacquired Securities.....		Reserves for Depreciation.....	
Total Assets and Other Debits.....	\$ -	Reserves for Amortization.....	
		Reserves for Uncollectible Accounts.....	
		Operating Reserves.....	
		Reserve for Depreciation and Amortization of Nonutility Property.....	
		Reserves for Deferred Income Taxes.....	
		Total Reserves.....	-
		CONTRIBUTIONS IN AID OF CONSTRUCTION	
		Contributions in Aid of Construction.....	
		Total Liabilities and Other Credits.....	\$ -

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31,2014

COMPARATIVE BALANCE SHEET Assets and Other Debits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	UTILITY PLANT			
2	Utility Plant (101-107) P.13.....	\$ 953,932,931	\$ 1,025,653,797	\$ 71,720,867
3	OTHER PROPERTY AND INVESTMENTS			
4	Nonutility Property (121) P.19.....	4,243,352	4,067,500	(175,852)
5	Investments in Associated Companies (123) P.20.....	-	-	-
6	Other Investments (124) P.20.....	6,000	6,000	-
7	Special Funds (125,126,127,128) P.21.....	-	-	-
8	Total Other Property and Investments.....	4,249,352	4,073,500	(175,852)
9	CURRENT AND ACCRUED ASSETS			
10	Cash (131).....	1,895,783	2,925,048	1,029,265
11	Special Deposits (132,133,134) P.21.....	-	-	-
12	Working Funds (135).....	-	-	-
13	Temporary Cash Investments (136) P.20.....	-	-	-
14	Notes and Accounts Receivable (141,142,143) P.22.....	55,477,136	69,986,867	14,509,731
15	Receivables from Assoc. Companies (145,146) P.23.....	6,183,618	3,696,198	(2,487,420)
16	Material and Supplies (151-159,163,164) P.24.....	22,931,640	25,031,226	2,099,586
17	Prepayments (165).....	-	-	-
18	Interest and Dividends Receivable (171).....	-	-	-
19	Rent Receivable (172).....	7,000	15,845	8,845
20	Accrued Utility Revenues (173,175).....	30,080,777	39,663,591	9,582,815
21	Misc. Current and Accrued Assets (174).....	-	-	-
22	Total Current and Accrued Assets.....	116,575,954	141,318,775	24,742,821
23	DEFERRED DEBITS			
24	Unamortized Debit Discount and Expense (181) P.26.....	683,448	579,695	(103,753)
25	Extraordinary Property Losses (182) P.27.....	-	-	-
26	Preliminary Survey and Investigation Charges (183).....	11,364	11,364	-
27	Clearing Accounts (184).....	-	-	-
28	Temporary Facilities (185).....	-	-	-
29	Miscellaneous Deferred Debits (186) P.27.....	139,702,427	272,212,289	132,509,862
30	Matured Interest (240).....	-	-	-
31	Total Deferred Debits.....	140,397,239	272,803,348	132,406,109
31	CAPITAL STOCK DISCOUNT AND EXPENSE			
32	Discount on Capital Stock (191) P.28.....	-	-	-
33	Capital Stock Expense (192) P.28.....	-	-	-
34	Total Capital Stock Discount and Expense.....	-	-	-
35	REACQUIRED SECURITIES			
36	Reacquired Capital Stock (196).....	-	-	-
37	Reacquired Bonds (197).....	-	-	-
38	Total Reacquired Securities.....	-	-	-
39	Total Assets and Other Debits.....	\$ 1,215,155,476	\$ 1,443,849,420	\$ 228,693,945

COMPARATIVE BALANCE SHEET Liabilities and Other Credits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	PROPRIETARY CAPITAL			
2	CAPITAL STOCK			
3	Common Stock Issued (201) P.29.....	\$ 71,425,000	\$ 71,425,000	\$ -
4	Preferred Stock Issued (204) P.29.....	-	-	-
5	Capital Stock Subscribed (202,205).....	-	-	-
6	Premium on Capital Stock (207) P.29.....	-	-	-
7	Total.....	71,425,000	71,425,000	-
8	SURPLUS			
9	Other Paid-In Capital (208-211) P. 12.....	215,574,703	270,954,238	55,379,535
10	Earned Surplus (215,216) P. 12.....	(4,317,783)	4,353,802	8,671,585
11	Surplus Invested In Plant (217).....	-	-	-
12	Total.....	211,256,920	275,308,040	64,051,120
13	Total Proprietary Capital.....	282,681,920	346,733,040	64,051,120
14	LONG TERM DEBT			
15	Bonds (221) P.31.....	210,000,000	210,000,000	-
16	Advances from Assoc. Companies (223) P.31	-	-	-
17	Other Long-Term Debt (224) P.31.....	-	-	-
18	Total Long-Term Debt.....	210,000,000	210,000,000	-
19	CURRENT AND ACCRUED LIABILITIES			
20	Notes Payable (231) P.32.....	-	-	-
21	Accounts Payable (232).....	32,982,607	47,856,699	14,874,092
22	Payables to Associated Companies (233,234) P.32.....	112,172,280	107,644,184	(4,528,096)
23	Customer Deposits (235) P.80C.....	1,063,454	1,134,345	70,891
24	Taxes Accrued (236).....	13,214,318	17,834,193	4,619,875
25	Interest Accrued (237).....	3,437,365	3,406,997	(30,368)
26	Dividends Declared (238).....	-	-	-
27	Matured Long-Term Debt(239).....	-	-	-
28	Matured Interest (240).....	-	-	-
29	Tax Collections Payable (241).....	455,346	632,756	177,410
30	Misc. Current and Accrued Liabilities (242) P.33.....	7,139,275	17,512,989	10,373,714
31	Total Current and Accrued Liabilities.....	170,464,644	196,022,163	25,557,518
32	DEFERRED CREDITS			
33	Unamortized Premium on Debt (251) P.26.....	-	-	-
34	Customer Advances for Construction (252)	2,496,572	2,496,572	-
35	Other Deferred Credits (253) P.33.....	58,844,168	140,761,302	81,917,135
36	Total Deferred Credits.....	61,340,740	143,257,874	81,917,135
37	RESERVES			
38	Reserves for Depreciation (254-256) P.13.....	321,628,031	352,753,911	31,125,879
39	Reserves for Amortization (257-259) P.13.....	7,676,597	1,629,773	(6,046,825)
40	Reserve for Uncollectible Accounts (260).....	15,517,311	14,825,362	(691,949)
41	Operating Reserves (261-265) P.35.....	14,403,233	21,757,803	7,354,570
42	Reserve for Depreciation & Amortization of Nonutility Property (266).....	-	(3,203)	(3,203)
43	Reserves for Deferred Federal Income Taxes (268).....	131,442,998	156,872,699	25,429,700
44	Total Reserves.....	490,668,171	547,836,344	57,168,172
45	CONTRIBUTIONS IN AID OF CONSTRUCTION			
46	Contributions in Aid of Construction (271) P. 36.....	-	-	-
47	Total Liabilities and Other Credits.....	\$ 1,215,155,476	\$ 1,443,849,420	\$ 228,693,945

STATEMENT OF EARNED SURPLUS

Account	Amount for Year	Inc/(Dec) from Preceding Year
Unappropriated Earned Surplus (at beginning of period).....		
Balance Transferred from Income.....		
Accumulated Other Comprehensive Income.....		
Miscellaneous Debits to Surplus.....		
Appropriations of Surplus.....		
Net Additions to Earned Surplus.....		
Paid in Capital Adjustments.....		
Dividends Declared-Common Stock.....		
Unappropriated Earned Surplus (at end of period).....		

SEE THE ATTACHED STATEMENT OF EARNED SURPLUS FOR 2014 AS FILED IN THE DPU ANNUAL RETURN

ELECTRIC OPERATING REVENUES

Account	Operating Revenues	
	Amount for Year	Inc/(Dec) from Preceding Year
SALES OF ELECTRICITY	\$	
Residential Sales.....		
Commercial and Industrial Sales.....		
Small (or Commercial).....		
Large (or Industrial).....		
Public Street and Highway Lighting.....		
Other Sales to Public Authorities.....		
Sales to Railroad and Railways.....		
Interdepartmental Sales.....		
Miscellaneous Electric Sales.....		
Total Sales to Ultimate Consumers.....		
Sales for Resale.....		
Less: Provision for Rate Refunds.....		
Total Sales of Electricity.....		
OTHER OPERATING REVENUES		
Forfeited Discounts.....		
Miscellaneous Service Revenues.....		
Sales of Water and Water Power.....		
Rent from Electric Property.....		
Interdepartmental Rents.....		
Other Electric Revenues.....		
Total Other Operating Revenues.....		
Total Electric Operating Revenues.....	None	None

SUMMARY OF ELECTRIC OPERATION AND MAINTENANCE EXPENSES

Functional Classification	Operation	Maintenance	Total
Power Production Expenses.....		\$	\$
Electric Generation.....			
Steam Power.....			
Nuclear Power.....			
Hydraulic Power.....			
Other Power.....			
Other Power Supply Expenses.....			
Total Power Production Expenses.....			
Transmission Expenses.....			
Distribution Expenses.....			
Customer Accounts Expenses.....			
Sales Expenses.....			
Administrative and General Expenses.....			
Total Electric Operation and Maintenance Expenses.....	None	None	None

STATEMENT OF EARNED SURPLUS (Accounts 215-216)

1. Report in this schedule an accounting for changes in appropriated and unappropriated earned surplus for the year.
 2. Each credit and debit during the year should be identified as to the surplus account in which included (Accounts 433-438 inclusive) and the contra primary account affected shown. Minor items may be grouped by classes; however, the number of items in each group should be shown.
 3. For each reservation or appropriation of earned surplus state the purpose, amount, and in the case of reservations, the reserve account credited.

Explain in a footnote the basis for determining the amount reserved or appropriated and if such reservation or appropriation is to be recurrent, state the number and annual payments to be reserved or appropriated as well as the totals eventually to be accumulated.
 4. Dividends should be shown for each class and series of capital stock. Show amounts of dividends per share.
 5. List credits first; then debits.

Line No.	Item (a)	Contra Primary Account Affected (b)	Amount (c)
1	UNAPPROPRIATED EARNED SURPLUS (Account 216)		
2	Balance-Beginning of Year		\$ (4,317,783)
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14	Credits:		
15	Net income (loss)	433	24,275,853
16	Accumulated Other Comprehensive Income	219	395,732
17			
18	Debits:		
19	Dividends on Common Stock:		
20	Cash Dividend on Common Stock	131	16,000,000
21			
22			
23	03/14 - 2,857,000 shares at \$1.40 per share		
24	06/14 - 2,857,000 shares at \$1.40 per share		
25	09/14 - 2,857,000 shares at \$1.40 per share		
26	12/14 - 2,857,000 shares at \$1.40 per share		
27	Balance - end of year.		\$ 4,353,802
28	APPROPRIATED EARNED SURPLUS (Account 215)		\$
29	State balance and purpose of each appropriated earned surplus amount at end		
30	of year and give accounting entries for any applications of appropriated earned		
31	surplus during the year.		
32			
33	NONE		
34			
35			
36			
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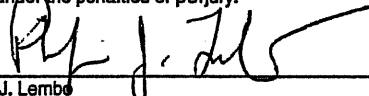
GAS OPERATING REVENUES


Account	Operating Revenues	
	Amount for Year	Increase or (Decrease) from Preceding Year
SALES OF GAS		
Residential Sales.....	\$ 268,876,809	\$ 18,876,857
Commercial and Industrial Sales		
Small (or Commercial).....	89,084,423	15,692,389
Large (or Industrial).....	9,016,273	2,398,055
Other Sales to Public Authorities.....	11,900,509	4,911,696
Interdepartmental Sales.....	-	-
Miscellaneous Gas Sales - Deferrals.....	9,782,620	21,065,326
Total Sales to Ultimate Consumers.....	388,660,634	62,944,323
Sales for Resale.....	36,683,818	7,477,984
Total Sales of Gas.....	425,344,452	70,422,307
OTHER OPERATING REVENUES		
Forfeited Discounts-Late Payment Charges.....	316,496	168,174
Miscellaneous Service Revenues.....	7,150,842	727,749
Revenues from Transportation of Gas to Others.....	65,470,246	1,843,809
Sales of Products Extracted from Natural Gas.....	-	-
Revenues from Natural Gas Processed by Others.....	-	-
Rent from Gas Property.....	847,230	190,000
Interdepartmental Rents.....	-	-
Other Gas Revenues.....	830,617	(464,145)
Total Other Operating Revenues.....	74,615,430	2,465,586
Total Gas Operating Revenues.....	\$ 499,959,882	\$ 72,887,893

SUMMARY OF GAS OPERATION AND MAINTENANCE EXPENSES

Functional Classification	Operation	Maintenance	Total
Steam Production.....			
Manufactured Gas Production.....			
Other Gas Supply Expenses.....	\$ 309,285,328	\$ -	\$ 309,285,328
Total Production Expenses.....	309,285,328	-	309,285,328
Local Storage Expenses.....	872,826	135,895	1,008,721
Transmission and Distribution Expense.....	24,597,567	9,355,205	33,952,772
Customer Accounts Expense.....	15,455,510	-	15,455,510
Sales Expense.....	4,354,530	-	4,354,530
Administrative and General Expenses.....	35,806,204	-	35,806,204
Total Gas Operation and Maintenance Expenses.....	\$ 390,371,965	\$ 9,491,100	\$ 399,863,064

March 31, 2015, I hereby certify that the foregoing statements are full, just and true to the best of my knowledge and belief. This statement is signed under the penalties of perjury.


Philip J. Lembo
Vice President and Treasurer


Jay S. Butz
Vice President, Controller and Chief Accounting Officer

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

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CITY OF MARLBOROUGH

Call to Order

March 23, 2015 P 3:28

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included; Sean Fay, Colleen Hughes, Barbara Fenby, Philip Hodge & Shawn McCarthy.

Mr. DuPont and Mr. Coveney were absent.

Also in attendance were Board Secretary Melissa Irish & City Engineer Evan Pilachowski.

1. Meeting Minutes:

A. Regular Meeting March 9, 2015

On a motion made by Ms. Hughes, seconded by Mr. Hodge, it was voted to approve the minutes of the March 9, 2015 regular meeting as amended. Motion carried.

2. Chair's Business:

A. From City Council; Proposed Zoning Ordinance Change Regarding Affordable Units. 650-26(1)(a)

Ms. Hughes read the proposed zoning amendment into the record.

On a motion made by Mr. Fay, seconded by Ms. Hughes the correspondence was accepted and placed on file as well as a Public Hearing was set for April 27, 2015. Motion carried

3. Approval Not Required:

A. Atlantic Marlborough Realty (Lot1D-1 Simarano Dr.)

Ms. Hughes read the application into the record.

On a motion made by Ms. Hughes, seconded by Mr. Hodge the application was accepted and placed on file. Motion carried.

Attorney David Gadbois presented to application to the Board with the assistance of Mr. Will Parks of SMMA (Symmes, Maini & McKee Associates). This particular Parcel is being carved out for placement of a free standing Daycare Center, the remainder of the parcel is intended for future retail tenants.

On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to refer the plan to the Engineering Department for review. Motion carried.

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report:

City Engineer Pilachowski reported to the Board that Boston Scientific and Columbia Construction are in discussion and no agreement has been reached yet regarding the water main issue. As previously disclosed the water main is improperly placed (depth).

Regarding the LaCombe St outstanding issue the appraiser has been on site however the ever present snow is causing an issue for the discovery of certain property markers. As more of the

properties are revealed the appraiser will return. There are still three or four properties in question.

The Walker Brook Estates subdivision has still not presented the required Construction Bond to either the Board or the Engineering Department. This information is for reporting purposes only as the site is secured for the winter and there is no obvious work being completed currently.

The attorney for the Indian Hill Development has been in touch they are working to complete the final required documents such as deeds for the roadways and easements in order to approach the City Council for final acceptance of DiCenzo Boulevard.

B. Commonwealth Heights Request for Extension

Ms. Hughes read the request for the extension from Attorney Gadbois into the record.

Attorney Gadbois was on hand to answer questions as necessary. It was noted that there was no construction schedule supplied with the request. Attorney Gadbois noted that only the detention basins and underground utilities were brought to the site during the reconstruction of Ames Street. There is nothing else completed.

City Engineer Pilachowski noted that he was against an unconditional extension of the subdivision since the rules and regulations are currently being updated and there are several upcoming changes that will affect this particular subdivision.

Attorney Gadbois noted that the developer (Mr. Weiss) and the City Engineer have met and the developer has agreed to incorporate the newer regulations into the construction.

On a motion made by Mr. Fay, seconded by Mr. McCarthy it was voted to grant an extension of 30 days to allow for the developer to provide the documentation the Board is looking for an updated construction schedule, verification of all taxes paid and verification from the Code Enforcement Office regarding the condition of the site. Motion carried.

C. Mauro Farms Report of Findings

Mr. Fay noted his conflict for the record.

Solicitor Rider reported to the committee that after additional research of the abutters that were sent letters back in 2007 from Capital Group in all realty only three homeowners needed to be contacted. After a phone consultation with Chairperson Fenby it was decided that a phone call would be appropriate instead of sending letters as originally requested. Ms. Irish contacted two of the three and Solicitor Rider contacted the third. It was determined via conversations that one of the homeowners chose to not take advantage of the offer. Another of the homeowners did take advantage of the offered landscaping and the third was waiting on reimbursement however was not currently satisfied. After significant discussion from all members present two motions were made and voted.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to remove from the table and refer to the Engineering Department the original request for Bond Reduction. Motion carried.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to request that the developer be present at the next regularly scheduled meeting to discuss the progress of the subdivision with the Board. Motion carried.

6. Preliminary/Open Space Submissions/Limited Development Subdivisions: None

7. Definitive Subdivision Submission: None

8. Signs: None

9. Unfinished Business:

A. Blackhorse Farms Update

City Engineer Pilachowski noted that he has no update due to the current weather conditions

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

B. Mauro Farms Update

This item was covered earlier in the agenda item 5C

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

C. Proposed changes to Subdivision Rules and Regulations Submitted by City Engineer.

City Engineer Pilachowski handed out the revised six (6) sketches need to complete the updates to the Subdivision Rules and Regulation as they have been discussed. Also while the sketches were being updated it was discovered that there inconsistencies in the eight points within Appendix F that needed to be addressed.

On a motion made by Mr. Fay, seconded by Mr. McCarthy it was voted to remove item number seven (7) with in Appendix F due to it being redundant and unnecessary. Motion carried

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to set the public hearing date for the changes to the Subdivision Rules and Regulations for May 4, 2015. Motion carried.

10. Informal Discussions:

Ms. Hughes updated the committee regarding the Gateway and Non Profit signage. Ms. Hughes has met with Mr. Cummings and Mr. Cummings noted that it appeared that most communities allow nonprofit organizations to self-police location and duration of signage for events. Ms. Hughes also noted that this subject has gone to the City Council however it has not been brought forward as of yet. Mr. Cummings will update the Board at the April 27, 2015 meeting.

11. Correspondence:

A. CPTC Conference March 21, 2015

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept the Correspondence A and place on file. Motion carried.

12. Public Notices of other Cities and Towns:

**A. Town of Framingham, Planning Board Public Hearing March 26, 2015 (4)
April 9, 2015 (1)**

B. Town of Sudbury, Board of Appeals, Notice of Decision(s) (7)

C. Town of Southborough, Planning Board, Public Hearing March 23, 2015

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept the notices A-C and place on file. Motion carried.

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Fay it was voted to adjourn at 8:05pm. Motion carried.

Respectfully submitted,

Collen Hughes
Clerk

/mai



CITY OF MARLBOROUGH

RECREATION DEPARTMENT

239 Concord Road
Marlborough, Massachusetts 01762
Tel (508) 624-6925 FAX (508) 624-6940 TTY (508) 460-3610

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CITY OF MARLBOROUGH

2015 APR -9 P 3:33

COMMISSIONERS

Brenda Calder
Thomas Evangelous
Robert Kays, Chairman
Nancy Klein
Mark Vital
Dennis Zilembo

DIRECTOR

David T. Grasso

PROGRAM MANAGER

Charles Thebado

January 14, 2015

Pursuant to notice duly filed with the City Clerk, a meeting of the Parks and Recreation Commission was held at 4:00pm., at the Recreation Commission Office.

Present were Commission Members: Chairman Kays, Commissioner Calder, Commissioner Evangelous, Commissioner Klein and Commissioner Vital.

Also attending: Recreation Director David Grasso, Recreation Program Manager, Chuck Thebado and Parks, Forestry and Cemetery General Foreman Chris White.

Approval of minutes 11-12-2014:

On a motion duly made by Commissioner Vital and seconded by Commissioner Calder, it was unanimously:

VOTED: To accept 11-12-14 minutes.

Parks Report:

General Foreman Chris White gave the following updated report:

- *Stevens Park: final inspection with the state is scheduled for January 23rd, 2015.
- * Both Ice Rinks at Hildreth and Holts Grove are ready and operational. Hours will be posted soon.
- * Playground inspections are completed. In the processes of repairing where needed.
- * Trimming paved, walking, and natural trails.
- * Working on light project at Stevens and Baldelli Fields.

Recreation Report:

Recreation Director David Grasso and Program Manager Chuck Thebado gave the following updated report:

- * Met with legal department regarding beach operational hours. It was recommended to post no swimming when no lifeguards are on duty signs (three languages).
- * Ice Rinks signs are completed/installed re: public skating and ice hockey hours. Flood lights are installed.
- *PSA: met with a certified special needs specialist to address children with physical limitations.
- * PWA flyers are completed and distributed to all Marlborough Public Schools.
- * Letter was sent to all seasonal employees regarding their status of returning for this upcoming season.
- * Summer Concerts: Simela is in the process of confirming dates and bands.
- * David will attend the Recreation Central Regional meeting in Southboro.
- * Beach Concession Stand: Open to all Marlborough Youth organizations who may be interested in providing concessions at the beach.
- *Commissioner Vital suggested to substitute the proposed gazebo at the Landfill with an outdoor stage.

The Commission thanked Mr. Grasso, Mr. Thebado, and Mr. White for their updated report.

Meeting adjourned at 4:45pm.

Attest to:

Simela Perdikomatis



Senior Clerk/Commission Secretary



**CITY OF MARLBOROUGH
RECREATION DEPARTMENT**

239 Concord Road
Marlborough, Massachusetts 01752
Tel (508) 624-6925 FAX (508) 624-6940 TTY (508) 450-3810
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CITY OF MARLBOROUGH

COMMISSIONERS
Brenda Calder
Thomas Evangelous
Robert Kays, Chairman
Nancy Klein
Mark Vital
Dennis Zilembo

2015 APR -9 P 3:33

DIRECTOR
David T. Grasso

PROGRAM MANAGER
Charles Thebado

March 11, 2015

Pursuant to notice duly filed with the City Clerk, a meeting of the Parks and Recreation Commission was held at 4:00pm., at the Recreation Commission Office.

Present were Commission Members: Chairman Kays, Commissioner Calder, Commissioner Klein and Commissioner Vital.

Also attending: Recreation Director David Grasso, Recreation Program Manager, Chuck Thebado and Parks, Forestry and Cemetery General Foreman Chris White.

Approval of minutes 01-14-15:

On a motion duly made by Commissioner Vital and seconded by Commissioner Calder, it was unanimously:
VOTED: To accept 01-14-15 minutes.

Parks Report:

General Foreman Chris White gave the following updated report:

*Rick Sestito is the new Parks Foreman.

* In the process of purchasing materials for the spring.

Commissioner Vital asked if they are on schedule to open the fields? Mr. White responded, not on schedule due to a lot of snow still on the ground.

*The Senior Center is in the process to move in soon.

*New Lights are going out at Stevens Field.

There was a brief discussion regarding Memorial Beach. We are receiving a lot of nice compliments from residents.

The Commission thanked Mr. White for his updated report.

Recreation Report:

Recreation Director David Grasso and Program Manager Chuck Thebado gave the following updated report:

*2015 Summer Concerts Series just about secured.

*PWA was successful during vacation week. Plenty of snow as well for sledding.

*PSA is scheduled for the next vacation week.

*Ski Club finishes up next week.

*Met with John Ghiloni, Chris White and Andy White regarding summer beach tasks and responsibilities prior to opening .

*Ordered handicapped accessible beach chair.

*1st Parade meeting was Monday night to discuss 2015 theme.

* Clean sweep is on May 2nd. T-shirts ordered.

*Assessing equipment and staff needs.

*Secured Needham Tournament on Memorial Day Weekend.

*Relay for Life event is scheduled for May 29th through May 30th.

*Snow Flake Tournament is scheduled for March 28th.

*We are still working and securing Summer Program Schedule.

There was a brief discussion regarding Mr. Joe Delgenio's request to host the Lou Tomkins Tournament in August. It is similar to AYF hosting Jamboree Tournament. The Commission stated that will be fine running the tournament at Stevens.

There was also a brief discussion regarding the MHS fields and the Land fill status.

The Commission thanked Mr. Grasso, Mr. Thebado, and Mr. White for their updated report.

Meeting adjourned at 4:55pm.

Attest to:

Simela Perdikomatis

A handwritten signature in black ink, appearing to read "Simela Perdikomatis". The signature is written in a cursive, flowing style.

Senior Clerk/Commission Secretary

CITY OF MARLBOROUGH

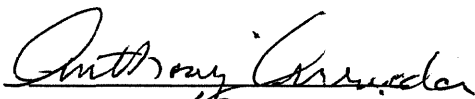

BOARD OF ASSESSORS

MEETING MINUTES: March 18, 2015

RECEIVED
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CITY OF MARLBOROUGH

2015 APR 10 P 4:08

1. CALL TO ORDER: 9:07 am
MEMBERS PRESENT: Anthony Arruda, Ellen Silverstein
Also in attendance: David Manzello, Regional Assessor and Paula Murphy, Head Clerk
2. MOTION TO ACCEPT minutes of the February 11, 2015 meeting : Mr. Arruda,
second Ms. Silverstein
Vote: 2-0
3. APPROVE AND SIGN : Excise Tax Abatements
4. DISCUSSION AND VOTE: Excise Tax Abatement
 - Joseph Ditomaso
Motion to Deny: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
5. DISCUSSION AND VOTE: State Tax Form 3ABC Filing
 - 555 Forest St
Motion to Table: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
6. DISCUSSION AND VOTE: Real Estate Abatement Applications
 - 32 Farrington Ln, 83 Taylor Rd
Motion to Grant: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
7. DISCUSSION AND VOTE: Real Estate Abatement Applications
 - 76-78 Fairmount St, 37 Gibbs Pl, 230 Hudson St, 83 Taylor Rd, 275 West Main St #14
Motion to Deny: Mr. Arruda, second Ms. Silverstein
Vote: 2-0
8. Mr. Manzello informed board of progress on sales analysis for FY 2016 values
9. MOTION TO CONCLUDE - Mr. Arruda, second Ms. Silverstein
Meeting Adjourned – 10:03



**City of Marlborough
Zoning Board of Appeals**

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

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2015 APR 22 P 1:35

**Minutes
March 24, 2015**

Approval of Minutes - January 6, 2015 were approved as written with minor changes.

Discussion:

ZBA Case # 1422-2015

Name: Raynold Menard & Angela Tom

Location: 45 Washington St.

Board Members present were: Ralph Loftin – Acting Chairman, Theodore Scott, Robert Levine and Thomas Golden.

Absent: Paul Giunta

Nature of discussion: City of Marlborough Code Enforcement Officer, Pam Wilderman and the Legal Department are requesting an affirmative vote from the Board rescinding their approval of the issued variance pertaining to 45 Washington St.

1. Present this evening were Pam Wilderman-City's Code Enforcement Officer and City Solicitor Donald Rider. Also present this evening was Robert Camacho-City's Building Commissioner.
2. In Board's file is a letter by Pam Wilderman in an attempt to notify Anna Tanyaradzwa Mairosi (Mairosi) 23 Emory St. Lowell, MA dated January 28, 2015 which was returned to sender. An unsuccessful e-mail attempt was also done.
3. Pam Wilderman stated the variance granted on October 8, 2013 to Raynold Menard & Angela Tom (Menard & Tom) for 45 Washington St. was not the owners of record for 45 Washington St. at that time. An Extension Permit was requested thru e-mail and granted to them. Extension Permit will expire April 8, 2015.
4. Pam Wilderman stated Anna Tanyaradzwa Mairosi is owner of record and that Menard & Tom had no standing to file the Zoning Board of Appeals application form for a hearing before the Board which Ms. Wilderman stated was fraudulently done.
5. Pam Wilderman stated her office would like to move forward with the Attorney General's office and then to "receivership".
6. Pam Wilderman stated she has learned the variance for 45 Washington St. was recorded at the Registry of Deeds. The Extension Permit was not recorded.
7. City Solicitor Donald Rider stated Menard & Tom had no "standing" to apply for a variance for 45 Washington St. He also sees no "hardship" as stated by (Menard & Tom) in the file.

8. After much discussion, it was agreed that they will wait till the Extension Permit expires on April 8, 2015. At that time, the variance and the extension permit will be null and void. The Board will work along with the Pam Wilderman and the city's legal dept.

9. If Menard & Tom do not request for another Extension Permit or a Building Permit by April 16th, 2015 Pam Wilderman or Atty. Rider will file appropriate documents with the Registry of Deeds to render the variance as invalid for lack of "standing".

11. A motion was made to wait till the Extension Permit expires on April 8, 2015 and then have the city file the proper paper work to the Registry of Deeds to render the variance as invalid. Robert Levine seconded the motion.

12. On a vote of 4-0 the above motion was passed.

13. The discussion was closed.

Discussion:

ZBA Case # 1410-2012

Name: Fairfield Marlborough Limited Partnership

Location: Land off of Ames Street and Rte. 20

**Modification of Comprehensive Permit – Talia aka (Brookview Village and The Preserves at Ames)
Determination of Insubstantial Change**

Board Members Present: Ralph Loftin-Acting Chairman, Theodore Scott, Thomas Golden and Robert Levine.

Absent: Paul Giunta

Present this evening were: Atty. Bergeron, Ted Williams, Kevin O'Malley and John Shipe. Also present were City Solicitor Donald Rider and Building Commissioner Robert Camacho.

Approved Comprehensive Permit Project – ZBA Case 1410-2012: For 225 rental units on Map 89, Parcels 78 and 3B = 18.73 acres dated Jan. 29, 2013.

Atty. Bergeron, representing the applicants, stated Fairfield Marlborough Limited Partnership is ready to start construction. Financing will close in about 2 weeks. The remaining issues are what are before the Board this evening.

- Determination of Insubstantial Change
- Review of the Regulatory Agreement as to form by the city Solicitor Donald Rider

According to Atty. Bergeron's letter to the Zoning Board of Appeals, dated March 18, 2015 RE: Insubstantial Change to Comprehensive Permit; ZBA Case 1410-2012; Land off of Ames Street and Route 20, (the Property) Assessor's Map 89, Parcels 78 and 3B. They are before the Board requesting a vote on Lot Line Adjustments as shown on an ANR Plan endorsed by the Planning Board and recorded at the Registry of Deeds. (Packet in Board's file)

According to testimony, Atty. Bergeron stated the Applicant's proposed modification consists of Lot line Adjustments to the site, leaving the site subject to the Comprehensive Permit with the same area of 18.73 acres. Some land was given to Central Steel Supply, 85 Ames St., thus creating a different lot line than the original plan that was approved by the Zoning Board of Appeals in 2012.

According to the above letter:

- The Property, as modified by the Lot Line Adjustments is depicted in an ANR plan endorsed by the Planning Board and recorded with the Middlesex South District Registry of Deeds, as Plan No. 164 of 2015 (the "ANR" Plan). Showing Lot A-1. Lot A-2, also shown on the ANR Plan, will remain in common ownership with Lot A-1 per an affidavit to be recorded by the Applicant (the "Affidavit").
- At the time of the Comprehensive Permit, the Property was shown as consisting of the above-mentioned Assessors parcels. Those parcels and a third parcel were later combined into a single parcel, as shown on a plan recoded with the Registry as Plan 1021 of 2013. The Lot Line Adjustments, which re-divide the parcels, are necessary to satisfy the requirements of Mass Housing, the Project's subsidizing agency.

Attached:

- A copy of the signature sheet signed by the Acting Chairman-Ralph Loftin for the Zoning Board of Appeals. Also, note the additional phrases added to the Determination of Insubstantial Change, dated March 25, 2015.

Action taken:

- After much discussion between Atty. Bergeron and City Solicitor Donald Rider, the Board voted 4-0 to accept the modification to the Comprehensive Permit as **insubstantial**. Applicant will send a full set of approved plans for the Board's file.
- After some discussion, the Board signed the Acknowledgement of Zoning Board of Appeals, hereby agrees that the foregoing Regulatory Agreement satisfies the requirements of the Comprehensive Permit as defined therein.

With no other testimony taken or given, the discussion was closed.

Public Hearing

ZBA Case # 1436-2015

**Name: John Shelales & Alison Makinen
Represented by the City of Marlborough (DPW)**

Location: 620 Farm Rd.

The property is located in Zoning District A-2 being Map 85, Parcel 7 of the Assessor's Maps.

Board Members present: Ralph Loftin – Acting Chairman, Theodore Scott, Thomas Golden and Robert Levine

Absent: Paul Giunta

Project Description: The City of Marlborough, Dept. of Public Works, are representing the applicants in creating a second driveway to allow residents at 620 Farm Rd. to exit their property and travel eastbound on Farm Rd. while minimizing conflicts with vehicles at the proposed newly constructed signalized intersection at Farm Rd./Broadmeadow St. The proposed second driveway is in violation of §650-47 Landscaping and screening and §650-49 Driveways and curb cuts.

In the Board's file are two 8 ½ x 12 plan produced by the DPW entitled #620 Farm Rd. Zoning District A-2.

Present this evening were Tim Collins, Assistant City Engineer and Evan Pilachowski, City Engineer. Also, Robert Camacho, Building Inspector, was in attendance.

Abutter(s) speaking in favor:

- Russ Christopher of 580 Farm Rd. was present. He had the following questions:
 - The safety of the proposed second driveway entering and exiting onto the roadways.
 - How the signalization will work.
 - Why have a break in the middle of the roadway for cars to enter the existing driveway when traveling east bound.
 - Grading for the proposed second driveway which may cause water run-off problems.
 - Wanted some info on how the car(s) in the driveway at 620 Farm Rd. will maneuver in and out onto Farm Rd./Broadmeadow St.
- Mary Lou Shelales of 630 Farm Rd. – Had some questions of the existing chain link fence on the side lot line which the city DPW is stating marks the side lot line. She believes the side lot line is not where the chain link fence is located. Her grandparents once owned the 2 lots as one lot and it was subdivided. She remembers being told that the pine trees at the side was the lot line. Her basement is dry now and does not want water run-off from the proposal. She also mentioned pooling of water at the front of her property on the street. Tim Collins assured her that the pitch of the proposed second driveway will be carefully looked at and there will be new upgrades to the drainage. Her house was built in the early 70's. #620 Farm Rd. was built in the 50's.
- Councilor Delano was present to speak in favor of the proposal. Farm Rd. has become a very busy road. With many homes and side streets along Farm Rd. it is very difficult to come onto Farm Rd. Traffic signal lights will give some breaks to the line of traffic on Farm Rd. which should give the residence along Farm Rd. some relief.

Abutter(s) speaking in Opposition - There was no one speaking in Opposition.

Tim Collins, Assistant Engineer stated:

- We are presenting a construction plan. Because of the snow, we did not survey the lot. DPW did survey the road lines.

- This is a single family home with an existing driveway on Farm Rd.
- The proposed second driveway is within the 30 ft. front yard setback which is deemed for landscaping according to city code. The proposed second driveway will be within that 30 ft. front yard. There will be a low stone wall and some hedges at the front which will shield the proposed second driveway.
- The city is proposing a 10 ft. wide second driveway. The existing driveway will remain.
- Lot frontage is 107 ft. which violates the ordinance of 200 ft. between driveway openings.
- The city's DPW is in the process of reconstructing Farm Rd.
- After a traffic count study, a traffic signal is warranted at Farm Rd./Broadmeadow St.
- The proposed second driveway will have a radar pad in which the signal lights will be triggered.
- The City felt this proposed second driveway is a safety aspect for the homeowners in entering and exiting from their property once the new traffic signals are in place.
- The city is on a tight time frame to have this project go out to bid.
- DPW used the city's assessor's maps in measuring for the side setback for the proposed driveway.

Hardship as stated by Tim Collins and Evan Pilachowski:

- Shape of the lot is rectangular.
- The lot in question has 107.31 ft. vs. 200 ft. of frontage needed for a second driveway opening.
- The proposed second driveway is a safety factor for the homeowners.
- The city imposed a hardship onto the homeowners, because of the traffic count study, a traffic signal is needed.

Evan Pilachowski stated that maybe within a month, the snow will be melted and they can do the survey of the lot.

One of the Board member suggested removing the existing driveway. But, after some discussion, the Board finds that on a "safety" aspect, it is not possible to just have one driveway.


The Board requested the following items:

- Produce a certified plot plan showing the lot lines.
- Would like to see Ms. Shalales's, abutter, concerns addressed.
- How will water run-off be controlled and what is the proposed new drainage plans.
- Show the grading of the lot on the plan.
- Calculate impervious areas.

A motion was made by Ralph Loftin to continue this hearing to April 21st, 2015 until such time the above requests can be produced for the next meeting. Motion seconded by Ted Scott.

The Board voted 4-0 to continue the hearing to April 21st, 2015 at 7:00 PM.

Respectfully submitted,


Paul Giunta *ps*
Chairman