

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 SEP -5 P 1:00

1. Minutes of the City Council Meeting, August 26, 2013.
2. Update/Discussion with Building Inspector regarding his interpretation of the zoning requirements governing recreational facilities, specifically the requirement for a special permit for certain uses.
3. Communication from the Mayor re: Fire Department transfer request in the amount of \$45,279.00 which moves funds from Fringe to Sick Leave and Firefighter accounts to fund costs associated with the retirement of a member of the Fire Department.
4. Communication from the Mayor re: Appointment of Leslie Biggs to the Council on Aging who will fill the balance of the term of Lynn Anderson which is due to expire on May 2, 2016.
5. Communication from the Mayor re: Appointment of Thomas Golden to the Zoning Board of Appeals to fill the balance of the term of John Sahagian which is due to expire on May 5, 2017.
6. Communication from the Mayor re: Zoning Board of Appeals Process and Notification of resignation from James Natale and Jay Whitaker. Mr. Whitaker's resignation will be effective September 18, 2013.
7. Communication from Assistant City Solicitor Cynthia Panagore Griffin re: Motion to Approve Application of TVI, Inc. d/b/a Savers for a Secondhand Dealer's License which has been placed in final legal form.
8. Application for Special Permit from Attorney Bergeron on behalf of 54 Main St., LLC to install a drive-thru service window which would be part of a new structure on the property for Dunkin Donuts restaurant, replacing the existing Dunkin Donuts restaurant structure, which does not have a drive-thru service window.
9. Application for Second Hand Article License, Mary Giorgi, Giorgi's Consignment Boutique, 266 Main St.
10. Communication from Central Mass. Mosquito Control Project re: Mosquito Control Update.
11. Minutes, Traffic Commission Minutes, June 25 and July 23, 2013.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Operations and Oversight Committee

12. **Order No. 13-1005494A – Communication from DPW Commissioner, Ronald LaFreniere**
Proposed Amendment to Chapter 510, which governs the City's Sewer system.

The Chair began by reading the amendments to Chapter 510 of the City Code pertaining to water treatment plants and requested the Commissioner explain the changes.

Commissioner LaFreniere stated that there were five points that were required to be amended which would allow the City of Marlborough to take advantage of zero percent financing instead of two percent. He added that Marlborough has already completed four of the five points within the legislation, the incomplete requirement involved land-use controls, and the state is using the

legislation to get communities to commit to the flow allocations the State planned for in their long term planning documents. He continued stating the DPW was seeking a new permit for the West plant, it was originally designed to treat 2.9 million gallons a day as according to the CWMP planning documents, and DPW was trying to increase the Water Treatment Facility's capacity to 4.15 million gallons per day. While explaining further, he stated, the 1.25 million gallons per day increase was a combination of additional flow the city needed to facilitate all of its growth in the West over the next twenty year planning period and the additional growth that the town of Northborough needed.

President Pope questioned whether this change was being required to force Marlborough into an agreement with Northborough regarding the Water Treatment Facility, and why Northborough was mentioned frequently if this was not the case.

Commissioner LaFreniere explained that it had been three years since the IMA agreement with Northborough, their sewage system is built with Marlborough's West treatment facility as an integral part, and it would take three to four years to plan and construct a water treatment facility. He continued stating currently the treatment facility is being allocated enough water for Marlborough the 2.9 million gallons per day and Northborough. Explaining further he stated that receiving this new permit allows Marlborough to have a West side treatment facility with a 4.15 million gallons per day capacity, which is more than Marlborough needs, to allow for future growth and a lower insurance rate. He then elaborates on the other possibility, not being granted the permit, stating that Marlborough would still have a permit allocating 2.9 million gallons per day meaning nothing changes for Marlborough, however Northborough would be forced start the planning process for the construction of their own facility so the facilities full capacity could be allocated to Marlborough's developing west side.

Councilor Ossing requested a ballpark estimation of the cost of the plan to which the Commissioner answered about \$40 million dollars. He then asked what this permit was restricting Marlborough to.

The Commissioner answered the flow allocations that are identified in the CWMP and subsequently the secretary's certificate which validated the findings and conclusions in the CWMP that stated the City of Marlborough was allocated 2.9 million gallons per day at the west plant in addition to that 1.25 million gallons per day that will be allocated to the town of Northborough. He clarifies that Marlborough is limited to 2.9 million gallons per day as identified in our own planning document that the city and its experts prepared for a twenty year outlook plan for the West side.

Councilor Delano clarified that the update to the facility is driven from State regulators requiring more nutrients and phosphorus removal in the facilities rather than incorrect estimates of capacity by the DPW during their last thirty year projection plan as some had suggested.

The Commissioner answered a question from Councilor Ossing about how the rate will go from 2% to 0% financing stating that it will essentially be an interest forgiveness situation.

Councilor Ossing expressed his concerns that the Council did not have any reports, number values on money saved from the project, and that the project was being rushed.

Commissioner LaFreniere explained that with thirty year bonds at 2% interest the East Facility would have a \$52 million dollar bond incurring \$17.8 million dollars in interest and the West Facility would have a \$24 million dollar bond incurring \$8.15 million dollars in interest; assuming the State grants Marlborough's request in full, there would be \$26 million dollars in savings associated with the shift from 2% to 0% financing. The Commissioner continued, even if request was not granted in full, in the East Facility 68% of the improvements could be allocated to the nutrient removal aspect of the changes reducing the interest savings from \$17 million dollars to \$12.2 million dollars and in the West Facility nutrient removal is 43% of the improvements resulting in \$3.5 million dollars of savings; for both facilities this results in a total of \$15.66 million dollars in interest savings. He then added that there was no risk to making these changes, because if the legislation did not go through nothing would change for Marlborough and it would not impact Marlborough's ability to apply for a permit modification to ask for an increased water flow in the future.

The Chair noted that he would like all the Councilors to receive a copy of the documents illustrating savings, figures, and anything else the Commissioner deemed important about the request.

Councilor Clancy asked how much water the City used in a day on average out of the West Facility which has a maximum capacity of 2.9 million gallons per day. The Commissioner answered it fluctuates from lows of 1.9 to highs of 3.5 million gallons per day and the average is roughly 2.5 million gallons per day; the East Facility, with a maximum capacity of 5.5 million gallons per day, used 3.1 million gallons per day on average.

The Chair requested a letter from CDM certifying that approval of the proposed ordinance will not restrict the City from increasing its water treatment capacity in the future.

Councilor Landers inquired of the deadline for approval of the ordinance. Commissioner LaFreniere replied that the City received a 30-day extension to implement the required land use controls; the new deadline to respond to Mass DEP is September 16, 2013.

Motion made by Councilor Elder, seconded by Councilor Landers to approve Proposed Amendment to Chapter 510, Code of the City of Marlborough, which in part governs the City's Sewerage System. Adopted 3-0.

Motion made by Councilor Elder, seconded by Councilor Landers to suspend the rules at the next City Council Meeting to advertise. Adopted 3-0.

From Public Services Committee

13. **Order No. 13-1005448A** - Application by Robert Hoglund, CFO TVI, Inc. d/b/a Savers, 222A East Main St. for Junk Dealer's License.

The Chair opened discussion re: Order #13-1005448 regarding the application of Savers for a second hand dealer's license tabled on July 16, 2013. The Chair then asked for a motion to remove the order from its tabled status and requested an update from the Savers representatives.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to remove the order from its tabled status. Adopted 3-0.

Mr. Connors detailed many improvements, including pediment towers, castle towers, painting, awnings, lighting, and more, he would make to the outside of the entirety of the plaza to improve its architecture to a more modern style.

Councilor Delano stated that he was very pleased to see the plaza being upgraded, but personally did not think that Savers' instillation there would be good for economic development. The Councilor also expressed concerns for a lack of consistency with regards to Savers' request for certain waivers to sections of the City Code.

The Chair agreed with Councilor Delano that the waivers concerned him once, as well; however, the conditions they requested be waived pertain to limiting Pawn Shops, which Savers is not, and to prevent the fencing of stolen goods, which Savers cannot do because it only accepts donations.

The Chair proceeded to addressing the Sections of the City Ordinance that Savers requested be waived. The Committee found it necessary to waive Section 377-6, 377-7, and 377-9 as well as the last sentence of Section 377-5 with the legal advisement of the City Solicitor.

The Solicitor then suggested that the Council create a condition that stated Savers license would be subject to revocation if it were ever discovered that they were accepting money.

The Chair began reading the conditions proposed by the Committee.

Condition No. 1 stated that the license will not be transferred without prior review and approval from the City Council.

Condition No. 2 stated the license would only be granted to the Savers at the 222A East Main Street, Marlborough MA location.

Condition No. 3 stated there would be no outside storage or displays. Atty. Manoogian agreed to the condition as long as it is not interpreted so broadly as to include a shipment that may remain out behind the building for a few days.

Condition No. 4 stated donations would take place only during hours of operation.

The Chair inquired about Savers hours of operation. Mr. Vargas stated his hours were 9AM-9:30PM Monday through Saturday and 10AM- 7PM on Sundays, but for the month of October their hours are 9AM- 10PM Monday through Saturday and 10AM- 10PM on Sundays.

Condition No. 5 stated no Savers donation boxes will be permitted outside the building.

Condition No. 6 stated noncompliance with the above conditions will result in the revocation or suspension of the license.

Condition No. 7 stated the license shall be subject to revocation or suspension if Savers business model changes to include the exchange of money with the general public for goods or merchandise sold, without first obtaining City Council approval of the exchange of money with the general public for goods and merchandise sold.

Councilor Clancy expressed concerns about Savers sign being too bright or having a constantly changing message that would be distracting to drivers. Councilor Clancy asked that Savers agree to comply with the requirements of the sign ordinance without variance.

Atty. Manoogian agreed to a condition detailing the prohibition of scrolling or rotating message boards.

Councilor Robey suggested that this new condition be made condition number six so it is included under the offenses that are punishable by revocation or suspension of the license, and the current conditions number six and seven would change to conditions seven and eight.

Motion made by Councilor Jenkins, seconded by Councilor Clancy to approve the Council's outlined conditions and integrate them into the Junk Dealer license. Adopted 3-0.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to approve the Junk Dealer license as subject to all conditions and waivers as amended. Adopted 3-0.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to adjourn. Adopted 3-0.

Motion in order to seek a suspension of the rules to refer to the City Solicitor to place the waivers and conditions in proper legal form on the City Council September 9, 2013 agenda.

From City Council

14. **Order No. 13-1005520** - Proposed Order to Amend Chapter 526 of the City Code to Regulate Digital Electronic and LED Signs and Message Boards was ordered **ADVERTISED AND PLACE ON THE NEXT AGENDA.**
15. **PUBLIC HEARING** On the Proposed Amendment to the Code of the City of Marlborough, Zoning, Section 650-17, entitled "Table of Uses," by regulating the business uses entitled "Power laundries and dry cleaning" so as to separate into independent categories said uses and allow Dry Cleaning establishments as of right in the Business (B) district and in the Commercial Automotive (CA) district,

in proper legal form from Assistant City Solicitor Panagore Griffin for advertising and referral, Order No. 13-1005481, all were heard who wish to be heard ,hearing recessed at 8:06 p.m.

MOTION made by President Pope to table until the next City Council meeting as Council awaits the Planning Board's recommendation – **Carries**; adopted.

Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.



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

AUGUST 26, 2013

Regular meeting of the City Council held on Monday, AUGUST 26, 2013 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 9:10 PM.

ORDERED: That the minutes of the City Council Meeting JULY 22, 2013, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Proposed Amendment to the Code of the City of Marlborough, Zoning, Section 650-17, entitled "Table of Uses," by regulating the business uses entitled "Power laundries and dry cleaning" so as to separate into independent categories said uses and allow Dry Cleaning establishments as of right in the Business (B) district and in the Commercial Automotive (CA) district, in proper legal form from Assistant City Solicitor Panagore Griffin for advertising and referral, Order No. 13-1005481, all were heard who wish to be heard ,hearing recessed at 8:06 p.m.

MOTION made by President Pope to table until the next City Council meeting as Council awaits the Planning Board's recommendation – **Carries**; adopted.

Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Attorney Schaffer on behalf of Irene Kantor to operate a Martial Arts Studio located within an Industrial District where private indoor or outdoor recreation may only be allowed through Special Permit, 38 Brigham St., Order No. 13-1005483, all were heard who wish to be heard, hearing recessed at 8:20 p.m.; adopted.

Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Luiza DeMoura of Jump in with Us, Inc. to develop an inflatable playground and to accommodate birthday parties for kids and families from Tuesdays to Sundays, 10:00 AM to 7:00 PM., Order No. 13-1005482, **CONTINUED TO SEPTEMBER 23, 2013 AT THE REQUEST OF THE PETITIONER**; adopted.

Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: SENIOR CENTER BOND

That the sum of \$6,500,000 (six million five hundred thousand) dollars be and is hereby appropriated for the construction of a Senior Center. 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 \$6,500,000. 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 twenty (20) years from its date of issue. Refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: WARD PARK BOND

That the sum of \$ 3,000,000 (three million) dollars be and is hereby appropriated for the reconstruction of municipal outdoor recreational facilities. 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 \$3,000,000. 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. Refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED:**A RESOLUTION TO PARTNER WITH THE EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT TO MAKE NECESSARY AND VITAL INFRASTRUCTURE UPGRADES ON SIMARANO DRIVE TO ENHANCE AND SUPPLEMENT THE SIGNIFICANT PRIVATE INVESTMENTS ALREADY BEING MADE**

WHEREAS, the City of Marlborough is committed to building a diverse local and regional economy that attracts and retains quality businesses and that provides employees; and

WHEREAS, the Southwest Quadrant in the City of Marlborough is a recognized priority development area in the Commonwealth of Massachusetts and is part of the 495/Metro West Compact Plan; and

WHEREAS, Simarano Drive is the primary point of access and entryway to the Southwest Quadrant and is located at Exit 23C on Interstate 495; and

WHEREAS, there are over 2,000 employees currently working at businesses on Simarano Drive; and

WHEREAS, Simarano Drive is now home to The TJX Companies, Inc. and Quest Diagnostics who will bring an additional 2,557 employees to the Southwest Quadrant by the end of 2014 and will generate 321 net new jobs in the Commonwealth of Massachusetts by 2019; and

WHEREAS, the Southwest Quadrant will contain 400+ affordable and market rate apartments which will provide ample workforce housing opportunities to existing employees and new employees working throughout the City of Marlborough and the Metro West region; and

WHEREAS, the City of Marlborough is submitting a grant application to the Mass Works Infrastructure Program to support the full reconstruction of Simarano Drive, including the addition of sidewalks and bike paths in keeping with the "Complete Streets" guidelines set by the Massachusetts Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Marlborough City Council strongly supports the Mass Works Grant Application; and
2. The Marlborough City Council is committed to partnering with the Executive Office of Housing and Economic Development to make necessary and vital infrastructure upgrades on Simarano Drive to enhance and supplement the significant private investments already being made; and
3. That this Resolution shall take effect upon its passage.

APPROVED; adopted.

ORDERED: That along with the City Council's approval of the FY 14 operating budget, a recommendation of adopting Section 4, Chapter 73 of the Acts of 1986 which allows for the doubling of all exemptions offered in the City to qualified residents (i.e. Elderly, Blind, Disabled Vets) as provided by Massachusetts law in which the City would absorb any associated costs through the overlay account, **APPROVED**; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Executive Office of Health and Human Services (EOHHS) Grant awarded to the Police Department in the amount of \$45,000.00 to be utilized for the City's Jail Diversion Program which is carried out in conjunction with Advocates, Inc.; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the following Bay Path Elder Services, Inc. grants to Council on Aging:
A. Grant amount of \$5,000.00 to provide for the continuation of educational and enrichment programs targeted towards our Portuguese and Latino populations.
B. Grant in the amount of \$5,000.00 to enhance our scheduled senior transportation services to area stores and area retail locations; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** Emergency Management Performance Grant awarded to the City in the amount of \$9,030.00 which reimburses for costs associated with local emergency preparedness training and emergency management equipment and upgrades, including new hardware for the ID systems utilized by the Personnel Office; adopted.

ORDERED: That the Reappointment of Deborah Fox as City Collector to serve a term of one year to take effect on the first Monday following her appointment, refer to **PERSONNEL COMMITTEE**; adopted.

- ORDERED: That the Reappointment of Diane Smith as City Auditor for a term of three years, refer to **PERSONNEL COMMITTEE**; adopted.
- ORDERED: That the Appointment of Nancy Stevens as a Regular member of the Zoning Board of Appeals to complete the term of Bob Page due to expire on May 5, 2017 and Robert Levine as an Alternate member of the Zoning Board of Appeals to serve a two year term beginning from his date of confirmation by City Council, refer to **PERSONNEL COMMITTEE**; adopted.
- ORDERED: That the Appointment of Brian DuPont to the Planning Board for a five year term to expire on February 5, 2018 to replace longtime member Clyde Johnson, refer to **PERSONNEL COMMITTEE**; adopted.
- ORDERED: That the Communication from the Mayor re: SCRPT (Senior Citizen Property Tax Work-Off Program), **APPROVED**; adopted.
- ORDERED: That the Proposed Order to Amend Chapter 526 of the City Code to Regulate Digital Electronic and LED Signs and Message Boards, **ADVERTISED AND PLACE ON THE NEXT AGENDA**; adopted.
- ORDERED: That the Communication from Attorney Bergeron of Mirick O'Connell re: Request for Modification of Special Permit, Condition 7, Capital Group Properties, Inc., 853 & 905 Donald Lynch Blvd., Order No. 03-10047B **FILE**; adopted.
Councilor Delano abstained
- ORDERED: That the Application for Junk Dealer's License, Bernard Novitch, Collector's Paradise, 771 Boston Post Rd. E. #7, refer to **LEGAL DEPARTMENT AND CODE ENFORCEMENT OFFICER**; adopted.
- ORDERED: That there being no objection thereto set **Monday, October 7, 2013** as date for a **PUBLIC HEARING** on the Petition of NGrid and Verizon to install 1-Joint owned Pole #47-25 approximately 56' from Pole #47 and 4-6" Conduits on Forest Dr., refer to **PUBLIC SERVICES COMMITTEE**; adopted.
- ORDERED: That there being no objection thereto set **Monday, October 7, 2013** as date for a **PUBLIC HEARING** on the Petition of NGrid and Verizon to install of approximately 1100' of 4-5" Conduits and two manholes on Forest St. and 1-Joint owned Pole #P2-50 on Bartlett Dr., refer to **PUBLIC SERVICES COMMITTEE**; adopted.
- ORDERED: That the Communication from NGrid re: Annual Return, **FILE**; adopted.
- ORDERED: That the Communication from Mosquito Control Project re: Investigating Resident's Complaints about Mosquitos on the following dates: July 31, August 7, 14, 21, & 28, 2013, **FILE**; adopted.
- ORDERED: That the Minutes, Council on Aging, June 11, 2013, **FILE**; adopted.
- ORDERED: That the Minutes, Planning Board, July 15, 2013, **FILE**; adopted.
- ORDERED: That the Minutes, Parks & Recreation Commission, May 8, 2013, **FILE**; adopted.
- ORDERED: That the Minutes, Marlborough Community Development Authority, July 25, 2013, **FILE**; adopted.
- ORDERED: That the Communication from Amica on behalf of Philip Lioio, 19 Preston St., refer to **LEGAL DEPARTMENT**; adopted.
- ORDERED: That the Communication from Amica on behalf of Joseph Bisol, 212 Hudson St., refer to **LEGAL DEPARTMENT**; adopted.
- ORDERED: That the Communication from Hanover Insurance Group on behalf of Kevin Lynch, 96 Warren Ave., refer to **LEGAL DEPARTMENT**; adopted.

ORDERED: That the following CLAIMS, be and is herewith refer to the **LEGAL DEPARTMENT**.

- A. Ann Marie Maichin, 63 Simpson Rd., residential mailbox claim
- B. Ariel Negron, 37 Emerald St., Gardner, MA pothole or other road defect
- C. Vincent Simarano, 186 Reservoir St., pothole or other road defect

Councilor Delano reported the following out of Operations & Oversight Committee:

Present: Councilor Delano, Councilor Elder, Councilor Landers; Also Present: Councilor Clancy, Councilor Robey, Councilor Tunnera, Council President Pope, and Councilor Ossing; DPW Commissioner LaFreniere; Assistant Commissioner Higgins; John Ghiloni

Communication from DPW Commissioner, Ronald LaFreniere re: Proposed Amendment to Chapter 510, Code of the City of Marlborough, which in part governs the City's Sewerage System.

The Chair began by reading the amendments to Chapter 510 of the City Code pertaining to water treatment plants and requested the Commissioner explain the changes.

Commissioner LaFreniere stated that there were five points that were required to be amended which would allow the City of Marlborough to take advantage of zero percent financing instead of two percent. He added that Marlborough has already completed four of the five points within the legislation, the incomplete requirement involved land-use controls, and the state is using the legislation to get communities to commit to the flow allocations the State planned for in their long term planning documents. He continued stating the DPW was seeking a new permit for the West plant, it was originally designed to treat 2.9 million gallons a day as according to the CWMP planning documents, and DPW was trying to increase the Water Treatment Facility's capacity to 4.15 million gallons per day. While explaining further, he stated, the 1.25 million gallons per day increase was a combination of additional flow the city needed to facilitate all of its growth in the West over the next twenty year planning period and the additional growth that the town of Northborough needed.

President Pope questioned whether this change was being required to force Marlborough into an agreement with Northborough regarding the Water Treatment Facility, and why Northborough was mentioned frequently if this was not the case.

Commissioner LaFreniere explained that it had been three years since the IMA agreement with Northborough, their sewage system is built with Marlborough's West treatment facility as an integral part, and it would take three to four years to plan and construct a water treatment facility. He continued stating currently the treatment facility is being allocated enough water for Marlborough the 2.9 million gallons per day and Northborough. Explaining further he stated that receiving this new permit allows Marlborough to have a West side treatment facility with a 4.15 million gallons per day capacity, which is more than Marlborough needs, to allow for future growth and a lower insurance rate. He then elaborates on the other possibility, not being granted the permit, stating that Marlborough would still have a permit allocating 2.9 million gallons per day meaning nothing changes for Marlborough, however Northborough would be forced start the planning process for the construction of their own facility so the facilities full capacity could be allocated to Marlborough's developing west side.

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The Chair requested a letter from CDM certifying that approval of the proposed ordinance will not restrict the City from increasing its water treatment capacity in the future.

Councilor Landers inquired of the deadline for approval of the ordinance. Commissioner LaFreniere replied that the City received a 30-day extension to implement the required land use controls; the new deadline to respond to Mass DEP is September 16, 2013.

Motion made by Councilor Elder, seconded by Councilor Landers to approve Proposed Amendment to Chapter 510, Code of the City of Marlborough, which in part governs the City's Sewerage System. Adopted 3-0.

Motion made by Councilor Elder, seconded by Councilor Landers to suspend the rules at the next City Council Meeting to advertise. Adopted 3-0.

Councilor Landers reported the following out of Public Services Committee:

Order No. 13-1005428A – Application of Best Buy Store #820, 769 Donald Lynch Blvd. for renewal of Junk Dealer's License. That Chief Leonard has received the CORI for Best Buy Store #820. MOTION made by the Chair to request removal from table and address at the August 29, 2013 City Council Meeting - Carries

Present: Councilor Landers, Councilor Clancy, and Councilor Jenkins; Also Present: Councilor Robey and Councilor Delano; Solicitor Rider for City Hall, Atty. Manoogian for Savers, Bob Connors for the building owner; Gary Vargas the Regional Manager for Savers

The Chair opened discussion re: Order #13-1005448 regarding the application of Savers for a second hand dealer's license tabled on July 16, 2013. The Chair then asked for a motion to remove the order from its tabled status and requested an update from the Savers representatives.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to remove the order from its tabled status. Adopted 3-0.

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Condition No. 4 stated donations would take place only during hours of operation.

The Chair inquired about Savers hours of operation. Mr. Vargas stated his hours were 9AM-9:30PM Monday through Saturday and 10AM- 7PM on Sundays, but for the month of October their hours are 9AM- 10PM Monday through Saturday and 10AM- 10PM on Sundays.

Condition No. 5 stated no Savers donation boxes will be permitted outside the building.

Condition No. 6 stated noncompliance with the above conditions will result in the revocation or suspension of the license.

Condition No. 7 stated the license shall be subject to revocation or suspension if Savers business model changes to include the exchange of money with the general public for goods or merchandise sold, without first obtaining City Council approval of the exchange of money with the general public for goods and merchandise sold.

Councilor Clancy expressed concerns about Savers sign being too bright or having a constantly changing message that would be distracting to drivers. Councilor Clancy asked that Savers agree to comply with the requirements of the sign ordinance without variance.

Atty. Manoogian agreed to a condition detailing the prohibition of scrolling or rotating message boards.

Councilor Robey suggested that this new condition be made condition number six so it is included under the offenses that are punishable by revocation or suspension of the license, and the current conditions number six and seven would change to conditions seven and eight.

Motion made by Councilor Jenkins, seconded by Councilor Clancy to approve the Council's outlined conditions and integrate them into the Junk Dealer license. Adopted 3-0.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to approve the Junk Dealer license as subject to all conditions and waivers as amended. Adopted 3-0.

Motion made by Councilor Clancy, seconded by Councilor Jenkins to adjourn. Adopted 3-0.

Motion in order to seek a suspension of the rules to refer to the City Solicitor to place the waivers and conditions in proper legal form on the City Council September 9, 2013 agenda.

Councilor Tunnera reported the following out of Personnel Committee:

Order No. 13-1005490 – Appointment of Brian Doheny as Comptroller/Treasurer for term of two years effective on the first Monday following his appointment.

Motion by Councilor Elder to approve, seconded by the Chair.
Adopted 2-0 Seymour abstained Recommendation of the Personnel Chair is to suspend the rules at the August 26, 2013 City Council Meeting to approve the appointment.

Councilor Robey orally reported the following:

On May 21, 2012, Cumberland Farm's request for an application for Fuel Storage license for 412 & 418 Maple Street was referred to Urban Affairs along with their request for a special permit to construct a convenience store and gasoline service station and to operate a 24-hour facility. Public hearings were held on June 18, 2012. The request for 24-hour operation was subsequently withdrawn and the convenience/gasoline service station was approved via a constructive permit and has gone through site plan review. The fuel storage license remains in Urban Affairs Committee.

Under the council rules adopted on May 7, 2012, eight (8) weeks after a matter has been referred to a standing committee and no report has been given to the full council, the matter "shall be subject to action by the Council upon a motion by the sponsoring Councilor, or sponsoring person through a councilor at that meeting and the order shall be automatically returned to committee unless a motion is otherwise made and adopted at that meeting by a vote. The Chairman shall render an oral report upon the request of any member of the City Council during the time provided under Reports of Committees."

I am requesting that Chairman Elder provide the Council with an oral report on Order 12-1005083, a fuel storage license for 32,000 gallons of gasoline and 8,000 gallons of diesel to be stored in underground tanks. And as it has been well over 8 weeks since it was referred to Urban Affairs, I'm asking that we Suspend the Rules to add an agenda item to Return Order 12-1005083 back to the full council for action. **Suspension of the Rules requested – DOES NOT CARRY**

Councilor Elder gave an oral report regarding Order No. 12-1005083.

Suspension of the Rules requested – granted

ORDERED: That the Application of Best Buy Store #820, 769 Donald Lynch Blvd. for Renewal of Junk Dealer's License, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Application by Robert Hoglund, CFO TVI, Inc. d/b/a Savers, 222A East Main St. for Junk Dealer's License, be and is herewith refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE SEPTEMBER 9, 2013 CITY COUNCIL MEETING**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Appointment of Brian Doheny as Comptroller/Treasurer for term of two years effective on the first Monday following his appointment, **APPROVED**; adopted.

Councilor Seymour abstained

Suspension of the Rules requested – granted

ORDERED: That the Communication from DPW Commissioner, Ronald LaFreniere re: Proposed Amendment to Chapter 510, Code of the City of Marlborough, **ADVERTISED**; adopted.

**DECISION ON A SPECIAL PERMIT
CITY COUNCIL ORDER NO. 13-1005426C**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to Sandra & Anthony Antico Real Estate LLC (the "Applicant Landlord ") and Emad Guirguis d/b/a Hop N Jump (hereinafter "Applicant Tenant"), as provided in this Decision and subject to the following Findings of Facts and Conditions:

FINDINGS OF FACTS AND CONDITIONS

1. The Applicant Landlord is a duly organized and existing Massachusetts Limited Liability Company with its principal place of business located at 72 Jefferson Street, Marlborough, MA 01752. Applicant Tenant has duly filed his dba certificate with the City Clerk of the City of Marlborough to operate his business at the subject location.

2. The Applicant Landlord is the title owner of the property located at 72 Jefferson Street (the "Site"). Applicant Landlord and Applicant Tenant have executed or will execute a lease regarding Suite 103 at the Site, and its use pursuant to the terms of this special permit regarding Unit 103 at the Site.

3. The Applicants seeks permission to utilize Unit 103 as a commercial indoor recreation establishment and place of amusement.

4. The Applicant Landlord, on May 2, 2013, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of §650-17 and pursuant to the procedures specified in §650-59 of the Marlborough Zoning Ordinance (the "Application"). Through a notice filed with the Urban Affairs Committee, Applicant Tenant was added as an Applicant.

5. The Site contains an existing commercial building as shown on the site plan submitted with the Application, said site plan entitled " 'Special Permit Plan,' Showing Existing Conditions at 72 Jefferson Street, Marlborough, Massachusetts, Date: April 25, 2013, Prepared by: Bibbo Brothers & Associates, 101 Hammer Street, Waltham, MA 02453, 1" = 20' " (the "Site Plan"), an 8½" x 11" version of which is attached hereto. No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.

6. The Applicants seek a special permit allowing the establishment of an indoor recreation area that will include various children's entertainment features for birthday parties and other special occasions, and for children who, accompanied by an adult, can take advantage of these same play features.

7. The Site Plan was certified by the Building Inspector, acting as the City Planner, as having complied with Rule 5, items A through J, of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.

8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c.40A, the City Council established a date for public hearing for the Application and the City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.

9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on June 17, 2013, concerning the Application. The hearing was opened and closed at that meeting.

10. The Applicants' attorney presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.

11. At the public hearing, Gihan Touson, who will be managing the operation of the business, and whose husband, Emad Guirguis, is the Applicant Tenant, described the proposed business as being one that would provide an indoor venue for children's birthday parties and for children who, accompanied by an adult, can take advantage of the proposed indoor play facilities. She indicated that the business would not include a child care component, and that all children using the facility would need to be accompanied by an adult to provide supervision. In response to questions from city councilors, she indicated that:

- a) the parties would be scheduled for weekdays and weekends
- b) no food would be prepared on the premises
- c) the facility would be open to the general public to provide indoor play space for children on a daily basis.
- d) all recreation would occur indoors.

12. No member of the public spoke, either in favor or in opposition to the proposal.

13. Following the public hearing, the Urban Affairs Committee held meetings on June 24, 2013 and July 9, 2013 during which this Application was discussed. At those meetings, the parties discussed various issues and proposed permit conditions to deal with them.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

A. The City Council finds that the Applicants have complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the Special Permit.

B. The use of Unit 103 for an indoor recreation establishment and place of amusement is an appropriate use of the Unit 103-portion of the Site and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.

C. The City Council, pursuant to its authority under M.G.L. c.40A, §9 and Chapter 650 of the Marlborough City Code, **GRANTS** the Applicants, their successors and assigns, a Special Permit to operate an indoor recreation establishment and place of amusement as per plans filed with the City Council and the City Clerk, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall be applicable to Applicants' successors and assigns, and a violation of which shall be a violation of this Special Permit:

1. Signage: Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.

2. Compliance with Local, State and Federal Laws: The Applicants agree to comply with all rules, regulations and ordinances of the City of Marlborough, Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance, equipping and operation of the facility.

3. Public Peace and Good Order: In the event that the Chief of Police determines that either the business of the Applicant Tenant is, or the clientele of the Applicant Tenant are, creating a condition that is contrary to public peace and good order, the Chief shall, in writing, notify the Applicant Tenant and demand corrective measures be put into effect within seven (7) days. Upon the failure or inability of the Applicant Tenant to correct such condition, the Police Chief may require the Applicant Tenant to employ one or more Police Detail Officers, during such hours and days as the Police Chief, in the exercise of his sole discretion, determines to be necessary for the purpose of correcting the condition. Applicant Tenant shall obtain appropriate CORI information regarding all employees of Applicant Tenant, and shall keep said information available for inspection by local police upon request.

4. Hours of Operation: The hours of operation of the facility shall not be earlier than 8:00 AM or later than 9:00 PM on any day.

5. Limits of Use: The proposed use of the premises is to provide a place for birthday parties and other parties for children, and to otherwise provide an indoor play facility for children who are accompanied and supervised by an adult. No other kinds of public amusement shall be allowed on the premises except those ancillary to this use, including but not limited to object painting and clay art.

6. Food Preparation: No food will be prepared or handled on the premises unless and until the tenant at the premises has obtained any license or other approval deemed necessary by the Director of the Marlborough Health Department.

7. Certificate of Occupancy Required: No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Inspector regarding the change of use of the premises.

8. No Expansion of Use Area: Only the area of Unit 103, containing approximately 5,000 sq. ft, which has been specified in a sketch in the files of the Urban Affairs Committee, a copy of which is attached hereto, will be used for the proposed use. To the extent that a substantial increase in the area used for this use is desired, the Building Inspector shall determine whether such increase constitutes a substantial change of the permitted use, and if so, no such expansion shall be permitted unless and until this special permit has been modified by the City Council.

9. Limitations on Use During Kelleher Field Events: The Applicant Tenant shall obtain information from the Marlborough Recreation Department to determine when Kelleher Field is being used for an event that is, in the opinion of the Recreation Director, a major sporting event. The Applicant Tenant shall not allow a party including more than 25 children to occur during the period beginning ½ hour before and ending ½ hour after the estimated time of said sporting event.

10. Subsequent Users: Before any successor tenant other uses Unit 103 for the uses allowed in this special permit, the Director of the Marlborough Health Department shall determine in writing that any permit required of Applicant Tenant, and any other permit determined by the Director to be necessary, has been obtained.

11. Required Approval regarding Sanitary Conditions: Prior to the beginning of operation of the business, the Director of the Marlborough Health Department shall determine in writing what, if any, special sanitary requirements are necessary in order to assure that the facility does not cause unusual health risks to those using the facility or to the public. The Director may later, in writing, amend and/or add to said requirements as he deems necessary. Such determination, and any such amendments and/or additions, shall be provided by the Director to the City Council. Any failure to comply with said sanitary requirements shall be a violation of this permit.

12. Maintenance Duties. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall perform the following maintenance duties:

- a. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall, at least once per month, from April 1 to November 1 of each year, maintain in perpetuity the portion of the Assabet River Rail Trail ("Rail Trail") to the extent it abuts 72 Jefferson Street ("the Building") and outward from the Building to a distance of three (3) feet on the other side (i.e., on the non-Building side) of the paved Rail Trail. Such maintenance shall include removal of all trash, debris, branches, leaves, etc.; mowing and trimming of all turf areas; pruning of trees; and the like.
- b. Under the supervision of the Conservation Officer, the Applicant Landlord, its successors and assigns shall, after each storm event, maintain in perpetuity the drainage swale and the drain pipe located in the Rail Trail as that swale and pipe approach the catch basin in Hudson Street. Such maintenance shall include the removal of all trash, debris, branches, leaves, etc. that may serve to impede or otherwise interfere with the drainage flow of water in the Rail Trail as it approaches Hudson Street.

In performing the above maintenance duties, the Applicant Landlord, its successors and assigns shall hold harmless the City, its agents, officials and employees from any suits, claims, injury, liability, and costs arising from personal injuries and/or property damage sustained by or on behalf of Applicant Landlord, its successors and assigns.

13. Recordation: In accordance with the provisions of M.G.L. c.40A, §11, the Applicant Landlord shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal hearing being filed. The Applicant Landlord shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

ORDERED: That the Reappointment of Nena Bloomquist as a member of the Marlborough Public Library Board of Trustees expiring two years from date of City Council approval, **APPROVED;** adopted.

ORDERED: That the Reappointments of Eric Asman and Joyce Torelli to the Community Development Authority for terms of three years expiring from the date of confirmation by the City Council, **APPROVED**; adopted.

ORDERED: That the Appointment of Mitchell Gorka to Zoning Board of Appeals for term of three years expiring from date of confirmation by City Council, **TABLED**; adopted.

ORDERED: That the Appointment of Melissa Vera, Mark Bartlett and Mary Scott to the Marlborough Cultural Council for a term of three years commencing the day after their approval by the City Council, **APPROVED**; adopted.

ORDERED: That the Application for Fuel Storage Permit, Bunker Floor Supply, 289 Elm St., for storage of 2,844 gallons of flammable liquids and 23,500 gallons of combustible liquids, **APPROVED**; adopted.

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

Prior to Adjournment, City Council recognized Brian Doheny as the newly appointed Comptroller/Treasurer.



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City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

September 5, 2013

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

Re: Transfer Request – Fire Department

Honorable President Pope and Councilors:

Enclosed for your approval is the following transfer request:

- 1) Transfer in the total amount of \$45,279.00 from 11990006-51500 (Fringe) to the following accounts:
 - a. \$35,057.00 to 12200003-51920 (Sick Leave)
 - b. \$10,022.00 to 12200001-50450 (Firefighter)

This transfer is necessary to fund the costs associated with the retirement of a member of the Marlborough Fire Department.

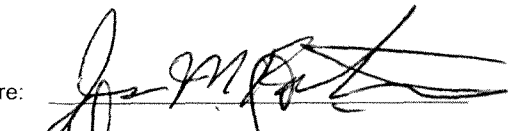
Thank you in advance for your consideration.


Sincerely,

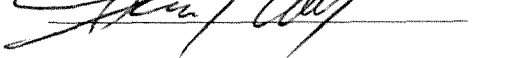
Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

Available Balance	Amount	DEPT: Fringe	FROM ACCOUNT:	Org Code	Object	Account Description:	Amount	FISCAL YEAR:	Dept	Fire	TO ACCOUNT:	Org Code	Object	Account Description:	Available Balance
<u>\$508,592.00</u>	<u>\$35,057.00</u>			<u>11990006</u>	<u>51500</u>	<u>Fringe</u>	<u>\$35,057.00</u>					<u>12200003</u>	<u>51920</u>	<u>Sick Leave</u>	<u>\$185,140.00</u>
		Reason:	<u>Retirement Payout of Sick Leave</u>												
	<u>\$10,222.00</u>			<u>11990006</u>	<u>51500</u>	<u>Fringe</u>	<u>\$10,222.00</u>					<u>12200001</u>	<u>50450</u>	<u>Firefighter</u>	<u>\$2,814,564.00</u>
		Reason:	<u>Retirement Payout Vacation</u>												
		Reason:													
		Reason:													
		Reason:													
		Reason:													
	<u>\$45,279.00</u>	Total					<u>\$45,279.00</u>	Total							

Department Head signature: 

Auditor signature: 

Comptroller signature: 



City of Marlborough
Office of the Mayor

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140 Main Street

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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

September 5, 2013

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

Re: Council on Aging Appointment

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Leslie Biggs to the Council on Aging. Ms. Biggs will fill the balance of the term of Lynn Anderson that is due to expire on May 2, 2016.

Ms. Biggs is an active volunteer in our senior community and is a familiar face to many at the Council on Aging. She is recognized as being a "go-to person" for assisting her fellow seniors with new technology and frequently assists the FISH and Blue Plate Special programs.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

September 5, 2013

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

Re: Zoning Board of Appeals Appointments

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Thomas Golden to the Zoning Board of Appeals (ZBA). Mr. Golden is being appointed to fill the balance of the term of John Sahagian (due to expire on May 5, 2017).

Mr. Golden possesses his Construction Supervisors License (C.S.L.) in the Commonwealth of Massachusetts and is very familiar with building code, zoning, and municipal permitting issues. I believe this technical expertise will be a welcome addition to the ZBA given the significant turnover and loss of experience on the board.

I welcome your swift attention to this matter. Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



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Arthur J. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

September 5, 2013

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

Re: Zoning Board of Appeals Hearing Process

Honorable President Pope and Councilors:

Enclosed are letters of resignation from Mr. James Natale and Mr. Jay Whitaker of the Zoning Board of Appeals (ZBA). Mr. Natale has spent nearly four decades on the ZBA and I wish to extend to him my utmost appreciation for his service over that time. His experience will truly be missed.

Mr. Whitaker stepping down from his position as an Alternate Member effective September 18, 2013. I appreciate Mr. Whitaker's willingness to remain on the ZBA in order to complete some of the matters currently before the board.

This resignation effectively leaves the Zoning Board of Appeals with one Regular Member and two Alternate Members. According to Massachusetts General Law Chapter 40A, our Zoning Board of Appeals cannot review any matters before them if they do not have enough members to constitute a hearing, which is four. Zoning Boards of Appeals have precisely 100 days to hear and act on appeal from the date which it is first submitted. If a Board fails to hear an appeal either due to inaction or inability to constitute a quorum, the appeal is granted automatic approval (see enclosed sheet). As of September 18th, we will have only three members.

As the approving authority for appointment to the Zoning Board of Appeals, it is incumbent on you to ensure that all residents are provided the opportunity to speak in favor of or against an appeal in a timely manner. While I understand and appreciate the Council's right to fully vet and question each appointee, I also believe that qualified candidates deserve an up or down vote, regardless of whether or not genuine philosophical differences may exist with the Council.

After tonight, there will be a total of four appointments before the Council:

- Mitchell Gorka was submitted for appointment on April 8, 2013.
- Nancy Stevens and Robert Levine were submitted for appointment on August 26, 2013.
- Thomas Golden appears on tonight's agenda.

Out of respect for their willingness to volunteer for what can often be a difficult job, as well as the extreme necessity to avoid having appeals approved without a hearing, I respectfully ask that these appointments be acted upon as soon as possible.

Please do not hesitate to let me know if you have any questions or concerns. I look forward to working with you to ensure this matter gets resolved to our mutual satisfaction.

Sincerely,

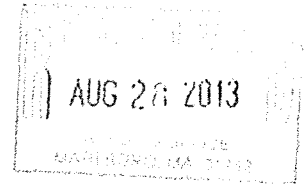
A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Arthur G. Vigeant
Mayor

Jay R. Whittaker

16 Maurice Drive
Marlboro, MA 01752-1048

August 25, 2013



Honorable Arthur Vigeant
Mayor, City of Marlborough Massachusetts
140 Main Street, 4th Floor
Marlborough, MA 01752

Dear Mayor Vigeant

Be advised of my decision, to withdraw from consideration, my pending re-appointment to the Marlborough Zoning Board of Appeals; and, resign as a current Alternate Member of the zoning board effective September 18, 2013.

I have committed to participating in several scheduled and confirmed ZBA Hearings; and it would be unfair to the petitioners, should I resign prior to meeting those commitments,

Through you, I would like to express my appreciation to the City of Marlborough, for the honor and privilege of serving as an alternate member of the ZBA for the past five years.

Regards

A handwritten signature in black ink, appearing to read "Jay R. Whittaker". The signature is written in a cursive style with some loops and flourishes.

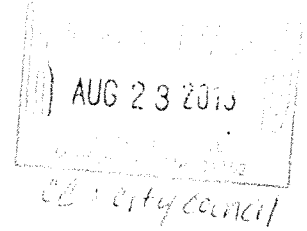
Jay R. Whittaker

Copies To: Michael Berry, Executive Aide to the Mayor
Susan Brown, Secretary to the Zoning Board of Appeals

Personal and Confidential

53 Ripley Avenue
Marlboro, MA 01752
August 21, 2013

To Mayor Arthur Vigeant
Re: Resignation from the Marlboro Zoning Board



Dear Mayor,

With regrets I must resign from the Marlboro Zoning Board of Appeals due to health reasons. I've enjoyed my thirty nine years on the board and was happy to give back to the Marlboro Community.

Sincerely,


James Natale

Cc: Sue Brown

ZBA Hearings

M.G.L. ch. 40A § 15

30 days

Appeal from decision of zoning administrator must be taken within 30 days of the decision or order or when the petition in question is deemed denied

65 days

Board of appeals shall hold a hearing on any appeal, application or petition within 65 days from the receipt of notice of appeal by the board

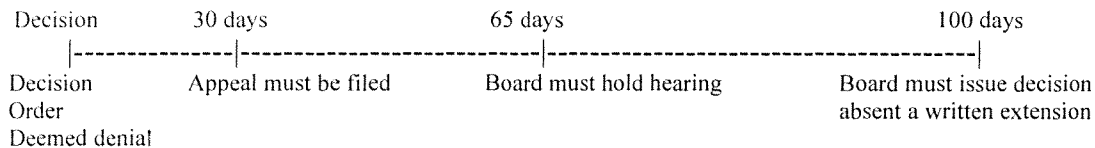
100 days

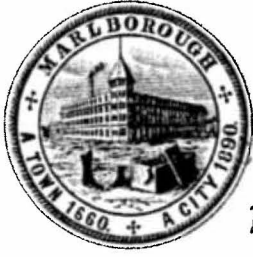
Decision is to be made within *100 days of the filing of the appeal*, application or petition. Time limits for public hearing and said action may be extended by written agreement between the applicant and board of appeals. This does not apply to special permits.

Failure to act within 100 days or within the extended time shall be deemed to be the grant of the appeal, application or petition.

Votes

Votes need to be concurring of all three members on a three person board. There must be four concurring votes on a five member board.





City of Marlborough
Legal Department

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
2013 SEP -5 A 11:56
LEGAL@MARLBOROUGH-MA.GOV

DONALD V. RIDER, JR.
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER
CHIEF PROCUREMENT OFFICER

ELLEN M. STAVROPOULOS
PARALEGAL

September 5, 2013

Patricia A. Pope
President
Marlborough City Council

RE:

Dear President Pope and Members:

Pursuant to your request, attached please find the Motion to Approve Application of TVI, Inc. d/b/a Savers ("Savers") for a Secondhand Dealers License which has been placed in final legal form for action by the body.

I am available to answer your questions. Thank you for your attention to this matter.

Very Truly Yours,

Cynthia Panagore Griffin
Assistant City Solicitor

Enclosure

Cc: Arthur G. Vigeant, Mayor
Donald V. Rider, City Solicitor

ORDER:

That the City Council moves to grant a Junk and Secondhand Dealer License to TVI, Inc. d/b/a Savers for its business to be conducted and operated at 222A East Main Street in Marlborough with the following conditions and waivers:

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.

ADOPTED

In City Council
Order No 13-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

**CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK**

RECEIVED
CITY OF MARLBOROUGH OFFICE
CITY OF MARLBOROUGH
200 000-40 000 000

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

54 Main Street LLC

2. Specific Location of property including Assessor's Plate and Parcel Number.

54 Main Street; Map 70, Parcel 219

3. Name and address of owner of land if other than Petitioner or Applicant:

N/A

4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.)

5. Specific Zoning Ordinance under which the Special Permit is sought:

Article V Section 650-14 Paragraph B Sub-paragraph 2

6. Zoning District in which property in question is located:

Business B

7. Specific reason(s) for seeking Special Permit

The Applicant seeks to install a drive-through service window.

The drive-through service window would be part of a new structure on the

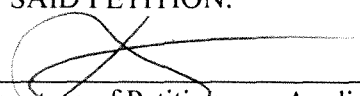
property for a Dunkin Donuts restaurant, replacing the existing Dunkin

Donuts restaurant structure, which does not have a drive-through service

window.

8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

PETITION IS HEREBY MADE FOR THE ISSUANCE OF A SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH AND IS BASED ON THE WITHIN PETITION OR APPLICATION AS FILED HEREWITH AND MADE PART OF SAID PETITION.



Signature of Petitioner or Applicant
Arthur P. Bergeron, Esq.

Address: Mirick O'Connell

100 Front Street

Worcester, MA 01608

Telephone No. (508) 929-16 78

Date: _____

City Clerk's Office

LIST OF NAMES AND ADDRESS OF ABUTTERS
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:

54 Main Street, LLC

(Name of Petitioner)

FOR THE ISSUANCE OF SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH UNDER CHAPTER 650, ZONING, OF THE CODE OF THE CITY OF MARLBOROUGH.

(Abutters as defined in §650-59, Section 4H, **Powers and Procedure of Special-Permit Granting Authorities**)

See Attached Certified List of Abutters

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: 54 Main Street LLC Address: 53 West Center Road, West Stockbridge, MA 01266
54 Main Street
Project Name: Dunkin Donuts Address: 54 Main Street

1. PROPOSED USE: (describe) Restaurant with drive-through service window.

2. EXPANSION OR NEW: New building replacing existing building and similar use.

3. SIZE: floor area sq. ft. 1342 1st floor n/a all floors n/a

buildings 1 # stories 1 lot area (s.f.) 10,025

Proposed: 86% Proposed 14%

4. LOT COVERAGE: Existing: 94% %Landscaped area: Existing 6% %

5. POPULATION ON SITE: Number of people expected on site at anytime:

Normal: Less than 20 Peak period: 20

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: Less than 7 Peak period: 7

(B) How many service vehicles will service the development and on what schedule?

One daily delivery of perishable goods after 6:00am; Deliveries of non-perishable goods after 10:00 a.m.; regular rubbish removal.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Wall-mounted fixtures with deflectors, with no light trespass onto abutting property.

8. NOISE:

(A) Compare the noise levels of the proposed development to those that exist in the area now.

Same.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. Customer/Server communications on the drive-through line; one daily

truck delivery of perishable goods after 6:00 a.m.; deliveries of non-perishable goods after 10:00 a.m.; regular rubbish removal

9. AIR: What sources of potential air pollution will exist at the development? None.

10. WATER AND SEWER: Describe any unusual generation of waste. N/A

11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? None.

***Attach additional sheets if necessary**



**CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752**

City Hall
140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: 9-5-13

**SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: 54 Main Street Dunkin Donuts

Project Use Summary: Restaurant with drive-through service window

Project Street Address: 54 Main Street

Plate: 70 Parcel: 219

Applicant/Developer Name: 54 Main Street LLC

Plan Date: 11/21/12 Revision Date: 8/29/13

Dear President and Members:

In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements of Section 7; that the plan conforms in all aspects to City Code and to these Rules and Regulations, and that any necessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal period concerning said variances have run.

Very truly yours,

Michael Mendoza

Building Commissioner

**Application Fee to submit to
City Clerk's office**

\$500.00



**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**

**Lisa M. Thomas
City Clerk**

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all Municipal tax returns and paid all Municipal taxes required under law.

Company Name

54 MAIN STREET LLC

Owner Name/~~Officer Name of LLC~~ or Corporation

ROCKWOOD CAPITAL CORPORATION

Owner/Officer Complete Address and Telephone Number

53 WEST CENTER ROAD, P.O. Box 529
WEST STOCKBRIDGE, MA 01266
508 - 651 - 9330

Signature of Applicant

David A. Cole, PRESIDENT ROCKWOOD CAPITAL CORPORATION

Attorney on behalf of Applicant, if applicable

The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.

Tax Collector



City of Marlborough, Massachusetts

CITY CLERK DEPARTMENT

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CITY OF MARLBOROUGH

2013 SEP -3 PM 12:30

\$25.00 pd

Lisa M. Thomas
City Clerk

MARLBOROUGH, MA

DATE: September 3, 2013

To the City Council:

Owner Name: MARY E. Giorgi

Residential Address: 270 Mechanic St.

Telephone Number: 774-893-3242

Business Name: Giorgi's Consignment Boutique

Business Address: 266 Main St., MARLBOROUGH, MA
0175

Business Telephone Number: 508-485-2660

Owner Signature: *M. Giorgi*

The above-signed Mary E. Giorgi respectfully requests that he/she be
granted a Second hand article license.

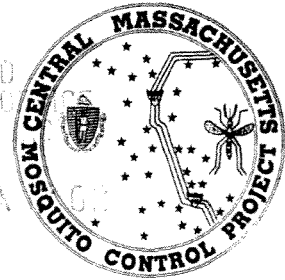
In City Council

M E M O

**Central Mass.
Mosquito Control
Project**

www.cmmcp.org

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OF FALLS CHURCH
2013 AUG 28 A



DATE: Aug. 26, 2013
SUBJECT: Mosquito Control Update
TO: CMMCP Boards of Health
FROM: Timothy Deschamps, Executive Director

This season has been far different than 2012. We have seen isolations of West Nile Virus, but only in a few locations, and no isolations of EEE to date. Our surveillance staff will continue to trap, identify and test mosquitoes until collections drop off significantly, or when MDPH ends the testing program. **We are entering into the highest risk part of the season, a time where spraying interventions may not always be possible.** Please continue to push the message of exercising caution when outside, using repellents and wearing long sleeved shirts and long pants whenever possible.

The standard residential spraying program will end when cooler night time temperatures predominate (low temps reduce mosquito activity and the effectiveness of the pesticide) – spraying is not allowed until after sunset, and is prohibited at temperatures below 50°F due to label restrictions. Our schedule for September is enclosed – please note, after Sept. 5 the dates are very tentative. **If virus is identified in your community we will coordinate with you to determine the appropriate response.** Risk from mosquito-borne disease may be present even after spraying, and will be present until we have several widespread, killing frosts.

On our website we post weekly information from our arbovirus surveillance program: <http://www.cmmcp.org/2013vector.htm>. Please feel free to contact me if you have any questions, and you can log on to our website at any time at www.cmmcp.org for additional information.

cc: Member Town Clerks
Member Police Departments
other

CENTRAL MASS. MOSQUITO CONTROL PROJECT

~ SEPTEMBER 2013 ~

NOTE This is only a tentative spray schedule, subject to weather and mosquito populations. CMMCP may alter this schedule as necessary

HOLIDAY	2 Billerica Dracut Ayer/Lunenburg/Devens Fitchburg/Lancaster/Leominster Berlin/Clinton Northboro/Boylston Ashland Milford/Hopedale Blackstone/Millville	3 Chelmsford Lowell Westford Boxboro/Littleton Hudson Shrewsbury Auburn/Millbury Holliston Hopkinton	4 Tewksbury Wilmington Acton/Stow Marlboro Southboro/Westboro Natick/Sherborn Northbridge Sturbridge/Webster
9 Billerica Dracut Ayer/Lunenburg/Devens Berlin/Clinton Northboro/Boylston Ashland Milford/Hopedale Blackstone/Millville	10 Chelmsford Westford Boxboro/Littleton Hudson Shrewsbury Holliston Hopkinton Auburn/Millbury	11 Tewksbury Lowell Wilmington Acton Marlboro Southboro/Westboro Holliston/Hopkinton/Natick Northbridge/Sturbridge	12 Billerica Westford/Wilmington Fitchburg/Leominster Lancaster Acton/Stow Southboro/Westboro Natick/Sherborn Sturbridge/Webster
16	17	18	19
23	24	25	26
OCTOBER			

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CITY OF MARLBOROUGH
2013 SEP -5 P 12:00



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on June 25, 2013 at 11:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, Vice Chairman – DPW Commissioner Ronald LaFreniere and Fire Chief James Fortin. Also present: City Engineer Thomas Cullen. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, May 28th, 2013.

MOTION was made, seconded, duly VOTED:
TO APPROVE – Accept and place on file.

2-New Business

2a) Request for stop sign on Millham St. @ Schofield Dr.

Chief Leonard received this request from a resident of Millham Street. He believes it was prompted by the recent bicycle accident at this location. The Chief noted that stop signs would not have helped with the accident situation. He went on to explain that this area would not meet the warrants for a stop sign. The volume of traffic and accident statistics here are low. The Commission does not approve stop signs for areas that do not meet the warrant requirements.

Tom Cullen passed out a photo of the intersection. Commissioner LaFreniere said that if there was any question as to who had the right of way in a particular area, it would be a different story. A stop sign here could actually create a situation as vehicles would be slowing on a hill.

MOTION was made, seconded, duly VOTED to ACCEPT and place on file. Chief Leonard advised that he would speak to the resident.

2b) Request to restrict parking on Kirby St.

This request was submitted by Rick Bennett. His daughter lives on Kirby Street and he has experienced problems here when vehicles are parked on both sides of the street. He suggested that overnight parking (from 1:00am to 5:00am) be prohibited. He also questioned if emergency vehicles, especially a fire truck, could pass down this road when vehicles are parked on both sides.

Chief Leonard advised that there is currently no parking restriction here. He does agree that the roadway is narrow. Commissioner LaFreniere said he was actually surprised that parking is allowed on both sides. Tom Cullen had a photo of Kirby Street taken near the end at Elm Street. He noted that there is a reconstruction project planned for this street which includes a slight widening of the roadway and the addition of curbing. Commissioner LaFreniere said that even with the improvements planned it should probably be a street that has parking restricted on one side.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for review and recommendation.

2c) Parking restriction on Causeway St. Extension.

The Commission received this request from Dave Grasso. They have had problems with people parking outside the emergency gate at Memorial Beach on both sides. He was asking if No Parking signs could be posted here. Tim Collins had advised him by e-mail that the Traffic Commission would need to vote on a regulation for a parking restriction here. He did note, however, that he would talk to Commissioner LaFreniere about placing No Parking signs at the gate right away "as part of the General Prohibitions which do not allow vehicles to park in front of driveways."

Chief Leonard had already prepared the regulation that would restrict parking on both sides of Causeway Street Extension from June 15th to September 15th. However, there was further discussion as to whether the restriction should actually be in place all year. Tom Cullen mentioned that youth baseball uses this lot for practice when the fields aren't open.

Commissioner LaFreniere said that the signs are already up and since Dave Grasso was only asking about the current beach season it is all set for now. He would, however, vote for a permanent restriction. Chief Leonard advised that he would revise the regulation to make it permanent.

MOTION was made, seconded, duly VOTED to REFER to Chief Leonard to revise the regulation.

MOTION was made, seconded, duly VOTED to REFER the revised regulation for a vote. ALL IN FAVOR of the permanent No Parking Restriction.

2d) Upland St. traffic concerns.

Councilor Oram received several requests from residents on various issues when they were out cleaning the beaches at the end of May. He sent a letter to the Traffic Commission relative to speed concerns in the area and the possibility of "Children at Play" signs. Chief Leonard explained that the Commission historically does not install Children at Play signs. He also noted that there is not a specific speed zone here, however, advisory signage may be possible.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for review and recommendation.

3-Old Business

3a) Municipal off street parking regulation.

MOTION was made, seconded, duly VOTED:
To TABLE.

3b) High School parking regulations.

MOTION was made, seconded, duly VOTED:
To TABLE.

3c) Stop signs on Bigelow Street.

MOTION was made, seconded, duly VOTED:
To TABLE.

3d) Traffic Commission rules and regulations update.

MOTION was made, seconded, duly VOTED:
To TABLE (as Tim Collins not at meeting).

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:40 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- Meeting Agenda for Tuesday, June 25, 2013 (Including City of Marlborough Meeting Posting)
- E-mail from Sue Blaisdell to Chief Leonard, dated 5/31/13, regarding request from Richard Toohey for a stop sign on Millham St. @ Schofield Dr.
- E-mail chain from Rick Bennett to Councilor Oram, dated 5/28/13, re: parking issues on Kirby Street

-E-mail from Dave Grasso to Chief Leonard, dated 6/3/13, re: No Parking Signs – Causeway Street Extension

-Regulation indicating current parking restriction on Causeway Street Extension (Currently restricted from June 15th to September 15th).

-Letter from Councilor Oram, dated 5/20/13, re: traffic concerns on Upland Road.

Additional Handouts

-Photo of area of Elm Street @ Kirby Street.

-Photo of area of 211 Millham Street

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CITY OF MARLBOROUGH

2013 SEP -5 P 12:00



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, July 23, 2013 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, Fire Chief James Fortin and City Clerk Lisa Thomas. Also present: City Engineer Thomas Cullen, Asst. City Engineer Tim Collins, local residents Mr. James Joubert and Mr. Lee Thompson and City Councilor Ed Clancy. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, June 25th, 2013.

MOTION was made, seconded, duly VOTED:
TO TABLE.

2-New Business

2a) Communication from Councilor Clancy, re: request for signage on Bolton Street.

Mr. Thompson was present at the meeting for this issue as it was brought up upon his request. He expressed concern over the fact that there are no yield signs on Bolton Street in either direction at the intersection of Reservoir St. Councilor Clancy noted in his correspondence, "this is a dangerous intersection both from the perspective of entering and leaving Reservoir St. Residents coming out of Red Spring Rd. and the Boathouse have to worry about the high speed traffic flying off of Bolton St." Councilor Clancy asked what signage was at "the Monument" as he felt it was possibly a similar situation. Chief Leonard advised that there are no yield signs at this location. It is actually a different situation as there are two lanes of traffic. There is no confusion here as to who has the right of way.

Advance warning signs for Red Spring Road and the intersection of Reservoir were also discussed. These would be advisory in nature and there would be no enforcement authority but at least it would make drivers aware of the upcoming roadway. Regulations would be required for any new yield signs but not for advance warning signs.

Mr. Thompson also asked why there is no traffic light at the Lakeshore Dr. and Reservoir St. intersection. There appears to be a site distance issue here. Advisory signage was discussed for the roadway indicating that traffic was entering on the right (from Lakeshore Drive).

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for further review and recommendation.

3-Old Business

3f) Parking restriction on Causeway St. Extension.

Chief Leonard prepared the regulation to amend the parking restriction on Causeway Street Extension to a year round restriction. Tim Collins commented that currently every street around the lake has a no parking restriction from June to September. Chief Leonard advised that he only dealt with Causeway Street Extension as there is no reason for people to be parked here at any time. The year round restriction makes sense.

It was noted that a revision was needed on the Chief's new regulation. Under "Location" it should read Causeway Street to Hudson Town Line not Hosmer Street to Hudson Town Line. Chief Leonard advised that he would make the change; however, the regulation was still submitted for a vote.

MOTION was made, seconded, duly VOTED to APPROVE the revised regulation for the year round parking restriction on Causeway Street Extension.

3e) Request to restrict parking on Kirby St.

Tom Cullen said that Kirby St. is "on the radar to be reconstructed". They are waiting to hear back on a grant application. The project would include a 9 foot "pathway" for sewer improvements, i.e. drains, water/sewer rehab. and roadway repairs. The width of the roadway would be 19 feet and include granite curbing (if and when reconstruction was completed). They were supposed to have heard back on the grant at the beginning of July. Tim Collins presented a diagram of the roadway which indicates where there is room to park. He found that there are currently 7 spaces available on each side. He is recommending that parking be restricted on the West side.

Chief Leonard asked if it makes more sense to create the parking restriction now or to wait until after the repairs were made. The Commission decided to hold off on further discussion until they see where the funding stands at the next meeting.

MOTION was made, seconded, duly VOTED to TABLE until more information on funding is available.

3d) Traffic Commission rules and regulations update.

The Commission reviewed another group of streets from the alphabetical listing on the "conflict list" at the direction of Tim Collins. The streets discussed were **Prospect Street, Rollins Avenue, Riley Way, Reservoir Street, Rice Street, Ridge Road, Robin Hill Road, Short Street, South Bolton Street, South Street, Spring Lane, Stevens Street and Sumner Street**. The purpose of this review is to be sure that the specific regulations in the manual match what is truly in existence at the street location. Final regulations for each street will be able to be viewed in the rules and regulations manual upon completion.

MOTION was made, seconded, duly VOTED:
To TABLE.

3a) Municipal off street parking regulation.

MOTION was made, seconded, duly VOTED:
To TABLE.

3b) High School parking regulations.

MOTION was made, seconded, duly VOTED:
To TABLE.

3c) Stop signs on Bigelow Street.

MOTION was made, seconded, duly VOTED:
To TABLE.

Item missing from last month's agenda:**Upland St. traffic concerns.**

(Waiting for a recommendation from Engineering)

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:09 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-Meeting Agenda for Tuesday, July 23, 2013 (Including City of Marlborough Meeting Posting)

- E-mail from Councilor Clancy to Chief Leonard, Commissioner LaFreniere and the City Council, dated 7/1/13, re: Traffic problems at Bolton/Reservoir Intersection.
- Regulation to revise the parking restriction on Causeway Street Extension.

Additional Handouts

- Aerial photo of the intersection of Bolton Street and Reservoir Road.
- Diagram of available parking spaces on Kirby Street.