



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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**MARCH 25, 2013**

Regular meeting of the City Council held on Monday, MARCH 25, 2013 at 8:03 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 9:42 PM.

ORDERED: That City Council President recognized Boy Scout Troop 41 for their Citizenship and Community Merit Badges, **FILE**; adopted.

ORDERED: That the minutes of the City Council Meeting MARCH 11, 2013, **FILE**; adopted.

**MOTION** made by Councilor Clancy to move Item 4 to Item 1AA - Carries.

ORDERED: That the Recognition of New Firefighter Recruits, **FILE**; adopted.

ORDERED: It is moved, in conformance with the provisions of sections 21(a)(3) of the General Laws of the Commonwealth, and that the City Council conduct an executive session for the purpose of discussing strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the City, and the chair hereby declares that an open meeting may have that effect. The executive session will also be held in conformance with section (a)(7) of said Chapter 30A for the purpose of complying with or acting under Suffolk Construction v. DCAM, 449 Mass. 444 (2007), by seeking and obtaining legal advice from the City's Special Counsel. It is further moved and stated that the City Council will re-convene in open session after the executive session, **APPROVED**; adopted.

**Yea: 11- Nay: 0**

**Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Ossing, Pope, Oram & Robey**

**MOTION** made by Councilor Clancy to move Item 3 before Item 2 - Carries.

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Tower 16 Inc., on behalf of AT&T Wireless LLC, to modify an existing telecommunications tower at 75 Donald Lynch Blvd, X-96/97-6754F, Order No. 13-1005342, all were heard who wish to be heard, hearing recessed at 8:50 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 Fuel Storage License, Partners HealthCare System, Inc., off of Forest Street, Order No. 13-1005343, all were heard who wish to be heard, hearing recessed at 9:19 p.m.; adopted.

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

ORDERED: That the Public Service Internship Program transfer request in the amount of \$25,000.00 which moves funds from Loan Origination Fee to Summer Employment Initiative which will allow the City to hire a maximum of twenty college interns for the remainder of FY2013 and to allow advertising well in advance of summer breaks, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 60019906-58891	\$25,000.00
Loan Origination Fee	

TO:

Acct. # 11210003-51250	\$25,000.00
Summer Employment Initiative	

ORDERED: That the Comptroller's transfer request in the amount of \$6,176.00 which moves funds from Bond Issue Expense to Widows Pensions, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11330006-57850	\$6,176.00
Bond Issue Expense	

TO:

Acct. # 11940006-51860	\$6,176.00
Widows Pensions	

ORDERED: That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures up to \$1,850,000.00 in excess of available appropriation for snow and ice removal for fiscal year 2013, **APPROVED**; adopted.

ORDERED: That the Communication from the Mayor regarding Final Regional Veterans District-Inter-Municipal Agreement (IMA), moved to **REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Reappointment of Police Chief Leonard for a term of four years to expire on the date of confirmation by City Council, refer to **PERSONNEL COMMITTEE**; adopted.

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

1. Section 650-5, entitled “Definitions; Word Usage,” is hereby amended by adding to said Section the following definition:

**MEDICAL MARIJUANA TREATMENT CENTER:** A not-for-profit entity, as defined by Massachusetts law only, registered under Massachusetts law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, shall be deemed a “Medical Marijuana Treatment Center” and subject to the temporary moratorium under Section 650-32 of this ordinance.

2. A new Section 650-32, entitled “TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS,” is hereby added, as follows:

**650-32 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**

- A. Purpose.

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the acquisition, cultivation, possession, processing (including development of related products such as food, tinctures, aerosols, oils, or ointments), transference, transportation, sale, distribution, dispensing, and administering of marijuana, products containing marijuana, related supplies, or educational materials, for medical purposes. The law provided that it became effective on January 1, 2013 and that the Massachusetts Department of Public Health (“MDPH”) is required to issue regulations regarding the law’s implementation within 120 days of the law’s effective date. Currently under the City’s Zoning Ordinance, a medical marijuana treatment center is not a permitted use in the City, and any regulations to be promulgated by MDPH are expected to provide guidance to the City in regulating medical marijuana, including medical marijuana treatment centers. The regulation of medical marijuana treatment centers raises novel and complex legal, planning, and public safety issues, and the City needs time to study and consider the regulation of such centers and those issues, as well as to address the potential impact of MDPH regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding the regulation of such centers and other uses related to such regulation. The City intends to adopt a temporary moratorium on the use of land and structures in the City for the purpose of medical marijuana treatment centers, so as to allow the City sufficient time to engage in a planning process to address the effects of such use, and to enact ordinances in a manner consistent with sound land use planning goals and objectives.

## B. Temporary Moratorium.

For the reasons sets forth above, and notwithstanding any other provision of the Zoning Ordinance to the contrary, the City hereby adopts a temporary moratorium on the use of land or structures for a medical marijuana treatment center. In no case shall the acquisition, cultivation, possession, processing (including development of related products such as food, tinctures, aerosols, oils, or ointments), transference, transportation, sale, distribution, dispensing, and administering of marijuana, products containing marijuana, related supplies, or educational materials, for medical purposes be considered accessory to any use permitted in the City. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the City shall undertake a planning process to address the potential impacts of medical marijuana in the City, shall consider MDPH regulations regarding such centers and related uses, and shall consider amending its Zoning Ordinance to address the impact and operation of such centers and related uses.

Be and is herewith refer to **PLANNING BOARD AND ADVERTISE PUBLIC HEARING FOR APRIL 22, 2013**.

**Councilor Oram requested to be recorded in opposition to the proposed Ordinance as it reads: "moratorium shall be in effect through June 30, 2014".**

ORDERED: That the Communication from the City Solicitor Rider regarding Boston Scientific's proposed Zoning Ordinance amendment in proper legal form, moved to **Item 24**; adopted.

ORDERED: That the Communication from the City Solicitor Rider regarding Cumberland Farms Special Permit, 412 & 418 Maple St., in proper legal form, moved to **Item 25**; adopted.

ORDERED; That the Communication from the Planning Board re: Acceptance of Dufrense Dr. as a Public Way, Order No. 12/13-1005153B, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Agreement to Extend Time Limitations on the Application for Special Permit from Logical Partners, LLC to extend time limitations for construction of three Townhouse Condominium Units at 126 Pleasant St. to May 15, 2013 until 5:00 PM, **APPROVED**; adopted.

ORDERED: That the Application for Junk Dealer's License, Michael Komapovsky, d/b/a Aaurus Art Gallery, 305 Lincoln St, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Planning Board, February 25, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Recreation Commission, February 13, 2013 **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, March 6, 2013, **FILE**; adopted.

ORDERED: That the Communication from Liberty Mutual Insurance on behalf of H. Theresa Dangelo, 18 Airport Rd., North Grafton, refer to the **LEGAL DEPARTMENT**; adopted.

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

- A. Robert Emsley, 60 Emer Rd., pothole or other road defect
- B. Ralph Martino, 126 Ferrecchia Dr., other property
- C. David Ha, 123 Union St. other property damage
- D. Kayla Bennett, 39 Lincoln St. Hudson, pothole or other road defect
- E. Patricia A. McClay, 49 Teller St., residential mailbox claim 2(b)
- F. Alan Liverman, 13 Graham Path, residential mailbox claim 2(b)
- G. Angelo & Anna Puzella, 146 Barnard Rd., residential mailbox claim 2(b)
- H. Jessica Pameneau, 181 Boston Post Rd, E. lot 38, pothole or other road defect

Reports of Committees:

Councilor Jenkins reported the following out of Veterans' Affairs Committee:

**Present: Chairman Jenkins, Veterans' Affair Committee members Councilor Ossing and Councilor Seymour. Also present were Councilors Clancy, Landers, Robey, Oram, Elder, and Council President Pope.**

**Order No. 13-1005349** – Communication from the Mayor re: proposed Inter-Municipal Agreement (IMA) that would create the Marlborough-Sudbury Regional Veterans District, with the Marlborough Veterans Agent serving as Director of the Veterans Services for this district.

The Veterans' Affairs Committee reviewed the Mayor's letter dated 2/21/13 requesting to enter into a one year agreement with the Town of Sudbury to create a new Veteran Service District sharing a Veterans Agent and adding a new administration assistant to help the Veterans Agent.

The admin position would be funded and an employee of the Town of Sudbury while the Veterans Agent of Marlborough would continue to be an employee of the City of Marlborough. Additionally, the Town of Sudbury would pay the City of Marlborough \$883.50 per month towards the compensation of the Veterans Agent.

Several language changes were suggested for the proposed agreement and after much praise and appreciation for our Veterans Agent and the fine work provided to both the City of Marlborough and the Town of Sudbury over the past several months of temporary assistance, the committee makes the following recommendation:

**Recommend approval of the agreement to the full City Council. VOTE 3-0**

Councilor Elder reported the following out of Urban Affairs Committee:

**Order No. 12/13-1005236** - Application for Special Permit by Hancock Associates on behalf of Construction Materials Inc. (CMS) for construction of a new 2,400 s.f. office building on nonconforming property at 379 South Street.

-REFER TO URBAN AFFAIRS AND PLANNING BOARD

PUBLIC HEARING: JANUARY 7, 2013

The Chair thanked the petitioner for forwarding the rendering and floor plans of the building and specific and general specifications/Epoch Homes, attached herewith to report. Councilor Clancy questioned the petitioner regarding the foundation and the second floor. The Chair read the proposed conditions included in the draft decision submitted by petitioner. The Solicitor noted minor changes he would include during his legal review.

Motion made by Councilor Clancy, seconded by the Chair, to recommend approval of the special permit with proposed conditions as discussed. **The Chair will ask for a suspension of the rules to forward the decision to the Solicitor to be placed in proper form for the April 8, 2013 agenda. Vote 5-0**

**Suspension of Rules requested – granted**

ORDERED: That the Communication from the Planning Board regarding Favorable recommendation of Boston Scientific's proposed Zoning, moved to **Item 24**; adopted.

**Suspension of Rules requested – granted**

ORDERED: That the Application for Special Permit from Hancock Associates, on behalf of CMS Inc. for construction of a new 2,400 sq. ft. office building on nonconforming property at 379 South St., refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE APRIL 8, 2013 CITY COUNCIL MEETING**; adopted.

ORDERED: That the Department of Public Works mid-year transfer request, which moves funds from and to various accounts noted on the spreadsheet, to fund line items associated with employee promotions, interim/temporary promotions due to absences and vacancies, and police overtime associated with water and sewer maintenance and repair, **APPROVED**; adopted.

CITY OF MARLBOROUGH --BUDGET TRANSFERS --											
DEPT:		PUBLIC WORKS				FISCAL YEAR:		2013			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:		
\$4,220	\$1,500	14001103	51440	Educational Incentive			\$1,500	14001103	51310	Overtime-Regular	\$134
		Reason: CBA payment did not need to be paid							Overtime associated with the spring/summer construction		
\$127,605	\$11,409	60085001	50850	Sewer Tr. Plt. Operator-W			\$11,409	14001303	51310	Overtime-Regular	\$13,529
		Reason: Vacancy in position since beginning of FY 13							Based on historical data to complete FY 13		
\$127,605	\$8,000	60085001	50850	Sewer Tr. Plt. Operator-W			\$8,000	14001303	51470	Interim Foreman	\$697
		Reason: Vacancy in position since beginning of FY 13							Based on historical data to complete FY 13		
\$127,605	\$1,000	60085001	50850	Sewer Tr. Plt. Operator-W			\$1,000	14001403	51470	Interim Foreman	\$183
		Reason: Vacancy in position since beginning of FY 13							Funds needed to cover remainder of FY 13		
\$127,605	\$5,000	60085001	50850	Sewer Tr. Plt. Operator-W			\$5,000	14001406	54810	Rep./Maint Supplies-Veh.	\$36,043
		Reason: Vacancy in position since beginning of FY 13							Anticipated cost needed for parts and supplies for vehicle repairs to complete FY 13		
\$144,738	\$30,000	14001501	50690	Foreman			\$30,000	14001503	50740	Equipment Operators	\$241,127
		Reason: Vacancy in position since beginning of FY 13							Line item funded position prior to foreman promotion		
\$135,639	\$6,400	60081001	50850	Sewer Tr. Plt. Operator-E			\$6,400	14001503	51470	Interim Foreman	\$0
		Reason: Vacancy in position since beginning of FY 13							Funds needed to cover remainder of FY 13		
\$135,639	\$2,000	60081001	50850	Sewer Tr. Plt. Operator-E			\$2,000	14001506	54630	Tree Planting	\$2,064
		Reason: Vacancy in position since beginning of FY 13							Funds needed to cover planting on Hudson St. and Granger Blvd.		

CITY OF MARLBOROUGH --BUDGET TRANSFERS --										
	DEPT:	PUBLIC WORKS				FISCAL YEAR:	2013			
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$135,639	\$6,000	60081001	50850	Sewage Tr. Plt. Operator-E	\$6,000	60080003	51380	Overtime W&S-Police	\$0	
	Reason:	Vacancy in position since beginning of FY 13				Anticipated amount required to complete FY 13				
\$135,639	\$1,000	60081001	50850	Sewer Tr. Plt. Operator-E	\$1,000	60080005	54810	Repair&Maint. Supp/Veh-Sewer	\$604	
	Reason:	Vacancy in position since beginning of FY 13				Anticipated amount required to complete FY 13				
\$135,639	\$3,500	60081001	50850	Sewer Tr. Plt. Operator-E	\$3,500	60081003	51310	Overtime -E	\$6,377	
	Reason:	Vacancy in position since beginning of FY 13				Needed because of CBA-comp. time buyback				
\$127,605	\$3,700	60085001	50850	Sewer Tr. Plt. Operator-W	\$3,700	60085003	51310	Overtime-W	\$4,966	
	Reason:	Vacancy in position since beginning of FY 13				Needed because of CBA-comp. time buyback				
\$267,405	\$4,000	61090001	50740	Equipment Operators	\$4,000	61090003	51380	Overtime W/S Police	\$0	
		Retirement / resignation				Anticipated amount required to complete FY 13				
\$267,405	\$860	61090001	50740	Equipment Operators	\$860	61090003	51990	Meal Allowances	\$1,973	
		Retirement / resignation				Anticipated amount required to complete FY 13				
\$267,405	\$15,000	61090001	50740	Equipment Operators	\$15,000	61090006	54620	Maintenance-Trenches	\$28,852	
		Retirement / resignation				Anticipated amount required to complete FY 13				
\$61,124	\$10,000	60080001	50630	Assistant Commissioner	\$10,000	61090006	54810	Rep/Maint Supplies	\$137	
		Vacancy in position at beginning of FY 13				Anticipated cost to cover FY13				
\$61,124	\$4,959	60080001	50630	Assistant Commissioner	\$4,959	61090006	55720	Hydrant Maintenance	\$5,409	
	Reason:	Vacancy in position at beginning of FY 13				Anticipated cost to cover FY 13				
\$135,639	\$10,000	60081001	50850	Sewage Tr. Plt. Operator-E	\$10,000	61090006	55750	Water Service Constr.	\$1,127	
	Reason:	Vacancy in position since beginning of FY 13				Anticipated amount required to complete FY 13				

ORDERED: That the Assessor transfer request in the amount of \$20,000.00 & \$10,000.00 which moves funds from Principal Assessor to Professional & Technical Services and from Senior Assessor to Professional & Technical Services respectively, which will fund contracted appraisal services for the 4<sup>th</sup> quarter of FY2013, **APPROVED**; adopted.

FROM:

Acct. # 11410001-50160 \$20,000.00

Principal Assessor

TO:

Acct. # 11410004-53180 \$20,000.00

Professional & Technical Services

FROM:

Acct. # 11410001-50170 \$10,000.00

Senior Assessor

TO:

Acct. # 11410004-53180 \$10,000.00

Professional & Technical Services

ORDERED: That the Other Post-Employment Liability (OBEP) transfer request in the amount of \$2,000,000.00 which moves funds from Undesignated to Stabilization-OPEB to partially fund OPEB, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900	\$2,000,000.00
Undesignated Fund	

TO:

Acct. # 83600-32726	\$2,000,000.00
Stabilization-OPEB	

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH HEREBY ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING THERETO AS FOLLOWS:

1. That Sec. 650-40(F) be amended by adding thereto the following new subsection 11:

“(11) Bridges, walkways or passageways, no longer than 200 feet in length, enclosed or otherwise, connecting buildings located on different lots in a Limited Industrial district shall not thereby violate any lot setback provision of any building or buildings connected by said structures.”

2. That Section 650-48(C)(1) be amended by adding thereto, at the end thereof, the following sentence:

“In a Limited Industrial district, the parking shall be provided within 500 feet of the building or structure to be served, in the building lot, on any lot under the same ownership, or on any lot subject to an easement to the owner of said building to be served which, in the opinion of the Building Commissioner, causes said parking to be available for the purposes of this section.”

3. That Section 650-47(F) be amended by adding thereto the following subsection 5:

“(5) In a Limited Industrial district, the side yard landscaping requirement shall not apply to side yard or rear yard lines that bisect parking lots, if both lots are in common ownership or if there are parking easements that, in the opinion of the Building Commissioner, adequately allow for parking in one lot by persons using the other lot.”

**APPROVED**; adopted.

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

ORDERED: That the Application for Special Permit, Cumberland Farms Inc., 412 & 418 Maple and Walker St. to construct a convenience store with gasoline sales on the subject parcels to operate new facility, Order No. 12-1005220A, be and is herewith deemed constructively granted by operation of law, MGL C. 40A, Section 9, therefore no action will be taken by City Council. The Fuel Storage permit is still pending before the Urban Affairs Committee.



**ORDERED: We, the City Council of Marlborough, Massachusetts hereby endorse the objective of the Marlborough Economic Development Master Plan which is:**

*To take strategic action to improve economic opportunities for Marlborough residents and businesses leading to the stabilization of the Marlborough residential tax rate over the long term by increasing commercial values.*

Furthermore, the Marlborough City Council will use all available means to support this effort by creating the conditions that will allow our city to successfully promote local business expansion and retention, attract high quality companies, and encourage targeted synergistic development.

City leaders have long understood that it is essential to gradually lower commercial tax rates in order for our city to remain economically competitive well into the future without causing injury to our residential taxpayers by shifting excessive tax burdens onto them.

We recognize that development using smart growth principles is the only long-term solution, and this will require a concerted, focused, and sustained effort within our city. By agreeing upon a strategic vision, then swiftly adopting bold and creative action plans we will be able to lay the groundwork necessary to achieve our long term goals, while fashioning a more vibrant and enjoyable city in which to work, play, stay and live.

The Marlborough City Council stands ready to take the necessary action to turn the great potential of this already successful city into reality. We are committing to think strategically and to make our evaluations based on whether each economic decision will support our overall economic plan. We will encourage and support projects to further our objectives and reject those deemed incompatible.

We are committed to do everything possible to help our businesses, large and small, to recruit and retain their most valuable resource – their employees. The importance of this objective cannot be overstated and requires a multitude of recreational opportunities for them, including the ability to walk or bike to work, the establishment of more after work and weekend dining and entertainment options. It is clear that we must endorse the types of housing that appeal to the young professionals our businesses need to thrive. We need to establish targeted mixed use zones that will accommodate these critical building blocks of our future.

As a body, we shall request that all public entities remain clearly focused on supporting this initiative, including the Mayor, City Council, Planning Board, Board of Health, Conservation Commission, Board of Assessors, Site Plan Review Committee, Community Development Authority, Licensing Board, Zoning Board of Appeals as well as all municipal departments.

Marlborough is blessed with an enviable business location and our previous planning and infrastructure decisions have greatly enhanced our attractiveness. We believe that we can significantly augment these advantages by continuing to listen to our businesses, with focused leadership from the Mayor and City Council, and the harmonious support of all elements of our city structure leading to a very bright future for the residents and businesses of our great city.

ORDERED: WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that GRAVES LANE be accepted as a public way

From GRAVES LANE To Terminus

and the associated easements be accepted as municipal easements as shown on plans thereof and as hereinafter described:

DESCRIPTION

Being shown as Graves Lane on a plan of land entitled "The Residences of Oak Crest Definitive Subdivision Record Plan; Total Concept Builders, LLC, 32 Frye Road, Bolton, MA 01740; Last Revision Date: January 19, 2006; Scale: 1"=40'; Inland Surveying, Inc. dba Zanca Land Surveying, 16 Gleasondale Road, Suite 1-2, Stow, Massachusetts 01775," recorded at Middlesex South District Registry of Deeds as Plan No. 552 of 2006.

Being shown as "Flowage Easement" on a plan of land entitled "Plan of Land Showing Revised Easements at Graves Lane and Daniels Road in Marlborough, Massachusetts; JSB Development, LLC, P.O. Box 572, Acton, Massachusetts 01720; Date: May 17, 2010; Scale: 1" = 20'; Foresite Engineering, Inc., 16 Gleasondale Road, Suite 1-1, Stow, Massachusetts 01775," recorded at Middlesex South District Registry of Deeds as Plan No. 660 of 2010.

Being shown as "Drainage Easement" on a plan of land entitled "Plan of Land Showing Revised Easements at Graves Lane and Daniels Road in Marlborough, Massachusetts; prepared for record owner: JSB Development, LLC, P.O. Box 572, Acton, Massachusetts 01720; Date: May 17, 2010; Scale: 1" = 20'; Foresite Engineering, Inc., 16 Gleasondale Road, Suite 1-1, Stow, Massachusetts 01775," recorded at Middlesex South District Registry of Deeds as Plan No. 660 of 2010.

Plan entitled "Acceptance Plan Of Graves Lane And Municipal Easements In Marlborough, MA; Middlesex County; Date: November 28, 2012; Scale: 1"=40'; Foresite Engineering, Inc., 16 Gleasondale Road, Suite 1-1, Stow, Massachusetts 01775," recorded herewith.

Title to the roadway known as GRAVES LANE and title to all of the easements, including flowage and drainage, as shown on said plans have been granted to the City of Marlborough in a Quitclaim Deed from JSB Development LLC, Acton, Massachusetts, said deed to be recorded herewith at the Middlesex County South Registry of Deeds.

**IT IS THEREFORE ORDERED THAT:**

**GRAVES LANE be accepted as a public way and its associated easements be accepted as municipal easements in the City of Marlborough.**

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