

# CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: November 1, 2016

Time: 5:30 PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2016 OCT 28 A 9:11

07-25-2016 – **Order No. 16-1006634:** Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for the use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District, 22 Apex Drive.

-REFER TO URBAN AFFAIRS COMMITTEE

-PUBLIC HEARING: SEPTEMBER 12, 2016

07-25-2016 – **Order No. 16-1006635:** Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Drive.

-REFER TO URBAN AFFAIRS COMMITTEE

-PUBLIC HEARING: AUGUST 29, 2016

07-25-2016 – **Order No. 16-1006632:** Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Restaurant (Friendly's) with a Drive-thru, 157 Apex Drive.

-REFER TO URBAN AFFAIRS COMMITTEE

-PUBLIC HEARING: SEPTEMBER 26, 2016

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

**The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.**

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



## IN CITY COUNCIL

JULY 25, 2016

Marlborough, Mass.,

### ORDERED:

That there being no objection thereto set **MONDAY, SEPTEMBER 12, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for the use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District., 22 Apex Dr., be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

**Ninety days after public hearing is 12/11/16 which falls on a Sunday, therefore Monday, 12/12/16 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 16-1006634



## IN CITY COUNCIL

JULY 25, 2016

Marlborough, Mass., \_\_\_\_\_

### ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 29, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Dr., be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

**Ninety days after public hearing is 11/27/16 which falls on a Sunday, therefore Monday, 11/28/16 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 16-1006635

**RYAN**  
DEVELOPMENT LLC

July 19, 2016

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

**Re: Apex Center- Special Permit Applications for Proposed Primrose Car Wash  
22 Apex Drive, Marlborough, MA**

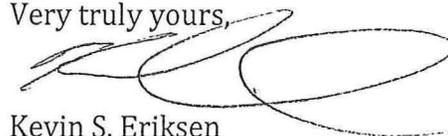
Dear Councilor Clancy and Councilors:

Enclosed please find Ryan Development LLC's (the "Applicant") application for the following Special Permits related to a proposed car wash facility at 22 Apex Drive:

- 1) Special Permit to allow for the use of the car wash in the HRMUOD pursuant to Article VI, Section 650, Paragraph 35, Sub-paragraphs E(2)(f) and I(1);
- 2) Special Permit to allow for a car wash within Zone B of the Water Supply Protection District pursuant to Article VI, Section 650, Paragraph 24, Sub-paragraph G; and
- 3) Any additional permit relief deemed necessary and appropriate in City Council's discretion.

Please accept the attached applications along with supplemental materials including plans of the proposed car wash, certified abutters list, and checks for filing. Kindly process in your usual manner and place on the agenda for the next available meeting of the City Council scheduled for August 29, 2016. We look forward to discussing this application in greater detail with the City Council. Thank you for your attention to this matter. Please do not hesitate to contact me directly with any questions.

Very truly yours,



Kevin S. Eriksen

CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

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CITY OF MARLBOROUGH  
2016 JUL 21 A 8:38

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

1. Name and address of Petitioner or Applicant:

Ryan Development LLC

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

22 Apex Drive (Map 78, Parcels 12, 14, 38, 39; Map 89, Parcel 17)

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

Apex WA 1031 LLC

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

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

Article VI Section 650 Paragraph 35 Sub-paragraph E(2)(F), I(1)

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

Business & HRMUOD

and any additional relief deemed necessary in Council's discretion.

7. Specific reason(s) for seeking Special Permit

To allow for the use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District, and any additional relief deemed necessary from City Council

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]  
Signature of Petitioner or Applicant

Address: 4 Lan Drive

Westford MA 01886

Telephone No. 978-692-9450

Date: \_\_\_\_\_

77  
RFP LINCOLN 293 LLC  
ATTN TIMOTHY PRESTON  
67 FOREST ST  
MARLBOROUGH, MA 01752

78  
62 REALTY LLC  
ATTN TIMOTHY PRESTON  
241 BOSTON POST RE W 2ND FL  
MARLBOROUGH, MA 01752

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
MCDONALDS CORPORATION  
C/O DAVID BALDACCI  
P O BOX 902  
SPENCER, MA 01562

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

78  
BUCCHINO NOREEN C  
RONALD L BUCCHINO  
88 GLEN ST  
MARLBOROUGH, MA 01752

78  
98 GLEN ST LLC  
C/O MARK REGIS  
1 BUSH RD  
HUDSON, MA 01749

78  
GOSSELIN JAMES L  
KAREN J GOSSELIN  
106 GLEN ST  
MARLBOROUGH, MA 01752

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

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R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

78  
MURILLO JACKELINE  
ERWIN ALFREDO MURILLO  
51 CONRAD RD  
MARLBOROUGH, MA 01752

78  
NUCCIO PETER J  
THERESA M NUCCIO  
116 GLEN ST  
MARLBOROUGH, MA 01752

78  
NEWTON-WALTHAM BANK & TRUST COI  
C/O BANK OF AMERICA ATT CORP RE AS  
101 N TRYON ST  
NCI-001-03-81  
CHARLOTTE, NC 28255

78  
BOSTON POST ROAD BUILDING 65 LLC  
40 MECHANIC ST STE 300  
MARLBOROUGH, MA 01752

78  
MARLBORO NCP I LLC  
C/O CROSSPOINT ASSOCIATES  
300 3RD AVE STE 2  
WALTHAM, MA 02451

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GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

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GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

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GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
BPR EQUITY PARTNERS LLC  
C/O K S PARTNERS LLC  
150 EAST 58TH ST STE 2000  
NEW YORK, NY 10155

78  
FELCOR/CMB MARLBOROUGH HOTEL LI  
545 E JOHN CARPENTER FRWY  
SUITE 1300  
IRVING, TX 75062

78  
KARAPATSAS PAUL  
C/O WENDY'S ATTN BLAKE SNIDER  
ONE DAVE THOMAS BLVD  
DUBLIN, OH 43017

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
500 CABOT STREET STE 200  
NEEDHAM, MA 02494

79  
MCDONALD JAMES S LI EST  
C/O MARY HELEN MCDONALD  
3531 RTE 115  
NOTRE DAME, NB E4V2E2

79  
ANGERS ROGER G TR  
CONRAD REALTY TRUST  
40 CONRAD RD  
MARLBOROUGH, MA 01752

79  
DELOREY STEVEN  
74 THOMAS DR  
MARLBOROUGH, MA 01752

79  
CONTI MARY K  
35 CONRAD RD  
MARLBOROUGH, MA 01752

79  
OBRIEN JOAN E  
N/O FEDERAL NATIONAL MORTGAGE AS  
3900 WISCONSIN AVE NW  
WASHINGTON, DC 20016

79  
HUANG WEIJUN  
PEI ZHAI  
17 CONRAD RD  
MARLBOROUGH, MA 01752

79  
SARNO KAREN M  
7 CONRAD RD  
MARLBOROUGH, MA 01752

79  
CARVAJAL SERGIO  
LAURELL CHRISTMAS  
62 GLEN ST  
MARLBOROUGH, MA 01752

79  
ALLINSON RICKY  
72 GLEN ST  
MARLBOROUGH, MA 01752

79  
GIOMBETTI DONALD A  
THARON E GIOMBETTI  
80 GLEN ST  
MARLBOROUGH, MA 01752

88  
NORMANDY NICKERSON ROAD LLC  
C/O NORMANDY REAL ESTATE PARTNEF  
53 MAPLE ST  
ATTN JOSEPH ADAMO  
MORRISTOWN, NJ 07960

89  
KORANDANIS ASPASIA  
ARTHUR KORANDANIS  
275 BOSTON POST RD WEST  
MARLBOROUGH, MA 01752

89  
NORMANDY NICKERSON ROAD LLC  
C/O NORMANDY REAL ESTATE PARTNEF  
53 MAPLE ST  
ATTN JOSEPH ADAMO  
MORRISTOWN, NJ 07960

89  
PACIFIC HENRY G JR TR  
188 GLEN ST  
MARLBOROUGH, MA 01752

89  
GIANCOLA JAMEY A  
124 GLEN ST  
MARLBOROUGH, MA 01752

89  
GUSTAFSON ROBERT  
ANNE GUSTAFSON  
134 GLEN ST  
MARLBOROUGH, MA 01752

89  
WYDOM CHRISTOPHER J  
N/O ANDRE & VERONICA DESOUZA  
142 GLEN ST  
MARLBOROUGH, MA 01752

89  
RAHN ROBERT L  
JOYCE S RAHN  
81 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BLACK ERNEST E II  
MARY W BLACK  
73 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CAMPBELL TREVOR  
JENNIFER C CAMPBELL  
65 CONRAD RD  
MARLBOROUGH, MA 01752

89  
DELOREY STEVEN  
MARY J INSANI  
74 THOMAS DR  
MARLBOROUGH, MA 01752

89  
RODRIGUEZ OSCAR  
31 AHLGREN CIR  
MARLBOROUGH, MA 01752

89  
BENDERSON RONALD TR  
RANDALL BENDERSON & DAVID BALDA  
570 DELAWARE AVE  
BUFFALO, NY 14202

89  
KORANDANIS ASPASIA  
275 BOSTON POST RD WEST  
MARLBOROUGH, MA 01752

89  
WILSON JOY  
64 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CASELLA JOSEPH D JR  
JULIE CASELLA  
72 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CZARKOWSKI THOMAS R  
SANDRA A FINN  
80 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BOUTTE RANDY  
YVONNE BOUTTE  
104 CONRAD RD  
MARLBOROUGH, MA 01752

89  
MAYO LEWIS W JR  
LAURA LEE MAYO  
95 CONRAD RD  
MARLBOROUGH, MA 01752

89  
LOJKO PETER M  
SUZANNE M LOJKO  
154 GLEN ST  
MARLBOROUGH, MA 01752

89  
DELEON ALFREDO  
162 GLEN ST  
MARLBOROUGH, MA 01752

89  
FARRINGTON BONNIE M  
103 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BOUFFARD MARCEL R  
CAROL BOUFFARD  
170 GLEN ST  
MARLBOROUGH, MA 01752

89  
KEFALAS MARIA  
EMMANOUIL KOUTSOUROUPIS  
111 CONRAD RD  
MARLBOROUGH, MA 01752

89  
MCDOUGALL MARGARET T TR  
MARGARET T MCDOUGALL REVOCABLE  
178 GLEN ST  
MARLBOROUGH, MA 01752

89  
JUHANSOO SHARON K  
N/O JAAK JUHANSOO  
2 SPRUCE ST LANE  
FORRESTDAL, MA 02644

89  
FORBES JUSTINA B  
111 TEMPLE RD  
CONCORD, MA 01742-1514

89

FAIRFIELD LIMITED PARTNERSHIP  
5501 MOREHOUSE DR STE 200  
ATTN TAX DEPT 11175  
SAN DIEGO, CA 92121

89

GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

90

PULSIFER JANICE M  
48 CONRAD RD  
MARLBOROUGH, MA 01752

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

Ryan Development 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**)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, THAT THE CODE of the City of Marlborough, as amended, Zoning Ordinance §650-59 "C" RULES, be further amended as follows:

RULES AND REGULATIONS OF APPLICATION/PETITION FOR SPECIAL PERMIT BY THE CITY COUNCIL UNDER THE MARLBOROUGH ZONING ORDINANCE.

1. Submission of Application:

- A. Informal Pre-Application Review: The applicant may request the Planning Board to schedule an informal pre-application review, for the purpose of reviewing proposals and alternatives. By this means. The City may have the opportunity to have input into the planning and design process at its earliest level, and submission materials can be established.
- B. The application shall be filed with the City Clerk in accordance with Paragraph C below, on the form provided by the City Clerk. (See Section 4).
- C. Application Materials: The Application or Petition for Special Permit shall be made in writing by the applicant or his duly authorized agent, who shall file the following number of sets of application material to be **hand-delivered** at the Offices set forth below: (amended 10-7-02, Order No. 02-9687B)

**Please see page 12 for City Clerk's instructions for distribution to Departments.**

- 3 SETS OFFICE OF THE CITY CLERK \_\_\_\_\_
- 1 SET POLICE CHIEF \_\_\_\_\_
- 1 SET FIRE CHIEF \_\_\_\_\_
- 1 SET CITY ENGINEER \_\_\_\_\_
- 1 SET CITY PLANNER \_\_\_\_\_
- 1 SET CONSERVATION OFFICER (IF WETLANDS AFFECTED) \_\_\_\_\_
- 1 SET BUILDING INSPECTOR \_\_\_\_\_
- 12 SETS OFFICE OF THE CITY COUNCIL \_\_\_\_\_

2. Notice to City Council: Following the submission, the City Clerk shall promptly notify the City Council and forward one copy of the application to the City Council. The Clerk shall retain two copies in the City Clerk's office.

3. Fees:

At the time of application the applicant shall pay a filing fee at the Office of the City Clerk in the amount set forth below: (amended 2-9-04, Order No. 04-9962C)

A. Residential Construction and Use Only:

- (1) For plans proposing more than three (3) housing units, \$300.00 (three hundred) dollars;
- (2) For plans proposing more than three (3) housing units, a base fee of \$300.00 (three hundred) dollars plus an additional fee of \$25.00 (twenty-five) dollars for each housing unit in excess of three (3).

B. Non-Residential Construction and Use Only

- (1) For plans proposing construction containing not more than 34,999 square feet of floor area, \$500.00 (five-hundred) dollars;
- (2) For plans proposing construction containing from 35,000 square feet of floor area up to and including 49,000 square feet of floor area, \$1,000.00 (one-thousand) dollars.

- (3) For plans proposing construction containing from 50,000 square feet of floor area up to and including 99,000 square feet of floor area, \$1,500.00 (one-thousand five-hundred) dollars.
  - (4) For plans proposing construction containing 100,000 square feet of floor area, or any greater amount, \$2,000.00 (two-thousand) dollars.
- C. Residential and Non-Residential Use only **without new construction:**  
Fifty percent (50%) of the fees specified in above paragraphs A and B, as appropriate.
  - D. Mixed or Miscellaneous:  
Filing fee for the above shall be the highest fee that may be charged pursuant to either of the above classifications, with a minimum filing fee \$500.00 (five-hundred) dollars.
  - E. Hotels and Motels (only applicable where Special Permit is required):  
Hotels and ancillary commercial uses shall be treated as a "Non-Residential" use under Paragraph B.
  - F. Fees for amendments to Special Permits and Resubmittal of Application:  
(See Section 20)
    - (1) Substantial amendments: 75% of the above fees.
    - (2) Minor amendments: 50% of the above fees.
    - (3) No amendments: 0% of the above fees.

**The determination as to whether an amendment is substantial or minor shall be made at the time of certification of the application by the City Planner as required in Section 7 of these Rules, prior to the submission to the City Clerk, in accordance with the criteria in Section 20 herein.**

- 4. Application Content: Application or Petition must contain the following information on the form provided by the City Clerk:
  - A. The name and address of the Petitioner or Applicant;
  - B. Name and address of owner of land, if other than Petitioner or Applicant;
  - C. The location of the Property for which a Special Permit is sought (street address and **plate and parcel number**);
  - D. The zoning district in which the property lies;
  - E. The legal interest of the applicant or petitioner (owner, prospective owner etc.);
  - F. The specific Article, Section and Paragraph of the Zoning Ordinance under which a Special Permit can be granted;
  - G. The specific reason for seeking the permit;
  - H. List of names of abutters, including:
    - (1) Names and addresses of all abutters within 400 (four hundred) feet of each sideline and rear line of said property in question;
    - (2) Name and address of the owner of the property directly across the street;
    - (3) Names and addresses of the owners of property adjoining the land across the street and lying within 400 (four hundred feet) of the extended sidelines of the land in question;
    - (4) Name of the property owner other than above which abuts in any way upon the land described in the petition or application.

Said list of abutters must be certified by the Office of the Board of Assessor's of Marlborough prior to submission; said certification shall be the evidence of compliance with this paragraph.

5. Preliminary Site Plan: Where the application involves new construction, each application must be accompanied by a preliminary site plan as outlined below. When the application is for new use not involving new construction, the application must be accompanied by the approved existing site plan for the existing building or use.

The preliminary site plan shall contain among other things the following information; (Note; additional information is required for Final Site Plan Review and Approval-See Chapter 270; Building and Site Development.

A. Title Block:

- (1) Proper heading, containing project title (if any).
- (2) Name and address of owner, and engineer, architect or surveyor.
- (3) Street number (as assigned by City Engineer).
- (4) Assessor's Plate and parcel number.
- (5) Scale of drawing.
- (6) Date and revision date.

B. General Information on Lot:

- (1) Locus Map – showing location of lot and names of all surrounding streets within 1,000 (one thousand) feet of boundaries of lot. (See Paragraph D1 below) concerning location of buildings on surrounding lots). Identify on Locus Map all other parcels within 1,000 (one thousand) feet in which applicant has any financial interest.
- (2) North arrow.
- (3) Zoning district in which the property lies and any zoning district boundary lines which may cross the locus, including Floodplain and Wetland Protection Districts. Show zoning lines on Locus Map and on other plans if appropriate.
- (4) The lot – completely dimensioned.
- (5) Lot area – in acres and in square feet.

C. Existing Conditions: Buildings and structures, setback dimensions, parking, driveways, landscaped area, boundaries of wooded areas and wetlands, topography and easements. (Show on separate sheet if appropriate so as to distinguish from proposed uses).

D. Proposed Buildings and Structures:

- (1) Location of all proposed structures on the lot, and those to remain. Show all building and yard dimensions.
- (2) For proposed non-residential and multi-family developments, show approximate location of all existing buildings on all abutting lots. (Information may be shown on Locus Map if appropriate).
- (3) Stores and elevations – Number of stories.
- (4) Floor areas – Building floor areas for each floor and in total.

E. Parking, Driveways and Exterior Features:

- (1) Location of all driveways, walkways, parking spaces, pick-up, delivery, loading storage and rubbish disposal areas, outdoor lighting and similar exterior site features.
- (2) Identification of all proposed uses on site.
- (3) Calculation of parking spaces required according to Zoning requirements.

- F. Lot Coverage and Landscaping:
  - (1) Lot coverage – Identification of all areas included within "lot coverage" and "landscape areas", and calculation of percentage of lot coverage. (See definitions in Zoning Ordinance).
  - (2) Location of Areas to be landscaped (planted).
- G. Topography – Existing and proposed topography at two contour intervals (N.G.V.D. datum preferred).
- H. Easements – Location and type of any easements and any existing and proposed drainage system (natural or otherwise) within the site.
- I. Utilities – Location of all existing utilities within 100 (one hundred) feet in any direction of the proposed work, unless waived by the City Engineer. Also show the location and pertinent data relating to the proposed services.
- J. Wetland – Boundaries of wetland and floodplain areas as defined under GL C. 131 §40, Mass Wetlands protection Act, and GL C. 131 §40A, Mass Inland Wetlands Restriction Act.

**Note:** Applicants proposing new buildings should refer to City Code, Chapter 270; Building and Site Development, for additional information which will be required later at Final Site Plan Review and Approval.

6. Special Studies:

- A. All Projects: All applications for all projects requiring Special Permits shall include a completed Summary Impact Statement on page 10.
- B. Projects of Large Size or Impact:
  - (1) For projects as specified in Paragraph 2 below, which have not been required to file an Environmental Impact Report in connection with obtaining any State or Federal approvals, the applicant shall submit with the application the following studies which shall include appropriate measures to mitigate any impacts and which shall be prepared by qualified consultants according to a scope as determined by the City Engineer and City Planner.
    - a. A Traffic impact study of the area in which the project is to be located, and
    - b. A study of ability of public utilities and service to accommodate the development.
  - (2) This requirement shall apply to:
    - a. All projects over fifty housing units, or 25,000 (twenty-five thousand) sq. ft. non-residential floor area, or fifty hotel rooms, where a Special Permit is required, except where not appropriate in the opinion of the City Engineer and Planner, and
    - b. Other projects if required by the City Engineer and Planner as being necessary due to existing or projects problems in the vicinity of the project.
  - (3) The applicant may request a waiver from paragraph (2A and 2B above) by submitting a written request to City Council to waive the above requirements prior to submission.

7. Certification of a Completeness of Application: The applicant shall submit, with the application, the form on page 11 signed by the City Planner certifying that:
  - A. The preliminary site plan being filed with the application meets all prior referenced information requirements.
  - B. The plan(s) conform in all respect to City Code and that any unnecessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal periods concerning said variances have ended.
  - C. The application is complete and conforms to these Rules and Regulations.

**Note: Said certification shall not imply that the application will be approved by the City Council, nor limit the conditions or the changes that may be required by the City Council or subsequently at Site Plan Review and Approval.**

8. Date for Public Hearings: The President of the City Council shall, upon receipt of applications or petitions, set a date for a public hearing and direct the City Clerk to advertise notice of said hearing, at the expense of the Applicant, and give notice to all abutters in conformance with Chapter 40A of the Massachusetts General Laws, as amended. (amended 9-12-05, Order No. 05-100863B)
9. Public Hearing: The City Council shall hold a public hearing on the properly completed application, as provided in Chapter 40A, within sixty-five days after the filing of an application, and, except as hereinafter provided, the City Council shall take final action on an application within ninety days after the hearing. The hearing may be recessed and continued at a specified date as mutually agreed upon by the City Council and applicant.
10. City Department Reports:
  - A. The City Planner, City Engineer, Conservation Officer, Police Chief and Fire Chief, Board of Health and any other Board, Department or Commission if appropriate, shall review and make written recommendations on the proposal, either at the Public Hearing held before the City Council, or at any subsequent City Council Committee meetings, as appropriate. The City Council shall not make a final decision on an application for a Special Permit until the appropriate departments have submitted reports or recommendations thereon or, if no such reports have been received within sixty days since the filing of an application which has been certified to be complete in accordance with these regulations.
  - B. The reports shall be pertinent to each department and may include, if appropriate, a review of (1) the adequacy of on-site facilities and design, (2) the adequacy of the data and the methodology used by the applicant to determine off-site impacts of the proposed development, (3) the effects of the projected impacts of the proposed development, and (4) the adequacy of the off-site mitigation proposed, if any is needed. Said departments may recommend conditions or remedial measures to accommodate or mitigate the expected impacts of the proposed development.
11. Extension of Time for Action, Leave to Withdraw:
  - A. The period within which final action shall be taken may be extended for a definite period by mutual written agreement of the City Council and the applicant, pursuant to M.G.L. C. 40A §9, as amended.
  - B. The City Council may, in its sole discretion, grant leave to withdraw without prejudice so that the applicant may submit a revised application which shall not be considered as a repetitive petition. Such revised application shall be treated as a new application but shall be subject to the fee schedule under Section 3F.

12. Findings and Conditions by City Council:
  - A. In acting on applications for Special Permits, the City Council may make such findings as provided herein or called for by the subject matter and may impose such conditions, safeguards, or limitations on matters relating to the proposal as may affect the public health, safety, welfare and convenience, including conditions on time and use. No Special Permit shall issue, except upon a general finding that the use sought and its impact and characteristics shall not be in conflict with public health, safety, convenience and welfare and shall nor be detrimental or offensive, provided the conditions, safeguards or limitations, if any, are met.
  - B. No Right to Special Permit: An applicant is not entitled by right to a Special Permit and the City Council, in its discretion, may decline to grant Special Permit.
13. Draft Finding Required by Applicant: Within twenty-one days following the Public Hearing the Applicant or Petitioner shall submit a draft of the proposed findings and reasons for the approval of the Special Permit to the applicable City Council committee and to all City Departments listed under Section 10 for their review and comment as appropriate. Said findings shall have been certified by the City Solicitor as being in proper legal form prior to vote by the City Council.
14. Vote: In conformance with the General Laws of the Commonwealth of Massachusetts, a two thirds vote of the entire City Council shall be required to grant a Special permit.
15. Notice of Decision: Notice of decision shall be rendered pursuant to the provisions of Chapter 40A of the Massachusetts General Laws, as amended.
16. Recoding of Decision Granting Permit: The applicant shall be responsible for filing in the Registry of Deed or, where applicable, in the Land Court of the Commonwealth, a copy of the decision granting a Special Permit. Prior to the issuance of a building permit, the applicant shall present to the Building Inspector evidence of such recording.
17. Lapse and Abandonment: A Special Permit shall lapse in accordance with the provisions of Massachusetts General Laws Chapter 40A.
18. Permits for Use and Construction: No permit for the construction or alteration of any structure or for any use of the site of a structure on the site shall be granted by the Inspector of the Buildings if the Special Permit has lapsed or the project has been abandoned in accordance with the previous paragraph and Chapter 650, Zoning Ordinance, or if evidence of recording of a copy of the decision of the City Council granting the Special Permit has not been given to the Building Inspector.
19. Construction in Conformity with Application: In the event that the City Council approves a Special Permit, any use, construction, subsequent reconstruction, or substantial exterior alterations shall be carried out only in conformity with all conditions and limitations included in the decision of the City Council and only in essential conformity with the application on the basis of which the finding and determination was made.
20. Revision of Special Permit:
  - A. After the grant of a Special Permit by the City Council, minor revisions in the approved preliminary site plan may be made from time to time in accordance with applicable law, ordinances and regulations, but the use or development approved under such Special Permit shall otherwise be in accordance with the plans referred to, and such conditions as may be included in the decision of the City Council.
  - B. If a preliminary site plan for a shopping mall shows thereon a "permissible building area," revisions to the buildings and other improvements located within the permissible building area may be made without the approval of the City Council as long as the plan showing such revisions are submitted and approved by the Building Inspector prior to the commencement of the construction of such revisions.

C. The determination as to whether a change is a "minor" modification shall be made by the Director of Planning at final site plan review and approval and by the City Building Inspector at issuance of building permit. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce more than a material increase in impact on City services, the environment or the neighborhood. If it is determined that such revisions are not minor, an application for a revised special permit shall be filed, and a public hearing shall be held in the same manner as required for a new application, subject to the fee schedule under Section 3F.

21. Subsequent Site Plan Review:

- A. Where applicable, Special Permits for use or construction shall also be subject to later approval by applicable City Departments, as provided under Chapter 650, Zoning, or Chapter 270, Building and Site Development. However, nothing herein shall preclude an applicant from applying for Site Plan Review and approval prior to approval of a Special Permit. The preliminary site plan submitted with the Special Permit application may be subject to modification by said City Departments through subsequent Site Plan Review and Approval to the extent allowed under Section 20 above. In addition, other conditions and limitations may be imposed at the time of the Final Site Plan Approval by said City Departments, which are not inconsistent with any term or condition attached to said Special Permit by the City Council.
- B. Should the City Council impose conditions in the Special Permit requiring a modification to the preliminary site plan submitted with the application, the plan shall be revised to comply with the conditions prior to receiving Final Site Plan Approval.

22. Maintenance of Special Permit:

- A. Applicant or Petitioner shall provide status reports to the Office of the Building Commissioner during construction of a project and after completion of a project. The status reports shall identify the level of compliance achieved for each Special Permit condition and must be submitted at intervals determined by the City Council. On completion of the project, reports shall be submitted six (6) months after completion and then annually, due on January first of each year, unless waived by the City Council.
- B. The Building Commissioner shall report annually to the City Council, due on March 1 of each year, the status of Special Permits granted by the City Council.

ADOPTED

In City Council  
Order No. 89-90/3111  
Adopted April 30, 1990  
Amended: October 7, 2002  
Order No. 02-9687B

Approved by Mayor  
Michael P. Hogan  
Date: May 3, 1990

A TRUE COPY  
ATTEST:  
City Clerk

SPECIAL PERMIT-SUMMARY IMPACT STATEMENT

Applicant's Name: Ryan Development LLC Address: 4 Lan Drive, Westford MA 01886

Project Name: Apex Center - Primrose Carwash Address: 22 Apex Drive

1. PROPOSED USE: (describe) Car Wash.

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 2400 +/- 1<sup>st</sup> floor 2400 +/- all floors 2400 +/-  
# buildings 1 # stories 1 lot area (s.f.) 43.3 acres +/-

4. LOT COVERAGE: 45.4 % Landscaped area: See Apex Landscape Plan %

5. POPULATION ON SITE: Number of people expected on site at anytime:  
Normal: 1 Peak period: 1

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 1 Peak period: 1

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

Properties receive regular maintenance by Ryan Development LLC. Weekly or as needed.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Per Apex Center lighting plan.

8. NOISE:

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

There is no anticipated increase in noise levels post development.

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None. Car Wash is open 24/7.

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

10. WATER AND SEWER: Describe any unusual generation of waste. None

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. See attached MSDS sheets for cleaning products.

\*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: 7/20/16

**SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT**

Project Name: Pinnrose Car Wash - Apex Center

Project Use Summary: Car Wash

Project Street Address: 22 Apex Drive

Map 78  
Plate: Map 89 Parcel: 12, 14, 38, 39  
77

Applicant/Developer Name: Ryan Development LLC

Plan Date: 7/14/16 Revision Date: \_\_\_\_\_

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,

  
~~Robert Camacho~~ Stuart LeClaire

Interim 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**

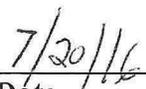
Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

**PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.**

3 SETS      OFFICE OF THE CITY CLERK \_\_\_\_\_  
1 SET      POLICE CHIEF \_\_\_\_\_  
1 SET      FIRE CHIEF \_\_\_\_\_  
1 SET      CITY ENGINEER \_\_\_\_\_  
1 SET      CITY PLANNER \_\_\_\_\_  
1 SET      CONSERVATION OFFICER (IF WETLANDS AFFECTED) \_\_\_\_\_  
1 SET      BUILDING INSPECTOR \_\_\_\_\_  
12 SETS    OFFICE OF THE CITY COUNCIL \_\_\_\_\_

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas*  
*City Clerk*



**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**

Apex WR 1031 LLC

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

Robert A. Walker, Manager

**Owner/Officer Complete Address and Telephone Number**

4 Lan Drive

Westford MA 01886

978-692-9460

**Signature of Applicant**

[Handwritten Signature]

**Attorney on behalf of Applicant, if applicable**

[Handwritten Signature]

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

Eileen Brunel

**Tax Collector**

# MATERIAL SAFETY DATA SHEET

Simoniz USA Inc. 201 Boston Turnpike Bolton, Connecticut 06043 (860) 646-0172	REVISION DATE:..... 03/08/02
	DATE PRINTED: ..... 12/15/06
	PRODUCT NUMBER: ..... P3030XXX
	CONTROL NUMBER: ..... P3030XXX

## SECTION I - IDENTIFICATION

PRODUCT NAME: **Prime Pak Blue Foam Polish**  
 PRODUCT TYPE: ..... Liquid Cationic Drying Agent

## SECTION II - HAZARDOUS INGREDIENTS

HAZARDOUS INGREDIENT	CAS NUMBER	PEL	PERCENT
Mixed Petroleum Hydrocarbons	64741-44-2	5 mg/m3 PEL	Not Listed
Dialkyl Quaternary Ammonium Chloride	61789-77-3	No limits established	
2-Butoxy Ethanol	111-76-2	20 ppm TLV, 25 ppm PEL	
Ethoxylated Tallow Amine	68155-39-5	No limits established	
Lemon Fragrance	Not Listed	No limit established	

## SECTION III - PHYSICAL DATA

APPEARANCE: Viscous dark blue liquid. Lemon scented.  
 BOILING POINT: 210 degrees F. VAPOR PRESSURE: N/A  
 VAPOR DENSITY: Greater than 1. SPECIFIC GRAVITY: 0.87  
 PH: 6.5-7.5 SOLUBILITY IN WATER: Completely soluble.

## SECTION IV - FIRE AND EXPLOSION DATA

FLASHPOINT:..... This product is non-flammable.  
 EXTINGUISHING MEDIA:..... Water fog or fine spray. Carbon dioxide, Dry chemical, or Alcohol resistant foam.  
 SPECIAL FIRE FIGHTING PROCEDURES:..... Firefighters working in areas where this product is present should be equipped with an approved, fully enclosed SCBA .  
 UNUSUAL FIRE AND EXPLOSION HAZARDS:..... None known.

## SECTION V - REACTIVITY DATA

STABILITY:..... Stable under normal conditions.  
 HAZARDOUS POLYMERIZATION: ..... This product not known to polymerize.  
 INCOMPATIBILITY:..... Do not mix with other chemicals.  
 HAZARDOUS BYPRODUCTS:..... Carbon monoxide, carbon dioxide.

## SECTION VI - HEALTH DATA

ROUTE(S) OF ENTRY: ..... Inhalation, skin absorption, or ingestion.  
 LISTED CARCINOGEN: ..... Not listed by IARC, NTP or OSHA.  
 MEDICAL CONDITION AGGRAVATED:..... May aggravate pre-existing dermatitis.  
 INHALATION:..... Not likely to be inhaled in hazardous amounts. Avoid exposure to mists or vapors. Maintain adequate ventilation in the work area.  
 INGESTION: ..... This material can cause irritation or damage to stomach and esophagus.  
 EYES: ..... Undiluted product will cause burns or eye irritation, or possibly permanent damage.  
 SKIN (DERMAL):..... This product may cause irritation if not removed from the skin. Chronic overexposure may cause injury to blood, liver & kidneys.

## SECTION VII FIRST AID

BREATHING (INHALATION):..... If victim shows signs of discomfort or irritation, remove to fresh air. If symptoms persist, get immediate medical attention.  
 SWALLOWING (INGESTION): ..... DO NOT INDUCE VOMITING! Drink a large quantity of water or milk. Do not attempt to give liquids to an unconscious person. Get immediate medical attention!  
 EYES:..... Flush eyes with a large quantity of fresh water for at least 15 minutes. If irritation persists, consult a physician.  
 SKIN (DERMAL):..... Flush from skin and clothing with large amounts of fresh water. If irritation persists, consult physician. Wash contaminated clothing before wearing.

## SECTION VIII EMPLOYEE PROTECTION

RESPIRATORY PROTECTION:..... Not usually needed in well-ventilated areas. If needed, use an OSHA approved respirator.  
 PROTECTIVE CLOTHING: ..... Nitrile or PVC gloves, and chemical splash goggles.  
 ADDITIONAL MEASURES: ..... Do not place this product in an unmarked container! Keep away from children! Spilled material is slippery.

## SECTION IX - SPILL AND DISPOSAL DATA

SPILL: ..... Dike to prevent spillage into streams or sewer systems. Consult local, state and federal authorities.  
 WASTE DISPOSAL: ..... As recommended by local, state and federal authorities.  
 HANDLING & STORAGE PRECAUTIONS ..... Store in a cool, well ventilated area. Avoid overheating or freezing.

## SECTION X - OTHER REGULATORY INFORMATION

PROPER SHIPPING NAME: Not D.O.T. regulated. NFPA HEALTH: 2  
 CONSTITUENT: NFPA FLAMMABILITY: 1  
 HAZARD CLASS AND LABEL: NFPA REACTIVITY: 0  
 ID NUMBER: NFPA OTHER: None  
 PACKING GROUP:

## SECTION XI - PRECAUTIONARY STATEMENTS

WARNING:..... The information contained in this MSDS is based on the data available to us from sources we believe to be reliable. No warranty or guaranty expressed or implied is made regarding the accuracy of this data or the results obtained from the reliance on this data. The manufacturer assumes no responsibility for injury from the use of this product. Be safe-read this product safety information and pass it on to all persons who may be exposed to this product. Federal law requires it.



# MATERIAL SAFETY DATA SHEET

<b>Simoniz USA Inc.</b> 201 Boston Turnpike Bolton, CT 06043 (860) 646-0172	REVISION DATE:..... 12/21/10 DATE PRINTED:.....1/5/11
	PRODUCT NUMBER:.....S4013XXX CONTROL NUMBER:.....S4013XXX
For chemical emergency information regarding this product, call Chem-Tel at 1-800-255-3924 anytime.	

## SECTION I - IDENTIFICATION

PRODUCT NAME: **Prime Pak HPH**

PRODUCT TYPE: .....Alkaline liquid cleaning compound

## SECTION II - INGREDIENTS

INGREDIENT	C.A.S. NUMBER	PEL
Water	7732-18-5	No limits established
Potassium Hydroxide	1310-58-3	2 mg/m3 ceiling
Alkyl Polyglycoside	110615-47-9	No limits established
Tripotassium Ethylenediaminetetraacetate	17572-97-3	No limits established

## SECTION III - PHYSICAL DATA

APPEARANCE: Blue transparent liquid, no significant odor.  
 VAPOR PRESSURE: N/A  
 SPECIFIC GRAVITY: 1.1  
 BOILING POINT: 210 degrees F.  
 VAPOR DENSITY (AIR=1): Greater than 1.  
 pH: 14.0  
 SOLUBILITY IN WATER: Completely soluble.

## SECTION IV - FIRE AND EXPLOSION DATA

FLASHPOINT: .....This product is non-flammable.  
 EXTINGUISHING MEDIA: .....This product is non-flammable. Use extinguishing media suitable for materials already burning.  
 SPECIAL FIRE FIGHTING PROCEDURES: .....Firefighters working in areas where this product is present should be equipped with an approved, fully enclosed SCBA.  
 UNUSUAL FIRE AND EXPLOSION HAZARDS: .....None known.

## SECTION V - REACTIVITY DATA

STABILITY: .....Stable under normal conditions.  
 HAZARDOUS POLYMERIZATION: .....This product not known to polymerize.  
 INCOMPATIBILITY: .....Do not mix with acids or other detergents.  
 HAZARDOUS BYPRODUCTS .....Carbon monoxide, carbon dioxide, oxides of nitrogen.

## SECTION VI - HEALTH DATA

ROUTE(S) OF ENTRY: .....Inhalation, skin absorption, or ingestion.  
 LISTED CARCINOGEN: .....Not listed by IARC, NTP or OSHA.  
 MEDICAL CONDITION AGGRAVATED: May aggravate pre-existing dermatitis.  
 INHALATION: .....Not likely to be inhaled in hazardous amounts. Avoid exposure to mists or vapors. Maintain adequate ventilation in the work area.  
 INGESTION: .....This material can cause burns and serious damage to any exposed body parts.  
 EYES: .....Undiluted product will cause burns or eye irritation, or possibly blindness.  
 SKIN (DERMAL): .....This product may cause burns or irritation if not removed from the skin.

## SECTION VII - FIRST AID

BREATHING (INHALATION): .....If victim shows signs of discomfort or irritation, remove to fresh air. If symptoms persist, get immediate medical attention.  
 SWALLOWING (INGESTION): .....DO NOT INDUCE VOMITING! Drink a large quantity of water or milk. Do not attempt to give liquids to an unconscious person. Get immediate medical attention!  
 EYES: .....Flush eyes with a large quantity of fresh water for at least 15 minutes. If irritation persists, consult a physician.  
 SKIN (DERMAL): .....Flush from skin and clothing with large amounts of fresh water. If irritation persists, consult physician. Wash contaminated clothing before wearing.

## SECTION VIII - EMPLOYEE PROTECTION

RESPIRATORY PROTECTION: .....Not usually needed in well-ventilated areas. If needed, use a NIOSH approved respirator.  
 PROTECTIVE CLOTHING: .....Nitrile or PVC gloves, and chemical splash goggles. Wear protective outerwear and boots when product is likely to splash.  
 ADDITIONAL MEASURES: .....Do not place this product in an unmarked container! Keep away from children! Spilled material is slippery.

## SECTION IX - SPILL AND DISPOSAL DATA

SPILL: .....Dike to prevent spillage into streams or sewer systems. Consult local, state and federal authorities.  
 WASTE DISPOSAL: .....As recommended by local, state and federal authorities.  
 HANDLING & STORAGE PRECAUTIONS: .....Store in a cool, well ventilated area. Avoid overheating or freezing.

## SECTION X - OTHER REGULATORY INFORMATION

PROPER SHIPPING NAME: Compounds, Cleaning, Liquid (contains potassium hydroxide)  
 NFPA HEALTH: 3  
 NFPA FLAMMABILITY: 0  
 HAZARD CLASS AND LABEL: 8  
 NFPA REACTIVITY: 0  
 ID NUMBER: NA 1760  
 NFPA OTHER: Alkali  
 PACKAGING GROUP: III

## SECTION XI - PRECAUTIONARY STATEMENTS

WARNING: .....The information contained in this MSDS is based on the data available to us from sources we believe to be reliable. No warranty or guaranty expressed or implied is made regarding the accuracy of this data or the results obtained from the reliance on this data. The manufacturer assumes no responsibility for injury from the use of this product. Be safe- read this product safety information and pass it on to all persons who may be exposed to this product. Federal law requires it. This product and/or all of its components are either included on or exempt from the TSCA Inventory of Chemical Substances.

# MATERIAL SAFETY DATA SHEET

<b>Simoniz USA Inc.</b> 201 Boston Turnpike Bolton, CT 06043 (860) 646-0172	REVISION DATE:..... 12/21/10 DATE PRINTED:..... 1/5/11
	PRODUCT NUMBER:.....S4002XXX CONTROL NUMBER:.....S4002XXX

## SECTION I - IDENTIFICATION

PRODUCT NAME: **Prime Pak LPH**

PRODUCT TYPE:.....Acidic Liquid Cleaning Compound

## SECTION II - INGREDIENTS

INGREDIENT	C.A.S. NUMBER	PEL
Water	7732-18-5	No limits established
Citric Acid	77-92-9	No limits established
Nonylphenoxypolyethyleneoxyethanol	9016-45-9	No limits established
Detergent Range Alcohol Ethoxylate	68439-46-3	No limits established
Fragrance	Not Listed	No limit established

## SECTION III - PHYSICAL DATA

APPEARANCE: Light golden transparent liquid. Fruit gum scent.  
 VAPOR PRESSURE: N/A VAPOR DENSITY (AIR=1): Greater than 1.  
 SPECIFIC GRAVITY: 1.04 pH: Less than 4.  
 BOILING POINT: 210 degrees F. SOLUBILITY IN WATER: Completely soluble.

## SECTION IV - FIRE AND EXPLOSION DATA

FLASHPOINT: .....This product is non-flammable.  
 EXTINGUISHING MEDIA: .....This product is non-flammable. Use extinguishing media suitable for materials already burning.  
 SPECIAL FIRE FIGHTING PROCEDURES: .....Firefighters working in areas where this product is present should be equipped with an approved, fully enclosed SCBA.  
 UNUSUAL FIRE AND EXPLOSION HAZARDS: .....None known.

## SECTION V - REACTIVITY DATA

STABILITY: .....Stable under normal conditions.  
 HAZARDOUS POLYMERIZATION: .....This product not known to polymerize.  
 INCOMPATIBILITY: .....Do not mix with other chemicals.  
 HAZARDOUS BYPRODUCTS .....Carbon monoxide, carbon dioxide.

## SECTION VI - HEALTH DATA

ROUTE(S) OF ENTRY: .....Ingestion. Not likely to be inhaled in dangerous amounts.  
 LISTED CARCINOGEN: .....Not listed by IARC, NTP or OSHA.  
 MEDICAL CONDITION AGGRAVATED: May aggravate pre-existing dermatitis.  
 INHALATION: .....Not likely to be inhaled in hazardous amounts. Maintain adequate ventilation in the work area.  
 INGESTION: .....This material can cause irritation or damage to stomach and esophagus.  
 EYES: .....May cause severe eye irritation or burns.  
 SKIN (DERMAL): .....This product may cause burns or irritation if not removed from the skin.

## SECTION VII - FIRST AID

BREATHING (INHALATION): .....If victim shows signs of discomfort or irritation, remove to fresh air. If symptoms persist, get immediate medical attention.  
 SWALLOWING (INGESTION): .....DO NOT INDUCE VOMITING! Drink a large quantity of water or milk. Do not attempt to give liquids to an unconscious person. Get immediate medical attention!  
 EYES: .....Flush eyes with a large quantity of fresh water for at least 15 minutes. If irritation persists, consult a physician.  
 SKIN (DERMAL): .....Flush from skin and clothing with large amounts of fresh water. If irritation persists, consult physician. Wash contaminated clothing before wearing.

## SECTION VIII - EMPLOYEE PROTECTION

RESPIRATORY PROTECTION: .....Not usually needed. Vapors not normally harmful.  
 PROTECTIVE CLOTHING: .....Nitrile or PVC gloves, and chemical splash goggles.  
 ADDITIONAL MEASURES: .....Do not place this product in an unmarked container. Avoid eye contact. Spilled material is slippery.

## SECTION IX - SPILL AND DISPOSAL DATA

SPILL: .....Dike to prevent spillage into streams or sewer systems. Consult local, state and federal authorities.  
 WASTE DISPOSAL: .....As recommended by local, state and federal authorities.  
 HANDLING & STORAGE PRECAUTIONS: .....Store in a cool, well ventilated area. Avoid overheating or freezing.

## SECTION X - OTHER REGULATORY INFORMATION

PROPER SHIPPING NAME: Not D.O.T. regulated.  
 NFPA HEALTH: 2  
 NFPA FLAMMABILITY: 0  
 NFPA REACTIVITY: 0  
 NFPA OTHER: Acid

## SECTION XI - PRECAUTIONARY STATEMENTS

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**ABUTTERS LISTING for Apex Center (78-12,14,14A,38,39 , 89-77) 400 ft  
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
77	11			RFP LINCOLN 293 LLC		ATTN LINCOLN PROPERTY CO	MARLBOROUGH	MA 01752	291-293 BOSTON POST RD WEST
78	3			62 REALTY LLC		ATTN TIMOTHY PRESTON	MARLBOROUGH	MA 01752	241 BOSTON POST RD WEST
78	12			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	14			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	180 BOSTON POST RD WEST
78	15			MCDONALDS CORPORATION	C/O DAVID BALDACCI	P O BOX 902	SPENCER	MA 01562	155 BOSTON POST RD WEST
78	16			R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	187-189 BOSTON POST RD WEST
78	17			BUCCHINO NOREEN C	RONALD L BUCCHINO	88 GLEN ST	MARLBOROUGH	MA 01752	88 GLEN ST
78	18			98 GLEN ST LLC		C/O MARK REGIS	HUDSON	MA 01749	98 GLEN ST
78	19			GOSSELIN JAMES L	KAREN J GOSSELIN	106 GLEN ST	MARLBOROUGH	MA 01752	106 GLEN ST
78	1A	1		R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	191-199 BOSTON POST RD WEST
78	1A	2		R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	201 BOSTON POST RD WEST
78	20			MURILLO JACKELINE	ERWIN ALFREDO MURILLO	51 CONRAD RD	MARLBOROUGH	MA 01752	51 CONRAD RD
78	21			NUCCIO PETER J	THERESA M NUCCIO	116 GLEN ST	MARLBOROUGH	MA 01752	116 GLEN ST
78	23			NEWTON-WALTHAM BANK & TRUST COMAPAN	C/O BANK OF AMERICA ATT CORP RE ASS	101 N TRYON ST	CHARLOTTE	NC 28255	190 BOSTON POST RD WEST
78	29			BOSTON POST ROAD BUILDING 65 LLC		40 MECHANIC ST STE 300	MARLBOROUGH	MA 01752	65 BOSTON POST RD WEST
78	2A			MARLBORO NCP I LLC	C/O CROSSPOINT ASSOCIATES	300 3RD AVE STE 2	WALTHAM	MA 02451	219-237 BOSTON POST RD WEST
78	37			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	32-44 BOSTON POST RD WEST
78	38			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	39			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	11C			FELCOR/CMB MARLBOROUGH HOTEL LLC		545 E JOHN CARPENTER FRWY	IRVING	TX 75062	123 BOSTON POST RD WEST
78	14A			KARAPATSAS PAUL	C/O WENDY'S ATTN BLAKE SNIDER	ONE DAVE THOMAS BLVD	DUBLIN	OH 43017	176 BOSTON POST RD WEST
78	15A			R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	141 BOSTON POST RD WEST
79	74			MCDONALD JAMES S LI EST		C/O MARY HELEN MCDONALD	NOTRE DAME	NB E4V2E2	7 BURNS RD
79	75			ANGERS ROGER G TR	CONRAD REALTY TRUST	40 CONRAD RD	MARLBOROUGH	MA 01752	40 CONRAD RD
79	76			DELOREY STEVEN		74 THOMAS DR	MARLBOROUGH	MA 01752	43 CONRAD RD
79	77			CONTI MARY K		35 CONRAD RD	MARLBOROUGH	MA 01752	35 CONRAD RD
79	78			OBRIEN JOAN E	N/O FEDERAL NATIONAL MORTGAGE ASSOC	3900 WISCONSIN AVE NW	WASHINGTON	DC 20016	27 CONRAD RD
79	79			HUANG WEIJUN	PEI ZHAI	17 CONRAD RD	MARLBOROUGH	MA 01752	17 CONRAD RD
79	80			SARNO KAREN M		7 CONRAD RD	MARLBOROUGH	MA 01752	7 CONRAD RD
79	81			CARVAJAL SERGIO	LAURELL CHRISTMAS	62 GLEN ST	MARLBOROUGH	MA 01752	62 GLEN ST
79	82			ALLINSON RICKY		72 GLEN ST	MARLBOROUGH	MA 01752	72 GLEN ST
79	83			GIOMBETTI DONALD A	THARON E GIOMBETTI	80 GLEN ST	MARLBOROUGH	MA 01752	80 GLEN ST
88	32			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE ST	MORRISTOWN	NJ 07960	600 NICKERSON RD
89	1			KORANDANIS ASPASIA	ARTHUR KORANDANIS	275 BOSTON POST RD WEST	MARLBOROUGH	MA 01752	275 BOSTON POST RD WEST
89	4			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE ST	MORRISTOWN	NJ 07960	400 NICKERSON RD
89	10			PACIFIC HENRY G JR TR		188 GLEN ST	MARLBOROUGH	MA 01752	188 GLEN ST
89	12			GIANCOLA JAMEY A		124 GLEN ST	MARLBOROUGH	MA 01752	124 GLEN ST
89	13			GUSTAFSON ROBERT	ANNE GUSTAFSON	134 GLEN ST	MARLBOROUGH	MA 01752	134 GLEN ST
89	14			WYDOM CHRISTOPHER J	N/O ANDRE & VERONICA DESOUSA	142 GLEN ST	MARLBOROUGH	MA 01752	142 GLEN ST
89	15			RAHN ROBERT L	JOYCE S RAHN	81 CONRAD RD	MARLBOROUGH	MA 01752	81 CONRAD RD
89	16			BLACK ERNEST E II	MARY W BLACK	73 CONRAD RD	MARLBOROUGH	MA 01752	73 CONRAD RD
89	17			CAMPBELL TREVOR	JENNIFER C CAMPBELL	65 CONRAD RD	MARLBOROUGH	MA 01752	65 CONRAD RD
89	18			DELOREY STEVEN	MARY J INSANI	74 THOMAS DR	MARLBOROUGH	MA 01752	59 CONRAD RD
89	19			RODRIGUEZ OSCAR		31 AHLGREN CIR	MARLBOROUGH	MA 01752	56 CONRAD RD
89	1A			BENDERSON RONALD TR	RANDALL BENDERSON & DAVID BALDAUF	570 DELAWARE AVE	BUFFALO	NY 14202	277 BOSTON POST RD WEST
89	1B			KORANDANIS ASPASIA		275 BOSTON POST RD WEST	MARLBOROUGH	MA 01752	BOSTON POST RD WEST

ABUTTERS LISTING for Apex Center (78-12,14,14A,38,39 , 89-77) 400 ft  
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
89	20			WILSON JOY		64 CONRAD RD	MARLBOROUGH	MA 01752	64 CONRAD RD
89	21			CASELLA JOSEPH D JR	JULIE CASELLA	72 CONRAD RD	MARLBOROUGH	MA 01752	72 CONRAD RD
89	22			CZARKOWSKI THOMAS R	SANDRA A FINN	80 CONRAD RD	MARLBOROUGH	MA 01752	80 CONRAD RD
89	27			BOUTTE RANDY	YVONNE BOUTTE	104 CONRAD RD	MARLBOROUGH	MA 01752	104 CONRAD RD
89	28			MAYO LEWIS W JR	LAURA LEE MAYO	95 CONRAD RD	MARLBOROUGH	MA 01752	95 CONRAD RD
89	29			LOJKO PETER M	SUZANNE M LOJKO	154 GLEN ST	MARLBOROUGH	MA 01752	154 GLEN ST
89	30			DELEON ALFREDO		162 GLEN ST	MARLBOROUGH	MA 01752	162 GLEN ST
89	31			FARRINGTON BONNIE M		103 CONRAD RD	MARLBOROUGH	MA 01752	103 CONRAD RD
89	32			BOUFFARD MARCEL R	CAROL BOUFFARD	170 GLEN ST	MARLBOROUGH	MA 01752	170 GLEN ST
89	33			KEFALAS MARIA	EMMANOUIL KOUTSOUROUMPIS	111 CONRAD RD	MARLBOROUGH	MA 01752	111 CONRAD RD
89	34			MCDOUGALL MARGARET T TR	MARGARET T MCDOUGALL REVOCABLE TRUS	178 GLEN ST	MARLBOROUGH	MA 01752	178 GLEN ST
89	35			JUHANSOO SHARON K	N/O JAAK JUHANSOO	2 SPRUCE ST LANE	FORRESTDAL	MA 02644	117 CONRAD RD
89	3A			FORBES JUSTINA B		111 TEMPLE RD	CONCORD	MA 01742-1514	GLEN ST
89	3B			FAIRFIELD LIMITED PARTNERSHIP		5501 MOREHOUSE DR STE 200	SAN DIEGO	CA 92121	AMES ST
89	77			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
90	11			PULSIFER JANICE M		48 CONRAD RD	MARLBOROUGH	MA 01752	48 CONRAD RD

**MARLBOROUGH ASSESSORS**

*Anthony C. Amadio*  
*Allen K. Silverstein*  
*David M. May*

**ABBREVIATIONS**

- 1F FIRST FLOOR
- 2F SECOND FLOOR
- BC BOTTOM OF CURB
- BW BOTTOM OF WALL
- BIT BITUMINOUS
- BLDG BUILDING
- CCB CAPE COD BERM
- CO CLEANOUT
- CONC. CONCRETE
- D DOMESTIC LINE
- DIP DUCTILE IRON PIPE
- ETC COMMUNICATIONS
- F FIRE LINE
- FF FINISH FLOOR
- FHA FIRE HYDRANT ASSEMBLY
- G GAS LINE
- GT GREASE TRAP
- HC HANDICAPPED
- ICC INTEGRATED CONCRETE CURB AND SIDEWALK
- INV INVERT
- LI INVERT IN
- LO INVERT OUT
- L.O. INVERT CORRESPONDING TO LABEL
- LF LENGTH FOOT
- LS LANDSCAPE
- PCC PRECAST CONCRETE CURB
- PVC POLYVINYL CHLORIDE PIPE
- MR MECHANICAL ROOM
- RS' RADIUS (OF 5 FEET)
- R RIM
- RW RETAINING WALL
- REST. RESTAURANT
- S SEWER
- S SLOPE (FT/FT)
- SMH SEWER MANHOLE
- SW SIDEWALK
- IC TOP OF CURB
- TR TRANSITION TO CAPE COD BERM
- TW TOP OF WALL
- V VACUUM PARKING SPACE
- VGC VERTICAL GRANITE CURB
- W WATER LINE

**GENERAL NOTES**

1. THIS PLAN IS NOT INTENDED TO SHOW AN ENGINEERED BUILDING FOUNDATION DESIGN, WHICH WOULD INCLUDE DETAILS AND FINAL ELEVATIONS OF FOOTINGS, WALLS AND SUBSURFACE DRAINAGE TO PREVENT INTERIOR FLOODING. SEE ARCHITECTURAL AND/OR STRUCTURAL DRAWINGS.
2. ANY INTENDED REVISION OF THE HORIZONTAL AND/OR VERTICAL LOCATION OF IMPROVEMENTS TO BE CONSTRUCTED AS SHOWN HEREON SHALL BE REVIEWED AND APPROVED BY ENGINEER PRIOR TO IMPLEMENTATION.
3. PROPOSED BUILDING FOUNDATION CONFIGURATION AND LOCATION ON THE LOT AS SHOWN ARE CONCEPTUAL AND SHALL BE VERIFIED AS TO CONFORMANCE WITH FINAL ARCHITECTURAL PLANS AND ZONING ORDINANCES PRIOR TO CONSTRUCTION.

**REGULATORY NOTES**

1. CONTRACTOR SHALL CONTACT DIG-SAFE FOR UNDERGROUND UTILITY MARKING AT 1-866-344-7233 AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF ANY WORK.
2. CONTRACTOR SHALL MAKE HIMSELF AWARE OF ALL CONSTRUCTION REQUIREMENTS, CONDITIONS, AND LIMITATIONS IMPOSED BY PERMITS AND APPROVALS ISSUED BY REGULATORY AUTHORITIES PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL COORDINATE AND OBTAIN ALL CONSTRUCTION PERMITS REQUIRED BY REGULATORY AUTHORITIES.
3. ALL WORK OUTSIDE OF BUILDING THAT IS LESS THAN 10 FEET FROM THE INSIDE FACE OF BUILDING FOUNDATIONS SHALL CONFORM WITH THE UNIFORM STATE PLUMBING CODE OF MASSACHUSETTS, 248 CMR 2.00.

**PLAN INTENT**

THE PURPOSE OF THIS PLAN IS TO SUPPORT THE APPLICATION TO THE MARLBOROUGH CITY COUNCIL FOR A SPECIAL PERMIT FOR A CAR WASH IN THE HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT (HRMUOD) AND A CARWASH IN THE WATER SUPPLY PROTECTION DISTRICT.

**ASSESSORS**

- MAP 89, PARCEL 77
- MAP 78, PARCEL 39
- MAP 78, PARCEL 12
- MAP 78, PARCEL 38

**ZONING**

CURRENT: HOSPITALITY RECREATION MIXED USE OVERLAY DISTRICT (HRMUOD)  
WATER SUPPLY PROTECTION DISTRICT

**PARKING REGULATIONS**

CITY OF MARLBOROUGH ZONING §650-4B, §586-74  
PARKING REQUIREMENTS IN THE HRMUOD  
1 SPACE PER 333 SF NET FLOOR AREA  
2470/333 = 8 SPACES  
PARKING PROVIDED = 9 SPACES (3 INSIDE CARWASH)

**PROJECT TEAM**

**CIVIL ENGINEERS:**

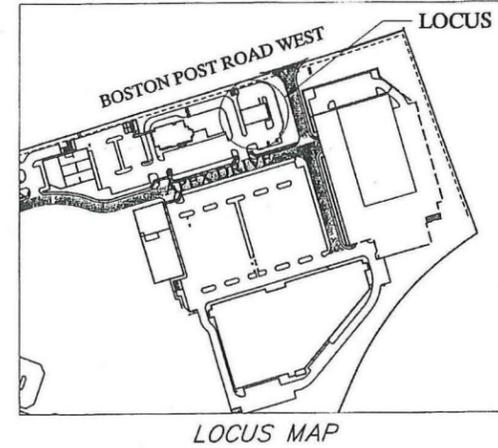
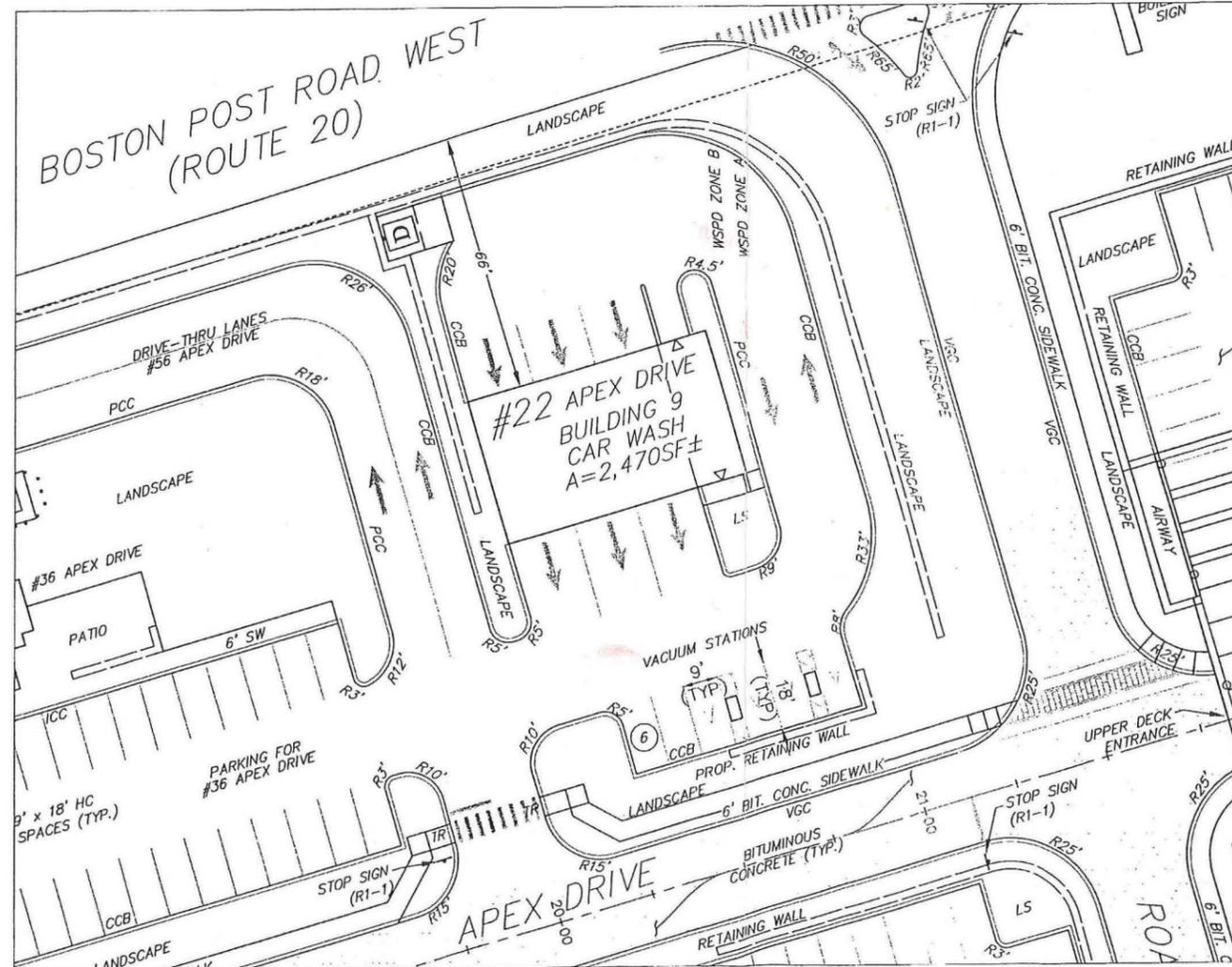
HANCOCK ASSOCIATES  
315 ELM STREET  
MARLBOROUGH, MASSACHUSETTS 01752

**LAND SURVEYORS / TRAFFIC ENGINEERS:**

VANASSE HANGEN BRUSTLIN  
2 WASHINGTON STREET, #219  
WORCESTER, MASSACHUSETTS 01604

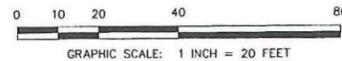
**ARCHITECTS:**

JD LaGRASSE & ASSOCIATES  
ONE ELM SQUARE  
ANDOVER, MASSACHUSETTS 01910



**LEGEND**

- EXISTING**
  - EASEMENT LINE
  - ▭ BUILDING
  - 92 --- CONTOUR LINE & LABEL
- PROPOSED**
  - PROPERTY LINE
  - SETBACK/EASEMENT LINE
  - ▽ BUILDING & ENTRANCE
  - 5' EDGE OF SIDEWALK
  - BACK OF CURB (SCHEMATIC)
  - EDGE OF PAVEMENT
  - ▭ HANDICAP RAMP (TYP)
  - ▭ HANDICAP RAMP (TYP)
  - TV 236 RETAINING WALL & BV 234 & TEXT
  - ▭ TRANSFORMER PAD & BOLLARDS
  - ▭ DUMPSTER PAD
  - HEAVY-DUTY PAVEMENT
  - PEDESTRIAN TRAIL
  - TRAFFIC SIGN
  - SPEED BUMP, RAISED CROSSWALK
  - CROSSWALK STRIPING
  - DIRECTIONAL STRIPING
  - 18' 5'-9" HANDICAP PARKING SPACES (TYPICAL DIMENSIONS SHOWN)



PERMIT PLAN -  
NOT FOR CONSTRUCTION

**APEX CENTER**

Boston Post Road West  
Marlborough, Massachusetts 01752

PREPARED FOR

Walker Realty LLC

4 Lan Drive  
Westford, Massachusetts 01886

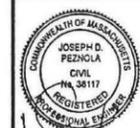
**HANCOCK ASSOCIATES**

Civil Engineers

Land Surveyors

Environmental Consultants

315 Elm Street, Marlborough, MA 01752  
Voice (508) 460-1111, Fax (508) 460-1121  
www.hancockassociates.com



NO.	BY	APP.	DATE	ISSUE/REVISION DESCRIPTION

DATE: 7/14/16	DESIGN BY: RAC
SCALE: AS SHOWN	DRAWN BY: ETC
APPRVD BY: JP	CHECK BY: JP

**#22 APEX DRIVE BUILDING PAD SITE PLAN**

PLT DATE: JUL 15, 2016 9:43 AM

DWG: 19576BP.dwg

LAYOUT: BLDG 9

SHEET: 1 OF 1

JOB NO.: 19576





# IN CITY COUNCIL

JULY 25, 2016

Marlborough, Mass., \_\_\_\_\_

## ORDERED:

That there being no objection thereto set **MONDAY, SEPTEMBER 26, 2016** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Restaurant with a Drive-thru, 157 Apex Dr., be and is herewith refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE.**

**Ninety days after public hearing is 12/25/16 which falls on a Sunday, and Monday, 12/26/16 is a holiday, therefore 12/27/16 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 16-1006632

July 19, 2016

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

**Re: Apex Center- Special Permit Application for Proposed Restaurant with a Drive-through, 157 Apex Drive, Marlborough, MA**

Dear Councilor Clancy and Councilors:

Enclosed please find Apex WR 1031 LLC's and Walker Realty LLC's (collectively the "Applicant") application for the following Special Permit related to a proposed restaurant with a drive-through at 157 Apex Drive:

- 1) Special Permit to allow for the use of a third restaurant with a drive-through within the HRMUOD pursuant to Article VI, Section 650, Paragraph 35, Sub-paragraphs E(2)(b) and I(1); and
- 2) Any additional permit relief deemed necessary and appropriate in City Council's discretion.

Please accept the attached application along with supplemental materials including plans of the proposed restaurant and drive-through, certified abutters list, and check for filing. Kindly process in your usual manner and place on the agenda for the next available meeting of the City Council scheduled for August 29, 2016. We look forward to discussing this application in greater detail with the City Council. Thank you for your attention to this matter. Please do not hesitate to contact me directly with any questions.

Very truly yours,

  
Kevin S. Eriksen

CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

2016 JUL 21 A 8:38

1. Name and address of Petitioner or Applicant:

Apex WR 1031 LLC / Walker Realty LLC

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

157 Apex Drive (Map 78, Parcels 12, 14, 38, 39; Map 89, Parcel 77)

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

Same as above

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

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

Article VI Section 650 Paragraph 35 Sub-paragraph E(6)(b), I(2)  
And any additional relief deemed  
necessarily from City Council,

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

B & HRMUOD

7. Specific reason(s) for seeking Special Permit

To allow for a food service drive through  
beyond the two (2) drive throughs permitted as of  
right within the HRMUOD and any additional  
relief deemed necessary by the City Council.

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]  
Signature of Petitioner or Applicant

Address: 4 Lan Drive

Westford MA 01886

Telephone No. 978-692-9450

Date: \_\_\_\_\_

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

(Name of Petitioner) Apex WA 1031 LLC / Walker Realty LLC

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

77  
RFP LINCOLN 293 LLC  
ATTN LINCOLN PROPERTY CO  
67 FOREST ST  
MARLBOROUGH, MA 01752

78  
62 REALTY LLC  
ATTN TIMOTHY PRESTON  
241 BOSTON POST RE W 2ND FL  
MARLBOROUGH, MA 01752

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
MCDONALDS CORPORATION  
C/O DAVID BALDACCI  
P O BOX 902  
SPENCER, MA 01562

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

78  
BUCCHINO NOREEN C  
RONALD L BUCCHINO  
88 GLEN ST  
MARLBOROUGH, MA 01752

78  
98 GLEN ST LLC  
C/O MARK REGIS  
1 BUSH RD  
HUDSON, MA 01749

78  
GOSSELIN JAMES L  
KAREN J GOSSELIN  
106 GLEN ST  
MARLBOROUGH, MA 01752

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
50 CABOT STREET STE 200  
NEEDHAM, MA 02494

78  
MURILLO JACKELINE  
ERWIN ALFREDO MURILLO  
51 CONRAD RD  
MARLBOROUGH, MA 01752

78  
NUCCIO PETER J  
THERESA M NUCCIO  
116 GLEN ST  
MARLBOROUGH, MA 01752

78  
NEWTON-WALTHAM BANK & TRUST COI  
C/O BANK OF AMERICA ATT CORP RE AS  
101 N TRYON ST  
NCI-001-03-81  
CHARLOTTE, NC 28255

78  
BOSTON POST ROAD BUILDING 65 LLC  
40 MECHANIC ST STE 300  
MARLBOROUGH, MA 01752

78  
MARLBORO NCP I LLC  
C/O CROSSPOINT ASSOCIATES  
300 3RD AVE STE 2  
WALTHAM, MA 02451

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

78  
BPR EQUITY PARTNERS LLC  
C/O K S PARTNERS LLC  
150 EAST 58TH ST STE 2000  
NEW YORK, NY 10155

78  
FELCOR/CMB MARLBOROUGH HOTEL LI  
545 E JOHN CARPENTER FRWY  
SUITE 1300  
IRVING, TX 75062

78  
KARAPATSAS PAUL  
C/O WENDY'S ATTN BLAKE SNIDER  
ONE DAVE THOMAS BLVD  
DUBLIN, OH 43017

78  
R K ASSOCIATES-MARLBORO INC  
C/O RK CENTERS  
500 CABOT STREET STE 200  
NEEDHAM, MA 02494

79  
MCDONALD JAMES S LI EST  
C/O MARY HELEN MCDONALD  
3531 RTE 115  
NOTRE DAME, NB E4V2E2

79  
ANGERS ROGER G TR  
CONRAD REALTY TRUST  
40 CONRAD RD  
MARLBOROUGH, MA 01752

79  
DELOREY STEVEN  
74 THOMAS DR  
MARLBOROUGH, MA 01752

79  
CONTI MARY K  
35 CONRAD RD  
MARLBOROUGH, MA 01752

79  
OBRIEN JOAN E  
N/O FEDERAL NATIONAL MORTGAGE AS  
3900 WISCONSIN AVE NW  
WASHINGTON, DC 20016

79  
HUANG WEIJUN  
PEI ZHAI  
17 CONRAD RD  
MARLBOROUGH, MA 01752

79  
SARNO KAREN M  
7 CONRAD RD  
MARLBOROUGH, MA 01752

79  
CARVAJAL SERGIO  
LAURELL CHRISTMAS  
62 GLEN ST  
MARLBOROUGH, MA 01752

79  
ALLINSON RICKY  
72 GLEN ST  
MARLBOROUGH, MA 01752

79  
GIOMBETTI DONALD A  
THARON E GIOMBETTI  
80 GLEN ST  
MARLBOROUGH, MA 01752

88  
NORMANDY NICKERSON ROAD LLC  
C/O NORMANDY REAL ESTATE PARTNEF  
53 MAPLE ST  
ATTN JOSEPH ADAMO  
MORRISTOWN, NJ 07960

89  
KORANDANIS ASPASIA  
ARTHUR KORANDANIS  
275 BOSTON POST RD WEST  
MARLBOROUGH, MA 01752

89  
NORMANDY NICKERSON ROAD LLC  
C/O NORMANDY REAL ESTATE PARTNEF  
53 MAPLE ST  
ATTN JOSEPH ADAMO  
MORRISTOWN, NJ 07960

89  
PACIFIC HENRY G JR TR  
188 GLEN ST  
MARLBOROUGH, MA 01752

89  
GIANCOLA JAMEY A  
124 GLEN ST  
MARLBOROUGH, MA 01752

89  
GUSTAFSON ROBERT  
ANNE GUSTAFSON  
134 GLEN ST  
MARLBOROUGH, MA 01752

89  
WYDOM CHRISTOPHER J  
N/O ANDRE & VERONICA DESOUZA  
142 GLEN ST  
MARLBOROUGH, MA 01752

89  
RAHN ROBERT L  
JOYCE S RAHN  
81 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BLACK ERNEST E II  
MARY W BLACK  
73 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CAMPBELL TREVOR  
JENNIFER C CAMPBELL  
65 CONRAD RD  
MARLBOROUGH, MA 01752

89  
DELOREY STEVEN  
MARY J INSANI  
74 THOMAS DR  
MARLBOROUGH, MA 01752

89  
RODRIGUEZ OSCAR  
31 AHLGREN CIR  
MARLBOROUGH, MA 01752

89  
BENDERSON RONALD TR  
RANDALL BENDERSON & DAVID BALDA  
570 DELAWARE AVE  
BUFFALO, NY 14202

89  
KORANDANIS ASPASIA  
275 BOSTON POST RD WEST  
MARLBOROUGH, MA 01752

89  
WILSON JOY  
64 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CASELLA JOSEPH D JR  
JULIE CASELLA  
72 CONRAD RD  
MARLBOROUGH, MA 01752

89  
CZARKOWSKI THOMAS R  
SANDRA A FINN  
80 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BOUTTE RANDY  
YVONNE BOUTTE  
104 CONRAD RD  
MARLBOROUGH, MA 01752

89  
MAYO LEWIS W JR  
LAURA LEE MAYO  
95 CONRAD RD  
MARLBOROUGH, MA 01752

89  
LOJKO PETER M  
SUZANNE M LOJKO  
154 GLEN ST  
MARLBOROUGH, MA 01752

89  
DELEON ALFREDO  
162 GLEN ST  
MARLBOROUGH, MA 01752

89  
FARRINGTON BONNIE M  
103 CONRAD RD  
MARLBOROUGH, MA 01752

89  
BOUFFARD MARCEL R  
CAROL BOUFFARD  
170 GLEN ST  
MARLBOROUGH, MA 01752

89  
KEFALAS MARIA  
EMMANOUIL KOUTSOUROUPIS  
111 CONRAD RD  
MARLBOROUGH, MA 01752

89  
MCDUGALL MARGARET T TR  
MARGARET T MCDUGALL REVOCABLE  
178 GLEN ST  
MARLBOROUGH, MA 01752

89  
JUHANSOO SHARON K  
N/O JAAK JUHANSOO  
2 SPRUCE ST LANE  
FORRESTDALE, MA 02644

89  
FORBES JUSTINA B  
111 TEMPLE RD  
CONCORD, MA 01742-1514

89

FAIRFIELD LIMITED PARTNERSHIP  
5501 MOREHOUSE DR STE 200  
ATTN TAX DEPT 11175  
SAN DIEGO, CA 92121

89

GUTIERREZ ARTURO J TR  
JOHN A CATALDO TR  
200 WHEELER RD  
BURLINGTON, MA 01803

90

PULSIFER JANICE M  
48 CONRAD RD  
MARLBOROUGH, MA 01752

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, THAT THE CODE of the City of Marlborough, as amended, Zoning Ordinance §650-59 "C" RULES, be further amended as follows:

RULES AND REGULATIONS OF APPLICATION/PETITION FOR SPECIAL PERMIT BY THE CITY COUNCIL UNDER THE MARLBOROUGH ZONING ORDINANCE.

1. Submission of Application:

- A. Informal Pre-Application Review: The applicant may request the Planning Board to schedule an informal pre-application review, for the purpose of reviewing proposals and alternatives. By this means. The City may have the opportunity to have input into the planning and design process at its earliest level, and submission materials can be established.
- B. The application shall be filed with the City Clerk in accordance with Paragraph C below, on the form provided by the City Clerk. (See Section 4).
- C. Application Materials: The Application or Petition for Special Permit shall be made in writing by the applicant or his duly authorized agent, who shall file the following number of sets of application material to be **hand-delivered** at the Offices set forth below: (amended 10-7-02, Order No. 02-9687B)

**Please see page 12 for City Clerk's instructions for distribution to Departments.**

3 SETS	OFFICE OF THE CITY CLERK _____
1 SET	POLICE CHIEF _____
1 SET	FIRE CHIEF _____
1 SET	CITY ENGINEER _____
1 SET	CITY PLANNER _____
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) _____
1 SET	BUILDING INSPECTOR _____
12 SETS	OFFICE OF THE CITY COUNCIL _____

- 2. Notice to City Council: Following the submission, the City Clerk shall promptly notify the City Council and forward one copy of the application to the City Council. The Clerk shall retain two copies in the City Clerk's office.

3. Fees:

At the time of application the applicant shall pay a filing fee at the Office of the City Clerk in the amount set forth below: (amended 2-9-04, Order No. 04-9962C)

A. Residential Construction and Use Only:

- (1) For plans proposing more than three (3) housing units, \$300.00 (three hundred) dollars;
- (2) For plans proposing more than three (3) housing units, a base fee of \$300.00 (three hundred) dollars plus an additional fee of \$25.00 (twenty-five) dollars for each housing unit in excess of three (3).

B. Non-Residential Construction and Use Only

- (1) For plans proposing construction containing not more than 34,999 square feet of floor area, \$500.00 (five-hundred) dollars;
- (2) For plans proposing construction containing from 35,000 square feet of floor area up to and including 49,000 square feet of floor area, \$1,000.00 (one-thousand) dollars.

- (3) For plans proposing construction containing from 50,000 square feet of floor area up to and including 99,000 square feet of floor area, \$1,500.00 (one-thousand five-hundred) dollars.
  - (4) For plans proposing construction containing 100,000 square feet of floor area, or any greater amount, \$2,000.00 (two-thousand) dollars.
- C. Residential and Non-Residential Use only without new construction:  
Fifty percent (50%) of the fees specified in above paragraphs A and B, as appropriate.
  - D. Mixed or Miscellaneous:  
Filing fee for the above shall be the highest fee that may be charged pursuant to either of the above classifications, with a minimum filing fee \$500.00 (five-hundred) dollars.
  - E. Hotels and Motels (only applicable where Special Permit is required):  
Hotels and ancillary commercial uses shall be treated as a "Non-Residential" use under Paragraph B.
  - F. Fees for amendments to Special Permits and Resubmittal of Application:  
(See Section 20)
    - (1) Substantial amendments: 75% of the above fees.
    - (2) Minor amendments: 50% of the above fees.
    - (3) No amendments: 0% of the above fees.

The determination as to whether an amendment is substantial or minor shall be made at the time of certification of the application by the City Planner as required in Section 7 of these Rules, prior to the submission to the City Clerk, in accordance with the criteria in Section 20 herein.

- 4. Application Content: Application or Petition must contain the following information on the form provided by the City Clerk:
  - A. The name and address of the Petitioner or Applicant;
  - B. Name and address of owner of land, if other than Petitioner or Applicant;
  - C. The location of the Property for which a Special Permit is sought (street address and **plate and parcel number**);
  - D. The zoning district in which the property lies;
  - E. The legal interest of the applicant or petitioner (owner, prospective owner etc.);
  - F. The specific Article, Section and Paragraph of the Zoning Ordinance under which a Special Permit can be granted;
  - G. The specific reason for seeking the permit;
  - H. List of names of abutters, including:
    - (1) Names and addresses of all abutters within 400 (four hundred) feet of each sideline and rear line of said property in question;
    - (2) Name and address of the owner of the property directly across the street;
    - (3) Names and addresses of the owners of property adjoining the land across the street and lying within 400 (four hundred feet) of the extended sidelines of the land in question;
    - (4) Name of the property owner other than above which abuts in any way upon the land described in the petition or application.

Said list of abutters must be certified by the Office of the Board of Assessor's of Marlborough prior to submission; said certification shall be the evidence of compliance with this paragraph.

5. Preliminary Site Plan: Where the application involves new construction, each application must be accompanied by a preliminary site plan as outlined below. When the application is for new use not involving new construction, the application must be accompanied by the approved existing site plan for the existing building or use.

The preliminary site plan shall contain among other things the following information; (Note; additional information is required for Final Site Plan Review and Approval-See Chapter 270; Building and Site Development.

A. Title Block:

- (1) Proper heading, containing project title (if any).
- (2) Name and address of owner, and engineer, architect or surveyor.
- (3) Street number (as assigned by City Engineer).
- (4) Assessor's Plate and parcel number.
- (5) Scale of drawing.
- (6) Date and revision date.

B. General Information on Lot:

- (1) Locus Map – showing location of lot and names of all surrounding streets within 1,000 (one thousand) feet of boundaries of lot. (See Paragraph D1 below) concerning location of buildings on surrounding lots). Identify on Locus Map all other parcels within 1,000 (one thousand) feet in which applicant has any financial interest.
- (2) North arrow.
- (3) Zoning district in which the property lies and any zoning district boundary lines which may cross the locus, including Floodplain and Wetland Protection Districts. Show zoning lines on Locus Map and on other plans if appropriate.
- (4) The lot – completely dimensioned.
- (5) Lot area – in acres and is square feet.

C. Existing Conditions: Buildings and structures, setback dimensions, parking, driveways, landscaped area, boundaries of wooded areas and wetlands, topography and easements. (Show on separate sheet if appropriate so as to distinguish from proposed uses).

D. Proposed Buildings and Structures:

- (1) Location of all proposed structures on the lot, and those to remain. Show all building and yard dimensions.
- (2) For proposed non-residential and multi-family developments, show approximate location of all existing buildings on all abutting lots. (Information may be shown on Locus Map if appropriate).
- (3) Stores and elevations – Number of stories.
- (4) Floor areas – Building floor areas for each floor and in total.

E. Parking, Driveways and Exterior Features:

- (1) Location of all driveways, walkways, parking spaces, pick-up, delivery, loading storage and rubbish disposal areas, outdoor lighting and similar exterior site features.
- (2) Identification of all proposed uses on site.
- (3) Calculation of parking spaces required according to Zoning requirements.

- F. Lot Coverage and Landscaping:
  - (1) Lot coverage – Identification of all areas included within "lot coverage" and "landscape areas", and calculation of percentage of lot coverage. (See definitions in Zoning Ordinance).
  - (2) Location of Areas to be landscaped (planted).
- G. Topography – Existing and proposed topography at two contour intervals (N.G.V.D. datum preferred).
- H. Easements – Location and type of any easements and any existing and proposed drainage system (natural or otherwise) within the site.
- I. Utilities – Location of all existing utilities within 100 (one hundred) feet in any direction of the proposed work, unless waived by the City Engineer. Also show the location and pertinent data relating to the proposed services.
- J. Wetland – Boundaries of wetland and floodplain areas as defined under GL C. 131 §40, Mass Wetlands protection Act, and GL C. 131 §40A, Mass Inland Wetlands Restriction Act.

**Note:** Applicants proposing new buildings should refer to City Code, Chapter 270; Building and Site Development, for additional information which will be required later at Final Site Plan Review and Approval.

6. Special Studies:

- A. All Projects: All applications for all projects requiring Special Permits shall include a completed Summary Impact Statement on page 10.
- B. Projects of Large Size or Impact:
  - (1) For projects as specified in Paragraph 2 below, which have not been required to file an Environmental Impact Report in connection with obtaining any State or Federal approvals, the applicant shall submit with the application the following studies which shall include appropriate measures to mitigate any impacts and which shall be prepared by qualified consultants according to a scope as determined by the City Engineer and City Planner.
    - a. A Traffic impact study of the area in which the project is to be located, and
    - b. A study of ability of public utilities and service to accommodate the development.
  - (2) This requirement shall apply to:
    - a. All projects over fifty housing units, or 25,000 (twenty-five thousand) sq. ft. non-residential floor area, or fifty hotel rooms, where a Special Permit is required, except where not appropriate in the opinion of the City Engineer and Planner, and
    - b. Other projects if required by the City Engineer and Planner as being necessary due to existing or projects problems in the vicinity of the project.
  - (3) The applicant may request a waiver from paragraph (2A and 2B above) by submitting a written request to City Council to waive the above requirements prior to submission.

7. Certification of a Completeness of Application: The applicant shall submit, with the application, the form on page 11 signed by the City Planner certifying that:
  - A. The preliminary site plan being filed with the application meets all prior referenced information requirements.
  - B. The plan(s) conform in all respect to City Code and that any unnecessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal periods concerning said variances have ended.
  - C. The application is complete and conforms to these Rules and Regulations.

**Note: Said certification shall not imply that the application will be approved by the City Council, nor limit the conditions or the changes that may be required by the City Council or subsequently at Site Plan Review and Approval.**

8. Date for Public Hearings: The President of the City Council shall, upon receipt of applications or petitions, set a date for a public hearing and direct the City Clerk to advertise notice of said hearing, at the expense of the Applicant, and give notice to all abutters in conformance with Chapter 40A of the Massachusetts General Laws, as amended. (amended 9-12-05, Order No. 05-100863B)
9. Public Hearing: The City Council shall hold a public hearing on the properly completed application, as provided in Chapter 40A, within sixty-five days after the filing of an application, and, except as hereinafter provided, the City Council shall take final action on an application within ninety days after the hearing. The hearing may be recessed and continued at a specified date as mutually agreed upon by the City Council and applicant.
10. City Department Reports:
  - A. The City Planner, City Engineer, Conservation Officer, Police Chief and Fire Chief, Board of Health and any other Board, Department or Commission if appropriate, shall review and make written recommendations on the proposal, either at the Public Hearing held before the City Council, or at any subsequent City Council Committee meetings, as appropriate. The City Council shall not make a final decision on an application for a Special Permit until the appropriate departments have submitted reports or recommendations thereon or, if no such reports have been received within sixty days since the filing of an application which has been certified to be complete in accordance with these regulations.
  - B. The reports shall be pertinent to each department and may include, if appropriate, a review of (1) the adequacy of on-site facilities and design, (2) the adequacy of the data and the methodology used by the applicant to determine off-site impacts of the proposed development, (3) the effects of the projected impacts of the proposed development, and (4) the adequacy of the off-site mitigation proposed, if any is needed. Said departments may recommend conditions or remedial measures to accommodate or mitigate the expected impacts of the proposed development.
11. Extension of Time for Action, Leave to Withdraw:
  - A. The period within which final action shall be taken may be extended for a definite period by mutual written agreement of the City Council and the applicant, pursuant to M.G.L. C. 40A §9, as amended.
  - B. The City Council may, in its sole discretion, grant leave to withdraw without prejudice so that the applicant may submit a revised application which shall not be considered as a repetitive petition. Such revised application shall be treated as a new application but shall be subject to the fee schedule under Section 3F.

12. Findings and Conditions by City Council:
  - A. In acting on applications for Special Permits, the City Council may make such findings as provided herein or called for by the subject matter and may impose such conditions, safeguards, or limitations on matters relating to the proposal as may affect the public health, safety, welfare and convenience, including conditions on time and use. No Special Permit shall issue, except upon a general finding that the use sought and its impact and characteristics shall not be in conflict with public health, safety, convenience and welfare and shall nor be detrimental or offensive, provided the conditions, safeguards or limitations, if any, are met.
  - B. No Right to Special Permit: An applicant is not entitled by right to a Special Permit and the City Council, in its discretion, may decline to grant Special Permit.
13. Draft Finding Required by Applicant: Within twenty-one days following the Public Hearing the Applicant or Petitioner shall submit a draft of the proposed findings and reasons for the approval of the Special Permit to the applicable City Council committee and to all City Departments listed under Section 10 for their review and comment as appropriate. Said findings shall have been certified by the City Solicitor as being in proper legal form prior to vote by the City Council.
14. Vote: In conformance with the General Laws of the Commonwealth of Massachusetts, a two thirds vote of the entire City Council shall be required to grant a Special permit.
15. Notice of Decision: Notice of decision shall be rendered pursuant to the provisions of Chapter 40A of the Massachusetts General Laws, as amended.
16. Recoding of Decision Granting Permit: The applicant shall be responsible for filing in the Registry of Deed or, where applicable, in the Land Court of the Commonwealth, a copy of the decision granting a Special Permit. Prior to the issuance of a building permit, the applicant shall present to the Building Inspector evidence of such recording.
17. Lapse and Abandonment: A Special Permit shall lapse in accordance with the provisions of Massachusetts General Laws Chapter 40A.
18. Permits for Use and Construction: No permit for the construction or alteration of any structure or for any use of the site of a structure on the site shall be granted by the Inspector of the Buildings if the Special Permit has lapsed or the project has been abandoned in accordance with the previous paragraph and Chapter 650, Zoning Ordinance, or if evidence of recording of a copy of the decision of the City Council granting the Special Permit has not been given to the Building Inspector.
19. Construction in Conformity with Application: In the event that the City Council approves a Special Permit, any use, construction, subsequent reconstruction, or substantial exterior alterations shall be carried out only in conformity with all conditions and limitations included in the decision of the City Council and only in essential conformity with the application on the basis of which the finding and determination was made.
20. Revision of Special Permit:
  - A. After the grant of a Special Permit by the City Council, minor revisions in the approved preliminary site plan may be made from time to time in accordance with applicable law, ordinances and regulations, but the use or development approved under such Special Permit shall otherwise be in accordance with the plans referred to, and such conditions as may be included in the decision of the City Council.
  - B. If a preliminary site plan for a shopping mall shows thereon a "permissible building area," revisions to the buildings and other improvements located within the permissible building area may be made without the approval of the City Council as long as the plan showing such revisions are submitted and approved by the Building Inspector prior to the commencement of the construction of such revisions.

C. The determination as to whether a change is a "minor" modification shall be made by the Director of Planning at final site plan review and approval and by the City Building Inspector at issuance of building permit. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce more than a material increase in impact on City services, the environment or the neighborhood. If it is determined that such revisions are not minor, an application for a revised special permit shall be filed, and a public hearing shall be held in the same manner as required for a new application, subject to the fee schedule under Section 3F.

21. Subsequent Site Plan Review:

- A. Where applicable, Special Permits for use or construction shall also be subject to later approval by applicable City Departments, as provided under Chapter 650, Zoning, or Chapter 270, Building and Site Development. However, nothing herein shall preclude an applicant from applying for Site Plan Review and approval prior to approval of a Special Permit. The preliminary site plan submitted with the Special Permit application may be subject to modification by said City Departments through subsequent Site Plan Review and Approval to the extent allowed under Section 20 above. In addition, other conditions and limitations may be imposed at the time of the Final Site Plan Approval by said City Departments, which are not inconsistent with any term or condition attached to said Special Permit by the City Council.
- B. Should the City Council impose conditions in the Special Permit requiring a modification to the preliminary site plan submitted with the application, the plan shall be revised to comply with the conditions prior to receiving Final Site Plan Approval.

22. Maintenance of Special Permit:

- A. Applicant or Petitioner shall provide status reports to the Office of the Building Commissioner during construction of a project and after completion of a project. The status reports shall identify the level of compliance achieved for each Special Permit condition and must be submitted at intervals determined by the City Council. On completion of the project, reports shall be submitted six (6) months after completion and then annually, due on January first of each year, unless waived by the City Council.
- B. The Building Commissioner shall report annually to the City Council, due on March 1 of each year, the status of Special Permits granted by the City Council.

ADOPTED

In City Council  
Order No. 89-90/3111  
Adopted April 30, 1990  
Amended: October 7, 2002  
Order No. 02-9687B

Approved by Mayor  
Michael P. Hogan  
Date: May 3, 1990

A TRUE COPY  
ATTEST:  
City Clerk

**SPECIAL PERMIT-SUMMARY IMPACT STATEMENT**

Applicant's Name: <sup>Walker Realty LLC/</sup> Apex WR 1031 LLC Address: 4 Lan Drive, Westford MA 01886

Project Name: Apex Center Address: 157 Apex Drive

1. PROPOSED USE: (describe) Restaurant

2. EXPANSION OR NEW: New

3. SIZE: floor area sq. ft. 3,300 +/- 1st floor 3,300 +/- all floors 3,300 +/-  
# buildings 1 # stories 1 lot area (s.f.) 43.3 acres +/-

4. LOT COVERAGE: 45.9 %Landscaped area: See Apex landscape plan

5. POPULATION ON SITE: Number of people expected on site at anytime:  
Normal: 20 +/- Peak period: 40 +/-

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 20 +/- Peak period: 40 +/-

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

Six (6) per 12 hour day, seven (7) days per week.

7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? Per Apex Center lighting plan

8. NOISE:

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

Proposed use is not expected to increase noise levels over existing conditions

(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. None.

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

10. WATER AND SEWER: Describe any unusual generation of waste. None

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: 7/20/16

SPECIAL PERMIT APPLICATION  
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: Apex Center

Project Use Summary: Proposed restaurant with drive through

Project Street Address: 157 Apex Drive

Plate: 78 89 Parcel: 12, 14, 38, 39 77

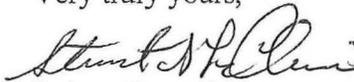
Applicant/Developer Name: Apex WR 1031, LLC / Walker Realty, LLC

Plan Date: 7/14/16 Revision Date: \_\_\_\_\_

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,

  
Robert Carrachio *Stuart LeClair*

Interim Building Commissioner

Application Fee to submit to  
City Clerk's office

\$ 500.00

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



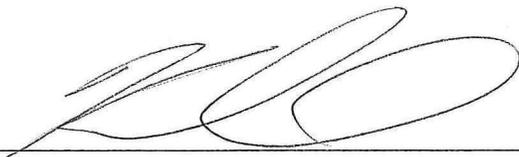
**Lisa M. Thomas  
City Clerk**

Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

**PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.**

3 SETS	OFFICE OF THE CITY CLERK _____
1 SET	POLICE CHIEF _____
1 SET	FIRE CHIEF _____
1 SET	CITY ENGINEER _____
1 SET	CITY PLANNER _____
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED) _____
1 SET	BUILDING INSPECTOR _____
12 SETS	OFFICE OF THE CITY COUNCIL _____

  
\_\_\_\_\_  
Signature

7/20/16  
\_\_\_\_\_  
Date

Thank you for your cooperation in this matter.

Sincerely,

*Lisa M. Thomas*

*City Clerk*



**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**

Apex WR 1031 LLC

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

Robert A. Walker, Manager

**Owner/Officer Complete Address and Telephone Number**

4 Lan Drive

Westford MA 01886

978-692-9450

**Signature of Applicant**

[Handwritten Signature]

**Attorney on behalf of Applicant, if applicable**

[Handwritten Signature]

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

Elean Brustre

**Tax Collector**

**ABUTTERS LISTING for Apex Center (78-12,14,14A,38,39 , 89-77) 400 ft  
MARLBOROUGH, MA**

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
77	11			RFP LINCOLN 293 LLC		ATTN LINCOLN PROPERTY CO	MARLBOROUGH	MA 01752	291-293 BOSTON POST RD WEST
78	3			62 REALTY LLC		ATTN TIMOTHY PRESTON	MARLBOROUGH	MA 01752	241 BOSTON POST RD WEST
78	12			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	14			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	180 BOSTON POST RD WEST
78	15			MCDONALDS CORPORATION	C/O DAVID BALDACCI	P O BOX 902	SPENCER	MA 01562	155 BOSTON POST RD WEST
78	16			R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	187-189 BOSTON POST RD WEST
78	17			BUCCHINO NOREEN C	RONALD L BUCCHINO	88 GLEN ST	MARLBOROUGH	MA 01752	88 GLEN ST
78	18			98 GLEN ST LLC		C/O MARK REGIS	HUDSON	MA 01749	98 GLEN ST
78	19			GOSSELIN JAMES L	KAREN J GOSSELIN	106 GLEN ST	MARLBOROUGH	MA 01752	106 GLEN ST
78	1A	1		R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	191-199 BOSTON POST RD WEST
78	1A	2		R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	201 BOSTON POST RD WEST
78	20			MURILLO JACKELINE	ERWIN ALFREDO MURILLO	51 CONRAD RD	MARLBOROUGH	MA 01752	51 CONRAD RD
78	21			NUCCIO PETER J	THERESA M NUCCIO	116 GLEN ST	MARLBOROUGH	MA 01752	116 GLEN ST
78	23			NEWTON-WALTHAM BANK & TRUST COMAPAN	C/O BANK OF AMERICA ATT CORP RE ASS	101 N TRYON ST	CHARLOTTE	NC 28255	190 BOSTON POST RD WEST
78	29			BOSTON POST ROAD BUILDING 65 LLC		40 MECHANIC ST STE 300	MARLBOROUGH	MA 01752	65 BOSTON POST RD WEST
78	2A			MARLBORO NCP I LLC	C/O CROSSPOINT ASSOCIATES	300 3RD AVE STE 2	WALTHAM	MA 02451	219-237 BOSTON POST RD WEST
78	37			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	32-44 BOSTON POST RD WEST
78	38			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	39			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
78	11C			FELCOR/CMB MARLBOROUGH HOTEL LLC		545 E JOHN CARPENTER FRWY	IRVING	TX 75062	123 BOSTON POST RD WEST
78	14A			KARAPATSAS PAUL	C/O WENDY'S ATTN BLAKE SNIDER	ONE DAVE THOMAS BLVD	DUBLIN	OH 43017	176 BOSTON POST RD WEST
78	15A			R K ASSOCIATES-MARLBORO INC		C/O RK CENTERS	NEEDHAM	MA 02494	141 BOSTON POST RD WEST
79	74			MCDONALD JAMES S LI EST		C/O MARY HELEN MCDONALD	NOTRE DAME	NB E4V2E2	7 BURNS RD
79	75			ANGERS ROGER G TR	CONRAD REALTY TRUST	40 CONRAD RD	MARLBOROUGH	MA 01752	40 CONRAD RD
79	76			DELOREY STEVEN		74 THOMAS DR	MARLBOROUGH	MA 01752	43 CONRAD RD
79	77			CONTI MARY K		35 CONRAD RD	MARLBOROUGH	MA 01752	35 CONRAD RD
79	78			OBRIEN JOAN E	N/O FEDERAL NATIONAL MORTGAGE ASSOC	3900 WISCONSIN AVE NW	WASHINGTON	DC 20016	27 CONRAD RD
79	79			HUANG WEIJUN	PEI ZHAI	17 CONRAD RD	MARLBOROUGH	MA 01752	17 CONRAD RD
79	80			SARNO KAREN M		7 CONRAD RD	MARLBOROUGH	MA 01752	7 CONRAD RD
79	81			CARVAJAL SERGIO	LAURELL CHRISTMAS	62 GLEN ST	MARLBOROUGH	MA 01752	62 GLEN ST
79	82			ALLINSON RICKY		72 GLEN ST	MARLBOROUGH	MA 01752	72 GLEN ST
79	83			GIOMBETTI DONALD A	THARON E GIOMBETTI	80 GLEN ST	MARLBOROUGH	MA 01752	80 GLEN ST
88	32			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE ST	MORRISTOWN	NJ 07960	600 NICKERSON RD
89	1			KORANDANIS ASPASIA	ARTHUR KORANDANIS	275 BOSTON POST RD WEST	MARLBOROUGH	MA 01752	275 BOSTON POST RD WEST
89	4			NORMANDY NICKERSON ROAD LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE ST	MORRISTOWN	NJ 07960	400 NICKERSON RD
89	10			PACIFIC HENRY G JR TR		188 GLEN ST	MARLBOROUGH	MA 01752	188 GLEN ST
89	12			GIANCOLA JAMEY A		124 GLEN ST	MARLBOROUGH	MA 01752	124 GLEN ST
89	13			GUSTAFSON ROBERT	ANNE GUSTAFSON	134 GLEN ST	MARLBOROUGH	MA 01752	134 GLEN ST
89	14			WYDOM CHRISTOPHER J	N/O ANDRE & VERONICA DESOUZA	142 GLEN ST	MARLBOROUGH	MA 01752	142 GLEN ST
89	15			RAHN ROBERT L	JOYCE S RAHN	81 CONRAD RD	MARLBOROUGH	MA 01752	81 CONRAD RD
89	16			BLACK ERNEST E II	MARY W BLACK	73 CONRAD RD	MARLBOROUGH	MA 01752	73 CONRAD RD
89	17			CAMPBELL TREVOR	JENNIFER C CAMPBELL	65 CONRAD RD	MARLBOROUGH	MA 01752	65 CONRAD RD
89	18			DELOREY STEVEN	MARY J INSANI	74 THOMAS DR	MARLBOROUGH	MA 01752	59 CONRAD RD
89	19			RODRIGUEZ OSCAR		31 AHLGREN CIR	MARLBOROUGH	MA 01752	56 CONRAD RD
89	1A			BENDERSON RONALD TR	RANDALL BENDERSON & DAVID BALDAUF	570 DELAWARE AVE	BUFFALO	NY 14202	277 BOSTON POST RD WEST
89	1B			KORANDANIS ASPASIA		275 BOSTON POST RD WEST	MARLBOROUGH	MA 01752	BOSTON POST RD WEST

ABUTTERS LISTING for Apex Center (78-12,14,14A,38,39 , 89-77) 400 ft  
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
89	20			WILSON JOY		64 CONRAD RD	MARLBOROUGH	MA 01752	64 CONRAD RD
89	21			CASELLA JOSEPH D JR	JULIE CASELLA	72 CONRAD RD	MARLBOROUGH	MA 01752	72 CONRAD RD
89	22			CZARKOWSKI THOMAS R	SANDRA A FINN	80 CONRAD RD	MARLBOROUGH	MA 01752	80 CONRAD RD
89	27			BOUTTE RANDY	YVONNE BOUTTE	104 CONRAD RD	MARLBOROUGH	MA 01752	104 CONRAD RD
89	28			MAYO LEWIS W JR	LAURA LEE MAYO	95 CONRAD RD	MARLBOROUGH	MA 01752	95 CONRAD RD
89	29			LOJKO PETER M	SUZANNE M LOJKO	154 GLEN ST	MARLBOROUGH	MA 01752	154 GLEN ST
89	30			DELEON ALFREDO		162 GLEN ST	MARLBOROUGH	MA 01752	162 GLEN ST
89	31			FARRINGTON BONNIE M		103 CONRAD RD	MARLBOROUGH	MA 01752	103 CONRAD RD
89	32			BOUFFARD MARCEL R	CAROL BOUFFARD	170 GLEN ST	MARLBOROUGH	MA 01752	170 GLEN ST
89	33			KEFALAS MARIA	EMMANOUIL KOUTSOUROUMPIS	111 CONRAD RD	MARLBOROUGH	MA 01752	111 CONRAD RD
89	34			MCDUGALL MARGARET T TR	MARGARET T MCDUGALL REVOCABLE TRUS	178 GLEN ST	MARLBOROUGH	MA 01752	178 GLEN ST
89	35			JUHANSOO SHARON K	N/O JAAK JUHANSOO	2 SPRUCE ST LANE	FORRESTDALE	MA 02644	117 CONRAD RD
89	3A			FORBES JUSTINA B		111 TEMPLE RD	CONCORD	MA 01742-1514	GLEN ST
89	3B			FAIRFIELD LIMITED PARTNERSHIP		5501 MOREHOUSE DR STE 200	SAN DIEGO	CA 92121	AMES ST
89	77			GUTIERREZ ARTURO J TR	JOHN A CATALDO TR	200 WHEELER RD	BURLINGTON	MA 01803	BOSTON POST RD WEST
90	11			PULSIFER JANICE M		48 CONRAD RD	MARLBOROUGH	MA 01752	48 CONRAD RD

**MARLBOROUGH ASSESSORS**

*Anthony C. Amadio*  
*Allen K. Silverstein*  
*David M. May*

**ABBREVIATIONS**

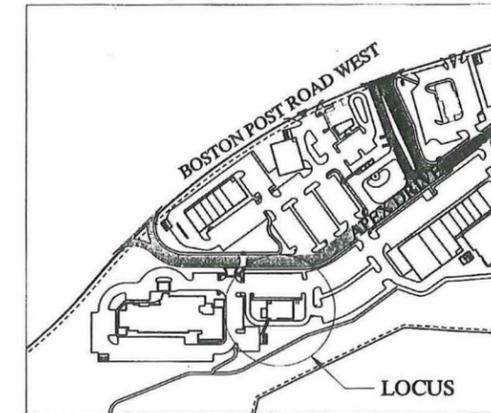
- 1F FIRST FLOOR
- 2F SECOND FLOOR
- BC BOTTOM OF CURB
- BW BOTTOM OF WALL
- BIT BITUMINOUS
- BLDG BUILDING
- CCB CAPE COD BERM
- CO CLEANOUT
- CONC. CONCRETE
- D DOMESTIC LINE
- DIP DUCTILE IRON PIPE
- ETC COMMUNICATIONS
- F FIRE LINE
- FF FINISH FLOOR
- FHA FIRE HYDRANT ASSEMBLY
- G GAS LINE
- GT GREASE TRAP
- HC HANDICAPPED
- ICC INTEGRATED CONCRETE CURB AND SIDEWALK
- INV INVERT
- LI INVERT IN
- LO INVERT OUT
- L1, L2 INVERT CORRESPONDING TO LABEL
- LF LENGTH FOOT
- LS LANDSCAPE
- PCC PREFRCAST CONCRETE CURB
- PVC POLYVINYL CHLORIDE PIPE
- MR MECHANICAL ROOM
- R5' RADIUS (OF 5 FEET)
- R RIM
- RW RETAINING WALL
- REST. RESTAURANT
- S SEWER
- S SLOPE (FT/FT)
- SMH SEWER MANHOLE
- SW SIDEWALK
- TC TOP OF CURB
- TR TRANSITION TO CAPE COD BERM
- TW TOP OF WALL
- V VACUUM PARKING SPACE
- VGC VERTICAL GRANITE CURB
- W WATER LINE

**GENERAL NOTES**

1. THIS PLAN IS NOT INTENDED TO SHOW AN ENGINEERED BUILDING FOUNDATION DESIGN, WHICH WOULD INCLUDE DETAILS AND FINAL ELEVATIONS OF FOOTINGS, WALLS AND SUBSURFACE DRAINAGE TO PREVENT INTERIOR FLOODING. SEE ARCHITECTURAL AND/OR STRUCTURAL DRAWINGS.
2. ANY INTENDED REVISION OF THE HORIZONTAL AND/OR VERTICAL LOCATION OF IMPROVEMENTS TO BE CONSTRUCTED AS SHOWN HEREON SHALL BE REVIEWED AND APPROVED BY ENGINEER PRIOR TO IMPLEMENTATION.
3. PROPOSED BUILDING FOUNDATION CONFIGURATION AND LOCATION ON THE LOT AS SHOWN ARE CONCEPTUAL AND SHALL BE VERIFIED AS TO CONFORMANCE WITH FINAL ARCHITECTURAL PLANS AND ZONING ORDINANCES PRIOR TO CONSTRUCTION.

**REGULATORY NOTES**

1. CONTRACTOR SHALL CONTACT DIG-SAFE FOR UNDERGROUND UTILITY MARKING AT 1-888-344-7233 AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF ANY WORK.
2. CONTRACTOR SHALL MAKE HIMSELF AWARE OF ALL CONSTRUCTION REQUIREMENTS, CONDITIONS, AND LIMITATIONS IMPOSED BY PERMITS AND APPROVALS ISSUED BY REGULATORY AUTHORITIES PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL COORDINATE AND OBTAIN ALL CONSTRUCTION PERMITS REQUIRED BY REGULATORY AUTHORITIES.
3. ALL WORK OUTSIDE OF BUILDING THAT IS LESS THAN 10 FEET FROM THE INSIDE FACE OF BUILDING FOUNDATIONS SHALL CONFORM WITH THE UNIFORM STATE PLUMBING CODE OF MASSACHUSETTS, 248 CMR 2.00.



LOCUS MAP

**APEX CENTER**

Boston Post Road West  
Marlborough, Massachusetts 01752

PREPARED FOR

**Walker Realty LLC**

4 Lan Drive  
Westford, Massachusetts 01886

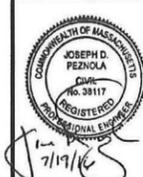
**HANCOCK ASSOCIATES**

Civil Engineers

Land Surveyors

Environmental Consultants

315 Elm Street, Marlborough, MA 01752  
Voice (508) 460-1111, Fax (508) 460-1121  
www.hancockassociates.com



**PLAN INTENT**

THE PURPOSE OF THIS PLAN IS TO SUPPORT THE APPLICATION TO THE MARLBOROUGH CITY COUNCIL FOR A SPECIAL PERMIT FOR A THIRD RESTAURANT WITH DRIVE-THRU IN THE HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT (HRMUOD).

**ASSESSORS**

- MAP 89, PARCEL 77
- MAP 78, PARCEL 39
- MAP 78, PARCEL 12
- MAP 78, PARCEL 38

**ZONING**

CURRENT: HOSPITALITY RECREATION MIXED USE OVERLAY DISTRICT (HRMUOD)

**PARKING REGULATIONS**

CITY OF MARLBOROUGH ZONING §650-4B, §586-74

PARKING REQUIREMENTS IN THE HRMUOD  
1 SPACE PER 333 SF NET FLOOR AREA  
3200/333 = 10 SPACES

PARKING PROVIDED = 36 SPACES\*

\*NOTE: PARKING TRACKED ON A SITE WIDE BASIS CURRENT CALLOUT RESULTS IN A LOSS OF 5 SPACES FROM THE APPROVED MASTER CONCEPT PLAN. BUILDING REDUCED FROM 5150 SF RESULTING IN A DECREASE IN THE REQUIRED PARKING OF 5 SPACES

**PROJECT TEAM**

**CIVIL ENGINEERS:**

HANCOCK ASSOCIATES  
315 ELM STREET  
MARLBOROUGH, MASSACHUSETTS 01752

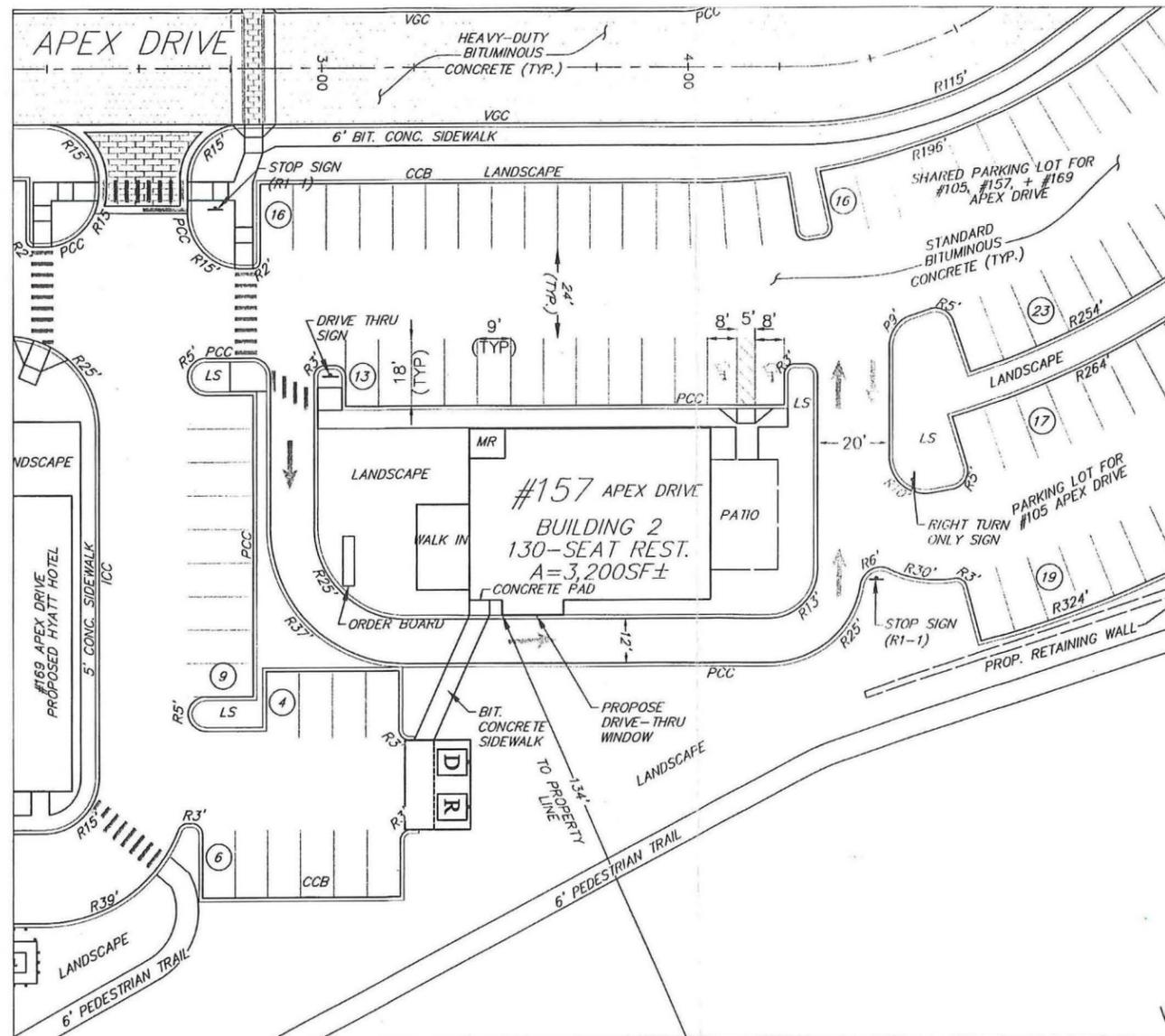
**LAND SURVEYORS / TRAFFIC ENGINEERS:**

VANASSE HANGEN BRUSTLIN  
2 WASHINGTON STREET, #219  
WORCESTER, MASSACHUSETTS 01604

**ARCHITECTS:**

JD LaGRASSE & ASSOCIATES  
ONE ELM SQUARE  
ANDOVER, MASSACHUSETTS 01910

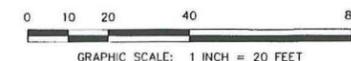
365' FT TO RT 20  
VIA APEX DRIVE



**LEGEND**

- EXISTING
  - EASEMENT LINE
  - BUILDING
  - CONTOUR LINE & LABEL
- PROPOSED
  - PROPERTY LINE
  - SETBACK/EASEMENT LINE
  - BUILDING & ENTRANCE
  - EDGE OF SIDEWALK
  - BACK OF CURB (SCHEMATIC)
  - EDGE OF PAVEMENT
  - HANDICAP RAMP (TYP)
  - HANDICAP RAMP (TYP)
  - TW 236 RETAINING WALL
  - BW 234 & TEXT
  - TRANSFORMER PAD & BOLLARDS
  - DUMPSTER PAD
  - HEAVY-DUTY PAVEMENT
  - PEDESTRIAN TRAIL
  - TRAFFIC SIGN
  - SPEED BUMP, RAISED CROSSWALK
  - CROSSWALK STRIPING
  - DIRECTIONAL STRIPING
  - HANDICAP PARKING SPACES (TYPICAL DIMENSIONS SHOWN)

PERMIT PLAN -  
NOT FOR CONSTRUCTION



NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
DATE:	7/14/16	DESIGN BY:	RAC	
SCALE:	AS SHOWN	DRAWN BY:	ETC	
APPRVD BY:	JP	CHECK BY:	JP	

**#157 APEX DRIVE BUILDING PAD SITE PLAN**

PLDT DATE: Jul 19, 2016 9:43 am

DWG: 19576BP.dwg

LAYOUT: BLDG 2

SHEET: 1 OF 1

JOB NO.: 19576

