

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: April 19, 2016

Time: 5:30 PM

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

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 APR 14 A 11:53

02-22-2016 – **Order No. 16-1006476:** Communication from Attorney Falk on behalf of Bolton Granger Realty Trust, regarding Proposed Order of Relocation of Court Street Extension.

-REFER TO URBAN AFFAIRS COMMITTEE

-REFER TO PLANNING BOARD

Continued Review:

11-16-2015 – **Order No. 15-1006366A:** Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street.

- REFER TO URBAN AFFAIRS COMMITTEE

Continued Review:

02-08-2016 – **Order No. 16-1006443:** Proposed Zoning Amendment by adding a new Section to Chapter 650 §35, HOSPITALITY AND RECREATION MIXED USE OVERLAY DISTRICT.

-REFER TO URBAN AFFAIRS COMMITTEE

-REFER TO PLANNING BOARD

-PUBLIC HEARING: MONDAY, MARCH 7, 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

Marlborough, Mass., FEBRUARY 22, 2016

ORDERED:

Suspension of the Rules requested-granted

That the Communication from Attorney Falk on behalf of Bolton Granger Realty Trust, regarding Proposed Order of Relocation of Court St. Extension as follows: be and is herewith refer to **URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.**

ADOPTED

ORDER NO. 16-1006476



MIRICK O'CONNELL

ATTORNEYS AT LAW

*refer to VA
+ PB*

Brian R. Falk
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Worcester, MA 01608-1477
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February 19, 2016

VIA EMAIL

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

Re: Proposed Relocation of Court Street Extension; Atrium Place Project

Dear Councilor Clancy:

In connection with the Atrium Place project, proposed by my client Bolton Granger Realty Trust, I enclose for your consideration a proposed Order of Relocation of Court Street Extension. Also enclosed is a proposed Relocation Plan, to be referenced in the Order, with a comment letter regarding the Plan from the City Engineer. I will file a revised Relocation Plan, reflecting the City Engineer's comments, as soon as possible.

As you may know, this matter must be referred to the Planning Board before the City Council may adopt the Order of Relocation.

Thank you for your time and attention to this matter.

Very truly yours,

Brian R. Falk

BRF/

Encl.

cc: Cynthia Panagore Griffin, Esq., Assistant City Solicitor
Evan Pilachowski, P.E., City Engineer
Client
Arthur P. Bergeron, Esq.

ORDERED:

Be it ordained by the City Council of the City Of Marlborough, under authority of Section 21 of Chapter 82 of the Massachusetts General Laws, that the common convenience and necessity require a certain portion of the layout of Court Street Extension, which layout was taken for highway purposes and accepted as a public way in 1981 by Order No. 21579 (recorded at the South Middlesex County Registry of Deeds in Book 14471, Page 257), to be altered and relocated as shown on the plan entitled [“_____”] (the “Plan”), and further, that Court Street Extension is hereby altered, relocated, and laid out as a public way of the City of Marlborough, as shown on said Plan.

ADOPTED

In City Council

Order No. _____

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

DRAFT



CITY OF MARLBOROUGH
Department of Public Works
Engineering Division
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 TDD (508) 460-3610

To: Evan D. Pilachowski, P.E. – City Engineer
From: Timothy F. Collins – Asst. City Engineer
Date: February 18, 2016
RE: Court Street – Plan of Acceptance

I have conclude my review of the following plans:

PLAN OF ACCEPTANCE
OF A PORTION OF COURT STREET EXTENSION
FROM GRANGER BOULEVARD TO WEED STREET
MARLBOROUGH, MA
MIDDLESEX COUNTY
CONTINENTAL SURVEY, LLC
105 BEAVER STREET, FRANKLIN, MA
(508) 528-2528
SCALE 1"=10' FEBRUARY 15, 2016

SITE PLAN
FOR THE
PROPOSED ADDITION TO:
21-29 SOUTH BOLTON STREET
ASSESSOR'S PARCEL #0070-0145
MARLBOROUGH, MA
MIDDLESEX COUNTY
CONTINENTAL SURVEY, LLC
105 BEAVER STREET, FRANKLIN, MA
(508) 528-2528
SCALE 1"=10' OCTOBER 26, 2015
REVISED 10-30-15
REVISED 02-15-16

and have the following comments to offer:

- The Site Plan referenced above, is being considered as a reference as part of this review and will need to get approval through the Site Plan Review Committee,

- Court Street Extension, from Granger Boulevard to Main Street, commonly known as Court Street, was accepted as a Public Way on October 5, 1981 by Council Order #21579,
- The layout of Court Street Extension cannot be altered with another Acceptance Plan. The layout of Court Street Extension should be altered to show a variable width in the section of the Public Way between Weed Street and Granger Boulevard. The proponent, in accordance with Massachusetts General Law, Section 82 should petition the Marlborough City Council to have the layout of Court Street Extension altered with a Plan of Alteration of Court Street Extension, as shown on the proposed Acceptance Plan.
- The Site Plan for the proposed 5 story mixed use building shows a proposed driveway and two proposed walkway over Parcel A (the portion of Court Street Extension not being considered as a Public Way as part of the alteration/relocation). Access Easement(s) should be shown on the Alteration Plan for the purpose of access and egress to the building.
- A note should be placed on the plan, stating that “any modification, maintenance, repairs or utility relocations within Parcel A shall be the responsibility of the owner(s) of 21 – 29 South Bolton Street.
- The proposed 5 story mixed use building is located on three contiguous parcels:
 - Map 70 Parcel 145, containing 17,421 sq. ft.
 - Map 70 Parcel 145A, containing 3,617 sq. ft.
 - Map 70 Parcel 145B, containing 7,083 sq. ft.

A plan should be prepared which combines these three parcel into the one parcel, as shown on the two above referenced plans. This plan should be recorded at the South Middlesex Registry of Deeds prior to the City of Marlborough finalizing the Plan for the Alteration of Court Street Extension,