

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: October 1, 2014

Time: 5:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 SEP 25 P 4: 46

Agenda Items to be addressed:

9-8-14 – Order No.14-1005945-1: Communication from Mayor Vigeant, together with Order Acceptance of Street Layout and Eminent Domain Order of Taking of Ways and Easements in the Carisbrooke Subdivision and in the Carisbrooke II Subdivision

-REFER TO LEGISLATIVE AND LEGAL AFFAIRS

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

SEPTEMBER 8, 2014
Marlborough, Mass., PAGE 21

ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 84
N/F Robert Mahaney &
Lisa Mahaney LC Lot 95 Plan 5374R 1016 170238673

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. Being a portion of 83 177320
N/F Ravenswood Properties, Inc.
627 Sudbury Street
Marlborough, MA 01752 LC Lot 94 Plan 5374R 1016 170 251318

The ownership of said parcels and each of them are supposed to be as stated herein, but said permanent easements and each of them are hereby taken whether the ownership is as stated above or otherwise.

AWARD OF DAMAGES

We determine that the total damages sustained by the owners, being Paul M. Zarella and Frederick K. Heim, FDBA Gristmill Construction, Inc., of the land and utilities so taken by this Eminent Domain Order of Taking Of Ways And Easements In The Carisbrooke I Subdivision And In The Carisbrooke II Subdivision are as agreed to between the City and said owners, being in the amount of \$114,999.00. We also determine that the total damages sustained by the owners of the land so taken in the Carisbrooke I subdivision, being that portion of Harper Circle located directly in front of 36 Harper Circle to the centerline of the way, being N/F Alison Crouse and Gregory Garson; that portion of Prendiville Way located directly in front of 142 Prendiville Way, to the centerline of the way, being N/F Karen M. Chesler and Robert P. Rivet; and that portion of Prendiville Way located directly in front of 35 Prendiville Way, to the centerline of the way, being N/F Julie Shepherd and Brian Shepherd; to be in the amount of \$1.00 for each of said owners.

Be and is herewith refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 14-1005945-1



IN CITY COUNCIL

SEPTEMBER 8, 2014
Marlborough, Mass., PAGE 1

ORDERED:

ACCEPTANCE OF LAYOUT AND EMINENT DOMAIN ORDER OF TAKING OF WAYS AND EASEMENTS IN THE CARISBROOKE I SUBDIVISION AND IN THE CARISBROOKE II SUBDIVISION

I. CARISBROOKE I SUBDIVISION

WHEREAS, at a meeting of the City Council of the City of Marlborough held this ___ day of _____ 2014 it is ordered the City Council, having determined and adjudicated that the common convenience and necessity requires that certain existing private ways in the subdivision known as Carisbrooke I, being laid out in the location hereinafter described, and having complied with all the requirements of law relating thereto, become public ways, did on the ___ day of _____ 2014 lay out such ways under provision of law and it was voted following the report of said layout, to accept such ways as laid out; and

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity, including for the protection of the health, welfare, and safety of the residents of Marlborough, require that the land described herein be taken in fee; and

WHEREAS, the City Council of the City of Marlborough has determined that the taking of the fee by Eminent Domain in, on, under, over, across and through the herein described land, is necessary and reasonable to carry out the aforementioned purpose; and

WHEREAS, all preliminary requirements have been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by virtue of the applicable provisions of the Massachusetts General Laws, Chapters 82 and 79 and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough. By such order, we take by Eminent Domain the fee in the land of those certain ways in the subdivision known as Carisbrooke I, including the streets named Harper Circle, Hawkins Lane, Prendiville Way, Stetson Drive, and Woodcock Lane, the sidewalks and curbs, and the utilities therein and thereunder said streets including water, sewer, and drain lines and appurtenant structures, as described on the plans accompanying this Order entitled as follows:



IN CITY COUNCIL

Marlborough, Mass., _____ SEPTEMBER 8, 2014
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ORDERED:

“Plan of Municipal Easements In Marlborough, Massachusetts on Farrington Lane, Prepared For The City of Marlborough, Sheet 1 of 2, scale: 1 inch = 40 feet, date: _____”, recorded herewith as Plan _____ of 20__;

“Plan of Revised Drainage Easements on Farrington Lane & Woodcock Lane Marlborough, Massachusetts, Lot A, Lot 63, Lot 64, Lot 65, Lot 83, Lot 84, Prepared For The City of Marlborough, scale 1” = 40 Feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Harper Circle And Municipal Easements, Prepared For The City of Marlborough, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Hawkins Lane And Municipal Easements, Prepared For The City of Marlborough, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Prendiville Way And Municipal Easements, Prepared For The City of Marlborough, Sheet 1 of 2, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Prendiville Way And Municipal Easements, Prepared For The City of Marlborough, Sheet 2 of 2, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Stetson Drive And Municipal Easements, Prepared For The City of Marlborough, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: [_____”, recorded herewith as Plan _____ of 20__;

“Acceptance Plan Land In Marlborough, Massachusetts of Woodcock Lane And Municipal Easements, Prepared For The City of Marlborough, scale: 1 inch = 40 feet, by Thompson Liston Associates, Inc., date: _____”, recorded herewith as Plan _____ of 20__;



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 8, 2014
PAGE 3

ORDERED:

The total land area being taken in fee for the purposes of a public way or public ways consists of approximately 327,681 SF. For title, the assumed owners of the roadways, owners of lots from which the roadway parcels are taken, and the Middlesex County South Registry references are as follows:

<u>Assumed Owner & Name of Street(s)</u>	<u>Middlesex Registry</u>		
	<u>Book</u>	<u>Page</u>	<u>Cert. (if any)</u>
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.			
Harper Circle	16413	352	N/A
	16860	277	N/A
	17581	418	N/A
	16754	44	N/A
	16892	271	N/A
Woodcock Lane Registered portion			172695 177320
	PL 5374L	993 145	
Recorded portion	16398	133	
	17046	348	
	16562	41	
	16508	559	
Hawkins Lane Registered portion			172695
	PL 2370C	993 145	
Recorded portion	16552	486	
	17268	139	
	16723	338	
Prendiville Way			172695 177320
	PL 5374L	993 145	



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SEPTMBER 8, 2014
Marlborough, Mass., PAGE 4

ORDERED:

Stetson Drive

172695
177320

PL 2370C 993 145

N/F Alison Crouse & Gregory Garson
36 Harper Circle

Portion of Harper Circle
(to centerline)

47717 98

N/F Karen M. Chesler & Robert P. Rivet
142 Prendiville Way

Portion of Prendiville Way
(to centerline)

LC Lot 65 PL 5374L 993 145

232260

N/F Julie Shepherd & Brian Shepherd
35 Prendiville Way (LC Lot 77)

Portion of Prendiville Way
(to centerline)

LC Lot 77 PL 5374L 993 145

227238

All trees, structures, and appurtenances therein, thereunder, and thereon are expressly included in this Taking.

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee or rights of way and each of them are hereby taken whether the ownership is as stated above or otherwise. We determine that no damages have been sustained by the owners of the land and utilities so taken.



IN CITY COUNCIL

SEPTEMBER 8, 2014
Marlborough, Mass., PAGE 5

ORDERED:

IT IS ALSO HEREBY ORDERED, that the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by virtue of the applicable provisions of the Massachusetts General Laws, Chapters 82 and 79 and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough, the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by the applicable provisions of Chapters 82 and 79 of the Massachusetts General Laws and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough.

By such order, we take by Eminent Domain the all of the permanent easements located in the Carisbrooke I subdivision, which include without limitation drainage, flowage, headwall maintenance, and utility easements (which include more than one type of the easements listed herein in combination), including but not limited to sewer easements, for the purposes of access, laying, operating, altering, constructing, maintaining, replacing, operating, altering, repairing, removing, and changing the size of and replacing drains for the passage of storm and surface waters under, over and through said easements, as described above on the plans accompanying this Order.

All trees and structures and appurtenances therein, thereunder, and thereon are expressly included in this Taking.

The total land area being taken for permanent easements is approximately as shown on said aforementioned plans. For title, the assumed holders of the easements and the Middlesex County South Registry references are as follows:

**Assumed Holder of Easement Street Name Middlesex Registry
(& Fee Owner, if Registered) & Address Book Page Cert. (if any)**

Farrington Lane

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 31 17009 570



IN CITY COUNCIL

SEPTEMBER 8, 2014

Marlborough, Mass., ~~_____~~ PAGE 6

ORDERED:

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 41 18224 570

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 51 15905 049

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 65 16374 089

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 81 6594 079

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 82 174417
 N/F Brian Hendrix &
 Gail Hendrix LC Lot 18 PL 2370C 993 145 232654

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 106 16545 193
 N/F Steven M. Burnett &
 Monica M. Burnett LC Lot 19 PL 2370C 993 145 221168

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 122 16552 148
 N/F Frederick M. Ferris &
 Ann M. Ferris LC Lot 20 PL 2370C 993 145 197220

Harper Circle

Paul M. Zarella &
 Frederick K. Heim,
 FDBA Gristmill Construction, Inc. 27 16413 352



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ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 45 16860 277

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 49 17581 418

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 24 16754 044

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 36 16964 418

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 10 16892 271
N/F Joseph F. Delano &
Lisa A. Delano LC Lot 67 PL 5374L 993 145 194911

Hawkins Lane

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 40 16552 486
930515

N/F John D. Condon &
Elaine M. Condon LC Lot 25 PL 2370C 993 145 198072

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 62 233839
N/F Michael G. Huether &
Colleen M. Heuther LC Lot 26 PL 2370C 993 145 257189



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ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 80 16552 478

Prendiville Way

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 36 174418
N/F Doug L. Kratzer &
Carrie-Ann M. Farrell LC Lot 58 PL 5374L 993 145 241413

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 142 176909
N/F Robert P. Rivet &
Karen M. Chesler LC Lot 65 PL 5374L 993 145 232260

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 141 175083
N/F Paul G. Bamberg &
Cherry F. Bamberg LC Lot 71 PL 5374L 993 145 193219

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 127 173204
N/F Debra Conrad Gigas LC Lot 72 PL 5374L 993 145 206970

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 113 175242
N/F James P. Sweeney &
Christine L. Sweeney LC Lot 73 PL 5374L 993 145 254633



IN CITY COUNCIL

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Marlborough, Mass., PAGE 9

ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 91 175244
N/F Jeffrey S. Cernak &
Christine M. Cernak LC Lot 74 PL 5374L 993 145 231272

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 55 174094
N/F Mary P. Meany &
Kevin M. Meany LC Lot 76 PL 5374L 993 145 228860

Stetson Drive

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 12 175917
N/F Lawrence R. Lewis &
Barbara G. Lewis, Tr.
Barbara G. Lewis
1995 Revocable Trust LC Lot 21 PL 2370C 993 145 203755
N/F Ronald Lewis &
Barbara G. Lewis, Tr.
Ronald Lewis
1995 Revocable Trust LC Lot 21 PL 2370C 993 145 203755

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 28 174094
N/F Frank E. Wadas &
Barclay M. Wadas LC Lot 22 PL 2370C 993 145 220189

Woodcock Lane

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 29 16398 133 172695
N/F Ronald F. Hall &
Patricia Hall LC Lot 68-PL 5374L 993 145 179134



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 8, 2014
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ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 9 1005 133
229949

N/F Anton P. Teodorescu
& Mariana Teodorescu LC Lot 69 PL 5374L 993 145 192025

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 36 24118 003

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 48 1652 041

The ownership of said parcels and each of them are supposed to be as stated herein, but said permanent easements and each of them are hereby taken whether the ownership is as stated above or otherwise.

II. CARISBROOKE II SUBDIVISION

WHEREAS, at a meeting of the City Council of the City of Marlborough held this ___ day of _____ 2014 it is ordered the City Council, having determined and adjudicated that the common convenience and necessity requires that certain existing private ways in the subdivision known as Carisbrooke II, being laid out in the location hereinafter described, and having complied with all the requirements of law relating thereto, become public ways, did on the ___ day of _____ 2014 lay out such ways under provision of law and it was voted following the report of said layout, to accept such ways as laid out; and

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity, including for the protection of the health, welfare, and safety of the residents of Marlborough, require that the land described herein be taken in fee; and



IN CITY COUNCIL

SEPTEMBER 8, 2014
Marlborough, Mass., PAGE 11

ORDERED:

WHEREAS, the City Council of the City of Marlborough has determined that the taking of the fee by Eminent Domain in, on, under, over, across and through the herein described land, is necessary and reasonable to carry out the aforementioned purpose; and

WHEREAS, all preliminary requirements have been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by virtue of the applicable provisions of the Massachusetts General Laws, Chapters 82 and 79 and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough. By such order, we take by Eminent Domain the fee in the land of those certain ways in the subdivision known as Carisbrooke II, including the streets named Belmore Place, Sheffield Terrace, Littlefield Lane, Flint Drive, Farrington Lane, Hamilton Circle, Haskell Lane, and Graham Path as described on Exhibit "A" attached herewith and further described on the plans accompanying this layout entitled as follows:

"Plan of Acceptance of Belmore Place And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999", recorded herewith as Plan _____ of 20____;

"Plan of Acceptance of Sheffield Terrace And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999", recorded herewith as Plan _____ of 20____;

"Plan of Acceptance of Littlefield Lane And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999", recorded herewith as Plan _____ of 20____;

"Plan of Acceptance of Flint Drive And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999", recorded herewith as Plan _____ of 20____;

"Plan of Acceptance of Farrington Lane And Municipal Easements, Marlborough, Massachusetts scale: 1 inch = 40 feet, date: June 14, 1999", recorded herewith as Plan _____ of 20____;



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ORDERED:

“Plan of Acceptance of Hamilton Circle And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999”, recorded herewith as Plan _____ of 20___;

“Plan of Acceptance of Haskell Lane And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999”, recorded herewith as Plan _____ of 20___; and

“Plan of Acceptance of Graham Path And Municipal Easements, Marlborough, Massachusetts, scale: 1 inch = 40 feet, date: June 14, 1999”, recorded herewith as Plan _____ of 20___.

The total land area being taken in fee for the purposes of a public way or public ways is approximately as shown on said plans. For title, the assumed owners of the roadways, owners of lots from which the roadway parcels are taken, and the Middlesex County South Registry references are as follows:

<u>LC</u>	<u>Assumed Owner In Fee & Name of Streets</u>	<u>Middlesex Registry</u>		
<u>Lot No.</u>		<u>Book</u>	<u>Page</u>	
<u>Certificate (if any)</u>				
153	Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. Hamilton Circle, Littlefield Lane, Belmore Place, Graham Path, Haskell Lane, Sheffield Terrace	1016	170	177320
50	Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. Portions of Graham Path and Farrington Lane	1016	170	177320
154	Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. Portion of Belmore Place	1048	156	183706
	Paul M. Zarella & Frederick K. Heim FDBA Gristmill Construction, Inc. Flint Drive	19264	534	



IN CITY COUNCIL

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ORDERED:

All trees, structures, and appurtenances therein, thereunder, and thereon are expressly included in this Taking.

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee or rights of way and each of them are hereby taken whether the ownership is as stated above or otherwise. We determine that no damages have been sustained by the owners of the land so taken.

IT IS ALSO HEREBY ORDERED, that the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by virtue of the applicable provisions of the Massachusetts General Laws, Chapters 82 and 79 and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough, the City Council of the City of Marlborough by virtue of the authority and the power conferred by the City Charter and by the applicable provisions of Chapters 82 and 79 of the Massachusetts General Laws and by virtue of every other power and authority thereto enabling, and in the exercise of power and authority conferred by said laws, and under any other authority enabling us hereto, do hereby adopt an Order of Taking of land on behalf of said City of Marlborough.

By such order, we take by Eminent Domain all of the permanent easements located in the Carisbrooke II subdivision, which include without limitation drainage, flowage, headwall maintenance, and utility easements (which include more than one type of the easements listed herein in combination), including but not limited to sewer easements, for the purposes of access, laying, operating, altering, constructing, maintaining, replacing, operating, altering, repairing, removing, and changing the size of and replacing drains for the passage of storm and surface waters under, over and through said easements, as described above on the plans accompanying this Order.

All trees and structures and appurtenances therein, thereunder, and thereon are expressly included in this Taking.

The total land area being taken for permanent easements is approximately as shown on said aforementioned plans. For title, the assumed holders of the easements and the Middlesex County South Registry references are as follows:



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ORDERED:

<u>Assumed Holder of Easement (& Fee Owner, if Registered)</u>	<u>Street Name & Address</u>	<u>Middlesex Registry Book Page Cert. (if any)</u>
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Belmore Place

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	22 N/F LeRoy Jackson & Cynthia Jackson LC Lot 103 PL 5374R	187141 1016 170 219785
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	38 N/F Thomas Gatzunas & Taslene Gatzunas LC Lot 102 PL 5374R	187141 1016 170 250651
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	56 N/F Victor Terra & Katherine Terra LC Lot 106 PL 5374R	187141 1016 170 247404
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Farrington Lane

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	151 N/F Patrick O'Brien & Debra O'Brien LC Lot 32 PL 2370F	183478 1016 170 217400
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	167 N/F Kevin Paquin & Karen Paquin LC Lot 34 PL 2370F	183478 1016 170 195263
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Paul M. Zarella &
Frederick K. Heim,



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ORDERED:

FDBA Gristmill Construction, Inc.	199	183478
N/F Dianne K. McHugh LC Lot 38 PL 2370F 1016 170		223216

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	215	183478
N/F Kartik Raghupathi & Nicole Wedick LC Lot 39 PL 2370F	1016 170	247265

Flint Drive

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	7	19264 559
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	8	19333 258
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	26	20463 470
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	38	20580 205
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Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	52	9931 566
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Graham Path

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	12	183478
N/F Beth Kelly LC Lot 126 PL 5374R	1016 170	235619



IN CITY COUNCIL

Marlborough, Mass., ~~SEPTEMBER 8, 2014~~
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ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 13 186365
N/F Daniel Ortiz &
Marni H. Ortiz LC Lot 130 PL 5374R 1016 170 234572

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 26 183478
N/F Craig K. Campbell &
Donna M. Baldiserri LC Lot 131 PL5374R 1016 170 226886

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 85 1926 559 183478
N/F Joseph N. Joyce &
Nancy C. Joyce LC Lots 137 and 37 PL 5374R 1016 170 213149

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 86 183478
N/F William Wing &
Virginia Wing LC Lot 135 PL 5374R 1016 170 225818

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 104 183478
N/F Joseph Haberberger &
Katherine Haberberger LC Lots 136 and 36 PL 5374R 1016 170 208693

Hamilton Circle

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 65 188596
N/F John Jewett &
Isabel Jewett LC Lot 148 PL 5374R 1016 170 217311



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Marlborough, Mass., PAGE 17

ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 74 189261
N/F Joanne Gravina LC Lot 147 PL 5374R 1016 170 192265

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 77 177320
N/F Joseph Grimaldo LC Lot 149 PL 5374R1016 170 188660

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 89 189261
N/F Kenneth Brown &
Ann Gillespie LC Lot 150 PL 5374R 1016 170 250537

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 101 177320
N/F Robert Davis &
Susan Davis LC Lot 152 PL 5374R 1016 170 186555

Haskell Lane

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 11 192357
N/F Gala Del C. Moreno &
Jorge Moreno LC Lot 140 PL 5374R 1016 170 229649

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 32 192357
N/F Jeffrey Koester &
Laura Koester LC Lot 139 PL 5374R 1016 170 211134



IN CITY COUNCIL

SEPTEMBER 8, 2014
Marlborough, Mass., PAGE 18

ORDERED:

Littlefield Lane

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 28 N/F Regiane Santos De Medeiros LC Lot 107 Plan 5374R 1016 170 248198	183880
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 37 N/F Chanchala Patil LC Lot 108 PL 5374R 1016 170	183510 249486
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 46 N/F Mariusz Krawiec & Beata Sweryda-Krawiec LC Lot 109 PL 5374R 1016 170	183510 238535
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 61 N/F Karl Andersson & Karrie Henighan LC Lot 110 PL 5374R 1016 170	183880 235220
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 62 N/F Yamata Akihito & Maria Akihito LC Lot 111 PL 5374R 1016 170	183510 216918
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc. 82 N/F Greg Mitrakas, Tr., Littlefield Realty Trust LC Lot 112 PL 5374R 1016 170	183880 250977



IN CITY COUNCIL

SEPTMBER 8, 2014
Marlborough, Mass., ~~PAGE 19~~

ORDERED:

Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	91	183479
N/F Richard Santos & Ellen Santos LC Lot	113 PL 5374R 1016 170	233760
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	101	183479
N/F George Jensen & Donna Jensen LC Lot	115 PL 5374R 1016 170	207800
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	102	183880
N/F Terry Saunders & Jane Saunders LC Lot	114 PL 5374R 1016 170	250652
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	119	183880
N/F David McCarthy & Patricia McCarthy LC Lot	117 PL 5374R 1016 170	222971
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	163	183478
N/F Elaine B. Dohan & Lawrence J. Dohan LC Lot	123 PL 5374R 1016 170	253907
Paul M. Zarella & Frederick K. Heim, FDBA Gristmill Construction, Inc.	178	183478
N/F Brad Higgins & Sandra Higgins LC Lot	124 PL 5374R 1016 170	237666



IN CITY COUNCIL

SEPTMBER 8, 2014
Marlborough, Mass., ~~PAGE 20~~

ORDERED:

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 203 183478
N/F Richard Fredette &
Sandra Fredette LC Lot 128 PL 5374R 1016 170 212682

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 225 189261
N/F Theodore Faigle LC Lot 129 PL 5374R 1016 170 229376

Sheffield Terrace

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 30 249022
N/F Gail Lauter LC Lot 101 Plan 5374R 1016 170

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 33 241279
N/F Donald Watson &
MaryEllen Deering LC Lot 100 Plan 5374R 1016 170

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 65 254479
N/F Nicholas Tolan &
Nicole Tolan LC Lot 96 Plan 5374R 1016 170

Paul M. Zarella &
Frederick K. Heim,
FDBA Gristmill Construction, Inc. 66 254882
N/F Michael Kovacs &
Tolice Lovacs LC Lot 97 Plan 5374R 1016 170



City of Marlborough

Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 SEP -4 A 11:30

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

September 4, 2014

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

- RE: **(1) Order of Acceptance of Layout And Eminent Domain Taking Of Ways And Easements In The Carisbrooke I Subdivision And In The Carisbrooke II Subdivision;**
- (2) Order Transferring Care, Management and Control Of the Streets And Easements In Carisbrooke I and Carisbrooke II To the Department of Public Works;**
- (3) Order of Acceptance Of Deeds In Lieu Of Foreclosure;**
- (4) Order Transferring Care, Management and Control To the Conservation Commission**

Dear President Pope and Council Members:

Enclosed, herewith, please find the above captioned four proposed orders relating to the taking of streets and easements in the Carisbrooke I and Carisbrooke II subdivisions; the transfer of care, management, and control of said streets and easements to the Department of Public Works; acceptance of a deed in lieu of foreclosure for certain parcels of open space; and the transfer care, management, and control of said parcels to the Conservation Commission.

In addition, no appropriation is necessary for the award of damages identified in the Taking Order, the bond for the Sudbury Street Sewer Project (Account No. 30544701-58614) being available for that purpose.

I am available to answer any questions that you may have concerning this matter. Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

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