



City of Marlborough
Zoning Board of Appeals
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768

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Meeting Minutes

For Meeting Held: December 16, 2025, 7:00 PM, at 3rd Floor, Memorial Hall, City Hall, 140 Main Street, Marlborough.

Members Present: Ralph Loftin-Chairman, Robert Levine, Thomas Pope and Douglas Philpott.

Members Absent: Thomas Golden

Also present were:

Craig Sullivan – Secretary, William Paynton – Building Commissioner, Tom DiPersio – City Engineer, Adam Costa Esq., Jason Grossfield – City Solicitor, Richard Marino – Trustee of Marco Realty Trust.

Items Discussed:

1. Zoning Board of Appeals Case # 25-5

Applicant: Richard Marino

Date of Appeal: October 21, 2025

Location of Subject: 7-9 Mechanic St.

Petition: The Appellant has filed an administrative appeal dated October 21, 2025, of a denial of zoning enforcement by Building Commissioner William Paynton dated September 30, 2025. The relief sought is a reversal of said denial; and an order that use of the parking lot at 7-9 Mechanic Street cease immediately and so long as it violates the Zoning Ordinance, for the reason(s) set forth in the Petition which is on file with the ZBA Office.

Chairman Loftin opened the meeting and public hearing, and Adam Costa spoke on behalf of the owner Richard Marino. Mr. Costa stated that the parking lot is not in compliance to be considered a parking space in Marlborough. He claims historically it has not been a parking lot. He claims that the public uses his property to gain access to the parking lot. Mr. Costa acknowledges that the 15' right of way is for public use but seeing that the parking lot is not in compliance, so there should be no right of way. Mr.

Costa claims the parking lot is not used very much. The Building Commissioner claims the site is a preexisting nonconforming property. Mr. Marino doesn't like the fact that the public is using his property to get to the parking lot. Mr. Paynton stated the property is in the Marlborough Village District, they are not required to have parking since it is not required by zoning. Mr. Grossfield stated that the history of the parking lot is the question that needs to be answered by the Board. There are aerial pictures taken recently showing no cars in the parking lot. The Board showed a photograph from Google Earth which showed cars in the parking lot. The owner parks in the parking lot everyday as well as his two employees. Mr. Levine stated he believes since it has always been used as a parking lot he doesn't agree with saying it is not. There was a discussion about limiting the number of parking spots. The hearing was concluded.

On a motion by Mr. Levine the Zoning Board voted unanimously 4-0 to uphold the Building Commissioner's denial letter and deny the applicant's Administrative Appeal to reverse the Building Commissioner's denial letter.

Adjournment

On a motion from Chairman Loftin seconded by Bob Levine the meeting was adjourned at 8:40pm.

Respectfully submitted,

Craig Sullivan
Secretary