

# E ON MAIN | MARLBOROUGH 163-175 MAIN STREET

Approved Mixed-Use Development,  
67 Residential Apartments  
2 Retail Spaces | 43 Garage Parking Spaces

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## \$2,000,000





# UNIQUE DEVELOPMENT OPPORTUNITY

**163-175 Main Street | E on Main** - Approved mixed-use market rate development at 163-175 Main Street, Marlborough, MA. 67 residential apartments, 2 retail spaces and 43 garage parking spaces.

E on Main will become the featured new rental development project in Downtown Marlborough. 31-two bedroom layouts, 33-one bedroom layouts, 3-studios and 2 retail spaces totaling 2953 square feet. Some homes offer private terraces - along with a common roof deck for all tenants. Conveniently located on Main Street in Downtown Marlborough, less than 1.5-miles east of I-495 and less than 5 miles north of I-90, providing direct access to Massachusetts major urban centers, including Greater Boston and Worcester. The easily-trafficked location is also proximate to employment centers situated along I-495, I-90 and Route 9. The Town of Marlborough boasts a population of approximately 40,000 residents and has corporate representation from companies such as TJX, Raytheon, Hewlett- Packard and Boston Scientific.

# CURRENT SITE





# BREAKDOWN



**31**  
2 Beds

**33**  
1 Beds

**3**  
Studio

**2,888**  
SF Retail

**43**  
Parking  
Spaces



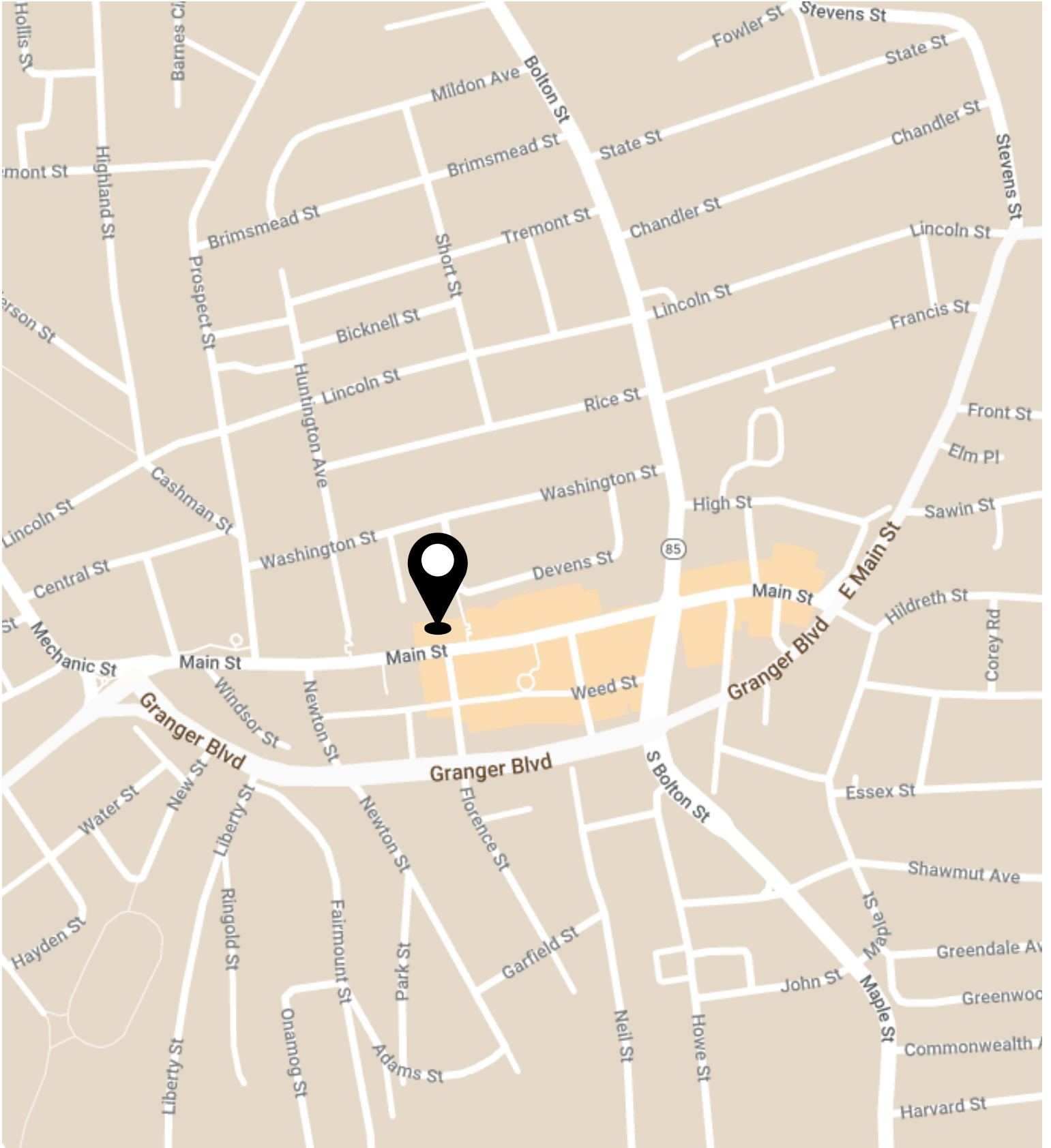
# BUILD SPECS

"E on Main" 163-175 Main St, Marlborough_2019						
FLOOR	GSF	PARKING	UNITS			USE
			Studio	1 Bed	2 Bed	
Basement	4,231					Utility
Ground	19,322	43 Spaces				Retail / Parking
Second	14,261		0	6	7	Residential
Third	14,276		1	7	6	Residential
Fourth	14,276		0	8	6	Residential
Fifth	14,276		1	7	6	Residential
Sixth	12,600		1	5	6	Residential
Roof Deck	4,649					Amenities
<b>TOTALS</b>	<b>97,891</b>	<b>43 Spaces</b>	<b>3</b>	<b>33</b>	<b>31</b>	
<b>TOTAL UNITS</b>					<b>67</b>	

\* 2 H/C; 22 Compact (of which 15 are tandem spaces); 26 Full (of which 17 are tandem spaces)

**Approx. Lot Size: 21,650 SQFT**

# LOCATION





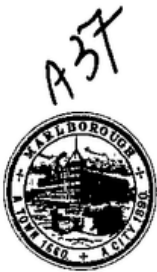
# SPECIAL PERMIT DECISION

Bk: 73615 Pg: 476



2019 00174773

Bk: 73615 Pg: 476 Doc: DECIS  
Page: 1 of 37 11/08/2019 11:31 AM



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

ORDERED:

### IN CITY COUNCIL NOTICE OF DECISION GRANT OF SPECIAL PERMIT

BOTH WAYS

✓ Special Permit Application of:  
Vincenza Sambataro  
22 Indian Rock Road  
Wayland, MA 01778  
Order No. 19-1007571F  
X 18/19-1007135

✓ Locus:  
161-175 Main Street  
Assessors map 70, Parcels 33A, 34, 76A, 77, 77A, 78, and 79, and portions of the adjacent City stair property

### DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application of Vincenza Sambataro, with a mailing address of 22 Indian Rock Road, Wayland, MA 01778, as provided in the DECISION and subject to the Findings of Fact and Conditions contained therein.

Decision date: October 7, 2019

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the 15<sup>th</sup> of October 2019.

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this 5<sup>th</sup> day of November 2019.

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY  
ATTEST:

City Clerk



# IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019  
PAGE 1

ORDERED:

ORDERED:

## IN CITY COUNCIL

### DECISION ON A SPECIAL PERMIT VINCENZA SAMBATARO

CITY OF MARLBOROUGH  
CITY COUNCIL ORDER NO. 19-1007571F  
X 18/19-1007135

### DECISION ON AN APPLIATION FOR SPECIAL PERMIT

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Vincenza Sambataro (the "Applicant") to build and operate a Mixed Use Development at 161-175 Main Street, as provided in this Decision and subject to the following Findings of Fact and Conditions.

#### FINDINGS OF FACT

1. The Applicant, Vincenza Sambataro, is an individual with an address of 22 Indian Rock Road, Wayland, Massachusetts 01778.
2. The Applicant is the owner and prospective owner of the property located at 161-175 Main Street, Marlborough, Massachusetts, being shown as Parcels 76A, 77, 78, and 79 on Assessors Map 70, currently owned by the Applicant, and portions of Parcels 33A, 34, and 77A on Assessors Map 70 and portions of the adjacent stair property currently owned by the City of Marlborough (collectively, the "Site").
3. In accordance with Article VI, Section 650-34, of the Zoning Ordinance of the City of Marlborough ("Zoning Ordinance"), the Applicant proposes to build a 97,891 square foot Mixed Use Development at 161-175 Main Street, in a building with 67 residential units, 43 on-site parking spaces, and street level commercial units (the "Use").
4. For purposes of the Zoning Ordinance, the Site is located in the Marlborough Village District, with a small 98 square foot portion in the Business District.
5. The Site has an area of 21,650 square feet +/- as per the Site Plan referenced in paragraph 7 below, plus 1,592 +/- square feet not currently owned by Applicant.



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

PAGE 2

### ORDERED:

6. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit on February 20, 2019 (“Application”) for the following aspects of the Use:
  - A. A seventh (7<sup>th</sup>) story and a total building height of 81 feet, including within 50 feet of a residential zone, to accommodate a roof deck, authorized by special permit in accordance with Section 650-34.F(1) and Section 650-41, Attachment 2, Note 12;
  - B. Total lot coverage of 94%, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 13;
  - C. A rear setback of 0 feet, authorized by special permit in accordance with Section 650-41, Attachment 2, Note 15;
  - D. A Mixed-Use Development over a 98 square foot portion of the Site zoned Business, authorized by special permit in accordance with Section 650-17, Attachment 1; and
  - E. Authorization for the issuance of building permits for more than 100 residential units in the Village District in a single calendar year, authorized by special permit in accordance with Section 650-34. G(1).
7. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, a detailed site plan entitled “E On Main” by Bruce Saluk and Assoc. Inc., said plans being comprised of Cover Sheet and Sheets EX, C1, C2, C3, C4, C5, C6, C7, and C8, with the last revision date of July 15, 2019 (said set of plans hereinafter, collectively, the “Site Plan”); and a set of twenty-one (21) architectural drawing sheets entitled “E on Main Retail and Residential” by JD LaGrasse & Associates, with the last revision date of July 12, 2019 (collectively with the Site Plan, the “Plans”), attached hereto as “Attachment A.”
8. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

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ORDERED:

9. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
10. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, April 8, 2019. The hearing was closed on that date.
11. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.
12. At the public hearing, two members of the public spoke in opposition to the Use.
13. The Applicant, through its representatives, submitted a shadow study dated April 30, 2019, demonstrating that the shadow cast by the proposed building on December 21 at 9:00 a.m., the date each year when shadows are the longest, would not impact the property located at 15 Grant Court.
14. The Applicant, through its representatives, conducted balloon tests on May 29, 2019 and July 23, 2019, to demonstrate the height of the proposed building, with notices of the balloon tests being mailed to property owners listed on the certified list of abutters and being posted on the City website.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS AND TAKES THE FOLLOWING ACTIONS**

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.
- C. The City Council finds that public safety will not be impacted by a reduction of the underground rear setback to zero feet and the reduction will yield a better design for the Use.



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

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ORDERED:

- D. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby **GRANTS** the Applicant a Special Permit to build and operate a Mixed Use Development as shown on the Plans filed, **SUBJECT TO THE FOLLOWING CONDITIONS**, which conditions shall be binding on the Applicant, its successors and/or assigns:
1. Construction in Accordance with Applicable Laws. Construction of all structures on the Site is to be in accordance with all applicable laws, codes, and regulations, including without limitation, Building Code and Zoning Ordinance, in effect in the City of Marlborough and the Commonwealth of Massachusetts, and shall be built in compliance with this Special Permit and according to the Plans as may be amended during Site Plan Review.
  2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.
  3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review by the City Council in accordance with Section 650-34 of the Zoning Ordinance prior to the issuance of the building permit. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions of this Special Permit and conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority. Conditions imposed by site plan review, as approved by the City Council, shall also be conditions of this Special Permit, and any violations of those conditions shall be violations of this Special Permit. Modification of site plan shall be permitted to the extent allowed by the ordinances of the City of Marlborough.
  4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

PAGE 5

## ORDERED:

5. Storm Water and Erosion Control Management. The Applicant, its successors and/or assigns, shall ensure that its site superintendent during construction of the project is competent in stormwater and erosion control management. This individual(s)' credentials shall be acceptable to the Engineering Division of the City's Department of Public Works and the City's Conservation Commission. This individual(s) shall be responsible for checking the Site before, during, and after storm events including weekends and evenings when storms are predicted. This individual(s) shall ensure that no untreated stormwater leaves the Site consistent with the State's and the City's stormwater regulations. This individual(s) shall ensure compliance with the approved sequence of construction plan and the approved erosion control plan. The Applicant, its successors and/or assigns, shall grant this individual(s) complete authority of the Site as it relates to stormwater and erosion controls.
6. Noise. In addition to complying with all City ordinances and regulations concerning noise and nuisances, the Applicant, its successors and/or assigns, shall stipulate in the bylaws governing the Use that no individual(s) shall use the exterior areas of the building's roof deck or exterior patios and balconies of the building in such a way as to generate noise that unreasonably disturbs neighboring properties. Amplified sound shall not be permitted on the north side of the exterior area of the building's roof deck.
7. Roof Deck Use. The roof top and roof deck shall be for the exclusive use of the residents of the building on the Site and/or their guests and shall not be utilized for outside events or rented or leased.
- 7A. Roof Deck Occupancy. The maximum number of people allowed on the building's roof top and roof deck level at one time shall be 325.
- 7B. Lighting. Exterior lighting at the Site shall be downward facing and shielded to minimize impacts on neighboring properties.
8. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.



## IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

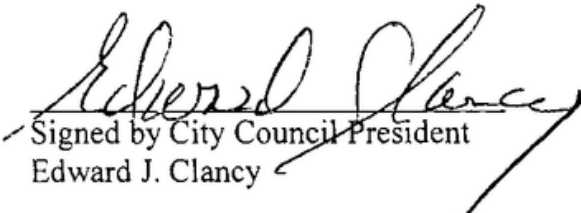
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ORDERED:

Yea: 10 – Nay: 1

Yea: Delano, Doucette, Dumais, Tunnera, Clancy, Landers, Juairé, Oram, Ossing & Robey.

Nay: Irish

  
Signed by City Council President  
Edward J. Clancy

ADOPTED  
In City Council  
19-1007571F  
X 18/19-1007135

# SPECIAL PERMIT EXTENSION



*City of Marlborough*  
**BUILDING DEPARTMENT**  
140 MAIN STREET  
MARLBOROUGH, MA 01752  
TEL. (508) 460-3776 FACSIMILE (508) 460-3736  
BUILDING\_DEPT@MARLBOROUGH-MA.GOV

TIN HTWAY  
BUILDING COMMISSIONER

WILLIAM PAYNTON  
ASST. BLDG COMMISSIONER

LAURENT "LARRY" LEMIEUX  
PLUMBING & GAS INSPECTOR

JOHN CAIN  
WIRING INSPECTOR

ETHAN LIPPITT  
BUILDING INSPECTOR

MICHAEL LEEDS  
BUILDING INSPECTOR

December 8, 2022

**RE: ORDER NO: 19-1007571F**  
**X 18/19-1007135**  
**BOOK: 73615 PAGE: 476**  
**161-175 MAIN STREET, MARLBOROUGH, MA 01752**

To Whom It May Concern,

The special permit issued on October 7<sup>th</sup>, 2019, has not lapsed as a portion of the lapse period was tolled during the COVID state of emergency per state law. This permit would not lapse until January 12<sup>th</sup>, 2024. Plans show 67 residential units, 2 retail units and 43 garage parking spaces. Any deviation from the approved special permit set may require review from Site Plan Review committee and Special Permit Granting Authority.

Best Regards,

Tin Htway, CBO  
Building Commissioner



# CENTURY 21

## FINE HOMES & ESTATES®

Cityside

Our family-owned business was founded in 1977 and originated in Boston's South End. The firm became a CENTURY 21 Office in 1979 and has been headquartered in Back Bay for nearly 40 years.

CENTURY 21 is recognized globally as the largest Real Estate Organization in the world totaling 86 countries, 13,000 offices and 155,000 agents.



### **Collin Bray**

#1 C21 Agent in Massachusetts

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