

Joint Statement  
Summary of Global Settlement Agreement  
Town of Southborough and Gulbankian Family Businesses

- The parties to this settlement agreement include several Boards of the Town (Selectmen, Planning and Zoning) and several Gulbankian family members and entities that own and operate the small businesses (farm and garden center, bus depot and machine shop) located at the intersection of Mt. Vickery and Cordaville Roads.
- The parties went through extensive agreed-upon Mediation in late February 2014 which helped successfully reach an agreement on all pending legal issues.
- The parties agreed that the Gulbankians should seek a re-zoning of their property from a Residence A to an Industrial District, in keeping with the long-standing use of the Gulbankian property, and consistent with the other Industrial District parcels that surround the Gulbankian property.
- If the zoning change is approved by Town Meeting, the existing bus use will be closed down and terminated permanently, on or before July 1, 2016.
- The Gulbankians may then replace the bus facility with a use permitted as a matter of right under the Industrial District Zoning Provisions, subject to appropriate Site Plan Review.
- During the period of time leading up to the bus facility closure, the Gulbankians will not be required to make site improvements, but will undertake the following mitigation measures:
  - restrict bus parking to the western portion of the bus facility site so as to provide maximum setback of bus parking from area residences;
  - arrange overnight bus parking to minimize back up movement of buses and warning sounds during early morning hours;
  - limit bus circulation to one-way entering and exiting to improve traffic safety on Route 85 Cordaville Road;
  - continue a program of source control to prevent dripping or release of fluids from stored buses; and
  - fill gaps in the landscaped hedgerow on the site soon after Memorial Day 2014.
- To settle all pending litigation, the property owner, Hye Limited Partnership and J&M Machine Company, Inc., have paid to the Town a sum of \$12,610.00, which is held by the Town Treasurer to be released upon approval of the zoning change and conclusion of all litigation pending.
- All Parties have agreed to act in mutual good faith in effectuating the aims and terms of settlement.