



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Steven W. Kerrigan
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

JUNE 3, 2019

Regular meeting of the City Council held on Monday, June 3, 2019 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Ossing, Robey, Delano, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 10:32 PM.

ORDERED: That the Minutes of the City Council meeting, MAY 20, 2019 **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the Petition from Massachusetts Electric and Verizon New England, to relocate Pole and anchor #6 to the opposite side of Boudreau Avenue to accommodate a city road widening project, Order No. 19-1007690, all were heard who wish to be heard, hearing closed at 8:02 PM; adopted.

Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.

ORDERED: That the JOINT PUBLIC HEARING WITH THE PLANNING BOARD On the Proposed Revised Zoning Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, Order No. 18/19-1007500D, all were heard who wish to be heard, hearing closed at 9:36 PM; adopted.

Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.

**Planning Board Members Present: Fenby, Elder, Hodge, LaVenture, Russ.
Planning Board Members Absent: Fay.**

President Clancy called a recess at 9:36 PM and returned to open meeting at 9:41 PM.

ORDERED: That the Communication from the Mayor, re: Appointment of Jason Grossfield as City Solicitor of the City of Marlborough, effective May 20, 2019, **FILE**; adopted.

ORDERED: That the sum of \$4,000,000.00 (four million dollars) be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$4,000,000.00 under and pursuant to the provisions of Chapter 44, Section 7 (1) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That Transfer Request in the amount of \$1,752,958.50 for various department needs as outlined in the Mayor's letter, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Various					FISCAL YEAR:	2019	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$6,919,461.00	\$1,752,958.50	10000	35900	Undesignated Fund	\$60,000.00	19300006	58512	Capital Outlay-Fire	\$68,937.45
	Reason:	To fund equipment requests							
					\$750,000.00	19300006	58461	Capital Outlay-Sewer	\$0.00
					\$201,000.00	19300006	58593	Capital Outlay-Police	\$1,716.25
	Reason:								
					\$283,958.50	19300006	58514	Capital Outlay-DPW Projects	\$0.00
	Reason:								
					\$28,000.00	19300006	57102	Capital Outlay-Building	\$0.00
	Reason:								
					\$430,000.00	19300006	58467	Capital Outlay-Public Facilities	\$0.00
	Reason:								
	\$1,752,958.50	Total			\$1,752,958.50	Total			

ORDERED: That the Transfer Request for the Department of Public Works in the amount of \$49,090.00 00 to fund the recently ratified 3-year contract with the DPW Engineers Local 176 through FY2021, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:						FISCAL YEAR:			
						2019			
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$485,582.65	\$49,090.00	1199006	57820	Reserve for Salaries	\$1,560.00	14001101	50108	GIS Administrator	\$5,977.00
	Reason:	Contractual Obligation			Reason:	Contractual Obligation			
					\$3,700.00	14001101	50660	Asst. City Engineer	\$14,219.00
	Reason:				Reason:	Contractual Obligation			
					\$1,110.00	14001101	50700	Grade II Engineering Aide	\$5,573.00
	Reason:				Reason:	Contractual Obligation			
					\$5,630.00	14001101	50710	Junior Civil Engineer	\$29,504.00
	Reason:				Reason:	Contractual Obligation			
					\$230.00	14001103	51430	Longevity	\$109.00
	Reason:				Reason:	Contractual Obligation			
					\$275.00	14001103	51920	Sick Leave Buy Back	\$0.00
	Reason:				Reason:	Contractual Obligation			
					\$1,780.00	14001301	50660	General Foreman	\$6,920.00
	Reason:				Reason:	Contractual Obligation			
					\$630.00	14001303	51430	Longevity	\$206.00
	Reason:				Reason:	Contractual Obligation			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:						FISCAL YEAR:	2019		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
					\$390.00	14001303	51920	Sick Leave Buy Back		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$1,850.00	14001401	50692	Automotive Maintenance		\$7,017.00
	Reason:				Reason:	Contractual Obligation				
					\$125.00	14001403	51430	Longevity		\$4.00
	Reason:				Reason:	Contractual Obligation				
					\$75.00	14001403	51920	Sick Leave Buy Back		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$1,850.00	14001501	50680	General Foreman		\$7,017.00
	Reason:				Reason:	Contractual Obligation				
					\$625.00	14001503	51430	Longevity		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$1,060.00	14001503	51920	Sick Leave Buy Back		\$69.00
	Reason:				Reason:	Contractual Obligation				
					\$1,515.00	60080001	50570	Chemist		\$15,422.00
	Reason:				Reason:	Contractual Obligation				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:								FISCAL YEAR:	2019	
FROM ACCOUNT:								TO ACCOUNT:		
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Available Balance
					\$1,150.00	60080001	50580	Asst. Chemist		\$4,404.00
	Reason:				Reason:	Contractual Obligation				
					\$35.00	60080003	51430	Longevity		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$10.00	60080003	51920	Sick Leave Buy Back		\$194.00
	Reason:				Reason:	Contractual Obligation				
					\$6,210.00	60081001	50850	Treatment Plant Operator		\$27,898.00
	Reason:				Reason:	Contractual Obligation				
					\$1,850.00	60081001	50910	Chief Treatment Plant Oper.		\$7,107.00
	Reason:				Reason:	Contractual Obligation				
					\$300.00	60081003	51430	Longevity		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$185.00	60081003	51920	Sick Leave Buy Back		\$0.00
	Reason:				Reason:	Contractual Obligation				
					\$5,500.00	60085001	50850	Treatment Plant Operator		\$21,509.00
	Reason:				Reason:	Contractual Obligation				

CITY OF MARLBOROUGH											
BUDGET TRANSFERS --											
DEPT:								FISCAL YEAR:		2019	
		FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:		Available Balance
	Reason:					Reason:	Contractual Obligation				
						\$1,800.00	60085001	50910	Chief Treatment Plant Oper.		\$7,144.00
	Reason:					Reason:	Contractual Obligation				
						\$100.00	60085003	51430	Longevity		\$0.00
	Reason:					Reason:	Contractual Obligation				
						\$95.00	60085003	51920	Sick Leave BuyBack		\$1.00
	Reason:					Reason:	Contractual Obligation				
						\$1,725.00	61090001	50680	General Foreman		\$8,481.00
	Reason:					Reason:	Contractual Obligation				
						\$75.00	14001403	51440	Education Incentive		\$43.00
	Reason:					Reason:	Contractual Obligation				
						\$75.00	14001503	51440	Education Incentive		\$0.00
	Reason:					Reason:	Contractual Obligation				
						\$4,500.00	60081003	51440	Education Incentive		\$575.00
	Reason:					Reason:	Contractual Obligation				
						\$3,000.00	60085003	51440	Education Incentive		\$0.00
	Reason:					Reason:	Contractual Obligation				
						\$75.00	61090003	51440	Education Incentive		\$0.00
	Reason:					Reason:	Contractual Obligation				

ORDERED: That the Transfer Request for the Legal Department in the amount of \$6,000.00 from Reserved for Salaries to City Solicitor to fund the position for the remainder of FY19, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Legal					FISCAL YEAR:	2019		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$485,582.65	\$6,000.00	11990006	57820	Reserve for Salaries	\$6,000.00	11510001	50030	City Solicitor		\$11,766.55
	Reason:	To fund City Solicitor line through June 30th due to a retirement								
	\$6,000.00	Total			\$6,000.00	Total				

ORDERED: That the Communication from the Mayor, re: S+P Global Bond Rating for the City of Marlborough, **FILE**; adopted.

ORDERED: That the Communication from City Clerk, Steven Kerrigan, re: Appointment of Wilson Chu as Assistant City Clerk effective June 3, 2019, **FILE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed License for Outdoor Seating requested by Melynda & JP Gallagher of Lost Shoe Brewing and Roasting Company, 19 Weed Street in proper legal form, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Map Amendment, by St. Mary's Credit Union for land on John Street, identified as Map 82, Parcels 112 & 113, in proper legal form, **MOVED TO ITEM 26**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to add to Chapter 650 a new section, which will create the Executive Residential Overlay District in the Simarano Drive and Cedar Hill Road Area, in proper legal form, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Grant of Public Trail Easement, Proposed Conservation Restriction and Proposed Regulatory Agreement, Avalon Orchards, 91 Boston Post Road East, in proper legal form, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, in proper legal form, **MOVED TO AFTER ITEM 26**; adopted.

ORDERED: That the Communication from Code Enforcement Officer, Ethan Lippitt, re: Request for Signs, Spenga, 115 Apex Drive, within the HRMUOD, **APPROVED**; adopted.

ORDERED: That the Communication from the MA State Lottery Commission re: Application for Keno License, Firefly's, 350 East Main Street, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 22, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Brian Blaesser, on behalf of Cameron General Contractors, to construct a Senior Independent Living Multifamily Community, pursuant to the provisions of the Retirement Community Multifamily Overlay District, 90 Crowley Drive, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: That the Minutes, School Committee, April 23, 2019 & May 14, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, April 9, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, April 4, 2019 & May 2, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, April 9, 2019, **FILE**; adopted.

ORDERED: That the Minutes, License Board, April 24, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Retirement Board, March 26, 2019, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, April 24, 2019, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a) Shakirah Najjemba, 8 Joanne Drive, #15, Ashland, pothole or other road defect.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**City Council Finance Committee
Tuesday May 28, 2019
In Council Chambers**

Finance Committee Members Present: Chairman Ossing; Councilors Robey, Oram (present for items 3B, 4, 5 and 6), Irish (present for items 5 and 6) and Dumais.

Finance Committee Members Absent: None

Other Councilors in Attendance: Councilor Clancy, Landers and Doucette.

The meeting convened at 7:03 PM.

1. **Order No.19-1007682 - Snow and Ice Year End Transfers for \$1,325,300.00:** The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting a transfer of \$1,325,300.00 from the Undesignated Fund account to the following snow and ice accounts:

- \$280,300.00 to Overtime Snow and Ice
- \$395,000.00 to Snow Removal
- \$650,000.00 to Operating Expenses

The Finance Committee voted 3 - 0 to approve the transfers.

2. **Order No. 19-1007683 – Transfer \$388,000.00 from Meals Tax Revenue Account to FY19 Bond Payment for Parks and Recreation Improvements:** The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting a transfer of \$388,000.00 from the Meals Tax Revenue Account to the FY19 bond payment for parks and recreation improvements. The May 2019 balance in the Meals Revenue Account is \$3,925,755.96. The Finance Committee reviewed the Comptroller letter dated May 22, 2019 that outlined the future bond payments for the two approved bonds through 2032. **The Finance Committee voted 3 – 0 to approve the transfer.**

3. **Order No. 19-1007684 A&B – Year End Transfers in the amount of \$73,000.00:** The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting year end transfers from within the existing budget in the amount of \$73,000.00 for the Department of Public Works and Fire Department. The Finance Committee took the following actions:

- Order No. 19-1007684A - \$58,000.00 within various DPW accounts for park maintenance, consultant fees for the Assistant Commissioner duties and roof and masonry repairs at the DPW. **The Finance Committee voted 3 – 0 to approve the transfers.**
- Order No. 19-1007684B - \$15,000.00 in the Fire Department to supplement the purchase of a new incident command vehicle– **The Finance Committee voted 4 – 0 to approve the transfers.**

The Finance Committee agreed to support suspending the rules at the June 3, 2019 City Council meeting to approve the transfer for Order 19-1007684B.

4. **Order No .19-1007685 – Transfer \$16,900.00 from Reserve for Salaries to Fund Retirement of Human Resource Director:** The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting the transfer of \$16,900.00 from Reserve for Salaries to fund the retirement costs associated with the retirement of the Human Resource Director. **The Finance Committee voted 4- 0 to approve the transfers.**
5. **Order No. 19-1007686 – Transfer \$4,500.00 to Open Space Stabilization Account for FY18 Antenna Receipts:** The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting a transfer of \$4,500.00 from the Undesignated Fund account to the Open Space Stabilization. The source of the \$4,500.00 is from the FY18 wireless antennae receipts. The DPW Commissioner mentioned that \$22,500.00 was incorrectly moved to the Parks and Recreation Revolving Fund. This will be corrected for the FY19 transfer. **The Finance Committee voted 5 - 0 to approve the transfer.**

Reports of Committee Continued:

6. Order No. 19-1007687 – Fiscal Year 2020 Revolving Funds Spending Limits: The Finance Committee reviewed the Mayor's letter dated May 16, 2019 requesting the City Council approve the spending limits for three Revolving Funds for FY2020:

- Order - That no more than \$350,000.00 shall be expended from the Parks and Recreation Revolving Fund during Fiscal Year 2020, unless otherwise authorized by the City Council and Mayor.
- Order - That no more than \$75,000.00 shall be expended from the Public Safety Revolving Fund during Fiscal Year 2020, unless otherwise authorized by the City Council and Mayor.
- Order - That no more than \$70,000.00 shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2020, unless otherwise authorized by the City Council and Mayor.

The Finance Committee voted 5 - 0 to approve all three Revolving Fund Spending limits for FY20.

The Finance Committee adjourned at 7:32 PM.

Councilor Robey reported the following out of the Legislative & Legal Affairs Committee:

City Council Legislative and Legal Affairs Committee
Tuesday, May 28, 2019 6:30 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, Councilor Landers, and Councilor Delano. Other Councilors- Clancy, Doucette, Dumais, Landers and Ossing. Other attendees-City Solicitor Jason Grossfield, JP and Melynda Gallagher from Lost Shoe Brewing and Roasting Company for the 1st order and former City Solicitor Donald Rider, Scott Dale and Paul Monnie from AvalonBay Communities for the 2nd order.

Order No. 19-1007671: Communication from Melynda and JP Gallagher to add outdoor seating to their establishment, Lost Shoe Brewing and Roasting Company, 19 Weed St. Because this is not on Main Street, a license to encroach on public sidewalk and indemnification of city are necessary. Their plan is to set up tables in front of entrance, starting with coffee only and applying to local License Board and state Alcoholic Beverages Commission for a permit to serve beer in an outdoor patio. The license to encroach gives them permission to use the sidewalk area from May 1st to Sept. 30 each year and each year in the future. Licensee shall not allow any use of the tables and chairs in the licensed area after 10PM. Licensee shall remove all tables and chairs at the close of business on September 30th.

Councilor Delano moved to approve the License to Encroach on Public Sidewalk and Indemnification for Lost Shoe Brewing and Roasting Company, 19 Weed St. It was seconded, and the motion carried 3-0.

A Suspension of Rules will be requested at the June 3 City Council meeting to vote on this.

Reports of Committee Continued:

Order No. 19-1007688: Communication from City Solicitor Donald Rider regarding Proposed Conservation Restriction and Proposed Regulatory Agreement, Avalon Orchards, 91 Boston Post Road East. Solicitor Rider provided the Council with a letter detailing these matters. The conservation restriction on approximately 9 acres of land is condition #10 in a ZBA comprehensive permit approved in 2000. Another condition calls for a trail easement within that land. A trail was created but has become overgrown, and the trail easement was not recorded to signify the condition was met. Conservation Commission approval is also required. An email from Priscilla Rider indicates a vote to approve carried at their meeting on May 16, 2019.

Councilor Delano moved to approve the Conservation Restriction for Avalon Orchard, 91 Boston Post Road. It was seconded, and the motion carried 3-0.

The second matter related to this property is the Regulatory Agreement, which will extend to the year 2045 the ability to count all 156 rental units in the property as affordable units.

Councilor Delano moved to approve the Regulatory Agreement for Avalon Orchard, 91 Boston Post Road. It was seconded, and the motion carried 3-0.

It was moved and seconded to adjourn; motion carried 3-0. Meeting adjourned at 7PM.

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: May 28, 2019

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

Convened: 7:40 PM – Adjourned: 8:34 PM

Present: Chairman Landers; Public Services Committee Members Councilors Doucette and Irish; and Councilor Clancy, Oram, and Ossing; Thomas DiPersio (City Engineer, City of Marlborough)

Order No. 19-1007651: Application for Renewal of Junk Dealer/Second Hand Dealer License, Jean Rabelo, d/b/a Post Road Used Auto Parts, 785 Boston Post Road East. Police Chief Giorgi approved the CORI report for Jean Rabelo and had no objection to their application for a Junk Dealer's/Second Hand License. Jean Rabelo and Julio Rabelo appeared before the committee to request renewal of their license. Ms. Rabelo stated the business is doing well and they take pride in it. She did discuss her attendance at a public meeting regarding the redevelopment of Route 20 where her business was mentioned as the former auto parts recycler. The councilors in attendance were unaware of this and indicated their support for her business as it provides a valuable service to the City and region.

Motion made by Councilor Doucette, seconded by the Chair, to approve the license renewal for Jean Rabelo, d/b/a Post Road Used Auto Parts, 785 Boston Post Road East. The motion carried 3-0.

Reports of Committee Continued:

Order No. 19-1007652: Application for Renewal of Junk Dealer/Second Hand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Second Hand Store, 65 Mechanic Street. Police Chief Giorgi approved the CORI report for Gerry Dumais and had no objection to his application for a Junk Dealer's/Second Hand License. Gerry Dumais appeared before the committee for renewal of his license. He has opened the store once in the past year (the previous Thursday) for two customers. He is in the process of cleaning it up as it has become cluttered.

Motion made by Councilor Doucette, seconded by the Chair, to approve the license renewal for Gerald Dumais, d/b/a Dumais & Sons Second Hand Store, 65 Mechanic Street. The motion carried 3-0.

Order No. 19-1007653: Application for Renewal of Junk Dealer/Second Hand Dealer License, Best Buy Stores LP #820, d/b/a Best Buy, 769 Donald J. Lynch Boulevard. Police Chief Giorgi approved the CORI report for Kelly Costello and had no objection to their application for a Junk Dealer's/Second Hand License. Kelly Costello appeared on behalf of Best Buy seeking renewal of their license. Ms. Costello explained they receive many trade-ins for phones as people upgrade their devices and a large part of their business is recycling smaller electronic items in store such as laptops, monitors, smaller televisions, keyboards, cables, and ink/toner cartridges. Best Buy also offers recycling as part of their home services for refrigerators, large televisions, and other large items which are sent to their warehouse in Bellingham. The Best Buy in-store recycling program will take items without requiring a purchase.

Motion made by Councilor Irish, seconded by the Chair, to approve the license renewal for Best Buy Stores LP #820, d/b/a Best Buy, 769 Donald J. Lynch Boulevard. The motion carried 3-0.

Order No. 19-1007672: Petition from TC Systems, Inc., on behalf of AT&T, to install new underground conduits with cable on Forest Street from Pole #24 to Verizon MH #516 for a distance of 65' within the Public Way. Chris Murray of TC Systems, who provide local services for AT&T, explained they wish to install underground conduits from a utility pole into Verizon systems which services the 200 Forest Street Business Park. The project will take two to three days and they hope to complete it as soon as possible. Thomas DiPersio, City Engineer, indicated the project will require a road opening permit and they will coordinate with TC Systems regarding the finishing of Forest Street.

Motion made by Councilor Doucette, seconded by Councilor Irish, to approve the Petition from TC Systems, Inc., on behalf of AT&T. The motion carried 3-0.

Order No. 17/19-1007055C: Communication from Attorney Michael Dolan on behalf of New Cingular Wireless PCS, LLC (AT&T), regarding Small Cell Antenna Petition, 28 Concord Road. Michael Dolan, attorney for Brown Rudnick, appeared on behalf of New Cingular Wireless (AT&T) and provided background information on their request. In October 2017, they requested permission to install a small antenna facility on the top of a utility pole near 28 Concord Road at the same time as several other sites. Based upon feedback and concerns from the Councilors, AT&T made changes and received approval for three sites. At this site, the utility pole is tilting and based upon aesthetics and safety, the City Council tabled the petition. National Grid has agreed to replace the existing utility pole with a new, straight pole and to allow AT&T to relocate their equipment 11 feet off the ground. AT&T will bear the cost for the installation of the new pole.

Motion made by Councilor Doucette, seconded by Chair, to approve the small cell antenna petition at 28 Concord Road, as amended, with condition that the building permit for the wireless site is subject to the installation of a new utility pole as proposed by AT&T. Motion carried 3-0.

Motion made and seconded to adjourn. The motion carried 3-0. Meeting adjourned at 8:34 PM.

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: May 22, 2019

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

Convened: 5:20 PM – Adjourned: 6:44 PM

Present: Chairman Delano (left 6:28 PM); Urban Affairs Committee Members Councilors Juaire, Landers, Doucette, and Tunnera; Councilors Clancy, Irish, Robey (arrived 5:47 PM), and Ossing (left 6:28 PM); Donald Rider (Former City Solicitor, City of Marlborough); Jeffrey Cooke (Building Commissioner, City of Marlborough)

Order No. 19-1007533: Proposed Zoning Amendment, to add to Chapter 650 a new section §36, which will create an Executive Residential Overlay District in the Simarano Drive and Cedar Hill Road Area. At the April 29, 2019 City Council Meeting, the Urban Affairs Committee recommended approval of the proposed Executive Residential Overlay District (EROD) zoning petition as amended by the committee and referred it to the City Solicitor to be placed in proper legal form for the May 20, 2019 City Council Meeting. In preparation for the May 20th City Council Meeting, former City Solicitor Rider noted two issues which required further City Council action and it was referred to the Urban Affairs Committee for their review.

The Urban Affairs Committee met with attorneys Arthur Bergeron and Brian Falk of Mirick O’Connell to review the proposed changes as recommended by former City Solicitor Rider at a meeting on May 22, 2019. The proponents agreed “Multifamily Dwellings, provided that the total number of units within the entire EROD shall not exceed 475,” which will require Post Road Residential in the future “1) to amend, if at all, the EROD in order to allow more than 475 multifamily dwelling units and 2) to apply for and be granted, if at all, a special permit for such units in conformance with any amended EROD.”

Reports of Committee Continued:

Chairman Delano suggested a change to section G.3. Landscaping. The language as written came from the Hospitality and Recreation Mixed Use Overlay District (HRMUOD) which does not apply to this site and he proposed it be changed to “landscaping in the EROD shall conform with the provisions of § 650-47 of the Marlborough Zoning Ordinance.” The committee and applicants approved of this change.

Former City Solicitor Rider also noted there were two additional issues requiring City Council action. Section D.1.a. lists eligible uses permitted by right in the EROD which includes those uses allowed by right in the underlying zoning district, as set forth in the Table of Use Regulations. Two of those uses listed, “professional offices” and “co-working or shared working spaces” are not noted in the Marlborough Zoning Ordinance, Table of Uses (§ 650-17), therefore any use not specifically allowed shall be prohibited and they should be deleted from Section D.1.a.

The second issue he raised was regarding Site Plan Approval, conducted by the City Council, that will be conducted with reference to an ERO Phase, which is a phase of development within the EROD. If an ERO Phase has already received site plan approval, individual uses within that ERO Phase may be changed without further site plan approval unless required by Chapter 270 of the City Code which deals with Site Plan Approval or it requires modification as noted in H.3. of the proposed zoning ordinance for the EROD.

Section D.4. proposes “Once an ERO Phase receives Site Plan Approval, individual uses within the ERO Phase maybe changed without further Site Plan Approval, unless such change otherwise requires Site Plan Approval under §270-2 of the Marlborough City Code or a modification to a Site Plan Approval under Subsection H.3.” and Former City Solicitor Rider proposed replacement of Section D.4. with the following:

“Once an ERO Phase receives Site Plan Approval,

- i) an individual as-of-right use within the ERO Phase may be changed without further Site Plan Approval, unless such change otherwise requires Site Plan Approval under §270-2 of the Marlborough City Code or a modification to a Site Plan Approval under Subsection H.3; and
- ii) an individual use already granted a special permit within the ERO Phase may be changed upon the grant of a new or modified special permit, as appropriate, for that changed use, and will be subject to Site Plan Approval; provided, however, that if the change is to an as-of-right use in the EROD, no further Site Plan Approval is required unless such change otherwise requires Site Plan Approval under §270-2 of the Marlborough City Code or a modification to a Site Plan Approval under Subsection H.3.”

The Urban Affairs Committee requested the proponent provide the Legal Department with an amended version containing the approved and agreed upon changes, so the Legal Department may place it on the June 3, 2019 City Council Agenda in proper form.

Reports of Committee Continued:

Motion made by Councilor Juaire, seconded by the Chair, to approve the recommended changes to Sections D.1.a and D.4. The motion carried 5-0.

Motion made by Councilor Juaire, seconded by the Chair, to approve the change of the total number of units within the EROD to not exceed 475 and modification to section G.3. Landscaping as proposed. The motion carried 5-0.

Motion made by Councilor Juaire, seconded by the Chair, to request a Suspension of the Rules at the June 3, 2019 City Council Meeting to vote on the proposed zoning amendment for the EROD as amended. The motion carried 5-0.

Motion made by Councilor Juaire, seconded by the Chair, to approve the Executive Residential Overlay District as amended. The motion carried 5-0.

Councilor Juaire reported the following out of the Urban Affairs Committee:

Order No. 19-1007612 (x. 18-1007244): Application for Special Permit from Thomas Coder, to demolish existing single-story home and construct a new two-story home at 21 Patten Drive. Chairman Delano was recused as he was absent from the public hearing on April 29, 2019 and Councilor Juaire was the acting chairman for this item. The committee met with Tom Coder, 3 Atwood Road, Southborough, who was applying for a special permit to tear down the existing home at 21 Patten Drive and build a new home. Mr. Coder displayed a picture of the current home, viewed floor plans for the basement, first and second floors, and a front and side elevation. Mr. Coder stated the new plans lowered the height of the home between 4.5 – 5.0 feet from the previously submitted design.

The committee discussed with the building commissioner and applicant the setbacks, lot coverage (733 SF versus 1,767 SF), and building location on the site. The applicant stated he planned to have a small patio and no deck, and the committee voted to have a condition in the special permit that there be no decks on the sides of the home. The ward councilor (President Clancy) liked the new design and had no objections to the new project.

Motion made by Councilor Doucette, seconded by the Chair, to include a condition, there be no decks on the sides of the home. The motion carried 4-0.

Motion made by Councilor Doucette, seconded by the Chair, to approve the special permit as amended. The motion carried 4-0.

Motion made and seconded to adjourn. The motion carried 4-0. The meeting adjourned at 6:44 PM.

Suspension of the Rules requested – granted.**ORDERED:**

That the Transfer Request for the Fire Department in the amount of \$15,000.00 which moves funds from 2018 Multi-Purpose Bond to Fire Equipment to fund the purchase of a new command vehicle, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Fire					FISCAL YEAR:	2019		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
<u>\$1,054,000.00</u>	<u>\$15,000.00</u>	<u>17110006</u>	<u>59968</u>	<u>2018 Multi Purpose Bond</u>	<u>\$15,000.00</u>	<u>19300006</u>	<u>58512</u>	<u>Fire Dept Equipment</u>		<u>\$128,631.40</u>
	Reason:	Excess due to favorable interest rates					Replace vehicle totaled in accident			
	<u>\$15,000.00</u>	<u>Total</u>				<u>\$15,000.00</u>	<u>Total</u>			

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed License for Outdoor Seating requested by Melynda & JP Gallagher of Lost Shoe Brewing and Roasting Company, 19 Weed Street in proper legal form, **FILE**; adopted.

Suspension of the Rules requested – granted.**ORDERED:****License to Encroach on Public Sidewalk and Indemnification**

WHEREAS, Lost Shoe Brewing and Roasting Company, LLC d/b/a Lost Shoe Brewing and Roasting Company, duly incorporated in the Commonwealth of Massachusetts with a principle place of business at Ashcroft Law Firm, LLC, 200 State Street, Boston, MA 02109, operating a coffee roasting facility and brewery including retail sales for serving the roasted coffee and beer brewed on-site known as Lost Shoe Brewing and Roasting Company located at 19 Weed Street, Marlborough, MA (being a portion of Assessors Map 70 Parcel 147) desires to use a portion of the sidewalk fronting said 19 Weed Street, Marlborough, MA for table service of food and/or beverages (hereinafter, "License Area"); and

WHEREAS the City of Marlborough (hereinafter, the "City") wishes to allow the Lost Shoe Brewing and Roasting Company to use the License Area for table service of food and/or beverages;

WHEREAS the License Area is owned by the City;

NOW, THEREFORE, the City of Marlborough, by and through its City Council (hereinafter, "the City"), grants to Lost Shoe Brewing and Roasting Company, LLC d/b/a Lost Shoe Brewing and Roasting Company (hereinafter, "Licensee") permission to use the License Area for the limited purpose of outdoor dining on food and/or beverages associated with the Licensee and to place tables and chairs thereon for said purpose, and for no other purpose, under the terms and conditions stated below (hereinafter, "the license" or "this license"):

1. The License Area is identified in its approximate location on the plan attached as Exhibit "A," which exhibit is made a part hereof.
2. The license shall be effective from the date of approval by the City until September 30, 2019. Thereafter, subject to the terms and conditions of this license, this license shall run from year to year starting on May 1st and ending on September 30th. Licensee may not place tables and chairs on the License Area until the start of business on May 1st, and Licensee must remove all tables and chairs at the close of business on September 30th.
3. Licensee shall not allow any use of the tables and chairs in the License Area after 10 PM.
4. Licensee acknowledges that this license is not a grant of interest in the License Area or in any other portion of City property.
5. Licensee acknowledge that this license is exclusive to Licensee and that no other person(s) or entity(ies) has the permission of the City to utilize the License Area for any purpose other than for dining on products purchased at the Lost Shoe Brewing and Roasting Company.
6. Licensee agrees that it shall not allow loitering or other use of the License Area which is not related to dining on products purchased at the Lost Shoe Brewing and Roasting Company.
7. Licensee agrees to indemnify and hold harmless the City, their officers, employees and agents from and against all suits, actions or claims, civil or criminal, of any character brought because of any injury or damage received or sustained by any person, persons or property arising out of, or resulting from the existence of any obstruction or defect in the public way abutting the License Area or in the License Area, or arising out of, or resulting from any asserted negligent or intentional act, error or omission of Licensee or its agents, servants or employees, occurring in the performance of the Licensee to place tables and chairs upon License Area and to allow the utilization by third parties of said License Area. The indemnification required hereunder shall not be limited by reason of the specifications of any particular insurance coverage of the Licensee.
8. The City's Building Commissioner or his agents may revoke the license for violation of the terms and conditions of this license.
9. Service of alcoholic beverages out-of-doors in the License Area shall require a separate license from the Licensing Board and any appropriate State approvals.

10. Said tables and chairs shall not interfere with accessible path of travel for handicapped individuals, per the Americans with Disabilities Act and all other applicable laws and regulations.
11. Signs shall not be permitted except in accordance with City's Sign Ordinance.
12. All applicable federal, state, and City policies, regulations and ordinances, as amended, shall remain in full force and effect, and Licensee shall comply with same.
13. Licensee agrees to abide by its terms and conditions and acknowledges that said license may be revoked by the City of Marlborough for breach of any condition contained therein.

APPROVED; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Grant of Public Trail Easement, Proposed Conservation Restriction and Proposed Regulatory Agreement, Avalon Orchards, 91 Boston Post Road East, in proper legal form, **FILE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to add to Chapter 650 a new section, which will create the Executive Residential Overlay District in the Simarano Drive and Cedar Hill Road Area, in proper legal form, **FILE**; adopted.

Suspension of the Rules requested – granted.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING A NEW §650-36, ENTITLED “EXECUTIVE RESIDENTIAL OVERLAY DISTRICT,” AS FOLLOWS:

§650-36 – EXECUTIVE RESIDENTIAL OVERLAY DISTRICT

A. Purpose and Objectives

The Executive Residential Overlay District (“EROD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district, subject to City Council approval, as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the EROD are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety, and welfare by promoting integrated, pedestrian-friendly, residential and mixed-use development with convenient access to employment options in Marlborough's southwest quadrant and along Interstate 495.

B. Location of EROD; Development Phasing

1. For the purposes of this Section (§650-36 et. seq.), the EROD is located on the easterly side of Simarano Drive between the Interstate 495 Interchange and Cedar Hill Road containing approximately 43 acres as indicated on the City Zoning Map and more particularly described in Exhibit “A” annexed hereto and incorporated by reference herein.

2. Within the EROD, there may be one or more phases of development (“ERO Phase”). Each ERO Phase may consist of one or more parcels of land and may include any eligible use set forth in Subsection D below, which may be commingled within a single structure or located in separate structures on one or more parcels. Parcels within the EROD may be combined or subdivided and held under separate ownership or leaseholds. Each ERO Phase shall be subject to Site Plan Approval.
3. Upon the issuance of Site Plan Approval for an ERO Phase on a parcel or parcels in the EROD, this Section (§650-36 et. seq.) shall govern said parcel as developed in accordance with the Site Plan Approval.
4. Except as specifically provided herein, the provisions of the Zoning Ordinance relating to the underlying zoning districts not otherwise impacted by this Section (§650-36 et. seq.) shall continue to remain in full force and effect. In the event of any conflict between the provisions of this Section (§650-36 et. seq.) and any other provision of the Zoning Ordinance, the provisions of this Section (§650-36 et. seq.) shall govern and control.

C. Authority of Permit Granting Authority

1. The City Council shall be the Permit Granting Authority for Special Permits and Site Plan Approvals in the EROD. Special Permits shall require a two-thirds vote of the City Council; Site Plan Approvals shall require a simple majority vote.
2. At the request of an applicant as part of an initial application or as part of a modification pursuant to Subsection H, the City Council may elect to vary the dimensional, parking, design, and landscaping requirements applicable to an ERO Phase by Site Plan Approval upon finding that such change shall result in an improved design and will not nullify or substantially derogate from the intent or purpose of this Section (§650-36 et. seq.).
3. An application for Site Plan Approval for an ERO Phase shall comply with Chapter 270 of the Marlborough City Code. An application for a Special Permit for a use in the EROD shall comply with the requirements of §650-59 of the Zoning Ordinance.

D. Eligible Uses

1. The following uses are permitted BY-RIGHT in the EROD:
 - a. Uses allowed by right in the underlying zoning district, as set forth in the Table of Use Regulations, including but not limited to offices, banks, and insurance and financial institutions.
 - b. Accessory uses, as defined in Section 650-5B.

2. The following additional uses are permitted BY SPECIAL PERMIT in the EROD:
 - a. Multifamily Dwellings, provided that the total number of units within the entire EROD shall not exceed 475.
 - b. Restaurant, café with or without table service (including outside seating and service) without drive-thru.
 - c. Restaurant, café with or without table service (including outside seating and service) with drive-thru, provided that said facilities have no dedicated driveway with a curb cut on a public way.
 - d. Health, sports and fitness clubs (indoor and/or outdoor) and related facilities.
 - e. Retail sales and services.
 - f. Brew pubs.
 - g. Distilleries with attached restaurants.
 - h. Accessory solar energy installations, including but not limited to roof-top systems and solar parking canopies.
 - i. Uses allowed by special permit in the underlying zoning district.
3. All uses not specified in Subsection D.1 and Subsection D.2 above shall be deemed prohibited in the EROD.
4. Once an ERO Phase receives Site Plan Approval:
 - a. an individual as-of-right use within the ERO Phase may be changed without further Site Plan Approval, unless such change otherwise requires Site Plan Approval under §270-2 of the Marlborough City Code or a modification to a Site Plan Approval under Subsection H.3; and
 - b. an individual use already granted a special permit within the ERO Phase may be changed upon the grant of a new or modified special permit, as appropriate, for that changed use, and will be subject to Site Plan Approval; provided, however, that if the change is to an as-of-right use in the EROD, no further Site Plan Approval is required unless such change otherwise requires Site Plan Approval under §270-2 of the Marlborough City Code or a modification to a Site Plan Approval under Subsection H.3.
5. Multifamily dwellings in the EROD shall be subject to Section 650-26 of the Zoning Ordinance.

E. Dimensional Requirements

1. Notwithstanding any provisions of the Zoning Ordinance to the contrary, development in the EROD shall be subject to the following dimensional standards:
 - a. Minimum Lot Area: none.
 - b. Minimum Lot Frontage: none.
 - c. Minimum Front Yard or Setback from a Public Way: 20 feet.
 - d. Minimum Side and Rear Yard: 25 feet.
 - e. Maximum Building Height: 80 feet, no limitation on stories.
 - f. Maximum Lot Coverage: 60%, over the entire EROD.

2. Notwithstanding anything contained herein to the contrary, there shall be no yard or setback requirements, or planting strips required as to internal lot lines within the EROD.

F. Parking Requirements

1. Parking Locations – Parking may be provided at ground level, underground, or in parking garages. Parking garages may be free standing or part of buildings dedicated to other permitted uses. Parking garages may contain accessory solar energy installation.
2. Minimum Required Parking Spaces – An ERO Phase shall provide parking as follows: 1 parking space per bedroom; 1 parking space per 250 square feet of office space; 1 parking space for every 3 seats plus 1 parking space for every 3 employees for a restaurant or other food/beverage service use; and 1 parking space for each 100 square feet of public floor area of other commercial space; provided, however, that the City Council may, through Site Plan Approval, authorize a reduction in the required number of parking spaces upon finding that the parking provided for the ERO Phase is sufficient to meet demand.
3. Parking Space Dimensions – Each parking space shall be no less than 9' x 18' except that the use of compact spaces (no smaller than 8' x 16') may be utilized throughout provided that no more than 33% of the total parking spaces within an ERO Phase shall be compact spaces.
4. Except as otherwise provided in this Section (§650-36 et. seq.), parking and circulation requirements in the EROD shall conform with the provisions of §650-48 and §650-49 of the Zoning Ordinance.

G. Design Standards

1. Design Criteria – An application for Site Plan Approval under this Section (§650-36 et. seq.) shall adhere to the design criteria specified in §270-2 of the Marlborough City Code.
2. Roadways – To the extent feasible, internal roadways shall be constructed using the methods and materials prescribed in the Rules and Regulations for the Subdivision of Land in the City but shall not be required to conform to the subdivision standards or dimensional requirements thereof, provided that those roadways shall be adequate for the intended vehicular and pedestrian traffic. The design of ways and parking circulation should be as efficient as possible to reduce the overall development impact and area of impervious surfaces.
3. Landscaping – Landscaping in the EROD shall conform with the provisions of §650-47 of the Zoning Ordinance.
4. Storm Water Management System – An ERO Phase shall have a storm water management system designed in accordance with the Rules and Regulations for the Subdivision of Land in the City, the Department of Environmental Protection's Storm Water Management Guidelines, and the City's Stormwater Ordinance, §271 of the Marlborough City Code.

5. Signage – Except as otherwise provided in this Section (§650-36 et. seq.), signage shall conform to the provisions of §526 of the Marlborough City Code.

H. Modifications

1. After approval, applicants may seek modifications to any approved Special Permits or Site Plan Approvals.
2. Special Permits – Major modifications to a Special Permit may be granted by a two-thirds vote of the City Council, and minor modifications to Special Permit may be granted by the Building Commissioner. The Building Commissioner shall have jurisdiction to determine whether a requested modification to a Special Permit is major or a minor. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce a material increase in impact on City services, the environment, or the neighborhood. Where the effect of a modification to a Special Permit is quantifiable (by way of example only, modifications to building size or location, parking count or location, or other such quantifiable modification), it shall be presumed minor if the quantifiable effect does not result in a ten percent (10%) or greater variation from the applicable approval, provided however, that said modification would not result in a violation of any provision of this Section (§650-36 et. seq.). If it is determined that a modification to a Special Permit is not minor, per §650-59 of the Zoning Ordinance, an application for a revised Special Permit shall be filed, and a public hearing shall be held in the same manner as required for a new application.
3. Site Plan Approvals – Major modifications to a Site Plan Approval may be granted by a majority vote of the City Council, and minor modifications to a Site Plan Approval may be granted by the Building Commissioner. The Building Commissioner shall have jurisdiction to determine whether a requested modification to a Site Plan Approval is major or a minor. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce a material increase in impact on City services, the environment, or the neighborhood. Where the effect of a modification to a Site Plan Approval is quantifiable (by way of example only, modifications to building size or location, parking count or location, or other such quantifiable modification), it shall be presumed minor if the quantifiable effect does not result in a ten percent (10%) or greater variation from the applicable approval, provided however, that said modification would not result in a violation of any provision of this Section (§650-36 et. seq.). If it is determined that a modification to a Site Plan Approval is not minor, an application for a revised Site Plan Approval shall be filed in accordance with the City Council's Rules for Site Plan Approval.

EXHIBIT A

The Executive Residential Overlay District shall include the following parcels of land (herein identified by the Assessors' Map and Parcel Number):

- Assessors Map 116, Parcel 5
- Assessors Map 116, Parcel 11
- Assessors Map 116, Parcel 12

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

Suspension of the Rules requested – granted.

ORDERED: That the Application for Special Permit from Thomas Coder, to demolish the existing single-story home and construct a new two-story home at 21 Patten Drive refer to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE JUNE 17, 2019 CITY COUNCIL MEETING;** adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Map Amendment, by St. Mary's Credit Union for land on John Street, identified as Map 82, Parcels 112 & 113, in proper legal form, **FILE;** adopted.

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH HEREBY ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING THE ZONING MAP, SECTION 650-8, AS FOLLOWS:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said Zoning Map is amended by including Assessors Map 82, Parcels 112 and 113 in the Business District.

Councilor Delano recused.

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

President Clancy called a recess at 10:15 PM and returned to open meeting at 10:25 PM.

Suspension of the Rules requested – granted.

ORDERED: That the Communication from the Planning Board regarding their favorable recommendation with comments on the Proposed Zoning Ordinance Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, **FILE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, **TABLED UNTIL JUNE 17, 2019 CITY COUNCIL MEETING**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 10:32 PM; adopted.