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CITY OF MARLBOROUGH

2018 JUN 14 P 5:14

Presentation of City Scholarships 2018

1. Minutes, City Council Meeting, June 4, 2018.
2. PUBLIC HEARING On the Application for Special Permit from Sandra Colligan, to demo existing house and build a new two story home at 21 Patten Drive, Order No. 18-1007244.
 - a. Communication from Arthur and Laurie Zouha re: Special Permit for Sandra Colligan to demo existing house and build a new two story house at 21 Patten Drive.
3. PUBLIC HEARING On the Application for Special Permit from Attorney Falk, on behalf of Jefferson Street Residences, 27 Jefferson LLC, to build an 11 unit 2 story, multifamily condominium building at 27 Jefferson Street, Order No. 18-1007245.
4. Communication from the Mayor re: Rescinding of Various Bonds.
5. Communication from President Clancy re: Coffee Roasteries, Proposed Amendment to Zoning Ordinance, Chapter 650-5 & 17.
6. Communication from the Planning Board, re: Acceptance of Slocumb Lane as a Public Way, Order No. 18-1007285.
7. Communication from Chris White re: Vegetation Management Notice.
8. Communication from various residents and business owners listed below re: Support of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
 1. Robert Folan
 2. Daniela Cerqueira
 3. Tony Cerqueira
 4. Eileen Rivera
 5. Kim Jones
 6. Linda Cook
 7. Andrea Moura
 8. Elizabeth Callan
 9. Gerusa Soares
 10. Ron Ayotte
 11. Barbara Kozay
9. Communication from various residents and business owners listed below re: Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
 1. Matt Hicks
 2. Tui Clern
 3. Richard Ward
 4. C. Tagliaferri
 5. Daniel Mahoney
 6. Denise Liaus
 7. Mike Monteiro
 8. Eva Rabelo
 9. Nancy Nims
 10. Richard Robinson
 11. Robert Saragarian
 12. Barbara Saragarian
 13. Peter D'Aurora
 14. Susan Brown
 15. Christine Weed
 16. Daniel Mauro
 17. Weberton Figueiredo
 18. Christe Leoleis
 19. Dennis Mauro
 20. Paul Crisafulli
 21. Sandra Crisafulli
 22. Angelo Cruz
 23. Eleanor Travers
 24. Dominic Mauro
 25. Martha Mauro
 26. Lenice Araujo
 27. Gilberto Araujo
 28. Elicia Lemes
 29. Celeste Cantero
 30. Marie Yerardi
 31. Heather Duca
 32. Mike Ormand
 33. Levon Gulbankian
 34. Donald Gulbankian
 35. Dennis DiRico
 36. Gerald Dumais
 37. Charles Trombetta
 38. Anthony Trombetta
 39. Charles P. Trombetta

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.

10. Communication from Charles Trombetta, Mike Monteiro, & Gina DiMatteo re: Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
11. Communication from Charles Trombetta re: Tabling of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136H.
12. Communication from the Attorney Buckley re: Results Way Mixed Use Overlay District.
13. Communication from AvalonBay Communities, Inc., re: Special Permit Application for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed-Use Overlay District.
14. Communication from AvalonBay Communities, Inc., re: Site Plan for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed-Use Overlay District.
15. Communication from Vanasse Hanglen Brustlin, Inc., re: Notice of Project Change, Marlborough Hills. (Booklet is available for viewing in the City Clerk's Office).
16. Communication from Attorney Falk re: Site Plan Application for 28 South Bolton Street
17. Communication from Attorney Bergeron re: Garden Remedies, Inc., Special Permit Application for Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment, 416 Boston Post Road East.
18. Communication from Leonard Solo re: Council Order. 18-1007198 Proposed Zoning Amendment, Article VI, Section 650-22, Retirement Community Overlay District at Crowley Drive, Order No. 18-1007198B.
19. Communication from Attorney Pezzoni re: Proposed Amendment to the Marlborough Zoning Code Regarding Multifamily Retirement Community, Order No. 18-1007198B.
20. Communication from MA Water Resource Authority re: Wachusett Aqueduct Pumping Station (MWRA Contract No. 7157) Marlborough, MA.
21. Application for Special Permit from Christopher White, re: Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street.
22. Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, Francis Street and East Main Street, Utility Pole #11-50.
23. Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, 10 Neil Street Utility Pole 1.
24. Petition from Mass Electric and Verizon New England, Inc. to install new Pole #37-5, Stevens Street, for new electrical feed to the High School.
25. Minutes, License Board, April 25, 2018 & May 10, 2018.
26. Minutes, Traffic Commission, April 25, 2018.
27. Minutes, School Committee, May 22, 2018.
28. CLAIMS:
 - a. Bruce Gelb, 328 Cook Lane, other property damage and/or personal injury.
 - b. Avidia Bank, Main Street, Hudson, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

29. **Order No. 18-1007279 - Snow and Ice Year End Transfers for \$1,588,000.00.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$1,588,000.00 from the Undesignated Fund account to the following snow and ice accounts:

- \$281,300.00 to Overtime Snow and Ice
- \$538,800.00 to Snow Removal
- \$767,900.00 to Operating Expenses

The Finance Committee voted 5 - 0 to approve the transfers.

30. **Order No. 18-1007280 – Transfer \$679,841.00 from the Economic Development Account to Fund the Marlboro Economic Development Corporation (MEDC) for FY19.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the transfer of \$679,841.00 from the Economic Development account to fund MEDC for FY19. The funds are from the local options hotel tax that has a current balance of \$1,368,317.15. **The Finance Committee voted 4 - 1 (Councilor Oram opposed) to approve the transfer.**

31. **Order No. 18-1007281 – Transfer \$18,000.00 to Open Space Stabilization Account for FY17 Antenna Receipts.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting a transfer of \$18,000.00 from the Undesignated Fund account to the Open Space Stabilization. The source of the \$18,000.00 is from the FY17 wireless antennae receipts. **The Finance Committee voted 5 - 0 to approve the transfer.**

32. **Order No. 18-1007283 – Fiscal Year 2019 Revolving Funds Spending Limits.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the City Council approve the spending limits for three Revolving Funds for FY19.

- Order #18-1007283-3 - That no more than \$350,000.00 shall be expended from the Parks and Recreation Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**

- Order #18-1007283-1 - That no more than \$75,000.00 shall be expended from the Public Safety Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**

- Order #18-1007283-2 - That no more than \$40,000.00 shall be expended from the Council on Aging Revolving Fund during Fiscal Year 2019, unless otherwise authorized by the City Council and Mayor. **The Finance Committee voted 5 - 0 to approve the order.**

33. **Order No. 18-1007284 – Grant for \$100,000.00 for Park Improvements.** The Finance Committee reviewed the Mayor's letter dated May 17, 2018 requesting the approval of a \$100,000.00 Legislative Earmark Grant for the installation of a splash park at Stevens Park. **The Finance Committee voted 5 - 0 to approve the Grant.**

From Urban Affairs Committee

34. **Order No. 17/18-1006979B - Communication from Metropolitan Area Planning Council (MAPC) regarding 1.) Multifamily Design Review Guidelines; 2.) Multifamily Development Review Criteria; 3.) Background information on TDR; 4.) MA Subsidized Housing Inventory for Marlborough; and 5.) Housing Needs Assessment related to the Housing Study Report.** The Urban Affairs Committee met with Mark Racicot and Josh Fiala of the Metropolitan Area Planning Council (MAPC) on February 13th, March 27th, and May 15th for review and discussion of the document created by MAPC titled "City of Marlborough Multifamily Development Review Criteria and Design Guidelines". The Urban Affairs Committee also met on May 29th (Mr. Racicot and Mr. Fiala were unable to attend) for a final review of the document which was dated May 25, 2018. The document was designed to assist developers and the City of Marlborough in defining appropriate design criteria and municipal review of multifamily developments proposed within the City. It provides City officials a guideline to evaluate proposed projects and their impact on areas such as schools, emergency services, affordable housing, the environment and energy needs. During this final review, Councilors requested language be included in the document with regards to uses not allowed in certain zoning districts that may require zoning changes or overlay districts which may or may not be forthcoming. At the request of Councilor Robey, the committee agreed to remove reference to fees for outside consultants as outlined in MGL Chapter 44, Section 53G. **Motion made and seconded to approve the "Multifamily Development Review Criteria and Design Guidelines" as amended. The motion carried 5-0.**
35. **Order No. 18-1007195 - Proposed Zoning Map Amendment, Expansion of the Marlborough Village District.** Chairman Delano explained the proposed zoning map amendment was a minor change because the stairs coming down from McEnelly Street are not included in the Marlborough Village District (MVD) and for the proposed project on Main Street to occur, the stairs must be added to the MVD. The Planning Board gave a favorable recommendation for the proposed zoning amendment in a letter dated April 24, 2018. Attorney Brian Falk of Mirick O'Connell represents Vincenza Sambataro, the owner of 163-175 Main Street, and explained there is a site plan approval pending before the City Council as well as the Site Plan Review Committee. While considering their different options for the project, it was discovered the back portion of the stairs was zoned Residence B (RB) and not MVD and expansion into the City owned stair area would provide additional units and square footage for the retail space along Main Street. **Motion made and seconded to approve the Proposed Zoning Map Amendment for the Expansion of the Marlborough Village District. The motion carried 5-0.**

From City Council

36. **ORDER No. 18-1007262-1A, 18-1007262-2A, 18-1007262-3A**
That the following FY18 Capital Bond requests, be and is herewith **TABLED UNTIL JUNE 18, 2018 CITY COUNCIL MEETING.**

STREET CONSTRUCTION BOND

That the sum of \$3,500,000 (three million five hundred thousand 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 \$3,500,000 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 the 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.

SEWER CONSTRUCTION BOND

That the sum of \$1,800,000 (one million eight hundred dollars) be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$1,800,000 under and pursuant to the provisions of Chapter 44, Section 8 (14) 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 the 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.

WATER MAIN CONSTRUCTION BOND

That the sum of \$150,000 (one hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$150,000 under and pursuant to the provisions of Chapter 44, Section 8 (5) 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 the 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.