

REGULAR MEETING  
NOVEMBER 8, 2021  
TIME: 8:00 PM

IN CITY COUNCIL  
ABSENT  
LOCATION: CITY HALL, 140 MAIN STREET, 2<sup>ND</sup> FLOOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2021 NOV -4 P 12:40

### CITY COUNCIL AGENDA

This meeting of the City Council will be held in City Council Chambers on Monday, November 8, 2021 at 8:00 PM. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website ([www.marlborough-ma.gov](http://www.marlborough-ma.gov)).

1. Minutes, City Council Meeting, October 18, 2021.
2. From Council President Ossing: Update from Mayor Vigeant regarding COVID-19.
3. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650, requested by the Mayor, to extend the Housing Moratorium on the acceptance of any new multi-family housing projects through December 31, 2021, Order No 21-1008414.
4. PUBLIC HEARING on the Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Garden Remedies, Inc., requesting to update the signage at the Marlboro Square Retail Plaza, 416 Boston Post Road East, Order No 21-1008417.
5. Certification from Ward 4 Councilor Robert Tunnera as required under MGL Chapter 39 §23D (“Mullin Rule”), regarding the Application for Special Permit of Aubuchon Realty Company, Inc., for two drive-through facilities associated with a new Starbucks and a bank at the Wayside Crossing Plaza, 661 Boston Post Road East, Order No 21-1008395.
6. Communication from the Mayor, re: Gift Acceptance to the Senior Center in the amount of \$675.00 from the Winske and Fitzpatrick families in memory of Paul Winske and Kay Fitzpatrick to be used for programming.
7. Communication from the Mayor, re: Gift Acceptance to the Conservation Commission in the amount of \$186.30 from Benjamin Rippey to be placed in the Conservation Maintenance Fund.
8. Communication from the Mayor, re: Grant Acceptance in the amount of \$250.00 from Keep Massachusetts Beautiful to the Conservation Commission to be used to install a Native Pollinator Preservation Garden at Ghiloni Park.
9. Communication from the Mayor, re: Grant Acceptance in the amount of \$10,000.00 from a Legislative earmark to be used for the purchase of defibrillators for the senior housing office, and other locations throughout the city.

**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 the Mayor, re: Grant Acceptance in the amount of \$15,244.00 from the United States Department of Justice awarded to the Police Department to be used for upgrade and replacement of the department's defibrillators.
11. Communication from Solicitor Jason Grossfield, re: Application for Special Permit from Attorney Christopher Flood, on behalf of Post Road Mobile Home Park and Sales, Inc., to create a second mobile home park by dividing an existing permitted mobile home park at 181 Boston Post Road East, in proper legal form, Order No. 21-1008354.
12. Communication from Solicitor Jason Grossfield, re: Application for Special Permit from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., for two drive-through facilities associated with a new Starbucks and a bank at the Wayside Crossing Plaza, 661 Boston Post Road East, in proper legal form, Order No 21-1008395.
13. Communication from Attorney Brian Falk on behalf of M&E Ventures Corporation, re: Request pursuant to Chapter 270 §2E(8)(b) of the Code of the City of Marlborough to extend the time for completion of the approved mixed-use development at 28 South Bolton Street to February 10, 2023, Order No. 18-1007317B.
14. Application for Special Permit from Attorney Brian Falk, on behalf of J & D Landscape Contractors, to construct and operate both a contractor's yard and landscape contractor's yard at the Airport Industrial Park, 101 Airport Boulevard, Unit 12.
15. Minutes of Boards, Commissions and Committees:
  - a) School Committee, October 12, 2021.
  - b) Conservation Commission, October 7, 2021.
  - c) Council on Aging, September 14, 2021.
  - d) Planning Board, September 27, 2021 & October 4, 2021.
  - e) Traffic Commission, July 28, 2021.
16. CLAIMS:
  - a) Engels Varela, 44 Central Street, #2, other property damage and/or personal injury.
  - b) Cuiyan Zhang, 46 Barnard Road, residential mailbox claim (2a)

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

From Urban Affairs Committee

17. **Order No. 21-1008354B: Application for Special Permit from Attorney Christopher Flood, on behalf of Post Road Mobile Home Park and Sales, Inc., to create a second mobile home park by dividing an existing permitted mobile home park at 181 Boston Post Road East.**

**Recommendation of the Urban Affairs Committee is to APPROVE.** Councilor Doucette moved to recommend approval of the draft Decision for a Special Permit Application submitted by Post Road Mobile Home Park and Sales Inc. to allow the creation of a new mobile home park by dividing the current park into two separate parks (new park with 10 permitted sites, retaining 109 in existing park); the motion was seconded. The motion carried 5-0.

18. **Order No. 21-1008395C: Application for Special Permit from Attorney Falk on behalf of Aubuchon Realty Company, Inc., for two drive-through facilities associated with a new Starbucks and a bank at Wayside Crossing Plaza, 661 Boston Post Road East.**

**Recommendation of the Urban Affairs Committee is to APPROVE as amended.** Councilor Doucette moved to recommend approval of the draft Decision for a Special Permit Application submitted by Aubuchon Realty to build and operate a drive-thru facility for a bank, a drive-thru facility for a coffee shop restaurant and a walk-up window for the coffee shop and to modify a pre-existing non-conforming use at 661 Boston Post Road East in the Wayside District as amended to add language to Condition #8 as submitted by the City Engineer; the motion was seconded. The motion carried 5-0.