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CITY OF MARLBOROUGH
City Council Agenda

Monday, October 3, 2022

8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **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).

1. Minutes, City Council Meeting, September 12, 2022.
2. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches, Order No. 22-1008679.
 - a) Communications from various residents, re: Proposed Zoning Amendment to Chapter 650, §40, in support of the proposed change.
3. PUBLIC HEARING on the Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, d/b/a Kosa Dispensary, to amend condition #8 relative to the hours of operation for the adult use marijuana retail establishment located at 505 Boston Post Road West, Order No. 19/22-1007881I.
4. PUBLIC HEARING on the Application for Modification of Special Permit and Site Plan from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., to allow for a stand-alone Chipotle Restaurant with a drive through facility and eliminate the proposed bank and retail addition to the plaza located at 661 Boston Post Road East, Order No. 21/22-1008395F.
5. Communication from Councilors Ossing & Wagner, re: Municipal Aggregation – September 2022 Update.
6. Communication from the Mayor, re: Municipal Aggregation Press Release.
7. Communication from the Mayor, re: Transfer Request in the amount of \$250,000.00 which moves funds from the Stabilization account to the Police Department Equipment account to fund the purchase of five new unmarked police vehicles.
8. Communication from the Mayor, re: Transfer Request in the amount of \$168,979.00 which moves funds from the Stabilization account to the Fire Department Equipment account to fund a new 100' aerial platform tower truck.
9. Communication from the Mayor, re: Transfer Request in the amount of \$8,598.30 which moves funds from Reserved TNC Surcharge to Capital Outlay Police for the purchase of additional traffic enforcement equipment.

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: Gift Acceptance in the amount of \$1,000.00 from ERA Key Charitable Organization awarded to the Council on Aging to assist seniors with unanticipated fuel expenses.
11. Communication from the Mayor, re: Appointment of N. Paul Tonthat to the Community Development Authority (CDA) for a three-year term to expire on March 25, 2025, to fill the position vacated by Josh Daigle who moved to the state appointed seat, and the Reappointments of Rene Perdicaro and Paul Sliney for three-year terms respectively to expire on March 9, 2024, and March 9, 2025.
12. Communication from City Solicitor, Jason Grossfield, re: Information on dismissal relative to WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451).
13. Communication from City Solicitor, Jason Grossfield, re: Howes Landing Subdivision/Acceptance of Gikas Lane as a Public Way (X 22-1008553).
14. Communication from City Clerk Steven Kerrigan, re: Notice of Early Voting Hours, for the State Election.
15. Communication from Ohde Hidehiro, Director of Planning & Policy for Akiruno City, re: Notice that Akiruno City has a new Mayor, Nakajima Hiroyuki as of September 4, 2022.
16. Application for Site Plan Review from Attorney Brian Falk, on behalf of JW Capital Partners, LLC, for a mix-use project at 57 Main Street in the Marlborough Village District.
17. Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #34 within the layout near 385 Farm Road.
18. Petition from Massachusetts Electric and Verizon New England, to install a new joint owned Pole (Pole 25-5) on Hayes Memorial Drive beginning at a point approximately 350' north/northwest of the centerline of the intersection of Nickerson Road for new commercial service.
19. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its 2019-2021 Three Year Energy Efficiency Plan Term Report.
20. Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2019-2021 Three Year Energy Efficiency Plan Term Report.
21. Minutes of Boards, Commissions and Committees:
 - a) School Committee, August 23, 2022, August 30, 2022 & September 13, 2022.
 - b) Council on Aging, June 10, 2022.
 - c) Historical Commission, June 16, 2022.
 - d) Planning Board, July 25, 2022.
 - e) Traffic Commission, June 29, 2022.
22. CLAIMS:
 - a) Lisa & Mark Whitmore, 43 Marien Lane, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS: