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CITY OF MARLBOROUGH
City Council Agenda

Monday, November 7, 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, October 17, 2022.
2. Communication from the Mayor, re: Grant Acceptance in the amount of \$2,000,000.00 from the Executive Office of Housing and Economic Development, Department of Housing and Community Development and Massachusetts Development Finance Agency through the FY23 Community One Stop for Growth program awarded to the Department of Public Works to be used to reconstruct a one-mile section of Cedar Hill Street.
3. Communication from the Mayor, re: Grant Acceptance in the amount of \$250,000.00 from MA Development's Taxi & Livery Partnership Program awarded to the Marlborough Economic Development Corporation (MEDC) to be used to continue funding of the commuter shuttle service.
4. Communication from the Mayor, re: Transfer Request in the amount of \$1,574.75 which moves funds from the Firefighter account to the Meal Allowance account to cover a deficit due to numerous emergency situations.
5. Communication from the Mayor, re: Proposed Order and Easement from the First Baptist Church granting the City of Marlborough access for necessary electric equipment and other site structures for the renovation project at the Public Library, 35 West Main Street.
6. Communication from City Solicitor, Jason Grossfield on behalf of Councilor Robey, re: Proposed Amendments to Chapter 650 "Zoning", relative to certain provisions concerning mixed-use and affordable housing.
7. Communication from City Solicitor Jason Grossfield, re: Proposed Salary Ordinance and Job Description for the Substance Use Prevention Coordinator and Intervention Specialist, within the Health Department, in proper legal form, Order No. 22-1008678.
8. Communication from Assistant City Solicitor Jeremy McManus, re: 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 retail establishment located at 505 Boston Post Road West, in proper legal form, Order No. 19/22-1007881.

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.

9. Communication from Assistant City Solicitor Jeremy McManus, re: Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Aubuchon Realty Company, Inc., to allow for a stand-alone Chipotle Restaurant with a drive-thru and eliminate the proposed bank and retail addition to the plaza located at 661 Boston Post Road East, in proper legal form, Order No 21/22-1008395.
10. Communication from Assistant City Solicitor Jeremy McManus, re: Application for Modification of Site Plan Approval from Aubuchon Realty Company, Inc., related to the retail plaza within the Wayside District, at 661 Boston Post Road East, in proper legal form, Order No. 21/22-1008418.
11. Petition of Verizon New England to lay and maintain underground conduits, with wires and cables to be placed therein under the public way, Desimone Drive.
12. Application for Special Permit from Marquel Frink and Divino Oliveira on behalf of All Fur Love, to operate a dog grooming business to be located at 75 Lincoln Street.
13. Application for a Sign Special Permit from Attorney Brian Falk, on behalf of Wayside Crossing, for a proposed EMC sign that will serve as an ordering board for the Starbucks drive-thru at 661 Boston Post Road East. In addition, pursuant to 650-37 I(1)(a) of the Code a Master Sign Plan for the Wayside Crossing Plaza at 661 Boston Post Road East.
14. Minutes of Boards, Commissions and Committees:
 - a) School Committee, October 11, 2022.
 - b) Planning Board, August 22, 2022 & September 12, 2022.
 - c) Traffic Commission, August 31, 2022.
15. CLAIMS:
 - a) Jane Goring, 184 Parkerville Road, Southborough, MA, pothole or other road defect.
 - b) Lily Luong, 79 Dewey Street, Worcester, MA, pothole or other road defect.
 - c) Guadalupe Quito, 87 Gaye Street, #1, Worcester, MA, pothole or other road defect.
 - d) David Wills, 124 Desimone Drive, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Urban Affairs Committee

16. **Order No. 19/22-1007881: 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 retail establishment located at 505 Boston Post Road West.**

Recommendation of the Urban Affairs Committee is to APPROVE as amended.

Councilor Navin moved to approve the Decision on an Amendment to a Special Permit with the following amendment to #8. Hours to read: "The maximum hours of operation of the Use shall be Monday through Saturday, 9:00 AM to 10:00 PM, and Sunday from 10:00 AM to 8:00 PM." The motion was seconded and carried 4-0.

From City Council

17. **Order No. 22-1008678: Proposed Salary Ordinance pursuant to Chapter 125 "Personnel", §6 "Salary Schedule" to create a new position entitled, Substance Use Prevention Coordinator and Intervention Specialist, within the Health Department, with 7-step salary table, minimum of \$58,000.00 to maximum of \$65,317.42, for a 35-hour work week, together with the proposed Job Description pursuant to Chapter 125 "Personnel", §5 "Preparation of Classification Descriptions".**

Recommendation of the Finance Committee is to APPROVE as amended. The matter was referred to the City Solicitor to be placed in proper legal form.