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CITY OF MARLBOROUGH

2023 APR 20 PM 1:00

## CITY OF MARLBOROUGH

### City Council Agenda

Monday, April 24, 2023

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](http://www.marlborough-ma.gov)).

1. Minutes, City Council Meeting, April 10, 2023.
2. Communication from President Ossing, re: Proposed Ordinance Amendment to Chapter 510 "Sewers", §2 "Use of Public Sewers" relative to Sewer Stub Location.
3. Communication from President Ossing, re: Proposed Zoning Ordinance Amendment to Chapter 650 "Zoning" to create the new Donald Lynch Boulevard Overlay District.
4. Communication from the Mayor, re: Reappointment of Stefanie Ferrecchia to the Community Development Authority for a 3-year term to expire on March 9, 2026.
5. Communication from the Mayor, re: Reappointment of Dr. Joseph Tennyson to the Board of Health for a 3-year term to expire on February 2, 2026.
6. Communication from the Mayor, re: Reappointment of Debra McManus to the Commission on Disabilities for a 3-year term to expire on October 21, 2025.
7. Communication from the Mayor, re: Reappointment of Linda Clark to the Board of Registrars for a 3-year term to expire on April 1, 2026.
8. Communication from the Mayor, re: Reappointments to the Conservation Commission for 3-year terms of John Skarin to expire on March 7, 2025, and Karen Paquin to expire on May 5, 2026.
9. Communication from the Mayor, re: Request to Rescind Bond in the amount of \$8,983,087.00 for the Goodnow Brothers Elementary School that is no longer available to be bonded for the intended project.
10. Communication from the Mayor, re: Proposed Tax Increment Financing (TIF) Agreement with ModernaTX, Inc. a biotech company with plans to purchase and operate a bio manufacturing facility and office space at 149 Hayes Memorial Drive (Map 99, Parcel 3).
11. Communication from City Solicitor Jason Grossfield, re: Proposed Deed conveying a certain parcel of land consisting of 9,387 square feet +/- known as the "Rail Spur Parcel" off Lincoln Street to the Marlborough Economic Development Corporation (MEDC).
12. Public Input regarding the Application for Site Plan Approval from Attorney Falk on behalf of JW Capital Partners, LLC, to build a mixed-use project at 57 Main Street in the Marlborough Village District, Order No. 22/23-1008649D.

**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.**

13. Communication from Andrew Delli Carpini on behalf of Colbea Enterprises, LLC, re: Request pursuant to Chapter 342 "Gasoline Stations and Car Washes" §2 "Exceptions" of the Code to operate a gas station/convenience store (Shell Station) at 342 Boston Post Road East on a 24-hour basis.
14. Application for Renewal of Junk Dealer/Secondhand Dealer License, TVI, Inc, d/b/a Savers, 222A East Main Street.
15. Communication from Attorney Brian Falk on behalf of Marlborough Apartment Partners 2 LLC with a Proposed Zoning Amendment to Chapter 650 "Zoning" §36 "Executive Residential Overlay District" (EROD) to increase the cap on the number of multifamily dwelling units from 475 to 950.
16. Minutes of Boards, Commissions and Committees:
  - a) School Committee, March 28, 2023.
  - b) Conservation Commission, March 16, 2023.
  - c) Historical Commission, February 16, 2023.
  - d) Planning Board, February 27, 2023.
17. CLAIMS:
  - a) Deborah Domings, 13 Middle Street, #1, other property damage and/or personal injury.
  - b) Hasani Ewing, 59 Peltier Street, re, residential mailbox claim (2a).
  - c) Linda Furbush, 7 Richard Road, re, residential mailbox claim (2b).
  - d) Dominic Gould, 44 Greendale Avenue, other property damage and/or personal injury.
  - e) Michael Tyo, 108 Goodale Street, residential mailbox claim (2a).

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

##### From City Council

18. **Order No. 22/23-1008721D: Mayoral Veto of City Council Order 22/23-1008721C, Ordinance Amendments to Chapter 650 "Zoning", relative to certain provisions concerning mixed-use and affordable housing.**

**The Mayor's communication regarding his veto was read into the record, and the matter was referred to the Urban Affairs Committee and postponed to the April 24, 2022, City Council meeting.**