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CITY OF MARLBOROUGH
City Council Agenda

Monday, December 4, 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).

1. Minutes, City Council Meeting, November 27, 2023.
2. PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole (25-25) 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 at 1000 Nickerson Road, Order No. 23-1009015.
3. PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole on Simarano Drive beginning at a point approximately 50' southeast of the centerline of the intersection of Simarano Drive and Bay Drive installing a midspan pole between pole 10 and pole 8-50 and install a 900 KVAR on it, Order No. 23-1009016.
4. TAX CLASSIFICATION PUBLIC HEARING with the Board of Assessors to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2024, Order No. 23-1009008.
5. Communication from the Mayor, re: FY 2024 Tax Classification Hearing Information and Tax Levy Offset Transfer Requests totaling \$616,179.15.
6. Communication from the Mayor, re: Gift Acceptance in the amount of \$2,000.00 from the Mobile Home Village Association, awarded to the Council on Aging to be used to purchase new equipment and games for the card room at the Senior Center.
7. Communication from the Mayor, re: Transfer Request in the amount of \$2,000,000.00 from Undesignated Fund (Free Cash) to Richer School Feasibility Study Fund to be used for the feasibility study phase of the MA School Building Authority's (MSBA) process.
8. Communication from the Mayor, re: Reappointment of Christopher J. Firicano as City Collector/Assistant Finance Director for a two-year term to expire on November 23, 2025.
9. Communication from City Solicitor, Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to JW Capital Partners, LLC, and Marlborough TOTG LLC v. City of Marlborough (Land Court No. 23 MISC 000199).
10. Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650 "Zoning" of the Code relative to Definitions, Affordable Housing, and the Marlborough Village District (MV), in proper legal form, Order No. 22/23-1008721.

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.

11. Communication from the Planning Board, re: Negative Recommendation on the Proposed Zoning Amendment to Chapter 650 "Zoning" to amend §22 "Retirement Community Overlay Districts" to include Map 39, Parcels 5 and 26B located on Robin Hill Street, Order No. 23-1008964.
12. Communication from property owner, re: Opposition to the Proposed Zoning Amendment to Chapter 650 "Zoning" to amend §22 "Retirement Community Overlay Districts", Order No. 23-1008964.
13. Communication from residents, re: Opposition to Proposed Amendment to City Code, Chapter 650 "Zoning" by adding a new section to create the "Sasseville Way Residential Overlay District", Order No. 23-1008941.
14. Minutes of Boards, Commissions and Committees:
 - a) Planning Board, October 2, 2023 & October 23, 2023.
15. CLAIMS:
 - a) Estate of Anna Gleason, 6 Gleason Street Ext., other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Urban Affaris Committee

16. **Order No. 22/23-1008721K: Proposed Amendment to Chapter 650, Zoning, relative to Definitions, Affordable Housing, and Marlborough Village District (MV) Zoning.**

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

Councilor Doucette moved to recommend approval of the order as amended, it was seconded and carried 4-0 with 1 absent. The Chair will report this out on Nov. 27th, ask for a suspension to refer to Solicitor to put in proper form for the Dec. 4th meeting for a vote to meet the deadline.