

REGULAR MEETING  
JUNE 3, 2019  
TIME: 8:00 PM

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

CONVENED:  
ADJOURNED:  
RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2019 MAY 30 P 2:15

1. Minutes, City Council Meeting, May 20, 2019.
2. PUBLIC HEARING On the Petition from Massachusetts Electric and Verizon New England, to relocate Pole and anchor #6 to the opposite side of Boudreau Avenue to accommodate a city road widening project, Order No. 19-1007690.
3. JOINT PUBLIC HEARING WITH THE PLANNING BOARD On the Proposed Revised Zoning Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, Order No. 18/19-1007500D.
4. Communication from the Mayor, re: Appointment of Jason Grossfield as City Solicitor of the City of Marlborough, effective May 20, 2019.
5. Communication from the Mayor, re: Capital Project Requests, which include a Bond Request in the amount of \$4,000,000.00 for road projects and a Transfer Request in the amount of \$1,752,958.50 for various department needs.
6. Communication from the Mayor, re: Transfer Request in the amount of \$49,090.00 00 to fund the recently ratified 3-year contract with the DPW Engineers Local 176 through FY2021.
7. Communication from the Mayor, re: Transfer Request in the amount of \$6,000.00 from Reserved for Salaries to City Solicitor to fund the position for the remainder of FY19.
8. Communication from the Mayor, re: S+P Global Bond Rating for the City of Marlborough.
9. Communication from City Clerk, Steven Kerrigan, re: Appointment of Wilson Chu as Assistant City Clerk effective June 3, 2019.
10. Communication from City Solicitor, Jason Grossfield, re: Proposed License for Outdoor Seating requested by Melynda & JP Gallagher of Lost Shoe Brewing and Roasting Company, 19 Weed Street in proper legal form, Order No. 19-1007671.
11. Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Map Amendment, by St. Mary's Credit Union for land on John Street, identified as Map 82, Parcels 112 & 113, in proper legal form, Order No. 19-1007569B.
12. Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to add to Chapter 650 a new section, which will create the Executive Residential Overlay District in the Simarano Drive and Cedar Hill Road Area, in proper legal form, Order No. 19-1007533D.

**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 City Solicitor, Jason Grossfield, re: Proposed Grant of Public Trail Easement, Proposed Conservation Restriction and Proposed Regulatory Agreement, Avalon Orchards, 91 Boston Post Road East, in proper legal form, Order No. 19-1007388.
14. Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650, §5, §17, & §18 – Home Office and Contractor/Landscape Contractor Storage Yards, in proper legal form, Order No. 18/19-1007500D.
15. Communication from Code Enforcement Officer, Ethan Lippitt, re: Request for Signs, Spenga, 115 Apex Drive, within the HRMUOD, Order No. 16/19-1006443.
16. Communication from the MA State Lottery Commission re: Application for Keno License, Firefly's, 350 East Main Street.
17. Application for Special Permit from Attorney Brian Blaesser, on behalf of Cameron General Contractors, to construct a Senior Independent Living Multifamily Community, pursuant to the provisions of the Retirement Community Multifamily Overlay District, 90 Crowley Drive.
18. Minutes, School Committee, April 23, 2019 & May 14, 2019.
19. Minutes, Commission on Disabilities, April 9, 2019.
20. Minutes, Conservation Commission, April 4, 2019 & May 2, 2019.
21. Minutes, Council on Aging, April 9, 2019.
22. Minutes, License Board, April 24, 2019.
23. Minutes, Retirement Board, March 26, 2019.
24. Minutes, Traffic Commission, April 24, 2019.
25. CLAIMS:
  - a) Shakirah Najjemba, 8 Joanne Drive, #15, Ashland, pothole or other road defect.

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

From Urban Affairs Committee

26. **Order No. 19-1007569B: Proposed Zoning Map Amendment from Attorney Brian Falk on behalf of St. Mary's Credit Union, regarding Rezoning of land located on John Street.** The Committee reviewed the petition on April 30<sup>th</sup> and May 9<sup>th</sup> with Attorney Brian Falk. Also, appearing on behalf of St. Mary's Credit Union: Robert Michaud, P.E. and Daniel Dumais, P.E. of MDM Transportation Consultants, Inc.; Josh Swerling, P.E. and Randy Miron of Bohler Engineering; and Jim Petkewich, Senior Vice President, St. Mary's Credit Union. The zoning petition seeks to rezone Parcels 112 & 113 on John Street from Residence C to Business. These parcels abut St. Mary's existing branch location on South Bolton Street. The zoning will incorporate the two parcels into the St. Mary's site to permit the construction of a new building, including a modern branch location with a coffee shop (Starbucks) and drive through facilities for each. The residential properties at 31 & 35 John Street will be torn down and replaced with the new building.

By email dated May 9, 2019, City Solicitor Rider advised removing the language that extended the rezoning to the centerline of John Street, pointing out that zoning does not extend into the public way even though the GIS indicates it does.

By letter dated April 30, 2019, the Planning Board voted to send a generally favorable recommendation with the following comments:

- Reposition of property dumpsters to reduce potential impact on abutting neighbors;
- Reposition the proposed structure(s) closer to the Maple Street Business District to lessen impact on surrounding residential neighborhood;
- Analyze traffic impacts to ensure safety at the John Street park and consider mitigating designs to facilitate left hand turns at the John Street and South Bolton Street intersection.

**Motion by Councilor Landers, seconded by Chair, to approve the rezoning of Map 82, Parcels 112 & 113 on John Street from Residence C to Business, as amended per the City Solicitor. Motion carried 4-0.**