

REGULAR MEETING  
FEBRUARY 22, 2021  
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

2021 FEB 18 P 1:55

This meeting of the City Council will be held virtually on Monday, February 22, 2021 at 8:00 PM with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE 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, February 8, 2021.
2. From Council President Ossing having Mayor Vigeant, provide an update to the City Council regarding COVID-19 vaccine rollout.
3. PUBLIC HEARING on the Application for Sign Special Permit, from Serrato Signs, LLC on behalf of Starbucks (St. Mary's Credit Union), 133 South Bolton Street, Order No. 21-1008199A.

**\*\* TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 293 267 553 #. \*\***

4. Communication from the Mayor, re: Transfer Request in the amount of \$10,400,000.00 which moves funds from Ballparks and Fields Capital and Undesignated Fund to various accounts as noted on the transfer sheet to fund infrastructure projects as outlined by DPW Commissioner Divoll.
5. Communication from the Mayor, re: Transfer Request in the amount of \$1,250,101.00 from the Meals Tax Revenue account to fund FY21 bond payments associated with parks and recreation improvements.
6. Communication from the Mayor, re: Transfer Request in the amount of \$459,600.00 which moves funds from and to various accounts within DPW to fund equipment for the Easterly Wastewater Treatment Plant.
7. Communication from the Mayor, re: Grant Acceptance in the amount of \$6,380.00 from the Executive Office of Public Safety & Security awarded to the Fire Department to fund annual Student Awareness of Fire Safety Programs (SAFE) for the youth of Marlborough.
8. Communication from the Mayor, re: Grant Acceptance in the amount of \$2,880.00 from the Executive Office of Public Safety & Security awarded to the Fire Department to fund annual Senior Awareness of Fire Safety Programs (SAFE) for the senior population in Marlborough.
9. Communication from the Mayor, re: Request to rescind \$4,889,927.00 in various bonds for projects that are either complete or no longer available for bonding due to regulations.
10. Communication from the Mayor, re: Request to create a new position of Resident Drop-off Station Attendant including job description and salary schedule.

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 Code Enforcement Officer Ethan Lippett, re: Request for Approval of a Flat Wall Sign, Apex Mini Golf, 21 Apex Drive, within the HRMUOD, Order No. 16/20-1006443.
12. Communication from Code Enforcement Officer Ethan Lippett, re: Request for Approval of a Flat Wall Sign, Apex Kids, 21 Apex Drive, within the HRMUOD, Order No. 16/20-1006443.
13. Communication from Code Enforcement Officer Ethan Lippett, re: Request for Approval of a Free-Standing Sign, Better Floors, Inc., 782 Boston Post Road East, within the Wayside District.
14. Application for Special Permit from Cal Verde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West.
15. Application for Special Permit from Attorney Brian Falk, on behalf of Global Montello Group Corp., to construct and operate a drive-thru facility to serve the current Alltown Convenience Store on the site, 656 Boston Post Road East.
16. Communication from Attorney Peter Tamm, on behalf of BH GRP TCAM Owner LLC, re: Proposed Zoning Map Amendment to the Results Way Mixed Use Overlay District (RWMUOD) and Proposed revisions to Chapter 650 §33 of the Zoning Code.
17. Communication from Attorney Brian Falk on behalf of WP Marlborough MA Owner, LLC (Waypoint Residential), re: Request to Extend Time Limitations to May 28, 2021 at 10:00 PM, on the Application for Special Permit to build a multifamily residential project in the Business District to be known as Walcott Heritage Farms, 339 Boston Post Road East (McGee Farm), Order No. 20-1007995H.
18. Communication from the Central MA Mosquito Control Project, re: Budget Notification for FY22 and Compliance Certification Policy.
19. Communication from Massachusetts Department of Transportation, re: MBTA Forging Ahead Service Proposal Environmental Notification Form.
20. Minutes of Boards, Commissions and Committees:
  - a) School Committee, January 12, 2021.
  - b) Planning Board, January 25, 2021.
21. CLAIMS:
  - a) Ravinder Narula, 345 Littlefield Lane, residential mailbox claim (2a).
  - b) Angelo Puzella, 156 Barnard Road, residential mailbox claim (2a).
  - c) Charles Sarian, 51 Bouffard Drive, residential mailbox claim (2a).
  - d) Jeffrey Simon, 30 Sheffield Terrace, residential mailbox claim (2a).
  - e) Akihiro Yamada, 62 Littlefield Lane, residential mailbox claim (2a).

22. ORDERED: That the City Council Legislative and Legal Affairs Committee review the following proposed amendment to the City Code. Chapter 270-19 re: fences:

Chapter 270, Building and Site Development, Article V: Fences

Chapter 270-19. Permit Required.

By adding the following section D, shown in red:

D. No permit shall be required under this article for the following fences, provided that the fence is in full compliance with all others provisions of this article and all other City ordinances:

- 1) A fence not exceeding three (3) feet in height which is erected to enclose a garden; or
- 2) A fence that is erected outside of the front, side or rear setback areas set forth in the city’s zoning ordinance. Ch 650-XXXX.

Chapter 270-24. Easements and rights of way.

By adding the following wording to section A, shown in red:

A. On any lot subject to an easement **where a fence will encroach upon or hinder the use of an easement area**, the owner or applicant shall procure a release in writing from the holder of the easement, and said release shall be attached to the application for a fence filed with the Building Department.

.....Submitted by Councilor Doucette.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS: