



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
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NOVEMBER 27, 2017

Regular meeting of the City Council held on Monday, November 27, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juare, Oram, Ossing, Robey, Delano; Doucette, Elder; Tunnera, Irish and Landers. Meeting adjourned at 8:51 PM.

ORDERED: That City Council President recognized two Police Officers who have been promoted to Sergeant; Kenneth McKenzie & John Graham, and two new Police Officers, Sean Milliken & Daniel McKew, **FILE**; adopted.

ORDERED: That the Minutes of the City Council meeting NOVEMBER, 13, 2017, **FILE**; adopted.

ORDERED: That the OPEB transfer request in the amount of \$1,100,000.00 which moves funds from Undesignated to OPEB Trust to ensure continual investment in the City's future fiscal stability, **APPROVE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2018		
		FROM ACCOUNT:					TO ACCOUNT:			
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$11,229,104.00	\$1,100,000.00	10000	35900	Undesignated Fund	\$1,100,000.00	87500	35900	OPEB Trust	\$7,694,947.56	
	Reason:	Transfer funds to OPEB trust								
	\$1,100,000.00	Total			\$1,100,000.00	Total				

ORDERED: That the Undesignated Stabilization transfer request in the amount of \$1,100,000.00 which moves funds from Undesignated to City’s Undesignated Stabilization account to ensure the City’s fiscal stability, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2018		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$11,229,104.00	\$1,100,000.00	10000	35900	Undesignated Fund	\$1,100,000.00	83600	32925	Undesignated Stabilization	\$11,188,578.50	
	Reason:	To increase undesignated stabilization funds								
	\$1,100,000.00	Total			\$1,100,000.00	Total				

ORDERED: That the IT transfer request in the amount of \$282,100.00 which moves funds from PEG account to IT Equipment account to improve the IT Department’s information technology infrastructure, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	IT					FISCAL YEAR:	2018		
		FROM ACCOUNT:					TO ACCOUNT:			
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$320,856.97	\$282,100.00	27000099	47750	Receipts Reserved-PEG Funds	\$282,100.00	19300006	58618	IT Equipment	\$0.00	
	Reason:	Use PEG funds for upcoming projects and various equipment purchases								
	\$282,100.00	Total			\$282,100.00	Total				

ORDERED: That the Fire Station Study transfer request in the amount of \$40,000.00 which moves funds from Undesignated to Capital Outlay to conduct a Fire Station study, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2018		
FROM ACCOUNT:					TO ACCOUNT:					
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$11,229,104.00	\$40,000.00	10000	35900	Undesignated Fund	\$40,000.00	19300006	52695	Fire Station Site Study	\$0.00	
Reason:		Mitigation funds received from Apex permit to fund a fire station site study								
	\$40,000.00	Total			\$40,000.00	Total				

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, NOVEMBER 27, 2017 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was ORDERED ADVERTISED as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING A NEW CHAPTER 421 AS FOLLOWS:

35) Lodging Houses and Boardinghouses \$100 Building Commissioner and his designee (Chapter 421)

AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY INSERTING A NEW CHAPTER 421, AS FOLLOWS:

CHAPTER 421: Lodging Houses and Boarding Houses**§ 421-1 Authority and Scope**

The following ordinance concerning lodging houses and boardinghouses has been adopted by the City Council pursuant to the provisions of Massachusetts General Laws (“M.G.L.”) Chapter 140, as amended. Any and all licenses issued by the Licensing Board shall be governed by, and subject to the Licensee’s compliance with all applicable federal, state and local laws, regulations and by-laws, including but not limited to the M.G.L., regulations of the Licensing Board, the ordinances of the City of Marlborough, all applicable building, fire prevention, zoning, health and sanitary codes, and any conditions the Licensing Board imposes on specific licenses. Where there is conflict between these ordinances and a condition on the license, the condition shall govern unless it is inconsistent with the law.

§ 421-2 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boarder, lodger, boardinghouse, lodging house, boarding unit, lodging unit shall have the same definitions as provided in § 650-5 of the City Code; consistent therewith, where the words lodging house are used, they shall also mean boardinghouse.

Licensee shall mean that person(s) or entity listed on the lodging house license and the owners of the land and building where the lodging house is operated.

§ 421-3 Application for a New or Renewed License

Prior to a new or renewed license being issued, Licensees and first-time applicants for a lodging house license shall request advisory reports from the Police Department, Fire Department, Collector, Board of Health, and Building Department, which advisory reports Licensees or first-time applicants shall furnish to the Licensing Board. The Licensing Board may deny an application for renewal of a license where there is cause for doing so. The Licensee’s, or first-time applicant’s, failure to comply with any federal, state or local law, regulation, or ordinance may be cause for denial of the application. This includes, but is not limited to, the ordinances of the City of Marlborough, state and local health regulations, the state Building Code, and the state Fire Code.

§ 421-4 New or Newly Renovated Facilities and Existing Licensed Facilities:

- A. New and renovated lodging houses must comply with all applicable State and Local Codes, Rules and Regulations in effect at time of construction.
- B. Consistent with and as may be permitted by Building Code, Fire Code, and Health Code, respective City officials may establish more flexible standards than certain provisions of this ordinance, applicable to existing facilities previously licensed as lodging houses, so long as they conform with applicable code requirements in effect at the time of construction or rehabilitation.

§ 421-5 Responsibilities of Licensee:

The Licensee shall be responsible for the proper supervision, operation, and maintenance of the lodging house in accordance with the requirements of this ordinance and all other pertinent laws, regulations and ordinances. The appointment of an agent shall in no way relieve the Licensee from responsibility for full compliance with the law.

§ 421-6 Agent(s)

- A. If the Licensee, because of health, other employment, non-residence on the premises of the lodging house, frequent or extended absences from the lodging house or other reason, is unable to exercise proper supervision of the lodging house, he/she shall designate one or more agent(s) to carry out all or part of his/her responsibilities.
- B. If, for any reason, an agent ceases to exercise his/her responsibilities, the Licensee shall at once notify the Licensing Board, Board of Health, Building Department, Fire Department and Police Department and take immediate steps to provide proper interim supervision and obtain a suitable replacement.
- C. The agent(s) shall be available on a 24-hour basis and must post his/her telephone numbers (including cell phone number) and beeper number, as applicable, in a location accessible to lodgers.

§ 421-7 City Inspections

- A. City inspections of licensed lodging houses shall be made on an annual basis by authorized inspectional departments to determine compliance with applicable state and local laws, regulations and codes, and upon request pursuant to §25 of M.G.L. c. 140, as amended.
- B. Annual inspections shall be made on week-days during normal City business hours. In addition, inspections may be made at other times (including but not limited to evenings and weekends) to investigate complaints or non-compliance issues. Inspections may include all areas occupied, used or controlled by the Licensee and within the structure containing the licensed premises, including rented and unrented units and other occupied and non-occupied space.
- C. Inspections shall be conducted in conformity with applicable federal, state and local law. Facilities requiring re-inspection are subject to applicable re-inspection fees.
- D. City officials shall, pursuant to an inspection under this ordinance or any other regulation or law, refer all violations of this ordinance and any other ordinance, regulation or law, whether federal, state, or local, which said officials are authorized to enforce, to the Licensing Board. All referrals to the Licensing Board shall also be mailed by first class mail to the Licensee and to the Licensee's agent, if any.

§ 421-8 Minimum Standards

- A. These regulations are minimum standards intended for the maintenance and enforcement required for the protection of health, safety and welfare of all persons concerned. If there is any conflict with state or local law, the stricter provision shall apply.
- B. All lodging houses shall comply with the requirements of Article II of the State Sanitary Code, Minimum Standards of Fitness for Human Habitation, which is incorporated herein by reference, and with the requirements of these regulations, whenever they are in addition to or more stringent than the requirements of Article II of said code.
- C. Licensees must have inspections performed by a licensed pest control operator (PCO) every 6 months (unless ordered to do so more frequently by the Health Department). PCO inspection reports must be kept on file for review. Inspections must include, but not be limited to, bed bugs, insects, and rodents. The licensee must take appropriate action to address any findings by the PCO. Licensees that can demonstrate long-term occupancy by a majority of the residents (greater than one year continued occupancy) may request a waiver of this inspection requirement. Waivers will be applied for and approved by the Director of Public Health.
- D. The Licensee and his/her agent(s) shall comply with Chapter 406, Littering, of the City Code, and all other state or local regulations and laws pertaining to the proper storage, collection and disposal of waste. Responsibilities of the Licensee and agent(s) include, but are not limited to, the following:
 - (1) Storing garbage and trash in watertight, rodent-proof receptacles with tight-fitting covers;
 - (2) Providing to lodgers as many receptacles as are sufficient to contain accumulation of all garbage and trash before collection for disposal;
 - (3) Locating garbage and trash containers in an area where objectionable odors will not enter any boarding or lodging unit;
 - (4) Removal of dumpster waste as frequently as necessary to prevent overflow, windblown trash and garbage, rodent infestation, and odors.

§ 421-9 Supervision

Licensees and their agent(s) shall:

- (1) Exercise due care in the selection of lodgers;
- (2) Inspect all common areas at least daily and all occupied rooms at least monthly and at every change of lodger to ensure that all such areas are in a clean and orderly condition and in compliance with Licensee's electrical use policy and regulations pertaining to obstruction of egress, cooking in rooms, and other health and safety hazards;
- (3) Post a schedule of inspections, for the purposes of notifying lodgers, at least forty-eight hours prior to said inspections. Posting of the schedule for inspections shall not apply in the case of an emergency;
- (4) Ensure that lodgers dispose of trash and garbage properly, and that lodgers store food items in a sanitary manner;
- (5) Ensure cleanliness of rooming units and common areas, if any;
- (6) Ensure an unobstructed path of egress from entry door to fire escape, particularly in exit rooms, stairs and hallways;
- (7) Ensure compliance by lodgers with Licensee's electrical use policy, and prohibit the use of candles and other items that requires burning to be used (incense, odor oils, etc.);
- (8) Prohibit the use of portable heaters;
- (9) Take whatever steps are necessary to prevent lodger(s) from repeatedly violating Licensee's rules or the requirements of this ordinance, or any other law or regulation, up to and including eviction; and
- (10) Comply with any other provisions or requirements as may be required by any department or board of the City of Marlborough.

§ 421-10 Automatic Fire Alarm System, Sprinkler Systems, Carbon Monoxide Protection

- A. All lodging houses shall be equipped with automatic smoke or heat detectors, an automatic sprinkler system, carbon monoxide alarms, carbon monoxide detectors and combination smoke/carbon detectors. The design, installation, and performance of said systems, alarms and detectors shall be in accordance with the state Building Code, the state Fire Code, NFPA and all applicable laws and regulations.
- B. The Licensee shall be responsible for the care and maintenance of all fire protection systems, including equipment and devices, to insure the safety and welfare of the lodgers. Installation of, or modification to, any automatic fire protection system shall require a permit from the Fire Department.
- C. Fire protection systems shall not be disconnected or otherwise rendered unserviceable, for purposes including but not limited to repair and maintenance, without first notifying the Fire Department.
- D. As part of the annual Fire Department inspection, all lodging houses must submit to Fire Department annual Fire Alarm and Sprinkler System tests.

§ 421-11 Penalty

- A. Refusal, neglect or failure to comply with any section of this ordinance shall be cause for a fine imposed pursuant to and in conformity with Chapter 315 of the City Code, and/or to the penalties imposed by M.G.L. c. 140 § 22, *et seq.*, as amended, where applicable, and/or such other provisions of law including but not limited to the state Sanitary Code, Fire Code, and Building Code, ordinances of the City of Marlborough and other regulations and fines applicable to the particular violation.
- B. The Licensee's refusal, neglect or failure to comply with any federal, state or local law, regulation, or ordinance including, but not limited to, this ordinance and any other ordinance of the City of Marlborough, the state Sanitary Code, Fire Code, and Building Code, and any other local codes and regulations may be cause for denial, suspension or revocation of a license by the Licensing Board, and/or a fine as above.

SET A PUBLIC HEARING FOR JANUARY 8, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.

ORDERED: At a regular meeting of the Marlborough City Council held on Monday, NOVEMBER 27, 2017 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was ORDERED ADVERTISED as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT ARTICLE IV, SECTION 328-4 OF THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

Delete from Article IV, §328-4 of the Code of the City of Marlborough, entitled Fee Schedule for Other City Departments, the fee amount of "\$50.00" respecting Lodging Houses (M.G.L. c. 140, § 34) and insert in place thereof the fee amount of "\$500 for first 20 lodging units" and "\$50 per additional lodging unit over 20".

SET A PUBLIC HEARING FOR JANUARY 8, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.

ORDERED: It is moved, in conformance with MGL c. 30A, § 21(a)(3), that the Marlborough City Council conduct an executive session for the purpose of discussing strategy in pending litigation concerning a land use request involving a property off Boston Post Road, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough and the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session.

APPROVED; adopted.

Yea: 11-Nay: 0

Yea – Clancy, Delano, Doucette, Elder, Tunnera, Irish, Landers, Juairé, Oram, Ossing & Robey

ORDERED: That the Applicant, European Wax Center, 115 Apex Drive, Unit 8 request for flat wall signage pursuant to Section 650-35H, **APPROVED**; adopted.

ORDERED: That the Applicant, Planet Fitness, 21-F Apex Drive, request for flat wall signage pursuant to Section 650-35H, **APPROVED**; adopted.

ORDERED: That the Communication from Global Companies, LLC the owner of the gas station and convenience store located at 656 Boston Post Road East, seeking relief from notification to abutters via certified mailing for Sign Permit, **APPROVED TO USE A CERTIFICATE OF MAILING FROM THE POST OFFICE**; adopted.

Councilor Oram and Elder opposed.

ORDERED: That the Communication from Amy Lynch, Signarama, on behalf of Halfway Café, 820 Boston Post Road East, seeking relief from notification to abutters via certified mailing for Sign Permit, **APPROVED TO USE A CERTIFICATE OF MAILING FROM THE POST OFFICE**; adopted.

Councilor Elder opposed.

ORDERED: That the Minutes, Conservation Commission, September 21, 2017, October 19, 2017 & November 2, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, October 30, 2017, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, September 26, 2017, October 10, 2017 & October 24, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging Board, October 10, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, October 3, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Cultural Council, November 13, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, September 26, 2017, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Philip Maurice, 218 West Hill Road, other property damage.

Reports of Committees:

Councilor Delano reported the following out of the Legislative & Legal Affairs Committee:

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: November 21, 2017

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 5:30 PM – Adjourned: 6:08 PM

Present: Chairman (Acting) Delano; Legislative and Legal Affairs Committee Member Councilor Clancy (President, ex-officio member); and Councilors Doucette, Landers, and Ossing; Cynthia Panagore Griffin (Assistant City Solicitor, City of Marlborough); Thomas DiPersio (City Engineer, City of Marlborough)

Absent: Councilors Robey and Juire

Order Nos. 17-1007065-1, 2, & 3: (1) Proposed Order of Taking by Eminent Domain which concerns two contiguous parcels of land located on and off Howe and Valley Streets. The purpose of the taking is to create pedestrian access to the Corporal Christos Pappas Playground on John Street. (2) Proposed order would transfer care, management and control of the land the Department of Public Works, which would create and maintain the pedestrian access. (3) Proposed Order of Transfer Between Open Space Stabilization Account and Open Space Acquisition Account would appropriate the compensation awards relating to the taking. The Legislative and Legal Affairs Committee met with Assistant City Solicitor Panagore Griffin and City Engineer Thomas DiPersio regarding an order of taking by eminent domain for two parcels of land located on and off Howe Street and Valley Street. The Assistant City Solicitor explained the purpose of the taking is to provide a walking trail for neighborhood access to the John Street playground, otherwise known as the Corporal Christos Pappas Playground on John Street. The land is currently in tax title and has been for decades as the heirs of Stetson and Howe, owners of the two different parcels, are unknown. The taking of the land by eminent domain is the best way to achieve the City's goal of creating an accessible walking trail for residents as part of the City's Complete Streets and Open Space programs. The compensation award will go into a special account for a statutory period and if unclaimed, it will be awarded to the state. However, the City may make a claim for any unpaid taxes and/or fees due to the City prior to the award's transfer to the state. Acting Chairman Delano reviewed the three parts of the order, the first being the order of taking by eminent domain, the second being the transfer of care and maintenance of the property to the Department of Public Works, and the third being appropriation of the funds in the amount of \$5,700.00 from the Open Space Stabilization account to the Open Space Acquisition account.

Motion made and seconded to transfer \$5,700.00 from the Open Space Stabilization Account to the Open Space Acquisition Account. The motion carried 2-0.

Motion made and seconded to approve the Order of Taking by Eminent Domain. The motion carried 2-0.

Reports of Committee Cont'd:

Motion made and seconded to transfer the Care, Custody and Control of the Land to the Department of Public Works. The motion carried 2-0.

The Legislative and Legal Affairs Committee agreed to request a Suspension of the Rules for this to be voted upon at the November 27, 2017 City Council meeting.

Councilor Delano decided not to request a Suspension of the Rules.

Order No. 17-1007002: Proposed Zoning Amendment intended to better regulate self-storage facilities. The Legislative and Legal Affairs Committee discussed the proposed zoning ordinance for the regulation of self-storage facilities. Acting Chairman Delano explained the City Council would like to make decisions on where self-storage facilities are most appropriate for the City. No one spoke against the proposed zoning amendment at the public hearing held on September 25, 2017 and the Planning Board was more restrictive in its recommendation to not allow them in Industrial (I) or Limited Industrial (LI) districts. President Clancy provided additional background information that previous self-storage facilities were permitted as manufacturing and/or warehouse units as self-storage units were not defined within the code nor allowed in the table of uses. The City needed to develop a definition of a self-storage unit and if the definition were adopted, where would they be allowed within the City. President Clancy concurred with the recommendations of the Planning Board as presented to them. The Legislative and Legal Affairs Committee agree to amend the proposed zoning amendment to remove Industrial and Limited Industrial districts from the table of uses.

Motion made and seconded to approve as amended. The motion carried 2-0.

The Legislative and Legal Affairs Committee agreed to request a Suspension of the Rules at the November 27, 2017 City Council meeting that the proposed zoning amendment be sent to the Legal Department to be placed in proper form.

Motion made and seconded to adjourn. The motion carried 2-0. The meeting adjourned at 6:08 PM.

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: November 21, 2017

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 6:13 PM – Adjourned: 6:46 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Elder, Tunnera and Landers; and Councilors Clancy, Doucette, Oram, and Ossing; Donald Rider (City Solicitor, City of Marlborough); Pat Scorzelli (Mina Property Group)

Absent: Councilor Juare

Reports of Committee Cont'd:

Order No.17-1006800: Application for Special Permit from Mina Property Group LLC, Auto Max, to construct a commercial automotive facility on less than 1 acre of land at 408 Maple Street.

The Urban Affairs Committee met with Pat Scorzelli of Mina Property Group for a review of the proposed building, signage, and special permit decision for an AutoMax Service Facility at 408 Maple Street. Mr. Scorzelli presented renderings of the proposed free standing, still building with an infill of insulated metal paneling. He described each of the four facets of the building and what their view would be from the various vantages. There were no objections to the building renderings as presented. Mr. Scorzelli then presented two sign options. Both would be low profile signs suspended between two granite pillars. Version one would be internally illuminated which was not well received. Version two would be an externally illuminated sign that would have the appearance of wood although it would be made of some type of composite for easier maintenance. Option two was the version preferred by the committee, and which was agreed to by the applicant.

The committee next reviewed the decision for the special permit. Solicitor Rider explained that number seventeen was not removed from the decision but moved from the findings to the conditions. Solicitor Rider stated condition one should reference the renderings, dated November 1, 2017, that were presented to the committee. Condition nineteen, Signage, should reference signage proposal version two. It was decided that Mr. Scorzelli would provide a signage plan that contained just a rendering of the preferred sign with the date it was created.

- Condition Nine, “Spill Prevention and Control Plan”, required additional language to be inserted after the heading. The additional language read, “A spill prevention and control plan shall be provided to and approved by the City Conservation Officer and Fire Department, noting how hazardous and toxic materials are to be stored, transported, and disposed of.”
- Condition Ten, “Conservation Commission, Not Applicable”, shall be changed to, “Noise Abatement. The doors to the service bays shall be kept closed except to allow vehicles to enter or to exit the bays.”
- Condition Twelve, “Catch Basins”, shall be titled “Catch Basins and Subservice Infiltration Systems.”
- The front-end language of the special permit decision referenced a “Lot 1” and it shall be properly identified in the final version provided to the City Council.
- Addendum A shall be removed from the end of the decision and included as part of the exhibit.

Motion made and seconded to approve as amended. The motion carried 4-0 (Juaire absent).

Motion made and seconded to adjourn. The motion carried 4-0 (Juaire absent). The meeting adjourned at 6:46 PM.

Suspension of the Rules requested – granted to allow a Communication from the City Solicitor re: Proposed Ordinance for Self-Storage Facilities in proper legal form.

ORDERED: That the Communication from the City Solicitor re: Proposed Ordinance for Self-Storage Facilities in proper legal form, **FILE.**; adopted.

Suspension of the Rules requested – granted

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. Section 650-5, entitled “Definitions; word usage,” is hereby amended:
 - a. By deleting in subsection B thereof the definition of SELF-STORAGE FACILITY in its entirety and inserting in place thereof the following definition:

SELF-SERVICE STORAGE FACILITY
 A building, group of buildings or other structure, whether permanent or temporary, having compartments, rooms, spaces, containers or other type of units that are individually leased, rented, sold or otherwise contracted for by customers for the storage of personal or business goods or property, and where the facility owner/operator has limited access to the units. A self-service storage facility shall be considered synonymous with a self-storage facility, self-storage warehouse, mini-warehouse and mini-storage.

- II. Section 650-48, entitled “Off-street parking,” is hereby amended as follows:
 - a. By inserting in subsection A thereof a new sub-subsection 17:

(17) A self-service storage facility shall provide a minimum of 1 parking space per employee and 1 parking space per 1,600 square feet of the facility.

- III. Section 650-17, entitled “Table of Uses,” is hereby amended as follows:
 - a. By regulating industrial uses so as to allow, by special permit, a self-service storage facility in the Business (B) and Commercial Automotive (CA) districts, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV
Self-service storage facility	N	N	N	N	N	N	N	SP	SP	N	N	N

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

Suspension of the Rules requested – granted

ORDERED: That the Application for Special Permit from Mina Property Group LLC, Auto Max, to construct a commercial automotive facility on less than 1 acre of land at 408 Maple Street, refer to the **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR THE NEXT CITY COUNCIL MEETING**; adopted.

Council President Clancy announced that the Public Hearing scheduled for Monday, December 4, 2017 for 615 Williams Street Holding will be opened but NO testimony will be heard. The hearing will be continued to the first regular meeting of the Council in 2018, which is scheduled for January 8, 2018.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:51 PM.