

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: March 12, 2019

Time: 5:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 MAR -6 P 12:33

1. 01-07-2019 – **Order No. 19-1007512:** Application for Special Permit from Marc Buchan to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Drive.
-REFER TO URBAN AFFAIRS
-PUBLIC HEARING: FEBRUARY 25, 2019
2. 12-03-2018 – **Order No. 18/19-1007452A (X19-1007198G):** Proposed Zoning Ordinance Amendment, Chapter 650 §22 & §5, relative to Multifamily Retirement Community, 90 Crowley Drive.
-REFER TO URBAN AFFAIRS
-PUBLIC HEARING: FEBRUARY 11, 2019

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.



IN CITY COUNCIL

Marlborough, Mass., JANUARY 7, 2019

ORDERED:

That there being no objection thereto set **MONDAY, FEBRUARY 25, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Marc Buchan to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Drive, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Ninety days after public hearing is 05/26/19 which falls on a Sunday, therefore 05/27/19 would be considered the 90th day.

ADOPTED

ORDER NO. 19-1007512

**CITY OF MARLBOROUGH
OFFICE OF THE CITY CLERK**

APPLICATION TO CITY COUNCIL FOR ISSUANCE OF SPECIAL PERMIT

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CITY OF MARLBOROUGH
2018 DEC 18 P 3:22

1. Name and address of Petitioner or Applicant:

Marc Buchan 180 Cullinane Drive, Marlborough

2. Specific Location of property including Assessor's Plate and Parcel Number.

180 Cullinane Drive Parcel ID# 6-115

3. Name and address of owner of land if other than Petitioner or Applicant:

4. Legal interest of Petitioner or Applicant (owner, lessee, prospective owner, etc.)

5. Specific Zoning Ordinance under which the Special Permit is sought:

Article IV Section 650-12 Paragraph B Sub-paragraph

6. Zoning District in which property in question is located:

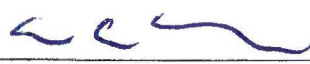
Residence A-3

7. Specific reason(s) for seeking Special Permit

Raze an existing one story single family residence and build a new
2 story single family residence on the same existing foundation
footprint. Existing house is on a non conforming lot.

8. List of names and addresses of abutter. SEPARATE SHEET ATTACHED

PETITION IS HEREBY MADE FOR THE ISSUANCE OF A SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH AND IS BASED ON THE WITHIN PETITION OR APPLICATION AS FILED HERewith AND MADE PART OF SAID PETITION.


Signature of Petitioner or Applicant

Address: 180 Cullinane Drive
Marlborough MA

Telephone No. 617-908-5558

Date: 10-29-18

LIST OF NAMES AND ADDRESS OF ABUTTERS
AS REQUESTED ON THE APPLICATION FOR SPECIAL PERMIT OF:

Marc Buchan

(Name of Petitioner)

FOR THE ISSUANCE OF SPECIAL PERMIT BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH UNDER CHAPTER 650, ZONING, OF THE CODE OF THE CITY OF MARLBOROUGH.

(Abutters as defined in §650-59, Section 4H, Powers and Procedure of Special-Permit Granting Authorities



400 foot Abutters List Report

Marlborough, MA
July 24, 2018

MARLBOROUGH ASSESSORS

Anthony C. Conaway
Ellen K. Silverstein
Paul May Jr.

Subject Property:

Parcel Number: 6-115
CAMA Number: 6-115
Property Address: 180 CULLINANE DR

Mailing Address: BUCHAN MARC A
65 COUNTRY LN
MARLBOROUGH, MA 01752

Abutters:

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 12 RED SPRING RD

Mailing Address: MORSE JOYCE J
12 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 0 RED SPRING RD

Mailing Address: MORSE JOYCE J TR
305 HOSMER ST
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 13 RED SPRING RD

Mailing Address: MORSE WALTER C
13 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 15 RED SPRING RD

Mailing Address: MORSE WALTER C
15 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 17 RED SPRING RD

Mailing Address: MORSE WALTER C
17 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 19 RED SPRING RD

Mailing Address: MORSE WALTER C
19 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 209 CULLINANE DR

Mailing Address: MORSE WALTER C
J MOR REALTY TRUST 209 CULLINANE
DR
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 21 RED SPRING RD

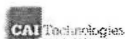
Mailing Address: MORSE WALTER C
21 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 215 CULLINANE DR

Mailing Address: MORSE WALTER C
215 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 23 RED SPRING RD

Mailing Address: MORSE WALTER C
23 RED SPRING RD
MARLBOROUGH, MA 01752



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7/24/2018

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400 foot Abutters List Report

Marlborough, MA
July 24, 2018

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 25 RED SPRING RD

Mailing Address: MORSE WALTER C
1657 MAIN ST
WEST CONCORD, MA 01742

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 27 RED SPRING RD

Mailing Address: MORSE WALTER C
27 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 29 RED SPRING RD

Mailing Address: MORSE WALTER C
95 WEST MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 3 RED SPRING RD

Mailing Address: MORSE WALTER C
169 MORRISSEY RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 31 RED SPRING RD

Mailing Address: MORSE WALTER C
31 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 33 RED SPRING RD

Mailing Address: MORSE WALTER C
33 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 35 RED SPRING RD

Mailing Address: MORSE WALTER C
35 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 37 RED SPRING RD

Mailing Address: MORSE WALTER C
37 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 39 RED SPRING RD

Mailing Address: MORSE WALTER C
39 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 41 RED SPRING RD

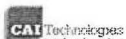
Mailing Address: MORSE WALTER C
P O BOX 541
JACKMAN, ME 04945-0541

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 43 RED SPRING RD

Mailing Address: MORSE WALTER C
43 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 45 RED SPRING RD

Mailing Address: MORSE WALTER C
45 RED SPRING RD
MARLBOROUGH, MA 01752



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Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 47 RED SPRING RD

Mailing Address: MORSE WALTER C
43 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 49 RED SPRING RD

Mailing Address: MORSE WALTER C
133 SHAWMUT AVE
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 5 RED SPRING RD

Mailing Address: MORSE WALTER C
305 HOSMER ST
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 51 RED SPRING RD

Mailing Address: MORSE WALTER C
178 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 53 RED SPRING RD

Mailing Address: MORSE WALTER C
178 MAIN ST
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 55 RED SPRING RD

Mailing Address: MORSE WALTER C
55 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 7 RED SPRING RD

Mailing Address: MORSE WALTER C
7 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 30-10
CAMA Number: 30-10
Property Address: 9 RED SPRING RD

Mailing Address: MORSE WALTER C
9 RED SPRING RD
MARLBOROUGH, MA 01752

Parcel Number: 6-100
CAMA Number: 6-100
Property Address: 167 CULLINANE DR

Mailing Address: WHITE RICHARD A JR
167 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-101
CAMA Number: 6-101
Property Address: 165 CULLINANE DR

Mailing Address: NOVICKI GREGORY M
165 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-102
CAMA Number: 6-102
Property Address: 161 CULLINANE DR

Mailing Address: WAINWRIGHT DAVID D TR
161 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-103
CAMA Number: 6-103
Property Address: 157 CULLINANE DR

Mailing Address: SCHROW KITTY H
157 CULLINANE DR
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

Marlborough, MA
July 24, 2018

Parcel Number: 6-104
CAMA Number: 6-104
Property Address: 153 CULLINANE DR

Mailing Address: CURLEY GERALD F JR
153 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-106
CAMA Number: 6-106
Property Address: 147 CULLINANE DR

Mailing Address: NOVICKI DEBORAH L
147 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-107
CAMA Number: 6-107
Property Address: 146 CULLINANE DR

Mailing Address: HEDDERIG CHRISTOPHER
146 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-108
CAMA Number: 6-108
Property Address: 150 CULLINANE DR

Mailing Address: TEMPLE ADRIAN J
150 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-110
CAMA Number: 6-110
Property Address: 156 CULLINANE DR

Mailing Address: CURLEY GERALD F JR
153 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-111
CAMA Number: 6-111
Property Address: 160 CULLINANE DR

Mailing Address: MCCLELLAN GREGG E
160 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-112
CAMA Number: 6-112
Property Address: 166 CULLINANE DR

Mailing Address: SOUCY DAVID L
166 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-113
CAMA Number: 6-113
Property Address: 172 CULLINANE DR

Mailing Address: KASSOY CHERYL A
172 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-116
CAMA Number: 6-116
Property Address: 25 LONGFELLOW TER

Mailing Address: SABIN MICHAEL E
25 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-117
CAMA Number: 6-117
Property Address: 21 LONGFELLOW TER

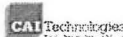
Mailing Address: CUNHA ANTHONY V
21 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-118
CAMA Number: 6-118
Property Address: 19 LONGFELLOW TER

Mailing Address: SIMPSON KIMBERLY A
19 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-119
CAMA Number: 6-119
Property Address: 15 LONGFELLOW TER

Mailing Address: COSTIGAN DANIEL
15 LONGFELLOW TER
MARLBOROUGH, MA 01752



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400 foot Abutters List Report

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Parcel Number: 6-120
CAMA Number: 6-120
Property Address: 5 LONGFELLOW TER

Mailing Address: WOOD DOUGLAS S
5 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-125
CAMA Number: 6-125
Property Address: 14 LONGFELLOW TER

Mailing Address: JOHNSON LEONARD
14 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-126
CAMA Number: 6-126
Property Address: 18 LONGFELLOW TER

Mailing Address: FRAZEE TIMOTHY
18 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-127
CAMA Number: 6-127
Property Address: 24 LONGFELLOW TER

Mailing Address: GIAQUINTO MARK
24 LONGFELLOW TER
MARLBOROUGH, MA 01752

Parcel Number: 6-128
CAMA Number: 6-128
Property Address: OAK RD

Mailing Address: CURLEY JAMES M
P O BOX 841
RAYNHAM, MA 02768

Parcel Number: 6-130
CAMA Number: 6-130
Property Address: 15 OAK RD

Mailing Address: WILKINS CHARLES L
15 OAK RD
MARLBOROUGH, MA 01752

Parcel Number: 6-93
CAMA Number: 6-93
Property Address: 189 CULLINANE DR

Mailing Address: WINSHMAN PAUL R
PO BOX 53
HOPKINTON, MA 01748

Parcel Number: 6-94
CAMA Number: 6-94
Property Address: 187 CULLINANE DR

Mailing Address: KELLEHER JOHN M
187 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-95
CAMA Number: 6-95
Property Address: 185 CULLINANE DR

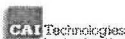
Mailing Address: MCCARTHY SHAWN
185 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-97
CAMA Number: 6-97
Property Address: 181 CULLINANE DR

Mailing Address: LEIPOLD JOHN R
181 CULLINANE DR
MARLBOROUGH, MA 01752

Parcel Number: 6-99
CAMA Number: 6-99
Property Address: 173 CULLINANE DR

Mailing Address: GAROFALO STEPHEN J TR
159 SHAWMUT AVE
MARLBOROUGH, MA 01752



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COSTIGAN DANIEL 15 LONGFELLOW TER MARLBOROUGH, MA 01752	CUNHA ANTHONY V 21 LONGFELLOW TER MARLBOROUGH, MA 01752	CURLEY GERALD F JR 153 CULLINANE DR MARLBOROUGH, MA 01752
CURLEY GERALD F JR 153 CULLINANE DR MARLBOROUGH, MA 01752	CURLEY JAMES M P O BOX 841 RAYNHAM, MA 02768	FRAZEE TIMOTHY 18 LONGFELLOW TER MARLBOROUGH, MA 01752
GAROFALO STEPHEN J TR 159 SHAWMUT AVE MARLBOROUGH, MA 01752	GIAQUINTO MARK 24 LONGFELLOW TER MARLBOROUGH, MA 01752	HEDDERIG CHRISTOPHER 146 CULLINANE DR MARLBOROUGH, MA 01752
JOHNSON LEONARD 14 LONGFELLOW TER MARLBOROUGH, MA 01752	KASSOY CHERYL A 172 CULLINANE DR MARLBOROUGH, MA 01752	KELLEHER JOHN M 187 CULLINANE DR MARLBOROUGH, MA 01752
LEIPOLD JOHN R 181 CULLINANE DR MARLBOROUGH, MA 01752	MCCARTHY SHAWN 185 CULLINANE DR MARLBOROUGH, MA 01752	MCCLELLAN GREGG E 160 CULLINANE DR MARLBOROUGH, MA 01752
MORSE JOYCE J 12 RED SPRING RD MARLBOROUGH, MA 01752	MORSE JOYCE J TR 305 HOSMER ST MARLBOROUGH, MA 01752	WILLIAM PETERS 13 RED SPRING RD MARLBOROUGH, MA 01752
DORA NAVES 133 SHAWMUT AVE MARLBOROUGH, MA 01752	DAVID & DONNA ESTABROOK 15 RED SPRING RD MARLBOROUGH, MA 01752	FRANCIS MASLOWSKI 1657 MAIN ST WEST CONCORD, MA 01742
RICHARD CORMIER 169 MORRISSEY RD MARLBOROUGH, MA 01752	LINDA PAKUS 17 RED SPRING RD MARLBOROUGH, MA 01752	NEAL VIGEANT 178 MAIN ST MARLBOROUGH, MA 01752
PETER E MONGEAU 19 RED SPRING RD MARLBOROUGH, MA 01752	H WESLEY TUTTLE 21 RED SPRING RD MARLBOROUGH, MA 01752	AMANDA MORSE 215 CULLINANE DR MARLBOROUGH, MA 01752
STEPHEN & KATHLEEN BRULE 23 RED SPRING RD MARLBOROUGH, MA 01752	ROBERT & SHIRLEY STEVENS 27 RED SPRING RD MARLBOROUGH, MA 01752	JOYCE MORSE 305 HOSMER ST MARLBOROUGH, MA 01752

STEPHEN VIEIRA
31 RED SPRING RD
MARLBOROUGH, MA 01752

DANIEL DURAND
37 RED SPRING RD
MARLBOROUGH, MA 01752

DONNA PAOLINI
45 RED SPRING RD
MARLBOROUGH, MA 01752

WENDY HOLDSWORTH
9 RED SPRING RD
MARLBOROUGH, MA 01752

SANDRA DUNCAN-EVERETT
P O BOX 541
JACKMAN, ME 04945-0541

SABIN MICHAEL E
25 LONGFELLOW TER
MARLBOROUGH, MA 01752

SOUCY DAVID L
166 CULLINANE DR
MARLBOROUGH, MA 01752

WHITE RICHARD A JR
167 CULLINANE DR
MARLBOROUGH, MA 01752

WOOD DOUGLAS S
5 LONGFELLOW TER
MARLBOROUGH, MA 01752

PAULA SPINZOLA
33 RED SPRING RD
MARLBOROUGH, MA 01752

ROBERT DURAND
39 RED SPRING RD
MARLBOROUGH, MA 01752

PATRICK SULLIVAN
55 RED SPRING RD
MARLBOROUGH, MA 01752

WILLIAM SHORT
95 WEST MAIN ST
MARLBOROUGH, MA 01752

NOVICKI DEBORAH L
147 CULLINANE DR
MARLBOROUGH, MA 01752

SCHROW KITTY H
157 CULLINANE DR
MARLBOROUGH, MA 01752

TEMPLE ADRIAN J
150 CULLINANE DR
MARLBOROUGH, MA 01752

WILKINS CHARLES L
15 OAK RD
MARLBOROUGH, MA 01752

ROBERT & MICHELE HAUSE
35 RED SPRING RD
MARLBOROUGH, MA 01752

THOMAS WHITE
43 RED SPRING RD
MARLBOROUGH, MA 01752

MARY & MICHAEL DWYER
7 RED SPRING RD
MARLBOROUGH, MA 01752

PAMELA MORSE
209 CULLINANE DR
MARLBOROUGH, MA 01752

NOVICKI GREGORY M
165 CULLINANE DR
MARLBOROUGH, MA 01752

SIMPSON KIMBERLY A
19 LONGFELLOW TER
MARLBOROUGH, MA 01752

WAINWRIGHT DAVID D TR
161 CULLINANE DR
MARLBOROUGH, MA 01752

WINSHMAN PAUL R
PO BOX 53
HOPKINTON, MA 01748

SPECIAL PERMIT-SUMMARY IMPACT STATEMENTApplicant's Name: Marc Buchan Address: 180 Cullinane DriveProject Name: Residence Address: 180 Cullinane Drive1. PROPOSED USE: (describe) Single family residence2. EXPANSION OR NEW: Raze existing and build new3. SIZE: floor area sq. ft. 2304 1st floor 1152 all floors 1,152# buildings 1 # stories 2 lot area (s.f.) 4,9504. LOT COVERAGE: 25 %Landscaped area: 70 %

5. POPULATION ON SITE: Number of people expected on site at anytime:

Normal: 5 Peak period: 10

6. TRAFFIC:

(A) Number of vehicles parked on site:

During regular hours: 2 Peak period: 5

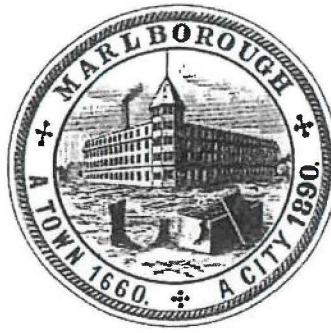
(B) How many service vehicles will service the development and on what schedule?

1 - 8am to 4 pm7. LIGHT: How will the development be lit at the exterior? How much light will leave the property and enter the abutting property? None

8. NOISE:

(A) Compare the noise levels of the proposed development to those that exist in the area now.

Typical construction noise(B) Described any major sources of noise generation in the proposed development and include their usual times of operation. none9. AIR: What sources of potential air pollution will exist at the development? none10. WATER AND SEWER: Describe any unusual generation of waste. none11. HAZARDOUS MATERIAL: List any types of Hazardous Waste that will be on-site. How will this waste be stored? Where? How much will be in storage on a daily basis? How will it be disposed? none***Attach additional sheets if necessary**



CITY OF MARLBOROUGH
MARLBOROUGH, MASSACHUSETTS 01752

City Hall
 140 Main St.

Marlborough, Massachusetts 01752

Voice (508) 460-3775 Facsimile (508) 460-3723 TTD (508) 460-3610

President and Members City Council

Date: 12-3-18

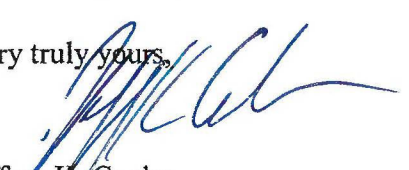
SPECIAL PERMIT APPLICATION
CERTIFICATION BY PLANNING DEPARTMENT

Project Name: 180 Cullinane Drive
 Project Use Summary: single family residence
 Project Street Address: 180 Cullinane Drive
 Plate: 6 Parcel: 115
 Applicant/Developer Name: Marc Buchan
 Plan Date: March 24, 2017 Revision Date: _____

Dear President and Members:

In accordance with the City Council's Rules for Special Permit Applications, I hereby certify that the Site Plan filed with the City Clerk has been reviewed by the Building Department within the limits of work shown on the plan, and that said plan meets all prior referenced informational requirements of Section 7; that the plan conforms in all aspects to City Code and to these Rules and Regulations, and that any necessary zoning variances have been already granted by the Marlborough Zoning Board of Appeals, and any applicable appeal period concerning said variances have run.

Very truly yours,


 Jeffrey K. Cooke
 Acting Director of Planning

Application Fee to submit to
 City Clerk's office

\$300.00

City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT



Lisa M. Thomas
City Clerk

Dear Applicant,

To ensure that each department listed below receives a copy of your completed Special Permit application, please hand-deliver to each department as instructions indicate below.

PLACE A CHECK-MARK AFTER HAND-DELIVERING THE APPLICATION TO THE FOLLOWING DEPARTMENTS AND SIGN YOUR NAME & DATE IT ACCORDINGLY. MAKE SURE THIS PAGE IS SIGNED AND RETURNED TO THE CITY CLERK'S OFFICE WITH THE COMPLETED APPLICATION. THE CITY CLERK'S OFFICE WILL NOT ACCEPT THE APPLICATION WITHOUT THE SIGNATURE OF THE APPLICANT OR PETITIONER AS INDICATED BELOW.

1 SET	POLICE CHIEF	<u>65JB</u>
1 SET	FIRE CHIEF	<u>TH</u>
1 SET	CITY ENGINEER	<u>KH</u>
1 SET	DIRECTOR OF PLANNING	<u>SC</u>
1 SET	CONSERVATION OFFICER (IF WETLANDS AFFECTED)	<u>N/A</u>
1 SET	BUILDING COMMISSIONER	<u>SC</u>
12 SETS	OFFICE OF THE CITY COUNCIL	<u>RB 12-17-18</u>
3 SETS	OFFICE OF THE CITY CLERK	<u>✓</u> (MUST be Original & 2 Complete Sets)

Signature *Marc Buchen*

Date 12-18-18

Thank you for your cooperation in this matter.

Sincerely,

Lisa M. Thomas
City Clerk

**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**

**Lisa M. Thomas
City Clerk**



I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all Municipal tax returns and paid all Municipal taxes required under law.

Company Name

Marc Buchan

Owner Name/Officer Name of LLC or Corporation

Owner/Officer Complete Address and Telephone Number

180 Cullinane Drive

Marlborough MA 01752

617-908-5558

Signature of Applicant

Attorney on behalf of Applicant, if applicable

The Special Permit Package will not be accepted unless this certification clause is signed by the applicant and the Tax Collector.

Tax Collector



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3776 Facsimile (508) 460-3736
building_dept@marlborough-ma.gov

13-14

JEFFREY COOKE, C.B.O.
BUILDING COMMISSIONER

PATRICK DAHLGREN
ASSISTANT BUILDING
COMMISSIONER

WILLIAM PAYNTON
LOCAL BUILDING INSPECTOR

RICHARD DESIMONE
PLUMBING & GAS INSPECTOR

JOHN CAIN
WIRING INSPECTOR

ZONING DENIAL

November 20, 2018

Marc Buchan
180 Cullinane Drive
Marlborough, MA 01752

Mr. Buchan:

Your application to demolish the existing single story Single Family Dwelling and construct a new 2 story Single Family Dwelling at 180 Cullinane Drive, Marlborough, MA Parcel ID # 6-115, located in the Residence A-3 zoning district (A-3) is denied as it does not comply with Chapter 650- 41 of City Code of Marlborough. The "Table of Lot Area, Yards, and Height of Structures" states that your use requires side yard setback of 15 feet, you have proposed a side yard setback of five feet (5'). Current zoning requires 12,500 SF of area, your lot has 4950 SF +/- . As a pre-existing, non-conforming lot and structure, the construction of a new two story SFD that intensifies a non-conforming requires a "Special Permit" (SP) issued by the Marlborough City Council.

I have determined that the proposed reconstruction of the additional second floor within the setback area intensifies the preexisting non-conformity.

Your use requested requires a Zoning relief issued by the Marlborough City Council.

You have the right to continue to the Marlborough City Council (SPGA) for a Special Permit as stated in the City Code section 650-12B or you have the right to appeal this decision to the Zoning Board of Appeals as per section 650-58.

An appeal from this denial for a SP may be taken to the Marlborough City Council by filling a Notice of Appeal with the City Clerk within 30 days of the date of this denial letter. Further information should be obtained from the Marlborough City Council.

The code in its entirety may be found at www.ecode360.com/MA1056

In your appeal, you may request a Special Permit (SP).

Sincerely,

Jeffrey Cooke, C.B.O.
Building Commissioner
Zoning Enforcement Officer



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 25, 2019

ORDERED:

That the PUBLIC HEARING On the Application for Special Permit from Marc Buchan to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Drive, Order No. 19-1007512, all were heard who wish to be heard, hearing closed at 8:19 PM.

Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.

PUBLIC SPEAKING IN FAVOR

Marc Buchan, 180 Cullinane Drive, owns an existing single-family residence on a non-conforming lot. He proposed to add a second story by building on a new foundation to the existing footprint a new two-story house.

Shawn McCarthy, 185 Cullinane Drive, is a neighbor of Mr. Buchan and supports his plan for improving the property. The current house is in terrible condition, and he was glad when Mr. Buchan purchased the house and planned to replace it.

There is no one else speaking in favor. That part of the Public Hearing is closed.

QUESTIONS FROM THE PUBLIC

There are no questions from the public. That part of the Public Hearing is closed.

PUBLIC SPEAKING IN OPPOSITION

There is no one speaking in opposition. That part of the Public Hearing is closed.

QUESTIONS FROM THE CITY COUNCIL

✓ Councilor Landers recently drove through the area and agreed with Mr. Buchan's neighbor that the proposal would be an improvement. He was interested in seeing the plans during the committee review.

✓ Councilor Clancy, as ward councilor, thanked Mr. Buchan for his efforts to improve the property as it has been an eyesore for a long time. He has received many requests from the neighbors for the upgrading of the property.

There are no further questions from members of City Council. That part of the Public Hearing is closed.

That ends the entire Public Hearing. This is currently in the Urban Affairs Committee.

ADOPTED

ORDER NO. 19-1007512A



IN CITY COUNCIL

Marlborough, Mass., _____ DECEMBER 3, 2018

ORDERED:

PAGE 1

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 BY AMENDING AND ADDING THERETO AS FOLLOWS:

1. Section 650-5, entitled Definitions; word usage, is hereby amended to read:

RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES

A community consisting of detached or attached (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

RETIREMENT COMMUNITY – MULTIFAMILY

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled “Purpose” is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities that provide housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community



IN CITY COUNCIL

Marlborough, Mass., ~~DECEMBER 3, 2018~~

PAGE 2

ORDERED:

2. Section 650-22.C, entitled "Permitted uses" is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(1)

No building in a RCO-D/T community shall be more than 2 1/2 stories in height.

(2)

Each building in a RCO-D/T community shall face either upon an existing street or upon a public or private way constructed within said RCO-D/T community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

(3)

No dwelling in a RCO-D/T community shall contain less than 1,000 square feet of living area or more than 2,400 square feet of living area.

(4)

All dwelling units in a RCO-D/T community shall be detached from the others or attached only along side walls in the so-called "townhouse" style.

(5)

The lot or lots on which a RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

(6)

No part of any principal building in a RCO-D/T community shall be less than 25 feet from any exterior lot line or less than 50 feet from the side of any public way.



IN CITY COUNCIL

Marlborough, Mass., _____ DECEMBER 3, 2018

PAGE 3

ORDERED:

(7)

Each dwelling unit in a RCO-D/T community shall have its own attached yard area.

(8)

Required off-street parking for each dwelling unit in a RCO-D/T community shall be adjacent thereto. Each unit shall be required to provide at least one parking space inside a garage and an additional space in front of a garage, said garage to be attached to said unit. The City Council may, as a condition of its special permit, require additional off-street parking areas to be used in common by dwelling unit owners and their invitees. In addition, the City Council may, as a condition of the special permit, require the adoption of legally enforceable condominium bylaws or other similar regulations to limit or prohibit the presence in a RCO-D/T community, either entirely or except in designated locations, of boats, boat trailers, campers, or other recreational vehicles.

(9)

Maximum combined lot coverage in a RCO-D/T community and in any permitted ancillary residential community shall not exceed 40% of the total lot size.

(10)

Each lot or contiguous lots upon which a RCO-D/T community is located shall have total frontage on an existing public way of at least 250 feet. Each lot or combination of lots shall have a total size of not less than 10 acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.

(11)

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-D/T community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a RCO-D/T community and limiting or prohibiting the presence in a RCO-D/T community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 3, 2018

PAGE 4

ORDERED:

(12)

The City Council may, as a permit condition, require that a proposed RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(13)

No unit in a RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

(1)

The total area of the tract of contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial and be located within the area that lies within the perimeter of the following roadways: commencing at the Fitchburg Street intersection at the Rte. 85/290 Connector Road; then west along the Rte. 85/290 Connector Road to the intersection of Rte. 495; then south along Rte. 495 to where it passes over the intersection with Berlin Road; then southeasterly along Berlin Road to the intersection with Pleasant Street; then north along Pleasant Street to the intersection with Fitchburg Street; then north along Fitchburg Street to the intersection with the Rte. 85/290 Connector Road. All of said land being in reasonable proximity to the UMass Memorial Marlborough Hospital and the interstate highway intersection of Rte. 495 and Rte. 290.

(2)

A RCO-MF may contain one (1) and two (2) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.

(3)

No building in a RCO-MF shall be more than 3 stories in height.



IN CITY COUNCIL

Marlborough, Mass., _____ DECEMBER 3, 2018

PAGE 5

ORDERED:

(4)

The total number of dwelling units in a RCO-MF shall be limited to 12 units per acre.

(5)

No part of any principal building in a RCO-MF shall be less than 50 feet from any exterior lot line or less than 100 feet from any public way.

(6)

Maximum combined lot coverage in a RCO-MF, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.

(7)

The tract or contiguous parcels upon which a RCO-MF is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.

(8)

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

(9)

The City Council may, as a permit condition, require that a proposed RCO-MF be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(10)

A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF. Attached and detached garages shall count toward this parking requirement.

(11)

No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area or more than 1300 square feet of living area.



IN CITY COUNCIL

Marlborough, Mass., _____ DECEMBER 3, 2018

PAGE 6

ORDERED:

(12)

No building in a RCO-MF need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.

(13)

In a RCO-MF, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith **REMOVE FROM TABLE UNDER SUSPENSION OF RULES-CARRIES & refer to URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, FEBRUARY 11, 2019.**

ADOPTED

ORDER NO. 18-1007452A
X18-1007198G



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 5, 2018

ORDERED:

That the Communication from Attorney Pezzoni re: Proposed Zoning Amendment regarding Multifamily Retirement Community, X-Order No. 18-1007198G, be and is herewith **TABLED**.

ADOPTED

ORDER NO. 18-1007452
X18-1007198G



BOSTON CONNECTICUT FLORIDA NEW JERSEY NEW YORK WASHINGTON, DC

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 NOV - 1 A 11: 54

WILLIAM M. PEZZONI
Attorney at Law

One International Place
Boston, MA 02110

T: (617) 345-4777 F: (617) 206-9339
wpezzoni@daypitney.com

November 1, 2018

Edward J. Clancy
City Council President
City of Marlborough
140 Main Street
Marlborough, MA 01752

**Re: Council Order # 18-10007198E - Proposed Amendment to
Marlborough Zoning Code Regarding Multifamily Retirement Community**

Dear President Clancy:

On behalf of First Colony Crowley Drive One, LLC, the owner of the property located at 90 Crowley Drive in Marlborough, I enclose the proposed revised Council Order of the above referenced proposed zoning amendment.

Based on the fact that the time for action by the City Council had expired prior to your October 29, 2018 meeting and my discussions with City Solicitor, Donald Rider it was determined the best course of action was to resubmit the text amendment and corresponding overlay boundary map as last reviewed by the Urban Affairs Committee (UAC) to the City Council and the Planning Board. Only the boundary of the overlay district was changed by the UAC; the text of the zoning amendment was unchanged from the text as last reviewed by the Planning Board. We therefore are submitting same for the requisite public hearings to be scheduled by the City Council and Planning Board.

Therefore, pursuant to §650-60, I respectfully request that this revised Council Order be placed on the November 5, 2018 agenda of the City Council to establish and set a public hearing by the City Council at its earliest possible meeting (if possible, the meeting scheduled for November 19, 2018) and to refer it to the Planning Board for its further public hearing and recommendation.

For the City Council's convenience, I have included with this revised Council Order a "redlined" version that indicates the revisions were made in response to the comments received regarding the prior proposed zoning text amendment, and a copy of the corresponding revised boundary map of the proposed overlay district.



Edward J. Clancy, Chair
November 1, 2018
Page 2

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Pezzoni', with a long horizontal line extending to the right.

William M. Pezzoni

Enclosure

cc: Karen A. Boule, Council Secretary
Barbara L. Fenby, Chair, Planning Board
Krista Holmi, Planning Board Administrator

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____
PAGE 1

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 BY AMENDING AND ADDING THERETO AS FOLLOWS:

1. Section 650-5, entitled Definitions; word usage, is hereby amended to read:

RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES

A community consisting of ~~a structure or detached or attached~~ (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

RETIREMENT COMMUNITY – MULTIFAMILY

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled “Purpose” is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities ~~and other multifamily residential that provide~~ housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community ~~and for other multifamily housing which may be developed in conjunction therewith.~~
2. Section 650-22.C, entitled “Permitted uses” is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a ~~retirement community~~ Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____

PAGE 2

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(1)

No building in a ~~retirement~~ RCO-D/T community shall be more than 2 1/2 stories in height.

(2)

Each building in a ~~retirement~~ RCO-D/T community shall face either upon an existing street or upon a public or private way constructed within said ~~retirement~~ RCO-D/T community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

(3)

No dwelling in a ~~retirement~~ RCO-D/T community shall contain less than 1,000 square feet of living area or more than 2,400 square feet of living area.

(4)

All dwelling units in a ~~retirement~~ RCO-D/T community shall be detached from the others or attached only along side walls in the so-called "townhouse" style.

(5)

The lot or lots on which a ~~retirement~~ RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

(6)

No part of any principal building in a ~~retirement~~ RCO-D/T community shall be less than 25 feet from any exterior lot line or less than 50 feet from the side of any public way.

(7)

Each dwelling unit in a ~~retirement~~ RCO-D/T community shall have its own attached yard area.

(8)

Required off-street parking for each dwelling unit in a ~~retirement~~ RCO-D/T community shall be adjacent thereto. Each unit shall be required to provide at least one parking space inside a garage and an additional space in front of a garage, said garage to be attached to said unit. The City Council may, as a condition of its special permit, require additional off-street parking areas to be used in common by dwelling unit owners and their invitees. In addition, the City Council may, as a condition of the special permit, require the adoption of legally enforceable condominium bylaws or other similar regulations to limit or prohibit the presence in a ~~retirement~~ RCO-D/T

IN CITY COUNCIL

ORDERED**Marlborough, Mass.,****PAGE 3**

community , either entirely or except in designated locations, of boats, boat trailers, campers, or other recreational vehicles.

(9)

Maximum combined lot coverage in a ~~retirement~~ RCO-D/T community and in any permitted ancillary residential community shall not exceed 40% of the total lot size.

(10)

Each lot or contiguous lots upon which a ~~retirement~~ RCO-D/T community is located shall have total frontage on an existing public way of at least 250 feet. Each lot or combination of lots shall have a total size of not less than 10 acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.

(11)

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding ~~retirement~~ RCO-D/T community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a ~~retirement~~ RCO-D/T community and limiting or prohibiting the presence in a ~~retirement~~ RCO-D/T community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

(12)

The City Council may, as a permit condition, require that a proposed ~~retirement~~ RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(13)

No unit in a ~~retirement~~ RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

(1)

~~The total area of the tract or contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial, and located east of Route 495, south of the Route 290/Route 85 Connector, and north of Lakeside Avenue (Route 20), and within a two mile radius of Umass Memorial~~

IN CITY COUNCIL

ORDERED**Marlborough, Mass.,** _____**PAGE 4**

~~Marlborough Hospital. The total area of the tract of contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial and be located within the area that lies within the perimeter of the following roadways: commencing at the Rte. 85 Fitchburg Street intersection at the Rte. 85/290 Connector Road; then west along the Rte. 85/290 Connector Road to the intersection of Rte. 495; then south along Rte. 495 to where it passes over the intersection with Berlin Road; then southeasterly along Berlin Road to the intersection with Pleasant Street; then south north along Pleasant Street to the intersection with Russell Fitchburg Street; then east north along Russell Fitchburg Street to the intersection with Meehanic Street ; then south along Meehanic Street to the intersection with Hudson Street; then north along Hudson Street to the intersection with Union Street; then along Union Street west to the intersection with Rte. 85; then north along Rte. 85 to the intersection with the Rte. 85/290 Connector Road. All of said land being in reasonable proximity to the UMass Memorial Marlborough Hospital and the interstate highway intersection of Rte. 495 and Rte. 290.~~

(2)

A RCO-MF may contain one (1) and two (2) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.

(3)

No building in a RCO-MF shall be more than 3 stories in height.

(4)

The total number of dwelling units in a RCO-MF shall be limited to 12 units per acre.

(5)

No part of any principal building in a RCO-MF shall be less than 50 feet from any exterior lot line or less than 100 feet from any public way.

(6)

Maximum combined lot coverage in a RCO-MF, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.

(7)

The tract or contiguous parcels upon which a RCO-MF is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.

(8)

IN CITY COUNCIL

ORDERED**Marlborough, Mass.,** _____**PAGE 5**

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

(9)

The City Council may, as a permit condition, require that a proposed RCO-MF be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(10)

A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF. Attached and detached garages shall count toward this parking requirement.

(11)

No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area or more than 1300 square feet of living area.

(12)

No building in a RCO-MF need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.

(13)

In a RCO-MF, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith **SET A PUBLIC HEARING FOR** _____, **ADVERTISE,**

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____
PAGE 6

REFER TO PLANNING BOARD.

ADOPTED

ORDER NO. 18-1007198

City of Marlborough

Proposal to Amend Chapter 650 to Allow for High Quality Multifamily Residential Community for Independent Seniors

Property Owner

**First Colony Crowley Drive One LLC
(Jon Delli Priscoli)**

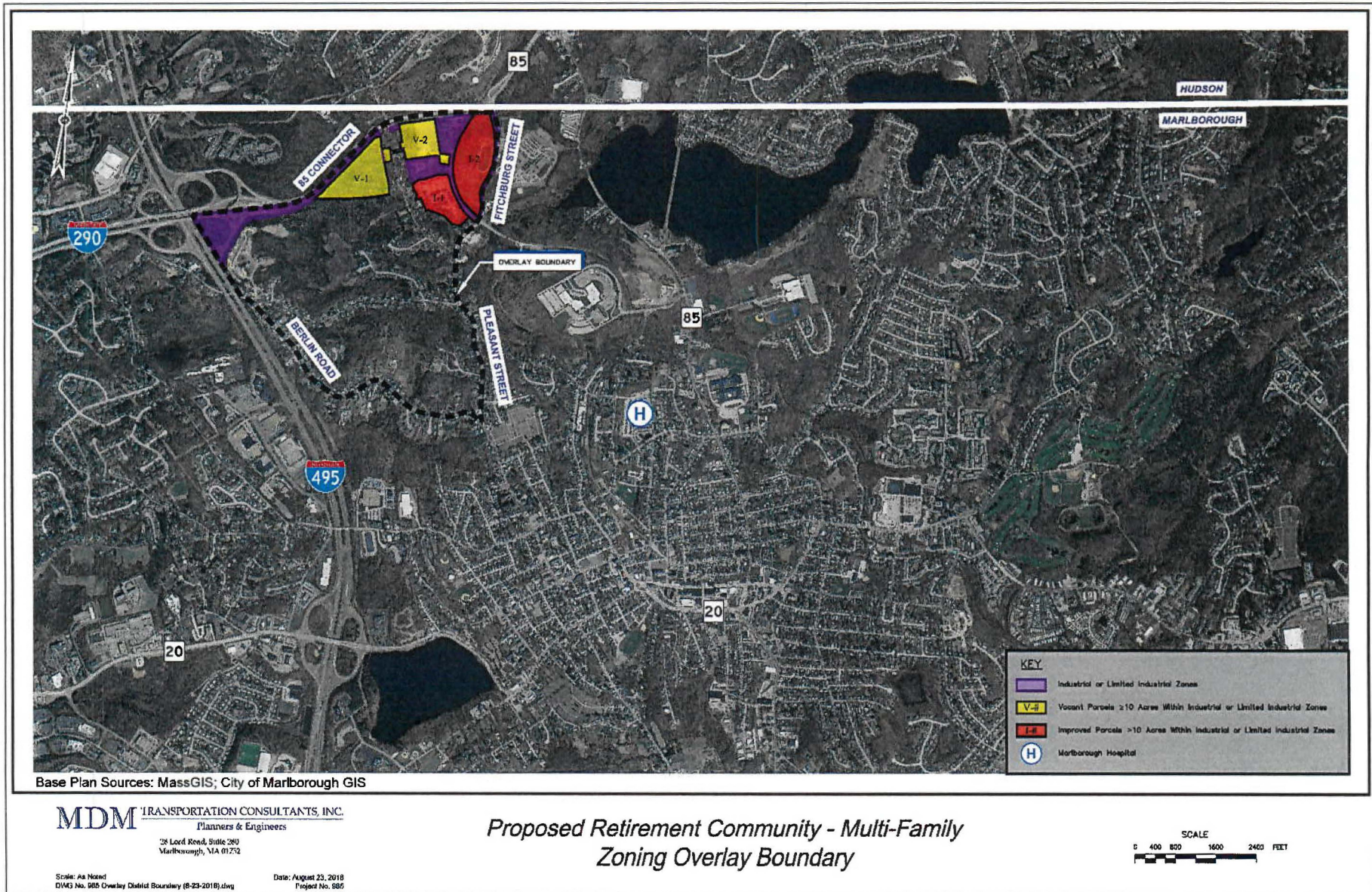
November 5, 2018

Planning Board and City Council Public Hearings

Proposed RCO-MF Overlay District

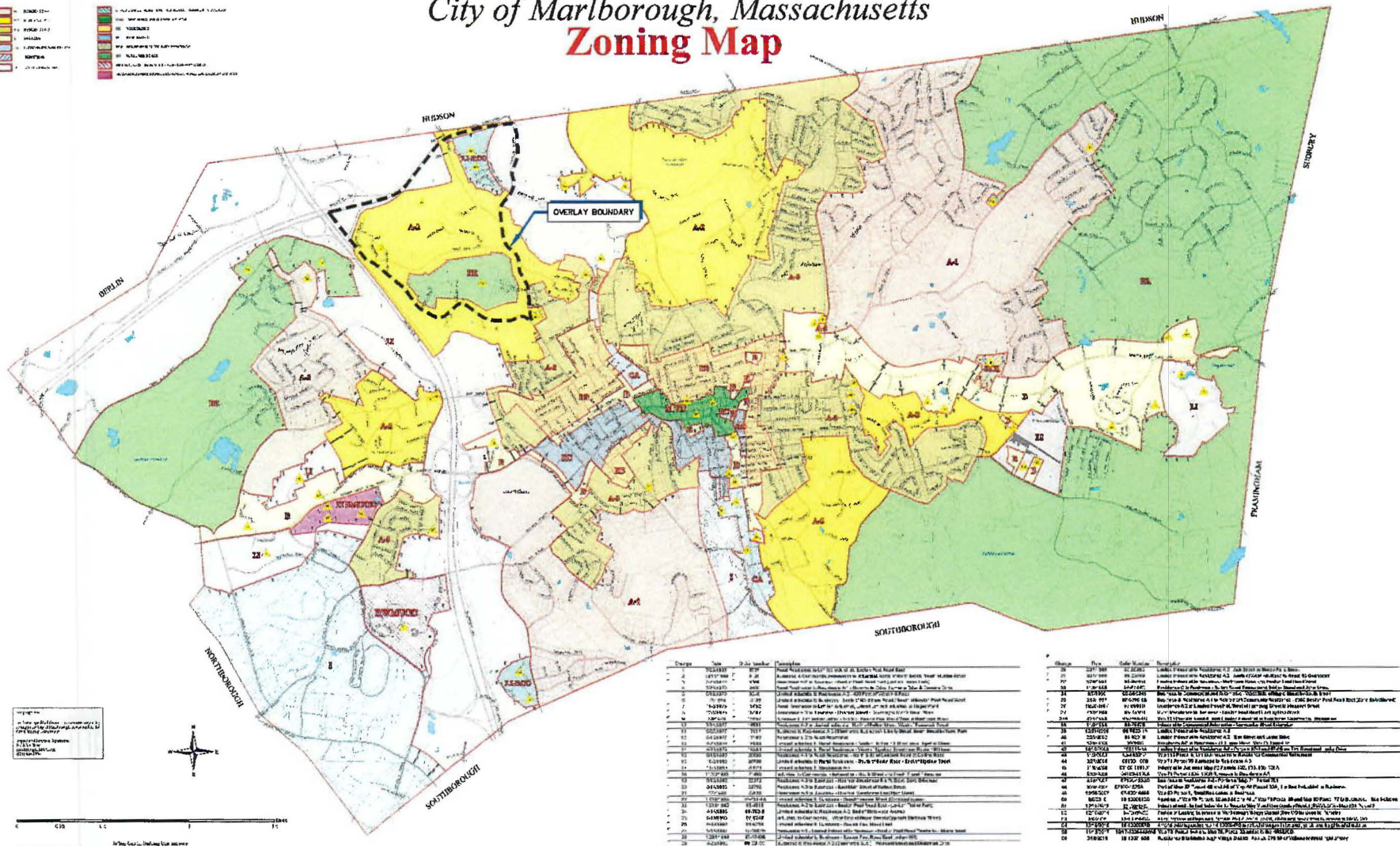
**Overlay Boundary Based on Input
of Urban Affairs Committee**

Planning Board and City Council Public Hearings



Planning Board and City Council Public Hearings

City of Marlborough, Massachusetts Zoning Map

[illegible][illegible]

For more information, contact the National Center for Education Statistics, 400 Maryland Drive, Washington, DC 20002, (202) 854-6600.

ASMO

John M. Thomas

Long M. Women City Club



Method 2:

Step 1: Identify the given information and the question to be answered.

Step 2: Write down the given information in a list.

Step 3: Write down the question to be answered.

Step 4: Use the given information to answer the question.

Step 5: Check your answer.

Proposed RCO-MF Overlay District

**Text Description of Revised
Boundary Based on Input
of Urban Affairs Committee**

Planning Board and City Council Public Hearings

(ii) Retirement Community – Multifamily (RCO-MF)

(1)

The total area of the tract of contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial and be located within the area that lies within the perimeter of the following roadways: commencing at the Fitchburg Street~~Rte. 85~~ intersection at the Rte. 85/290 Connector Road; then west along the Rte. 85/290 Connector Road to the intersection of Rte. 495; then south along Rte. 495 to where it passes over the intersection with Berlin Road; then southeasterly along Berlin Road to the intersection with Pleasant Street; then ~~north~~south along Pleasant Street to the intersection with Fitchburg~~Russell~~ Street; then ~~north~~east along Fitchburg~~Russell~~ Street to the intersection ~~with Meehanic Street~~; then south along ~~Meehanic Street to the intersection with Hudson Street~~; then north along Hudson Street to the intersection with Union Street; then along ~~Union Street west to the intersection with Rte. 85~~; then north along Rte. 85 to the intersection with the Rte. 85/290 Connector Road. All of said land being in reasonable proximity to the UMass Memorial Marlborough Hospital and the interstate highway intersection of Rte. 495 and Rte. 290.

[Based on input from August 21, 2018 UAC Meeting]

Proposed RCO-MF Overlay District

Council Order 18-1007198E

Redlined Format

Planning Board and City Council Public Hearings

Edits made: August 23, 2018

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 BY AMENDING AND ADDING THERETO AS FOLLOWS:

1. Section 650-5, entitled Definitions; word usage, is hereby amended to read:

RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES

A community consisting of ~~a structure or detached or attached~~ (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

RETIREMENT COMMUNITY – MULTIFAMILY

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled "Purpose" is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities ~~and other multifamily residential that provide~~ housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community ~~and for other multifamily housing which may be developed in conjunction therewith.~~

2. Section 650-22.C, entitled "Permitted uses" is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a ~~retirement community~~ Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(1)

No building in a **retirement RCO-D/T** community shall be more than 2 1/2 stories in height.

(2)

Each building in a **retirement RCO-D/T** community shall face either upon an existing street or upon a public or private way constructed within said **retirement RCO-D/T** community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(3)

No dwelling in a ~~retirement~~ RCO-D/T community shall contain less than 1,000 square feet of living area or more than 2,400 square feet of living area.

(4)

All dwelling units in a ~~retirement~~ RCO-D/T community shall be detached from the others or attached only along side walls in the so-called "townhouse" style.

(5)

The lot or lots on which a ~~retirement~~ RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(6)

No part of any principal building in a ~~retirement~~ RCO-D/T community shall be less than 25 feet from any exterior lot line or less than 50 feet from the side of any public way.

(7)

Each dwelling unit in a ~~retirement~~ RCO-D/T community shall have its own attached yard area.

(8)

Required off-street parking for each dwelling unit in a ~~retirement~~ RCO-D/T community shall be adjacent thereto. Each unit shall be required to provide at least one parking space inside a garage and an additional space in front of a garage, said garage to be attached to said unit. The City Council may, as a condition of its special permit, require additional off-street parking areas to be used in common by dwelling unit owners and their invitees. In addition, the City Council may, as a condition of the special permit, require the adoption of legally enforceable condominium bylaws or other similar regulations to limit or prohibit the presence in a ~~retirement~~ RCO-D/T community, either entirely or except in designated locations, of boats, boat trailers, campers, or other recreational vehicles.

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(9)

Maximum combined lot coverage in a ~~retirement~~ RCO-D/T community and in any permitted ancillary residential community shall not exceed 40% of the total lot size.

(10)

Each lot or contiguous lots upon which a ~~retirement~~ RCO-D/T community is located shall have total frontage on an existing public way of at least 250 feet. Each lot or combination of lots shall have a total size of not less than 10 acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(11)

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding ~~retirement~~ RCO-D/T community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a ~~retirement~~ RCO-D/T community and limiting or prohibiting the presence in a ~~retirement~~ RCO-D/T community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

(12)

The City Council may, as a permit condition, require that a proposed ~~retirement~~ RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(13)

No unit in a ~~retirement~~ RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

(1)

The total area of the tract or contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial, and located east of Route 495, south of the Route 290/Route 85 Connector, Marlborough Hospital. The total area of the tract of contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial and be located within the area that lies within the perimeter of the following roadways: commencing at the Rte. 85 Fitchburg Street intersection at the Rte. 85/290 Connector Road; then west along the Rte. 85/290 Connector Road to the intersection of Rte. 495; then south along Rte. 495 to where it passes over the intersection with Berlin Road; then southeasterly along Berlin Road to the intersection with Pleasant Street; then south north along Pleasant Street to the intersection with Russell Fitchburg Street; then east north along Russell Fitchburg Street to the intersection with Mechanic Street; then south along Mechanic Street to the intersection with Hudson Street; then north along Hudson Street to the intersection with Union Street; then along Union Street west to the intersection with Rte. 85; then north along Rte. 85 to the intersection with the Rte. 85/290 Connector Road. All of said land being in reasonable proximity to the UMass Memorial Marlborough Hospital and the interstate highway intersection of Rte. 495 and Rte. 290.

(ii) Retirement Community – Multifamily (RCO-MF)

(2)

A RCO-MF may contain one (1) and two (2) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.

(3)

No building in a RCO-MF shall be more than 3 stories in height.

(4)

The total number of dwelling units in a RCO-MF shall be limited to 12 units per acre.

(5)

No part of any principal building in a RCO-MF shall be less than 50 feet from any exterior lot line or less than 100 feet from any public way.

(ii) Retirement Community – Multifamily (RCO-MF)

(6)

Maximum combined lot coverage in a RCO-MF, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.

(7)

The tract or contiguous parcels upon which a RCO-MF is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.

(8)

The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

(ii) Retirement Community – Multifamily (RCO-MF)

(9)

The City Council may, as a permit condition, require that a proposed RCO-MF be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

(10)

A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF. Attached and detached garages shall count toward this parking requirement.

(11)

No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area or more than 1300 square feet of living area.

(ii) Retirement Community – Multifamily (RCO-MF)

(12)

No building in a RCO-MF need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.

13)

In a RCO-MF, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith **SET A PUBLIC HEARING FOR _____, ADVERTISE,
REFER TO PLANNING BOARD.**

ADOPTED

ORDER NO. 18-1007198E

Planning Board and City Council Public Hearings

Proposed RCO-MF Overlay District

Council Order 18-1007198E

CLEAN Format

Planning Board and City Council Public Hearings

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 BY AMENDING AND ADDING THERETO AS FOLLOWS:

1. Section 650-5, entitled Definitions; word usage, is hereby amended to read:

RETIREMENT COMMUNITY – DETACHED AND TOWNHOMES

A community consisting of detached or attached (only along side walls in so-called “townhouse” style) structures, constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

[Amended 1-6-2003 by Ord. No. 03-9821B; 1-6-2003 by Ord. No. 03-9821-1B; 1-6-2003 by Ord. No. 03-9821-2B]

RETIREMENT COMMUNITY – MULTIFAMILY

A community consisting of a single multiple unit structure constructed expressly for use as housing for persons aged 55 or over, on one parcel or on contiguous parcels of land, subject to the provisions of MGL c. 151B, § 4, as amended.

1. Section 650-22.A, entitled "Purpose" is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by providing for the development of retirement communities that provide housing choices for persons aged 55 or over on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities and supportive services, will provide an appropriate environment for a retirement community.

2. Section 650-22.C, entitled "Permitted uses" is hereby amended to read: Permitted uses. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with § 650-59, permit a Retirement Community - Detached and Townhomes, or a Retirement Community – Multifamily, as defined in § 650-5, consistent with the following provisions:

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(i) Retirement Community – Detached and Townhomes (RCO-D/T)

(1)

No building in a RCO-D/T community shall be more than 2 1/2 stories in height.

(2)

Each building in a RCO-D/T community shall face either upon an existing street or upon a public or private way constructed within said RCO-D/T community and shall have a minimum front yard of no less than 20 feet from the edge of the paved way to the closest point of the structure and a side yard of not less than 10 feet from the edge of the paved way to the closest point of the structure. Each building, whether principal or accessory, shall be at least 10 feet distant from any other building by air line distance between the nearest points of the buildings.

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The lot or lots on which a RCO-D/T community and any approved ancillary residential community are located shall contain, on a consolidated basis, at least 7,000 square feet per housing unit.

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The City Council may, as a permit condition, require that a proposed RCO-D/T community be constructed entirely on one lot, and that, from and after the date of the issuance of the building permit for said community or any portion thereof, no subdivision of said lot shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.

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No unit in a RCO-D/T community shall have more than three bedrooms.

(ii) Retirement Community – Multifamily (RCO-MF)

(1)

The total area of the tract of contiguous parcels to be developed as a RCO-MF shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial and be located within the area that lies within the perimeter of the following roadways: commencing at the Fitchburg Street intersection at the Rte. 85/290 Connector Road; then west along the Rte. 85/290 Connector Road to the intersection of Rte. 495; then south along Rte. 495 to where it passes over the intersection with Berlin Road; then southeasterly along intersection with Fitchburg Street; then north along Fitchburg Street to the intersection with the Rte. 85/290 Connector Road. All of said land being in reasonable proximity to the UMass Memorial Marlborough Hospital and the interstate highway intersection of Rte. 495 and Rte. 290.

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The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding RCO-MF regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.

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(ii) Retirement Community – Multifamily (RCO-MF)

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Be and is herewith **SET A PUBLIC HEARING FOR _____, ADVERTISE,
REFER TO PLANNING BOARD.**

ADOPTED

ORDER NO. 18-1007198E

Planning Board and City Council Public Hearings

City of Marlborough

Proposal to Amend Chapter 650 to Allow for High Quality Multifamily Residential Community for Independent Seniors

Property Owner

**First Colony Crowley Drive One LLC
(Jon Delli Priscoli)**

November 5, 2018

Planning Board and City Council Public Hearings



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 11, 2019

PAGE 1

ORDERED:

That the PUBLIC HEARING On the Proposed Zoning Ordinance Amendment, Chapter 650 §22 & §5, relative to Multifamily Retirement Community, 90 Crowley Drive, Order No. 18-1007452A, all were heard who wish to be heard, hearing closed at 8:34 PM.

Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.

A communication was submitted by Richard Lodi, President of the Regency at Assabet Ridge, in support of this project.

PUBLIC SPEAKING IN FAVOR

William Pezzoni appeared on behalf of the landowner, Jon Delli Priscoli. This is their third appearance before the City Council regarding this proposal and they will explain any differences from the previous petitions. The proposal is for a multifamily, single three-story building, over-fifty-five, senior residence housing. It will have a myriad of amenities, such as a movie theater, hair dresser, eat in your own private area or a common dining room. It is like the other detached units, with twelve-units per acre. They changed the district and where it would run, it was previously four times larger. They were able to confine it to the back quadrant by Routes 290 and 495 interchange. There are several ten-acre parcels located within the area they are hoping to rezone. Mr. Pezzoni reviewed the parcels within the proposed zoning area as well as the proposed language describing the area.

Mr. Pezzoni stated they performed a traffic impact study to show the type of impact such a facility would have to the area. Robert Michaud, a principal with MDM Transportation Consultants whose offices are in Marlborough, provided a review of the key findings of the traffic study. The study was performed to industry best practices, using Mass DOT Guidelines as well as ITE (Institute of Transportation Engineers) Guidelines, which entailed finding the baseline traffic conditions for the property by performing traffic counts the previous June. His company also performed previous traffic studies for other businesses in the area and he had access to that historical information. They predict future trends by going out seven years to the year 2025 to understand the effect of area development from known permitted projects and estimate the relative trip increases with this land use type. Finally, they perform an operations and safety analysis to quantify its impact on nearby intersections.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 11, 2019

PAGE 2

ORDERED:

The key findings of the study for this land use, senior housing, is a low impact traffic generator representing less than a two-percent change volume in the area roadways. There is ample roadway capacity to accommodate a substantial fluctuation in traffic well beyond the impact of this particular use with no material effect on delays or vehicle queuing. There are no known safety deficiencies in this area. There is no need for a traffic signal at the intersection of Fitchburg Street, Crowley Drive, and Sassexville Way. Mr. Michaud proceeded to review each point in more detail with a PowerPoint presentation which is available in the City Clerk's Office for viewing. He concluded by stating the infrastructure is appropriate at this location for this particular land use category as it is among the lowest trip generation categories.

Mr. Pezzoni stated at the previous hearings on this request, there were significant discussions regarding parking at the site and their research indicates three-quarters of a space is required for each unit, they require a minimum of one space per unit in the proposed zoning. They do have an agreement with an adjacent business for additional parking at high volume times such as holidays or weekends when the business is not being used. The tax revenue generated by this type of facility and its net impact per unit is approximately \$1,823.00 for 120-units, totaling \$230,000.00 per year.

Richard Lodi, 3 Bradford Circle at the Assabet Regency Condominium Complex, is a trustee on the board for the previous six years and he was in favor of the new luxury apartments. The members of the Board of Trustees for Assabet Regency were in favor the proposal as well.

Charles Frank, 26 Bowood Lane which is in the first building off Crowley Drive, spoke in favor of the proposal.

There is no one else speaking in favor. That part of the Public Hearing is closed.

QUESTIONS FROM THE PUBLIC

There are no questions from the public. That part of the Public Hearing is closed.

PUBLIC SPEAKING IN OPPOSITION

There is no one speaking in opposition. That part of the Public Hearing is closed.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 11, 2019
PAGE 3

ORDERED:

QUESTIONS FROM THE CITY COUNCIL

- Councilor Oram asked a question regarding the traffic study and whether it was done considering the current occupancy of the local buildings and the fluctuation of Assabet Valley Regional High School with its summer and school year fluctuations. Mr. Michaud stated it did include the full occupancy of 100 Crowley Drive as well as 92 Crowley Drive and the occupancy of Assabet Valley.
- Councilor Robey stated she is more in favor of this project as it has come before them but still has concerns about taking an existing ordinance about retirement communities and splitting it into two separate ordinances, one for townhouses and “retirement” which is a single stand alone building and making that piece very specific to one area. She questioned how the underlying district, which is limited industrial (LI) has size requirements in feet but the overlay district lists their requirements by number of stories and how do those two requirements go together. Mr. Pezzoni stated it was written so the requirements are no more than three stories. Councilor Robey also commented on the traffic study and explained the traffic at Crowley Drive was referred to the City’s Traffic Commission who studied the location for a week and they recorded 2,769 vehicles for an average of 395 vehicles per day. They only reviewed data for Crowley Drive and not Fitchburg Street and she questioned the applicant’s data which showed only nineteen turned off Crowley Drive onto Fitchburg Street and where are they going. Mr. Michaud explained they have two years worth of data (2015 and 2018) and Crowley Drive carries 600 vehicles per day and during peak hours, the peak directional flow is 20-30 vehicles per hour in each direction. So, in a typical hour in the morning there are about 60 cars per hour, half of which is associated with the condominium development and the other half is associated with the businesses at the end of the street. She found it interesting the Traffic Commission data was different than their findings and a traffic light decision would have to meet State requirements since it is a State road and that decision would be made once a development is constructed and there is actual traffic data. Mr. Michaud stated their data is close to the City findings and there is no disagreement with them.
- Councilor Doucette shared his personal experiences with these types of facilities. The traffic on holidays—Mother’s Day, Father’s Day, and Christmas is intense and some controls may need to be considered such as a police officer for traffic control to handle the extreme situations that are exceptional but do happen. Mr. Michaud explained any permit issued should the zoning be passed would have detailed studies submitted to evaluate those types of situations.



IN CITY COUNCIL

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ORDERED:

- Councilor Juaire requested a better map of the proposed zoning area and its boundaries. Mr. Pezzoni stated he could provide a larger map to the City Council Office.
- Councilor Landers stated supports the proposal and would like to see a project of this caliber in Marlborough as it adds value to what the City has to offer.
- Councilor Robey stated the zoning description is detailed enough that one can follow the boundary delineations.

There are no further questions from members of City Council. That part of the Public Hearing is closed.

ADOPTED

ORDER NO. 18/19-1007452B
X18-1007198G