



# City of Marlborough Planning Board

Administrative Office  
135 Neil St.  
Marlborough, MA 01752

## PLANNING BOARD

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June 22, 2021

Council President Michael Ossing  
Marlborough City Council  
140 Main St.  
Marlborough, MA 01752

RE: Council Orders#21-1008293 Proposed Zoning Amendment to Chapter 650 at add new Section to create the "Commercial Village Overlay District".

Honorable President Ossing and Councilors:

At its regularly scheduled meeting on 6/21/2021, the Board took the follow action regarding the above-referenced Council order:

On a motion by Mr. Elder, seconded by Mr. Fay, the Board voted to make a negative recommendation to the City Council for the proposed zoning amendment. Motion Carried.

The Board provided the following reasons in reaching its recommendation:

- The developer did not establish the proposed Overlay District is consistent with the character of the surrounding neighborhood in that a high density is proposed abutting a single residential family area;
- In the Planning Board's opinion, approval of the Overlay District would be overly burdensome to the residential neighbors (increased traffic with the number of proposed units and 4-story height in close proximity to single family residential abutters);
- The developer did not establish the proposed Overlay District would provide the City with a type of housing that is not already available in the City, or that the proposed Overlay District would benefit the City in any compelling way, or in a manner that would outweigh the potential burdens on the residential neighbors. Although a tax benefit was cited by the developer, there could be corresponding costs for safety and other services. In addition, the developer would not be cleaning up their open space of soil contamination;
- The developers did not establish the proposed Overlay District would be keeping with the intent and purposes of the City Zoning Ordinance. The residents of the surrounding neighborhood are entitled to a reasonable expectation of being protected by the existing zoning absent a change that clearly benefits the City;

- If the City Council sees fit to approve the Overlay District, the Planning Board suggests the following limitations:
  - Significantly reducing the percentage of lot coverage allowed;
  - Reducing the number of stories allowed for the buildings;
  - Reducing the overall number of units;
  - Restricting the undeveloped portion of the property so that no further development could take place, and the existing land could not be disturbed;
  - Given the contaminated soil, the undeveloped portion of the land should not be transferred to the City; and,
  - Incorporating the environmental and soil management plan contained in the developer's current single family subdivision approval into the terms of any Special Permit issued in the future.

Sincerely,



Barbara L. Fenby  
Chairperson

Enclosure

cc: Building Commissioner  
City Clerk