

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: November 21, 2017

Time: 5:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 NOV 15 A 10:48

Agenda Items to be addressed:

10-30-2017 – **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.

-Refer to Legislative & Legal Affairs Committee

08-28-2017 – **Order No. 17-1007002:** Proposed Zoning Amendment intended to better regulate self-storage facilities.

-Refer to Legislative & Legal Affairs Committee and Planning Board

-Public Hearing: September 25, 2017

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., OCTOBER 30, 2017

PAGE 1

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain land located on and off Howe Street and on and off Valley Street, as more particularly described herein, be taken for the purpose of a pedestrian connection to provide neighborhood access to the Cpl. Christos Pappas Playground on John Street and its recreational amenities, and for other municipal purposes but expressly excluding the purposes of Article 97 of the Constitution of the Commonwealth of Massachusetts, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purpose; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the fee simple interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the fee simple interest in the following described land, including all trees and other vegetation thereon, but not the structures and other objects located thereon, if any, for which structures and objects the owner(s) thereof shall be given a reasonable time after date of this order to remove.

DESCRIPTION OF LAND TAKEN

1. Being an approximately 24,829.7 S.F. parcel located on and off Howe Street, Marlborough, MA and shown as Map 82, and Parcel 125A on the Assessors' Map of the City of Marlborough:

OWNER: Heirs of Stetson
Address Unknown



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 30, 2017

PAGE 2

ORDERED:

2. Being an approximately 16,988.4 S.F. parcel located on and off Valley Street, Marlborough, MA and shown as Map 82, and Parcel 125B on the Assessors' Map of the City of Marlborough.

OWNER: Heirs of Mary Howe
Address Unknown

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee interest and each of them are hereby taken whether the ownership is as stated herein or otherwise. We determine that the damages, set forth in the Table of Awards below, have been sustained by the owners of said parcels upon which said fee simple interests, so taken, are located.

TABLE OF AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AWARD</u>
Heirs of Stetson Address Unknown	82/125A	\$3,400
Heirs of Mary Howe Address Unknown	82/125B	\$2,300

Be and is herewith refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 17-1007065-1



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 OCT 26 A 10:53

City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

October 26, 2017

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

Re: Taking of Land off Howe Street and Valley Street

Honorable President Clancy and Councilors:

Please find enclosed a proposed Order of Taking by Eminent Domain which concerns two (2) contiguous parcels of land located on and off Howe Street and Valley Street. As described in the attached letter of request from Priscilla Ryder, Conservation Officer, the purpose of the taking is to create pedestrian access to the Corporal Christos Pappas Playground on John Street. The enclosed Order of Transfer Between Open Space Stabilization Account and Open Space Acquisition Account would appropriate the compensation awards relating to the taking.

An additional enclosed proposed order would transfer care, management and control of the land the Department of Public Works, which would create and maintain the above-referenced pedestrian access. Given that certain residents utilize a portion of the land to access their residences or garages, once the pedestrian access has been designed it will likely be necessary for the City to grant easements to these residents to pass and repass on and over the land.

Please also find a GIS Map of the two parcels for your convenience and do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough Conservation Commission

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747

Edward Clancy -- Chairman
Allan White
Lawrence Rpy
David Williams
John Skarin
Dennis Demers
Karin Guquin
Priscilla Ryder Conservation Officer

October 26, 2017

Arthur G. Vigeant, Mayor
City Hall
140 Main Street
Marlborough, MA 01752

RE: Order of Taking by Eminent Domain Regarding Land on Howe and Valley Streets

Dear Mayor Vigeant:

I request that you send to the City Council, for their action, the attached Order of Taking by Eminent Domain.

By the proposed Order of Taking, the City would acquire certain fee interest in two parcels of land which would allow pedestrian connections to be created to the Christos Pappas Playground on John Street from Howe Street and Valley Street. These pedestrian connections would advance the goal of developing a more liveable and walkable community, as provided in the City's Open Space and Recreation Plan 2011-2018, and advance the city's Complete Streets policy through walking access from neighborhoods to the John Street recreation area. Additionally, because the pedestrian connection must be constructed and maintained, I suggest that it would be appropriate for the Department of Public Works to have care, management and control of the parcels.

Thank you for your attention to this matter.

Sincerely,

Priscilla Ryder
Conservation Officer

Enclosure

Cc: Cynthia Panagore Griffin, Assistant City Solicitor

ORDERED:**Eminent Domain Order of Taking**

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain land located on and off Howe Street and on and off Valley Street, as more particularly described herein, be taken for the purpose of a pedestrian connection to provide neighborhood access to the Cpl. Christos Pappas Playground on John Street and its recreational amenities, and for other municipal purposes but expressly excluding the purposes of Article 97 of the Constitution of the Commonwealth of Massachusetts, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purpose; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the fee simple interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the fee simple interest in the following described land, including all trees and other vegetation thereon, but not the structures and other objects located thereon, if any, for which structures and objects the owner(s) thereof shall be given a reasonable time after date of this order to remove.

DESCRIPTION OF LAND TAKEN

1. Being an approximately 24,829.2 S.F. parcel located on and off Howe Street, Marlborough, MA and shown as Map 82, and Parcel 125A on the Assessors' Map of the City of Marlborough:

OWNER: Heirs of Stetson
Address Unknown

2. Being an approximately 16,988.4 S.F. parcel located on and off Valley Street, Marlborough, MA and shown as Map 82, and Parcel 125B on the Assessors' Map of the City of Marlborough.

OWNER: Heirs of Mary Howe
Address Unknown

The ownership of said parcels and each of them are supposed to be as stated herein, but said fee interest and each of them are hereby taken whether the ownership is as stated herein or otherwise.

We determine that the damages, set forth in the Table of Awards below, have been sustained by the owners of said parcels upon which said fee simple interests, so taken, are located.

TABLE OF AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

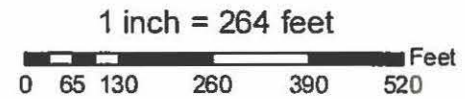
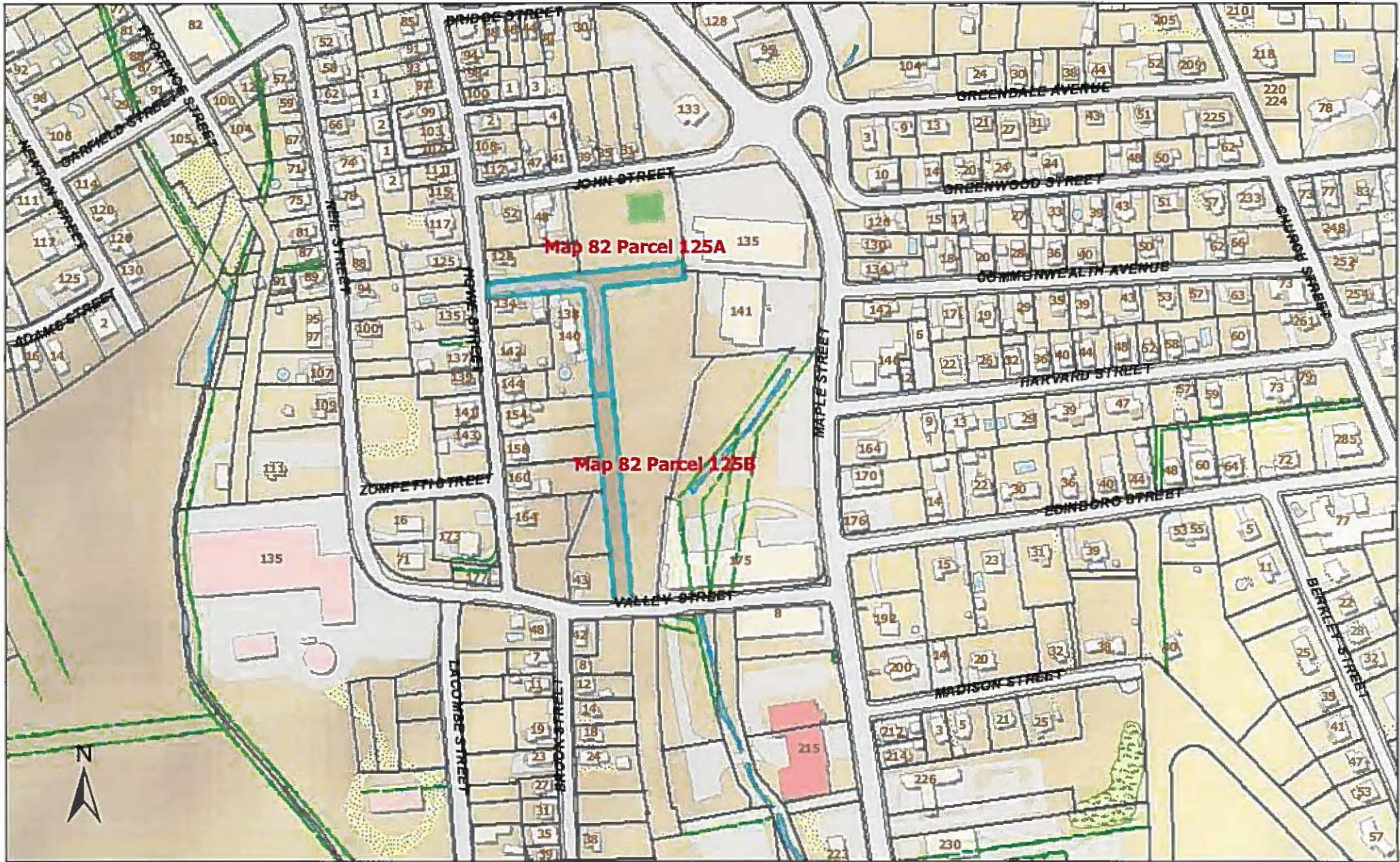
<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AWARD</u>
Heirs of Stetson Address Unknown	82/125A	\$3,400
Heirs of Mary Howe Address Unknown	82/125B	\$2,300

ADOPTED
In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST

Map 82 Parcels 125A and 125B



October 25, 2017

City of Marlborough



All Marlborough GIS data to be considered a generalized spatial representation that is subject to revisions. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web site is not intended to be used as the exclusive basis for decision-making.



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 30, 2017

ORDERED:

That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, having by Order No. 17- exercised its authority to take general corporate property by eminent domain those certain parcels of land at Assessors' Map 82, Parcel 125A and Assessors' Map 82, Parcel 125B, both of which parcels are located on or off Howe Street and on or off Valley Street, for the purposes of a pedestrian connection to provide neighborhood access to the Cpl. Cristos Pappas Playground located on John Street, hereby transfers to the Department of Public Works of the City of Marlborough the care, custody, management, and control of said parcels for said purposes.

Be and is herewith refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 17-1007065-2

ORDERED:

That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, having by Order No. 17-_____ exercised its authority to take general corporate property by eminent domain those certain parcels of land at Assessors' Map 82, Parcel 125A and Assessors' Map 82, Parcel 125B, both of which parcels are located on or off Howe Street and on or off Valley Street, for the purposes of a pedestrian connection to provide neighborhood access to the Cpl. Cristos Pappas Playground located on John Street, hereby transfers to the Department of Public Works of the City of Marlborough the care, custody, management, and control of said parcels for said purposes.

ADOPTED

In City Council
Order No. 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 30, 2017

ORDERED:

That pursuant to § 5 of Chapter 40A of the General Laws, by a two-thirds vote, the City Council of the City of Marlborough hereby approves the transfer request in the amount of \$5,700.00 which moves funds from Stabilization-Open Space to Open Space Acquisition for payment of the compensation awards relating to the taking by eminent domain of Assessors Map 82, Parcel 125A and Assessors Map 82, Parcel 125B, being land located on and off of Howe Street and on and off of Valley Street, for the purposes of a pedestrian connection to the Cpl. Christos Pappas Playground on John Street, as follows:

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2018		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$1,028,071.76	\$5,700.00	83600	32918	Stabilization-Open Space	\$5,700.00	19300006	59170	Open Space Acquisition		\$0.00
	Reason:	_____						For compensation relating to the taking by eminent domain		
_____	_____	_____	_____	_____	_____	_____	_____	_____		_____
_____	Reason:	_____						_____		
_____	Reason:	_____						_____		
_____	Reason:	_____						_____		
	\$5,700.00	Total			\$5,700.00	Total				

Department Head signature: _____

Auditor signature: _____

Comptroller signature: _____

Be and is herewith refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 17-1007065-3

ORDERED

That pursuant to § 5 of Chapter 40A of the General Laws, by a two-thirds vote, the City Council of the City of Marlborough hereby approves the transfer request in the amount of \$5,700.00 which moves funds from Stabilization-Open Space to Open Space Acquisition for payment of the compensation awards relating to the taking by eminent domain of Assessors Map 82, Parcel 125A and Assessors Map 82, Parcel 125B, being land located on and off of Howe Street and on and off of Valley Street, for the purposes of a pedestrian connection to the Cpl. Christos Pappas Playground on John Street, as follows:

CITY OF MARLBOROUGH BUDGET TRANSFERS -									
DEPT:		Mayor				FISCAL YEAR:		2018	
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,029,071.78	\$5,700.00	83800	32918	Stabilization-Open Space	\$5,700.00	19300008	58170	Open Space Acquisition	\$0.00
Reason:					For compensation relating to the taking by eminent domain				
Reason:									
Reason:									
Reason:									
Reason:									
\$5,700.00		Total			\$5,700.00	Total			
Department Head signature:									
Auditor signature:									
Comptroller signature:									

ADOPTED
In City Council
Order No. 17-

Approved by Mayor
Arthur G. Vigeant
Date:

TRUE COPY
ATTEST:

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2018

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$1,028,071.76

\$5,700.00

83600

32918

Stabilization-Open Space

\$5,700.00

19300006

58170

Open Space Acquisition

\$0.00

Reason:

For compensation relating to the taking by eminent domain

Reason:

Reason:

Reason:

\$5,700.00

Total

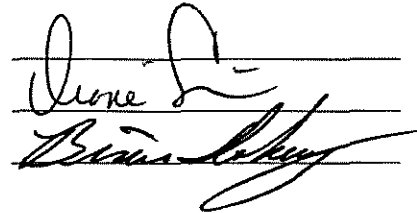
\$5,700.00

Total

Department Head signature:

Auditor signature:

Comptroller signature:





IN CITY COUNCIL

Marlborough, Mass., _____ AUGUST 28, 2017

ORDERED:

PAGE 1

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 new sub-subsections 17 and 18:
 - (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.



IN CITY COUNCIL

Marlborough, Mass., _____ AUGUST 28, 2017

PAGE 2

ORDERED:

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), Commercial Automotive (CA), Limited Industrial (LI) and Industrial (I) districts, as follows:

RR A1 A2 A3 RB RC RCR B CA LI I MV

Self-service	N	N	N	N	N	N	N	SP	SP	SP	SP	N
storage facility												

Be and is herewith refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY SEPTEMBER 25, 2017.**

ADOPTED

ORDER NO. 17-1007002



City of Marlborough Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
DONALD V. RIDER, JR.
CITY SOLICITOR
2017 AUG 24 10 49 AM
CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR
ELLEN M. STAVROPOULOS
PARALEGAL

August 24, 2017

Edward J. Clancy
President
Marlborough City Council

RE: Self-Service Storage Facilities –
Proposed Zoning Amendment

Dear President Clancy and Members:

At your request, I am enclosing for the Council's consideration a proposed zoning amendment intended to better regulate self-service storage facilities in Marlborough. The amendment defines such facilities, specifies the minimum associated parking, and would allow such facilities by special permit in the Business, Commercial/Automotive, Limited Industrial and Industrial zoning districts.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

cc: Mayor's Office
Building Commissioner

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 new sub-subsections 17 and 18:
 - (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), Commercial Automotive (CA), Limited Industrial (LI) and Industrial (I) 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	SP	SP	N

ADOPTED
In City Council
Order No 17-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 25, 2017

PAGE 1

ORDERED:

That the PUBLIC HEARING On the Proposed Zoning Amendment intended to better regulate self-storage facilities, Order No. 17-1007002, hearing recessed at 8:26 p.m.

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

Mayor Arthur Vigeant spoke of his discussions with the City Council President and several Councilors about the possibility of making a change to the ordinance for self-storage units. Currently the City ordinance has no clear definition for self-storage units and it is referenced under three different sections of the City Code. One section allows them in Commercial Automotive (CA), one allows them in Industrial (I), and a third allows them in Limited Industrial (LI). This ordinance change would clarify where they are allowed within the City.

The ordinance change would allow the City Council the opportunity to control how many self-storage facilities are coming into the City. Obviously, Mayor Vigeant did not want to take away the rights of property owners and there are several self-storage facilities within the City in several locations. Those facilities are run very well, clean operations that have not caused any issues. From an administration standpoint, the only potential problem would be if they all occur in developments using prime real estate in the City along Routes 85 and 20. To bring in a development that has little return to the City where there is very little tax revenue and no personal property tax when it comes to these developments. There are few employees that work at these developments. There have not been any issues, just the revenue standpoint to the City is very limited. Some developers, to their credit, use storage facilities as a placeholder while they determine what they want to do with their property in the long run. The City Solicitor will appear before the committee meeting to explain and answer questions about the proposed ordinance change and there is a definition of self-storage facilities but it is not included in the Table of Uses.

Bob Valchuis, 547 Boston Post Road, has a storage facility within the City as well as Millis, MA for over thirty years. He supported the change in zoning and special permit, although he had some concerns and points he would like to make to the Council. His first concern was there being a difference between a four-story building and portable storage units, which are relocatable daily, monthly, or yearly; and the new definition states any structure which is being rented which could be a filing cabinet, a box, or any storage unit so he believed there needed to be a distinction as to portable and sizes. Depending upon the type of unit, some would not need a sprinkler system, foundation, or mechanical engineered for earthquakes. There are a lot of variables involved, including what is stored at the facilities. A lot depends upon the contract with the facility and it must explicitly state firearms, explosives, and hazardous waste are not allowed. These must be addressed as well as what the City ordinance would be as to what may or may not be stored.



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 25, 2017

PAGE 2

ORDERED:

Mr. Valchuis supported competition and acknowledged that a storage facility may not generate the tax dollars or jobs but he gave the example of a property with a home may generate \$3,000 in tax revenue but any children in the home would be an expense to the schools but that same property with a business such as a storage facility would generate \$14,000 in tax revenue and would not utilize the same amount of City services as a home. Many apartment residents and condominium owners use storage facilities as they do not have space to store items in their homes. This keeps people from overfilling their dwellings and alleviates a safety concern.

Mr. Valchuis spoke of the parking issue. The ordinance proposed for every sixteen-hundred square feet of space, one parking space is required for a self-storage facility. He believed this was excessive because only seven percent of storage units, seven out of ten, over a twelve-hour day are visited which equates to less than one spot. For a two-hundred-unit facility, during a month, including move-ins and move-outs, are not seven-percent of their traffic. So, to calculate it by twelve-hour day, over thirty days, for two-hundred units and two spots, the proposal required a middle ground. More parking equates to a smaller facility which is less taxable revenue for a smaller building. He based these findings on nationally publicized information which he could provide to Councilors. It was a good idea to change the ordinance but there needed to be some caution with the definitions and exactly how they were changed as they need a little more input from interested parties.

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 Doucette had a question for the Mayor. He has used self-storage facilities at various times and there are several different categories, portable, pull up units and buildings with a climate controlled environment. He did not necessary see the need for mandatory parking spaces for the first two types and requested the Mayor have the three different types of units addressed within the ordinance. Mayor Vigeant was open to making changes and stated Mr. Valchuis had some good points and he was going to request his information for the committee. Mayor Vigeant's concern was the issue that the facilities are allowed by right within three different zones and for the City Council have a say in where they are allowed in the City.



IN CITY COUNCIL

Marlborough, Mass., SEPTEMBER 25, 2017

PAGE 3

ORDERED:

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 Legislative and Legal Affairs Committee.

ADOPTED

ORDER NO. 17-1007002A



City of Marlborough Commonwealth of Massachusetts

PLANNING BOARD

Barbara L. Fenby, Chair
Colleen Hughes
Philip Hodge
Sean N. Fay
Brian DuPont
George LaVenture

Krista Holmi, Administrator
Phone: (508) 624-6910 x33200
Fax: (508) 624-7699

Email: planning_board@marlborough-ma.gov
kholmi@marlborough-ma.gov

October 23, 2017

Edward Clancy, President
Marlborough City Council
140 Main St.
Marlborough, MA 01752

RE: ~~Proposed Zoning Amendment - Council Order #17-1007002~~
~~Section 650-5, 48 & 17, Self-Service Storage Facilities~~

Dear President Clancy:

At its regularly scheduled Planning Board meeting on October 16, 2017, the Board took the following action regarding the above referenced zoning amendment:

On a motion by Mr. DuPont, seconded by Mr. Fay, the Board voted to make a favorable recommendation to the City Council for the proposed zoning amendment, Section 650-5, entitled "Definitions; word usage", Section 650-48, entitled "Off-street parking", and Section 48 650-17, entitled "Table of Uses" noting the following recommended revisions: Table of Use should be modified to include siting of self-service storage facilities by special permit only within the (B) Business and (CA) Commercial Automotive districts; the Board recommended that the proposed self-service storage facilities use be prohibited in the Industrial and Limited Industrial districts. Motion Carried.

Sincerely,

Barbara L. Fenby
Chairperson

cc: City Clerk

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 OCT 26 P 2:42