

City of Marlborough Public Meeting Posting

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Meeting Name: City Council Urban Affairs Committee

2022 NOV -9 PM 1:00

Date: November 14, 2022

Time: 6:45 PM

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

This meeting will be held in the City Council Chamber. Public attendance is permitted. The meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

9-12-22 – Order No.22-1008679: Petition for Zoning amendment, Chapter 650, §40, Location and Height of Buildings, relative to Attached Roofs and Entryways/ Porches in proper form from Solicitor Grossfield on behalf of Councilors Ossing and Navin (Porticos)

-REFER TO PLANNING BOARD AND URBAN AFFAIRS

PUBLIC HEARING: OCTOBER 3, 2022

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.



City of Marlborough Planning Board

Administrative Offices
135 Neil St.
Marlborough, MA 01752

PLANNING BOARD

Barbara L. Fenby, Chair
Philip Hodge
Sean N. Fay
George LaVenture
Christopher Russ
Matthew Elder
William Fowler

Katlyn Miller, Administrator
(508) 624-6910 x33200
kmiller@marlborough-ma.gov

November 8, 2022

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

RE: Council Order #22-1008679 – Proposed Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs and Entryway/Porches

Honorable President Ossing and Members:

At its regularly scheduled meeting on November 7, 2022, the Planning Board took the following action regarding the above referenced zoning amendment:

On a motion by Mr. Russ, seconded by Mr. Elder, the Board voted to send a favorable recommendation to the City Council without further guidance on the proposed Council Order No. 22-1008679. Yea: Elder, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried. 5-0.

Sincerely,

Barbara L. Fenby (KL)

Barbara L. Fenby
Chairperson

cc: City Clerk



IN CITY COUNCIL

Marlborough, Mass., ~~SEPTEMBER 12, 2022~~

ORDERED:

That the Proposed Zoning Amendment to Chapter 650, §40 – Location and Height of Buildings, relative to Attached Roofs for Entryway/Porches, be and is herewith referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, OCTOBER 3, 2022.**

THAT, PURSUANT TO SECTION 5 OF CHAPTER 40A OF THE GENERAL LAWS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT CHAPTER 650 OF THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. By amending Chapter 650 (Zoning), Section 650-40 (Location and Height of Buildings), Subsection F(5) to read as follows (new text shown as underlined):

(5) (a) Nothing herein shall prevent the projection of cornices or eaves not exceeding 18 inches in width or of uncovered steps, unroofed porches or windowsills into a required yard or other open space.

(b) For single-family and two-family dwellings, in all zoning districts: An attached roof covering an entryway or porch may project into the required yard setback, subject to compliance with all of the following requirements:

[1] Attached roof is permitted to project up to sixty (60) inches into the required yard setback;

[2] Attached roof shall not exceed forty (40) square feet;

[3] Attached roof shall not exceed allowable height per §650-41, Table of Lot Area, Yards and Height of Structures;

[4] Entryway or porch may not be enclosed nor living space or balconies erected above, excepting required elements such as railings;

[5] Space beneath the porch may not be occupied; and

[6] Minimum setback from any street or way for an attached roof authorized under this subsection shall be five (5) feet.

II. The effective date of these amendments shall be the date of passage.

ADOPTED

ORDER NO. 22-1008679



City of Marlborough Legal Department

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

9
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
JASON D. GROSSFIELD
CITY SOLICITOR
2022 SEP -8 AM 11:00
JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR
SUSAN A. CORREIA
PARALEGAL

September 8, 2022

Michael H. Ossing, President
Marlborough City Council
City Hall
140 Main Street
Marlborough, MA 01752


Re: Proposed Zoning Ordinance Amendment re: Attached Roofs for Entryway/Porch

Dear Honorable President Ossing and Councilors:

At the request of Councilors Ossing and Navin, in conjunction with Building Commissioner Tin Htway, enclosed please find a proposed zoning ordinance amendment relative to the ability to construct an attached roof covering an entryway or porch which projects into a portion of the required yard setback, for single and two-family dwellings.

I have reviewed the proposed amendment and it is in proper legal form. Please contact me if you have any questions or concerns.

Respectfully,



Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Tin Htway, Building Commissioner

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II. The effective date of these amendments shall be the date of passage.

ADOPTED
In City Council
Order No. 22-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST: