

NOTICE
CITY OF MARLBOROUGH
OFFICE OF THE CITY COUNCIL

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CITY OF MARLBOROUGH

2018 AUG 17 P 12:52

Additional Item Added to the Agenda

Urban Affairs Committee

Tuesday, August 21, 2018

5:30 PM

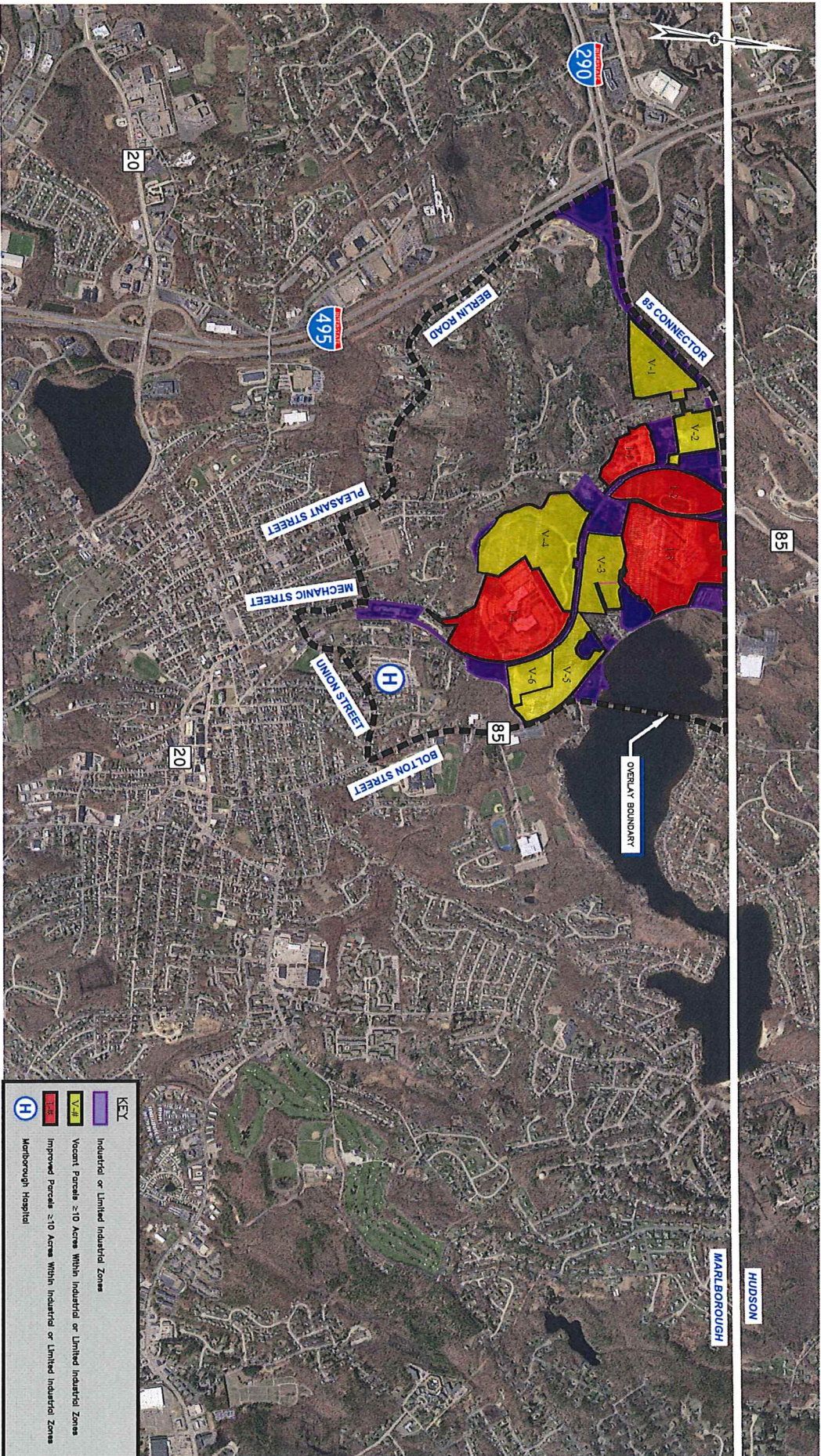
City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Order No. 18-1007198D: Proposed Zoning Amendment, to Chapter 650 §5, §22.A, C as it pertains to a Retirement Community Overlay District, 90 Crowley Drive.

-REFER TO URBAN AFFAIRS

-PUBLIC HEARING: JULY 23, 2018

Per Order of: Chairman Delano
August 17, 2018



Base Plan Sources: MassGIS; City of Marlborough GIS





MDM TRANSPORTATION CONSULTANTS, INC.
Planners & Engineers

28 Land Road, Suite 280
Marlborough, MA 01752

Scale As Noted
DWG No. 389 Overlay District Boundary (6/14/2018).dwg

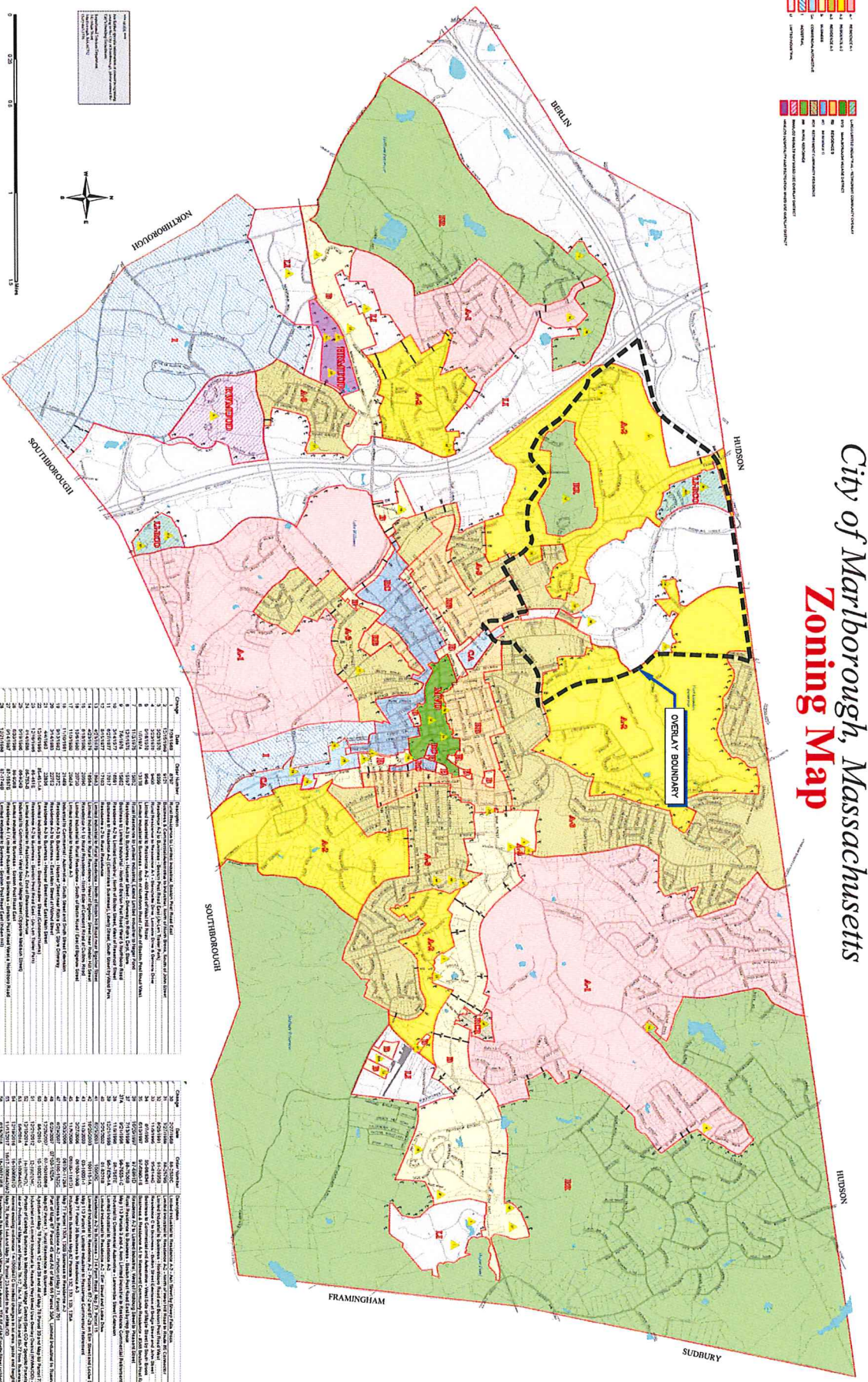
Date: August 14, 2018
Project No. 389

*Proposed Retirement Community - Multi-Family
Zoning Overlay Boundary*

KEY	
	Industrial or Limited Industrial Zones
	Vacant Parcels >10 Acres Within Industrial or Limited Industrial Zones
	Improved Parcels >10 Acres Within Industrial or Limited Industrial Zones
	Marlborough Hospital



City of Marlborough, Massachusetts Zoning Map



Change	Date	Order Number	Description
1	01/11/11	0001	Adopted the Comprehensive Zoning Ordinance (CZO) and the Zoning Map.
2	03/23/11	0002	Amended the CZO to add the Office Professional (OP) District.
3	05/13/11	0003	Amended the CZO to add the Office Professional (OP) District.
4	06/21/11	0004	Amended the CZO to add the Office Professional (OP) District.
5	07/29/11	0005	Amended the CZO to add the Office Professional (OP) District.
6	08/26/11	0006	Amended the CZO to add the Office Professional (OP) District.
7	09/23/11	0007	Amended the CZO to add the Office Professional (OP) District.
8	10/21/11	0008	Amended the CZO to add the Office Professional (OP) District.
9	11/19/11	0009	Amended the CZO to add the Office Professional (OP) District.
10	12/17/11	0010	Amended the CZO to add the Office Professional (OP) District.
11	01/15/12	0011	Amended the CZO to add the Office Professional (OP) District.
12	02/13/12	0012	Amended the CZO to add the Office Professional (OP) District.
13	03/13/12	0013	Amended the CZO to add the Office Professional (OP) District.
14	04/10/12	0014	Amended the CZO to add the Office Professional (OP) District.
15	05/08/12	0015	Amended the CZO to add the Office Professional (OP) District.
16	06/05/12	0016	Amended the CZO to add the Office Professional (OP) District.
17	07/03/12	0017	Amended the CZO to add the Office Professional (OP) District.
18	08/01/12	0018	Amended the CZO to add the Office Professional (OP) District.
19	08/29/12	0019	Amended the CZO to add the Office Professional (OP) District.
20	09/26/12	0020	Amended the CZO to add the Office Professional (OP) District.
21	10/24/12	0021	Amended the CZO to add the Office Professional (OP) District.
22	11/21/12	0022	Amended the CZO to add the Office Professional (OP) District.
23	12/19/12	0023	Amended the CZO to add the Office Professional (OP) District.
24	01/17/13	0024	Amended the CZO to add the Office Professional (OP) District.
25	02/14/13	0025	Amended the CZO to add the Office Professional (OP) District.
26	03/13/13	0026	Amended the CZO to add the Office Professional (OP) District.
27	04/10/13	0027	Amended the CZO to add the Office Professional (OP) District.
28	05/08/13	0028	Amended the CZO to add the Office Professional (OP) District.
29	06/05/13	0029	Amended the CZO to add the Office Professional (OP) District.
30	07/03/13	0030	Amended the CZO to add the Office Professional (OP) District.

Change	Date	Order Number	Description
31	08/01/13	0031	Amended the CZO to add the Office Professional (OP) District.
32	08/29/13	0032	Amended the CZO to add the Office Professional (OP) District.
33	09/26/13	0033	Amended the CZO to add the Office Professional (OP) District.
34	10/24/13	0034	Amended the CZO to add the Office Professional (OP) District.
35	11/21/13	0035	Amended the CZO to add the Office Professional (OP) District.
36	12/19/13	0036	Amended the CZO to add the Office Professional (OP) District.
37	01/17/14	0037	Amended the CZO to add the Office Professional (OP) District.
38	02/14/14	0038	Amended the CZO to add the Office Professional (OP) District.
39	03/13/14	0039	Amended the CZO to add the Office Professional (OP) District.
40	04/10/14	0040	Amended the CZO to add the Office Professional (OP) District.
41	05/08/14	0041	Amended the CZO to add the Office Professional (OP) District.
42	06/05/14	0042	Amended the CZO to add the Office Professional (OP) District.
43	07/03/14	0043	Amended the CZO to add the Office Professional (OP) District.
44	08/01/14	0044	Amended the CZO to add the Office Professional (OP) District.
45	08/29/14	0045	Amended the CZO to add the Office Professional (OP) District.
46	09/26/14	0046	Amended the CZO to add the Office Professional (OP) District.
47	10/24/14	0047	Amended the CZO to add the Office Professional (OP) District.
48	11/21/14	0048	Amended the CZO to add the Office Professional (OP) District.
49	12/19/14	0049	Amended the CZO to add the Office Professional (OP) District.
50	01/17/15	0050	Amended the CZO to add the Office Professional (OP) District.

City of Marlborough
GIS
John C. DeLuca, Planning Director
Date: 11/14/2014

Map of Marlborough, Massachusetts
City of Marlborough
11/14/2014

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____

PAGE 1

Amended, Proposed Zoning - Crowley

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,

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____
PAGE 4

and north of Lakeside Avenue (Route 20), and within a two-mile radius of Umass Memorial - Marlborough Hospital.

(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)

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.

IN CITY COUNCIL

ORDERED

Marlborough, Mass., _____
PAGE 5

(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 JULY 23, 2018, ADVERTISE,
REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.

ADOPTED

ORDER NO. 18-1007198



City of Marlborough
Commonwealth of Massachusetts

PLANNING BOARD

Barbara L. Fenby, Chair
Colleen Hughes
Philip Hodge
Sean N. Fay
George LaVenture
Greg Gallagher
Christopher Russ

Krista Holmi, Administrator

Phone: (508) 624-6910 x33200

Email: planning_board@marlborough-ma.gov

kholmi@marlborough-ma.gov

July 27, 2018

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

RE: Council Order#18-1007198D Proposed Zoning Amendment, Article VI Section 650-22, Retirement Community Overlay District.

Honorable President Clancy and Councilors:

At its regularly scheduled Planning Board meeting on July 23, 2018, the Board took the following action regarding the above-referenced Council order:

On a motion by Mr. Fay and seconded by Mr. LaVenture, the Board voted to make a favorable recommendation to the City Council on the proposed zoning amendment. The Board requested that the City Council provide further evaluation of parking needs to determine the adequacy of one (1) parking space per dwelling unit. Motion carried.

The Board provided the following reasons in reaching its recommendation:

- The developer established that the proposed overlay district would result in a development meeting a demonstrated need for a diversified housing stock in the City of Marlborough;
- The developer established that the proposed overlay district would benefit the City by providing an age-restricted (Age 55+) housing option with a positive fiscal impact to the City of Marlborough;
- The developer established to the Board's satisfaction that the proposed overlay district fits into the neighborhood, and in the Board's opinion, approval of the overlay district for this area would not unduly burden abutters.

The Planning Board favorably viewed the developer's revisions, as they address the Board's reservations as follows:

- In Section 2. ii. (2) The revised amendment specifies a *RCO-MF (Retirement Community-Multifamily)* may contain one (1) bedroom units, two (2) bedroom units, and studio units... (This revised amendment eliminates three (3) bedroom units in RCO-MF).

- In Section 2. ii. (5) *No part of any principal building in a multifamily retirement community shall be less than 50 feet from any exterior lot line or less than 100 feet from a public way.* This revised amendment doubles the previous setbacks of 25 feet from any exterior lot line or 50 feet from a public way. The new larger setbacks in RCO-MF provide additional protection for abutters.
- In Section 2. ii (10) *A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF.* As reflected in its vote, the Board would like the City Council to review the adequacy of one (1) parking spot per dwelling unit.

Sincerely,



Barbara L. Fenby
Chairperson

cc: City Clerk
File

CITY COUNCIL MEETING PUBLIC HEARING July 23, 2018

PUBLIC HEARING on the Proposed Zoning Amendment, to Chapter 650 §5, §22.A, C as it pertains to a Retirement Community Overlay District, 90 Crowley Drive, Order No. 18-1007198D.

PUBLIC SPEAKING IN FAVOR

William Pezzoni, attorney at Day Pitney, represents the proponent, Jon Delli Priscoli, on One Crowley Drive, LLC who brought forward this petition. The proponent was before the City Council once before with a similar amendment that was all combined together and after discussions with the Planning Board and City Council, it was determined they should refile and separate it out so there would be an “A. Retirement Community – Detached and Townhomes” and a “B. Retirement Community - Multifamily” overlay districts.

The new proposal updated the definitions and included a definition for “Retirement Community – Multifamily” which was like the previous proposal. The first part of the Retirement Community related to Detached and Townhomes, the “RCO-D/T” district which consisted of changing the word Retirement with Detached Townhomes into that section of the zoning. The first section only referred to Detached Townhomes which had a certain requirement they had to meet.

The second component was the “Retirement Community – Multifamily” district also known as “RCO-MF” which was modified but still like the previous proposal. Changes were made based upon feedback from the community, City Councilors, and Planning Board. There were concerns about the overlay district being throughout the whole community and really needed be in an area close to major highways and the hospital to have quick accessibility and to keep its traffic away from the roadways interior to the City. They changed the ten-acre parcel to be required to lie between Route 495 on the west, south of Route 290 and the 85 Connector, and north of Lakeside Avenue but also two miles within the radius of UMass Memorial – Marlborough Hospital. Mr. Pezzoni showed a map of the proposed area as well as a map of the affected parcels. Mr. Pezzoni also discussed another issue raised by the Planning Board and the plan for three-bedroom units which they did eliminate from the proposed amendment so it only contains one- and two-bedroom units as well as studio units. The Planning Board also raised the concern on the principal building being too close to a lot line and exterior public ways which they doubled the required distances from 25’ and 50’ to 50’ and 100’ respectively. The remaining issue was about the parking ratio and they provided an analysis by RKG Associates that listed similar facilities throughout the country with the number of available spaces versus the use of those spaces by the residents.

Mr. Pezzoni reviewed the fiscal impact revenue and expenditure of new construction for non-restricted apartments, age-restricted independent living apartments, and age-restricted condominiums and explained the net impact per unit was the greatest for the age-restricted condominiums and therefore most beneficial to the City revenue wise.

Brian Blaesser, of Robinson + Cole, appeared on behalf of the contract purchaser of 90 Crowley Drive and indicated the Planning Board’s original recommendation was to review their parking requirements as the one-to-one ratio appeared too low. To be responsive to those concerns they compiled data for age-restricted, independent living facilities which showed overall parking utilization at other Cameron General Contractors sites and those average less than one vehicle on site per unit—the main reason being that most of the tenants do not own a vehicle. These visuals are available in the City Clerk’s Office for viewing. Mr. Blaesser concluded by stating this proposal would have a positive fiscal impact for the City.

CITY COUNCIL MEETING PUBLIC HEARING July 23, 2018

Mr. Pezzoni concluded by stating the Planning Board voted on a recommendation to the City Council that the proponent addressed the previous issues raised by the Planning Board and were in favor of the amended proposal. They requested the City Council review the parking situation and a letter would forthcoming.

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

QUESTIONS FROM THE PUBLIC

Gina DiMatteo, 721 Farm Road, is located near the airport where there is a proposed retirement overlay district. She asked why the proponent suggested a change to Retirement Community – Detached and Townhomes when detached units were not relevant to their project. She was concerned the addition of Detached, would affect every other overlay district in Marlborough and increase the existing density at those locations. Her second question related specifically to the Multifamily section and the setback change that was increased to fifty-feet and how that distance was chosen. She asked because as a Limited Industrial zoned property owner, she is held to a different standard than what the Retirement Community – Multifamily zoning would allow for and she wondered why they would not be held to the same standard when building next to a Residential zoned area.

Mr. Pezzoni addressed her first question relative to striking the word structure and adding the word “detached or attached (only alongside walls in so-called “townhouse” style)” which was to differentiate between the two types of retirement communities allowed as they could not be mixed together.

With regards to her second question, Mr. Pezzoni explained the fifty- and one-hundred-foot setback are minimal standards. For the current zoning, the values were half the proposed values and they felt the need to increase them. At the special permit level, the City Council would review proposals for any fire or safety issues and in the instances of abutting residential properties, it would be within their purview to require deeper setbacks or additional screening. These recommendations are purely benchmarks and at the planning level, they could be required to increase them.

There are no further 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 stated that the retirement communities listed in the parking study are not located in Massachusetts. Councilor Doucette stated that he is a big fan of retirement communities that are part of walking communities – so residents can walk to a store or grocery store and a car is not necessary. Looking at the list provided by the proponent, he is not sure how many of those communities are associated with walkable communities because the one proposed for Marlborough is not a walking community. Mr. Pezzoni agreed with Councilor Doucette in some respects, but the age demographic normally in this type of facility is over eighty-years old. Their facilities provide concierge service that provides residents with assistance for errands, plus it is the age of Uber which is becoming more prevalent in the City.

CITY COUNCIL MEETING PUBLIC HEARING July 23, 2018

- ✓ Councilor Juaire agreed with Councilor Doucette regarding the list of facilities where they are in other regions of the country and whether any studies were done in the New England region with the harsh winters. The list contains facilities in Texas, Florida and Tennessee. Mr. Pezzoni stated there are not a lot of these facilities in Massachusetts or New England. Although Cameron Properties has a location in Maine they can supply data from, there won't be a lot of data since the facility is new.
- ✓ Councilor Oram was also concerned about the winter season as well which was discussed with Councilors Doucette and Juaire's questions. Councilor Oram noted as years pass, driverless cars will become more prevalent especially for those whose driving skills have diminished as they age. Councilor Oram was worried they may not be prepared for the future and suggested the applicant provide a listing of the services offered to the residents especially those that alleviate the need for having a car. Mr. Pezzoni indicated they will provide the information requested by Councilor Oram.
- ✓ Councilor Robey had several questions some of which she did not require an answer that evening but for the Urban Affairs Committee meeting.

There is an "or" located in Section 650-22.C, the permitted uses are "a Retirement Community – Detached and Townhomes, or the Retirement Community – Multifamily," so she was wondering if it is really an or, one or the other, but never both? Mr. Pezzoni stated it was an or because there are multiple buildings within a project and if it just said detached or attached, one type would be allowed in that community.

Councilor Robey then asked if Mr. Pezzoni could see a community having both a detached and multifamily building? Mr. Pezzoni noted that could not be done under this bylaw, it was one or the other.

Councilor Robey proceeded to ask why they chose to do it that way and Mr. Pezzoni indicated it was because they did not think they worked well together especially with the type of use they have for the site which is concierge.

Regarding parking, in the regulation for the detached home, it is one space in a garage, one space in front of but the multifamily says it is provided in an attached or detached garage, and then in number two, there is a reference to accessory structures, so would a garage be considered an accessory structure? Mr. Pezzoni explained in some instances there may be a small parking garage behind the building, some may be underneath which all depends upon what will be built.

Councilor Robey asked what other type of building could be considered as an accessory structure and Mr. Pezzoni suggested if it were a large facility and the need for a sewerage treatment facility for the site.

The section for Retirement Community – Multifamily was added because it was not previously allowed by zoning and states it "may include services and amenities for its residents," therefore could there be a building without those services and amenities? Mr. Pezzoni stated that was not their intention for their project. Councilor Robey asked if the Council wished to ensure it was not just an apartment building, the way could become shall? Mr. Pezzoni did not see why that could not happen.

The lot coverage in both communities is forty-percent of the lot, the maximum building coverage. There is language requiring a landscape area for the multifamily, equal to the greatest single floor area of the

CITY COUNCIL MEETING PUBLIC HEARING July 23, 2018

building and that land could include wetlands and floodplains. Councilor Robey stated to her, landscape area is not floodplains or wetlands but nice flower beds and green grass. She asked if the proponent could still place their facility on the site if that were not part of the zoning. Mr. Pezzoni believed conservation areas and wetlands are a nice amenity and landscape and for the property at 90 Crowley Drive, they would need to include part of the wetlands.

Councilor Robey confirmed their proposed units would be rentals. Councilor Robey noted there was language that boats and other such recreational vehicles would not be allowed and how is that limited for an apartment. Mr. Pezzoni stated it would be a requirement of the resident's lease.

In the proposed zoning amendment, Councilor Robey requested further clarification on number twelve and thirteen for Retirement Community – Multifamily with regards to side lots and building next to those lots. That clarification could wait until their appearance before the Urban Affairs Committee.

Number fifteen of the existing language was not amended to match the proposed language which dealt with properties over thirty-acres and was that an oversight as their initial submission was amended but this subsequent version was not. Mr. Pezzoni explained it was removed and they could reference that fact.

✓ Councilor Tunnera had one question regarding number eleven, "No dwelling unit in a RCO-MF shall contain less than 500 square feet of living area," and he wondered if that was standard in this type of facility as it seemed small. Mr. Pezzoni explained it would be the studio units.

✓ Councilor Ossing asked what would be the number of townhouses allowed by right on this property, considering it is eleven acres and twelve units per acre are allowed. What is the total tax impact so the Council can compare what is allowed by the current zoning with townhouses versus the proposed multifamily unit. Mr. Pezzoni will provide those numbers at the Urban Affairs Committee meeting.

✓ Councilor Delano was less concerned about the parking as others since those listed were minimums and through their special permit process they could require more. What did concern him was the number of lots where they could be built as it was more than he expected. He thought Councilors brought up many good points which they can discuss during the Urban Affairs Committee meeting.

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.