

**CITY OF MARLBOROUGH  
PLANNING BOARD  
MARLBOROUGH, MASSACHUSETTS 01752**

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**LEGAL NOTICE**

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**Public Hearing –Proposed Zoning Amendment to Chapter 650, “Zoning” to add a new section to create the Ames Village Overlay District (AOD).**

Notice is hereby given that the Planning Board of the City of Marlborough will hold a **PUBLIC HEARING** on **Monday, July 21, 2025, at 7:00 PM** in Memorial Hall, 3<sup>rd</sup> floor, City Hall, 140 Main Street, Marlborough, Massachusetts to amend Chapter 650, “Zoning” to add a new section to create the Ames Village Overlay District (AOD) as follows:

**AMES VILLAGE OVERLAY DISTRICT**

- A. Purpose and Objectives. The Ames Village Overlay District (the “AOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district. The establishment of the AOD is to enhance land use development, promote housing by allowing the construction of market-rate and affordable-rate multifamily condominiums, and to maximize open space and vegetated buffers for existing residential neighborhoods.
- B. Location; Underlying Zoning.
- (1) For the purposes of this section, the AOD is located at the northeast corner of Ames Street and Forest Street, containing approximately 11 acres, as indicated on the City Zoning Map and more particularly depicted in Exhibit “A” attached hereto and incorporated herein by this reference.
  - (2) Except as specifically provided herein, the provisions of the Zoning Ordinance relating to the underlying zoning districts not otherwise impacted by this section (§ 650-, et seq.) shall continue to remain in full force and effect. In the event of any conflict between the provisions of this section (§ 650-, et seq.) and any other provision of the Zoning Ordinance, the provisions of this section (§ 650-, et seq.) shall govern and control.
- C. Authority of Permit Granting Authority.
- (1) The City Council shall be the special permit granting authority in the AOD.
  - (2) Site Plan Review in the AOD shall be conducted administratively in accordance with §270-2 of the Marlborough City Code.
  - (3) The City Council may elect to vary the dimensional, parking, design, and landscaping requirements applicable to a use or structure by special permit upon finding that such change shall result in an improved design and will not nullify or substantially derogate from the intent of purpose of this Section.
- D. Use Regulations.
- (1) The following uses are permitted in the AOD:
    - i. Uses allowed by right in the underlying zoning district, as set forth in the Table of Use Regulations, §650- 17, are permitted by right;
    - ii. Uses allowed by special permit in the underlying zoning district, as set forth in the Table of Use Regulations, §650- 17, may be permitted by special permit;
    - iii. By special permit: Multifamily dwellings, as defined in §650- 5(B), including multiple buildings on a single lot, provided that the total number of multifamily dwelling units in the AOD shall not exceed 90.

- E. Affordable Housing. Notwithstanding any provisions in the Zoning Ordinance to the contrary, multifamily dwellings in the AOD shall be subject to the affordable housing standards of §650-26.
- F. Dimensional Standards.
- (1) Notwithstanding any provisions in the Zoning Ordinance to the contrary, multifamily dwellings in the AOD shall be subject to the following dimensional standards:
    - i. Minimum lot area: 100,000 square feet.
    - ii. Minimum lot frontage: 100 feet.
    - iii. Minimum front yard or setback from a public way: 20 feet.
    - iv. Minimum side and rear yard: 50 feet.
    - v. Maximum building height: 4 stories, exclusive of parking level.
    - vi. Maximum lot coverage: 50%, over the entire AOD.
  - (2) Notwithstanding anything contained herein to the contrary, there shall be a vegetated buffer with a minimum width of 50 feet and a total minimum area of 4 acres located along the exterior boundary of the AOD, excluding boundaries along public ways, for multifamily dwellings. The vegetated buffer shall remain in its natural state free from structures and impervious surfaces but may be used for stormwater management and underground installations. To the maximum extent practical, existing mature vegetation within the vegetated buffer shall be maintained. Special permits and site plan approvals for multifamily dwellings within the AOD may require additional screening within the vegetated buffer deemed necessary to minimize the visual impacts of such development on neighboring properties.
  - (3) Notwithstanding anything contained herein to the contrary, there shall be no yard or setback requirements, planting strips, or vegetated buffers required as to any internal lot lines for multifamily dwellings within the AOD.
- G. Environmental/Soil Regulations. All disturbed development areas in the AOD shall follow soil management protocols established for properties impacted by historic orchard operations.
- H. Landscaping Regulations. Notwithstanding any provisions in the Zoning Ordinance to the contrary, development in the AOD shall be subject to the landscaping regulations of §650-47; provided, however, that §650-40.F(8) and §650-18(A)(9) shall not apply to multifamily dwellings in the AOD.
- I. Parking Regulations. Notwithstanding any provisions in the Zoning Ordinance to the contrary, the minimum parking requirement for multifamily dwellings in the AOD shall be one and one half (1.5) spaces per unit.
- J. Modifications.
- (1) After approval, applicants may seek modifications to any approved Special Permits or Site Plan Approvals.

- (2) Special Permits – Major modifications to a Special Permit may be granted by a vote of the City Council, and minor modifications to a Special Permit may be granted by the Building Commissioner. The Building Commissioner shall have jurisdiction to determine whether a requested modification to a Special Permit is major or a minor. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce a material increase in impact on City services, the environment, or the neighborhood. Where the effect of a modification to a Special Permit is quantifiable (by way of example only, modifications to building size or location, parking count or location, or other such quantifiable modification), it shall be presumed minor if the quantifiable effect does not result in a ten percent (10%) or greater variation from the applicable approval, provided however, that said modification would not result in a violation of any provision of this Section. If it is determined that a modification to a Special Permit is not minor, per §650-59 of the Zoning Ordinance, an application for a revised Special Permit shall be filed, and a public hearing shall be held in the same manner as required for a new application.
- (3) Site Plan Approvals – Major modifications to a Site Plan Approval may be granted by a vote of the Site Plan Committee, and minor modifications to a Site Plan Approval may be granted by the Building Commissioner. The Building Commissioner shall have jurisdiction to determine whether a requested modification to a Site Plan Approval is major or a minor. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce a material increase in impact on City services, the environment, or the neighborhood. Where the effect of a modification to a Site Plan Approval is quantifiable (by way of example only, modifications to building size or location, parking count or location, or other such quantifiable modification), it shall be presumed minor if the quantifiable effect does not result in a ten percent (10%) or greater variation from the applicable approval, provided however, that said modification would not result in a violation of any provision of this Section. If it is determined that a modification to a Site Plan Approval is not minor, an application for a revised Site Plan Approval shall be filed in accordance with the City’s Rules for Site Plan Approval.

#### EXHIBIT A

The Ames Village Overlay District shall include the following parcels of land (herein identified by the Assessors’ Map and Parcel Number):

- Assessors Map 89, Parcels 80 through 88
- Assessors Map 89, Parcels 90 through 99
- Assessors Map 100, Parcel 15
- Assessors Map 100, Parcel 24
- Assessors Map 100, Parcel 25
- Assessors Map 100, Parcel 26

***Per Order of the City Council  
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