

**Decision of the Framingham Planning Board on the  
Application of Clarks Hill Corporate Center, LLC  
For Site Plan Review  
3R Clarks Hill and 187 Arthur Street, Framingham, MA**

2014 JUN 18 P 1:42

TOWN CLERK  
FRAMINGHAM

**Date of Decision: June 16, 2014**

## STATEMENT OF FACTS

On May 27, 2014, the Applicant, Clarks Hill Corporate Center, LLC filed with the Planning Board, and on May 27, 2014, the Planning Board filed with the Town Clerk and Town Departments, an application for Site Plan Review (Section IV.I.) of the Framingham Zoning By-Law. The Application is for approval to construct 28 residential dwelling units at 3R Clarks Hill and 187 Arthur Street, zoned Single Family Residential (R-1). Said parcel of land is shown on the Framingham Assessor's Sheet 85, Block 168, Lots 27C and 490.

After the notice of public hearing was published in "The Metrowest Daily News" on May 24, 2014 and May 30, 2014, and mailed to parties of interest pursuant to the By-Law and M.G.L. ch. 40A, the Planning Board opened the public hearing on June 9, 2014 at 7:00 pm in the Ablondi Room of the Memorial Building, Framingham.

Continued sessions of the public hearing were held on June 16, 2014. On June 16, 2014, the Planning Board voted to close the public hearing. On June 9, 2014 a Decision was granted by the Planning Board for Special Permits for Land Disturbance (IV.H.2.), Affordable Housing (IV.O), and Neighborhood Cluster Development (IV.R.) for this project. During the Public Hearing process for the Special Permits for Land Disturbance (IV.H.2.), Affordable Housing (IV.O), and Neighborhood Cluster Development (IV.R.) it was found that Site Plan Review (Section IV.I) was required.

The Planning Board voted to approve the Application for Site Plan Review (Section IV.I.) with conditions on June 16, 2014.

The Applicant has filed with the Planning Board various plans and reports required under Sections IV.I. of the Framingham Zoning By-Law to the extent required for a Site Plan Review; in addition to the requirements set forth for Special Permits for Land Disturbance (IV.H.2.), Affordable Housing (IV.O.), Neighborhood Cluster Development (IV.R.), and V.E. of the Framingham Zoning By-Law. During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various departments within the Town of Framingham that reviewed the project. These plans, reports and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference. Included with the Applicant's submittals were the following:

1. Uniform Special Permit Application for Land Disturbance and Neighborhood Cluster Development for 3R Clarks Hill and 187 Arthur Street. Stamped with the Town Clerk on October 29, 2013. Document 674-13;
2. Uniform Site Plan Review Application for 3R Clarks Hill and 187 Arthur Street. Stamped with the Town Clerk on May 27, 2014.
3. Uniform Special Permit Application for Affordable Housing for 3R Clarks Hill and 187 Arthur Street. Stamped with the Town Clerk on October 29, 2013. Document 673-13;

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3. Uniform Special Permit Application for Affordable Housing for 3R Clarks Hill and 187 Arthur Street. Stamped with the Town Clerk on October 29, 2013. Document 673-13;

4. Stormwater Report for Clark's Hill Village, prepared by Connorstone Engineering, Inc., dated October 15, 2013 (Document #676-13), revised on February 6, 2014.
5. Site Plans for Clarks Hill Village, prepared by Connorstone Engineering, dated October 10, 2013, revised February 6, 2014. Documents #675-13, #121-14;
6. Sudbury Design Group, revised Landscape Plans. Received April 1, 2014. Document #272-14;
7. Architectural Renderings for Clarks Hill prepared by Finespaces Architecture, LLC, received November 25, 2013, as revised on January 30, 2014 and February 6, 2014. Documents #753-13, 783-13, and 112-14;
8. Response letter from Connorstone Engineering, Inc., dated April 25, 2014. RE: Stormwater Management Review, Clark's Hill Village, Framingham, MA. Document #337-14;
9. Revised Construction Details for Clarks Hill Village, prepared by Connorstone Engineering. Dated October 10, 2013, revised February 6, 2014, April 25, 2014 and April 30, 2014. Document #360-14;
10. Revised Sheets 4 of 14 (Topography Plan) and 6 of 14(Utility & Drainage Plan) – Definitive Plan for Clark's Hill Village, dated October 10, 2013, revised May 22, 2014; and
11. Letter from Attorney Paul Galvani, RE: Application for Site Plan Review Approval – Clarks Hill Corporate Center LLC, 3R Clarks Hill and 187 Arthur Street, Request for Waivers from Submittal Requirements, dated June 5, 2014. Document #398-14.

Board received correspondence from the Conservation Commission, Department of Public Works, Board of Health, and Community & Economic Development. The Planning Board retained the services of Horsley Witten Group, Inc. of Sandwich, Massachusetts to review the stormwater management system proposed by the Applicant. Horsley Witten Group also provided the Planning Board with correspondence. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Land Disturbance Review Checklist for Application Submittal for 3R Clarks Hill and 1876 Arthur Street. Dated October 29, 2013, stamped with the Town Clerk on October 29, 2013. Document # 679-13;
2. Special Permit Review Checklist for Application Submittal for 3R Clarks Hill and 1876 Arthur Street. Dated October 29, 2013, stamped with the Town Clerk on October 29, 2013. Document # 680-13;
3. Planning Board Staff Report. Dated November 24, 2013. RE: 3R Clarks Hill and 187 Arthur Street. Document #755-13;
4. Letter of Comment from Community & Economic Development. Dated November 25, 2013. RE: Departmental Project Review, 3R Clarks Hill and 187 Arthur Street. Document #742-13;
5. Letter of Comment from Conservation & Open Space – DPW. Dated November 14, 2013. RE: Clark's Hill Subdivision – Conservation Review. Document #714-13;
6. Letter of Comment from the Board of Health. Dated December 6, 2013. RE: 3R Clark's Hill and 187 Arthur Street Cluster Development. Document #768-13;
7. Letter of Comment from the Department of Public Works. Dated December 2, 2013. RE: Clarks Hill Village Definitive Subdivision, Framingham MA. Document #769-13;

8. Letter of Comment from the Department of Public Works. Dated February 20, 2014. RE: Clarks Hill Village Definitive Subdivision, Framingham MA. Document #148-14;
9. Letter from Horsley Witten Group. Dated April 23, 2014. RE: Clark's Hill Estates – Stormwater Management Plan Review. Document #329-14;
10. Letter from Horsley Witten Group. Dated April 30, 2014. RE: Clark's Hill Estate – Stormwater Management Plan Final Review. Document #357-14;
11. Letter of Comment from the Department of Public Works. Dated May 8, 2014. RE: Clarks Hill Village Definitive Subdivision – Framingham MA. Document #362-14.; and
12. Letter of Comment from the Department of Public Works, RE; Clarks Hill Village Definitive Subdivision- Framingham, MA, dated June 13, 2014.

## HEARING

During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Attorney Paul Galvani, Vin Gately, Heritage Properties, Michael Sullivan, Connorstone Engineering, Vito Colonna, Connorstone Engineering, Peter Ferland, Sudbury Design Group, and John Parsons, Parson Commercial Group, Inc. Neal Price, Senior Project Manager from Horsley Witten Group, the Town's Peer Review Consultant appeared to summarize his report and recommendations regarding the stormwater management system.

The Public Hearings for the June 9, 2014 Planning Board Decision for Special Permits for Land Disturbance (Section IV.H.2), Affordable Housing (IV.O.), and Neighborhood Cluster (Section IV.R.) shall be incorporated into the hearings for the Application for Site Plan Review (Section IV.I.). Additional information presented to the Planning Board during the Public Hearing for Site Plan Review includes:

**Stormwater Drainage** – Vito Colonna presented to the Planning Board the revised site plans as reviewed by the Department of Public Works. Mr. Colonna, briefly discussed the changes to the site plan related to the stormwater design. The Board had no questions regarding the redesign of the stormwater drainage for the project.

## FINDINGS

Having reviewed all plans and reports filed by the Applicant and its representatives, having considered the correspondence from various Departments within the Town of Framingham that have reviewed the Project, having considered testimony from members of the public, and having viewed the site, the Planning Board determines that the Application complies with all applicable provisions of the By-Law including the requirements of Sections IV.I. of the Framingham Zoning By-Law. Specifically, the Board makes the following findings:

### **A. Traffic Impact Standards and Absence of Vehicular Hazard: §§ IV.I.6.a.**

Based upon the Applicant's information presented during the public hearings and supporting documentation, the impacts to the traffic within the area should be minimal. The Applicant has requested a waiver for a formal submission of the Traffic Impact Assessment. Based on the information presented and provided to the Board, the Board finds the Project complies with Section IV.I.6.a. of the Zoning By-law.

**B. Environmental Impact Standards and Consistency with Intent of By-Law: §§ IV.I.6.b. and V.E.3.(a).(4).**

The Project is not expected to create any significant emission of noise, dust, fumes, noxious gases, radiation or water pollutants or any other similar, significant, adverse environmental impacts. The Applicant has requested a waiver from the Environmental Impact Assessment. The primary environmental impact is surface run-off which has been reviewed by the Department of Public works and Horsley Witten Group. The secondary issue for the project is land disturbance, the Planning Board Approved the Applicant's Application for a Special Permit for Land Disturbance with Conditions on June 9, 2014. Therefore, Board finds that the Project as proposed complies with the requirements of Sections IV.I.6.b. of the By-Law.

**C. Fiscal Impact Standards and Municipal Services: §§ IV.I.6.c. and V.E.3.(a).(5).**

The Property is currently assessed at \$159,300. The estimated value of improvements associated with the Project is \$12,200,000.00. The estimated post-development local tax revenue is expected to be \$230,000.00. The Project will create 40 construction jobs. The Board finds that the Project as proposed complies with the requirements of §§IV.I.6.c.

**D. Community Impact Standards and Site Appropriateness: §§ IV.I.6.d.**

The Project Site is located within the Single Family Residential (R-1) Zoning District. The Board finds the Project as proposed to be allowed under the Zoning By-law. The Project is consistent with the purpose and intent of the By-law. There are no buildings located on the property therefore no buildings of historical significance are on the Property or in the immediate vicinity of the Property that would be impacted by this Project. Therefore, Board finds that the Project satisfies the Community Impact Standards and Site Appropriateness as forth in §§ IV.I.6.d. of the By-Law.

**E. Parking Standards and Appropriate Facilities: §§ IV.I.6.e.**

The Project provides a cohesive parking plan to serve each dwelling unit. Each dwelling unit has a minimum of two parking spaces. The Board finds that the Project as designed, satisfies the Parking Standards and Appropriate Facilities standards set forth in §§ IV.I.6.e. of the By-Law.

**CONDITIONS OF APPROVAL**

The Board finds that the Application and plans submitted by the Applicant comply with all applicable provisions of the Site Plan Review By-law in accordance with Sections IV.I. of the Framingham Zoning By-Law. Accordingly, the Board votes to approve the Site Plan Review Application subject to the following conditions:

**A. General Provisions**

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given 48 hour written notice. If activity on the Property ceases for longer than 30 days, 48 hour written notice shall be given to the Planning Board Office prior to restarting work.
3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and emergency contact telephone number of the individual or

individuals who shall be responsible for all activities on site and who can be reached 24 hours a day, seven days a week.

4. A copy of this Decision shall be kept on the Property.
5. Prior to the issuance of any building permit, copies of the approved Site Plans shall be provided to the Planning Board Office for distribution to Departments, in order to be reviewed for compliance with this decision. All plans shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the plans, the Applicant shall seek written confirmation from the Planning Board to determine whether the Decision or the plans shall take precedence.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
8. The Applicant shall record this Decision at the Middlesex South Registry of Deeds within sixty days from the close of the Appeal Period, not including such time required to pursue or await the determination of an appeal as referred to in MGL, Chapter 40A, Section 17, from the grant thereof, and prior to the commencement of authorized site activity, and shall submit proof of recording to the Planning Board. Failure to record the decision or comply with the conditions of approval herein shall render this Decision null and void.
9. This approval for Site Plan Review shall lapse within two years, not including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause as determined by the Planning Board.
10. The failure to comply with the By-law and/or the terms of this Decision may result in revocation of the Site Plan Review issued hereunder. The Planning Board shall by first class mail send the owner written notification of any failure to comply with the By-law and/or the terms of this Decision. If the owner believes that he is not in violation, he may request and will be granted an opportunity to attend a Planning Board meeting to try to resolve the alleged violation. If within 30 days from the date of mailing of said notice, the owner has not resolved the matter with the Planning Board, or remedied the alleged violation, it shall be grounds for revocation of the approvals issued hereunder. At the expiration of the 30 day period, the Planning Board after a duly noticed public hearing, including notice to the owner by first class mail, may revoke the approvals issued hereunder if it finds by a four-fifths vote that there has been a violation of the By-law and/or the terms of this Decision and that the owner has failed to remedy it; alternatively, the Planning Board may continue the public hearing, or by a four-fifth vote extend the time period in which the violation may be corrected.
11. Prior to the issuance of the building permit, the Applicant shall provide all documents and information requested by the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with, all conditions of this approval.

#### **B. Infrastructure/Site Design/Landscaping**

12. Prior to the issuance of a final use and occupancy permit for the last dwelling unit, the Applicant shall either substantially complete the landscaping improvements shown on the approved

landscaping plans or post a performance guarantee in accordance with this decision. All on-site landscaped buffer areas shall be maintained in good condition in perpetuity so as to present a healthy and neat appearance. The Applicant shall follow regularly scheduled routine maintenance as outlined in the Planning Board Landscape Plan. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for approval and implement upon approval.

13. The Applicant shall provide regular maintenance of all facilities. The Applicant shall maintain all on-site drainage in working condition at its own expense, which shall include inspecting the catch basins twice annually (Spring and Fall) and cleaning, if necessary, to remove sediment.
14. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
15. The Applicant shall construct all improvements in compliance with all applicable state and federal regulations with respect to the design of any architectural access features required under the Americans with Disabilities Act (ADA) and with 521 CMR Architectural Access Board Rules and Regulations.

### **C. Environment**

16. The Applicant agrees to minimize the use of salt on the roads within the Project to reduce any negative impacts to vegetation and ground water.
17. The stormwater drainage system for the Project shall be in accordance with the Massachusetts Department of Environmental Protection Stormwater Policy relating to water quality and flood control using Best Management Practices as the standard of performance.
18. Snow storage shall be on-site in the snow storage areas designated on the Final Approved Site Plans. Snow storage shall not obstruct sight lines to preserve public safety.

### **D. Stormwater**

19. The Applicant shall comply with the conditions from the Department of Public Works Letters regarding stormwater, dated December 2, 2013 (Document #769-13), February 20, 2014 (Document #148-14) and May 8, 2014 (Document #326-14).
20. The Stormwater Management Plan shall reflect the conditions stated in the Stormwater Peer Review Letter from Horsley Witten Group, dated April 23, 2014 (Document #329-14) and April 30, 2014 (Document #357-14).

### **E. Site Construction**

21. Prior to the commencement of any authorized site activity and prior to the issuance of the building permit, the Applicant shall provide all documents and information to the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with all the requirements of the Public Works Construction Standards and the requirements of the Department of Public Works as set forth in its correspondences to the Planning Board dated December 2, 2013, Document #769-13, February 20, 2014, Document #148-14, and May 8, 2014, Document #362-14.
22. In the event of blasting during the construction phase, the Developer's Blasting Operator shall provide seven days advance notice of the commencement of blasting operations by certified mail to those property owners entitled to a pre-blast inspection pursuant to 527 CMR 1.00 et seq. Copies of said mailing shall be furnished to the Planning Board and the Framingham Fire Department. Copies of the blasting monitoring reports, noting any vibrations in excess of that allowable by regulation, shall be mailed to the above-referenced property owners, Planning Board and the Framingham Fire Department at the termination of blasting operations. The Blasting Operator shall provide notice to the Planning Board and the Framingham Fire Department of any reported damage to real property. The Blasting Operator shall post a Blasting Notice Sign in a conspicuous location along the roadway to inform the public of the proposed blasting for the property. Said Blasting Notice Sign shall be posted at least ten days prior to any Blasting on-site.

23. Prior to the commencement of authorized site activity, the Applicant shall clearly mark all existing trees, bushes and other vegetation, which are to remain.
24. The Applicant shall perform daily clean-up of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.
25. Outside construction hours are to be between 7:00 AM and 5:30 PM Monday through Friday and 8:00 AM and 4:00 PM on Saturday. Absent emergency conditions, no construction is permitted on Sunday or holidays. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours. No vehicles are to arrive at the construction site more than thirty minutes prior to the designated construction hours, which include no vehicle parking, standing or idling on adjacent public streets.

#### **F. Fire Protection**

26. The Applicant shall install residential fire sprinklers in accordance with the Framingham Fire Department's request.

#### **G. Special Provisions/ Periodic Conformance Reporting and Review**

27. The Applicant is responsible for providing the following Performance and Maintenance Guarantees for the development project.
  - a. Prior to the issuance of any use and occupancy permit, the Applicant shall post a Performance Guarantee satisfactory to the Planning Board for all improvements including landscaping, which is incomplete or not constructed, in an amount not to exceed the cost of such improvements.
  - b. Upon completion of the project and prior to the request for a final certificate of use and occupancy permit, the Applicant shall provide the Planning Board with "As Built Plans" which shall be reviewed by the Board's Landscape Architect consultant at the Applicant's cost, for certification that the landscaping has been planted substantially in accordance with the approved Landscape Plan, at which time a Landscape Maintenance Guarantee shall be required.
  - c. The Applicant shall provide to the Town of Framingham a Landscape Maintenance Guarantee in the form of a bond, letter of credit, cash escrow or tripartite agreement, as determined by the Applicant, in an amount equal to (20%) twenty percent of the Applicant's estimate of the total landscaping cost, provided that it is satisfactory to Town Counsel and the Planning Board. The Landscape Maintenance Guarantee is for the replacement of any landscaping material as shown on the approved Landscape Plan that is determined to be of poor quality, will not survive or is dead, which shall be in full force and effect for a period of two years commencing with the completion of the landscaping as determined by the Planning Board.
28. Prior to the request for issuance of any use and occupancy permit, the Applicant must demonstrate that the Project is substantially complete at the ninety percent level, to demonstrate substantial completion to allow for occupancy, the written request for a use and occupancy permit must be accompanied by a written itemization of the level of completeness for all improvements and also noting those items which are incomplete. The written request for a temporary use and occupancy permit must be accompanied by appropriate information to demonstrate substantial completion.
29. Prior to the request for issuance of any use and occupancy permit, the Applicant must demonstrate that the building and the immediate area surrounding the building in which it is located, together with the driveway servicing said unit, the road, drainage system and utilities are

substantially complete at the ninety percent level, provided, however, that this percentage requirement shall not apply to unconstructed units and the land areas upon which said units are to be constructed as shown on the plans. It is not the intent of this provision that all of the buildings must be constructed at once. The phasing of the construction of buildings is specifically allowed, provided that the road is fully constructed and all common utilities and stormwater management systems are completed. To demonstrate substantial completion to allow for occupancy, the written request for a use and occupancy permit must be accompanied by a written itemization of the level of completeness for all improvements and also noting those items which are incomplete. The written request for a temporary use and occupancy permit must be accompanied by appropriate information to demonstrate substantial completion.

30. The Applicant shall construct a trail along the Utility Easement connecting the Common Land to Arthur Street. The Condominium Association Documents shall reflect the pedestrian access to the trail within the Neighborhood as shown on the Site Plan. The Condominium Association shall maintain the trail.
31. Prior to the issuance of any use and occupancy permit, the Applicant shall provide the Planning Board with copies of the Condominium Master Deed and Declaration of Trust to demonstrate that the common open space is under the control of the Condominium Trust. The recorded documents shall provide that the common land shall be preserved as open space, and shall reference this Decision.
32. The developer shall be responsible for the maintenance of the Common Land and any other facilities to be held in common until such time as the Condominium Association assumes said responsibility.
33. The roadway within the Project shall remain a private roadway, which shall be maintained by the residents of the Project.

## WAIVERS

In view of the reasons set forth in this Decision, the Board agrees to accept the plans as drafted and to waive applicable provisions of the By-Law, which includes the following requirements:

1. Request to waive the Isometric Line Drawing, Section IV.I.5.c. Building elevations and renderings will be displayed to the Board by the project architect.

Vote: 5 in favor, 0 opposed, 0 abstaining

2. Request to waive the Traffic Impact Assessment, Section IV.I.5.g(1). A total of 28 condominium units are proposed in 14, two-family buildings. The impact of this number of units, particularly considering the location and access, does not warrant the preparation and cost of a traffic study.

Vote: 5 in favor, 0 opposed, 0 abstaining

3. Request to waive the Environmental Impact Assessment, Section IV.I.5.g.(2). The project is a neighborhood cluster development. The primary environmental impact is surface runoff and land disturbance. The reports submitted with the Applicant for Definitive Plan Approval and Special Permit for Land Disturbance evaluated the drainage and construction impacts of the project, which were reviewed by the Planning Board's engineering consultants.

Vote: 5 in favor, 0 opposed, 0 abstaining

4. Request to waive the Fiscal Impact Assessment, Section IV.I.5.g.(3). The application project post-development tax revenue of \$230,000. Compared with the current amount which is only \$2,842.00. The project is to be privately maintained, and the Town will not incur cost to maintain the internal roadway and utilities and will not incur the expense of trash pickup. Fiscal impacts will otherwise be similar to existing multi-family development within the Town.

Vote: 5 in favor, 0 opposed, 0 abstaining

5. Request to waive the Community Impact Assessment, Section IV.I.5.g(4). The impacts of the project have been reviewed and evaluated by the project consultants, Town Departments and the Board during the review process for Section IV.R. Neighborhood Cluster Development Special Permit.

Vote: 5 in favor, 0 opposed, 0 abstaining

6. Request to waive the Parking Impact Assessment, Section IV.I.5.g.(5). The project complies with off-street parking requirements for residential dwelling units, and contains garages and shared and private driveways which do not warrant a separate parking impact assessment.

Vote: 5 in favor, 0 opposed, 0 abstaining

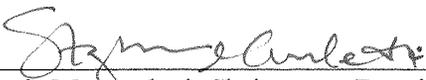
**VOTE:**

**Site Plan Review – Section IV.I.**

The vote of five in favor and zero opposed to grant the approval for a Site Plan Review pursuant to Section IV.I. of the Framingham Zoning By-law to allow Clarks Hill Corporate Center, LLC to construct 28 residential dwelling units as shown on the approved Site Plans filed herewith dated 10/10/2013 as revised through 05/22/2014 at 3R Clarks Hill and 187 Arthur Street, said property being shown on the Framingham Assessor's Sheet 85, Block 168, Lot 27C & 490.

**Site Plan Review - (Section IV.I.)**

- Stephanie Mercandetti .....yes
- Christine Long.....yes
- Lewis Colten.....yes
- Thomas F. Mahoney.....yes
- Victor Ortiz.....yes

By:   
Stephanie Mercandetti, Chairperson Framingham Planning Board

Date of Signature: 6/18/14

I, PAUL V. GALVAN <sup>ATTORNEY</sup> as Manager of Clarks Hill Corporate Center, LLC. and not individually, accept and agree to comply in all respects with the foregoing conditions of approval for Site Plan Review in accordance with Sections IV.I. of the Framingham Zoning By-Law. It is understood that these approvals and the Conditions contained herein, shall be binding upon any heirs, successors, transferees or assigns of the Applicant and shall run with the land. Furthermore, I represent that the Planning Board has relied on true and accurate information in granting this approval.

In addition, I recognize that, in accordance with Section V.C. of the By-Law, the Planning Board must acknowledge its approval prior to the issuance of any temporary or permanent occupancy permit for this proposed project from the Building Commissioner. To ensure compliance with the provisions and intent of section V.C., the Applicant agrees to notify the Building Department and the Planning Board at least three weeks prior to applying for any such occupancy permit, to request the Town's inspection of the premises to confirm that all improvements as prescribed in the above Conditions and as shown on the approved plans have either been completed or are the subject to an adequate performance bond.

Paul V. Galvan  
Applicant's Signature

June 18, 2014  
Date of Signature