

Framingham Planning Board

Memorial Building • Room B-37 • 150 Concord Street
Framingham, MA 01702-8373
(508) 532-5450 • planning.board@framinghamma.gov



PERMIT | FRAMINGHAM
plan • build • grow



2016 FEB - 5 A 10: 55

TOWN CLERK
Town Clerk Stamp

Planning Board Members:

Christine Long, Chair
Stephanie Mercandetti, Vice Chair
Lewis Colten, Clerk
Thomas F. Mahoney
Victor A. Ortiz

Planning Board Staff:

Amanda L. Loomis, AICP, Planning Board Administrator
Alexander C. Mello, Associate Program Planner
Stephanie D. Marrazzo, Clerical Assistant

TOWN OF FRAMINGHAM - PLANNING BOARD

Notice of Decision

**Regarding the Application of Normandy Real Estate Partners
for the Property located at**

15 and 16 Pleasant Street Connector and 86R New York Avenue RR, Framingham, MA

On January 15, 2016, the Applicant, Normandy Real Estate Partners, filed with the Planning Board, and on January 15, 2016, the Planning Board filed with the Town Clerk, applications for an Extension of Time to the previously approved Planning Board Decision dated January 23, 2014 for Site Plan Review and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces. The property is located at 15 and 16 Pleasant Street Connector and 86R New York Avenue RR, and zoned Technology Park (TP) and General Manufacturing (M) Districts. Said parcel is listed as Framingham Assessor's Parcel ID: 095-83-5965, 095-83-3846, and 095-83-2486.

After the notice of the public hearing was published in "The MetroWest Daily News" on January 21, 2016 and January 28, 2016 and mailed to parties of interest pursuant to the Framingham Zoning By-law and M.G.L. Chapter 40A, the Planning Board opened the public hearing on February 4, 2016 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham.

On February 4, 2016 the Planning Board **APPROVED** Extension of Time to the previously approved Planning Board Decision dated January 23, 2014 for Site Plan Review and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces, for the property located at 15 and 16 Pleasant Street Connector and 86R New York Avenue RR, and a **DECISION** was filed in the office of the Town Clerk on February 5, 2016.

Christine Long, Chair
FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to G.L. Ch. 40A, Sec. 17 and must be filed within twenty (20) days after the date of filing of the Decision in the office of the Town Clerk.

Framingham Planning Board

Memorial Building ▪ Room B-37 ▪ 150 Concord Street
Framingham, MA 01702-8373
(508) 532-5450 ▪ planning.board@framinghamma.gov



PERMIT | FRAMINGHAM

plan ▪ build ▪ grow



Planning Board Members:

Christine Long, Chair
Stephanie Mercandetti, Vice Chair
Lewis Colten, Clerk
Thomas F. Mahoney
Victor A. Ortiz

Planning Board Staff:

Amanda L. Loomis, AICP, Planning Board Administrator
Alexander C. Mello, Associate Program Planner
STEPHANIE D. MARRAZZO, CLERICAL ASSISTANT

TOWN OF FRAMINGHAM - PLANNING BOARD

Notice of Decision

**Regarding the Application of Normandy Real Estate Partners
for the Property located at**

15 and 16 Pleasant Street Connector and 86R New York Avenue RR, Framingham, MA

Notice is hereby given in accordance with M.G.L. c. 40A §15 that in the applications of Normandy Real Estate Partners for an Extension of Time to the previously approved Planning Board Decision dated January 23, 2014 for Site Plan Review and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces on the property located at 15 and 16 Pleasant Street Connector and 86R New York Avenue RR. The opening public hearing was held on February 4, 2016, and notice of the public hearing was published in "The MetroWest Daily News" on January 21, 2016 and January 28, 2016. The Planning Board APPROVED said application on February 4, 2016 and the decision was filed in the Office of the Town Clerk on February 5, 2016. For additional information please see the Planning Board's webpage at www.framinghamma.gov.

Christine Long, Chair

FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to G.L. Ch. 40A, Sec. 17 and must be filed within twenty (20) days after the date of filing of the Decision in the office of the Town Clerk.

2016 FEB - 5 A 10:55
TOWN CLERK
FRAMINGHAM

Framingham Planning Board

Memorial Building • Room B-37 • 150 Concord Street
Framingham, MA 01702-8373
(508) 532-5450 • planning.board@framinghamma.gov



PERMIT | FRAMINGHAM

plan • build • grow



Planning Board Members:

Christine Long, Chair
Stephanie Mercandetti, Vice Chair
Lewis Colten, Clerk
Thomas F. Mahoney
Victor A. Ortiz

**DECISION OF THE FRAMINGHAM PLANNING BOARD
FOR THE PROPERTY LOCATED AT 15 AND 16 PLEASANT STREET CONNECTOR AND 86R NEW YORK AVENUE RR
DECISION DATED FEBRUARY 4, 2016**

General Property Information

Property Address: 15 and 16 Pleasant Street Connector and 86R New York Avenue RR
Assessor's Parcel Information: 95/83/5965 (095-83-5965), 95/83/3846 (095-83-3846), and 95/83/2486 (095-83-2486)
Zoning District/Overlay District: Technology Park (TP) and General Manufacturing (M) Zoning Districts

Application Information

Application(s): Extension of Time to an Approved Site Plan Review Permit and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, and Reduction in the Required Number of Parking Spaces
Sections of the Zoning By-law Under Review: The January 23, 2014 Decision of the Planning Board was granted under Sections III.G., III.L., IV.A., IV.B., IV.C., IV.G., IV.H.2., IV.I., and V.E. of the Framingham Zoning By-Law (relevant sections under the amended October 2015 Framingham Zoning By-Law: II.B.6., II.F., IV.A., IV.B., IV.C., IV.E., V.F., VI.E., and VI.F.)
Date application(s) were filed with the Planning Board: January 15, 2016
Date application(s) were filed with the Town Clerk: January 15, 2016
Project Number: PB-001-16

General Project Contact Information

Applicant Name: Normandy Real Estate Partners
Applicant Address: 99 Summer Street, Boston, MA 02110
Landowner Name: NREF III Pleasant LLC
Landowner Address: 99 Summer Street, Boston, MA 02110
Project Contact Name: Katherine Garrahan, Bowditch & Dewey, LLP
Engineer Company: Kelly Engineering Group

Legal Ad & Public Hearing Information

Run dates of the Legal Ad: January 21, 2016 (14 days prior to 1st public hearing) and January 28, 2016 (7 days prior to 1st public hearing)
Date of abutter/7 Abutting municipality/parties of interest mailing: January 19, 2016
Date of opening public hearing: February 4, 2016
Applicant's Representatives in attendance at the Public Hearing(s): Attorney Katherine Garrahan, Bowditch & Dewey
Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Stephanie Mercandetti, Vice-Chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz

TOWN CLERK
FRAMINGHAM

2016 FEB - 5 A 10: 55

Planning Board Approval Information

Date of Plans approved by the Planning Board July 26, 2013, revised through December 20, 2013, signed by the Planning Board on February 20, 2014.

PROJECT DESCRIPTION

The Project, located at 15 and 16 Pleasant Street Connector and 86R New York Avenue RR was approved by the Planning Board on January 23, 2014. During the 20 day appeal period, an abutter to the Property filed an appeal in Land Court on February 20, 2014. A settlement to the appeal was filed with the Land Court on April 16, 2014. The Project, unless extended, shall lapse on March 16, 2016 (a total of 53 days between the time of the Planning Board's Decision and the settlement of the abutter's appeal).

The Project, was approved for a Site Plan Review Permit and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces for the renovation and expansion of the existing five story office building, upgrades and expansion of the off-street parking facility, construction of a retaining wall and sidewalks, and the installation of new lighting, landscaping, infrastructure, and associated site improvements. Furthermore, the Property was and is still subject to the regulations governed by M.G.L. c. 43D, Section 2, Expedited Permitting, as a Priority Development Site, which requires the Town to grant permits to designated properties in 180 days or less (Chapter 43D Priority Development Sites are also marketed on the Commonwealth of Massachusetts website).

Since the granting of the 2014 Planning Board Decision, the Applicant has commenced internal demolition and preliminary tenant build-out within the Southborough portion of the existing building. Moreover, the Applicant has been actively working with a prominent commercial leasing agent to aggressively market the site, in addition to working with the Town and the Commonwealth of Massachusetts to utilize any and all possible marketing tools possible to lease and redevelop the site. Despite best efforts to find a tenant, the Applicant has been unable to locate a tenant and/or tenants to occupy the site. In addition, despite a slow economic recovery from the depression that occurred in 2008, the Applicant still continues to work with the leasing agent to find a tenant and/or tenants to exercise the Permit granted.

HEARING

The Framingham Planning Board held a total of one public hearing during the review of the Project located at 15 and 16 Pleasant Street Connector and 86R New York Avenue RR. On February 4, 2016, the Planning Board opened the public hearing, and granted a decision for the Project. Framingham Planning Board Members present during the public hearing were Christine Long, Chair, Stephanie Mercandetti, Vice-chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz. During the public hearings, the following individuals appeared on behalf of the Applicant: Attorney Katherine Garrahan, Bowditch & Dewey.

The Planning Board arrived at its Decision based on the Framingham Zoning By-Law, information submitted by the Applicant, comments from town boards and officials, as well as from members of the public.

FINDING

The Planning Board finds that the proposed request of an Extension of Time is in compliance with Sections VI.E.2.e., VI.E.5., and VI.F.7.d of the Framingham Zoning By-law and M.G.L. ch. 40A, Sections 9 and 17 demonstrating "Good Cause" for an extension of time. The approved January 23, 2014, Planning Board Decision was reviewed pursuant to M.G.L. c.43D, Section 2, Expedited Permitting, as a Priority Development Site. The Property is being actively promoted by the Applicant's private leasing agent and the Commonwealth of Massachusetts. Additionally, the Property has been listed on MassEcon's "Ready Mass 100" site. Furthermore, as part of the submitted applicant package, the Applicant has provided the property's marketing materials, which have been prepared by Transwestern | RBJ (within the marketing materials the site is referenced as MetroTech 9/90).

According to NAIOP – Commercial Real Estate Development Association, the absorption rate of office space has been relatively slow to rebound, due to previously vacant positions, and the decrease in the work area required per employee. Previous work space areas were roughly 200-250 sf per employee, recent trends in office space development provides roughly 125 sf per employee. Furthermore, companies who are choosing to relocate are in search of new, turn-key office buildings that have been both permitted and constructed. The Project, has been permitted, but has not been constructed, which is not uncommon for properties that do not have tenants for proposed buildings. Normandy Real Estate has a strong portfolio with recent large scale projects throughout eastern Massachusetts as well as the east coast. It is expected that with Normandy's marketing team in place, and collaboration with the Town and the Commonwealth of Massachusetts, that the requested extension shall provide adequate time for the Applicant to attract a tenant and/or tenants for the Property.

Therefore, the Planning Board finds the Applicant's request for an extension of two years acceptable since "Good Cause" for the granting of an extension of time for the Property has been met. The extension of time for the January 23, 2014, Planning Board Decision for the Project located at 15 and 16 Pleasant Street Connector and 86R New York Ave RR shall be extended for the requested two years, and shall have a new expiration date of March 16, 2018.

VOTE for GOOD CAUSE

Stephanie Mercandetti moved that the Planning Board finds that the Application has demonstrated Good Cause for the requested extension of time. Thomas Mahoney seconded said motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

VOTE

Extension of Time – Site Plan Review and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces

The vote five in favor, zero opposed, and zero abstention to grant an Extension of Time for the approved Site Plan Review Permit and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces granted on January 23, 2014, with an expiration date of March 16, 2016, for an additional two years, with a new expiration date of March 16, 2018. The parcel is shown on the Framingham Assessor’s Parcel ID: 095-83-5965, 095-83-3846, and 095-83-2486 located at 15 and 16 Pleasant Street Connector and 86R New York Ave RR, and located within the Technology Park (TP) and General Manufacturing (M) Zoning Districts.

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

By: 

Christine Long, Chairperson
Date of Signature: Feb. 04, 2016

Exhibits

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports as required by the Framingham Zoning By-Law. During the public hearing process the Applicant and its professional consultants submitted revisions to plans in response to requests by the Planning Board and various Town Departments 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.

1. Form A – Application Cover Letter, Property Address: 15 and 16 Pleasant Street Connector and 86R New York Ave RR, stamped with the Town Clerk on January 15, 2016, Project Number: PB-001-16
2. Form H –Request for an Extension of Time Application, Property Address: 15 and 16 Pleasant Street Connector and 86R New York Ave RR, stamped with the Town Clerk on January 15, 2016, Project Number: PB-001-16
3. Planning Board January 23, 2014, stamped with the Town Clerk on January 29, 2014, for Site Plan Review and Special Permits for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape in Buffer, Increase in Floor Area Ratio, Land Disturbance, Reduction in the Required Number of Parking Spaces
4. Site Development Plans for 15 Pleasant Street Connector, Framingham and Southborough, MA, dated July 26, 2013, revised through December 20, 2013, and signed by the Framingham Planning Board on February 20, 2014
5. Letter from Attorney Katherine Garrahan, Bowditch & Dewey, RE: 15 Pleasant Street Connector, 16 Pleasant Street Connector and 86-R New York Avenue RR, Framingham, and 0 Firmin Avenue, Southborough Request for Modification of Major Site Plan Approval and Special Permits, Date of Decision January 23, 2014. Dated January 14, 2016
6. Leasing materials from Transwestern | RBJ for MetroTech 9/90, Framingham, MA, prepared for Normandy Real Estate Partners, dated January 7, 2016
7. A copy of the Building Permit issued by the Southborough Building Commissioner on March 31, 2015 for internal tenant build-out work.
8. A copy of the Land Court Docket – providing evidence of the abutter’s appeal and date of settlement.