

Framingham Planning Board

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PLANNING BOARD MEMBERS

CHRISTINE LONG, CHAIR
LEWIS COLTEN, VICE CHAIR
VICTOR ORTIZ, CLERK
THOMAS F. MAHONEY
STEPHANIE MERCANDETTI

PLANNING BOARD STAFF:

AMANDA L. LOOMIS, PLANNING BOARD ADMINISTRATOR
STEPHANIE D. MARRAZZO, CLERICAL ASSISTANT

Planning Board Meeting Minutes

Thursday, March 31, 2016

FINAL

Planning Board members present on March 31, 2016: Christine Long, Chair, Lewis Colten, Vice-chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti. Also present were Amanda Loomis, Planning Board Administrator and Stephanie Marrazzo, Clerical Assistant.

The Planning Board meeting was held in the Ablondi Room of the Memorial Building. Christine Long, Chair, called the Planning Board meeting to order at 7:00 p.m. and read the agenda into the record.

I. Reorganization of the Planning Board

Christine Long, Chair, turned the meeting over to Lewis Colten, Clerk, for the reorganization of the Planning Board.

Lewis Colten nominated Christine Long for Chair of the Planning Board. Victor Ortiz seconded the nomination. The Planning Board voted in favor of the nomination 3-2-0 (opposed Thomas Mahoney and Stephanie Mercandetti). MOTION PASSED.

Victor Ortiz nominated Lewis Colten for Vice Chair of the Planning Board. Christine Long seconded the nomination. The Planning Board voted in favor of the nomination 3-2-0 (opposed Thomas Mahoney and Stephanie Mercandetti). MOTION PASSED.

Christine Long nominated Victor Ortiz for Clerk of the Planning Board. Lewis Colten seconded the nomination. The Planning Board voted in favor of the nomination 5-0-0. MOTION PASSED.

Lewis Colten moved to close nominations. Christine Long seconded the motion. The Planning Board voted in favor of the nomination 5-0-0. MOTION PASSED.

II. 7:00PM Preliminary Meeting for Brendon Properties Northside Meadow LLC to review the proposal and plans for an Active Adult Housing Development at 518 Pleasant Street

Present: Attorney Paul Galvani, Galvani Law Offices, P.C., Brendan Giblin, Brendon Properties, Justin Dufresne, VHB, Eric Gardner, Benchmark Senior Living.

Christine Long, Chair, read the legal ad into the record.

Attorney Galvani provided a brief overview of the proposed plan for the property located at 518 Pleasant Street. The Applicant's presentation included: condominium ownership, composition and architecture of the residential units, traffic, and the circulation of the project.

Ms. Long requested that Ms. Loomis provide an overview of the project related to the preliminary plan review. Ms. Loomis provided a brief overview of the project related to the Technical Review Team's review. Ms. Loomis stated that the Planning Board, in conjunction with the Zoning Board of Appeals (ZBA) had contracted Jeffery Dirk of Vanasse & Associates, Inc. to serve as the Town's Peer Review for the Project.

Attorney Galvani requested that the Planning Board determine if additional peer review consultants would need to be contracted for the review of the project.

Ms. Long asked for Planning Board member comments. Comments included the following:

- The need for permits from the Conservation Commission
- Location for snow storage
- Site circulation and emergency access
- Construction of sidewalks and the connection of proposed walkways
- Use of common driveways throughout the site to decrease the number of curb cuts and driveways
- Review of the residential building dimensions and architecture

Ms. Long asked for public comment. No public comment was made.

III. 7:00 PM Public Hearing to consider the application of PMLRA Pizza, Inc. for a Modification (Minor) to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces. The applicant proposes to reuse the site and existing building as a Domino's Pizza Shop with associated minor site improvements at the property located at 281 Concord Street.

Present: Attorney Peter Barbieri, Fletcher Tilton PC and Hank Askew, Owner.

Christine Long, Chair, read the legal ad into the record.

Attorney Barbieri provided a brief overview of the modifications related to the change in use, revisions to the site plans, and status of the addressing the comments and/or questions requested by the Technical Review Team.

Ms. Long requested that Ms. Loomis provide an overview of the project related to the proposed project. Ms. Loomis provided an overview of the Technical Review Team's request. The Department of Public Works (DPW) specifically requested that a grease trap be installed and the Police Department requested security cameras for the purposes of public safety.

Ms. Long asked for Planning Board member comments. The discussion included the following:

- Review of the proposed parking spaces
- Parking and storage of the delivery vehicles
- Location and use of employee parking

Ms. Long asked for public comment. No public comment was made.

Ms. Long continued the public hearing to Monday, May 16, 2016 at 7:00 p.m.

IV. 7:00 PM Public Hearing to consider the application of LTF Real Estate Company, Inc. for a modification to a previously approved Planning Board Decision for Site Plan Review (dated June 16, 2014: Decision for Modification to a Site Plan Review and Special Permits for Use and Land Disturbance, and Public Way Access) at the property located at 432 and 490 Old Connecticut Path.

Present: Attorney Kathy Garrahan, Bowditch and Dewey, LLP, and Justin Dufresne, VHB.

Christine Long, Chair, read the legal ad into the record.

Attorney Garrahan provided an overview of the proposed modification. Mr. Dufresne presented the May 28, 2015, revised through February 22, 2016 site plans which show the proposed modifications to the site.

Ms. Long requested that Ms. Loomis provide an overview of the project related to the requested modifications. Ms. Loomis provided a brief overview of the review process, further stating that the Department of Public Works has been working with the Applicant and their comments have been addressed and incorporated into the plans being presented.

Ms. Long, requested comments from Planning Board members. Comments included the following:

- Department of Public Works timeline
- Review of the project by the Fire Department
- Emergency access
- Land disturbance related to the construction of the cul-de-sac

Ms. Long asked for public comment. No public comment was made.

Stephanie Mercandetti moved that the Planning Board grant the requested modifications to the approved plans dated February 28, 2014, revised through May 1, 2014 as shown in the revised plan dated May 28, 2015, revised

through February 22, 2016 for the property located at 432 and 490 Old Connecticut Path. Lewis Colten seconded the motion. The Planning Board voted in favor of the motion 5-0-0.

- V. **7:00 PM Public Hearing to consider the application of Winch Millwood Realty Trust II for Special Permits for Land Disturbance, Open Space Cluster Development, and Affordable Housing, Site Plan Review, Public Way Access Permit, and Scenic Roadway Modification to construct an open space cluster development with 39 new single family homes and associated roads, utilities, landscaping, and drainage infrastructure at 1060 Grove Street, 1062 Grove Street, 36 Winch Street, and 40 Winch Street.**

Present: Attorney Jeffrey Roelofs, James McLaughlin, Engineer, and Sean Malone P.E., Oak Consulting Group

Christine Long, Chair, read the legal ad into the record.

Attorney Roelof provided a brief statement regarding the status of the project. Attorney Roelof stated that the two outstanding issues that need to be addressed for the project to move forward include: review and determination regarding the use of the bridge and the 400' easement. Attorney Roelof provided the timeline relative to the permitting of the bridge, which is set to expire on April 17, 2016.

Ms. Long requested that Ms. Loomis provide an overview of the project status. Ms. Loomis concurred that the Planning Board needs to make a determination regarding the bridge and its importance to the yield plan. Ms. Loomis stated that the Planning Board could either request the delineation of the wetlands to be provided for review or require the Applicant to provide two means of egress that does not include the use of the bridge.

Ms. Long, requested comments from Planning Board members. Comments included the following:

- Use of the bridge as a second means of access for the Open Space Cluster Development (OSCD) Yield Plan, specifically:
 - The process needed to be followed for a determination regulated to the use of the bridge
 - Review of the OSCD Yield Plan by the Conservation Commission
 - Timeline relative to the use of the bridge
 - Determination if a Notice of Intent Filing (NOI) was necessary for the OSCD Yield Plan
 - Question as to whether a MEPA filing was required
 - Review of the March 31, 2016 letter from the Conservation Commission
 - Delineation of the wetlands and vernal pools, need for the site to be reviewed Wetland delineations

Ms. Long asked for public comment. Public comment was made relative to the use of the bridge and the historical background of the property relating to the bridge and the 400' easement.

Ms. Loomis read an excerpt from the Conservation Commission dated March 31, 2016 that states that the Applicant has not provided a wetland delineation to the Conservation Commission.

The Planning Board determined that an opinion from Town Counsel was needed to provide clarification and some direction for the Board regarding the use of the bridge.

Ms. Long continued the public hearing to Monday, May 16, 2016 at 7:00 p.m.

- VI. **In accordance with the provisions of Chapter 40A, Section 5 of the Massachusetts General Laws, the Framingham Planning Board will hold a public hearing on Thursday, March 31, 2016 at 7:00pm in the Ablondi Room, Memorial Building, 150 Concord Street, Framingham, Massachusetts, to consider amending the Framingham Zoning By-Law at the April 26, 2016 Annual Town Meeting as follows.**

- **ATM Article: Amend the Framingham Zoning By-law related to the establishment a Corporate Mixed-use By-Law** To see if Town Meeting will vote to amend the Framingham Zoning By-Law by adding two new sections, Section II.A.9.a Corporate Mixed-use District I (CMU I) and II.A.9.b. Corporate Mixed-use District II (CMU II), amend the Table of Uses related to include the new CMU I and the CMU II Districts in Section II.B, add a new Section II.J Corporate Mixed-use District, and amend the Dimensional Regulations by adding the new CMU I and CMU II into Section IV.E., amend section VI.G.1. related to the CMU I and CMU II
- **ATM Article: Amend the Framingham Zoning Map – establish a new Corporate Mixed-use I and Corporate Mixed-use II Zoning District** To see if Town Meeting will vote to amend the Framingham Zoning Map by creating a new Corporate Mixed-use I and Corporate Mixed-use II Zoning District

Christine Long, Chair, read the legal ad into the record. The Planning Board reviewed the CMU District By-Law and the CMU District Map together.

Ms. Long requested that Ms. Loomis provide an overview of the Article. Ms. Loomis provided a brief overview and status of the proposed CMU District By-Law and the CMU District Map stating that this rezoning is requested in the Master Land Use Plan and that this is an opportunity to be proactive with zoning rather than reactive. Ms. Loomis stated that she will provide a full presentation to the Planning Board on April 7, 2016 and that the Community and Economic Development Director Arthur Robert will be present to answer questions as well.

Ms. Long requested comments from Planning Board members. Comments included the importance of the CMU Articles and the need to move the CMU Articles forward.

Ms. Long asked for public comment. No public comment was made.

Ms. Long continued to the public hearing for the CMU District By-Law and the CMU District Map to April 7, 2016 at 7:00 p.m.

- **ATM Article: Section V.H Affordable/Inclusionary Housing** To see if Town Meeting will vote to amend the Framingham Zoning By-Law by deleting the existing Section V.H. Affordable Housing and replacing it with a new Section V.H. Inclusionary Housing By-Law

Christine Long, Chair, read the legal ad into the record.

Ms. Long requested that Ms. Loomis provide an overview of the Article. Ms. Loomis provided a brief overview of the Inclusionary Housing By-Law (currently Section V.H. Affordable Housing).

Ms. Long requested comments from Planning Board members. Comments included the necessity of the revised Inclusionary Housing By-Law, improvements made that strengthen the By-Law, and the need for updates to in order for the By-Law to be in compliance with state law.

Ms. Long asked for public comment. Public comments included concerns of the Standing Committee on Planning & Zoning relative to a Special Permit and resale of affordable housing units.

Ms. Long continued to the public hearing for the Inclusionary Housing By-Law to April 7, 2016 at 7:00 p.m.

- **ATM Article: Amendments and Modifications to Various sections of Framingham Zoning By-Law for Purposes of Clarification, Consistency related to the recodification process of the Framingham Zoning By-Law:** To see if Town Meeting will vote to amend the Framingham Zoning By-law by: amending existing sections of Section I.E. related to consistency and clarification; deleting the definition of Limited Manufacturing from Section I.E. Definitions; adding a definition for Master Plan (Master Land Use Plan) to Section I.E. Definitions; amending the citations in Section II.I.4 and II.I.6; deleting Section II.I.7 from the Central Business District section; amending Section VI.E.2.e; and inserting a new Section VI.F.10.

Christine Long, Chair, read the legal ad into the record.

Ms. Long requested that Ms. Loomis provide an overview of the Article. Ms. Loomis provided a brief overview of the proposed amendments and modifications to the Zoning By-Law related to the recodification process.

Ms. Long requested comments from Planning Board members. No comments were made.

Ms. Long asked for public comment. No comment was made.

Ms. Long continued to the public hearing to April 7, 2016 at 7:00 p.m.

VII. Administrator's Report

Ms. Loomis provided an overview of the recent discussion of expansion of Transfer of Development Rights (TDR). The Planning Board discussed the public hearing process and established a timeline for the review of the proposed amendments of the TDR By-Law. The Planning Board placed TDR on the April 7, 2016 agenda.

VIII. Any Other Business

- **11 Murray Hill Road**

Ms. Loomis provided an overview of the potential owner's request to construct an additional 2nd floor deck within the stormwater easement on the property. The Planning Board reviewed the information provided by the Town Engineer. The Planning Board expressed concerns regarding the construction of the 1st floor deck without a permit. The Planning Board requested clarification and additional information regarding the applicant's request.

IX. Member Reports

- Planning Board members provided dates that they will be not be available to meet.
- Christine Long, Chair, provided an update on the recent sidewalk improvement on Edgell Road.

X. Approval of Minutes – March 24, 2016

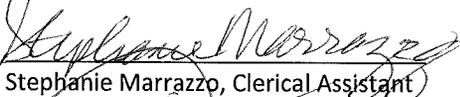
Lewis Colten moved that the Planning Board approve the Planning Board meeting minutes of March 24, 2016 as presented. Thomas Mahoney seconded the motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

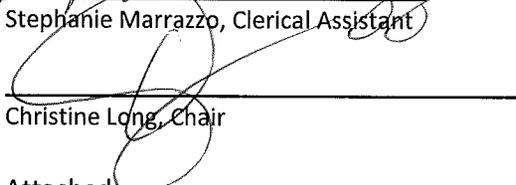
XI. Adjournment

Stephanie Mercandetti moved that the Planning Board adjourn. Lewis Colten seconded the motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED.

The meeting was adjourned at 9:41 p.m.

Respectfully submitted,


Stephanie Marrazzo, Clerical Assistant


Christine Long, Chair

Attached:

Documents for the March 31, 2016 Meeting