

Framingham Planning Board

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Framingham, MA 01702-8373
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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

Part 4 – 1st Public Hearing for the Proposed Amendments to the Transfer of Development Rights (TDR) By-Law, held on May 16, 2016

Review of the Existing Zoning for the Purposes of the Expansion of the TDR By-Law

Part 4 – Documents for review at the opening Public Hearing on Monday, May 16, 2016 review package is intended to track the progress of the TDR By-Law review and development. This document is Part 4 of a 4 part series of documents, developed for the purposes of recording and tracking the development process of the TDR By-Law.

The following maps and documents were developed based on feedback from meetings and additional research. Below is a list of documents and maps that were provided for the opening public hearing held by the Planning Board on Monday, May 16, 2016.

Documents for Review

1. **Legal Ad for the opening public hearing Amend the Framingham Zoning By-law related to the Transfer of Development Rights (TDR)** To see if Town Meeting will vote to amend the Framingham Zoning By-Law by deleting the existing definition for Receiving Parcel and replacing it with a new definition for Receiving Parcel (Section I.E.) and amending the table in Section V.O.2.b.5. and further amending Section V.O.2.c.4. and to further **Amend the Framingham Zoning Map – establish new Transfer of Development Rights (TDR) Overlay Districts** To see if Town Meeting will vote to amend the Framingham Zoning Map by creating new Transfer of Development Rights (TDR) Overlay Districts, stamped by the Town Clerk on April 26, 2016 (run in the MetroWest Daily Newspaper on April 27, 2016 and May 4, 2016).
2. **Section I.E Definition** – Proposed amendments to the Receiving Parcel definition
3. **Section V.O. of the Framingham Zoning By-Law - Transfer of Development Rights By-Law** Proposed amendments to Section V.O Transfer of Development Rights By-Law. Deleted language has been ~~stricken~~ and new language is underlined.
4. **Map #1 – Review of Zoning** A review of the existing zoning within east Framingham. The existing Receiving Parcel is identified in marigold (underlying zoning for the TJX parcels is General Manufacturing (M)).
5. **Map #2 – Review of the 500' Residential Buffer** Based on previous meeting a review of a 500' residential buffer was created to determine parcels that could absorb an increase in height and Floor Area Ratio (FAR) without being directly next to a residential dwelling. The Massachusetts Turnpike within this area is zoned Single Family Residential (R-1). Given that residential

development on top of the Massachusetts Turnpike is not permitted at this time, the residential buffer was moved to the north boundary of the Massachusetts Turnpike.

6. **Map #3 – Review of the 500’ Residential Buffer and Parcels within the General Manufacturing (M) and Light Manufacturing (M-1)** Map #3 shows parcels in green that are outside of the 500’ residential buffer and/or have a strong buffer between the parcel and a residential zoning district. The parcels identified in green also represent parcels of land that could absorb Development Rights.
7. **Map #4 – Review of the 500’ Residential Buffer and Parcels within the General Manufacturing (M) and Light Manufacturing (M-1) Zoning District + parcels identified at the May 4, 2016 Board of Selectmen meeting.** Map #4 includes the parcels identified in Map #3 (parcels in green) and the 500’ residential buffer. This map further includes parcels identified in yellow that were added into the East Overlay District at the May 4, 2016 Board of Selectmen Meeting. Furthermore, parcels identified in teal hatched are parcels that needed more review and discussion before including the parcels into the East TDR Overlay District.
8. **Map #5 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 3 and 3A Speen Street** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
9. **Map #6 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 19 Flutie Pass** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
10. **Map #7 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 220 Worcester Road** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
11. **Map #8 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 330 Cochituate Road** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
12. **Map #9 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 490 Old Connecticut Path** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)

13. **Map #10 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 492 Old Connecticut Path** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
14. **Map #11 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 500 Old Connecticut Path** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
15. **Map #12 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 550 Cochituate Road** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
16. **Map #13 – Review of Teal Hatched Parcels Requiring Additional Review before being included into the East Overlay District: 597/601/615 Old Connecticut Path** Maps 5-13 require additional review before being included into the East TDR Overlay District. These parcels were reviewed by the Planning Board on May 16th and were recorded on the Transfer of Development Rights Score Card included within this document. Additional information for each of these parcels can be reviewed within the attached PowerPoint Presentation and within Part 1 of this series (East TDR Overlay Parcel Review)
17. **Transfer of Development Rights Score Card** During the May 16, 2016 the Planning Board reviewed the potential areas for the East TDR Overlay District as presented in the PowerPoint presentation. The Planning Board reviewed each of the teal hatched parcels identified on Maps 4 – 13. Parcels were included, removed, or additional information was requested.
18. **PowerPoint Presentation: Transfer of Development Rights (TDR) – Presented on May 16, 2016**
19. **Event Flyer – Brown Bag Lunch** A Brown Bag Lunch to discuss the Transfer of Development Rights (TDR) By-Law and Zoning Map Amendment was held on Wednesday, May 18, 2016 at the Christa McAuliffe Library
20. **Event Flyer – Open House** An Open House will be held on Thursday, May 19, 2016 in the Ablondi Room

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Stephanie D. Marrazzo, Clerical Assistant

**TOWN OF FRAMINGHAM
PLANNING BOARD
PUBLIC HEARING**

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 Monday, May 16, 2016 at 7:00pm in the Ablondi Room, Memorial Building, 150 Concord Street, Framingham, Massachusetts, to consider amending the Framingham Zoning By-law and Zoning Map at a Special Town Meeting as follows.

Amend the Framingham Zoning By-law related to the Transfer of Development Rights (TDR)

To see if Town Meeting will vote to amend the Framingham Zoning By-Law by deleting the existing definition for Receiving Parcel and replacing it with a new definition for Receiving Parcel (Section I.E.) and amending the table in Section V.O.2.b.5. and further amending Section V.O.2.c.4.

Amend the Framingham Zoning Map – establish new Transfer of Development Rights (TDR) Overlay Districts To see if Town Meeting will vote to amend the Framingham Zoning Map by creating new Transfer of Development Rights (TDR) Overlay Districts

A copy of the full text of the proposed amendment may be inspected in the Planning Board Office (150 Concord Street), the Town Clerk Office (150 Concord Street), the Framingham Public Library (25 Clinton Street and 746 Water Street), and available online at www.framinghamma.gov on the Planning Board's website.

Christine Long, Chair
FRAMINGHAM PLANNING BOARD

Published in the MetroWest Daily Newspaper: Wednesday, April 27, 2016 and Wednesday, May 4, 2016

E. Definitions

1. Terms Defined

For the purpose of this By-Law, the following terms shall have the meanings given in the following clauses, unless a contrary intention clearly appears:

Receiving Parcel: A Receiving Parcel consisting of one or more contiguous parcels in one ownership ~~throughout~~, or any combination of parcels of land consolidated under a joint development agreement where all such owners jointly apply for a TDR special permit, which has been designated within the Transfer of Development Rights (TDR) Overlay District, which is shown on the Zoning Map. as a Chapter 43D: Priority Development site: 1672 Worcester Road, 1800 Worcester Road, 1898RR Worcester Road, 1900R Worcester Road, 1900RR Worcester Road, 100 Crossing Blvd, 149 Crossing Blvd, 150 Crossing Blvd, 175 Crossing Blvd, 200 Crossing Blvd, 225 Crossing Blvd, 150 Gates Street, 100 Staples Drive, 200 Staples Drive, 400 Staples Drive, 500 Staples Drive, 740 Cochituate Road, 750 Cochituate Road, and 156 Speen Street, 0 Pleasant Street Connector, 9 Pleasant Street Connector, 15 Pleasant Street Connector, 10 California Ave, 11 California Ave, 40 California Ave, 1 The Mountain Road, 5 The Mountain Road, 100 The Mountain Road, 0 Pennsylvania Ave, 100 Pennsylvania Ave, 105 Pennsylvania Ave, 115 Pennsylvania Ave, 125 Pennsylvania Ave, 135 Pennsylvania Ave, 137 Pennsylvania Ave, 145 Pennsylvania Ave, 0 New York Ave RR, 1 New York Ave, 2 New York Ave, 31 New York Ave, 33 New York Ave, 45 New York Ave, 47 New York Ave, 49 New York Ave, 51 New York Ave, 55 New York Ave, 74 New York Ave, 84 New York Ave, 86 New York Ave, 86R New York Ave, 88 New York Ave, and 92 New York Ave.

O. TRANSFER OF DEVELOPMENT RIGHTS

1. Purpose

The purpose of the Transfer of Development Right (TDR) By-law is to provide an alternative for the preservation of Developable Farm and/or Developable Open Space Parcels; while encouraging economic development through an increase in the development potential within designated parcels. Through a TDR special permit a Developable Farm and/or Developable Open Space Parcel can sell its potential Development Rights to a Receiving Parcel; thereby allowing the Receiving Parcel to meet its companies' growth demands. The objective of the TDR is twofold: to serve as an economic development tool while promoting the preservation of Developable Farm and/or Developable Open Space parcel in exchange. The intent of the TDR special permit is consistent with the goals and objectives of the Town's Master Land Use Plan and Open Space & Recreation Plan.

2. Applicability

a. The Giving Parcel

1. The Planning Board shall determine the allowable Development Rights that may be transferred to a Receiving Parcel. To determine the total Development Rights allowed to be transferred, the owner of the Giving Parcel shall prepare a Transfer of Development Rights Yield Plan (TDR Yield Plan).
2. The owner of the Giving Parcel shall submit the TDR Yield Plan and an application to the Planning Board for review. The Planning Board may retain a Peer Review Consultant at the expense of the owner of the Giving Parcel to ensure the TDR Yield Plan represents a true and accurate representation of the Giving Parcel.
3. The TDR Yield Plan will be reviewed during a posted public hearing; notice of the public hearing shall be made in accordance with G.L. c. 40A, §11.
4. The total allowable Development Rights that the Giving Parcel is eligible to transfer shall be the total square footage of the residential building allowed as denoted in the Transfer of Development Rights Residential Building Size Chart within the specific zoning district that the Giving Parcel is located in. The size of the residential building as denoted in the Transfer of Development Rights Residential Building Size Chart shall be multiplied by the total number of building lots allowed by-right to determine the total area to be transferred to a Receiving Parcel and placed under an APR and/or CR.

Transfer of Development Rights Residential Building Size Chart

Giving Parcel Zoning District	Residential Building Size
Single Family Residential (R-4)	6,500 square feet
Single Family Residential (R-3)	6,000 square feet
Single Family Residential (R-2)	5,500 square feet
Single Family Residential (R-1)	5,000 square feet
General Residential (G)	4,500 square feet

5. The APR and/or CR placed on the Giving Parcel shall be as follows:
 - For Giving Parcels transferring all Development Rights: At the expense of the owner of the Giving Parcel, the entire Developable Farm and/or Developable Open Space Parcel shall be placed under an APR and/or CR in perpetuity. The entire Giving Parcel shall include all areas identified as non-buildable areas which include wetlands, wetland buffers, and Moderate Slopes, in addition to the buildable lots as identified in the TDR Yield Plan.
 - For Giving Parcels transferring a portion of Development Rights: At the expense of the owner of the Giving Parcel the portion of the Developable Farm and/or

Developable Open Space Parcel associated with the square footage to be transferred shall be placed under an APR and/or CR. This shall include all building lot areas associated with the residential building unit square footage, infrastructure and roadways associated with the building lots, and all non-buildable areas including wetlands, wetland buffers, and Moderate Slopes as identified in the TDR Yield Plan. For fractions of residential building unit square footage, all fractions shall be rounded up to the nearest whole number. The portion of the land to be placed under an APR and/or CR shall be selected with the intent of creating contiguous tracks of land and where possible contiguous with abutting farm land and open space land.

6. All lands deemed non-buildable on the Giving Parcel, such as wetlands, wetland buffers, and Moderate Slopes as identified in the TDR Yield Plan, shall be placed under an APR and/or CR at the same time as the first Development Rights are placed under an APR and/or CR.

Development Rights on a Giving Parcel that have not been transferred to a Receiving Parcel shall remain eligible for future transfer or development.

b. The Receiving Parcel

1. The owner of the Receiving Parcel shall file an application for a TDR special permit with the Planning Board.
2. The owner of the Receiving Parcel shall enter into an agreement with the owner of the Giving Parcel for the transfer of the Development Rights prior to applying for a TDR special permit.
3. The Planning Board Administrator shall ensure that the APR and/or CR has been placed on the Giving Parcel by the Receiving Parcel prior to the issuance of any occupancy and use permit.
4. The owner of the Receiving Parcel may assemble Development Rights from multiple Giving Parcels. The resulting development on a Receiving Parcel shall not exceed the allowable dimensional requirement increases stated herein. Parcels of land that are pre-existing non-conforming lots that exceed allowed densities or that have received variances for building height, number of additional floors, lot coverage, and/or FAR are not eligible to receive transferred Development Rights.
5. The transferred Development Rights from the Giving Parcel may be used in a 1:1 ratio on a Receiving Parcel. Development Rights from the Giving Parcel that are used on a Receiving Parcel may be applied on the Receiving Parcel to increase the following dimensional regulations from those stated in Section IV.E.2. Table of Dimensional Regulations allowed by-right. Allowed increases as permitted in Section IV.E.2. should not create the need for an increase in parking that exceeds the capacity of the Receiving Parcel. If the increase as permitted in Section IV.E.2. requires more additional parking than the site can support, then the Receiving Parcel shall construct structured parking or establish alternative transportation options to the site such as carpool incentives, transportation from local public transportation hubs, etc.

	Maximum Increase in Building Height/Additional Floors	Maximum Increase in Lot Coverage	Maximum Increase in FAR
Receiving Parcel Development Rights Chapter 43D Priority Development Sites	4 35% [±]	15% [±]	[50% [±]]

~~* total height shall not exceed the allowed maximum for all structures, including roof top mechanical equipment or penthouses.~~

6. In the event of unused Development Rights the owner of the Receiving Parcel may be permitted to sell any unused Development Rights to another Receiving Parcel. The secondary Receiving Parcel shall be required to seek a Special Permit for the Transfer of Development Rights from the Planning Board prior to the use of the purchased Development Rights.

c. Agriculture Preservation Restriction or Conservation Restriction Process

The Giving Parcel must meet the following requirements:

1. Such parcel shall be placed under an APR and/or CR in perpetuity pursuant to state statute Chapter 184 Section 32 to ensure that said parcel will remain as agricultural land or open space. Once an APR and/or CR has been placed on the Giving Parcel no additional buildings can be built on nor can any land be used to yield additional Development Rights in the future, except as per c.2., below;
2. No buildings are allowed within the APR and/or CR area, except for existing buildings that have been constructed prior to the TDR Yield Plan. Farms shall be allowed to construct structures associated with the operations of the farm on up to 5 percent of the APR area. Structures associated with the farm may include: barns, farm store, housing for farm help, etc.;
3. The APR and/or CR may be held by the Town of Framingham, a land trust, or the Commonwealth of Massachusetts. The APR and/or CR is prohibited from being held by the owner of the Giving Parcel or the owner of the Receiving Parcel. The terms of the APR and/or CR shall be reviewed by Town Counsel at the expense of the owner of the Giving Parcel and approved by the Planning Board;
4. Trails systems for public access for passive recreational use may be developed within APR and/or CR-encumbered land of the Giving Parcel(s).~~The Giving Parcel may develop a trail system within the APR and/or CR lands, which may be accessible for public use;~~
5. Farming rights on any land subject to the APR and/or CR may be sold or leased to another farmer for the purpose of continuing or creating Agricultural and/or Farm use of the land;
6. Developable Open Space may be utilized at a future date for Agriculture and/or Farm uses; and
7. All of the above restrictions shall be made part of and included as additional provisions contained within the APR and CR documentation.

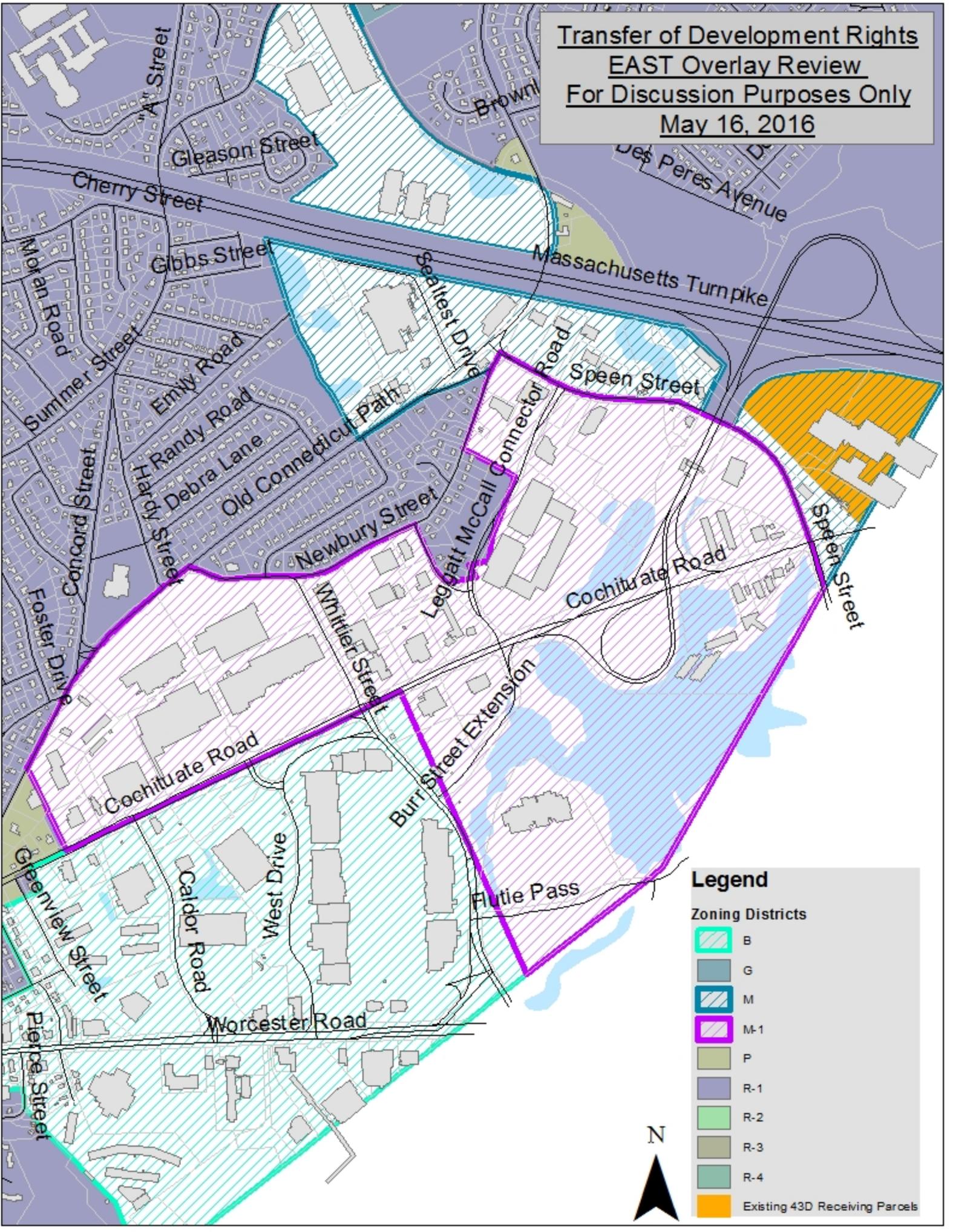
3. Application Review

The review procedure for the TDR special permit application shall be in conformance with M.G.L. ch. 40A, Sections 9 and 11 and Section VI.E., and other permitting and approval processes as may be applicable. The Planning Board may require the Applicant to fund a Peer Review Consultant to assist in the technical review as outlined herein, in accordance with Article 16 of the Planning Board's Administrative Rules and Regulations and M.G.L. ch. 44, Section 53D.

4. Variance Limitation

The Planning Board may issue a TDR special permit in accordance with the additional requirements and standards specified within Section V.O., only if the receiving parcel is not a pre-existing non-conforming property and a variance has not ever been issued from the requirements of this Section V.O for the Receiving Parcel. A pre-existing non-conformity or a variance from the provisions of Section V.O. shall render a property ineligible for the filing of a TDR special permit application and TDR special permit.

**Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016**

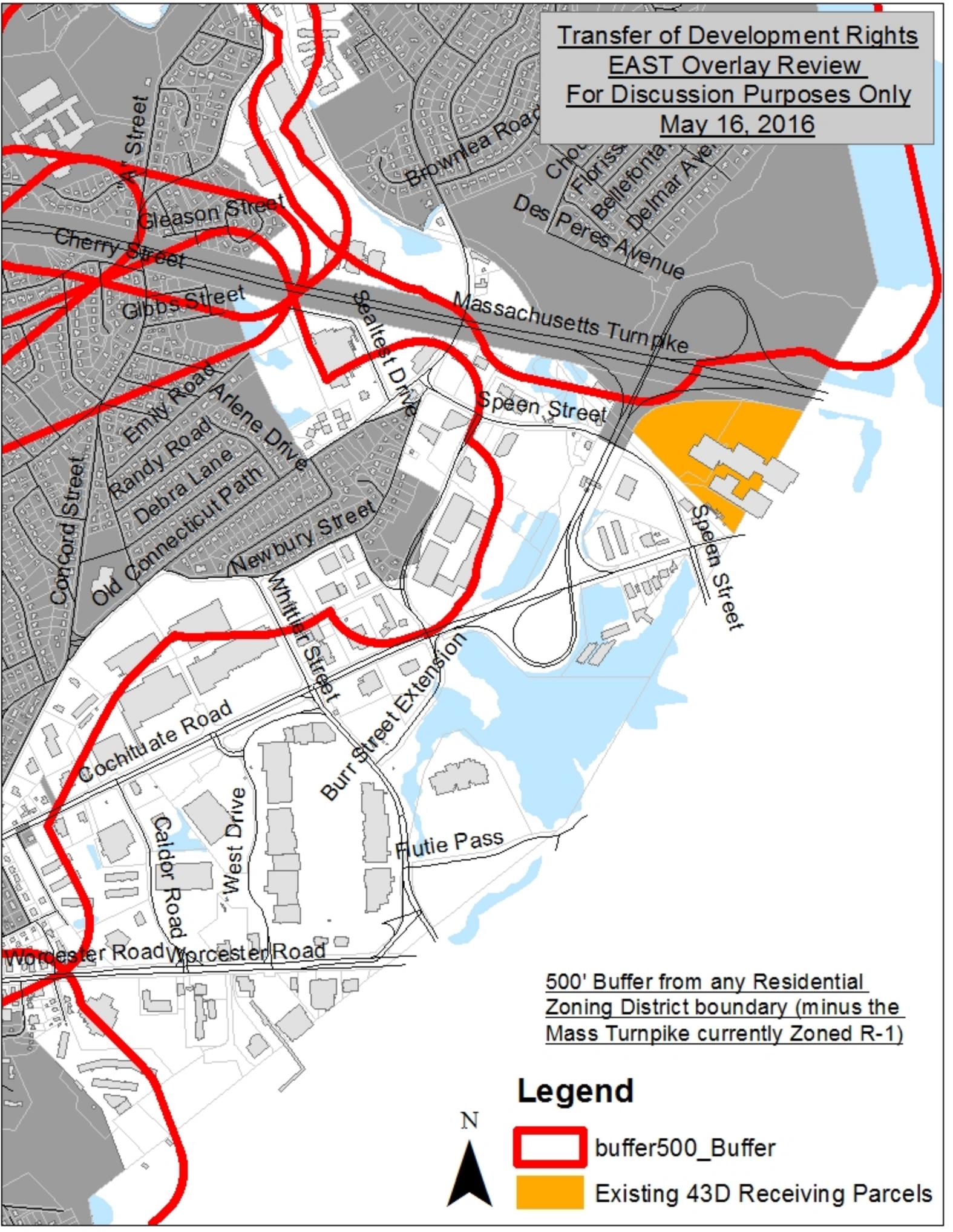


Legend

Zoning Districts

	B
	G
	M
	M-1
	P
	R-1
	R-2
	R-3
	R-4
	Existing 43D Receiving Parcels

Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016

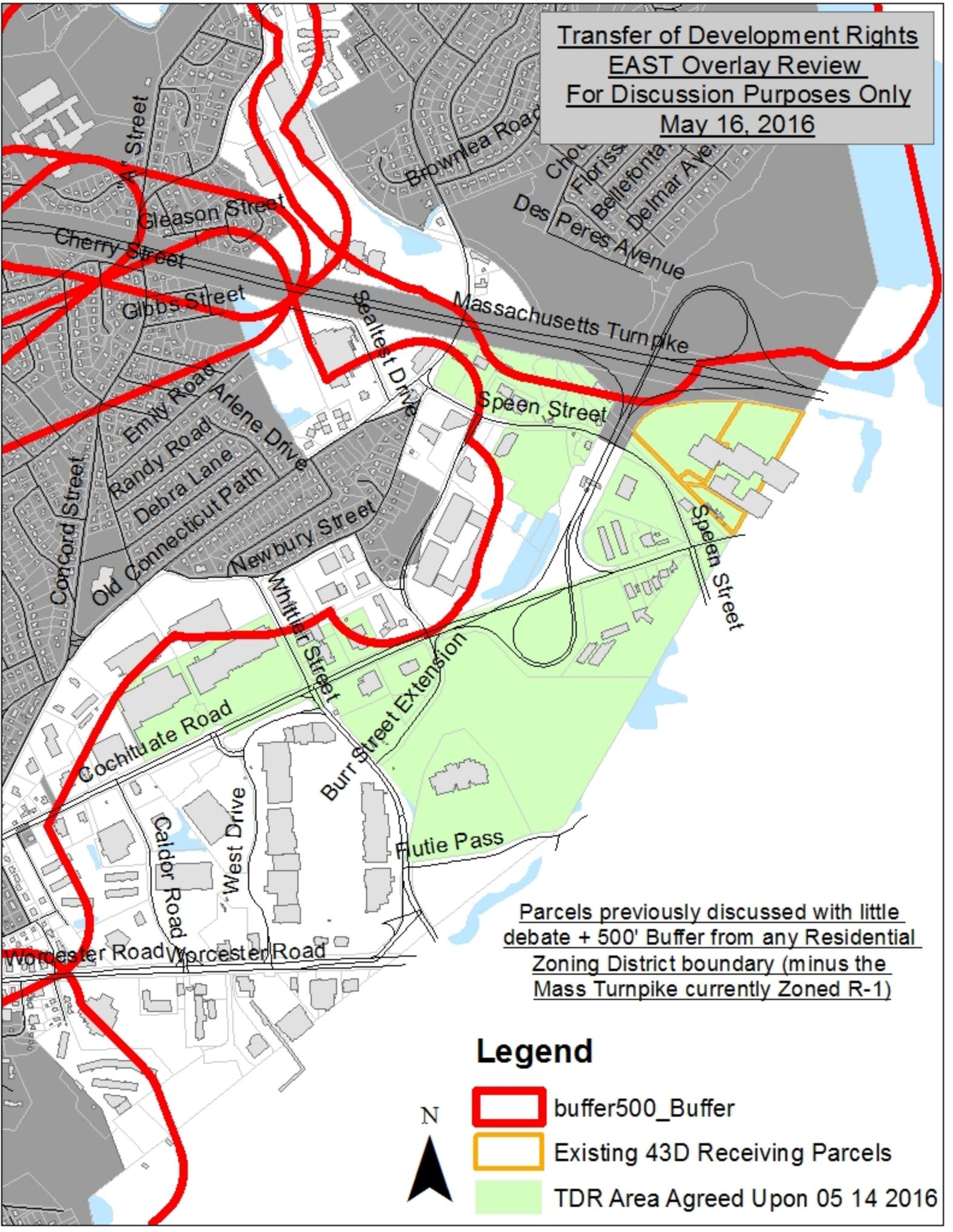


500' Buffer from any Residential Zoning District boundary (minus the Mass Turnpike currently Zoned R-1)

Legend

-  buffer500_Buffer
-  Existing 43D Receiving Parcels

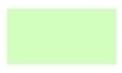
Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



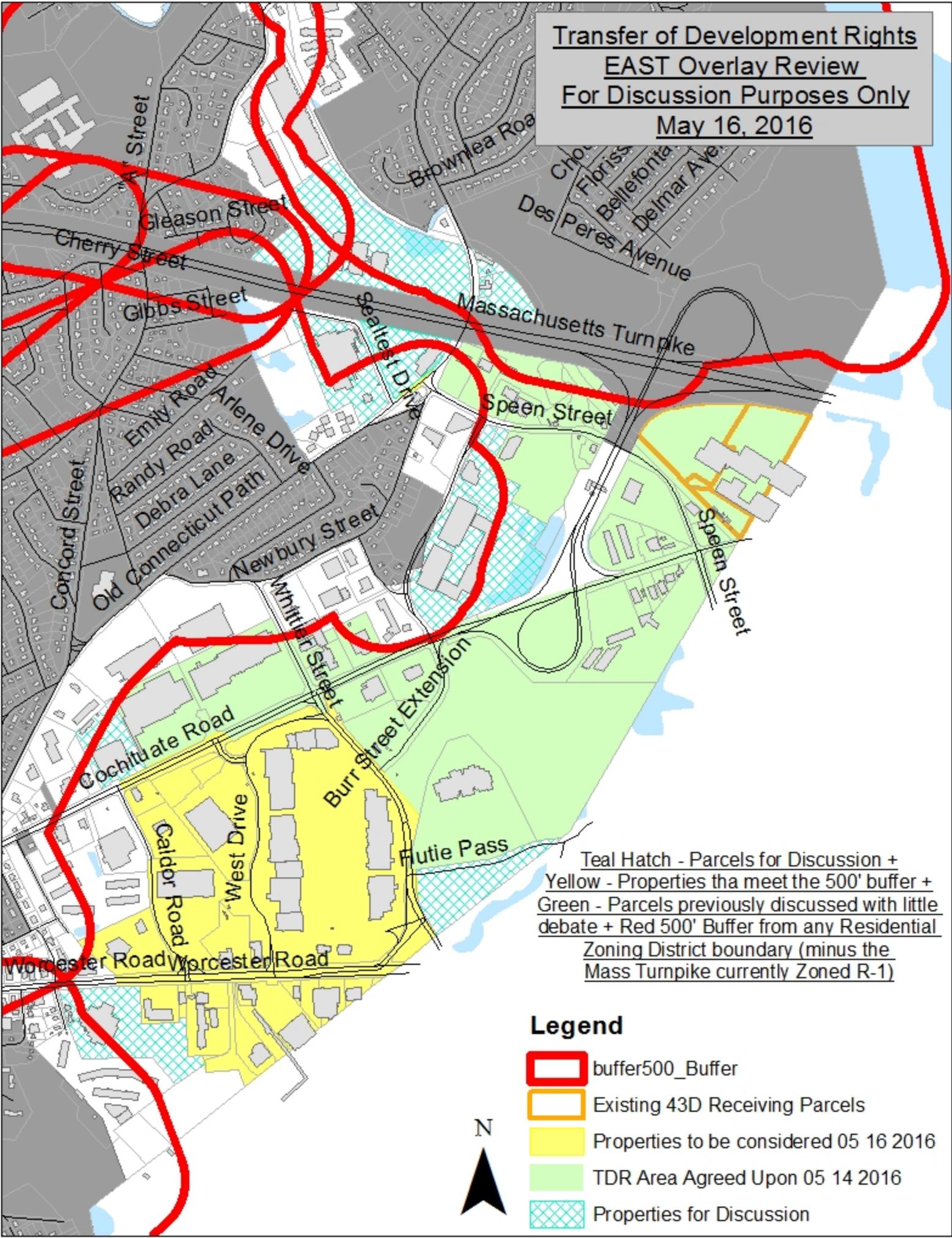
Parcels previously discussed with little debate + 500' Buffer from any Residential Zoning District boundary (minus the Mass Turnpike currently Zoned R-1)

Legend



-  buffer500_Buffer
-  Existing 43D Receiving Parcels
-  TDR Area Agreed Upon 05 14 2016

Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



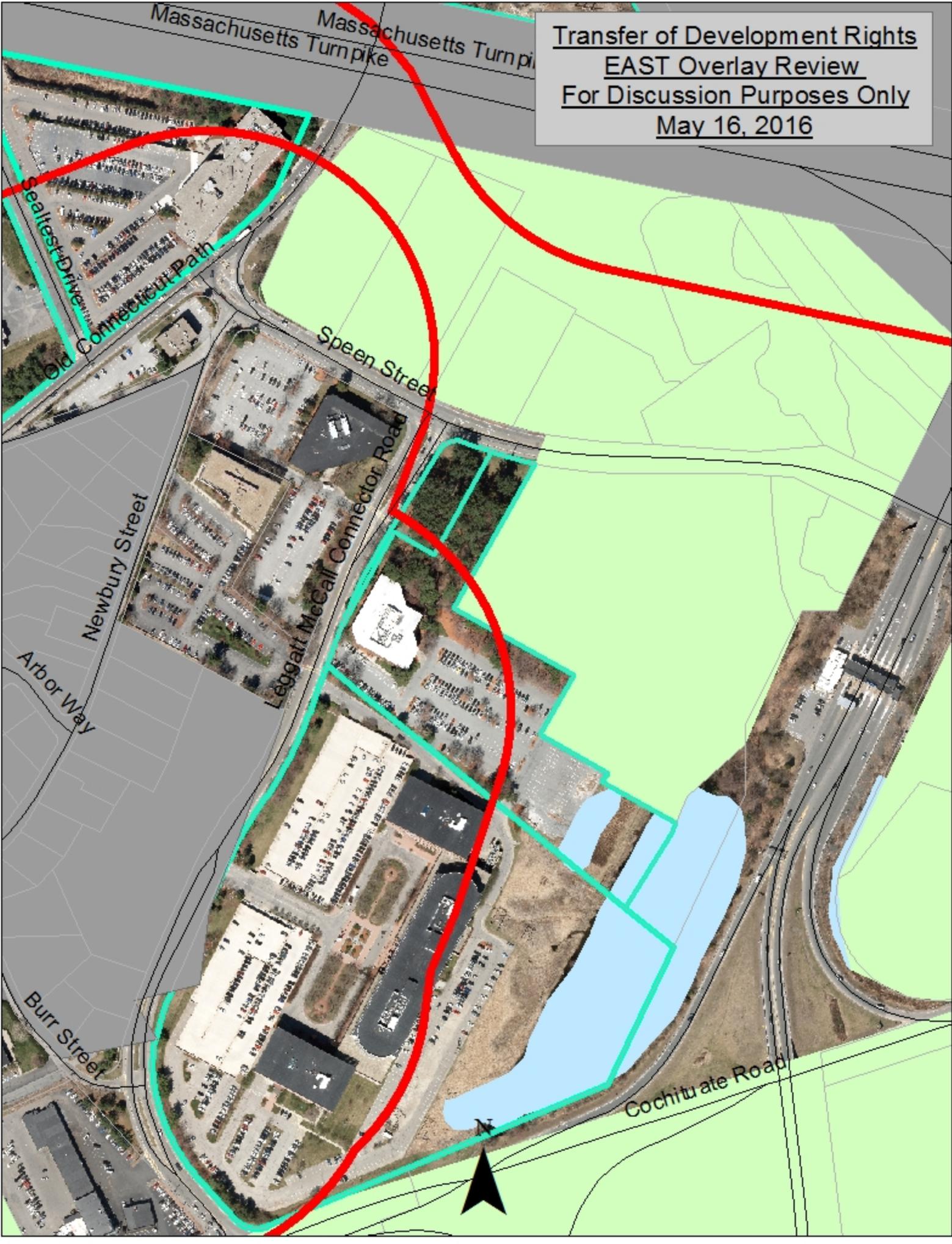
Teal Hatch - Parcels for Discussion +
Yellow - Properties that meet the 500' buffer +
Green - Parcels previously discussed with little
debate + Red 500' Buffer from any Residential
Zoning District boundary (minus the
Mass Turnpike currently Zoned R-1)

Legend

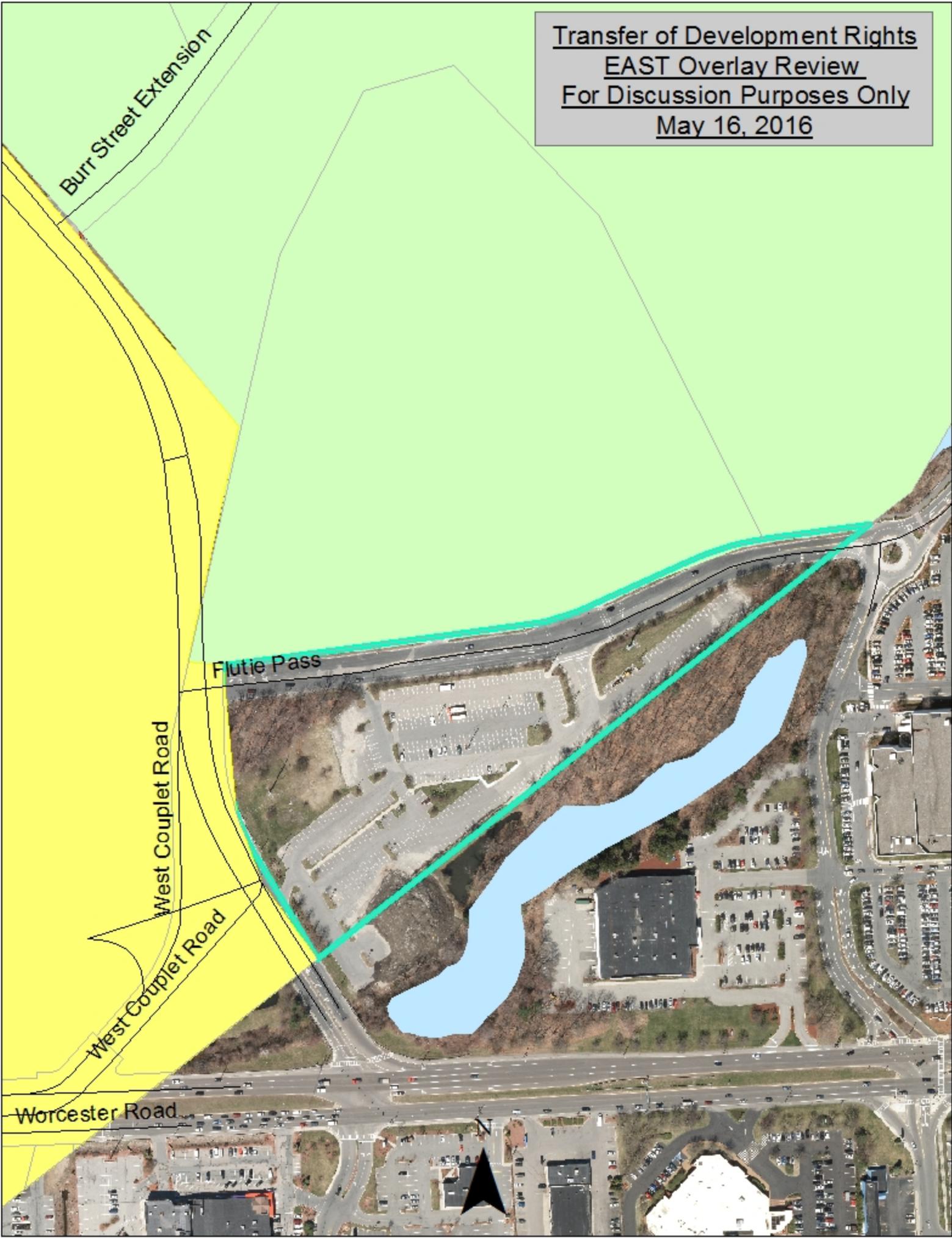
-  buffer500_Buffer
-  Existing 43D Receiving Parcels
-  Properties to be considered 05 16 2016
-  TDR Area Agreed Upon 05 14 2016
-  Properties for Discussion



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Greenview Street

Walsh Street

Richwood Street

Card

Worcester Road

Worcester Road

Pierce Street

Greenstone Avenue



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Foster Drive
Old Connecticut Path

Concord Street

Cochituate Road

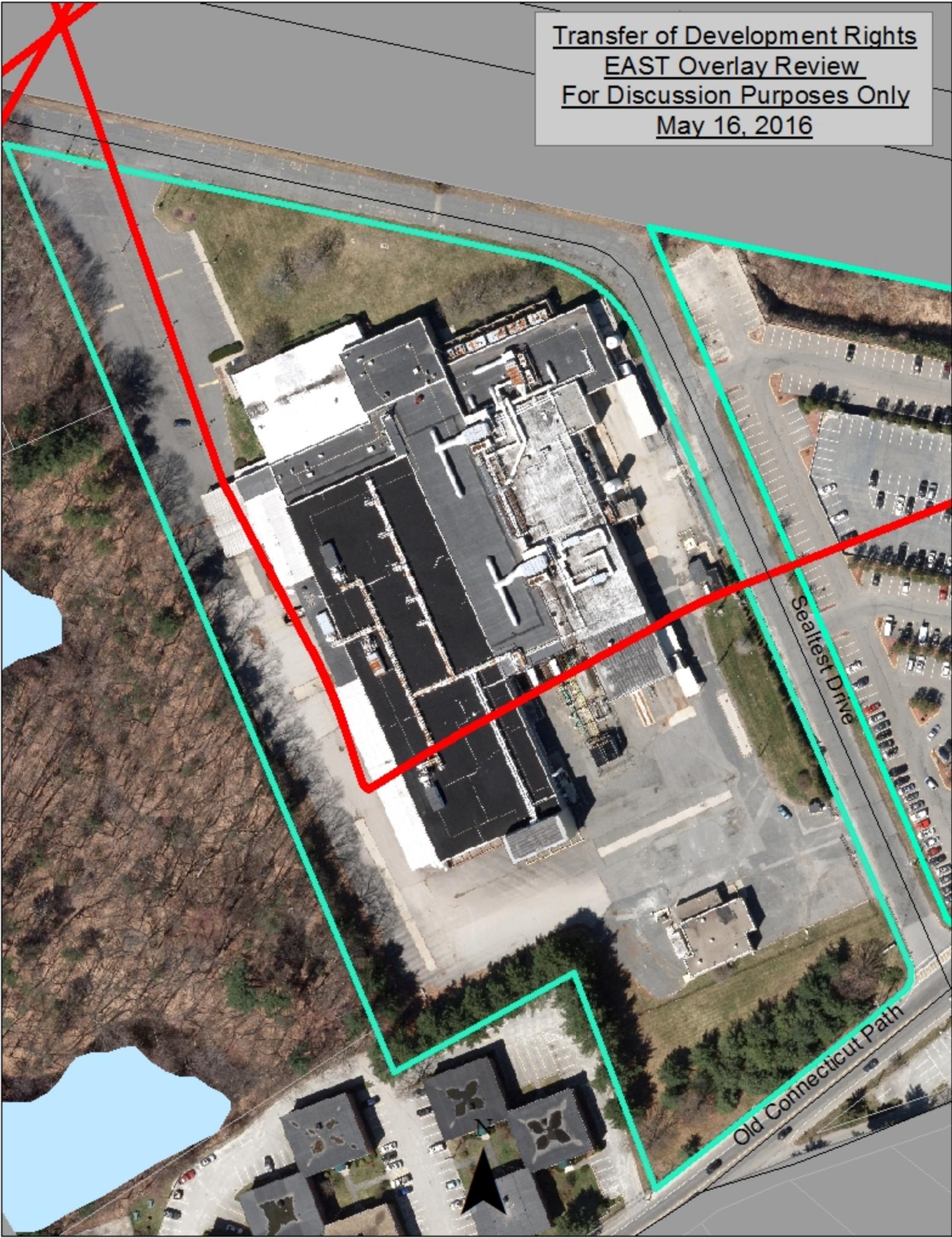
Caldor Road

Cochituate Road

Greenview Street



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016

Massachusetts Turnpike

Massachusetts Turnpike

Sealtest Drive

Old Connecticut Path

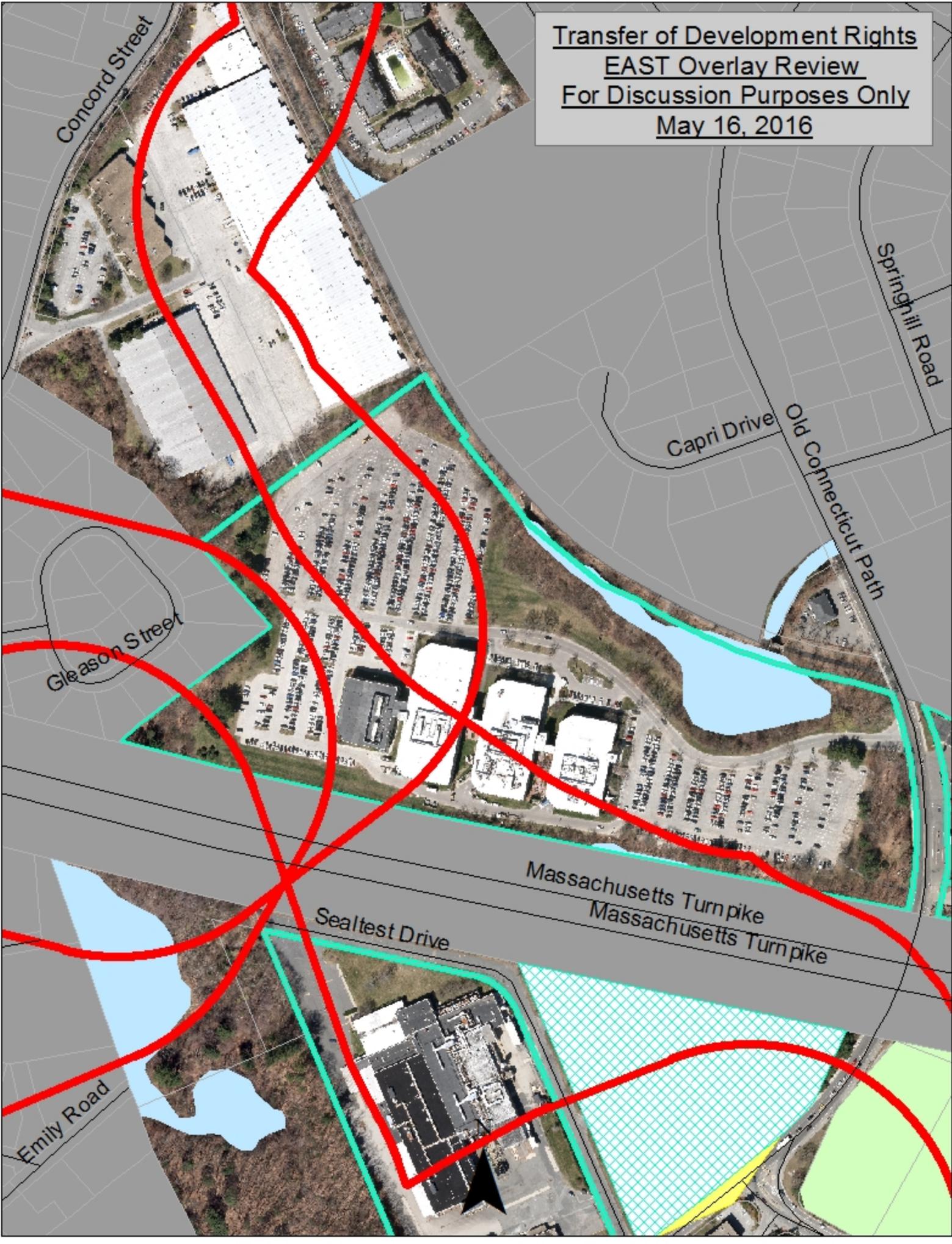
Speen Street

Old Connecticut Path

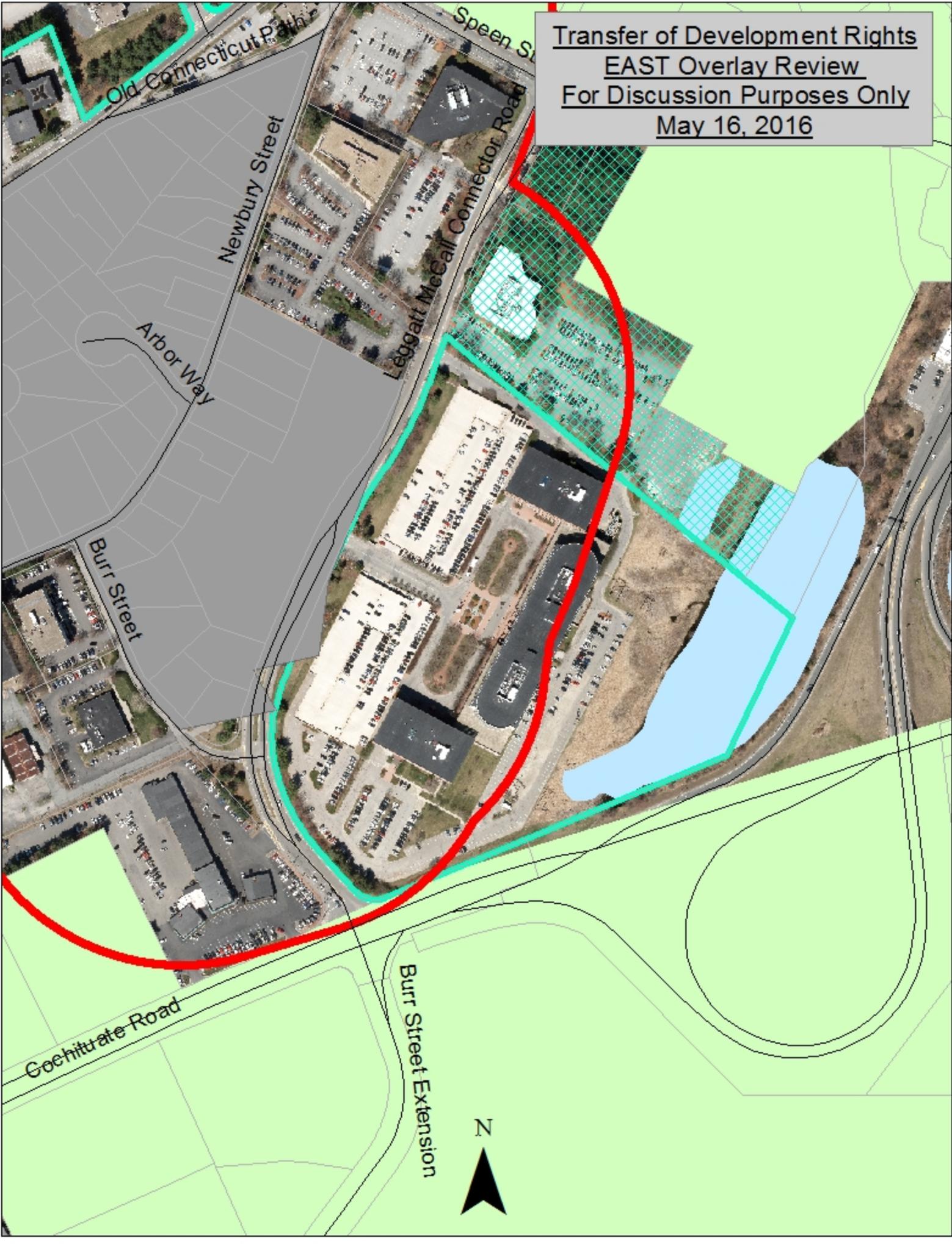
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Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Old Connecticut Path

Newbury Street

Arbor Way

Burr Street

Coehitrate Road

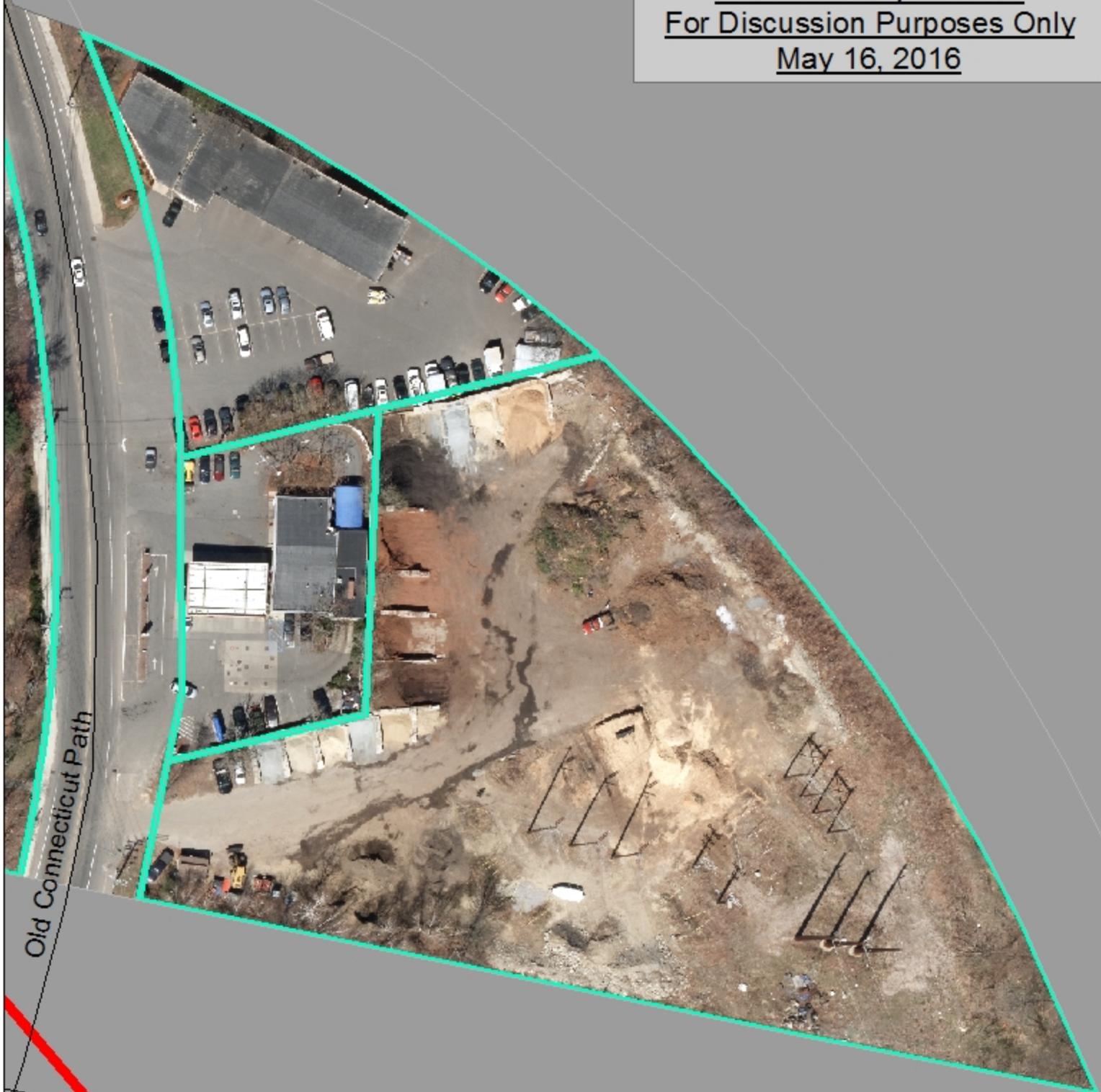
Burr Street Extension



Speen Street

Leggatt McCall Connector Road

Transfer of Development Rights
EAST Overlay Review
For Discussion Purposes Only
May 16, 2016



Old Connecticut Path

Massachusetts Turnpike

Massachusetts Turnpike

N



**Transfer of Development Rights By-Law
Parcels for Discussion**

Property Address	Notes	In or Out
500 Old Conn Path		OUT
597/601/615 Old Conn Path		OUT
490 Old Conn Path		IN
492 Old Conn Path		IN
550 Cochituate Road		IN
330 Cochituate Road		IN
3 and 3A Speen Street		IN
19 Flutie Pass		IN
220 Worcester Road	Request for additional information based on comments received at the May 16, 2016 Public Hearing	?
Green Parcels		IN
Yellow Parcels	Request for additional information based on comments received at the May 16, 2016 Public Hearing	?

Transfer of Development Rights (TDR)

Presented on
May 16, 2016



Three Questions to Address

1. Increase in height?
2. Increase in Floor Area Ratio (FAR)?
3. What Properties to include in the TDR Overlay District?



House Keeping By-Law Amendments

- **Amend Section V.O.2.c.4**
 - Purpose: Clarification
 - Trails systems for public access for passive recreational use may be developed within APR and/or CR-encumbered land of the Giving Parcel(s).~~The Giving Parcel may develop a trail system within the APR and/or CR lands, which may be accessible for public use;~~



Review of Section V.O.2.b.5

- Increase in height to allow for increase use of Development Rights
- Results in a review of the Floor Area Ratio (FAR) to allow for developers to utilize the height and lot

	Maximum Increase in Building Height/Additional Floors	Maximum Increase in Lot Coverage	Maximum Increase in FAR
Receiving Parcel Development Rights Chapter 43D Priority Development Sites	<u>4</u> 35%*	15%*	[50%*]



Question Number 1

Increase in height?



Increase in Number of Floors

Building area with a 0.32 FAR = 197,936.64	
Number of Floors	SF per floor
Floor 1	197,936
Floor 2	98,968
Floor 3	65,978
Floor 4	49,484
Floor 5	39,587
Floor 6	32,989

- Costly to construct above 70'
- Incentive for utilizing TDR and Development Rights
- Allows for economic development: potential increase in office, commercial, research & development, etc.

TDR FAR Increase $0.32+0.15=0.48$		
Number of Floors	SF Per Floor	Surface or Structured Parking Required (Non-office/R&D)
Floor 1	296,905	Structured/Structured
Floor 2	148,452	Surface/Surface
Floor 3	98,968	Surface/Surface
Floor 4	74,226	Surface/Surface
Floor 5	59,381	Surface/Surface
Floor 6	49,484	Surface/Surface
Floor 7	42,414	Surface/Surface
Floor 8	37,113	Surface/Surface
Floor 9	32,989	Surface/Surface
Floor 10	29,690	Surface/Surface

Question Number 2

Increase in Floor Area Ratio
(FAR)



Section V.O.2.b.5

Giving Parcels (located in R-1, R-2, R-3, R-4, and G)

- Roughly 57 Giving Parcels
- 15 Giving Parcels under Chapter 61/61A
- Estimated total Development Rights: 4,023,500sf

Estimated Giving Parcel Information

R-4 TDR Lots Aval.	393 Lots	2,554,500sf
R-3 TDR Lots Aval.	189 Lots	1,134,000sf
R-2 TDR Lots Aval.	0 Lots	0sf
R-1 TDR Lots Aval.	67 Lots	335,000sf
G TDR Lots Aval.	0 Lots	0sf

Estimated - based on wetlands and access - a land survey would need to be conducted to verify actual number of Giving Parcels



Projects under existing TDR Regulations

Existing Zoning – No TDR

- Based on FAR of 0.32
- Lot Area: 618,522sf
- Estimated FAR: 197,936sf

Existing Zoning - TDR of 50%

- Based on FAR of $0.32 + .15 = .48$
- Estimated FAR: 296,905sf

Existing TDR on Existing Construction

- Based on existing construction (FAR 0.28)
- Estimated FAR based on constructed building: 259,791sf

Required Number of Projects to Absorb the Estimated	
Constructed + Existing TDR	Existing TDR
R-4: 31 Projects	R-4: 25 Projects
R-3: 14 Projects	R-3: 12 Projects
R-2: NA	R-2: NA
R-1: 4 Projects	R-1: 4 Projects
G: NA	G: NA
Total of 49 Projects*	Total of 41 Projects*



Photo Source:

http://www.google.com/url?sa=i&rct=j&q=&esrc=s&source=images&cd=&ved=0ahUKEwjdx9nsh7_MAhXH7R4KHMYbCSgQjhwIBQ&url=http%3A%2F%2Fwww.framinghamnatickretail.com%2Fframingham%2F&sig=AFQjCNFVZiwG9kiOrlQV59sbsACGqLEXKw&ust=1462404604266759&cad=rjt

Estimated Giving Parcel to Achieve Previous Project

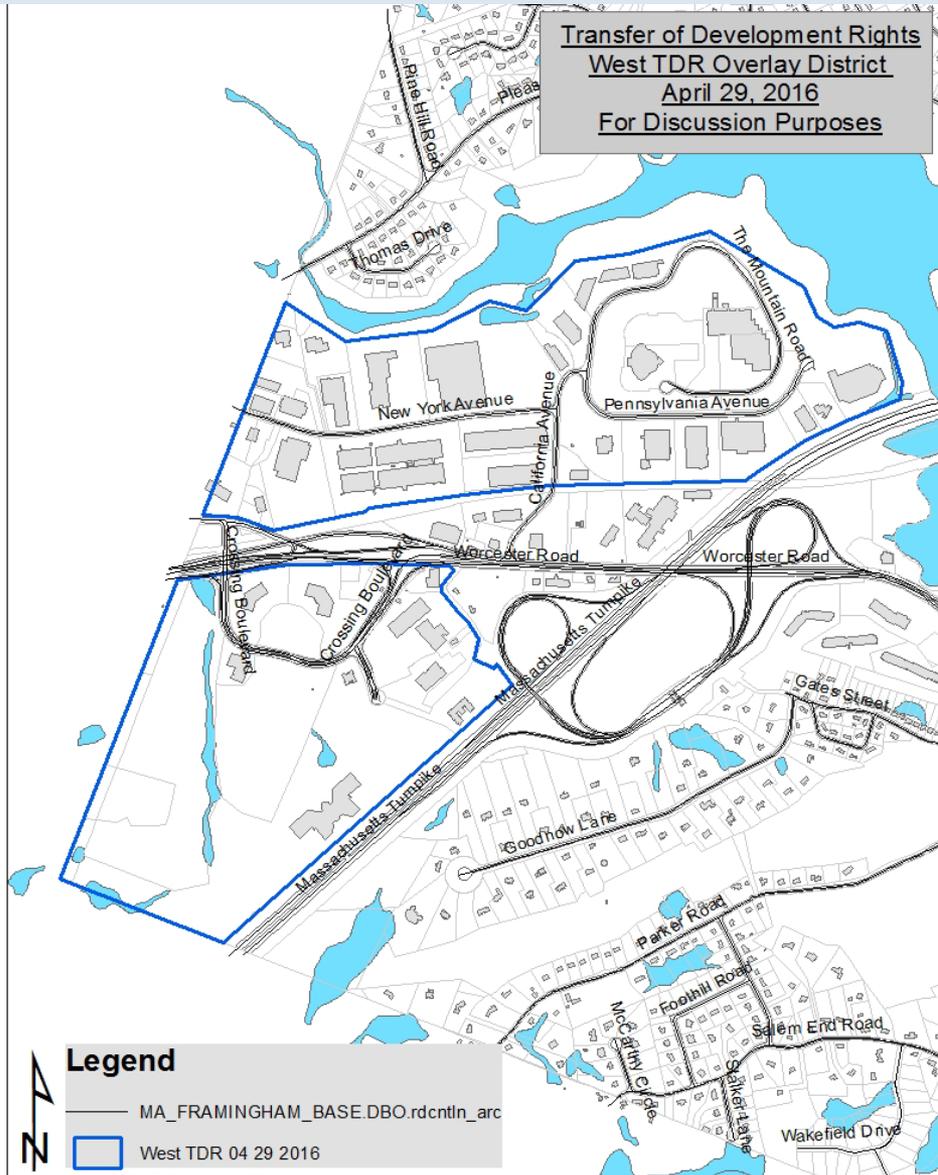
Required Number of Projects to Absorb the Estimated			
Constructed + Existing TDR	Existing TDR	.75 FAR	1.0 FAR
R-4: 31 Projects	R-4: 25 Projects	R-4: 10 Projects	R-4: 6 Projects
R-3: 14 Projects	R-3: 12 Projects	R-3: 5 Projects	R-3: 3 Projects
R-2: NA	R-2: NA	R-2: NA	R-2: NA
R-1: 4 Projects	R-1: 4 Projects	R-1: 2 Projects	R-1: 1 Projects
G: NA	G: NA	G: NA	G: NA
Total of 49 Projects*	Total of 41 Projects*	Total of 17 Projects*	Total of 10 Projects*
*to absorb estimated TDRs based on wetlands and access			

Question Number Three

Properties to include in the
TDR Overlay District



TDR West Overlay District/ Amend Section I.E



Amend Section I.E. Definitions

1. Terms Defined

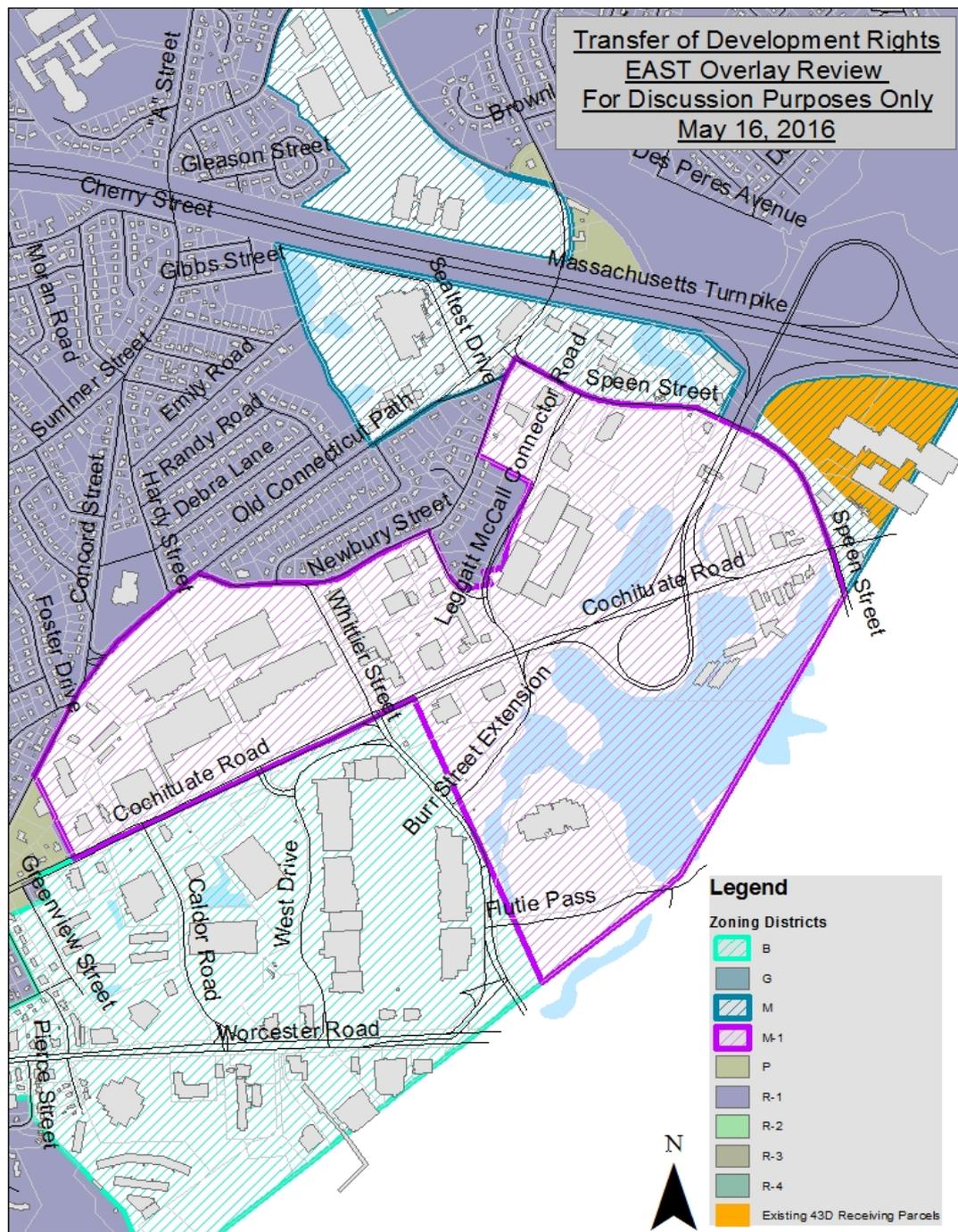
Receiving Parcel: A Receiving Parcel consisting of one or more contiguous parcels in one ownership throughout, or any combination of parcels of land consolidated under a joint development agreement where all such owners jointly apply for a TDR special permit, which has been designated within the Transfer of Development Rights (TDR) Overlay District, which is shown on the Zoning Map, as a Chapter 43D: Priority Development site: 1672 Worcester Road, 1800 Worcester Road, 1898RR Worcester Road, 1900R Worcester Road, 1900RR Worcester Road, 100 Crossing Blvd, 149 Crossing Blvd, 150 Crossing Blvd, 175 Crossing Blvd, 200 Crossing Blvd, 225 Crossing Blvd, 150 Gates Street, 100 Staples Drive, 200 Staples Drive, 400 Staples Drive, 500 Staples Drive, 740 Cochituate Road, 750 Cochituate Road, and 156 Speen Street, 0 Pleasant Street Connector, 9 Pleasant Street Connector, 15 Pleasant Street Connector, 10 California Ave, 11 California Ave, 40 California Ave, 1 The Mountain Road, 5 The Mountain Road, 100 The Mountain Road, 0 Pennsylvania Ave, 100 Pennsylvania Ave, 105 Pennsylvania Ave, 115 Pennsylvania Ave, 125 Pennsylvania Ave, 135 Pennsylvania Ave, 137 Pennsylvania Ave, 145 Pennsylvania Ave, 0 New York Ave RR, 1 New York Ave, 2 New York Ave, 31 New York Ave, 33 New York Ave, 45 New York Ave, 47 New York Ave, 49 New York Ave, 51 New York Ave, 55 New York Ave, 74 New York Ave, 84 New York Ave, 86 New York Ave, 86R New York Ave, 88 New York Ave, and 92 New York Ave.

TDR West Overlay



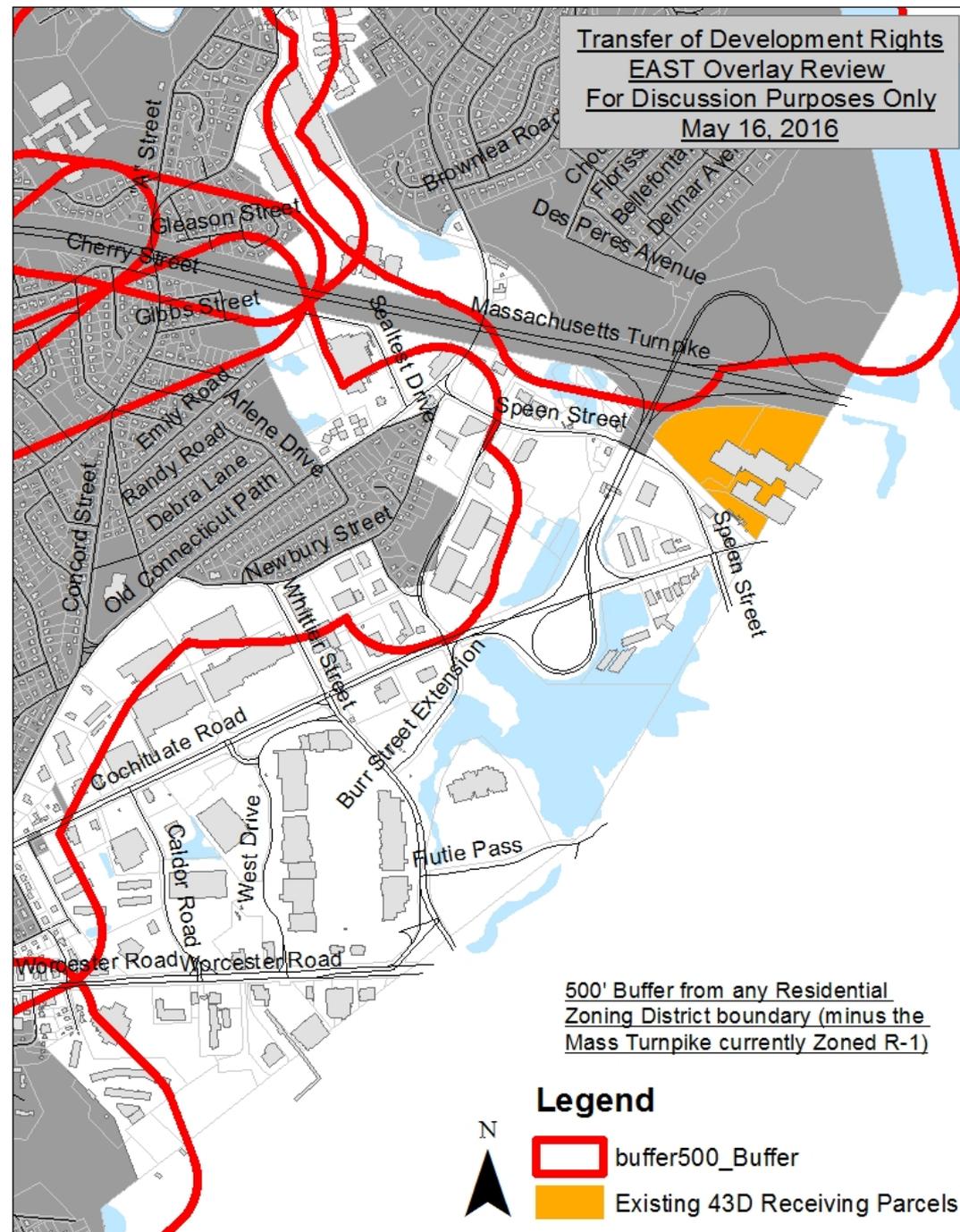
Review of Zoning

- Review of Zoning
 - Residential
 - Manufacturing
 - Light Manufacturing
 - Business
- Review of Existing TDR Receiving Parcels



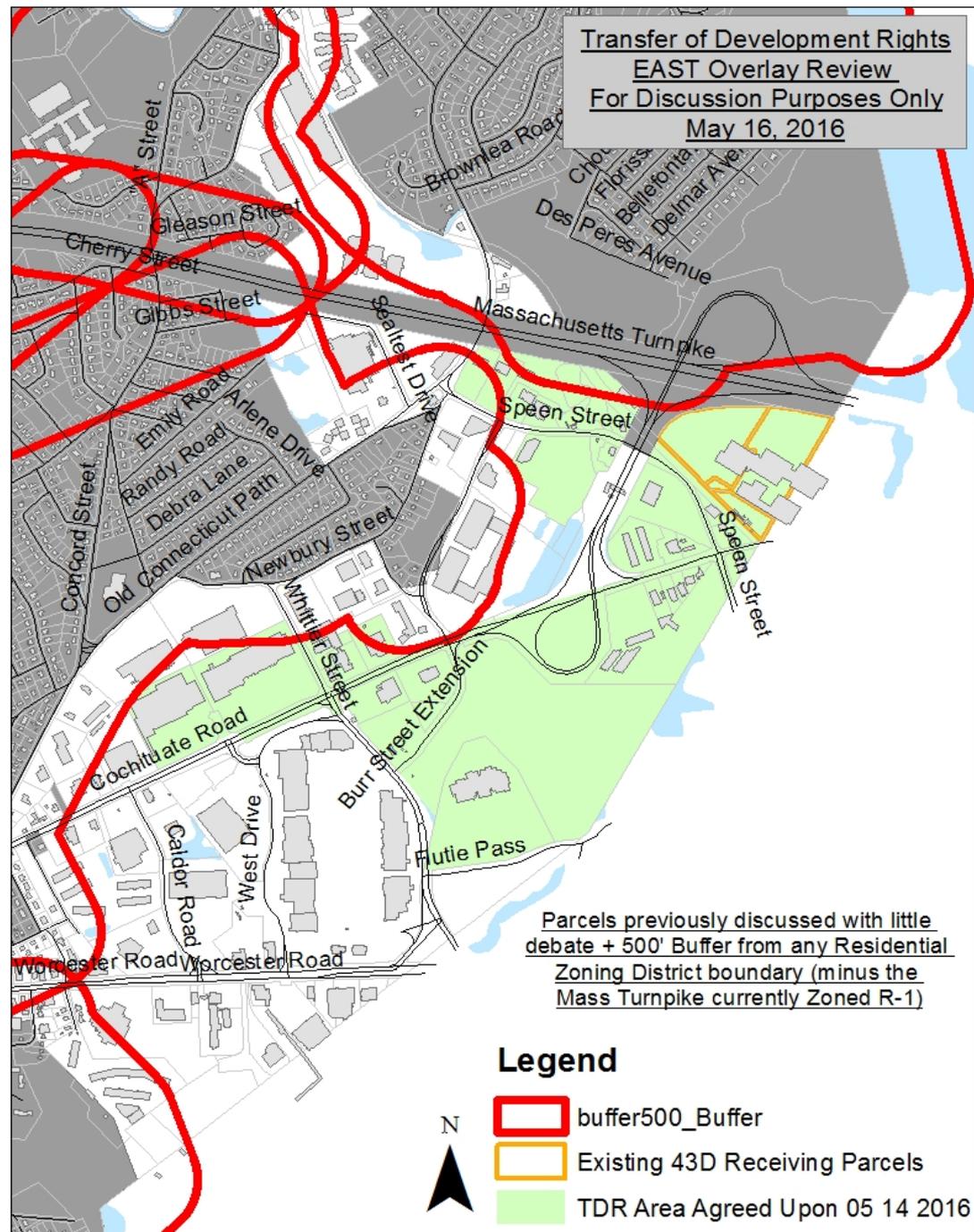
500' Buffer

- Review of Residential Zoning Districts (minus the Mass Turnpike)
 - Red Line = 500' buffer from a residential zoning district
 - Marigold Parcels are existing TDR Receiving Parcels



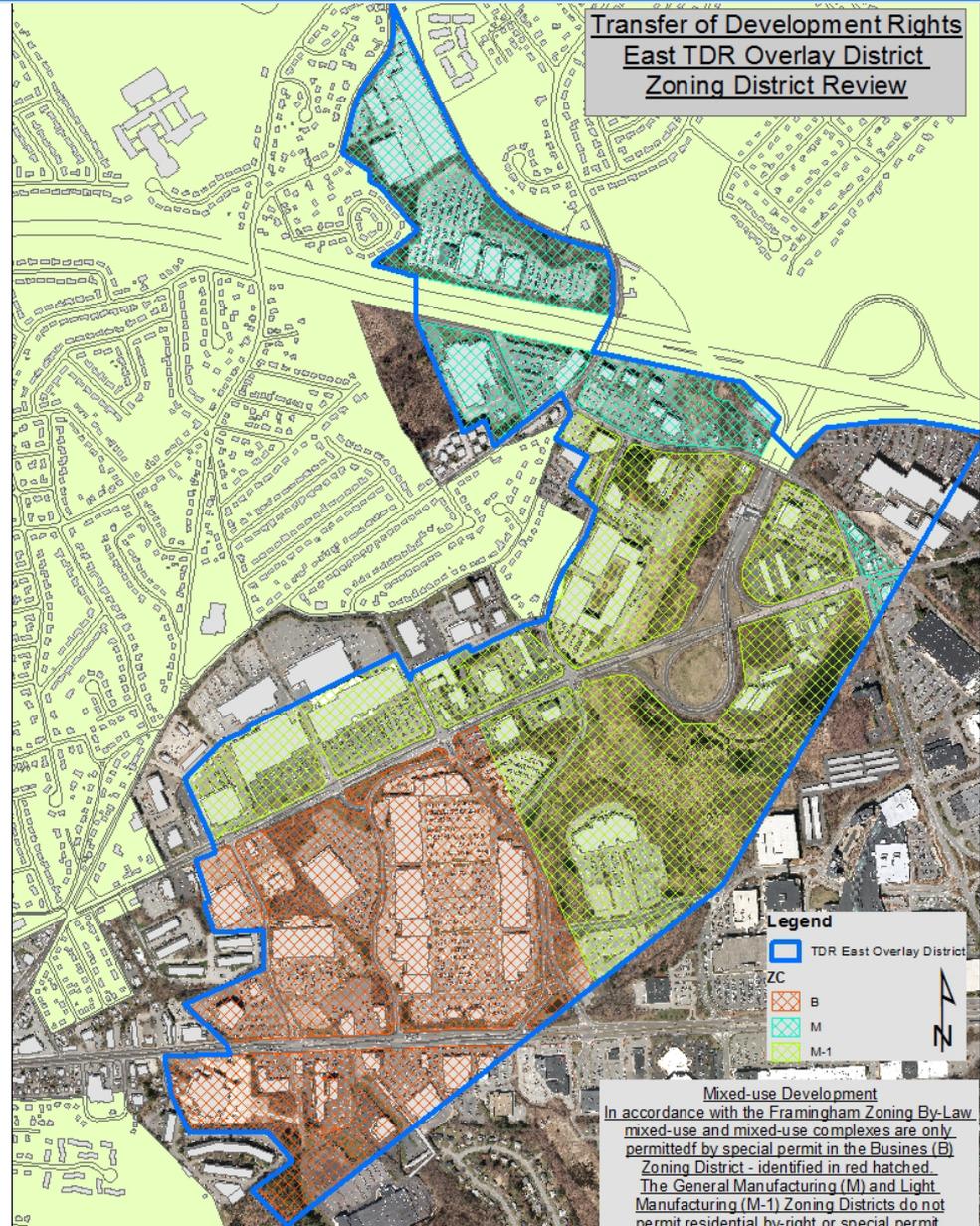
Agreed upon Parcels for Overlay District

- Parcels identified in Green are parcels located outside of the 500' buffer or separated from residential by a strong buffer



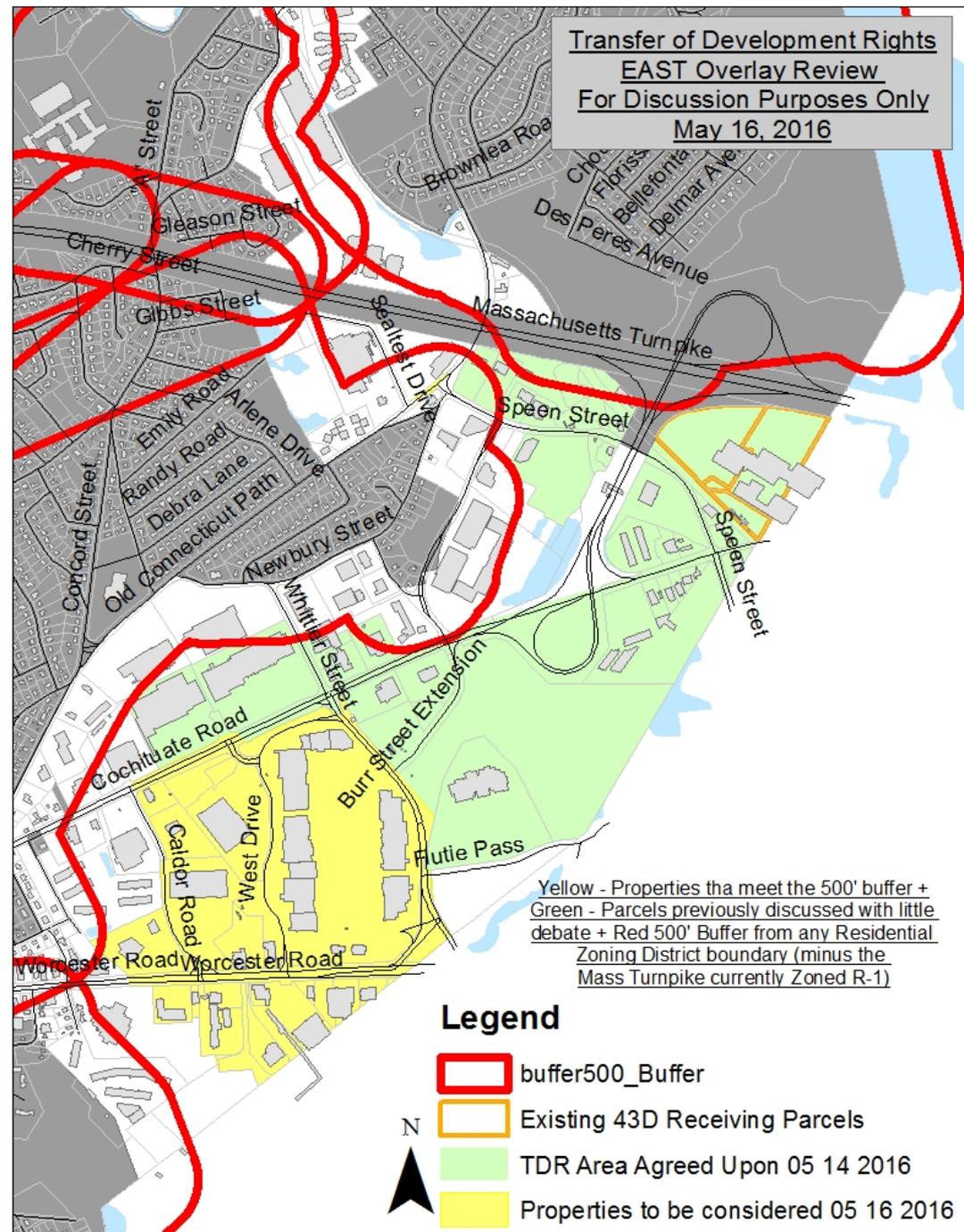
Mixed-use/Apartments – Special Permits

- Multi-family – only allowed in Central Business (CB) Zoning District
- Mixed-Use & Mixed-use Complex is allowed in:
 - Neighborhood Business (B-1)
 - Community Business(B-2)
 - General Business (B-3 & B-4)
 - Business (B)
 - Central Business (CB)



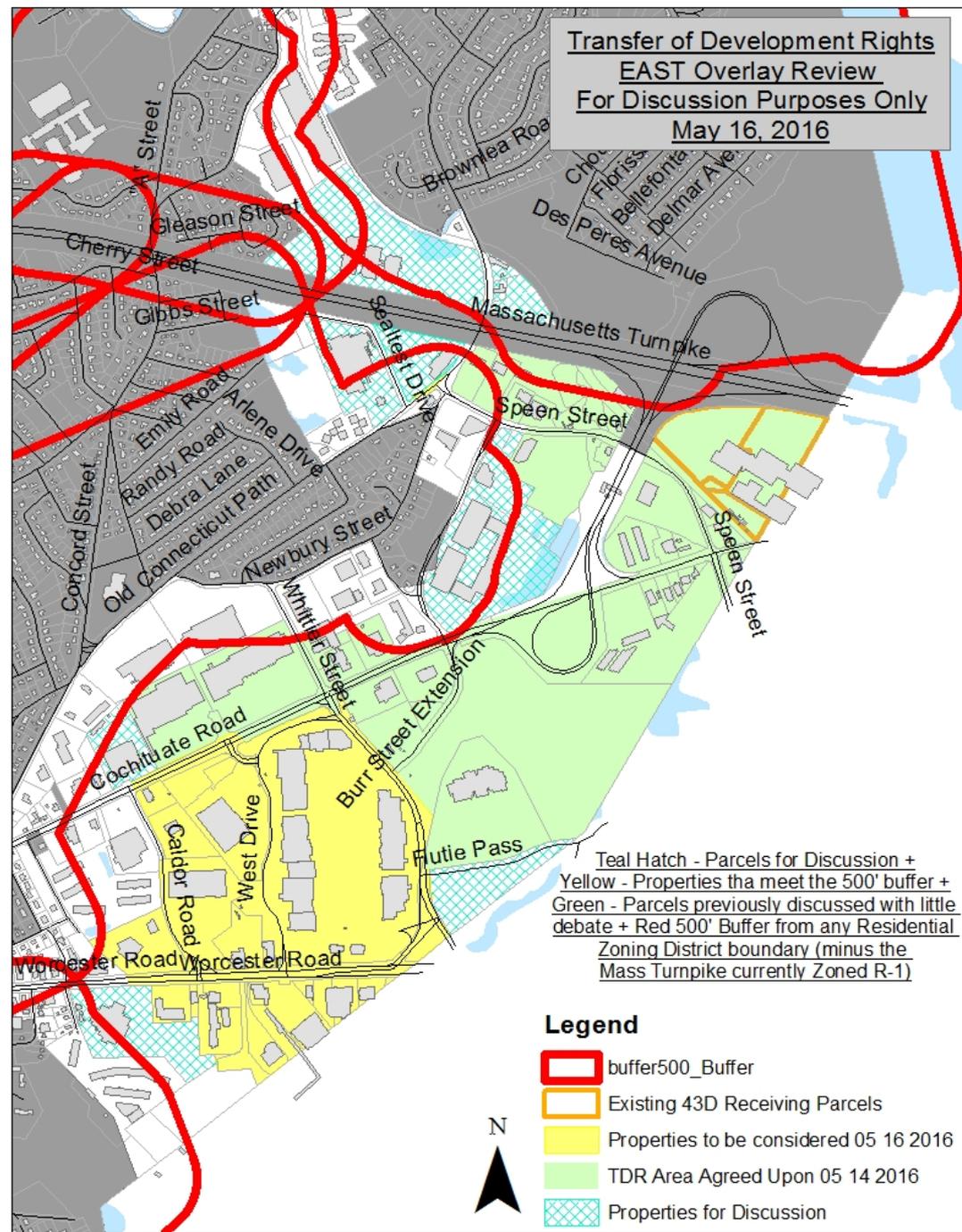
Parcels outside

- Parcels in Yellow are outside the 500' residential buffer but allow for mixed-use development



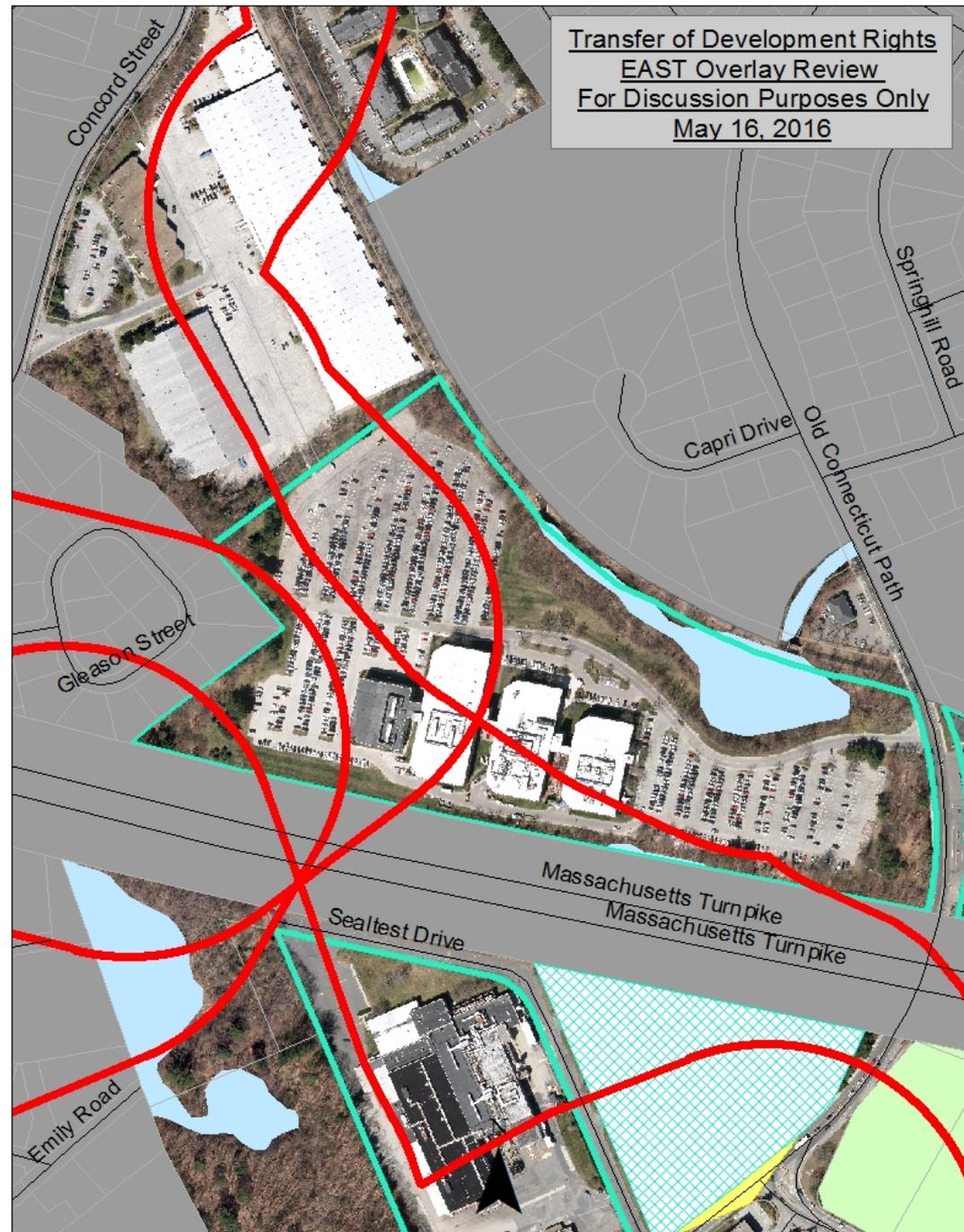
Need for Discussion

- Teal hatched areas need further discussion
- Meet the zoning criteria, but
 - Within the 500' residential buffer
 - Split zoned



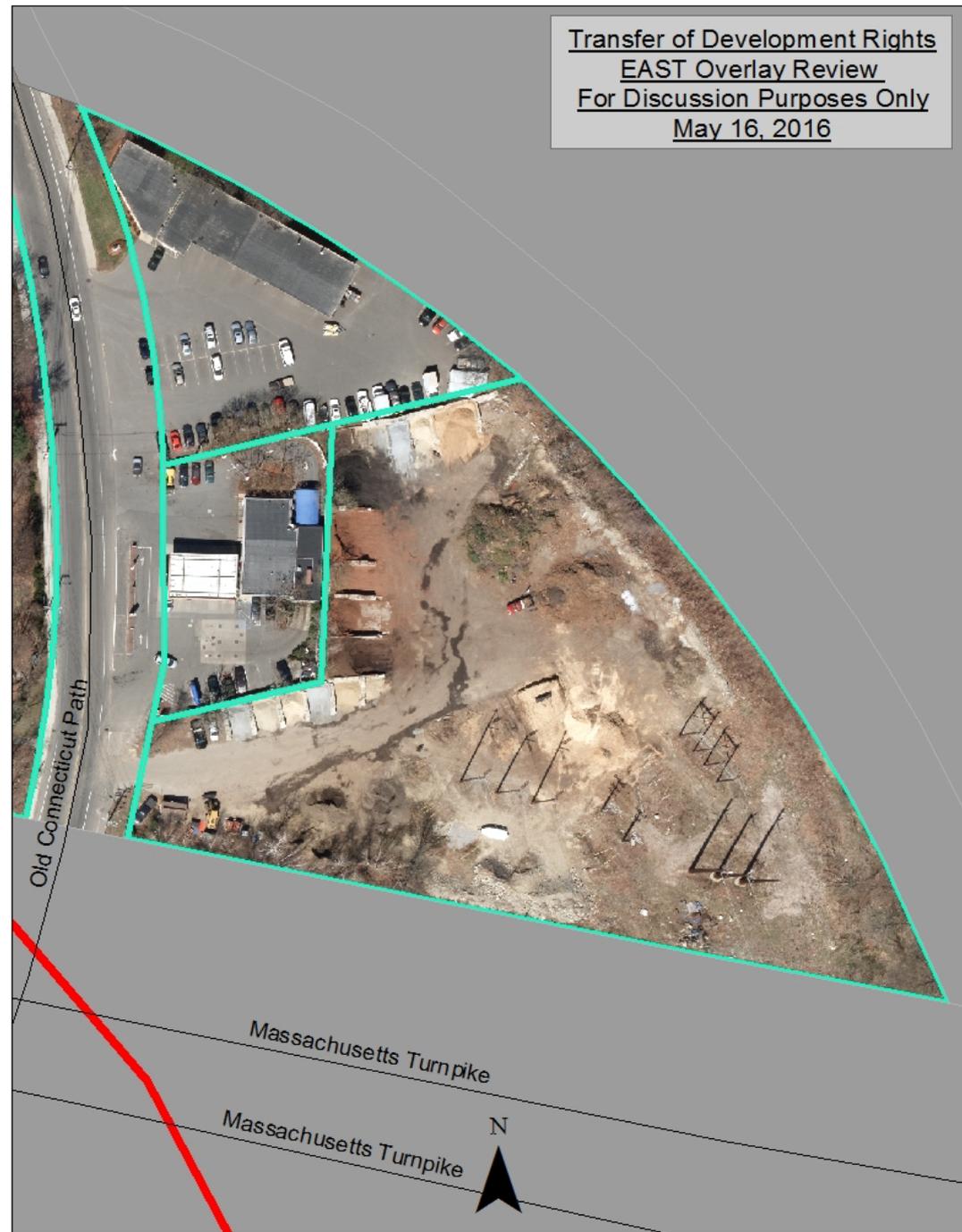
500 Old Conn Path

- Zoned: General Manufacturing (M)
- Can absorb large amounts of Development Rights
- Located within the 500' residential buffer
- No buffer between parcel and residential development



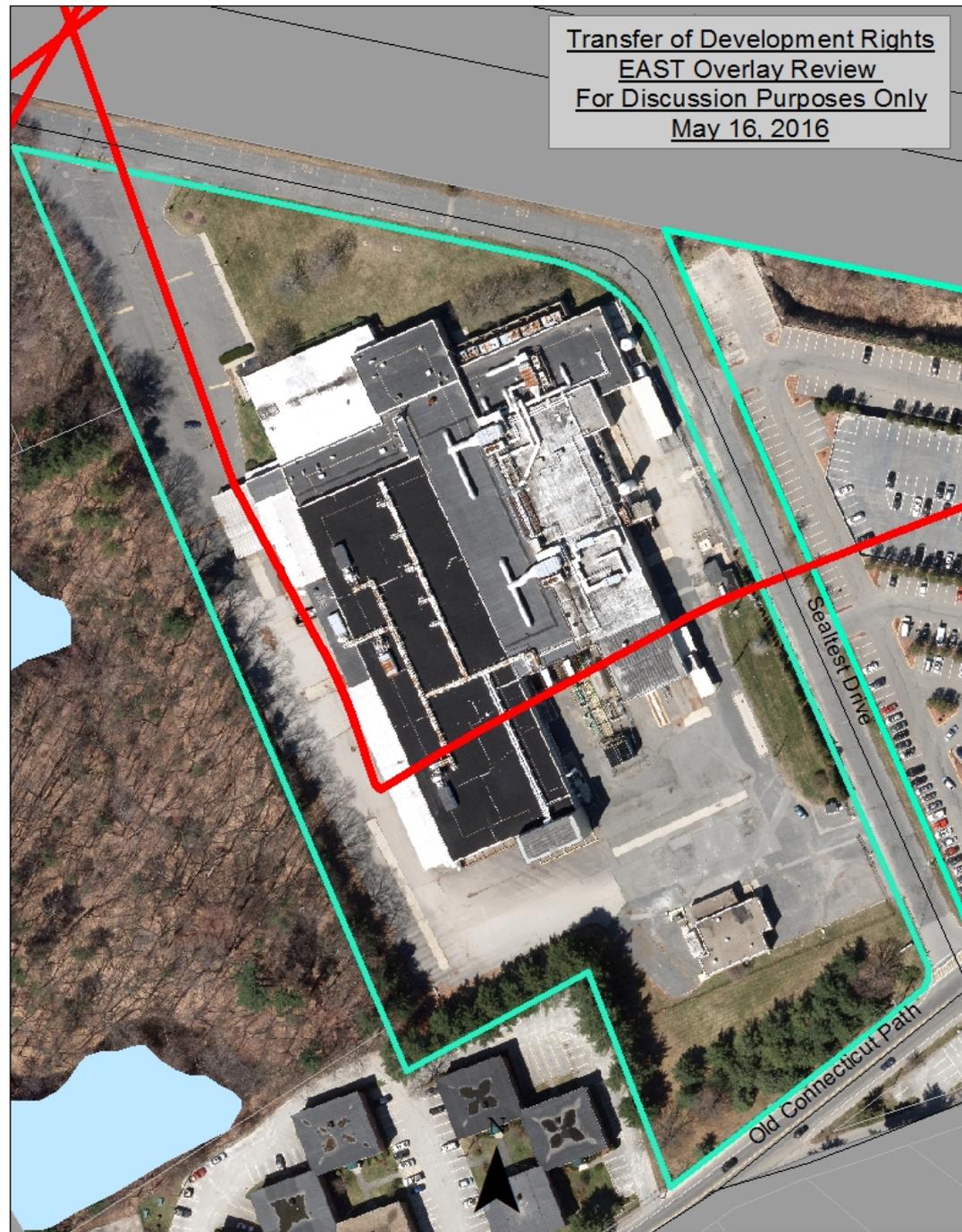
597, 601, 615 Old Conn Path

- Zoned: General Manufacturing (M)
- Outside of the 500' buffer
- Separated from other Receiving Parcels
 - On the north side of the Mass TurnPike



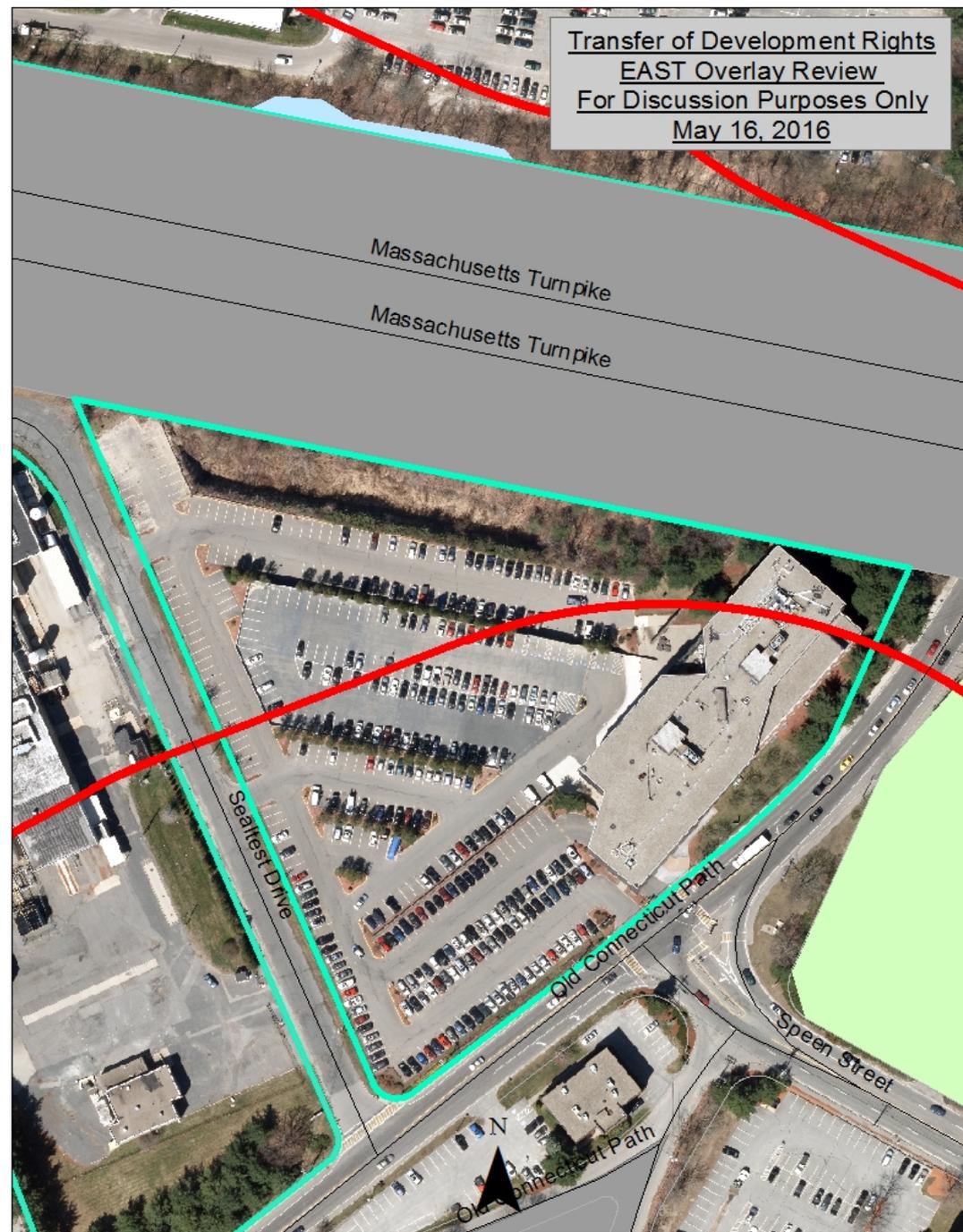
490 Old Conn Path

- Zoned: General Manufacturing (M)
- Located within the 500' residential buffer
- No buffer between parcel and residential development



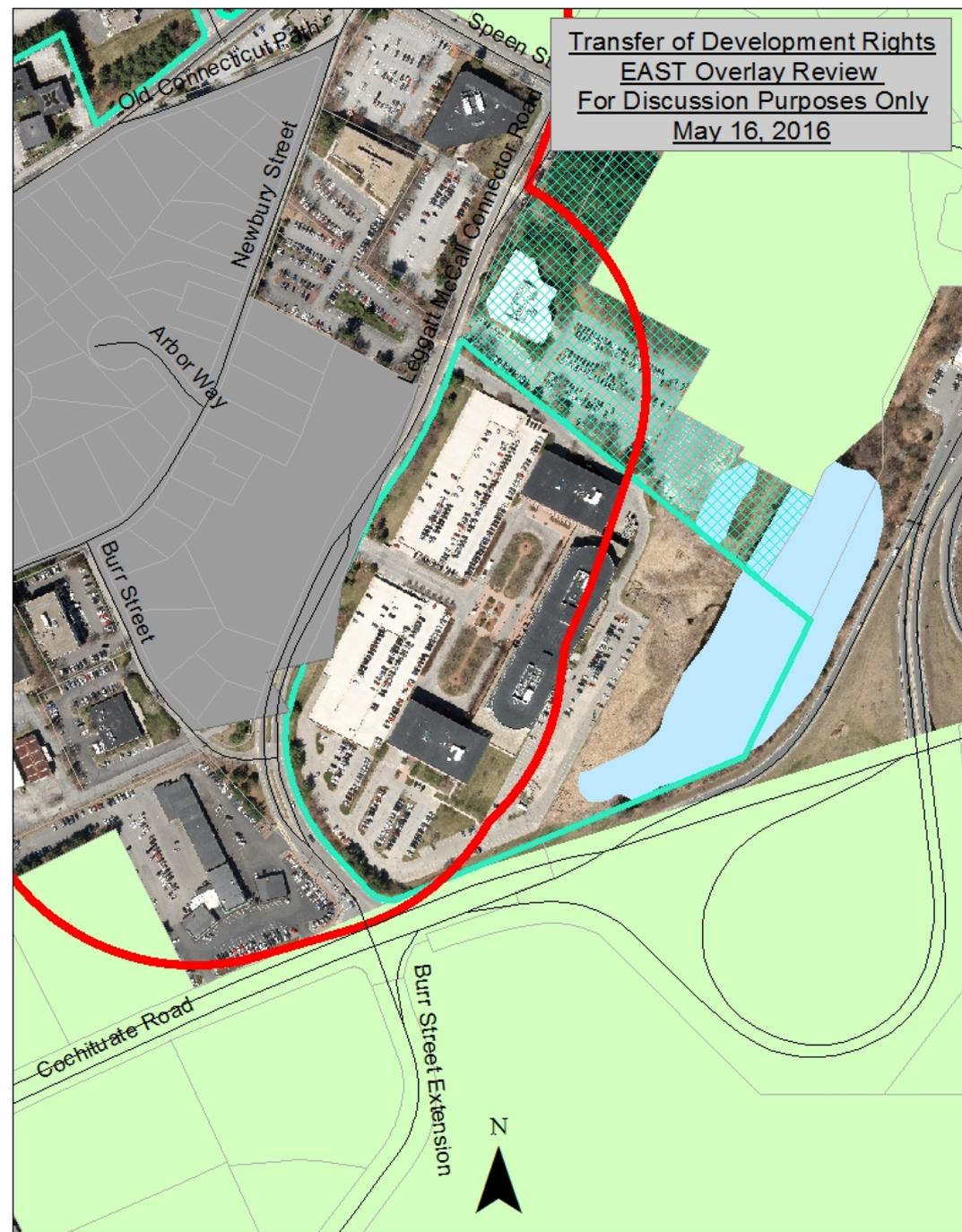
492 Old Conn Path

- Zoned: General Manufacturing (M)
- Located within the 500' residential buffer
- Does not abut residential



550 Cochituate Road

- Zoned: Light Manufacturing
- Located within the 500' residential buffer
- Development expected on the Mass Turnpike side of the property



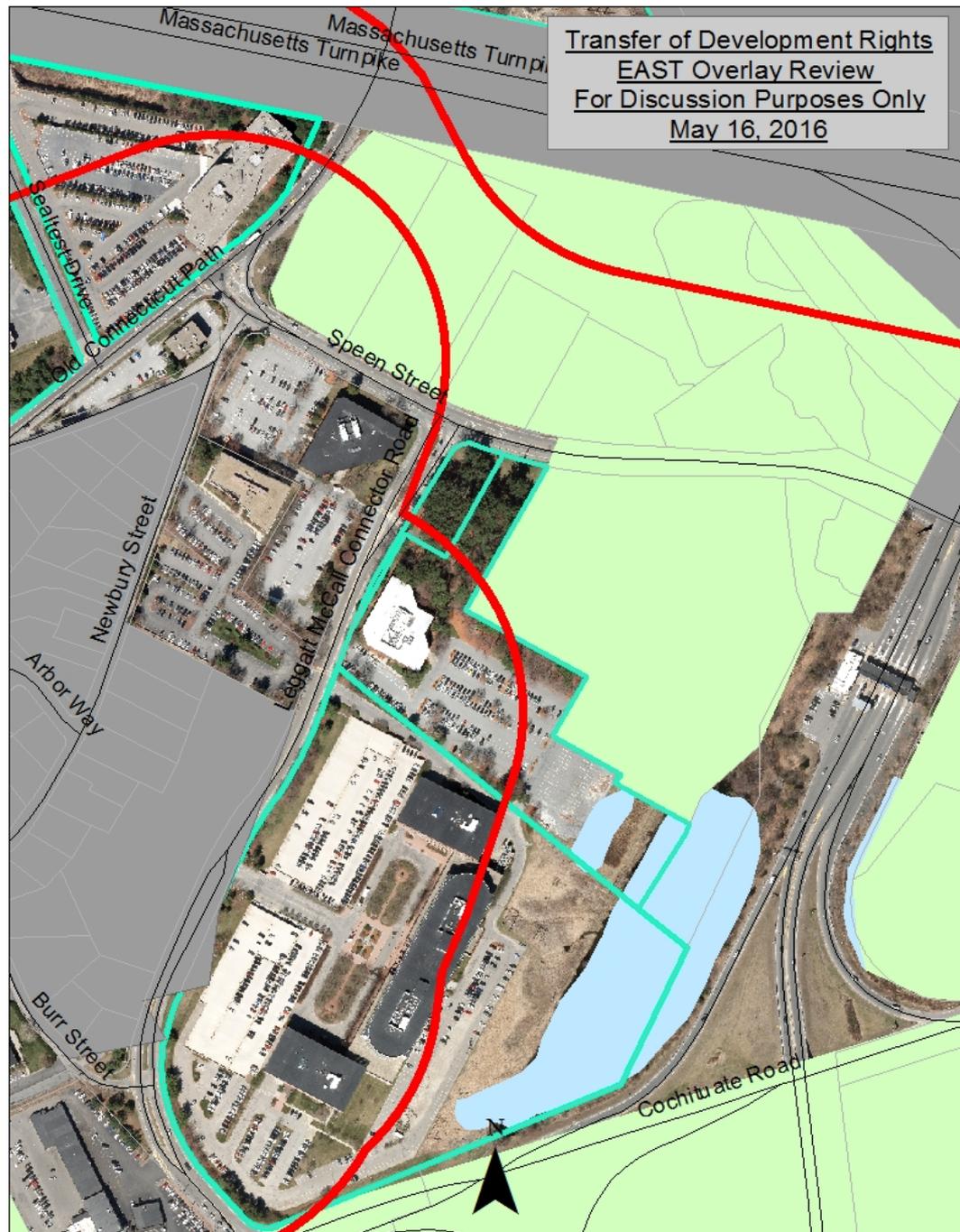
330 Cochituate Road

- Zoned: Light Manufacturing (M-1)
- Located within the 500' residential buffer
- Strong buffer between parcel and residential



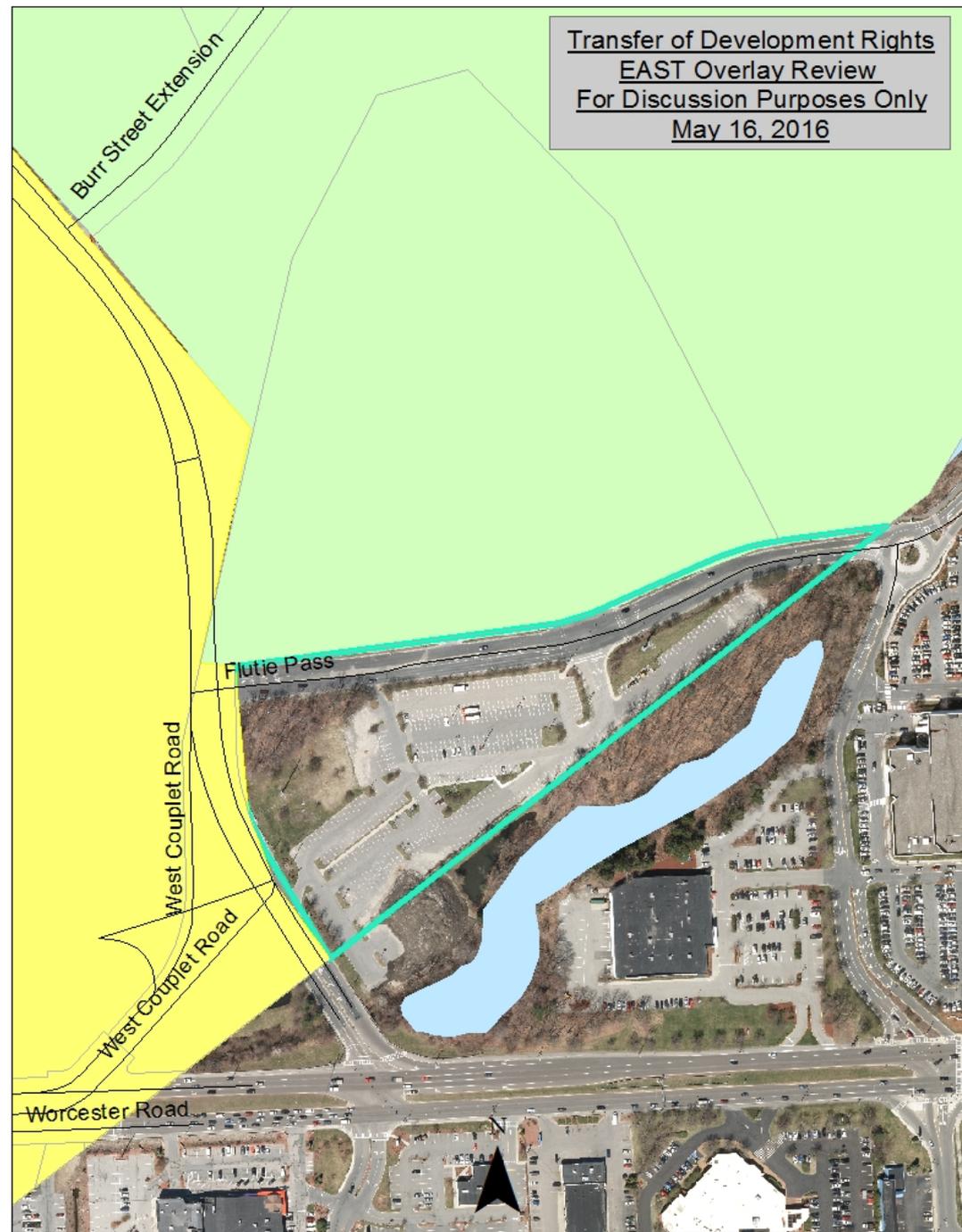
3 and 3A Speen Street

- Zoned: Light Manufacturing (M-1)
- Located within the 500' residential buffer
- Strong buffer between parcel and residential



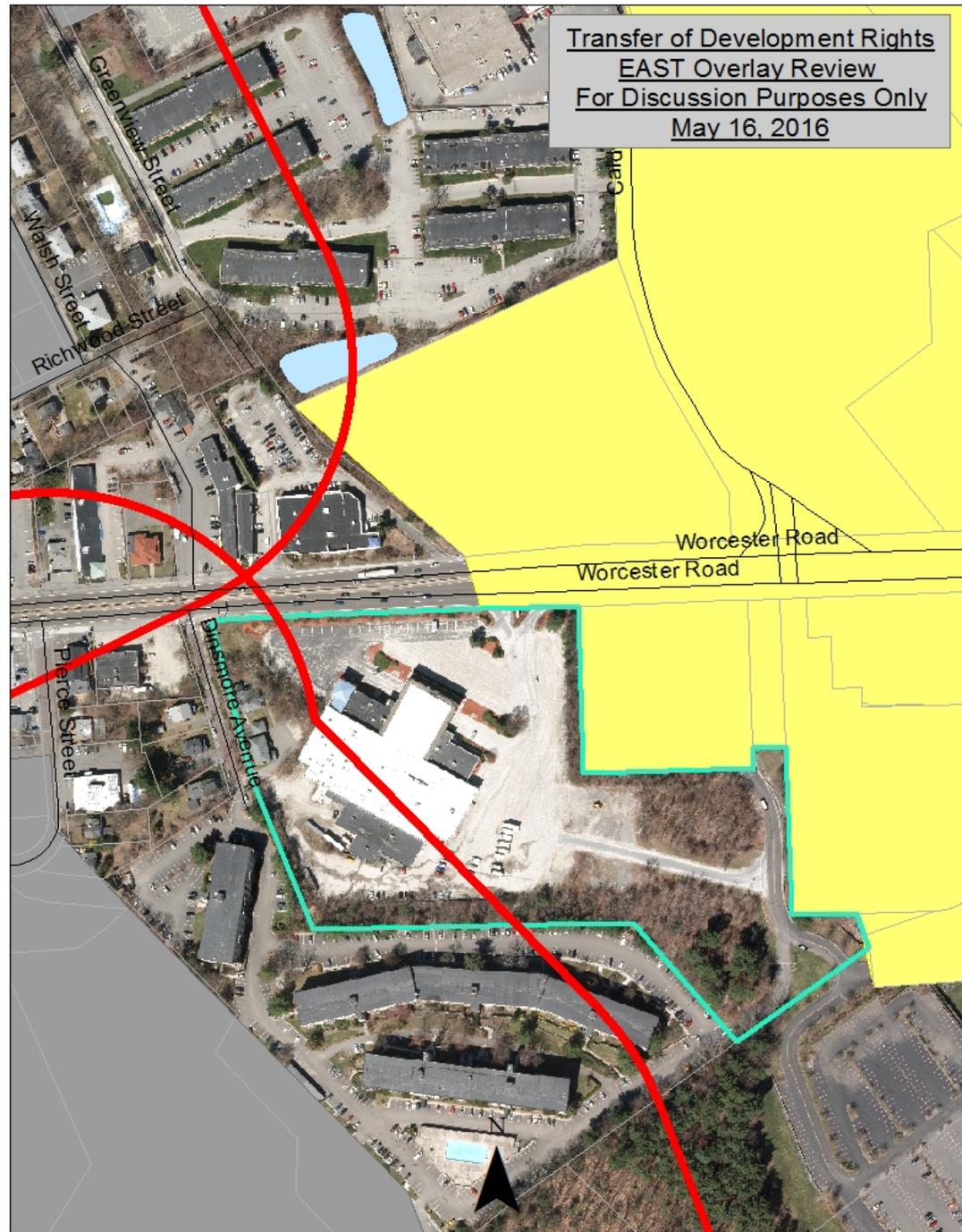
19 Flutie Pass

- Split Zoned – Light Manufacturing and Business
- Strong buffer between parcel and residential



220 Worcester Rd

- Zoned: Business
- Can absorb large amounts of Development Rights





Brown Bag Lunch



Transfer of Development Rights (TDR) By-Law and Zoning Map Amendment

When: Wednesday, May 18, 2016

Time: 12:00 p.m. to 1:00 p.m.

Where: Christa McAuliffe Library
746 Water Street
Framingham, MA

Please park in the plaza parking lot adjacent to the library...

Town Staff will be hosting a brown bag lunch to provide information about prospective zoning amendments to the Transfer of Development Rights (TDR) By-Law and associated Zoning Map amendments

What is TDR? TDR is a zoning tool that allows for the preservation of agricultural and open space lands (Giving Parcel), while allowing for increased density on a designated commercial/office/manufacturing parcel of land (Receiving Parcel).

Who is invited? All are welcome – this Brown Bag lunch is open to anyone who would like to provide comments and/or learn more about the proposed zoning for Special Town Meeting.

Can't Make the Brown Bag Lunch? All materials provided at the Brown Bag Lunch will be located on the Planning Board's website, under Town Meeting Materials. Those unable to attend can call into the Planning Board Office (508-532-5450) or email comments to

planningboard@framinghamma.gov

Who will be the Hosts of the Brown Bag Lunch? Framingham Town Staff will be in attendance to present the amendments to the TDR By-law and Zoning Map Amendments, in addition to answer any questions and or/comments.



Open House



Transfer of Development Rights (TDR) By-Law and Zoning Map Amendment

When: Thursday, May 19, 2016

Time: 5:00 p.m. to 6:30 p.m.

Where: Ablondi Room
Memorial Building
150 Concord Street
Framingham, MA

Items will be on display in the room from 6:30 pm. To 7:30 p.m.

Town Staff will be hosting a open house to provide information about prospective zoning amendments to the Transfer of Development Rights (TDR) By-Law and associated Zoning Map amendments

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