

FORM A - APPLICATION COVER LETTER

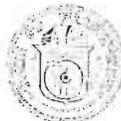
2016 SEP - 9 P 2:22

Framingham Planning Board

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



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TOWN CLERK
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Town Clerk Stamp

Office Use Only	Project Number: PB-32-16	Public Hearing Date: TBD	Filing Fee:
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In accordance with the requirements set forth in the Town of Framingham Zoning By-law, the undersigned hereby petitions the Planning Board for one or more approvals for the premises indicated below.

General Property Information

<u>Applicant's Information</u>	
Name: <u>Theodore A. Langmeyer, Trustee of Greenhouse Realty Trust</u>	Phone: <u>508-380-7467</u>
Address: <u>P. O. Box 954, Framingham, MA 01701</u>	Email: <u>Woodylmeyer1@aol.com</u>
<u>Project Contact Information</u>	
Name: <u>Paul V. Galvani, Galvani Law Offices, P.C.</u>	Phone: <u>508-626-3620</u>
Address: <u>1881 Worcester Road, Framingham, MA 01701</u>	Email: <u>pvg@galvanilawoffices.com</u>
<u>Property Owner Information (if different than Applicant)</u>	
Name: <u>same</u>	Phone: _____
Address: _____	Email: _____
<u>Engineer/Land Surveyor Information</u>	
Name: <u>Brian Nelson, Metrowest Engineering, Inc.</u>	Phone: <u>508-626-0063</u>
Address: <u>75 Franklin Street, Framingham, MA 01702</u>	Email: <u>BNelson@mwengineering.com</u>

General Property Information

Property Address(es): <u>671 - 673 Concord Street</u>	
Framingham Assessor's Information:	Parcel I.D: <u>102-02-9638-000</u>
	Parcel I.D: <u>102-02-9737-000</u>
	Parcel I.D: <u>103-12-0797-000</u>
Zoning District: <u>Single-Family Residence R-1</u>	Overlay District: _____
Precinct Number: <u>14</u>	
The record title stands in the name of: <u>Theodore A. Langmeyer, Trustee of Greenhouse Realty Trust</u>	

Submission Type (Please check all that apply and complete respective forms)

FORMS A, B, and C ARE REQUIRED

<input type="checkbox"/>	Site Plan Review Major (FORM E)
<input type="checkbox"/>	Site Plan Review Minor (FORM E)
<input type="checkbox"/>	Modification to Site Plan of new gross floor area greater than 1,000 sq. ft. of new gross floor area (FORM G)
<input type="checkbox"/>	Minor Modification to an Approved Site - Minor Engineering Change (FORM G)
<input type="checkbox"/>	Minor Modification to an Approved Site - Insignificant Plan Change (FORM G)
<input type="checkbox"/>	Special Permit (FORM L)
<input checked="" type="checkbox"/>	Special Permit - Land Disturbance (FORM J)
<input type="checkbox"/>	Special Permit - Neighborhood Cluster Development (FORM L)
<input type="checkbox"/>	Special Permit - Agriculture Preservation Development or Open Space Cluster Development (FORM L)
<input type="checkbox"/>	Special Permit - Planned Unit Development (PUD)
<input type="checkbox"/>	Modification to Special Permit (FORM G)
<input type="checkbox"/>	Extension of Time - Approved Site Plan Review and/or Special Permit (FORM H)
<input type="checkbox"/>	Repetitive Petition - Consideration of a petition for a rehearing from the Zoning Board of Appeals (FORM L)
<input checked="" type="checkbox"/>	Public Way Access Permit (FORM F)
<input type="checkbox"/>	Scenic Roadway Modification (FORM I)
<input type="checkbox"/>	Approval Not Required (FORM K)
<input type="checkbox"/>	Preliminary Subdivision
<input checked="" type="checkbox"/>	Definitive Subdivision
<input type="checkbox"/>	Application to Modify Zoning District
<input type="checkbox"/>	Other:

Authorized Signature - Applications shall not be accepted without a required signature

As the Owner (or authorized designee), I make the following representations:

1. I hereby certify that I am the owner (or authorized designee) of the property located at 671-673 Concord Street
2. I hereby certify that the applicant named on this application form has been authorized by the owner to apply to develop and/or use the property listed above for the purposes indicated in this application package.
3. I hereby certify that the agent, engineer, and/or architect listed on this application have been authorized to represent this application before the Planning Board to conduct site visits on the property.
4. I will permit the Planning Board to conduct site visits on the property.
5. Should the ownership of this parcel change before the Planning Board has acted on this application, I will provide updated information and new copies of this signature page.

Owner (or authorized designee) Name: Paul V. Galvani, Attorney for owner

Owner (or authorized designee) Signature: _____

** If applying on-line by typing your name in the above boxes you certify, under the pains and penalties of perjury, that the information on this application is true and complete.*

Project Description – Brief description of the project

Development of a 7-lot residential subdivision containing one, existing house and 6 building lots for the construction of single-family homes.

List of all submitted materials (include document titles and dates) below.

Definitive Subdivision Plan "Colleen's Way" Prepared for Greenhouse Realty Trust, Engineers & Surveyors: Metrowest Engineering, Inc., Date: August 22, 2016
 Stormwater Report by Metrowest Engineering, Inc.
 Form A - Application Cover Letter
 Form J - Special Permit for Land Disturbance Application
 Definitive Subdivision Application

Zoning and Use of Surrounding Property Information

	Zoning Designation	Land Use
Parcel(s) of the North	R-1	Single and Two-Family houses
Parcel(s) of the East	R-1	Apartment buildings
Parcel(s) of the South	R-1	Single and Two-Family houses
Parcel(s) of the West	G	Single and Multi-Family houses

Fiscal Information

Current Assessed Value of the Site	\$ 447,093.00
Estimated Value of Project-related Improvements	\$ 2,700,000.00
Current Total Local Tax Revenue from Site	\$ 7,768.00
Estimated Post-development Local Tax Revenue	\$ 54,000.00
Estimated Number of Project Related Jobs Created	Construction Jobs: 40
	Permanent Jobs: 0 Part-time Jobs: 0

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Email

FORM B – BUILDING DEPARTMENT RECOGNITION FORM
TO BE FILLED OUT BY BUILDING COMMISSIONER



Town of Framingham, Massachusetts
INSPECTIONAL SERVICES DIVISION

Department of Building Inspection
Memorial Building, 150 Concord Street, Room 203
Framingham, MA 01702
(508) 532 - 5415

BUILDING DEPARTMENT RECOGNITION FORM

To: Amanda Loomis, Planning Board Administrator

From: Michael Tusino, Building Commissioner

DEFINITIVE SUBDIVISION APPLICATION

Property Address: 671-673 CONCORD STREET

Date: 08/29/16

Required Permits: _____

Defin. SUBDIV. Approval

In accordance with Section VI.I.4.a of the Framingham Zoning By-Law, prior to the filing an application with the Planning Board, the applicant, as defined in Section I.E.1 herein, shall seek the Building Commissioner's review and advice to confirm which pertinent sections of the Zoning By-Law apply. The Building Commissioner's signature must be obtained below to confirm that this review has been completed. The Applicant must submit a full set of plans and project narrative for review to the Building Commissioner. The Building Commissioner has 10 business days to render a decision for Permits required. A Pre-Application Meeting may be scheduled with the Building Commissioner and the Planning Board Administrator through the Planning Board Office to review the Project and plans. This application will not be accepted without the following confirmation:

The signature below confirms that the applicant/owner has provided information and I have advised the applicant of the necessary permits required.

Building Commissioner's Signature: _____

Michael A. Tusino 8/29/16

Documents Submitted for Review and Determination: _____

FORM J - SPECIAL PERMIT FOR LAND DISTURBANCE APPLICATION 2016 SEP - 9 P 2: 23

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Office Use Only	Project Number: PB-32-16	Public Hearing Date:	Filing Fee:
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Property Information

Address of Property: 0,671,673 Concord Street, Framingham Ma

Applicability (Please check all that apply)

Section V. F.c.(1).(a)-(d) applies to any proposed Land Disturbance activity on all existing Lots and/or new Lots created as follows:

<input type="checkbox"/>	(a) Any soil disturbance greater than 4,000 square feet on an existing or proposed slope of more than fifteen (15%) percent;
<input checked="" type="checkbox"/>	(b) Any Earth Removal or Earth Fill of more than 400 cubic yards;
<input checked="" type="checkbox"/>	(c) Any Earth Moving activity of more than 1,000 cubic yards; and/or
<input checked="" type="checkbox"/>	(d) Any clearing of more than fifty (50%) percent of the Lot's area or more than 40,000 square feet, whichever square footage is less, but not including Lots with an area of 10,000 square feet or less.

Project Information

Total Area of the Parcel(s) (acre/square feet)	2.23 acres	/ 97,200 square feet
Total Area of the Parcel(s) that is wetlands/vernal pools/waterway (acre/square feet)	0.00 acres	/ 0 square feet
Total Area to be Disturbed (acre/square feet)	2.05 acres	/ 89,110 square feet
Total Area Upland (acre/square feet)	2.23 acres	/ 97,200 square feet
Total Amount of Fill Required for the Project (cubic yards)	1,197 cubic yards cut	
Percent of the Land to be Disturbed (percentage)	91.7	%
Percent of Land under the Jurisdiction of the Conservation Commission (percentage)	10.3	%
Total Area within the 30' No Build Zone as defined by the Conservation Commission (acre/square feet)	0.00 acres	/ 0 square feet
Total Area within the 100' No Disturb Zone as defined by the State of Massachusetts (acre/square feet)	0.10 acres	/ 4,168 square feet
Total Area within the 125' No Disturb Zone as defined by the Framingham Conservation Commission (acre/square feet)	0.20 acres	/ 8,837 square feet
Type of Fill to be used	washed stone, clean fill	

Residential Projects

	Existing	Allowed	Proposed
Number of Residential Dwellings	1	8	6
Number of Proposed Driveways	2	8	7

Project Details (Please provide the following information, for additional room please attach additional pages)

Site Management and Control
<p>(a) Building envelopes for structures, driveways, wastewater disposal, lawn areas and utility work are designed and delineated in a manner to limit land disturbance to the greatest extent possible</p> <p>The proposed road, houses and driveways have been designed to match the existing topography thereby minimizing the amount of earthwork required for the project.</p>
<p>(b) Briefly outline the construction plan (locations for temporary uses such as the parking of construction vehicles, trailers, and stockpiling of equipment and materials) and methods for properly disposing of all waste products, grubbed stumps, slash, construction materials, etc. and dust control measures.</p> <p>Construction vehicles will enter the site off Phelps Road and park in the location of the existing gravel drive or the location of the existing building. Adequate level areas exist for stockpile and storage of materials on the southerly and westerly portions of the site. Trash will be stored in a dumpster and disposed of by a licensed waste hauler.</p>
<p>(c) Briefly describe all temporary Erosion and Sedimentation Control Measures to be employed during construction.</p> <p>An erosion control barrier will be placed along the perimeter of the site. Care will be exercised to prevent erosion by stabilizing slopes immediately after earthwork activities, maintaining a surplus inventory of erosion control barrier and implementation of a construction period Stormwater Pollution Prevention Plan.</p>
<p>(d) Briefly describe all permanent Erosion and Sedimentation Control Measures to be installed post construction and permanently maintained.</p> <p>A long term Operation and Maintenance Plan has been prepared to detail long term cleaning, inspection and maintenance items for the project to prevent erosion and sedimentation.</p>
<p>(e) Timeline for Project.</p> <p>Construction of the road and infrastructure will begin in Spring 2017 and be complete in Autumn 2017. Construction of the new houses will begin in the Autumn 2017.</p>
Control of Stormwater Runoff
<p>(f) Briefly describe how the Project will not increase the rate, concentration, or velocity of runoff from the site and how the project will minimize the volume of runoff from the site onto abutting properties.</p> <p>The project will have two subsurface infiltration systems to store and recharge runoff from the street and front yard areas of the new house lots. Six of the seven lots will have a roof drain infiltration system to store and recharge roof runoff. The project will significantly decrease the rates and volumes of runoff leaving the project for all storm events.</p>

(g) Briefly describe how the Project will not adversely impact the abutting properties by changing the volume of Stormwater Runoff which would result from the land disturbance activities including but not limited to Erosion, silting, flooding, Sedimentation, subsidence or impacts of runoff from the site onto abutting properties.

The project will have an erosion control barrier along the perimeter of the site to protect abutting properties from erosion and siltation. The project will have subsurface infiltration systems in place to capture, store and recharge runoff from the proposed street, driveways and roof surfaces.

(h) Briefly describe how the Project will not adversely impact the groundwater resources in terms of quantity or quality.

The project will treat runoff. The majority of runoff will be stored and recharged which will be an enhancement to groundwater resources.

Protection of Natural Features and Vegetation

(i) If applicable, please list and endangered species or wildlife habitats and corridors, natural landscape features, and scenic vistas and views on the Property. If applicable, please describe how the project will site buildings, structures or parking facilities to ensure they do not detract from the Site's scenic qualities.

The project does not have any endangered species, wildlife habitats or corridors, natural landscape features or scenic vistas.

(j) Please briefly describe the characteristics of the site or provide photos that are representative of the Site. If applicable, please provide a list of all trees greater than 6" in diameter - stating the species and site and denote these trees on the Site Plan.

The westerly portion of the site is presently improved with an existing house, greenhouse/retail store, paved parking areas and supporting utilities. The easterly portion of the site is wooded with relatively young tree cover and very little ground cover.

Protection of Historic Resources

(k) Please provide a list of all historically significant resources on-site.

There are no historically significant resources on the site.

(l) Briefly describe all reasonable measures that shall be employed to protect historic resources including but not limited to historic landscape features both above and below ground, buildings, structures, objects, stone walls, foundations, and designed landscapes and gardens.

There are no historically significant resources on the site.

Special Permit for Land Disturbance Application Checklist for Plan Content

Please insure that your application and site plans include all the items below. If a site plan does not contain the required information you may request waiver. Waiver requests must be accompanied by a written explanation for request. (**Please note: Failure to complete all items may result in your application being deemed incomplete and may cause a delay in processing your application.)

- Any person who desires a Land Disturbance Special Permit shall submit a plan prepared and stamped by a Professional Engineer and a Professional Land Surveyor each registered in the Commonwealth of Massachusetts, at a scale of one inch equals twenty feet (1"=20') showing.
- North arrow, scale, and date.
- Locus map showing the parcel in relation to the surrounding properties.
- Name of record owner(s) of land shown on the plan.
- Boundaries and existing and proposed topography of the property, including contours at a 2- foot interval, using (National Geodetic Vertical Datum 1929) NGVD29 as it may be updated from time to time and specifying NGVD29 on all elevation drawings, specifically indicating the areas on which the activity is proposed to occur, and clearly noting if the activity is on an area greater than 4,000 square feet or on Slopes 15% or greater.
- The size and location of all existing and proposed buildings, structures, utilities, roads, driveways, parking areas, and areas of cut and fill on the site and the location of all structures on abutting properties within 100 feet of the property lines of the parcel.
- Property lines, easements and/or other legal rights within the property lines.
- All wetlands and wetland resource areas as defined in M.G.L. Ch. 131, §40, and the Framingham Wetlands Protection Bylaw, Article V, §18 of the General By-laws, drainage patterns, and watershed boundaries. Also include a delineation of the 100-year floodplain and all bodies of water, including vernal pools, streams, ponds, and coastal waters within 125-feet of the project site/limit of work and the delineation of a 30-foot no-cut/no alteration zone.
- Submission of a scaled landscape plan that delineates on a single sheet the existing vegetation both on the Lot and in the right-of-way, the vegetation to be removed or relocated, the re-vegetation and the limit of work. The limit of work shall include all building, parking, and vehicular use areas, and any grading associated with the proposed development. Include a planting plan to ensure permanent re-vegetation of the site except for Disturbed Areas that will be covered by gravel, hardscape or a building or structure. If applicable, include:
 - Upland vegetation communities, including trees, shrub layer, ground cover and herbaceous vegetation.
 - Size and height of trees, of Specimen Trees and/or significant forest communities.
 - Location of any rare and endangered species as mapped by the Massachusetts Natural Heritage Program.
 - The location of any proposed stockpile locations.
- Detailed drawings and design calculations of all temporary and permanent stormwater management and Erosion and Sediment control structures and devices.
- A narrative documenting the species and quantities of Specimen Trees and/or other vegetation to be removed or relocated within the project area.
- If applicable, include a statement prepared by a certified arborist for the proposed relocation of any existing Specimen Tree explaining how said tree is to be relocated and maintained.
- Photographs of the site prior to disturbance shall accompany the application.

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FORM F – PUBLIC WAY ACCESS PERMIT APPLICATION

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 Town Clerk Stamp

Office Use Only	Project Number: PB-32-16	Public Hearing Date: 9/13/2016	Filing Fee:
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Article VI, Section 8 Framingham General By-laws

Property Address: 673 Concord Street, Framingham MA

Surveyor Information

Name of Surveyor: <u>MetroWest Engineering Inc.</u>	Phone: <u>(508) 626-0063</u>
Address: <u>75 Franklin Street, Framingham MA 01702</u>	Email: <u>Bnelson@mwengineering.com</u>

Project Information

Description of new access to a public way, proposed modification plan to an existing access to a public way, or the use of a new or existing access that generates a substantial increase in or impact on traffic on a public way (attach additional pages as necessary):

Applicant is seeking to construct a subdivision road to the property located at 673 Concord Street. The project will gain access off Phelps Street.

Public Way Access Details

<input type="checkbox"/> Modification to an existing curb cut	<input checked="" type="checkbox"/>	Access over existing curbing
<input type="checkbox"/> Construction of a Residential Driveway	<input type="checkbox"/>	Access is classified as Moderate Slope (greater than 20% slope)
<input type="checkbox"/> Construction of a Commercial Driveway	<input type="checkbox"/>	Closure of a curb cut
<input type="checkbox"/> Access over existing sidewalk	<input type="checkbox"/>	Access within Wetlands or Conservation Jurisdiction
<input type="checkbox"/> Request for a Common Driveway (IV.E of the Framingham Zoning By-law – Special Permit)	<input type="checkbox"/>	Roadway is a Scenic Way (Article VI, Section 10 of the Framingham General By-law)

Public Way Access Information

	Existing	Proposed	Allowed
Length of access within the public way	0-feet	65.3-feet	100.0-feet
Width of access within the public way	0-feet	7.5-feet	n.a
Width of sidewalk (if present)	0-feet	5-feet	5-feet

Public Way Access Permit Application Checklist

Please insure that your application and site plans include all the items below. If a site plan does not contain the required information you may request waiver. Waiver requests must be accompanied by a written explanation for request. (**Please note: Failure to complete all items may result in your application being deemed incomplete and may cause a delay in processing your application.)

- Name of record owner(s) of land shown on the plan.
- Name, signature and seal of surveyor who prepared the plan.
- Names of all adjacent abutters, as they appear on the latest Assessor's records, and if the applicant has knowledge of any changes subsequent to the latest Assessor's records, the names of the present owners of abutting land.
- Location of all manmade structures and significant natural features, including existing buildings and structures, stone walls and guardrails, rock outcrops, steep slopes, wetlands, easements, rights of way, water courses, drains, streets, ways, Scenic Roads, major trees (12 inch diameter, or more), and such other references known to the applicant to sufficiently identify the land to which the plan relates, and to sufficiently identify any existing impediments to access upon the land. A topographic plan, at 2 foot contours, shall be provided where slopes exceeding 15% may impede access upon the land between the street and the proposed location of the structure or house.
- Town of Framingham Assessors Map Number, Block Number and Lot Number.
- Boundary lines, dimensions and areas of all lots to which the plan relates.
- North point, date of survey and scale.
- Delineation of all streets and ways, both sides, indicating the width of pavement with a statement of whether or not all streets and ways shown or referred to are public or private ways, indicating the same as to each street or way so shown.
- An appropriate reference shown on the plan to any variances granted by the Zoning Board of Appeals or other decisions and permits affecting the land included in the plan.
- The length and width of proposed access or proposed modifications within the public way.
- The length and width of existing access within the public way, if applicable
- Whether a sidewalk is present, and if present, what is it constructed of (bituminous or cement concrete)

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FRAMINGHAM PLANNING BOARD

APPLICATION FOR APPROVAL
DEFINITIVE PLAN

2016 SEP 28 P 3:32

TOWN CLERK
FRAMINGHAM

INSTRUCTIONS TO OWNER/APPLICANT

Please complete this *entire* form, including the checklist on page 4 of this form, and submit the original to the Planning Board. The application *must* be accompanied by the following:

- Eighteen (18) copies of the application together with one original mylar, ten (10) full size copies of the subdivision plan, and eight (8) halfsize, legible sets of the subdivision plans (with a bar scale) and eighteen (18) copies of all supporting documents accompany the application.
- The Treasurer's Certification that no municipal charges are outstanding (see page 3 of this form).
- A Statement of Communication with residents in the vicinity of the subject property.
- Certification herein, that a Community Notice has been posted on the subject property.
- Designers Certificates – Form 4
- A Certified List of the Abutters - Form 5
- Full payment of Application Fee

When *all* information is submitted and deemed complete, the application will be date and time stamped by the Planning Board. Incomplete applications will *not* be accepted by the Planning Board. All material must be submitted in electronic version as well as hard copies.

After the application is date/time stamped by the Planning Board, the applicant shall be responsible to file one copy of the application with the Office of the Town Clerk in accordance with the requirements of Section 41 of the Massachusetts General Laws.

Where appropriate, separate paragraphs are used below to indicate alternate provisions. Please select and complete the pertinent paragraph(s). Please read Section VI of the "RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF FRAMINGHAM" and the attached description of the review process before filing this form.

You or your duly authorized agent will be expected to appear before the Planning Board to answer any questions and/or submit such additional information as the Board may request in connection with this application. You are encouraged to attend the Planning Board meeting that will be scheduled to consider your application and your absence may result in a delay in its review or its disapproval.

Date of Application: August 29, 2016Owner of Record Title's Name: Greenhouse Realty Trust (Theodore Langmeyer Trustee)Owner/Applicant's Address: 35 Briarwood Road, Framingham MA Phone Number: (508) 380-7467
(Number and Street, Town or City, State, Zip Code)

Co-Applicant's Name: _____

Co-Applicant's Address: _____ Phone Number: _____
(Number and Street, Town or City, State, Zip Code)Project Contact's Name: Paul V. Galvani, Galvani Law Offices, P.C.Project Contact's Address: 1881 Worcester Road, Framingham MA 01701
(Number and Street, Town or City, State, Zip Code)Project Contact's Phone Number: (508) 626-3620 Project Contact's Fax Number: (508) 626-3649

The undersigned applicant being the owner, agent, or representative of the owner of all the land included within a proposed subdivision shown on a plan entitled Definitive Subdivision Plan, Colleens Way in Framingham MA prepared by MetroWest Engineering Inc.

and dated Aug. 22, 2016, located at (address) 75 Franklin Street, Framingham MA and shown on Framingham Assessor's Plan Sheet # 102, Block # 02, Lot(s) # 9638, 9737 and Framingham Assessor's Plan Sheet # 103, Block # 12, Lot(s) # 0797,

with number of lots proposed 7 on total acreage of tract (acres/sq.ft.) 2.23-acres/97,200 s.f.

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't)

hereby submits said plan as a Definitive Subdivision Plan in accordance with the Rules and Regulations of the Framingham Planning Board and makes application to the Board for approval of said plan.

The Owner's title to the land being subdivided is derived under deed from Theodore Langmeyer, by deed dated Dec. 15, 1994 and recorded in the Middlesex District Registry of Deeds Book #25075 Page # _____, or under Certificate of Title # _____ registered in the Middlesex Land Registry District, Book# _____, Page# 575,585,595

Precinct # 14 Current zoning of property: Single Family Residence R-1

Current use of property: Retail Store/ Wooded Area

Number of Lots Existing: 2 Proposed: 7

Zoning and use of surrounding properties:

ZONING DESIGNATION	LAND USE
Parcel(s) to the North↑: <u>R-1</u>	<u>Single and two-family houses</u>
Parcel(s) to the South↓: <u>R-1</u>	<u>Apartment buildings</u>
Parcel(s) to the East→: <u>R-1</u>	<u>Single and two-family houses</u>
Parcel(s) to the West←: <u>G</u>	<u>Single and multi-family houses</u>

Brief Description of project (e.g.: proposed use of property, number of lots being created, significant features and current condition of the site, attach additional pages as necessary): Development of a 7-lot residential subdivision containing one existing house and 6 building lots for residential homes.

1. Yes No The land within the proposed subdivision is subject to easements and restrictions. If yes, attach documentation and show such easements and restrictions on the Plan, as applicable.
2. Yes No There are easement restrictions over the land of others applicable to the proposed subdivision. If yes, attach documentation and show such easements and restrictions on the Plan, as applicable.
3. Yes No Structures (walls, fences, guardrails, etc.), significant topographical features (wetlands, slopes, ledge, etc.), easements or other conditions are present that could limit or impede access to the proposed subdivision or to individual lots within the subdivision. If yes, please explain.

4. Yes No The owner/co-applicant(s) request waivers for the proposed subdivision. If yes, the waivers requested are listed herein with a justification for each waiver requested.
Subdivision Rules and Regs., Section VII, B.2.g. Table 1, waivers requested for negative grade off street intersection, reduction of minimum street width to 50-feet, and minimum centerline radius of 150-feet. No sideline radius between Phelps Street and new subdivision road.
5. Yes No The owner/co-applicant(s) certify that no waivers are being requested for completion of the subdivision.
6. Yes No This Plan has been submitted to the Framingham Board of Health. If yes please identify the date of submission. _____. If no, please file two copies of said plan
7. Check as appropriate
 - a. Yes No A preliminary plan of the proposed subdivision, to which the accompanying plan conforms, has been submitted and was approved by the Planning Board on _____.
 - b. Yes No A preliminary plan of the proposed subdivision has been submitted and was approved by the Planning Board on April 2015 with modifications, which modifications have been incorporated in the accompanying plan.
 - c. Yes No A preliminary plan of the proposed subdivision has not been submitted to the Planning Board.
8. Yes No List all other required permits (local, state and federal) already in hand, or which will be in hand prior to final occupancy and necessary for construction (i.e. NPDES, Conservation Commission,

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

Board of Health, Public Works, Board of Selectmen etc). _____
Board of Health, Conservation Commission, NPDES, _____

9. Yes No A Community Notice (min. 2ft. by 2ft.), specifying plans for the property has been posted, as required.
10. Yes No A statement regarding the extent of communications with residents of the area about the proposed development is included with this application. Applicant will have meeting with neighbors on September 6, 2016.
11. Yes No The lot is on a Scenic Road? [A list of scenic roads is available in the Planning Board Office]
12. Yes No The project involves alteration or demolition of buildings which are at least 50 years old? If yes, the applicant must obtain a determination of historical or architectural significance from the Framingham Historical Commission in conformance with §17A of Article V. of the Town of Framingham's By-Laws (See Appendix IX of the Zoning By-Law).
13. Yes No The lot is located in an Historic District? (See Article V. §5 of the Town of Framingham's By-Laws and Appendix IX of the Zoning By-Law)
14. The applicant agrees, if the definitive plan is approved, to perform and complete all work on the ground within the proposed subdivision required by the "RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF FRAMINGHAM" as in force on the date of this application (or if applicable on the date of an application of a Preliminary Plan) and as modified and supplemented by the specifications and other requirements of the Board set forth in the statements attached hereto.
15. The applicant further agrees to complete all said required work on the ground within two years from the date of the final endorsement of the definitive plan by the Board, unless an application is filed with and approved by the Board extending such time.
16. The applicant further agrees, if the definitive plan is approved, to cause said plan to be endorsed within six (6) months thereafter and to cause said plan to be recorded or registered in the Middlesex South District Registry of Deeds within thirty (30) days after the endorsement and return of said plan to the applicant by the Board, and agrees not to sell, or offer to sell, any of the lots within the subdivision until said plan is so recorded or registered.
17. The applicant further agrees, if the definitive plan is approved, to convey to the Town, promptly, at any time thereafter when requested to do so by the Board, in a form deemed satisfactory by the Board, title to water mains and sewers and the prescribed easements therefor.
- 18.a. The applicant further agrees, before final approval of the definitive plan, to cause to be filed with the Board a bank passbook solely in the name of the Town, negotiable securities or a bond, in a form deemed satisfactory by the Board, or a deposit of money, conditioned on the completion of all required work on the ground in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work. A bond form of security shall be executed by the applicant as principal and an indemnity or surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of cash or United States Government Bonds in an amount equal to the penal sum of the bond. A bank passbook shall be accompanied by an Agreement in a form to be provided by the Board and executed by the Board, the developer and the bank in which the account is established.
- OR**
- 18.b. The applicant requests the Board to approve the definitive plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required work on the ground necessary to serve such lot adequately has been completed to the satisfaction of the Board.
19. This application is accompanied by an original drawing of the proposed definitive plan in accordance with the requirements of the "RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF FRAMINGHAM", designer's certificates and approved cost estimates of all work to be covered by a bond, or bank passbook.

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

Application Checklist

The following plans, reports and information must be submitted with this application form, in accordance with "RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF FRAMINGHAM", Section VI. Definitive Plan. Please complete the following checklist to ensure completeness.

<input checked="" type="checkbox"/> Title Block, Lower Right Corner	<input checked="" type="checkbox"/> Subdivision Name and "Definitive Plan" Title	<input checked="" type="checkbox"/> Subdivision Boundaries
<input checked="" type="checkbox"/> Index Sheet	<input checked="" type="checkbox"/> North Point and Scale	<input checked="" type="checkbox"/> Date
<input checked="" type="checkbox"/> Legend of Symbols	<input checked="" type="checkbox"/> Benchmark and Datum	<input checked="" type="checkbox"/> Zoning Classification
<input checked="" type="checkbox"/> Name(s) and address(es) of Owner(s), Applicant(s)	<input checked="" type="checkbox"/> Surveyor's Seal, Name, Address, Signature	<input checked="" type="checkbox"/> Engineer's Name, Address, Signature, Seal
<input checked="" type="checkbox"/> Assessor's Map-Block-Lot(s)	<input checked="" type="checkbox"/> Names of abutters	<input checked="" type="checkbox"/> Halfsize Prints of Plans
<input checked="" type="checkbox"/> Existing and proposed Streets, Ways and Easements	<input checked="" type="checkbox"/> Existing and proposed public or common areas	<input checked="" type="checkbox"/> Consistent space to record Board action on all sheets
<input checked="" type="checkbox"/> Ownership, condition and status of Existing Streets	<input checked="" type="checkbox"/> Street Classification of Proposed Streets	<input checked="" type="checkbox"/> Existing and proposed Lot Boundaries and Dimensions
<input checked="" type="checkbox"/> Front and side setback lines for each lot	<input checked="" type="checkbox"/> Proposed building footprint and driveways	<input checked="" type="checkbox"/> Location, bearing and length of streets, ways, lots, boundaries
<input checked="" type="checkbox"/> Numerical designation and area of all lots and divisions	<input checked="" type="checkbox"/> Location of all existing and proposed permanent monuments	<input checked="" type="checkbox"/> Location, materials, type of sidewalks, curbs, street signs, lighting and trees
<input checked="" type="checkbox"/> Existing Topography	<input checked="" type="checkbox"/> Proposed Topography	<input checked="" type="checkbox"/> Street Profiles with Note
<input checked="" type="checkbox"/> Storm Drainage Systems, Plans, Elevations	<input checked="" type="checkbox"/> Stormwater Management Documentation	<input checked="" type="checkbox"/> Existing and Proposed Municipal Services/Easements
<input checked="" type="checkbox"/> Hydrological Calculations	<input checked="" type="checkbox"/> Septic & Well Locations	<input checked="" type="checkbox"/> Utility Wiring Plan
<input checked="" type="checkbox"/> Sewerage and Water Distribution Systems	<input checked="" type="checkbox"/> Easements, covenants, restrictions on Land	<input checked="" type="checkbox"/> Decisions on appeal, or applicable variances
<input checked="" type="checkbox"/> Sewer Profiles	<input checked="" type="checkbox"/> Major Site Features	<input checked="" type="checkbox"/> Wetland delineation and upland area calcs. for proposed lots
<input checked="" type="checkbox"/> Off-Site Surface Water Discharge & Written Evidence of Acceptance	<input checked="" type="checkbox"/> A close traverse of the whole subdivision and every street therein	<input checked="" type="checkbox"/> Notation of property confirmed by Mass. Land Court with case numbers, as applicable
<input checked="" type="checkbox"/> Construction Access Routes and hours of operation	<input checked="" type="checkbox"/> Construction details for erosion control measures	<input checked="" type="checkbox"/> Preliminary OSRD Subdivision Plan N.A.
<input checked="" type="checkbox"/> Complete Impact Statement	<input checked="" type="checkbox"/> Locus Plan	<input checked="" type="checkbox"/> Evidence of Other Permits N.A.
<input checked="" type="checkbox"/> Designers' Certificates	<input checked="" type="checkbox"/> Certified List of Abutters	<input checked="" type="checkbox"/> Approval Agreement

Provide an explanation for any information which has not been checked above as included in the application: _____

The Planning Board is entitled to rely on this representation as being the full and complete statement of the owner(s) and applicant. Therefore, the undersigned certifies that the information provided on the plan and this application is a true and accurate representation of facts pertinent to the subject parcel of land.

Shorcut Layman - Agent

Signature(s) of Owner(s) (Applicant)

Signature of Co-Applicant

The Definitive Plan Review Fee: See Attached Schedule of Fees

NOTE: You will be billed for publication of required public notices.

NOTE: In accordance with Article IX of the By-Laws of the Town of Framingham, the Planning Board may withhold permits and approvals in the event that an applicant has neglected to pay local taxes, fees, assessments or other municipal charges. In order to satisfy the objective of this By-Law, please obtain the Town Treasurer's signature below to verify that no such outstanding charges have accrued relative to this application. This application will not be accepted without the following confirmation:

The signature below confirms that the applicant/owner has paid all local taxes, fees, assessments or other municipal charges and has no outstanding obligations due the Town of Framingham.

TOWN TREASURER

DATE OF SIGNATURE

TO BE COMPLETED BY THE FRAMINGHAM PLANNING BOARD

Date application received: _____
Filing Fee of: _____ Paid: _____
Scheduled Hearing Date: _____ Date hearing notice Distributed to Abutters _____
Received by: _____

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

13.2.3 Schedule of Administrative Fees. The following schedule applies to the types of applications to the Planning Board set forth below. This schedule supersedes all previous schedules as they may have appeared in the Zoning By-Laws, the Rules and Regulations for the Subdivision of Land, and any listings which may have been compiled from time to time for the benefit of applicants.

- A. Approval Not Required (ANR) Plans - \$200.00.
- B. Preliminary Plans - \$1000.00.
- C. Definitive Plans - \$1,500.00, plus \$300.00 for each acre; or \$750.00, plus \$300.00 for each acre, when a preliminary plan has been filed within the last seven months and the Preliminary Plan fee associated with such filing, as set forth above, was received by the Board.
- D. Amend or Modify an Approved Definitive Plan (81W) or a previously submitted Definitive Plan - \$200.00 plus \$100.00 for each building lot affected. In addition, a fee of \$50.00 shall be required for the consideration of a modification of a road and a fee of \$50.00 shall be required for the modification of a drainage structure. The total fee required shall be the addition of all fees outlined above.
- E. Application to Modify A Scenic Way - \$250.00.
- F. Site Plan Review - Review of Site Plans shall require the following application fees:
 - 1. Major Site Plan - \$2,000.00. plus \$0.06 per square foot of gross floor area.
 - 2. Minor Site Plan (IV.I.2.a)- \$1,000.00. plus \$0.03 per square foot of gross floor area.
 - 3. Site Plan Modification - \$1,000.00. plus \$0.03 per square foot of new gross floor area.
- G. Special Permits shall require the following application fees, which are in addition to any applicable fees set forth above:
 - 1. Special Permits, including Special Permits for Use, Dimensional Special Permits and Special Permits related to Parking - \$500.00 for a single Special Permit application or a first Special Permit application and \$200.00 for each concurrent Special Permit application, whether concurrent with a first Special Permit or concurrent with a Site Plan Review application.
 - 2. Modification or extension of Special Permit - \$200.00
 - 3. Special Permit for PUD - \$5,000.00 + \$15.00/unit at Prelim.
plus - \$35.00/unit at Definitive Submittal
- H. Repetitive Petition - \$200.00.
- I. Public Way Access Permit - \$200.00
- J. Application to Modify Zoning District. - \$500.00
- K. Application for a Sign Waiver - \$250.00

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

Consultant Review Fees and Procedures

(1) Applicability. The Planning Board, at its sole discretion, may determine that a proposed project's size, scale, complexity, potential impact or use of the land warrants the use of outside consultants (such as engineers, planners, lawyers, hydrogeologists, or others). Such consultants shall assist the Planning Board, for review and comment prior to action by the Planning Board in plan review, impact analysis, inspection or other technical or legal assistance necessary to ensure compliance with all relevant laws and regulations. Such assistance may include, but shall not be limited to, analyzing an application, providing legal counsel for decisions and covenants, and monitoring or inspecting a project or site during construction or post-construction for compliance with the Board's decisions or regulations. Such consultants shall be selected and retained by the Planning Board, with the actual and reasonable costs for their services to be paid by the applicant.

(2) Submittal. Consultant Review Fees shall be submitted upon receipt of notice of estimated consultant review cost (based upon a fee schedule of estimated consultant costs) for deposit in an account established pursuant to Chapter 593 of the Acts of 1989, M.G.L. c. 44, s. 53G (593 Account). Any application filed without this fee shall be deemed incomplete and no review work shall commence until the fee has been paid in full.

(3) Those projects which are deemed by the Planning Board to require review by outside consultants shall be delivered to the selected consultant or consultants, who shall submit a cost for the requested consultant services to the Planning Board. To the extent possible, the Board shall select consultants that are not working for an applicant currently before the Planning Board.

(4) Replenishment. When the balance in an applicant's 593 Account falls below twenty-five percent (25%) of the initial Consultant Review Fee, as imposed above, the Planning Board may require a supplemental Consultant Review Fee to cover the cost of the remaining project review.

(5) Monitoring and Inspection Phase. As a condition of approval of a Definitive Plan or a Special Permit, the Planning Board may require a Supplemental Consultant Review Fee for the purpose of ensuring the availability of funds during the inspection phase of the review process.

(6) Handling of Consultant Review Fees. The Consultant Review Fee is to be deposited into a special account (593 Account) as set forth in G.L. c. 44, s. 53G.

- a) Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from this account.
- b) Consultant Review Fees shall be turned over to the Town Treasurer by the Planning Board for deposit into a 593 Account.
- c) A copy of the latest statement from the banking institution handling the 593 Account shall be forwarded from the office of the Town Treasurer to the Planning Board Office as soon as it is received for timely and accurate accounting.
- d) The Town Treasurer shall prepare a report on activity in the 593 Account on an annual basis. This report shall be submitted to the Board of Selectmen and the Town Manager for their review. The final report on the 593 Account shall be printed in the Annual Report of the Town of Framingham.
- e) An accounting of an applicant's funds held in the 593 Account may be requested by the applicant. The Planning Board Office, through the Town Treasurer, shall respond to the request in a timely fashion.
- f) Excess consultant review fees in the 593 Account, including any accumulated interest, shall be returned to the applicant, or the applicant's documented successor in interest, at the conclusion of the review process as determined by the Planning Board.

(7) Selection Appeal. The applicant shall be notified of the consultant selection prior to initiation of consultant efforts. As provided in M.G.L. Chapter 44, § 53G, the applicant may administratively appeal the selection of the consultant to the Framingham Board of Selectmen, on grounds that the proposed consultant selected has a conflict

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

of interest or that the proposed consultant does not possess the minimum required qualifications of an educational degree or three (3) or more years of practice in, or closely related to, the field at issue. Such an appeal may be initiated by the applicant filing notice with the Town Clerk within seven (7) calendar days of notice of the selection. The consultant selection made by the Planning Board shall stand if one (1) month passes without decision by the Board of Selectmen on said appeal. The required time limits for action upon an application by the Planning Board shall be extended by duration of the administrative appeal. This appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.

(8) Remedy. Failure of an applicant to pay the consultant review fee determined by the Planning Board, or to replenish the special account when requested, may be grounds for disapproval.

Definitive Plan Submission

- Step 1.** Definitive Application submitted to Planning Board. Twelve (12) sets (original plus eleven copies) of all application materials be provided by the applicant. The contents of the Definitive Application are described in Section VI. C. of the Town's Subdivision Rules and Regulations. Application must include signature of owner(s) and be accompanied by a certified list of abutters.
- Step 2.** Applicant submits Application to Board of Health.
- Step 3.** Applicant pays remaining 50% of fee when the definitive application is submitted
- Step 4.** Application submitted to Town Treasurer for confirmation of payment of taxes, fees, assessments and other municipal charges.
- Step 5.** Plans and Applications are time stamped.
- Step 6.** Prepare distribution cover letter, schedule Planning Board's Public Hearing to occur no later than 90 days from date of the submission of the application, or 135 days for the date of submission where no preliminary plan has been submitted and acted upon.
- Step 7.** Three weeks prior to date of the Planning Board's Public Hearing send hearing advertisement to the local newspaper (Tab or Middlesex News) to be published two times, 14 and 7 days prior to the Public Hearing (*Cover letter and hearing notice format attached*). Notice of Hearing must be posted in Town Clerk's Office and Planning Board's Bulletin Board. Notice of hearings is distributed to abutters and affected Precinct members.
- Step 8.** Departments submit review letters within 35 days to Planning Board, copies of all letters are provided to the applicant.
- Step 9.** A staff meeting is conducted.
- Step 10.** If necessary applicant submits technical revisions to the Planning Board based on staff comments.
- Step 11.** Revised plans are re-distributed to all Departments to enable modification of staff review letters.
- Step 12.** Planning Board holds Public Hearing, renders decision.
- Step 13.** Immediately following the Public Hearing send notice of the amount due for the publication of legal notices to the applicant for payment.

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN (con't.)

- Step 14.** If plan is approved, a draft decision and covenant contract is submitted to the Planning Board review, approval and signature.
- Step 15.** Approved decision is filed with the Town Clerk.
- Step 16.** Following appeals period (20 days after date filed with Town Clerk) the Planning Board signs the plans and covenants.
- Step 17.** Applicant can choose to complete all improvements and then request a release of lots for sale and/or construction or post an improvement security and request such release.



TOWN OF FRAMINGHAM PLANNING BOARD
Designers Certificate

August 26, 2016

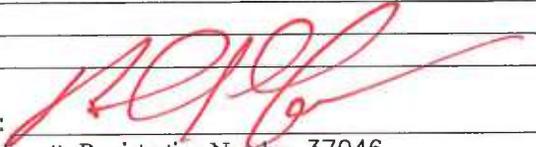
(ONE COPY OF THIS FORM, FILLED OUT AND SIGNED BY THE APPLICANT, SHOULD BE SUBMITTED WITH FORM 3.)

To: *The Framingham Planning Board:*

In preparing the plan entitled Definitive Subdivision Plan, Colleens Way, in Framingham MA and dated August 22, 2016, I hereby certify that the above name definitive subdivision plan and accompanying data is true and correct to the accuracy required by the current ***Subdivision Rules and Regulations*** of the Town of Framingham and required by the Rules of the Massachusetts Registry of Deeds, and my source of information about the location of boundaries shown on said plan were one or more of the following:

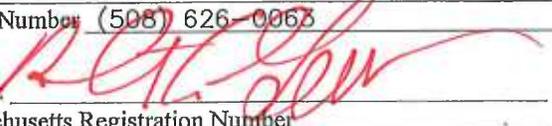
1. Deed from Theodore Langmeyer to Greenhouse Realty Trust dated Dec. 15, 1994 and recorded in the Middlesex South Registry of Deeds, Book 25057, Page 575,585,595.
2. Actual measures on the ground from a starting point established by Plan #922 of 1992
3. Other deeds, plans, and/or sources, as follows: See References on Cover Sheet

Seal of Surveyor

Signed: 
Massachusetts Registration Number 37046
Name and Address: Robert A. Gemma, P.L.S.
75 Franklin Street, Framingham MA 01702

Phone Number (508) 626-0063

Seal of Professional Engineer

Signed: 
Massachusetts Registration Number _____
Name and Address: _____

Phone Number _____

NOTE

This form will not be considered submitted until the following endorsement has been completed:
Received this _____ day of _____, 20 _____ as duly submitted under the Subdivision Rules and Regulations.

FRAMINGHAM PLANNING BOARD

by: _____

TOWN OF FRAMINGHAM
TREASURER/COLLECTOR

Please provide our office with the following information:

Date: August 26, 2016

Address of Property Which is the Subject of this Application:

0,671,673 Concord Street

Property Owner's Name: (As Appears on Assessor's Records)

Greenhouse Realty Trust

Property Owner's Address: (As Appears on Assessor's Records)

35 Briarwood Road, Framingham MA 01701

Applicant's Name: (If same as Owner Write: SAME)

Same

Applicant's Address: (If same as Owner Write: SAME)

Same

Business(s) In Framingham Owned by Property Owner and/or Applicant:

Seaver's Flowers

Telephone of Property Owner or Applicant:

Name: Theodore Langemeyer

Phone Number: (508) 380-7467
