

**FORM A - APPLICATION COVER LETTER**

**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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2016 NOV 28 P 3: 24  
 Town Clerk Stamp

Office Use Only	Project Number: <u>PB-041-16</u>	Public Hearing Date: <u>12/19/2016</u>	Filing Fee: <u>\$500-</u>
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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**

**Applicant's Information**

Name: PMLRA Pizza, Inc. Phone: 508-380-8586  
 Address: 15 Basin Lane, Scituate, MA 02066 Email: \_\_\_\_\_

**Project Contact Information**

Name: Peter R. Barbieri, Esquire Phone: 508-532-3517  
Fletcher Tilton PC 01701  
 Address: 161 Worcester Road, Suite 501, Framingham, MA/ Email: pbarbieri@fletcher  
tilton.com

**Property Owner Information (if different than Applicant)**

Name: 281 Concord Street, LLC Phone: 508-380-8586  
 Address: 281 Concord Street, Framingham, MA 01701 Email: \_\_\_\_\_

**Engineer/Land Surveyor Information**

Name: Jason D. Gnich Phone: 503-552-9079  
 Address: 9 S.E. 3rd Avenue, Suite 110, Portland, OR 97214 Email: \_\_\_\_\_

**General Property Information**

Property Address(es): 281 Concord Street  
 Framingham Assessor's Information: Parcel I.D.: 54 - 109 - 1 121-98-4134-000  
 Parcel I.D.: \_\_\_\_\_  
 Parcel I.D.: \_\_\_\_\_  
 Zoning District: B-1 Overlay District: \_\_\_\_\_  
 Precinct Number: 14  
 The record title stands in the name of: 281 Concord Street, LLC

**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 ( <b>FORM E</b> )
<input type="checkbox"/>	Site Plan Review Minor ( <b>FORM E</b> )
<input type="checkbox"/>	Modification to Site Plan of new gross floor area greater than 1,000 sq. ft. of new gross floor area ( <b>FORM G</b> )
<input type="checkbox"/>	Minor Modification to an Approved Site - Minor Engineering Change ( <b>FORM G</b> )
<input type="checkbox"/>	Minor Modification to an Approved Site - Insignificant Plan Change ( <b>FORM G</b> )
<input checked="" type="checkbox"/>	Special Permit ( <b>FORM L</b> )
<input type="checkbox"/>	Special Permit – Land Disturbance ( <b>FORM J</b> )
<input type="checkbox"/>	Special Permit – Neighborhood Cluster Development ( <b>FORM L</b> )
<input type="checkbox"/>	Special Permit – Agriculture Preservation Development or Open Space Cluster Development ( <b>FORM L</b> )
<input type="checkbox"/>	Special Permit – Planned Unit Development (PUD)
<input type="checkbox"/>	Modification to Special Permit ( <b>FORM G</b> )
<input type="checkbox"/>	Extension of Time – Approved Site Plan Review and/or Special Permit ( <b>FORM H</b> )
<input type="checkbox"/>	Repetitive Petition - Consideration of a petition for a rehearing from the Zoning Board of Appeals ( <b>FORM L</b> )
<input type="checkbox"/>	Public Way Access Permit ( <b>FORM F</b> )
<input type="checkbox"/>	Scenic Roadway Modification ( <b>FORM I</b> )
<input type="checkbox"/>	Approval Not Required ( <b>FORM K</b> )
<input type="checkbox"/>	Preliminary Subdivision
<input 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 281 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: Henry Askew

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

Request to retain ten (10) seats with only eight (8) parking spaces (nine (9) spaces received). Parking space lost during construction to install and screen dumpster.

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

Site Plan  
 Impact Statement  
 Application – Special Permit Reduction in Required Parking Spaces

**Zoning and Use of Surrounding Property Information**

	Zoning Designation	Land Use
Parcel(s) of the North	G	Park
Parcel(s) of the East	G	Res. – Multi
Parcel(s) of the South	G	Res. – Multi
Parcel(s) of the West	R-1	Res. – Multi

**Fiscal Information**

Current Assessed Value of the Site	\$ 189,300.00
Estimated Value of Project-related Improvements	\$ 10,000.00
Current Total Local Tax Revenue from Site	\$ 7,190.00
Estimated Post-development Local Tax Revenue	\$ 8,100.00
Estimated Number of Project Related Jobs Created	Construction Jobs: 0
	Permanent Jobs: No Change      Part-time Jobs: No Change

**CLICK BELOW TO SUBMIT THIS FORM TO THE PLANNING BOARD**



**FORM L - SPECIAL PERMIT APPLICATION**

**Framingham Planning Board**  
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Office Use Only	Project Number:	Public Hearing Date:	Filing Fee: <b>TOWN CLERK FRAMINGHAM</b>
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**Property Address:** 281 Concord Street

**Submission Type** (Check all that apply)

<b>Special Permit</b>	<input type="checkbox"/>	Use (II.B)
	<input checked="" type="checkbox"/>	Reduction in the Required Number of Off-Street Parking Spaces (IV.B.1 <u>c</u> )
	<input type="checkbox"/>	Dimensional Relief to Off-Street Parking Design Standards (IV.B.3.g)
	<input type="checkbox"/>	Location of Facilities (IV.B.2)
	<input type="checkbox"/>	Off-Street Loading (IV.C. <u>    </u> )
	<input type="checkbox"/>	Historic Re-Use (V.B)
	<input type="checkbox"/>	Open Space Residential Development (V.F)
	<input type="checkbox"/>	Mixed Use Regulations (V.G)
	<input type="checkbox"/>	Affordable Housing (V.H)
	<input type="checkbox"/>	Active Adult Housing (V.I)
	<input type="checkbox"/>	Drive-Thru Facility Regulations (V.J)
	<input type="checkbox"/>	Neighborhood Cluster Development (V.K)
	<input type="checkbox"/>	Agriculture Preservation Development (V.M)
	<input type="checkbox"/>	Open Space Cluster Development (V.N)
	<input type="checkbox"/>	Other ( <u>                                    </u> )
<input type="checkbox"/>	Other ( <u>                                    </u> )	
<input type="checkbox"/>	Other ( <u>                                    </u> )	
<b>Chapter 43D Application</b>		

**Property Information**

Current Use of Property:	<u>Domino's Pizz Shop</u>
Proposed Use of Property:	<u>Domino's Pizza Shop</u>

*Submittal requirements can be found in each permit's respective section of the Framingham Zoning By-law*

Describe your request under section IV.B.1.c :

Request to retain ten seats with only eight parking spaces. Nine Parking spaces required. Parking space lost during construction to install and screen dumpster.

Describe your request under section \_\_\_\_\_:

Describe your request under section \_\_\_\_\_:

Describe your request under section \_\_\_\_\_:

**(if filling out FORM E, page 3 is not required)**

**Project Information**

<b>Attorney Name:</b> Peter R. Barbieri	<b>Email:</b> pbarbieri@fletchertilton.com
<b>Mailing Address:</b> Fletcher Tilton PC 161 Worcester Road, Suite 501, Framingham/	MA 01701 <b>Phone:</b> 508-532-2517
<b>Project Engineer Name:</b> Jason Gnich	<b>Email:</b>
<b>Mailing Address:</b> 9 S.E. 3rd Avenue, Suite 110, Portland, OR 97214	<b>Phone:</b> 503-552-9079
<b>Traffic Engineer Name:</b> N/A	<b>Email:</b>
<b>Mailing Address:</b>	<b>Phone:</b>
<b>Stormwater Engineer Name:</b> N/A	<b>Email:</b>
<b>Mailing Address:</b>	<b>Phone:</b>
<b>Landscape Architect Name:</b> N/A	<b>Email:</b>
<b>Mailing Address:</b>	<b>Phone:</b>

**Zoning Data**

<b>Please refer to the Framingham Zoning By-law Section I.E. Definitions and Section IV.E. Dimensional Requirements for additional information</b>			
	<b>Existing</b>	<b>Proposed</b>	<b>Required</b>
Lot Area (square feet/acres)	8,153 / .187	No Change	4,000 / .09
Frontage of Property (feet)	120	No Change	-----
Front Setback (feet)	36	No Change	-----
Side/Rear Setback (feet)	5/4	No Change	-----
Minimum Landscape Open Space Surface Ratio (%)	41.70	34.89	5%
Building Height (feet)	1/15	No Change	3/40
Lot Coverage (%)	58.29%	65.10%	-----
Gross Floor Area Ratio of Building(s)	1,700 s.f.	No Change	-----
Floor Area Ratio (gross floor area of buildings(s) ÷ size of parcel)	.2	No Change	-----
Number of Parking Spaces	8	8	9
Handicap Parking Spaces	1	1	1
Bicycle Parking Spaces	20	2	2
Loading Spaces	-----	-----	-----
Number of Loading Bay	-----	-----	-----





TOWN OF FRAMINGHAM  
Valerie Mulvey, Town Clerk  
*Dedicated to Excellence in Public Service*



Bk: 87228 Pg: 267 Doc: DECIS  
Page: 1 of 13 05/10/2016 12:35 PM

Date: May 5, 2016

Location: 281 Concord Street

Name: PMLRA Pizza, Inc.

owner: 281 Concord street LLC deed ref: 66879/464

According to the records of the Framingham Town Clerk's Office an application was filed in the Town Clerk's Office on March 9, 2016 for Modification to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces to allow applicant, to reuse the sire and existing building as a Domino's Pizza Shop with associated minor site improvements and tandem employee parking.

A decision was made by the Planning Board on April 7, 2016 and the decision was filed in the office of the Town Clerk on April 8, 2016.

Twenty days have elapsed and no appeal has been filed with the office of the Town Clerk.

Lisa Ferguson  
Assistant Town Clerk

**Fletcher Tilton**  
**370 Main St**  
**Worcester, MA 01608**

2016 APR - 8 P 4: 24

**Framingham Planning Board**

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TOWN CLERK  
FRAMINGHAM

Town Clerk Stamp

**Planning Board Members:**

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

**Planning Board Staff:**

Amanda L. Loomis, AICP, Planning Board Administrator  
 Stephanie D. Marrazzo, Clerical Assistant

**TOWN OF FRAMINGHAM - PLANNING BOARD****Notice of Decision**

**Regarding the Application of PMLRA Pizza, Inc  
 for the Property located at  
 281 Concord Street Framingham, MA**

On March 9, 2016, the Applicant, PMLRA Pizza, Inc, filed with the Planning Board, and on March 9, 2016, the Planning Board filed with the Town Clerk, for Modification (Minor) to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces to allow the Applicant, to reuse the site and existing building as a Domino's Pizza Shop with associated minor site improvements and tandem employee parking. The property is located at 281 Concord Street, zoned as Neighborhood Business (B-1), and the Framingham Assessor's Parcel ID is 121-98-4134-000

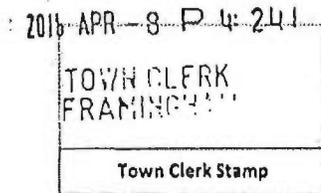
After the notice of the public hearing was published in "The MetroWest Daily News" on March 14, 2016 and March 21, 2016 and mailed to parties of interest pursuant to the Framingham Zoning By-Law and M.G.L. Chapter 40A, the Planning Board opened the public hearing on March 31, 2016 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham. A continued public hearing was held on April 7, 2016.

On April 7, 2016 the Planning Board **APPROVED** the application Modification (Minor) to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces for the property located at 281 Concord Street and a **DECISION** was filed in the office of the Town Clerk on March 8, 2016.

*Christine Long, Chair*

**FRAMINGHAM PLANNING BOARD**

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



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Planning Board Members:  
Christine Long, Chair  
Lewis Coken, Vice Chair  
Victor Ortiz, Clerk  
Thomas F. Mahoney  
Stephanie Mercandetti

Planning Board Staff:  
Amanda L. Loomis, AICP, Planning Board Administrator  
Stephanie D. Marrazzo, Clerical Assistant

**TOWN OF FRAMINGHAM - PLANNING BOARD**

**Notice of Decision  
Regarding the Application of PMLRA Pizza, Inc  
for the Property located at  
281 Concord Street Framingham, MA**

Notice is hereby given in accordance with M.G.L. c. 40A, Section 15 that in the applications of PMLRA Pizza, Inc for Modification (Minor) to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces to allow the Applicant, to reuse the site and existing building as a Domino's Pizza Shop with associated minor site improvements and tandem employee parking. The property is located at 281 Concord Street. The opening public hearing was held on March 31, 2016, and notice of the public hearing was published in "The MetroWest Daily News" on March 14, 2016 and March 21, 2016. The Planning Board APPROVED said application on April 7, 2016 and the decision was filed in the Office of the Town Clerk on April 8, 2016. For additional information please see the Planning Board's webpage at [www.framinghamma.gov](http://www.framinghamma.gov).

*Christine Long, Chair*  
**FRAMINGHAM PLANNING BOARD**

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

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**Planning Board Members:**  
Christina Long, Chair  
Lewis Colten, Vice Chair  
Victor Ortiz, Clerk  
Thomas F. Mahoney  
Stephanie Mercandetti

**Planning Board Staff:**  
Amanda L. Loomis, Planning Board Administrator  
Stephanie Marrazzo, Clerical Assistant

To: Valerie Mulvey, Town Clerk  
From: Amanda Loomis, Planning Board Administrator  
RE: Clerical error, Planning Board Notice of Decision – 281 Concord Street  
Date: May 5, 2016

2016 MAY -5 A 8:52  
TOWN CLERK  
FRAMINGHAM

**Amendment**

Correction of a clerical error in the cover letter/notice of decision (for posting purposes) for the project at 281 Concord Street. Notice of Decision sent to the MetroWest Daily Newspaper, the abutters to the property, the 7 abutting municipalities, and parties of interest reflects the correct date. The amendment to the cover letter/notice of decision includes:

On April 7, 2016 the Planning Board **APPROVED** the application Modification (Minor) to an approved Site Plan and Special Permit dated March 31, 2003 and for a Special Permit for tandem employee parking spaces for the property located at 281 Concord Street and a **DECISION** was filed in the office of the Town Clerk on ~~March 8, 2016~~ April 8, 2016.

**Framingham Planning Board**

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Planning Board Members:  
Christine Long, Chair  
Lewis Colten, Vice-Chair  
Victor A. Ortiz, Clerk  
Thomas F. Mahoney  
Stephanie Mercandetti

**DECISION OF THE FRAMINGHAM PLANNING BOARD  
FOR THE PROPERTY LOCATED AT 281 CONCORD STREET  
DECISION DATED APRIL 7, 2016**

2016 APR - 8 P 4: 24  
TOWN CLERK  
FRAMINGHAM

General Property Information

Property Address: 281 Concord Street  
Assessor's Information: 54-109-1 (121-98-4134-000)  
Zoning District/Overlay District: Neighborhood Business (B-1)

Application Information

Application(s): Minor Site Plan Review, Section VI.F.2.a (Modification to an approved Site Plan and Special Permit dated March 31, 2003) and Special Permit for tandem off-street parking spaces, Section IV.B.2.d  
Date application(s) were filed with the Planning Board: March 9, 2016  
Date application(s) were filed with the Town Clerk: March 9, 2016  
Project Number: PB-005-16

General Project Contact Information

Applicant Name: PMLRA Pizza Inc.  
Applicant Address: 15 Basin Lane, Scituate MA 02066  
Landowner Name: 281 Concord Street, LLC  
Landowner Address: 281 Concord Street, Framingham MA 01701  
Project Contact Name: Attorney Peter Barbieri, Fletcher Tilton PC  
Engineer Name: Robert Drake  
Engineer Company: Drake Associates Inc

Legal Ad & Public Hearing Information

Run dates of the Legal Ad: March 14, 2016 (14 days prior to 1<sup>st</sup> public hearing) and March 21, 2016 (7 days prior to 1<sup>st</sup> public hearing)  
Date of abutter/7 Abutting municipality/parties of interest mailing: March 10, 2016  
Date of opening public hearing: March 31, 2016  
Applicant's Representatives in attendance at the Public Hearing(s): Attorney Peter Barbieri and Hank Askew, Applicant  
Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Vice-Chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti

Planning Board Approval Information

Date of approved site plans associated with this Decision: February 18, 2016, revised through March 30, 2016

**HEARING**

The Framingham Planning Board held a total of two public hearings during the review of the Project located at 281 Concord Street, Framingham. Framingham Planning Board Members present during the public hearings held for the Project were Christlne Long, Chair, Lewis Colten, Vice-chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti. During the public hearings, the following individuals appeared on behalf of the Applicant: Attorney Peter Barbleri and Hank Askew, Applicant

The Planning Board arrived at this Decision based on the Framingham Zoning By-Law, information submitted by the Applicant, comments from town boards and officials, as well as from members of the public. Findings obtained from the application and public hearing process resulted in the modification of the respective approved conditions.

**FINDINGS**

**Section VI.F.6.a. Retain Community Character**

The site at 281 Concord Street contains an existing building that was previously used as a gas station and a dry cleaner. In 1960 the existing gas station was removed and replaced with an updated gas station, which is the building that exists today. In 2003 the building was converted into a dry cleaner obtaining all respective necessary approvals. In 2014, the Zoning Board of Appeals granted a special permit for use to allow for fast food restaurant operations at this location.

The proposed use will create no changes to the site except for a minor expansion and restriping of the paved area. The site currently does not contain any historic features. The site is heavily landscaped with plantings and contains fencing which shall remain. Parking is located in the front of the building and is a pre-existing condition.

The new use of the site is a ten seat Domino's Pizza Shop and such use as a restaurant is consistent with the commercial nature of the corridor. The Domino's Pizza Shop currently located on Kendall Street will vacate that space for this new location.

**Section VI.F.6.b. Traffic, Parking, and Public Access**

The Applicant has provided a Parking/Traffic Impact Statement. The proposed use is classified as a fast food restaurant, which requires one parking space per two seats plus one space per two employees. The use will consist of ten seats for customers and will employ eight employees. The use will be required to provide a total of nine parking spaces. Two of the nine parking spaces are proposed as tandem off-street parking spaces.

The Applicant has applied for a special permit for two tandem off-street parking spaces under Section IV.B.2.d. The proposed tandem parking spaces will be utilized by the employees. The Planning Board has the authorization under Section IV.B.2.d.2) of the Zoning By-Law to grant a special permit for such tandem off-street parking spaces for the purposes of employee parking spaces. The tandem off-street parking spaces are located in front of the building's main entrance. Due to the compact nature and limited maneuverability of the site, the use of tandem off-street parking spaces is appropriate. The Applicant should set a schedule that allows employee shift changes during non-busy hours to allow for the inner most vehicles to vacate the tandem space without requiring the other employee to utilize customer parking spaces.

The site is accessible by one curb cut off Concord Street (Route 126). The proposed use is not anticipated to affect traffic, nor have an impact upon the flow of traffic that exceeds the previous use. The Applicant

shall install two bicycle racks that does not impede pedestrian and/or vehicle movement to comply with the Town's Complete Street Policy, the 2014 Master Land Use Plan, and the Zoning By-Law. If the racks cannot safely be located on-site, the Applicant shall gift the Town the two bicycle racks for installation across the street at the park.

Light poles shall be maintained in accordance with Condition 14 of the 2003 Special Permit: "New light poles installed in landscaped areas shall be at least three feet away from curbing and shall be on foundation bases flush with the ground and shall not to exceed a total pole height of 20 feet. Light poles shall have cutoff type fixtures designed to minimize glare and spillover. Any exposed light pole bases higher than 2 inches over finished grade shall be stained to match light poles. Metal conduits on telephone poles shall be painted to match the pole. The Applicant shall place seven day timers on all parking lot light poles set to turn off one hour following closing." With the proposed increase in hours, a review of such lighting shall be reviewed to ensure such lights are not shining in abutting residential window.

Snow removal activities shall include removal of snow off of the pavement area. If necessary, the Applicant shall relocate the snow to the northeast corner of the site, behind the fence. Snow storage will not reduce the number of parking spaces nor will it impact lines of sight. In the event of excess snow, the Applicant shall remove this snow from the site.

Section VI.F.6.c. Environmental Impact and Section VI.F.6.d. Health

No substantial changes to the site are proposed. The only changes include an interior fit out for the use, amendments to the façade, re-stripping of the parking lot, and an increase of 200sf in impervious area. The small increase in impervious coverage will not have an impact on the surface runoff, as prior to 2003 the impervious coverage was substantially greater than existing conditions. The drainage system will be maintained in accordance with the 2003 Special Permit, which requires the regular maintenance of the building, including the inspection and cleaning of the catch basins annually.

The project does not pose adverse impacts on air-quality, noise, glare, or odors. The site does not create a hazard to abutters, vehicles, or pedestrians. There shall be no handling or disposal of hazardous materials on the site.

Section VI.F.6.e. Public Services and Utilities

The site is serviced by public water and sewer. Municipal service lines to the property were installed with the change in use in 2003, and are sufficient to handle the demands of the new use. The Department of Public Works requested that a grease trap be installed prior to the issuance of an occupancy permit. Therefore, the Applicant shall install a grease trap in accordance with the requirements and regulations of the Town.

Section VI.F.6.f. Land Use Planning

The land use is consistent with both the Framingham Zoning By-Law and the Town's Master Land Use Plan. The Applicant agrees to maintain the landscaping and site improvements in good condition. Furthermore, the Applicant shall maintain the frontage and the property free of litter throughout the years.

Special Permit for Tandem Off-street Parking Spaces (Section IV.B.2.d)

The Applicant has applied for a special permit for the use of tandem off-street parking spaces, under Section IV.B.2.d for the purposes of employee parking. The Planning Board reviewed the request for the

use of tandem off-street parking spaces for the property located at 281 Concord Street. The location of the tandem spaces is located in the front of the building, in front of the main entrance. The location is appropriate for such use due to the limited turn-over of the spaces being utilized by the employees of the restaurant. In the event that patrons of the establishment start parking in these spaces, the Applicant agrees to install appropriate signage stating that the spaces are for employees only.

Furthermore, it is understood that employees will be using the customer parking spaces during a shift change for the purposes of removing vehicles from the inner most space. Once the shift change is complete, employee vehicles shall be located in the tandem off-street parking spaces.

Therefore, the Planning Board finds that under Section IV.B.2.d.2) the project complies with the intent of a special permit for tandem off-street parking spaces for the purposes of employee parking.

#### CONDITIONS OF APPROVAL

The Planning Board finds that the Application and Plans submitted by the Applicant comply with all applicable provisions of the Town's By-Laws, relevant to this review. Accordingly, the Planning Board votes are pursuant to relevant provisions of the Town By-Laws that include Minor Site Plan Review (Section VI.F.2.a) and Special Permits for Tandem Off-street parking (Section IV.B.2.d) pursuant to the Framingham Zoning By-laws to approve the site plan application. Said approval from the Planning Board is subject to the following conditions:

#### General Provisions

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator, Building Commissioner, and the Town Engineer to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given 48 hour written notice. If activity on the Property ceases for longer than 30 days, 48 hour written notice shall be given to the Planning Board Office prior to restarting work.
3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and emergency contact telephone number of the individual or individuals who shall be responsible for all activities on site and who can be reached 24 hours a day, seven days a week.
4. A copy of this Decision shall be kept on the Property.
5. Prior to the issuance of any building permit, an electronic copy of the approved Site Plan shall be provided to the Planning Board Office for distribution to Town Departments, in order to be reviewed for compliance with this Decision. The Site Plan shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the Site Plan, the Decision shall take precedence.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.

7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
8. The Applicant shall record this Decision with exhibit(s) at the Middlesex South Registry of Deeds prior to the issuance of a building permit, after the required appeal period has lapsed in accordance with M.G.L., c. 40A, Section 17. The Applicant will submit proof of recording to the Planning Board. Failure to record the decision or comply with the conditions of approval herein shall render this Decision null and void.
9. This approval for Minor Site Plan Review and Special Permits for tandem off-street parking spaces shall lapse within two years from the date the Decision is recorded at the Middlesex South Registry of Deeds, not including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause as determined by the Planning Board.
10. The failure to comply with the By-laws and/or the terms of this Decision may result in revocation of the permit for Minor Site Plan Review and Special Permits for tandem off-street parking spaces permit issued hereunder. The Planning Board shall by first class mail send the owner written notification of any failure to comply with the By-law and/or the terms of this Decision. If the owner believes that it is not in violation, it may request and will be granted an opportunity to attend a Planning Board meeting to try to resolve the alleged violation. If within 30 days from the date of mailing of said notice, the owner has not resolved the matter with the Planning Board, or remedied the alleged violation, it shall be grounds for revocation of the approvals issued hereunder. At the expiration of the 30 day period, the Planning Board after a duly noticed public hearing, including notice to the owner by first class mail, may revoke the approvals issued hereunder if it finds by a four-fifths vote that there has been a violation of the By-law and/or the terms of this Decision and that the owner has failed to remedy it; alternatively, the Planning Board may continue the public hearing, or by a four-fifth vote extend the time period in which the violation may be corrected.
11. Prior to the issuance of the building permit, the Applicant shall provide all documents and information requested by the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with, all conditions of this approval.  
Infrastructure/Site Design/Landscaping
12. Prior to the issuance of a use and occupancy permit, the Applicant shall either substantially complete the landscaping improvements shown on the approved landscaping plan or post a performance guarantee in accordance with this decision. All on-site landscaped buffer areas shall be maintained in good condition in perpetuity so as to present a healthy and neat appearance. The Applicant shall follow regularly scheduled routine maintenance. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for approval and implementation upon approval.
13. The Applicant will provide regular maintenance of all facilities. The Applicant shall maintain all on-site drainage in working condition at its own expense, which shall include inspecting the catch basins twice annually (spring and fall) and cleaning, if necessary, to remove sediment.

14. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
15. Any dumpster or dumpster enclosure, as shown on the Final Approved Site Plan shall remain closed and locked except when trash deposit, removal and pickup operations are being conducted.
16. The Applicant shall maintain the landscaping in perpetuity to ensure lines of sight are not blocked on Concord Street and Lawrence Street.
17. The Applicant shall construct all improvements in compliance with all applicable state and federal regulations with respect to the design of any architectural access features required under the Americans with Disabilities Act (ADA) and with 521 CMR Architectural Access Board Rules and Regulations.

**Site Construction**

18. The Applicant shall perform daily cleanup of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.
19. Outside construction hours are to be between 7:00 AM and 5:30 PM Monday through Friday and 8:00 AM and 4:00 PM on Saturday. Absent emergency conditions, no construction is permitted on Sunday or holidays. No equipment on-site shall be started and allowed to warm up prior to the start of the allowed construction hours. No vehicles are to arrive at the construction site before the designated construction hours, which includes no vehicle parking, standing or idling on adjacent public streets.
20. Any work within the public right of way shall be required to have a police detail during the duration of said work for the purpose of public safety.
21. The Applicant shall protect any vegetation, which shall remain post-construction with temporary protective fencing or other measures, prior to the start of construction.

**Environment**

22. The stormwater drainage system for the Project shall be in accordance with the Massachusetts Department of Environmental Protection Stormwater Policy relating to water quality and flood control using Best Management Practices as the standard of performance.
23. All stormwater and erosion control management shall be checked prior to the start and finish of each work day. A multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any repairs or adjustments or deficiencies shall be made immediately.
24. Snow storage shall be on-site in the snow storage areas designated on the Final Approved Site Plans. Snow storage shall not obstruct sight lines to preserve public safety and Applicant must remove excess snow from the site as may be necessary within forty-eight hours after the snow fall ends, in order to preserve public safety.

**Framingham Department Review**

25. The Applicant shall comply with all directives requested in the correspondence from the Department of Public Works dated April 11, 2014.
26. The Applicant shall install security cameras on the exterior of the building to provide views of the entire site, in addition to Concord Street and Lawrence Street as requested by the Police Department for the purposes of safety.

27. The Applicant shall comply with all the directives requested in the correspondence from the Fire Department dated March 18, 2016.

28. Sidewalks throughout the site shall be constructed to be accessible by all pedestrian users.

Special Provisions/Periodic Conformance Reporting and Review

29. The Applicant shall provide the following performance guarantees for the Project.

- a. Upon completion of the project and prior to the request for a final use and occupancy permit, the Applicant shall provide the Planning Board with "As Built Plans" which shall be reviewed by the Planning Board Administrator, for certification that the landscaping has been planted substantially in accordance with the approved Landscape Plan, at which time a Landscape Maintenance Bond shall be required.
- b. The Applicant shall provide to the Town of Framingham a Landscape Maintenance Bond in the sum of 20 percent of the total landscape cost to replace any trees which are improperly pruned or dead trees, shrubs or lawn areas, as shown on the approved Landscape Plan, which shall be posted for a period of two years commencing with the completion of the landscaping and certification of the Landscape Plan, as required above.

30. Prior to the issuance of a final use and occupancy permit, the Applicant shall submit an as-built plan stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plan in a form acceptable to the Town of Framingham, Department of Public Works, Engineering & Transportation Division (DPW). The as-built plan shall be submitted in both hard copy and electronic formats (PDF and AutoCAD). The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Town of Framingham DPW. The plan shall include but not be limited to site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to DPW a minimum of 5 business days in advance of the Applicant seeking a final certificate of occupancy sign-off to allow time for DPW review and approval of submitted information. The Applicant shall also submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.

31. The Applicant shall maintain any plantings or physical landscape features located within the driveway sight lines should be maintained at a height of two feet or less above the adjacent roadway grade.

32. The Applicant shall install two bicycle racks on the site that are not located in areas that create a hazardous condition for vehicles, pedestrians, and bicyclist. If the racks cannot safely be located on-site, the Applicant shall gift the Town the two bicycle racks for installation across the street at the park.

33. The Applicant shall review the existing lighting fixtures to ensure that the light does not create spillover during evening hours. In the event that site lighting spills over or shines in abutting residential windows the Applicant shall resolve the issues with a revised lighting plan.

WAIVERS

No waivers were requested by the Applicant.

VOTES

Tandem Off-street Parking Spaces for the purposes of employee parking (Section IV.B.2.d) pursuant to the Framingham Zoning By-laws

The Planning Board voted five in favor, zero opposed, and zero abstention to grant approval of a Special Permit for tandem off-street parking spaces, Section IV.B.2.d pursuant to the Framingham Zoning By-Laws to allow the Applicant, PMLRA Pizza Inc. to establish two tandem parking spaces for the purposes of employee parking at the property located at 281 Concord Street as shown on the Site Plan dated February 18, 2016, revised through March 30, 2016

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

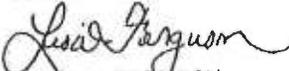
Minor Site Plan Review (Section VI.F.2.a) pursuant to the Framingham Zoning By-laws

The Planning Board voted five in favor, zero opposed, and zero abstention to grant approval of a permit for Minor Site Plan Review, Section VI.F.2.a (Modification to an approved Site Plan and Special Permit dated March 31, 2003) pursuant to the Framingham Zoning By-Laws to allow the Applicant, PMLRA Pizza Inc. to reuse the site and existing building as a Domino's Pizza Shop with associated site improvements at the property located at 281 Concord Street as shown on the Site Plan dated February 18, 2016, revised through March 30, 2016

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

By: \_\_\_\_\_  
 Christine Long, Chair, Framingham Planning Board  
 Date of Signature:

A TRUE COPY ATTEST

  
 LISA FERGUSON  
 ASSISTANT TOWN CLERK

**Exhibits**

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports as required by the Framingham Zoning By-Law. During the public hearing process the Applicant and its professional consultants submitted revisions to plans in response to requests by the Planning Board and various Town Departments that reviewed the Project. These plans, reports and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. Form A – Application Cover Letter, Property Address: 281 Concord Street, stamped with the Town Clerk on March 9, 2016, Project Number: PB-005-16
2. Form G – Request for Modification Application, Property Address: 281 Concord Street, stamped with the Town Clerk on March 9, 2016, Project Number: PB-005-16
3. Form L – Special Permit Application, Property Address: 281 Concord Street, stamped with the Town Clerk on March 9, 2016, Project Number: PB-005-16
4. Email: RE: 281 Concord Street, From: Attorney Peter Barbieri related to snow storage, dated March 7, 2016
5. Site Plan: No. 281 Concord Street, Framingham, Mass, prepared for PMLRA Pizza, Inc., prepared by Drake Associates, Inc., dated February 18, 2016, revised through March 30, 2016
6. Architectural Photo, Proposed Domino's Pizza – 281 Concord Street, Framingham, MA, prepared by Gnich Architecture Studio, dated March 11, 2016
7. Development Impact Statement for PMLRA Pizza, Inc. for 281 Concord Street, Framingham, MA, dated February 2016

The Planning Board received correspondence from various Town Departments that reviewed the project. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Special Permit and Site Plan Review Checklist for Application Submittal for the Project located at 281 Concord Street, dated March 9, 2016, stamped with the Town Clerk on March 9, 2016
2. ACCELA: Comment from the Framingham Building Department, received March 29, 2016
3. ACCELA: Comment from the Fire Department, received March 18, 2016
4. ACCELA: Comment from the Police Department, received March 14, 2016
5. Letter of Comment from the Department of Public Works, Dated April 11, 2014

**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



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**BUILDING DEPARTMENT RECOGNITION FORM**

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To: Amanda Loomis, Planning Board Administrator

From: Michael Tusino, Building Commissioner

Property Address: 281 Concord Street

Date: November 15, 2016

Required Permits: Special Permit Reduction in Parking Spaces

Eight (8) Spaces Provided Not Nine (9)

In accordance with Section VII.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: \_\_\_\_\_

Documents Submitted for Review and Determination: \_\_\_\_\_

Site Plan

**Framingham Planning Board**

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



**PERMIT | FRAMINGHAM**

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- Application Submittal**
- Electronic Application Materials/5 Full Size Site Plans/ 13 Half Size Plans
- 1 Original copy of the Application(s)/ 1 Copy of all other materials
- Application Fee - Total Fee:                      Check #:**
- Abutters List - Total Number of Lists:**
- Treasurer Sign-off - Date Signed Off Date:**
- Building Commissioner Sign-off Date:** 11/15/16
- Planning Board Administrator Sign-off Date:** 11/28/16
- Legal Ad - Drafted on:** 11/28/16
- Town Clerk - Date Stamped: 11/28/16
- Abutter Mailing - Date Mailed:
- MetroWest Daily News - Date Emailed: 11/28/16    Run Dates: 12/2 + 12/9
- Application Distribution to Town Clerk - Date Stamped:** 11/28/16
- Application Distribution to Departments Date of Original Distribution:**
- Application Distribution to Planning Board - Date:**
- Application and Materials Posted to the Website - Date:**                      **Facebook - Date:**
- Send Stamped Documents to Applicant- Via Email:** 11/28 **Mail:**
- Staff Meeting - Date** NA
- Outlook Notification to Staff - Date sent: NA
- Outlook Notification to Applicant - Date Sent: NA
- Public Hearing Date - Date of Opening Public Hearing:** 12/19/2016
- Staff Comment Deadline- Date** 1/2/2016
- Decision Date - Date Voted by Board**
- Decision/Notice of Decision - Date Drafted:**
- Town Clerk - Date Stamped:
- MetroWest Daily News - Email:                      Run Date:
- Abutter Notification - Date Mailed
- Decision Posted to Planning Board Webpage - Date:**
- Appeal Deadline Date (20 Days after Stamped with Clerk) - Date:**
- Applicant Certification of Decision - Email Sent 21 Days After:**
- Final Plan Set (One Paper and One Mylar for Board Signature**
- Final Electronic Plan Set with Board Signatures**

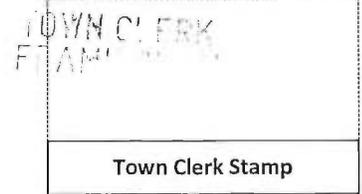
2016 NOV 28 P 3: 24

**Framingham Planning Board**

Memorial Building • Room 205 • 150 Concord Street  
Framingham, MA 01702-8373  
(508) 532-5450 • [planning.board@framinghamma.gov](mailto:planning.board@framinghamma.gov)



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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, AICP, Planning Board Administrator  
Raphaela Morais-Peroba, Community Outreach Coordinator

**TOWN OF FRAMINGHAM  
PLANNING BOARD  
PUBLIC HEARING**

Pursuant to Section IV.B, IV.E, VI.E, and VI.F of the Framingham Zoning By-Law the Framingham Planning Board, will hold a public hearing on Monday, December 19, 2016 at 7:00p.m. in the Ablondi Room, Memorial Building, located at 150 Concord Street, Framingham, Massachusetts. The public hearing will be held to consider the application of PMLRA Pizza, Inc. for a Special Permit for a Reduction in the Required Number of Off-street Parking Spaces. The project was previously approved on April 7, 2016 for a 10 seat fast food restaurant, which requires 9 parking spaces, the applicant proposed a total of 8 parking spaces. The property is zoned Neighborhood Business (B-1) and is listed as Framingham Assessor's Parcel ID: 121/98/4134/000. The application and plan submittal is on file for review in the Planning Board Office, Room 205 of the Memorial Building and available online at [www.framinghamma.gov](http://www.framinghamma.gov) on the Planning Board Webpage.

***Christine Long, Chair  
Framingham Planning Board***

Publish, MetroWest Daily News: Friday, December 2, 2016 and Friday, December 9, 2016

Precinct 14