

DEVELOPMENT IMPACT STATEMENT

FOR

GENZYME CORPORATION

**2 - 8 New York Avenue
Framingham, MA 01701**

DATED: DECEMBER, 2016

Attorney:

Peter R. Barbieri
Fletcher Tilton PC
161 Worcester Road, Suite 501
Framingham, MA 01701
(508) 532-3517

Engineers:

Jacobs Engineering Group
Three Tower Bridge
Two Ash Street, Suite 3000
Conshohocken, PA 19428
(610) 238-1000

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A. Application for Modification of Site Plan Approval

I. DESCRIPTION OF PROJECT

1.1 Development History.

In the late 1970's, Paramount Development and Perini Corporation developed the Framingham Industrial Park creating California Avenue, The Mountain Road, Pennsylvania Avenue and New York Avenue. As part of the Development, 2-8 New York Avenue was created. Specifically, the property includes 241,326 square feet of land with over 290 feet of frontage on California Avenue and over 260 feet of frontage on New York Avenue. The property has been used as a warehouse/manufacturing facility.

The property is located in the Technology Park which requires that Lots have an area of 43,560 square feet with one hundred (100) feet of frontage, and that buildings be set back thirty (30) feet from the street line and fifteen (15) from side lot lines. Further, buildings can be no more than six (6) stories, or one hundred (100) feet in height. The Floor Area Ratio is limited to .8 for warehouses and manufacturing facilities. The present construction and use of the site comply with those requirements. Recently, approximately 30,000 square feet of the original building has been demolished leaving approximately 71,450 square feet.

In January, 2014 the Planning Board issued Site Plan Approval and Public Way Access Permit Approval for the construction of a 2,180 square foot addition to the Premises. A copy of the Decision is attached hereto. With the approval, significant changes were made to the parking layout, which improvements have been substantially completed. The landscaping, as approved on the plan, has not been fully completed. The structural addition has been completed and the exterior improvements to the building have also been substantially completed.

1.2 Project Description and Proposal.

The proposal is to modify the manufacturing/operation facilities within the existing building. Specifically, the proposal is to relocate a significant area of mechanical space from within the building and to the roof. The roof top equipment areas will be fully screened. The attached Architectural Plans depict the new enclosure which will cover approximately two-thirds of the building.

The proposal is to renovate the existing floor resulting in an increase in Gross Floor Area of approximately 4,050 square feet. The increase in square footage also results in a total Gross Floor Area of 75,480 square feet, which establishes a Floor Area Ratio of .313.

The proposal to add 4,050 square feet results in an increase in the parking requirement, based upon the parking required of one (1) space per eight hundred (800) square feet, of five (5) parking spaces.

Due to the development of the long range plans for the use of the site, which anticipates the construction of an addition along the northerly side of the existing building, at the present time the underground utilities and structures within the area of the north side of the building are being relocated beyond what is anticipated to be the proposed building footprint. The changes to

the site result in a decrease in the landscaped open space of 1,770 square feet. Accordingly, upon completion of all the proposed improvements, there will be 72,225 square feet of Landscaped Open Space, which represents approximately 29.9 percent of the site, which satisfies the minimum twenty percent (20%) Landscape Open Space Requirement.

Additional changes include the installation of an expanded tank farm and containment area along the easterly side of the building. The plans depict, even with the proposed changes, that appropriate circulation for Fire Department vehicles is available.

There will be no changes to the landscape buffers along California Avenue or New York Avenue nor the approved landscaping within those buffers with the exception of the impact of the proposed Fire Pump House, which is to be located immediately adjacent to the parking area on the easterly side of the property. The Fire Pump House, as depicted on the Plans, will be screened by the relocation of the previously approved landscaping.

II. Traffic and Parking

2.1 Parking Impact Assessment.

The parking area, as approved, which provides for one hundred nine (109) parking spaces to serve the seventy (70) occupants of the Building, will not be impacted. Based upon the Gross Floor Area of 75,483 square feet ninety-four (94) parking spaces are required. The one hundred nine (109) parking spaces provided exceeds the greater of the parking space requirements of one space per 800 square feet and one space per employee.

2.2 Traffic.

As there is no change to the employee levels, there will be no impact to traffic in the area.

III. Environmental Impact Assessment

3.1 Potential Impacts.

The design of the Improvements includes all reasonable and appropriate engineering procedures for the mitigation of any impact from the changes to the Site.

3.2 Air Quality.

There will be some short term Air Quality impacts resulting from the initial construction activities. The impact should be insignificant and should not affect adjoining properties because of the size of the Site and its surrounding environment. Construction activities will be conducted in accordance with all regulatory requirements. If necessary, on Site dewatering will be used to minimize dust emissions during construction. There should not be any long-term Air Quality impacts resulting from the Project. The operation of the Genzyme Facility will comply with all appropriate regulatory requirements and should not affect air quality.

3.3. Surface Water.

As noted, the Site has already been substantially altered. In fact, all the changes occur in areas that have already been disturbed. No significant grading changes are being made. New water quality structures within the existing parking area are proposed. See attached Stormwater Management Report. As a result of the Improvements, the pervious area of the site is actually reduced by approximately 1,770 square feet. The increase in impervious coverage of 1,770 square feet can be handled by the approved Stormwater System.

3.4. Ground Water.

There are no public drinking water wells on the Site or in the area and, as noted, the drainage patterns and flows will not be changed.

3.5. Flooding, Erosion & Sedimentation.

As the changes to the Site are made to the existing developed portions of the Site, soil erosion and sediment control devices will be implemented to reduce sediment transport. Accordingly, no flooding, erosion or sedimentation problems are anticipated.

3.6. Hazardous Materials.

The use will not generate any hazardous material and any waste generated by the facility will be treated in accordance with all local, state and federal regulations.

3.7. Temperature and Wind Conditions.

The use of the one-story facility should not impact temperature or wind conditions on any abutting property.

3.8. Light and Noise Impacts.

The proposed use will not create any significant light or noise impact. The proposed use of the Site is consistent with the uses in the Technology Park Zoning District. The modifications of the lighting as proposed will not affect any adjacent property.

3.9. Systems Capacity.

3.9.1 Water Demand.

The change in the facility operations will not result in an increase in water demand from that as approved for the previous project.

3.9.2 Sewer Disposal.

The change in the facility operations will not result in an increase in sewer disposal from that as approved for the previous project.

3.9.3. Solid Waste Disposal.

Waste disposal will be handled privately.

IV. Fiscal Impact Assessment

4.1 Fiscal Impact.

Upon completion of the Project, the Town will receive direct and indirect financial benefits. Direct benefits will be in the nature of increased tax revenue, filing fees and building permit fees. Indirect benefits will result from increased employment and the demand for supplies, etc.

4.2 Project Impact Cost v. Revenue Analysis.

All municipal services are presently available to the Site. Accordingly, there will not be any uncompensated cost to the Town to provide service.

The only increased cost to the Town will be for increased costs associated with the provision for water and sewer services on an annual basis. This is applicable to all properties, and passed along to the landowners through property taxes and user fees.

The changes will not have a significant effect upon the valuation of the property (slight increase due to slight increase in floor area over that previously approved).

4.3 Abutting Property Impact.

As the proposed use is one which is authorized in the Zoning District, the 4,050 square foot Building increase (interior increase due to reuse of space) on the 241,326 square foot site. There should be no detrimental impact upon abutters' property. The height of all the improvements is well under the allowed height limitation. Accordingly there will be no detriment impact result for the proposed change sot the site.

V. Community Impact Assessment

5.1 Site Design Compatibility.

As stated in the Project Description and the Traffic and Parking, Environmental and Financial Impact sections of the Impact Statement, the design of the Facility complies with the requirements of the By-Law.

5.2 Historical Impact.

There are no identified historical properties in the area. Accordingly, there will be no historical impact resulting from the Project.

5.3. Development Goals.

As described, the proposed use is consistent with the uses within the Technology Park, the previously approved use of the site and the design complies with all requirements.

5.4 Land Disturbance.

The site work will not result in the removal of or filling of over four hundred (400) cubic yards of soil and no steep slopes are being created or impacted. No Land Disturbance approvals are required.

5.5 Signage.

No changes.

VI. Standards for Approval

The information submitted with these Applications, including the Development Impact Statement, the Drainage Report, and the Site Plans, detail the development of the Facility as being in compliance with applicable requirements, thereby allowing for the approval of the Application authorizing the proposed use of the Site.

VII. Conclusion

Genzyme Corp. respectfully requests that the Framingham Planning Board approve the Modification of the Site Plan Approval Application authorizing the redevelopment of 2-8 New York Avenue.

GENZYME CORP.

By: 

Peter R. Barbieri, Esquire
Fletcher Tilton PC
161 Worcester Road, Suite 501
Framingham, MA 01701
Direct Telephone: (508) 532-3517

Appendix

A. Uniform Site Plan Review Application – Major Site Plan Review Section IV.I.2.b.

Decision of the Framingham Planning Board on the
Application of Genzyme Corporation
For Site Plan Review Approval and Public Way Access Permit
2-8 New York Avenue, Framingham, MA

TOWN CLERK
FRAMINGHAM

Date of Decision: January 23, 2014

STATEMENT OF FACTS

On November 12, 2013, the Applicant, Genzyme Corporation, filed with the Planning Board, and on November 12, 2013, the Planning Board filed with the Town Clerk and departments, an application for Site Plan Review Approval pursuant to Section III.L. and IV.I. of the Zoning By-Law of the Town of Framingham, Massachusetts and Public Way Access Permit pursuant to Article VI. Section 8 of the General By-laws of the Town of Framingham. The Application was filed in connection with the Applicant's plan to redevelop and reuse the facility, adding an addition of approximately 2,180 square feet; the proposed project shall be used by Genzyme Corporations for research & development, laboratory processing and manufactures with associated offices at the property known as 2-8 New York Avenue. The Property is zoned Technology Park District. The Property is shown on Framingham Assessors Plan Sheet 463, Block 9, Lot 3.

After the notice of public hearing was published in "The Metrowest Daily News" on November 20, 2013 and November 27, 2013, and mailed to parties of interest pursuant to the By-Law and M.G.L. ch. 40A, the Planning Board opened the public hearing on December 9, 2013 at 7:00 pm in the public hearing room, Memorial Building, Framingham. Continued session of the public hearing were held on January 13, 2014 and January 23, 2014. The Planning Board closed the public hearing on January 23, 2014.

The Planning Board voted to approve the Site Plan Review and the Public Way Access Permit with conditions on January 23, 2014.

The Applicant has filed with the Planning Board, all plans and reports required under Sections IV.I. of the Zoning By-law and Article VI. Section 8 of the General By-law or other applicable provisions of the Zoning By-Law and General By-Laws. During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various departments within the Town of Framingham 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. Included with the Applicant's submittals were the following:

1. Uniform Site Plan Review for Major Site Plan Review, Section IV.I.2.b. for 2-8 New York Ave, Applicant – Genzyme Corporation. Stamped in with the Town Clerk on November 12, 2013. Document #722-13.
2. Application for Public Way Access Permit for 2-8 New York Avenue, Applicant – Genzyme Corporation. Stamped in with the Town Clerk on November 12, 2013.
3. Impact Development Statement for Genzyme Corporations, 2-8 New York Avenue, Dated November 2013.

Decision of the Framingham Planning Board on the
Application of Genzyme Corporation
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3. Impact Development Statement for Genzyme Corporations, 2-8 New York Avenue, Dated November 2013.

4. Stormwater Report for Genzyme Corporation, Fabrazyme DSP Manufacturing Facility, 2-8 New York Avenue. Dated October 31, 2013. Document #721-13
5. Site Plans for Genzyme Corporation, Fabrazyme DSP Manufacturing Facility. Prepared by Tetra Tech, 11 Pleasant Street, Framingham. Dated October 31, 2013, revised January 8, 2014.
6. Architectural Renderings for Genzyme Fabrazyme DSP Manufacturing Facility. Prepared by SMMA, 1000 Massachusetts Ave, Cambridge MA. Dated October 29, 2013. Document # 720-13.
7. Memorandum From: Nancy Doherty, RE: Traffic and Parking Impact Assessment, Genzyme DSP Manufacturing Facility, 2-8 New York Avenue. Dated November 5, 2013. Document #719-13
8. Letter from Rizzo Associates – A Tetra Tech Company. Re: Proposed Genzyme Research and Development Center, 49 New York Avenue, Framingham. Dated August 25, 2005. Document #784-13.
9. Site Plan for 2-8 New York Avenue. Genzyme Corporation, Fabrazyme DSP Manufacturing. Revision Date January 8, 2014. Document #033-14
10. Architectural Plans for 2-8 New York Ave. Received January 9, 2014. Document #032-14, 034-14 and 035-14
11. Supplemental Stormwater. For 2-8 New York Ave. Received January 9, 2014. Document #036-14

The Planning Board received correspondence from the Framingham Historical Commission, Framingham Police Department, Framingham Conservation Commission and Framingham Department of Public Works. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Public Way Access Permit Checklist for Application Submittal. Project 2-8 New York Avenue. Dated November 12, 2013. Document #725-13
2. Site Plan Review Checklist for Application Submittal. Project 2-8 New York Avenue. Dated November 12, 2013. Document 724-13
3. Inter Office Memo to Staff Review Team, RE: Departmental Project Review – Major Site Plan Review and Public Way Access Permit for 2-8 New York Avenue, Genzyme, Peter Barbieri. Dated November 13, 2013.
4. Staff Report, To: Planning Board, From: Amanda Loomis, Planning Board Administrator, Subject: Staff Report, 2-8 New York Ave, Major Site Plan Review and Public Way Access Permit, Genzyme, Peter Barbieri. Dated November 20, 2013. Document #787-13
5. Comment Letter from Framingham Historical Commission, RE: 2-8 New York Avenue. Dated November 26, 2013.
6. Comment Letter from the Framingham Police Department, RE: Site Plan Review – Genzyme, 2-8 New York Ave. Dated November 27, 2013. Document #778-13
7. Comment Letter from the Framingham Conservation Commission, RE: Minor Plan Change to Order of Conditions (158-1286) 2-8 New York Avenue. Dated November 22, 2013
8. Comment Letter from Department of Public Works. RE: Genzyme Corporations, Fabrazyme DSP Manufacturing Facility, 2-8 New York Avenue. Dated January 3, 2014. Document #017-14

9. Comment Letter from Department of Public Works. RE: Genzyme Corporation, Fabrazyme DSP Manufacturing Facility, 2-8 New York Avenue. Dated January 22, 2014. Document #67-14.

HEARING

During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Peter R. Barbieri of Fletcher Tilton PC, Attorney for Genzyme, Dan O'Brien, Genzyme Corporations and David Pellegrini, Tetra Tech. During the course of the Public Hearing process the Applicant presented to the Planning Board site plans for said project, plans dated October 31, 2013, revised January 8, 2014. Several revisions of the site plan were presented by the Applicant and reviewed by the Planning Board.

The Applicant's representatives explained the history of the site and the proposed improvements. The property consists of approximately 241,326 square feet and contained a building of approximately 101,500 square feet which had been used for manufacturing and warehousing. Recently Genzyme demolished approximately 30,000 square feet of the building.

The Applicant's representatives explained that the project calls for the renovation of the remaining building and the construction of a new addition. At the hearing on December 9, the representatives advised that the plans would be modified to reflect changes to the proposed building footprint. On January 13, the representatives explained the modifications to the building which included a reduction in the size of the new entry and the construction of a utility expansion on the south side of the building. The changes do not significantly affect the area of the building (approximately 10 square feet more than identified on the original site plans). The changes do not affect the compliance of the project with the requirements of the Zoning By-Law. Specifically the FAR of .31 does not change and is well within the allowed FAR of 8. The changes also did not affect the parking compliance. The By-Law requires one parking space for every 800 square feet or one space per employee, whichever is greater. Based upon the anticipated employee/consultant occupancy of 70 people, the By-Law only requires 87 parking spaces (69,549 square foot divided by 800). The Project provides for 109 spaces.

The Applicant's representatives explained the changes to the site, including the grade changes to the parking area and the proposed landscaping. A new landscaped buffer over 50 feet in depth is proposed along California Avenue. Along New York Avenue, the existing buffer will be maintained (15 feet in depth) with additional plantings installed. A new buffer of approximately 38 feet will be created adjacent to the building. This area will also be extensively landscaped. Upon completion of the Project, the landscaped area will increase by approximately 22,500 square feet, creating a landscaped area of approximately 74,500 square feet (30.9%).

In response to requests from the Board, the Applicant also made changes to the building façade and a few landscape changes.

FINDINGS

Having reviewed all plans and reports filed by the Applicant and its representatives, having considered the correspondence from various Departments within the Town of Framingham that have reviewed the Project and having viewed the site, the Planning Board determines that the

Application complies with all applicable provisions of the By-Law including the requirements of Sections III.L. and IV.I. of the Zoning By-Law and Article VI. Section 8 of the General By-law. Specifically, the Board makes the following findings:

A. Traffic Impact Standards and Absence of Vehicular Hazard: §§ IV.I.6.a. and V.E.3.a.(3)

Based upon the Traffic and Parking Impact Assessment to allow for the demolition of approximately 30,170 s.f. of the existing building, renovate the remaining 71,230 s.f. and construct 2,244 s.f. of a new building which shall be supported by 109 parking spaces, the expected vehicle trips generated by the site is not expected to increase.

The redeveloped building has a smaller footprint and new building functions; therefore the site is expected to generate less traffic on a daily basis and during the weekday morning peak hour. Additionally, traffic operations at the nearby intersections would improve during the morning peak hour as a result of the reduction in 22 site generated trips. The non-traditional work schedule associated with the proposed use of the project would not be expected to contribute to the peak hour traffic congestion within the Technology Park.

Therefore, the Board based on the Traffic and Parking Impact Assessment prepared by the Applicant, it is concluded that the proposed manufacturing facility will not have an impact on traffic operations within the Framingham Technology Park. The Board further finds the level of service of all impacted intersections and streets shall be adequate following the development of the project and finds that the proposed site plan minimizes points of traffic conflict.

B. Environmental Impact Standards and Consistency with Impact of By-Law: §§ IV.I.6.b.

The Board finds that the Project as proposed complies with the requirements of Sections IV.I.6.b. of the By-Law. The principal use of the site shall be office, research and development, laboratory and storage. Based on the Applicant's Development Impact Statement and representation, this use is not expected to create any significant emission of fumes, noxious gases, radiation, water pollutants or other airborne environmental hazards, except for some noise and dust during the construction activities. The Property is located in the Technology Park District. It is anticipated that vehicular traffic to and from the Property, and the attendant automobile emissions, will not be detrimental to air quality.

C. Fiscal Impact Standards and Consistency with Impact of By-Law: §§ IV.I.6.c.

The Board finds that the Project as proposed complies with the requirements of §§IV.I.6.c. The existing building currently has an assessed value of \$4,881,200.00. Applicant estimates "total development cost" within the meaning of the By-Law of approximately \$7,347,400.00.

It is not anticipated that this Project will result in any significant increase in services from the Town of Framingham that exceed available capacity. The Project Site is served by all necessary municipal services such as sewer and water. There will not be any uncompensated cost to the Town to provide services.

The only increase cost to the Town will be for increased costs associated with the provision for water and sewer services on an annual basis. This is applicable to all properties, and passed along to the landowners through property taxes and user fees.

The Project site is located along New York Avenue and is already substantially developed. The Project will result in a 27,900 s.f. building decrease on the 241,326 s.f. site as a result of the recent demolition. There should not be a detrimental impact upon abutters' properties. It is expected that the improvements, including the new landscaping and building façade improvements, will enhance the view of the site and result in a positive impact on the abutting properties.

D. Community Impact Standards and Site Appropriateness: §§ IV.I.6.d.

The Board finds the proposed use of the site to be allowed by the By-Law. The Project site is located within the Technology Park Zoning District. The proposed use will not create a hazard to abutters, vehicles or pedestrians.

There are no buildings of known historical significance on the Property or in the immediate vicinity of the Property that would be impacted on this Project.

E. Parking Standards and Appropriate Facilities: §§ IV.I.6.e.

Based upon the Traffic and Parking Impact Assessment prepared by Tetra Tech for the Fabrazyme DSP Manufacturing Facility, the proposed site design includes a total of 109 surface parking spaces. In accordance with the Town of Framingham Zoning By-law, the 69,539 s.f. manufacturing facility is required to have 87 parking spaces (1 space per 800 s.f.). Therefore, as provided a total of 109 parking spaces, shall provide a surplus of 22 parking spaces. The Board finds that the redevelopment of 2-8 New York Avenue meets and/or exceeds the requirements of §§IV.I.6.e. and the Framingham Zoning By-law.

The circulation through the site shall be maintained; the parking design provides for adequate emergency vehicle access to the facilities; pedestrian safety shall be maintained.

F. Public Way Access Permit: Article VI, Section 8 of the General By-law

The Board finds the Project to be in compliance with the General By-law Article IV, Section 8. Access to/from the site would be via three signalized driveways, two of which will be 24-feet in width and located in approximately the same location as the existing driveways. The third driveway would be 30 feet wide and located on California Avenue approximately 170 feet south of the existing driveway. The new driveway would service the portion of the site restricted to truck traffic and the loading area. All driveways have been designed to accommodate the turning radius of a Framingham Platform 2 Fire Truck and a WB-50 truck.

CONDITIONS OF APPROVAL

The Board finds that the Application and plans submitted by the Applicant comply with all applicable provisions of the Zoning By-Law and General By-law including the requirements of Sections III.L. and IV.I. of the Zoning By-law and Article VI, Section 8 of the General By-law.

Accordingly, the Board votes to approve the Applications for Major Site Plan Review Approval and Public Way Access Permit, subject to the following conditions:

A. General Provisions

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator 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, copies of the approved Site Plans shall be provided to the Planning Board Office for distribution to Departments, in order to be reviewed for compliance with this decision. All plans shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the plans, the Applicant shall seek written confirmation from the Planning Board to determine whether the Decision or the plans 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 within sixty (60) days from the close of the Appeal Period, not including such time required to pursue or await the determination of an appeal as referred to in MGL, Chapter 40A, Section 17, from the grant thereof, and prior to the commencement of authorized site activity, and shall 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. This approval shall lapse.
9. This approval for Site Plan Review and Public Way Access Permit 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. 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.

B. Infrastructure/Site Design/Landscaping

11. Prior to the issuance of a final use and occupancy permit, the Applicant shall either substantially complete the landscaping improvements shown on the approved landscaping plans 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 as outlined in the Planning Board Landscape Plan. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for approval and implement upon approval.
12. The Applicant shall 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.
13. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
14. Any dumpster or dumpster enclosure, as shown on the approved Site Plans shall remain closed and locked except when trash deposit, removal and pickup operations are being conducted.
15. 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.

C. Environment

16. The Applicant agrees to minimize the use of salt in the parking area to reduce any negative impacts to the surrounding vegetation, ground water, and/or wetlands.
17. 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.
18. The Applicant shall insure that snow is removed off site so as not to reduce the number of parking spaces available, or obstruct site lines at access driveways.

D. Site Construction

19. Prior to the commencement of any authorized site activity and prior to the issuance of the building permit, the Applicant shall provide all documents and information to the Planning Board or Planning Board Administrator demonstrating that the Applicant has

complied with, or will comply with all the requirements of the Public Works Construction Standards and the requirements of the Department of Public Works as set forth in its correspondence to the Planning Board dated January 3, 2014, Document #014-14 and correspondence to the Planning Board dated January 22, 2014, Document #67-14 .

20. Prior to the commencement of authorized site activity, the Applicant shall clearly mark all existing trees, bushes and other vegetation which are to remain.
21. The Applicant shall perform daily clean-up of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.
22. 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 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.

E. Special Provisions/ Periodic Conformance Reporting and Review

23. The Applicant is responsible for providing the following performance guarantees for the development project.
 - a. Prior to the issuance of any final use and occupancy permit, the Applicant shall post a performance guarantee satisfactory to the Planning Board for all improvements including landscaping, which are incomplete or not constructed, in an amount not to exceed the cost of such improvements.
 - b. 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.
 - c. The Applicant shall provide to the Town of Framingham a Landscape Maintenance Bond in the sum of 20% 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.
24. Prior to the issuance of a final use and occupancy permit, the Applicant shall submit an as-built plan for each property 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 (AutoCAD and PDF). 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 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.

25. The Applicant shall subject to approval by the Town of Framingham, complete the installation of a sidewalk with lights along New York Avenue as depicted on the Site Plans. The work shall be completed prior to the issuance of Certificate of Occupancy. Any delay in the installation shall be approved by the Board.

Waivers:

The Board agrees to accept the Site Plan as drafted and to waive applicable provisions of the By-law including, but not limited to, the following requirements.

Section III.J.7.b Landscape Buffers

The By-Law requires a streetscape buffer of 30 feet. The Planning Board has the authority to reduce the width of the buffer to 15 feet provided the lost open space is replicated elsewhere on the site. The Project includes a 15 foot buffer along New York Avenue and a buffer of approximately 38 feet adjacent to the building along the New York Avenue side of the property. This area more than replicates the buffer open spaces not provided along New York Avenue and the Board approves the landscape buffers as reflected on the plan.

The Applicant's representatives explained that as a result of the modifications and new use of the site, the traffic in the area will be reduced. In fact, there will be a reduction of approximately 130 daily trips to the site. Further, truck traffic will be significantly reduced with the change from a manufacturing/warehouse facility to the research and development, laboratory and manufacturing facility with related offices. Accordingly there will be no detrimental impact to the traffic in the area and mitigation is not required

To waive the Landscape Buffer, § III.J.7.b.

Voted: 4 in Favor, 0 opposed, 0 abstained

