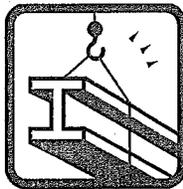


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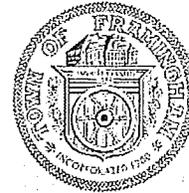
TOWN CLERK
FRAMINGHAM

Framingham Planning Board Rules & Regulations



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Amended July 16, 2015

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

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 of Framingham Planning Board Rules & Regulations

On September 8, 1998, pursuant to MGL Chapter 40A, Section 9, the Framingham Planning Board held a Public Hearing to solicit comments on proposed Rules and Regulations and at a meeting of September 15, 1998, the Board voted 4-1-0 to adopt Rules and Regulations as the official Framingham Planning Board Rules and Regulations. Following additional Public Hearings, the Planning Board voted to amend these Rules and Regulations on January 11, 2000, March 27, 2001, July 12, 2007, June 12, 2008, January 14, 2010, July 7, 2011, February 16, 2012, April 12, 2012, May 21, 2012 March 21, 2013, April 25, 2013, June 20, 2013, July 11, 2013, July 17, 2013, June 6, 2015, and July 16, 2015 as set forth herein.

Article 1: Adoption & Amendment

Article 2: Powers and Duties of the Planning Board

Article 3: Organization: Membership, Terms of Office, Officers, and Vacancies

Article 4: Associate Member

Article 5: Duties of Officers

Article 6: Minutes

Article 7: Meetings: Time, Location, and Executive Session

Article 8: Conduct of Meetings & Public Hearings

Article 9: Quorums and Voting

Article 10: Adoption of M.G.L. Chapter 38, Section 23D, "Mullin Rule"

Article 11: Agenda Management

Article 12: Standards of Conduct for Planning Board Members

Article 13: Site Visits

Article 14: Regulations Governing Fees and Fee Schedules

Article 15: Planning Board Personnel

Article 16: Budget and Finance

Article 17: M.G.L. Chapter 44, Section 53G, Special Funds for Employing Outside Consultants

Article 18: Central Business (CB) Zoning District Design Standards

Article 19: Landscape Design Guidelines

Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses

Article 21: Site Plan Review Plan Requirements

Article 22: Site Plan Review Lighting Requirements



Article 1: Adoption & Amendments

Section 1.1 These Rules & Regulations shall be duly adopted and amended from time to time, effective immediately upon the majority vote of the Planning Board.

Section 1.2 These Rules & Regulations shall be retained in the Planning Board office and a copy filed with the Town Clerk.

Article 2: Powers and Duties of the Planning Board

Section 2.1 Prepare, adopt, amend and implement a Master Plan for the Town under M.G.L. Chapter 41, Section 81D.

Section 2.2 Draft and submit zoning amendments for consideration by Town Meeting.

Section 2.3 Adopt, administer, and amend from time to time the Framingham Rules & Regulations of the Subdivision of Lands.

Section 2.4 Act as a Special Permit Granting Authority, when applicable.

Section 2.5 Approve Site Plans, when applicable.

Section 2.6 Administer Public Way Access By-law, when applicable.

Section 2.7 Recommend designation of scenic roads and hold public hearings on requests regarding the Scenic Roads Act.

Article 3: Organization: Membership, Terms of Office, Officers, and Vacancies

Section 3.1 The Planning Board shall consist of five members each with a three year term. The Planning Board members shall be elected in staggered terms as follows: two members elected in two years, one member in one year according to Framingham General By-laws: Article 1, Section 1.

Section 3.2 Term of office shall commence immediately upon election and qualification by the Town Clerk.

Section 3.3 The Planning Board shall elect the following officers from its members: Chairperson, Vice-chairperson, and Clerk.

Section 3.4 Officers shall be elected annually during reorganization as the first order of business at the designated meeting.

Section 3.5 In the event a vacancy of an elected member occurs, a new member shall be appointed in accordance with General Laws c. 41, §81A.

Article 4: Associate Member

Section 4.1 An Associate Member may be appointed in accordance with Section VI.E of the Zoning By-law jointly by the Planning Board and the Board of Selectmen.

Section 4.2 The term of office for the Associate Member Position shall be for one year.



Section 4.3 An Associate Member shall have only the duties as authorized by M.G.L., Chapter 40A, Section 9 “*for the purposes of acting on a special permit application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.*”

Section 4.4 A vacancy occurring for otherwise than by expiration of term may be filled for the unexpired term in the same manner.

Article 5: Duties of Officers

Section 5.1 The Chairperson shall preside over meetings and shall be responsible for the conduct and decorum of the meeting.

Section 5.2 The Vice-chairperson shall assume the duties of the Chairperson in the absence of the Chairperson.

Section 5.3 The Clerk shall be responsible for taking Planning Board meeting minutes in the absence of the Planning Board staff. The Clerk shall preside over the reorganization election of officers as the first order of business of the designated meeting.

Article 6: Minutes

Section 6.1 Minutes of all Planning Board meetings shall be prepared by the Clerk or Planning Board staff in accordance with the provisions of the Massachusetts Open Meeting Law. Written format to be used shall be provided by the Administrator.

Section 6.2 Minutes of open sessions shall become public record immediately, regardless of form. Minutes should be marked “DRAFT” until they are officially adopted by the Planning Board.

Section 6.3 Approval of minutes except executive session minutes shall be made in open session by a majority vote of the Planning Board.

Section 6.4 Minutes may be amended to improve clarity, accuracy, and completeness, but not to re-open debate on a previously decided agenda item. Amendments must be made in open session and noted in that meeting’s minutes. Revised minutes should be marked, as amended, with the revision date.

Section 6.5 Official minutes shall be signed by the Clerk or staff member recording the minutes and the presiding Chairperson at the time the vote is taken. Minutes shall be released and filed with the Town Clerk on the next business day and no later than the forty-five days as required by the Framingham General By-laws.

Section 6.7 Executive Session minutes remain closed to the public for as long as their publication would defeat the purpose of the session. Executive Session minutes must be made public as soon as the reason for secrecy no longer applies.

Article 7: Meetings: Time, Location, and Executive Session

Section 7.1 All meetings of the Planning Board shall be held in accordance with the provisions of the Massachusetts Open Meeting Law.



Section 7.2 All meetings of the Planning Board shall be held in the Memorial Building or such other available municipal building unless restricted by space availability.

Section 7.3 Meetings of the Planning Board shall begin at 7:00 p.m. unless the Planning Board by majority vote sets a different time for a particular meeting. No Planning Board meeting shall begin earlier than 7:00 p.m., except for scheduled Executive Sessions or during times when Town Meeting is in session, in accordance with town by-laws. Executive Sessions and meetings held during Town Meeting sessions may begin at 6:00 p.m.

Article 8: Conduct of Meetings & Public Hearings

Section 8.1 The Chairperson shall establish rules of parliamentary procedure to enforce order and decorum as may be necessary to promote efficient time management as well as professional conduct of Planning Board business, guided by a desire to engage public input on matters requiring such input before the Planning Board.

Section 8.2 During Public Hearings considering approvals of Permits or Special Permits, the applicant shall be recognized for presentation, followed by the comments, questions and concerns of the Planning Board Administrator or staff representative, Planning Board members, abutters, and any other parties of interest in the public.

Section 8.3 The Chairperson shall reserve the right to limit presentations to those that are only relevant to matters being discussed or are not repetitive points previously made. All comments by the public shall be limited to five minutes in the interest of preserving an efficient process, unless otherwise allowed at the discretion of the Chairperson.

Article 9: Quorums and Voting

Section 9.1 A quorum of three members of the Planning Board shall be required to conduct business.

Section 9.2 All votes must take place at a Planning Board meeting in person. Remote participation is not acceptable, therefore no phone-in, email, video conference, or fax votes.

Section 9.3 Planning Board members present may be counted to determine whether a quorum is present even if they abstain from voting affirmatively or negatively. Exception: if the Planning Board member is abstaining due to conflict of interest, he/she cannot be counted as being present for the quorum for that portion of the meeting for which he/she is disqualified by reason of conflict of interest.

Section 9.4 A tie vote defeats a motion.

Section 9.5 Planning Board votes shall be a simple majority of those present and voting except for Special Permits requiring a “super majority” by statute.

Section 9.6 A “super majority” of a five member Planning Board is four. This number is required for passage of a motion regardless of the number present.



Section 9.7 Any member of the Planning Board can move to reconsider a vote either on the same night of the vote taken or as the first order of business at the next scheduled meeting. A two-thirds (three out of four / four out of five) is necessary for reconsideration to prevail.

Article 10: Adoption of M.G.L. Chapter 38, Section 23D, “Mullin Rule”

Section 10.1 Language from M.G.L. Chapter 39, Section 23D

(a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member’s absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

Section 10.2 Adoption of M.G.L Chapter 39, Section 23D, the “Mullin Rule”: Town Meeting voted to adopt M.G.L. Chapter 39, Section 23D, the “Mullin Rule” at Annual Town Meeting, May 2013. This adoption solely pertains to the Planning Board.

Section 10.3 Applicability of the “Mullin Rule”: Upon missing a public hearing a member may enact his/her rights under the Mullin Rule by reviewing all material presented and discussed during the public hearing including the official audio, video or transcript of the missed hearing. The member must then complete the adopted affidavit and file it with the Town Clerk’s Office. A copy shall be retained in the Planning Board Office and placed in the corresponding project folder as part of the permanent record.

Article 11: Agenda Management

Section 11.1 The Planning Board Administrator and the Chairperson shall be responsible for management of meeting agendas.

Section 11.2 The Planning Board Administrator and staff will prepare a weekly package of correspondence and supporting documents which shall be provided electronically and/or mailed to all Planning Board members for review within a reasonable period of time to accommodate such review.

Section 11.3 Application submittals whether new or revised shall be made in a timely manner to accommodate proper review needed for consideration at the following meeting. The Planning Board reserves the right to accept or deny such consideration. Documents requiring staff or department review and response must be submitted two



weeks prior to the scheduled hearing's submittal deadline unless otherwise determined to be allowed by the Administrator.

Section 11.4 The Planning Board Administrator shall not schedule any application deemed incomplete for Planning Board consideration.

Article 12: Standards of Conduct for Planning Board Members

Section 12.1 Planning Board members are obligated to serve the public interest, to conduct himself/herself so as to maintain public confidence in the Planning Board, to meet the fundamental responsibility of fairness, and to comply with all statutory regulations.

Section 12.2 A member of the Planning Board shall conduct himself/herself in accordance with M.G.L. Chapter 268A (Conflict of Interest). This includes but is not limited to:

1. Not asking for or accepting anything (regardless of value), if it is offered in exchange for your agreeing to perform or not perform an official act.
2. Not asking for or accepting any "gift" worth \$50.00 or more from anyone with whom you have official dealings.
3. Not taking any action that could create an appearance of conflict unless you make a proper public disclosure.
4. Not disclosing confidential information.
5. Not taking official action which will affect the financial interests of yourself, your family, a business partner, etc.

Section 12.3 Individual Planning Board members shall not meet with an Applicant and/or their representative outside of a Planning Board meeting unless authorized to do so by the Planning Board. For administrative purposes only, the Chairperson may meet jointly with the Planning Board Administrator, Applicant and/or their representative.

Article 13: Site Visits

Section 13.1 A "site visit" is defined as a visit by the Planning Board to a location that is the subject of an application before the Planning Board. The visit shall be in the company of the owner, applicant, and/or the applicant's representative when it involves visiting areas which are not customarily available for public inspection.

Section 13.2 No formal motions shall be made nor votes taken at a "site visit".

Article 14: Regulations Governing Fees and Fee Schedules

Section 14.1 Procedural History: On March 27, 2001 the Planning Board held a public hearing, pursuant to M.G.L. Chapter 40A, Section 9 and M.G.L. Chapter 41, Section 81Q, to consider proposed regulations governing fees. At the close of the public hearing, the Planning Board voted to adopt regulations governing fees and a new schedule of fees for review conducted by the Planning Board on the various types of applications which come before it. This document, subject to revisions from time to time in a manner spelled out herein, constitutes the Planning Board's rules governing the imposition of fees and its current fee schedule.



Section 14.2 These regulations and fee schedules have been adopted to produce a more equitable schedule of fees which more accurately reflects the cost of technical review of applications to the Planning Board.

Section 14.3 The Planning Board may impose reasonable fees for the review of applications which come before it. The Planning Board may impose Administrative Fees, as may be applicable to the types of applications set forth below, and Project Review Consultant Fees, as set forth under Article 17, herein.

Section 14.4 An Administrative Fee shall be assessed with regard to all applications set forth in Section 14.4.3, herein, in order to offset the expense of review by the Planning Board, the Planning Board Office, as well as other Town Departments.

Section 14.5 Administrative Fees shall be submitted at the time of the submittal of the application. Any application filed without this fee shall be deemed incomplete and no review work shall commence until the fee has been paid in full.

Section 14.6 The following schedule applies to the types of applications reviewed by the Planning Board as set forth below. This schedule supersedes all previous schedules as they may have appeared in the Framingham Zoning By-laws, the Rules and Regulations for the Subdivision of Land, and any other listing which may have been compiled from time to time for the benefit of applicants.

1. Approval Not Required (ANR) Plans - **\$200.00**
2. Preliminary Plans - **\$1000.00**
3. 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.
4. Amend or Modify an Approved Definitive Plan (81W) **or a previously submitted Definitive Plan** -
 - i. **\$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.
5. Application to Modify A Scenic Way - **\$250.00**
6. Site Plan Review - Review of Site Plans shall require the following application fees:
 - i. Major Site Plan - **\$2,000.00** plus **\$0.06** per square foot of **new** gross floor area
 - ii. Minor Site Plan - **\$1,000.00** plus **\$0.03** per square foot of **new** gross floor area
 - iii. Modification to an Approved Site Plan older than two years from an acted upon Planning Board Decision - **\$1,000.00** plus **\$0.03** per square foot of **new** gross floor area
 - iv. Minor Modification to an Approved Site Plan within two years of a Planning Board Decision date - Minor Engineering Change - **\$500**
7. Special Permits –
 - i. One or the first Special Permit application - **\$500.00**
 - ii. Each Special Permit after the first Special Permit - **\$200.00**
 - iii. Each Special Permit filed with a Site Plan Review application - **\$200.00**
8. Modification of Special Permit - **\$200.00**
9. Special Permit for P.U.D. - **\$ 5,000.00** + **\$15.00/unit** at Prelim plus - **\$35.00/unit** at Definitive Submittal



10. Extension of time for an Approved Site Plan Review or Special Permit - **\$200**
11. Repetitive Petition - Consideration of a petition for a rehearing from the Zoning Board of Appeals - **\$200.00**
12. Public Way Access Permit - **\$200.00**
13. Application to Modify Zoning District - **\$500.00**
14. Shoppers World Sign Application - **\$100.00**
15. Modification to the 1994 Shoppers World Sign Decision - **\$250.00**

Section 14.7 Schedule of Miscellaneous Administrative Fees and Charges are as follows:

1. Copies of Documents
 - i. Letter or legal Size - \$0.25 per sheet*
 - ii. 11"x17" - \$0.50 per sheet*
2. Zoning By-law - \$15.00*
3. Zoning Map - \$6.00*
4. Subdivision Rules and Regulations - \$10.00*
5. * Postage Charge for Mailing - Additional \$4.00

Section 14.8 The Planning Board reserves the right to waive or reduce any Administrative Fee at their discretion.

Section 14.9 No Administrative Fee refunds will be given by the Planning Board once an application review has commenced. Application withdrawal constitutes forfeiture of all fees paid.

Section 14.10 The Planning Board may review and revise its regulations and fee schedules, from time to time, as it sees fit.

1. Any new regulations or alterations to the fee schedule shall take effect upon filing a copy of the amendments with the Town Clerk.

Article 15: Planning Board Personnel

Section 15.1 The Planning Board shall employ necessary staff positions such as Administrator, Administrative Assistant, Associate Program Planner and any other position that is deemed necessary and approved through the appropriate Town process to accommodate department needs.

Section 15.2 The Planning Board Administrator's primary responsibilities are to carry out the Town's development review process, to manage the administrative and planning operations of the Planning Board Office and to carry out the duties and responsibilities identified in the approved job description for this position. The Planning Board Administrator serves as the point of contact for all inquiries by applicants and their attorneys, Chairs of Boards, Commissions, Committees, and other interested parties. This position reports directly to the Planning Board.

Section 15.3 The Administrative Assistant's primary purpose is to assist the Planning Board Administrator in the administrative operations of the Planning Board Office and to carry out the duties and responsibilities identified in the approved job description for this position. This position reports directly to the Planning Board Administrator.



Section 15.4 The Associate Program Planner's primary purpose is to assist the Planning Board Administrator in the planning operations of the Planning Board Office and to carry out the duties and responsibilities identified in the approved job description for this position. This position reports directly to the Planning Board Administrator.

Article 16: Budget and Finance

Section 16.1 The Planning Board Administrator is responsible for managing the budget and accounts of the Planning Board.

Section 16.2 The Planning Board Administrator is responsible for the preparation of the Annual Planning Board Budget. The Planning Board Administrator shall develop the budget in consultation with the Planning Board. The Annual Planning Board Budget is subject to review and approval of the Planning Board.

Article 17: M.G.L. Chapter 44, Section 53G, Special Funds for Employing Outside Consultants

Section 17.1 On July 24, 1990, at a Public Hearing, the Framingham Planning Board voted 5-0 to adopt the Acts of 1989, M.G.L. Chapter 44, Section 53G.

Section 17.2 These regulations for outside consultants are adopted for special permit applications under M.G.L. Chapter 40A, Section 9 and M.G.L. Chapter 44, Section 53G.

Section 17.3 The Planning Board, at its sole discretion, may determine that a proposed project's size, scale, complexity, potential impact or particular land use warrants retaining the use of licensed professional independent consultants in any given respective field. Such consultants shall provide professional guidance to assist the Planning Board with the necessary review and analysis needed to make informed decisions that comply with all relevant laws and regulations regarding complex issues. The Planning Board shall select and retain for a reasonable fee such consultants at the expense of the Applicant.

Section 17.4 Consultant Review Fees shall be based upon an estimated review cost. Upon notice of receipt, Review Fees shall be deposited in an account established pursuant to M.G.L. Chapter. 44, Section 53G. No decision shall be granted until such fee has been paid in full.

Section 17.5 Independent project consultants shall submit a scope of work and all associated predictable costs for their services as requested by the Planning Board for review prior to retaining their services. No supplemental change orders will be approved unless deemed necessary by the Administrator with the concurrence of the Planning Board.

Section 17.6 As a condition of approval of a Site Plan Review, 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.

Section 17.7 The Consultant Review Fee is to be deposited into a special account as set forth in M.G.L. Chapter 44, Section 53G.



1. Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from this account.
2. Consultant Review Fees shall be turned over to the Town Treasurer by the Planning Board for deposit into a Consultant Review Account.
3. A copy of the latest statement from the banking institution handling the Consultant Review 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.
4. The Town Treasurer shall prepare a report on activity in the Consultant Review Account on an annual basis. This report shall be submitted to the Board of Selectmen and the Town Manager for their review.

Section 17.8 The applicant shall be notified of the consultant selection prior to initiation of consultant efforts. As provided in M.G.L. Chapter 44, Section 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 of interest or that the proposed consultant does not possess the minimum required qualifications of an educational degree or three or more years of practices 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 calendar days of notice of the selection. If no decision is rendered by the Board of Selectmen within one month of said appeal then the Planning Board consultant selection shall prevail. The required time limits for action upon an application by the Planning Board shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for this section.

Section 17.9 Failure of an applicant to pay consultant review fees determined by the Planning Board may be grounds for application disapproval.

Article 18: Central Business (CB) Zoning District Design Standards

Refer to the Planning Board's Project Review Guidelines for the Central Business (CB) Zoning District Design Standards.

Article 19: Landscape Design Guidelines

Refer to the Framingham Planning Board's Project Review Guidelines for Landscaping Design Guidelines.

Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses

Section 20.1 This Article has been adopted to provide additional explanation regarding the requirements and scope of review for site plan applications and hearings held by the Planning Board. This Article is intended to provide guidance under Framingham Zoning By-Law Section VI.F, Site Plan Review, for those applicants and applications partially exempt from the Framingham Zoning By-laws under M.G.L. Chapter 40A, Section 3, the Dover Amendment (hereinafter, "Dover uses").



The Dover Amendment states:

No zoning ordinance or by-law shall...prohibit, regulate or restrict the use of land or structures for religious uses or for educational purposes...provided, however, that such land or structure may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements.

The purpose of this Article is to ensure that the scope of site plan review applied to Dover uses under Section VI.F of the Framingham Zoning By-laws is narrowed in scope so as to comply with the requirements of the Dover Amendment.

Section 20.2 Applicability

1. This Article applies to any structure, use, alteration or improvement as to which the Dover Amendment applies, requiring limited site plan review and approval under the Framingham Zoning By-law, Section VI.F.2. With regard to Dover uses, the provisions of this Article shall govern and any other Regulations adopted by the Planning Board for Site Plan Review under Section VI.F of the Zoning By-laws are not applicable.
2. Nothing in this Article relieves the applicant of its obligation to comply with and satisfy all relevant sections and requirements under the Framingham Zoning By-law.

Section 20.3 Application and Review Procedure

Section 20.3.1 Determination of Status under M.G.L. Chapter 40A, Section 3.

Pursuant to the Framingham Zoning By-law, Section VI.F, 2, prior to filing an application for site plan review with the Planning Board, an applicant must submit a request to the Building Commissioner for a written determination of whether the provisions of M.G.L. Chapter 40A, Section 3 are applicable. This determination as to whether the Dover Amendment applies to a particular proposed use will be made solely by the Building Commissioner.

Section 20.3.2 Submission of Applications: Following a written determination from the Building Commissioner, an applicant shall submit the application for site plan review approval in accordance with the Framingham Zoning By-law, Sections VI.F.4.a.2.iii; 3, 10, and plans compliant with the requirements set forth on Section VI.F.4.b to the Planning Board, together with a copy of the Building Commissioner's written determination. The application shall comply with those requirements of Section 21.1.1, and Section 21.1.2 as applicable to minor site plan review, except 21.1.1(9) and (10).

Section 20.3.3 Contents and Scope of Application: The Planning Board has identified specific subsections of the Framingham Zoning By-law, Section VI.F.4 and 5 not applicable to Dover use applicants. Specifically, a Dover use applicant is exempt from the following:

1. Section VI.F.5 of the Framingham Zoning By-law, with the exception of items pertaining to open space review under Section VI.F.5.e; and Section VI.F.5.b with the exception of items pertaining to bulk and height of the structures.



2. Traffic Impact Report as referenced in the Framingham Zoning By-Law, Section VI.F.5.11;
3. Environmental Impact Report as referenced in the Framingham Zoning By-law, Section VI.F.4.12;
4. Retain Community Character, Section VI.F.6.a, Environmental Impact, Section VI.F.6.c, in its entirety, and is not required to address the Traffic portion of Section VI.F.6.b.

Section 20.4 At the outset of the opening of a public hearing on a Dover use application, the Chairperson will:

1. identify those Sections of Section VI.F of the Framingham Zoning By-law that are relevant to the review by the Planning Board of the application; and
2. inform the public of the Building Commissioner's written determination of the applicability of M.G.L. Chapter 40A, Section 3 including making available at that hearing a copy of such determination;
3. review for the public the provisions of Article 8 of the Planning Board's Rules and Regulation regarding conduct of meetings and public hearings.

Section 20.5 A public hearing is also an opportunity for members of the public to ask questions or make comments about the proposed development project. At the outset of public comment, the Chairperson will direct the public to frame their questions and comments to issues raised by the application that are within the scope of the Planning Board's jurisdiction.

Section 20.6 A decision on a Dover use application will be made in accordance with the Framingham Zoning By-law, Section VI.F.7.a-b. Subject to administrative or other municipal requirements beyond its control, the Planning Board will work diligently to complete its limited site plan review within 60 days of the filing of a complete application. Approval of a Dover use application will not require off-site improvements as a condition of approval.

Section 20.7 The Planning Board shall approve a Dover use application in accordance with the Framingham Zoning By-law, Section VI.F.7.b. of the Zoning By-law, but the Planning Board's review shall be limited to those provisions imposing reasonable regulations upon the bulk and height of structures and determining yard sizes, lot areas, setbacks, open spaces, parking and building coverage requirements as provided in M.G.L. Chapter 40A, Section 3.

Section 20.8 In granting approval of a Dover use application the Planning Board may impose reasonable conditions, limitations and safeguards which shall be in writing and shall be a part of such approval. Such conditions will not include matters and subjects contained in the Framingham Zoning By-law:

1. Sections VI.F.8(a),(b), (c), (d), (e), (g) and (i);
2. Section VI.F.8 as to mitigation measures.



Section 20.9 In accordance with the Framingham Zoning By-law, Section VI.F.9, the Planning Board shall be responsible for deciding the meaning or intent of any provision of the Framingham Zoning By-law, Section VI.F, with consultation from Town Counsel, which may be unclear or in dispute.

Article 21: Site Plan Review Plan Requirements

Refer to the Framingham Planning Board's Project Review Guidelines for Site Plan Review Plan Requirements.

Article 22: Lighting Requirements

Refer to the Framingham Planning Board's Project Review Guidelines for Lighting Requirements.

FRAMINGHAM PLANNING BOARD PROJECT REVIEW GUIDELINES

Town of Framingham, Massachusetts
Published: July 2015

Plan
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Build
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Grow



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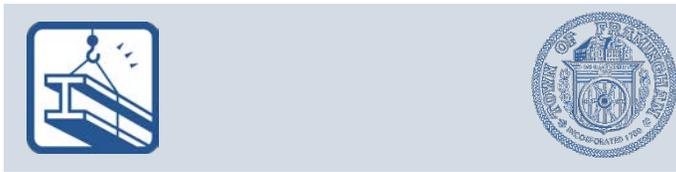
Planning Board's Project Review Guidelines

Article 1: Central Business (CB) Zoning District Design Standards

Article 2: Landscape Design Guidelines

Article 3: Site Plan Review Plan Requirements

Article 4: Lighting Requirements



Article 1: Central Business (CB) Zoning District Design Standards

1.1 Procedural History

On March 27, 2001 the Planning Board held a public hearing, pursuant to G.L. c. 40A, s. 9, to consider proposed regulations governing Central Business District Design Standards. At the close of the public hearing, the Planning Board voted to adopt design standards for the Central Business District, to be considered and applicable in their review of all applications and proposals before the Planning Board that include proposed exterior renovation or new development in the Central Business District. This document constitutes the Planning Board’s Central Business District Design Standards.

1.2 Design Standards

Buildings shall be of a design similar or complementary to the architecture in historic Downtown Framingham in terms of scale, massing, roof shape, spacing and exterior materials. These design standards are intended to provide for quality development that maintains a sense of history, human scale and pedestrian-oriented character.

<i>Scale</i>	All structures shall relate well to the pedestrian scale.
<i>Form and Bulk</i>	Facades and roof lines shall be designed to reduce the massing and bulk so that it appears as a group of smaller masses with a distinct vertical orientation.
<i>Façade</i>	Façade materials shall be compatible with the fabric of the district. Traditional materials such as masonry and wood are encouraged for the exterior facades. The architectural vocabulary should include appropriate colors, materials, details, fabric awnings, uniform signage and lighting fixtures. Glass curtain walls and spandrel-glass strip windows shall not be used. The use of blank walls on the front façade(s) (where the building fronts on a street or streets) at the street level shall not be allowed.
<i>Façade Easements</i>	The Planning Board may require applicants seeking a special permit for use to employ façade easements where development proposals involve demolition or major alteration of existing buildings on the Inventory of Cultural Resources or within the National Register Districts.
<i>Storefronts</i>	Storefront design shall be integrated with the upper floors to be compatible with the overall façade character. Buildings with multiple storefronts shall be unified through the use of architecturally compatible materials.
<i>Windows</i>	Ground floor retail, service and restaurant uses, and ground floor lobbies serving other uses, shall have large pane display type windows which may be subdivided into smaller panes. Such windows shall be framed by the surrounding wall and shall not exceed 75% of the total ground level façade area. For all floors above the first floor, the front facade(s) shall contain windows covering at least 15% of the facade surface. Window types should be consistent with the style of the structure and compatible with those found on historic structures in the Central Business District. Snap in divider muntins shall be discouraged in the front façade(s). Storm windows shall not disguise or hide original windows.
<i>Roofs & Roof Lines</i>	New construction, including new development above existing buildings, may incorporate any form of flat or pitched roof, but such roofs shall be complementary to the roofs of existing historical structures in the Central Business District. Roof lines shall terminate in a detailed cornice.
<i>Doorways</i>	Exterior doors shall be compatible with the materials, style and color of the building.
<i>Rhythm</i>	Windows and doorways shall be arranged to give the facade a sense of balance and to complement the historic fabric of the National Register Districts.
<i>Service Areas, Utilities and Equipment</i>	Service and loading areas and mechanical equipment and utilities shall be unobtrusive or sufficiently screened and shall incorporate effective techniques for visual and noise buffering from adjacent uses.



<i>Upper Story Stepback</i>	The Planning Board shall require step backs of the 5 th and 6 th stories to: reduce mass and bulk; preserve solar access to the active streetscape below; provide roof top gardens or other forms of open space, and to provide undulating façade rhythm to create architectural interest within the Central Business District.
<i>Parking</i>	Off-Street Parking shall be located behind or within buildings, underground or in a parking structure. Parking shall not interrupt pedestrian routes or negatively affect surrounding neighborhoods.
<i>Parking Structures</i>	To the extent reasonably feasible, all parking structures shall meet the following design criteria: a) Where parking structures front streets, retail and other non-residential uses shall be encouraged along the ground level frontage to minimize interruptions in pedestrian interest and activity. b) Pedestrian scale elements, awnings, signage and other architectural details and elements (such as openings, sill details, emphasis on vertical proportions) and other architectural features shall be incorporated into the design to establish pedestrian scale at the street. The architectural design shall be compatible with existing historical structures in the Central Business District in terms of style, mass, material, height, roof pitch and other exterior elements. c) Auto entrances shall be located to minimize pedestrian/auto conflicts.

Article 2: Landscape Design Guidelines

Article 2.1 Purpose

Landscape Design Guidelines (LDG) are provided to Applicants to ensure compliance with Board recommended plantings and best practices to be employed for landscape plantings, site design and all integral components of landscaping relative to site design of projects. The Planning Board seeks to promote proper development of all integrated aspects of unified site design including effective storm water management as well as the use of landscape buffers and screens in an effort to improve functionality, aesthetic appeal and overall, the preservation of site ecology.

Article 2.2 Recommended Guidelines for Projects

1. Landscape design should be suitable to the existing site topography, drainage, water table depth, and/or soil type.
2. Applicants are encouraged to exercise creativity by using diversity in planting choices in order to avoid establishing a mono-culture among projects.
3. Landscaped areas should be designed in conjunction with traffic engineering studies to promote maximum unimpeded site circulation while enhancing site aesthetics. Elements should integrate safe pedestrian, bicycle, and vehicle movement onto and within the project site.
4. Landscape design should provide effective buffers and screens.
5. Landscape designs with a permanent irrigation system shall be shown on final as-built plans.
6. Landscape design should be functional, aesthetically pleasing, provide definition to the streetscape, complement building design, and enhance other miscellaneous site amenities.
7. Landscape materials should be durable and chosen for long-term success of the project. Native, salt, and/or drought tolerant species are highly desirable, for all projects in Framingham.



Article 2.3 Invasive and Restricted Landscape Plantings

1. Invasive plant species are prohibited as part of landscape design. For the most current list of invasive plants please refer to Massachusetts Department of Conservation and Recreation (DCR). The following invasive species are prohibited:
 - *Acer plantanoides* - Norway Maple
 - *Acer pseudoplatanus* – Sycamore maple
 - *Ailanthus altissima* – Tree of heaven
 - *Phellodendron amurense* – Amur corktree
 - *Robinia pseudoacacia* – Black locust
 - *Acer ginnala* – Amur maple
 - *Syringa reticulata*- Japanese tree lilac
2. Trees and plants with limited use restrictions are as follows:
 - *Thuja* – Arborvitae shall only be permitted as a screen around dumpsters and other appropriate places on-site as approved by the Planning Board.
 - Nut, fruit, seed, and sap producing trees are discouraged in high traffic and pedestrian areas. These trees are encouraged in areas away from pedestrians and motorized vehicles:
 - *Carya ovate* – Shagbark hickory
 - *Fagus grandifolia* – American beech
 - *Platanus occidentalis* – American sycamore
 - *Quercus alba* – White oak
 - *Quercus macrocarpa* – Bur oak

Article 2.4 Landscape Plantings Design

Applicants are encouraged to work with a horticulturist and/or landscape architect who is licensed and/or registered in the Commonwealth of Massachusetts to assist in the selection of appropriate plantings.. Appendix A herein provides a list of plantings most commonly used and approved by the Planning Board. Applicants should consider plantings that are site appropriate to ensure the best success for their survival. The Planning Board’s planting list is not an inclusive list, and other species may be considered.

Article 2.5 Zoning and Plan Format Requirements

1. Sections IV.B. IV.K.8., and VI.F of the Zoning By-Law should be referenced for landscaping requirements.
2. Landscape plan sheets shall contain a landscape schedule as provided in Appendix B.
3. The Planning Board reserves the right to disapprove a planting that is deemed inappropriate for specific sites.

Article 2.6 Landscape Design

2.6.1 Tree spacing

1. Trees should be an adequate and appropriate distance from the street curb, dependent upon the species and required area necessary for optimal growth.
2. Trees should be planted within an appropriate distance from streetlights, hydrant, poles, transformers, telephone box, manhole, driveway approaches, and other manmade structures.



3. In general large trees and shrubs should not be planted under or within the area of any utility without prior consultation with the Department of Public Works and the utility company. Appropriate trees near power lines, small spaces, and light fixtures can be found in Appendix A, list Small Trees.
- 2.6.2 Crown Clearance
 1. Street trees should be selected that provide an appropriate clearance and have limited understory growth to avoid interference with roadways and utilities.
 - 2.6.3 Mulch
 1. The use of mulch is encouraged around the bases of trees, shrubs, and areas where grass or sod is not practical. Mulch should be used to prevent weed growth, retain moisture to the plants, protect against soil erosion and nutrient loss, maintain a more uniform soil temperature, and improve the appearance of the planting beds.
 2. Avoid the overloading of mulch known as “mulch volcanoes,” which prevents air movement and increases disease susceptibility.
 3. Mulch should not be installed over site improvements (i.e. underground utility boxes).
 - 2.6.4 Grasses and Groundcover
 1. Ornamental grasses should be incorporated into landscape design where appropriate.
 2. Landscape areas that are difficult to maintain grass or sod should incorporate groundcover (Xeriscaping) into project design.
 - 2.6.5 Buffering, Screening, and Berms
 1. Landscape buffers and screens in combination with fencing, berms, or plantings should be used to reduce possible negative impacts of light and noise levels, and air pollution.
 2. The installation of landscape buffers and screens should be employed when a nonresidential project is adjacent to existing or proposed residential uses.
 3. Berms may be used to enhance landscape buffers and screenings while providing greater visibility for ornamental and specimen plantings. Plant selections for berms must be located to promote good plant health in addition to providing sufficient room for growth.
 - 2.6.6 Parking and Walkways
 1. Parking islands are required to be vegetated, preferably with groundcover and shrubs to discourage pedestrians and bicyclist from moving through them. If pedestrian and bicycle access through the islands is desired a pathway constructed of pavers shall be installed.
 2. Parking islands and walkways should be defined by vertical curbing constructed of durable granite or precast concrete that will withstand snowplowing, site maintenance, and traffic conditions.
 3. Parking islands should be located in areas that do not conflict with other site improvements and/or activities.
 4. Parking islands should be of sufficient size to ensure landscape survival.
 5. Walkways should be constructed with aggregate or precast concrete, brick, or alternative material that enhances site design, color contrast, and durable.
 6. Landscape design should enhance accessibility and not conflict with it.
 - 2.6.7 Screening of Accessory Structures
 1. Transformers, trash enclosures, other accessory structures should be screened with appropriate landscape plantings. Appropriate trees near power lines, small spaces, and light fixtures can be found in Appendix A, list Buffering Trees and Shrubs.



2.6.8 Boulders and Fieldstone

1. Landscape design may incorporate boulders, fieldstone, and stonewalls or other hardscape features.

2.6.9 Retaining Walls

1. Retaining walls should be constructed out of durable material; cement concrete and non-decorative block should be avoided.
2. Wall height is measured from grade level in front of the wall at a given location, to the grade level behind the wall at the same cross section.
3. Gabions should not be used.
4. Terracing of retaining walls may be required. A terraced retaining wall should be setback from the lower wall at least two times the height of the unbalanced fill retained by the lower wall. The walls shall be considered as separate walls. If a successive wall is setback from a lower wall less than two times the height of the unbalanced fill retained by the lower wall, the walls shall be considered as a single wall.

2.6.10 Stormwater Drainage and Resource Areas

1. Drainage Basin

1. Rip-rap

1. Rip-rap should be used in areas to control erosion where slopes are severe.
2. Rip-rap should be placed by hand and not by machine.
3. Prior to the placement of rip-rap stone, infiltration fabric should be placed on exposed soils.
4. Above a rip-rap slope native trees and shrubs should be planted to buffer and protect the top of the slope.
5. Rip-rap should be of appropriate size and color to compliment site design.
6. Gabions should be avoided.

2. Stormwater filtration system

1. Oil water separators and stormwater separators should be incorporated into site design for the separation of solids from liquids during weather event.

2. Swales and Vegetated Filter Strips

1. Swales and vegetated filter strips should be incorporated into the site design to collect run-off from the site.
2. Swales and vegetated filter strips should be used as snow storage and snow melt treatment areas.

2.6.11 Low Impact Development Techniques

1. Where feasible site design should incorporate Low Impact Development (LID) Techniques (i.e. bio-retention cells, vegetated swales, filter strips, disconnected impervious areas, permeable pavers, curb cuts, open channels, submerged gravel wet areas, etc.)

Article 2.7 Landscape Maintenance

1. Landscape Maintenance Plan

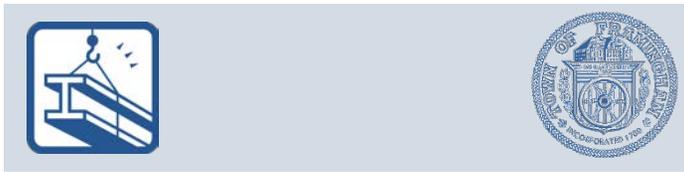
1. Developers and property owners must provide a landscape management plan with the application submittal.



2. Areas where Low Impact Development (LID) Techniques have been incorporated into the site, the developer should provide a landscape maintenance plan specific to each feature.
2. General Maintenance Requirement
 1. Vegetation should be maintained in a healthy, vigorous growing condition, free from disease and pests.
 2. Natural organic fertilizers or “bridge” fertilizers shall be used.
 3. Mulch volcanoes are not allowed.
 4. Tree topping or pruning of the leaders is prohibited.
3. Irrigation
 1. Irrigation plans shall be required with landscape plans.
 2. All automatic lawn-watering systems should be equipped with a timing device in addition to a moisture-sensing device that will prevent the system from starting automatically when not needed.
 3. All automatic lawn-watering systems should be installed with an approved backflow prevention device. Said device will be inspected initially and periodically thereafter as part of the landscape maintenance plan.

Article 2.8 As-Built Plan and Certification Requirements

Final As-Built-Plans shall be submitted at the end of construction prior to the issuance of the final occupancy and use permit.



Appendix A: Framingham Preferred Planting List

Tall Trees – Tall trees may be used for street tree under the appropriate condition:

- | | |
|---|---|
| <i>Ginkgo biloba</i> - Ginkgo (male only) | <i>Acer campestre</i> - Hedge maple |
| <i>Gleditsia triacanthos var. inermis</i> (thornless, fruitless species only) – Honey locust | <i>Acer rubrum</i> – Red maple* |
| <i>Liriodendron tulipifera</i> - Tulip tree/tulip popular | <i>Acer rubrum ‘armstrong’</i> - Armstrong maple |
| <i>Plantanus x acerifolia</i> - London planetree | <i>Acer saccharum</i> – Sugar maple* |
| <i>Tilia tomentosa</i> - Silver linden | <i>Zelkova serrata ‘Village Green’</i> – Japanese zelkova ‘village green’ |
| <i>Tilia cordata</i> - Little-leaf linden | <i>Liquidambar styraciflua ‘Slender Silhouette’</i> - Columnar sweetgum |
| <i>Ulmus americana</i> - American elm (cultivars also encouraged include ‘Homestead,’ ‘Princeton,’ Valley Forge’) | <i>Oxydendrum arboretum</i> - Sourwood |

Small Trees – Small trees may be utilized under overhead wires as street trees where appropriate. Small trees may be utilized throughout the site.

- | | |
|---|--|
| <i>Betula alleghaniensis</i> – Yellow birch | <i>Crataegus phaenopyrum</i> - Washington hawthorn |
| <i>Betula populifolia</i> – Gray birch | |
| <i>Betula occidentalis</i> – River birch | |
| <i>Ilex opaca</i> – American holly | <i>Magnolia virginiana</i> - Sweet bay magnolia |
| <i>Amelanchier sp.</i> - Serviceberry | <i>Magnolia grandiflora</i> – Bull bay magnolia |
| <i>Cercis Canadensis</i> - Eastern redbud | <i>Prunus serotina</i> – Black cherry |
| <i>Cornus florida</i> – Flowering dogwood | <i>Prunus x. autumnalis/sargentii/yoshino</i> – Cherry species |
| <i>Cornus kousa</i> - Kousa dogwood | |

Buffering and Park Trees – Buffering and park trees shall be utilized away from pedestrian and vehicle parking areas where appropriate.

- | | |
|--|--|
| <i>Picea pungens</i> – Colorado spruce | <i>Tsuga Canadensis</i> – Canadian hemlock |
| <i>Quercus coccinea</i> – Scarlet oak | <i>Abies balsamea</i> – balsam fir |
| <i>Quercus palustris</i> – Pin oak | <i>Abies concolor</i> – Concolor fir |
| <i>Fagus grandifolia</i> - American beech | <i>Abies fraseri</i> – Fraser fir |
| <i>Metasequoia glyptostroboides</i> - Dawn redwood | <i>Abies grandis</i> – Grand fir |
| <i>Platanus occidentalis</i> - American sycamore | <i>Chamaecyparis thyoides</i> – Atlantic white cedar |
| <i>Quercus macrocarpa</i> - Bur oak | <i>Corylus Americana</i> – American hazelnut |
| <i>Picea glauca</i> – White spruce | |

Shrubs

- | | |
|---|---|
| <i>Taxus canadensis</i> – Canada yew | <i>Chamaecyparis obtusa</i> – Hinoki cypress |
| <i>Viburnum lentago</i> – Nannyberry | <i>Hypericum frondosum</i> – golden St. John’s wort |
| <i>Viburnum trilobum</i> – American cranberry | <i>Hypericum prolificum</i> – shrubby St. John’s wort |
| <i>Ceanothus americanus</i> – New Jersey Tea | <i>Ilex opaca</i> – American Holly |
| <i>Cephalanthus occidentalis</i> – Buttonbush | <i>Itea virginica</i> – Sweet spire |
| <i>Ilex glabra</i> – Inkberry shrub | <i>Juniperus communis</i> – Pasture juniper |
| <i>Ilex verticillata</i> – Winterberry | <i>Juniperus horizontalis</i> – Creeping juniper |
| <i>Amelanchier Canadensis</i> – Serviceberry | <i>Amelanchier arborea</i> – Downy serviceberry |
| <i>Cercis Canadensis</i> – Eastern redbud | <i>Amelanchier laevis</i> – Alleghany serviceberry |
| <i>Sambucus Canadensis</i> – Elderberry | <i>Cornus species</i> – Dogwood species |
| <i>Aronia melanocarpa</i> – Black chokeberry | <i>Clethra alnifolia</i> – Sweet pepperbush |
| <i>Magnolia liliflora ‘Nigra’ x stellate ‘Rosea’</i> – Ann Magnolia | <i>Physocarpus opulifolius</i> – Eastern ninebark |
| <i>Rhododendron</i> – Rhododendron | <i>Rhus aromatic</i> – Fragrant sumac |
| <i>Comptonia peregrina</i> – Sweet fern | <i>Rosa virginiana</i> – Virginia rose |
| <i>Cornus racemosa</i> – Gray dogwood | <i>Viburnum acerifolium</i> – Maple leaf viburnum |
| <i>Myrica pensylvanica</i> – Bayberry | <i>Viburnum prunifolium</i> – Blackhaw viburnum |
| <i>Aronia species</i> – Chokeberry | <i>Spiraea Salicifolia</i> – Spirea |

Appendix B: Landscape Schedule

LANDSCAPE SCHEDULE

<u>KEY</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>REMARKS</u>
<u>SHADE TREE</u>					
NS	5	NYSSA SYLVATICA	SOURGUM OR TUPELO	2 1/2-3" CAL.	B+B
QR	7	QUERCUS RUBRA	RED OAK	2 1/2-3" CAL.	B+B
QP	2	QUERCUS PALUSTRIS	'EMERALD PILLAR' PINE OAK (COLUMNAR)	2 1/2-3" CAL.	B+B
	<u>14</u>				
<u>ORNAMENTAL TREE</u>					
CC1	1	CERCIS CANADENSIS	EASTERN REDBUD	8-10' MIN HEIGHT	UPRIGHT PLANTS
<u>EVERGREEN SHRUB</u>					
CC	14	CHAMAECYPARIS 'GRACILIS'	HINOKI CYPRUS	8' MIN HEIGHT	B+B
ICG	23	ILEX X MESERVEAE 'CHINA GIRL'	CHINA GIRL HOLLY	42" MIN HEIGHT	B+B
IGC	44	ILEX GLABRA COMPACTA "	DWARF INKBERRY HOLLY	42" MIN HEIGHT	#5 CAN
IGS	11	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY HOLLY	42" MIN HEIGHT	#5 CAN
IVWR	15	ILEX VERTICILLATA 'WINTER RED'	WINTER RED WINTERBERRY HOLLY	42" MIN HEIGHT	#5 CAN
KL	9	KALMIA LATIFOLIA	MOUNTAIN LAUREL	42" MIN HEIGHT	B+B
RM	15	RHODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHODODENDRON	4-5' MIN HEIGHT	B+B
TH	20	"TAXUS MEDIA "HICKSII"	HICKS YEW	42" MIN HEIGHT	B+B
	<u>151</u>				
<u>DECIDUOUS SHRUB</u>					
CA	12	CLETHRA ALNIFOLIA	SUMMERSWEET CLETHRA	42" MIN HEIGHT	#5 CAN
CAR	32	CLETHRA ALNIFOLIA 'ROSEA'	PINK SUMMERSWEET CLETHRA	42" MIN HEIGHT	#5 CAN
CS	12	CORNUS SERICEA (FORMERLY STOLONIFERA) "	RED OSIER DOGWOOD	42" MIN HEIGHT	B+B
HPG	2	HYDRANGEA PANICULATA 'GRANDIFLORA'	PEE GEE HYDRANGEA	42" MIN HEIGHT	#5 CAN
HM	15	HYDRANGEA MACRIPHYLLA 'ENDLESS SUMMER'	ENDLESS SUMMER	42" MIN HEIGHT	#5 CAN
MP	23	MYRICA PENNSYLVANICA	NORTHERN BAYBERRY	42" MIN HEIGHT	B+B
SBAW	26	SPIREA X BUMALDA 'ANTHONY WATERER' "	ANTHONY WATERER SPIREA	42" MIN HEIGHT	#5 CAN
SJLP	7	SPIREA JAPONICA 'LITTLE PRINCESS'	LITTLE PRINCESS SPIREA	42" MIN HEIGHT	#5 CAN
SPMK	23	SYRINGA PATTULA 'MISS KIM'	MISS KIM LILAC	42" MIN HEIGHT	B+B
VA	26	VACCINIUM ANGUSTIFOLIUM "	LOWBUSH BLUEBERRY		#1 CAN
VC	27	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY	42" MIN HEIGHT	#5 CAN
	<u>205</u>				
<u>PERENNIAL</u>					
GMR	31	'ROZANNE' CRANSEBILL	GERANIUM MACRORRHIZUM	1 GAL.	CONTAINER
PA	54	PENNISETUM ALOPECUROIDES	DWARF FOUNTAIN GRASS	1 GAL.	CONTAINER
RF	341	RUDBECKIA FULGIDA 'GOLDSTRUM'	BLACK EYED SUSANS	1 GAL.	CONTAINER
RRM	37	ROSA 'PINK MEIDLAND' "	PINK MEIDLAND ROSE	1 GAL.	CONTAINER
SAJ	27	SEDUM X 'AUTUMN JOY'	AUTUMN JOY SEDUM	1 GAL.	CONTAINER
XS	20	XANTHORIZA SIMPLICISSIMA	YELLOWROOT	1 GAL.	CONTAINER
	<u>509</u>				

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.



SPECIAL LANDSCAPE NOTES

1. CONTRACTOR SHALL SUBMIT AN IRRIGATION SYSTEM DESIGN TO THE PLANNING DEPARTMENT FOR REVIEW & APPROVAL PRIOR TO CONSTRUCTION.
2. MULCH TO BE PLACED IN SHRUB BEDS NO GREATER THAN 12" FROM THE DRIP LINE
3. REPLACE EXISTING SOIL IN PLANT BEDS WITH TOPSOIL TO A DEPTH OF 24" MINIMUM
4. REMOVE SOIL FROM STEMS OF ROOT FLARE AREA.
5. PLANT MATERIAL TYPES, QUANTITIES AND LOCATIONS SHALL NOT BE MODIFIED EXCEPT WITH PERMISSION OF THE PLANNING BOARD, DURING INITIAL INSTALLATION.
6. EXISTING SOIL (TOPSOIL) SHOULD BE REUSED AS MUCH AS POSSIBLE. LOAM BORROW SHOULD ONLY BE BROUGHT IN AS NEEDED. BOTH TOPSOIL AND LOAM BORROW SHOULD BE TESTED BY A UNIVERSITY AGRICULTURAL LAB, SUCH AS UMASS SOIL TESTING LAB, TO DETERMINE IF IT NEEDS AMENDMENTS. LAB SHOULD PROVIDE RECOMMENDATIONS FOR AMENDMENTS BASED UPON PLANTING TYPE, EVERGREEN DECIDUOUS, LAWN, ETC.
7. CONTRACTOR SHOULD FURNISH PLANTS IN QUANTITIES AS SHOWN ON PLANS, NOT IN SCHEDULE.
8. REMOVE SOIL FROM TRUNK FLARES OF TREES AND STEMS OF SHRUBS TO DETERMINE ACTUAL TOP OF ROOTBALL AREA.
9. FERTILIZE AS NEEDED PER RECOMMENDATIONS OF SOIL TESTING LAB.
10. THERE IS A 2-YEAR GUARANTEE REQUIRED.
11. NO PLANT MATERIAL CHANGES WITHOUT PERMISSION OF THE LANDSCAPE ARCHITECT.
12. TREES AND SHRUBS SHALL BE B+B OR CONTAINER -- NO BARE ROOT.
13. SEEDING -- LOAM AND TOPSOIL SHOULD BE 6" AFTER SETTLEMENT, MIN. FERTILIZE AND LIME PER SOIL TESTING LAB RECOMMENDATIONS.
14. DO NOT OVER-COMPACT PLANTING AREAS. IF AREAS BECOME COMPACTED, DISC TOP 4"-6" TO UNCOMPACT.
15. LOAM- OBTAIN LABORATORY TEST FOR TOPSOIL AND LOAM BORROW. ASK FOR pH (5.5 TO 6.5 PREFERRED), BUFFER pH, ORGANIC MATTER (5 TO 10%), SOLUBLE SALTS, AND SOIL TEXTURE.
16. ADD MICORRHIZA SPORES IN PLANT BEDS AND PITS.
17. TREES AND SHRUBS SHALL BE TAGGED BY THE LANDSCAPE ARCHITECT.
18. TREE PITS SHOULD BE FLOODED 2 TIMES IN SUCCESSION WITH WATER, AND EVALUATED FOR DRAINAGE CHARACTERISTICS AFTER A 24 HOUR PERIOD.
19. CONTRACTOR SHOULD PLAN TO PROVIDE CLEAN POTABLE WATER, HOSES AND ALL EQUIPMENT TO WATER PLANTS.
20. PLANTS SHOULD BE WATERED FROM TIME OF DELIVERY UNTIL ACCEPTANCE.
21. USE TREEGATERS TO PROVIDE SLOW, DEEP WATERING FOR TREES.
22. GENERAL CONTRACTOR TO REMOVE EXISTING INVASIVE SPECIES ON SITE (NORWAY MAPLE, BUCKTHORN, KNOTWEED, ETC.). CONTROL OF INVASIVE SPECIES SHOULD BE MONITORED THROUGH REGULAR, PERIODIC MAINTENANCE
23. GENERAL CONTRACTOR TO REMOVE ROOT BASKETS, BURLAP, WRAPS AND TIES ENTIRELY AND DISCARD.
24. GENERAL CONTRACTOR TO UTILIZE STRAW FOR EROSION CONTROL.
25. THE INTENT OF THE SHRUB PLANTINGS ARE TO GROW INTO MASSES FOR SCREENING AND VISUAL INTEREST.



Article 3: Site Plan Review Plan Requirements

Section 3.1 Site Plan Review site plan requirements

Section 3.1.1 Applications for both **major** and **minor** site plan review shall submit plan sets with a **cover sheet** containing the following information.

1. Address(es) of the proposed project;
2. Identification of parcel by Parcel ID;
3. Project Title;
4. Prepared by/Prepared for;
5. Professional Engineer and/or Land Surveyor licensed in the Commonwealth of Massachusetts stamp and signature;
6. Registered Architect stamp and signature;
7. Zoning Table showing the existing, required, and proposed dimensions in accordance with Section IV. E, Dimensional Regulations;
8. Parking Table, showing the existing number of parking spaces, required number of parking spaces, and the proposed number of parking spaces. This Table shall include the dimensions of the proposed parking spaces, number and dimensions of the handicap accessible spaces, and number and dimensions of loading spaces;
9. Maximum seating capacity, number of employees, or sleeping units if applicable;
10. Color architectural renderings; and
11. Locus Map to allow adequate consideration of the surrounding neighborhood, a plan of adjacent properties shall be presented at a scale of not less than one inch equals 100 feet or at the same scale as the proposed site plan if practical. This plan shall show the general characteristics of all lands within 300 feet of the proposed site or such other distance as may be reasonably required, including structures, parking areas, driveways, pedestrian ways, and natural characteristics. Any structures or significant change in topography within 50 feet of the lot line shall be located precisely on said plan.

Section 3.1.2 Applicants for both **major** and **minor** Site Plan Review shall include the following information on **all plan sheets**:

1. Address(es) of the project, identification of parcel by Parcel ID, and Project Title;
2. Plan sets shall be accurately drawn to a scale of one inch equals 20 feet to one inch equals 60 feet, where practical and appropriate to the size of the proposal;
3. Planning Board Signature Block at approximately the same location on each page of the submitted plans;
4. North arrow and scale of drawings;
5. Date of plan and revision dates;
6. Location of pedestrian areas, walkways, flow patterns and access points, and provisions for handicapped parking and access, and bicycle accommodations; and



7. Locations and dimensions, including total ground coverage, of all driveways, maneuvering spaces and aisles, parking stalls and loading facilities, and proposed circulation of traffic.

Section 3.1.3 Applicants for **major** Site Plan Review shall include the following sheets within a **plan set** shall include the following sheet where applicable:

1. Existing Conditions site plan, showing the locations of all infrastructure on- and off- site, including sidewalks and roadways which are public and private, square feet and dimensional of all existing buildings on-site, existing off-street parking areas with dimensions of landscaping area;
2. A landscape plan at the same scale as the site plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including planting areas with size and type of stock for each shrub or tree.
3. A photometric plan showing both the intensity of illumination expressed in foot-candles at ground level to the property's boundaries and the location, orientation, height, wattage, type, style, and color of outdoor luminaire(s) for all existing and proposed lighting. Photometric plan and details should be designed in accordance the Article 22: Site Plan Review Lighting Requirements, in the Planning Board's Rules and Regulations, herein.
4. Dimensions of proposed buildings and structures, including gross floor area, floor area ratio, total lot coverage of building, and breakdown of indoor and outdoor floor area as to proposed use. Area dimensions to include Lot Coverage of Building, Paved Surface Coverage, and Landscaped Open Space and Other Open Space, with percentages of these items to be provided and to total 100 percent of the lot area.
5. Parking Plan showing the drive aisle widths, turning radius, stall heights and widths, locations of pedestrian and bicycle amenities, and landscaping.

Applicants for **minor** site plan review shall include the sheets within a plan set forth in subsection 21.1.3 above where applicable, except the plans set forth in subsection 21.1.3.3 need not be submitted for **minor** site plan review.

Article 4: Site Plan Review Lighting Requirements

Section 4.1

These lighting requirements apply to all outdoor lighting, for all projects being reviewed by the Planning Board. Lighting requirement shall meet the most current International Energy Conservation Code (IECC) standards, comply with the Outdoor Lighting Code Handbook published by the International Dark-Sky Association, and comply with the American Disabilities Act (ADA) and Architectural Access Board (AAB). Lighting whether attached to buildings, poles, structures, or self-supported, within hardscape and/or landscaped areas, near the entrance of buildings, sales and non-sales canopies, outdoor sales areas, building facades, and/or within pedestrian ways shall be fully reviewed by the Planning Board to ensure adequate lighting for the use and location is provided. Lighting requirements set forth, herein shall apply to all luminaires for any lot



undergoing new development, or a modification or expansion under a site plan review permit.

Section 4.2

A Photometric Plan shall be submitted to the Planning Board as part of a Site Plan Review Application package for new or redevelopment projects. The Photometric Plan shall include the location, height, shield type, and lumen rating for all of the existing and/or proposed outdoor luminaires.

Section 4.3 Luminaire Design Standards

1. Lighting shall be designed not to exceed the light levels necessary for the use and location. Lighting shall be designed to provide a safe and adequately illuminated outdoor area.
2. Installation of energy efficient outdoor light fixtures is required.
3. All luminaires must be fully shielded to decrease levels of light trespass onto adjacent properties, roadways, or environmentally sensitive areas.
4. Existing luminaires which cause light trespass and glare shall be removed during the construction phase of the project and replaced with new compliant lighting. All luminaries shall be fully shielded so that all direct light cast in the direction of abutting lots or adjacent streets is cut off at an angle no more than a cone angle of 45 degrees measured from a vertical line directly below the luminaire and shall not exceed the lumen value specified above. The cut-off may be accomplished by the luminaire photometric properties, or by a supplementary external shielding.
5. Strobes, searchlights, flashing lights, and laser illumination, are prohibited.

Section 4.4 Sites shall be designed to comply with the maximum permitted light levels, as stated herein.

1. Parking Lots, Sidewalks, and Bikeways – 1.5 Lumens, per square foot of the area.
2. Building Entrance Areas – 5 Lumen, per linear foot of the width of all doors
3. Building Canopies – 5 Lumen, per square foot of the ceiling area of a walkway canopy
4. Retail Sales Canopies – 10 Lumen, per square foot of the ceiling area of a service station; 5 lumen per square foot of the ceiling area of retail sales canopies
5. Retail Sales Frontage and Outdoor Sales Areas: The Planning Board, at its discretion, will determine the appropriate light levels on a case by case basis.

Section 4.5 Light trespass from a site under review by the Planning Board is prohibited, for both new and existing lighting. The Applicant shall have a Lumen of zero at all lot lines.

Section 4.6 Each site shall be designed to decrease light levels after the closure of the site.



1. Exterior Site Lights shall be turned off one hour after the last person leaves the building, and shall remain off one hour prior to the opening of the building. Lighting may be replaced by security lighting if necessary.
2. Exterior Spot Lights shall be controlled by motion detectors or infrared sensors and shall be activated for no more than 10 minutes of “on-time” and shall be exempt from the hours-of-operation restriction. The motion detector shall be adjusted so that normal movement of vehicles, pedestrians, or traffic along a street or way shall not cause activation.
3. Flood lights, spot lights, and other site lighting may not be used as a substitute for security of the building or property.

Section 4.7 The following lights shall be exempt from Article 22 set forth herein.

1. Temporary holiday lights, which shall not exceed 12 weeks in one calendar year.
2. Emergency lighting required by the Framingham Fire, Police, and/or other official or utility emergency personnel. Such lighting shall minimize any detrimental effects of glare onto passing vehicles, abutting residential properties, and/or pedestrians.
3. Temporary lighting used on construction sites. Such lighting shall minimize any detrimental effects of glare onto passing vehicles, abutting residential properties, and/or pedestrians.
4. Lighting associated with signage. Lighting associated with signage shall fall under the jurisdiction of the Building Department.

Section 4.8 Enforcement of Article 22 herein shall be by the Building Commissioner.