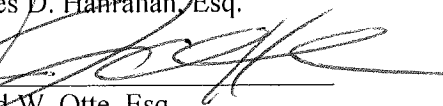


DEVELOPMENT IMPACT STATEMENT OF  
CHRISTA MCAULIFFE REGIONAL CHARTER PUBLIC SCHOOL  
FOR PROPERTY LOCATED AT  
135 – 139 NEWBURY STREET, FRAMINGHAM

Applicant and Owner:  
Friends of Framingham Community Charter School, Inc.

<p><u>Civil Engineer:</u> Kelly Engineering Group, Inc. 0 Campanelli Drive Braintree, MA 02184</p> <p>David N. Kelly, P.E. 781.843.4333 781.843.0028 - fax <a href="mailto:dkelly@kellyengineeringgroup.com">dkelly@kellyengineeringgroup.com</a></p>	<p><u>Counsel:</u> Bowditch &amp; Dewey, LLP 175 Crossing Boulevard, Suite 500 Framingham, MA 01702</p> <p>James D. Hanrahan, Esq. 508.416.2404 508.929.3016 - fax <a href="mailto:jhanrahan@bowditch.com">jhanrahan@bowditch.com</a></p> <p>Jared W. Otte, Esq. 508.926.3388 508.929.3110 - fax <a href="mailto:jotte@bowditch.com">jotte@bowditch.com</a></p>
<p><u>Landscape Architect:</u> Hawk Design, Inc. 39 Pleasant Street Sagamore, MA 02129</p> <p>Bart Lipinski 508-833-8800 774-413-9841 - fax <a href="mailto:Bart@hawkdesigninc.com">Bart@hawkdesigninc.com</a></p>	<p><u>Building Architect:</u> Ai3 Architects LLC 526 Boston Post Road Wayland, MA 01778</p> <p>L. Scott Dunlap, AIA, LEED AP, Partner 508-358-0790 <a href="mailto:Dunlap@ai3architects.com">Dunlap@ai3architects.com</a></p>

By:   
James D. Hanrahan, Esq.

By:   
Jared W. Otte, Esq.  
Bowditch & Dewey, LLP  
175 Crossing Boulevard  
Framingham, MA 01702

This application (“Application”) is submitted to the Framingham Planning Board by the Friends of Framingham Community Charter School, Inc. (the “Friends of Framingham”), a Massachusetts not for profit corporation having a mailing address of 25 Clinton Street, Framingham, Massachusetts 01702 and the Christa McAuliffe Regional Charter Public School, a Massachusetts regional charter public school (“Christa McAuliffe”, and together with the Friends of Framingham, the “Applicant”), in connection with its redevelopment of commercial property known as 135-139 Newbury Street, Framingham (the “Property” or “Project Site”), as shown on the plan entitled “SITE DEVELOPMENT PLANS FOR 135-139 NEWBURY STREET, FRAMINGHAM, MASSACHUSETTS”, Sheets 1 through 6 prepared by Kelly Engineering Group, Inc. dated December 20, 2013 (“Site Plan”).

The Property currently consists of three one-story buildings comprising approximately 45,000 square feet, served by a one hundred sixty-two (162) space parking facility. The buildings are currently used for research and design, offices and ancillary storage. The Friends of Framingham acquired the Property in November, 2013 for the purpose of locating a new school site for Christa McAuliffe at the Property. Accordingly, the Applicant’s proposed project, more completely described in Section 1.b below, proposes to redevelop the Property as the new school site for Christa McAuliffe in two phases (the “Project”), involving the existing three buildings with the addition of one (1) single modular building of approximately 7,567 square feet.

As detailed in Section 1.c below, prior to filing this Application, the Application received a written determination from the Framingham Building Inspector that the Project is entitled to the protections of Massachusetts General Laws, Chapter 40 A, Section 3 (the “Dover Amendment”) and except for site plan review in accordance with Section IV.I. of the Framingham Zoning By-Law, as limited by Section 19 of the Town of Framingham Planning Board Rules & Regulations, no further zoning approvals are required for the Project. Accordingly, this Application is before the Town of Framingham (“Framingham”) Planning Board for: (i) Site Plan review pursuant to Section IV.I of the Framingham Zoning By-Law (“Framingham By-Law”) as to Phase I of the Project.

## 1. PROJECT SUMMARY

### a. Existing Conditions and Site History

According to the Site Plan, the Property currently consists of one parcel and contains approximately 183,540 square feet of land located on the southern side of Newbury Street in Framingham. The Property is surrounded on the east, south, and west by commercial uses as part of a busy commercial and retail area. To its north, it abuts Newbury Street and the residential neighborhood north of Newbury Street. According to the Site Plan, the Property consists of three buildings with a total of 45,810 square feet of building footprint. The Property has access to both Newbury Street and Burr Street. According to the Framingham By-Law, Framingham Zoning Map, and the Site Plan, the Property is in an "M-1" Light Manufacturing Zoning District (the "M-1 District").

The current use ("Current Use") of the Property is as follows: (i) the building shown on the Site Plan as "Existing Building Footprint Area = 20,593± S.F." is currently being used for non-medical office use, with associated research and design facilities and ancillary storage ("Front Building"); (ii) the building shown on the Site Plan as "Existing Building Footprint Area = 20,439± S.F." is currently being used for non-medical office use, with associated research and design facilities and ancillary storage ("Rear Building"); and (iii) the building shown on the Site Plan as "Existing Building Footprint Area = 4,776± S.F." is currently being used for ancillary storage ("Accessory Building"). The Current Use has been in existence since and is consistent with the uses at the time the building permits were issued for the Front Building on August 14, 1978, and the Rear Building on February 4, 1979. According to the Property Record Card on file with the Framingham Assessor's Office, the Accessory Building was built in 1964.

### b. Proposed Project

The Applicant's Project is to redevelop the Property as the new school site for Christa McAuliffe in two phases using the existing three buildings with the addition of one (1) single story modular building of approximately 7,567 square feet. Phase I of the Project will include the renovation of the Front and Accessory Building and the construction of the Proposed

Building to house classrooms. Phase I will involve the addition of approximately 2,6000 square feet of additional impervious area and a redesign of the existing parking and on-site traffic layout to provide an additional access point on Newbury Street, at the north west corner of the Property, and to create a clear path of travel with associated drop-off areas for school busses. The Proposed Building, additional access point, internal traffic plan and parking layout are shown on the Site Plan. Phase I will also include stormwater mitigation measures including the construction of a low impact development swale and the implementation of an operation and management plan. In the next three (3) to five (5) years, when the remaining office tenants are no longer located at the Property, Phase II of the Project will begin.<sup>1</sup> Phase II will include an expansion of the school into the Rear Building, reduction in parking, as the parking associated with the current use will no longer be necessary, and redevelopment of a portion of the existing parking lot as a playground.

The Project is designed to provide adequate access to the Property for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with Framingham's regulations, and is so designed for the location and school use, building design form, building location, egress points, grading and other elements to: (a) minimize volume of cut and fill, removal of existing vegetation and other features, stormwater flow increase, soil erosion and threat of air or water pollution; (b) maximize pedestrian and vehicular safety and convenience within the site and egressing from it; (c) minimize obstruction of solar access to abutters; (d) minimize visual intrusions, light intrusion and glare, and (e) avoids departure from the character of buildings in the area.

c. Dover Protection

Massachusetts General Laws, Chapter 40A, Section 3 (the "Dover Amendment") states that no ordinance or bylaw shall "prohibit, regulate or restrict the use of land or structures ... for educational purposes on land owner or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit

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<sup>1</sup> Upon approval of this application, the Applicant will commence construction of the Proposed Modular Building and starting in 2014-2015 school year, the Front Building, the Proposed Building and the Accessory Building will be used to house classrooms and associated administrative facilities for Christa McAuliffe. The Applicant within the next three (3) to five (5) years, if the remaining commercial tenants leave, may or may not remove the Proposed Building and will expand the school into the Rear Building.

educational corporation; provided however, that such land or structures 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 [emphasis added].”

On July 29, 2013, prior to its acquisition of the Property, the Applicant made a written request to the Framingham Building Inspector, Michael A. Tusino, requesting a determination that the Project is entitled to the protections of Massachusetts General Laws, Chapter 40 A, Section 3 (the “Dover Amendment”); and except for site plan review in accordance with Section IV.I. of the Framingham Zoning By-Law, as limited by Section 19 of the Town of Framingham Planning Board Rules & Regulations, no further zoning approvals are required for the Project. On August 5, 2013, the Framingham Building Inspector responded by written letter stating that “I concur that your client may use the premises for educational use as per M.G.L. 40 A Section 3. I further agree that Site Plan Review approval is required by the current Zoning Bylaw.” The Applicants written request and the Framingham Building Inspector’s response are attached hereto as Exhibit A and Exhibit B.

## 2. TRAFFIC IMPACT ASSESSMENT

Pursuant to Section 19.3 of the Framingham Planning Board Rules & Regulations, Dover Amendment use applicants are not required to submit a Traffic Impact Assessment referenced in Framingham Zoning By-Law Section IV(5)(g)(1).

## 3. ENVIRONMENTAL IMPACT

Pursuant to Section 19.3 of the Framingham Planning Board Rules & Regulations, Dover Amendment use applicants are not required to submit a Environmental Impact Assessment referenced in Framingham Zoning By-Law Section IV(5)(g)(2).

## 4. FISCAL IMPACT

Pursuant to Section 19.3 of the Framingham Planning Board Rules & Regulations, Dover Amendment use applicants are not required to submit a Fiscal Impact Assessment referenced in Framingham Zoning By-Law Section IV(5)(g)(3).

## 5. COMMUNITY IMPACT STATEMENT

Pursuant to Section 19.3 of the Framingham Planning Board Rules & Regulations, Dover Amendment use applicants are not required to submit a Community Impact Assessment referenced in Framingham Zoning By-Law Section IV(5)(g)(4).

## 6. PARKING IMPACT ASSESSMENT

The Framingham By-Law in Section IV.B.1.a. requires one (1) parking space per four (4) occupants and 1 parking space per two (2) employees for a school. One (1) space per 240 square feet of gross floor area is required for “non-medical offices”. Furthermore Section IV.B.1.b.(1) provides that “[t]wo or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually.”

As more particularly set forth in the Zoning Legend on Sheet 4 of the Site Plan, these requirements result in a total parking space requirement for the office and school uses at 139 spaces. As shown on the Site Plan, the Project has been specifically designed to provide for a clear path of travel for school buses along with associated bus drop-off areas. In addition, the parking lot has been redesigned to provide the required 139 spaces, a reduction of 21 spaces from the existing parking lot. The Site Plan illustrates the proposed parking layout and notes eight (8) of the spaces in the proposed layout as “Land Bank Spaces”. These spaces are so noted to illustrate that the Project can meet the number of spaces technically required by the Framingham Zoning By-Law. However, the Applicant does not believe that these “Land Bank Spaces” are necessary to meet the expected parking demand at the Property and in an effort to maintain green space at the Property, the Applicant requests that the Planning Board allow for these spaces to remain green space until and unless it is determined that there is a specific need for these spaces.

It is expected that the parking design will more than adequately meet the parking demands at the Property and allows for a clear path of travel for school buses to accommodate the new location for Christa McAuliffe. This clear path of travel with designated bus drop-off areas will serve to further reduce the need for additional parking and will serve to lessen the impacts on traffic that the Project will have on the neighborhood.



**EXHIBIT A**



*Bowditch  
& Dewey*  
ATTORNEYS

James D. Hanrahan  
Direct telephone: (508) 416-2404  
Direct facsimile: (508) 929-3016  
Email: jhanrahan@bowditch.com

Via Hand Delivery

July 29, 2013

Michael Tusino  
Building Commissioner  
150 Concord Street, Room 203  
Framingham, MA 01702

*Re: Christa McAuliffe Regional Charter Public School - Proposed  
Academic Building located at 135-139 Newbury Street (a/k/a  
Newbury Park), Framingham, Massachusetts (the "Property")*

Dear Mr. Tusino:

This firm represents The Friends of Framingham Community Charter School, Inc. ("The Friends of Framingham") and Christa McAuliffe Regional Charter Public School ("Christa McAuliffe") in connection with the above-referenced matter. Christa McAuliffe has entered into an agreement with Framingham Newbury 125 CPI, LLC, the current owner, for the acquisition of the Property. The Friends of Framingham will own the Property and will enter into a lease with Christa McAuliffe, as tenant. The Property currently consists of three one-story buildings comprising approximately 45,000 square feet, served by a one hundred sixty-two (162) space parking facility. The buildings are currently used for research and design, offices and ancillary storage. Our client proposes to redevelop the Property as the new school site for Christa McAuliffe in two phases (the "Project"), using the existing three buildings with the possibility of a one story addition of approximately 7,000 square feet.

We are asking that you to determine that: the Project is entitled to the protections of Massachusetts General Laws, Chapter 40A, Section 3 (the "Dover Amendment"); and except for site plan review in accordance with Section IV.I. of the Framingham Zoning By-Law, as limited by Section 19 of the Town of Framingham Planning Board Rules & Regulations, no zoning approvals are required for use of the Property as a school.

The Dover Amendment states that no ordinance or bylaw shall "prohibit, regulate or restrict the use of land or structures ... for *educational purposes* on land owner or leased by the commonwealth or any of its agencies, subdivisions or *bodies politic* or by a religious sect or denomination, or by a *nonprofit educational corporation*; provided however, that such land or structures 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." Mass. Gen. L. Chapter 40A, Section 3 (emphasis added).

{Client Files\REA\310740\0001\COR\F0835351.DOC;3}

Michael Tusino  
July \_\_, 2013  
Page 2

The Articles of Organization establishing The Friends of Framingham on file with the Massachusetts Secretary of State's office and attached hereto, provide that the purpose of the corporation is to "establish and operate a school, and to engage in all other lawful activities; provided however, that this corporation shall be organized and operated exclusively for educational and other charitable purposes...." Christa McAuliffe is a charter school established under Mass. Gen. L. Chapter 71, Section 89, and, pursuant to Section 89(k) of said chapter, is a "body politic and corporate with all powers necessary or desirable for carrying out its charter program...." Based on the Articles of Organization establishing The Friends of Framingham and Mass. Gen. L. Chapter 71, Section 89, the Project qualifies for Dover Amendment protection.

Notwithstanding this protection, land or structures used for educational purposes that are protected under the Dover Amendment 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." Mass. Gen. L. Chapter 40A, Section 3. Section III.A.1.i. of the Framingham Zoning By-Law reflects this limitation on the protection afforded by the Dover Amendment. In applying the protections of the Dover Amendment, the Massachusetts Supreme Judicial Court has held that "[. . .] facially reasonable zoning requirements concerning bulk and dimension cannot be applied to an educational use occupying a particular site [. . .] [where] application of the requirements would improperly nullify the protection granted to the use [. . .]." Campbell v. City Council of Lynn, 415 Mass. 772, 778 (1993).

The reasonableness of local zoning requirements as applied to a proposed educational use depend on the particular facts of each case. The central question is whether the application of the zoning requirements to a specific project furthers legitimate municipal concerns to a sufficient extent to warrant requiring an educational institution to alter its development plan. The standard to be applied is one that balances the difficulty of compliance, or the extent to which compliance would interfere with the character of the educational use, against the local objectives being advanced by the zoning requirements in question. To that end, the Supreme Judicial Court has held that municipalities may not require a nonprofit educational institution to seek a variance to complete its project. Trustees of Tufts College v. City of Medford, 415 Mass. 753, 761 (1993); Radcliffe College v. Cambridge, 350 Mass. 613, 619 (1966). Additionally, courts have held that aesthetic and architectural beauty are to be considered in evaluating whether zoning requirements impair the character of the proposed use. Trustees of Boston College v. Board of Aldermen of Newton, 58 Mass. App. Ct. 794, 804 (2003). The municipality's zoning requirements can be shown to be unreasonable as applied to a project by "demonstrating that compliance would substantially diminish or detract from the usefulness of a proposed structure, or impair the character of the institution's campus, without appreciably advancing the municipality's legitimate concerns. See Trustees of Tufts College v. City of Medford, 415 Mass. 753, 759-60 (1993). Excessive cost of compliance with a requirement imposed on an educational institution, without significant gain in terms of municipal concerns, might also qualify as unreasonable regulation of an educational use." Id. at 760.

Based on the foregoing, please confirm by written determination that: the Project is entitled to the protections of the Dover Amendment; and except for site plan review in

Michael Tusino

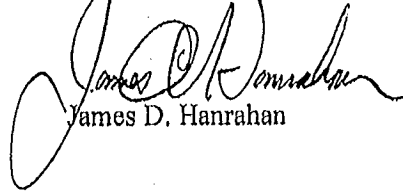
July 29, 2013

Page 3

accordance with Section IV.I. of the Framingham Zoning By-Law, as limited by Section 19 of the Town of Framingham Planning Board Rules & Regulations, no zoning approvals are required for the proposed use of the Property for school purposes.

Please contact me if you should have any questions concerning this request or would like to discuss this further.

Very truly yours,



James D. Hanrahan

JDH/  
Enclosures

Cc: Christa McAuliffe Regional Charter Public School  
Attn: Kristin Harrison  
25 Clinton Street  
Framingham, Massachusetts 01702

AACR 6

FEDERAL IDENTIFICATION  
NO. 04-3519276  
Fee: \$15.00 000706252

RA  
Examiner  
Name  
Approved

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

041

## ARTICLES OF AMENDMENT (General Laws, Chapter 180, Section 7)

We, Michael B. Delman, \*President / ~~\*Vice President~~,

and Matthew A. Aufman, \*Clerk / \*Assistant Clerk,

of Framingham Community Charter School, Inc.  
*(Exact name of corporation)*

located at 192 Stonebridge Rd., Wayland, MA 01778  
*(Address of corporation in Massachusetts)*

do hereby certify that these Articles of Amendment affecting articles numbered:

1  
*(Number those articles 1, 2, 3, and/or 4 being amended)*

of the Articles of Organization were duly adopted at a meeting held on May 24, 2002, by vote of:

         members, 4 directors, or          shareholders,

being at least two-thirds of its members/directors legally qualified to vote in meetings of the corporation (or, in the case of a corporation having capital stock, by the holders of at least two thirds of the capital stock having the right to vote therein);

The exact name of the corporation is:  
Friends of Framingham Community Charter School, Inc.

- C
- P
- M
- R.A.

7

The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 180, Section 7 unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than *thirty days* after such filing, in which event the amendment will become effective on such later date.

Later effective date: June 15, 2002

SIGNED UNDER THE PENALTIES OF PERJURY, this 3<sup>rd</sup> day of June, 2002

Matthew A. [Signature] Assistant Clerk

Michael A. [Signature] President

797942

#674

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF AMENDMENT

(General Laws, Chapter 180, Section 7)

I hereby approve the within Articles of Amendment and, the filing fee in the amount of \$ 15.00 having been paid, said articles are deemed to have been filed with me this 14<sup>th</sup> day of June 20 02.

Effective date: June 15, 2002

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

02 JUN 14 09:23  
CORPORATION, REGIS

TO BE FILLED IN BY CORPORATION

Photocopy of document to be sent to:  
Matthew A. Aufman  
Testa, Hurwitz & Thibault, LLP

125 High Street

Boston, MA 02110-2704

Telephone: (617) 248-7000

FEDERAL IDENTIFICATION  
NO. 04-3519276  
Fee: \$15.00

000706252

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

054

## ARTICLES OF AMENDMENT (General Laws, Chapter 180, Section 7)

Examined  
*[Signature]*  
  
Name  
Approved  
*[Signature]*

We, Michael Delman, President / Matthew A. Aufman, ~~Secretary~~ / \*Assistant Clerk,  
of Framingham Community Charter School, Inc.  
*(Exact name of corporation)*  
located at 192 Stonebridge Rd, Wayland, MA 01778  
*(Address of corporation in Massachusetts)*  
do hereby certify that these Articles of Amendment affecting articles numbered:  
IV  
*(Number those articles 1, 2, 3, and/or 4 being amended)*  
of the Articles of Organization were duly adopted at a meeting held on January 5th 2001, by vote of  
5 members, 5 directors, or 5 shareholders,  
being at least two-thirds of its members/directors legally qualified to vote in meetings of the corporation (or, in the case of a corporation having capital stock, by the holders of at least two thirds of the capital stock having the right to vote therein);

- C
- P
- M
- R.A.

11

1/20/01  
L

See Attachment

The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 180, Section 7 unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than *thirty days* after such filing, in which event the amendment will become effective on such later date.

Later effective date: \_\_\_\_\_

SIGNED UNDER THE PENALTIES OF PERJURY, this 8th day of January, 20 01,

Matt G. O'Neil Att. in Fact, \*President / ~~\*\*Vice President~~



Attachment to Articles of Amendment

On January 5, 2001 it was voted on by the Board of Trustees of the Framingham community Charter School, Inc. to amend the Articles of Organization by adding the following paragraph to Article IV thereof:

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal tax code, or shall be distributed to the Federal, state, or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes.

Cash

737028

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF AMENDMENT  
(General Laws, Chapter 180, Section 7)

\_\_\_\_\_

I hereby approve the within Articles of Amendment and, the filing fee in the amount of \$ 15 having been paid, said articles are deemed to have been filed with me this 8<sup>th</sup> day of January, 20 01.

Effective date: \_\_\_\_\_

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

SECRETARY OF THE  
2001 JAN -8 PM 3:53  
RECEIVED

TO BE FILLED IN BY CORPORATION  
Photocopy of document to be sent to:

Matthew A. Auffman  
Testa, Hurwitz, & Thibault, LLP  
125 High Street

Boston, MA 02110-2704

Telephone: (617) 248-7000

*BS*  
Examiner

*PC*  
Name Approved

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

## ARTICLES OF ORGANIZATION (General Laws, Chapter 180)

### ARTICLE I

The exact name of the corporation is:

Framingham Community Charter School, Inc.

### ARTICLE II

The purpose of the corporation is to engage in the following activities:

See Attachment 2A

C  
P  
M  
R.A.

00125071

*6*

P.C.

*Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on one side only of separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring such addition is clearly indicated.*

---

**ARTICLE III**

A corporation may have one or more classes of members. If it does, the designation of such classes, the manner of election or appointments, the duration of membership and the qualification and rights, including voting rights, of the members of each class, may be set forth in the bylaws of the corporation or may be set forth below:

No Members

**ARTICLE IV**

\*\*Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:

See Attachment 4A

**ARTICLE V**

The by-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers, whose names are set out on the following page, have been duly elected.

*\*\*If there are no provisions, state "None".  
Note: The preceding four (4) articles are considered to be permanent and may only be changed by filing appropriate Articles of Amendment.*

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FRAMINGHAM COMMUNITY CHARTER SCHOOL, INC.

Attachment 2A

The purpose of the corporation is to engage in the following activities:

To establish and operate a school, and to engage in other lawful activities; provided however, that this corporation shall be organized and operated exclusively for educational and other charitable purposes; and to engage generally in any business which may lawfully be carried on by a corporation formed under Chapter 180 of the General Laws of Massachusetts and which is not inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

---

**EXHIBIT B**



**TOWN OF FRAMINGHAM**  
**Inspectional Services Division**  
**Department of Building Inspection**  
Memorial Building, Room 203  
150 Concord Street  
Framingham, Massachusetts 01702-8368

Michael A. Tusino, C.B.O.  
Director of Inspectional Services/Building Commissioner

Telephone:  
Fax:

508-532-5500  
508-532-5501

August 5, 2013

James D. Hanrahan  
Bowditch & Dewey  
175 Crossing Blvd., Suite 500  
Framingham, MA 01702

**Re: 135-139 NEWBURY STREET, FRAMINGHAM, MA**

Dear Attorney Hanrahan:

I am in receipt of your correspondence dated July 29, 2013 relative to the aforementioned premises.

I concur that your client may use the premises for educational use as per M.G.L. 40 A Section 3. I

further agree that Site Plan Review approval is required by the current Zoning Bylaw.

Thank you for your very accurate assessment of the proposal.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Michael A. Tusino  
Director/Building Commissioner