

City of Framingham

The City Council of Framingham



ORDER 2020-034-007 REQUEST OF THE CITY COUNCIL

UPON THE REQUEST OF THE PLANNING & ZONING SUBCOMMITTEE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That, after diligent review, the City Council votes to amend the Zoning Bylaw, Section V. Special Regulations, B. Historic Re-Use with the following changes:

1. Purpose & Intent: An additional clause was added ensure and emphasize that the reuse would maintain the integrity of the neighborhood that the structure is located within
Added: "All such uses shall comply with the dimensional regulations of the zoning district in which the property is located".
2. Delete 1.c. "Provide incentives for a project that maintains and preserves an historic building that otherwise might be demolished."
3. Delete 1.e. & 1.f. "Provide a variety of residential housing options that encourage and enhance residential opportunities to attract and retain residences" and Comply with the design standards set forth by the Secretary of the Interior's Standards for Rehabilitation (36 CFR 67)."
4. Change 2.a.1. (regarding applicability) delete reference to 1939 and insert "a minimum of 75 years of age" to remove conflicting dates citing age reference that a structure is deemed historically significant.
5. 2.a.iii. change of language to clarify that a structural change is allowed versus inference that a permit has already been granted.
6. 2.b.i.c. add for emphasis to provide greater control by the Historical Commission: "shall make a formal review of the proposed project architecture, and shall provide a formal recommendation to the Planning Board." This would provide the ability for the Historical Commission to retain a peer review as per MGL Ch 44 Sec 53G in accordance with MGL Ch. 40a Sec 9 & 12. However, this is being reviewed by the City Solicitor for legal compliance. Also, the word "first" has been added with reference to the process in seeking an approval for modification.
7. 3.a.iii. added "limited to 75% of the square footage of the footprint of the existing structure. Alterations, infill, and/or additions shall be" ...compatible I scale, and design to the historic portion of the property....
8. 2.b.iv. Added language to clarify screening of rooftop equipment where applicable: "Use of rooftop mechanical equipment shall be architecturally screened."

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9. Section 4 no longer is listed as "Findings and Conditions of Approval". New heading: "Historic Reuse Provisions" Section Deleted and Replaced with new section as follows:

"No structure shall be erected, enlarged, or modified or land shall be divided, subdivided or modified prior to the granting or denial of said Special Permit prior to the submittal of an application to the Historical Commission or Historic District Commission for a determination of historic significance."

10. Procedure for Waiver: Added "No waiver shall be allowed to be granted to remove or modify" the architectural conditions imposed" by the Historical Commission ...etc.

It is noted that the full text of the amended section follows this Order.

FIRST READING

YEAS: Bryant, Cannon, Case, King, Leombruno, Long, Ottaviani, Shepard, Stefanini, Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All Members were present in meeting room or via teleconferencing
PASSED IN COUNCIL: NOVEMBER 5, 2020

SECOND READING

YEAS: Bryant, Cannon, Case, King, Leombruno, Long, Ottaviani, Shepard, Stefanini, Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All Members were present in meeting room or via teleconferencing
PASSED IN COUNCIL: NOVEMBER 10, 2020

A TRUE RECORD, ATTEST:

Lisa A. Ferguson, City Clerk
Emily L. Butler, Assistant City Clerk

Yvonne M. Spicer, Mayor

Date Approved

Date Approved