



FRAMINGHAM PLANNING BOARD

MEMORIAL BUILDING • ROOM B-37 • 150 CONCORD STREET • FRAMINGHAM, MA 01702-8373
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Planning Board Members:
Stephanie Mercandetti, Chair
Christine Long, Vice-Chair
Lewis Colten, Clerk
Victor A. Ortiz
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Planning Board Staff:
Amanda L. Loomis, Planning Board Administrator
Alexander Mello, Associate Program Planner
Sean P. Dugan, Administrative Assistant

TOWN OF FRAMINGHAM PLANNING BOARD Notice of Decision

Regarding the Application of Michael Salkind For Site Plan Review and Special Permits for Use and Land Disturbance 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue, Framingham MA

On October 2, 2014, the Applicant, Michael Salkind, filed with the Planning Board, and on October 2, 2014, the Planning Board filed with the Town Clerk and Town Departments, applications for Site Plan Review (Section IV.I.2.d) and Special Permit for Land Disturbance (Section IV.H. and V.E.) pursuant to the Framingham Zoning By-law. On October 31, 2014, the Applicant, Michael Salkind, filed with the Planning Board, and on October 31, 2014, the Planning Board filed with the Town Clerk and Town Departments, an application for a Special Permit for Use (Section III.G.3.a. and V.E.) pursuant to the Framingham Zoning By-law. Applications were filed to construct a 6,900 square foot addition to the western portion of the existing warehouse, in addition to new on-site parking, a stormwater drainage system, and grading associated with the proposed project. The project is located at 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue, located in the General Manufacturing (M) Zoning District. Said parcel is shown on the Framingham Assessor's Map Sheet 84, Block 167, Lots 7, 8, 9, 10, and 11.

Notice of the public hearing for the applications for Site Plan Review and a Special Permit for Land Disturbance was published in "The Metrowest Daily News" on October 20, 2014 and October 27, 2014 and mailed to parties of interest pursuant to the By-Law and M.G.L. c. 40A, the Planning Board opened the public hearing on November 20, 2014 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham; notice of the public hearing for the application for a Special Permit for Use was published in "The Metrowest Daily News" on November 6, 2014 and November 11, 2014 and mailed to parties of interest pursuant to the By-Law and M.G.L. c. 40A, the Planning Board opened the public hearing on November 20, 2014 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham. Continued sessions of the public hearing were held on November 20, 2014, December 11, 2014, and January 15, 2015. On January 15, 2015 the Planning Board voted to close the public hearing for Site Plan Review, Special Permits for Use and Land Disturbance.

On January 15, 2015 the Planning Board **APPROVED** with conditions said application for Modification of a Site Plan Review, Special Permits for Use and Land Disturbance for 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue, and a **DECISION** was filed in the office of the Town Clerk on January 16, 2015.

Stephanie Mercandetti, Chair
FRAMINGHAM PLANNING BOARD

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

2015 JAN 16 A 9:50
TOWN CLERK
FRAMINGHAM

**Decision of the Framingham Planning Board on the
Applications for Michael Salkind
For Site Plan Review and Special Permits for Use and Land Disturbance
180, 184, 186, 188 Lawrence Street and 175 Everit Avenue, Framingham, MA**

Date of Decision: January 15, 2015

STATEMENT OF FACTS

On October 2, 2014, the Applicant, Michael Salkind, filed with the Planning Board, and on October 2, 2014, the Planning Board filed with the Town Clerk and Town Departments, applications for Site Plan Review (Section IV.I.2.d) and Special Permit for Land Disturbance (Section IV.H. and V.E.) pursuant to the Framingham Zoning By-law. On October 31, 2014, the Applicant, Michael Salkind, filed with the Planning Board, and on October 31, 2014, the Planning Board filed with the Town Clerk and Town Departments, an application for a Special Permit for Use (Section III.G.3.a. and V.E.) pursuant to the Framingham Zoning By-law. Applications were filed to construct a 6,900 square foot addition to the western portion of the existing warehouse, in addition to new on-site parking, a stormwater drainage system, and grading associated with the proposed project. The project is located at 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue, located in the General Manufacturing (M) Zoning District. Said parcel is shown on the Framingham Assessor's Map Sheet 84, Block 167, Lots 7, 8, 9, 10, and 11.

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The Planning Board voted to approve the Site Plan Review and Special Permits for Use and Land Disturbance, with conditions on January 15, 2015.

During the review of the proposed project, the Applicant filed with the Planning Board various plans and reports required under the By-Law for Site Plan Review (Section IV.I.2.d.) and Special Permits for Use (Section III.G.3.a. and V.E.) and Land Disturbance (Section IV.H. and V.E.). During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various Departments within the Town of Framingham that reviewed the Project. These plans, reports, and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference. Included with the Applicant's submittals were the following:

1. Uniform Site Plan Review Application Package, stamped by the Town Clerk on October 2, 2014;
2. Uniform Special Permit Application Package for Land Disturbance, stamped by the Town Clerk on October 2, 2014;
3. Uniform Special Permit Application Package for Use, stamped by the Town Clerk on October 31, 2014;
4. Stormwater Management Report, Site Plan, prepared for Michael Salkind – 188 Lawrence Street – Framingham, MA, prepared by Thompson Farland Professional Engineers and Land Surveyors, dated September 29, 2014;
5. Site Plans for 188 Lawrence Street, prepared for Michael Salkind, 188 Lawrence Street, Framingham, MA, prepared by Thompson Farland Professional Engineers and Land Surveyors, dated September 5, 2014, revision dates October 15, 2014, December 5, 2014, December 17, 2014, and January 12, 2015;
6. Architectural Renderings for 188 Lawrence Street, drawn by Garrett J. LaFrance, dated August 28, 2014;
7. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Waiver Request, Uniform Site Plan Review – 188 Lawrence Street, dated September 29, 2014;
8. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Waiver Request, Site Plan Review Checklist for Application Submittal – 188 Lawrence Street, dated October 7, 2014;
9. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Waiver Request, Land Disturbance Review Checklist for Application Submittal – 188 Lawrence Street, dated October 7, 2014;
10. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Waiver Request, Site Plan Review Checklist for Application Submittal – 188 Lawrence Street, dated October 15, 2014;
11. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Department of Public Works Review Letter – 188 Lawrence, dated December 17, 2014;
12. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Updated Waiver Request, Uniform Site Plan Review – 188 Lawrence Street, dated December 17, 2014;
13. Letter from Stevie Carvalho, Project Manager from Thompson Farland, RE: Updated Waiver Request, Land Disturbance Review Checklist for Application Submittal – 188 Lawrence Street, dated December 17, 2014; and
14. Massachusetts Department of Environmental Protection, Checklist for Stormwater Report, signed by Christian Farland, Project Civil Engineer on January 12, 2015.

The Planning Board received correspondence from the Framingham Police Department, Framingham Inspectional Services Division – Department of Building Inspection, the Framingham Department of Public Works, the Framingham Conservation Commission, and the

Framingham Fire Department. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Site Plan Review Checklist for Application Submittal for the Project located at 188 Lawrence Street deemed incomplete on October 2, 2014, and stamped by the Town Clerk; on October 15, 2014 the Site Plan Review Application Package was deemed complete by the Planning Board on October 15, and stamped by the Town Clerk on October 15, 2014;
2. Land Disturbance Review Checklist for Application Submittal for the Project located at 188 Lawrence Street deemed incomplete on October 2, 2014, and stamped by the Town Clerk; on October 15, 2014 the Site Plan Review Application Package was deemed complete by the Planning Board on October 15, and stamped by the Town Clerk on October 15, 2014;
3. Email of comment from the Framingham Police Department, Subject: 188 Lawrence Street, dated October 21, 2014;
4. Letter of comment from the Framingham Inspectional Services Division, Department of Building Inspection, RE: 188 Lawrence Street, dated November 14, 2014;
5. Letter of comment from the Department of Public Works, RE: Proposed Building Addition - #188 Lawrence Street, Framingham, dated December 9, 2014;
6. Email of comment from the Framingham Conservation Commission, Subject: 188 Lawrence Street – Revised Plans, dated December 29, 2014;
7. Email of comment from the Framingham Fire Department, Subject: 188 Lawrence Street – Comments, dated January 2, 2015;
8. Letter of comment from the Framingham Conservation Commission, Subject: 188 Lawrence Street – Conservation Review, dated January 8, 2015;

HEARING

During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Stevie Carvalho, Project Manager from Thompson Farland, Christian Farland from Thompson Farland, and the Applicant Michael Salkind of Middlesex Petroleum.

Christian Farland provided an overview of the project. Mr. Farland stated that the total size of the property was 72,000 square feet, further stating that his Client was proposing an expansion of his existing facility to accommodate an increase in business activity. Mr. Farland stated that the proposed project would increase the total amount of impervious area, which would accommodate a loading dock for trucks associated with the business to maneuver safely on-site; furthermore the expansion of the loading area would increase public safety both on- and off-site. To mitigate the proposed increase in impervious area, Mr. Farland references the installation of a stormwater management system on-site to mitigate the increase in impervious area. In addition to the stormwater management system, the proposed project would be relocating all overhead wires underground.

Use:

The Planning Board questioned the Applicant about the need for the expansion and what type of business is currently in operation at 188 Lawrence Street. Michael Salkind stated that the

building is a warehouse for aftermarket automotive parts. Mr. Salkind further noted that there was no public retail conducted at 188 Lawrence Street.

The Planning Board questioned the Applicant's Project Team about outside storage of materials associated with the business. Mr. Farland stated that all storage is located within the building and the storage of materials associated with the business only occurs outside the existing building.

Circulation of Site:

The Planning Board questioned the Applicant's Project Team about the pedestrian accessibility of the site; and further questioning the Applicant's Project Team about the Building Commissioners Comment Letter. Mr. Farland explained the details of the proposed project site plans, particularly noting the walkways and the new ADA compliant features which would be incorporated into the site. The Planning Board further questioned the Applicant's Project Team about site circulation and the number of entrances being proposed to access the facility. Mr. Farland stated there would be a second entrance added for access.

Stormwater:

The Planning Board questioned the Applicant's Project Team about the issues outlined in the Framingham Department of Public Works Comment Letter. The Planning Board requested a follow-up response from the Applicant's Project Team addressing all the issues stated in the Comment Letter. The Planning Board further requested that the Planning Board Administrator schedule a meeting with the Applicant's Project Team and the Department of Public Works to address any open items, in addition to the Stormwater Report.

FINDINGS

Having reviewed all plans and reports filed by the Applicant and its representatives, having considered the correspondence from various Departments within the Town of Framingham that have reviewed the Project and having viewed the site, the Planning Board determines that the Application complies with all applicable provisions of the By-Law including the requirements for Site Plan Review (Section IV.I.2.d.) and Special Permits for Use (Section III.G.3.a. and V.E.) and Land Disturbance (Section IV.H. and V.E.). Specifically, the Board makes the following findings:

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

The Applicant has requested a waiver from the Traffic Impact Assessment requirement; therefore, the following information is based on findings through submitted documentation and the public hearing process. The property, 188 Lawrence Street is located within a predominately manufacturing area, within the southwestern portion of Framingham. Both Lawrence Street and Everit Avenue are dead end roadways with limited amounts of traffic. The proposed expansion of the existing facility is not expected to increase the number of vehicle trips associated with the expansion of the existing facility. As a result of the expansion, the proposed project is not expected to degrade the Level of Service within the immediate area. A majority of the trips to and from the project site are and will be comprised of employees going to or from work and commercial trucks associated with the business.

The Project is consistent with the purpose and intent of the By-law, therefore, based on the information provided by the Applicant's Project Team during the public hearing process, the Planning Board finds that the Project satisfies the Traffic Impact Standards and Absence of Vehicular Hazard as set forth in §§ IV.I.6.a. and V.E.3.a(3) of the Framingham Zoning By-Law.

B. Environmental Impact Standards and Consistency with Intent of By-Law: §§ IV.I.6.b. and V.E.3.(a).(4).

The Applicant has requested a waiver from the Environmental Impact Assessment requirement; therefore, the following information is based on findings through submitted documentation and the public hearing process. The Applicant has submitted a Stormwater Management Report and Hydrologic-Hydraulic Analysis for review by the Planning Board and Town Departments. The Department of Public Works requests in their correspondence with the Planning Board, dated December 9, 2014, that additional information related to the Stormwater Report be submitted. Furthermore, the Department of Public Works in their December 9, 2014 correspondence requests that the waiver for the Environmental Impact Assessment be denied, therefore, requesting the Applicant submit the necessary information for the Planning Board and the Town to make a fully educated decision on the proposed project. The Applicant through meetings with staff revised the Stormwater Report, Stormwater Management Report, and Hydrologic-Hydraulic Analysis. The Project is consistent with the purpose and intent of the By-law, therefore, based on the information provided by the Applicant's Project Team during the public hearing process the Planning Board finds that the Project satisfies the Environmental Impact Standards and consistency with the intent of the Framingham Zoning By-law as set forth in §§IV.I.6.b. and V.E.3.a.(4). of the Framingham Zoning By-Law.

C. Fiscal Impact Standards and Municipal Services: §§ IV.I.6.c. and V.E.3.(a).(5).

The Applicant has requested a waiver from the Fiscal Impact Assessment requirement; therefore, the following information is based on findings through submitted documentation and the public hearing process. The Property has an assessed value of \$1,137,700.00. The estimated value of the proposed project is approximately \$500,000.00; the current total local tax revenue from the site is \$40,204.00; after the completion of the project the post-development local tax revenue will increase to approximately \$53,000.00. The Project is consistent with the purpose and intent of the By-law, therefore, based on the information provided by the Applicant's Project Team during the public hearing process the Planning Board finds that the Project satisfies the Fiscal Impact Standards and Municipal Services as set forth in §§IV.I.6.c. and V.E.3.a.(5). of the Framingham Zoning By-Law.

D. Community Impact Standards and Site Appropriateness: §§ IV.I.6.d. and V.E.3.a.(1).

The Applicant has requested a waiver from the Community Impact Assessment requirement; therefore, the following information is based on findings through submitted documentation and the public hearing process. The Project Site is located within the General Manufacturing District (M). The Board finds that the Project as proposed is allowed under the By-Law, noting that the requested Special Permit for Use shall be allowed as long as the Use is not offensive or the cause of injurious or obnoxious noise, vibration, smoke, gas, fumes, odors, dust or other objectionable features, or hazardous to the community on account of fire or explosion or any other cause that would be hazardous to the public health and welfare. Therefore, if the Project is consistent with

the Findings herein, the Applicant's Project Team has accurately present the proposed expansion of the business the Planning Board finds that the Project satisfies the Community Impact Standards and Site Appropriateness as set forth in §§ IV.I.6.d. and V.E.3.a.(1) of the Framingham Zoning By-Law.

E. Parking Standards and Appropriate Facilities: §§ IV.I.6.e., and V.E.3.a.(2).

The Applicant has requested a waiver from the Parking Impact Assessment requirement; therefore, the following information is based on findings through submitted documentation and the public hearing process. The project, at 188 Lawrence Street requires a total of 15 parking spaces. Currently, there are a total of 12 parking spaces on-site. The project has the potential to create 11 additional parking spaces on-site. Therefore, based upon the completion of the proposed project there will be a total of 23 parking spaces on-site. The number of on-site parking spaces exceeds the required number of off-street parking spaces, which provides enough parking for the use, which currently does not exist on-site. Furthermore, the addition of 11 parking spaces will include 1 handicap parking space; currently the site does not offer handicap parking.

Lawrence Street and Everit Street both have residential dwellings located on them. Therefore, to ensure the safety and wellbeing of the residents, vehicles associated with the business at 188 Lawrence Street shall not be allowed to idle on any Town Roadway. Violations of idling and parking on a public roadway associated with the business shall be enforceable by the Framingham Police Department.

The Project is consistent with the purpose and intent of the By-law, therefore, based on the information provided by the Applicant's Project Team and during the public hearing process the Planning Board finds that the Project satisfies the Parking Standards and Appropriate Facilities and Site Appropriateness as set forth in §§ IV.I.6.e. and V.E.3.a.(2) of the Framingham Zoning By-Law.

F. Land Disturbance of the Framingham Zoning By-law: §§ IV.H. and V.E.

Having reviewed all the plans and reports filed by the Applicant and its representatives and considered the correspondence from various Departments within the Town of Framingham that have reviewed the Project, the Planning Board determines that the Application complies with all applicable provisions of the By-law, including the requirements of Section IV.H.2. of the Framingham Zoning By-law. Specifically, the Board makes the following findings:

(1). Site Management and Control

The proposed addition to the existing building and the additional parking area has been located away from the steepest portion of the site. The Applicant proposes to install a Cultec System to help mitigate the increase in impervious area on-site; additionally, roof runoff will be collected and redirected to the subsurface recharge system. The proposed project has the capacity for all vehicles associated with the business located at 188 Lawrence to be located on-site and not to be parked or idling on Lawrence Street or Everit Avenue. The means of access and egress to and throughout are appropriate and adequate for the use of the site.

The Applicant agrees to install dust control features throughout the site during construction; provide the Planning Board and the Department of Public Works with a written construction timetable prior to the construction of the project; provide temporary erosion and sedimentation control measures in accordance with the approved plan and the BMP until the disturbed area is permanently stabilized; and furthermore agrees to lawfully dispose of all waste, grubbed stumps, slash, and construction materials.

(2) Control of Stormwater Runoff

The Board finds that with the erosion and sedimentation control measures provided in the revised plans, will not result in the destruction of unique natural features. The Project provides a stormwater management plan, and erosion and sedimentation control structures, devices and BMPs are shown on the site plans. In conclusion, the Board finds that the Project complies with the requirements of Section IV.H.2.e.(2) of the Bylaw.

(3) Protection of Natural Features and Vegetation

The site is covered with mature trees, small shrubs, and herbaceous pioneer weeds; to ensure stabilization of the site the Planning Board shall require street trees every 27 linear feet apart along Everit Avenue, with a minimum size of 2.5 caliper upon planting. Along the westerly side of the building the Applicant shall plant trees every 20 linear feet, with a minimum size of 2.5 caliper upon planting. Furthermore, to ensure the separation between the residential and the manufacturing use, the Applicant shall plant street trees every 27 linear feet, with a minimum size of 2.5 caliper.

There are also no rare or endangered species mapped by the Massachusetts Natural Heritage Program on the proposed Project site. There are no wetland resource areas within 125 feet of the proposed Project site. The Board finds that the project complies with requirements of Section IV.H.2.e.(3) of the Bylaw.

(4) Protection of Historic Resources

The Board finds that the project has no impact on any known historic resources on the property or nearby. In conclusion, the Board finds that the Project complies with requirements of Section IV.H.2.e.(4) of the Framingham Zoning Bylaw.

CONDITIONS OF APPROVAL

The Board finds that the Application and Plans submitted by the Applicant comply with all applicable provisions of the Framingham Zoning By-Law, including the requirements for Site Plan Review (Section IV.I.2.d.) and Special Permits for Use (Section III.G.3.a. and V.E.) and Land Disturbance (Section IV.H. and V.E.). Accordingly, the Planning Board votes, pursuant to relevant provisions of the Framingham Zoning By-Law, to approve the Applications for Site Plan Review (Section IV.I.2.d.) and Special Permits for Use (Section III.G.3.a. and V.E.) and Land Disturbance (Section IV.H. and V.E.), subject to the following conditions:

General Provisions

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given 48 hour written notice. If activity on the Property ceases for longer than 30 days, 48 hour written notice shall be given to the Planning Board Office prior to restarting work.
3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and emergency contact telephone number of the individual or individuals who shall be responsible for all activities on site and who can be reached 24 hours a day, seven days a week.
4. A copy of this Decision shall be kept on the Property.
5. Prior to the issuance of any building permit, an electronic copy of the approved Site Plan shall be provided to the Planning Board Office for distribution to Departments, in order to be reviewed for compliance with this Decision. The Site Plan shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the Site Plan, the Decision shall take precedent.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
8. The Applicant shall record this Decision with exhibit(s) at the Middlesex South Registry of Deeds prior to the issuance of a building permit, after the required appeal period has lapsed in accordance with MGL, Chapter 40A, Section 17. The Applicant agrees to submit proof of recording to the Planning Board. Failure to record the decision or comply with the conditions of approval herein shall render this Decision null and void.
9. This approval for Site Plan Review and Special Permits for Use and Land Disturbance shall lapse within two years from the date the Decision is recorded at the Middlesex South Registry of Deeds, not including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause as determined by the Planning Board.
10. The failure to comply with the By-law and/or the terms of this Decision may result in revocation of the Site Plan Review and Special Permits for Use and Land Disturbance

issued hereunder. The Planning Board shall by first class mail send the owner written notification of any failure to comply with the By-law and/or the terms of this Decision. If the owner believes that it is not in violation, it may request and will be granted an opportunity to attend a Planning Board meeting to try to resolve the alleged violation. If within 30 days from the date of mailing of said notice, the owner has not resolved the matter with the Planning Board, or remedied the alleged violation, it shall be grounds for revocation of the approvals issued hereunder. At the expiration of the 30 day period, the Planning Board after a duly noticed public hearing, including notice to the owner by first class mail, may revoke the approvals issued hereunder if it finds by a four-fifths vote that there has been a violation of the By-law and/or the terms of this Decision and that the owner has failed to remedy it; alternatively, the Planning Board may continue the public hearing, or by a four-fifth vote extend the time period in which the violation may be corrected.

11. Prior to the issuance of the building permit, the Applicant shall provide all documents and information requested by the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with, all conditions of this approval.

Infrastructure/Site Design/Landscaping

12. Prior to the issuance of a use and occupancy permit, the Applicant shall either substantially complete the landscaping improvements shown on the approved landscaping plan or post a performance guarantee in accordance with this decision. All on-site landscaped buffer areas shall be maintained in good condition in perpetuity so as to present a healthy and neat appearance. The Applicant shall follow regularly scheduled routine maintenance. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for approval and implementation upon approval.
13. The Applicant shall provide regular maintenance of all facilities. The Applicant shall maintain all on-site drainage in working condition at its own expense, which shall include inspecting the catch basins twice annually (Spring and Fall) and cleaning, if necessary, to remove sediment.
14. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
15. Any dumpster or dumpster enclosure, as shown on the Final Approved Site Plan shall remain closed and locked except when trash deposit, removal and pickup operations are being conducted.
16. The Applicant shall construct all improvements in compliance with all applicable state and federal regulations with respect to the design of any architectural access features required under the Americans with Disabilities Act (ADA) and with 521 CMR Architectural Access Board Rules and Regulations.

Site Construction

17. The Applicant shall perform daily cleanup of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.

18. Outside construction hours are to be between 7:00 AM and 5:30 PM Monday through Friday and 8:00 AM and 4:00 PM on Saturday. Absent emergency conditions, no construction is permitted on Sunday or holidays. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours. No vehicles are to arrive at the construction site before the designated construction hours, which includes no vehicle parking, standing or idling on adjacent public streets.

Environment

19. The Applicant agrees to minimize the use of salt in the parking area to reduce any negative impacts to vegetation and ground water.
20. The stormwater drainage system for the Project shall be in accordance with the Massachusetts Department of Environmental Protection Stormwater Policy relating to water quality and flood control using Best Management Practices as the standard of performance.
21. Snow storage shall be on-site, located within the excess parking spaces. If the Applicant finds the need for the additional parking spaces within the winter months, the Applicant shall propose an alternative snow storage plan to the Planning Board. Snow storage shall not obstruct sight lines to preserve public safety and Applicant must remove excess snow from the site as may be necessary within forty-eight hours after the snow fall ends, in order to preserve public safety.

Department of Public Works

22. The Applicant agrees to comply with the requirements set forth by the Framingham Department of Public Works, as stated in the December 9, 2014 correspondence.

Fire Department

23. The Applicant agrees to comply with the requirements set forth by the Framingham Fire Department, as stated in the January 2, 2015 correspondence. Therefore, the Applicant agrees to install fire sprinkler system as required under MGL 148 26G. Furthermore, the Applicant agrees to obtain a Storage of Combustibles Permit from the Fire Department, in addition to a License for Combustible Storage.

Special Provisions/ Periodic Conformance Reporting and Review

24. The Applicant is responsible for providing the following performance guarantees for the development project.
- a. Prior to the issuance of any final use and occupancy permit, the Applicant shall post a performance guarantee satisfactory to the Planning Board for all improvements including landscaping, which are incomplete or not constructed, in an amount of at least the cost of such improvements.
 - b. Upon completion of the project and prior to the request for a final use and occupancy permit, the Applicant shall provide the Planning Board with "As Built Plans" which shall be reviewed by the Planning Board Administrator, for certification that the landscaping has been planted substantially in accordance with the approved Landscape Plan, at which time a Landscape Maintenance Bond shall be required.

25. Prior to the issuance of a final use and occupancy permit, the Applicant shall submit an as-built plan stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plan in a form acceptable to the Town of Framingham, Department of Public Works, Engineering & Transportation Division (DPW). The as-built plan shall be submitted in both hard copy and electronic formats (AutoCAD and PDF). The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Town of Framingham, DPW. The plan shall include but not be limited to site utility improvements and tie dimensions to all pipes and connection points. The as-built information shall be delivered to DPW a minimum of 5 business days in advance of the Applicant seeking a final certificate of occupancy sign-off to allow time for DPW review and approval of submitted information. The Applicant shall also submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.
26. The Applicant agrees not to allow vehicles associated with the use to idle or park on Town roadways.
27. The Applicant agrees to install street trees every 27 linear feet apart along Everit Avenue, with a minimum size of 2.5 caliper upon planting; the Applicant shall plant trees every 20 linear feet along the westerly side of the building, with a minimum size of 2.5 caliper upon planting; and the Applicant agrees to install street trees every 27 linear feet along Lawrence Street, with a minimum size of 2.5 caliper.

WAIVERS

The applicant requests waivers for the Informational Meeting with Residents, Verification of Community Notice Sign, and the following waivers under Sec IV.I.5.:

1. a.1. Topography of the property, including contours at a 2 foot interval based on the most recent National Geodetic Vertical Datum (NGVD). - **Thompson Farland, Inc. has performed a property line and topographic survey of the property and provided existing contours at a 1 foot interval however they are not based on the most recent National Geodetic Vertical Datum. Since the site is not located within a Special Flood Hazard Area based on the most current Flood Insurance Rate Map we did not feel reference to a Vertical Datum was necessary.**
2. a.2. Location of all buildings and lot lines, including ownership of lots, and street lines, including intersections within 300 ft. - **Due to the distance of abutting buildings and the existing neighborhood we did not feel this was necessary.**
3. a.4 - Maximum seating capacity, number of employees, or sleeping units if applicable. - **This item is not applicable.**
4. a.5 - Location, dimension, type and quantity of materials for open space, planting, and buffers where applicable. - **The Applicant is proposing to loam and seed and disturbed areas not to be paved.**
5. a.9 - Provisions for storm water drainage affecting the site and adjacent parcels, and snow storage areas. Drainage computations and limits of floodways shall be shown where applicable. - **Since the proposed development will result in 8 spaces more than the**

minimum required and far exceeds the owner's needs, unoccupied parking areas will be utilized for snow storage.

6. a.10 - A photometric plan showing both the intensity of illumination expressed in foot-candles at ground level within to the property boundaries and the location, orientation, height, wattage, type, style and color of outdoor luminaire(s) for all existing and proposed lighting. - **Since the proposed project is surrounded by roadway or parking areas and the proposed building is over 100 feet away from the residential structures, we do not feel a photometric plan is necessary.**
7. a.15 - An Area designated for the storage of waste and refuse. – **Currently all waste and refuse is stored within the building. Under proposed conditions the Applicant wishes to continue to store all waste and refuse within the building.**
8. a.16 - Sign submittal showing sign locations and construction details which shall include the following information as may be applicable: a scaled drawing of each proposed sign showing all dimensions, colors, lettering, graphics, materials and type of illumination; scaled drawing showing all dimensions of facades proposed to contain signage and indicating the location and dimensions of the proposed sign and any existing signs; photographs of existing buildings and signs; and sidewalks, curb cuts and any landscaped or other areas in which a freestanding sign is to be placed clearly showing the location of the sign. - **No signs are being proposed as part of this project.**
9. b. - 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. – **The Applicant is proposing to loam and seed any disturbed areas not to be paved.**
10. d. A locus plan at a scale of one inch equals 100 feet (1"=100'), or such other distance as many be approved by the Planning Board, showing the entire project and its relation to existing area, building and road for distance of 1,000 feet from the projects boundaries, or such other distance as may be approved or required by the Planning Board. – **The applicant respectfully respects that the Planning Board waive this requirement.**
11. c. An isometric line drawing (projection) at the same scale as the site plan, showing the entire project and its relation to existing areas, buildings and roads for a distance of 100 feet from the project boundaries. - **Due to the distance of abutting buildings and the existing neighborhood we did not feel this was necessary.**
12. g.(1) - Traffic Impact Assessment –**The Applicant respectfully requests a waiver from this requirement.**
13. g.(3) - Fiscal Impact Assessment–**The Applicant respectfully requests a waiver from this requirement.**
14. g.(4) - Community Impact Assessment–**The Applicant respectfully requests a waiver from this requirement.**
15. g.(5) - Parking Impact Assessment –**The Applicant respectfully requests a waiver from this requirement.**

Vote: 5 in favor, 0 opposed, 0 abstained

The Applicant requests the following waivers under Sec IV.H.2.d.:

16. h. Submission of a scaled landscape plan that delineates on a single sheet the existing vegetation both on the Lot and in the right-of-way, the vegetation to be removed or relocated, the re-vegetation and the limit of work. The limit of work shall include all building, parking, and vehicular use areas, and any grading associated with the proposed development. Include a planting plan to ensure permanent re-vegetation of the site except for Disturbed Areas that will be covered by gravel, hardscape or a building or structure. If applicable, include:
 - i. The location of any proposed stockpile locations.
17. b. A description of the project's phases as they relate to land disturbance, including a tabulated sequence of construction and a construction schedule which must include the inspection and maintenance of Erosion Control Measures for the project throughout the construction period and the timing of vegetation Clearing, transplanting or replacement in relation to other construction activities. – **Due to variations in construction methods between contractors the project's phases may vary depending on the contractor. However, we have provided several notes on sheet 6 of the site plan which should provide an outline for construction activities.**
18. f. A detailed description of the type of Fill to be used on site. – **The applicant is proposing to use only clean fill.**
19. g. A narrative documenting the species and quantities of Specimen Trees and/or other vegetation to be removed or relocated within the project area. – **All vegetation disturbed during construction will be properly disposed of and all disturbed areas not to be paved will be treated with loam and seed.**
20. h. If applicable, include a statement prepared by a certified arborist for the proposed relocation of any existing Specimen Tree explaining how said tree is to be relocated and maintained. – **The applicant is not proposing to relocate any existing Specimen Tree and therefore assumes that this requirement is not applicable.**

Vote: 5 in favor, 0 opposed, 0 abstained

VOTE

Special Permit for Use (Section III.G.3.a. and V.E.)

The vote five in favor and zero opposed to granting a Special Permit for Use pursuant to Section III.G.3.a. and V.E.), of the Framingham Zoning By-Law to allow the Applicant, Michael Salkind, to construct a 6,900 square foot addition to the western portion of the existing warehouse, in addition to new on-site parking, a stormwater drainage system, and grading associated with the proposed project. The Project is located at 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue.

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

Special Permit for Land Disturbance (Section IV.H. and V.E.)

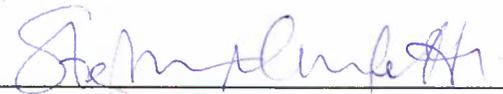
The vote five in favor and zero opposed to granting Special Permit for Land Disturbance pursuant to Section IV.H. and V.E. of the Zoning By-Law to allow the Applicant, Michael Salkind, to construct a 6,900 square foot addition to the western portion of the existing warehouse, in addition to new on-site parking, a stormwater drainage system, and grading associated with the proposed project. The Project is located at 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue.

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

Site Plan Review (Section IV.I.2.d.)

The vote five in favor and zero opposed to granting Site Plan Review pursuant to Section IV.I.2.d. of the Zoning By-Law to approve the Site Plan submitted by the Applicant, Michael Salkind, to construct a 6,900 square foot addition to the western portion of the existing warehouse, in addition to new on-site parking, a stormwater drainage system, and grading associated with the proposed project. The project is located at 180, 184, 186, 188 Lawrence Street and 175 Everit Avenue.

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

By: 
Stephanie Mercandetti, Chairperson Framingham Planning Board

Date of Signature: January 15, 2015