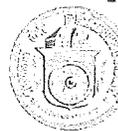


Framingham Planning Board

Memorial Building • Room 205 • 150 Concord Street
Framingham, MA 01702-8373
(508) 532-5450 • planning.board@framinghamma.gov



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

Planning Board Staff:

Amanda L. Loomis, AICP, Planning Board Administrator
Raphaella Morais-Peroba, Community Outreach Coordinator

TOWN OF FRAMINGHAM - PLANNING BOARD

Notice of Decision

Regarding the Application of The Learning Center for the Deaf, Inc. for the Property located at 330 Prospect Street, Framingham, MA

On June 10, 2016, The Learning Center of the Deaf, Inc., the Applicant filed with the Planning Board and on June 10, 2016, the Planning Board filed with the Town Clerk, the Application for Minor Site Plan Review (Section VI.F of the Framingham Zoning By-Law) under Dover Amendment Uses, M.G.L. Ch. 40A, Section 3 for the construction of a small parking lot, along with site improvements related to the parking area and landscaping. The property is located at 330 Prospect Street, zoned as Single Family Residential (R-3), and the Framingham Assessor's Parcel ID is 080-67-1683-000.

After the notice of the public hearing was published in "The MetroWest Daily News" on June 14, 2016 and June 21, 2016 and mailed to parties of interest pursuant to the Framingham Zoning By-Law and M.G.L. c. 40A, the Planning Board opened the public hearing on June 30, 2016 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham. A continued public hearing was held on July 21, 2016.

On July 21, 2016 the Planning Board **APPROVED** with conditions the application for Minor Site Plan Review (Section VI.F of the Framingham Zoning By-Law) under Dover Amendment Uses, M.G.L. Ch. 40A, Section 3 for the property located at 330 Prospect Street a **DECISION** was filed in the office of the Town Clerk on July 22, 2016.

Christine Long, Chair
FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to M.G.L. c. 40A, Section 17 and must be filed within twenty days after the date of filing of the Decision in the office of the Town Clerk.

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TOWN OF FRAMINGHAM - PLANNING BOARD

**Regarding the Application of The Learning Center for the Deaf, Inc.
for the Property located at
330 Prospect Street, Framingham, MA**

Notice is hereby given in accordance with M.G.L. c. 40A, Section 15 that the application of The Learning Center for the Deaf, Inc. for a Minor Site Plan Review (Section VI.F of the Framingham Zoning By-Law) under Dover Amendment Uses, M.G.L. Ch. 40A, Section 3 for the property located at 330 Prospect Street was APPROVED with conditions by the Planning Board on July 21, 2016 and the decision was filed in the Office of the Town Clerk on July 22, 2016. The opening public hearing was held on June 30, 2016, notice of the opening public hearing was published in "The MetroWest Daily News" on June 14, 2016 and June 21, 2016. A continued public hearings was held on July 21, 2016. For additional information please see the Planning Board's webpage at www.framinghamma.gov.

Christine Long, Chair

FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to M.G.L. c. 40A, Section 17 and must be filed within twenty days after the date of filing of the Decision in the office of the Town Clerk.

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Planning Board Members:

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

**DECISION OF THE FRAMINGHAM PLANNING BOARD
FOR THE PROPERTY LOCATED AT 330 PROSPECT STREET**

DECISION DATED JULY 21, 2016

THIS DECISION WAS GRANTED UNDER THE OCTOBER 2015 (APRIL 2016 PENDING ATTORNEY GENERAL APPROVAL)

FRAMINGHAM ZONING BY-LAW

General Property Information

Project Number: PB-016-16
Property Address: 330 Prospect Street
Assessor's Information: 080-67-1683-000
Zoning District: Single Family Residential (R-3)

Application Information

Application(s): Limited Minor Site Plan Review - Dover Amendment Use
Sections of the Framingham Zoning By-Law under review: Dover Amendment Use - Limited Site Plan Review (Section VI.F) of the Framingham Zoning By-Law, Article 20 of the Framingham Planning Board Rules & Regulations, and M.G.L. 40A, Section 3
Date application(s) were filed with the Planning Board: June 10, 2016
Date application(s) were filed with the Town Clerk: June 10, 2016

General Project Contact Information

Applicant Name: The Learning Center for the Deaf, Inc.
Applicant Address: 848 Central Street, Framingham, MA 01701
Landowner Name: H&S Property, LLC
Landowner Address: 28 Tremont Street, Boston, MA 02135
Project Contact Name: Attorney James Hanrahan and Attorney Gemma Ypparila, Bowditch & Dewey
Engineer Name: Jeffery Squire, The Berkshire Design Group, Inc.
Engineer Company: The Berkshire Design Group, Inc, 4 Allen Place, Northampton, MA 01060

Legal Ad & Public Hearing Information

MetroWest Daily News Run dates of the Legal Ad: (14 days prior) June 14, 2016 and (7 days prior) June 21, 2016

Date of abutter/Seven abutting municipality/parties of interest mailing: June 10, 2016

Date of opening public hearing: June 30, 2016

Date(s) of continued public hearings: July 21, 2016

Applicant's Representatives in attendance at the Public Hearing(s): Attorney Gemma Ypparila, Bowditch & Dewey, Judy Vreeland, President and Executive Director for the School for the Deaf, and Jeffery Squire, The Berkshire Design Group, Inc.

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Vice-Chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti (absent on July 21, 2016)

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Planning Board Members:

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

DECISION OF THE FRAMINGHAM PLANNING BOARD FOR THE PROPERTY LOCATED AT 330 PROSPECT STREET

DECISION DATED JULY 21, 2016

THIS DECISION WAS GRANTED UNDER THE OCTOBER 2015 (APRIL 2016 PENDING ATTORNEY GENERAL APPROVAL)

FRAMINGHAM ZONING BY-LAW

General Property Information

Project Number: PB-016-16

Property Address: 330 Prospect Street

Assessor's Information: 080-67-1683-000

Zoning District: Single Family Residential (R-3)

Application Information

Application(s): Limited Minor Site Plan Review - Dover Amendment Use

Sections of the Framingham Zoning By-Law under review: Dover Amendment Use - Limited Site Plan Review (Section VI.F) of the Framingham Zoning By-Law, Article 20 of the Framingham Planning Board Rules & Regulations, and M.G.L. 40A, Section 3

Date application(s) were filed with the Planning Board: June 10, 2016

Date application(s) were filed with the Town Clerk: June 10, 2016

General Project Contact Information

Applicant Name: The Learning Center for the Deaf, Inc.

Applicant Address: 848 Central Street, Framingham, MA 01701

Landowner Name: H&S Property, LLC

Landowner Address: 28 Tremont Street, Boston, MA 02135

Project Contact Name: Attorney James Hanrahan and Attorney Gemma Ypparila, Bowditch & Dewey

Engineer Name: Jeffery Squire, The Berkshire Design Group, Inc.

Engineer Company: The Berkshire Design Group, Inc, 4 Allen Place, Northampton, MA 01060

Legal Ad & Public Hearing Information

MetroWest Daily News Run dates of the Legal Ad: (14 days prior) June 14, 2016 and (7 days prior) June 21, 2016

Date of abutter/Seven abutting municipality/parties of interest mailing: June 10, 2016

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Date(s) of continued public hearings: July 21, 2016

Applicant's Representatives in attendance at the Public Hearing(s): Attorney Gemma Ypparila, Bowditch & Dewey, Judy Vreeland, President and Executive Director for the School for the Deaf, and Jeffery Squire, The Berkshire Design Group, Inc.

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Vice-Chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti (absent on July 21, 2016)

Technical Review Team Meeting

On June 22, 2016, the Technical Review Team (TRT) met with the Applicant's Project Team to review the project at 330 Prospect Street. Minutes from the TRT meeting were taken for this meeting and placed in the project file.

Technical Review Team Members Present: Michael Tusino, Building Commissioner, Mark Dempsey, ISD Access, Building Department, Marianne Iarossi, Community & Economic Planning & Development – Senior Planner, Sam Scoppettone, Community & Economic Development Department – ZBA Administrator, William Naser, Town Assessor, Amanda Loomis, Planning Board Administrator, Raphaela Morais-Peroba, Planning Board Communications Outreach Coordinator, Deputy Mark Leporati, Fire Department, Joseph A. Mazzola, Fire Department, Michael Blanchard, Board of Health Director, and Eric Johnson, Department of Public Works, Town Engineer

Applicant's Project Team in Attendance at the Technical Review Team Meeting: Attorney James Hanrahan – Bowditch & Dewey, Attorney Gemma Ypparila, Bowditch & Dewey, and Jeffery Squire, The Berkshire Design Group, Inc.

Planning Board Approval Information

Date of Plan Approved by the Planning Board: June 1, 2016, revised on June 24, 2016 and July 14, 2016

PROJECT DESCRIPTION

The Project at 330 Prospect Street is a protected use, classified as a Dover Amendment Use¹. A Project classified as a Dover Amendment Use is reviewed under the Framingham Zoning By-Law with specific review standards set forth in Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses. The Planning Board adopted Article 20 to assist in the review of Dover Amendment Uses, which are partially exempt from the Framingham Zoning By-Laws under M.G.L. c. 40A, Section 3.

The Applicant had previously constructed a gravel parking lot that contained 11 off-street parking spaces. The Applicant proposes to formalize the driveway with pavement, landscaping, and Low Impact Development (LID) stormwater features. The parking lot will also include one handicap parking space as one of the 11 off-street parking spaces.

The current use of the property, serves as an educational setting for the Applicant's on-site educational program. This program includes a range of services and is an affiliate with the Walden Community Services that provides family and social support network, family support and training from experienced caregivers, and participation in an educational planning process created by a specially assigned care coordinator to develop individual care plans for each family (Development Impact Statement of The Learning Center for Deaf Children, Inc. for the Property located at 330 Prospect Street, Framingham).

¹ 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 – MGL Chapter 40A, Section 3 cited in the Planning Board Rules and Regulations, Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses, October 25, 2015

HEARING

The Framingham Planning Board held a total of two public hearings (June 30, 2016 and July 21, 2016) during the review of the Project located at 330 Prospect Street. Framingham Planning Board Members present during the public hearings held for the Project were Christine Long, Chair; Lewis Colten, Vice-Chair; Victor Ortiz, Clerk; Thomas Mahoney; and Stephanie Mercandetti (absent on July 21, 2016). During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Attorney Gemma Ypparila, Bowditch & Dewey, Judy Vreeland, President and Executive Director for the School for the Deaf, and Jeffery Squire, The Berkshire Design Group, Inc.

Summary of Meeting Minutes

Christine Long, Chair, read the legal ad into the record. Ms. Long further read the Dover Amendment Use Regulations into the record, which provides an outline of the Planning Board's reviewing authority over a Dover Amendment Use project.

Attorney Ypparila provided a brief overview of the project, specifically noting the use of the parking lot, the relief needed from the Zoning By-Law, and the proposed use by the school's staff. Ms. Vreeland presented the operations of the school and the need for the additional parking spaces. Mr. Squire presented the site plans to the Planning Board as modified in the June 24, 2016 plan set.

During the course of the public hearing process, the Planning Board requested clarification and made the following comments.

- Mr. Ortiz requested clarification as to whether the parking lot would operate as a one-way or a two-way street. Mr. Squire stated that the parking lot was designed to flow two-ways. Mr. Ortiz further questioned if school buses would be accessing the site. Mr. Squire stated that there would not be any school buses accessing the site.
- Mr. Mahoney stated his concern for the narrowness of the access drive. Mr. Mahoney requested that the applicant consider widening the curb cut. Mr. Squire stated that there were issues with the widening of the curb cuts that would involve removal of the stone wall and large mature trees. Mr. Mahoney requested that the applicant consider one-way access due to the limited curb width. Mr. Mahoney further requested that the access flow one-way from Central Street towards Prospect Street.
- Ms. Mercandetti agreed with Mr. Mahoney's recommendation regarding the one-way access. Ms. Mercandetti requested clarification as to the use of the site and how the employees utilize the lot. Ms. Mercandetti further requested clarification relative to the proposed landscaping.
- Mr. Colten agreed with his colleagues relative to the one-way access. Mr. Colten requested clarification as to the maneuverability of the 11th parking space closest to Central Street since it appeared to create an unsafe condition backing out of the space. Mr. Squire provided clarification to Mr. Colten. Mr. Colten further stated his concern for the limited information regarding lighting. Mr. Squire provided an overview of the existing lighting. Mr. Colten requested that the existing light levels be provided for review to ensure safety.

During the course of the public hearing process, the Planning Board took under advisement all information received from members of the public that provided input during the review of this Project.

The Planning Board arrived at this Decision based on the Framingham Zoning By-law, information submitted by the Applicant, comments from town boards and officials, and members of the public. Findings made from the application and public hearing process resulted in the development of the conditions contained within this Decision.

FINDINGS

Having reviewed the application filed by the Applicant, all plans and reports filed by the Applicant and its representatives, having considered the correspondence from the Department of Inspectional Services (Building Department), the Fire Department, Police Department, and the Technical Review Team within the Town of Framingham that have reviewed the Project, having considered testimony from members of the public, and having viewed the site, the Planning Board determines that the Application complies with all applicable provisions of the Framingham Zoning By-Law, including the requirements of Sections VI.F. of the Framingham Zoning By-Law to the extent required for a Dover Amendment Use under Article 20: Regulations Governing Applications for minor site plan review for Dover Amendment Uses. Specifically, the Planning Board makes the following findings:

A. Section VI.F.6.a Retain Community Character

1. According to the Dover Amendment, M.G.L. c. 40A, Section 3 and the Planning Board Rules and Regulations Article 20.3.3 the Applicant is not required to comply with the provisions related to "Retain Community Character" as referenced in the Framingham Zoning By-Law Section VI.F.6.a. In accordance with Article 20.3.3 of the Planning Board Rules and Regulations the applicant is not required to address the Traffic Impact Standards, the Environmental Impact Standards, the Fiscal Impact Standards, the Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

B. Section IV.F.6.b. Traffic, parking, and public access

2. According to the Dover Amendment, M.G.L. c. 40A, Section 3 and the Planning Board Rules and Regulations Article 20.3.3.9 the Applicant is not required to comply with the provisions related to the "Traffic" portion of Section VI.F.6.b of the Framingham Zoning By-Law. In accordance with Article 20.3.3 of the Planning Board Rules and Regulations the applicant is not required to address the Traffic Impact Standards, the Environmental Impact Standards, the Fiscal Impact Standards, the Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

C. Parking

3. Pursuant to the Framingham Zoning By-Law, Section IV.B.1.a, school and daycare facilities are one off-street parking space for every four students, and one off-street parking space for every 2 employees. The primary purpose of the building is office use for a total of 14 employees. Therefore, the project would be required to provide a total of seven off-street parking spaces. The Project has been designed to provide 11 off-street parking spaces.
4. The Applicant states that 11 off-street parking spaces are more than adequate to meet the needs of the program. A majority of the employees that would be utilizing the off-street parking at 330 Prospect Street work primarily off-site.

5. One of the 11 off-street parking spaces has been designed to meet the requirements for handicap accessibility.
6. Ten of the provided off-street parking spaces shall be constructed at the standard 9' x 18' space and the handicap accessible space will be constructed at 9' x 11' with a 5' wide access aisle.
7. The drive aisles throughout the site are consistently 24' wide.
8. The off-street parking lot has access from Prospect Street and Central Street. Through the public hearing process the Planning Board requested that access to the off-street parking lot be one-way. The entrance for the off-street parking lot would be from Central Street. The off-street parking lot would exit onto Prospect Street.
9. Both Central Street and Prospect Street are classified as Scenic Roadways, under Article V, Section 10 of the Framingham General By-Laws.
10. Any modification to the public way would require a Public Way Access Permit pursuant to Article VI, Section 8 of the Framingham General By-Laws and a Scenic Roadway Modification Permit pursuant to Article VI, Section 8 of the Framingham General By-Laws.
11. The Applicant shall install one bicycle rack that provides parking for two bicycles. The bicycle rack shall be installed in accordance to Section IV.B.7.c of the Framingham Zoning By-Law.

D. Off-street Parking Lot Design

12. A shallow depression is located in the northwest corner of the off-street parking lot. The Applicant shall ensure that stormwater is directed into the shallow depression and does not flow onto Central Street.
13. The stormwater from the off-street parking lot shall not travel onto Central Street and/or from Prospect Street through off-street parking to Central Street.
14. In the event that the shallow depression does not capture stormwater as designed, the Applicant shall redesign the stormwater management system, including the shallow depression and/or work with the Department of Public Works to resolve such deficiency.
15. The shallow depression shall be vegetated and maintained in perpetuity to ensure it is in proper working condition.

E. Section VI.F.6.c. Environmental Impact

16. According to the Dover Amendment, M.G.L. c. 40A, Section 3 and the Planning Board Rules and Regulations Article 20.3.3.5 the Applicant is not required to comply with provisions related to "Environmental Impact" as referenced in the Framingham Zoning By-Law Section VI.F.6.c; Traffic Impact Standards, in accordance with Article 20.3.3 of the Planning Board Rules and Regulations; Environmental Impact Standards, Fiscal Impact Standards, Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

F. Section VI.F.6.d. Health

17. According to the Dover Amendment, M.G.L. c. 40A Section 3 and the Planning Board Rules and Regulations Article 20.3.3.6 the Applicant is not required to comply with the provision related to "Health" as referenced in the Framingham Zoning By-Law Section VI.F.6.d In accordance with Article 20.3.3 of the Planning Board Rules and Regulations the applicant is not required to

address the Traffic Impact Standards, the Environmental Impact Standards, the Fiscal Impact Standards, the Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

G. Section VI.F.6.e. Public Services and Utilities

18. According to the Dover Amendment, M.G.L. c. 40A Section 3 and the Planning Board Rules and Regulations Article 20.3.3.7 the Applicant is not required to comply with the provisions related to "Public Services and Utilities" as referenced in the Framingham Zoning By-Law Section VI.F.6.e In accordance with Article 20.3.3 of the Planning Board Rules and Regulations the applicant is not required to address the Traffic Impact Standards, the Environmental Impact Standards, the Fiscal Impact Standards, the Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

H. Section VI.F.6.f Land Use Planning

19. According to the Dover Amendment, M.G.L. c. 40A Section 3 and the Planning Board Rules and Regulations Article 20.3.3.8 the Applicant is not required to comply with the provisions related to "Land Use Planning" as referenced in the Framingham Zoning By-Law Section VI.F.6.f In accordance with Article 20.3.3 of the Planning Board Rules and Regulations the applicant is not required to address the Traffic Impact Standards, the Environmental Impact Standards, the Fiscal Impact Standards, the Community Impact Standards, Health, Public services and utilities, Land use planning, under Section VI.F of the Framingham Zoning By-Law.

CONDITIONS OF APPROVAL

The Planning Board finds that the Application and Plans submitted by the Applicant comply with all applicable provisions of the Town's By-Laws, relevant to this review. Accordingly, the Planning Board votes are pursuant to relevant provisions of the Town's By-Laws that include Minor Site Plan Review (Sections VI.F) pursuant to the Framingham Zoning By-Laws to the extent required for a Dover Amendment Use under Article 20: Regulations Governing Applications for minor site plan review for Dover Amendment Uses to approve the project as modified during the public hearing process. Said approval from the Planning Board is 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, Building Commissioner, and the Town Engineer to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given not less than a 48-hour written notice. If activity on the Property ceases for longer than 30 days, not less than a 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 Department permit, an electronic copy of the approved Site Plan shall be provided to the Planning Board Office for distribution to Town 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 precedence.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs and/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 M.G.L., c. 40A, Section 17. The Applicant will 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 a Minor Site Plan Review 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 Framingham Zoning By-Laws, Framingham General By-Laws, and/or the terms of this Decision may result in revocation of the permit for Minor Site Plan Review issued hereunder. The Planning Board shall send the owner by first class mail written notification of any failure to comply with the Framingham Zoning By-Law Law to the extent required for a Dover Amendment Use under Article 20: Regulations Governing Applications for minor site plan review for Dover Amendment Uses, Framingham General By-Laws, the Planning Board Rules & Regulations, 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.

Site Construction

11. 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.
12. Outside construction hours are limited to 7:00 AM - 5:30 PM Monday through Friday and 8:00 AM - 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.
13. Any work within the public right of way shall be required to have a police detail during the duration of said work for the purpose of public safety.

Environment

14. 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.
15. All stormwater and erosion control management shall be checked prior to the start and finish of each work day.
16. The Applicant shall check all stormwater features prior to and at the end of each construction day. A multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any repairs or adjustments or deficiencies shall be made immediately.
17. The Applicant shall provide appropriate erosion control methods such as silt fences and straw wattles around the stock piles in case of a storm event, in addition to the temporary dust control requirements.
18. The Applicant shall provide straw wattles and other erosion control methods at the base of the driveway during off-construction hours to prevent runoff and erosion from getting onto the public way.
19. In the event that the stormwater is not captured and infiltrated into the ground on-site, the Applicant shall redesign the stormwater management system, including the shallow depression and/or work with the Department of Public Works to resolve such deficiency.

Snow Storage and Bicycle Parking

20. 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.
21. Bicycle racks shall be installed in locations which shall not to restrict or limit movements for all users throughout the site.

Special Provisions/Periodic Conformance Reporting and Review

22. The Applicant shall provide the following for the Project:
 - a. Upon completion of the project, the Applicant shall provide the Planning Board and the Department of Public Works with "As Built Plans."
23. Upon completion of the project 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 Work's Engineering & Transportation Division (DPW). The as-built plan shall be submitted in both hard copy and electronic formats (PDF and AutoCAD). 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-in dimensions to all pipes and connection points. The as-built information shall be delivered to DPW within 2 weeks of the completion of the project. The Applicant shall also submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.
24. The Applicant agrees to install one bicycle rack that provides parking for two bicycles. The bicycle rack shall be installed, in accordance to Section IV.B.7.c of the Framingham Zoning By-Law.
25. The Applicant agrees to install two new trees for every one tree removed.

VOTES

The Planning Board voted four in favor, zero opposed, and zero in abstention to the granting approval for Minor Site Plan Review pursuant to Section VI.F.2.a of the Framingham Zoning By-Law, Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses of the Planning Board Rules and Regulations, and M.G.L. c. 40A, Section 3 for the purposes constructing a two-floor school with a basement, in addition to stormwater improvements, off-street parking, landscaping, and other site improvements, for the property located at 330 Prospect Street, zoned Single Family Residential (R-3).

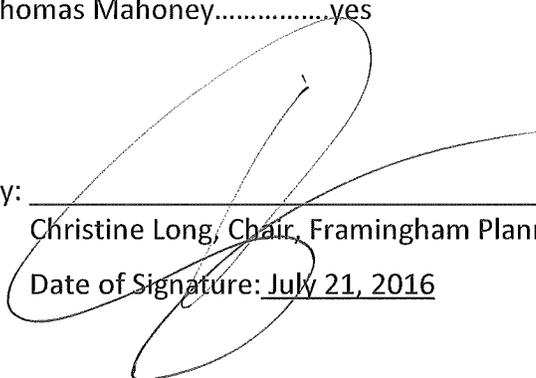
Minor Site Plan Review, Section VI.F.2.a of the Framingham Zoning By-Law, Article 20 of the Planning Board Rules and Regulations, and M.G.L. c. 40A, Section 3

Christine Long.....yes

Lewis Colten.....yes

Victor Ortiz.....yes

Thomas Mahoney.....yes

By: 
Christine Long, Chair, Framingham Planning Board

Date of Signature: July 21, 2016

EXHIBITS

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports required under the requirements of the Framingham Zoning By-Laws. During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various Town Departments that reviewed the Project. All of these plans, reports and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. Form A – Application Cover Letter, Property Address: 330 Prospect Street, stamped by the Town Clerk on June 10, 2016
2. Form E – Site Plan Review Application, Property Address: 330 Prospect Street, stamped by the Town Clerk on June 10, 2016
3. Memorandum from Attorney James Hanrahan, RE: Application of Learning Center for the Deaf for Limited Site Plan Review under the Dover Amendment M.G.L. c. 40A, sec. 3 – 330 Prospect Street, Framingham, Massachusetts, dated June 3, 2016
4. Development Impact Statement of the Learning Center for Deaf Children, Inc. for Property Located at 330 Prospect Street, Framingham
5. Site Plan for The Learning Center for the Deaf, 330 Prospect Street, Parking Expansion, prepared by The Berkshire Design Group, Inc., dated June 1, 2016, revised through June 24, 2016

The Planning Board received correspondence various Town Departments who review the project. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Special Permit and Site Plan Review Checklist for Application Submittal, Project/Address: 330 Prospect Street, dated June 10, 2016, stamped with the Town Clerk on June 10, 2016.
2. Correspondence through ACCELA from the Framingham Police Department, received on Jun 11, 2016.
3. Correspondence through ACCELA from the Framingham Fire Department, received on June 22, 2016.
4. Correspondence through ACCELA from the Department of Inspectional Services (Building Department), received on June 15, 2016.
5. Planning Board Project Review for the Property at 330 Prospect Street, dated July 8, 2016 (includes the Technical Review Team Meeting Minutes of June 22, 2016)
6. Technical Review Team Meeting Report Minutes, dated June 22, 2016
7. Letter of comment from the Department of Public Works, RE: 330 Prospect Street Parking Lot – 330 Prospect Street, Framingham, dated July 18, 2016