

**PLANNING BOARD MINUTES**  
**June 1, 2004**

**Members Present:** Ann V. Welles, Carol Spack, Thomas F. Mahoney, Sue Bernstein, Andrea Carr-Evans. **Also present:** Jay Grande, Planning Board Administrator

**I. Approval of Minutes.**

**A. Motion to approve the minutes of March 6, 2003.. Motion to approve seconded. . No discussion. Voted unanimously.**

**II. Discussion on JCHE project on 49 Edmunds Road.**

Tom Mahoney opened the meeting by stating that he'd like to preface this discussion by explaining the process.~ Under normal conditions, the Planning Board would be the special permit granting authority on this type of project under the Site Plan Review. Due to the nature of this particular project and the filing associated with it, it has gone to the Zoning Board of Appeals. The Zoning Board of Appeals has asked that the Planning Board have an opportunity to look at the site plans. The ZBA has hired 593 Consultants for a number of issues such as traffic, water and sewer, but no one has looked at the site plans as it relates to the site alone. That is what the PB is going to be talking about tonight. Our administrator has done an initial review of the site plans as it relates to our site plan approval process. We have a memo and will go through each one of the items and the Board members will have an opportunity to go through and agree, disagree and add to the comments listed by our administrator and at the end of this, we will send a letter to the ZBA that will highlight our comments as it relates to site plan review, things such as parking lots, landscaping, and site circulation. We are not going to go beyond the site. We won't talk about traffic because another consultant is doing that. We are just going to talk about the site itself.

This isn't a normal public hearing ~ this is more or less a working session for the PB to discuss the site issues and issues that may come up from the consultants that are here.

**Alan ???, VP Real Estate Development for JCHE** ~ Frank DiMella is our architect and John Downy from Schaffer Associates, Demad Derain and Phil Crier from Geller Associates and Peter Barbieri will be here shortly. JCHE has been in existence since 1965. **We have developed 5 sites as non-profit and 2 of those will be developed to Framingham.** We have founded 52 units in those 5 sites housing 1300 mostly low-income elderly. We are non-profit. Most of our funding comes from HUD. We support an active elderly community. We believe in having our residents involved within the town and we are hoping to gain in terms of support from the town and that is why 1/3 of the residents are active volunteers, in one form or another, either in our communities or in the neighboring towns. That is basically who we are.

**Frank DiMella, architect** ~ Our site is bound on its eastern, southern and northern edges by multi-family and on the western edge, by single family. We are looking at the 3<sup>rd</sup> or 4<sup>th</sup> version of our site plans since we first introduced it to people in

Framingham. The plan as it stands now is something that has grown out of discussions as we present this to various groups in the town. You are seeing the 150 unit project which is a HUD project for the elderly. It has some services on the main floor, I can describe them for you later on. I'm going to focus primarily on the site plan. Phil Crier from Geller Associates will talk to you about the landscape details and the materials they are proposing to use there. I'll talk about the architecture and the intent of the building designs. First, the site plan.

The rear of the site has a brook that runs through it. We stayed completely out of the area that would normally be in the jurisdiction of the Conservation Commission. That means that half the site is undeveloped, the front half of the site is developed. In the front half of the site, we have put the building as part of the streetscape which brings the building to the road and puts the majority of the parking behind the building. We thought the building along the road made more sense because the building contributes to the village character. There are 4 various wings that are interconnected in the middle. You also see the major entrance of the site is between our building and the Edmunds House property. There is a narrow drive shown on the western edge of the property for emergency use only. This is not accessible to anyone who comes to visit or anyone who comes to live, it's only for emergencies.

Here are a few of the things that have evolved since we made changes in the plan. Initially, we proposed a building that was 5-stories at its highest. We now have a building that is 4-stories and steps down to 3-stories towards the northeast corner, where Windsor Green is, and towards the southwest corner, where the single family homes are. So the taller edges are next to Edmunds House and the rear. The second evolution is that parking has been made more compact on the site than it initially was. Our first design stretched the parking back toward the Juniper Lane property line. We pulled the parking closer to the building and have been able to do that because we got a more careful evaluation of the grades and did some tests on site to see if there was ledge. We were able to conclude that we could get a basement level under this wing, which has helped to pull the parking in closer to the building and as a result, further from the property line. We also had indicated a large area in reserve for storm water management towards the western edge of the property. That has been changed and storm water management acts as a gully that is a more linear design rather than a single retention area. This too enables us to leave more undisturbed land on the western side. And then, along the way as we were working on the project, some land became available next door and JCHE has been able to arrange for the purchase of a small triangle of land that was cutting into this part of the site. We were able to shift the building slightly towards the west to provide a larger buffer towards the east between the driveway and the Windsor Green properties.

There is multi-family along one edge. If you were to look at the densities between the east side of the site and the west side of the site, there is an extreme difference, the multi-family to the single-family. The densities on the east side of the site are 2-3 times this density in terms of units per acre, so there is a bulk in terms of building type or density and architecture. We want to use this parcel as one that might transition from one type of use towards the village center from another type of use from the west.

**Phil Crier, I'm a partner from Geller Associates** ~ I think our biggest challenge is how to make this building fit into the existing fabric. It is a difficult challenge and what we wanted to do was provide buffering on both sides of the site. We are showing wooden fences as an edging, and we are showing a screen of evergreen trees and a continuous row of spruce trees, there are no gaps. I think the other challenge we had was to be able to landscape the road so that it fit into character with the street. We have buffered the parking so you aren't going to see the parking along the edge and we are using scattered deciduous trees and some evergreen trees and some foundation planting and that is the main approach of the landscape concept. We have not really gotten into the detailing of the pedestrian courtyards that will be small amounts of pavement and mostly greenery. Other things that we have been looking at were to make sure that any of the outdoor storage or dumpster has been screened with fencing so that you could not see them. One other issue that we looked at was the site lighting and what we are proposing are 14-foot shoebox poles to make sure the light is down and that there really is no trespass of light beyond the edges of the site as currently designed.

**Frank DiMella** ~ This drawing is of the elevation facing Edmunds house. The fundamental approach is to put a building here that has residential features beginning with breaking the mass of the building into wings. You emphasize that by having the wings come out by Edmunds and having pitched roofs and the connector wing doesn't have a roof on it, so it helps to emphasize these are 2 individual wings. The second thing is that we've put pitched roofs on the building, which we think is fundamental to giving it a residential character. We could have had a flat roof like Edmunds. The third thing we are doing is using materials that are consistent with and familiar with on the houses. The materials that you see, i.e. the asphalt shingle on the roofs, clapboard product on the walls vs. solid brick, windows that will be developed in one of the variety of residential window styles that are here and throughout New England. You start to see hints in the drawing of bay windows. You see hints of porches to greet people as they come and go. Those are all the components that we are using and taking development into its next step of design.

**Alan** ~ 19 units/acre is conservatively consistent with the site.

**Peter Barbieri** ~ In the By-Laws, you specifically find wetland areas. There has been some confusion amongst people for the area that this falls under the normal zoning process would be excluded.

**Alan** ~ We have memos on that. The purpose is to identify our density and also goes to the densities of families adjacent to us, which is over 50 units/acre, and the Edmunds House that is across the street. It also shows densities of Framingham housing which range from 15/acre to 25 and 105, so when you start talking about projects such as this, a density of 17-19 is within the range of the majority of Framingham housing.

It is our position that the By-Law doesn't appropriately address the type of housing we're proposing and developing at the average age of residents and JCHE... <end of tape> .

General comments from the viewpoint of the Zoning By-Law in the project ~ the building itself is setback in accordance with the dimensional table for all the uses within the district which essentially require a 30-foot setback from front and all sides. The lot coverage between the overall site and the reduction were over the 15% and 29% of the type of facility.

**Tom Mahoney** ~ Let's go through the memo and highlight from the By-Law. Then I will entertain some questions from the audience as long as they pertain to the site design itself. The first item is: Site Plan on a scale of 1 inch = 20 feet or such other scales may be approved by PB and contain the following information that the site plan is on a scale of 1 to 30-feet, the topography is also shown.

**Jay** ~ The most critical is the floor area ratio.

**Alan** ~ We are looking at a building about a 140,000sf, in the area of about 24.41 ??? depending upon the final numbers. We haven't done the calculation and the exact area taking away the wetlands site, but that is the ballpark we are looking at.

**Jay** ~ The reason that is important is because that is the measure of intensity and our threshold is typically .32 for nonresidential.

**Tom** ~ The comment would be that based on the information tonight that this exceeds our floor area of 32% that would go back to the ZBA.

**Sue** ~ Could you point to us the pedestrian open spaces and access?

**Alan** ~ The open spaces are 3. There is the south and north facing courtyard, there is on the ground floor common spaces that look out upon both of those courtyards so they are accessible from inside the building, there also is landscaped open space on the back portion of the site. There exists today a few walking paths in that area, which we intend to keep and residents and others would have access through that area through those paths.

**Sue** ~ What is the size of those courtyards?

**Alan** ~ They are about 60 x 120.

**Jay** ~ This relates to the parking issue ~ what are the uses within the building and what is the parking generation? Is there a public assembly room in the building? Okay, we can wait until we get to the parking issue. The location dimension of driveways and the plans do not provide those basic calculations. The biggest issue here is the turning radii, I did not see notations on any of the islands or any of the driveway entrances. The fire department did provide a letter, I don't know if they noted that concern but the plans did not show that. I don't know how anyone can determine if that is adequate or not.

**Peter** ~ we feel it is adequate and sufficient

**Jay** ~ Our regulations require 24 for 2-way vehicle travel.

**Alan** ~ At the end of the parking is the 24 feet.

**Sue ? (This sounds like Ann's comments)** ~ I guess my question relates to the fact that in this community, particularly with the use of constrictive parking lots which are

even more difficult if you take drivers of all ages,, it is a very difficult parking lot. The wider stages are in the areas of parking that are least likely to be used by residents and I'm concerned that the turning radii at the exact site line are at the property line. I feel a strong caution from the Board that given the average age of residents who are most likely going to be driving in the parking area and making that exit onto the street, that their age and reaction time be taken into account and also the size of their cars. The cars tend to be larger.

**Ann** ~ What number of parking spaces are under the building?

**Alan** ~ About 2 dozen.

**Jay** ~ Pedestrian walkways, access, handicap parking. I think they have a complete package where they could go further by adhering to the By-Laws more closely by expanding the pedestrian circulation to include the more remote areas of the parking area. I did note that the construction detail by the sidewalk is bituminous concrete. That just does not hold up and when you patch it over time, it looks awful. I would recommend cement concrete with a 5-foot grass strip between the walkway and the curb.

**Sue** ~ I know this has been discussed by the ZBA and I certainly strongly support the concept of the sidewalk going down the property line to the corner and I know there are issues either way. My understanding is that there is no public right-of-way and that you are talking about putting a sidewalk on Edmunds House property. Is that true?

**Alan** ~ Yes. There is a plan for a sidewalk on the Edmunds House property. There is about 400' on the entire edge of Edmunds property, so there is sufficient area for acceptance of the sidewalk.

**Sue** ~ How are you planning on dealing with this?

**Alan** ~ We had presented a plan to them a while ago and they have not responded as to whether they agree to let us do that.

**Sue** ~ I would suggest that you confirm with the ZBA that it be mandatory that there be a sidewalk. I know there has been discussion about an eminent domain taking. I would also ask the ZBA to require it as part of their decision should they decide to approve the project with a provision that if the Edmunds House is anticipating an eminent domain taking that there be a prior agreement with the property owner or that they indemnify the town should the town take it and the Edmunds House challenge it so we don't get stuck with the bill of putting in the sidewalk.

**Ann** ~ I agree with that.

**Ann** ~ Relative to the number of handicap spaces required, are you offering more than that, given the population you are housing?

**Alan** ~ We are sensitive to that and are providing the usual standards in our development and whatever accommodations we can.

**Sue** ~ I have a question on a report we received ~ I'm curious as to whether the sidewalk would be at risk for road widening at that point (the intersection)? I'm not

sure what the status of that is, or if it's far away and/or definite. Would that area be subject to some known improvement?

**Kathy Bartolini** ~ I don't see them moving on it now, but in the next 5 years, yes, I can see the intersection getting done. Because high hazardous intersections at risk are high priority so the community would be pushing them and getting the designs of them ready and that is what makes them move along the process. In the interest of Edmunds House and would the sidewalk be in danger, I can't answer that because we haven't even gotten to the structural design.

**Alan** ~ It's too early to tell at this point.

**Jay** ~ The location, type and size of surface material for surface paving, curbing and wheel stops ~ the only reason I noted it incomplete is because I didn't notice wheel stops on the plan sheet on the parking plan itself. I did see it in the construction detail for the handicap parking, but there should be wheel stops for other spaces on the plan.

**Tom** ~ You have an 18 foot dimension on the parking stalls. Does that include the large cars so there is 2-feet of pavement...??

**Tom** ~ A Cape Cod berm will not hold up. I've seen too many places where the first snow storm comes in and the way you plow, you are going to beat it right up. I don't have a problem with an 18-foot stall with vertical curve, and you can use that 2-feet to widen your aisle. I personally prefer granite. It's going to last a lot longer than concrete. <end of tape>

**Alan** ~If we decide we are using a Cape Cod berm, we will be aware of the maintenance and locations of that and we will put that maintenance cost into the property so that it will be maintained.

**Jay** ~ That being said, if this were a commercial site, we would absolutely require precast concrete. The next item was wheel stops; I didn't know if you were going to have them or not. I don't want them, not if you have a curb. If you are stuck with a Cape Cod berm then I think you need the wheel stop, but we aren't recommending that. The material for open space planting and buffers were applicable. Relative to the stockade fence, decorative wood fences are typically what the board requires. Also with a fence that extensive, some landscaping has been done in other projects and should be provided on both sides of the fence, maybe not of the same level, but at least some to break out that curtain-wall effect. It's been used to great success at certain sites with an elevated landscape berm, considering the fact the landscaping won't be mature for several years. The landscape berm gives you the elevation, particularly with the size of the building and some of the features. I think a berm may be in order based on certain strategic portions of the site, without a view shed study. It's a lot of fence.

**Sue** ~ I would only say that where the fence is adjacent to other residential properties, a more decorative look and stockade is appropriate. Where it is in the back and it is probably pretty much wooded there and not seen it is less important. But the stockade is not attractive when you are up against other residential properties. The landscaping plans show a variety of plants but it doesn't give any counts or specifically say where the landscape is going to be located. I would hope that you are

going to submit a more detailed, thorough plan. It also states in the notes that "substitutions can be made by the landscape architect at the time" which is also not necessarily acceptable. I would also suggest that you change a ??? Is irrigation shown on the plan or intended?

**Alan** ~ At the moment, no, we are not proposing irrigation.

**Sue** ~ At what point, does the Town get to see the final landscaping architecture design plan?

**Alan** ~ There is a series of approvals or financing that needs to take place. As a result, the final plans aren't done until after all of those are in. The reason that we are at the stage of all those items is in place and we go for a building permit, then it will be done. You are looking at start of construction in potentially spring of '06. Presumably in '06 is when the plans will be filed and worth going to finalize the technical files.

**Sue** ~ **I hope that** if and when the ZBA approves this and final plans come in that we get another look at the final versions of whatever you are going to be proposing.

**Ann** ~ Thank you for offering irrigation. I think the ZBA should put that in writing. I think the experience is that no one waters evergreens adequately in the first year and in the long run, I think you will save just as much money just putting it in. I think that one of the things we require is a 593 and I'd like to leave a recommendation to the ZBA that they have the applicant provide funds for a 593 performance review for the landscape, that they also require a landscaping bond, as we normally require and that they should tie that to the temporary and permanent occupancy permits, which would be consistent with what we would require. On a separate note, I'm wondering whether you have considered taking those front landscaped areas and raising the elevation over them in a broad sense so that there is a berm effect that would help screen particularly on the parking side along Edmunds Road. Even if you picked up 2-feet of depth, you would provide so much better screening and it also would minimize the front facades of the building.

**Sue** ~ If there is going to be a performance review, there needs to be a specific landscaping plan that details what is to be planted, species and size and numbers, so that there is something to refer to.

**Jay** ~ Stormwater drainage affecting the site: primarily for our purpose, I didn't see any snow disposal areas; I'll assume they'll exist, but you need to provide for it. In terms of stormwater calculations and those things, I'm sure there is a 593 reviewing this on behalf of the ZBA.

**Ann** ~ Are there any existing problems on the site with respect to water? Are there basements in the condominiums?

**Alan** ~ I don't know.

**Ann** ~ Water is being charged into the ground and adding to what is in the brook, whether the applicant might want to confirm that there will not be any problems for the site, which is slightly downhill. I was concerned with impacts, and water run-off

and water migrating. Because of movement, I know that the brook goes in an easterly direction and I would question that.

**Jay** ~ Lighting: they provided details, basically complete, it's not a decorative fence, but the repeated edge should be a decorative light feature, and it's typically required by the Board in residential areas. The wall-mounted lights should be shielded, if there are any on the building itself. Water service, sewer, waste disposal, and other public utilities, the PB typically requires a blasting protocol for the installation of utilities if blasting is required. Based on the soil information, the applicant suggested that there isn't a lot of edge, but it's a good condition to have, particularly notification of the abutters.

**Sue** ~ It's an open question then if there is going to be blasting with respect to utility installation?

**Alan** ~ Yes. We are not anticipating with the building itself, but maybe with utility installation.

**Sue** ~ If we were investigating this further for a site plan review, who would we ask to develop that question more in greater detail?

**Tom** ~ When they prepare the profiles for the DPW, they may ask those questions. The DPW would be relative to those utilities.

**Alan** ~ But in a general sense, we could indicate on that if ledge is encountered anywhere on the site within the development, that certain protocols be followed.

**Jay** ~ Just send them the standard condition, one that we modified recently, with the abutters. I don't know if the Board recommends that the ZBA have an isometric drawing or not?

**Ann** ~ I would recommend that the ZBA have something that shows the volume of the buildings proposed relative to the volume of the existing houses. Isometric drawings are easier for some people to translate than others, so I would actually prefer that.

**Alan** ~ The building elevation shows that relationship.

**Ann** ~ What I'm curious about are shadows and these drawings don't give a sense of shadows. It would be a morning shadow.

**Jay** ~ The recommendation would be that they look at some level of analysis of the volume of the buildings (in order to understand the shadows cast on abutting properties). Building elevations: the outcome is varied to scale of the building elevation which doesn't bother me, but it hasn't helped in terms of details and knowing what exactly is happening. The color of materials is not provided on the architectural elevations that we received. The architectural details do not provide any dimensions on the trim and other similar architectural features. Looking at the B&W positive print, the windows are not consistent with the residential district and it seems similar to a hospital or institution. I was wondering what other details might be there that we are not seeing at this point.

**Sue** ~ Do you envision having a final architectural design, assuming it is approved? Do you do it after it's approved?

**Alan** ~ Yes.

**Sue** ~ That is interesting but not terribly helpful in understanding the architecture, details, windows, etc. I would hope again that prior to construction, if you get an approval, that there will be an enlarged and more detailed set of architecture that could be reviewed.

**Jay** ~ The latitude of conditions are somewhat limited under a Chapter 40B so if it isn't on this plan, I don't know how it gets enforced or how it happens, other than promises.

**Alan** ~ I would be confident that you will think we did a good job in the end. (flip tape) Conditions of the ZBA approval is to make sure that what we present and explained and described is what is constructed.

**Sue** ~ Is it possible for the PB to make a recommendation that the ZBA in their decision, if they decide, require windows that are of a residential nature, materials that are of a residential nature, in other words somehow word it so that we aren't getting sheet glass facades.

**Jay** ~ I would recommend something about performance review and retaining jurisdiction in order to conduct that performance review with outside consultants. I think it should be treated like you suggested landscaping, the 593.

**Ann** ~ Not all entrances are created equal, but when they are used by people on a day-to-day basis just because they are not in the front part of the building, do people regularly using the rear parking for example, really feel like they are only entering by the service entrance, especially in large buildings, become more 360 degree use, the idea that doorways have less of a hierarchy.

**Alan** ~ Because the parking is in the rear, the entry from that side is something we have all focused on and talked about. The feeling that that is not a backdoor, so yes, we will be developing that entryway.

**Sue** ~ This is a difficult situation relative to the plans we have now and what the final plan will be and I think we are going to need to make a fairly strong and precise recommendation to the ZBA relative to how to deal with this problem, whether it be to hire consultants or reviewing plans later on, and counsel can probably help with that. Even though this is a 40B project, it puts us in a little different area than you might be in a situation other than that. I hope we can find a compromise that assures the town they are getting the type of project that you are indicating that you are going to do and that we have some measuring stick to quantify that.

**Alan** ~ Understandably, our concern is that we are subject to government oversight and review of our architectural plans. We have to balance off a number of agencies and parties in terms of completing the final design.

**Jay** ~ Traffic impact assessment, these are the general categories. Status: ZBA has hired a 593 Consultant, it's going to Traffic and Roadway Safety Committee for

discussion and I believe the primary discussion will be Edmunds Road and Edgell Road, the intersection, and we already talked about the cement concrete sidewalk.

**Sue** ~ How many employees are you planning on?

**Alan** ~ Five.

**Jay** ~ On the parking issue, the ITE puts out a parking generation manual and I have to say I was surprised at the brevity of the parking impact statement of this report. We know less parking is required for these types of uses but I don't think in this narrative you've made a strong statement, and I'm sure there is data out there under the Institute of Traffic Engineers that would back up the parking analysis, it's just that I can't do it for you.

**Alan** ~ Because it's an affordable project, I don't think you are going to find limited parking spaces.

**Sue** ~ I think what Jay is trying to say is that a little more development of your argument would be to your advantage. It would be to your advantage to develop that with some examples or some data and you could choose the way to represent your case most effectively, but with a narrative it's a little confusing.

**Alan** ~ Our projections went beyond the ITE data, based on our existing site experience, so we used the larger of the two.

**Sue** ~ Can you imagine, or does JCHE have any history, of having added to projects? We had an applicant come in that requested to add seven more units and I was wondering if you anticipate any extra units and is the extra parking perhaps in anticipation of the extra units?

**Alan** ~ In the early phases of the property, 3-5 years, the reserves to maintain the building are minimal and would not require ??? to take place. Down the road, 15 years after occupancy, the area may change, the residents may change, then yes, reserves are built up and if we have need to add 2-3 spaces here and there, we have taken it out of our reserves of our existing building. They have not been substantive expansions, by any means; we are talking about a handful of spaces that might be added on reserves after many years.

**Sue** ~ I was talking about units and parking. We need to pass on to the ZBA the comment that this project would be approved at this size for this number of parking spaces and a change would require an independent review.

**Ann** ~ How long do you anticipate building the project? Are you building it in phases? What time limit does your financing place on you once you're secure?

**Alan** ~ We get our application accepted and then get an early start approval from HUD so that we actually close the list prior to closing with HUD on financing, so we have never had a delay.

**Ann** ~ Once you construct it, do they set an outer time limit? We issue permits that you have to get your subdivision done in 2 years. Do you have any similar time constraints because of your financing?

**Alan** ~ We will be held to our own anticipation and projection which is a year and 15 months. If we ran over a little bit, it wouldn't affect anything. If we ran over substantially, there would be a time concern but other issues would emerge.

**Ann** ~ I'm wondering if we should make a recommendation to set some expectation.

**Jay** ~ The condition you discussed at a prior meeting recently was the constructing sequencing and phasing for the entire project and that there be notification to abutters prior to the commencement to any major phase of development. I've added that somewhere in here. They should require that.

**Sue** ~ Can you briefly indicate what you are intending to do with the traffic mitigation? Was there any discussion on any changes for the traffic lights?

**Alan** ~ There were comments to the efficacies of the existing traffic signal identified by the town itself. Our consultant put forth a proposal and said that we were within 1% of that intersection and as a result he didn't see what we were adding ~~were~~ would be exacerbating whatever the existing efficacies are in the typical standard from the town's perspective. We are proposing something beyond what the standard is.

**Sue** ~ So you are not proposing any physical modification to the traffic.

**Jay** ~ On the environmental impact statement, they mention the project is outside the resource areas, wetland, riverfronts, etc. They have a 593 consultant. Under fiscal impact, there is a brief statement concerning no impacts for the school but it's not your typical disclaimer we get for projects that come before us. Community impact assessment, there were some interesting walls shown on the plan that to me, seemed like something might potentially be beneficial to integrate into the existing plan of development. I don't know if it's an opportunity to provide some limited access to it, not just for the residents but maybe that open space might be appropriate for some level of access. The historic walls and the use of stone wall treatments and the front of the building as accents to blend this in with the streetscape and the scenic road would be helpful. I discussed with Ann the removal of street trees and the sidewalk might be an issue.

**Carol** ~ There is a 593 review consultant for the adequacy of water and sewer, and they aren't talking about that here tonight.

**Sue** ~ In the context of the historic nature of this area, are there no tree removals here that would trigger the scenic road By-Law which is the town By-Law. Have you gone to the Historical Commission yet, do you need to, for the demolition for the existing house? I know they already signed off on the barn for a prior applicant, but for the house?

**Alan** ~ The house is over 50 years old, we are not aware of any historical significance of the house. That hasn't come to identification of major interest on that. The ZBA has looked for comments of state review of that issue, which has been left so it is a Catch 22. The state doesn't make any determinations until it hears concerns. But there has been nothing of major identification of that historic issue.

**Sue??** ~ One of the things that is hardest about this neighborhood, it's a scenic road, and that is the part that the abutters and neighborhoods and community feel

concerned about. You go from a fast food, convenient store setting into colonial America. If somebody had to choose, they are going to opt for colonial America every time. That idea of transition isn't just architectural; it's a sense of history that's in that location. Maybe you could introduce a stone wall, but whatever you could do to enhance architecturally the historic sense of that building, I think it's good to the community and the residents.

Discussion on stone wall and development area

**Carol** ~ I think I would add to the comment that the existing pathways be noted as features on the site and it would appear that your development might be helpful to have some explanation from the applicant as to how those would be identified to the public as resources that they could use.

**Jay** ~ I was going to draft a summary memo from the board to the ZBA. I was going to present that to the Board in your next mailing. <end of tape>

More discussions (Q&A) and concern regarding speed bumps, blasting, parking, disabilities and handicap parking issue, ac units, noise factor, and memo to the ZBA (by Jay).

**Ann Welles** ~ **Motion to resume this meeting and hold a hearing on property the Framingham Cooperative Bank notwithstanding the 10:30 time. Seconded by Carol Spack.**

**Tom Mahoney** ~ **Moved and seconded. Unanimous.**

**Jay** ~ **This is a continued hearing for 828 Concord Street, and I wanted to list out the documents you received over the weekend and in tonight's packet. First, you've received 2 draft decisions, Document #699-04, which is the Off-Street Parking Plan Decision and Public Way Access Permit. The other decision document, #698-04, is the Special Permit for Use for the Drive Through Facility.**

**#693 is the Letter from Inspectional Services and #659 is the ZBA Decision of a variance for the overhang for the roof. #686 was from the Disabilities Commission regarding ADA standards and other related regulations. #710-04 is a Letter from the Police Department and #713-04 is a Letter from the Dept. of Public Works/Engineering Services and Transportation Division. We have already gotten a Fire Department letter in an earlier packet. With respect the Disabilities Commission and police department letter, I've made reference in the decision as we go through it that we should add a condition with respect to comments made in both of those letters and also a reference to the ZBA decision.**

Back to the site plan ~ there are some outstanding landscaping issues that need to be discussed. Also discussed are traffic issues, signage.

**Sue** ~ **All those in favor of saying no left turns, and putting it in the decision, raise your hand. That's three. Andrea, Tom and Carol are in favor of it, so into the decision it goes.**

**Jay** ~ **These are very simple documents. We could both close the hearing and have the final document brought back for a vote. Or you could vote it subject to the amendments and bringing it back for confirmation. <end of tape>**

**Jay ~ Discussing announcements, meetings and holidays.**

Respectfully submitted,

Jennifer Adams  
Recording Transcriptions

*\*These minutes were approved with changes and/or amendments at the Framingham Planning Board meeting of September 28, 2004.*

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*Thomas F. Mahoney, Chairman*