

PROPOSED AMENDMENTS TO ZONING ORDINANCE  
ADULT-USE MARIJUANA ESTABLISHMENTS

Amendment One -- Councilor Rossi:

I would propose an amendment to remove the planning board's inclusion of Framingham State University area in the overlay, specifically, the following addresses:

Framingham Centre Area (parcels below)					
ADDRESS	OWNER	PARCELID	LOT_AREA	ZONING	Notes
929 WORCESTER RD	AAMLAX, LLC	090-34-7686	16390 SF	B-1	
1 VERNON ST	MCMAHON TRS, JOHN &	090-34-5649	1981 SF	B-1	
1063 WORCESTER RD	GLOBAL COMPANIES, LLC	090-24-1367	31120 SF	B	
760 WORCESTER RD	FRAMINGHAM-LYNN REALTY , LLC	101-53-6834	21441 SFC	B	
15 WHEELER AVE	ROMAN CATHOLIC ARCHBISHOP OF BOSTON	100-43-9865	38226 SF	B	Within 500' of School
808 WORCESTER RD	EIGHT-08 WORCESTER ROAD, LLC	091-54-0061	23327 SFC	B	Within 500' of School
10-12 MAIN ST	10-12 MAIN STREET CONDOMINIUM	090-44-1039	35613 SFC	B	Within 500' of School
860 WORCESTER RD	MASS STATE COLLEGE BUILDING AU	090-44-2157	19890 SF	B	Within 500' of School
752 WORCESTER RD	RIVOLLIER, ELIE JR ET AL TRS	101-53-7823	20910 SF	B	
967 WORCESTER RD	GREEN, MARTIN H TR	090-34-2745	5363 SF	B-1	
963 WORCESTER RD	SEVEN STAR LLC	090-34-3715	7885 SFC	B-1	
961 WORCESTER RD	961 WORCESTER ROAD, LLC	090-34-3775	3337 SFC	B-1	
1 EDGELL RD	ONE FRAMINGHAM CENTRE, LLC	090-44-0682	2.221 Ac	B-2	Within 500' of School
745 WORCESTER RD	SHIFF, MARK P & ANDREW Z TRS	091-54-7097	8702 SF	B	
745A WORCESTER RD	SHIFF, MARK P & ANDREW Z TRS	091-54-8075	11185 SF	B	
8 MAIN ST	OLIVEIRA, EDMAR S	090-44-0158	8553 SFC	B	Within 500' of School
832 WORCESTER RD	ROMAN CATHOLIC ARCHBISHOP OF BOSTON	090-44-4168	6040 SF	B	Within 500' of School
832 WORCESTER RD	ROMAN CATHOLIC ARCHBISHOP OF BOSTON	090-44-6067	1.990 AcC	B	Within 500' of School
751 WORCESTER RD	SINGLETARY GROUP, LLC	091-54-5183	17484 SFC	B	
749 WORCESTER RD	SEVEN FORTY NINE LLC	091-54-6180	9123 SFC	B	
816 WORCESTER RD	EIGHT-16 WORCESTER ROAD, LLC	090-44-9023	22066 SFC	B	Within 500' of School
14 CURVE ST	FRAMINGHAM CURVE STREET, LLC	101-53-1871	6708 SF	B	Within 500' of School
770 WORCESTER RD	LANDESMAN, NORMAN H TR	101-53-5915	8624 SF	B	
29 CURVE ST	COLLOTTA, PETER & ALFRED C TRS	101-53-5869	5511 SFC	B	
740 WORCESTER RD	SUTHERLAND, ROBERT REV TR	101-53-8860	23696 SFC	B	
16 CURVE ST	18 CURVE STREET, LLC	101-53-2842	6954 SF	B	Within 500' of School
10 CURVE ST	RIVERS TRS, FRANCIS JOHN & LOUISE M	101-53-1800	6924 SFC	B	Within 500' of School
23 CURVE ST	DAMATTA, MARIA J	101-53-5754	7970 SFC	B	
1001 WORCESTER RD	NINIGRET CAPITAL, LLC	090-24-7584	15156 SFC	B	
9 PLEASANT ST	GORDON REAL ESTATE CORP	090-34-1703	14959 SFC	B-1	
957R WORCESTER RD	C.J. GORDON FAMILY REALTY, LLC	090-34-2847	38173 SF	B-1	
804 WORCESTER RD	EIGHT-02 WORCESTER ROAD LMTD PART	101-53-2904	22764 SFC	B	Within 500' of School
802 WORCESTER RD	EIGHT-02 WORCESTER RD LMTD PART	101-53-3909	8857 SF	B	Within 500' of School
780 WORCESTER RD	EIGHT-02 WORCESTER RD LMTD PART	101-53-3994	10438 SF	B	
753 WORCESTER RD	SEVEN59-761 WORCESTER ROAD LIMITED PRT	091-54-5118	18410 SF	B	
761 WORCESTER RD	SEVEN59-761 WORCESTER RD LMTD PART	091-54-2301	3.498 Ac	B	Within 500' of School
931 WORCESTER RD	GUIRGUIS, SAFAA S TR	090-34-6741	16459 SF	B-1	
957 WORCESTER RD	GORDON, JAY R & SHERMAN, JOEL B TRS	090-34-4758	11161 SF	B-1	
855 WORCESTER RD	RLA REALTY, LLC	090-44-5518	3.829 AcC	B-3	Within 500' of School
971 WORCESTER RD	C.J. GORDON FAMILY REALTY, LLC	090-34-1795	13061 SF	B-1	
WORCESTER RD	EIGHT-02 WORCESTER ROAD LMTD PART	091-54-1070	6000 SF	B	Within 500' of School

Amendment Two – Councilor Steiner

Proposed amendment to the table of uses: add new footnote 15 to the R (residential) category for processing, assembly and manufacturing:

USE CATEGORY	R	G	B- 1	B- 2	B- 3 B- 3 4	CB <sup>4</sup>	B <sup>3</sup>	P <sup>3</sup>	PRD <sup>5</sup>	M-1 <sup>3</sup>	M <sup>3</sup>	OSR <sup>6</sup>	TP <sup>7</sup>	Parking code
<b>6. MANUFACTURING AND INDUSTRIAL</b>														
<b>C. Processing, assembly and manufacturing <sup>14</sup></b>	N <sup>15</sup>	N	N	N	N	N	N	N	N	SPP	Y	N	Y	25

15 Cultivation of marijuana by a duly licensed Marijuana Cultivator, which may be a sole licensee or co-located with a licensed Marijuana Product Manufacturer under the same ownership, shall be permitted within the R-4 Zoning District only on a parcel of land or one or more contiguous parcels of land in common ownership, consisting of 15 acres or more, and engaged in “farming” or “agriculture” as defined in M.G.L. c. 128, §1A. Such use(s) shall require Site Plan review pursuant to Section VI.F. A Marijuana Product Manufacturer that is not co-located with a Marijuana Cultivator shall not be allowed in the R-4 district. A Marijuana Cultivation facility, or a Marijuana Cultivation facility co-located with a Marijuana Product Manufacturer, shall not be located any closer than 100’ from any property line and shall have a 25’ wide buffered screen no more than 60’ from the edge of the structure such that the structure demonstrates appropriateness relative to the size and shape of the buildings or structures both in relation to the land area upon which the building or structure is situated and to the adjacent buildings and structures within the neighborhood..

*[Additional Amended section follows]*

Amend the following two sections to add Marijuana Cultivator and Marijuana Product Manufacturer.

**Amend Section VI.F.2.a Site Plan Review** Amend the Framingham Zoning By-Law, Section VI.F, Site Plan Review to require Marijuana Retail Establishments to require Minor Site Plan Review

**Section VI.F.2 Applicability**

The Planning Board shall conduct site plan review and approval. Site Plan Review applies to all construction, reconstruction, and/or site redevelopment projects which include any increase in impervious surface except for: single and two-family detached dwelling on its own individual lot; multi-family residential dwellings requiring fewer than nine parking spaces; alterations that do not increase the required number of off-street parking spaces by more than five; or commercial construction, reconstruction, and/or site redevelopment projects that do not exceed 3,000 gross square feet.

- a. The following types of activities and uses require **minor** site plan review by the Planning Board unless the activity or use also falls into a category which requires major site plan review, in which case major site plan review shall prevail:

**6) All Marijuana Retailers, Marijuana Cultivators, and Marijuana Product Manufacturers**

**Amend Section VI.G Variances, Framingham Zoning By-Law** Amend the Framingham Zoning By-Law, Section VI.G, Variances to not allow Marijuana Retail Establishments to be located outside of the proposed overlay district.

**Section VI.G.1 Limitation of Use Variances**

A variance authorizing a use or activity not otherwise permitted in the district in which the land is located shall be prohibited in Geriatric Care/Elderly Housing Districts, Central Business (CB) Zoning District, single residence and general residence districts, but may be allowed by the Board of Appeals in other zoning districts in accordance with G.L. c. 40A, §10 except as otherwise prohibited in Section II.C of this By-law.

**A variance authorizing a Marijuana Retail Establishment outside of the Marijuana Retail Overlay Zoning District shall not be permitted by the Zoning Board of Appeals. Nor shall a variance for the locating of a Marijuana Cultivator and Marijuana Product Manufacture outside of the identified areas specified in Section II.B.6.C of these Zoning Ordinances.**