



# Framingham Planning Board Rules & Regulations



Amended March 6, 2025

## **Framingham Planning Board**

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## City of Framingham Planning Board Rules & Regulations

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On September 8, 1998, pursuant to Massachusetts General Laws (M.G.L.) Chapter (c.) 40A, Section 9, the Framingham Planning Board held a public hearing to solicit comments on the proposed draft Planning Board Rules & Regulations. Subsequently, at the Planning Board meeting held on September 15, 1998, the Planning Board voted (4-1-0) to adopt said Rules & Regulations. Hereinafter, these rules and regulations shall be referred to as “Rules & Regulations” and may be cited as the “Planning Board Rules & Regulations.”

Over the years, during open public meetings, the Planning Board has voted from time to time to amend the Rules & Regulations. Such amendments occurred on January 11, 2000, March 27, 2001, July 12, 2007, June 12, 2008, January 14, 2010, July 7, 2011, February 16, 2012, April 12, 2012, May 21, 2012, March 21, 2013, April 25, 2013, June 20, 2013, July 11, 2013, July 17, 2013, June 6, 2015, July 16, 2015, October 8, 2015, March 3, 2016, November 21, 2016, May 25, 2017, January 8, 2018, July 25, 2019 and March 7, 2024.

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## **Article 1: Adoption & Amendments**

**Section 1.1** These Rules & Regulations were duly adopted in 1998, effective immediately upon the majority vote of the Planning Board. After such adoption, these Rules & Regulations may be amended from time to time during an open public meeting to remain current and compliant with applicable regulations.

**Section 1.2** These Rules & Regulations shall be retained in the Planning Board Office and a copy filed with the City Clerk.

## **Article 2: Powers and Duties of the Planning Board**

**Section 2.1** In accordance with M.G.L c. 41, the Planning Board shall be responsible for, but not limited to Section 2.1.1 – 2.1.8 of these Rules & Regulations.

**Section 2.1.1** Preparation, adoption, amendments, and the implementation of a Master Plan for the City of Framingham under M.G.L. c. 41, Section 81D.

**Section 2.1.2** Preparation of an official Zoning Map under M.G.L c. 41, Section 81E.

**Section 2.1.3** Draft and submittal of zoning amendments for consideration by the City Council.

**Section 2.1.4** Adoption, administration, and amendments of the Rules & Regulations Governing the Subdivision of Land in Framingham (M.G.L c. 41, Section 81K).

**Section 2.1.5** Special Permit Granting Authority, when applicable.

**Section 2.1.6** Site Plan Review approval, when applicable.

**Section 2.1.7** Administer Public Way Access Ordinance, when applicable.

**Section 2.1.8** Recommend designation of scenic roads and hold public hearings on requests regarding the Scenic Roads Act.

## **Article 3: Organization: Membership, Terms of Office, Officers, and Vacancies**

**Section 3.1** The Planning Board shall consist of five members, each with a three year term.

Members of the Planning Board shall be appointed by the Mayor at the recommendation and concurrence of the City Council in staggered terms so that no more than two members' terms expire per year.

**Section 3.2** Term of office shall commence immediately upon appointment and qualification by the City Clerk.

**Section 3.3** Members of the Planning Board shall elect the following officers from its members: Chairperson, Vice-chairperson, and Clerk.

**Section 3.4** Officers shall be elected annually during reorganization as the first order of business at a designated meeting.

**Section 3.5** In the event, there is a vacancy of a member, a new member shall be appointed to the Planning Board in accordance with M.G.L. c. 41, Section 81A.

#### **Article 4: Associate Member**

**Section 4.1** An Associate Member may be appointed in accordance with M.G.L. c. 40A, Section 9.

**Section 4.2** The term of office for the Associate Member Position shall be for one year.

**Section 4.3** An Associate Member shall have only the duties as authorized by M.G.L., c. 40A, Section 9 *“for the purposes of acting on a special permit application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.”*

**Section 4.4** A vacancy occurring for any reason other than by expiration of term, may be filled for the remainder of the unexpired term in the same manner.

#### **Article 5: Duties of Officers**

**Section 5.1** The Chairperson shall preside over meetings and shall be responsible for the conduct and decorum of the meeting.

**Section 5.2** The Vice-chairperson shall assume the duties of the Chairperson in the absence of the Chairperson.

**Section 5.3** The Clerk shall be responsible for taking meeting minutes in the absence of the Planning Board staff. The Clerk shall preside over the reorganization election of officers as the first order of business of the designated meeting.

#### **Article 6: Minutes**

**Section 6.1** Minutes of all Planning Board meetings shall be prepared by the Clerk or his/her designee, or Planning Board Office staff member, in accordance with the provisions of the Massachusetts Open Meeting Law. Written format to be used shall be provided by the Planning Board Administrator.

**Section 6.2** Minutes of open sessions shall become public record immediately, regardless of form. Minutes should be marked “DRAFT” until they are officially adopted by the Planning Board.

**Section 6.3** Approval of open meeting and executive session minutes shall be made in open session by a majority vote of the Planning Board. Executive session minutes shall not be released to the public until such time is deemed appropriate that the matter for which an executive session was needed has been resolved.

**Section 6.4** Once the Planning Board approves minutes, such minutes may be amended to improve clarity, accuracy, and completeness, but shall not be amended to re-open debate on a previously decided agenda item. Amendments must be made in open session and noted in that meeting’s minutes. Revised minutes should be marked, as amended, with the revision date.

**Section 6.5** Official minutes shall be signed by the Clerk or his/her designee and the presiding Chairperson at the time the vote is taken. Minutes shall be released and filed with the City Clerk on or after the following meeting.

**Section 6.7** Executive Session minutes remain closed to the public for as long as their publication would defeat the purpose of the session. Executive Session minutes must be made public as soon as the reason for secrecy no longer applies.

#### **Article 7: Meetings: Time, Location, and Executive Session**

**Section 7.1** All meetings of the Planning Board shall be held in accordance with the provisions of the Massachusetts Open Meeting Law.

**Section 7.2** All meetings of the Planning Board shall be held in the Memorial Building or such other available municipal building, unless restricted by space availability.

**Section 7.3** Meetings of the Planning Board shall begin at 7:00 p.m. unless the Planning Board by majority vote sets a different time for a particular meeting. No Planning Board meeting shall begin earlier than 7:00 p.m., except for scheduled Executive Sessions. Executive Sessions may begin at 6:00 p.m.

#### **Article 8: Conduct of Meetings & Public Hearings**

**Section 8.1** The Chairperson shall establish rules of parliamentary procedure to enforce order and decorum as may be necessary. Such rules shall promote efficient time management as well as professional conduct of Planning Board business, guided by a desire to engage public input on matters requiring such input before the Planning Board.

**Section 8.2** A public meeting or public hearing shall be directed by the Planning Board Chairperson, as applicable.

- Opening of a public hearing, reading of the legal ad, introduction of the project or topic, in addition to an explanation of the basic process and expected conduct of the meeting;
- Invite the Applicant/presenter/project team to provide a presentation;
- Invite the Planning Board's peer review consultant to provide a presentation;
- Request for the Planning Board Administrator to provide project review statement and/or presentation of comments and/or relevant material(s) including a recap of any Technical Review Team (TRT) meeting, and relative notes;
- Request comments, questions, clarification, etc. from members of the Planning Board; and
- Open the hearing to the public to solicit comments, questions or points of clarification from abutters and all other parties of interest; invite follow-up and/or closing remarks

from the Applicant, Planning Board, or Planning Board peer review consultant, and/or Planning Board Administrator.

**Section 8.3** The Chairperson shall reserve the right to limit presentations to those that are only relevant and non-repetitive regarding matters being discussed. All comments by the public shall be limited to two minutes in the interest of preserving an efficient process, unless otherwise allowed at the discretion of the Chairperson. A name and address shall be stated before any public commenting before the board.

## **Article 9: Quorums and Voting**

**Section 9.1** A quorum of three members of the Planning Board shall be required to conduct business.

**Section 9.2** All votes must take place at a Planning Board meeting in person. Remote participation is prohibited, therefore no phone-in, email, video conference, or fax votes are permitted.

**Section 9.3** Planning Board members present may be counted to determine whether a quorum is present even if they abstain from voting affirmatively or negatively. Exception: if the Planning Board member is abstaining due to conflict of interest, he/she cannot be counted as being present for the quorum for that portion of the meeting for which he/she is disqualified due to a conflict of interest.

**Section 9.4** A tie vote defeats a motion.

**Section 9.5** Planning Board votes shall be a simple majority of those present and voting except for special permits requiring a “super majority” four-fifths vote by statute.

**Section 9.6** A “super majority” of a five member Planning Board is four. This number is required for passage of a motion regardless of the number present.

**Section 9.7** Any member of the Planning Board can move to reconsider a vote either on the same night of the vote taken or as the first order of business at the next scheduled meeting. A two-thirds (three out of four / four out of five) is necessary for reconsideration to prevail.

**Article 10: Adoption of M.G.L. c. 39, Section 23D, “Mullin Rule”**

**Section 10.1** Language from M.G.L. c. 39, Section 23D

*(a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member’s absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.*

**Section 10.2** In May of 2013, Annual Town Meeting voted to adopt M.G.L. c. 39, Section 23D, the “Mullin Rule.” This adoption solely pertains to the Planning Board.

**Section 10.3** Applicability of the “Mullin Rule”: Upon missing a public hearing a member may enact his/her rights under the Mullin Rule by reviewing all material presented and discussed during the public hearing including the official audio, video, or transcript of the missed hearing. The member must then complete the adopted affidavit and file it with the City Clerk’s Office. A copy shall be retained in the Planning Board Office and placed in the corresponding project folder as part of the permanent record.

**Article 11: Agenda Management**

**Section 11.1** The Planning Board Administrator and the Chairperson shall be responsible for management of meeting agendas.

**Section 11.2** The Planning Board Administrator and staff shall prepare a weekly package of correspondence and supporting documents. Such packets shall be provided electronically and/or mailed to all Planning Board members for review within a reasonable time to accommodate such review.

**Section 11.3** Application submittals whether new or revised shall be made in a timely manner to accommodate proper review needed for consideration at the following meeting. The Planning Board reserves the right to accept or deny such consideration. Documents requiring staff or department review and response must be submitted 72 hours prior to the scheduled hearing’s

submittal deadline unless otherwise determined to be allowed by the Planning Board Administrator.

**Section 11.4** The Planning Board Administrator shall not schedule any application deemed incomplete for Planning Board consideration. Requests for waivers shall be taken up as first order of business during the opening public hearing.

#### **Article 12: Standards of Conduct for Planning Board Members**

**Section 12.1** Planning Board members are obligated to serve the public interest, to conduct himself/herself to maintain public confidence in the Planning Board, to meet the fundamental responsibility of fairness, and to comply with all statutory regulations.

**Section 12.2** A member of the Planning Board shall conduct himself/herself in accordance with M.G.L. c. 268A (Conflict of Interest). This includes but is not limited to the following:

1. Not asking for or accepting anything (regardless of value), if it is offered in exchange for your agreeing to perform or not perform an official act.
2. Not asking for or accepting any “gift” worth \$50.00 or more from anyone with whom you have official dealings.
3. Not taking any action that could create an appearance of conflict unless you make a proper public disclosure.
4. Not disclosing confidential information.
5. Not taking official action that will affect the financial interests of yourself, your family, a business partner, etc.

**Section 12.3** Individual Planning Board members shall not meet with an Applicant and/or their representative outside of a Planning Board meeting unless authorized to do so by the Planning Board. For administrative purposes only, the Chairperson may meet jointly with the Planning Board Administrator, Applicant, and/or their representative.

#### **Article 13: Site Visits**

**Section 13.1** A “site visit” is defined as a visit by the Planning Board to a location that is the subject of an application before the Planning Board. The visit shall be in the company of the owner, applicant, and/or the applicant’s representative when it involves visiting areas that are not customarily available for public inspection.

**Section 13.2** No formal motions shall be made nor votes taken at a “site visit”.

#### **Article 14: Regulations Governing Administrative Fees and Administrative Fee Schedule**

**Section 14.1** Procedural History: On March 27, 2001, the Planning Board held a public hearing to consider regulations governing administrative fees and an administrative fee schedule (M.G.L. c. 40, Section 22F). At such time, the Planning Board voted to adopt regulations governing administrative fees and an Administrative Fee Schedule. These Rules & Regulations governing

administrative fees and the Administrative Fee Schedule are subject to revisions in a manner spelled out herein.

**Section 14.2** This Article has been adopted to produce a more equitable administrative fee schedule that more accurately reflects the cost of technical review of applications for the Planning Board.

**Section 14.3** The Planning Board may impose reasonable administrative fees for the review of applications that come before it as deemed necessary from time to time.

**Section 14.4** Administrative fees shall be assessed with regard to all Planning Board applications, in order to offset the expense of review by the Planning Board, the Planning Board Office, as well as other municipal departments.

**Section 14.5** Administrative fees shall be submitted at the time of the submittal of the application. Any application filed without appropriate administrative fees shall be deemed incomplete. No review of the application shall commence until the fee has been paid in full.

**Section 14.6** The following administrative fee schedule applies to the various applications reviewed by the Planning Board. This administrative fee schedule supersedes all previous schedules as they may have appeared in the Framingham Zoning Ordinances, the Rules & Regulations Governing the Subdivision of Land in Framingham, and any other listing that may have been compiled from time to time for the benefit of applicants.

**Subdivision Rules and Regulation Fee Schedule**

1. **Approval Not Required (ANR) Plans**
  - a. Approval Not Required Application - **\$100**
  - b. Creation of new lot, per lot created - **\$50**
2. Preliminary Subdivision Plans - **\$1000.00**
3. Definitive Subdivision Plans
  - a. Major Definitive Subdivision Plans - **\$1,500.00**, plus **\$300.00** for each lot; **or \$750.00, plus \$300.00** for each lot, when a preliminary plan has been filed within the last seven months.
  - b. Minor Definitive Subdivision Plans **\$200.00** plus **\$100.00** for each lot created or affected.

**Framingham General Ordinances Applications**

4. Application to Modify A Scenic Way - **\$200.00**
5. Public Way Access Permit - **\$200**

**Framingham Zoning Ordinances Applications**

6. Site Plan Review - Review of Site Plans shall require the following application fees:
  - i. Major Site Plan - **\$2,000.00** plus **\$0.06** per square foot of **new** gross floor area
  - ii. Minor Site Plan/Limited Site Plan Review (Dover) - **\$1,000.00**
  - iii. Minor Modification to an Approved Site Plan with no change in square footage of the structure - **\$250**
  - iv. Minor Modification to an Approved Site Plan with increase of square footage of the structure - **\$500**
7. **Special Permits –**
  - i. One or the first Special Permit application - **\$500.00**
  - ii. Each Special Permit after the first Special Permit - **\$200.00**
  - iii. Each Special Permit filed with a Site Plan Review application - **\$200.00**
8. Modification of Special Permit - **\$200.00**
9. Special Permit for P.U.D. - **\$ 5,000.00 + \$15.00/unit** at Prelim plus - **\$35.00/unit** at Definitive Submittal
10. Extension of time for an Approved Site Plan Review or Special Permit - **\$200**

**Other Planning Board Applications/Review**

11. Repetitive Petition – Consideration of a petition for a rehearing from the Zoning Board of Appeals - **\$200**
12. Application to Modify Zoning District - **\$500.00**
13. Shoppers World Sign Application - Application fee in accordance with the Department of Inspectional Services (Building Department) Sign Application – fee paid to the Department of Inspectional Services (Building Department)

**Section 14.7** Schedule of Miscellaneous Administrative Fees and Charges are as follows:

1. Copies of Documents
  - i. Letter or legal Size - \$0.25 per sheet\*
  - ii. 11"x17" - \$0.50 per sheet\*

2. Zoning Ordinances - \$15.00\*
  3. Zoning Map -\$6.00\*
  4. Subdivision Rules and Regulations - \$10.00\*
  5. \* Postage Charge for Mailing - Additional \$4.00
  6. Large Plan Sheet \$4.00
7. Public Hearing Legal Advertisement Fee- **\$100 (required for all projects needing a public hearing as required by MGL 40A, Section 11.)**

*Applicants had previously been required to compensate the Newspaper directly, but due to changes in fee process, applicants will pay the City directly and the City will pay for legal ad*

**Section 14.8** The Planning Board reserves the right to waive or reduce any Administrative Fee at their discretion.

**Section 14.9** No Administrative Fee refunds will be given by the Planning Board once an application review has commenced. Application withdrawal constitutes forfeiture of all administrative fees paid.

**Section 14.10** The Planning Board may review and revise its regulations and administrative fee schedules, from time to time, as it deems necessary.

**Section 14.10.1** Any new regulations or alterations to the administrative fee schedule shall take effect upon vote of the Planning Board and filing of a copy of the amendments with the City Clerk.

## **Article 15: Planning Board Personnel**

**Section 15.1** The Planning Board shall employ necessary staff, such as an Administrator, Administrative Assistant/Communication Outreach Coordinator, Associate Planner, and any other position deemed necessary. Such positions shall be approved through the appropriate municipal process to accommodate the department's needs.

**Section 15.2** The Planning Board Administrator's primary responsibilities are to carry out the City's development review process, to manage the administrative and planning operations of the Planning Board Office, and to carry out the duties and responsibilities identified in the approved job description for the position. The Planning Board Administrator serves as the municipal point of contact for all M.G.L. c. 43D expedited permitting applications, point of contact for all inquiries by applicants and their attorneys, Chairs of Boards, Commissions, Committees, and other interested parties. This position also conducts wide range of development and land use planning activities, such as project construction conformance review, master land use plan implementation, and long range planning projects. The Planning Board Administrator reports directly to the Planning Board and the Mayor.

**Section 15.3** The Administrative Assistant/Communication Outreach Coordinator's primary role is to assist the Planning Board Administrator with the financial and outreach and communication operations of the Planning Board Office and to carry out the duties and responsibilities as

identified in the approved job description for this position. This position reports directly to the Planning Board Administrator.

**Section 15.4** The Associate Planner assists in planning operations and reports directly to the Planning Board Administrator. Responsibilities include a wide range of development and land use planning activities, such as project construction conformance review, master land use plan implementation, and long range planning projects, and to carry out the duties and responsibilities identified in the approved job description for this position.

#### **Article 16: Budget and Finance**

**Section 16.1** The Planning Board Administrator is responsible for managing the budget and all associated accounts relative to the Planning Board.

**Section 16.2** The Planning Board Administrator is responsible for the preparation of the Annual Planning Board Budget, subject to review and approval of the Planning Board. The Planning Board Administrator shall develop the budget in consultation with the Planning Board.

#### **Article 17: M.G.L. c. 44, Section 53G, Special Funds for Employing Outside Consultants**

**Section 17.1** On July 24, 1990, at a Public Hearing, the Framingham Planning Board voted 5-0-0 to adopt the Acts of 1989, M.G.L. c. 44, Section 53G.

**Section 17.2** These Rules & Regulations for outside consultants are adopted for special permit applications under M.G.L. c. 40A, Section 9 and M.G.L. c. 44, Section 53G, as amended.

**Section 17.3** The Planning Board, at its sole discretion, may determine that a proposed project's size, scale, complexity, potential impact, or particular land use warrants retaining the use of licensed professional independent consultants in any given respective field. Such consultants shall provide professional guidance to assist the Planning Board with the necessary review and analysis needed to make informed decisions that comply with all relevant laws and regulations regarding complex issues. The Planning Board shall select and retain for a reasonable fee such consultants at the expense of the Applicant.

**Section 17.4** Consultant Review Fees shall be based upon an estimated review cost. Upon notice of receipt, Review Fees shall be deposited in an account established pursuant to M.G.L. c. 44, Section 53G. No review shall begin nor shall a decision be granted until such fee has been paid in full by the applicant.

**Section 17.5** Independent project consultants shall submit a scope of work and all associated predictable costs for their services as requested by the Planning Board for review prior to retaining their services. No supplemental change orders will be approved unless deemed necessary by the Planning Board Administrator with the concurrence of the Planning Board.

**Section 17.6** As a condition of approval of a Site Plan Review or special permit, the Planning Board may require a Supplemental Consultant Review Fee for ensuring the availability of funds during the inspection phase of the review process.

**Section 17.7** The Consultant Review Fee is to be deposited into a special account as set forth in M.G.L. c. 44, Section 53G.

**Section 17.7.1** Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from this account.

**Section 17.7.2** Consultant Review Fees shall be turned over to the City Treasurer by the Planning Board for deposit into a Consultant Review Account.

**Section 17.7.3** A copy of the latest statement from the banking institution handling the Consultant Review Account shall be forwarded from the office of the City Treasurer to the Planning Board Office as soon as it is received for timely and accurate accounting.

**Section 17.7.4** The City Treasurer shall prepare a report on activity in the Consultant Review Account on an annual basis. This report shall be submitted to the City Council and the Mayor for their review.

**Section 17.8** The applicant shall be notified of the consultant selection prior to initiation of consultant efforts. As provided in M.G.L. c. 44, Section 53G, the applicant may administratively appeal the selection of the consultant to the City Council (M.G.L. c. 44, Section 53G), on grounds that the proposed consultant selected has a conflict of interest or that the proposed consultant does not possess the minimum required qualifications of an educational degree or three or more years of practices in, or closely related to, the field at issue. Such an appeal may be initiated by the applicant filing notice with the City Clerk within seven calendar days of notice of the selection. If no decision is rendered by the City Council within one month of said appeal then the Planning Board consultant selection shall prevail. The required time limits for action upon an application by the Planning Board shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for this section.

**Section 17.9** Failure of an applicant to pay consultant review fees determined by the Planning Board may be grounds for application disapproval.

## **Article 18: Central Business (CB) Zoning District Design Standards**

Refer to the Planning Board's Project Review Guidelines for the Central Business (CB) Zoning District Design Standards.

## **Article 19: Landscape Design Guidelines**

Refer to the Framingham Planning Board's Project Review Guidelines for Landscaping Design Guidelines.

## **Article 20: Regulations Governing Applications for Site Plan Review for Dover Amendment Uses**

**Section 20.1** This Article has been adopted to provide additional explanation regarding the requirements and scope of review for site plan applications and hearings held by the Planning Board. This Article is intended to provide guidance under Framingham Zoning Ordinances, Section VI.F, Site Plan Review, for those applicants and applications partially exempt from the Framingham Zoning Ordinances under M.G.L. c. 40A, Section 3, the Dover Amendment Uses (hereinafter, “Dover Uses”).

The Dover Amendment states:

*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.*

### **Section 20.2** Applicability

**Section 20.2.1** This Article applies to any structure, use, alteration, and/or improvement as to which the Dover Uses applies, requiring limited site plan review and approval under the Framingham Zoning Ordinances, Section VI.F.2. With regard to Dover Uses, the provisions of this Article shall govern and any other Regulations adopted by the Planning Board for Site Plan Review under Section VI.F of the Zoning Ordinances are not applicable.

**Section 20.2.2** Nothing in this Article relieves the applicant of its obligation to comply with and satisfy all relevant sections and requirements under the Framingham Zoning Ordinances.

### **Section 20.3** Application and Review Procedure

#### **Section 20.3.1** Determination of Status under M.G.L. c. 40A, Section 3.

Pursuant to the Framingham Zoning Ordinances, Section VI.F.2, prior to filing an application for Site Plan Review with the Planning Board, an applicant must submit a request to the Building Commissioner for a written determination of whether the provisions of M.G.L. c. 40A, Section 3, are applicable. This determination as to whether the Dover Uses applies to a particular proposed use will be made solely by the Building Commissioner.

**Section 20.3.2** Submission of Applications: Following a written determination from the Building Commissioner, an applicant shall submit the application for Site Plan Review approval in accordance with the Framingham Zoning Ordinances, Sections VI.F.4.a.2)iii; 3), 10), and plans compliant with the requirements set forth on Section VI.F.4.b to the Planning Board, together with a copy of the Building Commissioner’s written determination. The application shall comply

with those requirements of Article 21: Site Plan Review Plan Requirements, as applicable to Minor Site Plan Review.

**Section 20.3.3** Contents and Scope of Application: The Planning Board has identified specific subsections of the Framingham Zoning Ordinances, not applicable to Dover Use applicants. Specifically, a Dover Uses applicant is exempt from the following sections of the Framingham Zoning Ordinances:

1. Section VI.F.5, with the exception of items in Section VI.F.5.b. pertaining to bulk and height of the structure and Section VI.F.5.e pertaining to open space review;
2. Section VI.F.4.11) Traffic Impact Report;
3. Section VI.F.4.12) Environmental Impact Report;
4. Section VI.F.6.a Retain Community Character;
5. Section VI.F.6.c Environmental Impact, in its entirety;
6. Section VI.F.6.d Health, in its entirety;
7. Section VI.F.6.e Public Services and Utilities, in its entirety;
8. Section VI.F.6.f Land planning;
9. Not required to address the Traffic portion of Section VI.F.6.b.

**Section 20.4** At the outset of the opening of a public hearing on a Dover Use application, the Chairperson will:

1. identify those Sections of the Framingham Zoning Ordinance within Section VI.F that are relevant to the review of the application by the Planning Board;
2. inform the public of the Building Commissioner's written determination of the applicability of M.G.L. c. 40A, Section 3, including making available at that hearing a copy of such determination; and
3. review for the public the provisions of Article 8 of these Rules & Regulations regarding conduct of meetings and public hearings.

**Section 20.5** A public hearing is also an opportunity for members of the public to ask questions or make comments about the proposed development project. At the outset of public comment, the Chairperson will direct the public to frame their questions and comments to issues raised by the application that are within the scope of the Planning Board's jurisdiction.

**Section 20.6** A decision on a Dover Use application will be made in accordance with the Framingham Zoning Ordinances, Section VI.F.7.a-b. Subject to administrative or other municipal requirements beyond its control, the Planning Board will work diligently to complete its limited site plan review within 60 days of the filing of a complete application. Approval of a Dover Use application will not require off-site improvements as a condition of approval.

**Section 20.7** The Planning Board shall approve a Dover Use application in accordance with Section VI.F.7.b. of the Framingham Zoning Ordinances, but the Planning Board's review shall be limited to those provisions imposing reasonable regulations upon the bulk and height of structures and determining yard sizes, lot areas, setbacks, open spaces, parking and building coverage requirements as provided in M.G.L. c. 40A, Section 3.

**Section 20.8** In granting approval of a Dover Use application the Planning Board may impose reasonable conditions, limitations, and safeguards that shall be in writing and shall be a part of such approval. Such conditions will not include matters and subjects contained in the Framingham Zoning Ordinances:

1. Sections VI.F.8(a),(b), (c), (d), (e), (g) and (i);
2. Section VI.F.8 as to mitigation measures.

**Section 20.9** The Planning Board shall be responsible for deciding the meaning or intent of any provision of the Framingham Zoning Ordinances, Section VI.F.9. The Planning Board may consult with the City Solicitor to determine the meaning or intent of any unclear provision that may be in dispute.

#### **Article 21: Site Plan Review Plan Requirements**

Refer to the Framingham Planning Board’s Project Review Guidelines for Site Plan Review Plan Requirements.

#### **Article 22: Lighting Requirements**

Refer to the Framingham Planning Board’s Project Review Guidelines for Lighting Requirements.

#### **Article 23: Shoppers World Sign Requirements**

Refer to the Framingham Planning Board’s Project Review Guidelines for the Shoppers World Sign Requirements

#### **Article 24: Land Disturbance and Stormwater Management Documentation Submittal**

Refer to the Framingham Planning Board’s Project Review Guidelines for the Land Disturbance and Stormwater Management Documentation Submittal Requirements.

#### **Article 25: Special Permit Application Submittal Requirements**

Refer to the Framingham Planning Board’s Project Review Guidelines for Special Permit Applicant Submittal Requirements.

#### **Article 26:**

#### **Article 27: Nobscot Village Design Guidelines**

Refer to the Framingham Planning Board's Project Review Guidelines for the Nobscot Village Design Guidelines (Article 8).