



Book 65800, Page 373

BUILDING

33

PLANNING

ZONING

CONSERVATION

COMMUNITY AND ECONOMIC DEVELOPMENT

DECISION ON APPLICATION FOR COMPREHENSIVE PERMIT

APPLICANT: Stonegate St Patrick LLC, 235 West Central Street, Natick, Massachusetts, 01760

PROPERTY: 45 East Central Street
Assessor's Map 44, Lot 180 ✓

4 Lincoln Street
Assessor's Map 44, Lot 181

6 Lincoln Street
Assessor's Map 44, Lot 182

5 Wilson Street
Assessor's Map 44, Lot 195



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TOWN CLERK-NATICK

DATE: June 9, 2022

I. PROCEDURAL HISTORY

1. An original Application for a Comprehensive Permit was received by the Natick Zoning Board of Appeals (the "Board") on or about October 20, 2021. The Application was for a proposed project is called "Stonegate St. Patrick, Natick, Massachusetts" consisting of fifty-four (54) rental units, eight (8) of which are in duplexes and forty-six (46) are in a multifamily mixed-use building (collectively, the "Project") located at the above referenced property ("Property" or "Project Site"). Fourteen (14) of the units (or twenty-five (25%) percent) will be affordable, as referenced more fully in Section II hereof.
2. The Applicant proposes to be a limited dividend entity that will limit its profits in accordance with legal requirements. Accordingly, the jurisdictional requirements under 760 CMR 56.04(1)(a) will be satisfied if and when the Applicant executes a Regulatory Agreement and other related documents as referenced more fully in Section IV hereof.
3. The Applicant provided a project eligibility/site approval letter dated September 27, 2021, issued by the Massachusetts Housing Finance Agency ("MassHousing") thereby satisfying

Plan 2022-195

760 CMR 56.04(1)(b). The approval contained in the letter is expressly limited to the development of fifty-four (54) rental units.

4. The Applicant owns the Property as represented in a deed dated June 15, 2015, recorded on July 27, 2015 with the Middlesex South Registry of Deeds (“Registry”), in Book 65800, Page 373.
5. The Board’s hearing on the Application was duly opened on December 6, 2021, and continued in accordance with the list of dates as set forth in Exhibit A. The hearings closed on June 9, 2022.
6. The Board notified all applicable local boards and commissions of the filing of the Application by sending a copy thereof to such local boards and commissions so that such boards and commissions could opt to make recommendations, all of which submitted to the Board were made a part of the record of these proceedings and have been taken into consideration by the Board in rendering its Decision.
7. During the course of the public hearing, Town staff, boards, commissions, and local residents submitted oral and written testimony with respect to the Application. The Board considered the technical review of an independent site peer reviewer and traffic peer review consultant regarding matters of public health and safety, environmental health and safety, traffic, site and preliminary stormwater management plans, and other issues of local concern.
8. The Applicant provided various materials, reports, and revised plans throughout the public hearing on the Application.
9. During the public hearing, the Applicant was represented by the law firm of Bowditch & Dewey, LLP, Katherine Garrahan as counsel; Finegold Alexander Architects, Inc., Rebecca Berry, AIA, LEED AP, project architect; VHB, Rich Whitehouse, Project Manager; and VHB, Vinod Kalikiri, Senior Project Manager. The Board utilized the services of Hancock Associates, Joseph D. Peznola, PE; Vanasse & Associates, Jeffrey S. Dirk, PE, PTOE, FITE; and Lisa L. Mead and Michael Kennefick, of the law firm Mead, Talerman & Costa, LLC.
10. The Board heard testimony from nearby abutters regarding their concerns and comments about the Project.
11. The Board received the correspondence and submissions as set forth on Exhibit B attached hereto.

II. PROJECT AND PROPERTY DESCRIPTION

1. The Project is described and shown in the Application package and various plans, including most notably, the following:

Site Plans entitled “Mixed Use Development, East Central, Wilson, and Lincoln Streets

Natick, MA 01760” (10 sheets), prepared by VHB, dated October 7, 2021, revised through May 20, 2022, Sheets Cover through L2.01.

Survey Plan entitled “Existing Conditions Survey” (1 sheet), prepared by Eaglebrook Engineering & Survey, LLC, dated June 10, 2016, revised on October 26, 2021, Sheet SP-1.

Site Lighting and Photometric Calculation prepared by APEX Lighting Solutions, dated April 22, 2022, Sheet SI-1D.

Architectural plans, elevations, and renderings of Finegold Alexander, dated October 8, 2021, updated through May 20, 2022 (originally A110-A404 with 16 sheets, as updated A-100-A405 with 17 sheets).

Traffic Impact and Access Study, prepared by VHB, dated October 8, 2021.

Vehicle Turning Drawing entitled, “Fire Truck Movements, St. Patrick Mixed-Use Development” (1 sheet), prepared by VHB, dated May 2, 2022.

Stormwater Management Memorandum, prepared by VHB, dated October 13, 2021, revised through March 21, 2022.

(Collectively “Plans of Record”) **Exhibit C**.

2. The Property is located in the following three zoning districts: Downtown Mixed Use, Residential General, and Aquifer Protection Overlay District.
3. The Property includes 1.88 acres +/- of land. The entire site consists of previously developed property including a large school building, a convent, a funeral home, a two-family home, and an associated barn; the funeral home, two-family home, and barn have been demolished at the time of this Decision.
4. The Property is located within a half-mile of the Town center and local commuter rail station and is a two-minute walk to the MBTA bus lines. The commercial center of Natick is located along the blocks which are adjacent to the Property. The Property is also bounded by Wilson and Lincoln Streets, and as one travels to the rear of the Property along those streets the neighborhood is residential.
5. The Project proposed by the Applicant contains fifty-four (54) rental units, eight (8) of which are in duplexes and forty-six (46) in a multifamily mixed-use building. Fourteen (14) of the units (or twenty-five (25%) percent) will be affordable as follows: eleven (11) will be affordable to households earning up to eighty (80%) percent of the Area Median Income, in accordance with applicable state regulations and guidelines and three (3) will be affordable to those households earning between thirty (30%) percent and fifty (50%) percent of the Area Median Income, in accordance with applicable state regulations and guidelines. The remaining units will be market-rate units. Of the affordable units, one (1)

will be a 4-bedroom unit, two (2) will be 3-bedroom units, six (6) will be 2-bedroom units, and five (5) will be 1-bedroom units. The remaining forty (40) units will consist of eight (8) 1-bedroom, twenty-two (22) 2-bedroom, seven (7) 3-bedroom, and three (3) 4-bedroom units. Two (2) affordable units will be located in the townhouse structures and twelve (12) affordable units will be located in the mixed-use building, all as shown on the unit mix plan attached as **Exhibit D**.

6. The units will be served by municipal water and sewer services by the Town of Natick.
7. All utilities are to be below ground.

III. FINDINGS

1. The Board notified all applicable local boards and commissions of the filing of the Application by sending a copy thereof to such local boards and commissions for their recommendations, all of which have been made a part of the record of these proceedings and have been taken into consideration by the Board in rendering its Decision.
2. During the course of the public hearing, Town staff, boards, and commissions; and local residents submitted oral and written testimony with respect to the proposed changes. The Board considered the technical review of Town Department Heads and an independent site and traffic peer reviewer, in regard to matters of public health and safety, environmental health and safety, traffic, site and preliminary stormwater management plans, and other issues of local concern.
3. Peer review was thorough and cooperative.
4. According to the Commonwealth's Department of Housing and Community Development ("DHCD")'s Subsidized Housing Inventory ("SHI"), as defined in 760 CMR 56.02, as of December 21, 2020, 10.5% of the Town of Natick's total housing stock constituted SHI eligible housing, as defined in 760 CMR 56.02 and as of December 6, 2021, the Town of Natick notified the Applicant and DHCD that the Town of Natick's total housing stock constituted SHI eligible housing, as defined in 760 CMR 56.02 to include 10.63% of the Town's housing stock.
5. The Project is also subject to a Development Agreement dated February 5, 2020, as amended in September 2020 and June 20, 2021, by and between the Town of Natick Board of Selectmen (now known as the Select Board) and the Applicant (the "Development Agreement") which is consistent with the Application submitted.
6. The Application for project eligibility was a cooperative Local Initiative Project ("LIP") Application filed jointly by the Applicant and the Select Board pursuant to the Development Agreement.
7. The Board finds that the Town of Natick has a continued need for affordable housing as

- required by G.L. c. 40B, and the Project will provide such housing.
8. The Board finds that the Project will provide adequate access to public transportation.
 9. The Board finds that, when built in accordance with the Plans of Record and in compliance with the conditions imposed herein, the Project will be “consistent with local needs” as such phrase is contemplated by G.L. c. 40B, §§20-23. The Board also finds that any unmitigated impacts posed by the Project will not outweigh the benefits provided by the Project’s affordable units.
 10. The Board also finds that the Applicant has worked in good faith to mitigate adverse impacts to a reasonable and acceptable extent.
 11. The Board finds that during the hearing process the Applicant was cooperative and made changes to the Plans of Record in an effort to address concerns raised by the Board and several abutters to the proposed Project.
 12. The Board finds that the grant of waivers from local by-laws and regulations, as described more fully in Section IV and **Exhibit E** hereof, is acceptable.
 13. Notwithstanding waivers to local requirements and other adverse impacts to local concerns, the Board finds that the project as presently designed, and as conditioned by this Decision, will be “consistent with local needs,” as such term is contemplated under G.L. c. 40B.
 14. The Board finds that the conditions imposed in the following section are necessary in order to properly address local concerns. The Board finds that such conditions will not render the Project uneconomic. To the extent that such conditions do render the Project uneconomic, the Board finds that the local concerns in imposing the same outweigh the statutory requirements for the affordable units that have been proposed.

IV. DECISION AND CONDITIONS

Upon Motion, duly seconded, the Board voted 5 to 0 (members Jackowitz, Lewis, Durrane, Lynch, and Makofsky) to grant a Comprehensive Permit to the Applicant for the proposed project, subject to the following conditions:

- 1) Regulatory Conditions
 - a. Except as otherwise required by the conditions imposed by this Comprehensive Permit or by the Plans of Record, the Project shall be developed, constructed, and completed in conformance with the Plans of Record, as revised during the public hearing and approved by vote of the Board, and in accordance with conditions for modifications as set forth below.
 - b. The Project may have no more than fifty-four (54) rental units, eight (8) of which are in duplexes and forty-six (46) in a multifamily mixed-use building. Fourteen (14) of the

units (or twenty-five (25%) percent) will be affordable in perpetuity as follows: eleven (11) will be affordable to households earning up to eighty (80%) percent of the Area Median Income, in accordance with applicable state regulations and guidelines and 3 will be affordable to those households earning between thirty (30%) percent and fifty (50%) percent of the Area Median Income, in accordance with applicable state regulations and guidelines. The remaining units will be market rate units. Of the affordable units, one (1) will be a 4-bedroom unit, three (3) will be 3-bedroom units, six (6) will be 2-bedroom units, and four (4) will be 1-bedroom units. Two (2) will be located in the town house structures and twelve (12) affordable units will be located in the mixed-use building, all as shown on the unit mix plan attached as **Exhibit D**. It should be noted that in accordance with the approval from the DHCD, the affordable units in the Project may change location from time to time, but at all times there shall be at least 25% designated affordable units. Included in such 25% shall be units temporarily vacant due to turnover which are reserved for affordable use, consistent with DHCD's policy on "floating" units.

- c. The affordable units shall be restricted in perpetuity as provided in the Regulatory Agreement, as follows: Fourteen (14) of the units (or twenty-five (25%) percent) will be affordable as follows: eleven (11) will be affordable to households earning up to eighty percent (80%) of the Area Median Income, in accordance with applicable state regulations and guidelines and three (3) will be affordable to those households earning between thirty (30%) and fifty (50%) percent of the Area Median Income, in accordance with applicable state regulations and guidelines. Evidence of the recorded Regulatory Agreement the Project shall be provided to the Board, prior to the issuance of the first building permit for any structure in the Project.
- d. Up to twenty-five (25%) percent of the units shall be designated for local preference units to the extent it is determined that there is a demonstrated need for local preference, and provided that such local preference is consistent with DHCD's Affirmative Fair Housing and Marketing and Resident Selection Plan Guidelines as amended and all applicable state and federal requirements. The local preference, to the extent permitted by law, shall favor present residents of Natick, employees of the Town of Natick and employees of businesses located in Natick; employees must have been employed for not less than six (6) months immediately preceding their application for housing. The Applicant shall cooperate with Town staff seeking and securing such local preference. A lottery shall be established in a form approved by the Subsidizing Agency to effectuate any approved local preference. The Applicant shall submit to the Board a report on the marketing activity at the Project during the initial lease-up of the Project regarding the status of compliance with the local preference requirements pursuant to the plan approved by the Subsidizing Agency.
- e. The Board acknowledges that the Town will be required to provide evidence satisfactory to the Subsidizing Agency to demonstrate the need to the foregoing local preference and to obtain approval of the categories or persons qualifying for the same, and in no event shall the Applicant be in violation of the terms of this Comprehensive Permit to the extent the Subsidizing Agency disapproves the local preference requirement or any

aspect thereof. The Applicant shall provide reasonable and timely assistance to the Town in providing this evidence to the Subsidizing Agency. If the Board or its designee does not provide such information within sixty (60) days of a written request by the Applicant, its Lottery Agent, the Subsidizing Agency or DHCD, then this condition shall be void unless the Applicant has failed to provide reasonable and timely assistance as described above.

- 2) **Prior to the issuance of the Occupancy Permit**, the Applicant shall develop a marketing plan in accordance with all DHCD requirements. Said plan and any other associated requirements developed for the Project shall be for review and approval of the Subsidizing Agency, said plan to conform to all affirmative action requirements or other requirements imposed by federal or state regulations and shall conform with the local preference requirement set forth above. The costs associated with the development and implementation of the marketing plan, including advertising and processing, shall be borne by the Applicant.
 - a) The Monitoring Agent for the Project shall be a qualified entity approved by MassHousing or DHCD the Applicant shall provide the Board with copies of the Regulatory Agreement prior to the issuance of occupancy permits.
 - b) The Applicant shall notify the Board and the Select Board when the building permits and occupancy permits are issued and shall cooperate with the preparation of request forms to add the units to the Town's SHI.
 - c) While the Regulatory Agreement is in effect, the Subsidizing Agency shall be responsible to monitor compliance with affordability requirements pursuant thereto.
- 3) **Prior to Commencement of Construction Work on the Property**. Prior to commencement of construction, which shall mean disturbance of land, on the Property, the Applicant shall have completed the following:
 - a. The Applicant shall record this Decision with the Registry before the commencement of authorized site activity and submit proof of recording to the Department of Community and Economic Development and the Building Commissioner.
 - b. Final, fully designed site plans (the "Final Site Plans") shall be submitted to the Town's Engineering Department and the Building Department no less than thirty (30) business days prior to the application for building permits for the commencement of construction of the Project for review to ensure accuracy and conformance with this Decision. The Final Site Plans shall be of a quality and level of detail sufficient to allow the Town's Engineering Department, Building Department, and other Town of Natick staff and peer review agents to review for consistency with the Plans of Record, the terms of this Comprehensive Permit, legal requirements, and industry standards. The Final Site Plans must be revised in accordance with comments received by the Town of Natick staff members and peer review agents as listed in **Exhibit B** Document List and reviewed and approved by the appropriate Town staff and peer review agents.

- d. If no written response or comments have been given to the Applicant by the Engineering Department or the Building Department within thirty (30) business days after the Final Site Plan submission date, the Final Site Plans, as delivered, will be deemed to have been approved. Nothing herein shall be construed to limit or otherwise affect the Natick Building Department's authority and obligations under the State Building Code.
- e. The Final Site Plans shall include, but not be limited to, complete construction plans, final stormwater management plans and erosion control plans, landscaping plan including a final species list, lighting plan, easement plan, utility plan, plumbing design plan including floor drains for the garages, as well as all other plans described below and that are customarily submitted for projects of this type.
- f. As required in accordance with 760 CMR 56.00 et seq. the Applicant has submitted preliminary site and architectural plans for approval. It is anticipated that "Minor Changes" will be made to these preliminary plans as they are finalized. "Minor Changes" to the Plans of Record or Final Site Plans, as the case may be, shall be considered those changes that do not materially affect the location of, or increase the height or massing of the structures, or increase the number of units contained in the residential structures. Minor Changes shall be submitted to the Building Commissioner who shall have authority to approve such changes as immaterial changes, by granting of a Building Permit or modification thereto. In the event the Building Commissioner determines that the proposed changes do not conform to the requirements of this Comprehensive Permit, said commissioner shall so notify the Applicant and the Applicant shall seek approval from the Board for the change in accordance with 760 CMR 56.05(11) or bring the plans in conformance with this Decision.
- g. The Final Site Plans shall include the final architectural plans. The final architectural plans shall be substantially in conformance with the building layouts as represented on the Plans of Record submitted to the Board. Three (3) copies of the Final Site Plans shall be submitted to the Building Department and the Board for review and approval.
- h. The Final Site Plans shall include a construction mitigation plan that will address all aspects of construction mitigation, including, but not limited to: (i) blasting; (ii) provisions that meet the prior approval of the Natick Fire Department and Natick Police Department for traffic flow and emergency vehicle ingress/egress along any partially constructed driveways within the Project; (iii) stockpiling of materials; (iv) trucking routes that meet the prior approval of the Natick Police Department; (v) a concise construction mitigation and sequencing plan; (vi) erosion control plan; and (vii) integrated pest management plan.
- i. The Final Site Plans shall include a narrative of the construction sequencing for the Project. Such narrative shall include any phasing of the Project. At a minimum the sequencing plan must address the construction of the detention basins, infiltration basins, slope stabilization, duplicative erosion control systems and related safety measures. The Project shall be completed within three (3) years from the date that construction is

commenced, provided that, for good cause shown, the Applicant may seek reasonable extensions of one (1) year – which the Board may review and approve administratively without need for a public hearing.

- j. The Applicant shall be responsible for scheduling a pre-construction meeting with the Building Department and other applicable departments at least fourteen (14) days before the commencement of work on the project. The Applicant shall provide a construction sequencing schedule at this meeting.
- k. Fire flow tests shall be provided to demonstrate that peak demand can be satisfied as reviewed and approved by the Fire and Engineering Department.
- l. Within thirty (30) days after the Decision becomes final and binding and beyond appeal, all outstanding Peer Review fees incurred to date shall be paid in full. Failure to be current on all Peer Review fees shall be a basis upon which to deny the issuance of any permit hereunder.
- m. A complete design of the wastewater system, including floor drains, shall be provided for review and approval by the Engineering Department.
- n. All necessary easements shall be identified on the Final Site Plan and secured prior to the issuance of the certificate of occupancy.
- o. Proposed water main shall depict proper valving for review and approval by the Engineering Department.
- p. The water system, including fire suppression, shall be designed and the peak demand identified, and reviewed and approved by the Fire and Engineering Department.
- q. The Final Site Plans shall include three (3) Level II electric vehicle charging stations in the garage, three (3) Level II electrical charging stations on the surface parking area and their infrastructure shall be installed for three (3) additional Level II charging stations to be installed in the future. Each charging station shall be capable of servicing two (2) vehicles and as a result at the issuance of the first certificate of occupancy there will be sufficient charging stations capable of servicing twelve (12) vehicles.
- r. The Final Site Plans shall show that there is no obstruction in the swing path of the fire apparatus entering the site driveway.
- s. The Final Site Plans shall show a formal curb break in the surface Parking Lot to allow for proper storm water operations. The operation and maintenance plan (“O & M Plan”) for the Property shall include a prohibition on blocking this area with any material including snow and shall require the area be kept free and clear to allow proper drainage. Said O & M Plan shall be reviewed and approved prior to the issuance of an Occupancy Permit by Hancock Associates.

The Final Plans shall indicate at least one (1) short term parking space at the rear of the mixed-use building for use by residential tenants.

- t. The condominium documents and/or leasing documents shall include the following provisions:
 - i) All loading and unloading for residential uses shall take place in the rear of the mixed-use building. The Applicant shall post or otherwise enforce that commercial vendors serving the Property are prohibited from parking or loading or unloading on East Central Street during the hours of 7 a.m. – 9 a.m. or from 4 p.m. – 7 p.m. on weekdays during the hours of 11 a.m. and 1 p.m. on weekends.
 - ii) Proof of the foregoing requirement shall be provided to the Building Department prior to the issuance of a certificate of occupancy.
 - iii) Ongoing maintenance requirements that signs, landscaping and other features located within sight triangle areas of the driveways that serve the Project shall be designed, installed and maintained so as not to exceed 2.5-feet in height. Snow accumulation (windrows) located within sight triangle areas that exceed 3.5-feet in height or that would otherwise inhibit sight lines shall be promptly removed.

- u. The Final Site Plans shall include the following related to traffic and parking:
 - i). Parking/Circulation
 - The Final Site Plans shall be accompanied by evidence that the Applicant has coordinated with the Department of Public Works and the Police Department to refine the on-street parking regulations along the Project site frontage to ensure that proper sight lines are afforded to and from the Project site driveways.
 - The Final Site Plans shall be accompanied by evidence that the Applicant has cooperated with the Department of Public Works and the Police Department on Applicant’s proposal to install a warning and/or advisory speed posting sign to alert northbound through-traffic on Wilson Street to the sight line limitation caused by the existing curve.

- v. Final Site Plans shall depict sewer, water, gas and electric utility services to the mixed-use building considering the demands of the commercial tenants and residential use including provisions for transformers, meters, oil/gas traps, commercial grease traps (if required). Final Site Plans will be supported by calculations demonstrating ample water supply (pressure and volume) are provided in accordance with applicable standards.

- w. The Applicant shall work with the Natick Public Works Department relative to connection to the municipal drainage system. The Applicant shall affect any system modification deemed necessary by the Director of Public Works to facilitate the connection.

- x. The Applicant shall perform additional soil testing in the area of the proposed infiltration

basin and subsurface infiltration system in accordance with the requirements of Mass DEP Stormwater Handbook. Final Site Plans shall be accompanied by a Final Stormwater Management Report in full compliance with Mass DEP Stormwater Management requirements.

- y. A comprehensive snow management plan will be included with the submission of Final Site Plans. The snow management plan will detail procedures for management to keep sheet flow curb inlets to the stormwater management system open after all snow events.

- 4) **Prior to the Issuance of a Building Permit.** Prior to the issuance of a Building Permit, the Applicant shall have completed the following:
 - a) No building permits may issue unless and until the Applicant provides evidence of Final Approval from the Subsidizing Agency pursuant to 760 CMR 56.04(7) and a fully executed and recorded Regulatory Agreement for the Project is provided to the Board and the Building Commissioner.
 - b) This Decision includes approval for the water and sewer connection permits, provided that as an administrative matter, the Applicant's contractor shall apply for and obtain water and sewer connection permits from the Town, which shall not be unreasonably withheld after the Applicant presents all details for any water and sewer connection to the Engineering Department for confirmation by the Department of Public Works that all details satisfy all local connection technical requirements and said permits shall be subject to any applicable fees unless said fees are waived by the applicable Town entity. Contractors shall be duly licensed as required by the Town. All such work shall be performed in accordance with current engineering and construction standards.
 - c) The Department of Public Works shall have responsibility of reviewing and issuing any excavation permits and the permits shall not be unreasonable withheld.
 - d) The Final Site Plans submitted to the Building Commissioner for the issuance of a Building Permit shall be reviewed and approved by Hancock Associates for consistency with their final approval letters as listed in **Exhibit B** Document List.
 - e) The Applicant shall make good faith efforts and have an affirmative obligation to consult with and consider the recommendations of the Design Review Board in the selection and implementation of the color and materials of the exterior finishes of the structures.
- 5) **During Construction.** During Construction, the Applicant shall comply with the following:
 - a. The Applicant's engineer of record, during the site development and construction phase, shall visit the construction site for all necessary as-built inspections, and shall provide reports to the Building Department and Town Engineer to advise of the status of the work, erosion control measures and any special circumstances which may arise.
 - b. Upon completion of the stormwater management system, the Applicant's engineer shall

provide a report to the Town Engineer, with a copy to the Board, certifying that the stormwater management system was installed substantially in accordance with the approved Final Site Plans. Such report shall include a certification that the excavations of the proposed infiltration systems were inspected prior to backfilling. An as-built plan of the stormwater management system prepared by a licensed engineer shall be provided with the report and shall include a copy in electronic format.

- c. During construction, the Applicant shall maintain all feasible and reasonable means of dust control and shall collect all debris daily and as needed shall sweep East Central Street, Wilson, and Lincoln Streets, in accordance with best management practices.
- d. During construction the Applicant shall maintain and implement an integrated pest management plan.
- e. Hours of exterior construction are limited to 7:00 a.m. to 5:30 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday. Absent emergency conditions, which shall require written approval by the Police Department, no construction is permitted on Sundays or the following holidays: New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, and Christmas Day (or the following Monday when the holiday falls on a weekend). No on-site equipment shall be started and allowed to warm up before the designed construction hours, including no vehicle parking, standing, or idling on the adjacent public streets. Oversized deliveries of construction material should occur before or after peak traffic hours. Notwithstanding the foregoing, interior construction that doesn't generate excessive noise may occur on weekday evenings, until 7:00 p.m. The Applicant agrees that the hours of operation shall be enforceable by the Police Department.
- f. The Project Site shall be fenced and Best Management Practices (BMPs) associated with construction shall be maintained and checked prior to the commencement and end of work each day during construction.
- g. The location of any and every stormwater disposal area shall be protected to prevent compaction by heavy equipment and to prevent contamination of the area with soils and materials that may reduce infiltration rates for the existing soils.
- h. Any work within the existing public right of way shall be required to have a police detail during the duration of said work for public safety.
- i. No construction debris shall be buried or disposed of at the Project site. The Applicant shall perform a daily cleanup of construction debris, including soil on adjoining roads within two hundred (200) yards from the entrance(s) of the Project caused by construction. Damage shall be monitored by photographic documentation by the Applicant and at least monthly inspections by the Department of Public Works. The Applicant shall repair any damage to the adjacent roadways caused by Project construction. The Applicant shall provide an elevated crushed stone apron at the entrance(s) of the Project at least fifteen (15) feet in width and twenty (20) feet in length

to remove dirt from truck wheels, mitigate dust, and provide erosion control, or such stabilizing construction exit as shown Sheet C3.01.

- j. The Applicant shall comply with the Massachusetts Comprehensive Fire Code 527 CMR 1.00 et. Seq., in addition to the notification requirements set forth by the Natick Fire Department.

6) Prior to the Issuance of the First Certificate of Occupancy for the earliest phase of the project. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall have completed the following:

- a) The Applicant shall submit a letter from the engineer and/or architect, as appropriate, of the Project stating that the buildings, landscaping, lighting, layout, materials, stormwater management and utilities substantially comply with the Plans of Record as approved by the Board.
- b) All exterior lighting, including pole lights. Attached building lighting and pedestrian lighting shall be dark sky compliant and shall be down cast, shielded, and shall not shine onto adjacent properties or streets and shall comply with the requirements of the Zoning Bylaw. All exterior lighting shall be installed and operated in accordance with the Final Site Plans as submitted for the Building Permit, as amended herein, and provided post-approval to be reviewed and approved by the Building Commissioner.
- c) The Project shall provide snow storage areas as shown on the Plans of Record and snow removal from the Project Site shall take place as necessary to not impact parking and circulation.
- d) The Town Engineer and Building Commissioner shall inspect the construction of internal driveways and paved areas for conformance with the Plan of Record.
- e) All utilities shall be underground, subject to review and approval of local utility companies per utility company specifications which may require certain above-ground infrastructure.
- f) All deeds, restrictions, easements and/or other instruments as shown on the Final Site Plans shall be recorded. Any easements and/or restrictions or deeds shall be recorded prior to the issuance of any certificate of occupancy for the Project.
- g) The Applicant shall provide As-Built Plans that show building locations, grades, access ways, parking areas, sidewalks and walkways, curbing, stormwater management facilities, lighting, and utilities to the Building Department and Engineering Department.
- h) Landscaping shall be installed in accordance with the Landscape Plan.
- i) All onsite water and sewer infrastructure for the Project shall be constructed and fully operational.

- j) The Applicant shall follow all Town requirements for obtaining an assignment of an address number for the buildings and for the unit numbers.
- k) As part of this Comprehensive Permit, the Board will endorse an Approval Not Required (ANR) Plan of Land consistent with the lot layouts shown on the Preliminary Subdivision Plan submitted as part of the Plans of Record. In furtherance hereof, after the expiration of the appeal period of this Decision, the Applicant shall provide to the Board the ANR Plan for endorsement, and shall record such endorsed ANR Plan in the Registry to separate the Property into five (5) lots as proposed.
- l) The Applicant shall provide a copy of the project management agreement to the Building Department which said agreement and plan shall include the following:
 - i) Snow and ice removal shall be the responsibility of the Applicant, its successors, and assigns. Snow and ice removal shall be undertaken as soon as is practicable after snowfall and shall not impede or obstruct the parking areas and driveways and so as not to impede or obstruct the hydrants. Snow shall be deposited and stored in the areas designated on the Plans, as revised. In the event the snow storage areas on the site reach capacity, snow shall be removed and hauled away from the Property.
 - ii) The driveways, infrastructure, including water, sewer and stormwater infrastructure and open space depicted on the Plans shall be maintained by the Applicant and shall be considered private.
 - iii) Trash and recycling shall be private and shall be the responsibility of the Applicant and in conformance with the Town of Natick trash and recycling regulations and policy.
 - iv) An ongoing integrated pest management plan for the entire Property.
 - v) Once the units become occupied by tenants, a property manager shall be available by phone. If a Property Manager is on-site, the hours shall be posted in the lobbies of each building and the tenants shall be kept informed of any schedule changes.
 - vi) All residential loading and unloading shall take place in the rear of the mixed-use building for occupants of the mixed-use building and shall not take place on East Central Street. Commercial loading and unloading shall be subject to restrictions set forth in Section IV.3.t.i.
 - vii) The area of break in the curbing in the surface parking lot shall be kept clear of debris and snow or ice so as to allow proper operation of the stormwater system.
- m) Upon application for a certificate of occupancy, the Applicant must submit a letter from the engineer and architect of the project stating that the building, landscaping, lighting, and site layout etc. substantially comply with the plans referenced in this Decision and the Final Site Plans.
- n) Additionally, a final as-built plan showing final topography, the location of all on-site utilities, structures, curb cuts, parking spaces and drainage facilities, including invert elevation of all storm water structures etc. shall be submitted to the Building Department, Engineering Department, and peer review agents for review and approval.

- o) If all site related issues, including landscaping, have not been completed at the time the building(s) itself is ready for occupancy, the Building Department may authorize the Applicant to post a security sufficient in the opinion of the Department, to cover the cost of the Town of completing the remaining site items. The Department will provide notification of the posting of the security to the Board.

7) **Parking/Circulation**

- a) The Project shall include all parking as depicted on the Plans of Record.
- b) Accessible parking spaces and related paths of travel shall be in conformance with the American with Disability Act (“ADA”) and the Massachusetts Architectural Access Board (“MAAB”) regulations.
- c) The Applicant shall provide “Welcome Packets” to its residents upon occupancy and shall post information regarding public transportation services, maps, schedules, and fare information in a central location and/or otherwise made available to residents and employees.
- d) The Plans of Record indicate adequate room in the townhouse parking area to locate four (4) accessible parking spaces, and that one (1) accessible space is proposed to be constructed. To the extent that one (1) or more additional accessible spaces are sought to be provided during occupancy, or the location of the proposed accessible space is proposed to be relocated within the townhouse parking area, based upon needs of then-current residents in the reasonable determination of the Applicant or pursuant to law, the Applicant shall provide the Building Commissioner with an updated parking plan for the townhouse units indicating the proposed location of any accessible parking space(s). Any such change(s) shall be deemed immaterial and shall not require a modification to the Comprehensive Permit by the Board.

8) **Signs**

- a) The Applicant shall meet with the Fire Department to review all address and unit signage for identification of the buildings prior to installation of same.
- b) All lighting of signs shall face downward.
- c) All signage shall comply with the provisions of the Zoning Bylaw and shall be reviewed by the Building Inspector prior to installation.

9) **Other**

- a) Building Plans shall meet all relevant building code requirements and shall be approved by the Building Commissioner. During the construction process, property inspections shall occur onsite by Inspectional Services.
- b) The Building(s) will comply with all relevant accessibility codes – ADA and MAAB – including provisions required number of units for those with vision and hearing impairments as may be required by law.

- c) The number of accessible units required by law shall be constructed in accordance with 521 CMR, when required.
- d) All residential units in the mixed-use building shall be visitable for persons with mobility impairments so that the units and interior rooms can be accessed, to the extent required by DHCD guidelines.
- e) Unless otherwise allowed by the Building Commissioner, plumbing fixtures to be installed in residential units shall be consistent with EPA WaterSense requirement.
- f) Any exterior mechanical equipment and other site equipment shall be screened from the public view with a continuous fence or planting (allowing for reasonable access for use, maintenance, and repairs), and noise level from mechanical equipment shall be minimized to protect area residential abutters. Any exterior trash and recycling shall be screened from the public view on at least three sides, but allowing for accessibility by tenants.
- g) The mixed-use building shall be serviced by two (2) fully operational elevators as shown on the Plans of Record.
- h) The mixed-use building, including all confined spaces, shall have code compliant sprinklers and fire suppression systems.
- i) No window air conditioning units shall be allowed, and central air conditioners shall be provided for all units.
- j) The exterior of the building shall be constructed substantially as represented in the Plans of Record with amenities identified provided.
- k) The Project shall be serviced by municipal sewer and water, at the Applicant sole expense, in accordance with all the Town's technical requirements. The Applicant shall pay applicable water and sewer fees unless otherwise waived by the applicable Town entity.
- l) All utility work and other road work within any public right of way shall be performed and conducted in conformance with the regulations of the Town. The Applicant shall pay applicable road opening permit fees unless otherwise waived by the applicable Town entity.
- m) The Town, by and through the Board or its designee shall have continuing jurisdiction over the Project to ensure compliance with the term and conditions of this Decision.
- n) The two driveways that traverse through the Project shall remain private.
- o) All new utilities shall be located underground.

- p) All utilities shall employ energy-efficient devices and techniques per the State Building Code, which may include but is not limited to Energy Star, LED lighting, etc.
- q) The Applicant shall provide a total of sixteen (16) surface parking spaces between the townhouses, and seventy-two (72) off-street parking spaces for the mixed-use structure. The Applicant shall provide electric vehicle charging stations as provided in Section IV.3.q herein.
- r) The Applicant shall not install fruit or nut bearing trees or shrubs over sidewalks, walkways, or near crosswalks to prevent mobility challenges for pedestrians.

10) **WAIVERS:**

Following completion of the public hearing, the Board voted to act (“Waiver Action”) on the waivers (“Waivers”) requested by the Applicant as set forth on **Exhibit E**. Any waiver from local requirements not expressly granted herein shall be deemed denied, even if shown on the Plans of Record, but if the Applicant wishes to return to the Board to request additional specific waivers in the future, it may do so in accordance with 760 CMR 56.05(11). To the extent any such requested waivers are consistent in all material respects with the Plans of Record approved by this Decision, such approval by the Board shall be deemed to be an insubstantial change under 760 CMR 56.05(11)(b). The grant of the Comprehensive Permit and the Waiver(s) is expressly conditioned upon compliance with all conditions of approval imposed and adherence to the facts and circumstances noted in this Decision and the Waiver Action.

11) **LAPSE AND CHANGE:**

This permit shall expire if this Comprehensive Permit is not duly recorded and construction is not commenced within three (3) years from the date it is filed by the Board with the Town Clerk, as provided in 760 CMR 56.05(13)(c). For purposes of this paragraph only, commencement of construction is defined as the construction of a building foundation. The Applicant may apply to the Board for extensions of this Comprehensive Permit in accordance with 760 CMR 56.05(12)(c). In addition, construction in accordance with this Comprehensive Permit shall be commenced within three (3) years of the Comprehensive Permit taking final effect and all appeals of any other permits have become final and beyond appeal, or approval of any further construction of units not already begun shall lapse. Any extension may not be unreasonably withheld, delayed, or denied due to other project(s) built or approved in the interim and an extension of the Comprehensive Permit shall not, but itself, constitute a substantial change pursuant to 760 CMR 56.07(4). As required in accordance with 760 CMR 56.00 et seq. the Applicant has submitted preliminary site and architectural plans for approval. It is anticipated that “Minor Changes” will be made to these preliminary plans as they are finalized. “Minor Changes” to approved plans shall be considered those changes that do not materially affect the location of, or increase the height or massing of the structures, or increase the number of units contained in the residential structures. Minor Changes shall be submitted to the Building Commissioner who shall have authority to

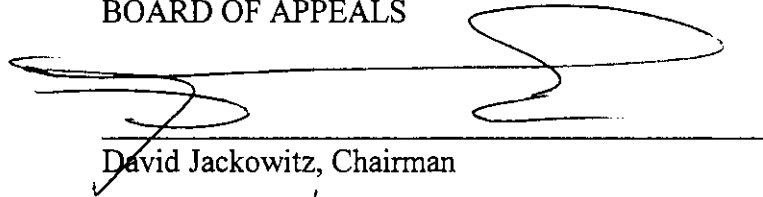
approve such changes as immaterial changes, by granting of a Building Permit or modification thereto. In the event the Building Commissioner determines that the proposed changes do not conform to the requirements of this Comprehensive Permit, he/she shall so notify the Applicant and the Applicant shall seek approval from the Board for the change in accordance with 760 CMR 56.05(11) or bring the plans in conformance with this Decision.

12) **VALIDITY AND TRANSFER OF THE COMPREHENSIVE PERMIT**

- a) This Comprehensive Permit shall run with the land and be binding on the Applicant and any of its assignees and successors in interest at the Property or with respect to the Project. Any transfer of this Comprehensive Permit prior to substantial completion of the Project or a phase thereof shall be subject to written confirmation from the Subsidizing Agency and otherwise subject to 760 CMR 56.05(12)(b).
- b) Any person aggrieved by this Decision may appeal to a court of competent jurisdiction within 20 days as provided by G.L. c. 40B sec. 20 et seq or G.L. c. 40A sec. 17.

The above document accurately sets forth the Board's determination.

NATICK ZONING
BOARD OF APPEALS



David Jackowitz, Chairman

Date: JUNE 13, 2022

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TOWN CLERK-NATICK

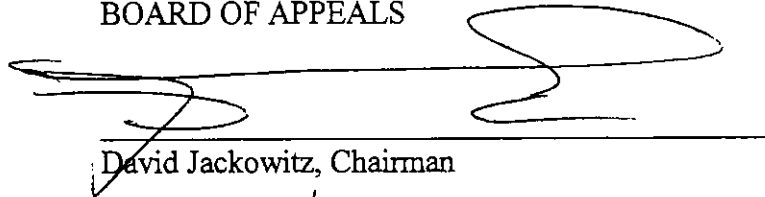
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The above document accurately sets forth the Board's determination.

NATICK ZONING
BOARD OF APPEALS



David Jackowitz, Chairman

Date: JUNE 13, 2022

**** NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK OF NATICK ****

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Natick Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Attest:



Diane Packer, Town Clerk

Date

TOWN CLERK-NATICK

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EXHIBIT A
HEARING DATES

- (1) December 6, 2021 Opening of public hearing, continued to December 13, 2021;
- (2) December 13, 2021, further continued to January 25, 2022;
- (3) January 25, 2022, further continued to February 28, 2022;
- (4) February 28, further continued without testimony to March 14, 2022;
- (5) March 14th, 2022, further continued to March 28, 2022;
- (6) March 28, further continued to May 2, 2022;
- (7) May 2, 2022, further continued to May 31, 2022;
- (8) May 31, 2022, further continued to June 9, 2022;
- (9) June 9, 2022

EXHIBIT B
DOCUMENT LIST

Letters prepared by Joseph Peznola of Hancock Associates, dated December 22, 2021, March 25, 2022, and April 29, 2022.

Letters prepared by Jeffrey S. Dirk of Vanasse & Associates, Inc., dated December 31, 2021, January 26, 2022 and March 24, 2022.

Letter from Michael K. Boudreau of Natick Board of Health dated November 10, 2021.

Letter from William E. McDowell of Natick Department of Public Works dated November 12, 2021.

Letter from Claire Rundelli, Natick Conservation Agent and Open Space Planner dated November 9, 2021.

Letter from Natick Planning Board dated May 24, 2022.

EXHIBIT C
PLANS OF RECORD

- (1) Civil plans of VHB entitled “Mixed Use Development, East Central, Wilson, and Lincoln Streets Natick, MA 01760” (10 sheets), dated October 7, 2021, updated through May 20, 2022, Cover Sheet through L2-01, including:
 - Cover Sheet;
 - C1.01 Legend and General Notes;
 - C2.01 Layout and Materials Plan;
 - C3.01 Grading, Drainage, and Erosion Control Plan;
 - C4.01 Utility Plan;
 - C5.01-03 Site Details (3 sheets);
 - L1.01 Landscape Plan; and
 - L2.01 Landscape Details.
- (2) Survey Plan entitled June 10, 2016 of Eaglebrook Engineering & Survey, dated June 10, 2016, updated through October 26, 2021, Sheet SP-1.
- (3) Site Lighting Photometric Calculations of APEX Lighting Solutions, dated April 22, 2022, Sheet SI-1D.
- (4) Plans, Elevations, and Renderings of Finegold Alexander, dated October 8, 2021, updated through May 20, 2022 (originally A110-A404 with 16 sheets, as updated A-100-A405 with 17 sheets), including:
 - A100 Parking Plan;
 - A101 Level 1 Plan;
 - A102 Level 2 Plan;
 - A103 Level 3 Plan;
 - A104 Level 4 Plan;
 - A105 Roof Plan;
 - A200 Exterior Elevations;
 - A201 Exterior Elevations;
 - A202 Rendered Elevations;

A203 Rendered Elevations;
A300 Sections;
A400 Typical Townhome Plans;
A401 Typical Townhome Plans;
A402 Typical Unit Plans;
A403 Typical Unit Plans;
A404 Typical Unit Plans; and
A405 Typical Unit Plans.

- (5) Preliminary Subdivision Plan sheet of Eaglebrook Engineering & Survey, LLC, dated March 28, 2022, Sheet S-1.
- (6) Stormwater Memorandum of VHB, dated October 13, 2021, revised through April 25, 2022.
- (7) Transportation Impact and Access Study of VHB dated October 8, 2021.
- (8) Waiver request list, updated through April 28, 2022.
- (9) Vehicle Turning Drawing entitled, "Fire Truck Movements, St. Patrick Mixed-Use Development" prepared by VHB, dated May 2, 2022.

EXHIBIT D
UNIT MIX

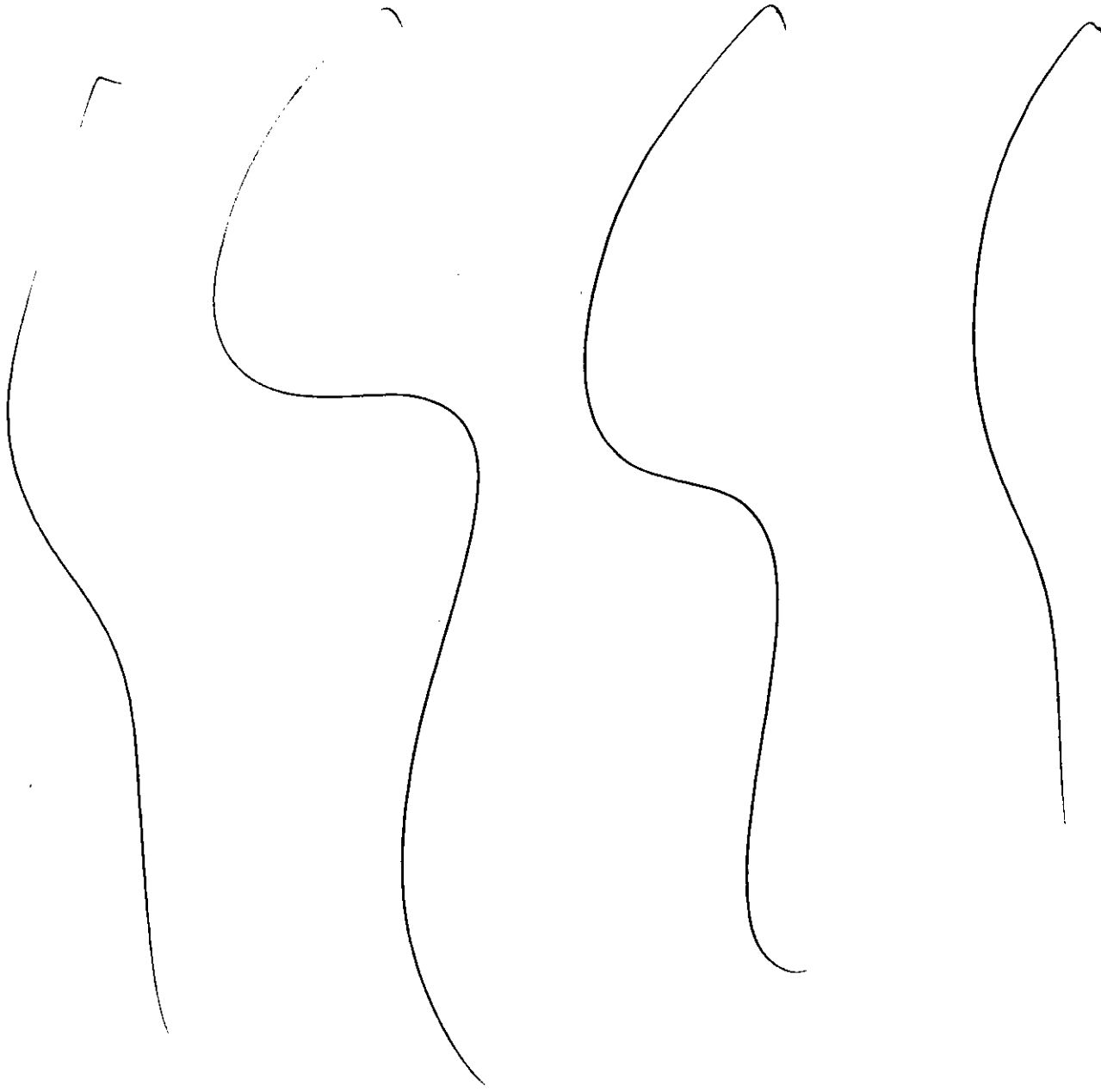


EXHIBIT E
WAIVERS

Stonegate St Patrick LLC
ZBA Case # 2021-057

List of Waiver Requests from
Local Zoning Bylaws and Town Bylaws
40B Comprehensive Permit Application

I. Zoning Bylaws of the Town of Natick

Section	Subject	Requirement	Request
Zoning Bylaws			
III-A.5	Aquifer Protection District	Aquifer Protection District regulations, as administered by the Natick Planning Board	The Applicant requests a waiver from these rules and regulations so that the Zoning Board of Appeals shall be the issuing authority under the Aquifer Protection District for approvals, and that the Project will be developed in accordance with M.G.L. 40B, Sections 20-23 and 760 CMR 56.00 ("Comprehensive Permit Regulations"), and the Project will be subject to approval by the Zoning Board of Appeals.
III-E.3(b)(1)	Downtown Mixed Use ("DM") District Regulations, Front Yard Dimensions	15'	The Applicant requests a waiver from this section to permit a reduced front setback for the mixed use building as shown on the Site Plan, including: on Wilson Street (approximately 10') and Lincoln

			Street (approximately 10'); and also where the upper floor overhang intrudes into the setback at 45 East Central Street (approximately 13'), at Wilson Street (approximately 6') and Lincoln Street (approximately 6'). The front yard at the street level on East Central Street of the building is otherwise compliant for front setback.
II-E.3(d)	DM District Regulations, Maximum Height	50'	The Applicant requests a waiver from this section to permit a height of approximately 58' for the mixed-use structure to be located at 45 East Central Street.
III-E.4	DM District Regulations, Design Review	Design review process as administered by the Natick Design Review Board	The Applicant requests a waiver from these rules and regulations in their entirety, so that the Project will be developed in accordance with the Comprehensive Permit Regulations, and the Project will be subject to approval by the Zoning Board of Appeals.
III-E	DM District Regulations	DM District Dimensional, Use, and Design Requirements	The Applicant requests a waiver from this section in its entirety for such portion of the property located on proposed

			<p>Lot 2 and 3, which are partially zoned "DM", to permit requirements consistent with the RG District as apply to the balance of proposed Lots 2, 3, 4, and 5 as shown on the Site Plan. This waiver request is also so that the Project shall be in accordance with the Development Agreement by and between the Town of Natick and the Applicant dated February 5, 2020, as amended.</p>
IV-A.6	Intensity Regulations – Driveways	Prohibition of shared driveways for residential structures unless approved by Planning Board under Site Plan Review	<p>The Applicant requests a waiver from this section in its entirety to permit four duplex residential structures to share a driveway for proposed Lots 2, 3, 4, and 5 as shown on the Site Plan, subject to such requirements as the Zoning Board of Appeals deems appropriate. This request is also made so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to review and approval by the Zoning Board of Appeals.</p>

IV-B	Intensity Regulations – Lot Area in the RG District	12,000 square feet	The Applicant requests a waiver to permit lot areas of approximately 11,900 sf in the RG District for proposed Lots 2, 3, and 5 shown on the Site Plan. The townhouse portion of the Project cannot be provided without this waiver.
IV-B	Intensity Regulations – Frontage in the RG District	100'	The Applicant requests a waiver to permit frontage in the RG District of approximately 91' for proposed Lots 2, 3, 4 and 5, as shown on the Site Plan. The proposed lots comply with the lot width requirement in the RG District set forth in Section IV-A.7. The townhouse portion of the Project cannot be provided without this waiver.
IV-B	Intensity Regulations – Front Setback in the RG District	30'	The Applicant requests a waiver to permit front setback in the RG District of 15' for proposed Lots 2, 3 4, and 5, as shown on the Site Plan. The proposed front setbacks are consistent with neighboring residential properties and allow more usable open space for residents in the rear yards of the townhouse units.

V-D	Off Street Parking and Loading requirements	Submission of a separate Off-Street Parking Plan per V-D.19(a) and Storage Plan per V-D.19(b), subject to review by the Building Commissioner	The Applicant requests a waiver from requirements to provide an Off-Street Parking and Storage Plan where information is shown on the Site Plan. This is also requested so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to review and approval by the Zoning Board of Appeals.
V-D.6	Location of Required Parking Spaces	Location of required parking spaces normally located on same lot as building served	The Applicant requests a waiver from requirements of V-D.6 to allow shared parking between proposed Lots 2, 3, 4, and 5 for the proposed townhouse units.
V-E	Waivers and Modifications	Increases and decreases in regulatory factors, with applicability, findings, limits, and prohibitions per Section V-E.1 through 4	The Applicant requests a waiver from these rules and regulations in their entirety so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to approval by the Zoning Board of Appeals.
VI-E	Board of Appeals	Appeal process and vote requirements	The Applicant requests a waiver from these rules and regulations so that the Project will be developed in accordance with the

			Comprehensive Permit Regulations, subject to approval by the Zoning Board of Appeals by majority vote, and appeal process set forth in the Comprehensive Permit Regulations.
V-J	Inclusionary Affordable Housing	Inclusionary Affordable Housing requirements, including process, review by Planning Board, mandatory provisions, rules, periodic reviews by Select Board and Planning Board, pricing, and marketing preferences	The Applicant requests a waiver from these rules and regulations in their entirety so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to approval by the Zoning Board of Appeals. The Applicant would anticipate a condition that it provide all affirmative marketing materials to the Board prior to implementation.
VI-DD	Site Plan Review	Review process by SPGA and rules, as administered by the Natick Planning Board in the DM and RG District	The Applicant requests a waiver from these rules and regulations in their entirety so that the Project will be developed in accordance with the Comprehensive Permit Regulations, and the Project will be subject to review and approval by the Zoning Board of Appeals.

Section	Subject	Requirement	Request
Town Bylaws			
Article 79A	Stormwater Management and Erosion Control	The Conservation Commission is the issuing authority for construction approvals, including Land Disturbance Permit and other required permits and plans	The Applicant requests a waiver from these rules and regulations so that the Zoning Board of Appeals be the issuing authority under Article 79 for approvals, so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to approval by the Zoning Board of Appeals.
Town of Natick Rules And Regulations Governing Subdivision of Land ("Subdivision Regulations")	Subdivision of Land	Preliminary and Definitive Subdivision Plan submission to the Planning Board, content requirements, application requirements, hearing and notice requirements, bonds and performance guaranty, compliance with zoning bylaws, and submission with applicable fees to Board of Health and Public Works, OR submission requirements for a Plan Believed Not to Require Approval ("ANR") to the Planning Board, including filing fee and notice to Town Clerk	The Applicant requests a waiver from these rules and regulations so that the Zoning Board of Appeals may be the issuing authority and approver or endorser of plans showing subdivision of land as shown on the Preliminary Subdivision Plan, so that the Project will be developed in accordance with the Comprehensive Permit Regulations, subject to approval by the Zoning Board of Appeals. Relief from subdivision filing requirements are requested because no road is proposed, and the land is adequately shown on the Site

			<p>Plan stamped by a Professional Engineer, with grades, topography, and drainage clearly indicated for review by the Zoning Board. Upon the expiration of the appeal period following the issuance of the Comprehensive Permit, the Applicant shall submit to the Zoning Board for endorsement a plan capable of being recorded with the Middlesex South Registry of Deeds to establish the new property boundaries within the Property.</p>
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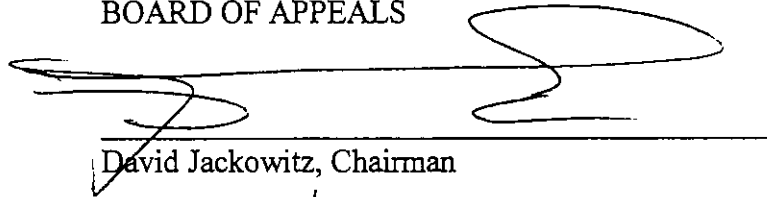
approve such changes as immaterial changes, by granting of a Building Permit or modification thereto. In the event the Building Commissioner determines that the proposed changes do not conform to the requirements of this Comprehensive Permit, he/she shall so notify the Applicant and the Applicant shall seek approval from the Board for the change in accordance with 760 CMR 56.05(11) or bring the plans in conformance with this Decision.

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- b) Any person aggrieved by this Decision may appeal to a court of competent jurisdiction within 20 days as provided by G.L. c. 40B sec. 20 et seq or G.L. c. 40A sec. 17.

The above document accurately sets forth the Board's determination.

NATICK ZONING
BOARD OF APPEALS



David Jackowitz, Chairman

Date: JUNE 13, 2022

**** NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK OF NATICK ****

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Natick Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Attest:



Diane Packer, Town Clerk

7/7/2022
Date

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