

## Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

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Doc#	Document Type	Town	Book/Page	File Date	Consideration
117020	DECISION		80515/109	08/01/2022	
<b>Property-Street Address and/or Description</b>					
28 ELLIOT ST					
<b>Grantors</b>					
NATICK TOWN, ENTRUST GROUP INC					
<b>Grantees</b>					
<b>References-Book/Pg Description Recorded Year</b>					
<b>Registered Land Certificate(s)-Cert# Book/Pg</b>					



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## BEFORE THE NATICK PLANNING BOARD

**Applicant/Owner:** The Entrust Group Inc.  
555 12<sup>th</sup> Street, Suite 900  
Oakland, CA 94607

Project: Acrobatic and Dance School

Decision: 14-21

**Situs:** *Assessors' Map: 55 Lots 34A & 34B*

79926-303

## **SPECIAL PERMIT/SITE PLAN MODIFICATION**

**Statement of Facts:**

The Applicant, The Entrust Group, Inc. submitted a request for a Special Permit to allow an acrobatic and dance school as per Section III-J of the Natick Zoning Bylaw. The Applicant is proposing to rehabilitate and modify an existing building for a performing arts use with a portion of the basement being converted into residential space for one of the owners. The parcel is shown on Assessors' Map 55 Lots 34A & 34B. The parcel lies within the Residential Single Family District (RSA) zoning district.

The Applicant submitted the following plans: Plan entitled, Schematic Design Site Plan (L'Eglise du Cirque) 28 Eliot Street Natick MA 01760, Prepared by Good Landscape Studio and Runcible Studios LLC dated September 20, 2021.

### **Statement of Facts of Public Hearing:**

Notice of the Public Hearing by the Board on the matter of Special Permit/Site Plan Modification was published in the MetroWest Daily News on July 28, 2021 and on August 4, 2021. Notice of the hearing was also sent to all "parties of interest" as certified by the Boards of Assessors of the Town of Natick and posted in the Town Hall as required by Chapter 40A, Section 11, Massachusetts General Laws.

The Public Hearing by the Board on the matter of a Special Permit was commenced on August 11, 2021 and continued to September 1, 2021 and September 23, 2021 when the Board voted to close the Public Hearing.

At the public hearing, the Applicant presented testimony and comments were received from the public and Town Departments.

**Reports of Town Agencies:**

The Board received comments from:

- Development Review Planner, Matthew Benoit, CED Staff Memo dated August 4, 2021

**Findings:**

After considering all of the information and materials that it received, including the Plans, reports of the Applicant's consultants, correspondence received and comments made at the Public Hearing, the Board makes the following findings:

1. The site is located in the Residential Single Family (RSA) zoning district. In accordance with Sections VI-DD.2.A.1 and III-J, the Planning Board is the Special Permit Granting Authority (SPGA) for the project.
2. The Plans and other materials submitted are in compliance with the requirements of Section VI-DD. 3.b.
3. The Project complies with all applicable regulations and standard engineering practices and, as such, will not pose a negative impact.
4. The project is an interior renovation of existing space for a new tenant. The plans include a new parking area, site drainage, and modified landscaping.
5. With respect to the criteria for approval for Site Plan required by Section VI-DD.5a-f of the Natick Zoning Bylaw, the following findings are made:
  - a) Compliance with Zoning By-Law: The Board finds that the proposed Project is in compliance with all provisions of the By-law;
  - b) Protection of Adjoining Premises: The Board finds that the site does not include seriously detrimental or offensive uses;
  - c) Convenience and Safety of Vehicular and Pedestrian Movement: The Board finds that the Final Site Plan provides for adequate convenience and safety of vehicular and pedestrian movement to and from the property;
  - d) Disposal of Wastes: The Board finds that disposal of wastes is deemed adequate.
  - e) Prevention of Pollution: The Board finds that the project does not have adverse effects with regards to pollution;
  - f) Protection of Significant Features: The Board finds that the building is being preserved with minor modifications.

With Respect to Standards for Site Plan Review required by Section VI-DD.6 of the Bylaw, the following findings are made:

- a) Preservation of Landscape: The Final Site Plan proposes new landscaping changes to enhance the property;
- b) Relation of Buildings to Environment: Buildings and other structures are in harmony with the terrain and with the use, scale and siting of existing buildings in the vicinity

that have functional or visual relationship to the project and are sited to minimize disruption to Site topography;

- c) Open Space: The site is already developed and does not contain protected open space.
- d) Circulation: Site design has addressed entrances, walkways, drives and parking and general interior circulation to maximize use and enjoyment of the proposed building and neighboring properties;
- e) Surface Water Drainage: on site drainage system appears adequate;
- f) Groundwater Recharge and Quality Preservation: A rain garden will provide natural ground water discharge and preserve overall quality;
- g) Utilities: No changes proposed to on-site utilities;
- h) Advertising: Identifying signage will meet the requirements of Section V-H of the By-Law;
- i) Other Site Features: None;
- j) Safety: Site safety features will be consistent with recommendations from public safety officials.

With Respect to Decision Criteria for Special Permits required by Section VI-DD.2.A.3(b) of the By-Law, the following findings are made:

- A) Social, economic, or community needs which are served by the proposal – The Board finds that the project meets community needs for economic development in the Natick community;
- B) Adequacy of traffic flow and safety, including parking and loading – The Board finds that the project adequately addressing traffic flow and safety, and meets the parking and loading requirements of the Town Bylaws;
- C) Adequacy of utilities and other public services – The Board finds that the project adequately accommodates and connects to utilities and public services;
- D) Neighborhood character and social structures – The Board finds that the project adequately fits the neighborhood character and social structures of the community as it is the restoration and occupation of a historically significant building;
- E) Impacts on the natural environment – The Board finds that the impacts on the natural environment are minimal;
- F) Potential fiscal impact, including impact on town services, tax base, and employment – The Board finds that the fiscal impact from the project on Town Services and tax base will be positive for the Town;
- G) Conformity with the purposes and objectives of both this Zoning Bylaw and the district in which the property is situated – The Board finds that this project conforms to the purposes and objectives of the Zoning Bylaw.

With Respect to Decision Criteria for Special Permits required by Section III-J.9 of the By-Law, the following findings are made:

- A) The proposed project substantially preserves the building or structure;
- B) The development is not substantially more detrimental to the abutting properties and neighborhood;
- C) The project shows appropriate use of materials and manner of construction;
- D) The proposal preserves landscape features and scenic views.

**DECISION:**

After deliberation and consideration of all of the foregoing, and after making the specific findings as set forth herein, the Planning Board, at its meeting on September 23, 2021, voted to grant Special Permit pursuant to Section VI-DD of the Natick Zoning Bylaws, subject to the following conditions:

1. All construction must be carried out substantially in accordance with the Final Site Plan, elevations, and accompanying materials dated September 20, 2021;
2. The applicant must coordinate with the tree warden to consider disease-resistant elm or hickory plantings as part of the landscaping plan.

(signatures on next page)

## NATICK PLANNING BOARD

Member  
John M. Deller  
John M. Deller

Member Peter Dutton 09.03.21

Date: September 23, 2021

**\*\* 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: D. C. D. K.  
Town Clerk

### **Town Clerk**

7/29/22  
*Date*