

**PLANNING BOARD
CITY OF QUINCY
MASSACHUSETTS
RECORD AND DECISION
118 Old Colony Avenue, 54 & 60 Warren Avenue
Planning Board Case #2015-40**

LOCUS: 118 Old Colony Avenue
54 & 60 Warren Avenue
Quincy, MA 02169
Assessors Map 5084, Lot 46, 66 & 67

ZONING DISTRICT: Industrial B
Residential B

OWNERS: Joseph S. Boncaldo
JR Realty Trust
C/O 118 Old Colony Ave LLC
72 Beale Street
Quincy, MA 021710

APPLICANT: 118 Old Colony Avenue, LLC
54 Warren Avenue, LLC
60 Warren Avenue, LLC
Philip Boncaldo, Manager
76 Beale Street
Quincy, MA 02170

ATTORNEY: Christopher Harrington, Esq.
21 McGrath Highway, Suite 301
Quincy, MA 02169

ENGINEER: Erin Joyce
Joyce Consulting Group
100 Wyman Road
Braintree, MA 02184

ARCHITECT: David Kinsella
D.A. Kinsella Company
7 Bridge Street
Billerica, MA

2015 OCT 25 AM 10:14
CITY CLERKS OFFICE
QUINCY, MASS 02169

DRAWINGS & REPORTS: *(ALL INCORPORATED HEREIN BY REFERENCE)*

- A thirteen (13) page site plan entitled “Warren Place, 118 Old Colony Ave., 54-56 Warren Ave & 60-62 Warren Ave., Quincy, MA 02170” prepared by d.a. Kinsella Company and Joyce Consulting Group, 100 Wyman Road, Braintree, MA 02184 dated as follows:

| Sheet #/Plan Description | Plan Date | Recent Revision Date |
|--|-----------|----------------------|
| A-0.0 Cover Sheet | 8/5/15 | 9/9/15 |
| EX-1 Existing Conditions | 05/20/15 | 09/09/15 |
| C-0 Site Prep Plan | 05/20/15 | 09/09/15 |
| C-1 Site Grading & Layout | 05/20/15 | 09/09/15 |
| C-2 Site Utility Plan | 05/20/15 | 09/09/15 |
| C-3 Site Details | 05/20/15 | 09/09/15 |
| L-1 Landscape Plan | 09/09/15 | |
| (Prepared by Cosmos Associates, 5 Longview Street, Natick, MA) | | |
| P-1A Parking Level Plan | 8/5/15 | 9/9/15 |
| A-1.1 First, Second and Third Floor Plans | 8/5/15 | 9/9/15 |
| A-1.2 Fourth Floor and Roof Plan | 8/5/15 | 9/9/15 |
| A-2.1 Old Colony Ave. and South Elevations | 8/5/15 | 9/9/15 |
| A-2.2 North and Warren Ave Elevations | 8/5/15 | 9/9/15 |

- A Stormwater Report dated May 5, 2015 prepared for Philip Boncaldo, 72 Beale Street, Quincy, MA 02169 Submitted by: Joyce Consulting Group, 100 Wyman Road, Braintree, MA
- Appendix I, Amended Information to Stormwater Report, 118 Old Colony Avenue, Quincy, Massachusetts, JCG#14-025, dated 07/10/15
- A Traffic Impact Assessment for New Apartment Building at 118 Old Colony Avenue in Quincy, Massachusetts Prepared for B&D Property Management, Quincy, Mass., Prepared by Gillon Associates dated July 2015.

ACTION ON APPLICATION FOR SPECIAL PERMIT/SITE PLAN REVIEW:

APPROVED WITH CONDITIONS

VOTE: (Y) William Geary (Y) Richard Meade (Y) Glen Comiso (Y) Coleman Barry
(Y) Sean Callaghan

**SITE PLAN APPROVAL AND SPECIAL PERMIT APPLICATION FOR
118 Old Colony Avenue, 54 & 60 Warren Avenue
Planning Board Case No. 2015-40**

In accordance with the provisions of Chapter 40A, Section 11 MGL, the Quincy Planning Board held a public hearing on **Wednesday, July 15, 2015 at 7:20 P.M.** which was opened and continued to Wednesday August 12, 2015 at 34 Coddington Street, 1st Floor, Room 121, Quincy, MA, on the application of 118 Old Colony Avenue, LLC, 54 Warren Avenue, LLC, &

60 Warren Avenue, LLC, Philip Boncaldo, Manager, 76 Beale Street Quincy, MA 02170, for Site Plan Review under Quincy Zoning Ordinance Title 17, Section 9.5.1 (Site Plan Review) and Special Permit under Quincy Zoning Ordinance Title 17, Section 5.1.17 (Parking). The proposal was to construct a new fifty two (52) unit, 4 story residential building containing approximately 38,525 square feet of living area and 43 parking spaces. On August 6, 2015 the Applicant submitted revised plans showing a forty (40) unit, 4 story residential building containing approximately 35,670 square feet of living area and 36 parking spaces. The property contains approximately 17,680± square feet of land and is located at 118 Old Colony Avenue, 54 & 60 Warren Avenue. The land is within Industrial B and Residential B Zoning District and is shown on Assessors Map 5084, Lot 46, 66 & 67.

A notice of public hearing on this application was advertised as follows, a true copy of which is on file in the office of the Planning Board:

- 1) Published in The Patriot Ledger, a newspaper of general circulation in the City of Quincy, on Wednesday, July 1, 2015 and Wednesday, July 8, 2015.
- 2) Posted at the City Clerk's office June 25, 2015.
- 3) Mailed June 26, 2015 to the petitioner, abutters, owners of the land directly opposite the property in question on any public or private street or way, abutters to abutter within 300 feet of the subject property.

FINDINGS

After thorough analysis and deliberation, the Planning Board finds that the Applicants have complied with all pertinent provisions of the Quincy Zoning Ordinance Title 17, Section 9.4 (Special Permit), 9.5.1 (Site Plan Approval) and Special Permit under Section 5.1.17 (parking waiver) and all other pertinent sections of the Quincy Zoning Ordinance subject to compliance with the conditions contained herein. Specifically, the Planning Board finds that:

Applicant is seeking Site Plan Review under Quincy Zoning Ordinance Title 17, Section 9.5.1 and Special Permit under Section 5.1.17 (parking waiver) to construct a new forty (40) unit, 4 story residential building containing approximately 35,670 square feet of living area and 36 parking spaces. The property contains approximately 17,680± square feet of land and is located at 118 Old Colony Avenue, 54 & 60 Warren Avenue. The land is within Industrial B and Residential B Zoning District and is shown on Assessors Map 5084, Lot 46, 66 & 67

The project will require variances from the Zoning Board of Appeals for a residential use in an Industrial Zoning District and for setbacks.

The Planning Department engaged the independent engineering peer review services of H. W. Moore Associates, Inc. H. W. Moore worked closely with the City and the Applicants' engineering team in its thorough review of the project. Planning Board peer review resulted in revisions to the proposed site plans. H. W. Moore Associates, Inc. issued a final peer review report on August 6, 2015. Also, the following City of Quincy Departments issues comments for the record: Department of Public Health, Department of Public Works, and Fire Department. Recommendations and conditions are predicated on comments furnished by the City's interdepartmental review and peer review.

The Applicant has responded satisfactorily to the Peer Review and City Departmental comments.

Based on the City of Quincy interdepartmental review and the outside peer reviewer and after taking into account the characteristics of the site and of the proposal in relation to that site, the Board holds that in accordance with the City of Quincy's Zoning Ordinance Section 9.4.2 the proposed use or structure(s) shall not cause substantial detriment to the neighborhood or the City.

Specifically the Board considered the Community needs served by the proposal. There is an identified need in the City of Quincy for adequate housing. The proposed Project provides new, energy efficient and safe housing for the City and the neighborhood. The Project will comply with all current building and life safety codes for new residential construction. The Project will contribute affordable units to the City of Quincy Affordable Housing Trust.

The majority of the proposed building is located in the Industrial B zoning district. A small portion of the building extends into the Residence B zoning district. The Applicant has been granted a variance to allow residential use in an industrial zone as well as setback variances from the Zoning Board of Appeals. The property is not subject to the jurisdiction of any state or local environmental laws or regulations.

The proposed Project as presented is consistent with the City of Quincy requirements for providing adequate access to the proposed structure for fire and service equipment and has provided adequate provisions for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Special Permit &/or Site Plan Review Rules and Regulations and the Quincy Stormwater Ordinance. The public utilities have been determined to be adequate to serve the needs of the additional residents of this project.

Several large commercial buildings exist on the street and the Project is not inconsistent with the size, height and character of those existing structures. The proposed building is an aesthetically attractive structure which is designed to be consistent with the style of the older historic commercial buildings located in the vicinity of the Project and has its main façade on Old Colony Avenue in the Industrial B zoning district.

Traffic impacts have been studied and reviewed by the City Traffic Engineer and by the City's Peer Review Consultant. Traffic impacts have been determined to be minor and no substantial detriment is anticipated. The majority of the parking is located under the building where it is shielded from view of public ways and adjacent residences and where glare from headlights is reduced. The Applicants have indicated that they will market the units to residents who will utilize the City's public transportation system and alternate means of transportation rather than own automobiles. The project is within .4 miles of the Wollaston MBTA train station. The City's report "Envisioning Wollaston" recommends that the City "Support the creation of new housing units near the City's transit stations (Red Line, Commuter Rail, and Ferry)." The Board finds that the reduction in parking spaces is supported by the close proximity of the site to the Wollaston MBTA Station.

DECISION

Now, therefore, by unanimous vote, the Planning Board hereby approves the subject application for Site Plan Review under Quincy Zoning Ordinance Title 17, Section 9.4 Special Permit, Section 9.5.1 Site Plan Review and Special Permit under Section 5.1.17 (parking waiver), with authorization for the subject construction in accordance with the above referenced and approved plans, subject to the below listed Special and General Conditions.

CONDITIONS

1. The project is subject to the Inclusionary Zoning Ordinance. The Applicant shall contact the Affordable Housing Trust Committee (AHTC) for their recommendation related to on-site units or cash in lieu of such units.
2. The Applicant shall seek approval from the City of Quincy Zoning Board of Appeals or Zoning Enforcement Officer, as appropriate, for any required variances from the City of Quincy Zoning Ordinance which are not under the authority of the Planning Board.
3. The Applicant shall address all comments raised by the City's Peer Review Consultants, in Comment Letter dated August 6, 2015.
4. The Applicant shall adhere to any comments issued by the City Traffic Engineer in their final review of the proposed plan.
5. The Applicant shall develop a Construction Management Plan for site work and any utility work within the public way, which shall be provided and approved by the City's Traffic Engineer prior to construction.
6. The applicant shall perform a water flow test with the City's Water Department.
7. The Applicant shall provide calculation to show the 80% TSS removal rate for the Stormceptor.
8. The maintenance plan for the drainage system should include the following information:
 - Estimate operation and maintenance budget.
 - Snow Management Plan
 - The transfer of ownership and maintenance obligation to the new owners.
 - Records of inspections and maintenance shall be up to date and available for review and inspection, if requested by the City's official.
9. The Stormwater maintenance plan shall be recorded at the Norfolk County Registry of Deeds.
10. The Applicant shall provide details on garage floor drain and the connection details to sewer main.
11. The Applicant shall provide calculations to show the proposed 2" water service is adequate for 40 units.
12. The Applicant shall install a clean out for the sewer service pipe. The proposed clean out for the sewer pipe should have two 22.5 degree elbows and one 45" degree elbow. (Details can be obtained from City's Sewer Department)
13. The Applicant shall indicate how many gallons per day of new wastewater will be generated due to the development. And will submit measures to offset the increased wastewater flows.
14. The Applicant shall clarify the elevation of the proposed 8" sewer pipe.

15. The existing sidewalk in front of the proposed development on Old Colony Avenue and Warren Avenue shall be reconstructed instead of individual patchwork for the utility trenches and driveway entrances.
16. The Applicant shall provide to the City's Water and Sewer Department a TV inspection of the existing utilities within the property.
17. The Applicant shall verify whether an easement exists with the City to relocate the existing sewer lines.
18. The City's 18-inch drain pipe will need to be relocated and a new drain easement established. The proponent will need an easement agreement with the City prior to construction.
19. The Applicant shall submit a color rendering of the building.
20. The Applicant shall adhere to all comments raised in the interdepartmental memo from the Department of Health dated July 7, 2015 regarding Rodent Control, Environmental Controls (Dust and Noise), Miscellaneous (Demolition and State Sanitary Code).
21. The applicant shall ensure that any renovation activities be conducted in accordance with applicable regulations with respect to lead-safe practices. Further, the applicant shall conduct a survey to ascertain the presence of environmental hazards that could be disturbed during renovation; and if present, the applicant shall take proper care in the removal and disposal of any potential hazardous materials.
22. The Applicant shall install stone or concrete survey monuments to delineate the public right-of-way. The monuments shall be set by a professional land surveyor and be installed prior to the acceptance of as-built plans.
23. Upon completion of the project, the applicant shall furnish along with the digital file as built plans showing all utilities, building footprints, reference bounds and benchmarks defining the total site, facilities and rights of way.
24. The applicant shall address any other outstanding issues raised in the interdepartmental review of the proposed project.
25. The terms and conditions of this Site Plan Review, Special Permit shall inure to the benefit of, and be binding upon, all successor owners of the project site.
26. The hours for construction activities and delivery of materials will be as follows:
 - 7:00 am to 5:00 pm Monday thru Friday
 - 8:00 am to 4:00 pm Saturday.
 - All construction and deliveries shall be prohibited on Sunday unless same are approved by the Building Commissioner.

GENERAL CONDITIONS

1. **REQUIRED CERTIFICATION:** Prior to, or at the time of, submittal of the decision for endorsement, the applicant shall submit to the Planning Board a certification indicating, in effect, the following:

“I (We), _____ as representatives of/for 118 Old Colony Avenue, LLC, 54 Warren Avenue, LLC, 60 Warren Avenue, LLC, Philip Boncaldo, Manager, 76 Beale Street, Quincy, MA 02170 on this date, _____ do hereby certify that I (We) have completely read and do fully understand all Special and General Conditions of Planning Board Decision, #2015-40, dated September 9, 2015, relative to the proposed alteration of 118 Old Colony Avenue, 54-60 Warren Avenue, Quincy, MA. Furthermore, it is my (our) intention to comply fully, to the best of my (our) ability, with all aspects of the approved Site Plan and with all Special and General Conditions of the Decision.

Signature(s)

2. **RECORDING AT REGISTRY OF DEEDS:** Within sixty (60) days of the expiration of the twenty (20) day appeal period, the Applicant shall record the endorsed Decision at the Registry of Deeds. Evidence of such recording shall be submitted to the Planning Department and to the Building Commissioner prior to the initiation of any construction activities.
3. **NO DEVIATION FROM APPROVED PLAN:** There shall be no deviation from the approved Site Plan and Conditions of this Decision without prior written approval of the Planning Board or Planning Director. Minor changes to the Final Site or Development Plans may be allowed subject to the review by and the approval of the Planning Director. Substantial changes and/or plan revisions are subject to the review and approval of the Planning Board. In the event that the applicant anticipates that some deviation is either necessary or desirable, he (she) shall notify the Planning Director in writing requesting modification of the Plan or the Conditions. If the Planning Director determines that the requested modification is minor in nature, the Planning Director may grant such request. If the Planning Director determines that the modification is not minor in nature, no such request may be granted until after a subsequent Public Hearing conducted for the purpose of fully discussing such modification. No such modification shall be undertaken until such time as the Board has approved the request in writing. Any modification or deviation shall be fully processed in accordance with this General Condition prior to the applicant initiating a request for Final or Conditional Site Plan Sign-Off. In the event that the applicant intends to seek a Conditional Site Plan Sign-Off, any paving or landscaping relief shall be completely processed in accordance with this General Condition prior to the applicant initiating a request for Conditional Site Plan Sign-Off.
4. **ZONING ORDINANCE COMPLIANCE:** No aspect of this Site Plan Approval/Special Permit decision or of any Condition of Approval shall be construed in such a manner so as to alleviate an owner, applicant, assign, or successor from full compliance with all pertinent provisions and requirements of the City of Quincy Zoning Ordinance.

5. **LANDSCAPING GENERAL:** Prior to the issuance of a Certificate of Occupancy for the subject expansion, all parking areas and landscaping shown on the Plan referenced above shall be completed.
6. **LANDSCAPE MAINTENANCE:** It shall be the responsibility of the owner(s) of the site to ensure that all vegetation and landscaping is maintained in a healthy condition and that any dead or dying materials be replaced at the earliest appropriate season. Any violation of this General Condition shall be considered a violation of this Site Plan Approval and of the City of Quincy Zoning Ordinance and may be treated accordingly.
7. **REVIEW BY OTHERS:** The applicant shall secure all requisite permits prior to commencing any work under this Site Plan. We specifically call your attention to the possibility of need for permits or other approvals from the Health Department, Conservation Commission, Quincy Historical Commission, Affordable Housing Trust Fund Committee and the Department of Inspectional Services. Additionally, regulatory agencies of the Commonwealth may have jurisdiction over this project. The applicant shall address any other outstanding issues raised in the interdepartmental review of the proposed project.
8. **PLAN MODIFICATION BY OTHERS:** Should a permit from any other entity include provisions which require a revision of the Plan, such revision shall be submitted to and approved by the Planning Board prior to the start of any construction activities in accordance with General Condition 3, above.
9. **OFF-SITE WORK:** All work done off-site shall be to the satisfaction of the appropriate owner or public body having jurisdiction. In the case of City streets, public ways, City lands and easements, the work shall conform to the requirements of the Quincy Department of Public Works and to the satisfaction of the Planning Board. In the case of State roads, the work shall conform to the requirements of the Massachusetts Highway Department.
10. **TIME LIMIT APPROVAL:** If substantial use of the site under this permit or construction of this project does not begin within two years of the date of filing of this decision with the City Clerk, then the granting of these Site Plan/Special Permits shall become null and void. A new application and approval shall be necessary to proceed with such construction if no extension is granted by the Planning Board.
11. **APPROVAL SCOPE:** This Special Permit/Site Plan Approval, and the obligations of the applicant set forth in the conditions hereto, shall run with the land comprising the site and shall inure to and be binding upon the applicant, its successors and assigns (including lessees and tenants).
12. **FINAL PLANS:** Upon completion of the project, the applicant shall furnish along with the digital file as-built plans showing all utilities, building footprints, reference bounds and benchmarks defining the total site, facilities and rights of way.

13. **SITE PLAN SIGN-OFF REQUIRED** No Occupancy Permit shall be issued for the proposed expansion until the Planning Director certifies to the Building Inspector in writing that all site work indicated on the above referenced plans has been substantially completed in accordance with said plans, this decision, and all applicable Zoning Ordinances and Planning Board Rules and Regulations.
 - a. Inasmuch as the asphalt plants cease operations and trees or shrubs may not be successfully transplanted during the winter months, it is incumbent upon the Applicant to carefully schedule the work of the Site Plan to completion prior to the onset of cold weather. If for documentable reasons, beyond the Applicant's control (e.g. water use ban, bankruptcy of the contractor, etc.) the work of the Site Plan will not be completed prior to winter, the Planning Director will conduct a Conditional Final Inspection. The Planning Director and Planning Board may require a Performance Guarantee or evidence, in the form of executed and prepaid contracts, that the otherwise undone and undoable work will be completed, at the earliest possible date. If this procedure is deemed necessary and unavoidable, the Planning Director will recommend to the Building Inspector that any Temporary Certificate of Occupancy he may issue be limited to a minimal period of time (in no case should this exceed 200 days) and tied to the completion of the Site Plan.
 - b. The Board reserves the right to treat as violations of the Quincy Zoning Ordinance Section 9.5 any uncompleted work which remains undone at the termination of the Temporary Certificate of Occupancy.
14. All construction shall be in accordance with the approved drawings and reports referenced above.
15. All water services and installations shall be in accordance with the requirements of the City of Quincy Department of Public Works.

The Board affirms that all provisions of Sections 9 & 11, Chapter 40A of the General Laws and Quincy Zoning Ordinance Title 17, Section 9.5 (Site Plan Review) and Section 5.1.17 (Special Permit) were complied with as regards procedures.

The Decision shall not take effect until recorded in the Norfolk County Registry of Deeds and/or Land Court after certificate by the City Clerk, as required by MGL, Chapter 40A, Section 11. Appeals from this Decision, if any, shall be made pursuant to MGL, Chapter 40A, Section 17 and shall be filed within 20 days after the date of the filing of this Decision in the office of the City Clerk.



William Geary, Chairman



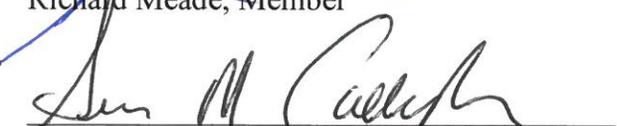
Coleman Barry, Member



Glen Comiso, Member



Richard Meade, Member



Sean Callaghan, Member

Date: 10-21-15

NOTE: It is the responsibility of the petitioner to:

1. File a copy of this Decision with the Norfolk Registry of Deeds or Land Court after certification by the City Clerk that the 20-day statutory appeal period has elapsed.
2. File duplicate copies of the receipt from the Norfolk Registry of Deeds or Land Court with the Building Inspector and the Planning Department.