

PLANNING BOARD
CITY OF QUINCY
MASSACHUSETTS
RECORD AND DECISION
150 Parkingway, Quincy, MA- Case No. 2015-43

LOCUS: 150 Parkingway, Quincy, MA 02169
Assessors Map 1147, Lot 12, Plot 3

ZONING DISTRICT: Quincy Center Zoning District-15

OWNERS: Parkingway Acquisitions, LLC
27 Eliot Street
Jamaica Plain, MA 02130

APPLICANT: Parkingway Acquisitions, LLC
27 Eliot Street
Jamaica Plain, MA 02130

ATTORNEY: Robert W. Harnais, Esq.
Mahoney & Harnais
15 Foster Street
Quincy, MA 02169

ARCHITECT: John Scanlon
SN Consulting Group
892 Worcester Street, Suite 200
Wellesley, MA 02481

2015 OCT 26 AM 10:44
CITY CLERKS OFFICE
QUINCY, MASS 02169

DRAWINGS & REPORTS: (ALL INCORPORATED HEREIN BY REFERENCE)

- A one (1) sheet Civil Engineering Plan entitled "ALTA/ACSM Land Title Survey, 31 Hancock Court/150 Parkingway, Quincy, MA" prepared by Allen and Major Associates, Inc., 100 Commerce Way, Woburn, MA, 01888, and a three (3) sheet Architectural Plan entitled "Party City – Tenant Renovation Project, 150 Parkingway, Quincy, MA" prepared by SN Consulting Group, 892 Worcester Street, Suite 200, Wellesley, MA 02481 dated as follows:

Sheet #/Plan Description	Plan Date	Recent Revision Date
1 ALTA/ACSM Land Title Survey	10/24/2012	N/A
ASP-1 Architectural Site Plan – Both Levels	07/15/2015	N/A
ASP-2 Architectural Site Plan – Lower	07/15/2015	N/A
ASP-3 Architectural Site Plan – Upper	07/15/2015	N/A

- A three (3) page letter addressed to Messrs. Patrick F.X. Cleary, Michael D’hemecourt, and Terrence Murray, Jr., Parkingway Acquisitions, LLC, 27 Eliot Street, Jamaica Plain, MA 02130, RE: Proposed Party City Retail Store, Quincy, MA 02169, dated July 21, 2015 from Jeffrey S.

Dirk P.E., PTOE, FITE, of Vanasse & Associates, Inc. Transportation Engineers & Planners, with the following attachments:

1. Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition, Land Use Code (LUC) 820 – Shopping Center.
 2. Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition, Land Use Code (LUC) 493 – Athletic Club.
 3. Untitled/undated Site Plan depicting Fenced in Construction Area and temporary Pedestrian Walkway.
 4. Three (3) pages of existing conditions photographs.
 5. A one (1) page Site Aerial photograph showing Limit Of Work (LOW).
 6. A one (1) page rendering of proposed exterior materiality, dated August 3, 2015, prepared by SN Consulting Group, 892 Worcester Street, Suite 200, Wellesley, MA 02481.
- A memo from Jay Duca, Director of Inspectional Services dated September 2, 2015 to Susan Karim, Assistant Planner re: 150 Parkingway (Party City), PB Case No 2015-43
 - A letter from Deborah Finnigan, PE dated September 8, 2015 to Margaret Hoffman, Principal Planner, Subject: 150 Parkingway

ACTION ON APPLICATION FOR SPECIAL PERMIT/SITE PLAN REVIEW UNDER SECTION 8.3.6 of the QUINCY ZONING ORDINANCE: APPROVED WITH CONDITIONS

VOTE: (Y) William Geary (Y) Richard Mead (Y) Glen Comiso (Y) Coleman Barry

(A) = Absent or not present during the entire hearing process and therefore not eligible to vote.

**SITE PLAN / SPECIAL PERMIT APPROVAL APPLICATION FOR
150 Parkingway, Planning Board Case No. 2015-43**

In accordance with the provisions of Chapter 40A, Section 11 MGL, and Title 17 of the Quincy Municipal Code, the Quincy Planning Board will hold a public hearing on Wednesday, September 9, 2015 at 8:10 P.M. at 34 Coddington Street, 1st floor, Room 121, Quincy, MA, on the application of Parkingway Acquisitions, LLC 27 Eliot Street Jamaica Plan, MA 02130, for a Quincy Center Districts Special Permit Site Plan Review under Section 8.3.6 of the Quincy Zoning Ordinance. The proposed renovation of the existing 26,951 gross square foot (g.s.f.) building includes demolition of the existing exterior façade elements that will be updated as well as interior demolition for the purposes of renovating the space for the re-tenanting associated with Party City retail store located at 150 Parkingway. The subject property is located within the Quincy Center Zoning District-15 as shown on Assessors Map 1147, Parcel 12, Lot 3.

A true copy of the application is on file in the office of the Planning Board. 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, August 26, 2015 and Wednesday September 2, 2015.
- 2) Posted at the City Clerk's office August 20, 2015.
- 3) Mailed August 20, 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 pertinent provisions of the City of Quincy, Zoning Ordinance Title 17 for Quincy Center Districts Special Permit/Site Plan Review under Section 17.8.3.6 of the Quincy Municipal Code and all other pertinent sections of the Quincy Zoning Ordinance subject to compliance with the conditions contained herein. Specifically, the Planning Board finds that:

The 150 Parkingway QCZD-Special Permit Application proposes to renovate an existing commercial building totaling 26,951 square feet. Proposed work includes demolition of the existing exterior façade elements that will be updated as well as the demolition of existing interior space for the purposes of renovating the space for the re-tenanting associated with Party City retail store.

In its QCZD-Special Permit application, the Applicant requested waivers on the following requirements:

- Transportation Impact and Analysis Items
- Independent Peer Review Fee

Due to the nature of the application being a renovation of an existing building, the Planning Department agreed to grant both of the Applicants waiver requests, as well as waiving requirements that were not applicable due to the building's existing nature, including Wind and Shadow Study, Existing and proposed contour elevations for all paved areas, Engineering feasibility studies, Plan and Profiles, Landscaping Plan, Detail Plans, Exhibit Plan and Stormwater Management Analysis & Erosion Control.

The Board finds that Applicant has complied with the pertinent guidelines as adopted in the Quincy Center District Design Guidelines for the Concourse Parkingway Subdistrict. The applicant is not proposing a redevelopment of the site but a reuse of the existing building with limited changes to the outside areas. The proposed façade changes will improve the poor pedestrian environment by providing views of ground floor activity and light from the proposed retail use. Adequate parking is provided in a lot adjacent to the building as well as on the roof of the structure. Entrance to the site is located on the primary street allowing access for pedestrians. The entrance to the roof parking area is off of Hancock Court with customers utilizing an enclosed stair case to access the commercial space. Due to the limited nature of the renovations the Applicant is unable to adhere to all design guidelines but the Board is satisfied that the proposed changes are an improvement and follow the intent of the Design Guidelines.

DECISION

Now, therefore, by unanimous vote, the Planning Board hereby approves the subject application for Site Plan/ Special Permit approval in accordance with the provisions of the City of Quincy, Zoning

Ordinance Title 17 for Quincy Center Districts Special Permit/Site Plan Review under Section 17.8.3.6 of the Quincy Municipal Code with authorization for the subject construction in accordance with the above referenced and approved plans, subject to the below listed Special and General Conditions.

SPECIAL CONDITIONS

1. The Applicant shall remove the five billboard style blank signs from the retaining wall and east side of the structure.
2. Applicant shall comply with the Inspectional Services Department comment letter dated September 2, 2015 prior to the issuance of a building permit.
3. The Applicant shall comply with the Traffic Engineer comment letter dated September 9, 2015.

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 Parkingway Acquisitions, LLC, 27 Eliot Street, Jamaica Plan, MA 02130 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, #2015-43, dated October 21, 2015, relative to the proposed alteration of 150 Parkingway, 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. In the event that the applicant anticipates that some deviation is either necessary or desirable, he (she) shall notify the Planning Board in writing requesting modification of the Plan or the Conditions. If the Planning Board determines that the requested modification is minor in nature, the Board may grant such request. If the Board 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. In any event, 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:** In accordance with Section 5.4.4 of the Quincy Zoning Ordinance, 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 Ordinance for the City of Quincy 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 Board of Health, 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.
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).

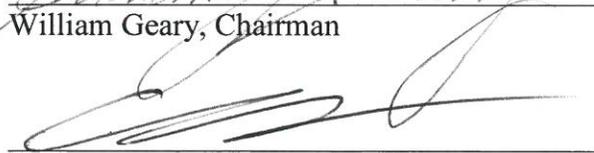
12. **SITE PLAN SIGN-OFF REQUIRED** No Occupancy Permit shall be issued for the proposed expansion until the Planning Director certifies to the Building Inspector in writing that all site work indicated on the above referenced plans has been substantially completed in accordance with said plans, this decision, and all applicable Zoning Ordinances and Planning Board Rules and Regulations.
13. All construction shall be in accordance with the approved drawings and reports referenced above.
14. 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 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.



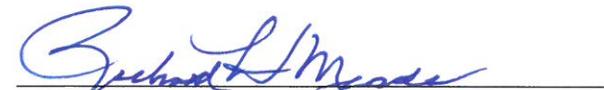
William Geary, Chairman



Coleman Barry, Member



Glen Comiso, Member



Richard Meade, Member



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.