

**PLANNING BOARD  
CITY OF QUINCY  
MASSACHUSETTS  
RECORD AND DECISION  
143 & 147 Newbury Avenue  
Planning Board Case #2015-35**

**LOCUS:** 143 & 147 Newbury Avenue  
Quincy, MA 02169  
Assessors Map 6042, Plot 25, Lot 7 & Plot 27, Lot 3

**ZONING DISTRICT:** Residence B  
Flood Plain District (per 2014 proposed FEMA maps)

**OWNERS:** Oranmore Enterprise, LLC  
74 Hillsdale Street  
Dorchester, MA 02124

**APPLICANT:** Oranmore Enterprise, LLC  
c/o Brenco Construction Co., Inc.  
74 Hillsdale Street  
Dorchester, MA 02124

**ATTORNEY:** Robert J. Fleming, Jr., Esq.  
Fleming & Fleming, P.C.  
85 Clay Street  
Quincy, MA 02170

**ENGINEER:** Engineering Alliance, Inc.  
194 Central Street  
Saugus, MA 01906

**ARCHITECT:** Donahue Architects, Inc.  
21 Thomas McGrath Highway  
Quincy, MA 02169

2015 NOV 20 PM 1:03  
CITY CLERKS OFFICE  
QUINCY, MASS 02169

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

- A seven (7) page plan set prepared by Engineering Alliance Inc., Civil Engineering and Land Planning Consultants, 194 Central Street, Saugus, MA 01906 dated as follows:

Sheet #/Plan Description	Plan Date	Recent Revision Date
C-1 Existing Conditions Plan	October 2, 2014	8/5/2015
C-2 Site Layout Plan	October 2, 2015	9/8/2015
C-3 Grading, Drainage & Utility Plan	October 2, 2015	9/8/2015

**SITE PLAN/SPECIAL PERMIT APPROVAL**  
**143 & 147 Newbury Avenue**  
**Planning Board Case #2015-35**

**DATE: November 19, 2015**

C-4	Landscape Plan	October 2, 2015	8/5/2015
D-1	Construction Details I	October 2, 2015	8/5/2015
D-2	Construction Details II	October 2, 2015	8/5/2015
D-3	Construction Details III	October 2, 2015	8/5/2015

- A report entitled “Drainage Calculations and Stormwater Management Plan for the Proposed 18 Unit Multifamily Dwelling located at 143-147 Newbury Avenue” Prepared by Engineering Alliance, Inc. Civil Engineering and Land Planning Consultants, 194 Central Street, Saugus, MA 01906 dated March 9, 2015 with a latest revision date of September 8, 2015
- A report entitled Supplemental Documentation for the Proposed 18 Unit Multifamily Dwelling located at 143-147 Newbury Avenue, Quincy, Massachusetts, 02169” prepared by Engineering Alliance, Inc. Civil Engineering and Land Planning Consultants, 194 Central Street, Saugus, MA 01906 dated August 5, 2015
- “Best Management Practices Maintenance Plan for the Proposed 18 Unit Multifamily Dwelling located at 143-147 Newbury Avenue, Quincy, Massachusetts, 02169” prepared by Engineering Alliance, Inc. Civil Engineering and Land Planning Consultants, 194 Central Street, Saugus, MA 01906 dated November 11, 2014 with a latest revision date of September 8, 2015

**ACTION ON APPLICATION FOR SITE PLAN REVIEW: APPROVED WITH CONDITIONS**

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

**ACTION ON APPLICATION FOR SPECIAL PERMIT: APPROVED WITH CONDITIONS**

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

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

**SITE PLAN/ SPECIAL PERMIT APPROVAL FOR**  
**143 & 147 Newbury Avenue**  
**Planning Board Case No. 2015-35**

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 7:15 P.M. which was opened and continued to September 9, 2015 then to October 21, 2015 and again to November 19, 2015 in the 34 Coddington Street, 1<sup>st</sup> Floor, Room 121, Quincy, MA, on the application of Oranmore Enterprise, LLC c/o Brenco Construction Co., Inc., 74 Hillsdale Street Dorchester, MA 02124, 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). Applicant proposes to construct a new eighteen (18) unit, 4 story residential building with parking under the building for approximately thirty-one (31) spaces, and an additional two (2) spaces outside the building for a total of thirty-three (33) parking spaces. The property contains approximately twenty seven thousand, one hundred (27,100) square feet, with sixteen thousand, one hundred (16,100) square feet of buildable land and is located at 143 & 147 Newbury Avenue. The applicant also proposes improved landscaping, drainage, and other site modifications. The land is within Residential B Zoning District and Flood Plain District (per 2014 proposed FEMA maps) and is shown on Assessors Map 6042, Plot 25, Lot 7 & Plot 27, Lot 23.

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 9.5.1.1 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:

The 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).

The Applicant, Oranmore Enterprise, LLC proposes to construct a new eighteen (18) unit, 4 story residential building with parking under the building for approximately thirty-one (31) spaces, and an additional two (2) spaces outside the building for a total of thirty-three (33) parking spaces.

Under current zoning the Applicant is required to provide 37 parking spaces for this 18 unit multi family dwelling. They are proposing 33 spaces primarily in an enclosed garage under the structure which includes 26 stackable spaces using mechanical lifts, 3 compact spaces and 2 handicapped accessible spaces. 2 spaces are proposed outside the garage on the site. The use of mechanical lifts is relatively new concept in the City of Quincy and the Planning Board consulted with the City's Director of Inspectional Services as to the safety of the mechanisms when used by residents. The Board was satisfied that the mechanisms can be used safely but they required that prior to installation the particular make and model is reviewed and approved by the Director of Inspectional Services.

The Applicant submitted a Traffic Analysis which was reviewed by the City's Traffic Engineer and the City's Peer Review Consultant.

After review by the City's Traffic Engineer it has been determined that the project will not create any additional traffic concerns and the access to the site is adequate and provides safe access and egress for vehicle and bicycle traffic and pedestrian flow. The Board considered the amount of parking proposed to be adequate as this project is within close proximity to the MBTA red line at North Quincy Station and public transportation is readily available to the residents.

The Applicant has committed to an extensive stormwater system upgrade for the site as well as landscape improvements.

The Planning Department engaged the independent engineering peer review services of Beals and Thomas, Inc. (B&T). B&T worked closely with the City and the Applicants' engineering team in its thorough review of the project. Planning Board peer review resulted in a series of revisions to the proposed site plans as well as a revised Storm Water Report.

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

The Applicant has provided adequately for utilities and stormwater drainage consistent with the functional requirements of the Quincy Stormwater Ordinance. The public utilities have been determined to be adequate to serve the needs of the additional residents of this project.

The project was reviewed by the City's Fire and Safety Officers and it has been determined that the project as proposed will provide adequate access to each structure for fire and service equipment.

After taking into account the characteristics of the site and of the proposal in relation to that site the Board has found that 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 Applicant has been advised of the need to meet with the City's Affordable Housing Trust and adhere to the City's Affordable Housing ordinance. 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 Subdivision Rules and Regulation and the Quincy Stormwater Ordinance. The Project plans provide for proper environmental controls to prevent site erosion and other potential construction impacts to City systems, as well as providing appropriate landscaping as requested by the Department of Planning and Community Development.

### **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 9.5.1 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.

### SPECIAL CONDITIONS

- 1) The Applicant's Engineer has produced A Letter of Map Revision (LOMR) which was issued by FEMA on April 8, 2015 (FEMA Case No. 15-01-0874P) in regards to the flood plain in the vicinity of the subject property. The LOMR attempts to remove the subject property and the surrounding area from the flood plain. At the time of the Application the revised Flood Plain Maps have not been issued a final approval by FEMA and have not been accepted by the City of Quincy. No construction or site work will occur prior to the City Council's official approval of said FEMA maps.
- 2) The City's Engineer has indicated that the area is subject to coastal flooding per the 2014 FEMA Maps. In the event that the 2015 FEMA Floodplain Maps are not adopted within a year of the Planning Board's decision, the Applicant shall be required to file with the Conservation Commission and shall adhere to any requirements of an Order of Conditions that may be issued by the City of Quincy Conservation Commission.
- 3) The project is subject to the Inclusionary Zoning Ordinance. The Applicant shall contact the Affordable Housing Trust Committee (AHTC) for their recommendation related to affordable units and adhere to any requirements of the AHTC.
- 4) 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.
- 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 at least one month prior to construction.
- 6) Information on the height limitations of the parking lifts, including restricting the use of car top cargo carriers shall be provided to residents through the use of signage and training in the operations of lifts.
- 7) The Applicant shall submit the manufacturer's information on the parking lifts for review and approval by the City's Director of Inspectional Services and the Planning Department prior to the issuance of building permits.
- 8) The Stormwater maintenance plan shall be recorded at the Norfolk County Registry of Deeds along with the Planning Board Decision.
- 9) The Applicant shall perform a proper soil evaluation in the location of the of the two proposed Cultec infiltration systems after demolition of the existing building and prior to construction. If necessary, a mounding analysis shall also be performed at this time and if these results require any revisions to the subsurface system the system must be approved by the DPW Engineer, Planning Department and Peer Reviewer prior to construction.
- 10) All Signs and pavement markings to be installed within the Project site shall conform to the applicable specifications of the Manual on Uniform Traffic Control Devices (MUTCD).

- 11) Signs and landscape features to be installed along the Project site frontage on Newbury Avenue within the sight triangle areas of the Project site driveway should not exceed 2.5 feet in height as measured from the surface elevation of the Project site driveway.
- 12) Snow windrows along the Project site frontage on Newbury Avenue within the sight triangle areas of the Project site driveway shall be promptly removed when such accumulations exceed 2.5 feet in height.
- 13) A bicycle rack should be provided proximate to the building entrance.
- 14) The proposed building foundation will be properly waterproofed to accommodate the proximity of the proposed infiltration system (3') according to the approved plans.
- 15) Prior to construction, an application for a Drain Connection Permit will be filed with the Quincy Department of Public Works.
- 16) The existing bituminous concrete sidewalk along the Newbury Avenue property line is to be reconstructed instead of individual patch work for utility trenches.
- 17) 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.
- 18) 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.
- 19) The Applicant must submit documentation to the Health Department that construction activities proposed for the development of this facility will not cause rodent problems for abutters. We require a rodent control plan be developed and submitted to this department for review and approval prior to any site activity.
- 20) The Applicant shall ensure that the dust and noise control plans be developed and incorporated within all construction specifications and permits issued for this project.
- 21) Newly amended regulations require a pre- demo survey for any potential asbestos-containing materials (ACM) be conducted by a DLI-certified inspector. If ACM is present, it must be removed by a licensed contractor, and a post-abatement inspection must be performed by DLI-certified project monitor. A pre-demolition inspection of this structure will be required to be performed by the Health Department.
- 22) 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 a permit is approved by the Chief of Police for Sunday activity dates.

### 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 Oranmore Enterprise, LLC c/o Brenco Construction Co., Inc. 74 Hillsdale Street, Dorchester, MA 02124 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, #2015-35, dated November 19, 2015, relative to the proposed alteration of 143-147 Newbury 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)

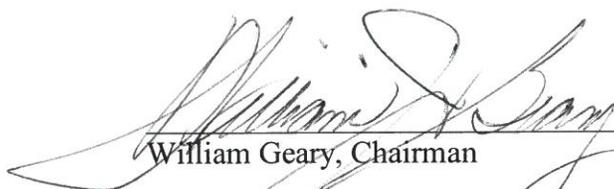
2. **RECORDING AT REGISTRY OF DEEDS:** Within sixty (60) days of the expiration of the twenty (20) day appeal period, the Applicant shall record the endorsed Decision at the Registry of Deeds. Evidence of such recording shall be submitted to the Planning Department and to the Building Commissioner prior 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 Development Plans may be allowed subject to the review by the assigned Planning and Community Development Project Manager 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 and Project Manager 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:** 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 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. 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).

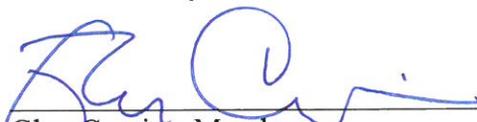
12. **FINAL PLANS:** Upon completion of the project, the applicant shall furnish along with the digital file as-built plans showing all utilities, building footprints, reference bounds and benchmarks defining the total site, facilities and rights of way.
13. **SITE PLAN SIGN-OFF REQUIRED** No Occupancy 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: November 19, 2015

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.