



QUINCY PLANNING BOARD
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PLANNING BOARD MEETING MINUTES

Thursday, December 9, 2015

MEMBERS PRESENT: Chairman William Geary, Richard Meade, Coleman Barry, Glen Comiso, Sean Callaghan

MEMBERS ABSENT: None

OTHERS PRESENT: James J. Fatseas, Interim Planning Director
Margaret Hoffman, Principal Planner
Susan Karim, Assistant Planner

Meeting held in 34 Coddington Street, 1st Floor, Room 121, Quincy, Massachusetts.

Meeting called to order and attendance roll call taken at 7:02 PM by Chairman William Geary.

VOTE TO ACCEPT November 19, 2015 2015 PLANNING BOARD MINUTES

MOTION: by Member Richard Meade to approve of the November 19, 2015 Planning Board meeting minutes as written.

SECOND: Member Glen Comiso

VOTE: 4-0 Motion Carries

VOTE TO ACCEPT December 3, 2015 2015 PLANNING BOARD MINUTES

MOTION: by Chairman Geary to hold approval of the December 3, 2015 Planning Board meeting minutes, until completion.

SECOND: Member Richard Meade

VOTE: 4-0 Motion Carries

7:06 PM Public Hearing – 113 Elm Street – Site Plan/Special Permit Planning Board Case No. 2015-48

The Chairman read the Public Hearing notice into record opening the case. He then introduced the Applicant's Attorney Christopher Harrington, who introduced Applicant Donald Gillespie of Welby Builders LLC, and Project Engineer Gregory Tansey of Ross Engineering. Attorney Harrington described the project as a Site Plan Review that went to the Zoning Board of Appeals (ZBA) for approval and was granted the waivers submitted for variances. The Attorney gave a visual presentation of the history of the property from 1880 deeding of an easement, the developer's purchase and development of the abutting Elm Street Townhomes, and described how the site property had been previously foreclosed, low value existing structure. He said the project proposal was to tear down the existing 3 unit rental house that currently contains a City of Quincy condemned sign on it. The Attorney described a negotiation between Mr. Gillespie and abutter Mr. Flavin which resulted in the acquisition of a 9' access easement and 3' landscape strip to make the proposal feasible given the setback requirements. Chairman Geary asked for confirmation of the access

easement details to which Attorney Harrington continued his description of the proposal agreement, which would result in the delineation of uses through the use of a cobblestone strip and opined that the widening of the property via the easement would be an improvement to the existing conditions by providing greater space for landscape screening and tenant access. There was some discussion of Mr. Flavin's property being a single owner property, as opposed to the Elm Street Townhouses being a multiple property ownership via condominium purchases. The discussion continued, addressing the Planning Board's concerns for maintenance for the easement and landscaping and responsibility for snow plowing and lighting. Mr. Harrington stated that such concerns were sensitive and similar to the existing Townhomes with which the project would be in appropriate relationship. At 7:20pm Attorney Harrington turned the discussion over to Mr. Tansey who gave a brief overview of the existing conditions, entry access, landscaping improvements, bollard lighting, guest parking, snow storage and removal, dumpster placement and access, privacy fencing, stormwater collection, and proposed easement resulting in increased parking for the Elm Street Townhomes. Mr. Tansey continued by stating that the proposed fire suppression upgrades had been Ok'd by the City's Fire Department and that sidewalk improvements were proposed in accordance with the City's DPW request. He also stated that the privacy fence specs would be supplied as per the DPW's request. Member Callaghan questioned the project's proximity to abutter Flavin, to which Mr. Gillespie stated that it was a distance of 18 ½ feet, and expounded upon his description at the request of Chairman Geary. Member Cosmiso inquired how the project would look and how visible it would be from the road (Elm Street), to which Mr. Harrington responded with visual renderings of the project. Mr. Comiso and Mr. Harrington had a brief description of the project's relationship to Parmenter Place, which was followed by Member Meade agreeing to waive full review of the project by a Registered Landscape Architect (RLA), provided the Board was given a landscape plan with planting listings. At 7:35pm the City's Peer Review Consultant, Mark Bartlett from Stantec, introduced himself stating that he had had smooth correspondences with the Project Engineer Mr. Tansey, and that his only concern was the rock ledgeface, which created the need for an important revision of the stormwater management plan. He stated that the key issues were erosion control, sight distance issues, fire truck turning, which the Fire Department Ok'd, the need to move a utility pole on Elm Street to improve access, and overall opined that what had been submitted was a valid plan which should have a condition of approval a Site Engineer-designed retaining wall for the grade drop on the Parmenter Place side. At 7:38pm Chairman Geary opened the meeting up to the public for questions and comments, specifying that he understood that there had been extensive negotiations with the abutting condominiums. He asked if there were any condo owners in attendance, to which Damon and Esong Avant replied as condo owners that they indeed had been in much negotiation with Mr. Gillespie who was receptive to their suggestions, ie the cobblestone traffic delineation, as well as amenable to adding details to the condominiums' contractual documentation to cover the issues of maintenance and repair responsibilities for lighting outages, snow removal, landscaping, and such. There was a suggestion that an escrow account could be put in place that would guarantee the Applicant, Welby Builders, would be deemed responsible for repairs and maintenance. The Chairman agreed that adding such an agreement would be prudent, but that voting on private party agreements was out of the purview of the Planning Board. He stated that the Board would, however, taking note of the agreement in making their decision on the project. Abutter Ed Flavin then opined that he felt the project was a good opportunity to clean up the area and that the improvements provided by the development would make his property better, stating that he knew and trust Mr. Gillespie's commitment to the project. Mr. Geary asked the audience for questions. None. He then asked the Planning Board for questions. None. Chairman Geary motioned to close the hearing.

Member Richard Meade made a motion to close the hearing.

Member Sean Callaghan seconded the motion and it was so voted unanimously.

Project Planner Margaret Hoffman read aloud the City's recommendation as follows:

Recommendation

The Department recommends that the Board vote to approve the site plan review in accordance with Quincy Zoning Ordinance Section 9.5.1 subject to the following special conditions:

CONDITIONS

- 1) The Applicant has entered into certain agreements with the owners of the abutting property at 115 Elm Street the Elm Street Townhomes Condominium Trust. The Applicant shall adhere to these agreements as outlined in Exhibit A as attached to this decision and it shall be recorded at the Norfolk County Registry of Deeds as part of the Planning Board's decision.
- 2) The Applicant shall ensure that a final access, utility and landscape agreement be executed and recorded prior to the issuance of a building permit.
- 3) The Applicant shall provide a Construction Management Plan at least one month prior to start of construction to be approved by the City's Traffic Engineer, which shall include but isn't limited to the following:
 - The following note shall be added: there shall be no equipment, personal vehicles or material left on the public ways (roadway or sidewalk) unless approved by the Department of Public Works.
 - Provide a truck route that keeps vehicles out of the residential neighborhoods. This will be provided to your vendors for their use.
 - Traffic Management plans sidewalk closures, utility work/repair of trenches without the public right of way, and any other work that may impact the safe passage of vehicles and pedestrians.
 - Include street sweeping schedule
 - Add a note: "Utility companies shall obtain a street opening permit from DPW – Engineering and include with the permit for review a traffic management plan. This is required to do the work" Utility work shall be coordinated with the City's traffic engineer.
- 4) The Applicant shall be responsible for replacing any City signage that is removed during construction. Prior to the start of construction the Applicant shall provide a list of signage to be replaced with pictures and a location map to the City Traffic Engineer.
- 5) The applicant shall submit documentation indicating that construction activities at 113 Elm Street will not result in rodent issues for abutters. The applicant shall develop a rodent control contingency plan prior to the commencement of construction activities on site which will include the name and contact information for an on-call pest control company.
- 6) The applicant shall commit to conformance with both local and state regulations regarding noise since this project is within a residential neighborhood and construction could create noise generating activities.
- 7) The Post Construction Operation and Maintenance Plan (Exhibit B) for the drywells and all related drainage structures and site maintenance which includes the ownership and responsible parties shall be recorded at the Norfolk County Registry of Deeds as part of the Planning Board decision.

- 8) The applicant shall submit to the Planning Board a copy of the recorded Condominium Association Agreement.
- 9) Upon completion of this project, the applicant shall submit to the Planning Board as-built plans showing all utilities, building footprints, reference bounds and benchmarks defining the total site, facilities and right of ways. Plans shall be submitted in a digital format acceptable to the Planning Department.
- 10) 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 different schedule is approved by the Chief of Police.

Project Planner Margaret Hoffman gave the City's Traffic and DPW comment letters to the Applicant, stating that the recommendations therein stated that the snow removal and Operation and Maintenance (O&M) Plan budgets needed to be adjusted and resubmitted to the Planning Department. Mr. Gillespie agreed to these conditions for approval.

that the Board had received a letter from the Applicant's attorney requesting a continuance of the hearing to the next available Planning Board meeting. There was some discussion amongst Board members regarding the most appropriate date for continuance in consideration of necessary preparedness. Chairman Geary recommended continuing the hearing to the January 27, 2016 Planning Board meeting.

Chairman Geary made a motion to close the public hearing.

Member Sean Callaghan seconded the motion and it was so voted unanimously.

Member Barry made a motion to approve the project.

Member Comiso seconded the motion and it was so voted unanimously.

8:00 PM New Business – Review and vote on recommendation of Council Order 2015-162 – Seeking to Amend the Affordable Housing Ordinance, introduced by Ward 4 City Councillor Brian Palmucci at the September 28, 2015 City Council meeting.

The Board discussed a request from Ward 4 City Councillor Brian Palmucci regarding the Affordable Housing component of downtown development and the Planning Board's having been apprised of Interim Planning Director James J. Fatseas having been officially named Planning Director by the Mayor. Chairman Geary in turn thanked retired Planning Director Dennis E. Harrington for his 12 years of service to the City of Quincy, and went on to explain his familiarity of Mr. Fatseas's work as Chair of the Downtown Development Team, and as the Mayor's Chief of Staff. The Chairman then suggested it would be instructive for the Board to hear from Mr. Fatseas himself, to which Mr. Fatseas responded with an introduction and an explanation of his position, on the Councillor's request, citing that the administrative position should not apply to the Urban Renewal Development Plan (URDP), of which Affordable Housing is a component, and that such language should not be stricken from the existing Affordable Housing Ordinance, so as to ensure that developers receive some relief. Mr. Fatseas continued, stating that in the future, such an amendment could be considered, but not now, as at this time, developers already have additional burdens which must be met as part of the URDP. He went on to explain the dramatic changes in development that had come about as a result of StreetWorks having been the Master Developer of the downtown, to the City taking on that role. That the language should not be stricken has been the consistent stance of the Koch Administrations, and as such, he strongly felt that it would be premature to endorse Councillor Palmucci's request. Board Member Richard Meade responded by

stating that it was a procedural issue and a Zoning change issue, which was beyond the authority of the Planning Board, which was only advisory in nature on this matter. It was his opinion that it was appropriate to seek the advice of the City Solicitor to determine if there was a requirement to hold a public hearing on the matter. Member Coleman Barry then stated that he could not make a determination or informed decision on the matter based on the submitted evidence and was therefore not in a position to recommend approval. Chairman Geary stated that he believed it would be prudent to continue the matter, commending the eloquence with which Mr. Fatseas spoke before the Board and Member Barry's speech in his role as Chairman of the Community Preservation Committee given the previous Saturday for the grand opening of the Historic Preservation work at Old City Hall, mentioning too his opportunity to see the new Planning Board meeting space at signing of the Metro Mayor's Regional Economic Development Compact. Mr. Geary then inquired if any attendees had any additional questions or further comments, and there were none.

Chairman Geary made a motion to adjourn at 8:14 p.m. Member Coleman Barry seconded the motion and it was so voted unanimously.