

**PLANNING BOARD
CITY OF QUINCY
MASSACHUSETTS
RECORD AND DECISION
52 Grafton Street
Planning Board Case #2015-45**

LOCUS: 52 Grafton Street
Quincy, MA 02169
Assessors Map No. 2044 Lot 39 Parcel 24

ZONING DISTRICT: Residential B

OWNERS: Chris Pappas & John Pappas
21 Harborview Street
Quincy, MA 02171

APPLICANT: Chris Pappas & John Pappas
21 Harborview Street
Quincy, MA 02171

ARCHITECT: Gilbert W. Starkey, Jr.
73 Circuit Rd
South Weymouth, MA 02190

2016 FEB 16 PM 2:00
CITY CLERKS OFFICE
QUINCY, MASS 02169

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

- A one (1) sheet Landscape Plan for 52 Grafton Street, Quincy, MA prepared by MKA Landscape Architects, 1700 Wellington Street, Dighton, MA 02715 dated as follows:

Sheet #/Plan Description	Plan Date	Recent Revision Date
L-1 Landscape Plan	12-29-15	1-25-16

- A five (5) sheet Civil Plan for 52 Grafton Street, Quincy, MA prepared by Joyce Consulting Group, 100 Wyman Road, Braintree, MA 02184 dated as follows:

Sheet #/Plan Description	Plan Date	Recent Revision Date
1 of 5 CVR Cover	6-24-15	1-25-16
2 of 5 ECP Existing Conditions Plan	6-24-15	1-25-16
3 of 5 C-0 Site Preparation & Demo Plan	6-24-15	1-25-16
4 of 5 C-1 Site Layout, Utility & Grading Plan	6-10-15	1-25-16
5 of 5 C-2 Detail Sheet	6-10-15	1-25-16

- A two (2) sheet Architectural Plan entitled Proposed 4-Family Residence, 52 Grafton Street, Quincy, MA prepared by Gilbert W. Starkey, Jr., 73 Circuit Rd, South Weymouth, MA 02190 dated as follows:

Sheet #/Plan Description	Plan Date	Recent Revision Date
1 of 2 Floor Plans	7-21-15	N/A
2 of 2 Elevations	7-21-15	1-25-16

ACTION ON APPLICATION FOR SITE PLAN REVIEW: APPROVED WITH CONDITIONS

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

ACTION ON APPLICATION FOR SPECIAL PERMIT: APPROVED WITH CONDITIONS

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

**SITE PLAN/SPECIAL PERMIT APPROVAL
52 Grafton Street
Planning Board Case No. 2015-45**

In accordance with the provisions of Chapter 40A, Section 11 MGL, and Title 17 of the Quincy Municipal Code, the Quincy Planning Board opened a public hearing on Thursday, November 19, 2015 at 7:05 P.M. at 34 Coddington Street, 1st floor, Room 121, Quincy, MA, and continued the hearing to Wednesday December 3, 2015 and continued again to Wednesday January 27, 2016 on the application of Chris Pappas, 146 Huckins Avenue, Quincy, MA 02171 and John Pappas, 21 Harborview Street, Quincy, MA 02171, for Site Plan Review under Quincy Zoning Ordinance Title 17, Section 9.5.1 (Site Plan Review) and Special Permit under Section 5.1.17 (Parking Waiver). The proposal is for the construction of a multi-family dwelling consisting of four (4) 2-bedroom residential units with seven (7) off-street parking spaces on the vacant lot at 52 Grafton Street. The applicant also proposes landscaping, grading, drainage and other site modifications. The property contains approximately 7,524± square feet and is located at 52 Grafton Street. The land is within Residence B Zoning District and is shown on Assessors Map 2044, Plot 24, Lot 39.

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,

1. Published in the Patriot Ledger, a newspaper of general circulation in the City of Quincy on November 5, 2015 and November 12, 2015.

2. Posted in a conspicuous place in the City of Quincy on October 30, 2015, which is at least 14 days prior to the hearing; and
3. Mailed on October 30, 2015, which is at least 14 days before the hearing to the petitioner, abutters, owners of the land directly opposite the property in question on any public or private way, abutters to abutters with 300 feet of the subject property, and the planning boards of abutting towns. The notice as mailed to the names and addresses shown on the most recent tax list provided by the Assessor's office.

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(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:

The Applicant was originally seeking Site Plan Review under Quincy Zoning Ordinance Title 17, Section 9.5.1 (Site Plan Review) and Special Permit under Section 5.1.17 (Parking Waiver). The original proposal was for the construction of a multi-family dwelling consisting of four (4) 2-bedroom residential units with seven (7) off-street parking spaces on the vacant lot at 52 Grafton Street. The property contains approximately 7,524± square feet and is located at 52 Grafton Street. The land is within Residence B Zoning District and is shown on Assessors Map 2044, Plot 24, Lot 39.

The Applicant had requested a waiver from the Traffic Study. A waiver was granted for a full traffic study due to the limited amount of units, however the Applicant was required to adhere to any recommendations from the City's Traffic Engineer.

The Applicant also requested a waiver from Consultant Review fees. After discussion with the City's Inspectional Services Director and the City's Engineering Department it was determined that the City would be able to do a thorough review without the assistance of a consultant and that waiver was granted.

This project was originally submitted showing a four 2-bedroom unit apartment building with seven parking spaces. It was reviewed and commented on by the City Staff and by the Planning Board. The Applicant has revised the plans to show a four 2-bedroom unit building with eight parking spaces which brings it into conformance with the Zoning Ordinance for number of parking spaces. The project has been moved closer to the street to allow for a larger parking area in the rear and has added 2 additional spaces along the driveway side of the building.

The Applicant is now requesting a special permit for waivers from the following parking requirements:

Section 5.1.4.1 - The rear parking area occupies 70% of the rear yard. The City Ordinance allows for only 40% coverage. The parking area has been revised to allow for 8 vehicles and the turning

movement has been improved and is adequate. The Board has determined that the Applicant is mitigating all stormwater runoff on the site through a subsurface drainage system and that the amount of impervious pavement proposed is reasonable.

The Applicant has been granted the necessary variances from the ZBA for relief from setback requirements.

The Applicant has submitted a revised Landscape Plan that is stamped by a registered Landscape Architect.

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. The modification has also resulted in adequate parking for the residents and guests.

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 shall provide a Construction Management Plan to include construction truck routes at least one month prior to the start of construction to the City's Traffic Engineer for review and approval.
- 2) The Stormwater Operation and Maintenance plan shall be recorded at the Norfolk County Registry of Deeds.
- 3) The Applicant shall apply for a Stormwater Connection Permit from the Department of Public Works before construction.
- 4) Prior to obtaining building permits the Applicant shall submit a \$500 contribution to the City's Tree Fund as indicated in a memo dated January 5, 2016 from Chris Cassani, Executive Director Park and Forestry Department to Susan C. Karim, Assistant Planner regarding 52 Grafton Street.

- 5) The applicant shall develop and submit a dust control plan to the Department of Health for review and approval prior to any site activity. Said dust control plan is to be implemented during any site activities to ensure compliance with state air quality regulations.
- 6) The applicant shall submit documentation indicating that construction activities at 52 Grafton 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. Said rodent control plan shall be developed and submitted to the Department of Health for review and approval prior to obtaining their building permits.
- 7) 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.
- 8) 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.

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 Chris Pappas & John Pappas 21 Harborview Street Quincy, MA 02171 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, No. 2015-45, dated January 27, 2016, relative to the proposed alteration of 52 Grafton Street, 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 and Project Manager 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: January 27, 2016

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.