

**PLANNING BOARD
CITY OF QUINCY
MASSACHUSETTS
RECORD AND DECISION
500 Commander Shea Boulevard
Planning Board Case #2015-42**

LOCUS: 500 Commander Shea Boulevard
Quincy, MA 02169
Assessors Map No. 6076, Plot 68, Lot 44A.

ZONING DISTRICT: Business B

OWNERS: Boston Scientific Corporation
500 Commander Shea Boulevard
Quincy, MA 02169

APPLICANT: Boston Scientific Corporation
500 Commander Shea Boulevard
Quincy, MA 02169

ATTORNEY: Matthew H. Snell, Esq.
Nutter McClennen & Fish
155 Seaport Boulevard
Boston, MA 02210

ENGINEER: William Maher
Nitsch Engineering
2 Center Plaza
Boston, MA 02108

2015 SEP 18 PM 2:04
CITY CLERKS OFFICE
QUINCY MASS 02169

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

- Approval Not Required Plan of Land, 500 Commander Shea Boulevard, dated January 9, 2015 prepared by Nitsch Engineering, 2 Center Plaza, Boston, MA 02108
- An eight (8) sheet Site Plan entitled "Boston Scientific Corporation, North Building – Lot 44A, Quincy Planning Board – Site Plan Review" prepared by Nitsch Engineering, 2 Center Plaza, Boston, MA 02108 dated as follows:.

Sheet #/Plan Description	Plan Date	Recent Revision Date
1 Cover	August 17, 2015	N/A
EX-1 Existing Conditions	07/16/2015	08/17/2015
C-1 Site Layout, Utility and Grading Plan	01/27/2014	08/17/2015
C-2 Site Layout, Utility and Grading Plan	01/27/2014	08/17/2015
C-3 Site Layout, Utility and Grading Plan	01/27/2014	08/17/2015

SITE PLAN/SPECIAL PERMIT APPROVAL
500 Commander Shea Boulevard
Planning Board Case #2015-42

DATE: September 9, 2015

C-4	Site Layout, Utility and Grading Plan	01/27/2014	08/17/2015
C-5	Parking Lot Expansion Detail Sheet I	01/27/2014	08/17/2015
C-6	Parking Lot Expansion Detail Sheet II	01/27/2014	08/17/2015

ACTION ON APPLICATION FOR 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 FOR
500 Commander Shea Boulevard
Planning Board Case #2015-42**

In accordance with the provisions of Chapter 40A, Section 11 and Title 17 of the Quincy Municipal Code, the Quincy Planning Board held a public hearing on Wednesday, September 9, 2015, at 34 Coddington Street, Quincy, Massachusetts on the application of Boston Scientific Corporation for Site Plan Review pursuant to Quincy Zoning Ordinance Title 17, Section 9.5.1(3). The proposal is to construct and/or re-stripe presently paved areas at the property identified by the Quincy Assessor as Map No. 6076, Plot 68, Lot 44A to meet the parking requirements of the Zoning Ordinance by adding additional parking. The new paved areas and restriping will add 182 parking spaces to the existing 266 parking spaces, bringing the total parking spaces to 448.

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 August 26, 2015 and September 2, 2015.
2. Posted in a conspicuous place in the City of Quincy on August 24, 2015, which is at least 14 days prior to the hearing; and
3. Mailed on August 25, 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 Applicant has complied with the pertinent provision of the Quincy Zoning Ordinance, Title 17, Section 9.5.1 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. In its Site Plan Review application, the Applicant requested waivers of the following requirements:

- Independent Peer Review
- Transportation Impact and Analysis Items

Due to the nature of the application being an expansion of surface parking only, the Planning Department agreed to grant all of the Applicants waiver requests.

The proposal is to construct additional parking and re-stripe the existing parking at the property to add 182 parking spaces to the existing 266 parking spaces, bringing the total parking spaces to 448 on Lot 44A.

Comment letters were received from the City of Quincy Department of Public Works and the City's Traffic Engineer.

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 additional parking and re-striping of existing parking areas will not cause substantial detriment to the neighborhood or the City. Specifically, the Board found that there will be no change in the use of the site or the intensity of the use at the site.

A review by the Department of Public Works noted that erosion controls and a stormwater report should be provided and implemented by the Applicant. Pursuant to an Order of Conditions issued by the City of Quincy Conservation Commission, the Applicant prepared a stormwater report in compliance with Massachusetts Department of Environmental Protection requirements and has provided adequately for stormwater design and construction period erosion controls as approved by the Conservation Commission.

The Department of Public Works commented that a snow management plan, stormwater connection permit and stormwater management permit are required for the proposed work. The Applicant has agreed to provide all of these as a condition to approval and prior to beginning construction.

The Department of Public Works requested that the Applicant inspect the integrity of the existing outlet pipes and concrete head wall, and if necessary clean the outlet pipes and repair and damage. The Applicant has agreed as a condition to approval to review these requirements with the Department of Public Works and undertake the inspection.

The proposed work will not create any additional traffic to the site and will not create any additional traffic concerns. Access to the site is adequate and provides safe access and egress.

There are adequate utilities for the site as nothing the proposed work alters existing conditions.

The proposed work limits grading and cut/fill during the installation of the new parking within the boundaries of Lot 44A.

The proposed work is in keeping with the nature of the surrounding neighborhood and no structural changes are proposed for the existing structures.

The proposed work does not alter access for emergency vehicles and will continue to provide safe access.

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 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 comply with the Order of Conditions issued by the Conservation Commission dated December 3, 2014 (DEP File No. 059-1347).
2. The Applicant shall obtain a Stormwater Connection Permit prior to construction.
3. The Applicant shall obtain a Stormwater Management Permit if the proposed work requires the alteration of more than one acre in area.
4. The Applicant shall obtain a construction general permit, if the proposed work requires the alteration of more than one acre in area, from the USEPA prior to construction.

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 Boston Scientific, 500 Commander Shea Boulevard, Quincy, MA 02169 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, #2015-42, dated September 9, 2015, relative to the proposed alteration of 500 Commander Shea Boulevard, 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.

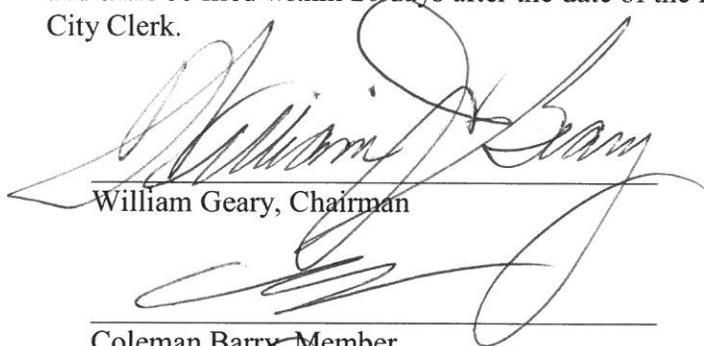
3. **NO DEVIATION FROM APPROVED PLAN:** There shall be no deviation from the approved Site Plan and Conditions of this Decision without prior written approval of the Planning Board or Planning Director. Minor changes to the Final Site or Development Plans may be allowed subject to the review by and the 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.

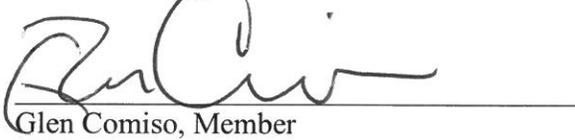
The Board affirms that all provisions of Sections 9 & 11, Chapter 40A of the General Laws and Quincy Zoning Ordinance Title 17, Section 9.5 (Site Plan Review) and Section 5.1.17 (Special Permit) were complied with as regards procedures.

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: September 9, 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.