DATE: July 13, 2016

PLANNING BOARD
CITY OF QUINCY
MASSACHUSETTS
RECORD AND DECISION
60 Cleverly Court
Planning Board Case No. 2016-04

LOCUS: 60 Cleverly Court
Quincy, MA 02169
Assessors Map 2067A, Lot 22

ZONING DISTRICT: Residential B

OWNERS: 60 Cleverly Court, LLC
Joseph Taylor, Manager
147 Beale Street
Quincy, MA 02170

APPLICANT: 60 Cleverly Court, LLC
Joseph Taylor, Manager
147 Beale Street
Quincy, MA 02170

ATTORNEY: Christopher Harrington, Esq.
21 McGrath Highway, Suite 301
Quincy, MA 02169

ENGINEER: James W. Burke, PE
DeCelle Burke & Associates, Inc.
1266 Furnace Brook Parkway
Quincy, MA 02169

ARCHITECT: Charles E. Bamberg
550 Adams Street, Unit 231
Quincy, MA, 02169

2016 AUG 12 PM 4:00
CITY CLERKS OFFICE
QUINCY, MASS 02169

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

- Fifty four (54) page Engineering Report prepared by DeCelle Burke & Associates, Inc., 1266 Furnace Brook Parkway, Quincy, MA 02169 for Joseph Taylor, 147 Beale Street, Quincy, MA 02169, dated February 26, 2016, revised June 1, 2016

- Four (4) page Traffic Movement Plan prepared by DeCelle Burke & Associates, Inc., 1266 Furnace Brook Parkway, Quincy, MA 02169, dated June 22, 2016

- Civil Engineering Plans prepared by DeCelle Burke & Associates, Inc., 1266 Furnace Brook Parkway, Quincy, MA 02169

Sheet #/Plan Description		Plan Date	Recent Revision Date
1 of 4	Cover Sheet	June 1, 2016	7/11/16
2 of 4	Existing Conditions & Construction Management	June 1, 2016	7/11/16
3 of 4	Grading Plan & Layout & Utilities	June 1, 2016	7/11/16
4 of 4	Construction Details	June 1, 2016	7/11/16

- Architectural Plans prepared by Charles E. Bamberg, 550 Adams Street, Unit 231, Quincy, MA, 02169

Sheet #/Plan Description		Plan Date	Recent Revision Date
	Cover Sheet	July 21, 2015	N/A
A-0	Proposed Site Plan	July 1, 2015	N/A
A-1	Proposed Garage/Ground Floor Plan	July 21, 2015	N/A
A-2	Proposed First Floor Plan	July 21, 2015	N/A
A-3	Proposed Second Floor Plan	July 21, 2015	N/A
A-5	East, Cleverly Court & South, Raycroft Street Exterior Elevations	July 21, 2015	N/A

ACTION ON APPLICATION FOR SITE PLAN/SPECIAL PERMIT REVIEW:
APPROVED WITH CONDITIONS

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

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

SITE PLAN/SPECIAL PERMIT APPROVAL
60 Cleverly Court
Planning Board Case #2016-04

In accordance with the provisions of MGL Chapter 40A, Section 11, the Quincy Planning Board held a public hearing on Wednesday, June 8, 2016 which was continued to Wednesday July 13, 2016 in the 1st Floor Boards and Commissions Room, Quincy City Hall, 1305 Hancock Street, Quincy, MA, on the application of 60 Cleverly Court, LLC, Joseph Taylor, Manager, 147 Beale Street, Quincy, MA 02170, 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 Applicant proposes to construct a new four (4) unit, 3 story residential building containing approximately 6,074 ± square feet of living area, plus garages. The proposed development site

contains 10,847 ± square feet of land and is located at 60 Cleverly Court. The land is within the Residence B zoning district and is shown on Assessors Map 2067A, Lot 22.

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, May 25, 2016 and Wednesday, June 1, 2016.
2) Posted at the City Clerk's office May 12, 2016.
3) Mailed May 12, 2016 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(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:

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) to construct a new four (4) unit, 3 story residential building containing approximately 6,074 ± square feet of living area, plus garages. The proposed development site contains 10,847 ± square feet of land and is located at 60 Cleverly Court. The land is within the Residence B zoning district and is shown on Assessors Map 2067A, Lot 22.

Variances have been granted by the Zoning Board of Appeals for FAR, Lot Area per Dwelling Unit, Side and Rear Setbacks and Number of Dwelling Units per ZBA Case No. 16-011.

The Planning Department engaged the independent engineering peer review services of Stantec, Inc. who worked closely with the City and the Applicants' engineering team in its thorough review of the project. Planning Board peer review resulted in revisions to the proposed site plans. Stantec, Inc. issued their final a peer review report on June 23, 2016. In addition, the following City of Quincy Departments issues comments for the record: Department of Public Health, Department of Public Works, Department of Inspectional Services, Traffic Engineering and Fire Department.

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

The site is located on a corner lot on Cleverly Court and Raycroft Street. Because Raycroft Street is a one-way street, the Applicant has agreed to provide signage, which will prohibit the residents from turning right onto Raycroft when exiting the site. They have also provided adequate maneuverability on the site between Cleverly Court and Raycroft Street.

A Special Permit has been requested for a waiver under Section 5.1.17. Specifically, Section 5.1.4.1 requires that Driveways/Parking facilities in Residence B Districts shall not exceed thirty

percent (30%) of the front yard setback. The project as proposed shows the paved area at 35% of the front yard setback.

The Applicant has agreed to replace any sidewalk that is disturbed during construction activities. They are also installing fencing around the perimeter of the site to reduce any impacts on the abutters.

The City's Fire Department is satisfied with the access for fire and safety apparatus.

Based on the City of Quincy interdepartmental review and the outside peer reviewer and after taking into account the characteristics of the site and of the proposal in relation to that site, the Board holds that in accordance with the City of Quincy's Zoning Ordinance Section 9.4.2 the proposed use or structure(s) shall not cause substantial detriment to the neighborhood or the City. The requested waiver from Section 5.1.4 of the Quincy Zoning Ordinance can be granted without 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 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.

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 adhere to the requirements of the City's Tree Warden.
2. Any current or future owners of the property shall be required to submit a copy of the completed Stormwater Management System Inspection Forms annually to the City of Quincy Department of Public Works in order to document compliance with the approved Stormwater Management System Operation & Maintenance Plan.
3. Prior to any Building Permits being issued the Applicant will perform a water flow test with the City's Water Department.
4. The Applicant shall be required to consult with the City Engineer, DPW, and/or Water Department for their preferred method of backfill between the proposed

sewer service and the existing water main in Raycroft Street, where said sewer service will cross under the existing water main. The Applicant shall adhere to any recommendations by the City for type of fill to be used.

5. Upon completion of the project, the Applicant shall furnish to the Planning Department and City Engineer the digital file as-built plans showing all utilities, building footprints, reference bounds and benchmarks defining the total site, facilities and rights of way.
6. The Applicant shall obtain approval of the sewer connection from the Public Work Department prior to applying for a Building Permit.
7. It is crucial that any activities proposed for this development not cause rodent problems for abutters. Prior to obtaining Demolition or Building Permits the Applicant must submit a rodent control plan to the Department of Health for review and approval at least ten (10) days prior to any site activities. Rodent control practices must continue of the duration of the construction phase of the project.
8. The Applicant shall develop a dust control plan to be implemented during any site activities to ensure compliance with state air quality regulations.
9. 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.
10. The Applicant shall submit a pre-demolition survey to the Health Department for any potential asbestos containing materials to be conducted by a licensed 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.
11. The Applicant shall submit a Construction Management Plan (CMP) to the Traffic Engineer for review and approval at the same time that the building permit application is submitted for review by the Inspectional Services Department. Review of the CMP will take a minimum of two weeks.
12. The Construction Management Plan shall include but is not limited to the following items:

    a. Traffic Management Plans for any sidewalk replacement, curb ramps and utility construction
    b. Truck route for deliveries to and from the highway
    c. Construction signage
    d. Construction work hours/days
    e. Hours/days for deliveries
    f. Erosion control plan including construction entrance and fencing

g. A schedule of work being done on the site and off site

h. Location of the construction fencing and gate on a plan with the crushed stone apron

i. Length of construction

j. Traffic Management Plan for utility work

k. The detour route for vehicles

l. The route for pedestrians, including any ADA requirements, signage and safety requirements

m. Construction site plan for barrier, signage

n. The following statement should be included in the plan: "Provide the City's traffic engineering 3 business days' notice that construction will begin"

o. Provide a description of any work being done in the street and provide a TMP to perform this work for approval by the City's traffic engineer.

13. The Applicant shall be required to contact the City's Engineering Department for a street obstruction and street opening permit, which shall include the approved Construction Traffic Management Plan attached to the permit request application.

14. Any proposed regulatory signs shall be formally submitted via a letter and plans which will include type of sign, location of sign and why it is needed to the City's Traffic Engineer at least twelve (12) week prior to desired installation and prior to any building permits being issued. Any signs being installed on public ways will need prior approval by the Quincy City Council.

15. The hours for construction actives will be as follows:

- 7:00am to 5:00pm Monday thru Friday.
- 8:00am to 4:00pm Saturday.
- All construction and deliveries shall be prohibited on Sunday unless approval is obtained from the Chief of Police

16. The hours for delivery of materials shall be determined by the City's Traffic Engineer during review of the Construction Management Plan.

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 60 Cleverly Court LLC, 147 Beale Street, Quincy, MA 02170 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. 2016-04, dated July 13, 2016, relative to the proposed alteration of 60 Cleverly Court, 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. **CONSTRUCTION:** All construction shall be in accordance with the approved drawings and reports referenced above.

14. **WATER SERVICE:** All water services and installations shall be in accordance with the requirements of the City of Quincy Department of Public Works.

SITE PLAN/SPECIAL PERMIT APPROVAL **DATE: July 13, 2016**
60 Cleverly Court
Planning Board Case No. 2016-04

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.

Richard Meade, Chairman

Coleman Barry, Vice Chairman

Sean Callaghan, Member

Glen Comiso, Member

Maureen Glynn, Member

Date: July 13, 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.