Rules and Regulations for
Special Permit – Site Plan Review

as adopted by the
Planning Board of the City of Quincy, Massachusetts

ATTACHED:

ARTICLE 1: Filing and Approval Procedures
ARTICLE 2: Plan Contents Checklist
ARTICLE 3: Application
ARTICLE 4: Fee Schedule & Regulations

Applicable zoning: **Sections 17.04.174**

Internet Link to Planning Department: http://ci.quincy.ma.us/PlanHomePage100.html
Internet Link to Quincy Zoning Ordinance: http://www.bpcnet.com/codes/quincy/

Main phone number for Planning and Community Development: 617-376-1365
Main phone number for Inspectional Services: 617-376-1450

SPR Rules and Regulations – ADOPTED: May 9, 2007, amended through September 16, 2008, amended January 14, 2009
EFFECTIVE DATE: September 1, 2007

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TABLE OF CHANGES:

Article 1:

- Item #1: Increase plan sets to 18, 10 reduced and 8 full size
- Item # 2: Increase application forms to 18
- Item # 4: Increase plan sets to 18

Article 3:

- Add "5. Name of Applicant's Attorney, Business Phone, FAX"
- Add "Please pay with two separate checks each made payable to City of Quincy… Application filing fee… Project review fee…"
- Signature of Applicant, Signature of Attorney
- Note #4: "A submission shall be deemed incomplete…"

Article 4:

- "Amended through September 16, 2008"
- Section 3.4 "The Planning Director may waive…"
- Section 4.4 "The Planning Director may waive…"
- Section 4.6 D "Any remaining balance of deposits will be returned to the applicant upon presentation to the Planning Director of a signed occupancy permit for the entire project or disapproval of a Zoning Permit Plan."

January 14, 2009

Article 4:

- Section 4.1 add "or Planning Director" after Planning Board, in two locations
- Section 4.3 add "or Planning Director" after Planning Board, in two locations
- Section 4.3 for Project Review Fee Deposit: insert revised fee chart
- Section 4.7 add or Planning Director" after Planning Board

Department of Planning and Community Development

1305 Hancock Street, Quincy, Massachusetts 02169
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DENNIS E. HARRINGTON
Planning Director

THOMAS P. KOCH
Mayor

Special Permit – Site Plan Review
Article 1

The following Rules and Regulations (the "Rules") are enacted by the Planning Board pursuant to Section 17.04.174 C of the City of Quincy Massachusetts Zoning Ordinance and M.G.L. ch. 40A, Section 9. The Rules establish procedures for applications to the Board for Special Permit – Site Plan Review pursuant to Section 17.04.174.

PART 1: FILING AND APPROVAL PROCEDURES

NOTE: In view of the comprehensiveness of the Special Permit – Site Plan Review filing, it is strongly recommended that the applicant schedule an informal discussion with the Planning Board prior to the filing.

1. Have eighteen sets of the Special Permit – Site Plan Review plans made (NOTE: 10 **sets** at 11" x 17"; 8 **sets** full size – no larger then 2' x 3')

2. Make 18 copies of the application form and obtain copies of Abutter's list – certified by the Assessors' Office - and two sets of corresponding mailing labels from the Assessors' Office. Please ensure that the subject property is included on all lists obtained from the Assessor.

3. Bring one set of plans and application to the City Clerk's office (with abutters list and matching mailing labels attached). The Clerk will time-stamp the original application and retain for their file. The applicant shall obtain from the City Clerk a certified copy of the application including the date and time of filing.

4. Bring certified copy plus eighteen (18) plan sets and applications to the Planning Board office with a bank check in the appropriate amount for required administrative and project review fees (see attached fee schedule and regulations) and the Planning Board secretary will date-stamp the entire submittal as "Received."

5. In the event that the Planning Director deems an application to be incomplete or otherwise not properly filed, the applicant will be notified in writing and given the opportunity within a specified period of time (not less than seven (7) days after the date of the notice) to bring the application into compliance.

An application which is the subject of such notice, but is not brought into compliance within the period specified in such notice, shall be denied for failure to comply with these rules.

6. Once the Planning Director deems the application complete, the Planning Board secretary will then do the following:

    - In consultation with the Planning Director and Board, set a date for the public hearing. The public hearing must take place within sixty-five (65) days of the date of the filing.

    - Distribute the plans to the appropriate City Departments, and request comments

    - Post the Public Hearing in the City Clerk's Office 14 days prior to hearing

    - Advertise the public hearing in a local newspaper for two consecutive weeks at least 14 days prior to the hearing date

    - Mail a copy of the hearing notice, postage prepaid, to the applicant and to all "parties in interest" as per Ch. 40A, section 11.

    - Copies of all comment memos received shall be distributed to applicant, Board Members, Planning Director and Principal Planner II.

7. The Planning Board will take final action on the filing within ninety (90) days, of CLOSE of hearing or extended time if requested in writing by the applicant and agreed to by the Board. A copy of the agreement shall be filed in the Office of City Clerk.

8. Prior to final action by the Planning Board, the applicant will furnish the Board with three complete sets of plans with the latest revised dates as referenced in the staff recommendation. Any surviving conditions of approval shall be placed on the Title page of the plans. The same shall apply to construction drawings.

9. The Planning Board will file a copy of the decision with the City Clerk, including a record set of plans. Notice of the decision will be mailed, postage prepaid, to the applicant and to parties in interest and persons requesting notice. Notice will specify the 20 day right to appeal.

10. Once the 20 day appeal period has lapsed, and in the absence of any appeal, the applicant, if granted the Special Permit, shall have the City Clerk certify that no appeal has been filed and shall file a certified copy of the decision notice at the Norfolk County Registry of Deeds, Dedham, Massachusetts and provide a copy of the recorded decision notice to the Board for its files before applying for a building permit.

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ARTICLE 2: Plan Contents Checklist

INFORMATION REQUIRED FOR SPECIAL PERMITS WITH SITE PLAN REVIEW

The PGA , or its designee, shall, in its discretion, require the following information for all applications for special permits with site plan review including, but not limited to #1-29 below. Upon written request by the applicant, the PGA may waive submission of any of the required information, if the PGA finds the information is not applicable to the project.

The applicant is strongly encouraged to have a preliminary meeting with the Planning Board staff before submitting the application to help the applicant identify the applicable information requirements as well as any design related issues that may arise. The applicant should be prepared to present schematic plans to facilitate this preliminary discussion.

1. Title page name, addresses, telephone numbers of the applicant, the owner, if other than the applicant, and other agents for the applicant, such as the architect, landscape architect, engineer and/or attorney, and the name and address of the proposed project; table of dimensional and parking requirements, existing, required and proposed;

2. Plot plan certified by land surveyor indicating total land area, boundaries, angles, dimensions of the site, areas of existing plant materials and trees over 8" diameter, ledge, soil conditions and percolation test data, north arrow, major topographical and landscape features, vicinity and locus maps;

3. Appropriately scaled and dated site plan(s), no larger than 30" by 42", certified and stamped by a registered land surveyor, architect, landscape architect or engineer showing:

present and proposed use of the land and existing buildings, if any;

dimensions and locations of existing and proposed building(s) or other structures including height, setback(s) from property lines and total square footage of all floors; if applicable, type of building,

locations and dimensions of any easements and public or private way, other burdens, Covenants, existing or proposed; and adjacent roadways; benchmarks and monuments; zone lines;

at grade parking and loading areas showing number, location and dimensions of parking and loading spaces, driveways, access and sidewalks;

space for revision dates, Quincy case number, PGA signatures;

names and addresses of all property owners within three hundred (300) feet of the site boundaries; and

final plans as DWG files in AutoCad 2004 or earlier and wet stamped and signed hard copies;

4. A brief written description of the proposed project in sufficient detail to describe the character and scope of the proposal completely, such as architectural intent, proposed construction or demolition, all uses, who the project is intended to serve, expected number of employees and/or occupants and methods and hours of operation, if applicable; general description of neighborhood; Impact of development on neighborhood; nearby public facilities;

5. Front, side and rear elevations and sections indicating the organization of functions and spaces in a generalized manner, height and layout relationships with proposed and adjacent buildings, Bulk and/or roof lines, **floor plans** at ¼" = 1'-0", number and type of living units and rooms per unit, bedroom distribution; the total floor area and ground coverage ratio of each proposed building and structure; descriptions of setbacks, upper patios or interior parks;

6. Color, materials and exterior features of proposed structures; renderings or perspective drawings such as those utilized by the architect during studies of a project, show how visual privacy is achieved, show how audible privacy is achieved;

7. Indicate use of the latest **"green building" techniques**, methods and materials in the overall design per Mass State regulations; provide wind and shadow studies;

8. Existing and proposed contour elevations in two foot increments;

9. Provisions for vehicular and pedestrian circulation to adjoining property and neighborhood in general; roadway layout including but not limited to pavement and street widths, curb lines, right-of-way lines, cross-sections, alignments, sidelines, centerlines, points of tangency, lengths, bearings, radii and grades of roads, intersections within 100' of property lines;

10. Context, including a rendered site plan showing the project in context with it's abutters (with property lines) and adjacent streets;

11. Site landscaping and screening plan including sizes of trees and other plantings, use of indigenous materials, where appropriate, stone walls, fences and other features to be retained and/or removed, as well as color, size and type of landscaped surface materials; buffer zones; areas of Irrigation;

12. Measures taken to **preserve and protect natural resources** and open space, location, description, % of land not dedicated to parking, roads or lots, % unbuildable areas in open space, access to residents of Quincy, if any, where appropriate;

13. Outdoor and street lighting, including location and intensity of lighting facilities;

14. Dimensions and locations of signs, proposed and existing;

15. Location and significance of **historic structures**;

16. Method for handling solid waste disposal, and for screening of disposal facilities;

17. Description and location of all proposed **mechanical and electrical system components**, including

exhaust and ventilation system, transformers and satellite dishes; exposed mechanical equipment and vents should be indicated;

18. Locations of and adequacy of existing and proposed on-site public utilities, facilities and conditions (water, sewage and drainage), showing size and direction of flows;

19. Engineering plans and profiles, drawn to subdivision requirements, including streets, sidewalks, drains, sewers, water mains and public utility extensions, and connections with existing or proposed rights of ways and/or easements such as gas, electric, telephone, fire alarm, E.M.H., transformers, pads, cable and fiberoptics;

20. Engineering feasibility studies of anticipated problems i.e. noise, blasting, etc., if deemed necessary by the Board;

21. Demolition and construction procedures including impact mitigation measures, and an estimate of the time period required for completion of the development; construction cost estimates: site preparation, unit costs, service and ancillary functions;

22. A traffic study including estimated peak hour traffic volumes generated by the proposed use in relation to the existing volumes and projected future conditions or, if the project is, a traffic impact analysis which is prepared by a professional traffic engineer;

23. General summary of proposed easements or other burdens now existing or to be placed on the property;

24. Recreation and Common Areas such as, but not limited to, community center, tennis court, swimming pool, paths—(hiking, bicycle, etc.) community garden, other common areas;

25. Wetlands, ponds, Rivers Act regulated areas and surface water bodies, as defined under the Wetlands Protection Act, M.G.L. Chapter 31, Section 40, and rules promulgated thereunder, 310 C.M.R. 10.00; or any other conditions that may trigger a N.O.I.; floodplain;

26. Photographs of at least eight (8) by ten (10) inches, showing the development site and the surrounding parcels;

27. Document/show compliance with additional related zoning sections, but not limited to; 17.04.235 Inclusionary Zoning Ordinance, 17.36.070 Fencing and Screening-Industrial and Business Districts; 17.36.080 Traffic Visibility Across Corners; 17.28.030 Parking Facilities Regulations; 17.28.050 Parking Spaces Minimum Dimensions; 17.28.070 Table of Loading Area Requirements;

28. Such other information as will aid the PGA in judging the application and in determining special conditions and safeguards, and as the PGA should deem necessary, in its determination of completeness of said application;

29. Miscellaneous information such as estimated rents, proposed financial plan; available grant programs that may benefit the project; Terms of Homeowners or Condominium Association agreement, where applicable, long term maintenance of roads, drainage & retention basins, common areas, utilities, snow removal and trash, compliance with all applicable Fair Housing laws.

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DENNIS E. HARRINGTON
Director

THOMAS P. KOCH
Mayor

ARTICLE 3:

Special Permit – Site Plan Review Application

DATE: _____

1. **Name of Legal Owner of the Land:** _____

   Address: _____

   Home Phone: (_____)_____ Business Phone: (_____)_____

   Cell Phone: (_____)_____ FAX: (_____)_____

2. **If this Application is by Other than the Legal Owner of the Land,**

   the Applicant is:_____

   Address: _____

   Home Phone: (_____)_____ Business Phone: (_____)_____

   Cell Phone: (_____)_____ FAX: (_____)_____

3. **Location & Description of Property:** _____

   Street Address: _____

   Assessors' Plan No., Lot / Plot _____

   Deed of Property Recorded in: _____Registry,

   Certificate No._____, in Book _____, Page _____

4. **Name of Engineer:** _____

   Business Phone: (_____)_____ FAX: (_____)_____

5. **Name of Applicant's Attorney:**_____

   Business Phone: (_____)_____ FAX: (_____)_____

6. **Zoning Classification:** _____

7. **Proposed Use & Size of Structure:** _____

   _____

   _____

Please pay with two separate checks, each made payable to City of Quincy.

a. Application Filing Fee $_____ ☐ Paid Date_____
b. Project Review Fee $5,000.00 ☐ Paid Date_____

Signature of Landowner: _____ **Date** _____

Signature of Applicant: _____ **Date** _____

Signature of Attorney: _____ **Date** _____

Notes: 1. The applicant is required to pay for the legal advertisement in the local newspaper
2. The application must be accompanied by two copies of a certified abutters list and two sets of matching mailing labels (obtain from Assessor's Office).
3. A copy of this application and must be filed with the City Clerk's Office.
4. A submission shall be deemed incomplete until all required administrative and project review fees have been received.

Quincy Planning Board

ARTICLE 4:
Regulations Governing Zoning Permit Fees and Fee Schedules

Amended through September 16, 2008
Amended through January 14, 2008

SECTION 1. INTRODUCTION

1.1 Procedural History. On May 9, 2007 the Planning Board held a public hearing, pursuant to GL c. 40A, s. 9 to consider proposed regulations governing fees. At the close of the public hearing, the Planning Board voted to adopt regulations governing fees and a new schedule of fees for review conducted by the Planning Board and its consultants on the Zoning Permit applications which come before it. This document, subject to revision from time to time in a manner spelled out herein, constitutes the Planning Board's rules governing the imposition of fees and its current fee schedules.

1.2 Purpose. These regulations and fee schedules have been adopted to produce a more equitable schedule of fees which more accurately reflects the costs of technical and legal review of applications to the Planning Board; to take advantage of the procedures offered by GL c. 44, s. 53G; to establish a review procedure in the selection of consultants; and to promote more informed decision making by the Planning Board.

SECTION 2. FEE STRUCTURES AND REGULATIONS

2.1 General. The Planning Board shall impose reasonable fees for the review of applications, which come before it. The Planning Board may impose Administrative Fees and Project Review Fees as may be applicable to the types of applications set forth below.

SECTION 3. ADMINISTRATIVE FEES

3.1 Applicability. An Administrative Fee shall be assessed to offset the expense of review by the Planning Board and its office with regard to all applications set forth in Section 3.3 below.

3.2 Submittal. Administrative Fees shall be submitted at the time of the submittal of the application. Any application filed without fees shall be deemed incomplete and no review work shall commence until the fee has been paid in full.

3.3 Schedule of Administrative Fees. The following schedule applies to the types of applications to the Planning Board set forth below. This schedule supercedes all previous schedules as these may have appeared in the Zoning Ordinance, Zoning Permit Regulations and any listings that may have been compiled from time to time for the benefit of applicants.

Special Permit -- Site Plan Review (includes Quincy Center Districts)–
0 – 15,000 square feet gross floor area - $2,000
15,001 – 50,000 square feet gross floor area - $3,000
$1,000 add for each additional 50,000 square feet or part thereof

3.4 Fee Waivers. The Planning Director may waive or reduce any Administrative Fee, if, in the opinion of the Planning Director, unusual circumstances exist regarding the subject property or the applicant.

3.5 Refund. Once the review process has been commenced, the Planning Board shall not refund Administrative Fees, including in the case of withdrawal of the application by the applicant.

SECTION 4. PROJECT REVIEW FEES.

4.1 Applicability. In addition to an Administrative Fee, the Planning Board or Planning Director shall impose a Project Review Fee on those applications which require, in the judgment of the Planning Board or Planning Director, review by outside consultants due to the size, scale or complexity of a proposed project, the projects potential impacts or because the City lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers or other appropriate professionals able to assist the Board and to ensure compliance with all relevant laws, ordinances and regulations. Such assistance may include but is not limited to analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decisions or regulations, or inspecting a project during construction or implementation.

4.2 Submittal. Project Review Fees shall be submitted at the time of the submittal of the application for deposit in an account established pursuant to GL s. 44, ch.53G (53G Account). Any application filed without this fee shall be deemed to be incomplete and no review work shall commence until the fee has been paid in full.

4.3 Schedule of Project Review Fees. The following schedule applies to the types of applications to the Planning Board set forth below. This schedule supercedes all previous schedules as these may have appeared in the Zoning Ordinance, Zoning Permit Regulations and any listings that may have been compiled from time to time for the benefit of applicants. If and when the Board or Planning Director establishes that the initial Project Review Fee is inadequate based on, but not limited to, the size or complexity of the project, the Board or Planning Director may require a higher initial Project Review Fee deposit.

Special Permit -- Site Plan Review (includes Quincy Center Districts) –

Mixed Use/Commercial Project Review Fees

0-10,000 SF	$5,000.00
10,000-30,000 SF	$10,000.00
30,000 and up SF	$15,000.00

Residential Project Fees:

Minimum Fee	$5,000.00
Plus for each unit over 20 units	$250.00

4.4 Fee Waivers. The Planning Director may waive or reduce any Project Review Fee, if in the opinion of the Planning Director, unusual circumstances exist regarding the subject property or the applicant.

4.5 Replenishment. When the balance in an applicant's 53G account falls below half the initial amount, the account shall be brought up to the initial amount.

4.6 Handling of Project Review Fees. The Project Review Fee is to be deposited into a special account as set forth in GL C. 44, S 53G.

A. Outside consultants retained by the Planning Board to assist in to the review of an application shall be paid from this account.
B. An accounting of an applicant's funds held in a 53G account may be requested by the applicant at any time. The Planning Board shall respond to the request in a timely fashion. This accounting shall include the following information: A statement of principal and interest, prepared by the Planning Board office, based on the latest statement from the banking institution; and, a report of all checks authorized for issuance since that last banking statement.

C. An applicant may request an estimate of bills pending from consultants for work completed, or in progress, but not yet invoiced.
D. Any remaining balance of deposits will be returned to the applicant upon presentation to the Planning Director of a signed occupancy permit for the entire project or disapproval of a Zoning Permit Plan.

4.7 Appeal. The Choice of a consultant selected by the Planning Board or Planning Director for the review of an application may be appealed in writing to the City Council by the applicant, provided the appeal is initiated within two weeks of the initial selection as per the appeal process pursuant to GL c.44, s. 53G.

SECTION 5. SELECTION OF CONSULTANTS

5.1 Pre-Qualification. The Planning Board shall keep and annually update a list of pre-qualified consultants. The Board shall issue a Request for Qualifications for a range of technical review services. Consultants will be asked to meet minimum criteria that includes but is not limited to: evidence of at least three or more years practice in the field at issue or an educational degree in or related to the field at issue and such other qualifications and criteria as the Board may establish.

SECTION 6. PUBLICATION FEE

6.1 General. The applicant is required to pay for the legal advertisement in the local newspaper.

SECTION 7. REVISION OF FEE SCHEDULES AND REGULATIONS GOVERNING FEES

7.1 Amendment. The Planning Board may review and revise its regulations and fee schedules from time to time as it sees fit.

A. Amendments shall be preceded by a public hearing
B. Any new regulations or alterations to the fee schedule shall take effect upon filing a new copy of the amendments with the City Clerk
C. The Planning Board will review its regulations and fee schedule on an annual basis. The Board may waive this provision in any year with a motion carried by a majority of the Board members.

Special Permit -Site Plan Review
Submittal Timeline

			Filing date --plus 65 days maximum time frame to set hearing date			
Four weeks prior to application submittal	***T<u>hree weeks prior</u> to the anticipated hearing***				***Bring submittal into compliance, if requested***	***Schedule for next available monthly Planning Board meeting***
Weeks 1-4	***Weeks 5-7***				***Possible Week 8***	***Weeks 9 and 10***
Informal Meetings	**Item #1**	**Item#2**	**Item #3**	**Item #4**	**Item #5**	**Item #6**
Review **Rules and Regulations** for special permit submittal. Meet with Planning Department staff to discuss process, develop checklist requirements and to review plans prior to application submittal	Have eighteen sets of the QCD Special Permit – Site Plan Review plans made (NOTE: 10 **sets** at 11" x 17"; 8 **sets** full size – no larger then 2' x 3')	Make 18 copies of the application form and obtain copies of Abutter's list – certified by the Assessors' Office - and two sets of corresponding mailing labels from the Assessors' Office. Please ensure that the subject property is included on all lists obtained from the Assessor.	Bring one set of plans and applications to the City Clerk's office (with abutters list and matching mailing labels attached). The Clerk will time-stamp the original letter and retain for their file. The applicant shall obtain from the City Clerk a certified copy of the application including the date and time of filing.	Bring certified copy plus fifteen (15) sets to the Planning Board office with a check in the appropriate amount for required administrative and project review fees (see attached fee schedule and regulations) and the Planning Board secretary will date-stamp the entire submittal as "Received."	In the event that the Planning Director deems an application to be incomplete or otherwise not properly filed, the applicant will be notified in writing and given the opportunity within a specified period of time (not less than seven (7) days after the date of the notice) to bring the application into compliance. An application which is the subject of such notice, but is not brought into compliance within the period specified in such notice, shall be denied for failure to comply with these rules.	Once the Planning Director deems the application complete, the Planning Board secretary will then do the following:
			Hearing will be set within 65 days of filing date.	Review by Planning Department staff and Director. Minimum review time 7-10 days		In consultation with the Planning Director and Board, set a date for the public hearing. The public hearing must take place within **sixty-five (65) days** of the date of the filing.
						Distribute the plans to the appropriate City Departments, and request comments to be submitted 7 days before hearing.
						Post the Public Hearing in the City Clerk's Office **14 days prior** to hearing
						Advertise the public hearing in a local newspaper for two consecutive weeks **at least 14 days prior** to the hearing date
						Mail a copy of the hearing notice, postage prepaid, to the applicant and to all "parties in interest" as per Ch. 40A, section 11.
						Copies of all comment memos received shall be distributed to Applicant, Board Members, Planning Director and Principal Planner II.

Special Permit -Site Plan Review
Submittal Timeline

	Date of Final Action --Close of hearing plus up to 90 days or longer with extension			*Twenty day appeal period*
	Item #7	**Item #8**	**Item #9**	**Item #10**
PLANNING BOARD PUBLIC HEARING At Planning Board Public Monthly Hearing: Continue to following month's agenda or close.	The Planning Board will take final action on the filing within ninety (90) days, of CLOSE of hearing or extended time if requested in writing by the applicant and agreed to by the Board. A copy of the agreement shall be filed with the City Clerk.	Prior to the final action by the Planning Board, the applicant will furnish the Board with three complete sets of plans with the latest revised dates as referenced in the staff recommendation. Any surviving conditions of approval shall be placed on the title page of the plans. The same shall apply to construction drawings.	The Planning Board will file a copy of the decision with the City Clerk, including a record set of plans. Notice of the decision will be mailed, postage prepaid, to the applicant and to parties in interest and persons requesting notice. Notice will specify the 20 day right to appeal.	Once the 20 day appeal period has lapsed, and in the absence of any appeal, the applicant, if granted the Special Permit, shall have the City Clerk certify that no appeal has been filed and shall file a certified copy of the decision notice at the Norfolk County Registry of Deeds, Dedham, Massachusetts and provide a copy of the recorded decision notice to the Board for its files before applying for a building permit.