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CITY OF EVERETT, MASSACHUSETTS

PLANNING & DEVELOPMENT
DEPARTMENT

(617)394-2334
FAX (617)394-5002

DATE: February 25, 2019

**CERTIFICATE OF APPROVAL
SPECIAL PERMIT
322 - 324 FERRY STREET – ANDREW W. PHILBIN**

It is hereby certified by the Planning Board of the City of Everett, Massachusetts, that at a duly called and properly posted meeting of said Planning Board held on February 25, 2019, it was voted to approve with conditions Special Permit Application for 322-324 Ferry Street as shown on plan entitled: "Site Plan of Land, 322-324 Ferry Street, Everett, MA," was prepared by Jay Jarosz, P.L.S of Jarosz Land Surveying, Inc., 3 Mill Street, Manchester, MA 01944 and dated October 9, 2018. The application and narrative were prepared by Paul Delory, dated February 4, 2019. Said property is located at 324 Ferry Street, Everett, MA 02149 and shown on Assessor's Map M0-02-000093 in the Business District. See letter to applicant dated February 27, 2018.

A copy of the Certificate of Approval for Special Permit is to be filed with the Everett City Clerk and the original sent to the applicant.

A true copy, attest:

Michael O'Connor

Anthony R. Medeiros

City Clerk, Everett

Leo A. Pizzaro Jr.

L. E. Glass, Chairman
EVERETT PLANNING BOARD

City of Everett

PLANNING BOARD
484 BROADWAY
EVERETT, MA 02149

Frederick Cafasso-*Chairman*
Nancy Koury
Anthony Medeiros
Michael O'Connor
Leo Pizzano, Jr



Speaker George Keverian Room
3rd Floor-City Hall
Meetings
2nd & 4th Mondays
7:00PM

February 27, 2018

Mr. Paul Delory, Esq.
Law Offices of Paul A. Delory
365 Broadway
Everett, MA 02149

Special Permit Decision

- **Special Permit Approval for Andrew W. Philbin – 19-Unit Residential Development – 322 – 324 Ferry Street, Everett, MA**

Applicant: Andrew W. Philbin, 629 Broadway, Everett, MA 02149

Landowner: - Andrew W. Philbin, 629 Broadway, Everett, MA 02149

Dear Mr. Delory:

This is to certify, at a public hearing of the Everett Planning Board (Board) opening on February 25, 2019 and closing on February 25, 2019, by a motion duly made and seconded, it was voted:

“Decision: The Everett Planning Board, on petition Andrew W. Philbin, for a special permit approval pursuant to the provisions of Section 32 of the Everett Zoning Ordinance to authorize the development at property known and numbered as 322-324 Ferry Street (Assessors Map No. M0-02-000093), (collectively “the Project”) as shown on the plan set entitled: “Site Plan of Land, 322-324 Ferry Street, Everett, MA,” was prepared by Jay Jarosz, P.L.S of Jarosz Land Surveying, Inc., 3 Mill Street, Manchester, MA 01944 and dated October 9, 2018, (the “Special Permit Plan”), do hereby vote to **APPROVE** the Special Permit as noted above, subject to the Findings and Conditions below.

Materials Submitted by Applicant in support of petition:

The following materials in addition to the Site Plan were submitted by Paul Delory, on behalf of landowner and developer in support of this petition:

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<u>Date submitted</u>	<u>Description</u>
1. February 4, 2019	Regional Ready Renter Program, 2018-2020, Modified for 322-324 Ferry Street, Everett, MA. Prepared by Jennifer Van Campen, Metro West Collaborative Development, Inc.

FINDINGS OF FACTS:

1. The Project site is shown on a 5,400 square foot parcel for redevelopment of an existing residential property used as a twenty (20) unit lodging house to be renovated and reconstructed for a 19-unit multi-family dwelling (the “Development Lot”) parcel shown on Everett Assessor’s Parcel ID as M0-02-000093 (the “Original Lot”) on the Site Plan.
2. The purpose of this site development project is to permit reconstruction of an existing twenty (20) unit lodging house to be renovated to become a 19 one-bedroom apartment building including construction of a 3rd story on the ‘Project’, and development of units in the basement level of the building on the Development Lot.
3. The applicant received Special Permit approval from the Zoning Board of Appeals to expand the existing non-conformity. Relief was granted by the Zoning Board of Appeals on June 5, 2018.
4. The applicant received Site Plan approval for the Project from the Planning Board. Approval was granted by the Planning Board on December 10, 2018.
5. The applicant is proposing three (3) deed-restricted affordable units in accordance with the Everett Zoning Ordinance, which requires 15% of the units to be affordable.
6. Special Permit: As further described in this Decision, the plans submitted depict an adequate new multi-family building which meets the relevant provisions, requirements, standards and guidelines of Section 32 of the Everett Zoning Ordinance.
7. The public did not object this development proposal.

BASIS AND CONDITIONS FOR PLANNING BOARD DECISION:

8. The property lies within the Business District which allows multi-family residential dwellings as-of-right upon the grant of a Site Plan decision by the Planning Board.
9. The Siting of the Affordable Unit has been determined to be adequate as the three (3) affordable units will be located within the building and identified as three (3) one-bedroom units, specifically Units # 3, 5, and 13.
10. The minimum design and construction standards for the affordable unit will be integrated with the rest of the development and will be the same tenure type as the other units on the property and will be compatible in design, appearance, construction and quality of materials with the market rate units. The interior features and mechanical system of the affordable unit will conform to the same specifications as apply to the market rate units.
11. The applicant shall utilize and adhere to the “Regional Ready Renter Program 2018-2020” as prepared by Metro West Collaborative Development, Inc., and as approved by the Massachusetts Department of Housing and Community Development, as its affirmative fair housing marketing plan.
12. The certificate of occupancy for the affordable units shall be issued prior to or contemporaneously with the first certificate of approval for the market rate units.

13. The Development shall be constructed in substantial compliance with the development plans entitled, "Site Plan of Land, 322-324 Ferry Street, Everett, MA," was prepared by Jay Jarosz, P.L.S of Jarosz Land Surveying, Inc., 3 Mill Street, Manchester, MA 01944 and dated October 9, 2018."
14. All affordable housing and fair marketing provisions will be conducted and implemented by Metro West Collaborative Development, Inc., the designated agent for Andrew W. Philbin. Andrew W. Philbin and Metro West Collaborative Development, Inc. and will comply with all Federal, State and local fair housing and civil rights laws and with all Equal Opportunity requirements. This applies to accepting and processing applications, selecting tenants from among eligible applicants of the waiting list, assigning the designated units, and certifying and recertifying eligibility for assistance.
15. Preference should be granted to applicants who are local to the City of Everett, which is defined herein as:
 - a. *Current residents*: A household in which one or more members is living in the city at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
 - b. *Municipal Employees*: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or city hall employees.
 - c. *Employees of Local Businesses*: Employees of businesses located in Everett.
 - d. Households with children attending the locality's schools, such as METCO students.
16. For the reasons stated herein, and subject to compliance with all findings and conditions hereof, the Board finds that the applicant has adequately demonstrated that the proposed land use and construction are reasonable, safely designed and therefore entitled to the requested Special Permit, as the reconstruction of the existing residential property is in accordance with the Inclusionary Zoning, Section 32 of the Everett Zoning Ordinance.

Prior to Construction:

17. The Everett Department of Planning and Development will require a signed copy of the approved "Regional Ready Renter Program 2018-2020 for 322-324 Ferry Street" as approved by the Department of Housing and Community Development (DHCD). Additionally, if there are any changes to the 'Plan', then DHCD will need to approve the changes with a copy submitted to the Planning Board.

Any person aggrieved by a decision of the Planning Board has the right to appeal such decision to the Superior Court, the Land Court, or the District Court of the Commonwealth of Massachusetts pursuant to M.G. L. c.40A, Section 17 and shall be filed within twenty days after *the date of filing of this notice* in the office of the Everett City Clerk.

If you have questions, please don't hesitate to call.

A copy of the Certificate of Approval for Special Permit will be filed with the Everett City Clerk and the original sent to the applicant.

The record of vote to grant the Special Permit approval with the above stated conditions is as follows:

Motion made by Leo Pizzano, Jr. to close and approve the Special Permit and seconded by Anthony Medeiros. All members were favor.

In Favor: Fred Cafasso, Anthony Medeiros, Michael O'Connor, Leo Pizzano.
Opposed: None.

I hereby certify that copies of this decision were filed with the City Clerk, Building Commissioner, and the Director of Engineering on February 27, 2019.



Michael Vivaldi, AICP
Senior Planner

cc: Sergio Cornelio, City Clerk
James Soper, Building Commissioner
Greg St. Louis, Director of Engineering
Andrew W. Philbin, Applicant

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