

WELLESLEY PLANNING BOARD
WELLESLEY INN REDEVELOPMENT PROJECT
576 WASHINGTON STREET AND 53 GROVE STREET
INCLUSIONARY ZONING -AMENDMENT OF SPECIAL PERMIT

The Wellesley Planning Board (Planning Board), acting as Special Permit Granting Authority under the provisions of Chapter 40A, Section 9, M.G.L., and Section XVIB. of the Wellesley Zoning Bylaw (Zoning Bylaw), has heard and considered the application of Washington Grove LLC, 40 Trinity Place, Boston, MA 02116 (hereinafter “the applicant”), seeking by amendment an alteration of a Special Permit pursuant to the requirements of SECTION XVIB. INCLUSIONARY ZONING of the Zoning Bylaw and the Rules and Regulations relative to the administration of Section XVIB. Inclusionary Zoning of the Wellesley Zoning Bylaw (Rules and Regulations) for the mixed-use redevelopment of the former Wellesley Inn site located at 576 Washington Street and 53 Grove Street (hereinafter, the “project”). The Original Special Permit, as approved by the Planning Board, was filed with the Wellesley Town Clerk and became effective on February 15, 2006. The Special Permit was amended by the Planning Board on January 10, 2006 to acknowledge a modification to the project (hereinafter, the “First Amendment”). The First Amendment did not address any change to the effective date of the Special Permit. The Special Permit was amended further by the Planning Board on January 28, 2008 (hereinafter, the “Second Amendment”) to extend the Special Permit until February 23, 2009. The Special Permit has been further extended and currently remains in effect under Section 173 of Chapter 240 of the Acts of 2010 (the Permit Extension Act) since February 23, 2009.

An application with accompanying supplementary materials (application) was submitted to the Planning Board on June 3, 2013 for a modification to the existing Special Permit under SECTION XVIB. to make a payment in lieu to the Town of Wellesley rather than to provide an assisted unit on the project site. The Planning Board convened a duly advertised public hearing on July 8, 2013 and continued the hearing to July 22, 2013. Those Planning Board members present for each session of the public hearings were: Chair Conroy, Ms. Preston, Ms. Carpenter, Mr. Glick, and Ms. Johnson. By unanimous vote of the Board the public hearing was closed on July 22, 2013.

ASSISTED UNIT RATIO

The Board, based on data supplied by the staff, Wellesley Housing Development Corporation, and the applicant, discussed the modification of the project to determine the Assisted Unit Ratio (the number of affordable units that are required for the project). The applicant proposes to modify the project from 19 Market Rate units and 9,000 square feet of retail to 25 Market Rate Units and 9,500 square feet of retail. After this discussion it was determined that the required number of units shall be 5 units in connection with the housing component and 0.19% of 1 unit for the retail square footage. The applicant

agreed to construct the 5 units required on site at 53 Grove Street as a matter of right. The Board subsequently so moved, seconded and voted unanimously.

SECTION XVIB. paragraph D. provides that the required assisted units be provided on site unless alternatives are proposed by the applicant and approved by the Planning Board in accordance with the terms of a Special Permit.

The alternatives proposed by the applicant are characterized as follows:

To provide a payment in lieu to the Wellesley Housing Development Corporation for the 0.19% of a unit required.

A specific cost estimate for this Special Permit was established based on an evaluation by the Wellesley Housing Development Corporation of the difference between the median sales price of conventional units and maximum affordable sale price for a 3-bedroom assisted unit" under SECTION XVIB. Inclusionary. The cost difference was determined to be \$524,000. Based on the 0.19 % required to meet the payment in lieu obligations, a cash contribution of \$99,560 was determined to be made to the Town to satisfy the requirements for the Special Permit. The Planning Board reviewed and incorporated the suggested cash contribution as a Special Permit Conditions as noted below:

SPECIAL PERMIT CONDITIONS

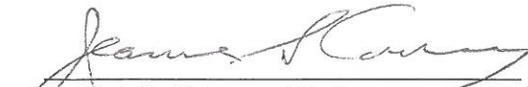
1. Payment in Lieu

The applicant shall deposit one-half of the sum of \$99,560 to the WHDC prior to the issuance of a building permit. The remainder of the payment in lieu shall be made prior to the issuance of a Certificate of Occupancy for the project. If a temporary Certificate of Occupancy is sought by the applicant, 5% of the balance of the remaining payment in lieu shall be paid prior to the issuance of such temporary Certificate of Occupancy with the remaining balance being paid prior to the issuance of the final Certificate of Occupancy.

At its meeting of July 22, 2013 the Planning Board moved, seconded and voted unanimously to approve the requested Special Permit subject to the foregoing conditions and qualifications.

This Third Amendment shall be attached to and become part of the original Special Permit Decision, together with the First Amendment and Second Amendment.

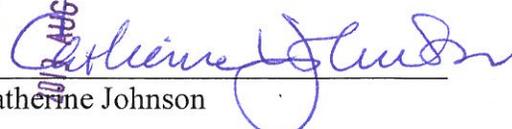
WELLESLEY PLANNING BOARD


Jeanne S. Conroy, Chairman


Sara Preston, Vice Chairman


Deborah Carpenter, Secretary


Neal Glick


Catherine Johnson

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, 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 TOWN CLERK.

THIS SPECIAL PERMIT AMENDMENT SHALL BE RECORDED AT THE REGISTRY OF DEEDS IN ACCORDANCE WITH THE PROVISION OF SECTION 11 OF CHAPTER 40A MASSACHUSETTS GENERAL LAWS.

MA 02468
AUG 9 2011
WELLESLEY