

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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2002 JAN 25 A 10:01

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ZBA 2002-2
Petition of Babson College
Woodland Hills Parking Lot
Babson College Campus

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 17, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of BABSON COLLEGE requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to allow the WOODLAND HILLS PARKING LOT, a 10,230 square foot temporary parking lot for 30 vehicles, including 2 handicapped spaces, on the BABSON COLLEGE CAMPUS, in an Educational District and a Water Supply Protection District. Said lot was not constructed in accordance with the Site Plan Approval (ZBA 2001-41) granted by the Board of Appeals on July 11, 2001.

On November 29, 2001, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Shelley Kaplan, Babson College Associate Vice President for Facilities Management. Mr. Kaplan said the lot was originally requested and approved as a permanent lot, with a detention basin as part of the plan. As the construction began, the college was uncertain whether the location was appropriate for a permanent lot in light of future campus plans involving graduate housing in the area. The contractor was requested to make the lot a temporary one similar to the Publisher's Hall temporary lot, rather than a permanent one. The lot was closed in November to be restored in the spring. Currently, jersey barriers are in place. The land elevations had been maintained. The only change has been the removal of some shrubbery, which could be replaced.

The Board asked if the construction basin had been constructed. Mr. Kaplan said the basin had not been constructed. As new impervious surface had not been created, it was felt that the basin was not necessary.

The Board asked if all conditions regarding the hay bales had been followed. Mr. Kaplan said they had been followed, and the hay bales are still in place.

The Board asked about the lighting fixtures and fire hydrants that were involved. Mr. Kaplan said they were originally allowed to install three light poles, but only one was installed because the lot was changed to temporary status. The one additional fire hydrant requested by the Fire Department was installed. Both the single light fixture and the hydrant will remain when the lot is restored to natural condition.

No other person present had any comment on the petition.

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Statement of Facts

The subject property is located at the west end of the Babson Campus on Woodland Hills Drive, in an Educational District and a Water Supply Protection District.

On July 11, 2001, the Board of Appeals granted Site Plan Approval (ZBA 2001-41) to Babson College for the construction of the Woodland Hills Parking Lot, a permanent 9,970 square foot parking lot containing 31 spaces. Stormwater was to be collected by an oil/water separator and discharged to a small detention basin to provide recharge and extended detention. Discharge for the basin was through a riprap lined spillway towards the nearby wetland.

During a site visit, the Wetlands Coordinator discovered that the lot had been enlarged, had been changed from a permanent to a temporary lot, and that the detention basin and spillway had not been constructed.

At the Public Hearing on October 11, 2001, the Board of Appeals discussed the problem, voted unanimously to revoke the Site Plan Approval granted in July, 2001, and requested Babson College to return to the Board with a petition for Site Plan Approval for the temporary lot which had been installed.

The petitioner is now requesting site plan approval to allow the Woodland Hills Parking lot, a 10,230 square foot temporary parking lot for a total of 30 vehicles, including 2 handicapped spaces. The lot has been closed since the beginning of November and will be restored to its natural state in the spring as soon as weather conditions made restoration feasible.

An As-Built Plan of Parking Lot at Woodland Hills, dated 9/19/01, stamped by Gregory M. Valiton, Registered Professional Engineer on 9/20/01; Parking Lot Plan at Woodland Hills, dated 10/24/01, stamped by Gregory M. Valiton, Registered Professional Engineer on 10/24/01; and an Official Development Prospectus were submitted.

All submitted plans and material were sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and the Fire Chief as required by Section XVIA of the Zoning Bylaw.

On October 25, 2001, the Wetlands Protection Committee voted to accept, under the existing Order of Conditions (DEP 324-356) the changes made to the Woodland Hills Parking Lot, as reflected in the As-Built Plan dated 9/19/01. The Committee found that the alterations made from the originally approved plan were not significant to protected wetland issues. A Certificate of Compliance should be requested by the college when the restoration is complete.

Decision

This Authority has made a careful study of the submitted materials and the information presented at the hearing. The petitioner's 10,230 square foot temporary parking lot for 30 vehicles constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw because it involves grading or regarding of land to planned elevations, and removal or disturbance of the existing vegetative cover over an area of 5,000 or more square feet.

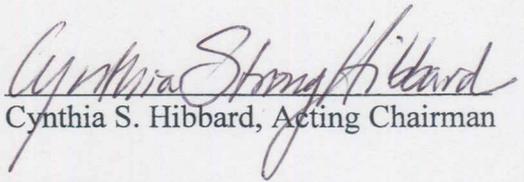
ZBA 2002-2
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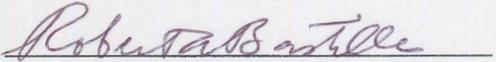
It is the opinion of this Authority that the submitted plans for the existing temporary Woodland Hills Parking Lot, as listed in the Statement of Facts, comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways and insure adequate protection for water, sewerage and drainage. Furthermore, compliance with Section VII, Section XVI, Section XXI and Section XXII of the Zoning Bylaw is met.

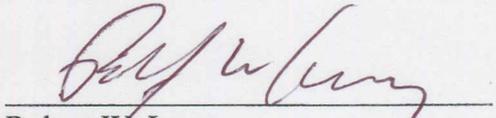
Site Plan Approval is granted, as voted unanimously by this Authority at the Public Hearing, pursuant to Section XVIA of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

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 FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
Wetlands Protection Committee
Inspector of Buildings
Edg


Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

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ADDENDUM A

1. The temporary parking lot shall remain closed with the jersey barriers in place until it is restored to a natural condition as soon as possible in the spring of 2002. When the temporary surface is removed, the sod beneath the filter fabric shall also be removed and replaced with clean fill and new sod.
2. The Order of Conditions (DEP 324-356) issued by the Wetlands Protection Committee on May 31, 2001 is hereby incorporated into this decision.
3. Upon issuance of a Certificate of Compliance, a copy of said Certificate shall be filed with the office of the Board of Appeals.
4. Upon completion of the project, a complete set of Site Utility Plans shall be submitted to the Department of Public Works.

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