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ZBA 2011-79
 Petition of Toyota of Wellesley
 234 Worcester Street

Record Property Owner: Ko Realty Corp.

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, January 19, 2012 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of TOYOTA OF WELLESLEY requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw for a three-story parking structure with a footprint of 28,740 square feet, at 234 WORCESTER STREET, in a Business A District.

The Petitioner is requesting a Special Permit pursuant to the provisions of Section XIVE and Section XXV of the Zoning Bylaw for a major construction project in a Water Supply Protection District.

On December 19, 2011, 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 David Himmelberger, Esq., who said that he was representing the owner, Ko Realty Corp., in connection with the request for approval of Site Plan Review for the construction of a new parking garage and modifying a previously approved project that is currently under construction.

Mr. Himmelberger said that the Petitioner is requesting a Special Permit for a Major Construction Project in a Water Supply Protection District and a Special Permit pursuant to Section XII to allow the alteration or intensification of a motor vehicle sales use in a Business A District.

Mr. Himmelberger said that also present at the hearing were Bruce Jaffin, Caisson Construction Corp., Construction Manager, and Timothy Power, Professional Engineer, Allen & Major Associates, Inc.

Mr. Himmelberger said that this project grew out of the previously approved project. He said that once getting underway and noticing the increase in hybrid sales, the Applicant determined that it would be beneficial to have additional parking.

Mr. Himmelberger said that the proposal has been reviewed by the Wetlands Protection Committee (WPC), Design Review Board (DRB) and the Planning Board. He said that the Petitioner has incorporated all of the recommendations with one notable exception.

Mr. Himmelberger said that the Planning Board advised that the project should go through Project of Significant Impact (PSI) review. He said that the Planning Board found a distinction in the Zoning Bylaw for parking garages for vehicles for sale as opposed to those used by customers or employees. The Board said that it had determined that this project would not be subject to PSI review.

Mr. Himmelberger submitted a revised Construction Management Plan, a revised Development Prospectus, a letter from Timothy Power that addressed Department of Public Works Engineering Division concerns, and revised plans to reflect the changes in the parking field in terms of directional travel and some angled parking.

Mr. Jaffin said that the original set of plans contained approximately 25 sheets. He said that 13 sheets were changed and are noted on the cover sheet of the revised plans. The Board requested that full sized plans be submitted.

Mr. Jaffin said that item #12 in the Development Prospectus was changed to show the number of existing and proposed total parking spaces.

Mr. Power displayed enlarged site plans (retained by proponent). He identified the existing building and the approved addition and said that the remainder of the lot was pavement with some improvements made under the previously approved Site Plan Approval. He said that under existing conditions site traffic circulation is unclear. He said that it is a poor layout and the parking lines are faded.

Mr. Power said that they have categorized 62 of the existing parking spaces as those used by customers, employees and company owned vehicles. He said that those parking spaces are required by Zoning. He said that they are proposing to provide 138 employee, customer and company owned vehicles spaces. He said that an additional 204 spaces are proposed for inventory use.

Mr. Power said that there will be parking in the new structure for customers who are shopping for cars as well as customers' cars for service where the customer will drop the car off and an employee will drive it to somewhere else on the site.

Mr. Himmelberger said that the parking garage will have three parking levels, ground with two decks above it.

Mr. Power said that the ground level of the garage will be relatively open for cars to pass through. He said that there are a number of access points to the front where cars can drive through and then out and around.

Mr. Power displayed the property line on the Site Plan. He said that over time, the actual road shifted away to accommodate the exit to Cedar Street. He said that the owner is in negotiations with MA DOT to lease the land at the front of the site. He said that they are now in the process of filing plans and the necessary paperwork.

Mr. Power said that previous owners had paved a sidewalk on the MA DOT land. The Board confirmed that the current owner is parking vehicles on the land.

The Board said that it will be looking for substantial landscaping on the Route 9 side of the property as part of the Site Plan Approval process. The Board said that a good amount of the landscaping would be on the leased land from MA DOT.

Mr. Power described the proposed landscaping in the leased land area. He said that they are proposing to build a small wall at the northeast corner of the leased land because of a sight line issue. He said that they will provide a defined sidewalk all the way up to Hastings Street.

Mr. Power asked that the Board approve the plan that does not include the leased land. He described the proposed landscaping along the front edge of the site.

Mr. Power said that they were told that there are different requirements for inventory versus non-inventory parking. He said that they tried to delineate areas that are for use by the customers, employees and other non-inventory uses. He said that they have done the necessary calculations for landscaping needs.

Mr. Power described general circulation on the site. He said that currently there are a number of curb cuts into the site. He said that the plan is to re-define the curb cut. He said that they are working with MA DOT on that issue. He displayed the one-way only entrance onto the site. He said that proper signage will be located at the front of the site. He said that there will be parking adjacent to the service building and the parking garage. He described access to the service building and the parking garage. He said that vehicles will exit the site from the back and onto Hastings Street.

The Board said that there appears to be an abrupt turn at the entrance. The Board said that there could be problems for other vehicles decelerating from Route 9 Eastbound on the Cedar Street ramp and vehicles entering the site.

Mr. Power said that the drive aisle at the front of the building will be 18 feet at a minimum. He said that if the lease does not go through, they will have to rip up the pavement and come back with reconfigured plans.

Mr. Power said that there will be two crosswalks for customers to get into the building. The Board said that it will be busy at the location of the front crosswalk. Mr. Power said that there will be queuing space for two cars outside of the service entrance and for two cars inside the service entrance. He said that vehicles will be dropped off there to be driven elsewhere by employees for servicing. He said that there will be a welcoming area inside the service building where customers will be directed to the sales area.

Mr. Power said that more signage may be required to help direct customers.

Mr. Power said that all of the maneuvering aisles will be 24 feet wide except for the one along the western edge where compact cars will be parked. He displayed the circulation around the western edge of the parking garage to the back of the site. Mr. Himmelberger said that the vehicles will drive up an 18 foot wide aisle to the angled parking.

The Board asked if a larger node at the northeast corner of the parking structure with a larger crosswalk would show the intention that that is where the customers are supposed to cross to get to the front

entrance. Mr. Power said that the bump out at the northeast corner of the parking structure is currently a stair tower. He said that they could provide access through that point. The Board said that with an enlarged crosswalk at the northeast corner of the parking garage, it might make sense to concentrate new car customer parking at the north end of the parking garage.

The Board said that the circulation was not clear for the different users of the Site. The Board said that there will be people who are familiar with the site and people who are not familiar with the site. Mr. Power said that the practice has been that customer cars that are on-site for service will be parked further away. He said that cars will be brought back to the service lane in the building to customers who are picking up serviced vehicles.

The Board asked about maneuvering plans inside the Service Building. The Board said that it was concerned about mixing the customers who bring their cars in for service with new car buyers. Mr. Himmelberger said that the service portion of the building is clearly marked and the lanes are clearly marked so that the customer parks, gets out of the car and has the car taken away. The Board said that it was not clear where a customer could be dropped off to pick up their car.

Mr. Power said that if the land lease does go through, they may have additional parking at the front of the existing building. The Board said that it might be difficult to access those spaces by taking a left turn from the entrance.

Mr. Power said that a sign at the front of the property will direct vehicles to the outdoor parking that is between the service building and the parking garage or to the parking garage. He said that vehicles could loop around the back of the site and then enter at the northeast side of the site to access the garage if the outdoor parking area is full.

Mr. Himmelberger said that there are 43 parking spaces on the ground level. Mr. Power said that the owner believes that they will be able to accommodate new car customer parking on the ground level.

The Board said that with the number of customers parking in the garage, the circulation experience could be enhanced to get the customer to the showroom rather than having them pass through the service area. Mr. Power said that there are things that they could do on the ground level to get customers to the front door.

Mr. Jaffin said that he had discussed traffic circulation with the owner. He said that the Ko family uses greeters all of the time to pick up cars and deliver them. He said that if the entrance to the Service Area is stacked, cars will be picked up at the side entrance and brought to the back of the Site. He said that the greeters will indicate to customers where they should park to drop off their car. He said that at the end of the day the customer would go to the service write-up area and a runner would retrieve the car from the back and bring it down the two-way aisle between the building and the garage for the customer to pick it up. He said that the vehicles would loop around the western edge of the Parking Garage and exit onto Hastings Street. He said that route is described in the Construction Traffic Management Plan (CMP).

Mr. Jaffin said that the intent is that when new customers enter the site a sign will direct them into the ground floor of the parking garage. He said that there is handicapped parking on the outside of the parking garage. He said that they also intend to park hybrid plug in vehicles there. He said that the owner

is looking to get LEED Certification. He said that there are certain requirements for specialized parking for hybrid vehicles being closer to the front entrance.

Mr. Jaffin said that new cars will be delivered as they currently are along the access road to 216 Worcester Street. He said that the new cars are then driven down Hastings Street and onto the lot at 234 Worcester Street. The Board confirmed that no new car carriers will be allowed onto the 234 Worcester Street site. The Board said that will be a condition of the Site Plan Approval. Mr. Himmelberger said that they would get back to the Board on that issue after consulting with the owner.

The Board asked about snow removal and where the cars will be moved to so that the lot can be plowed. Mr. Jaffin said that it was his understanding that all of the snow will be trucked off. He said that they will be parking more cars in the garage. He said that they will have 10,000 square feet of additional space in the building with the new addition. He said that most car dealerships store their vehicles inside prior to a snowstorm.

Mr. Power said that he has worked before with car dealerships with the same issue. He said that the lot is generally full with cars. He said that when it snows it is usually all hands on deck to clear and move cars and snow because they do not have room to be piling snow. He said that the main aisles to customer service and parking are priorities for moving the snow away. He said that the snow is removed from the site as soon as possible. He said that there is a triangle of land at the southwest corner where they may be able to push the snow temporarily. The Board asked how flow would be prevented from going down to the wetlands area.

Mr. Power said that there is a plan to block off traffic in the garage and direct it back out to the two-way driving aisle between the buildings. He said that the plan is for a bucket loader to dump the snow over the edge at the back of the garage and then haul it off.

The Board asked about moving the handicapped parking spaces closer to the entrance to the building. Mr. Power said that they are fighting some existing grades to the front of the site. He said that it tends to slope down fairly quickly. He said that the slope requirements for the handicapped spaces determined where the spaces should go.

The Board said that it would need to see the interior plans for the existing and new construction in the Service Building to get an idea of what the flow will be inside.

The Board questioned the accuracy of the parking count in the Development Prospectus. The Board questioned whether service spaces should be considered parking spaces.

The Board questioned if there would be enough room between parking spaces 82 through 87 and Hastings Street for vehicles to back out. Mr. Himmelberger said that those spaces are for inventory. The Board said that the plans should clearly show which spaces are for inventory.

The Board said that the drive aisles must be 24 feet wide. The Board said that the dimensions of the angled parking and the travel lanes should be labeled on the plans. The Board said that it needs to be demonstrated that all of the traffic circulation for the public will work on the site.

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The Board said that it was concerned about light spillage from the light poles on the top level of the garage, particularly for the residents of Hastings Village.

The Board said that on Plan C-3, language from Exhibit A of the WPC Determination should be incorporated into Note #23.

The Board said that plans should be submitted that show what the finished product will look like.

The Board said that it was concerned that this dealership could become a semi-distribution center.

The Board said that a Snow Control Plan should be submitted that shows where the snow will be dumped. The Board said that it is concerned that the snow not be dumped onto the Town land.

The Board asked about drainage within the garage. Mr. Power said that the ground level and the second level drainage will be captured in drains. He said that the oil and gas separator shown on the details of the Plumbing Plan were the preferred plan for Mr. Duggan from the Water & Sewer Department. He said that it will connect into the existing sanitary system to the front of the site.

Mr. Power said that the top level will be collected in similar drains. He said that it will come to the back side of the property and will go through a water quality structure that removes sediments better than a typical oil/gas separator. He said that all of the rooftop level is routed to an infiltration chamber and then into the ground. He said that the system is designed for 100-year storm events.

Mr. Power said that under existing conditions where there is open parking, the runoff sheet flows to the isolated wetlands. He said that they will now capture a vast majority of the runoff and put it into the system to minimize the flow off of the site.

The Board said that it was concerned about sufficient maneuvering space on the ground floor of the parking structure.

The Board asked about the glazing on the garage. Mr. Jaffin said that the owner wanted to be able to display some cars at the front.

The Board said that it had not been shown in the inventory area in the garage how the exits will be accessed. The Board said that the egress and access to some sort of protective path should be shown on all of the plans.

The Board asked that a separate Landscaping Plan be submitted that assumed that the lease will be signed on the MA DOT land.

The Board asked about the pre-cast concrete. The Board said that typically with concrete that is exposed to the outside, the top of the spandrel is sloped back into the garage a little bit so that the water will not land on the concrete and stain it. Mr. Jaffin said that he would drop off a sample of the pre-cast.

The Board voted unanimously to continue the hearing to February 9, 2012.

February 9, 2012

Presenting the case at the hearing was David Himmelberger, Esq. Also present at the hearing were Bruce Jaffin and Timothy Power.

Mr. Himmelberger said that the Board was concerned about landscaping along Route 9 and a possible deceleration lane or change in the angle of the entry onto the site. He said that Plans C-4 and C4A show the landscaping along Route 9.

Mr. Himmelberger said that Plan C-4 shows the site without the acquisition of the MA DOT land. He said that all of the parking that is along the front is inventory parking. He said that there is no specific requirement under the bylaw for landscaping. He said that they have nevertheless provided a five foot planting zone. He said that one change from the plan that went before the DRB was that plants that are identified as 5 IG in the strip between Route 9 and the inventory spaces have been changed to Juniper bushes.

Mr. Himmelberger said that the radius of the angle of the entry off of Route 9 has been eased.

Mr. Himmelberger said that Plan C-4A shows the landscaping of the site with the acquisition of the MA DOT land.

Mr. Himmelberger said that, as shown on Plan P2, the crosswalk that was midway between the buildings has been pulled closer to the street. He said that it now comes to a doorway with the offices directly across.

Mr. Himmelberger said that when the vehicles pull into the service bay, they will be met by greeters. He said that from that point forward the vehicles will be driven by employees, who will be mindful of the crosswalk and door. He said that there will be a standing sign to remind them of that.

Mr. Himmelberger said that a revised Plan C6 shows snow storage areas and provides details of the snow removal process. He said that snow will be removed from the top level of the garage and will be dumped over to the cross-hatched area to the rear of the garage. He said that it will be removed to the snow storage area that is shown as a double cross-hatched area to the left hand corner of the existing dealership building. He said that the interior spaces of the ground and first level will have snow removed by bobcat and by hand and moved to the snow storage area. He said that once the snow storage area becomes taxed, the snow will be removed from the site. He said that the area at the western side of the site will be plowed. He said that there will be no plowing of snow onto the town land.

The Board asked where all of the drains around the snow stockpiling area are located. Mr. Power said that on Plan C-2, a large infiltration system is shown. He said that there is also an existing leaching basin near the corner where melting will be directed. He said that they expect at least half of the snow storage melting to flow to the catch basin that is connected to the infiltration system.

The Board said that it was concerned about fire trucks making the turn off of Hastings Street to the back of the site. Mr. Power said that they did a fire truck turning template for trucks coming in from the other direction.

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Mr. Himmelberger said that the angled parking along the western edge of the site has been labeled on Plan C-1. He said that a detail is shown in Plan C-6. The Board said that the parking area along the western edge is for purchase customers and employees. The Board asked how many of those people will be driving compact cars.

Mr. Himmelberger said that there are 23 employee parking spaces overall. He said that there are 56 parking spaces for purchase customers, seven of which are compact. He said that the compact spaces are off to the side. He said that the majority of the purchase customers will fill in the spaces along the main drive. He said that there will be signage for "Compact Cars Only."

The Board said that with the garage columns, pickup trucks will narrow the drive aisle. Mr. Power said that the DRB had suggested that there be angled parking along the western edge of the site. He said that there had been a concern about the columns in the garage. He said that having compact car spaces along the edge seemed to be a good solution. He said that the aisle maneuverability will work. He said that they will try to limit trucks from parking there with signage and pavement markings.

The Board said that there is a problem with more employee parking being located in the compact spaces at the western edge and only 11 full sized spaces in the garage for them. The Board said that it did not consider that to be realistic. The Board asked if it would make more sense to move the employee parking to the back where there are full sized spaces. Mr. Jaffin said that they would consider that recommendation.

Mr. Himmelberger discussed light spillage from the top deck of the garage to the Hastings Street housing. He said that the photometrics plan confirms that the maximum light spillage off-site will be .1 foot candles. He said that it will be indirect lighting. He said that the lights will be on a timer and will be shut off at 10:00 p.m. Mr. Jaffin submitted a cut sheet for the lighting fixtures. He said that the light poles will be 12 feet and will be mounted on pedestals that will be three to five feet high. He said that the light fixtures will be shielded down.

The Board said that it was concerned about the amount of lighting affecting the residents of Hastings Village. The Board said that there will be a lot of reflection off of the shiny cars and a lot of glass. The Board asked if the lights on the upper level could be switched so that the only time that they go on is when someone has to go up there to bring an inventory car down. Mr. Jaffin said that the operations are open until 9 p.m. He said that he would speak with Mr. Ko about not having the lighting on until 9 p.m.

Mr. Jaffin said that there could be perimeter lights for safety and then the two poles that could be monitored for when an employee goes to the upper deck to retrieve a vehicle. The Board said that the perimeter lights could be set into the walls and the center pole lights could be on a switch or a timer.

Mr. Himmelberger said that he confirmed with the business owner that the dealership would not be used as a distribution hub. He said that the business owner would accept that as a condition of Site Plan Approval.

Mr. Himmelberger said that the WPC sent an email that suggested that DEP Guidelines be used when selecting salts and other de-icing materials. The Board said that it has in the past required that Calcium

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Chloride be used instead of salt. Mr. Himmelberger said that they would accept that as a condition. He said that the proposed plan is shown on the Snow Storage Plan on C-6 under the note section.

The Board said that if inventory cars are parked along the front, it will block the view of the second level of the garage where vehicles will be displayed. The Board said that with double loading the cars there, only the front row will be visible. The Board asked about single loading that area rather than double loading it once the MA DOT land has been acquired. Mr. Jaffin said that on Plan C-4A, the landscaping is shown in two portions. He said that there will be extensive landscaping on the left hand side. He said that they have to take the line of sight into Hastings Street into consideration. He said that he did not think that Mr. Ko would have any objection to putting a number of shrubs and bushes on the right hand side.

The Board said that it would prefer to see landscaping from where the light poles are shown on Plan C-4A out to the street. The Board said that the area behind that could be paved. Mr. Himmelberger asked if it would be acceptable to the Board that there be a "T" configuration for parking inventory cars at the front of the property. The Board said that it would need to see a plan that shows that.

Mr. Himmelberger said that the revised plans show more trees in the bumpers throughout the lot.

The Board said that the plans still show two handicapped spaces where inventory cars will be parked at the front of the building. Mr. Power said that C-4 shows that those spaces were moved and the area is now a turning area. He said that those spaces should have been eliminated on C-4A.

The Board said that there needs to be equal distribution of covered parking for handicapped parking. Mr. Himmelberger said that they will revise the plans to include covered handicapped parking.

Mr. Himmelberger said that typical parking space sizes are shown on C-1. The Board said that typical aisle and garage space sizes should be shown on the plans.

The Board asked about using a different surface treatment for the 8 foot wide cross aisle from the corner of the garage to the front entrance to the showroom. Mr. Jaffin said that currently the plan is to stripe that area.

The Board said that the dogleg of the crosswalk that is closest to the showroom looks to be approximately half of the width of the current crosswalk. The Board said that the knee of the dogleg is in front of the left service entrance. The Board said that if that knee were at the front of the outside service entrance, it would contribute to the right geometry to organize the ramp to the front entrance. The Board said that the concrete divider could be extended to the north to complete that entrance.

The Board asked where the aluminum gutter that is shown on the Stair Tower Section on Plan A1.2 will go to. Mr. Jaffin said that they will revise the plans to show where the water from the top of the stair towers will go to. He said that they can change the pitch to have an internal drain that ties into the system.

Mr. Himmelberger said that a sample of the concrete was submitted. He said that there will be a slight angling of the vertical walls to minimize rain staining over time. The Board asked about having a single

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horizontal reglet built into the pre-cast concrete. Mr. Jaffin said that the DRB wanted them to tie into the vertical lines.

Mr. Himmelberger said that there will be no unloading of vehicle carriers on the site. He said that the business owner would accept that as a condition.

Mr. Himmelberger said that he submitted a template for the turning radii for fire trucks. He said that they confirmed with the Fire Department that the largest of the fire apparatus can access the site.

Mr. Himmelberger said that they submitted a Signage Plan, C-10 and colored Parking Plan that shows where the various types of parking will be located on the site.

Mr. Himmelberger said that the proposed directional signs at the site entrance are 4 feet 1 inch by 2 feet 9 inches. He said that they discussed the oversized signs with the DRB. He said that they were hoping to get those two signs approved with the Site Plan Approval.

The Board said that the sign with the arrows to the left for Sales might be confusing. The Board said that the first thing that people will be looking for is a place to park their car. Mr. Power said that they could change the sign so that it says, "Sales Entrance." The Board said that there should also be direction to "Sales Parking," otherwise the customers will want to take a left to park in front of the building. The Board said that customers will see the Service sign over the doors to the bays when they enter the site.

Mr. Power said that if the handicapped parking spaces are to be in the garage, they will adjust the area by the stair tower at the front of the garage so that it has a ramp. The Board questioned if the sign near the stair tower will reduce visibility of a person in a wheelchair there. The Board said that a lot of thought should be given to the signs.

Mr. Himmelberger said that at the prior hearing the Board had questioned the appropriateness of allowing space within the building to be counted as service customer space. He read an excerpt from Section XXI of the Zoning Bylaw. He said that the purpose of providing customer parking is to accommodate vehicles that are coming on-site. He said that this space will accommodate those vehicles. He said that the vehicles will be moved in and out of that area by employees. He said that the previously approved Site Plan Approval did show parking inside the building for customer vehicles.

The Board said that the priority should be for providing parking for service and sales customers and employees. The Board said that once those numbers are dealt with, the rest of the space can be dedicated to inventory parking. Mr. Himmelberger said that the bylaw states that there is one space required for 100 square feet of area occupied by buildings for a building where the principal use is motor vehicle sales or service in a Business District A or an Industrial District A.

The Board asked about ensuring that the parking spaces along Hastings Street will remain inventory spaces. Mr. Jaffin said that they know that the vehicles must be parked in a certain direction so that they will not back out onto Hastings Street. He said that the owner would agree to a condition that those spaces be designated for inventory only.

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The Board asked if a strip of landscaping could be added between the inventory cars and the edge of Hastings Street. Mr. Himmelberger said that there is a circulation pattern around the building. He said that a landscaping area could not be too robust in that area. Mr. Jaffin said that he would need to discuss the landscaping proposal with the Ko family.

The Board said that during construction there will be a requirement that all tires of construction vehicles that leave the site be washed down. The Board said that the site will be muddy during construction and the construction vehicles will be going out onto a residential street.

The Board asked about the construction truck schedule. Mr. Jaffin said that there will be approximately 200 pieces of pre-cast concrete slabs. He said that the intent was to erect 10 to 12 pieces per day. He said that the crane will be there for several weeks. He said that they will drive the pieces onto the site and start erecting them. He said that they will take enough off of the truck for the day. He said that the site is not large enough to accommodate 200 pieces of concrete pre-cast.

Mr. Jaffin said that the trucks will be coming from Pittsfield, Massachusetts. He said that the trucks will be brought up Hastings Street to get onto the site. He said that customers will be accessing the site from Route 9.

The Board said that there should be no trucks before 9 a.m. The Board said that traffic is heavy on Route 9 between 7 and 9 a.m. The Board said that there are a lot of children walking on Cedar Street to get to school early in the morning.

The Board said that construction traffic routes for projects this large are reviewed by the Wellesley Police Department. Mr. Jaffin said that he has yet to sit down with the pre-caster and work on the delivery route. He said that he thought that, from a practical sense, customers should enter the site from Route 9 and the pre-cast trucks should enter the site from the back to prevent interchange.

Mr. Jaffin said that there will probably be two locations for the crane. He said that the intent was that the foundation work for the ramps go on first because the shear walls are there. He said that he would speak with the fabricator about developing a plan within the plan.

Mr. Jaffin said that he broke the construction plan down into two phases. He said that the first phase deals with the rear of the building where they will be installing the underground retention system, building the shear walls and the necessary retaining walls for the ramp system. He said that erection of the long-span t-sections will occur during Phase 2. He said that materials laydown will all be on site.

Mr. Jaffin said that the concrete trucks will be accessing the site from Route 9. The Board said that there shall be no queuing of concrete trucks on Route 9.

The Board asked how the long trucks will be turned around on the site. Mr. Jaffin said that the long trucks are capable of being shortened up after being unloaded. He said that he would get more information.

The Board said that it would be preferable to have the long trucks coming from Pittsfield exit the site and take Route 9 to Route 128 to access the Mass Pike.

Mr. Jaffin said that there will not be many construction worker vehicles parked on the site at any time.

Mr. Jaffin said that the construction period will be between four and five months.

The Board said that there will be glass on the north side of the garage so that vehicles can be displayed. The Board asked if there is a lighting plan to enhance that concept. Mr. Jaffin said that there will be some halogen lights that will be going inside the front of the building. He said that he will submit a plan to the Board.

The Board said that all of the elevation drawings should be consistent with each other with respect to North, East, South and West.

The Board said that the next set of plans should contain a list of the revision dates. Mr. Himmelberger said that a new plan list with revision dates had been submitted. Mr. Jaffin said that they will cloud the revisions.

The Board asked about the location of the dumpster and what kind of trash it will be used for. Mr. Jaffin displayed the location of the dumpsters. He said that they are seeking LEED Certification. He said that there will be separate containers for various types of trash.

Mr. Jaffin said that if the MA DOT land is acquired, Plan C-4A will prevail. The Board said that it can only approve one plan. Mr. Jaffin said that the Ko's have been working with MA DOT for over a year. He said that they have been told that the lease is imminent. He said that their intent in submitting the plans was to show what it would look like afterwards. He said that, at this point, they would have to move forward with Plan C-4. The Board said that it could approve C-4 and add a condition to the decision that if the MA DOT land is acquired, C-4A shall be substituted for C-4, thereby amending the Site Plan Approval.

The Board voted unanimously to continue the hearing to March 22, 2012 at 7:00 p.m.

March 22, 2012

Presenting the case at the hearing were David Himmelberger, Bruce Jaffin and Timothy Power.

Mr. Jaffin confirmed that the land lease with MA DOT is in effect.

Mr. Himmelberger discussed the changes that were made to the plans. He submitted MA DOT Land Lease Color Parking Plan. He said that with the acquisition of MA DOT land, they have added an additional five feet of landscaping. He said that there is now a ten foot buffer between Route 9 and the inventory parking at the front of the site. Mr. Power said that there are no trees because of a line of sight issue from Route 9.

Mr. Himmelberger said that the dogleg in the crosswalk closest to Route 9 was moved to begin at a line from the addition exterior wall. He said that the curb bumper presently extending from the wall be extended from the service bay closer to the front crosswalk.

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Mr. Himmelberger said that two handicapped spaces were added to the location immediately inside the ground level of the garage, previously shown as spaces 14 and 15, to bring the project more into compliance with ADA requirements. The Board confirmed that the sidewalk access from the stairs to the handicapped crosswalk is level with no steps or ramps.

Mr. Jaffin said that the three handicapped spaces that are located near the crosswalk to the south are handicapped accessible to the Service Write-up area.

Mr. Power said that internal drainage from the stairwell roofs is shown on Plan C2.

Mr. Himmelberger discussed revisions to the CMP. He said that MA DOT will not allow deliveries after 7 a.m. of the pre-cast concrete. He said that deliveries made before 7 a.m. would be well ahead of the main rush hour. The Board expressed concern about the noise that the trucks will generate because there are residences located nearby.

Mr. Jaffin said that there will be between a total of 10 to 15 trucks per day for a period of 15 days. He said that they will come onto the site between 6 and 7 a.m. He said that MA DOT did not want large trucks tying up Route 9. He said that there will be plenty of room on-site except at the end. He said that the last deliveries will be a little more difficult. He said that there is an area at the back of the site where the materials can be stacked.

Mr. Jaffin discussed two alternative truck routes to access the site. He said that one route would be through the new entrance. He said that the preferable alternative would be to come in through the existing curb cuts. He said that once the delivery is complete, the trucks will compact in size and then exit the site onto Hastings Street and then onto Route 9. The Board said that the plan should be discussed with the Building Inspector and the Police Department and that letters should be sent to the Board, particularly by the Police Department, stating that they agree with the plan.

The Board said that it typically does not allow construction before 7 a.m. The Board confirmed that the crane will not be operating before 7 a.m.

The Board said that the CMP should be revised to include twice weekly sweeping of Hastings Street during construction activity.

Mr. Himmelberger said that Plan A1.1 now shows LED down-lighting on the vehicles to be displayed on the first level of the garage.

Mr. Jaffin said that all lighting will be energy efficient.

The Board said that Stair 1 and Stair 2 should be labeled on the plan.

Mr. Himmelberger said that north, south, east and west orientations were revised to be consistent, with a few exceptions. He said that the orientation is from Route 9 so they did keep some plans labeled as front elevation, etc. because it makes them easier to follow and understand.

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Mr. Jaffin said that the benchmarks are shown on Plan S-2, one of which is located on a telephone that may be moved. The Board said that the benchmarks must be permanent and located on the property.

Mr. Himmelberger said that the vehicle display area in the garage is shown on Plan A1.1.

Mr. Himmelberger said Plan C-6 shows the snow storage zone and where the dumpsters will be located. He said that there is a note on the plan that snow that cannot be safely stored in the storage area will be removed off-site. Mr. Jaffin said that there will be an 8 foot wooden fence enclosure for the dumpsters.

The Board expressed concerns about the temporary snow stockpile from the garage. Mr. Power said that it will be a temporary condition. He said that there was no other good way to get the snow off of the roof. He said that they will put cones up and will stop traffic when that occurs.

Mr. Power said that on sheet C-1 the dumpsters are labeled "D" and "R" for separating recyclables. He said that there will be a small storage container at the back.

Mr. Jaffin said that the storage container will be a standard 30 yard container. He said that the ones in front will be approximately 8 yards. The Board said that a plan should be submitted that shows the size of that area.

Mr. Jaffin said that there will be two gates to the fenced in area. He said that one gate will access the smaller dumpsters at the front and the other will access the storage container. He said that this will be a LEED project. He said that the company that they have contracted with will separate the recyclables at their own site and then send a report back stating how much of each material was collected.

Mr. Himmelberger said that clouded revisions are shown on the plans. He said that the revised plans show more notation of parking space widths and lengths at various places on the site. He said that Drawing 3 on Plan A1.2 was corrected and clouded.

Mr. Himmelberger said that a good amount of employee parking was moved to the back of the site, as shown on Plans C-1 and C-6.

Mr. Himmelberger said that switched lighting may not be practical on the second floor of the garage because LED lighting takes time to warm up. He said that they had previously indicated that the lights would be turned off at 10 p.m. He said that they will be timed to go off at 9 p.m. He said that they thought that having the 9 p.m. shut off would be preferable to the flashing on and off of the lights when the upper floor is being accessed. Mr. Jaffin said that two double headed and shielded lightpoles are shown on Plan PH-2.

The Board said that it received a letter from WPC in which they expressed concerns about light spillage into the wetlands. Mr. Himmelberger said that the 0.1 candle is very close to de minimis. The Board said that the light measurements were taken at floor level and the parapet will shield the light.

Mr. Himmelberger said signage would be discussed at a future date after construction. He said that the Board said that it was amenable to granting Site Plan Approval without the sign package.

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Mr. Himmelberger said that the owner feels strongly that freedom of movement is important in the area along Hastings Street. He said that a possible landscaping solution might be to have a number of planters placed there so that they can be pushed around if need be. He said that would provide some landscaping to that area while not being a fixed impediment. The Board said that the planters should not be less than 30 inches in diameter. The Board said that there should be two barrels for each of the five car lengths.

The Board asked about changing the orientation of the cars in the inventory space in front of the garage to east-west, moving the space back and adding five more feet of landscaping. Mr. Himmelberger said that they had moved it back five feet from the last set of plans to create a 10 foot buffer. Mr. Jaffin said that one of the issues with that area is maintaining a 24 foot two-way drive aisle in front of the garage. He said that they could rotate the parking and accomplish what the Board was looking for. The Board said that moving parking spaces 56 and 57 would create more space.

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Submittals from the Petitioner

- Application for Site Plan Approval, revised 12/15/11
- Development Prospectus, revised 12/15/11
- Site Plan Approval Plan Checklist, revised 12/15/11
- Project Summary, dated 12/13/11, prepared by Allen & Major Associates, Inc.
- Existing Sidewalks Areas, FIG-1, dated 12/15/10, prepared by Allen & Major Associates, Inc.
- Stormwater Report, dated 12/1/11, stamped by Timothy J. Power, Professional Engineer
- Geotechnical Summary, dated 8/13/10, prepared by Kevin Martin, P.E.
- Construction Traffic Management Plan, dated 12/14/11, revised 1/17/12 & 3/8/12
- Letter to Executive Secretary, ZBA, dated 1/18/12, from Allen & Major Associates, Inc., re: A&M Project #1745-01 Toyota of Wellesley
- Lithonia Lighting, Type: LOT1D, KAD 320M R3 TB LPI SCWA/SSS 20 4C DM28 DDB

Plan Number	Drawing Title	Date of Issue	Prepared By	Date of Revision
T1.1	Title Sheet & Code Review	12/8/11	Barry Koretz, R.A.	2/7/12, 3/9/12, 3/30/12
A1.1	1 st & 2 nd Floor Plans	12/8/11	Barry Koretz, R.A. David Sebert, R.A.	1/17/12, 2/22/12, 3/2/12
A1.2	3 rd Floor Plan	12/8/11	Barry Koretz, R.A. David Sebert, R.A.	1/17/12, 2/22/12, 3/2/12
A2.1	Building Elevations	12/8/11	Barry Koretz, R.A. David Sebert, R. A.	1/17/12,

				2/22/12, 3/2/12
A4.1	Stair Plans	12/8/11	Barry Koretz, R.A.	2/22/12, 3/2/12
A4.2	Stair Sections & Details	12/8/11	Barry Koretz, R.A.	
	Locus Map	12/2/11	Allen & Major Associates	1/16/12, 1/31/12, 2/29/12
S-1	Existing Conditions	10/18/10	Field Resources, Inc.	10/29/10
S-2	Plot Plan of Land	10/8/10	Field Resources, Inc.	12/15/10, 12/22/10
P-1	Existing Parking Plan	10/1/10	Timothy Power, P.E.	12/3/10, 12/13/10, 1/16/12, 1/31/12, 2/29/12, 3/30/12
P-2	Proposed Parking Plan	12/2/11	Timothy Power, P.E.	12/13/11, 1/16/12, 1/31/12, 2/29/12, 3/30/12
P-3	Garage Parking Layout	12/13/11	Timothy Power, P.E.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-1	Layout Plan	12/2/11	Timothy Power, P.E.	12/13/11, 1/16/12, 1/31/12, 2/29/11, 3/30/12
C-2	Grading and Utility Plan	12/2/11	Timothy Power, P.E.	12/31/11, 1/16/12, 2/29/12, 3/30/12
C-3	Site Preparation Plan	12/2/11	Timothy Power, P.E.	12/13/11, 1/16/12, 1/31/12, 2/29/12, 3/30/12
C-4	Landscape Plan	12/13/11	Robert Clarke, L.A.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-4A	MA DOT Land Lease Landscape	12/13/11	Robert Clarke, L.A.	1/16/12,

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	Plan			1/31/12, 2/29/12, 3/30/12
C-5	Landscape Plan	12/13/11	Robert Clarke, L.A.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-5A	Landscape Plan	12/13/11	Robert Clark, L.A.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-6	Details	12/2/11	Timothy Power, P.E	12/13/11, 1/16/12, 1/31/12, 2/29/12, 3/30/12
C-7	Details	12/2/11	Timothy Power, P.E	12/13/11, 1/16/12, 1/31/12, 2/29/12, 3/30/12
C-8	Profiles	12/13/11	Timothy Power, P.E.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-9	Previously Constructed Areas Plan	12/13/11	Timothy Power, P.E.	1/16/12, 1/31/12, 2/29/12, 3/30/12
C-10	Signage Plan	12/13/11	Timothy Power, P.E.	1/16/12, 1/31/12, 3/30/12
F2.1	Level-2 Plan	12/5/11	Unistress	
F2.2	Level-3 Plan	12/5/11	Unistress	
F3.1	Elevations	12/5/11	Unistress	
F3.2	Elevations	12/5/11	Unistress	
F4.1	Litewall and Shearwall Elevations	12/5/11	Unistress	
F5.1	Stair #1 Plans	12/5/11	Unistress	
F5.2	Stair #1 Elevations	12/5/11	Unistress	
F5.3	Stair #1 Elevations	12/5/11	Unistress	
F6.1	Stair #2 Plans	12/5/11	Unistress	
F6.2	Stair #2 Elevations	12/5/11	Unistress	
F6.3	Stair #2 Elevations	12/5/11	Unistress	
P1.1	Level One Floor Plan – Plumbing	12/12/11	Stanley Chamrin, M.E.	3/8/12
P1.2	Level Two Floor Plan – Plumbing	12/12/11	Stanley Chamrin, M.E.	3/8/12

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P1.3	Level Three Floor Plan – Plumbing	12/12/11	Stanley Chamrin, M.E.	3/8/12
P2.1	Specifications & Details- Plumbing	12/12/11	Stanley, Chamrin, M.E.	3/8/12
P2.2	Specifications – Plumbing	12/12/11	Stanley, Chamrin, M.E.	3/8/12
FP1 of 1	Piping Plan	12/12/11	Jason Kaman, P.E.	
S1.1	Structural Notes	12/13/11	Thomas Heger, S.E.	2/9/12
S2.1	Typical Details	12/13/11	Thomas Heger, S.E.	2/9/12
S2.2	Second Floor Framing Plan	12/6/11	Michael Bley, P.E.	
S2.3	Third Floor Framing Plan	12/6/11	Michael Bley, P.E.	
S3.1	Exterior Elevations	12/6/11	Michael Bley, P.E.	2/9/12
S3.1	Foundation & Level 1 Plan	12/13/11	Thomas Heger, S.E.	
S3.2	Exterior Elevations	12/6/11	Michael Bley, P.E.	
S3.3	Exterior Elevations	12/6/11	Michael Bley, P.E.	
S4.1	Sections & Details	12/13/11	Thomas Heger, S.E.	2/9/12
S4.1	Interior Elevations	12/6/11	Michael Bley, P.E.	
S4.2	Sections & Details	12/13/11	Thomas Heger, S.E.	2/9/12
S6.1	Connection Details	12/6/11	Michael Bley, P.E.	
E1	Lighting & Power Plan	12/14/11	Fadi Aziz Bark, P.E.	1/9/12
E2	Lighting & Power Plan	12/14/11	Fadi Aziz Bark, P.E.	1/9/12
PH-1	Site Photometric Lighting Plan	12/14/11	Fadi Aziz Bark, P.E.	
PH-2	Garage Photometric Lighting Plan	12/14/11	Fadi Aziz Bark, P.E.	
	Color Parking Plan	12/13/11	Allen & Major Associates	1/16/12, 1/31/12
	MA DOT Land Lease Color Parking Plan	12/13/11	Allen & Major Associates	1/16/12, 1/31/12, 3/30/12
	Fire Truck Circulation	12/13/11	Allen & Major Associates	1/16/12, 1/31/12

On January 11, 2012, Leonard A. Izzo, Director of Public Health, reviewed the plans and stated that,

If during this project contaminated soils or water is encountered the Health Department must be notified and appropriate measures taken to prevent runoff to contaminates into adjacent areas until the site can be properly evaluated by a Licensed Site Professional (LSP).

On January 13, 2012 and February 8, 2012, the DRB reviewed the plans and recommended that Zoning Board approve the application with the recommendations discussed at the February 8, 2012 Meeting (replace IG with Juniper and add vertical score lines and red stripe to garage).

On January 17, 2012, Captain Kevin Donahue, Wellesley Fire Department, reviewed the project and asked that the Fire Department Connection (FDC) be moved to the northeast corner of the structure, as they have already asked for a hydrant at the entrance off of Worcester Street.

On January 17, 2012, Janet H. Bowser, Director of Natural Resources, reviewed the plans and submitted a Negative Determination of Applicability on behalf of the WPC.

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On January 19, 2012, Donald H. Newell, Superintendent, Municipal Light Plant, reviewed the plans and met on-site with the electrician and determined that the WMLP has sufficient capacity in the area to accommodate this load.

On January 18, 2012, the Planning Board reviewed the plans and recommended that the petition be denied and that the applicant seek a Special Permit for a PSI from the Planning Board.

DECISION

Based on the application and other information described in this Decision, the Board found that the proposed Major Construction Project that consists of construction of a three-story parking structure with a footprint of 28,740 square feet in a Water Supply Protection District is in harmony with the general purpose and intent of the Zoning Bylaw, subject to conditions listed below, in conjunction with the Special Permits and Site Plan Approval, and voted unanimously to grant Site Plan Approval.

The Board found that the proposed Major Construction Project is otherwise in compliance with the Special use Permit Standards, Section XXV D. of the Zoning Bylaw.

The Board voted unanimously to grant a Special Permit under ZBA 2011-79 for construction of a Major Construction Project within a Water Supply Protection District, having found that the Design and Operation Standards are adequately satisfied and not otherwise prohibited.

The Board's approval of the Site Plan for the Project is premised on the Petitioner's and Project's compliance with the following conditions (the "Conditions"). All requirements imposed by the Conditions or this Site Plan Approval and Special Permits shall be applicable to the entity responsible for the administration of the Project regardless of whether the condition specifically identifies the Petitioner, the responsible entity, or no entity as having responsibility for a particular condition. By accepting this Site Plan Approval, the Petitioner agrees to the terms, covenants, conditions, and agreements contained herein.

CONDITIONS

General Conditions

1. By accepting this Site Plan Approval the Applicant agrees to the terms, covenants and conditions and agreements contained herein. This Site Plan Approval shall expire one year from the date hereof unless construction has begun by that date. The Applicant may apply to the Board for reasonable extensions to this Site Plan Approval for good and sufficient reason.
2. Except for the relief granted by the Board as listed in this Site Plan Approval, the Applicant shall comply with all provisions of the Zoning Bylaw, general bylaws, and all the rules and regulations of the Planning Board and the Board of Health generally applicable to a project approved on

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April 23, 2012. No fees are waived in connection with the Project. Fees shall be those then in effect at the time of application for the permit or approval subject to the fee.

3. The Project shall be designed and constructed substantially in compliance with the drawings and data submitted with the Application for Site Plan Approval.
4. Contract documents, including working drawings and specifications for the Project shall undergo the usual and customary review and approvals of the Building Inspector, the Board of Health, the Fire Chief, the Town Engineer, or any other applicable local inspector or board. Construction of the Project shall be subject to on-site compliance inspections by the Building Department in the customary manner.
5. The Applicant shall provide timely prior notice to the Board of all meetings between the Applicant and the Massachusetts Department of Transportation related to the improvements to Worcester Street to facilitate traffic entrance to and exit from the site.

Design Conditions

6. Design and construction of the Project shall fully comply with all applicable federal and state laws and regulations, including, but not limited to, the requirements of the Massachusetts State Building Code (780 CMR) and the Massachusetts Architectural Access Board (521 CMR). The Project shall be designed and constructed on the Site in accordance with the Plans, except as provided in this Site Plan Approval, including these Conditions. Any requirement of consistency with the Plans means as those Plans are modified by the Conditions.
7. Three permanent benchmarks must be located on the site.
8. LED down-lighting will be provided to illuminate vehicles on display on the first level of the garage.
9. Stair 1 and Stair 2 must be labeled on all plans.
10. 12 full sized surface parking spaces for employee cars shall be located along the back (south) edge of the site.
11. Lighting on the top floor of the garage must be switched off at 9:00 pm.
12. Standard diameter wooden barrel planters shall be placed along a line parallel to and 16 feet from the east exterior wall of the dealership building, between the building and the property line at Hastings Street, so that no less

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than two planters are located along the side of each of the five inventory parking spaces closest to Hastings Street.

13. Once the final location and design of the site signage has been reviewed and approved by the Board, temporary mock up signs consistent with the approved sign locations, size and text may be placed on the site during the period that the permanent site signs are being fabricated.
14. A maximum of 26 inventory spaces can be located between the parking garage and Worcester Street, as shown on a plan Titled MA DOT Land Use Color Parking Plan, prepared by Allen & Major Associates, Inc. with a last revision date of 03/30/12. Eighteen (18) of these inventory spaces, on land being leased by the owner from the Mass Department of Transportation (MA DOT) can be positioned perpendicular to Worcester Street. The remaining 8 spaces shall be positioned parallel to Worcester Street.
15. Landscaping will be provided between the parking garage and Worcester Street, and elsewhere on the site, as shown on a plan Titled MA DOT Land Use Landscape Plan, Sheet No. C-4A, prepared by Allen & Major Associates, Inc. with a last revision date of 03/30/12. Much of this landscaping will be on land being leased by the owner from MA DOT and will be completed upon execution of the formal lease agreement.
16. The final Site lighting design shall not result in light levels outside of the Site boundary higher than those shown on drawings Titled PH-1 Site Photometric Lighting Plan, prepared by Allen & Major Associates, Inc., dated 12/14/11 and PH-2 Garage Photometric Lighting Plan, prepared by Allen & Major Associates, Inc., dated 12/14/11, as presented to the Board at the 3/22/12 Hearing.

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Construction Conditions

17. The Applicant shall implement its Construction and Traffic Management Plan as specified in its submittal dated March 8, 2012, as modified by these Conditions.
18. During the period of construction, all construction equipment and material deliveries and personnel traffic shall utilize: (1) Route 9 to the site; or (2) any other such route as the Applicant shall agree with the Wellesley Police Department prior to its use. During the hours of 7:30-8:30 am and 2:30-3:30 pm on days in which school is in session, construction traffic and material deliveries shall not use Hastings Street via Cedar Street to attempt to access the site.
19. Trucks approaching from the west on Route 9 shall stay in the right hand travel lane and access the property through the existing curb cut at the west

end of the Site.

20. During the period of construction, on-site parking for construction workers and for construction equipment is specifically permitted, and no vehicles of construction workers and no construction equipment shall be parked on Worcester Street, Hastings Street or any other public way of the Town, or in any public parking lot within 600 feet of the Site. The Applicant may park vehicles of employees and construction vehicles on-site in the areas shown on its drawings incorporated into its Construction Management Plan until such time as the number of vehicles exceeds the capacity of the on-site area. At least thirty days prior to the time that such on-site parking capacity is exceeded, the Applicant shall submit to the Board its plan for off-street parking and transportation of workers from the off-street parking site to the Site, such submittal being for the purpose of demonstrating compliance with the requirements of this Condition (16). Trucks and construction vehicles on-site shall shut off engines when not in use, or when idling time exceeds five minutes.
21. During the period of construction, all deliveries of construction, except pre-cast concrete structural components, shall be made only on Monday through Friday no earlier than 7:00 am and no later than 6:00 pm. Pre-cast concrete structural components shall be delivered no earlier than 5:00 am and no later than 6:00 am, but not off loaded from trailers until after 7:00 am.
22. The Applicant shall establish a telephone number for receiving and responding to questions or concerns expressed by residents of the Town concerning the project construction activities or compliance with the Conditions of the Site Plan Approval. The telephone number will be provided to Town officials, posted at the Site in a conspicuous location visible to the public from Worcester Street, and published once in the Townsman prior to or concurrent with the start of construction.
23. All construction and delivery vehicles exiting the site shall stop at an established construction exit for a wheel wash to prevent construction contaminants from leaving the site.
24. Insofar as practicable, refueling of construction equipment on the site shall be prohibited. In the event that on-site refueling cannot be avoided, such refueling shall be performed with due consideration to spill prevention and control measures that should reasonably be applied in a Water Supply Protection District.
26. Hastings Street must be mechanically swept twice weekly during all times of construction activity.

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Use Conditions

27. Operation and maintenance of the stormwater run-off and drainage system shall comply with the requirements of the Town's "Municipal Stormwater Drainage System Rules and Regulations".
28. Landscaping shall be in conformance with the Planting Plan and Planting Details and shall be maintained, repaired, or replaced as needed by the Applicant. In the event that any new plantings die within two years of the completion of the construction, the Applicant will replace the failed plantings with like species and size as that shown in the Plant Schedule.

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ZBA 2011-79
Petition of Toyota of Wellesley
234 Worcester Street

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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.


Richard L. Seegel, Chairman


David G. Sheffield


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

RICHARD L. SEEGEL, CHAIRMAN
 J. RANDOLPH BECKER, VICE CHAIRMAN
 DAVID G. SHEFFIELD

LENORE R. MAHONEY
 EXECUTIVE SECRETARY
 TELEPHONE
 (781) 431-1019 EXT. 2208

ROBERT W. LEVY
 WALTER B. ADAMS

ZBA 2011-79 - Modified
 Petition of Bruce Jaffin/Caisson Construction
 234 Worcester Street

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Record Property Owner: Ko Realty Corp.

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, October 4, 2012 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of BRUCE JAFFIN/CAISSON CONSTRUCTION requesting modification of a previously approved Site Plan and Special Permit to revise the traffic flow to permit two directional travel in the front left of the dealership at 234 WORCESTER STREET, in a Business A District. There will be no net loss of parking spaces nor any greater area of paved surfaces.

On September 18, 2012, 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 were David Himmelberger and Bruce Jaffin (the "Petitioner"). Also present was Philip Cordeiro, P.E., Allen & Major Associates, Inc.

Mr. Himmelberger said that the request is for modification to the Site Plan Approval for a change to traffic flow on the site. He said that previously the area in front of the dealership was one way. He said that at the end of day when customers pick up their vehicles at the Service Area, they have to make a hard U-turn against incoming traffic. He said that having two lanes in front of the building will accommodate the natural traffic flow. He said that, in order to do this, the parking was angled. He said that there will be no net loss of parking.

A Board Member said that, after visiting the property twice, he found that it was difficult to maneuver on the site. Mr. Himmelberger said that the area has not been striped yet. Mr. Jaffin said that vehicles have not been angle parked yet.

Mr. Himmelberger said that the width of the proposed drive area will comply with the Town's design standards. He said that the Board could add a condition that there be no cars parked against the curb.

The Board said that a sign may be necessary at the sidewalk that prohibits stopping or standing. The Board said that it is a bad place for customers to come in and let people off at. The Board said that it was concerned about pedestrians crossing the two-way path to get to the front door of the dealership. The Board said that if the area is expanded to two-way, there will have to be limited use of it. Mr. Himmelberger said that the Petitioner would find that acceptable as a condition.

The Board said that typically the drive aisle is 24 feet. Mr. Himmelberger said that if the parking is 90 degrees, a 24 foot drive aisle is required. He said that an 18 foot drive aisle is required for 60 degree parking spaces.

The Board said that some parts of the angled parking area are 18 feet to the edge of the striping. The Board said that, depending on the vehicle, a portion of the car could stick out beyond the striping.

Mr. Jaffin said that part of the issue with traffic has been that the garage is not open yet. He said that they are waiting for the Fire Department to review its concerns. He said that opening the garage will alleviate a lot of the flow because the cars will be stationed on the first floor and people will be using the walkways to access the building.

A Board Member said that he had observed a large number of cars parked on the Hastings Street side of the building. He said that is in violation of the Site Plan Approval. He said that cars were stacked up double against the building and there was another row facing out. Mr. Jaffin said that was a temporary situation. He said that they were paving this past week and had to move the cars over to that area. He said that they will be installing the barrels that the Board required once the top coat of paving is on.

The Board said that it would be willing to grant modification of the Site Plan Approval, as requested, subject to the Board retaining jurisdiction such that, on subsequent visits after the new site is opened, if the Board does not think that the site is working the way that it should be, the Board may choose to reopen the Public Hearing to reconsider its actions. Mr. Jaffin and Mr. Himmelberger said that is a reasonable request.

The Board asked about the signage proposal. Mr. Himmelberger said that the Petitioner will come back before the Board within a year after the initial signage has gone up to be able to have the benefit of the experience from the signage as to whether it is working and, if so, to make a formal application at that time.

The Board said that it was concerned that vehicles will be directed to pass in front of the building to Hastings Street to exit. The Board said that something has to be done to prevent vehicles from trying to go out the entrance onto Route 9. Mr. Himmelberger said that there is signage there to prevent that. Mr. Jaffin said that there is a "Do not enter" sign on a post.

There was no one present at the Public Hearing who wished to speak to the petition.

Submittals from Applicant

- Letter from David Himmelberger, Esq., dated 9/10/12, re: Request for Modification of Site Plan Approval and Special Permit, ZBA 2011-79
- C-1, Layout Plan, dated 12/13/11, revised 1/16/12, 1/31/12, 2/29/12, 3/30/12, 8/30/12
- C-1 Layout Plan (MassDot Land), dated 12/13/11, revised 1/16/12, 1/31/12, 2/29/12, 3/30/12, 8/30/12
- C-10 Signage Plan, dated 12/13/11, revised 1/16/12, 1/31/12, 2/29/12, 3/30/12, 8/30/12
- Fire Truck Circulation Plan, dated 12/13/11, revised 1/16/12, 1/31/12, 2/29/12, 3/30/12, 8/30/12

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- Fire Truck Circulation Plan (MassDOT Land), dated 12/13/11, revised 1/16/12, 1/31/12, 2/29/12, 3/30/12, 8/30/12
- MA DOT Land Lease Color Parking Plan, dated 12/13/11, revised 1/16/12, 1/31/12, 3/30/12, 8/30/12

On October 2, 2012, the Planning Board reviewed the petition and recommended that modification of the Site Plan Approval and Special Permit be granted.

DECISION

Based on the application and other information described in this Decision, the Board found that the proposed modification of Site Plan Approval for previously approved traffic flow is in harmony with the general purpose and intent of the Zoning Bylaw, subject to conditions listed below, in conjunction with the Special Permits and Site Plan Approval. The Board voted unanimously to grant modification of Site Plan Approval, ZBA 2011-79.

The Board's approval of modification of the Site Plan for the Project is premised on the Petitioner's and Project's compliance with the following conditions (the "Conditions"). All requirements imposed by the Conditions or this Site Plan Approval and Special Permits shall be applicable to the entity responsible for the administration of the Project regardless of whether the condition specifically identifies the Petitioner, the responsible entity, or no entity as having responsibility for a particular condition. By accepting this Site Plan Approval, the Petitioner agrees to the terms, covenants, conditions, and agreements contained herein.

CONDITIONS

- The Board shall retain jurisdiction over the actual completed site and landscaping for six months.

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ZBA 2011-79 - Modified
Petition of Bruce Jaffin/Caisson Construction
234 Worcester Street

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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.



Richard L. Seegel, Chairman



David G. Sheffield



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

GENERAL NOTES

1. APPLICABLE WORK AND MATERIALS SHALL COMPLY WITH ALL TOWN OF WELLESLEY REGULATIONS AND ORDINANCES, AND O.S.H.A. STANDARDS. ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE REGULATIONS OF THE TOWN OF WELLESLEY DEPARTMENT OF PUBLIC WORKS SPECIFICATIONS. CONTRACTOR TO NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES BETWEEN THE PLANS AND TOWN REGULATIONS AND/OR SPECIFICATIONS.
2. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, ANY GOVERNING PERMITTING AUTHORITY, AND "CALL BEFORE YOU DIG" AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION WORK TO REQUEST EXACT FIELD LOCATION OF UTILITIES, AND THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION TAKEN BEFORE PROCEEDING WITH THE WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING ALL CONTROL POINTS AND BENCHMARKS NECESSARY FOR THE WORK.

4. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND PAYING FOR ANY PERMITS AND/OR CONNECTION FEES REQUIRED TO CARRY OUT THE WORK INCLUDING BUT NOT LIMITED TO DEMOLITION.
5. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLAN. THE CONTRACTOR SHALL PROTECT AND/OR CAP OFF ALL EXISTING ON-SITE UTILITY SERVICES DESIGNATED ON THESE DRAWINGS. SERVICES SHALL BE CAPPED OFF WHERE SAME ENTER THE PERIMETER OF THE PROPERTY LINE.
6. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
7. ALL ISLANDS WITH CURB SHALL BE LANDSCAPED. ALL REMAINING ISLANDS ARE TO BE STRIPED AS SHOWN.
8. ALL DIMENSIONS AND RADI ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL CURBING MATERIAL SHALL BE AS NOTED WITH A 6" REVEAL UNLESS OTHERWISE NOTED.

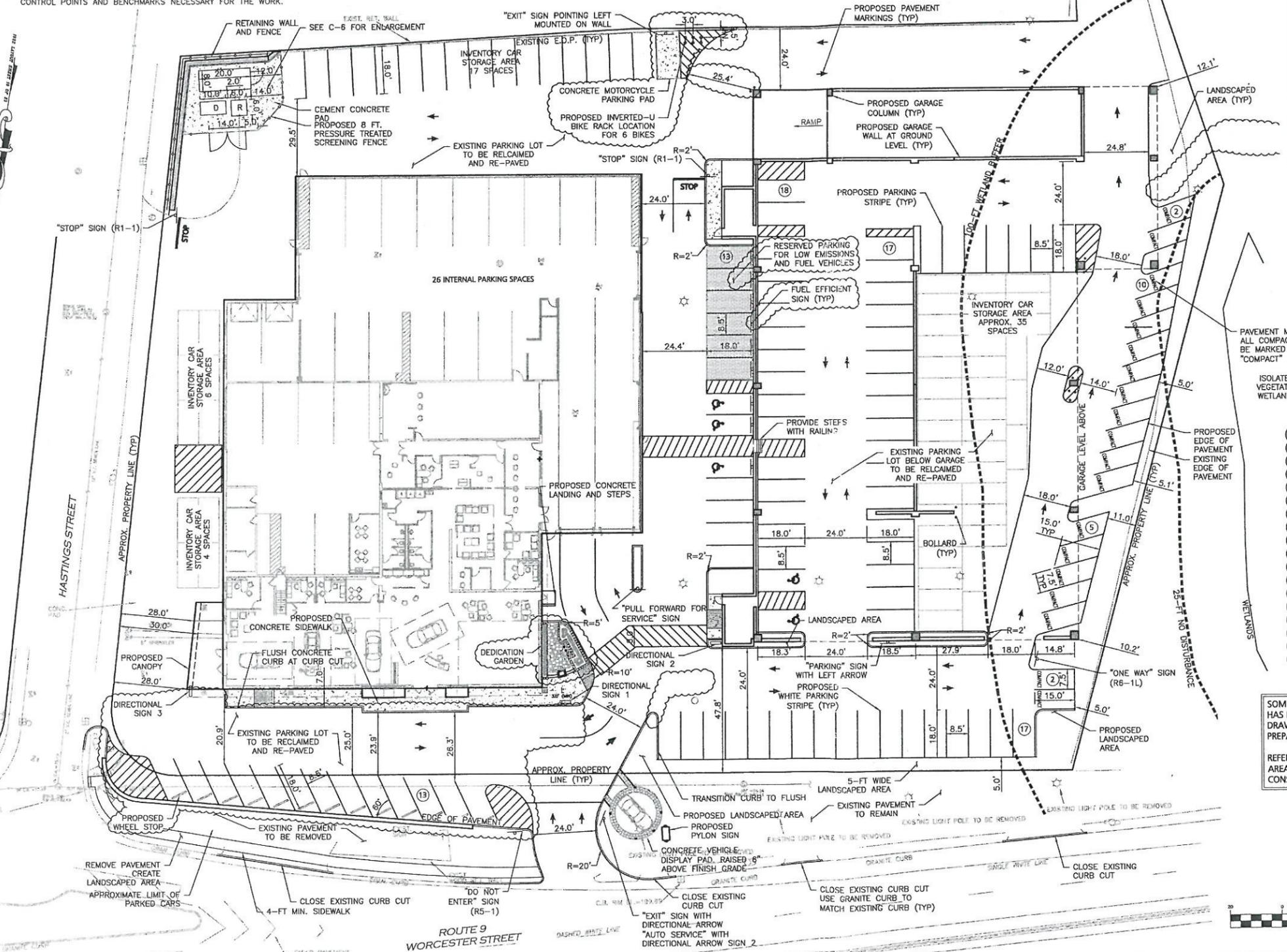
9. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COSTS SHALL BE INCLUDED IN BASE BID.
10. EXISTING CONDITIONS ARE BASED ON THE SURVEY PREPARED BY FIELD RESOURCES INC. OF NEEDHAM, MA DATED AUGUST 12, 2010, REVISED SEPTEMBER 14, 2010 AND SUPPLEMENTED WITH DIGITIZED AERIAL PHOTOGRAPH INFORMATION OBTAINED BY ALLEN & MAJOR ASSOCIATES.
11. HANDICAP ACCESSIBLE PARKING SPACES SHALL CONFORM TO THE ARCHITECTURAL ACCESS BOARD OF THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY, THE AMERICANS WITH DISABILITIES ACT OR ANY AGENCY SUPERSEDING SUCH AGENCY.
12. ACCESSIBLE PARKING SPACES DESIGNATED WITH A "V" SHALL BE SIGNED AS "VAN ACCESSIBLE" PER A.D.A. 4.1.2.5b. BARRIER FREE RAMP SHALL BE CONSTRUCTED AT ALL STREET INTERSECTIONS AND DRIVEWAY APPROACHES.
13. ALL HANDICAP RAMP SHALL BE POURED CEMENT CONCRETE. ALL HANDICAP RAMP WHICH LEAD FROM A "SAFE" AREA TO A TRAVELED WAY SHALL HAVE AN INTEGRAL TRUNCATED DOME DETECTABLE WARNING SURFACE INSTALLED, PER ADA STANDARDS.

14. PLOWED SNOW SHALL BE STACKED IN UNUSED PARKING SPACES AND NOT VISUALLY IMPAIR SAFE TRAVEL OF VEHICULAR OR PEDESTRIAN MOVEMENTS. HIGHER EVENT SNOW FALLS, OR IF DESIGNATED AREAS ARE AT CAPACITY, SHALL REQUIRE THE SNOW TO BE REMOVED FROM THE SITE.

LEGEND:

EXISTING PROPERTY LINE	---
PROPOSED PROPERTY LINE	---
SIGN	▲
BOLLARD	□
BUILDING	▭
BUILDING ARCHITECTURE	▭
BUILDING INTERIOR WALLS	▭
CURB	▬
RETAINING WALL	▬
PARKING STRIPING	▬
ROADWAY STRIPING	▬
TRAFFIC ARROWS	→
PARKING COUNT	⊙
COMPACT PARKING STALL	⊙
STEEL GUARDRAIL	▬
WOOD GUARDRAIL	▬
FENCE	▬
TRANSFORMER	⊕
DOUBLE YELLOW CENTER LINE	DYCL
SOLID YELLOW CENTER LINE	SYCL
SOLID WHITE EDGE LINE	SWEL
SOLID YELLOW EDGE LINE	SYEL
BROKEN YELLOW CENTER LINE	BYCL
STOP LINE	SL

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PARKING SUMMARY

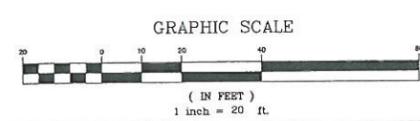
REGULATED PARKING BY ZONING:	
USABLE BUILDING AREA: 9,800 SF	= 98 SPACES
EMPLOYEES (20)	= 20 SPACES
CUSTOMER OPERATED VEHICLES (8)	= 8 SPACES
TOTAL REQUIRED:	= 126 SPACES
PROPOSED NON-INVENTORY SPACES:	
PURCHASE CUSTOMERS	= 64 SPACES
SERVICE CUSTOMERS IN SERVICE AREA	= 20 SPACES
EMPLOYEE PARKING	= 24 SPACES
CUSTOMER OPERATED VEHICLES	= 8 SPACES
TOTAL NON-INVENTORY SPACES:	= 116 SPACES
HANDICAP:	= 5 (4 VAN)
INVENTORY SPACES:	
STRIPED GROUND SPACES	= 40 SPACES
NON-STRIPED GROUND	= 40 SPACES
FIRST GARAGE LEVEL	= 30 SPACES
SECOND GARAGE LEVEL	= 80 SPACES
TOTAL INVENTORY	= 210 SPACES
TOTAL PARKING ON-SITE	= 346 SPACES

NOTES:

1. THE "NON-INVENTORY PARKING AREA" AS DELINEATED ON THE PLAN TOTALS = 49,865 SF.
2. TOTAL OUTDOOR NON-INVENTORY PARKING AREA (I.E. OUTSIDE OF GARAGE FOOTPRINT) = 27,094 SF.
3. REQUIRED LANDSCAPE AREA IS 1,350 S.F. APPROVED PLAN PROVIDED 1,847 S.F. CURBED ISLANDS REMOVED (400 SF) HAVE BEEN REPLACED BY LANDSCAPED EDUCATION GARDEN (180 SF) FOR A NET REDUCTION OF 222 S.F. BUT CONTINUES TO MEET SECTION 90.0 OF THE ZONING BYLAW.

SOME WORK SHOWN AS PROPOSED ON THIS SHEET HAS BEEN CONSTRUCTED AS OF THE DATE OF THESE DRAWINGS. NO AS-BUILT PLANS HAVE BEEN PREPARED DUE TO ON-GOING CONSTRUCTION.

REFER TO SHEET C-9 "PREVIOUSLY CONSTRUCTED AREAS PLAN" TO DETERMINE SITE IMPROVEMENTS CONSTRUCTED AT THE TIME OF THIS PLAN SET.



PHILIP L. CONNORS
 CIVIL
 No. 47883
 REGISTERED PROFESSIONAL ENGINEER
 PROFESSIONAL ENGINEER FOR
 ALLEN & MAJOR ASSOCIATES, INC.

REV.	DATE	DESCRIPTION
5	08/30/12	REVISED FRONT PARKING LAYOUT
4	03/30/12	PER ZBA COMMENTS
3	02/29/12	PER ZBA COMMENTS
2	01/31/12	PER ZBA COMMENTS
1	01/16/12	PER DPW COMMENTS

APPLICANT/OWNER:
TOYOTA OF WELLESLEY
 234 WORCESTER STREET
 WELLESLEY, MA

PROJECT:
WELLESLEY TOYOTA
PARKING GARAGE
 WELLESLEY, MA

PROJECT NO. 1745-01 DATE: 12-13-11
 SCALE: 1"=20' DWG. NAME: C-1745-01
 DESIGNED BY: TJP CHECKED BY: PC

PREPARED BY:

ALLEN & MAJOR ASSOCIATES, INC.
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 environmental consulting • landscape architecture
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DRAWING TITLE: **LAYOUT PLAN** SHEET No. **C-1**