

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2015-64

Petition of Town of Wellesley Department of Public Works
30 Municipal Way

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 16, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of TOWN OF WELLESLEY DEPARTMENT OF PUBLIC WORKS requesting a Special Permit pursuant to the provisions of Section II 8 i and Section XXV of the Zoning Bylaw for the use of a new salt shed in the same location as the existing 4,260 square foot salt and sand sheds, with a total area of 6,720 square feet, one 1,200 square foot lean-to and one 1,800 square foot lean-to, for a total square footage of 9,720 square feet. The height to the peak of the existing salt shed is 26 feet and the height to the proposed salt shed will be 42 feet. The project is located at 30 MUNICIPAL WAY, in a Residential District.

On June 26, 2015, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

The Board said that the request is for a Special Use Permit for a salt shed replacement, which has different criteria from Site Plan Approval. The Board said that it has to look at seven different standards, Vehicular Circulation, Driveways, Vehicle Queuing Lanes, Compatibility with Surroundings, Pedestrian Safety, Noxious Uses and Intensity of Use. The Board said that a Special Use Permit is required because a portion of the site is located in a residential district and the use is not allowed by right.

Presenting the case at the hearing were Dave Hickey, Town Engineer, Mike Pakstis, DPW Director, Doug Stewart, Assistant Town Engineer and Jamie Fayer, Weston & Sampson.

Mr. Hickey said that the proposal is to replace the existing salt shed that is 45 years old and in poor condition. He said that directly beside it is a building for salt/sand mixture that has concrete walls and a wooden roof and has been under a structural monitoring program for the past eight or so years. He said that it is severely undersized for operations.

Mr. Hickey displayed an overhead photograph of the site. He said that the existing salt shed is 4,260 square feet. He said that the proposed building will be a high arch gambrel and will be in a similar location to what is out there now. He said that, due to utilities that are at the southwest corner, the building will be shifted a little closer to the railroad tracks. He said that the new building will be 60 feet longer and will be 80 to 90 feet closer to the railroad tracks. He said that the proposed building will be 6,720 square feet with the lean-tos on the east and south sides for covered outdoor storage for municipal equipment.

Mr. Hickey said that some of the main reasons for the selection of the high arch gambrel and the sizing of the building have to do with operations. He said that it is both for storage and to get some security to get close to the annual need and not be at the whim of deliveries or traffic or other things that they worry about in the winter. He said that it is also a matter of having an area where a trailer can dump inside the building, which means not having to handle it twice and not having potential spillage and loss from the outside to the inside. He said that it will help to mitigate noise because the truck will be inside of the building. He said that the high arch gambrel will allow for a wide open door so that they can drive in and out as they are dumping. He said that when they operate during a storm, the front end loader needs to be able to operate both inside and outside of the building.

Mr. Hickey discussed Special Use Permit Standards. He said that with respect to Vehicular Circulation, the amount of salt that they use, the routes, and the number of trucks coming in and out does not change. He said that there should be no impact to Vehicular Circulation.

Mr. Hickey said that they will use existing curb cuts for the driveways. He said that accesses to Route 9 and Woodlawn Avenue will not change.

Mr. Hickey said that do not expect any impact on Vehicle Queuing Lanes because the number of deliveries and the routes will not change as a result of the project. He said that there should be no impact on Route 9, Washington Street or Woodlawn Avenue due to the increased size of the building. The Board confirmed that DPW will not increase the number of plows or staff. The Board confirmed that there will be no change to the basic operations.

The Board asked if the preference is to fill the building up once a year. The Board asked about the loading process. Mr. Hickey said that DPW has contracts for salt deliveries that primarily come from Chelsea. He said that DPW can order the salt during the shoulders of the seasons. He said that they would typically order a couple hundred tons. He said that they get trucks over a period of a day or two. He said that the trucks arrive during normal business hours. He said that, as the winter goes on, it becomes more of a challenge. He said that it depends on the supply in Chelsea and the other communities they are serving. He said that they might get two or three trucks on Monday and then again on Wednesday. He said that if they can keep it close to filled at the beginning of the season, they will be less susceptible to dust issues.

The Board asked about the process of salt trucks going out during a snowstorm, recognizing that storms are not all the same size. Mr. Hickey displayed a graphic they used for determining the location of the doors. He displayed the routes for plow trucks to reload at the existing shed. He said that the trucks go to the west of the shed and proceed to the opposite side of the loading wall. He said that allows the front end loader to be up three feet higher so they can see into the dump body. He said that it helps to minimize spillage. He displayed the process for the front end loader throughout the storm. He said that it goes to pick up a load, backs up to make a three point turn and then loads the trucks. He said that the system does work but there is crossing of the routes.

Mr. Hickey said that the loading wall will be moved to the new salt shed. He said that trucks coming in from Route 9 or Woodlawn Avenue will go down a ramp. He said that the front end loader will be able to load up and make its turn without having the crossing conflict. He said that the trucks will circulate out behind the building to go out to their routes. The Board said that should reduce the number of back ups

for the front end loader because it is a shorter distance and it will just be backing out of the shed and going forward to load the trucks. The Board said that there should not be any backing up on the part of the trucks. Mr. Hickey said that primarily they will be reducing the crossing, which DPW saw as safety improvement. He said that moving the loader and the loading wall close to the building will help to mitigate noise. He said that the loader will have space to work inside of the building. He said that otherwise the loader will be close to the building.

Mr. Becker asked how queuing will work. The Board asked about DPW's experience with queuing of trucks during storms. Mr. Hickey said that every storm is different. He said that there are nine salt truck routes that are coordinated on the radio. He said that there are typically not more than two or three trucks in the queue. He said that they designed the 210 foot ramp along the side of the building for the trucks to queue on.

Mr. Hickey discussed Compatibility with Surroundings. He said that the existing use and equipment storage will not change much. He said that they will put metal components under the roofs of the lean-tos. He said that they will put all of the salt management and handling under the roof. He said that they will be improving the environmental impact. He said that the wooded slope will not change. He said that there is currently a concrete block wall for the lower yard. He said that the wooded buffer between the lower and upper yards will stay. He said that they will extend the buffer so that it will connect with Municipal Way. He said that some trees will come out but they are proposing plantings in front of the building for screening. He said that after speaking with the neighbors, there is some planting proposed along property lines with the abutters. He said that the project is entirely on impervious areas and is outside of the wetlands buffer zone. He said that DPW will manage the salt in a way that it is not exposed to the environment. He said that they have proposed some stormwater features. He said that there will be trench drains and oil/water separators and other things that will connect back into the drainage system. He said that the biggest change is that the building will be bigger.

The Board asked what fixed exterior lighting will be needed for the storm truck load out process. Mr. Hickey said that the proposal is to have six wall mounted packs on the northern, western and southern sides of the building. He said that will allow for a modest amount of light on the ramp and the work areas. He said that photometrics people from Weston & Sampson recommended three pole mounted lights. He said that lighting is of highest concern in the loading area for the truck drivers and the front end loader operator to be able to see. He said that by having the light on the pole, light can be focused down to the work space. He said that they believe that they can control spillage and light pollution. He said that a pole light will help direct truck drivers to get onto the ramp safely. He said that all of the lights will be switch controlled. He said that the lights will not be on unless DPW is there for an emergency. The Board confirmed that the lights will be off unless there are loading operations underway.

The Board said that it had asked DPW to consider ways to modify or reduce existing light fixtures on the property under its control. The Board asked if a study had been done of that. Mr. Hickey said that DPW is just starting that study. He said that they are in the process of assessing all of the lights, mainly along the railroad tracks. He said that they are looking to see which lights are on timers versus sensors.

The Board asked about flexibility to change back up alarms. Mr. Hickey said that recently there has been some change. He said that one change is to go with a higher pitch that is more human friendly. He said that the other change is an air compressor. He said that those options are part of DPW's assessment. He

said that they will pilot them to see which one works. He said that it might take a while to equip everything. Mr. Pakstis said that back up alarms are required by law.

Mr. Hickey discussed Pedestrian Safety. He said that it will not change. He said that there are very few people who walk along Municipal Way. He said that there are no sidewalks there. The Board said that DPW discourages people from walking through the DPW Yard. Mr. Hickey said that there are signs at the entrances to the site that say authorized personnel only.

Mr. Hickey discussed Intensity of Use. He said that the intent is to improve operations in and around the building and the amount of salt that they can store. He said that the project is also about replacing a fairly outdated building. He said that the number of routes and the number of lane miles will not change. He said that the amount of salt will be driven by the weather but will not change as a result of this project.

The Board asked what motivated DPW to decide to build a larger structure. The Board said that DPW did say that they had visited other towns to look at their operations. The Board asked about the benefits or disadvantages for having the larger structure. Mr. Hickey said that the benefit of a larger structure is the ability to deliver safe road conditions. He said that there are times, not frequently, when DPW has to make difficult decisions about when loads will be delivered. He said that they may have to instruct the drivers to put down salt at a lower application rate. He said that occurrence is rare but this project will help to eliminate that problem.

The Board said that Vehicle Queuing Lanes were discussed as part of Vehicle Circulation. The Board said that there will be no changes to Driveways. The Board asked, under Noxious Uses, about provisions to control fugitive dust and dirt from the facility and the loading operation. The Board said that a normal condition under Site Plan Approval often requires street sweeping during construction. Mr. Hickey said that the contract specs will require DPW to either wet the site down when it is in a gravel condition or apply calcium chloride during the construction phase. He said that they were not proposing anything specific beyond that for the loading phase. He said that there is a post-winter sweeping cleanup process but not anything immediately post storm. The Board confirmed that before the first storm hits, the building is full and the area surrounding it is clean. The Board confirmed that following winter operations, the site is cleaned up again. Mr. Pakstis said that because they will be shortening the distance for delivery of salt, and salt can be delivered inside of the salt shed, they will be minimizing the amount of salt that ends up on the pavement. He said that by shortening the loading area, they will minimize potential spillage between the loader and the trucks.

The Board asked if the salt trucks bring dirt back onto the site. Mr. Pakstis said that, for the most part, it is snow that ends up in the wheel wells.

The Board said that the materials are heavy enough so that they do not become dust and DPW has programs in place to handle spillage on the ground.

The Board asked about provisions to control idling of vehicles. Mr. Pakstis said that the only idling by the salt shed will be the trucks that are waiting to be loaded. He said that there should just be two to three trucks in the queue. He said that the front end loader will idle when waiting for trucks to keep the vehicle warm from the engine and the driver's perspective. He said that idling in the work area should be

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relatively minimal. Mr. Pakstis said that the loader can idle inside the salt shed and it will probably become the practice.

The Board said that through the winter, as the loader goes in and out of building, it will track snow and ice into the building. The Board asked about provisions to collect contaminated water. Mr. Hickey said that the inside of the building is a shallow bowl. He said that the idea is to collect the salt and reuse it. He said that fluids will evaporate as the season goes on. He said that outside the building, the ramp goes to a trench drain where the runoff goes through separators before going off site.

The Board asked for a description of the sand/salt operation. Mr. Pakstis said that it is effectively straight salt. He said that there are a couple of areas in town that they have to treat differently. He said that one area is Wellesley Avenue by the wells where they treat with a sand/salt mixture. He said that another area is the permeable pavement at the State Street Lot through the High School. He said that is treated with calcium chloride. He said that everything else gets treated with straight salt. He said that what will vary is the application rate, depending on the size of the road. He said that Washington Street receives a higher application than Woodlawn Avenue because of the volume of traffic. He said that, of the nine trucks, one will have the sand/salt mixture and the others will have just salt. He said that the front end loader mixes both.

The Board asked where the actual zoning line for the Residential District is located. Mr. Hickey displayed it on the Site Plan. Mr. Stewart said that the area to the right of the site is residential and the area to the left is business. He said that the Aqueduct runs along the front of the property. He said that is municipal property that is under the jurisdiction of the Board of Selectmen.

Maureen Creedon, 50 Woodlawn Avenue, said that she lives adjacent to the site. She asked if the conditions associated with the Site Plan Approval will apply to the Special Use Permit. She said that she thought this is more relevant because it involves construction in a Residential District. She said that the neighbors have started a dialog with DPW about the screening, noise mitigation and lighting plans. The Board said that the conditions are already attached to the Site Plan Approval and they apply to the project itself and the land. The Board said that attaching those conditions to the Special Use Permit will not change anything. He said that the only reason that the Special Use Permit is required is because a portion of the site is located in a Residential District. The Board said that the bylaw says that, to have this use, a Special Use Permit is required.

Victoria Heydari, 52 Woodlawn Avenue, said that she is a direct abutter to DPW. She asked about the Board taking a field trip to walk the site to see the condition and to see what is going to happen with 42 feet at that grade in a residential area in a nice part of town. The Board said that its members regularly visit the sites. A Board member said that he and his wife walk along Woodlawn Avenue and come up the Aqueduct four to five times a week. He said that he is very familiar with the area and the impact of the DPW Yard. He said that screening from street level does do a good job in that area. He said that someone at the last meeting said that they could see salt shed from second floor window. He said that part of the reason that the Board directed DPW to meet with neighbors was to consider ways that plantings at edges of yard could provide a buffer at higher points to further screen the proposed building from neighbors' properties. He said that the Board will meet in September to learn what kinds of ideas DPW has come up for plantings, noise and lighting control.

Ms. Heydari said that is not the same as a field trip where the Board members could see the site from the perspective of the abutters. She said that the neighbors cannot help but notice a 42 foot barn in a residential district during the off-season. She said that the neighbors are hoping that the site mitigation will help but 10 foot trees might not survive and it is not a long term plan. She said that the neighbors are at a higher grade. She asked if there was any formal way to request a field trip to come see what Wellesley has approved in a residential neighborhood. She said that she would like to have the Board and the Design Board come to see how close this really is. She said that the maps do not have a scale of reference to know how close this is. She said that going from 26 to 42 feet is like another house. She said that it will be a four story building.

The Board said that the Board is structured with two attorneys, two engineers and two architects. The Board said that its members have a lot experience at looking at plans.

A Board member said that he visited the site and went to Natick to look at their facility. He said that it is a large structure but DPW is not proposing a new use. He said that this is an upgrade and modernization of an existing use. He said that the Board has to look at it that way initially. He said that the Board and the neighbors had similar comments at the Site Plan Approval hearing. He said that the first impression when you go to the site is that the whole site needs modernization or cleanup. He said that there are stockpiles of materials that are closer to the houses and the proposed building. He said that the Board has asked DPW for a goodwill collaboration with the neighbors. He said that the Board is hoping to see some improvement to the site as a whole at the September 10, 2015 hearing. The Board said that it is not typical for the Board to request that DPW meet with the neighbors and come back to give a progress report.

The Board said that this hearing is for the Special Use Permit. The Board said that there will be no change to the use but to the buildings. The Board said that rather than intensification of the use, there will be more security in having the materials that DPW will need to address storm conditions and not have to run the risk of cutting back on treating the roads due to lack of product. The Board said that if there is a price fluctuation in salt, DPW will be in a better position to stock up when the prices are most favorable.

The Board said that the bylaw does not require a field trip. The Board said that there are impediments to it. The Board said that if two of three members get together it constitutes a quorum and that requires that the meeting be noticed it and it is public. The Board said that although it could make a field trip happen, it does not do that on a normal basis. The Board said that because of their technical backgrounds, the Board members do understand the plans.

Mr. Hickey said that the intent going forward is to look at the site and come back before the Board in September. He said that the Board wanted DPW to look at the complex, not just the proposed salt shed. He said that DPW will look at its operation and efficiencies and the impacts beyond it boundaries with respect to noise, light, and dust. He said that DPW has just started to look at those issues. He said that DPW had intended to reinstall a fence along Woodlawn Avenue and that is now underway. He said that the soil piles tend to shrink and grow and creep. He said that DPW has installed hard boundaries to control creep. He said that DPW will start to look at site lighting. He said that a lot of the higher lights on the higher ground are associated with the MLP and are not under DPW jurisdiction. He said that he spoke with an abutter on Colburn Road. He said that he was able to walk behind that abutter's shed, so he had a better understanding of that vista. He said that the buffering will continue to be a challenge. He

said that Norway Maples have self-seeded around the site, so root massing is a challenge. He said that they will continue to look for ways to replace dying materials with evergreens.

The Board said that DPW recognizes that it is a heavy industrial use that is within a residential neighborhood and district.

The Board said that locating the salt shed at the RDF was discussed at the last hearing and DPW gave a reasonable explanation as to why it is not feasible. The Board said that the present location is more central and will help DPW make more efficient use of its resources to take care of an important problem that the Town has in the winter.

The Board said that newer technology to control lighting will help to make it a better situation.

The Board said that a portion of the site is not under DPW control. The Board said that MLP should be aware of the impacts of their lighting. A Board member said that MLP did have a representative on the Lighting and Noise Committee and they are aware of the issues.

The Board said that the Board is looking at a Special Use Permit for the use that the proposed project puts to the land which is fundamentally the same as the current use. The Board said that DPW has discussed the permit standards and some of the things will be better than the current operation. The Board said that this may not get the situation to where everyone would like to see it but it is moving in a better direction.

The Board discussed carrying over conditions 5, 6 and 7 from the Site Plan Approval.

The Board said that there will be no expansion of operations that were discussed during the Site Plan Approval hearing. Mr. Pakstis said that if the number of streets in town or if the number private ways goes public, DPW would be concerned about restricting the number of trucks to nine. He said that DPW does not plan to add staff or equipment based on the current conditions. He said that he would be concerned if something happened that would be beyond DPW's control. The Board said that the decision will be based on what was submitted and what was discussed at the public hearing. A Board member said that the Board does not want to tie DPW's hands from adding a truck but if the use is intensified, DPW will have to come back to the Board for approval. He questioned at what point it would reach that level. He said that is something that could be resolved by the Building Official. He said that the Board and DPW are part of the same community and share the same goals. He said that the Board would like to provide some level of understanding to the neighbors. The Board said that it is not only trying to build a foundation that all of this can be built on, but some walls on the edge that says that when you go beyond the limits, it needs to be discussed.

The Board said that it would include conditions 5, 6, and 7 from the Site Plan Approval but with no specific description of how many trucks would constitute the use. The Board said that would be best left up to the Zoning Enforcement Officer.

Statement of Facts

The subject property is located at 30 Municipal Way, on a 10.8 acre lot in a 15,000 square foot Single Residence District.

The Petitioner is requesting a Special Permit pursuant to the provisions of Section II 8 i and Section XXV of the Zoning Bylaw for the use of a new salt shed in the same location as the existing 4,260 square foot salt and sand sheds, with a total area of 6,720 square feet, one 1,200 square foot lean-to and one 1,800 square foot lean-to, for a total square footage of 9,720 square feet. The height to the peak of the existing salt shed is 26 feet and the height to the proposed salt shed will be 42 feet.

Project Description, dated 3/26/15, revised 5/11/15, Special Permit Use Standards, Development Prospectus, dated 5/1/15, Stormwater Management, dated 5/11/15, Traffic Impact Evaluation, Fire Protection and Life Safety, dated 5/7/15, Letter to DPW Director Pakstis, dated 5/7/15, from Chief Richard A. DeLorie, Construction Management Plan, dated April 2015, Impacts on Municipal Water System, dated 4/22/15, Letter to Doug Stewart, dated 5/13/15, from Robert F. McAleer, PE, re: PSI Electrical Analysis, and Refuse Disposal Impact Analysis, dated 5/4/15, and the following plans were submitted.

Plan Number	Drawing Title	Date of Issue	Prepared By	Date of Revision
Sheet 1 of 14	Title Page & General Notes	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 2 of 14	Plot Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 3 of 14	Existing Conditions 60 Scale	5/13/15	Douglas R. Stewart, Professional Land Surveyor & David J. Hickey, Jr. P.E.	
Sheet 4 of 14	Existing Conditions 20 Scale	5/13/15	Douglas R. Stewart, Professional Land Surveyor & David J. Hickey, Jr. P.E.	
Sheet 5 of 14	Proposed Layout Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 6 of 14	Proposed Erosion Control and Construction Staging Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 7 of 14	Site, Grading & Drainage, Utilities and Landscaping Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 8 of 14	Subsurface Conditions Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 9 of 14	Utilities Detail Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 10 of 14	Utilities Detail Plan	5/13/15	David J. Hickey, Jr. P.E.	
Sheet 11 of 14	Detail Plan	5/13/15	David J. Hickey, Jr. P.E.	

Sheet 12 of 14	Electrical Site Plan	5/6/15	Robert F. McAleer, Electrical, P.E.	
Sheet 13 of 14	Electrical Building Plan	5/6/15	Robert F. McAleer, Electrical, P.E.	
Sheet 14 of 14	Lighting Plan	4/30/15	Visual	
A-1	Floor/Foundation Plan	5/6/15	Michael Sinniger, P.E.	
A-2	Foundation Details, Barrier Wall Details	5/6/15	Michael Sinniger, P.E.	
A-3	Roof Framing Plan, Bearing Plate Details, Longitudinal Section	5/6/15	Michael Sinniger, P.E.	
A-4	Transverse Bldg. Section, Structural Details	5/6/15	Michael Sinniger, P.E.	2015 JUL 20 P 6:39 RECEIVED TOWN CLERK'S OFFICE WELLESLEY MA 02482
A-5	Building Elevations	5/6/15	Michael Sinniger, P.E.	
A-6	Typical Wall Sections	5/6/15	Michael Sinniger, P.E.	
A-7	Wall Section & Details	5/6/15	Michael Sinniger, P.E.	
A-8	Sidewall Lean-To, Wall Sections & Details	5/6/15	Michael Sinniger, P.E.	
A-9	Rear Endwall Lean-To, Wall Sections & Details	5/6/15	Michael Sinniger, P.E.	

On June 16, 2015, the Planning Board reviewed the petition and recommended that the associated Site Plan Approval be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the use of a new salt shed in the same location as the existing salt and sand sheds in a Residential District is in harmony with the general intent and purpose of the Zoning Bylaw. It is further the opinion of this Authority that the Petitioner has complied with all of the Special Permit Use Standards enumerated in Section XXV of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the use of a new salt shed in the same location as the existing 4,260 square foot salt and sand sheds, with a total area of 6,720 square feet, one 1,200 square foot lean-to and one 1,800 square foot lean-to, for a total square footage of 9,720 square feet. The height to the peak of the existing salt shed is 26 feet and the height to the proposed salt shed will be 42 feet, subject to the following conditions:

1. The Applicant shall agree to the further study of issues of planting screening and the need for lighting, including lighting on other buildings in the yard that are under DPW control.
2. The Applicant shall give further consideration as to how vehicle operations could be structured to minimize noise.
3. The Applicant shall come back to the Board on September 10, 2015 to provide a progress report and proposed actions to general campus management improvements including mitigation of noise, back up alarms, lighting, truck trips and use of Woodlawn Avenue entrance/exit.

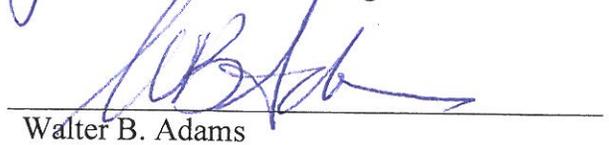
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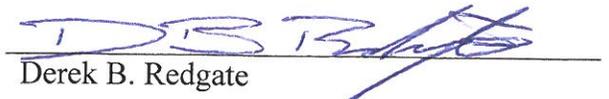
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Petition of Town of Wellesley Department of Public Works
30 Municipal Way

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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.


J. Randolph Becker, Acting Chairman


Walter B. Adams


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm