

TOWN OF WELLESLEY



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JOHN L. HAYDEN
GARRETT S. HOAG
DANA T. LOWELL

BOARD OF APPEAL : 11 MA 8 YAM 1964
KATHARINE E. TOY, CLERK
TELEPHONE
CE. 5-1664

Petition of Seabrooke Estates, Inc.

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on March 4, 1964, on the petition of Seabrooke Estates, Inc., requesting permission to use the land adjacent to and southerly of Town of Wellesley land (Cochituate Aqueduct) on the easterly side of Cedar Street, containing about 37,107 square feet of land for parking of motor vehicles thereon, as provided under the provisions of Section XXIV, E, 1, of the Zoning By-law and under General Laws, Chapter 40A, Section 15 (3).

Irving P. Gramkow represented the petitioner at the hearing.

The following persons appeared and spoke in opposition to the granting of the request. William Donahue, 10 Cedar Street, Joseph O'Donnell, 3 Cedar Street, Thomas Dennehy, 12 Cedar Street and Edward H. Gleason 80 Walnut Street. All expressed the feeling that the proposed parking lot would prove detrimental to surrounding properties and that the present traffic hazard would be increased.

Mondel Morrill, 65 Cedar Street opposed the granting of the request stating as his opinion that the petitioner's buildings should have been planned on the basis of the probable number of cars to be parked in the area and that the proposed use of the property involved would be a violation of the Zoning By-law and would aggravate the present traffic problem. He submitted a petition signed by ten residents of Cedar Street, recording all as opposing the request as they felt that the introduction of a blind parking area would greatly aggravate an already serious traffic problem.

The Planning Board opposed the granting of the requested permission in its report on the ground that consideration should be given to rezoning the whole neighborhood rather than granting piecemeal permits or variances.

On February 14, 1964, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The property involved, containing approximately 37,107 square feet, is located within a single-residence zone, a zone in which the desired use of the property is not permitted, unless special permission is granted by this Board.

The petitioner seeks permission to use the land involved as a parking lot for approximately eighty-one cars. The petitioner owns three office buildings closeby on Walnut Street which are leased to Minneapolis-Honeywell Regulator Company. There are 700 employees in these buildings with approximately 600 cars to be parked. The present parking area is overcrowded and a real need exists for additional space. Providing this additional parking lot should eliminate the

practice of parking cars on or close to Walnut Street which now creates a traffic hazard.

The property proposed to be used for parking has a frontage of approximately 120' and extends back approximately 32½' from the street. The aqueduct, now owned by the Town of Wellesley, adjoins it on the northerly side and a dwelling adjoins it on the southerly side. It is proposed to grade the property downward toward the rear of the property so that the level of the cars will be below street grade and proper drainage will be provided. It is not contemplated that any building will be built on the subject land.

Decision

In the opinion of this Board, there is a real need for additional off-street parking facilities within the area and the proposed use of the property will not substantially reduce the value of any property within the district or otherwise injure the neighborhood. The Board feels that the proposed use of the property will alleviate to some extent the present traffic congestion in the area as it is designed to provide space for eighty-one cars, some of which may otherwise be parked on Walnut Street. In the opinion of the Board the requested permission can be granted under Section XXIV of the Zoning By-law but that the facts adduced do not warrant relief under General Laws (Ter Ed.) Chap. 40A, Section 15 (3).

The Board, therefore, grants the desired permission under the provisions of Section XXIV E 1. of the Zoning By-law for a period of one (1) year from the date hereof and subject to the following conditions:

1. That the area substantially as shown on the plan submitted, drawn by Gleason Engineering Company, dated February 17, 1964, and on file with this Board, shall be surfaced and lined to provide space for eighty-one cars.
2. That no business of any nature shall be carried on within said area and that said area shall be used solely for parking purposes of automobiles incidental to employees and business invitees of Minneapolis-Honeywell Regulator Company.
3. That a six-foot split sapling fence or other fence, satisfactory to the Board of Appeal, shall be erected along the entire line abutting the southerly side line approximately 32½' and that a solid hedge of evergreens at least six feet tall shall be planted along the southerly side of the fence on the southerly side. A fence and shrubbery satisfactory to the Board of Appeal shall be installed along the front of the area consistent with adequate visibility for cars entering and leaving the area. Such fencing and evergreen hedges shall be maintained to the satisfaction of the Building Inspector and the Board of Appeal for the entire life of the permission hereby granted.
4. That said parking area shall be closed to use by a suitable and adequate gate or chain at the entrance during the hours between 7:00 p.m. and 7:00 a.m. and all day on Sundays and legal holidays.
5. That said parking area and the other parking areas of the petitioner in the vicinity shall be adequately policed by employees of petitioner or Minneapolis-Honeywell Regulator

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- 5. Cont. Company to see to their orderly and proper use.
- 6. That a performance bond running to the Town shall be provided in the amount of \$5,000. with surety and in form satisfactory to Town Counsel which will be posted with the Treasurer of the Town of Wellesley before commencement of the work. Said bond shall be conditioned on the completion of the work in accordance herewith within six (6) months from the filing hereof with the Town Clerk.
- 7. That in the event of the breach of any condition hereof the permission granted may be terminated by this Board without notice or hearing.

Richard O. Aldrich

Richard O. Aldrich

F. Lester Fraser

F. Lester Fraser

Dana T. Lowell

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Filed with Town Clerk _____