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Appeal of Wellesley Permanent Building  
Committee (Wellesley Junior High School)  
Kingsbury Street

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 8:30 p.m. on February 10, 1966, on the appeal of the Wellesley Permanent Building Committee, from the refusal of the Inspector of Buildings to issue a permit for the proposed additions to the Wellesley Junior High School, located on a site between Kingsbury and Donazette Street. The reason for such refusal was that the structural plans submitted indicated the live load of classrooms was based on 50 pounds per square foot rather than 100 pounds per square foot as required in Chapter VII, Section 4 (b) of the Building Code; also the construction of the proposed additions would result in the covering by buildings of more than 25% of the area of the lot as prescribed by Section XVIII B of the Zoning By-law.

On December 30, 1965, the Appellant filed its application for a building permit to construct the proposed additions, and on January 13, 1966, the Inspector of Buildings notified the appellants in writing that a permit could not be granted for the above-mentioned reasons. On January 24, 1966, the Appellant took an appeal from such refusal, and thereafter due notice of the hearing was given by mailing and publication.

John Kreinheder, member of the Permanent Building Committee, represented the Appellant at the hearing.

The following also spoke in favor of the request: James C. Hopkins, member of the architectural firm of Kilham, Hopkins, Greeley and Brodie which has been engaged in drawing the plans for the proposed additions, and William J. LeMessurier, Engineer.

Roger Hodgson, 35 Kingsbury Street, opposed the request. In his opinion, the Zoning By-law limiting the coverage of a lot by buildings to 25% should apply in this case and no exception should be allowed. If the proposed additions are constructed, in his view, it will result in overcrowding the lot and will prove detrimental to surrounding properties.

The property involved is located within a Single-residence District and contains approximately 223,062.7 square feet. The Wellesley Junior High School is located on the site, and it is proposed to construct four additions to the existing building. The area of the existing building is 67,305 square feet and the proposed additions will cover 30,871 square feet or a total of 98,176 square feet which is approximately 44% of the area of the lot. The proposed additions will provide additional classrooms, an expansion of the cafeteria and kitchen, a teachers' dining room and additional locker room facilities. It was pointed out that while the building is presently on a parcel of land between Kingsbury Street and Donazette Street, there is an existing playfield with an area of 23.7 acres on the opposite side of Donazette Street. At the Annual Town Meeting to be held in March, it will be

proposed that the Town shut off Donazette Street, thereby making the two lots contiguous and in compliance with the above-mentioned section of the Zoning By-law. However, in case of a non-passage of the motion, the request is being made.

The Appellant further requested a variance from the requirements of the Building Code for the design live load of classrooms. Section 4 (b), Chapter VII, of the Building Code requires 100 pounds per square foot design live load for classrooms without fixed seats, and the Appellant requests that it be permitted to incorporate in the plans for the Junior High addition a 50 pounds per square foot live loading for those standard classrooms which range in area between 700 and 900 square feet and, having no folding or movable partitions between them, cannot be used for assembly purposes.

Evidence was submitted that the National Building Code design live load for classrooms of this type is 40 pounds per square foot, that the Commonwealth of Massachusetts Department of Public Safety Schoolhouse Regulations require a classroom and laboratory live loading of 50 pounds per square foot or 100 pounds per square foot if the areas are to be used as places of assembly and that the Boston Building Code allows classrooms having areas of less than 900 square feet to be designed for a live load of 50 pounds per square foot. It was also stated that recently adopted or amended building codes of a number of other towns comparable to Wellesley permit the requested design live loading. It also appears that the classrooms in the Junior High School as originally designed and in the 1958 addition were constructed with a design live loading of 50 pounds per square foot.

The appellant cited additional cost of approximately \$25,000. and unnecessary design problems incident to a requirement of the higher live load design.

#### Decision

The Board has given careful consideration to the evidence submitted and all pertinent facts and circumstances of which it is aware, and is of the opinion that both of Appellant's requests should be granted. The plans of the Junior High School addition propose a practical and reasonable method of solving the Town's urgent school housing problem for these grades, a method which has already received the general approval of the School Committee, the Town Meeting and other interested Town boards. The shape of the Junior High School lots and the past and projected patterns of development of the School do not afford any practical and reasonable alternative to these plans. Therefore, the Board is of the opinion that because of these conditions and circumstances especially affecting the Junior High School property and not affecting generally its zoning district, a literal enforcement of the pertinent lot coverage provisions of the Zoning By-law will involve substantial hardship, financial and otherwise to the Town, and that the requested relief is desirable and can be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-law.

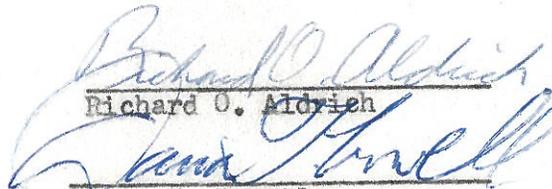
The Board is further of the opinion that the classroom design live load situation here presented was not within the contemplation of Section 4 (b), Chapter VII, of the Building Code; that manifest injustice may result from a literal enforcement of the provisions and that the requested relief can be granted consistently with due regard to the general intent and purpose of the Code.

Appeal of Wellesley Permanent  
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Accordingly, the Board hereby grants the requested variance from the Zoning By-law and variance from the Building Code, provided as to the former that the design live loading of 150 pounds per square foot shall be applicable only to those classrooms which do not exceed 900 square feet in area and which do not have folding or movable partitions or walls between them.

  
Richard O. Aldrich

  
Dana T. Lowell

  
F. Lester Fraser

Filed with Town Clerk \_\_\_\_\_

