



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 86-49
Petition of F. Diehl & Son Inc.
200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 14, 1986 at 8 p.m. in the Great Hall of the Town Hall at ~~525 Washington Street, Wellesley, on the petition of F. DIEHL & SON, INC. requesting a Special Permit for Site Plan Approval pursuant to Section XVII, Section XI, and Section XXV of the Zoning Bylaw to allow the construction of a 10,270 square foot one-story addition attached to an existing 16,200 square foot building at 200 LINDEN STREET, said parcel containing 128,952 square feet, and associated parking and landscaping. Said property is located in a Business District, said Building would be used for retail space.~~

On July 22, 1986 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Bruno Mortarelli and Robert McGill, General Manager of Diehl's. Discussion focused on the parking issue at the site. The proposed plans included 33 new parking spaces for the proposed 10,270 square foot building. The ZBA is of the opinion that 68 new parking spaces are required or 1 space per 150 square feet of ground coverage of buildings. Mr. Mortarelli stated that Diehl's is willing to redesign the parking lot to come up with the required spaces. Mr. Porter requested that new plans be submitted for review at the next ZBA Public Hearing on September 14, 1986. Discussion followed as to whether the entire parcel of land owned by Diehl meets the parking requirements of the bylaw. Mr. Mortarelli stated that the existing spaces far exceed the requirements.

Present at the hearing and opposed to the blasting which took place recently to prepare the space for the new building and opposed to any blasting in the future: Alfonsina Marchetti, 7 Pine Tree Road, Luciana Corticelli, whose parents live at 12 Pine Tree Road, Dina Cremonini, 25 Pine Tree Road, Beverly Loomis, 18 Hilltop Road, Helean Galant, 24 Pine Tree Road. Opposition also included concerns about traffic in the area.

The continued public hearing was held on Thursday, September 18, 1986 at 8 p.m. in the Great Hall of the Town Hall at 525 Washington Street. Presenting the case were Bruno Mortarelli and Robert McGill. A new site plan, as requested at the hearing on August 14, 1986, had been presented to the ZBA on 8/29/86 indicating 70 proposed parking spaces for the new building. Existing parking spaces total 86, so the total parking spaces on the lot would be 156. Discussion followed regarding the Planning Board letter of September 15, 1986 regarding the petition.

No others were present expressing favor or opposition to the request.

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Statement of Facts

The property in question is located at 200 Linden Street, in a Business District, said parcel containing 128,952 square feet of land. A building approximately 16,200 square feet exists on the lot and contains retail sales areas. The existing building was constructed in 1973 with additions in 1981 and 1983.

The petitioners propose a one-story addition approximately 65 feet by 158 square feet at the northwesterly end of the building, said addition to contain 10,270 square feet of floor area, to be rented out as retail sales areas.

The following plans were submitted: Plan of Land, Carmelo Frazetti, Registered Land Surveyor, Needham, Ma., dated June 23, 1986; Proposed Parking Plan, Utility Plan, Existing Parking Plan; A-1, Elevations, A-2, Floor Plans, A-3 and A-4, Sections, Wellesley Design, May 13, 1986, revised July 10, 1986; JD-1, Structural, Structural Systems, Kenneth Day Crumrine, Registered Professional Engineer. A landscape plan was submitted dated July 21, 1986 by Wellesley Design.

As a result of the ZBA Public Hearing on August 14, 1986, a new parking and landscaping plan was submitted on August 29, 1986 indicating 70 proposed new parking spaces. A total of 156 parking spaces would exist on the property.

Following the Design Review Board meeting of September 25, 1986, a revised plan was submitted with changes of handicapped parking spaces and planters. This plan by Wellesley Design, Inc. entitled "Proposed Parking Plan - Revisions as Per Design Review Board Meeting of September 25, 1986" was received by the ZBA Office on 9/29/86 and is considered a final parking and landscaping plan, with 68 parking spaces proposed.

Site plans and other submission materials were sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and Fire Chief, as required by Section XVIA. Written responses from the Planning Board, Town Engineer, and Fire Chief were received and are on file at the Board of Appeals office.

The Design Review Board reviewed the plans on June 12, June 26, July 31 and September 25, 1986. Letters expressing concerns were received dated June 13, June 27, August 5, and September 25, 1986.

A letter of August 11, 1986 was received from Harry P. Selker, M.D., 26 Pine Tree Road, expressing concerns about the project.

Decision

This Authority has made a careful study of the evidence presented. The petitioner's proposed addition at 200 Linden Street constitutes a major construction project under Section XVIA of the Zoning Bylaw because it includes construction of 2,500 or more square feet of gross floor area.

The Zoning Bylaw requires that enlargements of buildings require additional off-street parking spaces in accordance with the provisions of Section XXI. This Authority is of the opinion that only those existing parking spaces which exceed the requirements of the Zoning Bylaw can be used to satisfy the new parking requirements and has so ruled in various cases over the past few years.

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The existing building at 200 Linden Street contains 16,200 square feet of floor area. One hundred eight parking spaces would currently be required for a new building of that size (one parking space per 150 square feet of ground coverage). Eighty-six parking spaces presently exist at 200 Linden Street, or twenty-two less than would currently be required.

The proposed addition to the building at 200 Linden Street contains 10,270 square feet of floor area. Sixty-eight additional parking spaces are required for this addition and the petitioner has proposed sixty-eight new parking spaces.

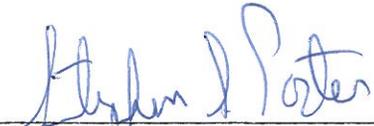
It is the opinion of this Authority that the proposed addition at 200 Linden Street as shown on the Plan of Land by Carmelo Frazetti, Registered Land Surveyor, dated June 23, 1986 and on the parking plan submitted on September 29, 1986 by Wellesley Design complies with the Zoning Bylaw of the Town, protects the safety, convenience and welfare of the public, minimizes additional congestion in public and private ways, insures adequate provision for water, sewerage and drainage. Furthermore, it insures compliance with Section XVI, Section XXI and Section XXII of the Zoning Bylaw.

A Special Permit is hereby granted and the Site Plan Approval is given by this Authority pursuant to Section XVIA and Section XXV of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings

mam



Stephen S. Porter, Chairman



John A. Donovan, Jr.



William E. Polletta

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WELLESLEY, MASS.

Addendum A.

1. That all work shall be performed in accordance with plans submitted and on file with this Authority.
2. That all design and construction must comply with all applicable state and local codes.
3. That all requirements of the Town of Wellesley Fire Department shall be complied with.
4. That, upon completion of the entire project, a complete set of "As Built" plans, including a complete set of mechanical plans, shall be submitted to the Inspector of Buildings. ~~Site utility plans shall be submitted to the Department of Public Works.~~
5. That a copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.

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