



ZONING BOARD OF APPEALS

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ZBA 98-92

Petition of Town of Wellesley/Permanent Building Committee
Warren School/311 Walnut Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 5, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of TOWN OF WELLESLEY/PERMANENT BUILDING COMMITTEE requesting a Special Permit pursuant to the provisions of Section II A 8 (i) and Section XXV of the Zoning Bylaw to allow the premises at 311 WALNUT STREET (WARREN SCHOOL) to be used as a recreation center and offices for the Recreation Department, offices for the Health Department and offices for a portion of the administration of the School Department, a use not allowed by right in a Single Residence District.

On October 8, 1998, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

PUBLIC HEARING - NOVEMBER 5, 1998

Prior to the petitioner's presentation, the Chairman read into the record a letter received that day from Alice Peisch, Chairman of the School Committee, requesting that William Polletta, Zoning Board member, recuse himself from the hearing due to an alleged conflict of interest. In response to the Chairman's question if Mr. Polletta would recuse himself, Mr. Polletta stated that he would not.

Michael Eby, Chairman of the Permanent Building Committee (PBC) introduced the project. He stated that the Spring Town meeting approved a school construction project by a two-thirds vote, and appropriated money to the PBC to hire an architect to develop plans, go out to bid, and return to Town Meeting with the bids.

The project consists of three elements: a new school at Sprague; additions of classrooms and a cafeteria at the Bates School; and renovations to the Warren School to house the Recreation Department, Health Department and the School Department Administration. The housing of the first two departments is necessary because of their displacement from the Sprague facility; and the third is necessary because of the increasing enrollment at the Middle School requiring more classroom space. For the last six months, the PBC, Selectmen, and members of the School Committee, Recreation, Health and Natural Resources (NRC) have been working with the architect on the plans.

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During this period, the user Boards were meeting independently to work out their programs and arrive at a reasonable number of parking spaces needed at the site. The agreement was that 92 parking spaces would be provided, and programs would be limited to meet that number.

At the same time, the Selectmen and NRC were working out a proposal for a land swap to preserve the Aqueduct as parkland in exchange for 3,010 square feet of parkland, which was necessary to provide the 92 parking spaces.

Mr. Eby stated that the site plan, parking and traffic studies would be presented by George Metzger, Pip Lewis and Deborah Collins from the architectural firm of HMFH; Randy Sorenson, Landscape Architect from Carol Johnson & Associates; and Aileen Maguire and Guy Busa from Howard Stein Hudson, the traffic consultants.

Mr. Eby then submitted a traffic package containing two Memorandums dated November 5, 1998 from Busa and Maguire; and a second review report dated November 5, 1998, from William Scully, the town traffic consultant.

Pip Lewis - HMFH Using an orientation map of the town, Mr. Lewis located the site which is bounded by Washington Street on the northwest and Walnut Street on the southeast, in the northeast section of the town. He then presented an orientation map of the Warren School and the general environment.

Mr. Lewis walked the group through the floor plans for all three floors. The building is a 1935 schoolhouse, which has been used to house studios for 10 artists from 1987 to the present, and will be extensively remodelled for the proposed use.

Using a Site Plan, Mr. Lewis located the access drive. In order to provide 92 spaces, parking will be double-sided along the access drive in addition to the spaces at the rear of the building. The ten feet of the paving on the existing lot, which encroach onto the Aqueduct, will be removed, and landscaping will be added. The existing landscaped berm in front of the building will be removed to provide access to the main entrance which will be relocated from the park side. A drop-off area with 4 spaces will be added. Access to the building from Walnut Street will be discouraged by a fence around the building.

Vehicle Circulation - The main impact will be at the driveway intersection with Washington Street. The existing pedestrian crossing signal will be upgraded to a full traffic signal to be co-ordinated with the proposed signal at Walnut/Washington Streets.

Pedestrian Circulation - Six foot wide sidewalks are provided from Washington Street. A path is proposed through the Aqueduct. The pedestrian crosswalk will be relocated from the western to the eastern side of the driveway in order to connect to this path. If necessary, the existing crosswalk could remain, in addition to the proposed crosswalk, and both would use the sole signal light.

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Aileen Maguire - HSH Ms. Maguire explained that the focus of the original traffic study was toward Site Plan Approval. After discussion with the town's traffic consultant, they have refocused to comply with the Special Permit standards, and have now met all the criteria presented by Mr. Scully regarding traffic for the Special Permit process. They have responded to Mr. Scully's letter of October 28, 1998, and Mr. Scully has issued a new report today.

Ms. Maguire explained that most of the traffic accessing the site, particularly for the recreation programs, is coming from the west. Critical intersections northeast and southwest of the site were examined. There would be little impact from the site on the Glen Road intersection. Only those turning left onto Glen Road from Washington Street will be delayed by an additional two seconds. There will be no effect on left turns onto Washington Street from Glen Road. There is already a delay at that location, but site traffic will not increase the delay.

If the site driveway were to remain unsignalized, there would be a significant delay averaging one minute for cars exiting the site.

When the proposed signal at the Walnut/Washington Street intersection is installed, the operation will greatly improve. Site traffic will have no effect on the intersection.

Most of the traffic will be arriving at the site from the west. Cars exiting from Croton Street onto Washington Street, which already experience delay, will experience additional delay averaging 15 seconds per vehicle, particularly during peak hours of the facility.

At the Washington Street/site driveway intersection, without a signal, there would not only be a delay from vehicles exiting the site, but up to 6 vehicles could be queued on the drive waiting to exit. Some of the parking spaces are located very close to Washington Street. If there is any backup of vehicles in the driveway, some of these spaces would be blocked.

With a signalized intersection, the delay for exiting vehicles would be reduced from more than a minute to 10 seconds per vehicle. The signal would not turn green unless vehicles were waiting to exit. Even then, the response would not be immediate, as it would be co-ordinated with the Walnut Street signal. The delay on Washington Street will be short because the signal co-ordination will minimize the Green time for the driveway, and maximize the Green time on Washington Street. The signal will also continue to serve pedestrian traffic using the parkland, walking to St. John's school and using the Aqueduct trail.

They have been advised that, particularly in the morning peak, queuing on Washington Street extends past the site drive. Most of the time, when the queuing occurs, those entering the site are eastbound and will not cross the queue. Very few cars exit the site during peak hours, so the signal will remain green on Washington Street.

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The Board asked how westbound cars would manage a left turn into the site. Ms. Maguire said there will not be a left turn lane or arrow. Cars would have to wait for a gap in the traffic. She reiterated that most traffic approaches from the west. This judgment was made on the basis of information from the Recreation Department listing its programs and the precincts in which people attending the programs lived. The Board was of the opinion that sufficient emphasis had not been placed on left turn traffic, and that precinct location of the program users might not equate with actual driving routes of those users.

Ms. Maguire said that the intersection was analyzed with and without the proposed Stop & Shop at 27 Washington Street. If Stop & Shop is there, there will be an additional delay, but the traffic generated from the site would not increase the delay.

The Board questioned how pedestrians would cross the site driveway to reach the crosswalk for Washington Street. Ms. Maguire said the pedestrian light could be controlled, but the site signal would be green for Washington Street for over a minute, during which time pedestrians could cross the driveway. Additional informational signals could be installed.

In summary, Ms. Maguire acknowledged that the existing traffic operation on Washington Street is poor, but alleged that the site generated traffic would not add much delay to the existing situation. The Board asked what the percentage of change would be, but Ms. Maguire did not have an answer.

Alice Peisch - School Committee Chairman Mrs. Peisch gave a short history of the use of the site since 1935. The size of the site and the building are too small to return it to its original use as a school, and the location is problematic. Since the Special Town Meeting, the School Committee has worked closely with the PBC and other boards to determine the best use of the building. All three future users have agreed they could work with the 92 spaces. The School Department has revised its program to move only the Central Administration to Warren to accommodate a less intense use than originally anticipated.

Matt King - Superintendent of Schools - Dr. King stated that excluding lunch time, 20 of the 22 staff relocated to Warren would not be leaving the building during the day. In terms of visitors, the administration goes to the individual schools to work with staff. They do have parents, community members, and school committee members who visit periodically, as well as several administrative and professional development meetings taking place each week. They are confident that they can manage with 22 parking spaces.

Dr. King said that there is a monthly Administration Meeting of 25 people requiring an additional 20 spaces. The meetings, as well as the professional development programs, would be scheduled during off peak hours or after school. They envision a maximum of one additional staff person due to increased enrollment.

Peter Gubellini, Chairman of the Board of Selectmen Mr. Gubellini said that the Board has a long term commitment to monitor the traffic in order to lessen the impact to the neighborhood and keep the parking on site. In an effort to work with the neighborhood, the

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Board will turn the Aqueduct over to NRC to create a buffer in perpetuity for the neighborhood. In return, NRC has voted to give the Selectmen additional land for parking.

The Board asked to what extent the occupation of the building and the number of spaces is based on what is needed, or is this the maximum number of cars that can be jammed on the site?

Mr. Eby responded that they realized that if all the programs and people moved to Warren, well over 100 spaces would be needed. Working with the architects and the constraints of the site, a decision was made as to the reasonable number of parking spaces to disturb as little parkland as possible, and then working with the Boards to bring their programs into line with the 92 spaces based on total peak usage of the three users. The purpose was to work with the site, minimize encroachment onto the Aqueduct, limit use of parkland, and yet provide as many programs as possible with the understanding that there would be adjustments in the programs. The Recreation Department has eliminated its Duplicate Bridge program and cut its Tot Time program in half.

A discussion followed regarding the NRC request that 16 spaces on Walnut Street be reserved for park use, and how PBC planned to monitor this use, as well as the use of the parking lot. Mr. Eby responded that this would be the Selectmen's responsibility.

Mr. Gubellini said that the Selectmen have taken a vote to ask the Town Traffic Consultant to devise a strategy to handle this issue, as well as to make certain that people using the site are parking on site, and to keep the neighborhood from parking in the Warren lot. An overall strategy to handle the parking issues and traffic will be developed by the Town's Traffic Consultant.

The Board stated that it needed assurance that these problems can actually be effectively addressed, rather than a future commitment to address them.

Joan Gaughan - Natural Resources Chairman Mrs. Gaughan stated that NRC has real concerns about the project, but were afraid if they did not agree to the land swap, the Aqueduct would not only be encroached on, but part of it would be used for parking.

The NRC has three requests: designation of 16 spaces on Walnut Street for park users only; minimal landscaping on the Aqueduct; and clarification of tree removal on the Aqueduct.

A discussion regarding the landscape plan followed. The Board stated that it would like documentation that NRC concerns have been addressed.

Neither the Board of Health nor the Recreation Commission had any comment.

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Neighborhood Presentation

1. Allen Carney, 28 Crescent Street Mr. Carney said that the neighborhood is opposed to the project because of the traffic and parking problems. There will be an increase of 435% in car hours and a 300% increase in peak usage of cars from when Warren was used as a school. The school was operational from 8 a.m. to 4 p.m. for 180 days a year, versus the proposed year round use from 6 a.m. to 10 p.m.

The neighborhood believes that 92 cars is too many to begin with, but not enough to accommodate the potential use of the building. The submitted study shows combined peak use at 145 cars. The building can accommodate many more people than cars. At peak use, only 50% of the Recreation facilities will be used; School Administration has reduced the number of occupants by 40%, but has retained the same amount of space in the building. The demand for services will increase resulting in pressure to use what the facility is capable of containing. This will lead to further traffic congestion which will spill over into the neighborhood.

2. Dorothy Brown, 30 Washburn Avenue Mrs. Brown stated that the School Committee letter, prior to the Special Town Meeting, quoted only 65-85 parking spaces without taking any parkland. The official numbers presented in June showed a need for 142 spaces and the taking of parkland for parking use.

Regardless of the building use, the 92 cars lot is too large for the residentially zoned site of the Warren building. The proposal states that the intensity of use is similar to the past use as a school. For the past ten years during which Warren was used to house 10 artist studios, there were rarely more than three cars in the lot. When it was a school, there were rarely more than 25 cars in the lot. In a comparison of car hours for the various uses, there will be an 800% increase over artist parking and a 400% increase over school use.

Mrs. Brown questioned who would ensure that there would be no increase in personnel and/or programs in the future, as there will be available space in the building for both. Who will be responsible for monitoring to ensure that the parking and program management plans will work, and what will happen if they don't?

3. Maureen Febriger, 24 Crescent Street - Mrs. Febriger opposed the petition and showed the Board 250 petitions signed by Warren neighbors in opposition to the petition.

4 & 5. Mike Plush, 82 Washington Street; and Noreen Lovett, 38 Washburn Avenue, spoke in opposition to the petition. Mrs. Lovett was particularly concerned about the safety of children crossing both the driveway and Washington Street to reach St. John's School, and presented a letter to the Board from the St. John's School Council expressing concerns regarding the project.

6. Brian Levey, of Bowditch & Dewey, neighborhood counsel Mr. Levey discussed the points of noncompliance of the project with the Special Permit standards. A Memorandum containing these arguments was submitted to the Board and is on file in the office of the Board of Appeals.

Open Discussion

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Kate Kane Leach, 17 Ledyard Street, posed questions relating to the traffic count, the impact of future construction on Route 9, the availability of crossing guards, and the actual number of School Administration visitors, to which Ms. Maguire responded. JAN 15 2 09

Jean DeFazio, 93 Washington Street expressed opposition on the grounds that there would be too much traffic and too much activity on too small a site.

Meg Greer, School Commmitte Member, spoke in support of the petition.

Alistair Shepherd, 30 Pine Street, expressed concern about the Washington Street traffic and urged the Board to deny the petition.

Pam Adams, 113 Elmwood Road, spoke about the recreational programs to be offered at the Warren site in comparison to the increasing birth rate in town. She felt that, in view of the projected increase, an expansion of Recreation programs is necessary, rather than a reduction, which will not be possible given the 92 spaces. The town never voted to reduce these programs.

Pam Stewart, 53 Whittier Road, stated that there were too few drop-off spaces for the Recreation programs. The traffic study shows that during one 15 minute period, there will be 60 drop-offs and pick-ups; and the eight week summer program also has enrollments of 60 children.

She stated that the application reflects future build conditions on Washington Street. The traffic light at the site driveway would be the fourth light within four tenths of a mile along a main traffic corridor, which would lead to untold congestion and delay.

Mrs. Stewart said that for the parking plan to work, there needs to be an absolute guarantee to control future growth, which she felt was not possible. Limited parking space has never succeeded in limiting use in Wellesley. The planned reuse is too intense for the Warren property, given the proximity of residences.

Jane Andrews, 7 Harvard Street, expressed support for the petition, stating that although there are problems, there can be a solution, if there is compromise.

Jane Batista, 21 Westerly Street, stated that there were no complaints about traffic when the site was used as a school. When Sprague School was turned into a community building, the neighbors responded positively. They are not overwhelmed with traffic from the site.

Sherry Edsel, 20 Crescent Street, displayed a site plan with parking spaces colored as to department use. The total need at 10 a.m. for incoming and outgoing vehicles is 108 spaces,

based on the .56 multiplier, which does not account for drop-offs and pick-ups. If there is .75% attendance, 39 cars will not have parking spaces.

Victor Kassenbaum, Washburn Avenue, said that the burden of proof that there will be no adverse impact to the neighborhood is on the applicant. In his opinion, this has not been proven satisfactorily.

The Board concluded that more time was required to review the traffic information just submitted and to give the petitioner and user boards additional time to explore other solutions that will benefit the community as a whole now and in the future. The Board and the PBC agreed to continue the hearing to Thursday, December 3, 1998 at 8 p.m. in the Great Hall.

CONTINUED PUBLIC HEARING - DECEMBER 3, 1998

Due notice of the hearing was given by mailing and publication.

The Chairman opened the continued hearing by stating that the Board was looking for information not previously presented.

Michael Eby - Permanent Building Committee Chairman Mr. Eby emphasized that the parking studies presented at the last hearing were based on a "worst case" scenario. Counts have been taken since the last hearing show that they were conservative. Aileen Maguire from HSH would discuss the traffic situation, and the Special Permit requirements would be addressed by Pip Lewis of HMFH. As to the monitoring issue, this should more appropriately be addressed by the user boards.

George Metzger - HMFH Mr. Metzger explained the method used to calculate the parking demand. Based on observation of the parking, projected maximum enrollment in the programs, and the number of employees and visitors, they made a calculation of .56% cars which represented the actual count of site, compared with the projected maximum parking.

Using a vertical bar graph, Mr. Metzger showed what the parking demand would be at Warren based on those assumptions, which included relocation of Health Department clinics and the relocation of the duplicate bridge programs, both of which are present at Sprague. With these assumptions in place, there is a maximum parking demand of 92 spaces during certain times in the morning.

The Board asked how these figures could be "worst case" if they did not include all the programs. Mr. Metzger said it was "worst case" based on the stated assumptions, which included full enrollment in all programs. In subsequent observations at Sprague, with all programs operating, the numbers projected were not exceeded. The actual observed parking is within the "worst case" projections, even with duplicate bridge and the health clinics. They feel they will not see the maximum number projected at Warren.

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The Board asked what provision had been made for program expansion. Mr. Metzger said that they have a program for expansion in the building. If all the programs currently offered at Sprague were brought to Warren without any changes, and the School Administration occupied the building with 22 parkers and 6 visitors, and including the Health Department, the parking demand will be accommodated on site with no reductions.

Aileen Maguire - Howard/Stein-Hudson Using a map entitled Warren Renovation Project Access Routes, which depicted town precincts and the percentage of attendees from each precinct, Ms. Maguire stated that most of the traffic would be arriving from the southeast. The northeast precincts provide 6% of the program enrollment, which would be making left turns into the site. This volume is not sufficient according to national standards to require a left turn lane. The actual number translates to 10 vehicles per hour.

Ms. Maguire re-iterated the HSH recommendation regarding upgrading the pedestrian signal at the site, and its operation in conjunction with the proposed signal at Walnut Street. She stated that the additional increase in traffic generated by the site will be unnoticeable when compared to daily fluctuations in traffic on Washington Street.

Ms. Maguire stated that the traffic volume exiting the site was considered in a "worst case" scenario. The highest use is from 4-5 p.m. on Monday. On Monday and Tuesday, afternoon Recreation programs are geared for school age children, who are usually dropped off and picked up after class.

Ms. Maguire addressed vehicle queuing. During peak times, as many as 6 cars could be queued at the exit. The upgraded signal would allow all vehicles to be cleared at once, allowing vehicles in the spaces near the exit to move in and out. Only at peak program hours will there be any conflict between queued and parked vehicles.

In regard to intensity of use, Ms. Maguire said the proposed facility will generate less traffic during peak hours than the 245 pupil school that existed in 1985. At times, the school held over 400 students. The number of trips for peak morning and afternoon school hours were greater than the daily total traffic to be generated by the Warren site on Thursday and Friday, and similar on Wednesday.

The Board asked what was the number of cars on Washington Street in 1985 compared to the traffic today. Ms. Maguire said she didn't know.

Guy Busa, traffic consultant said the number of school trips was based on observations at the Bates School. They do not have data on current Washington Street traffic versus 1985 traffic.

Pip Lewis - HMFH Mr. Lewis read his report entitled "Summary of Permanent Building Committee before Zoning Board of Appeals, dated December 3, 1998, which is on file in the

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office of the Board of Appeals. The report addresses vehicular circulation, driveways, vehicle queuing lanes, compatibility with surroundings, pedestrian safety, noxious uses, and intensity of use. The summary was composed of information already presented to the Board.

Mr. Lewis noted that the only large trucks will be garbage trucks which will pick up once a week. The bus traffic from the Recreation Department winter ski program will be relocated to another site.

In regard to snow removal which the Board had questioned, the islands and corners of the lot will be designated for snow piling. Any snowfall requiring additional storage space would be accompanied by a drop in attendance and fewer required parking spaces.

The architects have met with NRC and worked out a new plan. The Board asked to see the plan. Mr. Lewis said that the new plan shows the buffer zone planting along the edge.

Alice Peisch - School Committee Chairman Mrs. Peisch said that there was confusion regarding the professional development program use. These sessions will be scheduled at times not to conflict with Recreation peak hours, and will not exceed the parking demand. These meetings could also be held at any school after school hours.

In response to the question of whether the change in the number of employees proposed at Town Meeting compared to the current number was a forced compromise, Mrs. Peisch said that the original number was developed on the basis of a square footage analysis, not on the basis of job interaction. The architects said that, after providing for recreation use, there was an excess of space which would require another tenant to make the project feasible. Although the building space could provide for a certain number of people, that number would overtax the available parking. The department looked at what the group actually did, and decided 22 administrators would move to Warren, while the 16 support staff would remain at the Middle School. There will be no pressure to move additional staff to Warren. They anticipate only one additional administrator at Warren.

In regard to the year round use of the building, Warren will be used year round, but about 25% of the employees are "school year" employees, which will reduce the use during the summer. She believed participation in Recreation programs also declines in the summer. There is virtually no weekend use of the site by the School Department.

As to the perception that the parking lot will overflow into the neighborhood, and congestion will be created, in reality, of the 170 half hour slots, 12 require 80-92 spaces and all are between 9 a.m. and noon on weekdays. This does not conflict with peak morning traffic on Washington Street. Of the 170 half hour slots, 149 project under 60' spaces. This does not include any professional development programs.

In regard to the safety of children traversing the property, both St. John's and Schofield children will have to cross the driveway, which can be done safely when the signal is red.

Additional crossing guards can be supplied.

Mrs. Peisch said that in order to alleviate concerns about the project, the School Department will take the following steps:

1. School Department employees will park in the spaces closest to the driveway entrance. These employees arrive and 8 a.m. and leave at 4 p.m. With these spaces filled, it is unlikely that park users will park in the lot, as these spaces are closest to the park.

2. School Department use will be limited to 28 spaces in morning peak usage times, which will leave 64 spaces for the Health and Recreation Departments, which is more than are available at Sprague.

3. In regard to monitoring, the School Department believes that there is more than adequate parking on the site, and that there will not be a need to monitor the use.

4. The School Department will not make any changes in its programs without meeting and agreeing with the Health and Recreation Departments on a semi-annual basis to ensure that any proposed changes will not result in a negative impact on their programs and parking needs. If agreement cannot be reached, there will be no changes.

5. In regard to the impact on the neighborhood, the building is grossly underutilized and in poor condition. The change to a well maintained building serving the Town will be a benefit to the Town and the neighborhood, which will also benefit from the expanded protection of the Aqueduct.

Peter Gubellini - Board of Selectmen Chairman Mr. Gubellini said, in response to the Zoning Board's dissatisfaction at the last hearing with the parking management of the lot, the user boards have discussed the method of parking management described by Mrs. Peisch. The Recreation Commission was concerned that the same number of spaces will be provided at Warren as are currently available at Sprague to allow them to run their programs as they do now. The number of spaces are the same at Warren as at Sprague, which will allow the existing programs to continue, but will not allow for growth during peak times.

The Selectmen have agreed to install signage designating 13 spaces for park use on Walnut Street. They feel that there will be sufficient parking to satisfy the needs of all users.

The Board asked if the Selectmen had asked the PBC to look into other options for the use of the property, such as demolishing it, and building a smaller one, which might have created the ability to deal with parking and traffic issues. Mr. Gubellini said he does not see that there is a problem. During the planning stage, other ideas were considered, as were other sites, but none of the ideas or sites made financial sense.

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Frederick Wright - Recreation Commission Chairman Mr. Wright said that by a 3/2 vote, the Recreation Commission supported the conclusion that the current parking demands would be met at Warren. The Commission has not voted to eliminate any programs as an accommodation to moving to Warren. The only program that might be capped is the duplicate bridge program on Monday and Friday mornings.

The Board asked if some of the programs would be relocated to other buildings. Mr. Wright said that none of the programs would be relocated. He added that if the duplicate bridge program becomes too popular, it might be capped. Based on current evidence, there is sufficient space, but he could not promise that other programs might not be capped in the future.

The Board asked about the possibility of future programs. In light of Mr. Wright's remarks, it appears there is zero expansion capability. Mr. Wright said that by looking at the submitted parking numbers, if in fact the parking occurred in the existing programs, there is some opportunity for managed growth in the morning, and where the numbers allow. The programs are offered out of demand, so there is an annual fluctuation.

The Board asked where the Recreation Department would be operating during the construction phase. Mr. Wright said he did not know. They are talking to facilities that would lease space, but they are limited because the most popular programs are in the morning. They will not be running the 83-86 programs during the transition phase, but have full expectation that the same level of service will be restored once the move has been made.

Harriet Warshaw - Board of Health Vice Chairman Ms. Warshaw expressed enthusiastic support for the project. When asked about relocation during the construction phase, Ms. Warshaw said that the Selectmen have assured the Board that they will find a place.

The Board asked to what extent the Health Department will be able to run all of its programs in the Warren building. Ms. Warshaw said that given the new revised numbers, the blood pressure screenings might be done at Warren, rather than off site. The annual flu screenings can also be relocated to a school or a church.

Joan Gaughan - Natural Resources Commission Chairman Mrs. Gaughan said that the Selectmen have honored the NRC request for Walnut Street signage and the architects have revised the landscaping plan. The Board asked why the new plan had not been submitted prior to the hearing. Mrs. Gaughan did not know.

William Scully - Town Traffic Consultant The Board expressed concern that Mr. Scully's original traffic report was quite comprehensive, while the second report was of a different nature, and requested an explanation as to the reason for the difference.

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Mr. Scully said his first report was an initial review in which he requested additional data, clarification and support for certain items. Since that review, he has been in constant communication with HSH, which has provided additional data. The second report is a follow-up based on the additional data.

The Board commented that the statistics used to analyze site usage were generated from the Sprague site, and asked if Oak Street has the same traffic intensity as Washington Street because the interpreted figure being used may be inappropriate due to the nature of the two streets. The site traffic entering and exiting the Sprague site does not face the problems that will be encountered at the Warren site.

Mr. Scully agreed, but said that HSH was looking at the demand generated by the programs and how the demand related to parking as well as traffic. The projections are based on the use of the site. The setting is not going to change the demand. He reviewed the submitted data, and did not analyze the situation in regard to future expansion.

The Board stated that the impact of the number of cars generated by Recreation programs on Oak Street as compared to the impact on Washington Street is a separate issue. The Board's concern is not as much the number of cars, as with the impact of that traffic on the neighborhood. Although Ms. Maguire had said that due to the amount of traffic already on Washington Street, the difference would be insignificant, it is the opinion of the Board that the traffic on Washington Street is so busy that the site traffic will have a real impact, which it does not have on Oak Street.

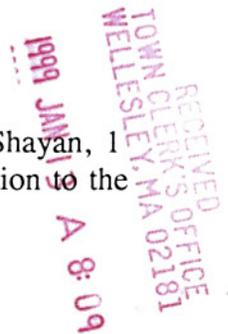
The Board stated it is not as interested in the control of the traffic due to an upgraded signal, as it is interested in the disruption of the traffic flow on Washington Street due to cars trying to get in and out of the Warren site. Washington Street is also a neighborhood street as well as a thoroughfare.

Mr. Scully said that the upgraded site signal would alleviate the problem of exiting and entering the site. The co-ordination with the Walnut Street signal will minimize the disruption on Washington Street caused by the site traffic. The signals will serve the neighborhoods and side streets by providing gaps in the traffic.

The Board asked if Mr. Scully had arrived at a solution for monitoring the parking on Walnut Street and in the Warren lot. Mr. Scully said that he believed the Board of Selectmen would do it, but they may have him do observations. The Board pointed out that monitoring is impossible beyond a certain point.

Neighborhood Presentation

Alan Carney, 28 Crescent Street; Dorothy Brown, 30 Washburn Avenue; Ruth Shayan, 1 Orchard Street; and Michael Isenberg, 47 Longfellow Road, all spoke in opposition to the



petition. The neighborhood consensus was that no new information had been presented; the traffic and parking information is not credible; pedestrian safety is not ensured; the increase in traffic over prior use as a school is at least 400% which is too great an impact for a residential neighborhood; enough weight has not been placed on left turn traffic into the site; the monitoring problem has not been solved; the "worst case" scenario does not include all Recreation programs and a .56% of usage is not a reliable statistic; and furthermore, there is no realistic room for program expansion.

Open Discussion

Mary Louise Coates, Chairman of the Wellesley Conservation Council, also spoke in opposition to the petition. The Council fears that lack of parking on the premises will result in additional parkland being taken for parking; and is concerned that the plan makes no accommodation for future expansion.

Richard Schwartzstein, 29 Appleby Road, School Committee Member, expressed support for the petition, stating that the petitioner had met all the criteria for the Special Permit.

Victor Kestenbaum, Washburn Avenue, spoke in opposition, stating the neighborhood will suffer adverse impacts if the petition is granted.

Jane Battista, Westerly Street, discussed the parking counts.

John Podger, Walnut Street, voiced support for the petition.

Sheila Tucker, Ledyard Street, questioned the advisablility of a parking plan in which 50% of the rear spaces would be for compact cars. Mr. Lewis said that the spaces could be repropotioned.

Steve Nagosian, 115 Washington Street; and Sue Newman, 4 Frost Circle, expressed support for the petition. Ms. Newman stressed the need for additional classroom space.

Zoning Board Discussion

The Board stated that many sections of the Zoning Bylaw refer to Section XXI. Off Street Parking and read Section XXI.A. Purpose into the record. The Board is of the opinion that this section of the Zoning Bylaw has not been satisfied.

The Board then discussed the petition and the information submitted. The Board expressed the opinion that the attempt to locate the three departments in the Warren building taxes the available parking. The 92 spaces are too many spaces for a residential neighborhood whether or not the number fits the programs. The original estimate of 142 spaces has been reduced to 92, which is difficult to understand, as purportedly no programs will be relocated

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or eliminated. The Board was also concerned that, due to parking constraints, the inability of the Recreation program to expand would work against the best interests of the Town.

The Board was of the opinion that the petition deals only with the present, and does not plan for the future, and that even the present plan proposes too great an intensity of use of the site which will negatively impact the surrounding neighborhood.

All three members of the Board voted by a voice vote to deny the petition. The hearing was then adjourned.

Statement of Facts

The subject property is located between Washington Street on the northwest and Walnut Street on the southeast, on a 4.21 acre lot, in a Single Residence District. The Cochituate Aqueduct runs the length of the property along the northeast lot line.

The Warren School was constructed in 1935. Until January, 1987, it was used as a school with between 200 and 400 students in attendance during those years. In February, 1987, the School Committee placed the building under the jurisdiction of the Board of Selectmen. In August, 1987, the Board of Appeals granted a Special Permit (ZBA 87-60) to the Board of Selectmen to allow the premises to be leased to ArtistSpace, Inc. for use to provide 28 artist studios. This Special Permit was amended to run concurrently with the terms of the lease for 10 years.

At the Annual Town Meeting, April, 1988, Article 36 was passed, which designated 2.5 acres of the property as parkland under the jurisdiction of the Natural Resources Commission, while 54,260 square feet containing the Warren School, remained under the jurisdiction of the Board of Selectmen, which also controlled the Cochituate Aqueduct.

At a Special Town Meeting, on January 20, 1998, Article 3 was passed by a 2/3 vote appropriating funds for architectural services for plans and specifications including engineering and other services related to construction of a new 18 room classroom school at the Sprague site to be joined to the existing facade of the Sprague building; construction of a three classroom addition to the Bates School; and reconstructing, remodelling and making extraordinary repairs to the Warren building to house the School Department Administration, Recreation Program, Board of Health and other municipal uses.

On October 8, 1998, the Permanent Building Committee submitted a petition for a Special Permit to allow the premises to be used as a recreation center and offices for the Recreation Department, offices for the Health Department, and offices for a portion of the School Department Administration, a use not allowed by right in a Single Residence District.

Petition of Town of Wellesley/Permanent Building Committee
Warren School/311 Walnut Street

The following written materials were submitted: "Application for Special Permit Use Permit/Renovation of the Warren School" prepared by HMFH Architects, Inc., which included sections addressing the Special Permit standards; Wellesley Recreation Programming Option; graphs and tables regarding parking demand; floor plans; and photographs. A Traffic, Parking and Pedestrian Circulation Study, and Appendices dated October 7, 1998, prepared by Howard/Stein-Hudson Associates, Inc., and Parking Analysis/Warren School, dated July 10, 1998 (Revised), prepared by HMFH Architects, Inc. were also submitted.

The following plans were submitted: Site Plan (L-1) dated 10/21/98, Grading Plan (L-2) dated 10/21/98 both drawn by Randy S. Sorensen, Registered Landscape Architect; and Existing Site Survey (X.1) dated 8/20/98, revised 9/29/98, revised 10/7/98.

Copies of all submitted material, with the exception of the Appendices, were distributed to the Natural Resources Commission, Planning Board, Board of Health, Department of Public Works, Recreation Commission, School Committee, Board of Selectmen, the Permanent Building Committee, and the Town Traffic Consultant for comment and/or recommendations. Responses from the above listed Boards and the Traffic Consultant are on file in the office of the Board of Appeals.

On October 27, 1998, the Planning Board reviewed the petition and voted approval of the Special Permit, subject to the following conditions:

1. A monitoring system be established for the parking lot to insure that the usage of the building does not exceed the capacity of the parking lot.
2. Washington Street in the vicinity of the Warren driveway and Walnut Street, outside the designated parking areas, be posted as areas prohibiting stopping or standing of motor vehicles or drop-off persons.
3. All parking spaces shall be provided for full size vehicles.
4. Consideration and provision should be made for off-site parking with shuttle service for all of the departments in the bulding.
5. Consideration should be given to off-site venues for programs conducted by the three Warren tenant departments that cannot be accommodated on the site.
6. Any favorable decision by the ZBA should be conditioned on the release of necessary parkland through obtaining all of the required permits and approvals.
7. Restrictions should be placed on pick up times for the dumpster on site.

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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearings. The use of the premises at 311 Walnut Street, the Warren School, as a recreation center and office space for the Recreation Department, Health Department and a portion of the School Administration is not a by-right use in a Single Residence District, thus requiring a Special Permit.

Section XXV-B. Special Use Standards of the Zoning Bylaw requires that in order for a Special Permit to be granted, the petitioner must meet the conditions contained in the seven standards listed in this section. The seventh standard, Intensity of Use, requires that increases in the intensity of use of the premises will "not adversely affect the character of the site and its surrounding area.

It is the finding of this Authority that the extreme increase in the level of intensity of the use of the premises, as compared to its prior use as housing for 28 artist studios for the past 10 years, is the primary issue and that comparisons to its original use as a school from 1935 to 1987 are not germane.

This Authority makes the following findings in regard to the petitioner's compliance with the required Special Permit Use Standards:

1. Vehicular Circulation (The project must not add to traffic congestion or accident potential on the site or in the surrounding area.)

a. Off-Site - there has not been sufficient consideration of the actual traffic patterns of town residents as to site access. Although the petitioner's traffic consultant postulates that only 6% of those involved in Recreation programs will be making left turns into the site, the Board is of the opinion that the correlation of participants to precincts is not an accurate indication of the actual number of vehicles that would turn left into the site. As the signal light halting traffic on Washington Street would be activated only by exiting traffic, left turns in peak morning hours would create undue congestion on Washington Street, which does not have sufficient width to contain a designated left turn lane.

During the years that the building was used as a school and as artist studios, there was no need for a traffic signal at the entrance drive to control egress.

There will be additional delays to traffic turning left from Washington Street, as well as for vehicles attempting to exit from Croton Street. Traffic either stopped at the site driveway signal or attempting left turns into the site could easily back up beyond Hillside Road, blocking egress regardless of signage.

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The peak hours of Recreation programs requiring pick-up of children are between 4 and 5 p.m. Table 5/Warren Future Full Build Vehicle Trip Generation Summary (Page 17 of Traffic, Parking, and Pedestrian Circulation Study) shows that on Mondays between 4 and 5 p.m. 137 cars will be entering and/or exiting the premises. This period dovetails with the peak traffic use of Washington Street.

Although the petitioner's traffic consultants maintain that the traffic generated from the site will have little or no impact on the existing traffic on Washington Street, it is the finding of this Authority that any appreciable number of vehicles added to the already heavy traffic of the arterial roadway will have a negative impact, as the roadway is currently congested at peak hours.

b. On-Site - The plans show that 38 of the 92 parking spaces are located on both sides of the 24 foot driveway. With an exit queue of 6 vehicles, 12 of these spaces would be unavailable to vehicles entering, nor could vehicles occupying the spaces exit from them. It would also be difficult for vehicles parked on the entrance lane side to exit spaces and enter the queue. Between 4:30 and 5:30 p.m., between 36 to 59 cars at .56% of the program are entering or exiting the site. With a signalized driveway, the minimum queue line would take 6 light cycles to exit the premises, with substantial delays to the exiting traffic.

There are four drop-off spaces provided in front of the building entrance, which would not be sufficient during peak hours creating additional congestion at the rear of the site, particularly in regard to the parking spaces surrounding the center island.

Included in the submitted Parking Analysis (sum.63), Parking Demand for the Warren School shows that under Option A, based on .63 of Recreation Programs, the maximum number of anticipated cars is 142 with full programs for Health, Recreation and School Administration. Not until the Recreation programs are completely eliminated (Option E), is the maximum demand reduced to 89 spaces.

Based on .56 of Recreation programs, (sum.56) in the Parking Analysis, the demand for full program of all three departments is 131 cars, and not until the School Department is eliminated (Option D) is the parking demand reduced to 93 cars, which is still above the 92 spaces planned for the site.

In neither case are the 92 spaces provided sufficient to meet the demand of the three user departments under full program operation conditions, which will result in traffic congestion on site during peak morning and afternoon hours.

This Authority finds that circulation patterns for motor vehicles create conditions that add to the traffic congestion and to the accident potential both on and off the site.

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2. Driveways (Proposed driveways must be at least 50 feet from the nearest intersection.)

This Authority finds that, as there are no new driveways in relation to this project, the petitioner meets the criteria of this standard.

3. Vehicle Queuing Lanes (Vehicle Queuing must be provided for without interfering with on or off street maneuvering of vehicles or pedestrians.)

On site vehicle queuing has been addressed above. Off site queuing during the peak pick-up period of 4:30 to 5:30 p.m., requiring left turns into the site driveway, coincides with peak hours of existing traffic on Washington Street.

This Authority finds that vehicle queuing, both on and off-site, will contribute to interference with the on and off-street maneuvering of vehicles.

4. Compatibility with Surroundings (Compatible with natural and man-made site features, and with the characteristics of the surrounding area)

Although the petitioner states that the Cochituate Aqueduct will be maintained as open space, and existing paved area on the Aqueduct will be eliminated, it fails to state that in exchange for these conditions, the Natural Resources Commission will cede between 3,000 and 4,000 square feet of parkland to be paved and used for parking.

The existing parkland, which provides one of the few areas of open space in the northeast section of town, would be reduced by 3,000 to 4,000 square feet, which would be detrimental, not beneficial, to the neighborhood.

The excessive increase in proposed parking area abutting neighborhood residences, with the resultant traffic from 6 a.m. to 10 p.m., is not compatible with a single residence neighborhood.

With the expected installation of a traffic signal at Walnut Street, a second at the site driveway, and possibly two more due to the need for traffic control for the Stop & Shop, there could conceivably be four traffic signals within a distance of .4 mile on Washington Street, which provides frontage for many residences in the neighborhood.

This Authority finds that the proposed use of the premises is not in keeping with the characteristics of the surrounding area.

5. Pedestrian Safety (Adequate pedestrian and bicycle circulation must be provided and have barriers or physical separation from the motor vehicles.)

The proposed relocation of the pedestrian crosswalk from the western to eastern side of the driveway will result in school children having to cross the site driveway to reach the signalized crosswalk. The only physical separation from motor vehicles will be the sidewalk curbing. The petitioner's traffic consultant has stated that much of the traffic will be

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entering the site on a right hand turn which does not require signalization.

This Authority finds that pedestrian safety will be at risk due to the proposed plan.

6. Noxious Uses

The petitioner has stated that the proposed size of the dumpster has been increased from 2 to 8 cubic yards to reduce collection trips to once a week.

This Authority finds that the petitioner has met the standards of Noxious Uses.

7. Intensity of Use (Any increase in intensity of vehicle trips, employees or visitors, parking spaces, energy used or volume of waste produced shall not adversely affect the character of the site or its surrounding area.)

There is no question that the number of vehicle trips made by the 28 artists who occupied the building for the past ten years is far less than the HMFH number of 142 vehicle trips with only .63 participation in Recreation Programs and 131 vehicles at .56 participation.

The architect's summary states that "the Single Residence District does not have specific off-street parking ratios; number of parking spaces is determined by demand." The statistics relating to the actual "demand" are conflicting. The Recreation Commission Chairman stated at the December 5th hearing that the 64 spaces allocated to the Board of Health and the Recreation staff and programs would be sufficient for all the programs currently running at the Sprague site to be run at Warren with no elimination or relocation of programs. However, the winter ski program will be relocated, and a cap on the Duplicate Bridge program might be necessary.

The statistics submitted by HMFH show a need for 131 spaces for all programs at .56 participation, which would mean a demand for 103 spaces for Health and Recreation, deducting the 28 spaces for the School Administration. There is a definite danger that the spaces provided will not meet the spaces required which would result in spill over of traffic and parking into the neighborhood.

The intensity of use of the parking lot, particularly in light of the uncertainty as to actual demand, makes the issue of monitoring the parking lot essential. Neither the Board of Selectmen, nor the Town's Traffic Consultant have devised a plan to meet this need. The Planning Board also stated its concern that the building usage not exceed the parking lot capacity, and that a monitoring system be in place to ensure this situation does not occur. In fact, monitoring of the use of the lot to ascertain that the number of spaces allocated to each of the users are filled only by visitors, program attendees and/or staff pertaining to the user, is virtually and realistically impossible.

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Petition of Town of Wellesley/Permanent Building Committee
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The overtaking of the parking lot would result in a definite negative impact to both the neighborhood and the community at large. Although the Recreation Department would have ample space within the Warren building for program expansion in the future, the constraints of the parking lot restrict any appreciable program expansion. At the same time that classroom expansion is required for an expanding school age population, this same population will not have the benefit of additional recreation programs to meet its needs.

Section XXI. Off-Street Parking. Part A. Purpose. states:

"It is the intent of this Section that any use of land involving the arrival, departure, parking or storage of motor vehicles upon such land be so designed and operated as to assure that all structures and land uses shall have sufficient off-street automobile parking to meet the needs of persons employed at, or making use of, such structures or land uses."

This Authority is not convinced that the parking supply is actually sufficient to meet these needs.

This Authority finds that the increase in the intensity of use shall adversely affect the character of the site and its surrounding area.

Therefore, this Authority, by a unanimous vote taken at the Public Hearing on December 5, 1998, denies this request for a Special Permit for all of the aforesaid reasons.

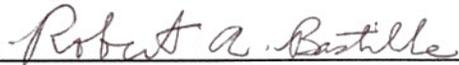
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.



Kendall P. Bates, Acting Chairman



William E. Polletta



Robert A. Bastille

- cc: Planning Board
- Board of Health
- Natural Resources Commission
- Recreation Commission
- School Committee
- Board of Selectmen
- Inspector of Buildings

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