

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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TELEPHONE  
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June 2, 2006

Record, Decision and Site Plan Approval

ZBA 2006-28

The Linden Square Redevelopment

161-231 Linden Street

Name of Record Owner of Title to Subject Property: Lindwell SC, Inc., Lindwell OP, Inc.,  
Lindwell Realty Trust

On March 9, 2006, the Applicant, Lindwell SC, Inc., Lindwell OP, Inc., and Lindwell Realty Trust, 120 Presidential Way, Suite 300, Woburn, MA 01801, filed a petition for Site Plan Approval, pursuant to the provisions of Section XIVG, Section XVIA and Section XXV of the Zoning Bylaw for a major construction project that consists of redevelopment of 18.4 acres zoned as Business and Industrial within the Linden Street Corridor Overlay District. The project includes demolition of 8 buildings and construction of 5 commercial buildings at 161, 180, 182-188, 190 and 231 Linden Street, construction of 4 townhouses at 172-178 Linden Street, façade renovations with some minor additions on 7 existing buildings at 162, 165-181, 185-197, 200 and 211 Linden Street. The existing Citgo Gasoline Station at 168 Linden Street will not be renovated.

On June 3, 2005, Lindwell SC., Inc., a Massachusetts corporation ("SC"), Lindwell OP, Inc., a Massachusetts corporation ("OC"), and Lindwell Realty Trust (the "Trust"), a Massachusetts nominee trust, under Declaration of Trust dated December 17, 1970 and recorded with the Norfolk County Registry of Deeds in Book 4709, Page 91 and registered with the Norfolk County Registry District of the Land Court as Document No. 346421, as amended by a First Amendment to Declaration of Trust dated June 4, 2004 and recorded with said Deeds in Book 21190, Page 103 and registered with said Registry District as Document No. 1030227 (SC, OP and the Trust may be collectively referred to as the "Owner"), signed a Development Agreement with the Town of Wellesley, Massachusetts, a municipal corporation of the Commonwealth of Massachusetts ("the Town"), acting by and through its Board of Selectmen (the "Selectmen").

At the June 13, 2005 Special Town Meeting, Article 4, Motion 1 was voted, by declared voice vote, 2/3 required, that the Zoning Bylaw be amended by adding to SECTION 1. ESTABLISHMENT OF DISTRICTS. A new item 26. to read as follows:

"26. Linden Street Corridor Overlay District (SECTION XIVG.)"

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At the June 13, 2005 Special Town Meeting, Article 4, Motion 2 was voted unanimously, 2/3 required, that the Zoning Map be amended by establishing a LINDEN STREET CORRIDOR OVERLAY DISTRICT (LSCOD) to include land on the northerly and southerly side of Linden Street, said land now included in part within a Business District and in part within an Industrial District, said land being shown on a plan entitled "Linden Street Corridor Overlay District (LSCOD)", dated December 13, 2004, scale 1" = 160', by Vanasse Hangen Brustlin, Inc., a copy of which is on file at the Offices of the Town Clerk and Planning Board.

On January 11, 2006, the Wellesley Planning Board granted Special Permits for an increase in maximum floor area ratio (FAR) not to exceed a ratio of 0.35, and for SECTION XVIB. INCLUSIONARY ZONING of the Zoning Bylaw.

On February 15, 2006, the Wellesley Planning Board granted a Special Permit for a Project of Significant Impact, PSI-05-01, for Linden Square Redevelopment.

On March 27, 2006, the Design Review Board (DRB) completed its Final Review of the Linden Square Major Construction.

**Public Hearings**

The Board conducted public hearings on the Site Plan Approval on April 11, 2006 and April 25, 2006. The Board voted to grant Site Plan Approval on April 25, 2006, subject to conditions. The Public Hearing for ZBA 2006-32 (Signage) was continued to June 15, 2006.

**Public Comment**

During the course of the hearings on the Application, the Board took testimony and received correspondence from various individuals, including the representatives of the Planning Board, the Design Review Board, the Fire Department, the Engineering Division, the Water and Sewer Division, and the Wetlands Protection Committee. The Board received a Student Pedestrian Safety Request with 140 signatures, letters and pictures from the Wellesley Middle School PTO and other interested parties. The Applicant responded orally and in writing to the issues raised by the Board and other interested parties.

**Background**

Stephen Langer said that he and Leslie Shea are co-counsel for the Owner and their affiliate, Eastern Development.

Mr. Langer said that Eastern Development is based in Woburn, Massachusetts. The Linden Square property was purchased in May, 2004. The property is approximately 24 acres composed of two retail components north and south of Linden Street, and an apartment complex north of Linden Street. The apartment complex is subject to a long-term ground lease and is not part of this project. The remaining pieces comprise approximately 18.4 acres, on 10 separate lots. There are 15 buildings on those lots.

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Mr. Langer said that the Linden Square Overlay District allows the 10 lots to be rolled into one development site. The parking, FAR, ground coverage, open space and similar requirements will be dealt with on an aggregate basis.

Mr. Langer introduced Jim Lamp, Project Manager from Eastern Development, Don Cooke, Traffic Engineer from Vanasse Hangen Brustlin, Inc. (VHB), Chris Lovett, Civil Engineer from VHB, Tom Maher, one of the principals at Eastern Development, Tim Sullivan, Director of Construction from Eastern Development, and Jim Sperber and Frank Killilea from Roche Brothers.

**History**

Mr. Lamp said a Linden Corridor Study was done in early 2002 for the Wellesley Planning Department. The study set up standards as to how the Town would like to see Linden Street redeveloped. The focus of that development was Linden Square. The site is over 100 years old and had remained under the same ownership until 2004.

Mr. Lamp said that the Corridor Study called for a pedestrian friendly area, better organized and reduced parking requirements, increased open space, and reduction in curb cuts. He said that this proposal meets all of those requirements.

Mr. Lamp said that the site evolved over the years. He said that there had been an ice pond, a lumber yard, and a coal yard. The buildings had been constructed as needed, without consideration to future uses.

**Project**

Mr. Lamp said that the existing square footage on the ground is approximately 183,900 square feet. He said that the proposed square footage on the ground is 187,000, which would be an increase of approximately 4,000 square feet.

Mr. Lamp displayed Site Plans and discussed proposed demolition of seven buildings on the north side and one building on the south side, façade renovations to existing buildings, and new construction.

Mr. Lamp said that they will be widening the sidewalks.

Mr. Lamp said that the parking will be reconfigured to service sufficient parking for the pharmacy, Roche Brothers, the bank and the two buildings to be located at Linden street.

Mr. Lamp said that the construction periods for the Volkswagen space and the proposed bank are out about four to five years because of existing leases. The Board asked about component uses there with respect to FAR. Mr. Lamp said that the site works both ways. The site works with Volkswagen remaining as is and also as developed, as shown on the plan. The parking ratio improves as the Volkswagen dealership moves on but the FAR stays roughly the same because both buildings are two-stories. The square footages are exact on the plans and the FAR's are based on those square footages.

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The Board said that it appears that the Volkswagen dealership is the only property that does not have sufficient rear yard setback. Mr. Lamp said that there is currently zero rear yard setback but the Development Agreement calls for ten-foot side and rear setbacks for any new buildings.

Mr. Lamp said that they submitted complete architectural plans as required for Site Plan Approval. The DRB is aware that the applicant may have to come back to amend the building design and materials.

Mr. Lamp said that there are restrictions on types of uses that will be allowed in the Overlay District. He said that heavier uses such as banks, fast food restaurants and drug stores are limited. He said that any video stores would be subject to square footage limitations.

**Pre-Construction**

Mr. Sullivan, Director of Construction, said that, as provided in the Development Agreement, Eastern Development will be doing all of the work on Linden Street between Hill Top Road and Everett Street.

The Board asked about relocation of utilities, roads, and infrastructure issues to be dealt with prior to construction. Mr. Sullivan displayed a Site Utilities Plan. He said that a Construction Management Plan had been submitted to the Board that outlined the different phases of the project.

Mr. Sullivan said that the first phase of the project involves installing a fence on the northern border of the site up to where it meets the existing parking lot of 200 Linden Street. 200 Linden Street will remain active and in service. The fence will follow a contour that will allow the traffic there to flow.

Mr. Sullivan said that they will add some new fencing to existing fencing on the south side of the site.

Mr. Sullivan that they will be doing extensive infrastructure work along Linden Street. The work includes relocation of the existing culvert that runs through the site and involves a watershed of over 400 acres. The culvert is generally 48 inches in diameter but widens to 12 by 4 feet in order to get under the roadway. The footprint of the existing culvert runs underneath the proposed Roche Brothers and 180 Linden Street, and so needs to be relocated.

The Board asked about changes in the pipe in the drainage line that circles the site. The pipes go from 4 by 8 to 12 by 6. Griffin Ryder, VHB, said transitions have to be over a certain length to minimize head losses. They will be installing precast structures. VHB will generate shop drawings that will address the issues based on the assumptions in the analysis.

Chris Lovett, VHB, said that they will follow Department of Public Works' (DPW) recommendations for pipe connections and the mains to the buildings.

Mr. Sullivan said that the culvert work will take place on-site without any interruption to the tenants. They are currently working with the Municipal Light Plant to solve the electrical issues involved in crossing the street with a live main service. They have also been in contact with the Gas Company and with the DPW regarding the relocations that will be necessary to accommodate the relocated culvert.

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Mr. Sullivan said that there are three major elements to the work. He said that the upper portion is self-contained. He said that the next section will have some impact on the gas station. The work will take place during the summer and the goal is to get connected by October. The existing system would be disconnected at that time.

The Board asked if it would be possible to work on the lower section in two shifts. Mr. Sullivan said that they would be willing to work double shifts.

Following the April 11, 2006 Public Hearing, the Board Chairman contacted Town Counsel regarding restriction of construction hours under the terms of the Development Agreement. In a letter dated April 20, 2006 Town Counsel stated that, in his opinion, the Board of Appeals has the authority to require, as a part of the site plan review,

"that construction of the culvert be continued into night time hours, at least for that portion of the work that needs to be accomplished under the street and to the southerly side through the Roche Brothers parking lot."

At the April 25, 2006 Public Hearing, Mr. Sullivan asked to have the road crossing work and the work about 50 feet north of the street included in the extended night time hours to ease access to the Citgo station. Eastern Development will work with DPW on the details.

The Board said that it is important to get the work done on the culvert crossing the parking lot at Roche Brothers and Linden Street as soon as reasonably practicable, and ideally before the time that school starts and people are back from vacation. Construction crews can work two full shifts at night. The night work should not start until school is out after June 16, 2006. The Board said that it is imperative that traffic keeps flowing.

Mr. Sullivan said that there will be a new line that replaces the existing catch basin system in the existing roadway. The grades change throughout the roadway, in some cases as much as 18 inches. There could be a foot or so of cut into the roadway in some places.

Mr. Sullivan said that new curb cuts will be primarily at the signalized intersection. They will continue to work with DPW and the Fire Department to address various components of the project.

The Board asked about the timetable for work on Linden Street. Mr. Sullivan said that they would like to start the subsurface utility work this summer when the Town population is at its lowest point. They want to get as much taken care of before a winter moratorium restricts subsurface work. They will come back in the spring to finish off traffic signals, sidewalks and other trim work.

Mr. Sullivan said that two lanes of traffic will be open at all times. The existing street is generously wide and the new street will be even wider, with on-street parking. They have sufficient width to work with looping traffic around.

The Board asked if they had reviewed their schedule with the DPW. Mr. Sullivan said that they have reviewed the general schedule that lists completion of the major operations but not the detailed operations.

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### **Construction Management**

The Board asked where the construction workers and materials would be coming from and where they would be going to.

In a memo dated April 20, 2006, Eastern Development addressed construction truck access on local roads, pedestrian safety, and roadway reconstruction phasing and scheduling. Attached to the memo were Construction Management Plan, Figure 1, Primary Pedestrian Route Summer 2006 – Summer 2007, Figure 2, and Primary Pedestrian Route Summer 2007 – Fall 2007, Figure 3, dated April 20, 2006. The Board commented that it did not want to see a lot of truck traffic going by the Middle School. Mr. Sullivan said that the mitigation plan will be part of the general and subcontracts.

The Board asked about construction worker equipment parking. Mr. Sullivan said that the parking areas will be self-contained inside the fenced enclosures. The construction workers will not be parking on the 162 Linden Street or 200 Linden Street lots so long as they are working on the north side.

Mr. Sullivan said that the plan is to go onto the site in May to begin hazardous materials abatement before they take the buildings down. He displayed on the plan which buildings will be torn down in June. He said that the fence is up. They will use the existing curb cut for all construction vehicles to access the site during the demolition phase.

Mr. Sullivan said that this will not be a heavy earth work project. He said that it is a 6,000 or 7,000-yard fill site. There is a cavity at the back end of the site. They will raise the pads so that drainage works properly. They will be trucking in fill and conduit material.

The Board asked about the noise impact to neighbors for pile foundations versus geopiers. Mr. Sullivan said that installation of geopiers is a quieter operation. The three buildings that are proposed to be on piles or geopiers are on the north side where the old ice pond used to be. He said that there is a layer of organics on the bottom that was covered over the years with fill. He said the Geotechnical Engineers recommended that the buildings be constructed on supported foundations.

Mr. Sullivan said that the other buildings will be on conventional spread foundations because the soil is good.

The Board asked about the woodshed located at 161 Linden Street. Mr. Lamp said that the Devaney site has groundwater contamination and they may relocate a groundwater treatment shed from one side of the site to the other.

The Board said that there is a substantial grade difference at the Devaney site. Mr. Lamp said that they have lowered the grades rather than separating the two drives. They have discussed flood mitigation and are designing a pump system that should significantly improve the situation.

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**Post-Construction Vehicular Traffic**

The Board asked about vehicular use of the site after final construction. The Board said that it is concerned about the conflict of delivery trucks and resident traffic.

Mr. Lamp said that they will discourage their tenants from having any peak hour deliveries.

Mr. Lamp said that access to Roche Brothers and the pharmacy will be controlled. There will be a spin circle so that trucks can go out the way they came in. The loading bays will all be facing in the same direction. Roche Brothers has off-loading for tractor-trailer trucks so the cabs can leave the site.

Mr. Lamp said that the only trucks that will go behind 200 Linden Street are the ones that will be servicing 200 Linden Street. There will be a one-way loop for trucks there.

Mr. Lamp displayed truck movement in and out of the gas station site. He said that circulation will be similar to the existing pattern at the current Roche Brothers area. He displayed the one-way circulation on the plan. He said that they are assuming that there will be smaller tenants at 180 Linden Street. He said that there could be a bus stop there as well as a loading dock. He said that there is a striped area at 190 Linden Street for panel trucks.

Mr. Lamp said that trash service conforms to the same movements as the trucks and deliveries. The compactors at Roche Brothers will be self-contained interior to the building. There will be individual roll-offs at 200 Linden Street. There will be roll-offs at 190 Linden Street at the off-loading sites. There are several dumpster pads at the 185 Linden Street building. They created three alcoves for the dumpsters that are organized against the southern property line and jogs in the curbing to allow for the roll-offs. There is a roll-off and a rack for used tires in the alleyway behind the gas station. They will be paving that area.

Mr. Lamp said that they have a drive-on for a larger dumpster behind 185 Linden Street and two pads at the corner at the 211 and 231 buildings.

The Board asked about traffic heading east on Linden Street and taking a left turn at the main entrance to access Roche Brothers. Mr. Lamp said that it will be self-regulating there. The cars that do not want to wait for breaks in the traffic will go to the traffic light. The signal will create gaps in the traffic. They have created left hand turn pockets at all of their entrances. The left hand turn pockets will be striped.

The Board asked why all of the traffic would not be directed to the signal. Mr. Lamp said the signal is designed to control the main portion of traffic but they need to spread the traffic out to have the entrance points work.

The Board asked what they would be doing at the other intersections to protect pedestrian traffic. Don Cooke said that they are trying to provide reasonable points of access. He said that the truck driveway will be wide enough to accommodate two-way traffic comfortably.

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Mr. Lamp said that the driveouts will be perpendicular to the buildings and linear islands will prevent people from driving across the lot diagonally. He said that they had submitted internal directional sign proposals to the Board.

The Board asked about the size of the Vehicular Directional signs. Mr. Lamp said that they are roughly 4 feet high. He said that they are meant to be waist high and will not block the vision of the driver.

The Board asked if some of the pedestrian signs could be eliminated. Mr. Lamp said that they could re-evaluate that. Providing some direction from Linden Street to other points in the Town had been a concern of some of the pedestrian safety groups.

The Board asked how the "Ratio Provided" in the Parking Summary on Plan C.1 for the South lot was calculated. Chris Lovett said that 10 on-street parking spaces along 180-190 Linden Street were included in the calculations. The residential spaces were not a part of the overall ratio.

The Board asked about vans and buses. Mr. Lamp said that they have allowed for two larger bus pull-offs. He said that one will be on the eastbound southern side of Linden Street, and the other on the north side at the northwest corner of 180 Linden Street.

The Board asked if the Wells Fargo trucks will go up to the front doors of the banks. Mr. Lamp said that they will.

The Board asked about snow removal and storage. Mr. Lamp said that they have increased the landscaped area by over an acre and a half and that should ease some of the storage problems. They have agreed to truck the snow off as necessary.

**Screening**

The Board asked about screening between the gas station and the residential units. Mr. Lamp said that the fence that is on the southern curb line will be a typical barrier. They will be using a seven-foot fence with lattice work on it. There will be quite a bit of planting along the fence.

Mr. Lamp said that they tried to create a 10-foot buffer wherever possible. There is an existing kneewall with arborvitaes along the edge at the Everett Street end that will remain. Mr. Grignaffini has requested that the fence be kept low at that area so his shrubs are not shaded. Mr. Lamp said that they will install a lower, thicker fence at that area. On the northerly property line, they will be taking down 11 mature pine trees that are either dead or do not have a survival rate of over five years and will be replacing them with over 20 trees.

Mr. Lamp said the 10-foot buffer extends back to the northwest corner where there is a pedestrian break. He said that there will be an overlap in the fencing and a slight jog in the sidewalks to keep the commercial buildings out of the direct line of sight. There is another pedestrian break at the northeast corner. There will be a plain fence around the remainder of the site. Currently there is a chainlink fence with barbed wire on top which is in a state of disrepair in some sections and nonexistent in others.

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The Board commented that the pedestrian walkways go out to a driveway where there is no sidewalk. Mr. Lamp said that they are working with the Niles Company to get an easement there. They believe that they have reached an agreement with the Niles Company to build the sidewalks there. The walkways will go out to private drive that has speed bumps on it.

**Pedestrian Safety**

The Board asked about pedestrian flow during construction, and about safety provisions from Everett to Kingsbury Streets when school is in session.

Mr. Sullivan said that there will be locations where the sidewalk will be fenced off and closed but one side of the sidewalk will always be open. He said that pedestrians will have to crossover on a temporary crosswalk. They may have to use some sidewalk bridges across the faces of the primary buildings. They will be working continuously with the Police Department and DPW to address issues and arrange for details as required.

The Board said that the Project Management Plan should require that pedestrian safety issues be discussed at regularly scheduled meetings with the subcontractors and field personnel. The Board commented that there should be a community liaison who will attend the safety meetings. The liaison would serve as a contact for the Police Department and would be responsible for relaying relevant agenda items to the appropriate Town departments. There should be a line item in the agendas that addresses pedestrian safety.

Mr. Sullivan said that the primary day-to-day contact will be the on-site superintendent for Cranshaw Construction. His contact information will be shared with all appropriate Town officials. He said that the appropriate Town representatives will be invited to the meetings.

Mr. Cooke said that they will be providing significant advanced warning signs for pedestrians at all of the crosswalks. The neon color signs will indicate where there will be crosswalk. There will be stop sign controls at every exit. There will be flush pedestrian crossings and flush driveways in as many cases as possible.

Mr. Lamp said that the three main entrances will have brick sidewalks. He said that all of the secondary entrances will have a typical drive-way ramp up to the sidewalks.

The Board said that the curb device should be carried to the side of the crosswalk shown on Plans T.2 and T.3 to protect pedestrians. Mr. Cooke said that they could provide more channelization at those locations.

Mr. Cooke said that 10-foot wide crosswalks will be installed on Linden Street and 8 foot wide crosswalks on the site drives. Handicapped accessibility guidelines dictate where the wheelchair ramps have to be. The crosswalk has to be in line with the ramp. Under the new guidelines people are directed along a more nonlinear travel path. The Board commented that a bollard should be provided in the area between the ramps.

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Mr. Sullivan said that the street is actively traveled by pedestrians, particularly children coming from the Middle School. They will always maintain one side of the street for a public walkway. They will coordinate with various Town departments to re-route pedestrian traffic to the opposite side of the street from where the culvert work is being done.

The Board commented that there are a number of young people traveling on the street between 7 and 8:30 a.m. and 2:30 and 3:30 p.m. The Board asked if there are any plans to have details at all of the driveways to ensure safe passage along the route. Mr. Sullivan said that would depend on the intensity of the traffic.

Mr. Cooke said that the sidewalk is small at one corner of the Kingsbury-Linden Street intersection because of the amount of equipment there. They plan to relocate the traffic control equipment to a more optimal location. The new pedestrian buttons will be larger and easier to use and maintain.

Mr. Cooke said that there will be "No Right Turn on Red" signs which will be more visible and larger than what is there currently. He said that they've been asked to look at setting a lower pedestrian speed for the crossing. When they look to provide longer time for the pedestrians, it impacts the level of service for vehicular traffic.

Richard McFadyen, 379 Linden Street

Mr. McFadyen asked about the square footage of the project. Mr. Lamp said that it is 276,200 square feet.

Mr. McFadyen asked what square footage the traffic projections were based on. Mr. Cooke, VHB Traffic Engineer, said that the projections are based on 290,000 square feet. That is broken down into the square footage by retail, residential and office use. Each of the uses are utilized exactly per square foot as they are currently proposed on the plan.

Mr. McFadyen asked what the current square footage of the occupied space is there. The Board said that the traffic studies were done when the center was open and fully occupied and that current numbers are not relevant because half of the stores are gone from the site. The projections are based on what is going to be built.

Mr. McFadyen said that fewer children taking the school bus and being driven to school by their parents and the opening of Dunkin Donuts has contributed to increased traffic.

Mr. McFadyen asked about local utility interruptions. Mr. Sullivan said that they will be tying in new utilities to existing utilities. They are working with the Municipal Light Plant (MLP), Keyspan and the Water Department. There may be some short term outages or bypasses that need to be installed to keep services going. The Board said that there will be a plan in place to advise residents if interruptions are going to be necessary.

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Christine Goss, 12 Upland Road, Wellesley PTO

Ms. Goss said that her organization is concerned with additional cars in the area around the Middle School. She said that congestion on Kingsbury Street and the bridge and Kingsbury Street and Route 9 will increase with the development. She said that when the Board of Selectmen granted approval in December 2005, there was no Dunkin Donuts on Linden Street and an eighth grade student had not been hit in the Kingsbury crosswalk. She said that precautions have to be built in now. She said that moving more cars into an already chaotic school zone presents safety issues. She requested that Eastern Development work with other appropriate Boards to ensure stronger pedestrian safety measures in the Middle School area.

The Board said that a good amount of focus has been on traffic and pedestrian safety issues. The Board has paid attention to the flow of traffic, particularly during construction. Crosswalks will be 10 feet wide and paved with red brick. The Board said that it cannot control the way that people drive and that the PTO might have a better chance of doing this by communicating their concerns to the parents or by arranging to have more traffic details.

Ms. Goss said that in light of the changes that have occurred since last December, the safety issues should be reviewed. She said that the students already have a difficult time navigating around the buses on Donizetti Street. She said that the school zone markings are about 20 feet from the Kingsbury intersection. People are already in the school zone before they realize it. The Board said that issue should be raised with the School Committee and the Board of Selectmen.

The Board said that a great deal of work is going to be done on the traffic lights. There will be a longer permissive pedestrian phase during certain hours and the traffic lights will be responsive to the number of cars that are waiting.

Joe Feiner, 6 Hill top Road

Mr. Feiner said that he was concerned that the crosswalks at Pine Tree and Hill Top Roads are the only ones that are not brick crosswalks. There are a lot of Middle School children who use that route. There will be increased traffic and distractions and those crosswalks should be treated as major crosswalks. They should be 9 – 10 foot brick crosswalks with wider curb cuts. He said that those two streets lead directly to the Middle School. He said that his concerns could be addressed by a very small investment by Eastern Development.

Mr. Feiner said that his concern is for cars coming along Linden Street and using Hill Top and Pine Tree Roads as cut-throughs to get around traffic. He said that there is no signage warning drivers that there is pedestrian traffic.

The Board said that there are stop signs at the end of Pine Tree and Hill Top Roads and that the crosswalks shown on the plans are 10 feet wide.

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Mr. Lamp said that he and Mr. Feiner have corresponded over the past 2 ½ years. He said that the crosswalks at the end of the streets were increased to 10 feet. They were originally proposed to be consistent with crosswalks on Washington Street and also with the design plans that DPW had come up with prior to this proposal.

Mr. Feiner said that he had concerns with the ramps at the curb cuts for the crosswalks. He said that he had discussed his concerns with the Town Engineer.

Mr. Lamp said that the sidewalks allow to you walk directly across because they are set back five feet from the street. DPW had requested that the sidewalk follow the curb line. He said that they could try to make those ramps directly cross the street but that would bring pedestrians too far out into the side streets. They tried to pull the ramps back so that they do not direct the pedestrians into the traffic on Linden Street while keeping in mind that people are not going to zig-zag 10 feet out of their way to cross the street. He said that people tend to not use the ramps if they do not follow the straightest path possible. He said that design is consistent with the crosswalks where there are similar situations on-site.

The Board asked if Eastern Development would be willing to build brick crosswalks on Pine Tree Road, Hill Top Road and Donizetti Street. Mr. Lamp said that Donizetti Street is under DPW's control. He said that Eastern Development would agree to do what DPW does at Donizetti Street. He said that the area past Hill Top Road up to the crosswalk at Kingsbury Street is work that will be done by DPW but funded by Eastern Development, as provided in the Development Agreement. He said that if DPW agrees to do a brick paver, it would make sense that the next two should be also. He said that there would be maintenance issues in the long term with DPW because repairing brick pavers is not as easy as painting or paving.

Mr. Feiner asked about the extension of the construction work hours. The Board said that the work will be taking place at the extreme west end of the project. There may be some inconvenience to the neighborhood but the Board felt that it would be in the Town's and the neighborhood's best interests that the work be done at night rather than during the day. The Board will monitor the situation.

Mr. Feiner asked how long the extended hours work was anticipated for. Mr. Sullivan said that they expect the work to take place primarily in July and August.

Mr. Feiner asked if the work would end at 11:00 p.m. The Board said that it could go through the night.

Sarah Pederson, 116 Glen Road

Ms. Pederson said that she is the PTO President at the Middle School. She asked that there be special consideration given to directing pedestrian traffic during the construction period on early release days.

Mr. Lamp said that other portions of Linden Street, from Rockland Street to Weston Road, are going to be reconstructed by DPW in the same timeframe. There will be the same concerns in trying to maintain pedestrian and vehicular traffic. They will work with the appropriate Town departments to address ongoing issues as phases shut down and others get underway.

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**Lighting**

The Board asked about the style of lightpoles. Mr. Lamp said that they are double gooseneck retro type. He said that they will be shielded over 90 degrees and the bulb will be tucked up inside.

The Board said that there are two bollard lamps shown on plan L.2 at the handicapped ramps at the 190 Linden Street building. That detail is not picked up on Plan L.1. There is a lamp shown on Plan C.5 but not on Plan L.1 at the bank.

Mr. Lamp said that there will be sufficient lighting at the two pedestrian access points and at the northeast corner where employees will be parking.

The Board asked about the lighting for the dumpsters at the back of 200 Linden Street. Mr. Lamp said that it is not shown on the plans yet. He said that they will have 90 degree cut-offs.

The Board asked about the lighting at the mini-park at the northwest corner of the intersection. Mr. Lamp said that he has noted that the park is underlit and that some lightpoles will be added to that area.

**Traffic**

Mr. Cooke said that there will be a traffic detection system provided for the Linden Street Corridor as a whole and they will make adjustments as necessary.

The Board asked if there will be a signal at the intersection of Linden Street and Weston Road. Mr. Cooke said there will not be a light there. He said that the agreement with the Town's Traffic Consultants, BETA Group, was to widen Weston Road slightly to afford vehicles making a left turn onto Linden Street and some minor widening along Linden Street.

Mr. Cooke said that they will be upgrading the Kingsbury and Linden Streets intersection with all new equipment. They will be evaluating better pedestrian timing and phasing changes to address the vehicular traffic. Anything that they do there will directly impact Washington and Kingsbury Streets. The two intersections are currently connected by a hard wire across the Kingsbury Street bridge. VHB will be recommending that there be coordination between the signals for Kingsbury and Linden Streets to keep the bridge clear and to alleviate traffic issues on Route 16.

The Board said that the intersection of Linden and Donizetti Streets will move from a Level of Service D to F. Mr. Cooke said that they will be providing a left turn lane onto Donizetti Street which will address traffic issues in the morning, especially bus traffic. He said that signalization did not appear to be the appropriate treatment at that location.

The Board asked about the School Afternoon Peak Hours on Table 1, Page 5 of 14, in the submittal and how VHB derived the percentages of traffic that ended up on the various streets. Mr. Cooke said that the predominant methodology that they use is called the gravity model which looks at population centers where they factor in the existing turning movement counts at the actual intersections to come up with a distribution. He said that they use the journey to work census.

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Mr. Cooke said that the split in distribution was approximately 53 percent – 47 percent east to west, and 15 percent on Kingsbury Street. He said that they are projecting 25 to 30 new trips on Kingsbury Street during the peak hour.

The Board asked about the Evening Peak Hour. Mr. Cooke said that they did 24-hour counts to establish the peak hours. He said they also did a 4-6 p.m. weekday count and found 4:30 – 5:30 p.m. to be the typical peak. He said the counts on Saturday were from 10 a.m. to 2 p.m. and the peak was found to be between 11:30 a.m. and 12:30 p.m. He said that they started at 1:30 – 4 p.m. for the School counts.

**Housing**

The Board asked if the affordable housing units would be developed in cooperation with the Wellesley Housing Development Corporation. Mr. Lamp said that they will be. He said that there are three other units at 5 and 7 Oak Street that will be developed in conjunction with this project.

**Signage**

The Board said that signs on the buildings were not included in the sign package application. Mr. Lamp said that the building signs were intentionally omitted because they will not be known until they get the tenants. He said that if they do not meet the regulations, they will have to come back before the Board. He said that there could be 50-60 tenants.

The Board said that approval of the number of signs that are in the package may affect what they are able to put in later. Mr. Lamp said that the package consists of the full proposal for signs that are on the ground. He said that they would be coming back to the Board for the building signs.

Mr. Sullivan said that in their meetings with the DRB it was agreed that they would come back at a later date for building signage. They felt that site signage was integral enough for Site Plan Approval.

Mr. Sullivan said that they have started working with their architect on a building signage program which will assist them in their leasing efforts as well. The plan is to go back before DRB and/or the Zoning Board of Appeals (ZBA) with a master signage package for the center which would establish ranges of sizes, types, and locations while preserving the flexibility that they need for a tenant by tenant basis. He said that there are some exceptions that they will be asking for.

The Board said that signs should be used to identify the location of the entrance to the buildings. The Board discourages the use of logos.

Mr. Sullivan said that their intent is to establish an area over each storefront. He said that they would be more interested in determining area size so there is consistency across the face of a building. The length would be a maximum range depending on the tenant's name. They also want to control the height of the sign band. The Board said that it would limit the number of colors. Mr. Sullivan said that it would be up to the tenant to come before the Board if they were looking for more colors or internal illumination.

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Mr. Sullivan said that they are trying to keep things in proper proportion to the buildings that they are situated on such as the room between first and second floors, the proper use of canopies, and uplighting of canopies.

Mr. Sullivan said that once the Board approves a master package, the tenants can apply for their signage permit through the normal route.

The Board said that it has to look at the complete sign package in terms of the Zoning Bylaws. The Board asked for a three-month extension on the application for ZBA 2006-32 for the signs. Mr. Sullivan said that Eastern Development would agree to the extension.

The Board asked that the petitioner send a letter granting the extension to June 15<sup>th</sup>.

**Drive-Through Special Permits**

Mr. Lovett discussed the drive-through lanes for CVS. He said that there will be two lanes. He said that there will be direct access along the building for hand-to-hand prescription service and that the outer lane is to drop off prescriptions. He said that VHB does a lot of business with CVS and they have found that typically there is a five-car queue. He said that between the two lanes, there is more than adequate stacking distance to contain the vehicles in the drive-through lanes.

The Board asked if it is customary to have a drop off and a pickup window. Mr. Lovett said that it is.

The Board asked how the driver determines which lane to choose. Mr. Lovett said that there will be signs to direct them.

The Board asked if the drop off on the right will be a pneumatic tube facility. Mr. Lovett said that it will be. The Board asked about the hours of operation. Mr. Lamp said that is controlled by the hours in the Development Agreement. Mr. Langer said that the Town Bylaws allow operation until 11:00 p.m. but the Development Agreement limits it to 10:00 p.m.

The Board asked if traffic would be directed to right turn only after pickup and drop off. Mr. Lamp said that it is a two-way. Mr. Lovett said that generally people would take a right turn to come out of there. He said that there is additional parking to the left. Mr. Lamp said that employee parking is at the back corner. He said that 99 percent will probably make the right turn.

Mr. Lamp said that this area was carefully laid out to keep the loading area separate. The Board said that having a "Right Turn Only" sign there is preferable. Mr. Lamp said that Eastern Development would agree to that.

The Board asked about lighting for the canopy. Mr. Sullivan said that the lights will be recessed in the ceiling.

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The Board asked if the lights will be turned off at 10:00 p.m. Mr. Sullivan said that there may be security lighting that needs to stay on until all of the employees have left the premises. He said that the lights may stay on until 11:00 p.m. since Roche Brothers closes at 10:00 p.m. He said that the lights will not remain on all night.

The Board asked if the signs for the CVS drive-through will be included in the sign package. Mr. Sullivan said that they will be.

Mr. Lovett said that there will be two drive-through lanes and a third bypass lane at the Citizens Bank facility.

The Board asked if there will be signs to identify the lanes. Mr. Lovett said that there will be.

Mr. Lamp said that there will be one manned and one pneumatic drive-through. He said that the ATM will be along the building past the drive-through.

The Board asked if the hours of operation there could be limited to 8 a.m. to 8 p.m. This facility is located closest to the residences. Mr. Sullivan said that he did not expect the bank to be open for all of those hours so that should not be a problem for the pneumatic equipment and the drive-through ATM lane will be closed at 10:00 p.m.

The Board said that there does not appear to be any directional controls other than what is painted on the pavement. Mr. Lamp said that he believes there will be signage on the canopy. He said that they will verify that when they go through the sign package. Mr. Sullivan said that he believes that there is a small "Do Not Enter" sign underneath the canopy.

The Board asked if there will be outside lighting under the canopy. Mr. Sullivan said that there will be.

The Board said that there are a number of banks in the area that keep their ATM lights on all night. The lights should not be on all night since this is near a residential area. There are other Citizens Bank offices in Town that have an ATM inside. Mr. Lamp said that they have both here. Mr. Sullivan asked if they could turn the canopy lights out at 10 p.m. when the other businesses close. The Board said that is acceptable. The Board confirmed that after 10 p.m. access is for pedestrians only.

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**Submittals from the Applicant**

<b>Plan Number</b>	<b>Drawing Title</b>	<b>Date of Issue</b>	<b>Prepared By</b>	<b>Date of Revision</b>
	Title Sheet	3-9-06	Christopher Lovett, P.E.	
C-1	Legend, Abbreviations and General Notes	3-9-06	Christopher Lovett, P.E.	
C-2	Plot Plan	3-9-06	Christopher Lovett, P.E.	
C-3	Demolition & Erosion Control Plan	3-9-06	Christopher Lovett, P.E.	
C-4	Parking Plan	3-9-06	Christopher Lovett, P.E.	
C-5	Layout and Materials Plan	3-9-06	Christopher Lovett, P.E.	4-13-06, 4-19-06
C-6	Grading and Drainage Plan	3-9-06	Christopher Lovett, P.E.	
C-7	Utilities Plan	3-9-06	Christopher Lovett, P.E.	4-13-06
C-8	Drainage Profile: Proposed Culvert	3-9-06	Christopher Lovett, P.E.	
C-9	Drain Profile A	3-9-06	Christopher Lovett, P.E.	
C-10	Drain Profile B	3-9-06	Christopher Lovett, P.E.	
C-11	Drain Profile: Linden Street East	3-9-06	Christopher Lovett, P.E.	
C-12	Drain Profile: Linden Street West and D	3-9-06	Christopher Lovett, P.E.	
C-13	Drain Profile: C	3-9-06	Christopher Lovett, P.E.	
C-14	Drain Profile: R and G	3-9-06	Christopher Lovett, P.E.	
C-15	Sewer Profile: Sewer Trunkline	3-9-06	Christopher Lovett, P.E.	
C-16	151 Linden Street Drainage Plan	3-9-06	Christopher Lovett, P.E.	
C-17	Details	3-9-06	Christopher Lovett, P.E.	
C-18	Details	3-9-06	Christopher Lovett, P.E.	

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C-19	Details	3-9-06	Christopher Lovett, P.E.	
C-20	Details	3-9-06	Christopher Lovett, P.E.	
C-21	Details	3-9-06	Christopher Lovett, P.E.	
L-1	Landscape Plan	3-9-06	Stephen Derdiarian	4-19-06
L-2	Landscape Enlargement Plan	3-9-06	Stephen Derdiarian	
L-3	Landscape Enlargement Plans	3-9-06	Stephen Derdiarian	
L-4	Landscape Details	3-9-06	Stephen Derdiarian	
L-5	Landscape Details	3-9-06	Stephen Derdiarian	
T-1	Linden Street Typical Sections	3-9-06	VHB	
T-2	Linden Street Plan & Profile – Sheet 1	3-9-06	VHB	
T-3	Linden Street Plan & Profile – Sheet 2	3-9-06	VHB	
T-4	Linden Street Plan & Profile – Sheet 3	3-9-06	VHB	
WLS-1	Photometric Plan	2-21-06	WLS Lighting Systems	
Sv-1	Existing Conditions of Land	3-9-06	James Diorio, PLS	
Sv-2	Existing Conditions of Land	3-9-06	James Diorio, PLS	
Sv-3	Existing Conditions of Land	3-9-06	James Diorio, PLS	
CS1.0	Citizens Cover	3-9-06	Frank Grieco, RA	
A1.0	Citizens Plan & Elevations	3-9-06	Frank Grieco, RA	
A2.0	Citizens Building Sections	3-9-06	Frank Grieco, RA	
A3.0	Citizens Wall Sections	3-9-06	Frank Grieco, RA	
CS	CVS Cover	3-9-06	Barry Koretz, RA	
A1	CVS Floor Plan	3-9-06	Barry Koretz, RA	
A2	CVS Roof Plan	3-9-06	Barry Koretz, RA	
A3	CVS Exterior Elevations	3-9-06	Barry Koretz, RA	
A4	CVS Partial Elevations & Sections	3-9-06	Barry Koretz, RA	

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A5	CVS Partial Elevations & Sections	3-9-06	Barry Koretz, RA	
A6	CVS Partial Elevations & Sections	3-9-06	Barry Koretz, RA	
161-CV	#161 Cover	3-9-06	Philip Daly, RA	
161-1	#161 First Floor Plan	3-9-06	Philip Daly, RA	
161-2	#161 Second Floor Plan	3-9-06	Philip Daly, RA	
161-3	#161 Roof Plan	3-9-06	Philip Daly, RA	
161-4	#161 Elevations	3-9-06	Philip Daly, RA	
161-5	#161 Entrance	3-9-06	Philip Daly, RA	
161-6	#161 Typical Bay	3-9-06	Philip Daly, RA	
162-CV	#162 Cover	3-9-06	Philip Daly, RA	
162-1	#162 First Floor Plan	3-9-06	Philip Daly, RA	
162-2	#162 Roof Plan	3-9-06	Philip Daly, RA	
162-3	#162 Elevations	3-9-06	Philip Daly, RA	
162-4	#162 Typical Bay	3-9-06	Philip Daly, RA	
165-CV	#165 Cover	3-9-06	Philip Daly, RA	
165-1	#165 Floor Plan East	3-9-06	Philip Daly, RA	
165-2	#165 Floor Plan West	3-9-06	Philip Daly, RA	
165-3	#165 Roof Plan East	3-9-06	Philip Daly, RA	
165-4	#165 Roof Plan West	3-9-06	Philip Daly, RA	
165-5	#165 North & East Elevations	3-9-06	Philip Daly, RA	
165-6	#165 South & West Elevations	3-9-06	Philip Daly, RA	
165-7	#165 Typical Bay 1	3-9-06	Philip Daly, RA	
165-8	#165 Typical Bay 2	3-9-06	Philip Daly, RA	
165-9	#165 Typical Bay 3	3-9-06	Philip Daly, RA	
165-10	#165 Typical Bay 4	3-9-06	Philip Daly, RA	
165-11	#165 Tower 1	3-9-06	Philip Daly, RA	
165-12	#165 Tower 2	3-9-06	Philip Daly, RA	
Res-CV	#172, #174, #176, #178 Cover	3-9-06	Philip Daly, RA	
Res-1	#172, #174, #176, #178 Ground Floor Plan	3-9-06	Philip Daly, RA	
Res-2	#172, #174, #176, #178 First Floor Plan	3-9-06	Philip Daly, RA	
Res-3	#172, #174, #176, #178 Second Floor Plan	3-9-06	Philip Daly, RA	

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Res-4	#172, #174, #176, #178 Roof Plan	3-9-06	Philip Daly, RA	
Res-5	#172, #174, #176, #178 Elevations	3-9-06	Philip Daly, RA	
Res-6	#172, #174, #176, #178 Section	3-9-06	Philip Daly, RA	
180-CV	Cover	3-9-06	Philip Daly, RA	
180-1	#180 First floor Plan	3-9-06	Philip Daly, RA	
180-2	#180 Second Floor Plan	3-9-06	Philip Daly, RA	
180-3	#180 Third Floor Plan	3-9-06	Philip Daly, RA	
180-4	#180 Roof Plan	3-9-06	Philip Daly, RA	
180-5	#180 South & East Elevations	3-9-06	Philip Daly, RA	
180-6	#180 North & West Elevations	3-9-06	Philip Daly, RA	
180-7	#180 Typical Bay 1	3-9-06	Philip Daly, RA	
180-8	#180 Typical Bay 2	3-9-06	Philip Daly, RA	
180-9	#180 Tower	3-9-06	Philip Daly, RA	
180-10	#180 East End	3-9-06	Philip Daly, RA	
180-11	#180 West End	3-9-06	Philip Daly, RA	
185-CV	#185 Cover	3-9-06	Philip Daly, RA	
185-1	#185 First Floor Plan	3-9-06	Philip Daly, RA	
185-2	#185 Roof Plan	3-9-06	Philip Daly, RA	
185-3	#185 Elevations	3-9-06	Philip Daly, RA	
185-4	#185 Typical Bay	3-9-06	Philip Daly, RA	
190-CV	#190 Cover	3-9-06	Philip Daly, RA	
190-1	#190 First Floor Plan	3-9-06	Philip Daly, RA	
190-2	#190 Second Floor Plan	3-9-06	Philip Daly, RA	
190-3	#190 Roof Plan	3-9-06	Philip Daly, RA	
190-4	#190 Elevations	3-9-06	Philip Daly, RA	
190-5	#190 Typical Bay	3-9-06	Philip Daly, RA	
200-CV	#200 Cover	3-9-06	Philip Daly, RA	
200-1	#200 North floor Plan	3-9-06	Philip Daly, RA	
200-2	#200 South floor Plan	3-9-06	Philip Daly, RA	
200-3	#200 North Roof Plan	3-9-06	Philip Daly, RA	
200-4	#200 South Roof Plan	3-9-06	Philip Daly, RA	
200-5	#200 West & South Elevations	3-9-06	Philip Daly, RA	
200-6	#200 North & East Elevations	3-9-06	Philip Daly, RA	
200-7	#200 Typical Bay 1	3-9-06	Philip Daly, RA	

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200-8	#200 Typical Bay 2	3-9-06	Philip Daly, RA	
200-9	#200 Tower	3-9-06	Philip Daly, RA	
200-10	#200 South Bay	3-9-06	Philip Daly, RA	
211-CV	#211 Cover	3-9-06	Philip Daly, RA	
211-1	#211 First Floor Plan	3-9-06	Philip Daly, RA	
211-2	#211 Second Floor Plan	3-9-06	Philip Daly, RA	
211-3	#211 Roof Plan	3-9-06	Philip Daly, RA	
211-4	#211 North & West Elevations	3-9-06	Philip Daly, RA	
211-5	#211 South & East Elevations	3-9-06	Philip Daly, RA	
211-6	#211 Typical Bay 1	3-9-06	Philip Daly, RA	
211-7	#211 Typical Bay 2	3-9-06	Philip Daly, RA	
231-CV	#231 Cover	3-9-06	Philip Daly, RA	
231-1	#231 Ground Floor Plan	3-9-06	Philip Daly, RA	
231-2	#231 Second Floor Plan	3-9-06	Philip Daly, RA	
231-3	#231 Roof Plan	3-9-06	Philip Daly, RA	
231-4	#231 Elevations	3-9-06	Philip Daly, RA	
231-5	#231 Typical Bay 1	3-9-06	Philip Daly, RA	
231-6	#231 Typical Bay 2	3-9-06	Philip Daly, RA	
G1.01	Roche Bros. General Information	3-9-06	Domenic Valente, RA	
U1.01	Roche Bros. Utilities Location Plan	3-9-06	Domenic Valente, RA	
FP.01	Roche Bros. Fixture Plan	3-9-06	Domenic Valente, RA	
FP.02	Roche Bros. Mezzanine Fixture Plan	3-9-06	Domenic Valente, RA	
A3.01	Roche Bros. Exterior Storefront & Sections	3-9-06	Domenic Valente, RA	
A3.02	Roche Bros. Exterior Storefront & Sections	3-9-06	Domenic Valente, RA	
A3.03	Roche Bros. Exterior Elevations & Sections	3-9-06	Domenic Valente, RA	
A6.01	Roche Bros. Roof Plan	3-9-06	Domenic Valente, RA	
	ZBA Site Signage Submission	3-8-06	Carter-Burgess	4-19-06

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	Truck Access Routes – Figure 1	4-20-06	Vanasse Hangen Brustlin, Inc.	
	Primary Pedestrian Route Summer 2006 – Summer 2007	4-20-06	Christopher Lovett, PE	
	Primary Pedestrian Route Summer 2007 – Fall 2007	4-20-06	Christopher Lovett, PE	
	Wellesley Linden Street Traffic Plan – Sheet 20 of X			
	Wellesley Linden Street Traffic Plan – Sheet 21 of X			

**CONDITIONS**

The Board's approval of the Site Plan for the Project is premised on the Applicant's and Project's compliance with the following conditions (the “Conditions”). All requirements imposed by the Conditions or this Site Plan Approval shall be applicable to the entity responsible for the administration of the Project regardless of whether the condition specifically identifies the Applicant, the responsible entity, or no entity as having responsibility for a particular condition. By accepting this Site Plan Approval, the Applicant agrees to the terms, covenants, conditions, and agreements contained herein.

**General**

- (1) The Applicant submitted an application for Site Plan Approval to the Board for a major construction project that consists of redevelopment of 18.4 acres zoned as Linden Street Corridor Overlay District. The Project includes demolition of 8 buildings and construction of 5 commercial buildings at 161, 180, 182-188, 190 and 231 Linden Street, construction of 4 townhouses at 172-178 Linden Street, façade renovations with some minor additions on 7 existing buildings at 162, 165-181, 185-197, 200 and 211 Linden Street. The existing Citgo Gasoline Station at 168 Linden Street will not be renovated.
- (2) The Applicant shall comply with all provisions of the Zoning Bylaw, general bylaws, and all the rules and regulations of the Planning Board and the Board of Health generally applicable to a project approved on April 25, 2006. No fees are waived in connection with the Project. Fees shall be those then in effect at the time of application for the permit or approval subject to the fee.

**Design Conditions**

- (3) Design and construction of the Project shall fully comply with all applicable federal and state laws and regulations, including, but not limited to, the Massachusetts State Building Code (CMR 780), the Massachusetts Architectural Access Board (CMR 521), and the with regulations of the Department of Public Works with respect to a Water Supply Protection District. This Project shall be designed and constructed on the Site in accordance with the Plans, except as provided in the Site Plan Approval, including the Conditions. Any requirement of consistency with the Plans means as those Plans are modified by the Conditions.
- (4) Commercially reasonable efforts shall be made to implement the site design to achieve visual and design consistency in detailing the interfaces between vehicular and pedestrian traffic. The Applicant, through discussion with Wellesley DPW, shall adhere to such consistency as it involves the Linden Street pedestrian crosswalks and handicapped ramps at Pine Tree Road, Hill Top Road and Donizetti Street, and all other construction interfaces. The Wellesley DPW is requested to coordinate the crosswalk designs by utilizing brick pavers for all work east of and including Hilltop Road which it is performing to conform to the design of those crosswalks being built by the Applicant.
- (5) Contract documents, including working drawings and specifications for any building renovations, modifications, additions, or removals shall undergo the usual and customary review and approvals of the Building Inspector, the Board of Health, the Fire Chief, the Town Engineer, or any other applicable local inspector or board. In addition, to assure that contract documents are consistent with the preliminary plans submitted in support of this Site Plan Approval, concurrent with the application for a building permit, the Applicant shall submit contract documents to the Board and to the Design Review Board for review. Construction of the Project shall be subject to on-site compliance inspections by the Building Department in the customary manner.
- (6) The Applicant shall use commercially reasonable efforts to reserve (designate) locations for public fine art in the sitting areas provided in the final Landscape Design.
- (7) All trash compactors that are not self-contained interior to a building and to which there is access to the trash compactor from the exterior must be fenced and kept locked when not in use.

**Traffic and Parking**

- (8) During the post-construction period, all parking for residents, guests, employees and the public using the Linden Square facilities shall be within the parking lot on the Site, except as shown in the Plans. The Project shall include parking spaces in accordance with the Plans submitted, and the final Plans shall have no fewer than thirty-nine (39) handicapped parking spaces (including two on-street spaces on Linden Street) which shall be located appropriately close to business entrances.

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- (9) The Applicant shall provide a final exterior lighting design that includes location and design of light posts and luminaries for all exterior lighting to the Board for approval. The final design shall prevent any light spillover to abutting residential properties.
- (10) Trucks at loading docks must shut off engines while loading and unloading.

**Signage**

- (11) Signage not attached to buildings shall be in accordance with the Site Signage Submittal provided to the Board.
- (12) The final design of the signage attached to buildings shall be generally as shown in the Plans, but shall be submitted to the Board for approval prior to the signing of any agreement between the Applicant and any tenant that specifies any building signage.

**Stormwater Run-off**

- (13) The stormwater run-off and drainage system shall be operated and maintained in accordance with the Operations and Maintenance Plan submitted by the Applicant. Operation and maintenance of the stormwater run-off and drainage system shall comply with the requirements of the Town's "Municipal Stormwater Drainage System Rules and Regulations".

**Construction**

- (14) The Applicant shall make all efforts to ensure the safety of pedestrians, especially school children during those times the Wellesley Middle School is in session, passing the construction site. The use of barriers, pedestrian channelization and temporary uniformed safety details shall be implemented in coordination with the Wellesley Police Department or the Wellesley School Committee. If required by the Wellesley Police Department in light of the nature and location of construction work in progress, uniformed safety details shall be used for a period of one hour before and after the Wellesley Middle School is in session.
- (15) A regular public safety item shall be included on the weekly project meeting agenda. If a portion of the weekly project meeting notes contains issues of public safety, it shall be forwarded to the Wellesley Police Department, with a copy to the Board.
- (16) During the period of construction, all construction equipment, material deliveries and personnel traffic shall utilize the access routes shown on Figure 1 Construction Traffic Management prepared by the Applicant dated 4/20/06. A copy shall be sent to Wellesley Police Department. Requests for deviation from this route diagram shall be presented to the Board and to the Wellesley Police Department for review, coordination, and approval.
- (17) During the period of construction, no vehicles of construction workers and no construction equipment shall be parked on Linden Street, or any other public way of the Town. Trucks will shut off engines when not in use.

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- (18) Except as specified in Condition 19, during the period of construction, all deliveries of construction materials and equipment shall be made only on Monday through Friday no earlier than 7:00 a.m. and no later than 6:00 p.m. Construction operations shall be limited to the hours of 7:00 a.m. through 6:00 p.m. Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday. Except for emergency conditions, no construction work shall be allowed on Sundays or holidays.
- (19) In order to expedite work that will take place within the right of way, and to reduce the duration of disruption to Linden Street traffic in the vicinity of the CITGO Station and western entry to the existing commercial businesses on the south side of Linden Street, the construction work within Linden Street and from a point 100 feet north of Linden Street to the point at which the new drainage culvert interconnects to the existing drainage culvert beneath the parking lot of the existing Roche Brothers store, and other infrastructure and utility work, to the greatest extent possible, shall be performed at night. The Applicant shall monitor the disruption to the nearest residences caused by such night time work, and shall report the results to the Board. Work may be conducted during the day provided that the traffic on Linden Street is not seriously impeded.
- (20) Prior to the commencement of outdoor construction activities and prior to the time that the permanent stormwater management system is operational, the Applicant shall install hay bales, silt fences or other run-off control measures to meet the requirements of the Environmental Protection Agency's Phase II National Pollutant Discharge Elimination System regulations as well as the Town's "Municipal Stormwater Drainage System Rules and Regulations".
- (21) Landscaping shall be in conformance with the Landscaping Plan and shall be maintained, repaired, or replaced as needed by the Applicant.
- (22) During the construction period, between May 1<sup>st</sup> and September 30<sup>th</sup>, no construction activity shall create any areas of standing water that could become potential mosquito breeding areas.
- (23) During construction, any mobile food vendors/trucks that service this Site must be permitted by the Wellesley Health Department.

ZBA 2006-28  
The Linden Square Redevelopment  
161-231 Linden Street

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.

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Richard L. Seegel, Chairman

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David G. Sheffield

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J. Randolph Becker

cc: Planning Board  
Inspector of Buildings

lrm