

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2007-07

Petition of Natural Resources Commission
Reidy Field, Hunnewell Field, Washington Street

Petition of the NATURAL RESOURCES COMMISSION requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that installation of lights on REIDY FIELD, at HUNNEWELL PLAYING FIELDS, in a 10,000 square foot Single Residence District shall not be substantially more detrimental to the neighborhood than the existing nonconforming lights at Hunnewell Field.

On January 23, 2007, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Leslie Shea, who said that he was present on behalf of Wellesley Little League. He said that present with him at the hearing were Neal Seaborn, Chairman of the Natural Resources Commission, Joe Roberts, President of Wellesley Little League, Carl Fleischer, Chairman of the Wellesley Recreation Commission, and Brian McCarty of Musco Lighting.

Mr. Shea said that the petition is to extend a nonconforming use. He said that Hunnewell Field is located within a Single Residence District. He said that the existing lights at Hunnewell Field are nonconforming. He said that it is their intent to show that extension of the nonconforming use will not be substantially more detrimental to the neighborhood.

The Board confirmed that the applicant on the petition is the Natural Resources Commission (NRC) and that the Town owns the property at Reidy Field at Hunnewell Field.

Mr. Seaborn said that the proposed upgrades to Reidy Field will be paid for by Wellesley Little League. He said that the Board of Selectmen must accept the gift from Wellesley Little League.

Mr. Seaborn discussed the history of the process for permitting of the project. He said that the NRC has been working with Wellesley Little League and the Design Review Board (DRB). After five public hearings, the Town reached an agreement with the neighbors. The standard policy now requires that every playing field in Town must have the lights turned off by 9:30 p.m.

Mr. Seaborn said that the proposed upgrade of Reidy Field fits in well with the NRC's strategic planned use of the field. He said that due to the growth of various programs, scheduling for the playing fields has become an intense and critical effort. Lighting Reidy Field will allow for more playing time and will give children the experience of playing under lights.

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Mr. Seaborn said that the tennis courts, softball and football fields at Hunnewell Fields currently have lights. He said that NRC allows the High School to have one night football game a year.

Mr. Seaborn said that the NRC conducted a survey of the tree cover along Route 16 and Rice Street. He said that the NRC was satisfied with the level of suppression of light to the neighbors.

Mr. Shea said that the lighting is anticipated to only be in use for 16 weeks, from the last week of April to the first week of August. He said that the lighting will extend the use of the field by approximately one hour, which may allow for two games instead of one.

Brian McCarty said that the proposal is to have a six pole layout, which is slightly modified from a traditional Little League layout of four poles. Glare will be minimized by limiting the number of fixtures per pole. He said that all of the poles will have a 60 foot mounting height. The infield A1, A2 poles will have two fixtures per pole. The B poles will have four fixtures per pole, and the outfield C fixtures will have three fixtures per pole.

Mr. McCarty said that there will be a 50 candle output for the infield and 30 candle output for the outfield, which will meet all of the charter regulations of the various organizations, including Little League.

Mr. McCarty said that the technology is significantly different from the lighting previously installed on adjacent fields by Musco Lighting. He said that the new technology is 50 percent more efficient in terms of spill and glare control. He said that self-contained fixtures eliminate almost all upright. He said that they are as close to a full cutoff fixture as possible.

Mr. McCarty said that Musco Lighting looked at the lighting plan and ran the candle output out to zero. He said that they ran worst case scenarios. They did not take into account the street lights on both sides of Washington Street.

Mr. McCarty said that the poles and the fixtures will be painted black. The system will come with a 25 year warranty. Once the system is installed and running, Musco Lighting will test for guaranteed light levels and spillover. The light levels will be guaranteed during the 25 year warranty.

Don Kelley, Wellesley Girls' Softball Program, said that there are currently six light poles on the multi-purpose field and five to six poles at the tennis courts. He said that the finish on those poles is galvanized. Joe Roberts said that the height of the existing poles is 60 feet .

Mr. McCarty said that Musco Lighting will provide a management diagnostic tool called a control link. The control link will monitor performance. Musco Lighting will provide a training session for everyone who will be using the system. The system is designed to be energy efficient and user friendly. The system can be logged onto from any computer. The lights can be turned on and off remotely.

Mr. McCarty said that there will also be a manual switch in the cabinet for temporary overrides. The cabinet will be a locked enclosure. Mr. Roberts said that an umpire or League Official will have a key to the cabinet.

Mr. McCarty said that the control link has a computer generated backup system. He said that the system will reschedule in the event of a power failure and will adjust for daylight savings time. The controlling unit will have eight different zones.

Curt Smith said that he is on the Little League Board of Directors. He said that Little League is committed to the new policy of shutting the lights off at 9:30 p.m.

Paul Kramer, NRC, said that he is a member of the co-ed softball league. He said that the existing lights are turned on and off manually. Mr. Roberts said that the tennis court lights are on a timer.

Carl Fleischer, Recreation Commission, said that they are responsible for administering the light policy and issuing permits for use of the fields. He said that a condition of the permits will be that the user agrees to abide by the Town's policy. Violators will be denied future permit requests.

Mr. Fleischer said that the Park & Tree Department holds the keys to the existing lighting cabinets. He said that the Police Department has notified Park & Tree when complaints were called in. Mr. Fleischer confirmed that the Park & Tree Department is staffed at night.

Mr. Fleischer said that there is a sign posted at the tennis courts regarding reporting violations. He said that compliance with the Town's policy is tracked by complaints.

Don Kelley said that Wellesley Girls' Softball League plays night games on the Hunnewell multi-purpose field. The games are scheduled to accommodate the 9:30 p.m. policy.

Neal Seaborn said that one safety light will stay on for 15 minutes to allow for safe exit from the fields. He said that there are rules for early cessation of play should it appear that games would go beyond the 9:30 shutoff time.

There was no one present who wished to speak to the petition.

Statement of Facts

The subject property is located at Reidy Field at Hunnewell Field, Washington Street, in a 10,000 square foot Single Residence District.

The petitioner is requesting a Special Permit/Finding that installation of lights on Reidy Field, at Hunnewell Playing Fields, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming lights at Hunnewell Playing Fields.

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A Site Plan, dated 1/17/07, stamped by Joseph R. Sullivan, Registered Professional Surveyor, Equipment Layout Plan, Cut-Sheets for A1, A2, B1, B2, C1, C2 Light Structures, and Illumination Summary, Musco Lighting, and photographs were submitted.

On January 17, 2007, the Design Review Board voted to

Recommend the Zoning Board of Appeals approve the proposed lights to be installed at Reidy Field as presented.

On February 6, 2007, the Planning Board reviewed the petition and had no objection to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject lighting does not conform to the current Zoning Bylaw in regard to maximum area and height allowed in a Single Residence District.

It is the opinion of this Authority that installation of lights on Reidy Field, at Hunnewell Playing Fields, shall not be substantially more detrimental to the neighborhood than the existing nonconforming lights at Hunnewell Playing Fields and is otherwise in harmony with the general purpose and intent of Section XVII of the Zoning Bylaw with regard to intensification of a nonconforming use.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for installation of lights on Reidy Field, at Hunnewell Playing Fields, in accordance with the submitted plans.

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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.

Cynthia S. Hibbard, Acting Chairman

David G. Sheffield

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm