

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

RICHARD L. SEEGEL, CHAIRMAN
CYNTHIA S. HIBBARD, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
FEB 14 A 11:59

ROBERT A. BASTILLE
J. RANDOLPH BECKER
ROBERT W. LEVY

ZBA 2004-96

Petition of Town of Wellesley Public Schools/Permanent Building Committee

63 Hastings Street

Pursuant to due notice, the Zoning Board of Appeals acting as the Site Plan Approval Granting Authority (the "Board") held a Public Hearing on Tuesday, December 7, 2004, at 7:30 p.m. in Conference Room B, at the Town Hall, 525 Washington Street, on the petition of THE TOWN OF WELLESLEY PUBLIC SCHOOLS/PERMANENT BUILDING COMMITTEE (the "Applicant"), requesting a Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw for a major construction which shall involve construction of an 8,454 square foot one-story educational classroom building and associated landscaping, at 63 HASTINGS STREET, in a Single Residence District and a Water Supply Protection District.

On November 23, 2004, the petitioner filed a request for a hearing before the Board, and thereafter due notice of the hearing was given by mailing and publication.

Representing the Town of Wellesley Public Schools/Permanent Building Committee were Sid Farnsworth, Permanent Building Committee, Ruth Berdell, School Department, Susan Jablonski, School Committee, Pip Lewis, HMFH Architects, John Nunnari, HMFH Architects, Sandra Brock, Judith Nitsch Engineering, and Jerry McCarty, Facilities Maintenance Director. Also present were Al Robinson, Town Counsel, and Matthew King, Superintendent of Schools.

Mr. Robinson Counsel said that Town Meeting appropriated funds for the Fiske Pre-School Modulars on December 6, 2004.

Mr. Robinson said that towns are limited in what they can do to regulate Zoning Bylaws with respect to educational uses under the Dover Amendment. He said that the project would be analyzed as an educational use. The Board can look at certain setback and other on-the-ground regulations and determine if enforcement of them would be unreasonable.

The Board asked if the Applicant is treating the Fiske Elementary and Pre-School campus as one or two properties. Mr. Robinson said that it is a set of contiguous Town-owned parcels, with the same ownership and jurisdictional supervision under the School Committee. It is one large site, an amalgam of the different sites as they were acquired. The Board clarified that the Town of Wellesley is the owner of the property.

Susan Jablonski discussed the educational use of the modular construction. The proposed building will provide a single location with six classrooms for all of the pre-school students who are educated through the P.A.W.S. Program, which is the pre-school program for Wellesley Schools. Schools are required by State law to educate students who have been identified by age three as having particular special needs or

developmental delays that require intervention in the years before they start kindergarten. The classrooms contain students, half of whom are facing special issues and the other half whom are classified as typically developing students. Over the past several years, the pre-school program has been housed at the Wellesley Middle School. Approximately 93 students are educated in six classrooms. The School Committee is looking to house and educate all of the pre-schoolers in one cohesive environment. The location is very attractive because it creates a pre-school that is part of a campus with the Fiske School. Moving the pre-school from the Middle School is part of a process by the School Committee to facilitate the schedule for the Middle School construction project. Both Central Administration and the pre-school program must be moved out of the Middle School to create swing space during construction.

Mr. Robinson said that the property is located in a Single Residence District, which is regulated by Zoning Bylaw, Section II (3) (a-g). There are three issues that the project will not be in full compliance with, specifically, subregulations d, e and f.

Mr. Lewis reviewed the dimensional regulations. He said that the height of the building is 12 feet. The frontage of the property is 138 feet. The combined Fiske School and 63 Hastings Street lot area is 395,961 square feet. There will be adequate off-street parking for the full staffs of the Fiske Elementary School and the Fiske Pre-School, with plenty of extra space for visitors. The minimum required side yard setback is 50 feet. The proposed building will have a 21 foot side yard setback. The minimum front yard setback is 50 feet. The proposed building will have a 31 foot front yard setback. Minimum open space is required to be 75%. Based on the combined lot area of the Fiske Elementary School and 63 Hastings Street, the actual amount of open space on the property is calculated to be 73.6%.

Mr. Lewis described improvements that are going to be made to the 63 Hastings Street site. He described the floor plan of the building, a simple one-story rectangle with six classrooms, a variety of administrative and other support spaces, including occupational therapy, physical therapy, toilet rooms for each of the classrooms, and small offices for one-on-one work for students and specialists and small groups. The building will be assembled from a series of nine pre-fabricated modular units that will be brought onto the site. The intention is to get the work done quickly so that the pre-school can move out of the Middle School by the beginning of the summer.

The location of the building will be on a piece of property that was formerly 63 Hastings Street, adjacent to the Fiske Elementary School property. The parking lot is scaled to contain parking for the full and part time staffs of both the pre-school and the elementary school, visitors, and parent drop-off. There are areas for the buses for the Fiske Elementary School. Work on the lot will include signage and line painting to help direct traffic.

The pre-school has a play area and handicapped access to it from the parking lot. There are handicapped parking spaces located in the closest corner of the parking lot. The School Department will bring the play equipment from the Middle School. The balance of the site will be landscaped with lawn, shrubs and trees around the perimeter of the building.

Mr. Lewis said that the design of the building was reviewed and approved by the Design Review Board. The style, building materials, color, canopy, size and proportion of the windows, and landscaping were approved by the Design Review Board. The building is clad in metal siding. The mechanical equipment, because each of the rooms is air conditioned, will be located on the roof of the building. The mechanical units will be enclosed with semi-circular visual and acoustic screens. There will be a canopy at the

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 01982
FEB 14 AM 11:59

entrance of the building, tall and red, which will serve as a beacon across the parking lot for easy identification.

Mr. Lewis described the Construction Management Plan, where the construction fencing will go, where the materials staging area will be, and where the crane will be. Construction workers will park in a corner of the existing Fiske Elementary School parking lot. The entire 63 Hastings Street property will be enclosed with a construction fence, hay bales and silt fences, which are detailed in the submitted plans.

The Applicant is proposing to bring the modular units onto the site by transporting them down Cedar Street to Hastings Street. There is a barrier located on Hastings Street that prohibits traffic from Route 9 from traversing Hastings Street. The Applicant has received a letter from the Board of Selectmen authorizing temporary removal of the barrier for the purpose of bringing the modular units onto the site. The Board asked how many trips would be required. Mr. Lewis responded that there would be nine trips. Once the modular units are at the site, the wheels are demounted and the cab is separated and then leaves the site.

Mr. Robinson said that the next thing for the Board to look at is the Site Plan Review. He said that the proposal is for a major construction project but not a project of significant impact.

Sandy Brock reviewed the Utilities Site Plan, C3.0. She said that the building will be serviced by a domestic water service pipe of 1 ½ inches diameter. The initial submission was for 4 inches diameter but the Department of Public Works asked them to make it smaller due to the small size of the building water demand. There is a 6 inch diameter fire service which will serve the sprinkler system. The Department of Public Works requested that a fire hydrant be added to the proposal. The hydrant is now shown on the plans. The sanitary sewer will be gravity fed from the building itself out to Hastings Street. The Department of Public Works had requested a reduction in the slope that was initially proposed. The slope has been reduced. The building will connect to an existing stub for electric and telephone. The building will be serviced by natural gas. The drainage will be roof runoff, which will be collected into downspouts that will go directly into a leaching trench system. There will be an overflow system from the leaching trench system that goes into the storm drainage system on Hastings Street, which will mitigate any increase in runoff from impervious surfaces up to the 10-year storm event. The runoff from the canopy will go into a crushed stone drip edge, sized for a 25-year storm event. Because the proposed building will be located in a Water Supply Protection District, the Department of Public Works requested that oil/grease separators be added to the catch basins shown on the plans.

Mr. Lewis said that the proposed project will add more than 10,000 square feet of impervious surface. The Zoning Bylaw XIVE (F) (1-7), Water Supply Protection Districts, lists certain requirements to ensure that the drinking water is protected. He said that there are no hazardous materials anticipated at the site. Sediment traps will be installed in the downspouts, removing sediments and gas before the runoff goes into a leaching trench around the building. They will be removing a couple of thousand cubic yards of material but will not bring any material onto the site. The site location and land use activity do not indicate a significant risk of contamination to the water supply. They are ensuring that the rainwater is clean and then they are putting it back into the ground. The soil overburden will not be lowered to finish exterior grades less than 5 feet above the maximum water elevation. The floor drain for the custodial mop sink will drain into the sanitary system.

The Board asked what happens to the water above the 10-year storm level. Ms. Brock said that up to the 10-year level, everything will be infiltrated into the ground via the leaching trench system. For storms

larger than the 10-year level, there will be a control structure which overflows into the storm drain system in Hastings Street.

A siamese fire department connection was added to the Utilities Plan, as a backup to the fire suppression system. There is a handicapped entrance on the south side of the building. The proposed site grading generally follows the existing grade. There is a small bit of fill on one side and a cut on the other. One of the requirements for a Water Supply Protection District is that the exterior grades have no more than a 5 foot cut. The grades for the proposed building are all less than 5 feet of cut, except in one spot. The basement of the building is above groundwater. A geotechnical engineer witnessed and reported on the digging of two test pits, down to elevation 96, and no groundwater was found. The basement of the building will be at elevations 100 and 98.

The Board asked about the basement of the building, as a crawl space had been previously discussed. Mr. Lewis said that, at the request of the Department of Public Works, a single full height room was added to act as a mechanical room. It is shown on the Sub-Floor Plan, on the downhill side of the Hastings Street site. The Board asked about access to the room. Mr. Lewis said that access is through floor hatches and through a doorway in the basement. The Board asked which services would be located in the mechanical room. Mr. Lewis said that lighting, power and heat would be located there. The crawl space will be ventilated. The mechanical room will be heated so that pipes entering the building will not freeze. The Board noted that the mechanical room is not shown on the elevation drawings that were submitted.

Mr. Lewis discussed lighting. The School Department determined that lighting would be within the canopy and programmed to shut off at 5:30 p.m. The School Department forecasts no evening use of the building.

Mr. Lewis discussed trash removal. He said that the Pre-School will employ a full time custodian. Trash will be collected by the custodian from the baskets in each room and placed in a larger container, which will be taken over to the Fiske Elementary School dumpster daily. The Board asked if there would be any issue with the increased volume for the Fiske Elementary School dumpster. Mr. McCarty said that, if capacity becomes an issue, the School Department would schedule more frequent pickups. The Board asked who picks up the trash. Mr. McCarty said that is handled by a private company.

Mr. Lewis discussed the Traffic Management Plan, which encompasses parking for the Fiske Elementary School and the Pre-School, bus traffic, queuing areas for drop-off, and walking areas. He said that the plan is to paint lines on the parking lot to establish a broad loop, from the entrance of the Pre-School, with a small drop-off area, back out to the street. The buses for Fiske Elementary School can curve through the parking lot without interfering with traffic. The Board asked for confirmation that the bus lane and buses only area will be painted onto the parking lot. Mr. Lewis said that the bus lane and buses only area would be painted onto the parking lot, and there would also be a sign. The Board noted that there is a difference between what was being displayed and the submitted plans. Ms. Brock said that turning movement markings had been adjusted to make them clearer.

Mr. Lewis discussed traffic flow on and off of the site. The School Department has provided for increased use of vans to get the students to school. They have significantly changed the schedule to keep the number of vehicles down at any one time. The Board asked if the current parking lot would be expanded. Mr. Lewis said that it would not. He said that there were basketball backstops in the parking lot which have been removed and put in a corner of the lot. The Board asked if there would be sufficient turning radii for fire protection vehicles. Ms. Brock said that the areas designated as aisles and islands

allow for sufficient area for fire trucks to maneuver. Mr. Lewis said that the turning diameter is 110 feet. The Board asked if the Fire Department had reviewed the plans. Mr. McCarty said that the Department of Public Works looks at the plans and checks them with the Fire Department. The Board asked if the size of the parking spaces are in compliance with Zoning Bylaws. Mr. Lewis said that they are. Ms. Brock said that all of the dimensions for the parking spaces are the same except for the handicapped spaces. The Board asked about seeing the painted lines after a snowfall. Mr. McCarty said that the Department of Public Works will plow the parking lot. The Board asked about snow storage. Mr. Lewis indicated on the display map the areas that are to be designated for snow storage in the northeast corner of the existing Fiske Elementary School parking lot.

The Board asked about drainage in the parking lot. Mr. Lewis said that there is existing drainage to a catch basin near the handicapped parking spaces. The Board asked if that area will be regraded. Mr. Lewis said that the area will be regraded only to the extent to get the 3% slope required for the handicapped access.

Ruth Berdell discussed the volume of traffic that is projected to be generated by the Pre-School. She said that six pre-school classes will be accommodated in the structure. They currently have morning and afternoon sessions that all begin at the same time. The School Department has devised a two-prong plan to stagger the starting and stopping times between the classes themselves and between the starting time of the Fiske Elementary School and the Pre-School. The School Committee has made the commitment that any child who is on an Individual Education Plan (I.E.P) will be transported via the special needs vans to reduce the number of vehicles that have to visit the site. Referring to her December 6, 2004 memo, she noted that traffic is broken down by the starting times of Pre-School events. The number of trips will not exceed 46 for any of these events, though the forecast traffic will exceed 50 trips in certain hours. The Board asked if transportation of I.E.P. students is a requirement. Ms. Berdell said that parents can opt out. The School Department currently follows the State requirement of transporting students who live two or more miles from the facility or those students whose disabilities require special transportation. The Board asked if several children would be on the vans per trip. Ms. Berdell said that the vans accommodate eight passengers. The Board asked if the plan was based on 93 existing students. Ms. Berdell said that it was based on next year's projection of 90 students. The Board asked what time staff would arrive. Ms. Berdell said that staff should arrive between 7:45 and 8:00 a.m. The staff would leave at the end of the day between 3:30 and 4:00 p.m. The Board asked if the Pre-School schedule is the same as the Fiske Elementary School schedule. Ms. Berdell said that the start time for the Fiske Elementary School is at 8:30 a.m. and that the staff arrives at different times throughout the morning.

Mr. Lewis discussed construction mitigation issues. He displayed the Construction Management Plan. He said that the rationale for this type of modular construction is speed. As the contractor gets going, manufacture of the units will take place at a remote plant, where the walls, siding, and most of the finish work will be completed. The modular units will be brought onto the site in May, June, or possibly April, and then finished off. Prior to the delivery of the modular units, earth work will be done to prepare for the foundation of the building. The building will have a concrete foundation with spread footings. During construction, the entire site will be enclosed in a construction fence and surrounded by hay bales and silt fences. There will be a specific area fenced off in the parking lot for the storage of materials. A corner of the property will be used for construction vehicles and will not interfere with the use of Fiske Elementary School. Trucks and vans will go onto the site from Route 9. It is anticipated that the modular units will be driven down Cedar Street to Hastings Street. They will be scheduled so that they will not arrive during school or peak traffic hours. If they are unable to bring the modular units in via the Cedar to Hastings Street route, the modular units will need to come in from Route 9 directly to Hastings Street. The barriers

will have to be temporarily removed. The Board noted that there are traffic issues at the intersection of Cedar and Hastings Streets. The Board asked that a police detail be present when the modular units arrive. Mr. McCarty said that because the modular unit trailers will be so long, they will probably require a police escort from Route 9 to the site. The modular units will arrive at a pre-determined time that is coordinated with the police.

The Board asked how the requirements would be conveyed to the contractor, how they will be coordinated and enforced. Mr. Lewis said that there will be pre-construction discussions with the contractor to set out the rules and regulations and to go through the construction documents to indicate where there are certain requirements. They will pre-arrange the arrival schedule for all vehicles. As the Project proceeds through construction and as the Permanent Building Committee approves requisition for payments, money can be withheld if the contractors are not performing properly. Mr. McCarty said that the Police Chief will be consulted as to when he would like to see the modular units arrive. The Permanent Building Committee can make arrival time a part of the contract.

Mr. Robinson said that there is concern that the site is currently being used for parking construction vehicles for Logan Huffman's Hastings Village project. He said that he believes there is an agreement with the School Department. Mr. McCarty said that Mr. Huffman needed a place to move some vehicles while they did some street work. At the end of the job, Mr. Huffman will install a new chain link fence along the Fiske Elementary School parking lot/Hastings Street lot line. Mr. Huffman is aware that the vehicles may have to be moved on short notice. The Board asked if the constructions would be overlapping. Mr. McCarty said that they would. Mr. Robinson confirmed with the School Committee that an informal agreement was made with Mr. Huffman allowing temporary parking on the Pre-School site in exchange for a new fence. Mr. Robinson said that this demonstrated the intensity of the site that the Board was concerned with. The relief on the intensity is that the school site was loaned in exchange for a fence.

The Board said that the project is being referred to as a permanent facility whereas the materials submitted suggest that it has a projected lifespan of 20-25 years. The Board asked if there is any action anticipated in 25 years. Mr. Lewis said that the manufacturer says that the buildings are manufactured for a 20-25 year lifespan. The Board asked if there was a maintenance plan. Mr. McCarty said that the building is a total steel structure with a baked paint finish, and building code rated. The superstructures have steel studs, steel frame and skin. The finishes on the walls and the floors will be the same as those for Sprague and Bates Schools. The canopy will have a galvanized color. The roof is the same membrane as that used on the Bates School. Everything that they are putting into the building is to make it as permanent and maintenance free as possible.

The Board asked if there would be walking pads on the roof for service to the mechanical units. Mr. Lewis said that they can be installed.

The Board asked about the submitted fire flow data being 10 years old. Mr. Lewis said that fire flow had been reviewed by the Department of Public Works. The contractor will be required to do a flow test before they build the building and the sprinkler system. There is a commitment from the Town that, if a fire pump is needed, that will be added.

The Board asked what would happen if the School Committee found out later that the facility is inadequate. The site is limited. Ms. Berdell said that, based on projections, the School Department feels that six classrooms will provide adequate space. If they find that they need space, they can take a

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASSACHUSETTS
2005 FEB 11 AM 11:55

classroom and put it in another school location. This year they had five classrooms at the Middle School and one at the Bates School. The Board asked how the School Department arrived at the number of 90 students. Ms. Berdell said that, by law, there is a maximum number of students that you can have in a class. The building size of six classrooms is based on this year's numbers. Ms. Berdell said that there would be a maximum of 96 students, 16 per class, per session, which would result in 192 students throughout the course of the day. The Board noted that traffic issues are central to the number of students.

The Board asked if there is one doorway out of each classroom. Mr. Lewis said that the rules for doors to classrooms have changed over the years. The code now says only a room designed to accommodate more than 50 people needs to have two means of egress. The Board asked about safety of the students during construction. Mr. Lewis said that all components of construction will be enclosed within the fence. The contractor and construction workers will be allowed to park in an area outside of the fence. Mr. Lewis said that the building site and the elementary school are separated, that Fiske students would have no reason to be down in the construction area. Matt King said that he and the School Committee have been working closely with Mr. Lewis on safety issues.

The Board asked if there was anyone present who wished to speak to the petition. John Kennedy, 34 Sheridan Road, said that he has lived there for 2 ½ years. He said that he was present to voice the concerns of the neighborhood. He said that the neighbors were not opposed to the Pre-School coming to the Fiske campus but they do not feel that they can adjust to the potential 192 student trips, two shifts of 96 students each. The neighbors do not want to have to keep coming back to deal with various traffic scenarios. They are asking for a Route 9 access via lower Hastings Street to the Pre-School. He asked if additional measures could be considered in conjunction with the large parking lot, which could be a potential relief valve for the traffic. The neighbors would like to see the traffic issues off the table before the initiatives of redistricting, Phase II for adding art and music rooms at the Fiske Elementary School, and the issue of excess capacity come up. Mr. Kennedy said that it looked like there was a potential for a fair share of parking that could be designated for the Fiske Elementary School, with pedestrian walkways to give the assimilation of a campus and flow that the School Department is looking for. The Board said that previously the neighbors had asked that traffic not access the school from Route 9 via lower Hastings Street. A barrier was created there to prevent that. Mr. Kennedy said that the plan to parse off the parking lots could be viable because the project is still in the planning stages. He said the he and some neighbors were present at this hearing to hear about the viability of partitioning off the parking lot.

Bob Owen, Madison Road, said that he has lived there for about 37 years. He asked about the design capacity of the rooms, not the expected number of students. Mr. Lewis said that the design capacity of a room is based on an allowance in the building code for a number of students per square foot. The classrooms are about 900 square feet. The building code allows one student for every 20 square feet, which gives you 45 students. None of the schools that he was worked with in Wellesley or elsewhere have ever come near to that capacity.

Mr. Owen said that when they moved to the neighborhood, Hastings was an open street. He said that the neighborhood lobbied strongly to keep the cars from Harvard Pilgrim out of the neighborhood, which resulted in the barrier being placed at the end. For the past ten years, he has been part of a group that has been fighting the Hastings Village development, primarily because of its density. That development is on five house lots, which at their worst form would have generated 10 cars. The property across the street where the Pre-School would be sited was another house lot, which would have generated two cars. The Hastings Village development now has the capacity for over 100 cars on the site, with practically no room

for visitors. Redistricting and changes to the busing regulations have led to huge traffic jams of parents waiting to pick their children up at the Fiske Elementary School at 3:00 p.m. Mr. Owen said that he is concerned that there will be another substantial increase in the number of cars in the neighborhood. He asked that the Board consider Mr. Kennedy's suggestion that the Pre-School be accessed from the lower part of Hastings Street and to subdivide the parking lot. He asked for confirmation that the construction trucks, with the exception of the trucks delivering the modular units, would be accessing the site from the lower end of Hastings Street. Mr. McCarty said that it is planned that the modular units, the crane and the concrete trucks will be accessing the site from Cedar to Hastings Street. The concrete trucks will be on site for about an hour.

Bridget Bettigole, 36 Hastings Street, lives directly across from the Fiske Elementary School. She said that she is concerned about the amount of traffic. She said that Susan Jablonski had stated at a November 16, 2004 meeting that the maximum population of the Pre-School would be 100 students. The current Fiske Elementary School population is 319 students. With the Pre-school population, there will be an increase of 31% more children who need transportation. There are specialists who come in and out of the Pre-School. There are also parents who bring their children there for evaluations. There are some children who qualify for an I.E.P., not necessarily pre-school students, who come to the Pre-School for individual therapies. She said that her understanding of the integrated pre-school is that the Town of Wellesley has no choice but to provide services to those children with I.E.P.'s. She said that the number of students can't be projected out and there can't be a cap on the number of I.E.P. students. Ms. Bettigole said that running the traffic in through Hastings Street runs counter to reports she has taken off of the internet from the Wellesley Planning Board. She said that she is concerned, not only with the noise of the increased traffic, but also for the safety of the children. What was a parking lot for stationary cars will be used for drop off and pick up. She said that the Cedar, Hastings, Hunnewell and McLean intersection is already problematic. She said that the Wellesley Estates development on Cedar Street will add to the traffic. Ms. Bettigole suggested that it might be better for the School Department to provide pedestrian access only between the Fiske Elementary School and the Pre-School so that there are no cars going between the schools.

Amie Smith, 37 Hunnewell Street, said that she lives directly across from the first lot of the Wellesley Estates. She said that she supports the Pre-School going into the Fiske Elementary School campus. She is concerned about traffic, not only on Hastings Street, but the whole corridor, particularly Hunnewell, Hastings and McLean. She said that Cedar Street divides two neighborhoods at the Fiske Elementary School. The only way for families on the other side of the road to get to the Fiske Elementary School is to go down to the blinking light and pray that a car actually stops. There is no red light to stop them. There are no plans for a sidewalk on the side of the street where the 12 houses will be constructed at Wellesley Estates. There will be no safe way for the children to cross the street there. She said that safety measures should be taken such as speed limits. She said that there is one speed limit posted at Wellesley Country Club for 30 miles per hour. The next one is on the opposite side of Cedar Street and after that, the next side of Route 9. There is not a single posted speed limit along the corridor of Hunnewell and Cedar, except at the school zone at Fiske. She asked if there could be crosswalks for the children or a blinking light. She said that she is in favor of putting in a traffic light and would like to see some traffic mitigation before the Pre-School arrives.

Vicky Kaiser, Inverness Road, said that she is the PTO president at the Fiske Elementary School and has had her children go there over the past 20 years. She said that they have worked very hard with the parents dropping students off. They ask the volunteers not to park on the streets but in the lot where the

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02158
2005 FEB 14 P 11:00

teachers park. She said that it is important to keep parking off of the street. She is also concerned with the density of the Hastings Village area.

Matt Ryan, 50 Madison Road, said that he was concerned that there wasn't more in the presentation that addressed neighborhood concerns regarding traffic issues. He said that the Cedar/Hastings intersection is rated class F. For considering a project that is going to add to that burden, he questioned whether it is permissible or not. He said that a few people have indicated that a possible solution might be a traffic light at Cedar and Hastings, stop signs, or elevated sidewalks. He said that something should be done along the Sheridan Road corridor, which is heavily trafficked and faces increased burden. Madison Road is currently a four-way intersection that has no stop signs. Adding to the traffic will exacerbate what many neighbors feel is already a tenuous situation. Mr. Ryan said that he understood there will be eight drop off and pick up times contemplated for the Pre-School. The School Department is proposing a 15 minute difference between the start of the Pre-School and the Fiske Elementary School. He does not believe that such a difference provides sufficient time to mitigate the traffic impacts. Overlap in starting time traffic would have implications for congestion and safety, for the children as well as the parents. He said that a possible mitigation had been suggested. He said that a portion of the parking lot could be carved out giving the Pre-School a separate entrance from the Route 9 side of Hastings Street. Traffic would flow in there and be dedicated to the Pre-School. The other portion of the lot would be for Fiske Elementary School teachers, parents and visitors. A barrier would be needed to prevent cut through. Mr. Ryan said that this plan would mitigate a lot of the broader traffic issues, probably in a cost effective way.

William Farnsworth said that he is a Sheridan Road resident. He said that his biggest concern is safety for the pre-school and neighborhood children. He requested that something be done to mitigate the traffic issues and concerns that were discussed at the hearing. He said that he is not opposed to having the Pre-School go into the neighborhood.

The Board asked if the applicant wanted to address the alternative entrance from Route 9 issue. Mr. Lewis said that was considered. They felt that, due to the steepness of the slope, the existing entrance is the most practical. They had looked at moving the barrier but felt that people would park on the street once the turnaround filled up. They thought that people would not be inclined to go back to Route 9 and up Hastings Street to get to the parking lot. Mr. Lewis said that moving the entrance would be expensive. By chopping the parking lot in half, they would have to add drainage structures and curbs. The parking lot would have to be regraded significantly. There would be a reduction in the number of parking spaces due to turning radii, landscape berms and retaining walls. Mr. Lewis said that their solution is to paint striping in the lot. Mr. Owen asked if it had been considered to put the building on the existing parking lot and create a new one where the building would have gone. He said that the proposed project might be the most inexpensive but there are also safety and nuisance costs to consider. Mr. Owen asked if the barrier could be opened up to allow traffic to come all the way up Hastings and then curl back out. Mr. Lewis said it is important to ensure that there are enough parking spaces so that people don't park on Hastings Street. Mr. Owen suggested that if the Pre-School staff parked at the Fiske Elementary School lot, a drop off could be accommodated.

The Board discussed treating the two properties as one. With one property, the building could be rotated 90 degrees and moved 30 feet closer to the Fiske Elementary School, which would allow for compliance with all of the setbacks. The only bylaw requirement that would not be met would be open space, which is short by 1.3%. If it is considered as a separate property, there is no practical way to put a building that size on that lot and get any more Zoning Bylaw compliance than what is shown on the plans.

The Board discussed the issue of parking and traffic circulation through the lot. The submitted traffic analysis is based on student population. Staff should be added to that. There will be a significant increase in traffic, 40-50 trips in the morning, and according to the analysis, more than 70 in the afternoon.

The Board asked for clarification that the materials presented in the document package are consistent with what the Applicant is really asking for. Some of the materials had been submitted piecemeal. The Board asked if the project is on a single lot or as part of a campus. Mr. Nunnari said that the land area listed in the Development Prospectus is for 25,874 square feet, and as a single lot. When both lots are combined, the number is 359,000 plus square feet. Everything else in the application is based on a combined lot. The Development Prospectus had been revised to make it clear that the size of the building would be 8,910 square feet with a canopy. Mr. Nunnari said that the Traffic Study had been revised after receiving additional information from the School Department. Letters from the Department of Public Works, Municipal Light Plant, Board of Selectmen and a cut/fill analysis were submitted later.

The Board said that it would have to make a finding with regard to the setbacks. The Board asked if the abutting properties are commercial. Mr. Lewis said that they are. The Board said that, under the Dover Amendment, it is authorized to waive the requirements if they considered enforcement to be unreasonable. The Board said that it is important to understand why the requirements could be waived and the reasons for it, in order to have a basis for deciding future cases that are consistent with this one. Mr. McCarty said that the building was positioned to be the least disruptive to the neighborhood by making it as remote as possible and abutting it to commercial property. The Applicant did not want to cut into the paving because the intent was to not make it a major construction project.

Mr. Robinson said that it would be reasonable for the Board to place conditions on the approval. The Board said that it had not had the documents long enough to analyze the materials and formulate conditions. Mr. Robinson suggested that the people who are familiar with the project discuss their expectations. He said that the Board must decide if it is reasonable to allow the Pre-School in a Single Residence District and that three requirements cannot be met. The project that was presented must be complied with so that there is no further erosion of the three noncompliances.

The Board voted unanimously to close the Public Hearing. The Board said that it would hold an Open Meeting at a later date, at which time they would vote their decision and discuss conditions.

On Tuesday, December 14, 2004, the Board held an Open Meeting in Conference Room B, at the Town Hall, at 525 Washington Street, at 7:30 p.m. on the petition of THE TOWN OF WELLESLEY PUBLIC SCHOOLS/PERMANENT BUILDING COMMITTEE, requesting a Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw for a major construction which shall involve construction of an 8,454 square foot one-story educational classroom building and associated landscaping, at 45 HASTINGS STREET at the former location of 63 HASTINGS STREET, in a Single Residence District and a Water Supply Protection District.

The Board discussed the draft conditions document prepared by one of the members. The document has two parts. The first part is labeled "findings." The intent of that section is to build the case for the exemption of compliance with Section II (A), in terms of side yard width, front yard depth, and open space ratio. The proposed project is in compliance with Table 2 of Section XIX, which contains the basic requirements for a use in a Single Residence 15 District. Section II (A) (3) imposes some additional requirements for educational uses, which the Pre-School Project did not meet. The reason to have the findings section was so that there would be a record in the Permit that there is a difference between the

two and that the Board accepts that. Mr. Robinson said that, according to the Dover Amendment, the Board is allowed to take that action. The second part of the document is the conditions.

The Board discussed draft condition #17. At the December 7, 2004 Public Hearing, the Board saw in the presentations and heard from the applicants information regarding construction period traffic and operations period traffic. The Board heard from several residents of the neighborhood about traffic concerns. The application that was submitted presented traffic information for the student population only. The traffic information only considered the property itself. It did not look at what happens on Hastings Street, either upstream from the project or toward Cedar Street. It did not examine the things that the Board has seen in other traffic studies regarding the level of service and what the increment is. Traffic in the area of Cedar and Hastings Streets, especially in the morning, is an issue whether this project proceeds or not. The Board felt it would be important to study the traffic generated by the project, at least for the intersection of Route 9 and Hastings Street and Cedar Street and Hastings Street.

The Board questioned how it could enforce a condition once the Public Hearing was closed. To require a change later on could be costly. The Applicant might choose not to go forward if faced with increased expenses. It could be a burden on the Applicant to require changes after construction and the funds have been spent. At the December 7, 2004 Public Hearing, residents said that traffic coming up lower Hastings Street from Route 9 would be the ideal situation. The Applicant felt that scenario was cost prohibitive.

The Board noted that the driveway going down into Hastings Village on the north end and from the driveway going into the Fiske Elementary School parking lot on the other end is supposed to be grassed and landscaped with shrubs to make a nicer approach to the Hastings Village project. The Board of Selectmen is responsible for that strip, even if it remains a paper street.

The Board discussed the neighborhood proposal to divide the parking lot in half. The Board did not feel that it is authorized to force design changes. A possible condition that could be made to address the concern would be to have a traffic study done after one year of operation. At that time, the Board could take action depending on the outcome. If decisions made by the School Department actually impacted traffic, the study would be submitted to the responsible parties. The goal is to serve the Pre-School and somehow minimize traffic. Mr. Robinson said that the School Department is accepting of the notion that they have some responsibility there to ensure that the proposed plan works, and if it is not working, that it will be modified to work.

After receipt of the one year traffic study, the Board would schedule a Public Hearing. The Board said that it is important to know what the impacts and costs associated with the proposed project are. Some impacts are in locations that are other than the exact point of exit from the parking lot.

The Board said that it could look at the hours of operation after a year and see if those needed to be modified or adjusted. The biggest source of traffic congestion could be the Pre-School's traffic conflicting with the Fiske Elementary School traffic. It would be important to see if the increment of traffic caused by the Pre-School is enough to do something about traffic in general.

The Board said that it places conditions for several reasons. One of them is that the Board intends,, in order to best meet the bylaw, to identify a certain outcome for the project. In this case it is not possible to specify a condition that will result in an outcome. The Board has identified a problem and they want the relevant entities to take action. The Board said that it could define the parameters of the traffic problem and charge the Permanent Building Committee, School Committee or Board of Selectmen with the

responsibility of remediating any deficiencies that are identified in the study. The Board said that if a traffic study was done at a preliminary stage, it would not be dealing with concrete results. The Board noted that design changes to the proposal would involve the parking lot, not the building.

The Board said that, for its purposes, the traffic study would need to include more information than the School Department's data for students and staff. The study should show, in detail, the impact on streets in the neighborhood.

The Board discussed draft condition #9. Information regarding concrete and crane deliveries should be addressed.

The Board discussed the proposed hours of construction. Mr. Lewis said that the contract documents list the hours as Monday through Saturday, 7:00 a.m. to 6:00 p.m. The Board asked about the number of days anticipated for construction. Mr. Lewis said that it will be for approximately two months. The Board asked about the timeframe for the site work. Mr. Lewis said that would begin approximately one month before the modular units arrive.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 01982
2005 FEB 14 PM 5:40

Statement of Facts

The subject property is located at 45 Hastings Street, at the former location of 63 Hastings Street, in a Single Residence District and a Water Supply Protection District.

The Applicant is requesting Site Plan Approval to allow for major construction of an 8,454 square foot one -story educational classroom building and associated landscaping.

The Design Review Board reviewed the project on October 27, 2004 and voted to approve the project.

On November 29, 2004 the Board of Selectmen gave its approval to temporarily remove the barrier on Hastings Street.

On December 2, 2004, the Wellesley Fire Department gave its approval for the project with the addition of the new fire hydrant location as shown on the Modular Pre-School Project dated November 19, 2004.

On December 3, 2004, Bill Millett, Engineering Division, Department of Public Works, stated in a memo that revisions to the October 2004 submittals had been received including: Official Development Prospectus dated 11/18/2004, Set of Plans X1.0 - X1.2 (revised to 11/18/04), Set of plans A1.1 - A3.2 (revised to 11/18/04), Set of plans C1.0 - C5.0 (revised to 11/22/04), and Plan S.1 dated 10/27/04. Mr. Millett stated that the Engineering Division is satisfied that all concerns of the Department of Public Works have been or are planned to be addressed.

The following plans were submitted:

X1.1	Existing Site Features Plan	11/18/04	Bruce Bradford	Registered LS
X1.2	Plot Plan	11/18/04	Bruce Bradford	Registered LS
C1.0	Site Development Plan	11/18/04	Sandra Brock	Registered CE
C2.0	Grading and Drainage Plan	11/18/04	Sandra Brock	Registered CE
C3.0	Utilities Site Plan	11/18/04	Sandra Brock	Registered CE
C4.0	Landscaping/Materials Plan	11/18/04	Judith Nitsch Engineering, Inc.	

			Engineering, Inc.	
C4.1	Parking Layout Plan	11/18/04	Sandra Brock	Registered CE
C5.0	Utilities Detail Plan	11/18/04	Sandra Brock	Registered CE
A2.1	Floor Plan	11/18/04	J. Stephen	Registered Architect
A2.2	Exterior Elevations	11/18/04	J. Stephen	Registered Architect
A2.2a	Roof Plan	11/18/04	J. Stephen	Registered Architect
A2.3	Ramp Canopy Details	11/18/04	J. Stephen	Registered Architect
A3.1	Interior Details	11/18/04	J. Stephen	Registered Architect
A3.2	Interior Elevations	11/18/04	J. Stephen	Registered Architect
SKA 001	Rev. to DWG C4.1 Landscaping/Materials Plan	12/03/04	HMFH Architects, Inc.	

The following information was submitted:

1. Application for Site Plan Approval prepared by HMFH Architects, Inc.
 - a. Site Plan Approval Review - Plans and Submittal Checklist
 - b. Development Prospectus
 - c. Project Narrative and Impact Analysis
 - d. Fire Flow
 - e. Drainage Calculations
 - f. Construction Management Plan
 - g. Subsurface Conditions Report
 - h. Response to DPW comments of the Previous Submission
 - i. Locus Map
 - j. Artificial Recharge - Evaluation and Guidance Municipalities.

2. Supplement to the November 19 Site Plan Approval Application
 - a. Revised Development Prospectus
 - b. HMFH Written Response to R. Becker Review Comments
 - c. 10,000 s.f. Impervious Calculations
 - d. Wellesley Public School - Project Vehicle Trip by the Hour Calculations
 - e. Municipal Light Approval Letter
 - f. DPW Approval Letter
 - g. Letter Submitted to Board of Selectmen - Favorable Approved
 - h. Judith Nitsch Engineering Cut/Fill Analysis.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 P 12:00

All of the above referenced Plans and submission materials were sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and Fire Chief as required by Section XVIA of the Zoning Bylaw. Written responses were received and are on file in the office of the Zoning Board of Appeals.

Decision

The Board has made a careful study of the plans and materials submitted and the information presented at the hearing. The Applicant's proposed construction of a one story 8,454 square foot educational classroom building, constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw, as the project includes construction of 2,500 or more square feet of gross floor area. Because the

ZBA 2004-96

Petition of Town of Wellesley Public Schools/Permanent Building Committee
45 Hastings Street

project includes an increase in impermeable area exceeding 10,000 square feet, Section XIVE of the Zoning Bylaw applies, as the project is a Major Construction Project to be built in a Water Supply Protection District.

It is the opinion of the Board that the proposed plans listed in the foregoing Statement of Facts for the Wellesley Public Schools - Modular Pre-School comply with Zoning Bylaw, Section II (3) (a,b,c,g).

Regarding the proposed front yard depth, the side yard width and the open space ratio enumerated in Section II (3) (d,e, f), the Board makes the following findings:

- The School Committee is required to provide pre-school education to the citizens of the Town of pre-school age;
- The current location at which those pre-school services are provided, the Wellesley Middle School, has experienced, continues to experience, and is forecast to experience increasing enrollment to the point at which the space currently used for such pre-school services is required for Middle School use;
- The School Committee caused to be developed a design for the Fiske Pre-School that balances the educational needs of the pre-school students, the current and future number of pre-school students, the size of the building to accommodate those students, and the requirements of the Town of Wellesley Zoning Bylaw;
- The front yard depth, the side yard widths and the open space ratio proposed in the Application for Site Plan Approval meet the requirements of Table 2 of Section XIX of the Zoning Bylaw, but not the additional requirements of Section II(A)(3)(d), (e) and (f);

The Board determines that compliance with Table 2 of Section XIX of the Zoning Bylaw represents a reasonable dimensional limitation on the education use of the property at 45 Hastings Street, at the former site of 63 Hastings Street, and grants exception of the front yard depth, the side yard widths, and the open space ratio specified in Section II(A)(3)(d), (e) and (f) in accordance with the conditions of this Site Plan Approval.

Furthermore, compliance with Section XVI and Section XXII of the Zoning Bylaw is ensured.

The Board's approval of the Site Plan Approval for the Project is premised on the Applicant's and Project's compliance with the conditions specified in this section. All requirements imposed by these conditions or this Site Plan Approval shall be applicable to the Permanent Building Committee, the School Committee, or other entity responsible for the design, construction, operation, maintenance or administration of the Project regardless of whether the condition specifically identifies the Applicant, the School Committee or no entity as having responsibility for a particular condition.

Site plan approval for the construction of the Wellesley Public Schools - Modular Pre-School is granted, as voted unanimously by the Board at the Open Meeting, pursuant to Section XVIA, Section XIVE, and Section VII of the Zoning Bylaw; subject to the following conditions:

1. In accordance with Section 14.8 of the Town Bylaw, the Permanent Building Committee shall cause the Project to be designed and constructed,

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 12:00

and shall supervise the construction of the Project.

2. Except for the relief granted in this Site Plan Approval related to the front yard depth, the side yard width and the open space ratio, the Applicant shall comply with all provisions of the Town of Wellesley Zoning Bylaw, and all the rules and regulations of any Town subdivision generally applicable to a project approved contemporaneously with the Project. Design and construction of the Project shall fully comply with all applicable federal and state laws and regulations, including, but not limited to, the requirements of the Massachusetts State Building Code.
3. Contract documents, including working drawings and specifications for the Project 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. Construction of the Project shall be subject to on-site compliance inspections by the Building Department in the customary manner.
4. The Project shall be designed and constructed substantially in compliance with the drawings and data submitted with the Application for Site Plan Approval.
5. By accepting this Site Plan Approval the Applicant agrees to the terms, covenants and conditions and agreements contained herein. This Site Plan Approval shall expire one year from the date hereof unless construction has begun by that date. The Applicant may apply to the Board for reasonable extensions to this Site Plan Approval for good and sufficient reason.
6. The Project shall be designed and constructed on the property at 45 Hastings Street at the former site of 63 Hastings Street in accordance with the plans, except as provided in the relief granted above in this Site Plan Approval. Prior to the issue of any building permit, the then-current plans and specifications shall be made available to the Board for its review as to their general consistency with this Site Plan Approval.
7. The front yard depth, the side yard width, and the open space ratio shall be at least the values shown on the Plot Plan (X1.2), and in the Application for Site Plan Approval.
8. Consistent with the construction management plan as submitted with the Application for Site Plan Approval, and with the representations made during the public hearing, the entire site shall be fenced to control access to the site.
9. During the period of construction, all construction equipment and material deliveries and personnel traffic, except: (i) the modules for the building; (ii) concrete ready-mix trucks; and (iii) the construction crane, shall utilize Route 9 and Hastings Street, with no such vehicles passing through the

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 P 12:00

delivery of the modules for the building, the concrete ready-mix trucks and the construction crane may use the Cedar Street-Hastings Street access to the site provided that such routing and the delivery times have the consent of the Chief of Police and has a police escort to control traffic during such deliveries.

10. During the period of construction, no vehicles of construction workers and no construction equipment shall be parked on any neighborhood street.
11. During the period of construction, no deliveries of construction materials and equipment shall be made later than 6:00 p.m. or earlier than 6:45 a.m.
12. During the construction period, the site shall be surrounded by the silt fence as shown in the construction management section of the Application for Site Plan Approval.
13. Consistent with the Application for Site Plan Approval and the communication with the Department of Public Works, the drainage system shall have locking devices installed at the catch basins.
14. Prior to the issuance of an Occupancy Permit, an operation and maintenance plan for the proposed stormwater controls, and the name of the person(s) responsible for performing such maintenance and operation of the stormwater system shall be approved by the Town Engineer.
15. All requirements of Section XXI-C Subpart 3 shall be met.
16. The traffic flow, bus turning areas, and parking areas shall be marked on the pavement of the parking lot, and the traffic control signs shown on the Parking Layout Plan (C4.0) shall be provided and installed.
17. Not later than 60 days after the date of the first anniversary of occupancy of the Fiske Pre-School building, the School Committee shall submit a study or studies of: (i) the traffic flow into the Fiske Pre-School site; (ii) traffic flow, queuing, signage and lane markings within the proposed Fiske Pre-School parking lot; and (iii) pedestrian safety and shall identify and provide recommendations for correcting any identified operating deficiencies or safety concerns.

The scope of the study of traffic flow into the Fiske Pre-School site shall include all actual post-construction period traffic, including that generated by the students and staff occupying or using the Fiske Pre-School building, and shall consider the trips generated in each hour of the day that the building is open for operation. The scope shall include the assessment of traffic at the intersections of: (i) Route 9 with Hastings Street; (ii) Cedar Street with Hastings Street; and (iii) Hastings Street with Madison Road. In the event that trips generated by the Fiske Pre-School exceed those provided in the application for Special Permit, the study shall include the

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 P 12:00

engineering and economic feasibility of alternative access to the Fiske Pre-School site, including a curb cut and access drive on the property at 63 Hastings Street, exiting the property on the south side and connecting to the north end of the existing Fiske Elementary School parking lot. This alternative access shall include a method of dividing the existing parking lot, whether by permanent features such as curbs or barriers, or by operable, lockable barriers, such as those current used at the high school parking lot, in order to prevent traffic from circumventing the existing concrete barrier on Hastings Street at the entrance to the Fiske parking lot. Other alternative access methods may be included when, in the judgment of the Board of Selectmen or the School Committee, such other alternative access methods best serve the interests of the Town.

Upon completion, the reports shall be submitted to the Board, the Board of Selectmen, the School Committee, the Planning Board, and the Permanent Building Committee. The several boards shall review any subsequent recommendations as apply to their respective jurisdictions, and shall work to implement those recommendations that in their sole judgment best serve the interests of the Town.

The Board will hold a Public Hearing to review the traffic study and after such hearing, this Permit may be modified, as determined by the Board, as to access, parking, pedestrian and/or vehicular circulation and such other matters relating to traffic.

18. As soon as practical after the completion of the fire flow test required as a condition for the design of the fire protection system, the results of the test will be provided to the Board.
19. At the time specified in the Construction Documents, the engineer of record shall submit to the Fire Chief for review and approval the calculations and drawings for the fire protection system.
20. The hours of operation of the pre-school, will be determined by the School Committee in their sole judgment, provided that the opening and closing of the pre-school shall not coincide with the opening and closing of the Fiske School, respectively, and provided further that the time difference between the opening of the pre-school and the opening of the Fiske School shall not be less than 15 minutes.
21. The School Department shall cause the operation and maintenance of the drainage system in accordance with the plan approved by to the Town Engineer.
22. The School Department shall assure the maintenance of the signs and marking devices installed in accordance with the Parking Layout Plan (C4.1) required to maintain safety through control of the traffic into and through the proposed parking lot.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 P 12:00

ZBA 2004-96

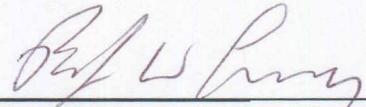
Petition of Town of Wellesley Public Schools/Permanent Building Committee
45 Hastings Street

through the proposed parking lot.

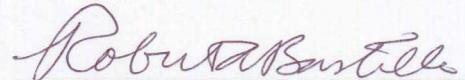
23. Upon completion of the project, a complete set of the site utility plans showing the as-built conditions shall be submitted to the Department of Public Works.
24. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to the Board at the time of issuance.

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

Cc: Planning Board
Inspector of Buildings
lrm



Robert W. Levy, Acting Chairman



Robert A. Bastille



J. Randolph Becker

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2005 FEB 14 P 12:00