



ZONING BOARD OF APPEALS

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Petition of the Permanent Building
 Committee of the Town of Wellesley

The Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:40 p.m. on June 8, 1978, on the petition of the Permanent Building Committee of the Town of Wellesley, requesting a variance from the terms of Section XIX of the Zoning By-law, which will allow the construction of the proposed High School addition at 50 Rice Street, to be less than the required thirty feet from Peck Avenue and less than the required thirty feet from Seaver Street. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On May 23, 1978, the petitioner filed its request with this Board seeking relief from Section XIX of the Zoning By-law and thereafter due notice of the hearing was given by mailing and publication.

Albert S. Robinson, Town Counsel, represented the petitioner at the hearing.

John H. Noble, Chairman of the Permanent Building Committee and Jack I. Joseph, a member of the architectural firm of Cambridge Seven Associates, Inc., both spoke in support of the request.

Statement of Facts

On January 17, 1978, the Town voted to appropriate a sum of money for the construction of two additions to provide accommodations for an industrial arts program and a new library, and to remodel and modernize the existing building. The Permanent Building Committee had entered into a contract with Cambridge Seven Associates, Architect, to prepare schematic drawings consistent with SRAB standards and the educational specifications of the School Committee.

It was explained at the meeting that after an extensive study had been made by the Permanent Building Committee and the School Committee, of several alternate plans, it was decided that the proposed plan would adequately meet the needs of the school and would solve the long-standing and much-studied deficiency problems of the Senior High School.

A plot plan was submitted, drawn by John E. Bezanson, dated May 19, 1978, which showed the existing school building on the lot as well as the proposed additions. The addition for the industrial arts program is to be "L" shaped approximately 42.00' x 70.00' x 100.00'; located on the south end of the existing southeast wing of the building, back 28' from Seaver Street and up to the side line of Peck Avenue, at the nearest points.

It was further explained that the proposed location of the industrial arts addition appears to be the most feasible and practical

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place for it due to the high water table at the site and the location of the brook on the property. To place it elsewhere would require a great deal of costly preparatory work and clearance through the Conservation Commission due to its proximity to the wetlands area.

Therefore, it was felt, that due to the soil conditions as well as the shape and topography of the land, a literal enforcement of the provisions of the by-law would involve substantial hardship to the Town.

Decision

The Board has made a careful study of the plans and evidence submitted and has taken a view of the locus. In its opinion, there is a reasonable need for the proposed addition which, if built, will provide accommodations for an industrial arts program; from the evidence submitted it appears that the present facilities are inadequate for the needs of the school curriculum and that the proposed plan will provide the facilities needed by the school at this time.

It is the further opinion of this Board that the proposed location for the addition appears to be the only feasible place it can be constructed due to the high water table, the location of the brook on the property and the shape and topography of the land. Although the proposed addition, if built, will extend up to Peck Avenue at one point, it is the opinion of this Board, that it will not prove detrimental to the public good as Peck Avenue is a so-called paper street and not a public way, and the slight encroachment from Seaver Street will not interfere with traffic or prove detrimental to surrounding properties.

Therefore, because of the above-mentioned conditions, it is the unanimous opinion of this Board that a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioner, and that desirable relief may be granted without substantial detriment to the public good and without nullifying and substantially derogating from the intent or purpose of the Zoning By-law.

At the request of this Board a plan of the proposed addition was submitted and is on file with this Board. Said plan was drawn by Cambridge Seven Associates, Inc., dated June 5, 1978

In accordance with the above findings, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed addition as shown on the plans submitted and on file with this Board.

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Francis L. Swift


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Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.