



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL
Executive Secretary
Telephone
235-1664

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

84-49

Petition of Town of Wellesley/Natural Resources Commission/Dept. of Public Works
Appleby Road

Pursuant to due notice, The Special Permit Granting Authority held a Public Hearing in the Upper Town Hall Main Hearing Room on Thursday, September 6, 1984 at 8 p.m. on the petition of the TOWN OF WELLESLEY/NATURAL RESOURCES COMMISSION/DEPARTMENT OF PUBLIC WORKS requesting a Special Permit for Site Plan Approval for the construction of the APPLEBY ROAD FOOTBRIDGE at the end of APPLEBY ROAD over Fuller Brook, located in a Flood Plain District. Said request is pursuant to Section XIVB, Part E, Sections 2 (b) (3) and 3, and Section XXV of the Zoning Bylaw.

On August 14, 1984, the petitioner requested 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 Len Phillips, Superintendent of the Park and Tree Department, who stated that the existing bridge rotted and has been removed. The DPW wishes to replace it with a bridge similar to the Leighton Road footbridge.

Present at the hearing in favor of the petition: Kathleen Witham, 23 Appleby Road, Aileen L. Haigis, 32 Appleby Road, Mary Snyder, Natural Resources Commission.

Statement of Facts

The property in question is located at the end of Appleby Road over Fuller Brook, in a Watershed Protection District, owned by the Town of Wellesley Natural Resources Commission.

A footbridge existed since the 1950's but was removed in 1983 because of severe erosion of the banks around the bridge. The DPW wishes to replace the footbridge with a 39 foot footbridge similar to the Leighton Road footbridge.

Construction plans were submitted, drawn by John E. Bezanson, Town Engineer, dated August 9, 1984.

The Design Review Board held a preliminary review of the plans on August 9, 1984 and a final review on August 23, 1984, at which time the design plans were approved with suggestions for re-seeding the area.

Site plans and other submission materials were sent to the Planning Board, Wetlands

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SEP 10 1984
TOWN ENGINEER
JOHN E. BEZANSON

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Protection Committee, Board of Health and Fire Chief as required by Section XVIIA. Written responses received are on file at the Board of Appeals office.

The Wetlands Protection Committee held a Public Hearing on August 20, 1984 and issued an Order of Conditions (DEQE 324-105) for the project on September 12, 1984.

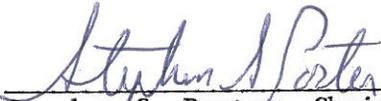
Decision

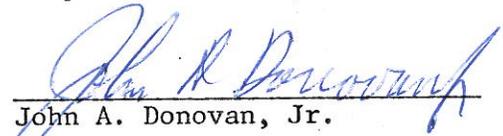
This Authority has made a careful study of the evidence submitted. The property in question, at the end of Appleby Road at Fuller Brook, falls within a Watershed Protection District and therefore is subject to the requirements of Section XIVB of the Zoning Bylaw.

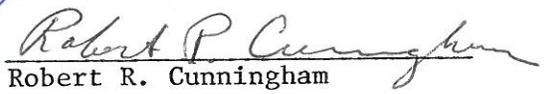
This Authority is of the opinion that the project has been reviewed thoroughly by the Wetlands Protection Committee and that the Order of Conditions issued by the Wetlands Protection Committee will protect the Watershed Protection District.

Therefore, a Special Permit is hereby granted and Site Plan Approval is given by this Board pursuant to Section XIVB, Section XVIIA and Section XXV of the Zoning Bylaw for the construction of the Appleby Road footbridge according to plans dated August 9, 1984 by John E. Bezanson, Town Engineer, and subject to the Wetlands Protection Committee Order of Conditions DEQE 324-105 dated September 12, 1984.

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.


Stephen S. Porter, Chairman


John A. Donovan, Jr.


Robert R. Cunningham

mam

cc: Planning Board

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