

TOWN OF WELLESLEY



MASSACHUSETTS

**ZONING BOARD OF APPEALS**

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

KENDALL P. BATES, CHAIRMAN  
WILLIAM E. POLLETTA, VICE CHAIRMAN  
RICHARD L. SEEDEL

ELLEN D. GORDON  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 208

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2001 APR -4 A 8:10  
ROBERT A BASTILLE  
CYNTHIA S HIBBARD  
ROBERT W LEVY

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 8, 2001 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) on the petition of TOWN OF WELLESLEY/PERMANENT BUILDING COMMITTEE/RECREATION COMMISSION/BOARD OF HEALTH requesting a Special Permit pursuant to the provisions of Section II A 8 (i) and Section XXV of the Zoning Bylaw to allow the premises at 311 WALNUT STREET (THE WARREN SCHOOL), in a Single Residence District, to be used as a recreation center and offices for the Recreation Department and the Health Department, a use not allowed by right in a Single Residence District.

On January 3, 2001, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

**Public Hearing – February 8, 2001**

Presenting the case at the hearing was Michael Eby, Chairman of the Permanent Building Committee, who was accompanied by Lise Woodard, Chairman of the Recreation Commission, Gary Graham, project architect, Kenneth Kramm, traffic consultant and Rob Oliver, Civil Engineer. Frank Romeo, Town traffic consultant, was also present.

Mr. Eby said the proposal was to renovate an existing school building for use by the Recreation Commission and the Health Department. There will be three classrooms, offices for Recreation and Health, a number of multi-purpose rooms for dance, crafts, etc. and a large multi-purpose room.

The parking requirements and traffic generated by the facility are a function of the program of the Recreation Commission to be conducted on the site, which is largely based on their current program. The program can be controlled and scheduled by the Commission. The numbers used in the traffic study are based on the number of registrants, and not on actual attendance, which is lower.

The building was constructed in 1935. The Historical Commission and many residents urged that the building be retained rather than demolished. The building will be renovated with the addition of a multi-purpose room at the rear. The Washington Street façade will be renovated with new windows, repointed brick, etc. The new structure will be located between the two wings at the rear, over the existing multi-purpose room, which will be demolished.

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2001 APR -4 2:38 PM

The site is divided into three segments: the parkland in the front under the control of the NRC; the Warren parcel and the Aqueduct, which are both under the jurisdiction of the Board of Selectmen. Town Counsel has adjudged that for zoning purposes, the entire site is to be considered as one parcel, as has been done in similar projects involving Town land under different Town Board jurisdictions.

A letter has been received from Brian Levy, counsel for Alan Carney, 28 Crescent Street, raising a number of legal issues, which will be reviewed by Town Counsel.

Lise Woodard said that the Recreation Commission was formed in 1946. Twenty-five years ago the department was given the Sprague Building as a dedicated facility for its programs. Although off-site programs are offered, the programs are primarily classroom based. Over the last ten years, the participation numbers have remained even. The space at Warren is essentially the same as at Sprague, with the exception of the new two-story multi-purpose room, which will be used for new programs such as a Women's Volley Ball League, indoor golf lessons, and the Square Riggers.

They have reviewed the number of registrants. The busiest day is Tuesday in the fall season, on which there were 279 registrants. The program proposed for the Warren building will have 326 registrants, or an increase of about 15%. There are 63 parking spaces at Sprague; there will be 79 spaces at Warren, or a 21% increase. In response to neighborhood concerns, they wanted to make certain that there would be sufficient parking on site, with no overflow onto any adjacent streets.

In working with the neighbors, they have tried to develop a framework for the intensity of use of the building. The hours of operation will be Monday through Friday, 8 a.m. to 10 p.m.; Saturday from 8 a.m. to 6 p.m. and Sunday from noon to 6 p.m. There will be no more than 400 registrants on any given day. At no time will the number of registrants in any of the classes at any time period exceed the number of available parking spaces. Furthermore, no peak programs will be scheduled during the peak traffic hours. They propose that during the first year of operation and every three years thereafter, there would be a formal review process with the neighborhood regarding programs and the level of intensity of use.

Mr. Graham discussed the site selection process and the decision to remodel rather than demolish and rebuild. Using visuals, Mr. Graham said the building currently contains 29,444 square feet of floor area. With the addition, the floor area will be reduced to 26,270 square feet. The small multi-purpose room will be removed, which will provide parking space on the lower floor that will be under the cover of the new larger multi-purpose room.

The existing parking lot at the rear of the building will be maintained. Additional parking will be added in the area of the approach to the building. Due to the Fire Department requirement for additional turning radius space, the number of parking spaces has been reduced to 79 from the original 81 spaces. The area of the parking lot, deemed to be encroaching on the Aqueduct by counsel for Mr. Carney, has been used for parking for the Warren School for the past 60 years. There will be no further encroachment onto the Aqueduct. The sole access will be from Washington Street with one ingress and two egress lanes.

Using visuals of the floor plans and elevations, Mr. Graham walked the Board around and through the building. The primary entrance is from the parking lot, which has always been the primary access to the building. There is a formal entrance from the park, which will be maintained as an egress.

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

2001 APR 11 8:10  
REGISTERED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

Kenneth Kramm explained the process used to conduct the traffic study. The peak hours on Washington Street in the Warren area were from 7 to 9 a.m. and from 3 to 6 p.m. During those hours the traffic counts were highest between 7:30-8:30 a.m. and 4:15-5:15 p.m. during which 1,600 to 1,700 cars traveled through this section of Washington Street.

A five year projection was done considering potential growth, other projects in the area and planned roadway improvements. The State will be installing signalization at the Walnut/Warren Street intersection and relocation of the pedestrian signal west of Longfellow Road. The pedestrian signal at the site will be maintained. The annual growth rate is projected at 2% .

They reviewed the Recreation and Health Department schedules for an entire week, under the condition that every class was fully occupied and staffed. The count ranged from a low of 260 vehicle trips to a high of 682 vehicle trips per day. A vehicle trip is considered a two-way trip, so the actual number of cars should be half of the total. The morning peak was 40 cars coming onto the site. During the afternoon peak, there would be 10 cars coming to and 35 cars leaving the site. They also found, after review of the Recreation Department's list of registrants and addresses, that 82% of the traffic to the site would be coming from the west, with the remaining 8% coming from the east and around the neighborhood.

They did a capacity analysis on intersections from Oakland Street to Glen Road and Walnut to Cedar/River Street. The level of service at Glen Road/Washington Street is F, which would be improved to LOS C with the Stop & Shop mitigation measures. The Walnut/Washington Street intersection will be a LOS B after installation of signalization. None of the intersections studied would be impacted by the project.

Mitigation measures recommended for the Warren entrance drive included both a left and right turn lane out of the drive; the driveway be under stop sign control with appropriate radii and illumination for safety; installation of a signal facing the driveway which would turn red when the existing pedestrian signal is pushed by a pedestrian, thus stopping all exiting traffic; and staggering peak program hours to avoid conflict with peak traffic periods.

The Board asked if a traffic signal could be installed at the drive activated either by a car moving over it to increase the ability of exiting traffic to make left turns, or in conjunction with the Walnut Street signal. Mr. Kramm said that in order to install a new signal, certain traffic volumes entering and exiting the site must be met, which could not be produced from this site.

The Board discussed the issue of left turns into the site. Mr. Kramm said they project only two cars in the morning peak hour and 1 car in the evening peak hour making left turns. From 4-6 p.m., only 4% of the traffic to the site is coming from the east, so over the course of the day on the highest traffic day, there would be a total of 12 cars making left turns. Mr. Romeo added that the number of cars involved does not warrant a redesign of the road to include a left turn lane.

The Board asked how the Recreation Commission plans to control the traffic relative to the available parking. Ms. Woodard said the facility is program specific as to rooms in the building. They will keep track of the number of registrants for each course, the number using the building each hour, and make certain that the total number at any time does not exceed the number of available parking spaces.

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

The Board asked about the drop-off area. Mr. Graham said that drop-off could be done beneath the new addition along the divider. As most parents are required to park and escort their children into the building, there is no real need for a drop-off area. There is no drop-off area at Sprague.

#### Neighborhood Presentation

Maureen Febriger, 24 Crescent Street, addressed concerns regarding the Cochituate Trail. According to the plan, there will be a 30 car parking lot headed directly into the trail. At the corner of the parking lot, the trail narrows to 12 feet of level ground. The parking lot will encroach on the Aqueduct at that point, which will make screening and buffering very difficult. Although the parking lot has always been in existence, it has never been used to any great extent.

Dot Brown, 34 Washburn Avenue, discussed issues involved in the intensity of use which included traffic, parking, and use of the building. A copy of her remarks and visuals are on file in the office of the Board of Appeals. She disputed the number of reported vehicle trips because programs in the afternoon are mainly drop-off programs requiring four vehicle trips rather than the two counted by Mr. Kramm.

Alan Carney, 28 Crescent Street, expressed concerns about the overall intensity of use, traffic and parking, and appropriate buffering of the site from the Aqueduct. The neighborhood has requested specific and enforceable permit conditions restricting the hours of operation and vehicle trips, which have not yet been forthcoming.

Brian Levy, counsel for Alan Carney, said the neighbors are seeking more specific conditions to ensure that the intensity of use is compatible with the residential neighborhood surrounding the site. The neighbors believe the Board of Appeals should deny the Special Permit because the use fails to meet the seven criteria for the grant of the permit, nor does the project comply with the Zoning Bylaw in six instances, which are addressed in his Memorandum submitted to the Board of Appeals.

Carl Fleischer, 314 Walnut Street, expressed support for the petition. He stated that, having reviewed Recreation Department registrant data from 1997 to 2000, he found the growth has been flat. The actual number of participants versus registrants averaged about 80% over the four years. The numbers provided by the neighbors in opposition do not agree with the Recreation Department data. Having taken a survey of the abutters, he has found that the vast majority support the petition.

Felix Juliani, 6 Sylvester Terrace, President of the Historical Society, expressed support for the petition.

Michael Eisenberg, 41 Longfellow Road and Justin Bullion, 249 Walnut Street, expressed concern that the building would not be sufficient to meet future needs.

Paul Cremonini, School Street, expressed support for the petition. As a Sprague neighbor, he said that the Recreation Department has been a wonderful neighbor, and that parking has never been a problem on the existing Sprague lot.

The Board recommended that the PBC, Recreation Commission and the neighbors attempt to resolve their differences and work out enforceable self-imposed conditions. The Board voted to continue the Public Hearing to March 15, 2001.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02480  
2001 APR -4 A 8:10

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

**Public Hearing – March 15, 2001**

Mr. Eby said that over the past weeks there have been meetings with neighbors, Recreation Commission, PBC and Town Counsel. To assist in the process, PBC has hired Dan Gordon, a landscape architect, to work out the buffering of the Aqueduct, size of the parking lot, and other landscape issues to address the concerns of the neighbors. The legal issues raised by Brian Levy at the last hearing were referred to Town Counsel, who has written his opinions on the issues.

Ms. Woodard said that during the last month, Dan Gordon has worked out a new parking/landscaping plan to address the parking and screening of the Aqueduct and Warren building. They have also attempted to establish a framework for the level of intensity of use for the planned program, which is about a 25% growth over the current program, and for a review process. In response to the neighborhood request, the vehicle trips for the drop-off programs have been doubled. The revised traffic data was used to frame their recommended position.

The Recreation Commission has proposed the following four conditions:

1. At no time will programs be scheduled that require parking to exceed the number of on-site spaces.
2. The hours of operation will be Monday through Saturday from 8 a.m. to 10 p.m. and Sunday from noon to 6 p.m.
3. During the peak hours between 7:30-8:30 a.m. and 4-6 p.m. the total number of vehicle trips will not exceed 250 during each of these peak periods.
4. A review process shall be required.

Ms. Woodard stated that with a review process in place, if a mistake had been made regarding vehicle trips, the problem could be rectified. The Recreation Commission felt that it would be difficult for the Commission to be held responsible for vehicle trips, which they cannot control, rather than the number of registrants, which can be controlled. However, in deference to neighborhood request, the cap is based on vehicle trips, but with a number with which the Commission is comfortable.

The Board agreed that accountability for vehicle trips would be difficult, but the Recreation could be held accountable for registrants, and that it might be preferable to return to the number of registrants as a basis for a cap.

Dan Gordon said that the neighbors had voiced concerns about noise, light, visual impacts of the parking area and the front of the building at which the basement level would be visible. The neighbors also wanted the screening to blend with the Aqueduct trail, to be sited between the Aqueduct and the parking area, while preserving the effective walking width of the trail which is 20 feet narrowing down to about 12 feet.

Using his proposed plan, Mr. Gordon explained that in an effort to address these concerns, he has eliminated the walkway in the center island, allowing the parking to be shifted back 6 feet along the lower section of the Aqueduct, as well as relocation of two parking spaces at the worst area of the façade. This enabled him to provide a 6 foot buffer zone at the tightest point which expands to 15 feet at the midpoint. By relocating the spaces at the façade, the space has been freed for landscape treatment.

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

Neighborhood Comments

Alan Carney, 28 Crescent Street, said that the submission is essentially the same as before. None of the issues addressed by his counsel, which are grounds for denial of the Special Permit, have been discussed. The central issue is still the intensity of use of the facility and its impact on the neighborhood in regard to traffic and safety. They believe that if the size of the parking lot was reduced and the hours of operation constrained, the number of vehicle trips would be limited and the site plan would conform to the Bylaw.

Mr. Carney presented a landscape plan that provided 75 spaces and honored the setback and screening requirements of the Bylaw.

Dot Brown, 30 Washburn Avenue, said there are conflicts in the Recreation proposal. The program increase has been cited as 30% over the existing program, although Ms. Woodard used a 25% increase in her presentation. A 30% increase in parking coupled with the proposed expansion of hours of operation represents a 257% increase in the current programs. The parking lot could be limited to 60 spaces with limits on peak hours, hours at night and total hours per day. A 60 car lot allows for a 50% increase in new programs versus the current programs. The proposed parking lot still extends into the Aqueduct with all cars pointed toward the Aqueduct. This needs to be amended.

Mike Plusch, 28 Washington Street, felt the intensity of use was still too high, and supported a smaller parking lot.

Jeff McGrue, 34 Crescent Street, requested the vehicle trips be limited by hour and by day, and that the screening and setback requirements of the Zoning Bylaw be met.

Cindy Allen, 67 Emerson Road, felt that the Warren building was not the right site for Recreation, as there is not sufficient room for program expansion.

Justin Bullion, 249 Walnut Street, said that those vehicles that would make left turns out of the site will actually turn right and go through the neighborhood to reach Walnut Street.

Michelle Brown, 5 Damien Road, expressed concerned about pedestrian safety during non-peak hours.

Carl Fleischer, 314 Walnut Street, urged the Board to reconsider management through registrants rather than vehicle trips, as Recreation can control the number of registrants and be held accountable for the numbers.

Betty West, Recreation Commission member, voiced support for the petition.

Albert Robinson, Town Counsel addressed the legal issues contained in the Memorandum dated February 1, 2001, submitted by Brian Levy, counsel to Alan Carney. In Mr. Robinson's opinion, the only legal issues pertained to the width of driveways, the setback requirement, frontage, landscape requirements for parking lots, abandonment, encroachment on the Aqueduct and depth of parking spaces and responded to the legal issues as follows:

RECEIVED  
TOWN ENGINEERING  
WELLESLEY  
2001 APR -11 4 31 11

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

Width of driveways – The width of the driveway should be measured from the “narrowest point” according to the Zoning Bylaw.

Setback Requirement – The furthest boundary line of the Town owned land is the lot line for zoning setback purposes. A jurisdictional line does not serve as a lot line for zoning setback purposes. The Town has taken this view for generations, and in the recent past, in regard to the police station, the Bates School and the new library.

Landscape Requirements for Parking Lots – The language of the Zoning Bylaw reads “Each parking lot *hereafter* devoted to the off-street parking...” The parking lot at the Warren School has been in existence for generations.

Frontage – The frontage of the whole site, including that of the NRC land, is what should be used to determine the frontage of the Warren building. Although the parcel has three jurisdictional parts, it is still one Town owned parcel and all of the frontage applies and attaches to the Warren building.

Abandonment – The Town has never intended to abandon this site or building. Dialogue regarding its use has been ongoing since 1998 when the first application for a Special Permit was submitted.

Encroachment on the Aqueduct – This argument raises the parking lot “hereafter” issue and the lot line for zoning issue again. Aqueduct land is not park land. It is under the joint jurisdiction of the Board of Selectmen and the Board of Public Works. There are areas of the Aqueduct throughout the town where there is parking and leased use.

Depth of Parking Spaces – The plan proposes 90 degree parking, not parallel parking. The argument is one for parallel parking for which the requirement has been met.

Felix Juliani, 6 Sylvester Terrace, spoke in support of the petition.

The Board then voted unanimously to close the Public Hearing and voted unanimously to grant a Special Permit for the use of the Warren building and site for the Recreation and Health Departments and their programs subject to conditions. The Board was of the opinion that said use was in harmony with the neighborhood and the Zoning Bylaw.

The Board then discussed conditions to be included in the Special Permit.

The Board concurred with Town Counsel’s position on the legal issues raised by Mr. Levy. As there are no parking requirements in a Single Residence District, the Board was of the opinion that this is a non-issue.

The Board was of the opinion that it should retain jurisdiction over the traffic issue with a review process that included information as to how the site, the traffic patterns and the on site circulation are functioning. The Board decided that it would request the Recreation Commission to apply to the Board for a hearing on the traffic and parking issues with input from the neighborhood at the hearing. The first hearing would take place one year from the date of issuance of a Certificate of Occupancy. Thereafter, the Board would be willing to review these issues five years after the first hearing and finally, five years after the second

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY  
2001 APR - 11 A 8 11  
0248

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

hearing in order to determine if the traffic and parking conditions imposed continue to adequately protect and serve the permitted uses.

The Board decided to include the conditions describing the intensity of use, submitted by the Recreation Commission, as part of the decision, which included the condition that at no time will programs be scheduled in the building that require parking to exceed the number of on-site spaces; and the condition that the hours of operation shall be limited to Monday through Saturday from 8 a.m. to 10 p.m. and Sunday from noon to 6 p.m.

In regard to the two submitted conditions capping vehicle trips during peak Washington Street traffic hours and evening hours, the Board requested that the Recreation Commission translate "vehicle trips" into number of registrants, and to indicate a cap on a per day basis as well as peak and evening hours. It was the opinion of the Board that, despite the neighborhood preference to cap vehicle trips, the Recreation Commission could not be held accountable for vehicles trips, and that a condition based on vehicle trips would be unenforceable, whereas the Commission can be held accountable for and can enforce conditions regarding the number of registrants.

The Board was of the opinion that although the issue of the setback of the parking spaces encroaching on the Aqueduct might more properly be addressed during Site Plan Approval, it was an important issue for the neighbors and for future planning of landscaping along the Aqueduct. The Board determined that the condition should state that the parking spaces currently encroaching on the Aqueduct itself be moved back a minimum of 6 feet from the east boundary from the Aqueduct property. Although not to be included as a condition, the Board urged the Recreation Commission to provide substantial landscaping between the Aqueduct and the parking area to screen the homes on Crescent Street when the plans for Site Plan Approval were submitted.

#### Statement of Facts

The subject property is located between Washington Street on the northwest and Walnut Street on the southeast, on a 4.21 acre lot, in a Single Residence District. The Cochituate Aqueduct runs the length of the property along the northeast lot line.

The Warren School was constructed in 1935. Until January 1987, it was used as a school with between 200 and 400 students in attendance during those years. In February, 1987, the School Committee placed the building under the jurisdiction of the Board of Selectmen. In August, 1987, the Board of Appeals granted a Special Permit (ZBA 87-60) to the Board of Selectmen to allow the premises to be leased to ArtistSpace, Inc. for use as 28 artist studios. The Special Permit was amended to run concurrently with the terms of the lease for 10 years.

Town Meeting, in April, 1988, passed Article 36, which designated 2.5 acres of the property as parkland under the jurisdiction of the Natural Resources Commission, while 54,260 square feet containing the Warren School remained under the jurisdiction of the Board of Selectmen, which also had jurisdiction over the Cochituate Aqueduct.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 04522  
2001 APR - 11 11:43

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

On October 8, 1998, the Permanent Building Committee submitted a petition for a Special Permit to allow the premises to be used as a recreation center, and offices for the Recreation Department, the Health Department, and a portion of the School Department Administration, a use not allowed by right in a Single Residence District. After two Public Hearings on the petition, the Board voted unanimously to deny the Special Permit in a decision dated January 13, 1999 (ZBA 98-92).

The following written materials were submitted: Application for Special Permit/Renovation of the Warren School dated January 3, 2001, prepared by Graham/Meus Architects; Warren Recreation & Board of Health Relocation Program; Warren Proposal for Recreation; Addendum to the Special Permit from the Wellesley Recreation Commission; Tables 4 – 5/New Facility Daily Vehicle Trip Projection Data by Day and by Day/Peak Hours; Additional Conditions and Statements dated 2/6/01, from Jack Hutchinson for the Recreation Commission; Table of Vehicle Trips dated 3/8/01 including total Morning & Evening Peak and Total Evening Vehicle Trips; Review Process Condition, Recommended Conditions-Describing Intensity of Use and Recreation Registrant Caps, all prepared by the Recreation Commission. A Traffic Impact and Access Study dated December, 2000 was prepared by Vanasse & Associates, Inc. A letter of review dated January 26, 2001, signed by Michael S. Vignale of the Beta Group, Inc, the Town's Traffic Consultants was also received.

The following site plans were submitted: Plan of Land dated 11/27/00, stamped by Douglas R. Stewart, Registered Land Surveyor; Existing Site Survey (X.1) dated 8/20/98, revised 9/29/98, revised 10/7/98, revised 10/23/98/dated 12.20/00, stamped by Robert G. Applegate, Registered Professional Land Surveyor; Site Improvements Plan (L1.1) dated 1/01, revised 1/29/01, stamped by Gary L. Graham, Registered Architect; Layout & Materials Plan (L2.1) dated 1/2/01, revised 1/29/01, stamped by Fred A. Hamwey, Jr., Registered Professional Engineer; Site Grading Plan (L3.1) dated 1/2/01, revised 1/29/01, stamped by Fred A. Hamwey, Jr., Registered Professional Engineer; Site Utilities Plan (L4.1) dated 1/2/01, revised 1/29/01, stamped by Fred A. Hamwey, Jr., Registered Professional Engineer; Site Details (L5.1) dated 1/2/01, revised 1/29/01, stamped by Fred A. Hamwey, Jr, Registered Professional Engineer and undated, unstamped Landscape Plan for Wellesley Recreation and Health Center, prepared by Dan Gordon.

The following architectural plans were submitted: First Floor Plan (SD1), Second Floor Plan (SD2), Third Floor Plan (SD3), East Elevation (SD4), North Elevation (SD5), South Elevation (SD6), all dated Dec. 00 and prepared by Graham/Meus.

Copies of all submitted material and plans were distributed to the Natural Resources Commission, Planning Board, Board of Health, Department of Public Works, School Committee, Fire Department and the Board of Selectmen. Responses from the above listed Boards are on file in the office of the Board of Appeals.

On January 30, 2001, the Planning Board reviewed the petition and recommended approval of the Special Permit subject to comments contained therein which included that all work must be consistent with the planned work under the Washington Street Improvement Project; that drop-off and pick-up on Washington Street should be prohibited, and that a comprehensive review of the internal circulation and operation be done twelve months after the building is open to ensure that the plan is working smoothly and safely.

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee

Recreation Commission/Board of Health

311 Walnut Street (Warren School)

In a letter dated January 19, 2001, the Natural Resources Commission requested clarification as to the identification and location of any trees to be removed other than the two mentioned in the application. The NRC also requested that if any existing trees need to be removed because their health has been jeopardized by site work and/or paving, additional plantings be proposed to replace the trees to be removed.

In response to concerns raised by the Fire Department regarding sufficient turning radius for ladder trucks and the curbing style of the island at the first crosswalk, the petitioner submitted revised plans, eliminating two of the original 81 parking spaces and changed the curbing style of the island as reflected in the revised site drawings dated January 29, 2001.

A letter dated March 15, 2001 was received from Albert S. Robinson, Town Counsel, in which he commented on the issues raised in the Memorandum dated February 6, 2001, received from Brian Levy, counsel to Alan Carney.

Letters in opposition to the petition were received from Suzanne and Michael Eizenberg, 41 Longfellow Road; Jane Osler, 37 Ingraham Road; Diane Griffiths, 26 Tennyson Road; Pamela Stewart, 53 Whittier Road; Justin Bullion, 249 Walnut Street; Alan Carney, 28 Crescent Street; Maureen Febriger, 24 Crescent Street, Dot Brown, 30 Washburn Avenue, and Tony and Carolyn Mansfield, 20 Crescent Street.

Letters in support of the petition were received from forty-four Wellesley residents.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the two Public Hearings. The use of the premises at 311 Walnut Street, the Warren School, as a recreation center and office space for both the Recreation and Health Departments is not a by-right use in a Single Residence District, thus requiring a Special Permit.

Section XXV-B. Special Use Standards of the Zoning Bylaw requires that, in order for a Special Permit to be granted, the petitioner must meet the conditions contained in the seven standards listed in this section. The seventh standard, Intensity of Use, requires that increase in the intensity of use of the premises will "not adversely affect the character of the neighborhood and its surrounding area".

This Authority makes the following findings in regard to the petitioner's compliance with the required Special Permit Standards:

1. Vehicular Circulation (The project must not add to traffic congestion or accident potential on the site or in the surrounding area.)
  - (a) On-Site – The proposed site plan provides one-way vehicular traffic throughout most of the site. There will be a two-way egress and one-way access drive for a distance of 99 feet from Washington Street which will have no parking spaces on either side to impede traffic flow. Beyond the 99 foot length, the drive narrows to 24 feet with one way traffic in each direction. The parking plan provides sufficient turning radius for all fire equipment and the required maneuvering space for vehicle parking lanes.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
JAN 29 2001

The 79 parking spaces provided on the site are sufficient to meet the demands of the Recreation programs, inasmuch as the Recreation Commission has agreed that at no time will programs be scheduled in the building that require parking to exceed the number of on-site spaces.

- (b) Off-Site – The consultant traffic engineer has stated that, according to the registrant records provided by the Recreation Department, only 8% of the traffic will be entering the site from an eastbound direction, and that over the course of the highest traffic day, this figure would translate into a total of 12 cars. During the peak hour from 4-6 p.m., 4% of the traffic approaches the site heading east, which would project to one car during the evening peak hour.

The traffic exiting the site is not sufficient to meet State requirements for a traffic signal at the site. However, the installation of the new signalization at the Walnut/Washington Street intersection should provide gap space for westbound cars to enter Washington Street without substantial queue lines forming on the site.

This Authority finds that the traffic circulation patterns both on and off-site will not add to the traffic congestion or accident potential on the site or in the surrounding area.

2. Driveways – (Proposed driveways must be at least 50 feet from the nearest intersection.)

This Authority finds that, although the existing driveway will be widened, there are no new driveways in relation to this project. Therefore, the petitioner meets the criteria of this standard.

3. Vehicle Queuing Lanes (Vehicle queuing must be provided for without interfering with on or off-street maneuvering of vehicles or pedestrians.)

Eastbound and westbound lanes have been provided for exit onto Washington Street. Each lane can hold at least three vehicles. There will be no vehicles exiting the site during the morning peak hours. During the evening peak hours, the traffic report indicates there is a need for a 2-3 vehicle queue land, which is provided for both east and westbound turns. Queue lanes intersect with, but do not encroach on the pedestrian crosswalk across the driveway.

This Authority finds that sufficient vehicle queuing has been provided so there will be no interference with on or off-street maneuvering of vehicles or pedestrians.

4. Compatibility with Surroundings (Compatible with natural and man-made site features, and with the characteristics of the surrounding area.)

The existing Warren Building will retain its imposing west façade and will be restored to its prior splendor. The formal entrance will be used as a required means of egress, but the main entry to the building, which has always been a primary entrance, will be located on the northeast side of the building off of the parking lot. Minimal changes to the building will occur at the rear. The existing multi-purpose room will be removed and replaced with a two story, larger multi-purpose room, which will be situated one story above grade, providing a covered parking area and four handicapped parking spaces.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02882  
APR - 11 10 4 81 11

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

The widening of the driveway is the most significant site work to be done, as it will require removal of two smaller trees and the manmade landscape berm on the Aqueduct side of the building to provide ninety degree parking spaces on both sides of the 24 foot wide access road. The existing parking lot at the rear of the building will be improved but not relocated. All major trees will be preserved with additional trees and shrubbery provided for screening from adjacent properties.

The petitioner has agreed to move the existing parking spaces encroaching on the Aqueduct back a minimum of six feet from the eastern boundary of the Aqueduct and to provide substantial screening in that area.

This Authority finds that the proposed use of the premises is compatible with the natural and man-made site features and with the characteristics of the surrounding area.

5. Pedestrian Safety (Adequate pedestrian and bicycle circulation must be provided and have barriers or physical separation from the motor vehicles.)

A pedestrian crosswalk is provided on Washington Street east of the entrance drive. A pedestrian activated signal is currently provided on the crosswalk on Washington Street at the Warren driveway. In addition to the existing crosswalk and pedestrian signal, a second signal tied to the existing one will be located on Washington Street facing the driveway. When the Washington Street crosswalk is in use, east and westbound traffic on Washington Street will be stopped and the exiting traffic from the drive in both directions will be stopped. A crosswalk will be provided at the site driveway with signage indicating "Watch for Pedestrians in Crosswalk".

A report from the School Department indicates that only a handful of students cross Washington Street, and do not need to cross the site driveway. The Safety Officer of the Wellesley Police Department has indicated approval of the safe route for school children.

A new four foot walkway will provide access to the building entrance from the parkland sidewalk connected to Washington Street. Pedestrian access from Walnut Street will be achieved by the existing pathway which connects to a new path system along the west façade of the building.

At all points of travel, pedestrians will be separated from vehicular traffic by curbing or landscaped buffers.

This Authority finds that adequate pedestrian and bicycle circulation has been provided with barriers or physical separation from motor vehicles.

6. Noxious Uses – Self-explanatory

Users of the building will not be participating in activities within the new facility which will involve emission of fumes, vapor, smoke, gas, dust, cinders, offensive odors, chemicals, poisonous fluids or substances, refuse or organic matter.

This Authority finds that the proposed use of the building is not a noxious use.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02488  
APR - 7 A 8 11

7. Intensity of Use (Any increase in intensity of vehicle trips, employees, or visitors, parking spaces, energy used or volume of waste produced shall not adversely affect the character of the site or its surrounding area.)

This Authority is of the opinion that this standard involves a comparison to a pre-existing condition for which a data base is difficult to determine. The Warren building was used as a school from 1935 to 1987. During those years, the student population fluctuated between 200 and 400 pupils, and the traffic intensity on Washington Street was not what it is today. From 1987 to 1997, the building was used to house the studios of 28 artists. Comparison to this diminished use would be nonproductive.

a. Number of Employees and Visitors

The petitioner compares the intensity of use to the existing use at its present location at the Sprague School, and states that the use will be capped at 400 registrants per day, which represents a 33.3% growth factor over the 299 registrant figure for the busiest day in the busiest season. The total number of registrants for the peak hours between 7:30-8:30 a.m. and 4-6 p.m. will be capped at 95, which is a 25% growth over the 75 registrant figure on Thursday, which is the busiest rush hour day. The evening hours between 6-10 p.m. will be capped at 125 registrants, which is a 25% increase over the 100 registrant figure on Monday which is the busiest evening hour day.

b. Number of Vehicle Trips

The number of vehicle trips is projected to range from 260 to 682 trips per day depending on the day of the week. As the number of vehicle trips was found to be beyond the control of the Recreation Department, the controlling factor is the registrant figure. If the vehicle trip number was to be used, the Traffic Consultant has stated that the peak hour morning and evening trips would range from 15 to 45 vehicle trips respectively. Peak hour volume would increase from 2-3 vehicles east of the site on Washington Street and 23-40 vehicles west of the site on Washington Street, which is one vehicle every two minutes. This is a very small increase relative to the peak hour traffic volumes of 1,635 to 1,695 vehicles.

c. Number of Parking Spaces

The greatest number of parked cars projected is 72 vehicles from 9:45-11:15 a.m. on Wednesdays. The previous projection of 80 vehicles on an Autumn Wednesday included a number of registrants for the bridge program which has diminished from 68 to 32 due to attrition. The projection of 72 vehicles is conservatively based on one car per registrant and all registrants being present. However, the Recreation Department has found that actual participation tends to be less than registration counts. As there will be 79 parking spaces available on site, there will be sufficient parking to meet the highest possible demand.

The adequacy of the parking lot will not require use of any of the 16 parking spaces on Walnut Street to meet the demands of the programs in the building.

d. Amount of Energy Used/Volume of Liquid Waste/Volume of Solid Waste

Increases in any of these areas have not been found to be an issue.

ZBA 2001-5  
Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

It is the finding of this Authority that intensity of use shall not adversely affect the character of the site or its surrounding area.

Therefore, this Authority, by a unanimous vote taken at the Public Hearing on March 15, 2001, grants a Special Permit for the use of the Warren Building as a recreation center and offices for the Recreation and Health Departments, subject to the conditions in Addendum A.

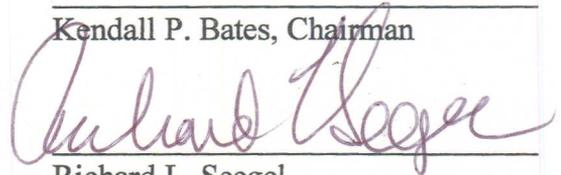
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board  
Board of Health  
Natural Resources Commission  
Recreation Commission  
School Committee  
Board of Selectmen  
Inspector of Buildings

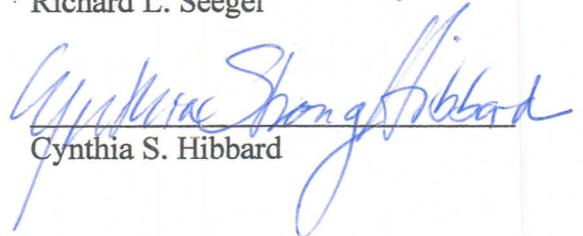
edg



Kendall P. Bates, Chairman



Richard L. Seegel



Cynthia S. Hibbard

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2001 APR -4 A 8:11

ADDENDUM A

1. At no time shall programs be scheduled in the building that require parking to exceed the number of on-site parking spaces.
2. The hours of operation shall be as follows: Monday through Saturday – 8 a.m. to 10 p.m.  
Sunday - Noon to 6 p.m.
3. There shall be no more than a total of 400 registrants per day throughout the week.
4. The total number of registrants during the peak periods from 7:30 a.m. to 8:30 a.m. and from 4 p.m. to 6 p.m. shall not exceed 95 registrants.
5. There shall be no more than a total of 125 registrants during the evening hours from 6 p.m. to 10 p.m. on Monday through Saturday.
6. Within one year from the date of the Certificate of Occupancy for the Warren building, the Recreation Commission shall petition this Authority for a review of the hours of operation, parking and traffic at a public hearing. The Recreation Commission shall submit information regarding the foregoing with the request. Based on the evidence presented, this Authority shall determine whether the foregoing conditions are no longer adequate and appropriate. If this Authority determines that the conditions are no longer adequate and appropriate, this Authority may order a new set of conditions regarding hours of operation, parking and traffic, either singly or in all three instances.

Thereafter, five years from the date of the foregoing hearing, but no sooner, any interested party (as defined by law to include an abutter, or the Town Board having jurisdiction over the site), believing that either the foregoing conditions or the conditions amended as a result of the first review, no longer adequately and appropriately service the use hereby permitted on the site, may petition this Authority for a review of these conditions. This procedure may be repeated one more time five years subsequent to the date of the prior hearing.

It is to be understood that the permission for the use of this site shall not be included in any such review of hours, traffic and parking conditions, such special permit for said use being hereby deemed final.

7. The petitioner shall comply with all requirements of the Wellesley Fire Department.
8. All parking spaces presently encroaching on the Cochituate Aqueduct shall be moved back a minimum of 6 feet from the east boundary of said Aqueduct.
9. No snow shall be piled on any part of the Cochituate Aqueduct.
10. There shall be no drop-off or pick-up of registrants on Washington Street or Walnut Street.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2001 SEP-4 A 8:11

ZBA 2001-5

Petition of Town of Wellesley/ Permanent Building Committee  
Recreation Commission/Board of Health  
311 Walnut Street (Warren School)

---

11. All work involving Washington Street shall be consistent with the Washington Street Improvement Project.
12. If any trees are removed, other than the two trees to be removed as stated in Section 4. Compatibility with Surroundings, the petitioner shall identify and clarify the location of said trees to the Natural Resources Commission. If any existing trees need to be removed because their health has been jeopardized by site work and/or paving, additional plantings shall be required to replace said trees.
13. This Authority strongly urges the Recreation Commission to provide substantial landscaping along the line between the Aqueduct and parking spaces to provide screening of the parking area from the abutting homes on Crescent Street on the plans to be submitted for Site Plan Approval.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2001 APR -4 A 8:12