

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2001-36
Petition of Town of Wellesley/School Department
Wellesley High School Fitness Center
50 Rice Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 14, 2001 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of TOWN OF WELLESLEY/SCHOOL DEPARTMENT requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to construct a one-story 14 foot high building with a 6 foot clerestory to be used as a fitness center for students, staff and the public, at 50 RICE STREET, in a Single Residence District. Said fitness center will have a footprint and floor area of 4,329 square feet to be attached to the existing high school. The project will include reconfiguration of the existing 20 space parking area with the expansion of 2 spaces and associated landscaping.

On May 7, 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 – June 14, 2001

Laurie Whitely, Chairman of the School Committee, introduced Ken DiNisco of DiNisco Design, project architect, to present the petition. Using a slide presentation, Mr. DiNisco began with the existing site plan to locate the fitness center, which will be built between the existing high school and the gymnasium. He described the additions in 1955, 1961, 1964 and 1979 to the high school building, which was constructed in 1937.

Mr. DiNisco said that from eye level, the HVAC units would not be visible due to the addition of the 6 foot clerestory. The existing single light will be replaced with a shielded low light to illuminate the entrance. There will be an additional light mounted on the wall to back light the sign and the entrance, as well as two tree lights, which will also back light the wall. The wall lighting fixtures will be similar to the existing ones.

Mr. DiNisco explained that they are adding 16 spaces to the parking area. There are six vans, which will be removed to the Fiske School, freeing up 6 spaces. Eight of the 22 spaces will be handicapped accessible. There will be a net gain of 2 spaces. The crosswalk will be the town standard imprinted brick in asphalt.

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Mr. DiNisco said that 4 trees will be located in front of the new building. Although Captain Goodwin disagrees with the number of trees, they feel their choice of species and number is reasonable and appropriate.

The Board stated it was not satisfied with the submitted plans for a number of reasons. The information is not properly identified as to source and in relation to the project. There is no agreement with the Fire Department as to landscaping, and with the Engineering Department as to drainage. The Board cannot grant something to which the Fire Department is opposed.

The Board continued that the plans should have dimensions. There is confusion in the numbering and identification of the drawings. There is no information regarding the size of the parking spaces. The handicapped spaces do not appear to meet Architectural Access Board standards. Benchmarks are not shown, nor is the datum base identified. There is no information about traffic management or safety measures during construction.

The Board asked if the project would be subject to a Public Bid process, and if so, strongly urged that the Permanent Building Committee be brought into the project, as it is familiar with the bidding process.

Mrs. Whitley said that the PBC has assigned this project to the School Committee, which has established a Building Committee, which models the PBC. The chairman, Bob Sechrest, is familiar with the bidding process.

The Board asked about the hours of operation. Mrs. Whitley stated that from 7 a.m. to 2:30 p.m., the fitness center will be used as traditional classroom space for health and fitness classes, and staffed by school faculty. From 2:30 to 5:30 p.m., it will serve as an after-school workout center for students and staff.

The only exception to student and staff daytime use might be the use of the fitness center by a senior citizen group for an hour during the day. The group would arrive and be picked up by a bus from the Council on Aging.

Mrs. Whitley said that from 6 to 9 p.m. and on Saturdays, it would be open to the community. The Saturday hours have not been finalized, but, depending on community interest, they will be from 8 a.m. to 1 or 3 p.m. It is not certain whether access will be through a membership program or Recreation Department programs. When construction begins, they will be working with the Board of Health and the Recreation Department to finalize the community participation program. At this time, there are no plans for the center to be open on Sundays.

The Board asked if the fitness center would be handicapped accessible and usable. Mrs. Whitley said it would be. They are hoping to serve both handicapped individuals and special needs students.

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The Board asked how many vans were currently parked in the lot. Mr. DiNisco said there were 6 vans, which will be relocated to the Fiske School. The Board stated that it would condition that all existing vans and any vans to be purchased in the future be required to park in the Fiske School lot.

Nesbitt Haygood, 71 Smith Street, supported the use of the facility by high school students and staff, but expressed concern about the traffic impact relating to the proposed evening and weekend use.

Joy Kiersted, 6 Paine Street, questioned the need for the fitness center, and echoed Mr. Haygood's concerns about traffic impact on the neighborhood, as did Jenny Brown, 43 Rice Street.

The Board asked if there would be user fees for evening access to the fitness center. Mrs. Whitley said that they have raised over a million dollars privately for construction. Once the center is open, the operating costs will be part of the School Committee budget. Any community activity will be self-funded through a minimum charge.

The Board voted unanimously to continue the Public Hearing to July 12, 2001.

Public Hearing – July 12, 2001

Prior to the Public Hearing, the petitioner submitted revised plans and a document entitled Wellesley High School Fitness Center – Major Construction Project/Site Plan Review dated June 28, 2001, prepared by DiNisco Design Partnership.

Due notice of the continuation of the Public Hearing was given by mailing and publication. The continued Public Hearing was held in the Great Hall at the Town Hall on Thursday, July 12, 2001 at 7:30 p.m.

Laurie Whitley, Chairman of the School Department, introduced Ken DiNisco, project architect, Bella Wong, Assistant School Superintendent and Matthew King, School Superintendent. She stated that, in her opinion, the use of the fitness center would involve 10-20 people per hour. There are only 40 pieces of equipment, so there could never be more than 40 people per hour. There is little likelihood of all 40 pieces being used at the same time.

Mrs. Whitley said that in addition to the high school wrestling matches and basketball games, the Recreation Department uses four classrooms for adult education on Tuesdays and Thursdays from September to April. Any given class has between 5-10 people in attendance. In the summer, the Recreation Department runs an open gym weight room from 6-9 p.m. four nights a week from June through August, with between 5-20 people per evening.

Mr. DiNisco said that the additional information submitted responds to the Board's requests at the last hearing, and proceeded to discuss the following items:

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Parking – There are presently 274 parking spaces, of which 6 are used for school vans. After doing a site count, they found the actual number of spaces, not including vans, is 270. Of the 270, there will be 8 handicapped spaces, of which two will be for handicapped vans belonging to faculty or students. During the school day, faculty, who are already parking in the lot, will be in charge of the fitness center.

Traffic Impact Analysis and Data – Vehicle trip generation was determined using two different methods: traffic engineering standards and maximum occupancy as determined by available equipment. They assumed 1 person/vehicle and average time spent of 1 hour/person. It is unlikely that all the equipment will be used at one time. Both methods used resulted in a 50% utilization figure.

The School Department is in a position to control the traffic to the fitness center. It has been agreed that the center will not be open nights for which the high school has scheduled a large turn-out event. The Board stated this would be a condition of the decision.

Mrs. Whitley stated that summer hours would be 8 a.m. to 3 p.m. and 6 to 9 p.m. six days a week.

Mr. DiNisco said that the revised submission contains letters from all engineering consultants and town officials. In response to the request of the Fire Department, the four trees have been removed from the front of the building.

Lighting – 1. One 14 foot light pole at the pedestrian entrance to the building. The light source will not be visible. 2. One wall mounted light behind the garden wall which will illuminate the entrance behind the wall. 3. Three flush mounted lights that will illuminate the three birch trees.

The Board asked the diameter of the light spread, and if the lights would be on a timer. Mr. DiNisco said that the lights will have baffles that can be directed. The lights will be on a timer. When the building is not in use, the lights will not be on. The Board decided to condition that the lights be turned off one half hour after the fitness center closes.

The Board asked what would happen in the winter when there are no leaves on the trees. Mr. DiNisco said the lighting could be controlled. None of the lights will be directed toward any abutting property. The Board decided that the tree lights could not be in use from November 15th to April 15th of every year.

Board Requests – The Board noted that the Development Prospectus states that 14 parking spaces would be covered. Mr. DiNisco said it was a typo and would submit a revised page.

The Board asked if the parking plan had been revised subsequent to June 28, 2001. Mr. DiNisco said that there had been a further revision date of 7/12/01. The revision showed numbered spaces. The Board stated that the plan shows dimensions for the spaces, but no dimensions for the maneuvering aisles, which must have a minimum width of 24 feet. The Board requested a revised plan showing the dimensions of the maneuvering aisles and copies of all plans revised subsequent to June 28, 2001.

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The Board stated that the benchmarks are defined on the plans as requested but are difficult to locate. Mr. DiNisco said that a single monument could be installed in the parking lot or in the curbing, which would be permanent. The Board agreed that this should be done.

Construction Management – During the construction period, the entire site will be fenced and protected. There are pedestrian walkways from the gym and the boys' locker room. The contractor will gravel an area on the other side of the jungle gyms, which will be used for parking worker cars and trailers. The workers will arrive at 7 a.m. and leave between 3:30-4 p.m. Heavy construction vehicles will be prohibited from entering the site in the morning peak traffic hour and leaving the site until after school has been dismissed.

The Board suggested that the sod be scraped off beneath the graveled parking area and resodded when construction had been completed. Mr. DiNisco said they planned to strip the loam, lay the gravel, remove it and resod. The Board preferred that the sod not be stripped prior to laying the gravel because the sod would absorb the oil and gas.

Mr. DiNisco said that construction vehicles would enter on State Street, access the site, and exit onto Rice Street, creating a one-way traffic flow pattern. The routing of heavy construction equipment will be done with a police permit during off hours, which are early morning or very late at night.

The Board asked about equipment and materials storage. Mr. DiNisco said that most of the materials would be staged in the fenced area in front of the building.

The Board asked if the project had to be bid in accordance with state laws. Mr. DiNisco said it would be bid in accordance with Chapter 149, Public Bid Law. All sub-bids will also be filed.

Neighborhood Comment

Tom Walker, 33 Paine Street, asked if fitness centers had been built in other communities, and if so, had any effort been made to discover any problems.

Mrs. Whitley said Lincoln/Sudbury is the only public school in the area which has a fitness center in operation, but the school is not located in the same type of heavily trafficked neighborhood as is Wellesley High School. Mr. King said the School Department will control the fitness center and is committed to working with the neighborhood.

Priscilla Buchanan, 29 Paine Street, expressed concern with potential additional traffic.

Lenny Becker, 60 Seaver Street, asked if the access to the back of the high school would remain closed. Mr. DiNisco said there will be no change.

Paul Horst, 21 Paine Street, objected to the project.

Marlene Allen, 29 Rice Street, expressed concern about the additional evening and weekend traffic, and the effect of heavy construction equipment on the Aqueduct.

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Nesbitt Haygood, 71 Paine Street, supported the use of the fitness center for student use, but felt that public use of the facility would have a negative impact on the neighborhood during evening and weekend hours due to the increased continuous traffic.

Mark Streckman, 41 Rice Street, expressed concern about the noise currently generated by the high school ventilation system, and asked if the fitness center ventilation system would run 24 hours per day. He stated that the football team begins practice in the fall between 5-6 a.m. and questioned whether the fitness center would be open during those hours.

Mr. DiNisco said that the fitness center ventilation system would be a roof top unit, located behind the clerestory. When the facility is not in use, the ventilation system will be shut down. Mrs. Whitley said the fitness center would not open until 7 a.m.

Scott Hansen, 16 Rice Street, said he would like assurance that any trees removed will be replaced and that the Board place restrictions on use and size of lights.

The Board was of the opinion that after the facility has opened, it would be appropriate for the School Committee to take traffic counts and meet with the neighborhood no less than three times a year to examine the traffic situation and any other issues of concern to the neighborhood in regard to the fitness center operation.

The Board closed the Public Hearing and proceeded to discuss the conditions on which Site Plan Approval would be based.

Statement of Facts

The subject property, on which Wellesley Senior High School is situated, is located at 50 Rice Street, in a Single Residence District, and contains 586,734 square feet, of which approximately 10,000 square feet including associated parking and driveways is the land area of the project site.

The petitioner is requesting Site Plan Approval to construct a one-story 14 foot high building with a 6 foot clerestory to be used as a fitness center for students, staff and the public. The building will have a footprint and floor area of 4,329 square feet to be attached to both the high school and the existing gymnasium. The project will include reconfiguration of the existing 20 space parking area with expansion of 2 spaces and associated landscaping.

The following site plans were submitted: Plot Plan (1.0.0) dated January 27, 1973, stamped by John E. Bezanson, Town Engineer, revised 5/03/01, revised 6/28/01; Partial Site Survey & Boring Locations (1.0.1) stamped by David W. Humphrey, Professional Land Surveyor, dated May 3, 2001, revised 6/28/01; Site Development Plan (1.1.1) stamped by Kenneth DiNisco, Registered Architect, dated June, 2001, revised June 28, 2001; Grading & Planting Plan (1.1.2) stamped by William Brown, Registered Landscape Architect, dated May 3, 2001, revised June 28, 2001; Existing Parking Layout (1.1.3) stamped by Kenneth DiNisco, Registered Architect, dated May 3, 2001, revised June 28, 2001; Proposed Parking Layout (1.1.4) stamped by Kenneth DiNisco, Registered Architect, dated May 3, 2001, revised June 28, 2001; Proposed Parking Layout During Construction (1.1.5) stamped by Kenneth DiNisco, Registered Architect, dated

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June 28, 2001; Site Utilities Plan (1.2.0) stamped by A. Eugene Sullivan, Professional Engineer, dated May 3, 2001, revised June 28, 2001; Storm Drainage Plan (1.3.1) stamped by A. Eugene Sullivan, Professional Engineer, dated May 2, 2001, revised June 8, 2001, revised June 28, 2001; Floor Plan

The following architectural plans were submitted: Floor Plan (3.4.1) dated 2001, revised June 28, 2001; Floor Plan/Furnishings & Equipment (3.4.1A) dated June 28, 2001; West Elevation (3.6.1) dated 2001, revised June 28, 2001; Building Section /Looking South (3.7.1) dated May 3, 2001, revised June 28, 2001; Building Section/Looking North (3.7.2) dated May 3, 2001, revised June 28, 2001; Wall Sections (3.8.1) dated June 28, 2001. All Series 3 drawings were stamped by Kenneth DiNisco, Registered Architect.

The following written information was submitted: Official Development Prospectus dated May 3, 2001; Ground-Mounted Lighting and Revised Tree Selection dated June 1, 2001; Response to Comments in Wellesley DPW Memo of June 6, 2001; and Wellesley High School Fitness Center/Major Construction Project – Site Plan Review, dated June 28, 2001. All of the written information was prepared or gathered by DiNisco Design Partnership.

The Design Review Board held a Preliminary Review of the project on April 12, 2001 and a Final Review on May 12, 2001. Copies of all submitted plans and written materials were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and the Fire Chief, as required by Section XVIA of the Zoning Bylaw. Written responses from each of the above were received and are on file in the office of the Board of Appeals.

On June 5, 2001, the Planning Board reviewed the petition and offered no objections.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the two Public Hearings. The petitioner's proposed 4,329 square foot building attached to the Wellesley Senior High School at 50 Rice Street, in a Single Residence District, constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw because it includes construction of 2,500 or more square feet of gross floor area.

It is the opinion of this Authority that the latest revised plans, as listed above and yet to be submitted, comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways, and insure adequate protection for water, sewerage and drainage.

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

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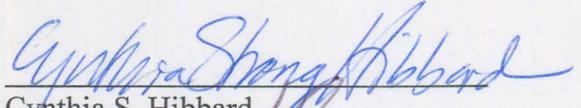
Site Plan Approval is hereby granted, as voted unanimously by this Authority at the Public Hearing held on July 12, 2001, pursuant to Section XVIA and Section II of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

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.

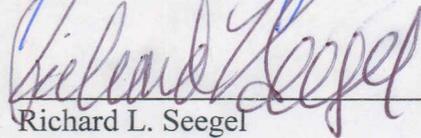
Cc: Planning Board
Inspector of Buildings
Doug Stewart, Assistant Town Engineer
Dennis Goodwin, Fire Department
Laurie Whitley, School Committee Chairman
edg



Kendall P. Bates, Chairman



Cynthia S. Hibbard



Richard L. Seegel

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ADDENDUM A

1. All work shall be performed in accordance with the last revised plans submitted and to be submitted.
2. All design and construction shall comply with all applicable state and local codes.
3. All requirements of the Town of Wellesley Fire Department shall be met.
4. Prior to the issuance of any building permit, the following conditions shall be met:
 - a. Four copies of a revised parking plan showing the width of all maneuvering aisles to be 24 feet shall be submitted to the office of the Board of Appeals.
 - b. Four copies of revised detail plans showing curbing and manhole details shall be submitted to the office of the Board of Appeals.
 - c. Four copies of all plans revised or drafted subsequent to June 28, 2001 shall be submitted to the office of the Board of Appeals.
 - d. A letter from the Engineering Department approving the change in grading shall be received in the office of the Board of Appeals.
 - e. A monument shall be constructed on the site to provide a permanent benchmark. Said benchmark shall be located on a revised plot plan, four copies of which shall be submitted to the office of the Board of Appeals.
 - f. The parking information submitted in the Official Development Prospectus shall be revised and said revision submitted to the office of the Board of Appeals.
5. The School Committee, or its designee, shall be responsible for scheduling and attending meetings with the neighborhood, or its designee, a minimum of three times a year for two years after the opening of the Wellesley Fitness Center, to discuss any issues felt to be pertinent by the neighborhood.
6. The hours of operation of the Wellesley Fitness Center for community use shall be the following:

Monday through Friday – 6 p.m. to 9 p.m.
Saturday - 9 a.m. to 3 p.m.

The Wellesley Fitness Center shall not be open on Sunday at any time.
7. The Wellesley Fitness Center shall be closed on those nights and Saturdays on which major activities have been scheduled to take place at the high school.

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8. The six vans currently parked in the high school parking lot shall be moved to the Fiske School Parking Lot. No vans owned or operated under the aegis of the School Department shall ever be parked in the high school parking lot.
9. All lighting used in connection with the Wellesley Fitness Center shall be turned off no later than one half hour after the fitness center is closed.
10. The three tree lights shall not be utilized between November 15th and April 15th each year.
11. All construction vehicles and/or heavy construction equipment, shall enter from State Street to the site and shall exit onto Rice Street.
12. No construction vehicles and/or heavy construction equipment shall arrive on the site after 7:30 a.m. or leave before 3 p.m. on any day the high school is in session.
13. The construction site, parking area and equipment storage area shall be completely and safely fenced.
14. All requirements of the Department of Public Works shall be met, including, but not limited to the requirement that water, sewer and electric connections, together with drainage connections, be made in accordance with DPW standards.
15. Upon completion of the project, a complete set of Site Utility Plans shall be submitted to the Department of Public Works.
16. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.