

TOWN OF WELLESLEY



MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2002 JAN 25 A 10:00

KENDALL P. BATES, CHAIRMAN
RICHARD L. SEEGEL, VICE CHAIRMAN
CYNTHIA S. HIBBARD

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

ROBERT A BASTILLE
J. RANDOLPH BECKER
ROBERT W. LEVY

ZBA 2002-1

Petition of Babson College
Publisher's Hall Parking Lot
Babson College Campus

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 17, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley on the petition of BABSON COLLEGE requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to allow the PUBLISHER'S HALL PARKING LOT, a 31,305 square foot temporary parking lot for a total of 70 vehicles, including 3 handicapped spaces, on the BABSON COLLEGE CAMPUS, in an Educational District and a Water Supply Protection District. Said lot was not constructed in accordance with the Site Plan Approval (ZBA 2001-40) granted by the Board of Appeals on July 11, 2001.

On November 29, 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.

Presenting the case at the hearing was Shelley Kaplan, Babson College Associate Vice President for Facilities Management. Mr. Kaplan said the Publisher's Hall Parking Lot was to be created as a temporary lot with approval from the Zoning Board in order to provide temporary parking spaces at the beginning of the fall semester, while Babson was in the process of constructing a new parking structure for the Center for Executive Education. The lot was deactivated at the beginning of November, and will be restored to natural conditions in the spring as soon as the weather allows.

Mr. Kaplan said the lot was installed differently than what had been approved in order to avoid impacting a number of trees on the site. As the lot was a temporary one, there was no reason to take down the trees, since the lot would be restored to its natural condition. Unfortunately, the college did not go through the appropriate procedure of returning to the Board for permission.

The Board stated that it understood that as wetlands were involved, the Wetlands Coordinator discovered the problem when he did a site visit to ensure that the Order of Conditions was being met.

The Board said that it had requested the Town Engineer to make a site visit to all four lots that had been permitted at the July, 2001 hearing to see if there were discrepancies on the two lots that did not involve wetland areas. Mr. Fader reported that the overall size of the four lots had increased by about 4,000 square feet. The changes in the lots presented no problems to the Wetlands Protection Committee, which was the Board's main concern. Had Babson returned to the Board, the changes would have been approved expeditiously. The Board relies on Babson to be a responsible citizen in the Town. The Board has received a written apology from the college.

ZBA 2002-1
Petition of Babson College
Publisher's Hall Parking Lot
Babson College Campus

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

2002 JAN 25 A 10:00

Mr. Kaplan said the lot has been closed off with jersey barriers until it is restored to its original state in the spring.

The Board noted that the Order of Conditions requires Babson to seek a Certificate of Compliance when the restoration has been completed and requested a copy of the Certificate when issued.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located in the northwest portion of the Babson Campus near Forest Street, in an Educational District and a Water Supply Protection District.

On July 11, 2001, the Board of Appeals granted Site Plan Approval (ZBA 2001-40) to Babson College for the construction of the Publisher's Hall temporary 26,850 square foot parking lot for 70 spaces for use from August 1 to December 1, 2001.

During a site visit, the Wetlands Coordinator discovered that the Publisher's Hall lot had been relocated to save many mature trees. The expansion and relocation had been done without permission of the Board of Appeals.

At the Public Hearing on October 11, 2001, the Board of Appeals discussed the problem, voted unanimously to revoke the Site Plan Approval granted in July, 2001, and requested Babson College to return to the Board with a petition for Site Plan Approval for the temporary lot which had been installed.

The petitioner is now requesting approval to allow the Publisher's Hall Parking Lot, a 31,305 square foot temporary parking lot for 70 vehicles including three handicapped spaces. The lot has been closed since the beginning of November and will be restored to its natural state in the spring as soon as weather conditions make restoration feasible.

An As-Built Plan of Parking Lot at Publisher's Hall dated September 19, 2001 and A Parking Lot Plan at Publisher's Hall dated October 24, 2001, both stamped by Gregory M. Valiton, Registered Professional Engineer; and an Official Development Prospectus were submitted.

All submitted plans and material were 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.

On October 25, 2001, the Wetlands Protection Committee voted to accept, under the existing Order of Conditions (DEP 324-356) the changes made to the Publisher's Hall Parking Lot. The Committee found that the alterations made from the originally approved plan were not significant to protected wetland values. A Certificate of Compliance should be requested by the college when the restoration is complete.

ZBA 2002-1
Petition of Babson College
Publisher's Hall Parking Lot
Babson College Campus

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

Decision

2002 JAN 25 A 10:00

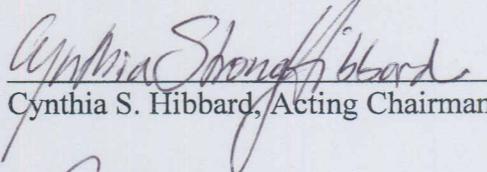
This Authority has made a careful study of the submitted materials and the information presented at the hearing. The petitioner's 31,305 square foot temporary parking lot for 70 vehicles constitutes a Major Construction projection pursuant to Section XVIA of the Zoning Bylaw because it involves grading or regarding of land to planned elevations, and removal or disturbance of the existing vegetative cover over an area of 5,000 or more square feet.

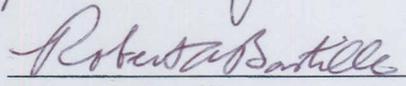
It is the opinion of this Authority that the submitted plans for the existing temporary Publisher's Hall Parking Lot, as listed in the Statement of Facts, comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways and insure adequate protection for water, sewerage and drainage. Furthermore, compliance with Section VII, Section XVI, Section XXI and Section XXII of the Zoning Bylaw is met.

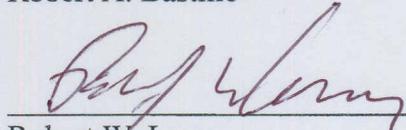
Site Plan Approval is granted, as voted unanimously by this Authority at the Public Hearing pursuant to Section XVIA of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

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
Wetlands Protection Committee
Inspector of Buildings
edg


Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

ZBA 2002-1
Petition of Babson College
Publisher's Hall Parking Lot
Babson College Campus

ADDENDUM A

1. The temporary parking lot shall remain closed with the jersey barriers in place until it is restored to a natural condition as soon as possible in the spring of 2002. When the temporary surface is removed, the sod beneath the filter fabric shall also be removed and replaced with clean fill and new sod.
2. The Order of Conditions (DEP 324-356) issued by the Wetlands Protection Committee on May 31, 2001 is hereby incorporated into this decision.
3. Upon issuance of the Certificate of Compliance, a copy of said Certificate shall be filed with the office of the Board of Appeals.
4. Upon completion of the project, a complete set of Site Utility Plans shall be submitted to the Department of Public Works.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2002 JAN 25 A 10:00