

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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ZBA 2008-55  
Petition of Temple Beth Elohim  
10 Bethel Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 21, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of TEMPLE BETH ELOHIM requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw for demolition and reconstruction of a temple with a footprint of 28,716 square feet and a total floor area of 42,184 square feet, which is an increase of 12,105 square feet in total floor area. The site is located at 10 BETHEL ROAD, in a 10,000 square foot Single Residence District.

The Petitioner is requesting a Special Permit pursuant to the provisions of Section XIVE and Section XXV of the Zoning Bylaw for a major construction project in a Water Supply Protection District.

On July 14, 2008, 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 Stephen Langer, Esquire, who said that he was representing Temple Beth Elohim (the "Petitioner"). Also present at the Public Hearing were Tom Bloch, Chairman of the Construction Committee, Joe Geller and Frank Holmes, Stantec, Mark Scott and Sam Laskey, William Rawn Associates, Alan Cloutier, VHB Traffic Consultants, and Bob Barton, Richard White Sons, Inc.

Mr. Langer said that the proposal is to replace the existing 24,000 square foot facility with a new 42,000 square foot Temple and its associated facilities and amenities. He said that the site is located on Bethel Road, which is off of Cedar Street. The site is located in a 10,000 square foot Single Residence District as well as a Water Supply Protection District. In addition to Site Plan Approval, the Petitioner is requesting a Special Permit for work to be performed in a Water Supply Protection District.

Mr. Langer said that the Petitioner began discussions with the Town one year ago, including the Fire Department, the Department of Public Works (DPW), the School Committee, the Playing Fields Task Force, Schofield School, the Board of Selectmen, the Advisory Committee, the Planning Board, Design Review Board (DRB), and Wetlands Protection Committee (WPC). The project has been endorsed by the Boards.

Mr. Langer said that a series of open houses as well as informational meetings were conducted with other interested groups.

Mr. Langer said that the Petitioner reached out to the Schofield community to formalize what has been a long-standing cooperative relationship for shared parking. He said that part of the plan is to enhance the safety and physical connections between the two properties.

Tom Bloch, 10 Kenilworth Road, said that the congregation has been in Wellesley since the 1950's. The first building, consisting of a sanctuary and a social hall was built in the early 1960's. The congregation consisted of 250 families. The building was expanded in the 1970's and in the 1990's. The congregation now consists of 855 families. He said that everything has become cramped and they are forced to take advantage of every square inch of space.

Mr. Bloch said that the existing Temple was built at the front of the site with parking at the back. The proposed building will be pushed back into the bowl area and parking will be at the front and to the side, which will eliminate queuing on Cedar Street. The queue will move onto Bethel Road and the Temple property.

Mr. Bloch said that they will retain 104 parking spaces, 200 when combined with Schofield School. They will continue to bus people from Fiske School on the high holidays. The new sanctuary will have 400-425 seats. The social hall will expand to accommodate the 1100 people who attend services for the high holidays. He said that the new design will bring the clergy closer to the congregation.

Mr. Bloch said that the spaces in the educational wing were designed to be multi-purpose to provide flexibility for future needs.

Mr. Geller displayed a photosimulation of the proposed site. He said that constructing the new building at the back of the bowl will allow them to keep the existing Temple operational during construction. He said that there is a berm between the Temple property and the Schofield School property that blocks accessibility to parking. People have to walk around the berm. He said that it made sense to create a graded connection to the school property.

Mr. Geller said that Article 23, 2008 Annual Town Meeting was approved to relocate the property line on Bethel Road. He said that the Petitioner agreed to improve the road and the sidewalks out to Cedar Street.

Mr. Geller said that the existing circulation onto the property directs traffic through a circular turnaround to access the parking. He said that the proposed plan is to create a more elegant entrance to the Temple that also improves the traffic flow. He displayed existing and proposed parking on the powerpoint screen. He pointed out the location of the proposed gate between the Temple property and the Schofield School, which can be opened for events that require shared parking for either facility. He said that they identified 18 additional parking spaces.

Mr. Geller said that the Petitioner will be adding lighting to the Schofield School parking lot. There will be small drainage improvements made to the parking lot in problem areas as well as sealcoating and crack sealing the areas that are in bad shape. The entire parking lot will be lighted. Mr. Geller said that there will be pedestrian access even when the gate is closed.

Mr. Geller displayed the proposed entry and dropoff area for the Temple. He said that there will be a service drive that is more of a pedestrian zone along the side of the building. He said that there will be a play area at the back of the site that will be tucked into the hill.

Mr. Geller said that they will meet or exceed all of the Zoning requirements. He said that there is significant slope and buffer between the neighbors.

Mr. Geller said that the Temple was interested in having something that was more sustainable. He said that they have created vegetated areas to handle the drainage. He said that they will be using pervious pavement with uniform stone aggregate underneath in the parking areas. He said that currently the drainage flows to the isolated wetlands area. He displayed and described the drainage improvements at the entry island. He said that the advantage of demolishing the building last is that the parking lot can be built at the end of the project.

Sam Laskey displayed and described a model of the site and building. He said that the bowl site was selected for its sense of isolation. He said that they had a series of community conversations with the congregation regarding what was most important to them. He said that the congregation's concerns included providing a sense of intimacy in the worship experience, the importance of their educational programs, and creating a sense of warmth and welcome.

Mr. Laskey said that he was among representatives from William Rawn Associates who traveled to Israel with the Building Committee to develop a shared language of ideas. He said that they saw the importance of the bowl site and nature, buildings that were designed around courtyards that brought together the inside and the outside. He said that stone is an important element. He said that there will be a stone area at the front of the building, preferably using Jerusalem Stone to reflect light.

Mr. Laskey said that the new sanctuary will be visible from the driveway. He said that the Beit Midrash was placed at the front because it is the space that will probably get the most use. He said that it was important to have a space that was full of life near the front door. He said that there will be a window looking into the room.

Mr. Laskey said that there will be a covered walkway that leads alongside the courtyard to the sanctuary. He said that there will be glass wall with a wood screen to illuminate the sanctuary. He said that benches will be built around the perimeter of the sanctuary. He said that there will be breaks in the benches which will allow for a direct view to the Ark.

Mr. Laskey said that the planned improvements include clean up of trash and garage that has accumulated in the wetland area. Mr. Holmes said that invasive plants will be removed from the wetlands. He said that there will be new plantings along the perimeter to serve as a buffer to the wetlands.

Mr. Holmes displayed and described the water distribution system. He said that the existing Temple has a water service that comes in from Cedar Street down Bethel Road. He said that the plan is to tie into the existing 6-inch main in Bethel Road with a new water service that goes around the existing Temple. He said that Fire Flow Tests have been done at the bottom of Bethel Road at an existing hydrant. He said that there is plenty of pressure and flow at that point. He said that projected water use at the new Temple is not anticipated to increase significantly.

Mr. Holmes displayed and described the sewer system. He said that there is an existing gravity sewer in Cedar Street. He said that because of the grade change between Cedar Street and the existing Temple, there is a pump that pumps up to a manhole at the junction of Bethel Road and Cedar Street. He said that the proposed service will exit the Temple and gravity feed to a proposed pump station and will follow along a forced main and connect to an existing forced main. Mr. Holmes said that the WPC was not concerned about the pump because it will be located outside of the area that they are concerned with. He said that all of the lines will be pressure tested to ensure that the system is water tight.

Mr. Holmes displayed and described the drainage system. He said that there is currently no detention from the existing site to the wetlands area. He said that there is no recharge on the site or treatment for water quality. He said that there will be filtered bioretention in the proposed parking areas. The drainage at the turnaround area will go into the new bioretention area that will have an overflow that goes into a subsurface retention and infiltration area. That area will also handle half of the roof area runoff from the front end of the Temple. Overflow to the wetlands area will be through existing pipe outfalls. Mr. Holmes said that there will be a great improvement at the front of the site for removal of suspended solids and reduction in the peak rates and volume of runoff to the wetlands.

Mr. Holmes said that the play area at the rear of the site will have a woodchip type of surface. He said that there will be a second subsurface infiltration and detention area underneath that will take surface runoff from a series of area drains. He said that area will also take runoff from the hill as well as runoff from the back end of the Temple roof. He said that overflow will discharge to the wetlands with a new pipe outfall.

Mr. Holmes said that there will be a 25% reduction in impervious area. He said that proposed infiltration and detention will further improve the existing conditions. He said that the system has been designed in accordance with DEP's new Stormwater Management Guidelines and Regulations. The design includes low impact development improvements. He said that there will be no connection to the municipal system.

Mr. Holmes displayed and described refuse disposal and recycling. He said that the current service provider will continue the service. He said that the plans have been changed and updated. He said that originally they were going to use refuse bins inside the building. He said that there will now be an enclosed area for trash and recycle bins. He said that is more in keeping with the Board of Health's guidelines.

Mr. Holmes reviewed the Traffic Study. He said that during the Hebrew School pickup and dropoff vehicles queuing onto Cedar Street had been an issue. He said that the existing site can accommodate 13 vehicles at the turnaround. He said that an analysis was done for the number of cars in the queue. He said that intention of the new design is to accommodate the entire queue on-site. He said that because overflow parking to Schofield was not easy to access, people would park on the side streets closer to the Temple. He said that the at-grade connection to Schofield was critical.

Mr. Holmes said that the sidewalks on Bethel Road are in poor condition.

Mr. Holmes said that the proposed design will accommodate a 40 car queue within the parking site. He said that other improvements include the gated area to Schofield, lighting of the parking lots and replacement of the Bethel Road sidewalk.

Mr. Holmes displayed the proposed traffic flow plan. He said that the proposed queuing will not affect emergency access.

Mr. Cloutier said that the Traffic Study showed that under existing conditions a queue exceeding 13 vehicles will spill onto Cedar Street. He said that he observed on a few occasions an average of 35 cars in the queue. He said that he observed problems for vehicles on Cedar Street trying to get around the queuing vehicles. He said that the longest queue occurs during Hebrew School pickup and dropoff. Mr. Geller said that the Temple hires details to handle traffic during the high holidays. The Board said that a condition of the decision may be that a detail is required for any of the peak times. Mr. Cloutier said that one of the problems with traffic during the high holidays was that details were directing traffic to the Fiske School once the Temple lot was full.

Mr. Geller said that 40 was the number of cars in the queue counted during dropoff and pickup. He said that BETA Engineering suggested that a post-occupancy survey be conducted and issues be addressed at that time.

The Board said that there is a potential for expansion of programs in the future and that issues associated with increased traffic that the programs may generate should be watched over time.

Mr. Geller said that they met several times with the Fire Department to discuss the improvements as well as access to the Schofield site.

Bob Barton said that he will be the Construction Manager for the duration of the project. He said that construction is anticipated to take 17 months, from Spring, 2009 to Summer, 2010. He said that their company has recently completed several projects in densely populated neighborhoods.

Mr. Barton said that soil removal will begin in the Spring and will involve a great deal of truck traffic. He said that demolition of the existing Temple will take place in the Summer of 2010.

Mr. Barton said that they will constantly update the neighborhood with their plans.

Mr. Barton said that construction traffic will access the site from Route 9 to Cedar Street to Bethel Road and in the reverse to exit the site. The Board asked if the construction traffic route had been discussed with the Police Department. Mr. Barton said that they have not discussed that yet with the Police. The Board said that should be done.

The Board asked why construction traffic would not go off the site onto Cedar Street to Walnut Street, out to Route 128. Mr. Barton said that is a potential route. He said that there is more traffic on that route which could lead to backups. He said that Schofield School and the Temple will be in operation during construction.

Mr. Barton said that they intend to have police details during the major parts of the project, especially during soil removal and replacement. There will be details during any major deliveries or operations.

Mr. Barton said that construction parking will be addressed in the Staging Plan.

The Board asked about displaced Temple parking. Mr. Barton said that they will reconfigure the end of Bethel Road at the property that the Temple now owns. He said that there will be temporary parking where the existing island is. He said that there will be two major staging areas for construction parking. Mr. Barton said that parking for a number of privately owned vehicles will be limited in the sub-contracts. He said that workers will be transported on and off the site from a central location. The Board said that a condition of the decision will be that there be no parking on any public ways.

The Board confirmed that there will be parking on-site for the Temple staff.

Mr. Barton discussed noise and dust control. He said that they will maximize the use of truck tire washes. He said that the fence line will have a screen. He said that dust control measures will be taken throughout the project, especially during the heavy excavation.

Mr. Barton said that they have specific noise emitting information on all of the equipment that they will be using. He said that they will notify the neighbors of noisy activity. He said that there will be no blasting.

The Board asked about dust control during the demolition phase. Mr. Barton said that demolition will occur during the Summer. He said that the contractor will be keeping all of the material moist as they bring the old structure down.

Mr. Barton said that there will be access to their website to keep people updated. He said that they will post a bulletin board on the construction fence for updates and site photographs. He said that there will be occasional mailings to the neighbors.

The Board asked about access to the new building when the old building is being demolished. Mr. Bloch said that the timeline anticipates that they will be in the old building until the school shuts down in May, which will give them until August to build the parking lot.

The Board said that the Order of Conditions had more stringent requirements than what was shown in the plans that were submitted to the Board. The Order of Conditions requires that truck wheels be washed before entering the site as well as when leaving the site. The Board asked how the wash water and runoff will be handled. Mr. Barton said that aspect has not been developed yet. The Board said that is an important consideration given the proximity of the wetlands and the site being located in a Water Supply Protection District. The plans must show where the wash water will be disposed of.

Mr. Holmes said that the Site Prep Plan shows a sedimentation basin to handle erosion during the construction process. He said that pumping the wheel wash water into it could be an option. The Board said that the WPC wants to prevent any leaching to the wetlands area.

The Order of Conditions requires that no cement trucks be washed on site. There is a requirement for daily street sweeping on adjacent streets. Mr. Barton said that is something that they routinely do.

The Board confirmed that construction would be limited to the hours from 7:00 a.m. to 6:00 p.m. on Mondays through Fridays. Mr. Barton said that worship time is on Saturdays for the Temple, so they do not anticipate any construction on those days.

The Board said that any construction that occurs outside of the projected schedule should require notification to the neighbor at 6 Bethel Road.

The Board asked about the construction fence. Mr. Barton said that the hill cuts the site off. He said that a fence on the hill could easily be scaled.

The Board said that a concern is that the site be secure in a school area. Mr. Barton said that they will use 8 foot chain link fence that will be screened. He said that there will be flaps in the screen for viewing the site. He said that the temporary access from the Schofield site will be in place prior to construction. The Board said that thought should be given to controlling the access.

The Board said that a requirement will be that any lighting have cutoffs to prevent light spillover to the neighbors. Construction lighting should be on timers. Mr. Geller said that Plan E 6.01 is a photometric plan for the permanent lighting.

The Board said that parking will be reduced by 70 spaces during construction and to zero during demolition. A condition of the approval will be that sufficient parking will be provided.

The Board said that it is important to limit truck deliveries during the first hour of operation in the morning. Mr. Barton said that deliveries will be scheduled. He said that they had success with a project in Cambridge in a densely populated neighborhood. He said that they used a delivery schedule coordinator who was on-site during the day.

The Board said that there will be major construction projects going on in Wellesley at the same time as this project. The Wellesley Inn project will be going on simultaneously for approximately 12 months. Truck traffic for the Wellesley Inn project will be traveling down Route 9 to Cedar Street to Route 135.

Mr. Barton said that they may coordinate truck traffic with the Wellesley Inn construction management team.

The Board said that the eastbound access from Route 9 should be looked at carefully. There is a very tight turn. The Board said that the bridge has significant structural issues and there may be weight restrictions. The Construction Traffic Plan may have to be revised. Mr. Barton said that eastbound traffic may be directed to turn around at Route 128.

The Board said that sidewalks may not be obstructed. Sidewalks are important in the school area. Mr. Barton said that there will be no staging on Cedar Street.

The Board asked about the source for the noise levels. Mr. Barton said that they used the same source that they used at Harvard. The Board said that it shows a maximum L10 of 75 dBA and Lmax Level at 86 dBA, which looks like an urban noise ordinance. Mr. Barton said that it is. The Board said that the L10 should be kept at 65 dBA, 15 minute average. Over the course of the day the L10 should be 60 or 65, 65 being more appropriate because Wellesley is a suburban area. The Board said that the same issue had come up with the Wellesley Inn project. There is a regulation in the Mass. Building Code that addresses that issue.

The Board asked about the green design and sustainability. Mr. Laskey said that attention was paid to the choice of materials in the interior of the building as well as the plumbing. He said that they will be installing linoleum flooring in the classrooms and carpet tile, which reduces waste. They will have a radiant energy panel system and the new structure will be designed for exposure to maximum daylight.

Mr. Bloch said that there were extensive discussions regarding the HVAC system. He said that they have done extensive research into types of flooring.

Mr. Laskey said that the project will not be LEED certified.

The Board asked about dewatering at the site. Mr. Barton said that they do not expect to do that.

The Board asked if any contamination was expected to be encountered at the site. Mr. Barton said that they do not expect to find contamination.

The Board asked if there is an Air Monitoring Plan. Mr. Barton said that there is a plan to measure for dust control.

The Board asked about calculations for the total suspended solids removal and the hydrocarbons. Mr. Holmes said that the calculations and diagrams were submitted. He said that there is a calculation of 82% suspended solids removal for the pervious parking area. He said that he was not familiar with hydrocarbon calculation. He said that should be removed by the deep sumps, hoods and catch basins. The Board said that there is a Town standard for that as well as a standard for nutrient removal. Mr. Holmes said that the bioretention areas are shown in the DEP standards at 30 to 90 %. He said that the average of the areas will be 50 to 60%. He said that sheen should be addressed by inspection monitoring.

The Board said that it would be appropriate to fit the basins with deep sumps and hoods when the Schofield lot is redone. The site is located in a Water Supply Protection District and the lot is being regraded. There will be some intensification of use. Mr. Holmes said that he believes that there are 6 existing catch basins at the existing lot at Schofield. Mr. Holmes said that each unit costs approximately \$3,000. The Board asked if an analysis could be done to look at improvements in the lot. Mr. Holmes said that it would be fairly easy to install hoods on the existing sumps. He said that they can look at the condition of the system and recommend improvements.

The Board said that it was concerned about clogging the pervious surface during street cleaning. The Order of Conditions requires vacuuming and washing that should address that issue.

Mr. Geller said that they looked at a pervious surface at UNH. He said that there is a reduction in hydrocarbons with the pervious surface and filter subsurface as opposed to using a regular drainage system. UNH has not had to sweep or maintain the surface for 5 years. He said that the plan for the Temple is to vacuum twice a year and to have regular sweeping. He said that heavy construction vehicles will be off of the site when the lot is installed.

The Board asked about heaving and plows. Mr. Geller said that the pervious surface cannot be used in high traffic areas. He said that striping will be with thermoplastic, which will eat away at the asphalt. He said that there are concerns that they will need to deal with. He said that the surface should have better drainage and should last between 20-30 years.

There was no one present at the Public Hearing who wished to speak to the petition.

### **Submittals from the Petitioner**

- Project Description, dated 7/9/08
- Application for Site Plan Approval and Special Permit, dated 7/9/08
- Site Plan Approval Review – Plans and Submittal Checklist
- Development Prospectus
- Water System Impact Analysis & Flow Test Report, dated 3/25/08, revised 7/7/08, prepared by Christopher DiStefano, PE, Stantec Consulting Ltd.
- LEED-NC 2.2 Water Use Reduction Template
- Building Fire Protection Analysis, dated 2/5/08, prepared by Frank G. Teebagy, PE, Cosentini Associates, Inc.
- Sewer System Impact Analysis & Sewer Pump Data Sheet, dated 3/25/08, revised 7/7/08, prepared by Christopher DiStefano, PE, Stance Consulting Ltd.
- Storm Drainage Impact Analysis & Stormwater Report (includes Foundation Engineering Report), dated 3/25/08, revised 5/27/08, prepared by Christopher DiStefano, PE, Stantec Consulting Inc.
- Electrical System Impact Analysis, dated 1/31/08, prepared by Randall T. Duke, PE, Cosentini Associates, Inc.
- Refuse Disposal Plan, prepared by William Rawn Associates, Architects, Inc.

- R-Factors for Building Components Memo, prepared by William Rawn Associates, Architects, Inc.
- Traffic Impact and Access Study, dated 3/08, prepared by VHB/Vanasse Hangen Brustlin, Inc.
- Construction Management Plan, dated 7/7/08, prepared by Richard White Sons
- Specifications, dated 7/1/08, prepared by William Rawn Associates, Architects, Inc.
- Easement & Maintenance Agreement, Bethel Road, dated 4/7/08
- Easement & Maintenance Agreement, Schofield School, dated 4/14/08

Plan Number	Drawing Title	Date of Issue	Prepared By	Date of Revision
Cover Sheet				
L-0.1	Locus Plan	7/9/08	Deborah M. Michener	
EX-1	Existing Conditions Plan Sheet 1	7/18/06	Kevin W. Hinds	6/24/08
EX-2	Existing Conditions Plan Sheet 2	7/18/06	Kevin W. Hinds	6/24/08
SP-1.1	Site Preparation Plan	7/9/08	Deborah M. Michener	
SP-1.2	Erosion & Sedimentation Control Plan	7/9/08	Deborah M. Michener	
L-1.1	Layout and Materials Plan	7/9/08	Deborah M. Michener	
L-1.2	Schofield School Improvements Plan	7/9/08	Deborah M. Michener	
L-1.3	Zoning Analysis and Parking Plan	7/9/08	Deborah M. Michener	
L-2.1	Grading Plan	7/9/08	Deborah M. Michener	
L-3.1	Utility Plan	7/9/08	Frank Holmes	
L-3.2	Utility Profiles	7/9/08	Frank Holmes	
L-4.1	Planting Plan	7/9/08	Deborah M. Michener	
L-5.1	Site Details	7/9/08	Deborah M. Michener	
L-5.2	Site Details	7/9/08	Deborah M. Michener	
L-5.3	Site Details	7/9/08	Deborah M. Michener	
L-5.4	Site Details	7/9/08	Deborah M. Michener	
L-6.1	Utility Details	7/9/08	Frank Holmes	
L-7.1	Wall Elevations	7/9/08	Deborah M. Michener	

L-7.2	Wall Elevations	7/9/08	Deborah M. Michener	
A1.00	Floor Plans	7/1/08	William L. Rawn	
A1.01	First Floor Plan	7/1/08	William L. Rawn	
A1.02	Second Floor Plan	7/1/08	William L. Rawn	
A1.04	Roof Plan	7/1/08	William L. Rawn	
A3.00	Building Elevations	7/1/08	William L. Rawn	
A3.01	Partial Building Elevations	7/1/08	William L. Rawn	
A3.02	Partial Building Elevations	7/1/08	William L. Rawn	
A3.03	Partial Building Elevations	7/1/08	William L. Rawn	
A3.04	Partial Building Elevations	7/1/08	William L. Rawn	
A4.00	Building Sections	7/1/08	William L. Rawn	
A8.01	Sanctuary Wall Sections	7/1/08	William L. Rawn	
A8.02	Sanctuary & Covered Walkway Wall Sections	7/1/08	William L. Rawn	
A8.03	Front Bar Wall Sections	7/1/08	William L. Rawn	
A8.04	Main Building Wall Sections	7/1/08	William L. Rawn	
A8.05	Miscellaneous Wall Sections	7/1/08	William L. Rawn	
A9.00	Exterior Types	7/1/08	William L. Rawn	
E-0.02	Electrical Site Plan	7/1/08	Randall T. Duke	
E-0.02a	Electrical Schofield School Site Plan	7/1/08	Randall T. Duke	
E-1.01	Electrical First Floor Power Plan	7/1/08	Randall T. Duke	
E-4.01	Electrical Power Riser Diagram	7/1/08	Randall T. Duke	
P-1.01	Plumbing First Floor Plan	7/1/08	Frank G. Teebagy	
P-1.03	Plumbing Roof Level Plan	7/1/08	Frank G. Teebagy	
P-2.01	Plumbing Details Sheet	7/1/08	Frank G. Teebagy	
H-1.03	HVAC Roof Level Plan	7/1/08	Richard P. Leber	
E6.01	Photometric Plan Temple 1	7/9/08		
E6.02	Photometric Plan Schofield School	7/9/08		

On July 14, 2008, the Design Review Board voted unanimously to

Recommend the Zoning Board of Appeals approve the proposed Temple Beth Elohim as presented with a preference towards the variegated limestone for the exterior.

On July 18, 2008, the Municipal Light Plant reviewed the proposed electrical loads and plans and stated that

in addition to the onsite additions this project will require minor additions and/or alterations to the Municipal Light Plan distribution system.

Additionally, the transformer that provides the existing 208Y/120 volt service to the Temple also provides a three wire 208/120 service to the house at #6 Bethel Road. If this transformer must be removed or relocated the applicant must provide for the continuation of the Wellesley Municipal Light Plan electric service to #6 Bethel Road.

On June 16, 2008, the Wetlands Protection Committee issued an Order of Conditions for the Temple project under the Wellesley Wetlands Protection Bylaw (Article 44).

On August 18, 2008, the Planning Board reviewed the plans and voted to recommend that the Zoning Board of Appeals grant Site Plan Approval.

On August 18, 2008, the Design Review Board staff reviewed a trash area location plan and stated that

The new plan would relocate the trash storage from the interior of the building to a screened off area in the rear courtyard. The Board of Health generally requires new construction projects to locate trash on the exterior of buildings, and the proposed relocation plan meets the current Board of Health practice.

The minor modification is not mentioned in the original approval, but the new trash location has been found to be consistent with the Design Review Board's recommendation on the Temple Beth Elohim project and is consistent with the design elements and site layout proposed for the project.

On August 18, 2008, Douglas R. Stewart, P.E., Assistant Town Engineer, stated in a memorandum that the Department of Public Works' comments related to the project had been adequately addressed.

On August 19, 2008, the Wellesley Fire Department reviewed the application for the Temple Beth Elohim project and stated that

The water supply for the buildings fire protection systems has been analyzed and deemed adequate without the need for a fire pump by Cosentini Associates Inc. The fire department reserves the right for final approval at time of issuing permits with a complete set of building documents.

### **Decision**

The Board found that the proposed Major Construction Project that consists of demolition and reconstruction of a temple to a new location on the site with an increase of 12,105 square feet in total floor area in a Single Residence District and a Water Supply Protection District, is in harmony with the general purpose and intent of the Zoning Bylaw, subject to conditions listed below, in conjunction with the Special Permit and Site Plan Approval, and voted unanimously to grant Site Plan Approval.

The Board's approval of the Site Plan for the Project is premised on the Petitioner's and Project's compliance with the following conditions (the "Conditions"). All requirements imposed by the Conditions or this Site Plan Approval shall be applicable to the entity responsible for the administration of the Project regardless of whether the condition specifically identifies the Petitioner, the responsible entity, or no entity as having responsibility for a particular condition. By accepting this Site Plan Approval, the Petitioner agrees to the terms, covenants, conditions, and agreements contained herein.

The Board voted unanimously to approve the Water Supply Protection District Special Permit subject to the conditions listed below.

### **CONDITIONS**

Site Plan Approval and, approval of a Special Permit for a major construction project in a Water Supply Protection District, are granted for the demolition and reconstruction of the Temple Beth Elohim located at 10 Bethel Road, as voted unanimously by the Board at the Open Meeting, pursuant to Section XXV, Section XIVA, and Section XIVE, of the Zoning Bylaw; subject to the following conditions:

#### **General Conditions**

1. By accepting this Site Plan Approval the Applicant agrees to the terms, covenants and conditions and agreements contained herein. This Site Plan Approval shall expire one year from the date hereof unless construction has begun by that date. The Applicant may apply to the Board for reasonable extensions to this Site Plan Approval for good and sufficient reason.
2. Except for the relief granted by the Board as listed in this Site Plan Approval, the Applicant shall comply with all provisions of the Zoning Bylaw, general bylaws, and all the rules and regulations of the Planning Board and the Board of Health generally applicable to a project approved on October 14 2008. No fees are waived in connection with the Project. Fees shall be those then in effect at the time of application for the permit or approval subject to the fee.

3. The Project shall be designed and constructed substantially in compliance with the drawings and data submitted with the Application for Site Plan Approval.
4. Contract documents, including working drawings and specifications for the Project shall undergo the usual and customary review and approvals of the Building Inspector, the Board of Health, the Fire Chief, the Town Engineer, or any other applicable local inspector or board. Construction of the Project shall be subject to on-site compliance inspections by the Building Department in the customary manner.

#### **Design Conditions**

5. Design and construction of the Project shall fully comply with all applicable federal and state laws and regulations, including, but not limited to, the requirements of the Massachusetts State Building Code (780 CMR) and the Massachusetts Architectural Access Board (521 CMR). The Project shall be designed and constructed on the Site in accordance with the Plans, except as provided in this Site Plan Approval, including the Conditions. Any requirement of consistency with the Plans means as those Plans are modified by the Conditions.
6. Design and construction of the Project shall fully comply with the Town of Wellesley Wetlands Protection Committee Order of Conditions for Temple Beth Elohim, dated June 16, 2008.

#### **Traffic and Parking Conditions**

7. The Project shall include parking spaces in accordance with the final Plans submitted, and shall have no fewer than 104 spaces on the Temple property, with five (5) being designated handicapped parking spaces. The Applicant shall maintain an Easement Maintenance Agreement with the Town and Schofield School for access to and the use of an additional 96 spaces on school property during Temple services and large events.
8. For events for which the combined parking capacity of the Temple Beth Elohim and Schofield School is expected to be exceeded, including, but not limited to, the High Holy Days and the period prior to completion of the new parking area on the site, the Applicant shall maintain and implement a traffic management plan subject to the review and approval of the Wellesley Police Department. The current traffic management plan calls for use of parking at the Fiske School and shuttle buses. Changes to this plan shall be reviewed by the Wellesley Police Department.

9. The Applicant shall conduct a post-occupancy traffic study to determine at what times, and under what conditions, pick-up and drop-off queues from the Temple exceed 35 cars, and extend onto Cedar Street. This study shall be submitted to Board and the Police Department. The Applicant shall take all reasonable measures to provide traffic safety management on Cedar Street during the Temple programs and activities that this study identifies as producing queues out onto Cedar Street.

**Construction Conditions**

10. The Applicant shall implement its Construction Management Plan as specified in its submittal dated July 9, 2008, as modified by these Conditions.
11. The Applicant shall submit its proposed construction traffic route to the Wellesley Police Department for its review and approval. The Applicant shall only use the construction traffic route approved by the Wellesley Police Department, and will work with the Police Department to revise and update the route as traffic and other construction in the Town warrants.
12. During construction, there shall be no parking of construction equipment or vehicles of construction workers on any public ways of the Town.
13. Trucks and construction vehicles shall shut off engines when not in use.
14. During the period of construction, all deliveries of construction materials and equipment shall be made only on Monday through Friday no earlier than 7:00 a.m. and no later than 6:00 p.m. Construction work may be performed on the Site Monday through Friday commencing not earlier than 7:00 a.m. and completing not later than 6:00 p.m. In the event that the Applicant determines that construction work is required to be performed on Saturday, Sunday or on a legal holiday, such work may be performed between the hours of 7:00 a.m. and 6:00 p.m., provided that the Applicant notifies the neighbor at 6 Bethel Road at least 24 hours in advance and the Inspector of Buildings at least three days prior to such work, and the Inspector of Buildings, in conjunction with the Wellesley Police Department, consents to such work. If, after completion of the building envelope, the Applicant determines that interior construction work is required to be completed outside the above stated hours, such work may be performed after three days prior notice to the neighbor at 6 Bethel Road and the Inspector of Buildings and the Wellesley Police Department, provided that no such work will exceed the noise levels specified in the Construction Management Plan in Table 8.16.060E under the "Residential Area-Other Times" column.

15. During the period of construction, noise emissions from the Site shall not exceed the values shown in the Construction Management Plan under “Noise Levels” with the L10 level averaged over no more than 15 minutes, and the Lmax level being instantaneous.
16. Prior to the commencement of outdoor construction activities and prior to the time that the permanent stormwater management system is operational, the Applicant shall install hay bales, silt fences or other run-off control measures to meet the requirements of the Environmental Protection Agency’s Phase II National Pollutant Discharge Elimination System regulations as well as the Town’s “Municipal Stormwater Drainage System Rules and Regulations”.
17. During the period of construction, all requirements of the Wetlands Protection Committee Order of Conditions will be met, including the requirement for truck and equipment wheel washing. Wash water will be collected and disposed of in the sedimentation basin, as approved by the Town of Wellesley Wetlands Protection Committee, and for the entire construction period.
18. The Applicant shall make all efforts to ensure the safety of pedestrians, especially school children during those times Schofield School is in session, passing the construction site. The use of barriers, pedestrian channelization, temporary uniformed safety details shall be implemented in coordination with the Wellesley Police Department. The site construction fence shall be constructed of chain link, eight feet tall and screened, and provide reasonable assurance that children will not be able to access the construction site, based on review by the Building Inspector.
19. All outdoor construction lighting other than security lighting shall be on timers to turn off automatically at 7:00 p.m.
20. Landscaping shall be in conformance with the Landscaping Plan and shall be maintained, repaired, or replaced as needed by the Applicant.
21. During construction, any mobile food vendors/trucks that service this Site must be permitted by the Wellesley Health Department.

**Stormwater Management**

22. The stormwater run-off and drainage system shall be operated and maintained in accordance with the Operations and Maintenance Plan referenced in the Order of Conditions, and to be submitted by the Applicant to the Town's Department of Public Works for review and approval. Operation and maintenance of the stormwater run-off and drainage system shall comply with the requirements of the Town's "Municipal Stormwater Drainage System Rules and Regulations".
23. The Applicant shall inspect all of the existing stormwater catch basins at Schofield School to see whether (and how many) stormwater catch basins are presently equipped with deep sumps and hoods to provide stormwater treatment for total suspended solids and hydrocarbon removal. The results of this inspection shall be shared with the Department of Public Works (DPW), and the Applicant agrees to replace catch basins that do not have sumps with new ones equipped with sumps and/or provide hoods on catch basins that presently lack hoods. The plans and specifications for any new catch basin fixtures or equipment shall be reviewed and approved by the Town's Department of Public Works. In any event, the Applicant's maximum liability and obligation shall be limited to installation of deep sumps and hoods in existing catch basins.
24. Chemicals used for landscaping and snow/ice removal shall be limited to those approved in the Order of Conditions. No soluble chemicals that can pass through the subsurface infiltration structures to be reinjected into the soil shall be used.

ZBA 2006-55  
Petition of Temple Beth Elohim  
10 Bethel Road

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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.

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Richard L. Seegel, Chairman

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Cynthia S. Hibbard

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David L. Grissino

cc: Planning Board  
Inspector of Buildings  
lrm