

**ZONING BOARD OF APPEALS**

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ZBA 2008-74

Petition of Wellesley Realty Associates
978 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Tuesday, November 25, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY REALTY ASSOCIATES requesting Site Plan Approval pursuant to the provisions of Section XII, Section XIVB, Section XIVE and Section XVIA of the Zoning Bylaw for demolition of two existing buildings and construction of a two-story mixed use building with retail and a coffee shop on the first floor and offices on the second floor, with a footprint of 12,000 square feet, and four-story residential building with a footprint of 18,079 square feet, for a total of 78,237 square feet of total floor area, at 978 WORCESTER STREET, in a Business A District, a Flood Plain District, and a Water Supply Protection District.

On October 20, 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 Dean Behrend, Wellesley Realty Associates (the "Petitioner"). Also present were Clark Brewer, Architect, Cynthia Theriault, P.E., and Jeffrey Dirk, Traffic Engineer.

Mr. Behrend said that the entrance and exit for the site were approved by MassHighway.

Mr. Behrend said that the residential building at the back of the property will consist of 36 units, eight of which will be affordable. He said that parking will be underneath the building at ground level.

Mr. Behrend said that there is an agreement with the Planning Board for the affordable units.

Mr. Brewer said that a monitoring agent is not required with Inclusionary Zoning provided that there is a deed restriction on the affordable units that is filed with the Registry of Deeds. He said that Mr. Behrend has spoken with the Wellesley Housing Development Corporation (WHDC) about the affordable housing. He said that they will submit a letter from WHDC.

Mr. Behrend said that the residential units will be apartments. He said that he needs approval from the Zoning Board of Appeals (ZBA) of the final number of units that can be built. He said that the existing building is three stories and the proposed building will be four stories. He said that there will be eight affordable units if they can build the four story building or four units if they remodel the existing building.

Mr. Behrend said that the project will meet all of the Zoning requirements for parking and height.

Mr. Behrend said that the antennas at the back of the property will remain.

Mr. Behrend said that vehicles will enter the site on the west side and will enter directly into the residential building garage. He said that there will be a card reader on an island to open the gates. He said that the gates will open and close for each vehicle so there will be no stacking.

Mr. Behrend said that there will be no left turn into the front lot (Lot A) from the back. Ms. Theriault said that the stop sign near the exit was modified by MassHighway.

Ms. Theriault said that cars parked in Lot A can travel east or west.

Mr. Behrend said that there will be 36 residential units and 51 parking spaces in the garage. He said that exterior parking will be open to the commercial and the residential buildings. He said that the traffic flow on the site was reviewed with the Chief of Police.

Ms. Theriault said that maneuvering aisles will be 24 feet wide. She said that the parking spaces will be 18 feet by 9 feet.

The Board said that there should be a clear route marked on the pavement that makes it easy and safe for pedestrians to get to Worcester Street. The Board asked about eliminating one of the parking spaces in Lot A to create a pedestrian link.

The Board said that there could be a conflict with vehicles entering the site at higher speeds and vehicles backing out of Lot A.

Mr. Behrend said that the existing utility area at the back of the property will be extended to the west to accommodate fiber optic equipment that will be added to tower vault. The area will be fenced. He said that the existing plantings around that area will be continued around the pad.

Mr. Behrend said that the compactors will be emptied every two weeks. He said that the trucks will go through the garage and then back down to the compactors. He said that the turning radius for the trucks to access the compactors will be 15 feet. He said that even with cars parked in the alternate parking spaces shown on the plan, there will be enough room for the truck to back down to the compactors. He said that one of the compactors is around the corner and the other one is straight back. He said that both compactors could be at the back.

The Board said that it was concerned that the truck will have to back down to the compactors under the windows of the residential units. Mr. Behrend said that the trucks are equipped with cut-outs for the backup beepers.

The Board said that the stormwater system outlet with a level spreader is located in that area. Mr. Behrend said that the level spreader is similar to a jersey divider with approximately one inch of it exposed at the top. The pipe will allow the water to go across to dissipate in the grass area. He said that the majority of the water will be contained on-site in parking lot B, underground. He said that the area at the back is for a potential overflow during a 100 year storm event. He said that he discussed the proposed system with the Wetlands Protection Committee (WPC) and they felt that it was a satisfactory source to dissipate the water during the 100 year storm event.

Mr. Behrend said that there will be an assembly area at the back of the residential building that will go off onto the deck and then to the grass area. Mr. Brewer said the porch is approximately 1,000 square feet. He said that the deck will be 2500 to 3000 square feet. Mr. Behrend said that there will be approximately 1600 square feet of grass area. The Board said that useable open space should be shown on the plan. The Board said that the plan should include the rip-rap, the level spreader and the concrete pad.

Mr. Behrend said that he had discussions with the Natural Resources Commission (NRC) and the WPC regarding access to a dock on the pond. He said that there is a grass area at the back of property that he hopes to continue down to the pond. He said that the NRC Director had recommended that the concept be reviewed by her Board after the project has Site Plan Approval. The Board said that it would be helpful to see that concept on the plans.

The Board said that other improvements to the area may be possible. Mr. Behrend said that there is potential for bordering vegetated wetlands to be used, which would have to be approved by the WPC. He said since trees were cut for an easement for a utility pole at the back to supply the road out to the peninsula on Morses Pond, there has been an opportunity for dialog about taking advantage of that.

Mr. Behrend said that the area between the utilities and the residential building is not shown as green space because he wanted to leave open the possibility of having basketball courts or play equipment there.

Mr. Behrend said that there will be recycling inside the building. He said that the Planning Board was concerned that there be a compactor for the residential unit next to the building. He said that the compactor could be moved to the corner of the building and screened.

The Board asked if more green space could be created at the northwest corner of Lot A by eliminating one parking space. Mr. Behrend said that the State uses liquid calcium chloride in the winter that is petrifying plantings along the edges of the road. He said that he made the grass area in an attempt to have some green that would live.

Mr. Behrend said that he worked with the Design Review Board (DRB) to change the entrance to the residential building. He said that planters could be added there.

Mr. Behrend said that the window sizes and the exterior façade were adjusted to address DRB recommendations.

The Board said that the smaller green space on the northeast corner at the exit to Route 9 that is shown on the landscaping plan is different from the other plans. Mr. Behrend said that area was modified according to the new State setbacks. He said that the radius was matched on the west side as well.

The Board said that sheet #4 of the Parking and Lighting Plan shows an 8 foot wide concrete walk along the west side of the commercial building. Mr. Behrend said that the walkway along the west side of the commercial building will be 5 feet wide with a 3 foot wide landscaped area.

The Board said that calculations for interior landscaping in the parking area should be submitted.

The Board said that the Department of Public Works (DPW) had concerns about parking spaces 30, 31, 32 and 33 in the garage. Mr. Brewer said that area is for compact cars. He said that it is a tight maneuvering area. Mr. Behrend said that dimensions and turning radii will be added to the plans. He said that there will be 24 foot maneuvering aisles. He said that there will be no assigned parking spaces.

The Board said that there are inconsistencies between the numbered drawings and the engineering drawings.

Mr. Behrend said that access to the commercial building will be from the lots and from parallel parking along the face of the building. He said that there will be services doors only at the rear of the building. He said that there will be one stairway but it will not be a primary entrance.

Mr. Behrend said that a single stand alone sign will be the primary sign for the building. He said that there will be small signs for identification on the building. The Board said that all of the tenant signs should be reviewed at the same time so that they will be consistent.

The Board said that DPW suggested that there be two handicapped spaces at the entrance area of the residential building.

The Board asked if the spaces at the northwest corner of Lot A could be reconfigured to avoid a conflict with entering traffic and vehicles backing out of the handicapped space. Mr. Behrend said that he could move the island.

The Board said that a separate Special Permit will be required for a drive-through.

The Board said that there could be conflict with the queue at Starbucks and cars coming out of the garage. Mr. Behrend said that there will be a travel lane outside of the queue lane. He said that the traffic studies included the drive-through.

The Board said that it had received a letter dated October 14, 2008 from Sgt. Showstead at the Police Department. Sgt. Showstead expressed concerns with queue length and conflicts with parking at the rear of the commercial building. He did not think that the Starbucks that was used for comparison was appropriate.

Mr. Behrend said that traffic will wrap around the building. He said that there will be an island that will put all of the drive-through traffic against the building. He said that they could stripe a lane. He said that there will be employee parking at the back of the commercial building so they will be isolated for the day.

The Board said that if the traffic is two-way in Lot B, the queue lane will have to be on the right hand side. The Board said that one-way circulation in Lot B may be better. The Board said that during the morning peak hour, it will be Starbucks' peak time, and residents and employees will be going to work. Mr. Behrend said that Lot B had previously been configured as one way but the Police asked them to keep it two way. Mr. Dirk said that there should be two way circulation in Lot A but everything else should be one way.

Mr. Dirk said that they have worked with other Starbucks that are at busier locations. He said that the queue length of four cars is consistent.

The Board said that sequencing of construction, hours of operation, wheel washes, handling of water from the washdown, parking, and construction fences should be shown on the Construction Management Plan.

Mr. Behrend said that there will be sufficient on-site parking for the workers during construction. He said that the silt fence has been inspected by the WPC.

The Board said that some of the haybales and the silt fence appear to be off of the property boundary on the eastern side. Mr. Behrend said that there is a six foot chain link fence there that is topped with barbed wire. The silt fence and haybales were installed inside the fence. The Board said that the plans should be corrected.

The Board said that construction hours should be consistent with Town ordinances.

The Board said that the Construction Management Plan should discuss dust management, truck routes and security gates.

The Board said that there should be no light spillage onto adjacent properties. The Board said that there should be some sort of outdoor lighting for the area at the back of the residential building for security.

The Board asked about access to CVS. Mr. Behrend said that there is a five foot grade difference there. He said that there is an existing concrete wall along the west property line. He said that a set of stairs and a sidewalk would be needed. He said that they are restricted as to what they can do in the floodplain area.

Mr. Behrend said that CVS has not applied for a permit yet and does not have a MassHighway approved curb cut.

The Board asked about the October 9, 2008 enforcement order from the WPC. Mr. Behrend said that they have satisfied the conditions.

The Board asked about the improvements that will be done at the Overbrook intersection. Mr. Dirk said that they will be replacing the entire signal controller, electronic cabinets, re-cable the intersection, replace the detection equipment, and reconfigure the crosswalk. Mr. Behrend said that funds for that will be held in escrow pending what happens on the Kehoe site. He said that CVS' proposal for that property completely overlaps this project. He said that they propose to completely revise the entire Overbrook intersection. He said that it also tied in with the Oak Street intersection improvements.

The Board asked about the Weston Road improvements. Mr. Dirk said that it needs a complete reconstruction. He said that this project will be adding a small amount of traffic to an intersection that already fails. He said that there are sight line issues to get onto Weston Road. He said that signs and markings had been suggested. He said that the crash history is not on Route 9 but at the bottom of the ramps. He said that Vanasse suggested limiting some of the on-street parking. He said that there were improvements that were recommended for other projects that were never implemented. The Board said that it would discuss in its findings that it supports the idea that safety could be improved at that intersection by eliminating the parking on Weston Road.

Ms. Theriault said that the stormceptors will accept runoff from the parking lot. She said that the storm trap will be for an underground detention system that will allow for infiltration. She said that roof runoff will go directly into the storm trap. She said that the WPC asked them to put in separate drywells for somewhat of a redundancy for the roof runoff. She said that all of the runoff will end up in the storm trap where it will infiltrate into the ground and discharge out the back.

Ms. Theriault said that the Model 450 was chosen for 85% TSS removal. The Board said that the manufacturer's cut sheets and its recommended operation and maintenance should be submitted as well as cut sheets and operation and maintenance recommendations from the manufacturer for the storm traps.

Mr. Behrend said that there is a maintenance program that was required by the WPC. Ms. Theriault said that they had submitted a more comprehensive program to the WPC. The WPC had asked for the additional program. She said that the more comprehensive materials will be submitted to the Board.

The Board said that an updated Operation and Maintenance Plan should be submitted. The Board said that the modeling should reflect the current plans.

The Board asked about snow storage. Ms. Theriault displayed on the plan the location of snow storage along the west side of the property, on the island on the east side and the west side. Mr. Behrend said that approximately 75% of the site will be in the sun so there will be a good amount of melting.

Ms. Theriault said that they will submit a copy of the NPDES permit to the Board.

Mr. Behrend said that the standing sign will be located on the east side of the west entrance. He said the Verizon will be removing poles #262 and #266.

The Board voted unanimously to continue the petition to December 18, 2008.

December 18, 2008

Presenting the case at the hearing were Dean Behrend, Cynthia Theriault and Clark Brewer.

Ms. Theriault said that two crosswalks and a walking path from the residential building to the sidewalk along Route 9 were added. She said that the number of parking spaces was decreased by one. She said that there is sufficient parking to meet Zoning requirements.

Ms. Theriault said that traffic circulation on Lot A will remain two way but Lot B will be one way. She said that the site can handle a queue length of 10 to 12 cars, which is sufficient. She said that the plan is to stripe the area and write the words “drive through” on the pavement, as shown on Sheet 4. Mr. Dirk said that the lines will wrap the building. The Board said that the queue line will block parking at the rear of the commercial building but queue lines tend to move quickly.

The Board said that dumpsters are shown in a different location than what was discussed at the previous hearing. Ms. Theriault said that DPW did not want the dumpster in the easement. She said that curbing was removed to give the truck more space.

Mr. Brewer said that having the dumpster around the corner was better for the residential building.

Mr. Behrend said that the compactor trucks have a tighter turning radius. He said that the trucks are shorter and part of the equipment stays in the ground. He said that there will be compression style containers that compress 40 yards to 20.

Mr. Behrend said that trash will be picked up at 7:00 a.m. Mr. Brewer said that parking needs will be minimal at that time.

The Board said that the width between the curb and Alternate Parking Space #1 appears to be 13.1 feet. The Board said that the Petitioner should consider shaving a corner of the curb. Mr. Brewer said that they could bring the curb line over, perhaps as much as three feet.

Ms. Theriault said that the alternate parking spaces will be 8 by 22 feet, which meets the requirements for parallel parking. The Board said that it will be a very tight site. Mr. Brewer said that the Planning Board wanted the maximum number of housing units as possible on the site. He said that the original goal was for 40 units but he could only comfortably fit 36 units. He said that there are competing forces that influence the site.

The Board said that the width of the drive to the back should be increased to 15 feet.

Mr. Brewer said that two balconies will overlook the dumpster area. Mr. Behrend said that the compactors will be concealed.

The Board asked who the target residents will be. Mr. Behrend said that it will be young families and couples for the one bedroom units.

Mr. Behrend said that there is an amended plan before the WPC for a boardwalk to the dock area. He said that there is an opportunity to clear invasive plants and scrub trees in the wetlands area that are less than 6 inches in caliper. Ms. Theriault said that the boardwalk will be supported by stilts. Mr. Behrend said that they chose to construct an elevated boardwalk because the area is wet. He said that the areas to the left and right of the boardwalk are elevated and much drier.

Mr. Brewer said that there will be a covered, screened porch for the residents. He said that the area faces south which will be away from the traffic area.

Mr. Behrend said that there is an easement on the property that is recorded with the Registry of Deeds. The Board asked that the easement be shown on the plans.

Ms. Theriault said that they have shown the boardwalk going up to the deck. Mr. Behrend said that there is a significant drop between the east property line and the boardwalk. He said that the area behind the cell tower could be a walkway. The Board said that Mr. Behrend should work with the WPC to maximize the benefit to the tenants. The Board said that a letter regarding the results of the work with the WPC should be submitted to the Board for its files.

Mr. Brewer said that they changed the handicapped van dropoff space to create a more generous entrance space at the residential building. He said that they changed to softscape up against the building and put bollards in. He said that there will be a detailed column and wood underneath the entry for a more residential effect. He said that they could match the pavement to the end of the island.

The Board said that the intent of the work for the recreation area and the 14-18 foot trees outside of the fencing around the cell towers should be shown on the plans. The Board said that the view should be softened for people looking down on the dumpster area.

Mr. Behrend said that Starbucks' profile has changed. He said that they prefer not to have customers set up with a laptop. He said that there will be more standing room than seating. He said that the facility will be 2,000 square feet.

Mr. Behrend said that there will be a number of parking spaces allotted for the customers. He said that a sidewalk will extend around the building except on the drive through side.

Mr. Behrend said that trash for the commercial building will be transferred from covered containers at the back of the building to the dumpsters.

Mr. Brewer said that there may be recycling on each floor of the residential building for newspaper, cardboard, plastic and glass. Mr. Behrend said that food would go to the recycling facility in the garage. The Board said that the area is located close to Morses Pond.

Mr. Brewer said that if the recycle area was moved to the dumpster area it would eliminate the need for the truck to go through the garage. The Board asked if the pathway that is shown at the compactor area was moved to the south of the cell tower that the area could be used for the recycle facility. Mr. Behrend said that it would be good to move it there because it would be fenced in and have a gate. Mr. Brewer said that they could use the proposed recycle area as a closet for lawn chairs or a some similar use.

Mr. Brewer said that they added extra room to the parking spaces in the garage that DPW had been concerned with. He said that they put three more feet at the ends so that driving in and out will be a little easier. He said that the drive aisle will be 24 feet clear in between the columns. He said that there will be 54 parking spaces.

The Board said that the garage will be located in a Water Supply Protection District. The Board said that there is a requirement that there be five feet between the top of the groundwater table and the exterior of the finished building. Ms. Theriault said that the issue was addressed in the PSI. The Board said that DPW determined that there would be no threat to the water supply.

The Board said that the dumpsters will be in a Water Supply Protection District and the floodplain. Mr. Behrend said that they are sealed units. Ms. Theriault said that they will be set at the elevation of 130.5 feet. Mr. Behrend said that the site is pitched so that flow is towards the building. The Board said that a condition of Site Plan Approval will be that the compactors be water tight so that any fluid in them will be contained and removed with the unit. Mr. Behrend said that they can pitch the units slightly.

Ms. Theriault said that the location of the curbing at the back will change if the path goes back there. She said that it is intended to go around the cell tower. The Board said that the curbing should be contiguous so that there will be no drainage off of the site.

Mr. Behrend said that snow storage will be on the landscaped areas and along the west side of the property at the five foot wall.

Mr. Brewer said that they will use cutoff fixtures for the big lighting fixtures. He said that there will be spot site lighting with bollards to the extent possible, as shown on Sheet A-3. He said that the bollards will go out along the walkway out to Route 9. He said that they will be located in the landscaped areas at the sidewalks. He said that there will step lights built in. The Board asked that the coordination of the lighting, landscape and site be shown on one plan.

Mr. Behrend said that there could be a security gate at the boardwalk. Mr. Brewer said that access would be from the private property to the public property. Mr. Behrend said that they could install motion detector lights. He said that there could be bollards at the end of the deck.

Mr. Behrend said that there is a program underway for Morses Pond. He said that the Town approached him to see if he would be willing to undertake the work at the side of the pond closest to his property.

Mr. Brewer said there will most likely be a buzzer system in the vestibule for admittance to the lobby of the residential building. Guests will not have access into the garage.

Mr. Brewer said that the mailroom will be in the lobby. He said that seemed appropriate for the scale of the building.

Mr. Brewer said that other amenities in the lobby may include a bench, panels in the walls and lighting.

Ms. Theriault said that Adam Bossi from the WPC approved the sediment trap.

Ms. Theriault said that the construction entrance on Route 9 is shown on Sheet 3. She said that the wheel washing area will have a gravel base to contain the sediment. She said that the water from the wheel wash will go through filtered fabric and drain to the drainage system. She said that the drainage will go through a catch basin to a stormceptor to a storm trap.

The Board said that there is nothing in the plans that states that every vehicle leaving the site will have its wheels washed. The Board said that signage for wheel washing would be good. Wheel washing should be shown on the plan.

Mr. Behrend said that they have a permit from MassHighway to tap into their water system to get onto the site. He said that they have a permit to make two taps, one for the commercial building and one for the residential building. He said that it will tie into the fire sprinkler and pressure system.

The Board asked if there are specifications for the fertilizers that will be used. Mr. Behrend said that it will probably be organic.

Mr. Behrend said that de-watering during construction will be at the back where the level spreader will be. Ms. Theriault said that had been reviewed by DPW.

Mr. Behrend said that the existing construction fence will be maintained. Ms. Theriault said that is shown on the Existing Conditions Plan.

Mr. Behrend said that hours of construction will be 7 a.m. to 7 p.m., 7 days a week. Mr. Behrend said that the residential areas across the street are screened by commercial buildings.

The Board said that there will be a condition that all construction material laydown and construction parking will be on-site. The Board said that it should be addressed in the Construction Management Plan.

The Board said that on the O & M Plan for the storm trap, a depth should be specified for cleanout. The depth was shown for the stormceptor. There was no specification for when oil should be removed. Ms. Theriault said that generally when the stormceptor is inspected any visible oil is removed. The Board said that the plan should be revised to state that.

The Board said that a line should be added to the Maintenance Log form for removal of visible oil. The Board said that the underground detention trap should be cleaned when it is at 10%.

The Board said that the Fire Department will be asked to review the plans again because the compactors have been moved.

The Board said that the Police Department's concerns about the queue have been addressed.

Mr. Brewer said that the issue of utilities in the garage has not been worked out with the engineers yet.

Mr. Brewer said that he will develop the design in the corridors of the residential building.

Mr. Behrend said that WHDC told him that it would be up to ZBA to decide about a third party administrator for the affordable units. Mr. Brewer said that the mix of affordable units will be worked out. The Board said that there is typically a Regulatory Agreement or a deed restriction for affordability in perpetuity.

Mr. Behrend said that they will retro-fit a cover if there is to be a drive-through window at the commercial building.

Submittals from the Petitioner

- Letter of Application for Site Plan Review, dated 8/20/08, from Cynthia Theriault, P.E., Project Manager
- Application
- Site Plan Approval Review – Plans and Submittal Checklist
- Development Prospectus
- Stormwater Management Report, , dated 1/15/08, stamped by Cynthia Theriault, Registered Professional Engineer
- Memorandum to Hans Larsen, dated 4/18/08, from Jeffrey Dirk, P.E., PTOE
- Letter to Hans Larsen, dated 5/15/08, from Jeffrey Dirk, P.E., PTOE
- EPA Stormwater Pollution Prevention Plan, 6/2008, prepared by Beals Associates, Inc.
- Letter to Rick Brown, dated 7/16/08, from Jeffrey Dirk, P.E., PTOE
- Letter to Planning Board, dated 7/14/08, from Dean Behrend
- Letter to Dean Behrend, dated 7/15/08, from Richard H. Brown, Planning Director
- Traffic Impact and Access Study, Proposed Mixed-Use Development, dated November 2006, stamped by Jeffrey Dirk, P.E., PTOE
- Letter to Wellesley Zoning Board of Appeals, dated 12/10/08, from Cynthia Theriault, P.E.
- Supplement to Application for Site Plan Review, dated 12/10/08, prepared by Beals Associates, Inc.
- Waterview Apartments, An Affordable Housing Lottery, dated 12/12/08, prepared by Wellesley Realty Associates
- Cut Sheet, Door Operator Accessories, dated 12/18/08

Plan Number	Drawing Title	Date of Issue	Prepared By	Date of Revision
Cover & Locus Plan	978 Worcester Street Redevelopment Project	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/22/08, 6/9/08, 8/20/08, 12/10/08
Sheet 1	Existing Conditions	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/22/08, 6/9/08, 8/20/08, 12/10/08
Sheet 2	Proposed Site Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/8/08, 6/9/08, 8/20/08, 12/10/08
Sheet 3	Construction Mitigation Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/9/08, 8/20/08, 12/10/08

Sheet 4	Proposed Parking and Lighting Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/9/08, 8/20/08, 12/10/08
Sheet 5	Proposed Signage & Pavement Markings Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/3/08, 8/20/08, 12/10/08
Sheet 6	Proposed Grading & Drainage Plan	1/15/08	Cynthia Theriault, P.E.	2/6/08, 3/5/08, 6/9/08, 8/20/08, 12/10/08
Sheet 7	Landscape Plan	1/15/08	Cynthia Theriault, P.E. & Cynthia O'Connell, Landscape Architect	3/5/08, 12/10/08
Sheet 8	Proposed Water Service Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/8/08, 6/9/08, 7/10/08, 8/20/08, 12/10/08
Sheet 9	Proposed Sewer Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/8/08, 6/9/08, 8/20/08, 12/10/08
Sheet 10	Proposed Utility Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 4/8/08, 6/09/08, 7/11/08, 8/20/08, 12/10/08
Sheet 11	Sanitary Sewer Profile	8/20/08	Beals Associates	12/10/08
Sheet 12	Stormtrap Drainage Details	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/09/08, 8/20/08, 12/10/08
Sheet 13	Details	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/9/08, 8/20/08, 12/10/08
Sheet 14	Drainage Details	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/9/08, 8/20/08, 12/10/08
Sheet 15	Proposed Signage & Access Plan	1/15/08	Cynthia Theriault, P.E.	3/5/08, 6/3/08, 8/18/08, 8/20/08, 12/10/08
A101	First Floor Plan	4/29/08	Mark Joyce, Registered Architect	6/11/08, 8/19/08
A102	Second Floor Plan	4/29/08	Mark Joyce, Registered Architect	6/11/08, 8/19/08
A103	Roof Plan and Details	1/26/06	Mark Joyce, Registered Architect	6/11/08, 8/19/08
A201	Exterior Elevations	2/1/06	Mark Joyce, Registered Architect	6/11/08, 8/19/08
A601	Building Sections	5/1/08	Mark Joyce, Registered Architect	6/11/08, 8/19/08
A-1	Floor Plans	8/19/08	Clark Brewer, Registered Architect	12/11/08
A-2	Elevations Detailed Entry Plan	8/19/08	Clark Brewer, Registered Architect	12/11/08

A-3	Details Site Lighting Layout	8/19/08	Clark Brewer, Registered Architect	12/11/08
A-4	Typical Floor Plans	8/19/08	Clark Brewer, Registered Architect	12/11/08
A-5	Elevations	8/19/08	Clark Brewer, Registered Architect	12/11/08
A-6	Details	8/19/08	Clark Brewer, Registered Architect	12/11/08
	ALTA/ACSM Land Title Survey	5/15/01	Peter Ditto, Professional Land Surveyor	

On May 28, 2008, the Design Review Board voted to approve the design for the commercial and residential structures but asked Mr. Behrend to return with a larger window design for the residential structure.

On October 7, 2008, the Planning Board reviewed the petition and had no objection to approval of the application.

On February 21, 2008, the Wetlands Protection Committee issued an Order of Conditions, DEP File No. 324-574.

On October 24, 2008, the Wetlands Protection Committee issued an Enforcement Order of the Order of Conditions.

On December 12, 2008, the Wetlands Protection Committee issued an Amended Enforcement Order.

On December 18, 2008, Adam Bossi, Conservation Administrator sent a letter to Mr. Behrend with copy to the Zoning Board of Appeals stating that:

The October Enforcement Order has now been satisfactorily addressed and all actions in the December Amended Enforcement Order that can be addressed now either have been or reasonable arrangements have been made to address them as soon as possible.

On October 20, 2008, Joe Duggan, Water & Sewer Division, Town of Wellesley, sent a memorandum to George Saraceno, Senior Civil Engineer, Town of Wellesley, regarding comments on the plans.

On October 21, 2008, Cricket Vlass, Landscape Planner, Town of Wellesley, sent a memorandum to George Saraceno, Senior Civil Engineer, Town of Wellesley, regarding the tree planting detail.

On November 21, 2008, George Saraceno, Senior Civil Engineer, Town of Wellesley, sent a memorandum to the Zoning Board of Appeals regarding comments from the Department of Public Works.

On December 18, 2008, George Saraceno, Senior Civil Engineer, Town of Wellesley, sent a memorandum to the Zoning Board of Appeals and stated that:

With the exception of the Proposed Site Plan, sheet#2, which according to Beals Associates, Inc., will be prepared shortly to show three (3) permanent benchmarks triangulated and located on the plan and be stamped and signed by a Massachusetts licensed registered land surveyor, the applicant has addressed previous comments in a memo dated November 21, 2008, submitted to the Zoning Board of Appeals from this office.

On October 20, 2008, Sergeant Showstead of the Police Department, Town of Wellesley, sent a memorandum to Terrence Cunningham, Chief of Police, regarding the proposed development at 978 Worcester Street.

The Board found that the proposed Major Construction Project that consists of demolition of two existing buildings and construction of a two-story mixed use building with retail and a coffee shop on the first floor and offices on the second floor, with a footprint of 12,000 square feet, and four-story residential building with a footprint of 18,079 square feet, for a total of 78,237 square feet of total floor area, is in harmony with the general purpose and intent of the Zoning Bylaw, subject to conditions listed below.

The Board found that it supports the idea that safety could be improved at the intersection of the ramp from Route 9 and Weston Road by eliminating the parking on Weston Road.

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.

CONDITIONS

1. All Site Plan drawings shall use the same Layout Base Drawing, be coordinated with each other, and shall reflect the plan related discussion and decisions agreed to in the December 18, 2008 Zoning Board of Appeals Public Hearing.
2. Coordination of affordable units with the Wellesley Housing Development Corporation (WHDC): Lottery by third party either housing authority or other, deed restriction for affordable units.
3. The decision of the Planning Board regarding the traffic improvements at Overbrook Drive shall be incorporated into this decision.

4. Final approval by the Department of Public Works shall be required.
5. The Fire Department shall re-review and approve the trash compactor locations and final plan.
6. The Applicant shall seek approval from the Wetlands Protection Committee (WPC) and the Natural Resources Commission (NRC) to clear the underbrush at the rear of the property to the pond edge and install a boardwalk and dock.
7. If the boardwalk and dock are approved by the NRC and the WPC, motion detector activated lighting for security shall be installed in the rear of the residential building.
8. Final coordination drawings will incorporate agreed to changes and improvements in the wetland area, if any.
9. Plans shall be revised to show landscape area under residential overhangs to be hardscape.
10. Plans shall be revised to include stone paving at the residential entry that will extend along the island adjacent to the vehicle entry, to indicate the pedestrian route.
11. The mail area and lobby of the residential building shall be designed to include an intercom system from the vestibule for resident guests.
12. Plans shall be revised to show the Drive Through Pavement markings rounding the corner of the building and shall meet MUTCD standards.
13. Plans shall be revised to show the aisle width between the alternate parking spaces and the residential building with a minimum width of 15 feet.
14. The proposed trash compactors shall be designed and maintained to prevent any release of liquids to the wetland area and shall be watertight.
15. Plans shall be revised to confirm that the trash compactors will be accessible in the area behind the residential building.
16. Plans shall be revised to show the proposed boardwalk with pedestrian access along the length of the easement to the parking lot, behind the cell tower.
17. Plans shall be revised to add detail of a playground including existing and proposed trees for the recreational area.
18. Plans shall be revised to relocate the proposed recycling area as adjacent to the compactors.
19. Plans shall be revised to coordinate the landscaping and lighting plans.

20. The Construction Management and Utilization Plan shall be revised to add information about temporary fencing, vehicle washing, construction vehicle parking and lay down areas and construction hours. All vehicles shall be washed prior to leaving the site. Fertilization shall comply with the Rules and Regulations of the Wellesley NRC. Construction hours shall be from 7:00 a.m. to 7:00 p.m. Dewatering shall be as discussed at the Public Hearing. Fertilizer use shall be organic. The wheel wash identification signage shall be shown on the plans. All materials and parking for construction shall be on site.

21. The Operation and Maintenance Plan shall be revised to include a depth for sediment removal for the StormTrap and shall include a note that all visible oil shall be removed from the Stormceptors, if found.

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.

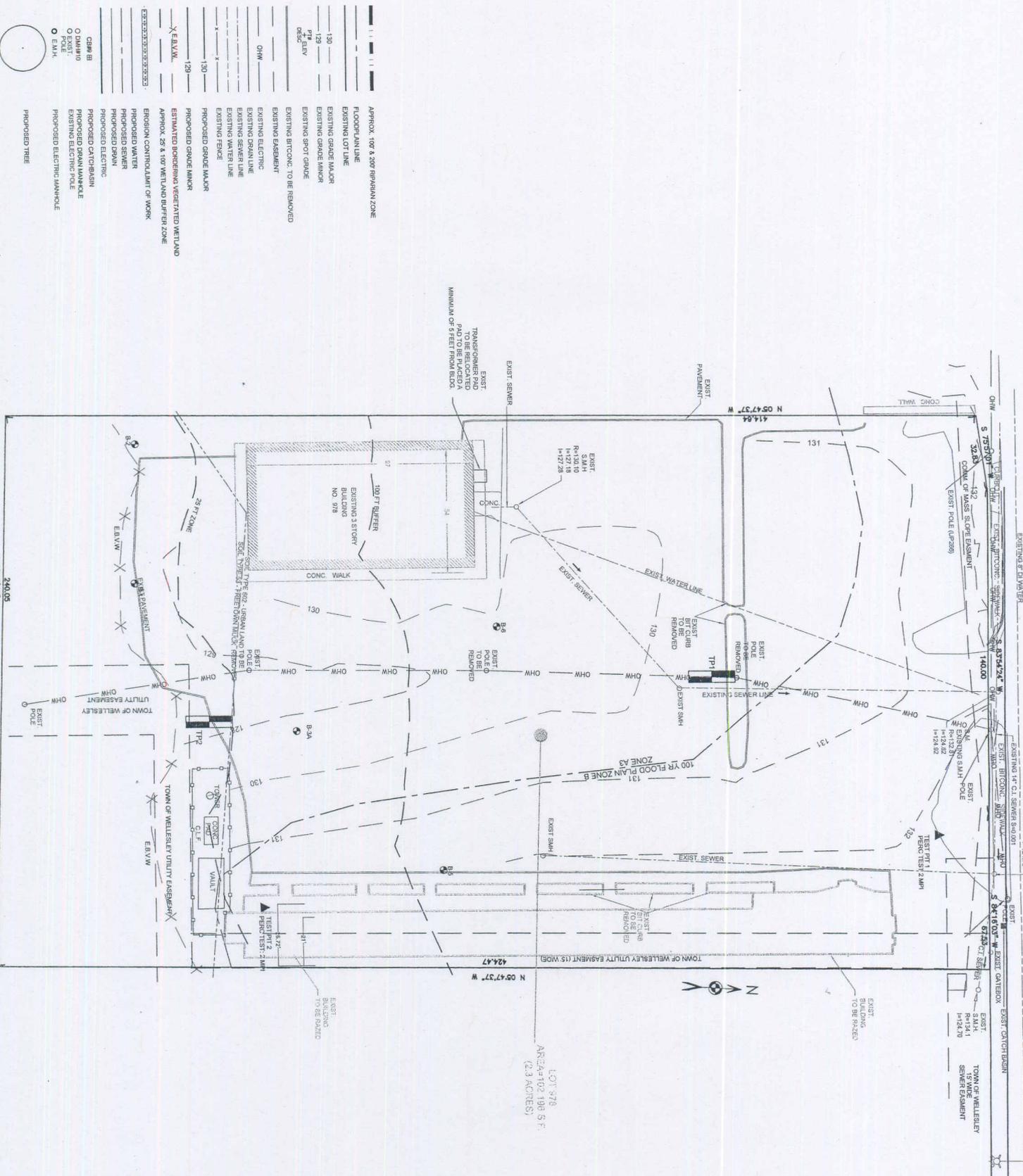
Cynthia S. Hibbard, Acting Chairman

David G. Sheffield

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

WORCESTER STREET
(STATE HIGHWAY VARIABLE WIDTH)



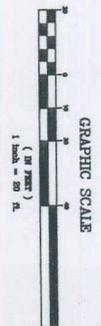
- APPROX. 100' & 200' RIPARIAN ZONE**
- FLOOR PLAN LINE
 - EXISTING LOT LINE
 - EXISTING GRADE MAJOR
 - EXISTING GRADE MINOR
 - EXISTING SPOT GRADE
 - EXISTING BITUM. TO BE REMOVED
 - EXISTING ASPHALT
 - EXISTING ELECTRIC
 - EXISTING DRAIN LINE
 - EXISTING SEWER LINE
 - EXISTING WATER LINE
 - EXISTING FENCE
 - EXISTING GRADE MAJOR
 - EXISTING GRADE MINOR
 - ESTIMATED OPENING IN VEGETATED WETLAND APPROX. 50' X 100' WETLAND BUFFER ZONE
 - ERIKON CONTROL LIMIT OF WORK
 - PROPOSED WATER
 - PROPOSED SEWER
 - PROPOSED DRAIN
 - PROPOSED CATCHBASIN
 - PROPOSED DRAIN MANHOLE
 - EXISTING ELECTRIC POLE
 - PROPOSED ELECTRIC MANHOLE
 - PROPOSED TREE

Prepared for:
DEAN BEHREND
WELLESLEY REALTY ASSOC.
P. O. BOX 81004
WELLESLEY, MASSACHUSETTS
02481

Prepared by:
BEALS ASSOCIATES INC.
80 NORTH WASHINGTON ST.
BOSTON
MASSACHUSETTS
02114
617 742-3664
617 742-0910

REFERENCES:
DTE PLAN 078281 WORCESTER ST
WELLESLEY, MA
NOV. 18, 2005
PVT FIELD RECONNAISSANCE INC.
PVT CONSULTING DESIGN GR. INC.

TOPOGRAPHIC PLAN
WELLESLEY, MASSACHUSETTS
JUN. 17, 2006
A. GILBERT, INC.
PO BOX 62002
NEWTON LOWER FALLS, MA 02462
BENCHMARK DATED ON TOWN OF WELLESLEY
SEWER DATA 100 YEAR FLOOD PLAN
ZONE A-A (25' TO 50' SEPT. 1, 1978) NAD 83
778 425000 500 887 4.100 NAD 83
THIS PROJECT IS LOCATED IN THE TOWN OF WELLESLEY
WATER SUPPLY PROTECTION DISTRICT.
CONTRACT NO. 2006-001
CONTRACT DATE: MAY 18, 2006
SEE SOIL LOSS BY J.A. ACCIOLI, MAY 18, 2006
LOCATIONS ARE APPROXIMATE
ELEVATIONS ARE APPROXIMATE
ELEVATION 4' BELOW GRADE



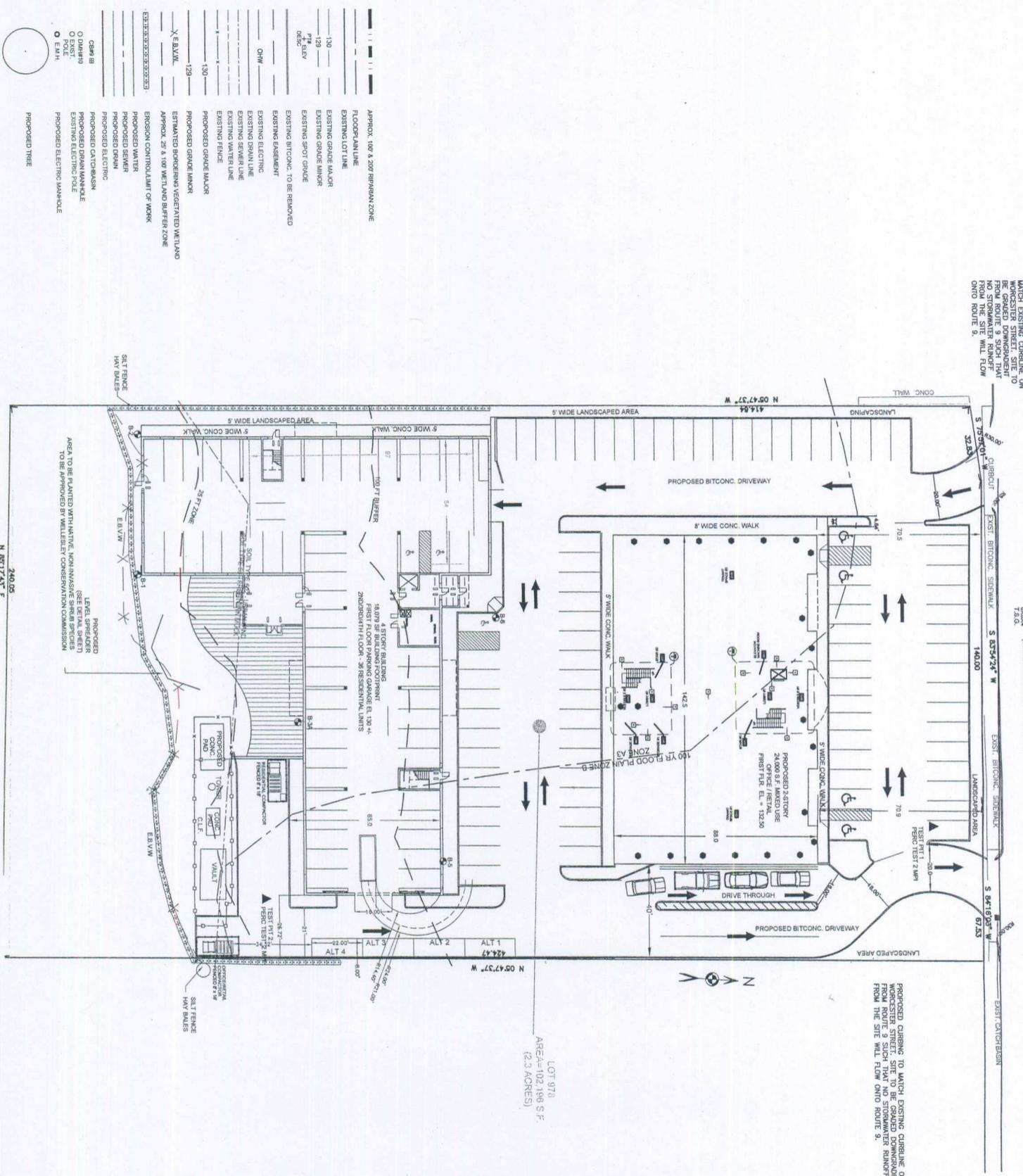
EXISTING CONDITIONS
978 WORCESTER STREET
REDEVELOPMENT PROJECT
IN THE TOWN OF
WELLESLEY, MASSACHUSETTS

DATE:	SCALE:
JANUARY 15, 2008	1"=20'
REVISIONS:	DATE:
Per Conservation Commission - Erosion Control	3.05.08
Per Wellesley PDS Review	4.22.08
Per Wellesley PDS Review	6.09.08
Site Plan Approval	8.20.08

PROJECT NUMBER: C-320
SHEET NUMBER: 1



WORCESTER STREET
1:25
(STATE HIGHWAY VERDUGA MONTE)



PROPOSED CURBING TO MATCH EXISTING CURBLINE ON WORCESTER STREET. NO STORMWATER RUNOFF FROM ROUTE 9 SUCH THAT NO STORMWATER RUNOFF WILL FLOW ONTO ROUTE 9.

PROPOSED CURBING TO MATCH EXISTING CURBLINE ON WORCESTER STREET. NO STORMWATER RUNOFF FROM ROUTE 9 SUCH THAT NO STORMWATER RUNOFF FROM THE SITE WILL FLOW ONTO ROUTE 9.

LOT 978
AREA=102,196 S.F.
(2.3 ACRES)

Prepared for:
DEAN BEHREND
WELLESLEY REALTY ASSOC.
P.O. BOX 81004
WELLESLEY, MASSACHUSETTS
02481

Prepared by:
BEALS ASSOCIATES INC.
88 NORTH WASHINGTON ST.
BOSTON
MASSACHUSETTS
02114
617 742-3564
617 742-0310

REFERENCES:

- SITE PLAN MAP 179 WORCESTER ST. WELLESLEY, MA NOV. 18, 2005
- BYPFIELD RESOURCES INC. AND CONSULTANTS DESIGN OF INC. TOPOGRAPHIC PLAN 1511515151 STREET WELLESLEY, MA JAN. 17, 2006
- PO BOX 600022 WELLESLEY, MA NEWTON LOWER FALLS, MA 02462
- BENCHMARK BASED ON TOWN OF WELLESLEY SEWER MAINLINE 100 YEAR FLOOD PLAN ZONE A - 125 FLOOD ELEVATION FROM 200505 00 050 007 1 3 000 000 000
- THIS PROJECT IS LOCATED IN THE TOWN OF WELLESLEY WATER SUPPLY PROTECTION DISTRICT.

PROPOSED USES:

- 1,000 SF OFFICE SPACE WITH DRIVE THROUGH FRONT BUILDING
- 10,000 SF GENERAL RETAIL SPACE SECOND FLOOR
- 36 RESIDENTIAL CONDOMINIUMS REAR BUILDING



978 WORCESTER STREET
REDEVELOPMENT PROJECT
IN THE TOWN OF
WELLESLEY, MASSACHUSETTS

PROPOSED SITE PLAN

- APPROX. 100' X 200' RIBBONLAND ZONE
- FLOORPLAN LINE
 - EXISTING LOT LINE
 - EXISTING GRADE MAJOR
 - EXISTING GRADE MINOR
 - EXISTING SPOT GRADE
 - PROPOSED GRADE
 - EXISTING BITCONC. TO BE REMOVED
 - EXISTING EASEMENT
 - EXISTING ELECTRIC
 - EXISTING DRAIN LINE
 - EXISTING SEWER LINE
 - EXISTING WATER LINE
 - EXISTING FENCE
 - PROPOSED GRADE MAJOR
 - ESTIMATED BROWSDING VEGETATED WETLAND APPROX. 25' X 100' WETLAND BUFFER ZONE
 - EROSION CONTROL LIMIT OF WORK
 - PROPOSED WATER
 - PROPOSED SEWER
 - PROPOSED DRAIN
 - PROPOSED ELECTRIC
 - PROPOSED CATCHMANS
 - PROPOSED DRAIN MANHOLE
 - EXISTING ELECTRIC POLE
 - PROPOSED ELECTRIC MANHOLE

- CS#1 B
- O DRAIN
- O EXIST.
- O E.M.H.

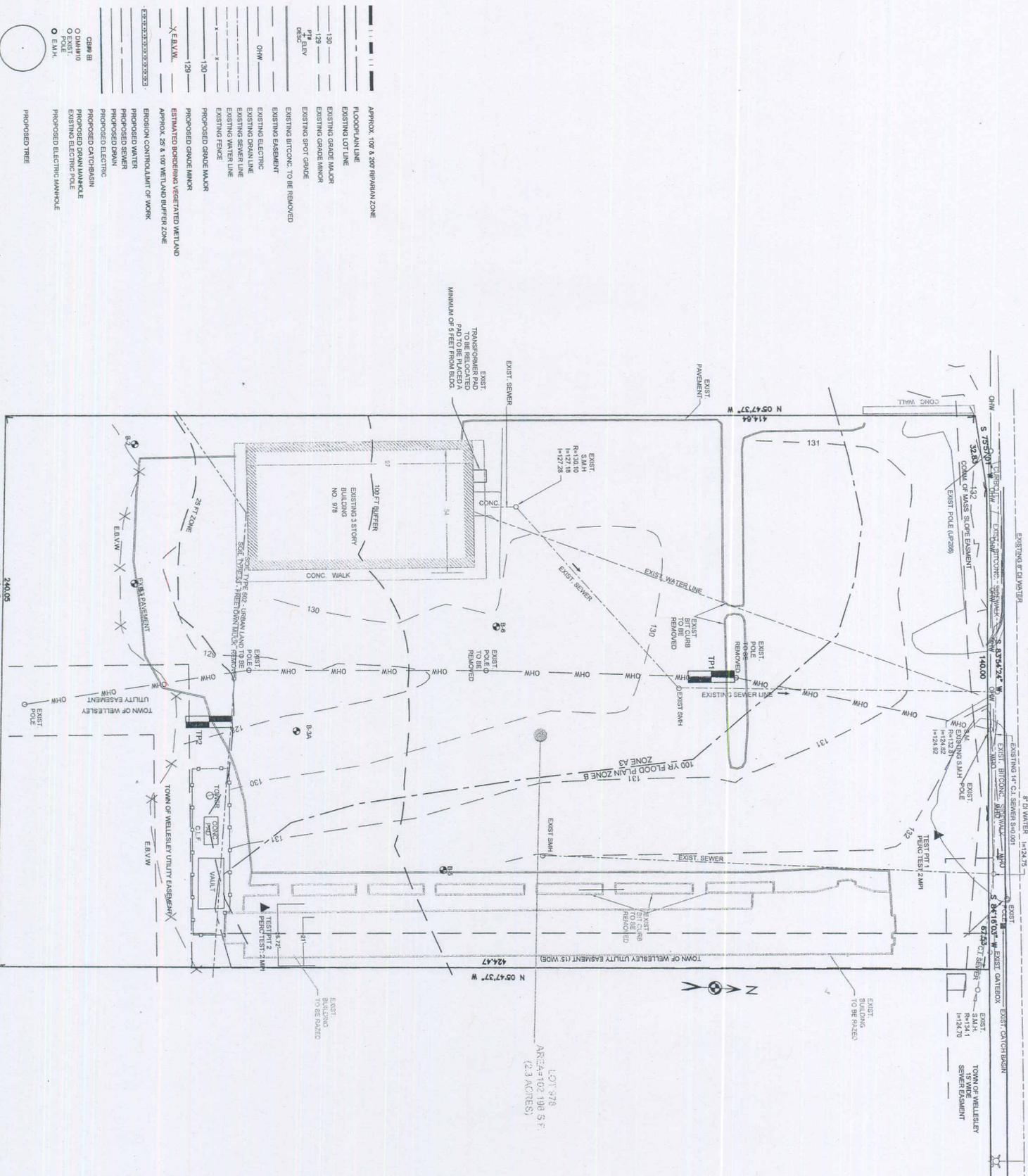


DATE	SCALE
JANUARY 15, 2008	1" = 20'

REVISIONS:	DATE
Per Conservation Commission - Erosion Control	3.05.08
Per Fire Department - Hydrant, pipe sizes	4.08.08
Revised per Engineering Department	6.09.08
Site Plan Approved	8.20.08

PROJECT NUMBER: C-520 SHEET NUMBER: 2

WORCESTER STREET
(STATE HIGHWAY VARIABLE WIDTH)



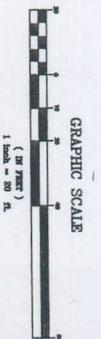
- APPROX. 100' & 200' RIPARIAN ZONE**
- FLOOR PLAN LINE
 - EXISTING LOT LINE
 - EXISTING GRADE MAJOR
 - EXISTING GRADE MINOR
 - EXISTING SPOT GRADE
 - EXISTING BITUM. TO BE REMOVED
 - EXISTING ASPHALT
 - EXISTING ELECTRIC
 - EXISTING DRAIN LINE
 - EXISTING SEWER LINE
 - EXISTING WATER LINE
 - EXISTING TIE-INS
 - PROPOSED GRADE MAJOR
 - PROPOSED GRADE MINOR
 - ESTIMATED RIPARIAN VEGETATED WETLAND APPROX. 50' & 100' WETLAND BUFFER ZONE
 - EROSION CONTROL/IMP. OF WORK
 - PROPOSED WATER
 - PROPOSED SEWER
 - PROPOSED DRAIN
 - PROPOSED CATCHBASIN
 - PROPOSED DRAIN MANHOLE
 - EXISTING ELECTRIC POLE
 - PROPOSED ELECTRIC MANHOLE
- LEGEND**
- CB# 88
 - DM# 110
 - DM# 110
 - E.M.H.
- PROPOSED TREE**

Prepared for:
DEAN BEHREND
WELLESLEY REALTY ASSOC.
P. O. BOX 81004
WELLESLEY, MASSACHUSETTS
02481

Prepared by:
BEALS ASSOCIATES INC.
80 NORTH WASHINGTON ST.
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MASSACHUSETTS
02114
617 742-3664
617 742-0910

REFERENCES:
DTE PLAN 070291 WORCESTER ST
WELLESLEY, MA
NOV. 18, 2005
PVT FIELD RECONNAISSANCE INC.
P&I CONSULTING DESIGN GR. INC.

TOPOGRAPHIC PLAN
WELLESLEY, MASSACHUSETTS
JAN. 17, 2006
A. GILBERT, INC.
PO BOX 62002
NEWTON LOWER FALLS, MA 02462
BENCHMARK DATED ON TOWN OF WELLESLEY
SEWER DATA 100 YEAR FLOOD PLAN
ZONE A-A (25' TO 50' SEPT. 1, 1978) NAD 83
778 425000 5008 SEPT. 1, 1978 NAD 83
THIS PROJECT IS LOCATED IN THE TOWN OF WELLESLEY
WATER SUPPLY PROTECTION DISTRICT.
CONTRACT NO. 2005-001
CONTRACT DATE: MAY 18, 2005
SEE SOIL LOSS BY J.A. ACCIOLLO, MAY 18, 2005
LOCATIONS ARE APPROXIMATE
ELEVATIONS ARE APPROXIMATE
ELEVATION 1' BELOW GRADE



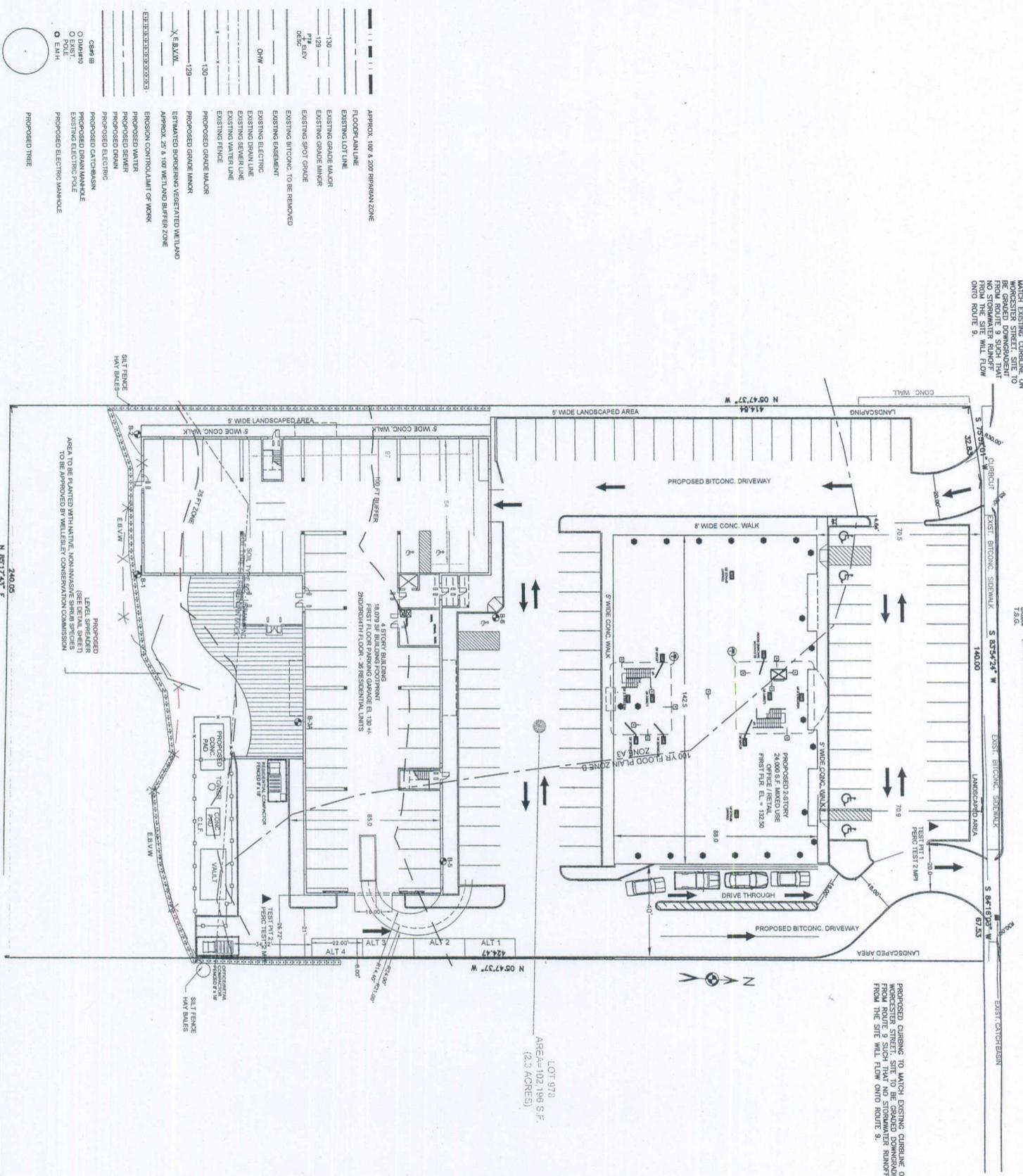
7978 WORCESTER STREET
REDEVELOPMENT PROJECT
IN THE TOWN OF
WELLESLEY, MASSACHUSETTS

EXISTING CONDITIONS

DATE:	SCALE:
JANUARY 15, 2008	1"=20'
REVISIONS:	DATE:
Per Conservation Commission - Erosion Control	3.05.08
Per Wellesley PZI Review	4.22.08
Per Wellesley PZI Review	6.09.08
Site Plan Approval	8.20.08
PROJECT NUMBER:	SHEET NUMBER:
C-320	1



WORCESTER STREET
1:25
(STATE HIGHWAY VERMONT ROUTE 9)



PROPOSED CURBING TO MATCH EXISTING CURBLINE ON WORCESTER STREET. SIDEWALK TO BE PLACED ON THE EAST SIDE OF FROM ROUTE 9 SUCH THAT NO STORMWATER RUNOFF WILL FLOW ONTO ROUTE 9.

PROPOSED CURBING TO MATCH EXISTING CURBLINE ON WORCESTER STREET. SIDEWALK TO BE PLACED ON THE WEST SIDE OF FROM ROUTE 9 SUCH THAT NO STORMWATER RUNOFF FROM THE SITE WILL FLOW ONTO ROUTE 9.

LOT 978
AREA=102,196 S.F.
(2.3 ACRES)

Prepared for:
DEAN BEHREND
WELLESLEY REALTY ASSOC.
P.O. BOX 81004
WELLESLEY, MASSACHUSETTS
02481

Prepared by:
BEALS ASSOCIATES INC.
88 NORTH WASHINGTON ST.
BOSTON
MASSACHUSETTS
02114
617 742-3564
617 742-0310

REFERENCES:
SITE PLAN FOR 978 WORCESTER ST.
WELLESLEY, MA
NOV. 18, 2005
BY FIELD RESOURCE INC.
AND CONSULTANTS DESIGN GP, INC.

TOPOGRAPHIC PLAN
151 STURGEON STREET
WELLESLEY, MA
JAN. 17, 2006
BY J. BARNETT, INC.
PO BOX 600022
NEWTON LOWER FALLS, MA 02462
BENCHMARK BASED ON TOWN OF WELLESLEY
SEWER DRAINAGE 100 YEAR FLOOD PLAN
ZONE A - 125 FLOOD ELEVATION
FROM 200505 00 050 007 1 3 000 000 000
THIS PROJECT IS LOCATED IN THE TOWN OF WELLESLEY
WATER SUPPLY PROTECTION DISTRICT.

PROPOSED USES:
FRONT BUILDING
1,000 SF GROSS SQFT WITH DRIVE THROUGH
10,000 SF GENERAL RETAIL SPACE
SECOND FLOOR
12,000 SF GENERAL OFFICE SPACE
REAR BUILDING
36 RESIDENTIAL CONDOMINIUMS



978 WORCESTER STREET
REDEVELOPMENT PROJECT
IN THE TOWN OF
WELLESLEY, MASSACHUSETTS

PROPOSED SITE PLAN

- APPROX. 100' X 200' RIPARIAN ZONE
- FLOORPLAN LINE
- EXISTING LOT LINE
- EXISTING GRADE MAJOR
- EXISTING GRADE MINOR
- EXISTING SPOT GRADE
- PROPOSED GRADE
- EXISTING BITCONC. TO BE REMOVED
- EXISTING EASEMENT
- EXISTING ELECTRIC
- EXISTING DRAIN LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING FENCE
- PROPOSED GRADE MAJOR
- PROPOSED GRADE MINOR
- ESTIMATED BROWSDING VEGETATED WETLAND
APPROX. 25' X 100' WETLAND BUFFER ZONE
EROSION CONTROL LIMIT OF WORK
- PROPOSED WATER
- PROPOSED SEWER
- PROPOSED DRAIN
- PROPOSED ELECTRIC
- PROPOSED CATCH-BASIN
- PROPOSED DRAIN MANHOLE
- EXISTING ELECTRIC POLE
- PROPOSED ELECTRIC MANHOLE
- PROPOSED TREE



DATE	SCALE
JANUARY 15, 2008	1" = 20'
REVISIONS:	
Per Conservation Commission - Erosion Control	3.05.08
Per Fire Department - Hydrant, pipe sizes	4.08.08
Revised per Engineering Department	6.09.08
Site Plan Approved	8.20.08

PROJECT NUMBER: C-520 SHEET NUMBER: 2