

**ZONING BOARD OF APPEALS**

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ZBA 2012-80
Petition of Century Bank
75 Central Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, November 1, 2012 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of CENTURY BANK requesting a Special Permit pursuant to the provisions of Section IXC, Section XVIA, Section XXI, Section XXII and Section XXV of the Zoning Bylaw for installation of a Bank Drive-up Facility at 75 CENTRAL STREET, in the Wellesley Square Commercial District.

Property Owner: Central Galleria Management, Inc., Trustee of Galleria Realty Trust, STMC, LLC

On October 15, 2012, 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 Stanley Brooks, Esq. Also present were James Flynn, Senior Vice President, Century Bank and Peter Darlow, Architect.

The Board said that the parking that is currently behind the building does not comply with the approved Site Plan, ZBA 88-87. The Board said that before it would consider approval of the Amended Site Plan, the property owner will have to bring the property into complete compliance with the approved Site Plan.

The Board voted unanimously to continue the petition to February 7, 2013.

February 7, 2013

Mr. Becker said that Mr. Seegel was unable to attend the hearing. He said that the Board would have to hear the petition de novo.

Presenting the case at the hearing Stanley Brooks, Esq. Also present were James Flynn, Senior Vice President and Paul Evangelista, Executive Vice President, Century Bank, Peter Darlow, Architect, Steven King, new owner of the Odd Fellows property, and Dennis Dischino, Property Manager.

Mr. Brooks said that the request is for amended Site Plan and for a Special Permit for a drive-up bank teller facility.

Mr. Brooks said that they are proposing to re-designate space #17 as a compact space. He said that by doing so, it cuts down on a potential conflict with the proposed queuing lane for the drive up unit. He said that the drive up unit has pulled back 10 feet easterly, closer to the ingress right of way, as a means to

reduce conflict with space #17 and handicapped space #50. He said that they are proposing that spaces #14 to #17 be designated for long term employee parking. He said that there are numerous tenants in the building that come in the morning and leave in the evening. He said that if those cars become stationary, it will eliminate any potential conflicts with vehicles backing out and vehicles in the queuing lane.

Mr. Brooks said that the queuing lane is proposed to be 9 feet, the width that is required by the bylaw. He said that it will create a pinch point between the edge of the island and the edge of the queuing lane at 10 feet 4 inches.

Mr. Brooks said that it is estimated that there will be approximately one car per hour during the business day at the drive up unit. He said that the Bank is open Monday through Wednesday from 8:30 am to 4 pm, Thursday and Friday from 8:30 am to 5 pm, and on Saturdays from 9 am to 1 pm. He said that during business hours, the time that there is going to be a car sitting at the unit and also a car backing out is diminimis. He said that even though there is a potential three-car queuing lane, the number of times that there may be two cars there is even more remote.

Mr. Brooks said that the Engineers at R.E. Cameron & Associates prepared Car Radius Plan 13, which was entered into the record. He said that they are prepared for spaced #13, #14, #15, #16, #17, and #50, which are the spaces that could potentially have a conflict with the queuing lane. He said that there is plenty of room for cars to back out of each of those spaces without coming into conflict with the queuing lane or any cars that exist in the queuing lane.

Mr. Brooks said that the travel lane at 13 feet 4 inches and 13 feet 8 inches, between legal compact parking spaces and turning radii that work, is actually a safe and vehicular friendly parking area. He said that even though there is a 10 foot 4 inch pinch point, there will be long term employee parking there. He said that, overall, the proposed plan offers a very good opportunity to gain much needed parking in the downtown area but also to maintain good circulation and good vehicular and pedestrian safety.

Mr. Brooks said that there is some precedent for granting relief in narrow situations. He said that when Board approved the plans for 978 Worcester Street, originally for Starbucks but eventually for Dunkin Donuts, the drive up lane that is shown on the plan going behind the building and coming up to the take out lane on the easterly side of the building, is actually part of the parking lot travel lane. He said that it takes up half of the width of the travel lane and crosses immediately behind parking spaces. He said that there is recognition from the Board in that decision that, "the queue line will block parking at the rear of the commercial building but queue lanes tend to move quickly." He said that at 75 Central Street they will not experience nearly the amount of traffic as at the Dunkin Donuts drive up. He said that the Board had requested that the drive be increased to 15 feet for two lane traffic.

Mr. Brooks said that in ZBA 2010-73, CVS Pharmacy, 984, 990 & 990R Worcester Street, Mr. Ho, in advising the Board as the Town's Traffic Engineer, indicated that the travel lane leaving the drive through is 22 feet wide, which is sufficient for 2 travel lanes. Mr. Brooks said that the inference is that an 11 foot travel lane would be sufficient for single lane traffic, which is what the travel lane will be for Century Bank.

Mr. Brooks said that the Bank has indicated on the Proposed Amended Plan, the if the Board grants a Special Permit for the drive up, that permit would be exclusive to Century Bank, not to the building or the space that they lease.

Peter Darlow said that it will be a pneumatic tube unit that will only be open when the Bank is open. He said that it requires a live teller. He said that there is an exterior component that is 14 inches by 16 inches by 4 feet tall that has video and audio connectivity to the teller, who would operate some other piece of equipment on the interior of the Bank. He said that they will be connected by a pneumatic tube, so that the transactions take place with the patron in the car accessing the teller via the tube system.

Mr. Darlow said that the position of the teller unit was slid back 10 feet. He said that it is 16.5 feet from the corner of the building. He said that they will place the unit onto the sidewalk, 6 inches back from the curb. He said that the unit is 16 inches, leaving 3 feet 1.5 inches to the wall of the building.

Mr. Darlow said that they have placed an awning over the top of unit to protect the system. He said that the awning also serves as an opportunity for signage for the drive up queuing lane. He said that there will be lettering on two sides. He said that the third side will remain blank. He said that awning will be the same depth as the sidewalk. He said that it will have a slight pitch to two sides so that any water will drop onto the sidewalk. He said that the awning will be red with white lettering.

Mr. Brooks said that the materials that were submitted on January 16, 2013 did not contain all of the specs and plans of the unit or other photographs which were in the original submittal. He said that his letter to the Board of January 16, 2013 did incorporate those materials that were in the original submittal.

Mr. Brooks said that there will be infrequent visits to the drive up unit. He said that he submitted a confidential package from the Bank that supports that.

Mr. Brooks said that the Planning Board focused on pedestrian travel in the parking lot at the rear of the building. He said that the Planning Department Staff indicated that they did not believe that a drive up unit is appropriate in the downtown area, as it does not comport to making the downtown area pedestrian friendly. He said that the Wellesley Square Commercial District was created by the Planning Board and, at the time that it was approved by Town Meeting, included a provision for a drive up unit authorized by a Special Permit. He said that it was a contemplated use.

Mr. Brooks said that this has always been looked at as a one-way driveway running through the property. He said that it provides ingress from Central Street, moves through the parking lot and provides egress back to Central Street, which is the definition in the bylaw. He said that he addressed the 10 foot 4 inch pinch point. He asked that the Board consider the fact that for all but one hour of each business day, there will not be a vehicle at the drive up unit. He said that for almost 86 percent of the time the travel lane will be in excess of 19 feet in width. He said that they would like to pull those spaces at the westerly end closer to building to open up the travel lane. He said that the turning radii were addressed in the Engineer's plans. He said that it is clear that they comply with Section XXI of the bylaw that no cars need to move in order for somebody to back out. He said that there will be three or four parking spaces that are potentially in conflict with the queuing lane that have been designated for long term employee parking. He said that this fits in with the pedestrian friendly nature of the square. He said that this is compatible and is contemplated as a use that may be considered in the square. He said that, from the

Bank's perspective, it provides a valuable benefit to customers who may be elderly, handicapped or with small children. He said that it does not preclude those people from getting out and parking and walking. He said that the Assistant Planning Director visited the parking lot after it was restriped and improvements were made at the west end of the lot. He said that he observed a condition that appeared to be much safer and efficient than before.

Mr. Brooks read a letter from Mr. Robert Schlager, Treasurer, Central Galleria Management, Inc., as Trustee of Central Galleria Trust, dated February 7, 2013, into the record.

The Board asked how the change in the parking spaces at the rear to be designated for employees will be enforced. The Board asked about the impact of designated employee parking and the availability of customer parking in Wellesley Square.

Mr. King said that he recently purchased the building at 79 to 93 Central Street. He said that he has had contact with all of the tenants in his and the Brueggers building next door. He said that their comments and his observations were that the parking lot had been a free for all. He said that he made it clear to the tenants at Brueggers that they cannot park in the fire lane anymore. He said that he went back after seeing a car parked there and spoke with them again. He said that was the last time that happened. He said that signs were put up.

Mr. King said that the parking lot has been successful for the past 18 years. He said that they can improve the parking lot. He said that he spoke with Robert Schlager about how to do that. He said that they came up with a plan to issue parking stickers to the tenants and will be posting signs on particular parking spaces for tenants that will be assigned based on the size of their car. He said that the lot will be monitored by Dennis Dischino, the Building Manager. He said that one of the tenants will receive a rent reduction to oversee the area. He said that they will put notices on any cars that are not parked correctly.

Mr. King said that the lot was restriped to the original approval. He said that the striping had been ignored. He said that adding compact spaces will widen the pinch point. He said that there is no longer a problem at the egress area. He said that he spoke with the tenants, who are all in support of the drive up. He said that the tenants are in support of organizing and enforcing the parking.

Mr. Brooks said that with regard to the number of spaces and their allocation, it is proposed to make spaces #28 to #33 and #37 to #40 long term employee parking, for a total of 10 spaces at the westerly end. He said that behind the Galleria Building, the Bank has five reserved spaces. He said that the tenant on the second floor also has five reserved spaces. He said that another tenant has three reserved spaces. He said that is a total of 23 reserved parking spaces out of 52 parking spaces. He said that leaves 29 spaces open to the general public. He said that the 5 reserved spaces for Century Bank are for customers of the Bank. He said that the Bank employees park in the municipal lots.

The Board discussed the striped dimensions from the curb to the existing spaces #8 through #16 and the island at 10 feet 4 inches. The Board said that line that is formed by connecting all of the tails of the parking spaces and converging with the line that is the 9 foot curb line. The Board said that the 17.5 feet and the 10.4 feet dimensions depend on where the line is. The Board said that there is no dimension shown. Mr. Brooks said that he can provide information about where the 45 foot dimension starts and stops in an east/west direction. The Board asked if the 45 foot painted line is required. Mr. Brooks said

that it is not. He said that the bylaw does not designate queue length. He said that the bylaw designates queue width.

The Board asked about moving the teller location further to the east. Mr. Darlow said that the pathway for the pneumatic tube is run fairly tight to the egress stairway from the second floor. He said that they would need to relocate one car length back for approximately 20 feet, which will put the third car partially in front of the 10 foot portion of the walkway. The Board said that even half a car length would dramatically reduce the 10 foot 4 inch dimension.

Mr. Brooks said that the data regarding the anticipated usage will be fairly consistent because it was based on a system wide analysis of the Bank's branches. He said that it takes into account inclement weather and seasonal changes. He asked if the Board would be willing to consider a two-car queuing lane. He said that would relieve the pinch point significantly.

The Board said that, for a teller machine that will only be serving one person per hour, it seems unlikely that they will run into a situation very often where there will be two or three people queued up at a time. The Board said that having two cars are lined up in the queue would be a better solution. The Board said that a third car would be in front of the Bank door. The Board said that is a preferred situation. The Board said that most of the time no one will be in the queuing lane and traffic will flow through there.

Mr. Darlow said that with a two car queue, the width of the travel from the parking spaces to the 9 foot queuing lane would be at least 15 feet.

Mr. Flynn said that he spoke with the tenants of 75-77 Central Street and they were supportive of the drive up. He said that it does not affect their parking. He said that the drive up unit is not seen as a hindrance.

Mr. Brooks confirmed that the drive up unit back unit will be pulled further to the east.

Submittals from the Petitioner

- Letter, dated 10/10/12, re: Petition of Century Bank for Amended Special Permit for Site Plan Approval regarding ZBA 88-87 and for a Special Permit for Installation of a Bank Drive-up Facility at 75 Central Street, Wellesley, from Stanley A. Brook, Esq.
- Application for Special Permit for installation of a single pneumatic tube free standing drive-up teller unit at the rear of 75 Central Street and associated queuing lanes and elimination of one (1) parking space, dated 10/9/12.
- Application for Amended Site Plan Approval for the construction of a single pneumatic tube free-standing drive up teller unit including the elimination of one (1) parking space, dated 10/9/12.
- Exhibit 1 – Portion of Wellesley Assessor's Map 137
- Exhibit 2 – Brochure and Plan of Remote Drive Up Pneumatic Tube Unit 5000-RT
- Exhibit 3 – Decision of the Zoning Board of Appeals in ZBA 88-87
- Exhibit 4 – ZBA 88-87 – Site Development/Landscape Plan, Drawing No. A-1 dated August 31, 1988, revised September 20, 1988 and Site Plan Showing Grading, Sewer, Water & Drainage,

Drawing No. C1, dated August 31, 1988, revised September 20, 1988, both prepared by Tellalian Associates Architects & Planners (jointly, the "Approved Plan")

- Exhibit 5 – Plan of Land in Wellesley, MA prepared for: Central Galleria Trust, dated December 20, 1995 (the "1995 Plan")
- Exhibit 6 – Site Plan prepared by R.E. Cameron & Associates, Inc. Entitled Plan of land in Wellesley, MA prepared for: Central Galleria Trust, dated November 14, 1997, (the "1997 Plan")
- Photographs
- Exhibit 7 – Existing Conditions Plans Entitled, A-0 Century Bank, 75 Central Street, Wellesley Existing Conditions, prepared by Darlow Christ Architects, dated October 9, 2012, (the "Existing Conditions Plan")
- Exhibit 8 – Proposed Conditions Plan Entitled, A-1 Century Bank, 75 Central Street, Wellesley Remote Drive Up Teller, prepared by Darlow Christ Architects, dated October 9, 2012, (the "Proposed Conditions Plan")
- Wellesley Police Department Traffic Crash Location Data from Wellesley Police Department Website for Downtown/Central Street Area from Railroad Avenue to Weston Road
- Letter, dated 1/16/13, re: Petition of Central Galleria Management, Inc., Trustee of Galleria Realty Trust, STMC, LLC and Century Bank for *Amended Special Permit for Site Plan Approval* Regarding **ZBA 88-87** and Petition of Century Bank for a *Special Permit* for Installation of a Bank Drive-up Facility at 75 Central Street, Wellesley, **ZBA 2012-80**, from Stanley A. Brooks, Esq.
- Application for Site Plan Approval, dated 1/16/13
- Exhibit A - Existing Conditions, 75 Central Street, dated 1/15/13, prepared by R.E. Cameron & Associates, Inc.
- Exhibit B - Amended Site Plan, 75 Central Street, dated 1/15/13, prepared by R.E. Cameron & Associates, Inc.
- Exhibit C - A-1, Remote Drive Up Teller Proposal, dated 10/9/12, revised 1/16/13
- Photographs
- Letter, dated 1/31/13, re: Petition of Central Galleria Management, Inc., Trustee of Central Galleria Trust, STMC, LLC and Century Bank for *Amended Special Permit for Site Plan Approval* Regarding ZBA 88-87 and Petition of Century for a *Special Permit* for installation of a Bank Drive-up Facility at 75 Central Street, Wellesley, ZBA 2012-80, from Robert A Schlager, Treasurer, Central Galleria Management, Inc., as Trustee of Central Galleria Trust.
- Car Radius Plan 13, dated 1/29/13, prepared by R.E. Cameron & Associates, Inc.
- Car Radius Plan C, dated 1/24/13, prepared by R. E. Cameron & Associates, Inc.
- Wellesley Police Department Traffic Crash Location Data from Wellesley Police Department Website
- Proposed Parking Management/Enforcement Plan
- Applicant Response to Planning Board Recommendation
- Letter, dated 2/7/13, re: Petition of Central Galleria Management, Inc., Trustee of Central Galleria Trust, STMC, LLC and Century Bank for *Amended Special Permit for Site Plan Approval* Regarding ZBA 88-87 and Petition of Century for a *Special Permit* for installation of a Bank Drive-up Facility at 75 Central Street, Wellesley, ZBA 2012-80, from Robert A Schlager, Treasurer, Central Galleria Management, Inc., as Trustee of Central Galleria Trust.

- Parking Lot Surveys, Washington Street, Mica Lane, Church Street Parking Lot, Waban Street Parking Lot, Town Hall
- Remote Drive Up Teller Proposal, dated 10/9/12, revised 1/16/13 & 2/12/13
- Amended Site Plan, dated 2/12/13

On October 24, 2012, Francisco A. Frias, WMLP Supervisory Electrical Engineer, stated that electrical infrastructure around the project's location appears not to be affected by any of the tasks needed to complete the project.

On October 25, 2012, the DRB reviewed the plans and recommended approval of the minor construction project and the amended site plan subject to the recommendation of adding the words "Century Bank" to the awning.

On October 26, 2012, George J. Saraceno, Senior Civil Engineer, DPW, submitted comments to the Board.

On October 26, 2012, the Planning Board Staff reviewed the petition and recommended that the request to modify Site Plan Approval 88-87 be denied and the Special Permit for a Drive Through Pneumatic Tube be denied.

On October 30, 2012, Captain Kevin Donahue, Fire Department, reviewed the project and did not have any issues.

DECISION

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

The Board voted unanimously to grant a Special Permit under ZBA 2012-80 for construction of a pneumatic bank drive-up facility, pursuant to the provisions of Sections IXC, XVIA, XXI and XXV of the Zoning Bylaw.

It is the finding of this Authority that installation of a pneumatic bank drive-up facility satisfies all Special Permit Use Standards pursuant to Section XXV-D of the Zoning Bylaw and that said use will be in harmony with the intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the aforesaid use, subject to the following conditions:

- This Special Permit shall expire two years from the date time-stamped on this decision.

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.

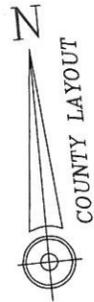
J. Randolph Becker, Chairman

David G. Sheffield

Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

FOR REGISTRY USE ONLY



PLAN REFERENCES:

PLAN OF LAND IN WELLESLEY, MA.
prepared for: Anne Audrey Berson & Phillis A. Wolfe
dated: February 29, 1988
by Schofield Brother, Inc.
Plan Book 372 Page 1003

PLAN OF LAND IN WELLESLEY, MASS.
dated: January 10, 1946
by William S. Crocker, Civil Engineer
Book 2582 Page 295

PLAN OF LAND IN WELLESLEY, MASS.
Owned by SAMUEL W. POORVU
dated: November 5, 1945
by Gleason Engineering Company
Book 2571 Page 125

PLAN OF LAND IN WELLESLEY, MASS.
dated: December 6, 1944
by Gleason Engineering Company
Book 2525 Page 493

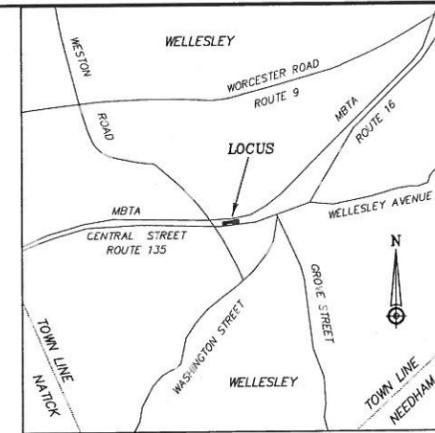
PLAN OF LAND OF 75 CENTRAL ST. IN WELLESLEY, MASS.
dated: AUGUST 23, 1988
by Medford Engineering and Survey; Angelo B. Veneziano
Plan Book 372 Page 1004

ZONE CLASSIFICATION ~ WELLESLEY SQUARE COMMERCIAL DISTRICT

AREA DISTRICT 20,000 S.F.
REQUIRED
-MAXIMUM FLOOR AREA RATIO = 0.30
-MINIMUM FRONTAGE = 60'
-MINIMUM FRONT YARD WIDTH = 60'
-MAXIMUM HEIGHT = 45' OR 3 STORIES
-MINIMUM FRONT YARD DEPTH = 30'
-MINIMUM SIDE YARD SETBACK = 20'
-MINIMUM REAR YARD SETBACK = 20'
-MINIMUM PARKING = ONE SPACE FOR EACH 150 S.F. OF GROUND COVERAGE OF BUILDINGS (6,604 S.F.) (44 SPACES) BUT NOT LESS THAN 3.2 SPACES PER 1,000 S.F. OF FLOOR AREA OF BUILDINGS (13,200 S.F.) (42 SPACES)
-10% OF PARKING AREA SHALL BE LANDSCAPED WITH ONE HALF BEING INTERIOR LANDSCAPING.

ZONE CLASSIFICATION ~ WELLESLEY SQUARE COMMERCIAL DISTRICT

AREA DISTRICT 20,000 S.F.
PROVIDED
-FLOOR AREA RATIO = 0.30
-FRONTAGE = 160.69'
-FRONT YARD WIDTH = 100.69'
-HEIGHT = 2 STORIES
-FRONT YARD DEPTH = 9.4'
-SIDE YARD SETBACK = 11.5'
-REAR YARD SETBACK = 41.3'
-PARKING = 47 SPACES
GROUND COVERAGE OF BUILDINGS BUT NOT LESS THAN 3.2 SPACES PER 1,000 S.F. OF FLOOR AREA OF BUILDINGS
-17% OF PARKING AREA LANDSCAPED WITH 4% BEING INTERIOR LANDSCAPING.

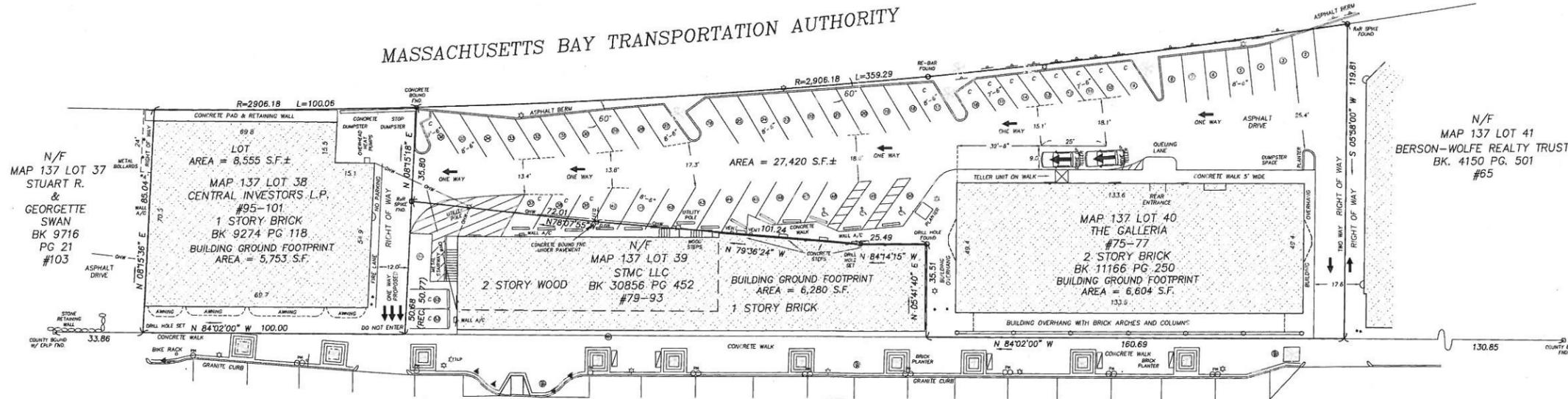


VICINITY MAP SCALE: 1"=2,000'

NOTE:
PARKING SPACES 14 THROUGH 17 ARE TO BE DESIGNATED LONG TERM PARKING FOR EMPLOYEES OF 75-77 CENTRAL STREET. (TO AVOID QUEUING LANE CONFLICT). ALSO PARKING SPACES 28 THROUGH 33 AND PARKING SPACES 37 THROUGH 40 TO BE DESIGNATED LONG TERM EMPLOYEE PARKING.

NOTE:
DRIVE UP UNIT EXCLUSIVE TO CENTURY BANK. USE BY ANY OTHER ENTITY WOULD REQUIRE A NEW PERMIT.

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY



CENTRAL (1900 COUNTY LAYOUT) STREET

MINIMUM PARKING SPACE AND AISLE DIMENSIONS

PARKING ANGLE	SPACE WIDTH	SPACE DEPTH	AISLE WIDTH
61°-90°	8'6"	18'	24'
45°-60°	8'6"	18'	15'
PARALLEL	8'0"	22'	12'

MINIMUM PARKING SPACE AND AISLE DIMENSIONS (COMPACT)

PARKING ANGLE	SPACE WIDTH	SPACE DEPTH	AISLE WIDTH
60°-90°	7'6"	15'	24'
45°-60°	7'6"	15'	18'
PARALLEL	7'0"	19'	12'

-MINIMUM WIDTH OF DRIVEWAY FOR ONE-WAY TRAFFIC = 12'
-PARKING SPACES SHALL BE SET 5' BACK FROM ANY WALL

NOTE:
PARKING NUMBERING SYSTEM BASED ON TRYING TO MATCH 1988 SITE PLAN. IT SHOULD BE NOTED THERE IS NO No. 1 PARKING SPACE.

PARKING SUMMARY:
PARKING SPACE TOTAL = 52
15 BEING COMPACT
3 BEING HANDICAPPED

I certify that this plan has been prepared in conformity with the rules and regulations of the registers of deeds of the Commonwealth of Massachusetts.

Registered Professional Land Surveyor

I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets or ways shown are those of public or private streets or ways already established, and that no new lines for division of existing ownership or for new ways are shown.

Registered Professional Land Surveyor

ZBA 88-87 - Amendment of Site Plan Approval.

ZBA 2012-80 - Special Permit for the Bank Drive Up Facility.

DATE: _____
CITY OF WELLESLEY ZONING BOARD OF APPEALS

REVISION - DATE	2/12/13
JOB NO.	2420

AMENDED SITE PLAN
75 CENTRAL STREET
WELLESLEY, MASSACHUSETTS

Scale: 1"=20'
Date: 01/15/13
Drawn By: SLS
Checked By: Dwg: 2420SP4B

R.E. Cameron & Associates, Inc.
Civil Engineers
Land Surveyors
681 Washington Street, Norwood Massachusetts 02062
Tel: (781) 769-1777 Fax: (781) 769-8644



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