TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2014-105
Petition of Wellesley Housing Authority
109 Barton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 4, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of WELLESLEY HOUSING AUTHORITY requesting a Variance pursuant to the provisions of Section XIX and Section XXIV of the Zoning Bylaw for demolition of an existing nonconforming garage and construction of a new garage with less than required left side yard and rear yard setbacks, at 109 BARTON ROAD, in a General Residence District.

On November 17, 2014, 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 Bennie Ber, Architect, who said that he was representing the Wellesley Housing Authority, (the Petitioner). He said that the proposal is to replace an existing nonconforming garage with a new garage for trucks and equipment. He said that the new garage will be larger than the existing one and will not meet setback requirements. He said that this property has circumstances that have to do with it abutting an interstate highway on one side and town conservation land on the other side. He said that these circumstances do not affect similar properties in the Zoning district and literal enforcement of the Zoning requirements would impose hardship on the Wellesley Housing Authority. He said that the project has been approved by the Wetlands Protection Committee and the Design Review Board (DRB). He said that relief may be granted without substantial detriment to the public good.

The Board said that the east elevation of the proposed structure shows an insulated sectional garage door. The Board said that side of the building will be partially behind the Administration Building. The Board asked about the purpose of the door on that side. Mr. Ber said that the Housing Authority will store snow blowers, lawnmowers and equipment of that type, and possibly snow plows. He said that the door will allow them to move that equipment in and out. He said that the area is open to the other bays but there may be trucks in the bays at the same that they are trying to get lawnmowers and snow blowers out of the garage.

The Board asked where the trucks that will occupy the bays are currently parked. Mr. Ber displayed a photograph of a truck sticking out of the existing garage (retained by proponent).

The Board asked about what would prevent moving the garage further to the left so that it is not behind the existing Administration Building. Mr. Ber said that trees would have to be removed and it would

involve substantial paving of the driveway, which they would like to avoid, particularly in the environmentally sensitive area.

The Board asked if the chain link fence is on the property line. Mr. Ber said that it is close to the property line. The Board said that the garage could not be moved over because of the fence.

A Board member said that he agreed with the DRB suggestion for use of horizontal siding in a color that is compatible with the Administration Building.

There was no one present at the public hearing who wished to speak to the petition.

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Statement of Facts

The subject property is located at 109 Barton Road, on a 653,400 square foot lot, in a General Residence District, with a minimum left side yard setback of 4.3 feet and a minimum rear yard setback of 4.5 feet.

The Petitioner is requesting a Variance pursuant to the provisions of Section XIX and Section XXIV of the Zoning Bylaw for demolition of an existing nonconforming garage and construction of a new garage with less than required left side yard and rear yard setbacks, in a General Residence District.

A Plot Plan, dated 4/4/13, revised 10/17/13, 1/10/14 & 2/17/14, stamped by Frank Iebba, Professional Land Surveyor, and Architectural Site Plan, Foundation Plan and Details, Plans, Elevations, Sections, Wall Sections, and Details, dated 4/8/13, revised 9/26/14, prepared by Neh·Koo·Dah were submitted.

On May 7, 2014, the Wetlands Protection Committee issued an Order of Conditions, MassDEP File #:324-0722.

On December 2, 2014, the Planning Board reviewed the petition and recommended that the Variance be granted.

On December 4, 2014, the Design Review Board reviewed the petition and recommended approval of the minor construction project with a condition.

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.

It is the opinion of this Authority that a variance may be granted from the terms of the Zoning Bylaw with respect to left side yard and rear yard setbacks, as the Board found that a literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to the petitioner owing to soil conditions, especially affecting this land but not generally affecting the zoning district in which it is located; and that the hardship has not been self-created. The Board found that desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested Variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw is granted to allow for demolition of an existing nonconforming garage and construction of a new garage with less than required left side yard and rear yard setbacks, subject to the condition:

- The Design Review Board recommendation that the building's siding be both horizontal and of a color that is similar to the adjacent Wellesley Housing Authority building shall be incorporated as part of this decision.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

If construction has not commenced, except for good cause, this Variance shall expire one year after the date time stamped on this decision.

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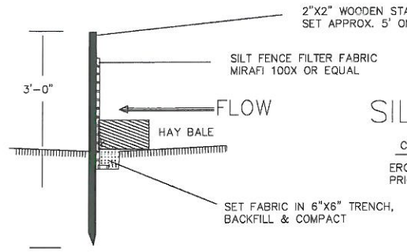
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm



SILT FENCE & HAY BALE DETAIL

COSTRUCTION SEQUENCE

EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO ANY CONSTRUCTION

DISCUSSION:

THE DIFFERENCE IN IMPERVIOUS SURFACE FOR THE LOT FOR THE EXTRA GARAGE AREA IS APPROX. 479 SF.. USING A RUNOFF C OF .9 FOR NATURAL AND .8 FOR IMPERVIOUS SUFACES THE POSTDEVELOPMENT RUNOFF IS AS FOLLOWES:
479 SF(.9-.3)(8.37/12) = 200 CF (100 YR STORM)

THE PROPOSAL IS TO STORE THE EXTRA VOLUME BY UTILIZING DRYWELLS.

METHODOLOGY:
PERCOLATION RATE: 4 MIN. PER INCH
DRYWELL SIZE:
10 FT 6 IN DIAMETER
3 FT DEEP

*BOTTOM AREA = 3.14*D*D/4 = 3.14*10.5*10.5/4 = 86.6 SF*

*VOLUME OF PIT: 3.14*D*D*H/4 = 3.14*6.6*6.5*3 /4 = 99.5 CF*

*VOLUME OF STONE = 3.14*D*D*H/4 = 3.14*10.5**10.5*3/4 = 259.8 CF*

VOID STORAGE VOLUME = VOID RATIO (STONE VOLUME- PIT VOLUME)

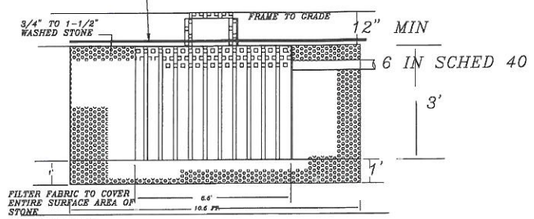
STORAGE PER DRYWELL = 99.5 + 56.1 = 155.6 CF
(.35(259.8-99.5)) = 56.1

*INFILTRATION CAPACITY = BOTTOM AREA * INFILTRATION RATE*
*= 86.6 SF * .25 IN/MIN * 1/12 * 60/HR*
= 108.25 CF/HOUR
= 2598 CF/DAY(2753 TOTAL CAPACITY)

ONE DRYWELL REQUIRED

PROPOSED DRYWELL IS CAPABLE OF HANDLING THE EXISTING BUILDING 109 AND PROPOSED GARAGE.
THE RUNOFF FROM THE EXISTING BUILDING AND GARAGE HAS NO MITIGATION AND PRESENTLY DRAINS INTO THE BROOK.

TOP OF DRYWELL TO BE COVERED WITH A MINIMUM 3" PEASTONE AND ENCASED WITH FILTER FABRIC



DRYWELL DETAIL (NTS)
TOP OF DRYWELL TO BE COVERED WITH A MINIMUM 3" PEASTONE

NOTE: THIS SURVEY WAS DONE BY THE UNDERSIGNED DURING THE WINTER OF 2013 IN ACCORDANCE WITH MASS. 250 CMR

1) ALL WORK TO BE IN ACCORDANCE WITH TOWN AND MASS HIGHWAY STANDARDS.
2) MINIMUM COMPACTION IN TRENCHES TO BE 98%.
3) PRIOR TO START CONSTRUCTION ALL APPLICABLE LOCAL AGENCIES AND DIG SAFE WILL BE NOTIFIED AT LEAST 72 HOURS PRIOR TO COMMENCING WORK.
4) NO BACKFILLING OF ANY TRENCHES WILL TAKE PLACE UNTIL WORK HAS BEEN INSPECTED AND APPROVED BY THE CITY AND SEWER MAINS & SERVICES HAVE BEEN AIR TESTED. CONTRACTOR WILL NOTIFY CITY 48 HOURS IN ADVANCE OF UTILITY INSPECTION. UTILITY SYSTEM MUST BE FULLY EXPOSED FOR THE INSPECTOR. UTILITIES CAN ONLY BE BACKFILLED ON APPROVAL & SIGNOFF BY INSPECTOR.
5) AS BUILT UTILITY & GRADING PLAN WILL BE SUBMITTED TO TOWN IN BOTH DIGITAL AND HARD COPY PRIOR TO ISSUANCE OF OCCUPANCY PERMIT. PLAN MUST SHOW ALL UTILITIES, WITH TIES, EASEMENTS AND FINAL GRADING
6) STREET OPENING, SIDEWALK CROSSING, AND UTILITY CONNECTION PERMITS WILL BE OBTAINED FROM THE CITY PRIOR TO COMMENCING ANY WORK
7) TRENCH PAVEMENT PERMANENT PATCH WILL CONFORM TOWN STANDARDS AND WITH THE TRENCH SECTION SPECIFIED HEREIN.
8) LOCATION OF UNDERGROUND UTILITIES IS APPROXIMATE. CONTRACTOR WILL NOTIFY DIG SAFE PRIOR TO COMMENCING WORK. CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGE RESULTING FROM INCORRECTLY LOCATED UTILITIES.
9) LOCATION OF UNDERGROUND UTILITIES IS APPROXIMATE. CONTRACTOR WILL VERIFY UTILITY LOCATIONS THROUGH DIGSAFE. ANY DAMAGE CAUSED BY CONTRACTOR AS A RESULT OF UTILITY LOCATIONS SHOWN WILL BE BORNE SOLELY BY CONTRACTOR AT NO COST TO OWNER.
10) IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT THE DESIGN ENGINEER FOR ALL REQUIRED INSPECTIONS SUCH AS MATERIALS USED, COMPACTION, UTILITY AS BUILTS, ETC.. ENGINEER ASSUMES NO RESPONSIBILITY UNLESS HE INSPECTS THE SYSTEM DURING CONSTRUCTION.
11) PROPOSED PROJECT EXCEEDS THE PERFORMANCE STANDARDS BECAUSE IT TREATS ALL THE STORMWATER GENERATED AS A RESULT OF THE GARAGE ADDITION
12) NO TREES ARE PROPOSED TO BE REMOVED.
13) WETLAND DELENEATION WAS DONE IN ACCORDANCE WITH ARMY CORE METHOD: HYDROLOGY, SOILS, AND VEGETATION DELENEATION WAS DONE BY FRANK IEBBA SOIL EVAL # 13270 AND NEW HAMSHIRE HYDRIC SOILS EVAL # 552

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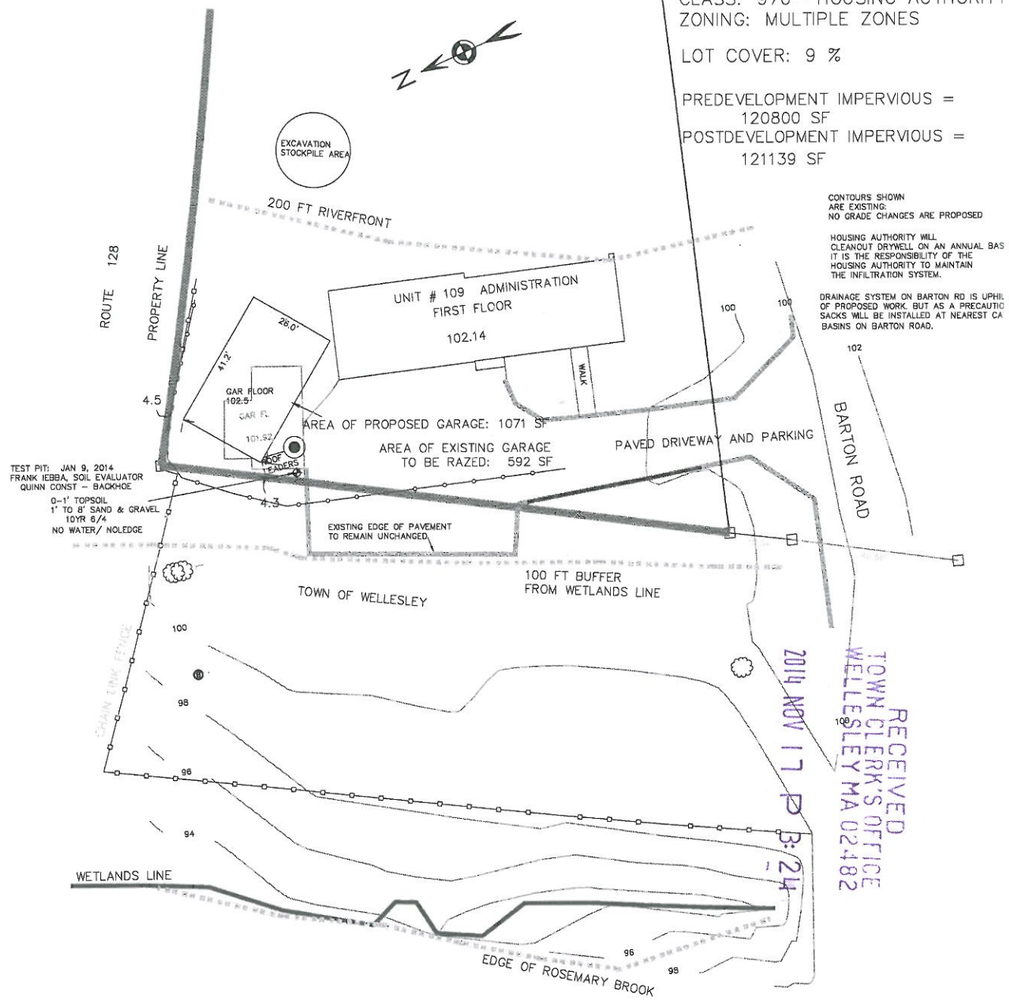

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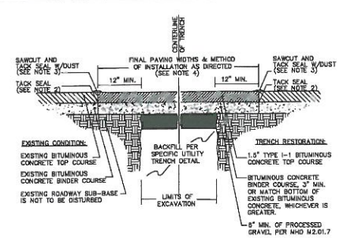
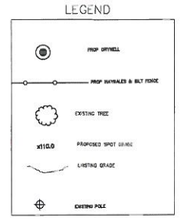


1. ALL INSTALLATION AND MATERIAL SPECIFICATIONS PER MASS. HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 1988 AS AMENDED.
2. ALL EXPOSED BITUMINOUS CONCRETE IS TO BE TACKED PER MHD PRIOR TO NEW BITUMINOUS CONCRETE INSTALLATION.
3. ALL EXPOSED JOINTS ARE TO BE SEALED WITH TACK AND STONE DUST.
4. ANY TOP COURSE APPLIED AT A WIDTH OF 5' WIDE OR GREATER IS TO BE PLACED BY MACHINE/BOX SPREADER WHEN & AS DIRECTED BY TOWN

TYPICAL TRENCH REPAIR & PAVEMENT SECTION DETAIL

LEGEND



PROPOSED GARAGE
WELLESLEY HOUSING AUTHORITY
109 BARTON ROAD
WELLESLEY, MA.
SCALE: 1 IN = 20 FT
APRIL 4, 2013
OCT 17, 2013(DPW COMMENTS)
JAN 10, 2014 TEST PIT
FEB 17, 2014 GAR MOD

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