



BOARD OF APPEAL

RICHARD O. ALDRICH
 DANA T. LOWELL
 F. LESTER FRASER

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Petition of Town of Wellesley
 (Joseph G. Nason et al Trustees)

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:50 p.m. on June 25, 1970, on the petition of the Town of Wellesley, requesting approval of plans pertaining to the proposed construction of an electric substation to be located near the corner of William Street and Worcester Street on land presently owned by Joseph G. Nason et al Trustees, within an Administrative and Professional District. The petitioner further requested a special exception from Section IX 2 (a) in that the proposed easement will contain less than 40,000 square feet and (c) in that the proposed structure will be within fifty feet of William Street and Worcester Street. Said approval and exceptions were sought under the provisions of Section IX of the Zoning By-law and Section II (10) of the Zoning By-law.

On May 29, 1970, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Everett R. Kennedy, Superintendent of Public Works and Manager of the Municipal Light Plant, represented the petitioner at the hearing.

The Fleming Board in its report stated that it had no objection to the erection of an electric substation provided it is located underground.

Statement of Facts

The land involved, which contains 3,326 square feet, is part of a parcel of land containing approximately 100,000 square feet, and is located within an Administrative and Professional District, a district in which the proposed substation is not permitted without a special permit from the Board of Appeal. Four office buildings have been erected on the site and plans for building #5 have been submitted to the Board of Appeal for its approval.

As part of the general development, the developer has agreed to provide the Town with the necessary transformation "pit" on its property, and the conduit work necessary on its property. A figure of \$60,000. was used as the cost to the Town to put in this substation. The petitioner, therefore, seeks approval of plans for the construction of an electric substation. At the hearing it was stated that it has been a long-range plan of the Town to increase the electric facilities in the eastern portion of the Town and the proposed substation will not only service the office development involved, but will also relieve a great deal of the load from the Cedar Street area by providing additional capacity at the proposed Station. If the petition is approved, the owners of the property will grant to the Town an easement for the proposed construction.

The proposed structure is to be concrete approximately 10' x 20' and is to be 90% underground. It is to be located on a parcel of land con-

taining less than 40,000 square feet as required, with a setback from both William Street and Worcester Street of approximately 27' rather than 50' as required by Section IX 2 of the Zoning By-law. It was pointed out that the structure requires no parking, roads, driveways or drainage.

It was alleged at the hearing that because of the essentiality of the new installation and the physical limitations of the lot, a literal enforcement of Section IX of the Zoning By-law would cause substantial hardship and a literal compliance is impractical because of the use to which the lot is to be put.

Plans were submitted which showed the location of the proposed structure as well as the proposed landscaping. Said plans were drawn by Homer K. Dodge and indicated as L-1, dated April 28, 1970, L-2, dated April 28, 1970, E-1, dated May 28, 1970, and P1-1, dated April 28, 1970.

Decision

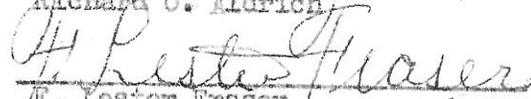
It is the opinion of the Board from the evidence submitted that there is a real need for the additional electrical facilities which the proposed structure will provide and that the proposed construction will not prove detrimental to the neighborhood.

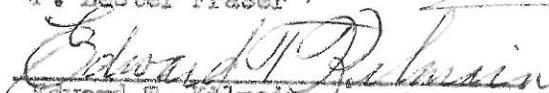
The Board finds, therefore, under the provisions of Section II (10) and Section IX of the Zoning By-law that the proposed structure is reasonably necessary for the convenience or welfare of the public and that substantial hardship would result from a literal enforcement of said sections of the By-law.

Accordingly, the requested permission is granted and the Inspector of Buildings is authorized to issue a permit for the construction of the proposed structure in accordance with the plans submitted and on file with this Board, subject to the following conditions:

1. That a security fence at least eight feet in height shall be erected completely around the proposed structure and equipment.
2. That the area around the fence as well as the remainder of the lot shall be landscaped as shown on the plan submitted and on file with this Board for the life of the structure.


Richard C. Aldrich


F. Lester Fraser


Edward T. Kilmain