

71-22

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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235-1664

Petition of New England Telephone and Telegraph Company

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 8:45 p.m. on March 25, 1971, on the petition of the New England Telephone and Telegraph Company, requesting a special exception from the terms of Section XXI of the Zoning By-law which requires the provisions of specified facilities for parking of motor vehicles in a Business "A" District. The parking area required in connection with a one-story building addition on the rear of the existing automatic dial telephone exchange at 11 Laurel Avenue.

On March 8, 1971, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

William D. Sommers, Real Estate Engineer for the New England Telephone and Telegraph Company, presented the petitioner's case at the hearing.

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Harold Bennett, 416 Washington Street, stated that the Telephone Company parking area on Grant Avenue, which is used in conjunction with the building located at the corner of Grant and Forest Streets, is overcrowded at times, and that any additional cars parked there could create a problem.

George M. Skelly, Jr., 4 Laurel Terrace, questioned whether the service trucks would be parked in the proposed parking area. Service trucks, he stated, do not park in the parking space now.

A letter was received from Ralph A. MacGilvra, 21 Laurel Avenue, in which he stated that he was most interested in the apparent desire of the company to park vehicles on its own premises, but both work and passenger vehicles are parked in front of his home on every business day.

A letter was received from Mrs. Kenneth J. Lloyd, 12 Laurel Terrace, in which she stated that there is considerable noise created from the automobiles and the operations within the building which she feels is not only disturbing but will affect the value of her property.

The Planning Board stated in its report that in its opinion, the granting of the request to expand a structure without the provision of additional off-street parking and to reduce the amount of off-street parking currently available, would frustrate the intent of the Zoning By-law to provide facilities for the parking of motor vehicles.

Statement of Facts

The property involved, which contains 17,450 square feet, is located within a Business "A" District with respect to which Section XXI of the Zoning By-law requires that an off-street parking area of at least two

square feet to be provided for each square foot of area occupied by the building. The existing building on the property, which was constructed in 1955, and added to in 1967, covers an area of 9,225 square feet. Prior to construction of the building, the Board of Appeal granted an exception which allowed the petitioner to erect the building with less than the required parking area.

The petitioner now seeks permission to construct a one-story above basement addition 16' x 91', forming an extension to the rear of the existing building and to be used for telephone equipment. It is designed to blend with the existing building and, in the opinion of the petitioner, will be compatible with other buildings in the area. At present there are twelve persons working in the building and there is provision for five parking spaces at the rear of the building and five spaces at the company's other building on Grant Avenue. The proposed addition, however, will essentially eliminate the present on site parking area for five cars approved by the Board of Appeal in 1967.

It was stated by Mr. Sommers that the Telephone Company has entered into a ten-year lease with the owners of the adjoining theatre property for a parking space which will accommodate ten vehicles at a rental of \$400. per month. This lease includes an option for \$48. per month for an additional twenty spaces at a rental of \$800. per month exercisable during the first four years for a total of thirty spaces. (A copy of the lease was submitted)

In approximately two years, petitioner intends to relocate some best facilities and the related personnel from the Grant Avenue building to a building in Waltham, thus freeing up some parking space on the Grant Avenue premises for use by the personnel stationed on Laurel Avenue.

Mr. Sommers stated that the company has need for more telephone facilities due to the expansion of business and residential development. The demands for telephone service here in Wellesley are so acute that the capacity of the exchange equipment of 14,900 subscriber lines will be reached in 1972. Therefore, there is a need to install equipment which the proposed addition will provide if permission is granted to construct it.

Petitioner maintains that the relief requested can be granted without substantial detriment to the public good and that the enforcement of the provisions of the Zoning By-law would involve substantial hardship to the petitioner.

Decision

The Board has reviewed the relevant facts in this case and has taken a view of the locus. After careful consideration, it is the opinion of the Board that a literal enforcement of those provisions of Section XXI of the Zoning By-law applicable to this location would cause a substantial hardship to the petitioner, a public service corporation, and that in view of the use to which the present building and the proposed addition will be put, the proposed provisions for off-street parking, although constituting a lesser parking area than that prescribed by Section XXI, will, except in unusual circumstances, accommodate the motor vehicles of all persons using the building.

Therefore, the requested exception can be granted without substantially derogating from the intent and purpose of Section XXI thereof and without substantial detriment to the public good.

Accordingly, the Inspector of Buildings is hereby authorized to issue a permit for the proposed addition in accordance with the plan submitted and on file with this Board subject to the following conditions:

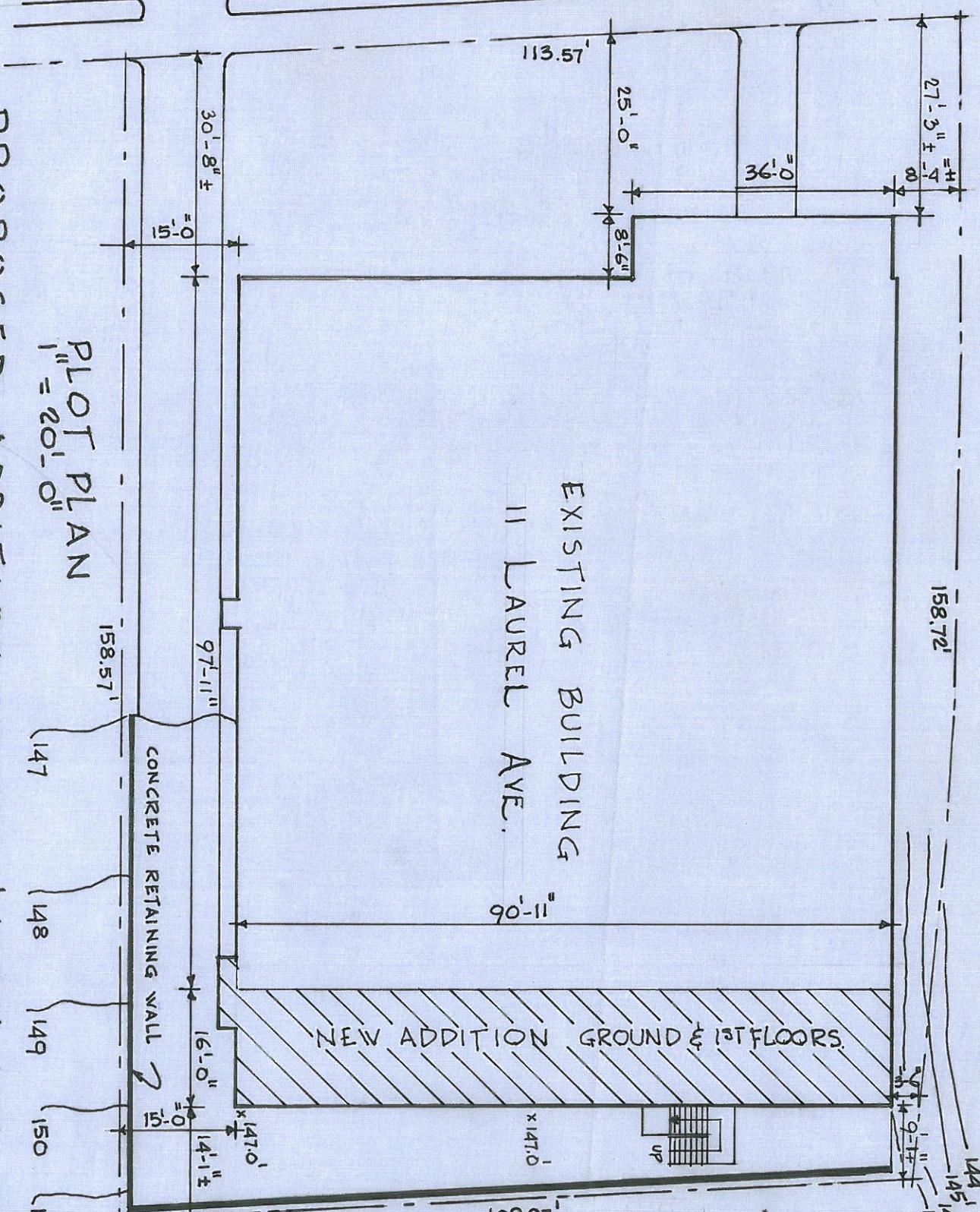
1. That off-street parking for at least ten vehicles shall be provided in accordance with the lease entered into and on file with this Board, between Janet Bendslev, T. Guy Spencer, Jr., and Henry D. White, Trustees of the W. Leslie Bendslev Trust, under a Declaration of Trust dated June 30, 1964, 382 Washington Street and New England Telephone and Telegraph Company, 185 Franklin Street, Boston.
2. That the petitioner's service trucks shall be parked at all times in appropriate off-street parking areas and shall at no time be parked on Laurel Avenue, except for emergencies and transient parking in front of the premises.

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Filed with Town Clerk _____

Richard O. Aldrich
Richard O. Aldrich
Elena T. Lowell
Elena T. Lowell
F. Lester Fraser
F. Lester Fraser

LAUREL AVE



PLOT PLAN
1" = 20'-0"

EXISTING BUILDING
11 LAUREL AVE.

NEW ADDITION GROUND & 1ST FLOORS.

CONCRETE RETAINING WALL

147
148
149
150
151

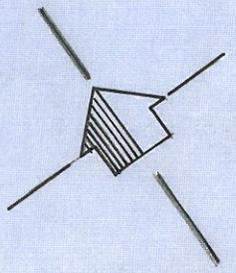
PROPOSED FLOOR
ADDITIONS

GROUND FL 1456 SQF
1ST FLOOR 1456 SQF

EXISTING FLOORS.
GROUND FL 9224 SQF
1ST FLOOR 9224 SQF

LOT AREA APPROX
17930 SQF

I CERTIFY THAT THE
PROPOSED WORK
CAN BE ACCOMPLISHED
AS SHOWN.



Gerald R. Doherty



SMITH SELLEW & DOHERTY ARCHITECTS & ENGINEERS 54 CANAL ST BOSTON MASS

FEB 26 - 1971.

BUES