



ZONING BOARD OF APPEALS

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Petition of Edward M. Levitt

Pursuant to due notice the Special Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:40 p.m. on May 19, 1977, on the petition of Edward M. Levitt, requesting approval of plans for the construction of thirteen Town Houses, within a Town House District, located at 609, 611 and 617 Washington Street, in accordance with the requirements of Section IIIA (2) (k) and Section XXV of the Zoning By-law.

On May 3, 1977, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

Mary Ellen Fraser, Chairman of the Planning Board, stated that she felt that there should be provided an additional visitor parking space for every two dwelling units, and she did not recommend the granting of a variance to allow thirteen units.

Richard W. Clayton, Jr., 8 Cross Street, submitted a letter to the Authority in which he favored the granting of the requested petition.

Statement of Facts

The property involved is located within a Town House District and consists of a parcel of land containing 50,547 square feet. At the Special Town Meeting held in October 1976, it was voted to rezone the area involved from a Single Residence District to a Town House District.

Section IIIA 2. (k) requires that written approval shall be obtained from the Special Permit Granting Authority of plans showing the locations and elevations of buildings and their exterior materials, provision for off-street parking facilities, interior roads and driveways, drainage and landscaping, and further that the plans make adequate provisions for insuring compliance with the Zoning By-law; protecting the safety, convenience and welfare of the public; minimizing additional congestion in public and private ways; insuring adequate provision for the parking of motor vehicles; insuring adequate provision for water, sewerage and drainage; insuring that the premises will not be unsightly; and insuring with the provisions of Section XXV of the Zoning By-law.

In accordance with this requirements the petitioner has submitted the required plans and seeks approval to construct, on the site involved, three two-story buildings with basements, with provision for thirteen Town Houses units, providing a variance is granted by the Authority under a separate petition, rather than the allowable twelve units. One building will contain five units, and two buildings will contain four units, each unit to have a kitchen, living room-dining room, family room and bath on the first floor.

and two bedrooms and two baths and a laundry room on the second floor. Each unit will have two underground parking spaces, and in addition provision has been made for four above-ground parking spaces for guests.

The buildings will be wood-frame, with cedar clapboards and will not exceed a height of forty-five feet. They will cover 20% of the lot, leaving 79% usable open space; the minimum set back from Washington Street will be thirty feet and each building will set back a minimum of thirty feet from the side and rear lot lines, with a minimum of thirty feet between buildings.

A set of architectural drawings, including elevations, floor plans, grading and drainage, utilities and landscaping were submitted. Said plans were drawn by R. Wendell Phillips and Associates, Inc., Boston, Mass., and dated April 12, 1977. A site plan was also submitted, drawn by Joseph A. Bodio, Barnes Engineering Company, Inc., C. E. Auburndate, Mass., dated April 26, 1977, which showed the proposed buildings on the lot as well as provision for four above-ground parking spaces, driveways and walks.

Decision

The Authority has considered all matters before it, examined the plans submitted, visited the site and finds that the plans show compliance with the provisions of Section IIIA 2, subparagraphs (a) through (j) of the Zoning By-law and that adequate provision has been made by the petitioner for matters of public interest referred to in Section IIIA, Paragraph 2. Subparagraph (k). The Authority further finds that the use and occupancy of the premises proposed will be in harmony with the general purpose and intent of the Zoning By-law, and if the project is carried out in accordance with the conditions herein imposed, and the plans submitted, adequate provision will be made for the necessary domestic water supply, sewerage and drainage facilities and the premises will not be unsightly if landscaped in accordance with the conditions hereinafter set forth.

Accordingly the plans submitted and on file with this Authority, and referred to in this decision, are approved as submitted, except for the number of guest parking spaces shown on the plans and the Building Inspector is authorized to issue a building permit for the proposed buildings in accordance with the plans submitted and on file with this Authority, providing the requested variance is granted, under a separate decision, and subject to the following conditions:

1. That all work shall be performed in accordance with the plans heretofore and hereafter filed and approved by this Authority and in compliance with all other requirements of local and State laws.
2. That provision shall be made for six (6) additional above-ground parking spaces and site plan L-1 shall be revised to show the location of the new spaces.
3. That provision satisfactory to this Authority and Board of Public Works for sewage, drainage and other utilities shall be made and maintained at no expense to the Town of Wellesley.
4. That the landscaping shall be maintained to the satisfaction of this Authority for the life of the buildings and subject to such changes as the

4. Cont. Authority may be regulation from time to time prescribe.
5. That upon completion of the buildings a complete set of architectural plans, including a complete set of mechanical plans, shall be submitted to this Authority at least ten days prior to occupancy of each building.
6. That a copy of the occupancy permit required for each building shall be submitted to this Authority prior to occupancy of the buildings.
7. That a surety performance bond running to the Town shall be provided in the amount of \$50,000. (fifty thousand dollars, in form satisfactory to Town Counsel and the Permit Granting Authority which shall be posted with the Treasurer of the Town of Wellesley before commencement of the work. Said bond shall be conditioned on the completion of the work in accordance herewith and signed by a party or parties satisfactory to Town Counsel and this Authority.

Francis L. Swift
 Francis L. Swift
F. Lester Fraser
 F. Lester Fraser
William O. Hewett
 William O. Hewett

Filed with Town Clerk _____

Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.

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 TOWN CLERK'S OFFICE