



ZONING BOARD OF APPEALS

WILLIAM R. CULLINANE
 WILLIAM O. HEWETT
 FRANKLIN P. PARKER
 WILLIAM E. POLLETTA
 FRANCIS L. SWIFT
 HENRY H. THAYER

KATHARINE E. TOY
 Administrative Secretary
 Telephone
 235-1664

Petition of the Wellesley Housing Authority

Pursuant to due notice, at 8:30 p.m. on Thursday, September 8, 1977, the Zoning Board of Appeals held a public hearing in the hearing room on the second floor of the Town Hall to hear the petition of the Wellesley Housing Authority requesting a variance from the terms of Section VI.3 (a) of the Zoning By-law, which would allow the construction of a bus shelter at the intersection of Worcester Street and Weston Road, with a set-back less than the required thirty feet from Worcester Street. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

STATEMENT OF FACTS

The Board has viewed the premises both from the point of view of a pedestrian waiting at the site of the proposed shelter (see plan by John E. Bezanson, Town Engineer, dated April 14, 1977 and revised May 31, 1977, on file with the Board) and from the point of view of a bus driver approaching in the eastbound Worcester Street lane and looking to see if any passengers are waiting to board at the bus stop.

Although not so shown on the plan, the pavement widens east of the bridge over Weston Road to a width sufficient for a bus to pull off the eastbound right-hand lane a sufficient distance to the right to keep clear of traffic while loading.

The Worcester Street roadway rises and then descends as it crosses the bridge over Weston Road. Only the upper part of an eastbound bus is visible to a person standing at the proposed bus shelter location. The bus's approach is not visible at all to a person standing back (southerly) from the proposed bus shelter site.

Conversely, a waiting passenger is not visible to a bus driver unless the passenger is standing out at the location of the proposed bus shelter.

OCT 28 3 54 PM '77
 RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MASS.

DECISION

We first dispose of the question of whether or not this proposed bus shelter is an accessory use. If it is not, a use variance is required. In the Board's opinion, where housing for the elderly is located on a major artery along which common carrier bus service operates and can be expected to operate in the foreseeable future, a bus shelter is an accessory use, if the residents of the housing can reasonably be expected to use it. The fact that other passengers, not resident in the elderly housing, may use the shelter does not thereby change the shelter's use from being accessory to the main use of elderly housing.

The Board finds:

1. That residents in the housing for the elderly site can reasonably be expected to use the proposed bus shelter and that common carrier bus service will be operated along Worcester Street in the foreseeable future.

2. That a literal enforcement of the Zoning By-law would require a set-back of thirty feet from Worcester Street. At such a location passengers and approaching buses would not be visible to one another. In order to see the approaching bus, the passenger would have to leave the shelter and stand out in the weather by the curb. This would be a substantial hardship, especially for an older person in bad weather. This hardship is related to the topography of the petitioner's land. The land is below the grade of the top of the paved surface of the bridge over Weston Road. Other land in the zoning district along Worcester Street has a clearer view westerly along Worcester Street.

Further, we do not feel that the hardship is self-created. The Weston Road bridge was constructed in about 1932 when the interurban trolley car line was removed, Worcester Street was divided and widened and certain crossroads, such as Weston Road, were grade separated.

We can see no way in which the granting of the petitioner's request will cause substantial detriment or, indeed, any detriment to the public good, nor do we find a substantial derogation from the purpose of the Zoning By-law. Since the shelter is facing onto Worcester Street, whose location is about 105 feet wide at that point, there is no question of deprivation of light and air, or congestion, or the disruption of a harmonious and uniform set-back scheme.

OCT 28 3 54 PM '77
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.

Accordingly, the Board grants the petitioner's request for a variance to permit the construction of a bus shelter of the approximate dimensions and at the approximate location shown on the Bezanson plan. All of the sitting Board members, namely - William F. Cullinane, William O. Hewett, and Henry H. Thayer - voted to grant the variance sought by this petition.

William F. Cullinane

William F. Cullinane

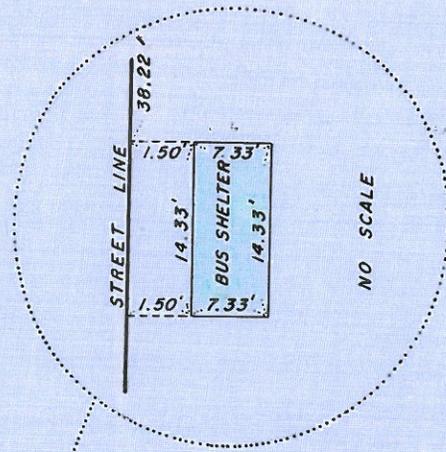
William O. Hewett

William O. Hewett

Henry H. Thayer

Henry H. Thayer

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.
OCT 28 3 54 PM '77



TOWN OF WELLESLEY
 PROPOSED BUS SHELTER AT
 WORCESTER STREET (HOUSING
 FOR THE ELDERLY)

John E. Bezanson Town Engineer
 April 14, 1977 Scale: 1"=80'
 Revised May 31, 1977

John E. Bezanson

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY, MASS.
 AUG 5 8 25 AM '77