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ZONING BOARD OF APPEALS

KATHARINE E. TOY  
Administrative Secretary  
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Petition of The Carlson Corporation  
and Babson College

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 8:10 p.m. on February 15, 1979, on the petition of The Carlson Corporation and Babson College, requesting approval of plans for a proposed married student apartment complex to be constructed on the Babson College Campus, (former Channing Sanitarium site), as required under the provisions of Section VIII, Section VII and Section III A. 2. (k) of the Zoning By-law. Said request was made under the provisions of Section XXV of the Zoning By-law.

On January 31, 1979, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Frederic O. Glover, Jr., Architect with the Carlson Corporation, represented the petitioners at the hearing and submitted evidence in support of the request.

The following persons spoke at the hearing and expressed concern relative to the trucking of materials onto Wellesley Avenue, which in their opinion is a very dangerous road, and requested information relative to the College's long-range planning as to student growth and proposed construction: Peter Lockowitz, 110 Wellesley Avenue, Norbert J. O'Keefe, 112 Wellesley Avenue, Mary W. Negro, 128 Wellesley Avenue and Charles D. Furer, 17 Sky Line Drive.

Statement of Facts

The property involved is located within an Educational "A" District, and is part of Babson College Campus. It is proposed to construct a two-story building with a partial basement for storage and a mechanical room, which will provide eight one-bedroom and four efficiency apartments for single graduate students and married undergraduate and graduate students. The building is to be wood frame construction with wood siding and an asphalt single roof.

Sections VII and VIII of the Zoning By-law regulate Educational and Educational "A" Districts. Section VIII stated that in Educational Districts "A" no new building or structure shall be constructed or used in whole or in part, and no building or structure or part thereof shall be altered, enlarged, re-constructed or used, and no land shall be used, for any purpose except one or more of the following:

1. Any purpose authorized in an Educational District in accordance with and subject to the provisions of Section VII; or for
  2. The temporary parking of motor vehicles.
- B. Off-street parking shall be provided in accordance

with Section XXI.

Section VII of the Zoning By-law requires that all dormitories to be constructed within an Educational District shall be subject to the provisions of Section IIIA., Paragraph 2. Subparagraph (k). Said Section requires that plans showing the locations and elevations of buildings and their exterior materials and indicating provisions for off-street parking facilities, interior roads and driveways, drainage and landscaping and such other information as the Authority may require, shall be filed with the Special Permit Granting Authority and its written approval obtained to the same.

In compliance with this requirement, the petitioners submitted a complete set of plans including all the required information.

At the hearing it was explained in detail that the proposed building is designed to provide living accommodations for single graduate students and married undergraduate and graduate students. The location, which is on Woodland Hill, is the site of the former Channing Sanitarium, and was purchased by Babson College in 1967. Since that time the College has been using the existing buildings for housing faculty and students as well as other educational purposes. One building has now been razed and it is in place of this building that the proposed building is to be constructed.

It was further explained that in addition to the existing parking space on the campus, provision will be made for fifteen automobiles and the grounds will be landscaped as shown on the plan. It is also intended to retain all possible natural trees and foliage around the area.

#### Decision

The Authority has examined the plans and evidence submitted, and has taken a view of the locus. In its opinion, the plans are in harmony with the purpose and intent of the pertinent provisions of the Zoning By-law.

The Authority finds that the plans submitted, with the conditions herein imposed, make adequate provision for:

- (a) Insuring compliance with the Zoning By-law of the Town of Wellesley;
- (b) Protecting the safety, convenience and welfare of the public;
- (c) Minimizing additional congestion in public and private ways;
- (d) Insuring adequate provision for the parking of motor vehicles;
- (e) Insuring adequate provision for water, sewerage and drainage;
- (f) Insuring that the premises will not be unsightly;
- (g) Insuring compliance with the provisions of Section XVI, which requires that no land shall be used for any purpose which by the emission or discharge of fumes, vapor, smoke, gas, dust, cinders, offensive odors, chemicals, poisonous fluids or substances,

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- (g) refuse, organic matter, or excrement, the causing of noise or vibrations, or by unduly increasing the risk from fire or explosion, or otherwise, would be obnoxious, offensive, dangerous, or injurious to the public health or safety.

Accordingly, the plans submitted by the petitioners and on file with this Authority are approved and the Inspector of Buildings is authorized to issue a permit for the proposed building subject to compliance with the applicable provisions of the Wellesley Building Code (Massachusetts State Building Code), the requirements of the Town of Wellesley (including the Department of Public Works and the Fire Department), the rules and regulations of Mass. Department of Public Safety, and other applicable provisions of law and the following conditions imposed by this Authority which shall be binding upon petitioners and their successors and assigns:

1. That all work shall be performed in accordance with the plans submitted and hereby approved.
2. That upon completion of the building a complete set of architectural plans, including complete sets of mechanical plans, for the building as constructed, shall be submitted to this Authority at least ten business days prior to occupancy of the building.
3. That a copy of the occupancy permit issued by the Building Inspector shall be submitted to this Authority by the Inspector, at the time of issuance.
4. That a surety performance bond shall be provided to the Town in the amount of \$50,000.00 in form satisfactory to Town Counsel and Zoning Board of Appeals which shall be posted with the Treasurer of the Town of Wellesley before commencement of work. Said bond shall be conditioned on the completion of the work in accordance herewith and the performance of all conditions hereof, and shall be released after completion of the building provided that provision satisfactory to the Zoning Board of Appeals has been made for performance of those conditions imposed herein.

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Francis L. Swift  
Francis L. Swift

William O. Hewett  
William O. Hewett

William F. Cullinane  
William F. Cullinane

Filed with Town Clerk \_\_\_\_\_

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