



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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DEC 13 11 56 AM '83

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Executive Secretary
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83-60

Petition of Mario J. Sarni

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, November 17, 1983 at 8 p.m. on the petition of MARIO J. SARNI requesting Site Plan Approval under Section XVIA of the Zoning Bylaw for construction of a two-story commercial building approximately 50 feet by 50 feet at 445 WASHINGTON STREET and associated landscaping and parking. Said request is pursuant to Section XXV of the Zoning Bylaw.

On October 25, 1983, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was John Staniunas, Architect representing Mario Sarni, who was also present. Mr. Staniunas presented a rendering of the proposed building, and a plot plan. The building consists of two stories. Parking spaces would be provided for 22 cars, although the bylaw requires only 16 parking spaces. Mr. Sarni stated that the new building will not be used as a dry cleaning plant. Space will be rented out on the second floor. Edward Donlon, 47 Church Street, attorney for Mr. Sarni, requested prompt action by the Board of Appeals.

Other than the above mentioned, no one was present favoring or opposing the petition.

Statement of Facts

The property in question is a parcel of land known as 445 Washington Street, containing 21,787 square feet of land, located in a Business District.

The petitioner, Mario J. Sarni, proposes to construct a two-story commercial building on the site, containing a gross floor area of 5,324 square feet. Sarni Dry Cleaners would occupy part of the first floor and the remainder of the building would be rented as office space. Twenty-two parking spaces would be provided, whereas the bylaw requires seventeen spaces. The project constitutes a major construction project under Section XVIA of the Zoning Bylaw.

The following plans were submitted: site plan of land, drawn by James V. Merloni, Registered Professional Engineer of MacCarthy & Sullivan Engineering Co., Natick, dated November 14, 1983; Plan SD-1, site, grading, utility, drawn by Joseph R. Sullivan, Registered Land Surveyor of John C. Staniunas Associates, Wellesley, dated 10/5/83; Plan A-1, dated 10/5/83, drawn by John C. Staniunas Associates, and a rendering of the building.

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Addendum A

1. That the building at 445 Washington Street will never be used as a dry cleaning plant which employs gasoline or other solvents.
2. That all work shall be performed in accordance with plans submitted and on file with this Authority.
3. That all design and construction must comply with all applicable state and local codes.
4. That all requirements of the Town of Wellesley Fire Department shall be complied with.
5. That all requirements of the Town of Wellesley Department of Public Works shall be met. Site utility plans shall be submitted to the DPW for their review and approval prior to the issuance of a building permit by the Inspector of Buildings. "As Built" site utility plans shall be submitted to the Town Engineer upon completion of utility construction.
6. That, upon completion of the entire project, a complete set of "As Built" plans, including a complete set of mechanical plans, shall be submitted to the Inspector of Buildings.
7. That a copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.

The Design Review Board conducted a preliminary site plan review on October 12, 1983 and outlined their concerns in a letter to the ZBA dated October 13, 1983. Concerns centered on entrances to and circulation in the parking area, and landscaping.

Site plans and other submission materials were sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health, and Fire Chief, as required by Section XVIA of the Zoning Bylaw. Written responses were received from the Planning Board, Wetlands Protection Committee, Town Engineer, and Fire Chief and are on file at the Board of Appeals office.

Decision

This Authority has made a careful study of the evidence submitted. The petitioner's proposed building at 445 Washington Street constitutes a major construction project under Section XVIA of the Zoning Bylaw.

Section XVIA (Site Plan Approval) of the Zoning Bylaw requires this Board to address concerns regarding compliance with the Zoning Bylaw, protection of the safety, convenience and welfare of the public, congestion in public and private ways, provisions for water, sewerage and drainage, and for off-street parking.

It is the opinion of this Authority that the proposed building at 445 Washington Street meets all the requirements of the Zoning Bylaw.

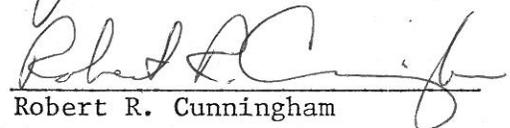
Therefore, a Special Permit for Site Plan Approval is hereby granted pursuant to Section XVIA and Section XXV of the Zoning Bylaw, for the construction at 445 Washington Street as shown on site plans submitted, dated November 14, 1983, drawn by MacCarthy & Sullivan Engineering Co., subject to the conditions attached hereto as Addendum A.



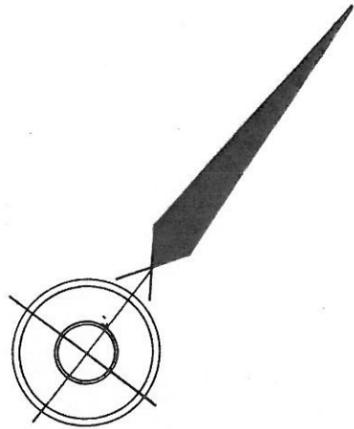
Stephen S. Porter, Chairman



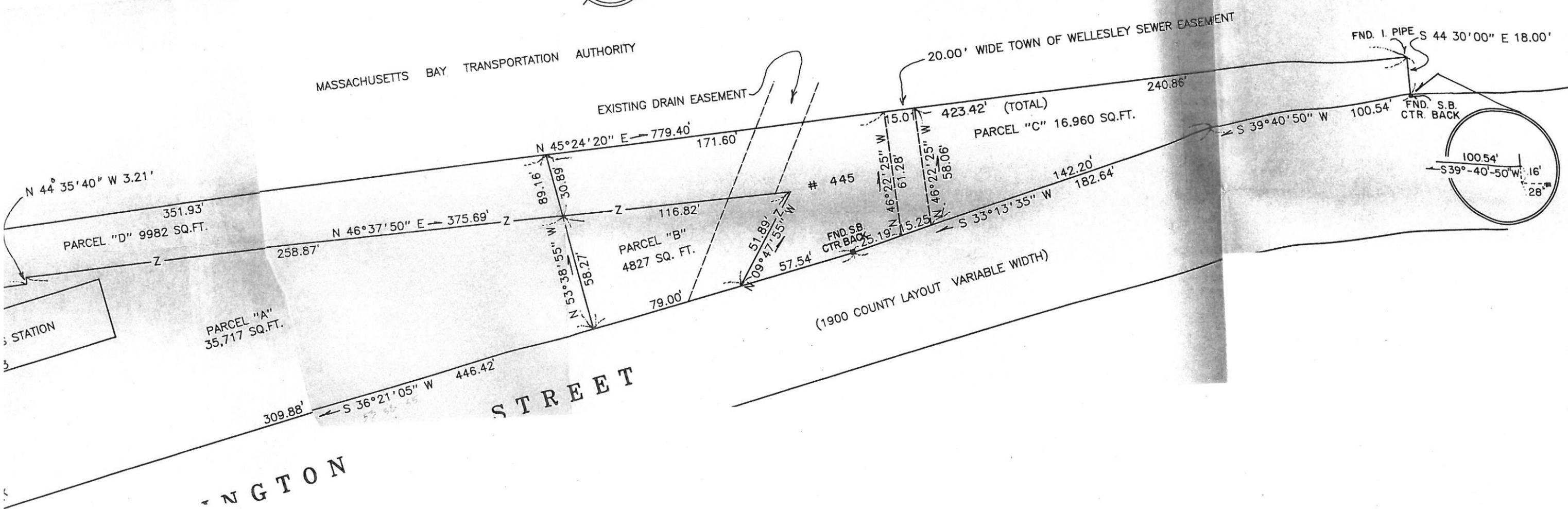
John A. Donovan, Jr.



Robert R. Cunningham



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY



N 44° 35' 40" W 3.21'
351.93'
PARCEL "D" 9982 SQ.FT.

PARCEL "A"
35,717 SQ.FT.

EXISTING DRAIN EASEMENT

N 45° 24' 20" E → 779.40'
171.60'

PARCEL "B"
4827 SQ. FT.

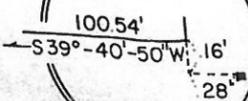
445

20.00' WIDE TOWN OF WELLESLEY SEWER EASEMENT

423.42' (TOTAL)
PARCEL "C" 16,960 SQ.FT.

FND. I. PIPE S 44° 30' 00" E 18.00'

FND. S.B. CTR. BACK



(1900 COUNTY LAYOUT VARIABLE WIDTH)

INGTON

STREET

STATION

309.88' ← S 36° 21' 05" W 446.42'

N 46° 37' 50" E → 375.69' Z

N 53° 38' 55" W 89.16'
30.89'
58.27'
N 09° 47' 55" W 51.89'
57.54'

FND. S.B. CTR. BACK

N 46° 22' 25" W 15.01'
61.28'
N 46° 22' 25" W 58.06'

142.20'
182.64'

S 39° 40' 50" W 100.54'