



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 87-15

Petition of Wellplay Associates Limited Partnership
380-384 Washington Street, corner Forest Street and Laurel Avenue

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Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, February 19, 1987 at 8 p.m. in the Great Hall of the Town Hall (Conference Room E) at 525 Washington Street on the petition of WELLPLAY ASSOCIATES LIMITED PARTNERSHIP requesting a Special Permit for Site Plan Approval pursuant to the provisions of Sections XVIA, XI, XII and XXV of the Zoning Bylaw to permit construction of a project to be known as PLAYHOUSE SQUARE and to include the following: a) renovation of the existing building located at 380-384 WASHINGTON STREET on the corner of LAUREL AVENUE, known as the Wellesley Community Playhouse, which building is located on a lot shown as Parcel A on a plan entitled "Plan of land in Wellesley, Mass." prepared by MacCarthy & Sullivan Engineering Inc., dated June 2, 1980, and recorded with the Norfolk Registry of Deeds at Book 5828, Page 136, and also shown as Parcel A on a plan entitled "Topographical Plan of Land in Wellesley, Mass.", prepared by MacCarthy & Sullivan Engineering, Inc., dated October 23, 1986, submitted by petitioner (containing 12,763 square feet of land according to said plans), and which lot is listed as Lot 041 on Assessor's Map #75, said building containing approximately 16,300 square feet of gross floor area, with a footprint of approximately 7,600 square feet; b) construction of a new building on a lot bounded by WASHINGTON STREET, FOREST STREET, LAUREL AVENUE and Parcel A (described above), which said lot contains approximately 51,412 square feet of land according to the above-referenced plans, and which lot consists of Parcels B & C (containing 8,149 square feet of land), Parcel D (containing 13,325 square feet of land), and Lot 2 (Land Ct. #21347C, containing 29,938 square feet of land), all as shown on said plans, and which lot is listed as Lots 027 and 018A on Assessor's Map #75, which new building will contain approximately 15,800 square feet of gross floor area with a footprint of approximately 11,900 square feet, together with and associated parking for 130 cars, landscaping and accessory improvements. The project will include retail, office and possible restaurant space.

On January 7, 1987 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 James Koningisor, Senior Vice President of First Investments Co., developer of the project, who introduced Peter Gross from Gaughat Architects; David DeBai from Vanasse/Hangen Inc., traffic consultants; Joel Reck, Attorney from Brown, Rudnick, Freed, Gesmer; Glen Ferguson, Kurz Associates, site engineers.

Mr. Koningisor outlined the history of the project. The property was recently purchased by First Investments Co. from the Bendslev Trust. Original plans were to raze the existing theatre building, but reaction of townspeople resulted in the decision to retain the existing building which will be renovated. A new building will be constructed on the adjacent parcel of land fronting on Forest Street, and the project will be known as "Playhouse Square". Mr. Koningisor displayed site plans and described the project. He stated that there would be a minor change of plans for the existing building. The existing main entrance on Washington Street was originally planned to be eliminated but they now plan to retain a public entrance under the marquee. Mr. Koningisor described the use of the existing building which will contain retail shops, office space, and possibly a high quality family style restaurant. First Investment Co. will occupy office space on the second floor. The proposed new building containing a footprint of approximately 12,000 square feet will have retail space on the first floor and office space on the second. Parking will be provided for 130 cars, 71 in the upper parking lot, 41 beneath the new building, 18 in the lower parking lot. There will be one-way ingress and egress from Forest Street, 2-way access from Laurel Avenue. Mr. Koningisor stated that the Design Review Board is pleased with the development which he stated also meets with the approval of the Selectmen, Building Inspector and the Town Engineer.

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The following people spoke to the petition: Howard Bolles, 4 Bancroft Road, Thomas Cummings, 2 Longfellow Road, Leslie Clark, 9 Rockland Street, David Daly, 9 Damien Road, Nan Bagdasarian, 60 Windsor Road, Ted Morrison, 3 Rockland Street. Some expressed concern about traffic, including traffic on Rockland Street. Speaking in favor of a barricade at Laurel Avenue were Dennis Green, 32 Laurel Avenue, Warren Anderson, 21 Laurel Avenue. Alfred Anderson, 7 Spruce Park, read a letter objecting to the Laurel Avenue barricade, signed by about 100 Wellesley residents. Patricia Palmer, Chairman of the Board of Selectmen, spoke and referred to a letter of February 12 from the Selectmen to the ZBA responding to the traffic and safety concerns. She stated that the developer had voluntarily submitted the traffic report which was satisfactory to the Selectmen. She requested that the ZBA require that the developer donate \$2,500. to offset costs of barricade construction and changes to the traffic signal system at the corner of Forest Street and Washington Street. Mr

Koningisor stated that he would agree to the payment of \$2,500. Considerable discussion followed about the traffic study done by Vanasse/Hangen.

Statement of Facts

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The property in question is located at the corner of Washington Street, Forest Street and Laurel Avenue as described above, containing a gross land area of approximately 64,175 square feet, located in a Business and Business A District. A building exists on Parcel A of the site, known as the Wellesley Community Playhouse at 380-384 Washington Street, containing a theatre and retail and office space. A two-story wood frame house (18 Forest Street) exists at the southerly corner of the property.

The petitioner, Wellplay Associates Limited Partnership, recently purchased the property and proposes a project to be known as "Playhouse Square" which will include the demolition of the wood frame house at 18 Forest Street, the construction of a new building of approximately 15,800 square feet and the renovation of the existing Wellesley Community Playhouse building. The developer of the project is First Investment Companies Inc. The proposed new building on a parcel containing 51,412 square feet of land will have a footprint of 11,900 square feet, will contain 15,800 square feet of floor area. Approximately 11,900 square feet will be for retail space and approximately 3,900 square feet is for office space. A portion of the retail space may be utilized for a restaurant operation. The building is constructed with parking beneath it.

The existing building will be renovated to provide a mix of retail space (approximately 11,200 square feet) and office space (approximately 5,100 square feet). A portion of the retail space may be utilized for a restaurant operation. Approximately 6,800 square feet of floor space will be changed from theatre to retail space. The exterior of the building will remain essentially unchanged except for creation of two exterior patio areas, resurfacing of the existing marquee to accommodate new signage and replacement and/or addition of new windows and doors at certain grade level locations. The entrance on Washington Street under the marquee would be retained..

Parking spaces for 130 vehicles would be provided on the site - 87 full spaces, 39 compact, 4 handicapped. Forty-one spaces would be beneath the new building, 71 in the upper parking lot, 18 in the lower parking lot. There would be one-way ingress and egress from Forest Street and two-way access from Laurel Avenue. Forty-six of the total of 130 parking spaces would be provided on the parcel of land containing 51,412 square feet (Parcels B, C, D, Lot 2 described above) to satisfy parking requirements for the existing building on Parcel A (containing 12,763 square feet) -

see Decision ZBA 87-17. Landscaping would be provided to meet the requirements of the Zoning Bylaw.

The following plans were presented: Existing Site Plan, 10/23/86, Joseph R. Sullivan, Registered Land Surveyor of MacCarthy & Sullivan, Natick; plans dated 1/7/87 including Proposed Overall Site Plan, Parking Plan - Overall Site, Site Utility Plan, Miscellaneous Details, Landscape Plan, New Building - Parking Level Plan, New Building - Retail Level Plan, New Building - Office Level Plan, New Building - Proposed Elevations, New Building - Proposed Elevations (SH2), Section thru Overall Site, Parcel A Building - Basement Plan, Parcel A Building - First Floor and Mezzanine Plans, Parcel A Building - Second Floor and Third Floor Plans, Parcel A Building - Elevations: Washington Street and Laurel Avenue, Parcel A Building - Elevations: Forest Street and Rear, Parcel A. Building - Proposed Elevations, Parcel A Building - Proposed Elevations (SH2), Parcel A Building - Parcel A Site Sections. Utility calculations and color photographs were also presented. A Traffic Impact & Access Study by Vanasse/Hangen Inc. was also presented. Plans and reports were done by the following: Gauchat Architects Inc., Cambridge; Vanasse/Hangen, Boston, traffic engineers; Kurz, W. Bridgewater, Ma., site/geotechnical engineers; David M. Berg, Inc. Needham, structural engineer; M.L. Dee & Associates, Cambridge, plumbing, mechanical and electrical engineers; William Pressley & Associates, Cambridge, Ma., landscape architects.

The Design Review Board held a preliminary review of the plans on December 11, 1986 and submitted recommendations in a letter of December 15, 1986. Final review was held on January 29 at which time the plans were approved with recommendations as outlined in a letter of January 30, 1987.

Site plans and other submission materials were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health, Fire Chief as required by Section XVIA of the Zoning Bylaw. Plans were also sent to the Board of Selectmen for review and comment. Written responses from the Planning Board, Town Engineer, Board of Health, Fire Chief and Board of Selectment were received and are on file at the ZBA Office.

It is noted that the Selectmen have requested that the developer set aside funds not to exceed \$2,500. to offset the costs of constructing a barricade on Laurel Avenue and making the necessary changes at the traffic signal system timing at Washington and Forest Street and that the developer stated he is willing to accommodate the Selectmen's request.

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BOARD OF HEALTH
FIRE CHIEF

Decision

This Authority has made a careful study of the evidence submitted. The petitioner's proposed project at Washington Street, Forest Street and Laurel Avenue constitutes a major construction project under Section XVIA of the Zoning Bylaw because it includes the construction of 2,500 or more square feet of gross floor area.

It is the opinion of this Authority that the proposed project known as "Playhouse Square" at the corner of Washington Street, Forest Street and Laurel Avenue as described above and as shown on plans submitted to this Authority by Gauchat Architects Inc., dated 1/7/87, complies with the Zoning Bylaws of the Town, protects the safety, convenience and welfare of the public, minimizes additional congestion in public and private ways, insures adequate provision for water, sewerage and drainage. Furthermore, it insures compliance with Section XVI, Section XXI and Section XXII of the Zoning Bylaw.

A Special Permit is hereby granted and Site Plan Approval is given by this Authority to Wellplay Associates Limited Partnership pursuant to Section XVIA and Section XXV of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

John A. Donovan, Jr.
John A. Donovan, Jr.

William A. Polletta
William A. Polletta

Sumner H. Babcock
Sumner H. Babcock

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Building Inspector

mam *selectmen*

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Addendum A

1. That all work shall be performed in accordance with plans submitted and on file with this Authority.
2. That all design and construction must comply with all applicable state and local codes.
3. That all requirements of the Town of Wellesley Fire Department shall be complied with, including a full automatic sprinkler system conforming to National Fire Protection Association Standards for the existing building as well as the new building, per applicable provisions of Chapter 148 M.G.L. and the State Building Code.
- ~~4. That all requirements of the Town Engineer shall be complied with including but not limited to the requirement that water, sewer, and electric connections together with drainage connections be made in accordance with DPW standards and installed and maintained at no cost to the Town of Wellesley.~~
5. That all requirements of the Board of Health shall be complied with, including, but not limited to, requirements for existing and proposed underground fuel storage tanks.
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. Site utility plans shall be submitted to the Department of Public Works.
7. That a copy of the Occupancy Permits issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.
8. That Parcels B & C, Parcel D and Lot 2 as shown on plans submitted shall be merged to form one lot containing 51,412 square feet of land. Plans must be submitted to the Planning Board for certification that subdivision approval is not required.

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