



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-26
Petition of Marilyn Fraser
Fraser Medical Building Parking Lot
Corner of Seaward and Bemis Roads

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 25, 1989 at 8 p.m. in the Selectmen's Meeting Room, (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of MARILYN FRASER, requesting a Special Permit for Site Plan Approval pursuant to Section XVIA, Section III, Section XXI and Section XXV of the Zoning Bylaw to construct a new parking lot of approximately 13,441 square feet, with associated landscaping, for 48 cars. Said parking lot is located on SEAWARD AND BEMIS ROADS, in a Single Residence A District, for use by the Fraser Medical Building at 332 WASHINGTON STREET, in a Business District.

On May 5, 1989, 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 Marilyn Fraser, who said that she recently acquired three lots at the rear corner of the block on which the Fraser Medical Building exists, and plans to demolish the three existing houses on the lots and construct a parking lot to serve the Fraser Medical Building. Two-thirds of the lot would be reserved for employee parking and the remainder would serve as a new entrance and link-up with the existing patron parking lot. The employee lot would be separated from the main parking area by a control gate.

In answer to the Board's question regarding the impact of eliminating the existing entrance and exit on Abbott Road, Mrs. Fraser said that at the last Design Review Board meeting, she had discussed the possibility of maintaining the entrance and exit on Abbott Road until the traffic impact and patterns could be determined. The original proposal had an entrance from Washington Street, but the Design Review Board felt that this would create increased traffic problems, and so it was eliminated.

Mrs. Fraser said that the Design Review Board felt that traffic exiting onto Seaward Road would be better handled because of the traffic light, and had recommended closing the entrance and exit from Abbott Road. The Board felt that although making a turn at the Seaward Street light was difficult, turning at the corner of Abbott Road was also difficult due to the presence of banks on each corner and the absence of a traffic light at Abbott Road.

The Zoning Board expressed concern with all of the parking lot traffic exiting onto Seaward Road. Mrs. Fraser said that she would begin by keeping the Abbott Road exit open, but closing the entrance. The existing right-of-way would be maintained for service vehicles, and the area abutting Washington Street would be reserved for handicapped parking.

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Neighborhood concerns voiced at the hearing revolved around the entrance and exit of the parking lot onto Seaward Road. Increased traffic due to the new parking lot, particularly regarding traffic back-up caused by cars exiting the parking lot; vehicular safety due to limited visibility and traffic exiting Bemis Road; and the safety of pedestrians, particularly neighborhood children and the elderly living in adjacent Phillips Park were issues that were raised by Bob Crocker, 90 Seaward Road; Avery Maher, 45 Seaward Road; Charles Amorosino, Phillips Park; Chuck Amorosino, 38 Seaward Road; and Walter and Peggy Bordewieck, 42 Seaward Road.

The neighbors present said that the new park on Seaward Road, which will be a location for many activities for children, will add to the existing traffic and safety problems and were concerned that these problems would be further increased by the traffic entering and exiting the new parking lot.

Linda Zukowski, 16 Abbott Road opposed an entrance to the parking lot from Bemis Road, and Paul Rutledge, 7 Bemis Road, suggested construction of a walkway along Bemis Road.

Mrs. Fraser said that the original plan submitted to the Design Review Board kept the entrance and exit for the public parking area on Abbott Road. The new gated parking area would be reserved for staff, which would generally park all day. Entrance and exit for the new lot would be on Seaward Road. The Design Review Board had suggested reducing the number of curb cuts and the congestion on Abbott Road by closing the ingress and egress on Abbott Road to the patron lot.

After further discussion and negotiation, the Board and Mrs. Fraser agreed on a plan for a new staff parking lot with entrance and exit onto Seaward Road, with the condition that there be no connection between the new parking lot, which would be confined to staff parking, and the existing patron lot for which ingress and egress would be maintained on Abbott Road. In effect, there would be three discreet lots: one for doctors (existing), one for staff and one for patrons. Patron parking would not be allowed in the new parking lot.

Mrs. Fraser promised to deliver a revised plan reflecting these conditions, to the office of the Zoning Board within two weeks.

Statement of Facts

The property in question is located on Seaward and Bemis Roads, at the rear of the Fraser Medical Building at 332 Washington Street. The property involved is comprised of 13,441 square feet, in a Single Residence A District, and is a portion of a property owned by the Estate of Alfred Fraser containing 69,805 square feet, in a Single Residence A District and a Business District. The Estate property is bounded by Washington Street, Seaward Road, Abbott Road and Bemis Road.

The petitioner is requesting a Special Permit for Site Plan Approval to allow construction of a new parking lot, approximately 13,441 square feet, with associated landscaping, to accommodate 48 cars, pursuant to Section XVII, Section III, Section XXI, and Section XXV of the Zoning Bylaw. The existing parking lot services 113 cars and is divided into two lots: one lot for physician use and one lot for patron

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use. In the submitted plan, the proposed new parking lot would connect to the existing parking area.

The following plans were submitted: Orientation Plan; DPW Dept. Engineering Plan; Existing Features Plan; and Landscaping Plan, dated April 20, 1989, drawn by Marilyn Fraser, Registered Architect. An Official Development Prospectus and photographs were also submitted.

The Design Review Board held a Preliminary Review on April 6, 1989 and a Final Review on May 11, 1989, at which time the Board voted to approve the plan as presented. All submission materials were also 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 from each of the above were received and are on file at the ZBA office. The Planning Board, on May 8, 1989, voted to recommend no objection to approval of the site plans, but recommended that "speed humps", rather than "speed bumps" be installed.

Decision

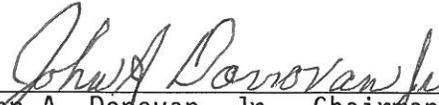
This Authority has made a careful study of the evidence presented. The petitioner's proposed 13,441 square foot parking lot constitutes a major construction project under Section XVIA of the Zoning Bylaw because it involves grading or regrading of land to planned elevations, and/or removal or disturbance of the existing vegetative cover, over an area of 5,000 or more square feet. It is also pursuant to Section III, as the property is located in a Single Residence A District; and to Section XXI as its proposed use will be a parking lot.

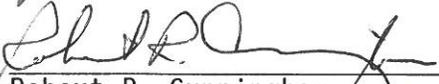
It is the opinion of this Authority that the revised plans containing the conditions enumerated in Addendum A to be submitted for construction of a parking lot at Seaward and Bemis Roads, will comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways, insure adequate protection for water, sewerage, and drainage. Furthermore, compliance with Section XVI, Section XXI and Section XXII have been insured.

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

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
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Robert R. Cunningham


Kendall P. Bates

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Addendum A

1. That entrance and exit from Seaward Road be confined to the new parking lot and be controlled by a gate; that the new parking lot be restricted to staff parking; that a permanent barrier be erected to separate the new lot from the existing lot; that the entrance and exit on Abbott Road be retained; and that a new plan reflecting these changes be filed in the office of the Board of Appeals.
2. That all work shall be performed in accordance with the above-referenced plan.
3. That all requirements of the Town of Wellesley Fire Department shall be complied with.
4. That all requirements of the Department of Public Works shall be met, 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 site utility plans be submitted to the Department of Public Works.
6. That all requirement of the Wetlands Protection Committee be complied with.

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