



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-66
Petition of Grossman's
27 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 30, 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 GROSSMAN'S requesting a Special Permit for Site Plan Approval pursuant to the provisions of Section XVIA, Section XII, Section XIV, Section XIVB, Section XXI and Section XXV of the Zoning Bylaw to allow enclosure of an authorized canopy area of 7,200 square feet, construction of a 3-sided building material enclosure approximately 3,256 square feet and the addition of 48 parking spaces and associated landscaping at their retail business premises at 27 WASHINGTON STREET on a 216,929 square foot lot, in a Business A, an Industrial A District and a Floodplain District.

On November 7, 1989, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Jerome Preston, attorney for the petitioner and Al Coopersmith, Projects Manager for Property Development for Grossman's.

Mr. Preston said that Grossman's was requesting site plan approval for enclosure of 7,200 square feet of canopy area with an increase of 48 parking spaces. The proposed 3-sided enclosure at the rear of the property is not retail space and therefore does not require additional parking.

Mr. Preston said that the additional parking would come from redesigning the existing parking spaces and aisles which are oversized. Six new parking spaces will be designated in the existing loading area. Mr. Coopersmith added that the narrower spaces meet code, and that 30% of the lot will be designated for compact cars.

Mr. Preston stated that if the new parking requirements suggested by the Planning Board were to be passed by Town Meeting, Grossman's would have parking spaces in excess of the number required, and would redesign the parking lot in light of the new requirements.

No other persons present had any comment on the petition.

Statement of Facts

The property in question is located on a 216,929 square foot lot at 27 Washington Street in both an Industrial A and a Business A District. A small portion of the

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lot is located in a Flood Plain District, and the Charles River abuts the property in the rear. Town owned property abuts the easterly lot line. The westerly property line is abutted by Conservation, Residential and Business A Districts.

In October, 1988, Grossman's applied for and was granted a Special Permit for Site Plan Approval to add a 4,800 square foot canopy to the existing 2,400 square foot canopy area (ZBA 88-89).

The petitioner is requesting a special permit for site plan approval to enclose an aforementioned 7,200 square foot canopy area to be used for retail sales and construction of a 3-sided building materials enclosure approximately 3,256 square feet to be used as a storage facility. Forty-eight parking spaces would be provided in addition to the 210 existing spaces bringing the total to 258 parking spaces with associated landscaping on the site.

The following plans were submitted: Site Plan (SP-1) dated 12/19/86, revised 1/14/87, revised 2/2/87, revised 4/22/88, revised 6/29/88, revised 8/4/88, revised 8/30/89, revised 10/11/89, revised 10/17/89, revised 10/26/89, revised 11/2/89, revised 11/9/89, revised 11/17/89, revised 11/20/89, drawn by Fred Lenox, Registered Architect; Site Plan of Land dated 9/6/88, revised 11/2/89, drawn by Richard B. Betts, Registered Land Surveyor; Exterior Elevations (A-1) dated 10/17/89, drawn by Fred Lenox, Registered Architect; Floor Plan (A-2) dated 10/24/89, drawn by Fred Lenox, Registered Architect; and 3-sided Enclosure Elevations (A-3) dated 10/17/89, drawn by Fred Lenox, Registered Architect. An Official Development Prospectus, a Traffic Analysis dated November 1, 1989, done by The BSC Group and a photograph were also submitted.

The Wetlands Protection Committee issued a Negative Determination of Applicability for the proposed 3-sided enclosure on November 16, 1989.

The Design Review Board held a preliminary review on October 26, 1989 and a final review on November 9, 1989, at which time the Board voted to approve the design of the Major Construction Project. Site plans and other submission materials were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and the Fire Chief as required by Section XVIA of the Zoning Bylaw. Written responses from each of the above were received and are on file in the ZBA office. The Planning Board, on November 28, 1989, voted to offer no objection to the Site Plan Approval request.

Decision

This Authority has made a careful study of the evidence presented. The enclosure of 7,200 square feet of authorized canopy area and construction of a 3-sided enclosure of approximately 3,256 square feet constitute a Major Construction Project under Section XVIA as the construction includes more that 2,500 square feet of gross floor area. The project is pursuant to Section XII, Section XIV and Section XIVB of the Zoning Bylaw as the property is located in an Industrial A District, a Business A

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District and a Flood Plain District. The project is pursuant to Section XXI of the Zoning Bylaw as it includes an increase in parking spaces necessitated by the increase in gross floor area.

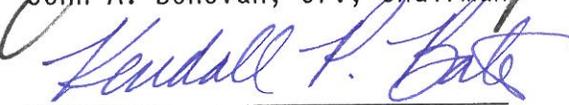
It is the opinion of this Authority that the proposed plans for the 7,200 square foot enclosure, the 3,256 square foot shed enclosure and the addition of 48 parking spaces and associated landscaping, as shown in the plans detailed in the foregoing Statement of Facts, comply with the Zoning Bylaws of 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, they insure compliance with Section XVI, Section XXI and Section XXII of the Zoning Bylaw.

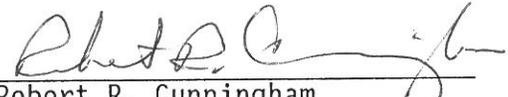
A Special Permit is hereby granted and Site Plan Approval is given by this Authority pursuant to Section XVIA, Section XII, Section XIV, Section XIVB and Section XXV of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

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
Wetlands Protection Committee
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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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 must 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 upon completion of the project, a complete set of Site utility plans shall be submitted to the Department of Public Works.
6. That a copy of the Occupancy Permit issued by the Inspector of Buildings be submitted to this Authority at the time of issuance.
7. That all catchbasin/oil traps must be cleaned annually and that a report of this maintenance be submitted to the Wetlands Protection Committee annually by July 1 of each year.
8. That no future redesign, reconfiguration or restriping of the parking lot be done without approval of the Board of Appeals.

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