



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 92-5
Petition of Temple Beth Elohim
10 Bethel Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 23, 1992 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 TEMPLE BETH ELOHIM requesting a Special Permit for Site Plan Approval pursuant to the provisions of Section XVIIIA, Section XIVE and Section XXV of the Zoning Bylaw to allow construction of 5 additional one-story areas and a mezzanine addition totalling 9,729 square feet in building footprint and 9,992 square feet of usable floor area, with associated landscraping, at its premises at 10 BETHEL ROAD, in a Single Residence District and a Water Supply Protection District.

A Special Permit pursuant to the provisions of Section XIVE and Section XXV of the Zoning Bylaw is also requested for a Major Construction Project to be built in a Water Supply Protection District. Said project must be in compliance with the Design and Operation Standards of Section XIVE of the Zoning Bylaw.

On January 3, 1992, the petitioner requested a hearing before this Authority, and thereafter due notice was given by mailing and publication.

Presenting the case at the hearing was Bruce Kaufmann, Chairman of the Temple Building Committee, who was accompanied by Mark Young, project architect; John Modzelewski, project engineer; David Rakoff and Joel Bloom, members of the Temple Building Committee. Using a three-dimensional model of the Temple and proposed additions, Mr. Young explained the project. The primary addition is the classroom wing to the right of the existing building. The lobby area and the storage area will be expanded; and two wings totalling an additional 110 seats will be added, one on either side of the sanctuary. The addition to the mezzanine is to provide space for a new handicap elevator and an enclosed stairway. The steps at the entrance will be realigned and a handicap access will be installed.

Mr. Young explained that rainwater is collected by means of internal roof drains connected to pipes attached to an existing pipe system which empties into an catchbasin and finally to a water retention area on the side of the building. Two retaining walls will be constructed stepping up the hill to reduce the amount of cut needed and the amount of vegetation to be removed. The playground will be reconfigured to an "L" shape, as the new classroom wing encroaches on the play area.

In response to the Board's inquiry, Mr. Kaufmann stated that the use of the classroom area would not change. He outlined the educational programs, explaining that the classroom wing is needed as classes presently use the social hall, the sanctuary and the mezzanine. The intent of the expansion is to provide enclosed classrooms so that the original purpose of the other areas can be reinstated. The

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Temple does not plan to rent space; the additions are to meet the needs of the growing congregation.

The Board questioned the sufficiency of the parking lot. Mr. Kaufmann said that the parking lot was sufficient for all Temple activities with the exception of the High Holidays, at which time no Temple has sufficient parking. Additional police are hired for traffic control for the two days. Mr. Young stated that as a means of facilitating the traffic flow, the driveway will be relocated. The relocation, which will be closer to Isolated Land Subject to Flooding, has been approved by the Wetlands Protection Committee.

Ray Reynolds, 16 Shelley Road, owner of town houses on Bethel Road abutting the Temple property, stated that the parking lot was not sufficient, and asked how the property would be graded for the classroom addition so that his property would not be subject to flooding.

Mr. Modzelewski responded that the classroom wing will be well below the town house property which actually slopes toward the Temple property. Presently, water flowing down the hill is partially caught by the building steps, empties into the parking lot drainage system and eventually into the area of Isolated Land Subject to Flooding. A 4 foot cut will be made into the hill. The new classroom wing will involve scooping out part of the playground which will result in intercepting some of the water presently going toward 33R Cedar Street and directing it into the drainage system. The wetland area will be dug out to relocate the driveway and provide additional retention.

No other person present had any comment on the petition.

Statement of Facts

The subject property consists of 6.09 acres located at 10 Bethel Road, in a Single Residence and a Water Supply Protection District.

Temple Beth Elohim is requesting a Special Permit for Site Plan Approval to allow the construction of the following: a 5,856 square foot classroom wing with a 1,011 square foot connection to the main building; a 1,060 square foot lobby addition; 2 additions to the sanctuary totalling 903 square feet; an 899 square foot storeroom addition; and a 263 square foot addition to the mezzanine, with associated landscaping. The building footprint will be expanded by 9,729 square feet; and the floor area will be expanded by 9,992 square feet.

A Special Permit for a Major Construction Project in a Water Supply Protection District is also requested.

The following plans were submitted: Existing Conditions Plan dated 7/12, 1991; Utilities & Dimensioning Plan dated 11/18/91; Grading & Drainage Plan dated 11/18/91, all drawn by John Modzelewski, Registered Land Surveyor.

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The following architectural plans were submitted: Site Demolition Plan (L1) dated 11/14/91; Layout & Materials Plan (L2) dated 11/14/91, drawn by William J. Fleming, Registered Landscape Architect; Landscape Plan, Entry Elevation & Handicap Entry Plan (L3) dated 11/14/91; Retaining Wall Elevation & Sections of Entrance, Courtyard, Classroom & Drive (L4) dated 11/14/91; Floor Plan (A1) dated 11/14/91; Reflected Ceiling Plans (A2) dated 11/18/91; Exterior Building Elevations (A4) dated 11/18/91; Section Plans (A5). Plans A1-A5 were drawn by Eugene Schopfer, Registered Architect. An Official Development Survey, a Traffic Report prepared by Bruce Kaufmann, and photographs were also submitted.

Submission material for the Special Permit for Major Construction in a Water Supply Protection District included a Notice of Intent and drainage calculations prepared by John Modzelewski.

The Design Review Board held a preliminary review of the project on December 19, 1992 and a final review on January 9, 1992, at which time, the Board voted to approve the Major Construction Project as presented.

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

On January 14, 1992, the Planning Board reviewed the Special Permit requests and voted to offer no objection to granting both of the submitted petitions.

On January 6, 1992, the Wetlands Protection Committee reviewed the submission materials for both Special Permit requests. In the opinion of the Committee, the drainage plan was sound, and the the proposed construction will not significantly impact recharge on the site.

In regard to the Special Permit for a Major Construction Project in a Water Supply Protection District, it was the opinion of the Committee that the project complies with the grade reduction requirement as the lowest exterior grades will not fall below an approximate elevation of 83 Town Datum. The maximum ground water level is estimated by the project engineer at 75 Town Datum, 8 feet below exterior grade, which meets the required Design Standard that finished exterior grades remain 5 feet above maximum ground water level.

The Committe was also satisfied that the on-site recharge plan is in compliance with the Design and Operation Standards of Section XIVE.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. Temple Beth Elohim's proposed construction of 5 additional one-story areas and a mezzanine addition totalling 9,729 square feet of building footprint and 9,992 square feet of gross floor area at 10 Bethel Road, in a Single Residence District and a Water Supply Protection District, constitutes a Major Construction Project requiring Site Plan Approval pursuant to Section XVII A of

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the Zoning Bylaw as it proposes construction of more than 2,500 square feet of gross floor area.

It is the opinion of this Authority that the proposed construction, as shown on the plans detailed in the foregoing Statement of Facts, complies with Section XVIA, Section XIVE, and Section XXII of the Zoning Bylaw, protects the safety, convenience and welfare of the public, minimizes additional congestion in public and private ways, and insures adequate protection for water, sewerage and drainage. A Special Permit is hereby granted and Site Plan Approval is given by this Authority pursuant to Section XVIA, Section XIVE and Section XVI of the Zoning Bylaw subject to conditions attached hereto as Addendum A.

A Special Permit for construction of a Major Construction Project in a Water Supply Protection District pursuant to Section XIVE is also requested. It is the opinion of this Authority that the provisions for the on-site recharge system are in compliance with the Design and Operation Standards of Section XIVE. This Authority is also satisfied that the finished exterior grade will be at least 5 feet above the maximum groundwater elevation.

Therefore, a Special Permit for a Major Construction Project in a Water Supply Protection District pursuant to Section XIVE of the Zoning Bylaw is hereby granted.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon his receipt and approval of a building application and detailed construction plans.

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
Fire Department - Chief Black
Inspector of Buildings

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John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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ADDENDUM A

1. All work shall be performed in accordance with plans submitted and on file with this Authority.
2. All design and construction must comply with all applicable state and local codes.
3. All requirements of the Town of Wellesley Fire Department shall be complied with, including the installation of a complete automatic sprinkler system in all portions of the building, both new and existing, and relocation of the existing hydrant to the northwest quadrant of the circle in front of the building.
4. 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. Upon completion of the project, site utility plans shall be submitted to the Department of Public Works.
6. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.
7. All requirements of the Wetlands Protection Committee shall be complied with, including the Order of Conditions issued on the driveway relocation associated with this project.