

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

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Executive Secretary
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431-1019 X208

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WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

ZBA 93-59

Petition of Stephen R. Fogg/Town of Wellesley/Natural Resources Commission
Boulder Brook Footbridge/Woodland Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 15, 1993 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of STEPHEN R. FOGG/TOWN OF WELLESLEY/NATURAL RESOURCES COMMISSION requesting a Special Permit pursuant to the provisions of Section XIVB and Section XXV of the Zoning Bylaw to allow construction of a footbridge, with a width of 3 feet and a length of 40 feet, to cross BOULDER BROOK between lands owned by the TOWN OF WELLESLEY/NATURAL RESOURCES COMMISSION at the end of WOODLAND ROAD, in a Single Residence District and a Flood Plain District, a use that is not allowed by right in a Flood Plain District.

On June 28, 1993, 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 was Stephen Fogg, who said that the width of the brook at the end of Woodland Road is approximately 10 feet for a large part of the stretch. There have been footbridges in this location in the past. Presently, there are four granite blocks spaced across the brook which have contributed to an erosion problem so that the brook is now about 20 feet wide at that point. People attempting to cross the brook have added sticks and stones, which has exacerbated the erosion. He would like to remove the blocks to the sides of the stream to restore the channel flow, prevent further erosion, and construct the footbridge to provide access.

Mr. Fogg said that the bridge will consist of two utility poles laid across the brook and will be covered with pressure treated planking, similar to a golf course bridge. Both the Wetlands Committee and Natural Resources Committee have reviewed and endorsed the petition with conditions.

The Board discussed the letter from the Inspector of Buildings noting that the design plan did not show provisions for handrails and guards for the protection of children or other persons' life safety, and that without handrails and guards, the Town's liability was significantly increased. Mr. Fogg agreed to amending the design plan to include handrails and guards on both sides of the bridge.

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The Board commented that the Planning Board had raised a question as to whether the bridge would be high enough in light of a 100 year floodplain. Mr. Fogg agreed that the entire bridge would be within the 100 year floodplain level. He stated that for the bridge to have the necessary height, it would have to be 60 feet long, and he did not propose to construct a 60 foot bridge.

No other person present had any comment on the petition.

Statement of Facts

The location of the proposed footbridge is across Boulder Brook at the end of Woodland Road on land owned on both sides of the brook by the Town of Wellesley under the jurisdiction of the Natural Resources Commission, in a Single Residence District and a Flood Plain District.

The petitioner is requesting a Special Permit pursuant to the conditions of Section XIVB of the Zoning Bylaw to construct a footbridge which will be 3 feet wide, 40 feet long at a height of approximately 3 feet to span Boulder Brook at the end of Woodland Road.

On October 27, 1992, the Wetlands Protection Committee issued a Negative Determination of Applicability with conditions requiring more detailed plans in regard to the length of the poles, the amount of clearance between the end of the poles and the eroded bank, the maximum height between the bridge and the brook, the anchoring system, and any safety measures. The submission to the Wetlands Protection Committee included the following: Figure 1. Project Location; Figure 2. Existing Conditions; Figure 3. Proposed Bridge/Site Plan and Details; all dated June, 1992 and drawn by Stephen Fogg.

On June 17, 1993, the Wetlands Protection Committee issued an approval for the additional footbridge details submitted (Figure 1, dated May, 1993) on June 7, 1993, and required that the 3 foot deep anchors depicted in Figure 1 be installed as an additional condition to the Negative Determination of Applicability.

On June 8, 1993, the Natural Resources Commission reviewed the plan and endorsed the proposal with the suggestion that lenthwise strips along the edges be installed as bicycle guards.

A letter of review dated June 21, 1993 was received from Steve Fader, Town Engineer. Mr. Fader recommended that the anchoring system be required and questioned who would be responsible for maintenance and liability.

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A letter of review dated June 23, 1993 was received from Arthur LaConte, Inspector of Buildings. Mr. LaConte strongly recommended that handrails and guards be installed for the protection of children or other persons' life safety.

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All of the plans submitted to the Wetlands Protection Committee as well as photographs were submitted to the Board of Appeals.

A Memorandum dated July 9, 1993, analyzing the application of the standards outlined in Section XIVB of the Zoning Bylaw to the proposed project, was received from Christine Gingerich, Wetlands Conservator.

On July 13, 1993, the Planning Board reviewed the petition. A letter containing the comments of the Planning Board is on file in the office of the Board of Appeals.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed footbridge requires a Special Permit pursuant to the provisions of Section XIVB as it will be constructed in a Flood Plain District.

It is the opinion of this Authority that the proposed footbridge makes adequate provisions for the protection, preservation and maintenance of the water table and water recharge areas; will preserve the natural river channel plus providing sufficient width of overbank areas for the passage of flood flows; retains the existing floodwater storage capacity; and the design of the proposed construction ensures anchoring to prevent flotation, collapse and/or excessive movement of the structure, and thus is in harmony with the standards outlined in Section XIVB of the Zoning Bylaw.

Therefore, a Special Permit for the construction of a footbridge crossing Boulder Brook at the end of Woodlands Road is granted, subject to the following conditions:

1. Prior to construction, a revised design plan showing handrails and guards on both sides of the bridge shall be approved by the Inspector of Buildings, and a copy of the approved plan shall be submitted to the office of the Board of Appeals.
2. The construction of the bridge shall be in accordance with the approved plan, and shall be built in the location shown on Figure 1, Project Location as submitted.
3. Following construction of the bridge, and prior to any public use of the bridge, a letter certifying construction of the bridge in accordance with the aforementioned approved plan by a registered professional engineer, must be received by the Board of Appeals.

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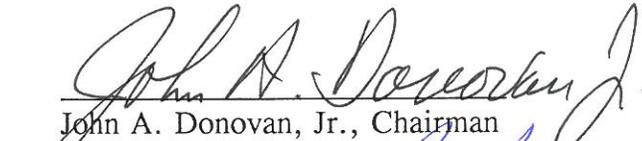
4. Following receipt of the letter of certification, and prior to any public use of the bridge, the Town Engineer shall inspect the bridge to confirm construction in accordance with the approved plan and in accordance with the anchoring plan submitted as a part of Figure 1 dated May, 1993 as noted in the foregoing Statement of Facts. A letter documenting said inspection and approval of the construction shall be filed with the office of the Board of Appeals.

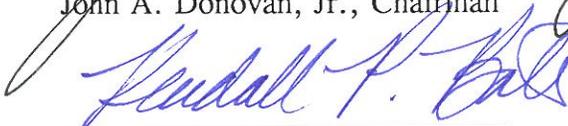
5. All conditions stated in the Negative Determination of Applicability issued by the Wetlands Protection Committee shall be complied with.

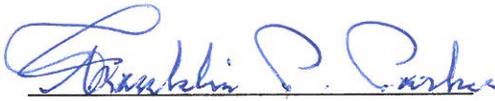
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Natural Resources Commission
Wetlands Protection Committee
Town Engineer
Inspector of Buildings

edg

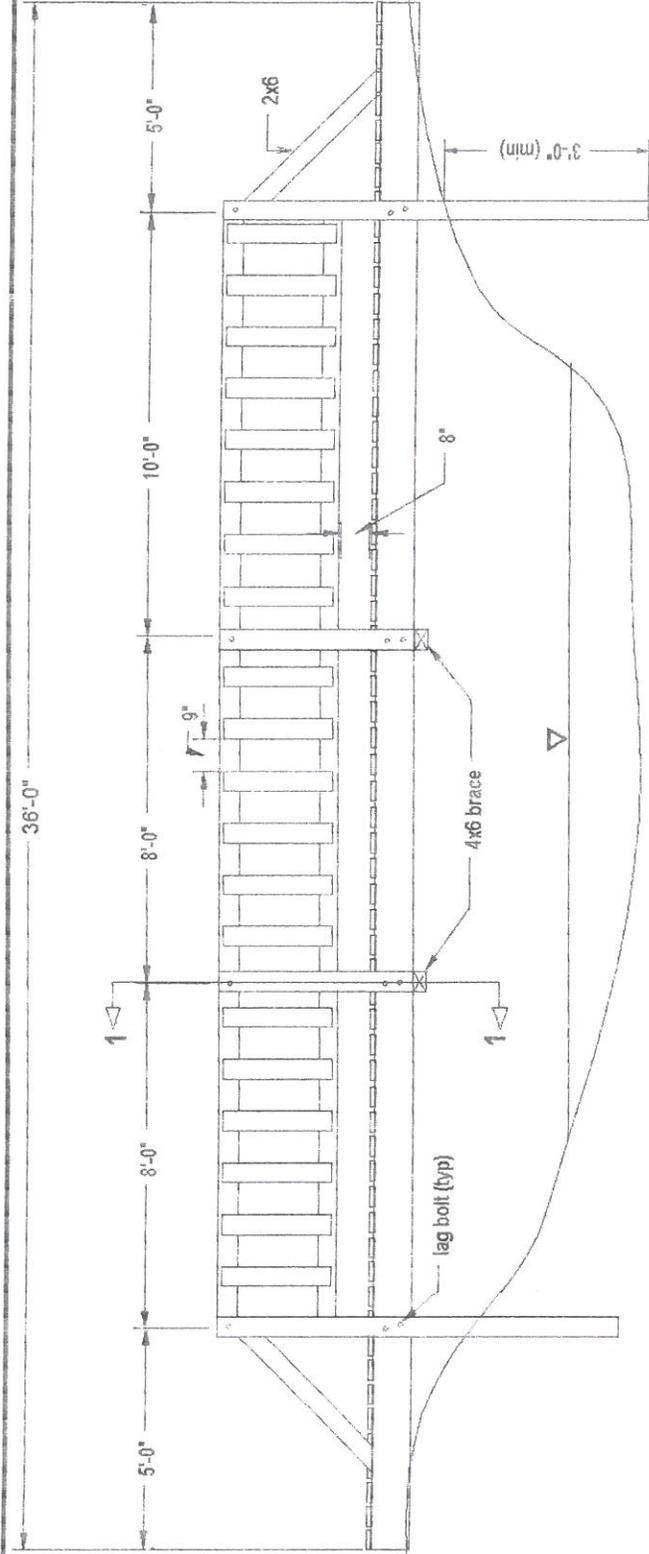

John A. Donovan, Jr., Chairman


Kendall P. Bates


Franklin P. Parker

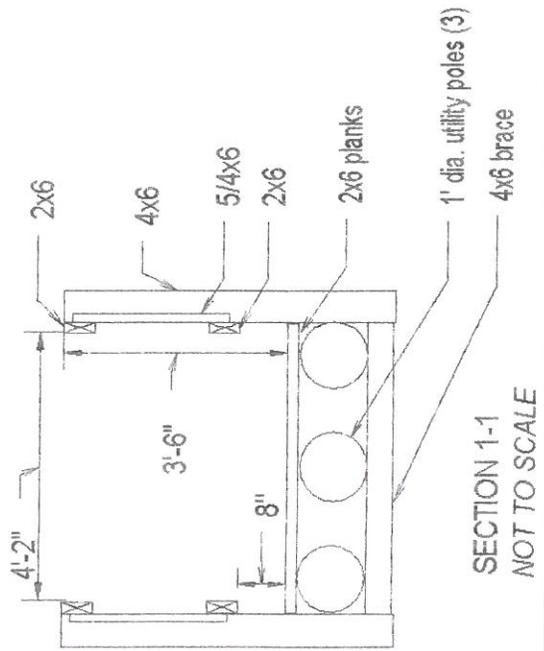
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- Notes:**
1. HD Galvanized hardware used throughout.
 2. All lumber pressure treated (except utility poles).
 3. Bridge location same as on original plan.

BRIDGE PROFILE
NOT TO SCALE



SECTION 1-1
NOT TO SCALE



Footbridge at Boulder Brook

Record Drawing

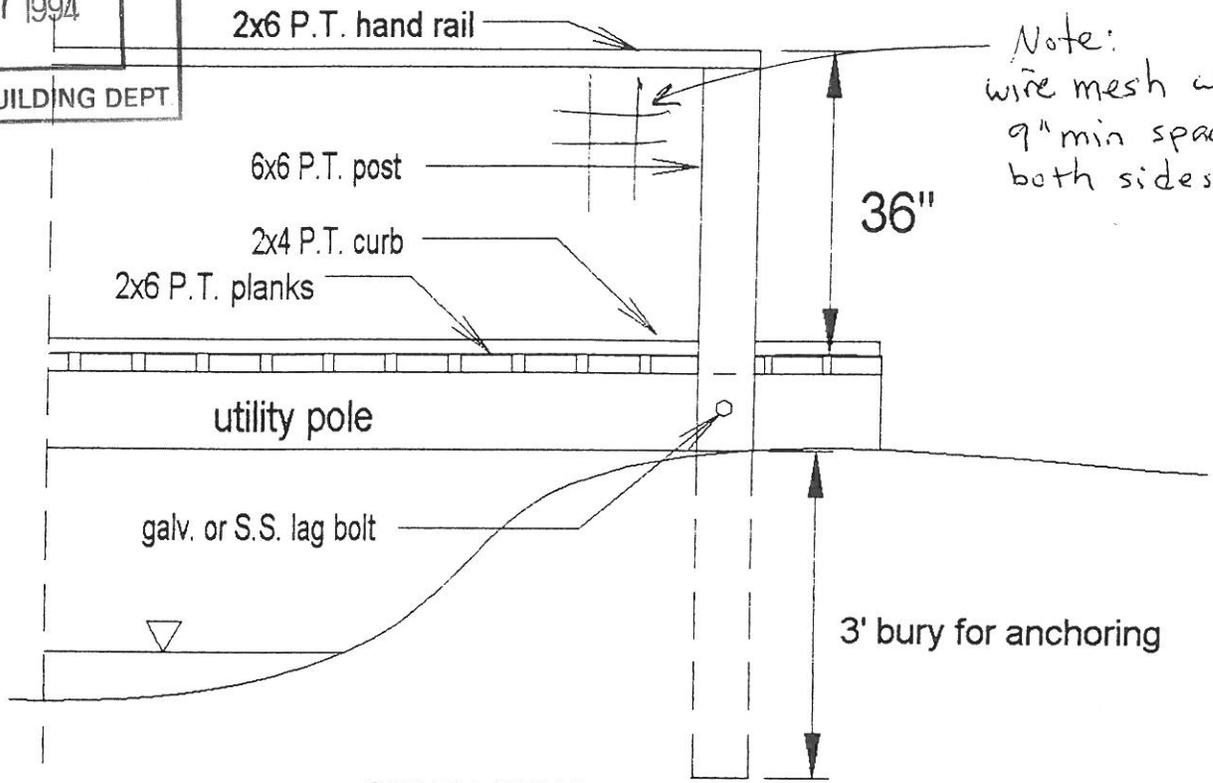
Drawn by: Stephen R. Fogg, P.E.

Date: February 8, 1995

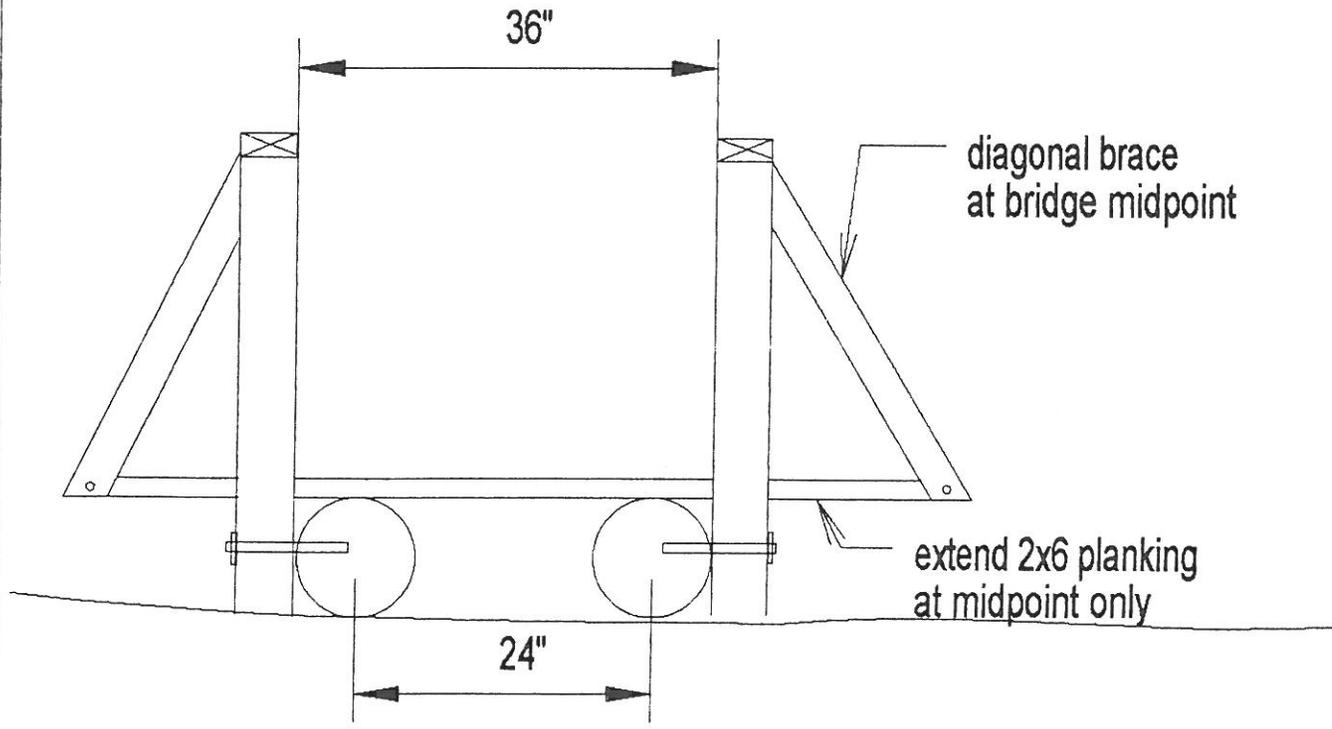
APPROVED

SEP 27 1994

WELLESLEY BUILDING DEPT



SIDE VIEW



END VIEW

DETAILS OF PROPOSED FOOTBRIDGE

9/6/94

not to scale

STEPHEN R. FOGG