



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 94-61
Petition of William Diehl Realty Trust
178 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 22, 1994 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 WILLIAM DIEHL REALTY TRUST requesting Site Plan Approval pursuant to the provisions of Section XVIA, Section XIII and Section XXV of the Zoning Bylaw to allow construction of a one-story steel frame storage shed, with a floor area of 6,000 square feet, at the left rear corner of its premises at 178 LINDEN STREET, in an Industrial District. There will be no additional landscaping or parking provided for this project.

On August 29, 1994, the petitioner filed a request for 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 Bruno Mortarelli, Purchasing Director for F. Diehl & Sons, who was accompanied by Butch Kiser, General Manager of F. Diehl & Sons; and Rob St. John, site development consultant. Mr. Mortarelli said that the building would be used solely as a warehouse storage facility and not for retail business, or for vehicle parking. The shed will be sprinklered and fire alarmed.

The Board read into the record a letter of review from the Board of Health, which recommended that, as there is a drain nearby capable of transporting hazardous materials. In case of accidental spillage or release, if such materials are to be stored in the shed, a protective barrier should be placed around the building perimeter.

Mr. Mortarelli said that the shed would be used solely for the storage of lumber. Fertilizer, lawn chemicals and roofing supplies are stored in other buildings. The Board stated that the decision would contain a condition that no hazardous chemicals or materials could be stored.

The Board stated that the certified plot plan should show the dimensions of the building and the setbacks from the relevant property lines. The decision would also contain a condition regarding submission of a revised plot plan which depicted the requested information.

No other person present had any comment on the petition.

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Statement of Facts

The subject property is located at 178 Linden Street, in an Industrial District, and contains 121,986 square feet. Industrially zoned property owned by the petitioner abuts the site to the right and a portion of the left side property line. Three quarters of the left side of the property abuts a General Residence District, while the rear portion abuts Business zoned property. The property presently contains one one-story building with a footprint of 14,160 square feet and 138 parking spaces.

The petitioner is requesting Site Plan Approval for the construction of a one-story, steel frame storage shed with a footprint of 6,000 square feet to be used for the storage of lumber at the left rear corner of the property. There will be no additional parking or landscaping associated with the project. The post-construction floor area ratio will be .165%.

The following plans were submitted: Site Development Plan dated August 25, 1994, drawn by John R. Andrews, Registered Land Surveyor and Robert W. St. John, Registered Landscape Architect; Foundation Plan (A-1) dated July 22, 1994, drawn by Lisi Building Systems; Right & Left Side Elevations & Cross Section (A-2) dated July 22, 1994, drawn by Lisi Building Systems; and an Automatic Sprinkler Plan dated 8/19/94 drawn by Stephen Francis Duggan, Professional Engineer. An Official Development Prospectus and photographs were also submitted.

The Design Review Board waived review of the project. All submitted 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 office of the Board of Appeals.

On September 13, 1994, the Planning Board reviewed the project and voted to offer no comment. On the same date, the Assistant Town Engineer requested that the Site Plan should indicate that the proposed drainage flow pattern will be the same as the existing drainage pattern, which flows to the catch basin adjacent to the proposed shed. The comments of the Board of Health were discussed at the Public Hearing as noted above.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The construction of the petitioner's proposed 6,000 square foot storage shed constitutes a major construction project pursuant to Section XVIA of the Zoning Bylaw because it includes construction of 2,500 or more square feet of gross floor area.

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It is the opinion of this Authority that the submitted plans for the proposed one-story 6,000 square foot storage shed, as noted 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 and insure adequate protection for water, sewer and drainage. Furthermore, the project insures compliance with Section XVI, Section XXI, and Section XXII of the Zoning Bylaw.

Site Plan Approval is hereby granted by this Authority pursuant to Section XVIA and Section XIII 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
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman



Sumner H. Babcock



William E. Polletta

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ADDENDUM A

1. A new Plot Plan must be submitted, prior to the issuance of any building permit, which shows that the proposed drainage flow pattern will be the same as the existing drainage pattern which flows to the catch basin adjacent to the proposed shed. The plot plan must also contain the dimensions of the shed and the setbacks of the shed from the relevant lot lines.
2. All work shall be performed in accordance with the revised plot plan and the construction drawings submitted and on file with this Authority.
3. All design and construction must comply with all applicable state and local codes.
4. All requirements of the Town of Wellesley Fire Department must be met.
5. 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.
6. Upon completion of the project, a complete set of site utility plans shall be submitted to the Department of Public Works.
7. No hazardous materials, chemicals or liquids can ever be stored in said storage shed.

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