



Jun 13 10 36 AM '96

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 96-28

Petition of F. Diehl & Son, Inc.
180 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 30, 1996 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 F. DIEHL & SON, INC. requesting a Special Permit for Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to allow construction of an unenclosed roofed structure approximately 80 feet by 106 feet (8,480 square feet) with racks beneath to provide coverage for lumber storage at their premises at 180 LINDEN STREET, in an Industrial District.

On April 5, 1996, 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 Diehl's. Mr. Mortarelli was accompanied by Steven King of Andrews Survey & Engineering, and Butch Kiser, General Manager of Diehl's. Mr. Mortarelli explained that with Home Depot and Home Quarters coming into the area, there is increased competition in lumber sales. Diehl's finds that storing their lumber uncovered outdoors, particularly last winter with 109 inches of snow, creates a real problem for them. They would like to construct roofed racks to keep the lumber dry, and make access easier for customers.

Mr. King stated that the proposed structure would be located at the rear of the property where uncovered lumber is stored currently. The area is paved so there will be no increase in impervious area.

In response to a question from the Board, Mr. Mortarelli explained that the pattern of traffic flow will not change. Traffic will flow down the right side of the yard to the back, turn and come back between the office and the lumber storage structure.

The Board requested that the proposed structure be identified more specifically. Mr. Kiser responded that the structure would be sited in Location #2, and could be labelled "Building #2". Mr. King said that he would submit a revised plot plan with the structure labelled as requested.

There was a discussion regarding possible future enclosure of the lumber structure. All parties agreed that the decision would include a condition stating that any future change in the structure would require the approval of the Board of Appeals.

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No other person present had any comment on the petition.

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Statement of Facts

The subject property is located at 180 Linden Street, in an Industrial District, on a 189,505 square foot lot, which is bordered on the right and left by Industrially zoned property also owned by Diehl's, and at the rear by a Business District. The property contains one three-story, one two-story, two two-story buildings, and Locations 2, 4, 6 and 9.

The petitioner is requesting a Special Permit for Site Plan Approval to allow construction of a roofed, unenclosed lumber storage structure (Building 2B) approximately 80 feet by 106 feet (8,480 square feet) at the right rear corner of the property. The area is currently used to store lumber without the benefit of the roofed structure. As the entire area is paved, there will be no additional parking, nor will any landscaping be added.

The following materials were submitted: Site Development Plan/Proposed Building 2B dated March 21, 1996, revised May 14, 1996, revised May 31, 1996; Official Development Prospectus; Plan View, ISO View, Sections B1, D1, and View A1 dated March 27, 1996, drawn by N. Clarke Applegate, Professional Engineer.

On May 23, 1996, the Design Review Board waived review of the proposed structure as it has little to no visibility from Linden Street. All the aforementioned 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 Board of Appeals office. The Planning Board reviewed the petition on May 21, 1996 and had no opposition to the petition.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed 8,480 square foot unenclosed roofed lumber structure (Building 2B), at 180 Linden Street, constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw because it includes the construction of 2,500 or more square feet of gross floor area.

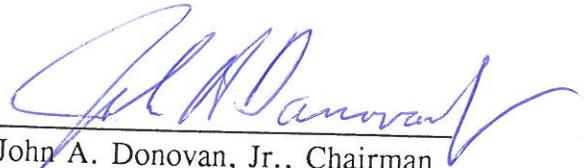
It is the opinion of this Authority, as voted unanimously at the Public Hearing, that the proposed plans for said lumber structure comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways, and insure adequate protection for water, sewerage and drainage. Furthermore, compliance with Section XVI and Section XXII is insured.

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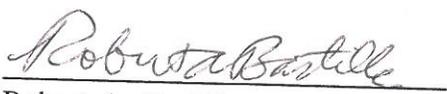
A Special Permit is hereby granted and Site Plan Approval is given by this Authority pursuant to Section XVIA and Section XIII, subject to the conditions attached hereto as Addendum A.

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


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert A. Bastille

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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.
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. No changes shall be made to this structure without approval from the Board of Appeals.

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