TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 98-63
Petition of St. John the Evangelist Church
9 Glen Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 23, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of ST. JOHN THE EVANGELIST CHURCH requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to allow construction of a two-story addition with a footprint of 3,963 square feet and a floor area of 7,190 square feet with associated landscaping, at its property at 9 GLEN ROAD, in a Single Residence District.

A Special Permit is also requested pursuant to the provisions of Section XXIE-2 to allow parking of 160 spaces, in addition to the 80 spaces currently provided on Church property at LEDYARD/WASHINGTON STREETS, to be maintained on a lot other than the same lot as the building, as the spaces available at 40-44 WASHINGTON STREET are accessible to and within a walking distance of 600 feet from the building.

On July 7, 1998, 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 Michael McCourt, Chairperson of the Renovation Committee for the Church. Accompanying Mr. McCourt were George Razoyk, President of Architectural Design Concepts; Nancy Coleman, Director of Project Development at Advanced Management Services, Inc.; Roberta Woodburn of Woodburn & Associates, the project landscape architect; and Kim Hazarvartian, traffic consultant from HSA Corporation.

Mr. McCourt introduced his entourage and asked if the Board had any questions of him or his consultants.

The Board stated that there appeared to be some confusion as to the petitioner's response to the Engineering Department and Health Department requests. When information is not available, the Board is concerned that the issues have not been completely resolved.

Mr. McCourt responded that he could not explain why the comments of the Boards had not been received by Advanced Management Services until faxed that day by the Executive Secretary, but there was nothing on the Engineering list that could not be resolved.

The Board asked about the drainage. Mr. Razoyk said that the runoff would actually be reduced because presently all runoff goes into the street, while, after construction, the runoff would go into the proposed dry wells.

The Board was of the opinion that there were still open issues that had to be resolved and signed off on by the Engineering Department before a building permit could be issued.

The Board noted that the Board of Health also had concerns about the construction of the kitchen being in compliance with 105 CMR 590.000, and Dr. Katz had requested a detailed plan of the kitchen before a building permit is issued.

Mr. Razoyk said that this will not be a commercial kitchen to be used for catering large events. The kitchen will be used for coffee and donuts, and will not contain the appliances requiring Board of Health approval. The Board stated it would need a letter from the Board of Health to resolve the issue.

The Board asked about the parking arrangements. The Executive Secretary explained that the Church has entered into a lease agreement with Haynes Management Company to use 160 parking spaces behind the office buildings at 40-44 Washington Street on Saturdays and Sundays in order to reduce any traffic congestion due to the addition.

Mr. McCourt said that there are no parking requirements in the Zoning Bylaw for a Single Residence District. As parking has been a real concern to the neighborhood, the Church has tried to resolve the problem by leasing parking spaces.

The Board asked if the number of leased spaces will match the additional demand. Mr. Hazarvartian said that the increased demand is figured at 69 spaces, and 160 spaces will be provided.

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No other person had any comment on the petition.

Statement of Facts

The subject property is located at 9 Glen Road, in a Single Residence District, on a 60,858 square foot lot, which contains the Church, the Church Rectory and a garage. The property also fronts on Washington and Ledyard Streets.

The petitioner is requesting Site Plan Approval to allow construction of a two-story addition with a footprint of 3,963 square feet and a floor area of 7,190 square feet. Associated landscaping will also be provided.

The following site plans were submitted: Existing Site Features (E1), Plot Plan (E2), both dated June 4, 1998, drawn by Bruce Bradford, Professional Land Surveyor; Grading,

Drainage & Utility Site Plan (E3) dated June 4, 1998, drawn by Michael S. Kosmo, Registered Professional Engineer; Planting Plan (L1.1) dated June 28, 1998, drawn by Roberta Woodburn, Registered Landscape Architect; Grading, Drainage & Utility Plan (L2) dated April 27, 1998, drawn by George Razoyk, Registered Architect; and Parking Plan dated July 7, 1998, drawn by Ronald N. Tubman, Professional Land Surveyor.

The following architectural plans were submitted: Lower Level Floor Plan (A2.1); Upper Level Floor Plan (A2.2); Roof Plan (A2.3); Exterior Elevations (A3.1); Exterior Elevations (A3.2); Exterior Elevations (A3.3); Partial Exterior Elevations & Window Schedule (A3.4); Wall Sections (A4.1); and Exterior Stair Enlarged Plan & Details (A8.5). All architectural plans are dated April 27, 1998 and signed by George Razoyk, Registered Architect.

The following information was submitted: Official Development Prospectus; Traffic Memorandum dated June 2, 1998, prepared by HSA Corporation; Soil Boring Plan dated July 16, 1998, prepared by Environmental Drilling, Inc.; Letter from C.A. Crowley Engineering, Inc. dated June 15, 1998, regarding the fire suppression system; Drainage Analysis dated June 4, 1998, prepared by Everett M. Brooks Company; and letter dated April 9, 1998 from Jonathan A. Haynes regarding the leasing of spaces at 40-44 Washington Street.

On June 11, 1998, the Design Review Board reviewed the project, and continued the review to the meeting held on July 9, 1998 in order to review the landscape plan. At that time, the Board commented that the proposal will be a positive change for the Lower Falls area.

All submitted materials were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and 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.

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On July 21, 1998, the Planning Board reviewed the petition and voiced no objection to approval of the project.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner's proposed two-story addition with a footprint of 3,963 square feet and a floor area of 7,190 square feet constitues 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 that the proposed plans for the addition to St. John the Evangelist Church at 9 Glen Road 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, they comply with Section XVI, Section XXI and Section XXII of the Zoning Bylaw.

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Therefore, Site Plan approval is granted, as voted unanimously by this Authority at the Public Hearing, pursuant to Section XVIA and Section II of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

This Authority also commends the Church for addressing the neighborhood concerns regarding overflow parking relating to Church activities on adjacent streets by the leasing of 160 parking spaces behind the office buildings located at 40-44 Washington Street.

A Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, pursuant to the provisions of Section XXIE-2 to allow provision of parking spaces to be maintained on a lot other than the same lot with the building, provided the spaces are available to and within a walking distance of 600 feet from the building.

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.

Kendall P. Bates, Acting Chairman

William E. Polletta

Cynthia S. Hibbard

cc: Planning Board
Inspector of Buildings
Doug Stewart, Engineering Department
Robert Katz, Board of Health
Michael McCourt
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ADDENDUM A

1. Prior to the issuance of any building permit, letters from the Engineering Department and the Municipal Light Plant must be received by the Board of Appeals stating that all issues raised in their review letters have been resolved.

2. Prior to the issuance of any building permit, a letter from Robert Katz, Director of Public Health, must be received by the Board of Appeals stating that the issue regarding the proposed kitchen has been resolved.

3. All work shall be performed in accordance with the plans submitted and on file with this Authority unless revisions are required by the Department of Public Works. If revisions are required, the work shall be performed in accordance with the revised plans, copies of which shall be submitted to the office of the Board of Appeals.

4. All design and construction shall comply with all applicable state and local codes.

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 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. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.

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