

WELLESLEY PLANNING BOARD

PSI-08-01

#978 WORCESTER STREET

PROJECT OF SIGNIFICANT IMPACT SPECIAL PERMIT DECISION

CHANGE IN USE ADDENDUM

Pursuant to due notice, the Town of Wellesley Planning Board (“the Planning Board”), acting as Special Permit Granting authority under the provisions of the Zoning Bylaw, Section XVIA., part C, Project of Significant Impact (“PSI”), opened a duly advertised public hearing on June 14, 2010 on the application of Wellesley Realty Associates (“the Applicant”), PO Box 81004, Wellesley, MA 02481 to review if a change in use of 5,400 square feet from general retail to a restaurant continues to meet the minimum service standards for water, sewer, storm drainage, electric, traffic and pedestrian safety, fire alarm systems and refuse disposal system as specified in the Project of Significant Impact 08-01 Special Permit Decision dated August 26, 2008.

The public hearing was continued on June 28, 2010. Each session of the hearing was digitally recorded with the file retained at the Planning Board Office. During the course of the public hearing the full submission package was available for public examination at the Town Hall, Planning Board Office.

After comments were concluded on June 28, 2010, the Planning Board moved, seconded and voted to close the public hearing. All sessions of the hearing were held in the Wellesley Town Hall, 525 Washington Street, Wellesley. Announcement of the date, time and place of all continued sessions was made at the end of the prior session.

Mr. McCauley, Ms. Wasser, Ms. Donahue, Ms. Conroy, and Mr. Glick attended each session of the hearing.

PROJECT DESCRIPTION

The approved PSI-08-01, attached herein, states if the Planning Board determines a material change or intensification of use has been made to the project, the Applicant shall prepare and submit to the Planning Board a report or reports, prepared by engineers who meet the requirements of the Zoning Bylaw for preparation of municipal service impact analysis, showing whether the minimum service standards identified above continue to be met. If any such report shows that one or more of the service standards are not met, based on additional impact generated by the project owing to the material change or intensification of use, or if any required negotiated improvements cannot be completed the Applicant shall meet with the Planning Board to negotiate reasonable additional or alternative mitigation measures.

At a regular meeting held on May 17, 2010, the Planning Board reviewed the proposed change in use of 5,400 square feet of general retail to a restaurant. Based on information provided by Beta Engineering, the Town’s traffic consultant, it was found the proposed restaurant use would

generate 421 more daily trips than the retail use; 55 more trips during the a.m. peak hour; and 37 more trips during the p.m. peak hour. The Planning Board moved, seconded, and voted the proposed change in use is an intensification of the approved PSI and required the applicant to submit updates on the municipal service impact analysis.

WRITTEN MATERIALS REVIEWED BY THE BOARD

Updated impact reviews were received by the Planning Board as follows:

Municipal Light Plant, June 10, 2010;
Department of Public Works, June 11, 2010;
Board of Selectmen, June 24, 2010.

Plans Prepared for Dean Behrend, Wellesley Realty Assoc., 978 Worcester Street. Prepared by Beals Associates. 2 Thirteenth Street, Charlestown, MA 02129, dated 1/15/08

1. Proposed Parking Plan, scaled 1"=20'
2. Proposed Grading & Drainage Plan, scaled 1"=20'
3. Proposed Water Service Plan, scaled 1"=20'
4. Proposed Sewer Plan, scaled 1"=20'

Additional Reports/Correspondence Received

Copy of PSI-08-01 Decision

5/4/10 **Letter** from Michael Zehner to Dean Behrend, re: Letter of Cedit for Inclusionary Zoning Unit.

5/12/10 **Email** from Michael Zehner to Dean Behrend, re: adding another restaurant .

5/13/10 **Email** from Dean Behrend to Michael Zehner, re: prior email-two possible restaurants.
Email from Michael Zehner to Dean Behrend, re: Actual language on PSI decision regarding restaurants on site.

5/14/10 **Memorandum** from Michael Zehner to PB, re: PSI Determination of Intensification.
Letter from Dean Behrend to Michael Zehner, re: 978 Worcester Street First Floor.
Email from Michael Zehner to Kien Ho, Beta, re: Dean's request.

5/17/10 **Email** from Kien Ho to Michael Zehner, re: answering to Michael's 5/14/10 email.
Letter from Jeffrey Dirk, Vanasse \$ Assoc. to Hans Larsen, re: Proposed Mixed-Use Development.

5/18/10 **Email** from Michael Zehner to Dean Behrend, re: Amended PSI process.

5/20/10 **Letter** from Joseph Penzola, Hancock Associates to Don McCauley, re: Sewer collection system.

- Legal Notice** sent to Wellesley Townsman to be advertised on 5/27/10 & 6/3/10.
- 5/21/10** **Email** from Michael Zehner to Lynda Schelling, re: new PSI number.
Letter sent to Town Dept. for review of PSI.
Letter from John Kitsalis, New England Engineering to Don McCauley, re: Water & Sewer & Electrical Utilities for 978 Worcester Street.
Letter from Joseph Penzola, Hancock Associates to Don McCauley, re: Proposed Sewer Plan.
- 5/26/10** **Legal Notice** – Time stamped at Town Clerk’s Office, notices to sent to Depts., Towns & abutters.
- 6/7/10** **Report** from Vanasse & Assoc. to Hans Larsen, re: Shared Parking Analysis.
Report from Capt. Fitzpatrick, re: Fire Dept. Review.
- 6/08/10** **Report** from Joe Duggan, Water & Sewer to George Saraceno, re: Review of Use Intensification.
- 6/10/10** **Report** from MLP, re: MLP review.
- 6/11/10** **Report** from DPW, Re: DPW review.
- 6/24/10** **Report** from Selectmen, Re: 978 Worcester Street PSI Traffic Study.
- 6/29/10** **Report** from Beta Engineering, Re: 978 Trip Generation Change.

FINDINGS

Based on the herein referenced submittals from the applicant, other submitted documents and the referenced reviews of the Municipal Light Plant, Board of Selectmen and Department of Public Works, the Wellesley Planning Board finds that the minimum service standards of the Bylaw for water, sewer, storm drainage, electric, traffic and pedestrian safety, fire alarm systems and refuse disposal system continue to be met with the proposed change in use of 5,400 square feet and therefore moved, seconded, and voted unanimously on July 12, 2010 to issue this Addendum to the PSI Special Permit Decision 08-01 dated August 26, 2008 in accordance with the original conditions specified in the PSI-08-01 Decision and herein attached.

Appeals from this decision, if any, shall be made pursuant to general laws, Ch. 40a § 17, and shall be filed within 20 days after the date of the filing of this decision in the office of the town clerk.

WELLESLEY PLANNING BOARD

Donald S. McCauley, Chair

Stephanie Wasser, Vice Chair

Jeanne Conroy, Secretary

Rose Mary Donahue

Neal Glick