

TOWN OF WELLESLEY



MASSACHUSETTS

67-18

BOARD OF APPEAL

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Petition of Senior Living, Inc.

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:30 p.m. on March 29, 1967, on the petition of Senior Living, Inc., requesting the approval of plans for the construction of an apartment building to be located at 608 Washington Street within a Limited-residence District on property owned by the Estate of William Tallman Russell, Jr. The approval was requested pursuant to the provisions of Section VI of the Zoning By-law.

On February 14, 1967, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

William H. Bentley, attorney, represented the petitioner at the hearing.

The following persons spoke in favor of granting the request: Edmund R. Dewing, Trustee for Dana Hall Schools, Ella R. Whiting, 47 Cottage Street, Marguerite Hearsey, 47 Cottage Street, William E. Olsson, 39 Rice Street, representative from the Community Chest and Council, Marion E. Wheeler, 10 Ordway Road and Edith M. Hutchinson, 39 1/2 Linden Street.

Ray Wason, Dover, Mass., questioned the layout for the proposed parking area.

Renee B. O'Sullivan, 14 Denton Road, and Mr. and Mrs. Alexander D. Marini, 10 Denton Road, stated that they were not opposed to the proposed housing as such, but did object to the petitioner locating its proposed parking area close to the rear lot lines of premises occupied by them.

The Planning Board in its report indicated it was favorably disposed toward the concept for this development, but recommended that an engineer be requested to certify all plans involving engineering judgments.

Letters dated March 30, 1967, and November 20, 1967, and a memorandum dated March 29, 1967, were received from Everett R. Kennedy, Superintendent of the Board of Public Works, in which several recommendations and suggestions were presented applicable to the petition before the Board.

Statement of Facts

The property involved is located within a Limited residence District and consists of a parcel of land containing 40,012 square feet. It is proposed to construct thereon a brick and concrete building two stories in height with a flat roof, occupying 7,854 square feet of the parcel in question. The building will contain sixteen apartment units,

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each consisting of a living room, kitchen and bath and either one or two bedrooms, and these are intended to furnish rental housing for older persons to the extent permitted in a Limited-residence District by Section VI, part 2 of the Zoning By-law.

Plans were submitted, showing the elevations of the proposed building, its exterior materials and floor layouts and the proposed landscaping treatment of the premises. These were prepared by Aldo A. Minotti, Architect, Waltham, Mass.

A site and grading plan was also submitted, prepared by MacCarthy Engineering Service, Inc., Natick Mass. This showed the location of the building on the lot, interior roads, driveways, drainage and provision for off-street parking to accommodate twenty-two cars.

At the request of the Board of Appeal, made at the time of the public hearing, the petitioner submitted a revised site and grading plan, by MacCarthy Engineering Service, Inc., Natick, Mass. The revised plan showed the location of the proposed building on the lot, the existing and proposed elevations, drainage, water mains, electric conduit and gas main, and in particular a modified parking area plan.

Decision

The Board has examined the plans submitted by the petitioner including the modified site and grading plan submitted at the suggestion of the Board. It has reviewed the representations of counsel for the petitioner made on the petitioner's behalf and has considered the statements in favor of the proposed project made by various residents of the Town of Wellesley. The Board has also considered objections made by several persons, including owners and/or occupants of adjacent parcels, relating to the locations of the parking areas as proposed in the petitioner's original plans, and has requested and received modifications thereto as previously noted. With the exception of these objections to the original plans for parking, which related to the location of the proposed parking areas and not to their adequacy, no objections were made at the hearing to any aspect of the proposed project.

Upon consideration of the foregoing, the Board is of the opinion that the petitioner's plans for the development of the premises which are the subject of this proceeding, as now on file with the Board, adequately provide for compliance with the Zoning By-law of the Town of Wellesley, for protection of the public safety, convenience and welfare, for minimization of any additional congestion in public and private ways which might be created by the construction and occupancy of the proposed building, and for such parking of motor vehicles as may reasonably be expected to be associated with the proposed use and occupancy of the premises. The Board further finds that the proposed use of the premises will not be injurious, dangerous, obnoxious or offensive to the neighborhood by reason of any noise, vibration, smoke, cinders, odor, gas fumes, dust, chemicals, fire, explosion or other objectionable features or causes, being of the opinion none of the foregoing can reasonably be expected to be associated with the use and occupancy of the

building proposed by the petitioner for the purpose proposed by the petitioner. The Board further finds that the plans for the proposed project, if carried out in accordance with recommendations and suggestions contained in memoranda and letters filed with the Board by the Town of Wellesley, Department of Public Works, will adequately provide for the necessary domestic water supply, and sewerage and drainage facilities and that the premises will not be unsightly if landscaped in accordance with the revised plan on file with the Board and maintained in accordance with the conditions hereinafter set forth.

Accordingly, the plans submitted by the petitioner and on file with this Board, including the site and grading plan as modified in accordance with the Board's request, are approved, and the Inspector of Buildings is authorized to issue a permit for the proposed building subject to compliance with the applicable provisions of the Building Code, the requirements of the Town of Wellesley, Department of Public Works and the conditions imposed by this Board which are as follows:

1. That all work shall be performed in accordance with the plans hereby approved.
2. That the petitioner secure an Engineer's Certificate with respect to any matter which the Inspector of Buildings shall find to require the exercise of engineering judgment.
3. That the landscaping provided for the premises shall be maintained to the satisfaction of this Board so long as the premises shall be lawfully occupied and used for the purposes stated in the petition.
4. That upon completion of the building a complete set of architectural plans, including a complete set of mechanical plans, accurately portraying the proposed building as built, shall be submitted to this Board not less than ten business days prior to any occupancy of the building.
5. That a surety performance bond running to the Town shall be provided in the amount of \$20,000.00 in form satisfactory to Town Counsel and the Board of Appeal, which shall be posted with the Treasurer of the Town of Wellesley before commencement of the work. This bond shall be conditioned on the completion of the work in accordance with this decision and the performance of all conditions hereof, and shall be signed by a party or parties satisfactory to Town Counsel.

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Philip H. R. Cabell
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