

74-19



TOWN OF WELLESLEY

MASSACHUSETTS

BOARD OF APPEAL

THEODORE C. MERLO
F. LESTER FRASER
WILLIAM O. HEWETT

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Massachusetts Indemnity and Life
Insurance Company

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 8:20 p.m. on June 27, 1974, on the petition of Massachusetts Indemnity and Life Insurance Company, requesting modification of the plans previously approved by the Board of Appeal in connection with the erection of its building at 100 William Street. Said modification would allow the revision of the parking plan and the landscape plan approved by the Board of Appeal on March 27, 1967. The petitioner further requests approval of plans for the landscaping surrounding the construction of an addition on its building as required by the Board of Appeal decision of November 18, 1972. Said request is made under the provisions of Section IX of the Zoning By-law.

On January 30, 1974, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner was represented at the hearing by Gjon N. Nivica, attorney, who explained in detail the petitioner's request.

Dorothy C. Hunnewell, representing the Conservation Commission, stated that she would prefer to have the number of parking spaces left as they are, if they meet the requirement in that area.

Joseph Kaplan, 526 Quinobequin Rd., Newton, questioned whether the petitioner would be complying with the new Environmental Protection Agency requirement to reduce employee parking spaces.

Statement of Facts

The property involved is located within an Administrative and Professional District, and contains 323,578 square feet. There is an existing office building on the lot involved, plans for which were approved by the Board of Appeal.

The petitioner now seeks approval of plans for the landscaping surrounding an addition which was constructed in the fall of 1972, and approved by the Board of Appeal, subject to a condition that a landscape plan be submitted and approved by this Board prior to the installation of the generator within the proposed addition.

It is proposed, it was stated, to landscape around the generator addition with Capatada Yew 5' to 6', Dwarf Rhododendron, Trim Upright Yew, and wood chips as shown on the plan submitted, drawn by E. B. Weber, P. E., dated March 29, 1974.

The petitioner also requests modification of the Board's decision of March 27, 1967 regarding the parking lot facilities. It was stated by the

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petitioner's attorney that there has been a problem with the parking lot since it was constructed as it did not comply with the plan requiring provision for 130 cars. In reality there is provision for only 119 car spaces within the parking lot. It was pointed out, however, that there is another parking lot on the property which has been acquired by the petitioner since the original plan was approved by the Board of Appeal. This lot contains space for approximately 40 cars, and it is requested that this area be used to provide compliance with the Board's requirement of parking space for 130 cars. If this is allowed, it was stated, there will be provision for approximately 160 cars and a ratio of 2.9 spaces including the generator addition.

It was further stated that currently there are 156 employees, and that no new positions for employees are being created. In fact, there is a reduction in the work force through natural attrition and it is not likely to alter this policy which has been in effect for the past two years. An Affidavit was submitted for the record, verifying the above statement. An Affidavit was also submitted for the record, giving an actual count of the number of cars parked in each of the company's two parking lots during four days in the month of June 1974. At no time did the number exceed 109 cars, total cars parked in both parking lots.

Reference was also made to the recently (1973) adopted standards of the Federal Environmental Protection Act insofar as a mandatory 25% reduction of employer parking spaces is concerned, and while it appears that these regulations do not apply generally to the Town of Wellesley, they do apply specifically to that part of the Town of Wellesley circumscribed within Route 128. The premises involved are a part of this circumscription and, therefore, it appears that they are subject to the mandatory 25% reduction of employer provided parking spaces.

For the above reasons, the petitioner requests the Board to approve the parking lots as constructed which it feels is substantially in compliance with the Board's decision and which will provide adequate parking space for the possible number of employees occupying the building and transient parking as well.

Decision

The Board has examined the plans submitted and has taken a view of the locus.

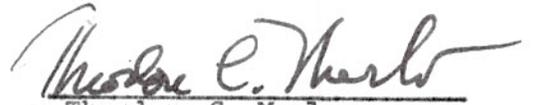
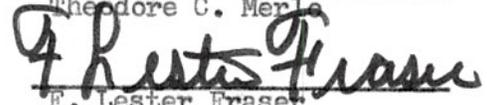
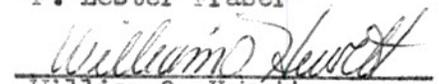
It is the Board's opinion that the landscape plan as submitted, is satisfactory and when the planting is completed, it will be an attractive improvement to the building and area. The plan, therefore, as submitted is approved as required in condition No. 3, of this Board's decision, dated November 13, 1972.

It is the further opinion of this Board that the petitioner's request for a modification of the plans approved previously by this Board may be granted. This will allow the parking lot involved to remain as it is with ten spaces fewer than originally approved. In view of the acquisition of the additional parking lot, which provides space for approximately forty cars, the Board feels that there will be sufficient space available to accommodate the probable number of cars to be expected.

The Board is also cognizant of the proposed U. S. Environmental Protection law which is to become effective on or before May 31, 1975, which it appears, will require that this company will be required to reduce its parking space 25%.

Accordingly, the Board hereby approves the requested modification of the plot plan originally submitted, drawn by Wilbur Conrad Nylander, dated January 20, 1967, and the decision filed with the Town Clerk on March 27, 1967, is hereby amended by changing condition No. 1, to read:

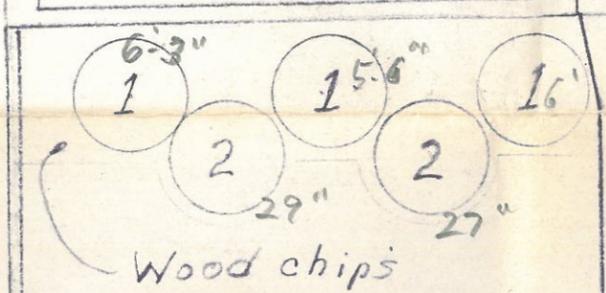
1. "That all work shall be performed in accordance with the plans submitted and approved by this Board on March 27, 1967, except for the revision of the parking area on the plot plan originally submitted, drawn by Wilbur Conrad Nylander, dated January 20, 1967. Said revision was drawn by Ernest W. Weber, Registered Engineer, dated May 31, 1974."


Theodore C. Merle

F. Lester Fraser

William O. Hewett

Filed with Town Clerk _____

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NEW GENERATOR ROOM



Grass Area

Walk-way

Sidewalk

Wood chips

22"-24" Grass Area

1 6'

1 5'3"

1 5'8"

- 1 CAPATADA YEW 5 to 6 Ft. High
- 2 DEWARF RHODODENDRON
- 3 TRIM UPRIGHT YEW

PLANTINGS ARE AS SHOWN
 HEIGHTS ARE GIVEN
 12/20/74 J.E.A.

OK.
 Existing 20' maple tree

WILLIAM STREET

EMERGENCY GENERATOR ROOM
 LANDSCAPING
 MASSACHUSETTS INDEMNITY
 LIFE INSURANCE CO.