



74-31

## BOARD OF APPEAL

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

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

Petition of Wellesley Office Park  
Associates Two, and Norman B.  
Leventhal et al Trustees

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 8:50 p.m. on August 22, 1974, on the petition of Wellesley Office Park Associates, Two, and Norman B. Leventhal et al, Trustees, seeking an amendment to the decision of the Board of Appeal, which is dated December 22, 1970, and an approval of the parking area as built for Building V, 20 William Street. In the construction of the parking area, 14 parking spaces were eliminated from the original plan; an exception, therefore, is requested to the provisions of Section XXI of the Zoning By-law, which will permit the parking of 391 cars on the lot involved rather than the required 405. Said request was made under the provisions of Section XXI, Part E. Subpart 2, of the Zoning By-law.

On July 11, 1974, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Edwin N. Sidman, member of the Association, represented the petitioners at the hearing, and explained the reasons for the request.

Statement of Facts

The property involved is located within an Administrative and Professional District. There are six office buildings completed in the park and one under construction. Five of these buildings as well as the one under construction are owned by Wellesley Office Park or its associates, and the remaining building is owned by an insurance company.

It was explained that during the construction of the parking area for Building V, it was determined that the grading and contours of the area permitted the saving of several mature trees, at least four of which were approximately seventy feet in height. In order to do this, adjustments were necessary which included the construction of six major stone wall tree wells required to protect the roots of these trees and maintain proper grading around them. The result, however, was the elimination of fourteen parking spaces of the 405 required under the Zoning By-law as originally approved by the Board of Appeal. However, in connection with this change, the petitioners leased from the Commonwealth of Massachusetts sufficient land shutting the ramp to Route 128 to provide fourteen substitute spaces, which would be used to off-set the spaces which had been lost.

The petitioners, therefore, seek an amendment to the permit previously granted to approve the parking area as built, and request an exception to the provisions of Section XXI of the Zoning By-law which will allow the parking of 391 cars on the lot rather than the required 405 car spaces. The petitioners agree that so long as the lease with the Commonwealth of Massachusetts is still in full force and effect that they will maintain the fourteen parking spaces on

the leased land in addition to the 391 on the premises owned by the petitioners.

It is the feeling of the petitioners that the car spaces to be provided, except in unusual circumstances, will accommodate the motor vehicles of all persons at any time using the building involved. It was stated that at times, there are as many as 250 empty spaces in the park.

Decision

The Board has made a careful study of the plans submitted and has taken a view of the locus.

It is the opinion of this Board that the petitioners' request for an amendment to the decision of the Board of Appeal, dated December 22, 1970, may be granted. The Board feels that the acquisition of land through a lease from the Commonwealth of Massachusetts, which will provide fourteen parking spaces, will make available sufficient space to accommodate the probable number of cars to be expected. It is the further belief of the Board that it is beneficial to the development of the park to maintain the mature trees which can be saved through granting the requested exception. The Board is also cognizant of the Federal Environmental Protection Act insofar as a mandatory 25% reduction of employer parking spaces is concerned.

Accordingly, the Board hereby approves the requested amendment to the permit previously granted by this Board which will allow the petitioners to build the parking area as shown on Plan LIA prepared by Homer K. Dodge, dated July 11, 1974, which provides parking for 391 cars on the lot, and the decision filed with the Town Clerk on December 22, 1970, 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 December 22, 1970, except for the revision of the parking area on the plot plan originally submitted, drawn by Homer T. Dodge, dated April 28, 1970. Said revision was drawn by Homer K. Dodge, dated July 11, 1974.

DEC 22 4 46 PM '74  
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TOWN CLERK'S OFFICE  
TOWN RECEIVED

  
Henry H. Thayer

  
William O. Hewett

  
Franklin P. Parker

Filed with Town Clerk \_\_\_\_\_