

TOWN OF WELLESLEY



RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.

BOARD OF APPEAL

APR 8 4 57 PM '74

RICHARD O. ALDRICH
F. LESTER FRASER
WILLIAM O. HEWETT

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Babson Recreation Center, 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 8:35 p.m. on February 7, 1974, on the petition of Babson Recreation Center, Inc., requesting approval of plans for the construction and installation of buildings, equipment and other facilities, including facilities for the parking of motor vehicles, for ice skating and tennis; and accessory uses, to be located on land now owned by Babson's Reports, Inc., and Babson College on Great Plain Avenue, on the northerly side of its intersection with the Wellesley-Needham town line.

In connection with this application, the petitioner further requested a special exception from the provisions of Section XXI, Part D., Subpart 3. Landscaping b. which will permit the substitution of an equivalent amount of landscaped space in various locations on the site for such areas required by the provisions of said section. Said request was made under the provisions of Section VIII A of the Zoning By-law.

On January 21, 1974, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

John O. Rhome, attorney, represented the petitioner at the hearing.

Peter Briggeman, Manager of Lamont Associates, Inc., Designers-Engineers, for the proposed complex, described the construction of the proposed buildings as well as the engineering of the site.

Albert Rocco, Engineer, associate of Homer K. Dodge K. Dodge, Engineer who drew the site and utility plans, explained in detail the method proposed to drain the property which includes the installation of a 36" culvert under the road. Traps to capture oil and grease will be installed, it was stated, to take care of drainage of the parking lot as well as a lift station which will pump the surface water up to the manhole.

Elliot F. Childs, Hydrologist Engineer, stated that he had made a study of the proposed drainage of the complex for the petitioner, and found that the natural pond beyond the property involved will take care of the run-off from the complex even in a 50-year rainstorm. The trees, he stated, will also help to break up the water flow and, in his opinion, the affect on Fuller Brook will be so small that it will never be noticed.

Charles C. Furer, 17 Skyline Drive, requested that a better explanation be given of the proposed development.

Ansel B. Chapel, 126 Great Plain Avenue, questioned the distance of the proposed parking lot from his property and the number of trees which would have to be removed incidental to construction.

Marshall Goldman and Dorothy Hunnewell, members of the Conservation Commission of Wellesley, expressed concern that no borings had been taken at the site, and felt that the decision of the Board should be reserved until they were available. They also questioned whether the proposed culvert would take care of the water flow.

Archie Morrison, 88 Woodlawn Avenue, questioned the proposed water control of the property which he felt was within the wetlands.

Ethel D. Sanders, 32 Skyline Drive, likewise questioned the proposed drainage of the property and further questioned whether the trees within a certain area would be retained.

Joseph F. Knowles, 135 Great Plain Avenue, also spoke in opposition to the request.

The Planning Board in its report, dated January 30, 1974, stated that after a review of the site plan, it was found that it meets the intent of the Zoning By-law, and found no objections to the plans, but suggested consideration be given to additional vegetation around the perimeter of the paved parking area where existing trees may be sparse.

Statement of Facts

The property involved, which contains 26.27 acres, is located within an Educational B District. The proposed use of the property is an allowable use within the District, but approval of plans must be obtained from the Board of Appeal.

The petitioner requests approval of plans for a recreational complex to be constructed on the site involved. It is proposed to construct two buildings to house eight tennis courts and one building to house a skating rink, locker rooms, and other necessary facilities.

Plans showing the locus, the location and elevations of the proposed buildings, their exterior materials, provision for off-street parking facilities, interior roads and driveways, water, sewage disposal, drainage and landscaping were submitted for approval.

If built, the buildings will cover 10.01% of the lot, with parking facilities for 578 cars.

John O. Rhone, attorney for the petitioner, stated that a few very minor changes have been made in the plans which were presented at the Town Meeting held in October 1973, when the property involved was rezoned from an Educational District to an Educational B District. The new plans, he stated, provide for two four-court indoor tennis courts, or eight courts in two separate buildings instead of six courts as originally planned. It was found, he stated, that it was not feasible to build six courts under a single roof. Another change was made which required the relocation of the parking area as it was found that the skating rink building could be placed farther back than first contemplated, therefore, the parking area has been moved from the rear of the building to the front of it.

It was also explained that the exterior materials to be used in the two buildings to house the tennis courts as well as the one building to house the skating rink, will have side walls of surf green metal panels, fascia panels of cypress olive, aggregate panels of monterey sand and split block of imperial reamble-stone. The roofs are to be tar and gravel of tahitian brown which is the same concept as the original plan.

It was pointed out that a thorough study had been made of the site and a landscape plan prepared which shows that all possible existing healthy trees will be retained and plantings will be added to supplement these areas. It was alleged that there will be no serious drainage problem and assurance was given that a 36" culvert will be installed under the access road and a lift station will be installed and maintained at no expense to the Town.

The petitioner also requested an exception from the terms of Section XXI. Part D. Subpart 3. Landscaping b. which will permit the substitution of an amount of landscaped space in various locations on the site for such areas required by the provisions of the by-law. It is proposed, it was stated, to provide cluster landscaping which it is felt will be better from an aesthetic as well as utilitarian point of view.

At the request of this Board, a report was submitted by Carr-Dee Test Boring & Construction Corp., Albert J. DeSimone, General Manager, giving the results of test borings and soil samples made at the site involved. Said report is on file with this Board.

Decision

The Board has examined the plans submitted and has taken a view of the locus. In its opinion, the plans are in harmony with the purpose and intent of the pertinent provisions of the Zoning By-law and they show compliance with the provisions of subparagraphs (a) (b) (c) (d) (e) (f) (g) and (h), of Section VIIIA 2 of the Zoning By-law, and that adequate provision has been made by the petitioner for matters of public interest referred to in Section III A, Paragraph 2., Subparagraph (k)

The Board finds that the plans submitted, with the conditions herein imposed, make adequate provision for:

- (a) Insuring compliance with the Zoning By-law of the Town of Wellesley;
- (b) Protecting the safety, convenience and welfare of the public;
- (c) Minimizing additional congestion in public and private ways;
- (d) Insuring adequate provision for the parking of motor vehicles;
- (e) Insuring adequate provision for water, sewerage and drainage;
- (f) Insuring that the premises will not be unsightly;
- (g) Insuring compliance with the provisions of Section XVI, which requires that no land shall be used for any purpose which by the emission or discharge of fumes, vapor, smoke, gas, dust, cinders, offensive odors, chemicals, poisonous fluids or substances, refuse, organic matter, or excrement, the causing of noise or vibrations, or by unduly increasing the risk from fire or explosion, or otherwise, would be obnoxious, offensive, dangerous, or injurious to the public health or safety.

The Board further finds that an exception can be granted to the requirements of Section XXI, Part D, Subpart 3. a. Landscaping, which will permit the substitution of an amount of landscaped open space equal in area to that required by the by-law. The Board finds that the purpose is substantially complied with in that the design and use more than amply meet the requirements of landscaping, and that adequate screening has been provided, to meet the intent and purpose of the by-law. The clustered type plantings sought by the petitioner in the parking area are designed to improve the area and it is the opinion of this Board that the landscaping as provided and the mandate to retain as many of the existing trees on the site, that the aesthetic effect will be maintained as intended by the By-law.

Accordingly, the plans submitted and on file with this Board, identified as follows: Plan L-1, L-2, L-3, and L-4, dated 1/21/74, all drawn by Homer K. Dodge, Professional Engineer; Plan A-1, A-2, A-3 and A-4, dated 1/14/74, drawn by Lamont Associates, Inc., Designers-Engineers, respectively are approved as submitted and the requested exception is hereby granted and the Inspector of Buildings is authorized to issue a permit for the proposed recreational complex subject to compliance with the BOCA Basic Building Code of Wellesley, the Zoning By-law, except for the exception herein granted, the requirements of the Town of Wellesley, the rules and regulations of the Massachusetts Department of Public Safety, the Massachusetts Department of Natural Resources and the Office of Environmental Affairs, the Town By-laws, and any other applicable provisions of law and the following conditions imposed by this Board which shall be binding upon the petitioner, its successors and assigns:

1. That all work shall be performed in accordance with the plans hereby approved and presently on file with this Board.
2. That the landscaping shall be maintained to the satisfaction of this Board for the life of the building.
3. That the lift station to be provided shall be installed and maintained by the petitioner and at no expense to the Town of Wellesley.
4. That a copy of the occupancy permit required shall be submitted to this Board prior to occupancy.
5. That all existing trees shall be retained as indicated in the landscape plans and remain while healthy and shall be replaced by young healthy trees if and when they are to be renewed.
6. That petitioner shall comply with the requirements of the Town of Wellesley Conservation Commission, the Town of Wellesley Fire Department and the Town of Wellesley Department of Public Works.
7. That upon completion of the buildings, a complete set of architectural plans, including a complete set of mechanical plans, shall be submitted to this Board showing exactly how the buildings were constructed. Said plans together with satisfactory evidence of compliance with conditions herein mentioned, shall be submitted to this Board at least ten business days prior to occupancy of the building.

8. That a surety performance bond or letter of credit running to the Town of Wellesley shall be provided in the amount of \$50,000. which shall be in all respects satisfactory to Town Counsel and the Board of Appeal and shall be posted with the Treasurer of the Town of Wellesley,..... before commencement of work. Said bond or letter of credit shall be conditioned on the completion of all conditions hereof, shall be signed by a party or parties satisfactory to the Board of Appeal and the Town Counsel, and shall be released after completion of the project, provided that provision satisfactory to the Board of Appeal has been made for performance of any conditions which are of continuing nature.

Theodore C. Merlo
Theodore C. Merlo

F. Lester Fraser
F. Lester Fraser

William O. Hewett
William O. Hewett

Filed with Town Clerk _____

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.
APR 8 4 58 PM '74