



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

80-63

WILLIAM F. CULLINANE, CHAIRMAN  
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WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

Petition of New England Telephone and Telegraph Company

Pursuant to due notice the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, December 4, 1980 at 8:00 PM on the Petition of New England Telephone and Telegraph Company who are seeking a Special Permit to allow the construction of a full second story addition to their existing structure at 11 Laurel Avenue, and a special exception from the terms of Section XXI of the Zoning Bylaw which requires that this establishment make provisions for specified facilities for the parking of motor vehicles in a Business "A" District. This request is being made pursuant to Section XXV and Section XXI of the Zoning Bylaw.

On November 10, 1980, the Petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Robert Germain, Manager-Building Design/Construction, and Roberta Clemens both of the New England Telephone and Telegraph Company presented the case at the hearing.

Letters were received from the following persons expressing concerns about the congestion on Laurel Avenue at present and their concerns for the future if the permit is granted and the expansion is allowed: Mrs. J. Robert Lyman, 24 Forest Street; James and Lucy Keddie, 28 Laurel Avenue; Mr. and Mrs. Edward J. Gotgart, 17 Laurel Avenue.

Present at the hearing and expressing further concerns about inadequate parking facilities, narrow street with large Telephone Company trucks parking on both sides - narrowing the street to one lane access only, inhibiting fire truck access in emergencies. This transient parking by the Telephone Company is not using the leased parking spaces provided at the Wellesley Playhouse, often times these large trucks are blocking the driveways of the abutting neighbors. Fear is expressed for the number of children in this neighborhood and the potential danger this traffic poses, especially during the period of construction if this permit is granted. The neighbors present did point out that they do not object or have any complaints with the Telephone Company, their complaints lie with the parking problems that it creates.

In a letter from the Planning Board it was stated that they have no objections to the requested use and they concurred with the thoughts expressed in the letter

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Petition of New England Telephone and Telegraph Company, continued

of the Design Review Board which recommended that the exterior fire escape be enclosed with a masonry wall in the same architectural character so as to blend harmoniously with the existing structure. A letter dated November 19, 1980 was received from Robert Germain of the Telephone Company stating that the changes requested by the Design Review Board would be incorporated into the design of the building.

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Statement of Facts

The property involved, which contains 17,450 square feet is located within a Business "A" District with respect to which Section XXI of the Zoning Bylaw requires that an off-street parking area of one space for each 150 square feet occupied by buildings be provided. The existing building on the property, which was constructed in 1955 and added to in 1967, covers an area of 9,225 square feet. Prior to construction of the building, the Board of Appeals granted an exception which allowed the petitioner to erect the building with less than the required parking area.

The petitioner now seeks permission to construct a full second story masonry addition which will blend harmoniously with the existing structure. The addition is designed to blend with the existing building and, in the opinion of the petitioner, will be compatible with other buildings in the area. At present, there are 11 persons working full-time at this address with provisions for ten parking spaces. These parking spaces are being leased on a five year term from the Wellesley Playhouse, such term ends in November 1985 (a copy of this lease was submitted). If the Special Permit is issued and the building addition is built, the number of employees will be reduced to 8 persons working full-time at this location. This reduction in the number of employees is attributed to the change in the level of sophistication of the equipment, the proposed new floor is intended to accommodate an ESS machine which will provide the Town of Wellesley with more features and will also be better able to accommodate the increased capacity being called for in Wellesley.

The petitioner feels that as a result of the decreased number of employees and the increased level of sophistication of the equipment, there will be a reduction in the traffic on Laurel Avenue due to the Telephone Company. The petitioner maintains that the relief requested can be granted without substantial detriment to the public good and that the enforcement of the provisions





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Petition of New England Telephone and Telegraph Company, Continued

of the Zoning Bylaw would involve substantial hardship to the petitioner.

Decision

The Board has reviewed the relevant facts in this case and has taken a view of the locus. After careful consideration, it is the opinion of the Board that a literal enforcement of those provisions of Section XXI of the Zoning Bylaw applicable to this location would cause substantial hardship to the petitioner, a public service corporation, and that in view of the use to which the present building and proposed addition will be put, the proposed provisions for off-street parking, although constituting a lesser parking area than that prescribed by Section XXI, will be able to accommodate the motor vehicles of all persons using the building.

Therefore, the requested exception can be granted without substantially derogating from the intent and purpose of the Zoning Bylaw and without substantial detriment to the public good.

Accordingly, the Inspector of Buildings is hereby authorized to issue a permit for the proposed addition in accordance with the plans submitted and on file with this Board, subject to the following conditions:

1. That there will not be any parking at any time on Laurel Avenue, not even in an emergency. This Condition to apply even during the construction period. And that a letter from an officer of the Telephone Company be received by this Board attesting to their full cooperation and compliance with this Condition.
2. That off-street parking for at least ten (10) vehicles shall be provided at all times in accordance with the lease entered into and on file with this Board, between Janet Bendslev, T. Guy Spencer, Jr. and James C. Fullerton, Trustees of the W. Leslie Bendslev Trust under a Declaration of Trust dated June 30, 1964, 382 Washington Street, Wellesley. Said lease being dated March 30, 1980 and shall expire after a five (5) year



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Petition of New England Telephone and Telegraph Company, continued

term, therefore ending November 1985, and to be renewed forthwith or other provisions for these ten parking spaces made.

- 3. That the number of full time employees at this location shall not exceed ten (10).
- 4. That during the course of construction, all vehicles delivering goods or services, will abide by the off-street parking restriction agreed to by the New England Telephone and Telegraph Company and the Town of Wellesley.

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Stephen S. Porter, Acting Chairman

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John A. Donovan, Jr.

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Franklin P. Parker

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