



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

FEB 17 1 14 PM '93

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ZBA 93-6
Petition of Temple Beth Elohim
10 Bethel Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 28, 1993 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley on the petition of TEMPLE BETH ELOHIM requesting amendment of a previously granted Site Plan Approval (ZBA 92-5) pursuant to the provisions of Section XIVA, Section XIVE and Section XXV of the Zoning Bylaw to reduce the allowed construction from five one-story additions and a mezzanine addition totalling 9,729 square feet of building footprint and 9,992 square feet of usable floor area to construction of two one-story additions totalling 8,967 square feet of building footprint and the same amount of usable floor area, with associated landscaping; and a permanent canopy structure composed of an acrylic roof supported by a steel frame at a height of 9 feet 10 inches, with a width of 8 feet and a length of 96 feet, which will cover 768 square feet, at its premises at 10 BETHEL ROAD, in a Single Residence District, and a Water Supply Protection District.

A Special Permit pursuant to the provisions of Section XIVE and Section XXV of the Zoning Bylaw is also requested for construction of a Major Construction Project, a project of more than 2,500 square feet of gross floor area, in a Water Supply Protection District. Said project must comply with all Design and Operation Standards of Section XIVE of the Zoning Bylaw.

On January 6, 1993, the petitioner requested a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Mark Young, project architect, who was accompanied by Donald Tofias and David Rokoff of the Temple Building Committee.

Mr. Young said that the Temple is requesting a reduction in the scope of work of the plans previously submitted, which had been approved. The Temple has decided to take a different direction by building more flexible space and less specifically designed space. The new plan involves enlarging the atrium space. Additional seating would be available in the atrium rather than in the original sanctuary additions. The new proposal would be more affordable to construct on a per square foot basis, and less invasive on the Temple.

ZBA 93-6
Petition of Temple Beth Elohim
10 Bethel Road

FEB 17 1 14 PM '93

Mr Young explained that the new plan will eliminate moving the entrance drive, which necessitated infill of a retention area with compensatory storage. The reduction of 1,500 square feet of construction will reduce the amount of water flowing into the drainage system. Drainage will be to the on-site water retention area.

Mr. Young said that the canopy will provide cover from the rear traffic circle and parking lot to the Temple.

No other person present had any comment on the petition.

Statement of Facts

The subject property consists of 6.09 acres located at 10 Bethel Road, in a Single Residence District and a Water Supply Protection District.

Temple Beth Elohim is requesting an amendment to a previously granted Site Plan Approval (ZBA 92-5) to allow construction of the following:
1. A one-story 5,856 square foot classroom wing with a 1,011 square foot connection to the main building; 2. A 2,100 square foot atrium addition, totalling 8,967 square feet of building footprint and the same amount of usable floor space, with associated landscaping; and
3. A permanent canopy structure with a width of 8 feet, a length of 96 feet at a height of 9 feet 10 inches covering 768 square feet.

A Special Permit for a Major Construction Project in a Water Supply Protection District is also requested.

The following plans were submitted: Grading & Drainage Plan (C2) dated 12/17/1992; Detail Sheet (C3) dated 4/10/92, revised 12/17/92; Existing Conditions Plan (C4) dated 7/12/91; Utilities & Dimensioning Plan (C1) dated 12/17/92; all drawn by John Modzelewski, Registered Land Surveyor. A landscaping plan (L1) dated 1/4/93 drawn by William John Fleming, Registered Landscape Architect was also submitted.

The following architectural plans were submitted: Floor Plan (A1) dated 4/28/92, revised 1/5/93; Ground Floor Plan (A1A) dated 11/18/91, revised 1/5/93; Exterior Building Elevations (A4A) dated 1/5/93; all drawn by Eugene Kevin Schopfer, Registered Architect. An Official Development Prospectus was also submitted.

Submission material for the Special Permit for Major Construction in a Water Supply Protection District included a Narrative of Project Modifications with revised drainage calculations dated 12/15/92, prepared by Civil Designs, Inc.

On December 17, 1992, the Design Review Board held a preliminary review of the project, and a final review on January 14, 1993, at which time it was voted to approve the proposed amended Site Plan.

ZBA 93-6
Petition of Temple Beth Elohim
10 Bethel Road

FEB 17 3 11 PM '93

All submission materials noted above were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and the Fire Chief as required by Section XVIA of the Zoning Bylaw. Written responses from each of the above were received and are on file in the office of the Board of Appeals.

On January 26, 1993, the Planning Board reviewed the project and voted to support the recommendations of the Design Review Board and the Wetlands Protection Committee.

On February 11, 1993, the Wetlands Protection Committee voted to issue an Amended Order of Conditions (DEP 324-183), whereby all Special Conditions regarding the driveway expansion and compensatory storage have been retracted.

In regard to the Special Permit for a Major Construction Project in a Watersupply Protection District, the Wetlands Protection Committee determined that the plans relating to on-site recharge and grade reduction remain unchanged in the amended proposal. It is the Committee's opinion that the Temple's amended construction plans comply with the on-site recharge and grade reduction design standards set forth in Section XIVE of the Zoning Bylaw.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. Temple Beth Elohim's amended proposal requests Site Plan Approval for construction of two additions totalling 8,967 square feet of building footprint and the same amount of usable floor area, and a permanent canopy structure which will cover 768 square feet at 10 Bethel Road in a Single Residence District and a Water Supply Protection District. This project constitutes a Major Construction Project requiring Site Plan Approval pursuant to Section XVIA of the Zoning Bylaw, as it proposes construction of more than 2,500 square feet of gross floor area.

It is the opinion of this Authority that the proposed construction, as detailed on the plans noted in the foregoing Statement of Facts, complies with Section XVIA, Section XIVE and Section XXII of the Zoning Bylaw, protects the safety, convenience and welfare of the public, minimizes additional congestion in public and private ways, and insures adequate protection for water, sewerage and drainage. Site Plan Approval is hereby given by this Authority pursuant to

ZBA 93-6
Petition of Temple Beth Elohim
10 Bethel Road

FEB 17 1 14 PM '93

Section XVIA, Section XIVE and Section XVI of the Zoning Bylaw, subject to conditions attached hereto as Addendum A.

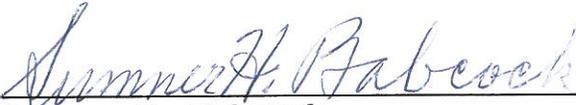
A Special Permit for construction of a Major Construction Project in a Water Supply Protection District pursuant to Section XIVE is also requested. It is the opinion of this Authority that the provisions for the on-site recharge system are in compliance with the Design and Operation Standards of Section XIVE of the Zoning Bylaw. This Authority is also satisfied that the finished exterior grade will be at least 5 feet above the maximum groundwater elevation.

Therefore, a Special Permit for a Major Construction Project in a Water Supply Protection District is hereby granted pursuant to Section XIVE of the Zoning Bylaw.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon his receipt and approval of a building application and detailed construction plans.

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.


Kendall P. Bates, Acting Chairman


Sumner H. Babcock

cc: Planning Board
Wetlands Protection Committee
Inspector of Buildings
edg


William E. Polletta

ZBA 93-6
Petition of Temple Beth Elohim
10 Bethel Road

FEB 17 1 14 PM '93

ADDENDUM A RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

1. All work shall be performed in accordance with plans submitted and on file with this Authority.
2. All design and construction must comply with all applicable state and local codes.
3. All requirements of the Town of Wellesley Fire Department shall be complied with, including the installation of a complete automatic sprinkler system in all portions of the building, both new and existing, and relocation of the existing hydrant to the northwest quadrant of the circle in front of the building.
4. All requirements of the Department of Public Works shall be met, including, but not limited to the requirement that water, sewer and electric connections, together with drainage connections, be made in accordance with DPW standards, and installed and maintained at no cost to the Town of Wellesley.
5. Upon completion of the project, site utility plans shall be submitted to the Department of Public Works.
6. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.
7. All requirements of the Wetlands Protection Committee shall be complied with including the Amended Order of Conditions (DEP 324-183) associated with this project.