

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 99-67

Petition of Tenacre Country Day School
78 Benvenue Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 23, 1999 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 TENACRE COUNTRY DAY SCHOOL requesting Site Plan Approval pursuant to the provisions of Section XVIA and Section XXV of the Zoning Bylaw to allow construction of a two-story addition with a footprint of 14,743 square feet and a floor area of 28,000 square feet containing a library, a multi-media center, a gymnasium and one classroom on its property at 78 BENVENUE STREET, in an Educational District. The addition will be attached to the rear of the existing administration building and to the right side of the existing gymnasium building. Associated landscaping and 16 new parking spaces will be provided.

On August 23, 1999, the petitioner filed a request for 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 William Foley, trustee of Tenacre School, who was accompanied by Chris Elliot, Head of School; Jane Zavistowski, Business Manager; Chris Doktor, Architect; Michael Abend, Traffic Consultant; Verne Porter, Site Engineer; and Manny Garcia, Mechanical Engineer.

Mr. Elliot said that Tenacre is an independent day school with grades from pre-school through sixth. There are 186 students and 50 staff members. Until 1972, Tenacre was affiliated with Dana Hall.

Mr. Elliot explained that currently the library and gym are multi-purpose rooms used for a variety of activities. The new construction will allow the new library, media center and gym to be used solely for their designated functions. There will be no increase in enrollment, events or programs due to the new construction, as Tenacre has neither the space nor the desire to expand.

Using enlargements of the elevation drawings, Mr. Foley explained the features of the building. The Board asked if parking would be increased. Mr. Elliot stated that upon completion of construction, 16 new spaces will have been added to the existing 65 spaces. The spaces will be added around the existing cottage shown on the site plan.

Ann Powers, 57 Benvenue Street, expressed concern about traffic, particularly during the construction period. The neighbors would like the Board to condition that no heavy equipment could be on the street until 8 a.m. and that another entrance be used rather than the main entrance.

The Board responded that the Planning Board had addressed these issues in the conditions imposed in the Special Permit for a Project of Significant Impact. There are several conditions regarding heavy equipment and the hours during which construction can take place. All the conditions in the Special Permit granted by the Planning Board would be incorporated into the Board of Appeals' decision.

The Board expressed concern that, as it had received the revised plans shortly before the hearing, all of the DPW requirements might not have been addressed. Mr. Porter said that following a meeting with Mr. Stewart, the plans were revised to respond to his concerns. The new memo from Mr. Stewart addresses the revised plans. The only label that is missing is the dimension of the lines connecting the water service on the site plan, which are labelled on the mechanical plan.

The Board asked about the landscaping plan. Mr. Foley said that they have a letter from their architect agreeing to most of Len Phillips' comments. Mr. Stewart had four comments on his letter. Two involve permits which cannot be obtained at this time, and one involves an electric easement, which also cannot be done now.

The Board commented that there is a very high water table, and asked how this was being addressed. Mr. Porter explained that the proposed drainage facility provides that water will go through catchbasins fitted with traps. The project complies with the new DEP regulations.

The Board asked if there were any protection measures for the new construction in regard to the high water table. Mr. Garcia said there are two levels of protection. There are two foundation slabs between which will be a groundwater collection system, which will be an emergency system. Outside the building, two sets of pumps will be located in the driveway area, which will be connected to two fiber glass basins – one for groundwater and one for sanitary because the gym floor was lowered. The gym foundation is not below the ground water table, but the system has been designed in event of a rise in the groundwater.

The Board asked where the benchmarks for the elevations appeared on the plans. Mr. Porter said he had used sewer inverts and steps of the buildings. The benchmarks are there, but have not been marked on the plans. The Board decided that it would impose a condition that at least two elevation control points be marked and identified on the plans as a basis on which the elevations have been keyed.

The Board stated that the test boring elevations differ from the elevations shown on the plans by 90 feet, and there is a missing invert on the Page 2 plan.

The Board discussed the conditions to be imposed in the decision, which would include, but not be limited to the following: all the conditions in the PSI Special Permit issued by the Planning Board would be incorporated into the decision; all requirements stated in the letter from William Scully, Town Traffic Consultant must be met; all requirements listed in Doug Stewart's letter of 9/23/99 must be completed to his satisfaction; Pages 1-4 of the revised plans shall be revised again to show at least two elevation control points, which are the same in all cases, and which shall be marked and described on said plans as to their origin; and all air quality controls requested in Dr. Katz's letter shall be mandated.

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Statement of Facts

The subject property is located at 78 Benvenue Street, in an Educational District on a 323,000 square foot lot bounded by a Single Residence District on the east and northeast, the Dana Hall School on the northwest and Grove Street on the west. The Sudbury River Aqueduct runs through the southwest portion of the property.

The petitioner is requesting Site Plan Approval to allow the construction of a two-story addition with a footprint of 14,743 square feet and a floor area of 28,000 square feet, which will contain a library, a multi-media center, a gymnasium and one classroom. The addition will be attached to the rear of the existing administration building and to the right side of the existing gymnasium. Associated landscaping and 16 new parking spaces will be provided.

Pursuant to Section XVIA-B. of the Zoning Bylaw, the project is classified as a Project of Significant Impact, which requires a Special Permit issued by the Planning Board because the aggregate total of newly constructed floor area will exceed 10,000 or more square feet. This Special Permit with conditions was issued on July 29, 1999.

The following engineering plans were submitted: Proposed Site Plan/Parking & Addition Location (Page 1), originally dated 10/26/98, last revision 9/30/99; Proposed Site Plan (Page 2), originally dated 10/26/98, last revision 9/30/99; Proposed Site Plan/Detail, (Page 3), originally dated 10/26/98, last revisions 9/29/99; Existing Site Conditions Plan (Page 4), originally dated 10/26/98, last revision 9/30/99; Details Sheet (Page 5), dated September 17, 1999; all signed by Stephen E. Poole, Civil Engineer and Verne T. Porter, Registered Land Surveyor; and Landscape Plan dated March 30, 1999, drawn by John T. Judge, Registered Landscape Architect.

The following architectural plans were submitted: Basement Plan (A2.0); First Floor Plan (A2.1); Second Floor Plan (A2.2); Roof Plan (A2.3); Building Sections (A3.1); Building Sections (A3.2); Exterior Elevations/North & East (A3.3); Exterior Elevations/Courtyard (A3.4); Section Details/Exterior Details (A8.1); and Section Details/Exterior Details (A8.2), all dated May 24, 1998, and signed by John T. Olson, Registered Architect.

The following written materials were submitted: Official Development Prospectus; Three Test Pit Field Logs dated 4/30/99, done by Verne T. Porter; Geotechnical Engineering Report dated February 17, 1999, prepared by Richard P. Weber Associates; Drainage Impact Summary prepared by Stephen E. Poole, Professional Engineer; Technical Memorandum regarding Access to Grass Parking Area/Tenacre School Traffic Analysis dated July 20, 1999, prepared by Abend Associates; Technical Memorandum regarding Modifications to Site Access Driveway dated September 15, 1999, prepared by Abend Associates; and Letter dated September 21, 1999 from William Scully, Town Traffic Engineer regarding the Proposed Tenacre Gym/Library Project with comments on the aforesaid Memorandums.

On March 11 and April 22, 1999, the Design Review Board reviewed the project; and in a letter dated July 15, 1999, advised the Board of Appeals that the project is consistent with the design criteria listed in Section XXII of the Zoning Bylaw.

All submitted plans and written materials 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

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Zoning Bylaw. Written responses from each of the above were received and are on file in the office of the Board of Appeals.

Len Phillips, Town Arborist, reviewed the Landscape Plan and in a Memo dated September 14, 1999, listed 10 recommendations regarding the plan, to which John Judge, the petitioner's landscape architect responded in a Memo dated September 21, 1999. In a Memo dated September 29, 1999, Mr. Phillips approved the revisions on the condition that Malathion or Lindane be sprayed throughout the growing season to remove any and all insect problems.

Dr. Katz, Director of Public Health, reviewed the petition and recommended that the project be carefully planned to prevent indoor air quality problems during construction and attached the following guidelines to his review: "Preventing Indoor Air Quality Problems during Construction and Renovation", a publication of the MA Div. Of Occupational Safety; and "Maintaining Acceptable Indoor Air Quality During the Renovation of a School", a technical bulletin prepared by the Maryland State Dept. of Education.

Decision

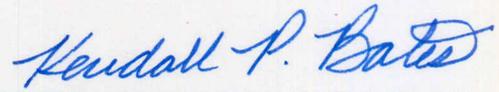
This Authority had made a careful study of the plans and written information submitted by the petitioner, as well as the information presented at the public hearing. The two-story addition, with a footprint of 14,743 square feet and a floor area of 28,000 square feet, proposed by Tenacre School at 78 Benvenue Street, constitutes a Major Construction Project pursuant to the provisions of Section XVIA of the Zoning Bylaw because it includes the construction of 2,500 square feet or more of gross floor area.

It is the opinion of this Authority that the submitted plans for the two-story addition containing a library, multi-media center, gymnasium and one classroom, as listed in the foregoing Statement of Facts, comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways, and insure adequate protection for water, sewerage and drainage. Furthermore, compliance with Section XVI, Section XXI and Section XXII is ensured.

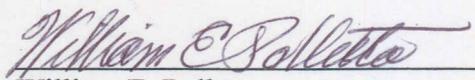
Therefore, Site Plan Approval is granted, as voted unanimously by this Authority at the public hearing, pursuant to Section XVIA and Section VII of the Zoning Bylaw, subject to construction in accordance with the submitted plans, and further subject to the conditions attached hereto as Addendum A.

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.

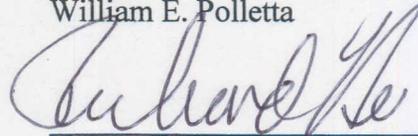
Cc: Planning Board
Department of Public Works
Department of Public Health



Kendall P. Bates, Chairman



William E. Polletta



Richard L. Seegel

ADDENDUM A

1. All Special Permit Conditions/Negotiated Improvements listed in the Special Permit issued by the Planning Board on July 29, 1999 are hereby incorporated into this decision.
2. All changes in the submitted Landscape Plan listed in the Memorandum from John T. Judge, dated September 21, 1999, are allowed on the condition that Malathion or Lindane spray shall be applied throughout the growing season to remove any and all insect problems from susceptible plantings.
3. During construction of the two-story addition, the contractor shall comply with all guidelines contained in the following publications: "Preventing Indoor Air Quality Problems during Construction and Renovation" and "Maintaining Acceptable Indoor Air Quality During the Renovation of a School".
4. All recommendations contained in William Scully's letter dated September 21, 1999 shall be complied with.
5. All work shall be performed in accordance with the last revision of the plans submitted and on file with this Authority.
6. All design and construction shall comply with all applicable state and local codes.
7. All requirements of the Town of Wellesley Fire Department shall be complied with.
8. All requirements of the Department of Public Works shall be met including, but not limited to the requirement that water, sewer and electric connections and easements, together with drainage connections, be made in accordance with DPW standards and installed and maintained at no cost to the Town of Wellesley.
9. Upon completion of the project, a complete set of site utility plans shall be submitted to the Department of Public Works.
10. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to the office of the Board of Appeals at the time of issuance.

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