

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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ZBA 2021-23

Petition of Delanson Realty Partners, LLC  
8 Delanson Circle

Delanson Realty Partners, LLC (the "Applicant") has requested from the Zoning Board of Appeals (the "Board") the issuance of a site plan approval permit subject to the Zoning Bylaw Section 16A, §§.(C)(2)(a) and (b), authorizing the Applicant to construct 35 condominium units in a single building on lots located at 2-8 Delanson Circle and to renovate, but not expand, four condominium units on lots located at 12-18 Hollis Street containing in the aggregate 81,774 sf (1.88 acres) of land (the "Site") lying in a General Residence District with a residential incentive overlay (the "RIO").

### THE PROJECT

#### 1. Description

The Project consists of the redevelopment of the five lots at 1-8 Delanson Circle with a proposed three story, U-shaped, 35-unit multi-family, market rate, condominium housing project at the corner of Linden and Hollis Streets (the "Delanson Building"), and the exterior and interior renovation of four existing dwelling units each containing two bedrooms located at 12-14 and 16-18 Hollis Street in such a way that the renovation will qualify those units for inclusion in the Department of Community Development's Subsidized Housing Inventory (the "Affordable Units", and collectively with the Delanson Building, the "Project").

The Delanson Building includes an underground base pedestal story for parking, and three residential floors above. The ground floor (at grade with Linden Street) contains the lower residential lobby, concierge desk and waiting area, fitness area for residents, golf simulator, utilities and bike storage along with the indoor parking for the Delanson Building. A staircase directly adjacent to the residential lobby leads from the Hollis Street entrance up into the amenity courtyard. The second floor (at grade with the northeast corner of the Delanson Building on Hollis Street) is comprised of the upper residential lobby, lounge, and community room while the remaining building area will be dedicated to residential units.

The ground floor garage level contains nine single parking spaces (eight with EV charging stations), three accessible spaces (two with EV charging stations), 16 stacker spaces, and 36 tandem stacker spaces, for a total of 64 indoor parking spaces.

The first residential level contains four 1-bedroom and nine 2-bedroom units. The second residential floor houses three 1-bedroom units, nine 2-bedroom units, and one 3-bedroom unit.

The third residential floor encompasses seven 2-bedroom units and two 3-bedroom unit. The average sizes of the units are as shown in Table 1.

Table 1 – Unit Analysis (sf)

Type	Res-1		Res-2		Res-3		Total	
	Units	Average	Units	Average	Units	Average	Units	Average
Studio	0	0	0	0	0	0	0	0
1BR	3	999	1	1,214	0	0	4	553
1+BR	1	1,161	2	1,119	0	0	3	760
2BR	6	1,435	6	1,445	1	1,791	13	359
2+BR	3	2,060	3	2,165	6	2,151	12	531
3BR	0	0	1	2,019	0	0	1	2,019
3+BR	0	0	0	0	2	2,289	2	1,144

Vertical access throughout the Delanson Building is provided via two passenger elevators that extend from the ground floor level to the third residential floor, and via two stairways extending from the garage level to the third residential level. Horizontal access at each floor is provided via a central corridor connecting the units to the elevator lobby and the stair towers. In addition, a service elevator is provided from the garage level to the third residential level for resident move-in/move-out, delivery of large items and for trash collection and removal.

The exterior of the Delanson Building has been designed to visually break down its scale, emphasizing a more horizontal nature through a series of horizontal datums, bays, setbacks and material changes. The ground floor will be combination of light-toned masonry and natural woods with glazed openings for the lobby and concierge offices, while the upper floors will contain materials more native to the surrounding neighborhood, using varying cladding textures but maintaining a complimentary color palette. Windows on the upper floors will be broken down with muntins to give a more traditional look and scale.

Each of the two residences at 12-14 and 16-18 Hollis is a two-story, wood framed structure with between 1,568 and 1,778 sf in total living area. The roofing, siding, windows and doors are to be removed and replaced, and the interior equipment is to be removed, and the walls stripped to the studs, and the interior renovated in a revised configuration to accommodate two Affordable Units each, and with new appliances.

## 2. The site and surrounds

The Site is the aggregate of five component lots, 1-3, 2-4, 5-7, 6-6a, and 8 Delanson Circle, as well as the cul-de-sac that is Delanson Circle, comprising 61,774 sf (1.42 acres), and is located on the northernmost side of Linden Street at the corner with Hollis Street, plus two lots at 12-14 and 16-18 Hollis Street aggregating to 20,000 sf (0.46 acre) for a total area of 81,772 sf (1.88 acre). As of the date of the decision, the single-family dwellings on Delanson Circle have been demolished, and the two-family condominium dwellings on the Hollis Street lots remain.

The Site is bounded on the northerly and westerly sides by the College Heights neighborhood of single-family residences in an SR-10 District. On the easterly side, the Site is bounded by Hollis

Street, and across Hollis Street by single-and multi-family residences in a General Residence District, with Linden Square commercial center beyond. Along the southerly side the Site is bounded by Linden Street, and beyond Linden Street the Tailby Parking Lot and the Wellesley Square Commuter Rail Station, and businesses along Linden Street further to the east.

The Site exhibits relief of about 40 ft. The high point at about elevation 200 ft is found generally in the north western corner of the Site abutting the College Heights side of the property, with slopes to the south and east grading down to elevation 158 ft at the corner of Linden and Hollis Streets.

Ten test borings were performed at the Site using standard hollow stem auger methods to assess the subsurface conditions. The borings generally show shallow fill and/or organic laden soils are present throughout the developed site to about 0.2-7 ft below grade. The fill generally includes a dark brown, loamy, silty sand with embedded gravel, cobbles, boulders, roots, blast rock and other matter. Shallow bedrock was encountered throughout the Site at depths of 0.0-14 ft below grade, and exposed ledge was observed to the rear of 2-4 Delanson Circle. Some significant bedrock removal will be necessary for the construction of the Project.

Groundwater was not encountered in the test borings or in four test pits that were excavated. Seasonally perched water should be expected atop the shallow ledge. It should be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature and other factors differing from the time of the measurements.

The subgrade conditions are favorable for supporting the Delanson Building on a conventional spread footing foundation.

## RECORD OF DISCUSSIONS

On September 21, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

The Board opened a public hearing on March 18, 2021, continued to and closed the hearing on [April 6, 2021].

## FINDINGS OF FACT

### 1. Zoning

The Zoning Bylaw provides, for each zoning district, requirements for the use of land and structures, as well as dimensional requirements for the land and structures erected upon the land.

#### *a. Use Requirements*

The Project is located in a General Residence District, within a Residential Incentive Overlay (RIO) District. Among the uses allowed in the RIO District are: (1) conventional market-rate dwelling units;

(2) assisted elderly living; (3) independent elderly housing; and (4) nursing homes and skilled nursing facilities.

As multi-unit, multi-family, conventional market-rate dwelling units, the use of the Project is allowed by right in the RIO District.

**b. Dimensional Requirements**

The Zoning Bylaw provides for each zoning district dimensional requirements for the lot, for the placement of buildings and structures on the land, and for the structures themselves. The dimensional requirements for the RIO District, and the corresponding dimensional information from the Project are summarized in Table 2.

*Table 2 – RIO Dimensional Comparison*

Category	Units	Required	Proposed
Lot Area	sf	45,000	81,774
Frontage	ft	NR	NR
Minimum Front Yard Width	ft	NR	NR
Minimum Front Yard Depth	ft	25	25.0
Minimum Side Yard Width	ft	10	25.7
Minimum Rear Yard Depth	ft	10	Corner
Maximum Building Coverage	%	NR	
Minimum Building Coverage	sf/DU	1,800	2,099
Maximum Building Height	ft	36/3-story	35.89

NR=No requirement

With respect to the dimensional requirements for the lot, the Project meets the RIO District requirements for lot area with no requirement for lot frontage. With respect to those requirements for the placement of the structure on the lot, the Project meets the front yard depth requirements for the RIO District, as well as the side yard width requirements. The Project is on a corner lot, so it has two front yards and no rear yards, so the rear yard depth requirement does not apply. For the dimensional requirements for the structures themselves, the Project meets the RIO District requirements for maximum building height.

**c. Land Use and Planning**

As noted above, under the Zoning Bylaw, multi-family residential use is allowed in the RIO District, so the Project is consistent with the Town's land use and planning requirement as set forth in the Zoning Bylaw.

**2. Site Work**

**a. Controlled Blasting**

The Applicant's subsurface investigation revealed that substantial ledge removal will be required in order to install the Delanson Building foundations, the perimeter retaining walls and the pits for the stacker parking units. During the time of the public hearing, the Applicant

presented a controlled blasting program outlining the methods and procedures to be implemented for the ledge removal, including offering buildings and structures within 250 ft of the closest borehole a condition survey documenting the existing condition, and installing three seismic monitors at locations selected mutually by the contractor and the Fire Department.

The Board is aware of other construction sites in Town that have recently required controlled blasting, both in the vicinity of the Site (22-26 Pleasant Street) and in other residential areas of the Town. The controlled blasting program notes that the proposed controlled blasting will require permitting from the Fire Department under 527 CMR 1.00, and that Fire Department personnel will be on site to monitor actual controlled blasting operations.

If the controlled blast program is implemented as proposed, the Board believes that the controlled blasting will be safe. In addition, however, the Board recognizes that controlled blasting is regulated by the Commonwealth and is outside of the authority of the Board under the Zoning Bylaw.

***a. Site retaining walls***

The siting of the ground floor at substantially the same elevation as Linden Street, materially the low point of the Site, results in the roof elevation about seven feet higher than the Site high point. While this siting of the Delanson Building sets the building into the hill and minimizes the visual impact of the building, it results in the need for retaining walls along the western and northern perimeter of the Delanson Building. Due to the nature of the topography, all of the retaining walls on this perimeter have the building side of the retaining wall at a lower elevation than the abutter side, so the retaining walls are seen from the Delanson Building, but not from the abutting properties. Similarly, the Delanson Building masks the view of these perimeter retaining walls from most views from Linden or Hollis Streets.

The design of the retaining walls is of two different types, depending on whether the wall is principally functional, along the western and northern boundaries, or principally architectural, along the Hollis Street frontage and the Delanson Building entrance at the corner of Hollis and Linden Streets. Functional walls are traditional reinforced concrete inverted tee retaining walls formed with either a vertical formed board surface or a textured formliner, varying in the amount of unbalanced fill from five feet to 11 feet. All of the functional retaining walls along the western and northern boundaries, including terraced walls, are further than 10 ft from the property line, and therefore do not require a special permit under Section 22D of the Bylaw.

The architectural walls along the Hollis Street frontage are ledgerstone veneer walls that perform either of two functions. Some of them provide the edges of the access walkways that allow pedestrian circulation to the main entrance and to the amenities along the Linden Street façade. Others of them provide the beds in which the landscaping is planted. While



these walls are generally less than four feet in height, the Board finds that the architectural walls are not retaining walls in the sense of Section 22D, and are therefore exempt from the requirements of Section 22D.

***b. Stacker parking***

The Applicant proposes to use a semi-automated lift-sliding stacker parking system (the "Stacker System") at the garage level to maximize the number of parking spaces available at the garage level. The Stacker System is a two-level vehicle storage and retrieval system for storing cars in vertical and horizontal arrays, with the upper storage level at the garage floor grade, and the lower level of storage in a pit below that grade.

To park a car, the resident presses a key fob or control panel to open a safety gate and allow the car to be driven into the lift-sliding platform. After the driver exits and the safety gate is lowered, the programmable logic controller software lifts and slides the various cars already stored to clear a path for the car to be moved to its assigned position. To retrieve the car, the driver activates the control panel, and the software reverses the process and moves the desired car to the entrance position and opens the safety gate. The retrieval process generally takes under a minute, and the driver receives direct access to the car without removing other vehicles from the Stacker System.

The Stacker System is operated by separate electric motors that slide and lift the platforms to the desired position, and those motors are equipped with limit switches which constrain motions to the correct system levels and positions. Motion sensors and lasers detect obstructions within the Stacker System and stop operation in an emergency. A sprinkler system is provided for both the at grade vehicles and for those in the pits below.

**The Architecture**

***c. Density***

The only completed project in a RIO District is Waterstone at Wellesley at 27 Washington Street. According to data presented by the Planning Department staff, the density of that project is 1,664 sf per dwelling unit, which meets the RIO District density requirements for an assisted living project.

Since the Project has 39 units on 1.88 acres, the density of the Project is 24.6 units/acre or 2,099 sf per dwelling unit. Since the RIO District requirement for minimum building density of a conventional market-rate project is 1,800 sf per dwelling unit, the Project meets the RIO density requirements.

***d. Height and bulk***

Under the terms of the Zoning Bylaw, the height of a building is measured from the average grade to the peak of the roof. For the Delanson Building, that height is approximately 35.9 ft, meeting the height allowed in the RIO District. Further, the building is sited vertically such that the garage level is at the elevation of Linden Street, which is near the low point on the Site and thereby minimizes the overall apparent height of the Delanson Building.

The Affordable Units are similar in size and height to the surrounding neighborhood structures, and present no undue issues with respect to height and bulk.

Overall, the height and bulk of the Delanson Building is significant when compared to the other single-family residential structures in the neighborhood, though the height and bulk are similar to the commercial buildings across Linden Street from the Project and those further to the east on Linden Street.

***e. Architectural details***

The exterior of the building has been designed in a way to break down its scale, emphasizing a more horizontal nature through a series of horizontal datums, bays, setbacks and material changes. The ground floor will be combination of light-toned masonry and natural woods with glazed openings for the lobby and concierge office, while the upper floors will contain materials more native to the surrounding neighborhood, using varying cladding textures but maintaining a complimentary color palette. Windows on the upper floors will be broken down with muntins to give a more traditional feel and scale while also providing plentiful natural light for the residents. Given the current steep grading across the Site, the Delanson Building will be nestled into the landscape using a series of landscaped terraces at the rear to minimize any potential impact on neighboring properties. The cornice of the new building will be lower than a majority of the roofs of the surrounding homes.

The Board acknowledges that the proposed architectural elements will not eliminate the mass of the building but these features should help to mitigate its visual impact.

***f. Stormwater Management***

The stormwater management system will be comprised of three parts. The first system is designed to capture run-off from the Oakencroft Road watershed to the west of the Project through collection in an open basin. The basin will evaporate water and will have an outlet control structure that will direct water to the space between the retaining walls along the western property line, from where it will weep through the lower wall and flow overland to the precast stormsafe unit that overflows to the second system. The second system is an underground infiltration system that captures stormwater from the northerly side of the Delanson Building, and the roof, and recharges it to groundwater, with an overflow to the drainage system in Hollis Street. The third system is another underground infiltration system located on the Linden Street side of the Delanson Building that captures water from the roof drains, the drive, and stairs and recharges it to groundwater, with an overflow to the closed drainage system in Linden Street.

The subsurface infiltration chamber systems were designed to accommodate peak flow generated by all storms up to the 100-year storm event. Parking areas will be contained within the building and will drain to oil/sediment traps prior to discharge into the municipal sewer system.

In the pre-development and post-development stormwater analysis, the watershed area analyzed was approximately 3.1 acres consisting of the Site and offsite tributary areas.

Drainage calculations were performed by employing accepted industry practice for the 2, 10, 25, and 100-year Type III storm events.

A comparison of the pre-development and post-development peak rates of runoff indicates that the peak rates of runoff and runoff volumes for the post-development condition will be equal to or less than the pre-development condition for all storm events.

### **3. *On-site Parking***

On-site parking will be provided for 74 vehicles consisting of eight exterior surface visitor parking spaces, two exterior curb-side limited time spaces and 64 parking spaces in a parking garage located beneath the Delanson Building, or a parking ratio of approximately 2.46 spaces per dwelling unit, meeting the RIO parking requirements.

The garage level contains 12 single parking spaces (including three accessible ADA spaces), 16 single stacker spaces, and 36 tandem stacker spaces, for a total of 64 parking spaces. The eight exterior surface parking spaces include eight standard spaces, no compact spaces, and no accessible spaces.

### **4. Off-Site Impacts**

#### ***a. Transportation Assessment***

Transportation impacts due to the Project were studied when the Applicant engaged Vanasse & Associates, Inc. (VAI) to conduct a "Transportation Impact Assessment" dated July 2020 (the "TIA") in order to determine the potential impacts on the transportation infrastructure associated with the proposed construction.

The TIA was prepared in consultation with the Massachusetts Department of Transportation (MassDOT) and the Town; was performed in accordance with MassDOT's Transportation Impact Assessment Guidelines and the traffic review standards for a Project of Significant Impact as defined in the Town's Zoning Bylaw; and was conducted pursuant to the standards of the traffic engineering and transportation planning professions for the preparation of such reports.

The TIA evaluated i) access requirements; ii) potential off-site improvements; and iii) safety considerations; under existing and future conditions, both with and without the Project. Because the TIA had undergone a peer review as part of the Planning Board's Project of Significant Impact review, the Board elected not to engage a separate peer reviewer for the TIA. The results of the TIA are described below.

#### ***b. Site access***

Access to the Delanson Building resident parking will be provided by way of a driveway that will intersect the northern side of Linden Street approximately 100 ft west of the Hollis Street intersection. A second driveway, located on Hollis Street about 220 ft north of the Linden Street intersection provides access to the guest parking and the emergency access fire lane.



Access for the Affordable Units is provided via a driveway on the western side of Hollis Street, approximately 350 ft north of the Linden Street intersection.

The Site access has been reviewed by both the Applicant's traffic engineer and the Planning Board's traffic peer reviewer (under the PSI process), who concur safe and efficient vehicular, pedestrian and bicycle access will be provided to the Project site and the Project can be accommodated within the confines of the existing and improved transportation system.

***c. Public Transportation***

Public transportation services are provided within the study area by the MBTA (Commuter Rail) and the MetroWest Regional Transit Authority (MWRTA) (fixed-route bus service), and are accessible to residents of the Project. Wellesley Square Station on the Framingham/Worcester Line of the MBTA commuter rail system is located opposite the Project site along the south side of Linden Street. MWRTA bus Route 8 provides service along Linden Street with a stop at Crest Road, which is within a one-minute walking distance of the Project site. In addition to scheduled stops, MWRTA buses also operate in a passenger demand service mode and will stop anywhere along the service route where it is safe to pick-up or discharge a passenger. The MWRTA also provides Paratransit Services for passengers who meet ADA requirements and provides transportation services for seniors and the disabled through the Wellesley Council on Aging.

In an effort to encourage the use of alternative modes of transportation to single-occupant vehicles, the Project includes the collection and distribution of educational materials to make new residents aware of the public transportation opportunities available to them as new residents.

***d. Vehicular Traffic***

The study area for the Project was selected to contain the major roadways providing access to the Project site, Linden Street and Hollis Street, as well as intersections at Linden Street/Weston Road; Linden Street/Crest Road; Linden Street/Delanson Circle/MBTA Commuter Parking Lot Driveway; Linden Street/Hollis Street; and Linden Street/Everett Street.

Given the availability of public transportation services to the Site (MBTA commuter rail and MWRTA bus service), the interconnected network of sidewalks and on-road bicycle accommodations, VAI expected that a portion of the residents of the Project will use public transportation services, walk or bicycle, thereby reducing the volume of automobile traffic generated by the Project. In order to determine the proportion of residents that may use public transportation, walk or bicycle as their primary mode of transportation, VAI reviewed travel mode data obtained from the 2011-2015 American Community Survey (ACS) for the Town of Wellesley. In order to provide a conservative (high) analysis condition from which to assess the potential impact of the Project on the transportation infrastructure, VAI

assumed that 75 percent of the trips generated by the Project would consist of automobile trips, with 15 percent of trips assumed to be made using public transportation and 10 percent consisting of pedestrian/bicycle trips. The public transportation rate is slightly higher than the 11 percent utilization documented in the ACS and reflects the close proximity of the Project site to the Wellesley Square Commuter Rail Station. Conversely, the 10 percent pedestrian/bicycle rate is lower than the ACS rate of 13 percent.

Using trip-generation statistics published by the ITE, after applying appropriate adjustments to account for the use of public transportation and pedestrian and bicycle trips, Project is expected to generate approximately 164 automobile trips, 38 transit trips and 24 pedestrian/bicycle trips on an average weekday (two-way, 24-hour volumes), with ten automobile trips (two vehicles entering and eight exiting), three transit trip and one pedestrian/bicycle trip expected during the weekday morning peak-hour, and 15 automobile trips (ten vehicles entering and five exiting), three transit trips and two pedestrian/bicycle trip expected during the weekday evening peak-hour.

Independent of the Project, both the Weston Road/Linden Street and Weston Road/Central Street intersections were found to have motor vehicle crash rates that were above the MassDOT average crash rates for a signalized or unsignalized intersection, as appropriate. In an effort to advance safety improvements at this location that are warranted as a result of existing conditions, the Applicant will facilitate the completion of a Road Safety Audit in order to identify improvements strategies for this intersection. In addition, the Applicant will design and implement an optimal traffic signal timing plan to improve overall traffic operations. With implementation of an optimal traffic signal timing plan overall intersection operations are predicted to remain at LOS F during the weekday morning peak-hour with reduced motorist delay, and to improve to LOS D (from LOS E) during the weekday evening peak-hour (an improvement over No-Build conditions).

Finally, lines of sight to and from the Project driveways were found to exceed or could be made to exceed the required minimum distance for the intersection to function in a safe manner; clear line of sight is provided to and from the Project driveways along both Hollis Street and Linden Street.

In consideration of the above, the TIA concluded that the Project can be accommodated within the confines of the existing transportation infrastructure in a safe manner with implementation of the recommendations provided in the TIA.

***e. Pedestrian Facilities***

A comprehensive field inventory of pedestrian and bicycle facilities within the study area was undertaken in March 2020, consisting of a review of the location of sidewalks and pedestrian crossing locations along the study roadways and at the study intersections, as well as the location of existing and planned future bicycle facilities.

The TIA reports that sidewalks are generally provided along one or both sides of the study area roadways, with marked crosswalks provided for crossing one or more approaches of

the study intersections. An inventory of sidewalk conditions along the Project site frontage and within 600 feet of the Project site indicates that the sidewalks are generally in good condition, with Americans with Disabilities Act (ADA) compliant wheelchair ramps and detectable panels provided at the crossings, with the exception of the driveway at the Tailby Parking Lot.

The pedestrian volume data at the study intersections indicates that the largest number of pedestrian crossings occurred along the south side of Linden Street at One Hollis Street during both the weekday morning and evening peak hours (31 to 26 crossings were observed).

#### ***f. Bicycle Facilities***

Linden Street, Weston Road and portions of Crest Road generally provide sufficient width (combined travel lane and paved shoulder) to support bicycle travel in a shared traveled-way configuration. Bicycle activity at the study area intersections was found to be relatively modest, with bi-directional bicycle volumes found to be approximately two bicyclists during the peak hours.

### **5. Utilities**

Within Linden Street and Hollis Street, the Site is served by a variety of public utilities including water, sewer, natural gas, stormwater, electric, telephone and cable.

#### ***a. Water and Sewer***

The Project will include abandoning all existing water service connections for Delanson Circle, retaining the two water services for 12-14 and 16-18 Hollis Street and proposing two new services to the existing ten inch main in Linden Street. The daily water usage for the Project is estimated at 30,096 gpd (0.05 cfs).

The Project will include abandoning all five existing sewer services at Delanson Circle, retaining the two sewer service connections to 12-14 and 16-18 Hollis Street, and adding one new sewer connection. The total estimated sewage flow is 30,096 gpd (0.05 cfs). This is an increase of 17,556 gpd over pre-development conditions.

#### ***b. Solid Waste***

Solid waste will be collected from the northerly side of the Delanson Building one story above the garage-level storage area by a private removal company presumably engaged by the condominium association. The private removal company will access the service elevator to transport trash to the waiting collection vehicle.

The Project will not adversely affect the Town's Recycling and Disposal Facility.

#### ***c. Electric Service***

The building electric service will be fed from Hollis Street to a transformer located between the Delanson Building and 12-14 Hollis Street. The electric service will consist of one switchboard to be located in the main electrical room at the garage level and distribute power throughout the entire

building via a riser run through each residential level. The riser will consist of combination of conduits and wires. Based on the calculations the Project demand load will be 775kVA and will require approximately 2,500 amps at 120/208V, 3phase, 4 wire service. All apartments will be separately metered. There will be a separate house meter to feed the common area loads. The Wellesley Municipal Light Plant has confirmed that existing facilities available in Hollis Street can support such electric service.

***d. Private Utilities***

Natural gas, telephone service, and cable service can be provided on the same basis as to other residences in the Town.

**6. Environmental Considerations**

There are no wetlands located on the Site, and the Site is not located within the Water Supply Protection District. Review of available environmental databases such as MassGIS reveals that the Site is not located within a mapped Natural Heritage Endangered Species Area, FEMA Flood Insurance Rate Map Panel No. 25021C0016E, or a Contributing Watershed to Outstanding Resource Water.

Other than customary snow and ice control chemicals and fuel stored in the automobiles parked in the garage, storage of chemicals that would threaten groundwater or surface water is not part of the Project.

**8. Signage**

The submitted drawings show a hint of a sign over the main entrance on Hollis Street adjacent to the corner at Linden Street, but insufficient information is provided to make a comparison to the RIO District sign requirements. The addition of such signs will require the customary sign permit from the Building Inspector

The submitted drawings indicate that signage related to traffic and parking control on the Site will comply with the applicable standards of the Manual of Uniform Traffic Controls.

**RESOLUTION OF PRINCIPAL CONCERNS**

**1. Ledge Removal**

During the public hearing the Board thought about the controlled blasting at the Site for ledge removal, and whether such controlled blasting might adversely impact infrastructure and pipelines that underlie Linden and Hollis Streets, as well as the steep slopes both on the Site and across Linden Street at the Tailby Parking Lot and whether such controlled blasting would place responsibility for repairs on the Town rather than the Applicant.

The controlled blasting plan submitted by the Applicant indicates that the level of vibrations from the controlled blasting is limited to levels low enough to avoid damage to plaster materials. Since the infrastructure and pipelines are constructed of concrete

and steel materials substantially stronger than plaster, the Board concludes that adverse impacts to the underground infrastructure are unlikely and further that the required permitting from the Fire Department under 527 CMR 1.00, and Fire Department personnel on site to monitor actual controlled blasting operations, will make the controlled blasting safe. In addition, however, the Board recognizes that controlled blasting is regulated by the Commonwealth and is outside of the authority of the Board under the Zoning Bylaw.

## **2. Retaining Walls**

The Approved Plans (as defined below) show retaining walls along the western and northern boundaries and along Hollis Street and at the main entrance to the Delanson Building at the corner with Hollis and Linden Streets. The Board reviewed these retaining walls to assure that the Board did not have to consider whether the retaining walls required a special permit under Section 22D of the Zoning Bylaw.

The Board has examined aerial photographs of the Site and its surroundings, those Approved Plans showing the location and extent of the retaining walls, and the proposed designs of the different sections of retaining walls. The Board concludes that the design of the retaining walls is of two different types, depending on whether the wall is principally functional, along the western and northern boundaries, or principally architectural, along the Hollis Street frontage and the Delanson Building entrance at the corner of Hollis and Linden Streets. All of the functional retaining walls along the western and northern boundaries, including terraced walls, are further than 10 ft from the property line, and therefore do not require a special permit under Section 22D of the Bylaw.

The architectural walls along the Hollis Street frontage are ledgerstone veneer walls that perform either of two functions. Some of them provide the edges of the access walkways that allow pedestrian circulation to the main entrance and to the amenities along the Linden Street façade. Others of them provide the beds in which the landscaping is planted. While these walls are generally less than four feet in height, the Board finds that the architectural walls are not retaining walls in the sense of Section 22D, and are therefore exempt from the requirements of Section 22D.

## **Submittals from the Applicant**

- Letter to Zoning Board of Appeals, dated January 20, 2021, re: Wellesley Square Residences – Delanson Circle – Application for Site Plan Approval, from Ryan Noone, Architect, EMBARC
- Application for Site Plan Approval
- Site Plan Approval Review Plans and Submittal Checklist
- Development Prospectus

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- Letter to Zoning Board of Appeals, dated January 20, 2020, re: Wellesley Square Residences – Delanson Circle Construction Management Plan (CMP) Review, from John Hernon, Rise Construction Management
- Construction Management Plan, dated October 16, 2020, prepared by Rise Construction Management
- Letter to Zoning Board of Appeals, dated January 20, 2021, re: Transportation Improvements, from Jeffrey S. Dirk, P.E., PTOE, FITE, Vanasse & Associates, Inc.
- Letter to Donald McCauley, dated October 2, 2020, re: Transportation Improvement Program, from Jeffrey S. Dirk, P.E., PTOE, FITE, Vanasse & Associates, Inc.
- Memorandum to Delanson Realty Partners, LLC, dated January 12, 2018, edited January 15, 2021, re: Geotechnical Summary Report – Proposed Residential Building, from Kevin M. Martin, P.E., KMM Geotechnical Consultants, LLC
- Cut/Fill Take Off, prepared by Rise, revised February 24, 2021
- Hydrant Flow Test Report, dated October 28, 2020, from TCW Utility Services, Inc.
- Wellesley Square Residences Controlled Blast Plan, dated October 23, 2020, prepared by Maine Drilling & Blasting, Inc.
- Manufacturer's Specifications for CT4000 ChargePoint Level 2 Commercial Charging Stations
- ParkPlus LShd Lift-Sliding Semi-Automated Parking System
- Drainage Calculations and Stormwater Management Plan, dated January 20, 2021, prepared by Bradley C. McKenzie, P.E., McKenzie Engineering Group
- Transportation Impact Assessment, dated July 2020, prepared by Vanasse & Associates Inc.
- Memos to Zoning Board of Appeals, dated March 30, 2021 & April 5, 2021, from Nick Ogonowsky, Development Manager
- Tree Removal and Replanting Totals, dated March 18, 2021
- Memorandum to Ryan Noone, dated March 29, 2021, re: Wellesley Square LEED BD+C: Lowrise Draft Narrative, from Price Sustainability Associates
- Memorandums, dated March 31, 2021, re: Improvement Specifications – Hollis Street, from EMBARC
- Memorandum, dated March 15, 2021 & March 31, 2021, re: Summary of drawing/design changes, from EMBARC
- Memorandum, dated March 31, 2021, re: Site Plan Approval – Board Comments, from EMBARC
- Memorandum, dated March 15, 2021, re: List Plan Changes from App. For Site Plan Approval Submittal, from Verdant Landscape Architecture
- Calculation of Required Water Quality Flow for Sizing of Stormwater Treatment System, dated February 8, 2021, from Hydro International Stormwater

2021 APR 14 P 2:43

<b>Plan Number</b>	<b>Drawing Title</b>	<b>Date of Issue</b>	<b>Prepared By</b>	<b>Date of Revision</b>
A00	Cover Sheet – with Locus Map	1/20/21	Dartagnan Brown, RA	
A01-A.0	List of Changes-Design Review	1/20/21	Dartagnan Brown, RA	3/10/21
A01-B	List of Changes-PSI	1/20/21	Dartagnan Brown, RA	3/10/21
A01-C	Graphic List of Changes	1/20/21	Dartagnan Brown, RA	3/10/21
EX-1	Existing Conditions Plan	1/20/21	Richard J. Hood, RLA	3/10/21
B-1	Boring Log Plan	1/20/21	Bradley C. McKenzie, P.E.	3/10/21
C-1	Site Development Plan	1/20/21	Bradley C. McKenzie, P.E.	2/12/20/, 10/27/20, 3/10/21, 3/24/21
C-2	Grading & Drainage Plan	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-3	Utility Plan	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-4	Site Cross Section A-A Plan	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-5	Site Cross Section B-B Plan	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-6	Drainage Plan & Profile	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-7	Drainage Plan & Profile	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-8	Drainage Plan & Profile	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-9	Sewer Plan & Profile	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-10	Turning Movement Plan Passenger Car	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-11	Turning Movement Plan Refuse & Delivery	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-12	Turning Movement Plan Fire Truck	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21

C-13	Turning Movement Plan Ambulance	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-14	Construction Details	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-15	Construction Details	1/20/21	Bradley C. McKenzie, P.E.	3/10/21
C-16	Construction Details	1/20/21	Bradley C. McKenzie, P.E.	
C-17	Construction Details	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
C-18	Construction Details	1/20/21	Bradley C. McKenzie, P.E.	3/10/21
C-19	Erosion & Sedimentation Control Plan	1/20/21	Bradley C. McKenzie, P.E.	
C-20	Sight Triangle Plan	1/20/21	Bradley C. McKenzie, P.E.	2/21/, 3/10/21, 3/24/21
L1	Landscape Plan	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L2	Landscape Plan Enlargement	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L3	Landscape Plan Enlargement	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L4	Landscape Plan Roof Plan	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L5	Landscape Plan Roof Plan Enlargement	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L6	Tree Replanting Plan	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L7	Planting Plan	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L8	Planting Plan Enlargement	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L9	Site Details	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L10	Wall Types	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L11	Sections & Materials	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21
L12	Sections	1/20/21	Katya Podsiadio, LA	3/10/21, 3/29/21

A02	Aerial Site Plan	1/20/21	Dartagnan Brown, RA	
A03	Existing Site Photos	1/20/21	Dartagnan Brown, RA	
A04	Site Plan	1/20/21	Dartagnan Brown, RA	3/10/21, 3/29/21
A05	Site Lighting & Snow Storage Plan	1/20/21	Dartagnan Brown, RA	3/10/21, 3/29/21
A10	Basement Parking Plan	1/20/21	Dartagnan Brown, RA	3/10/21
A11	1 <sup>st</sup> Floor Plan	1/20/21	Dartagnan Brown, RA	3/10/21, 3/29/21
A12	2 <sup>nd</sup> Floor Plan	1/20/21	Dartagnan Brown, RA	
A13	3 <sup>rd</sup> Floor Plan	1/20/21	Dartagnan Brown, RA	
A14	Roof Plan	1/20/21	Dartagnan Brown, RA	3/10/21
A20	South Elevation-Linden Street	1/20/21	Dartagnan Brown, RA	3/10/21
A21	East Elevation-Hollis Street	1/20/21	Dartagnan Brown, RA	
A22	North & West Elevations	1/20/21	Dartagnan Brown, RA	
A23	Courtyard Elevations	1/20/21	Dartagnan Brown, RA	
A29	Section Axon & Building Materials	1/20/21	Dartagnan Brown, RA	
A30	Building Sections	1/20/21	Dartagnan Brown, RA	
A40	Retaining Wall Key Plan	1/20/21	Dartagnan Brown, RA	3/10/21
A41	Retaining Wall Sections -1	1/20/21	Dartagnan Brown, RA	3/10/21
A42	Retaining Wall Sections -2	1/20/21	Dartagnan Brown, RA	3/10/21
A43	Retaining Wall Sections -3	1/20/21	Dartagnan Brown, RA	
A44	Retaining Wall Elevations	1/20/21	Dartagnan Brown, RA	3/10/21
A91	Rendering View 1	1/20/21	Dartagnan Brown, RA	

A92	Rendering View 2	1/20/21	Dartagnan Brown, RA	
S9.0	Retaining Wall General Notes	1/20/21	Jeremiah O'Neil, P.E.	
S9.1	Retaining Wall 1	1/20/21	Jeremiah O'Neil, P.E.	
S9.2	Retaining Wall 11	1/20/21	Jeremiah O'Neil, P.E.	
S9.3	Retaining Wall 111	1/20/21	Jeremiah O'Neil, P.E.	
P001	Plumbing Legend, Schedule, & Details	1/20/21		
P10U	Plumbing Underground Plan	1/20/21		
P100	Plumbing Basement Parking Plan	1/20/21		
TR-001	Rise Construction Management Plan Cover	10/23/20		
TR-002	General Notes, Schedule, and Sign Summary	10/23/20		2021 APR 14 P 2:43
TR-003	Construction Management Details	10/23/20		
TR-004	Site Preparation and Demolition	10/23/20		
TR-005	Utility Connections – Stage 1	10/23/20		
TR-006	Utility Connections – Stage 2	10/23/20		
TR-007	Utility Connections – Stage 3	10/23/20		
TR-008	Utility Connections – Stage 4	10/23/20		
TR-009	Drilling and Blasting	10/23/20		
TR-010	Retaining Wall	10/23/20		
TR-011	Foundations – Phase 1	10/23/20		
TR-012	Foundations – Phase 11	10/23/20		
TR-013	Podium	10/23/20		
TR-014	Superstructure and Finishes	10/23/20		



TR-015	Truck Turning Maneuvers	10/23/20		
TR-016	Truck Turning Maneuvers	10/23/20		
TR-017	Truck Turning Maneuvers	10/23/20		
TR-018	Truck Turning Maneuvers	10/23/20		
TR-019	Truck Turning Maneuvers	10/23/20		
TR-020	Truck Turning Maneuvers	10/23/20		
TR-021	Truck Route	10/23/20		
TR-022	Off-Site Parking Plan	10/23/20		
A03.1	Hollis Street Existing Photographs	1/20/21	Dartagnan Brown, RA	3/29/21
A50	12-14 Hollis Street – Floor Plans	1/20/21	Dartagnan Brown, RA	3/29/21
A51	16-18 Hollis Street – Floor Plans	1/20/21	Dartagnan Brown, RA	3/29/21
A52	12-14 Hollis – Proposed Elevations	1/20/21	Dartagnan Brown, RA	3/29/21
A53	18-18 Hollis – Proposed Elevations	1/20/21	Dartagnan Brown, RA	3/29/21
P-1	Utility Pole Relocation Plan	3/29/21	Bradley C. McKenzie, P.E.	
TPMP-1	Tree Protection & Mitigation Plan 1-3 Delanson Circle	3/16/21	Richard J. Hood, RLS	
TPMP-2	Tree Protection & Mitigation Plan 2-4 Delanson Circle	3/16/21	Richard J. Hood, RLS	
TPMP-3	Tree Protection & Mitigation Plan 5-7 Delanson Circle	3/16/21	Richard J. Hood, RLS	
TPMP-4	Tree Protection & Mitigation Plan 6 Delanson Circle	3/16/21	Richard J. Hood, RLS	
TPMP-5	Tree Protection & Mitigation Plan 8 Delanson Circle	3/16/21	Richard J. Hood, RLS	

GA2-6M	4-FT Diameter Up-Flo Filter	3/20/12	Hydro International	2/02/15
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(collectively, the "Approved Plans")

**Submittals on behalf of the Town of Wellesley:**

On March 18, 2021, the Design Review Board reviewed the project and submitted comments.

On February 18, 2021, Deputy Chief Stephen Mortarelli, Wellesley Fire Department, reviewed the Project and submitted comments.

On March 18, 2021, the Planning Board reviewed the project and submitted comments.

On February 8, 2021 and March 18, 2021, George Saraceno, Senior Civil Engineer, Town of Wellesley, Department of Public Works, Engineering Division, reviewed the project and submitted comments.

**DECISION**

The Applicant has requested from the Board the issuance of a site plan approval permit subject to the Zoning Bylaw Section 16A, §§.(C)(2)(a) and (b), authorizing the Applicant to construct the Project.

The Board has made a careful study of the materials submitted and the information presented at the hearing, and has documented the results of the study above. Based on the results of the study, on April 14, 2021 the Board voted unanimously to grant the Special Permit pursuant to Section 16A of the Zoning Bylaw for a Major Construction Project subject to Site Plan Review.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans. If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

**CONDITIONS TO THE DECISION**

The Board's approval of the Site Plan Approval Permit is subject to the Applicant's and the Project's compliance with the following conditions. All requirements imposed by these conditions or this Site Plan Approval Permit shall be applicable to the Applicant, its successors and assigns, and all owners and residents of the Project, regardless of whether the condition specifically identifies the Applicant or no entity as having responsibility for a particular condition.

**General**

1. This Permit authorizes the construction, use and occupancy of a project comprised of one residential building containing 35 dwelling units, along with associated parking and infrastructure, as well as the renovation of two existing residential dwellings as shown on the Approved Plans above.
2. The Project shall be constructed in accordance with the Approved Plans and written materials specified above, subject to modifications required below:
3. By accepting this Site Plan Approval the Applicant agrees to the terms, covenants and conditions and agreements contained herein.
4. Except for the relief granted by the Board as listed in these Conditions, the Applicant shall comply with all provisions of the Zoning Bylaw and general bylaws generally applicable to a project approved in April, 2021. No fees are waived in connection with the Project. Fees shall be those then in effect at the time of application for the permit or approval subject to the fee.
5. Contract documents, including working drawings and specifications for the Project shall undergo the usual and customary review and approvals of the Building Inspector, the Town Engineer, or any other applicable local inspector or board.
6. The Project shall be designed and constructed substantially in compliance with the drawings and data submitted with the Application for Site Plan Approval, except as modified by these Conditions.

**Design Conditions**

7. Design and construction of the Project shall fully comply with all applicable federal and state laws and regulations, including, but not limited to, the requirements of the Massachusetts State Building Code (780 CMR) and the Massachusetts Architectural Access Board (521 CMR). The Project shall be designed and constructed on the Site in accordance with the Plans, except as provided in this Site Plan Approval, including these Conditions. Any requirement of consistency with the Plans means as those Plans are modified by the Conditions.
8. The Project shall contain a total of 74 parking spaces, with 64 garage parking spaces and 10 surface parking spaces, as shown on the Approved Plans.

9. There shall be no pavement added to the Project beyond that which is depicted on the Approved Plans and there shall be no additional accessory structures added to the Project or to the Site other than what is shown on the Approved Plans.
10. All utilities to serve the Site shall be installed underground (with the exception of junction boxes, transformers and similar appurtenances) by the Applicant using methods standard to those installations. Utilities shall include electric service lines, gas service, telephone lines, water service lines, CATV lines, municipal conduit, and the like.
11. The water, wastewater, drainage, and stormwater management systems servicing the buildings shall be installed and tested in accordance with applicable Town standard requirements and protocols.

#### **Construction Conditions**

12. The Applicant shall implement its "Construction Management Plan – 8 Delanson Circle" dated October 16, 2020, as modified by these Conditions.
13. During the period of construction, all construction equipment and materials deliveries shall utilize: (1) Route 9 to Weston Road to Linden Street to Site; or (2) any other such route as specified in the Construction Management Plan; or (3) any other such route not prohibited in the Construction Management Plan as the Applicant shall agree with the Wellesley Police Department prior to its use.
14. During the period of construction, all deliveries of construction materials and equipment shall be made only on Monday through Friday no earlier than 9:00 a.m. and no later than 2:00 p.m. while schools are in session, and no earlier the 7:00 a.m. and no later than 6:00 p.m. when schools are not in session. Except for utility work in Linden Street, construction work may be performed on the Site Monday through Friday commencing not earlier than 7:00 a.m. and completing not later than 6:00 p.m., or Saturday commencing not earlier than 8:00 a.m. and completing not later than 4:00 p.m. No work shall be performed on Sundays or local, state or national holidays celebrated in the Town. Utility work in Linden Street shall be performed Monday through Thursday at night commencing not earlier than 8:00 p.m. and

completing the following morning not later than 6:00 a.m. except on local, state or national holidays celebrated in the Town.

15. During the period of construction, on-site parking for construction workers and for construction equipment is specifically permitted, and no vehicles of construction workers and no construction equipment shall be parked on Linden Street, Hollis Street or any other public way of the Town. In the event that construction parking demand exceeds the on-site parking supply, construction workers are permitted to park in the Tailby Municipal Lot, but only up until August 31, 2021. After August 31, 2021 such parking in the Tailby Municipal Lot is prohibited, and the Applicant will provide for construction parking at such private lots as the Applicant can arrange. Trucks and construction vehicles on-site shall shut off engines when not in use, or when idling time exceeds five minutes.
16. All construction and delivery vehicles entering the Site shall stop at an established construction exit for a wheel wash to prevent the entrance of deleterious materials onto the streets of the Town. The Applicant shall cause Linden Street and Hollis Street to be swept as frequently as required in the event that dust, dirt and debris not completely removed by the truck wash are deposited on Linden Street or Hollis Street.
17. Insofar as practicable, refueling of construction equipment on the Site shall be prohibited. In the event that on-site refueling cannot be avoided, such refueling shall be performed with due consideration to spill prevention and control measures that should reasonably be applied.

#### **Use Conditions**

18. The stormwater management system design shall function consistent with the Approved Plans, and with the "Drainage Calculations and Stormwater Management Plan," prepared by McKenzie Engineering Group, Inc. dated January 20, 2021, and shall be maintained by the Applicant or condominium association in accordance with the "Post-Development Phase Best Management Practices Operation and Maintenance Plan/Long-Term Pollution Prevention Plan" dated January 20, 2021.
19. There shall be no parking on the internal Site driveways, outside of designated parking areas shown on the Approved Plans, and there shall be no parking on Linden Street or Hollis Street, with the exception of the two spaces opposite the main entrance, which shall be available for not more than 15 minutes. Residents



shall be informed of the parking restrictions upon execution of the purchase documents and this restriction shall be included in the terms of any tenants' subleases.

20. Landscaping shall be in conformance with the Landscaping Plan and shall be maintained, repaired, or replaced as needed by the Applicant.
21. There shall be no storage of prohibited chemicals, in accordance with Section 14E of the Zoning Bylaw.

2021 APR 14 P 2:44

2021 APR 14 P 2:44

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.

J. Randolph Becker (L.M.)  
J. Randolph Becker, Chairman

Richard L. Seegel (L.M.)  
Richard L. Seegel

Walter B. Adams (L.M.)  
Walter B. Adams

ZBA                      2020-23  
Applicant            Delanson Realty Partners LLC  
Address              1-3, 2-4, 5-7, 6-6A, 8 Delanson Circle & 12-14, 16-18 Hollis Street

**NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK**

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

\_\_\_\_\_  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm