

WELLESLEY PLANNING BOARD

PSI-09-01

#50 Rice Street

Wellesley High School (WHS)

PROJECT OF SIGNIFICANT IMPACT SPECIAL PERMIT DECISION

Pursuant to due notice, the Town of Wellesley Planning Board (“the Planning Board”), acting as Special Permit Granting Authority under the provisions of the Zoning Bylaw, Section XVIA., Part C, Project of Significant Impact (“PSI”), opened a duly advertised public hearing on February 9, 2009 on the application of the School Building Committee and the Permanent Building Committee (“the Applicant”), 525 Washington Street, Wellesley, MA 02482.

The public hearing was continued on February 23, 2009, March 5, 2009, March 23, 2009, April 2, 2009 and April 13, 2009. Each session of the hearing was digitally recorded with the file retained at the Planning Board Office. During the course of the public hearing the full submission package was available for public examination at the Town Hall, Planning Board Office and at the Wellesley Free Library.

After comments were concluded on April 13, 2009, the Planning Board moved, seconded and voted to close the public hearing. All sessions of the hearing were held in the Wellesley Town Hall, 525 Washington Street, Wellesley. Announcement of the date, time and place of all continued sessions was made at the end of the prior session.

Mr. Chan, Mr. McCauley, Ms. Donahue, and Ms. Wasser attended each session of the hearing. Ms. Conroy was not able to attend the February 23, 2009 session of the public hearing. The meeting was audio taped. Ms. Conroy listened to the tape, and under Article 6.8A of the Town Bylaw submitted written certification that she had examined all the evidence presented, therefore she is authorized to vote.

PROJECT DESCRIPTION

The Project involves construction of a new 280,000 square foot high school facility with a footprint of 103,115 square feet on 18.5 acres (805,860 square feet). The new building would be a combination of a 2 story high bay space, 3 story and 4 story spaces. The administration offices, cafeteria, 700-seat auditorium and performing arts spaces are proposed to be located on the ground floor. The gymnasium and physical education spaces are proposed to be located on the second floor. The academic wings are proposed to be four stories each. The project will include several green technologies including: a green roof; a rainwater harvesting system used for toilet flushing; displacement ventilation in computer labs, the library and large group spaces; and a photovoltaic array and geothermal heating/cooling for the administration area.

WRITTEN MATERIALS REVIEWED BY THE BOARD

A definitive submission was made on January 9, 2009, in accordance with the Rules Relative to the Issuance of Special Permits adopted by the Planning Board on September 18, 1990 and revised November 27, 2001. The submission was sent to the Board of Selectmen, the Department of Public Works, the Municipal Light Plant and the Fire Chief for review.

The impact reviews were received by the Planning Board as follows:

Fire Chief, February 2, 2009, and March 19, 2009;
Municipal Light Plant, February 3, 2009 and March 20, 2009;
Department of Public Works, January 15, 2009; February 4, 2009; March 23, 2009, and
April 2, 2009 Board of Selectmen, March 2, 2009

Applicant's Submitted Plans:

Prepared for Wellesley High School, 50 Rice Street, Wellesley, Massachusetts by
Symmes Maini & McKee Associates SMMA, 1000 Massachusetts Avenue, Cambridge, MA 02138;
Howard Stein Hudson Associates, 38 Chauncy Street, Boston, MA 02111

C1.00	Existing Conditions Plan	01/09/09
C2.00	Site Preparation Plan	01/09/09
C3.00	Layout and Materials Plan	01/09/09
C4.00	Grading and Utilities Plan	01/09/09 revised 01/26/09
C6.00	Details I	01/09/09 revised 01/26/09
C6.01	Details II	01/09/09
E0.03	Site Plan	02/05/09 revised 02/27/09

Additional Reports/Correspondence Received:

1/09/09	Submission PSI-09-01 dated 1/7/09
1/12/09	Memo from Rick Brown to Depts. for review of PSI
1/13/09	Report from Beta to Hans Larsen, re: Peer Review of Transportation study dated 12/15/08
1/14/09	Public Hearing Notice sent to abutters, Towns, Depts., DHCD, MAPC, MWGMC
1/15/09	Letter from School Building Committee to High School Neighbors re: various public hearings that are scheduled throughout the Town Depts.
1/16/09	Email from Kathy Mullaney to Lynda Schelling, re: notifying PB that PBC is also an applicant to the project
1/26/09	Letter & Plans from SMMA to Joe Duggan, re: PSI-Water & Sewer Division Comments Letter from Wayne Keefner to David Marchetti, four PDF's; supplements to PSI; hydrant flow/fire pump info.
1/30/09	Letter of Transmittal from SMMA to PB, re: Water & Sewer response letter & C4.00 Grading & Utilities Plan; C6.00 Details I-dated 1/26/09
1/30/09	Memorandum from Elizabeth Peart, Howard Stein Hudson Associates (HSH), to Katherine Babson, re: Seaver Street Driveway Impacts Email from Kenneth Shepsle to BOS, re: HS parking & Traffic Email from Ken Zheng, re: Safety Concern Regarding WHS PSI Application Email from Rise Shepsle, re: WHS PSI Application
1/31/09	Email from Joseph Senecal, re: WHS Traffic Study re Seaver Dr.5 Scenarios & Completeness
2/2009	Report from SMMA, re: Stormwater Pollution Prevention Plan
2/1/09	Email from Nesbitt Hagood, re: HS Traffic Plan
2/2/09	Report from Fire re: review of PSI Email from Eric Senecal to BOS, re: HS Project Traffic Plan Email from Linda Senecal, re: PSI traffic/parking concerns Email from Elizabeth Senecal, re: Traffic Flow & Planning Email from Paul Esposito, re: emergency access – egress to and from HS
2/3/09	Email from Al Weigman to Meghan Jop, re: WHS traffic Email from Meghan Jop to PB; Kathy Mullaney; forwarding Al Weigman email Email from Kathy Mullaney replying to PB on Al Weigman email

Report from MLP re: review of PSI
Email from Martha Collins to BOS & Meghan Jop, re: Peck Street Extension: Please Heed the Past & Keep it Close
Email from Jeanne Mayell to Terry Connolly, re: comments about the town
2/4/09 **Email** from Al Weigman to BOS & PBC, re: Seaver Street access
Email from Eric Senecal to PB & Planning Staff, re: a copy of 2/2/09 email to BOS; and email dated 2/4/09 re: HS traffic analysis completeness
Email forwarded from Tanyalee Williams, re: comments from email, Jeanne Mayell dated 2/3/09
Email from Alison McCann to Meghan Jop & BOS, re: Seaver Corridor/Traffic & Safety at WHS
Email from Kenneth Shepsle to Meghan Jop, re: forwarding prior 1/30/09 email that he sent to the BOS
2/5/09 **Report** from DPW to Rick Brown, re: review of PSI
Letter of Transmittal and Plans from SMMA, re: EO.03 Site Plan, an electrical site plan sent to MLP for review
Email from John & Lana Peta to BOS & Meghan Jop, re: Seaver Street/Peck Avenue Extension and WHS
Email from Joan Schulbert to BOS & Meghan Jop, re: Time to Act!; re: HS Traffic via Peck Street/Seaver St.
2/6/09 **Letter** from Rise Shepsle & Ken Shepsle to Hans Larsen, Greg Mills and Chris Chan, re: opposition of land taking
Email from Linda Senecal, PSI concerns
2/7/09 **Email** from Anita & Jimmy Alden to BOS & Meghan Jop, Success of HS project requires shared burden
2/8/09 **Email** from CG Mayell to BOS & Meghan Jop, re: Dangers of opening the Park Avenue Extension to Traffic
2/9/09 **Email** from Rise Shepsle to Lynda Schelling, re: WHS PSI Application; and copy of 1/30/09 email to Selectmen forwarded to PB
Email from Linda Senecal to Lynda Schelling, re: PSI Concern-forwarded to PB
Email from Eric Senecal re: HS Traffic Analysis completeness
Email from Sue & Bob Chicoski, re:Traffic
2/10/09 **Email** from Diane Warren, re: Seaver Street entrance to the High School
2/11/09 **Email** from Rose Mary Donahue to PB, suggesting a public presentation on the proposed Drainage Plan
Email from Rick Brown to Wayne Keefner, re: Drainage
2/15/09 **Email** from Linda Senecal, Traffic Plan
2/16/09 **Report** from SMMA, re: Stormwater Drainage Feature Summary
2/20/09 **Email** from Anita Alden, re: Public Access to WHS Parking/Traffic Plan
Report from SMMA, re: PSI-Engineering Division Comments
02/23/09 **Petition** from neighborhood residents, requesting a complete analysis of all Traffic Scenarios
Email from Anita Alden, re: Concerns over Process and Tonight's Vote on HS Traffic/Parking Plan
2/26/09 **Email** from Kim & Jim Saffery, re: HS Parking Plan Option 4
2/27/09 **Email** from Martha Collins, re: Please stick with the proposed plan which was vetted by the neighborhood
Letter of Transmittal and E0.03 Site Plan, re: PSI Comments
3/2/09 **Memo** from BOS, Hans Larsen re: approval of HS Traffic Study
3/5/09 **Email** from George & Mary Moore, re: Impact of Traffic Flow
Power Point Presentation from SMMA, re: Project of Significant Impact No.3
Memo from Elizabeth Peart, HSH, to Kathy Mullaney, re: WHS Response to Planning Board Comments
3/7/09 **Email** from Linda Senecal, re: issue to consider

3/9/09 **Letter** from SMMA, re: PSI Comment; response letter
Email from Christopher Chan to Meghan Jop, re: Questions on March 5, 2009 HSH memo

3/11/09 **Email** from Anita Alden, re: WHS Design Review-Important Considerations

3/12/09 **Email** from Christopher Chan to Meghan Jop, re: Questions on March 5, 2009 HSH memo

3/13/09 **Email** from Elizabeth Peart, HSH, re: Questions on March 5, 2009 HSH memo

3/19/09 **Report** from the Fire Department , re: PSI-09-1, High School PSI
Memo from Howard Stein Hudson, re: Response to Additional Planning Board Comments

3/20/09 **Email** from Meghan Jop to Depts asking for written confirmation from PSI review
Email from Don Newell, MLP re: review of PSI

3/23/09 **Letter** from Doug Stewart, re: DPW response & review
Letter from SMMA, re: PSI Response Letter-Water & Sewer Division Comments
SMMA Power Point Presentation 03/05/09 including Stormwater, Bus Drop Off, and Ridership information

3/24/09 **Email** from Linda Senecal, re: concerns to be passed to PB members on continuation of Peck Ave. Extension to new parking lot
Email from K. Shepsle, re: concerns to be passed to PB members on continuation of Peck Ave. Extension to new parking lot

3/26/09 **Memo** from Howard Stein Hudson, re: Response to Additional Planning Board Comments from 3/19/09 meeting.
Email from Wayne Keefner, re: 3/9/09 emails to & from Doug Stewart on the PSI Recycling Comments

3/30/09 **Memo** from Howard Stein Hudson, re: Response to Additional Planning Board Comments from March 19 meeting
Email from Wayne Keefner to Meghan Jop, re: Wellesley High School – Child Development Lab Program Information

4/01/09 **Letter** from Rise Shepsle to Planning Board

4/02/09 **Letter** from Doug Stewart, re: Wellesley High School – Project of Significant Impact PSI-09-01
Letter from Wayne Keefner to Doug Stewart re: Wellesley High School Sidewalks
Letter from Kien Ho of Beta Group, Inc. to Hans Larsen re: Response to March 23rd Planning Board Hearing Comments
Memo from Rose Mary Donahue to Meghan Jop re 04/02/09 Beta Group, Inc. Letter
Email from Kien Ho to Meghan Jop re: Response to Rose Mary Comments
Email from Rise Shepsle to Lynda Schelling re: Planning Board
Email from Kien Ho to Hans Larsen and Meghan Jop, re: Response to March 23 Planning Board Hearing
Email from Rose Mary Donahue to Meghan Jop, re: Concern about accident data at Clifford/State/Smith
Letter from Jeanne Conroy, Absent Member Certification

No date **Table 6:** Existing & Proposed Peak Discharge Rate Comparison

4/03/09 **Email** from Kerri Kenny to Meghan Jop, re: 6 questions/comments
Email from Wayne Keefner to Meghan Jop, re: PSI bike racks

4/08/09 **Plan** from SMMA, Proposed Sidewalk Replacement
Plan from SMMA, Proposed Bike Racks
Reports from Wetland Protection Committee- State Street Parking Lot, Basketball Court Parking Lot, Tennis Court Parking Lot

4/09/09 **Draft PSI Decision**
Email from Meghan Jop to Adam Bossi, re: Wetlands Order of Conditions

4/10/09 **Email** from Adam Bossi to Meghan Jop, re: HS Order of Conditions

WETLANDS ORDER OF CONDITIONS

The Town of Wellesley Wetlands Protection Committee on April 8, 2009, issued an Order of Conditions under MGL Ch. 131, § 40 for the State Street Parking Lot (55 Rice Street), the Basketball Parking Lot (55 Rice Street), and the Tennis Court Parking Lot (438 Washington Street).

It is noted the Town of Wellesley Wetlands Protection Committee issued an Order of Conditions under MGL Ch. 131, § 40 for the High School Project on April 30, 2009.

FINDINGS

Based on the herein referenced submittals from the Applicant, other submitted documents and the referenced reviews of the Fire Department, Municipal Light Plant, Board of Selectmen and Department of Public Works, the Wellesley Planning Board:

accepts the analysis and recommendations of the Wellesley Public Works Department dated January 15, 2009; February 4, 2009; March 23, 2009; and April 2, 2009, as sufficient evidence that **WATER CAPACITY, SEWER CAPACITY, STORM DRAINAGE CAPACITY, and RECYCLING AND DISPOSAL SYSTEMS** are sufficient to meet the flow demands and/or standards adopted by the Department of Public Works subject to completion of the project in accordance with the plans and other documents submitted by the Applicant;

accepts the analysis and recommendations of the Wellesley Municipal Light Plant dated February 3, 2009 and March 20, 2009, as sufficient evidence that **ELECTRICAL CAPACITY** is sufficient to meet the peak service demands of the proposed use without causing the service in adjacent areas to fall below the standards adopted by the Municipal Light Board subject to completion of the project in accordance with the plans and other documents submitted by the Applicant;

accepts the **TRAFFIC** recommendations of the Wellesley Board of Selectmen dated March 2, 2009, to approve the Wellesley High School PSI traffic study as being professionally prepared and adequately addressing the traffic and pedestrian safety impacts. These recommendations, along with the recommendations of Beta Group, Inc (the Town Traffic Consultant) dated April 2, 2009 are sufficient evidence that the traffic conditions will meet the Town's PSI standards for level of service and safety, provided the negotiated improvements prescribed below are implemented;

accepts the **PEDESTRIAN AND BICYCLE CIRCULATION** recommendations of the Wellesley Board of Selectmen dated March 2, 2009 and the recommendations from the Department of Public Works, Engineering Division dated April 2, 2009 as sufficient evidence that sidewalks within a walking distance of the Project shall be provided and/or upgraded or repaired so as to be in a safe and convenient condition and consistent with standards of the Massachusetts Highway Project Development and Design Guide; and

accepts the analysis and recommendations of the Wellesley Fire Department dated February 2, 2009 and March 19, 2009, as sufficient evidence that municipal **FIRE PROTECTION AND LIFE SAFETY** measures will meet the operating requirements of the proposed use under applicable codes, regulations and statutes enforced by the Fire Chief subject to completion of the project in accordance with the plans and other documents submitted by the Applicant.

NEGOTIATED IMPROVEMENTS ~ SPECIAL PERMIT CONDITIONS

The Applicant and School Committee have accepted the following improvements/conditions to meet minimum service standards:

WATER CAPACITY

All off-site and on-site work regarding the municipal water system shall be completed to the satisfaction of the Department of Public Works prior to building occupancy as presented in the Applicant's submitted plans and any changes or modifications prescribed in subsequent correspondence between the Applicant and the Town.

SEWER CAPACITY

All off-site and on-site work regarding the municipal sewer system shall be completed to the satisfaction of the Department of Public Works prior to building occupancy as presented in the Applicant's submitted plans and any changes or modifications prescribed in subsequent correspondence between the Applicant and the Town.

STORM DRAINAGE CAPACITY

All off-site and on-site work regarding the storm drainage system shall be completed to the satisfaction of the Department of Public Works prior to building occupancy as presented in the Applicant's submitted plans and any changes or modifications prescribed in subsequent correspondence between the Applicant and the Town.

The Post-Construction Stormwater Operations and Maintenance Plan submitted as part of the "Storm Water Pollution Prevention Plan" prepared by Symmes, Maini & McKee Associates, Inc. dated February 2009 shall be implemented in perpetuity and to NPDES standards, as well as Municipal Stormwater Drainage System Rules and Regulations adopted by the Board of Public Works, to insure proper function of porous pavement, catch basin sumps, and the stormwater management system approved.

ELECTRICAL CAPACITY

All off-site and on-site electrical work, as referenced in the report of the Municipal Light Plant dated February 3, 2009 and March 20, 2009, shall be completed prior to issuance of a Certificate of Occupancy, and prior to making application for final building inspection as presented in the Applicant's submitted plans and any changes or modifications prescribed in subsequent correspondence between the Applicant and the Town.

TRAFFIC AND PEDESTRIAN AND BICYCLE CIRCULATION

Prior to issuance of a Certificate of Occupancy, and prior to making application for final building inspection the Applicant shall work with the Town and shall:

have completed the following traffic and pedestrian safety recommendations described in a Memorandum from H. Larsen, Executive Director, to R. Brown, Planning Director, dated March 2, 2009; including

1. Effect those sight line improvements not requiring land takings at Clifford and Smith, Paine and Rice, Paine and Forest;
2. Install a pedestrian signal at the main crosswalk from the High School to Hunnewell Field;

3. Make best efforts to increase bus utilization through the Travel Demand Management (TDM) strategies proposed; and

In addition to the safety concerns specified above, the Applicant shall work with the Town to:

4. Construct new sidewalks on the school side of Rice, Smith, State, Paine, Clifford, and half of Atwood Street as presented in the Proposed Sidewalk Replacement Plan from SMMA dated 04/08/09. The proposed sidewalks shall be fully ADA compliant;
5. Install a "Do Not Block Intersection" sign on Washington Street on the northwest approach to the Rice Street intersection;
6. Stripe the eastbound lane of Washington Street at the Rice Street intersection with a "box" or alternative "Do Not Block Intersection" markings in a manner acceptable to the Town Engineer;
7. Install advisory speed limit signs along Smith Street, Paine Street, and Seaver Street in a manner acceptable to the Town's Traffic Consultant. If according to the Town's Traffic Consultant, a posted speed sign limit is warranted for northbound drivers on Seaver Street, the Town shall work with the Massachusetts Highway Department to approve and complete its installation;
8. Construct a vegetative buffer area between the rear driveway used for buses and Seaver Street, substantially similar to the plan presented by the Applicant to the Planning Board on March 23, 2009, to mitigate potential conflicts between on-site and off-site traffic;
9. Provide bike racks to ensure bike security and storage at locations which provide safe and convenient access; and
10. Modify as necessary the Seaver Street and Peck Avenue intersection to ensure safe and adequate turning radii for buses.

In addition to the traffic mitigation described above, the School Committee shall:

1. Assign sufficient resources to ensure safe and efficient on-site traffic circulation consistent with a plan that details how on-site traffic circulation, parking, and drop-off and pick-up activities will be administered, managed, and controlled. At the end of each school year, this plan shall be updated as necessary and describe how deficiencies and problem areas will be corrected or resolved;
2. Monitor potential off-site traffic problems on adjacent streets, e.g., unlawful stopping for parking, drop-off, and pick-up along Seaver Street and confer with Town's Police Department;

To mitigate the volume of vehicles entering and exiting the new Wellesley High School, the School Committee shall use best efforts to implement TDM Strategies outlined in the PSI Application Submission dated January 7, 2009, which include:

1. Educating parents, students, and staff about transportation alternatives such as carpooling, bicycling, and walking, including strategies developed by the Safe Routes to School program;
2. Encouraging more students to use the existing bus routes. Enhancing the bus service by providing more buses and/or extending the routes;
3. Providing, as a pilot program for FY2010, reduced bus fees for High School students, and providing a bus for the 8:30 a.m. Block II start, and a late bus at 3:30 p.m.;

4. Extending School and/or Town bus policy beyond just the “study area” of WHS;
5. Promoting walking and bus usage at the elementary schools and middle school levels to establish habits that will continue into high school and reduce the parent drop-off and pick-up activity at the elementary and middle schools;
6. Establishing a database of students by elementary districts to identify and target parent and student ridesharing opportunities;
7. Encouraging more carpooling among staff. Establish a database of staff housing clusters (towns) to identify and target rideshare opportunities;
8. Implementing technology and access to online or CD textbooks to reduce the weight and bulk of backpacks;
9. Providing larger lockers for secure storage of backpacks as well as music and athletic equipment;
10. Providing incentives for consistent bus ridership, walking, and biking to WHS; and
11. Preparing and updating an annual report, as part of the annual onsite circulation plan described above, that reports the progress and effectiveness of these TDM measures and makes recommendations for further improvement.

The Planning Board shall encourage the Department of Public Works to construct a segment of sidewalk on the northern side of Paine Street directly across from the school to link the sidewalk network to Rice Street as part of the annual sidewalk budget. The Planning Board encourages the Town to be alert to opportunities to construct a sidewalk segment on the easterly side of State Street to Washington Street to complete the sidewalk network, as part of any redevelopment of 446 Washington Street (Star Market/Rite Aid).

FIRE PROTECTION AND LIFE SAFETY

The Applicant shall install and complete all off-site and on-site work regarding the municipal alarm system and submitted evacuation plan to the satisfaction of the Fire Chief prior to building occupancy.

REFUSE DISPOSAL SYSTEM

The Applicant shall work with the Town and:

1. Dispose of site-generated refuse to the Wellesley Recycling and Disposal Facility (RDF);
2. Encourage students and staff to recycle;
3. Ensure the provision and location of containers for recyclables to facilitate their use; and
4. Ensure the proposed dumpsters have adequate storage capacity.

Progress updates toward implementation of this recycling program shall become part of the monitoring reports referred to hereafter.

REQUIRED TRAFFIC MONITORING AND REPORTING

A follow up traffic monitoring study shall be conducted no sooner than one year and no later than two years, after all Project and site work have been completed. This study shall be conducted on days on which the school is in session with regularly-scheduled classes (i.e., not on early release days). In accordance with a letter from Beta Group, Inc. to Hans Larsen dated April 2, 2009, the elements of this study shall include:

- Performing turning movement and pedestrian counts (7:00-9:00 AM and 1:30-3:30 PM), accident analysis and capacity analysis using Synchro at each of the following on-site (On) and off-site (Off) intersections:
 - Driveway A & Rice Street (On)
 - Driveway B & Rice Street (On)
 - Driveway C & Paine Street (On)
 - Rear Driveway & Smith Street (On)
 - Seaver Street & Peck Avenue Extension (Off)
 - State Street & Washington Street (Off)
 - Paine Street & Rice Street (Off)
 - Paine Street & Forest Street (Off)
 - Forest Street & Washington Street (Off)
 - Clifford Street & Smith Street (Off)
 - Rice Street & Washington Street (Off)
 - Kingsbury Street & Linden Street (Off)
 - Seaver Street & Wellesley Avenue (Off)
 - Seaver Street & Forest Street (Off)
- Collecting 48-hour automatic traffic recorder (ATR) data including roadway volumes and speeds at the 4 study locations as performed by HSH in April 2008. The locations are as follows:
 - Rice Street, north of Paine Street
 - Smith Street, east of Clifford Street
 - Paine Street, east of Rice Street
 - Seaver Street, north of Peck Avenue
- Evaluating and observing pedestrian and vehicle safety during the morning drop-off period and afternoon pick-up period at all of the High School parking lot driveways (A, B, C, and Rear) as well as within the parking lot. The monthly early release period should be included in the evaluation. Queuing and delays at the site driveways and at impacted intersections shall also be studied and documented.
- Evaluating and observing the overall vehicle and pedestrian operations at the bus pick-up and drop-off location. Curb-side pick-up and drop-off operations shall also be evaluated. The evaluation shall focus on overall pedestrian and vehicular safety and curbside operation/management by the school administration.
- Evaluating and observing the pedestrian and vehicle activity in the vicinity of Seaver Street and Peck Avenue Extension intersection. The evaluation shall focus on overall pedestrian and vehicular safety, and enforcement of existing “No Parking” zones.
- Evaluating the effectiveness of TDM strategies including a student bus ridership update.
- Analysis of parking management. This shall include the adequacy and location of parking for staff, students, and visitors.

Based on the results of the above data collection, observations, and analyses identify any deficiencies and propose appropriate mitigation. Mitigation may include modifications and improvements to school driveway and off-site intersections (limited to those listed above) if deemed necessary to improve safety and capacity operations. Prior to implementation, the proposed mitigation shall be coordinated with the Board of Selectmen, School Department, Planning Board, and the Department of Public Works.

DECISION

The Applicant has assented to the above listed Negotiated Improvements/Special Permit Conditions and on the basis of the testimony presented at the public hearing, the above record, the reports of the various Boards and the Applicant's Municipal Systems Impact Analysis, related submissions referenced herein, and the representations made by the Applicant, the Planning Board found that the minimum service standards of the Bylaw have been met and therefore the Board moved, seconded and voted unanimously on April 27, 2009 to issue this special permit in accordance with the conditions specified above.

This special permit has been approved by the Planning Board based upon compliance with the minimum service standards of the Zoning Bylaw for water, sewer, storm drainage, electric, traffic and pedestrian safety, fire alarm systems and refuse disposal system. If there is hereinafter a material change to the Project which generates an intensification of use as reasonably determined by the Planning Board, the Applicant shall prepare and submit to the Planning Board a report or reports, prepared by engineers who meet the requirements of the Zoning Bylaw for preparation of Municipal Service Impact Analysis, showing whether the minimum service standards identified above continue to be met. If any such report shows that one or more of the service standards are not met, based on additional impact generated by the Project owing to the material change or intensification of use, or if any required negotiated improvements cannot be completed the Applicant shall meet with the Planning Board to negotiate reasonable additional or alternative mitigation measures. This requirement shall not be interpreted as waiving any provision of the Project of Significant Impact process.

Appeals from this decision, if any, shall be made pursuant to general laws, Ch. 40a § 17, and shall be filed within 20 days after the date of the filing of this decision in the office of the Town Clerk.

WELLESLEY PLANNING BOARD

Christopher W. Chan, Chairman

Donald S. McCauley, Vice Chairman

Rose Mary Donahue

Stephanie Wasser

Jeanne Conroy

Negotiated Improvements ~ Special Permit
Conditions acknowledged and agreed to

By: _____

Greg Mills, Board of Selectmen
Duly Authorized

By: _____

Michael Eby, Permanent Building Committee
Duly Authorized

By: _____

Katherine Babson, School Building Committee
Duly Authorized

By: _____

Suzanne Littlefield, School Committee
Duly Authorized