



## ZONING BOARD OF APPEALS

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May 28, 2019

7:30 pm

Juliani Meeting Room

Town Hall

Zoning Board of Appeals Members Present: Robert W. Levy  
J. Randolph Becker  
Derek B. Redgate

ZBA 2018-64, 680 WORCESTER ROAD LLC, 680 WORCESTER STREET

Present at the public hearing were Geoff Engler, Bill Bergeron, P.E., and Jim Velleco, Architect, representing the Petitioner. Christopher Heep, Town Counsel, Dave Hickey, Town Engineer, Judi Barrett, Consultant, and Rob Nagi, Traffic Consultant, Vanasse Brustlin, were present on behalf of the Town.

Mr. Levy said that at the previous hearing the Board asked that the Applicant consider removing the fifth floor.

Mr. Bergeron discussed site plan modifications to accommodate SU 40 vehicles, two-way traffic, and the dumpster location. He said that the plan will meet all parking requirements. He said that access to the sewer manhole will be a little easier.

Mr. Levy asked about striping or demarcation on the ground. Mr. Bergeron said that there will be no parking indicated at the loading dock area.

Mr. Nagi said that he reviewed the plans with the Site Engineer and the Applicant and is comfortable that a WB 40 truck can make the movements in and out of the site. He discussed widening the driveway, shifting the hydrant location, loading operations, Police and public safety, and circulation. He said that he was comfortable that the design will operate effectively. He said that MassDOT will have to look at any issues that affect Route 9.

Mr. Velleco discussed changes to the plans to eliminate the fifth floor, stepping the building back on the east side, reduction in building size by 10 percent, setbacks, and height.

Mr. Levy asked if the unit count will stay the same. Mr. Engler said that they are still working that through but there may be one less.

Mr. Levy said that the Board will have to close the hearing unless the Applicant requests additional time. He said that the Board does not have floor plans. Mr. Engler suggested having a condition that restricts the number of units. Mr. Velleco said that many of the units will be smaller, so the location of the windows may change. Mr. Levy confirmed that the building footprint will be the same.

Mr. Redgate asked if the Applicant considered the effect of having fewer units on site circulation. Mr. Engler said that Mr. Nagi agrees that site circulation will work.

Ms. Barrett said that the Board needs to have a plan of record of what will be built. She said that it is harder to administer a permit with many conditions. Mr. Heep said that approving a Comprehensive Permit without a plan is unusual. He discussed drafting conditions for what the Board would want to see before a Building Permit issues or during states of the construction process.

Mr. Levy asked about the unit mix.

Mr. Levy asked if there was anyone present at the public hearing who wished to speak to the petition.

Pete Buhler, 10 Stearns Road, discussed lot coverage, footprint, Shadow Study, maneuverability, staging area for trucks and workers, parking area for construction workers, and expiration of Letter of Negative Determination from the Wetlands Protection Committee.

Anne-Laure Lehman, 676 Worcester Street, said that she is the abutter to the east of the property. She discussed concerns about the setback from Route 9, density, permanent impact on the town, reevaluating the appropriateness of the project, thorough management plan, and willingness to sell her property to the Developer. Mr. Levy said that the Construction Management Plan will have conditions that may help to reduce the impacts on her property.

Quentin Walsh, 10 Francis Road, said that he has lived there for 43 years. He said that 680 Worcester Street and 16 Stearns Road are two distinct projects that have been handled by the Board as one. Mr. Levy said that there have always been two separate applications for the projects. He said that the Board closed the public hearing for 16 Stearns Road at its last meeting, has 10 more days to vote on it and then 14 days to file the decision. He said that even though the projects were heard on the same evening, they are separate.

Mr. Levy discussed moving forward with the hearing and decision processes for 680 Worcester Street.

Mr. Engler discussed the mix of units in the previous plans. He discussed plans to reduce the count by one gross unit and some bedrooms, and the affordable mix at over 25 percent. He said that the SHI count will be reduced to 19 rental units. He said that the reduction in the number of units will add to the parking count.

Mr. Engler discussed his preference to close the public hearing, with the understanding that the Board could limit the height, square footage, number and mix of units with conditions. He said that the Regulatory Agreement addresses minimum sizes and other design requirements. Mr. Levy said that today is the last day to close the public hearing, so the Board will have to take action in the absence of a consensual extension.

Mr. Levy asked about requested waivers.

Mr. Redgate asked about final comments from DPW. Mr. Hickey said that DPW had nothing new to add to its comments. He said that having one less unit will help. He said that the Town's Traffic Consultant said

that the circulation on the site will work but is not ideal. He discussed the six inch sewer main, constructability, proximity to Route 9, issues that should be further addressed in the CMP, and liability for Route 9 and the town. Mr. Levy discussed having a condition that the CMP state that there will be no parking allowed on Route 9 and all construction materials must be stored on site.

Mr. Levy said that it is not an ideal site. He discussed the constraints that the Board had to deal with, regulations and statutes. The Board discussed closing the public hearing and deliberating a draft decision at a public meeting.

Mr. Becker moved, Mr. Redgate seconded the motion, and the Board voted unanimously to close the public hearing. The Board said that it will discuss the draft decision and vote approval at a public meeting.

As there was no further business to come before the Board, the hearing was adjourned at 8:30 pm.

Respectfully submitted,

Lenore R. Mahoney  
Executive Secretary

DRAFT