

**ZONING BOARD OF APPEALS**

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ZBA 2022-67

Petition of Town of Wellesley/

School Department

293 Weston Road (Hardy School)

2023 JAN 11 PM 3:25
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ZONING BOARD
WELLESLEY MA 02482

INTRODUCTION

The Town of Wellesley- School Department, the "Applicant", has requested from the Zoning Board of Appeals (the "Board") the issuance of a site plan approval subject to the Zoning Bylaw Section 2.1, Section 3.8, Section 5.6 and Section 6.3 authorizing the Applicant to demolish the existing John D. Hardy Elementary School and construct a new school. The Applicant proposes site improvements and utility upgrades at 293 Weston Road (the "Project"), in a 10,000 square foot Single Residence District and a Water Supply Protection District. The Town of Wellesley purchased three parcels abutting the school site to the north that are being used for the new development site. The parcels are 818 Worcester Street, 822 Worcester Street and 826 Worcester Street. The property is bounded by residential neighborhoods on the north and east, by Hardy Road and residential neighborhoods on the south, and by Weston Road on the west. Route 9 abuts the residential properties to the north, Hickory Road dead ends at the eastern property line and Lawrence Road dead ends at the southern property line.

THE PROJECT**Description**

The Site consists of land located at 293 Weston Road totaling 389,980 square feet, or 8.9 acres (the "Site"). The footprint of the existing structure is 45,900 square feet and the footprint of the proposed structure is 49,380 square feet. Total floor area of proposed construction is 78,516 square feet, consisting of two stories at a height of 34 feet. Proposed parking consists of 110 spaces, six of which are accessible. Building lot coverage will increase from 9 percent to 12.7 percent, drives and parking coverage will increase from 10.6 percent to 22 percent, and paved walkways, play areas and plaza coverage will increase from 4.5 percent to 8 percent. Landscaped area will decrease from 44.8 percent to 39.6 percent, natural open space will decrease from 13.5 percent to 2.8 percent, grass playfields will decrease from 13.6 percent to 10.2 percent, paved play areas will increase from 1.1 percent to 1.5 percent, and structured play areas will increase from 2.9 percent to 3.1 percent.

The Project consists of a new two-story building with three classroom wings and a gymnasium wing organized around a central core that contains shared program spaces serving the school. The building will include a mix of single story, high-bay spaces for the PE curriculum, Cafetorium and Media Center, and two-story construction incorporating the main entry and all of the K-5 grade level classroom spaces as well as the district-wide SKILLS program that is currently housed at the Upham school. During after

school hours, the cafetorium and gymnasium can be closed off from the rest of the school while remaining accessible for use by community groups.

New vehicular circulation drives will provide access to the site from Weston Road and Worcester Street (Route 9). Pedestrian access will also be provided from these points as well as Lawrence Road and Hickory Road. Parking will be provided around the site for staff, faculty, visitors, and accessible parking. Hardy Road will be physically widened to exceed the current right of way. Any necessary easements will be provided on the north side of Hardy Road to accommodate the widening. A two lane driveway will be provided from Route 9. Site circulation will consist of a one-way counterclockwise loop between Hardy Road, the school's front door, and the Route 9 access drive. The existing pedestrian signal on Weston Road will be removed and a new crosswalk will be constructed at the new signal at the intersection of Hardy Road and Weston Road. A sidewalk along Lawrence Road up to the Site as well as multiple curb ramps at nearby intersections will be installed. There will be multiple gates to keep vehicles out of certain areas for pedestrian and student safety. The Pick Up Patrol app will be used by faculty and staff to promote efficient traffic flow during pick up.

The new building will be designed and constructed in accordance with the principles and criteria of the Town's Municipal Sustainable Building Guidelines and LEED V4.0 for BD+C Schools: New Construction and Major Renovation for Schools. The project will include rainwater management, heat island impact mitigation, preferred parking for green vehicles, outdoor learning areas, optimized access to daylight and views, instructions for waste management and waste diversion goals, sustainable material procurement goals, and construction indoor air quality goals.

The new school building will be serviced by a 4" domestic water supply and a 6" fire service. Both services will be fed from a new 8" on-site water main that will run through the site connecting to a new 8" main in Hardy Road, the 6" main in Hickory Road, and a new 6" main in Lawrence Road. The existing 6" main in Hardy Road will be abandoned and a new 8" main will be installed tapping off the 12" main in Weston Road.

The new school will be serviced by 6" gravity PVC sewer pipes that will connect to the Town main in Hickory Road.

The proposed stormwater management system was designed to comply with the Massachusetts Department of Environmental Protection Stormwater Handbook, Wellesley Stormwater Rules and Regulations, and Water Supply Protection District Regulations.

The new all-electric building will be constructed to the standards of a Net Zero Ready (NZR) building with an energy use goal not to exceed 30 kBtu/SF/yr (Energy Use Intensity). A new 1200 Amp, 277/480 Volt, 3-phase service will be provided for the school. The utility connection point of the service is anticipated to be an existing utility pole on the south side of Hardy Road. Town fiber will also be brought from this pole. It is anticipated that Wellesley Municipal Light Plant will provide a new 800 kW pad-mounted utility transformer with a 277/480Vwye secondary. A new diesel-fired 400 kW 277/480 V, 3-phase, 4 wire emergency generator with a sound attenuated weatherproof enclosure will be provided on the Site.

The roof will be designed to support photovoltaic (PV) panels and these panels will be included in the design of the new school.

Proposed new lighting consists of full-cutoff, 3000K temperature LED fixtures that are arranged to provide an average illuminance of greater than 0.5fc in the new parking and drive areas. All exterior lighting will be motion and time clock controlled for automatic, scheduled shutoff. The fixtures are mounted on either 12 foot or 20 foot poles and have been placed around the drive and parking areas in a way that will minimize light trespass to the adjacent sites.

The building will be accessible on three sides for emergency vehicles. The new building will be protected by a wet automatic sprinkler and standpipe system, designed in accordance with the latest Federal, State, and Town jurisdictional requirements. A new 6" fire service line will be installed from the Site distribution main to the water room for the building. The building will have a new fire alarm system with an addressable voice evacuation system. Detection devices will be installed in egress paths and new speak/strobe notification appliances will be installed throughout the school. A bi-directional antennae system will be provided for communication of the branches of first responders and surrounding towns. Four new fire hydrants will be installed around the Site, and four fire department connections will be installed around the building. The existing hydrants on Weston Road and Route 9 will remain.

A refuse enclosure will be located in the loading area with access for trucks as well as faculty. The enclosure will be a concrete pad with curbing and screened on three sides with opaque fencing.

The project will be phased to allow the existing school to remain in use during construction of the new building.

RECORD OF DISCUSSIONS

The Board held public hearings on October 20, 2022, November 17, 2022, and December 8, 2022. The public hearing was closed on December 8, 2022. Site plan approval was voted unanimously at a business meeting held on January 5, 2023.

FINDINGS OF FACT

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.

Educational uses within the SR10 District are specifically allowed, but must comply with specific dimensional requirements applicable only to educational uses. Among these are: (1) maximum height; (2) minimum frontage; (3) minimum lot area; (4) minimum side yard; (5) minimum front yard; (6) minimum open space; (7) sufficient off-street parking; and (8) other provisions of the Zoning Bylaw such as the maximum ratio of building to lot area. The Project will meet all dimensional requirements, except for the minimum open space required (75 percent required compared to 64 percent proposed).

In considering the minimum open space requirement, under the Dover Amendment to the Zoning Act the Board must also consider the Town's interest in strict adherence to this dimensional requirement relative to the Applicant's need to construct a project of the proposed size in order to adequately provide the educational services and programming associated with a contemporary elementary school for the number of students that are expected to be served at the Site. During the public hearing, the Board asked the Applicant to elaborate on the assertion that requiring 75 percent open space would greatly diminish the usefulness of the Project, without appreciably advancing the Town's legitimate concerns regarding open space protection.

The Applicant asserted that the footprint of the building is driven by the requirements set forth in the Wellesley Public Schools' Educational Plan for the Hardy Elementary School, the design enrollment, and the spaces to meet those requirements. The size of the educational spaces is guided by standards developed by the Massachusetts School Building Authority, and as such, the Applicant has limited influence on the resultant total square footage of the building. The Applicant asserts that any reduction to the size of the spaces would negatively impact delivery of education in the Project.

The open space is also driven by the vehicular spaces, including vehicular queue storage during student drop-off and pick-up, parking and parking access, bus/van circulation, building loading/receiving area and access, and emergency vehicle access. These aspects of the Project are driven in particular by the Town's desire to provide sufficient on-Site queue length to minimize queuing on Weston Road, especially during the afternoon student pick-up, but also by the number of students, faculty and staff, and the safety of the faculty, staff, students and visitors. Reductions in the provision of these aspects of the Project would increase the open space provided, while necessarily adversely impacting the achievement of delivery of education in the Project.

When designing the Project, the Applicant asserts it carefully evaluated the space needs to maximize the open space on the Site. However, as described above, the Applicant believes that the educational goals of the Project would be thwarted if the Project were to meet the 75 percent open space requirement in the Zoning ByLaw. Further, without a safe place for individuals to park, buses/vans to load and unload students, deliveries to occur, and emergency vehicles to access the Site, the elementary school would not serve its intended purpose. Hence, the Board finds that requiring 75 percent open space on the Site would greatly diminish the usefulness of the Project, without appreciably advancing the Town's legitimate concerns regarding open space protection.

Site Plan Approval Standards

Section 6.3 (D) of the Zoning Bylaw requires that in order for a site plan approval to be granted, the Applicant must meet the conditions contained in the seven standards listed in Section 6.3 (D)(1) through (7). The Board makes the following findings in respect of Applicant's compliance with the required standards:

1. Vehicular Circulation (that the circulation patterns do not create conditions that add to traffic congestion or accident potential on the site or in the surrounding area.)

- a. On-Site – The on-Site parking space sizes, the maneuvering aisles, and the driveways meet the dimensional requirements of Chapter 5.17 of the Zoning Bylaw.

On-Site vehicular circulation will consist of a one-way counterclockwise loop between Hardy Road, the school's front door, and the Route 9 access drive. Both the Hardy Road and Route 9 drives will be two-way, with the one-way loop adjacent to the school. Both driveways will be used for drop-off in the morning, with cars utilizing the loop in front of the school to drop off students, then exiting the Site via either Hardy Road or Route 9. Buses and vans will use Hardy Road to access the Site, will circulate the Site and then unload in the dedicated lane on the north side of Hardy Road. During pick-up time, the Route 9 driveway will be closed, and all vehicles will enter the Site from Hardy Road. The queue will loop through the Site from Hardy Road up to the northeast parking lot then back down to the front door to fit the entire queue on-site with no cars queueing on Weston Road. The access drives will be wide enough to accommodate the stacking as well as allow for emergency vehicle access during this time. The plan includes management of the parent traffic by school staff stationed at strategic locations throughout the Site utilizing the Patrol App and radio communications for continuous managed drop-off and pick-up, (the "Drop off/Pick Up Management Memorandum," dated December 6, 2022).

The proposed Site will provide 110 parking spaces in three parking areas, including two staff parking lots and one general purpose area opposite the school's front door on the inside of the circulatory loop for visitors, accessible ADA and electric vehicles.

The size of the parking spaces, the maneuvering aisles and the driveways meet the requirements of the Zoning Bylaw. The circulation patterns do not create conditions that add to traffic congestion or accident potential on the Site. The Board finds that the on-Site circulation patterns meet the required standards.

- b. Off-Site -

The existing pedestrian signal on Weston Road will be removed and a new crosswalk will be constructed at a new signal at the intersection of Hardy Road and Weston Road. There will be a STOP sign, stop line and turn lane arrows at the intersection of Hardy Road and Weston Road. Accessible ramps and a crosswalk will be provided across Hardy Road. The revised configuration and updated signage will make Hardy Road more visible to vehicles on Weston Road. The removal of the Weston Road sidewalk queueing will improve sight lines to the south. All proposed signage and vegetation will be located to minimize sight line obstructions.

A sidewalk along Lawrence Road up to the school site and multiple curb ramps at nearby intersections will be installed.

The Route 9 access will provide access and egress to Route 9 eastbound traffic, operating as a right-in/right-out configuration. The southern side of Route 9 will be reconfigured to accommodate a widened shoulder along the frontage of the Site.

The circulation patterns do not create conditions that add to traffic congestion or accident potential off the Site. The Board finds that the off-Site circulation patterns meet the required standards.

2. Driveways (that new driveways are not less than 50 feet from street intersections; and have widths not less than the width of driveways specified in Section 5.17 of the Zoning Bylaw.)

Hardy Road will be reconfigured and widened to 44 feet to accommodate school traffic. The driveway entrance to the school will accommodate a 20 foot wide general travel lane and an 8 foot wide shoulder. The driveway for the Route 9 access will be 24 feet wide. South of the staff parking area, the Access Drive will be widened to accommodate an 8 foot wide vehicle stacking area along the east side of the access.

The Board finds that the driveways meet the required standards.

3. Vehicle Queuing Lanes (That vehicle queuing lanes have a width equal to or greater than nine feet; and that vehicle storage capacity will not encroach on travel or maneuvering of other vehicles into and out of parking spaces, driveways or within the public way.)

The proposed Site plan allows for much larger queueing lengths between the front door and both the Hardy Road and Route 9 entrances. The access drives will be wide enough to accommodate stacking as well as allow for emergency vehicle access. The one-way loop will provide one general purpose 20 to 28 foot wide travel lane with an 8 foot wide shoulder for stacking vehicles. The side access aisle will allow emergency vehicles or other vehicles to bypass the stacked queue.

That Board finds that vehicle queuing lanes have a width equal to or greater than nine feet; and that vehicle storage capacity will not encroach on travel or maneuvering of other vehicles into and out of parking spaces, driveways or within the public way. The Board finds that the vehicle queuing lanes meet the required standards.

4. Compatibility with Surroundings (That the Project is made compatible with the existing natural and man-made features of the site and the surrounding area.)

The property is bounded by residential neighborhoods on the north and east, by Hardy Road and residential neighborhoods on the south, and by Weston Road on the west. Route 9 abuts the residential properties to the north, Hickory Road dead ends at the eastern property line and Lawrence Road dead ends at the southern property line.

The Board finds that the Project is made compatible with the existing natural and man-made features of the Site and the surrounding area. The Board finds that the compatibility with the surroundings meet the required standards.

5. Pedestrian Safety (That adequate pedestrian and bicycle circulation is provided and that separation is provided between pedestrian areas and all areas open to vehicular traffic.)

The Project will install new sidewalks and walkways throughout the Site to ensure safe and accessible access from the building to all areas of the Site. The Project includes striped and raised crosswalks where pedestrian routes cross Site driveways. There will be accessible pedestrian connections made to Hickory

Road, Lawrence Road, Route 9, and Weston Road to provide access from the school to the surrounding neighborhoods. New curb ramps will be installed along Weston Road and Route 9. The existing pedestrian signal on Weston Road will be removed and a new crosswalk will be constructed at the new signal at Hardy Road and Weston Road. Bicycles will be accommodated from all driveways via sidewalks. Bicycle racks will be placed in appropriate locations for easy access to the school. All gates shown on the plan shall be maintained and operational in accordance with the site circulation and gate operations memorandum, (the "Circulation and Gate Operations Memorandum", dated December 1, 2022).

The Board finds that adequate pedestrian and bicycle circulation is provided and that separation is provided between pedestrian areas and all areas open to vehicular traffic. The Board finds that pedestrian safety meets the required standards.

6. Noxious Uses (That the Project is consistent with the provisions of Section 5.6 (A) and (B)).

The Project does not involve noxious uses, so this condition is not applicable to the Project.

7. Intensity of Use (That any increase in: vehicle trips, employees or visitors, parking spaces, the amount of energy used, or the volume of liquid or solid waste produced will not adversely affect the character of the Site and its surrounding area.)

The building will be designed and constructed in accordance with the principles and criteria of the Town's Municipal Sustainable Building Guidelines and LEED V4.0 for BD+C Schools: New Construction and Major Renovation for Schools.

The Revised Traffic Assessment Report by BETA dated June 2022 (the "Traffic Assessment") included assessment of roadway conditions for Weston Road, Hardy Road, Worcester Street (Route 9), Cleveland Road, Mellon Road and Willow Road, as well as assessment of intersection conditions at Hardy Road and Weston Road, Route 9 Eastbound Ramp and Weston Road, Route 9 Westbound Ramps and Weston Road, Mellon Road and Weston Road, Willow Road and Weston Road and Lawrence Road and Willow Road. BETA projected that Hardy Road will continue to experience poor delays but the added left turn lane will improve conditions for right turning vehicles departing the site. The Route 9 driveway will improve morning operations for Hardy Road beyond the existing conditions. The existing delays and queues for Weston Road are expected to continue, given the heavy commuting traffic.

The Board finds that any increase in: vehicle trips, employees or visitors, parking spaces, the amount of energy used, or the volume of liquid or solid waste produced will not adversely affect the character of the Site and its surrounding area. The Board finds that intensity of use meets the required standards.

SUBMITTALS FROM THE APPLICANT

- Application for Site Plan Approval
- Plans and Submittal List
- Development Prospectus

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TOWN OF WELLESLEY
PLANNING & ZONING DEPT.

- Project Overview
 - Introduction
 - Existing Conditions
 - Proposed Conditions
- Site Utilities
 - Water
 - Sewer
 - Storm Drainage
 - Electric
 - Fire Protection & Life Safety
 - Refuse Disposal System
- List of Figures
 - Figure 1: Locus Map
 - Figure 2: Aerial Map
 - Figure 3: NRCS Soil Map
 - Figure 4: Rendered Proposed Site Plan
 - Figure 5: Emergency Service Access
 - Figure 6: Deliveries and Service
 - Figure 7: Pedestrian and Bike Circulation
 - Figure 8: Bus Circulation
 - Figure 9: Drop-Off (Morning)
 - Figure 10: Pick-up (Afternoon)
 - Figure 11: Hardy Road Cross Section
 - Figure 12: Parking Distribution
- Appendices
 - Appendix A: Soils Report and Logs, Geotechnical Engineering Report – Final Design, dated April 29, 2022, prepared by Nobis Group
 - Appendix B: Traffic Assessment Report, Revised Traffic Assessment, dated June 2022, prepared by the BETA Group, Inc.
 - Appendix C: Stormwater Report, dated September 6, 2022, stamped by John C. Hart, PE, prepared by SMMA
 - Appendix D: Construction Management Plan, prepared by Shawmut Design and Construction, dated November 9, 2022
 - Appendix E: Fire Protection Memorandum, dated 9/6/22, signed by Paul C. Elliott, Senior Fire Protection Engineer, SMMA, Letter to Peter Rebuck, SMMA, dated 5/6/21, from Wayne C. Davis, Cameron & Davis Fire Protection Engineering, re: Hydrant Flow Test, Hardy Elementary School, 293 Weston Road, Wellesley, MA, with attachments:
 - Town Plan Sheet 171
 - Town Plan Sheet 159
 - Appendix F: DPW Engineering Meeting Minutes, dated 8/9/22, prepared by Compass Project Management
 - Hardy Road Easement Plan, EASE-1, dated 7/14/22, stamped by Mark E. Violette, Professional Land Surveyor

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- Letter to Joel Seeley, AIA, LEED AP BD+C-COO, Executive Vice President, SMMA, from BETA, dated 6/1/22, re: SMMA 19106-Hardy Elementary School Traffic Impact Assessment Response to Select Board Comments
- Memorandum to Meghan C. Jop, AICP, Executive Director, Town of Wellesley, from Jane R. Davis, P.E., Environmental Partners, dated 6/3/22, re: John D. Hardy Elementary School Traffic Peer Review: Review of Response to Comments (RTC)
- Figure A: Existing Open Space
- Figure B: Proposed Open Space
- Memorandum, dated 9/6/22, from Peter Rebuck, PE, SMMA, re: Response to Wellesley Department of Public Works open PSI Comments
- Memorandum, dated 12/1/22, from Peter Rebuck, PE, SMMA, re: John D. Hardy Site Plan Review DPW Comment Response
- Memorandum, dated 12/1/22, from Michael Reid, Architect, SMMA, re: John D. Hardy Site Plan Review Response to letter from Don McCauley on behalf of the Design Review Board (DRB)
- Memorandum with attachments, dated 12/1/22, from Peter Rebuck, SMMA, re: John D. Hardy Site Plan Review Circulation and Gate Operations (The "Circulation and Gate Operations Memo")
- Letter to Joel Seeley, AIA, LEED AP BD+C-COO, Exec. Vice President, SMMA, dated 11/28/22, from Tyler de Reiter, PE, PTOE, Senior Project Engineer, BETA Group, Inc., re: SMMA 19106-Hardy Elementary School Traffic Impact Assessment Supplemental Commentary for the Town of Wellesley Zoning Board of Appeals "Protect of Significant Impact Revised Traffic Assessment," dated June 2022
- Letter to Zoning Board of Appeals, dated 12/1/22, from Shawmut Design and Construction, re: John D. Hardy Elementary School Shawmut Project #191180 Construction Management Plan – Update Narrative
- Memorandum, dated 12/6/22, from Grant Smith, Hardy School Principal, re: Training for drop off/pick up management (The "Drop off/Pick up Management Memo")

Plan Number	Drawing Title	Date of Issue	Prepared By	Date of Revision
C-001	Cover Sheet	9/6/22	John C. Hart, PE	12/1/22
EX-1	Existing Conditions Survey	4/14/21	Mark E. Violette, PLS	
EX-2	Existing Conditions Survey	4/14/21	Mark E. Violette, PLS	
EX-3	Existing Conditions Survey	4/14/21	Mark E. Violette, PLS	
CPP	Certified Plot Plan	11/28/22	Mark E. Violette, PLS	
C-101	Existing Conditions Plan	9/6/22	John C. Hart, PE	12/1/22
C-111	Site Preparation Plan	9/6/22	John C. Hart, PE	12/1/22
C-112	Site Development Plan	9/6/22	John C. Hart, PE	12/1/22
C-113	Plot Plan	9/6/22	John C. Hart, PE	

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C-121	Layout & Materials Plan	9/6/22	John C. Hart, PE	12/1/22
C-131	Grading And Drainage Plan	9/6/22	John C. Hart, PE	12/1/22
C-132	Subsurface Conditions Plan	9/6/22	John C. Hart, PE	12/1/22
C-141	Utilities Plan	9/6/22	John C. Hart, PE	12/1/22
C-151	Planting Plan	9/6/22	Michael J. Dowhan, PLA Erik C. Vanganess, RLA	12/1/22
C-161	School Driveways – Legend & Abbreviations	9/6/22	SMMA	12/1/22
C-162	School Driveways – General Notes, Typical Section, and Construction Details	9/6/22	SMMA	12/1/22
C-163	School Driveways – Construction Details	9/6/22	SMMA	12/1/22
C-164	Route 9 Driveway – Construction Plan, Pavement Marking And Sign Plan	9/6/22	SMMA	12/1/22
C-165	Hardy Road – Construction Plan, Pavement Marking And Sign Plan	9/6/22	SMMA	12/1/22
C-166	Hardy Road – Traffic Signal Plan	9/6/22	SMMA	12/1/22
C-167	School Driveways – Temporary Traffic Control Plan	9/6/22	SMMA	12/1/22
C-168	School Driveways – Temporary Traffic Control Plan	9/6/22	SMMA	12/1/22
C-169	Route 9 Driveway – Cross Sections	9/6/22	SMMA	12/1/22
C-501	Details I	9/6/22	SMMA	12/1/22
C-502	Details II	9/6/22	SMMA	12/1/22
C-503	Details III	9/6/22	SMMA	12/1/22
C-504	Details IV	9/6/22	SMMA	12/1/22
C-505	Details V	9/6/22	SMMA	12/1/22
C-506	Details VI	9/6/22	SMMA	12/1/22
C-507	Details VII	9/6/22	SMMA	12/1/22
C-508	Details VIII	9/6/22	SMMA	12/1/22

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C-509	Details IX	9/6/22	SMMA	12/1/22
C-510	Details X	9/6/22	SMMA	12/1/22
C-601	Off-Site Improvements- Location Plan	12/1/22	John C. Hart, PE	
C-611	Off-Site Improvements- Annotated Plans and Photographs I	12/1/22	John C. Hart, PE	
C-621	Off-Site Improvements- Details I	12/1/22	John C. Hart, PE	
C0622	Off-Site Improvements- Details II	12/1/22	John C. Hart, PE	
P-501	Details I	9/6/22	Paul C. Elliott, PE	12/1/22
P-502	Details II	8/6/22	Paul C. Elliott, PE	12/1/22
ES101	Electrical Site Plan	9/6/22	Alexander P. Masi, PE	12/1/22
ES111	Electrical Site Plan – Photometrics	9/6/22	Alexander P. Masi, PE	12/1/22
A-003	Exterior Assembly Types	9/6/22	Alex C. Pitkin, RA	12/1/22
A-101	Level 1 Floor Plan – Overall	9/6/22	Alex C. Pitkin, RA	12/1/22
A-101A	Level 1 Floor Plan – Part A	9/6/22	Alex C. Pitkin, RA	12/1/22
A-101B	Level 1 Floor Plan – Part B	9/6/22	Alex C. Pitkin, RA	12/1/22
A-102	Level 2 Floor Plan – Overall	9/6/22	Alex C. Pitkin, RA	12/1/22
A-102A	Level 2 Floor Plan – Part A	9/6/22	Alex C. Pitkin, RA	12/1/22
A-102B	Level 2 Floor Plan – Part B	9/6/22	Alex C. Pitkin, RA	12/1/22
A-103	Roof Plan – Overall	9/6/22	Alex C. Pitkin, PA	12/1/22
A-103A	Roof Plan – Part A	9/6/22	Alex C. Pitkin, PA	12/1/22
A-103B	Roof Plan – Part B	9/6/22	Alex C. Pitkin, PA	12/1/22
A-200	Exterior Elevations – Overall	9/6/22	Alex C. Pitkin, PA	12/1/22
A-201	Exterior Elevations – Part A	9/6/22	Alex C. Pitkin, PA	12/1/22
A-202	Exterior Elevations – Part B	9/6/22	Alex C. Pitkin, PA	12/1/22

SUBMITTALS ON BEHALF OF THE TOWN OF WELLESLEY:

On September 19, 2022, Deputy Chief Stephen Mortarelli, Wellesley Fire Department, reviewed the Project and submitted comments.

On November 17, 2022, the Design Review Board reviewed the Project and submitted comments.

On November 17, 2022, George Saraceno, Assistant Town 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 subject to the Zoning Bylaw Section 5.6, §§(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 January 5, 2023 the Board voted unanimously to grant the site plan approval pursuant to Section 5.6 of the Zoning Bylaw for a major construction project subject to site plan review.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 3.8 of the Zoning Bylaw for Water Supply Protection Districts.

Therefore, a Special Permit is granted, pursuant to the provisions of Section 3.8 and Section 5.6 of the Zoning Bylaw for a major construction project in a Water Supply Protection District.

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 site plan approval shall expire two years after the date time stamped on this decision.

CONDITIONS TO THE DECISION

The Board's site plan approval 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 shall be applicable to the Applicant, its successors and assigns, and all users 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 site plan approval authorizes the construction, use and occupancy of a project comprised of one two-story elementary school, along with associated parking and infrastructure, as shown on the Approved Plans.

- 2.- The Project shall be constructed in accordance with the Approved Plans and written material specified above, subject to the modifications required below.
3. By accepting this site plan approval the Applicant agrees to the terms, covenants and conditions 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 January 2023.
5. Contract documents, including working drawings and specifications for the Project shall undergo the usual and customary review and approvals of the Inspector of Buildings, 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 the 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 Approved Plans, except as provided in this site plan approval, including these Conditions. Any requirement of consistency with the Approved Plans means as those Approved Plans are modified by the Conditions.
- 8.- The Project shall contain a total of 110 on-Site 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 those which are 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 building shall be installed and tested in accordance with the applicable Town standard requirements and protocols.

Construction Conditions

12.- The Applicant shall implement its “Construction Management Plan, John D. Hardy Elementary School” dated November 28, 2022, as modified by these Conditions.

13.- During the period of construction, all construction equipment and material deliveries shall utilize: (1) Route 9 (Worcester Street) to the Site for eastbound traffic; or, (2) Route 9 to Weston Road to Hardy Road to the Site for westbound traffic; or (3) any other such route not prohibited in the Construction Management Plan as the Applicant shall agree with the Wellesley Chief of Police prior to its use.

14.- During the period of construction, all construction equipment and material deliveries shall be made only on Monday through Friday no earlier than 7:00 am and no later than 6:00 pm. Except for utility work in Weston Road and Hardy Road, exterior construction work may be performed on the Site Monday through Friday commencing not earlier than 7:00 am and completing not later than 6:00 pm, or Saturday commencing not earlier than 8:00 am and completing not later than 4:00 pm. Interior construction work may be performed on the Site Monday through Friday commencing not earlier than 7:00 am and completing not later than 11:00 pm, or Saturday commencing at 8:00 am and completing not later than 4:00 pm. Utility work in Weston Road, Hardy Road, and Route 9 may be performed Monday through Thursday at night commencing not earlier than 8:00 pm and completing the following morning not later than 6:00 am. No work shall be performed on Sundays or local, state or national holidays celebrated in the Town without the prior review and approval of the Chief of Police.

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 Worcester Street, Weston Road, Hardy Road or any other public way or parking facility of the Town. In the event that construction parking demand exceeds the on-Site parking supply, 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 exiting the Site shall use an established stone track apron construction exit to prevent the entrance of deleterious materials onto the Streets of the Town. The Applicant shall cause Worcester Street and Weston Road 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 Worcester Street or Weston Road.

17.- Insofar as practical, 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.

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TOWN OF WELLESLEY
JAN 11 PM 3:27

Use Conditions

18.- The stormwater management system design shall function consistent with the Approved Plans, and with the “Stormwater Report” prepared by SMMA dated September 6, 2022, and shall be maintained by the Applicant or its appointed manager, in accordance with Appendix 7 “Operation and Maintenance Plan” of even date therewith.

19.- Except for live parking during the morning arrival period and the afternoon dismissal period, 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 school-related parking on Weston Road, Hardy Road, or Worcester Street. Parents shall be informed of the parking restrictions upon enrollment of their children in the Hard Elementary School.

20.- Landscaping shall be in conformance with the Landscaping Plan and shall be maintained, repaired or replaced as needed by the Applicant.

21.- All lighting after 9 pm shall be in coordination with the Chief of Police as necessary for safety related issues.

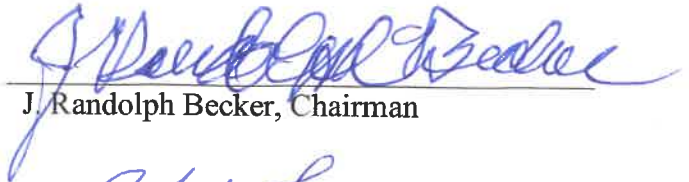
22.- Pick up and drop off of students shall be in accordance with the Drop off/Pick Up Management Memorandum.

23.- Circulation and gate operations shall be in accordance with the Circulation and Gate Operations Memorandum.

2023 JAN 11 PM 3:27
CLERK'S OFFICE
HARDY ELEMENTARY MA 02445

ZBA 2022-67
Petition of Town of Wellesley/School Department
293 Weston Road (Hardy School)

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, Chairman


Robert W. Levy


Walter B. Adams

2023 JAN 11 PM 3:28
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02156

ZBA 2022-67
Applicant Town of Wellesley/School Department
Address 293 Weston Road (Hardy School)

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

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H.

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TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208

WALTER B. ADAMS
DEREK B. REDGATE
RICHARD L. SEEGL

ZBA 2022-67

Petition of Town of Wellesley/
School Department
293 Weston Road (Hardy School)

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

2023 JAN 11 PM 3:24
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TOWN OF WELLESLEY
JAN 11 2023

INTRODUCTION

The Town of Wellesley- School Department, the "Applicant", has requested from the Zoning Board of Appeals (the "Board") the issuance of a site plan approval subject to the Zoning Bylaw Section 2.1, Section 3.8, Section 5.6 and Section 6.3 authorizing the Applicant to demolish the existing John D. Hardy Elementary School and construct a new school. The Applicant proposes site improvements and utility upgrades at 293 Weston Road (the "Project"), in a 10,000 square foot Single Residence District and a Water Supply Protection District. The Town of Wellesley purchased three parcels abutting the school site to the north that are being used for the new development site. The parcels are 818 Worcester Street, 822 Worcester Street and 826 Worcester Street. The property is bounded by residential neighborhoods on the north and east, by Hardy Road and residential neighborhoods on the south, and by Weston Road on the west. Route 9 abuts the residential properties to the north, Hickory Road dead ends at the eastern property line and Lawrence Road dead ends at the southern property line.

THE PROJECT

Description

The Site consists of land located at 293 Weston Road totaling 389,980 square feet, or 8.9 acres (the "Site"). The footprint of the existing structure is 45,900 square feet and the footprint of the proposed structure is 49,380 square feet. Total floor area of proposed construction is 78,516 square feet, consisting of two stories at a height of 34 feet. Proposed parking consists of 110 spaces, six of which are accessible. Building lot coverage will increase from 9 percent to 12.7 percent, drives and parking coverage will increase from 10.6 percent to 22 percent, and paved walkways, play areas and plaza coverage will increase from 4.5 percent to 8 percent. Landscaped area will decrease from 44.8 percent to 39.6 percent, natural open space will decrease from 13.5 percent to 2.8 percent, grass playfields will decrease from 13.6 percent to 10.2 percent, paved play areas will increase from 1.1 percent to 1.5 percent, and structured play areas will increase from 2.9 percent to 3.1 percent.

The Project consists of a new two-story building with three classroom wings and a gymnasium wing organized around a central core that contains shared program spaces serving the school. The building will include a mix of single story, high-bay spaces for the PE curriculum, Cafetorium and Media Center, and two-story construction incorporating the main entry and all of the K-5 grade level classroom spaces as well as the district-wide SKILLS program that is currently housed at the Upham school. During after

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
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EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

June 1, 2023
Schuler Room, Tolles Parsons Center
7:30 pm

Zoning Board of Appeals Members Present:

J. Randolph Becker
David G. Sheffield
Derek B. Redgate

BUSINESS MEETING

ZBA 2022-67, TOWN OF WELLESLEY/SCHOOL DEPARTMENT, 293 WESTON ROAD (HARDY SCHOOL)

Mr. Becker said that the proposed changes are landscape changes for changes to species and arrangements. He said that there is no material difference from the approved plan.

The Board said that a revised drawing should be submitted.

Mr. Sheffield moved, Mr. Redgate seconded the motion, and the Board voted unanimously to make a determination that the proposed changes are a minor modification that does not require opening a public hearing, subject to a condition that a revised drawing be submitted.

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