

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2000-15
Petition of Dunkin Donuts
951 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 17, 2000 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of DUNKIN DONUTS requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to continue to allow its premises at 951 WORCESTER STREET, in a Business District, to be used for a drive-through window where business is transacted from vehicles of customers or patrons; a use not allowed by right in a Business District.

On January 31, 2000, the petitioner filed a request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was William Donovan, property owner, who asked for a two-year renewal of the Special Permit for the drive-through window on the premises.

The Board stated that at the hearing two years ago, there had been mention of some problems with traffic queuing, but that the problems seem to have been solved.

Mr. Donovan said that after the last hearing, they made changes to the drive-through menu, limiting the menu. The Board asked if the menu had been limited as to the number of items, or the number of products. Mr. Donovan said that both had been limited. They have eliminated the products that take more time to prepare and the number of items in each order.

The Board asked if there had been any accidents. Mr. Donovan said that none had occurred. Occasionally, 12 vehicles may arrive at the site at the same time – usually around 8 a.m. – but they have kept a close eye on the situation, and have attempted to move people through as quickly as possible. Rarely does traffic back up onto Route 9. The express menu allows the employees to move the customers through within 30 seconds per vehicle.

The Board noted that the Planning Board had no objection to renewal of the Special Permit under the same terms and conditions as previously granted.

No other person present had any comment on the petition.

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The subject property is located at 951 Worcester Street, in a Business District, on a 12,255 square foot lot, and is owned by Donovan Services. The petitioner is requesting renewal of a Special Permit to continue the use of the drive-through window at the rear of the Dunkin Donut premises.

The width of the drive-through lane is 10 feet, and eight vehicle queuing spaces have been provided which vary in length from 10 feet to 10 feet 4 inches. Peak use of the drive through window is 40-45 cars per hour. The total time required to service each vehicle is between 30 and 90 seconds.

On February 15, 2000, the Planning Board reviewed the petition and had no objection to renewal on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the application submitted and the information presented at the hearing. The use of a drive-through window in a Business District requires a Special Permit pursuant to Section XI of the Zoning Bylaw, as it is not a use allowed by right in a Business District.

It is the opinion of this Authority that all of the Special Permit Use Standards enumerated in Section XXV of the Zoning Bylaw have been met. Therefore, the Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. Between the hours of 6 a.m. and 11 a.m., only a limited menu shall be available to drive-through window customers. A notice of this limited menu and the aforesaid hours shall be posted on a menu board visible to customers before a customer reaches the drive-through window.
2. This Special Permit shall expire two years from the date of this decision.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
Inspector of Buildings
edg

Kendall P. Bates, Chairman

William E. Polletta

Robert W. Levy

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