



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

MAR 15 8 13 AM '94

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

ZBA 94-6
Petition of Dunkin Donuts
951 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 24, 1994 at 8 p.m. in the Great Hall 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 allow the 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.

Presenting the case at the hearing was Bill Donovan, owner of Dunkin Donuts. Mr. Donovan requested renewal of the Special Permit, stating that there had been no changes.

The Board noted that there is a sign with an arrow and the words "Drive-In" on the right wall of the building, and questioned if the sign had been permitted in the original decision. Mr. Donovan said that the sign had not been included. After six months, the management noted that many people pull into the lot, sit in the middle of the lot, and, when they can't find a parking space, drive out of the lot. He felt that putting an arrow on the side of the building for a short time would educate customers as to the presence of the drive-through window at the rear. The sign is not meant to be permanent, and is having the desired effect.

The Board stated that prior to the installation of any new signage, Mr. Donovan should request relief from the Board, or the signage should be removed.

No other person present had any comment on the petition.

Statement of Facts

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

The width of the drive-through lane is 10 feet, and eight vehicle queuing spaces have been provided varying 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 90 seconds.

ZBA 94-6
Petition of Dunkin Donuts
951 Worcester Street

MAR 15 8 13 AM '94

On February 15, 1994, the Planning Board reviewed the petition and voted to recommend renewal of the special Permit based on the terms and conditions currently in effect.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

Decision

This Authority has made a careful study of the materials 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 the Special Use Permit Standards enumerated in Section XXV of the Zoning Bylaw have been met, and that the use of the premises for a drive-through window is in harmony with the general intent and purpose of the Zoning Bylaw, and can be allowed.

In regard to the "temporary" sign on the eastern side of the building, it is the opinion of this Authority that the petitioner has two alternatives pursuant to Section XXIIA of the Zoning Bylaw:

1. Removal of the temporary sign within 30 days of the date of this decision as, according to Section XXIIA-C-7 of the Zoning Bylaw:

"Temporary signs shall be removed promptly after the sale, event or reason for the sign message has been concluded. Temporary signs shall not be maintained for more than a **30 day** period..."

2. Reduction of the arrow sign to 4 square feet in area, as Section XXIIA-C-9 of the Zoning Bylaw states:

"9. Traffic Signs

The regulations contained herein shall not apply to traffic signs not exceeding **4 square feet.**"

Therefore, the Special Permit is granted for the drive-through window use, subject to the following conditions:

1. Within 30 days of the date of this decision, the petitioner shall submit to the office of the Board of Appeals evidence either that the existing sign has been removed, or the existing sign has been replaced with an arrow sign no larger than 4 square feet which shall contain no advertising devices.

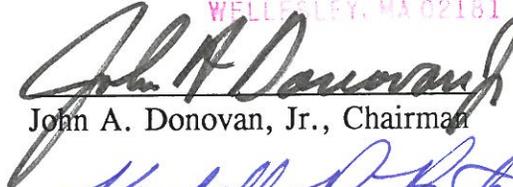
ZBA 94-6
Petition of Dunkin Donuts
951 Worcester Street

MAR 15 8 13 AM '94

2. This Special Permit shall expire one year from the date of this decision.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

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.



John A. Donovan, Jr., Chairman



Kendall P. Bates

cc: Planning Board
Inspector of Buildings
edg



William E. Polletta