

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2018-21

Petition of SIP PARTNERS, 984 Worcester Road, LLC
984 Worcester Street (CVS Pharmacy)

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 5 2018 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of SIP Partners 984 Worcester Road LLC requesting renewal of a Special Permit pursuant to the provisions of Section XII and Section XXV of the Zoning Bylaw to allow CVS Pharmacy to use a portion of the premises at 984 Worcester Street for the purpose of a two lane drive-through facility that consists of a drive-through window and one pneumatic tube facility, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business A District.

On March 12, 2018, 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 Brian Levey, Esq., representing CVS, Inc. He said that the request is for renewal of a drive through special permit. He said that he has been to the site to inspect the drive-through and has spoken with the Store Manager and the District Manager and they report no issues with pedestrian or vehicular traffic in and around the area of the drive-through. He said that they are requesting a two year extension.

A Board member disclosed that he represents the owners of the abutting property at 978 Worcester Street and since they have no objection to the petition, he did not see a conflict.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 984 Worcester Street in a Business A District, where business transacted from the vehicles of customers or patrons is a use not allowed by right. The property is owned by SIP Partners 984 Worcester Road LLC and is occupied by CVS Pharmacy. The drive-through facility will consist of a drive-through window and one pneumatic tube facility.

On April 5, 2018, the Planning Board reviewed the petition and recommended that renewal of the special permit be granted, subject to the same or similar conditions as previously imposed.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. A Special Permit is required pursuant to the provisions of Section XII and Section XXV of the Zoning Bylaw to allow SIP Partners 984 Worcester Road LLC to use a portion of the premises at 984 Worcester Street for the purpose of a two lane drive-through facility that consists of a drive-through window and one pneumatic tube facility for CVS Pharmacy, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business A District.

It is the opinion of this Authority that the traffic circulation pattern shall not create a dangerous situation in the parking lot, and that the use of the premises to contain a two lane drive-through facility that consists of a drive-through window and one pneumatic tube facility, where business is transacted from the vehicles of customers or patrons is in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted to SIP Partners 984 Worcester Road LLC as voted unanimously by this Authority at the Public Hearing, for the use of its premises for two drive-through facilities, subject to the following condition:

- This Special Permit shall expire two years from the date time stamped on this decision.

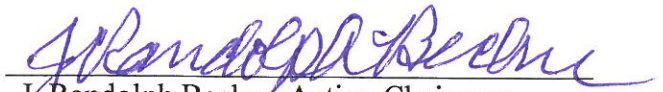
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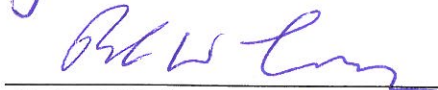
ZBA 2018-21

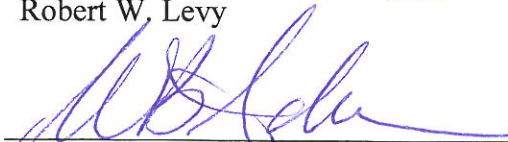
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


J. Randolph Becker, Acting Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm