

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2018-75
Petition of Unitarian Universalist Wellesley
309 Washington Street

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WELLESLEY, MA 02482
2018 DEC 20 P 2:30 PM

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 6, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Unitarian Universalist Wellesley requesting a Special Permit pursuant to the provisions of Section IV and Section XXV of the Zoning Bylaw for temporary outdoor sales of agricultural products and other food items running weekly on Thursdays from 12:30 pm to 2:30 pm, in the parking lot located to the left of the church, at 309 Washington Street, in a General Residence District.

On November 15, 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 John Spencer, representing the Wellesley Farmers Market. He said that the request is for extension of the special permit.

A Board member asked about separation between the market location and traffic. Mr. Spencer said that the map that was submitted shows the driveway to the left of the church that circles around one way to the right. He said that the Farmers Market only uses the first section. He said that the hope is that, if the market expands, it will go out to the parking lot to the left.

A Board member asked if cones or barriers are used to separate incoming traffic from the sales. Mr. Spencer said that currently it is pick up only. He said that if they get enough volume, they will go to on-site sales. He said that the volume now is only between 30 to 40 pickups during one and a half hours, so traffic is not really an issue. The Board member said that his concern is about separation of pedestrians from cars. Mr. Spencer said that there is a sidewalk to the right of the driveway that is not shown on the map. He said that is the only pedestrian zone.

The Chairman asked about changes to the special permit. Mr. Spencer said that there are no changes. He said that the request is for renewal of the special permit. He said that in the year that they operated, he did not see any pedestrian traffic at the church. He said that people come in their cars, park and pick up their order.

A Board member said that he made inquiries of some of the merchants who are neighbors. He said that the merchants told him that they did not have any problems and experienced no difficulties with the traffic or the operation of the market.

The Board discussed the conditions that are in effect and discussed changing the condition from a one year expiration date to a two year expiration date.

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 309 Washington Street, in a General Residence District, where temporary or seasonal outdoor sales of farm produce or natural products is a use not allowed by right.

The Petitioner is requesting a Special Permit pursuant to the provisions of Section IV and Section XXV of the Zoning Bylaw for temporary outdoor sales of agricultural products and other food items running weekly on Thursdays from 12:30 pm to 2:30 pm, in the parking lot located to the left of the church.

Proposed Wellesley Farmers' Market 2019 Location was submitted.

On November 20, 2018, the Planning Board reviewed the petition and recommended the Special Permit be granted with 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 Section IV of the Zoning Bylaw, as the requested use of the premises for temporary or seasonal outdoor sales of farm produce or natural products is a use not allowed by right.

It is the opinion of this Authority that temporary or seasonal outdoor sales of farm produce or natural products running weekly on Thursdays, from 12:30 pm to 2:30 pm, from the parking lot located next to the church at 309 Washington Street, in a General Residence District, is in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, A Special Permit is granted, as voted unanimously by this Authority at the Public Hearing for temporary or seasonal outdoor sales of farm produce or natural products running weekly on Thursdays, from 12:30 pm to 2:30 pm, from the parking lot located next to the church at 309 Washington Street, in a General Residence District, subject to the following conditions:

1. Two staff non vendors shall be on site at all times the market is operating.
2. There shall be proper removal and disposal of trash.
3. Any tables or equipment shall be stored indoors.
4. Vendors shall be restricted to local produce and crafts, as well as a limited amount of food services vendors such as hotdog or popcorn vendors.
5. Operation of the market shall be limited to Thursdays from 12:30 pm to 2:30 pm.
6. The Special Permit for the Farmers Market shall expire two years from the time date stamped on this decision.

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2018 DEC 20 P 2:34


Richard L. Seegel, Chairman


J. Randolph Becker


David G. Sheffield

ZBA 2018-75
Applicant Unitarian Universalist Wellesley
Address 309 Washington Street

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

Unitarian Universalist Wellesley
309 Washington Street

Proposed Wellesley Farmers' Market 2019 Location

309

323

312

WASHINGTON STREET