

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2017-87

Petition of Unitarian Universalist Wellesley
309 Washington Street

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 2, 2017, 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 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 September 27, 2017, 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 to extend the special permit that was granted on June 15, 2017 and will expire on December 31, 2017. He said that the request is to extend the permit through 2018.

Mr. Spencer said that the Board granted a special permit that would be in effect until the end of the year to allow time for the Building Inspector to make a determination as to what the bylaw meant by temporary and seasonal uses. He said that Michael Grant, Building Inspector, determined that this is a temporary use.

Mr. Spencer said that one of the conditions of the special permit was to meet with the police monthly. He said that over the past five years they have not had any issues with traffic. He said that the Police Department does not think that they have to meet every month. He asked that the Board grant relief from that condition. He said that they could meet with the police either quarterly or not at all. The Chairman said that the operators of the Farmers Market should make the police aware that this will be a 12 month temporary permit.

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 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 2018 Location and email to John Spencer, dated August 7, 2017, from Michael Grant, Inspector of Buildings/Zoning Enforcement Officer, re: Wellesley Farmers' Market were submitted.

On October 31, 2017, 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 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 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:

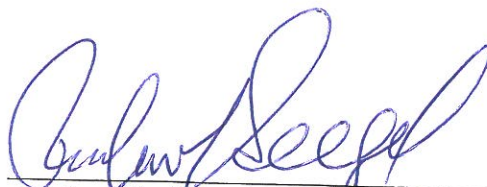
1. Two staff non vendors shall be on site at all times the market is operating.
2. There shall be proper removal and disposal of trash.
3. Any tables or equipment shall be stored indoors.
4. Vendors shall be restricted to local produce and crafts, as well as a limited amount of food services vendors 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 one year from the time date stamped on this decision.

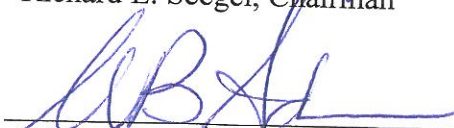
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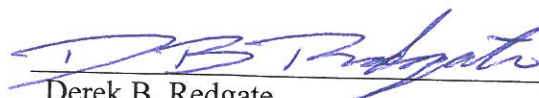
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


Walter B. Adams


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

Unitarian Universalist Wellesley
309 Washington Street

Proposed Wellesley Farmers' Market 2018 Location

