

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

J. RANDOLPH BECKER, CHAIRMAN  
RICHARD L. SEEGEL  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208

ROBERT W. LEVY, VICE CHAIRMAN  
WALTER B. ADAMS  
DEREK B. REDGATE

ZBA 2020-21

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

---

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, April 2, 2020 at 7:30 pm, on the petition of SIP Partners 984 Worcester Road LLC requesting renewal of a Special Permit pursuant to the provisions of Section 12, Section 14E, and Section 25 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. The property is located in a Water Supply Protection District.

On March 11, 2020, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Brian Levey, Esq., representing the applicant, CVS Pharmacy Inc. He said that due to the current public health crisis, he did not visit the site. He said that he spoke with the store manager and was told that there have been no issues or complaints and that the drive through is functioning well.

A Board member said that he uses that facility quite often and he has never seen a problem there.

A Board member said that there were no conditions imposed on the previous renewal of the special permit. He asked about store hours. Mr. Levey said that there are no plans to change anything at the building. He said that the entire site is controlled by a master Site Plan Approval/Special Permit. He said that nothing can be changed without coming back before the Board. He said that he did not have the information regarding store hours but suspects that it is a 24 hour store.

The Board members agreed that extension of the special permit for three years would be appropriate.

There was no member of the public 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 2, 2020, the Planning Board reviewed the petition and recommended that renewal of the special permit be granted.

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 12, Section 14E, and Section 25 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.

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 a two lane drive-through facility, subject to the following condition:

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

2021 APR 12 PM 1:35

ZBA 2020-21  
Petition of SIP Partners 984 Worcester Road LLC  
984 Worcester Street (CVS)

---

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, Acting Chairman

  
David G. Sheffield

  
Derek B. Redgate

ZBA            2020-21  
Applicant    SIP Partners 984 Worcester Road LLC  
Address      984 Worcester Street (CVS)

**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