



## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-69  
Petition of Unitarian Universalist Wellesley  
309 Washington Street

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Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, November 17, 2020 at 7:30 pm, on the petition of Unitarian Universalist Wellesley requesting renewal of a Special Permit pursuant to the provisions of Section 4 and Section 25 for temporary outdoor distribution of agricultural products and other food items, 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 October 23, 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. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for November 17, 2020.

Present at the public hearing was John Spencer, representing the Wellesley Farmers Market. Mr. Spencer said that they have been using the church parking lot for the last six years. He said that the request is for renewal of the special permit.

The Chairman asked about the start and end date of the Farmers Market. Mr. Spencer said that it operates year round with one week off at the end of the year.

The Chairman asked what changes have been made to deal with the Covid pandemic. Mr. Spencer said that Covid has changed the dynamics of Farmers Markets around the region. He said that the demand has doubled, with a wait list to get on. He said that people stand in line at a six foot distance and wear masks. He said that conditions of the previous approval conditions have not changed except for Covid restrictions. He said that the only exception that they are asking for is to hold the market on Wednesday of Thanksgiving week.

The Board confirmed that the area does not conflict with the church parking space rental.

There was no member of the public who wished to speak to the petition.

#### Statement of Facts

The subject property is located at 309 Washington Street, in a General Residence District.

The petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section 4 and Section 25 for temporary outdoor distribution of agricultural products and other food items, weekly, on Thursdays from 12:30 pm to 2:30 pm, in the parking lot located to the left of the church.

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Proposed Wellesley Farmers' Market 2019 Location was submitted.

On November 17, 2020, the Planning Board reviewed the petition and recommended that a special permit be approved.

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 4 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, throughout the year, with the exception to allow the market to operate on the Wednesday before Thanksgiving.
6. The Special Permit for the Farmers Market shall expire three years from the time date stamped on this decision.

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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 (A.M.)  
J. Randolph Becker, Chairman

David G. Sheffield (A.M.)  
David G. Sheffield

Derek B. Redgate (A.M.)  
Derek B. Redgate

ZBA            2020-69  
Applicant    Unitarian Universalist Wellesley  
Address      309 Washington Street

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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:

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Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm