

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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

2002 MAY 16 A 8:17

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ZBA 2002-31
Petition of Needham Co-Operative Bank
458 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 25, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of the NEEDHAM CO-OPERATIVE BANK requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to continue to allow its premises at 458 WASHINGTON STREET, in a Business District, to be used for a 24 hour drive-through ATM facility where business is transacted from the vehicles of customers or patrons, a use not allowed by right in a Business District.

On April 4, 2002, 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 Leslie Shea, counsel for the bank, who was accompanied by Robert Day, President of the bank. Mr. Shea said the bank is requesting renewal of the Special Permit allowing the use of the ATM for two more years under the same conditions.

The Board noted that the Planning Board had no objection to renewal of the Special Permit under the same terms and conditions as are currently in effect.

The Board commented that it appeared two-way traffic circulation is allowed on the premises; that cars can enter and exit from both Washington and State Street. There are no "one-way" signs or arrows directing the traffic flow, and the entrance from State Street is marked "Enter or Exit".

Mr. Day explained there is two-way traffic on the State Street side in order to enter or exit the parking lot. There is a sign at the Washington Street entrance stating "One Way Only".

The Board decided to add a condition that arrows be painted on the pavement of the premises indicating one way from the Washington Street entrance to the State Street exit in order to clearly mark the traffic circulation pattern.

No other person present had any comment on the petition.

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Statement of Facts

The subject premises are located at 458 Washington Street, on the corner of State Street, in a Business District. The petitioner is requesting renewal of a Special Permit to continue to allow the use of a drive-through window for a 24 hour ATM facility, located in front of an existing teller window, on the southeast wall of the premises.

The ATM window is intended primarily for use before and after banking hours and on weekends. An average of one vehicle every seven minutes using either the teller window or the ATM facility provides sufficient time and space so that backup does not occur. The island containing the kiosk is used only in emergencies.

On April 23, 2002, the Planning Board reviewed the petition and had no objection to renewal of the Special Permit under the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the application submitted and the information presented at the hearing. A Special Permit is required pursuant to Section XI of the Zoning Bylaw, as the requested use of the premises for a 24 hour drive-through ATM facility is not a use allowed by right in a Business District.

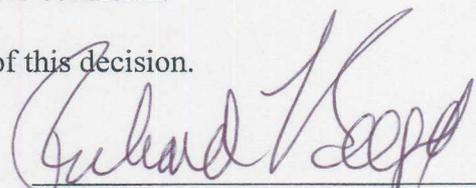
It is the opinion of this Authority that the traffic circulation pattern has not created a dangerous situation in regard to entering or exiting the lot. There is clear passage for vehicles along the southwest side of the premises. However, it is the opinion of this Authority that to ensure traffic safety, one-way arrows should be painted on the pavement indicating a one-way traffic pattern for vehicles entering from Washington Street and exiting on to State Street.

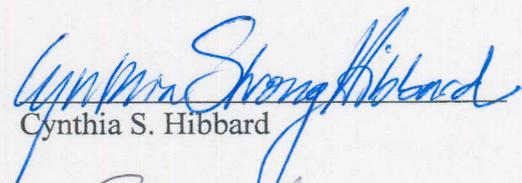
Therefore, a Special Permit is hereby granted to Needham Co-operative Bank, as voted unanimously by this Authority at the Public Hearing, for use of its 24 hour ATM drive-through and teller window, subject to the following conditions:

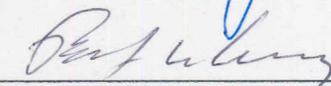
1. Arrows indicating a one-way traffic flow from Washington Street to State Street shall be installed on the pavement of the premises and maintained in a visible condition.
2. This Special Permit shall expire two years from the date of this decision.

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.

Cc: Planning Board
Inspector of Buildings

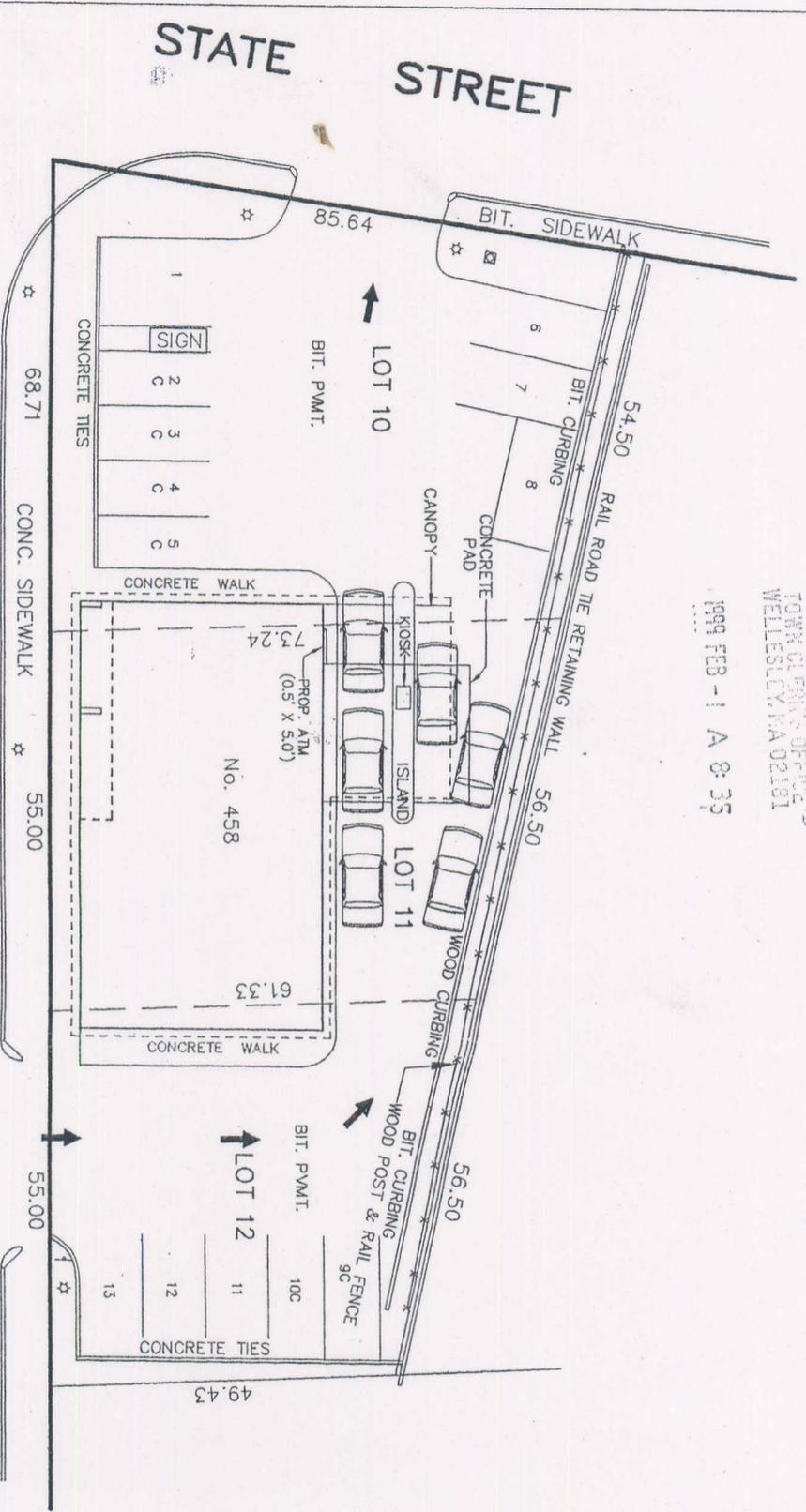
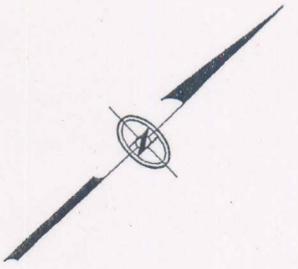

Richard L. Seegel, Acting Chairman


Cynthia S. Hibbard


Robert W. Levy

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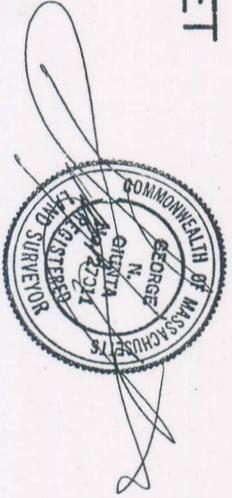
WASHINGTON STREET

SITE PLAN OF LAND
IN
WELLESLEY, MA

JAN. 8, 1999

SCALE: 1"=20'

NEEDHAM SURVEY ASSOCIATES, INC.
281 CHESTNUT STREET
NEEDHAM, MA 02192



781-444-5936