

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2002-91
Petition of Boston Federal Savings Bank
200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 19, 2002 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley on the petition of the BOSTON FEDERAL SAVINGS 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 200 LINDEN STREET, in a Business District, to contain two drive-through facilities; namely, a 24-hour ATM facility in the inner lane and a pneumatic tube system in the outer lane, where business is transacted from the vehicles of customers or patrons, a use not allowed by right in a Business District.

On September 3, 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 Thomas Smithers, representing Boston Federal Savings Bank. Mr. Smithers asked for renewal of the Special Permit under the same conditions.

The Board noted that the Planning Board had no objection to renewal of the Special Permit.

No other person present had any comment on the petition.

Statement of Facts

The subject premises is located at 200 Linden Street, in a Business District. Boston Federal Savings Bank leases the southernmost space in the store block perpendicular to Linden Street, owned by the William Diehl Realty Trust.

The petitioner is requesting renewal of a Special Permit to continue to allow the bank premises to be used for two drive-through windows parallel to Linden Street: a 24-hour ATM drive-through in the inner lane and a pneumatic tube system in the outer lane. Each queuing lane can contain a maximum of four vehicles.

On September 10, 2002, the Planning Board reviewed the petition and had no objection to renewal of the Special Permit under the same terms and conditions.

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Decision

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2002 OCT 18 A 9 35

This Authority has made a careful study of the material submitted and the information presented at the hearing. A Special Permit is required pursuant to Section XI of the Zoning Bylaw, as a drive-through facility where business is conducted from the vehicles of customers or patrons is not a by-right use in a Business District.

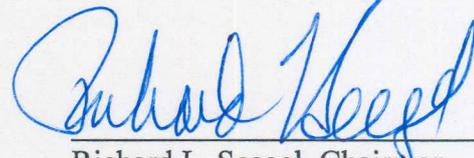
It is the opinion of this Authority that the traffic circulation pattern for use of the drive-through windows has not created a dangerous situation in regard to entering or exiting the parking lot, and that the use of the Boston Federal Savings Bank ATM and pneumatic tube drive-through facilities are in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted to Boston Federal Savings Bank, as voted unanimously by this Authority at the Public Hearing, for the continued use of its 24-hour ATM drive-through and its pneumatic tube drive-through facilities, subject to the following condition:

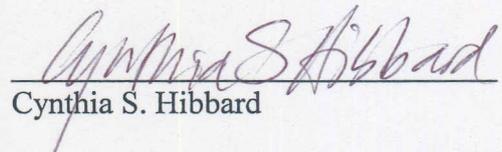
1. This Special Permit shall expire two years from the date time stamped on this decision.

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
edg



Richard L. Seegel, Chairman



Cynthia S. Hibbard



Robert A. Bastille