68-55

TOWN OF WELLESLEY MASSACHUSETTS

BOARD OF APPEAL

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Appeal of First Bank and Trust Company of Wellesley

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on November 7, 1968, on the appeal of the First Bank and Trust Company of Wellesley, from the refusal of the Inspector of Buildings to issue a permit to construct a marquee and a Tel-air structure on the building at 336 Washington Street, owned by George A. and Elizabeth Haynes. The reason for such refusal was that said additions would violate Chapter IV, Section 1 (a) of the Building Code which requires that additions of this type of construction shall be placed at least forty feet from the center line of any public or private street and Section XIX of the Zoning By-law which requires that there shall be provided for every such building or structure erected a front yard at least thirty feet in depth.

On October 21, 1968, the Inspector of Buildings notified the appellant in writing that a permit could not be issued for the construction of a marquee and Tel-air structure on the building involved for the above-mentioned reasons, and on October 22, 1968, the appellant took an appeal from such refusal. Thereafter due notice of the hearing was given by mailing and publication.

Henry D. White, Attorney, represented the appellant at the hearing.

Allard N. Valentine, president of the bank, spoke in favor of the request.

John Clark, officer of the Norfolk Trust Company, stated that his bank had no objections to the granting of the request.

Statement of Facts

The building involved is located in the Business Zone on a lot of land containing approximately 8,832 square feet. It is a corner lot with the existing building located approximately forty-five feet from Washington Street and approximately twenty-one feet from Abbott Road.

The appellant seeks permission to construct a marquee 10' x 15' on the westerly side of the building which will serve as protection for the proposed drive-in window. It was stated that if the new bank is going to operate successfully, it must provide a drive-in window similar to what the competitive banks have. The proposed marquee, if built, will be approximately nine feet from Abbott Road. It is proposed that the cars will enter from Abbott Road and exit back onto Abbott Road through a Right-of-Way at the rear of the building.

The appellant further seeks permission to erect a Tel-air structure which will be 35" high, 50" long, and 20" in width and 16' from the street. This structure will serve as a dispatching and receiving terminal for the customer as the material is placed in a carrier and dropped into the

receptacle which is transferred between teller and customer. The teller area is equipped with a two-way inter-communication system which provides voice communication between teller and customer.

Appellant states that the proposed equipment will give fast efficient service to the customers and should prove most beneficial.

A plan was submitted, drawn by Everett M. Brooks Co., Newtonville, dated November 1, 1968, which showed the existing building on the lot as well as the proposed marquee.

Decision

The Board has made a careful study of the plans submitted and has taken a view of the locus. The building involved is located within a Business District and adjoined other land of the same owner on April 1, 1940. The Board is not authorized to make a special exception under Section XIX of the Zoning By-law as said section authorized the Board to grant such exceptions only if on April 1, 1940, the lot was owned of record under a separate and distinct ownership from adjacent lots. The Board, however, considered the appeal under the provisions of General Laws, Chapter 40A, Section 15.

The appellant recently leased the building involved and is now renovating it for the purpose of operating its bank. In the opinion of this Board, the appellant has a reasonable need for a drive-in window in order to service its customers more efficiently and in a manner similar to services furnished by competitive banks. This Board is aware that the building involved is located on a busy corner, and undoubtedly the drive-in window will increase to some extent the traffic at that corner. However, the Board feels that subject to the conditions imposed in this variance, it will not prove detrimental to the public good nor derogate from the intent and purpose of the by-law.

The Board has made a careful study of the plan submitted and has viewed the locus on several occasions. In its opinion the vehicles using the drive-in window should enter from the Right-of-Way at the rear of the building and exit onto Abbott Road at the northwesterly corner of the lot.

It is the opinion of this Board that unless the requested variance is granted to construct a marquee and a Tel-air structure on the building, substantial hardship will result.

Accordingly, the requested variance is granted subject to the following conditions:

1. That the proposed marquee and Tel-air structure shall be constructed in accordance with the plans submitted and on file with this Board except for changes that may be required or appropriate for compliance with condition 2. hereof.

Cont. 1. Any such amended plans are to be filed with and approved by the Board prior to issuance of a building permit.

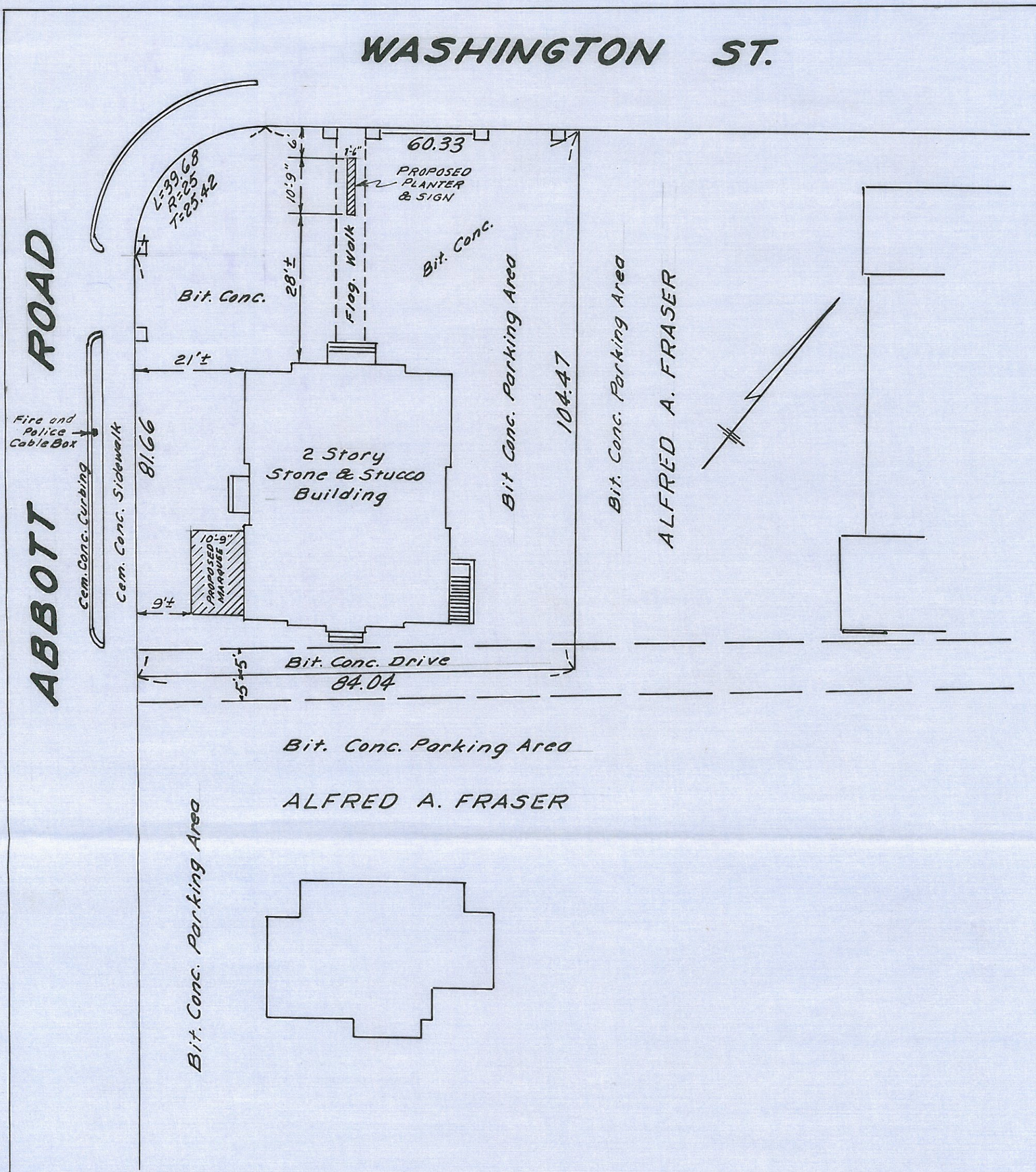
2. That all vehicles approaching the drive-in window, shall enter from the right-of-way at the rear of the building and exit onto Abbott Road at the northwesterly corner of the lot at the opening shown on the plan submitted and on file with this Board, drawn by Everett M. Brooks Co., dated November 1, 1968.

Richard O. Aldrich

Dana T. Lowell

F. Lester Fraser

Filed with Town Clerk _____



PLAN OF LAND
IN
WELLESLEY • MASS.

OWNED BY: GEORGE A. & ELIZABETH HAYNES

SCALE: 1 IN. = 20 FT.

NOV. 1, 1968

EVERETT M. BROOKS CO.
NEWTONVILLE • WAYLAND • W. ACTON

CIVIL ENG'RS.
~
MASS.

COMMONWEALTH OF MASSACHUSETTS
CHARLES D. THOMPSON
No. 14675
REGISTERED LAND SURVEYOR

11,606