

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02182-5992

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ZBA 98-78
Petition of BankBoston
185 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 24, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of BANKBOSTON requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to allow its premises at 185 LINDEN STREET, in a Business District, to continue to contain two drive-through windows where business is transacted from the vehicles of customers or patrons; namely an ATM facility and a pneumatic tube facility. This use is not allowed by right in a Business District.

On September 4, 1998, 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 Walter Curcio, Retail Facilities Manager for BankBoston. Mr. Curcio said that the bank was requesting renewal of the Special Permit to continue the use of the two drive-through windows at the bank at 185 Linden Street.

No other person present had any comment on the petition.

Statement of Facts

The subject premises is located at the western end of a store block at 185 Linden Street, in a Business District, and is leased by BankBoston from the William Diehl Realty Trust. The previous tenant, South Shore Bank, had instituted the two existing drive-through windows. In May, 1994, BankBoston moved its premises from 180 Linden Street to 185 Linden Street, and continued to use the drive-through windows established by South Shore Bank.

In October, 1995, BankBoston requested permission to reverse the position of the ATM drive-through facility from the outer to the inner drive-through lane, eliminate the teller window and install a pneumatic tube drive-through system in the outer lane, which would be open from 8:30 a.m. to 4:30 p.m. on Monday through Saturday. The Board of Appeals granted a Special Permit to accomplish the transfer and for the premises to continue to contain two drive through facilities.

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BankBoston is requesting renewal of the Special Permit, previously renewed in 1996, to continue the use of the two drive-through windows, a use not allowed by right in a Business District.

On September 14, 1998, the Planning Board reviewed the petition and had no objection to renewal on the same terms and conditions as are currently in effect.

Decision

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 installation where business is transacted from the vehicles of customers is not a by-right use in a Business District.

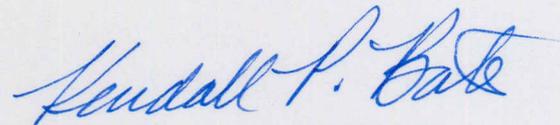
It is the opinion of this Authority that the use of BankBoston's two drive-through facilities has not created a dangerous situation in the parking lot fronting the premises, and is in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is hereby granted to BankBoston, as voted unanimously by this Authority at the Public Hearing, to continue the use of its ATM and pneumatic tube drive-through facilities, subject to the following condition:

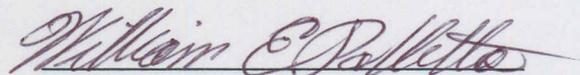
1. This Special Permit shall expire two years from the date of this decision.

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.

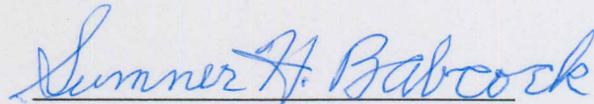
cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman



William E. Polletta



Sumner H. Babcock

