

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

2000 OCT -6 P 1:50

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ZBA 2000-78

Petition of Fleet National Bank  
185 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 28, 2000 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 FLEET NATIONAL BANK 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 facilities; namely, a 24-hour ATM facility in the inner lane and a pneumatic tube facility 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 6, 2000, 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 Roland Spoffard, Senior Project Manager at Fleet National Bank, who said he was requesting renewal of the Special Permit for the operation of the two drive-through facilities at the Linden Street branch for the convenience of their customers.

The Board asked if, apart from this petition, there is an internally illuminated sign at that location. Mr. Spoffard said that the sign on the front of the building is internally illuminated.

The Board stated it believed that the Special Permit allowing the sign to be internally illuminated had expired. No one from the bank had attended the hearing at which the petition was to be heard. Mr. Spoffard said he has a copy of the permit issued in March, 2000 for the new sign.

The Board stated that approval for the new sign should have been requested from the Board of Appeals due to the internal illumination, which is not by right. Mr. Spoffard said that he would speak to the company handling the signage conversion from BankBoston to Fleet, and the sign company will take care of the application.

No other person present had any comment on the petition.

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Statement of Facts

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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 Fleet National Bank from the William Diehl Realty Trust. Originally, the South Shore Bank, a prior tenant, installed the two existing drive-through windows. In 1994, BankBoston assumed tenancy in this location and continued the use of the drive-through windows. In 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 was allowed by the Board of Appeals.

Fleet National Bank is requesting renewal of the Special permit, previously renewed by BankBoston in 1998, to continue the use of the two drive-through windows, a use not allowed by right in a Business District.

On September 26, 2000, 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 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 or patrons is not a by-right use in a Business District.

It is the opinion of this Authority that the use of Fleet National Bank'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 granted to Fleet National Bank, 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, Chairman



William E. Polletta



Richard L. Seegel