

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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TELEPHONE
(781) 431-1019 EXT. 208

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ZBA 2003-25
Petition of Wellesley Co-Operative Bank
195 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 13, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of the WELLESLEY CO-OPERATIVE 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 195 LINDEN STREET, in a Business District, to continue to contain a drive-through teller window and a separate drive-through ATM machine where business is transacted from the vehicles of customers or patrons, a use not allowed by right in a Business District.

On February 21, 2003, 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 Tom Fontaine, representing the Wellesley Co-Operative Bank, who asked for renewal of the Special Permit.

The Board noted that the driveway area needs to be cleaned, and that if next winter is similar to this one, the bank should make a concerted effort to keep both drive-through lanes clear of snow.

The Board asked if the teller window and the ATM machine could only be used one at a time. Mr. Fontaine said this was the case.

No other person present had any comment on the petition.

Statement of Facts

The subject premises are located at 195-197 Linden Street, in a Business District. The property, which is owned by the William Diehl Realty Trust, consists of a block of stores in which Wellesley Co-Operative Bank leases space at the eastern end of the building, while the westerly end is occupied by Fleet Bank, which has two drive-through windows.

From 1991 through 1998, Baybank occupied the premises. A Special Permit to allow the single 24-hour ATM drive-through was granted in 1991, and renewed biennially until 1998. Wellesley Co-operative Bank occupied the premises in 2002, and requested a Special Permit to allow the premises to be used for two drive-through installations: a teller window and a 24-hour ATM machine, a use not allowed by right in a Business District. The Board granted the Special Permit for one year (ZBA 2002-21). The petitioner is now requesting renewal of the Special Permit.

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Queuing along the eastern side of the building is sufficient for three cars. Access to the teller window and the ATM machine is made from the westerly end of the building parallel to the Fleet Bank outer tube facility. The traffic proceeds around the rear of the building to either window, and then into the parking lot.

The hours of operation of the teller window are 8 a.m. to 4 p.m. on Monday through Thursday; 8 a.m. to 6 p.m. on Friday; and 9 a.m. to 1 p.m. on Saturday. Seven to nine vehicles pass through per hour with each transaction taking two to three minutes. The ATM machine is a 24 hour facility, which is located 8 feet from the front of the building, The teller window is located 7 feet behind the ATM facility.

On March 11, 2003, the Planning Board reviewed the petition and recommended 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 materials 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.

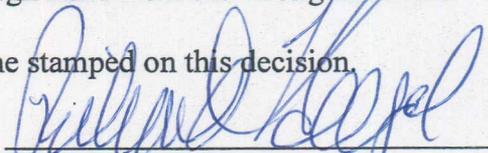
It is the opinion of this Authority that the traffic circulation pattern shall not create a dangerous situation in the parking lot fronting the premises, and that the use of the premises to contain a Wellesley Co-Operative Bank 24-hour ATM facility and a drive-through teller window is in harmony with the general intent and purpose of the Zoning Bylaw.

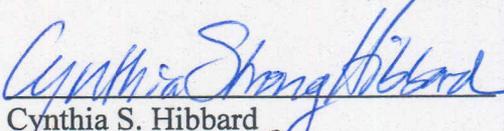
Therefore, a Special Permit is granted to Wellesley Co-Operative Bank, as voted unanimously by this Authority at the Public Hearing, for the use of its premises for two drive-through facilities, subject to the following conditions:

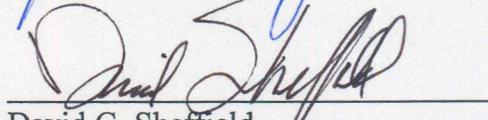
1. No canopy or signage shall be installed without review and approval by the Design Review Board, and, if necessary, by the Board of Appeals.
2. The directional sign stating "Do Not Enter" shall be maintained at the left front corner of the building to prevent customers from entering the drive-through lanes from the wrong direction.
3. 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


Richard L. Seegel, Chairman


Cynthia S. Hibbard


David G. Sheffield