

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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2004 SEP 22 A 9:53  
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ZBA 2004-62  
Petition of Middlesex Savings Bank  
200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 9, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of MIDDLESEX SAVINGS BANK, requesting a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to allow its new premises, at 200 LINDEN STREET, in a Business District, to be used as a two drive-through facility, namely, a 24-hour ATM facility on the outer lane and a drive-thru window on the inner lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business District.

On August 23, 2004, 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 Bruce Weisberg, Vice President of Administration, who said that Middlesex Savings Bank was relocating to the former Boston Federal Savings Bank site at 200 Linden Street.

The Board asked Mr. Weisberg to describe the lighting of the drive-thru lanes.

The Board asked if the proposal was to switch the drive-thru window to the inside lane and the ATM to the outside lane. Mr. Weisberg said that was the proposed plan.

Joyce Marengi, 5 Pine Tree Road, said that she objected to the noise generated by the drive-thru tellers transacting business. She said that noise was a problem at the ATM because of loud radios and trucks driving through all night, which disturbs the abutters, many of whom are elderly. The Board responded that the proposed changes of drive-thru and ATM lanes should help to alleviate the noise problem, as the drive-thru teller would be located closer to the bank building and would require less amplification. The Board said that it would include limited amplification as a condition that could be enforced by the Building Inspector.

Ms. Marengi asked if the petition could be continued until the Eastern Development plans for Linden Street were on the table. The Board responded that it was bound under the bylaw to make its decision within 90 days of filing of the application with the Town Clerk.

Charlene Ralli, 6 Pine Tree Road, said that a drive-thru customer had damaged her property. She felt that the spotlight at the drive-thru added stress to the elderly abutters. She said that she was out of state when Boston Federal Savings Bank built the drive-thru lanes and that she would have opposed their plans, had she been in town.

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The Board said that it would be a condition of the Special Permit that all lighting conforms to FDIC and Police regulations. Every effort should be made to have the lights shine down and inside the drive-thru lanes.

The Board noted that the Planning Board had no objections to granting the request.

Statement of Facts

The subject property is located at 200 Linden Street, in a Business District, where business transacted from the vehicles of customers or patrons is a use not allowed by right.

The petitioner is requesting a Special Permit to allow its new premises to be used as a two drive-thru facility, namely a 24-hour ATM facility on the outer lane and a drive-thru window on the inner lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business District.

A plan showing existing building and proposed traffic patterns, and Proposed Building and Elevation Plans dated 8/5/04, prepared by FCI Associates, Inc., Architects were submitted.

On August 31, 2004, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority to allow the petitioner to use its new premises as a two drive-thru facility, namely, a 24-hour ATM facility on the outer lane and a drive-thru window on the inner lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business District, subject to the following conditions:

1. All lighting conforms to FDIC and Police regulations. Every effort is made to have the lights shine down and inside the lanes.
2. Voice amplification at the drive-thru window is kept at the lowest possible level.

Therefore, a Special Permit is granted, as voted unanimously by this Authority, to use its new premises as a two drive-thru facility, namely, a 24-hour ATM facility on the outer lane and a drive-thru window on the inner lane, where business is transacted from the vehicles of customers or patrons, in accordance with submitted plan and construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for a two drive-thru facility upon receipt and approval of a building application and detailed construction plans.

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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  
lrm



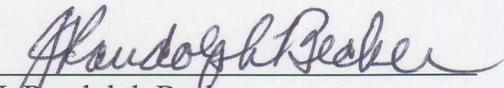
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Richard L. Seegel, Chairman



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Robert A. Bastille



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J. Randolph Becker

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