

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2010-29
Petition of Citizens Bank
180 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 6 2010 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of CITIZENS BANK requesting renewal of a Special Permit pursuant to the provisions of Section XIII, Section XIVG and Section XXV of the Zoning Bylaw to allow its premises at 180 LINDEN STREET to be used as a three lane drive-through facility, namely one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in an Industrial District.

On April 16, 2010, 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 were Brian Mann, Assistant Branch Manager and David Howe, Property Services, Citizens Bank (the "Petitioner").

The Board confirmed that the Petitioner was asking for renewal of the Special Permit under the same conditions.

Mr. Mann confirmed that canopy lighting shuts off at 10:00 p.m. on an automatic timer.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 180 Linden Street, in the Linden Street Corridor Overlay District, where business transacted from the vehicles of customers or patrons is a use not allowed by right. The property is owned by Federal Realty and is occupied by Citizens Bank. The three lane drive-through facility will consist of one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane.

Access to the teller window and the pneumatic tube facility is made from the northwesterly end of the building.

The hours of operation of the outside pneumatic equipment at the drive-through facilities will be limited to 8 a.m. to 8 p.m. and the drive-up ATM shall operate no later than 10:00 p.m., as the Development Agreement limits the hours of operation of the drive-through facilities to 10:00 p.m.

On May 4, 2010 the Planning Board reviewed the petition and recommended that the Zoning Board of Appeals approve the Special Permit renewal subject to the five (5) conditions specified in the previous decision.

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 XIII, Section XIVG and Section XXV of the Zoning Bylaw, as drive-through installations where business is transacted from the vehicles of customers or patrons, is not a use allowed by right in the Linden Street Corridor Overlay District.

It is the opinion of this Authority that the traffic circulation pattern shall not create a dangerous situation in the parking lot, and that the use of the premises to contain a three lane drive-through facility consisting of one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane, is in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted to Citizens Bank, as voted unanimously by this Authority at the Public Hearing, for the use of a portion of its premises as a three lane drive-through facility consisting of one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane, subject to the following conditions:

1. Signage shall be subject to review by the Board of Appeals.
2. The hours of operation of the outside pneumatic equipment shall be limited to 8 a.m. to 8 p.m. and the drive-up ATM shall operate until not later than 10:00 p.m.
3. Canopy lighting shall be recessed in the ceiling.
4. There shall be pedestrian access only to the Bank after 10:00 p.m.

This Special Permit shall expire two years from the date time stamped on this decision.

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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.

Richard L. Seegel, Chairman

Cynthia S. Hibbard

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm