TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2012-34
Petition of Needham Bank
458 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 3 2012 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition NEEDHAM BANK requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to continue to allow its premises at 458 WASHINGTON STREET, to be used for a 24 hour drive-through facility where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business District.

On April 18, 2012, 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 Leslie Shea, Esq. who said that he was representing Needham Bank (the "Petitioner").

The Board said that one of the previous conditions required that arrows from Washington Street to State Street be repainted annually. The Board said that currently the arrows are not clearly visible.

Mr. Shea said that the arrows are probably in disrepair because the Bank has put out to bid for either repaving the lot or seal coating it. He said that the Bank wanted to remark the arrows after the job is done.

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

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Statement of Facts

The subject premises is located at 458 Washington Street, at the corner of State Street, in a Business District. The petitioner is requesting renewal of a Special Permit to continue to allow the use of a drive-through window for a 24-hour ATM facility, located in front of an existing teller window, on the southwest wall of the premises.

The ATM window is intended primarily for use before and after banking hours and on weekends. An average of one vehicle every seven minutes, using the teller window or the ATM facility, provides sufficient time and space so that backup does not occur. The island containing the kiosk is used only in emergencies.

On April 19, 2012, the Planning Board reviewed the petition and recommended that no action be taken on the petition.

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 the requested use of the premises for a 24-hour drive-through ATM facility is not a use allowed by right in a Business District.

It is the opinion of this Authority that the traffic circulation pattern has not created a dangerous situation in regard to entering or exiting the lot. There is clear passage for vehicles along the southwest side of the premises. However, it is the opinion that one-way arrows painted on the pavement indicating a one-way traffic pattern for vehicles entering from Washington Street and exiting onto State Street should be maintained in a visible condition; and that a "One Way Only" sign should be maintained on the southwest wall of the building.

Therefore, a Special Permit is granted to Needham Bank, as voted unanimously by this Authority, for use of its 24-hour ATM drive-through and teller windows, subject to the following conditions:

1. Arrows indicating a one-way traffic flow from Washington Street to State Street shall be maintained in a clearly visible condition. Said arrows shall be re-painted annually.

2. A sign stating "One Way Only" shall be maintained on the southwest wall of the building.

3. 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

David G. Sheffield

Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm