



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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Oct 20 1994
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ZBA 94-68
Petition of Baybank
197 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 20, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of BAYBANK requesting renewal of a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to continue to allow its permitted wall sign identifying its ATM facility on the eastern facade of its premises at 197 LINDEN STREET, in a Business District, to be internally illuminated only during the hours of the Baybank banking facility.

On October 3, 1994, the petitioner requested 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 Joseph Kasparian, Baybank Vice President. Mr. Kasparian asked that the bank be allowed to keep its sign, which is internally illuminated only during the bank's business hours, and under the same conditions as previously granted.

No other person present had any comment on the petition.

Statement of Facts

The subject premises are located at 197 Linden Street, in a Business District. The property is owned by the William Diehl Realty Trust, and consists of a block of stores, in which Baybank leases space at the eastern end of the building.

A Special Permit has been granted annually to Baybank since 1991 to allow the bank to internally illuminate the tri-color wall sign identifying its ATM facility, which is located on the eastern facade of the premises.

On October 11, 1994, the Planning Board reviewed the petition and voted to recommend that the Special Permit be renewed under the same conditions as the previous Special Permit.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. It is the unanimous opinion of this Authority that the continued

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internal illumination of the tri-color wall sign identifying the Baybank ATM facility is in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw. As there have been no complaints regarding violations of the hours during which the sign may be internally illuminated, this Authority is of the opinion that the Special Permit can be granted for a two-year, rather than a one-year, period.

Therefore, the Special Permit to continue to internally illuminate said ATM sign is granted, subject to the following conditions:

1. The hours of illumination of the sign identifying the ATM facility shall be limited to the hours of operation of the Baybank banking facility, namely:

- | | |
|-----------------------|---------------------|
| A. Monday - Wednesday | 9:30 a.m. to 4 p.m. |
| B. Thursday & Friday | 9:30 a.m. to 5 p.m. |
| C. Saturday | 9:00 a.m. to 3 p.m. |

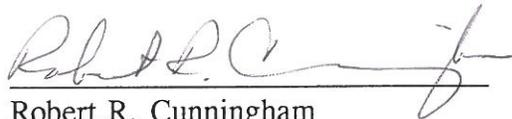
2. Said sign shall **not** be internally illuminated from 3 p.m. on Saturday to 9:30 a.m. on the following Monday. Any violation of the aforesaid hours shall be grounds for immediate revocation of this Special Permit.

3. 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.



Kendall P. Bates, Acting Chairman



Robert R. Cunningham



William E. Polletta

cc: Planning Board
Inspector of Buildings
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