



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

FEB 13 8 25 AM '96

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019 X208

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 96-3  
Bank of Boston  
185 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 18, 1996 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 BANK OF BOSTON requesting renewal of a Special Permit pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw to continue to internally illuminate their 5.25 square foot sign on the canopy of their ATM facility at 185 Linden Street, in a Business District.

On January 2, 1996, 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 Stephen Fox, representing Bank of Boston. Mr. Fox stated that on the way to the hearing, he had driven by the bank facility and noticed that the sign was illuminated in violation of the conditions of the Special Permit, which state that the sign can be illuminated only during the hours that the bank is open to the public. Mr. Fox said that he will make arrangements to ensure that the timer on the sign is properly set so that the sign is in compliance with the conditions of the Special Permit.

The Board asked if the location of the sign had been moved to the interior drive-through lane, as the positions of the drive-through lane and the ATM facility have been reversed. Mr. Fox responded that the location of the sign has been changed, but not the sign itself.

No other person present had any comment on the petition.

#### Statement of Facts

The subject premises are located at 185 Linden Street, in a Business District, at the western end of a store block. The premises are leased by Bank of Boston from F. Diehl and Sons, owners of the property.

The subject sign was originally located on the right side of the canopy above the double drive-through lanes. On October 6, 1995, the Board granted a Special Permit to Bank of Boston allowing the Bank to reverse the locations of the teller window and the ATM facility drive-through. The ATM sign has been relocated to the left side of the canopy to correspond to the new ATM location.

ZBA 96-3  
Bank of Boston  
185 Linden Street

FEB 13 8 25 AM '96

The petitioner is requesting renewal of the Special Permit to continue to allow the 5.25 square foot sign, located on the canopy above the ATM drive-through facility to continue to be internally illuminated.

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. It is the opinion of this Authority that the internal illumination of the ATM sign is in harmony with the intent and purpose of Section XXIIA of the Zoning Bylaw.

This Authority voted unanimously at the Public Hearing referenced above to grant the requested Special Permit, subject to the following conditions:

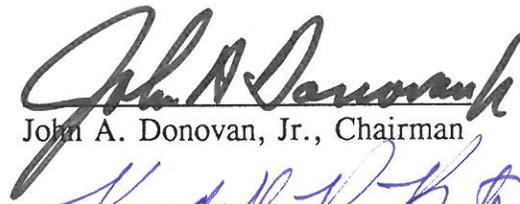
1. The hours of illumination of the sign on the ATM facility canopy shall be limited to the hours of operation of the Bank of Boston facility; namely:

Monday through Friday	8:30 a.m. to 4:30 p.m.
Saturday	9 a.m. to 12 noon

2. Said sign shall not be internally illuminated from 12:01 p.m. on Saturday to the following Monday at 8:30 a.m. Any violation of the aforesaid hours in conditions 1 and 2 shall be grounds for the immediate revocation of this Special Permit.
3. This Special Permit for the internal illumination of the ATM canopy sign shall expire one year 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.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Robert A. Bastille