



ZONING BOARD OF APPEALS

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ZBA 96-71
Petition of Boston Federal Savings Bank
200 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 19, 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 BOSTON FEDERAL SAVINGS BANK requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to allow the premises at 200 LINDEN STREET, in a Business District, to continue to contain two drive-through windows where business is transacted from the vehicles of customers or patrons; namely a 24 hour ATM facility in the inner lane and a pneumatic tube system in the outer lane. This use is not allowed by right in a Business District.

On September 3, 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 Nancy Leger, representing Boston Federal Savings Bank. Ms. Leger stated that the drive-through windows have been in operation for about 5 months, and there have been no customer problems in regard to traffic. Customers have expressed satisfaction with the system. The bank would like to continue to be able to operate the two drive-through facilities.

No other person present had any comment on the petition.

Statement of Facts

The subject premises is located at 200 Linden Street, in a Business District. Boston Federal Savings Bank leases the southernmost space in the store block, perpendicular to Linden Street, owned by William Diehl Realty Trust.

In October, 1995, the petitioner requested and was granted a Special Permit to allow the bank premises to contain two drive-through windows parallel to Linden Street: a 24 hour ATM drive-through window in the inner lane and a pneumatic tube system in the outer lane. Each queuing lane can contain a maximum of four vehicles.

ZBA 96-70
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The petitioner is now requesting renewal of the Special Permit to continue the use of the two drive through facilities in a Business District.

On September 17, 1996, the Planning Board reviewed the petition and voted to recommend no objection to renewal on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. A Special Permit is required pursuant to Section XI of the Zoning Bylaw, as a drive-through installation, where business is transacted from the vehicles of customers, is not a by-right use in a Business District.

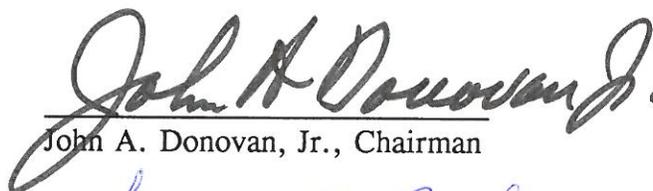
It is the opinion of this Authority that the traffic circulation pattern has not created a dangerous situation in regard to exiting the parking lot, and that the use of the Boston Federal Savings Bank ATM and pneumatic tube drive-through facilities are in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is hereby granted to Boston Federal Savings Bank, as voted unanimously by this Authority at the Public Hearing, for the continued use of its 24-hour ATM drive-through and its pneumatic tube drive-through, subject to the following condition:

1. 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.

cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Sumner H. Babcock


Robert A. Bastille

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