



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

OCT 9 8 52 AM '91

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ZBA 91-48
Petition of Baybank Norfolk
197 Linden Street

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, September 26, 1991 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of BAYBANK NORFOLK requesting the following variances from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow installation of a second wall sign, approximately 8 feet by 1 foot 8 inches, with internal illumination, to be located on the eastern facade of its premises at 197 LINDEN STREET, in a Business District, to identify its drive-up ATM facility: 1) to exceed the maximum number of signs allowed for a business establishment; 2) to exceed the maximum number of colors allowed for an internally illuminated sign.

The following Special Permits are also requested pursuant to the provisions of Section XXIIA and Section XXV of the Zoning Bylaw: 1) for said wall sign to be internally illuminated; 2) for the total area of the two wall signs to exceed the 50 square feet allowed by permit.

On September 10, 1991, the petitioner requested a hearing before these authorities and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Steven Emery of Thompson Sign Company, representing Baybank Norfolk. Mr. Emery said that a year ago the sign had been approved by the Design Review Board and then presented to the Board of Appeals. The Board was concerned about the traffic circulation for the ATM, and Baybank withdrew the petition without prejudice. The current petition is identical to the previous one.

Mr. Emery presented a site plan showing traffic to be routed parallel to the South Shore Bank drive-up window, around the rear of the building, to approach the Baybank ATM facility. Diehl's and Baybank have agreed to stripe the asphalt, marking a drive-through lane by putting lines and letters on the pavement that say "Entrance to the ATM machine" with arrows. Mr. Emery submitted a letter approving the striping from Diehl's.

Mr. Emery stated that Baybank has installed a directional sign on the Baybank corner of the building which says "One Way - Do Not Enter" so that customers will not drive up to the ATM from the wrong direction. This sign has Diehl's approval.

The Board asked when the sign would be illuminated. Mr. Emery said that as the ATM was a 24 hour facility, the bank would like 24 hour illumination. The Board responded that this would not be possible.

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No other person present had any comment on the petition.

Statement of Facts

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

Baybank wishes to identify its new ATM facility located on the eastern facade of the building, and is proposing to install an internally illuminated tri-color wall sign, approximately 8 feet by 1 foot 8 inches, at a height of 8 feet, for this purpose. Variances are requested to exceed the number of signs allowed for a business establishment and to exceed the number of colors allowed for an internally illuminated sign. Special Permits are requested for the internal illumination of said sign, and for the total area of the two signs which would be 61.3 square feet, to exceed the 50 square feet allowed by permit. The existing wall sign has an area of 48 square feet; the area of the proposed sign is 13.3 square feet.

The internally illuminated wall sign will be have a lexan face, vinyl graphics, with white copy on a green field and white copy on a blue field.

At the Public Hearing on March 28, 1991, Baybank submitted a petition requesting the same variances and Special Permits to install the identical sign now being requested (ZBA 91-20). At the hearing, the Board expressed concern with the lack of directional signs for the ATM facility. Baybank's request to withdraw the petition without prejudice was granted by the Board at the hearing.

A drawing of the proposed sign dated October 1, 1991, by Thompson Corporation; a site plan; a letter of approval dated October 10, 1990 from William Diehl Realty Trust and photographs were submitted.

Also submitted were drawings of three directional signs drawn by Thompson Corporation. These included a standing sign, a sign to be installed at the western end of the building, both of which included advertising, and a directional sign stating "One Way-Do Not Enter", which has been installed at the eastern corner of the building. The first two signs were not allowed by the property owner. An agreement has been reached between William Diehl Realty Trust and Baybank to allow the parking lot to be striped and lined to provide a proper traffic flow around the building to access the Baybank ATM facility. A letter dated September 26, 1991 has been received in this office from the Realty Trust giving approval for said marking.

The Design Review Board reviewed the sign on August 8, 1991, and voted to approve the design and placement of the sign as presented.

On September 17, 1991, the Planning Board voted to offer no objection to the variance for a second sign, or to the special permits to exceed the total area allowed by permit and for internal illumination, provided that no more than two colors were illuminated.

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Decision

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This Authority has made a careful study of the materials submitted. The petitioner is requesting permission to install a second wall sign, which will be internally illuminated to identify its ATM facility at 197 Linden Street. The petition necessitates the granting of variances to exceed the number of signs allowed for a business establishment and the number of colors allowed for an internally illuminated sign as well as Special Permits to internally illuminate said sign and for the total area of its two signs to exceed that allowed by permit.

It is the opinion of this Authority that the proposed wall sign will be in harmony with the general intent and purpose of Section XXIIA of the Zoning Bylaw in regard to number, colors, area and internal illumination and hereby grants the two variances and the two Special Permits requested and described in the foregoing Statement of Facts, subject to the following conditions:

1. A site plan depicting the traffic striping, lanes and wording, approved by the property owner, shall be submitted to the office of the Board of Appeals prior to the issuance of a sign permit.
2. The hours of illumination of the sign identifying the ATM facility shall be limited to the hours of operation of the Baybank facility, namely:
 - a. Monday - Wednesday - 9:30 a.m. to 4 p.m.
 - b. Thursday - 9:30 a.m. to 5 p.m.
 - c. Friday - 9:30 a.m. to 6 p.m.
 - d. Saturday - 9:00 a.m. to 1 p.m.
 Said sign shall not be internally illuminated from 1 p.m. on Saturday until 9:30 a.m. on the following Monday.
3. This Special Permit shall expire one year from the date of this decision.

The Inspector of Buildings is hereby authorized to issue a permit for the sign to be constructed in accordance with the drawing submitted and noted in the foregoing Statement of Facts, following compliance with Condition #1, upon his receipt and approval of a sign permit. Said sign cannot be installed until the sign permit has been issued.

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.


John A. Donovan, Jr., Chairman


Kendall P. Bates

cc: Planning Board
Inspector of Buildings
Paul Gavin, Baybank
Bruno Mortarelli, William Diehl
edg Realty Trust


William E. Polletta