



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
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ZBA 92-47  
Petition of Baybank  
197 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 24, 1992 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 allow their permitted wall sign identifying their ATM facility on the eastern facade of their premises at 197 LINDEN STREET, in a Business District, to continue to be illuminated only during the hours of operation of the Baybank facility.

On September 8, 1992, 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, who said that the sign has been in place since the ATM facility was installed, and that Baybank would appreciate the opportunity to continue to identify the ATM, as the sign has helped to increase business.

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 Baybank leases space at the eastern end of the building.

One year ago, Baybank requested and was granted a Special Permit to internally illuminate its tri-color wall sign, approximately 8 feet by 1 foot 8 inches, which identifies its ATM facility on the eastern facade of its premises (ZBA 91-48). Baybank is now requesting renewal of the Special Permit, pursuant to Section XXIIA of the Zoning Bylaw, to continue to internally illuminate said sign.

On September 15, 1992, the Planning Board reviewed the petition and voted to offer no objection to the renewal if granted on the same terms and conditions as the previous Special Permit.

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

Therefore, the Special Permit to continue to 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 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.
2. Said sign shall not be internally illuminated from 1 p.m. on Saturday to 9:30 a.m. on the following Monday. Any violation of the aforesaid hours will be grounds for immediate revocation of this Special Permit.
3. This Special Permit 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

  
William E. Polletta