



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-66

Petition of Shawmut Bank, N.A.
180 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 28, 1995 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 SHAWMUT BANK, N.A. requesting renewal of a Special Permit pursuant to the provisions of Section XII and Section XXV of the Zoning Bylaw to continue to allow its premises at 180 LINDEN STREET, in an Industrial District, to be used for an ATM drive-through window where business is transacted from the vehicles of customers or patrons; a use not allowed by right in an Industrial District.

On September 11, 1995, 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 George Walsh, President of Walsh/Cochis Associates, Inc., who was representing Shawmut Bank. Mr. Walsh asked for a renewal of the Special Permit under the same conditions as previously granted.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 180 Linden Street, in an Industrial District. The building is owned by F. Diehl & Sons, which uses the rear portion to house its Main Office. Shawmut Bank leases the front portion of the building.

A vehicle queue lane with a width of nine feet is located in front of the building. The queue lane can contain four cars before the queue would extend to a length perpendicular to the sidewalk. There is also a passing lane so that vehicles are able to bypass the ATM facility to gain access to the street or adjacent parking areas. Access to the interior of the bank is separated from the queue lane by railings and bollards for pedestrian safety.

On September 26, 1995, the Planning Board reviewed the petition and voted to recommend approval on the same terms and conditions as are currently in effect. The Planning Board suggested that should the vehicle queues extend onto Linden Street, the petitioner should be required to mitigate the problem.

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Decision

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This Authority has made a careful study of the petition. Shawmut Bank, N.A. is requesting renewal of a Special Permit to continue to use an ATM drive-through window at its premises at 180 Linden Street, a use not allowed by right in an Industrial District.

It is the opinion of this Authority that the existing ATM drive-through facility satisfies all Special Permit Standards pursuant to Section XXV-D of the Zoning Bylaw, and that said use will be in harmony with the intent and purpose of the Zoning Bylaw.

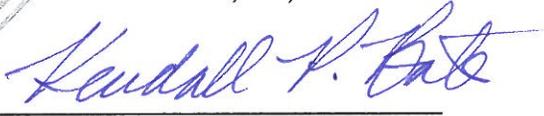
It is the unanimous decision of this Authority to grant the requested Special Permit, subject to the following conditions:

1. There shall be no advertising sign associated with the operation of the ATM at the subject location.
2. The panel that displays the "network plaques" shall not be internally illuminated.
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