

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2018-38

Petition of FR Linden Square
182 Linden Street – Citizens Bank

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 7, 2018 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of FR Linden Square requesting renewal of a Special Permit pursuant to the provisions of Section XIII, Section XIVG and Section XXV of the Zoning Bylaw to allow its premises at 182 Linden Street (Citizens Bank) to continue to be used as a three lane drive-through facility, namely one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in an Industrial District and the Linden Street Corridor Overlay District.

On May 2, 2018, 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 Samantha Burgner, representing Citizens Bank. She said that the request is for renewal of a special permit for the drive up banking service provided at 182 Linden Street. The Chairman said that FR Linden Square is the owner of the property. Ms. Burgner said that the owner signed the application for renewal of the special permit.

The Chairman said that the last permit was granted in 2012 and was granted as a two-year permit. Ms. Burgner said that there is an email on file regarding the expiration. Ms. Mahoney said that the special permit was subject to the Permit Extension Act.

Ms. Burgner said that she checked with the property manager and there have not been any issues or accidents.

A Board member said that the original approval required a dumpster screening. He said that the Board received a letter indicating that the procedure had changed for handling waste materials. Ms. Burgner said that they have three caddies in the branch for trash that their cleaning company comes to pick up two to three times a week. She said that the caddies are approximately two feet by two feet and not more than four feet tall. She said that they are placed so that they do not obstruct emergency exits to the back of the building. She said that they are stored in a separate closet in non-customer space. She said that originally there was a dumpster that was located at the entrance of the drive up. She said that it obstructed the view of the passageway.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 182 Linden Street, in the Linden Street Corridor Overlay District, where business transacted from the vehicles of customers or patrons is a use not allowed by right. The property is owned by FR Linden Square Inc. and is occupied by Citizens Bank. The three lane drive-through facility will consist of one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane. Access to the teller window and the pneumatic tube facility is made from the northwesterly end of the building.

The hours of operation of the outside pneumatic equipment at the drive-through facilities will be limited to 8 am to 8 pm and the drive-up ATM shall operate no later than 10 pm, as the Development Agreement limits the hours of operation of the drive-through facilities to 10 pm.

On June 4, 2018, the Planning Board reviewed the petition and recommended that renewal of the special permit be granted with the same or similar conditions.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. A Special Permit is required pursuant to Section XIII, Section XIVG and Section XXV of the Zoning Bylaw, as a drive-through installation where business is transacted from the vehicles of customers or patrons, is not a use allowed by right in the Linden Street Corridor Overlay District.

It is the opinion of this Authority that the traffic circulation pattern shall not create a dangerous situation in the parking lot, and that the use of the premises to contain a three lane drive-through facility consisting of one drive-through manned teller facility, one drive-through pneumatic tube facility, and one bypass lane, is in harmony with the general intent and purpose of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the use of a portion of its premises as a three lane drive-through facility consisting of one drive-through manned teller facility, one drive-through pneumatic tube facility and one bypass lane, subject to the following conditions:

1. Signage shall be subject to review by the Board of Appeals.
2. The hours of operation of the outside pneumatic equipment shall be limited to 8 am to 8 pm and the drive-up ATM shall operate not later than 10 pm.
3. Canopy lighting shall be recessed in the ceiling.
4. There shall be pedestrian access only to the Bank after 10 pm.
5. There shall be no dumpster.

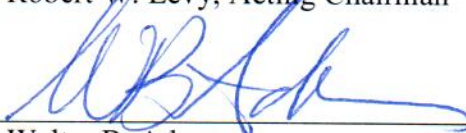
This Special Permit shall expire two years from the date time stamped on this decision.

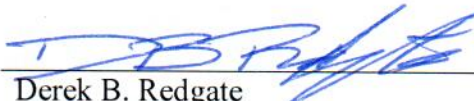
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Robert W. Levy, Acting Chairman


Walter B. Adams


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm