



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-66
Petition of FR Linden Square
182 Linden Street (Citizens Bank)

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2020 DEC -1 P 1:55

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, November 17, 2020 at 7:30 pm, on the petition of FR Linden Square, Inc. requesting renewal of a Special Permit pursuant to the provisions of Section 11, Section 14G and Section 25 of the Zoning Bylaw to allow a portion of 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, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in a Business District and the Linden Street Corridor Overlay District.

On October 16, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for November 17, 2020.

Present at the public hearing was Samantha Burgner, Leasing Manager, Citizens Bank. She said that the request is for renewal of a special permit for operation of three drive through lanes at their bank branch on Linden Street.

The Board members discussed increasing the term of the special permit from two to three years and removing Conditions 3 and 5 regarding the canopy lighting and the dumpster, as those issues have been resolved.

There was no member of the public 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 November 17, 2020, the Planning Board reviewed the petition and recommended that a special permit be approved.

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 13, Section 14G and Section 25 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. There shall be pedestrian access only to the Bank after 10 pm.

This Special Permit shall expire three 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.

J. Randolph Becker (h.m.)
J. Randolph Becker, Chairman

David G. Sheffield (h.m.)
David G. Sheffield

Derek B. Redgate (h.m.)
Derek B. Redgate

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Applicant FR Linden Square
Address 182 Linden Street (Citizens Bank)

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NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm