

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 489-7450

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2025-13

Petition of FR Linden Square, Inc.
185 Linden Street (Bank of America)

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, March 6, 2025, on the petition of FR Linden Square, Inc. requesting renewal of a Special Permit pursuant to the provisions of Section 2.13, Section 3.3 and Section 6.3 of the Zoning Bylaw to allow a portion of the premises at 185 Linden Street (Bank of America) to be used as a two lane drive through facility, namely a 24 hour ATM facility on the inner lane and a drive through window on the outer lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in an Industrial District in the Linden Street Corridor Overlay District.

On January 30, 2025, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Eric Gunn, Facility Manager, CBRE, on behalf of Bank of America. He said that the request is to continue the special permit for the drive-up lanes that service the ATM's at the site.

Board members confirmed that there have been no issues, problems, accidents, injuries or changes in the past three years.

The Chairman said that Condition 2 of the decision that was approved in 2022 required investigation of the possibility of installing a left turn only sign. Mr. Gunn said that the sign is in place and seems to be working well. A Board member said that exiting the facility to the left is a little longer route but it works because there's not as much pedestrian and vehicular traffic to deal with.

No member of the public wished to speak to the petition.

Statement of Facts

The subject property is located at 185 Linden Street, in an Industrial District and the Linden Square Corridor Overlay District, where business transacted from the vehicles of customers or patrons is a use not allowed by right.

The Petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section 2.13, Section 3.3 and Section 6.3 of the Zoning Bylaw to allow a portion of the premises at 185 Linden Street (Bank of America) to be used as a two lane drive through facility, namely a 24 hour ATM facility on the inner lane and a drive through window on the outer lane, where business is transacted from the vehicles of customers or patrons, which is a use not allowed by right in an Industrial District in the Linden Street Corridor Overlay District.

On March 4, 2025, the Planning Board reviewed the petition and recommended that renewal of the special permit be approved.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the public hearing. A special permit is required pursuant to Section 2.13 of the Zoning Bylaw, as the requested use of the premises for a 24-hour drive-through and ATM facility is not a use allowed by right in an Industrial District.

It is the opinion of this Authority that the use of the Bank of America's two lane drive-through facility is in harmony with the general intent and purpose of the Zoning Bylaw and will meet the Special Use Permit Standards conditions, in accordance with Section 6.3 of the Zoning Bylaw.

Therefore, renewal of special permit is granted, as voted unanimously by this Authority at the Public Hearing, to continue to use its premises as a two lane drive-through facility, namely a 24-hour ATM on the inner lane and a drive-through window on the outer lane, where business is transacted from the vehicles of customers or patrons, subject to the following conditions:

1. This Special Permit shall expire three years from the time date stamped on this decision.
2. The existing left turn only sign shall remain and be maintained in good order.



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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 (am)
Robert W. Levy, Acting Chairman

David G. Sheffield (am)
David G. Sheffield

Walter B. Adams (am)
Walter B. Adams

ZBA 2025-13
Applicant FR Linden Square, Inc.
Address 185 Linden Street (Bank of America)

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2025-13-20
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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

ZBA 2025-13
185 Linden Street (BOA)

R E C E I P T

Printed: April 16, 2025 @ 13:57:14
Norfolk Registry of Deeds
William P O'Donnell
Register

Trans#: 24485

Oper:CHRISCHRIS

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Book: 42348 Page: 290 Inst#: 23239
Ct1#: 418 Rec:4-16-2025 @ 1:57:14p
WELL 185 LINDEN STREET

| DOC | DESCRIPTION | TRANS AMT |
|------------------------|----------------|-----------|
| --- | ----- | ----- |
| DECISION | | |
| 10.00 | rec fee | 10.00 |
| 50.00 | Surcharge | 50.00 |
| 5.00 | Tech.Surcharge | 5.00 |
| Postage/Handling Fee | | 1.00 |
| State Fee \$40.00 | | 40.00 |
| ----- | | ----- |
| Total fees: | | 106.00 |
| *** Total charges: | | 106.00 |
| CASH PMT PAYMENT -CASH | | 110.00 |
| Overpayment amount: | | 4.00 |
| REF CASH REFUND -CASH | | 4.00 |

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