



The Commonwealth of Massachusetts

Office of the Commissioner of Banks

One South Station

Boston, Massachusetts 02110

JANE SWIFT
GOVERNOR

THOMAS J. CURRY
COMMISSIONER

August 2, 2001

Robert E. Balletto
Chief Executive Officer
Georgetown Savings Bank
Seven North Street
Georgetown, Massachusetts 01833

Dear Mr. Balletto:

This letter is in response to your correspondence of July 10, 2001 to the Division of Banks (the "Division") relative to the proposed relocation of the main office of Georgetown Savings Bank (the "Bank") located at Seven North Street, Georgetown to an adjacent parcel at a different address also in Georgetown.

According to your letter, it is the intention of the Bank to relocate its main office to an adjacent parcel at a different address, Two East Main Street, Georgetown. As you state, the adjacent parcel contains a vacant one-story building which was purchased by the Bank in 1985 for the purpose of future expansion. The Bank currently uses a portion of the parcel at Two East Main Street for parking and driveway traffic. The Bank seeks to raze the vacant building and to construct a new building at that same site. Upon the Bank's occupancy of this new main office building, the current main office building would be razed to create space for parking. The two parcels would be combined into one parcel to be known as Two East Main Street. According to your correspondence, construction is expected to begin in the spring of 2002.

As stated in prior opinions of the Division, central to such a request as the Bank's is whether the proposed transaction would, in fact, require approval as a new banking office under General Laws chapter 167C, section 3 since the taking of deposits by a bank must be at an authorized location. These prior opinions stated that the Division in making such a determination would view the totality of all surrounding facts. These opinions concerned, among other facts, the proposed expansion of a bank's main office or branch office by the installation of a drive-up facility on land adjacent to or used in conjunction with the bank's existing main office or branch office. The Division concluded that, based on the totality of all surrounding facts, the banks that requested these opinions did not need to seek banking office approvals for their proposed expansions.



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The Bank's main office would be relocated to a site on an adjacent parcel which currently provides parking and driveway traffic for the Bank and which includes a vacant building currently owned by the Bank. That existing building on the adjacent parcel would be demolished and a new building would be built at that same site. Upon the Bank's occupancy of this new main office building, the current main office building would be razed to create space for parking. The two parcels will be combined into one parcel with the same address.

Upon review of the facts in your correspondence and applicable law, it is the position of the Division that the Bank is not required to obtain approval pursuant to General Laws chapter 167C, section 2 or 3 for the proposed main office relocation. That determination is based on the totality of all surrounding facts as presented in your submission. In particular, the Division has given weight to the fact that the two parcels will be combined into one for bank purposes. For that reason, the transaction is more of a change in the address than a relocation of the main office to a different point. An investment in bank premises in connection with this matter, may, however, require the Division's approval under General Laws chapter 167F, section 2, paragraph 9. You should review this statute and, if necessary, submit a request for such approval to the Commissioner of Banks Thomas J. Curry (the "Commissioner").

In order to conclude this transaction and maintain an accurate record of the banking offices of the Bank, please notify the Commissioner in writing of the date on which the change in the address of the main office took place.

The conclusions reached in this letter are based solely on the facts presented. Fact patterns which vary from that presented may result in a different position statement by the Division.

Sincerely,



Joseph A. Leonard, Jr.
Deputy Commissioner of Banks
and General Counsel

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