

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2007-83
Petition of Shani Kumarasena
30 Yarmouth Road

Petition of SHANI KUMARASENA requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to allow her to use a portion of her premises in a Single Residence District for the purpose of a home occupation, namely, Pediatrician's Office, for up to 2 patients per week, from 7:00 a.m. to 9:00 p.m., Mondays through Sundays. There are no nonresident employees and all parking is on the premises.

On November 26, 2007, 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 Shani Kumarasena (the "Petitioner"). Dr. Kumarasena submitted a patient log that recorded activity for the home occupation for the past two years.

Dr. Kumarasena said that she is requesting a change in hours. She said that she would like to be able to see up to two patients per week. She said that will enable her to see siblings at the same time. She said that the expanded hours will allow for more flexibility and convenience.

The Board said that limiting the number of patients to two will control the amount of activity.

Dr. Kumarasena said that her request to allow her to see patients throughout the entire week is to accommodate neighbors that she encounters on the weekends.

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 30 Yarmouth Road, in a Single Residence District. The petitioner is requesting renewal of a Special Permit to allow her to continue to use a portion of her premises for the conduct of a home occupation, namely, Pediatrician's Office, for up to 2 patients per week, from 7:00 a.m. to 9:00 p.m., Mondays through Sundays throughout the year. There are no nonresident employees and all parking is on the premises.

On December 3, 2007, the Planning Board reviewed the petition and had no objection to granting the request on the same terms and conditions.

Decision

This Authority has made a careful study of all the materials submitted and the information presented at the public hearing. It is the opinion of this Authority that the petitioner's request for a Special Permit for a home occupation at her premises at 30 Yarmouth Road is in compliance with the requirements of Section II A 8 (h) and that the requested home occupation will not disturb nor disrupt the customary character of the neighborhood.

Therefore, the Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. 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.

Cynthia S. Hibbard, Acting Chairman

David G. Sheffield

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm