

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 97-73

Petition of Alice E. Edwards
3 Brookmere Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 18, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ALICE E. EDWARDS requesting 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 at 3 BROOKMERE AVENUE, in a Single Residence District, for the purpose of a home occupation; namely, investment advisory services, with hours from 9 a.m. to 5 p.m. on Mondays through Fridays throughout the year, with no more than 5 clients per week during these hours. There are no employees.

On August 28, 1997, 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 Alice Edwards, who said that they bought the house a year ago, and have built an addition which would provide space for a home office. Presently, she sees her clients in their homes, but it would be a more effective use of her time to be able to see them in her own home.

Mike Maggard, 105 Parker Road; Ed Drotar, 5 Brookmere Avenue; Joseph MacPhee, 115 Parker Road; Nancy Chen, 11 Brookmere Avenue; See-Ying Tam, 51 Woodside Avenue; and Jim Koch, 101 Parker Road, all expressed opposition to the petition. Their concerns related to increased traffic, pedestrian safety, the presence of strangers in the neighborhood, the monitoring of the number of clients and the hours of the home occupation, disruption of the neighborhood tranquility, increased trash, the presence of Brinks trucks, a possible proliferation of home occupation requests in the neighborhood, and on-street parking.

The Board explained that 5 vehicle trips per week did not constitute undue traffic, that compliance with the number of clients and the office hours would be monitored by the neighborhood, that there has never been a proliferation of home occupation permit requests in an area after a new Special Permit has been granted, and that all parking would be required to be on the premises of the petitioner.

The Board stated that if the Special Permit is granted, it is for the duration of 1 year the first time. The petitioner is expected to comply with the conditions of the Special Permit. If

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there are no complaints at the time of renewal, it is generally granted for a period of two years thereafter.

Mrs. Edwards added that she has similar concerns about children, which is the reason she would like to be able to work out of her home. She has 4 children, the youngest being 4 years old. Her business is a low volume one, and the client population is under her control as all appointments are scheduled. The weekly hours from 9 a.m. to 5 p.m. are to give her flexibility in scheduling client appointments. There would be no Brinks trucks, large meetings or increased trash related to the home occupation.

No other person had any comment on the petition.

Statement of Facts

The subject property is located at 3 Brookmere Avenue, in a Single Residence District. The petitioner is requesting a Special Permit to use a portion of her premises at 3 Brookmere Avenue for the conduct of a home occupation; namely, investment advisory services with hours from 9 a.m. to 5 p.m. on Mondays through Fridays throughout the year, and no more than 5 clients per week during these hours. There are no employees.

On September 9, 1997, the Planning Board reviewed the petition and voted to recommend no opposition to the request provided that all parking is off-street, and the hours of operation are limited as indicated by the applicant.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the 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 3 Brookmere Avenue is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw, and that the requested home occupation will not disturb or disrupt the customary character of the neighborhood.

Therefore, it is the unanimous decision of this Authority, as voted at the Public Hearing, to grant the requested Special Permit, subject to the following conditions:

1. The hours of the home occupation shall be limited to 9 a.m. to 5 p.m. on Mondays through Fridays throughout the year.
2. The number of clients shall not exceed 10 per week, and shall be seen only during the aforesaid office hours.

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3. All parking related to the home occupation shall be in the driveway of the petitioner, and no vehicles related to the home occupation shall be parked on Brookmere Avenue or any adjacent street at any time.

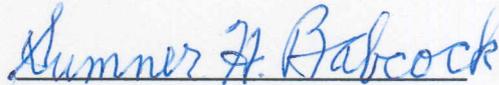
4. This Special Permit shall expire one year from the date of this decision.

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.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


William E. Polletta


Sumner H. Babcock

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