

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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1997 SEP 26 A 8:14

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ZBA 97-83

Petition of Beverly P. St. Clair, M.D.
11 Gilson Road

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 BEVERLY P. ST. CLAIR, M.D. 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 continue to use a portion of her premises at 11 GILSON ROAD, in a Single Residence District, for the purpose of a home occupation; namely, a psychiatric practice for individual clients with hours from 9 a.m. to 5 p.m. on Tuesdays, Thursdays and Fridays throughout the year, with no more than 21 client hours per week.

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 Beverly St. Clair, who said that she is requesting renewal of the Special Permit which she has been granted for the past 8 years. There are no changes in the conditions.

The Board noted that the Planning Board had recommended that this home occupation would be better situated in a business or office area. The Board stated that there has never been a complaints regarding Dr. St. Clair's practice, nor has there been any opposition from the neighbors.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 11 Gilson 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 a psychiatric practice with hours from 9 a.m. to 5 p.m. on Tuesdays, Thursdays and Fridays throughout the year, with no more than 21 client hours per week during these hours. A Special Permit for this use has been granted to Dr. St. Clair since 1988.

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Dr. St. Clair's practice is limited to a maximum of 21 individual clients, who are pre-screened so as to be appropriate for a home office setting. Sufficient on-site parking is available for two cars in addition to the family vehicles. There are no non-resident employees.

On September 9, 1997, the Planning Board reviewed the petition and stated its belief that this home occupation should be located in a business or office area.

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 request by Dr. St. Clair for renewal of the Special Permit for a home occupation at her premises at 11 Gilson Road 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, the requested Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. All parking related to the home occupation shall be in the driveway of the petitioner, and no car related to the home occupation shall be parked on Gilson Road at any time.
2. All client sessions shall be conducted between the hours of 9 a.m. to 5 p.m. on Tuesdays, Thursdays and Fridays throughout the year.
3. Sessions with clients shall not exceed 21 hours per week.
4. This Special Permit shall expire two years 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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