

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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1999 DEC -1 A 8:14

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ZBA 99-88
Petition of Ingrid Raab
10 West Riding Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 18, 1999 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 INGRID RAAB 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 10 WEST RIDING ROAD, in a Single Residence District, for the purpose of a home occupation; namely the practice of psychotherapy with individual adults with hours from 9 a.m. to 8 p.m. on Mondays through Fridays throughout the year, but with no more than 5 clients per week during these hours. There will be no employees.

On November 1, 1999, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

The petitioner did not appear at the hearing, nor did she notify the Board that she would not appear, nor did she designate another person to represent her.

Statement of Facts

The subject property is located at 10 West Riding Road, in a Single Residence District. The petitioner is requesting a Special Permit to use a portion of her premises for the conduct of a home occupation; namely the practice of psychotherapy with adult individuals with hours from 9 a.m. to 8 p.m. on Mondays through Fridays throughout the year, but no more than 5 clients per week during these hours. There will be no employees.

A copy of the Town Plan showing the location of the property, a floor plan and photographs were submitted.

On November 3, 1999, the Planning Board reviewed the petition and had no objection to granting the Special Permit with conditions consistent with other home occupation special permits.

Decision

This Authority has made a careful study of the materials submitted. Any home occupation involving clients coming to a dwelling in a Single Residence District requires a Special Permit pursuant to the provisions of Section II A 8 (h) of the Zoning Bylaw.

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The office of the Board of Appeals distributes a copy of "Requirements for Special Permit Applications to every petitioner seeking a Special Permit. "Section III. Public Hearing" states:

"The petitioner must attend the Public Hearing."

As the petitioner has not complied with said requirement, nor notified the Board that she would be unable to attend, nor sent a representative, the Board voted unanimously at the Public Hearing to deny the Special Permit.

Therefore, this Special Permit is denied and this petition is dismissed.

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, Chairman

William E. Polletta

Richard L. Seegel

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