



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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83-24

Petition of Laurence Samet, M.D.

Pursuant to due notice, the Special Permit held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, June 30, 1983, on the petition of LAURENCE SAMET, M.D., requesting a Special Permit under the provisions of Section II 8 (h) and Section XXV of the Zoning Bylaw which will allow the petitioner to use the premises at 14 WEBB AVENUE for the conduct of a home occupation, namely an office for outpatient psychotherapy for individuals and couples, said location being in a Single Residence District.

On June 2, 1983, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Dr. Samet's petition for a Special Permit was originally scheduled for the Public Hearing of June 23, 1983 and was so advertised. The property was incorrectly described in the legal notice as 4 Webb Avenue instead of 14 Webb Avenue. Therefore, the case was withdrawn from the June 23, 1983 Public Hearing and scheduled for the June 30, 1983 Public Hearing. Notice of such action was given to all interested parties, as described above.

Presenting the case at the June 30 Public Hearing was Dr. Samet, who stated that his office hours would not be less than 10 hours or more than 30 hours per week, probably an average of 10 to 20 hours per week. He stated that his practice is part-time, that the driveway can accommodate 5 cars, but that only one client car would be parked there at a time. He does no group work. Office hours would be between 8 a.m. and 8 p.m. weekdays. Dr. Samet presented letters of support from the following neighbors: Seymour and Sylvia Kushner, 18 Webb Avenue, Jerry and Ronna Gladstone, 7 Webb Avenue, Wendy and Leonard Jolles, 3 Webb Avenue.

Other than the petitioner, no one was present at the hearing favoring or opposing the petition.

Statement of Facts

The property involved is located at 14 Webb Avenue, in a Single Residence District.

Dr. Samet purchased the home in April, 1983, from a psychiatrist who had an office there for several years. Dr. Samet claims he assumed the use of the office had been

legal and that the continued use would be as a matter of right.

The petitioner proposes to conduct a psychiatric office between the hours of 8 a.m. and 8 p.m., seeing one client at a time, office being in operation 10 to 30 hours per week. Cars of clients would be parked in the driveway. There would be no alterations in the house, no signs would be displayed.

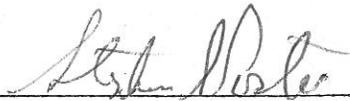
The Planning Board, in a letter dated June 17, 1983, stated it has no objection to an annual permit provided the sessions do not continue later than 9 p.m.

Decision

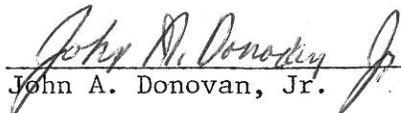
This Authority has made a careful study of the evidence submitted, and finds that the requested use by Dr. Laurence Samet is in compliance with the intent of the Zoning Bylaw pertaining to home occupations. It is the opinion of this Authority that the requested home occupation will not disrupt or disturb the customary character of the neighborhood.

Therefore, the requested Special Permit is granted subject to the following conditions:

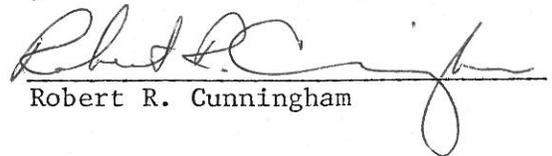
1. That all parking related to said home occupation will be in Dr. Samet's driveway, and that no clients cars will be parked on Webb Avenue at any time.
2. That sessions with clients will not exceed twenty-five hours per week.
3. That all sessions will be conducted between the hours of 8 a.m. and 9 p.m.
4. That the Special Permit will expire one year from the date of this decision.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



Robert R. Cunningham

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