



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 93-42  
Petition of Phyllis S. Yawitt  
65 Arnold Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 20, 1993 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 PHYLLIS S. YAWITT, 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 65 ARNOLD ROAD, in a Single Residence District, for the purpose of a home occupation; namely, the practice of psychotherapy with individuals, couples and families, from 4 p.m. to 8 p.m. on Monday, Wednesday and Friday, and from 10 a.m. to 2 p.m. on Saturday throughout the year. There are no employees and all parking is on the premises.

On May 3, 1993, the petitioner requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Dr. Yawitt had submitted a letter to the Board explaining that she would be out of the country on May 20th and would be out of state on June 17th, the date of the next Public Hearing.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 65 Arnold Road, in a Single Residence District. The petitioner appeared before the Board in May, 1992, requesting a Special Permit for a home occupation for the first time. The Special Permit was granted for the home occupation with hours from 4 p.m. to 8 p.m. on Monday through Thursday throughout the year (ZBA 92-28).

The petitioner is now requesting renewal of the Special Permit with a change of hours to Monday, Wednesday and Friday from 4 p.m. to 8 p.m. and on Saturday from 10 a.m. to 2 p.m. throughout the year. All other conditions will remain the same.

On May 11, 1993, the Planning Board reviewed the petition and voted to offer no opposition to the granting of the renewal as requested.

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Decision

This Authority has made a careful study of the materials submitted. It is the opinion of this Authority that the allowance of Saturday office hours, which would disturb the customary character of the neighborhood, would be an unwanted precedent. However, this Authority is of the opinion that the expansion of office hours on Monday, Wednesday and Friday from 3 p.m. to 8 p.m., rather than from 4 p.m. to 8 p.m., which would result in a total of 16 available office hours, but no more than 15 client hours per week, could be allowed.

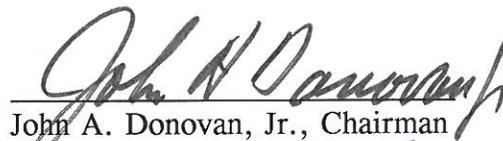
This Authority is of the opinion that, based on the aforementioned change in requested hours, the proposed use will be in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw; will neither disturb or disrupt the customary character of the neighborhood; and will be in harmony with the general intent and purpose of the Zoning Bylaw.

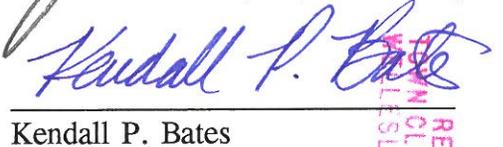
Therefore, the requested Special Permit is granted subject to the following conditions:

1. All client sessions shall be conducted between the hours of 3 p.m. and 8 p.m., Monday, Wednesday and Friday throughout the year.
2. The total number of client sessions shall not exceed 15 hours per week.
3. All parking related to the home occupation shall be in the driveway at 65 Arnold Road, and no client cars shall be parked on Arnold Road at any time.
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

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Robert R. Cunningham

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