

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

2001 SEP 26 A 8:23

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ZBA 2001-70  
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 13, 2001 at 7:30 p.m. in the Great Hall 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 clients during these hours.

On August 27, 2001, 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 Dr. St. Clair, who said she would like to continue her home occupation under the same terms and conditions as have been in place for the past 12 years.

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 clients per week during these hours. A Special Permit for this use has been granted annually or biennially to Dr. St. Clair since 1988.

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 4, 2001, the Planning Board reviewed the petition and a majority of the Board had no objection to renewal of the Special Permit on the same terms and conditions as are currently in effect, and assuming there has been no material change in the underlying circumstances and characteristics of the petition and use.

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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 her 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 Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. All client sessions shall be conducted within the hours of 9 a.m. to 5 p.m. on Tuesdays, Thursdays, and Fridays throughout the year.
2. Sessions with clients shall not exceed 21 hours per week during the aforesaid hours.
3. All parking related to the home occupation shall be in the driveway of the petitioner, and no vehicle related to the home occupation shall be parked on Gilson Road or on any adjacent street 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

Kendall P. Bates, Chairman

Richard L. Seegel

Robert A. Bastille