

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2001-78  
Petition of Elyse G. Fishkin  
67 Beechwood Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on October 25, 2001 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of ELYSE G. FISHKIN requesting a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to use a portion of her premises at 67 BEECHWOOD ROAD, in a Single Residence District, for the purpose of a home occupation; namely, speech therapy for individual children from 9 a.m. to 5 p.m. on Mondays through Fridays throughout the year, with no more than 15 clients per week during these hours. There are no employees.

On October 9, 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 Elyse Fishkin, who said she would like to see clients in her home in order to be there for her children. She sees her clients, most of whom are deaf children, on an individual basis. The child is usually dropped off by a parent, who returns to pick up the child at the end of the appointment.

The Board stated that if any of the parents did park, they would be required to park on Ms. Fishkin's property because no cars related to a home occupation, including Ms. Fishkin's vehicle, can be parked on the street. Ms. Fishkin said that would not be a problem.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 67 Beechwood Road, in a Single Residence District.

The petitioner is requesting a Special Permit to use a portion of her premises for a home occupation; namely speech therapy, which includes auditory training for deaf children with cochlear implants, speech therapy for deaf and hearing children, and language therapy for delayed children. All clients are seen on an individual basis. The requested hours are from 9 a.m. to 5 p.m. on Mondays through Fridays, with no more than 15 clients per week during these hours. There are no employees.

A floor plan and a photograph of the premises accompanied the application.

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On October 16, 2001, the Planning Board reviewed the petition and had no objection to the granting of the petition on a one-year probationary basis, provided there is adequate off street parking.

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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. A home occupation which involves clients coming to the premises is not a by right use in a Single Residence District.

In the opinion of this Authority, the requested use of a portion her premises by Elyse Fishkin for the home occupation of speech therapy is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw, and will neither disturb nor disrupt the customary character of the neighborhood.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the petitioner to use her premises at 67 Beechwood Road for a home occupation, subject to the following conditions:

1. All client sessions shall be scheduled between 9 a.m. to 5 p.m. on Mondays through Fridays throughout the year.
2. There shall be no more than 15 clients per week during these hours.
3. All parking related to the home occupation, including that of the petitioner's vehicle, shall be on the premises of the petitioner, and no vehicle related to the home occupation shall be parked on Beechwood Road or on any adjacent street.
4. This Special Permit shall expire one year 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.

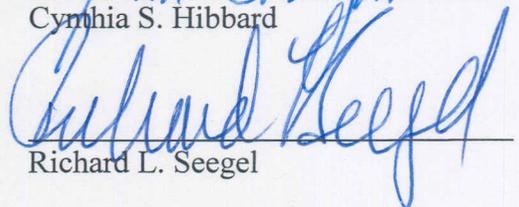
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



Cynthia S. Hibbard



Richard L. Seegel