

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

RICHARD L. SEEGEL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELDLENORE R. MAHONEY
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TELEPHONE
(781) 431-1019 EXT. 208ROBERT A BASTILLE
J. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY

ZBA 2005-67

Petition of Beverly St. Clair, M.D.

11 Gilson Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 8, 2005 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of BEVERLY 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 9:00 a.m. to 5:00 p.m. on Tuesdays, Thursdays, and Fridays throughout the year, with no more than 21 clients during these hours. All parking is on the premises.

August 22, 2005, 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 that she resides at 11 Gilson Road.

The Board asked if Dr. St. Clair had heard any questions or comments from her neighbors. Dr. St. Clair said that she had not. She said that she continues to check with them.

The Board asked when the last time she had checked with her neighbors was and how she did that. Dr. St. Clair said they had a neighborhood block party in June and she spoke with a number of the neighbors at that time.

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 9:00 a.m. to 5:00 p.m. on Tuesday, Thursdays, and Fridays throughout the year.

Dr. St. Clair's practice is limited to a maximum of 21 individual adults, 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 nonresident employees.

Decision

This Authority has made a careful study of all the materials submitted and the information presented at the public hearing. It is the opinion of this Authority that the petitioner's request for a 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) and that the requested home occupation will not disturb nor 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 9:00 a.m. and 5:00 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 time-stamped on this decision.

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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.

Richard L. Seegel, Chairman

David G. Sheffield

J. Randolph Becker

cc: Planning Board
Inspector of Buildings
lrm