

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

RICHARD L. SEEGL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208

J. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINO

ZBA 2008-02
Petition of Geraldine Jarvis
26 Harris Avenue

Petition of GERALDINE JARVIS 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 use a portion of her premises at 26 HARRIS AVENUE, in a Single Residence District, for the purpose of a home occupation, namely, Doggie Day Care for 1 to 10 dogs from 7:00 a.m. to 7:00 p.m. on Mondays through Sundays. All parking is on the premises.

On December 17, 2007, 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 Geraldine Jarvis (the "Petitioner"), who said that she was requesting renewal of her Special Permit for Doggie Day Care. Ms. Jarvis said that there have been no complaints. A letter from the Animal Control Officer had been submitted, stating that no complaints had been filed.

Ms. Jarvis confirmed that dogs were present on the days that the Board members visited the property. The Board members said that they had not heard any noise when they visited the property.

The Board read letters of support from neighbors at 22 Harris Avenue and 29 Minuteman Lane.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 26 Harris Avenue, 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 a home occupation, namely Doggie Day Care, for 1 to 10 dogs from 7:00 a.m. to 7:00 p.m. on Mondays through Sundays.

On December 27, 2006, the Planning Board reviewed the petition and had no objection to renewal of the Special Permit under the same terms and conditions.

ZBA 2008-02
Petition of Geraldine Jarvis
26 Harris Avenue

Decision

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

It is the opinion of this Authority that the requested use of her premises by Geraldine Jarvis for the home occupation of Doggie Day Care 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 a portion of her premises at 26 Harris Avenue for a home occupation, subject to the following conditions:

1. There shall be no more than ten dogs on the premises at any one time.
2. The hours of the home occupation shall be limited to 7:00 a.m. to 7:00 p.m. on Mondays through Sundays throughout the year.
3. All vehicles related to the home occupation shall be parked in the driveway of the premises, and no vehicle related to the home occupation shall be parked on Harris Avenue or on any adjacent street.
4. There shall be no overnight boarding of any nonresident dog.
5. This Special Permit shall expire two years from the date time stamped on this decision.

ZBA 2008-02
Petition of Geraldine Jarvis
26 Harris Avenue

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

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm