

**ZONING BOARD OF APPEALS**

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

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ZBA 2008-76

Petition of Elyse G. Fishkin
67 Beechwood Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 6, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of ELYSE G. FISHKIN requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to continue 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. All parking is on the premises.

On October 20, 2008, 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 ("the Petitioner").

The Board confirmed that there are no changes requested from the previous special permit.

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 67 Beechwood 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 in a Single Residence District for the purpose of 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 throughout the year, with no more than 15 clients per week during these hours. There are no employees.

On November 3, 2008, the Planning Board reviewed the petition and had no objection to renewal of the Special Permit under the same terms and conditions as are currently in effect.

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.

It is the opinion of this Authority that the requested use of 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 a portion of 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. and 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 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.

David G. Sheffield, Acting Chairman

Robert W. Levy

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm