



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 90-59
Petition of Katherine S. Kaufmann
8 Commonwealth Park

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 26, 1990 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of KATHERINE S. KAUFMANN requesting renewal of a Special Permit pursuant to the provisions of Section II 8 (h) and Section XXV of the Zoning Bylaw to continue to allow her to use a portion of her residence at 8 COMMONWEALTH PARK, in a Single Residence District, for the conduct of a home occupation, namely the practice of individual, marital and family psychotherapy, for no more than 25 hours a week, from 9 a.m. to 9 p.m., Monday through Friday throughout the year.

On July 9, 1990, the petitioner requested a hearing before this Board, and thereafter due notice was given by mailing and publication.

Presenting the case at the hearing was Katherine Kaufmann, who requested renewal of her Special Permit to conduct her practice of psychotherapy in an office in her home. She said that she has had the permit since 1986, and requested renewal under the same conditions as were granted last year.

No other persons present had any comment on the petition.

Statement of Facts

The property in question is located at 8 Commonwealth Park, in a Single Residence District, and is owned by John and Katherine S. Kaufmann.

The petitioner is requesting renewal of a Special Permit to use a portion of her residence to conduct a home occupation, namely the practice of individual, marital and family psychotherapy. Since the original special permit was granted in August, 1986 for 10 client hours per week, the number of client hours has increased to 25, which, in the opinion of the Board, is the maximum that should be allowed for a home occupation. The hours requested are from 9 a.m. to 9 p.m., Monday through Friday throughout the year, with no more than 25 client hours per week. No sign shall be displayed on the premises, and there are no employees. All client parking will be in the petitioner's driveway.

Letters in support of the petition were received from Thomas J. Cummings, 402 Washington Street; William Van Loan, 2 Bay State Road; and Richard R. Davis, 4 Commonwealth Park.

The Planning Board, on July 17, 1990, voted to recommend that the petition be denied, believing that the use should be moved to a professional or business district. However, if granted, the current terms and conditions should be retained.

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Decision

This Authority has made a careful study of the evidence presented and finds that the requested use by Katherine S. Kaufmann is in compliance with the requirements of Section II 8 (h) of the Zoning Bylaw pertaining to home occupations and will neither disturb nor disrupt the customary character of the residential neighborhood

Therefore, the requested Special Permit is granted subject to the following conditions:

1. Client hours shall not exceed 25 hours per week.
2. Hours of operation shall be limited to 9 a.m. to 9 p.m., Monday through Friday throughout the year.
3. All parking related to the home occupation shall be in the driveway of the petitioner, and no cars related to said home occupation shall be parked on Commonwealth Park 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
edg



Kendall P. Bates, Acting Chairman



Franklin P. Parker



William E. Polletta

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