



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

NOV 4 8 33 AM '91

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ZBA 91-56
Petition of Barbara W. Emmer
20 Beechwood Terrace

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 21, 1991 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 BARBARA W. EMMER requesting a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw which will allow her to use a portion of her premises at 20 BEECHWOOD TERRACE, in a Single Residence District, for the conduct of a home occupation, namely a counseling practice for individual adults and children, with hours from 10 a.m. to 9 p.m. on Tuesdays and 1 p.m. to 9 p.m. on Wednesdays and Thursdays throughout the year. There will be no employees.

On November 4, 1991, the petitioner requested 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 Barbara Emmer, who said she would like to open a small private part-time counseling practice for individual adults and young children, with no more than 19 clients per week. She would not be treating clients who were seriously disturbed or who had problems stemming from alcohol or substance abuse.

Mrs. Emmer said that her driveway is long enough to accommodate at least two cars, with the garage housing one of the family cars. As appointments will be scheduled with a minimum of twenty minutes between clients, two client cars would never be in the driveway at one time.

The Board expressed concern with the requested extension of office hours until 9 p.m. as this could prove to be disruptive to the neighborhood. After discussion, an agreement was reached that office hours would be restricted to 10 a.m. to 8 p.m. on Tuesday, Wednesday and Thursday, with a maximum of 20 clients seen during those hours. The Special Permit would have to be renewed after one year, at which time the Board would reassess the situation.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 20 Beechwood Terrace, in a Single Residence District.

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The petitioner wishes to obtain a Special Permit for a home occupation, namely a part-time counseling practice limited to individual adults and young children. After discussion at the Public Hearing, the Board determined the office hours to be 10 a.m. to 8 p.m. on Tuesdays, Wednesdays and Thursdays throughout the year, not to exceed a total of 20 clients. All cars related to the home occupation will be parked in the petitioner's driveway. There will be no employees.

The petitioner submitted a floor plan of her dwelling and photographs of the premises.

On November 13, 1991, the Planning Board voted to recommend that if the special permit were granted, it should be conditioned on the cessation of operation at 6 p.m. so as not to disturb or disrupt the customary character of the neighborhood.

Decision

This Authority has made a careful study of the evidence submitted, and finds that the requested use by Barbara W. Emmer is in compliance with the restrictions stated in Section II A 8 (h) of the Zoning Bylaw pertaining to home occupations. It is the opinion of this Authority that the requested home occupation will not disturb or disrupt the customary character of the neighborhood.

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

1. All parking related to said home occupation will be in Mrs. Emmer's driveway and that no client cars shall be parked on Beechwood Terrace at any time.
2. Sessions with clients shall not exceed 20 hours per week.
3. All sessions shall be conducted within the hours of 10 a.m. to 8 p.m., Tuesday, Wednesday and Thursday throughout the year.
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.


John A. Donovan, Jr., Chairman


Kendall P. Bates

cc: Planning Board
Inspector of Buildings
edg

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Robert R. Cunningham

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