

**ZONING BOARD OF APPEALS**

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

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ZBA 2006-74

Petition of Joy Emerson Brewer
16 Intervale Road

Petition of JOY EMERSON BREWER (the "Petitioner") requesting 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 the premises at 16 INTERVALE ROAD, in a Single Residence District, for the purpose of a home occupation, namely, a Voice Studio for one student per lesson. The hours of operation will be Tuesdays, 3-6 pm, Wednesdays, 1-6pm, Thursdays, 3-6 pm, and Saturdays, 9:30 am – 1 pm. All parking is on the premises. Students will be dropped off and picked up.

On September 18, 2006, 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 Joy Emerson Brewer, who said that she wishes to teach voice lessons in her house, one student at a time. The Petitioner said that she expects parents to drop off their student for a half-hour lesson and return to pick them up.

The Board said that because the houses are fairly close together, there is concern about the impact on the abutters and neighbors.

The Board asked where the Voice Studio would be located in the house. Ms. Brewer said that she is proposing to use the front room where she has had a keyboard and has always practiced there. She said that she had a piano delivered recently and that it fits in the front room. When the piano was delivered, a neighbor commented that she had never heard Ms. Brewer practice.

The Board asked if windows will be open at any time during the lessons. Ms. Brewer said that she keeps the house sealed up and regulated by central air conditioning. She said that she has severe allergies and would not want to have pollen irritate her respiratory system, as that could interfere with her profession.

Ms. Brewer said that she currently has four students that she teaches from another site. She said that her goal is to fill the half-hour time slots that are listed in the application, with the exception of slots for personal time.

Ms. Brewer said that she expects that Wednesdays will be busier due to early release for Wellesley school children. She said that the focus group is students between the ages of 8 and 18.

Ms. Brewer said that she expects to teach two to three students per day for the next few years.

The Board asked about amplification of the piano or the students. Ms. Brewer said that there will be no amplification.

The Board confirmed that there will be no sign announcing the services.

The Board asked if there were plans for recitals for the students. Ms. Brewer said that she is affiliated with a church in Needham and would plan to have the recitals and rehearsals held there.

The Board confirmed that there are six parking spaces in the driveway.

The Board asked about delivery of teaching aids, such as sheet music. Ms. Brewer said that teaching materials would typically arrive in a FedEx package.

Statement of Facts

The subject property is located at 16 Intervale Road, in a Single Residence District.

The petitioner is requesting a Special Permit to allow her to use a portion of her premises in a Single Residence District for the purpose of a home occupation, namely, a Voice Studio for one student per lesson. The hours of operation will be Tuesdays, 3-6 pm, Wednesdays, 1-6pm, Thursdays, 3-6 pm, and Saturdays, 9:30 am – 1 pm. All parking is on the premises. Students will be dropped off and picked up.

On September 26, 2006, the Planning Board reviewed the petition and had no objection to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the Public Hearing.

It is the opinion of this Authority that the requested use of a portion of the premises at 16 Intervale Road for the purpose of conducting voice lessons is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw and shall 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, subject to the following conditions:

1. There shall be no signs.
2. All parking shall be on site.
3. The hours of operation shall be Tuesdays, 3-6 pm, Wednesdays, 1-6pm, Thursdays, 3-6 pm, and Saturdays, 9:30 am – 1 pm.
4. There shall not be more than one student at a time.
5. There shall be no amplification.
6. The Special Permit shall be effective for one year 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.

J. Randolph Becker, Acting Chairman

Robert W. Levy

Robert C. Sechrest

cc: Planning Board
Inspector of Buildings
lrm