



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

SEP 13 8 41 AM '91

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ZBA 91-41
Petition of Laurence M. Samet, M.D.
14 Webb Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 29, 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 LAURENCE M. SAMET, M.D. 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 him to continue to use a portion of his premises at 14 WEBB AVENUE, in a Single Residence District, for the conduct of a home occupation, namely a psychiatric practice, with hours from 7 a.m. to 9 p.m., 30 hours per week, Monday through Friday throughout the year, as this is not a use allowed by right in a Single Residence District.

On August 12, 1991, the petitioner requested a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Laurence M. Samet, M.D. Dr. Samet said that he has had his office in his home since 1983, and that there have been no changes in the request, nor complaints from any neighbors in the past 8 years. He has off-street parking in his driveway for 4 cars. Dr. Samet presented a letter in support of the petition from Seymour Kushner, 18 Webb Avenue.

No person present had any comment on the petition.

Statement of Facts

The subject property is located at 14 Webb Avenue, in a Single Residence District. Dr. Samet is requesting renewal of a Special Permit for a home occupation, namely a psychiatric practice, with hours from 7 a.m. to 9 p.m., 30 hours per week, Monday through Friday throughout the year. The use of a portion of the premises for a home occupation is not a use allowed by right in a Single Residence District.

Dr. Samet purchased the property in 1983 from a psychiatrist who had an office on the premises. Special permits for the conduct of the home occupation have been granted to Dr. Samet annually or biennially since 1983. He is presently requesting renewal for another two year period.

On August 20, 1991, the Planning Board reviewed the petition and voted to recommend that renewal of the Special Permit be granted only if the use did not exceed 20 hours per week, and the hours were limited to between 9 a.m. and 5 p.m. so as not "to disturb the customary character of a residential neighborhood" as stated in Section II A 8 (h) of the Zoning Bylaw.

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Decision

This Authority has made a careful study of the evidence submitted and finds that the requested use of a portion of his premises at 14 Webb Avenue by Laurence M. Samet, M.D. is in compliance with the requirements of Section II A 8 (h) of the Zoning Bylaw. 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. That all parking related to said home occupation shall be in Dr. Samet's driveway, and that no cars relating to said home occupation shall be parked on Webb Avenue at any time.
2. That sessions with clients shall not exceed 30 hours per week.
3. That all sessions shall be conducted between 7 a.m. and 9 p.m., Monday through Friday throughout the year.
4. That this Special Permit shall expire 2 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.


John A. Donovan, Jr., Chairman


Kendall P. Bates

cc: Planning Board
Inspector of Buildings
edg


William E. Polletta

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