



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

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ZBA 92-52
Petition of Barbara W. Emmer
20 Beechwood Terrace

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 19, 1992 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of BARBARA W. EMMER 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 her to continue 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 8 p.m. on Tuesday, Wednesday and Thursday throughout the year. There will be no employees.

On November 2, 1992, 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 that there had been no changes since the original request. She said that she was averaging about 4-6 clients per week, and did not expect that number to increase appreciably. The Board noted that the Planning Board had recommended that client hours be limited to ten per week, which was agreeable to Mrs. Emmer.

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. The petitioner is requesting a Special Permit to continue to conduct her home occupation, namely a part-time counseling practice with individual adults and children on Tuesday, Wednesday and Thursday from 10 a.m. to 8 p.m. throughout the year, not to exceed 20 clients per week. All parking related to the home occupation will be in the driveway of the petitioner, and there will be no employees.

On November 17, 1992, the Planning Board reviewed the petition and recommended renewal of the Special Permit, but suggested that the practice be limited to 10 client hours per week.

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Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. It is the opinion of this Authority that the requested use of the premises by Barbara W. Emmer is in compliance with the restrictions of Section II A 8 (h) of the Zoning Bylaw, and that the requested home occupation will not disturb or disrupt the customary character of the neighborhood.

It is the opinion of this Authority that despite the recommendation of the Planning Board, the petitioner has not abused the use of the Special Permit in the last year, and that the conditions under which it is granted should not change.

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

1. All parking related to said home occupation shall be in Mrs. Emmer's driveway, and 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. on Tuesday, Wednesday and Thursday throughout the year.
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


John A. Donovan, Jr., Chairman


Kendall P. Bates

Robert R. Cunningham

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