

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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ZBA 2025-06

Petition of Darshini Kumarasena
30 Yarmouth Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, January 9, 2025, at 7:30 pm, on the petition of Darshini Kumarasena requesting renewal of a Special Permit pursuant to the provisions of Section 2.1 A 8 (h) and Section 6.3 of the Zoning Bylaw to allow the use of a portion of the premises at 30 Yarmouth Road, in a Single Residence District, for the purpose of a home occupation, namely Pediatrician's Office, for up to two patients per week, from 7 am to 9 pm, Mondays through Sundays. There are no nonresident employees and all parking is on the premises.

On December 9, 2024, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Shani Kumarasena, the Petitioner.

Ms. Kumarasena said that she is a pediatrician in town. She said that the request is for renewal of a special permit to see up to two patients a week at her home in a Single Residence District, if need arises, not regularly.

The Chairman said that the special permit has been renewed a few times already. He asked how many patients Dr. Kumarasena sees at home. Dr. Kumarasena said that she does not see many. She said that she had to limit the number and see as many patients as possible in the office because of Covid. She said that if some patients around her neighborhood need some things looked at an hour when she can't be in the office, she can see them at her home. She said that it is good to have that flexibility.

The Chairman asked if the visits will be once or twice a week. Dr. Kumarasena said that it is less than once or twice a week. She said that it is typically once a month.

A Board member confirmed that there is adequate parking on the property. Dr. Kumarasena said that there is plenty of parking on the circular driveway and a straight driveway on the property.

The Chairman confirmed that there have been no complaints from the neighbors.

No member of the public wished to speak to the petition.

Statement of Facts

The subject property is located at 30 Yarmouth Road, in a Single Residence District.

The Petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section 2.1 A 8 (h) and Section 6.3 of the Zoning Bylaw to allow the use of a portion of the premises at 30 Yarmouth Road, in a Single Residence District, for the purpose of a home occupation, namely Pediatrician's Office for up to two patients per week, from 7 am to 9 pm, Mondays through Sundays. There are no nonresident employees and all parking is on the premises.

On January 7, 2025, the Planning Department Staff reviewed the petition and recommended that the special permit be renewed, subject to similar conditions in effect.

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 Petitioner's request for renewal of a special permit for a home occupation at the premises at 30 Yarmouth Road is in compliance with the requirements of Section 2.1 A 8 (h), will meet the Special Use Permit Standards conditions in Section 6.3 of the Zoning Bylaw, and the requested home occupation will not disturb nor disrupt the customary character of the neighborhood.

Therefore, the Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions:

1. The number of patients shall not exceed two per week.
2. This Special Permit shall expire three years 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.

Robert W. Levy (hm)
Robert W. Levy, Acting Chairman

Walter B. Adams (hm)
Walter B. Adams

Derek B. Redgate (hm)
Derek B. Redgate

ZBA 2025-06
Applicant Darshini Kumarasena
Address 30 Yarmouth Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2025 JAN 23 PM 12:41
TOWN OF WELLESLEY
RECORDING OFFICE

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm