

**TOWN OF CONCORD**

**BOARD OF APPEALS**

**TOWN HOUSE**

Please take notice that in the matter of the APPLICATION OF JILL ENGERMAN for a Special Permit, under Sections 5.3.6.2 and 11.6, for a Special Home Occupation, to operate a professional office at 105 Walden Street (Parcel # 0119), Concord, Massachusetts, the Board of Appeals has this day rendered a decision GRANTING said application, and the record therein has this day been filed with the Town Clerk, Town House, Concord, Massachusetts. Appeals, if any, shall be made pursuant to Section 17 of the Zoning Act, Chapter 40A of the Massachusetts General Laws, and shall be filed within 20 days after the date of this notice.

*Andrew W Mara*

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Andrew Mara, Administrative Assistant  
BOARD OF APPEALS

September 17, 2015

DATE

## TOWN OF CONCORD

### BOARD OF APPEALS

**DECISION** of the Zoning Board of Appeals (the Board) on the application of JILL ENGERMAN for a Special Permit, under Sections 5.3.6.2 and 11.6, for a Special Home Occupation, to operate a professional office at 105 Walden Street, Concord, Massachusetts and identified as Assessor Parcel # 0119.

This decision is in response to an application filed on July 14, 2015. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in *The Concord Journal* on August 27<sup>th</sup> and September 3<sup>rd</sup>, posted and mailed to the Applicant, abutters and other 'parties in interest' as required by law, the public hearing was conducted on September 10, 2015.

Applicant Jill Engerman appeared for the hearing and presented the Application. Ms. Engerman sought a Special Permit to operate a psychotherapy office on the second floor of the detached garage located at 105 Walden Street. The Applicant advised the Board that there will be no employees and no exterior indication of the home occupation. Ms. Engerman said she will meet with no more than six clients a day and that there was adequate on-site parking for clients. Ms. Engerman also noted that a significant portion of her client appointments are held via video conferencing and not in person.

At the Hearing, no one spoke in opposition to or in support of the Application.

Pursuant to Section 5.3.6.2 of the Bylaw, the Board determined that the Application met the following requirements for a Special Home Occupation: there is not more than one full-time employee on the premises, there will be no exterior indications of the home occupation, there is sufficient off-street parking, the home occupation is clearly secondary, and no additional landscaping is required.

Pursuant to Section 11.6 of the Bylaw, the Board considered impacts on economic and community needs; traffic flow and safety concerns, including parking and loading; adequacy of utilities and other public services; impacts on neighborhood character; impacts on the natural environment; and fiscal impacts, including impacts on Town services, the tax base and employment. The Board determined that any negative impacts are negligible and finds that the adverse effects of the Special Home Occupation will not outweigh its beneficial impacts to the public interest, the Town and the neighborhood, in view of the characteristics of the site and the proposal in relation to that site with the following conditions:

1. Approval is based on the following plans:

Snelling & Hamel Associates, Inc., 10 Lewis Street PO Box 102, Lincoln, MA 01773:

As Built Plan for New Garage: 105 Walden Street; dated 6/18/15

Nashawtuc Architects, 2 Lexington Road, Concord, MA 01742:

Garage & Office Floors Plans & Parking Plan (A1): 105 Walden Street; dated 7/14/15

Exterior Elevations (A2): 105 Walden Street; dated 7/14/15

2. There will be no employees on the premises.
3. There shall be no sign and no exterior indication, including but not limited to visual or auditory, that the dwelling is used for anything other than residential purposes.
4. Off-street parking for the dwelling and home occupation shall be provided and the number of vehicles on the premises at any one time and number of vehicle trips per day, exclusive of the residents' vehicles and trips per day, shall be consistent with the residential character of the property.
5. The home occupation, a psychotherapy practice, shall be clearly secondary and incidental to the principal use of the premises.
6. This Special Permit is granted for a period of five years and expires five years from the date that this Special Permit is filed with the Town Clerk, but, upon application to the Board, may be renewed or extended.