



ZONING BOARD OF APPEALS

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

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ZBA 2004-26
 Petition of Sandra C. Masters
 889 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 13, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of SANDRA C. MASTERS requesting renewal of a Special Permit to allow her to continue to use a portion of the premises owned by her parents, Mr. and Mrs. Charles Coe, at 889 WORCESTER STREET, in a Single Residence District, for the conduct of a home occupation; namely a chiropractic practice with hours from 8:30 a.m. to noon and from 3 p.m. to 7 p.m. on Mondays, Wednesdays and Fridays throughout the year, totaling 22.5 hours per week. There are two nonresident employees totaling 35.5 hours per week throughout the year. Parking for 12 vehicles is available on site.

On April 27, 2004, 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 Sandra Masters, who said she has been in practice in Wellesley for 18 years, of which the last 8 have been from her home on Worcester Street. She said she is requesting a change in the hours from four to three days per week.

The Board noted that Mrs. Masters' hours would be increased by one, but that employee hours would be reduced by thirteen.

The Board asked if Mrs. Masters still lived in the house. She said she did. The Board asked about signage. Mrs. Masters said she has a sign in the window. It is not visible from the street, as the house is set far back. It is the sign she used when the office was located on Washington Street.

John Saunders, 484 Weston Road, asked if Mrs. Masters actually lived in the house. Except during business hours, he does not see any lights or cars on the premises. Mrs. Masters reiterated that she lives in the house.

Statement of Facts

The subject property is located at 889 Worcester Street, in a Single Residence District, on a 12,626 square foot lot, and is owned by Mr. and Mrs. Charles Coe, parents of the petitioner. Dr. Masters resides on the premises. The property contains a semi-circular driveway with two curb cuts onto Worcester Street.

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The petitioner is requesting renewal of a Special Permit, which was first granted in 1996, to use a portion of the premises for the purpose of a home occupation, namely a chiropractic practice. The following hours of operation are requested:

Monday, Wednesday and Friday:	8:30 a.m. – noon
Total hours – 22.5	3:00 p.m. – 7:00 p.m.

The following employee hours are requested:

Receptionist: Monday, Wednesday and Friday:	8 a.m. – noon
	3:00 p.m. – 7:30 p.m.
Business manager: Tuesday and Thursday	8 a.m. – 1 p.m.
Total employee hours – 35.5	

Parking for 12 vehicles is available on site. The number of clients ranges from 4-6 per hour.

On May 11, 2004, the Planning Board reviewed the petition and had no objection to renewal under the same terms and conditions as are currently in effect.

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 889 Worcester Street for the purpose of conducting a chiropractic practice 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:

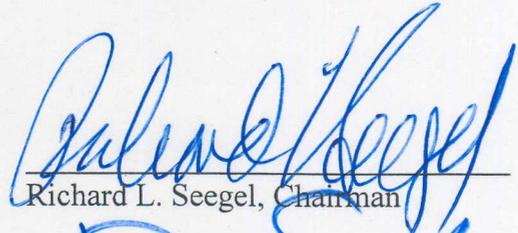
1. The hours of operation shall be as listed in the foregoing Statement of Facts, and shall not exceed 22.5 hours per week.
2. There shall be no more than one full time and 1 part time employee whose total hours shall not exceed 35.5 hours in any one week.
3. There shall not be more than two nonresident employees on the premises at any one time.
4. The maximum number of patients shall not exceed six per hour.
5. All parking for patients and employees shall be on the premises, and no vehicle associated with the home occupation shall be parked, or waiting for a parking space, on Worcester Street at any time.
6. The premises shall be occupied by the petitioner for the duration of the Special Permit.
7. This Special Permit shall expire two 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.

Cc: Planning Board
Inspector of Buildings
edg


Richard L. Seegel, Chairman


David G. Sheffield


J. Randolph Becker

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