

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2006-34  
Petition of Sandra Masters  
889 Worcester Street

Petition of SANDRA MASTERS requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (h) and Section XXV of the Zoning Bylaw to continue to allow a portion of the premises owned by her parents, Sue and 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 March 22, 2006, 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 that she has been running the business for about ten years. She said that the abutting neighbors are the Mobil Station and the Wellesley Manor property.

The Board asked if all of the conditions are the same. Ms. Masters said that she now owns the property and that one of the employees only works about five hours a month.

The Board asked if Ms. Masters still resides at the property. She said that she does.

The Board said that one of the conditions of the Special Permit is that the maximum number of patients shall not exceed six per hour. A Board member observed 13 cars there at 5:00 on a Wednesday evening. Ms. Masters said that they schedule six patients per hour but some of them stay at the office after their appointment. The Board said that the people will have to leave after their appointments to prevent putting the Special Permit at risk.

### 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 Sandra Masters. The property was formerly owned by Dr. Masters' parents, Charles and Sue Coe. 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:	8:00 a.m. – noon
	3:00 p.m. – 7:30 p.m.

Business Manager: Tuesday and Thursday:	8:00 a.m. – 1:00 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 March 30, 2006, the Planning Board reviewed the petition and had no objection to granting the request on the same terms and conditions as are currently in effect assuming there has been no change in the circumstances since the time of the last review.

#### 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 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 one 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.

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Richard L. Seegel, Chairman

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Cynthia S. Hibbard

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David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
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