



ZONING BOARD OF APPEALS

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

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ZBA 2018-55

Petition of Sandra Masters
889 Worcester Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, July 12, 2018 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the 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 use a portion of the premises at 889 Worcester Street for the conduct of a home occupation, namely, a chiropractic practice, with hours on Monday & Wednesday from 8:30 am to noon and 3:30 to 7 pm, Friday from 8 am to 11:30 am and Saturday from 8:30 am to 11:30 am, for a total of 20.5 hours per week. There are two nonresident employees working on Monday and Wednesday from 8 am to noon and 3 pm to 7:30 pm, Friday from 7:30 am to noon and Saturday from 8 am to noon, for a total of 25.5 hours per week. All parking for patients and employees is on the premises.

On June 7, 2018, 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 Dr. Sandra Masters, who said that the request is to renew a special permit to allow her to continue her chiropractic practice out of her home at 889 Worcester Street. She said that she has been doing this since 1996 and it is working quite well. She said that she is no longer working on Friday mornings. She said that she is working on Thursday afternoons from 3:30 pm to 7 pm instead. She said that it adds up to be the same amount of hours.

The Chairman said that the Planning Board had suggested changes to conditions, none of which made them more restrictive but consolidated them. He said that due to time constraints with tonight's public hearing, he was willing to renew the special permit subject to the conditions that are currently in effect.

A Board member asked if the change in hours will affect the employees. Dr. Masters said that the employees will move with her. The Chairman said that the total hours of employees shall not exceed 25.5 hours. He said that the total hours will be consistent with the existing conditions.

There was no one present at the public hearing who wished to speak to the petition.

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. Master's 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.

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:

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Monday & Wednesday	8:30 am – noon & 3:30 pm – 7:00 pm
Thursday	3:30 pm – 7:00 pm
Saturday	8:30 am to 11:30 am
Total hours – 20.5	
The following employee hours are requested:	
Receptionist	
Monday & Wednesday:	8:00 am – noon 3:00 p.m. – 7:30 p.m.
Thursday	3:30 pm - 7:00 pm
Saturday	8: 00 am – noon
Total employee hours – 25.5	

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

On June 27, 2018, the Planning Board reviewed the petition and recommended that renewal of the special permit be approved.

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:

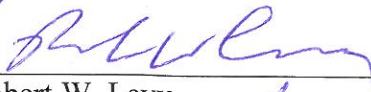
1. The hours of operation shall be as listed in the foregoing Statement of Facts, and shall not exceed 20.5 hours per week.
2. There shall be no more than two employees whose total hours shall not exceed 25.5 hours in any one week.
3. There shall be no more than one nonresident employee on the premises 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 time date-stamped on this decision.

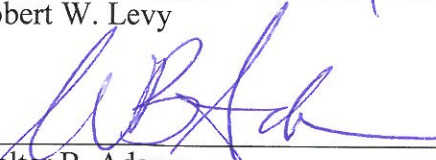
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WELLESLEY, MA 02157

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.


J. Randolph Becker, Acting Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm