

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Mary Ann McDougall  
Executive Secretary  
Telephone  
235-1664

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.

81-39

Petition of Ida Fridman

Pursuant to due notice, the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8 p.m. on August 5, 1981 on the petition of Ida Fridman, requesting a Variance from the terms of Section II, of the Zoning By-law, allowing use of portion of St. Andrews Episcopal Church, 79 Denton Rd, as a nursery school as provided under Section XXIV-D on the Zoning bylaw. Hjordis Stevens, Attorney for Ida Fridman, spoke on behalf of the petition with the aid of Ida Fridman. The request would be to continue operation of the school under the same conditions as last year.

Statement of Facts

The Church is located within a Single Residence District, a district in which the proposed use of the property is not allowed unless a Variance is granted by this Authority.

The petitioner seeks permission to continue to operate a Montessori Nursery School for another year, two morning sessions of twenty-five children per session 9 a.m. to 12 noon, and one afternoon session of twenty-five children per session 12:30 p.m. to 3:30 p.m., all children to be ages 2½ to 6 years. These sessions will be held in rooms downstairs and upstairs.

In addition, the petitioner seeks permission to conduct a Child Center, ages 2½ to 6 years, with no more than fifteen children at any one time, 7:30 a.m. to 5:30 p.m., five days, Monday through Friday. The sessions will meet in two rooms downstairs.

The children will be picked up and dropped off by their parents, as stipulated in the past decisions of this Authority, in the parking lot adjacent to the Church, and will be under the supervision of five capable teachers during the school sessions.

It is the belief of the petitioner that the continued use of the property as a Montessori Nursery School and the requested use as a Child Center will be depreciate values in the area, or otherwise injure properties in the neighborhood. It will, however, continue to fulfill the need for this type of child care in the Town.

The original decision to which this appeal comes was filed with the Town Clerk on February 19, 1980. A request was filed by Mr. Auburn on February 26, 1980 requesting a reconsideration and rehearing, per Section XXIV-C (2) of the Zoning Bylaws, such rehearing was granted on June 5, 1980 by the Permit Granting Authority.

Reverend James MacColt, Rector of St. Andrews Church, has written expressing strong support of the church in favor of renewal by the school.

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Petition of Ida Fridman

Decision

It is the belief of this Authority that the continued use of the portion of St. Andrews as a Montessori Nursery School and Child Center has not changed in the past year.

This Authority grants the requested Variance subject to the following conditions:

1. That all State and local laws shall be complied with as well as all recommendations of the Chief Engineer of the Fire Department.
2. That only the following sessions be held: Two morning sessions, both conducted from 9 a.m. to 12 noon; one afternoon session held from 12:30 pm to 3:30 p.m.; and one Child Center held from 7:30 a.m to 5:30 p.m.
3. That not more than twenty-five (25) children shall be in attendance in either the two morning or one afternoon session, at any one time.
4. That not more than fifteen (15) children shall be in attendance in the Child Center at any one time.
5. That all children shall be delivered and picked up in the St. Andrews parking lot, adjacent to the Church.
6. That this Variance shall expire one(1) year from the date of filing this decision with the Town Clerk, or upon this Authority finding that this Variance has been violated, whichever shall first occur.
7. That any further requests for special permits have documented proof of support by the landlord of the property mentioned above, to the satisfaction of the Board of Appeals.

*Stephen S. Porter*  
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 Stephen S. Porter, Chairman

*John A. Donovan Jr.*  
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 John A. Donovan, Jr.

*Franklin P. Parker*  
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September 14, 1981

Joan Regan  
Town Clerk  
Wellesley, Ma. 02181

Dear Joan:

I am writing in regards to a Board of Appeals case #81.39, petition of Ira Fridman concerning property at 79 Denton Rd. The decision of the Board of Appeals, time stamped on August 25, 1981, contained a typographical error in the Statement of Facts, paragraph 5, line 2 as follows:

It is the belief of the petitioner that the continued use of the property as a Montessori Nursery School and the requested use as a Child Center will be depreciate values in the area.....

The sentence should read:

It is the belief of the petitioner that the continued use of the property as a Montessori Nursery School and the requested use as a Child Center will not depreciate values in the area.....

I wish to request that this letter be attached to the decision on case 81.39 in correction of the error.

Sincerely,

Mary Ann McDougall  
Executive Secretary  
Zoning Board of Appealscc: Ira Fridman  
Hjordis Stevens