

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL
Executive Secretary
Telephone
235-1664

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

82-10

Petition of Ida Fridman (St. Andrews Episcopal Church)

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, April 1, 1982, on the petition of Ida Fridman, requesting a Special Permit under the terms of Section II of the Zoning Bylaw which will allow the petitioner to continue to use a portion of St. Andrews Episcopal Church at 79 Denton Road as a Montessori Nursery School. Said request is pursuant to Section XXV of the Zoning Bylaw.

On March 12, 1982, the petitioner filed her request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing and speaking on behalf of the petitioner was Hjordis Stevens, attorney for Ida Fridman. Ida Fridman was also present. Mrs. Stevens stated that the applicant wishes to vary the application this year - to seek a general permission to operate the Montessori nursery school and day care center without particular dilin-eation as to the exact number of children in the nursery school or day care center at any one time, but never to exceed sixty-five (65) children. She stated that Mrs. Fridman seeks a Special Permit for five years instead of one year, and noted that the school must comply to regulations of the Office for Children, Board of Health, Build-ing Inspector, Mass. Department of Education, and American Montesorri Society. She stated that the number of children now attending totals eighty (80), with not more than sixty-five (65) at any one time as allowed by the Board of Health. There are presently twenty-five (25) children in each of the two morning nursery school sessions, and fifteen (15) day care children. In the afternoon, there are twenty-five (25) nursery and fifteen (15) day care children. Mrs. Fridman would like to be able to have a total of sixty-five (65) in the afternoon session, the same as in the morning session.

Regarding traffic and transportation, the school has recently, because of the tempor-ary closing of the parking lot of St. Andrews, changed their system to one they feel is much safer and acceptable to parents and teachers. The children are dropped di-rectly in front of the church on Washington Street, where teachers are waiting to ex-cort them inside. The result is no traffic on Denton Road or crossing of Denton Road from the church parking lot. No more than 20 cars drop off children in the morning, Mr. Fridman stated.

Approximately 10 parents of children in the school were present in favor of the petition. Maurie Connolly, on the Board of Directors of the school, stated she thinks Denton Road is dangerous, Washington Street much safer as a drop off area for the children. No one present expressed opposition to the request.

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Statement of Facts

Ida Fridman uses a portion of St. Andrews Episcopal Church, known as the Sunday School Building, for a Montessori Nursery School and day care center. St. Andrews Church is located at 79 Denton Road at the corner of Washington Street, in a Single Residence District.

The petitioner has been operating a nursery school in said location since 1974, through yearly variances from the Board of Appeals. The last variance was granted on August 25, 1981 for a nursery school and day care center, and expires August 25, 1982.

A letter was received, dated March 12, 1982, from Reverend James R. MacColl III, Rector of St. Andrews Church, expressing strong support of Vestry and people of the parish for the petitioner's request.

The Planning Board, in a letter dated March 31, 1982, recommended unfavorable action regarding increasing the number of students, because of unacceptable traffic congestion and consequent safety hazards. The Planning Board believes it would be an inopportune time to convert to a five year special permit. The Planning Board stated it "would have no serious objection to continuation of the use to be reviewed on an annual basis".

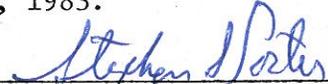
Decision

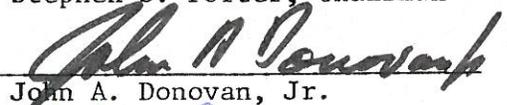
This Authority has considered the petitioner's request for a Special Permit to continue to operate a nursery school/day care center at St. Andrews Church at 79 Denton Road. The petitioner has requested an increase in the number of children in attendance in the afternoon sessions to a maximum of sixty-five (65) with flexibility as to the exact number in the nursery school and day care center.

This Authority is concerned about the disturbance or disruption of the residential neighborhood caused by the operation of said school. It should be understood by the petitioner that traffic congestion shall be kept to a minimum for the safety of the neighborhood. However, it is the responsibility of the applicant to arrange for a system of delivery and pick-up of children in the safest and least disruptive manner.

This Authority is of the opinion that a Special Permit can be granted under Section II 8 (b) of the Zoning Bylaw. Therefore, the Special Permit is granted subject to the following conditions:

1. That not more than sixty-five (65) children shall be in attendance in the nursery school and day care center at any one time.
2. That all State and local laws shall be complied with as well as the recommendations and requirements of Fire Department, Board of Health, and Building Inspector.
3. That said Special Permit shall expire on June 1, 1983.


Stephen S. Porter, Chairman


John A. Donovan, Jr.


Robert R. Cunningham