



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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83-12

Petition of Ida Fridmann (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 14, 1983, on the petition of IDA FRIDMANN, requesting renewal of 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 and Child Center. Said request is pursuant to Section XXV of the Zoning Bylaw.

On March 28, 1983, the petitioner filed a request for hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Arlene L. Bernstein, attorney representing Ida Fridmann. Ms. Bernstein stated that the school has been in operation by Special Permit since 1974, that the present Special Permit expires June 1, 1983. Enrollment remains at 86 with no more than 63 children in attendance at any one time. Hours of operation are the same, traffic patterns the same. The ages of the children enrolled are 2 years 9 months to 6 years. Ms. Bernstein requested that a Special Permit be granted for a 2 year period if possible.

Present at the hearing to express support for the petition: Maureen Connolly, a member of the Board of Directors of the Montessori School, Ida Fridmann, President and Director of the school, and Mr. Fridmann.

No one was present in opposition to the request.

Statement of Facts

The property involved is at St. Andrews Episcopal Church, 79 Denton Road, at the corner of Washington Street, in a Single Residence District. Ida Fridmann uses a portion of St. Andrews Episcopal Church, known as the Sunday School Building, for a Montessori Nursery School and Child Center.

The petitioner seeks renewal of a Special Permit to conduct the school for a period of two years for a number of children not to exceed the capacity of sixty-five at any one time, from Monday through Friday, during the hours not to exceed 7 a.m. to 6 p.m.. The regulation and licensing of the nursery school and child center come under the Inspector of Buildings, the Board of Health, the Massachusetts Office for Children, the Massachusetts Department of Education, and the American Montessori Society. The petitioner has been operating the school since 1974, through yearly variances and special permits. The current special permit expires on June 1, 1983.

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The children are dropped off directly in front of the church on Washington Street, and are accompanied in and out of the school building by teachers. Any parking of cars belonging to teachers or parents takes place in the church parking lot.

Charlotte W. Corey, Warden of St. Andrews Episcopal Church, submitted a letter dated March 21, 1983, stating that the Vestry of the Parish and people of the Parish are strongly in support of having the school continue as a tenant.

The Planning Board, in a letter dated April 9, 1983, stated it has no objection to the continuation of the use on the same terms and conditions currently in effect.

Decision

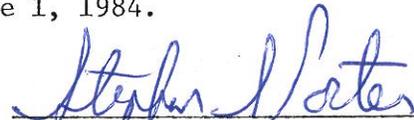
This Authority has made a careful study of the evidence presented.

The petitioner has requested renewal of a Special Permit to continue to operate the Montessori Nursery School and Child Center at St. Andrews Church, 79 Denton Road. The petitioner has stated that there have been no changes in the operation in the past year.

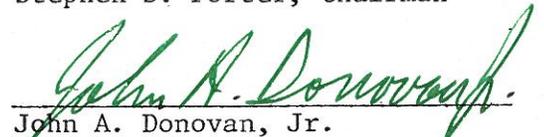
This Authority is of the opinion that said school operation will not cause a disturbance or disruption to the residential character of the neighborhood, and that a Special Permit can be granted under Section II 8 (b) of the Zoning Bylaw.

Therefore, a Special Permit is granted subject to the following conditions:

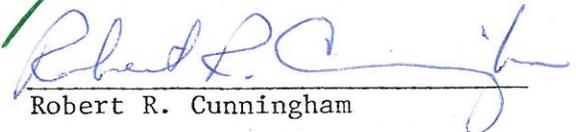
1. That not more than sixty-five (65) children shall be in attendance in the nursery school and child center at any one time.
2. That all State and local laws shall be complied with as well as the recommendations and requirements of the Fire Department, Board of Health, and Building Inspector.
3. That said Special Permit shall expire on June 1, 1984.



 Stephen S. Porter, Chairman



 John A. Donovan, Jr.



 Robert R. Cunningham

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