



ZONING BOARD OF APPEALS
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83-61

Petition of The Maugus Club (Abbott-Seaward Center for Child Development)

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, November 17, 1983 at 8 p.m. on the petition of THE MAUGUS CLUB and ABBOTT SEAWARD CENTER FOR CHILD DEVELOPMENT requesting renewal of a Special Permit under the provisions of Section II of the Zoning Bylaw which will allow the petitioner to operate a child development center on the second floor of The Maugus Club, located at 40 ABBOTT ROAD, in a Single Residence District. Said request is pursuant to Section XXV of the Zoning Bylaw.

On October 25, 1983, the petitioner filed a request for a hearing and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Dorothy Guiffre who stated that the center is planning to open on December 5, 1983. Twenty children will be enrolled, the playground and fence have been installed, and there will be no changes from the initial application filed a year ago.

Other than the petitioner, no one was present either favoring or opposing the request.

Statement of Facts

The property involved is located at 40 Abbott Road, containing 68,321 square feet, located in a Single Residence District in which, among other uses, a club (except a club the chief activity of which is a service customarily carried on as a business) is permitted. The Maugus Club has been in existence since 1892 and is a duly incorporated organization, the chief activities of which are social. The Maugus Club is a non-profit organization which rents from the Maugus Corporation, a profit corporation. Club rooms are rented out for meetings, functions and dance groups.

The Maugus Club and the Abbott-Seaward Center for Child Development are requesting renewal of the Special Permit granted to them on December 14, 1982 to operate a child development center on the second floor of the Maugus Club. The center was due to open on December 5, 1983. No more than 20 children would be in attendance at any one time. Hours of operation are 7 a.m. to 6 p.m. weekdays, and care would be provided for children three to six years of age. An outdoor play area has been completed and fenced in. Children would be delivered and picked up from the parking lot on the Maugus Club property.

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The Planning Board, at its regular meeting of November 15, 1983, voted to offer no comment on the petition.

A letter dated November 9, 1983 was received from John Buckley, President, The Maugus Club, expressing the support of the club for the child development center.

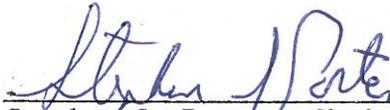
Decision

This Authority has made a careful study of the evidence submitted by the petitioner. Section II A 4 of the Zoning Bylaw allows the existence in a Single Residence District of a "Club, except a club the chief activity of which is a service customarily carried on as a business". The Maugus Club has existed in its present location since 1892, and now wishes to renew a Special Permit granted them a year ago for a non-profit educational use, under Section II 8 (b) of the Zoning Bylaw.

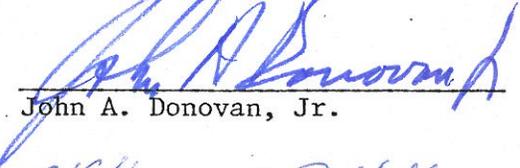
At the time of the public hearing on the petition, the Abbott-Seaward Center for Child Development had not begun operation of the child development center. This Authority is making the same assumptions concerning the operation as it did in its decision of a year ago - that the child development center at the Maugus Club will not be disruptive or detrimental to the residential character of the neighborhood.

Therefore, a Special Permit under Section II 8 (b) of the Zoning Bylaw is granted for the operation of a child development center at The Maugus Club at 40 Abbott Road, known as Abbott-Seaward Center for Child Development, with the following conditions:

1. That no more than 20 children shall be in attendance 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 one year from the date of this decision.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



William E. Polletta

