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ZONING BOARD OF APPEALS

KATHARINE E. TOY
 Administrative Secretary
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Petition of Ida Fridmann
 (St. Andrews Episcopal Church)

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 8:00 p.m. on October 26, 1978, on the petition of Ida Fridmann, requesting a variance from the terms of Section II, of the Zoning By-law which will allow the petitioner to continue to use a portion of St. Andrews Episcopal Church, 79 Denton Road, as a Montessori Nursery School, as provided under Section XXIV-D of the Zoning By-law.

On October 11, 1978, the petitioner filed her request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Albert Auburn, attorney, represented the petitioner at the hearing.

Statement of Facts

The church involved 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, as it has for the past several years under special permits granted previously by the Zoning Board of Appeals. It was stated that there is still a need for the continuation of the school involved; that two daily sessions are being conducted, one from 9:00 a.m. to 12:00 noon and one from 1:00 p.m. to 4:00 p.m. There is ample parking space in the area so that there should be no increase in traffic congestion as a result of the parents bringing the children to the school. Mr. Auburn stated that some mothers would like to also leave their toddlers, age six months to two years, three hours in the morning or afternoon. This would involve an additional classroom downstairs where there would be supervision. This would not start until sometime in 1979.

It is the belief of the petitioner that the continued use of the property will not depreciate values in the area, or otherwise injure properties in the neighborhood. It will, however, continue to fulfill the need for this type of school in the Town.

Decision

It is the opinion of this Authority that the continued use of the portion involved of the church property, as a Montessori Nursery School,

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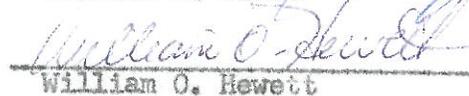
will not substantially reduce the value of any property within the district or otherwise injure the neighborhood. Adequate and proper space is being provided within the church for the children as well as capable teachers and supervision. It is the further opinion of this Authority that traffic incidental to the nursery school will not substantially increase congestion in the area, subject to the conditions hereinafter imposed.

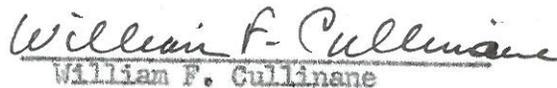
The Authority, therefore, grants the desired variance under the provisions of Section XXIV-D of the Zoning By-law, subject to the following conditions:

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 two daily sessions may be conducted, one from 9:00 a.m. to 12:00 noon and one from 1:00 p.m. to 4:00 p.m.
3. That not more than twenty-five (25) children shall be in attendance either session, or at any one time.
4. That all children shall be delivered and picked up in St. Andrews parking lot, adjacent to the Church.
5. That said variance shall expire one year from the effective date of this variance or upon this Authority finding that this variance has been violated whichever shall first occur.

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