TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 87-31
Petition of Abbott-Seaward Center for Child Development/The Maugus Corporation
40 Abbott Road

Pursuant to due notice, the Permit Granting Authority and the Special Permit Granting Authority held a Public Hearing on Thursday, April 30, 1987 at 8 p.m. in the Great Hall (Conference Room E) of the Town Hall at 525 Washington Street, Wellesley, on the petition of ABBOTT-SEAWARD CENTER FOR CHILD DEVELOPMENT/THE MAUGUS CORPORATION requesting renewal of a Special Permit under the provisions of Section II 8 (b) and pursuant to Section XXV of the Zoning Bylaw which will allow the petitioner to continue to operate a child development center at the MAUGUS CLUB located at 40 ABBOTT ROAD in a Single Residence District and requesting permission to expand the enrollment by ten (10) children for an afterschool program beginning September 1987.

On April 9, 1987 the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Dorothy Guiffre, Director of the center, who stated that the 10 additional children would be children who had been in the program before. They would be in kindergarten and first grade and be delivered by a school vehicle after school for the remainder of the afternoon.

Present at the hearing and objecting to the increase in enrollment: Nancy Merz, 48 Abbott Road, Denise Jean Claude, 44 Abbott Road. Dr. William Chin, 44 Abbott Road, expressed concerns about present conditions including the noise level in the playground, traffic and the appearance of the playground.

Statement of Facts

The property involved is located at 40 Abbott Road, owned by the Maugus Corporation, containing 68,321 square feet of land, located in a Single Residence District. The Maugus Corporation leases space to the Abbott-Seaward Center for Child Development, the Maugus Club and other groups for meetings and functions.

The Abbott-Seaward Center and the Maugus Corporation are requesting renewal of a Special Permit to operate a child development center at 40 Abbott Road. The center was opened in December, 1983 with an enrollment of 20 children. On February 1, 1985 the enrollment was increased to 40 children per ZBA Special Permit (ZBA 84-64). Hours of operation are between 7 a.m. and 6 p.m. weekdays and care is provided for children 2 yrs. 9 months to 6 years of age. A fenced-in outdoor play area is available. Children are delivered and picked up from the parking lot on the Maugus Corporation property. The Center utilizes 2 classrooms, a large multi-purpose room,

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a library, coatroom area, 2 bathrooms, offices and 2 playgrounds.

The petitioner is requesting permission to continue the operation for an enrollment of 40 children for nursery school through kindergarten. In addition , permission is requested to enroll 10 children ages kindergarten and Grade One for an afterschool program beginning September, 1987. This would be to accommodate children who have been in the program but would be in Grade One. They would be transported from Wellesley schools to the program by public school vehicle.

The Planning Board on May 5, 1987 voted to offer no objection to expansion of the use as requested subject to conditional annual renewal.

Decision

This Authority has made a careful study of the evidence presented. It is the opinion of this Authority that the continued operation of the Abbott-Seaward Child Development Center at the Maugus Club with an enrollment of 40 children will not create a disturbance or disruption to the residential neighborhood. It is the opinion of this Board that sufficient off-street parking has been provided for the Center.

Regarding the request for an increase in enrollment by 10 afterschool children, it is the opinion of this Board that the enrollment should be limited to 40 children. This Board is concerned about increased traffic and disturbance and disruption to the residential neighborhood if the enrollment were expanded. This Board also feels that the program at Abbott-Seaward Center should be limited to pre-school children. The outside playground area is very limited. Concerns have been expressed by neighbors about the noise level in the playground and about traffic. Therefore, the request to expand the enrollment is hereby denied.

A Special Permit is hereby granted pursuant to Section II 8 (b) and Section XXV of the Zoning Bylaw to the Abbott-Seaward Center for Child Development at 40 Abbott Road subject to the following conditions:

1. That no more than 40 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
Stephen S. Porter, Chairman

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

William E. Polletta
William E. Polletta

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

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cc: Planning Board
Building Inspector

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