


 ZONING BOARD OF APPEALS
 TOWN HALL WELLESLEY, MA 02181

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 KENDALL P. BATES

 ELLEN D. GORDON
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 Telephone
 431-1019

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ZBA 89-15

 Petition of Wellesley Montessori School/Ida Fridmann/St. Andrew's Church
 79 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 23, 1989 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of WELLESLEY MONTESSORI SCHOOL/IDA FRIDMANN/ST. ANDREW'S CHURCH requesting renewal of a Special Permit pursuant to Section II 8 (b) and Section XXV of the Zoning Bylaw which would allow a portion of the premises located at St. Andrew's Episcopal Church, 79 DENTON ROAD, in a Single Residence District, to continue to be used as a nursery school and child center.

On March 3, 1989, 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 Arlene Bernstein, attorney for Ida Fridmann. Ms. Bernstein said that the school has been located on the premises for 15 years, and the request is for a renewal of the Special Permit so that the school could continue operations. The number of children will not exceed 65, and the hours will remain the same. The school has complied with the rules of the Building Inspector, the Health Department, the Fire Department, the Mass. Office for Children, the Mass. Department of Education and the Montessori Association.

Ms. Bernstein said that in response to citizen concern regarding traffic congestion in the area which was expressed at the hearing two years ago, members of the school staff have been stationed outside the school between 9-9:15 a.m., noon, 1-1:15 p.m., and at 4 p.m. to escort the children to and from the school. Letters are sent to parents regarding pick-up and delivery times in an attempt to avoid traffic congestion.

No other person present had any comment on the petition.

Statement of Facts

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

The petitioner seeks renewal of a Special Permit to conduct a school for no more than 65 children at any one time, from Monday through Friday, between the hours of 7 a.m. and 6 p.m. The petitioner has been operating the school since 1974 through variances and special permits. The last special permit of April 27, 1987 was granted with an expiration date of June 15, 1989. The children are dropped off directly in front of the church on Washington Street and are accompanied in and out

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of the school building by teachers. Any parking of cars belonging to teachers or parents is in the church parking lot.

Reverend Vincent W. Warner, Jr., Rector of St. Andrew's Episcopal Church, submitted a letter dated March 3, 1989, in support of the request.

The Planning Board, on March 7, 1989, voted to offer no objection to continuation of the Special Permit 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 pursuant to Section II 8 (b) and Section XXV of the Zoning Bylaw to continue to operate the Montessori School and Child Center at St. Andrew's Church, 79 Denton Road, and has stated that there have been no changes in the operation.

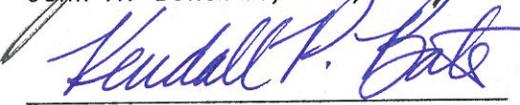
It is the opinion of this Board that the traffic problem has been corrected as there have been no complaints by neighbors in response to the renewal of the special permit. However, it is the opinion of this Board that the activities of the church and/or the school must not interfere with the traffic on Denton Road and that it is the continuing responsibility of both St. Andrew's Church and Wellesley Montessori School to ensure that the entrance to Denton Road is kept open to traffic at all times.

It is the further opinion of this Board that as this problem has been corrected, the school operation is not causing a disturbance or disruption to the residential character of the neighborhood. Therefore, a Special Permit is granted pursuant to Section II 8 (b) and Section XXV of the Zoning Bylaw subject to the following conditions:

1. That not more than 65 children shall be in attendance at any one time.
2. That the hours of operation shall remain Monday through Friday from 7 a.m. to 6 p.m.
3. That all State and local laws shall be complied with as well as the recommendations of the Fire Department, Board of Health and Inspector of Buildings.
4. That said Special Permit shall expire on June 15, 1991 as long as there are no changes in the operation of the nursery school and child center. Any changes would warrant a new application to this Board.

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.

cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman

Kendall P. Bates


William E. Polletta