

TOWN OF WELLESLEY



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ZBA 89-18

Petition of The Nesting Place/Wellesley Hills Unitarian Church
309 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 27, 1989, at 8 p.m., in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of THE NESTING PLACE/WELLESLEY HILLS UNITARIAN CHURCH requesting a Special Permit pursuant to Section II 8 (b), Section IV and Section XXV of the Zoning Bylaw to allow a portion of the premises at 309 WASHINGTON STREET (THE UNITARIAN CHURCH) to be used as an infant/toddler daycare center, said location being in a General Residence District.

On April 10, 1989, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Suzanne Lutrell, owner/director of The Nesting Place. Mrs. Lutrell said there is presently a child care program at the Church; her program would also use a portion of the premises. The programs differ in the number of children, their ages, and the hours of operation. The Nesting Place will service 20 children and will require parking for 26 cars; 6 full-time spaces and 20 spaces for parent deliveries and pick-ups. The hours of delivery and pick-up will differ from the program currently in existence.

Timothy Law, 31 Sunset Road; Aldrich Laznicka, 50 Longfellow Road; and Christine Lazzari, 41 Wareland Road; all of whom have children currently enrolled in Mrs. Lutrell's family daycare program, expressed support for the petition.

In response to questions from the Board, Mrs. Lutrell said she did not know the number of children enrolled in the other daycare center. She said that the two programs would run at the same time in the same building, but that the arrival and pick-up times would be different. Her program would run from 8:00 a.m. to 5:30 p.m.

John Patillo, 7 Alden Road, a member of the Unitarian Society, said that the other daycare center had 15 children enrolled. The two programs would occupy 12 full-time parking spaces of the 60 available in the church parking lot. The drop-off hours for the other program are between 8 a.m. and 9 a.m. with pick-up between 4:30 p.m. and 5:30 p.m.

The Board questioned who would control the drop-off and pick-up hours. Mr. Patillo said that the nursery schools controlled the hours and would enforce them. The church feels that the second school would provide a modest incremental use of the facility.

No other persons present had any comment on the petition.

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Statement of Facts

The petitioner is requesting a Special Permit to use a portion of the premises at 309 Washington Street (The Unitarian Church) for an infant/toddler daycare center for 20 children ages 6 weeks through 2 years 9 months with a staff of 6 including the director. The hours of operation will be from 8:00 a.m. to 5:30 p.m., Monday through Friday throughout the year. All staff parking and parent drop-offs and pick-ups will be done in the parking lot at the rear of the church.

The Wellesley Hills Children's Center also uses a portion of the church premises for a daycare center for 32 children ages 2 years 9 months through 5 years with a staff of 6. The hours of operation are from 7:45 a.m. to 5:45 p.m., Monday through Friday throughout the year. However, most of the children are dropped off about 9 a.m. and are picked up by 12:30 p.m.

A letter, dated March 29, 1989, from Catherine DeVito, Property Chairman of the Unitarian Society expressed support for the petition. In a second letter, dated April 3, 1989, Ms. DeVito discussed the parking situation in relation to the two daycare programs, and stressed the fact that the 50 available spaces in the church parking lot would be sufficient to serve the needs of both programs.

A diagram of the site and a diagram of the proposed floor plan of the area to be used by The Nesting Place were submitted.

A letter, dated April 14, 1989, from Fire Chief Black, stated that a fire alarm system must be installed in conformance with the provisions of National Fire Protection Association #101, Life Safety Code.

A letter, dated April 21, 1989, from Mary Jane Seery, R.N., Delegated licensor by the Office for Children, stated concerns regarding fire emergency procedures, parking, drop-off and pick-up time problems, and insufficient number of toilets.

The Planning Board, on April 24, 1989, voted to offer no objections to the request provided all pick-up and drop-off vehicles park off-street.

Decision

This Authority has made a careful study of the evidence presented. It is the opinion of this Authority that the use of a portion of the premises at the Wellesley Hills Unitarian Church at 309 Washington Street for the proposed infant/toddler daycare program of The Nesting Place will not disturb or disrupt the neighborhood and that the parking lot behind the Unitarian Church appears to be adequate in regard to parking space and a safe location for children to be picked up and delivered.

Therefore, a Special Permit is granted pursuant to Section IV, Section II 8 (b) and Section XXV of the Zoning Bylaw for an infant/toddler daycare center servicing children from 6 weeks through 2 years 9 months old, subject to the following conditions:

1. That the maximum number of children at any one time be no more than 20.

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2. That the hours of operation be from 8:00 a.m. to 5:30 p.m., Monday through Friday throughout the year.
3. That a copy of the license to operate granted by the Office for Children be filed with the office of the Board of Appeals.
4. That a fire alarm system be installed in conformance with the provisions of National Fire Protection Association #101, Life Safety Code.
5. That the pick-up and delivery of children shall take place in the parking lot at the rear of the Unitarian Church, that there shall be no pick-up or delivery of children on Washington Street, and that there shall be no congestion of traffic on Washington Street due to pick-up and delivery of children.
6. That all parking for staff, visitors and parents shall be in said parking lot.
7. That all State and local laws shall be complied with, as well as the recommendations of the Fire Department, the Board of Health and the Inspector of Buildings.
8. That this Special Permit shall expire one year from the date of this decision.

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


Robert R. Cunningham, Acting Chairman


Kendall P. Bates


William E. Polletta