TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-59
Petition of Supertots at Wellesley/The Maugus Corporation
40 Abbott Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 26, 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 SUPERTOTS AT WELLESLEY/THE MAUGUS CORPORATION requesting a Special Permit pursuant to the provisions of Section II 8 (b) and Section XXV which will allow the petitioner to use a portion of the premises at THE MAUGUS CLUB, 40 ABBOTT ROAD, in a Single Residence District, to operate a pre-school and day care center program for 40 children from 7 a.m. to 6 p.m., Monday through Friday throughout the year.

On October 10, 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 was Josie Sawhney, Director of the program, who said that Supertots had recently replaced the Abbott-Seaward Center at the Maugus Club location, and was requesting an extension of the hours granted to the previous day care facility. Mrs. Sawhney said that there is a growing need of some of the Supertots parents to leave their children at 7 a.m. in order to arrive at their work place on time. She believed that opening the center at 7 a.m. will not affect the traffic in the area as there is a large parking facility at the center.

Mrs. Sawhney said that Supertots received its license to operate on September 22, 1989, and has been operating under the conditions of the Special Permit granted to the Abbott-Seaward Center. Although the program can serve up to 40 children, only 15-16 are enrolled at this time. Not all the children come on the same days, nor would they all be dropped off at 7 a.m. One or two parents use the parking lot to park all day and take the train from the Wellesley Hills station.

Chris Carlson-Lewis, 12 Poplar Road; Mort Rosenberg, 39 Hundreds Road; and Andrew Leiter, 12 Marshall Road; parents of children enrolled at Supertots, all voiced support for the petition.

Statement of Facts

The property involved is located at 40 Abbott Road, on a 68,321 square foot lot, owned by the Maugus Corporation, in a Single Residence District. The Maugus Corporation leases space to Supertots at Wellesley, the Maugus Club and other groups for meetings and functions.

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Since December, 1983, the Abbott-Seaward Center for Child Development operated a child development center on the premises. Supertots of Wellesley purchased the Abbott-Seaward Center and, since receiving its license on September 22, 1989, has been operating under the conditions of the Special Permit granted to the Center on June 15, 1989 (ZBA 89-25). One of the conditions listed in the Special Permit detailed the hours of operation as 8 a.m. to 6 p.m., Monday through Friday throughout the year. Supertots of Wellesley is requesting a Special Permit to extend the hours of operation to open at 7 a.m. and close at 6 p.m., Monday through Friday throughout the year.

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Supertots will service a maximum of 40 children, 2 years nine months to 6 years in age, in a pre-school and day care program, with four full-time teachers and a Program Director. Children are picked up and delivered from a parking lot on the Maugus Corporation property, which also provides parking for parents and staff.

A Site Plan, Information Sheet, drawings of the space utilized in the Maugus Club, and a letter of support, dated August 31, 1989, from Susanne Werner, President of the Maugus Club, were submitted.

A Memorandum from Mary Jane Seery, Delegated Licensor for the Office for Children in support of the petition was received in the office of the Board of Appeals.

The Planning Board, on October 17, 1989, voted to offer no objection to the petition.

Decision

This Authority has made a careful study of the evidence presented. It is the opinion of this Authority that the operation of Supertots at Wellesley 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 that sufficient off-street parking has been provided for the program.

A Special Permit is hereby granted pursuant to Section II 8 (b) and Section XXV of the Zoning Bylaw to Supertots at Wellesley, subject to the following conditions:

1. That no more than 40 children be in attendance at any one time.

2. That the hours of operation be from 7 a.m. to 6 p.m., Monday through Friday throughout the year.

3. That all State and local laws be complied with as well as the recommendations and requirements of the Fire Department, Board of Health and Inspector of Buildings.

4. That all pick-up and delivery of children shall take place in the parking lot of the Maugus Club; that all parking for staff, visitors and parents shall be in said parking lot; and that no cars associated with the operation of Supertots shall ever be parked on Abbott Road.

5. 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.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
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