



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181  
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Petition of Wellesley Community Children's Center

Pursuant to due notice the Special Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:30 PM on July 1, 1980, on the petition of the Wellesley Community Children's Center, requesting a Special Permit which will allow the premises located at 309 Washington Street to house an infant/todler non-profit day care center program. Said location being in a General Residence District, a district in which the above-requested use is not allowed unless a finding is made by this Authority and a Special Permit is granted. This request is made pursuant to Section IV of the Zoning Bylaw.

On May 29, 1980 the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Deborah Toal, Director of the Wellesley Community Children's Center and the following persons spoke in favor of this petition: Peter Larkowitz, Rachael Reynolds, Dennis Grouse and Ruth Walters. All of these people serve on the Center's Board and are residents of Wellesley. Nobody spoke in opposition of this petition.

Statement of Facts

The Wellesley Community Children's Center has other day care facilities in Wellesley. One site is at Wellesley College in Alumni Hall and the other is at the Fiske School. Neither of these two sites has a program for ages 3 months to 2½ years as will this proposed site.

This program will have a maximum of twenty children at any one time. The facility will consist of three rooms, ground level, rear of the church. The proposed opening date is September, 1980.

Mr. Fernside of the Unitarian Church has stated in a letter that he will be very willing to comply with any requests of the Public Health Inspector, the Fire Inspector and the Building Inspector.

The hours of operation will be from 7:30 AM - 5:45 PM, weekdays, there will be only one all day session. There will only be twenty (20) children at the most

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at any one time. There will be twenty children in the morning and only fifteen in the afternoon, this would mean that only five children will be leaving mid-day. There is parking available in the rear of the building and an exit which leads out onto Washington Street.

This facility will use three ground level rooms located at the back of the building as well as a small grassy plot to the west of the Church.

Decision

It is our belief that the expressed terms of the Zoning Bylaw do not clearly give us the right to grant a Special Permit in this case. However, because of the hardship involved and what would be an abrupt departure from the past practices of the Zoning Board of Appeal, we will allow the requested Special Permit for a limited time, as set forth below, but do not intend to renew this Special Permit without further clarification of the Zoning Bylaws.

Therefore, at this present time this Authority grants this Special Permit, with the following conditions:

1. That the maximum number of children at any one time be no more than twenty (20).
2. That the session run from 7:30 PM to 5:45 PM as requested.
3. That the pick-up and delivery of children shall take place in the parking lot of the Unitarian Church, at the rear of the building, and that there shall be no pick-up or delivery of children on Washington Street.
4. This Special Permit is subject to the full compliance of any regulations or restrictions as may be imposed by either the Public Safety Inspector, the Fire Inspector or the Building Inspector.
5. This Special Permit shall expire one (1) year from the date of filing this decision with the Town Clerk, or upon this Authority finding that this Special Permit has been violated, whichever shall first occur.

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William F. Cullinane  
William F. Cullinane, Chairman

Stephen S. Porter  
Stephen S. Porter

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