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**TOWN OF BELMONT
BOARD OF APPEALS**

2018 JUL 12 PM 3:32

CASE NO. 18-26
APPLICANT: Nancy Quinn
PROPERTY: 28 Brettwood Road
DATE OF PUBLIC HEARING: July 9th, 2018



2018 01795708
Bk: 01493 Pg: 6 Cert#: 262657
Doc: DECIS 08/24/2018 12:11 PM

MEMBERS SITTING: Nick Iannuzzi, Chairman
Jim Zarkadas
Andrew Plunkett
Tino Lichauco
Casey Williams, Associate Member
Blake Currier, Associate Member

MEMBERS VOTING: Nick Iannuzzi, Chairman
Jim Zarkadas
Andrew Plunkett
Tino Lichauco
Blake Currier, Associate Member

Introduction

This matter came before the Board of Appeals (“Board”) of the Town of Belmont (“Town”) acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (“By-Law”) and Chapter 40A of the Massachusetts General Law (“Zoning Act”). The Applicant Nancy Quinn (“Applicant”) request one (1) Special Permit under Section 3.4.2 of the Zoning By-Laws to Conduct Playgroups for No More Than 6 Toddlers at 28 Brettwood Road, located in a Single Residence C (SRC) Zoning District.

The Board held a duly noticed hearing on the application on July 9th, 2018. The Applicant Nancy Quinn made a presentation to the Board. The Applicant is a lifelong Belmont resident. She explained that she has hands on experience in operating a daycare and is a former teacher with certifications in Early Childhood Education and in Special Education.

Proposal

The applicant is applying for a special permit to host a Toddler Playgroup in her basement family room. The playgroup would operate at the most 3 mornings per week from 9:00 am to 1:00 pm. The maximum number of children would be six, ages from 15

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months to three and a half years old. She will follow the Belmont School calendar with regards to vacations and holidays and will not be operating during the summer months. The activities will consist of free play, story time, arts and crafts, music and outside play in her fenced back yard. She is a former teacher with certifications in Early Childhood Education and in Special Education. Her home has passed all Safety Standards set forth by the EEC. She is also trained and certified in Pediatric First Aid, CPR and AED use. Her target families would be neighbors that will allow for walking and minimize parking issues with drop offs and pickups. She does not plan to advertise.

The applicant submitted a signed petition with 18 signatures in favor of the proposal. Four neighbors spoke in support of the application. One neighbor, Meryl Leahey residing at 31 Brettwood Road, raised concerns about parking on the street during drop off and pick up hours, this was causing difficulties for her leaving and returning to her home.

Conclusion

On July 9th, 2018, the Board deliberated on The Applicant Nancy Quinn's ("Applicant") request for one (1) Special Permit under Section 3.4.2 of the Zoning By-Laws to Conduct Playgroups for No More Than 6 Toddlers at 28 Brettwood Road, located in a Single Residence C (SRC) Zoning District.

Based on the foregoing factors, the Board determined that the benefits of the proposed daycare outweigh any adverse effects for the Town or the neighborhood and that the proposed family daycare will be in harmony with the general purpose and intent of the By-law.

Accordingly, **upon motion duly made by Jim Zarkadas and seconded by Nick Iannuzzi, the Board voted 5-0 to grant the Applicant's application for (1) Special Permit.**

Subject to the following conditions:

1. The special permit granted herein for a family daycare is personal to Nancy Quinn and is not transferable or assignable to anyone else.
2. The special permit herein is valid only so long as the Applicant has a valid license to provide family daycare services issued by the Commonwealth of Massachusetts and will expire on the expiration of the Applicant's license from DECEC.
3. The childcare services may be conducted in the Property and backyard area, and only in space defined as habitable under the state Building Code.

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4. The hours of operation of family daycare are to be from 9:00 a.m. to 1:00 p.m. Monday through Friday. Not more than six (6) children may be cared for pursuant to the special permit.
5. The Board encourages the Applicant to schedule drop-offs and pick-ups to occur no less than fifteen (15) minutes apart.
6. The Board encourages the Applicant to post notices that would deter parking in front of the Property, this condition would be enforced by the Office of Community Development.
7. The premises are to be equipped with operating smoke detectors and fire extinguishers as required by law. No portable heaters shall be used in any room in which children are cared for.

For the Board:

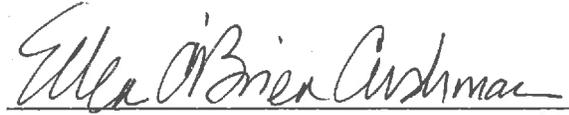
Dated: July 12, 2018



Ara Yogurtian
Assistant Director
Office of Community Development

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on July 12, 2018, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with seven (7) conditions.

August 23, 2018



Ellen O'Brien Cushman, Town Clerk
Belmont, MA