

Zoning Board of Adjustment
Minutes
July 2, 2019

Members Present: Wayne Flynn, Lenny Knowles, Tom Dyar and Norman Malloy

Members Absent: Keith Roberge (Alt)

Members Excused: Steve Roy

Members of the Public: Fr. Kyle Stanton, Jacob Therriault and Edith Tucker (Press)

Call to Order: Meeting was called to order at 7:00 by Chairman Flynn

Election of Officers:

Chairman – Tom nominated Wayne for the position which received a second from Lenny and all members voted in favor.

Vice Chairman – Wayne nominated Tom for the position which received a second from Lenny and all members voted in favor.

Secretary – Wayne made a motion to appoint Michelle Lutz as the secretary which received a second from Norman and all members voted in favor.

Minutes of May 9, 2019 – On a motion from Lenny with a second from Norman, the board voted to approve the minutes as presented.

Case #02-2019 – Roman Catholic Bishop – Holy Family Parish - Variance

Case #03-2019 – Roman Catholic Bishop – Holy Family Parish – Special Exception

As both cases are for the same project, Chairman Flynn felt the board should hear testimony for both cases at the same time. However, votes would be done separately for each individual case. The members of the board agreed.

Fr. Kyle Stanton introduced Jacob Therriault as a member of the building committee for the project who presented the case to the board. The proposed project is to operate a full-time religious school at the property located at 5 Church Street. This project has received a conditional site plan approval from the Planning Board. Two of the conditions from the Planning Board were that the project obtain a Variance from the Zoning Board of Adjustment for a proposed egress within the setback and a Special Exception as an allowed use in Residential A zone. In order for the school to be able to utilize the whole building, an 8' x 40' addition will need to be constructed in order to make a life-safety code compliant means of egress from the basement classrooms. This addition will be within 12' of the property line. The property is actually comprised of two parcels (Map U5, Lot 42 which has an address of 5 Church Street and U5, Lot 45 which has an address of 86 Railroad Street). The lots have recently been merged and

are now known at 5 Church Street. This merger changed the setbacks of this building. If the lots had not been merged, there would not have been any requirement for a variance as the building proposed for the school had an address of 86 Railroad Street which would have meant that the addition would have been on the side of the building where the setback requirement would have only been 10'. However, since the lots were merged, the side of the building where the addition will be now has a 20' setback. Architect Tim Sappington has prepared a plan that will be as minimally invasive as possible and allow the use of 6 – 8 classrooms. Without the addition, only the classrooms on the first floor will be able to be utilized reducing the number of classrooms to 3-4 and reducing the number of students the school may enroll. The building was built in September of 1988 and was proposed as a religious school at that time. At that time it was in what was considered the General Use district where schools were an allowed use by right. The zones have changed since then and the building is now in Residential A zone which allows schools by Special Exception. Since it was built, the building has been used for religious classrooms, boy scout meetings, etc but has not been a consistent, full-time use as such. The Planning Board felt that it would be best if the project received a special exception even though it has been consistently used for educational purposes. There are no cooking facilities in the building. However, that may change in the future as the church has a kitchen in the basement. The church understands that if they decide to utilize the existing kitchen in the church, it will need to be upgraded. Chairman Flynn asked if there was anyone present who wished to speak in favor of the applications. Fr. Kyle submitted a letter from Steve & Erica Grone who own the property next door indicating that they had no issues with the proposed addition. As there was no one in attendance who wished to speak in opposition, Chairman Flynn closed the public hearing at 7:16. The board went through the finding of facts for Case #02-2019 and completed the worksheets. Tom made a motion to grant the variance which received a second from Lenny and Chairman Flynn called for a roll call vote:

Tom – Yes Lenny – Yes Norman – Yes Wayne – yes.

The board then went through the finding of facts for Case #03-2019 and completed the worksheets. Lenny made a motion to grant the special exception which received a second from Norman and Chairman Flynn called for a roll call vote:

Tom – Yes Lenny – Yes Norman – Yes Wayne – Yes

Chairman Flynn explained to the applicant the abutters appeal process.

Chairman Flynn signed the form needed by the Board of Education once the variance & Special Exception were granted.

New Business – None

Old Business – Chairman Flynn informed the board that he had attended several interesting sessions at the Spring Planning & Zoning Conference and that the handouts were online at the OSI website if anyone was interested.

Public Comment – None

Adjourn – On a motion from Tom with a second from Norman, the board adjourned at 7:36 pm

Respectfully submitted

A handwritten signature in black ink, appearing to read "Michelle M. Lutz". The signature is fluid and cursive, with the first name being the most prominent.

Michelle M. Lutz
July 3, 2019

Approved August 13, 2019