



**TOWN OF PLYMOUTH
ZONING BOARD OF
ADJUSTMENT
PLYMOUTH TOWN HALL
PLYMOUTH, NH 03264**

**June 3, 2014
Final--approved 7/1/2014**

Members Present:

Patrice Scott (Chair), Butch Cushing, Freeman Plummer, Howard Burnham, Omer C. Ahern Jr.

Others Present:

Sharon Penney

Call to Order and Roll Call:

- Patrice Scott opened the meeting at 7:00pm and took roll call of the members present.

Minutes from May 6, 2014

- Howard Burnham stated that Freeman Plummer pointed out that the last bullet on the first page notes Howard Burnham as Frank Burnham.
- Omer C. Ahern Jr. noted under the 'call to order' correction a change from "Patrice Scott made a motion" to "opened nominations" for chair. The same change on the fourth bullet point as well. Bottom of the page, second bullet point change the word "made" to "asked for". Page two top of page under minutes for April 1, 2014, second bullet point change requested to "asked for". End of this second bullet point note Freeman Plummer asked "how much" under Bert Sutcliffe speaking to his application. The fourth bullet point up from this make a change to the wording and put "no easy way" instead of "ways to squeeze it on". Under public hearing opened the first bullet point, second sentence add the word "in" before "keeping". The second bullet point, last line, due to "zoning changes over the years". Page three under 'findings', third bullet point change the word "constructed" to "created". The fourth bullet point should have the

article "a" noted before" mobile home". He noted the time at the end of the minutes under adjournment and that it should say at 7:45pm.

- Sharon Penney noted that the time was not clear and that is why the time was noted this way.
- Patrice Scott entertained a motion to accept the minutes as corrected.
- Freeman Plummer made a motion to accept the minutes as corrected. Seconded by Omer C. Ahern Jr. All in favor.

Public Hearing Opened

1. Application 214-007SE 06-03-14: An application from James Koren, 69 Summit Road, Plymouth, NH seeking a Special Exception for educational use on PID 214-007 the Agricultural Zone. This application seeks relief from Article III, Section 304 Table of Uses the *Plymouth Zoning Ordinance*.

- James Koren asked if Bryan Felice could speak on the project.
- Bryan Felice gave a quick overview of the project. In spring of 2012 a board was formed to look at other options for their children for schooling. In July of 2013 they had been accepted by the State Department of Education to form the Mountain Village Charter School. The school will be located in Plymouth. The school would be the closest to Plymouth area towns within 40 miles of any other charter school. The school is a public elementary school; a tuition-free system. They have federal grant money for their start-up costs and would receive tuition allotments from the area school districts.
- At the moment they have 49 students signed up for the fall 2014 semester and are hiring teachers. Until now, there was no location earmarked for the school although they looked at many existing buildings. They have looked at several locations to rent. However, those buildings did not meet the criteria they are looking for. He stated that James Koren spoke with him about his lot located at 13 NH Route 25. Bryan feels this is a perfect location for the school being situated on the rotary. In doing research on the property, they then learned they would have to obtain a special exception from zoning to move forward with this process.
- Patrice Scott congratulated them on getting the charter and asked how many there are in New Hampshire.
- Bryan Felice stated that there are 11, they are the twelfth and there are two others in process.
- Patrice Scott asked what grades they would be catering to.
- Bryan Felice stated that they are approved for K-8.
- Patrice Scott asked how they are going to be able to fund their percentage.
- Bryan Felice noted that the state funds 39 and a half percent. Their group would be doing fundraising to help with the rest. He stated their plan is to grow over the years and that they are looking to put modular buildings on the lot for class rooms.

- Howard Burnham asked about their growth. He asked Bryan if they plan on keeping with one modular classroom unit as they continue to grow.
- Bryan Felice stated they are coming to the ZBA for this one unit as this is the start-up phase. At this time they are only considering the one unit.
- Sharon Penney noted they would have to come back to the Planning Board for any additional units.
- Bryan Felice stated they are aware they would have to come back for any changes.
- Howard Burnham stated a concern. He likes the way the unit is positioned on the site. His concern is when they grow, where are they going to put the other units and is the well adequate for an extension.
- Bryan Felice stated the unit they are getting is movable and that the well and septic are adequate for an extension.
- James Koren noted any additional units would be placed further back, no units would be placed near the road.
- Omer C. Ahern Jr. asked how many students they were approved for.
- Bryan Felice stated they were approved for 56, however, they are trying to stay in the Montessori guidelines which is about 24 per classroom. They decided 48 is a safer number for classroom size.
- Omer C. Ahern Jr. stated that he thinks this is great. He asked how many students they would like to ultimately teach.
- Bryan Felice stated if they continue to grow up to five classrooms, they can have up to 120 maximum. He noted that the good thing about charters is they will come out and evaluate every 5 years and at that point their charter can be renewed.
- It was asked if this would have to go to the Planning Board as well. Sharon Penney stated that it does have to go to the Planning Board.
- Howard Burnham asked if the Montessori has any guidelines to give back to the community as this is non-profit.
- Bryan Felice stated that the school would be leasing this from James Koren.
- James Koren stated that he would still be paying taxes on this property.
- Patrice Scott asked if there are any federal grants they could apply for.
- Bryan Felice stated that there are several, however, he is not part of the grant writing process.
- Omer C. Ahern Jr. asked if there are going to be any jobs created for Plymouth residents.
- Bryan Felice stated they have over 60 applicants for the teaching positions. He noted there are several qualified Plymouth residents in these applications.
- Omer C. Ahern Jr. asked if they would do high school curriculum in the future.
- Bryan Felice noted this is not in their plans at this time, however, it could possibly be in the future. Their curriculum does not meet high school criteria.
- There was an abutter in the audience and she spoke in favor and noted they are very excited about it.

Public Hearing Closed

- Patrice Scott closed the Public Session and moved to the deliberative session.

Findings of Fact

- Use is allowed by Special Exception.
- No impact on town services due to private septic, well and driveway.
- Pre-existing curb cut for lot.
- Space is ample for proposed use.
- Facility will be set back from the road.
- Entrance to facility is safe.
- Philosophy of the school is appropriate for its location.
- Mixed uses exists in Agricultural Zone.
- No opposition.
- Future expansion will have to come back before the Planning Board.

Special Exceptions Criteria

1204.2 Special Exceptions

A. The Board of Adjustment may, in appropriate cases, and subject to safeguards as determined by the Board, grant a permit for a special exception. The Board, in acting on an application, shall take into consideration the following conditions:

1. The proposed use(s) shall be only those allowed in this Ordinance by Special Exception. **True-all.**
2. The specific site is an appropriate location and of adequate size for the use. **True-all.**
3. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located. **True-all.**
4. There will be no nuisance or serious hazard to vehicles or pedestrians. **True-all**
5. The use will not place excessive or undue burden on Town services and facilities. **True-all.**
6. There would be no significant effect resulting from such use upon the public health, safety and general welfare of the neighborhood in which the use would be located. **True-all.**

Conditions of Approval

- Howard Burnham made a motion to approve the special exception as presented, seconded by Freeman Plummer. All in favor.

Unfinished Business

None

New Business

None

Adjournment

- Omer C. Ahern Jr. made a motion to adjourn, seconded by Freeman Plummer. All in favor.

- Patrice Scott adjourned the meeting at 7:41pm.

Respectfully Submitted,

Lisa Vincent