

**Planning Board Meeting - Minutes
Tuesday, November 18, 2008
Cumberland Town Hall
290 Tuttle Road, Cumberland, Maine
7:00 PM**

A. *Call to Order*

The meeting was called to order at 7:02 p.m.

B. *Roll Call*

Present: Bill Ward, Board Chair, Bill Richards, Vice-Chair, Bob Couillard, Bob Vail, Chris Neagle

Absent: Pam Russell, John Ferland

Staff: Carla Nixon, Town Planner, Pam Bosarge, Board Clerk

C. *Approval of Minutes of October 21, 2008*

Mr. Neagle moved to approve the minutes of October 21, 2008 as amended.

Mr. Couillard seconded.

VOTE: Unanimous

D. *Consent Calendar / Deminimus Change:* There were no Consent Calendar items.

E. *Hearings and Presentations:*

1. *Public Hearing: Minor Site Plan Review: Cumberland Congregational Church for a Day Care / Nursery School Center within an existing church located at 282 Main Street, Tax Assessor Map U11, Lots 47 & 48; in the Medium Density Residential (MDR) district; Mark Bergeron, P.E., of Sevee & Maher Engineers, Representative; Congregational Church in Cumberland, Owner.*

Mr. Ward disclosed he was a landlord of a daycare in town; and would step down if the Board felt there was a conflict of interest.

The Board agreed there was not a conflict and asked Mr. Ward to continue.

Ms. Nixon presented background information as follows: The applicant and owner is the Congregational Church in Cumberland. The applicant is being represented by Mark Bergeron, of Sevee and Maher Engineers, Inc. The church is located at 282 Main Street, Map U-11, Lots 47, and 48 in the Medium Density Residential (MDR) Zone. The size of the site is 1.52 acres. This is the third element of a project that includes: 1) Parking lot reconfiguration; 2) Building additions; and now 3) A day care center.

The building additions have been approved by the Planning Board and are currently under construction.

The parking lot reconfiguration approval was tabled pending the submission of financial capacity evidence. A letter from the applicant's bank is now on file but was received too late to be on this month's agenda. It will be on the December agenda.

Tonight the Board is being asked to grant minor site plan approval for a day care center to be housed within the existing structure. Hours of operation will be 7:30 a.m. to 5:30 p.m. Monday thru Friday. There will be no school during the summer months. The center will begin in January with a class of 8-12 children, but hopes to expand in the fall to offer, at most, 4 classes of 8-10 children with a staff of 5-8 adults depending on enrollment. There is another child care center, the Cumberland Community Nursery School that is also located in the building. However, their hours of operation are slightly different from this proposed center which should alleviate drop off and parking concerns. The applicant has provided a cover letter outlining this project, but is utilizing all the previous submission materials for the other site plan requirements.

The Board of Adjustment and Appeals granted a special exception on November 13, 2008, limiting the day care / nursery school to 20 children as allowed in the Medium Density Residential MDR district of the zoning ordinance.

Mr. Bergeron, P.E. of Sevee and Maher Engineers is the applicant's representative and is present to answer any questions.

Mr. Neagle asked for clarification that the parking lot was not being reviewed this evening. He also disclosed he is a former member of the Church; he felt he could be objective.

The Board agreed Mr. Neagle could be objective and should continue review.

Mr. Neagle's questioned if there was no new construction what triggered the need for Site Plan Review.

Ms. Nixon stated this is a new, non-residential use.

Mr. Ward stated he had met with Ms. Nixon today, with a concern that this proposal hadn't received the same level of review as other applicants. There has been no peer review, and there are questions about the septic system. The Board of Adjustment and Appeals granted a special exception based on Sections 603.2.3 and 603.2.7. Mr. Ward questioned if Section 408A had been reviewed. The Board has yet to see the parking lay out. Mr. Ward invited Mr. Bergeron to make his presentation.

Mr. Richards asked about the contradiction of the number of students; the ordinance allows 20 students and two daycares could have the potential for 40 students.

Mr. Neagle asked about the 20 child limit.

Ms. Nixon stated she had consulted with the Town Attorney, Natalie Burns on the total number of children. The Ordinance states 20 children per daycare, but it does not specify that there can't be two daycares in one location. The Town Attorney has interpreted this to mean that there can be more than one on the same parcel.

Mr. Couillard asked clarification if the Main Street Children's Center is a school or a daycare center.

Ms. Susan Novak, business manager for Church, shared the following background: the Church has been a landlord providing daycare for the community for twenty years. The Head Start program was at the Church until 2004 when they lost funding; and the Community Nursery

School has been there since 1989. They have operated simultaneously until then. One year after Head Start left, the Church was approached by Building Blocks, a preschool / daycare center which has been in town for twenty years. Pam Dawson owner of Building Blocks rented the space but left in May of 2007. The Church discussed its beautiful location and facility and decided they didn't want to be landlords; they wanted to build into the Community. My background is early childhood education; I have been a teacher for over twenty years. I am currently the business manager, but had the idea we should run the daycare. The State agency for licensing gave me the number of 48 children. If we only had to deal with the State we could be licensed for 48 children. The Church will accept the number of twenty children.

Mr. Ward stated there are several questions, Mr. Couillard asked about a school vs. daycare.

Mr. Couillard stated yes, classes to him mean a school.

Ms. Novak stated the term daycare doesn't fit their vision; however, it is the closest definition in the Ordinance. This discussion came up at the Board of Appeals. There are classes for 3-5 year olds, and this will be a developmental program. It will be 8:30 to 12:30 or 9:00 to 12:00 they will flex with the best fit for the students. The Community can sign their children up for the classes and the Church will provide daycare at the beginning and end of the day for students enrolled in the program. Daycare will not be provided separately unless enrolled in the classes. The children will be grouped into classes by age (within 6 months of each other). It would be similar to pre-school; it will be more than daycare.

Mr. Neagle stated reviewing the existing uses within the Church this is no different than the use previously allowed, the only difference is that the Church will be running the daycare.

Ms. Novak agreed there would be no difference.

Mr. Richards asked if she had contacted the Department of Education in regards to any Pre-K regulations for three to five year olds.

Ms. Novak stated she has been working with Sharon Rankin, who is head of state licensing; she has viewed the site and given parameters and staffing needs.

Mr. Richards stated it has been a while since he was with the Department of Education, and he is not sure if those regulations exist; however, it would be worth an inquiry. There is a real focus on Pre-K education for three to five year olds; regulations do exist for children with limited abilities. Mr. Richards asked how many children are in the Cumberland Community Nursery School.

Ms. Novak stated sixteen on Monday, Wednesday, Friday; and twelve on Tuesday, Thursday.

Mr. Neagle asked the ages of children.

Ms. Novak stated ages three to five years.

Mr. Neagle referred to the Ordinance definitions and stated he doesn't think pre-k fits the definition of private school as defined in our Ordinance. Mr. Neagle asked for clarification on the locations of the two daycares.

Ms. Novak stated the Cumberland Community Daycare meets under the sanctuary; their proposed daycare will meet in the Sunday school rooms in the community hall.

Mr. Neagle asked about the grouping of the children.

Ms. Novak stated they will be in classes grouped by age within six months. This is best for early childhood development.

Mr. Neagle asked about parking; stating his recollection is there isn't a lot going on at the Church during 9:00 and 5:00 and there is plenty of parking.

Ms. Novak stated she is business manager, and has watched the two programs arrive and leave and there were no problems with parking.

Mr. Neagle asked if there would be any obvious external changes to the building during the day.

Ms. Novak stated no.

Mr. Richards restated he thinks there are regulations; and encouraged Ms. Novak to check with the Department of Education.

Mr. Vail stated the Board of Adjustment and Appeals has already looked at this use and approved the request, correct?

Ms. Nixon stated yes, the Board of Appeals approved the use as a special exception. The letter states the approval is subject to 20 children, and that the fenced yard be located 15' from the side and rear setbacks; and signage is limited to the size proposed in the application. Just today however, Mr. Longley, Code Officer, determined that an additional condition of approval should be that the septic system be inspected and found to be adequate for the proposed use. The system is not as old as was thought, so the Church may not need a new septic design.

Mr. Vail stated he didn't have any concerns on the use of the building; the Board of Adjustment and Appeals answered those questions. There is adequate parking for Sunday services and weddings, and funerals. The septic issue is worth reviewing.

Mr. Ward agreed, however, he spoke with Ms. Bosarge today, and she stated the Board of Appeals reviewed this request under Sections 603.23 and 603.2.7.

Ms. Bosarge stated the Board of Appeals reviewed Section 408A also; and determined that the parking would be reviewed more thoroughly at the Planning Board.

Mr. Bob Simonds asked for clarification on the issue of the Board of Appeals review.

Mr. Ward stated the letter from the clerk to the Board of the Appeals states the application met the special exception provisions 603.2.3 and 603.2.7. Mr. Ward stated typically the Planning Board on previous applications for a daycare review under Section 408A.

Mr. Neagle stated the zoning board did what it was suppose to do; it reviewed its section of the Ordinance and the Planning Board reviews its section and they are different.

Mr. Simonds asked if the Board of Appeals review was not adequate.

Mr. Neagle stated no, the Board of Appeals approval is fine. The Planning Board will review the application for Minor Site Plan; which will include reviewing Section 408A.

Mr. Mark Bergeron, P.E. of Sevee and Maher Engineers, stated he has been helping the Church out with the parking lot and building improvements. But, because this was somewhat tied in with the childcare operations, he offered his services for this phase. On Thursday night, the Board of Appeals did verbally go through each item in Section 408A. The fencing setback requirement is § 408A.2.4 which requires that the outdoor play areas be setback fifteen feet from the side and rear property lines. The Board reviewed the size of the lot §408A.2.2. The Board of Appeals didn't have any issues approving the use of the childcare without review of the parking spaces. They didn't see a need to tie those issues together. To touch base on the septic system; Mr. Longley did fax over the existing septic system design that was located in the Town archives. He called Al Frick; of Frick Associates and per discussions the existing system is probably adequate for the use. The Church's water records will be reviewed to determine the flow in the septic system. There is a level of comfort with the septic system given last summer test pits were dug and the ground is sandy. Mr. Frick is comfortable with the soils. It has been recommended that the Church pump the septic tank, when the tank is empty it will be inspected. Ms. Nixon did receive a letter with generalities discussing this issue, before she was provided with a copy of the design.

Mr. Ward stated when they heard prior testimony regarding the building addition it was stated they didn't know the location of the septic and leach field. Can you show us the location on the diagram?

Mr. Bergeron showed an approximated septic field location based on the septic design.

Mr. Ward asked about the size of the tank.

Mr. Bergeron stated it is a 1,500 gallon tank. The approval tonight is for the child care, the Church will be back next month for review of the parking lot. When the Church was before the Board this summer, the daycare was not a part of the application. As Ms. Novak stated there have been two daycares similar in size in the past and the parking and traffic circulation has been fine. The Church has submitted a financial capacity letter from Key Bank, but would rather raise funds to build the parking lot and not have to take out a loan.

Mr. Ward asked if the Board was approving the daycare application with the existing parking lot.

Mr. Bergeron stated that is correct.

The public portion of the meeting was opened. There were no public comments the public portion of the meeting was closed.

Mr. Richards stated he was reading §408A which talks about daycare centers and nursery schools; and reviewed § 104.97 Nursery School. The definition talks about sessions. Mr. Richards encouraged Ms. Novak to review this section of the Ordinance.

Section 104.97 Nursery School

- A. No session conducted for the children is longer than 3 ½ hours in length;
- B. No more than 2 sessions are conducted per day.
- C. Each child in attendance at the nursery school attends only one session per day, and
- D. No hot meal is served to the children.

Mr. Neagle stated the only item missing is the letter from the Local Plumbing Inspector regarding the sewer issue. He does not see that as a concern, given there have been two nursery schools in the building for several years. He feels the septic can be addressed as a condition of approval. He doesn't see a site plan issue, he is not aware of any problems and is prepared to approve the application with the condition the letter be received from the local plumbing inspector.

Mr. Richards stated he thinks it is very important to have Pre-K programs in Town, and would support the application provided Section 104.97 is followed.

Mr. Neagle moved to waive the reading of the findings of fact. He would recommend that *.10 Sewage Disposal Provisions* be addressed as a condition of approval subject to a letter from the Local Plumbing Inspector.

Mr. Vail seconded.

VOTE: Unanimous

PROPOSED FINDINGS OF FACT

.1 Utilization of the Site

Utilization of the Site - The plan for the development, including buildings, lots, and support facilities, must reflect the natural capabilities of the site to support development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

The internal nature of this project will not impact on environmentally sensitive areas. Based on these facts the standards of this section have been met.

.2 Traffic Access and Parking

Vehicular access to and from the development must be safe and convenient. Driveways must be designed to provide the minimum site distance according to MDOT standards. Access and egress must be located to avoid hazardous conflicts.

The applicant has stated that the proposed day care will have different drop off and pick up times than the other childcare center in the building. In the past, there have been two childcare centers and there were no parking or circulation problems. In addition, the proposed parking lot reconfiguration that is currently under review will improve the parking and circulation situation.

Based on these facts the standards of this section have been met.

.3 Access way Location and Spacing

Access must meet the specific ordinance requirements.

The existing access way has been satisfactory in previous years for this use. There are proposed parking lot changes that are expected to be completed in the spring.

Based on these facts the standards of this section have been met.

.4 Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

The existing circulation has been satisfactory in previous years for this use. There are proposed parking lot changes that are expected to be completed in the spring.

Based on these facts the standards of this section have been met.

.5 Parking Layout and Design

Off street parking must conform to the specific standards.

The parking layout and design has been satisfactory in previous years for this use. There are proposed parking lot changes that are expected to be completed in the spring.

Based on these facts the standards of this section have been met.

.6 Pedestrian Circulation

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/ exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect the amenities such as parks or open space on or adjacent to the site.

The pedestrian circulation has been satisfactory in previous years for this use.

Based on these facts the standards of this section have been met.

.7 Stormwater Management

Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

The internal nature of this project will not impact stormwater.

Based on these facts the standards of this section have been met.

.8 Erosion Control

.1 All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and / or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

.2 Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991, and as amended from time to time.

The internal nature of this project will not impact erosion on site.

Based on these facts the standards of this section have been met.

.9 Water Supply Provisions

The development must be provided with a system of water supply that provides each use with an adequate supply of water. If the project is to be served by a public water supply,

the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source of distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

There is public water at this location.

Based on these facts the standards of this section have been met.

.10 Sewage Disposal Provisions

The development must be provided with a method of disposing of sewage which compliance with the State Plumbing Code. If provisions are proposed for on-site waste disposal, all such systems must conform to the Subsurface Wastewater Disposal Rules.

There will be no laundry or bathing facilities, so the existing, functioning septic system should be able to handle the small amount of additional sewage. A letter from the Local Plumbing Inspector (L.P.I.) stating that the proposed sewage system disposal system can accommodate the proposed use is a condition of approval.

Based on these facts the standards of this section have been met.

.11 Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

There is existing electrical service to the building. No external changes are required for this project.

Based on these facts the standards of this section have been met.

.12 Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to the public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

There will be no adverse impact on groundwater as a result of this project.

Based on these facts the standards of this section have been met.

.13 Water Quality Protection

All aspects of the project must be designed so that:

.1 No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxious, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

.2 All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

No toxic materials will be utilized, stored, or created on this site. The proposed plan complies with all of the above requirements.

Based on these facts the standards of this section have been met.

.14 Capacity of the Applicant

The applicant must demonstrate that he / she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

The Applicant has utilized the services of Sevee and Maher Engineers. There are no public improvements associated with this project and no need for evidence of financial capacity.

Based on these facts the standards of this section have been met.

.15 Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

Based on the fact that the site is currently developed and that only minor modifications to site are proposed, there will be no adverse impact on historic and archaeological resources. The building elevations show that the addition will be of a consistent architectural style as the parish hall.

Based on these facts the standards of this section have been met.

.16 Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

The property is not located in a floodplain as depicted on FEMA maps.

Based on these facts the standards of this section have been met.

.17 Exterior Lighting

The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting must be designed and shielded to avoid undue glare, adverse impact on neighboring properties and rights - of way, and the unnecessary lighting of the night sky.

No changes to the exterior lighting are proposed, the existing lighting is sufficient for the proposed use.

Based on these facts the standards of this section have been met.

.18 Buffering of Adjacent Uses

The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. The buffer may be provided by distance, landscaping, fencing, changes in grade, and / or a combination of these or other techniques.

The internal nature of this project does not necessitate buffering.

Based on these facts the standards of this section have been met.

.19 Noise

The development must control noise levels such that it will not create a nuisance for neighboring properties.

There will be no increased exterior noise created as a result of this project.

Based on these facts the standards of this section have been met.

.20 Storage of Materials

.1 Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening (such as a stockade fence or a dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.

.2 All dumpsters or similar large collection receptacles for trash or other wastes must be located on level surfaces which are paved or graveled. Where the dumpster or receptacle is located in a yard which abuts a residential or institutional use or a public street, it must be screened by fencing or landscaping.

.3 Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises must be provided and maintained in good condition.

No equipment or material will be stored on site.

Based on these facts the standards of this section have been met.

.21 Landscaping

Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.

The internal nature of this project does not necessitate any additional landscaping.

Based on these facts the standards of this section have been met.

.22 Building and Parking Placement

.1 The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side and preferably in the back. In rural, uncongested areas buildings should be set well back from the road so as to conform with the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.

.2 Where two or more buildings are proposed, the buildings should be grouped and linked with sidewalks; tree planting should be used to provide shade and break up the scale of the site. Parking areas should be separated from the building by a minimum of five (5) to ten (10) feet. Plantings should be provided along the building edge, particularly where building facades consist of long or unbroken walls.

The building and parking placement exist currently and no changes are proposed.

Based on these facts the standards of this section have been met.

SECTION 300 – AQUIFER PROTECTION (if applicable)

The site is located within the aquifer protection area; however there are no proposed uses that will adversely affect the aquifer.

206.9 Limitation of Approval

Construction of the improvements covered by any site plan approval must be substantially commenced within twelve (12) months of the date upon which the approval was granted. If construction has not been substantially commenced and substantially completed within the specified period, the approval shall be null and void. The applicant may request an extension of the approval deadline prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two (2), six (6) month

extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

The Board discussed whether the application was for a daycare or a nursery school or both.

Mr. Neagle moved to approve the minor site plan application for the Cumberland Congregational Church for a daycare / nursery school with the standard and proposed conditions within an existing church located at 282 Main Street; Tax Assessor Map U11, Lots 47 & 48 in the Medium Density Residential (MDR) district; Mark Bergeron, P.E., of Sevee & Maher Engineers, Representative; Congregational Church in Cumberland, Owner.

Discussion on the motion:

Mr. Bergeron asked if the term (use) *nursery school* could be removed from the approval.

Mr. Richards stated he heard from testimony that there was going to be delivery of instruction which is a nursery school by definition. There is an educational proponent to the program.

Mr. Neagle agreed the program was providing both daycare and nursery school instruction. The Board of Appeals approved it as both a daycare center and nursery school.

Mr. Bergeron asked one more question for clarification: after the Board of Appeals meeting it was determined that the fence is not set back 15' from the side and rear property lines. The Church determined the fence has been there prior to the adoption of Section 408A of the Ordinance. He asked if the fence could remain where it is.

Mr. Neagle stated this is a *new* request for a *new* daycare center and so the application has to comply with the current standards. The Planning Board does not have the ability to waive standards.

Vote on the motion: Motion re-stated.

Mr. Neagle moved to approve the minor site plan application for the Cumberland Congregational Church for a daycare / nursery school with the standard and proposed conditions within an existing church located at 282 Main Street; Tax Assessor Map U11, Lots 47 & 48 in the Medium Density Residential (MDR) district; Mark Bergeron, P.E., of Sevee & Maher Engineers, Representative; Congregational Church in Cumberland, Owner.

Mr. Vail seconded.

VOTE: Unanimous

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Proposed Conditions of Approval

1. Operation must comply with nursery school as defined and set forth by the Ordinance.
2. That the existing play yard fence be located 15' from the side and rear property lines.

3. Receipt of a letter from the Local Plumbing Inspector stating that the existing septic system can accommodate the proposed use.

F. Administrative Matters:

Ms. Nixon stated the next meeting relative to the Doane Advisory Committee will be held on December 4th from 5:00 to 6:00 p.m. It will be a meeting of the Doane Committee to discuss the issues raised during the workshop.

Mr. Neagle asked about the glitch in the Town's computers which are preventing him receiving e-mails.

Mr. Richards stated that in his former life as Deputy Commissioner of Education there were many schools that needed to close because of non-compliance. He feels it is important to meet the conditions in the Ordinance.

Mr. Ward and Mr. Neagle thanked Mr. Richards for his experience and the knowledge he was able to bring to the Board.

G. Adjournment:

Mr. Vail moved to adjourn at 7:55 p.m.

Mr. Couillard seconded.

VOTE: Unanimous

The meeting was adjourned at 7:55 p.m.

A TRUE COPY ATTEST:

William P. Ward, Board Chair

Pam Bosarge, Board Clerk