

**APPROVED MINUTES  
Town of Auburn  
Zoning Board of Adjustment  
October 25, 2022**

**Present:** Kevin Stuart, Vice-Chairman, Jill Dross & Shawn Matte, Members. Shannon Daoust & Steven Kimball, Alternate Members. Minutes were taken and prepared by Denise Royce.

**Also, Present:** Carrie Rouleau-Cote, Building Inspector/Code Enforcement.

**Absent:** Mike DiPietro, Chairman. Patrick Bergeron, Member. Nick Pappas, Alternate Member.

Mr. Stuart Chaired the meeting tonight and called the meeting to order at 7:00 p.m.

Mr. Stuart introduced himself and moved on to introduce each of the Board members and Alternate members of the Board. Mr. Stuart explained the procedure for tonight's hearing whereby the applicant would read their case into the minutes and then he would ask if there were any questions from abutters and interested parties. Mr. Stuart pointed out that, Carrie Rouleau-Cote, Building Inspector/Code Enforcement Officer was also present this evening.

Mr. Stuart moved to elevate both Mrs. Daoust and Mr. Kimball to full voting status for all cases before them tonight. Mr. Stuart asked Ms. Royce to read the first case into the minutes for the record.

**Case #22-22  
Joe & Heidi Levesque  
314 Rattlesnake Hill Road – Map 1, Lot 15-6  
Zoned Residential One**

*Applicant is requesting a Special Exception from Article 4, Section 4.06(3)(b) to allow a home shop in a Residential One zone.*

Mr. Stuart explained that this request was for a Special Exception and asked Mrs. Levesque to read the four (4) criteria in the application. Mrs. Levesque read their application into the minutes for the record. Mr. Levesque stated that they moved to Auburn in February and that he closed up a shop up north. Mr. Levesque added that, they are looking for a place to put all the equipment and start a business. Mr. Levesque stated that they finally did find a location, but it is in the finishing stages as we speak. Mr. Levesque believed they would be able to move in within the next month. Mr. Levesque explained why they had to start up earlier than expected and began utilizing their garage at this location and stated that it would be temporary at the location currently held in their garage on Rattlesnake Hill Road. A brief discussion ensued with the Board.

Mr. Stuart asked about the window tinting business. Mr. Levesque pointed out that there is not hazardous waste and that his daughter is doing the window tinting now and only does one vehicle a day.

Mr. Stuart asked the Board members if they had any questions. None were noted. Mr. Stuart asked if there were any abutters or interested parties that would like to speak. Mr. Delacoe of Rattlesnake Hill Road asked how many vehicles per day would they be doing. Mr. Levesque commented that, it would be one a day and maybe three (3) a week tops. Where they were they were doing five (5) a day and they are not looking to do that here. Mr. Stuart asked if all the work would be done inside. Mr. Levesque said yes, inside and the doors are shut. Mr. Stuart asked if they would have cars parked outside. Mr. Levesque explained that they just drop off the vehicle and his daughter just does it throughout the day and that night they come and get the vehicle.

Mrs. Rouleau-Cote asked Mr. Levesque if he had another business because he has a car carrier, but that business was not associated with this window tinting. Mr. Levesque is now gone. Mrs. Rouleau-Cote explained what had transpired at that location prior to Mr. and Mrs. Levesque moving into that property that there have been a lot of issues with that property and was trying to make sure that was not where we were headed again.

Mr. Bradley of Matthew Drive was fine with what they are doing and was present tonight to just make sure that there was no affect to the pond that was there.

Mr. Stuart asked if there were any other abutters or interested parties that would like to speak. None were noted. Mr. Stuart did not sense that they needed to go into deliberation unless a Board member would like to go into deliberation. Mr. Kimball asked if they wanted to place any conditions like number of vehicles per day or anything of that nature. Mr. Stuart suggested that they enter into discussions.

**Mr. Kimball made a motion to enter into deliberation. Seconded by Ms. Dross. The Board members entered deliberation at 7:12pm.**

Mr. Kimball began by saying that he has presented that it was only one or two (2) cars per day or three (3) cars per week and believed that it was good to codify what the applicant has presented. Mr. Stuart stated that the application states one vehicle at a time and all the work would be done inside. Mr. Kimball believed that they could have six (6) vehicles parked in the driveway and do one at a time all day long. Mr. Stuart agreed. Mrs. Daoust commented that they could say a certain number of vehicles a week. Mr. Stuart thought that they could come out of discussions and asked the applicant what they think.

**Mr. Kimball made a motion to exit out of deliberation. Seconded by Mrs. Daoust. The Board members exited out of deliberation at 7:13pm.**

Mr. Stuart explained to the applicant that they have heard their discussions and they have stated that their plan was to do 90% of it in Loudon and that they did reference that they were doing a certain number of vehicles. Mr. Levesque stated that, they were not looking to do this business out of the house and that they are only doing it now because it's not easy. Mr. Levesque stated that, if the Board wanted to limit it to one a day that he was fine with that as it was not a deal breaker.

Mr. Stuart informed the Board that he would entertain a motion to vote on the application.

***Mr. Kimball made a motion to grant the Special Exception as requested with the condition that no more than two (2) cars per day be processed for Case #22-22, 314 Rattlesnake Hill Road, Tax Map 1, Lot 15-6. Seconded by Mrs. Daoust. Mr. Matte voted to Grant finding all four (4) factors have been met, Ms. Dross voted to Grant finding all four (4) factors have been met, Mr. Kimball voted to Grant finding all four (4) factors have been met, Mrs. Daoust voted to Grant finding all four (4) factors have been met, and Mr. Stuart also voted to Grant finding all four (4) factors have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. Stuart informed the applicant of the 30-day appeal period and if someone did file an appeal that they would be notified. Mr. Levesque thanked the Board for their time and the discussion ended.

Mr. Stuart asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

**Case #22-23**  
**Carriage House Properties, LLC**  
**770 Chester Road – Map 5, Lot 98**  
**Zoned Rural**

*Applicant is requesting a Variance from Article 4, Section 4.05(4) to allow 242.33-feet of non-contiguous frontage comprised of a 199.29-foot segment and a 42.04-foot segment for a proposed lot where 300-feet is required in a Rural zone.*

Mr. Steven Keach of Keach Nordstrom presented on behalf of the applicant, Steve Febonio who was also present at tonight's hearing. Mr. Keach began by pointing out the location of the property at 770 Chester Road which has 20.5 acres. Mr. Keach read the application into the minutes for the record. Mr. Keach gave a brief overview of the surrounding properties to the Board members. Mr. Keach indicated what they are proposing to do is to cut out a 3.010-acre parcel with 300 feet of road frontage on Chester Road. The other parcel will contain 199.29 feet of road frontage to the East and 42.04 feet of frontage to the West. Mr. Keach talked about the existing house located on the property that has not been lived in for approximately 20 years or so. Mr. Keach informed the Board that the proposal is to build a single-family home on the new conforming lot and the balance on the 17.5-acre piece with approximately 241.33 feet of frontage which

is why they are before the Board tonight for the Variance to have less than 300-feet of required frontage. This residual parcel would be used for some future single-family residential use possibly for an equestrian farm. Mr. Keach stated that his office has completed the survey on this parcel and have also had the wetlands delineated by a certified wetland scientist and the result of that mapping is shown on the plan today. Mr. Keach also read the portion of Article 4, Section 4.05(1) which is the Goals and Objectives of the Rural zone which is as follows:

*“The Rural District (“R”) is designed to permit uses that are compatible with and protective of certain areas that have been and are being used for agricultural and forestry uses, water quality preservation, residential use and public use.”* Mr. Keach added that, obviously, single-family residential is one of the permitted uses in the district. The focus being on this 17-acre parcel and whether a future buyer uses the property for agricultural uses or not the extent of the land is a lot of land on a single parcel. Mr. Keach talked about the 17-acre parcel and the density of the property. Mr. Keach went on to talk about the second prong of the Variance and that, if the Variance were granted that the spirit of the ordinance would be observed because the proposed lot with the reduced frontage would be 17-acres in area. Mr. Keach reiterated the goals and objectives of the Rural zone is to have large lots and low density and this proposal provides two (2) lots with 20.5 acres. With that said, Mr. Keach asked the Board Members if they had any questions that they would like to direct to either Mr. Febonio or himself that they would be happy to answer any questions.

Mr. Stuart asked if they thought about having a shared driveway. Mr. Febonio indicated that, that would not be something that he would want to entertain as that is messy. The issue of driveways was discussed, and it was noted that there is currently an existing driveway for the existing house and therefore there would only be one driveway added. Mr. Stuart asked the Board members if they had any questions for the applicant. Mr. Kimball commented that the new lot would be conforming, and the residual lot would be non-conforming. Mr. Febonio said yes. Mr. Kimball asked Mr. Febonio if he would be looking to claim a grandfathered use on the existing foundation on the residual lot. Mr. Febonio commented, no that the existing house would be removed as they have had problems with people breaking in and breaking windows. Mr. Febonio stated that they have not seen anyone there since they started moving some of their equipment there. Mr. Febonio explained to the Board that, the Fire Department was going to burn the house down but Eversource said the house was too close to the power lines so that put a kibosh on that. The Fire Department did burn the barn down. Discussion ensued with regard to meeting all setbacks from property lines in which they would meet all requirements. Mrs. Rouleau-Cote informed everyone that the setbacks were 50-feet all around. Mr. Stuart also noted that, if they received ZBA approval that they would then be going to the Planning Board for Subdivision approval. Mr. Keach and Mr. Febonio said yes.

Mr. Stuart asked if there were any further questions from the Board. None were noted. Mr. Stuart asked if there were any questions from abutters or interested parties. Mr. Gregoire was present on behalf of his brother who owned the house near this property and wanted to make sure that anything that occurred on this lot would not affect his

brother being able to do anything on his lot next door. The Board informed Mr. Gregoire that anything that occurs on this lot should not affect his brother's lot. Mrs. Rouleau-Cote commented that, by having this survey plan that his brother is now aware of where his property lines are. Mr. Kimball also stated that, every zoning case stands alone.

Mr. Stuart asked if there were any other abutters or interested parties. None were noted. Mr. Stuart asked Mrs. Rouleau-Cote if she had anything else to add. Mrs. Rouleau-Cote commented that, if they were to grant this non-conforming lot for frontage that the lot would remain for one single-family lot with 17-acres. Mrs. Daoust pointed out that, if this Variance is granted that the 17-acre lot would not be further subdividable. Mr. Stuart asked Mr. Febonio if he was okay with that. Mr. Febonio said yes. Mr. Keach also stated that, he believed they crossed that bridge when they decided to come before the ZBA. The Board just wanted to verify what was being asked of them and that they were all in agreement.

Mr. Kimball asked a question that the 17-acre lot could not be further subdividable but what if the abutter to the south wanted to purchase the back land to connect to their lot could they sell off a piece of the lot. A brief discussion ensued that the property to the south is landlocked. Mr. Keach talked about the potential for a Lot Line Adjustment that could possibly occur. Mr. Keach pointed out to the Board that, the only reason they would see this lot before them again would be if someone were to impact the wetland buffer to either cross it in order to build a house in the back or something like that.

Mr. Stuart stated that he did not sense any of the Board members wanted to go into discussions. Mr. Stuart commented that he would entertain a motion.

**Mrs. Daoust made a motion to vote on the application as presented with the condition that the 17-acre lot cannot be further subdivided and that the applicant receives Subdivision approval from the Planning Board for Case #22-23, Carriage House Properties, LLC, 770 Chester Road, Tax Map 5, Lot 98. Seconded by Mr. Matte. Mr. Matte voted to grant finding all five (5) factors have been met, Ms. Dross voted to grant finding all five (5) factors have been met, Mr. Kimball voted to grant finding all five (5) factors have been met, Mrs. Daoust voted to grant finding all five (5) factors have been met, and Mr. Stuart also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.**

Mr. Stuart reminded the applicant of the 30-day appeal period. Mr. Keach and Mr. Febonio thanked the Board for their time and the discussion ended.

Mr. Stuart asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

**Case #22-24**  
**Garner M. Browning**  
**HQ Properties Realty Trust, LLC (Matthew Scott)**  
**15 King Street - Map 25, Lot 47**  
**Zoned Industrial**

*Applicant is requesting a Special Exception from Article 4, Section 4.09(3)(b) to allow an Indoor Commercial Recreational Facility in the Industrial zone.*

Mr. Browning who is the owner of Next Gen Pro Wrestling Center currently located on Elm Street in Manchester. Mr. Browning explained that they are basically looking for a new spot with higher ceilings. Mr. Browning wanted to clarify that it is professional wrestling as we see on TV which is WWE Hulk Hogan style wrestling. At this time, Mr. Browning read his application into the minutes for the record. Mr. Browning went through the hours of operation which would be in the evenings and that there would be a maximum of 6 to 8 people at one time at the location and that no public would be allowed. They would not hold live events at this location.

Mr. Stuart asked what the maximum number of people that they would have training there at one time. Mr. Browning answered by saying that it would be 6 to 8 people at one time and that he has a membership for 30 people right now but not everyone shows up at one night as they stagger their training between them with different instructors. Mr. Browning stated that, on average there would be about 6 to 8 people there at one time. Mr. Stuart asked Mr. Browning that he was on Elm Street now and asked about the ceilings being lower. Mr. Browning said yes, they are about 10-feet at if they were to go to this new location, they would have 20-foot ceilings.

Mr. Stuart asked if there were any other questions from the Board members. None were noted at this time. Mr. Stuart asked if there were any abutters or interested parties. Mr. Condo of Analog Devices, 50 Dartmouth Drive had a question regarding the size of the contractor bay and if there were a limit to the number of people to each unit. Mrs. Rouleau-Cote commented that the septic design dictates the number of people would be outside the limits and also the site plan that the Planning Board reviewed does address the number of parking spaces and understand that he is working with the owner with regard to parking in the evening. Mr. Matte asked if he would be occupying two (2) contractor bays. Mr. Browning said one contractor bay that would have two (2) wrestling rings. Mr. Kimball pointed out that there would be no public performances. Mr. Browning said that was correct that someone else runs the shows which they have a partnership with which would be Atlantic Pro Wrestling out of Massachusetts. Mr. Browning added that they are strictly a training center. Ms. Dross asked how many nights a week do they do trainings. Mr. Browning indicated that they have a five (5) night schedule. Mr. Stuart asked if their plan was to expand that schedule. Mr. Browning said no, they are closed Friday and Sunday, so we have Saturday afternoon, Monday, Tuesday, Wednesday and Thursday.



Mr. Stuart asked Mrs. Rouleau-Cote if she had anything else to add. Mrs. Rouleau-Cote was not sure how the Board feels if this needs a minor site plan review with the Planning Board or if this meets the existing site plan but believed it was up to the Board. Mr. Stuart asked Mrs. Rouleau-Cote if it was necessary to have a site plan review. Mrs. Rouleau-Cote explained that the property does have a site plan so there are designated parking spaces and supposed the only real item would be the hours of operation and was unsure if the current site plan really addresses the hours of operation pertaining to the contractor bays. Mrs. Rouleau-Cote did not know how late in the evening that Mr. Browning would be going. Mr. Browning indicated that two (2) nights of the week they are done by 7:00pm/7:30pm and then two (2) of the other nights they are done by 10:00pm. If it needs to be earlier, then they could close up shop earlier. Ms. Dross did not recall the number of parking spaces allotted to each unit. Mrs. Daoust asked what time they would be opening for business. Mr. Browning stated 4:00pm. Mr. Stuart asked if they would have an office. Mr. Browning said no but there was a loft that he would be using, and they had a designated bathroom and a nice big open space.

Mr. Stuart asked the Board members if they wanted to enter into discussion.

**Mr. Kimball made a motion to enter into deliberation. Seconded by Mr. Matte. The Board members entered deliberation at 8:05pm.**

Ms. Dross mentioned that the other thing would be lighting to make sure that there is lighting at night. Mr. Stuart believed that they should send the applicant for site plan review with the Planning Board because there may also be an issue with parking. Mr. Stuart believed that a lot of stuff would be occurring during the day, and this would be occurring at night. At this time, the Board members reviewed the site plan that was approved by the Planning Board earlier this year. Ms. Dross noted that there were two (2) parking with a lot of visitor parking spots across from the contractor bays. It was noted that there would be plenty of parking spaces available for what Mr. Browning was proposing to do. Mr. Matte commented that they could make it a condition. Ms. Dross believed that there was a lighting plan submitted with the site plan. Mrs. Daoust stated that she was not too concerned because the applicant was working with the owner.

**Mrs. Daoust made a motion to exit out of deliberation. Seconded by Mr. Kimball. The Board members exited out of deliberation at 8:09pm.**

Mr. Condo asked what would occur if something changed. Mr. Stuart informed Mr. Condo that this was a Special Exception which was different from a Variance because the use was a permitted use in the zone by Special Exception and if there's a change in the use then the town will take action. Mrs. Daoust explained that, if they started running shows out of the unit then that would be a change of use from a training facility. A brief discussion ensued between the Board members.

Mr. Stuart asked if there were any further questions from abutters or interested parties. None were noted. Mr. Stuart asked if there were any further questions from the Board.

None were noted. With that said, Mr. Stuart stated that he would entertain a motion to vote on the application. Mrs. Daoust asked the Board members if they were good without sending Mr. Browning to the Planning Board for Site Plan Review. The Board members said yes.

***Mr. Kimball made a motion to vote on the Application for Special Exception as presented for Case #22-24, Garner M. Browning (HQ Properties Realty Trust, LLC (Matthew Scott), 15 King Street, Tax Map 25, Lot 47. Seconded by Ms. Dross. Mr. Matte voted to Grant finding all four (4) factors have been met, Ms. Dross voted to Grant finding all four (4) factors have been met, Mr. Kimball voted to Grant finding all four (4) factors have been met, Mrs. Daoust voted to Grant finding all four (4) factors have been met, and Mr. Stuart also voted to Grant finding all four (4) factors have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. Stuart informed the applicant that there was a 30-day appeal period. Mr. Browning thanked the Board for their time and the discussion ended.

Mr. Stuart asked Ms. Royce to read the next case into the minutes for the record. Ms. Royce read the case into the minutes for the record.

#### **Case #22-25**

**Julie & Michael Tourville**

**It's a Child's World, LLC**

**341 Wilson's Crossing Road – Map 2, Lot 6-3**

**Zoned Residential One**

*Applicant is requesting a Special Exception from Article 4, Section 4.06(3)(d) to allow the applicant to expand the use of the property for child-care center as primary (principle) use rather than as the accessory use. The owner-occupied dwelling will become the accessory use in a Residential One zone.*

Mrs. Tourville read her application into the minutes for the record. Mrs. Tourville began by saying that they are currently running under a Special Exception that was obtained in April 2015. Mrs. Tourville explained that they would like to move into the Accessory Dwelling Unit and utilize the home as the daycare facility. Mrs. Tourville also stated that she has gone before the Planning Board informally and believed she confused them on an issue. Mrs. Tourville wanted to clarify that they currently have a program next door to the library and what they will be doing if this is granted is that they would close their operation on Hooksett Road and open in a building that they own.

Mr. Stuart commented that they would be moving into a totally different building than what they are using now. Mrs. Tourville stated that they started their program at the Wilson's Crossing Road and then the Hooksett Road building became available. The Hooksett Road building needed significant work to be done to it which they did a lot of the work. Now the lease will be up at the beginning of the year. Mrs. Tourville wanted to add that,



they are not looking to expand but only moving their facility from Hooksett Road to Wilson's Crossing Road. Mrs. Tourville commented that, they are licensed to do it year-round at the Wilson's Crossing Road, but they have only been doing it seasonal. Discussion ensued with regard to adding onto the building. Mrs. Tourville said that she did have a grand idea of adding on, but they are looking to utilize the garage instead. At this time, Mrs. Tourville explained the site plan shown on the screen (a copy of which is included in the file). The plan shows a little portico added with a ramp and the location of where Mrs. Tourville would be taking some of the trees down. Mrs. Tourville added that she would be submitting a site plan to the Planning Board, and they would be keeping their existing sign and make the island smaller and keep the tree line on the road. Mr. Stuart believed the changes would be minimal. Mrs. Tourville said yes, and the biggest change would be to utilize the existing garage. Mrs. Tourville informed the Board that most of the changes would be done inside the building, and they would have to go through state licensing. Mrs. Tourville also added that, she has had Chief Williams walk through the building and she has been chatting with Mrs. Rouleau-Cote about it. She has also had SOS Alarms come through with a plan and she has had a draft person prepare something as well. Mrs. Tourville wanted to make sure that she has all of the information before she moves forward with anything, and they are looking at a little over a year out.

Mr. Stuart asked the Board members if they had any questions. Mr. Kimball asked Mrs. Tourville, at Wilson's Crossing Road how many children does she have. Mrs. Tourville indicated that they have approximately 20 children and it could be between 35 and 40 which could possibly double. Mrs. Tourville stated that, it all depends on the square footage because the state calculates the square footage per child which is 40 square feet per child indoors. Mr. Kimball asked if the Wilson's Crossing Road was seasonal. Mrs. Tourville said that they are licensed to be a year-round facility, but they have been only doing it in the summer. A discussion ensued with regard to number of children and the location to be utilized.

Mr. Stuart asked if there were any abutters or interested parties who would like to speak. Ms. Watt of Wilson's Crossing Road which is directly across the street from Mrs. Tourville and had a few comments and questions for the applicant. Ms. Watt stated that she just moved here in 2016 and works from home and mentioned the traffic and the speed of vehicles in the area and commented that she takes her life into her hands when she leaves her driveway. Ms. Watt pointed out that it was literally the worse curve and traffic just zooms by. Ms. Tourville never noticed Ms. Watt's driveway being an issue. Ms. Watt mentioned the number of children being 30 to 40 children and was concerned with regard to the number of children. Mr. Matte wanted to add that he believed she was limited due to the 40 square feet per child. Mrs. Tourville explained that, although there are 40 children that she counted approximately 20 cars over the course of the day and not all parents drop off at the same time. The most cars she has counted at any given time was 5 cars waiting through the pull-through area and drop off was approximately 4 to 6 minutes and that pick up was a little bit longer. Mrs. Tourville understands the safety issues involved in this and is looking to do the right thing and that's why they will be removing some dead trees and reducing the island to make it easier to enter and exit without backing up onto Wilson's Crossing Road. Discussion ensued with regard to the speed of

vehicles on Wilson's Crossing Road. Mrs. Rouleau-Cote commented that, they could go meet with Highway Safety and maybe they could put up a sign "Slow Children" to try to reduce the speed of vehicles. A brief discussion ensued with regard to drop off and pick up and Mrs. Tourville stated that there was plenty of room in the back that has the children's play area and that there was a whole other list of requirements from the state. Mr. Stuart read the definition of daycare and the only change is changing the use from accessory to being the primary use and there's going to be an expansion and they're going to have to go before the Planning Board. Mr. Stuart informed Ms. Watt that all her comments have to do with the Planning Board. Ms. Watt thanked the Chairman for his comments. Mrs. Tourville and Ms. Watt talked about winter storms and Mrs. Tourville has commented that they have had delayed openings when it is bad out or completely canceled for the day as she did not want anyone on the roads if they didn't have to be on the roads.

Ms. Diane Proulx of Wilson's Crossing Road asked what the number of staff vehicles would be on the property. Mrs. Tourville said between 6 and 8 staff vehicles and pointed out the locations where she is looking to put staff parking on the plan presented to the Board members. Mrs. Proulx asked what the number of children that were enrolled in the summer program. Mrs. Tourville said between 17 and 20 children. Mrs. Proulx commented that it wasn't loud outside when the children were there.

Mr. Stuart asked if there were any other questions or comments. None were noted. Mr. Stuart asked Mrs. Rouleau-Cote if she had any other questions or thoughts. Mrs. Rouleau-Cote just wanted the Board to understand that the primary use now will be the childcare, or the daycare and the homeowners will now reside in the existing Accessory Dwelling Unit which is already on the property. Mrs. Rouleau-Cote also pointed out that the last time they obtained a Special Exception it was for 24 children and now she is looking to expand to more than 24 children. Mrs. Rouleau-Cote also added that this would be limited to the square footage per child and if she were to expand the footprint that it may trigger them to come back before the ZBA. Mrs. Tourville did not believe there was a number but that her number was set by the state.

The Board discussed the application and Mr. Stuart read for the record a note from Ms. Prince of Wilson's Crossing Road who contacted Ms. Royce and stated that she did not have a problem with what Mrs. Tourville was proposing (the note can be found in the file). Mrs. Rouleau-Cote also mentioned to the Board that their motion should include that it would be subject to site plan review with the Planning Board. Mr. Stuart commented that it seems like it's an amendment. Mrs. Rouleau-Cote agreed and said they currently have a Special Exception but some of the terms of that have changed from the previous request so yes, it is an amendment from the previous Special Exception which has different conditions. Mr. Kimball believed that what they were approving was the change of use.

With that said, Mr. Stuart stated that he would entertain a motion to vote on the application.

***Mrs. Daoust made a motion to vote on the Application for Special Exception as presented with the condition that the applicant go before the Planning Board for site plan review for Case #22-25, Julie & Michael Tourville, It's a Child's World, LLC, 341 Wilson's Crossing Road, Tax Map 2, Lot 6-3. Seconded by Ms. Dross. Mr. Kimball voted to Grant finding all four (4) factors have been met, Mrs. Daoust voted to Grant finding all four (4) factors have been met, Ms. Dross voted to Grant finding all four (4) factors have been met, Mr. Matte voted to Grant finding all four (4) factors have been met, and Mr. Stuart also voted to Grant finding all four (4) factors have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. Stuart reiterated the 30-day appeal period and wished Mrs. Tourville good luck.

Mr. Stuart moved on to the approval of the meeting minutes for September 27, 2022.

### **Minutes**

***Mrs. Daoust made a motion to accept the minutes of September 27, 2022, as written, seconded by Ms. Dross. All were in favor, and the motion passed.***

### **Other Business**

Mr. Stuart asked Ms. Royce if there were any cases for the November meeting. Ms. Royce informed the Board members that there was one case for November and the deadline had passed.

### **Adjourn**

***Mrs. Daoust made a motion to adjourn, seconded by Ms. Dross. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 8:52 p.m.***

The next scheduled meeting is a week early due to the holiday schedule and is scheduled for November 15, 2022 at 7:00 pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.