

**EXETER ZONING BOARD OF ADJUSTMENT
SEPTEMBER 16, 2014 MEETING MINUTES**

PRESENT:

Regular Members: Chair Bob Prior, Vice Chair John Hauschildt, and Laura Davies

Alternate Members: Hank Ouimet and Marc Carbonneau

Building Inspector/Code Enforcement Officer: Doug Eastman

Deputy Code Enforcement Officer: Barbara McEvoy

The meeting was convened at 7:03 PM. Chair Prior introduced the Board members and explained the protocol for the meeting.

AGENDA:

1. Case #1479: Harbor Street Limited Partnership ó Special Exception ó 2-8 Charron Circle
2. Case# 1480: Seacoast Family Promise ó Special Exception ó 27 Hampton Road
3. Case #1481: Mary Anne Totten/Melissa A Weeks ó Variance ó 26 Walnut Street
4. Case #1482: Jennifer Briggs ó Special Exception & Variance Request ó 100 High Street

Chair Prior acknowledged the vast audience present for the meeting. He suggested that the Board take the agenda out-of-order and hear the Walnut Street application (#1481) first before the more controversial applications; Board members concurred. He indicated that the applications would then be heard in the order as posted. In an effort to provide adequate seating for interested parties for the first two applications, he asked that the folks interested in the Seacoast Family Promise application please wait outside the meeting room. He thanked everyone for their anticipated cooperation.

NEW BUSINESS:

1. Case #1481: Mary Anne Totten & Melissa A. Weeks

The application for a variance from Article 5, Section 5.3.1 A.2. (Existing Non-Conforming Lots of Record) to permit the proposed construction of an attached 14'x 24' garage with less than the required minimum side yard setback. The subject property is located at 26 Walnut Street, in the R-2, Single Family Residential zoning district. Tax Map Parcel #63-197.

Mr. Adrian Fieldhouse, of Yardarm Construction, addressed the Board on behalf of the Applicant. He explained that his clients were proposing the construction of an addition (which does not need any relief) and an attached garage on the property. He indicated that the proposed garage structure would encroach upon the required side yard setback by approximately three-to-four feet (3ø 4ø); he noted that the existing residential structure did not sit exactly parallel to the property line. Mr. Fieldhouse commented that the proposed construction was being designed to accommodate the illness of one of the owners of the property.

At this time, Chair Prior asked if there were any abutters or interested parties who wished to speak on the application, there were none. The public hearing was closed.

DELIBERATIONS

It was acknowledged that almost every home in the surrounding neighborhood had a garage. Mr. Carbonneau stated that the proposed single-bay garage was in keeping with the character of the

neighborhood. He noted that it was a modest encroachment of the required side yard setback; however, the Applicant must be cautious of drainage impact to the abutting property.

Mr. Ouimet proceeded to review the variance criteria. Board consensus was that the application, as presented, satisfied the required criteria.

MOTION: *Mr. Carbonneau moved to approve the variance, as requested, subject to the following conditions:*

- *The proposed structure shall be a single bay garage and situated between three-feet (3') and four-feet (4') from the side property line.*
- *The Applicant shall give special attention to site grading and proposed drainage given the proximity of the proposed structure to the property line.*

Ms. Davies seconded.

VOTE: *The motion passed unanimously.*

2. Case #1479: Harbor Street Limited Partnership

The application for a special exception per Article 4, Section 4.2 Schedule I: Permitted Uses and Article 5, Section 5.2 to permit the proposed construction of fourteen (14) single family detached residential condominium dwelling units on the property located at 2-8 Charron Circle. The subject property is located in the C-1, Central Area Commercial zoning district. Tax Map Parcel #65-102.

Mr. Christian Smith, P.E. with Beals Associates PLLC was present to address the Board along with the Applicant, Mr. Joe Falzone. He identified the property and noted that it was one of the properties included in the Portsmouth Avenue/High Street rezoning proposal that was approved by Town Meeting vote in March 2013. He stated that the subject property was now zoned C-1, Central Area Commercial and could potentially be utilized for a variety of commercial uses.

Mr. Smith distributed copies of a landscape rendering of the Applicant's proposal for the construction of fourteen (14) detached single-family condominiums and associated site improvements on the property. He also mentioned that Mr. Falzone was scheduled for a preliminary design review of the project with the Planning Board on September 25th, 2014.

Chairman Prior indicated that the C-1 zoning district allowed multi-family residential uses as a permitted use. He commented that the site would be difficult to develop due to the access and inquired as to why the Applicant would prefer single-family residential units over multi-family.

Mr. Smith responded that the existing building on the site was a four-unit residential structure. He stated that his client preferred the single-family detached condominiums, as proposed, because he believed it was a better fit for the neighborhood instead of several multi-family buildings. He noted that the lot area of the subject property was approximately 80,000 square feet and would allow for more units than the number being requested. Mr. Smith indicated that the proposed dwellings would be 2 ½ stories in height and have a 2-car undergarage with an additional parking space able to be provided outside.

Acknowledging the density of the proposal, Chairman Prior asked if any expansion of the proposed units would be possible. Mr. Smith responded that a slight expansion within the limited common area may be possible however; compliance with the requirement for twenty-foot (20') separation between buildings must be maintained, this is required by Fire guidelines. Mr. Ouimet clarified that no dimensional relief was being requested as part of the application; Mr. Smith concurred. Mr. Hauschildt asked what is being done to limit this from becoming a free standing apartment complex. Mr. Smith advised the intent is for them to be owner occupied.

Chairman Prior asked for public comment at this time.

Katie Gillis, abutter who lives at 6 Jady Hill Circle on the far corner right behind Walgreens. Her concern is the height of the building and design of the homes.

Chairman Prior indicated that building height would be the Planning Board. This is to determine whether they are allowed to have separate units of residential homes as opposed to apartment buildings on the property.

Katie Gillis added that the height of the units would affect her and her neighbors' privacy. 35 buildings would be able to see over their fences and into their yards. The trees they are suggesting may also affect the light to her garden.

Thomas Morris, abutter who lives at 10 Jady Hill Circle. Stated that he pointed out to the surveyor that at the back of his yard is a drainage ditch and that drainage will end up in his basement. Also, 14 units results in effectively 28 cars and will increase the traffic.

Thomas Poirier, abutter who lives at 17 Woodlawn Circle assisted Charles Chen from 15 Woodlawn Circle in describing his concerns. Mr. Chen feels it is too many houses and too great of an impact on the landowners. Mr. Poirier stated that at this point the cart is being put before the horse. This land was recently surveyed and if there is in fact a finding of wetlands in that area there is also an outlet that is implanted in the land. It can convey out of that area when it does rain. In extreme conditions this drainage has inundated his property. There are also elevations of 5 feet above the grade of the existing property and would cause a great amount of fill to repair this. This wide scale development would adversely affect the existing homes. The sewer outlay has already caused problems. He requests that the zoning board not make any decision on this evening until a definitive plan is approved by the planning board and that the planning board withdraw from making any decision for this for at least 120 days.

Michael Parkin addressed the Board and stated that he was the owner of building which Exeter Rent-All operates out of as well as the building next door at 30 Portsmouth Avenue, so he has two properties which are abutters. This development would change due to 14 new neighbors. Right now their abutter is commercial. The new abutter would be residential which could result in noise complaints and change the nature of commercial business. He stated that there had been a long history of drainage problems in this area and that would need to be addressed; he noted that no waste water drainage was shown in drawing.

Mr. Bill Campbell, 111 High Street stated he is not an abutter, but has been on several boards. Mr. Campbell read a prepared statement regarding zoning of commercial vs. residential properties. The Town voted to zone these locations for specific use.

Mr. Poirier addressed the Board again and inquired about an overall impact analysis with respect to the effect on our resources, including, fire, public health and safety, and the school system. Is there a comparable impact analysis for residential use and the commercial use and the impact? If it has been done, can a copy go to the abutters? And if it hasn't been done we should put a hold on this.

Chairman Prior explained that abutters are notified of a public hearing and are given the opportunity to speak and ask questions at the meeting. This process is also laid out for the Planning Board.

Vice Chair Hauschildt asked why the 14 detached dwelling units are less preferable than a 22 unit apartment building. They can build a 22 unit apartment building without coming before the board. What is the basis of the opposition?

Mr. Carbonneau stated that they could put in a commercial warehouse and trucks can come and go with no special permission required. A large multi-family apartment building could go there without any permission. Often developers want to know what is in the surrounding areas and what would the neighbors like. The developer is trying to put in residential houses in a residential area even though it is zoned commercial. Try to think of why residential units are better off.

Ms. Davies explained permitted uses for that property and what the developer can do.

Ms. Allison Poirier commented that the impact is far too great. The buildings are too close together. Too much traffic. The developer does want to develop the property. Other uses would be just as profitable without all of the impact. Rental apartments would also increase traffic. Request that the board see a more definitive plan.

Joe Falzone - property owner - Our next Planning Board meeting is exactly what the abutters are asking for, it is a design review. The property was rezoned C-1 not too long ago.

Vice Chair Hauschildt asked about adequate screening. Porches that may be 8 or 10 feet off the ground.

Joe Falzone - 20 foot setback and a fence. Trees and shrubbery where needed. He will certainly talk to the neighbors. He is well versed in what he does. The wetlands survey, utility research is done and thought he was doing the right thing.

Mr. Ouimet asked, for the record, what the as of right unit density would be, absent wetlands consideration if this was developable. He can't read it on the plans.

Mr. Smith indicated it was 17. Excluding the right of way and excluding the pavement. This is the beginning. The only question here tonight is single-family or multi-family. His client does not own any property on Portsmouth Avenue. He can't imagine why anyone would want a commercial building there. The design review is non-binding.

Mr. Carbonneau asked the planning staff if it is possible for the board to vote on this particular case, stricken the number of units, so that they are not getting in to that issue? Just talk about detached residential condominium units so that it has the opportunity to go to Planning Technical Review Committee and then coming back with a number.

Maximum number of 14 rental units with 80,381 square feet.

Public session closed and moved into deliberations.

DELIBERATIONS

Chairman Prior indicated that it should be duly noted that a number of questions concerning public health, safety and welfare were raised.

MOTION: *Mr. Hauschildt moved to approve the special exception request, as presented, subject to the following conditions:*

- *The total number of proposed dwelling units shall not exceed fourteen (14)units*
- *Adequate landscaping and screening shall be provided (to be addressed during the Planning Board site plan review process); and*

These minutes are subject to possible corrections/revisions at a subsequent Exeter Zoning Board of Adjustment meeting.

- ***The Applicant is required to obtain site plan review approval from the Planning Board.***

Mr. Ouimet seconded.

MOTION: ***Mr. Ouimet moved to amend the motion to include the condition that “No more than 25% of the total number of units shall be permitted to be rental units.”***

Mr. Hauschildt seconded.

VOTE: ***Motion on the amendment passed unanimously.***

Acknowledging that the amendment had passed, Chair Prior called for a vote on the original motion on the floor, as amended.

VOTE: ***Motion passed unanimously.***

(At this time, 8:40 PM, the Board took a short recess; the meeting was reconvened at 8:50 PM.)

Chairman Prior announced at this time that given the late hour, the application of **Jennifer Briggs (Case #1482)** for a special exception and a variance to operate a day care facility at 100 High Street, Tax Map Parcel #71-51 would not be heard this evening. The application was rescheduled for Thursday, October 2nd, 2014 at 7:00 PM. He stated that if additional certified notification was necessary, the Town would bear the expense.

MOTION: ***Mr. Hauschildt moved to postpone Case #1482 until October 2nd, 2014 at 7:00 p.m.***
Ms. Davies seconded.

Discussion regarding abutter notification requirements.

Chairman Prior proposed that the Planning Office of the Town of Exeter assume the expense of re-notification.

Mr. Carbonneau indicated that he will recuse himself from this case.

VOTE: ***Motion passed unanimously, 4 - 0.***

3. Case #1480: Seacoast Family Promise

The application for a special exception per Article 4, Section 4.2 Schedule I: Permitted Uses to permit the existing structure located at 27 Hampton Road to be utilized as a community building. The subject property is situated in the R-2, Single Family Residential zoning district. Tax Map Parcel #87-36. This is Case #1480.

Attorney Sharon Cuddy Somers addressed the Board on behalf of the Applicant. She acknowledged that Ms. Kerry Kelly, President/Board of Directors and Ms. Patti Frew-Waters, Executive Director of Seacoast Family Promise (SFP), Rev. Diane Mix of the Stratham Community Church and David Choate and Mike Fecteau who are the realtors with Colliers International were also present with her this evening.

Attorney Somers began her presentation by explaining that Seacoast Family Promise was a non-profit organization whose purpose was to provide services for families with children who are homeless. She indicated that SFP had been providing services in the community for more than ten years and were currently working out of the Stratham Community Church on Emery Lane in Stratham. Attorney Somers stated that the Applicant has operated successfully in Stratham, but now desired more space for its

operation. She explained that the Applicant was seeking permission to provide their services within the existing structure on the subject property during daytime hours only (8:00 AM ó 5:00 PM). She gave a brief overview of the services provided and indicated that trained staff would be present to oversee the operations. She stated that the number of clients is limited to five families at any one time and that parents and staff are present at all times to care for the children. Attorney Somers indicated that the clients they serve are carefully screened and if any concerns and/or issues should occur, the applicant will not be accepted into their program. They are seeking to get permission only for the day component at this facility. The facility would be used as a base camp so to speak for those who do not have jobs or children not going to school. There is a play area in the back. There would be laundry facilities. There will be no catering. The only food being consumed on site would be the lunch meal. The food would be stocked by the volunteers. The majority will be head of household women with small children. She noted that the organization did not receive any federal funding and was not considered an open shelter.

Attorney Somers proceeded to address the criteria for special exception as outlined in the application. She noted that there is no mandate that it exclusively serve Exeter residents however there have been 119 referrals for Exeter, and 23 have been accepted and served at the Stratham location. 9 were served and are currently living in Exeter. 16 students attended Exeter High School while in the program and 12 have graduated from Exeter High School. Noting that the prior uses of the subject property were a daycare facility and a doctor's office, Attorney Somers stated that the proposed use would be less obtrusive in nature. She indicated that the property would maintain its residential appearance and no exterior changes were being proposed other than some renovations to the building. This can be considered a transitional zone. A community building is allowed in these zones.

Attorney Somers referenced the photos of the building to show the fence, shrubbery. The area will be tidied up but will continue to give privacy to abutters. No site improvements will take place. There are 18 parking spaces. The proposed use will not be substantially different than previous use.

This is most accurately characterized as a community building. The core purpose of this really is social. This is not a hotel or motel. It is not overnight sleeping. The protocol and screening process would be on record. There will be no night participation, no keys distributed to families, and there will be a security system in place. There is a reserve for future maintenance and landscaping. There would be staff or a contractor for plowing. The staff members have professional training and qualifications. There might be weekend use. If a family were in need of being there during the day they want to reserve the right to do that. They would have Board of Directors meetings a couple of times a month which would require an exception to the 8:00am to 5:00pm rule.

The current operation is based out of Stratham. Reverend Mix can speak on behalf of that location. No problems with abutters and very well received.

At this time, Chairman Prior asked if there were any abutters or interested parties who wished to speak on the application.

Chairman Prior asked if the restriction of 5 families is written into the application. Is that something they will stand behind? How do you define families? Can you tell us about the impact of the use in a quantitative nature? A family is defined as a head of household, or multiple children which could be a single adult or two adults with children.

Attorney Somers stated that they would stand behind the 5 family restriction because that is the program. As to what constitutes a family, either it's going to be heads of household and children. Perhaps ten or so children and ten adults too.

Ms. Davies asked about the number of staff and volunteers that are typically involved on any given day; the high numbers and the low numbers.

Patti Frew-Waters, Executive Director is the only full time paid employee, a case manager 32 hours a week, an admin assistant 10 hours a week, an offsite bookkeeper, and throughout the week each day there is a variety of volunteers. There could be as many as five. SFP owns a 14 passenger vehicle to transport those families who need it, however most families have their own vehicles.

Ms. Davies asked if there are a lot of additional trips per day in and out of the property from consultants or counselors.

Patti Frew-Waters, Executive Director, indicated that the homeless liaison from Seacoast Mental Health may have a meeting with one of the guests once or twice a week.

Mr. Ouimet asked if the proposed facility is going to take the place of the facility in Stratham, or be in addition to it. And where is that facility located.

Attorney Somers stated that it would take the place of it because they need bigger quarters. The address is 6 Emery Lane at the Stratham Community Church.

Mr. Ouimet asked what the neighborhood setting is like and is it similar to where it is being proposed.

Reverend Mix explained that on Portsmouth Avenue, directly across from the SPCA is a loop, Emery Lane, and the Church. There are 3 or 4 homes on that street as well.

Chairman Prior clarified that the existing facility is currently in a portion of the church as opposed to in a separate building and the church is in an area that consists primarily of residences at present.

Mr. Ouimet stated that from what he has read from those who oppose this application there is a lot of concern about the type of clientele. The applicant has provided their screening criteria to weed out undesirable families. Is that a written document? Is that something you would be willing to present and have monitored by the town?

Attorney Somers said yes, and it would be appropriate for the conditions of approval for them to provide the screening protocol. It will need to be updated from time to time. It is not included in the application now. It's not a halfway house. It's not a den of criminals. She does not think it would be practical for the town to enforce that. The contact person would be the Executive Director if the abutters have any concerns.

Chairman Prior asked if the screening process takes place on site.

Patti Frew-Waters indicated that the answer is both yes and no. The process has a lot of steps. The referring agency provides them the information. An intake with the family is done over the phone. Then they go back to the referring agency to compare information. Many people are not eligible because they cannot pass a drug test, an alcohol test, or have a criminal record. Those who pass would come to the facility and would have to read and sign off on all the guidelines. Meeting face to face allows them to determine what would be the best program for the family and the volunteers.

Mr. Hauschildt asked to clarify the definition of family as one or two parents and children.

Attorney Somers stated that the majority are mother as head of household and children. Children are always involved. Children over the age of 18 would not be eligible.

Mr. Hauschildt asked to clarify that the 8:00 to 5:00 hours would be Monday through Friday and weekends maybe. Would weekends also be 8 to 5? Attorney Somers replied -yes

Reverend Mix introduced herself as the Pastor of the Stratham Community Church where the Seacoast Family day program has been housed for 8 years side by side with our popular preschool of about 50 young children. There have been no problems between parents, or with these young children sharing the same building and playing on side by side playgrounds. The SFP families care for and enjoy the bounty of a small vegetable garden right outside their door. The children and parents are respectful and so very grateful to the church and for the SFP program for supporting their search for a new home. Her office is directly above the SFP space and does not hear them at all. She is aware of no noise complaints from the abutters. The church has never felt unsafe, or concerned about their expensive office equipment, or their sacred sanctuary space. SFP have been great neighbors and tenants who have invested with them. These are nice, normal people who happen to be going through a rough patch who need time and support to get on their feet again. They've been screened very carefully by Patti and her staff and they run a tight ship for the safety of everyone who shares the building. Parents sit and watch their children play as they share a meal and they are building a community of support and caring which homeless people usually do not have the opportunity to find. A graduate of the program who was going through a divorce and had few resources and would have had to give up joint custody of her daughter to move out of state to live with relatives. That woman is now a vice president at a local bank. She and her grown daughter visit and support SFP. Another woman and her then 17 year old daughter were in the program for 6 months. The daughter graduated from the University of New Hampshire and currently serves as an Agent for the United States Secret Service. The church children have donated their Sunday School offering money in quarters for the families to use at the laundry mat. Age appropriate Christmas gifts for SFP members are collected by the church and children. A classmate of an SFP member told her parents that she did not have a warm coat or boots because they lost everything in a fire. The Stratham Elementary School donated piles and piles of gifts. Hands on, hearts open, helping people in need find their way home through the Seacoast Family Promise Program.

Chairman Prior asked that abutters in the impacted neighborhood will speak first and then we will extend it out beyond that. Try to stay on message. What they are being asked here today is fairly narrow in terms of the use of this property. They want to hear their concerns.

Ms. Karen Allen, 2A Hunter Place, an abutter to the proposed property. She is a nurse practitioner who has worked for over 7 years with the population that Seacoast Family Promise serves in the Greater Boston area. This is not a typical therapeutic location for this population that is in life transition. They are typically integrated into a downtown area, near churches, near access to community services. This proposed area is remote, and isolated next to residential housing. The proposed location has no access to resources like sidewalks, community services, parks, libraries or public transportation.

Mr. Christopher Gilroy, 25 Hampton Road Unit A3. Have the men and women of the Exeter Police Department been consulted with regard to public safety and any impact that may occur? He does not believe he has heard any testimony about the police department being consulted. No matter the tax designation he doesn't believe this to be a for-profit business as there will be overhead. Some families may have 5 and 6 children, so possibly 20 to 25 to 30 clients and up to 5 staff members on site. Not sure how 5 staff persons could control and monitor the activity of 30 people. We have not heard how volunteers are trained or screened to work at the facility. This type of use falls outside the scope of

residential/professional and does not meet the definition and criteria for a community building. Our properties will be affected. His property already is affected. There has been mention of a phone screening and the question of whether you would pass a drug test. Would like to know when and how that process is conducted. He indicated that his was a request for a special exception in a residential zoning district. He stated that zoning rules are there for a reason and the zoning board exists for a reason; he asked that the board make the correct decision and deny this application.

Mr. Hauschildt asked why it does not meet the criteria for a community building.

Mr. Gilroy stated there has been testimony that some Exeter residents have benefited from this, but a majority of the people that are going to be brought to the facility are going to be from outside of the town. In his written exception he did define it. He added that he hopes we are not creating a problem in this situation for the purposes of trying to find a solution.

Mr. Jay Lodico, 1 Hunter Place. commented that this is about the issue of the location; it certainly isn't about the great work that the folks at Stratham Community Church and the folks at Seacoast Family Promise do. He wanted to make that clear and thank everyone for giving them the chance to speak today. They chose this home and this neighborhood as the perfect location to start a family. They understood that it was abutting a professional doctor's office and that point was very clear. They have made considerable financial and emotional investments in their home. The current application for special exception by Seacoast Family Promise will dramatically change the intended use and unfairly affect their family, their neighbors and their property. He does not believe they meet all the definitions required by the application. He made reference to Sections B. and H. of Article 5.2, noting that the proposed use would not comply with these criteria, and furthermore, was an inappropriate use for the R-2 designation. The proposed use of this property by SFP will be far beyond the usual office space and transit will increase dramatically. The intensity of use that is being proposed is overwhelming for a residential zone. We are asking that you allow it to remain a small professional office building. Mr. Lodico requested that the board please consider the following during their deliberations: Ensure hours of operation, 8 to 5, no evening or overnight guests or events, a paid and trained staff member on site during all hours of operation, the addition of natural screening along the property line and to maintain the other natural screening elements that are already there.

Mr. Kurt Virkaitis, President of the Exeter Farms Homeowner's Association and owns abutting property, across from Hampton Road. Read statement on behalf of the Association in opposition of the proposed application for special exception (Statement Attached).

Chairman Prior asked that comments be limited to the impact of this property and of this change that they are being asked. He appreciates the comments regarding the history and they get the context. They would like him to specifically address the application before them this evening.

Mr. Virkaitis stated that, in a nutshell, they believe that the cumulative effects of all these exceptions to the zoning are going to have a negative effect on their property values and the desirability to live in the neighborhood. We oppose this and ask that the board oppose this as well.

Mr. Bob Beal, 23 Exeter Farms Road. Has worked with homeless families and served them breakfast. He is very much in favor of what this organization is trying to do. His biggest concern is that the numbers will hold. The SFP annual report shows a plateau of the past 5 or 6 years. All statistics are there. The dilemma is from the President of the Board which states "Our SPF family has grown and so must we, with careful thought and preparation." He states that this is inconsistent with everything he has heard tonight, being limited to less than 5 families. He believes this represents an expansion of their activities and it won't be monitored by the Town of Exeter and it will probably take the same course as the other 5

properties in their immediate vicinity. Concerned with having 13 to 17 year olds on the property. Understands concerns of single mothers with their children on the sidewalks.

Mr. Matt Carbone, 21 Exeter Farms Road, stated that they specifically moved here 13 years ago because of the quality of life that the Town of Exeter provides, noting that it was the perfect place to raise a family. While he appreciates what SFP does and supports their mission, he asked the board to please not allow this special exception. He stated that by calling it a "community building" is the only way to get this exception. The residents have been very tolerant of other special exceptions which have been granted in the surrounding neighborhood. This proposed use is not a community building or a recreation facility and only the members of the board can stop this by denying this special exception. He expressed his concern that the screening process of face to face and word of mouth is not a good authentication process for those with drug or alcohol addiction problems, potential sex offenders or people with extensive criminal records. He inquired that if the national template changes, what authority does this town have to change the special exception? He concluded by stating that the residents of this community do not support this special exception and as members of the board, we beg you not to approve it.

Mr. Matt Mooney, 5 Penn Lane. and Acting President of Mirror Image Condo Association, 25 Hampton Road. He stated he has several letters from owner-occupants and they all share the same message; he noted including some from single female professionals concerned with their safety. He stated that the proposed use was very out of character for the current neighborhood and believed it will have a negative impact on their property values.

Mr. Frank Heffernan, Minute Man Lane resident and is a State Representative. He has been associated with Seacoast Family Promise for as long as it has existed. The people in this program rotate from week to week from church to church. These are ordinary people who, because of an illness, a layoff, or some other situation, they can't pay their bills anymore, they've been evicted. They get counseling. They come in with a purpose. The limit on the number of people at any given time is 14. Single family homes have drug addicts. They have these dangerous people that I hear being referred to. There aren't any people like that at Seacoast Family Promise. They are thoroughly screened. This is a spectacular program. We're lucky to have it.

Ms. Susan Stagnone, 9 Exeter Farms Drive, stated that she was on the Exeter Farms Board of Directors, however, wished to address the Board personally. Confirmed that some other letters were received by the board. She has volunteered a great deal of personal time away from her family and her responsibilities to support this neighborhood. Numerous times she has been given reassurances about special exceptions. Feels she has failed because the outcome did not turn out to be the way it was specified. She has volunteered for Crossroad House. She knows what this mission is, it's a very noble mission, but it's the wrong place in our town, in a single family R-2 zone.

A gentleman identified as the current abutter (2 Emery Lane, Stratham) to the existing facility in Stratham spoke in support of the application. For the first 3 years he did not know SFP was there. 5 years ago met Patti. They have enhanced the area they live in. Wants to give assurance that they haven't had any issues whatsoever in 8 years.

Ms. Joanne (last name not audible), a resident of Spring Street, Exeter, indicated that her eleven year old daughter was an active volunteer in the SFP program since she was 5 years old. She indicated that it had been a wonderful learning experience for her and she enjoyed the opportunity to help. She is looking forward to having them in Exeter.

Mr. Jason Landon, neighbor of an abutter. They have been assured of a very stringent review process where if you have any sexual predator issues, specifically mental health issues, people are not part of the

program. Yet one of the first staff positions listed by counsel was a mental health counselor. So if the participants are screened for mental health what is the need for a mental health counselor at that point? Also, if the main reason for the relocation is space, he is not sure that facility is going to meet the needs that it deserves.

Chairman Prior stated that if anyone in the audience who is an abutter or not, would like to speak, this is their opportunity.

Ms. Helen Kruppa, 27 Captain's Way. She has volunteered with Seacoast Family Promise practically from the beginning. It is an incredible program. The people are not dangerous or scary. She is honored to have worked with these determined folks who have had terrible things happen to them and have decided that they are going to change their lives. Most of them are mothers with children under 5 year olds. The average age of a homeless person in New Hampshire is 9 years old. This program serves those who have been so drastically affected by our economy through illness, job loss, divorce, etc. They are exceptional people and she is very sorry for those who are afraid to have them in their neighborhood because she thinks it would make Exeter a better place if we can help these wonderful people and we can work with them.

Ms. Courtney Lodico, direct abutter at 1 Hunter Place, stated that this is not about this program. She indicated that the subject property has a small cape-style home on it and has been used as a doctor's office and small business -- it is not the Stratham Community Church, which is huge. Permitting such a use will inundate the site and neighborhood with extra traffic. This is quite an exception for this community and for us to support.

Mr., David Choate, a principal with the commercial real estate firm of Colliers International in Portsmouth. He wanted to address the value issue. He is the buyer/broker. One convenient thing that has been forgotten is that it has been a daycare for the last 2 years that was not very well capitalized, the property has been run down, and there is a tremendous amount of work that has to be done on the property by Seacoast Family Promise if they end up purchasing it. Also, the daycare was allowed to have up to 20 people in that building. This program will not have 20 people on a regular basis. Hours of operation were 7:00 a.m. to 6:00 p.m., five days a week. The intensity of the use will be less. If I were an abutter I would focus on someone coming in and spending some money on the property. As a daycare it would continue to deteriorate. He thinks the value of the surrounding properties will stabilize if not go up as a result of Seacoast Family Promise buying the property and putting money into it. Exterior work would be cosmetic although there is one chimney in the back that might be taken down. He only does commercial real estate. A family practitioner in that building would bring many more people and many more cars than they are talking about. The lot is also big enough that it could be expanded. There are no plans by Seacoast Family Promise to expand the building. In terms of the type of people that might be at Seacoast Family Promise, there is nothing to prevent, in the R-2 zone, a family from buying the property, converting it back to a residence, moving in with four children, four dogs, and one of the parents is a registered sex offender.

Mr. Jason Landon indicated that regarding the daycare use, that was done through a special exception and all of the abutters were not notified of the special exception. He's not sure that referencing something that technically should not have happened is a good tool for this.

Ms. Stagnone wanted to reaffirm not only for herself, but the majority, if not the entire neighborhood that the emphasis that Mr. Virkaitis spoke about and she totally concurs with is that they are trying to get the board to recognize the R-2 zone as a single family population. There are houses selling for less at one end of the neighborhood because of a special exception. There are two new single family homes on a

subdivided property across the street from this parcel. We are encouraging this board to set the standard towards R-2 and not to special exceptions.

Chairman Prior announced that this was the final opportunity for anyone to speak who has not done so.

Mr. Gilroy again addressed the board. He stated that the issue of sex offenders was brought up by the real estate agent. He stated that he deals with 20 to 25 sex offenders on a daily basis and has for the past 8 years. He noted that while not all sex offenders are publicly listed, it would be most likely that should a sex offender move into this property it would be a publicly listed sex offender who they would know about. He commented that these individuals don't have to report where they hang out from 8:30 to 5:00 or the weekends during the day; they only have to report where they lay their head, as a primary residence or a temporary residence five days out of thirty days in a given period. That is where anxiety comes from is by reading the law, not by somebody who has a principal interest in the sale of the property.

There being no further public testimony at this time, Chairman Prior offered the Applicant the opportunity for rebuttal.

Attorney Somers will have Ms. Frew-Waters respond to the bulk of the public comment as she has the handle on the operational details. She stated that the total headcount will be no more than 14 clients at a time, adults and children included, noting that does not include staff. There can be paid staff on the weekend if that is a concern. With respect to the annual reports, the organizations needs additional space is dependent upon the success of the overall program. If the national organization somehow deviates from the template, she does not anticipate this happening at this location. There will continue to be family usage. There are a lot of what-ifs that have been presented. She stated that evidence has been provided to this board, including testimony from Reverend Mix and the Stratham abutter relative to their current facility. She stated that the fact is, there's a program, and it works.

Ms. Patti Frew-Waters, Executive Director of SFP, addressed the Board to clarify several issues. She indicated that a mental health counselor may be consulted and asked to visit the center on occasion but would not be employed by the organization. She confirmed that there would be a maximum of fourteen (14) clients any one time and noted that children would be included in this number. She noted that weekend staffing of the facility was currently by volunteers but they could re-hire a day manager for this shift. Ms. Frew-Waters stated that they have outgrown the 900 s.f. space provided at their current facility in Stratham and were looking for a building that would comfortably meet their needs and serve them well. She stated that the program currently provides service to approximately 16 to 22 families a year and works with veterans also. Length of stay depends on what the obstacle is that the family is dealing with. It is a safe place. We wish more of you had come to the open house.

Mr. Hauschildt inquired about the proposed location being somewhat remote given there is no public transportation and no sidewalks in this area of town, as well as it not being easily accessible to the downtown.

Ms. Frew-Waters responded that the reality is that this is not Boston, "We are not a big city," and we are rural. The current location in Stratham does not have sidewalks. Moving three and a half miles to the new location brings them closer to services, closer to grocery shopping, closer for opportunities of some employment. They have a van, as there is no public transportation. The circumstances of the outdoor surroundings are no different.

Mr. Hauschildt further asked for clarification of the screening process.

She continued to explain the protocol for screening of clients. They invite the family in, they meet with them. They drug test them at that time to get a base line. There is a fuzzy area regarding prescribed medication. Volunteers are well screened including background checks.

At this time (11:00 P.M.), an announcement from the TV crew was made that the live coverage of the meeting had ended. It was also represented that there was no ability to continue recording the meeting, either by video or audio.

The Board took a short recess at this time to determine how they wished to proceed. Board consensus was to continue with public comment and deliberations of the application under consideration (Seacoast Family Promise, Case #1480) and all other business scheduled for this meeting at a future ZBA meeting scheduled for Thursday, October 2nd, 2014. Public notice of the meeting will be posted however, no further certified notification will be provided to abutters.

MOTION: ***Mr. Hauschildt moved to table the application under consideration and all other business scheduled for this meeting until the Board's next meeting on Thursday, October 2nd, 2014 at 7:00 P.M.***

Ms. Davies seconded.

VOTE: ***The motion passed unanimously.***

The meeting was adjourned at 11:10 P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be Thursday, October 2nd, 2014, at 7:00 P.M. in the Nowak Room at the Exeter Town Offices.

Respectfully submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Department