

118-E-1
94 Hayes St.
Conversion to School
Levey Hebrew School

—

LEVY HERREW DAY SCHOOL EXPANSION
CONDITIONAL USE REVIEW
94 NOYES STREET

Submitted to:

Portland Planning Board
Portland, Maine

May 26, 1992

I. INTRODUCTION

The Levey Hebrew Day School is requesting conditional use review by the Planning Board of an expansion of their school at 76 Noyes Street to include an adjacent single family residence at 94 Noyes Street. Since the building is located in a residential zone (R-5) and the proposed use is an expansion of an institutional use, the proposal would require conditional use approval. As such, the proposal must meet the standards of Sec. 14-118(2) and Sec. 14-474(2).

II. SUMMARY OF FINDINGS

Zoning	R-5 Residential
Proposed Use	1st floor: classroom
Land Uses	2nd floor: to remain vacant
	Institutional, residential

III. PROPOSED DEVELOPMENT

The proposed classroom space is located in a building owned by the Shaarey Tphiloh synagogue. The building has been vacant for over one year. Before its vacancy, the house was occupied by a family for two years and a cantor for the synagogue previously.

The single family residence is on the grounds of the Shaarey Tphiloh Synagogue. The applicant has no intention to alter the exterior of the building.

The applicant proposes to use the first floor of the residence as additional classroom space for the day school which is currently located in the main building. The school currently consists of 3 classrooms and one office. Enrollment at the school is 35 students.

The applicant has shown six (6) parking spaces on site. In addition to these spaces, there is room for two cars in the residence driveway. According to the parking requirement of the Land Use Code, one parking space is required for each classroom. One space is also required for the office use, which brings the total to 5 required spaces. Six (6) are shown and there is also sufficient overflow parking areas within the main building's lot.

IV. CONDITIONAL USE REVIEW CRITERIA

The proposed use is classified as an institutional use and is subject to the conditional use standards of Sec. 14-118(2) and 14-474. Included as Attachment 7, for reference, is an approval letter for a Maine Medical proposed conditional use on Spring Street.

Section 14-118

1. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas.

The applicant intends to expand within the same lot on which the principal use is located. The lot contains the synagogue which houses the main portion of the day school, in addition to the single family house.

ii. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983 or thereafter.

The house at 94 Noyes Street was occupied in the past by the cantor of the Shaarey Tphiloh Synagogue. Since the synagogue has not employed a cantor in the past 5 years, a family rented the building for 2 years. Since this family moved, the house has been vacant for over a year.

While the use will cause a displacement of residential use, the applicant contends that based on the building's difficult rental history, this displacement is not significant. Furthermore, the applicant does not intend to make any substantial alterations to the interior or exterior of the building which will allow the building to revert to its original residential use in the future.

iii. In the case of a use or use expansion which constituted a combination of the above-listed uses with capacity for concurrent operation, the applicable minimum lot sizes shall be cumulative.

There is sufficient land within the entire parcel to allow the expanded school use.

Section 14-474

i. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

There are no known unique or distinctive characteristics or effects associated with this use. The classroom will be staffed by 1-2 employees which limits the amount of activities and impacts associated with the facility. The proposal reuses an existing structure so that there will be no external construction associated with the project. The impact is also lessened to some extent by the retention of the residential character of the building. A possible condition of approval may be:

- that no external renovations be made to alter the residential appearance of the building.

ii. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

As the use and its impacts are contained for the most part within the building, there are very limited external impacts.

iii. Such impact differs substantially from the impact which would normally occur from such a use in that zone. Since the proposal includes only one classroom, the impact, if any, is deemed to be very mild as opposed to a typical school with several classrooms.

MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #19-92 relevant to the standards for conditional use review, the Board finds:

1. That the proposed use is in conformance with the Conditional Use criteria of sections #14-118 and #14-474.

A. Potential conditions of approval:

1. That no external renovations be made to alter the residential appearance of the building.

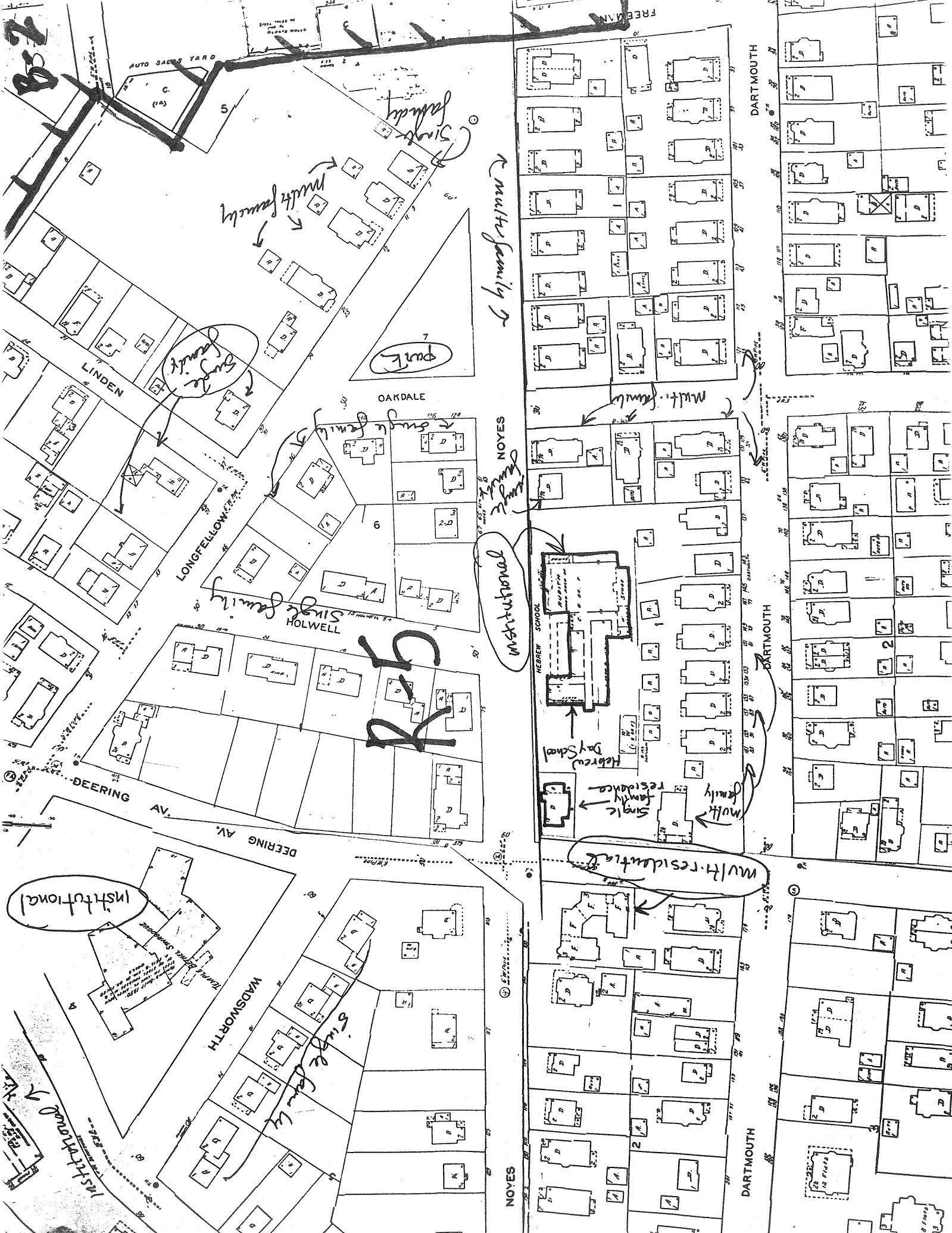
2. That the classroom use shall be limited to 5 years.

and/or

That the building revert to residential use when and if the Levey Hebrew Day School is no longer a tenant.

Attachments:

1. Vicinity Map
2. Letter from the applicant
3. Conditional Use application
4. Photograph of the property
5. Site boundaries
6. Floor plan of the residence
7. Maine Medical Center approval letter - 325 Brackett Street



B-2

AUTO SALES YARD

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NOYES

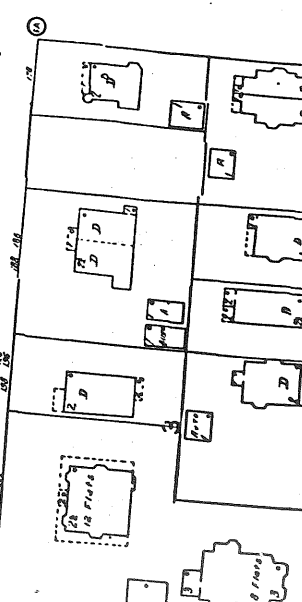
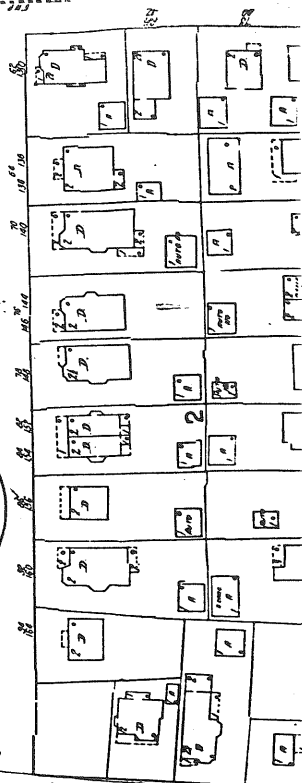
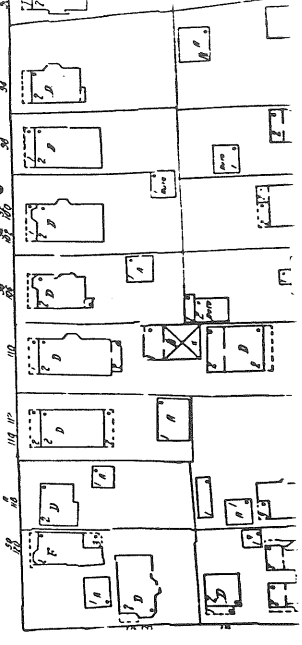
NOYES

Hebrew Day School

Single family residence

Multi-family

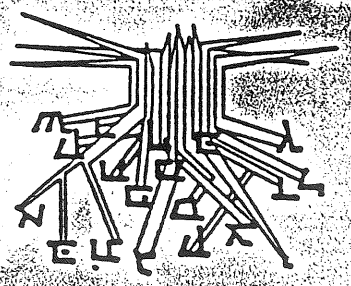
Multi-Residential



76 Noyes Street
Portland, Maine 04103
(207) 774-7676

Attachment 2

HEBREW DAY SCHOOL
The Abrahams, Eliezer & Lewy



April 10, 1992

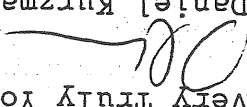
Sarah Greene
Senior Planner
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Sarah,

In response to your letter of March 30, 1992. Enclosed please find a drawing showing the entire property with its boundaries. The main building which currently houses the Levey Hebrew Day School has three classrooms and one office. The use of the house at 94 Noyes street would add one additional classroom. There are currently parking spaces on site in excess of the 5 space required by today's ordinance. The Levey Hebrew Day School is a non-profit accredited elementary school staffed by excellent licensed teachers. The school utilizes developmental child-directed approach to learning. We offer pre-school to three and four year olds, kindergarten, and elementary grades one through three. Our Judaic studies program teaches a well rounded basic Jewish education in a non-judgmental setting. We are the only full time Jewish day school in Northern New England and have recently encountered a surge in growth. Our enrollment is currently at 35 students up from 8 just two years ago.

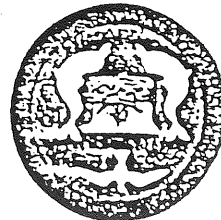
The house at 94 Noyes Street was occupied in the past by the cantor of the Sharey Tphiloh Synagogue. The synagogue has not employed a cantor for more than five years. It was rented to a non affiliated family for a two year period between that time and present. It has been vacant for more than a year. A floor plan of the house is shown on the original plan submitted.

I believe I have covered that which you requested. Please let me know if I have omitted anything you need.

Very Truly Yours,


Daniel Kurzmann
Treasurer
Levey Hebrew Day School

CITY OF PORTLAND



CONDITIONAL USE APPEAL

APPLICATION

Applicant's name and address: Levey Hebrew Day School 76 Noyes Street
Portland 04103 (Daniel Kurzman Treasurer)

Applicant's interest in property (e.g., owner, purchaser, etc.):

Tenant

Owner's name and address (if different):

Congregation Shaarey Tphiloh

Address of property (or Assessor's chart, block and lot number):

76 Noyes Street / 94 Noyes Street

Zone: R-5

Present use: Hebrew Day School

Type of conditional use proposed: Expansion of Existing

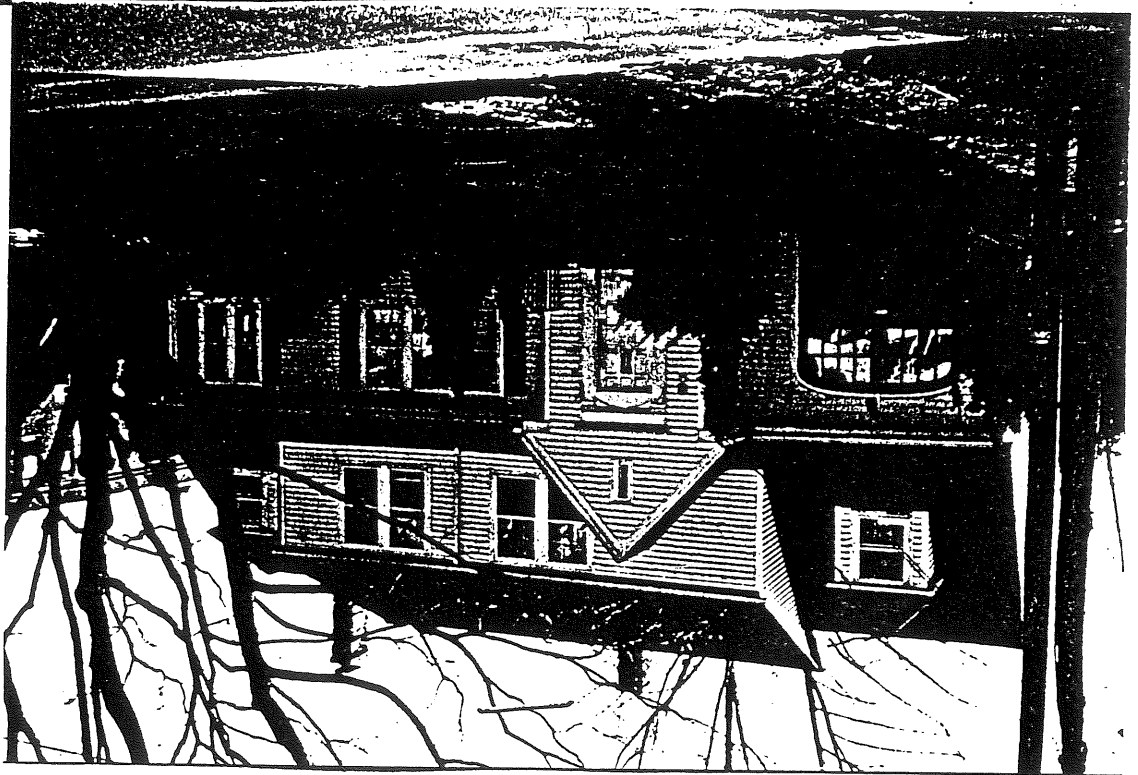
Conditional use authorized by: Section 14-118(z)c.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: March 23, 1992

Signature of Applicant



94 Noyes St.

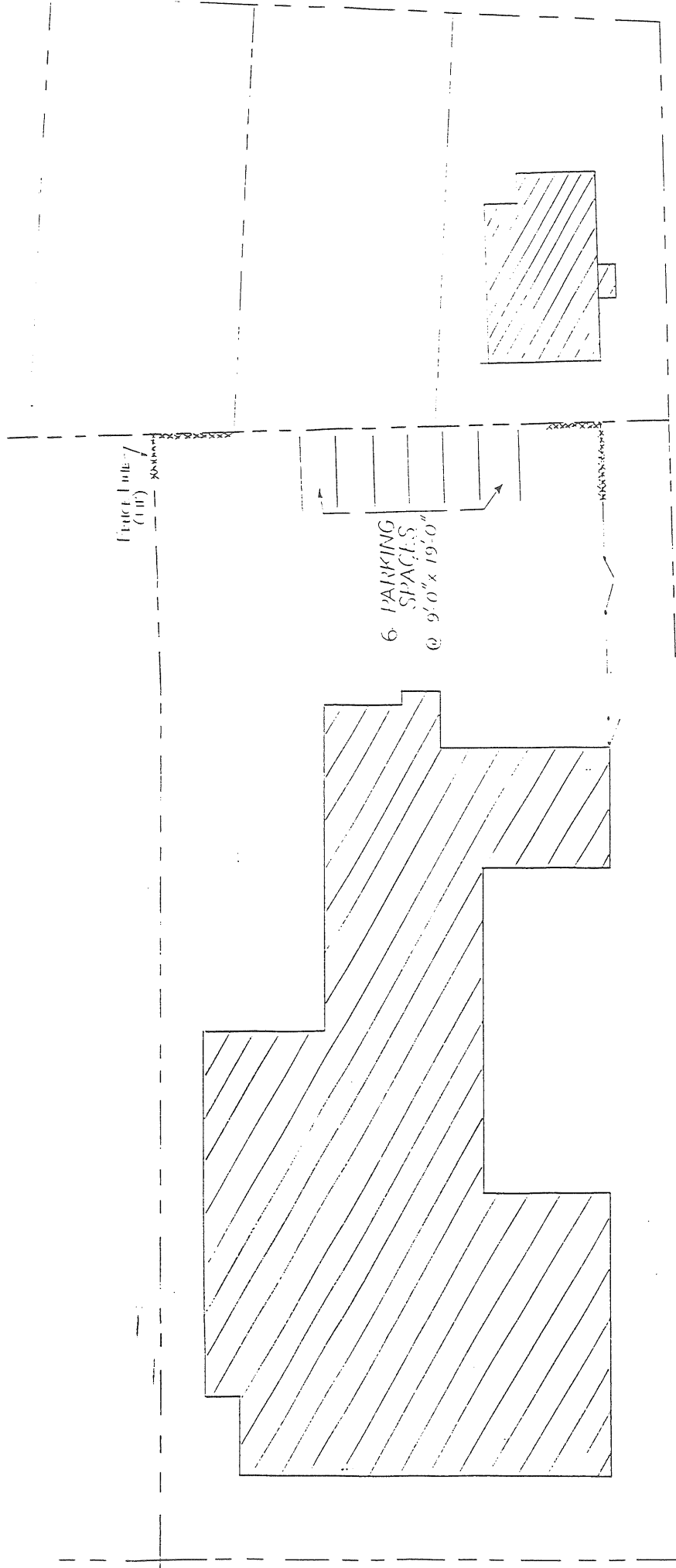
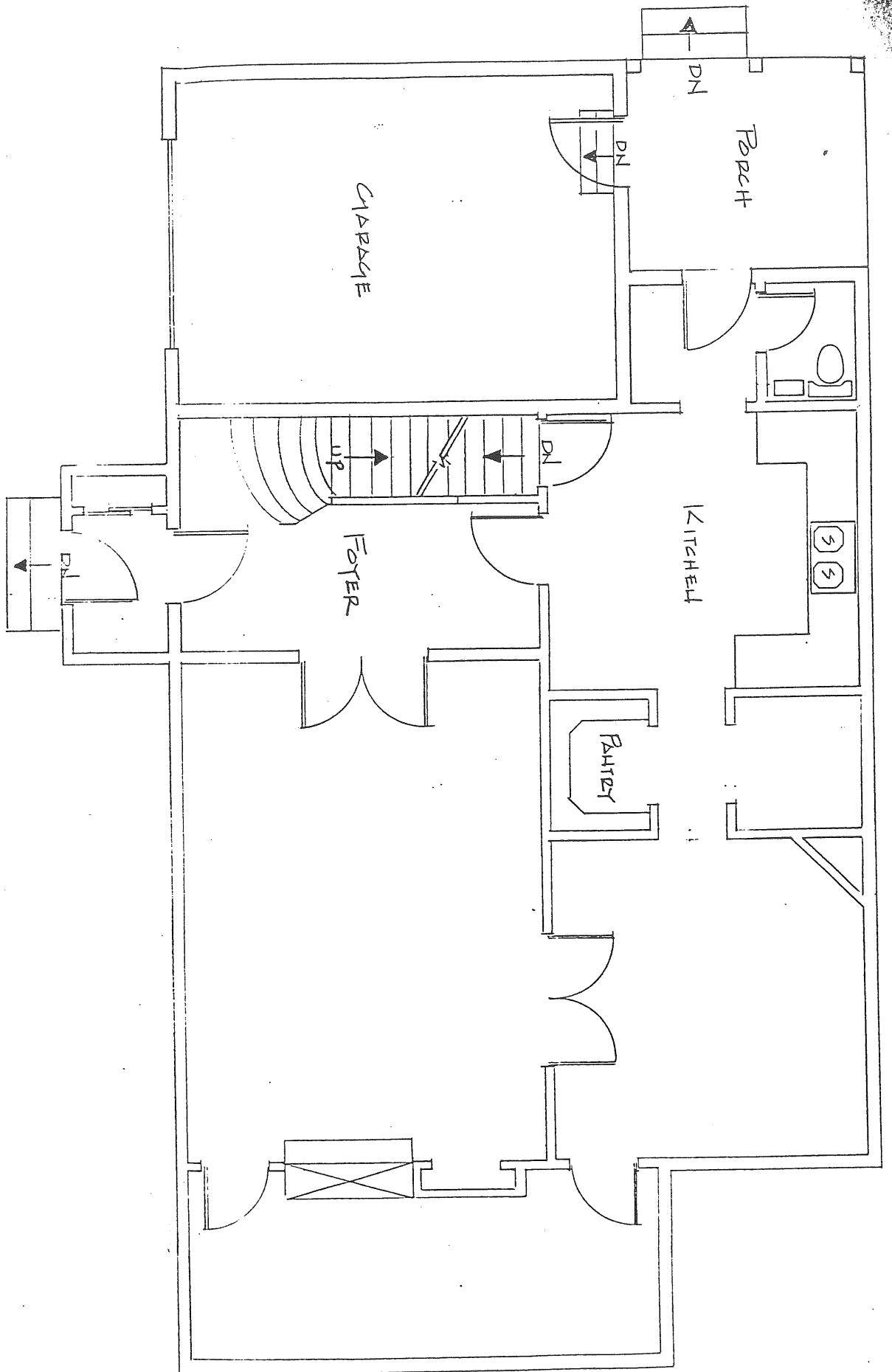


PLATE 1011
(11)

6 PARKING
SPACES
@ 9'0" x 19'0"

NOYES STREET

Handwritten signature or initials



First Floor Plan #34 Noyes St.

SCALE = 1/4" = 1'-0"

August 15, 1990

Barbara A. Vestal, Chair
Joseph R. DeCourcy, Vice Chair
John L. Barker
Jadine R. O'Brien
Kenneth M. Cole III
Cyrus Hagge
Irving Fisher

Paul D. Gray, Vice President
Maine Medical Center
22 Bramhall
Portland, ME 04102

RE: Conditional Use of 325-327 Brackett Street

Dear Mr. Gray:

On August 14, 1990 the Portland Planning Board voted 5-1 (O'Brien) to approve the conditional use of 325-327 Brackett Street for administrative and office use. The approval was granted for the project with the following condition(s):

1. That the use shall be limited to five (5) years and if at that time construction has not been completed, then the applicant may apply for an extension of the time limitation.
2. No external renovations that would alter residential appearance of the building.
3. Use shall be for administrative/office uses under direction and control by Maine Medical Center.

The approval is based on the submitted site plan and the findings related to conditional use standards as contained in Planning Report #35-90, which is attached. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

If there are any questions, please contact the Planning Staff.

Sincerely,



Barbara A. Vestal, Chair
Portland Planning Board

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Decourey and Members of the Portland Planning Board

FROM: Sarah Greene, Senior Planner

DATE: April 28, 1992

RE: Levey Hebrew Day School Expansion - Conditional

The Levey Hebrew Day School is requesting conditional use review by the Planning Board of an expansion of their Day School at 76 Noyes Street to include an adjacent single family residence at 94 Noyes Street. Zoning of the site is R-5 Residential.

The applicant proposes to use the first floor of the residence as a classroom for the day school. There are currently 3 classrooms in the building at 76 Noyes Street and one office.

There is no use proposed for the second floor of the residence. Because of ingress/egress requirements of the Building and Life Safety Codes, these areas cannot be used without major renovation and expense.

The school has classes for preschoolers, kindergarten, and grades one through three. Enrollment at the school is 35 students.

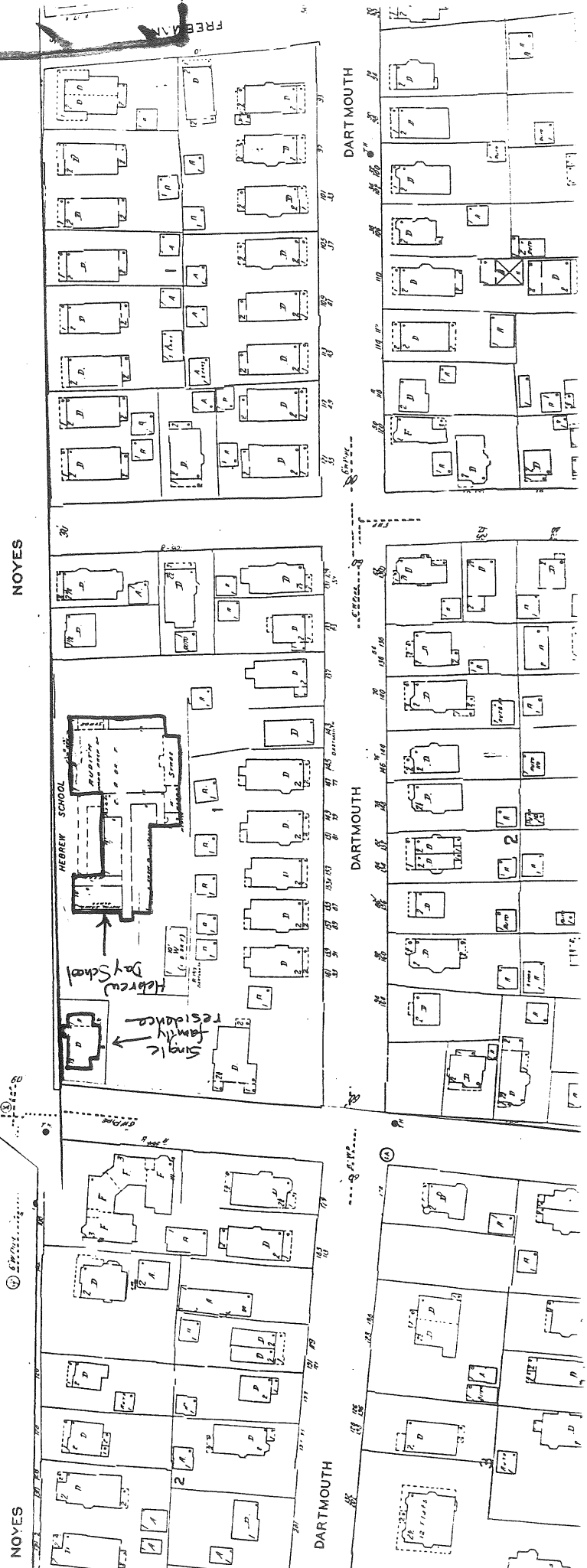
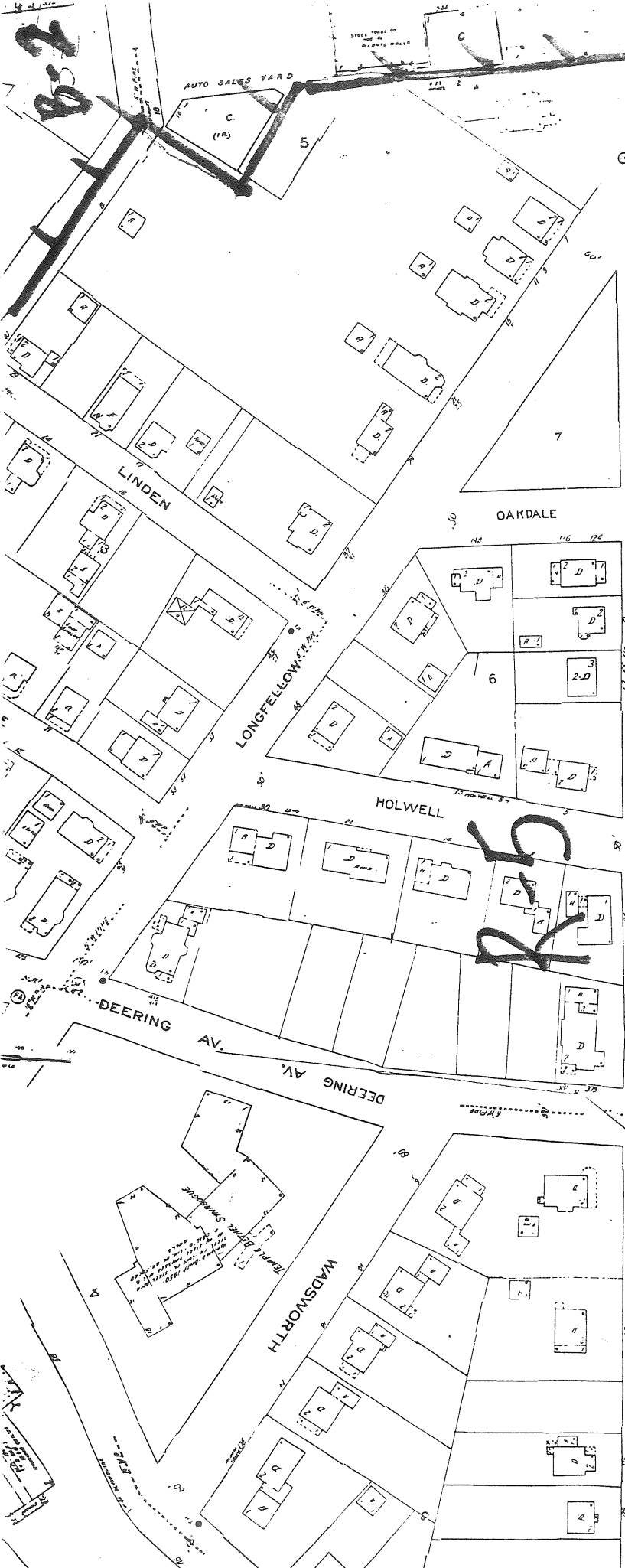
The single family residence has been vacant for over a year. Before the vacancy, the house was occupied by a family for two years and a cantor for the Shaarey Tphiloh Synagogue previously.

The applicant has shown six (6) parking spaces on site. In addition to these spaces, there is room for two cars in the residence driveway. According to the parking requirements of the Land Use Code, one parking space is required for each classroom of a school for children under 16 years of age. One space is also required for the office use which brings the total to 5 required spaces. There is also sufficient overflow parking areas within the main building lot.

No site work is proposed by the applicant, therefore it is only the conditional use under review by the Board.

Attachments:

1. Vicinity Map
2. Letter from the applicant
3. Conditional Use application
4. Photograph of the property
5. Site boundaries
6. Floor plan of the residence



8-2

RS
CS

Single family residence
Hebrew Day School

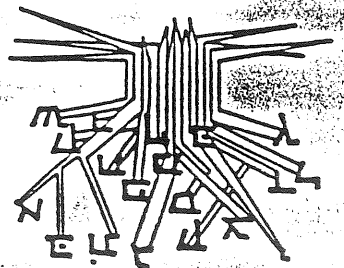
In response to your letter of March 30, 1992. Enclosed please find a drawing showing the entire property with its boundaries. The main building which currently houses the Levey Hebrew Day School has three classrooms and one office. The use of the house at 94 Noyes Street would add one additional classroom. There are currently parking spaces on site in excess of the 5 space required by today's ordinance. The Levey Hebrew Day School is a non-profit accredited elementary school staffed by excellent licensed teachers. The school utilizes developmental child-directed approach to learning. We offer pre-school to three and four year olds, kindergarten, and elementary grades one through three. Our Judaic studies program teaches a well rounded basic Jewish education in a non-judgmental setting. We are the only full time Jewish day school in Northern New England and have recently encountered a surge in growth. Our enrollment is currently at 35 students up from 8 just two years ago.

Dear Sarah,

Sarah Greene
Senior Planner
City of Portland
389 Congress Street
Portland, Maine 04101

April 10, 1992

The Abramson's & Family B. Levey
**HEBREW DAY
SCHOOL**




76 Noyes Street
Portland, Maine 04103
(207) 774-7676

Abramson FZ

The house at 94 Noyes Street was occupied in the past by the cantor of the Sharey Tphiloh Synagogue. The synagogue has not employed a cantor for more than five years. It was rented to a non affiliated family for a two year period between that time and present. It has been vacant for more than a year. A floor plan of the house is shown on the original plan submitted.

I believe I have covered that which you requested. Please let me know if I have omitted anything you need.

Very Truly Yours,


Daniel Kurzmann
Treasurer
Levey Hebrew Day School

CITY OF PORTLAND



CONDITIONAL USE APPEAL

APPLICATION

Applicant's name and address: Levey Hebrew Day School 76 Noyes Street
Portland 04103 (Daniel Kurzman, Treasurer)

Applicant's interest in property (e.g., owner, purchaser, etc.):

Tenant

Owner's name and address (if different):

Congregation Shaarey Tphiloh

Address of property (or Assessor's chart, block and lot number):

76 Noyes Street / 94 Noyes Street

Zone: R-5 Present use: Hebrew Day School

Type of conditional use proposed: Expansion of Existing

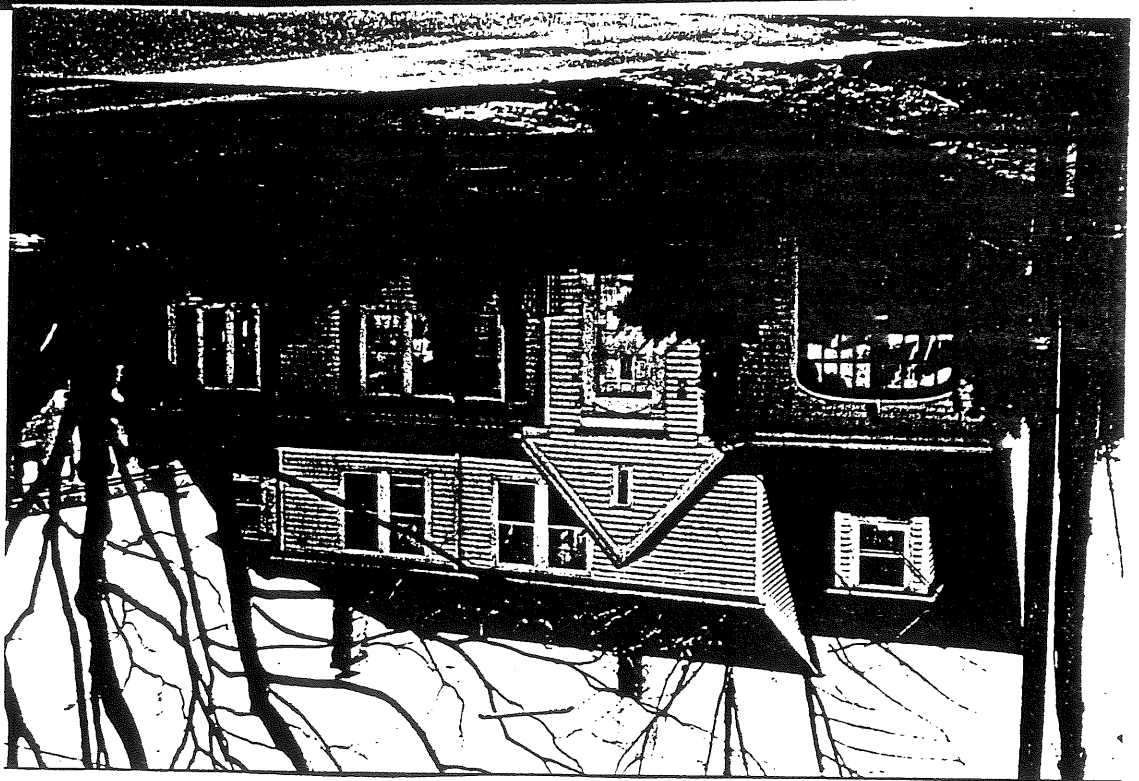
Conditional use authorized by: Section 14-118(z)c.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: MARCH 23, 1992

Signature of Applicant



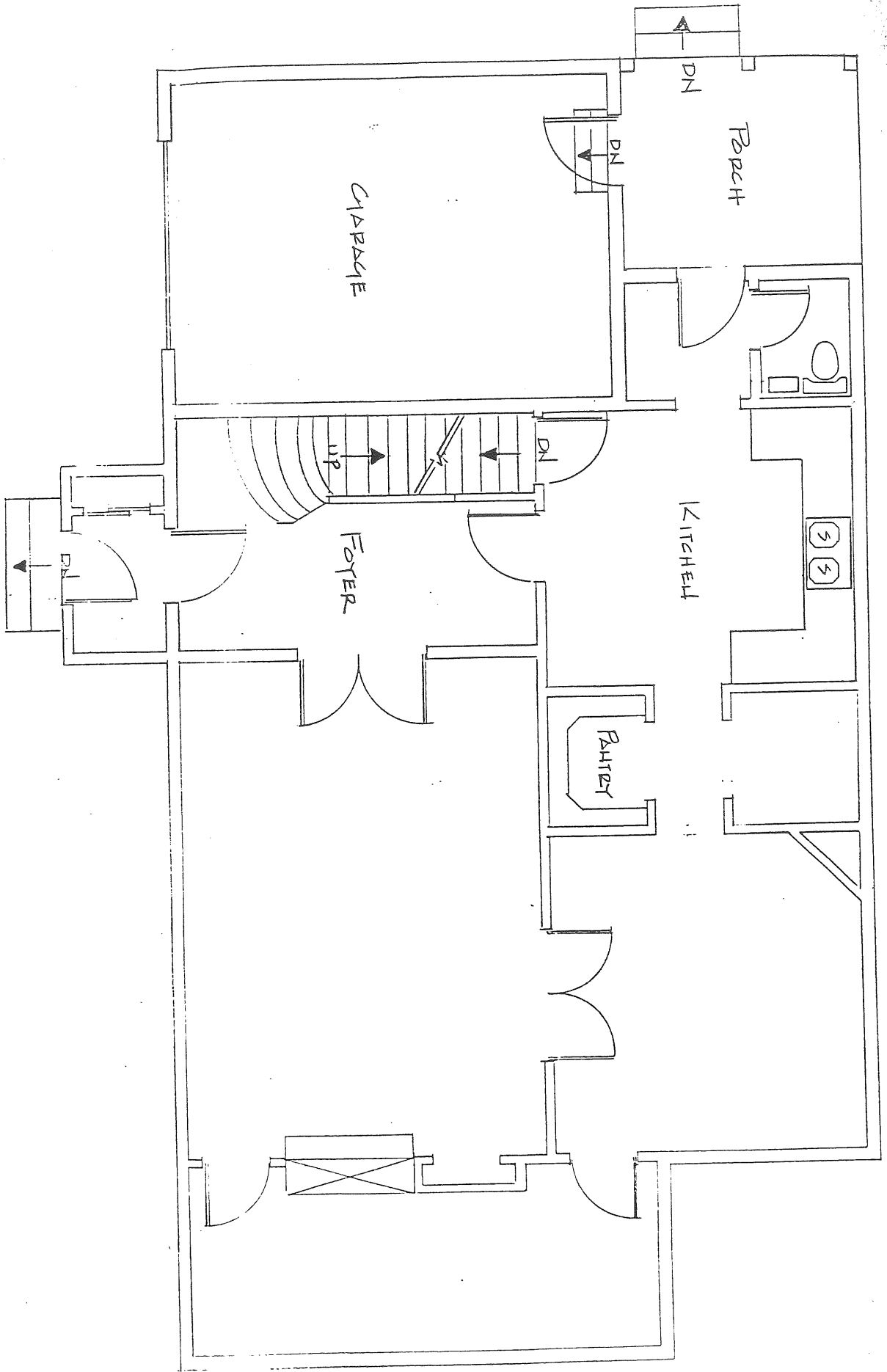
115 Noyes St.

11/11/11
(11)

6 PARKING SPACES @ 9'-0" x 19'-0"

NOYES STREET

11/11/11



FIRST FLOOR PLAN # 94 NOTES SH

SCALE = 1/4" = 1'-0"

Wachman Co

Daniel Kurzmann
Treasurer



Sincerely,

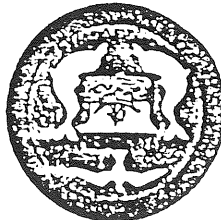
Levey Hebrew Day School would like to expand its school which is a conditional use. We are currently operating out of the school wing of the Shaarey Tphiloh Synagogue located at 76 Noyes Street. We would like to incorporate the vacant single family house owned by the synagogue next door at 94 Noyes Street.

Dear sirs,

City of Portland
Board of Appeals
Portland, Maine

March 23, 1992

CITY OF PORTLAND



CONDITIONAL USE APPEAL

APPLICATION

Applicant's name and address: Levey Hebrew Day School 76 Noyes Street

Portland 04103 (Daniel Kurzman, Treasurer)

Applicant's interest in property (e.g., owner, purchaser, etc.):

Tenant

Owner's name and address (if different):

Congregation Shaarey Tphiloh

Address of property (or Assessor's chart, block and lot number):

76 Noyes Street/ 94 Noyes Street

Zone: R-5

Present use: Hebrew Day School

Type of conditional use proposed: Expansion of Existing

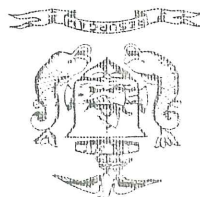
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The undersigned hereby makes application for a conditional use permit as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: March 23, 1992

Signature of Applicant



CITY OF PORTLAND

March 30, 1992

Mr. Daniel Kurzmann
Levey Hebrew Day School
76 Noyes Street
Portland, ME 04105

Dear Mr. Kurzmann:

Upon preliminary review of the plan submitted for the Sharey Tphiloh Hebrew Day School expansion, the following information was requested:

- please show the entire property and its boundaries;
- please indicate all existing and proposed parking with a breakdown of existing and proposed square footages of different uses in both buildings (Enclosed please find the parking requirements of the Land Use Code.);

- please provide a narrative for the Planning Board explaining the congregation's need for more space, the rental or occupancy history of the house at 94 Noyes Street, and a description of the proposed use of the house. A floor plan sketch might be helpful, if possible.

The conditional use proposal is scheduled for an April 28, 1992 workshop with the Planning Board. Additional materials are required at least two weeks before the workshop.

Please call if you have any questions.

Sincerely,

Sarah Greene
Senior Planner

cc: Alexander Jaegerman, Chief Planner
 Melodie Esterberg, Development Review Coordinator
 William Giroux, Zoning Administrator
 William Bray, Zoning Administrator
 Natalie Burns, Associate Corporation Counsel
 Jeff Tarling, City Arborist

any information changes May 26.
Levy Day School

Use building: 1st floor only - fire safety.

Proposed condition -> revert to res use if

no longer tenant.

Growth, Plans for future lot o' growth.

longrange plans?

write a letter about longrange plan -

→ 20 3-4 yr olds in new classroom.

→ Signif. displacement of children? use?

★ get pictures - use map. Show residences.

Ownership: Synergy, Lease: Day School.

Send email Mr. Ned Condon

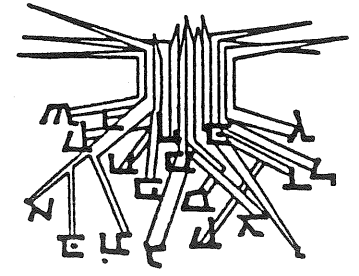
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Dear Sarah,

Sarah Greene
 Senior Planner
 City of Portland
 389 Congress Street
 Portland, Maine 04101

April 10, 1992


The Abramson's & Family Levey
**HEBREW DAY
 SCHOOL**



76 Noyes Street
 Portland, Maine 04103
 (207) 774-7676

The house at 94 Noyes Street was occupied in the past by the cantor of the Shaarey Tphiloh Synagogue. The synagogue has not employed a cantor for more than five years. It was rented to a non affiliated family for a two year period between that time and present. It has been vacant for more than a year. A floor plan of the house is shown on the original plan submitted.

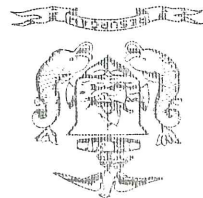
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Very Truly Yours,


Daniel Kurzmann

Treasurer

Levey Hebrew Day School



CITY OF PORTLAND

March 30, 1992

Mr. Daniel Kurzmann
Levey Hebrew Day School
76 Noyes Street
Portland, ME 04105

Dear Mr. Kurzmann:

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Please call if you have any questions.

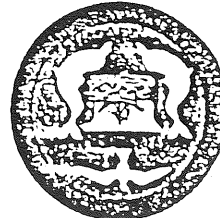
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Sarah Greene

Senior Planner

cc: Alexander Jaegerman, Chief Planner
Melodie Esterberg, Development Review Coordinator
William Giroux, Zoning Administrator
William Bray, Zoning Administrator
Natalie Burns, Associate Corporation Counsel
Jeff Tarling, City Arborist

CITY OF PORTLAND



CONDITIONAL USE APPEAL

APPLICATION

Applicant's name and address: Levy Hebrew Day School 76 Noyes Street

Portland 04103 (Daniel Kurzman Treasurer)

Applicant's interest in property (e.g., owner, purchaser, etc.):

Tenant

Owner's name and address (if different):

Congregation Shaarey Tphiloh

Address of property (or Assessor's chart, block and lot number):

76 Noyes Street / 94 Noyes Street

Zone: R-5

Present use: Hebrew Day School

Type of conditional use proposed: Expansion of Existing

Conditional use authorized by: Section 14-118(z)c.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above-described, and certifies that all information herein supplied by him is true and correct to the best of his knowledge and belief.

Dated: MAY 23, 1992

Signature of Applicant

March 23, 1992

City of Portland
Board of Appeals
Portland, Maine

Dear sirs,

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Sincerely,



Daniel Kurzmann
Treasurer

- Show whole site
- any proposed plans?
- prg redurment - give in a breakdown of
- 10 am.

W

The Levey Hebrew Day School is a non-profit accredited elementary school staffed by excellent licensed teachers. The school utilizes developmental child-directed approach to learning. We offer pre-school to three and four year olds, kindergarten, and elementary grades one through three. Our Judaic studies program teaches a well rounded basic Jewish education in a non-judgmental setting. We are the only full time Jewish day school in Northern New England and have recently encountered a surge in growth. Our enrollment is currently at 35 students up from 8 just two years ago.

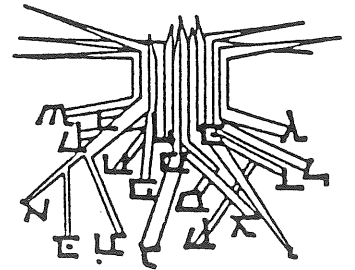
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Dear Sarah,

Sarah Greene
Senior Planner
City of Portland
389 Congress Street
Portland, Maine 04101

April 10, 1992


The Abramians, et Tamie B. Levy
HEBREW DAY SCHOOL



76 Noyes Street
Portland, Maine
04103 (207) 774-7676

W

Levey Hebrew Day School
Treasurer
Daniel Kurzman


Very Truly Yours,

I believe I have covered that which you requested. Please let me know if I have omitted anything you need.

The house at 94 Noyes Street was occupied in the past by the cantor of the Sharey Tphiloh Synagogue. The synagogue has not employed a cantor for more than five years. It was rented to a non affiliated family for a two year period between that time and present. It has been vacant for more than a year. A floor plan of the house is shown on the original plan submitted.

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Chair Decourcy and Members of the Portland Planning Board

FROM: Sarah Greene, Senior Planner

DATE: April 28, 1992

RE: Levey Hebrew Day School Expansion - Conditional

The Levey Hebrew Day School is requesting conditional use review by the Planning Board of an expansion of their Day School at 76 Noyes Street to include an adjacent single family residence at 94 Noyes Street. Zoning of the site is R-5 Residential.

The applicant proposes to use the first floor of the residence as a classroom for the day school. There are currently 3 classrooms in the building at 76 Noyes Street and one office.

There is no use proposed for the second floor of the residence. Because of ingress/egress requirements of the Building and Life Safety Codes, these areas cannot be used without major renovation and expense.

The school has classes for preschoolers, kindergarten, and grades one through three. Enrollment at the school is 35 students.

The single family residence has been vacant for over a year. Before the vacancy, the house was occupied by a family for two years and a cantor for the Shaarey Tphiloh Synagogue previously.

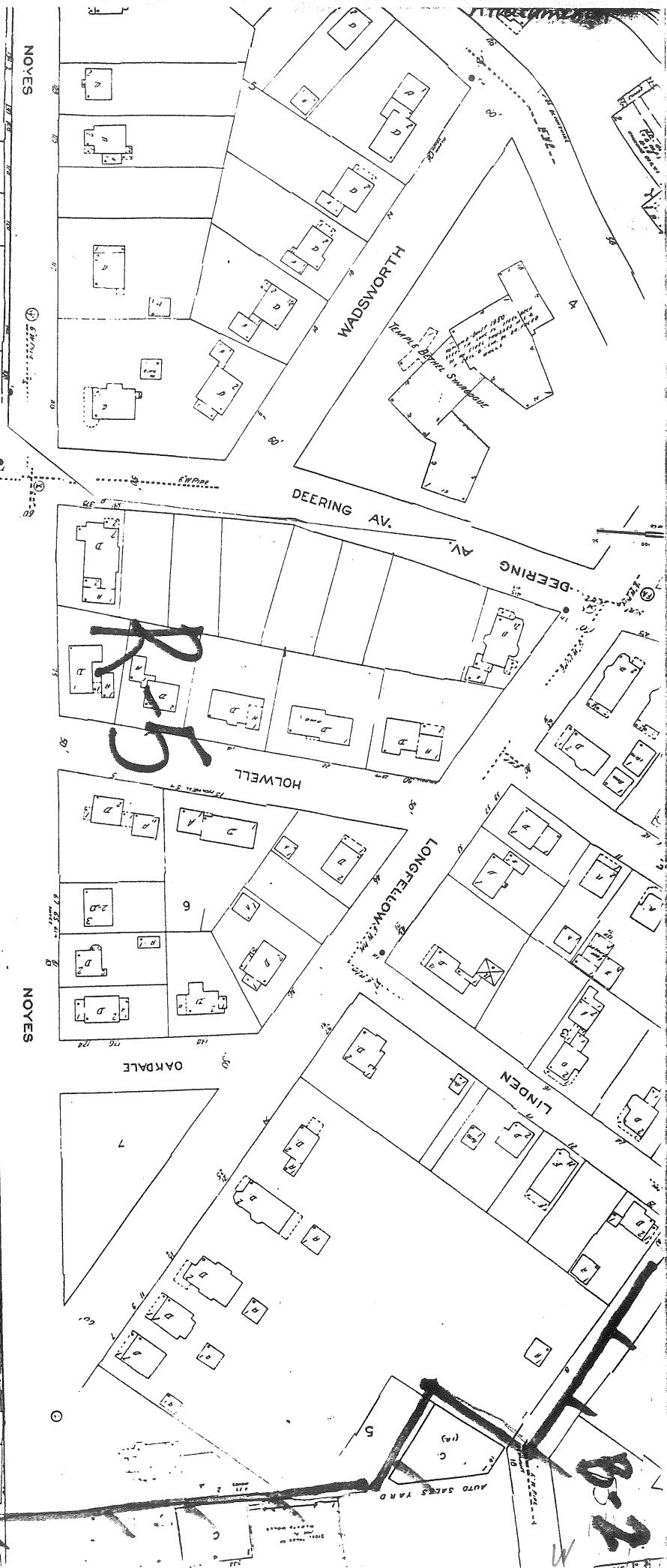
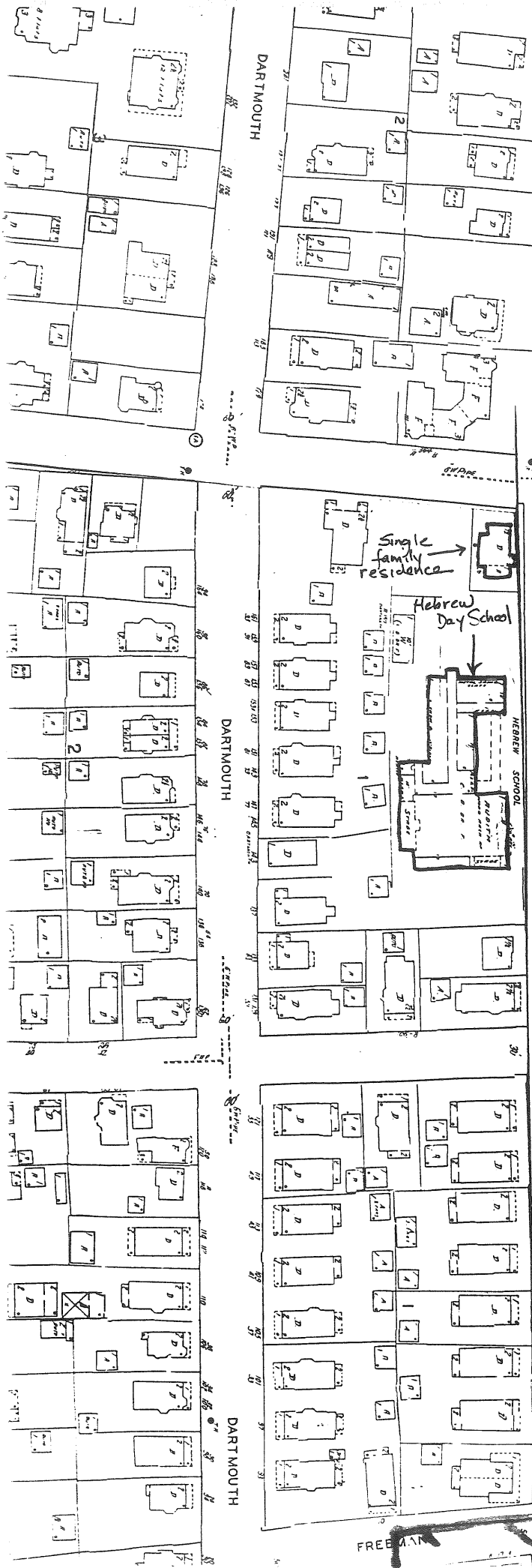
The applicant has shown six (6) parking spaces on site. In addition to these spaces, there is room for two cars in the residence driveway. According to the parking requirements of the Land Use Code, one parking space is required for each classroom of a school for children under 16 years of age. One space is also required for the office use which brings the total to 5 required spaces. There is also sufficient overflow parking areas within the main building lot.

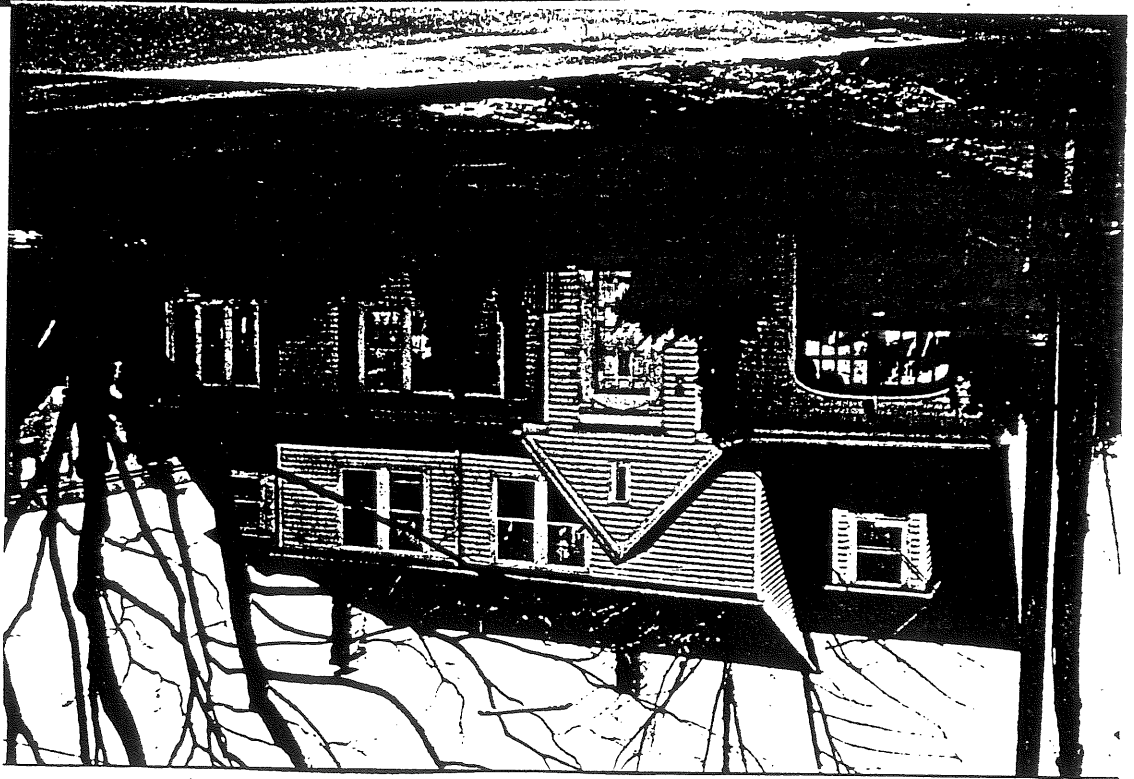
No site work is proposed by the applicant, therefore it is only the conditional use under review by the Board.

Attachments:

1. Vicinity Map
2. Letter from the applicant
3. Conditional Use application
4. Photograph of the property
5. Site boundaries
6. Floor plan of the residence

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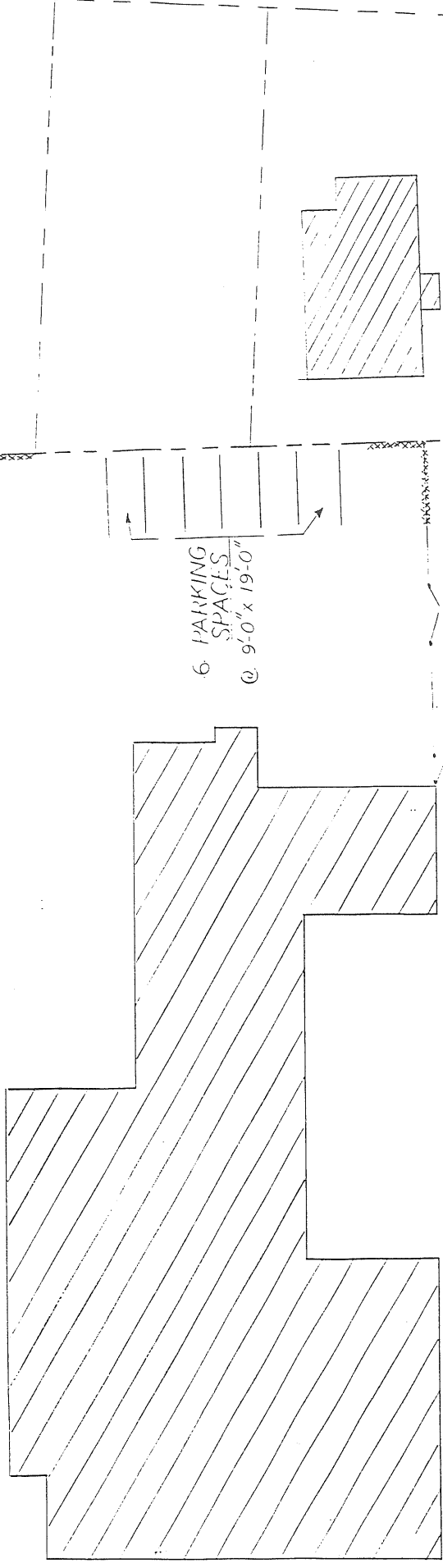




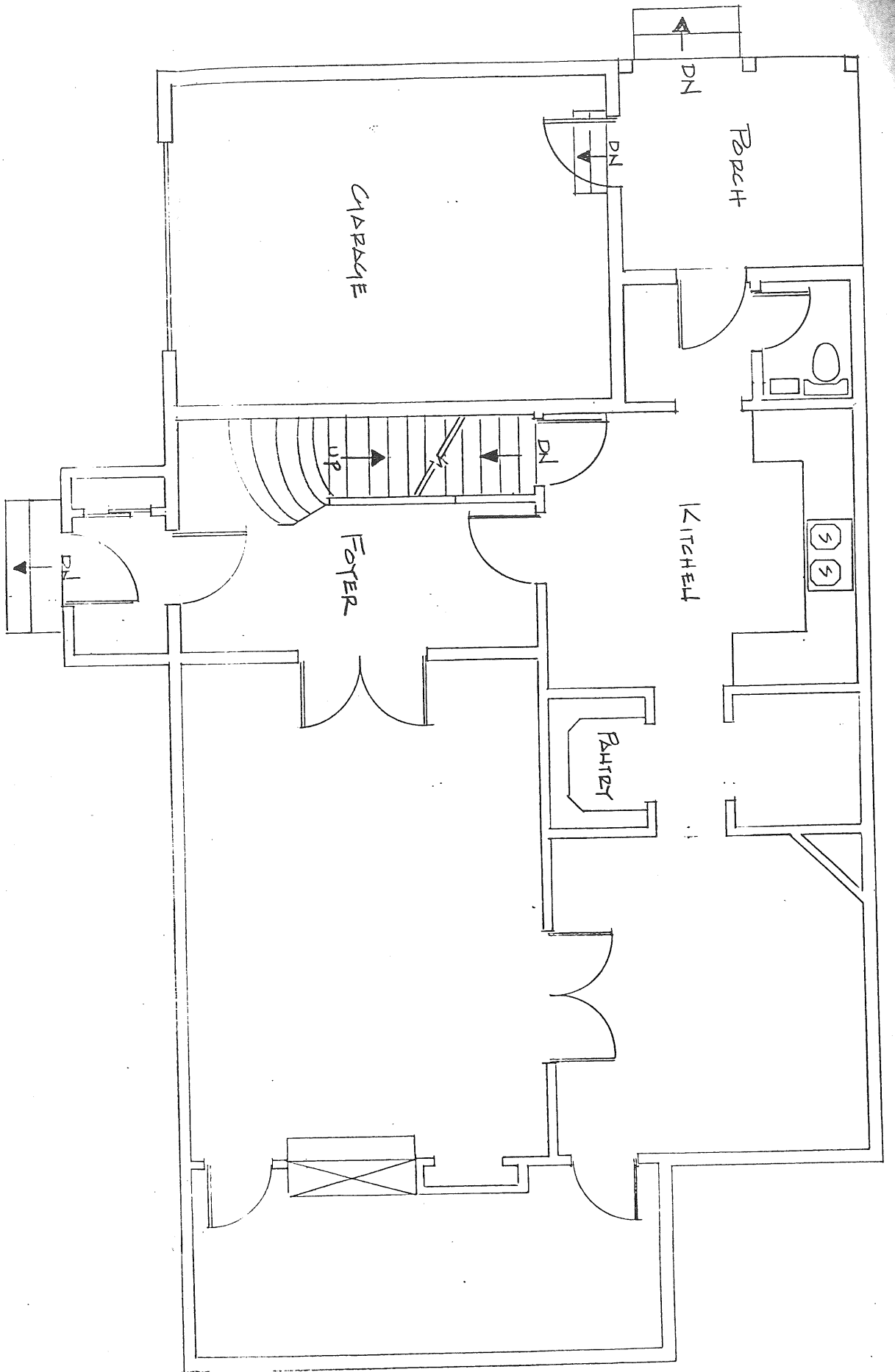
115 Jones St.

FENCE LINE
(11')

6 PARKING
SPACES
@ 9'-0" x 19'-0"



NOYES STREET



FIRST FLOOR PLAN # 94 NOTES SET

SCALE = 1/4" = 1'-0"

May 26, 1992

Portland Planning Board
Portland, Maine

Submitted to:

LEVEY HEBREW DAY SCHOOL EXPANSION
CONDITIONAL USE REVIEW
94 NOYES STREET

I. INTRODUCTION

The Levey Hebrew Day School is requesting conditional use review by the Planning Board of an expansion of their school at 76 Noyes Street to include an adjacent single family residence at 94 Noyes Street. Since the building is located in a residential zone (R-5) and the proposed use is an expansion of an institutional use, the proposal would require conditional use approval. As such, the proposal must meet the standards of Sec. 14-118(2) and Sec. 14-474(2).

II. SUMMARY OF FINDINGS

Zoning	R-5 Residential
Proposed Use	1st floor: classroom
Land Uses	2nd floor: to remain vacant
	Institutional, residential

III. PROPOSED DEVELOPMENT

The proposed classroom space is located in a building owned by the Shaarey Tphiloh Synagogue. The building has been vacant for over one year. Before its vacancy, the house was occupied by a family for two years and a cantor for the synagogue previously.

The single family residence is on the grounds of the Shaarey Tphiloh Synagogue. The applicant has no intention to alter the exterior of the building.

The applicant proposes to use the first floor of the residence as additional classroom space for the day school which is currently located in the main building. The school currently consists of 3 classrooms and one office. Enrollment at the school is 35 students. The applicant has shown six (6) parking spaces on site. In addition to these spaces, there is room for two cars in the residence driveway. According to the parking requirement of the Land Use Code, one parking space is required for each classroom. One space is also required for the office use, which brings the total to 5 required spaces. Six (6) are shown and there is also sufficient overflow parking areas within the main building's lot.

IV. CONDITIONAL USE REVIEW CRITERIA

The proposed use is classified as an institutional use and is subject to the conditional use standards of Sec. 14-118(2) and 14-474.

Included as Attachment 7, for reference, is an approval letter for a Maine Medical proposed conditional use on Spring Street.

Section 14-118

i. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas.

The applicant intends to expand within the same lot on which the principal use is located. The lot contains the synagogue which houses the main portion of the day school, in addition to the single family house.

ii. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983 or thereafter.

The house at 94 Noyes Street was occupied in the past by the cantor of the Sharey Tphiloh Synagogue. Since the synagogue has not employed a cantor in the past 5 years, a family rented the building for 2 years. Since this family moved, the house has been vacant for over a year.

While the use will cause a displacement of residential use, the applicant contends that based on the building's difficult rental history, this displacement is not significant. Furthermore, the applicant does not intend to make any substantial alterations to the interior or exterior of the building which will allow the building to revert to its original residential use in the future.

iii. In the case of a use or use expansion which constituted a combination of the above-listed uses with capacity for concurrent operation, the applicable minimum lot sizes shall be cumulative.

There is sufficient land within the entire parcel to allow the expanded school use.

Section 14-474

i. There are unique or distinctive characteristics or effects associated with the proposed conditional use.

There are no known unique or distinctive characteristics or effects associated with this use. The classroom will be staffed by 1-2 employees which limits the amount of activities and impacts associated with the facility. The proposal reuses an existing structure so that there will be no external construction associated with the project. The impact is also lessened to some extent by the retention of the residential character of the building. A possible condition of approval may be:

- that no external renovations be made to alter the residential appearance of the building.

ii. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area.

As the use and its impacts are contained for the most part within the building, there are very limited external impacts.

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iii. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

Since the proposal includes only one classroom, the impact, if any, is deemed to be very mild as opposed to a typical school with several classrooms.

MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #19-92 relevant to the standards for conditional use review, the Board finds:

1. That the proposed use is in conformance with the Conditional Use criteria of sections #14-118 and #14-474.

A. Potential conditions of approval:

1. That no external renovations be made to alter the residential appearance of the building.

2. That the classroom use shall be limited to 5 years.

and/or

That the building revert to residential use when and if the Levey Hebrew Day School is no longer a tenant.

*at the end of 5 yr period
or when
7-2*

Attachments:

1. Vicinity Map
2. Letter from the applicant
3. Conditional Use application
4. Photograph of the property
5. Site boundaries
6. Floor plan of the residence
7. Maine Medical Center approval letter - 325 Brackett Street

2-2

AUTO SALES YARD

C. (1A)

LINDEN

LONGFELLOW

HOLWELL

OAKDALE

DEERING

DEERING AV.

WADSWORTH

NOYES

NOYES

FREEMAN

DARTMOUTH

DARTMOUTH

DARTMOUTH

Single family

Multi-family

Park

Multi-family

Single family

Institutional

Multi-family

HEBREW SCHOOL
Hebrew Day School
Single family residence

Multi-family

Multi-residential

Institutional

Single family

Institutional

M