

4/29/2016

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To the Portland Zoning Board of Appeals:

Please consider this cover letter as a proposal for future plans for 174 Plymouth St, Portland, Me. I, Sarah Palmer, would like to use the property as a residential daycare facility. The reason for the appeal is that I would like to extend the maximum capacity of children from 6 to 12.

Below is a point by point explanation of how I will meet each applicable zone conditional use standard from the zoning ordinance in addition to the three basic conditional use standards on the front of the application form.

*1. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care use, home babysitting use, nursery school or kindergarten, or in a nonresidential structure accessory to the principal nonresidential use.*

I, Sarah Palmer, will also reside at 174 Plymouth St.

*2. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.*

The maximum capacity for the daycare will be twelve children.

*3. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.*

There are no residences to the back or right side of the property. The outdoor play area will be in the side yard to the right of the house, and will be enclosed at the front and far side by a 4' cedar picket fence, and the back by a 6' stockade fence. The entire back property line of 174 Plymouth will be lined with 130' of 6' stockade fence with 2 1/2" galvanized steel posts along the back property line. The neighbor to the left side of 174 Plymouth will be screened from the outdoor play area by the house structure. The neighbor in front of the property across the street from the outdoor play area will be screened by the picket fence.

*4. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.*

Solid waste containers will be covered and screened on all four sides by fencing and will be located at the back of the house.

*5. Day care facilities, home babysitting uses, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:*

N/A. The daycare will have a maximum capacity of twelve children.

#### From the conditional use appeals application

*1. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone*

The daycare's hours of operation will be from 7:00 AM to 5:30 PM. Traffic will be slightly greater along Plymouth Street during hours of pickup and dropoff ; aside from those times, changes in traffic flow will be negligible. There has been no addition to the number of parking spaces already at the premise nor has there been any change in the expanse of pavement.

2. *The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter*

The addition of twelve children on the property between the hours of 7:00 AM and 5:30 PM will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.

3. *The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone.*

The addition of twelve children on the property between the hours of 7:00 AM and 5:30 PM will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses of other allowable uses in the zone. We do not plan to have any additional landscaping or screening, aside from fencing surrounding the play area. There will be no signage. Waste generated will be in closed containers and screened on all four sides in the back of the house structure. There will be no materials storage and arrangement of structures will not change.

Thank you for your consideration.

Best Regards,



Sarah Palmer

4/29/16