



**City of Portland, Maine
Planning and Development Department
Zoning Board of Appeals
Conditional Use Appeal Application**

Applicant Information:

Jennifer Indeglia
Name

Girls Inc of NH
Business Name

815 Elm St, Suite 4A
Address

Manchester, NH 03101

603-625-1296 Telephone 603-625-2627 Fax

603-235-8934 Fax

Applicant's Right, Title or Interest in Subject Property:

(e.g. owner, purchaser, etc.):

Current Zoning Designation: R-5

Existing Use of Property:

Community Services Building

-clothes for needy, Church

Services

Standards:

Address each item specifically for the Board

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:

- (a) There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- (b) There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (c) Such impact differs substantially from the impact which would normally occur from such a use in that zone.

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 certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

Jennifer Indeglia
Signature of Applicant

Subject Property Information:

105-107 Allen Ave
Property Address

Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Seventh Day Adventist Church
Name

105-107 Allen Ave
Address

Portland, ME 04101

207-272-5555

Telephone Fax

Conditional Use Authorized by Section 14 - 118(c)

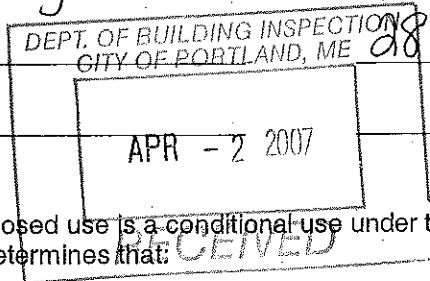
Type of Conditional Use Proposed:

To operate a licensed

afterschool program for

28-30 children

436 A001



GIRLS INCORPORATED
of NEW HAMPSHIRE

with subsidiaries in Southern Maine
and Windsor County, VT

**girls
inc.**
Where girls *achieve* their personal best

March 26, 2007

Administrative Offices
815 Elm Street, Ste. 4A
Manchester, NH 03101
603 625 1296

Regional Centers

Greater Nashua
27 Burke Street
Nashua, NH 03060
603 682 6256

Capital

1 White Park
Green St. Cmnty Ctr.
Concord, NH 03301
603 223 0087

Greater Manchester
340 Varney St.
Manchester, NH 03102
603 623 1117

Seacoast
150 Wakefield St., Ste. 1
Rochester, NH 03867
603 330 9992

Maine Office
So. Berwick, ME

Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Zoning Board,

Girls Incorporated of New Hampshire with subsidiaries in Southern Maine and Windsor County Vermont have found a wonderful space to operate a licensed After School program.

The Community Services building which is owned by the Seventh Day Adventist Church has rented space to us to operate this program. We are currently in the process of becoming a licensed provider at this location.

The Center will be open from the close of school until 6pm Monday through Friday. We would open full days during vacations and summer. Based on the space that we have we will expect to be licensed for 28 to 30 children.

We will enclose an area to the left side of the building for an outdoor play area. It will be separated from the abutting properties by a fence at least 48 inches in height. The space has not been enclosed at this time due to the snow and soft soil.

The Community Services building has an onsite parking lot which contains approximately 7 spots. Staff will use these spaces as well as parents for pick up.

We had an open house in February and met several of the neighbors and families who were interested in our programs. They were very enthusiastic about us joining the neighborhood.

The building is currently being used as a "clothes closet" for needy families in Portland. Each week families come to the building and are given clothes and household items. We feel that our program would complement this current use and assist in helping additional residents.



A United Way Agency

www.girlsincnewhampshire.org

Inspiring all girls
to be strong,
smart, and bold.™

GIRLS INCORPORATED
of NEW HAMPSHIRE

with subsidiaries in Southern Maine
and Windsor County, VT



We will not operate on the weekends or late evenings which would work well with abutters as the building will be quiet and unused.

Administrative Offices
815 Elm Street, Ste. 4A
Manchester, NH 03101
603 625 1296

Regional Centers

Greater Nashua
27 Burke Street
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Rochester, NH 03867
603 330 9992

Maine Office
So. Berwick, ME

When we visited this building for the first time we were very excited about the prospect that we found our home in Portland for our program. The building is set up with a large multi-purpose room, small kitchen, small office and two bathrooms.

We have been in the schools in the Portland area for the past two years doing our programs with elementary and middle school girls. These programs include Economic Literacy, Media Literacy, Substance abuse prevention and violence prevention. We would be doing these programs at our licensed Center as well.

We have been operating licensed After school programs in New Hampshire for the past 33 years and have made great connections in all the cities we are in.

Thank you for your consideration of this conditional use appeal in zone R-5.

Please contact me at 603-625-1296 if you have any questions about our application.

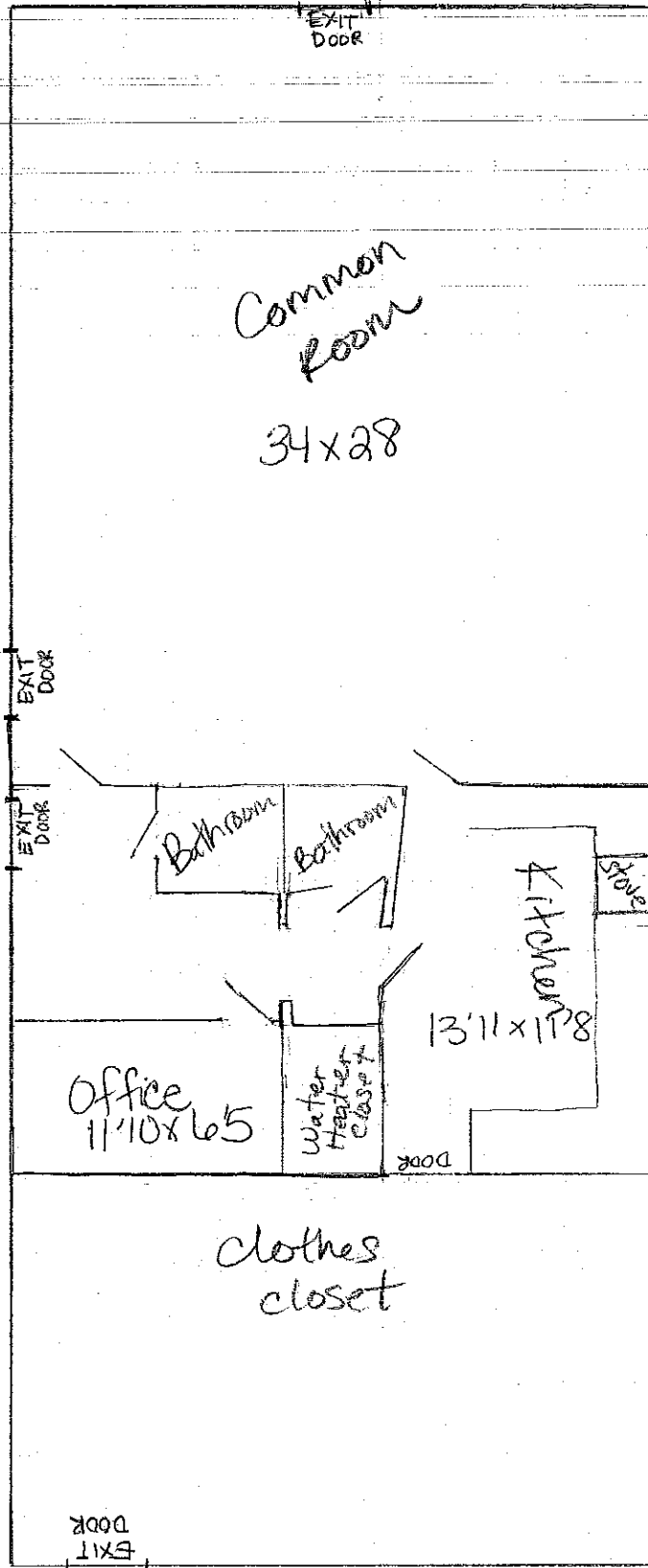
Sincerely,

Jennifer Indeglia
Chief Operating Officer



Allen Ave

Yale St.



Wooden Interior
Doors - 6'8" x 30"

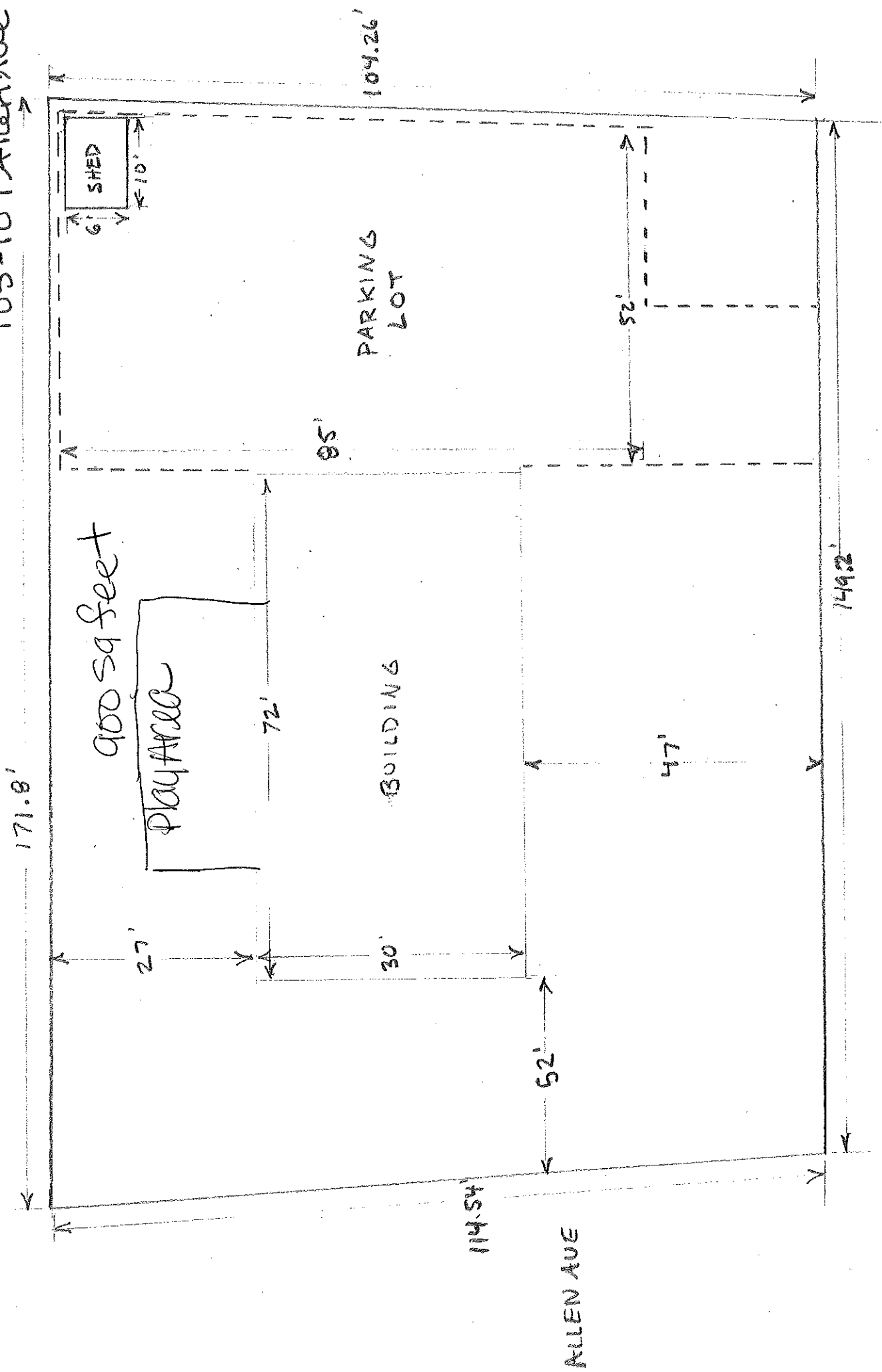
Clothes closet
door - 6'8" x 3'

Water heater
closet double
doors -
6'7" x 5'

Metal Exit
Doors - 6'7" x 35 1/2"

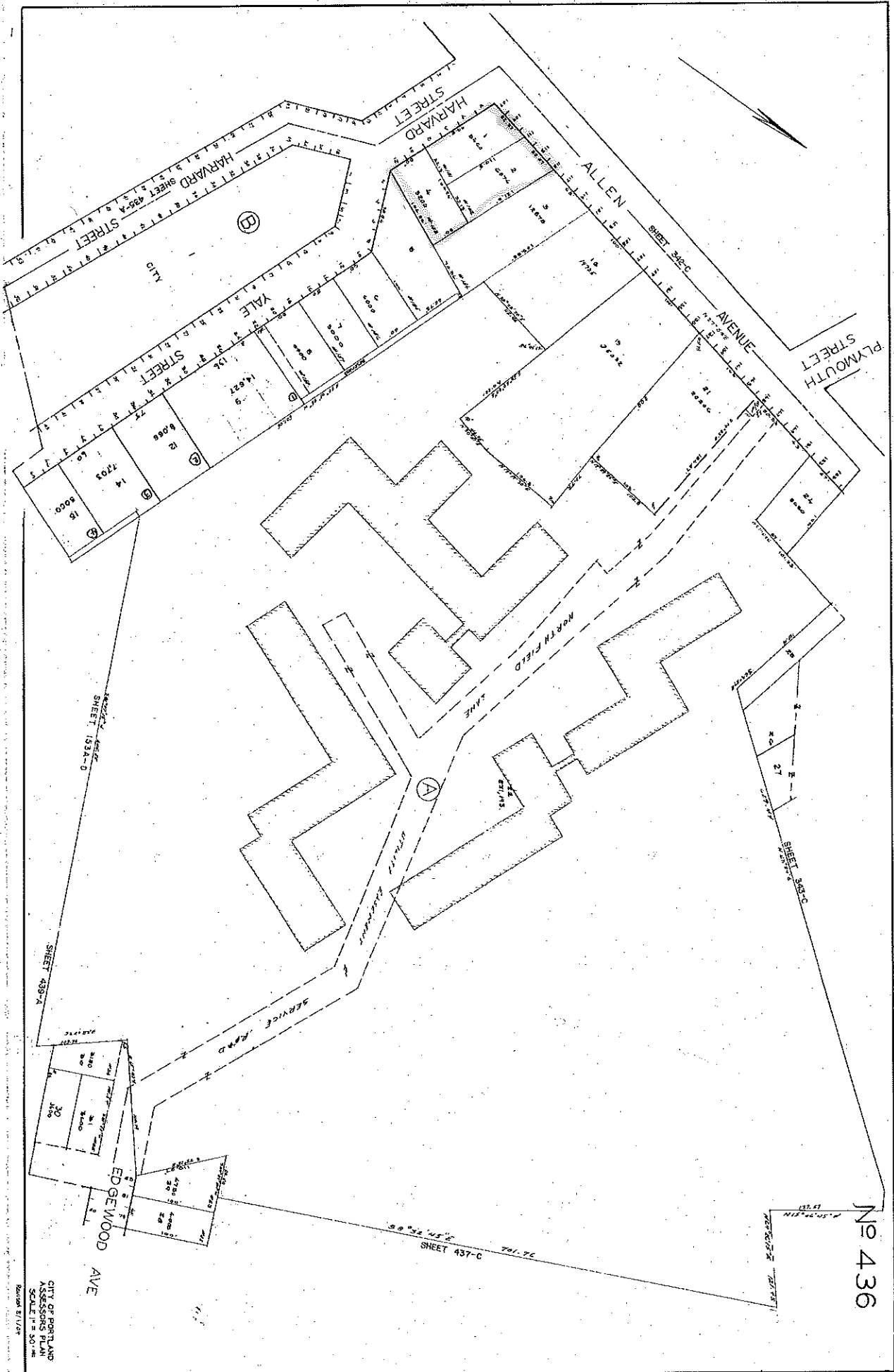
keep in file

4.19.07
Conditional -
Use Appeal -
105-107 Allen Ave



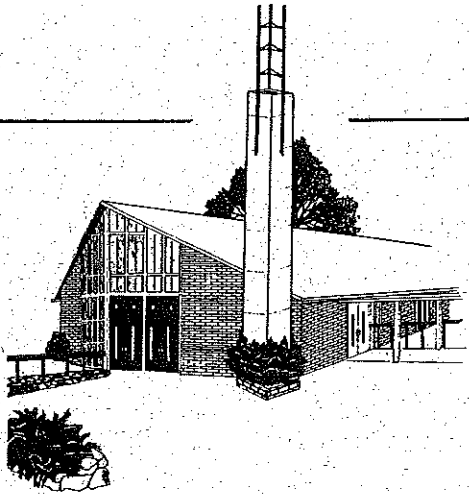
HARVARD ST

ALLEN AVE



No 436

CITY OF PORTLAND
 ASSESSOR'S PLAN
 SCALE 1" = 50' ±



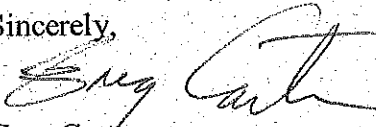
*The White Memorial
Seventh-day Adventist Church*

April 2, 2007

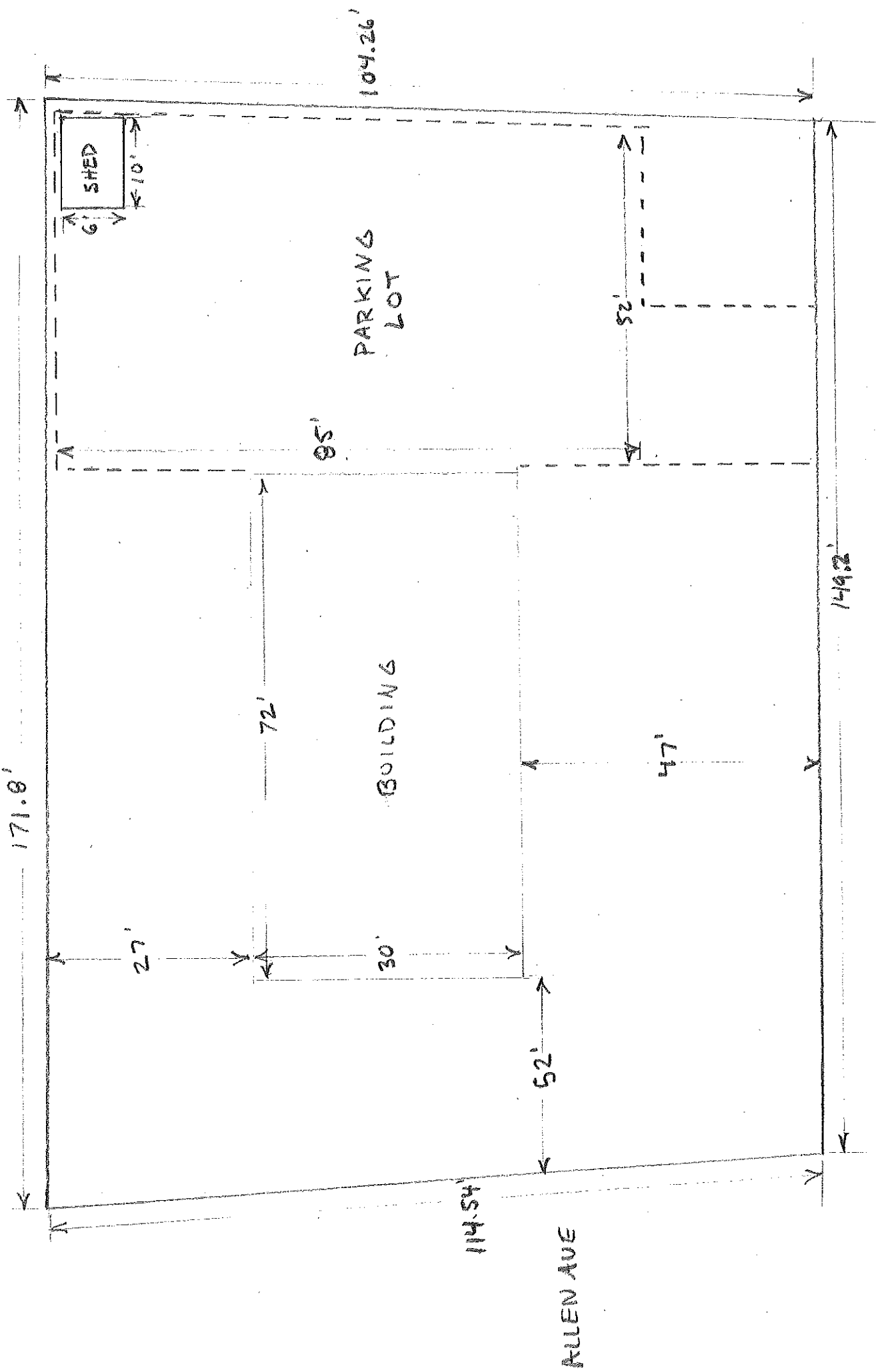
To Whom It May Concern:

This letter is to confirm that the White Memorial Seventh-day Adventists Church has given permission for Jenn Indeglia, of Girls Inc. of NH, to pursue and obtain zoning ordinance changes to our Community Center located at 107 Allen Avenue, Portland, ME 04103. We are hoping our building can be zoned in such a way which would allow Girls Inc. to conduct their excellent programs.

Sincerely,



Greg Carter
Pastor



171.8'

104.26'

SHED
6'
10'

PARKING LOT

95'

72'

BUILDING

27'

30'

47'

52'

114.54'

ALLEN AVE

149.2'

HARVARD ST



AGREEMENT FOR USE OF CHURCHES/SCHOOLS ON A TEMPORARY BASIS**Northern New England Conference of Seventh-day Adventists**

The Seventh-day Adventist churches within the Northern New England Conference of Seventh-day Adventists are places of worship for the congregation and are also centers for various outreach ministries to the communities which they serve.

Occasionally our congregations do not have a permanent place of worship and, often, congregations of other denominations allow our congregations to use their facilities on a temporary basis. On other occasions, our congregations are asked by congregations of other denominations to allow our facilities to be used on a temporary basis while these congregations make arrangements for their place of worship.

The purpose of this agreement is to have a written understanding of how Seventh-day Adventist congregations in the Northern New England Conference of Seventh-day Adventists allow other congregations to use their facilities, whether it be the church or the school facility.

- 1.) In order to prevent misunderstandings, this written agreement is the only official agreement between the White Memorial Seventh-day Adventist Church and the Girls Incorporated of NH and any exceptions shall be noted in this agreement and approved by the appropriate bodies.
- 2.) This agreement will begin November 21, 2006 and carry forward to August 30, 2007. Either congregation/organization may terminate this agreement within Sixty (60) days by providing a written notice.
- 3.) While Seventh-day Adventist churches/schools within the Northern New England Conference do not enter into formal rental agreements with other congregations/organizations by charging for rent of the facility, it is usually necessary to cover the additional cost incurred by allowing another congregation/organization to use our facilities. These costs include utilities, maintenance of the building due to additional use and wear and tear, etc. To assist the Seventh-day Adventist churches/schools in recovering these costs, it is understood that it will be reimbursed for these costs on the following basis:

The White Memorial SDA Church is requesting that Girls Incorporated of NH pay \$1,200.00 per month due on the first (1st) of every month for the use of the Community Services Center located at the corner of Allen Avenue and Yale Avenue, Portland, Maine. Girls Incorporated of NH will also pay any costs incurred to bring the Community Services Center up to current and standard day care facility codes.

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- 4.) Girls Incorporated of NH (congregation/organization), who is temporarily using the Seventh-day Adventist building located at the corner of Allen Ave. and Yale Ave. in Portland, Maine may not erect permanent signs either in the building or on the property. It may place temporary signs in front of the building, which should be there only during the hours that they are using the facility.
- 5.) The facility shall be used by Girls Incorporated of NH (congregation/organization) at the following times:
Monday - Friday from 7:00 AM - 6:00PM and will also be allowed the use of the church fellowship hall (located at 97 Allen Ave in the basement of the church). In addition, Girls Incorporated will be given access to the gymnasium on said property when it is completed and able to be used. Girls Incorporated will also have full-day access to the Community Services Center on school vacation days and summer weeks as needed. In addition, Girls Incorporated will have exclusive use of the office in the Community Services Center as well.
- 6.) This agreement for the temporary use of the White Memorial Seventh-day Adventist Church is not transferable to any other group.
- 7.) The building is insured; however the Girls Incorporated of NH (congregation/organization), having temporary use of the building, must provide its own liability insurance in an amount of not less than \$1,000,000. A certificate indicating that the Northern New England Conference of Seventh-day Adventists, the ecclesiastical organization, the Northern New England Conference of Seventh-day Adventists, Inc. and the White Memorial Seventh-day Adventist Church are additionally insured must be issued to each entity prior to use by the Girls Incorporated of NH (congregation/organization). The White Memorial Seventh-day Adventist Church is responsible for building insurance.
- 8.) Girls Incorporated of NH agrees to use only the areas agreed upon in this document. The renter shall hold the White Memorial Seventh-day Adventist Church harmless from liability for any and all damages occurring during its occupancy and shall assume all liability for damages inflicted to personal and/or real property or for personal injuries sustained by any person during use of occupancy. If the facility is not left in the same condition as it was found, the renter agrees to pay the cost of cleaning and repairs of the facility. Any, and all damages caused to the property during the period of temporary use are the responsibility of Girls Incorporated of NH (congregation/organization) who has temporary use of the building.
- 9.) It is agreed by the renter that no alcoholic beverages will be brought into the facility and smoking in the buildings is prohibited.
- 10.) Plastic and paper ware used is to be provided by Girls Incorporated of NH.

- 11.) Contact person(s) need to be established between both parties.
- 12.) Responsibilities such as sanding, heat control, windows closed, lights off, kitchen left clean, all areas back in place, trash disposed, doors locked, etc. are to be performed by any group using the building.
- 13.) Girls Incorporated of NH understands that there may be times when, because of special needs, the building will not be available.
- 14.) This agreement is for the usage of the Community Services Center, White Memorial SDA Church fellowship hall and gymnasium (when completed) as specified above.
- 15.) The White Memorial Seventh-day Adventist Church will be responsible for trash pick up (Girls Incorporated of NH will remove all trash from building and place in dumpster) and for Snow removal services.
- 16.) Both parties agree to a yearly review of this agreement.
- 17.) Additional notes: _____

- 17.) The governing boards of the respective parties are to approve this use agreement.
- 18.) Approval procedure:
 - a.) The approval for the Seventh-day Adventist Church is as follows:
 - i.) The church board is to review this use agreement and approve it, noting any variations from this general agreement (general questions about the agreement should be addressed to the Conference secretary, specific questions about the insurance certificate should be addressed to the Conference treasurer.)
 - ii.) Once the congregation/organization requesting temporary use has approved the agreement and it has been signed by duly authorized representatives of that congregation/organization, it shall be executed by the following persons:

In use of Churches: the pastor of the Seventh-day Adventist Church and the clerk.

In use of Schools: the pastor of the local church and the church board chairperson.

iii.) Once the agreement has been executed by both parties, it is forwarded to the secretary of the Northern New England Conference of Seventh-day Adventists for final review.

Approval by the White Memorial Portland
Seventh-day Adventist Church:

This agreement has been approved by the church in business session on 11/13/06 (date).

Eric Larsen, Pastor
Carolyn Ciattarese, Church Clerk

Approval by the _____ (congregation/organization):

This agreement has been approved by the Girls Inc. of NH (governing board of congregation/organization) on 11/21/06 (date).

Cathy J. [Signature], CEO
Title
Jennifer Indeglia, COO
Title

Reviewed and approved by the Northern New England Conference of Seventh-day Adventists on _____, (date).

Merlin Knowles, Secretary