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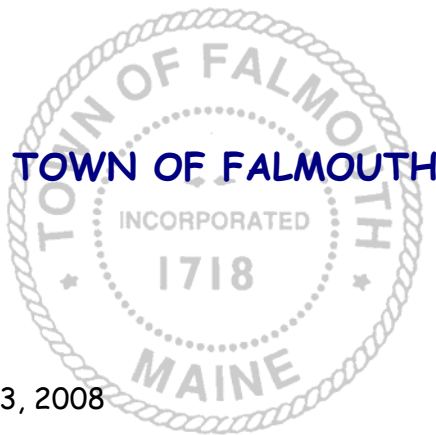
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TOWN MANAGER

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TOWN CLERK



February 13, 2008

Mr. Nathan Poore, Town Manager
Falmouth Town Hall
271 Falmouth Road
Falmouth, ME 04105

Dear Nathan:

I am pleased to introduce, in accordance with Article II, Section 213 of the Town Charter, language relative to a proposed amendment to Chapter 601, Zoning and Site Plan Review Ordinance to add a new use to the Business Professional District (BP). In addition this use would be added to all districts which currently allow Retail Business and in the same manner in which it is allowed. This will preserve the intent of the current ordinance as commercial schools are currently considered a retail business. These districts are MUC (as part of a mixed use development), VMU (with less than 5,000 square feet) and SB-1 (no condition.)

This amendment would add the use " Commercial School" to Section 2 of the Zoning and Site Plan Review Ordinance as follows:

"Commercial School - a for-profit business facility or institution which provides instruction or tutoring by previous arrangement for a particular skill or subject, typically to a group of students in a classroom or similar type setting and may include private lessons. By way of example only may include schools for performing arts, fine arts, photography, driving, pottery, business, beauty, sports, language or driving."

The definition of Private School in Section 2 would also be amended to strike language as noted below:

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2.64 **"Private School:** A private institution for education or instruction including a college, university, or school conducting classes pursuant to a program approved by the State Board of Education or similar governmental agency, but do not including commercially operated schools., ~~such as schools of beauty culture, business, dancing, driving, music or recreation which shall be deemed retail businesses."~~

I hereby ask that you place this item on the March workshop and schedule a Public Hearing for the Council's March regular meeting agenda and that you properly post notices and advertise for a public hearing as required by the Charter.

Sincerely yours,

Tony Payne
Falmouth Town Councilor