

1 ZONING BOARD OF ADJUSTMENT  
2 268B MAMMOTH ROAD  
3 LONDONDERRY, NH 03053  
4

5 DATE: DECEMBER 16, 2009

6  
7 CASE NO.: 12/16/2009-2  
8

9 APPLICANT: LISETE COSTA  
10 34B TROLLEY CAR LANE  
11 LONDONDERRY, NH 03053  
12

13 LOCATION: 34B TROLLEY CAR LANE, 10-29C-1B, AR-I  
14

15 BOARD MEMBERS PRESENT: VICKI KEENAN, CHAIR  
16 YVES STEGER, VOTING MEMBER  
17 NEIL DUNN, VOTING MEMBER  
18 JIM SMITH, VOTING MEMBER  
19 MICHAEL GALLAGHER, NON-VOTING ALTERNATE  
20 MATTHEW NEUMAN, NON-VOTING ALTERNATE  
21 JOE GREEN, NON-VOTING ALTERNATE  
22 LARRY O'SULLIVAN, CLERK  
23

24 ALSO PRESENT: RICHARD CANUEL, SENIOR BUILDING INSPECTOR/  
25 ZONING OFFICER  
26

27 REQUEST: SPECIAL EXCEPTION TO ALLOW A CHILD CARE  
28 FACILITY AS A HOME OCCUPATION IN ACCORDANCE  
29 WITH THE PROVISIONS OF SECTION 3.12.2.  
30

31 PRESENTATION: CASE NO. 12/16/2009-2 WAS READ INTO THE RECORD WITH ONE  
32 PREVIOUS CASE LISTED.  
33

34 VICKI KEENAN: What were those restrictions [regarding previous case 8/20/2002-1], just out  
35 of curiosity?  
36

37 NEIL DUNN: There were no restrictions.  
38

39 VICKI KEENAN: Oh, no restrictions?  
40

41 LARRY O'SULLIVAN: No, it was granted with restrictions.  
42  
43 VICKI KEENAN: Yeah.  
44  
45 NEIL DUNN: Oh, it was? Oh, I'm sorry.  
46  
47 YVES STEGER: I'm quite sure one of the restrictions was a fence.  
48  
49 VICKI KEENAN: A fence?  
50  
51 [laughter]  
52  
53 YVES STEGER: So, I'm sorry. Okay...  
54  
55 LARRY O'SULLIVAN: Do you want me to read them? Do you just wanna pass them down?  
56  
57 JIM SMITH: Could you read it?  
58  
59 VICKI KEENAN: Yeah, you can just pass them down. I don't think you need to read them. So,  
60 if you could state your name and address and then you can present your case and once you've  
61 done that, if you could spend time reading through your application, that would be most  
62 helpful.  
63  
64 LISETE COSTA: I apologize, that's the only form I don't have, the list of going down...  
65  
66 VICKI KEENAN: I think she's got one.  
67  
68 LISETE COSTA: Do you happen to have that?  
69  
70 VICKI KEENAN: Yup.  
71  
72 LISETE COSTA: I apologize. My name is Lisete Costa and I live on 34, on Trolley Care Lane  
73 and I'm looking to operate a Family Day Care business out of my home. I'm looking to...the  
74 hours to operate that would be from seven (7:00) to five (5:00). I live in a dead end road. And  
75 the State requires a total of nine (9) children, which three (3) out of those children would have to  
76 be school aged children, which that means they would attend a full day school, so basically,  
77 they would come to me around three-thirty (3:30) and would stay with until five (5:00). So  
78 that's about an hour and a half or so. I'm looking to take in a total of...I actually have six (6)  
79 kids here, a total of seven (7). One (1) of them would be one (1) of my own child.  
80  
81 YVES STEGER: So you're modifying your request?  
82

83 LISETE COSTA: I'm sorry?  
84  
85 YVES STEGER: You're modifying your request?  
86  
87 LISETE COSTA: Yes. I have a total of six (6). I apologize.  
88  
89 JOE GREEN: Does she have to have a request for her child? This says six (6) plus one (1),  
90 anyway.  
91  
92 LISETE COSTA: Well, it's...from the State, you're allowed to take care of a total of nine (9)  
93 children and work by yourself. So I don't know.  
94  
95 VICKI KEENAN: Richard, if six (6) plus one (1), and the plus one (1) is her own child, does she  
96 have to modify the application? Or is it the six (6) outside children okay?  
97  
98 RICHARD CANUEL: I don't think so, because the license is gonna be for the six (6) children. I  
99 mean, she doesn't need a license to care for her own child, so...  
100  
101 LISETE COSTA: Yeah.  
102  
103 VICKI KEENAN: I'm sorry. Go ahead.  
104  
105 LISETE COSTA: I don't have a fence, which I will put one up in the spring. And I do not  
106 request a sign. I'm not looking for a sign to put up at all. I live in a condex and, actually, I put  
107 here there's no pool but my neighbor has a pool. But it is all...they have two (2) gates. It's an  
108 above ground pool and they have, going up their deck, they have a child proof lock. And then  
109 they also, going to the pool, they have another lock. And I believe that on their side of their file,  
110 I believe the Town went out for that pool because it's a condex and they had to have my  
111 approval for that. If you look at the floor plan, on the first floor where I'm requesting to run the  
112 business. I'm not allowed to use more than twenty five (25) percent of my space, my home  
113 living space. I would be running it from the first floor and it's an open concept. I would be  
114 using the living room/kitchen and also the bathroom. The total of the square footage of the  
115 home is two thousand and thirty seven (2,037) square feet. I would be using, again, the living  
116 room/kitchen and also the bathroom, which it would equal four hundred and eighty seven  
117 (487) square feet, which brings me to the twenty three (23) percent. And the driveway, again, I  
118 live in a condex, so we have our own individually in the beginning, you know, and then it's  
119 kind of like it has a big circle in the middle of the two (2), the condex, so we have our own  
120 driveway, which, as you can see, again, the map, going up and the other side would be the  
121 other neighbor's. It is a dead end road.  
122  
123 JIM SMITH: Do you know how many actual spaces you have?

124  
125 LISETE COSTA: I'm sorry?  
126  
127 JIM SMITH: How many actual parking spaces that equates to?  
128  
129 LISETE COSTA: Oh, it's a very long driveway. I would say you would, I mean... I guess you  
130 can, you know, parking space, you can easily park like twelve (12) cars, if that, you know,  
131 comfortably. The way it's a very long driveway and it's very... when you get closer to the home,  
132 it's very wide.  
133  
134 VICKI KEENAN: I think it would be helpful for the Board if you could read through your  
135 application and those points.  
136  
137 LISETE COSTA: Yes. I apologize.  
138  
139 VICKI KEENAN: No, that's okay. Starting with item number four (4).  
140  
141 LISETE COSTA: Okay. I'm proposing for a Family Day Care and I'm looking for a total of six  
142 (6) kids, so I apologize, I don't know if... it would be six (6) kids, then my son, so it would be a  
143 total of seven (7), so I don't know which way you would word that.  
144  
145 RICHARD CANUEL: If I could clarify that?  
146  
147 VICKI KEENAN: Mm-hmm.  
148  
149 RICHARD CANUEL: I just looked at the State statute regarding the licenses for Group Family  
150 Day Care and it's up to twelve (12) children of one (1) or more unrelated family members,  
151 which shall include the children of the caregiver.  
152  
153 VICKI KEENAN: So we need to modify...  
154  
155 RICHARD CANUEL: It wouldn't be six (6) plus one (6), it would be seven (7).  
156  
157 VICKI KEENAN: Okay.  
158  
159 LISETE COSTA: Six (6), I'm sorry, six (6) plus one (1)?  
160  
161 RICHARD CANUEL: So it wouldn't be six (6) plus one (1), it would be seven (7) children,  
162 'cause you have to include the children that are yours as well.  
163  
164 LISETE COSTA: Yeah. Mm-hmm.  
165

166 VICKI KEENAN: Thank you.

167

168 LISETE COSTA: The State requires, number four (4), the zoning, also the health inspection and  
169 the fire inspection. Number five (5), days of the operation, which would be Monday to Friday,  
170 seven (7:00) to five (5:00). I would not request a sign. And the square footage, again, total of the  
171 living space is two thousand, thirty seven (2,037) square foot. I will be using four hundred and  
172 eighty seven (487) square feet, which the percentage would twenty three point nine (23.9)  
173 percent of the space that I would be using. There would be no employees, I would just work by  
174 myself. No additional, no construction or outside storage of materials, none of that. Again,  
175 which I just said, there would be no employees, on number twelve (12). A fence, on number  
176 fifteen (15), there will be a fence. I don't have a fence at the moment but in the spring, I will be  
177 putting a fence in.

178

179 VICKI KEENAN: Where will you put that, just out of curiosity?

180

181 LISETE COSTA: As soon as I can, depending on the weather.

182

183 VICKI KEENAN: Where on your lot would you put it?

184

185 LISETE COSTA: Oh, in the back.

186

187 VICKI KEENAN: In the back?

188

189 LISETE COSTA: Yeah, in the back, where, you know, I would have toys. It would be in the  
190 backyard.

191

192 VICKI KEENAN: Okay.

193

194 LARRY O'SULLIVAN: Is that not listed on the restrictions the last time you were here?

195

196 VICKI KEENAN: Does it say that it will be in the backyard?

197

198 MICHAEL GALLAGHER: Yes.

199

200 MATT NEUMAN: It says it must have a...

201

202 VICKI KEENAN: Oh, I didn't pick up on that. Okay.

203

204 MATT NEUMAN: It says it must have a fenced-in play area.

205

206 JOE GREEN: Play area, yup.

207

208 VICKI KEENAN: But not in a location specified?  
209  
210 JOE GREEN: Pass that back.  
211  
212 VICKI KEENAN: Sorry. I'm sorry. Go ahead.  
213  
214 LISETE COSTA: I didn't know if anybody else had any questions for me, but...  
215  
216 MICHAEL GALLAGHER: I see, of course, the lot, it backs up to 93.  
217  
218 LISETE COSTA: Yup.  
219  
220 MICHAEL GALLAGHER: How far is it?  
221  
222 LISETE COSTA: You know, I mean...  
223  
224 MICHAEL GALLAGHER: I mean, the concern I have, actually two, as I look at this...  
225  
226 LISETE COSTA: Yeah.  
227  
228 MICHAEL GALLAGHER: ...the pool and the fenced-in area.  
229  
230 LISETE COSTA: Mm-hmm.  
231  
232 MICHAEL GALLAGHER: I mean...  
233  
234 LARRY O'SULLIVAN: Was the pool there when you got your special exception last time?  
235  
236 LISETE COSTA: Yup. Mm-hmm. I think the pool was there. How far, to answer your question,  
237 it's pretty far. To be honest with you, I'm not sure...  
238  
239 MICHAEL GALLAGHER: That's alright, I mean, the fact...  
240  
241 LISETE COSTA: But it is far.  
242  
243 MICHAEL GALLAGHER: The fact is that there is no fence there now but...  
244  
245 LISETE COSTA: There is a fence, you know, further out, you know, one of those little...  
246  
247 MICHAEL GALLAGHER: Right, something...

248  
249 LISETE COSTA: ...fences, but not like a good fence. It's just those kind of, just, you know, but  
250 it's further out.  
251  
252 NEIL DUNN: You share the driveway with 36, or at least a portion of your driveway with 36  
253 Trolley Car?  
254  
255 LISETE COSTA: If you look at the map...  
256  
257 YVES STEGER: No, with 34.  
258  
259 NEIL DUNN: She is 34.  
260  
261 LISETE COSTA: The driveway...  
262  
263 NEIL DUNN: And they share, 36.  
264  
265 YVES STEGER: No, she's 34A.  
266  
267 NEIL DUNN: They share 36 here.  
268  
269 LISETE COSTA: Oh, yeah. Yeah.  
270  
271 YVES STEGER: Oh, that too.  
272  
273 LISETE COSTA: How it works... I'm sorry, let me get...  
274  
275 MICHAEL GALLAGHER: Oh, another one that shoots off to the left?  
276  
277 VICKI KEENAN: Mm-hmm.  
278  
279 LISETE COSTA: Yeah, if you see, see how it goes to right here?  
280  
281 MICHAEL GALLAGHER: Oh, yeah.  
282  
283 LISETE COSTA: There is... you go this way and you go up to the home that I have next to mine,  
284 and then there's your little side road that takes the other townhouse on the other end. So, pretty  
285 much, we all just share the beginning and then they go to their, you know, left. That pretty  
286 much is just the beginning of the driveway. And everybody goes in their own directions.  
287  
288 MATT NEUMAN: So, basically, it's four (4) units sharing that common entry, right?

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LISETE COSTA: Yeah. The beginning of it, and then they have their own path to go to their own units. They each have their own paths.

MICHAEL GALLAGHER: Family Day Care...

LARRY O'SULLIVAN: Well, Richard, question. We have five (5) things listed that are criteria that are applied to definitions. Not one of them says "Child Care Facility," however, one does say "Group Child Care Center." Or did we not distinguish between "child care facility" and "day care center"? I mean, there's "Day Care, Family," "Day Care, Family Group," "Day Care Nursery," "Day Care Centers, Group Child," "Group Child Care Centers," and...

VICKI KEENAN: This would be "Family Group."

JIM SMITH: Thirteen (13) or more would be...

RICHARD CANUEL: This would be a "Family Group Day Care."

VICKI KEENAN: Because it's seven (7) to twelve (12) children.

LARRY O'SULLIVAN: Ah, now I see. Thank you.

JIM SMITH: A related question, is this a Family Day Care or a Family Group Day Care"?

RICHARD CANUEL: "Family Group Day Care."

JIM SMITH: Okay.

YVES STEGER: It is a group day care.

JIM SMITH: Okay, does she need to change...?

LARRY O'SULLIVAN: Didn't I just say that?

JIM SMITH: The application is...

NEIL DUNN: Says "Family Day Care."

LISETE COSTA: Yeah, I...

RICHARD CANUEL: 'Cause "Family Day Care," they were only limited to six (6) maximum.



331 JIM SMITH: Right  
332  
333 NEIL DUNN: Right.  
334  
335 LISETE COSTA: Okay. I see what you mean. Okay.  
336  
337 RICHARD CANUEL: Once you go over six (6), you're a group.  
338  
339 LISETE COSTA: Okay.  
340  
341 LARRY O'SULLIVAN: Okay.  
342  
343 LISETE COSTA: So we'd have to switch...  
344  
345 LARRY O'SULLIVAN: [indistinct] application.  
346  
347 JIM SMITH: [indistinct]  
348  
349 MICHAEL GALLAGHER: Yeah.  
350  
351 JIM SMITH: That's what I was trying to...  
352  
353 NEIL DUNN: Which means she could go up to...  
354  
355 YVES STEGER: Twelve (12).  
356  
357 JOE GREEN: Twelve (12).  
358  
359 RICHARD CANUEL: Twelve (12).  
360  
361 JOE GREEN: According to the square feet.  
362  
363 NEIL DUNN: Well, plus...  
364  
365 YVES STEGER: No. Including her own.  
366  
367 VICKI KEENAN: Including her own.  
368  
369 LISETE COSTA: Yeah.  
370  
371 NEIL DUNN: ...day care center, group... [indistinct]  
372

373 MICHAEL GALLAGHER: If she had gotten...  
374  
375 JOE GREEN: She has twenty three point...  
376  
377 JIM SMITH: She had Family Day Care...  
378  
379 JOE GREEN: Twenty three point nine (23.9) percent...  
380  
381 JIM SMITH: ...got up to six (6).  
382  
383 JOE GREEN: ...usable, four hundred and eighty seven (487) square feet.  
384  
385 JIM SMITH: If she's gonna go to seven (7), she's gotta go to the group.  
386  
387 JOE GREEN: Eighty five (85) square feet a person, or child, so that's twelve (12) kids, right?  
388  
389 VICKI KEENAN: Thirty five (35) per.  
390  
391 MICHAEL GALLAGHER: Okay. Thank you.  
392  
393 MATT NEUMAN: What were your hours of operation again?  
394 LISETE COSTA: Seven (7:00) to five (5:00).  
395  
396 MATT NEUMAN: Okay, I thought at the beginning you said seven (7:00) to nine (9:00), so...  
397  
398 LISETE COSTA: Seven (7:00) to nine (9:00)? No.  
399  
400 MATT NEUMAN: Seven (7:00) to five (5:00)? That's a long time with a lot of kids.  
401  
402 LISETE COSTA: Yeah.  
403  
404 YVES STEGER: ...twenty.  
405  
406 VICKI KEENAN: She's got four eighty seven (487).  
407  
408 YVES STEGER: Yeah. She could go to twelve (12).  
409  
410 VICKI KEENAN: Yup.  
411  
412 MATT NEUMAN: Now, when you were granted the exception before, there was a restriction  
413 that you must have a fenced-in yard...or a fenced-in play area.  
414

415 LISETE COSTA: Yeah, I think that was one of the restrictions, right? That it had to be fenced in,  
416 right?  
417  
418 MATT NEUMAN: Yeah.  
419  
420 LISETE COSTA: Yes.  
421  
422 MATT NEUMAN: But you haven't fenced in yet.  
423  
424 LISETE COSTA: No, you know, I didn't do it because I just went to a different field and, you  
425 know, no I haven't done the fence yet. So, we're looking to do it as soon as the weather, you  
426 know, depending on the weather, put the fence up.  
427  
428 YVES STEGER: So...  
429  
430 MATT NEUMAN: So you haven't been operating, though?  
431  
432 LISETE COSTA: No.  
433  
434 MATT NEUMAN: A day care in the house?  
435  
436 LISETE COSTA: No.  
437  
438 LARRY O'SULLIVAN: That's why you're here again.  
439  
440 LISETE COSTA: That's why I'm here again, yeah.  
441  
442 YVES STEGER: No, actually, there is a difference, because she's going to a Group Family Day  
443 Care...  
444  
445 VICKI KEENAN: Right.  
446  
447 YVES STEGER: ...so even if she had, she would still have to come here...  
448  
449 VICKI KEENAN: She'd have to come back again.  
450  
451 LISETE COSTA: Yeah. Correct. Mm-hmm.  
452  
453 VICKI KEENAN: Right.  
454  
455 YVES STEGER: Because she changed the number from a maximum of six (6) to a maximum of  
456 twelve (12).

457  
458 VICKI KEENAN: Right.  
459  
460 NEIL DUNN: So you're currently not doing any at all and you're going up to seven (7)?  
461  
462 LISETE COSTA: Yeah. Correct.  
463  
464 VICKI KEENAN: But it's six (6) plus one (1), plus her own.  
465  
466 LISETE COSTA: Plus my own, so it would be a total of seven (7).  
467  
468 [overlapping comments]  
469  
470 VICKI KEENAN: ...but she could go up to twelve (12).  
471  
472 NEIL DUNN: It doesn't matter, though.  
473  
474 LISETE COSTA: Yeah.  
475  
476 YVES STEGER: Okay.  
477  
478 VICKI KEENAN: Okay. Any other questions from the Board? Okay, why don't we open it up  
479 to the public for comment, unless you have anything else you want us to know?  
480  
481 LISETE COSTA: No.  
482  
483 VICKI KEENAN: Okay. Thank you.  
484  
485 LISETE COSTA: Thank you.  
486  
487 VICKI KEENAN: Is there anyone in the audience that would like to speak for or against the  
488 applicant? No? Okay, seeing none, we'll bring it back to the Board for deliberation.  
489  
490 DELIBERATIONS:  
491  
492 LARRY O'SULLIVAN: This is a comment; the fence can be put in today or next week, until we  
493 really get a real hard freeze.  
494  
495 VICKI KEENAN: I'd like to see it go in.  
496  
497 LARRY O'SULLIVAN: No reason for no fence.  
498

499 MATT NEUMAN: Yeah, I think...  
500  
501 VICKI KEENAN: Before it starts.  
502  
503 MATT NEUMAN: ...[indistinct] location.  
504  
505 VICKI KEENAN: Especially with the pool next door.  
506  
507 YVES STEGER: Well, it is a restriction, so it...she cannot start...  
508  
509 VICKI KEENAN: Without it.  
510  
511 YVES STEGER: ...if we approve, without a fence.  
512  
513 VICKI KEENAN: Right.  
514  
515 MICHAEL GALLAGHER: Right. Yeah, you've got the highway and the pool, so I think...  
516  
517 VICKI KEENAN: Yeah.  
518  
519 YVES STEGER: Yeah.  
520  
521 MATT NEUMAN: As well as, we're talking four (4) units using that front entrance, so...  
522  
523 VICKI KEENAN: Mm-hmm.  
524  
525 JOE GREEN: I was only concerned about the amount of traffic coming in and out if she goes up  
526 to twelve (12). I mean, I know there was a restriction in one of the other cases that they said it  
527 was only up to six (6), we could make it only up to seven (7) if we wanted to because of the  
528 traffic, if that...is there any concern about that?  
529  
530 YVES STEGER: Have you looked at the...?  
531  
532 JOE GREEN: Yeah, I did, but coming in and out of that driveway, there's not really a lot of  
533 room for, you know, six (6) and seven (7) and eight (8) people to, nine (9) people, ten (10) people  
534 to go in the driveway, turn around and come out. It's gonna create a lot of traffic there.  
535  
536 YVES STEGER: Yeah, but...  
537  
538 NEIL DUNN: That's why I was wondering, where it's shared, if she's been running the  
539 business...

540  
541 LARRY O'SULLIVAN: Right.  
542  
543 NEIL DUNN: ...then the neighbors would know what the impact is but where there's nothing  
544 there and none of them showed up, I mean, just getting on Trolley Car is a turn and a half, you  
545 know, I...But then again, you know, if no one's here, do we limit them? If nobody seems to see  
546 there is an issue? But I agree with what you're saying.  
547  
548 VICKI KEENAN: Well, it can't be more than the kids allowed, right? I mean...  
549  
550 MICHAEL GALLAGHER: Yeah, twelve (12).  
551  
552 JOE GREEN: Twelve is...yeah, twelve (12) is the maximum.  
553  
554 VICKI KEENAN: Right.  
555  
556 YVES STEGER: So we have been through a number of those family day care with any number  
557 and essentially, if you look how they operate, you know, the whole twelve (12)...  
558  
559 LARRY O'SULLIVAN: Don't show up at once.  
560  
561 YVES STEGER: ...even if there was twelve (12), they're not gonna show up exactly at the same  
562 time.  
563  
564 VICKI KEENAN: Right.  
565  
566 YVES STEGER: And usually, they just drop the kids, you know, kiss and they are out. They're  
567 not gonna stay a very long time. So, I mean, even if you have twelve (12) and they stay two (2)  
568 minutes, you know, it...  
569  
570 VICKI KEENAN: Right.  
571  
572 MATT NEUMAN: Yeah.  
573  
574 YVES STEGER: ...the number of cars that will be in the driveway at any point in time may not  
575 be more than two (2) or three (3) and there's plenty of space for that.  
576  
577 VICKI KEENAN: Just from personal experience, my children go to Pixie, which is a much  
578 bigger facility than this and whenever I go, there are no more than maybe...  
579  
580 LARRY O'SULLIVAN: One (1) or two (2).  
581

582 VICKI KEENAN: ...three (3) or four (4) cars at a time.  
583  
584 YVES STEGER: Yeah. That's what I'm saying.  
585  
586 VICKI KEENAN: And it's very fast, in and out, so I don't think that'll be an issue.  
587  
588 YVES STEGER: I don't see that as an issue.  
589  
590 VICKI KEENAN: So I see this being approved with a restriction on the fence and that's about it.  
591  
592 YVES STEGER: Yeah. Fence with specific regards to the pool and the highway.  
593  
594 VICKI KEENAN: Right.  
595  
596 YVES STEGER: 'Cause those are the two major dang...yes.  
597  
598 VICKI KEENAN: The reason for the fence, yeah.  
599  
600 NEIL DUNN: Isn't a fence required by the...?  
601  
602 YVES STEGER: No.  
603  
604 MATT NEUMAN: No.  
605  
606 JOE GREEN: No.  
607  
608 YVES STEGER: No.  
609  
610 NEIL DUNN: I thought there was something in our ordinance...  
611  
612 MATT NEUMAN: It can be.  
613  
614 NEIL DUNN: ...that it has to have a fence.  
615  
616 YVES STEGER: No.  
617  
618 VICKI KEENAN: No.  
619  
620 MATT NEUMAN: It can be.  
621  
622 VICKI KEENAN: No, we need to put it in.  
623

624 YVES STEGER: It is a rule in the zoning book...  
625  
626 RICHARD CANUEL: By our ordinance, the Board may require a fence for a play area.  
627  
628 VICKI KEENAN: And Richard, do we have to say anything about...that this will be a Family  
629 Group Day Care with no more than twelve (12) children in the restriction language?  
630  
631 YVES STEGER: Yes.  
632  
633 RICHARD CANUEL: You should be specific to that, yes.  
634  
635 VICKI KEENAN: Okay.  
636  
637 RICHARD CANUEL: Because how you label it will depend on the number of children that are  
638 allowed, so...  
639  
640 VICKI KEENAN: Okay.  
641  
642 LARRY O'SULLIVAN: That was my concern when I read what was posted...  
643  
644 YVES STEGER: Mm-hmm.  
645  
646 LARRY O'SULLIVAN: ...versus what our definitions were.  
647  
648 JIM SMITH: By definition of the family day...  
649  
650 LARRY O'SULLIVAN: So that we have to be very specific about that.  
651  
652 JIM SMITH: ...which is twelve (12).  
653  
654 VICKI KEENAN: Right. That the Family Day Care makes it six (6) or less, right?  
655  
656 JIM SMITH: Yeah.  
657  
658 VICKI KEENAN: Okay. Alright. Alright, any other discussion? Okay, does anyone have a  
659 motion?  
660  
661 JIM SMITH: I make a motion we approve case number 12/16/2009-2 with the restriction of a  
662 fence for the play area be installed.  
663  
664 VICKI KEENAN: And the Family Group Day Care, no more than twelve (12) kids?  
665



666 JIM SMITH: And it would be known as a Family Group Day Care.  
667  
668 VICKI KEENAN: Okay.  
669  
670 YVES STEGER: I second that.  
671  
672 VICKI KEENAN: Any discussion surrounding the motion? Okay, seeing none, we'll take it to a  
673 vote. All those in favor of the motion, signify by saying 'aye.'  
674  
675 LARRY O'SULLIVAN: Aye.  
676  
677 YVES STEGER: Aye.  
678  
679 JIM SMITH: Aye.  
680  
681 NEIL DUNN: Aye.  
682  
683 VICKI KEENAN: Aye. Opposed? Abstentions?  
684  
685 [no response either opposing or abstaining]  
686  
687 RESULT: THE MOTION TO GRANT CASE NO. 12/16/2009-2 AS A FAMILY GROUP DAY  
688 CARE WITH RESTRICTIONS WAS APPROVED, 5-0-0.  
689  
690 RESPECTFULLY SUBMITTED,  
691  
692  
693  
694 LARRY O'SULLIVAN, CLERK  
695 TYPED AND TRANSCRIBED BY JAYE A TROTTIER, SECRETARY  
696  
697 **APPROVED JANUARY 20, 2010** WITH A MOTION MADE BY JIM SMITH, SECONDED BY  
698 MATT NEUMAN AND APPROVED 5-0-0.