

**BOARD OF ADJUSTMENT
CONVENE**

1.

I move to convene as the Board of Adjustment

2.

I MOVE TO approve a Conditional Use Permit for a day care at 506 First Street filed by Peter Menendez and Dawn Mahoney-Menedez subject to the following conditions and findings adopted by the Planning Commission at their January 17, 2012 meeting:

1. The day care shall be operated consistent with the plans and the narrative submitted by the applicant.
2. The number of clients is limited to eight children at any given time not including any children of the owner.
3. There shall be no loading or off loading on the First Street municipal right of way by the owners or clients of Kids First Day Care.
4. The owner shall maintain four unobstructed off street parking spaces at all times. Two off street parking spaces shall be available for clients during the periods of the day when the facility is in operation. The applicant shall submit a plan showing where the four nine feet by eighteen feet parking spaces will be located prior to Assembly review. The applicant shall construct the four off street parking spaces prior to any authorization of the conditional use permit.
5. For the purposes of the conditional use permit, the parking spaces shall be a minimum of nine feet by eighteen feet and shall not be blocked in a way that prevents use as intended. Parking spaces shall be arranged to allow clients to drive straight in and clients shall not, at anytime be required to park in front of or behind one another.
6. The clients shall adhere to a staggered drop off and pick up schedule so that no more than two vehicles shall be dropping off or picking up at any one time.
7. At no time, shall driveways of any properties along First Street be blocked by the owners and clients of Kids First Day Care.
8. The owner shall submit a narrative updating the Planning Commission in relation to the conditional use permit within 5 months of the approval of the conditional use permit.
9. The Planning Commission shall review the conditional use permit within 6 months of its approval for the purpose of reviewing and resolving any potential parking issues. The Planning Commission may also review the request at any time for the same purposes by its own initiative. While an annual review may be elevated to the Assembly, as necessary, they are not a condition for approval.
10. The narrative, plans, and conditions for approval are binding on all current and future owners of the Kids First Day Care and any other day care operating at 506 First Street.
11. Owners shall permanently delineate the north and northwest corner of the property line to facilitate the understanding of the property lines.
12. The owners agree to contribute up to 25% of the annual maintenance of First Street in the amount that is agreed to by the owners along First Street.

4.

RECONVENE

**I MOVE TO RECONVENE AS THE ASSEMBLY IN REGULAR
SESSION**