

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

Chair Elizabeth Hackett called the meeting to order at 7:02 PM.

Members attending: Elizabeth Hackett, Perry Onion, Mike Teunessen, Nate Abbott, Zannah Richards, and alternate member Leslie Smith.

Also in attendance: Annette Andreozzi, Land Use Administrator

The Chair made introductions and explained the ZBA procedures.

Three positive votes would be needed for any decision to pass.

**Public Hearing Case # 2020-001 Northern New England District Council**

**Assembly of God, owner, Tori Ferrari, applicant:** request a special exception from Zoning Ordinance Article IV Table 1 to use the property for a private boarding school. Property is 15.35 acres located at 729 Stage Road, Map/Lot# 417/045, in the Rural zone.

Ms. Hackett read the letter from the property owner allowing Ms. Ferrari to act on their behalf.

Ms. Ferrari stated that she would like to clear up misconceptions. She is the director of Teen Challenges adolescent programs. Teen programs are very different from adult programs. This teen program would be a boarding school for young men between 13-17. Not drug addicts, they would be teens with no criminal history, getting their lives back on track. She has not yet applied to the state for any licenses. The ZBA is her first step. The project is not a rehab place, and the students will not be in the public school.

Ms. Hackett asked how the students get into the facility.

Ms. Ferrari said it is a voluntary admission, where the students are protected in the facility. They will have vocational training, and education based on the home school curriculum. They will operate year-round but each student will be there about 9 months of the year.

Mr. Abbott asked about other programs this one would be modeled after.

Ms. Ferrari said the program in MA has only had one police call in 3 years. There are programs in Nevada, Arkansas, Arizona, Georgia, & Florida. There is an interview process to gain admittance.

Mr. Abbott said the submitted documentation said the age would start at twelve.

Ms. Ferrari said the starting age would be 13. She said the applicants are vetted, and they take great lengths to be sure the environment will be right for those accepted.

Mr. Onion said that certain religious affiliations run schools to “bring gays back”, asking if that would be part of this program.

Ms. Ferrari said the program is faith based, but the intent is to keep the students alive, to find a purpose for their life, to find hope, and move forward.

Mr. Onion asked if there was a written set of objectives.

Ms. Ferrari stated not as of now. Each individual school has specific objectives.

Mr. Teunessen asked if there are 10 students, how many staff would be there?

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

Ms. Ferrari stated 6-1 during the day, and 10-1 at night with full time staff on the property at all times. Whatever the state requires is what they would do.

Ms. Richards said she read online about Teen Challenge NH, and thinks it's a great program, asking why would this one be males not females.

Ms. Ferrari said there is a girls' program in MA. The closest teen boys' program is in VA. They get many calls per day about the need for a boys' program.

Ms. Richards said the property is in a very residential neighborhood. She asked how the program was funded.

Ms. Ferrari said it is a non-profit with private funding.

Ms. Smith asked if there would be conversion therapy.

Ms. Ferrari said no.

Ms. Smith asked about parent involvement.

Ms. Ferrari said that ideally parents would be involved monthly or more often. The students go home some weekends. The program would have staggered enrollment, so it would operate year-round.

Ms. Hackett asked why she wanted the program in Gilmanton, and why in that area.

Ms. Ferrari said they were offered the location from the church district.

Ms. Hackett stated that according to a 1995 septic evaluation done on the property the system was good for 9 persons total.

Ms. Ferrari said they know they will need to increase the septic, but they will not be increasing the footprint of the buildings. There is a lot of property, and maybe in the future there would be a soccer field. They hope to become a community partner, but the use of town resources would be small.

Mr. Onion asked about success rate.

Ms. Ferrari said the program in Arizona has a 90% success rate after 5 years of being out the door. The MA program has only been open 3 years.

Mr. Teunessen asked if the kids are required to stay on campus.

Ms. Ferrari said yes.

Heidi Walton, not an abutter, asked what the criteria were for a special exception, and what was in it for the town.

Ms. Hackett said that the site needs to be an appropriate use, the use will not adversely affect the neighborhood, and adequate & appropriate facilities will be provided. The ZBA can put conditions on an approval.

Ms. Ferrari said the program would be a resource and a good neighbor.

Heidi said she talked to someone on the phone at the Manchester Teen Challenge. That person said it was a drug rehab program.

Ms. Ferrari said the personnel in Manchester do not know the program that is proposed for Gilmanton.

Audience members insisted that the people on the phone knew what they were talking

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

about.

After asking the name of the person spoken to on the phone, which was unknown, Mr. Abbott said the phone call with an anonymous person was hearsay. And the semi-judicial Board could not accept testimony that didn't state who said what. He said that an unknown Teen Challenge receptionist in Manchester was spoken to.

Ms. Hackett said this proposal is different than what is in Manchester with adult males.

Mike Wilson, not an abutter, expressed concerns about use of town emergency services.

The Teen Challenge website says they treat addiction. There is no benefit to Gilmanton.

Ms. Ferrari said each site is independent. This site is choosing to not take in addicts.

Mr. Abbott asked if a special exception was granted would she mind if there was a condition, that it only be for students as described.

Ms. Ferrari said she did not mind.

Someone in the audience, who said they were an abutter, asked how would they know if there were no background check, or drug testing. It would affect property values.

Ms. Ferrari said it is not possible to do background checks on minors, but they could do drug testing. She could provide information on the fact that property values have not changed near their current locations.

Fab Cusson owns the property next to the church, where he is building 2 new houses.

He stated that it is nice to have kids getting education. He supports the program in Manchester with adult men. He questioned the choice to put a program in a residential neighborhood. It will be a burden to tax payers if a teen runs, and the police are called. The building is not ready to be a school. Having a soccer field would not be site appropriate with his potential owners.

Nicole Senior, not an abutter, said she was present to support the cause. She works with addicts that have kids. Their kids go to these types of schools. There are a lot of these kids. The summer camps don't vet the kids coming into town, why would this program need to? Helping children, while parents are getting help, is a good thing.

Matt Currier, not an abutter, stated that if the school called every time they have a runner that would be too much for the town police department. He asked if Ms. Ferrari would be willing to work with law enforcement.

Ms. Ferrari said yes.

A person from the audience said a boarding school is not the same as drug rehab.

Mr. Abbott commented that some cases do require an extended review.

Ms. Ferrari said her program is for a boarding school, not a rehab. A typical day would have teens up at 6:30, breakfast, devotions, classroom 2-3 hours, lunch, classroom 2-3 hours, gym, structured activities.

Rich McCulley, an abutter owning vacant land, asked about staff and supervision.

Ms. Ferrari said there would be 15 students max. Staff ratio during the day time would be 1-6. Students are supervised 24-7.

Megan Corum, not an abutter, didn't think that it would be safe for her kids if a runner comes to her window. She wanted to know if what is needed had been discussed with the State.

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

Ms. Ferrari stated the ZBA was her first step.

Peter Thomson, who was speaking for his daughter, Candy Adams, not an abutter, asked about plans for expansion.

Ms. Ferrari said there were no plans for expansion.

Peter asked if they would be willing to pay taxes even though they are a non-profit.

Ms. Ferrari said it was not her decision.

Mr. Abbott asked if Peter meant a payment in lieu of taxes.

Andrew, not an abutter, stated it was a concern of the whole town if the students were going to be running on his property.

Mr. Holden, not an abutter, said the teenchanllenger.org website of Southern California says it is a drug addiction program. These people will have no licensed medical personnel on staff. He is concerned they may get drugs.

Ms. Ferrari said she didn't plan to have a medical person on staff. She could only speak to the programs she had been with. What is being found online are adult programs. She will look for an online info site.

Mr. Abbott stated the program is not planned to be the same as the programs that have web sites online.

Mr. Holden said he feels they need a medical person on site.

Dodie Smithers, not an abutter, said Pittsfield didn't want this program.

Ms. Ferrari said she was not part of the Pittsfield discussion. This church building has been offered for the program.

Someone asked if Ms. Ferrari had run a boarding school.

Ms. Ferrari said no. She would not be teaching.

Erin Scott, not an abutter, asked how the program could be keep from admitting adults.

Mr. Abbott said conditions could be set that students cannot be older than a certain age.

Someone asked what if they do allow older students.

Ms. Hackett stated enforcement is the Selectmen's responsibility.

Fab Cusson said that in regards to the condition that the site be appropriate, it is clear that the site is not an appropriate place. His realtor says it will adversely affect his property value by 8%.

Ms. Hackett stated that the percentage was a variable not supported by evidence.

Fab said that they have to show that the facilities are adequate.

Ms. Ferrari said that if this goes forward, there will be a site assessment by the planning board.

Donna Rodale, an educator not an abutter, said she thought what they do is wonderful, but she has a nine-year-old daughter that plays outside. How could she be sure her daughter will be safe?

Ms. Ferrari said she understood the concern. She couldn't guarantee 100%, but the program will be like the others she'd worked with.

Matt Currier said that with no trained medical staff, and with self-harming or suicidal boys, they need to be closer to a hospital.

Mike Wilson said it would be a burden to the fire department, and a drain on town

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

services.

Mrs. Furbush asked if the audience was getting to vote.

Mr. Abbott said the vote is done by the Board.

A person said the program would make the neighborhood louder.

Heidi Walton asked if the students would be in the school system.

Ms. Ferrari said no, the program would be their schooling.

Ms. Smithers, not an abutter, said it would run like home school, so the children would be able to use town school facilities.

Ms. Ferrari said that was correct, but her students would not be using school facilities.

Adam Mini, not an abutter, said he wanted it clarified that the student's residency would stay with the parents.

Ms. Richards said that the introduction of the idea of this facility to come to Gilmanton, does not required Ms. Ferrari to do everything the audience wants, right now. Now questions can be asked, and how people feel will be heard.

Another non abutter, said there will be a tragedy with no medical personnel on site.

Eric Corum, not an abutter, asked if the safety of his family would be guaranteed.

Ms. Ferrari said she would do everything in her power.

Mr. Gulick, an abutter, said foster children have problems. This program is going to have problems.

**Mr. Teunessen moved to close Public Hearing Case # 2020-001 Northern New England District Council Assembly of God, owner, Tori Ferrari, applicant**

Seconded by Ms. Richards.

**Motion passed unanimously.**

**Public Hearing Case # 2020-002 Scott Thibeault, owner:** requests an after-the-fact variance from Zoning Ordinance Article VI-D-2 to live in a trailer as a residence longer than the permitted 120 days. Property is 23 acres located at 32 Gale Road, Map/Lot# 409/065, in the Rural zone.

Mr. Thibeault said he was asking for a variance to live in his trailer while finishing his house. The house is to the point of sheet rock.

Mr. Abbott asked if the house was closed.

Mr. Thibeault said it has doors & windows.

Ms. Hackett stated that he got a permit in 2018 for the trailer. She asked why he hadn't come back for an extension.

Mr. Thibeault said he found he was being taxed to live in the trailer, so he didn't need to get an extension

Ms. Hackett asked if he had ever seen a trailer in Gilmanton with a skirt and a deck.

Mr. Thibeault said there are 2 of them that he knew.

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

Ms. Hackett asked if he knew the permit was good for only 4 months, why he didn't go to the office and ask, and when did he feel he could move into the house.

Mr. Thibeault said he had a state approved septic, permanent power, and a dug well. He should be done by July 1.

Mr. Abbott confirmed with the applicant that the reason he didn't come back to renew his permit was the assumption that the trailer was being taxed, so it was ok with town, and he didn't talk with any town employee.

Mr. Teunessen asked if there were any other trailers on a lot for 120 days that are taxed. Staff stated that the Thibeault trailer had been on the lot for at least 470 days that she knew of.

There was a discussion on taxes.

Staff reminded all that information about taxes related to assessments needed to be discussed with the town tax assessor.

Mr. Abbott said in the spirit of the ordinance the town has voted to restrict residences in trailers. It was clear that the town didn't want to be a trailer park. The ZBA has made exceptions when someone is building a house.

Mr. Onion asked if there would be a commitment to disconnect the trailer when the house is complete.

Mr. Thibeault said he would send it down the road when it is disconnected.

**Mr. Teunessen moved to close Public Hearing Case #2020-002 Scott Thibeault, owner**  
Seconded by Mr. Abbott.

**Motion passed unanimously.**

**MOTION:**

**Mr. Abbott moved to reelect Ms. Hackett as ZBA chair.** Seconded by Ms. Richards.

**Motion passed unanimously**

**Ms. Hackett moved to reelect Mr. Abbott as ZBA vice-chair.** Seconded by Ms. Richards.

**Motion passed unanimously.**

DELIBERATIVE SESSION:

**Case #2020-002 Scott Thibeault, owner**

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

**MOTION:**

**Mr. Abbott moved to grant a variance in Case #2020-002 Scott & Cassandra Thibeault, owners; requesting an after-the-fact variance from Zoning Ordinance Article VI-D-2 to live in a non-mobile trailer as a residence longer than the permitted 120 days, which has already passed. Property is 23 acres located at 32 Gale Road, Map/Lot# 409/65, in the Rural zone.**

- a. The granting of the variance would not be contrary to the public interest because there has been no stated objection and no evidence presented that it would be contrary;**
- b. The spirit of the Ordinance is observed because a house is under construction and will be completed by July 1, 2020;**
- c. By the granting of the variance substantial justice will be done because the owners will have a place to reside, while completing their house;**
- d. The Board saw no evidence presented that granting the variance would create diminution of value to the surrounding properties;**
- e. Literal enforcement of the ordinance could result in unnecessary hardship to the property owner seeking it owing to special conditions of the property, being that the house under construction does not have a certificate of occupancy, distinguishing it from other properties in the area,**
  - i. no fair & substantial relationship exists between the general public purposes of the ordinance provision & the specific application to this property because the Board formed the opinion there has been no impact to the community by the applicant's occupancy of the trailer, and none is anticipated before July 1, 2020,**

**AND**

- ii. the proposed use is a reasonable one because house construction is almost complete.**

**CONDITIONS:**

- 1. One trailer permit must be applied for & received, with all fees & fines paid by January 23, 2020. The permit will be valid until July 1, 2020.**
- 2. The trailer deck & skirt must be removed, and gas, septic, & electric disconnected from the trailer before a certificate of occupancy can be issued for the house, no later than July 1, 2020.**
- 3. An independent septic evaluator must show that the trailer is dumping its waste into the septic system while the trailer is used as a residence, and the septic is disconnected before a certificate of occupancy can be given.**

Mr. Teunessen seconded.

**Motion passed unanimously.**

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

**Case ## 2020-001 Northern New England District Council Assembly of God,**  
**owner, Tori Ferrari, applicant**

Ms. Hackett stated that there were many concerns about, and misconceptions of the applicant's intention. A number of people did not listen to, or believe the applicant. The testimony was that the site was offered by the church. Someone in the church had to consider the options before the offer was made.

Mr. Onion said the problem was Ms. Ferrari didn't have a clear idea of what she would be doing. She came to the ZBA to ask if the concept was a good idea. He felt being way out in the boondocks was not a good idea. The particular place was not good.

Mr. Abbott said valid points were brought up with legitimate concerns. He heard so much. Everything heard should be sorted through.

Mr. Teunessen said Ms. Ferrari said she would bring more information for the Board.

**MOTION:**

**Mr. Abbott move to reopen the public hearing and continue case# 2020-001**  
**Northern New England District Council Assembly of God, owner, Tori Ferrari, applicant:**  
**requesting a special exception from Zoning Ordinance Article IV Table 1 to use the property**  
**for a private boarding school; property is 15.35 acres located at 729 Stage Road, Map/Lot#**  
**417/045, in the Rural zone, at the regular meeting of the ZBA on February 20, 2020.**  
Seconded by Ms. Richards.

Mr. Abbott said they needed to take what was heard and validate it. If new evidence is found it wouldn't be fair to take new evidence without noticing.

**Motion passed unanimously.**

**APPROVAL OF MINUTES**

MOTION: Mr. Abbott moved to approve the minutes of the November 21, 2019 meeting as amended. Seconded by Mr. Teunessen. Motion passed unanimously.

**OTHER BUSINESS**

Ms. Hackett brought additional info for the board from the NHMA classes. Copies will be made.



APPROVED

**TOWN OF GILMANTON**  
**ZONING BOARD OF ADJUSTMENT**  
**THURSDAY JANUARY 16, 2020 – 7 PM.**  
**ACADEMY BUILDING**  
**MINUTES**

ADJOURNMENT: Motion was made by Mr. Teunessen and seconded by Mr. Abbott to adjourn. Vote passed unanimously. Meeting adjourned at 11:10 PM.

Respectfully submitted,

Annette Andreozzi, Land Use Administrator