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THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF LUNENBURG  
ZONING BOARD OF APPEALS

February 19, 2015

**Certificate of Granting a Special Permit**

A Special Permit was granted to Steve & Christine Randle, 611 Leominster Road, Lunenburg, MA 01462 under the Lunenburg Protective By- Law Sections 4.2.1.1.m) and 4.2.1.1.m)3.b) 4.2.2., respectively.

Steve & Christine Randle, 615 Leominster Road, Lunenburg, MA 01462 were seeking a Special Permit to conduct the business operations of Flying High Farm (currently operating at 615 Leominster Road) to the adjacent property, 611 Leominster Road and to employ up to five non-family full time equivalents.. The property which is the subject of this case is located at **611 Leominster Road, Lunenburg, MA 01462.**

The Board of Appeals of the Town of Lunenburg hereby certifies that a Special Permit has been granted pursuant to the Protective By-Laws of the Town of Lunenburg.

**Board Members present:** Donald F. Bowen, Chairman, Raymond Beal, Alfred Gravelle, James Besarkarski, David Blatt and Paul Doherty (present but not voting).

A Special Permit has been issued Steve & Christine Randle d/b/a Flying High Farm, 615 Leominster Road, Lunenburg, MA 01462 and affecting the rights of the owner with respect to land and buildings at **611 Leominster Road, Lunenburg, MA 01462.** Book 8198, Page 84, and dated September 26, 2014. The plans were submitted with the petition. Assessors Map 111, Lot 4.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said decision, and all plans referred to in the decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering.

**DISCUSSION**

Chairman Bowen opened the meeting located at the Ritter Memorial Building. Alfred Gravelle opted to waive the reading of the petition as only the petitioners and one abutter was present; this was seconded and voted unanimously in favor.

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Mr. Randle outlined the proposed business plan for the Board. Mr. Randle indicated that they purchased the adjacent property at 611 Leominster Road in September 2014 for the intent of repurposing the existing single family home to a professional building to conduct the primary business operations of Flying High Farm. The property at 611 Leominster Road would be used for psychotherapy and administration offices and will be the primary location of the business. The barn, riding area and horse facilities at 615 Leominster Road (current location of Flying High farm) will also continue to be used in the operations of Flying High Farm. The expansion is necessary to accommodate the increased community need for psychotherapy services to youth that are currently not being served.

Mr. Randle explained that a similar application for Special Permit was presented and considered by the ZBA in May of 2013. At that time there were concerns from two abutting neighbors and the application was subsequently withdrawn. Since that time Mr. Randle felt that the concerns have been addressed. The concern of the Lazaro family at 617 Leominster Road was with regard to increased traffic on a driveway that they shared, since that time a separate driveway was constructed in December 2013. The issue with the Paquin family at 611 Leominster Road was due to the increase of traffic and the fact that the driveway was 150 feet from their home. This issue was alleviated by the sale of their home to the petitioners Steve & Christine Randle.

Mr. Randle explained that the single family home at 611 Leominster Road would be repurposed for Flying High Farm offices and will contain three private therapist offices, waiting room, rest room, administrative office and employee break room and kitchen. The exterior appearance would continue to look like a single family home similar to homes in the area. A new septic system has been installed and the existing horse facility will remain as is and currently located at 615 Leominster Road. This would allow all administrative offices to be moved from the home of Steve and Christine Randle.

Sandra Flanagan of 595 Leominster Road is an abutter to the property and spoke in favor of the petitioners' request.

Paul Doherty asked about the term that was used (FTE) or full time equivalent. Mr. Randle explained that not all of the therapists work full time and the bylaw allows that two employees can be family members. A large amount of the patients are children and can only have appointments after school. Mr. Randle also explained that this business is not open to the general public but wants the office interior and exterior to appear as a single family home. He went on to explain that the halls were widened to accommodate ADA access and that a HP parking area and ramp has been installed in the rear of the home. The basement will serve as the administrative area.

Raymond Beal suggested that section 4.2.1.1.m) 3)b. be added into the decision to incorporate adding the accessory use to a main use and the adjacent lot as well as covering the bylaw requirement that no more than two persons other than the residents of the premises are regularly employed there in connection with such use.

**MOTION**

After due deliberation David Blatt made a motion to grant the Special Permit as requested and included in the submitted plan, subject to the below conditions. Alfred Gravelle seconded the motion.

**Conditions**

Special Permit granted subject to the ability to employ five FTE (full time equivalents) on the property as outlined in Section 4.2.2.2.m)3b.

Accessory use customarily incidental to a permitted main use on the adjacent lot (single family home) Section 4.2.1.1.m

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said decision, and all plans referred to in the decision, have been filed with the Planning Board and the Town Clerk.

**FINDINGS**

In granting a Special Permit, the Board of Appeals found that the proposed use:

- a. Will not be injurious or dangerous to the public health, or unduly hazardous because of traffic congestion, danger of fire or explosion, or other reasons.

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- b. Will not have a material adverse effect on the value of land and buildings in the neighborhood or on the amenities of the neighborhood.
- c. Will be operated with reasonable regard for order and sightliness.
- d. Will not produce noise, vibration, smoke, dust, odor, heat or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.

The petitioner shall abide by all of the requirements of the Department of Public Works of the Town of Lunenburg and the Department of Public Works of the Commonwealth of Massachusetts with respect to ingress and egress at the property, and any other Board or agency.

The Special Permit is subject to a periodic review by the permit granting authority (Zoning Board) or the Enforcement Officer, to insure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this permit.

The granting of the Special Permit shall inure to the benefit of the applicant Steve & Christine Randle and shall cease in the event the business is sold or sublet to another party.

After closing the discussion, the Board acting in its capacity as the Special Permit Granting Authority, granted the Special Permit with the above members present and voting as follows with respect to the issuance of the Special Permit.

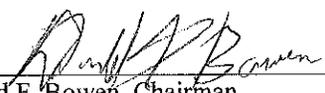
**VOTE**

Donald Bowen voted in favor of granting the Special Permit.  
Raymond Beal voted in favor of granting the Special Permit.  
Alfred Gravelle voted in favor of granting the Special Permit.  
James Besarkarski voted in favor of granting the Special Permit  
David Blatt voted in favor of granting the Special Permit

In making this determination, the Board specifically found that the granting of this Special Permit would not contravene the purpose of the Protective Bylaws or the provisions of Chapter 40A of the Massachusetts General Laws.

Voted and executed,

Lunenburg Zoning Board of Appeals  
Special Permit Granting Authority

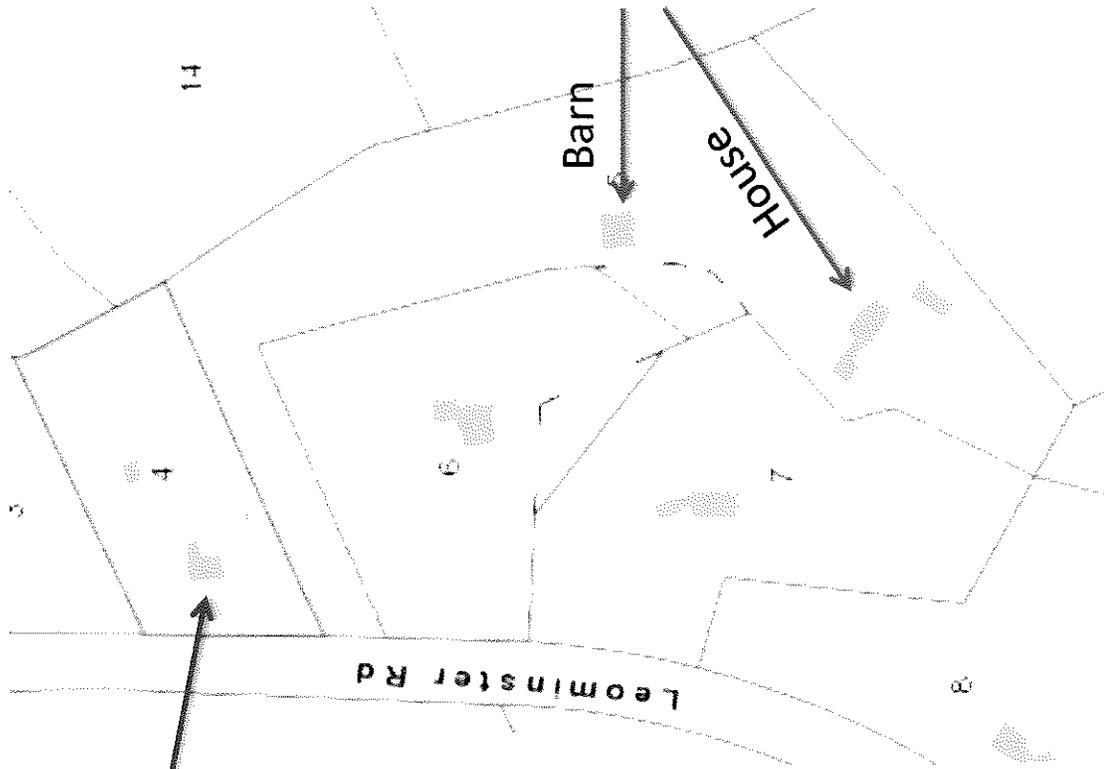
  
Donald F. Bowen, Chairman      2/25/2015  
Date

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**Flying High Farm  
Current / Proposed Locations**



Proposed Location  
611 Leominster Rd.

Current Operations  
615 Leominster Rd.