

**Board of Adjustment**  
**Canterbury, NH**  
**Minutes of Hearing**  
**21 November 2024**

**Case No. 2024-6 Special Exception**

Present were: Chairman Jim Wieck, Web Stout, Calvin Todd, Christopher Evans, Sean O'Brien and Alternates Brendan O'Donnell and Scott Herrick.

At 6:45 PM the Board convened in a meeting with Kal McKay who discussed with the Board the upcoming 2025 ZBA budget, then went on to discuss the revisions to the town website that are being made.

At 7 PM Chairman Wieck convened the hearing. He described the conduct of the hearing to those present and reviewed the application stating Kimberly O'Donnell is seeking a special exception regarding her property that involves Tax Map 255, Lot 10 located at 105 Clough Pond Road in the rural zone. The proposed use states "expand on my current established home office, a pediatric occupational therapy practice, build a detached home shop (2,000 sq ft)". The application references Article 2, Section 5.

Ms. O'Donnell reminded the Board she appeared before them in 2018 and secured a special exception to open her practice as a home occupation. She owns and operates Roots Therapeutic Services which is a pediatric occupational therapy outpatient clinic. She sees about 30 families a week with various special needs such as cerebral palsy, autism, ADHD, almost anything. Things are going really well; she is hoping to expand and to get out of her basement. It is not ideal, especially as she has two children of her own now. Her hope is to build a new building to expand her practice. She is thinking somewhere around 1500 square feet and as you are looking at the house would place it to the left of the property. She offered pictures to the Board. She is hoping to expand having herself and no more than two other therapists treating at a time. She is looking to expand her services to more families in the area. She is the only occupational therapy practice in Canterbury. She compliments other wellness practices in the area (collaborates with In the Orchard, a pediatric physical therapy practice). Families appreciate being able to go outside to walk about, smell the flowers, be in nature for breaks or to work on skills outside as well as inside. The setting is more of a home like setting than an office in the city. It's a small practice and families have found it to be very successful with their children. The practice hasn't caused any problems so far and has been in full operation since 2019. The road has been fine. She had talked with the town road agent back when she was first starting her practice, and they haven't had any problems with it. Often times in bad weather, we close. We only work during the week Monday through Friday during working hours like 8-5. I really haven't been a nuisance. None of my neighbors have complained to me at all. They have been very supportive. We have been no noisier than having my own children outside playing with their friends. There haven't been any hazards.....

Chairman Wieck interjected saying before we go any further, he wanted to mention we have four regular, and two alternate voting members present this evening. The two alternate voting members will not be voting members tonight.....procedural interjection.

He asked Ms. O'Donnell to describe the business, other than moving to a dedicated building, how will the business be changed. Are you anticipating additional clients. They will be having additional clients. She is hoping to have herself and two additional therapists. She sees about 30 clients a week: she has one person employed who is seeing 12 clients a week and more and more people are needing OT (occupational therapy). I'm hoping there will be three of us and seeing up to 75 clients a week. Chairman Wieck asked as opposed to 30? Yes, and that would be at the higher end. He asked so as far as cars and folks on site at a time, it sounds like there would be more than one client on the property....Ms. O'Donnell advised there would only be three at one time and that's an increase from one. Web asked how long she meets with clients. Typically, once a week for one hour. The building would be detached. Parking will be in front of the building. Web asked if she currently has any signage. Yes, on the mailbox. She advised they are also going to be putting in a new septic system. They have spoken with a few people, but no one wants to finalize anything until she gets her special exception approval.

Chairman Wieck asked if there are no more questions from Board members he would ask if anyone wished to speak in opposition. No one spoke. No one spoke in favor. He asked if the applicant had anything further to add. He asked Ms. O'Donnell to read aloud her responses to the seven criteria needing to be met to secure a special exception approval. She did so. The narrative is in the public file. Chairman Wieck asked again if anyone wished to speak in opposition. No one spoke. No one spoke in favor. He asked if there were additional questions from Board members. Web spoke advising Ms. O'Donnell will have to go to the Planning Board for site plan review. He advised she can look up in the rules and regulations what she will have to prepare to show them. Chairman Wieck asked again for clarification she will be increasing to up to 75 clients per week. Yes. Web asked if she plans to do anything more with her sign. She does not. Calvin asked if this would be a single-story building. Yes. Chairman Wieck asked for clarification she will have no more than two treating therapists. This is correct. They will be part-time. There were no additional questions. Chairman Wieck closed the testimony portion of the hearing at 7:15 PM.

He advised he had concern that this was still considered a home occupation and believes it still is. A very brief discussion ensued between Chris and Chairman Wieck about the total number of employees that would be allowed. It was determined no more than two.

Chris made a motion that in the case of 2024-6, a special exception to be **GRANTED**. The applicant went through the seven conditions for a special exception adequately and for that reason the application should be approved. The Board vote was a unanimous decision by the five regular voting members present. Chairman Wieck explained the 30-day appeal process.

Respectfully submitted,

Lisa Carlson, Clerk  
Board of Adjustment