

Approved 10.28.21

Town of Wenham  
Zoning Board of Appeals  
Meeting of September 17, 2021  
Penguin Academy Site Visit, 36 Essex Street

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Pursuant to the Open Meeting Law, MGL Chapter 30 A, §18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Zoning Board of Appeals (ZBA) was held on Friday September 17, 2021 at 9:30 am. *The Governor extended the suspension of certain provisions of the open meeting law that authorizes all members of a public body to continue participating in meetings remotely until April 1, 2022 and this meeting took place via Zoom.*

The Wenham ZBA exercises all powers granted to it by Massachusetts General Laws, Chapters 40A, 40B, & 41 and the Town of Wenham Zoning Bylaw. The Board hears & decides applications for special permits, appeals or petitions for variances from regulations governing dimensions of land or structures, appeals taken by any aggrieved by reason of his inability to obtain a permit or enforcement action under the provisions of MGL 40A and applications for comprehensive permits. Members are appointed by the Select Board for a term of three-years from July 1 – June 30.

The Zoning Board consists of three Board members: Evan Campbell (2022); Dana Begin (2023) Anthony Feeherry (2024) and (up to) three Associate members: Kelly Schmidt (2022) Richard Modiszewski (2023); one open seat

- Call to Order - *With a quorum present Mr. Feeherry called the meeting to order at 9:40 AM, announced the meeting was being recorded, and those present: A. Feeherry, Chair; D. Begin; E. Campbell. Associate members: R. Modiszewski. Not Present: K. Schmidt Also present: Margaret Hoffman, Planning Coordinator; Catherine Tinsley, Recording Secretary Molly Martins, President Academy at Penguin Hall & Alan Martins*

#### **Site visit to Academy at Penguin Hall in preparation for Public Hearing for an amendment to site plan approval.**

Summary excerpt from the August 23, 2021 meeting minutes: *The Building Commissioner suggested the ZBA determine whether a new application for site plan approval was required, or the 2016 approved site plan site plan could be amended, or no action was needed.*

*A building permit application was submitted August 23, 2021. No building permit will be issued pending the Zoning Board's decision.*

*Molly Martins, President of Academy at Penguin Hall, was present and gave an overview of the proposed plan to add a weekday boarding program at the Academy at Penguin Hall. As required by the Zoning Bylaw, this expansion of use requires a Site Plan review.*

*Ms. Martins reviewed in 2016 the Academy was issued a Site Plan approval to convert the building at 36 Essex Street to an educational use. Ms. Martins reported the Academy currently has 160 day students and occupies 75,000 square feet of space within the 115,000 square foot building. The campus sits on 50-acres. The Academy is initiating a pilot boarding program this fall to allow six students and one adult to stay on campus Monday through Friday and is working with an architect to convert rooms to dormitories. The entire building was brought up to educational codes and is fully sprinkled and alarmed.*

The ZBA met in person on location at the Academy at Penguin Hall to view the proposed dormitory space.

The Martins gave a brief history of the property and the Academy. Ms. Martins explained the request to add a boarding program was initiated to meet a need of a limited number of students that travel more than an hour to school. The boarding program will be offered four nights during the week: Monday, Tuesday, Wednesday, and Thursday.

The Board members were given a tour of the Academy, specifically the area of the dorm rooms and the campus. The dorms are a part of the Academy and situated directly off a main hall, located near the elevator, stairs and egress routes.

Currently there are 8 rooms being renovated. These spaces were previously used under the sisters of Notre Dame as the nuns' quarters. Each room has its own door, is about 9' x 14", with a window, closet, and separate climate control. There is a shared bathroom with multiple fixtures for the students.

A small studio apartment is being renovated for the "dorm parent". This space is a bit larger and has a small kitchenette and separate bathroom. The dorm parent will be on duty during the school days but not required to stay on campus during the weekends, holidays, vacations, or summer.

*The Board was specific in their questions about future expansion for the boarding program.*

The Board was informed there was a similar space on the floor above that could be used for dorms and a smaller space on the next floor that would accommodate a few dorms room. There is no immediate plan to expand the boarding program, but the space could be renovated to potentially accommodate 20 students and three dorm parents.

The Board held deliberations for the ZBA meeting Monday September 20.

- Adjourn - *The Board unanimously adjourned at 10:40 am by roll call.*

Respectfully Submitted By  
Catherine Tinsley 9.17.21