



TOWN OF BRUNSWICK

PLANNING BOARD

28 FEDERAL STREET, BRUNSWICK, ME 04011-1583

**TOWN OF BRUNSWICK
PLANNING BOARD AGENDA
BRUNSWICK STATION**

**16 STATION AVENUE, BRUNSWICK, ME
ROOM 217**

**Thursday, January 5, 2012
7:00 P.M.**

Please note special date

1. **Public Hearing:** The Planning Board will hold a public hearing on increasing the allowable number of MDOT official business directional signs allowed through the sign ordinance.
2. **Public Hearing:** Case Number 11-030 - Coastal Humane Society - The Board will hold a public hearing on a **Special Permit** application submitted by Tony McDonald to add a kennel use to the building at 190 Pleasant Street. (**Assessor's Map U33 Lot 14**) in the **Highway Corridor 1 (HC1) Zoning District**.
3. Other Business
4. Minutes

It is the practice of the Planning Board to allow public comment on development review applications and all are invited to attend and participate.

Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.

MEMO

To: Planning Board
From: Kris Hultgren, Town Planner
Date: December 30, 2011
Subject: Planning Board Meeting: January 5, 2012

This memo provides information about the agenda in advance of the Board's January 5, 2012 meeting. Please note the special Thursday meeting date.

Public Hearing: The Planning Board will hold a public hearing on increasing the allowable number of MDOT official business directional signs allowed through the sign ordinance.

At a sign workshop on December 13, the Board voted unanimously to set a public hearing to make a recommendation to the Town Council about increasing the allowable number of Maine Department of Transportation directional signs from two to four. A copy of the updated sign language is part of this packet. Staff received no comment from the public about this agenda item.

Public Hearing: Case Number 11-030 - Coastal Humane Society - The Board will hold a public hearing on a **Special Permit** application submitted by Tony McDonald to add a kennel use to the building at 190 Pleasant Street. (**Assessor's Map U33 Lot 14**) in the **Highway Corridor 1 (HC1) Zoning District**.

The Coastal Humane Society submitted a Special Permit application for a kennel use in the Highway Corridor 1 zone. The Humane Society intends to move its operations from Range Road to this location at 190 Pleasant Street that formally was home to Thibeault Energy and Dexter Shoes. The application notes that if a kennel use is approved, the Humane Society plans to construct an addition to the existing structure of approximately 5,300 square feet with the possibility of expanding to a total of 10,000 to 15,000 square feet.

Abutters to the project, Clinton and Jennifer Thompson of 3 Range Road, submitted comments about the application and they are part of this packet. Their property is immediately to the north of the subject parcel.

As with previous Special Permit applications, the applicant is seeking approval for only the use before moving ahead with the project. The application will be subject to the appropriate level of development review if necessary.

Minutes

The Board has three sets of minutes to review.

Thank you and please contact the Planning & Development Department with questions. 725-6660 x222 khultgren@brunswickme.org

**APPLICATION/CHECK LIST
SPECIAL PERMIT FOR UNCLASSIFIED AND OMMITTED USES
BRUNSWICK PLANNING BOARD**

1. Applicant:

Name: Coastal Humane Society

Address: 30 Range Road, Brunswick, ME 04011

Tony McDonald, President

Phone #: 207-725-5051

2. Business:

Name: SAME

Address: _____

Phone #: _____

3. Property/Building Owner:

Name: Savings Bank of Maine but under contract to applicant

Address: _____

4. Assessor's Tax Map # U33 Lot # 14 of subject property.

5. Zoning District HCI

6. Street Address of Parcel(s) For Consideration: 190 Pleasant Street

7. Planning Area (See Appendix I): Outer Pleasant Street

Owner Signature: _____

Applicant Signature (*if different*): _____

SUBMISSION REQUIREMENTS

Site Plan. If copies are greater than 11" x 17", submit 17 copies of all materials.

Otherwise, one copy is sufficient. Site plan should include all elements indicated in the application packet.

On this form, or on a separate letter to the Planning Board, please indicate your responses to the following:

1. How does your application further the Planning Goals for the Planning Area in which your property is located. Please indicate each of the Planning Area Goals with your response.

The plans Coastal Humane Society have for this property are consistent with the Planning Area Goals for this location as there will be highway traffic coming and going to this facility which could otherwise be disruptive in a more urban or residential neighborhood. Coastal Humane Society serves a large geographic area and most traffic to and from this site will come from the highway. New landscaping and exterior improvements will enhance the appearance of the property at this important "gateway" to Brunswick.

2. How many square feet of space is the proposed use going to occupy? Initially 3,360 +/- sf but with future expansion planned the facility could grow to 10-15,000 sf.

Is this use to be located within an existing structure? Yes for initial phase.

If a new structure(s) is proposed how many square feet is the structure(s)? A preliminary expansion of 5,300 +/- sf is envisioned with possible growth beyond that.

3. How many people are to be employed at this site should the Special Permit be granted? 5-15.

4. If this involves a residential component, how many dwelling units are proposed? N/A

5. How many customers are likely to use the site during the course of a day? 10-30 week?

50-150. Please anticipate peak demand. During major adoption events it could be that as many as 50 visitors might be there.

6. How many service vehicles per week do you anticipate? N/A

7. What are the sizes of vehicles that will service the business should the Special Permit be

granted? Passenger vehicles, vans and an occasional delivery truck.

8. If you are reusing a structure, demonstrate the mutual benefits associated with your application request. (In other words, how will this project provide a benefit to its larger area in spite of the fact that it may be occurring within a pre-existing structure that is generally larger than typically found. This project will allow Coastal Humane Society to continue its mission to provide safe homes for abandoned animals thereby saving animal lives—over 2,500 this year—and to provide a facility to educate community on animal care, provide low cost spay/neuter resources and generally support the humane treatment of animals in this area. It will reduce the load on the current Range Road facility, thereby reducing overcrowding and allowing that facility to be renovated to become a more efficient and humane facility as well.

9. Explain how this application enhances or further maintains a pedestrian oriented character for the larger neighborhood. This is not a pedestrian area as it abuts the on-ramp to the interstate which prohibits pedestrians.

NOTIFICATION

**SPECIAL PERMIT APPLICATION
FOR UNCLASSIFIED AND OMMITTED USES**

Pursuant to Section 701 of the Brunswick Zoning Ordinance, land uses that are neither permitted nor prohibited may be considered by the Planning Board, subject to a Special Permit. Notice is required to be forwarded to any property owner within 200 feet of the lot boundaries of the proposed permit.

Applicant: _____

Business Name: _____

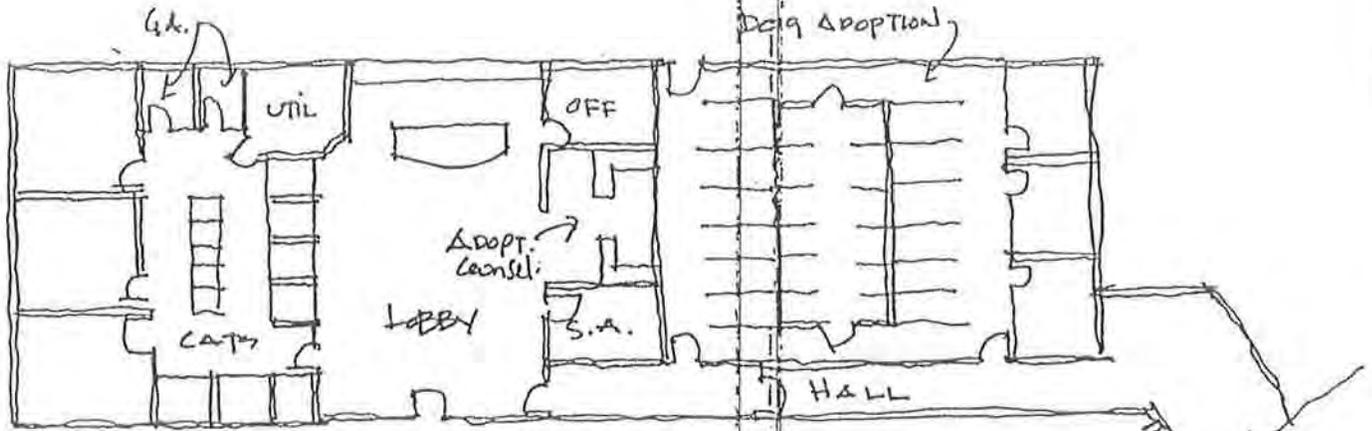
Proposed Land Use: _____

Street Address of Property: _____

Zoning District of Property: _____

The Planning Board will conduct a PUBLIC HEARING on this Special Permit application on _____. As a person entitled to notice, you may submit comments on the proposal to the Planning Board, or may provide testimony at the Public Hearing. The Planning Board may deny the Special Permit if it finds that, based on evidence provided by persons entitled to notice that the proposal shall 1) adversely effect the enjoyment or use of your property; or 2) that the proposal will devalue such property.

The application is on file at the Planning Office. For further information contact 725-6660.

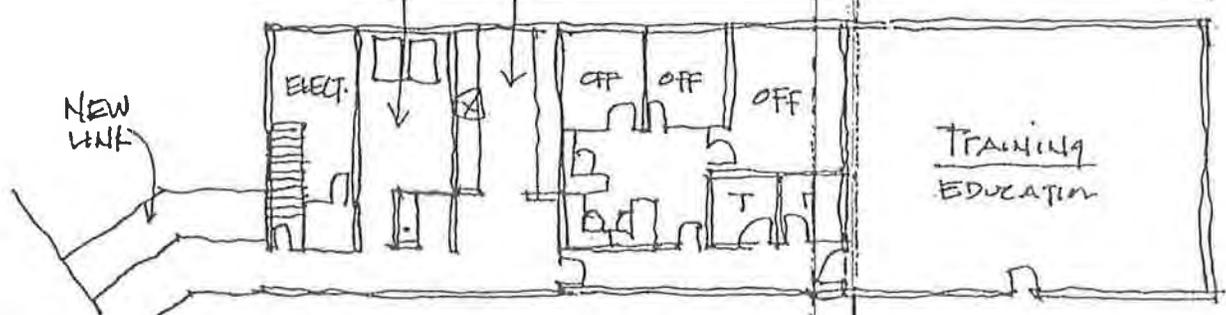


NEW ADOPTION CTR

NEW LINK

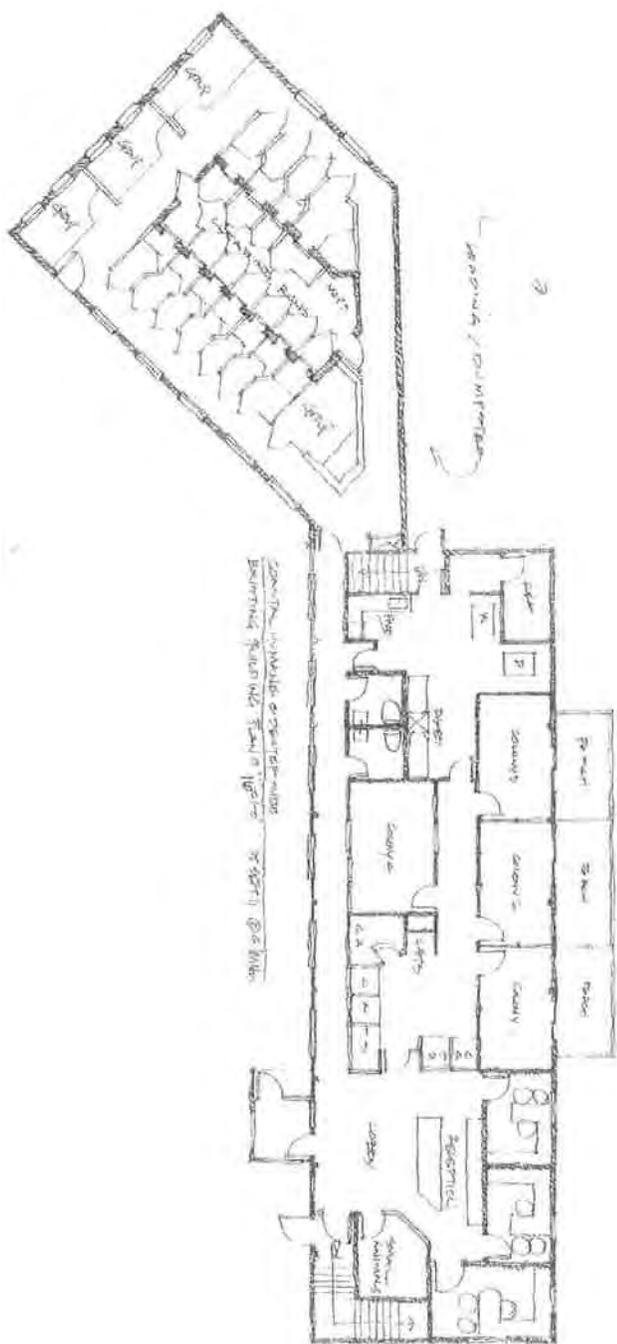
LAUNDRY FOOD PREP

40' ±



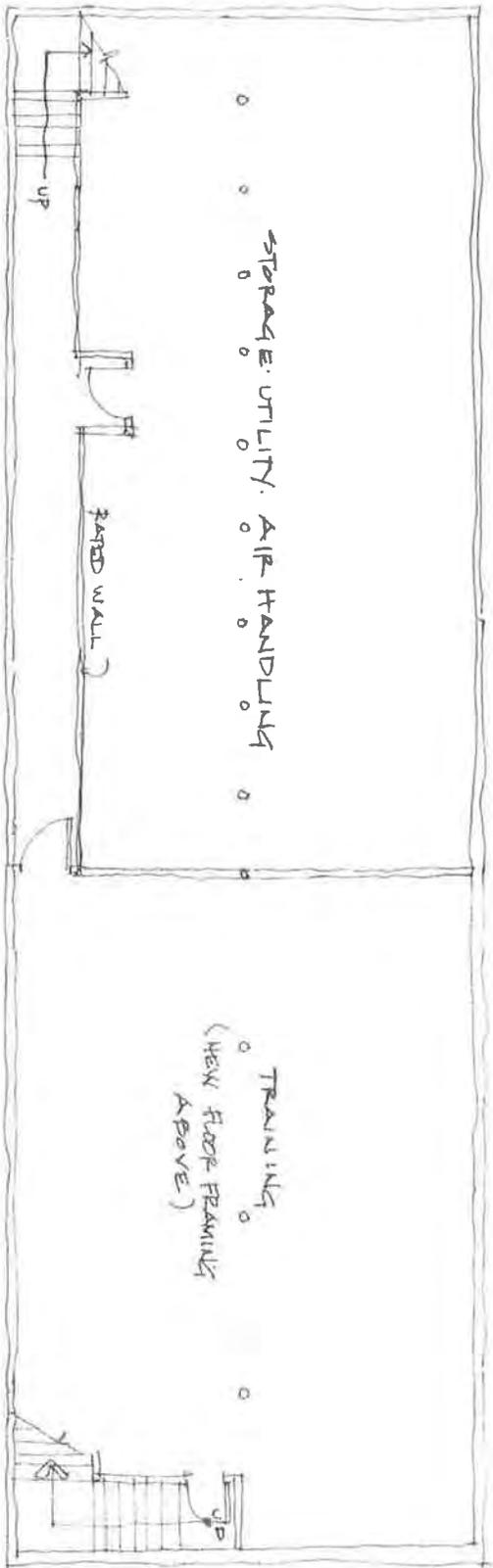
EXISTING BUILDING

COASTAL: CONCEPT #2
 24 OCT 11 / JENSEN / @ 1" = 20'



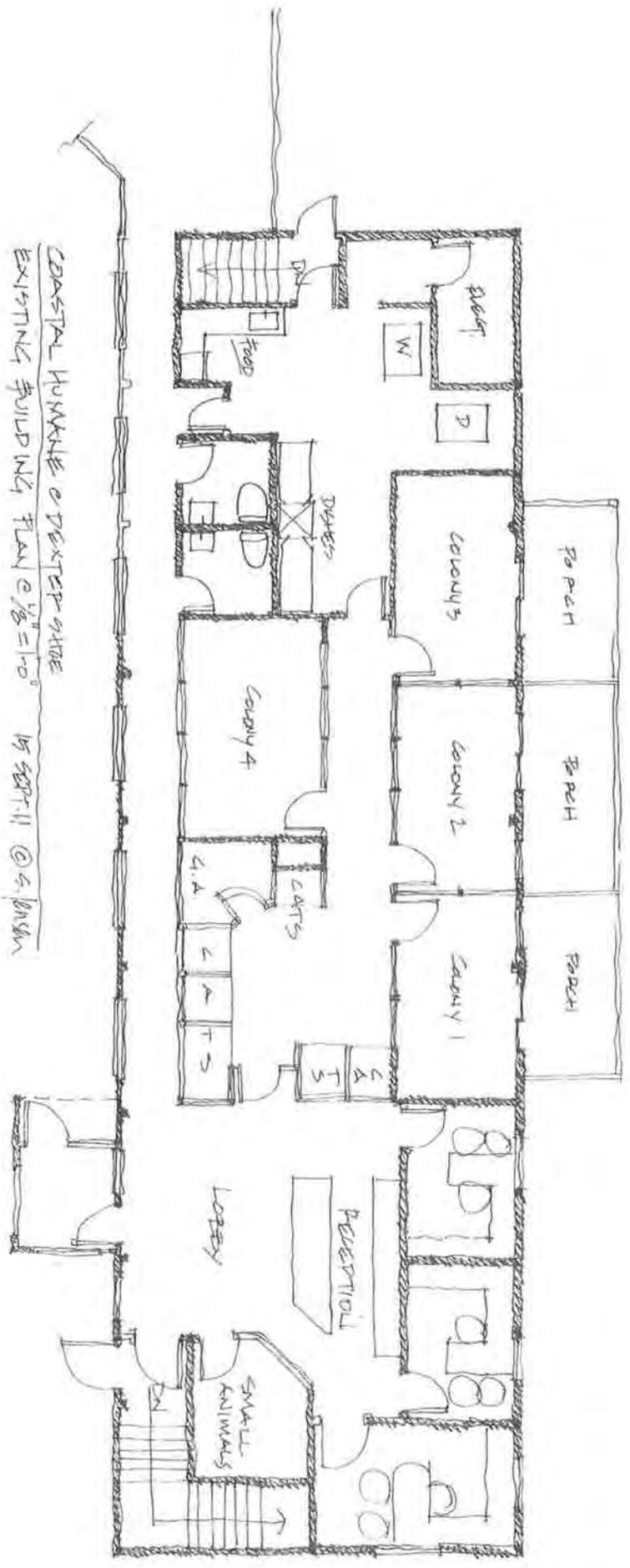
← APPROXIMATE DIMENSIONS

CONCRETE WALLS & CEILING - WOOD
 EXTERIOR - BRICK AND STONE

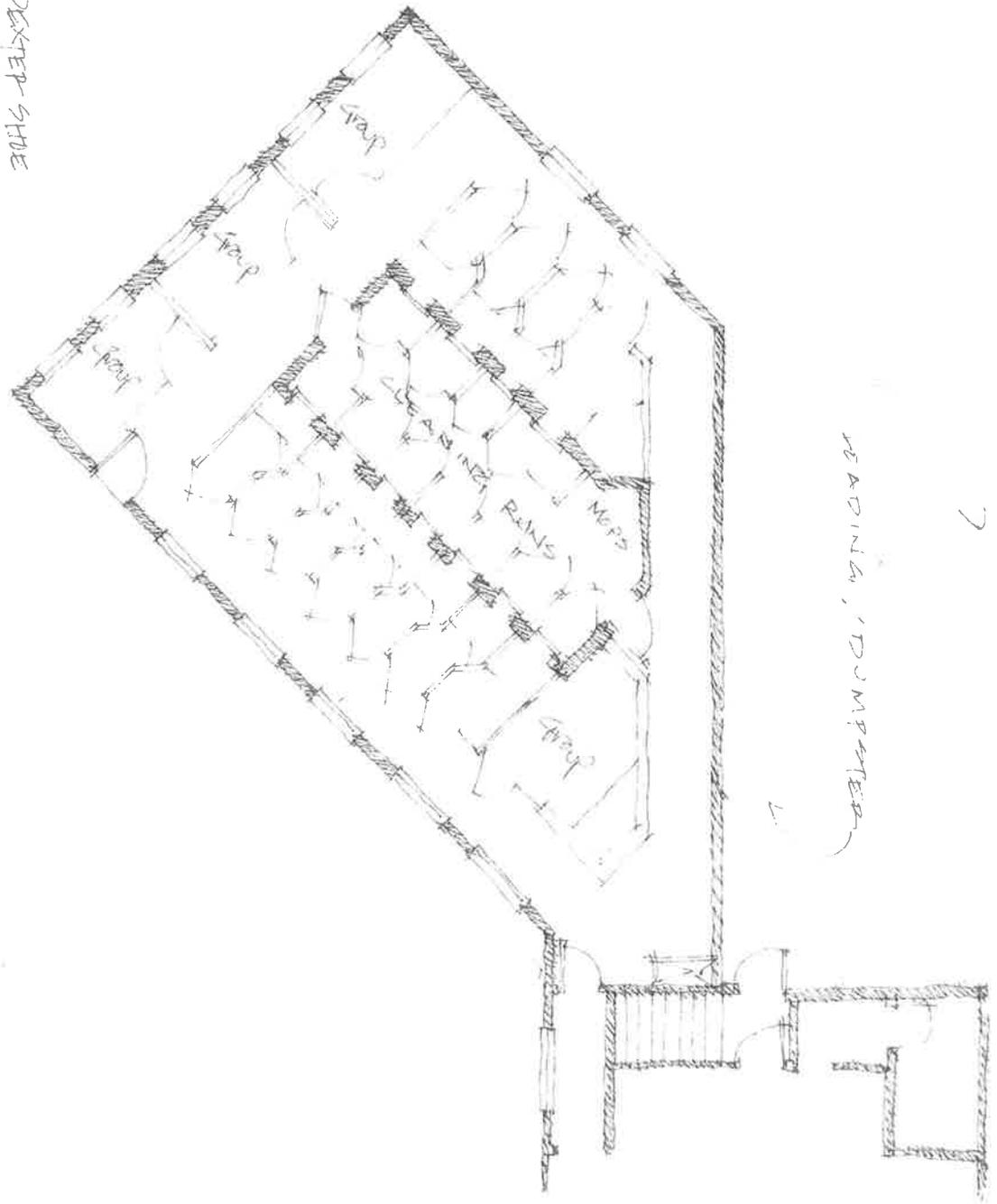


CONSTRUCTION OF PEXTER-SHED
 BASEMENT PLAN @ 1/8" = 1'-0" 1588711 © S. DENISEN

COASTAL HUMANE & DEXTER SITE
 EXISTING BUILDING PLAN @ 1/8" = 1'-0" BY SEPT 11 @ S. JENSEN



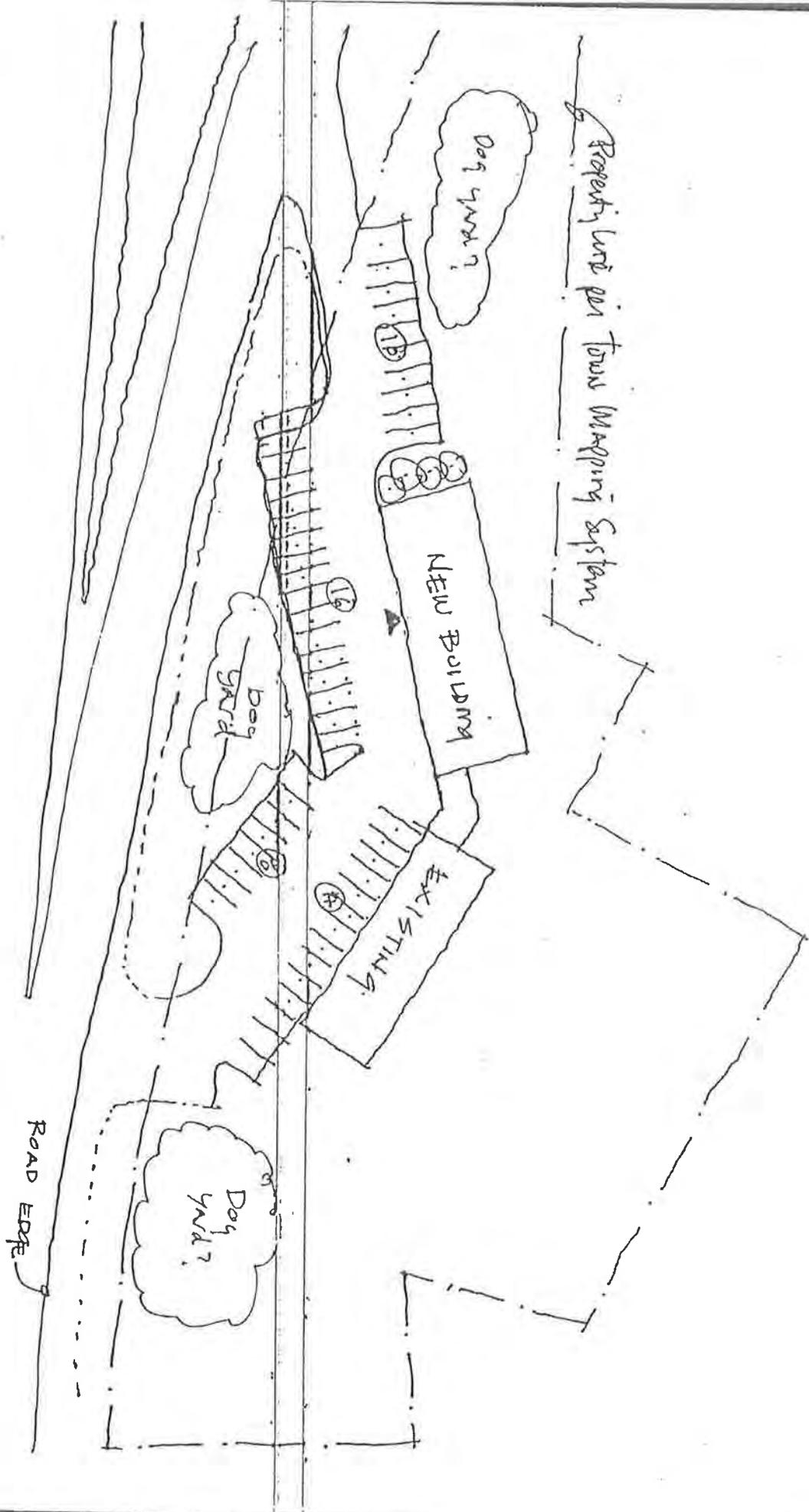
COSTAL HUMANE SOCIETY & DEXTER SIDE
DOG ADOPTION ADDITION @ 1531 15th ST SEPT 11 @ 5:00 PM



7

WADING, DUMPSTER

Property line per Town Mapping System



CORSTAL CONCEPT #2
24 OCT 11 / STATION / @ 1"=60'

December 20, 2011

Town of Brunswick
Planning Board
28 Federal Street
Brunswick, Maine 04011

Dear Planning Board Members and Town Staff,

Thank you for the information concerning the special permit application 11-030, from the Coastal Humane Society, concerning adding kennel use to the building located at 190 Pleasant Street and thanks to Kris Hultgren for the information that he provided at my request.

My family consisting of my wife and two sons (age 5 and 7) live at 3 Range Road, tax map #U33-~~14~~¹³. In 2000, prior to having children my wife and I purchased the property after having viewed a number of properties in Brunswick. One of the primary reasons that we purchased the property was because the house had a very large fenced in private yard in the rear. There was and still is a stockade fence that blocks the area from view from the Range Road. The far side of the rear yard is also fenced in and borders a small ravine and wooded area with a small stream flowing in the ravine. From late fall until early spring, due to lack of leaf cover, we can see the back side of the former Thibeault Energy (Dexter Shoe Store) building.

We have spent countless hours enjoying the privacy and peace of our back yard from gardening, barbeque cookouts, swinging, reading and even campouts. Guests at our house always comment on the pleasantness of our back yard and we entertain there frequently.

The former uses of the 190 Pleasant Street location have by no means disrupted the enjoyment of our property. It is hard to imagine a more benign business than a shoe store and I was pleased when Thibeault Energy placed a gate to the parking area and closed the parking lot after business hours. Thibeault Energy did not use the property in an industrial sense.

Prior to the installation of the gate tractor trailers would stop over in the parking area for extended periods of time with their engines running and for a short time the parking area was a hang out for young adults with cars. Both uses, due to noise, were disruptive.

Unfortunately the Thompson family can not support the special permit application, from the Coastal Humane Society for the following reasons.

We have reviewed the application that was submitted and noted that neither the owner nor applicant signed the application. We would request that the board reject this permit request based on it being incomplete.

Secondly the application indicates that the development furthers the planning goals for the area in that "highway traffic coming and going to this facility which could otherwise be disruptive to a more urban or residential neighborhood". As indicated before we reside on the Range Rd, where the current Coastal Humane Society facility is located and the current traffic to the existing facility is not disruptive to the neighborhood. The application indicates that, "most traffic to and from this site will come from the highway". This being the case would require most vehicles arriving at the proposed facility make a left turn from Route 1 (outer Pleasant St.) across two lanes of typically heavy Rt. 1 traffic bound for Interstate 295 to access the proposed facility. Having lived and traveled the area in question vehicles routinely stopped waiting to access the proposed facility would increase the number of vehicle collisions in the

area. The vast majority of vehicles entering the area from the highway are traveling at a high rate of speed and encountering a vehicle stopped waiting for two lanes of almost constant heavy south/west bound traffic to clear poses an increased danger for the area. Furthermore most vehicles leaving the proposed facility bound for in town Brunswick would have to wait to enter Pleasant St. after the south/west bound traffic clears and there is a simultaneous opening in the north/east bound traffic all across at least 3 lanes.

For the past 11 years while residing on the Range Road I am aware of several occasions when animals have escaped from the current Coastal Humane Society facility. Being bordered by the Brunswick County Club golf course and a relatively large wooded area provides a certain level of safety for these animals and the public before they are recaptured. I can envision few more dangerous places for an animal to be running loose than the area of outer Pleasant Street both for the animal and the public. No matter what types of controls are in place animals do escape.

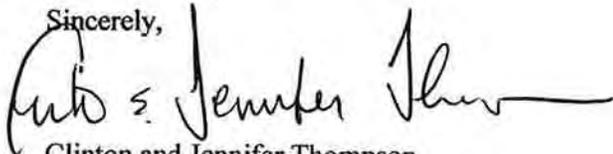
The location of the proposed facility does not further the planning goals for the planning area. The impacts of the facility at 190 Pleasant St. will result in traffic congestion from 150 vehicles per day entering and leaving the facility onto a high speed, high traffic area and increases the traffic hazards of the area. For this reason we request the Planning Board deny this special permit application.

Attached you will find two articles that very quick internet searches yielded concerning residences near kennels and associated concerns. The attached articles indicate that noise from barking dogs in animal shelters regularly exceed 100 dB and peak noise levels regularly exceeded the measuring capability of the dosimeter (118.9 dBA). 70dB is considered a loud noise and 90-120dB is of such a level to be felt as well as heard. Locating a 10-15,000 square foot kennel adjacent to our residence will without question adversely effect the enjoyment and use of our property which is another reason why we request the Planning Board deny this special permit application.

Looking back, if the Coastal Humane Society was located at 190 Pleasant Street in 2000 we certainly would not have purchased it and if this proposal is carried out it will devalue our property. I have never seen a real estate advertisement highlighting that a residence is near a kennel. Common sense dictates that being adjacent to such a facility negatively impacts property values. For this reason we request the Planning Board deny this special permit application.

In summary we request that the special permit application 11-030, from the Coastal Humane Society, concerning adding kennel use to the building located at 190 Pleasant Street be denied for the following reasons. 1. The application is incomplete, 2. The location of the proposed facility does not further the planning goals for the planning area, 3. The proposed facility will adversely effect the enjoyment and use of our property, and 4. The proposed facility will negatively impact our property value.

Sincerely,



Clinton and Jennifer Thompson
3 Range Road
Brunswick

The Negative Effects of a Kennel Grooming Business Next to Residential Real Estate

By Luke Arthur, eHow Contributor

updated June 29, 2011

-
-
-
- Print this article

The location of your home has a lot to do with the value of it when selling as well as the enjoyment of your property while you are living there. ~~When you live next to a kennel grooming business, it could negatively affect your home and your living situation in a few ways.~~

Related Searches:

- Kennels and Cattery
- Dog Runs

1. Noise

- One of the negative effects of living next to a dog kennel grooming business is the noise factor. When you live near a dog kennel, you may hear a lot of barking. If you have ever heard how annoying it can be when your neighbor's dog starts barking in the middle of the night, imagine how disturbing it could be when 10 or 15 dogs start barking all at the same time at an inopportune moment.

Increased Traffic

- Another potential detractor that comes with living next to a kennel is increased traffic. Although kennels may not necessarily be high-traffic businesses, they will require some traffic on a daily basis. If you have small children or pets of your own, you may not want a lot of traffic driving near your house throughout the day. Many people in residential situations do not like the idea of being close to business traffic on a regular basis.

Safety

- Depending on the type of kennel business, you may also have concerns about safety. For example, if the kennel allows the dogs to go outside into the backyard to get some air, you may have to be concerned with the animals getting out. Dogs have been known to dig under fences or jump over them, and if you are dealing with a large, dangerous breed, you may not be comfortable leaving your children outside to play.

Property Value

- Besides the factors that will negatively affect you while you are living there, having a dog kennel next door could also hurt when reselling the property. Buyers may not want to live next to a dog kennel and that could keep them from making offers on your property. If someone does make an offer, it may be for lower than what your house would sell for in another location.

Read more: The Negative Effects of a Kennel Grooming Business Next to Residential Real Estate | eHow.com http://www.ehow.com/info_8663244_negative-next-residential-real-estate.html#ixzz1h204QQ62

Noise in the Animal Shelter Environment: Building Design and the Effects of Daily Noise Exposure

Crista L. Coppola
Animal Behavior Center
ASPCA
Urbana, Illinois

R. Mark Enns and Temple Grandin Animal Sciences Department
Colorado State University

JOURNAL OF APPLIED ANIMAL WELFARE SCIENCE, 9(1), 1-7

Sound levels in animal shelters regularly exceed 100 dB. Noise is a physical stressor on animals that can lead to behavioral, physiological, and anatomical responses. There are currently no policies regulating noise levels in dog kennels. The objective of this study was to evaluate the noise levels dogs are exposed to in an animal shelter on a continuous basis and to determine the need, if any, for noise regulations. Noise levels at a newly constructed animal shelter were measured using a noise dosimeter in all indoor dog-holding areas. These holding areas included large dog adoptable, large dog stray, small dog adoptable, small dog stray, and front intake. The noise level was highest in the large adoptable area. Sound from the large adoptable area affected some of the noise measurements for the other rooms. Peak noise levels regularly exceeded the measuring capability of the dosimeter (118.9 dBA). Often, in new facility design, there is little attention paid to noise abatement, despite the evidence that noise causes physical and psychological stress on dogs. To meet their behavioral and physical needs, kennel design should also address optimal sound range.

Noise in an animal shelter has previously been discussed (Key, 2000; Milligan, Sales, & Khirnykh, 1993; Sales, Hubrecht, Peyvandi, Milligan, & Shield, 1997). Sales et al. reported that sound levels regularly exceeded 100 dB. Sound is measured in decibels (dB) and the scale is logarithmic, meaning that 90 dB is 10 times the intensity of 80 dB and is 100 times the intensity of 70 dB. A noise level over 70 dB(A) is considered "loud" (Baker, 1998). To put this into context, 95 dB(A) is comparable to a subway train, 110 dB(A) is a jackhammer, and 120 dB(A) is a propeller aircraft; any sound in the 90 to 120 dB(A) range is considered to be in the critical zone and can be felt as well as heard (Key, 2000). No single method or process exists for measuring occupational noise. A noise dosimeter is preferred for measuring noise levels when the noise levels are varying or intermittent and when they contain impulsive components such as barking. One consideration when using a noise dosimeter is that the microphone is within the hearing zone of individuals being monitored.

It has long been documented that audible sound has profound physiological and psychological effects on nonhuman animals and disturbs the healthy equilibrium of the body (Wei, 1969). Noise has been found to be a physical stressor on animals that can lead to behavioral,

physiological, and anatomical responses. Noise-induced cortisol increases can cause immunosuppression, insulin resistance, cardiovascular diseases, catabolism (molecular decomposition), and intestinal problems (Spreng, 2000). The hearing of animals differs from that of humans; dogs (*Canis familiaris*) have much better hearing and can hear sounds up to four times quieter than can the human ear. Recent research shows that noise in dog kennels may be a welfare concern for the animals (Sales et al., 1997), but currently no policies regulate noise levels in dog kennels.

The objective of this observational case study was to evaluate the levels of noise to which dogs are exposed on a continuous basis and to determine the need for noise regulations. Regulations may emphasize the necessity to control levels through building design and materials instead of trying to reduce the noise produced by the animals. The facility where this study was conducted was designed and built in the last 7 years. However, as is often typical, there were no obvious preventative measures in the design to reduce noise and, in fact, design may have had the opposite effect due to animal arrangement, the use of concrete block, and exposed metal roofing.

Materials and Method

Noise levels were measured at an animal shelter constructed in 1999. The facility has five main indoor areas for holding dogs and two main areas for holding cats. Measurements were taken in all indoor dog-holding areas and included large adoptable, large stray, small adoptable, small stray, and front intake (Figure 1). Measurements were recorded using a noise dosimeter (Q-200, Quest Technologies, Oconomowoc, WI) continuously for 84 hr over 2 weekdays and both weekend days. Noise dosimeters were placed in each room and mounted to a wall. The walls were nonporous, producing reverberations experienced by the animals and measured by the dosimeters. Proximity of the nearest and furthest dog to the dosimeter varied between rooms but was well within the hearing zone of all animals within each holding area. The overall ambient sound measured by the dosimeter was that being experienced by all animals in the area. Noise measurements reported here were the max levels with slow response and "A" weighting. This type of dosimeter and weighting are commonly used to measure sound levels in work environments and to enforce Occupational Safety and Health Administration regulations.

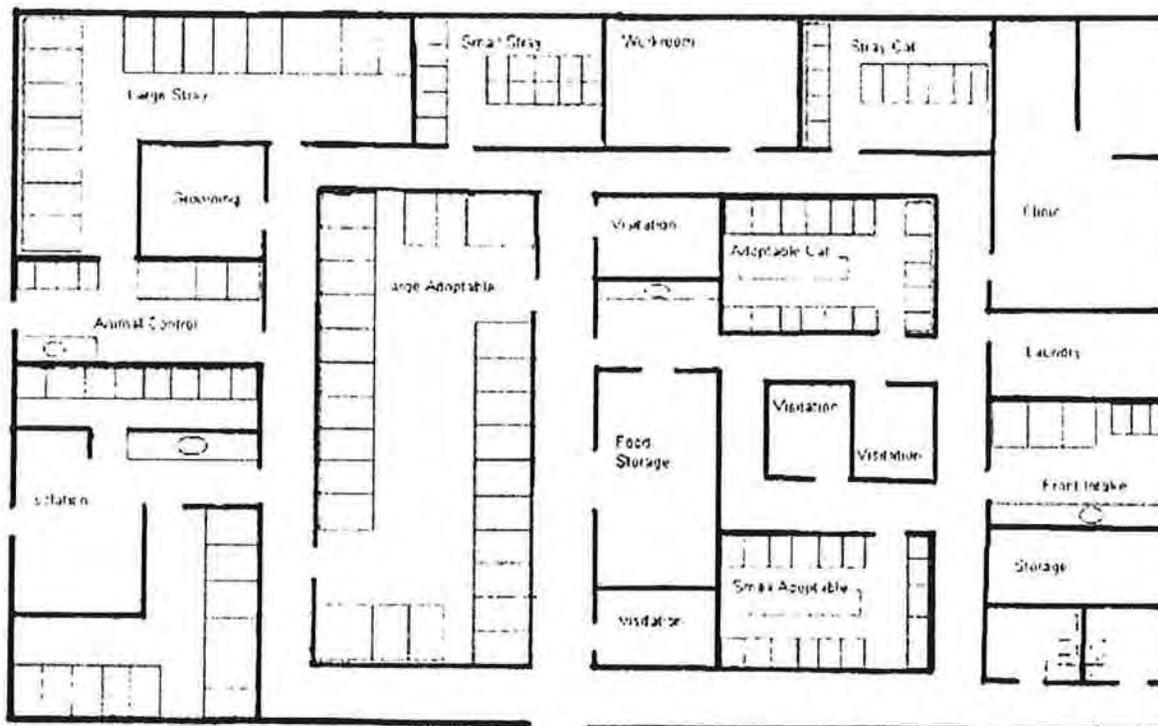


FIGURE 1: Diagram of the humane society (66 ft x 120 ft)

The large adoptable and large stray areas are constructed of epoxy-painted cinder block walls and seamless floors on a concrete slab. The dog runs in the large adoptable and the large stray areas are separated by cement partitions (82 in.) and have chain link doors. Both of these areas have an exposed steel ceiling (> 20 ft). Noise dosimeters were mounted on the wall in these rooms at a height of 12 ft.

The large adoptable area is a smaller area within a larger area enclosed by a cement perimeter wall (82 in.). The larger room is connected by two hallways, eight doors to other areas (including large stray and small adoptable), and one exterior door. This area contains 26 runs with Plexiglas view windows on one end. The dog kennels line all four perimeter walls. There is an employee work area (food preparation, washing dishes) in the middle of the room. The large stray area is a separate room adjacent to the large adoptable area. This area has two doors and contains 15 kennels. The dog kennels line the south and east walls.

The small adoptable, small stray, and front intake areas are all separate rooms with a suspended nonacoustical tile ceiling (8 ft) and plasterboard walls. Noise dosimeters were mounted on the wall in these rooms at a height of approximately 7 ft.

The small adoptable and small stray areas each have one door, a concrete slab floor, and contain metal cages. The cages in the small adoptable area face the interior of the room and the exterior has Plexiglas windows; there is an employee work area in the middle of the room. The cages in

the small stray area line the cast wall and are also placed down the middle of the room. The front intake area contains cages and runs separated by sheet metal (60") and a linoleum floor. All kennels and cages are on the south wall. The room also has a refrigerator and a counter in each area with a sink and cabinets. The number of kennels and average number of animals during the study period are summarized in Table 1.

Statistical Analyses

The noise data were analyzed using a frequency procedure (SAS Institute Inc., 2002) to determine the frequency of noise above and below each threshold level (70, 80, 90, and 100 dBA) in each dog-holding area. The data were also analyzed using the Genmod procedure (SAS Institute Inc., 2002) to determine if there were any significant differences between the five dog-holding areas at each threshold level (70, 80, 90, and 100 dBA). Each area was treated as a fixed effect, class variable, and repeated subject. The analysis was appropriate for outcomes with a binary distribution and an auto-regressive covariance structure to account for the relation between measures in the same room.

Results

The amount of time spent above each threshold level during the 84-hr study period is shown in Figure 2. The large adoptable area was by far the loudest and some of the readings for other rooms were, in part, a result of sound reflection from the large adoptable area. Peak levels regularly exceeded the measuring capability of the dosimeter (118.9 dBA) in the large adoptable area. When the dogs were not vocalizing and the rooms "seemed" quiet, the noise readings were still above 50 to 60 dBA. Although there were numerical differences between rooms, there were no statistical differences at any threshold level ($p > .05$).

TABLE 1: Summary of Animal Holding Areas and Kennel Numbers

Holding Area	Average No. of Animals	No. of Kennels	Area ^a
Large adoptable	34.25 dogs	26 runs	880
Large stray	15 dogs	15 runs	485
Small adoptable	9.8 dogs	28 cages	285
Small stray	9 dogs	17 cages	258
Front intake	4 dogs, 9.75 cats	4 runs, 4 cages	240

^a Given in square feet.

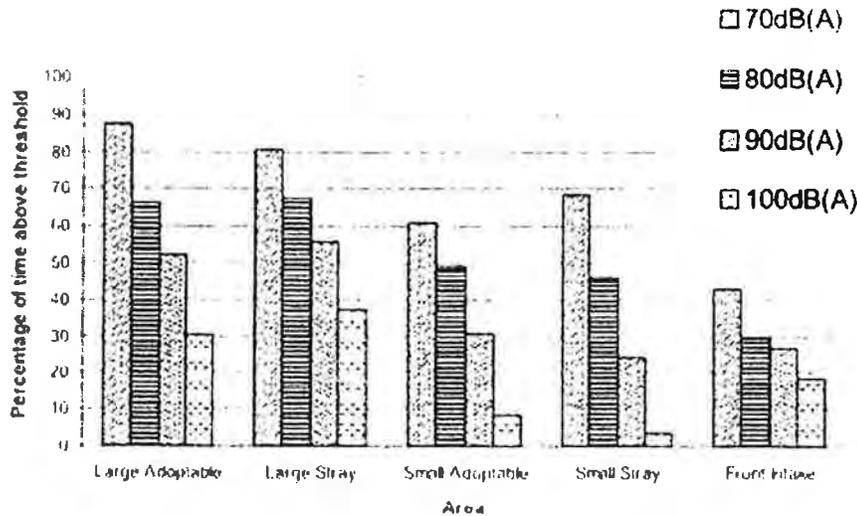


FIGURE 2: Percentage of time during the study period above each threshold level (70, 80, 90, and 100 dBA) for large adoptable, large stray, small adoptable, small stray, and front intake areas.

Discussion

Unfortunately, elimination of noise stressors is often disregarded, despite the evidence that noise places physical and psychological stress on dogs. In our study, the large adoptable area that holds the greatest number of animals was the loudest, which was not unexpected. This area receives a large amount of human traffic from those adopting dogs. Although not testable, given the nature of a functioning shelter, we suspect noise from this area overflows into all other areas. There are hallways leading from the large adoptable area that serve as noise conduits to the other areas -- one stopping at cat adoptable and cat stray and the other ending at the small adoptable room (Figure 1). In addition, noise produced by an individual dog barking can reach levels well over 100 dBA (Sales, Hubrecht, Peyvandi, Milligan, & Shield, 1996) and this exceeds OSHA regulation for workers (90 dBA). However, the animals live in this environment without the hearing protection that is available to people. The noise effect is three-fold:

1. The animals housed in the shelter.
2. The employees working at the shelter.
3. The public at the shelter looking for an animal to adopt.

The animals' mental and physical states are compromised; the employees may develop hearing damage and poor states of mind in caring for the animals. Our observations indicate that visitors sometimes are so bothered by the noise that visiting time is reduced during their search for an animal to adopt.

The large adoptable area is designed so that every dog can see every other dog if the dogs are at their kennel doors. The work area for this room also is located in the center of the rectangle, making it an additional source of stimulation. We observed that this layout allows for constant

stimulation and may increase barking, as any activity within the large adoptable area stimulates every dog in the area. The result is virtually constant barking.

The design and building materials used do not allow for noise absorption, with the exception of rooms with suspended ceilings (small stray, small adoptable, and front intake). These do allow for absorption and somewhat reduced noise levels, although this difference was not statistically significant. The current public viewing design also contributes to the amount of stimulation for the dogs. The viewing windows start half-way up the perimeter wall. The placement of the viewing windows and the use of partitions between every kennel results in dogs that are constantly being surprised by people walking by and abruptly coming into view.

In the shelter environment, cortisol levels have been documented to be above normal, in some cases three times that of household pets (Hennessey, Davis, Williams, Mellott, & Douglas, 1997). We also found that in this instance (Coppola, Grandin, & Enns, 2006). Not all stress-induced elevations in cortisol are due to noise levels, but they are a contributing factor.

An increasingly popular way to design dog housing is to have self-contained rooms instead of the traditional kennels or runs. These rooms are typically enclosed within a larger area either with or without a community play area attached. Noise is absorbed and contained within the smaller room. These designs may also permit social housing of dogs, which research has shown to decrease noise caused by animal vocalization and increase the time animals spend sleeping (Hetts, Clark, Calpin, Arnold, & Mateo, 1992; Mertens & Unshelm, 1996). The incorporation of areas for play groups can contribute to noise abatement, as a mentally and physically exercised dog usually is a quiet one (personal communication, November 17, 2005; San Francisco Society for the Prevention of Cruelty to Animals, American Society for the Prevention of Cruelty to Animals, Humane Society at Lollypop Farm, Denver Dumb Friends League, North Shore Animal League). The American Society for the Prevention of Cruelty to Animals in New York has recently renovated both its holding and adoption areas to embrace these concepts and the San Francisco Society for the Prevention of Cruelty to Animals has been housing their adoptable dogs in "apartment-style" quarters since 1998.

Animal Welfare Implications

As previous scientists noted, kennels should be designed to meet the behavioral and physical needs of dogs, including attention to optimal ranges for sound (Key, 2000; Sales et al., 1997; Sales, Milligan, & Khirnykh, 1993). Unfortunately, even in new kennel construction, noise abatement designs are often ignored because of cost restrictions, making noise a hazard to the animals, employees, and potential adopters. Because of its unpredictable and uncontrollable nature, the shelter is a stressful environment for a dog, and any stress-inducing stimuli that can be reduced or eliminated should be addressed if possible. If one were to follow the standards for human dwellings, a mean sound level of 45 dBA would be the norm for animal houses. Without regulations regarding noise levels in animal shelters, noise may continue to be an overlooked variable and contribute to reduced overall welfare.

References

Baker, D. E. (1998). Equipment decibel levels. *Grounds Maintenance*, 33(3), 73.

Coppola, C. L., Grandin, T., & Enns, R. M. (2006). Human interaction and cortisol: Can human contact reduce stress for shelter dogs? *Physiology & Behavior*, 87, 537-541.

Hennessy, M. B., Davis, H. N., Williams, M. T., Mellott, C., & Douglas, C. W. (1997). Plasma cortisol levels of dogs at a county animal shelter. *Physiology & Behavior*, 62, 485-90.

Hetts, S., Clark, J. D., Calpin, J. P., Arnold, C. E., & Mateo, J. M. (1992). Influence of housing conditions on beagle behaviour. *Applied Animal Behaviour Science*, 34, 137-155.

Key, D. (2000). Acoustic measures. Retrieved July 1, 2003, from <http://www.kenneldesign.com>.

Mertens, P. A., & Unshelm, J. (1996). Effects of group and individual housing on the behavior of kennelled dogs in animal shelters. *Anthrozoos*, 9(1), 40-51.

Milligan, S. R., Sales, G. D., & Khirnykh, K. (1993). Sound levels in rooms housing laboratory animals: An uncontrollable daily variable. *Physiology and Behavior*, 53, 1067-1076.

Sales, G. D., Hubrecht, R., Peyvandi, A., Milligan, S., & Shield, B. (1996). Noise in dog kennelling: A survey of noise levels and the causes of noise in animal shelters, training establishments and research institutions. Wheathampstead, Hertsfordshire, England: Universities Federation for Animal Welfare.

Sales, G. D., Hubrecht, R., Peyvandi, A., Milligan, S., & Shield, B. (1997). Noise in dog kennelling: Is barking a welfare problem for dogs? *Applied Animal Behaviour Science*, 52, 321-329.

Sales, G. D., Milligan, S. R., & Khirnykh, K. (1993). The acoustic environment and its effects on laboratory animals, Fifth FELASA Symposium: Welfare and Science, 60-64.

SAS Institute Inc. (2002). SAS Version 8 (Version 2002). Computer software. Cary, NC: Author.

Spreng, M. (2000). Possible health effects of noise induced cortisol increase. *Noise & Health*, 7, 59-63.

Wei, B. L. (1969). Physiological effects of audible sound. *AAAS Symposium Science*, 166(3904), 533-535.

**Draft Findings of Fact
Special Permit (Section 701)
Coastal Humane Society
Planning Board Review Date: January 5, 2012**

Project Name: Coastal Humane Society

Case Number: 11-030

Tax Map: Map U33 Lot 14

Applicant: Tony McDonald
30 Range Road
Brunswick, Maine 04011

PROJECT SUMMARY

Case Number 11-030 - Coastal Humane Society - The Board will hold a public hearing on a **Special Permit** application submitted by Tony McDonald to add a kennel use to the building at 190 Pleasant Street. (**Assessor's Map U33 Lot 14**) in the **Highway Corridor 1 (HC1) Zoning District**.

The project proposes a kennel use on property located at 190 Pleasant Street. The operation would service approximately 10-30 customers per day. This project is proposed for the Highway Commercial Planning Area and is within the town's growth zone.

DRAFT MOTION:

Motion 1: That the Special Permit application is deemed complete.

**Review Standards from Special Permits Section 701.2 of the Town of Brunswick
Zoning Ordinance**

The following standards set forth herein shall be applied, where applicable, by the Planning Board when considering an application for Special Permit. The burden of proof of compliance with these standards rests solely with the applicant.

A. The application shall further the planning goals of the Planning Area in which the property is located, as follows:

A1.6 Highway Commercial Planning Areas

- A. Highway Commercial Planning Areas encompass portions of the town that currently have commercial strip development. These areas encourage commercial uses that are automobile dependent and therefore not compatible with the town center or neighborhood shopping areas or within a residential neighborhood.
- B. It is a Town goal to improve the aesthetic quality and traffic conditions in Highway Commercial Planning Areas through improvements in landscaping, reduction of curb cuts and other measures.
- C. The portion of this planning area which is located near the Brunswick Naval Air Station and within its flight path has special restrictions as indicated in Section 214 of this Ordinance.
- D. The Highway Commercial Planning Areas are growth center areas which include the following zoning districts: HC (Highway Commercial).

This Special Permit application furthers the planning area goals by adding an auto-dependent commercial use to the existing strip development pattern around the proposed development.

The Planning Board finds the proposed use furthers the planning goals of the Highway Commercial Planning Area.

- B. The application is compatible in scale to its surroundings. In making this finding, the Planning Board shall consider the size and mass of buildings where new structures are being proposed, the number of employees, residents or customers, and the size and number of vehicles servicing the use. Notwithstanding the foregoing, when the Special Permit is proposed for a pre-existing structure, the Planning Board may find that the proposed use is compatible with its surroundings, even though it is out of scale and design with such surrounding properties if the applicant can demonstrate that the proposal will achieve mutual benefits without compromising any of the standards found in this ordinance.**

The kennel would initially occupy an existing building on the property of approximately 3,360 square feet. The applicant notes plans for an initial expansion of 5,300 square feet with future plans to add up to 10,000 to 15,000 square feet of space. A full build-out consistent with the applicant's stated intentions would not be out of scale with surrounding development because there are other large buildings in the area and this is a growth area for the town.

The Planning Board finds that the use is compatible with the scale of surrounding development.

C. The application is harmonious in design to its surroundings. In making this finding, the Planning Board shall consider building and window proportions, roof-lines, spacing of doors and windows, as well as orientation to public streets.

The application proposed is not out of character with surrounding structures in the area. While the addition will not be constructed initially, the new structure is proposed for a size that is harmonious with its surroundings.

The Planning Board finds the proposed development is harmonious in design and compatible to the surrounding area.

D. The application further maintains or enhances a pedestrian oriented character in planning districts where such character is encouraged.

The Highway Commercial Planning Area does not strive to be a pedestrian-oriented region. This area of town is auto-dependent.

The Planning Board finds that this standard is not applicable because the Highway Commercial Planning District does not encourage pedestrian oriented development.

E. The application will not violate any standard of this Ordinance.

The proposed use does not violate any standard in the Zoning Ordinance.

The Board finds that the application will not violate any standard in the Zoning Ordinance.

Notwithstanding the foregoing, the Planning Board shall deny an application for a Special Permit if, in its determination, substantive, objective evidence from one or more persons entitled to notice is presented that reasonably demonstrates that:

1. The proposal will adversely affect the enjoyment or use of that person's property
2. The proposal will devalue such property

DRAFT MOTION

Motion 2: That the Special Permit is approved with the following conditions:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral

comments of the applicant, her representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

Planning Board Denial of Special Permits

If the Planning Board denies an application for Special Permit, the Planning Board's decision is not subject to any appeal. However, the applicant may apply to the Town Council for a zoning amendment as provided for by Section 108 of the Town of Brunswick Zoning Ordinance.

The following signs are permitted subject to the special requirements found within each subsection.

- 605.1 Banners.** Banners are signs that extend from one side of the street to the other. Town Council permission is required to raise a banner and the Council has the right to restrict where and when such banners may be displayed.
- 605.2 Official Maine Department of Transportation (MDOT) Directional Signs.** An Official Business Directional Sign visible from a public way in the Town of Brunswick may be erected or maintained as provided for in this Section. Such signs shall also comply with applicable provisions of the Maine Traveler Information Services Act 23 M.R.S.A., Section 1901-1925 and any regulations of the Maine Department of Transportation promulgated hereunder, not inconsistent with the provisions of this Ordinance.
- A. For purposes of this Section, Official Business Directional Sign is defined as a sign erected and maintained in accordance with the Maine Traveler Information Services Act, 23 M.R.S.A., Section 1901-1925, and this Ordinance, which identifies and points the way to public accommodations and facilities, commercial services for the traveling public, and points of scenic, historical, cultural, recreational, educational and religious interest.
- B. Qualifying uses. The following uses are qualifying uses, provided they do not have frontage on a State-Aid highway/road or Bath Road and are not located in areas noted in Section 605.2.D. (Amended 7/12/10 R)
1. Public and private schools and colleges
 2. Airports
 3. Cultural facilities and historic monuments
 4. Recreational facilities
 5. Municipal and other government facilities
 6. Non-profit organizations
 7. Public accommodations and commercial businesses
 8. Retail agricultural operation
- C. Number of Signs.
- ✓ 1. Not more than ~~two (2)~~ four (4) official business directional signs may be permitted per each qualified use.
- D. Placement of Signs.
1. Official business directional sign may be installed and maintained in the Town of Brunswick except those areas as defined below:
- a. Town Center 1 (TC1) Zoning District
 - b. Town Center 2 (TC2) Zoning District
 - c. Town Center 3 (TC3) Zoning District
 - d. Village Review (VR) Overlay Zoning District
 - e. Maine Street and Park Row Right-of-Way
- E. Additional requirements.
1. Official business directional signs shall be installed and maintained in accordance with the requirements of the Maine Traveler Information Act, 23 M.R.S.A. sections 1901-1925, as amended, and any other regulations adopted pursuant to said statutes.

2. The following additional requirements shall apply:

- a. The minimum distance between official business directory sign posts shall be at least three hundred (300) feet as measured along the shortest straight line;
- b. An official business directory sign may be installed only upon issuance of a permit pursuant to this Ordinance, and approval by the Town Police and Public Works departments;
- c. No official business directory sign shall be placed closer than two hundred (200) feet from the property line of a commercial business offering directly competing goods or services;
- d. An official business directional sign shall be located no closer than two hundred (200) feet nor further than two thousand five hundred (2,500) feet from an intersection where a change in direction as indicated on said sign is required;
- e. No more than three (3) official business directional signs may be attached to an individual sign post assembly. No new sign post assembly shall be installed until existing sign post assemblies suitable for any newly proposed official business directional sign contain the maximum number of permitted signs.

F. Permitting and approval process.

1. Any entity wishing to erect an official business directional sign shall make application with the Maine Department of Transportation on an application form provided by MDOT. Prior to submittal to the MDOT for final review, the application will require the signature of the Brunswick Codes Enforcement Officer certifying compliance with the Town's Zoning Ordinance. (Amended 10/20/08 R)

Councilor Perreault, Councilor Wilson, Chair King, and Councilor Pols spoke on this item.

Scott Howard and **George Schott**, on behalf of AMH, spoke on this item and responded to questions from Councilor Wilson, Councilor Perreault, and Councilor Pols.

John Hodge, Brunswick Housing Authority, spoke on this item and brought questions forward.

Dottie Ollier, 21 Lisbon Falls Road, spoke on this item.

Councilor Wilson moved, Councilor Watson seconded, that the Brunswick Town Council supports the community goals in the AMU and MRRA developed housing plan seeking to increase home ownership with affordable housing for working families while minimizing the impact on both sales and rentals; the Brunswick Town Council requests AMU and MRRA provide progress reports at least annually to the Council as to how well the community goals are being met.

Members of the Council discussed this motion and Councilor Tucker expressed an interest in tabling this item until the next meeting.

Councilor Wilson withdrew the motion.

Councilor Wilson moved, Councilor Tucker seconded, to table this item until December 5, 2011, so language can be developed to reflect the withdrawn motion. The motion carried with nine (9) yeas.

138. The Town Council will consider requesting the Planning Board to review the sign ordinance to increase the allowable number of MDOT official business directional signs, and will take any appropriate action. (Councilor Perreault)

Councilor Perreault moved, Councilor Watson seconded, to request the Planning Board review the sign ordinance to increase the allowable number of MDOT official business directional signs from two to either three or four. The motion carried with nine (9) yeas.

139. The Town Council will consider accepting a fire hydrant located on the grounds of Harriet Beecher Stowe School, and will take any appropriate action. (Manager)

Councilor Favreau and Manager Brown spoke on this item.

Councilor Favreau moved, Councilor Perreault seconded, for the Town to accept a fire hydrant located on the grounds of Harriet Beecher Stowe School. The motion carried with nine (9) yeas.

(A copy of the letter of request will be attached to the official minutes.)

**BRUNSWICK PLANNING BOARD
MONDAY, NOVEMBER 14, 2011**

MEMBERS PRESENT: Chairman Charlie Frizzle, Vice Chair Margaret Wilson, Dann Lewis, Dana Totman, Richard Visser and Steve Walker

STAFF PRESENT: Anna Breinich, Kris Hultgren

A meeting of the Brunswick Planning Board was held on Monday, November 14, 2011 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

Municipal Facilities Public Hearing: The Planning Board will hold a public hearing on a proposed zoning amendment to change Section 306.17 – Municipal Facilities.

Kris Hultgren stated that this was a public hearing on a proposed zoning amendment to change Section 306.17, Municipal Facilities, per Town Council request. Kris reviewed his Memo to the Planning Board dated November 10, 2011 and stated that as it currently stands, municipal facilities are allowed in all zoning districts but they must conform to the restrictions in which they reside. Kris stated that after this public hearing, the Planning Board may offer language to the Town Council. Charlie Frizzle replied that post workshop, many members felt the proposed language was too broad or far-reaching. Anna Breinich responded that staff viewed this as an opportune way to fix another problem area of the Brunswick Zoning Ordinance, as the way it is currently written, 95% of the municipal facilities do not meet the current zoning requirements for the district they are located in. Anna stated that the Old Brunswick High School, in 1987, was conforming, but if still standing, it would no longer be due to changes in the Zoning Ordinance. Anna stated that Harriet Becher Stowe Elementary School was grandfathered which is why it is as large as it is, but noted that Town Hall does not meet dimensional requirements. Anna stated that because of the zoning changes over the years, this is the reason why staff was moving for exemption of dimensional requirements in all zoning districts to make things consistent.

Richard Visser stated that in terms of the proposed Police Station, it seems as though it is a problem with footprint and asked if there were any other requirements which they needed to be exempt from. Anna Breinich replied that the building has not been designed yet. Town Manager, Gary Brown, reiterated Anna's response that the building has not yet been designed and noted that if they are forced to comply, there is still time to do so. Gary stated that the proposed building is intended to be two story and should not exceed height requirements. Richard asked if impervious surface was going to be an issue and Gary responded that the architect is anticipating parking for 70 vehicles; this number includes the full fleet of Police vehicles as well as staff and other vehicles which are currently located elsewhere. Richard responded by reiterating that at the last meeting the Board was hesitant to go all the way with the proposed language. He stated that the 7,500 square feet is a problem, but noted that he is aware that on the other side of Stanwood Street starts the HC1 Zoning District and a 20,000 square foot building is permissible in

this zone. Richard stated that he is willing to allow the proposed police station 10,000 square feet but he wanted to know if there were other requirements not being met with the anticipated design. Gary stated that they do not plan to use the proposed location for any other use other than a municipal facility; he stated that there has been controversy over this location for many years and noted that if you limit this space for municipal use only then that would be the only use allowed. Charlie Frizzle responded that they have gotten into a discussion on the Police Station and its requirements when the proposal before the Planning Board would affect every municipal building currently in town and any municipal building proposed at any spot in town in the future. He stated that this spectrum was part of what originally bothered the members of the Board. Charlie stated the Board can limit their recommendation to only the proposed police station, but noted that this is not what is being asked of them at this time. Gary responded by stating the initial Council request was site specific and in speaking with Anna, it was suggested that this would be an opportunity to clean the ordinance up. Gary stated that he was sure that if the Planning Board wished to limit any zoning changes to just the one location, the Town Council would be happy. Charlie asked the Board members if they wished to, at this time, limit the recommendation to just the proposed Police Station location (corner of Pleasant Street and Stanwood Street). Richard Visser stated that he wished to limit the recommendation; Margaret Wilson agreed but stated that she cannot make a decision that 10,000 square feet is acceptable without knowing why it is needed. Charlie replied that he reviewed the Town Council minutes and stated that the 10,000 square feet came from there, but noted that there wasn't much as to why. He stated that for the sake of keeping the Police Station process moving, he was willing to believe that this has been thought about enough to know that they need 10,000 square feet.

Dann Lewis stated that he was quite concerned that there are zoning regulation in place which are trying to accomplish something for the town and he is not comfortable with giving the town cart blanche to just ignore those rules and restrictions. He is very curious as to why this site was chosen for the Police Station if the building size that they want would not fit. Dann stated that if town facilities are designed to be within the Downtown walking area, this site doesn't seem to fit. Dann stated that because the Town Hall does not meet the current zoning requirements is irrelevant; it did when it was built and it is an old building.

Gary Brown, in responding to Margaret Wilson's question about the need for 10,000 square feet, stated that the discussions over space have revolved around 10,000 square per discussions with the architects. He stated that in talking with the architect it has been determined that the first floor needs to be roughly 9,800 square feet because there are certain functions that cannot happen on another level. Gary stated that they did not want to restrict the first floor to 10,000 square feet but to allow the architect the ability to determine what it should be. Dana Totman stated that in reviewing Police Station Committee notes, he believes police bicycles, stolen bicycles, police boats, police van and special vehicles collectively consume 12,000 – 13,000 square feet and noted that the report went on to say that because of this, a new building should be around 20,000 square feet. Gary replied that the boats and vans will not be inside the building. Gary stated that there has been some discussion that the proposed facility have sufficient capacity so that

it could potentially store the boats but it was decided at the committee meeting that it would be better for the larger items to be stored off site than at the corner of Pleasant and Stanwood Streets. Gary noted that Police Stations do need to have different types of garage functions such as a Sally Port, and stated that most of the first floor will be administrative offices, lobby space, the Sally Port and some garage space. Margaret Wilson stated that if she had a sketch plan and application and was told by the architect that this is what is needed and why then she could make a decision, but stated that this is hard to do in the abstract. Dana Totman responded by stating that typically when you have a site you design a building that accommodates its characteristics; in this instance, this does not seem to be the case. Dana stated that they are shooting in the dark, but agrees that this is the site the town wants for a Police Station, but asked why the building cannot be designed to fit the site; the Board just does not have the details. Gary replied that if it would help the Planning Board to feel more comfortable, they can take a step back and the architect can present specific information on the programming needs and address why the building size has to be larger on the first floor. Gary stated that he would want to be sure that the Planning Board knows that this would not be a site plan but an opportunity to provide more information so that they can then make an informed recommendation Town Council. Charlie replied that this would assist the Planning Board in making the right decision and asked that the committee/architect look at the overall impervious surface; if this becomes another issue, it can be dealt with at the same time.

Charlie Frizzle opened the meeting to the public hearing. No public present; public hearing closed.

Motion by Charlie Frizzle to table the proposed language until such time that the town can come back to the Board with specific information with respect to the dimensional requirements that are needed for the police station.

Stormwater Ordinance Workshop: The Planning Board will review and comment on a proposed stormwater ordinance amendment to change Section 504 – Stormwater Management.

Kris Hultgren reviewed his Memo to the Planning Board dated November 10, 2011 and stated that Sebago Technics's comments to the changes to the stormwater ordinance made by staff and the Planning Board were attached. Kris stated that staff is looking to wrap this section up and to hold a development community meeting. Charlie Frizzle stated that it was a surprise to him that when reading the response from Sebago Technics it stated that there are no quality standards; they don't exist and they don't want them to exist. Charlie stated that what is being said is that "if you build it this way, it satisfies the quality standards". Charlie stated that he still had one issue and asked if a Permit by Rule is a Section 500? Kris stated that it was, but is slightly different. Kris reviewed the Stormwater by Rule definition and stated that this can be cleaned up with some language changes.

Charlie Frizzle stated that it appeared that they have two urban impaired streams and one that is not quite impaired but noted that Sebago Technics is concerned if this stream is left out, it could send the wrong message. Charlie and Margaret Wilson suggested some language changes. Kris Hultgren replied that Brunswick has three streams that are classified as being impaired by DEP: Mere Brook, unnamed tributary to the Androscoggin near Jordan Avenue and the unnamed tributary to the Androscoggin near Water Street. Kris stated that the fourth stream being referenced is classified as being a TMDL (total maximum daily load) and is watched very closely; this is near River Road.

Margaret Wilson suggested new wording for ongoing water treatment and noted that it is limited to the moment. Charlie Frizzle suggested that they add deed restrictions; the owner must make provisions for maintenance of water treatment via deed restrictions.

Other

No other business at this meeting.

Minutes

MOTION BY DANA TOTMAN TO APPROVE THE MINUTES OF AUGUST 2, 2011. SECONDED BY RICHARD VISSER, APPROVED UNANIMOUS OF THOSE PRESENT.

MOTION BY DANN LEWIS TO APPROVE THE MINUTES OF SEPTEMBER 13, 2011. SECONDED BY DANA TOTMAN, APPROVED UNANIMOUS OF THOSE PRESENT.

Adjourned

This meeting was adjourned at 8:02 P.M.

Attest

Tonya D. Jenusaitis
Recording Secretary

**BRUNSWICK PLANNING BOARD
TUESDAY, NOVEMBER 22, 2011**

MEMBERS PRESENT: Chairman Charlie Frizzle, Vice Chair Margaret Wilson, Dann Lewis, Jeff Peters, Richard Visser and Steve Walker

STAFF PRESENT: Kris Hultgren

A meeting of the Brunswick Planning Board was held on Tuesday, November 22, 2011 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

Case Number: 11-024, Osborne Daycare: The Board will hold a public hearing and take action on a **Special Permit** application submitted by Heidi Osborne to create a Daycare Center at 23 Range Road (**Assessor's Map U28 Lot 1A**) in the **Residential 5 Zoning District**.

Kris Hultgren reviewed his Memo to the Planning Board dated November 18, 2011 and stated that the applicant seeks approval for a Daycare Center on 23 Range Road before proceeding with construction plans for a 1,272 square foot facility. Kris stated that Section 306.19 of the Zoning Ordinance requires a Special Permit for any childcare center with more than six children in the Residential 5 Zoning District.

Heidi Osborne, applicant, stated that she currently runs a daycare from her home but wishes to expand and bring the center out of her house and to hire 1 staff member. Heidi stated that both her neighbors have signed off on her project and drop off and pick up times will be 7:00am and 5:00pm.

Margaret Wilson asked Heidi Osborne to expand on the drop off and pick up. Heidi replied that a shed has been removed and trees have been cut; they plan to extend the driveway to the Daycare Center and there is a small turnaround in front of the house which will be expanded. Margaret asked what traffic there is on Range Road between 4:00pm and 5:00pm. Heidi replied that most of the traffic between 4:00pm thru 6:00pm is for the Humane Society which closes at 6:00pm. Margaret asked where the snow goes when the town plows the road and Heidi stated that it is plowed into the Humane Society. Heidi also stated that the school bus picks up and drops off in front of her house. Steve Walker asked if the trees already removed were the extent of the clearing and Heidi replied that there would be no more trees cut.

Chairman Charlie Frizzle opened the meeting to the public hearing. No public was present and the public hearing was closed.

MOTION BY MARGARET WILSON THAT THE APPLICATION IS DEEMED COMPLETE. SECONDED BY DANN LEWIS, APPROVED UNANIMOUS BY THOSE PRESENT.

MOTION BY RICHARD VISSER THAT THE SPECIAL PERMIT IS APPROVED WITH STANDARD CONDITION. SECONDED BY DANN LEWIS, APPROVED UNANIMOUS BY THOSE PRESENT.

Case Number: 11-025, Village Crossing: The Board will review and take action on a **Sketch Plan** application submitted by Charles Wallace to create 9 housing lots on a 5.08 acre parcel on Parker Way (**Assessor's Map U28 Lot 1A**) in the **Mixed Use 2 Zoning District**.

Kris Hultgren reviewed his Memo to the Planning Board dated November 18, 2011 and stated that the Staff Review Committee met on November 14, 2011 and had "no comment" finding that the applicant was thorough and complete by the applicant, Charles Wallace, resident of 501 Mere Brook Road. Kris stated that this application has been before the Planning Board in 2005, but not in this capacity. Kris stated that the former application was for a 17 unit condominium but the applicant allowed the deadline due to the economy and the closure of the former Brunswick Naval Air Station. Kris stated that the applicant, in moving forward, has decided to create nine, single housing unit lot residential subdivision.

Margaret Wilson asked if there were any plans to interconnect with Bouchard Drive or to maintain a cul-de-sac. Charles Wallace replied that lot 39 on Bouchard Drive is owned by him in order to maintain sewer right-of-way and easement; there are no plans to interconnect. Margaret asked if there were plans to place the homes closer to the cul-de-sac and Mr. Wallace replied that this decision will be left to the homebuyer. Margaret asked Mr. Wallace to expand on how far the setbacks were from the lot line (referring to the red dotted line on the applicants plans) and Mr. Wallace replied that in the original plans from 2005 it was decided that there would be a fifteen foot vegetative buffer setback and noted that there would be deed restrictions placed to ensure maintenance of this setback. Margaret explained that building setbacks are different then the buffer setbacks and asked Mr. Wallace what the building setbacks were. Mr. Wallace stated that all the lots would be large enough to comply with the residential setbacks for the house footprints. Mr. Wallace stated that the final plan will show that the red dotted line on the sketch plan represents a vegetative setback and will also include the building envelope.

Chairman Charlie Frizzle opened the meeting to public comment. No public present and the public comment was closed.

MOTION BY STEVE WALKER THE SKETCH PLAN APPLICATION IS DEEMED COMPLETE. SECONDED BY DANN LEWIS, APPROVED UNANIMOUS BY THOSE PRESENT.

MOTION BY DANN LEWIS THAT THE SKETCH PLAN IS APPROVED AND THAT THE FINAL PLAN WILL SHOW THE PROPER BUILDING SETBACKS . SECONDED BY STEVE WALKER, APPROVED UNANIMOUS OF THOSE PRESENT.

Other

No other business.

Minutes

No minutes were reviewed at this meeting.

Adjourned

This meeting was adjourned at 7:25 P.M.

Attest

Tonya D. Jenusaitis
Recording Secretary

**BRUNSWICK PLANNING BOARD
TUESDAY, DECEMBER 13, 2011**

MEMBERS PRESENT: Chairman Charlie Frizzle, Vice Chair Margaret Wilson, Dann Lewis, Steve Walker (arrived at 7:05pm), and Richard Visser

STAFF PRESENT: Anna Breinich, Kris Hultgren

A meeting of the Brunswick Planning Board was held on Tuesday, December 13, 2011 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

Case Number: 11-029, Peter Taggart 17 Gilman Ave: The Board will hold a public hearing on a **Special Permit** application submitted by Peter Taggart to add a professional office space use to the building at 17 Gilman Ave. (**Assessor's Map U13 Lot 5**) in the **Town Residential 1 Zoning District**.

Kris Hultgren reviewed his Memo to the Planning Board dated 12/9/11 and stated that the applicant, Peter Taggart, wishes to convert existing residential space into professional office space. Kris stated that in the Town Residential 1 (TR1) Zoning District, a special permit is required for professional office use.

Peter Taggart, referring to the map submitted by him in his application, pointed out that 17 Gilman Ave sits on the TR1 Zoning District and the TC1 (Town Center 1) Zoning District. Peter stated that the building is currently a two family residential building built around 1980. Peter stated that there has been request for more professional office space in the downtown area that is not as expensive as Maine Street.

Margaret Wilson asked about parking and Peter Taggart replied that parking space is 3 abreast and two deep. Peter Stated that he anticipates on having three offices with roughly two employees each and noted that there is all day parking on Gillman Street. Margaret stated that there appears to be sufficient parking space and noted that tenants will inform Mr. Taggart if they need more.

Chairman Charlie Frizzle opened the meeting to public hearing.

Debbie Atwood, resident of 57 Hennessey Avenue, stated that she owns a multi-unit on Mill Street and has also been asked about professional office space. Debbie stated that she is in full support of Peter Taggart's change of use as noted that she frequently has tenants that do not use a car; parking is not a concern. Debbie also stated that Peter Taggart keeps his buildings in good shape and is pleased to see that he is looking to make this change.

Chairman Charlie Frizzle closed the public hearing.

MOTION BY DANN LEWIS TO DEEM THE SPECIAL PERMIT APPLICATION COMPLETE. SECONDED BY RICHARD VISSER, APPROVE UNANIMOUS OF THOSE PRESENT.

MOTION BY MARGARET WILSON THAT THE SPECIAL PERMIT IS APPROVED WITH THE STANDARD CONDITION. SECONDED BY STEVE WALKER, APPROVED UNANIMOUS OF THOSE PRESENT.

MOTION BY MARGARET WILSON TO DEEM THE DEVELOPMENT REVIEW APPLICATION COMPLETE. SECONDED BY DANN LEWIS APPROVED UNANIMOUS OF THOSE PRESENT.

Charlie Frizzle asked Peter Taggart if the building had a bike rack and Peter replied that it did not. Charlie suggested adding a condition of approval that a bike rack be added.

Chairman Charlie Frizzle opened the meeting to public hearing. No public comment and the public hearing was closed.

MOTION BY STEVE WALKER TO APPROVE THE DEVELOPMENT REVIEW APPLICATION WITH THE FOLLOWING CONDITION.

- 1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.**

- 2. That the applicant shall install a bike rack at 17 Gilman Avenue.**

SECONDED BY RICHARD VISSER, APPROVED UNANIMOUS BY THOSE PRESENT.

Workshop: The Planning Board will review and comment on increasing the allowable number of MDOT official business directional signs allowed through the sign ordinance.

Kris Hultgren reviewed his Memo to the Planning Board dated 12/9/11 and stated that changes have been made in the current ordinance language so that the number of allowable MDOT signs are now three instead of two.

Chairman Charlie Frizzle opened the meeting to public comment.

John Perreault, District 4 Town Councilor, stated that he suggested three or four allowable MDOT signs. John stated that he has been approached by several businesses

requesting an increase in the MDOT signage. John, referring to Bernard Coombs signage, stated that clients coming from Pownal or northbound on Route One cannot locate his business. John stated that Wally Staples has also expressed his interest in increased MDOT signage on Route One and on Church Road.

Bernard Coombs, resident of 28 Merryman Lane, stated that he brought this issue to John Perreault because the State of Maine allows up to six MDOT signs in a ten mile radius. Bernard stated that his concern is that he has clients coming from Freeport and Durham that have difficulty in locating his business. Bernard stated that he does not see a great deal of MDOT signs and does not feel as though this will create an eyesore.

Chairman Charlie Frizzle closed public comment.

Richard Visser asked if MDOT regulations interfere with this request and Kris Hultgren replied that they do not interfere and noted that Brunswick has its own sign language that follows the MDOT application process.

Margaret Wilson asked if the MDOT sign language was amended in 2009 and Anna Breinich replied that the Town did not allow any signs until 2009.

Steve Walker asked if three MDOT signs would satisfy this request and Charlie Frizzle pointed out that Bernard Coombs asked for up to four MDOT signs. Charlie stated that he has not seen a great increase in MDOT signs and pointed out that there is not much to the signs themselves; he stated that he does not object to expanding the signs to allow up to four. Dann Lewis replied that he knows where Bernard Coombs's business is located and agrees that there is not much to the MDOT signs; four signs should be reasonable. Margaret Wilson agreed with Charlie and stated that she is comfortable with allowing up to four MDOT signs.

MOTION BY RICHARD VISSER TO DIRECT STAFF TO SCHEDULE A PUBLIC HEARING. SECONDED BY DANN LEWIS, APPROVED UNANIMOUS BY THOSE PRESENT.

Municipal Facilities Ordinance Public Hearing: The Planning Board will hold a public hearing on a proposed zoning amendment to change Section 306.17 – Municipal Facilities.

Anna Breinich referencing her Memo to the Planning Board dated 12/9/11 stated that currently Section 306.17 – Municipal Facilities states that a municipal facility is allowed in all zoning districts but they must conform to the districts dimensional restrictions. Anna stated that at the meeting of 11/14/11, she had mentioned that many of the municipal facilities located in downtown are not in conformance with the Zoning Ordinance and the district that they are located in. Anna stated that those that are not consistent with the ordinance such as Hawthorne School and Longfellow are over in maximum building footprint and maximum impervious surface (please refer to the Municipal Facilities Dimensional/Density Comparison, 2011 chart). Anna stated that

Town Hall, located in the TR2 (Town Residential 2) District, is at 87% coverage and maximum impervious allowed in this district is 35%; allowed footprint is 5,000 square feet and it is currently 8,260 square feet. Anna stated that the Hawthorne School Administration Building which is also located in the TR2 District is at maximum impervious coverage of 90% and building footprint at 8,100 square feet. Anna stated that the former Longfellow School was included in the comparison because before the new zoning district was created it was over in impervious coverage and building footprint as well. Anna stated that she understands that there is concern over making all dimensional requirements not applicable to municipal facilities and pointed out that a problem in the zoning ordinance is that they use a specified square footage without regard to how large the lot is such as many areas on Pleasant Street. As mentioned in her Memo, Anna suggests basing footprint on the size of the lot with the use of a ratio system. Anna noted that staff recommends a limitation of 40% impervious coverage for building footprint and impervious coverage.

Steve Walker asked if it would make sense to allow this change in just the TR1 District at this time and to change the remaining districts on an as-needed basis. Steve stated that this would allow the Planning Board more time to think about this issue and to provide the best service to the Town by having this deliberation every time instead of allowing a blanket provision across town. Anna Breinich stated that this would not be just a deliberation each and every time but also a zoning amendment. Richard Visser stated that in looking in the proposal for the police station, the maximum impervious surface is 62% and currently allows 50%; this change would raise the allowable impervious surface coverage up 24%. Maximum building footprint existing is 7,500 square feet and the proposed is 10,142 square feet, up 35%; with these facts, this would be consistent with the staff recommended change limitation of 40%. Charlie Frizzle replied that regardless if the Planning Board applies this limitation to just TR1 or the entire Town, the is would still allow the Police Station to be built. Margaret Wilson stated that she was torn; it seemed as though members were reluctant to apply blanket approval across the town at the initial meeting, but as Steve stated, changes of this nature do not come along often. Margaret stated that in any other area of Town, besides Cook's Corner, a municipal building almost by definition is bigger than any other use and requires public access. Margaret stated that she is leaning on 40% limitation Town wide; Richard Visser and Charlie agreed with Margaret. Anna replied that in looking at the other buildings in the analysis, building setbacks and building height are not issues. Charlie stated that he is more comfortable with Town wide application as opposed to limiting the change to the TR1 District as it eliminates the challenge of spot zoning.

Chairman Charlie Frizzle reopened the public hearing.

Laura Lyons, resident of High Street asked that the Planning Board really consider not recommending this change and stated that she lives in this neighborhood. She stated that those who set up the zoning ordinance did so with purpose and she believe that there are extreme consequences when you start to disrupt the balance between large developments and neighborhoods. Laura stated that she is happy that the Police Station is going in at the corner of Pleasant Street and Stanwood Street, but this change would be a bad idea.

Laura stated that she believe that there are other opportunities to make something happen on this corner. Laura stated that it is hard for her to hear that members have already made up their minds when they haven't finished hearing from the public, and this is discouraging.

Charlie Frizzle stated that the Planning Board recommendation goes to the Town Council who has the ultimate authority over what change are to be made to the Zoning Ordinance and noted that the change was requested by Town Council.

Bob Judd, resident of Lincoln Street, stated that he would also ask that the Board consider this decision carefully and that a 40% blanket waiver for municipal buildings appears to be the opposite of what should happen. Bob stated that the Town should be the first organization to follow the rules which it has set for the community. Bob stated that a 40% increase is a large increase and why should the town be privileged with this type of blanket statement and not the business and residents. Bob stated that the town has done well over the years, especially with the schools, in maintain significant green space which is important to the community; A 40% change would change this significantly and is on the rash side. He suggests making changes on a case-by-case scenario.

Chairman Charlie Frizzle closed the public hearing.

Margaret Wilson asked Anna Breinich to read the proposed change to the zoning language with the 40% blanket limitation.

306.17 Municipal Facility

A Municipal Facility is any facility, which is used to meet a municipal need, including public schools, recreational facilities, municipal offices, and utilities provided by the Brunswick and Topsham Water District and Brunswick Sewer District necessary to provide utility services to residents of the Town. Municipal Facilities are permitted in all zoning districts. ~~Public Schools shall be subject to a maximum impervious surface coverage limit of 15% or the applicable zone standards, whichever is greater.~~ **Municipal Facilities may exceed the applicable zoning district maximum impervious coverage and maximum building footprint standards each by not more than forty (40%) percent.**
(Amended 6/21/04 E/R)

Charlie Frizzle stated that in respects to the new Police Station, he is confident that it will be a nice building. Charlie reiterated Margaret Wilson's comments earlier that municipal buildings, by their nature, need to have more public access and parking then commercial establishments; for these reasons it makes sense to give the Town flexibility and stated that the Town Councilors, in majority need to agree that this is the right building for this spot and use.

Steve Walker stated that what this recommendation is allowing is 32,000 square feet of non-impervious surface which seems large around the police building; he is sure it is warranted and noted that he remains uncomfortable with the blanket provision across all

zones and agrees that it is rash. Charlie replied that in respects to the impervious surface, the Board might add, along with this language, a recommendation that serious consideration be given to reduce impervious surface through application of pervious materials.

MOTION BY MARGARET WILSON THAT THE PLANNING BOARD RECOMMENDS TO THE TOWN COUNCIL THE PROPOSED ZONING ORDINANCE LANGUAGE CHANGES WITH THE ALLOWED 40% INCREASE FOR IMPERVIOUS SURFACE AND BUILDING FOOTPRINT FOR MUNICIPAL FACILITIES AND THAT SERIOUS CONSIDERATION BE TAKEN TO MINIMIZE IMPERVIOUS SURFACE. SECONDED BY RICHARD VISSER, APPROVED BY CHARLIE FRIZZLE, MARGARET WILSON AND RICHARD VISSER. OPPOSED BY STEVE WALKER AND DANN LEWIS.

Other

No other business.

Minutes

MOTION BY DANN LEWIS TO APPROVE THE MINUTES OF OCTOBER 25, 2011. SECONDED BY STEVE WALKER, APPROVED UNANIMOUS OF THOSE PRESENT.

Adjourned

This meeting was adjourned at 7:55 P.M.

Attest

Tonya D. Jenusaitis
Recording Secretary