

**BRUNSWICK PLANNING BOARD
THURSDAY, JANUARY 5, 2012**

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

STAFF PRESENT: Anna Breinich, Kris Hultgren

A meeting of the Brunswick Planning Board was held on Thursday, January 5, 2012 at the Municipal Meeting Facility at Brunswick Station, 16 Station Ave. Chairman Charlie Frizzle called the meeting to order at 7:00 P.M.

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

Kris Hultgren reviewed his Memo to the Board dated 12/30/11 and stated that at the workshop on 12/13/11 the Board voted unanimously to set a public hearing to increase the amount of allowed MDOT signs in Brunswick. Kris stated that at the workshop the Board decided upon allowing up to four MDOT signs, an increase of two.

Chairman Charlie Frizzle opened the meeting to the public hearing.

John Perrault, District 4 Councilor, stated that he brought this issue to the Town Council as he had been approached by several businesses within his district. He stated that whatever can be done to keep business within the local community benefits the Town; allowing more signage will assist in locating businesses. John stated that he appreciated the Planning Board's willingness to discuss this matter and to increase the allowable signage.

Chairman Charlie Frizzle closed the public hearing.

MOTION BY MARGARET WILSON TO RECOMMEND TO TOWN COUNCIL THAT THE NUMBER OF ALLOWABLE MDOT DIRECTIONAL SIGNS PERMITTED IN THE TOWN ORDINANCE BE INCREASED FROM TWO TO FOUR. SECONDED BY JEFF PETERS, APPROVED UNANIMOUSLY.

Public Hearing: Case Number 11-030 – Coastal Humane Society – The Board will hold a public hearing on a **Special Permit** application submitted by Tom 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**.

Kris Hultgren reviewed his Memo to the Board dated 12/30/11 and noted that if kennel use is approved, there are plans to expand this facility roughly 5,300 square feet. Kris stated that at this time, the applicant is only seeking kennel use to be allowed at the building at 190 Pleasant Street. Charlie Frizzle asked Board members to limit the conversation to change of use only at this time.

Tony McDonald, the applicant, stated that the building at 190 Pleasant Street was the former Thibeault building and before that Dexter Shoes. He stated that the Humane Society is currently located on Range Road but that the biggest challenge is that they need a more retail presence so people know where they are. Tony stated that this location would be a retail facility for healthy, adoptable cats and dogs. Sick and new animals will still be located at the facility on Range Road. Tony stated that this facility would not be a kennel but that they need the designation to allow them to keep the animals on site. Steve Walker asked at maximum, how many animals would be at this location and Tony replied that they would have more cats than dogs. Karen Stimpson stated that the maximum capacity would be 45 cats with a low number of dogs, approximately 6-10 at any given time. Steve stated that there is a stream behind this building that is in the Natural Resource Protection Zone and noted that future expansion would need to comply with these standards.

Margaret Wilson stated that kennel use could be inside or outside and asked if the applicant anticipated having any kennels outside. Tony McDonald replied that as it exists, all kennels are inside, but noted that you do have to let the dogs out sometimes. Tony stated that they have a few different areas where they are thinking about allowing the dogs out; one possibility is in the grassy area under the current Thibeault sign. Richard Visser asked how close this location was to the residences on Range Road and Tony replied that he guessed they were roughly 150 feet away from the closest neighbor. Dana Totman asked about any Town dog or noise ordinance that would apply to anyone who has animals within town. Kris replied that they would refer to Section 411.20, Noise and Dust during developmental review which is a finding that refers to Section 109.4 and lists decibel levels. This would be enforced through the Animal Control Officer; if the noise generated by the dog was persistent, long lasting and met standards in Section 109.4, the Codes Enforcement Officer would respond and measure the noise level.

Chairman Charlie Frizzle opened to the public hearing.

Clinton Thompson, resident of 3 Range Road, referenced his letter to the Planning Board dated 12/20/11 and stated that his family has lived on Range Road since 2000 and has spoken to the applicant, Mr. McDonald several times. Clinton stated that in his letter he expressed some of his concerns about traffic issues and stated that this proposal, without being able to discuss the specific plans of the facility, will adversely affect the enjoyment and the use of his property. He stated that barking dogs are a nuisance and he was a former police officer who went to many barking dog complaints. Clinton stated that without being able to have more of a sense of the scope and dynamics of what this facility will be, his family objects to this proposal.

John Perrault, Councilor District 4, stated that he has been a supporter the Coastal Humane Society. John stated that his concerns for the Humane Society are development rules and restrictions and suggested that before completing the sale, the Humane Society should hear what the development rules and restrictions are. He stated that noise is already louder in this commercial area than in a residential area. John stated that he is

confident that if the applicant is willing to install sewer from Goodwins down to the facility then they would not object to keeping the noise inside the building minimal. John stated that if the outside dog kennel were located out front that there would be little noise increase due to the ambient motor vehicle noise already existing. Charlie Frizzle clarified that the Board was not being asked to change the zoning in this area as it is already in the highway commercial zone. Anna Breinich stated that John was correct and that noise is at a higher level within the commercial zone, but that if the location directly abuts a residential district then it cannot exceed 55 decibels instead of being able to go from 60 to 70 decibels. The 55 decibels would be what is allowed in the residential areas.

Tony McDonald, applicant, stated that the Humane Society currently complies with the residential noise restrictions. Margaret Wilson asked if Tony was aware of any noise complaints and Tony replied that there has only one individual who has complained repeatedly; complaints have been unfounded and within standards.

Janice Pendleton stated that she was the former tenant of 3 Range Road and that the most noise she would hear would come from the area on Pleasant Street when it becomes one way and everyone speeds up. She stated that she now lives almost directly across from the humane society and hears some barking dogs but does not consider it loud. Janice stated that she considers the proposed facility a benefit to the Town and supports making it a facility that everyone can see.

Chairman Charlie Frizzle closed the public hearing.

Charlie Frizzle stated that this special permit is unique because typically it is required for a business going into a residential area and would be unusual to the neighborhood. He stated that in this case the zone is already in the Highway Commercial and noted that he was not concerned that this would bring any significant increase in noise or traffic. Dana Totman agreed with Charlie and noted that there were already several dog grooming facilities along Pleasant Street and somewhat in line with the proposed use.

MOTION BY DANN LEWIS TO DEEM THE SPECIAL PERMIT COMPLETE. SECONDED BY STEVE WALKER, APPROVED UNANIMOUSLY.

MOTION BY JEFF PETERS TO APPROVE THE SPECIAL PERMIT WITH THE STANDARD CONDITION. SECONDED BY DANN LEWIS, APPROVED UNANIMOUSLY.

Other

- Anna Breinich Stated that staff is fine tuning the final “draft” of the development review portion in the Zoning Ordinance and it is hoped that the draft will be ready to come back to the Board for review by the end of January.

Minutes

No minutes were reviewed at this meeting.

Adjourned

This meeting was adjourned at 7:40 P.M.

Attest

A handwritten signature in blue ink that reads "Tonya D. Jenusaitis". The signature is written in a cursive style with a large initial 'T'.

Tonya D. Jenusaitis
Recording Secretary