

**Arundel Staff Review Committee**  
**Public Hearing & Meeting Agenda**  
**December 2, 2015**

**Members:** Roger Taschereau, Public Works Director; Jim Nagle, CEO; Renald Tardif, Deputy Fire Chief; Tad Redway; Town Planner

**Staff:** Terry Merrill, Public Works; Bruce Mullen, Fire Chief; Jim Plamondon, Commercial Electrical Inspector

**Public:** Lucas Patry, applicant; Robert Coon & John Der Kinderen, abutters

**I. Site Walk & Public Hearing at 57 Dairy Lane**

**Item 1:** **Sellrain Automat Kalashnikova: : Home Occupation Permit Application:** Proposal to conduct a home occupation manufacturing and selling semi-automatic rifles and accessories within the residence at the Kate's Homemade Butter facility, storage facility, located on 37.8 acre site at 57 Dairy Lane, Tax Map 5, Lot 9A, in the R4 District. Daniel Patry is the owner and Lucas Patry is the applicant.

Public Hearing was called to order at 0915 hours. The applicant, Mr. Patry, presented his proposed home occupation operation involving the manufacture of AK-47 semi-automatic rifles on the site with sales transactions occurring by dealer transfer and direct sales on site. The applicant stated that the operation consists of importing AK-47 parts from Russia and eastern European countries, reassembling them with American made barrels and fabricated receivers. The applicant anticipates producing 2-3 rifles a month but that rate could vary.

Mr. Coon asked how this proposal was qualified as a Home Occupation rather than as an amendment to a conditional use permit for the Kate's Butter complex. The Planner explained that the activity is proposed to occur within the confines of the residence,. Even though the residence is part of a commercial facility, it is a residential property and all single family residences can accommodate a Home Occupation provided they meet the LUO standards. The CEO likened the situation to the spouse of the on-site manager of a self storage facility starting a candle making business in the residence.

Mr. Der Kinderen inquired whether the manufactured rifles would be test-fired on the site by the applicant and/or buyers and would ammunition be sold from the premises. To these and other questions, the applicant affirmed the following:

- Weapons would be test fired off-site at the Windham gun range and never on site.
- Transactions would be conducted in the separate facility in the basement and not at the front door or within the residential portion of the structure.
- Specialized ammunition would be sold on site for uncommon calibers such as 5.45. Applicant proposes storing no more than 1000 rounds on site for sale, and another 1000 rounds for personal use.
- The applicant will never have more than 20 customers or employee visits per day (40 trips)

The Fire Chief asked to inspect the actual manufacturing site located around on the west side of the structure. The CEO noted that there was no negotiable lighted and paved walkway between the south parking lot and the basement manufacturing facility. This deficit will have to be corrected.

At the request of the Fire Chief, the applicant showed that the ammunition would be stored in a locked cabinet located outside of the designated manufacturing area.

Mr. Plamondon noted the electrical services would have to be installed by a licensed electrician.

Mr. Nagle advised the applicant that aside from the Home Occupation site plan, the applicant would be responsible for meeting the building code in separating the home occupation from the residential space. The design requirements of that separation would be dictated by the IBC use classification of the home occupation space as determined by a design professional (architect). The applicant should secure his own architect and the CEO would accept the architect's determination.

A lengthy discussion ensued about this issue.  
The Public Hearing was closed at 1015 hours.

## II. Application Review at 57 Dairy Lane

**Item 1:** **Sellrain Automat Kalashnikova : Home Occupation Permit Application:** Proposal to conduct a home occupation manufacturing and selling semi-automatic rifles and accessories within the residence at the Kate's Homemade Butter facility, storage facility, located on 37.8 acre site at 57 Dairy Lane, Tax Map 5, Lot 9A, in the R4 District. Daniel Patry is the owner and Lucas Patry is the applicant.

The deliberations of the application were opened at 1016 hours. The Committee determined that the applicant needed to submit a supplemental plan showing the location of parking for the facility and a lighted and safe paved walkway linking the parking area and the entry to the home occupation facility. The applicant would not be required to provide a determination of the building code use group before the Committee can take action.

Once the applicant supplies the Town Planner with the required revised drawings, the Committee will reconvene to continue to review the application.

**Adjournment:** Mr. Taschereau moved and Deputy Chief Tardif seconded to adjourn the meeting at 1025 hours. Unanimous vote.

*I certify that the foregoing minutes are a true and accurate representation of activities occurring at the December 2, 2015 meeting of the Arundel Staff Review Committee:*

*So attested:*



*Tad Redway, Secretary, Pro Temp*