

**Arundel Planning Board
Minutes Regular Meeting
January 5, 2017 at 7:00 pm
Mildred L Day Library 600 Limerick Road**

Board Attendees: Rich Ganong, Jamie Lowery, Chip Bassett, Marty Cain, and Tad Redway, *Town Planner*

Public Attendees: Rick LaFlamme, Jonathan Claudius, Laura Claudius, and Kris Woodward.

CALL TO ORDER: Chair Ganong called the meeting to order at 7:04 pm. Attendance was taken.

I. APPROVAL OF AGENDA:

MOTION: Mr. Cain moved and Mr. Lowery seconded the motion to approve the agenda.

VOTE: Unanimous in favor

II. LAND USE ORDINANCE AMENDMENTS- *CITIZEN REQUESTS*

Item 1: Citizen Request for Amendment to LUO§6.1 & §9.3.33 to permit *Pet Day Care Centers* in the Urban Residential District (R1)

Kris Woodard explained her reasoning and desire to amend the LUO to permit Pet Day Care facilities in the R1 district and specifically in her commercial horse stable located on 20 acres off Limerick Road.

Messrs. Lowery Bassett and Cain supported the idea of permitting dog day care uses on a larger lot where the visual, noise, and odor nuisances could be better mitigated. Mr. Bassett expressed concern that such large lots could be reduced over time by subdivision.

Mr. Ganong expressed concerns that such uses had a large capacity to create nuisances in a dense residential zone that could not be mitigated by large lots, such as multiple barking dogs. He reminded the Board that the R1 is a densest residential district in Town and should be free of business that can undermine the residential peace.

The Board began discussing possible minimum lot sizes and setback requirements, but then requested the Planner investigate and report standards other communities use to successfully integrate such day care centers into residential neighborhoods.

Item 2: Citizen Request for Amendment to LUO §6.2 to permit unlimited Animal Husbandry in the Suburban Residential District (R2).

The Board discussed the advantages and disadvantages of permitting unrestricted animal husbandry limits in the R1 and R2 zones as currently existing in the R3 and R4 zones. Mr. Cain advocated that standards be established based on the amount of available acreage to a livestock farm. Messrs. Bassett, Lowery, and Ganong were not convinced that comprehensive limits for each animal species as recommended by the CPRC could be devised and even more skeptical that such standards could be enforced.

Therefore the majority of the Board decided not to support the proposal in the R1 or the R2 districts.

Item 3: Citizen Request for Amendment to LUO §9.3.1 to permit Accessory Apartments to be established in free-standing structures aside from the principal building on the lot.

Rick LaFlamme along with Jonathan and Laura Cladius presented their request to the Board that accessory apartments be allowed to be both detached and not be restricted to owner occupation of the principal structure, as currently required in LUO §9.3.1.

While the Board appreciated the merits of permitting accessory apartments to be located in detached garages or “guest houses”, they were concerned that eliminating owner occupation of the principal structure could encourage absentee landlord duplex developments contrary to the Comp Plan objective of fostering permanent single family neighborhoods. The Board recognized the difficulty of enforcing this provision.

The Board directed the Planner to draft changes to §2.2 and 9.3.1 that would allow detached accessory apartments provided they shared wastewater and well systems with the principal structure.

Item 4: Citizen Request for Amendment to LUO §9.3.14.2 to extend the registration period for existing qualified Contractor Yards for an additional year commencing on June 14, 2017 and terminating on June 14, 2018.

The Board asked the Planner to account for the number of inquires and actual applications that were tendered during the 14 month registration period for existing contractor yards from June 2015 to August 2016. Mr. Redway reported he had about 10-15 inquires with many potential applicants determining that they already had valid conditional use permits or would not benefit from registering in the program. Finally four permit applications were received with one being tabled by the applicant.

At the request of the Board, the Planner reported that he had sent individual notifications of the program to all contractor yards that were registered with the Town Clerk and those that were common knowledge.

The Board determined that with the newspaper articles, Town website announcements, Town Meeting notices, the targeted mailings to known establishments, and general word of mouth, that the Planning Board had provided more than enough notice of the legislation. Those yards that can qualify to be Contractor Yard I and II can register at any time, and any legal operations will continue to be regarded as legally non-conforming permitted uses.

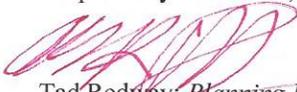
III. AMENDMENTS TO SHORELAND ZONING

Item 1: Review existing Shoreland Zoning: Definitions and District classifications

The Planner reviewed the changes to the DEP Chapter 1000 Shoreland Zoning regulations that would enable Arundel to relax a number of provisions in the current ordinance, particularly in the Resource Protection District and the Overlay district. The Planner also discussed the gross inaccuracies in the Shoreland Zoning Map particularly in the identification of the Stream Protection districts. The Planner proposed two versions of defining streams based either on the USGS maps or on a definition of physical characteristics of the bed and banks. The Board chose the latter option and instructed the Planner to provide alternatives for the RP and the SO districts.

ADJORNMENT: Mr. Cain moved to adjourn at 9:25 pm, with Mr. Lowery seconding the motion. Motion passed unanimously.

Respectfully Submitted,



Tad Redway, *Planning Board Secretary, Pro Temp*