

**Decision on an application for a Site Plan Review Permit
under the Site Plan Review Ordinance for the Town of Starks
Findings of Fact, Conclusions of Law, and Decision
Planning Board, Town of Starks, Maine**

Date: July 6,2022

1. Name of Proposed Project: Little Puppy Luv Breeding Kennel

Applicant: Brandi Watson

Contact Person: Brandi Watson

Address: 507 Anson Road Starks, ME 04911

Cell Phone: (207) 399-5454 Email: Littlepuppyluv@yahoo.com

Property Owner information:

Proof of Right, Title and Interest has been provided Warranty Deed dated September 17,1996.
Somerset County Registry of Deeds Document: Book 2243, pg.335. Tax map #10, Lot 3.1.

Type Business: LLC

2. Is the proposed project part of a subdivision? shoreland zone? floodplain? No

3. Description of Project:

Location: Map # 10; Lot 3.1

Street Address: 507 Anson Road

Size of Parcel: 3.5 acres

Existing Use: Residence

Proposed Use: Breeding Kennel for fewer than five small female dogs

Structures: Home measures 1000 sq. ft. (32' x 28')

Size of Impervious areas: N/A

4. Summary of Submissions:

Application: June 1, 2022

Application Fee: \$50 (receipt 06/01/22)

Attachments:

Warranty Deed

Site Plan

Tax map

DOT driveway/entrance permit application

Requests for Waivers:

The request for waivers of the requirements for a soil survey, topographic maps and a boundary survey was granted at the Application Review meeting held on June 1, 2022. At the time, the proposed project was determined to be a “minor” development. Motions made and carried are documented in the minutes of that meeting.

5. Process:

Date Board met to consider application: Pre-application conference May 4, 2022

Application review June 1, 2022

Date Board determined the application to be complete for processing; June 1, 2022

List of any waivers of application requirements (see June 1st meeting for findings and conclusions for each).

Date Board held a public hearing: July 6, 2022

Date Board made a decision: July 6, 2022

6. Public Comments:

No community members present and no comments were submitted

7. Findings of Fact and Conclusions of Law: Section 7 Approval Standards and Criteria (section numbers are listed below)

7.2 *Lot Size and Setback Requirements*

The proposed project must comply with the lot size and setback requirements, and with the Building Ordinance for the Town of Starks.

Findings And Conclusions:

The parcel is 3.5 acres and the building is set back 250’-300’ from the public road and at least 15’ from side lines. The proposed project meets both lot size and setback requirements.

Upon a motion and a second that the project is in compliance, the motion carried

7.3 *Utilization of the Site and Preservation of Important Natural and Cultural Features*

The proposed project must reflect the natural capabilities of the site to support the proposed use. Buildings, lots, and support facilities must be located in those portions of the site that have the most suitable conditions for the project.

Findings And Conclusions:

The proposed project is located on an existing developed residential site with suitable conditions where there are no environmentally sensitive areas, archaeological sites, or prime agricultural or historically significant sites.

Upon a motion and a second that the project is in compliance, the motion carried

7.4 *Water Quality and Quantity Protection*

The proposed project will not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Findings And Conclusions:

The proposed project will not store or utilize hazardous materials nor is it located within 1000' of any public water supply.

Upon a motion and a second that the application is in compliance, the motion carried

7.5 *Water Supply*

The proposed project will have an adequate supply of water for the proposed use.

Findings And Conclusions:

The project will rely on a private water supply and anticipates using 120 gallons per day.

Upon a motion and a second that the application is in compliance, the motion carried

7.6 *Sewage Disposal*

The proposed project will dispose of sewage in compliance with the Maine Plumbing Code and the Maine Subsurface Wastewater Disposal Rules.

Findings And Conclusions:

The proposed project will use the existing subsurface waste water and sewage system.

Upon a motion and a second that the application is in compliance, the motion carried

7.7 *Solid Waste Management*

The proposed project provides for adequate disposal of solid waste. All solid waste will be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

Findings And Conclusions:

The project will utilize a private service for solid waste disposal

Upon a motion and a second that the application is in compliance, the motion carried

7.8 *Storage of Materials*

The proposed project must provide for adequate storage of materials.

Findings And Conclusions:

The project will use trash cans to collect, store, contain and screen materials.

Upon a motion and a second that the application is in compliance, the motion carried

7.9 *Traffic Access, Internal Traffic Circulation and Parking*

The proposed project must have adequate traffic access, internal traffic circulation and parking.

Findings And Conclusions:

Seven spaces have been designated for customer parking. Periodic traffic is expected to be light. DOT has determined that no driveway/entrance permit is required.

Upon a motion and a second that the application is in compliance, the motion carried

7.11 *Stormwater Management and Erosion and Sedimentation Control*

The proposed project will provide for adequate stormwater management and erosion and sedimentation control.

Findings And Conclusions:

No filling, excavating or grading are associated with the project. The project is located on flat ground and will not involve disturbance of soils and vegetation nor impact stormwater runoff.

Upon a motion and a second that the project is in compliance, the motion carried

7.12 Nuisance and Aesthetics

The proposed project will not create any nuisance or be aesthetically detrimental

Findings And Conclusions:

The dogs will be housed indoors for most of the time. When outdoors, in their fenced-in run, the dogs will be monitored. Hours of operation will be by appointment.

Upon a motion and a second that the application is in compliance, the motion carried

7.13 Signs

The project will have adequate signage consistent with the height and lighting standards.

Findings And Conclusions:

Signage will be secured on a post and will be approximately 4' x 4'. No lighting will be installed

Upon a motion and a second that the application is in compliance, the motion carried

7.18 Kennels and Veterinary Hospitals

7.18.1 Structures or pens for housing or containing the animals shall be located not less than 100 feet from the nearest residence other than the owners' residence existing at the time of permit.

7.18.2 All pens, runs, or kennels and other facilities shall be designed, constructed, and located on the site to minimize the adverse effects upon the surrounding properties. Among the factors that Site Plan Review Ordinance for the Town of Starks Site Plan Review for the Town of Starks Page 32 shall be considered are the relationship of the use to the topography, natural and planted screening, the direction and intensity of the prevailing winds, the relationship and location of residences and public facilities on nearby properties, and other similar factors.

7.18.3 The owner or operator of a kennel or veterinary clinic shall maintain the premises so that no garbage, offal, feces, or other waste material shall be allowed to accumulate on the premises. The premises shall be maintained in a manner that they will not provide a breeding place for insects, vermin or rodents.

7.18.4 Temporary storage containers for any kennel or veterinary wastes containing or including animal excrement shall be kept tightly covered at all times, and emptied no less frequently than once every four days. Such containers shall be made of steel or plastic to facilitate cleaning, and shall be located in accordance with the setbacks required for outdoor runs.

7.18.5 If outdoor dog runs are created, they shall be completely fenced in, and shall be paved with cement, asphalt or a similar material to provide for cleanliness and ease of maintenance.

7.18.6 Any incineration device for burning excrement-soaked waste papers and/or animal organs or remains shall be located a minimum distance of 400 feet from the nearest residence other than the applicants, and shall have a chimney vent not less than 35 feet above the average ground elevation.

Findings and Conclusions:

The applicant proposes to house the dogs in the residence, which is located over 100' from the nearest residence. Dog runs/exercise areas are fenced in and screened from nearby properties. Dog excrement will be kept in tightly covered containers and emptied frequently. The Board waived the requirement for paving since there will be fewer than 5 small, breeding dogs. If the applicant decides to increase the size of the Operation to over 5 dogs, an updated permit will be required.

Upon a motion and second that the application is in compliance, motion carried

The following sections are not applicable to the proposed project

7.10 Hazardous, Special, and Radioactive Materials

7.14 Landscaping

7.15 Common Open Space Areas

7.20 Capacity of the Applicant

7.21 Impact on Community Services

7.22 Conformance with Other Laws

Proposed developments and activities shall be in conformance with all other applicable local, state and federal laws and regulations. The applicant shall demonstrate this conformance through copies of all required permits, or other evidence that anticipated permits are pending.

Findings And Conclusions:

A Maine State Kennel permit is not required.

DOT driveway/entrance permit not required

Upon a motion and a second that the application is in compliance, the motion carried

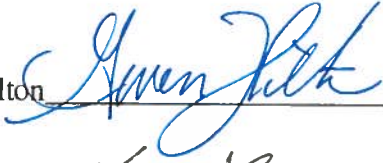
Because the Planning Board concludes that the application conforms to the Town's Site Review Ordinance, the Board grants the Site Review Permit for the Little Puppy Luv Kennel.

Any expansion, significant modification or changes to the original plan will require further Planning Board approval.

Upon a motion and second to approve the application and grant a permit, the motion carries.

Approved: Town of Starks Planning Board

Gwen Hilton



Date

7/6/2022

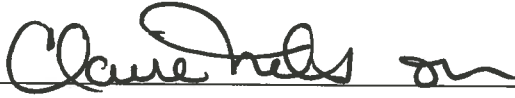
Ken Lust



Date

6 Jul 2022

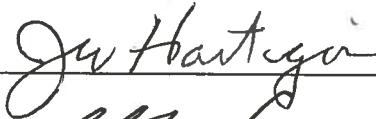
Claire Nelson



Date

7.6.2022

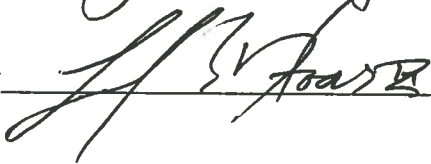
Joe Hartigan



Date

7.6.22

Eric Hoar



Date

6 July 2022