

FRUITLAND PLANNING COMMISSION

The Fruitland Planning Commission met at City Hall on Tuesday, March 6, 2018, at 7:00 p.m. with the following members present:

Leland Bonneville, Derek Bland, Darlene Kerr and C. Roland Somers.

Also present were:

City Manager John Psota, City Solicitor Andrew C. Mitchell Jr. and Administrative Assistant Linda Powell.

Guests were:

Bob Marvel, Bret Davis, Marrissa Metcalf, Pastor Wayne Parsons, Pastor Victor Twilley and Crysta Draayer, SU student.

Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the February 6, 2018, calling for additions or corrections. As there were none, **Mr. Bland moved to adopt the minutes as presented; Mrs. Kerr seconded and the motion was approved by four to zero votes in favor.**

OLD BUSINESS

1. Proposed Dog Day Care Service – 302 King Street

Mrs. Kerr began the discussion by briefing the Commission on Mr. Davis' presentation that occurred at their city council meeting of February 13th. She stated that the Council was favorable toward the proposed business and his request to amend the ordinance to allow the proposed use and that the request ordinance go back before the Planning Commission for further critiquing of the guidelines for such use and then have an ordinance drafted for the next meeting of the Council, April 10.

After Mrs. Kerr's briefing, Solicitor Mitchell stated that it was a request ordinance and that the Planning Commission would have the task of deciding which districts would be amended and whether the dog day care business would be a permitted use or use by Special Exception.

Mrs. Kerr raised the question as to whether the ordinance would be amended specifically for a dog day care or would it include provisions for other types of animal facilities. It was stated that the amendment would only permit a dog day care. Solicitor Mitchell stated that the ordinance would be amended so as to set general guidelines that would need to be met for such use by "Special Exception" and additional specification may be added during the special exception request hearing.

As the discussion continued, various concerns were raised such as how and/or who would ensure proper sanitary conditions would be maintained, how many EDUs would be needed to serve the facility and how would the dog waste be disposed. It was assumed that as a license would need to be obtained, a county or state agency would oversee sanitation protocols.

After discussion, the following zoning changes were recommended by the Commission:

1. The maximum number of dogs to be housed at a facility would be 40.

2. Each dog should have at least 32 sq. ft. of space inside of facility.
3. Outside fenced enclosure should be at least 20' X 20'.
4. Facility should be enclosed with at least an 8-foot in height fence with vertical slates.
5. Facility hours of operation are from 7 a.m. to 7 p.m.
6. Dog day care facilities will be permitted in all commercial and industrial zoning districts.
7. Setbacks and Greenbelt requirements will be same as already legislated in zoning districts.
8. Facility staff required, 2 people per 25 dogs, any number above would require a 3rd person.
9. Disposal of dog waste to be determined.
10. 1 EDU to be allocated, with periodic monitoring of water usage to determine if more EDUs are required.

Finally, Mr. Bland moved to recommend the requested zoning ordinance amendments as stipulated above, Mr. Somers seconded and the motion was approved by four to 0 votes in favor.

NEW BUSINESS

1. Proposed Advertising Signage – 206 Moonglow Road

Pastor Wayne Parsons, of Impact Church, accompanied by Pastor Victor Twilley approached the Commission and distributed a formal written request with photo attached as he stated that he was seeking guidance related to the installation of a proposed new sign to advertise the location of a new church (R Church) that would be operating within the same facility. Impact Church currently has an advertising sign which is approximately four feet by eight feet in size and they want to erect a similar size sign alongside theirs to advertise the other church.

According to the City's zoning ordinance it was established that Impact Church's existing sign already violates that district's zoning requirements and, therefore, prohibits the installation of another sign at that location. As discussion continued between Pastor Parsons and the Commission, the final options offered to resolve his dilemma were to either revise the existing church sign so as to advertise both churches or to continue using the temporary sign that covered the signage that advertises their day care center. It was also suggested that Pastor Parsons consider rezoning the church's property from residential to commercial use. Mr. Parsons then stated that he would have to speak with his Board before making any final decisions and then thanked the Commission for their input and time.

General Discussion

Mr. Psota informed everyone that Regional Planner Tracy Gordy would be giving a presentation on the topic of Sustainable Communities at the City Council's next meeting. He explained that it was a State implemented program that allows municipalities to qualify for various funding upon receiving the "Sustainable Community" designation. He also, informed everyone that the City is still working to establish a plan to meet MDE's MS4 permitting requirements as it relates to minimizing storm water runoff pollutants.

Administrative Powell informed the Commission that Eddie Porter, of Peninsula Water, had inquired about a construction project he was planning at his property located at 317 S. Division Street. She stated that during construction of a proposed new addition there will only be about five feet of space between that and the existing structure which is currently occupied by DIY Marine. His intent was to demolish the old structure once the new addition had been completed and DIY Marine had relocated its

business into the new space. He estimated that he would have the old building demolished within 30 days of completion of new addition. Upon hearing of the situation, there was a general consensus of all that it would be reasonable to allow Mr. Porter up to 60 days to complete demolition of the old building and to make the corresponding notation on the building permit at time of issuance.

With no further business to discuss, **Mr. Bland moved to adjourn and Mr. Bonneville seconded. The motion was approved four to zero votes in favor and the meeting adjourned at 7:45 p.m.**

Submitted by,

Linda J. Powell

Approved 4-3-18