NORTHSTAR PLANNING

MEMORANDUM

TO: Lisbon Planning Board
Through Mark Stambach, Code Enforcement Officer

CC: Amy Ruksznis
Toby Rox Real Estate Holdings, LLC

From: Kate Burch, Senior Planner, North Star Planning

RE: Conditional Use Review – Farewell My Friend Goodbye Center for Pets

Date: August 14, 2024

Overview

Amy Ruksznis, a veterinarian with a practice in Topsham, proposes to convert the existing hair salon and day spa at 143 Lisbon Street to a goodbye center for pets. This center will have a lobby, a retail space for the purchase of urns and other memorials, a place where pets can be euthanized, and an aquamation facility. Aquamation is a water-based process that uses alkaline hydrolysis to result in similar remains to cremation while consuming less energy than the traditional cremation process.

Services will be by appointment only. The center expects to have one lobby employee and 1-2 staff members who will perform the aquamation process. Hours of operation have not yet been determined but are not expected to include weekend hours. The center may also occasionally host pet grief meetings and information sessions about pet hospice care.

The parcel is 1.9 acres and located in the Village Zone and the Village Character District of the Route 196 Design Standards. All buildings and parking areas are located in the Aquifer Overlay Zone 2. A smaller area of the property including part of a driveway is located in the Aquifer Overlay Zone 1. No changes to the building, landscaping, parking areas, stormwater drainage, or any other site features are proposed.

The project will be served by existing utilities including public water, sewer, and electric. The applicant has received an Ability to Serve letter from the Lisbon Sewer District, with the condition that if the discharge from this use causes any future issues, the applicant will be required to meet with the Sewer District to discuss pretreatment options. The applicant received an Ability to Serve letter from the Lisbon Water District.

Conditional Use Review

The Lisbon Code Enforcement Officer determined this use to be consistent with a Funeral Home, which is an allowed use in the Village Zone. This falls under “Other Commercial and Services” in the Aquifer Overlay Zone, which is a conditional use in Zone 2.

Route 196 Design Standards

This project is located within the Village Character District of the Route 196 Design Standards. No exterior building alterations or improvements are proposed, so the Design Standards do not apply to this review.

Aquifer Protection Overlay

The majority of this property, including all buildings and parking, is located in Zone 2 of the Aquifer Protection Overlay. Other commercial services are a conditional use in this overlay.

In an email dated July 22, 2024, the applicant confirmed:
1. There will be no floor drains in the facility.
2. Low-salt mix will be used for winter parking lot maintenance.
3. Chemicals onsite will be stored in closed, labeled, water-tight containers.
4. Applicant will secure a contract for a dumpster company for waste with regular pick-ups.
5. There will be no chemical waste produced from the aquamation process. Any unused chemicals would be collected by the supplier, BioResponse Solutions.

The applicant prepared a spill prevention, control, and countermeasure plan to be posted at the facility that includes information from the equipment supplier, BioResponse Solutions and shared it with the Planning Board at the August 8, 2024 meeting.

Application Stage

The Board voted the application complete on August 8, 2024. The Board should vote on approval at this meeting.

Applicant: Amy Ruksznis

Owner: Toby Rox Real Estate Holdings, LLC

Location: 143 Lisbon Street

Zoning: Village

Tax Map Number: Map U22 Lot 003

Existing Land Use: hair salon/day spa

Proposed Land Use: euthanasia and aquamation center for pets (funeral home)

Acreage: 1.9

Waivers: The applicant has not requested any waivers.

Site Walk: A site walk has not been scheduled for this project.

Public Hearing: A public hearing for this project is scheduled for August 22, 2024.

Completeness Review: The Planning Board voted the application complete on August 8, 2024.

> **Suggested Motion:** That, based upon the application and related documents and information provided by the applicant, the written and oral comments of the applicant, reviewing officials, and members of the public, as reflected in the public record, the Planning Board finds that the Conditional Use application **[satisfies / does not satisfy]** the applicable standards of the Lisbon Land Use ordinance, and therefore **[approve / deny]** the application.

Conditional Use Review - Findings of Fact:

Primary Factors

1. Health

- The development will maintain safe and healthful conditions.

2. Pollution

- No water pollution will result from this development.
- The project will be served by public water and sewer.

3. Building sites

- No changes to existing buildings or the site are proposed.

4. Wildlife Habitat

- No impacts to wildlife habitat will result from this development.

5. Shore cover

- No shore cover is impacted by this development.

Additional Factors

1. Compatibility with area

- This appointment-only business will be compatible with other neighboring businesses.

2. Need

- The applicant is a veterinarian and indicates there is a need for additional euthanasia and aquamation services for pets.

3. Access

- No changes to access are proposed.

4. Flooding

- The site is not located in a floodplain.

5. Waste disposal

- The applicant has not confirmed how regular waste and chemical waste will be disposed.
- The project will be served by the Lisbon Sewer Department.
- The applicant has received an Ability to Serve letter from the Lisbon Sewer Department, with the condition that if the discharge from this use causes any future issues, the applicant will be required to meet with the Sewer District to discuss pretreatment options.

6. Impact on land and water

- No land or water bodies are impacted by this development.

7. Topography

- There will be no topographic, drainage, or vegetative cover changes.

8. Erosion

- No changes to the site are proposed.

9. Transportation

- The project will not impact transportation facilities.

10. Community facilities

- The project will not impact community facilities.

11. Water supply

- The project will be served by public water and sewer.
- The Lisbon Water District has provided an Ability to Serve letter.

Aquifer Protection Overlay

- The majority of the parcel, including all buildings, are located in Zone 2 of the Aquifer Protection Overlay.
- No building additions, construction, landscaping, or site work is proposed.
- No changes to stormwater management are proposed.
- There will be no floor drains in the facility.
- The property will use sand or a low-salt mix for winter parking lot maintenance.
- Chemicals will be stored in closed, labeled, water-tight container.
- Applicant will secure a contract for a dumpster company for waste with regular pick-ups.
- There will be no chemical waste produced from the aquamation process. Any unused chemicals would be collected by the supplier, BioResponse Solutions.

- The applicant prepared spill prevention, control, and countermeasure plan to be posted at the facility.

Conclusions of Law

1. The use **will** maintain safe and healthful conditions.
2. The use **will** prevent and control water pollution and sedimentation.
3. The building sites, placement of structures, and land uses **will not** have a negative effect.
4. The use **will not** negatively effect the protection of spawning grounds, fish, aquatic life, bird, and other wildlife habitat.
5. The use **will not** negatively effect the conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty.
6. The use **is** compatible with adjacent land uses.
7. There **is** a need of a particular location for the proposed use.
8. There **is** access to the site from existing or proposed roads.
9. The location of the site **is not** in a floodplain or floodway of rivers or streams.
10. The amount and type of wastes to be generated by the proposed use **will not** have a negative effect, and the proposed disposal systems **are** adequate.
11. The impact of the proposed use on the land and adjacent water bodies **will** support the capability of the land and water to sustain such use without degradation.
12. The use **will not** have a negative effect on existing topographic and drainage features and vegetative cover on the site.
13. The use **will not** cause erosion on the site based on degree and direction of slope, soil type, and vegetative cover.
14. The use **will not** have a negative impact on transportation facilities.
15. The use **will not** have a negative impact on local population and community facilities.
16. The use **will not** have a negative impact on local water supplies.