

SPECIAL EXCEPTION APPEAL APPLICATION

(Reference: ARTICLE VII, B.2.b.)

General Board of Appeals

Application forms, materials and applicable fees must be submitted to the Code Enforcement Office at least twenty-one (21) days before the GBA meeting.

MAP LOT DATE 028/008/00E We, **Michelle and Aaron Kaufman**, owner (or owner's duly authorized representative) of property at **18 Lone Pine Lane**, and located in the **MDR** District, respectfully request a Special Exception in accordance with the Town of Yarmouth's Zoning Ordinance:

Zoning Ordinance Reference:

Article VII, Section(s) B. 2. b. (1) .

Article IV, Section(s) H, , ,

Article , Section(s) , , ,

Please describe the special exception. Add supporting exhibits, documents, sketches, photographs, maps and other relevant material to be made a part of this application that will help support your request.

PLEASE SEE ATTACHED SHEETS

Please explain how the special exception will conform to each of the following:

1.The proposed use will not create unsanitary or unhealthful conditions by reason of sewage disposal, emissions to the air or water, or other aspects of its design operation.

☐ HHE 200 –septic system permit (if applicable)

SEE ATTACHED SHEETS

2.The proposed use will not create unsafe vehicular or pedestrian traffic conditions when added to existing and foreseeable traffic in its vicinity.

SEE ATTACHED SHEETS

3.The proposed use will not create public safety problems which would be substantially different from those created by existing uses in the neighborhood or require a substantially greater degree of Municipal fire or police protection than existing uses in the neighborhood.

SEE ATTACHED SHEETS

4.The proposed use will not result in unreasonable sedimentation or erosion, or have an adverse effect on water supplies.

- ☐ Erosion and sedimentation control plan
- ☐ Drainage plan

SEE ATTACHED SHEETS

5.The proposed use will be compatible with existing uses in the neighborhood, with respect to physical size, visual impact, intensity of use, proximity to other structures and density of development.

- ☐ Plot plan including setbacks
- ☐ Building elevations
- ☐ Topographical information
- ☐ Proposed building location
- ☐ Site plan application

SEE ATTACHED SHEETS

6.If located in a Resource Protection District or Shoreland Zone, the proposed use (1) will not result in damage in spawning grounds, fish, aquatic life, bird and other wildlife habitat; (2) will conserve shoreland vegetation; (3) will conserve visual points or access to water as viewed from public facilities; (4) will conserve actual points of access to waters; (5) will conserve natural beauty; (6) will avoid problems associated with flood plain development and use; and (7) will comply with the performance standards of Article II of this Ordinance. N/A

7.The applicant has sufficient right, title or interest in the site of the proposed use to be able to carry out the proposed use.

- ☐ Copy of deed option or purchase and sale agreement

SEE ATTACHED SHEETS

8.The applicant has the technical and financial ability to meet the standards of this Section and to comply with any condition imposed by the Board of Appeals pursuant to Article VII., B.2.b.(1)(e) of this Section.

Other information deemed pertinent to the application:

- ☐ Noise
- ☐ Cubic yardage to be removed
- ☐ Hours and days of operation
- ☐ Number and types of animals

Six (6) Buff Orpington Hens

Please Note: The Board may require additional information not listed here. I have paid the one hundred dollars (\$100) application fee.

I have included evidence of my legal interest in the property under consideration or authorization to act for the property owner.

Applicant's / Representative's

Signature Michelle Kaufman

printed: Michelle Kaufman

Mailing Address: 18 Lone Pine Lane

Telephone No.: 617-816-8320

Email: shellgrace@gmail.com

SPECIAL EXCEPTION APPEAL

Please describe the special exception. Add supporting exhibits, documents, sketches, photographs, maps and other relevant material to be made a part of this application that will help support your request.



We are applying for a special exception to own 6 domesticated chickens on our .55 acre property in Yarmouth.

When COVID began and kids were sent home from school, my husband, Aaron, and I decided that it would be a great time to get young chickens, to minimize the number of times we have to go to the grocery store, as well as for it to become a source of learning, growth (and entertainment) for our 7 year old (Julian) and 3 year old (Naomi) who were now at home all day.

We moved into our neighborhood in Yarmouth last October from a more rural setting in Freeport.

Because we were new to the town and area, and because we had chickens previously where we lived, we didn't think twice about getting chickens or that there might be an appeal process required. If we had known, we would have gone through this process before obtaining them.



When we brought home the 6 young chickens, it became immediately clear that our children were quite taken with them.

Julian took on sole responsibility of raising them – keeping their water fresh, food full, and made sure the door was locked at night. Naomi chose the most docile and small chicken as hers, and together Julian and Naomi raised them and took care of them, becoming very close to them in the process.

Without school to go to or friends to play with, we were thankful every day that they had their chickens to focus on. We even integrated chickens into Julian's remote learning to make his schoolwork more fun. All of his classmates and teachers learned about his chickens and continue to ask about them. Our chickens have become an integral part of our family.

Now almost 6 months later, we recently found our first egg. This was like absolute magic for the kids. To have put so much time, effort and love into something and then they give you a most delicious gift in return... it has been so fun!

LOCATION



We have .55 acres and 6 chickens. We have a fence around 75% of our yard, and dense, thick foliage on the fourth side of the yard, which is the only side that borders a neighboring property. (See foliage wall to left of wood pile – this runs the length of the boundary between our home and the neighboring property.) The chickens are exclusively inside the coop / run and do not roam free.

The coop is positioned on the opposite side of the yard, tucked into the NW corner, 10 feet from the fence. Our lot extends beyond the fence before transitioning to a private road. The top of the coop's roof can just barely be seen from the private road.



We have only female chickens for our personal use and do not intend to breed them or produce fertilizer for commercial purposes, nor would we slaughter a chicken on site. If one dies, we would dispose of it promptly. We are doing all that we can to minimize attraction of predators to the property, including keeping their home clean and free of infestation.

SANITATION and SECURITY



Removable roosting bars and supports for droppings boards

We keep our chickens in a clean and sanitary stationary chicken coop, which is impermeable to predators. (See photos of chicken coop below). It is built with a mesh apron (greater than 12" L footer) and mesh floor to keep the chickens safe from predators that are likely to try and dig under the coop. The coop features plastic coated wire mesh with fender washers, reinforced with staples and predator safe door latches. Their location in our yard adds security as it is tucked in the far corner of the fenced in portion of the backyard.

We keep the chicken's food and water sheltered and protected inside the secure part of the coop, which they always have access to. The "upstairs" can be closed off

from below for warmth in the winter and is bedded with pine shavings bought from the store. Chickens poop when they sleep so we've made cleaning the inside of the coop easier by installing removable roosting bars and a "droppings board" which collects poop for easy cleaning. The outside footprint of the coop is kept sanitary by a "deep litter method" where wood chips and leaf litter are constantly added to the compost pile which can then be harvested for the garden. This drastically reduces odors as the poop "disappears" into the large amount of organic material.



Coop floor prior to leaf litter and wood chips



Apron extends beyond coop



Answers to Above Questions

1. The floor of our chicken coop is covered by a foot of leaf litter and wood chips. As the poop gets turned in by the chickens, more wood chip and leaf litter is added to the top. This deep litter method of waste management is a composting strategy where the finished composed can be harvested and used in gardens.
2. None – coop is located within our fenced yard.
3. None
4. No cause for concern re: erosion nor drainage.
5. The chicken home is to scale and tucked away into a corner of the fenced in yard. Only the tip of the roof can be seen from the other side of the fence. It is located far away from the house, on the opposite side of the garage and is nowhere near any abutting houses.
6. Not applicable
7. (Below)
8. Yes and yes
9. 6 female chickens



18 LONE PINE LANE

[Sales](#)[Print](#)[Map It](#)

Location 18 LONE PINE LANE

Mblu 028/ 008/ 00E/ /

Acct# 001820

Owner KAUFMAN AARON J

Assessment \$383,300

Appraisal \$383,300

PID 1801

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$233,700	\$149,600	\$383,300
Assessment			
Valuation Year	Improvements	Land	Total
2019	\$233,700	\$149,600	\$383,300

DLN 1001940076997

(SPACE ABOVE RESERVED FOR RECORDING INFORMATION)

WARRANTY DEED**JOINT TENANCY****Maine Statutory Short Form**

KNOW ALL PERSONS BY THESE PRESENTS that I, **Nan L. Butterfield**, of Yarmouth, County of Cumberland and State of Maine, for consideration paid, grant to **Aaron J. Kaufman** and **Michelle Grace Kaufman**, both having a mailing address of 15 Lilac Lane, Freeport, Maine 04032, with **WARRANTY COVENANTS**, as **Joint Tenants**, a certain lot or parcel of land in Yarmouth, County of Cumberland and State of Maine, bounded and described as follows:

A certain lot or parcel of land with the buildings thereon situated in Yarmouth, County of Cumberland and State of Maine, being Lot No. 5 as delineated on plan entitled "Blue Spruce Estates in Yarmouth, Maine" by Stephen DiPietro dated September, 1981, survey by Survey, Inc., which Plan is recorded in the Cumberland County Registry of Deeds in Plan Book 135, Page 19, to which plan and the record thereof reference may be had for a more particular description.

Being the same premises as conveyed to Nan L. Butterfield by virtue of a deed from Michael F. Tarpey and Darlene E. Tarpey, dated August 25, 1995 and recorded in the Cumberland County Registry of Deeds in Book 12083, Page 43.

The premises are conveyed subject to any easements and restrictions of record, and together with all rights, easements, privileges and appurtenances belonging to the premises described herein.

MAINE REAL ESTATE TAX-Paid

WITNESS my hand this 25th day of October, 2019.

Witness



Nan L. Butterfield

STATE OF MAINE
COUNTY OF CUMBERLAND

October 25, 2019

Personally appeared the above-named Nan L. Butterfield, and acknowledged the foregoing instrument to be her free act and deed.

Before me,


Notary Public or ~~Attorney at Law~~



After recording return to:

Aaron J. Kaufman
Michelle Grace Kaufman
18 Lone Pine Lane
Yarmouth, Maine 04096

Town of Yarmouth Public Map Viewer



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- Parcel ID's

Parcels

Shoreland Overlay District
- Zoning

Route 1 Corridor

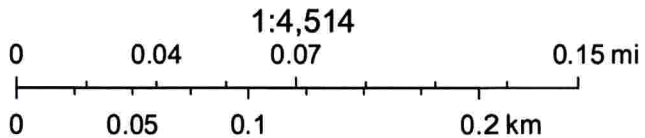
Low Density Residential

Medium Density Residential

- Water Oriented Commercial

Resource Protection
- Parcels Mailing Labels

18 SITE @ 18 LONE PINE



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Town of Yarmouth

Town of Yarmouth Public Map Viewer



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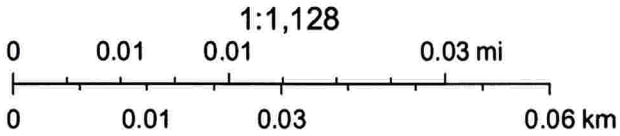
- Parcel ID's

Contours (2 Foot)
- Parcels

Parcels Mailing Labels
- Zoning

Medium Density Residential

□ SITE @ 18 LONE PINE



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Town of Yarmouth