

## Stephen J. Puleo

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**From:** Benjamin T. McCall <bmccall@dwmlaw.com>  
**Sent:** Wednesday, December 17, 2025 8:46 AM  
**To:** Stephen J. Puleo  
**Subject:** RE: Request for Legal and Language Review – Proposed Kennel LUO Amendment (PB 25-079)  
**Attachments:** 25-28\_LUO\_AMD\_Art3,4,&5\_ModernizationKennels\_(OriginalRedlineClean)\_120325 (BTM rev'd 2025.12.17).docx

**External sender** <bmccall@dwmlaw.com>

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Hi Steve –

I've reviewed your proposed changes – please see the attached redlines. On the whole, these look good, but please note (and let's discuss as needed) the following:

- Consider adding minor kennels as allowed uses in the referenced commercial districts, just for consistency.
- Consider whether adding a minimum acreage to a major kennel is a desired performance standard.
- Do not leave setting a maximum capacity up to the CEO or the Planning Board. Instead, consider having a minimum amount of square footage per dog. This makes things easier from a compliance perspective and reduces risks of legal challenges.

It will be interesting to see how all of this works now that kennel licensing has been transferred to the State level. Please let me know if you'd like to discuss further or have any further questions.

Thanks,  
Ben

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**From:** Stephen J. Puleo <sjpuleo@windhammaine.us>  
**Sent:** Wednesday, December 10, 2025 12:18 PM  
**To:** Benjamin T. McCall <bmccall@dwmlaw.com>  
**Subject:** Request for Legal and Language Review – Proposed Kennel LUO Amendment (PB 25-079)

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Dear Ben,

It was great seeing you last, nice presentation. I'm requesting your legal and language review of the proposed Land Use Ordinance amendment regarding kennels ([PB 25-079](#)).

The Planning Board has expressed interest in reviewing and approving all Major Kennel businesses located within the North Windham commercial districts. Staff's position is that, with the improved performance standards included in the amendment, this use should be permitted by right.

I'd appreciate your opinion on how this could be written effectively. Additionally, please consider whether all kennels in the commercial districts should instead be listed as conditional uses, with all applications reviewed and approved by the Planning Board, like the process outlined in [Section 120-419](#) (Roosevelt Trail Business and Professional Office Overlay District).

Your feedback on both the legal sufficiency and clarity of the language will be very helpful as we finalize this amendment.

Thank you for your time and expertise. Please let me know if you need any additional information.

**Best regards,**

**Steve Puleo**

*Director of Planning*

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