

Zoning Board of Adjustment
424 White Mountain Highway
Milton, NH 03851
November 19, 2015
Meeting Minutes

Members in Attendance: Lue Synder, Larry Brown, Stan Nadeau, Bruce Woodruff, Michael Tabory Also in attendance Dana Smith, Land Use Clerk

Missing Members: Mike Beaulieu

Public Attendance: Diane Canfield, Christa Capello, Mark Main, Roger Burkhart, Annie McKenzie, Al Banks, Loretta Banks, Robin Pierce via Teleconference

Chairman Tabory called the meeting to order at 6:04 pm.

Public Comment: No comment

Chairman Tabory brought B. Woodruff to the board as a voting member in replacement of M. Beaulieu.

Approval of Minutes: September 24, 2015 minutes, S. Nadeau motions to accept the minutes, L. Brown seconds (B. Woodruff abstained) all in favor, September 24, 2015 minutes approved.

Chairman Tabory asked B. Woodruff's advice on an abutter that would like to call in to listen in and comment on one of the hearings, he does not think it to be inappropriate. B. Woodruff responded that it is up to the chair and explained that they must be able to hear everyone speaking in the meeting and the board and public must be able to hear the person on the phone, but it is allowed. Chairman Tabory asked what the board has for equipment. D. Smith responded that the Code Enforcement Officer's phone will be brought in. L. Brown asked if the individual had time to send in written comments. D. Smith responded that they chose not to, and preferred to be able to ask their questions over the phone. L. Brown asked if they understood they had time to prepare written comment and chose not to. D. Smith replied yes. Chairman Tabory speculated that they may not be opposed or for the case and just want to hear the applicant's case, he asked which case the abutter would like to be a part of. D. Smith reported Case #2015-7, the second case, she has explained to the abutter that this is the second case to be heard and for them to expect a call any time after 6pm.

Chairman Tabory explained to the public the process that the board follows to hear the cases.

Case #2015-6: Request for special exception from Article III Section 3.5 (C), to utilize site for a Kennel. Site located at Map 9 Lot 25, 65 Western Ave, Milton Mills, NH in the Commercial/Residential Zone.

Chairman Tabory stepped down from the board for the duration of this case per having a specific bias in the case and would like to voice his opinion as a member of the public.

Vice Chairman L. Synder voiced that she would prefer someone else to run the hearing. L. Brown moves to have S. Nadeau act as chair as the vice chairman opted to not act as chair for case #2015-6. L. Synder seconds. All in favor, S. Nadeau will act as chair for this case.

S. Nadeau offered the applicant the option to proceed with a quorum of four members of the board or to wait for a full board. D. Canfield choose to go ahead with the quorum.

Diane Canfield, explained to the board her case: she has been involved with Grey Hound Rescue since 1997. She has been involved with Grey Hound Pets of America since 1998, and starting in 2003 she would foster a grey hound off and on. For the majority of the time she has lived at 65 Western Ave in Milton Mills she has had three

greyhounds, two of her own and one foster dog, she does not have a fenced yard and walks them around on leashes. In the past few years she has taken on more responsibility with the group and when the past director stepped down she assumed the director seat as of January. She explained they are a small group they do not have a kennel and have always used foster homes. Even though there is no grey hound racing in New Hampshire there is still a great need to find homes for the retired greyhounds brought up from the South. NH has a requirement of any dogs coming from out of state have to go into a 48 hour quarantine. The vet that the group was using decided in February that she did not want to provide the service anymore, therefor D. Canfield explained she has been trying to find a replacement place to quarantine the dogs. Part of the issue that the group faces is the dogs arrive on Saturday's and are typically picked up on Sunday's and they would need a facility that was open on Sundays, this has been hard to find. D. Canfield continued to explain the circumstances that brought her application before the board. Her home can be registered as the shelter since they only adopt out a few dogs a year and since the grey hounds are retired race dogs they fall under the need to be rehabilitated with the use of foster homes. The group has three to four foster homes and the past few years have adopted 10-12 dogs per year.

1. The specific site is an appropriate location for the proposed use or structure?

D. Canfield responded the structure in question has been used to house horses in the past. The specific area is enclosed 10' x 20' with four walls and two doors. It also has three windows, if granted permission for use she will have a ceiling installed. Milton Mills has always been a rural area with livestock in its center.

Public Comment: Michael Tabory said I know where Diane lives, she is in a rural area, she has trees behind her, space on each side and thinks it is a very appropriate area for the small number of dogs she would have for the 48 hour quarantine. Al Banks commented that he lives across the street on house over and he thinks it is appropriate.

Board Comment: L. Brown said my understanding is that livestock carries a different definition than kennel and low density rural carries a different definition of livestock than high density. He questioned if she has created a hardship on herself, since she is not required to go to Florida to bring dogs back, she's not under a State mandate and this is not a service contract with the state. D. Canfield explained the State's definition of a broker, due to the rehabilitation need of the dogs the group is changing their broker's license to a shelter license. She continued to explain why her home is the best location for the group to use as the shelter and that if she does not do it the group will be shut down.

B. Woodruff asked about the dogs having to be quarantined for 48 hours, it is not just 48 hours they would be staying at the location, they would be there for as long as it takes to find a foster home, and he asked if she has a fenced in area? D. Canfield responded that she does not but the dogs are always on a leash when outside. B. Woodruff said it seems to me that this is a limited kennel operation not a commercial operation. D. Canfield said yes it will be limited number of dogs at once, she only brings in dogs for as many open foster homes she has available.

L. Brown expressed that a kennel does not care the motives in establishing it, once a special exception has been granted it runs with the land, it is limited only by the State of NH's regulations on maximum size.

M. Tabory expressed that he has been a foster and active supporter of Greyhound Pets of America and asked the board if he can assist D. Canfield not as a member of the public but as part of her with her application if she wished. The board and D. Canfield agreed that would be fine. M. Tabory addressed B. Woodruff's previous question and explained that if a dog presented with an ailment such as worms the dog would stay at D. Canfield's property until healthy again, but the typical boarder would only be there for 48 hours.

L. Brown moves in affirmative that the site is an appropriate location with proposed use of structure based on the maximum of four boarders noted by the applicant. B. Woodruff seconds, **4-0 in favor.**

2. That the use will not be injurious, noxious, offensive or detrimental to the neighborhood.

D. Canfield responded, there are numerous dogs living within the town proper. While she does not have a fenced area, the dogs do not run loose. She walks them on a leash and picks up after them. The dogs in question would

only be there for the required 48 hours and would then move into a foster home until adopted. She would be working with greyhounds only and they are typically not barkers.

Public Comment: Loretta Banks noted that what D. Canfield answered is true, she does a fine job.

Board Comment: L. Synder agreed that grey hounds are not typically barkers.

B. Woodruff asked if there will always be someone there, does D. Canfield work away from home. D. Canfield responded that she does work away, the dogs would come up late Saturday's, early Sunday and she starts work second shift on Mondays.

S. Nadeau asked what arrangements would be made if the dogs need to stay while she is at work. D. Canfield responded that she has a couple of friends willing to check on the dogs a couple of times a night.

S. Nadeau asked if they would be left alone 8-10 hours.

B. Woodruff agreed that Greyhounds are not typically barkers and that it should be specified D. Canfield is asking for specifically a greyhound kennel. D. Canfield agreed to this point that is the only kind of dog she would have there.

M. Tabory commented that historically prior to coming to her home, these dogs are crated 24 hours a day, turned out once or twice a day. The amount of time they would be left in those crates would be substantially less than what they are used too.

L. Brown the total number of dogs running through the system would be how many in a calendar year? D. Cainfield responded 10-12.

S. Nadeau's moves in favor of that the use will not be injurious, noxious, offensive or detrimental to the neighborhood, L. Brown seconds. **4-0 in favor.**

3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking?

D. Canfield responded the only vehicle that will be entering the premises would be hers and the one other person who would be checking on the dogs. She will also be taking them to the foster home after the 48 hours. She will transport them in her own vehicle. There will be no significant increase in traffic. The dogs will either be crated or on a leash, she has been walking them there with no problem since 1997.

Public Comment: L. Banks and A. Banks both agree that it is not a problem.

Board Comment: no board comment.

L. Brown motions to approve as presented, L. Synder seconds the motion, **4-0 in favor.**

4. That adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use and structure so that the use will not be contrary to the public health, safety or welfare.

D. Canfield responded if approved she would be doing whatever work will be necessary to insure the greyhounds comfort and protection. Installing a ceiling to that area, electrical and lighting and a heat source in the event of cooler temperatures. The facility will also need to be inspected by a representative of the State of NH Department of Agriculture.

Public Comment: no public comment

Board Comment: S. Nadeau asked how D. Canfield will address the feces created by the dogs. D. Canfield responded she will pick it up and bring it to the dump every week as she always does.

L. Brown moves to approve point number four that adequate and appropriate facilities and utilities will be provided. B. Woodruff seconds the motion. **4-0 in favor.**

5. That the proposed use or structure is consistent with the spirit of this ordinance and the intent of the master plan.

D. Canfield responded Milton Mills has always been more of a multi-use area with a wide variety of businesses. Car repair shops next to a general variety store with horses and chickens across the street. There have always been horses located in Milton Mills proper. There are countless dogs in my general vicinity. She does not believe the two to three grey hounds in quarantine there for the required 48 hours will be a detriment to the neighborhood or village in general.

Public comment: No comment.

Board Comment: S. Nadeau advocated that Milton Mills is known for being an area of livestock and animals in general. B. Woodruff asked if the Master Plan is silent or does it advocate for home businesses. S. Nadeau replied that he believes it advocates for it but is not specific.

L. Synder moves to approve that the proposed use or structure is consistent with the spirit of this ordinance and the intent of the master plan. L. Brown seconds the motion. **3-1 in favor.**

B. Woodruff suggested the maximum of 4 bordered dogs be kenneled at any of time, 4 rescued grey hounds and the dogs shall not go unsupervised for some amount of time such as 4 or 6 hours.

L. Synder commented that these dogs are always keep in kennels when they are racing, it would not be uncommon for this type of dog to go 6 hours, when they are used to 23 hours in a kennel.

D. Canfield it would be maybe 12 nights a year that someone would be checking up on the dogs, a friend in Farmington that is involved with the group would be willing to tend to the dogs while she was at work.

M. Tabor commented that anyone who works out of the home they would leave their pet for 8 hours, these greyhounds are used to being left alone in a crate for a much greater amount of time, it would be far more realistic to put a 10 hour time frame.

B. Woodruff moves to grant the special exception for Diane Canfield at 65 Western Ave in Milton Mills for a kennel with 3 conditions and that she meets all state regulations:

1. For Greyhound rescues only.
2. A maximum of four dogs bordered at any time.
3. Dogs shall not go unsupervised longer than 8 hours.

S. Nadeau seconds the motion. **All in favor 4-0, special exception granted.**

S. Nadeau motions the Vice Chair signs the State of New Hampshire Dept. of Agriculture, Markets & Food Division of Animal Industry's Certification of Conformity to the Municipal Zoning Regulations per RSA 437:3.

L. Brown seconds the motion. All in favor, motion passed.

With the conclusion of Case #2015-6 M. Tabor resumed his position as the chair.

Chairman Tabor called for a short recess. The board returned from recess at 7:10pm

The board discussed the process of allowing abutters to call in to listen to the meeting. Chairman Tabor motions to call the abutter and allow them to participate via phone in this meeting. L. Synder seconds the motion. 3-0-2 in favor.

D. Smith called Robin Pierce representative for abutter Phyllis Gelineau, and brought her into the meeting via speaker phone.

R. Pierce lives in Arizona and was unable to make it to the meeting but requested to be on speaker phone in order to ask questions and hear the applicant's case.

Chairman Tabory said to R. Pierce that it is the boards understanding that she is speaking on behalf of someone else with that person's expressed authority. R. Pierce responded that she is speaking on behalf of her mother, R. Phyllis Gelineau of 1290 White Mountain Highway.

Case #2015-7: Request for a special exception from Article III Section 3.5 (C), to utilize site for a Kennel. Site located at Map 18 Lot 6, 1262 White Mountain Highway, Milton NH, 03851 in the Low Density Residential Zone.

Christa Capello and Mark Main (Co applicant) explained to the board their request for special exception. C. Capello explained that their intent is to develop the existing barn structure into a luxury pet resort and a dog daycare enterprise comprised of the following activities:

- A safe, sanitary, clean and climate controlled indoor space for dog owners to bring their pets for hourly and daily exercise, socialization and supervised play programs.
- Luxury pet accommodations for long and short-term overnight boarding dog facilities to include hotel-style luxury suites and feline facilities include state of the art kitty condos.
- Self-service dog wash stations
- Grooming Salon and Spa Services
- Professional training classes for dogs of all ages
- Facilities available for dog parties, meet-up socials, community rescue groups
- Curated retail selection featuring unique gifts, toys, grooming products, training aids and locally sourced treats.

Chairman Tabory read into the record the letter from the property owner Roger Burkhart allowing for C. Capello to request a special exception for his property. Also read into the record by Chairman Tabory were the Land Use Review forms with input from the Police Dept., Fire Dept., and Highway Dept.

1. That the specific site is an appropriate location for the proposed use or structure:

C. Capello replied that the existing barn at 1262 White Mountain Highway currently provides boarding for horses, and in the past has provided shelter, care and enterprise for dairy cows. Within the existing structure we plan to develop a safe, sanitary, and clean and climate controlled facility suited to the purpose of boarding dogs and cats, as well as providing activity space for organized play groups and training.

Public Comment: Annie McKenzie of McKenzie's Farm thinks it is a great use for the property and is well thought out.

R. Pierce questioned what would be done for noise control and containment of the dogs. M. Tabory replied that part of this question pertains to question two and part does pertain to this question. C. Capello explained that the type of facility they are planning to establish is a commercial facility, they are looking to become residents here in Milton and use the farm as their home. Having this as a home based business within the structure of the barn, she understands that the farm is very historic, serene and beautiful, which is why they are interested in the place and it will complement the luxury boarding. C. Capello explained that behind the barn there is a paddock and that the business will be based on comfortably housing people's precious pets inside a well structure and suited place.

Board Discussion: B. Woodruff asked how many parking spaces they would need, because if there is not enough parking he does not believe it would be an appropriate site. His question continued asked how many pets they would plan on attracting in response to the list of activities that C. Capello described in regards to how many parking spots would be needed. Chairman Tabory commented that he is aware that there are apartments on the property and questioned if those apartments would continue to reside there?

C. Capello responded that they would not keep the apartments operating, there are five tenants currently. As far as the facility for each item on the list for boarding they are looking at drawing clientele not just in the Milton area but from as far as Portsmouth and Boston because of the proximity to Route 16 and travelers going to the mountains. This activity would be kept as a short come in check the dogs in or out, they plan to create an app and

website that would deal with the long paper process and shorten the time the owners have to be in house. The daycare customers would be a short time frame as well and they plan to have staggered drop off and pick up times for daycare pets and boarding pets. C. Capello explained having a responsible dog to staff ratio adding 4-5 additional people, which would park where the tenants of the apartments currently park. (They would not be keeping the apartments active.) C. Capello explained that the wash station, grooming and retail would be smaller parts.

M. Tabor asked how many overnight or long term boarders they would potentially have. C. Capello replied we are looking at a maximum of 50 dogs as boarding, it would be dogs in individual small rooms, one of the options is to use cinderblocks inside of the barn itself, two or three dogs in one area, there will always be a care taker with the dogs, they're looking at 8-10 dogs to employee at most, these dogs will be assessed in temperament and size, these are not dogs on runs barking by themselves. She explained there will be indoor play and socialization as well.

Chairman Tabor asked if the room design for the dogs allows for them to be able to see other dogs on the other side of the room. M. Main explained that there will be a visual barrier established between the rows to prevent the dogs from being able to see across the walkway. He continued to explain that knowing the breed traits and as they get to know the dogs better they will learn the best places to keep the dogs and how to best take care of them.

L. Brown the more detail brings up more questions, first my understanding it currently provides what I have to assume is a commercial boarding for horses and the owner is not on site so it is not an in home business, he assumes it has already gone through the appropriate venues and could continue. He asked how many dogs would be outside the barn during the day, or period. C. Capello anticipates that there would be a schedule, arrival time for check in, there would be play outside and inside with a group of no more than 10 dogs. L. Brown where will play area be? C. Capello replied that it would on the end towards the McKenzie farm. L. Brown continued his question as to which side the dogs would be on and how the sound would travel, and asked how they would track dog temperament and prevent from excessive barking. C. Capello responded that the play area would be on the East side of the barn. M. Main inputted that the play area would be about 50' x 50' with a visual screen to prevent the dogs from seeing outside distractions. L. Brown asked if the pictures provided were of their current business or hypothetical. M. Main replied that they are hypothetical, they have been working with an architect who designs buildings of this nature and plan on moving forward with that if they get the special exception. C. Capello explained that they are examples of what they would like to be able to do.

B. Woodruff asked what the hours and days of operation would be. C. Capello, it will be staffed 24/7 with staggered boarder drop off and pick up and daycare drop off and pick up. B. Woodruff followed up asking if operation they are proposing is similar to the K9 Chaos facility in Dover. M. Main replied yes and no, they share some of the same passion for animals, but in their facility they have a large indoor run and they do not plan to have that or to be that big of a facility with four indoors, their plan is to have the one outdoor run. He continued that they do not plan for such a big business, would like to have a smaller facility. B. Woodruff explained that in the case of K9 Chaos for where the dogs were kept indoors there was noise mitigation applied to provide a buffer for the neighbors.

L. Brown asked when the last dog will go inside at the end of the day and what lighting will they expect to have in place for that structure for outside or inside. M. Main for lights seen by the neighbors, they plan to have the parking area lit for safety and for the staff to be outside. The last dog to be taken outside would be 9pm and taken out in smaller groups. L. Brown asked how long the unused play area would be lit after it was no longer being used. C. Capello digressed it would not remained lit after the last dog came in.

M. Tabor motions that this location with this use is appropriate for something of this nature. B. Woodruff seconds the motion and feels better it being appropriate for this use because it will need to go before site plan review before the planning board.

Motion Discussion: L. Brown said he is looking at the provided letter that lists the seven elements of the kennel, and believes that all the requested aspects create a commercial operation which is not allowed in the low density residential, that is why it has to be a special exceptions and believes it to be closer to spot zoning and does not reflect the master plan. L. Synder asked if he meant it is more towards the Planning Board to decide. Chairman

Tabory responded that he thinks he means it is more of a variance than special exception. B. Woodruff asked if L. Brown was suggesting this is more than a kennel. L. Brown responded that it is absolutely more than a kennel, whenever a special exception goes in place it runs with the land and the rights granted with the special exception applies to all the future owners of the property, it is a wonderful thing to try to extend the life of a historic structure. Chairman Tabory read from the Zoning Ordinance the accepted definition of a kennel, “any structure or premises, in which animals are kept, boarded, bred or trained from commercial gain” so clearly this is a commercial enterprise and that is allowed as a special exception. B. Woodruff believes that it is important to make sure the special exception if granted puts a maximum number on all of the suggested items of the site, he thinks it is very pertinent to know from the applicant the numbers they plan on having at one time, and make the special exception specific on maximum numbers that would fit the site. Chairman Tabory questioned if the board was qualified to make that specification, as for the case of variance versus special exception he does not think what is described as retail and they would have to put a limit there, is enough to be retail sales.

Board Vote: **4-1 in favor.**

2. That the use will not be injurious, noxious, offensive, or detrimental to the neighborhood.

C. Capello replied that the primary activity areas and boarding facilities will exist inside the barn structure. There will be supervised use of outdoor areas and adjacent to the barn where limited numbers of dogs will play and exercise. Small group play with dogs of similar size and temperament will occur under the observation and control of a trained employee.

Public Comment: R. Pierce was wondering about septic system use and if the proposed kennel was a separate use would different than a multi-family dwelling use and if the present septic system is designed for two uses and the second question is, is the board or applicant verse with the State Regulations in regards to a Kennel and the laws that govern noise. Chairman Tabory speculated that if they are approved here they would need to be State approved and septic would be a planning board purview. B. Woodruff explained that it would be a change of use and they would have to go back to DES and let them know of the change and they will inform the applicant if they need to make any changes on the septic. C. Capello responded in our process of investigating if this would be a proper site, we have had a septic inspection by a qualified installer, the system at present is for 5 house hold units is a well built and well maintained system and is servicing that amount of human waste but when discussing a septic for dogs it is not exactly the same thing. There would not be added housing units/bedrooms as far as waste cleanup we have the ability to dispose the excrement into the dumpster. It will be double bagged and towed away. In regards to laws and regulations for the boarding facility or daycare facility there is no regulation on space as deemed from the State of NH, but there is laws on vaccinations and the laws and ordinances within the town need to be followed. The dogs in this facility will be well screened with current certificates from vet that the pet is up to date on all vaccinations.

R. Pierce replied that there are laws that govern kennels they are under 460, 466 section III and they do govern that you have to have a commercial license, a plan for the waste and removal, the structures, the runs, the noise control.

C. Capello and M. Main expressed they are happy to abide by all State regulations and planning regulations.

Robert Burkhart expressed there have been cows there for multiple years.

Board Comment: L. Synder questioned if it will be dumpster that they will pay to have taken away or if it will end up in our garbage. C. Capello replied there will be a carting system that comes and takes it away.

B. Woodruff, what is the plan for noise mitigation, what is the plan for the animals doing their business and assumes the plan would have to meet State statue and the noise would have to meet the noise decibel regulations. Chairman Tabory asked who enforces the noise levels. The board continued discussion on noise and regulations by the town. The board asked the applicant their intent for noise control. C. Capello responded that they intend to live there on the property and therefore it is in their interest to contain the noise to the barn and not be woken up by barking dogs. M. Main expressed that they intend to exercise the dogs properly to their breed and it will help with some of the barking.

S. Nadeau motions to support that the use will not be injurious, noxious, offensive, or detrimental to the neighborhood with stipulations placed at the end. L. Synder seconds.

Motion Discussion: L. Brown expressed that there is still no criteria to say it is not noxious, offensive or detrimental to the neighborhood without these stipulations placed. If the board does not define what level the barking becomes detrimental to the neighborhood than each one of these gets voted in the positive and anyone objecting is left with the decision of the board. B. Woodruff goes back to what was said before knowing what the numbers they plan to house and if he was able to have a site walk of the location he would have a better idea to numbers. Chairman Tabory suggested that the applicant and board might be interested in tabling the discussion and going on for a site walk. C. Capello said they would know more specifics for numbers when they get to the point of having proper architectural drawings made to find out what can fit in the space with regards to building codes. She expressed that without these plans she could say they can fit 50 but the board may think there is only room for 5, but knowing that they need to go in front of the planning board to start the building process allows them with certainty and pictures this is where we can house 15 dogs and cats can be housed here, she understands their concerns, they do not want to create something that cannot be properly spaced and built within the envelope there. They cannot buy the property unless they know they can move forward with this project.

Board Vote: **4-1 in favor**

3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off street parking.

C. Capello: The current driveway at 1262 White Mountain Highway is well suited for access to the Barn structure. It is laid out in a circular pattern that provides additional ease to enter, park, and exit the property. In our earlier string of comments we discussed that the drop offs and pickups would be on a staggered schedule. The current usage of the circle is for parking. They are not looking into changing intersections, they do not believe it will generate a high rate of traffic.

S. Nadeau commented that since it is a State road they would need State permission. B. Woodruff explained that when you change a use off of State highway you have to go back to the District 6 engineer for a new driveway permit, they will look at the same things the Planning board will look at in regards to the trip generation that will come out of all of these pieces that they have proposed. They may require the entry to be improved or may not require anything.

Public Comment; R. Burkhart right now there are 9 or 10 cars being parked, he believes there is space for 9 or 10 more. In back of the garage could be used for more parking. If they rearranged the cow holding pen there could easily be more.

D. Smith questioned if they have to go to the State for a new driveway permit does that cover driveway permits that are done through the town. S. Nadeau replied it would just be the State since it is a State road.

Board Discussion: L. Synder it is lucky that there is a pre-existing driveway. L. Brown this would be controlled by ADA for handicap parking and District 6.

L. Brown moves in favor that there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off street parking that will not be solved by DOT or code enforcement officer. S. Nadeau seconds the motion.

Board Vote: **5-0 in favor.**

4. That adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use and structure so that the use will not be contrary to the public health, safety or welfare.

C. Capello: all renovation and design to the Barn will occur under the guidelines of the Town of Milton's Building Codes. Utilities currently exist to the Barn structure. Local and State Building Codes will regulate all additions/expansion of Utility service and use at the barn.

Public Comment:

Board discussion. B. Woodruff the septic concerns have already been addressed. L. Brown expressed his concerns about light usage and signs along with sound barriers around the open play area. Chairman Tabory expressed that many of the items that the board would like to know is under Planning Board's purview. B. Woodruff expressed that their job would be a lot easier if there was a concept plan in front of them and would really like harder projected numbers.

L. Synder asked how many kitty condos they were aiming for. C. Capello replied about a dozen. M. Main this will not be as big of a market target.

L. Brown would like more information on the dog run, lighting description, driveway description (handicap parking). C. Capello asked for clarification as it seems this would be what would be done for the Planning board. M. Tabory explained that the board is struggling with the scope that the applicant is suggesting and would like a visual to what 50 dogs means, would that be 50 dogs kenneled at one time, and what the traffic scope would be. B. Woodruff suggested getting a rough number on how many kennels they think could be measured out into the barn. Chairman Tabory noted that what the board is looking for is a rough drawn map, showing the spaces around the barn that plan to use it as. L. Synder is concerned with insulation, how will the applicant will insulate to prevent the noise from the dogs. The board is suggesting that further discussion be tabled and have discussion taken up at a later meeting with more information from the applicant. B. Woodruff would like to know more about how they plan to insulate against noise. Chairman Tabory expressed that it would be beneficial in that case from them to present knowledge of what level noise proofing they would need and if they will have the budget for it. The board continued discussion on the depth of requirement of information they are asking for and if it is fair to ask them to be spending monies on more information for them.

L. Synder is suggesting a site walk. Chairman Tabory asked R. Burkhart if a site walk would be permissible by him as the land owner. D. Smith replied that he had signed the approval letter for the site walk. C. Capello and M. Main are in agreement for a site walk. L. Brown a site walk is a legal meeting of the zoning board but it is not decision making session. B. Woodruff we would be there for fact finding and questions only.

Chairman Tabory asked for a list of items they want more information on from the applicant. L. Synder requests more information on what are they thinking about low density light, little solar lights, are you going to automatic off lights, small security lights. Where the lights would be placed. Chairman Tabory any lighting would have to go down due to our ordinance.

S. Nadeau motions with applicant's approval to table discussion and hold a site walk, the continued public hearing will be held December 16th at 5pm, with a site walk on December 12th at 9am with no further public notice. L. Brown seconds. All in favor, motion approved.

Other business: None

L. Synder motions to adjourn, S. Nadeau seconds the motion. Meeting ended at 9:09pm.

Dana Smith
Recording Clerk