

**Town of St. Albans  
Development Review Board Meeting Minutes  
Thursday, March 23<sup>rd</sup>, 2017  
6:30 p.m.**

On Thursday, March 23<sup>rd</sup>, 2017 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall for hearings.

**Present:** Chair, B. Brigham, Vice Chair, Jeff Jewett, Clerk, Bruce Thompson, Arthur Omartian, Mike McKennerney, Tom Stanhope and Zoning Administrator, Becky Perron

**Absent:**

Vice Chair, J. Jewett called the Development Review Board hearing to order at 6:35 p.m.

**New Business:**

**Application of Sleepy Dog Kennel, LLC and 359 Lake Road LLC requesting Conditional Use and Site Plan Approval for a Doggy Daycare under Kennel, Animal Shelter, Animal Boarding, Veterinary Office use in accordance with Sections 405, 802 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 359 Lake Road in the Commercial District and owned by 359 Lake Road LLC.**

The application was represented by Jennifer Fredette, owner of Sleepy Dog Kennel, LLC.

The applicant was sworn in by Clerk, B. Thompson. Vice Chair, J. Jewett asked the audience if anyone was requesting Interested Party Status. Michael Gosselin and Chris Pike requested Interested Party Status as abutting property owners. An employee of the former restaurant, R. Hogan stated he may give testimony.

**MOTION: M. McKennerney made a motion to grant Interested Party Status to Michael Gosselin and Chris Pike as abutting property owners. T. Stanhope seconded. All in favor, none opposed, motion carried.**

J. Fredette explained she owns a doggy daycare in Colchester; the business is very successful and there is an overflow of customers. The pet industry is becoming very popular and rather than expanding her current building, she prefers to keep a small-business feel and open another location in an underserved area, such as St. Albans. The proposed hours are Monday through Friday, 6:30 a.m. to 6:30 p.m. and the weekends from 11:00 a.m. to 2 p.m. as well as 4p.m. to 6 p.m. The dogs will be provided a 15 minute “potty break” in the late evening.

The building was previously utilized as a restaurant. The front of the restaurant, previously the sitting and eating area, will be used as an open playroom. The applicant is proposing to hire an acoustic specialist from Massachusetts to insulate the windows for sound control and to keep heat from escaping. The back of the restaurant, previously used as kitchen area, will house the kennels. J. Fredette explained the back of the restaurant is built with cinder block and will be efficient noise control. The applicant anticipates twenty to thirty dogs a day between daycare and boarding. At most, and very infrequently, she could have forty dogs between daycare and boarding. A fence is proposed to be raised at the west side of the building where the existing parking area is. The fence is proposed to be six to eight feet, stockade fencing and enclose some of the existing parking area and existing grassy area. The dogs will be in and out most of the day. On especially warm or cold days, the dogs will be outside for fifteen to twenty minutes at a time, and allowed back inside; pleasant days could permit the dogs to be out much more frequently.

J. Fredette stated the interior noise should be minimal and typically not noticeable. There will be noise in the play yard, she admitted. The fence will mitigate some of the barking and employees will use different techniques such as a squirt bottle, verbal cues, or indoor timeouts for dogs who are excessive barkers.

A. Omartian wondered what the maximum number of dogs being boarded overnight would be. J. Fredette was unsure without knowing the clientele in the area. She estimated twenty to thirty dogs, but it will probably be closer to twenty.

B. Thompson wondered when peak season for doggy daycare and boarding was. J. Fredette explained the peak times for boarding is summer months, school vacations, and holidays. Doggy daycare is busier during the winter months.

B. Thompson wondered how many kennels would be installed. J. Fredette had not measured the space yet but stated the kennels are 6' x 3' and the space could probably allow twenty or thirty kennels. B. Thompson asked if boarded dogs were often there for days at a time. J. Fredette confirmed.

B. Thompson asked if any the overflow of business from the Colchester kennel was coming from St. Albans. J. Fredette confirmed some people traveled from St. Albans for dog boarding.

B. Thompson asked if the proposed fence would be six feet or eight feet tall. J. Fredette stated the fence would be as tall as regulations would allow. J. Fredette stated if eight feet was permitted by the Board, she would prefer the taller fence.

B. Thompson inquired if someone would be in the yard with the dogs. J. Fredette confirmed the dogs would never be unsupervised outdoors. The ratio is often 15 or 20 dogs per employee.

B. Thompson asked where on the property the waste would be collected and if it would be emptied weekly. J. Fredette stated the kennel in Colchester uses Myers but she had not looked at prices or companies in St. Albans. Roll out bins will be used and there is rarely a scent. The waste is picked up and put in bags before being canned. The yard is formally cleaned every half an hour.

B. Brigham asked if the yard would be a grassed in area. J. Fredette stated it would start out as grassy area but after a few weeks would turn to a dirt yard due to all the dogs.

B. Thompson wondered if the proposed fenced in area was larger than the fenced in area in Colchester. J. Fredette was unsure.

J. Jewett asked what the peak hours would be. J. Fredette replied the kennel in Colchester has peak hours of 7-8:30 a.m. and 5-6:00 p.m. Most dog owners have prepaid packages and are in and out in a few minutes.

A. Omartian asked if there would be a veterinarian on site. J. Fredette stated no vet would be on site. B. Perron explained the Use was titled "Kennel, Animal Shelter, Animal Boarding, and Veterinary Office" within the Unified Development Bylaws.

J. Jewett asked if there would be an employee on-site overnight and if any security measures would be used. J. Fredette replied a staff member would not be present overnight but would stop by in the late evening to allow dogs to have a bathroom break. J. Fredette stated a closed-circuit TV will be used to monitor the dogs at all times and an employee would be contacted to go to the site if there were problems.

Vice Chair, J. Jewett asked if the Interested Parties had any questions or comments. M. Gosselin explained he owns the property next door. A common driveway is shared. He asked to review the Site Plan for the fence design and parking. He wondered how 30 to 40 dogs a day could be dropped off and picked up if there are only 18 parking spaces. He also stated the fence appears to cut into his deeded Right of Way. Two lawyers did separate title searches and the results are conflicting. M. Gosselin stated if the use is approved and the fence is put where the applicant is proposing to, he will take them to court. He also shared concerns that the septic system on the property has failed. The proposed fence will go over the septic system and he was concerned where the new mound system would need to go. J. Jewett reminded M. Gosselin the Board has no control and cannot address septic concerns. The conflict with the Right of Way is also out of the Board's scope. B. Perron stated if the system has indeed failed, the State would need to check it out when they issue a change of use permit for wastewater. M. Gosselin also requested the fencing be screened for aesthetic purposes. M. Gosselin was also worried about animals being unattended all night; if there is a fire or a problem with the dogs he feels someone should be around. J. Fredette explained in Colchester there is a monitoring service which has a hardline to the Fire Department. The one time the smoke detector went off the Fire Department was there in three minutes.

B. Brigham wondered if a license was needed to operate a kennel. J. Fredette stated no license was needed. J. Jewett asked if the dog owners get to have a tour before leaving their dogs. J. Fredette confirmed. J. Jewett asked if the Fire Department had reviewed the application. J. Fredette stated the Site Plan had not been reviewed.

B. Brigham asked if the applicant was leasing the property. J. Fredette stated she hoped to buy the property.

Interested Party, Chris Pike stated he lived in the house behind the former restaurant. He was concerned that even with the 8' fence he would see into the dog's play area from his upstairs. He explained he has two dogs that are not friendly toward other dogs and they bark a lot. He is concerned his dogs barking will set off the dogs at the kennel and the noise will be too much to handle. With the previous use, overflow parking ended up in his driveway. He also stated when the property was being utilized as a

restaurant he could hear the employees yelling at each other; he did not think the cinder blocks would muffle the barking. He added that he has a new baby and he is concerned the barking may be upsetting. J. Fredette explained the kennel in Colchester is a similar size and only has six parking spaces. Those spaces serve the business adequately. J. Jewett asked how many employees will be working at one time. J. Fredette confirmed two to three employees would be working at once. J. Jewett asked which parking spaces employees would use. J. Fredette responded ideally employees will park out back but was open to them parking on the west side of the building if necessary.

J. Jewett asked if the kennel in Colchester had ever received any complaints or if there were any ongoing concerns with the business. J. Fredette admitted the neighbor on one side of the business is retired and when he gardens along the fence line, dogs occasionally bark at him. She stated the kennel had tried to work with him on setting a better schedule for the dogs but so far had not been successful.

**Application of Collins Perley Sports Complex requesting Site Plan Amendment to construct a garage addition in accordance with Sections 405, 409 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 890 Fairfax Road in the Commercial District within a Designated Growth Center and owned by Bellows Free Academy UHSD #48.**

The application was represented by David Kimel, Manager of Collins Perley Sports Complex and Mary Pickner, Town appointed representative. Vice Chair, J. Jewett asked if there were any Interested Parties in the audience.

**MOTION: A. Omartian made a motion to grant Interested Party Status to Joseph Thomas as an abutting property owner and Justin Wright as a property owner within the neighborhood. B. Brigham seconded. All in favor, none opposed, motion carried.**

D. Kimel explained the Complex is requesting to construct a 15' x 40' addition to an existing garage on the west side of the complex building. The addition will match the slope of the existing garage and the color of the siding with match with the current siding.

J. Jewett asked what is currently kept in the garage. D. Kimel specified mowing equipment, weed whackers, electric field cars and tractors. The addition will be used for more storage.

B. Thompson asked if any pesticides or chemicals would be kept in the garage. D. Kimel stated no chemicals would be stored in the garage, instead they are kept in a locked storage area within the complex building.

B. Thompson asked if a wall or divider would be added to have two separated rooms. D. Kimel explained the back ten feet of the garage could be potentially divided to keep hand tools and a small work bench in one area.

D. Kimel explained three walls would be put up and the fourth wall will be the existing garage. There will be two man doors on the south end and an overhead door on the front of the building as well as a man door between the addition and the existing garage. The existing pole light will be moved from the existing south wall to the new south wall.

B. Thompson asked D. Kimel how many storage boxes were behind the building. D. Kimel was unsure. B. Thompson advised D. Kimel the Complex may be over the permitted storage boxes and asked him to look into it.

### **Deliberative Session**

**MOTION: B. Brigham made a motion to enter deliberative session at 7:42 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.**

**MOTION: B. Brigham made a motion to approve the Application of Sleepy Dog Kennel, LLC and 359 Lake Road LLC requesting Conditional Use and Site Plan Approval for a Doggy Daycare under Kennel, Animal Shelter, Animal Boarding, Veterinary Office use in accordance with Sections 405, 802 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 359 Lake Road in the Commercial District and owned by 359 Lake Road LLC. M. McKennerney seconded the motion. None in favor, all opposed, motion failed.**

**MOTION: B. Brigham made a motion to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated March 13<sup>th</sup>, 2017. B. Thompson seconded the motion. All in favor, none opposed, motion carried.**

**MOTION: B. Brigham made a motion to approve the Application of Collins Perley Sports Complex requesting Site Plan Amendment to construct a garage addition in accordance with Sections 405, 409 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 890 Fairfax Road in the Commercial District within a Designated Growth Center and owned by Bellows Free Academy UHSD #48 with the following conditions: 1. All previous conditions of approvals remain in effect 2. to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated March 13<sup>th</sup>, 2017 . B. Thompson seconded the motion. All in favor, none opposed, motion carried.**

**Minutes**

**MOTION: B. Brigham made a motion to accept the minutes from the DRB meeting dated February 23<sup>rd</sup>, 2017. A. Omartian seconded. All in favor, none opposed, motion carried.**

**Adjournment**

**MOTION: B. Brigham made a motion to come out of deliberative session and adjourn the DRB meeting at 9:00 p.m. seconded. All in favor, none opposed, motion carried.**

**Respectfully Submitted,**

**AJ Johnson, Administrative Assistant**

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Brent Brigham, Chair

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Jeff Jewett, Vice Chair

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Bruce Thompson, Clerk

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Arthur Omartian

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Mike McKennerney

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Tom Stanhope