

TOWN OF FRANKLIN PLANNING BOARD MEETING MINUTES

July 6, 2023

Attendance: Howland, Schlafer, Storey, Thompson. TPAS Advisor Kent Manuel, Town Board Rep. Jeff Taggart
Absent: Komenda, Town Supervisor Taggart.

PUBLIC HEARING RE: H.E.R. HOUND HAVEN called to order at 7:30: Rep. Jacqueline Perez

See minutes of 5/04/2023. Additional documents provided: copies of Certified Mailing and Return Receipts.

Introduction: According to Ms. Perez, up to five dogs (in addition to the 3 dogs owned by the applicant) would be boarded overnight in the residence as well as day care in the house as well as a fenced in yard. There is parking for up to 10 cars. Most guest dogs would be picked up and delivered back to the target client area of NYC. Dogs would be kennelled indoors in one room depending on how they get along with each other and her own dogs. There will be no alterations, renovations or new construction.

Opened for public comment: Most concerns were regarding barking and safety as well as the way the notifications were handled. Sarah Leddy expressed concern about how Perez would control barking. Stating that while Ms. Perez was on vacation her dogs barked continuously and she was concerned not only about the noise of the barking but concern for the welfare of the dogs. Adam Nichols complained that dogs were barking at 4:30 AM; Sylvia (?) worried that the dogs would be a nuisance and also expressed concern for the dogs. Ms. Perez responded that she had someone there to take care of the dogs. She also said that she will not host other dogs while she is away. She also stated she would supervise the dogs and keep barking at a minimum. She will not walk the dogs "free range" and will be kept within the fenced in area. Claire (?) and others complained about the notifications that were either blank or vague, some wondered if they were legitimate. Ms. Perez said someone else did the mailing for her so she had no control over that. Other concerns raised was that the boarded dogs be vaccinated and healthy and that the business is insured for liability. Ms. Perez responded that she thought "the permit is to get approval not talk about my business plan" but went on to say that she would be properly licensed and follow the right procedures.

Gregg Pitula, Code Enforcement Officer state that those impacted by the barking should contact the owner first and if that did not resolve the issue to contact him. He said that if stipulations of approval were violated, he could issue a stop work order. Kent Manual, County Planning Advisor, stated that Franklin has no noise ordinance has no jurisdiction over someone's personal dogs barking.

With no further comment, the Public Hearing closed at 7:50 PM

REGULAR MEETING CALLED TO ORDER AT 7:52 PM

MINUTES: The minutes of the June 2, 2023 meeting were approved as read (Howland, Thompson, msp).

OLD/NEW BUSINESS

NEW/OLD BUSINESS

07/2023 Jacqueline Perez/H.E.R. Hound Haven, LLC

In response to concerns raised at the Public Hearing the following conditions/stipulations were imposed:

Hours that dogs will be outside: 7:00 AM to 10:00 PM and dogs will be supervised;

If they are taken outside of the fenced in area, the dog(s) will be on a leash;

Five (5) dog limit;

Dogs will be contained in fenced in area;

No new construction;

Record of vaccination for boarded dogs;

Barking will be controlled.

SQER: Negative Declaration (Thompson, Howland, msp)

Motion to Accept Special Permit (Thompson, Howland, msp).

Fee Paid: \$250

08/2023 Frederick Hungerford to Otto Pelzar: Boundary Line Adjustment

Located at 111 Rich Road and 1525 Rich Road.

See minutes of April 6, 2023 (correct name is Pelzar, not Peozar as written).

Documents provided: Application, Authorization to act on behalf of Frederick Hungerford, survey description and survey Map.

Transferring 1 acre from Hungerford lot #43.-1-7.1 (creating a 6+/- parcel) to Pelzar lot #43.-1-7.2 making Mr. Pelzar's lot 3.266 acres and making it a conforming lot. Width/depth ratios in compliance.

Motion to accept boundary line adjustment: Howland, Thompson, msp. Information on deeds and process for filing explained.

\$110. Fee Paid

09/2023 Leslie Daub Simple Subdivision

Located at 1100 Beebe Road. Documents provided: application, tax map indicating boundary lines. Ms. Daub wishes to divide Lot #165.-1-50.2 into 2 parcels: Lot 1: 38+/- acres and Lot #2: 122+/- acres. Plans to retain Lot #2. Width/depth ratios are in compliance.

Motion to Classify as a simple subdivision: Howland, Thomson, msp. Information on deeds and process for filing explained.

\$110. Fee Paid

ADJOURNMENT

With no other business, the meeting adjourned at 9:20 PM