

EGREMONT PLANNING BOARD

Minutes: Special Permit Hearing

Jonathan and Amanda Hohman: Dog Kennel

Wednesday, October 26, 2016

The Hearing opened at 7:02 PM.

Present: Helen Krancer, Greg Cherin, Lucinda Vermeulen, Don Pulfer, and Mark Holmes: Egremont Planning Board.

Also: Alexandra, attorney for applicant
Amanda Hohman
Jonathan Hohman
Juliette Haas, Egremont Board of Health
Marj Wexler
David Campbell

The Clerk read the Public Notice for the Hearing:

The Egremont Planning Board will hold a public hearing on Wednesday, October 26, 2016, at 7:00 PM in the Egremont Town Hall Meeting Room at 171 Egremont Plain Road, Egremont, MA to act on the Special Permit application of Jonathan and Amanda Hohman, 93 Hillsdale Road, South Egremont, MA, to operate a boarding facility for dogs in a separate kennel structure at their home, in accordance with Sections 6.2.3 and 4.1.1.3 of the Egremont Zoning Bylaw.

Respectfully submitted,
Mark Holmes, Planning Board Clerk

Attorney Alexandra Glover, representing Jonathan and Amanda Hohman, gave an introduction to the Board and audience: she gave the location of the proposed facility; reasons why the Hohmans are opening this kennel; some background information on Amanda Hohman's qualifications as a dog groomer and her other dog-related employment. She stated that Amanda and Jon would operate the kennel themselves, with no other employees. She also gave some history of the Hohman's attempts to open this facility. She presented plans of the property, the Form A plan signed by the Planning Board on June 13, 2016. The plan described Parcel A consisting of 1.146 acres conveyed from Linda Kelly. Glover also submitted a plan showing the property boundaries, the house, outbuildings, fencing and driveway. The plan

Lucinda Vermeulen asked how far the abutters were from the proposed kennel. Jon Hohman answered that the nearest neighbor was several hundred feet away on

Route 23 to the west. He also pointed out that the fenced in area is about 50' x 30' and the fencing is commercial chain link fencing six feet high. The kennel is 28' x 32' with nine kennel stalls. There will be an office to check in and out customers. There will be no grooming or any retail activity at the facility. The hours of operation will be 8AM – 5 PM seven days a week. There will be no retail deliveries or laundry pick-up or drop-off. Drop-off time for dogs will be no later than 6 PM. Minimal lighting will be used to illuminate the kennel: two exterior lights which will be switched on from the house and no motion sensor lighting in the area.

Glover then explained the specific requirements as the application pertains to the Special Permit section of the Egremont Zoning Bylaw: dimensional requirements (4.1.1.3 and 6.2.4). Pulfer mentioned to Glover the rule stating that a driveway for commercial operations needs to be 50' from a property line, but agreed that doesn't apply in this case.

Krancer pointed out that Section 4.1.1.3 was applicable in this case, which Glover said she was "aware of." Krancer asked if this was to be considered a "home-based business." Glover answered that they did not apply to the Planning Board under that heading, because they have a separate building for their proposed business. It is being applied for as a "consumer services establishment."

Glover made it clear that there would be no expansion of this business beyond what was outlined in the application.

Juliette Haas of the Egremont Board of Health stated that the Board of Health is in support of this facility, and she said that the Hohmans have met all of the Board of Health's requirements, and will meet the Title 5 requirements upon issue of the Special Permit by the Planning Board. The Board of Health made a "glowing recommendation" in reference to the inspection by Sandra Martin of the facility as it now exists.

As far as Section 6.2.4.3 is concerned, Glover stated that the new facility would be "in harmony" with the Town of Egremont's values.

She also stated that there would not be any "traffic or pedestrian issues," as per Section 6.2.4.4

Also, she pointed out that there would be no impact on sewer systems, since the Hohmans will be constructing a new septic system that will handle 50 gallons per kennel per day.

As to lighting, Glover said that all lights illuminating the kennel area and yard are manually operated, not on motion sensors.

Pulfer made a motion that the Planning Board ask the applicants to amend the application from "home business/dog kennel" to "accessory consumer services establishment/dog kennel." Vermeulen seconded the motion. The motion passed 4-

1 with one abstention (Krancner). Glover noted the change on the original application. The Planning Board will have the document scanned and sent to all parties.

Marj Wexler asked “what unintended consequences” could there be by classifying this facility as an “accessory use” because a kennel is “not a normal accessory use for a residence.

Krancner stated that she would like to ask Town Counsel if there would be any problems with the Board classifying this proposed facility as “an accessory use to a residence.”

There was some discussion about the possibility of splitting the property to locate the house and kennel on separate lots.

Krancner made the motion to ask Town Counsel if the facility can be considered an accessory use to a residence, or a primary use on its own. Greg Cherin seconded the motion. Motion was passed unanimously.

The Hearing will be continued until Monday November 7, 2016 at 7:00 PM in the Planning Board meeting room. The Clerk will post the Hearing Continuance at least 48 hours in advance of the date.

The Hearing was adjourned at 8:11 PM.

Respectfully submitted,

Mark Holmes
Planning Board Clerk