

Chaplin Planning and Zoning Commission
***Amended* Public Hearing Minutes**
Chaplin Town Hall
June 13, 2019

The public hearing opened at 7:00 pm

Members present: Doug Dubitsky (Chair), Peter Fiasconaro (Vice Chair), Helen Weingart, Randy Godaire, Alan Burdick, Eric Beer

Alternates seated: Kenneth Fortier for Dave Garceau ~~*Brandon Cameron*~~

Also present: Jay Gigliotti, Zoning Enforcement Officer (ZEO); Elizabeth Marsden, Recording Clerk, *Brandon Cameron, PZC alternate member*

Subject of Hearing: SP19-103-29 Pumpkin Hill Road, Adam Bernardin, Applicant/Owner, Assessor's Map 75-60-5, Proposed Dog Care Facility per section 5.2.B.12.

D. Dubitsky read the Legal Notice of Public Hearing which was published in the Willimantic Chronicle June 1, 2019 and June 8, 2019.

The ZEO explained that this application is a special permit application requiring a public hearing. This application falls under the recently modified zoning regulation 5.2.b.12; the application is complete, the fee has been paid. The PZC may use its discretion to waive specific requirements.

Adam Bernardin and his wife Katherine Bernardin (owners of the dog care facility at issue) stated that they have been showing dogs their whole lives and have shown at the Westminster Kennel Club dog show. Mr. Bernardin stated that he has statements he is making part of his application attesting to their excellent care of their dogs. He asked for the PZC's discretion to waive the acreage requirements to allow for 15-20 show dogs plus his own personal dogs. At a total of 12 acres, he does not meet the regulation for minimum acreage per dog. He explained that the number of dogs he has on site varies each week because he and his wife travel 4 days of the week, showing dogs, and those dogs go with them. He said he has a "girl who is like my little sister" who stays in Chaplin caring for the dogs while the owners travel. He presented a map he drew showing his structures in and setback distances. He presented an as-built survey and photos of the property. He explained the daily schedule of the dogs being outside for several hours each morning and each afternoon, and that outdoor activities end by 8:00 p.m. He said the American Kennel Club inspects his facility once a year.

A PZC member asked how they dispose of feces and urine. Mr. Bernardin said Willimantic Waste takes the feces and he uses vinegar to clean the urine.

The PZC members discussed the fact that this special permit would apply to the property, not just the current property owner.

Public Comments were then opened:

Susan Peifer, Bedlam Road: She said the hearing should be continued because new materials have been supplied in the application, and the public has not seen them. Also, if this permit applies to the property, anyone can come and use the property as a kennel in the future.

Paul Peifer, Bedlam Road: He is opposed to this operation and the noise, Carl Lindquist on Chaplin Street submitted a letter of opposition to this. If this applicant does not meet the requirement for a special permit, it should be denied. It is a commercial use of the property in a residential zone. He said the applicant is “an absentee landlord in his own house.”

Steven Laume, 41 N Bedlam Road: He said that he came before the PZC to change the kennel regulation 10 years ago to allow for a very small home based operation. He said the applicant doesn't meet the minimum land requirements under the revised regulation. He does not agree with the PZC being able to waive requirements. This is a large commercial operation and the state has not licensed this kennel either. It doesn't matter if the applicant is showing dogs or training attack dogs, this is a commercial kennel and it has been operating without any permits and causing noise issues for years now.

Bill Rose, First Selectman: He said the noise is extremely loud whether leaves are on the trees or not. Because his office at town hall is so close to this kennel, he can hear it easily and he says twice a day, every day, it sounds like a “dog riot.” He would not want to live near this noise.

Adele Swart, Tower Hill Road: She said she walks in the park nearby and the noise is extremely loud and she is concerned about the effect on wildlife.

Peggy Church, 115 Chaplin Street: The noise echoes down over Darling Pond and over the open field and it is disturbing. Her family can't sit outside on their deck and enjoy the nice weather due to the noise.

Maureen Rogers: she works with the applicants, lives in Clinton, CT and realizes there is noise and she thinks there are ways to deal with noise.

Adam Bernardin said he would “go out of his way” using a privacy fence to deal with the noise. He did not know the noise was a problem and said his operation is not a commercial boarding kennel.

Katherine Bernardin said they could try to think of ways to abate the noise and that she hears other dogs in the neighborhood barking at night when she goes outside.

Some of the PZC members mentioned that there are fields and a pond adjacent to the property, carrying sound up to 2000 feet or more.

D. Dubitsky stated that there are new materials the applicant submitted which the public was not given an opportunity to review. He invited a motion to continue the hearing.

Motion by R. Godaire to keep the public hearing open for one month, seconded by P. Fiasconaro, all in favor, motion carried.

Chairman Dubitsky stated that materials submitted tonight will be in the record and any additional materials should be submitted soon to be included in the record. He invited a motion to suspend the public hearing until the July meeting.

Motion to suspend the public hearing until July 11, 2019 by E. Beer, seconded by R. Godaire, all in favor, motion carried.

Respectfully submitted,

Elizabeth Marsden
Recording Clerk