



# HALIFAX ZONING BOARD OF APPEALS

## Meeting Minutes

### Monday, May 2, 2016

The Halifax Zoning Board of Appeals held a public hearing on Monday, May 2, 2016 in Meeting Room #1 of the Town Hall with the following Board members in attendance:

Robert Gaynor, Kozhaya Nessleralla, Peter Parcellin, Gerald Joy, Robert Durgin and Daniel Borsari were in attendance.

Chairperson Gaynor called the meeting to order at 7:06pm and reprised the audience that this public hearing/meeting is being audio taped. He also explained the procedure and the protocol at the public hearings.

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#### **Correspondence/Mail/Notices/Bills:**

Bills: CPTC (workshop) and Express Newspaper, Old Colony Agenda, Charlie Seeley Fieldstone Memo ZBA Posted Public Meeting for May 3, 2016 – to be read during the public hearing; Abutters List

Secretary Marion Wong-Ryan read the Public Hearing Notice into record.

#### **Old Business:**

##### **7:15 - Petition #744 - Jennifer Harmon-Choate, 7 Plymouth Street, Halifax, MA**

Secretary Marion Wong-Ryan reads correspondence/communication related to #744.

Present: Jennifer Harmon-Chaote

Ms. Harmon confirms that there have been no changes regarding the Board of Health (BOH) memo related to waste management twice/week since 4/7/16. Ms. Harmon confirms that the Board of Health has not received any documentation requested as of 4/7/16. Mr. Gaynor asks that this be researched. ZBA Secretary reads Halifax Public Safety Dispatcher's received animal complaints. Ms. Harmon responds that the dogs involved in first complaint were not hers. Secretary continues to read correspondence related to this petition including letter from Abutter with comments on public hearing, letter from Animal Inspector to ZBA and letter from ZBA to Chief Broderick and the Animal Control Officer regarding evacuation plan, annual kennel inspection and BOH memo regarding waste management.

Mr. Gaynor explains procedure and protocol for public hearing.

ZBA Secretary continues to read additional correspondence: Letter from neighbors opposing Ms. Harmon's request for permit to increase from 50 dogs to 100 dogs on the property for the reason of too much noise; Packet from the Town Clerk with a summary of the dog license from 2015, rules regarding Animal Control basic facts, dog owner report with list of dogs in ownership at Tara Wood's kennel on Plymouth Street, labeled G. Memo from Tracy Nolan, Animal Inspector, accompanied by Animal Control Officer and Kim Roy (Board of Selectman - BOS) and Robert Durgin (ZBA) with findings from 4/30/16. (Found inadequate.) Letter from Abutter (Heikkela, 19 Plymouth St.), which was already read into record.

Mr. Gaynor would like to start with up-to-dates on taxes. Ms. Harmon has no receipts. She checked with Treasurer's Office roughly four weeks ago. Excise Tax is due now. Zoning Board Secretary informs the Board

and Ms. Harmon that she hasn't received any correspondence from the Town Clerk as to this petition being caught up.

Mr. Gaynor asks Ms. Harmon to address the Board with what she is petitioning for.

Ms. Harmon speaks about increasing her adult dogs from 50 (what is on her kennel license) to 100 which doesn't mean she'd like to double her litters, she only wants to increase her 26 litters to 36. Mr. Gaynor asks if she would like to amend her petition for her litters to which Harmon answers yes. Mr. Gaynor informs Ms. Harmon that she will need to put her request for amendment into a formal written request.

Mr. Gaynor asks Ms. Harmon her plans for the adult dog increase. Ms. Harmon responds that currently her property can handle 100 dogs and there will be no structural changes. The increased dogs will be housed in outdoor pens located in the back area near big the gambrel barn. These pens will be built. Mr. Gaynor explained how he walked through the barn area and saw an inside crate area where the dogs slept and is certain there is not enough room for 100 dogs. Ms. Harmon will duplicate the kennels inside the barn (interior addition, nothing structural) to both sides. Plastic crates are being replaced and updated. Mr. Gaynor asks about the litter increase – where will the extra litters go? Ms. Harmon says nothing new will have to be done, there is plenty of room for the ten (10) extra litters in the area off of the office with heat lamps.

In order to adequately care for the dogs, Mr. Gaynor asks about maintaining the temperature of the outside pens from 60 to 85 degrees as part of the Massachusetts CMRs. Ms. Harmon says there is no such thing. Mr. Gaynor talks about no overhead barriers to protect the dogs from bad weather. Harmon responds that they are not housed there. Harmon confirms the dogs are outside from 7am-7pm/8am-8pm, weather permitting. Ms. Harmon adds that the dogs only go out to go to the bathroom and exercise when there is bad weather.

Mr. Gaynor discusses Ms. Harmon's current dog count. Her current permit is for 50 dogs however in the packet, it is numbered at 62. Ms. Harmon has no idea why it says 62 and says it is a mistake. Mr. Gaynor reads from the inspection letter that there were 56 dogs and 23 puppies counted, Ms. Harmon claims this is a mistake. Mr. Gaynor asks what her website lists as a number. Ms. Harmon responds that there are retired dogs, dogs that belong to other people and dogs that are housed elsewhere.

Mr. Gaynor inquires about vet Dr. Hopkins' report regarding the dog that was quoted as having hip dysplasia. Dr. Hopkins' report does not mention dysplasia but explains that the dog has degenerative myopathy which causes weight loss. The dog is not suffering and is well taken care of. Ms. Hopkins confirms that Dr. Hopkins routinely visits her property every two months unless needed more often. Ms. Harmon has pictures and video of dog said to have hip dysplasia.

Mr. Gaynor asks the Board if there are any comments on their visits to the property. Mr. Nessralla explains that he only saw puppies that morning, no adult dogs but that the area is clean. Ms. Harmon confirms there is no heat or A/C anywhere except where the puppies are and that it is well ventilated. Mr. Gaynor asks about the space heater near the Pomeranians. Ms. Harmon explains it is only used for employees in the morning and is nowhere near the dogs. She does not board dogs outside of her own customers'. The increase to 100 dogs is to cover her customers' other dogs that Ms. Harmon boards. Mr. Joy questions where the other dogs will go in the barn and wants to know if there will be other horse stalls. Ms. Harmon confirms that there is ample room in the front of the property where she will move her horses. She confirms she will be building more run spaces, play yards and exercise space. Mr. Gaynor asks how long the berms have been up around the fence. Ms. Harmon replies seven (7) years. Mr. Parcellin inquires about Ms. Harmon selling dogs. She confirms she does not sell them to pet shops or other breeders, only privately. Mr. Parcellin asks about hiring more people.

Currently Ms. Harmon employs five (5) full-time (35-40 hour) employees and six (6) part-time (30 hours) employees, including weekends. Mr. Gaynor asks Ms. Harmon if she has ever been cited (citations) or have any written complaints from inspections, veterinarians, etc. Ms. Harmon responds absolutely not. She explains that the MSPCA (for the state), Chelsea, inspects randomly (about three times so far, unplanned) and has a written report from Chelsea. Ms. Harmon reads pieces from the report that Chelsea was impressed with how well the dogs are cared for and how happy they are. Mr. Gaynor asks if Ms. Harmon has had any verbal or written citations or complaints from the Halifax Animal Inspector. Ms. Harmon responds that a couple of years ago the Animal Inspector was concerned about the use of a disinfectant being used. Ms. Harmon looked into it and consulted with the veterinarian and confirmed that it is used to kill viruses such as Parvo. Ms. Harmon talks about how the AKC flies in and inspects her property and Ms. Harmon receives nothing less than 100%. Ms. Harmon has a report from the police regarding loose dogs. She doesn't know who those dogs were as hers were contained. She was unaware of the abutter's complaints. Ms. Harmon discusses the fire extinguishers on the property – two per area. There were some older extinguishers but they still work and have an ample supply of water.

Mr. Parcellin wonders if Ms. Harmon has any plans/tasks in place to address the concerns of the neighbors, Board of Health and Animal inspector regarding how she will continue to meet the requirements (i.e. keep noise down, allow space for the dogs, keep the dogs happy and healthy) necessary with the increase of dogs. Ms. Harmon doesn't believe she needs more employees at this time, she will continue to do what she is doing, use bark collars, use same set up and she feels confident that she will continue to meet all requirements of her license/permit.

Mr. Gaynor opens the discussion to a member of the Board of Selectman, Kim Roy. Ms. Roy wonders the last date that the state inspection was done and wants those entered into the consideration of the Board. Ms. Roy asks Mr. Durgin if he was comfortable with the conditions of the kennel. Mr. Durgin responds that he is concerned about the temperatures, that there is no heat in the buildings and some crates are too small. Mr. Joy feels the place is very clean, the dogs seem happy but he feels the space is not sufficient (main barn, back area) for running space, for dogs to get out to move. Ms. Harmon's plan is to have that area doubled without horses being moved to allow for dog space. Mr. Joy feels there needs to be a plan as it is difficult to envision there will be enough space for additional dogs. Ms. Harmon explains that the process of acquiring more dogs would be a slow process, not all at once. Ms. Roy is concerned about the adult dogs being outside in the winter, rain and snow for 12 hours, which is what Ms. Harmon told her. There are no doors and no covers. Ms. Roy wants to know what the standard is. Ms. Roy feels the puppy area is great. The juvenile area concerns her as there is nowhere for the dogs to comfortably lie, only cement, no heat, no cover, no crates that the dog can get in and out of. Ms. Roy is concerned about the space heater near the Pomeranians as Ms. Harmon told Ms. Roy it is on all day. The Fire Chief is going to look into this as it is scary to see. Ms. Roy represents the common citizens' and their feelings that this kennel could be looked at as a "puppy mill."

Present: Ann Marie, 124 Fuller Street, resident; certified dog expert, initial animal control officer (10 years) who approved the kennel license for Ms. Harmon. Ann Marie is speaking on Ms. Harmon's behalf to address the housing issues. Ann Marie wouldn't put her name on something that she isn't comfortable with. In the state of MA dogs are required food, water, shelter (Chapter 140) but doesn't say what length of time and how many times a day. There are no temperature requirements in the state of MA. Both breeds of dogs are double-coated and are comfortable working at 20 below. Heat is more of an issue. Ms. Harmon did have covers as protection from the sun during her inspection. These dogs are not pets that Ms. Roy is used to, these are for business; they are breeding dogs but are still kept well. Ms. Harmon cannot show a dog that isn't vaccinated, she can't sell puppies with unhealthy dogs; Most people want to see the parents. Ms. Harmon's puppy operation is completely adequate. All outside runs go over and above. The shavings are down just to

collect urine, not for bedding. The dogs in the juvenile area have access to get out of the sun and rain. Ms. Harmon confirms she did say that the dogs were locked out but there is dog rotation. Mr. Gaynor confirms that there are 24/7 full-time staffing including the weekends. Mr. Gaynor refers to 330 CMRs, Animal Rescue and Shelter Regulations, Chapter 30 Sec 05, Minimum Standards of Animal Care. Mr. Gaynor reads about Temperature standards. Ann Marie isn't aware of CMRs and Ms. Harmon is not a rescue or a shelter, she is a commercial kennel; she's a facility, not a shelter.

Mr. Gaynor calls upon two inspectors:

ACO Noreen Callahan is present and speaks to her findings. Ms. Harmon's standards were just enough to get by. Counted 50 to 56 adult dogs with permission to only have 50. There were carriers with sharp edges, fire extinguishers were old and had no charging. Noreen has been the ACO since 2013. She has not cited anything but has discussed and addressed the smell and cleanliness with the Board of Health. Noreen was not aware the Zoning Board increased the dog number. Her inspection was halfway decent but difficult to do alone. Massachusetts' State Law is very general, not very specific. Until we have some policies, procedures and standards where everyone is comfortable, town or state recommended, she feels we are working with our hands tied. As far as being housed humanely, that depends on each person's opinion.

Mrs. Traci Nolan – Board of Health – discusses her opinion and report of her findings. She found things inadequate yet meets state's requirements. Ms. Harmon supplies improper covering but provides clean, fresh water. There were no in-out kennels. Ms. Nolan touches on being concerned with dogs getting overheated in the summer unless dogs have access to come in and out. Cameras were installed in all the out buildings. As for expanding, Ms. Nolan cannot see the dogs being crammed into the back area, there are already a lot of dogs out there unless Ms. Harmon builds out the kennels. She counted 56 adult dogs with bark collars and 22 puppies. Ms. Nolan did see a German Shepard with some type of hip dysplasia and was a bit underweight but sweet and happy and did not appear to be in any pain. She is in compliance with the minimum standards, however she is not in compliance with state law for proper bedding and adequate three-sided shelter.

Ann Marie responds to these inspectors. She replies that the dogs are housed inside in a very expensive barn and very expensive crate room that meets standards. The dogs have exercise runs outside where they are housed during the day. The crates that are outside are for dogs to be comfortable when outside, if they want. As for the pallet, it's there to get crates up and off. If a dog gets hurt from the pallet it is Ms. Harmon's liability. There is adequate bedding inside the crates, which are the shavings. Animal Inspector's job is only concerned with quarantining dogs for quarantining issues. Other than that, an AI's job is to inspect barns. They have no right or reason to perform an inspection unless they are asked to. AIs have no jurisdiction over Ms. Harmon's kennel or kennel license but Ms. Harmon allowed her to inspect in order to comply with the Zoning Board. As for the dog with hip dysplasia – Ms. Harmon participates in OFA which is an organization that tracks the hips and elbows of specific breeds. As a preventative measure, Ms. Harmon has her breeding tested for hip dysplasia at her own expense. If they don't pass a preliminary test she does not put them in her breeding program. The only way to diagnose is to "knock the dog out" and have x-rays done. It's common in the breed, but not common in Ms. Harmon's kennel. Degenerative myelopathy means nerves and joints get loose. The dog is in no pain and because she has exhibited these signs and has skeletal muscle issue, she should be on the thinner side. The dog is far from emaciated and is 68 pounds, typical size for a female German Shepard. Ann Marie is perplexed as to why the Animal inspector put her hands on a dog without having jurisdiction on the dog, did not have the owner's permission and doesn't understand why she would be asked to provide information on something she has no jurisdiction on.

Mr. Gaynor opens discussion up for questions and comments from the audience.

Leslie Deeb – 7 Plymouth St – makes statement. For seven years she could not sleep with the windows open or eat dinner outside and the noise of a dog barking with a bark collar on is the worse sound she’s ever heard in her life. She now lives in East Bridgewater.

Nancy Heikkila – 19 Plymouth St (four years). She talks about excessive barking all night long. The dogs are out all day and all night barking. They are on her property, on her back porch showing teeth and growling. She called the police. She has also had one of Harmon’s horses on her property. She was never scared of dogs, has done AKC shows but she has a baby now and is scared. She feels strongly that this is a puppy mill. She wants to enjoy her backyard and wants to have company over without having them leave. She would never have bought her house four years ago if she knew how bad this would be. She has friends who are breeders and they do not have this many dogs. She has an autistic child who is scared to play in the back yard. Ms. Heikkila feels Ms. Harmon shouldn’t be making a living off of dogs. Ms. Harmon would like to know what the definition of a puppy mill is and comments that Ms. Heikkila hasn’t seen her kennel so she shouldn’t pass judgement on what Ms. Harmon does for a living. Mr. Gaynor asks the Animal Control Officer if there is a definition of puppy mill and is told there is not. Ms. Heikkila responds with what a puppy mill is to her. Ms. Heikkila feels that there is no way that the 50 dogs (and, soon, 100 dogs) Ms. Harmon has can be socialized as they are in a kennel day in and day out. Ms. Heikkila feels a dog should be in a home. If not, this amount of dogs in a kennel all day make Ms. Harmon’s kennel a puppy mill. Ms. Heikkila doesn’t feel she needs to see the kennel as she hears it and sees the dogs in her yard.

Daniel Michael – Easton, MA. He has an agreement to purchase the property that is contiguous to the kennel, 7 Plymouth St, for some time. He hasn’t been able to do that because of the conditions that have to be met by Mr. Clawson. One of the conditions is the noise pollution that hasn’t abated. Despite the glowing endorsement to the former ACO, Mr. Michael is wondering if she’s talking about the present conditions. By advancing to twice the volume of animals, he only sees this as creating more conditions and more noise. He would like to know what is being done currently and for the future to abate the noise issue. The noise issue has not been addressed and it was supposed to be addressed by agreement. He makes visits to the property two or three times a week. It affects himself, neighbors, the business and the people who use the business. Are we considering the ramifications of more animals and what is happening now?

Attorney Phil Taylor representing Scott Clawson – 21 Plymouth Street. Attny Taylor discusses Clawson’s issue (as well as many neighbors) with the noise and goes back to 2010. Mr. Clawson’s question for the board is what was done to the soundproofing in 2010 to abate the noise? What has been done to maintain the soundproofing? What is going to be done to address the noise as far as changes? Attny Taylor believes nothing has been done to address the soundproofing. There were two permit modifications since 2010 and now we’re on to the fourth modification. At first we were slowly increasing the number of dogs and now we’re jumping from 50 to 100. What’s been done to the soundproofing from the Board’s original order, from the times the order was amended, modified and what’s the plan going forward in respect to the soundproofing for noise? He has a video of the dogs barking/noise which can be heard from Mr. Clawson’s house.

Shawn Clawson – 21 Plymouth Street (present) explains that the video shows all time stamps to show noise at all times of the day, during the winter, etc. The video is shown to the Board with date stamps of October 2015, November 2015 and more. Video shows different views of Clawson property and the noise is heard from all areas.

Mr. Gaynor questions if the maintenance of the berm seen in the video was part of the conditions of the permit from 2010. Mr. Gaynor addresses Ms. Kim Roy for her input on the barking. Ms. Roy explains that it has been some time since the Board of Selectman has had a hearing concerning the barking. Her role in this was to

inspect the kennel for the expansion of the dogs. She can instruct the Town Administrator Charlie Seeley after the Town meeting to hold another hearing for the noise if the Board would like. Ms. Roy explains that there were certain restrictions of when the dogs were outside and Ms. Harmon backed away from her original statement of the dogs being out for a 12-hour period. (The date/time stamp for the noise currently being heard on the video was 8pm. Ms. Harmon explains that this is due to the chaos that happens when dogs come in and out.) Neighbor confirms to Ms. Roy that they are woken up in the middle of the night. Ms. Harmon doesn't know what that would be. Ann Marie (ACO) expresses that there is no legal evidence to back up any of these complaints.

Thomas Begley – 11 Plymouth St. At 5:00am he hears dogs barking while brushing teeth. He doesn't feel a hearing is necessary as it was just heard.

Ms. Harmon responds to the front neighbors' concerns about the dogs bothering them/woke them at 5am. Ms. Harmon took care of that and checked back with neighbors and they said things were better.

Daniel Michael reviews/discusses the same issues. If Ms. Harmon is talking about expansion, this will create more of a disturbance. If she's not adding additional staff but doubling dog volume, which increases the noise by two, how will this be dealt with? Without increasing the staff, without increasing the volume of space, horses having limited space, moving the facility closer to the property line, how will this problem improve itself? There is no plan in place. Feels there should be conditions to the approval of the permit. Mr. Michael feels we are just adding to the problem. There should be a plan to abate the current noise nuisance and build appropriate shelter for whatever animals are there now never mind the future. The neighbors have to be happy, the animals have to be healthy and it has to make sense for the community.

Mr. Nessralla comments that before moving forward with the increase in dogs, we need to make sure what's happening in the present is taken care of. We are going to fix the problems now before we can go any further.

Attny Phil Taylor makes inquiries regarding the soundproofing and maintaining it. Mr. Gaynor responds that all the conditions have been met regarding the 2010 permit with no deficiencies brought to the Board's attention. Mr. Taylor would like to know what the soundproofing is. The Zoning Board secretary reads Soundproofing Condition #7 and comments that it has not changed. Mr. Gaynor asks Ms. Harmon what soundproofing was initiated as far as the permit that was granted in 2010. Ms. Harmon responds that bark collars were purchased for all dogs. Buildings were insulated since 2010. A stockade fence was built around the outside area. Ms. Harmon moved some of the dogs to the other side of the property behind the barn per Mr. Clawson's suggestion. The stockade fence and the berm on Mr. Clawson's property are examples given of what types of soundproofing Ms. Harmon used. Mr. Gaynor asks Ms. Harmon how she would increase the soundproofing if the volume of dogs was increased. Ms. Harmon answers some possible ideas having to do with changing the hours of operation and increasing the length of the stockade fence. Mr. Gaynor asks Ms. Harmon if the Board were to issue a condition regarding soundproofing would she have a problem with that. She answers she would not, does not want to impose her business on anyone. Maybe she could have a test time period and possibly not have 100 dogs, maybe she would just have 20 extra dogs instead of 50.

Ms. Roy is clarifying the number of dogs Ms. Harmon would have. Ms. Harmon explains she meant maybe only 25. Ms. Roy asks about the hole in the wall of the Juvenile section. If repaired, maybe this would help with sound travel. Ms. Harmon agrees she will do this.

Shawn Clawson comments that sound proofing is not working. His father has done everything he can to mitigate the sound; he built the berm. The number of dogs doesn't matter, it's the noise and this will only

amplify with more dogs. Adding more stockade fence is not going to mitigate the sound. If the dogs were kept inside a large building that would really be the only way to reduce the noise.

Attorney Taylor comments that kennels of this size should be further away from neighbors or on land without as many neighbors.

Mr. Parcellin wonders about comparable kennels with comparable number of dogs in close towns, what their situation is and what is common as far as acreage with this type of facility. An audience member brings up a Raynham lab. Ann Marie replies that this is not comparable. Also comments that shelters are run differently than commercially licensed kennels in a residential area. Mr. Parcellin asks if three acres is normal for 100 dogs. Ann Marie says there are no standards set in the state of Massachusetts. Ann Marie compares her facility, an indoor facility, and how this doesn't compare to Ms. Harmon's facility.

Daniel Michael points out that Ann Marie's facility is indoor, however, for a business like Ms. Harmon's, especially considering the expansion she is asking for, Mr. Michael feels it should require a large indoor facility to help with noise travel for this volume. For clarification, he wonders if Ms. Harmon is planning on increasing employees or not, as she has been contradicting herself. This could be part of the condition if approval is granted. Ms. Harmon seems to constantly be chasing compliance.

Mr. Gaynor personally recommends a definitive, written plan from the property to show the increase, what Ms. Harmon plans on doing, how she is going to address all of these issues in order to make a proper judgment. Mr. Nessralla feels addressing the current problems (sound-proofing, dog location, etc.) needs to be done before an expansion is even discussed. Mr. Gaynor feels an architectural plan is needed based on size and scale. Board agrees.

There is a discussion about Ms. Harmon boarding outside dogs. ZBA secretary clarifies. There were conditions in 2010, 2012 and 2013 stating that all dogs boarded by Ms. Harmon must be licensed to Ms. Harmon. There was an error in that condition which was corrected/amended in 2013 that all the dogs boarded by Ms. Harmon must be either licensed to Ms. Harmon or bred by Ms. Harmon (licensed to owner). Ms. Harmon confirms this is correct. Ms. Harmon disagrees that the current count is 56 adult dogs and 23 puppies housed on the property. Mr. Gaynor recommends that an inventory of dogs licensed be presented to the Board in conjunction with the Animal Control Officer. It is suggested that a member of the Board, ACO and Animal Inspector do a random, unplanned count.

Motion to continue hearing for Petition #744 on June 13, 2016 at 7:45pm pending the following list be provided to the Board:

- A plot plan of proposed scheme of existing vs. what she is proposing (100 dogs) with pictures/drawings.
- A written program to address noise reduction and sound-proofing
- Confirmation of the number of dogs on the property as of May 2, 2016 in the form of a letter
- Confirmation from Board of Health on the waste management plan for fecal matter
- Confirmation from the Treasurer's office that bills are settled

MOTION: Peter Parcellin

SECOND: Gerald Joy                      AIF

Passes: 5-0-0

**Petition #843 - R&J, LLC & Halifax Country Club, LLC, Halifax, MA**

ZBA Secretary reads into record all documents and communication pertaining to Petition #843.

Present: Attorney Brennan. Discusses with Board and ZBA Secretary the statute of the decision deadline remaining within 100 days. Mr. Brennan extended the proposed date from June 13<sup>th</sup> to July 11<sup>th</sup> in order to have enough time to get stamped in. Mr. Brennan explains they have filed with the Planning Board the following changes: rather than eight duplexes with two residents per unit, they are making them into four quads with 4 residents per unit (16 units) so the variances are being reduced. There is a substantial change, Mr. Gaynor and the Board explain, because the units per building are increasing which is not what was advertised. It all depends on what happens with the Planning Board – whether they accept the changes or not.

Mr. Gaynor recommends accepting the letter to extend the date. Mr. Gaynor explains to Mr. Brennan that the Board needs some type of input from the Planning Board whether they are going to accept or reject the second proposal. ZBA secretary explains that there can be two different proposals and then one can be withdrew. A newly submitted proposal would mean a new application with a new petition number (with fee) and new advertisement.

Motion to Continue Petition #843 to June 13, 2016 at 7:30pm:

MOTION: Peter Parcellin  
SECOND: Gerald Joy                   AIF  
Passes: 5-0-0

**Adjourn:**

Motion to adjourn meeting:

MOTION: Peter Parcellin  
SECOND: Robert Durgin            AIF  
Passes: 5-0-0

\*According to Notes taken by ZBA Secretary Post-Meeting:

Mr. Nessralla returned with dog count/findings upon inspection of Ms. Harmon’s property with ACO and AI at 9:45-10:00pm on May 2, 2016.

- 9 juvenile German Sheppards/adults (barn)
- 39 German Sheppards (barn)
- 8 adult Pomeranians (barn)
- 4 adult German Sheppards (house)
- 19 puppies (house)

Respectfully submitted,

Robert Gaynor  
Chairman, Zoning Board of Appeals