

BZA HEARING 2022.08.10 PART TWO

Gary: next

Remy: I believe we now have BZA 2022-009 Arya Naga

Brett and Melissa helping Arya set up the projector to his lap top

Board talking amongst themselves

Arya chatting with neighbors in audience about temperature in the room and his dog.

Gary: Mr. Naga okay so you are still under oath will you state your name and address again

Arya: My name is Arya Naga and I live at 7686 Peck Road Ravenna

Gary: and you are requesting a conditional use can you actually state why

Arya: Yeah, the main goal is to use my outbuildings to set up my commercial business of dog boarding, training grooming and breeding business. Breeding is not Immediate, it will be sometime in the future like 2-3 years like I said depending on the dogs, titles health and all this stuff but the boarding grooming and training and then I can renovate those buildings

Gary: is this limited to a certain breed

Arya: no, it is not, it's just like any other commercial boarding business

Gary: okay, okay do you have something to present

Arya: meaning like what, I can run it through, I thought you might have some questions

Gary: we have plenty of questions but we want you to be first

Arya: okay I don't what I can explain but okay, so this building is what I wanted to use for my training area, this is the place I am planning on putting my dog boarding

Gary: these buildings are already in existence

Arya: yes

Gary: okay

Arya: this French door is where I am planning to put the reception, this door here is where I am planning to put the grooming from here to here, I am planning on putting like indoor daycare, like dogs play area. Along with some swimming pool in the back in here is what I am planning and Mr. Tim's property line it is somewhere along here somewhere here next to the building. I am planning on putting a dog park somewhere in this region so it's common for this building and this building to let the dogs out here to play outside is what I am planning

Claire: okay so just a moment, so how close is the property line to those buildings

Arya: so, this building is put right on almost right on (neighbor Tim in audience "maybe a couple feet, that's the problem with these farms the guy who had this before just started building buildings and I don't think he got permits to build any of the buildings and they are on my property almost ")

Gary: we will give you an opportunity to talk

Tim: just explaining what he's trying to

Gary: no more comments from the audience because it messes up the ability to record accurately go ahead

Arya: yeah, sure so that's the plan so if any of you have questions, I can use this to explain everything

Remy: so, with the dog park in the back, so that area back there, how do you plan to segregate or I guess keep the dogs separated from because we just approved 8ft fence for personal use for commercial use how do you plan to keep them contained in that area because as we have heard from neighbors there is a concern of dogs getting loose and onto other property and possibly cause harm

Arya: so as you know, even for them I will request a variance for 8ft fence and then my next thing would be, one sec let me open this up (using computer as slide show presentation) as you see this is called as a dog extender so there is no way I have seen any dog that can go through that because most of the kennels that you see they do not even have this they just play in one big area and one thing before I explain any of this, I saw one guy training his dog outside in the open road, it's a Belgian malinois (sp) kids were playing outside and he was still training the dog with fetching and all that stuff if that guy has no problem, we shouldn't even be talking about this when it is fenced in like a jail. So yeah, this one of the materials I would be using and something like this also that will be projecting out and it will have a roof like laid on top and the on the bottom I will be using chicken coop wire and these type of stuff that will be going like 2-3 feet into the ground where the dogs cannot pull it out and they cannot dig or anything, so these are the types of stuff that I will be using for the fence, digging and jumping so the dogs will be contained inside and more, I will have staff who will be always watching the dogs when they are playing outside and more, even though the out building can hold 75-80 dogs it doesn't mean that I let all the 75 dogs out at the same time because the staff cannot manage it will be like 5-10 dogs at a time per playtime and they will go back and the second batch will come out so that's how I will be managing them

Gary: how many people do you contemplate employing

Arya: that depends on how much business I can make, if I don't make any business and I hire 10 people then I am losing my pocket money so I will start with at least 5, 4-5 people and if I can get really good business then I will add more. But if in any which time if the business kicks off really well based on how I calculated it, I don't need more than 15 employees at any point of time

Brett: before we move that slide, can you see at the bottom left-hand corner that's where it would indicate the house

Arya: oh yeah

Brett pointing and showing "this is where the fencing will be that we discussed earlier"

Arya: that's my house right there

Brett: no from the slide you started with earlier

Arya (looking for slide) Brett directing

Brett: the residential fence in the back yard, the actual residence (pointing) is down here at this corner of the property if that gives you a better layout

Claire: what is your qualifications? I read your paperwork and

Arya: Qualifications in terms of my profession or this one

Claire: all of it

Arya: I work as an IT manager, I have been doing this for 15 years and I have a masters' degree in electronics engineering and dog training, I never boarded dogs because of my 17 years in my stay in USA, 16 ½ years I lived in apartments this is my first house, so I never boarded dogs but I trained dogs I went to customers houses for the past 4 years and I trained them but.

Claire: where did you get your training for your 8 dogs

Arya: I learned it through, I worked for Indianapolis K9 search and rescue organization to find missing and dead people and using my first dog, I learned so much from him and now I am going for my national certification for search and rescue along with my K9

Remy: do you currently hold any certifications in dogs breeding or dog training

Arya: breeding, there is no certification per say but training I am going through course work

Claire: from where

Arya: it is something called IAABC which is basically mostly related to behavioral consultation because that is what you get a lot of dogs for so I am going through that but I have to pay about \$6,000 to get through the course work and at least two years amount of time to get through that and it goes in stages, you have to go through several examinations like milestones to achieve that and on the side I am also trying to learn grooming for \$600 and that's for college basically 6 months that's also something I am aiming for and apart from that I am already working for OSDA Ohio search dog association, I work every Sunday from 9:30 to about 1:30 to train for what you call mock searches for missing and dead people I use one of my K9s for area search like wilderness search and the second dog for tracking so that is what I am currently aiming for and apart from that I train for guard work and personal protection

Claire: now are you going to have family members helping you or are you planning hiring outside staff

Arya: hiring, hiring outside staff, I am a single guy I don't have anyone

Remy: are you going to have a property maintenance schedule, I am just thinking with number of dogs and even with a staff I'd worry like even if a corner with a fence corner even with the dig fence, anything can happen, you can overcome with nature, you have to have that maintenance

Arya: oh of course

Remy: like to have an interior and exterior examination like a tree could fall or lightening could strike so I would say like this would be an expectation to prior to letting dogs out somebody walk around and make sure everything is safe ya know have that every day with all the safety features having run a small business a few years ago, first thing we do is all the safety, all the

safety barriers, checked all the fire extinguishers before we even opened so I would say I would like to see those kind of plans as well at some point

Arya: yes sure

Gary: are you planning on someone on the premises 24/hrs. a day

Arya: me and 1 other staff member, she lives in new York she is my friend if all this gets approved which is one hurdle I have to pass, and the next is getting through a commercial loan and if I can go through these two mountains, my friend who lives in new York she will sell the house and she will move with me and she will be my right hand as well as my kennel manager and let's say even if she doesn't move for whatever reason if her plans change, I am there on site I live there 24/7 and staff members will be there doing the business hours 7 to 7 and that should take care of it

Remy: will you have any like video monitoring?

Arya: oh yes

Remy: let's say you did have 75-80 dogs how would you make sure that when you go to bed that you have 75 dogs and when you wake up that you still have 75 dogs

Arya: you mean noise pollution

Remy: not so much noise, you are in the country and I don't know the rules for kennels and all that I am just talking about how are you going to do a head count how are you going to make sure that all the dogs are accounted for

Arya: Oh I already have something in mind it's called a GINGER that is an app that most of the dogs boarding kennels use as their point of sales system to manage the whole boarding facility so they know when the dogs are coming, owners name and all that stuff and on top of that my security cameras is not just for watching the facility I am setting up individual cameras for each kennel I already had a quote from spectrum and they are giving a good deal on 75 cameras just for the kennels on top of that I bought 40 external illuminate cameras all together for the whole facility, so all together it's costing me about \$5,000 per month just for running, I don't have to pay for cameras but since I am buying such a large number of cameras they are giving me the cameras for free but I have to buy a 3 year contract from them and then give me an online account to which I can manage

Claire: you said you talked to the dog warden

Arya: yes

Claire: okay would you mind relaying some of that conversation to us

Arya: I had to register my dogs, I didn't know that in Ohio you have to have kennel license and I got a notice on my door on Friday of last week, I was like what the hell is this and so I opened it and it said you have a dog you need to have a license to come over you have 72 hrs. I said okay so I went there. He asked how many dogs I have I said 8 he said 8 he thought I only have one dog, that's when I started asking questions about kennels licenses and how many limits and all this stuff, that's how I found out, and I paid \$188 for all my 8 dogs

Claire: and did he relay to you that they do any type of inspections or anything like that, I have a question for Mr. DiPaola

Jim: sure

Claire: please step forward sir

Jim: okay

Gary: you are still under oath

Claire: Jim I am not sure if I am remembering this correctly, didn't something go before the commission about kennels, dog's kennels

Jim: yes we did put a section in the zoning code for kennels

Claire: and what is it

Jim: it's a very extensive section, its back in like I think conditionally permitted uses

Brett: conditionally permitted uses, number 60, let me check

Jim: it's the newest section that's in there

Gary: are you talking about the regulation, it's on pay 75(?)

Jim: Yes sir

Claire: I thought there was something just recent that went before? I must not be remembering correctly

Jim: not as far as kennels go

Claire: something else then

Jim: nah it's a pretty extensive regulation, it took us about 6 months to go through it and get it right and have it approved by regional planning and zoning commission and approved by the zoning commission it's pretty extensive and we took that from other areas that had kennels and that from around the state of Ohio so there were about 3 other townships that that substance came from

Claire: okay I was thinking there was something else that had happened

Jim: if I could address something else that was brought up earlier about the buildings the, on a farm they are under the exemption rule for agricultural under the Ohio Revised Code for and there is a separate section in townships for agricultural they do not have to follow the regulations in respect to getting permits and meeting setback requirements agricultural buildings have been exempt in the state of Ohio for this for many many years set so close to the property line cause they were agricultural they are now being converted to commercial basically and the building is grandfathered in as far as where it sits, unfortunately not so much you can do about that

Claire: thank you

Gary: so, what you are saying Jim this is not going to be agricultural Jim this is going to be agricultural

Jim: correct, it's commercial

Gary: but the buildings are already grandfathered

Jim: yes the location of the buildings is grand fathered

Remy: I understand one of the buildings is going to be removed

Arya: yeah the front one is junk they never maintained it, the roof is falling off the sides are like nasty there are electric wires hanging inside I am just going to get that building completely off

Claire: do you want to show us which one that is

Arya: yes (getting on computer)

Remy: I think it's the one as you drive towards the property

Arya: yes and you can already see the holes and it's already getting worse, they closed off the doors because they don't want you to see the nastiness inside of it then they took the pictures I was attracted to these pictures when the last one I only bought this house because of the outbuildings, cause if otherwise I wouldn't have even bought this house, inside is like algae pretty much like rain water getting in, ya it's nasty inside

Gary: so that building is going to be demoed

Arya: yeah its failing the look of my house, I'm going to take it out

Remy: about far away from the road

Arya: that building 426 feet

Remy: and then your property is another

Arya: 872ft the back yard because I paid 8 grand to get my internet connection, that's why I know exactly the measurements

Remy: reading through the dog kennel in our zoning book page 7-59 there is a talk about waste and everything 80 some dogs are going to produce a lot of waste and so you are going to have something in place?

Arya: I have information for you on that the EPA team was at my property they did all the site wizards and did all the calculations of all the water and stuff I would use to wash and maintain the facility and they gave me the estimate of what type of stuff I would do, I also got my soil testing report done, you have several types of septic systems on the market, like leach field, irrigation, splashing type system, sprinkler, I cannot tell the technical name but the last one is a drip system and because of the soil type that I have they said that I can only use the drip system, which is the most expensive one its costing me almost 100 grand just for the septic system and I cannot put it anywhere they asked me to use this whole pasture for septic system and I cannot have any kind of livestock or dogs or anything in this area because even if the soil gets interrupted by any margin that thing is like useless that whole system has to be taken up and put a new one

Remy: that will be just for the dogs then

Arya: yes just for the dogs I have a separate system. It should be about 10,000 gallons I believe I still have to rate what I would need but at the bare minimum they said I would need about 10,000 gallons

Remy: that will help eliminate any odor

Arya: meaning it will be a tank, it will get filled up in 5-10 days so every time I have to bring the truck and get it, because when you power wash the kennels, you use clean and cleaners and all that stuff and shampoos and all that so that cannot go into the soil to destroy the bacteria, so that should go into the holding tank

Gary: how big of a holding tank is it

Arya: 10,000 gallons I still did not get the actual specs because they are asking me to pay \$2500 before they start the actual drawing like professionally, I will not invest \$2,500 now till I find out whether I'm going forward or not so I am just waiting for this

Remy: do you know if that system will contain a warning, like if it's getting full?

Arya: oh yeah, it will have all kind of alarm systems like monitors and everything

Remy: I know most modern septic systems requiring monitoring or notifications if they are becoming full or if there is some kind of problem with the transition

Arya: right yeah

Remy: are you going to put any kind of fire suppression system in or anything?

Arya: oh yes but fire systems will not come into picture until permission goes because the FD department said when things are approved Brett said that's what they said

Remy: I just worry cause some of your buildings are close together

Arya: I definitely need fire for sure even know I do not use any kind of chemicals, you never know, electric shock or anything that can happen I need to protect the dogs

Claire: where you are going to have the dogs housed

Arya: ya that will be this one (pointing onscreen)

Claire: how close is that to the nearest home

Arya: that's my home

Claire: no not yours, neighbors

Arya: neighbor's house, nothing close I will show you the Arial shot of that, so that building is here, another house is here, another house is here, that's it so from the road frontage is where my mouse pointer is to the back of my house that's 852 feet and from this, back of the deck to that building where the boarding is that's 184 feet so it's almost 1,000 feet so from so from this house to that building it will be about 800-900 feet

Remy: okay so the nearest house behind your property is, do you know about how close their house would be to the boarding kennel

Arya: my property goes all the way to the tree line there, so I just walked today, unless there is another house back there from here to there (showing on a map) I at least have another 8 more acres

Remy: okay, so to go back to the earlier discussion if there was a problem at the property do you have a contingency plan as to how to alert people, ya know 70-80 dogs,

Arya: like a contingency for what

Remy: oh, let's say that the boarding kennel catches fire what do you do with the dogs

Arya: for the time being, I will transport all of them out to my private area and some into my house, something like that and I am also planning to build, breeding dogs I can not mix with my boarding dogs because that's my breeding quality, I cannot mix them. When the time comes, I will be planning on putting another building somewhere on the property in the middle somewhere here, to board my personal dogs for breeding quality so I can use that space also, and this one, it's a 3-car garage that I am not using for anything so I could use that so I can distribute them accordingly

Remy: ya you know I am just thinking that it could be very hectic is there was some kind of calamity

Arya: oh yeah

Remy: not that there will be but you know we have to make sure and think on the lines like at the zoo if they lose containment, you have to have plans in place especially with the neighbors around

Arya: right

Remy: they probably don't want 80 dogs running through their yards for example especially dogs unknown to them and are used to their temperament and of course, you know you have done a lot of work, I can see that you have done a lot of research which I appreciate, ya know just thinking of some other contingencies

Gary: in your photos, when we talk about in the regulations about outdoor runs for the kennels and then being confined so they can't associate with other dogs, how are you proposing to do that for example in that one photo where you showed that there is a top one

Arya: that is for escaping the outdoor areas outdoor play areas

Gary: well, let me read you what the regulation says, all outdoors runs should be separated by an 8ft wall so an animal in one outdoor run does not see the animal in the adjacent run the purpose which is to reduce the tendency for animals to bark or fight at animals of the adjacent run

Arya: right

Gary: and that's a concern of ours



Arya: so the one that you are talking is different from the one I showed you, the one that I showed you is for the dog play area, the outside play area where they just play like a group like a park area that's what we talked about the one that you are talking about is for each individual dog kennel where they might how external out from the building come back inside through a doggy door for that one there is a PVC pipe material that's about inch and a half thick or you can go even lower or higher than that depending on about how much money you can invest but the least I would need is  $\frac{3}{4}$  inch thick of material that will separate completely from one kennel run to the other kennel run so that the dogs cannot see each other

Gary: where is that going to be located on your facility?

Arya: for each individual, where the dogs will be boarded, so this is the building (pointing on slide show screen)

Gary: okay

Arya: so the whole length is 105ft I will close off the whole building, right now it's like a lean-to, but I will close up the entire building and seal it up and everything so the dogs that are on the outside of the building on the length ways they will have individual kennel runs of 10ft long inside will be 4ft on this side of the building on this side of the building it will be 5ft length wise but the width is 8ft inside so it's like a 4x8 kennel for each dog but the outside run is 10ft so they will have 14ft of running from outside to inside

Gary: so, in that particular building you will only have a run for 3 dogs then

Arya: no every individual kennel will have one, one side of this building if I am doing a 4x8 it will host about 20 kennels so 20 dogs will run in their individual lane it's like a horse race, like individual lanes when you come out that's how they run from inside to outside but they cannot see the dog next to them because it will be sealed off like with a solid plastic PVC material type

Gary: um we have covered the waste, we covered the runs, those are 8ft walls where we just talked about

Arya: you mean the outside play area you mean the individual kennel runs that will definitely be 8ft because 6ft they can jump over, 8ft they cannot and more over the side walls will be made and coated with something that will make it very slippery so that they not even get grip even if they wanted to go to the next dog kennel

Gary: what's the setbacks, that's covered by the grandfathered the agricultural

Remy: yes, it's for future buildings have to meet setbacks and he has enough acreage it sounds like he can build that future building

Gary: I have a feeling a personal bad bad feeling like puppy farms how can you guarantee me that this is not going to turn into a puppy farm

Arya: can you please define to me what a puppy farm in your thought process is

Gary: where they take a male and a female dog where they just breed them till, they can't be bred no more they dog take care of them they are inner breed they sell puppies to anybody and everybody that are not solid heart standpoint of kidney standpoint they are not healthy I don't like that

Arya: right

Gary: how can you guarantee me that this will never be a puppy farm

Arya: people who buy dogs from me, let's say once this is approved and when I set up my business I will have a website and for all the breeding dogs I will have titles, if I get titles for them, the dogs that have titles and are health guaranteed, first of all I have 4 intact males, 3 of them are useless for breeding because of 1 has a heart condition, 1 has a hip condition, the other one the breeder cheated me by not giving me papers on top of paying \$6,000 I do not have paperwork for the dog so I will not be breeding those dogs

Gary: what's going to be your association with AKC

Arya: yeah I will be registering my dogs with AKC and I will be getting titles through AKC for whichever task the dog can perform for, meaning let's say if I get a border collie, the border collie and do agility, trick show obedience, anything so I can put the dog into all kinds of work but I cannot put my Caucasian shepherd into obedience I cannot put him dog diving and all this stuff, he's primarily a guard dog so depending on what breed type I have and what drive the individual dog has and what it's showing interest towards I'll be training the dog towards some particular title which it has passion for and I will be getting titles for that particular area

Gary: with the AKC association and the county dog warden here in portage county, what types of inspections are you set up to have them do

Arya: they can come onto my property and check the living conditions of the dog like I said any titles that the dogs have they ask for any proof that if the dog has it I can show like I can only appear for an exam but I cannot guarantee that if the dog will pass it or fail till I take the test that's the minimum guarantee that I can do I can take my dogs there if the dogs keep on failing then I won't have titles for the dogs but health guarantees I will have proof for every single dog on the property, like repeat maintenance of the dogs health, vaccinations and the at the 2 yrs mark there is something called the OFA and hip evaluation that you do before you want to get into a breeding business at 2 yrs mark that's the minimum age requirement for males and females to be evaluated, so if I participate in that, depending, like right now I have a dog who's like 21 months which I can already see his hips like whaling around but see that is a waste of my money, because I bought like \$1200 to do the test and I can physically see that the dog will not be of breeding quality, I will not be wasting my money on that but if I know that the dog is perfectly fine then at 2 years mark I will evaluate my dogs and if the dogs pass the test, I will have even the health proof also from official physicians

Gary: The magnitude of the business that you are talking about is there anything in your business plan to maintain a veterinarian on site

Arya: I even asked for that, if I were given the permission I would want to put a veterinarian on site but that can only add more trouble to a neighbor, because the amount of traffic that I have to regulate on the property the amount incoming and outgoing like if you give me permission sure I already of my account set up with red star vet in canton Ohio (couldn't understand the vet's name) they are coming onsite to treat my dogs and in the future when I add my livestock which will be by December of this month in order to maintain my agricultural tax exempt starting from next year, like goat and sheep they said you don't even have to come to a clinic unless it's like a major surgery we will come and do the monthly maintenance for you is what they said

Claire: so, does the state oversee the kennels in any way shape or form, because you have to apply for a permit for the kennel

Arya: I already have it

Claire: right so does the state do any overseeing of it

Arya: no

Claire, they don't, okay

Gary and Claire conversing

Gary: um okay

Arya: unless someone complains that he is doing a puppy mill, or that the dogs are in terrible condition not getting proper water, fleas and this and that kind of stuff then yes someone from the health department will come over, but I can guarantee the condition of my own dogs, but I cannot force the customer to I don't know what they would be taken care of but if the dog is not in good condition first of all I will not even take the dog into my boarding I will ask for all kinds of vaccination proof to put it through my system but that is the min'l'mum I can guarantee but other than that if someone is lying to me I cannot tell until after the dog is boarded at that point of time I have to put the dog out and have the customer come and get their dog, that's all I can do

Gary: did we talk about lighting and security

Arya: no not yet

Gary: I'd like to talk about that

Arya; sure

Gary: 24-hour lighting or at least during the night

Arya: do you want that 24hrs

Gary: yes

Arya; because I was asked a question in the past if you put the lighting it is also violation of neighbors if you give me permission, I will not even bother about what the neighbor thinks, I will put up the lighting, I was thinking of flood lights like a football field but not as bright but significantly bright enough to see the whole acreage that is where the dog buildings and the playing an all that stuff

Gary: if you have a site engineer, they can propose, the facility needs to be well lit

Arya: inside 100% will be lit, outside depending on the variances I still don't have

Gary: right for security reason you need that

Arya: yes then I will do it no problem

Gary: that will be a stipulation

Arya: like for instance if I put the light from here (showing on slide show) it will be facing to this side and the neighbor who owns this house here, is building another house or some condo or

apartment something back in this woods because he owns 17 acres so if I put the light somewhere here that will be focusing through the trees, of course it will not go into his bedrooms or whatever I'm just saying but still it's a violation of his personal thing but as long as you guys have

Gary: you can have your engineer; engineers can point you in the direction of putting lighting in

Claire: it won't affect the neighbors

Gary: it won't affect the neighbors

Arya: okay

Gary: it could be angled downward it could be soft lighting, just something so you can see what's going on

Arya: okay, yeah and you talk about security, are you talking about cameras or the fencing or what, can you please define

Gary: I wouldn't want anyone to go in there and unlock doors and let dogs out

Arya: that will not happen

Gary: so how are you going to secure it from happening

Arya: gates and doors will have locks, only me and the staff will have that unless they have punch cutters or whatever chain link cutters and they cut through there but if that happens my dogs won't let anyone on the property that I can guarantee you 100 % you can come in but you will not go out

Gary: what about noise control

Arya: that is one other question, currently none of these buildings have insulation for HVAC they have cement flooring but it's not sound proof the first thing I will have to do is put enough about of insulation for both for heating and cooling so for noise pollution and then on top of that I have these materials that I wanted to show you, it's call acoustics solutions, but any of these materials that you see on this website, foams, pvc type materials like whatever you see on this I cannot explain whatever these materials are but this website, acoustic solutions (cannot understand the website name) is meant for board commercial and residential sound proofing especially for dogs

Gary: your plans are to install this

Arya: some of this yes depending on whatever the engineer says about all this stuff that is one way, that is only just a part of it, second thing is when you coat the flooring with epoxy it prevents from noise, easy power washing and all that stuff stain free, scratch free and all that stuff so part of it is noise pollution it can dampen that and then if you put foam spray into the ceiling that will also dampen the noise and apart from that have to play radio and music inside so that the dogs will soothe so these are some of the ways, but I can guarantee you, I am not trying to be a saint and I'm saying okay the dogs all the dogs will be like calm but there are several ways to make the dogs calm but that much I can tell you I will not be lying to you saying all the dogs will be quiet you know give me the permission I am not going to say that, but I have ways to dampen the noise and I also to control the dogs that I can tell, because I train dogs, I

know how to stop them there is something called bark collars, there is something called whiplash you don't use on the dog but you take the whiplash that is one thing, you take a plastic bottle and fill with stones, and shake the bottle and they will stop barking, and then other thing and physically any tired dog is a well behaved dog they will go and they can sleep I will make sure that the dogs, they get enough exercise that they will never be bored and they'll be tired and if you have some dogs that are playing right in front of the other dogs yes that will cause chaos but if all the dogs are locked up they you will know how you can control the noise pollution then you can shut the dogs eventually

Gary: and in your business plan of comfort level, how are you going to supply a comfort level for these animals as far as air conditioning and heating is concerned

Arya: the building is going to have HVAC, there is nothing in them but I have to install them, there will be heating cooling and an exhaust fan, depending on how the electrical engineer will set up in addition to that every dog will have its own suite or kennel area depending on the dog size and apart from that this is the material I am going to use (using a slide show) this is a tempered glass so that's also a big major way to dampen the noise from the dogs, so inside this, that is the type of bed (using slide show) we will be providing for the dogs, this is chew proof and tear proof because the size they can just go and sleep on them they cannot claw the material every kennel will have that except for the small dogs, I cannot even fit these beds there could be small size beds in this one, but the small dogs will be going into something like this but a 3x3 ft it will be stacked up like double decker's, 12 of them each row will have two of them so 24 dogs will go into a 3x3 cage which will be more than sufficient for them so as you can see in this picture, the side walls, they are the same material that you see in public restrooms solid strong very thick PVC material, they cannot see the other dogs but my kennel it will be sealed off all the way to the top with this material and depending on how bad the dog and it goes all the way to the top, they cannot get grip, see this one, yes Labrador retrievers yes the height they can jump into the next kennel but mine, it will be sealed up all the way to the top, but depending how bad some of the jumpers are I am going to even seal off the top with chain link so they can get air and light and all that stuff but they cannot go over out of the sounds of the kennels, 24 of them will be small ones so the remaining 50 kennels out of them I am going to put 20 of them for jumping type dogs those will be sealed off on the top, so if I know the customers input, yes I know my dogs are heavy jumpers this and that, those dogs will be going in that particular kennels

Gary: I have one more thing and I am directly this to you and to Brett, is our fire department in the township equipped to recover animals in case of a fire or other critical events that they would escape or need to be made safe, recovered, saved if you will

Arya: that I don't know like I said the fire department didn't even want to talk to me unless this one goes forward

Brett: do you have comments on that as to what our capabilities are I think that we would want mark to say yes, I can recover ya know we are talking about up to 80 dogs here

Brett: I cannot comment specifically on that, I do see in the newspaper when there is a barn fire or something like that, the fire department will immediately call one of those rescue sanctuaries or APL, I have been on calls where we had so many calls in the eviction we had 3 counties respond for over 100 cats there is a good level of cooperation, specifically your question though

I cannot answer that I can get with chief Kozak on that, I think that will be the question for, I don't know

Gary: Trustee, Jimmy, do you have any comments on that do you know anything in the Ohio Revised codes Policies because I think that's a critical question

Jim: well I can tell you that there is no department in the state of Ohio that is equipped to handle that much on their own we rely on, and I'm drawing from my 26 years in the fire service, we rely heavily on mutual aid and we would look like what Brett said we would call people that have to deal with that the fire departments main job is to suppress the fire and rescue if possible we would need more help and more specific help if we were looking for animals that got outside their enclosure that's a little bit beyond the fire departments scope but we would get ahold of the dog warden for sure and any other search and rescue people that we know there are various, we had a captain on our department that had a search dog for a while and was assigned to task force one, so we do have people that are trained around the area that work with dogs but there is no dire department that can handle that amount of dogs, people or whatever we would rely on mutual aid for that

Claire: the question I have, this is more for the neighbor's protection, so you are going to have this area fenced in

Arya: are you talking about the outside pay area?

Claire: any of the areas that the dogs would be loose in

Arya: they will only be loose in the outside park, that's it

Claire: would you be willing to put up buffers

Arya: yes, I don't want them to see what's going on on the outside so the first thing would be, chain link fence with extenders and chicken coop and all that stuff but on the outside, I would out a solid wood panel like a plastic panel or something so they cannot see what's going on on the outside also for the noise pollution

Gary: do you agree with that

Claire: I want to see what the neighbors have to say

Gary: okay we are not quite there yet when we are talking about the buffers, we are talking about a fence around the existing buildings

Arya: the existing buildings will not have a fence because the dogs are always inside

Gary: that's what I want to clarify what we are questioning here

Arya: she was asking where the dogs were going to be let loose, which is only in the outside park area which is where we let the dogs out for playing which will be from during the business hours in batches basically she is asking will there be any additional containment on what's going on on the outside yes for the outside dog park area, apart from the original chain link fence which will be robust, I will put up additional something like what do you call it, invisible fence not invisible fence a privacy fence where they will not be able to see what's going on outside except for the play area

Claire: how will you get them from the building to the play area

Arya: gate, can I go back to the building (on slide show)

Claire: sure

Claire and Gary discussing

Arya: so this is (using slide show) I just want to show you what a privacy fence looks like there are different materials, I generally do not like to use wood materials because of all the rain you will get into trouble maintaining that, it will be something like this, easy to power wash but nothing can be seen on what's going on on the outside so going to back to the other discussion (pointing to area on slide show) yeah here then I put the dog park here with the chain link fence and everything outside with extenders and everything on outside of that I will put this material and then to the answer of your question so I want to put the dog park here so it's easy for the dogs that are in the daycare along with the dog boarding to be split out from whatever building they come from it will route them back to their respective buildings

Claire: so, is it going to be, for the lack of better putting it, a hallway?

Arya: yeah I eventually will put a hallway but first

Claire: I want to make sure that if you are walking a Kane Corso from that building out to the play area that that dogs not going to get loose and go to his house

Arya: right

Claire: that's what I want to make sure of

Arya: yes I understand what you are saying so for that, I already thought through that whichever the dogs are coming out of, for instance in order to access the dog park, the easiest way would be coming from the back side so somewhere along this side I will put a fence so they cannot get out anywhere and go straight into the dog park likewise from this building to this building the dogs will not, there is no way the dogs will get loose because eventually at some point I am also thinking of putting a hallway just like a lean-to on the top with an enclosing gate to walk the dogs from this building into this building into the daycare area if it is really hot outside or really cold or raining or whatever and depending on what the cash flow I get from the business another walkway from the lean-to going from this building into the park and it's like railed up like a jail and go straight into the park and same way the dogs can only go straight into the park but that's the plan basically

Gary: so that fence that you are going to have in that back area back there and we are talking about and we are talking about putting a buffer fence on the outside

Arya: outside, if it was inside the dogs would tear it up that material is cheap its only to make sure they cannot see what's going on outside

Brett: and between the other two buildings the play and the boarding you are almost talking like a chain link jail sally port

Arya: yeah

Brett: open one gate and maybe go in there and close the other then they will have access and the same on the way out

Arya: yeah

Brett: come in and close a gate behind them

Arya: there will be two gates, like a staging gate, if there is one gate, they will run away so just like dog parks in the public area where there will be two gates something like that

Gary: anything else from the board, okay thank you (dismisses Arya from the table) any comments from the audience

Marie: I have a lot so please bear with me; Marie Springer I live right behind him. So if you have walked the boarder than you must have seen out house

Arya: I didn't go all the way to the tree line, I walked like I can show you from here (looking at picture on slide show) today when I walked, I walked to this tree here

Marie: okay I know exactly where you are talking about then, so we live, see this row of trees here it's a thin row of trees, it's probably thin, we have actually talked to the one gentleman who has sheep back there right now from out stamped concrete to where his fence is right there

Arya: okay

Marie: so, it's not that far, our house, wait so our property starts (pointing at slide show picture) (cannot understand her) it's narrow at the top of the driveway

Arya: okay

Marie: there is the Mahoning River than there is our house it aprons out right here and our property ends right here to about right here and we have the field right here, our house sits right about here and a hill and your right here so we hear coyotes all the time running all around up here, (pointing at slide show picture)

Arya: I hear it everyday

Marie: in fact we can hear it inside

Arya: I hear it too, there was a coyote pup in the field today

Marie: yeah so you can hear it all over here

Gary: you need to speak over here

Marie: so if you are having about 80 dogs and you send 5-10 at one time to play

Arya: in the park area, but the park area is near the buildings not back there

Marie: but still we can hear the coyotes clear as day so we are still going to hear them throughout the day as they cycle in and out

Arya: oh you mean the dogs barking, yeah

Marie: so I'm going to hear going to hear dogs barking all day and I am outside throughout the day a lot I am an outside kind of person with my 3 little children, 5 months old she has us down



syndrome so she has a developmental disability she's not going to be able to get around too much and then I have a 2 year old and a 4 year old, my 4 year old really cool he rides a dirt bike, so if is out in the field riding all around um he gets distracted he falls easy so my fear is when a dog does get out, because freak accidents do happen um if there is a fire or if someone looses one going in and out from a car um I don't know I am a nurse I worked at places where patients got out from a locked unit on a second floor and walked miles down the road and got picked up at the gas station so things happen and where do you think the dog is going to go, it's going to go away from the building and so it's likely very possibly going to hit my house first during the day when it's out and I am out there with 3 little kids, how do I get my little kids in the house or in the barn away from this unwanted aggressive large animal I am very very fearful for my children having that so close, it's a residential homey place plus if something were to happen we would want to move who's going to want to buy a house that has a kennel right in their back yard it lowers our resale on the house, how much we would get for it and how much longer would it take to sell your house, you can't put a dollar amount on that, it's difficult to say, but I feel that that would be harder and you wouldn't get as much resale for your home um what else did I want to say (asking her husband behind her) with our daughter having down syndrome, she had open heart surgery we actually just got home from the hospital yesterday I was worried about if something did happen to her heart if I did have to do CPR how long would I have to wait for the fire department to get to our house so I did a little research, first I accidentally call the city, the city is closer, but they are not the ones who respond it's the township and I was quoted 12-15 minutes maybe so that's how long you are looking if you do have a fire or some kind of incident um if you go online, um I used to follow the fire department I was involved with them for approximately 10 years, I followed along, I road along with them and then they kind of grandfathered me when I turned 18 or 21, I think 21 as their helper teaching the courses things like that so um oh gosh I'm losing my track of mind I am sorry, you know how when you hit a wall, you know when you were going to say something and you completely loose it um what was I saying the timing

Remy: 12-15 mins, you were riding along

Marie: yeah, oh gosh

Gary: do you have a new subject, maybe a new subject will help and then you can come back to that

Marie: let's see oh yes, they use to show a little video, I think it was over the course of 5 mins of what a room looks like if it were to go up in flames, they start with a little trash can in the corner of this small ya know a typical office maybe back there about what that size would be 5 mins the rooms engulfed in flames so if you were thinking about the response time, maybe that would help you plan for something like that or give you a visual of what that would look like, um let's see, a questions for you , what happens when one or more of these aggressive dogs gets out and runs away, who's being notified, will they have a chip to be detected on who's dog it is? Will I or other neighbors be notified and how quickly and hoe much of a risk do you think that my family and my children being outside all day would be at if nobody else wants these dogs, and you don't want to put them down and I respect the fact that you do not want to kill an animal and I wouldn't want to either but these are my little kids

Arya: I will answer in stages, okay first of all based on all of the security plans I have showed you there is no way the dogs can escape because they will walk like a criminal, they can only go

from building to building in a fence to the park, or from the park to the boarding there is no way the dogs would be possibly get out, that's one thing. And based on the videos I'm putting (I think that's his words) I have 8 dogs, out of which 1 is 60 pounds the others are 90 plus and the highest weight I have is 147 pounds, he cannot break a fence meaning he can probably knock over a chain link fence if it is not posted strongly but with the kind of material concrete and cement and all that stuff this will not come apart, that much I can guarantee second ways I can answer your problem dog aggression wise, yes if the dog is really aggressive, first of all I won't even take the dog unless he's in training because I train dogs, when I am training a dog for behavior modification the only dog will be trained in this building but the dog will not be boarded it will come and be trained. What you mentioned about what if the dog happens to escape from a building, me and a staff members will first for sure start looking for the dog, whether the dog will have the microchip or not that is not something I can guarantee, that is the responsible of the customer, so if the dog does not have a microchip they dog will be found wondering around everywhere, but the dog warden will be informed, likewise the police department will be informed and depending on which side the dog ran off on the staff will be there always monitoring the dogs and I have security cameras too from the roadway all the way to the back side where the dogs will be hanging out there will be security cameras to monitor every frame of my property, so based on that if we act quickly we can get to the dog or do some kind of what do you call it containment or something and we can warn the neighborhood, our staff can call them as to where the dogs are. That much I can tell.

Marie: I highly respect the so many details that I couldn't have even thought about, the whole plan and putting all these details into place but even having all these preventive measures in place you still just said, if a dog were to get out and wondering everywhere

Arya: like I just said there is no way I can always guarantee, because you are asking me I am just saying if they get out this is the steps I would follow but can they can get? The amount of money that I am spending to secure the property there is no freaking way a dog can get out

Marie: and there is not freaking way a person is going to get out of a fully staffed nursing home on the second floor, locked elevators and walk all the way down, miles down to a gas station

Arya: a dementia patient I cannot guarantee

Marie: things happen

Arya: like things happen, only chances

Marie: I know what are the chances that was going to happen and it happens all the time

Arya: do you want me to plead my case on a once and a blue moon case or do you want me to plead my case on a 95% chance I can't

Marie: I know it's hard to say and you put all these preventative measures in place but things still happen and when it happens who do I blame I don't want to have to blame you for something like that

Arya: okay so I have 8 dogs, I don't have a fence, then run from the front of my property to the back of my property, so far and I mean nothing happened so far and my dogs even played with the neighbors kids, I even have videos on my phone I can show you so, without a fence that is their containment they never left my eye sight with the containment, I am not trying to justify my

case or trying to convince these people but I can only say about the knowledge I have in dog training of terms of what I can do that's all I can say

Claire: and I think also we are kind of leaning on that these are going to be aggressive dogs, I want to be like this is going to be like the Bed and Biscuit down on 59 that where if I am going on vacation that I can take my little dogs and leave them for a week I understand that you are going to be doing training and some of it may be behavioral

Arya: depending on the customer, if the customer wants a training yes but if the customer doesn't want training then

Claire: but it's not going to be large aggressive dogs, it's going to be a mixture of dogs

Arya: first of all 95% of boarding kennels they will not take aggressive dogs because they don't know how bad it is most of their business they will get is through boarding because that is their bread and butter because that's the cash inflow, I am offering training, boarding and grooming because I know how to handle dogs rather it be aggression, obeisance or whatever it is so depending on case by case basis, if the dogs aggression is through the roof then it is only for training, I would say to the customer come over maybe a Saturday or Sunday we can train inside the room then the dog will be out but when the dog comes in I have several measures, first of all the dog should be on a muzzle and when the dog comes for training especially when the dogs has real aggression issues they go inside the building and they have to leave, that's it, no playing in the park, nothing like that and the building will be locked up when I am doing the training because that's how the training should be they cannot get distracted by other dogs so I have measures to do that but very super aggressive dogs will never be boarded for sure, because they will not only impact the rest of the dogs and a safety measure for my staff members, if me I will handle an aggressive dog if a dog is coming to bite me I know how to contain it, but I don't want to put my staff members in any kind of situation that they get bit offering food or something like that obviously that type of aggression is for training but no boarding if the owner says my dog has food aggression issue but its good playing with other dogs and all this stuff, that is a case by case basis where the dog will be fed through a feeder so that the staff will not touch the dog during feeding time, but the walking time, that's a different, if the dog has aggressive towards other dogs then that dog will never be let out with any other dogs, he will walk and he is out

Remy: do you have any, yeah know like if a dog did become aggressive would you have like tranquilizer guns or regular guns, I guess to put that dog down

Arya: legally I cannot do that unless I have permissions from the customer I personally cannot shoot a dog, unless it's really becoming aggressive and biting someone yes that at that point there is no questions asked I will have videos etc. and say that is why I put your dog down, but I have others ways to contain the dog, I have a number 8, ya know that thing with the loop that people on the road try to catch dogs with I have that, that's the one I am going to use to contain a dog, and when it is going out of its mind and not even thinking and biting yeah the dog will be put down, because will that I have to plead my case really strong and show all kinds of videos because I don't want to get into sue issues and all that stuff

Remy: oh, ya and again we are just focused on safety which is everybody's concern here

Arya: and for the real estate question I don't even know anything this is my first house, until I bought this house

Gary: okay is there anything else

Marie: um yes so with not boarding them, you just having them come in and out, you are actually exposing them to more risk of getting away from taking them and going back and forth so many times

Gary: so, what is your question

Marie: yeah so um instead of boarding a dog and that they are there overnight instead of just coming and going and letting play, then you are actually increasing the risk of letting them go out into open space from going from the door to the car

Arya: but the dog will be on the leash it will not get loose

Marie: I mean how many dogs get away it's just a risk

Arya: for a basic obedience class it will be in a group of 3 5 or 10 depending on the number I can fit into a building right there is what I have planned, but for dogs that have aggression type issues it will be one on one and I will be managing a calendar as to when they have to come in and what is the best way is how I will be planning it's not like aggression dogs and obedience dogs will be mixed together in the same training room no that's not going to happen. So it's a case by case basis

Marie: and then with the number of dogs, since you are going to be breeding, do you have a max amount of dogs that you will contain or house as your own, because you said that if there were any dogs, that were aggressive or unwanted that you would just keep them, so instead of putting the dogs down, the ones that nobody wants so you just keep breeding and breeding and breeding you end up with more dogs that you don't want and keep having

Arya: a female will go into heat once a year, if it's large breeds, and all I have is large breed, small dogs will go every six months, large breed dog they go every one year, 9 months-1 year and in respect to a heat cycle, you cannot breed a female more than 4 times in her whole life span because that is not good for an ethical breeder, so that's 4 litters and that's no even meaning that I will breed the dog every time because it depends on the first litter, if the first litter does not give me physically and mentally the dogs I need, like it is based on the whole chain of pedigree then I will probably not even do the breeding but if I do the breeding. But to answer your question if the dog is really good and I am getting good puppies, then I will do the four times and that will be it, it is not like I will be doing 4 this year and on and on I have to plan it and I also have to find a male, if I go back to the same male, then it goes back to his original question puppy farm puppy farm and I won't do that so it's basically the difference between an ethical breeder and a puppy farm, I didn't even start breeding yet, I have 5 intact males and 3 females so far nothing has happened even in the peak season so

Marie: but the questions isn't about heat, it's about after so many a certain amount of time you are going to have so many dogs

Arya: so many dogs meaning

Marie: meaning so many dogs that aren't going to sell

Arya: my dogs will be with me

Marie: but there is going to be a point where you have multiple dogs that just didn't sell, because of certain kind of demeanor or nobody likes the coat pattern or something I don't know so how many dogs is this going to end up being

Arya: So if I have 4 females and 5 males' I'm not going to breed all females at the same time, I myself have to sell a litter before I can breed another one otherwise how will I afford all the puppies I always start feeding them, medication this and that then if no one wants to buy them, myself will be stuck with 20 dogs I will not do that I will have one litter sell them and then onto the next one it's not like multiple dogs being on my property, puppies wise, I'm not talking about the adults, I am talking about the puppies

Marie: maybe I am not following, because you said earlier that whatever dogs weren't wanted you would just keep for your own

Arya: no you misunderstood, he asked me a question, are you all the 8 dogs yours, then he asked me questions will you ever give any of these dogs away I said no way those are mine, once a dog comes onto my property which is my personal dog unless the dog is mentally unstable, where I am unable to train the dog from the puppy stage I am not able to train, whether it's a mental situation or whatever that is the only reason I will be rehoming the dog or putting the dog down which otherwise if the dogs are well mannered which all of my eight dogs are you can come check them out at any time, if the dog is very well trained, which it what I do, I train dogs and if the dogs are well in terms of health and titles and stuff, once a dog comes that is my own dog until the dog dies, that dog will never leave my property unless some of the kennels are filled up and I can't not sell them I will give them to other breeders or give them away for free to some families that want to own a dog at that point of time it comes to that point, that's another topic of conversation that is on a case by case

Miscellaneous talking amongst everyone

Remy: so I think the point she was trying to make, say 11 puppies in the litter and you only sell 7 of those puppies what happens to the other 4 puppies from that litter

Arya: so normally people they will buy if you put it at a discounted price normally a Kane Corso puppy that I buy is \$4800 some people they might not be able to afford that much then I have to reduce the price and give them a price of the kind you buy at the stores or you keep them and raise them as your own

Remy: that is what she is saying there are going to be times that you cannot sell 100% of the litter or there might be some reason that there may be a deformity,

Arya: a deformity, they would be put down because if I give it to another home and they practice back yard breeding that could come back to me, because I sold the original dog and I don't want inaudible for that so if the dog is having any mentally or physical issues the dog will be put down but if the dog is fine and I sell it at a discounted price on the worst case scenario when you say free, anyone can come pick up the dog but if I'm selling a dog for free the dog will be neutered or spayed so that they so they can't produce a bad one and it would be just a pet for them

Remy: okay she is just worried about population and

Arya: if I would have wanted to do that I would've practiced this 4 years ago without any questions but I don't do that stuff

Remy: okay does anybody else in the audience have anything You will need to be sworn in sir

Gary: raise your right hand please, is the testimony you are about to give is the truth, yes, state your name and your address please

Nick: Nick Niro (sp) 7699 peck road I going to give you people some numbers you know we don't need no more breeding you know how many dogs they kill everyday 950 everyday 365 days a year the human society they get in 32 million dogs every year and most of those they get are not euthanized so they are puppies mills some breeders you for farm or something some people breed for business I don't think we need any more breeding dogs because too many dogs a year are killed cause the people they gets dogs and they don't want no more and the puppies they get killed for experiment. I don't care no body he want to board the dogs that's fine but breeding I am totally against that because there are too many dogs that are getting killed every year they get euthanized because they can't find a home that's all I got to say

Gary: okay thank you, anyone else

Tim: I am Tim Hartong

Gary: the testimony you are about to give Is the truth, yes, state your name and address please

Tim: Tim Hartong 7600 peck road so I want to go up to here (the screen with property displayed on) I went down to meet him Sunday to meet him, and I know the property, cause I own everything, 88 acres from this point of the building over, this building is on my property, he's knows that he is going to take that down, there are restrictions back there, this is a runway, there are height restrictions back there that he can't build back there because of the FAA and the State because it's a registered runway so I don't know if you guys knew that but so he has to watch what he is building back over here back in here (pointing at map) because of the height restrictions. I don't mind away starting a business and doing what he wants to do, I just want to know how his business plan is going to be and if it's going to work we don't need any more junk out here in the township, question, I like that he is going to be spending some money on the buildings because right now it's a trash hole right here (pointing to picture on screen) the guy has never done anything, I was going to say shithole but he did nothing to this property but trash it and left it, now he's buying it and going to fix it up and I like the idea that he is going to put some money into the buildings and fix it all up because its an eyesore for me on my property, hopefully he makes it better, I don't like the idea of dogs barking all day long so that is an issue for me, I can hear everything at my house over there, but that will be up to you guys to make the rules on what your going to do and zoning, other than that as long as you guys have rules in place for him to do to run his business and how he's going to do it. I think he's going to fix this place up and I hope that it works for him and it's not noisy so.

Claire: thank you

Gary: anyone else, okay you are still under oath

Allen Springer: yes sir, so Allen Springer 7712 Cooley Road, as my wife pointed out we are just at the tree line at the back end of this gentleman's lot, I have approximately the same distance to his back buildings as the neighbors are in front probably about 7-800 foot or so behind his

house. The couple concerns that I had, that I did not hear addressed by the board, and I might be mistaken here bear with me. Brett when we talked on the phone the other day I had asked you a question about what variances this gentleman was requesting and I did here that the 150ft easement was addressed is that correct? And that was in regard to what in particular

Brett: in general for these buildings he needs 150ft from property line for boarding we are looking east, peck road is here obviously the solid white top building there, the boarding building is about 255 from the property line the one with the skylights is on the property line that is the one that doesn't meet 150ft setback, so they are not going to be boarded there and exercise and play there but that would be one of the variances because we are on the property line second variance would be 150ft from the principal structure to the first commercial building, his house again pretty much right here and this remains a detached garage with the home so that's not in the plan, training building, boarding building, pool/play area grooming and reception that what we have so do we have 150ft from the house to the reception door

Arya: it's 154

Brett: I know it's really close but it's right on there, so that would be one exception we would make on that one, and again the north building is 255 so of the setbacks we are looking at a series of buildings on the south and we are okay on the distance from the home to the training building the other variance was a frontage requirement of 500 feet which maybe at one time the residential parcel had before the two residential parcels were carved out but at this time the frontage is, might be 80ft I can check, yeah there is 500 required

Allen: and the 500 is a requirement for what specifically

Brett: the kennels conditional use and that's 500ft along peck road

Gary: now I am going to throw a but out, Jim, did I understand you at one time this property was once agricultural

Jim: correct

Gary: so that means that the setbacks of the building and the buildings and the buildings themselves are grandfathered

Jim: Correct

Gary: so, when we talk about setbacks, whatever they are it's a mute issue is that correct

Jim: that's correct, that's for existing buildings, any new buildings would have to meet the setback requirements

Gary: yes

Jim: so that the buildings that are currently on the property are grandfathered there is nothing you can do about it so they wouldn't require a variance, because they are existing and they are grandfathered

Gary: that's where we stand on that, are you clear on that

Allen: I understand I guess my question was more so on the 500 and if you felt that that was addressed by his comment about the agricultural easements

Gary: I'm do you have any comments on that about the 500ft

Jim: as far as

Gary as far as the grandfathered

Jim: the buildings are as where they sit now are grandfathered so that requirement for the 500 feet is a mute subject

Allen: the 500ft I don't know that's up to you to decided, but the 500 feet is the frontage it has nothing to do with the buildings

Jim: are you talking about the 500 ft frontage, it's a lot of record, so there is nothing you can do about changing the lot of record but that would require a variance

Brett: correct so, that is one issue he needs 500ft of road frontage as per the due to the carve out of these two residential lots

Jim: when we wrote that section of the code that was for new construction so if somebody wanted to come in to put a kennel on a vacant piece of land that's what they had to meet, the zoning code is all written as if nothing on that plot existed before, so that's why there is variances and things like that because existing properties could pose an issue

Gary: I think we need some guidance here

Jim: sure

Gary: I think we need some guidance, Brett, the property being, the property being grandfathered in as agricultural now we are talking about this 500ft setback from the roadway to the kennel

Brett: not a setback that frontage on peck road

Gary: or frontage yeah

Jim: that frontage on the road is not related to the agricultural exemption

Brett; Jim so the 500ft frontage is still valid in this commercial use it's not a farm so a variance is still required on the frontage

Remy: if he plans to keep the agricultural exemption

Jim: he doesn't qualify for agricultural exemption

Everyone talking over Brett

Claire: he was going to bring sheep

Gary: but there is not 500ft of width to the property where you go back to the wooded area, according to this sheet here it's 376 feet is that correct, anybody? Is that correct?

Brett: I know it's 255 there 350

Remy: the whole width of the property

Gary: so, it's impossible



Brett: that may be so to meet the 500ft of frontage standard in a new building

Gary: it's impossible

Brett: on that property

Allen: I guess my argument is I'm not the expert I just want to make sure it was considered the 500 was not a grandfathered exception to the agricultural or whatever

Jim: no, it's not

Allen: okay

Gary: the property is not even 500 foot wide

Brett: the code and laws are written but they are interpreted by people so this is why we do this on a case-by-case basis

Allen: understood, so I heard everyone talking about the 150-foot easement and I remember the conversation we had I just want to make sure it was discussed

Claire: I appreciate that

Allen: thank you

Claire: do you have any other concerns

Allen: I have 2 things, so one thing I don't think we missed it, but we didn't talk about hours of visitation or um presumably he is going to have two neighbors right next to his driveway that are going to have to listen to traffic all hours of the day um and given the number of animals he looks at hosting and presuming it may be a week's stay at average you would expect 10-12 visits a day which means if um 80 days that some portion of those are being disrupted 10 plus times a day um so I don't know how close any of you live to kennels but 500 ft, is not a comfortable distance, 800 feet is not a comfortable distance for me to enjoy the peace on my property. So I respect his desire to have a business and operate it in a matter that he chooses to on his own properties, but I don't respect the negative impact it has on my property and frankly this is the first time that I've met this gentleman there has not been an attempt to communicate with us before this meeting except for the letter I got in the mail, so I don't feel like any of my concerns are any of his concerns and I am concerned that that is going to be the standard going forward. So I appreciate your comment about lighting for security, um this is a very quiet neighbor and I'm sure the neighbors could attest to it as well, it's two farm roads, I can hear my neighbors conversations through the woods sometimes and I live 600ft from my closest neighbor um so I hope you can appreciate the amount of noise and disruption 80 animals to the people that I am guessing live within a quarter of a mile to this gentleman's business and also just the hours of operation, I guess you can elaborate on that

Arya: 7am to 7 pm

Allen: okay

Gary: say it again please

Arya 7 to 7, 7am to 7pm

Allen: so, with the lighting for security the noise pollution the lighting pollution, the animals and the lighting I am just not in favor of this next to my house. I will echo my wife's point about our ability to sell the house, we bought our house with the plans of raising our family in Ravenna township and we don't have any plans to leave, we bought our property because we have 3 young children we want to raise there and we don't want to move, I feel if this is in the neighborhood I don't have a choice but to move, um I have 3 kids that I have to put first and I don't want to have to deal with the disruption of having this next door to me, it will force me to move and I am afraid that if it comes to this that I have to sell my house, that I might not be able to because nobody, if this was your house and you lived there you probably wouldn't want to live there either, so that's all I have to say

Gary: is that all you have to say sir? Anyone else

Remy: do you know the last time this place was used as a farm, as a dairy farm

Tim: 2 years ago

Gary: 2 yrs. ago

Remy: so, two years ago, there were cows and so there was no concern of noise or smell or anything

Tim: oh, there was

Marie: we smelled them too

Laughing

Remy: so it sounds like the bigger concern here is the nature of the animal on the property as opposed to, so if there were 80 cows on this property, which I don't think 14 acres could support 80 cows because each cow needs so many acres you wouldn't be as concerned as 80 dogs, I am talking in general, you don't have to answer that question, I am just trying to think it's the nature of the business and the use of the property that there wasn't a concern 2 years ago, that you were not trying to drive the dairy farmer out because of the cows, smell and noise, cows aren't quiet, I lease land in another county for about 30 cows, you can hear them making noises all night so and I hear the coyotes too and I am sure there is noise factors, you have to consider the use of the properties and the benefits, past use, future use and just thoughts

Marie: so prior I did a little research on performance standards (reading an article from her laptop) under section 1200.02 for noise it tells you Octavian cycles and it's just relating to the sound and how far you would actually hear, because he said nobody, we wouldn't hear it but and I did look up to see how far a dog's bark will travel. So there was a research article, Science.gov of methodology of reach on housing dogs in a facility (reads article very fast) but the point is there is a number of 500hertz and under the schedule of 1200.02.1 there is something that lists numbers and um I don't even really know what exactly to make of it but I just want to state that there is a noise standard and we can already hear coyotes from far away so if this is open from 7a to 7p and dogs are outside all day I am going to hear them barking all day and the neighbors are going to hear it too and it's not going to be very pleasant so. And then my closing argument is under chapter 1 title authorization and purpose overall, section 100.00 title sorry I am reading the wrong one, the section 101.00 purpose, the purposes of this zoning resolutions, A) to promote and protect the public health, safety, convenience, comfort,

prosperity and general welfare of the township. So basically, is it good for the township and does everyone like it. I am sorry to say, I try to be a likeable person and I am a people pleaser but my family comes first, this is our house, this is what we work for and we are trying to grow a family, they are really little, accidents happen even though we plan for the worst and we hope for the best, things happen, not likeable things happen and I just don't want to open any room for that to happen okay

Gary: thank you anyone else

Allen: I have just one more quick comment, yes the gentleman shared a lot of details with us today I noticed that several others that came here had a lot more engineers and drawings and plans in place um certainly I am sure he doesn't want to spend all the money ahead of time without having it approved variance so I can respect that um but what is the intent that all of the things that he has shared with us today are going to be carried through in the event that this is approved

Remy: so we have a zoning inspector who is going to uh if we decide to move forward with it, is going to make sure that he meets all the requirements and if he doesn't meet those requirements, if somebody fails to meet zoning standards

Allen: okay

Brett: the conditional use means, it's heard before the board and they can attach reasonable conditions, so certain things that you and the wife have mentioned, alerting neighbors, Arya have you heard about an auto dialer system like something a school board uses to call kids off for a snow day, something like that that you would call 8 of your neighbors with a pre-recorded message saying ya know there has been an incident here, this is just a courtesy call and you will get a call back as just as soon as things are restored

Arya: okay yeah

Brett: you have heard of something like that, secondly I don't know we have talked about breaking up dog fights or how do you feel about pepper spray or electric prods you got to be able to handle an animal and then lastly, hours of operation would be 7am-7pm but I think there was an issue was the load of traffic and the load of noise loading and unloading dogs could you narrow that down to a drop off and pickup time, like drop off is 7-9 and pickup is 5-7

Arya: the business hours are basically when the doors are open and I can conduct official business but the times of drop off I can adjust that, because in some kennels, in the boarding areas, they do 7-9 and pickup like 5-6, I could do that, also not a problem

Brett: ya know I understand the lighting needs to be sufficient but at the same time we can't have lighting that constitutes a nuisance or a glare or anything on adjacent property, the permissible sound levels for adjoining residential they are defined by ottava bands and cycles I can tell you that right around the thousand hertz is human speech 46 and 46 decibels, I could average that out. I think clearly the issues are security, if a dogs gets out how are we going to handle that plus the noise, no one has really mentioned anything about sewage, runoff, groundwater, and parking, any of those things. I cannot take an opinion in this and everybody should know that from the beginning. So the board has a couple options, Mr. Long will explain all that, but that is the reason we have these meetings is to gather input.

Remy: does our zoning inspector see any problem with this proposal other than the 500ft piece.

Brett: I started speaking with Arya in April, and from the very beginning I explained to him the process and what the conditional use was, what the variances would involve. I can't say I see problems I see that there might be a conditional use required and certain variances I can also understand easily the neighbors' concerns, but I can have no opinion on this

Remy: okay just wondering, so to the letter of the law to our code, that's all you see is the variance and the conditional use

Brett: yes, I can tell you he has made a sincere effort and has addressed everything and anything, from EPA, drainage, underwater piping, sewage, collection base, waste traps, air conditioning, insulation for sound, noise, floor coverings, wall coverings

Remy: very thoroughly prepared

Brett: coyote walls, which I have never heard of before but they are some cylindrical things mounted to the top of the fence so

Remy: oh, they are new to me as well

Brett: and it's my job to understand all sides of it so I think I'm good

Gary: I hate to burst anybody's bubble but one of our jobs in the BZA is to grant conditional uses and variances that doesn't inhibit the quality of our neighbors. It's not an agricultural facility yet it has been protected by grandfathering it so we have to deal so we have to deal with what's on the table, there are many I have at least 7 stipulations that would be very severe for you to work with, I am very much interested in the side property owners I am really concerned about the little girl or the little boy that you have that has autism (Marie: Down Syndrome) um I don't know whether I can get a motion out of the BZA group that sits beside me, so I will make a motion that the conditional use and the variances that we had talked about here tonight, on BZA 2022-009 be denied and I am looking for a second. No second?

Remy: that means the motions dies

Gary: that means the motion is dead is there any other motions from the BZA and if we do have a motion other than what I just spoke, there are seven stipulations I have

Remy: I would say given the sheer amount of information that has been presented to us tonight on both sides of the story of the conditional use, and I think the board should take time to review all this information both from the neighbors and from Arya and so we can come to an educated decision as to whether to approve or to deny as you have seen the board is kind of stuck right now as to whether to approve or to deny this conditional use and the stipulations so we would also like to see, Arya, you have spoken quite a bit about if's and possibilities, it sounds like you have a very formal business plan, I am guessing you already have something that you have put together

Arya: I based off (inaudible) but I haven't started yet because without this I can't work on it

Remy: Well sure, ya know then we have the other considerations of the prior use of the property and the grandfathering so I say that we table this variance, I move that we table BZA 2022-009 I would recommend that you review the 7 stipulations, Gary if you would share those with Arya

and then we come back next month ya know and see where everything is at and we invite everybody else back as well and the concerns about the property and it's future use and that will give us more time, due to the complexity of this request and ya know thinking of the Township as a whole and the use of this property and that's how I move and that would also give Arya time to address some of our stipulations, I don't want something ya know just spur of the moment to just jump in and say yeah and that you may find out later that this might not be feasible and might not be financially possible yeah know for you or that it might be too burdensome to try to meet the neighbors demands of your own property. So, I move that we come back to this, I guess 30 days, table this till next month Gary if you would state the 7 stipulations for Arya to work on for next time and the neighbors as well, it would just give us time to manage this and address everybody's concerns. Can I get a second?

Claire: I will second that, with the stipulations

Gary: do you want me to voice the stipulations before, so we have them in the record and then Arya you know what they are, we had 7 here. The indirect lighting requirement, we would like to see what your plan is for that, your sound proofing plan

Arya: inside I can

Gary: I am voicing these now for the record, you can address them, we would like to have them in writing

Arya: yeah

Gary: and you can submit them at our next meeting, 3 was I am interested in, we are interested in the installation of atmosphere controls, how you are going to control the heat and the cooling for these animals, fire and or rescue plans

Arya: fire as in terms of suppression

Gary: get it ready for the next meeting

Arya: hold on one second, I have a question

Gary: and privacy fence around the fenced area where the dogs will be out so they, um we talked about that, with the fencing outside the fencing

Remy: the visible, private

Arya: yeah

Gary: and I think that um that we would like to have a detailed business plan which is going to take in a lot of your questions about the variance and conditional uses and how you are going to handle them that's on page 7-59, if you don't have a copy, you can get a copy off of Brett and we would like you to address all of those items in writing okay?

Brett: Gary I have six really quick, indirect lighting, sound proofing, HVAC, fire rescue plan and privacy fence in play area and a detailed business plan that's 6

Gary: that's 6?

Brett: is there 7

Gary: did you miss the atmosphere controls

Brett: yeah, HVAC I got

Gary: sound proofing

Brett: yes sir

Gary: the 4<sup>th</sup> one was fire and rescue

Brett: yes sir

Gary: and 5 was the privacy fence around the play area

Brett: yes sir

Gary: and the last one was a detailed business plan that should be 6

Brett: 6

Gary: what did I say 7

Claire: yes 7

Gary: that's because I crossed out 1

Remy: well, how about the

Brett: does the board in the packet have maybe a 4-color packet business plan outline, I don't know if that came in late and it if got in your

Claire: what color is it

Brett: oh maybe 3-4 color pages on a business plan

Claire: no

Gary: no, we did not receive it

Brett: okay I will make sure that it gets out

Remy: so the only other thing that I would add that I guess which would take us to 7 was the neighbor notification system so in case an animal or if it was somebody that broke loose or if there was a concern that neighbors could be informed ya know auto dialer I know you would notify the dog warden which is appropriate and local police but then by the time that information filters back to the neighbors who are 800ft away I would like them to get the notifications faster especially if they are outside, ya know so they could have something like a text message system yeah or ya know just demonstrate being a good neighbor

Gary: and for clarification that is the one that I crossed out

LAUGHING

Remy: you can kind of thank Brett for that he mentioned the auto dialer, text messages are pretty popular as well just a notification, most people have their phones with them, so just something that says "hey this happened" then the "all clear" kind of notification as well. It does look like that he is going to work very, very hard so that never happens, but like you said there is

always a chance, so we are going to err on the side of caution and with all of those things and the additional knowledge then, I think we would feel more comfortable as to deciding yes or no for this proposal

Gary: that being said we have a motion on the floor and a second to table to um next meeting and you have the stipulations that we want addressed in writing and so you can take the roll call

MM: yes, I have one question, would you like to set the date for the meeting on record

Gary: it's usually, they are usually scheduled for the second Wednesday of every month

MM: okay, just wanted to make sure everybody was aware okay

Brett: that's correct so September 14<sup>th</sup>, if it's publicized at the close of this meeting, it doesn't have to be advertised again, so Wednesday evening at 7pm with be September, the second Wednesday correction it will be the 14<sup>th</sup>, September 14<sup>th</sup>, the board will review the dog kennel application

Jim: I would publish that just to be on the safe side

Brett: Okay

Allen: I have a question for how it will be published, is that going out to all the affected neighbors again or only those in attendance here

Jim: no that goes out to everybody

Allen: okay thank you

Remy: yep, just like the original notification

Arya: I usually always prepare for worst case scenario, so in case this goes south, questions for you, I have two questions basically, the boarding breeding I talked about, right now I am housing all the dogs in my house, I want to move them there, as my personal dogs, my breeding dogs instead of doing boarding business which if I get into that instead of breeding and boarding which is like 2-3 years from now so can I move my dogs there and there will not be any boarding of customers dogs but it's my personal dogs, because my house will eventually get filled up with dogs

Remy: well, I mean it's your personal building at this point, it's not part of any business or any kind of activities so you can use that building but I believe you can use it for however you want to use it

Arya: but can I use it for breeding

Gary: for what

Remy: well with that you are talking two years down the road, I would wait till maybe our next meeting and everything so I would just ya know, you have the 30-day appeal period as to the start of breeding, or the approval for breeding we are not going to answer at this time

Arya: I am just bringing up the topic, that one point and the second one is the training building that I showed you that is building, I mean if I get a call from a customer that says hey can I come get my dog trained, right now it does not have any HVAC or anything but if I put exhaust

fans in there for at least 30 mins or one hour of training I can still do the training, so can I least start the training?

Gary: I personally think that you should wait until the next 30 days until we have our next meeting and that's going to tell you what you can and cannot do, right now it's status quo, we haven't agreed to anything, we haven't approved anything, we haven't rejected anything

Arya: okay

Gary: so, the answer to your question is no

Arya: okay

Brett: but you do have the side fence go ahead

Arya: yeah, and the 3<sup>rd</sup> question is, the previous sellers, they paid off whatever the agricultural exempt taxes for end of this year but for me to maintain that I need to have some type of agricultural animals on the land so I was thinking either Nigerian dwarf goats, sheep or rabbits one of these to maintain Ag exempt

Remy: well, we can't, we are the Board of Zoning Appeals, we cannot speak to the board of agricultural or that CAUV is what you are seeking

Arya: right

Remy: I mean you have to meet whatever county or state says

Arya: I already called them

Jim: you have to clear that though Brett, any use of the land other than what you proposed here tonight

Arya: but they may point I go back to if I have agricultural animals like sheep or goat, the coyotes will kill them, then I need to put my dogs there and without those animals, I have to pay an additional \$1,000 per month for those taxes, property taxes which I am not going to do at all in any which case

Remy: I believe you are allowed to protect your livestock

Arya: yeah, and If I am going to put my livestock there and I am protecting it, coyotes or any kind of threat comes over the dogs will bark for sure so at that point you will hear the barking, and I am not going to give up my agricultural exempt, so that's something you need to take into consideration

Remy: yeah, for dogs barking that is a natural factor,

Arya: they bark to scare the threat away, like the coyotes or any strangers or anyone I am just saying

Remy: we understand that they are on your property, and they are going to do what they need to do like protect your livestock

Claire: and those are your personal dogs, it's not

Arya: ya my personal dogs, ya they will protect my livestock



Remy: and I would just say to the neighbors if the barking became obsessive or out of control that they could file a complaint as they would for any other kind of noise issue but you know we really cannot vote or speak on any of that but we understand your concerns, it sounds like you need to work with Brett as far as the ag exemption and everything, so I believe we can call the roll

MM: we are going to call the vote, Claire: (Remy: to table) yes, Remy: yes, JoAnn: yes Gary: yes, okay that motion is passed table until next month September 14<sup>th</sup> at 7pm

Gary: okay you folks can leave if you want to or you can stay, we have some unfinished business that we have to take care of

Miscellaneous chatting over each other

Remy: I would like to make a motion for the review and approving the minutes that we move that to the next meeting as well because they are from 2021, I say we move them to the next meeting

Gary: I thought we handled that in the last meeting

Claire: I will second that

MM: so, we are tabling the minutes

Remy: Yes, the March 4<sup>th</sup> and July 14<sup>th</sup> minutes we are going to review those at the next meeting

Remy: I made the motion, Claire: I second it

MM: okay we are going to call that vote, Gary, yes, Claire, yes, JoAnn, yes, Remy yes

Brett: could I introduce one last thing

Gary: go ahead, but we still have to journalize, the 3, go ahead Brett

Brett: I have minutes that were recently completed of April 27<sup>th</sup> Michelle's last meeting we are able to review any minutes and then July 13<sup>th</sup> most recent meeting we were addressed a couple of garages and I think Vince Coia's setbacks so I can distribute those for review as well

Gary: we will cover those all-next week or next meeting

Brett: okay so you want copies before you leave

Gary: well, you could mail them to us or however

Brett: well, they are ready now, as well as some additional materials on Arya's business plan he turned those in last minute

Claire: ya go ahead and hand them out before we go

Brett: okay

Gary: okay can we journalize all three, the results of BZA 2022-006. BZA 2022-007, BZA 2022-008

Claire: ya we did the mini storage

Gary: we did um the 006 and the 008 as written and make sure we put the stipulations in for 007 the stipulations were buffers on the south and west sides of the property and there will be no outside storage and 3 a key box control for the entrance

Remy: I second the motion for journalizing

Gary: yeah, for journalizing those three

MM: okay you ready

Claire: yes please

MM: JoAnn, yes, Remy yes, Gary yes, Claire yes

MM: do we need a motion to adjourn

Remy: I so move

MM: first Remy, second, (Gary) I did