

RESOLUTION OF THE TOWN OF WAWAYANDA PLANNING BOARD

WHEREAS, Steve James (Applicant) presented an application to the Town of Wawayanda Planning Board (Board) for a Lot Line Change, Site Plan Approval and Special Use Permit for property located at Section 23, Block 1, Lots 110 and 111 of the Tax Maps of the Town of Wawayanda; and

WHEREAS, the property is located with the AR Zone of the Town of Wawayanda; and

WHEREAS, the Applicant proposes to use the premises for a Kennel; and

WHEREAS, a Kennel requires a Special Use Permit in the AR Zone; and

WHEREAS, the Board has conducted a full and complete review of the application, including a public hearing held on February 8, 2012; and

WHEREAS, the Board, upon its independent examination and consultation with its consultants and counsel, has carefully considered the information gathered during the course of this application;

NOW, THEREFORE, BE IT RESOLVED that the Board grants a Site Plan Approval and Special Use Permit to the Applicant based upon the following:

1. The Board finds the proposed building design and location to be suitable for the use intended.
2. The Board finds the proposed building design and location to be compatible with the natural and man-made surroundings of the property.
3. The Board finds the improvements to be made on the property do not detract from the character of the neighborhood.
4. The Board finds the new buildings on the property conform with current setback requirements.
5. The Board finds the proposed use does not have a detrimental impact on adjacent properties or the health, safety and welfare of the residents of the Town of Wawayanda.
6. The Board finds the proposed use will not cause an undue economic burden on community facilities or services.

BE IT FURTHER RESOLVED that the Special Use Permit shall be subject to the following:

1. The maximum number of dogs to be boarded at the property shall be twenty-eight (28).
2. The Town Engineer shall conduct a noise test as soon as ten (10) dogs are being boarded at the property. The noise test shall be conducted at the property line. Noise mitigation measures shall be required if the result of the test is not sixty-five (65) dBA points or less at property line

3. Another noise test shall be done on the property as soon as the Kennel meets maximum capacity of twenty-eight (28) dogs. The noise test shall be conducted at the property line. New noise mitigation measures shall be required if the result of the test is not sixty-five (65) dBA points or less at property line.
4. No more than ten (10) dogs shall be permitted in the runs at any time.
5. Dogs shall be permitted in the runs between 7:00 AM and 10:00 AM and between 3:00 PM and 6:00 PM.
6. Drop off and pick up of dogs shall be between 8:00 AM and 10:00 AM and between 4:00 PM and 6:00 PM. There shall be no drop off or pickup on Sundays.
7. Dog training done on site shall be limited to the hours of 7:00 AM to 7:00 PM and shall only be done on Monday through Saturday.
8. The Applicant will maintain FIVE HUNDRED AND 00/100 (\$500.00) Dollars in escrow for post-construction noise monitoring.

BE IT FURTHER RESOLVED that any changes to this Special Use Permit shall require approval from the Town of Wawayanda Planning Board.

DATED: JUNE 27th, 2012

Motion by: Barbara Parsons

Seconded by: John Neiger

Ayes: 5

Nays: 0

Abstentions: 0