

**Town of Bartlett
Zoning Board of Adjustment
Public Hearing
September 27, 2018**

Members present: Chairman Richard Plusch; Alternate Peter Pelletier; Anita Burroughs; Julia King.
Members absent: Peter Gagne.

Also present: Darlene and Kyler Drew; Ryan Drew and Mocha; Norman Head; Kathleen Sullivan Head; F. Michael Bannon; Leslie Mallett.

Chairman Plusch called the meeting to order at 7:00 pm by announcing the case number, name of applicant, and purpose of the application. He advised the meeting notice for this application was published in the Conway Daily Sun on September 15th and 27th, 2018 and publicly noticed at the Bartlett, Glen, and Intervale post offices, as well as the Bartlett town hall. Board member and real estate agent Norman Head recused himself due to the fact he was involved in the sale of the property. Alternate Peter Pelletier took Mr. Head's place on the board.

1. Public Hearing - File 2018-04:

Applicant:	Darlene and Kyler Drew
Location:	1088 US Route 302, Bartlett, NH
Bartlett Tax Map:	Tax Map 3RT302, Lot 290
Purpose:	A Special Exception to allow a service dog ranch to operate at the existing Sky Valley Motel property.
Zoning Ordinance Section:	Article XVIII, Section D-1-p.

Darlene and Kyler Drew and Norman Head presented. The Chairman informed the applicants that a full five-member board was not present tonight and gave them the option of proceeding with a four-member board or waiting until a full board was available. Mr. and Mrs. Drew advised they wished to continue with tonight's meeting. The Chairman read the definition of an owner/manager-occupied kennel from the zoning ordinance as being: "An owner-occupied or manager-occupied establishment which may include interior and/or exterior runs where household pets are bred, trained, boarded, and/or groomed." He asked whether the board felt this proposal fell under that definition. Peter Pelletier indicated he would like to hear more of the presentation before deciding. Darlene Drew described their Little Angels dog-training ranch in San Diego, California, and said it was important that the board fully understand what was being proposed as there could often be a misconception as to what a kennel environment could look like with dogs running free, barking, jumping up-and-down, etc. Ms. Drew said while they were proposing a kennel-type facility, their dogs were very well-trained service dogs who were supervised twenty-four hours a day. She asked if she could present a short video of the facility in San Diego which would show a concept similar to what was being proposed for the Sky Valley property. The board agreed, and watched the video.

After the video had finished, the applicants and Mr. Head presented their project by saying the Sky Valley property was over 30-acres in size, and the Drews were proposing to lease approximately eleven of those acres to the Little Angels organization for their dog training facility. By comparison, Darlene Drew said the San Diego ranch shown in the video was only four acres in size. The existing cottages at the back of the Sky Valley property would be used to accommodate the site manager, support staff, and the dog trainers. Ms. Drew said it is initially proposed to have only four or five dogs undergoing training at Sky Valley. These dogs would not live in a kennel environment, but instead would live with their trainers in the two-bedroom cottages whereby one of the bedrooms would be converted into a "doggy room" which would have a doggy door accessing a small outside fenced area for bathroom needs. Ms. Drew described the many benefits of having this 24/7 one-on-one relationship between trainer and dog, and said the trainer was responsible for the dog from the time it entered the ranch until it graduated service dog training, or until it became apparent the dog did not have the temperament to be a service dog, at which time it would be released as an in-home assistance dog or as a pet.

Ms. Drew said the ranch would not actually be used as a breeding facility. Breeding dogs would live with foster families until the pups were born, after which they would live with the Drews until they were eight weeks old. At that age, they would be returned to the ranch to begin training. She said they would also not provide private training, i.e., people would not be able to drop their dog off and asked that it be trained as a service dog. When asked where the dog trainers were coming from, Ms. Drew said they had personnel coming from Seattle and San Diego, their son Josh Drew who was the operations manager in San Diego, would be commuting back and forth from that facility, and Ms. Drew said she would also be on-site on a daily basis. She added that a future goal was to implement a dog training and animal care internship through Kennett High School and the White Mountain Community College which would provide opportunities for local residents to be employed. Ms. Drew said the principal of the local Josiah Bartlett School was very on-board and interested in their project and was keen that students visit the facility through field trips. These visits would help the dogs develop socialization skills in environments involving youngsters and the general public. Ms. Drew said they would encourage and welcome any and all public participation in their program since the dogs need to be comfortable around all kinds of people and situations.

Ms. Drew said Little Angels was a non-profit organization with a million dollar per-year budget. The cost for training and placement of a dog was approximately \$28,000 and dogs were provided to recipients at no cost. However, some, if not most, recipients contribute to the training costs by raising money through donations and fund-raising efforts. Ms. Drew said if they were unable to fund-raise, Little Angels would do it for them through domestic and international contributions. She said this service was provided to prevent any private fund-raising anomalies from jeopardizing their non-profit status. Ms. Drew said they presently had fifty-one recipients on their books who had raised the \$28,000 and were now waiting for their dog, and a further one-hundred and eleven were on the fund-raising list. Anita Burroughs asked what the budget for the local facility was. Ms. Drew said while they knew what the salaries would be, those figures had not yet been fully finalized since they had not moved that far forward until the outcome of this application was known and the property was purchased. Ms. Burroughs asked Ms. Drew if she didn't have a budget or know what the costs were going to be, then how did she know this would be a sustainable project. Ms. Drew said income would be generated by Little Angels paying rent to use the property and expressed confidence that this would be a viable project, such as the San Diego facility was.

Julia King asked if the intended dog ranch happened to fail, would the Drews still own the property? When told that was correct, she said it was a concern to her that they would then have what the planning board would call "dwelling units" on the property since they would contain a full kitchen. Ms. King felt this was a whole different thing. When Kyler Drew asked Ms. King whether she was referring to the existing cabins on the property, she said she was. Norman Head asked what the difference would be if somebody bought the property as a motel and that failed. He noted that not all the units had full kitchens and identified the ones which did and the ones which did not, but further noted the ones that did have kitchens were all grandfathered. He said the Sky Valley property had been granted subdivision approval for fifty-seven condominium units by the planning board in 1992, and said he had a copy of the plan. He described how current owner David Eliason was ready to retire after forty-two years of owning the property and wanted to sell. Mr. Head said several people had been interested in the property as motel units or as a condominium complex; however, Mr. Eliason's preference was not to do that feeling it was not the best use of the land, nor in the best interest of the town. A plan was provided showing red dots indicating which units were existing, one which was destroyed by fire, and the location of an existing septic leaching field labeled "Phase II." Mr. Head said this field had been in the ground for a while but had never been used. Because of this it would require an evaluation by NHDES inspector Rick Treiss and would possibly need upgrading or replacement before being put into service. Mr. Head said the system would likely not support fifty-seven condominiums under today's standards; forty-five being the more-likely number, but would be capable of accommodating the dog ranch now being proposed since that activity would not generate nearly as much septage output as a condominium complex would.

Julie King said she was aware of other people in the area who also trained service dogs and asked whether the Drew's marketing research showed there was an insufficient number of dogs available to fulfill the local need. She followed-up by asking whether their dogs would be placed locally, once they were trained. Kyler Drew said they would be placed all over. Darlene Drew again described the number of people who were waiting for dogs, how the San Diego facility could only train so many, and how having another facility on the east coast would expedite getting animals to those people in need.

A sketch attached to the application showed a potential new 90'x55' structure which the applicants were asked about. Darlene Drew said the structure had originally been proposed for use as a kennel, but plans had now changed whereby the dogs would be able to live with their trainers in the existing cottages. Kyler Drew said should this structure ever be built in the future, he was aware it may need to undergo site plan review. Norman Head said what would be presented to the selectmen for a change-of-use was exactly the same as what was existing on the property at the moment, with the only addition being the small fenced-in areas attached to the cottages for the animal's bathroom use. Peter Pelletier asked if he were to drive past the property in twenty-five years, would that mean he would see no significant difference from what it looked like today. When Norman Head answered "for the near future, yes," Mr. Pelletier asked for that to be defined. Kyler Drew said maybe three or four years, noting that some buildings were unappealing and would likely be upgraded and some may be removed.

Anita Burroughs asked about the potential for noise and asked how close the nearest abutter was. Darlene Drew said the dogs did not run free and were trained not to bark, but acknowledged there may be isolated instances of when they did so. However, if that happened, their trainer would immediately step-in to correct the behavior. Norman Head referred to the plan and said the closest abutter to the north was probably a mile away; to the west was the Villager Motel; to the south was Gene Chandler's residence, the three rental cottages, and the veterinary office; and to the east was a vacant lot with a cottage approximately five or six hundred feet away. The Chairman asked about the potential for flooding on the property. Drainage measures such as culverts, trenches, and ditches were pointed out to him on the plan. Kyler Drew said even during Tropical Storm Irene, David Eliason reported the water came to the top of the bank but the property did not experience flooding at all.

The Chairman asked if there were any further questions and opened the public hearing session. Norman Head said everyone who had heard about this project and knew what was going on were quite pleased with the new use, rather than see another development go in. Leslie Mallett spoke in support of the application and said she was pleased to see that it was allowed under our ordinance at all, albeit by a special exception. She expressed how happy and excited she was to see something so unique being proposed for the Village and thanked the Drews for providing the opportunity for it to happen. Mike Bannon said his first question was that the Little Angels' hand-out mentioned they had rescue dogs in San Diego, and asked whether they actually ran a rescue dog service as well. Ms. Drew said if a rescue dog showed potential, it could possibly be trained as a service dog. Mr. Bannon said his second question involved the long-term plans of the Drews and asked how many dogs and buildings might likely be at Sky Valley in, say, ten years. Darlene Drew said, long term, their plan would always be for dogs to live with their trainer; however, there were times the trainer needed to take a vacation or a week-end off. When that happened, the dogs would go to a central training area which would house a classroom, grooming area, kitchen, and a few kennels where other trainers would take over for the duration of the principal trainer's absence. Mr. Bannon asked if it would be reasonable to say up to fifteen dogs could eventually be housed at the facility, Kyler Drew agreed. Darlene Drew said the San Diego facility can house thirty dogs, but there is never ever that many on-site. She described how puppies are brought to the ranch at eight weeks for very specialized training. After that period, they are placed with foster trainers, including prisoners, where their training continues. It is the availability of these foster trainers which influences how many dogs there are at the ranch undergoing their initial specialized training. Ms. Drew said she is hoping to work with local prisons, including Berlin, to help with the training program at Sky Valley since dogs coming out of prisons are always incredibly well trained. Kyler Drew said it was a win-win

situation all around. Anita Burroughs mentioned she was very pleased to hear that the Drews were planning to involve the community college with this project. She said as well as providing employment, the Drews were also helping with the local affordable housing shortage by providing on-site accommodation for their employees.

The Chairman asked if there were any further questions. He noted a letter had been received from Gene Chandler, not in his position as selectman but as a private citizen who was also an abutter. Mr. Chandler's letter said the application stated plans had not been finalized for this project and encouraged the board not to grant the special exception until those plans were available. Kyler Drew said that statement in the application referred to the 90'x55' building which may or may not be built in the future. The Chairman felt this structure did not fall under the jurisdiction of the zoning board, but would need to go through the building permit process at the selectmen's level when and if it was built. He felt the only thing the zoning board was required to do was to determine whether the use being proposed was an appropriate use for the property, and whether it met the criteria required for a special exception to be granted. Julia King said she was still concerned about the issue of the cottages being "dwelling units" since they contained a full kitchen. The Chairman asked again whether the board felt the proposed dog ranch met the zoning ordinance definition of "an owner-occupied or manager-occupied establishment which may include interior and/or exterior runs where household pets are bred, trained, boarded, and/or groomed." The board unanimously agreed this was an apt description.

The public hearing was closed and the board deliberated and voted on the criteria which needed to be met before a special exception could be granted, as follows:

1. The site is an appropriate location for the proposed use: Vote taken: 4 yes (unanimous).
2. A preponderance of evidence is found that property values will not be reduced due to incompatible land use by such a use: Vote taken: 4 yes (unanimous).
3. No traffic hazard will be created: Vote taken: 4 yes (unanimous).
4. No nuisance or other hazard is involved: Vote taken: 4 yes (unanimous).
5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use: Vote taken: 4 yes (unanimous).
6. There is adequate area for safe and sanitary sewage disposal according to state regulations: Vote taken: 4 yes (unanimous).
7. Operations in connection with such a use shall not violate the provisions of Article IV of this ordinance: Vote taken: 4 yes (unanimous).

Based on the above vote, the Chairman called for a motion to grant the special exception. Peter Pelletier made a motion to grant a special exception under Article XVIII, Section D-1-p to allow the Sky Valley property at 1088 US Route 302 to be used as a service dog training ranch. Motion seconded by Julia King. Vote: All in favor. The selectmen will be advised of the board's decision.

With no further business, a motion to adjourn was made by Peter Pelletier; seconded by Julia King. Vote: All in favor. Meeting was adjourned at 8:15 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary