

Atty. Herbst thanked the Commission for calling this special public hearing. He and his client are very grateful for the opportunity to expedite this process. He submitted proof of mailings for the record in accordance with Shelton regulations and indicated that all neighbors were notified by certified mail.

Atty. Herbst indicated that he wanted to briefly outline his client's proposed use for the property at 40 Oliver Terrace. After that his client, Mrs. Braca would speak about her business, how it operates, and answer any questions from the Commission.

Atty. Herbst stated this application went to the Shelton ZBA for a waiver of Section 18.1 of the Shelton Zoning Regulations which states that a minimum acreage of five acres is required for a commercial kennel. This property consists of roughly 10.33 acres but there is more than one use on the property. The issue arose to go to the ZBA, not only for a waiver, but for a representation of what that regulation meets. The ZBA reviewed the Application, acted on the application and by a vote of five in favor and zero opposed, they approved TLC's request to vary Section 18.1 of the Shelton Zoning Regulations.

Atty. Herbst stated that the proposed use is a permitted use in the IA-2 zone. His client is going into an existing structure that is currently located in the IA-2 zone. There will be no change to the existing footprint. All changes that will be made will be made in the interior of the building. This area is not abutting any residential neighborhoods. There are no outdoor runs for the animals. All animals will be kept inside at all times. In accordance with the terms of the lease agreement that they have negotiated with Mrs. Braca's prospective landlord, TLC Kennels will be installing noise deadening mechanisms into the walls so that the dog barking will not be heard from the exterior of the building or by adjacent landowners.

As a point of personal reference, Atty. Herbst stated that he had the opportunity to review Mrs. Braca's application in Trumbull eight years ago as a member of their Planning & Zoning Commission. They went through this same exercise, where she had requirements to install noise deadening techniques into the wall to shield the noise of dogs barking from the abutters. After the project was approved and construction was completed, it was reviewed and at her current facility dog barking can't be heard from adjacent properties or even from the parking lot. He indicated that Mrs. Braca went to great lengths then, and she intends to do that again at this proposed location.

He added that all fecal matter that will be generated by the animals will be removed on a daily basis by Mrs. Braca. He noted that no abutting landowners or City residents had any objections after two certified mailings went out. The only objection Mrs. Braca had for this proposed facility came from a competitor.

Atty. Herbst stated that they feel that since this is an existing facility, the existing parking at this location more than adequately addresses the parking for the proposed use. He indicated that the former A-2 survey more than adequately addresses the parking needs for the proposed use. For the record, he spoke to the Planning Director earlier today; Mrs. Braca did not prepare her own A-2 survey because, as previously indicated, she is moving into an existing facility that has a previously approved A-2 survey. As a condition of approval, they will agree to obtain a new A-2 survey from the same company that performed the A-2 survey on this property and denote the parking and any other conditions proposed by this Commission.

Atty. Herbst stated that he would have Mrs. Braca explain what she does at TLC Kennels and she can answer any questions that the Commissioners have.

Antoinette Coppola-Braca, 122 Wesley Drive, Trumbull CT addressed the Commission. She referenced the photos that she provided to the Commissioners showing the exterior of the facility and the interior walls and the location of the windows to show that there is nothing outside. Everything will be contained inside the building.

Mrs. Braca used a drawing of the building layout to discuss the various rooms in the kennel and their respective uses. She showed the location of all the dog runs inside the building for the different sized dogs (small, medium and large). She showed the entrance/foyer/lobby area and the location of the exercise/physical therapy room. Mrs. Braca explained that she does physical therapy and massage on elderly dogs, dogs going through chemotherapy or other illnesses.

She showed the location of the prep rooms for meals and the laundry (washers & dryers) area and indicated that those two rooms were going to be switched around to allow for easier plumbing installation. She showed the location of the grooming room, the drying (drying after grooming) room, an employee break room and a big cat room.

Mrs. Braca indicated that all of the walls that overlook the Satin Corporation are the walls that will have lines running through them; they are going to be sound proofing walls. All dividing walls to the other side of the building will also be sound-proofed. They had someone come in that does the sound-proofing to explain to the contractors how they need to prep the walls so that it will be ready for the sound-proofing work to be done. For sound-proofing, they have to shoot in a foam material and place another layer of sheet rock over it. She explained that they actually have two layers of sheet rock, spray-on foam and then another layer of sheet rock over that.

Atty. Herbst asked Mrs. Braca to give the Commission a brief synopsis of her professional background in regard to caring for animals.

Mrs. Braca responded that she has been doing this professionally for 43 years. Her father was a breeder; she grew up with 32 Labrador dogs. She showed international field champion trial dogs. She was probably the only 11-year old girl to win a field trial competition against a bunch of 50 year old men with three dogs going at the same time.

She stated that she is one of the few women in the United States that is a certified Schutzhund trainer; she does Schutzhund Training 1, 2 and 3 which is the highest form of dog training; it is K-9 police dog training, military and guard dog training.

Mrs. Braca stated that she used to do a lot of that professionally in Greenwich and some of her clients were Craig Swan, Joe Youngblood, Victor Borga, George C. Scott etc. She took care of a lot of dogs in Greenwich and trained a lot of dogs on their properties for protection.

She's been grooming for 43 years; she is a master groomer. She has done Westminster for five years in a row. She has been flown to England to do Crufts for clients for three years. Mrs. Braca explained that she has a passion for doing this. She attended Culinary Arts School and worked as a chef for two years; she also worked in Pharmacy, but her heart is with animals. Mrs. Braca indicated that she feels fortunate to say that she looks forward to going to work each day because she loves what she does. She added that it is seven days a week, and there are no holidays or weekends off – but she is driven by her passion to do it.

Comm. Harger asked Mrs. Braca how many employees she had on her staff.

Mrs. Braca responded that she had 11 employees – part-time and full-time. During the week, during the day, there are five full-time employees and then she has part-timers come in and they are on split shifts.

Comm. Harger asked if there was someone in the building at night.

Mrs. Braca responded that she goes back every night at 7:00 p.m. and 11:00 p.m. The animals are sleeping. There is really no reason to be there. She indicated that many kennels will state that they have someone living on the premises, but they still go out at night and stay out late. She added that she had worked for a vet in Norwalk that had people residing there, but they went out and partied until late at night and weren't really there all night. Mrs. Braca

stated that she takes it upon herself to go back every night at 7 p.m. and 11 p.m. to check on them.

Comm. Harger asked what type of interior sprinkler system she uses.

Mrs. Braca responded that it a pre-existing system.

Comm. Harger asked if she was going to have any type of monitors inside to check on them.

Mrs. Braca responded that her husband is going to be putting in cameras and monitors.

Comm. Harger asked if this would be connected to her home.

Mrs. Braca explained that it would be connected to a computer. She also goes back at 7 and 11. She added that in her 43 years of doing this, she has never had to go back at night for any emergencies. It is just like when the animal is at home with their owners at night. They are very active during the day; some of the dogs are tired from all the activity and even seem like they want more rest. They are up for playtime and playroom two or three times a day.

Comm. Harger asked if she did have something in her house, like an alarm, that would go off in the event of an emergency at 2:00 a.m. or 3:00 a.m.

Mrs. Braca responded that there are going to be complete alarm systems. There is a pre-existing system. She has an alarm company coming in that she currently uses to set up a system throughout the entire place. There will be motion detectors, smoke detectors and connections to the Fire Department and the Police Department. She will get there immediately in the event of an emergency.

Chairman Pogoda asked how often the fecal matter was picked up.

Mrs. Braca responded that it is picked up immediately and put in a dumpster in two construction-ply, heavy-duty 55 gallon drum bags. The bags are filled about 1/3 of the way and then shredded paper is put in with it to absorb moisture so that it doesn't degrade, and possibly leak. It is a process that has been done for about a hundred years now.

Chairman Pogoda asked if she ever received any complaints from her current neighbors regarding the fecal matter creating a recognizable odor.

Mrs. Braca responded that there is not any odor because she puts a tri-enzymatic cleaner in with it; the same type used by waste disposal facilities.

They don't want to smell the fecal matter either. It's not the best part of the job.

Chairman Pogoda asked the location of her current business in Trumbull.

Mrs. Braca responded that it is at 165 Monroe Turnpike in Trumbull.

Mrs. Braca discussed that a company from Milford is going to be coming in to put down a vapor barrier on the floor. It will be sealed in a three-stage process to ensure that there are no leaks anywhere. They will be going up about 4-5 inches on the sides of all the walls to make sure that there will never be a leak downstairs. Mrs. Braca indicated that her cousin is doing all the plumbing.

Chairman Pogoda asked how often the kennels were washed out.

Mrs. Braca responded that they are washed out everyday – multiple times a day. According the State Inspector, Nancy Jarvis, she has the cleanest facility in the State of Connecticut and in Fairfield County. She is the only facility allowed to use blankets in the runs. She has a 50 lbs. capacity washer and a 75 lbs. capacity dryer. Blankets are changed 3-4 times a day and they are all king-size and queen-size quilts. Most places aren't allowed to use them because they don't clean and change them enough. She added that she is an obsessive-compulsive, it's not a disorder, it is a way of life for her.

Comm. McGorty asked if the sound-deadening process has already been done.

Mrs. Braca responded that it is done in the current building but has not yet been done in the proposed facility.

Comm. McGorty asked what the timeline for that would be.

Mrs. Braca stated that they have to be out of the pre-existing location by August 31st. The landlords have been at every meeting; however, they are not here tonight. They took her to an eviction hearing after the last meeting with this Commission. They've told them that they will be out of there on August 31st no matter what because anytime after that day, the landlords will lock up the doors.

Chairman Pogoda asked how long it would take to get this facility, with all the runs, sound-proofing and everything, up and running.

Mrs. Braca explained that all of the rooms were pre-existing and the rest will be done within a four to six week period. The plumbing and pre-fabrication and wall installation by the contractors should come together quickly. She will be running the job site herself; she ran them for her family, Copolla Construction, so

she knows the process and she will have the support of Don Murray, the retired Building Inspector from the Town of Trumbull.

Comm. Parkins asked if there was a cement wall in between each kennel.

Mrs. Braca responded that it is FP board, they don't use cement anymore.

Comm. Parkins asked if the dogs could see each other.

Mrs. Braca answered oh, no, no, no.

Comm. Parkins asked if they get lonely.

Mrs. Braca responded that they don't get lonely because the front and back of the runs have chain link doors so they can see across to each other. They aren't very interested in the other dogs because they would rather follow people around because people can bend down to rub their ears and pet their butts.

Comm. Parkins asked if they go outside at all for air or anything.

Mrs. Braca explained that they have air-conditioning, runs, and playrooms. The playroom is huge.

Comm. Parkins asked the location of the cats.

Mrs. Braca showed the location of the cat room on the building floor plan.

Comm. Parkins asked if they would be away from all the barking dogs.

Mrs. Braca responded that the cats are close, but in a separate room with a big sliding glass door to go in and out.

Comm. Parkins asked if there was some buffer in between just in case.

Mrs. Braca responded that the cats, believe it or not, could care less about the barking. She added that in the current facility, they have French doors that lead into the kennel from the Cat Room and the cats go over and antagonize the dogs.

Comm. Parkins asked if the cats were in crates.

Mrs. Braca responded that there are no crates – she has condos. They are huge - very tall and very wide condos. They have little seating platforms, ramps and slings. They get out one at a time or two to a family and have cat treats while

the Cat Room is being cleaned. They go out several times a day too. They have trees they can climb on and they play music all day long, it's all very calming and relaxing music.

Chairman Pogoda asked when they are totally full, how many dogs and how many cats does she have.

Mrs. Braca responded that currently she can take up to 100 dogs and 42 cats.

Comm. Harger asked how many for this building.

Mrs. Braca responded that she would probably have the same ability here.

Comm. Harger asked if she ever doubles up in a run.

Mrs. Braca responded never – unless, they are from same family. She showed the location of the super runs, double the size of the others. She usually has four or five doubles. She currently has three. Right now at her kennel she has two Great Pyrenees that are about 120 lbs. each in a 12 foot by 20 foot run. Also, she has two Great Danes, brother and sister that are in a 12' x 20' run together. They can't separate them because they start howling.

Comm. Harger asked if she had a little cots or something for the dogs to sleep on.

Mrs. Braca responded that they put the blankets and quilts down. A lot of dogs don't like being put on raised surfaces; typically, that is why a lot of groomers get bit while they are grooming. They do not like being on those little, flimsy tables, so she is getting weighted, heavy-duty hydraulic tables. Currently, she has large work benches that can hold three 100 lbs. dogs sitting on them at one time; she did that one day just to test the benches. The dogs sleep on the quilts and blankets in their runs.

Comm. Harger asked how they handle the feedings and water.

Mrs. Braca answered that they use dishes, with two water dishes per run – the dishes vary in size in accordance with the size of the dog.

Comm. Harger asked if they eat in their runs.

Mrs. Braca explained that they do eat in their runs – one side is dedicated to their food, water and bedding. There is a guillotine door where they do their business on the other side. When they are eating, those areas are cleaned from whatever is there from the night before or first thing in the morning and then it

is washed and dried. She indicated that washing and drying is an important point in the indoor facility. She stated that in an outdoor facility, they can't properly clean and sanitize cement. In damp weather, the cement stay wets, it gets moldy, and develops fungus. If it is an indoor facility, they can thoroughly dry everything and they do that. They have squeegees and mops, and if it still not dry, they use a 4.0 dryer similar to a leaf blower and dry the floors. Otherwise, the dogs can develop bacterial infections in their feet. Mold and bacteria can develop in dog foot pads and in the hair between their toes - and they can develop a type of athlete's foot. Drying the floor is extremely important and an indoors facility is much more sanitary.

Chairman Pogoda asked if everything was heated and air-conditioned.

Mrs. Braca answered yes, absolutely. It was previously an office building, so whatever was there, is still there now and operational.

Comm. Harger asked if they ever have the need for a vet to come in for emergency care.

Mrs. Braca explained that they have a mobile vet come in; most of the area vets recommend her facility. Many of the vets have no problem coming over to help her out or taking an animal to be seen immediately.

Comm. Harger asked where in the facility a vet would treat a sick animal.

Mrs. Braca responded that it would be right in a grooming room. All the tables are sanitized after each grooming. Whenever an animal is ill, that takes priority over everything. If they have to clean out an entire room to accommodate a animal needing care, they will do it. That is never ever an issue.

Comm. Harger asked how often she is visited by the State.

Mrs. Braca responded that Nancy Jarvis comes in all the time, but she is only required to come down once a year for an annual inspection. She's become a good friend; she loves our facility and the employees. Mrs. Braca mentioned that in regard to the Fire Marshal, there are absolutely no codes for kennels or vet offices in the State of Connecticut. She knows this very well from previous issues with the Fire Marshal in Trumbull.

Mrs. Braca explained that the Fire Marshal in Trumbull wanted her to put a sprinkler head in every room, which could be detrimental to a dog if they jump up and grab it, break their teeth or break the head of the sprinkler off and start a flood. At that time, she called the State of Connecticut Fire Marshal and asked him to send down any information he had regarding kennels or vets because

there absolutely nothing in the regulations. He sent a five page letter to the Trumbull Fire Marshal recommending that he pass her kennel without prejudice.

Comm. Parkins asked if the exception to that included the fire requirements for the building itself.

Mrs. Braca responded that was correct, but there are no requirements by the State for there to be additional sprinklers. She explained that she cared for animals burned in a kennel fire that occurred years ago and dogs that had been badly abused as puppies.

Chairman Pogoda asked if the Commissioners had any further questions or comments. He asked if anyone from the public had any questions or comments. Being none, he asked for a motion to close the public hearing.

On a motion made by Ruth Parkins seconded by Virginia Harger, it was unanimously voted to close the public hearing for Application #09-18, TLC Kennels, LLC for Special Exception/Site Plan Approval.

OLD BUSINESS

APPLICATION #09-18 TLC KENNELS, LLC FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (COMMERCIAL KENNEL), 40 OLIVER TERRACE (MAP 63, LOT 12), IA-2 DISTRICT

Chairman Pogoda asked Rick Schultz if the City Engineer had any comments regarding this application.

Mr. Schultz responded that the City Engineer had no issues because it was an existing facility with significant onsite parking. The Fire Marshal would like to see a revised A-2 survey. He added that the Commission could issue an approval because the Applicant has indicated that they would provide it to Staff.

Chairman Pogoda asked the Commissioners if there were any issues to be discussed.

Mr. Schultz read the draft motion to approve the Special Exception/Site Plan for P&Z Application #09-18 for a commercial kennel with onsite parking at 40 Oliver Terrace. The following conditions include adherence to the requirements issued by the Fire Marshal in a memorandum dated 06/23/09 and the applicant shall provide a revised A-2 survey site plan identifying on-site plans, landscaping, lighting, etc... Mr. Schultz stated that they have asked the applicant to provide some additional landscaping because this is a blighted area. Mrs. Braca plans to

plant some annuals and perennials outside of the facility. He asked Mrs. Braca about her plans for external site lighting.

Mrs. Braca responded that they would be putting up triple-head spotlights and repairing the lights on the existing lamps lining the walkway.

Mr. Schultz commented that the Commission is aware that there are no residential neighbors; however, Staff will have to check out that there is no glare.

On a motion made by Joseph Sedlock seconded by Ruth Parkins, it was unanimously voted to approve Application #09-18, TLC Kennels, LLC for Special Exception/Site Plan Approval.

Mrs. Braca and Atty. Herbst thanked the Commission and invited them to come for a site visit when they open the facility on August 31st.

NEW BUSINESS

APPLICATION #09-20 MERCANTILE DEVELOPMENT, INC. FOR SITE PLAN APPROVAL (BUILDING EXPANSION), 10 WATERVIEW DRIVE (MAP 79, LOTS 10 AND 11), LIP DISTRICT – ACCEPT FOR REVIEW

Mr. Schultz stated that this application triggers a public hearing special exception because it exceeds 20,000 square feet.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to accept Application #09-20 and schedule a public hearing for July 14, 2009.

APPLICATION #09-21 R.D. SCINTO, INC. FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (HIGH TRAFFIC GENERATOR: OFFICE MANUFACTURING BUILDING), WATERVIEW DRIVE (MAP 80, LOT 1), LIP DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING

Mr. Schultz stated that this is the site between Hubbell and Rivendale. This is a proposal for the Faro Corporation in Ansonia.

On a motion made by Ruth Parkins seconded by Thomas McGorty, it was unanimously voted to accept Application #09-21 and schedule a public hearing for July 14, 2009.

SCHIALE REALTY, LLC FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (HIGH TRAFFIC GENERATOR: RESTAURANT/PUB

**ESTABLISHMENT), 475 HOWE AVENUE (MAP 129, LOT 33), CA-3
DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING**

**On a motion made by Ruth Parkins seconded by Thomas McGorty, it
was unanimously voted to accept Application #09-22 and schedule a
public hearing for July 14, 2009.**

ADJOURNMENT

**On a motion made by Ruth Parkins seconded by Thomas McGorty, it
was unanimously voted to adjourn at 7:45 p.m.**

Respectfully submitted,

Karin Tuke

Recording Secretary, Planning & Zoning Commission