

**BA 14-018C – Elisa Kamens
MINUTES
December 3, 2015**

Board Members Present:

James Howard
John Lederer
Steven Hunt
Genevieve Walker-Lightfoot

James Walsh - recused

Staff:

Barry Sanders, Board Attorney
Alison Mathieson, Recording Secretary

Attorneys:

Tom Coale, (Talkin & Oh) for Petitioner, Elisa Kamens
Thomas Meachum for Opposition

7:04 p.m. Board reconvened on the matter to hear closing arguments.

Mr. Coale gave his closing argument.
Mr. Meachum gave his closing argument

7:48 p.m. Mr. Howard closed the record and deliberations by Board began.

Mr. Lederer expressed his concern over the possible level of noise. Mr. Hunt agreed with the noise issue and felt the zoning regulations were clear that noise should not be perceptible at the lot line.

Mr. Hunt did not believe the traffic was an issue.

Mr. Hunt and Mr. Lederer both felt this particular property is a narrow lot and situated very close to the adjoining properties and the noise would be an issue.

Ms. Walker Lightfoot agreed the location and proximity to adjoining neighbor lot lines was key to this particular situation.

Mr. Howard expressed his opinion that he did not support this proposal, but felt the way the code is written supports approval of the use.

Ms. Lederer felt that the time that the dogs would be outside would create excessive noise and Ms. Walker Lightfoot agreed.

Mr. Sanders suggested that the Board read Section 131.0.N.39.g. of the Zoning Regulations in its entirety.

Board discussed the possibility to restrict all activity to indoors. The Board referenced Section 131.0.N.39.g. saying that part of the business is having the dogs outside which then creates the issue with the noise.

The Board discussed whether it was possible to not have any noise from the dogs when outside which would then fit the criteria of no noise at the lot line but felt it was not possible.

Mr. Sanders polled the Board on whether or not to grant the conditional use.

Mr. Lederer – deny

Ms. Walker Lightfoot – deny

Mr. Hunt – deny

Chairman Howard –grant