

**Meeting Minutes
Planning Board**
Wednesday, July 3, 2019
Newbury Municipal Offices

APPROVED

Members Present: Rachel McManus, Chair; Larry Murphy; Leslie Matthews; George Morse; Peter Paicos
Staff Present: Martha Taylor, Town Planner

Rachel McManus, Chair, called the meeting to order at 7:01 p.m.

A. Minutes

The Board reviewed the minutes for the meetings of April 17, 2019 and May 1, 2019 and made minor amendments.

Motion: A motion was made by P. Paicos and seconded by L. Murphy to approve the meeting minutes from April 17, 2019 and May 1, 2019 as amended. The motion was passed unanimously.

B. June Financial Report

R. McManus read the June 2019 Financial report into the record.

C. Town Planner Report

M. Taylor reported that there are a couple potential subdivisions that will be coming before the Board. The Board will also be receiving a site plan review application from the Governor's Academy for improvements they are making to the French Student Center. They are adding classrooms on the second floor, filling in the atrium space, creating a patio and a pathway out from the existing parking lot. M. Taylor said she is not sure on the timing but she thinks that the drawings are well developed.

D. Old Business – Proposed By-Law Revision: Wireless Communications Services Overlay District:

M. Taylor reported that she put an inquiry on the MassPlanners list serve to see if anyone could recommend any consultants. She received a recommendation for Lisa Mead, who had drafted a Wireless Communications section when she did a rewrite of Methuen's zoning in 2008. R. McManus has been searching for consultants and has found one who is in Florida – depending on how they work, it might be possible to have a remote consultant.

G. Morse asked if there is funding for this. M. Taylor said that Tracy Blais, Town Administrator, said that there will be funding. There was then some discussion about if they would need an RFQ or a RFP.

E. Liaison Reports

M. Taylor reported on the Board of Selectmen (BOS) meeting. There were a lot of appointments made to various committees – everyone on the Board was appointed or reappointed to the Master Plan Committee. The Olga Way drainage project was scheduled to start this week. The BOS voted to waive the Town's right of first refusal for a lot on Tenneys Court which is being sold and coming out of Chapter 61A – they are working with Town Counsel and the sellers to prepare a notice of waiver, which will be sent to the two sellers and then recorded at the registry and then that process will be done.

F. Public Hearing - Walk My Paws, LLC, Special Permit Application for "Animal Daycare – daytime only" (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee; Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC

R. McManus opened the continued public hearing for the Walk My Paws, LLC, Special Permit Application for "Animal Daycare – daytime only" (dog training and dog play care) at 7:15 p.m.

L. Murphy read the public hearing notice.

Rana Bonfa, the applicant's wife, came before the Board to give a summary of the business to date. His business has been operating outdoors, which becomes difficult in inclement weather. Felice Bonfa has been looking for a location with some indoor space to rent for his business for about a year. His focus is not on day care but to be a dog play care. These are facilitated play sessions with small groups of dogs for an hour or and hour and a half with pick up and drop off. To date the way that F. Bonfa has sourced clients has been organic through word of mouth and references. This is why they are not seeking to do much signage at this point.

F. Bonfa's process is that he will go and meet a potential dog. Then he will work with the dog at the owner's house, because half of the training is the owners. Then he will bring their two border collies to meet the dog and then slowly the dog is introduced to other dogs from the pack. It is a very structured process. They are integrated into different groups based on size and temperament.

R. Bonfa said that they have had more time to think about exactly what they want to do in the space. When they previously had come before the Board, they had a general idea but had not had the time to really figure it out.

They are not planning on doing much to change the space. They would like to put in a flooring that is soft, has traction, and is easy to clean. They also would like to extend the fence around to the front of the building to allow for safe and easy drop off and pick up.

F. Bonfa started off as a dog walker, when they got their younger dog, who is really energetic and needed extra care, that was the catalyst for him to start his business formally.

L. Murphy asked if F. Bonfa goes and picks up the dogs to bring them to the facility. R. Bonfa said yes.

L. Matthews asked how many dogs are in a group on a regular basis. R. Bonfa said they are usually around six. Sometimes they will include one of their dogs depending on the pack so they could get up to seven or eight. It depends on the size of the pack and the size of the dog.

L. Murphy asked what the maximum size they would anticipate would be. R. Bonfa said eight. L. Murphy said it was his understanding that they applied for a kennel license for ten dogs, and he thought kennel licenses were only necessary for the overnight stay of dogs. R. Bonfa said that they were just following the instructions that were being suggested. They don't intend to do that at this time.

M. Taylor said that a kennel license is a state requirement if they are going to keep more than three dogs on a premise.

L. Murphy asked what is on the property now. F. Bonfa said it is vacant and that it was previously some sort of car mechanic.

L. Murphy asked if there are any residential properties to the south. F. Bonfa said no.

P. Paicos asked about what the vision is for the future, if they will expand their operation. F. Bonfa said that they may hire someone to pick up and drop off the dogs and then maybe someone to help him with the dogs, but in terms of the sizes of the groups they will stay the same. The owners want those small groups. That is where he saw a demand.

R. McManus asked how many small groups they would like to have. F. Bonfa said that right now he has approximately three groups, he would like four or five at the most. He wants to end a 5 p.m. and have the dogs home because that is when the owners get home from work.

F. Bonfa said there will be no overnights and it will just be him in and out about 4 times a day.

R. McManus asked if they could explain the change they would like to make to the fence. F. Bonfa said it will extend it and come around the side to make loading and unloading safer. F. Bonfa showed the Board on a map of the property. He will drive up next to the opening in the fence and open the sliding door of his van to let the dogs out. The outside will be just for the dogs to go the bathroom, all the activity will happen inside. He just

wants to make sure the dogs are safe and go home in the same condition they left, but tired.

G. Morse asked if he had bins for the disposal of dog waste. F. Bonfa said that he has hired a company that will have a small receptacle at his space and they will come and empty it a couple times a week.

G. Morse asked about the water. F. Bonfa said that it is well water, but they will bring in water for drinking.

L. Matthews asked if the water is contaminated. F. Bonfa said yes, he can use it for cleanup. He will use bacteria killing cleaner everyday and then once a week they will use a more intense cleaner.

L. Murphy asked if the Board was to limit him to a number of dogs and hours of operation what would F. Bonfa be comfortable with. R. Bonfa said that if F. Bonfa grows his business in an 8-5 day he could have up to six groups or 8 or 10 dogs.

L. Matthews asked how long each group is. F. Bonfa said that they are varied a little because some clients are in South Hamilton and some in Rowley, etc. With travel they are probably an hour and a half each. He said that he makes sure the dogs get at least an hour of physical and mental stimulation.

L. Matthews asked if the owners are encouraged to attend the groups. F. Bonfa said no, but they can. He said he usually trains the dogs and the owners first before the groups. If they need refreshers he would go to their house. Initially he will meet the dog in a neutral territory like a park.

L. Murphy asked if he has policies in place that require the owner to prove that their dog is licensed. F. Bonfa said that they have to have a series of vaccinations and R. Bonfa said that they do it every year to make sure that everyone is up to date. F. Bonfa said that his insurance requires that of him as well.

R. McManus asked what the Monday-Friday hours would be. R. Bonfa said they are looking at 8-5, 7:30-6 would be ideal considering time necessary to prepare the space and clean up at the end of the day. R. McManus asked about the possibility of Saturday hours and what those would be, she suggested around 8 to 2 and F. Bonfa agreed.

P. Paicos said that they are looking at 48 dogs a day. R. McManus said let's just round it up to 50 a day. L. Murphy suggested that they think in terms of number of dogs on the premises at one time because the number of dogs in a day would be harder to enforce.

R. Bonfa said that is the direction they would like to go in – she would like the Board to consider that they would like to grow and they may hire someone. Then they may have 16 dogs on the premises at one time. L. Murphy said they don't want to want to unnecessarily limit them.

L. Murphy asked, if they maxed out their space, how many employees and how many dogs. F. Bonfa said for his comfort 16 dogs with him and someone else.

The Board decided on 16 dogs at a time.

R. McManus asked for comments from the audience. There were none.

The Board discussed when to close the public hearing. F. Bonfa told the Board that he is paying rent currently and that he has to order a lot of specialized materials which will take a few weeks to arrive, but he does not want to order them until he knows that he will be getting the permit.

L. Murphy explained that they will most likely take a vote on July 17, 2019 and then there will be a 20-day appeal period. It will be mid-August when F. Bonfa will have his permit in hand.

R. Bonfa asked for more specifics on the process. M. Taylor explained that once the Board has voted they will be notified as well as all of the abutters. There will be a 20 day appeal period where anyone with concerns could file an appeal. R. Bonfa thanked the Board for their time.

Motion: A motion was made by G. Morse and seconded by P. Paicos to direct the Town Planner to draft a decision for Walk My Paws, LLC, Special Permit Application for “Animal Daycare – daytime only” (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee; Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC for July 17, 2019. The motion passed unanimously.

Motion: A motion was made by P. Paicos and seconded by L. Murphy to continue the public hearing Walk My Paws, LLC, Special Permit Application for “Animal Daycare – daytime only” (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee; Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC to July 17, 2019 at 6:50 p.m. The motion passed unanimously.

G. Other Business

Paul Rowe, 3 Pearson Drive, inquired about the 40B at 55 Pearson Drive that had been discussed. He thought that that location had been removed as a possibility from the Merrimack Valley Planning Commission’s (MVPC) Housing Production Plan for Newbury. They discussed that there is someone interested in the site and there have been inquiries. There has been some interest in purchasing the 40B project, but the Board has not seen anything. There was discussion about the fact that because it does not show up in the MVPC Housing Production Plan does not mean that someone could not buy the property and develop it, it is just not recommended.

H. Liaison Reports Continued

M. Taylor reported on the MVPC meeting. The main business at the last meeting was a presentation on a transportation plan. The Board discussed a letter from FEMA concerning flood line map changes.

On a motion made by G. Morse and seconded by P. Paicos, the Planning Board meeting was adjourned at 8:05 p.m.

Respectfully Submitted,

Emily Noble
Planning Board Administrator