

**TOWN OF CLAVERACK  
ZONING BOARD OF APPEALS  
91 CHURCH STREET  
MELLENVILLE, NY 12544**

**Minutes May 23, 2007**

**APPROVED 6/27/07**

Chairman Frank Clegg called the May 23, 2007 meeting of the Town of Claverack Zoning Board of Appeals meeting to order at 7:30 PM. Chairman Clegg led the Board members and audience in the Pledge of Allegiance.

Members in attendance were: Chairman Clegg, Norma Barnard, Paul Gundrum, David Graziano, Engineer Joe Romano, Attorney Rob Fitzsimmons. Secretary Jodi Keyser.

Members absent were: Jock Winch, Stephen Melnyk, and Steven Harder.

The Board members reviewed minutes of March 28, 2007 meeting. Motion to accept the March 28, 2007 minutes as written was made by 1<sup>st</sup> Norma Barnard, with a 2<sup>nd</sup> from Paul Gundrum. All members were in favor. Motion carried.

Zoning Board Cases 5/23/07:

1. Columbia Tent Rentals/Glenco Reality: Tax Map #(SBL) 101 . – 2 – 02 . 111.  
Columbia County Commerce Park. Bender Blvd. Special Exception warehouse and Office facility.

David Reinckens was present. Letter from Columbia County Planning Department was submitted. Mr. Reinckens informed the Board that he has hired Morris Engineering and they are working with Joe Romano on the project. Mr. Reinckens had a few questions for the Board:

Do the sidewalks have to be blacktop or concrete?

Joe Romano answered either is fine as long as the sidewalks are paved.

Should the dumpster be screened?

Norma Barnard answered that the Board has asked for the dumpsters in the Commerce Park have screening in the past. Mr. Reinckens will screen dumpster with trees and shrubs. Mr. Reinckens informed the Board that his engineers are asking that he erect a sign from the ZBA for the project. Rob Fitzsimmons told Mr. Reinckens that he did not require a sign at the site. The letter from the Columbia County Planning Department is requiring that the applicant's engineers show fire suppression equipment as per building code. Adequate screening along Rte 9-H and the Commerce Park Road. Applicant was asked for his engineer's report to be directly sent to Joe Romano at Clough Harbour. Applicant paid \$5.88 for his certified mailing. Continued to June 27, 2007 meeting.

2. Rist, Curtis: Tax Map # 141 . – 1 – 52 Special Exception for membership club/non profit club for training of therapy dogs. 448 County Rte 12.

Mr. Rist was present to ask for a special exception to allow the Good Dog Foundation to run training sessions at the store. The Good Dog Foundation trains therapy dogs that go into nursing homes, hospitals, schools, and many other places as therapy and or companionship for the elderly and the sick. The dogs also go into schools for students that read to them. Mr. Rist wishes to use his building, the

old Churchtown store, as a site for the Good Dog Foundation to train therapy dogs. Mr. Rist currently runs training at his home down the street. Mr. Rist is already selling raw dog food and other training items from the store. Chairman Clegg informed the applicant that he should check with Ag and Markets regarding animals allowed within a retail store. Rob Fitzsimmons informed the Board that many of the large chain type pet stores allow animals in them. Mr. Rist will check with Ag and Markets anyway. Mr. Rist informed the Board that he is not paid by the Foundation and owners have to join the Foundation to have their dogs trained. Mr. Rist informed the Board that a maximum of 4 to 5 dogs is allowed at a time, which includes the trainer's dog. All dogs are leashed at all times. Training sessions will be held 3 to 4 times a week, Monday through Friday 9:00 Am to 5:00 PM and lasting about 1 hour each. His retail store is only open on the weekends and is primarily for the owners of the dogs for supplies. Chairman Clegg opened the meeting to a public hearing at 8:00 PM. Mr. Walter Turner informed the Board that he has concerns with the store and the area not being suited for this type of activity. He has lived across the street for 43 years. Mr. Turner feels that the parking is too small and the site has a pumping station for the septic. Mr. Turner is also concerned that the dogs will bark and run around the area un-leashed. Concerned that the dog's owners will not be made to clean up after the dogs. Mr. Rist answered the concerns as follows: Dogs are always leashed and must meet strict criteria before being accepted to training i.e. no barking, growling, quiet temperament, and good behavior. Owners are responsible for dogs at all times being leashed, no barking, and to clean up after their dogs. All training is performed inside because the therapy dogs will be going into hospitals, schools, and nursing homes. Mr. Rist informed the Board that this is not an occupation only a hobby. Susan Fireman is the certified trainer for the Good Dog Foundation and Mr. Rist is her assistant. Mr. Rist was asked if he had any problem with the neighbors and the town dog warden looking in on the site. Mr. Rist stated that he had no problem and welcomes visits.

Public hearing closed at 8:15 PM.

Rob Fitzsimmons reviewed the SEQRA with the Board.

Motion to declare a Negative SEQRA declaration was made by 1<sup>st</sup> Paul Gundrum with a 2<sup>nd</sup> from David Graziano. All members were in favor. Motion carried.

Motion to issue Special Use Permit with conditions of:

1. Maximum of 6 hours of training per week.
2. Maximum of 5 dogs at a time including trainer's dog.
3. Applicant must fence in backyard.
4. Dogs must be leashed at all times including backyard area.
5. Owners shall clean up after their dogs at all times.

Was made by 1<sup>st</sup> Paul Gundrum with a 2<sup>nd</sup> from David Graziano. All members were in favor. Motion carried.

Motion to adjourn was made at 8:22 PM by 1<sup>st</sup> Norma Barnard with a 2<sup>nd</sup> from David Graziano. All members were in favor. Motion was carried.

The next meeting of the Town of Claverack Zoning Board of Appeals will be held on Wednesday, June 27, 2007 at 7:30 PM.

Respectfully submitted,

Jodi Keyser  
Secretary