

Town of Cornish, New Hampshire
Zoning Board of Adjustment
CONTINUED PUBLIC HEARING MINUTES UNAPPROVED
June 27, 2024

The Zoning Board of Adjustment met on Thursday, June 27, 2024 at 6:30pm at the Cornish Town Hall to continue Case 24-01, Derek Antonioni for a Special Exception.

Present for the ZBA: Michael Fuerst, Merilynn Bourne, Kerry Osgood, Troy Simino, Karim Chichakly, Lyle Parry.

Present for the Applicant: Derek Antonioni. Emily Hackert

Present for the Public: Fred Weld, Jim Cutler, Maynard White, Jennifer Grimes

Michael Fuerst, Chair, called the meeting to order at 6:30pm

Merilynn Bourne, Clerk, called the roll. Michael stated that since Karim Chichakly was sitting as an alternate at the first hearing he will be voting tonight and Lyle Parry, our other alternate, will not be voting for tonight's hearing.

Michael invited Derek Antonioni to present his request and explanation of his business plan as well as a sketch of the site. Derek stated that his business was the boarding and training of dogs. The training is for obedience and hunting. The training can involve 2-8 weeks of stay. Derek stated he can only train up to 8 dogs at one time but can board others. His plan is for a 24' x 44' building with a fenced outside area for the dogs for exercise and "relief". The building will be able to house no more than 12 dogs at one time. There will be only 12 individual kennels. Derek stated that dog waste will be bagged up and taken off the premises. He will be training dogs to be "good citizens". In the past month there have been only 7 cars coming to the property. Traffic will not be impacted. Hunting dog will not be trained with guns on his property. Any hunt training with guns will be done off site. Derek reported that he has permission to train on the Chapman property. Derek will use his property for obedience training only.

Derek then reviewed the criteria for Cottage Industry approval.

- The activity from which revenue is derived shall be conducted principally on the residential premises. YES
- The business shall be carried on by a person or persons within the dwelling serving as his, her or their primary residence, or within an accessory structure. YES
- The business shall not occupy an area greater than 25% of the finished floor area of the dwelling or 1500 square feet in an accessory building. YES
- The business shall employ no more than four full-time employees or their equivalent working on the premises other than family members living in the dwelling. In no case shall the business have more than four (4) employees, excluding family members, working on the premises at one time. Derek is the only employee.

- The business shall not have window displays, window advertising or any other advertising except a sign which shall not exceed eight square feet in size. The current banner may exceed this requirement but Derek will ensure that a sign will not exceed eight square feet.

Derek assured the Board that the business shall not:

- Generate non-residential level of vibration, glare, smoke, dust, fumes, odors or heat.
- Produce noise of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonable offensive noises shall be muffled.
- Generate more than an average of one (1) vehicle trip per hour to the premises for each hour the business is open or peak of three (3) vehicles per hour excluding employee commuters.
- Require the use of on street parking.
- Require more than four (4) off street parking spaces beyond those required by the dwelling.
- Utilize exterior spaces of residential structure or yard for storage, display or occupational activities.
- Involve the overnight parking of more than two business cars or other business vehicles on the premises.

Michael then invited the Board to share any comments or concerns. Derek and Emily Hackert answered questions. Troy asked about the section covering the application. Mike responded that it was under Article IV, Section C, Subsection 19, Cottage Industry. Karim Chichakly asked what the maximum number of dogs would be. Derek stated 12 for boarding and 8 for training. Kerry Osgood asked if there was a plan for a bathroom in the building. Derek said "No". Michael asked if there would be sound proofing. Derek said there will be some. The space will be heated and insulated. Troy asked about water. Derek stated there is a dug well on that side of the property so there will be water for the facility. An outside spigot. Michael asked if there was going to be fencing around the property. There will be a fenced in run around the building. Derek was asked what the average number of dogs could be. He said the average is 5-6. Derek reported he has 6 dogs coming in July. Derek and Emily said they are focused on hunting and training and are not interested in "doggy day care". Michael asked if they would be ok with a restriction against gun usage on the property as part of the decision. Derek indicated he would be ok with that. Troy wanted to ensure that the dogs could not run free on the property. Emily stated that they would be in a fenced in area or on leash if they were taken out of the building or the fenced area.

The public was invited to comment or address concerns.

Jennifer Grimes, an abutter, stated she is in support of the request.

Fred Weld, an abutter, stated he is pro-business so supports the request. "They are good neighbors and neat and tidy."

Jim Cutler, a neighbor, observed that sometimes when he and his wife walk by and there are a few dogs in the fenced area they bark but it's not an issue.

Michael Fuerst closed the public portion of the hearing to allow for Board deliberation. Michael started the deliberation by stating that the property is one deeded parcel even though there is a road that bisects it and that the portion of the property where the business is located must remain part of the residence. The business is an LLC owned by Derek Antonioni and he is seeking approval for a boarding and training business for no more than twelve (12) dogs. The building will be heated and insulated and the applicant testified that additional soundproofing will be considered. The setbacks will be at least 30' as shown on the plan. There will be a fenced-in area around the building. The dogs will not run free. All dogs will not be outside at the same time. There will be no firearm activity on the property. Boarding and training will be for prior and current customers. Training sessions on the property will be for obedience only. Hours of operation are 8am-5pm. Garbage/dog waste will be removed from the site on a regular basis. Any sign will not exceed eight square feet and the existing banner will be modified to meet this requirement. There were no additional comments or questions from the Board.

Troy Simino moved to approve the application with the above conditions and representations, seconded by Karim Chichakly. Michael Fuerst called for the vote. The Board voted unanimously that the proposed use met all the requirements for Cottage Industry.

The board then reviewed the minutes from the June 17, 2024 Hearing. Karim Chichakly moved to approve as presented, seconded by Kerry Osgood.

There being no further business, Karim Chichakly moved to adjourn, seconded by Troy Simino. Adjourned at 7:15pm.

Respectfully submitted,

Merilynn Bourne
ZBA Clerk