

Town of Raynham, Massachusetts

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Board of Selectmen Minutes 10/18/2016

Board of Selectmen

October 18, 2016

Chairman Joseph Pacheco called the meeting to order at 7:00 p.m.
Present were Joseph Pacheco, Karen Roberts and Marie Smith.

Acceptance of the Minutes

Ms. Roberts motioned and Mrs. Smith seconded to accept the minutes of the October 11, 2016 meeting as printed, Mr. Pacheco made it unanimous.

Department Heads & Committees

Mr. Bob Iafrate, Building Commissioner, was present to update the Board with his monthly report and discuss the kennel license application. There has been a noticeable increase in activity. They have issued 33 new dwelling permits since January 1st, 8 commercial permits, 2 apartment buildings are being built on Church Street, and Pine Hill Estates Mobile Home Park has had a very significant increase in activity. There has been a lot of activity in renovations as well. The condos on Hill Street are in their last phase and the department has taken in over \$400,000 in permit fees in 10 months. The new clerk Erin Houghton has done a tremendous job.

Appointments

A recommendation for appointment was received to promote Norman Sturtevant to Working Forman in the Highway Department. Ms. Roberts made a motion to approve, Mrs. Smith seconded and Mr. Pacheco made it unanimous.

Lou Pacheco, chairman of the Historical Commission, requested that Jeff Kelleher be appointed as a full member to fill the vacancy left by the resignation of Dorothy Newton. Ms. Roberts made a motion to approve, Mrs. Smith seconded and Mr. Pacheco made it unanimous.

Public Hearing – Kennel License Application for Mathieu K-9 Services, LLC– 142 Elm Street West

Mr. Pacheco noted that the application states that the average number of dogs to be held at the facility at any given time is 4 – 6 and the average length of stay is approximately 8 months, and the kennel would be open 24 hours a day. Attorney Richard Manning was present representing the applicant, Justin Mathieu. As indicated in the application, the applicant is Justin Mathieu who currently lives on Gretchen Way. As of today, he became the owner of 142 Elm Street West, and is a certified dog trainer.

The proposed business is not for boarding and grooming, it is simply for in residence training for law enforcement and service dogs. The applicant would purchase a dog as a puppy and train them as a K-9 law enforcement dog for various local law enforcement agencies. The only dogs residing in the kennel are those which he is actually actively training. He is going to have a building that will be insulated and heated built on the back part of the property. It will include 8 interior/exterior kennels where the dogs will be housed. There will be no employees, and most of the time training will be conducted off site to acclimate them

with the Police Officers. The property at 142 Elm Street West is 4.18 acres and 1/3 is zoned business and the proposed building will be situated in the business zoned portion of the property. The property has an existing house in the front and that is where Mr. Mathieu will reside. In the evening hours, the dogs will be exclusively in the building. In regards to the dogs barking, the applicant will teach the dogs control, which restricts barking to perform their functions. The waste will be taken care of by a contractor for proper disposal. He has received many accolades from law enforcement departments about his professionalism. Mr. Iafrate, Building Inspector, said that typically when there is an application for a kennel, it is reviewed for zoning. This property is unique in that it has 2 zones. He has met with Mr. Mathieu and told him that the back part of the property is the only place that he can have the kennel. Mr. Iafrate would also like to see some kind of fencing or buffer that would help alleviate some of the neighbor's concerns. One other matter that Mr. Iafrate brought up is the application says 4 -6 dogs and now he is saying 8 dogs. Another concern is that the property was used as a dumping ground. The applicant said they would clean it up. Linda Chuckran of 202 Elm St. West was present and was very surprised that her next door neighbor, who had just built an addition, had to notify all of the abutters, and yet there was no notice of the kennel going in. She has many concerns about the facility and would like some time to research it. She is asking the Selectmen to hold on a vote for this evening to give the residents time to process it. Kim Martin of 20 Carpenter's Lane was present to express her concerns as she is a direct abutter. She is very concerned about the dogs getting loose, and she also is very worried about the noise. Carol Leonard of 10 Mowry Street was present and is happy that the property is going to be cleaned up but concerned that the dogs are in an enclosed area. Richard Russell of 134 Elm St. West which abuts the property, he is concerned about the waste and concerned about the dogs getting loose. Mary Ann Ritz, of 195 Elm St. West was present to express her concern for the safety of the children in the neighborhood. Robert Clemy of 171 Elm St. West was present to voice his concern about people's safety. Jeff Saunders of 154 Elm St. West was present to voice his concern about people's safety, the noise and what recourse he has after the facility goes in. He is also very disappointed as to how he was informed of the kennel going in.

Mrs. Smith had a question about the number of dogs being kept at the facility. The sanitary conditions have been addressed and the outdoor runs look acceptable. She asked if it is possible to sound proof the building. Mr. Mathieu addressed some of the questions; he said the kennel fencing is 6' high and there is welded fencing over the top so the dogs can't get out. Ms. Roberts asked how long each dog would stay? Mr. Mathieu said the dogs would be there for about 8 months or so with most of the training being obedience and socialization. The dogs go to 14 week training with their handlers for attack training and safety is number one. Ms. Roberts asked how much training is done on the property. He said about 10% such as walking on a leash and obedience.

Mr. Pacheco wanted to note the Boards four options: they can approve, approve with conditions, deny or table the matter. Mr. Pacheco has an issue with the application, it states 4 – 6 dogs and they are now discussing 8 dogs. He would like that information clarified. Attorney Manning replied: when the application was originally done it was before his involvement, it was designed with 8 kennels, but that doesn't mean that there are going to be that many dogs there all the time. Mr. Mathieu spoke on the matter, he wanted to have them in case of emergency, but intends to keep them empty. Mr. Pacheco reminded him that his application should reflect the same number of dogs that he is proposing to have. He also wanted to know, when Mr. Mathieu is not available, or on vacation, who is going to supervise the dogs. Mr. Mathieu said his brother, who is a certified handler, is going to watch the dogs in his absence. Attorney Manning wanted to reiterate that the building that houses the dogs will only be on the portion of the property that is zoned for business and that there will be no regular traffic to and from the facility. Mr. Mathieu's main focus is on safety; his first order of business is to train them for obedience and socialization. Then they will go to the Academy with their handler for further training, most are Labrador Retrievers or German Shepherds. And for the smell, the kennels will be cleaned twice a day and the waste will be taken care of by a contractor. The Animal Control Officer will make periodic visits to the facility to make sure that he is in compliance. Mrs. Smith wanted to know where the dogs come from. Mr. Mathieu's replied that they come from breeders, many whom he knows. Mr. Pacheco made the recommendation to table the matter for one week to allow the abutters some time additional time to review it. And to have the applicant amend his application to reflect the 8 dogs as opposed to 6 so the Board may vote on an accurate application. Mrs. Smith made a motion to table the matter for one week, Ms. Roberts seconded and Mr. Pacheco made it unanimous.

Ms. Chuckran had some additional questions, regarding two dogs listed on the application and also what was the resident's recourse if it is situation is not working. Attorney Manning responded that the 2 dogs listed on the application were the owners personal pets and that the resident's recourse is to call the Animal Control Officer. They have the ability to visit and make sure he is in compliance, but if there are complaints about the operation, they have the ability to have sanctions put on or revocation of his license and there will always be oversight. Mr. Pacheco suggested some additional housekeeping on the application as well before next week. Ms. Martin wanted to know if there will be fencing around the entire property. Mrs. Ritz is not comfortable with a 6 foot fence; she would like to see a 12 foot fence. Mr. Mathieu repeated that the top of the outdoor kennel was also fenced. Shelly Raymond of 427 Bridge St. wanted to know if the business area was only grandfathered in. Mr. Pacheco said that if it ceases for a period of time, then it reverts back to its original state, it's grandfathered to the property. Mr. Pacheco noted that the meeting will be held at South School next week.

Old Business

The Town Meeting warrant was discussed and accepted. Mrs. Smith made a motion to accept, Ms. Roberts seconded and Mr. Pacheco made it unanimous.

Town Administrator's Report

The Fall Town Meeting warrant is ready for signatures. The Fall Town Meeting will be held on November 14th at 7:00 p.m. at the Middle School. The Pre-Town Meeting will have to be on Tuesday, November 8th (Election Day) at 7:00 p.m. For the next two weeks, the Board of Selectmen's Meeting will be held at South School, because of the need of the conference room space for early voting.

There will be a department head meeting on Thursday, at 10:00 a.m.

The next HOME Consortium Meeting will be held on Thursday, October 27th.

Selectmen's Report

Mrs. Smith and Mr. Pacheco commented on the wonderful reception at Bristol-Plymouth.

Adjournment

7:53 p.m. Ms. Roberts motioned and Mrs. Smith seconded to adjourn for the performance of administrative duties, signing of Bills and Warrants, with no business to be conducted afterwards. Mr. Pacheco made it unanimous.

Respectively submitted,

Janet Murphy
Recording Secretary