

February 12, 2024

Re: Item PLN21-0560 - 2331 North Loop

Honorable President and Board Members of the Planning Board, and City Staff,

I live at 315 Ratto Rd., one of the four properties bordering the project under review. Along with many of my neighbors, I strongly oppose the construction of an animal shelter. We urge you to deny the final development plan and conditional use permit to construct an animal shelter in a Commercial – Manufacturing Zone.

Zoning laws exist to protect landowners from adjacent activities and uses that would lower their quality of life or home value. An animal shelter would result in both a lowered quality of life as well as lowering the property values of the adjacent residential neighborhood. We ask you to enforce the Commercial Zoning designated for this property and deny a conditional use permit. An animal shelter is not an appropriate use adjacency to daycares or residential neighborhoods.

Most setbacks and easements in the proposed plans for the original permanent and interim temporary structures are broken, sighting that the site geometry is too small to otherwise fit a structure. Simply because the site does not fit a structure suitable to the desired wants of the applicant is not an adequate reason to allow them to break the setback and easement laws which apply to the property. A small office building could fit on this property while complying with the setbacks and easements that regulate the property. The current set of drawings no longer include these setbacks and easements. A “sensory garden” is not a substitute for a setback nor does it make the project compatible with other land uses.

The noise level generated from an outdoor dog run area will impact the quality of life of the surrounding homes and adjacent daycare center. The Draft Resolution states that since we live near an airport that the additional noise of the dogs will be of no additional impact to us. The noise of an occasional airplane can't be compared to the barking of dogs directly adjacent to our backyards, separated by a distance of 10' and a fence from our homes. A noise study should be performed to determine if the barking of dogs

will have sound levels which adversely affect the education program of the children attending the adjacent daycare.

It is not clear if the interim design veterinary facility is also seeking a conditional use permit. The use listed by the applicant is an Office / Vet Clinic. If it's intended to apply under Commercial Zoning the project should not include an outdoor dog yard / training area. A veterinary clinic and office use should not require a dog yard to operate properly. The removal of the dog yard would solve some of the concerns we have, primarily relating to the noise. The dog yard and the adoption vehicle parking imply that the project intends to operate partly as an animal shelter and would therefore require a conditional use permit, one which we again urge you to deny.

During the original application phase we met with John Lipp in an attempt to find a compromise. A few of our neighbors also attended the planning board hearing, the result of which only added negative aspects to the project (such as no limit to the time of day/night the dogs would be allowed outside, only leashed vs unleashed times), with no positive compromises attempted by the applicant.

We hope that our concerns are heard and thank you for your time and attention.

Respectfully,

Milena Kim