
TOWN OF SPRINGFIELD
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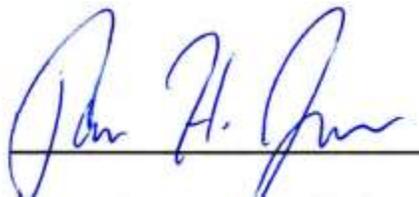
ZONING BOARD OF ADJUSTMENT
NOTICE OF DECISION

Re: Zoning Board of Adjustment Case:

Sue-Ann, Audrius Kazenas, and Select Shepherds, LLC
373 Hogg Hill Rd, MAP 10, LOT 098-189
HEARING DATE: April 4, 2023; May 2, 2023; June 6, 2023, July 11, 2023, August 1, 2023

You are hereby notified that the request for a Special Exception from Sue-Ann, Audrius Kazenas, and Select Shepherds, LLC to use their property to as a location from which to sell dogs and offer one on one and small group dog training classes has been **DENIED** pursuant to the plans and descriptions presented at the hearing by an affirmative vote of all five members of the board. The application failed to meet all 5 criteria required for a special exception, specifically criteria **A** and **E** as defined in Section X1, 11:42 of the Springfield Zoning Ordinance.

In the course of the hearing, the board came to find that the duration of time the dogs are outside requires an indoor facility to control not only the noise but the variations of noise (barking, yelping, etc). There are other pet dogs living in the area. However, based on the testimony of abutting property owners and others in the neighborhood regarding noise they already experience from this property, the noise from individual dogs on abutting properties differs in quality and quantity from the noise that is already occurring on the applicant's property. The specific kinds of noise inherent in the applicant's proposed activities (dog training sessions, the consistent presence on the property of large numbers of dogs (including 1-2 litters of puppies per year, which are obviously not trained, groups of dogs outside for long periods of time, etc.), much of which is already occurring, is likely to affect the neighborhood in a way that is different from the ordinary noise from pets scattered around the area. The disturbance appears to be related to the variations in noise and the startling effect of noise that starts and stops rather than simply because of the decibel levels. The board feels that noise abatement (Acoustifence) or noise monitoring will not be able to manage the different sounds emitted from the operation. In addition, the proposed training on property with untrained or unknown dogs offers similar concerns in regards to noise and the safety of the community should a dog get loose. The board believes that without an indoor facility to house the animals and offer an enclosed space to train the dogs, the business cannot exist in its proposed form.



Tanner Jacques, Chairman 8/3/23

Note: The Selectmen, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Springfield Town Office or at gencourt.state.nh.us. If you wish to appeal, you must act within **thirty (30)** days of the date on this notice. The necessary first step before any appeal may be taken to the court, is to apply to the Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal. This notice has been placed on file and made available for public inspection in the records of the Zoning Board of Adjustment.

