

April 19, 2012

To: Sonoma County Board of Zoning Adjustments

Re: Meadows Kennel Expansion, from 10 dogs to 35 or more dogs. PLP11-0042

Please include this as part of the public file and staff report for this project.

The same email, below, is also enclosed as an attachment.

We have also copied, Melinda Grosch, Planner for this project.

+++++

We oppose the Meadows Kennel expansion--as representatives of two residents groups: One made up of 4 neighborhood associations in Oakmont, the other, comprised of Sonoma County residents.

We believe the "Noise Impacts . . ." Study, conducted by Sound Solutions, and submitted by the Meadows Kennel owner, received by county planning Sept, 2011, has invalid assumptions that negate its final conclusion.

We ask that a new or revised Noise Impacts Study take all of our listed concerns (below) into account.

We had asked all members of our groups to examine this "Noise Impacts . . ." Study and also the supporting reference document, *Noise Element, Sonoma County General Plan 2020*. After much diligence, all comments about the study have been summarized and are listed below. .

In the discussion which follows, all material taken from documents will be in italics. Noise Impacts Study, a shortened title, will refer to the full study provided by the applicant: "*Noise Impacts and Mitigation in Connection with the Proposed Meadows Kennel, 6445 Highway 12 Sonoma County, California (UPE 11-0020)*"

Main Concerns:

1. The nearest "noise sensitive location" was ignored.

The Noise Impacts Study assumes that an Oakmont home, across Route 12, is the nearest noise sensitive area. This area, and many homes in Oakmont, would be impacted, but the residence of Michael and Tammi Bernd, directly next door (adjacent to the north of the kennel) is the nearest "noise sensitive location" and it was completely ignored.

The Berndt property, 6447 Sonoma Highway, is not buffered by adjacent kennel buildings, as assumed in a letter from planner, Melinda Grosch, to the Bernd's. In fact, the buildings offer only a small amount of noise protection, and no protection at all when 20 dogs are outside playing in the dog exercise areas and play/garden area. (As you know, the county would allow a total of 20 dogs outside at once--10 in the exercise areas, 10 in the play/garden areas.) The Bernd property line runs all across the northern boundary of the kennel and they enjoy the usage of all this property. They enjoy their horses and they enjoy their home and surrounding yard areas. When the 20 dogs are outside they will certainly impact the Bernd property.

"Noise Element" guidelines, used in the noise study submitted by the applicant (*Noise Element, Sonoma County General Plan 2020*,) state that noise shall be measured "at the exterior property line of any adjacent noise sensitive land use." We would like this standard used for the Bernd property.

However, the choice of the Bernd property, also meets the requirements for "Noise Element" guidelines which state: Page 13, (5)

(5) Noise levels may be measured at the location of the outdoor activity area of the noise sensitive land use, instead of the exterior property line of the adjacent noise sensitive land use where:

(a) the property on which the noise sensitive use is located has already been substantially developed pursuant to its existing zoning, and

(b) there is available open land on those noise sensitive lands for noise attenuation.

2. Several of the dog control assumptions are invalid: It appears barking collars will not be used and dogs (not counting the 20 outside) will not necessarily be "kept indoors."

Page 4 of the Noise Impacts Study states that the applicant intends to implement a number of measures to minimize dog barking. However, there are several invalid assumptions:

d. "Disciplining collars will be used as needed. Such collars vibrate, spray or administer a small electric shock in response to barking."

When we asked Meadows Kennel about the use of these collars, Meadows indicated that collars would not be used, instead an emergency phone call would be placed to the dog owner to come and pick up the offending barking dog.

e. Except for regular exercise/play periods, the dogs will be kept indoors.

There is no definition of "kept indoors"--we note that the first plan, for 50 dogs, showed 35 indoor/outdoor dog runs attached to the new kennel building along with 7 indoor/outdoor runs attached to the present kennel building. Dogs in these outdoor runs are most certainly "outside." A revised kennel plan, although still in the planning stage by the applicant, will also have a limited number of outside dog runs. All outdoor dog runs can potentially hold a barking dog and, if opened to outdoors, this additional barking noise should be taken into account and measured.

3. The "worst case scenario" as defined in the Noise Impacts Study, all 20 outside dogs barking at once, does not include dogs in inside/outside dog runs. Furthermore, this scenario is at or close to adjusted noise limit standards.

Page 4, the Noise Impacts Study states, "*The worst case scenario assumes that during daytime hours 10 dogs (total) would be outdoors in the four "Exercise Areas" shown in Figure 1, and 10 dogs (total) would be in the "Yard" and "Garden" areas labeled in the figure. The scenario*

assumes further that all 20 outdoor dogs would bark throughout a given hour."

A worst case scenerio should take into account all 20 outdoor dogs PLUS all the dogs which have access to the outdoor runs attached to the kennel buildings. We would like to see a real accounting of this worst case scenerio. Furthermore, even in this, the applicant's own study, there is this statement:

"However, it should be noted that all of the sound levels associated with dogs barking are close to or at the adjusted limit." Page 5, Noise Impacts Study

4. We believe that the Noise Impacts study has inaccurately stated "Adjusted Daytime County Limits" noise exposures as 57 dBA (for L50), when it should be 50 dBA (+/- 1.5 dBa). This would mean that the daytime barking from dogs outdoors measured as 58 dBA by the study, would exceed County limits by 8 dBA. This far exceeds the County limits.

Basically, the County lets you raise the noise exposure standard of 50 dBA (Table NE-2, Noise Element) by 5 dBA (for ambient noise), but also requires you to lower the standard by 5 dBA for barking kennel dogs. The study appears not to have done this. It did not actually lower the standard for barking dogs, although the text says it did.

To elaborate, Table 1 (Page 8, Noise Impacts Study) states that the Adjusted Daytime County Limits (6 PM - 7 PM), L50, is 57 dBa. The text of the study states that this takes into account "when ambient conditions and the impulsive nature of the sounds of concern are both taken into account." However, this does not appear to be the case: ambient noise is measured, but the required lowering by 5 dBA to account for dog barking is not indicated.

The County sets the "maximum allowable exterior noise exposure for non-transportation noise sources" at 50 dBA (for L50, daytime 7 am to 10 pm). However, it allows an increase of up to 5 dBA: (+ or - 1.5 dBA) for ambient noise (noise already in the background).

*(1) If the ambient noise level exceeds the standard in Table NE-2, adjust the standard to equal the ambient level, **up to a maximum of 5 dBA above the standard**, provided that no measurable increase (i.e. +/- 1.5) shall be allowed. So, for example, if ambient traffic noise was higher than 50 dBA, the new limit could be 5 more dBA plus or minus another 1.5 dBA.*

However, it then also states that if the noise being measured is from "dogs barking at kennels", then the "maximum allowable exterior noise exposure for non-transportation noise sources" must also be dropped by 5 dBA:

*2) Reduce the applicable standards in Table NE-2 by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, such as pile drives and **dog barking at kennels**.*

We do not see that new noise exposure limit dropped by 5 dBA as required for barking dogs.

5. Sound level representations are in question if only the Oakmont nearest "noise sensitive area" is used. Put the sound receiver in other noise sensitive areas too.

The measured data that creates Table 1 of the Noise Impacts Study takes measurements from

a sound receiver placed up the hill near an Oakmont home. However, as we have stated, this is not the closest noise sensitive area--the Bernd residence, adjacent to the kennel, is the closest area.

6. Typical ambient noise level readings (background traffic noise) were taken during 6-7 p.m. on a Tuesday and a Thursday. Please measure late morning times and weekends when ambient noise is less. What are the standards for placing a microphone to capture ambient noise?

In a nutshell, here's the assumption: if background ambient noises are bad--then why would adding dogs on top of this cause any significant change? We believe that ambient noise levels (in other words, Highway 12 background noise levels) should be taken mid morning and on weekends--when indeed, we all notice less traffic noise and would be out enjoying our properties. . 6-7 P.M. on a weekday is still rush hour for a lot of people and one cannot assume that this is typical of traffic noise. Furthermore, why was the microphone, to capture ambient noise, placed on a berm beside Highway 12? What standards should apply in capturing ambient noise?

7. Noise Impact Mitigation assumes only 20 dogs outside--all others housed "within kennel buildings." (Page 9, Noise Impacts Study). Yet, "within kennel buildings" can still allow dogs to bark to the outside if outdoor dog runs are used.

As we have shown, any dog "within the kennel buildings" but having access to an indoor/outdoor dog run can potentially bark and add to the noise of the 20 outside dogs.

8. Two dogs barking were the basis for calculating the sound of more dogs.

See Table A-1, Page 12, Noise Impacts Study. To calculate the sound of multiple dogs barking, this sound analysis took 1 dog barking at 55' then 2 barking dogs, 1 at 55' and 1 at 40'. These two measurements were used to calculate the sound level for 2 barking dogs at 50'. This data served as the basis for an algorithm that produced 20 dogs barking. This method sounds problematic to us. We would like to know the breed of the two dogs used for this study--as some are inherent barkers while others have a more quiet bark. In other words, we feel this entire calculation of two dogs barking could be open to interpretation--what dog breeds were used (noisy terriers or quiet teacup poodles?) what were the conditions that caused the barking (an ambulance coming by? a dog greeting its owner? a warning bark because of a nearby threat?). We feel this entire measurement of "barking dogs" and of which bark and breed to choose is very subjective and cannot give a reliable reading. We would also like an independent review of the algorithm used to estimate the sound of 20 dogs barking.

We respectfully submit our concerns and ask that they be addressed.

Sincerely,

Michael and Tammi Bernd
representing: County Opposition Group
6447 Sonoma Highway,
Santa Rosa, CA

Mike and Mariellen Munson
representing: Oakmont Residents Opposed to Kennel Expansion
88 Apsen Meadows Circle
Santa Rosa, CA

See the website for more detail: www.nbrhd.net

Attachments:

Applicant provided, Noise Impacts . . . Study <http://www.nbrhd.net/Kennel/KennelSummary.htm>
click on this study at bottom of page.

Noise Element, Sonoma County General Plan 2020: Table NE-2 and Policy NE-1c and Policy NE-1b.

www.sonoma-county.org/prmd/gp2020/noise.pdf (or Google: Noise Element, Sonoma County 2020, click on "quick view")

Chelsea Holup

Subject: FW: Objection to expanding Doggie Day Care aka The Meadows Kennel PLP 11-0042

From: Donna [mailto:donnahopley@yahoo.com]

Sent: February 07, 2013 3:50 PM

To: Melinda Grosch

Subject: Objection to expanding Doggie Day Care aka The Meadows Kennel PLP 11-0042

Melinda Grosch PRMD
Sonoma County,

Please include my opposition to the permit expansion for Heidi Neiman's original request to increase from 10 dogs to 35 dogs and any expansion of hours of operation.

On this side of HWY 12 we constantly hear barking noises as there are two dog kennels opposite Oakmont within hearing from our five HOA's; Quail Run, Aspen Meadows, Meadowridge, Mesa Oaks and Pleasant Vista Homeowner Associations. While Ms. Neiman might provide a needed service, the location is unsuitable for this type of operation for valid reasons;

1) Safety is compromised because of the three hidden sections of highway that an oncoming vehicle is hidden due to the 3 road undulations. This area starts coming from Santa Rosa starting at the beginning of Oakmont to the corner of Ms. Neiman's property. The lack of visibility in the past has caused many horrific accidents and near accidents due to vehicles making turns onto these side roads.

2) Noise is already unacceptable as there is one existing kennel four houses up from that HWY 12 exit. Considering adding increased barking from the Doggie Day Care aka The Meadows Kennel facility is unthinkable. Barking is currently on a daily basis and it is inappropriate for a retirement community with elderly residents who have health issues and need quiet and rest.

3) Property values would decrease for all residents/home owners living within the area who have put their savings into living in this retirement community.

I would like to add that Ms. Neiman's original permit request of 10 dogs was a clever ruse used to gain our original approval. Now having heard our objections, she continues without any consideration of the five Oakmont associations living within the vicinity.

Thank you for presenting my opposition to any permit increase/adjustment.

Donna Hopley

Chelsea Holup

From: Melinda Grosch
Sent: Monday, February 11, 2013 8:17 AM
To: Chelsea Holup
Subject: FW: OPPOSITION TO APPLICATION PLP11-0042

For Feb 21 hearing

Melinda G.

Lobby Hours:

Monday through Thursday from 8:00 a.m. until 4:00 p.m. The lobby is closed on Friday.

-----Original Message-----

From: Linda Upton [<mailto:marmite1191@gmail.com>]
Sent: February 11, 2013 8:12 AM
To: Melinda Grosch
Subject: OPPOSITION TO APPLICATION PLP11-0042

I strongly oppose granting permission to board 35 boarding dogs at this address. This is totally the wrong place to increase the traffic. I am a Glen Ellen resident who routinely travels Highway 12 and amongst my friends I am in the minority NOT having had an accident along this stretch. This is a dangerous and scary road already PLEASE do not add more traffic.

Please make a record of my outrage.

Linda Upton
12555 Dunbar Road,
Glen Ellen

RECEIVED

FEB 11 2013

**PERMIT AND RESOURCE
MANAGEMENT DEPARTMENT
COUNTY OF SONOMA**

Melinda.Grosch@sonoma-county.org
Opposing Application PLP11-0042

Please submit the following to file

The question is not how nice a person the applicant is, or how much of a community service a 35 dog daycare, boarding, and grooming facility would be. The obvious question is; Is the request to establish a full-blown kennel in a residential neighborhood, on a proven unsafe section of hwy 12 sensible or responsible? The obvious answer is NO.

I used to live on the property directly to the north. Our driveway was on the same stretch of the 55 MPH hwy. Three other residences share that driveway. Every single one of us has been involved in an accident either exiting or entering hwy 12. The rear-end accident in which I was involved also involved my son, driving with his learners permit. He was doing everything carefully and fully complying to the rules of the road when we were hit from behind and pushed into on-coming traffic. It was only by sheer luck that the drivers of the oncoming cars were attentive and were able to screech to a stop. Further, a guest making a right hand turn into the driveway was hit from behind and pushed into the ditch. Her car suffered quite a bit of damage but again only by sheer luck was she uninjured.

The idea that clients entering and exiting the proposed kennel driveway would be instructed to make only right-hand turns is also highly unrealistic and irresponsible. Humans being humans do not always make sensible decisions. Imagine being late for work, and no one seems to be coming from the other direction. What would you do? Drive past the driveway up to an intersection at Oakmont? Take a right to the first stop sign and make a U- turn there? Back track on Oakmont Drive to the traffic light on Hwy 12 and wait for it to turn green? Then continue back where you've just been to make the right hand turn into the kennel drive way? Realistically, very few of us would not risk the left turn.

Not only would additional cars entering and exiting hwy 12 at that location put themselves at risk, but they would also put the many commuters who use that highway daily at risk. I am now one of those who travel the road to my business in Glen Ellen daily. I have learned the hard way to keep vigilant in that area, but I doubt the majority of drivers who are speeding by at 55 mph or above have.

Other considerations in opposition to the kennel are as follows:

- 1) What oversight is there? The unopposed first permit was issued for a smaller dog daycare. Yet, as testimony at the prior hearing clearly stated, client's dogs were accepted (and gratefully so) for overnight boarding during the holiday season and when other "boarding" kennels were full.
- 2.) Grooming services would be available to dogs who are to be "boarded" for at least 5 hours. This must be a joke. Clearly this is a proposed grooming business as well as kennel, as dogs are often dropped at the groomers for 5 hours. —more cars in and out. It is like the gas station which offers free carwash with fill-up. Is it a carwash or a gas station?

3) The proposed kennel facility is in a peaceful neighborhood on a private road. The neighbors are responsible for the maintenance of the road. The quiet way of life would be drastically changed for many neighbors in order to benefit one.

4) As was stated at the prior hearing by a professional Instructor of dog trainers for Canine Companions for Independence, all dogs, no matter how well trained in a kennel situation, bark during times of transition. Times of transition would include taking dogs in and out for play or grooming, or for arriving and going home. Can you imagine living near, or even in the same valley as 35 dogs barking day and night? I can, because I do now live approximately ¼ mile from a large kennel. At times the continuous barking is nearly unbearable. Certainly the kennel's decibels should have been disclosed on the real-estate contract.

5) I received an email request from a friend asking that I send an attached petition to our winery business mailing and data lists asking for signatures in favor of the kennel application. The request read that they needed at least 2000 signatures. Quite obviously the signatures gathered in this manner should have no meaning or clout. When I replied negatively to the sender and to all of whom were sent the request, I did receive replies thanking me for putting the petition in the correct perspective.

6) How can the PRMD make a determination favoring the applicant when the machine recording the minutes of the first hearing last year was inoperable, and there are no actual minutes of the hearing? And of further suspicion, is the fact that all opposing documents including letters and pictures are now missing from the file –“purged”. I find this outrageous, highly suspicious, and perhaps even criminal.

Priscilla Cohen

Co-Owner, Moondance Cellars

Home: 4901 Blank Rd. Sebastopol

Business: 14301 Arnold Dr. Glen Ellen

pc@moondancecellars.com

Chelsea Holup

From: Melinda Grosch
Sent: Monday, February 11, 2013 9:45 AM
To: Chelsea Holup
Subject: FW: "Opposing Application PLP11-0042"

For the Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: robert upton [<mailto:rupton@campusproperty.com>]
Sent: February 11, 2013 9:09 AM
To: Melinda Grosch
Subject: "Opposing Application PLP11-0042"

Melinda,

I have just heard about the new application for a sizable kennel establishment on Highway 12. I shall be traveling and not able to attend the hearing but would like to register my opposition.

This is no doubt a needed facility and although I do not know the applicants I imagine they are good people caring for animals. However this is completely the wrong place for an operation of this size. This stretch of 12 is extraordinarily dangerous and I know a number of people personally who have been in major accidents.

Adding additional turning movements is just a terrible idea.

Thank you for your consideration

--

Robert Upton

**12555 Dunbar Road
Glen Ellen Ca 95442
Phone 707 721 1193 Cell 415 298 8633**

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:18 AM
To: Chelsea Holup
Subject: FW: Letter in Opposition to PLP 11-0042

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Carol Cole [<mailto:carol@beegarden.com>]
Sent: February 12, 2013 10:26 PM
To: Melinda Grosch
Subject: Letter in Opposition to PLP 11-0042

I am writing to express my opposition to the proposed expansion of The Meadows Kennel on Sonoma Highway. I think that it would be a dangerous location for a such a heavily trafficked business. On more then one occasion, while trying to turn into the private lane where the kennel is located, I have almost been hit by cars traveling at high speeds on Highway 12. Drivers are unaware that a car has stopped and is trying to turn left into the lane.

I urge you to deny any expansions until Highway 12 can properly and safely accommodate the inevitability of more vehicles stopping to turn into the lane where The Meadows Kennel is located.

Sincerely,
Carol Cole

Note: Please add this to the Letters of Opposition file for the upcoming hearing Feb. 21, 2013

Carol Cole
5190 Hessel Road
Sebastopol, CA 95472

Phone: 707-823-0914
Email: Carol@beegarden.com
BeeGarden.com

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:19 AM
To: Chelsea Holup
Subject: FW: Opposing Kennel Application PLP11-0042

For the Feb. 21 hearing

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Garrett Bernd [<mailto:ruggedoutfitters@hotmail.com>]
Sent: February 12, 2013 9:32 PM
To: Melinda Grosch
Subject: Opposing Kennel Application PLP11-0042

My name is Garrett Bernd, I'm 34 years of age, and I grew up at 6447 Sonoma Highway. I'm totally against the current kennel now and/or it's expansion on Richards Road, because of all the accidents that have happened there over the years. It's crazy that anyone would be so irresponsible to risk other's lives coming and going off that highway. When I was living there, practically everyone on our road had been hit by some idiot flying on the highway at 55 mph and not paying attention, and it's just going to get worse now. It actually has! I remember the December night just before Christmas when my mother and little brother were rear-ended, then hit head-on. I could hear it from our house and I was one of the first to run up there. It was one of the scariest moments in my life seeing them on the highway like that, and taken away in the ambulances. Until you live out here and see this kind of thing so frequently, you just don't get it, I guess. It's sinful that people who know nothing about living on the highway may make the decision that could kill someone. Apparently some people just don't care.

Thanks for your time,
Garrett

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:20 AM
To: Chelsea Holup
Subject: FW: "Opposing Kennel Application PLP11-0042"

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Jacqueline Romero [<mailto:romerojacqueline@hotmail.com>]
Sent: February 12, 2013 9:29 PM
To: Melinda Grosch
Subject: "Opposing Kennel Application PLP11-0042"

My name is Jacqueline Bernd. My in-laws live at 6447 Sonoma Highway. Even before I was a part of the Bernd family, I'd been warned by them of the dangers of coming/going of the getting on/off the highway at the top of their road. They still caution me, and these days, I try to be especially careful because they babysit our 3 year old son for us on Thursdays whom I deliver in the mornings. My family owns Guanella Auto Body which is where I work, so I know that even though you're not at fault, sometimes you're just in the wrong place at the wrong time, especially when you're on a 55 mph rolling highway like Highway 12 is. We've repaired cars from there. A business of any kind, but especially the size that the applicant is proposing is completely unimaginable and irresponsible at that location.... although I have to say that it may be good for my family's business! Please include this in the record for review by the panel. I'm totally against the expansion of meadow kennel.

Thank you for your time,
Jacqueline Bernd

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:21 AM
To: Chelsea Holup
Subject: FW: Kennel Opposition

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: AnaKana823@aol.com [<mailto:AnaKana823@aol.com>]
Sent: February 12, 2013 2:37 PM
To: Melinda Grosch
Subject: Kennel Opposition

Letter in Opposition to PLP 11-0042:

I want to express my opposition to the expansion of The Meadows Kennel on Sonoma Highway.

There is too much traffic on Sonoma Highway for it to be suitable for an in-and-out commercial business such as the one being proposed.

I have visited friends on that small, private lane and know how dangerous it is to turn in and out in both directions.

Sincerely, Patricia McCarthy Sebastopol, CA

Note: Please add this to the Letters of Opposition file for the upcoming hearing Feb. 21, 2013

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:21 AM
To: Chelsea Holup
Subject: FW: Opposing Application PLP11-0042

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
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From: JoDean Nicolette [<mailto:jdnicollette@earthlink.net>]
Sent: February 12, 2013 2:02 PM
To: Melinda Grosch
Subject: Opposing Application PLP11-0042

Dear Planner Grosch,

My name is JoDean Nicolette and my husband and I are physicians who live in East Santa Rosa. We travel on Route 12 towards Sonoma regularly for both professional and personal reasons. I would like to go on the record as opposing the recent application for a large dog kennel facility near Oakmont.

The traffic entering and exiting Route 12 on that stretch of road is already at maximum volume to provide safe thoroughfare. I find myself on high alert when driving through there in order to avoid cars abruptly pulling onto the highway from the the driveways. The visibility from the driveways is often limited because many are on an incline, limiting both the view of the highway, and through traffic's view of the entering vehicle. I also worry about drivers gawking at the kennel dogs, rather than looking at the road.

I urge you to join with us in our goal of preserving the public safety on that section of road by preventing any further commercial traffic or distractions.

Thank you for your time.

JoDean Nicolette, MD

My treasures do not clink and glitter, they gleam in the sun and neigh in the night.

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:25 AM
To: Chelsea Holup
Subject: FW: Opposing App. PLP11-0042

For the Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Jeannie Schulz [<mailto:jean@flyingace.net>]
Sent: February 12, 2013 12:27 PM
To: Melinda Grosch; Gorins@sonic.net
Subject: Opposing App. PLP11-0042

Letter in Opposition to PLP 11-0042:

I want to express my opposition to the expansion of Meadow Kennel on Sonoma Highway. I had written to express opposition in the past, but I am told that in this second hearing, February 2013, that the previous testimony and materials had been lost or shredded.

Clark Pappas from Canine Companions for Independence (CCI) also spoke in opposition to the expansion previously. It is worth noting that the applicant does not have an affiliation with CCI.

There is too much traffic on Sonoma Highway for it to be suitable for an in-and-out business such as the one being proposed.

I have visited a friend on Richards Road and know what a dangerous exit it is to the highway.

Sincerely,

Jeannie Schulz

www.schulzmuseum.org
www.schulzmuseum.org/jeanschulz

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:25 AM
To: Chelsea Holup
Subject: FW: Meadows Kennel PLP 11-0042

For the Feb. 21 hearing.

Melinda G.

Lobby Hours:

Monday through Thursday from 8:00 a.m. until 4:00 p.m. The lobby is closed on Friday.

-----Original Message-----

From: Richard T. Hill [<mailto:rabbithillpress@mindspring.com>]
Sent: February 12, 2013 11:05 AM
To: Melinda Grosch
Cc: Bob Haroche
Subject: Meadows Kennel PLP 11-0042

Melinda,

Please forward this e-mail to BZA members, and include it in the hearing file for this project.

Thanks,

R

BZA Members,

I live on the same rural lane as the Applicant. Our road has a very dangerous intersection at Hwy 12.

The location of Ms Niemann's property is too hazardous for a business catering to the general public.

And yet, 2.5 years ago, without a Public Hearing, PRMD granted Ms Niemann a Conditional Use Permit for a 10-Dog DOGGIE DAYCARE.

I believe that we were intentionally misled, both by the applicant and PRMD regarding Ms Niemann's true intentions.

We now have TWO COMMERCIAL KENNELS on our short road, even though we've yet to conclude even ONE PUBLIC HEARING!

PRMD has enabled this applicant to PIECEMEAL her way to a BOARDING KENNEL. Piecemealing is an outrageous way for professional planners to manage development in this day and age.

That is why it is a banned practice under CEQA.

There is NO SUPPORT for Ms. Niemann's KENNEL within earshot of our neighborhood.

How many of her supporters would welcome TWO COMMERCIAL KENNELS on their residential street?

I urge you REJECT the Mitigated Negative Declaration.

Thank you for your consideration,

Richard T. Hill

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:26 AM
To: Chelsea Holup
Subject: FW: Meadow Kennels 6445 Hwy 12

For the Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Joi Wright [mailto:joiwrights@yahoo.com]
Sent: February 12, 2013 9:11 AM
To: Melinda Grosch
Subject: Meadow Kennels 6445 Hwy 12

To Whom it May Concern;

I am writing this letter to you with concern and surprise that Sonoma County, and the city of Santa Rosa, is actually considering to allow a business to operate at 6445 Sonoma Highway, (Meadow Kennels). This is a known area for car accidents and heavy traffic conditions. It seems like the powers to be would be aware of the "known, or should have known" liability. It is only going to be a matter of time before someone is killed on that section of Sonoma Highway, especially when the traffic begins to increase at that location.

I would ask that public safety be the number one priority in this decision to allow this business to open. I visit the area often and it has always been a worry getting out of that driveway. I know one of the people on that street was in an injury accident in the past. You can reach me at the numbers below if you have any questions about my concerns.

Joi Wright
Ed B Realty
P.O. Box 219
Middletown, Ca. 95461
707-987-2003 office
707-533-9311 cell

Great success always comes at the risk of enormous failure 😊

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:28 AM
To: Chelsea Holup
Subject: FW: Meadows Kennel and Concerns

For the Feb. 21 hearing

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Shirley Phillips [<mailto:sapsanta@yahoo.com>]
Sent: February 11, 2013 11:15 PM
To: Melinda Grosch
Subject: Meadows Kennel and Concerns

Dear Ms. Grosch,

This letter is concerning: Meadows Kennel, PLP11-0042

Please forward our letter to the BZA and please place it in the hearing file and packet for this project; especially the Feb. 21, 2013 hearing.

We are strongly opposed to any expansion of the present Meadows Kennel (6445, Highway 12, Santa Rosa, Ca.) from 10 dogs to 35 dogs and we ask that this expansion be denied.

We are very familiar with all issues involved and it is clear that this kennel operation will indeed be detrimental to the "health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such use" and will be detrimental and injurious to property and improvements in the neighborhood or the general welfare of the area.

Injurious and Detrimental to Nearby Properties

There are 5 Oakmont neighborhood associations across Highway 12 from this kennel, with over 200 homes impacted. These neighborhoods have all registered their opposition to this project. Property values and the desirability of homes will be impacted. Three different real estate agents (from 3 different firms) have told us that, according to California law, a home seller would have to disclose that a kennel was nearby--as this could have a negative impact on the property. California has some of the most stringent disclosure laws in the country.

We researched this further by calling the State of California, Department of Real Estate. The representative we spoke with said that yes, a home seller would have to disclose anything which represented a "material fact"--a known fact that could influence a buyer's decision. The agent further said: the burden to report is on the home seller and the home seller would relay information to his agent. Nuisances should be disclosed. (A kennel falls under "Neighborhood noise problems or other nuisances.") This is part of California Civil Code. A home buyer affected by this failure to disclose would need to consult a lawyer.

This failure to disclose (a nearby kennel) could potentially open any nearby Oakmont home seller to a lawsuit. When we asked friends and acquaintances if they would buy a home near a kennel, they all responded negatively. Property values will suffer and home prices will be affected by a nearby kennel.

Noise Impact

The mere fact that so many noise remediation recommendations are being made by the planning staff and applicant (in response to neighborhood concerns) should suggest that noise is and will be a problem.

We can hear the present kennel, when the dogs come outside (even though this is limited to the present 10 dogs). The barking noise is unmistakable and can definitely be traced to the Meadows Kennel. These are not random neighborhood dogs barking as Ms. Niemann contends. Allowing more dogs outside, as this project would do, would only increase the noise we have to endure. Contrary to what the acoustical study would contend, we definitely hear the dogs over any traffic noise from Highway 12. Furthermore, given that most studies are self-serving for the applicant, we would ask that an independent acoustical consultant take a look at the updated acoustical study. We currently do not have access to the full updated acoustical study and its data, but only some of its general recommendations.

Given the present kennel performance, we have no faith in any assurances that the noise from barking dogs will be mitigated. There will also be no real recourse for neighbors when barking dogs cause a problem--since any barking incident is fleeting and could not be recreated. How would PRMD staff determine that a noise standard was violated?

This kennel is in the wrong place. Any kennel expansion should be denied.

Thank you,
Bob and Shirley Phillips
76 Aspen Meadows Circle
Santa Rosa, Ca 95409
(Member, Aspen Meadows Homes Association, Oakmont)

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 8:30 AM
To: Chelsea Holup
Subject: FW: Opposition to application PLP11-0042

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: Linda Behr [<mailto:lindabehr@gmail.com>]
Sent: February 13, 2013 8:16 AM
To: Melinda Grosch
Subject: Opposition to application PLP11-0042

Hello Melinda,

I am a friend of Tammi Bernd's. I retired from the County of Sonoma in 2010. Tammi asked me to write to you with my concerns about the size of a kennel business increasing on the corner of her lane off Highway 12.

My biggest concern is due to the well known heavy hurried traffic already on Highway 12. After hearing and then seeing a crash just at the intersection of the private lane and the highway last year I am always apprehensive when I get ready to make a left turn into the lane, whether in my car or truck and trailer.

Another concern is the noise this might create in a beautiful quiet neighborhood. I was surprised by the sound of a small dog yipping or barking on a Sunday afternoon as I have never seen a small dog in the dog run area. In fact I have seldom seen any dogs out there except for a large dog belonging, I was told, to the property owner. I can't imagine what it would be like to hear numerous dogs barking for possibly extended periods of time.

I would like you to add this note to the pending application file.
Thank you for your time and consideration of my concerns.

Linda Behr
7711 Camino Colegio
Rohnert Park, CA 94928

707-792-0843

Chelsea Holup

From: Melinda Grosch
Sent: Wednesday, February 13, 2013 1:01 PM
To: Chelsea Holup
Subject: FW: Application PLP11-0042 from Heidi Niemann

For Feb. 21 hearing.

Melinda G.

Lobby Hours:
Monday through Thursday from 8:00 a.m. until 4:00 p.m.
The lobby is closed on Friday.

From: verabud@aol.com [<mailto:verabud@aol.com>]
Sent: February 13, 2013 12:42 PM
To: Melinda Grosch
Subject: Application PLP11-0042 from Heidi Niemann

Regarding the request for up to 35 dogs, 24 hours a day. We live across the highway from the kennel and the noise from barking dogs is clearly disturbing at times. Traffic on Highway 12 past the kennel is very heavy at times, Many cars traveling south cannot turn left into the lane, go past the kennel, turn into Oakmont and U turn so they can turn right onto the lane. This adds to congestion and confusion and danger.
Please deny this permit.

Thank you
Estes & Elvera Yinger