

Stephen Schultz, Supervisor  
**Town of Henrietta**  
475 Calkins Road  
Henrietta, NY 14623

September 8, 2023

Supervisor Schultz:

Below is our response to comments expressed at the Town of Henrietta, August 30th Special Use hearing for the proposed Central Bark of Rochester (Cademery Properties, LLC) Doggy Day Care Facility at 65 Saginaw Drive.

The comments/concerns are grouped into:

- Building/Property Size for Dog capacity
- Dog Noise
- Dog Waste Disposal / Odor
- Staffing
- Increased Surface Run-Off
- Night-time Oversight
- Future Facility Operator(s) Compliance with Permit Conditions
- Traffic / Parking
- Dog and Neighborhood Safety / Miscellaneous

Comments appear to be largely based on our July 18<sup>th</sup> Special Use Permit application without consideration of our August 24<sup>th</sup> letter (in the attached Appendix) and/or awareness of the required Central Bark's (our Franchisor) Operating Protocols (see the Appendix for relevant excerpts) with respect to:

- Barking (how to minimize it).
- Play Group Size (maximum of 12 dogs/play group rotating from "play to rest and back to play").
- Waste Disposal (immediately clean and disinfect).

The August 24<sup>th</sup> letter (in the Appendix) describes:

- Reduction in the size of the outside Dog Play Area from 5,400 sf to 2,250 sf (due to the Operating protocol described in the Appendix).

- That its surface will be 7/8" thick permeable Foreverlawn Classic + K9 artificial turf cover underlain with 8" of crushed stone and limestone to provide a smooth bedding for the artificial turf and improved soil permeability thereby reducing surface run off.
- References the October 2022 Phase II Environmental Site Assessment (previously provided to the Town) by LaBella Associates, PC which concludes (page 9, Section 7, Recommendations) *"no environmental condition of concern was identified"*. *No further investigation or remedial action is warranted"*. The Appendix includes more detailed information from Brent Brantner (Project Manager for Phase II Study at LaBella Associates).

Below are responses to the above listed concerns:

- **Building / Property Size for Dog Capacity.**

Central Bark's first Doggy Day Care franchise was first opened in 1997. There are now 38 facilities around the country. Many of the physical buildings and lot size are similar sizes to 65 Saginaw Drive. Central Bark has approved the 65 Saginaw Drive site consistent with their franchise guidelines.

For reference, our site and building size is more consistent with Camp Bow Wow at 85 Mushroom Blvd (one of two currently operating Henrietta Doggy Day Care facilities) than Green Valley K9 due to its facility and site size, number of dogs accepted and lack of nearby residential properties.

Camp Bow Wow (established in 2008 and open for 15 years) is an ~7,500 sf building with ~2,000 sf of secure outdoor Play Area behind the building vs. our facility being ~6,900 sf with a 2,250 sf secure outdoor Dog Play Area. Camp Bow Wow has 2 overhead doors in the rear of their facility that are generally open to allow dogs to transit between indoor and outdoor Play Areas (often without staff oversight), see the attached Appendix "Pictures". Our facility has 2 side overhead doors that will remain closed (except for occasional receipt of supplies) as the adjacent internal space will be used as indoor Play Area for "Stay and Play" dogs.

Camp Bow Wow advised us their maximum dog capacity is 107. Our maximum capacity (based on facility space available to Nap Rooms and Dog

Crates) is 91 dogs (consistent with our July application which outlined 80-100).

- **Dog Noise.** Our facility will operate within normal noise standards for industrially zoned areas, similar to the current operation of other doggy day cares in Henrietta (Green Valley K9 and Camp Bow). Due to our design and conformance with Central Bark's required operating protocols, we will not create excessive noise, just as Green Valley K9 and Camp Bow Wow do not create excessive noise.

Most Doggy Day Cares facilities follow Operating Protocols like Central Bark's. Central Bark's:

- Limit Play Group size to 12.
- Limit the duration of the Play Group play time to 1-2 hours with "nap time" in between play times. Dogs are either in Play Areas or Crates in the Nap Rooms.
- Require the utilization of trained Enrichment Supervisors with each Play Group.

Of note, Camp Bow Wow (for over 15 years) and Green Valley K9 have no reported history of nuisance complaints (September 2023 Town of Henrietta FOIL requests regarding complaint history for Camp Bow Wow and Green Valley K9 produced no record of complaints for either facility).

Play Group size:

- Green Valley K9's Play Groups (as seen on their web site) are reputedly 8-14 dogs/Play Group (our are a maximum of 12).
- Camp Bow Wow Play Groups (ascertained from conversations with facility staff) are up to 25 dogs/Play Group. With their (3) ~650 sf outdoor Play Area, their Play Area and can have 75 dogs.
- With a 12 dogs/Play Group Protocol and (3) 500 sf Day Care Dog Play Areas and (4) 125 sf Stay and Play Dog Play Areas (1 Stay and Play dog/play areas) we will have a maximum of 40 outside dogs (36 Day Care dogs + 4 Stay and Play dogs). Stay and Play dogs are for dogs who are not regularly enrolled in Day Care and are kept separate for safety reasons.

Play Group duration:

- We were unable to obtain information on the Play Group durations for Green Valley K9.

- Camp Bow Wow does not have protocol for giving their dogs breaks/naps, and they are out playing for the duration of their stay.
- Our facility will adhere to Central Bark's protocol of between 1-2 hour Play Group play periods with 1-2 hour rest (nap) periods between play periods.

#### Enrichment Specialists:

- We will have trained Enrichment Specialists to manage our Play Groups and prevent dogs from becoming over stimulated (excessive barking).
- If a dog becomes, or is becoming, over stimulated the Enrichment Specialist engages with the dog and redirects its attention through a series of distractions such as recall, fetch, or treats. If the behavior persists, the dog is returned to the nap room crates for an "early play break". If the behavior pattern persists, the dog is eliminated from enrollment in our program. This protocol is for the safety of the dogs in day care to be as proactive as possible to avoid scuffles between dogs. By mitigating over stimulation within the dogs, excessive barking is not tolerated to help provide the safest environment possible. The Operating Protocols (page 37) in the Appendix describes the above in more detail.

#### Outdoor Play Area Enclosure Wall:

- It will be 8' high constructed out of rigid white solid plastic (like the enclosure walls at Green Valley K9 see picture in appendix) verses chain link fence with tarps as Camp Bow Wow uses (see picture in Appendix).
- There are three benefits to this type enclosure, they:
  - Prevent dogs from seeing strangers or unexpected events and hence reduce "stimulation" opportunities (barking).
  - Help contain and attenuate sound from inside the enclosure.
  - Substantially contain surface water ponding (during major rain events) so it can percolate through the artificial turf.
- Interior Noise Abatement:
  - The inside face of the west exterior wall will be insulated (the adjacent space is HVAC/conditioned Nap Rooms) as will the ceilings to also reduce internal noise transmission.
  - The flooring in all dog play areas and the Grooming Room will be Protect All flooring. Protect All flooring is ~1/8" thick

flexible vinyl permanently attached to the existing floor. Its purpose is to increase dog safety (paws and joints), as well as to enable easy cleaning and disinfection of the dog spaces. A second benefit is attenuating and diminish sound.

- The existing east-west interior wall (between the reception/lobby and the dog play and nap areas) will be sound insulated.

Taken together (the above design and the above Operating Protocols), noise from within the building will be effectively abated. It is worth noting that the front Client drop off and pick up lobby area will also have several small retail display. As such, it is in our best business interest to have a pleasant “client area”.

The effectiveness of the above is affirmed by the actual noise level measurements at Green Valley K9 and Camp Bow Wow. Noise levels were measured on 9/1/23 & 9/5/23 between 9:00am and 11:30am for 6-11 minutes intervals ~55ft away from the exterior of the outside Play Area perimeter wall with an iPhone 13 Pro Max “GoDecibel” app. Both days were sunny and 75 degrees. Average noise levels for the following locations are below:

- 9/1/23 (6–10-minute intervals between 9:45am – 11:30am) - Green Valley K9 and Camp Bow Wow noise levels (52 dB and 55 dB respectively and below generally accepted normal noise level for industrial areas of 70-75 dB) and are included in the Appendix. Momentary levels were 107 db and 81 db and occurred when a motorcycle or truck (respectively) was passing nearby.
  - 9/5/23 (11-minute interval from (10:55am – 11:06am) – Camp Bow Wow noise levels were measured with an average of 59 dB with a maximum of 110 (when a gust of wind went over the microphone). This is included in the Appendix.
  - 9/1/23, 65 Saginaw Drive, noise levels were 50 db (average) and 72 db (maximum).
  - 9/1/23, “Rapid Car Wash”,(located on Saginaw Drive), noise levels were 69 dB (average) and 98 db (an average of ~16 db higher than Green Valley K9 and/or Camp Bow Wow).
- Additional Information on noise concerns:
    - The Appendix contains:

- A September 1, 2023 letter from Teresa Baker, Central Bark Director of Operations (responsible to overseeing/monitoring/insuring compliance with Central Bark protocols) at 38 Central Bark facilities over 14 years. Ms. Baker's letter affirms that she has not observed or been made aware of any noise issues related to barking at Central Bark Doggy Day Care facilities (and likely almost all well operated similar facilities).
- An internal Central Bark 2004 "memo to file" regarding a concern about "potential noise issues" at a proposed Central Bark facility in Ft Lauderdale, Florida (in a mixed Commercial-Industrial area with a multi-family residential property next door). A noise study was done of a similar size Central Bark facility in Sheboygan, Wisconsin with a 25 dog Play Group (vs. Central Bark's current standard of 12 dogs/play group). The ambient noise level at the site was 62 db, occasionally rising to 71 db when the dogs were disturbed/aroused.
- A chart provided by the Health Hearing Foundation showing ambient noise levels for various activities including:
 

❖ Room noise	30-50 db
❖ Office noise	70 db
❖ Landscaping equipment	75 db
❖ City traffic	85 db
❖ Motorcycle	100 db
- Other cited references:
  - OSHA's noise limit for construction is 92 db for workers exposure over a 6 hour period.
  - Various internet citations for Industrial areas 75 db (daytime), 70 db (nighttime).
- **Dog Waste Disposal / Odor.** Dog waste (indoor and outdoor) will be cleaned up immediately and the affected area disinfected. Waste will be placed in a special container (stored in an isolated part of the facility) and removed on a regularly scheduled basis by the Solid Waste vendor servicing

the facility. Urine will be cleaned up immediately (mopping for inside Play Areas, hosing down [one reason for having permeable turf in the outside Play Areas] for outside Play areas) and all Play Area will be disinfected nightly.

After the dog's physical safety, cleanliness is a top priority to ensure a healthy environment for the dogs and minimize any spread of illness. Per Central Bark Operating Protocols (Appendix, page 44), "dog feces and urine can carry illness and must be cleaned up and sanitized immediately". While cleanliness is a priority for dog health, it also mitigates odor.

- **Staffing.** As mentioned above, Central Bark has been established since 1997 and has the highest levels of safety measures to ensure the best possible experience for dogs. Part of this practice is to limit the number of dogs per staff. This is to be proactive and avoid any potential for scuffles between dogs. Central Bark requires 1 staff for every 12 dogs playing at any given time (Appendix [page 10]). For comparison, Camp Bow Wow has a 25:1 dog to staff ratio and Green Valley K9 is between 8 & 14.
- **Increased Surface Run-Off.** There will be no increased surface run-off from the proposed facility. The impermeable portions of the site (building footprint and paved surfaces) are unchanged. The permeable portions of the site is substantially unchanged but will be the 2,250 outdoor dog Play Area will reduce surface run off as:
  - It will have a permeable artificial turf underlain by 8" of crushed stone and limestone with 3 perforated drainage piping to collect and direct any excess under drainage to the storm water system.
  - The rigid plastic fence enclosure will substantially contain any ponded surface water in the play areas so it can percolate through the artificial turf.
- **Night-time Oversight.** Normal operating hours for the facility will be Monday – Friday, 7:00 am – 6:30 pm; Saturday, 8:00am-5:00pm and closed on Sunday (except for Overnight Boarders by appointment). There will be 24/7 video surveillance and a fire alarm system but no 24-hour attendance

(like Camp Bow Wow's operation) and consistent with Central Bark's operating Protocol described in the Appendix "Building Security".

- **Future Facility Operator(s) Compliance with Permit Conditions.** Permit conditions that might be issued by the Town apply to the site/facility, not the operator. If the owner/operator of the site/facility were to change, any permit conditions would still apply to the new owner/operator.
- **Traffic / Parking.** Central Bark did a recent study of Parking requirements at 3 of their facilities of similar size (i.e., ~7,500 sf and ~100 dogs) in the Milwaukee suburbs. The average number of cars arriving/parking between 7:00 am – 8:45 am (drop offs) were just under 4 and average number of cars arriving/parking between 4:30 pm – 6:30 pm (pickups) were just under 3.5. See the Appendix for the report.

Arrivals were observed at Camp Bow Wow on 9/5/23 between 7:00 am – 9:00 am, no more than 4 cars arrived at any given time during 5-minute intervals. They have 15 designated parking spots and their arrivals/pick-ups did not create any traffic issues on Mushroom Blvd. See Appendix for the findings.

Our facility will have 15 striped parking spaces (and significant land banked space for a total of 47) providing more than sufficient room for arrivals/pick-ups to pull off Saginaw Drive and park on site. Arrivals and pick-ups to our facility will not cause traffic issues on Saginaw Drive.

- **Dog and Neighborhood Safety / Miscellaneous.**
  - Dogs escaping. Per Central Bark Policy, our facility is designed with a "2 door policy", meaning a dog would have to be loose, no Enrichment Specialist nearby, and have an open pathway to the outside with two doors/gates left open. Dogs escaping is not plausible.
  - Standard practice for all Central Bark Doggy Day Care Facilities is to ensure all animals have been vaccinated for Rabies, DHPP, and Bordetella. Central Bark strictly follows these standards.
  - The "Back Yard Picnic and Swing Set area" on the adjacent property (71 Saginaw Drive) will be not impacted by the



outdoor dog Play Area. The “picnic area” is ~ 80-90’ from the west enclosure wall of our outdoor Play Area. The enclosure walls will be 8’ high solid white plastic fence (similar to the fencing at Green Valley K9) with the existing tree/shrub barrier between the properties remaining. See “Pictures” Appendix. There will be no noise issues at the property line and most certainly at the adjacent property Picnic-Swing Set location.

- A commentors said: “Noise escaping from our open loading dock doors in the summer may require the business at 71 Saginaw Drive (the westerly adjacent property) to keep their building doors closed (making their interior uncomfortably hot)”. There will be no noise issue (summer or winter) at the adjacent properties. As mentioned above, the average noise levels Camp Bow Wow, Green Valley K9, and Central Bark study were between 52-62 db and the current ambient noise level at 65 Saginaw is 50-55 db. Additionally, the east exterior wall of the adjacent building (71 Saginaw Drive) has no windows or door (see picture in the Appendix) and our loading doors (west side of our facility) will be closed (except for occasional delivery of supplies) as they are part of the interior “Stay and Play” Dog Play area enclosure walls. Our facility will not impact the adjacent building owner and not require them “to keep their doors/windows closed”.
- A Commentor said: “Unlike 65 Saginaw Drive, Green Valley K9 is fairly isolated”. Green Valley is not “fairly isolated”. It is adjacent to Eagen Blvd on the west (a residential neighborhood) and a Commercial shopping Plaza on the east. Notwithstanding its proximity to the above described properties, Green Valley K9 also is not a nuisance as our facility also won’t be.

- **Proposed Mitigation Measures:**

- That our facility shall operate so as to comply with the Town of Henrietta noise ordinance for Industrially zoned properties and specifically that the noise level within 25’ of adjacent structures and

not exceed (on average) 75 decibels 8:00 am – 6:00 pm or 65 decibels (on average) other times.

- That the maximum number of dogs in the outside Play Areas will not exceed 40 at any time.
- That the outside Play Area's surface be permeable artificial turf with an underdrain so that any excess underdrainage is collected and diverted to the existing stormwater system.
- That the outside Play Area's enclosure fencing be 8' high rigid white fence and that the fencing and artificial turf bedding contouring so as to substantially retain excess surface water within the enclosure (to enable it to percolate into the soil).

I trust that the above and attached, demonstrates and documents that our proposed Central Bark Doggy Day Care facility will:

- **Operate like (or better than) the other existing Henrietta Doggy Day Care facilities (i.e., Green Valley K9 and Camp Bow Wow).**
- **Never exceed 40 dogs in the Outside Play Area and not exceed Henrietta noise standards for Industrial Zoned areas.**
- **Not cause increased site storm water run-off.**
- **Not pose or create traffic or waste disposal/odor issues.**
- **Comply with any applicable Special Use permit conditions.**
- **Be a Good Neighbor.**

Respectively submitted,



Phillip Clark, Sr. P.E.  
Managing Member



Phillip Clark, Jr.  
Managing Member

# APPENDIX

## CENTRAL BARK OPERATING PROTOCOLS

### Barking (Page 37)

**Best Practice: Repetitive or nuisance barking behaviors should be redirected.**

When you walk into a doggy daycare, one of the first things you notice is the sound:

Is the facility loud with many high energy dogs allowed to bark without intervention or redirection by the Enrichment Specialists?

or

Are the groups quiet with the dogs playing in a stable and controlled manner while the Enrichment Specialists monitor and engage with the dogs?

We intervene when dogs bark because vocalizations are an indication that dogs are becoming more aroused and overstimulated and therefore less inhibited during play. Less inhibition means less safe. In groups of dogs, arousal is contagious. If one dog is riled up and barking, it will affect the entire group. In many facilities where the groups are right next to each other, this will cause the entire facility to get riled up and be on edge. That kind of environment is unhealthy and creates unnecessary stress for the dogs and the staff. Remember, we want dogs (and staff members!) to go home healthy and well balanced tired, and not exhausted from being in a stressful environment all day. Additionally, you will never hear a silent dog scuffle. Vocalizations give us important information about how to manage our groups. However, if your facility is so loud you cannot hear these subtle cues, they will be missed and could result in a scuffle and even injury.

**As a result, we require that Enrichment Specialists redirect dogs who engage in repetitive or nuisance barking behaviors**

With that said, some dogs will bark every now and then during play. After all, this is doggy daycare we are talking about! A certain amount of barking is simply inevitable. But there is a big difference between a “woof” during play and repetitive or continuous nuisance barking that changes the dynamic and energy of the entire group and/or facility. Your group should not be loud or “barky” and, if it is, you should use the following methods to redirect barking dogs.

**Approved ways to redirect barking in group:**

- **Recall.** By recalling a dog to you, you disrupt the barking behavior and refocus the dog’s attention on you. This is especially effective for dogs who play well but become overstimulated and vocal and need to be encouraged to take play pauses.

- **Practice behavior cues.** Once the dog is near you, practice sit, stay, recall, and targeting play equipment. By doing so you are redirecting an undesirable behavior into desirable behavior that is more fun for you and the dog.
- **Play ball.** If your facility has toys in group and your group does not have any ball or toy reactive dogs in it, play ball with the dogs! Not only are you redirecting the dog's focus on to something else, playing with the dogs is fun! Note: make sure you throw one ball to one dog at a time to limit the likelihood of two dogs going for the same ball causing an unintended incident.
- **Put the dog on a longline.** If you have a dog who is struggling to be redirected because they are focused on barking, put them on a longline and walk them around keeping their attention on you. While you do this, use the above tools (recall, treats, behavior cues, and playing ball) to redirect Revision September 2020 Initial Enrichment Specialist Training Manual 013 38 their attention. Also, the longline will make it easier for you to redirect the dog if they start the barking behavior again. This way, you will not be tempted to grab them by the collar when they are overstimulated and risk them redirecting on you.
- **Give the dog a play break.** Sometimes, dogs get so overstimulated that their "ears shut off" or they are so focused on barking that it is difficult to redirect them. You may also find that some dogs just keep going right back to practicing the barking behavior and you start to get frustrated. In all these instances it is OK to give the dog a play break. If you find that the barking behavior is becoming a habit for the dog, make sure to notify management so they can help troubleshoot the behavior and let the parents know.
- **Use rotations.** Often, when dogs become overstimulated their play will become more intense, taller, louder, and rougher. In this case, you can implement a rotation schedule for dogs whose behavior cycles in this way. This is especially useful for high energy breeds (Pit Bulls, Boxers, German Shepherds, etc..) so we can keep them safe, stable, and happy to be in the daycare environment.

## **Small Group Play Schedule (page 10):**

Dogs taking part in small group play are split in to two rotations (solids & stripes) of up to 12 dogs each and have a 1:2:1 schedule.

The solid rotation will play for an hour and then rest for an hour, play for 2 hours and then rest for 2 hours, and then play for an hour and rest for an hour.

The stripe rotation does the opposite, they rest for an hour first and then play for an hour, rest for 2 hours and then play for 2 hours, rest for an hour and then play for an hour.

The 1-hour sessions have an extra 15-minute buffer built in for the time it takes to transition the dogs to and from the nap room where they rest in their crates.

Small Group Play	Play Schedule	Rest Schedule
745-845 (1 hour)	Solid Rotation Play	Stripe Rotation Rest/Late Arrivals
900-1000 (1 hour)	Stripe Rotation Play	Solid Rotation Rest Period Enrichment
1000-1200 (2 hour)	Solid Rotation Play	Stripe Rotation Lunch
1200-200 (2 hour)	Stripe Rotation Play	Solid Rotation Lunch
200-300 (1 hour)	Solid Rotation Play	Stripe Rotation Rest Period Enrichment
315-415 (1 hour)	Stripe Rotation Play	Solid Rotation Rest

Playgroup areas are defined by colors and indicate what physical space the dog will be playing in (purple group area, green group area, orange group area, yellow group are, etc.) throughout the facility.

Each physical space (or playgroup) has a solid rotation of dogs & a stripe rotation of dogs that play, and rest alternatively as explained above. To easily tell who goes where and when, we have color coded Play ID Card for each dog that tells you what group they go in to (based on the color of the card) and what rotation they belong to (based on if that card is solid in color or just has a striped border). While solids play, stripes rest and vice versa. Play ID cards also include other valuable information like what Rest Period Enrichment that dog gets and any special needs they have.

## Poop/Group Cleanliness Best Practice (Page 44)

**Best Practice: Groups should be clean and free of debris, poop and pee should be cleaned up immediately, and dogs who are PEs (Poop Eaters) should be set up for success by being proactively managed and redirected.**

Next to safety, group sanitation and cleanliness is a top priority. A clean facility prevents the spread of illness. Group should be free of any debris, garbage, or vegetation that dogs can eat and be sickened by. Additionally, cleaning guidelines and facility protocols must be strictly followed to limit the transmission of things like kennel cough, giardia, fleas, parvo, or other illnesses. Revision September 2020 Initial Enrichment Specialist Training Manual 013 45 This includes the timely cleanup of dog waste. **Poop and pee carry illness and must be cleaned up and sanitized immediately.** Dogs who are known poop eaters (PEs) should be proactively managed so they are not given the opportunity to practice this behavior. Some ways that you can do this are by putting PE dogs on a "Let Out Last" list and not letting them into group until most dogs have finished their business (usually after the first 15 minutes or so of playgroup). After that, once they are in group, Enrichment Specialists are required to constantly scan their group to make sure they are picking up poop in a timely manner so that PEs do not have a chance to eat it. Not to mention, no one wants to step in poop or have a dog step in it and then jump on them or track it all over the facility. Poop must be picked up quickly. At some facilities, the Enrichment Specialists in adjoining groups help each other out by calling out when a dog poops but the Enrichment Specialist in that group has not noticed. This is a great way to help keep everyone safe, healthy, and clean

# SPECIAL USE PERMIT application CLARIFICATIONS

CADEMERY PROPERTIES, LLC

August 24, 2023


To whom it may concern; this letter supplements the original "Description of Proposal" dated July 18, 2023 for our original Special Use application for a Doggy Day Care facility to be located at 65 Saginaw Drive.

Relative to concerns above possible contaminants in the fenced outdoor Dog Play area:

- The area will be 2,250 sf vs. 5,400 sf as originally envisioned, as shown on the attached Plan S1.
- The top 8" of existing soil (within the above 2,250 sf) will be removed and replaced with CR 1 base with clean 1A stone filter and overlain with 7/8" thick Foreverlawn classic+ K9 Grass (artificial turf).
- There was a Phase II Environmental Site Assessment completed by LaBella Associates, P.C. in October 2022 (for the rear portion of the property which includes the above 2,250 sf) and which concluded (page 6, Recommendations), "... No environmental condition of concern was identified. No further that investigation or remedial action is warranted."

Relative to the indoor Play and Crate (kennel) Areas, the existing concrete floor will be overlaid with Protect All vinyl floor covering (approximately 3/4" thick and glued in place). The Play Area flooring will be cleaned daily. The Crate Area flooring will be cleaned as needed.

I trust the above and attached addresses the question by Jamie Morgan.



Phillip Clark

8/24/23

42 Coach Side Lane, Pittsford New York, 14534

# CENTRAL BARK DIRECTOR OF OPERATIONS OPINION



Barkley Ventures Franchising LLC  
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PO Box 14217  
West Allis, WI 53214

September 1, 2023

Phillip Clark  
Cademery Properties LLC  
42 Coach Side Lane  
Pittsford, New York, 14534

Phillip,

Relative to your proposed Central Bark of Rochester facility at 65 Saginaw Drive, Henrietta New York, and your request for my comments relative to operating issues regarding Noise from our facilities (due to Dogs Barking), as Director of Operations for Central Bark I oversee the operation of 38 facilities throughout the United States. In my 14 years with Central Bark, I have never had a facility brought to my attention a "dog noise" issue. This can be attributed to the protocols and procedures that Central Bark requires and utilizes at all our locations.

I hope the above addresses your request.

A handwritten signature in black ink, appearing to read "Teresa Baker".

Teresa Baker  
Director of Operations  
Barkley Ventures Franchising, LLC

# CENTRAL BARK 2004 NOISE STUDY

## Sound Study Conducted at Central Bark Fort Lauderdale, FL:

### Background information:

1. Fort Lauderdale's municipal code regarding noise mirrors Sheboygan's. The code states "The creation of any unreasonably loud, disturbing and unnecessary noise in the city is prohibited. Noise of such character, intensity, and duration as to be detrimental to the life or health of any individual or in the disturbance of the public peace and welfare is prohibited."
2. In Nov. 2004, CBDDC commissioned Environmental Noise Consultants **Bernard Kinney Associates** to complete a noise study of the Fort Lauderdale facility where a multi-family residential property is located next door
3. Some background: according to **Galen Carol Audio**, a resource out of San Antonio, the average noise level of **conversation is 60 decibels**.
4. The average noise level of **power tools** = 110 decibels, while a **truck** emits 100 - 120 decibels, meanwhile OSHA has determined that workers can be in an environment of **92 decibels** 6 hours per day.

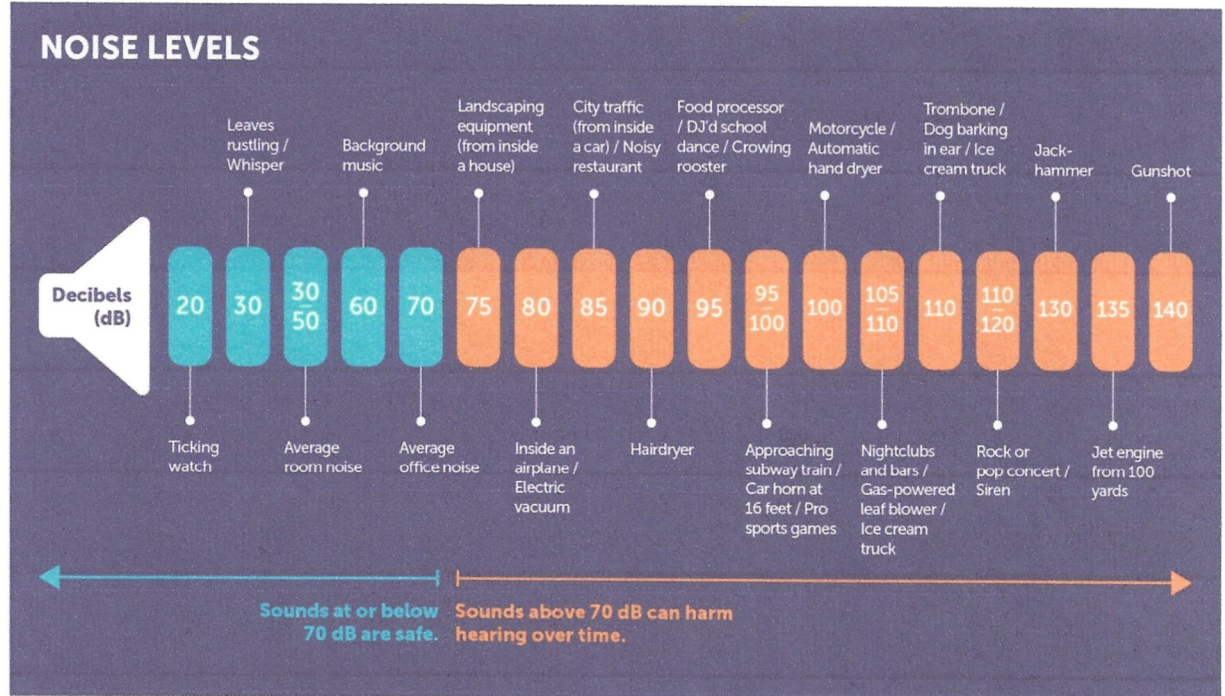
### Central Bark Doggy Day Care – Fort Lauderdale, FL:

1. In the **exterior courtyard** of the doggy day care, the study concluded that **without dogs**, the average ambient noise level was **55 decibels**, and **with dogs**, the average level was **62 decibels**.
2. When the dogs were disturbed by the person conducting the study, the average level temporarily increased to **71 decibels**.



# NOISE LEVELS

## 1. Decibel Levels - Measuring Dangerous Noise — Hearing Health Foundation

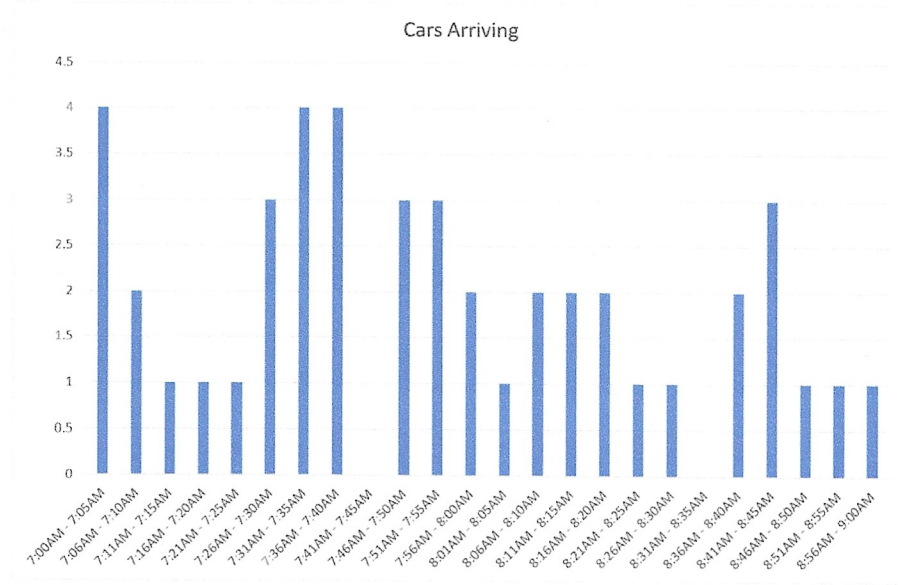


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# ARRIVALS AND DROP-OFFS

## CAMP BOW WOW (9/5/23)

Time	Cars Arriving
7:00AM - 7:05AM	4
7:06AM - 7:10AM	2
7:11AM - 7:15AM	1
7:16AM - 7:20AM	1
7:21AM - 7:25AM	1
7:26AM - 7:30AM	3
7:31AM - 7:35AM	4
7:36AM - 7:40AM	4
7:41AM - 7:45AM	0
7:46AM - 7:50AM	3
7:51AM - 7:55AM	3
7:56AM - 8:00AM	2
8:01AM - 8:05AM	1
8:06AM - 8:10AM	2
8:11AM - 8:15AM	2
8:16AM - 8:20AM	2
8:21AM - 8:25AM	1
8:26AM - 8:30AM	1
8:31AM - 8:35AM	0
8:36AM - 8:40AM	2
8:41AM - 8:45AM	3
8:46AM - 8:50AM	1
8:51AM - 8:55AM	1
8:56AM - 9:00AM	1



\*\*\* Study Completed for Camp Bow Wow on 9/5/23 at 85 Mushroom Blvd, Henrietta

# CENTRAL BARK ARRIVALS AND DROP-OFFS



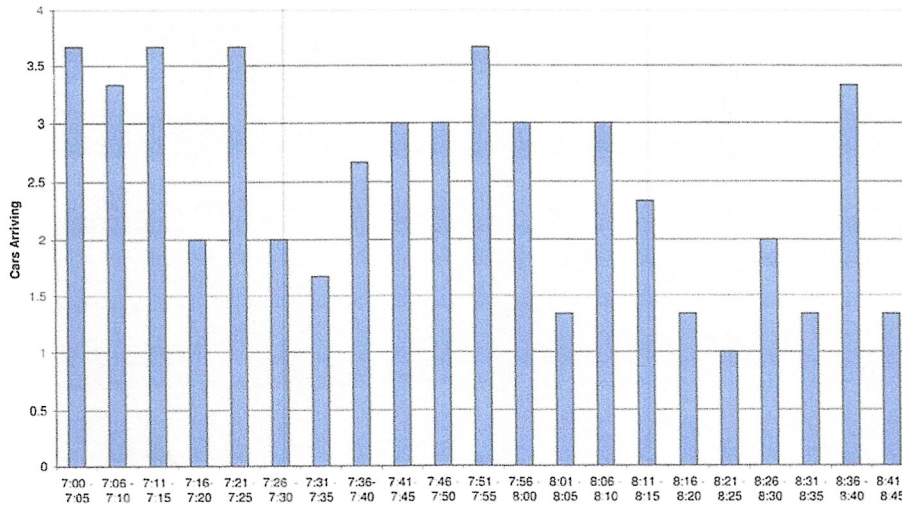
Barkley Ventures Franchising, LLC

To whom it may concern:

Barkley Ventures Franchising LLC, dba: Central Bark, conducted a study to determine the average number of cars arriving and departing throughout the day for 3 franchise locations. These facilities had an average building size of 7,500 square feet and capacity for an average of 100 dogs. The survey was conducted over the last 12 months.

Per the Chart listed below, the morning data was collected between 7am when the facility opened and 8:45am. The average quantity of cars during this time period never exceeded 4 cars at any given time.

Average of Three Central Bark Locations AM Cars

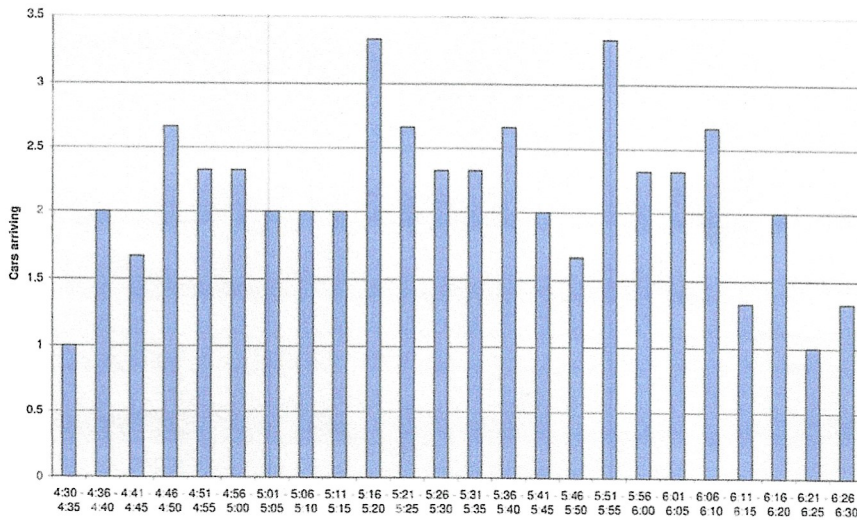




Barkley Ventures Franchising, LLC

Per the Chart listed below, the afternoon data was collected between 4:30pm and 6:30pm when the facility closed. The average quantity of cars during this time period never exceeded 4 cars at any given time.

Average of Three Central Bark Locations PM Cars



For additional information, please contact:

**Teresa Baker, Director of Operations**  
Barkley Ventures Franchising, LLC  
[tbaker@centralbarkusa.com](mailto:tbaker@centralbarkusa.com)  
PO Box 14217; West Allis, WI 53214

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# NOISE LEVEL MEASUREMENTS

## Noise measurement report

### Remark

September 1 2023. Camp Bow Wow Parking lot

### Base

Time	01/09/2023 10:05:37	Duration	369s
Equipment	iPhone 13 Pro Max	System	iOS 16.6
Microphone	Built-In-Microphone (Down)		

### Location

--			
Longitude	--	Latitude	--
Altitude	--		

### Data

AVG	55 dB	Min	39 dB
Max	81 dB		

# Noise measurement report

## Remark

Green Valley K9 9 1 23

## Base

Time	01/09/2023 11:36:59	Duration	486s
Equipment	iPhone 13 Pro Max	System	iOS 16.6
Microphone	Built-In-Microphone (Down)		

## Location

--			
Longitude	--	Latitude	--
Altitude	--		

## Data

AVG	52 dB	Min	39 dB
Max	107 dB		

# Noise measurement report

## Remark

65 Saginaw drive 9 1 23

## Base

Time	01/09/2023 10:35:17	Duration	131s
Equipment	iPhone 13 Pro Max	System	iOS 16.6
Microphone	Built-In-Microphone (Down)		

## Location

--			
Longitude	--	Latitude	--
Altitude	--		

## Data

AVG	50 dB	Min	39 dB
Max	72 dB		

# Noise measurement report

## Remark

Camp Bow Wow 9 5 23 3

## Base

Time	05/09/2023 11:06:47	Duration	664s
Equipment	iPhone 13 Pro Max	System	iOS 16.6
Microphone	Built-In-Microphone (Down)		

## Location

--			
Longitude	--	Latitude	--
Altitude	--		

## Data

AVG	59 dB	Min	39 dB
Max	110 dB		



# BUILDING SECURITY

Security is a very important issue for Central Bark. Our building is protected with a 24-hour security system that includes motion sensors, door sensors, carbon monoxide and smoke. For the safety of employees and the dogs in our care the following are some general guidelines:

- All outside lights should be on at night.
- All exterior doors need to be locked after closing.
- Employees should carry keys on their person at all times when outside on weekends.
- No guests in the facilities while working or after hours.
- Do not open doors for anyone after business hours.
- Call 911 and report any suspicious activity.

# PHOTOGRAPHS

Open loading doors at Camp Bow Wow:



View or "Picnic table" at 71 Saginaw Drive:



View of side of 71 Saginaw Drive building showing no Windows or doors near loading door at Saginaw Drive:



View of Green Valley K9 outside play area fence:



## PHASE II ENVIRONMENTAL SITE ASSESSMENT (ESA) clarification comments

**From:** Brantner, Drew <[dbrantner@LaBellaPC.com](mailto:dbrantner@LaBellaPC.com)>  
**Sent:** Friday, August 25, 2023 2:34 PM  
**To:** [pclark6545@gmail.com](mailto:pclark6545@gmail.com)  
**Subject:** Phase II report on 65 Saginaw Drive, Henrietta

Hi Phil,

Happy to follow-up on our phone conversation related to these comments you shared concerning the Phase II ESA completed for 65 Saginaw Dr, Henrietta, NY:

**Reviewed Phase 2 Environmental Assessment from LaBella, Project #2223747**

**Under 6.0 CONCLUSIONS, it states that trace amounts of 2-butanone and Acetone were detected and that is not considered as a concern.**

**Yet, tables 1A, 1B and 2 show traces of other contaminants with table 1A highlighted the Acetone “which indicates the compound was detected above its respective NYCRR Part 375-6.8(b) Unrestricted Use of SCO.”**

Firstly, it is important to note that acetone and 2-butanone were the only compounds detected by the assessment. The other values reported are the laboratory method detection limits (MDLs), meaning the lowest possible concentration that could be detected by the lab in each sample for that compound. The “U” qualifier indicates this. Put another way, all of those other compounds listed were analyzed for but ‘not detected.’

It is also important to note that acetone and 2-butanone are common/known laboratory artifacts. These compounds are used to clean the equipment/instrumentation at the laboratory and are often found in trace concentrations (like the ones reported here, less than 1 ppm). Their presence at these concentrations is attributed to this ‘cross-contamination’ of the samples at the laboratory, and is not considered present in the soil/groundwater collected from the site.

Even if the concentrations of acetone and 2-butanone were attributed to site soil and groundwater (again, this is not anticipated based on professional judgement and experience), the concentrations are not in exceedance of standards applicable to the proposed use of the site (i.e., commercial use, restricted residential use, etc.). For acetone in soil, the 0.05 ppm standard is ‘Unrestricted Use’ applying to protection of groundwater and any proposed site use including the most strict activities (such as growing food for human consumption). For restricted residential use (i.e., sports fields, playgrounds, etc.) the standard is 100 ppm and for commercial use the standard is 500 ppm. The detected concentration of 0.17 ppm is multiple orders of magnitude below the applicable standards for your proposed use (dog daycare).

I hope this helps,

**Drew Brantner**

LaBella Associates | Project Manager



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