

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

September 13, 2023

Supervisor Schultz:

This Letter and Appendix responds to the September 12th and 13th comments from Thomas Borshoff and Madeline/Gregory Wilferth, regarding our Special Use Permit application for a Doggy Day Care Facility (Cademery Properties, LLC) at 65 Saginaw Drive. It also addresses the information in the 2016 University of Purdue Study - *“Auditory Stress: Implications for Kenneled Dog Welfare”* which Tom Borshoff references many times in his response/comments.

The comments by the responders and Purdue Study article are relative to:

- Noise Levels Inside the Facility and Outside of the Facility
- Waste Disposal/Odor
- Increased Run-Off
- Future Facility Operator(s) Compliance with Permit Conditions
- 71-75 Saginaw Drive; 95 Saginaw Drive, and 105 Saginaw Drive (Picnic Area, Customer Parking, Undeveloped Lot, and suggested “Court yard” to the west)
- Dogs Walking on 5-foot strip of grass next to 71 Saginaw Drive
- Escaping Noise from Open Loading Dock Doors

Below are our responses to the above listed concerns:

- **Noise Level Inside of the Facility.**
The commentors’ assertions regarding noise levels inside the building are based on a 2016 Purdue University Study regarding interior noise levels at **dog kennels** not Doggy Day Care facilities. While having some similarities, they (Day Care Facilities vs. Kennels) have some significant differences in their operation and management of dogs.

The report cites inside noise levels ranging from 85 db to 122 db. For example, if a noise is recorded at 95 db INSIDE the building, it will be lower OUTSIDE the building at the “same moment in time”.

The noise levels inside will also be abated by:

- The inside face of our west exterior building wall (the side of the building facing 71 Saginaw Drive) will be insulated as will the ceilings and north-south partition creating the Nap Rooms to create a “conditioned space” and reduce both internal and external noise transmission.
- The flooring will be Protect All flooring, an ~1/8” thick flexible vinyl flooring to increase dog safety, enable easy daily cleaning and help attenuate and diminish noise levels.
- The existing east-west interior wall (between the reception/lobby and the Dog Play and Nap Areas) will be insulated to attenuate noise levels.

Taken together (the above design) and the required Central Bark Operating Protocols, which are consistent with many of Purdue’s report mitigation suggestions the noise levels within the building will be effectively abated but may be higher INSIDE the building than the “same moment in time” OUTSIDE the building.

Below (from our previous response) is a listing of “everyday suburban” noise levels (provided by the Health Hearing Foundation):

- 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).

The noise levels in our Client Area (i.e., the interior front of the building areas) **will be “client friendly”** due to the design and mitigation measures described above.

- **Noise Level Outside of the Facility.** The Purdue report **makes no comment on noise levels outside of kennels**, or Doggy Day Care facilities. From our observations (and data) of the Doggy Day Care facilities in Henrietta **there is NO history or documentation of exterior noise issues at the Henrietta facilities.** The same is true of the other facilities we visited and the other 38 Central Bark facilities nationwide. To the contrary, the exterior noise levels at all such facilities are within or below normal noise levels for industrial zoned areas (**generally less than 55 decibels on average**). **This was evident and recorded at Green Valley K9 and Camp Bow Wow.** For context, the nearby Car Wash on Saginaw Drive, had noise levels of 69 - 98 db during a car wash. **Our facility’s noise levels will be similar to the current operations of Green Valley K9 and Camp Bow Wow in the Town of Henrietta.** Our design and operating protocols to ensure the above are outlined (in detail) in our previous response. The summary of the same includes:

 - Employing small Play Groups (maximum of 12 dogs/enrichment specialist).
 - A limit of 40 dogs outside at any one time.
 - Outdoor Play Areas are enclosed by an 8’ high solid white plastic fence to:
 - Reduce dog “stimulation” opportunities from strangers (barking).
 - Attenuate sound.
 - Contain possible ponded surface water ponding (during major rain events) so it can percolate through the artificial turf.

- **Waste Disposal / Odor.** Dog feces (indoor and outdoor) will be cleaned immediately and the affected area mitigated with “Got Pee Odor Eliminator” a non-bleach, environmentally friendly product that both disinfects and deodorizes. Central Bark prides itself on Dog safety and this substance is safe for dogs and humans alike. Urine will be mopped up or hosed down and treated immediately. Collected feces 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. Both the outdoor and indoor Play Areas (not just the site of waste droppings) will be cleaned and treated daily. There will be no “manure – like” odor.

- **Increased Run-Off. There will be no increased surface run-off from the proposed facility as the:**
 - Impermeable portions of the site (building footprint and paved surfaces) are unchanged.
 - 2,250 sf of the permeable portion of the site will have enhanced permeability due to installation of artificial turf underlain by 8” of crushed stone and crushed limestone plus an underdrain system that outlets to the existing storm water inlet. The soils on the entire site are generally well drained and sandy per the previously provided Labella Phase II Environmental Site Assessment report.
 - The rigid plastic fence enclosure will substantially contain any ponded surface water in the play areas so it can percolate through the artificial turf.

- **Future Facility Operator(s) Compliance with Permit Conditions.** Permit conditions issued as part of a Special Use Permit apply to facility regardless of whomever operates the facility (not just ourselves) and hence continue with the property/facility.

- **71-75 Saginaw Drive; 95 Saginaw Drive, and 105 Saginaw Drive:**
The “Picnic area” on 71 Saginaw Drive will not be impacted by our facility.
 The “picnic area”:
 - Is ~ 80-90’ from the west enclosure wall of our outdoor Play Area.
 - The overhead doors (on the west side of our facility) will stay closed except for occasional deliveries. There is also a 3rd “inside overhead door” so as to enable the “enclosed area” to function as a small “one dog at a time” play area (for “stay and play” dogs, not “day care dogs”)
 - Is the location of the building’s “garbage tote”.
 - Is shielded by an existing tree - shrub screen between the properties and an 8’ high solid white plastic fence. **We will be augmenting the existing tree/shrub screen with additional evergreen type plantings if needed.**

The front and customer parking lot area of 71-75 Saginaw Drive will not be impacted. The area is 150-200' away from our enclosed Play Area and closed "overhead doors".

The undeveloped lot at 105 Saginaw Drive is 300-500' away from our enclosed Play Area and the closed overhead doors.

75 Saginaw Drive claims:

- That the configuration of adjacent building walls from "Anderson Water-Power-Air" and "Empire Kitchen" creates a courtyard of walls in their rear area that reflect and reverberate sound .
- The proposed outdoor dog play area is in line with the south wall of Empire Kitchen.
- Quote: "This will reflect to us and again off east wall of the Anderson building and again to us"

Google Map Picture can be found in the Appendix which shows.

- Empire Kitchen's South Wall is greater than 150' away from the proposed Outdoor Dog Play Area.
- The "Courtyard" will be substantially protected by 71 Saginaw's east wall and the tree – shrub screen will be enhanced with evergreen plants (see above) as well as the distance will effectively mitigate and not add to the "echo chamber".
- 71 Saginaw Drive's East wall in the back of the building is greater than 70' away from the proposed Outdoor Dog Play Area. Picnic Table even further

Pictures in the previous response appendix show existing shrub/tree screen block the line of site. Further, we will be planting evergreens.

The proposed 8' Solid Vinyl fence will be set in place as previously discussed.

Noise levels at that distance away will not exceed 75 db per industrial zone criteria.

- **Dog escaping or "outside being walked"**: Per Central Bark Policy, our facility is designed with a "2 door policy", meaning a dog would have to be loose with no Enrichment Specialist nearby and have an open pathway to the outside through two doors/gates left open.

There is no "exterior dog walking" outside of the enclosed Dog Play Areas.

Further, we will install signage on the 5-foot strip next to Saginaw Drive directing customers to not allow dogs to urinate or defecate there.

- **Escaping Noise from Open “Loading Dock” Doors:** The two exterior Loading Dock doors and a 3rd interior Loading Dock door separate the “loading dock area” from the main Dog Nap Room **will be always closed except for occasional delivery of supplies.** These doors are closed as they define ~150 sf interior Play Area for Stay and Play Dogs. **Additionally, there are no windows or doors in the adjacent exterior wall of 71 Saginaw Drive.**
- **Mitigation Measures or Operating Standards:**
 - Our normal outdoor noise level will be on average <75 db 7:00 am – 6:30 pm and <65 db at other times.
 - The maximum number dogs in the outside Play Areas will not exceed 40 at any time.
 - Our outdoor Play Areas will have permeable artificial turf (Forever Lawn K9 Grass) under drained by 8” of crushed stone and crushed limestone along with an underdrain system to collect and discharge any excess percolation into the existing stormwater system.
 - The outside Play Area’s will be enclosed by an 8’ high rigid white fence installed “tight” to the “turf” to substantially retain excess rainwater or snow melt within the enclosure so it can percolate into the substrate vs be overland flow.

The above and attached, demonstrates that our proposed 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).**
- **Not exceed 40 dogs in the Outside Play Area.**
- **Not exceed Henrietta noise standards for Industrial Zoned areas.**
- **Not cause any waste disposal or odor issues.**
- **Not cause increased site storm water run-off.**
- **Not impact the “picnic” or parking areas for 71-75 Saginaw Drive.**
- **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

2016 PURDUE UNIVERSITY REPORT

The commentor references many times in their response to a study done in 2016 by Purdue University about noise levels in Dog Kennels.

The complete report can be found via this website: [Assessing Kennel Dog Welfare \(purdue.edu\)](http://Assessing Kennel Dog Welfare (purdue.edu))

Below in **black** are the Purdue University Study's condensed points **with red responses from Central Bark of Rochester directly following:**

Central Bark of Rochester generally agrees with the study and has already implemented many design measures suggested by the study.

- Introduction

- Dogs **inside kennels** often are exposed to noise levels known to be stressful to animals and prolonged exposure to noises (or barking) can cause hearing impairment.

Addressed. The Study is a discussion of Kennels (not Doggy Day Care Facilities with Play Areas) and impacts on Dogs from extended "Kenneling".

Central Bark's policies acknowledge that repetitive barking is not good for the safety and health of dogs. It raises the dog's stress level and poses an increased threat of a scuffle. For dogs in Play Areas, distraction tactics such as "recall", "fetch" or "treats" are used as mitigation measures followed by "time outs" in the nap or even dog dismissal from the Day Care Program. This is for dog safety but also to mitigate barking/noise.

- There can be other health concerns in addition to hearing problems. **Addressed.** Mitigating barking is for the health of the dogs as stated above.

- Sources of Noise in Kennels

- A single dog bark can reach 100 db.

Addressed, as can motorcycles, trucks or similar.

- Recorded Sound levels **inside** kennels can range between 85-122 db. Agreed, if the confined kennel has not included mitigation measures (be they design measures or operating protocol measures).
- Barking by one dog can be a self-reinforcing behavior and may stimulate other dogs.

Agreed. This is why mitigating noise is important for the dog's safety. Central Bark's policy is that repetitive barking is not safe for dogs as it raises the stress levels and poses an increased threat of a scuffle. Distraction tactics ("recall", "fetch" or "treats") are used as mitigation measures followed by further action if needed such as "time outs" in the nap room or even dog dismissal from the program.

- "Routine husbandry" (i.e.: management and care for the well-being of the dogs) such as staff arriving may cause barking.

Addressed. Per Central Bark policy, Day Care dogs must be on a 1-2-1 play to nap schedule for the well-being of the dog to ensure ample rest and to not over tire or over stimulate the dog. As we have enclosed nap rooms, dogs being boarded overnight will not see staff entering the building and not be stimulated thus minimizing barking. The design of the inside space provides 2 distinct Nap Rooms for dog separation and sleeping.

- Machine noise from cleaning, HVAC, refrigerators, nearby traffic vehicles

Addressed. The HVAC compressors for "conditioning" the Nap Rooms are on the outside of the facility to reduce noise stimulation for the dogs. Also, the furnace/AC unit for the "Front Area" & Grooming Room/Staff Break Room is in an enclosed space away from the Nap Rooms and Dogs.

Day end cleaning will be at night when most Dogs have departed and are in Nap Rooms for sleep overs and will be done with Mops not machinery to minimize noise for potential stimulation barking.

The exterior loading doors will be closed (except during shipment drop offs) preventing loud external noise (trucks, motorcycles,

construction equipment, etc.) from startling the dogs inside the building.

- Decreasing Kennel Noise

- Modifying Kennel management procedures or incorporating sound control into construction.

Addressed. Management procedures are at the heart of Central Barks' operating protocols. It is required that all Day Care dogs be on a 1-2-1 Play to Rest Schedule. Because of this, the dogs to "Enrichment Specialist" (aka employee) is less than or equal to 12:1. With less dogs than Camp Bow Wow (25:1) and consistent with Green Valley K9 (8-14:1), employees can monitor the safety and management of the dogs effectively.

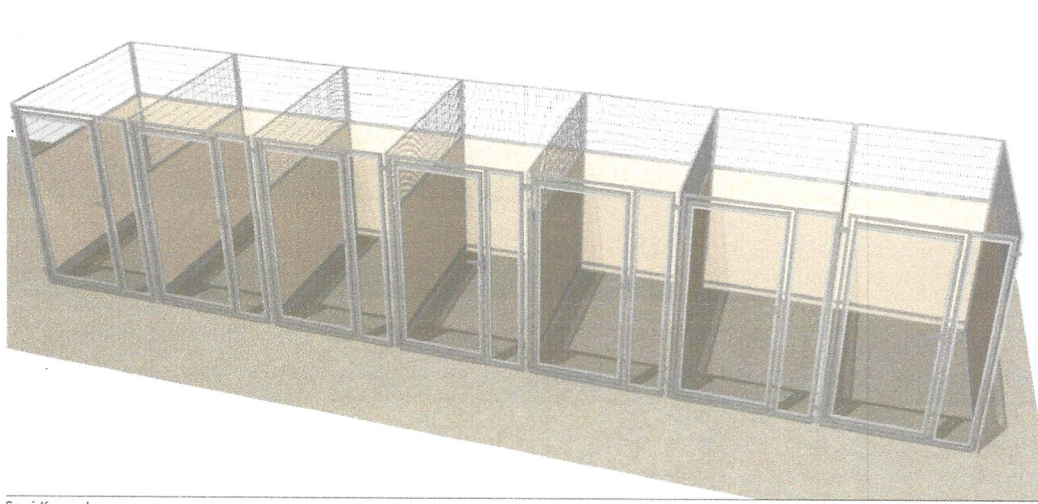
Sound control was strongly considered in the location of the nap rooms and their design. The facility has 2 separate and enclosed Nap Rooms allowing the dogs to have ample rest/sleep time. Further, the existing floor will have "Protect-All-Flooring" (1/8" thick flexible vinyl) and the enclosure walls/partition are insulated.

Reducing the number of interruptions in the kennel and setting a regular care schedule

Addressed. As previously stated, dogs will be on a 1-2-1 play to nap to play schedule. Interruptions will be reduced by dogs resting or sleeping half of the day.

- Replace squeaky kennel doors, loud overhead fans, and loud cleaning equipment to reduce noise.

Addressed. We will be using new cages through "Midmark" ([Animal Health - Midmark Animal Health](#)) a respected dog product manufacturing company. Each dog will have their own individual crate or room for safety reasons and to promote a calm environment. Picture below is a Sani-Kennel for large dogs. The existing overhead fans will be replaced with 2 large but slow turning "big ass" (actual name of the brand) circulating fans and there isn't any large "cleaning equipment".



- Use of sound absorbing materials such as concrete block walls and floors and metal or hard ceilings do not absorb noise.

Addressed. As described previously, the “Dog Area” (Nap Rooms, Indoor Play Areas and Grooming Room) the flooring will be 1/8” Protect All vinyl. Protect All flooring is specifically required as it’s slide resistant, durable, easily cleaned and reduces noise.

The Nap Rooms will be “conditioned space” with insulated drop ceilings and walls.

- Self-contained rooms or self-contained crates for dogs should be considered. Some spaces are typically enclosed within a larger room with noise absorbed and contained within the smaller room.

Addressed. This is how our facility design.

Dogs can be contained within groups in these self-contained rooms as studies show decreased vocalization and increase the time for sleeping.

Addressed. The Nap Rooms are designed specifically for this purpose.

- Use Environmental Enrichment for Noise Abatement

- Auditory enrichment programs have been used to decrease barking in kennels, it can enhance Dog's well-being and help calm dogs with anxiety.

Agreed. Music sound system (classical music in particular) will be installed in our Nap Rooms. This is a policy of Central Bark.

- Dog Appeasement Pheromone (DAP) or an aroma has proven to reduce problem behavior in dogs.

Agreed. DAP dispensers will be placed in the Nap Rooms and throughout the facility. This is a Central Bark Policy.

- In 2009 it was reported that barking was reduced if aroma was exposed to dogs for 7 days. Lavender and Chamomile were suggested aroma's as well.

Agreed. We will look to use these aroma's.

● Conclusions

- Auditory Stress for kenneled dogs is a serious concern and can cause many problems for dogs.

Addressed. For Doggy Day Care facilities in general and ours in particular, the mitigations above are/were planned and required to address and reduce/manage excessive noise (barking) as suggested by the Purdue Study.

- Sound detector apps now available on cell phones are a practical way to monitor and measure sound levels in kennels.

Agreed. **We used the iOS “GoDecibal” application** for our noise level recordings. It is a cost effective, accurate and easy to use noise level recorder (for example, it recorded a nearby passing Motorcycle at 107 decibels during our study vs published levels of 100 db for motorcycles). We plan to equip our staff with this readily available iPhone app for monitoring purposes.

- For kennels that are found to be excessively noisy, there are several ways to improve the auditory environment at relatively low cost, time and effort.

Addressed. We are not a “Kennel”, however many of the measures outlined in the Purdue Report have been incorporated in our facility design and operation. These guidelines have come directly from the Franchisor and have been in common and successful practice around the country since 1997 and stated in our previous response.

- Reducing auditory stress may create a positive environment that results in better health and welfare outcomes for dogs as well as people.

Addressed. Our operating procedures, facility design, crate selection and Central Bark Protocols are generally consistent with the recommendations/suggested mitigations of the Purdue Report.

OTHER COMMENTS FROM MR. BORSHOFF'S 9/12/23 RESPONSE:

- Purdue Report mentions how barking may be repetitive by nature and poses auditory stress and potential health concerns.
Addressed. Refer to comments above.
- Purdue Report - says barking dogs can range between 85-122 db inside kennels.
Addressed. Refer to comments above.
- Provide specific and reliable study on this topic.
Central Bark (our franchisor) has provided a noise study From Ft. Lauderdale as well as our noise recordings of Camp Bow Wow and Green Valley K9 noise levels. The Purdue Report urges using an iPhone noise recording application as a practical way to conduct a noise study which we did and included in our previous response. Lastly, there is no history of noise complaints for Camp Bow Wow (15 years of operation) and Green Valley K9 (3 years of operation).
- Worried about our having a low cost/high return business philosophy.
We are investing between \$825 – \$850 thousand in the facility. This is “high cost / high quality” to be a successful “first class” facility and operation. Consistent with other Central Bark’s in the country.
- Concern about no specific sound absorption, reflection, and cancellation specifics.
As described, we will be insulating many portions of the building as part of our design for nap rooms, installing Protect All vinyl flooring in the “dog areas”, an 8-foot-high solid fencing around the outside Play Areas, and following Central Bark protocols that limit the amount of dogs playing outside at any given time.
- Green Valley K9 built up berms with shrubs on top.
While not necessary for our site, Green Valley K9 was a “new build” facility and would have excess soil material (created by excavating for the building foundation). Thus, disposing of the excess soil on site by creating a berm would be a cost-effective way to spoil the excess soil. It is also directly adjacent to a residential neighborhood and berm(s) would be a reasonable “screening” technique. 65 Saginaw Drive is re-purposing an existing industrial building and not near residential area. We don’t have excess

material to “spoil” but will have an exterior noise barriers (i.e., 8’ high solid plastic fence).

- Camp Bow Wow neighbors are not impacted because they have parking lot next door of tractor trailers and Home Depot backing up to it.
More relevant than neighbors, Camp Bow Wow shares a building with “Revel Woods” which is a Flooring Store facility on the other side of the common interior wall. There is no history of noise issues being reported to the Town and given their proximity, clearly if there were issues, they would have been reported.
- Upon visiting Camp Bow Wow, it was so loud in front area it was hard to have a conversation with person behind the counter.
We have been to Camp Bow Wow (and Green Valley K9) multiple times as well as numerous times to Central Bark facilities. We have never experienced any such “too loud to hear” situations. The “shared” building described above also suggests that the internal “noise levels” are reasonable and “normal”. Like Camp Bow Wow and other facilities, we will maintain appropriate sound levels in our facility to ensure it is “Client Friendly”.
- The name “Central Bark” suggests barking.
The name “Central Bark” stems from NYC’s Central **Park** where dogs are known to run and enjoy themselves.
- Reiterating concerns that 100 db will affect other retail businesses in the area.
As previously stated, exterior noise levels from our facility will be well below 100 db in the 60-75 db range.
- Reference to Purdue Report - If it gets up to 122 decibels it will affect the entire neighborhood.
The 122 decibels mentioned in the Purdue Report was INSIDE the facility not outside. The Report identifies mitigation measures and practices, many of which we are incorporating.
- Concerned about chemicals used for disinfectants.
We are using Forever Lawn K9 turf which is a top of the line turf brand. Their vendor website recommends the use of “Got Pee Odor Eliminator” for cleaning purposes – ([K9Maintenance-M0085-0418.indd \(k9grass.com\)](#)). The SDS Data sheet can be found here:
https://www.gotpee.net/download_file/view/112/157/

The disinfectant-deodorant used in both the indoor and outdoor dog Play Area, Naps Rooms, and the Grooming Room are environmentally friendly, not a chemical bleach. Substances used in this product are also used in wastewater treatment facilities to “break-up” Oils & Suspended Solids. Central Bark prides itself on dog safety and requires the utmost care when choosing any products that will be used on or around dogs. “Got Pee Odor Eliminator” is what we will be using and is completely safe for dogs, humans and the environment.

- Will Water go into storm drain system or sanitary sewer system?
Wash water from of the exterior turf will percolate into 8” of crushed stone and limestone underlayment and then soil (like an on-site disposal wastewater system). Potential excess percolating water/disinfectant occurring during a large storm event (when the dogs would be inside) can also be captured by an underdrain system and discharged into the Storm Sewer system (there is an inlet on site). Interior wash liquid will be mopped up and discharged into the sanitary sewer system.
- Worried about leaching the ground. Is a leech field required?
The 8” of crushed stone and limestone + underdrain system is essentially a leech (or percolation) field.
- Does Monroe County health department need to be contacted for approval because of known feces from dogs.
No. Feces will be cleaned up immediately, not “washed away” or into the turf/bedding material. Disinfection is for urine and possible “feces residue”.
- Worried about manure type odor drifting over property lines.
As stated in the previous response, due to the strict cleaning protocols for the safety of the dogs, and the cleaning products, odor is mitigated and eliminated. **There will be no “manure” odor.**
- Dog Walking, wanted to ensure that dogs are not walking on the 5’ grass strip between 65 and 71 Saginaw Drive.
Dog Walking is not part of the Central Bark plan or business model. We will install signage, so clients don’t use the “5’ strip” for their dogs to urinate or defecate when dropping off / picking up their dogs.
- Worried about selling his property down the road.
The above-described mitigation measures and operating protocols will create a welcoming environment for any potential future buyers of 71 Saginaw Drive. Furthermore, the refurbished and “refreshed” look along

with the activity of our customers arriving and departing, will add “energy” or “curb appeal” to the location. **We will be good neighbors!!**

Response to 75 Saginaw Drive Google Map Snippet:

