

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
December 11, 2023**

APPROVED

The Town of Manlius Planning Board hybrid meeting in-person and virtual live streaming with Chairperson Joseph Lupia presiding and the following members present: Ann Kelly, Arnie Poltenson, Richard Rossetti, Valerie Beecher, Judy Salamone and Erin Reynolds. Also, present were Attorney Jamie Sutphen.

Absent: Engineer Doug Miller

In-Person Attendees: Danielle & Ryan Ewert, Larry Harris, Ryan Woodruff, Steve Benson, Melissa Spicer, Mary Kayenski?, John Cayanne, Donna Edgar, Kin Edgar, Rod Ives, Mike Papa and Len Montreal.

Virtual Attendees: Paula Ellenberg, Warren Linhart, SMASUNG SM-A526U, Rosemary, AMM, Tom Poitras.

The Pledge of Allegiance was recited.

Minutes

Member Salamone made a motion, seconded by Member Poltenson and carried unanimously to approve the minutes of November 27, 2023. Members Kelly and Rossetti abstained.

Time:6:31PM - Clear Path for Veterans – 1223 Salt Springs Road, Chittenango, NY 13037 - PUBLIC HEARING – Site Plan & Special Use Permit – Dog Kennel – Same Address Tax Map # 091.-03-40.2

Vincent Ryan, Keplinger Freeman Associates, was present and spoke on behalf of the application. He updated the Board, saying that the survey was complete and passed around to the Board, the clarification of Ownership is Clear Path at Sky Ridge, LLC and they have a lease with Clear Path for Veterans Inc.

Attorney Sutphen reviewed the 11 questions in Part 2 of the EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment.

Member Rossetti made a motion, seconded by Member Beecher and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Member Rossetti made a motion, seconded by Member Salamone and carried unanimously to waive the reading of the Public Hearing notice.

Member Kelly made a motion, seconded by Member Reynolds and carried unanimously to open the Public Hearing at 6:36PM.

1. Joseph Messenio, Salt Springs Road - was not present, but sent a letter to the Board, Chairman Lupia asked the Board members if they received it and read it, all members replied said yes. Chairman Lupia did not read the letter aloud. The following is what Mr. Messenio is concerned about: **Audio analysis** was provided by the Keplinger Freeman Associates at the November 13 meeting. The results of the test included screen shots of what appears to be a smart phone application. I would specifically like to know the following:

- a. Who took the readings and what certification, degrees, training, or expertise do they have in Acoustical Engineering?
- b. What were the specific conditions of the testing to include ambient temperature, time of day, duration of the readings, weather conditions, wind conditions, distance from the kennel, proximity to the nearby homes, and number of dogs on the premise while testing.
- c. What type of equipment was used, such as microphones and recording devices, which would be of the quality necessary to render accurate results. If a smart phone application was used with an imbedded microphone, it is unlikely that this would be of adequate accuracy.

I would like to know if the Clearpath for Veterans Inc. **“Canine Wellness Advisory Council Lead, Dr. Ann Harris”** has evaluated the facility and rendered an opinion on the suitability of using this residence as a kennel. Dr. Harris, the Council Lead, is a veterinarian.

2. Kim Edgar – 1233 Salt Springs Road – was present but did not read the letter she sent to the Board, Chairman Lupia again asked the Board if they received the letter and read it. All members replied yes. Chairman Lupia did not read the letter. The following is a list of questions/concerns from Ms. Edgar:
 1. No mention that Melissa Spicer has an USDA APHIS License to house dogs and that they meet USDA Animal Welfare Act Regulations for the dogs.
 2. No mention that Melissa Spicer is registered with NYS Dept. of Agriculture and Markets for housing companion animals.
 3. Has the facility been inspected and approved for housing dogs by both the USDA APHIS and NYS Dept. of Agriculture and Markets?
 4. Melissa Spicer has a huge track record of destroying large sections of trees and plants on the property. In the Summer of 2018, she destroyed the land to the east of the house down to dirt just past the row of pines without notifying the neighbors of what she was planning. She also destroyed barriers on the property north of houses on Horseshoe Lane and Gulf Road. As a result of the destruction, she got a Boy Scout to do

his Eagle Scout Project to replace some of the lost trees with donated trees from Aspinalls. Melissa Spicer put no money into replacing the plants. Over the last two years, she has been having large sections of trees removed from the Salt Springs Road Large Hill above the golf course and a lot of sections around the golf course and ridge. What guarantees are there in place that no more trees will be destroyed that serve as a barrier to the house and adjoining neighbors?

5. The application does not mention that actual noise recordings have been taken around the house when dogs are present. Why, mention a Purdue University (great school) Study without providing the actual data?

6. The application fails to address that dogs are housed alone in the house at night from approximately 8:00pm. to 6:00am. (if the 6:00am. employee/volunteer shows up). On numerous days last summer, the 6:00am. person was late and the dogs heard me walking on the driveway and thought someone was coming to let them out). Also, dogs would hear people walking at other times of the day and thought someone was coming to care for them.

7. The application fails to address what happens in an emergency situation. Over the years, there have been numerous issues at Clear Path and the neighbors have no way to reach anyone. For example, an alarm was going off one Wednesday Summer Evening, so I called 911 for the Chittenango Fire Dept. to respond to find out what was going on. Last summer, we had 2 separate homeless veterans (one had a dog named Locki) living on the property, WHY was no support provided to them??? Other examples include veterans leaving/losing their cell phones, sunglasses, other items, a veteran protesting being abused by staff, veterans needing services, etc.

8. The application mentions other events being held on the property causing more noise than the dogs. Are the neighbors to assume that those noises are acceptable in the community?

9. The chronic smell problems with septic leach field are completely ignored in the application. Why do the dogs have to live with these awful odors? One former Clear Path Employee told me that they moved the dogs from the main building/restaurant/offices because of the septic odor problem. I encourage the Planning Board Members to visit the property on afternoons following events at the main building.

Depending on how the wind blows, our house and my neighbor's backyard are forced to smell the septic odors.

10. The application fails to address how emergency situations would be handled. For example, a sick dog, a loose dog, an aggressive dog, dog

bites, lack of power, HVAC issues, staff/employees not showing up for the assigned coverage, etc. Is a Veterinary on-call?

11. Please clarify the zoning of Melissa Spicer's Property. The application has conflicting information listed.

12. How are employees and volunteers trained? I have seen some staff/volunteers not being able to control some of the dogs. Which is totally pathetic since most of the recent dogs have been young labs.

3. John Cayanne – 8236 Salt Springs Road – the following is a list of concerns from Mr. Cayanne. *Please refer to his letter at the end of the minutes for more information.*

1. Supervision and Emergency Response
2. Noise Abatement
3. Health, Sanitation, and Animal Waste Disposal
4. Real persons, Entities and Potential Conflicts of Interest
5. Canine Safety and Wellbeing

4. Kim Edgar asked if the Board was going to answer her questions. Chairman Lupia stated that the Board will be considering what is in the letter, our job isn't to answer the questions, but to consider everything and what is appropriate or not appropriate.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing at 6:53PM.

Chairman Lupia stated that he is troubled by the letter that Mr. Cayanne read to the Board for several reasons.

Member Rossetti stated that this dog kennel operation has been going on for years and before the next step is taken, he would like to go to the property to see what is going on. He wants to know where the dogs are being kenneled and would like more information before a decision is made.

Vincent Ryan stated that the Director of Operations, Ryan Woodruff, is in attendance and would be happy to speak about some of the Boards concerns. He stated that during a normal week there are 5-10 dogs onsite, on the weekends they are picked up by their canine guardians. Intensive training starts at 15 months of age. At the current time, there are no more than 12 dogs on site. The dogs are spayed and neutered. Dogs do not stay overnight on the weekends unless there is someone on the property with them. The facility can have a max of 17 dogs, the most they have ever had is 12 and the average is 8-10.

Member Reynolds would like to see vet information and asked how the remote monitoring of the dogs works.

Member Beecher is of the opinion that a better noise study should be conducted. Attorney Sutphen stated that the Applicant should provide the DB level at the property lines. She also stated that the Planning Board could provide a "sound guy" through the Planning Board Engineer for sound measurement at the property lines.

Member Rossetti made a motion seconded by Member Beecher and carried unanimously to adjourn the matter until January 8, 2024, so that the members can visit the facility, receive a letter of support from a veterinarian and a noise study by the Planning Board Engineer can be completed.

Time:7:21PM - Danielle and Ryan Ewert – 8291 East Seneca Turnpike, Manlius NY, 13104 – 5th Presentation – Site Plan, Subdivision and Special Use Permit - Same Address - Pawsits Doggie Daycare - Tax Map # 099.-01-27.4

Due to a potential conflict of interest, Member Rossetti recused himself.

Member Reynolds stated that she is concerned about numerous items that have not been answered yet and is hesitant to set a date for a Public Hearing. The following is a list of items she is concerned about:

1. There isn't man door access from inside to the fenced dog area at the rear.
2. The stockade fence sticks out into the chain link fence area?
3. The shown double stockade / chain link fence along the west side creates a maintenance issue, I don't know if they meant to show both. The old label leader didn't get moved.
4. HC striping not to current standard.
5. That is a big sign. Is such a large sign necessary for users who will be regularly going there?
6. Side view, materials of sign please.

Member Beecher agrees and believes that the Board should have a complete Site Plan before a Public Hearing is held.

The following comments are from Engineer Miller. These comments were forwarded to the Board members and the Applicants on December 6, 2023.

1. Detailed architectural drawings complete with a minimum of wall sections, details on materials of construction, foundation details, floor elevations, exterior colors, samples of roofing & siding materials etc. should be requested. The current plan view does not match elevation drawings.
2. Building may be desirable to have a residential look consistent with surrounding RA & R1 zoning.
3. Detailed landscaping plans may be desirable. Plans to include details on type, location, spacing, mulching and edging/curbing of the planting areas. Additionally, foundation plantings may be desirable. It is hard to decipher the details for plantings/sidewalks at the front entrance to the building. If foundation

plantings, it should be considered to continue the plantings around to the east side of the proposed building as a minimum. Native plantings should be considered throughout.

4. Parking

- a. Note parking space size.
 - b. Note driving lane widths.
 - c. Include movements for parking spaces, some spaces appear to be non-accessible.
 - d. Building is tight to drive lane, additional spacing and/or foundation plantings and curbing should be considered. Protection of building from automobiles should be discussed.
 - e. Curbing may be desirable at islands and parking configurations.
 - f. Confirm parking requirements by code and use, provide assessment table for parking on the drawings.
 - g. All parking areas should be considered for asphalt paving and striping of parking spaces.
5. Lighting plan with photometrics should be reviewed, the site as currently depicted indicates at least 8 lights. Should be dark sky compliant zero footcandles at proposed property lines.
 6. Details on proposed signs are required. Lighting?
 7. Proposed driveway connection from residential drive to landscaping business should be considered as permanent and access through the dog daycare to the landscape business and the residential property should be considered to be deleted and additional green space provided in its place.
 8. Proposed subdivision easterly property line appears to encroach existing residential driveway.
 9. Asphalt paving throughout the site should be considered currently shown as mix of asphalt and gravel.
 10. Building easterly side entrance door empties directly into a drive lane in the parking lot.
 11. As the proposed lot size is non-conforming to RA zoning requirements, should the project proceed, it would appear that a zoning variance would be required.
 12. Provide stormwater drainage report for proposed project, including impacts of potential shallow depth to rock.
 13. Provide documentation from OCDWEP of ability to connect to sewer and any need for offset plans. NYDOT permit would appear to be needed for all utility connections.
 14. Confirm that the property is within the Manlius Consolidated Water District and that the new building is acceptable for connection to the system.
 15. Confirm NYSDOT access driveway permits are current and allowed for the proposed change of use of the property.
 16. NYSDOT ROW should be depicted on the site plan, are plantings/landscaping shown in NYSDOT ROW?
 17. Town of Manlius noise ordinance for barking dogs should be discussed.
 18. Limit on number of dogs may be of note.
 19. Inquiry on depth to rock may be desirable for proposed construction activity.

20. Special use permit for landscaping business may also require additional insight.
- a. Surveyed limits on gravel areas
 - b. Restrictions on outdoor storage
 - c. Lighting
 - d. Current and proposed “sheds” used as part of the special use permit.
 - e. Employee parking
 - f. Floor plan of existing garage including but limited to any office space.

Conversation ensued regarding the above comments.

The Board tabled the application until more information is received. Chairman Lupia asked Mr. Mastroianni when he would like to return. Mr. Mastroianni stated February 12, 2024.

Member Rossetti re-entered the meeting.

Time:7:54PM - Fulgent Seed Trust – 7197 East Genesee Street, Fayetteville, NY 13066 - 2nd Presentation - Accessory Use Permit for a 1st Apartment and a Renewal for a 2nd Floor Apartment - Same Address - Tax Map # 087.-07-47
Rosemary Nwawka was present via Zoom and spoke on behalf of the application.

Chairman Lupia stated that the Board had received a memo from the Code Officer stating that the property cannot be used for anything other than what is being presented, no storage of large trucks on the property and there is an accumulation of wood piles along the property line that needs to be removed. The Board will not grant any approvals until the property is cleaned up. Ms. Nwawka stated that the truck parking has been taken care of and trucks no longer park there. The wood piles have also been removed.

Member Reynolds is questioning the parking spaces. Ms. Nwawka stated that the property probably has 3 times the number in parking spaces depicted on the survey. She said that she would talk to the surveyor about the parking spaces. Conversation ensued regarding parking. Ms. Nwawka said that she would have the surveyor redo the survey with the correct number of parking spaces.

Chairman Lupia stated that the application would be tabled until the surveyor could match the survey to the actual property and parking spaces were properly depicted.

Time:8:06PM - A&E & SNY Center – Suite 38, 5781 Bridge Street, East Syracuse, NY 13057 - Site Plan Amendment – Med Spa – Behind Resort Lifestyles Tax Map # 086.-01-03.9

Rod Ives, Mike Papa and Len Montreal were present and spoke on behalf of the application. Mr. Ives stated that test pits were dug and they found bedrock within the footprint of the project. The proposed plan in front of the Board tonight shows that the basement level, including the courtyard area, will be removed, still making the structure a single-story building.

Attorney Sutphen asked how the new plan impacts the parking requirements. The applicant replied they will have more parking spaces than needed.

Member Reynolds stated that she had a list of concerns when the project was first proposed to the Board in January of 2023. She is concerned that none of those concerns were addressed. She is also concerned about the Engineering of the project, she will speak with Engineer Miller regarding her concerns about Engineering. Her concerns are as follows:

1. 17' cut in basin, that's a 15' rip to bedrock. In January I had asked about borings / Geotech from building design. There hadn't been any done yet. We now know bedrock is 1.5' below grade in that area. The applicant stated that they had used infiltration testing but I pointed out that was impossible given the depth of the test pits and that they were only recently done. Similar situation at bottom elevation of Stormtech. No evidence of infill testing in SWPPP, appears assumed exfiltration in calcs, 3"/hr? Concerned about injection well situation for both. Pre-treatment only isolator row for Stormtech, and grass swale for basin? Standing water in basin below outlet?
2. Does the Town have a maintenance bond / other to guarantee UG storm mgt systems like Stormtech are maintained. Too often they are not.
3. If bldg. utilizes shallow frost protected footings to bear on bedrock, could massive grading disturbance on Med Center Dr. be eliminated by building taking up grade or employing a short wall?
4. If basement eliminated as now proposed and use within the bldg. diminished, could parking be reduced?
5. LP base detail needs updating due to high bedrock.
6. MH / CB depths, UG utilities, rip bedrock?
7. SWPPP states no disturbance in area not captured, there is.
8. Significant drop off where parking along building face meets basin retaining wall, dangerous for users exiting vehicle(s).
9. How does grading / steps work in relation to parking lot elevation along the sidewalk along the face of the building. Significant drop offs will need complex wall / stair design. In January I asked to see section elevations of these areas. Many people exiting cars along the building face will have to walk through parking to gain access to the sidewalk. This is confusing.
10. HC users must enter the building on one end, are there floor plans showing how they move throughout building?
11. Grading in parking lot does not direct runoff to catch basins.
12. Grading between building and sidewalk very steep in areas.
13. Light poles located in sidewalk along building face, hazard.
14. Wall at north edge of parking - detail now shows gravity wall, no geogrid to disturb ex. tree line. Will current knowledge of bedrock cut change this? Railing? For both the length of the wall and where it returns at the north-west corner, there is no wiggle room for overhang / door opening.
15. Where is snow storage?

16. I thought we would like to see sign design along with new construction rather than a separate package.
17. Dumpster access is not practical given curbs and parking. Is there an enclosure?
18. Did we see building elevations, colors, etc?

The Board tabled the application for more information and Engineering comments.

Other Business

Chairman Lupia thanked Ann Kelly for 30+ years of service to the Planning Board and the Town of Manlius.

Member Rossetti thanked Chairman Lupia and Member Kelly for their service to the Town of Manlius and the Planning Board.

Attorney Sutphen thanked Chairman Lupia for being a fantastic Chairman and that is has been a pleasure working with Member Kelly for the last 5 years.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 8:33pm.

Respectfully submitted,
Lisa Beeman, Clerk

12-11-23
Reviewed
@
Meeting

Planning Board Meeting: Dec 11, 2023. Clear Path for Veterans

PRESENTER

John Cayanne – 8236 Salt Springs Road, Manlius, NY 13104 CELL: (510) 305-6006

PERSONAL BIO

I am a 100% disabled Marine Corps Veteran that's worked with active duty personnel and Veterans for the last 30+ years. I am also a retired police officer. I am honored to have been Team Leader on a Bay Area SWAT Team, Team Leader on a US Marshal's High-Risk Fugitive Apprehension Strike Team (FAST), and Supervisor for our Police Department's Canine Program.

While supervising our K-9 Program, our Lead Trainer and I created the canine deployment model that's still in use across Northern California. He certified many of Northern California's canines and handlers for the State regulatory body, Peace Officer Standards and Training (POST), and our program was recognized as the Gold Standard in Northern California. As such, many surrounding agencies trained with our unit and requested our assistance in high-profile cases. Specialized teams as far away as Italy's Counterterrorism Unit have attended our training seminars, and various federal agencies have utilized our K-9 Teams during key operations, like man hunts.

In the private sector, I helped create a long-distance, remote-deployed canine capability for the US Government's intelligence agencies, thus addressing the need to deploy discreet, persistent sensors in denied-area regions of the world.

I've spent the majority of my adult life working with and training military personnel and first responders. During which, I've functioned as Lead Safety Officer for the U.S. Department of Justice, built training and counterterrorism programs for numerous business to government (B2G) entities, and trained countless US and foreign governments in canine, hostage rescue, IED recognition and avoidance, and weapons and tactics. I've supervised and assisted countless veterans in this capacity. Lastly, I was a OSHA-certified explosive breacher in the application of energetic compounds in high-risk tactical operations, a science of applied math in conjunction with environmental factors – like sound pressure levels / noise. As such, I feel sufficiently qualified to speak on the topics of canine training, veteran-support services, and canine / dB-related noise factors.

CONCERNS WITH CLEAR PATH KENNEL OPERATION

Supervision and Emergency Response

- Supervision appears to be primarily by electronic surveillance when staff is not present. Is the surveillance continuous and actively watched by a staff member, or are the camera links simply available for remote staff members to open and look at ... should they wake during the night? From Clear Path's presentation, it appears two people have the ability to perform and are tasked with the latter. Nothing was stated or addressed pertaining to continuous night-time / off-hour "monitoring."
- It should be of concern to the Town, the kennel's neighbors, and anyone concerned with animal welfare that the only alarm referenced in Clear Path's opaque presentation is one that notifies two employees if kennel noise exceeds 120dB. Silent killers, like Carbon Monoxide, CO₂, and chemicals don't make noise – nor do sleeping dogs that succumb to them. Distraught dogs may only whine (versus barking at ≥ 120 dB) – or even be trained to remain silent in high-stress life/death situations.
- What if there are just two dogs at the kennel, and their barking only reaches 118dB?
- Are there fire, smoke, poisonous gas, water leakage, and CO₂ sensing devices that would automatically sound an alarm and notify 911 dispatch?
- If such a system exists, what is the communication link and is there a backup in the event of a power or communications failure?
- In the event of an emergency, such as a fire or household equipment failure, can the dogs safely be removed from the building in enough time to ensure their safety?
- Lastly, is the structure on a back-up generator so the sole, 120dB-detection alarm is even capable of sending a notification during power outages?

Noise Abatement

The acoustical data, as presented, is based on theoretical research from Purdue University and "Acoustical Engineering and Consultants." These supposed engineers (a term implying someone has a formal degree in a relevant, topical field) aren't even named, and the only dB readings taken at the site were conducted by Clear Path – the same entity that has been operating an illegal/unlicensed kennel for five years! As they appear only to be seeking permit approval now because their illegal operation was reported to the Town, thus requiring the *appearance* of intervention (neighbors and I say "appearance" because Clear Path wasn't even fined for their five-year

transgression), why should or would the Town trust any verbal reporting of dB measurements coming from Clear Path? They have a history of skirting the law, the most to gain from a favorable permit approval process, and their representative even stated he's "... not an engineer, lacks professional-grade equipment to obtain an accurate dB reading, and was using a phone app."

Despite the use of theory, rather than scientific testing/sampling, in the Noise Control Ordinance Section 86-3 I, Clear Path's application states noise levels are "expected" to *exceed* specified noise restrictions. If, per Clear Path's own admissions, their site dB readings are expected to exceed legal thresholds, how do we know the (stated) 73 dB noise level at neighboring home distances is reduced to less-than permissible noise levels via terrain contours, vegetation, etcetera? Simply because Clear Path stated it in the application? You can't arrive at an accurate answer to a dB-related formulaic equation without accurate *and* accurately reported data from which to derive it from.

Another unmentioned but scientifically relevant factor is that ground-based noise sources are generally at their loudest on cloudy days, as the cloud cover acts as a reflective surface directing a significant portion of upwardly traveling sound back towards the ground, and also in the direction of the wind. True dB levels should be measured at the site and at referenced neighbor locations (1) by a reputable, independent party with the appropriate equipment, (2) under conditions of cloud cover and under windy conditions, and (3) with the entity's report submitted directly to the planning board by the independent firm.

Clear Path's submitted data, referencing an unidentified group simply referred to as "Acoustical Engineering and Consultants," which returned zero similar entities in my Google search, is but a guess. When it is submitted by an unidentified group, caught running an illegal kennel, and none of their referenced sources of information can be verified or even identified, it should automatically trigger the requirement for transparency, full disclosure, and verifiable facts – and the neighbors should be approached by Town Officials to learn the reasonableness of past sound levels emanating from the unlicensed kennel.

Health, Sanitation, and Animal Waste Disposal

There is no description of animal waste disposal, which has frequently come up as an issue in other dog-related-facility applications. I don't believe the tracking of or requirement for current shot records has been identified or presented. Is there a quarantine policy and under what circumstances is quarantine required?

The proposed structure is a small, two-story house, which appears to offer few if any features necessary to care for and house canines. The drawings presented are very small: It is recommended that large-scale drawings be presented for Board and public review. Why? By today's standards, this home appears in no way configured as a dog kennel. The house, as drawn, is primarily designed and furnished to house people, not dogs. A living room with dog crates does not a kennel make!

Real Persons, Entities, and Potential Conflicts of Interest

Melissa, sometimes listed as the actual property owner, other times not, where Clear Path for Veterans is *partially* located in this county, is listed as both a Member and CFO in the Clear Path application. She is also part of the landlord LLC charging the 501 (c)(3) full market value rent.

- Isn't this a conflict of interests?
- Some of the Towns residents would love to know who the rest of the LLC's Members are.
- Why aren't they ever listed on any of the entity's documents?
- Who are the unidentified parties in the corporation pushing for the pipeline project? Are there investors involved? If so, who are they?
- Are there any persons, whether elected, employed, or volunteers, associated with local or state government, and/or with voting power that have any interests in or formal association with Clear Path at Skyridge LLC or Clear Path for Veterans? I bring this up because it appears Melissa Spicer's daughter works for someone on the town board that also appears to sponsor Clear Path functions – yet also votes, as a member of the board, on Clear Path initiatives. It would seem to me her and anyone else affiliated with Clear Path, the parent LLC, associated investment firms, real estate entities, or something to gain (personally) from the Clear Path water project should do the right thing and recuse themselves from any voting processes.
- If the venture is both above board AND truly about the betterment of Veterans, why the veil of secrecy and inaccuracies of listed parties and positions surrounding it? Could it be for the same reason that literally none of the property or its associated assets (including the house that was donated to the 501 c3) are in the 501c3's name, and the property owner refuses to transfer any of it to the LLC? Or to provide veterans with discounted ticket prices to Clear Path's veteran-related concert fund raisers? As a 100% disabled veteran myself, this doesn't really appear to be about veterans.
- Moreover, if Clear Path for Veterans uses 57 acres, why was 207 acres listed on their last Application?

- If, by design, they don't own any of the property, structures, or assets associated with the facility, can Clear Path even be listed as "Developer" on the application form?
- In a lease-space arrangement, does Clear Path (the nonprofit) have the legal rights to develop anything?
- In the application, they state the existing well is sufficient to sustain a full-blown kennel operation AND the caretakers that, in theory, would be staying there, but yet they claim it's not enough to support the handful of Veterans that use the facilities on a part-time basis? Which is it?
- The cover letter, which states "*Clear Path for Veterans Property*," is misleading, as it infers ownership. There isn't any and there may never be, as the lease document states something to the effect of a land transfer at the 50+ year mark. Will Clear Path for Veterans even exist in 50 years? If it does, will it still be in the same location? some of us think the application should have to be reworded to, "The private property, owned by a for-profit LLC, and leased *at full value* to Clear Path for Veterans."

Canine Safety and Wellbeing

The Application references pick-up and drop-off times. For what? Do they plan to day-sit dogs in addition to the ≤ 10 staying there at night? The application does not clearly state the anticipated or maximum number of dogs held in the facility by day. As such, there are no calculations for interior-of-structure CO₂ estimates or CO₂ buildup mitigation, e.g. number of active air exchanges per hour via HVAC HRV or ERV.

- How many dogs can you safely house in a small, two-bedroom house when a significant portion of the square footed is already allocated to a kitchen, bathroom, eating area, and human sleeping quarters?

Additional space must also be allocated for canine supplies, including food, medicines and other dog-care products, cleaning and waste-removal products, etc.

The most glaring omission in all of this is the fact there is no reference to or detailed description of the actual kennel situation.

- Are the dogs let outside together to defecate all over one another, roll around in it, or eat it (as some dogs do), or are they housed in separate crates and let outside individually? If so, what medium are the crates constructed from?
- Are there visible barriers between the crates so agitated and or aggressive dogs can't see each other?

Some dogs will chew through plastic crates, and some will destroy their teeth trying to chew through metal. Both these conditions are significantly exacerbated if a dog goes into heat and there are male dogs present. They WILL chew through sheetrock walls to get to her, and, in the process, likely injure themselves on sheetrock screws and nails, electrical and plumbing runs, and ingested wood-framing slivers. They will ingest plastic, potentially resulting in terminal gastrointestinal obstructions. They will ruin teeth chewing on metal. There have been cases where dogs are able to get their head out of a crate and get their neck stuck, thus asphyxiating in the process. Lastly, if 10 unfamiliar dogs are left alone without human presence, they will likely bark, howl, suffer from anxiety, and chew on things that may lead to injury, surgery, and/or the need to euthanize.

In summary, the Application and attachments lack information demonstrating these often unidentified people have an actual functional plan or have thought this through to any degree of required reasonableness. No kennel should ever be approved without a plan to address all of the above line items *and* proof they've implemented all the corresponding equipment, policies, and procedures into an appropriate facility run AND monitored by qualified people. The fact Clear Path for Veterans 501 (c)(3) Inc. and/or Clear Path at Skyridge LLC (a for-profit company) have been running an unpermitted kennel this entire time, listing their identities, property description, and true water needs in the most inconsistent and curious of ways, and can't present quantifiable data sets around much of this should be of grave concern to all entities involved in application review and permitting processes. Furthermore, the VA is designed and intended to work with verified veteran-services groups. It should be of concern that the Syracuse VA and University have apparently both waived off on Clear Path. More telling is the fact every meeting on this topic results in a turnout of veterans absolutely opposed to the Clear Path initiative, but yet Clear Path has been unable to produce any veterans advocating for it – except those on the payroll. Their served veterans seem as absent at these meetings as at the facility and at their non-discounted concerts. Many of us see this as a for profit entity using the word "Veteran" to further their personal interests, while naming both the LLC and nonprofit "Clear Path" so as to deliberately cause confusion, both on paper and in function.

To put all this in perspective, any empathetic Veteran with actual in-house canine experience could build a suitable program that wouldn't require \$13M of tax-payer money; potential damage to the Salt Springs neighborhood's existing utilities; destruction of century-old rock walls, driveways, and fences; removal of old-growth trees; etcetera. For example, I have an existing 2-1/2 acre lot with sufficient water and

septic systems to meet the requirements of a 10-dog kennel and to host weekly luncheons. Furthermore, I have the training and experience to run it, have owned a veteran services company since 2010, and have worked with active duty and veterans from the majority of military branches. The best part? Mine or any similar veteran-service concept wouldn't require millions in grants, town funds, or tax exemption for hundreds of acres (much of which isn't even used by veterans), or that results in residents paying higher taxes just to supply water to a for-profit LLC owned parcel – the vast majority of which isn't even in this county and where water should have been considered at time of purchase.

I encourage the Planning Board to consider more practical solutions to Clear Path's proposal, like Clear Path leasing an existing structure that already has the required water, waste management, and public transportation. If this is truly about helping as many veterans as possible, Clear Path should acknowledge the fact many veterans don't own cars and; therefore, a site that capitalizes on public transportation would enable them to help more veterans. Another affordable solution would be for Clear Path to piggy back onto Pawsits Doggie Daycare or similar entity, house and train dogs there, and save the public millions in funding without destroying the neighborhood's beauty in the process. I and many other town residents remain optimistic the Planning Board will facilitate a rationale resolution to Clear Path's ridiculously costly, environmentally destructive, neighborhood disruptive, ethically questionable, and insufficient proposal that also seems intrinsically intertwined with Town Board voting processes. My hopes is this letter will serve to help the Board consider the litany of issues associated with the Clear Path initiative. I thank you for your time and consideration.

V/R,
John Cayanne