

Article 5 FINAL: Kennels. To see if Town will vote to amend Section 40, Definitions, and Table 1, the Table of Uses, and Table 18-7, Building and Property Uses Allowed by CBZD, of the Zoning Bylaw, to match state law regarding the distinct types of kennels and address internal inconsistencies related to kennel permitting, or take any other action thereon.

Insert the following definitions in proper alphabetical order:

KENNEL: A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

KENNEL, COMMERCIAL BOARDING OR TRAINING: An establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that “commercial boarding or training kennel” shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

KENNEL, COMMERCIAL BREEDER: An establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

KENNEL, DOMESTIC CHARITABLE CORPORATION: A facility operated, owned or maintained by a domestic charitable corporation registered with the department or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care.

KENNEL, PERSONAL: A pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

KENNEL, VETERINARY: A veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that “veterinary kennel” shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

Amend Table 1, the Table of Uses, and Table 18-7, Building and Property Uses Allowed by CBZD, of the Zoning Bylaw as shown below.

Proposed Table 1 Amendments

COMMERCIAL USES	RESIDENTIAL DISTRICTS					
	R-I	R-II	R-III	R-IA	R-IIA	R-IIIA
<u>Kennel, Commercial Boarding or Training</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Kennel, Commercial Breeder</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Kennel, Domestic Charitable Corporation</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Kennel, Personal</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>
<u>Kennel, Veterinary</u>	<u>X</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Animal Hospital/Veterinary Clinic</u>	X	SP <u>(ZBA)</u>	SP <u>ZBA</u>	X	X	X

COMMERCIAL USES	COMMERCIAL DISTRICTS						
	C-I	C-IA	C-III	HCZ	RT114-A	RT114-B	V
<u>Kennel, Commercial Boarding or Training</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Kennel, Commercial Breeder</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>
<u>Kennel, Domestic Charitable Corporation</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP(PB)</u>
<u>Kennel, Personal</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>
<u>Kennel, Veterinary</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Animal Hospital/Veterinary Clinic</u>	P	P	P	P	P	P	P

COMMERCIAL USES	INDUSTRIAL			SPECIAL		
	I-I	I-II	D-I	Health Care	HW	WVD
<u>Kennel, Commercial Boarding or Training</u>	<u>P</u>	<u>X</u>	<u>SP</u> <u>(PB)</u>			<u>SP (PB)</u>
<u>Kennel, Commercial Breeder</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP</u> <u>(PB)</u>			<u>SP(PB)</u>
<u>Kennel, Domestic Charitable Corporation</u>	<u>SP(PB)</u>	<u>SP(PB)</u>	<u>SP</u> <u>(PB)</u>			<u>SP (PB)</u>
<u>Kennel, Personal</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>	<u>SP</u> <u>(ZBA)</u>			<u>SP</u> <u>(ZBA)</u>
<u>Kennel, Veterinary</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>
<u>Animal Hospital/Veterinary Clinic</u>	P	<u>P</u>	P			SP (PB)

TABLE 18-7: BUILDING AND PROPERTY USES ALLOWED BY CBZD

BUILDING AND PROPERTY USES	CHARACTER-BASED DISTRICTS					HSMUC
	DTC- C	DTC-L/W	MSTND			
			1	2	3	
Commercial Uses						
Kennel, Commercial Boarding or Training	<u>SP</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SP</u>
Kennel, Commercial Breeder	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Kennel, Domestic Charitable Corporation	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
Kennel, Personal	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Kennel, Veterinary	<u>SP</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SP</u>