



**TOWN OF VESTAL  
ZONING BOARD OF APPEALS**

605 Vestal Parkway West  
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**ZBA BOARD MEMBERS:**

Chairman: Jennifer Kakusian  
Members: Mark Tomko  
Tom Smallcomb  
Thomas Jackson, Jr.  
Alternates: Eugene Burns  
John Taylor  
Attorney: Matthew Butler

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**TOWN OF VESTAL  
ZONING BOARD OF APPEALS**

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In the Matter of the Application of

Kimberly Zurla / Dog Dayz Inn

**RECEIVED**

AUG 17 2020

**VESTAL CODE**

**DECISION**

For Special Permit as required by Chapter 24,  
Article IV, Division 2, Section 24-152 of the Code  
of The Town of Vestal, Broome County, New York  
(Zoning Ordinance)

At a meeting duly scheduled for August 13, 2020, at 6:00 PM the Zoning Board of Appeals of the Town of Vestal held a public hearing to consider the application of Kimberly Zurla/Dog Dayz Inn, regarding premises situate at 305-313 Vestal Parkway East (Broome County Tax Map no.: 157.18-1-18.1 & 157.18-1-19) for a Special Permit as required by Chapter 24, Article IV, Division 2, Section 24-152 of the Code of The Town of Vestal, Broome County, New York (Zoning Ordinance), pertaining to the granting of a Special Permit to operate a dog boarding/grooming business in a "C-2", Community Business Zoning District. Appearing in support of the Special Permit request was the applicant Kimberly Zurla. No one appeared in opposition to the application.

After due deliberation, the Zoning Board of Appeals makes the following findings of fact and conclusions of law:

Applicant is requesting a Special Permit to operate her dog boarding/ grooming business at the 305-313 Vestal Parkway East address. She currently operates Dog Dayz Inn at 2401 Vestal Parkway East and has outgrown that location due to increase in business and several other boarding businesses have gone out of business recently. The applicant states that she will have 13 kennels and 12 crate spaces in the new location in addition to grooming services (bathing and nail service) for the dogs. There will be no training classes on the premise, boarding and grooming only. Hours of operation for drop off and pick-up will be 7:00 AM – 6:00 PM Monday through Friday and staff will let animals out to the bathroom at 8:00 PM on weekdays and 3 times per day on Weekends and Holidays during the same time frame. This property was chosen because of it's size and location and that a Special Permit had been issued previously for a dog boarding/grooming facility in 2011. The applicant provided the Board with drawings/plans for the interior layout of kennels and crates as well as the exterior fenced area for the dog run.

This is a Special Permit request and the provisions of SEQR do not apply. The 239-1 & m was sent to Broome County Department of Planning and Economic Development and no issues were noted.

Board members Mark Tomko, Acting Chairman, Tom Smallcomb and Thomas Jackson were present during the presentation and stated that they had visited the site and were familiar with the character and nature of the area.

A motion was made by Tom Smallcomb to **grant a Special Permit at 305-313 Vestal Parkway East (Broome County Tax Map no.: 157.18-1-18.1 & 157.18-1-19) (Broome County Tax Map no. 158.08.-2-1) to Kimberly Zurla to operate Dog Daz Inn as presented to the Board.** The motion was seconded by Thomas Jackson and a vote was called and hereby **GRANTED** by a 3-0 vote.

The motion was unanimously granted and the votes were cast as follows: Acting Chairman, Mark Tomko-AYE, Tom Smallcomb-AYE, Thomas Jackson-AYE.

The Code Enforcement Officer is herewith authorized to take the necessary action to carry out the provisions of this Decision.

Dated: August 15, 2020

ZONING BOARD OF APPEALS  
OF THE TOWN OF VESTAL

KELCY R WICKMAN  
Notary Public - State of New York  
No. 01WI6405318  
Qualified in Broome County  
Commission Expires 03/02/2024

BY:   
Mark Tomko, Acting Chairman

*Kelcy Wickman*  
*Commission exp. 3/2/2024*  
*8/17/2020*