

EAST LYME ZONING COMMISSION

Public Hearing

October 5, 2000

MINUTES

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Oct 16 2000 at 7:30 AM

Esther B. Williams

EAST LYME TOWN CLERK

The East Lyme Zoning Commission held a Public Hearing on October 5, 2000 at the Town Hall, 108 Pennsylvania Ave., Niantic, CT. Mr. William Weber chaired the meeting. Mr. Weber called the meeting to order at 7:30 PM and introduced the Commission members.

PRESENT: Chairman William Weber, Secretary Athena Cone, Ed Gada, David Chamberlain, Norman Peck, and Alternates Donna Orefice and Mark Nickerson.

Absent: Shawn McLaughlin, and Robert Bulmer.

Also present: William Mulholland, Zoning Officer

I. PUBLIC HEARING

Application of Robert N. Dees, 233 Upper Pattagansett Rd., East Lyme, for a Special Permit to operate a farm and board horses.

Mr. Weber opened the public hearing at 7:30 PM.

Mrs. Cone noted the Public Hearing had been properly advertised.

Mrs. Cone read into the record:

1. Memo from Zoning Official William Mulholland to the East Lyme Zoning Commission dated October 3, 2000.
2. Memo from George Calkins, Town Sanitarian, to the East Lyme Zoning Commission dated October 4, 2000.

Mr. Mulholland indicated that the Regulations state that the horses must be kept 100 feet from the property line. He noted that "kept" has been interpreted to mean the barn/stable must be 100 feet from the property line. He added that the construction of a barn/stable requires a building permit. The subject property is in RU-40 Zone.

Mr. Dees stated that the proposed barn per the plan show the barn to be 38 feet x 70 feet. He added that he has rethought the size of the barn and believes he will construct a smaller bar of 36 feet x 50

feet. The plans show that the barn will be constructed more than 100 feet off any property line. He indicated that the land is sloped quite a bit and the location of the barn per the plan is one of the few places to construct a barn and remain within Regulations.

Mr. Dees stated that the purpose of the barn is for his family's personal use primarily with 4-5 horses. It is possible that in the future (4-5 years) he may board up to three horses; however, at this time this scenario is not in the plan currently.

Mr. Weber inquired if the property turns to commercial use, would the applicant need to apply for a Special Permit. Mr. Mulholland stated that the legal ad states that the applicant is requesting 'stable use', which would be a commercial venture. If this application were approved, that would have already been approved.

Mr. Mulholland inquired as to the number of stalls Mr. Dees plans to install.

Mr. Dees stated that currently one-half of the 36'x50' barn would be stalls and one-half for equipment. This plan would allow 5-6 stalls. He initially plans 5 stalls, but leaves open the possibility of adding one or two more, keeping space for equipment.

Mrs. Dees stated that the barn is to provide horses for their children for riding and carriage use and a location for the children to interact with their peers.

Mrs. Cone inquired if, included in their plan, the Dees anticipated training other people. Mrs. Dees stated she is learning herself and cannot imagine that she would be prepared to teach others. Mr. Mulholland reiterated that by approving the application, the Commission would be, per the legal ad, permitting a commercial stable.

Mr. Dees inquired if approved to "operate a farm" would allow for the keeping of a cow or goat? Mr. Mulholland stated that the applicant would be permitted a sheep, a goat or a couple of cows. Mr. Dees indicated he would in the future like to be allowed to have a cow or sheep.

Mr. Weber stated that the Special Permit Regulations states: 'farm use, horses and pets' and calls out in Section 4.2.3-boarding stables.

Mr. Weber inquired if the Commission members had any further questions they wished to ask Mr. Dees. There being none, Mr. Weber opened the floor to anyone wishing to speak in favor of the application.

Joseph Korineck, 221 Upper Pattagansett Rd., East Lyme stated that he had no problem with horses, but was concerned about the sloping land toward the location of his well, which is 30 feet off the property line, and manure from the close pasture leeching into and contaminating his well water.

Mr. Mulholland noted that this was the purview of the Town Sanitarian, Mr. Calkins, and encouraged Mr. Korineck to speak with Mr. Calkins about this concern. Should the Commission

approve the application, there is a 15-day appeal period. Following that period, any problem that may rise would be within Mr. Calkins jurisdiction and he could order corrective action by the owner or operator of the property.

Mrs. Dees noted that this particular pasture is close to the front of their home and is not as good grazing as other areas on the 11-acre property. Mr. Dees stated that the only reason this particular pasture would be used would be for foaling purposes.

Joseph Kwasniewski, 67 Walnut Hill Rd., East Lyme noted that there are 3 horses on a farm uphill and behind his property and his well has not been contaminated. He stated his support for the application.

There being no further speakers, Mr. Weber closed the public hearing. at 8:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Anita M. Bennett".

Anita M. Bennett
Recording Secretary
10 October 2000