

**TOWN OF SOMERS  
ZONING BOARD OF APPEALS  
P.O. BOX 308  
SOMERS, CT 06071**

**ZONING BOARD OF APPEALS MINUTES  
REGULAR MEETING  
MAY 10, 2011  
TOWN HALL-7:30 pm**

**I. CALL TO ORDER:**

Chairman John Torres called the regular meeting to order at 7:37 pm.

**II. MEMBERS PRESENT:** Secretary Daniel Scully took a role call. Members present included: John Torres, Barbara Flebotte, Rick Krein, and Robert Minch. Also in attendance were alternate members Daniel Marceau, Jerry Young, and BJ Ferro. Also present was 1 citizen, Patricia Martin, Jason Lafayette, and Chris (Patricia's neighbor).

**III. PUBLIC HEARING:**

**a. Legal Hearing of Patricia L. Martin for proposed horse farm on Residential Property**

Chair John Torres opened the hearing at 7:38 pm. Secretary Daniel Scully read the legal notice for Patricia L. Martin for a Proposed Horse Barn on residential property hearing which follows, into the record: Patricia L. Martin is here to ask for a variance to her proposed horse barn on residential property as stated by section 214-38 in paragraph I of Somers Town codes.

Patricia and her boyfriend Jason Lafayette were present at the hearing and spoke about their horse barn. Patricia stated that she has 3 and ½ acres of land and wishes to keep 2 horses on the property in the barn. She stated that the barn is not within view of the houses on the street and can only be seen by one neighbor. That one neighbor was also present at the hearing as well. The proposition was for the horse barn and a pasture for the horses, which is beyond the barn area. She needs to be granted a variance because of the conditions of 214-38. She is requesting that the barn be located 12-15 feet from the property line.

There were a few issues brought up from the board. The first issue was the noise of the horses. People around them will be able to hear the noises that the horses make. Patricia said that her

neighbor Chris is ok with the noise of the horses and so is her other neighbor. The second issue was where the manure will go and how frequently it will be removed. Patricia stated that the horse manure will be escorted out daily and put far beyond the pasture area and out of sight from everyone. She also pointed out, once again, that the barn cannot be seen from the street and that the manure compost area cannot be seen either. She also stated that she wants to place the barn in that specific area so that she can maximize that pasture area. The barn will have 4 stalls but it will only have 2 horses and the other 2 stalls will be used for storage. John Torres made it known that if they do grant the variance she will be allowed to have no more than 2 horses in the barn and on the property. The proposed barn is 12ft x 48 ft. Patricia wishes to be granted a variance from the requirement of 100ft from regulation 214-38 paragraph I.

Barbara pointed out that they had a few similar applicants before Patricia. There was a barn that was torn down and another one had been built and there wasn't enough room for the barn by the feet requirements. Another applicant had an indoor range but wasn't granted the allowance to have stalls inside the barn.

John makes it known for the record that if the variance is granted it will go with the land, even if Patricia moves. Dan Scully is worried about the property value of surrounding houses if this barn is put up. John made it known that if the variance is approved it will be for a specific location. The board also brought up a question about the type of fencing around the barn area and pasture area. Patricia says that they are looking into getting electrical fences. John stated the requirements for acreage for the amount of horses on the property. Dan Scully read 2 letters from Patricia's neighbors into the record. One was from Chris Barnett and his wife. Chris was present at the meeting. It is from April 15<sup>th</sup> to the Zoning Board of Appeals, stating that they are not opposed to the barn construction and that they have been notified about this barn going up. A second letter was already read from April 15 as well and it stated almost the exact same thing and was written by Patricia's other neighbors Paul and Anne Paradise. Chris was called to speak in front of the board but no board members had any questions or issues to address to him.

*Barbara, Vice Chair, made a motion to close the Public Hearing at 8:10pm; seconded by Rich; followed by a unanimous vote as approved.*

Mr. Torres opened the regular meeting at 8:11pm.

#### **IV. MINUTES APPROVAL – 3/8/2011:**

Mr. Torres asked members if there were any comments or changes to be made on the 3/8/2011 minutes. Barbara responded with the comment that she spoke to Jeff Ford who is a public works engineer and she had him look over the minutes. She said that he told her that it was a true example of what had occurred at the meeting and that he was fine with the minutes.

*Dan Marceau made a motion to approve the minutes of the March 8, 2011 Regular Meeting as is; seconded by Dan Scully. A unanimous vote to approve followed.*

## **V. PUBLIC HEARING DISCUSSION/DECISION:**

Mr. Torres reopened the discussion for further review of the Patricia Martin case. He asked if the board feels that the barn should remain where it is or if it should be relocated to the center of the property to make the variance amount smaller. If it stays in the same direction and is relocated to the center of the property it will require a 30ft variance. Barbara makes it a point that they need to be careful with their decision and consider that if they allow this variance it may come back in the future with other people and they will have to allow theirs too. There are 2 options if the board decides to approve a variance. Option one is to rotate the barn 90 degrees and have a 55ft variance from each side yard. Option 2 is to leave it as it is but center it on the property and have a 30ft variance from each side yard. The 55ft side yard variance has more flexibility for the barn location in the middle of the property. The board agreed to vote and the vote was three members voted for approval to grant the 55ft variance but two voted to deny the variance. The people who voted to approve the variance were Dan Scully, Rick Krein, and John Torres. Barbara Flebotte and Robert Munich voted to deny the variance. The variance was denied to Patricia Martin because four votes are needed for approval.

## **VI. OLD BUSINESS:**

NONE.

## **VII. NEW BUSINESS:**

NONE.

## **VIII. CORRESPONDENCE:**

NONE.

## **IX. BILLS:**

Mr. Torres presented the following invoice for payment:

Journal Inquirer \$377.76

*A motion was made by Rick to pay this bill; seconded by Dan Scully; followed by a unanimous vote as approved by the other members.*

## **X. ADJOURNMENT:**

John Torres asked for a motion for adjournment.

*Ms. Flebotte made a motion for adjournment and it was seconded by Dan Scully and unanimously approved by the rest of the members and the Regular Meeting of May 10, 2011 was adjourned at 8:55pm.*

Respectfully submitted,

Danielle Martin, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.