

Zoning Board of Appeals

Minutes

Sept. 15, 2015

The following members were present: Grohs, Judd, Ackerman, Harris, Rayner Alt. Coulter, Atty. Sylvia Rutkowska

On motion by Ackerman, seconded by Harris, the minutes of July 19, 2015 were approved.

The Board held a hearing on the following case:

15-4Bahr Road Properties, LLC, Applicant, 9 Cedar Lane, Old Saybrook, CT, 06475 and Deep River Properties, Inc., c/o Ellen Chapman, P.O. Box 8356, New Haven, CT, 06530, Owner, seeks a variance of Section 7B.4.2 setback of structure, pasture or pen housing animals or runway, stable or animal exercise pen within 150 feet of any street or within 100 feet of property located on Map 37, Lot 2 and Map 38, Lot 3, Zone R-80, Bahr Road and Rt. 80.

The Chairman asked if anyone wished to disqualify him self. Hearing none the regular members would hear the case.

On motion by Harris, seconded by Rayner, the call was approved.

Mr. Tom Metcalf presented the case on behalf of the owner, He discussed the need for the variances otherwise it would not be possible to house and pasture the animals for which they want to use the property. Most discussion centered on the amount of buffer zone that would be left if there was zero feet to the boundaries. There are many trees lining Rt. 80 and Bahr Rd. to the west. Supporting the variance were the following: Mark Malcarne, Jill Curtis, Kevin Wakely Bonnie Hall, Walter Adametz Paul Malcarne, and Ron Larsen

Mr. Livingston Jennings wanted to know the amount of buffer left on his property line. Mr. Ted Batko brought up the right of way that extends off Bahr Rd, along the western boundary showing maps that proved the existence of the path. Two letters were received. One from Middlesex County Farm Bureau and one from Lower Connecticut River Valley Regional Agricultural Council. Both were in favor of the variances. After much discussion the following variance was approved:

On motion by Harris, seconded by Rayner, it was unanimously voted to reduce the current setbacks from a street line or property line, as articulated in Section 7B.4.2, for fencing 6 feet or less in height, pastures, paddocks, runways, and exercise pens to 0 feet, except for the property line abutting the Jennings property, which is reduced from 100 feet to 35 feet and except for the property line abutting R-80 which is reduced from 150 feet to 20 feet; and the setbacks for structures (stables) will meet building setback requirements for the R-80 zone per Schedule 5-5 of the regulations The following reasons were given:

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1. Any objections were resolved by the parties..
2. No additional property could be purchased.
3. The characteristics of the property precludes it from locating the building anywhere else.
4. Hardship was found that the application is consistent to the comprehensive plan of zoning.

On motion by Harris, seconded by Rayner the reasons were adopted.

Meeting adjourned at 9:02 p.m.

Respectively submitted,

Donald R. Grohs