

Beacon Falls Zoning Board of Appeals
10 Maple Avenue
Beacon Falls, CT 06403



BEACON FALLS ZONING BOARD OF APPEALS
Monthly Meeting
November 12, 2020
MINUTES
(Subject to Revision)

1. Call to Order/Pledge of Alliance

BM called the Monthly Meeting to order at 7:31 P.M.

Members Present: Bill Mis (BM), Benjamin Smith (BS), Mary Ellen Fernandes (MF), Tony Smith (TS), Brian Horgan (BH)

Members Not Present:

Others Present: First Selectman Smith (GS), Susan McDuffie (SD), 13 members of the public

2. Approval of Minutes

Motion to approve the minutes from the Monthly Meeting held on October 8, 2020, with one noted revision of removing Tony Smith from member present, he was not: **BS/MF; no discussion; BH abstained**, all other members ayes.

3. Correspondence

a. Other Correspondence

BM noted that anything that came in pertaining to 12 Timber Ridge will be presented at the Public Hearing. These will be tabled until that meeting.

4. New Business

a. Open Session for the Purpose of Hearing Appeals

- Application No. 020-01; 12 Timber Ridge Lane – BM noted that all members received application from Susan McDuffie. SD stated she is building a house on Timber Ridge Lane with a barn and is a therapist working out of her home. She is requesting her 2 goats be permitted on the property. When she looked in the regulations, there was nothing specified about goats. She did not know that there would be an issue until a neighbor voiced concern. She is seeking clarification on if they are permitted. BM noted that SD is seeking an appeal for section 8.8.2 for livestock. There is nothing in the Zoning Regulations that specifies goats. It does mention horses. You have 80,000 sq. ft. of property correct? SD around 87,000 sq. ft... BM the rules do state 1 horse for each 40,000 sq. ft. so the two horses are fine, but it does not specify goats. BM – do any Board Members have questions for SD? BH – will it be just the two goats or a horse and the goats. SD – it will be two horses, as I have the room for them and 2 goats. There are animals that I currently use in my therapy practice. Two concerns I have is that there is not clear language regarding the goats in the regulations and the second is that many of my clients have relationships with these animals and for me to continue with my practice, if they are not able to be there, it is going to be a challenge for my clients to lose that. They are a tool of my trade. BM – we certainly understand. You will still have to apply for a home business permit. SD – absolutely and I have already had a home office in town for 18 years and I will make sure I have the proper paperwork in the new home. BM –

have you sent out notices already to the adjacent property owners? SD – yes, the process is confusing, and I thought I was supposed to. There are two on Blackberry Hill behind me who have not yet received notices. BM – that is ok, if you have that we can establish a hearing in December at our next meeting. You will need to have the copies and the return receipts available for the Public Hearing, which should be able to take place prior to our meeting next month. Today is just for us to understand what your circumstances are and that your application is correct, and checks are in. You can send out the registered letters with return receipt to adjacent property owners. SD- the hearing would be to elaborate more correct. BM – you will state your case, present everything and present the map. We will do the formal hearing and then it will be voted on at our meeting on December 10th or shortly after at the following meeting. I am hoping we will be back in live meetings but probably not. MF – I am new to this Board and came in around when COVID hit. My question is, do we have to have a hearing even if there is nothing clear cut in the regulations? BM – if it is not clear cut, there must be a hearing. MF – there is nothing in the regulations that prohibit it. BM – there is nothing that allows or permits it; therefore, it comes up to the interpretation of the Board, the circumstances, and the neighborhood. We will need to have a hearing. SD – when you say the neighborhood, is it adjoining properties or everyone in the neighborhood. BM – anyone can speak for or against it. It is not limited to adjacent property owners. Anyone in the town can speak on your behalf. BH – I know we have not accepted the correspondence, but regarding this application we are only speaking to the issue of the animals and not the home office is that correct? BM – that is correct. BS – the two goats would be in addition to the two horses in that same 80,000 sq. ft. correct. **BS – made motion to have Public Hearing prior to our next month meeting at 7:00PM on December 10th, seconded by BH, all ayes.** BM – SD please get Kerry all the documentation prior to the meeting so that she can scan them in and have it ready.

- b. **2021 Meeting Schedule** – BS – do we need to officially approve. BM – just a formality. GS noted that you do need to vote and approve the meeting schedule. Motion made to accept 2021 meeting scheduled BH/BS, all ayes.

5. **Old Business**

- a. **Commission Member Training** – BM I believe everyone has completed their training.

6. **Adjournment**

Motion to adjourn the meeting at 7:56 P.M.: **BS/BH; no discussion;** all ayes.

Respectfully submitted,

Kerry McAndrew
Clerk, Zoning Board of Appeals