

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



**BEACON FALLS ZONING BOARD OF APPEALS**  
**Public Hearing Minutes**  
**May 13, 2021**  
**MINUTES**  
**(Subject to Revision)**

**1. Call to Order/Pledge of Allegiance**

BM called the Public Hearing to order at 7:00 P.M. members said the Pledge of Allegiance the Clerk read the call.

**Members Present:** Bill Mis (BM), Benjamin Smith (BS), Mary Ellen Fernandes (MF), Nancy King (NK)

**Members Not Present:** Tony Smith (TS), Brian Horgan (BH)

**Others Present:** Selectman Krenesky, Kristina & Cody Muth, 15 members of the public

Clerk read the call into the meeting record.

**2. Voters of the Town of Beacon Falls, Connecticut will be heard at the Public Hearing regarding the proposed items below.**

• **Application No. 021-01; 229 Burton Road**

Cody Muth, 229 Burton Road – there are at least 23 residents in town that are in violation of regulation 8.8.2 and I am the only one with a cease and desist. On December 2, 2020 at 3pm I had a meeting with the Gerry Smith to discuss my concerns with the ordinances in town to come up with an Agriculture Committee to come up with a better set of rules for a better Beacon Falls. You may ask why we need a new set of rules. There is a lot of grey areas. The Zoning meeting, I was referred to was a livestock problem. The definition of livestock is farm animals regarded as an asset. My goats are not an asset, I have thousands of dollars invested in them between their enclosure fences, hay, and grain therefore, they are not livestock, they are pets. This is why I am requesting a variance for my pets. I have reached out to the CT Farm Bureau and a few other organizations that are behind on me on this and I am prepared to take this as far as I need to so that my voice, as well as others in town are heard. What I am proposing is that the town needs to make an amendment to the zoning concerning this subject. I have reached out to the P&Z chair and he looks forward to working with me on this issue so that the Town's best interest is considered. I even have gone through all the surrounding towns ordinance and put together a list of what would fit us perfectly. The Town serves the taxpayers not the other way around. We are a small town and a tight knit community and maybe that is part of the issue, but it is also what makes us great. After all, the 150<sup>th</sup> anniversary t-shirts do say small town pride. God bless and thank you for your time.

Kristina Muth, 229 Burton Road – Two years, eight months and ten days ago, I became a mom. As a parent, we try our best to raise our kids the right way. In this day and age, kids get to school and are handed a tablet, electronics are everywhere. Cody and I are doing what we feel is best our son Waylon. We

believe that owning animals that require daily maintenance and chores we are teaching responsibilities, respect, and values. Please do not take my sons goats away. It takes a village to raise a child and we want you to be part of our village.

MF – can you tell me where you got your definition of livestock? Cody Muth– the Webster Dictionary.

MF – the Appendix A is from where? BM – that is the State regulation. MF – how does that affect our regulations? BM – P&Z will come up with their zoning regulations from the State regulations based in what best suits the town. MF – I know a few years back; our ordinance was different. The acreage needed then was not what it is now. BM – the acreage is up to the town. BS – just to speak to the definition, the dictionary also states livestock as animals kept for use or pleasure. Cody Muth – I was just trying to make a point that I was not running a commercial goat farm. MF – do any State Regulations or Statutes override ours? BM – I do not know. I would assume our Statutes take the minimum of what ever the State is and then we adjust to suit the Town. Every town is different, but as a general guideline, they use the State Regulations for their zoning regulations. MF – this definition of Livestock from the Appendix A says order and regulations for the control of diseases for the purpose of this chapter, livestock is defined as any camel or hoofed animal raised for domestic or commercial use. Could livestock have a different definition if it were not referred to diseases. Am I misreading that? BS – for the purpose of this chapter it is just clarifying the definition. The diseases are a secondary purpose. It is not just for the cases of diseases.

Bob Yule -187 Burton Road – former Zoning Board member. Our zoning regulations permit a horse to be kept on a single acre lot, why then do they stipulate that goats need a minimum of 5 acres? Goats are much smaller animals with much smaller space requirements. According to Global Federation of Animal Sanctuaries a goat only needs as little as 150 sq. ft. and the Muth's goats have far more space than this. As many parents know, keeping animals allow kids to build responsibility and empathy. The Muth's young son has found much joy in spending time with the goats. It may be objected, that if the board grants a variance in the case it would set a precedent and will soon see hobby goat operations springing up everywhere. The vast majority of residents have little interest in raising livestock, but those who do should not have to face arbitrary stringent requirements, which only a small amount of lots in town can meet. As a community, we should make it easier for responsible, competent people who want goats to keep them. The Muth's are such people and I ask that you give them your utmost consideration for granting their request for a variance.

Jeffrey Kean – 21 Highland Avenue and 25 Sharon Drive – Regardless of how this board decides, if they decide not in favor then I think the Town and the Boards need to refigure the zoning laws. Our surrounding towns require smaller zoning acreage for livestock. Secondly, this town was all farms at one time. If we want to go back, everyone here is on farmland. Zoning has changed throughout the year, but if we are going to knit pick, we are all on farmland. I urge the Board to vote in favor of the Muth's as their goats are pets and not an agricultural business.

Tony Douglass – 268 Burton Road - I am the only neighbor that has a direct view of these goats and I find them charming. I love them. I have lived here all my life and remember when we had horses going up and down the streets. Now we are so developed I want to see it go back to where we had rights in this town and can have animals. I love their goats and personally find them entertaining.

Danielle Cordova – we live directly next door and I have two children, a 3-year-old daughter and a 5-year-old son with autism and he is in love with animals. The goats seem to be very therapeutic to him. We go over there almost every day, we see them cleaning their area every day, we see them playing with their son. We ask that you let them keep their goats as well because our children and family love them as well and they are their pets.

Judy Brown – 490 Rimmon Hill Road – I do not know them personally, but I do have a teenage daughter who goes to Nonnewaug High School for Animal Science. We lived in Beacon Falls for her first three years and came back two years ago for the quaintness of the town so that knowing she is going to Nonnewaug , if she gets into an animal project that we can expand and have that I was surprised to see this happening. I am in favor and I would love to see the opportunities expand.

**3. Adjournment**

Motion made to adjourn the public hearing at 7:20 P.M. MF/BS, all ayes.

Respectfully submitted,

*Kerry McAndrew  
Clerk, Zoning Board of Appeals*