

ZONING BOARD OF APPEALS REGULAR MEETING APRIL 3, 2008, 5:30 P.M. PAGE 1
OF 3

Chw. Annabel Resnisky, Judith Pehota, Martin Reardon,
Robert Stefurak, Joseph DeFrancesco

BOARD MEMBERS
PRESENT

Evelyn Russo, Linda Reil

BOARD MEMBERS
ABSENT

William Warner, Director, Bruce Driska, Zoning Enforcement
Officer

STAFF

On motion and second by Board Members Martin Reardon
and Joseph DeFrancesco the Board approved the minutes of
the March 6, 2008 regular meeting. Vote was unanimous.

ITEM 2.1
APPROVED THE
MINUTES OF THE
3/6/08 REGULAR
MEETING

William Warner introduced the appeal and explained the process. Bruce Driska explained the facts of the case and the cease and desist. William Warner introduced Atty. Richard Carella, who represented the Hills. Atty. Richard Carella presented a case in favor of the Hills, asked that previous files be made part of the record (marked Exhibits #1 through #8) and read from the Plan of Development. William Warner indicated that Chapter 15 is a former draft of the Plan of Conservation and Development and was never approved. Atty. Richard Carella continued the case. Edward Hills explained the activities occurring on the property. Atty. Richard Carella concluded. Board Member Martin Reardon questioned the number of people. Chw. Annabel Resnisky questioned the fees. Edward Hills responded that there are between twenty (20) and thirty (30) people and that the participants are charged fees. Board Member Judy Pehota questioned the aspects of the site and the number of horses on the site. Board Member Martin Reardon questioned of others come to the property to train horses. Atty. Richard Carella responded with a "pick your own apples" analogy. Board Member Robert Stefurak questioned liability insurance. Board Member Joseph DeFrancesco questioned training. Atty. John Bennet presented a case to uphold the cease and desist. He submitted extensive information regarding activities occurring on the site (marked Exhibits #9 through #56) and quoted sections of the Zoning Code that asserts activities such as livery stables, riding academies are only permitted in commercial zones. Atty. John Bennet concluded. Atty. Richard Carella rebutted, claimed that all activities are a part of farming and addressed manure management (marked Exhibit #57). Chw. Annabel Resnisky indicated that the Board had received many letters and asked the public to avoid repetition. From

ITEM 3.1
UPHELD A
FINDING BY THE
ZONING ENFORCE-
MENT OFFICER
WITH REGARDS TO
CONDUCTING RE-
CREATIONAL
ACTIVITY EVENTS
SUCH AS HORSE
ROPING, HORSE
RODEO, TEAM PEN-
NING AND BARREL
RACING IN THE
R-60 ZONE ON PRO-
PERTY OWNED BY
EDWARD AND
ANDREA HILLS
ON BROOKS ROAD

ZONING BOARD OF APPEALS REGULAR MEETING APRIL 3, 2008, 5:30 P.M. PAGE 2
OF 3

the public, John Hall, Westbrook, Middlesex Farm Bureau, spoke in support of the Hills and commented on expansion and intensification. Amy Stegall, President, Connecticut Horse Council, spoke in support. Alesia DiFederico of Southbury spoke in support and submitted a letter (marked Exhibit #58). Michael Chowaniec spoke in favor and submitted a letter into the record (marked Exhibit #59). Barbara Winters Chicouski of Hilldale Farms spoke in support. Doug Devinski, an attorney at Halloran & Sage, spoke in support. Rob Van Nuys spoke in support. Tracy DiGennaro of Higganum spoke in support. Fred Mastoli of Durham spoke in support. Betsy Christianson of Guilford spoke in support. Anthony Guida of Middletown spoke in support. Diane Dejoia of Higganum spoke in support. Lynn Nelson of Brooks Road, Middletown, spoke in support. Peter Hibbles spoke in support. Earle Roberts spoke in support. Edward Hills III spoke in support. Ken Newbank of Northford spoke in support. Anita Costa of Middletown spoke in support. Hanna Cleary spoke in support. Michael Hauliers spoke in support. Leah Dejoia of Middletown spoke in support. Joan Nichols spoke in support. Cheryl Sorenson spoke in support. Peter Ribisti spoke in support. Chw. Annabel Resnisky asked if there were any members of the public to speak against the application. No one spoke. Atty. John Bennet rebutted the public comments. Atty. Richard Carella rebutted. On motion and second by Board Members Judy Pehota and Martin Reardon the Board closed the public hearing. Vote was unanimous. Chw. Annabel Resnisky suggested to Atty. Richard Carella and Atty. John Bennet that they should try to work things out amongst themselves and come back to the May meeting for a decision. Both attorneys responded. Board Member Judy Pehota spoke in opposition based on past representations. Discussion ensued on how the motion should be stated. A motion to uphold the finding by the Zoning Enforcement Officer with regards to conducting recreational activity events such as horse roping, horse rodeo, tem penning and barrel racing in the R-60 zone on property owned by Edward and Andrea Hills on Brooks Road was made by Board Member Judy Pehota and seconded by Board Member Martin Reardon. Discussion ensued. The motion passed unanimously. Applicant/agent. Edward & Andrea Hills/Richard D. Carella ZBA2007-22

There was no Old Business.

ITEM 4
OLD BUSINESS

There was no New Business.

ITEM 5

ZONING BOARD OF APPEALS REGULAR MEETING APRIL 3, 2008, 5:30 P.M. PAGE 3
OF 3

NEW BUSINESS

On motion and second by Board Members Martin Reardon
and Robert Stefurak the Board adjourned the meeting at 9:20
p.m. Vote was unanimous.

ITEM 6
ADJOURNMENT

Respectfully submitted,

Bruce E. Driska, CZEO
Zoning Enforcement Officer