

# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

*Office of Community Planning and Development*

**LEGAL NOTICE  
TOWN OF SIMSBURY  
ZONING COMMISSION – REGULAR MEETING**

The Zoning Commission of the Town of Simsbury will hold a Public Hearing at a Regular Meeting to be held on Monday, July 15, 2013 at 7:00 p.m. in the Main Meeting Room at the Simsbury Town Offices, 933 Hopmeadow Street, Simsbury, Connecticut on the following:

1. Application #13-34 of Brian R. Smith of Robinson & Cole LLP, Agent for Mark Sullivan, Petitioner, for a 6-Month Moratorium on farm use, pursuant to Article Seven, Section B.1, of the Simsbury Zoning Regulations, and the keeping of horses in residential districts, pursuant to Article Seven, Section B.6, to allow the Commission to consider potential restrictions and standards that would protect adjacent residential properties.
2. Application #13-35 of Brian R. Smith of Robinson & Cole LLP, Agent for Mark Sullivan, Petitioner, for Amendments to Article Four, Section B, and Article Seven, Section B, and Article Seven, Section C, of the Simsbury Zoning Regulations to address issues related to commercial horse stables, as distinguished from horses maintained for personal enjoyment, in residential zones.

At this hearing, interested persons may appear and be heard and written communications will be received.

Edward J. Pabich, Secretary

Dated this 26<sup>th</sup> day of June, 2013, at  
Simsbury, Connecticut

**HARTFORD COURANT:**

**Please publish this on both Wednesday, July 3, 2013, and Wednesday, July 10, 2013 and  
ZONE FOR THE FARMINGTON VALLEY EDITION ONLY.**

Invoice the SIMSBURY ZONING COMMISSION



Telephone (860) 658-3245  
Facsimile (860) 658-3205

[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

*An Equal Opportunity Employer*  
8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Friday



# Capitol Region Council of Governments

241 Main Street

Hartford, Connecticut 06106-5310

Telephone: (860) 522-2217 • Fax: (860) 724-1274

[www.crcog.org](http://www.crcog.org)

Mary Glassman, Chairman

Lyle D. Wray, Executive Director

## ZONING REFERRAL FORM

FOR: NOTIFICATION OF REFERRALS BY ZONING COMMISSIONS OF THE CAPITOL REGION

Please fill in, save a copy for your records and send with appropriate attachments by certified mail or electronically to: [zoningref@crcog.org](mailto:zoningref@crcog.org).

FROM:  Zoning Commission  
(Select one)  Planning and Zoning Commission  
 City or Town Council (acting as Zoning Commission)

Simsbury  
(Municipality)

TO: Capitol Region Council of Governments  
Policy Development & Planning Department  
241 Main Street  
Hartford, CT 06106

Date of Referral to CRCOG: 6/6/13

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed zone change is referred to the Capitol Region Council of Governments for comment:

### NATURE OF PROPOSED CHANGE

Adoption of amendment of ZONING MAP  
for any area within 500 feet of another  
Capitol Region Municipality.  
Attach map showing proposed change.

Adoption or amendment of ZONING REGULATIONS  
applying to any zone within 500 feet of another  
Capitol Region Municipality.  
Attach copy of proposed change in regulations.

THE CHANGE WAS ORIGINALLY REQUESTED:  by municipal agency: \_\_\_\_\_  
 by petition (Specify) \_\_\_\_\_

PUBLIC HEARING ON SAID CHANGE IS SCHEDULED FOR: 7/15/13 (Date)

### MATERIAL SUBMITTED HEREWITH:

Public Notice  Regulation Changes  Supporting Statements  
 Map of Change  Other (Specify): \_\_\_\_\_

HAS THIS REFERRAL BEEN SUBMITTED PREVIOUSLY TO CRCOG?  YES - ON WHAT DATE? \_\_\_\_\_  
 NO

|  |       |
|--|-------|
| <b>(FOR USE BY CRCOG)</b>                |       |
| Date Received                            | _____ |
| Date Email Receipt Sent                  | _____ |
| If Needed, Was Follow-up Sent Certified? | _____ |
| CRCOG File Number                        | _____ |

Name: Carrie Vibert *Carrie Vibert*  
(Person Sending Referral)  
Title: Administrative Secretary II  
Address: 933 Hopmeadow Street  
P.O. Box 495  
Simsbury, CT 06070

BY LAW (Section 8-3b of the CGS, Effective October 1, 2011): When the zoning commission of a municipality proposes to establish or change a zone or any regulation affecting the use of a zone any portion of which is within five hundred feet of the boundary of another municipality, the zoning commission shall give written notice of its proposal to each regional planning agency of the region in which it and the other municipality are located. Such notice shall be made by certified mail, return receipt requested, or by electronic mail to the electronic mail address designated by the regional planning agency on the agency's Internet web site for receipt of such notice, not later than thirty days before the public hearing to be held in relation thereto. If such notice is sent by electronic mail and the zoning commission does not receive an electronic mail from a regional planning agency confirming receipt of such notice, then not later than twenty-five days before the public hearing, the zoning commission shall also send such notice by certified mail, return receipt requested, to such planning agency. CRCOG's email address for submitting zoning referrals is: [zoningref@crcog.org](mailto:zoningref@crcog.org)

If you have questions or experience difficulty submitting your referral electronically, please contact Lynne Pike DiSanto at (860) 522-2217 ext. 211

CRCOG-9/2011

280 Trumbull Street  
Hartford, CT 06103-3597  
Main (860) 275-8200  
Fax (860) 275-8299  
bsmith@rc.com  
Direct (860) 275-8224

*Via Hand Delivery*

June 3, 2013

Robert F. Pomeroy, Jr. Chair  
Zoning Commission  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

**Re: Petition for Moratorium for  
Horse Farms/Stables in Residential Zoning Districts**

Dear Chairman Pomeroy and Members of the Commission:

On behalf of our client, Mark Sullivan, who resides at 52 East Weatogue Street in Simsbury, I submit this request for a moratorium on the keeping of horses as a farm use and as an accessory to residential use in residential zoning districts. During the proposed moratorium, we respectfully request that the Commission consider amending the Simsbury Zoning Regulations to address issues related to commercial horse stables, as distinguished from horses maintained for personal enjoyment, in residential zones. We ask that the Commission consider the public and planning benefit of distinguishing commercial horse stables and imposing standards to protect residential neighborhoods from the potential impacts of the more intense use of land involved with keeping horses for other than personal use. We also ask the Commission to consider adopting standards applicable to the keeping of horses for personal use that would ensure that there are no negative impacts on neighboring residential properties from a private stable.



*Law Offices*

BOSTON  
PROVIDENCE  
HARTFORD  
NEW LONDON  
STAMFORD  
WHITE PLAINS  
NEW YORK CITY  
ALBANY  
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[www.rc.com](http://www.rc.com)

Enclosed for your consideration is a draft moratorium on farm use as that term is defined in the Zoning Regulations, and the keeping of horses, in residential districts for a period of six months to allow the Commission to consider potential restrictions and standards that would protect adjacent residential properties from the public health, noise, traffic, pollution and other potential negative effects of a commercial horse stable as well as potential adverse effects from the keeping of horses for personal use. Also enclosed is a check for \$290, the filing fee for a zoning amendment.

# ROBINSON & COLE<sup>LLP</sup>

Robert F. Pomeroy, Jr. Chair  
June 3, 2013  
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We respectfully request the Commission's consideration of this petition for a moratorium at its June 17<sup>th</sup> meeting or the earliest possible date.

Sincerely,



Brian R. Smith

Enclosure

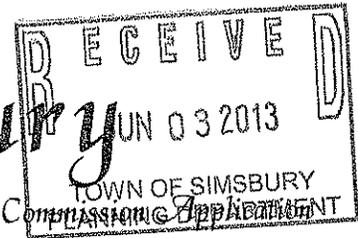
Copy to: Mark Sullivan





# Town of Simsbury

Office of Community Planning and Development - Zoning Commission



DATE: 6/3/13 FEE: \$ 290.00 CK #: 223568 APP #: 13-34

PROPERTY ADDRESS: N/A

NAME OF OWNER: Mark Sullivan

MAILING ADDRESS: 52 East Weatogue Street, Simsbury, CT

EMAIL ADDRESS: N/A TELEPHONE #

NAME OF AGENT: Brian R. Smith, Robinson & Cole LLP

MAILING ADDRESS: 280 Trumbull Street, Hartford, CT 06103-3597

EMAIL ADDRESS: bsmith@rc.com TELEPHONE # 860-275-8224

ZONING DISTRICT: N/A LOT AREA: N/A SQ FT/ACRES

Does this site have wetlands?  YES  NO N/A Have you applied for a wetlands permit?  YES  NO N/A

**REQUESTED ACTION (PLEASE CHECK APPROPRIATE BOX):**

- ZONE CHANGE:** The applicant hereby requests that said premises be changed from zone \_\_\_\_\_ to zone \_\_\_\_\_.
- SPECIAL EXCEPTION:** The applicant hereby requests a public hearing pursuant to Article \_\_\_\_\_, Section \_\_\_\_\_.
- SITE PLAN APPROVAL:** The applicant hereby requests
  - PRELIMINARY
  - FINAL
  - SITE PLAN AMENDMENT pursuant to Article 5, Section J
- SIGN PERMIT**
- OTHER (PLEASE EXPLAIN):** Request for a six-month moratorium on Keeping of horses as a farm or accessory use in all residential zones, new Article 7.B.7 (see attached text)

*NOTE: Each application must fully comply with the requirements of the Zoning Regulations prior to receipt by the Commission. Each application for zone change and/or special exception shall include a list of names and addresses of abutting property owners and all property owners within 100 feet of the subject site.*

A check payable to the Town of Simsbury must accompany this **signed and dated** application. **Six (6) complete (folded) sets of plans and eleven (11) copies of the completed application and correspondence** must also be included. If you have a PDF of your plans, we would appreciate a copy of that sent to [cvibert@simsbury-ct.gov](mailto:cvibert@simsbury-ct.gov), as well.

Mark F. Sullivan 6/3/13  
Signature of Owner Date

Brian R. Smith 6/3/13  
Signature of Agent Date

Telephone (860) 658-3245  
Facsimile (860) 658-3205

www.simsbury-ct.gov 06-03-2013 0948

933 Zlopmeadow Street  
Simsbury, CT 06070  
CHECK 270.00

**PROPOSED TEMPORARY MORATORIUM  
USES PERMITTED IN ALL RESIDENTIAL ZONES**

**ARTICLE VII.B.1 FARMS  
AND  
ARTICLE VII.B.6.a KEEPING OF HORSES**

Article VII.B.7. No application of any kind (including a Certificate of Zoning Compliance or Building Permit) will be accepted, processed, reviewed, approved or otherwise permitted by the Zoning Commission or the Zoning Enforcement Officer, pursuant to Article VII.B.1 for a farm (as that term is defined by Article IV.B) or pursuant to Article VII.B.6.a for the keeping of horses after the effective date of this amendment, \_\_\_\_\_, for a period of six (6) months or until December 17, 2013, whichever date comes later. The purpose of this moratorium is to allow the Zoning Commission sufficient time to study the potential impacts of commercial horse stables on residential property in residential zones and to develop appropriate standards and regulations to distinguish between horse stables and farms designed for commercial vs. personal use. During the moratorium, the Zoning Commission will consider such factors as buffers, traffic, pollution, neighborhood character and the Plan of Conservation and Development relative to commercial horse stables and farms. The Zoning Commission will review amendments concerned with distinguishing, and regulating the impacts from, commercial horse stables and horse farms as opposed to those operated only for personal enjoyment.