



Thomas E. Metcalf, P.E., L.S.
Civil Engineer & Land Surveyor

RECEIVED
6/29/21
via email

27 June 2021

Russell Smith, Chairman
Essex Planning & Zoning Commission
c/o Carey Duques, AICP, ZEO
Essex Town Hall
29 West Ave.
Essex, CT 06426

via e-mail & USPS

**Re: Proposed Text Amendment of the *Essex Zoning Regulations*
Amendment of Section 60A.3E. Livestock**

Dear Mr. Smith and Commission Members,

On behalf of Mary Cunliffe Lewis and Ian Carr Lewis and in accordance with Section 123 Amendments of Regulations and District Boundaries of the *Essex Zoning Regulations*, attached please find the following information for your review and consideration for approval.

1. 12 copies of *Land Use Application Part One* and *Petition for a Text Amendment of Zoning Regulations Part Two*.
2. 12 copies of Attachment - *Petition of Zoning Regulations*.
3. 12 copies of a March 5, 2017 *Stable Management Magazine* article, "How Much Land is Needed Per Horse?"
4. \$180.00 *Application fee*.

As you recall, I informally met with you earlier this month to discuss Mr. & Ms. Lewis' proposed *Regulation* text amendment to Section 60A.3E. Livestock of the *Essex Zoning Regulations* that would allow the keeping of horses for personal, not for profit use in a Village Residence District as an *Accessory Use*. The submitted text has been modified as a result of the informal discussion with you. The amendment as proposed would allow horses for personal, not for profit use on properties not less than three (3) acres in size and limit the number of horses to one (1) horse for the first two (2) acres and one (1) horse per acre thereafter. In support of this 'density' I have included an article from

16 Woodland Road
Deep River, Connecticut 06417

860-526-9833 Office
860-391-1834 Cell
tmetcalf100@comcast.net

Thomas E. Metcalf, P.E., L.S.
Civil Engineer & Land Surveyor

Russell Smith, Chairman
27 June 2021

2

Stable Management Magazine which mirrors the number of horses per acre within the proposed amendment.

It is my understanding that you will receive the *Application* at your July meeting and schedule a Public Hearing on the amendment for your August meeting.

As a matter of full disclosure, should the proposed text amendment be approved, my wife Peggy and I would pursue the purchase of a 3+ acre parcel from Mr. & Ms. Lewis where we would build a dwelling and reside, and keep our two (2) horses. The 3+ acre parcel would be divided from Mr. & Ms. Lewis 10⁺- acre property at 2 Main St. in Ivoryton. The Lewis property has a historical farm use associated with it which included the keeping of horses and the existing open field area at the rear of the property is well suited for the keeping of horses.

I have taken the liberty of forwarding this letter and *Application* to Torrance Downes of RiverCOG and staff for the Gateway Commission. I assume you will formally contact Mr. Downes for Gateway Commission input.

Prior to your July meeting please feel free to contact me with any questions. In advance, thank you for your consideration.

Very truly yours,



Thomas E. Metcalf, P.E., L.S.

Attachments

cc. C. Duques via email
T. Downes via email
M. & I. Lewis via email

PZC # 21-6.

TOWN OF ESSEX
LAND USE APPLICATION
PART ONE

PLEASE CHECK THE APPROPRIATE LINE(S) AND ATTACH THE APPROPRIATE APPLICATION(S):

SPECIAL EXCEPTION	___	VARIANCE/ APPEAL	___
SITE PLAN REVIEW	___	APPROVAL OF LOCATION	___
INLAND WETLANDS PERMIT	___	REGULATION TEXT AMENDMENT	<u>XX</u>
INLAND WETLANDS PERMIT - AGENT APPROVAL	___	ZONE CHANGE	___
	___	COASTAL SITE PLAN REVIEW	___
WETLAND PERMIT TRANSFER	___	MODIFICATION OF PRIOR APPROVAL	___
SUBDIVISION / RESUBDIVISION	___	SPECIAL FLOOD HAZARD AREA PERMIT	___

PROJECT DESCRIPTION: Amend Section 60A.3E. Livestock of the "Essex Zoning Regulations". See attached for proposed text amendment.
The amendment would allow the keeping of horses in a Village Residential District with minimum land size and maximum number of horses restrictions.

PROJECT NAME: Zoning Regulation text amendment.

STREET ADDRESS OF PROPERTY n/a

ASSESSOR'S MAP n/a LOT n/a LOT SIZE n/a DISTRICT VR

APPLICANT Mary Cunliffe Lewis and Ian Carr Lewis
PO Box 13 Centerbrook, CT 06409 PHONE 860-767-8910

APPLICANT'S AGENT (if any) Thomas E. Metcalf, P.E., L.S.
16 Woodland Rd. Deep River, CT 06417 PHONE 860-526-9833

ENGINEER.SURVEYOR/ARCHITECT Same as Applicant's Agent
PHONE _____

Note:

- 1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.
- 2) THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.
- 3) I HERBY TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

TOWN OF ESSEX
Planning and Zoning Commission
Essex Town Hall, 29 West Avenue
Essex, Ct 06426

Petition for a Text Amendment of Zoning Regulations

or

Petition for a Change to the Town's Zoning Map

PART TWO

Signature of Property Owner(s):
Or Petitioner

Ian C. Lewis

Ian and/or Mary Cunliffe Lewis, property owner & petitioner

Address:

PO Box 13 Centerbrook, CT 06409

Application #

21-6

Date of Receipt

6/29/21

The undersigned request a text amendment to the Essex Zoning Regulations.

This petition **requests a change in zoning regulations** and there is attached:

- 1) A full text of the proposed change in the zoning regulations clearly indicating existing provisions to be repealed and the new provisions to be enacted.
- 2) A complete and comprehensive statement of the reasons for any proposed changes, including any special interest the Petitioner(s) may have in such change, is attached.

This petition **requests a change to the Town's Zoning Map** and there is attached:

- 1) A map clearly showing the area to be re-classified and specifying the present classification and proposed new classification with existing and proposed boundaries.
- 2) A list, keyed to the map, of the names and addresses of the record owners of and within the area to be affected, and within 500 feet outside the area to be affected by such reclassification, and
- 3) A complete written description, by metes and bounds or courses and distances, of the location of any new zoning district boundary or boundaries proposed.

Land Use Application

Petition for a Text Amendment of Zoning Regulations- Attachment

Property owner & petitioner: Mary Cunliffe Lewis & Ian Carr Lewis
2 Main St.
Ivoryton, CT
(Mail: PO Box 13 Centerbrook, CT 06409)

A. Proposed text Amendment of the *Essex Zoning Regulation*.

Section 60A.3 E. LIVESTOCK. The keeping of livestock, poultry, or other animals except household pets [add the following] and that the keeping of horses for personal, not for profit use is permitted on lots of not less than three (3) acres and limited to one (1) horse for the first two (2) acres and one (1) horse per acre thereafter.

B. Comprehensive Statement.

Currently horses for personal, not for profit use by property owners are prohibited in a Village Residence District (VR). Other residential zone districts permit livestock which includes the keeping of horses with the Town with the exception of the Essex Village District. The proposed text amendment would allow horses in the VR District. Other types of livestock would remain prohibited.

The keeping of horses for personal, not for profit use is a common occurrence throughout residential and rural areas in Connecticut. Including minimum acreage and number of horses in the amendment language, i.e. 'density' is in keeping with generally accepted personal use horse management recommendations and affords protection to surrounding properties.

The owner/petitioners own 10⁺/- acres of land within the VR District. The property has farming and the keeping of livestock as a historical use. The owner/petitioner anticipate dividing the property and selling a portion of the property to a party for construction of a residence and the keeping of several horses for personal, not for profit use.

HOME > ARTICLES > BARN/GROUNDS

How Much Land is Needed Per Horse?

KATIE NAVARRA · UPDATED: MAR 5, 2017 · ORIGINAL: SEP 12, 2014

Editor's Note: This month we asked author Katie Navarra to investigate the topic: How Many is Too Many? We have found as farm and stable owners that we often end up with "too many" horses for our physical or financial situation. We also know of other owners and stables who struggle with the same problems. We invite you to make comments on each of these articles, or chat with us on the Finding Out forum on these topics.

Appropriate paddock size is partially determined by the size of the horses, the management strategy and a number of other factors. "I normally recommend two acres for the first horse and one additional acre for each additional horse," said Mike Yoder, Extension Assistant Professor & Specialist Extension Horse Husbandry at North Carolina State University.

"This acreage allows you to implement different management plans with a reasonable expectation that you will not over-graze your pastures," he added.

If your stable is relying on turnout to provide full nutritional value, the acreage required will be much greater. "A good rule of thumb is to maintain 70% vegetative cover, or no more than 30% bare ground," said Laura Kenney, Program Associate, Department of Animal Sciences, at Rutgers University. The forage should be 8"-10" tall, not eaten to the ground and not full of weeds.

You might think that horses eat 50% of their nutritional needs in 12 hours of turnout, but recent research by Dr. Paul Siciliano at North Carolina State University indicated that horses eat more per hour when they are only turned out for part of the day. (In other words, they "make up" for less grazing time by grazing more intensely.)

Conversely, if your paddocks will only be used for turnout, you can house more horses on less land. "A ranch or small farm in the southwest may only provide a 20' x 40' run for a horse, yet those horses remain as healthy as horses running in a 40-acre field," Yoder said. "for physical well-being, horses do not require room to run, only move around freely for at least a portion of every day."

Non-grazing space can be referred to as a dry lot, exercise lot, stress lot or sacrifice lot. "According to Washington State University, the minimum recommended space in a dry lot is 400 square feet per horse, though a larger space would be more appropriate," Kenney said.

In small turnout pens it's critical to pick manure daily, have a well-thought-out manure management plan, and divert clean water away from the dry lots. You also need to ensure that horses have access to fresh water and that the pecking order does not preclude a horse from getting its fair share of feed since there won't be grazing.