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May 31, 2023

Town of Montville Planning and Zoning Commission
Attn: Ms. Elizabeth Burdick, Director of Planning
310 Norwich-New London Turnpike
Uncasville, CT 06382

Re: Application of N Silver Brook Holdings, LLC for special permit and site plan approval
for expansion of an existing stable

Dear Ms. Burdick:

As you are aware, this office represents N Silver Brook Holdings, LLC, the owner of a 128 acre, more or less, parcel of improved real property located at 486 Fitch Hill Road in Montville, Connecticut. This property has been the site of an active farm owned and operated by members of the Nelson family, and their predecessors, for over 150 years. The principals of N Silver Brook Holdings, LLC are Lynn Nelson and Erik Nelson, representing two generations of the Nelson family. On behalf of our client, we submit herewith an application to the Town of Montville Planning and Zoning Commission for special permit use and site plan approval for an expansion of the existing stable located in the southwesterly portion of the property.

Submitted herewith, and constituting the application to the Town of Montville Planning and Zoning Commission are the following:

1. Original and nine (9) copies of the Special Permit Application.
2. Original and nine (9) copies of the Site Plan Checklist.
3. Ten (10) reduced prints of a two (2) page plan prepared by Langan CT, Inc. designated as Drawings VT-0101 and VT-0102. Drawing VT-0101 is a boundary survey of the 128.6721 acre parcel and Drawing VT-0102 is a rudimentary site plan delineating the location of the new construction which is an expansion of the northerly side of the existing facility.
4. Authorization signed by N Silver Brook Holdings, LLC authorizing the law firm of Heller, Heller & McCoy to represent its interests in all proceedings before the Town of Montville

Planning and Zoning Commission with respect to the special permit application.

5. Our check in the amount of \$510.00 representing payment of the application fee for this special permit application including the \$60.00 State of Connecticut surcharge.


As indicated above, this application is submitted to enable an expansion of the existing stable on the property which will be utilized to board horses. Traditionally, this building was utilized as a stable to house dairy cows utilized in a dairy farm operation. The Meriam-Webster Dictionary defines a stable as “a building in which domestic animals are sheltered and fed.” The instant application is being filed with the specific intent of boarding horses in the stable. Notwithstanding the intended use, the use, by definition, is the same use that existed when the stable was utilized for the boarding of dairy cows. This creates an inherent dichotomy in the Montville Zoning Regulations as currently enacted. Section 7.7.2 of the Montville Zoning Regulations allows a “farm” as defined in these regulations, as a use permitted by right. A farm is defined as “at least five (5) acres of land with buildings which are mainly used for, or are incidental to farming or the keeping of farm animals.” As you may recall, at a recent meeting of the Montville Planning and Zoning Commission, the Commission made an explicit finding that horses are farm animals and not pets.

You will note that the rudimentary site plan does not specify any specific parking area. Again, I reiterate that this is a farm use, and not a traditional commercial or industrial site plan. A review of the site evidences the fact that there is more than ample room for parking vehicles either adjacent to the “gravel” area as depicted on the site plan which is a riding rink or in the area to the west of the riding rink.

If at all possible, we would request that a public hearing on this application be scheduled for the June 27, 2023 regular meeting of the Montville Planning and Zoning Commission, without the need to first accept the application at a meeting and thereafter schedule a public hearing. This procedure had been utilized by the Montville Planning and Zoning Commission in the past. We are now in the summer months and our client will lose the better part of the construction season if action on the application is delayed for another month.

Should you have any questions concerning the application, or wish to discuss the same with me, please feel free to call.

Very truly yours,



Harry B. Heller

HBH/rmb
Enclosures