

**BOARD of APPEALS**  
**Public Hearing**  
**May 8, 2014**  
7:30 p.m., The Annex

**MEMBERS PRESENT:** Richard O'Leary  
Cynthia McKean  
Lisa Douglas  
James Murphy  
Brian Ivanhoe, Chairman

**OTHERS PRESEN** Gerald Reilly, Counselor  
Bruce Thompson, Building Inspector  
Janice Will, Recording Secretary  
Members of the Public

*Chairman Brian Ivanhoe called the May 8, 2014 Town of North Salem Zoning Board of Appeals meeting to order.*

The next meeting date was set for June 12, 2014.

The minutes of the April 17, 2014 meeting were unanimously approved.

**PUBLIC HEARINGS:**

**BA14-14** Shelley & Eric Grasinger (991 Peach Lake Road) – **Special Permit** – To amend Special Permit BA11-12 and amendment BA12-11 (for the keeping of up to 3 horses for personal use) to include construction of a run-in shelter and a wash stall , 2 additional turn-out paddocks and additional fencing, per Article XIII Section 250-72.

Eric Grasinger stated that he and his wife had scaled back their requests and dropped the wash stall and fencing to divide an existing paddock as well as proposing another location for the run-in shed where it will not require a variance.

Chairman Ivanhoe asked if the Grasingers have a wash stall at present.

Mr. Grasinger replied that they do not/they take their horses to the farm next door to wash them. He described the new run-in shed as having a natural stain and being custom-built in an Amish design. Mr. Grasinger added that the run-in shed will be narrow enough so no fence posts will have to be removed to get it into the paddock.

The Chairman asked if the shed will be on a concrete pad or delivered built.

Mr. Grasinger responded that it will be delivered built, but a local contractor will be doing some leveling work, packing and then putting down Item 4. He said he wants to keep the dust down and keep the pasture in good condition, and the run-in shed will just be for shelter from weather.

The Chairman said it commonly happens that when a run-in shed is placed in a turn-out area, the ground around it becomes bare and muddy. He recommended that the Grasingers keep a close eye on the situation.

Mr. Grasinger said they have had their pastures re-done with fertilizer and new seed to encourage thick grass-growth.

Chairman Ivanhoe asked if the run-in shed will be used only for shelter while the horses are turned-out in the paddocks or if a horse will live in it.

Mr. Grasinger said the horses will live in the barn.

The Building Inspector stated that the Grasingers' application changed a lot, but he had no issues with it.

Mr. Grasinger said the 40 ft. x 40 ft. sacrifice paddock will be in an area where a larger pasture was in the past.

The Chairman said a sacrifice paddock will help the Grasingers maintain the grass in their other pastures and he asked if they will rotate to rest it.

Mr. Grasinger replied that they won't use it much unless they have a great deal of rain; they don't want it to get dusty.

Chairman Ivanhoe said it is important to pick it out.

Mr. Grasinger said they pick manure daily and use fly predators regularly.

The Chairman suggested that if they aerate it and seed/rest it in the off season, they should be able to keep it reasonably grassy. He remarked that the sacrifice paddock is pretty close to the house.

Mr. Grasinger said the new fencing will be the same as the existing fencing.

Mr. O'Leary had a question, and Mr. Grasinger showed him how things are situated on a survey.

Gerald Reilly asked if there is a drawing that illustrates the changes from the original applications, and the secretary said she had forwarded to everyone a new drawing along with a note from Mrs. Grasinger explaining the changes.

Chairman Ivanhoe asked what the turn-out schedule is.

Mr. Grasinger said they normally turn the horses out for most of the day; on rainy days they turn them out in the medical paddock two at a time for a few hours.

The Chairman commented that the originally proposed 2 smaller side-by-side paddocks would have been useful and asked why the Grasingers changed their proposal. He added that with an all-weather surface, they would have been good to use in the winter.

Mr. Grasinger said they changed where the paddock is to be located to a more level area.

Mr. Thompson said he had cautioned the Grasingers that having the paddock near the property line would warrant close oversight re any impact on the neighboring property.

The Chairman said 2 all-weather paddocks would really be better than one grass sacrifice pasture and less prone to dustiness.

Mr. Grasinger said that is what his wife eventually wants, but it will have to be done in the future, along with drainage changes to the driveway and to accommodate a wash stall. He added that they will be vigilant about the condition of the sacrifice paddock.

Mr. O'Leary asked if the Grasingers' area variance application had been withdrawn.

Mr. Thompson stated that it simply was not needed any more/the new run-in shed location is far enough away from the property lines. He added that the property is subject to R-2 setbacks even though it is in an R-4 zoning district, and the ZBA may lower the setback requirement to the minimum residential distance as part of amending the special permit (from 100 ft. to 50 ft.; 60 ft. has been requested).

Chairman Ivanhoe asked what the Grasingers intend to use inside the run-in shed and if the kick board pictured in the application will be kept.

Mr. Grasinger said he thinks the kick board will rest on the Item 4 that will be on the ground inside the shelter.

The Chairman said the kick board will be above grade; sometimes people either remove it or raise the floor.

Mr. O'Leary asked to be shown some fencing and gate details of the paddocks, and Mr. Grasinger indicated the set-up of the back and side pastures on the survey.

There were no further questions or comments, and the Chairman closed the public hearing.

Mr. Reilly read a draft resolution, including a condition that the new sacrifice paddock be monitored for erosion and dust.

**Motion by:** Cynthia McKean  
**Seconded by:** Richard O'Leary

**Mr. O'Leary:** Aye  
**Ms. McKean:** Aye  
**Ms. Douglas:** Aye  
**Mr. Murphy:** Aye  
**Chairman:** Aye

***Special permit amendment granted as requested, with specific condition per discussion and agreement.***

**BA14-16** Stony Creek Horse Farm LLC (contract vendee for 172 Baxter Road) – **Special Permit** – For the keeping of up to 30 horses and maintenance of a commercial boarding operation including 2 employee dwellings, per Article XIII Section 250-72.

Michael Sirignano, attorney, was present with his clients, Lisa and Peter Hennessy. Mr. Sirignano explained that the Hennessys are in contract to purchase the farm at 172 Baxter Road, and the contract is contingent upon getting the requested special permit. He stated that the current owner of the property, RP-Cam, LLC has a special permit; by reason of the anticipated transfer of title, the Hennessys are making application for their LLC. Upon learning of the Board's concern about boarding 30 horses on the subject property, the Hennessys are now asking for a special permit for up to 25 horses.

Mr. Sirignano explained that the property will be used for field-riding and fox-hunting horses; given the 27 stalls available, he thinks 25 is a realistic maximum and also a minimum for economic reasons. He stated that there are 2 dwelling units on the property, and a full-time person will live on-site; either a groom or the farm manager will be there at all times. Mr. Sirignano added that the farm manager, Chris DeFilippis, was present at the meeting also, and he said they were all willing to answer questions.

Chairman Ivanhoe said he would not recuse himself, but in the interest of disclosure, he told everyone present that he is a neighbor and former owner of the property. The Chairman explained that the Board is responsible for taking into account issues of public safety and neighborhood impact; he cares about those things also and did not feel there was any conflict in his participation in the consideration of the application.

Mr. Sirignano said he and his clients had no objection to Chairman Ivanhoe participating in the hearing of the application.

The Chairman asked to be given a sense of what the plan is for managing the property. He stated that special permits "re-set" with new property-owners, so there is no precedent/ the Board must make its decisions based on the plan and application presented to it by each new owner. He said that on face value, the 30 horses currently boarded on the 7-acre subject property might seem like a high number, but Carol Molony operated the farm extremely well for at least 25 years before buying the property. He said the Board had a

good site meeting with the prospective new owners and has a good feeling about their future stewardship of the property, but they need to hear how the farm will be managed and what professionals will be involved and what the plans are to maintain it as the gateway to a historic road that it is now.

Mr. Sirignano said that while there is no precedent set by an existing special permit, there is a long history of commercial horse-boarding on the subject property with no negative impact on neighbors, and this should give some comfort to the Board in terms of what to expect from his clients' operation of the farm. Mr. Sirignano invited Chris DeFilippis, farm manager and head horse trainer, to talk to the Board about what he sees as the nature of the new operation.

Chairman Ivanhoe said the property is extremely viable for commercial horse-boarding, and it's at the head of Baxter Road which is appropriate. The Board has put certain things in place and he did things as an owner of the property to preserve/protect it, but the horse count is completely tied to how the farm is managed. Noting that the subject property is not all that large, the Chairman explained that the land is productive and the paddocks can stay in grass with good maintenance and no over-grazing, but their condition could also quickly turn to something undesirable if not properly managed.

Mr. Sirignano said he thought Mr. DeFilippis could allay the Chairman's fears about over-use.

Mr. DeFilippis said he has worked in the area for about 25 years, having managed Vail Farm and then 6 or 7 other horse farms since then. He said he has a good track record and has never driven a farm into the ground which often happens when money gets tight. He stated that he has written a book on horse and farm maintenance and care.

The Chairman expressed interest in seeing Mr. DeFilippis' book. He said he thought it was a very important and positive thing to be considering an application for Stony Creek Farm, and the whole Town will benefit from its successful operation as a horse farm; however the Board needs to see solid evidence of Mr. DeFilippis' qualifications and the book would have helped, although it is impressive that he wrote it. The Chairman asked how many paddocks there are on the farm.

Mr. DeFilippis replied that there are 6 grass and 3 medical paddocks. He added that he wants to build more small paddocks because turn-out is important, but he is not sure where yet/would welcome suggestions.

Chairman Ivanhoe noted there are 6 large grass paddocks, 1 or 2 of which could be partly sacrificed in bad weather, but another 2 are very important to be kept in good condition. He asked how Mr. DeFilippis proposes to utilize the 9 paddocks for 25 trail horses who are turned out for significantly longer periods than show horses without de-grading or over-using the ground. The Chairman commented that what was being requested is a very intense use of the land.

Mr. DeFilippis said that when he was at another local farm for 5 years he had 14 horses and the grass never disappeared. He said this was achieved by rotating the paddocks and taking care of them in the fall and spring, adding that once grass is lost it takes a year to take root/recover fully.

Chairman Ivanhoe asked how many paddocks there were at the 14-horse farm and said he wanted details for Stony Creek, i.e. how many more paddocks will be built, how many hours horses will be turned out for.

Mr. DeFilippis said there will be just 10 horses initially, and the number of existing paddocks is adequate. Plans are being considered for 20 ft. x 12 ft. medical paddocks with all-weather surfaces to be used for most of the spring and during other rainy weather, because he does not want to lose grass.

Chairman Ivanhoe said 10 horses would be very manageable. Noting that the norm is 1 groom per 5 show horses, he asked how many people will be employed as grooms and for building/grounds management. He remarked that the Hennessys will make the property beautiful before the horses are moved in, but horses are hard on the land.

Mr. DeFilippis said he has managed 10 horses with 1 groom in the past but did not have responsibility for the property; on the last several farms he worked at there was a property manager.

The Chairman commented that Mr. DeFilippis was essentially renting those farms; at Stony Creek he will have full responsibility for oversight and maintenance.

Mr. DeFilippis said that for the initial 10 horses, he intends to have 1 groom and a caretaker, both to be employed full-time.

Peter Hennessy said there is someone who already works for him who will be on the farm daily to manage the grounds, freeing Mr. DeFilippis to oversee the horses.

Lisa Hennessy asked the Board to look at the application as being for up to 25 horses. She said she didn't know when or if they will have that number, but she wants to ensure the economic viability of the farm.

The Chairman said that whatever maximum number of horses is allowed under a permit, there are often not that many horses on-site/the number varies. He added that buying and selling horses affects the number and can also bring in money.

Chairman Ivanhoe stated that, as discussed at the site meeting, the Board would hear everything Mr. DeFilippis and the Hennessys have to say and then settle on a number of horses the Board feels comfortable with. The Chairman added that special permit-holders can always apply to amend their permits/ask for more horses. He remarked that the underlying factor is track record; he said if Ms. Molony had not already been successful at Stony Creek for years, the total number of horses allowed under her special permit might

not have been 30. He said the fact remains that the subject property can support 30 horses if it's properly managed.

Mr. Sirignano said his clients needed to know what horse-count would be allowed so they could decide whether or not to go ahead and purchase the subject property. He added that they would accept conditions as the number of horses rises to 15, 20, etc. as long as they know they can ultimately have 25.

Chairman Ivanhoe thought something like that could be done. He said he did some figuring himself re income from boarding and expenses, and he asked Mr. DeFilippis what he intends to charge for boarding and what he thinks the minimum number of horses must be.

Mr. DeFilippis said it would be alright to start with the 10 horses they have now. He currently asks \$2100 per month for boarding with 2 weekly training lessons.

Chairman Ivanhoe asked if the training is for horse and rider or just for the horse.

Mr. DeFilippis said it is only for the horse. He added that he is very keen not to let the farm turn into a show barn/lesson mill.

The Chairman said he thought the type of operation Mr. DeFilippis envisions is a good fit for the subject property, considering the competition at other, newer farms in Town that lack the charm and location of Stony Creek. He said a trail-riding/fox-hunt barn event now and again would be good, adding that \$2100 per month is more than he had figured on.

Mr. Hennessy said that over a period of 6 months or so, there is work to be done on ring footings, additional paddocks, barn clean-up/repair, etc. He said his wish is to restore the look of the farm to what it once was, so that when people drive in onto Baxter Road from June Road they will see a beautiful farm. Mr. Hennessy pointed out that all this will require capital, and a good number of horses will provide viability. He stated that he does not seek a huge, money-making venture but wants to create a cornerstone in the community for those who like this kind of riding and who may feel they're being pushed out by show/jumping riders.

Mr. Sirignano asked when a second groom would be needed, and Mr. DeFilippis said when there are 12 or 13 and up to 20 horses.

Mr. Sirignano asked if a third groom would be needed to cover from 20 to 25 horses.

Mr. DeFilippis remarked that it would be wonderful to have 25 horses.

The Chairman commented that grooms will not be needed for show-clipping, etc. but tack-up will be important.

Mr. DeFilippis said that was correct, adding that it will not be the kind of full-service farm where a horse is waiting when you arrive and handed back to a groom when you're finished riding.

Mr. Sirignano asked at what horse-count additional paddock space will be needed.

Mr. DeFilippis said he wants to start building additional medical paddocks right away. He stated that, ideally, he would like 10 medical paddocks for 25 horses (there are 3 now).

Mr. Reilly asked if the additional paddocks could be computed as the additional grooms were, but the Chairman thought they should ask more questions first.

Chairman Ivanhoe asked if Mr. DeFilippis will reside at the farm, and Mr. DeFilippis replied that he does not know yet.

Mrs. Hennessy said there is no habitable place for a person to live on the farm yet.

Chairman Ivanhoe said there will ultimately be a requirement that someone live on-site, and everyone agreed.

Cindy McKean recalled that someone had mentioned putting new medical paddocks toward the back of the property where there is a parking area now. She commented that the rear parking area was put in when the front parking area proved to be inadequate when there are 25 to 30 horses on-site. She said there are no trailers on the property at present, but she wondered where employee vehicles, boarders' vehicles and some trailers will be parked if the rear area is made into paddocks.

Mr. DeFilippis said it hasn't been decided yet but there are plenty of options. He noted that Chairman Ivanhoe had thought putting the medical paddocks at the back/into the side of the hill was a good idea, but existing paddocks could be trimmed down and the row of trimmed areas converted into medical paddocks.

The Chairman agreed that also could be done. He said the plan is clearly still fluid, which makes it difficult to devise conditions for increasing numbers of horses in advance. For this reason, he thought it would be better to go for a special permit for a lesser number of horses now and then apply for an amendment when more horses are wanted. Chairman Ivanhoe said he thought the rear area was a good idea re the medical paddocks, but not necessarily the only one.

Mr. DeFilippis said he simply wants an innocuous spot for the medical paddocks, not that they look bad as long as they are kept clean/he doesn't think they are eyesores.

The Chairman said it depends, but he didn't want to spend the evening designing the farm.

Lisa Douglas asked if the applicants would go along if the Board were to say they will entertain the idea of 25 horses with multiple conditions but if the applicants can't or don't meet all the conditions the Board wants to reconsider the number of horses permitted.

Mr. Sirignano said they would need to know what the conditions are; if they can meet them, they will do so.

Chairman Ivanhoe said that, typically, the Board of Appeals is presented with a plan to convince them that an application should be approved, but this situation was different. While sometimes the Board helps an applicant to craft a plan, he was not comfortable approving this special permit for 25 horses without more of a plan in place. The Chairman asked if the other Board members had any other questions about the proposed operation.

Rick O'Leary asked if the applicants were talking about a staged increase in the number of horses with attendant conditions.

Mr. Sirignano said the market and how well the operation is run will dictate how many horses come to the farm; he was proposing that once his clients meet horse-count thresholds, they can live with conditions imposed by the Board/spelled out in the resolution re number of grooms, number of medical paddocks, etc. The Building Inspector would be called when the farm is taking on more horses, and he would ensure that the conditions for that number of horses were met.

The Chairman asked if the applicants liked the idea of a special permit with extra conditions pertaining to increasing the number of horses as described by Mr. Sirignano. He said an alternative would be the Board granting a special permit for a certain number of horses, and when the Hennessys have a more concrete plan they can come back to the Board with an application (including drawings and a site plan) to amend the special permit and add horses to it.

Mr. Hennessy said they are trying to close on the subject property but they want to be sure they will be able to get to a certain level/number of horses in order to justify the amount of capital required for both the purchase and investment. He added that it will take time to work up to a greater number of horses, and they would be willing to meet conditions, but they need to know they may have the number of horses they feel they need in order not to under-capitalize the farm.

The Chairman asked if when Mr. Hennessy calculated the operating expenses he included the cost of capital; he explained that he did his analysis both with and without a cost of capital.

Mr. Hennessy said he included a cost.

Mr. Sirignano said the issue was that his clients needed to make a purchase decision; if they didn't know with certainty that they could have 25 horses with conditions, they might

not buy the property. He stated that it would be in everyone's interest for the deal to go through and the farm to succeed.

Chairman Ivanhoe said he felt good about the applicants' ownership of the property, but the Board has a responsibility to see that their decisions are based on good, hard findings. He then said he would open the discussion up to members of the public.

Jack Manes (323 Nash Road) stated that he lived across the road from the farm for 20 years and never had any problem with odor, flies, noise, etc. from the existing paddock set-up and up to 30 horses, and in fact it was great to have the farm across the road.

The Chairman asked what the fly control and paddock-picking plans are for the farm.

Mr. DeFilippis said he always uses fly predators/has found that they work well. He stated that the medical paddocks would be picked out every day and the grass paddocks would be picked out every 2 or 3 days.

Chairman Ivanhoe asked if Mr. DeFilippis was saying that fly predators are being used on the subject property now or that he has used them in the past.

Mr. DeFilippis said he has used them when he has leased an entire barn.

The Chairman said the Board encourages the use of fly predators, noting that if there is more than one barn, they must be used in both to be effective. He added that he was satisfied with Mr. DeFilippis' response about paddock picking also.

Mr. Manes stated that he has known Mr. DeFilippis for over 30 years and been at farms he's been associated with, and the barns and paddocks have always been clean and well run.

Chairman Ivanhoe called on Elizabeth Almeida who stated that she now lives across the road from the subject property and looks forward to having a horse-boarding operation under way there.

Noting there were no further questions or comments from members of the public, the Chairman closed the public hearing.

Mr. O'Leary asked to hear the details of the tiered conditions, but the Chairman said they had been discussed but not decided yet.

Mr. Sirignano stated that Mr. DeFilippis had suggested additional grooms and medical paddocks, and he asked him to summarize his suggestions.

Mr. DeFilippis added that there are 10 horses now and the 3 existing medical paddocks are sufficient. He said he would like to start building additional medical paddocks right away; they will be an investment in maintaining the grass.

Mr. Sirignano asked what number of horses will trigger the need for additional medical paddocks.

Mr. DeFilippis said he would want 2 more for every 5 additional horses; for 25 horses, 10 to 12 medical paddocks would suffice.

Noting that the applicants currently have 10 horses, Chairman Ivanhoe stated that 10 horses is the minimum for commercial boarding status in terms of Ag and Markets/qualifying for an agricultural tax exemption. He said he would propose a special permit for those 10 horses now and, at such time as the Hennessys want to have 15, 20 or 25, the Board needs to see something to consider and make a site inspection to look at where things are going to be put/built. Chairman Ivanhoe said he did not think the suggestion of stepped conditions would work/would have to be very broadly worded. He stated for the record that with a proper plan and some kind of history/track record, he thought the Board would approve an application for 20 or possibly 25 horses. He said he did not see how they could reach a reasonable level of comfort with a stepped/graduated plan.

Mr. Sirignano stated that if that was the consensus of the Board, he would recommend to his clients that they return in a month with a specific plan showing potential sites for additional paddocks and provide a narrative for groom- and paddock-horse ratios, because they could not accept a 10-horse special permit.

The Chairman asked what number the Hennessys would consider as a minimum.

Mr. Hennessy commented that the Board seemed satisfied that the existing paddocks are sufficient for 10 horses. He said he would be comfortable if the Board would say that if he returned with a plan for whatever additional paddock space they recommend and they agreed with the proposed sites, they would grant the permit for 15, 20 or 25 horses. He said this way he would feel the Board was committed to allowing him to raise the number of horses as long as he provides what they ask for.

The Chairman said he thought he could go along with something like that. He said that 10 horses would be a minimum number; if the Hennessys said they need 12 to start with, that might be approved.

Mr. DeFilippis said he felt confident about where the additional medical paddocks should go and offered to show the Board.

Chairman Ivanhoe said he didn't want to rush Mr. DeFilippis; rather, time should be taken to think through a plan for doing things properly.

Mr. DeFilippis said he would build the additional paddocks immediately if that was what was holding things up.

The Chairman said there was more to the issue than medical paddocks; a detailed overall operational plan is needed so the Board can see what Mr. DeFilippis will do and how it will

work. Chairman Ivanhoe thought having some time to work on the property would also help Mr. DeFilippis to get a better feel for where things should go.

Mr. Sirignano stated that he had spoken to the Hennessys. He said they would not be comfortable with an initial special permit for 12 horses, but at 15 horses they would take it on good faith that they would be able to add horses in the future.

Mr. Hennessy said he would like to hear from the Board what he would be expected to do to get to 20 or 25 horses.

The Chairman agreed to see how the Board felt about 15 horses. He said that to get to 25 he would want to see a plan re hours of turn-out time, paddock numbers/locations, bad weather options, etc. Chairman Ivanhoe added that the Board would be happy to offer guidance. He said there is no formula, and added that Ms. Molony managed turn-out for 30 horses.

Ms. McKean said Ms. Molony used commercial shippers for show horses, but they aren't used for hunters, so she would like to see a plan for trailer parking.

Mr s. Hennessy said Mr. DeFilippis has a large, 4-horse trailer that they use.

Ms. McKean said she would still want to see a plan if there are going to be 25 horses on the farm.

Mr. Sirignano said his clients would address parking.

The Chairman said the Board might limit the number of trailers that may be parked. He reiterated that for 20 or more horses, the Board would want to see an overall plan.

Mr. Hennessy said he would like something more specific about what the Board would want.

Chairman Ivanhoe said the farm next door has a special permit for 10 horses: there is a hunt and event barn; there are 11 paddocks for 10 stalls/horses; and the farm is owner-occupied, so naturally the owners want the property to be pristine. The Chairman said the Board would like Stony Creek to be as pristine as possible, given its central location. He noted that 20 horses will require a lot of paddock rotation, and suggested that the farm will need 10 to 12 all-weather paddocks.

Mr. Hennessy said that was the kind of information he was looking for; if the Board would be willing to say they want 10 to 12 all-weather paddocks in sites they approve in order for him to bring in more horses, then that would give him sufficient comfort that he will be able to do what he wants to do.

The Chairman remarked that the current paddock configuration at Stony Creek is good for short turn-out; the Board needs to know what kind of turn-out schedule the Hennessys/Mr.

DeFilippis foresee. He said the trail and hunt horses the Hennessys intend to board will need to be out for 3 to 4 hours a day or more, so the board will need to know a combination of things, including a turn-out plan, how many all-weather paddocks will be available and possible division of some of the large grass paddocks.

Mr. DeFilippis stated that the Hennessys want to restore the farm to its past beauty as a hunt barn facility.

Mr. Sirignano said he and his clients would like a sense of the Board.

Mr. Murphy said he felt he had to defer to the other Board members as he is not an expert on horse farms.

Ms. Douglas said she is customarily on the side of business- and property-owners. She stated that she would vote to approve 15 horses to start and 25 horses at a future point assuming conditions were met. She said she had first heard that 10 medical paddocks would be enough but then heard 12 would be needed, and she was not comfortable with a lot of hypotheticals/wanted a firm number. Ms. Douglas said she would approve 15 horses in good faith that specifics will be provided.

Ms. McKean said she would also approve 15 horses but not 25 until a plan is provided. She noted that a lot needs to be done just to ready the barn for the 10 horses the Hennessys have. She said she did not think 1 groom could manage the care of 15 horses; someone will need to do night-check and employees expect some time off. She stated that she would like a stipulation that another person will be brought in.

Mr. Sirignano stated that when there will be more than 10 horses, another person will be employed.

The Chairman said Ms. McKean's point was important; there are grooms who say they want to work 7 days a week, but they don't last.

Ms. McKean commented that for the Hennessys' current grounds-keeper to take care of their Pound Ridge property and Stony Creek would also be a lot of work.

Mr. O'Leary said he would also approve 15 horses. He added that if a plan for managing more horses in the future is provided and the property is maintained at a level that is consistent with the historic road on which it is located, more horses later will be fine.

Mr. Sirignano asked his clients if they wanted to amend their request for 15 horses instead of 20 and ask for a vote.

Mrs. Hennessy said it seemed workable for the present, but she was reluctant to get the farm up and running and make improvements and also have to return to the Board to ask for more horses. She said her intentions for the property are serious/she wants to make it

something that everyone can feel happy and pleased about, and she certainly has no intention of running it into the ground.

Chairman Ivanhoe replied that he didn't think anyone on the Board felt that way. He said Mrs. Hennessy has limited experience running a large commercial boarding operation but the best of intentions and a good reputation, and her trainer has some experience; what they can do at Stony Creek is somewhat unproven. He stated that it would be hard for the Board to approve more than 15 horses without a very solid plan with a lot of detail. He thought it was clear that the Board was comfortable with 15 horses and going beyond that number in the future.

The Building Inspector asked Carol Molony if she had ever worked with the Watershed Agricultural Council, and Ms. Molony said she had.

Chairman Ivanhoe said they got a Whole Farm Plan in place as a result.

Mr. Thompson said he thought WAC would be very helpful to the Hennessys in determining placement of additional paddocks. He added that WAC is charged with making sure Best Management Practices are employed and they have helped a number of local farms overcome obstacles.

Chairman Ivanhoe agreed that WAC would offer good advice, and it would be beneficial for the Hennessys to meet with them.

Mrs. Hennessy said she plans to contact them. She admitted to her inexperience at running a commercial horse property, but also added that she feels she is surrounded by people who do have experience.

Mr. DeFilippis stated that although he is a horse trainer, he started out as a farm manager and he was comfortable about overseeing 25 horses.

Mr. Hennessy stated that he was satisfied with the amended number of horses and assured the Board that he will be back to request more horses. He said it will be necessary to get the horse-count up to maintain and run the farm at the level everyone wants.

Chairman Ivanhoe said he understood Mr. Hennessy and said the resolution would not be specific about when the Hennessys must return; they may come back whenever they want to.

Mr. Hennessy said he thought they would be back with a plan in the fall, adding that there is a lot of work to do first.

Mr. Sirignano stated that he was amending the application for not more than 15 horses.

Mr. Reilly read a draft resolution, including a condition that a second groom will be brought on once there are more than 10 horses on the farm.

Ms. Douglas asked if there would be something in the resolution guaranteeing the Hennessys the right to request an amendment for more horses in the future.

Mr. Reilly explained that anyone can request an amendment, and the meeting minutes will stand as a record.

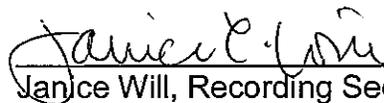
The Chairman added that the applicants were also given a sense of the Board with regard to additional horses.

**Motion by:**            *Richard O'Leary*  
**Seconded by:**      *Lisa Douglas*

**Mr. O'Leary:**        *Aye*  
**Ms. McKean:**      *Aye*  
**Ms. Douglas:**      *Aye*  
**Mr. Murphy:**       *Aye*

***Special permit granted, with specific condition per discussion and agreement.***

Respectfully submitted,

  
\_\_\_\_\_  
Janice Will, Recording Secretary