

**TOWN OF FOSTER**  
**ZONING BOARD MINUTES**  
Wednesday November 8, 2023  
Benjamin Eddy Building, 6 South Killingly Rd.

A: Call TO Order - 7:00 P.M.

B: Roll Call- Members Present

Manny Linhares (Chair)  
Robert Moreau (Secretary)  
Timothy Dannenfelser  
Manny Timoteo  
Barbara Fell  
Jason Simmons (Alt)

Members Absent

Rudolph DiCenzo (Alt)

C. PUBLIC HEARING

SPECIAL USE PERMIT

12 Snagwood Road; Plat 13 – Lot 36

Applicant: Karen Dalton; Dare to Dream Ranch, Inc.

Owners: Karen Dalton; Randall Lavelle Bagwell

Application: Applicant proposes to construct a 768 sq. ft. gift shop on the premises pursuant to Sec. 38-191 (Business use #2) at 12 Snagwood Road Plat 13- Lot 36. Pursuant to Sec.38-191(Business Use #2) of the Foster Code of Ordinances, gift shops require a Special Use Permit in an AR District with the condition that the gift shop must occupy the same lot as the residence of the property owner.

Applicant received a positive recommendation from the Planning Board at the 10/4/2023 regular Planning Board Meeting. Property at 12 Snagwood Road is zoned AR (Agricultural/Residential).

Manny Linhares (Chair) Read the procedures for the Hearing:

Owner: Karen Dalton was sworn in and gave evidence in favor:

Dare to Dream Ranch will be operating the Gift Shop.

Advised of Legal Counsel present: David Borelli

Gift Shop to sell goat soap, and farm products as well as products made by the Veterans to support the Dare To Dream Ranch.

Building will be ADA compliant and accessible from the road as well.

Robert Moreau questioned the type of foundation and building.  
Architect: David Pegoattra gave a description.  
Manny Linhares asked what types of therapies are provided.  
Karen elaborated on several.  
Manny Linhares requested that Previous 2016 and other documents be recorded as evidence.

Manny Linhares: Requested abutters to speak in favor:

Nicolas Gorham, representing owners of P13-L37 and himself, asked where the building would be placed on the property and if it is affiliated with Bagwell Farms.  
The Gorham Family were concerned that the building would obstruct his families Right Of Way to their property behind which is landlocked.

Timothy Dannennfelser: Requested a map or site plan to show the location of the gift shop.

Robert Moreau: Stated that he visited the property and proposed location which is on the original house foundation and found that it will not affect the right of way, but said a proper site plan should be part of the application.

Nick Gorham: Request more extensive detailed site plan and an explanation of merchandise to be sold by the applicant.

Karen Dalton responded and stated that the original property in question was for sale and the right of way was not a question at the time.

Nick Gorham stated that the Zoning Board has no Authority to determine the Right of Way.

Solicitor Joanna Achille: Advised that this could be continued in a month so that these questions could be resolved.

Manny Linhares requested that the Gorham Survey be entered into evidence.

Nick Gorham stated that the Gorhams will not contest, provided issues with survey and sale of merchandise are resolved.

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Robert Moreau moved to continue to 13 December

2<sup>nd</sup>: Barbara Fell

Roll Call Vote:     Barbara Fell – Aye  
                             Timothy Dannenfelser-Aye  
                             Manny Timoteo- Aye  
                             Robert Moreau- Aye  
                             Manny Linhares- Aye  
                             Jason Simmons (alt) Aye

D. Approval of Minutes

1) October 11, 2023

Roll Call vote to approve:     Manny Linhares-Aye  
                                             Timothy Dannenfelser-Aye  
                                             Robert Moreau-Aye  
                                             Barbara Fell- Aye  
                                             Manny Timoteo-Aye  
                                             Jason Simmons (Alt) Aye

E. Election of Vice Chair:

Timothy Dannenfelser moved to appoint Robert Moreau.

2<sup>nd</sup> by Jason Simmons.

Vote passed unanimously.

Motion to Adjourn:     Tim Dannenfelser  
                                     2<sup>nd</sup> Barbara Fell  
                                     Vote passed unanimously.

Meeting adjourned 7:40 PM