

IN RE: 26-ZBA-1

: TOWN OF MONTVILLE

APPEAL OF THOMAS DEMORRO

: ZONING BOARD OF APPEALS

AFFIDAVIT

RALPH E. MARSH, being duly sworn, hereby deposes and says:

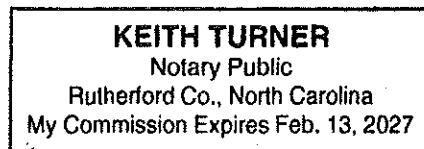
1. I am 79 years of age, and believe in the obligation of an oath.
2. I currently reside at 221 Tyler Terrace, Rutherfordton, North Carolina.
3. I formerly owned, and resided at, the premises known as 836 Route 163, Oakdale (Town of Montville), Connecticut, and as such I am fully familiar with the facts set forth in this Affidavit.
4. I owned 836 Route 163 from February 16, 1983 through September 30, 2011, and previously it was owned by my mother, Mary T. Marsh.
5. 836 Route 163 consists of 2.18 acres and contains a single-family house, a separate cottage, and a two-stall barn with a hayloft and garage section. My father and I made the stalls in the 1970s for horses, in what had earlier been a workshop area.
6. I built an open animal enclosure (which I used as a peacock pen) on the south side of the barn exterior, and another pen on the back of the barn in which I kept Araucana chickens (a rare South American breed which lays blue-green colored eggs).
7. I also built a large riding ring for my two horses (later one horse) behind the barn and cottage, consisting of an oval-shaped fence with three or four horizontal rails, for recreational purposes. Later, at a time when I no longer had those two horses, I kept the riding ring but had five (5) coop structures situated within it, each 4' x 8', in which I kept Old English Bantam chickens.
8. The barn, peacock pen, riding ring, and one of the coops are shown on the vintage aerial photo titled "Photo 15-PNL-19 from 1987" that is attached to this Affidavit.

9. The domestic animals which I kept at 836 Route 163 included my original two (2) horses, and up to ninety (90) peacocks, pheasants, golden pheasants, Call ducks, and chickens at any one time, as well as four (4) rabbits which later went to a girl from Ledyard who was in the Future Farmers of America.
10. Eventually, at a time when I no longer had the first two horses, I had a friend's horse at the property, and later on I had another horse of my own. I also had up to four (4) dogs, including German shepherds, two miniature Schnauzers, and earlier I had a shepherd / collie mix.
11. I always had such domestic animals (besides dogs) at the 836 Route 163 property, for as long as I owned it.
12. To any extent that the keeping of animals that I established at 836 Route 163 subsequently became a nonconforming use under the zoning regulations, at no time did I ever intend to permanently abandon any such use, despite any periods of non-use for specific animal types, and/or despite my demolition or deconstruction of certain animal-related structures, such as the riding ring that I eventually took down.
13. I make this Affidavit in support of the Appeal of Thomas DeMorro, 26-ZBA-1.

Ralph E Marsh

Ralph E. Marsh

State of North Carolina }
 } ss. Rutherfordton
County of Rutherford }



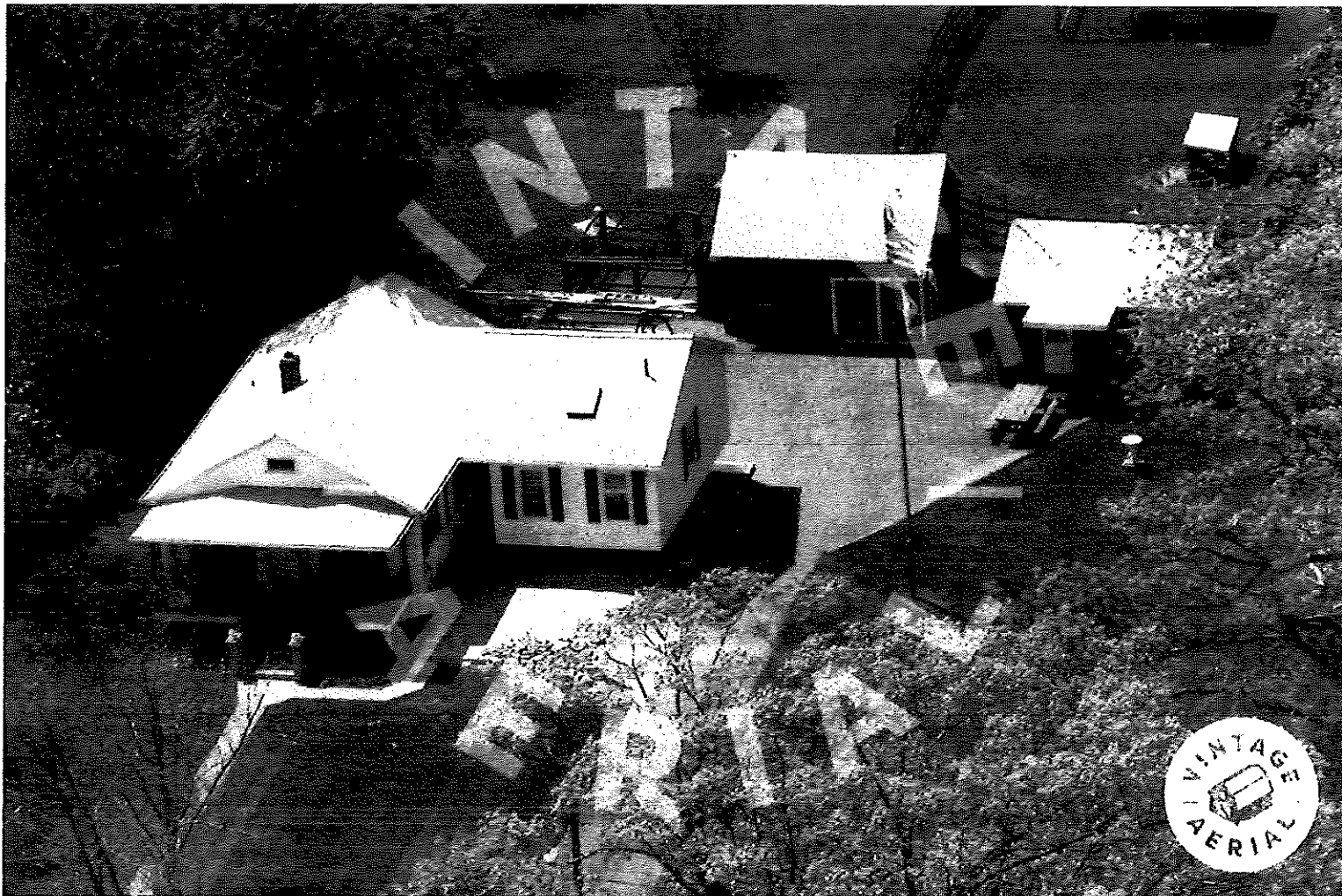
On this the 29th day of April, 2026, before me, the undersigned officer, personally appeared Ralph E. Marsh, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

[Signature]

Notary Public

My commission expires: Feb 13, 2027



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Metadata

Image ID	14948986
Year	1987
Collection	State Aerial Farm Statistics
JRL	https://vintageaerial.com/photos/connecticut/new-london/1987/PNL/15/19
Roll	15-PNL (10515)
Shoot ID	202