

Town of Colchester, CT

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION

WEDNESDAY, April 6, 2022

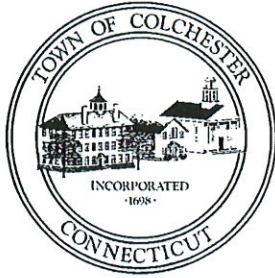
MEETING AT 7:00 P.M.

AGENDA

- 1. Call to Order**
- 2. Additions or Deletions to the Agenda**
- 3. Minutes of Previous Meeting**
 - a. March 16, 2022
- 4. Public Hearings**
 - a. Hop Culture Farms and Brew Co LLC – 144 Cato Corner Rd
Special Permit Modification (2022-004)
- 5. Five Minute Session for the Public**
- 6. Pending Applications**
 - a. Marino Construction LLC – 19 Bigelow Rd - Resubdivision (2022-003)
- 7. New Applications**
 - a. Joseph Pugliares – 111 Norwich Ave – Site Plan (2022-005)
- 8. Preliminary Reviews**
 - a. 430 Amston Rd – Two-family to Four-unit conversion
- 9. Old Business**
- 10. New Business**
 - a. Hop Culture Farms and Brew Co LLC – 144 Cato Corner Rd Special
Permit Modification (2022-004)
- 11. Planning Issues and Discussions**
 - a. Discussion re: Municipal Regulation of Cannabis Establishments
- 12. Correspondence**
- 13. Adjournment**

Phyllis Freeman
APR 11 2022

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Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Planning & Zoning Commission

March 16, 2022 7:00 pm
Virtual Meeting held via ZOOM.

Members Present: Chairman J. Mathieu, Vice Chair J. Novak, B. Hayn, S. Smith, M. Noniewicz, S. Nadeau
Absent: M. Kehoegreen

Others Present: Planning Director M. Bordeaux and Applicants

MINUTES

1. **Call to Order** – Chairman Mathieu called the meeting to order at 7:01 pm
2. **Additions or Deletions to the Agenda** – None
3. **Minutes of Previous Meeting**
 - a. February 16, 2022 – Motion to approve minutes by B. Hayn, 2nd by S. Nadeau. ***Vote was unanimous, motion carried.***
4. **Public Hearings**
 - a. **MTB Properties LLC – 108 Halls Hill Rd – Zone Change (2022-002)** – Chairman Mathieu asked attendees to speak if they had any objections to the commission members seated. Hearing none, he opened the public hearing and asked Planning Director M. Bordeaux to summarize the application. The subject parcel was formerly part of 124 Halls Hill Road and was recently acquired and merged with the existing property at 108 Halls Hill Rd. A new restaurant is opening at 108 Halls Hill Rd and additional parking was proposed to the rear of the site where the subject parcel is currently in the Suburban Use zoning district. The applicant was advised to amend the zoning map so that the entire site was in the same zoning district (Town Center) where the use is permitted as of right. Applicants, MTB Properties LLC, are proposing a change from the Suburban Use district to Town Center. Chairman Mathieu asked if anyone in attendance would like to speak in favor of the application. Hearing none, he asked if anyone would like to speak in opposition. No comments were made. Motion by M. Noniewicz to close the public hearing, 2nd by B. Hayn. ***Vote was unanimous, motion carried.***
 - b. **Marino Construction LLC – 19 Bigelow Rd - Resubdivision (2022-003)** - Chairman Mathieu asked attendees to speak if they had any objections to the commission members seated. Hearing none, he opened the public hearing and asked Planning Director M. Bordeaux to summarize the application. Applicant, Jim Marino, Marino Construction LLC is proposing a Resubdivision of a 3.96 acre parcel at 19 Bigelow Road, Rural Use District, into 2 lots. Lot 1 has a proposed 2-family home and Lot 2 is proposed to have a single-family home built. There will be a shared driveway with a single curb cut. Applicant has applied for a sidewalk waiver due to no existing sidewalks on Bigelow Road and not nearby a school. The acceptance of a fee in lieu was approved by the Open Space Advisory Committee and recommended to the commission. Surveyor Michael Bennett spoke on behalf of the applicant. After Resubdivision, each lot will meet the minimum requirement for buildable area in the district. Chairman Mathieu asked if anyone would like to speak in opposition of the application.

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Dyke Flanagan
TOWN OF COLCHESTER

Ted Sanford – 7 Bigelow Rd, spoke about concerns with the line of sight due to the speed of vehicles coming off Route 16 and onto Bigelow Rd. He also expressed concern with a 2-family home being constructed there.

Jill O'Hagan – 74 Bigelow Rd, had concerns about a 2-family residence.

Galen Reed – 58 Bigelow Rd, echoed the earlier concerns regarding line of sight and a 2-family home.

Chairman Mathieu then asked if anyone would like to speak in favor of the application. Matt France – East Hampton, spoke in favor of the applicant and stated Marino Construction built his development and was happy with his work and the manner with which he completed the project.

Motion by M. Noniewicz to close the public hearing, 2nd by J. Novak. ***Vote was unanimous, motion carried.***

5. **Five Minute Session for the Public** – None

6. **Pending Applications** – None

7. **New Applications**

a. Hop Culture Farms and Brew Co LLC – 144 Cato Corner Rd Special Permit Modification (2022-004)

8. **Preliminary Reviews** – None

9. **Old Business** – None

10. **New Business**

a. **MTB Properties LLC – 108 Halls Hill Rd – Zone Change (2022-002)** – Members discussed the current borders of the TC and SU districts on Halls Hill Rd and the associated parcels. They were in agreement this would streamline a currently irregular shape to the district. Motion by M. Noniewicz to approve Zone Change (2022-002) proposed by MTB Properties LLC of a portion of 108 Halls Hill Rd from Suburban Use District to Town Center Village District. The zone change is consistent with the intent of Section 4.3 of the Colchester Plan of Conservation and Development to enhance the Town Center by encouraging more businesses including shops, restaurants, and outdoor dining. The change will be effective April 4, 2022. 2nd by B. Hayn. ***Vote was unanimous, motion carried.***

b. **Marino Construction LLC – 19 Bigelow Rd - Resubdivision (2022-003)** – Members discussed concerns raised during the public hearing regarding this application. The concern about speeding in the area was discussed and how that might affect the safety of vehicles coming to and from these new homes. The curve in the road may cause the line of sight to be obscured if vegetation is allowed to grow along the side of the road. The possibility of a maintenance easement on Lot 2 of approximately 5 feet for access to the footing drain for Lot 1 was discussed. Due to members having additional questions regarding the sight line and septic, a motion to table was made by B. Hayn, 2nd by M. Noniewicz. ***Vote was unanimous, motion carried.*** Vote will be postponed until the April 6, 2022 meeting.

11. **Planning Issues and Discussions** – M. Bordeaux spoke of recent changes to rules regarding accessory apartments. M. Bordeaux also discussed a memo he prepared for the commission and the Board of Selectmen regarding the town adopting regulations for recreational marijuana retail establishments, as well as other regulations in response to the legislation that passed legalizing cannabis for recreational use in Connecticut.

12. **Correspondence** - None

13. **Adjournment** – Motion to adjourn by B. Hayn, 2nd by M. Noniewicz. ***Vote was unanimous, motion carried.***

Meeting adjourned at 8:30 pm.

Respectfully submitted by,

Stacey Kilgus, Clerk

**TOWN OF COLCHESTER
LEGAL NOTICE**

The Planning and Zoning Commission will hold a public hearing on April 6, 2022, at 7:00 P.M. to hear and consider the following petitions:

HOP CULTURE FARMS & BREW CO LLC – Special Permit Modification (2022-004) –
Request a special permit modification to expand existing hours of operation at 144
Cato Corner Rd, Rural Use District.

At this hearing, interested persons may be heard and written communications received. A copy of this petition is in the Planning Department and Town Clerk's Office, Town Hall, 127 Norwich Avenue, and may be inspected during regular business hours (8:30 a.m. – 4:30 p.m., Monday through Friday).

Planning and Zoning Commission
Joseph Mathieu, Chair

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Planning Director *MRB*

DATE: April 1, 2022

RE: Hop Culture Farms & Brew Co. – 144 Cato Corner Rd
Special Permit Modification (2022-004)

Introduction

Hop Culture Farms & Brew Co. is a farm brewery located in the northwest section of town amongst a handful of successful farm businesses that contribute to Colchester's identity as an agritourism destination. The Planning and Zoning Commission approved a Special Permit and associated Site Plan (2018-003) on September 26, 2018. The use was permitted in accordance with Section 8.9.6 of the Colchester Land Development Regulations. The applicant is requesting to revise the Statement of Use to expand their hours of operation as they look to rebound from the impacts of the pandemic and diversify the agricultural and agritourism activities onsite.

Special Permit Modification

As stated above, the Special Permit and associated Site Plan (SP2018-003) was approved with conditions on September 26, 2018. A copy of the Notice of Decision is attached. Amongst a series of standard conditions, item #9 states that "The owner may amend the Statement of Use as submitted with this application without a new public hearing provided the Commission deems the amendments to be minor in nature. All other amendments to the Statement of Use shall require a public hearing." On February 5, 2020, the Commission approved a modification to permit additional hours of operation on Thursdays from 4:00 p.m. to 9:00 p.m.

There are no physical alterations to the site proposed at this time.

The applicant is requesting more flexibility in the hours of operation previously outlined in the original statement of use. The applicant states that this will allow activities to be conducted on holidays that fall on week days or on later into the day on a Sunday when there is a holiday (and associated day off from work) scheduled for the following Monday, for example.

Commission's Considerations

The request remains consistent with the special provisions of Section 8.9.6 which regulates the commercial functions of agricultural uses. The Commission shall use the General Evaluation Criteria of Section 14.8 to consider the modification of the Special Permit.

Hop Culture Farms & Brew Co. makes a significant contribution to the agritourism character of the northwest corner of Colchester. The use complements the goal of the Plan of Conservation and Development (POCD) in Section 3.3 to Preserve Farms and Farming by “ensuring survival of farmlands for agricultural use”, “providing for farms that support the local economy”, “helping to limit suburban sprawl”, and “offering opportunities for agro-tourism”. Policies and Action Items outlined in the Section 3.3 of the POCD reinforce the effort to support and expand existing farms by “seeking regulatory changes to reduce regulatory impediments to agriculture” and “seeking regulatory changes to allow value added activities” to proliferate.

As farming is a business, it must be profitable to be sustainable. Local support in the form of regulatory flexibility that limits the hurdles that can impact businesses both financially but also in the time it takes to acquire permits for certain uses, can make a significant difference. Hop Culture has emerged as an asset to the Town of Colchester and warrants the community’s support.

Draft Motion

Move to approve the Hop Culture Farms and Brew Co. Special Permit Modification (2022-004) at 144 Cato Corner Road to amend the statement of use consistent with the letter date received April 1, 2022. Conditions of approval applicable to the Special Permit (SP2018-003) granted by the Commission on September 26, 2018 will remain in effect.

MRB

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Attach

To Whom It May Concern,

Hop Culture Farms and Brew Co is a farm brewery here in Colchester. We have a commercial agricultural operation where we grow and produce hops that go into every batch of beer we produce. We also have a full functioning taproom which sells our value added product of beer. We believe we have created an agritourism experience where we provide a meeting space for our local community to enjoy the farm atmosphere, live music and craft beer. We also take pride in working to help promote other local businesses and artisans including several local restaurants, farmers, food trucks, potters, musicians, soap makers and more through collaborations including farm to table dinners, beer and cheese pairings, using local agricultural products in our beer production and holding artisan markets at our establishment to create a symbiotic relationship with other local businesses where we can all thrive.

Prior to COVID we have been formulating and further honing our vision and growth plans to continue to diversify this agritourism experience. Unfortunately, COVID halted these plans and as you know has been hard on many businesses including our own. We were open less than one year when COVID hit and we were forced to shut down our normal operations and pivot in other ways in order to remain sustainable. We are now hopeful that some of our prior visions can start to take shape. We are coming before you to ask to change our statement of use to expand both our existing hours of operation to Monday-Sunday from 6am to 10pm and our use of amplified music going forward, and would like to explain to you a bit about our vision and why this is an important step in our future plans.

This year we have already ordered and are putting in a small orchard of apple trees with plans to expand to peach trees next year. We also are putting in berry fields with plans to expand to several acres of berries over the next two years to use both as brewing adjuncts, for cider production but also as a means for patrons to have a pick your own option. We are also getting bees in April and starting two hives which will be helpful in pollination of our current acreage of hops and these new apple trees. We also plan on doing a large sunflower field for cut your own flowers which will not only help the bees with a food source, further diversify our revenue on the agricultural side, but will also increase the overall beauty of our farm. We also plan to do hop infused honey as another product for retail sale.

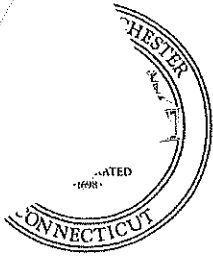
We are also in the beginning phases of business development of farm to table breakfast sandwiches and coffee. We envision the use of farm fresh eggs from our farm, fresh rolls from Colchester Bakery, cheese from Cato Corner, and bacon/sausage from Cugno's farm paired with locally roasted coffee. We will likely do this seasonally over the summer through the fall as a farmers market, and have begun preliminary discussions with the Chatham Health District regarding this possibility.

Besides these new value added products that will add to the agritourism experience we also believe that expanding our operating hours will allow us to open our taproom earlier in the day during our peak seasons. This will of course be in accordance with state liquor laws. We often have requests of opening earlier from our patrons during the week, and believe we are missing out on an opportunity to recoup lost revenue over the past two years of the pandemic. Expanding our hours would be helpful as we emerge from the difficulties of operating a new business through these unprecedented times. With our expanded agricultural opportunities for patrons to enjoy coupled with our current experience of farm to table beer we feel that Hop

Culture Farms and Brew Co will evolve to become the agritourism destination we have always envisioned. As mentioned previously, COVID opened our eyes to ways in which we can pivot and expanding our hours of operation will give us more flexibility to do so by the concepts explained above. I wanted to give you a brief overview of some of our growth plans, but would be happy to answer any questions you may have. Thank you in advance for your consideration.

Heather Wilson
Owner and Head Brewer
860-305-9556





Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Certified Mail 91 7199 9991 7033 0879 4519

October 2, 2018

Mr. and Mrs. Samuel Wilson
Hop Culture Farms & Brew Co.
144 Cato corner Road
Colchester, CT 06415

RE: Application No. SP2018-003 of Hop Culture Farms & Brew Co. LLC. For a Special Permit to develop farm brewery (farm store/processing/serving). 144 Cato Corner Road (Map 05-12/Lot 024-000. Formerly known as Map 05-12/ Lots 022-001, 023-000 & 024-000) in the RU

Dear Mr. and Mrs. Wilson:

The Colchester Planning and Zoning Commission approved the above referenced Special Permit/Site Plan application at their regular meeting of 9/26/2018. The Notice of Decision will be published in the 10/5/2018 edition of the *Rivereast News Bulletin*. The fifteen-day appeal period extends 15-days after publication.

You are required to submit three (3) signed and sealed paper copies and one (1) redline signed and sealed Mylar copy of the approved plans for the Commission Chairperson/Secretary signature. It is recommended that you submit a single copy for staff review prior to submitting the Mylar. Please have a copy of the Notice of Decision printed on the final plan for recording.

Be advised, prior to release of the endorsed Mylars for filing, you are required to submit a performance bond in an amount approved by the Town Engineer for the Erosion and Soil Control Measures and Landscaping and submit copies of the properly executed legal documents for the land conveyances, utility and/or construction and grading easements as apply to this application.

Subsequent to filing the Notice of Decision and the endorsed Mylar plans and prior to the issuance of Zoning Permits to begin construction, a pre-construction meeting is to be scheduled with Town Staff.

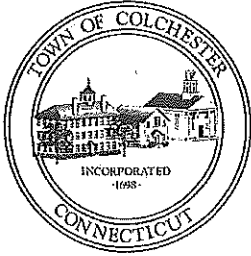
If you have any questions or I can be of any further assistance, feel free to contact me at 860-537-7294 Monday thru Friday from 8:00 AM to 4: 30 PM.

Sincerely,

Daphne C. Schaub, CZEO
Assistant Planner & Zoning Enforcement Officer

/dcs

CC: S. Tassone, Town Engineer



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION

NOTICE OF DECISION

CERTIFIED MAIL

October 2, 2018

Mr. and Mrs. Samuel Wilson
Hop Culture Farms and Brew Co.
144 Cato Corner Road
Colchester, CT 06415

RE: Application No. SP2018-003 of Hop Culture Farms & Brew Co. LLC. For a Special Permit to develop farm brewery (farm store/processing/serving), 144 Cato Corner Road (Map 05-12/Lot 024-000. Formerly known as Map 05-12/ Lots 022-001, 023-000 & 024-000) in the RU.

Dear Mr. and Mrs. Wilson:

The Colchester Planning and Zoning Commission at their September 26, 2018 regular meeting voted to **APPROVE** the above-referenced Special Permit application and site plan specific to the plans titled "Proposed Hop Farm and Brewery, 144 Cato Corner Road, COLCHESTER, CT" prepared by Benesch & Company revised to 9/11/2018 and further **subject to the following conditions:**

1. This Special Permit Notice of Decision is to be filed in the Town's Land Records prior to issuance of zoning and building permits and within 90 days of the decision (1/03/2019);
2. The endorsed mylar prints shall be filed by the applicant in the Land Records of the Town of Colchester within 90 days of the expiration of the appeal period (1/18/2019);
3. All federal, state, and local permits shall be in place prior to commencing operation of the farm brewery;
4. All Erosion and Sedimentation Control Measures shall be in place prior to commencing construction;
5. A pre-construction meeting shall be held before commencing construction;
6. Annually the owner of the Farm Brewery shall provide the Zoning Enforcement Officer with copies of all production and sales reports to verify gross sales;
7. Annually the owner shall submit a list of scheduled events noting the date number of persons expected and the nature of the event to the Zoning Enforcement Officer;
8. At least two weeks prior to an open public event (not to exceed 6 in a calendar year) the owner shall provide the Zoning Enforcement Officer with an application for a zoning permit to hold said public event; and

9. The owner may amend the Statement of Use as submitted with this application without a new public hearing provided the Commission deems the amendments to be minor in nature. All other amendments to the Statement of Use shall require a public hearing.

This approval is specific to the development plan submitted for Application No SP2018-003. The modification of these approvals and any change in the development plan layout other than those identified herein shall constitute a new application.

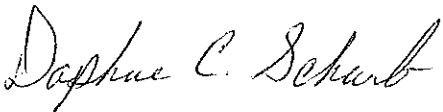
Notice of this decision will be published in the *Rivereast New Bulletin* on October 5, 2018. Anyone appealing this decision must appeal through the Superior Court of the State of Connecticut prior to the expiration of the appeal period.

The owner/applicant shall be bound by the provisions of this Application and Approval. **This original Notice of Decision must be recorded in the Land Records of the Town of Colchester to become effective.**

Please see the attached cover letter for additional instructions for filing of the approved plans.

If you have any further questions please do not hesitate to contact me at 860-537-7294 or visit our office.

Sincerely,



Daphne C. Schaub, CZEO
Assistant Planner & Zoning Enforcement Officer

/dcs

cc: S. Tassone

Statement of Use Hop Culture Farms and Brew Co LLC
144 Cato Corner Rd, Colchester CT 06415

Hop Culture Farms and Brew Co's intention is to have a small farm brewery on property in order to make it a value added farm in which the agricultural production of hops and in the future other crops including fruits and vegetables will be used to produce beer on the property for customers enjoyment. Other non-alcoholic beverages will be provided. Other agricultural products that will be produced here for possible sale include cut flowers and fresh eggs. We will also have various apparel items including hats, t-shirts, hooded sweatshirts, glasses and bottle openers. We may also have an area where other local artisans/farmers may display their goods for sale as well. Our hours of operation will be Friday from 4-9pm, Saturday from 12-8pm and Sunday from 12-6pm. We have four owners, and plan to hire 1-2 employees as we get closer to opening. After opening at the discretion and approval of the time we may have several special events over the year that may include but not limited to farm tours, harvest festivals, private events and holiday events. At the discretion and approval of the town some of these events may include live (not amplified) acoustic music. We will not produce our own food for patrons, but may have one food truck per day on the property to provide food to customers. Adequate parking for the farm and brewery has been constructed per the town's zoning regulations. If there are any questions or concerns please contact Heather Wilson Co-Owner at 860-305-9556.

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew Bordeaux, Planning Director *MB*

DATE: March 31, 2022

RE: Marino Construction LLC – 19 Bigelow Rd – Resubdivision (2022-003)

At the Planning and Zoning Commission regular meeting on March 16, 2022, a public hearing was held to consider the resubdivision application (2022-003) at 19 Bigelow Road. The public hearing was closed that evening.

Neighbors in attendance at the public hearing provided testimony in opposition of the project, substantially due to their discontent with a two-family structure proposed to be erected in their neighborhood characterized by single-family homes. Staff informed the Commission that the applicant satisfied all bulk requirements for two-family construction under the impression that single and two-family uses were regulated in accordance with the same standards, a change in the way the town regulated two-family uses in areas historically in the R-80 zone but revised per the 2015 regulation overhaul that resulted in a broader Rural Use District.

Subsequent to the March 16, 2022 meeting, Town staff became aware of a regulation amendment approved by the Commission on November 1, 2017 that was intended to mitigate negative impacts of the construction of two-family dwellings on adjoining property or in an inappropriate location. Specifically, Section 3.2 of the Regulations, which lists the permitted uses in the Rural Use District, was amended as follows:

“Two-Family Dwellings provided the property is on an Arterial or Collector Road, has at least 600 feet of frontage, 160,000 square feet minimum lot size, 100 feet minimum front setback, and 50 feet minimum side and rear setbacks.”

This amendment is relevant to the Resubdivision (2022-003) because it prevents the construction of a two-family dwelling as proposed by the applicant.

Additionally, the Commission expressed a concern regarding the ability to maintain the footing-drain pipe that traverses a narrow portion of Lot 1. In response, the applicant has revised the proposed plan to depict a 5' easement on Lot 2 in favor of Lot 1 (highlighted in yellow on attached plan).

Staff Comments

Per the request of the Commission, the Town Engineer has provided a written statement regarding concerns about the required sight distance from the driveway located on the proposed two-lot resubdivision.

Additionally, at the March 16th meeting, the Sanitarian had outstanding comments that staff recommended be considered as conditions of an approval in the event that the Commission decided to approve the application. The applicant has subsequently revised the plans to satisfy the Sanitarian's outstanding concerns and no condition is necessary.

Therefore, with no further concerns, staff recommends the following actions:

Draft Motion

Sidewalk

Move to waive the requirement of Section 6.3.12 of the Colchester Subdivision Regulations to install sidewalks as the site is not contiguous with a pedestrian infrastructure network, the subdivision is more than one mile from a school and the installation of sidewalks would be contrary to maintaining the rural character of the area.

Open Space

Move to accept a fee in lieu of the requirement to dedicate open space on site consistent with the recommendation of the Open Space Advisory Committee dated March 14, 2022, as the dedication of open space will not meet the purpose or intent of the Colchester Subdivision Regulations.

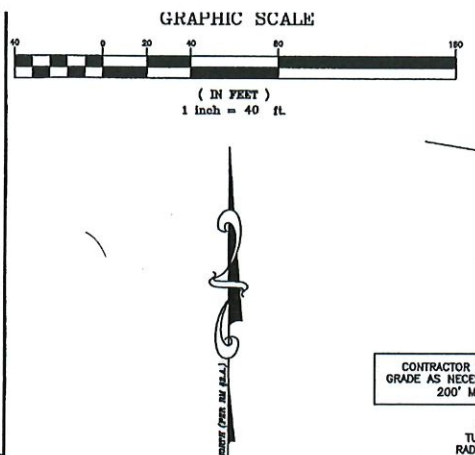
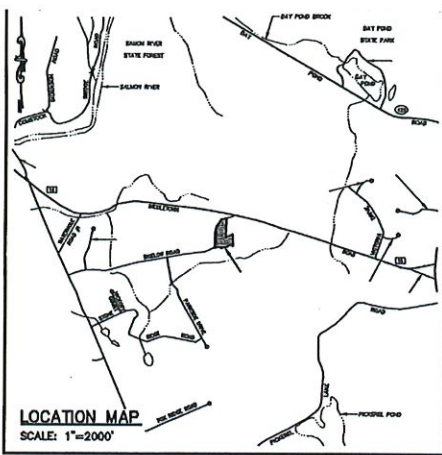
Resubdivision (2022-003)

Move to approve the request from Marino Construction LLC for Resubdivision (2022-003) of 19 Bigelow Rd to create two (2) single-family residential lots on approximately 3.96 acres on the Rural Use District, with the condition that the plans be revised to remove references to "two-family" or "multi-family" dwellings on the plans.

MRB

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Attach



CONCEPTUAL RESERVE AREA COMPUTATIONS (LOT 1)

PROPOSED 4-BEDROOM MULTI-FAMILY YEAR-ROUND DWELLING
USE 26.67 L.F. (8 UNITS) OF GEQU G1846 LEACHING SYSTEM

E.L.A. COMPUTATIONS:
PERCOLATION RATE = < 10.00 MIN./INCH
E.L.A. REQUIRED = 495 S.F. (3 BEDROOM) +165 (1 BEDROOM, MULTI-FAMILY)
E.L.A. PROVIDED = 27.4 S.F./L.F. x 26.67 L.F. = 730.8 S.F.
E.L.A. PROVIDED > E.L.A. REQUIRED -- O.K.

M.L.S.S. COMPUTATIONS
RECEIVING SOIL = 48.1 - 60 INCHES
HYDRAULIC GRADIENT = > 15.0
HYDRAULIC FACTOR = 10

FLOW FACTOR = 2.0 (MINIMUM FOR MULTI-FAMILY BUILDING - 4 BEDROOMS)
PERCOLATION FACTOR = 1.0

MLSS REQUIRED = 10 * 2.0 * 1.0 = 20 L.F.
MLSS PROVIDED = 26.67 L.F.
MLSS REQUIRED < MLSS PROVIDED

SEPTIC SYSTEM KEY LOT 1

(A)	57.5± L.F. OF 4" SCH. 40 PVC ASTM D1785 BUILDING SEWER PIPE @ 1/4" PER FT. MIN. SLOPE & 12" MIN. COVER.
(B)	1,500-GALLON CONCRETE SEPTIC TANK (UNITED CONCRETE OR EQUAL)*
(C)	4" SCH. 40 PVC ASTM D1785 DISTRIBUTION PIPE TO CONNECT TO D-BOX.
(D)	SEALED GEOMATRIX DISTRIBUTION BOX.*
(E)	4" SDR 35 ASTM D3034 SOLID PIPES TO CONNECT TO PROPOSED LEACHING SYSTEM PER MANUFACTURER'S REQUIREMENTS.
(F)	27.5 L.F. OF GEOMATRIX S-BOX SBI-13-72 LEACHING SYSTEM

*SEPTIC TANK AND DISTRIBUTION BOX SHALL HAVE RISERS TO WITHIN 12" OF FINISHED GRADE. IF NECESSARY, CONTRACTOR SHALL VERIFY SEPTIC TANK AND RISERS ARE WATERTIGHT PRIOR TO INSTALLATION.

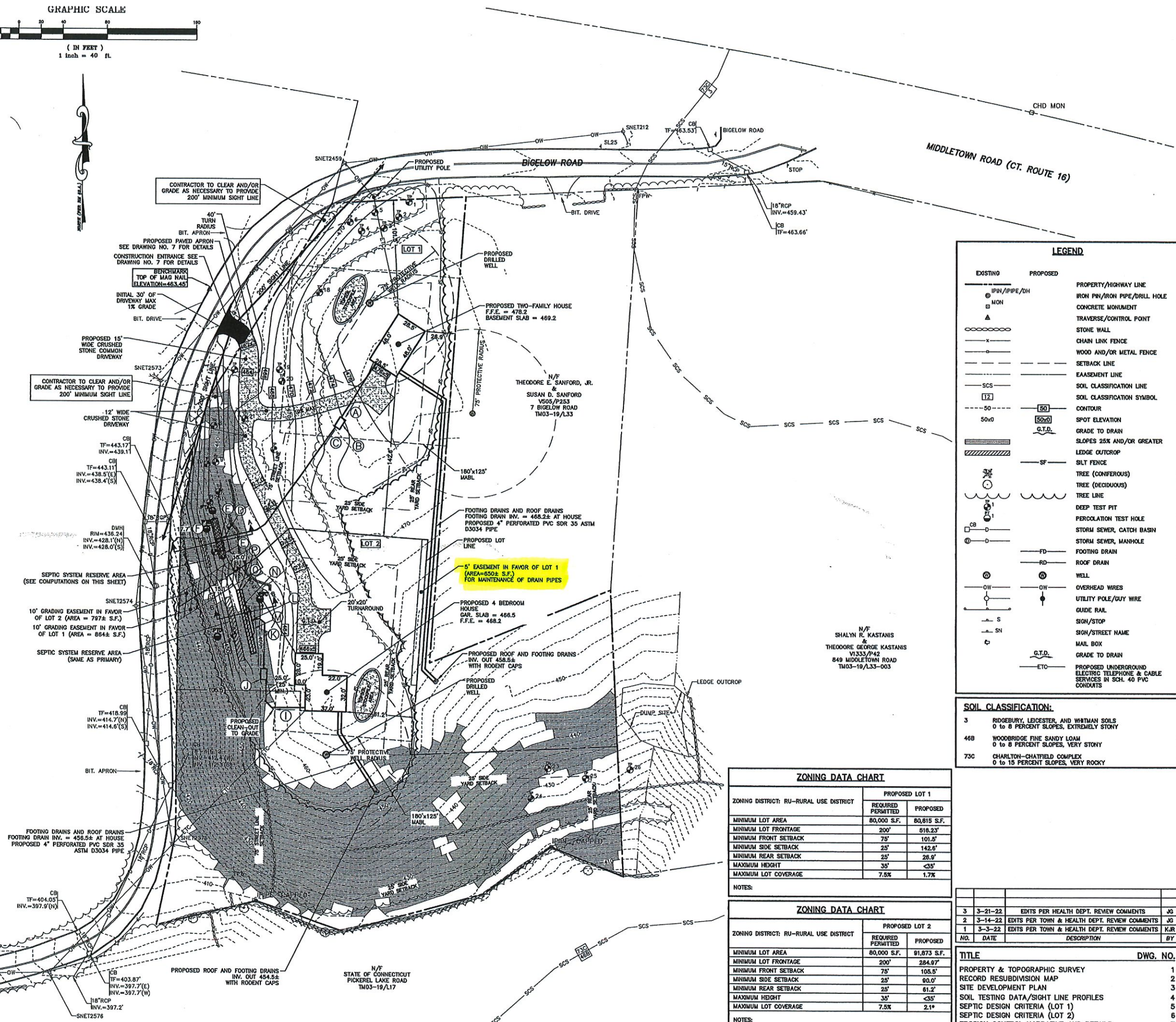
REFER TO SEPTIC SYSTEM INVERT TABLE ON DWG. NO. 6 FOR PROPOSED INVERT ELEVATIONS.

SEPTIC SYSTEM KEY LOT 2

(I)	58.8± L.F. OF 4" SCH. 40 PVC ASTM D1785 BUILDING SEWER PIPE @ 1/4" PER FT. MIN. SLOPE & 12" MIN. COVER.
(J)	1,250-GALLON CONCRETE SEPTIC TANK (UNITED CONCRETE OR EQUAL)*
(K)	4" SDR 35 PVC ASTM D3034 DISTRIBUTION PIPE TO CONNECT TO D-BOX.
(L)	SEALED GEOMATRIX DISTRIBUTION BOX.*
(M)	4" SDR 35 PVC ASTM D3034 SOLID PIPES TO CONNECT TO PROPOSED LEACHING SYSTEM PER MANUFACTURER'S REQUIREMENTS.
(N)	PROPOSED DISTRIBUTION TEE (TYP. x2).
(O)	58.0 L.F. OF GEOMATRIX GST8212 LEACHING SYSTEM.
(P)	4" SDR 35 PVC ASTM D3034 INSPECTION PORT - GEOMATRIX PART NO.: IPGST15 (TYP. x2)*

*SEPTIC TANK AND DISTRIBUTION BOX SHALL HAVE RISERS TO WITHIN 12" OF FINISHED GRADE. IF NECESSARY, CONTRACTOR SHALL VERIFY SEPTIC TANK AND RISERS ARE WATERTIGHT PRIOR TO INSTALLATION.

REFER TO SEPTIC SYSTEM INVERT TABLE ON DWG. NO. 5 FOR PROPOSED INVERT ELEVATIONS.



LEGEND

EXISTING	PROPOSED	PROPERTY/HIGHWAY LINE
IPW/PIPE/DH	IPW/PIPE/DH	PROPERTY/HIGHWAY LINE
MON	MON	IRON PW/IRON PIPE/DRILL HOLE
▲	▲	CONCRETE MONUMENT
○	○	TRAVERSE/CONTROL POINT
○	○	STONE WALL
○	○	CHAIN LINK FENCE
○	○	WOOD AND/OR METAL FENCE
○	○	SETBACK LINE
○	○	EASEMENT LINE
○	○	SOIL CLASSIFICATION LINE
○	○	SOIL CLASSIFICATION SYMBOL
○	○	CONTOUR
○	○	SPOT ELEVATION
○	○	GRADE TO DRAIN
○	○	SLOPES 25% AND/OR GREATER
○	○	LEDGE OUTCROP
○	○	SILT FENCE
○	○	TREE (CONIFEROUS)
○	○	TREE (DECIDUOUS)
○	○	TREE LINE
○	○	DEEP TEST PIT
○	○	PERCOLATION TEST HOLE
○	○	STORM SEWER, CATCH BASIN
○	○	STORM SEWER, MANHOLE
○	○	FOOTING DRAIN
○	○	ROOF DRAIN
○	○	WELL
○	○	OVERHEAD WIRES
○	○	UTILITY POLE/GUY WIRE
○	○	GUIDE RAIL
○	○	SIGN/STOP
○	○	SOIL/STREET NAME
○	○	MAIL BOX
○	○	GRADE TO DRAIN
○	○	ETC
○	○	PROPOSED UNDERGROUND ELECTRIC TELEPHONE & CABLE SERVICES IN SCH. 40 PVC CONDUITS

SOIL CLASSIFICATION:

3	RIDGEBURY, LEICESTER, AND WHITMAN SOILS 0 to 8 PERCENT SLOPES, EXTREMELY STONY
46B	WOODBURGE FINE SANDY LOAM 0 to 8 PERCENT SLOPES, VERY STONY
73C	CHARLTON-CHATFIELD COMPLEX 0 to 15 PERCENT SLOPES, VERY ROCKY

ZONING DATA CHART

ZONING DISTRICT: RU-RURAL USE DISTRICT	PROPOSED LOT 1	
	REQUIRED PERMITTED	PROPOSED
MINIMUM LOT AREA	80,000 S.F.	80,815 S.F.
MINIMUM LOT FRONTAGE	200'	518.23'
MINIMUM FRONT SETBACK	75'	101.5'
MINIMUM SIDE SETBACK	25'	142.6'
MINIMUM REAR SETBACK	25'	26.9'
MAXIMUM HEIGHT	35'	<35'
MAXIMUM LOT COVERAGE	7.5%	1.7%

NOTES:

ZONING DATA CHART

ZONING DISTRICT: RU-RURAL USE DISTRICT	PROPOSED LOT 2	
	REQUIRED PERMITTED	PROPOSED
MINIMUM LOT AREA	80,000 S.F.	91,673 S.F.
MINIMUM LOT FRONTAGE	200'	284.97'
MINIMUM FRONT SETBACK	75'	105.5'
MINIMUM SIDE SETBACK	25'	90.0'
MINIMUM REAR SETBACK	25'	61.2'
MAXIMUM HEIGHT	35'	<35'
MAXIMUM LOT COVERAGE	7.5%	2.1%

NOTES:

NO.	DATE	DESCRIPTION	BY
3	3-21-22	EDITS PER HEALTH DEPT. REVIEW COMMENTS	JG
2	3-14-22	EDITS PER TOWN & HEALTH DEPT. REVIEW COMMENTS	JG
1	3-3-22	EDITS PER TOWN & HEALTH DEPT. REVIEW COMMENTS	KJR

TITLE

TITLE	DWG. NO.
PROPERTY & TOPOGRAPHIC SURVEY	1
RECORD RESUBDIVISION MAP	2
SITE DEVELOPMENT PLAN	3
SOIL TESTING DATA/SIGHT LINE PROFILES	4
SEPTIC DESIGN CRITERIA (LOT 1)	5
SEPTIC DESIGN CRITERIA (LOT 2)	6
EROSION CONTROL NARRATIVE AND DETAILS	7

BENNETT & SMILAS ASSOCIATES, INC.
415 KILLINGWORTH ROAD, P.O. BOX 241
HIGGANUM, CONNECTICUT 06441
PHONE (860) 345-4669 FAX (860) 345-9868

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Michael J. Bennett
MICHAEL J. BENNETT
R.L.S. #10833

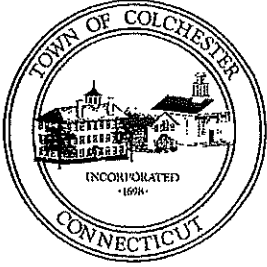
PLAN PREPARED BY:
INDIGO LAND DESIGN, LLC
INDIGO LAND DESIGN, LLC
200 W. MAIN STREET, 2ND FLOOR
MIDDLETOWN, CT 06450
TEL: (860) 345-9868 FAX: (860) 345-9868

INDIGO

PROPOSED TWO LOT RE-SUBDIVISION
SITE DEVELOPMENT PLAN
LAND NOW OR FORMERLY
SOUTH ROAD MARLBOROUGH, LLC.
19 BIGELOW ROAD, COLCHESTER, CONNECTICUT

TITLE: DWG. NO. 3
DATE: JAN. 25, 2022
SCALE: 1"=40'
SHEET: 3 OF 7
DWG. NO.: 3

F:\USE PROJECTS\COLCHESTER\MARINO - 19 BIGELOW ROAD\DWG\19 BIGELOW ROAD_3-7_SDR_REV.DWG



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

March 31, 2022

To: Colchester Conservation Commission and Planning & Zoning Commission

From: Salvatore Tassone P.E. – Town Engineer

Re: Proposed two lot Re-subdivision, 19 Bigelow Road, Colchester CT. prepared for South Road Marlborough LLC., by Bennett & Smilas Associates, Inc. dated January 25, 2022, latest revision 3-21-22.

The referenced revised plan has addressed all of my previous comments. It is my understanding that the commission would like some clarification on whether sight line issues have been met. I offer the following:

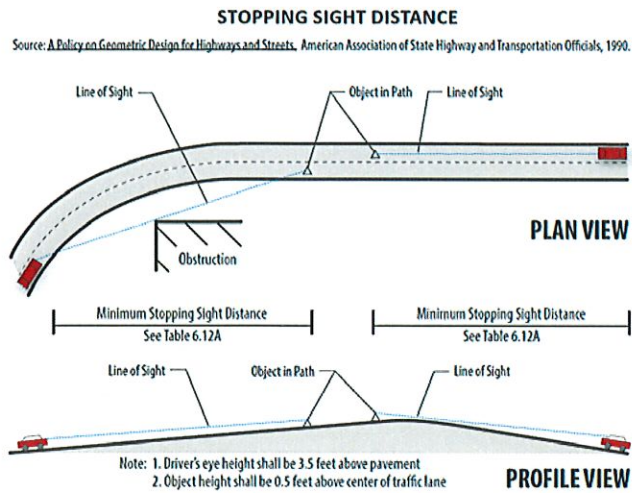
- The Town's zoning and subdivision regulations require a 200 feet long sight line for residential driveways where the sightline is measured from a point on the driveway apron at 10 feet back from the edge of road to a point on the centerline of the oncoming road lane. Both the driver's eye height and the object height are at 3.5 feet above grade when measuring this sight line.

Based on the proposed lot grading and the sight line profiles shown on sheet 4 of the subdivision plan, the applicant has demonstrated that a 200 feet sight line is achievable.

When a building permit is issued for any new lot, prior to the issuance of zoning compliance and a certificate of occupancy, an as-built plan must be submitted by a licensed land surveyor, showing and certifying that the required 200 feet sight line has been achieved.

With regards to concerns about vehicles traveling West on Route 16 and making a left turn onto Bigelow Road and their ability to slow down or stop if there is something in the road, the attached Stopping sight distance sketch and table provide some information relative to the actual distance needed to stop based on the vehicle speed and on the road grade. The attached sketch shows a very similar road alignment to the actual portion of Bigelow Road coming in from Route 16. As seen on the table, given a relatively flat section of roadway, the minimum stopping sight distance for a 30 mph speed is 200 feet. Other stopping sight distances shown are based on actual road grades.

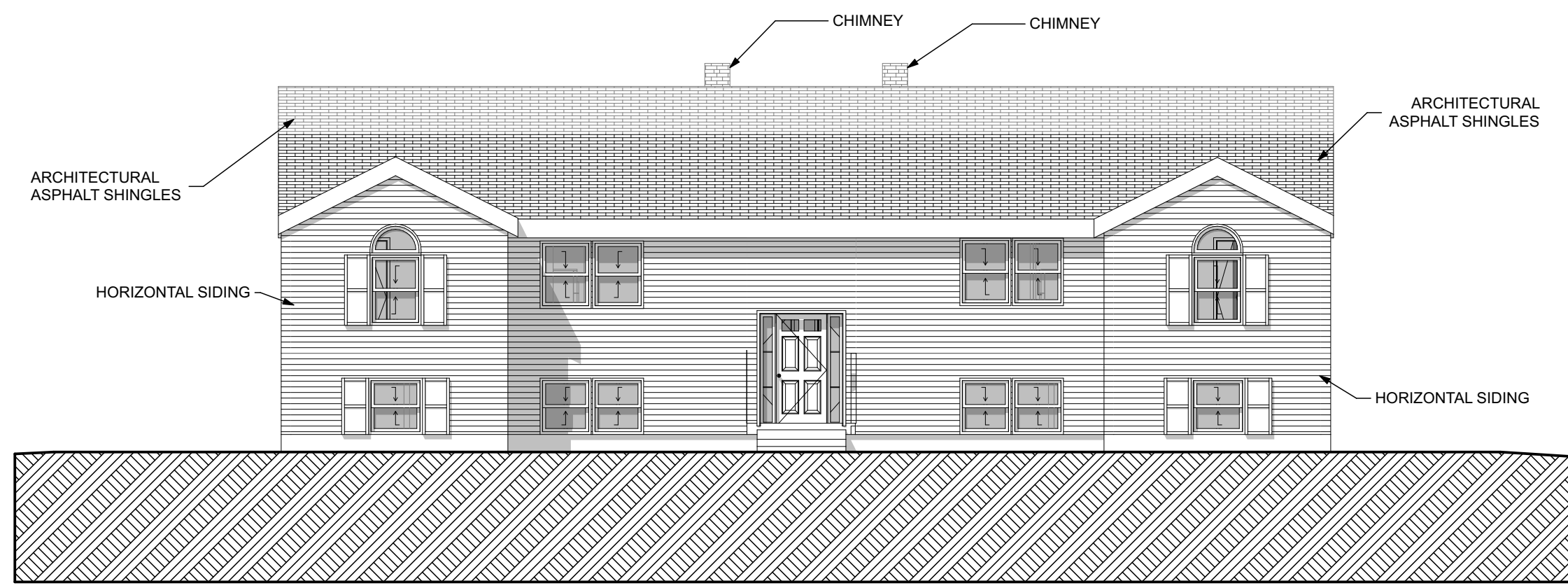
Figure 1. Stopping Sight Distance



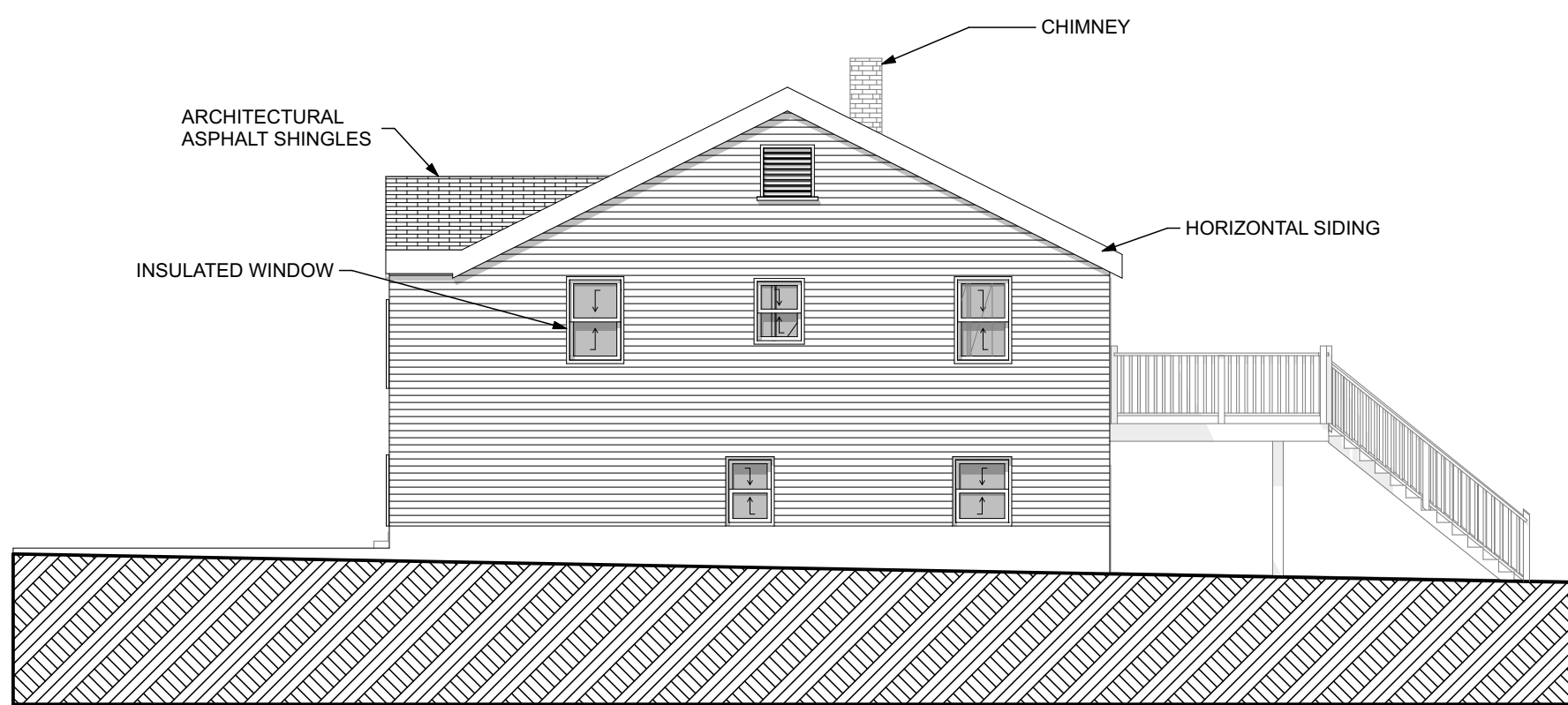
Comment [RMM2]: DPS to update figure to reference 2011 AASHTO and table 1

Table 1. Minimum Stopping Sight Distance

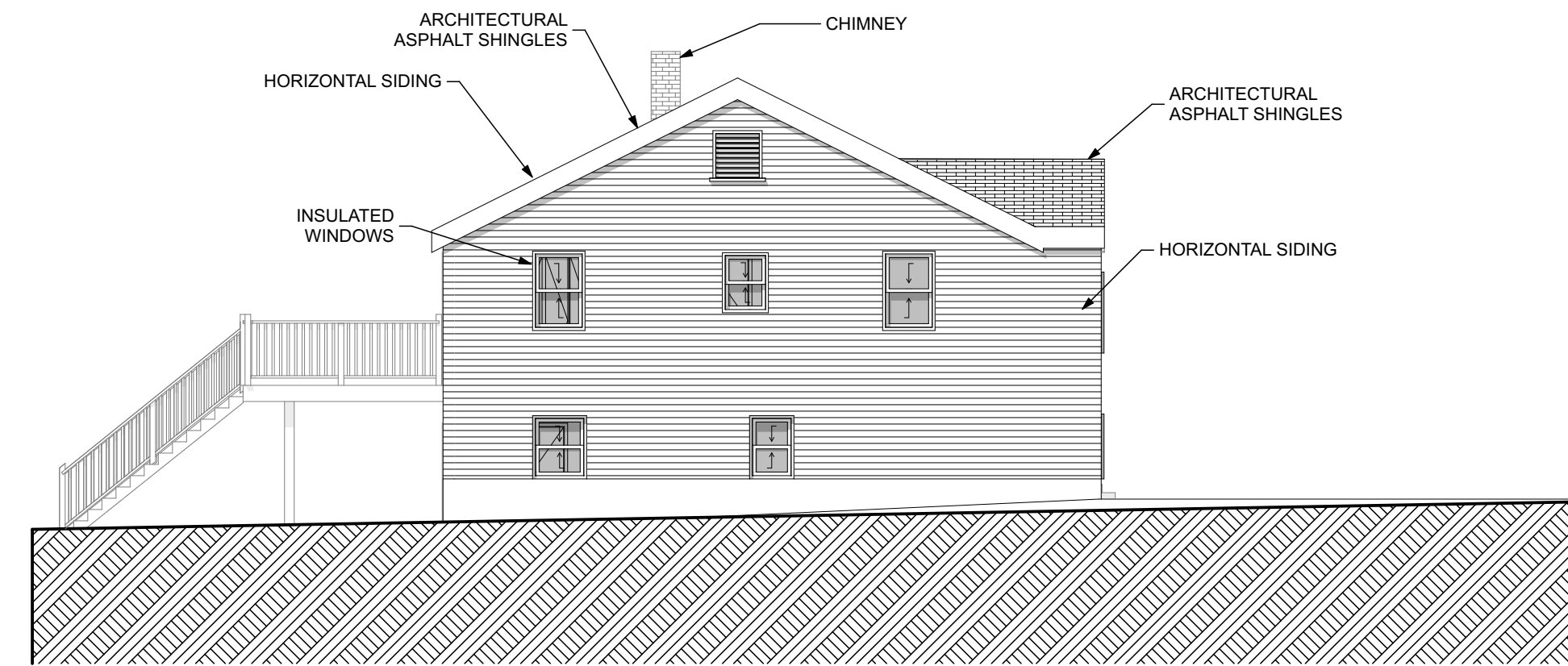
Design Speed (mph)	Min. Stopping Sight Distance (ft), Street grade (%)						
	Upgrades			Flat	Downgrades		
	9%	6%	3%	0%	-3%	-6%	-9%
25	140	145	150	155	160	165	175
30	180	185	200	200	205	215	230
35	225	230	240	250	260	275	290
40	270	280	290	305	315	335	355
45	320	330	345	360	380	400	430
50	375	390	405	425	450	475	510



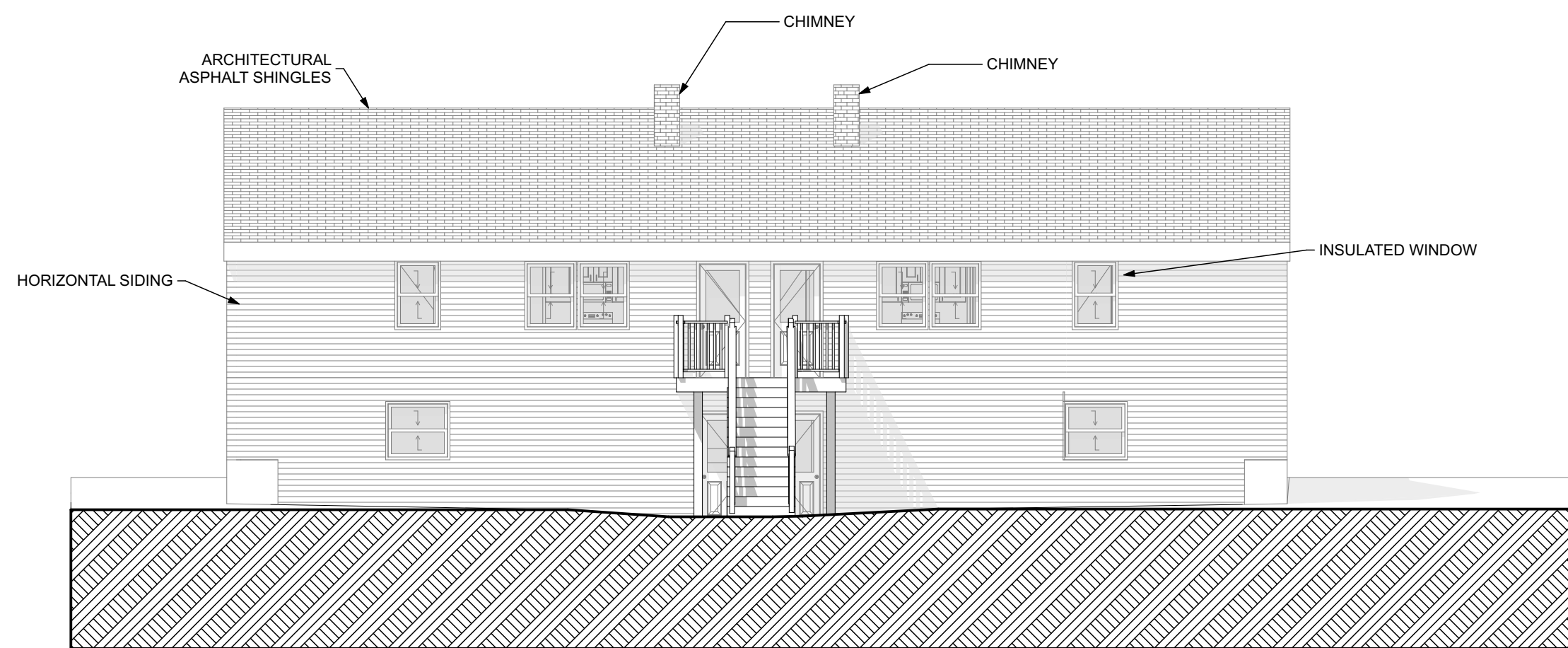
1F EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"



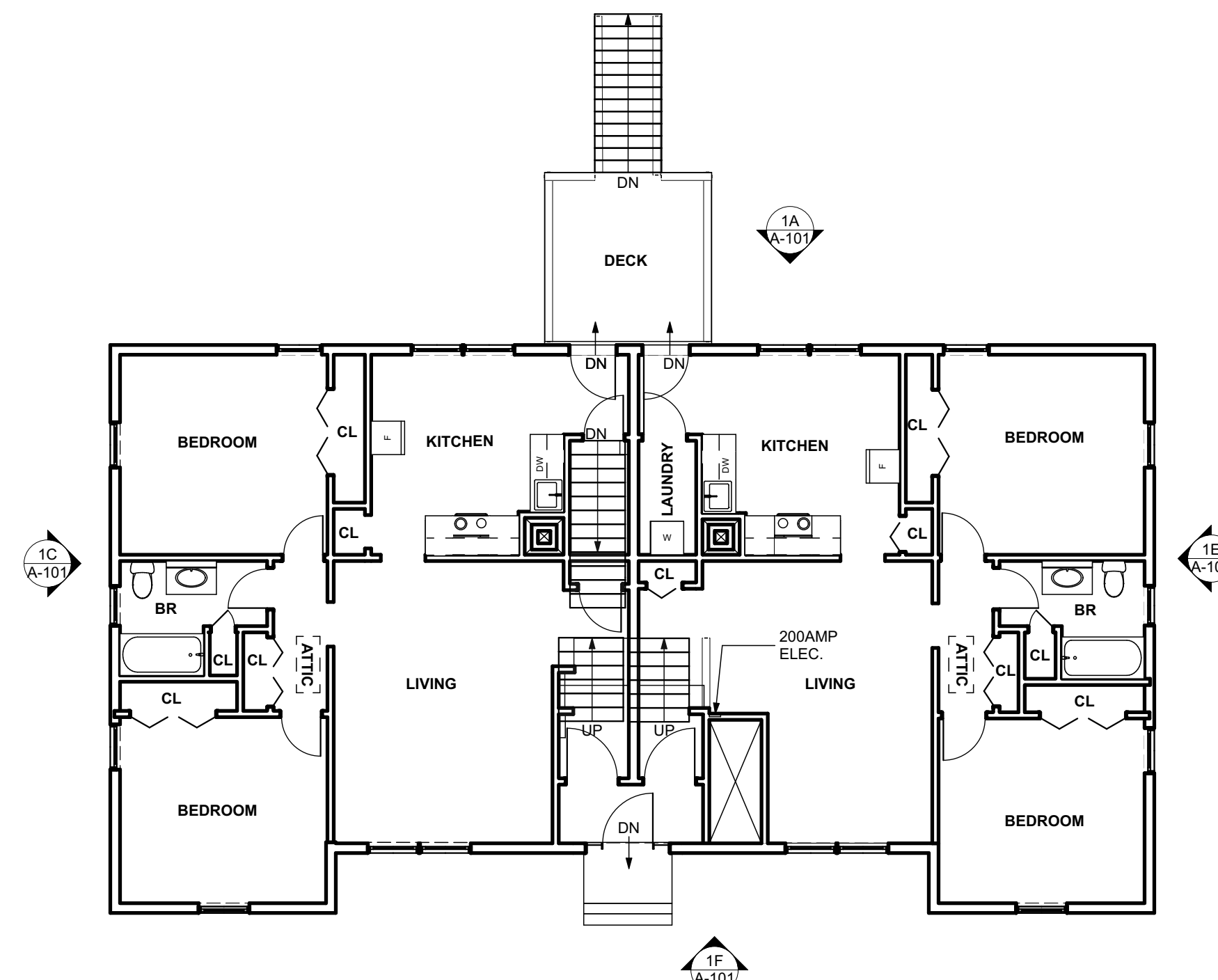
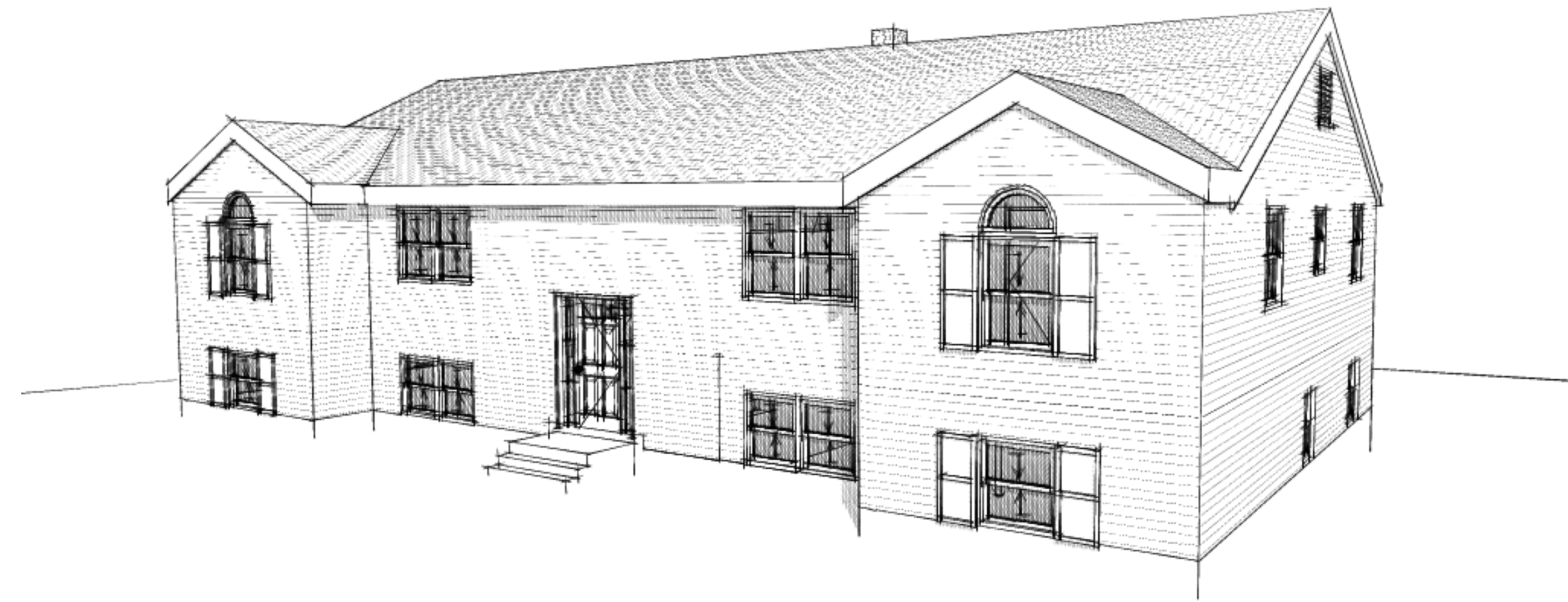
1E EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



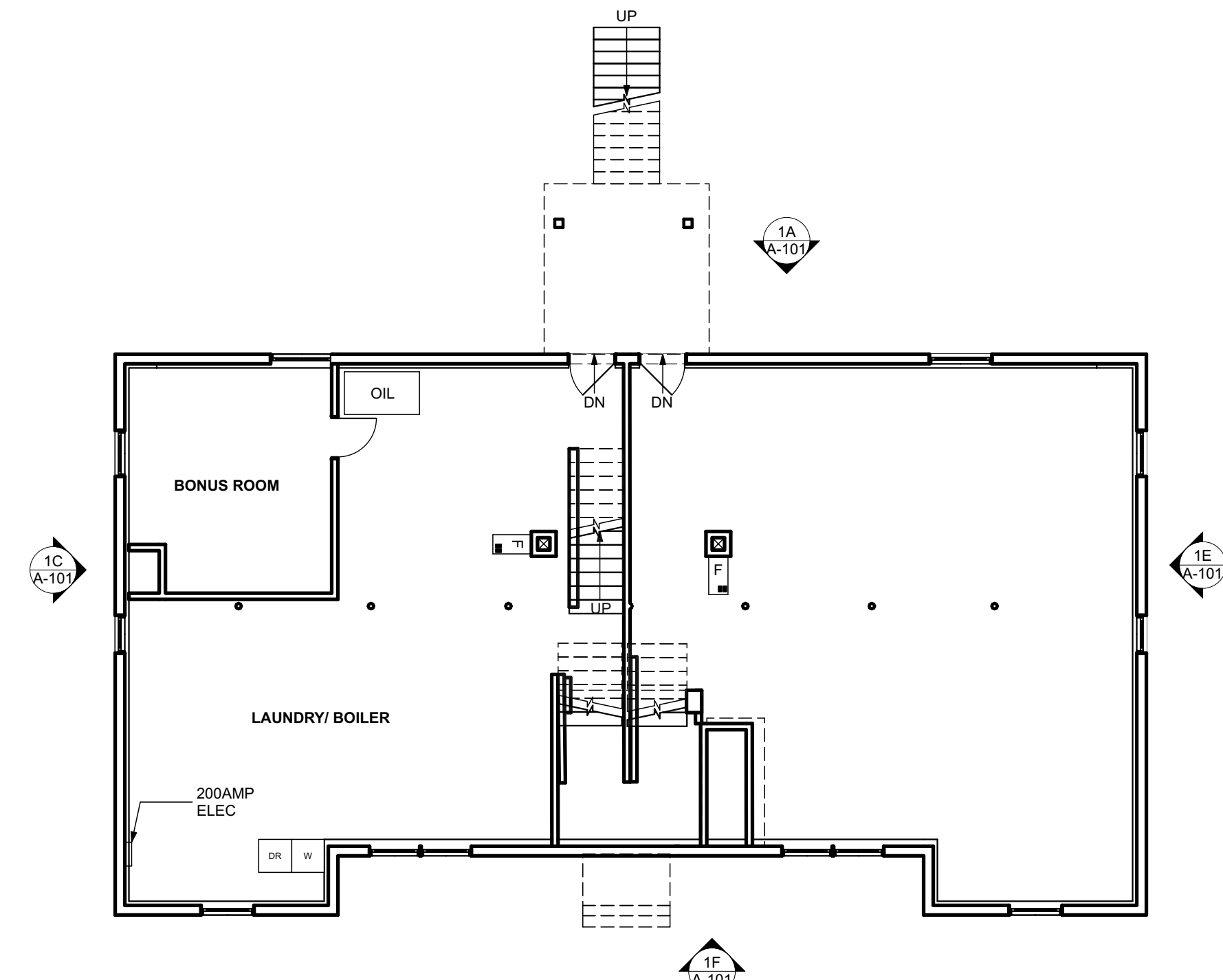
1C EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



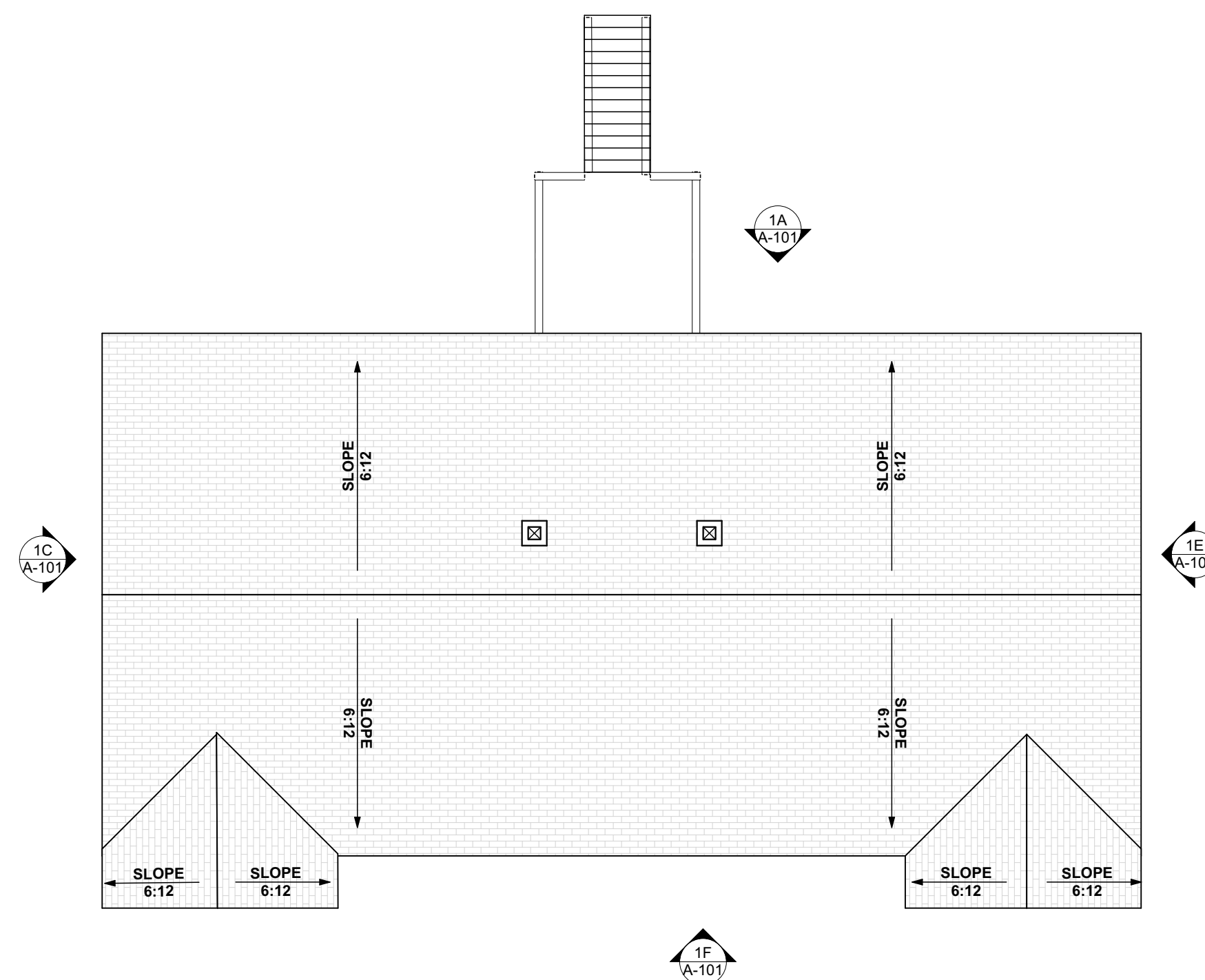
1A EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"



4D EXISTING UPPER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

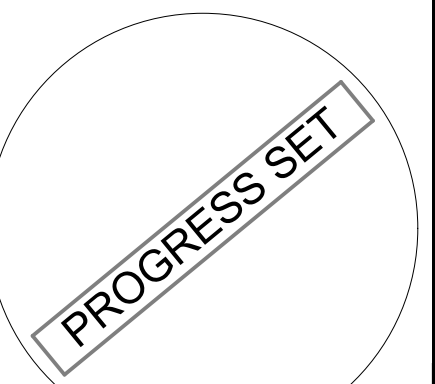


6D EXISTING LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"



5A EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

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SHEET NAME
EXISTING
CONDITIONS

SHEET ID

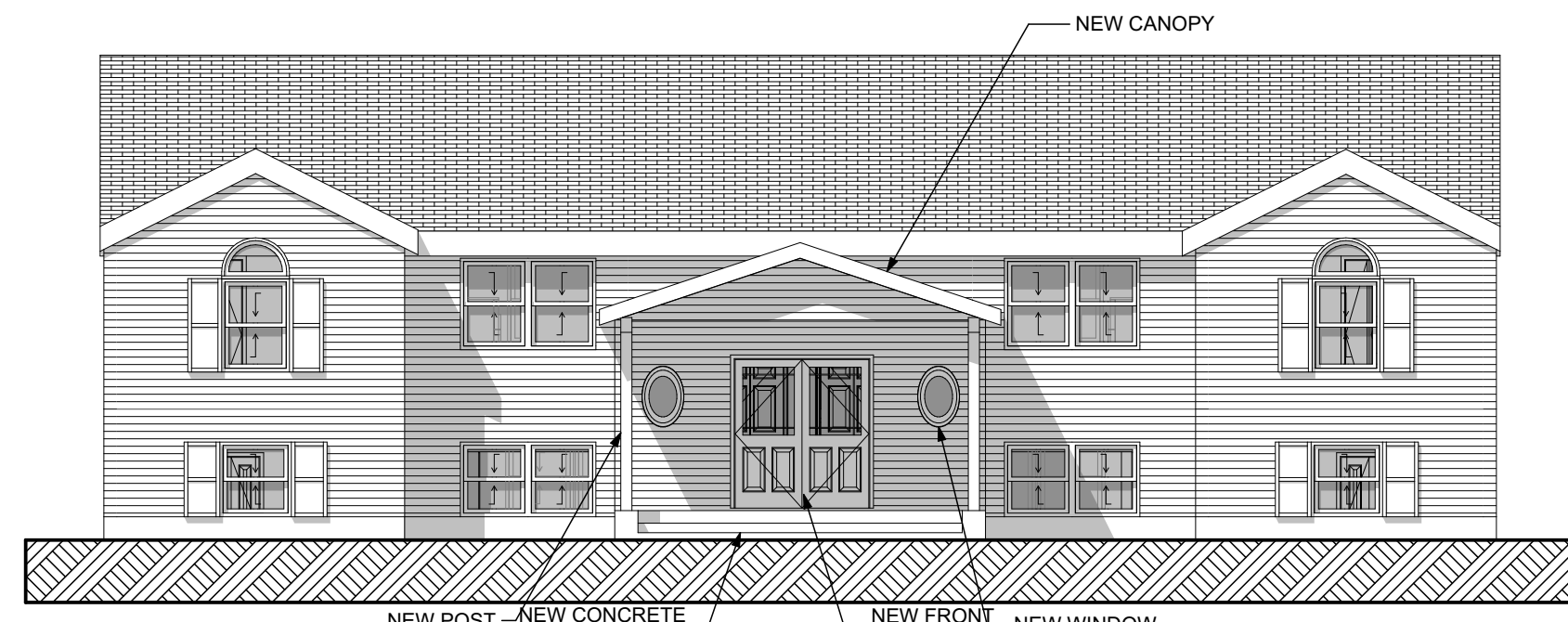
A-101

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SHEET NAME
**PRELIMINARY
 DESIGN DRAWINGS**

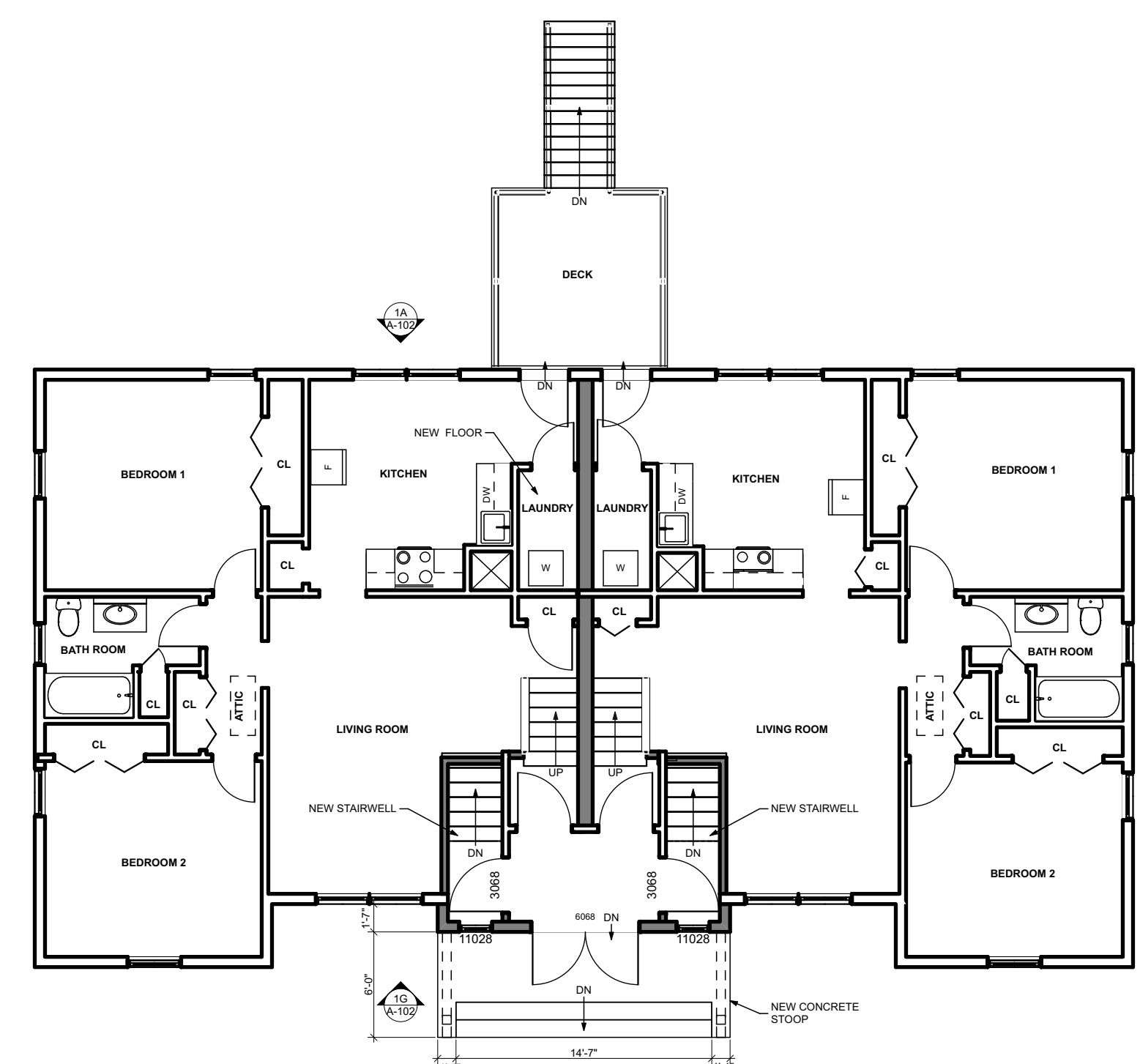
SHEET ID
A-102



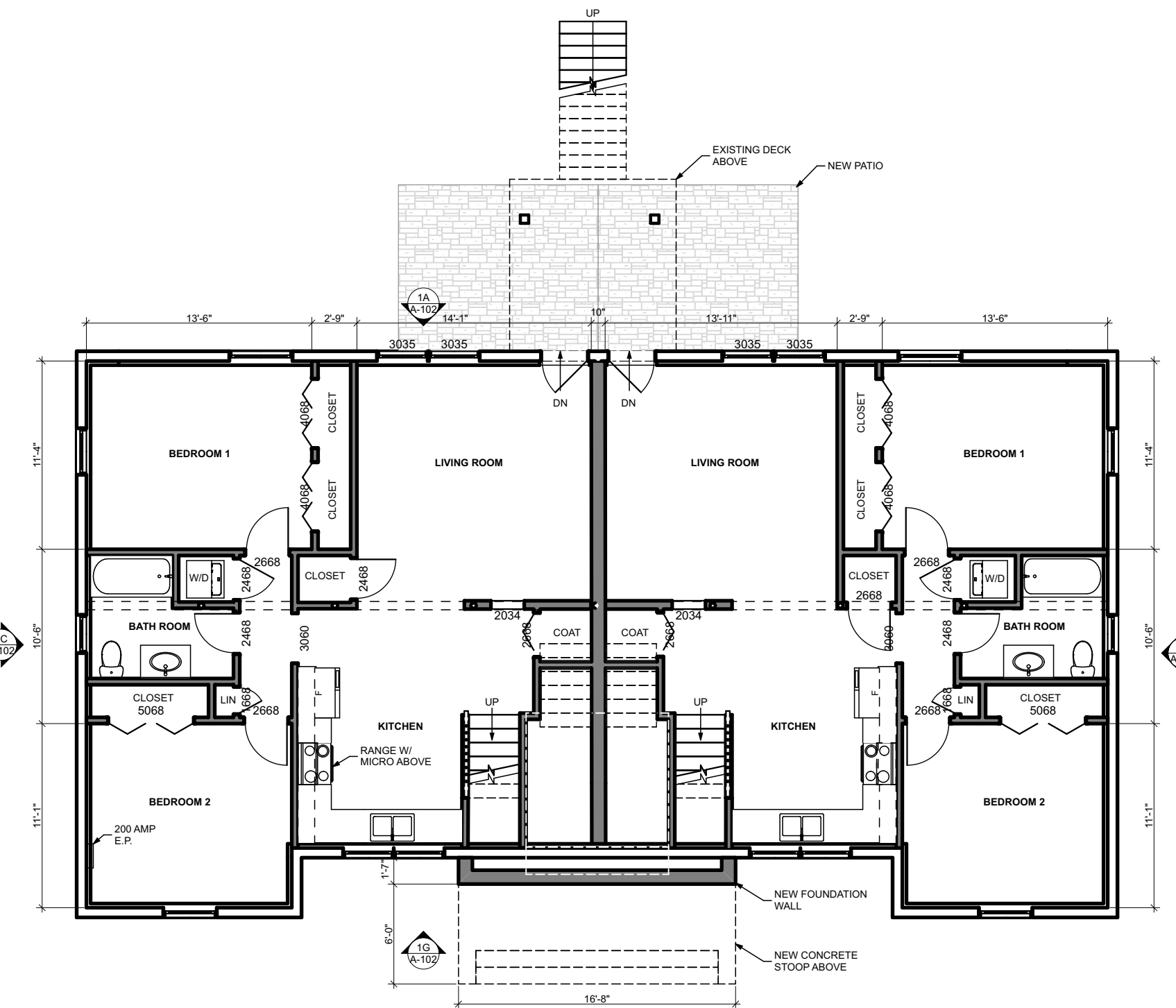
1G NEW WEST ELEVATION
 SCALE: 1/8" = 1'-0"



1E NEW SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



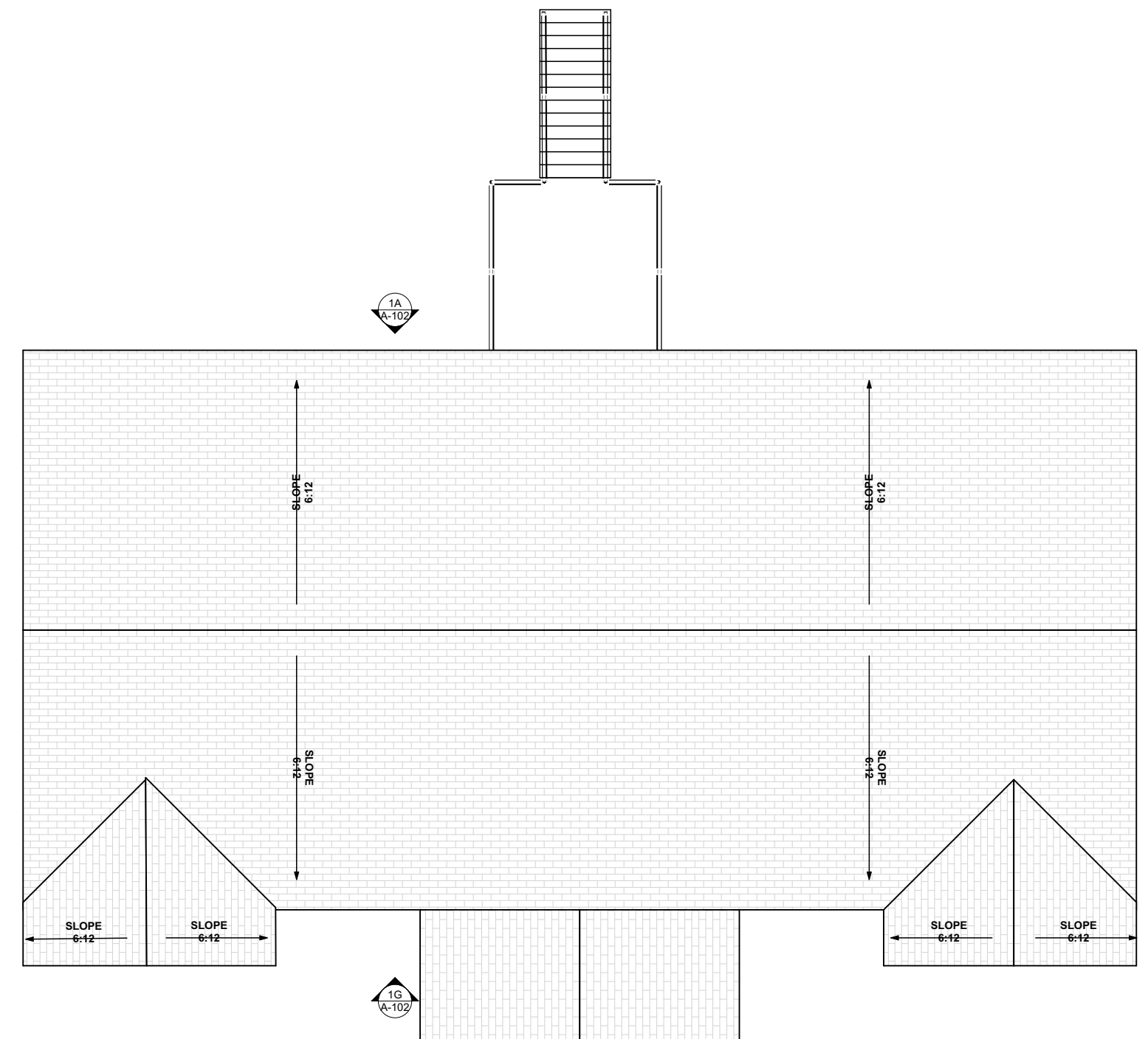
4D UPPER LEVEL FLOOR CONSTRUCTION PLAN
 SCALE: 1/8" = 1'-0"



6D LOWER LEVEL FLOOR CONSTRUCTION PLAN
 SCALE: 1/8" = 1'-0"



1C NEW NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



5A ROOF CONSTRUCTION PLAN
 SCALE: 1/8" = 1'-0"



1A NEW EAST ELEVATION
 SCALE: 1/8" = 1'-0"

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission
FROM: Matthew R. Bordeaux, Planning Director *MRB*
DATE: March 28, 2022
RE: Municipal Regulation of Cannabis

Introduction

As shown on the attached table, the State has broken down the cannabis industry into eight (8) establishments types, each defined and licensed distinctly. The table describes each type of establishment and provides a list of comparable uses permitted in Colchester's zoning code.

By reviewing the progress of other CT municipalities and comparing the establishment types with existing uses in the various zones across town, the Commission should be able to draft a set of regulations appropriate for Colchester.

The summary below was prepared by reviewing the regulations adopted (or being considered) by other CT municipalities. The review included a look at what zoning districts each establishment type was permitted in, how each use was permitted (zoning permit/site plan/special permit), what definitions were adopted and if any special provisions (separation distances, special reports, etc) were adopted.

Municipal Regulations

The following towns represent a useful cross-section of thought that has gone into the regulation of cannabis establishments:

Town of Suffield

- Prioritized regulation of retail uses in Industrial Zones
- Subject to Special Permit
- 200' from residential zone, school, daycare, church, playground
- Hours: 8 am -10 pm (limited on Sunday)
- Traffic Mgmt Plan
- Floor Plan & Security Plan
- Ventilation Plan for cultivation
- No onsite consumption

City of Middletown

- Addressed Density Cap
- Subject to Special Exception
- Traffic Mgmt Plan
- Consumption Prohibited
- Hours 8 am - 10 pm
- Retail must be on State Highway

City of Bridgeport

- All Establishment-types 500' from school
- Certificate of Location Approval (close to Special Permit, does not run w/land, non-transferrable, expires after 5 years)
- Restricted to Industrial Zones

Town of Newington

- Reference to Public Act 21-1
- Production and Retail in Industrial zones
- Special Permit required
- Micro-cultivation in Planned Development zones
- Retail/Hybrid/Medical in Business zones
- Retail 100' from church, school, playground
- Production 100' from single-family homes
- 500' separation from each other (retail uses)
- Hours:7 am – 7 pm

Town of Andover

- Package Stores/Cannabis Establishments regulated together
- 500' church, elementary school, library, park/playground, or residential lot
- 200' from state park linear trail

For the most part, the information required of applicants by the various towns outlined above do not appear to be outside the realm of what would be expected of the State License application requirements.

In Colchester, the Arterial/Commercial District seems an appropriate place to locate the whole list of establishment types. In general, the district contains/permits comparable uses, is easy to access, has good visibility, and a substantial portion of it is served by public utilities.

The retail, hybrid retail, and micro-cultivat license types could also fit in the Town Center Village District for the same reasons. Considering the limitation the state has established on the density of establishments based on population, locating one of these uses in the Town Center is likely to be attractive to a business. Despite the access to Route 2, without access to public utilities, the Future Development District is not likely to be as desirable a location to invest in. Perhaps a production facility of a significant scale would be the exception.

Large-Scale Indoor Agriculture

Following the request of an applicant in 2021, the Commission adopted a regulation amendment to permit the cultivation of marijuana at a very large scale via approval of a Floating Zone referred to as Large-Scale Indoor Agricultural Zone (LSIA). Per the amendment, a Floating Zone may 'land' in the existing Rural, Suburban, Future Development or Arterial/Commercial Use Districts. Buildings in this zone are permitted up to 175,000 sq. ft. in area.

Now that the State has established a new approach to regulating the cannabis industry, a "cultivator" license will be required for cultivation at this scale. When the LSIA regulation

amendment was adopted, CT Public Act 21-1 (PA 21-1) was not yet law and only medical marijuana production was possible. As the Commission discussed when considering the LSIA amendment, the LSIA concept would probably be consistent with the existing uses permitted in the Arterial/Commercial Use District, however because the applicant had sights set on land in other districts (specifically the Suburban Use District) the floating zone seemed the most appropriate compromise.

The LSIA provides the Commission with significant discretion when considering the location of substantial cultivation facilities. It also allows the Commission to consider landing an LSIA in zones that wouldn't typically be assumed possible. This approach to regulating cultivation facilities may still be relevant. By regulating the cultivation of marijuana in this manner, however, is the applicant interested in locating a cultivation facility in the Arterial/Commercial District then subject to the LSIA regulations when the use is substantially similar to other uses already permitted in the district. Or in other words, are we requiring an unreasonable regulatory burden on a use that would otherwise be welcomed.

Medical Marijuana

The PA 21-1 regulates recreational cannabis retail establishments and hybrid retail establishments which may sell recreation and medical cannabis products. It appears that the sale of medical marijuana products is not explicitly covered by the list of establishments in PA 21-1. To avoid overcomplicating things, the Commission could consider adding medical marijuana retail establishments to the list and regulating them consistent with retail and hybrid establishments.

MRB

R:\Boards and Commissions\PZC\Regulation Amendments\Marijuana\Recreational Sales\Town Review Memo.docx

Attach

Cannabis Establishment License Types Regulated by CT Public Act 21-1

License Type	License Description	
Retailer License	A retailer may purchase and sell recreational cannabis to consumers and research programs. This license excludes medical marijuana dispensaries and hybrid retailers.	Retail Uses: Section 4.3.8 (SU per Special Permit), Section 5.3.2 (TC), Section 7.2 (AC) <ul style="list-style-type: none"> • Standard Residential Buffers • Parking: 2 per 1,000 GFA
Hybrid Retailer License	A hybrid retailer may purchase and sell recreational cannabis, along with medical marijuana products.	Same as above
Cultivator License	A cultivator may cultivate, grow, and propagate cannabis at an indoor establishment of not less than 15,000 square feet of grow space.	Section 7.2.6 and 7.3.8 (AC) <ul style="list-style-type: none"> • Parking: 2 per 1,000 GFA or as requested
Micro-Cultivator License	A micro-cultivator may cultivate, grow, and propagate cannabis at an indoor establishment of not less than 2,000 square feet and not more than 10,000 square feet of grow space.	Section 7.2.6 (AC) Section 5.3.2 (TC)
Product Manufacturer License	A product manufacturer may obtain cannabis, and extract and manufacture cannabis products.	Section 7.2.6 (AC) Section 5.3.2 (TC)
Food and Beverage Manufacturer License	A food and beverage manufacturer may own and operate a business that obtains cannabis, and creates food and beverages using cannabis.	Section 7.2.6 (AC) Section 5.3.2 (TC)
Product Packager License	A product packager may package and label cannabis products.	Section 7.2.6 (AC)
Delivery Service or Transporter License	A delivery service may deliver recreational cannabis to consumers, and may deliver medical marijuana to qualifying patients. A transporter may transport cannabis products between cannabis establishments, laboratories, and research programs.	Unclear what's comparable. May need new definition that covers auto rental (Avis/Budget, UHaul)