

# Town of Colchester, CT

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION

Wednesday, April 5, 2023  
7:00 pm – Town Hall, Room 1  
Special Meeting  
AGENDA

RECEIVED  
COLCHESTER, CT  
2023 MAR 31 AM 9:30  
Gayle Furman  
TOWN CLERK

1. Call to Order
2. Additions or Deletions to the Agenda
3. Minutes of Previous Meeting
  - a. Regular Meeting of 3/15/23
4. Public Hearings –
  - a. **PZC 2023-001 of HWY 95, LLC (Applicant) and Tri Town Plaza, LLC (Owner)** - Special Permit Application for proposed Adult-Use Cannabis Retail in existing multi-tenant retail plaza at 493 Westchester Road (Assessor's ID 03-17/013-000). Zoning District: Westchester Village (WV)
  - b. **PZC 2023-003 of ARK Distillery, LLC (Applicant) and ARK Station, LLC (Owner)** - Special Permit Application for proposed distillery at 200 Lebanon Avenue (Assessor's ID 22-00/039-000). Zoning District: Town Center (TC).
  - c. **PZC 2023-002 of the Colchester Planning & Zoning Commission (Applicant)** - Proposed Amendments to Sections 3.2, 3.4, 4.2, 5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations.
5. Five Minute Session for the Public
6. Pending Applications –
  - a. **2023-001 of HWY 95, LLC (Applicant) and Tri Town Plaza, LLC (Owner)** - Special Permit Application for proposed Adult-Use Cannabis Retail in existing multi-tenant retail plaza at 493 Westchester Road (Assessor's ID 03-17/013-000). Zoning District: Westchester Village (WV)
  - b. **PZC 2023-003 of ARK Distillery, LLC (Applicant) and ARK Station, LLC (Owner)** - Special Permit Application for proposed distillery at 200 Lebanon Avenue (Assessor's ID 22-00/039-000). Zoning District: Town Center (TC).
  - c. **PZC 2023-002 of the Colchester Planning & Zoning Commission (Applicant)** - Proposed Amendments to Sections 3.2, 3.4, 4.2, 5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations.
7. New Applications
  - a. **PZC 2023-006 of ASW, LLC (Applicant) and Roaring Brook Advisors, LLC, Kathleen B. Fabian, and Patrick M. Shugrue (Owners)** – Zone Change from Future Development (FD) to Suburban Use (SU) for 57± acres of land located on Lake Hayward Road (Assessor's ID 03-09/049-000 - 19±

acres; Assessor's ID 03-09/52B-000 - 18± acres, and Assessor's ID 03-09/52A-000 – 20± acres)  
Zoning District: Future Development (FD).

**8. Preliminary Reviews –**

- a. Hop Culture Farms & Brewing Co., 144 Cato Corner Road – Discussion regarding establishment of regulations for recreational campgrounds in the Rural Use (RU) District.
- b. Anthony Gargano (Gano's Power Equipment), 120 Linwood Avenue – Discussion of possible modifications to approved Site Plan for temporary parking "pull-off" on Linwood Avenue (CT #16).

**9. Old Business - None**

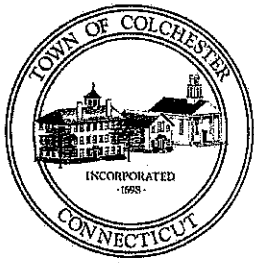
**10. New Business – None**

**11. Planning Issues and Discussions**

- a. Zoning Enforcement Officer Status Report

**12. Correspondence**

**13. Adjournment**



# Town of Colchester, CT

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION

Wednesday, March 15, 2023  
7:00 pm – Town Hall, Room 1  
Regular Meeting  
MINUTES

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

**Members Absent:** M. Noniewicz, A. Lago, ZEO

**Also Present:** D. Sorrentino, Planning Director

**1. Call to Order**

**2. Additions or Deletions to the Agenda**

**3. Minutes of Previous Meeting**

- a. March 1, 2023 – Motion by B. Hayn to approve as written. 2<sup>nd</sup> by M. Kehoegreen. *Vote was unanimous, motion carried.*

**4. Public Hearings - None**

**5. Five Minute Session for the Public**

**6. Pending Applications – None**

**7. New Applications**

- a. **PZC 2023-004** of David D. Damato (Applicant/Owner) – Site Plan Review for proposed 600 square foot accessory building to existing single-family residential use at 115 Mill Hill Road (Assessor's ID 05-10/011-001) Zoning District: Rural Use (RU) – D. Sorrentino gave an overview of the application to construct a 600 sq accessory structure on a 2.85 acre parcel in the Rural Use District. Due to the current regulations, the size of the proposed building exceeds the permitted size of an accessory structure in comparison to the footprint of the associated primary building on the parcel. The building plans were discussed. Motion by J. Novak to approve site plan application PZC 2023-004. 2<sup>nd</sup> by B. Hayn. *Vote was unanimous, motion carried.*
- b. **PZC 2023-005** of Mary J. McDonald (Applicant) and Gingerfield Associates (Mary J. McDonald & Fred J. Criscuolo, Owners) Zone Change from Future Development (FD) to Rural Use (RU) for 90± acres of land located on Chestnut Hill Road (Assessor's ID 4E-05-004-011) Zoning District: Future Development (FD) – Accepted by the Commission.

RECEIVED  
COLCHESTER, CT  
2023 MAR 17 PM 3:00  
Gayle Furman  
TOWN CLERK

**8. Preliminary Reviews – None**

**9. Old Business**

- a. **PZC 2023-002** of the Colchester Planning & Zoning Commission (Applicant) - Proposed Amendments to Sections 3.2, 3.4, 4.2, 5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations. – D. Sorrentino discussed the proposed changes to the sections needing to be updated regarding accessory buildings. B. Hayn spoke about the town having a lot of farmers and rural hobbyists that erect large outbuildings to store their equipment. This puts restrictions on them that he feels is not fair to do. Members discussed the threshold for when a Site Plan Class 1 application to the commission is triggered and decided that when the proposed building is greater than 75% of the footprint of the associated primary building or 1,000 square feet, when such building is situated on the property in such a way as to minimize visibility from the street and to minimize any adverse impacts on neighboring properties. The Zoning Enforcement Officer may approve a Site Plan Class 1 application provided that the footprint of such accessory building does not exceed 75% of the footprint of the primary building or 1,000 square feet, whichever is less.

**10. New Business – None**

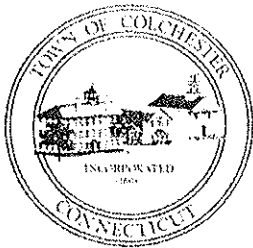
**11. Planning Issues and Discussions**

- a. Zoning Enforcement Officer Status Report – None

**12. Correspondence - None**

**13. Adjournment** – Motion to adjourn by B. Hayn, 2<sup>nd</sup> by J. Novak. *Vote was unanimous, motion carried.*

Respectfully submitted by: S. Kilgus, Land Use Assistant



**TOWN OF COLCHESTER, CONNECTICUT**  
**APPLICATION FOR SPECIAL EXCEPTION APPROVAL**

This application form and five (5) sets of plans shall be submitted to the Zoning and Planning Commission Office no later than noon on the Thursday before the next regularly scheduled meeting, (the first and third Wednesday of the month excepting Holiday periods). The Applicant shall submit a copy of the Assessor's Map showing all properties and zones within 500 feet of the subject property and a list of the names and addresses of the owners of all properties within 500 feet of the subject property.

NAME OF APPLICANT HWY 95, LLC

MAILING ADDRESS 65 Boston Post Rd

Waterford CT 06385 TELEPHONE 860 460-7424  
(City) (State) (Zip)

OWNER OF RECORD Tri Town Plaza, LLC

MAILING ADDRESS 493 Westchester Rd.

LOCATION OF BUILDING LOT NA

ASSESSOR'S MAP 03-17 LOT 013-000

IS THIS PROPERTY LOCATED IN: \_\_\_\_\_ AQUIFER PROTECTION ZONE; \_\_\_\_\_ LOCAL HISTORIC DISTRICT;  
\_\_\_\_\_ HISTORIC PRESERVATION OVERLAY ZONE

EXISTING USE(S) Vacant Retail

PROPOSED USE(S) Adult-Use Cannabis Retailer

ENGINEER/SURVEYOR Brian Florek TELEPHONE 860-271-6006

MAILING ADDRESS 239 Shore Rd., Waterford CT 06385

**CONTACT PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED**

NAME Gordon Videll

ADDRESS 65 Boston Post Rd

Waterford CT 06385 TELEPHONE 860 460-7424  
(City) (State) (Zip)

Gordon Videll  
Gordon Videll (Feb 22, 2023 14:48 EST)

APPLICANT(S) SIGNATURE

Andy ANDREO JR  
Andy ANDREO JR (Feb 22, 2023 14:47 EST)

OWNER(S) SIGNATURE

**For Official Use:**  
APPLICATION SUBMITTED \_\_\_\_\_ ZPC FEE PAID \_\_\_\_\_

FIRST ENGINEERING REVIEW FEE PAID \_\_\_\_\_

**“SCHEDULE A”**  
**PROPERTY DESCRIPTION**

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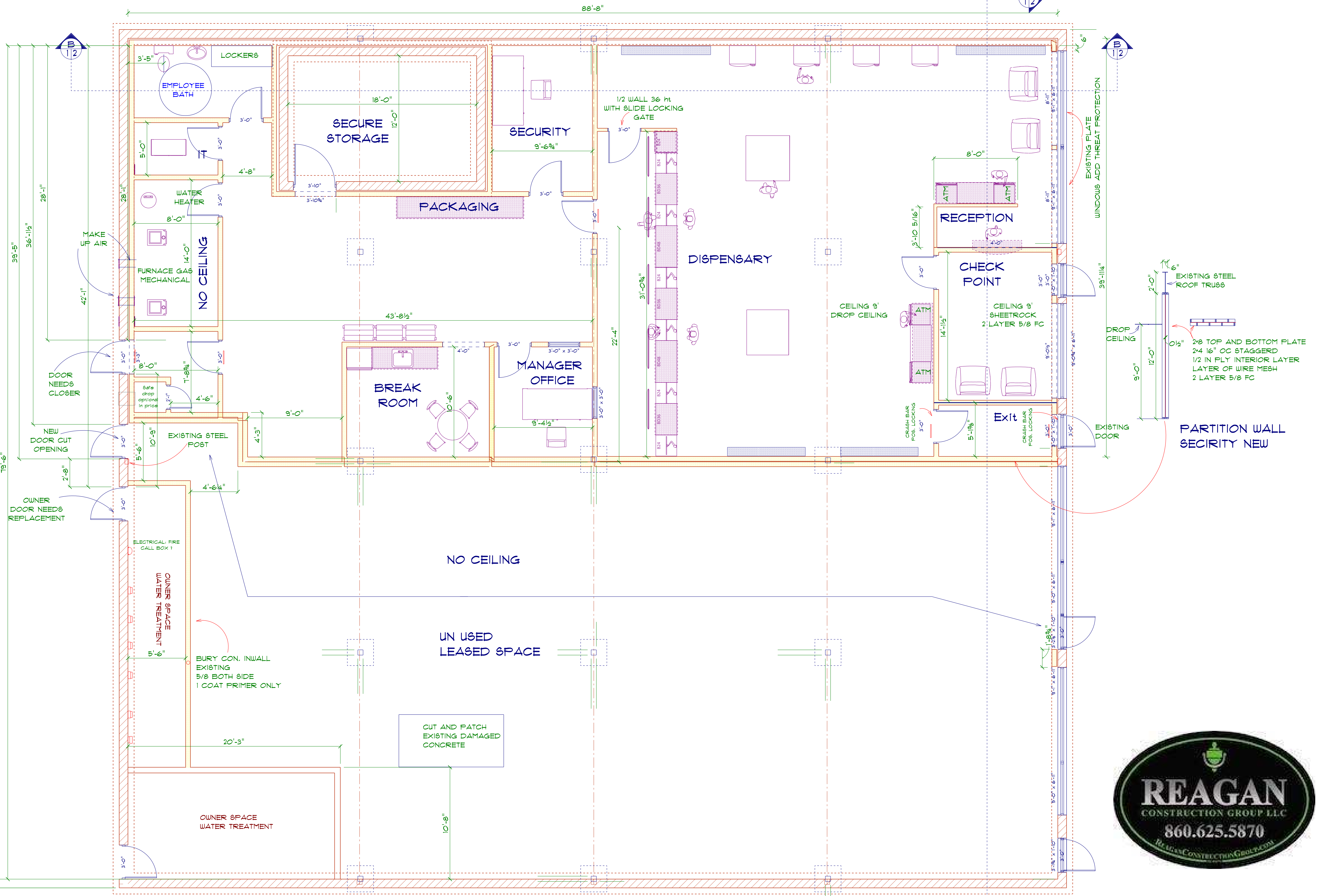
The applicant, HWY 95, LLC is a tenant of real property known as 493 Westchester Rd, Route 16 and Route 149, Colchester, Connecticut and consists of 8.2 acres in the Westchester Village District, (the “Property”). The Building on The Property is approximately 29,300sq. ft. ±, (the “Building”) and was originally constructed in 1965. The Property is currently shared with 5 other tenants, Westchester Market, Anytime Fitness, Hyacinth Nail & Spa, Ming Garden and Crossroads Tavern and is in a predominantly local business area of Colchester. An aerial image of the Property and surrounding area is included for reference.

HWY 95, LLC occupies units in The Building which was previously occupied by Town Auction which has gone out of business leaving the units vacant. The 6723 sq. ft. ±, is consistent with a vacated retail unit and will require modifications and upgrades to the site including revisions to the portion interior floor plan of The Building which will be used as an Adult Use Cannabis Dispensary (“Dispensary”). If the applicant is granted the special use permit to operate a Dispensary, the Applicants would obtain a Building Permit and begin modifications on approximately 3500 sq. ft. ± within 30 days.

SCHEDULE A

A certain parcel of land located in the Town of Colchester, County of New London, and State of Connecticut, and more particularly bounded and described as follows:

FIRST PARCEL: (Located on the northerly side of Route No. 16, so-called, and on the easterly side of Route No. 149) Commencing at a marker on the northerly side of Route No. 16, so-called, at the junction of said Route 16 and Route 149; thence easterly five hundred thirty four (534) feet, more or less, along the northerly highway line of Route No. 16 to the southwest corner of land now or formerly of Rabed Developing Corporation; thence northerly three hundred ninety six feet (396'), more or less; thence northeasterly three hundred thirty two (332') feet, more or less, along the westerly boundary of said land now or formerly of Rabed Developing Corporation to a fence and stone wall bounding land now or formerly of Warden Hall; thence westerly four hundred thirty one (431') feet, more or less, along said fence bounding land now or formerly of said Warden Hall to a fence on Route 149; thence southeasterly along the easterly side of Route 149 by a stone wall six hundred twenty-two (622') feet, more or less, to a point; thence southerly one hundred twenty nine and four-tenths (129.4') feet, more or less, to point and place of beginning. Being the First Parcel described in a deed from Carl A. Bengston to Michael J. Stula, as of record appears, and being a portion of the premises described in Colchester Land Records, Volume 76, Page 603. Together with and subject to drainage rights to the State of Connecticut, if any pertain to the premises.



**HIGHWAY 95 FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



## **SCHEDULE C PROJECT NARRATIVE**

- **THE PROJECT: ADULT-USE CANNABIS SALES**

Effective July 1, 2021, the Governor signed Public Act No. 21-1, titled “An Act Concerning the Responsible and Equitable Regulation of Adult-Use Cannabis” (the “Cannabis Bill”), to permit and regulate the sale of cannabis in the State of Connecticut. The Cannabis Bill established the classification of “retailer,” defined as “a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.”

Pursuant to Section 148(c) of the Cannabis Bill, the Applicants respectfully request to modify their Special Permit approval to operate a “retailer” cannabis establishment at the Property to provide recreational adult-use cannabis sales (a “Retailer”).

Use of the Property as an Adult-Use Cannabis Retailer is heavily regulated by the State and a license is required from the Connecticut Department of Consumer Protection (“DCP”) to operate.

- **BACKGROUND: HWY 95, LLC**

HWY 95, LLC is an Adult Use Equity Joint Venture which has received its provisional license from the State of Connecticut. We carefully selected our team to maximize the opportunity while keeping the revenues in Connecticut with partners that have demonstrated dedication to their communities. Our partners are:

### Medical Partner

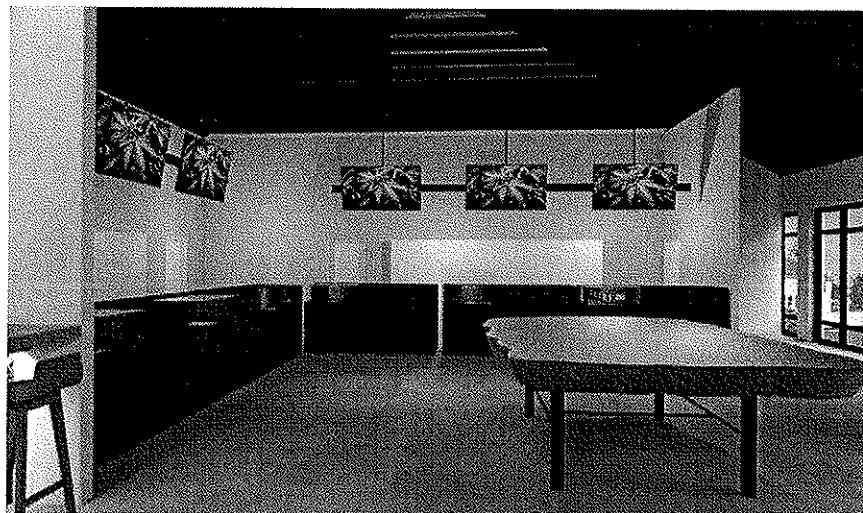
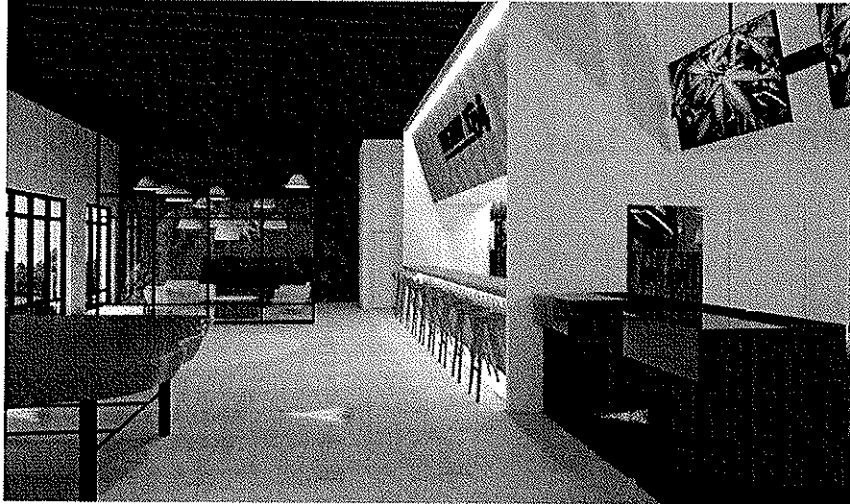
Still River Wellness is the first and only Medical Cannabis Dispensary Facility to open in Litchfield County since the State’s Program was launched in 2013. Located in Northern Torrington directly off Route 8, the dispensary provides access to the thousands of Litchfield County registered patients who currently need to travel to other counties for their medicine. Our team of experts’ primary goal is to ensure that every patient has the materials and education they need for a safe and therapeutic experience while receiving the care and professionalism they deserve. At the heart of everything we do, the way we act, and the way we treat others is a desire to send a clear message to our patients, caregivers, and community – that we care.

Still River Wellness is one of eighteen medical marijuana dispensaries in Connecticut and was started by Thomas Macre Jr. and his father in 2018. The Macre’s ran a successful medical equipment business for 8 years prior to medical marijuana being legalized in the state and were urged to apply for a license by the physicians and patients they served.

The Macre's opened their dispensary in Torrington, CT due to the unmet need within Litchfield County. The company celebrated 3 years in business this year, and currently serves over 2,000



## 2. Interior Conceptual Drawings



medical patients. Still River Wellness is also one of only three licensed cannabis companies in the state that is still Connecticut owned and operated.

Following the legalization of adult-use cannabis, the company was given the opportunity to expand its operations with the creation of an equity joint venture in which 50% of ownership must be with partners who currently reside or did as children in a disproportionately impacted area within the state.

### Social Equity Partners

Our social equity partners are fully committed to operating with the utmost integrity and working with community leaders to ensure all stakeholders are considered and given the respect that protects the values of Colchester. Our Social Equity partners will be full-time managers and responsible for day-to-day operations.

### Investors

Our capital investment group is composed of 12 Connecticut natives with strong ties to their communities and Connecticut as a whole. They cover the spectrum of professions, including attorney, corporate executive, sales, small business owners, collegiate coach, and professional athlete. When assembling this group, we focused on getting a large group to share the opportunity with as many as we could, but also bringing a level of diversity and experience that included experience and geography. Additionally, it was important that the investment be from Connecticut so that the State and local communities would benefit from all economic multipliers associated with this opportunity and to avoid corporate profit driven decisions.

C-3 Ventures, our Social Equity partners, and our investors have the experience, vision, and commitment to thrive and support local communities. We will maintain a professional, community driven experience by providing the best quality products, clean and safe facilities, creating jobs while financially contributing to Colchester.

## ● **DESCRIPTION OF SURROUNDING USES**

- The project is located at 493 Westchester Road, Route 16 and Route 149, Colchester, Connecticut in the Westchester Village District and will entail a retail cannabis facility within an existing structure. The site location is in the Westchester Village District (WV) and the building use is well suited for a Store/Shop. The facility will occupy approximately 3540 square feet of a single level building.

The area surrounding the Property is zoned WV containing a variety of commercial and residential uses. Adjacent commercial uses include restaurants, gas stations, small strip mall, a gym, nail salon, and several other retail establishments. As a result, the active nature of the area and the physical separation from sensitive receptors limits exposure of the use to the public and children.

## ● PROJECT OVERVIEW

Below is a description of how we will ensure that we comply with both Town and State Regulations.

- The use is heavily regulated by the State of Connecticut. Staff will be experienced professionals licensed by the State of Connecticut to dispense recreational marijuana.
- Adult-use customers will be verified for 21+, per the Cannabis Bill. Adult use customers will be checked while waiting in line, then again at the check in window of the dispensary.
- We will manage the number of customers allowed inside the dispensary at any given time, to safely and effectively service everyone.
- During hours of operation, we will keep enough product for our daily supply behind the counter. At the end of day, all products must be stored, and locked inside our State approved vault.
- Point of sale tracking and inventory management will continue, which shall include:
  - All acquisitions, dispensing, and sales of marijuana, which will all be logged into the Medical Marijuana Program Tracking System and Adult-use Cannabis Tracking System on a real time basis.
  - All dispensing and sales transactions, including ensuring that such sales (i) are to authorized purchasers and verified customers above the age of 21, pursuant to the Cannabis Bill and (ii) adhere to the limits for usable marijuana in accordance with the Medical Marijuana Program and the Cannabis Bill.
- Due to the nature of our business, we expect to see a small increase in traffic. Given that our location is well traveled, has 2 entrances and exits, as well as a large parking capacity, we do not anticipate any undue hazard to traffic or undue traffic congestion.
- The dispensary has a gross floor area (GFA) of 3,540 square feet (SF). The Colchester Zoning Regulations require retail facilities to provide parking at 3 spaces per 1000 SF of GFA. Therefore, 88 spaces are required, plus 1 ADA-compliant space. The provided parking photos show roughly 172 parking spaces on the existing pavement, including 5 ADA-compliant spaces.
- In its initial opening period, HWY 95, LLC plans to work with the town to determine the expected increase in traffic. If public safety services are needed to manage site demand in the first thirty (30) days after opening, the Cannabis Bill authorizes the Town to charge HWY 95, LLC up to \$50,000 for such costs incurred.

- HWY 95, LLC will conduct business 7 days per week. Monday thru Saturday, our hours of operation will be 9:00 a.m. to 8:00 p.m. On Sundays, we will be open from 9:00 a.m. to 3:00 p.m.
- The facility will maintain the Security Plan approved by DCP for the Dispensary, titled “Theft and Diversion Prevention Plan,” that includes parameters for the following:
  - Security leadership
  - Inventory control system and auditing
  - Waste disposal procedures and storage
  - Employee policies
  - Employee training and management
  - Reporting events
  - Recordkeeping
  - Dispensary facility diversion prevention
  - Emergency evacuation and response plan
  - Interior signage
  - Dispensing reporting and errors
  - Exterior security
  - Access control
  - Video monitoring system
  - Alarm system
  - Receiving
  - Storage
  - Cash plan
  - Information security
  - Community policy
  - Biannual review of security policies and procedures
- Deliveries will be handled in the following manner:
  - All deliveries will occur in an enclosed, single purpose receiving area that is not visible to the public, which will also function as a “man trap” preventing unauthorized persons from entering the facility through the back or side entrance.
  - Only properly vetted and verified personnel carrying valid identification documents, who are also escorted by security personnel, will be granted entry into the receiving area, for a limited time necessary to perform duties. Under no circumstances will such persons be granted access to other portions of the facility.
  - Approximately eight (8) deliveries a week are anticipated; deliveries typically occur during the following hours: 8:00am – 5:00pm.

## **SCHEDULE D STATEMENT OF FINDINGS**

The following standards apply to development in the Westchester Village District:

1. Cannabis Retailer and Hybrid Retailer, subject to the following provisions:

a. Establishment shall be no less than 500 linear feet from a school, daycare or playground measured from the nearest property line of such establishment to the area reasonably considered to be a functional use of the school, daycare or playground as determined by the Commission.

The proposed site is not within 500 linear feet from any school, daycare or playground.  
(see exhibit A)

b. On-site consumption is prohibited.

On-site consumption is prohibited, and security shall make regular rounds to monitor the exterior of the property to prevent loitering and consumption under the Security Plan.  
(see attached exhibit B)

c. Require plans for traffic management.

The Traffic Management Plan will be followed and reviewed, and adjustments made as appropriate. (see attached exhibit C)

d. Require plans for security.

The Security Management Plan will be followed and reviewed, and adjustments made as appropriate. (see attached exhibit B)

e. Hours of operation

HWY 95, LLC shall not open before 9:00 AM on any day of the week and shall not be open after 8:00 PM Monday through Sunday.

f. Any additional information reasonably necessary to determine the suitability of the proposed site for the use.

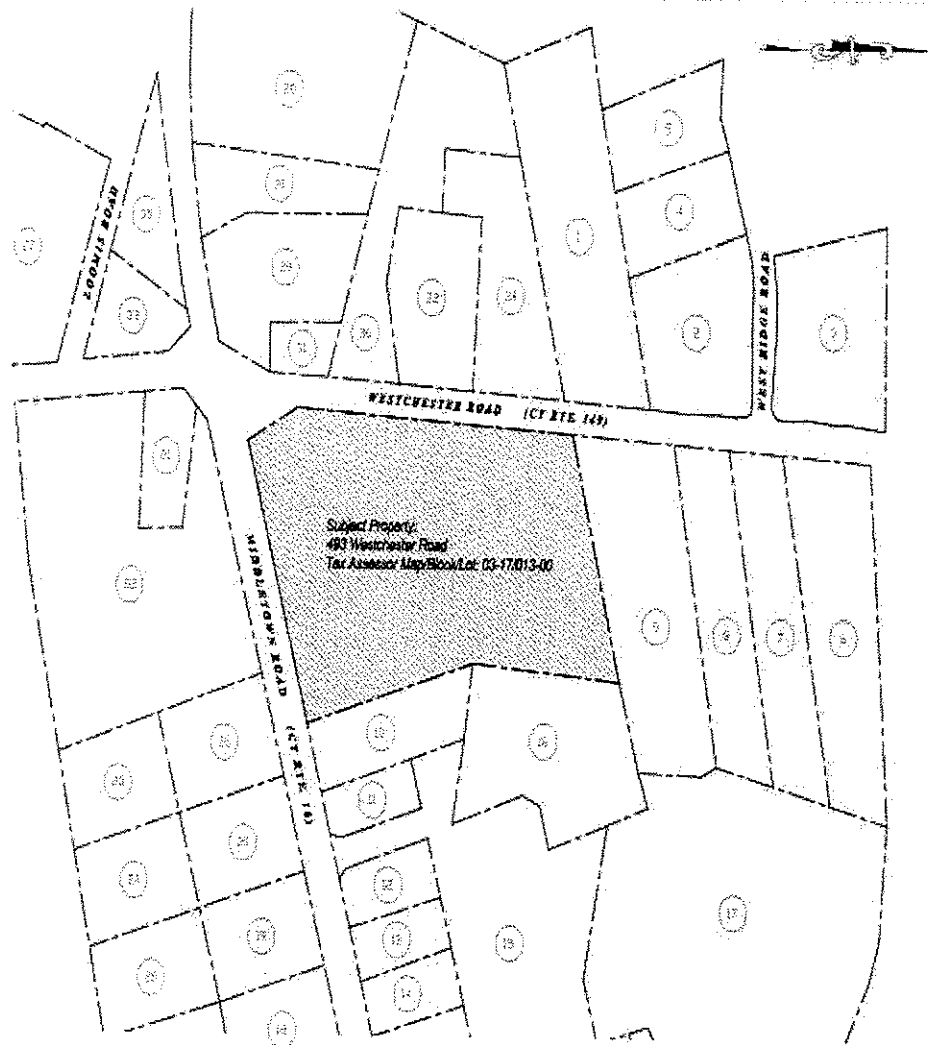
HWY 95, LLC will provide any additional information that is reasonable.

**Exhibit 1**  
**Prohibited Distance Survey**

THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS THE PROPERTY OF THE U.S. GOVERNMENT AND IS LOANED TO YOU. IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.

**Property Owners Within 500' Of Subject Property:**

Parcel No.	Owner Name	Address
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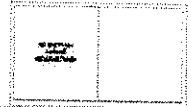


**Notes:**  
 1. This survey has been prepared in accordance with the provisions of the Connecticut Statutes, Chapter 548, which governs the practice of land surveying in this State. It is the property of the client and is loaned to you. It and its contents are not to be distributed outside your agency.  
 2. This survey is based on the best available information and is not a warranty of title. It is the responsibility of the client to verify the accuracy of the information provided and to take appropriate legal action to protect their interests.

3. No warranty is made by the surveyor as to the accuracy of the information provided by the client.

To the best of my knowledge and belief, I am a duly licensed land surveyor in the State of Connecticut.

Surveyed and Platted by:  
 [Signature]  
 [Name]  
 [Address]  
 [City, State, Zip]



**COMPILATION SURVEY**  
 PROPERTY: [Name]  
 TRI TOWN PLAZA, LLC  
 483 WESTCHESTER ROAD (CT RTE. 149)  
 COLCHESTER, CONNECTICUT  
 SCALE: 1" = 100'  
 10/15/2013

## **Exhibit 2**

### **Security Plan**

The Dispensary will establish and adhere to a security procedure protocol which will both conform to the rules and regulations of the state as well as our own internal requirements. We will provide additional security as needed and in a manner that is appropriate for the community in which we operate.

We will not allow armed guards inside the dispensary facility, however, we will contract with outside security companies to provide services during busy periods, and when picking up cash receipts from the dispensary. The dispensary will monitor through its camera security system our dedicated parking lot with both security personnel and cameras covering all angles of the facility. Our dispensary manager and personnel will maintain two-way contact with delivery personnel through cellular phones, and a dedicated two-way radio. The Dispensary will also have a state-of-the-art alarm system with motion detectors, window breakage alarms, panic alarms, and 24/7 monitoring by an outside security firm. All equipment will be tested at least quarterly by the security monitoring company.

The dispensary managers will be designated as “keyholders”. They will have the ability to unlock the facility, turn off the alarm, and allow employees to enter. As part of their security responsibilities, they will follow specific daily checklists regarding internal and perimeter security, periodic alarm testing, and monitoring security cameras. We will have an outside contracted compliance company run quarterly tests to ensure compliance with all facets of the operation. The dispensary security plan will detail specific emergency action responses, employee accident reporting and investigation policies, fire prevention, certain hazardous materials storage policies, and other security issues that may arise.

#### **Training of Dispensary Facility Managers**

Dispensary facility managers are the company’s primary interface with the public and the customers who choose to do business with us. As such they must be knowledgeable about our products, unfailingly polite, and tremendously patient with clients who are just beginning to understand the uses and effects of cannabis. Each dispensary agent will be trained in cannabis use, and the mandated requirements for customer identification, quantities of cannabis allowed over specific periods and understanding regulatory inspection and law enforcement interactions. All Dispensary facility managers will go through the state’s mandatory licensing regulations including a criminal background record check.

#### **Camera and Video Security**

The dispensary facility will be monitored twenty-four hours a day, every day, by closed circuit television systems and IP video capture. The IP video capture will provide on line, real time viewing of the facility, and all areas that may be monitored by law. The resolution of each camera will be high density.

#### **Site Security**



The Dispensary team has made security a mandatory core requirement and cornerstone of the entire facility layout, design and company culture. The primary concern is for a safe environment to all employees, customers and especially the surrounding retail neighbors. The executive team has established a detailed employee handbook and will augment these procedures with monthly and quarterly staff meetings and upgrades/revisions to the protocol. In regard to management and security of the cannabis product and currency the security design layout and layered method has been constructed in a manner that does not allow for any external threat or internal diversion.

The facility layout has specifically been designed to not allow any unauthorized access to any secure areas of the facility. The physical barriers such as doors, walls and security glass are in addition to the electronic security measures to prevent this type of entry. Card access at all secure doors, single/double/triple authentication at high threat doorways and constant video surveillance allows the Dispensary Team the audit trail capacity to overlay door reporting with recorded or live video and decipher any/all threats.

The core portion of the security plan is the secure storage and movement of the cannabis product. These areas will be alarmed, protected by card access requirements, covered by multi-angle camera locations and have minimally dual authentication access. Certain areas will require triple authentication, such as card access, employee code entered and live retinal scan process – if all three positive interactions occur then access is granted. This layered system allows for specific audit trails for entry/exit to secure spaces with product and does not allow for exterior or interior threats.

The Dispensary security team has set as an employee protocol that each employee inside the facility MUST have a lanyard on at all times containing their company ID, their company card access key or FOB and also specific employees will have a wireless panic device. The locations of these wireless duress or silent alarm devices will change and the employees that will be required to have and then will change randomly so there is no pattern to who will have these. Once pressed these fixed or devices on the employee's person will emit a silent alarm to authorities per the company flowchart for emergencies.

### **Security Personnel**

The Dispensary will employ/contract with licensed security personnel who specialize in providing security of commercial assets. The Dispensary has been researching firms that staff individuals which meet the specific needs of each client. There will be a security guard on duty at all times, equipped with mobile communications and functional security equipment. The guards shift change shall occur at the same time as the registered managers shift, which is ½ hour before the Dispensary Team's arrival in order to secure the premises and again ½ hour after everyone else has left the premises. At no time shall any business be conducted without the registered Manager on the premises. Once inside, admissions and security personnel will coordinate access to visitors such as the law enforcement by providing them with a visitor badge for display/temporary use and escorting them. Licensed Owners, Members, managers, employees, contractors and other authorized personnel will sign-in and out using their magnetic controlled access card and PIN combinations as they enter or exit the facility.

**Security Access Control Designations** - Two Access Control designations have been designed to prevent diversion of all cannabis products by aggressively controlling and monitoring authorized personnel and their traffic flow throughout the Dispensary. The premises will be divided into two primary security designated areas.

**Restricted Access Designation** - The interior of the Dispensary where cannabis products, sales and inventory data, customer records and company intellectual property will be stored will not be open to the public and will be designated as restricted access areas.

- The admissions area will be the only area for ingress and egress.
- All doors will remain locked unless triggered to open by a magnetic key card.
- All doors will be connected to the alarm and video surveillance systems and have position indicators that are monitored by security and admissions staff at the main entrance.
- The facility will have magnetic key card access control systems and embedded Radio Frequency Identification Devices (RFID) in all employee badges that shall be used in conjunction with The Dispensary security systems and digital video surveillance to monitor/control personnel flow throughout the entire premises.

**Limited Access Designation** - The limited access areas are controlled areas here limited and controlled access can be granted to registered customers and other authorized personnel to allow them access to the sales area of the dispensary only. The limited access area shall only be accessed through a secure door controlled by the Check-in Aide admissions clerk. Access to this area is limited to customers, employees and owners, authorized government officials and delivery and transport personnel. Internal employee bathrooms and employee locker rooms are also designated as limited access areas. No cannabis will be allowed to be taken into the bathrooms and the bathrooms will not have video surveillance cameras.

**Emergency Access** - In the event of an emergency all door locking mechanisms may be overridden by the central monitoring station to allow emergency first responders access to the entire building.

**Access Controls**- Critical data assets shall be stored within the secure recording-documentation room. The computer inside these rooms will be connected to the Dispensary video recording system, and the BioTrackTHC POS - Inventory system. The door to this room will be equipped with a magnetic card reader and keypad control devices. External backup hard drives will be kept inside of the server room. The company data risk management strategy will consist of the following measures:

**Main Building Entrance**- The main entrance leading to the Admissions area of the Dispensary will require dual authentication for entrance through both a magnetic card reader and a key code punch pad. These entrances will also be monitored by fixed focal length hemispheric cameras and will be connected to one of the NVR channels with facial recognition capabilities. The admittance area shall require Admittance personnel to authorize all persons to enter only upon verification of valid documents. Admittance shall be authorized by an electronic device that

unlocks the door. The Check-In Aide admissions clerk shall remain behind the admittance window which shall be constructed of level III bullet proof glass, at all times and communicate with patrons via electronic speaker. Should any person attempt to gain access unlawfully, or attempt to coerce, attempt robbery, or any other criminal activity, the admittance clerk shall immediately sound an alarm and using the Dispensary technology, secure the person in the admittance area, pending the arrival of law enforcement. (No other persons shall be authorized access in or out of this area until law enforcement has responded and made the area safe).

**Contractors/Authorized Visitors** - Contractors or other authorized visitors shall record their identification numbers, name, address, telephone number, purpose of the visit, organization name and times in/out and be issued a Visitors-Contractors badge. The visitor will then be authorized access to the secure waiting area where personal items may be secured. Upon routine admittance, all authorized persons and contractors shall be escorted by authorized Dispensary staff. At no time shall non-employed authorized persons, visitors, or any other persons be authorized access to the Dispensary facility unless they have been signed in, demonstrated that they have a scheduled business purpose (Contractors, etc.), been issued the appropriate badge and escorted by Dispensary staff. This badge must be displayed on the upper half of the person, on the outermost garment or tethered on a lanyard and worn around the neck at all times. However, this paragraph shall not prevent members of local or state law enforcement or regulators from entering at any time as authorized by law.

**Customers** - Customers shall, upon verification of proper documentation and validation of ID, be authorized access to the secure waiting area. Controlled access to the dispensary will then be granted through a direct access door for the customer by a Dispensary Technician. The Technician shall assist the customer who will place an order for approved products on an electronic tablet. The order will be electronically sent to the on-duty manager who will validate the order, amounts, etc., to ensure the authorized daily allotment has not already been dispensed, and if authorized, send the approved order electronically to the dispensing window. The customer will pay for and acquire their purchases and upon departure from the dispensing area, show a valid receipt and purchases to the on-duty security staff member where upon validation, the customer shall immediately exit the dispensary. The Dispensary Security personnel shall have a physical presence in all public areas, and they shall remain ready at all times. Under no circumstances shall customers be authorized to loiter in the limited access areas or anywhere upon the premises or adjacent parking lots.

**Employees** - All employees entering the facility shall enter the employee secure admittance area, scan their magnetic access control card, and enter a secure code on a key punch pad prior to being granted access to the interior of the dispensary. This controlled entrance area will also have duress and panic alarms on the keypads to notify law enforcement authorities of a potential robbery or unlawful entry. Employee access throughout the Dispensary is limited and based upon the employee's employment access needs to any specific area within the Dispensary.

### **Interior Security**

All authorized persons must be logged in and out (name, address, telephone number, identification number, business purpose, time in/out) and that log shall be made a part of the Dispensary regular business records and kept on file for a period of at least 5 years. All visitor-contractor identification badges shall be returned to the admittance clerk upon exiting the restricted access area, who shall record the time of departure in the admittance log. Employees must possess their Dispensary issued magnetic key card and a personal, unique PIN, to enter the Dispensary and work.

All employees, contractors, customers, or other persons entering the facility shall enter an admittance area and produce a current photo identification, and valid proof of customer status prior to gaining access. This identification may be in the form of an employee identification badge with a photograph (Dispensary employees only), or in the case of a customer, a valid driver license with a photograph and evidence of customer status as authorized by law. The admittance clerk shall verify the validity of such identification, or customer documents. The following procedures for admittance shall be complied with:

The admittance area shall require the admittance clerk to authorize all persons to enter only upon verification of valid documents. Admittance shall be authorized by an electronic device that unlocks the door. The admittance clerk shall remain behind the admittance window, which is constructed of bullet proof glass, at all times and communicate with the patron via electronic speaker. Should any person attempt to gain access unlawfully, or attempt to coerce, attempt robbery, or any other criminal activity, the admittance clerk shall immediately sound an alarm, which will lock all doors for ingress and egress in the admittance area and leave the perpetrator in the secure admittance area, pending the arrival of law enforcement. (No other persons shall be authorized access in or out of this area until law enforcement has responded and made the area safe).

Upon admittance, all authorized visitors, and contractors (non-customers) shall be moved to the security desk to be escorted by authorized Dispensary staff. The security desk shall be manned by security personnel at all times. At no time shall non-authorized persons, or any other persons be authorized access to The Dispensary facilities unless they have been signed in, demonstrated that they have a scheduled business purpose (Contractors, etc.), been issued the appropriate badge and escorted by Dispensary staff.

**Restricted Access Areas** - Cannabis products shall only be physically located in a restricted access area in an approved locked vault/case. The posting of a sign which shall state in the English language "Do Not Enter -Restricted Access Area", shall identify these areas. All rooms located within restricted access areas shall be clearly described by the posting of a sign adjacent to the door allowing access to the rooms, which shall be clearly labeled, dispensary, vault, storage, delivery, security, video, waste, tainted products, etc.

Failure of any person to properly display the appropriate badge or attempting to access unauthorized areas may constitute grounds for discipline. All restricted access areas and building facilities shall be monitored by video surveillance and alarmed and it is the policy that should an alarm sound, a designated representative shall respond within thirty 30 minutes to provide

alternative security for the Alarm Site. Alarms shall not be activated for any reason other than an occurrence of an event that the Security Alarm System was intended to report.

**Limited Access Areas** - Upon entering the dispensary, customers' credentials will be validated and if approved, they will be granted access to the waiting area which will be designated as a limited access area. Access to these areas will be limited to customers, staff and other authorized visitors and contractors who have been properly signed in and validated. The limited access area will also be under continuous video surveillance, be staffed with security personnel, dispensary technicians and be equipped with a complete alarm system. While within any limited access areas, all persons shall be required to display a current validated Badge. Employees shall notify security and management immediately upon observing anyone in a limited access area who is not authorized, and security shall respond immediately. The delivery area will be a secure room adjacent to the administrative office of the dispensary secured with an electronic access control device operated by a magnetic key card. This area will be designated as a limited access area. The delivery area has doors that lead from the common entry area to a separate secure area which will provide an additional layer of security for deliveries and staff. Delivery and/or transport personnel will only be allowed to access the delivery area and will not be allowed access to the entire facility. The limited access areas do not provide direct access to restricted access areas where Cannabis is securely stored. As previously mentioned, access to the restricted access areas shall be on an "as needed" basis only to limited staff only.

All cannabis and anything containing cannabis shall only be physically located in limited access areas. These areas shall be identified by the posting of a sign complying with law which shall state in the English language "Do Not Enter - Limited Access Area – Access limited to Licensed owners, employees and contractors only".

While within limited access areas, all persons shall be required to display a current validated licensed employee, owner, or contractor badge. Failure of any person to properly display such a license badge may constitute grounds for discipline. Employees shall notify security, the ownership and management immediately upon observing anyone in a limited access area who is not displaying a badge, who shall respond immediately. Until the arrival of security personnel, a determination shall be made as to that persons' official purpose for being in the limited access area and proximity of a licensed escort. No employee shall be required to use force to temporarily detain any person not displaying a badge, but rather shall advise the person that they are in a limited access area without the proper display of a badge and must remain for a security escort. Security personnel shall escort the person to the security desk for final determination. All employees involved will fill out a security incident report form, which shall include the date, time, description and location of perpetrator, names of others present and a brief description of what was observed. The Security incident report form shall be given to the on-duty manager for investigation and a final determination as to law enforcement's response, etc. Should violence or threats be received, when possible, the clerk shall immediately notify law enforcement by duress alarm.

### **Security System**

**Doors** - All doors will be equipped with keyless Magnetic Key Card access control devices. The exterior points of ingress and egress, vaults and video equipment control rooms will also require authentication through a key punch keypad. These devices will trigger failsafe solenoid deadbolts, electric door-strikes, or electromagnetic locks. The access control devices will be fully integrated into the alarm system. Additionally, all doors will be equipped with magnetic position indicators. These position indicators and access control devices will be used in conjunction with the video surveillance system and RFID to track staff movement throughout the dispensary restricted access areas at all times.

**Windows** - The Dispensary is located on the main floor of the building. There are windows along one entire wall of this facility. The windows will be alarmed, have motion sensors be under video surveillance coverage at all times.

**Vault** - The Dispensary will dedicate a vault room for the storage of any and all cannabis products. The vault will remain locked at all times when not placing or removing products. The vault door and interior will remain under 24/7 video surveillance to capture all activity. Access to this vault will be restricted to those critical personnel requiring access only. The Dispensary will not keep more than \$5,000.00 cash on the premises over night.

### Alarms

All limited access areas and building facilities shall be alarmed and it is the policy that should an alarm sound during non-business hours a designated representative shall respond within 30 minutes to provide alternative security for the Alarm Site. Except for required functional testing, alarms shall not be activated for any reason other than an occurrence of an event that the Security Alarm System was intended to report. The alarm shall be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no longer than ten (10) minutes after being activated.

The Security Alarm System shall be tested once per month. Authorized Employees shall review written operating instructions for each Security Alarm System as provided by the Alarm system owners or installers. In addition to a security alarm system all entrance/exit doors and those doors providing ingress to the limited access areas shall remain locked at all times and may only be opened by the check in clerk/security. Only those staff needing to have access shall be given access through the security area via submission of their thumb print to a biometric security device and validation in the BioTrackTHC Seed to Sale system. Any employee opening a door to allow access for anyone not authorized access to that specific area, shall be terminated immediately.

The Dispensary security systems will be professionally installed to prevent diversion and ensure complete security to meet the requirements of the regulations. The aforementioned access control devices, door position indicators, and motion sensors will be integrated into a professionally installed alarm system that reports to a UL listed central monitoring, and full dispatch station. A test signal shall be transmitted to the central station every twenty-four (24) hours. The Dispensary will enter a contract with a primary UL listed central monitoring station and a secondary (backup) UL listed central monitoring station prior to commencing operations.

Control panels for the alarm systems will be installed at the security desk, at all ingress/egress points and inside of the Monitoring Room. Armored siren/strobe units will be located within the dispensary building. The locations of the security system components detailed below are detailed on the confidential floor plans and technical requirements documents attached to this Security Plan. The alarm system will also include the components listed below:

**Perimeter Alarm** - A perimeter alarm will be in operation during non-business hours and during periods of darkness. A redundant alarm system monitored by a separate, independent alarm monitoring company will also monitor the second perimeter alarm.

**Volumetric Intrusion Detection** – Every room inside of the dispensary where cannabis is kept will be equipped with volumetric intrusion detection. The Dispensary will use motion detectors, (60'x60' coverage area), and/or High Ceiling Mount motion detectors (360 degree, 60' radius coverage area). These motion detectors utilize both passive infrared and microwave emitting components.

**Duress Alarm** - Duress Alarms, or silent security alarms shall be placed at all points of ingress and egress to signal by entry of a key code, that the alarm user is being forced to turn off the system.

**Panic Alarm**- Panic Alarms will be placed on all keypads and will generate audible alarms to signal a life threatening or emergency situation requiring a law enforcement response shall be strategically placed within the facility.

**Hold-up Button** – Hold-up buttons will be located at the security desk, vault, manager's office, customer consultation booths, and inside of the Monitoring Room. If triggered these buttons will send a non-audible alert to the UL listed central monitoring station which will in turn dispatch emergency services.

**Auto Voice Dialer** - Automatic voice dialers shall be strategically located throughout the facility and when activated, shall be programmed to send a prerecorded voice message over a telephone line to a law enforcement, public safety or emergency services agency requesting dispatch.

**Back Up Alarm** – The facility will have a complete, commercial back-up alarm system (as approved by the department) to detect unauthorized entry during times when no employees are present at the facility. The backup alarm company will not be the same company supplying the primary security system. Authorized Employees shall review written operating instructions for each Security Alarm System as provided by the Alarm system owners or installers. In addition to a security alarm system all doors providing ingress or egress to the restricted access areas shall have magnetic key card locks which shall remain locked at all times. Only those staff needing to have access shall be given access. Any employee opening a door to allow access to anyone not authorized access to that specific area, shall be terminated immediately.

### **Customer Flow**

There are weekly, monthly and quarterly business flow and logistical reviews to assess the established rules, regulations and procedures used daily by The Dispensary. In addition to these

internal reviews the facility has been designed by an architectural team with specific retail specialists, pharmacy specialists and past dispensary ownership experience to establish the most efficient and secure environment for their clients.

Customers will walk up to the front entrance and be prompted through a video monitor to identify themselves and present their identification. Upon the Check-In Aide verifying the customers status; they will be allowed access into the waiting room where they will be buzzed in through the security system. They will be greeted by the Check-In Aide who will verify that their purchase limit amount has not been met and will allow them to enter the dispensary department through the next security door if they are there for pick-up of pre-ordered cannabis. The Check-In Aide and Security Guard will only allow the customer to enter the department if the current customer to employee ratio within the department is one – to – one to ensure there is no loitering within the department and that they can get the attention from a staff dispensary or dispensary technician.

If the ratio of customer to technician/ staff is adequate, then customers will receive access to the dispensary department in order to speak with a staff member or place an order with a dispensary technician. While the order is being placed, the customers will be asked to return to the waiting room where they can wait until their order is put together. They will then be called back into the department for payment and then will exit the facility.

The Security Guard and Check-in Aide will communicate with the dispensary facility manager to ensure adequate waiting room space and customer flow are managed.

### **Exterior Facility Security**

The Dispensary has two (2) entrances/exits with no direct means of access to the facility except through controlled access points. The exterior of the building will be equipped with adequate lighting, interior perimeter alarms and video surveillance of the exterior walls to ensure the ability to see and identify any persons in the facility 24 hours a day. Customer loitering is prohibited.

The exterior of the building shall be provided with adequate lighting to ensure the ability to see and identify any persons 24 hours a day. During non-daylight hours, the Dispensary security personnel shall randomly view external cameras around the facility to ensure its security is maintained. An hourly log shall be maintained, and every check performed shall be documented by date, time, and initials. Any discrepancies shall be reported to management immediately and if evidence of a break-in or other physical damage, the scene shall be secured, and law enforcement officials and management shall be notified immediately. All incidents of this nature shall immediately be documented on an incident report form and reported to management.



## EXHIBIT 3

### Traffic Management Plan

The Dispensary Facility is designed to demonstrate our commitment to creating a positive customer experience and creating a welcoming and safe environment. As seen in other newly legalized adult-use states - initial customer flow at dispensaries is typically higher in the first several months due to the limited number of retail stores licensed and operational in program infancy.

The Dispensary management team will conduct monthly business flow and logistical reviews to assess the established regulations and operating procedures used daily by the Dispensary team. The following systems and procedures will be implemented to best manage customer flow.

**Customer Parking** – As customers enter the Tri-Town Plaza parking lot from either Route 16 or Route 149 where signs and or parking spaces will delineate the areas designated for customer parking. Signage will direct customers to the front door of the dispensary entrance. Dispensary personnel will regularly monitor (using security cameras and physical inspections) the parking lot to ensure that customers are not loitering, and that no onsite consumption is taking place on the premises. Customer parking will be located to the east of the building and access to the dispensary will be via the sidewalk from the east of the building.

**Customer Check-In** – A Dispensary Security employee will greet adult-use customers to inspect their identification and confirm they are arriving at their scheduled pick-up time to ensure that they meet the criteria to enter the dispensary. The employee will then direct the customer to the appropriate parking and check-in area.

The entrance contains a locked door with a video monitor and doorbell. The Check-in Aide will have a video monitor and switch that unlocks the door allowing adult-use customers to enter the check-in and admission area. Customers are only allowed access to the check-in area if the maximum occupancy has not been met.

At the check-in counter/window located in the admission area, the check-in aide will verify the authenticity of the government issued ID and confirm their order status. Adult-use customers will only be permitted to the dispensary area after being verified by a team member. The average wait-time for customers is (2-3) minutes.

**Adult-Use Customer Flow** - Initially, all adult-use customer will be required to place a preorder online and select a pick-up time. The online ordering system will limit the number of transactions that are allowed to be placed for a specific time period. The

system will close the pickup time period from selection once the allotted number of orders have been placed. This will ensure that staff are able to control the traffic and parking spots. If a customer does not pick up their order within their allotted time slot and if there is not another available slot - they are unable to pick up their order until they reserve a slot for the next day.

Adult-use customers that enter the facility and check-in who have a pre-order ready will be placed in the queue for the next available cashier. The customer will be allowed to enter the secure dispensary area once a cashier station is available, and the cashier will handle their transaction and provide the product(s) to the customer. This model assumes a one-to-one relationship of cashier and customer, in addition to a receptionist or check-in aide.

**Initial Opening Procedures** – The Dispensary facility will coordinate with all stakeholders regarding initial opening procedures to account for any increased interest associated with the opening of retail operations. To best prepare for higher than usual traffic in the beginning – we will work closely with the municipal Police Department to ensure safe traffic flow is maintained.

**Exit** - Adult-use customers will immediately exit the secure dispensing areas upon finalizing their transaction. Under no circumstances shall patients or customers be authorized to loiter in the limited access areas or anywhere upon the premises or adjacent parking lots.

**Crowd Mitigation** – The Dispensary will utilize an adult-use only online ordering platform to streamline the queuing of adult-use customers. The software will mandate customers designate a time slot for pickup allowing the Dispensary staff to control the flow of customers by staggering pickup times. The Dispensary will offer Delivery service to the surrounding area.

**Security** - The facility has an advanced security system with 24/7 surveillance and access controls to restrict access to the facility. The Dispensary Facility has discussed the details of its Security Plan with the Resident Trooper. FThe Dispensary will maintain an open dialogue with local law enforcement and public safety officials to address any questions or concerns that may arise regarding the operations.

## EXHIBIT 4

### WV ZONING DATA CHART

493 Westchester Rd., Colchester, CT

	STANDARD/REQUIRED	EXISTING/APPROVED	PROPOSED	NOTES
Min. Lot Area	40,000 sq. ft.	357192 sq. ft.	Unchanged	Complies
Max. Height	2 story	1 story	Unchanged	Complies
Min. Lot Frontage	75 ft.	>75 ft.	Unchanged	Complies
Min. Side and Rear Yards	None if both commercial and 10 ft if residential	>10 ft.	Unchanged	Complies
Building Coverage %	35%	<35%	Unchanged	Complies
Max. Impervious Coverage	50%	<50%	Unchanged	Complies
Parking	<i>Small Shopping Center: 3 spaces/1000 SQ FT</i>	3 spaces/1000 SQ FT	Unchanged	Complies
Bulk Requirement	88	172	Unchanged	Complies
Parking for Persons with Disabilities	5	5	Unchanged	Complies

# EXHIBIT 5

## ABUTTERS LIST

03-19/65B-000 ADAMS FRANK B + PATRICIA TRUST 57 FELICIA BABER LN COLCHESTER CT 06415	03-19/65A-000 NICHOLSON TROY 55 FELICIA BABER LN COLCHESTER CT 06415	03-19/020-003 ADAMS FRANK B + PATRICIA TRUST 57 FELICIA BABER LN COLCHESTER CT 06415
03-17/050-001 ALEVRAS NIKOLAOS Z + ALEXANDROS Z 20 HARTFORD RD SALEM CT 06420	03-17/050-000 ALEVRAS ZISIS 20 HARTFORD RD SALEM CT 06420	03-17/051-00B ALEVRAS NIKOLAOS Z + ALEXANDROS Z 20 HARTFORD RD SALEM CT 06420
03-19/67B-000 ARYAN INC 514 WESTCHESTER RD COLCHESTER CT 06415	03-17/054-000 SMITH KEVIN W + LINDA M 25 LOOMIS RD COLCHESTER CT 06415	03-17/009-000 FARIA ANIBAL 469 WESTCHESTER RD COLCHESTER CT 06415
03-17/018-000 KARTER ELIZABETH 41 SMITH NECK RD OLD LYME CT 06371	03-17/053-000 9 LOOMIS RD LLC PO BOX 847 COLCHESTER CT 06415	03-19/064-000 CLARK BARBARA J 504 WESTCHESTER RD COLCHESTER CT 06415
03-17/006-002 SMITH ANGELA + DAVID 5 WEST RIDGE DR COLCHESTER CT 06415	03-17/013-000 TRI TOWN PLAZA LLC 4 MAIN ST EAST HARTFORD CT 06118	03-17/51A-000 715 MIDDLETOWN ROAD LLC 99 PICKEREL LAKE RD COLCHESTER CT 06415
03-17/006-005 NETTLETON MARC T + JENNIFER A 17 WEST RIDGE DR COLCHESTER CT 06415	03-19/067-000 KHYBERRY KASSEM M + NANCY L 219 ZELDA BLVD DAYTONA BEACH FL 32118	03-17/006-001 DAVITT MICHAEL P 404 WESTCHESTER RD COLCHESTER CT 06415
03-17/006-004 WESTON JOHN P + CAROL A 15 WEST RIDGE DR COLCHESTER CT 06415	03-19/066-000 SMITH DAWN W + RICHARD W 494 WESTCHESTER RD COLCHESTER CT 06415	03-17/039-000 BARNHART RICHARD P 61 CEMETERY RD COLCHESTER CT 06415
03-17/012-000 LIN JIAN XIN + YARU 481 WESTCHESTER RD COLCHESTER CT 06415	03-17/011-000 ODDIS MICHAEL JAMES SR 477 WESTCHESTER RD COLCHESTER CT 06415	03-17/017-000 MARKS JEFFERY M + JENNIFER 706 MIDDLETOWN RD COLCHESTER CT 06415
03-19/063-000 QUICK STOP CONVENIENCE STORE INC 268 SUNFLOWER CT MARCO ISLAND FL 34145	03-17/016-000 PIANKA MARK 94 MCBRIDE RD MONSON MA 01057	03-17/056-000 SHABUNIA MAVELY O + C F 33 LOOMIS RD COLCHESTER CT 06415
03-17/052-000 9 LOOMIS RD LLC 509 WESTCHESTER RD COLCHESTER CT 06415	03-19/063-001 SOURVALIS MARIA + SOURVALIS 744 MIDDLETOWN RD COLCHESTER CT 06415	03-17/016-000 RUBINO SARAH L 710 MIDDLETOWN RD COLCHESTER CT 06415



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

## **PLANNING DIRECTOR REVIEW COMMENTS #1 PZC2023-001 – HWY 95, LLC**

**DATE:** March 13, 2023

**TO:** HWY 95, LLC c/o Gordon Videll (Applicant)  
Planning & Zoning Commission Membership

**FROM:** Demian A. Sorrentino, AICP, CSS, Planning Director

**RE:** **Application PZC2023-001 - Planning Director Review Comments #1**

1. Application is for Cannabis “Retailer” designation as defined in Sec. 8.12.6, which use requires a Special Permit in the Westchester Village (WV) District per Sec. 5.7.3.7, with additional permitting requirements per Sec. 8.12.2 and 8.12.3 (see page 2);
2. Schedule “C” Project Narrative, paragraph 2 states that applicant request to “modify their Special Permit...”, recommend the applicant explain their use of the word “modify”;
3. Applicant to submit dimensioned, color visual presentation for proposed building-mounted signage and signage to be included on the “Westchester Plaza” pylon sign on Middletown Road (CT #16) per Sec. 8.12.2.D.1.c and in accordance with applicable requirements of Sec. 11;
4. Applicant to submit plan for “odor management – monitoring and mitigation” per Sec. 8.12.2.D.1.d, or a written statement that such a plan is not necessary for “retailer” only use;
5. Applicant to submit written contingency plan(s) for security and surveillance measures during periods of electrical utility service outage and/or internet service disruptions;
6. 184 existing spaces in plaza parking lot appears to be adequate to support the proposed use and provision of a detailed traffic analysis is not recommended for this proposal (aerial image mark-up attached);
7. 184 parking spaces requires 6 ADA compliant parking spaces, 1 of which is required to be van accessible;
8. Existing spaces designated for ADA use are non-compliant, recommend property owner restripe area(s) for 6 ADA spaces including 1 van accessible space in accordance with all applicable requirements, including but not limited to: length and width of spaces, width and location of access aisle(s), signage, ground markings, wheel stops, etc. (guidance document attached);
9. Stop bar at exit from property to Westchester Road (CT#149) is faded, property owner to have the stop bar repainted in accordance with current CT DOT standards;
10. Stop sign at exit from property to Westchester Road (CT#149) is missing entirely, property owner to have installed an MUTCD R1-1 stop sign (30” preferred, 24” minimum) mounted on break-away metal sign post in accordance with current CT DOT standard details;
11. Recommend Certificate of Zoning Compliance and/or Certificate of Occupancy not be issued until the improvements specified in Comments #8-10 have been completed;
12. Request that the applicant submit full-size paper copy or PDF file of the proposed floor-plan layout.

**APPLICABLE REGULATORY REQUIREMENTS:**

**5.7.3 Special Permit Uses in the WV District**

7. Cannabis Retailer and Hybrid Retailer, subject to the following provisions:

- A. Establishment shall be no less than five hundred (500) linear feet from a school daycare or playground measured from the nearest property line of such establishment to the area reasonably considered to be a functional use of the school, daycare or playground as determined by the Commission;
- B. On-site consumption is prohibited;
- C. Applicant shall submit documentation demonstrating the adequacy of traffic management controls, security measures, hours of operation and any additional information reasonably necessary to determine the suitability of the proposed site for the use.

**8.12.2 General Requirements for All Cannabis Uses**

- A. All regulated activities shall be located within an enclosed permanent building and may not be in a trailer, cargo container, motor vehicle, or other similar nonpermanent enclosure.
- B. Marijuana plants, products, and paraphernalia shall not be clearly visible to a person from the exterior of the facility. No outside storage of cannabis or cannabis products shall be permitted.
- C. There shall be no on-site consumption.
- D. The following shall be submitted with an application:
  - 1. An Operational Plan which includes the following:
    - a. Hours of operation;
    - b. Security and access plan;
    - c. Proposed signage;
    - d. Odor management – monitoring and mitigation.
- E. All adult-use cannabis retailers or hybrid-retailers and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.

**8.12.3 Standards for Retailers, Hybrid Retailers and Dispensaries**

All retailer, hybrid retailer, or dispensary of cannabis or medical marijuana uses shall comply with the following standards:

- A. Hours of operation shall be 8:00 am to 10:00 pm or as otherwise set by the Commission.
- B. Use shall not be located inside a building containing residential units, including transient housing such as motels or dormitories.
- C. Parking shall be in accordance with town regulations unless modified by the Commission.
- D. No building or structure shall be used if such is located:
  - 1. Within five hundred (500) feet (measured from the nearest property lines) of a:
    - a. church,
    - b. school or other institution for the purpose of caring for children,
    - c. library, or
    - d. charitable institution, public or private.
- E. A traffic study shall be submitted demonstrating traffic flow both internal and external to site.

3/2022

NO STOP SIGN

2

29

28

29

26

24

20

15

11

184 PARKING SPACES TOTAL  
6 TOTAL ADA SPACES REQUIRED  
1 MUST BE VAN ACCESSIBLE

Google Earth

41°32'47.12" N 72°24'42.51" W elev 0 ft eye alt 614 ft

**ADA.gov**U.S. Department of Justice  
Civil Rights Division

# ADA Compliance Brief - Restriping Parking Spaces

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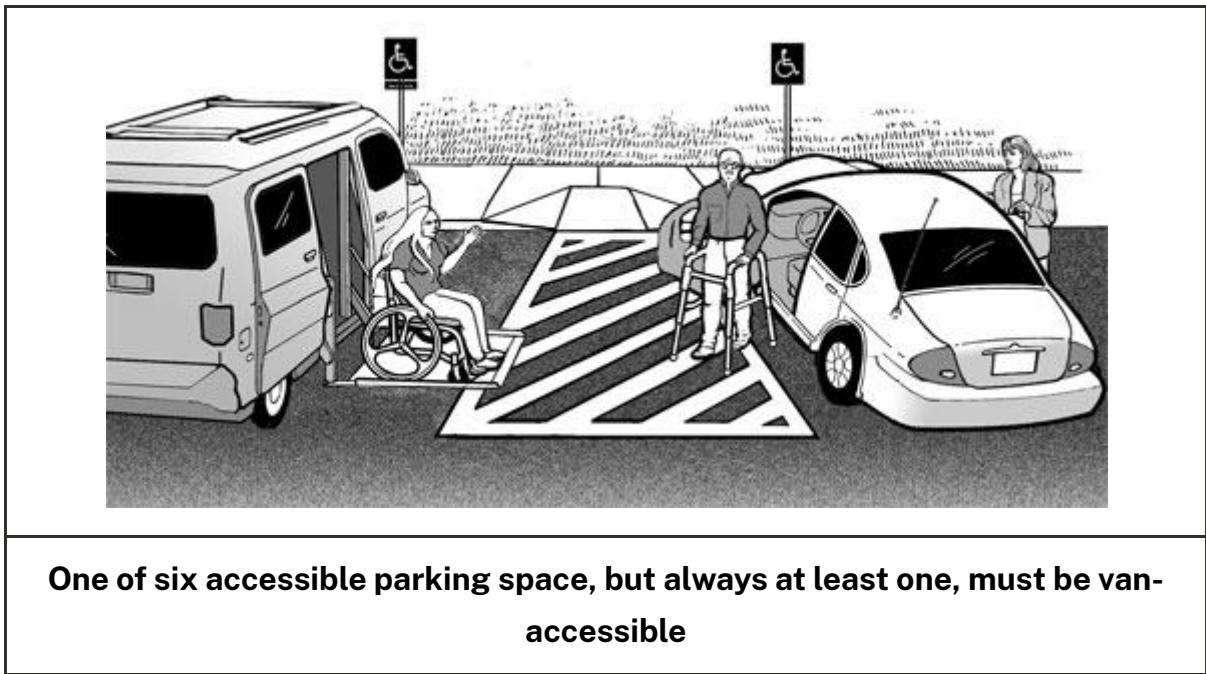
Last updated: February 28, 2020

When a business or State or local government restripes parking spaces in a parking lot or parking structure (parking facilities), it must provide accessible parking spaces as required by the 2010 ADA Standards for Accessible Design (2010 Standards).

In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking facilities when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases. State and local government facilities also have an ongoing ADA obligation to make their programs accessible, which can require providing accessible parking.

This compliance brief provides information about the features of accessible car and van parking spaces and how many accessible spaces are required when parking facilities are restriped.





The required number of accessible parking spaces must be calculated separately for each parking facility, not calculated based on the total number of parking spaces provided on a site. One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible.

Parking for hospital outpatient facilities, rehabilitation facilities, outpatient physical therapy facilities or residential facilities have substantially different requirements for accessibility (see 2010 Standards 208.2).

## Minimum Number of Accessible Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	(Column A) Minimum Number of Accessible Parking Spaces (car and van)	Minimum Number of Van-Accessible Parking Spaces (1 of six accessible spaces)
1 to 25	1	1

Total Number of Parking Spaces Provided in Parking Facility	(Column A) Minimum Number of Accessible Parking Spaces (car and van)	Minimum Number of Van-Accessible Parking Spaces (1 of six accessible spaces)
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
500 to 1000	2% of total parking provided in each lot or structure	1/6 of Column A (one out of every 6 accessible spaces)
1001 and over	20 plus 1 for each 100 over 1000	1/6 of Column A (one out of every 6 accessible spaces)

## Location

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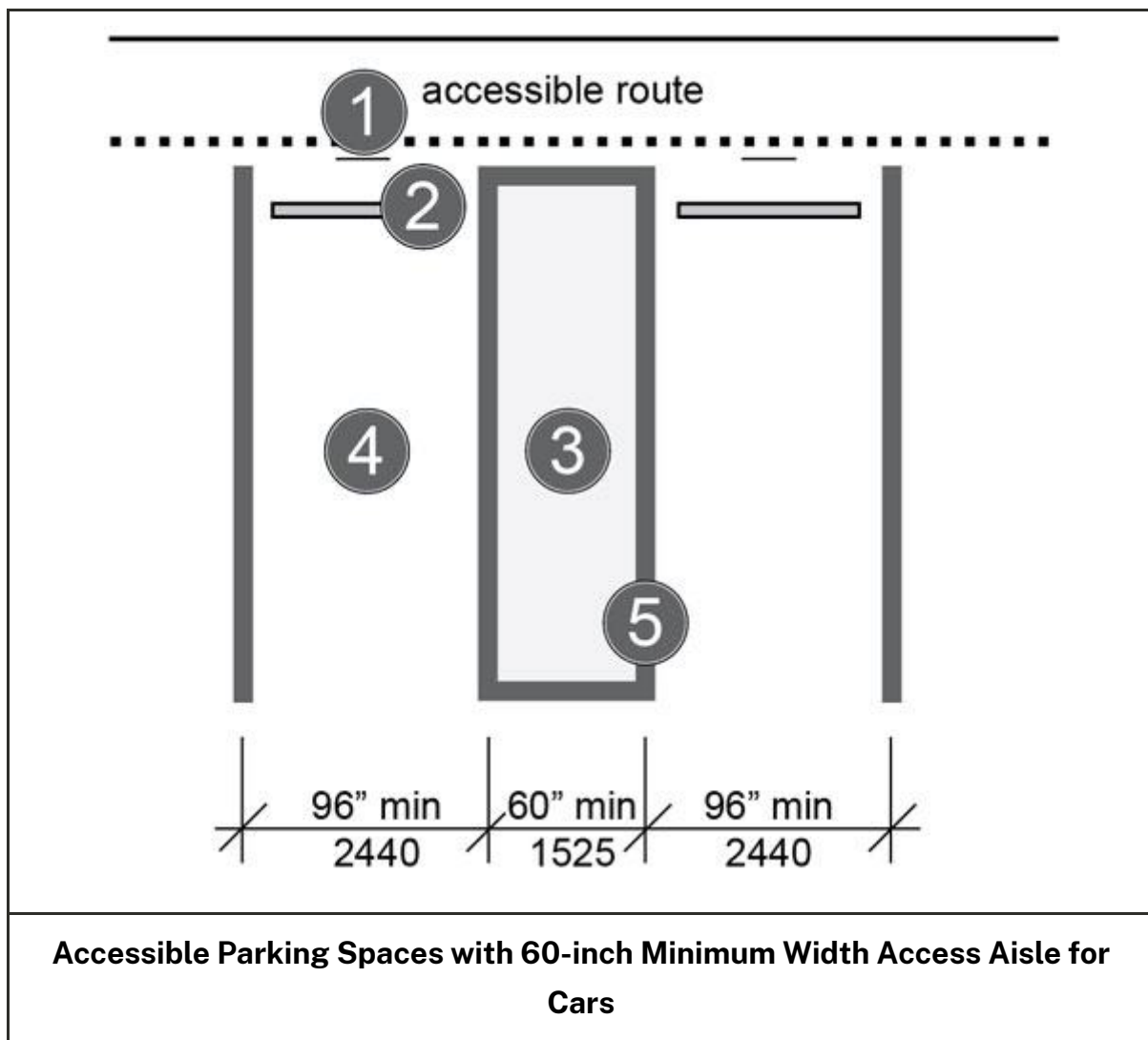
Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances.

When accessible parking spaces are added in an existing parking lot or structure, locate the spaces on the most level ground close to the accessible entrance. An accessible route must always be provided from the accessible parking to the accessible entrance. An accessible route never has curbs or stairs, must be at least 3 feet wide, and has a firm, stable, slip-resistant surface. The slope along the accessible route should not be greater than 1:12 in the direction of travel.

Accessible parking spaces may be clustered in one or more facilities if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience. Van-accessible parking spaces located in parking garages may be clustered on one floor (to accommodate the 98-inch minimum vertical height requirement).

## Features of Accessible Parking Spaces

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## Notes:

1. Parking space identification sign with the international symbol of accessibility complying with 703.7.2.1 mounted 60 inches minimum above the ground surface measured to the bottom of the sign.
2. If the accessible route is located in front of the parking space, install wheel stops to keep vehicles from reducing the clear width of the accessible route below 36 inches.
3. Two parking spaces may share an access aisle except for angled parking spaces (see below). Access aisle width is at least 60 inches, must be at the same level and the same length as the adjacent parking space(s) it serves,

maximum slope in all directions is 1:48, and access aisle must connect to an accessible route to the building. Ramps must not extend into the access aisle.

4. Parking space shall be 96 inches wide minimum, marked to define the width, and maximum slope in all directions is 1:48.
5. Boundary of the access aisle must be clearly marked so as to discourage parking in it. (State or local laws may address the color and manner that parking spaces and access aisles are marked.)

## **Additional Notes:**

Where parking spaces are marked with lines, width measurements of parking spaces and access aisles are to centerlines, except for the end space which may include the full width of the line.

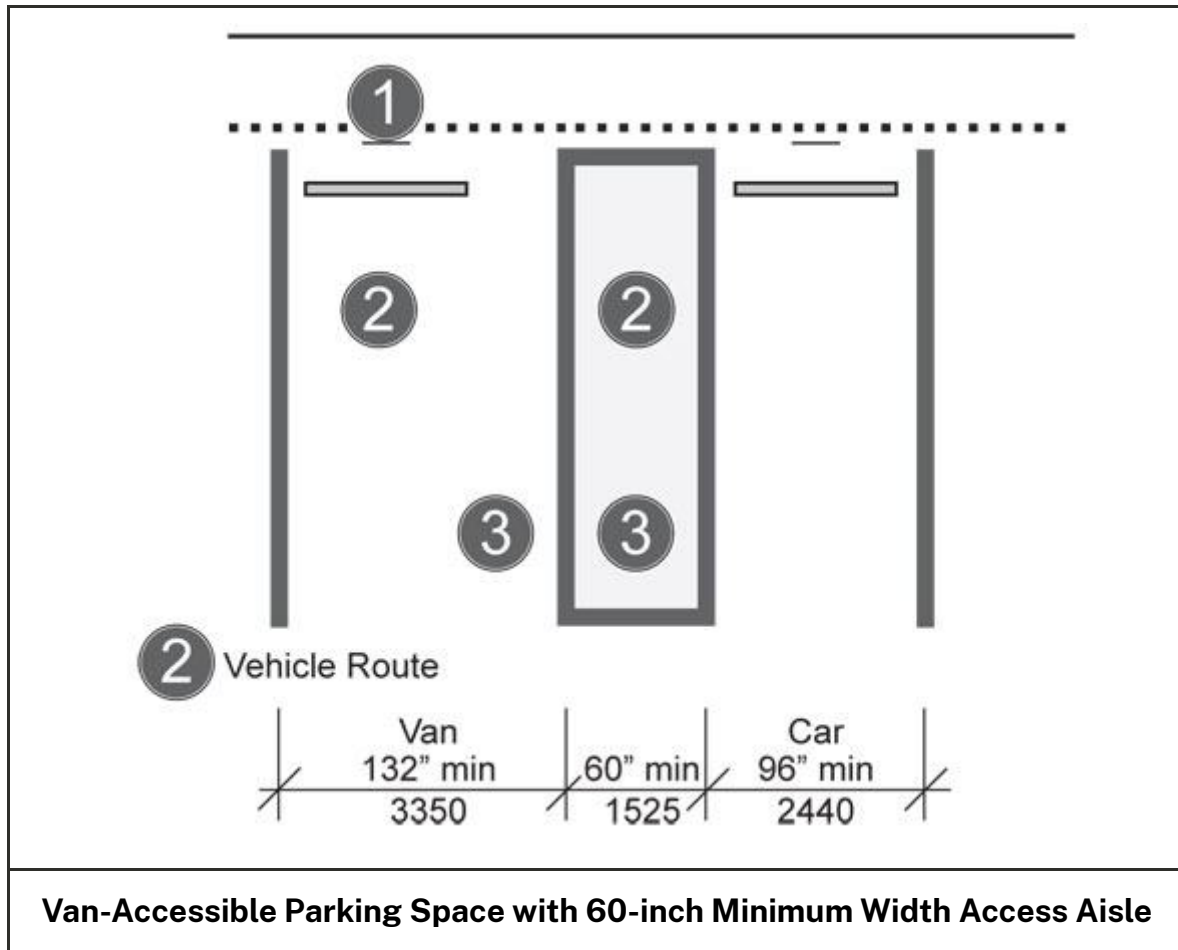
Access aisles may be located on either side of the parking space except for angled van parking spaces which must have access aisles located on the passenger side of the parking spaces.

## **Additional Features of Van-Accessible Parking Spaces**

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Van-accessible parking spaces incorporate the features of accessible parking spaces on the previous page and require the following additional features: a “van accessible” designation on the sign; different widths for the van parking space or the access aisle; and at least 98 inches of vertical clearance for the van parking space, access aisle, and vehicular route to and from the van-accessible space. The first image below shows a van-accessible space with a 60-inch minimum width access aisle. The second image shows a van-accessible space with a 96-inch minimum width access aisle. Both configurations are permitted and

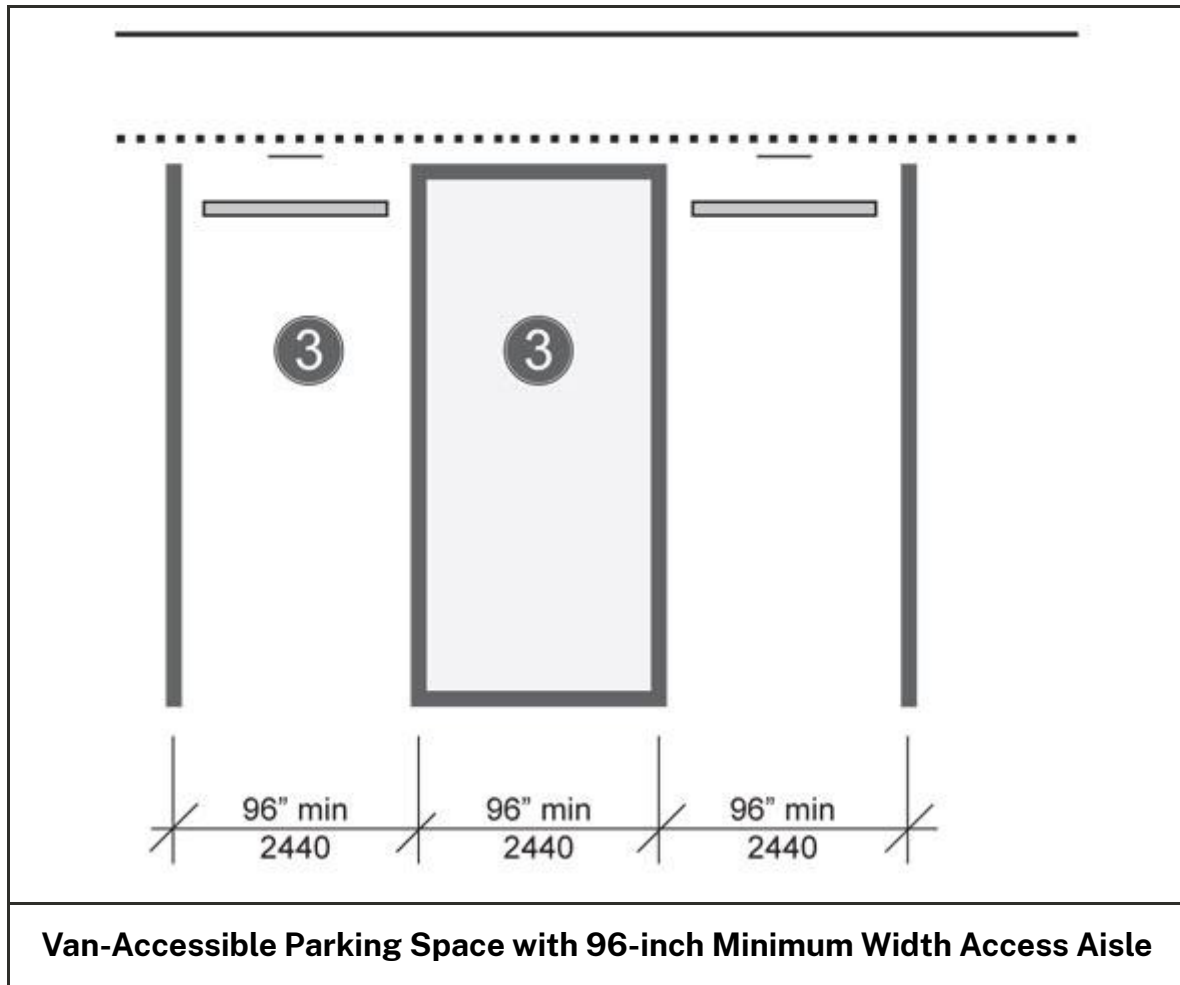
requirements for van-accessible signage and vertical clearance apply to both configurations.

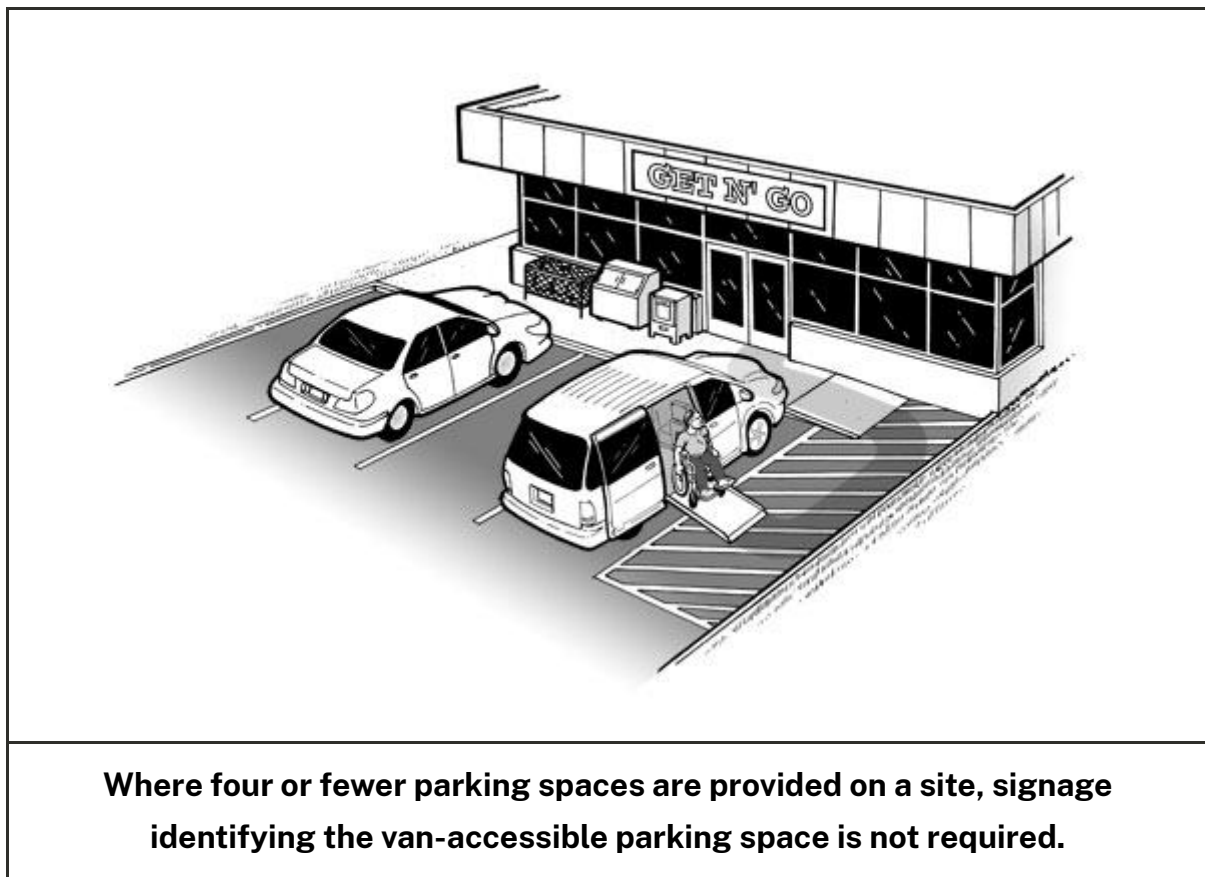


## Notes (for illustrations above and below):

1. Parking space identification sign with the international symbol of accessibility and designation, "van accessible." Note, where four or fewer parking spaces are provided on a site, a sign identifying the accessible space, which must be van-accessible, is not required.
2. Vertical clearance of 98 inches minimum to accommodate van height at the vehicle parking space, the adjacent access aisle, and on the vehicular route to and from the van-accessible space.
3. Van parking space must be 132 inches wide minimum with an adjacent 60-inch wide minimum access aisle. A van parking space of 96 inches wide

minimum width an adjacent 96-inch wide minimum access aisle is also permitted (see below).





## Resources

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For more information about the ADA, please visit [ADA.gov](https://www.ada.gov) or call our toll-free number.

ADA Information Line 800-514-0301 (Voice) and 1-833-610-1264 (TTY) M-W, F 9:30 a.m. – 12:00 p.m. and 3:00 p.m. – 5:30 p.m., Th 2:30 p.m. – 5:30 p.m. (Eastern Time) to speak with an ADA Specialist. Calls are confidential.

For people with disabilities, this publication is available in alternate formats.

## Reference

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## 2010 ADA Standards for Accessible Design

### Sections 208 & 502 Parking Spaces

### Section 206 Accessible Route

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The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.

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Duplication of this document is encouraged.

Originally issued: December 01, 2015

Last updated: February 28, 2020

## **Related Content**

[Accessible Parking Spaces](#)

# HWY 95, LLC Response to Colchester, CT Planning Director Comments

## 1. Review and Confirm Conformity with Applicable Regulatory Requirements

## 2. Review and Modify Schedule C – Project Narrative. Remove second paragraph.

### II. THE PROJECT: ADULT-USE CANNABIS SALES

Effective July 1, 2021, the Governor signed Public Act No. 21-1, titled “An Act Concerning the Responsible and Equitable Regulation of Adult-Use Cannabis” (the “Cannabis Bill”), to permit and regulate the sale of cannabis in the State of Connecticut. The Cannabis Bill established the classification of “retailer,” defined as “a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.”

Pursuant to Section 148(c) of the Cannabis Bill, the Applicants respectfully request to modify their Special Permit approval to operate a Cannabis Retailer at the Property to provide recreational adult-use cannabis sales (a “Retailer”).

Use of the Property as a Cannabis Retailer is heavily regulated by the State and a license is required from the Connecticut Department of Consumer Protection (“DCP”) to operate.

*Sec 148. (SB 1201)*

*(c) Unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be zoned as if for any other similar use, other than a cannabis establishment, would be zoned.*

## 3. Dimensioned, color visual presentation for Building-mounted and Plaza pylon signs.

*Building-mounted Sign (3' x 12')*



*Plaza Pylon Sign (2' x 4')*



**4. Odor Management – monitoring and mitigation.**

An Odor Management Plan is not necessary for “Retailer” use due to all cannabis products being pre-packaged by the licensed producers prior to arriving at the facility. Per state regulations packages may not be opened on-site and no public consumption is allowed.

**5. Written contingency plan(s) for security and surveillance measures during periods of electrical utility service outage and/or internet service disruptions.**

The HWY 95, LLC security platform will be a 24/7 365 days of the year system without an opportunity for down time. The CustomVault integrated alarm/access-control/video surveillance system will include 24-hour recordings by processors (size TBD) at the facility and possibly off site. The frame capture rates will be adjusted as needed to make sure all required identification is occurring but never lower than 30 frames per second as a standard. This video will be able to be exported in raw or captured form for review by the State or the State can review video directly at the HWY 95, LLC security office or if needed via a secure portal. This system will minimally have 45 days of recorded video for review at the site and possibly off site. This system will have a complete back-up power supply if there is a power failure to assure under no circumstance the video will be destroyed for the minimal period required by the State. The HWY 95, LLC facility will require UPS and generator back-up in case of a power outage and for project cost efficiency these security systems will be figured into those calculations so that they are included in those power back-up services. The facility will have a separate fire detection system that is integrated into the alarm system as standard in the industry. This portion of the system will detect the fire threat and relay the specific area to the authorities within seconds via two communication methods. The system will be configured to note and alert any power interruption and cause an alarm incident only released by authorized HWY 95, LLC security employees. The exterior and secure area doors will be fixed to meet local building code requirements for loss of power but due to the UPS and backup systems there will be no situations for the facility not to have power.

**6. Traffic Analysis is not recommended.**

**7/8. Re-striping of 6 ADA spaces needed.**

Work has started and may be complete by April 5, 2023.

**9/10. Stop bar to be repainted and new Stop sign at exit to CT149 to be installed.**

Work has started and may be complete by April 5, 2023.

**11. Need stop sign installed and lines painted prior to receiving Certificate of Zoning Compliance.**

Work has started and may be complete by April 5, 2023.

**12. Need to submit full-size copy of proposed floor-plan layout.**

Submitted

**SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS**  
**5 Connecticut Avenue, Norwich, Connecticut 06360**  
**(860) 889-2324/Fax: (860) 889-1222/Email: [office@seccog.org](mailto:office@seccog.org)**

---

(Via electronic mail)

April 3, 2023

Demian Sorrentino  
Town of Colchester  
127 Norwich Avenue  
Colchester, CT 06415

Dear Mr. Sorrentino:

I am writing in response to an application for regulation amendments for the Town of Colchester. The application was received on 3/16/2023. The application was referred to this agency pursuant to Section 8-3 of the Connecticut General Statutes.

The proposed amendments address several sections of the regulations, mostly pertaining to accessory buildings and accessory uses, and also provides new definitions.

Based a review of the material provided, I have determined that the proposed amendments are not likely to have a negative inter-municipal impact.

If you have any questions, please contact me at 860-889-2324.

Sincerely,



Nicole Haggerty  
Planner II  
[nhaggerty@seccog.org](mailto:nhaggerty@seccog.org)

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**Member Municipalities:**

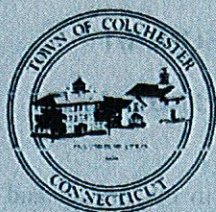
Bozrah \* Colchester \* East Lyme \* Franklin \* Griswold \* Borough of Jewett City \* City of Groton \* Town of Groton \* Lebanon \* Ledyard \* Lisbon \* Montville \* New London \* North Stonington \* Norwich \* Preston \* Salem \* Sprague \* Stonington \* Stonington Borough \* Waterford \* Windham

*If language assistance is needed, please contact SCCOG at 860-889-2324, [office@seccog.org](mailto:office@seccog.org).*

*Si necesita asistencia lingüística, por favor comuníquese a 860-889-2324, [office@seccog.org](mailto:office@seccog.org).*

*如果您需要语言帮助, 请致电860-889-2324或发送电子邮件至 [office@seccog.org](mailto:office@seccog.org).*

APPLICATION NO. \_\_\_\_\_



TOWN OF COLCHESTER, CONNECTICUT  
APPLICATION FOR SPECIAL EXCEPTION APPROVAL

This application form and five (5) sets of plans shall be submitted to the Zoning and Planning Commission Office no later than noon on the Thursday before the next regularly scheduled meeting, (the first and third Wednesday of the month excepting Holiday periods). The Applicant shall submit a copy of the Assessor's Map showing all properties and zones within 500 feet of the subject property and a list of the names and addresses of the owners of all properties within 500 feet of the subject property.

NAME OF APPLICANT ARK STADON, LLC  
(Please Print)

MAILING ADDRESS 51 Sherwood Ln

Marlborough CT 06447 TELEPHONE \_\_\_\_\_  
(City) (State) (Zip)

OWNER OF RECORD SMME  
(Please Print)

MAILING ADDRESS \_\_\_\_\_

LOCATION OF BUILDING LOT 200 LEBANON AVE

ASSESSOR'S MAP 22 LOT 39

IS THIS PROPERTY LOCATED IN:  AQUIFER PROTECTION ZONE; \_\_\_\_\_ LOCAL HISTORIC DISTRICT;  
\_\_\_\_\_ HISTORIC PRESERVATION OVERLAY ZONE

EXISTING USE(S) VACANT

PROPOSED USE(S) Distillery w/ TASTING ROOM

ENGINEER/SURVEYOR Mark Reynolds TELEPHONE 860-516-0033

MAILING ADDRESS 63 Norwich Ave STE 202, Colchester, CT 06415

CONTACT PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED

NAME Mark Reynolds

ADDRESS 63 Norwich Ave STE 202  
(Please Print)

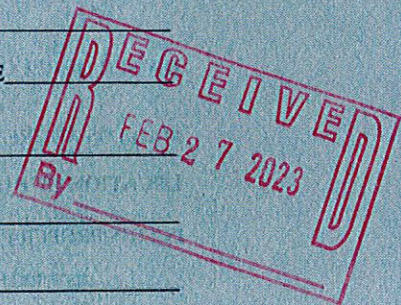
Colchester CT 06415 TELEPHONE 860-516-0033  
(City) (State) (Zip)

[Signature]  
APPLICANT(S) SIGNATURE

[Signature]  
OWNER(S) SIGNATURE

For Official Use:  
APPLICATION SUBMITTED \_\_\_\_\_ ZPC FEE PAID \_\_\_\_\_

FIRST ENGINEERING REVIEW FEE PAID \_\_\_\_\_





**REYNOLDS ENGINEERING SERVICES, LLC**  
**63 NORWICH AVENUE, STE 202 – COLCHESTER, CT 06415**  
Office: 860-516-0033 – Email: [markreynoldsenineer@gmail.com](mailto:markreynoldsenineer@gmail.com)

February 3, 2023

Susan Caron  
200 Lebanon Avenue  
Colchester, CT 06415

Re: **STORM WATER MANAGEMENT REPORT**  
Proposed Distillery  
200 Lebanon Avenue  
Colchester, Connecticut  
Project No. 22-175

Ms. Caron:

Pursuant to your request, the following report was prepared to address the storm water management design for the proposed Distillery at 200 Lebanon Avenue, Colchester, Connecticut.

### **Existing Conditions**

The subject parcel is 0.48 acres and is located in the Town of Colchester to the south of Lebanon Avenue. The property is the former Westchester Woods furniture store with an existing building, paved driveways and gravel area behind the building. The remainder of the property is brush/light woods and wetlands. The topography of the site is such that stormwater drainage flows overland, away from the street toward the rear of the site.

The upland soils on this site are classified as Udorthents with a small area of wetlands at the rear of the property. These soils are moderately to poorly drained with moderate runoff potential.

The surface runoff emanating from the property generally flows overland toward a wetland area at the rear of the property and off the property in the southwest corner to a wetland system.

### **Proposed Conditions**

The proposed development of the site consists of the adaptive reuse of the existing building, removal of the existing paved drives in favor of gravel driveways, construction of a gravel parking area and associated drainage swale. The proposed construction is shown on the plans entitled "ARK DISTILLERY, 200 Lebanon Avenue, Colchester, CT, prepared for Ark Distillery, dated 12/20/22, revised through 1/25/23, prepared by Reynolds Engineering Services, LLC.

In order to promote infiltration of runoff and to direct storm water runoff away from travel areas best management practices have been incorporated into the site development plan:

Drainage Swale: A stone lined swale will receive storm water from the parking area. This will improve the water quality of storm water emanating from these areas, improve infiltration of runoff and direct storm water emanating from the proposed parking areas safely toward the southwest corner/rear of the property.

**Conclusion:**

The proposed plan will not increase the impervious area on the site. Below is a summary of the pre and post development land coverage.

Table 1. Pre/Post Land Coverage

Coverage Type	Pre-Development (SF)	Pre-Development Impervious (SF)	Post-Development (SF)	Post-Development Impervious (SF)
Building	5,492	5,492	5,492	5,492
Pavement	4,365	4,365	911	911
Gravel	5,405		10,959	
Brush	2,763		1,743	
Wetland	2,068		988	
Total	20,902	9,857	20,902	6,403

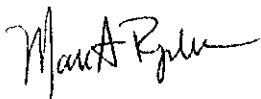
In addition, the proposed plan will not alter the drainage patterns on the site or in the surrounding area.

The proposed development will not result in any increased storm water flows to adjacent properties. All the stormwater runoff from the proposed building will flow overland to the rear property as it does now to an existing wetland area. The design encourages infiltration of runoff through the use of a drainage swale and use of gravel driveways/parking and removal of paved areas.

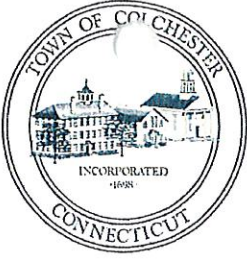
The proposed development will not adversely impact the drainage of the surface runoff on the site or in the surrounding area.

If you have any questions, please contact me at (860) 465-7419.

Sincerely,



Mark A. Reynolds, P.E. CT #19789



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

## ZONING BOARD OF APPEALS - NOTICE OF DECISION

**CERTIFIED MAIL #:7003-0500-0005-2948-1992**

February 24, 2023

Alane Wilansky  
Ark Station, LLC  
51 Sherwood Lane  
Marlborough, CT 06447

**RE: Application No. ZBA 2023-001**  
**Owner/Applicant: Ark Station, LLC**  
**Location: 200 Lebanon Avenue**  
**Assessor's Tax Map 05-10/Lot 024-000**  
**Zoning District: TC (Town Center)**

Dear Ms. Alane Wilansky,

At their Regular Meeting held on Tuesday, February 21, 2023, the Colchester Zoning Board of Appeals, at voted to **APPROVE** your request for variance from section 10.5.1.D of the Colchester Land Development (Zoning) Regulations to reduce the proposed width of a one-way driveway from 15 feet to 12 feet for the following reasons: (1) the proposed driveway width is appropriate for the site; (2) the proposed use is consistent with permitted uses in the district; and (3) it is not anticipated to have a substantial degrading effect on the value of surrounding uses.

Per CT General Statutes Section 8-3d, this action shall become effective upon publication of the decision, which will appear on March 3, 2023 in the Rivereast News Bulletin. Any party appealing this decision must do so within fifteen (15) days of the publication of the decision through the New London County Superior Court.

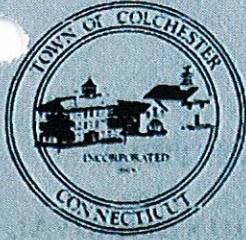
Please note that this Approval is *not valid until filed on the land records* in the Office of the Colchester Town Clerk. This document is to be used for filing purposes, and filing may be done after publication. Please provide this office with a copy of the filing receipt.

The owner/applicant shall be bound by the provisions of this Application and the Approval as granted.

2-24-2023

Ariel Lago, Zoning Officer & Assistant Planner  
Town of Colchester



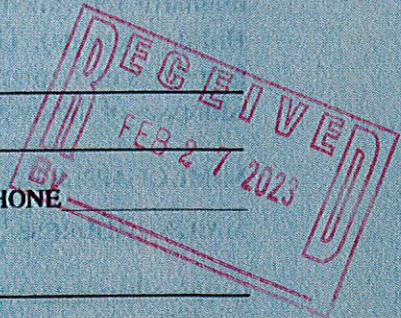


APPLICATION NO. \_\_\_\_\_

### TOWN OF COLCHESTER, CONNECTICUT APPLICATION FOR SITE PLAN APPROVAL

This application form and five (5) sets of plans shall be submitted to the Zoning and Planning Commission Office no later than noon on the Thursday before the next regularly scheduled meeting, (the first and third Wednesday of the month excepting Holiday periods). A Statement of Use as described in Section 12.5.3.A shall be submitted in addition to this application.

NAME OF APPLICANT ARK STATION, LLC  
(Please Print)  
MAILING ADDRESS 51 SHERWOOD LN  
Marlborough CT 06447 TELEPHONE \_\_\_\_\_  
(City) (State) (Zip)  
OWNER OF RECORD SAME  
(Please Print)



MAILING ADDRESS \_\_\_\_\_  
LOCATION OF BUILDING LOT 200 LEBANON AVE  
IS THIS PROPERTY LOCATED IN:  AQUIFER PROTECTION ZONE; \_\_\_\_\_ LOCAL HISTORIC DISTRICT;  
\_\_\_\_\_ HISTORIC PRESERVATION OVERLAY ZONE

INTENDED USE(S) D. stillery w/ TASTING ROOM  
SQUARE FOOTAGE OF USE(S) ± 5,000 ZONE Village District LOT SIZE 0.48 ac  
ASSESSOR'S MAP 22 LOT 39

ENGINEER/SURVEYOR Reynolds Eng Svcs TELEPHONE 860-516-0033  
MAILING ADDRESS 63 Norwich Ave Ste 202 Colchester, CT 06415

CONTACT PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED  
NAME Mark Reynolds  
(Please Print)  
ADDRESS 63 Norwich Ave Ste 202 Colchester, CT 06415  
TELEPHONE 860-516-0033

[Signature] APPLICANT(S) SIGNATURE      [Signature] OWNER(S) SIGNATURE

For Official Use:  
APPLICATION SUBMITTED \_\_\_\_\_ ZPC FEE PAID \_\_\_\_\_  
FIRST ENGINEERING REVIEW FEE PAID \_\_\_\_\_  
FIRST HEALTH REVIEW FEE PAID \_\_\_\_\_

# ARK DISTILLERY

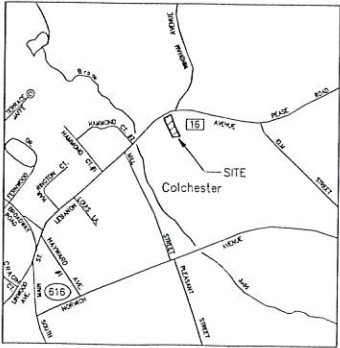
200 LEBANON AVENUE  
COLCHESTER, CONNECTICUT

PREPARED FOR  
ARK DISTILLERY



APPROVED BY TOWN OF COLCHESTER  
PLANNING AND ZONING COMMISSION

\_\_\_\_\_  
CHAIRPERSON                      DATE



GENERAL LOCATION MAP  
SCALE: 1" = 1000'

### TABLE OF CONTENTS

SHEET 1	COVER
SHEET 2	EXISTING CONDITIONS / BOUNDARY PLAN
SHEET 3	SITE PLAN
SHEET 4	EROSION & SEDIMENTATION CONTROL PLAN
SHEET 5-6	NOTES AND DETAILS

ZONE: TOWN CENTER (TC)

**R** **ROB HELLSTROM**  
**LAND SURVEYING LLC**  
32 MAIN STREET  
HEBRON, CONNECTICUT  
(860)-228-9853

Mailing Address:  
P.O. BOX 378  
HEBRON, CT 06248

www.rhlsct.com  
Email: hellstromsurveying@yahoo.com

**RES**  
Reynolds Engineering Services, LLC  
CIVIL ENGINEERING CONSULTANTS  
68 NORWICH AVENUE  
COLCHESTER, CT  
(860) 516-0033

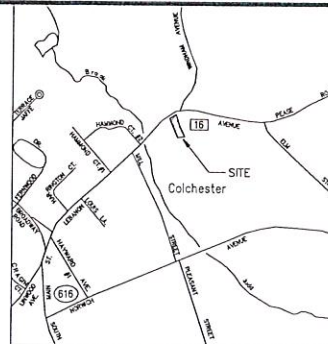
Drawing #:  
**1 OF 6**  
Job #: 22-175

Drawing date: 12/20/22		Drawing Scale: AS NOTED	
Rev.	Date	Revision	By
1.	1/25/23	REVIEW COMMENTS	SAM
Designed By: MAR		Drawn By: SAM	
Checked By: MAR		CAD File: 22-175_SITEPLAN	

Cover Sheet  
PROJECT TITLE: Site Development Plan  
200 Lebanon Avenue  
Colchester, CT  
PREPARED FOR: ARK Distillery

**LEGEND**

- PROPERTY LINE
- - - - - 100 - - - - - EXISTING CONTOUR
- - - - - LIMIT OF WETLAND SOILS (FIELD LOCATED)
- OH — OH — OVER HEAD UTILITY LINE
- ⊗ ANGLE POINT
- IRON PIN OR PIPE FOUND
- IRON PIN SET 5/8" REBAR
- ⊠ CHD MONUMENT FOUND
- ☼ TREES



Designed By:	MARK
Drawn By:	SAM
Checked By:	MAR
CAD File:	22-175_SITEPLAN

By:	SAM
Revision:	
Review Comments:	

Drawing Scale:	1" = 20'
Drawing date:	12/20/22
Rev.:	1. 1/25/23

Existing Conditions / Boundary Plan
Project Title: Site Development Plan
200 Lebanon Avenue
Colchester, CT
Prepared for: ARK Distillery

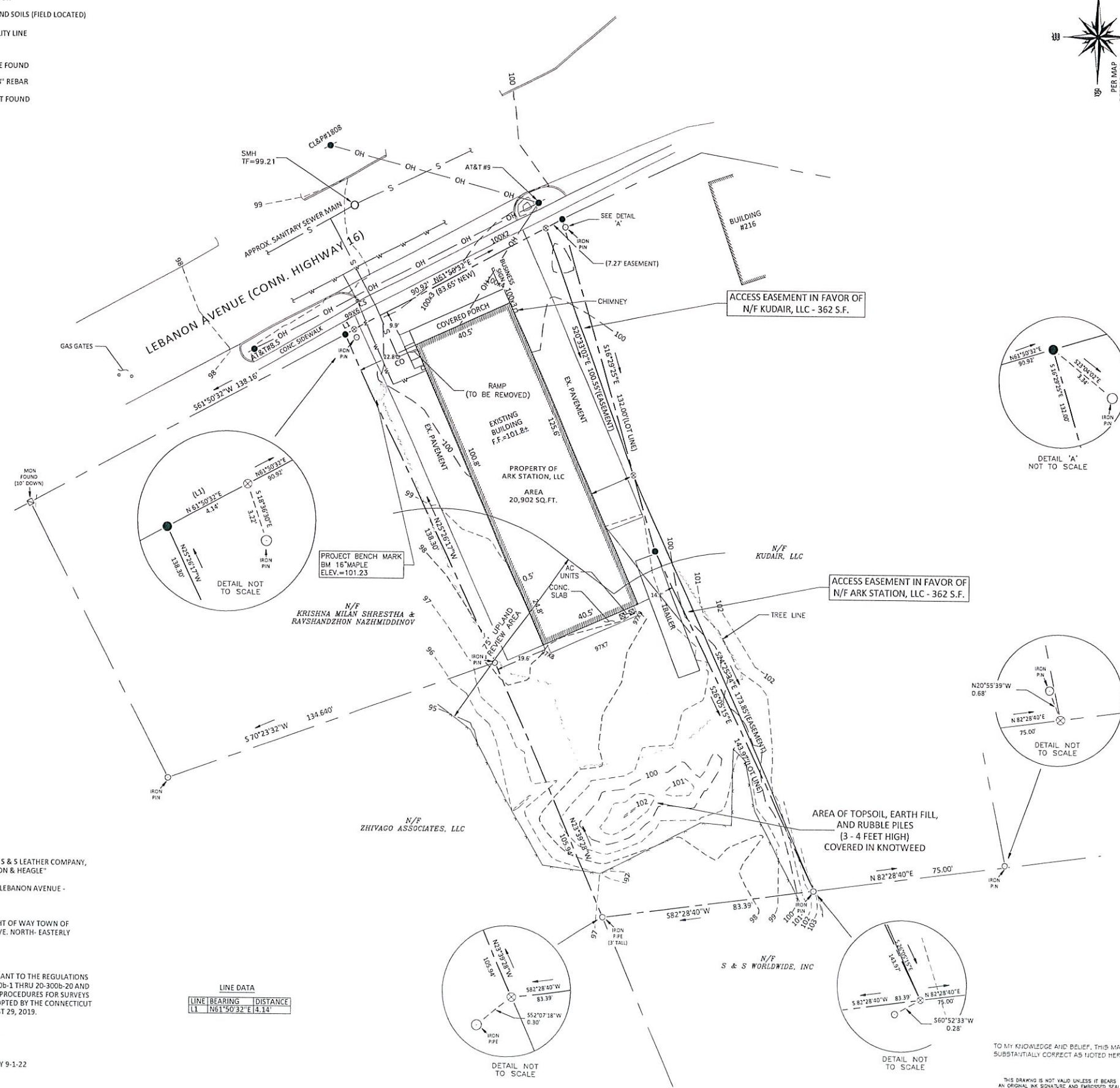
CIVIL ENGINEERING CONSULTANTS
63 NORWICH AVENUE
COLCHESTER, CT
(860) 510-0035
<b>RES</b>
Reynolds Engineering Services, LLC

Drawing #:	2 OF 6
Job #:	22-175

**ROB HELLSTROM**  
**LAND SURVEYING LLC**  
 32 MAIN STREET  
 HEBRON, CONNECTICUT  
 (860)-228-9853

Mailing Address:  
 P.O. BOX 378  
 HEBRON, CT 06248

www.rhslct.com  
 Email: hellstromsurveying@yahoo.com



DEED REFERENCE: (COLCHESTER LAND RECORDS)  
 1. VOLUME 1483, PAGE 117  
 2. VOLUME 51, PAGE 4  
 3. VOLUME 1469, PAGE 92  
 4. VOLUME 32, PAGE 34  
 5. VOLUME 1431, PAGE 233

- MAP REFERENCE:
- "INDEX MAP PROPOSED SUBDIVISION PROPERTY OF S & S LEATHER COMPANY, INC COLCHESTER, CONN, DATED 4-14-89, BY MEGSON & HEAGLE"
  - "BOUNDARY SURVEY PREPARED FOR S & B INC. 232 LEBANON AVENUE - COLCHESTER, CONNECTICUT, DATED DECEMBER 2, 2015, BY DUTCH ASSOCIATES"
  - "CONNECTICUT STATE HIGHWAY DEPARTMENT RIGHT OF WAY TOWN OF COLCHESTER LEBANON STREET FROM HAYWARD AVE. NORTH- EASTERLY ABOUT 2000 FEET 28-07, DATED MAR. 29, 1940"

MAP STANDARD NOTES

- THIS SURVEY (OR MAP) HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THRU 20-300b-20 AND THE "STANDARDS AND SUGGESTED METHODS AND PROCEDURES FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON AUGUST 29, 2019.

TYPE OF SURVEY: PROPERTY SURVEY  
 BOUNDARY DETERMINATION CATEGORY: RESURVEY  
 HORIZONTAL ACCURACY CLASS: A-2  
 TOPOGRAPHIC ACCURACY CLASS: T-2  
 VERTICAL DATUM: ASSUMED, DATE OF FILED SURVEY 9-1-22  
 LAND ZONE: COMMERCIAL  
 ZONE DISTRICT: TOWN CENTER

LINE DATA

LINE BEARING	DISTANCE
LN 1 N61°50'32"E	4.14'

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

THIS DRAWING IS NOT VALID UNLESS IT BEARS AN ORIGINAL INK SIGNATURE AND EMBOSSED SEAL

ROBERT W. HELLSTROM, L.S. #13626

**LEGEND**

- PROPERTY LINE
- - - 100 - - - EXISTING CONTOUR
- - - LIMIT OF WETLAND SOILS (FIELD LOCATED)
- OH — OH — OVER HEAD UTILITY LINE
- ⊗ ANGLE POINT
- IRON PIN OR PIPE FOUND
- IRON PIN SET 5/8" REBAR
- ⊠ CHD MONUMENT FOUND
- TREES
- TRAFFIC FLOW
- PROPOSED SIGN
- 98 — PROPOSED CONTOUR
- 99.0 — PROPOSED SPOT ELEVATION
- ☀ PROPOSED LIGHT POLE
- ☀ PROPOSED BUILDING MOUNTED LIGHT

**PLANTING SCHEDULE**

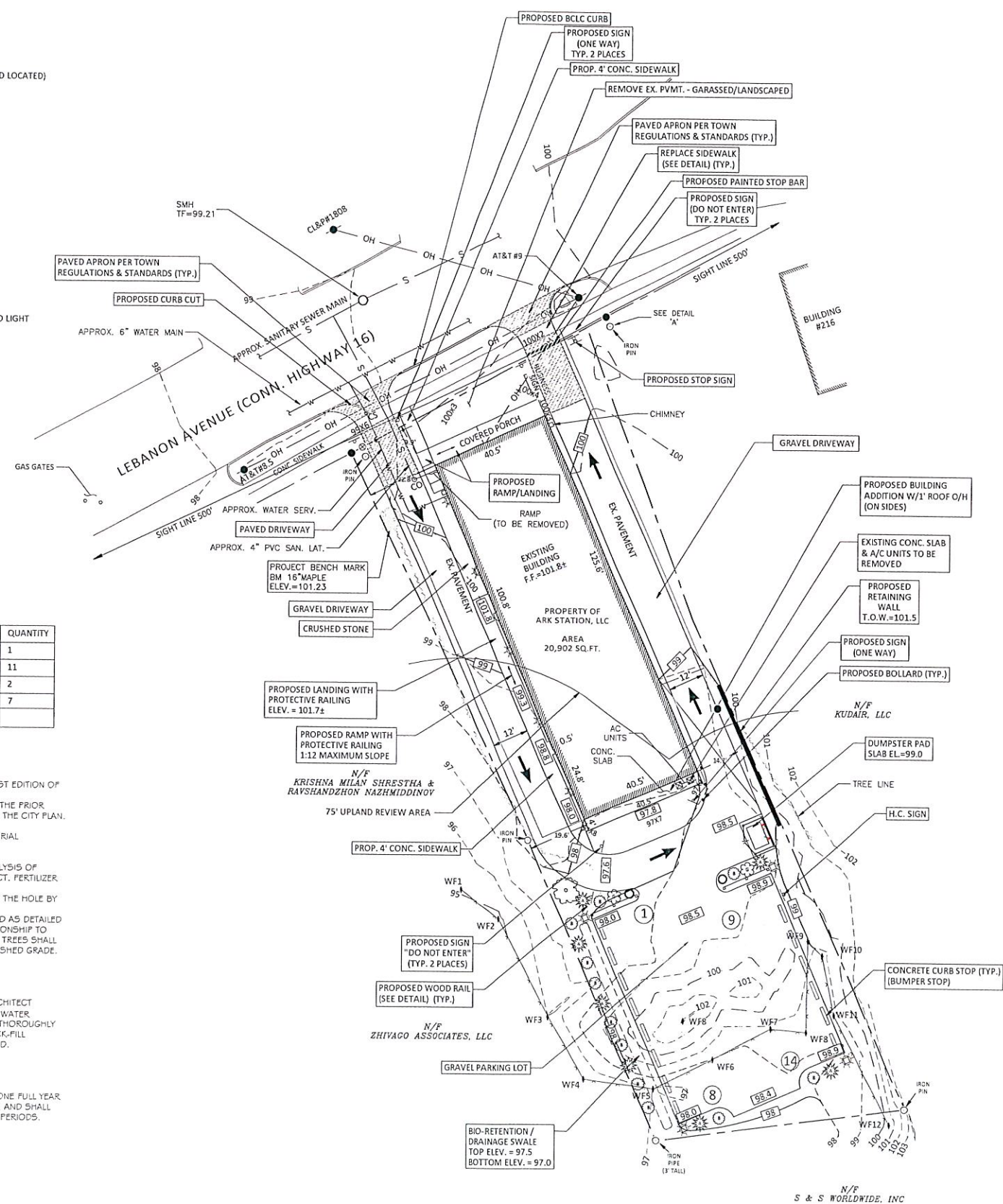
SYMBOL	NAME / GENUS NAME	SIZE	QUANTITY
☀	DOGWOOD TREE / GENUS CORNUS	5 GAL	1
☀	BOXWOOD / BUXUS	1-3 GAL	11
☀	GOLDEN MOP / CHAMAECYPARIS	3 GAL	2
☀	ARBORVITAE / THUJA	3 GAL	7
☀	SEASONAL FLOWERS		

**PLANTING SPECIFICATIONS**

- ALL PLANTS SHALL BE NURSERY GROWN AND CONFORM TO THE LATEST EDITION OF ANSI Z60.1, AMERICAN STANDARD FOR NURSERY STOCK.
- NO SUBSTITUTION OF PLANT MATERIALS WILL BE ALLOWED WITHOUT THE PRIOR WRITTEN CONSENT OF THE PROJECT OWNER AND THE COMMISSION ON THE CITY PLAN.
- PLANTING MIXTURE FOR TREES AND SHRUBS:
  - PART DEHYDRATED COW MANURE OR COMPOSTED ORGANIC MATERIAL
  - PARTS PEAT MOSS
  - PARTS TOPSOIL
- FERTILIZER: TO BE COMPLETE PLANT FOOD WITH A GUARANTEED ANALYSIS OF 10-10-10 UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT. FERTILIZER SHALL CONTAIN 50% SLOW RELEASE NITROGEN AND 50% QUICK.
- ALL PLANT PITS MUST BE FREE DRAINING. BREAK UP THE BOTTOM OF THE HOLE BY FORK IF NECESSARY TO ENSURE PLANT HAS PROPER DRAINAGE.
- SET ALL PLANTS IN CENTER OF PLANT PITS, PLUMB AND STRAIGHT AND AS DETAILED ON THE DRAWING. ALL PLANT MATERIALS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS TO ORIGINAL PLANTING GRADE PRIOR TO DIGGING. TREES SHALL BE PLANTED WITH THE JUNCTION OF ROOTS AND STEM LEVEL WITH FINISHED GRADE.
- HANDLE BALLED AND BURLAPPED PLANTS FROM THE BALL ONLY.
- ONCE POSITIONED IN THE HOLES, REMOVE THE TOP 1/2 OF THE BURLAP FROM THE ROOT BALL WITHOUT DISTURBING THE ROOTS.
- FACE EACH PLANT TO GIVE THE BEST APPEARANCE.
- DO NOT STAKE THE TREES UNLESS DIRECTED BY THE LANDSCAPE ARCHITECT
- FILL PLANT PITS 2/3 THEIR DEPTH WITH PREPARED PLANTING MIXTURE, WATER THOROUGHLY AND ALLOW TO SETTLE. COMPLETE BACK-FILLING, WATER THOROUGHLY TO ELIMINATE ANY VOIDS AND AIR POCKETS. PROVIDE ADDITIONAL BACK-FILL AS NECESSARY TO CONFORM TO REQUIRED ELEVATION AND AS DETAILED.
- FORM SAUCER AND INSTALL MULCH OVER ENTIRE PLANT PIT AND SAUCER AREA AS DETAILED.
- 3 INCHES SHREDDED HEMLOCK BARK MULCH OR EQUAL SHALL BE USED AROUND ALL TREES AND SHRUB PLANTINGS.
- ALL PLANTS AND TREES SHALL BE GUARANTEED FOR A PERIODS OF ONE FULL YEAR AFTER INSPECTION AND ACCEPTANCE BY THE OWNERS REPRESENTATIVE, AND SHALL HAVE AT LEAST 60% HEALTHY GROWTH AT THE END OF THE GUARANTEE PERIODS.

I HEREBY DECLARE THAT THE WETLANDS DEPICTED ON THIS MAP ARE SUBSTANTIALLY CORRECT

IAN COLE REGISTERED SOIL SCIENTIST #2006 DATE



**LOT COVERAGE TABLE**  
PARCEL AREA 20,902 S.F.

ITEM	EXISTING	PROPOSED
BUILDING	5,316 S.F. (25.4%)	5,478 S.F. (26.2%)
GRAVEL	-	8,619± S.F. (41.3%)
CONC. WALKS / PADS	162 S.F. (0.8%)	709± S.F. (3.4%)
PAVEMENT	4,375 S.F. (20.9%)	510± S.F. (2.4%)
GRASSED / LANDSCAPED	11,049 S.F. (52.9%)	5,586 S.F. (26.7%)
TOTAL	20,902 S.F. (100%)	20,902 S.F. (100%)

**PARKING TABLE**

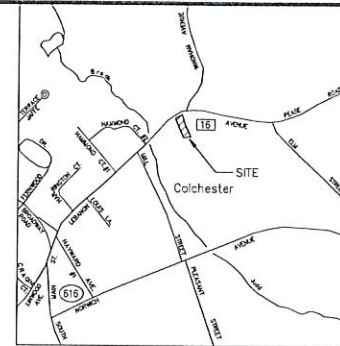
	EXISTING	PROPOSED	TOTAL
STANDARD SPACE	-	13 SPACES	13 SPACES
HANDICAPPED SPACE	-	1 SPACE	1 SPACE

AREA OF DISTURBANCE WITHIN WETLANDS : 1,699 S.F.  
 AMOUNT OF FILL WITHIN WETLANDS: 620 C.F.  
 AREA OF DISTURBANCE WITHIN URA : 9,017 S.F.

NOTE: LIMIT OF WETLAND SOILS ARE SHOWN PER FIELD LOCATION BY RHLs

ALL WORK WITHIN THE STATE OF CT. RIGHT OF WAY FOR NORWICH AVENUE WILL REQUIRE APPROVAL AND ENCROACHMENT PERMITS FROM CONN. DOT DISTRICT 2.

PRESERVE AND MAINTAIN EXISTING SANITARY SEWER AND WATER SERVICE TO BUILDING



Drawing date: 12/20/22  
 Drawing Scale: 1" = 20'

Site Plan  
 Site Development Plan  
 200 Lebanon Avenue  
 Colchester, CT

CIVIL ENGINEERING CONSULTANTS  
 63 NORWICH AVENUE  
 COLCHESTER, CT  
 (860) 516-0033

**RES**  
 Reynolds Engineering Services, LLC

**ROB HELLSTROM**  
 LAND SURVEYING LLC  
 32 MAIN STREET  
 HEBRON, CONNECTICUT  
 (860)-228-9853

Mailing Address:  
 P.O. BOX 378  
 HEBRON, CT 06248  
 www.rhlsct.com  
 Email: hellstromsurveying@yahoo.com

Drawing #: 3 OF 6  
 Job #: 22-175

Designed By: MAR  
 Drawn By: SANI  
 Checked By: MAR  
 CAD File: 22-175\_SITEPLAN

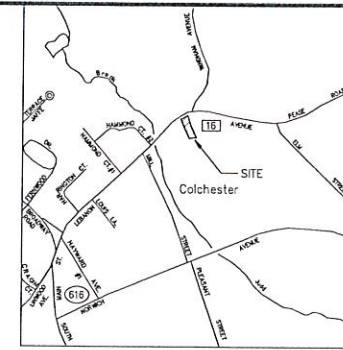
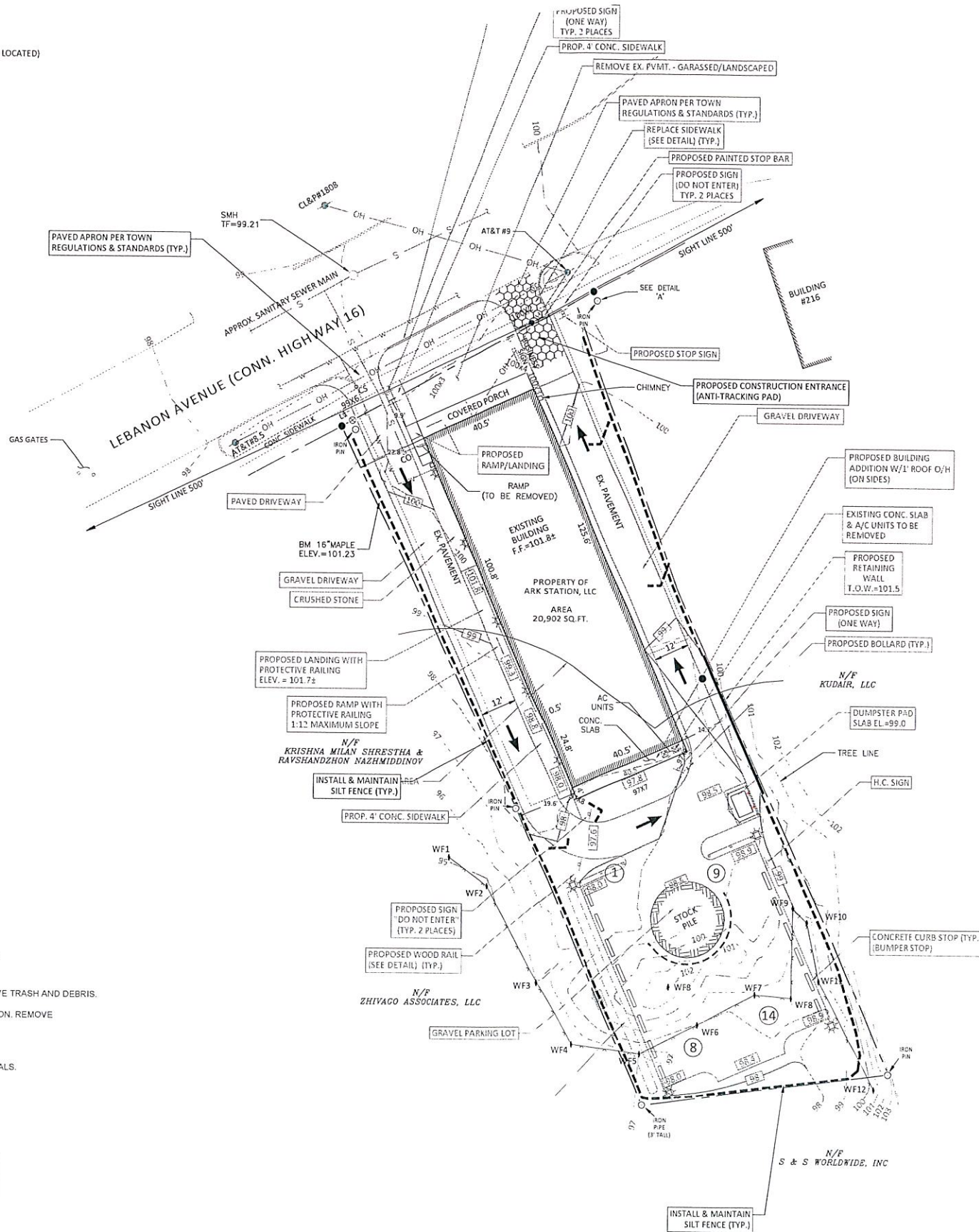
By: SANI  
 Review Comments:

Date: 12/23/23

Prepared for: ARK Distillery

**LEGEND**

- — — — — PROPERTY LINE
- - - - - 100 - - - - - EXISTING CONTOUR
- - - - - LIMIT OF WETLAND SOILS (FIELD LOCATED)
- OH — OH — — OVER HEAD UTILITY LINE
- ⊗ ANGLE POINT
- IRON PIN OR PIPE FOUND
- IRON PIN SET 5/8" REBAR
- ⊕ CHD MONUMENT FOUND
- TREES
- TRAFFIC FLOW
- — — — — PROPOSED SIGN
- — — — — PROPOSED CONTOUR
- 99.0 PROPOSED SPOT ELEVATION
- ☼ PROPOSED LIGHT POLE



GENERAL LOCATION MAP  
SCALE: 1" = 1000'

Designed By:	WAK
Drawn By:	SAM
Checked By:	MAR
CAD File:	22-175-SITEPLAN

Drawing Scale:	1" = 20'	
Drawing date:	12/20/22	
Rev.	Date	Revision
1.	1/25/23	REVIEW COMMENTS

**Erosion & Sedimentation Control Plan**  
 PROJECT TITLE: Site Development Plan  
 200 Lebanon Avenue  
 Colchester, CT  
 PREPARED FOR: ARK Distillery

CIVIL ENGINEERING CONSULTANTS  
 63 NORWICH AVENUE  
 COLCHESTER, CT  
 (860) 516-0033



Drawing #: 4 OF 6  
 Job #: 22-175

**OPERATION AND MAINTENANCE SCHEDULE**

- RAIN GARDENS**
- INSPECT AFTER MAJOR RAINSTORMS (0.5" OR GREATER) & REMOVE TRASH AND DEBRIS.
- INSPECT BASIN INLETS AND OUTLET FOR SEDIMENT ACCUMULATION. REMOVE SEDIMENTATION AFTER ACCUMULATION IN EXCESS OF 3".
- PAVED AREAS**
- SWEEP ANNUALLY IN SPRING TO REMOVE SAND AND SILT MATERIALS.

I HEREBY DECLARE THAT THE WETLANDS DEPICTED ON THIS MAP ARE SUBSTANTIALLY CORRECT.

IAN COLE  
 REGISTERED SOIL SCIENTIST #2006

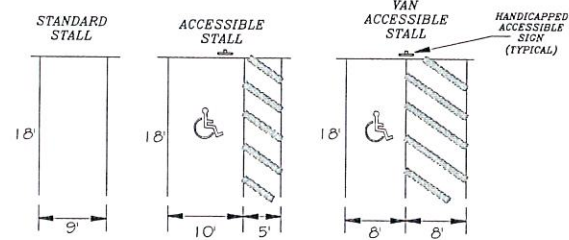
DATE

NOTE: LIMIT OF WETLAND SOILS ARE SHOWN PER FIELD LOCATION BY RHLs

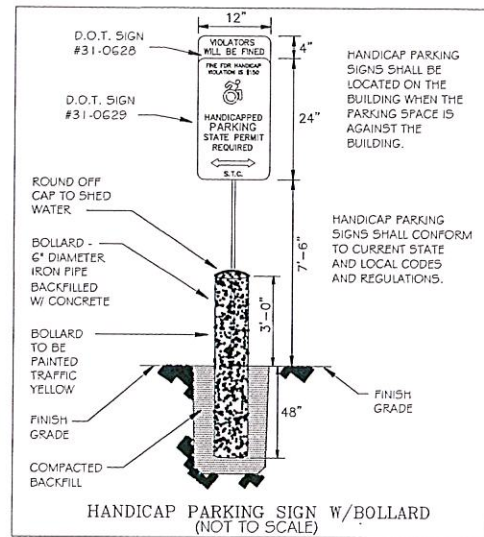
**ROB HELLSTROM**  
**LAND SURVEYING LLC**  
 32 MAIN STREET  
 HEBRON, CONNECTICUT  
 (860)-228-9853

Mailing Address:  
 P.O. BOX 378  
 HEBRON, CT 06248

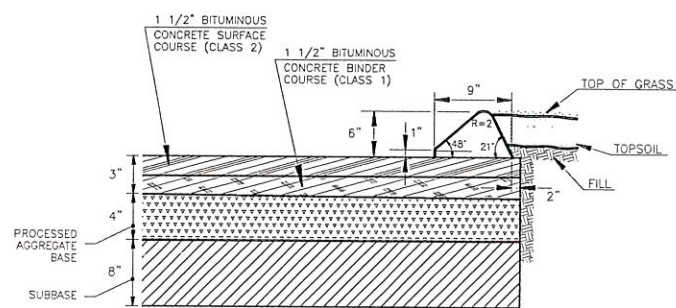
www.rhlsct.com  
 Email: hellstromsurveying@yahoo.com



**PARKING STALL DETAILS**  
NOT TO SCALE

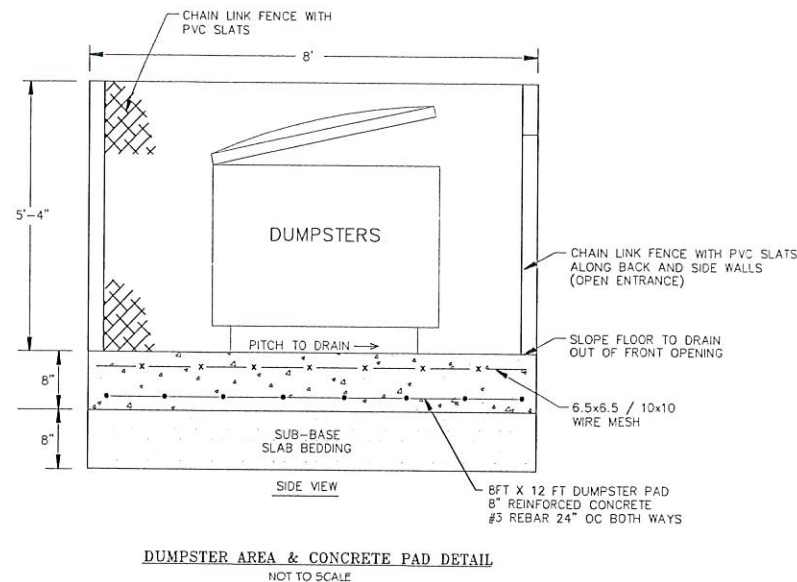


**BITUMINOUS CURBING AND BITUMINOUS PAVING DETAIL**  
NOT TO SCALE

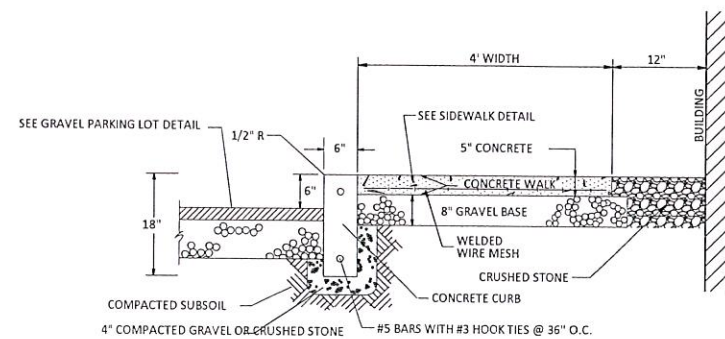


**GENERAL NOTES**

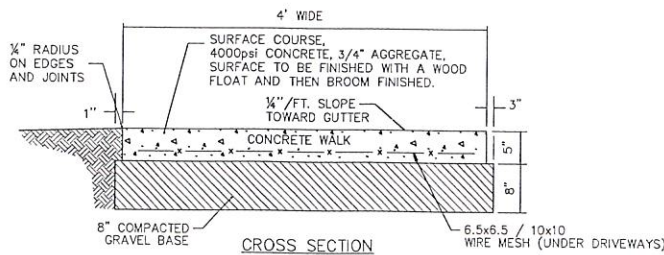
- 1) Processed aggregate base shall conform to Article M.05.01 of Connecticut DOT Form 818 as amended.
- 2) Sub-base material shall conform to Article M.02.06, Gradation 'B' of Connecticut DOT Form 818 as amended.
- 3) Bituminous paving shall conform to Article 4.06.02 of Connecticut DOT Form 818 as amended.
- 4) Concrete shall be 4,000 PSI strength.



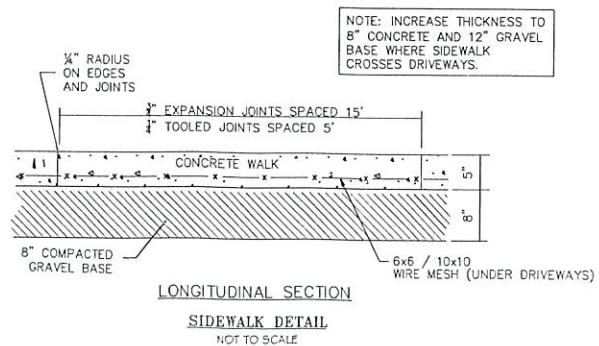
**DUMPSTER AREA & CONCRETE PAD DETAIL**  
NOT TO SCALE



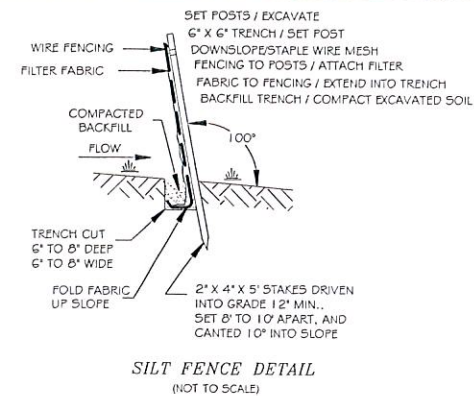
**4' CONCRETE SIDEWALK/CURBING DETAIL**  
NOT TO SCALE



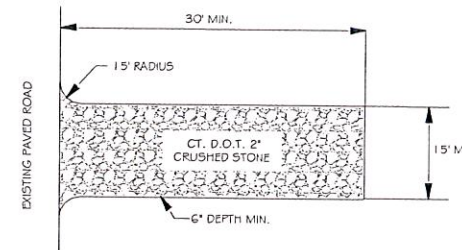
**CROSS SECTION**



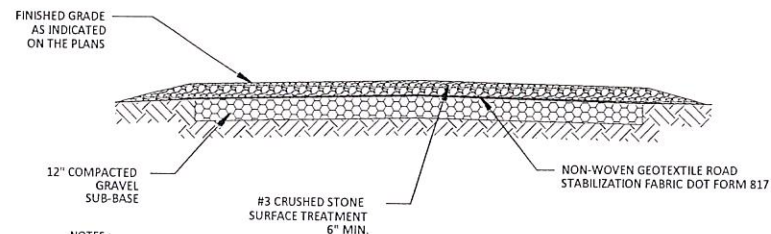
**LONGITUDINAL SECTION SIDEWALK DETAIL**  
NOT TO SCALE



**SILT FENCE DETAIL**  
NOT TO SCALE



**ANTI-TRACKING PAD DETAIL**  
NOT TO SCALE



**GRAVEL PARKING LOT DETAIL**  
NOT TO SCALE

- NOTES:**
1. REMOVE TOPSOIL AND OTHER UNSUITABLE SOIL (AS DETERMINED BY THE ENGINEER). INSTALL 12" MIN. THICKNESS OF COMPACTED GRAVEL SUB-BASE, OR GREATER, AS INDICATED ON THE PLANS OR AS ORDERED BY THE ENGINEER IN THE FIELD.
  2. REFERENCES ARE MADE TO THE CONNECTICUT DOT FORM 816, 2004.

**EROSION & SEDIMENT CONTROL NOTES:**

1. ALL EROSION & SEDIMENT CONTROL MEASURES TO BE CONSTRUCTED AS DETAILED AND SPECIFIED IN THE CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL JANUARY 2002 AS AMENDED.
2. ALL EROSION & SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION, PROPERLY MAINTAINED DURING CONSTRUCTION AND REMAIN IN PLACE UNTIL ALL DISTURBED AREAS HAVE BEEN PROPERLY STABILIZED. AFTER INSTALLATION OF THE INITIALLY PRESCRIBED MEASURES, ADDITIONAL MEASURES MAY BE REQUIRED TO ADDRESS FIELD CONDITIONS AS ORDERED BY THE TOWN OF COLCHESTER OR ITS DESIGNATED AGENT(S).
3. THE SMALLEST PRACTICAL AREA OF LAND SHOULD BE EXPOSED. THE EXPOSURE SHOULD BE THE SHORTEST PERIOD OF TIME. WHEN NECESSARY TEMPORARY VEGETATION AND OR MULCHING SHOULD BE USED TO PROTECT EXPOSED AREAS. FINAL VEGETATION SHOULD BE INSTALLED AS SOON AS POSSIBLE. WHEREVER FEASIBLE NATURAL VEGETATION SHOULD BE RETAINED AND PROTECTED.
4. THE STOCKPILING OF BUILDING MATERIALS SHALL BE WITHIN THE AREA OF DISTURBANCE.
5. SEEDBED PREPARATION: FINE GRADE AND RAKE SOIL TO REMOVE ANY STONES LARGER THAN 2 INCHES. INSTALL ANY NEEDED EROSION CONTROL DEVICES SUCH AS SURFACE WATER DIVERSIONS. APPLY LIMESTONE AT A RATE OF TWO TONS PER ACRE OR 90 POUNDS PER 1000 SQUARE FEET. FERTILIZE WITH 10-10-10 AT A RATE OF 11 POUNDS PER 1000 SQUARE FEET.
6. SEED APPLICATION: APPLY SHADE TOLERANT GRASS MIXTURE BY HAND, CYCLONE SEEDER OR HYDROSEEDER. SEEDING SHALL BE DONE BETWEEN APRIL 1 AND JUNE 1 OR BETWEEN AUGUST 15 AND SEPTEMBER 1. IF SEEDING CANNOT BE DONE DURING THESE TIMES, REPEAT MULCHING PROCEDURE UNTIL SEED CAN BE DONE.
7. ESTABLISH PERMANENT VEGETATION USING A SEED MIXTURE OF:  
 KENTUCKY BLUEGRASS 20 LBS/ACRE  
 CREEPING RED FESCUE 20 LBS/ACRE  
 PERENNIAL RYE GRASS 5 LBS/ACRE  
 TOTAL 45 LBS/ACRE  
 THE RECOMMENDED DATES FOR SEEDING ARE APRIL 1 THROUGH JUNE 1 AND AUGUST 15 THROUGH SEPTEMBER 1.
8. MULCHING: IMMEDIATELY FOLLOWING SEEDING, MULCH THE SEEDED SURFACE WITH STRAW OR HAY AT A RATE OF 1.5 TO 2 TONS PER ACRE. MULCH SHALL BE SPREAD BY HAND OR WITH A MULCH BLOWER. PUNCH MULCH INTO SOIL SURFACE APPROXIMATELY TWO TO THREE INCHES.
9. THE TOWN OF COLCHESTER RESERVES THE RIGHT TO REVISE THE EROSION CONTROL PLAN AS CONDITIONS WARRANT. ADDITIONAL EROSION AND CONTROL MEASURES MAY BE REQUIRED AT THE DIRECTION OF THE TOWN OF COLCHESTER.
10. EROSION AND SEDIMENTATION CONTROL MEASURES WILL NEED TO BE INSPECTED AT LEAST ONCE A WEEK, AND WITHIN 24 HOURS OF THE END OF A STORM EVENT WITH A RAINFALL AMOUNT OF 0.5" OR GREATER.

Designed By: MAR	Drawn By: SAM	Checked By: MAR	CAD File: 22-175_SITPLAN
Drawing Scale: As Noted			
Rev.	Date	Revision	REVIEW COMMENTS
1.	1/25/23		

**Notes & Details**

PROJECT TITLE: *Site Development Plan*  
200 Lebanon Avenue  
Colchester, CT

PREPARED FOR: *ARK Distillery*

CIVIL ENGINEERING CONSULTANTS  
63 NORWICH AVENUE  
COLCHESTER, CT  
(860) 516-0033

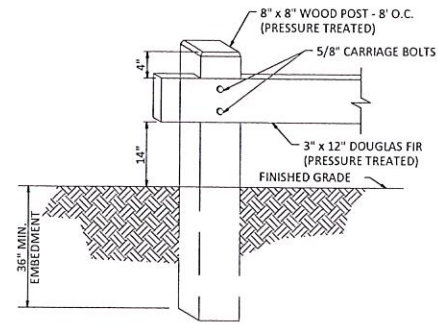
**RES**  
Reynolds Engineering Services, LLC

ROB HELLSTROM  
LAND SURVEYING LLC  
32 MAIN STREET  
HEBRON, CONNECTICUT  
(860)-228-9853

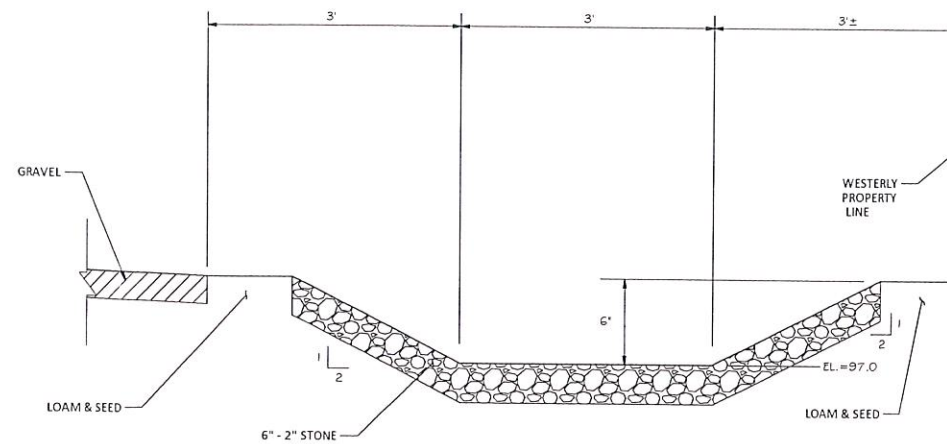
Mailing Address:  
P.O. BOX 378  
HEBRON, CT 06248

www.rhsct.com  
Email: hellstromsurveying@yahoo.com

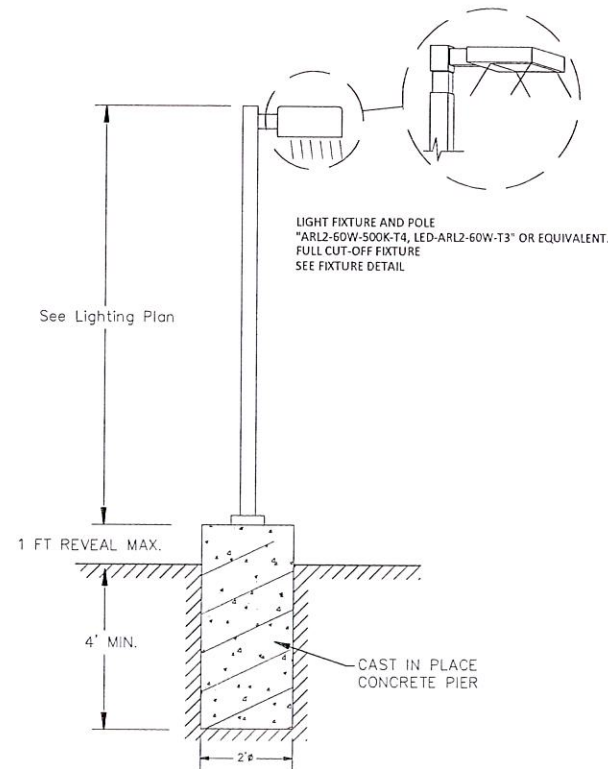
Drawing #: 5 OF 6  
Job #: 22-175



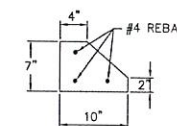
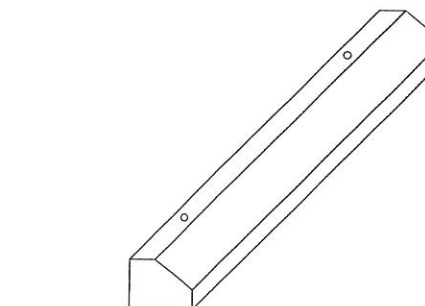
**WOOD GUIDE RAIL DETAIL**  
NOT TO SCALE



**BIO-RETENTION/DRAINAGE SWALE SECTION**  
NOT TO SCALE



**LIGHT POLE DETAIL**  
NOT TO SCALE



**BUMPER STOP**

**NOTES:**

1. BUMPER STOPS ARE 6' LONG WITH 1/2"Ø PINS.
2. CONCRETE COMPRESSIVE STRENGTH: 4000 PSI @ 28 DAYS.
3. METHOD OF MANUFACTURE: WET CAST.
4. REINFORCING STEEL DEFORMED BARS CONFORM TO THE LATEST ASTM SPECIFICATION A615.
5. MANUFACTURED TO CONNECTICUT D.O.T. SPECIFICATIONS.
6. UNIT WEIGHT: 300 LBS.



**ROB HELLSTROM  
LAND SURVEYING LLC**

32 MAIN STREET  
HEBRON, CONNECTICUT  
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www.rhlsct.com  
Email: hellstromsurveying@yahoo.com

CIVIL ENGINEERING CONSULTANTS  
63 NORWICH AVENUE  
COLCHESTER, CT  
(860) 516-0335



**Reynolds Engineering Services, LLC**

**Notes & Details**  
PROJECT TITLE: *Site Development Plan*  
200 Lebanon Avenue  
Colchester, CT

PREPARED FOR: *ARK Distillery*

Drawing date: 12/20/22  
Drawing Scale: AS NOTED

Rev.	Date	By	Revision
1.	1/25/23	SAM	REVIEW COMMENTS

Designed By: MAR  
Drawn By: SAM  
Checked By: MAR  
CAD File: 22-175\_SITEPLAN

Drawing #: 6 OF 6

Job #: 22-175

IF THIS SHEET IS NOT 24 X 36, IT IS A REDUCED SCALE PRINT - SCALE ACCORDINGLY:



# ARK Distillery Building Renovations

200 Lebanon Ave.  
Colchester, CT

**BREWSTER|**  
ARCHITECTS, LLC



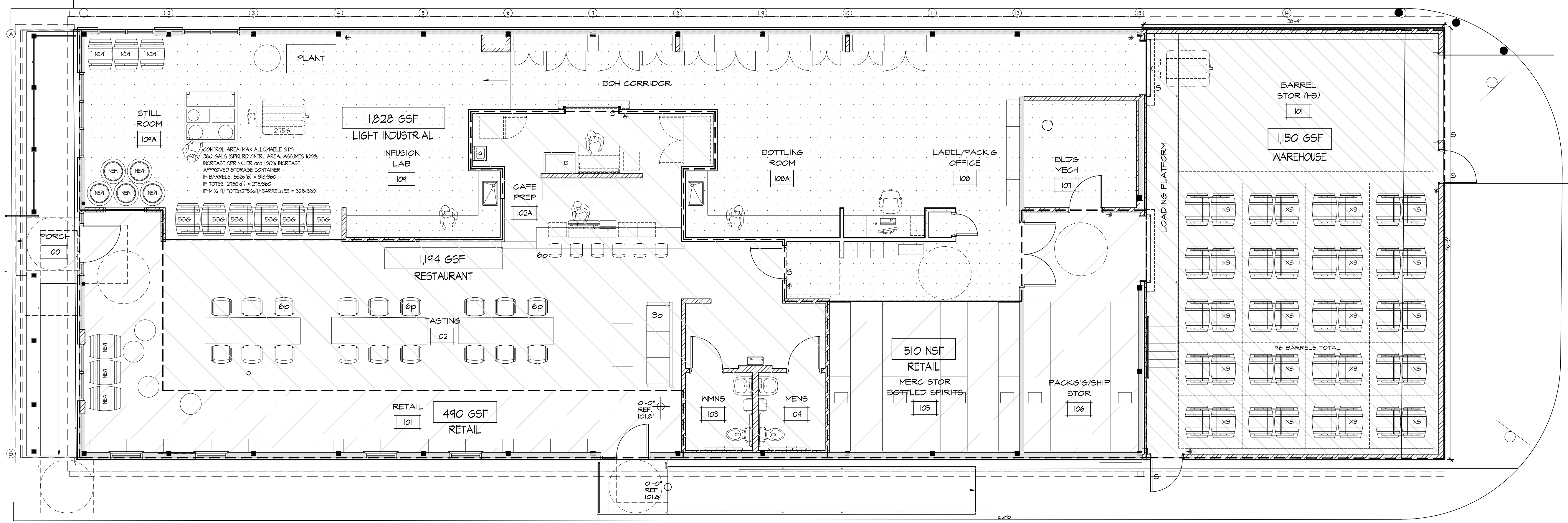
### PARKING TABULATION (REFERENCE: COLCHESTER P&Z REG. TABLE 10.1)

USE	Minimum Spaces	SF	Spaces
EXISTING MAIN BUILDING:		4,046 GSF	
EXISTING WAREHOUSE:		1,150 GSF	
LIGHT INDUSTRIAL (DISTILLERY OPERATIONS)	2 PER 1,000 SF GFA	1,828 GSF	2
RESTAURANT (TASTING)	1 FOR EVERY 3 SEATS	21 SEATS	9
RETAIL	2 PER 1,000 SF GFA	1,000 GSF	1
WAREHOUSE	1 PER 1,000 SF GFA	1,150 GSF	2
<b>TOTAL</b>			<b>14</b>

## 03 Parking Tabulations

NO SCALE

**PROGRESS ONLY**  
DATED: [ 01.24.2023 ]



REVISIONS:

DATE:	24 JAN 2023
PROJECT NO:	22.002
DRAWN:	WWB
CHECKED:	ARC
ISSUED FOR:	
<input type="checkbox"/> PROGRAMMING	
<input type="checkbox"/> SCHEMATIC DESIGN	
<input checked="" type="checkbox"/> DESIGN DEVELOPMENT	
<input type="checkbox"/> BIDDING + CONSTRUCTION	
<input type="checkbox"/> PERMIT	
<input type="checkbox"/> PROGRESS ONLY - NOT FOR CONSTRUCTION	
FILE NAME:	22.002_Plans

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## 13 P&Z Land Use Information Plan

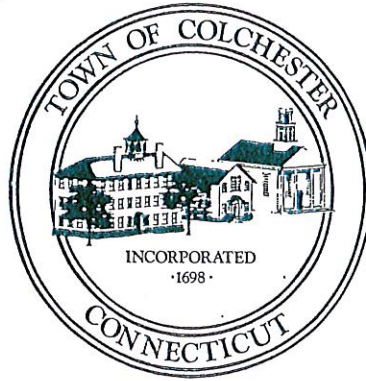
SCALE: 3/16" = 1' = 0"



**AP22.0**



**Code Administration**  
Building Official  
Fire Marshal  
Wetlands Enforcement



**Planning and Zoning**  
Planning Director  
Zoning Enforcement  
Town Engineer

March 1, 2023

To: Colchester Conservation Commission and Planning & Zoning Commission

From: Salvatore Tassone P.E. – Town Engineer

A handwritten signature in blue ink, appearing to read "Sal Tassone", is written over the printed name.

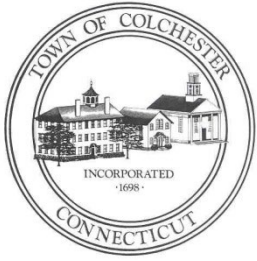
Re: Ark Distillery site development plan, 200 Lebanon Avenue Colchester, Connecticut prepared for Ark Distillery, by RES Reynolds Engineering Services LLC. And Rob Hellstrom Land Surveying LLC, dated 12/20/22, revised 1/25/23

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The above referenced plan is being resubmitted to address the need for a "Special Exception" approval due to a portion of the site being in the APZ.

The following concerns have not been addressed.

- 1) Plans must be signed and stamped by all professional preparers.
- 2) Plans should note that Colchester ZBA granted a variance to the one-way driveway width requirement from 15 feet to 12 feet on February 21, 2023 otherwise the current site layout does not comply with the Town's Zoning Regulations.
- 3) Sheet 3 erroneously refers to work within State Right of way on "Norwich Avenue". It should be corrected to say Lebanon Avenue.



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

## **PLANNING DIRECTOR REVIEW COMMENTS #1 PZC2023-003 – ARK STATION, LLC**

**DATE:** March 23, 2023

**TO:** ARK Station, LLC (Applicant/Owner)  
Planning & Zoning Commission Membership

**FROM:** Demian A. Sorrentino, AICP, CSS, Planning Director

**RE:** **Application PZC2023-003 - Planning Director Review Comments #1  
Per Site Plans dated 12/20/22, revised to 1/25/23**

1. Application is for an alcoholic spirit distillery with on-site tasting and café, which use is permitted as “commercial development” in the Town Center (TC) District per Sec. 5.3.1.2. Applicant has submitted Application for Site Plan Approval.
2. The northwesterly corner of the subject property is located within the Aquifer Protection Overlay Zone (APOZ). All uses in the APOZ except for single-family dwellings require a Special Permit. Applicant has submitted Application for Special Permit (Exception) Approval.
3. The subject property is located entirely within the designated Aquifer protection Area (APA). The Colchester Planning & Zoning Commission is the Town’s designated Aquifer Protection Agency per Sec. 1(d) of the Colchester Aquifer Protection Area (APA) Regulations. Applicant or applicant’s agent shall review said regulations and submit a written statement as to whether the proposed use is a Regulated Activity per Sec. 2(a)35, 4(a) and 4(b) OR a Non-Regulated Activity per Sec. 4(c). Based upon the Applicant’s statement and consideration of the materials submitted, the Commission shall determine whether the use is Regulated or Non-Regulated. Link to Colchester’s APA Regulations, below:  
<https://www.colchesterct.gov/planning-zoning-department/files/aquifer-protection-area-regulations>
4. The Colchester Conservation Commission approved Application #W2023-3075 on 2/8/23 including the filling of 1,699 SF of inland wetlands.
5. The Colchester Zoning Board of Appeals approved Application #ZBA2023-001 on 2/21/23 to reduce the required width of the one-way access drive from 15’ to 12’.
6. Review comments from Town Engineer Sal Tassone dated 3/1/23 remain to be addressed (copy attached).
7. Fire Marshal Sean Shoemaker has no comments regarding the Site Plan per email dated 3/21/23.
8. Water & Sewer Supervisor Pam Minella has provided comments (copy attached).
9. Number of parking spaces provided is acceptable per Section 10.2.
10. Per Sec. 10.3.1 and Sec. 10.3.1.B, the entire ADA compliant parking space (parking bay, hatched aisle, ADA sign, penalty sign) shall meet van-accessible design criteria and the entire space (parking bay, hatched aisle and line striping) shall be either concrete or bituminous concrete. Gravel is not an acceptable surface. Add applicable construction details to plan.
11. A concrete or bituminous concrete walkway connecting the ADA parking space to the 4’ concrete sidewalk on the westerly side of the building shall be provided. Add applicable construction details to plan.

12. Plan contains no specifications for building-mounted lighting (wall packs) on westerly side of building as required by Sec. 12.4. All fixtures shall be full cut-off to minimize light trespass onto 188 Lebanon Avenue. Add specification and applicable details to plan.
13. Applicant to submit dimensioned, color visual presentation for proposed building-mounted signage and signage to be included on the pylon sign on Lebanon Avenue (CT #16) in accordance with applicable requirements of Sec. 11.
14. Applicant may consider painting directional arrows on the paved aprons behind sidewalks to reinforce traffic direction.
15. Applicant may consider providing some form of physical separation (landscape bed, split rail fence, or similar) between exit drive and adjacent dirt parking lot.
16. Applicant may consider provision of a bicycle rack in front of the business to accommodate patrons utilizing the Air Line State Park Trail (ALSPT) spur.
17. Proposed work within CT DOT right-of-way requires encroachment permit from District 2 prior to the commencement of construction.

**APPLICABLE REGULATORY REQUIREMENTS:**

**5.3.1 Permitted Uses in the TC District**

2. Commercial development except auto-related uses (sales, service, repair) and oil, propane sales/service

**9.2 Aquifer Protection**

**9.2.1 Aquifer Protection Overlay Zone**

**10.0 Parking, Loading and Access Requirements**

**10.2 Number of Spaces Required**

**10.3 Parking Space Requirements for People with Disabilities**

**10.6 Landscaping Standards for Parking Lot Stormwater Management**

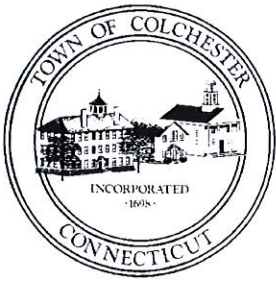
**10.8 Loading Space Requirement**

**11.0 Signage**

**12.0 Lighting**

**14.0 Land Use Process**

**15.0 Site Plan Review**



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

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## Preliminary Construction Requirements for ARK Distillery:


Plans submitted for review should include **existing and proposed changes** to the water and sewer lines. The current drawings only has the existing lines.

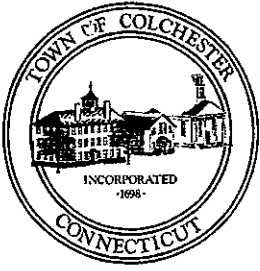
Design Flow calculations completed by Developer's Engineer for service line and water meter sizing (peak hour in gallons per minute as well as average day in gallons per day). If applicable fire flows as well.

Two weeks is required notice for major utility installation, while 24hrs is suitable for most inspections.

The Standard Construction Detail must be followed throughout construction.

Sincerely,

  
Pam Minella  
Water & Sewer Supervisor  
Town of Colchester  
860 608 5763  
pminella@colchesterct.gov



# *Town of Colchester, Connecticut*

*127 Norwich Avenue, Colchester, Connecticut 06415*

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**CERTIFIED MAIL: 7003-0500-0005-2948-1008  
AND BY REGULAR MAIL**

February 13, 2023

Alane Wilansky  
ARK Station LLC  
51 Sherwood Lane  
Marlborough, CT 06447

**RE: ARK Distillery, 200 Lebanon Avenue, Colchester, CT**

Dear Ms. Wilansky:

The Colchester Conservation Commission **APPROVED WITH CONDITIONS** application #W2023-3075 at their regularly scheduled meeting held on February 8, 2023. The approval is to fill in 1,699 square feet of wetlands to facilitate a 14 space parking lot in the rear of the property. The Commission conditioned the application so that if the Planning and Zoning Commission directs the applicant to pursue shared parking in the neighborhood, the applicant execute shared parking to lessen the disturbance and impacts to the wetlands on the site.

The Commission determined that the proposed work associated with the distillery to fill in 1,699 square feet of wetlands shall create acceptable impacts to the regulated areas on the site. These impacts have been mitigated to the maximum extent possible through the use of best management practices. Finally, the application is compliant with the town of Colchester Inland Wetlands and Watercourses regulations.

The authorized activity must be initiated within ten (10) years of issuance of this permit on February 8, 2023. This permit, if not previously revoked or specifically extended, shall become null and void on February 8, 2033.

In addition, this permit shall include the following general provisions:

- a. The agency has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.
- b. All permits issued by the agency are subject to and do not derogate any present or future rights or powers of the agency or the Town of Colchester, and convey no rights in real estate or material nor any exclusive privileges, and are therefore subject to any and all private rights and to any federal, state and municipal laws or regulations pertinent to the property or activity.
- c. If the activity authorized by the inland wetlands in watercourses agency also involves an activity or a project which requires zoning or subdivision approval, special permit, variance or special exception, under sections 8-3(g), 8-3c, or 8-26 of the Connecticut general statutes, no work pursuant to the wetland permit may begin until such approval is obtained.
- d. In constructing the authorized activities, the permittee shall implement such management practices consistent with the 2000 to Connecticut Erosion and Sedimentation Guidelines

as amended and conditions the permit as needed to control stormwater discharges and to prevent erosion and sedimentation and otherwise prevent pollution of wetlands and watercourses. Routine inspections shall be performed to ensure safe operation.

Please be advised that written permission of the Conservation Commission is required to reassign or transfer the permit to another party per Section 11.7 of the regulations.

Should you have any questions regarding this notice of approval, please do not hesitate to contact me at 860-537-7283, or you can also send your questions to me via email at [cszymanski@colchesterct.gov](mailto:cszymanski@colchesterct.gov).

Sincerely,

A handwritten signature in black ink that reads "Carol Szymanski". The signature is written in a cursive, flowing style.

Carol Szymanski,  
Colchester Wetlands Agent

## Demian Sorrentino

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**From:** Sean Shoemaker  
**Sent:** Tuesday, March 21, 2023 11:11 AM  
**To:** Demian Sorrentino  
**Subject:** Re: Any Review Comments for ARK Distillery - 200 Lebanon Avenue

Demian,

I have no other comments with regards to the site plan for ARK Distillery.

Regards,

*Sean C. Shoemaker*, IAAI-FIT  
Fire Marshal/EMD  
Colchester Hayward Fire Department



52 Old Hartford Road  
Colchester, CT 06415  
Phone: 860-207-6870  
Fax: 860-531-9393

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**From:** Demian Sorrentino <dsorrentino@colchesterct.gov>  
**Sent:** Monday, March 20, 2023 3:56 PM  
**To:** Pam Minella <pminella@colchesterct.gov>; Sean Shoemaker <firemarshal@colchesterct.gov>  
**Subject:** Any Review Comments for ARK Distillery - 200 Lebanon Avenue

Hi Sean and Pam-

We have a Site Plan and Special Permit application for ARK Distillery to be located at 200 Lebanon Avenue scheduled for Public Hearing on April 5, 2023.

The associated Site Plan is attached hereto in PDF file format.

I discussed this with Pam today and she will be providing an email to me tomorrow or Wednesday with her comment regarding water supply piping.

I see a 2/7/23 email from Sean to Ariel relating specifically to the 12' driveway variance request, but Sean do you have any other comments relevant to the site plan?

Please advise.

I am intending to implement a more cohesive inter-departmental development project review process in the near future!

Thanks & Regards-

**Application PZC 2023-002 Proposed Amendments to Land Development (Zoning) Regulations**

**Applicant: Colchester Planning & Zoning Commission**

**Prepared by: Demian A. Sorrentino, AICP, CSS, Planning Director**

**Initial Draft 3/1/23**

**Second Draft 3/8/23**

**Final Draft for Public Hearing 3/15/23**

**EXISTING REGULATIONS:**

**3.2 PERMITTED USES**

The following uses are permitted in the RU District:

1. Single-Family Dwellings and Accessory Uses to such Dwellings;
2. Agricultural uses as permitted in Section 8.9;
3. Home Occupation;
4. Membership Clubs that relate to outdoor activities;
5. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings.
6. Two-Family Dwellings provided the property is on an arterial or Collector Road, and has at least 600 feet of frontage, lot size of at least 160,000 square feet, front setback of 100 feet and side and rear setbacks of 50 feet.

**3.4 RURAL USE DISTRICT DESIGN STANDARDS**

1. Minimum Lot Sizes

Land to be developed for residential uses in the RU District may be developed under the following development options:

**4.2 PERMITTED USES**

The following uses are permitted in the SU subject to all applicable requirements of these Regulations:

1. Single-Family and Two-Family residential development.
2. Publicly owned recreation area, such as a park or playground;
3. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings;
4. Home Occupation.

**5.3.1 PERMITTED USES IN THE TC DISTRICT**

The following uses are permitted in the TC District, subject to all applicable requirements of these Regulations:

1. Residential Uses:



- a. Single-Family and Two-Family Residential Development;
  - b. Multi-Family Residential Development, subject to the requirements of Section 8.1, in which no building shall contain more than eight (8) dwelling units;
  - c. Structures and Uses Accessory to Residential Development.
2. Commercial development except auto-related uses (sales, service, repair) and oil, propane sales/service;
  3. Office development except construction/landscaping service that stores equipment and materials. Administrative offices of construction/landscaping operations are permitted.
  4. Service Development;
  5. Religious facilities and Educational Institutions;
  6. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings. Other day care and nursery school uses are permitted through the approval of a Special Permit.
  7. Municipal facilities;
  8. Hotel/Motel;
  9. Mixed uses, provided that the ground floor of a mixed-use building (any combination of retail, office, and residential) shall be occupied by non-residential uses only. Parcels registered as historic can utilize rear sections of the ground floor for residential uses.

#### **5.7.2 PERMITTED USES IN THE WV DISTRICT**

The following uses shall be permitted in the Westchester Village (WV) District, subject to all applicable requirements of these Regulations:

1. Single-family, two-family or multi-family residential development and associated accessory structures and uses;
2. Commercial use development except oil, propane sales/service;
3. Professional service and office development;
4. Personal services and establishments;
5. Automobile service/repair.

#### **15.3 SITE PLAN - CLASS 1**

A Site Plan Class 1 shall be required for Single-Family and Two-Family Dwellings and Accessory Buildings. Site Plans Class 1 are also required for any proposed change in use, Addition or accessory Building to any other principal Building, or minor modifications to a previously approved site plan, provided that the use is subordinate and customarily incidental to the principal use and provided that:

1. Such building does not exceed twenty-five percent (25%) of the Floor Area of the existing buildings or fifteen hundred (1500) square feet, whichever is less.
2. Such building or site improvement conforms to all requirements of the district in which it is located.
3. The Zoning Enforcement Officer may refer any Site Plan Class 1 application to the Commission for review and determination of the proper application process.
4. Copies of the Site Plan Class 1 shall be submitted to the Zoning Enforcement Officer at the required scale on sheet size prescribed by the Zoning Enforcement Officer and shall show the following:
  1. Boundaries, dimensions and area of the property.

2. Locations of all existing and proposed Buildings and uses, including but not limited to Driveways, parking areas, and abutting Streets, and locations of light and telephone poles or other utility appurtenances.
3. Dimensions of all Yards, as required by these Regulations
4. Location and description of water supply and sewage disposal facilities.
5. Square footage of proposed structure and number of stories.
6. Wetland and/or Floodplain limits.

#### **20.4 DEFINITIONS**

**FLOOR AREA:** Any enclosed portion of a structure or Building with a finished ceiling to floor height of not less than seven (7) feet, excluding any area above the first floor stairway, and excluding cellar, basement, porch, garage and utility areas and areas in an Accessory Building.

**ACCESSORY BUILDING:** A detached subordinate Building, the use of which is incidental to and customary in connection with the principal Building or use, and which is located on the same Lot with such principal Building or use. An Accessory Building shall be one which is not attached to the principal Building by any covered porch, breezeway, or other roofed structure.

**ACCESSORY USE:** A customary use, clearly incidental and subordinate to the principal Building or land use and which is located on the same Lot with the principal Building or land use.

## **PROPOSED REGULATION AMENDMENTS:**

### **3.2 PERMITTED USES**

The following uses are permitted in the RU District:

1. Single-Family Dwellings ~~and Accessory Uses to such Dwellings;~~
2. Two-Family Dwellings provided the property is on an arterial or Collector Road, and has at least 600 feet of frontage, lot size of at least 160,000 square feet, front setback of 100 feet and side and rear setbacks of 50 feet;
3. Accessory Buildings and Accessory Uses to Residential Development;
4. Agricultural uses as permitted in Section 8.9;
5. Home Occupation;
6. Membership Clubs that relate to outdoor activities;
7. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings.

### **3.4 RURAL USE DISTRICT DESIGN STANDARDS**

1. Minimum Lot Sizes Area

The minimum lot area for the RU district shall be 80,000 square feet. Land to be developed for residential uses in the RU District may be developed under the following development options:

### **4.2 PERMITTED USES**

The following uses are permitted in the SU District subject to all applicable requirements of these Regulations:

1. Single-Family and Two-Family residential development;
2. Accessory Buildings and Accessory Uses to Residential Development
3. Publicly owned recreation area, such as a park or playground;
4. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings;
5. Home Occupation;
6. Agricultural uses as permitted in Section 8.9.5.A

### **5.3.1 PERMITTED USES IN THE TC DISTRICT**

The following uses are permitted in the TC District, subject to all applicable requirements of these Regulations:

1. Residential Uses:
  - a. Single-Family and Two-Family Residential Development;
  - b. Multi-Family Residential Development, subject to the requirements of Section 8.1, in which no building shall contain more than eight (8) dwelling units;
  - c. ~~Structures and Uses~~ Accessory Buildings and Accessory Uses to Residential Development.

2. Commercial development except auto-related uses (sales, service, repair) and oil, propane sales/service;
3. Office development except construction/landscaping service that stores equipment and materials. Administrative offices of construction/landscaping operations are permitted.
4. Service Development;
5. Religious facilities and Educational Institutions;
6. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings. Other day care and nursery school uses are permitted through the approval of a Special Permit.
7. Municipal facilities;
8. Hotel/Motel;
9. Mixed uses, provided that the ground floor of a mixed-use building (any combination of retail, office, and residential) shall be occupied by non-residential uses only. Parcels registered as historic can utilize rear sections of the ground floor for residential uses.

### 5.7.2 PERMITTED USES IN THE WV DISTRICT

The following uses shall be permitted in the Westchester Village (WV) District, subject to all applicable requirements of these Regulations:

1. Single-family, two-family or multi-family residential development ~~and associated accessory structures and uses;~~
2. Accessory Buildings and Accessory Uses to Residential Development.
3. Commercial use development except oil, propane sales/service;
4. Professional service and office development;
5. Personal services and establishments;
6. Automobile service/repair.

### 15.3 SITE PLAN - CLASS 1

A Site Plan Class 1 shall be required for Single-Family and Two-Family Dwellings and Accessory Buildings. Site Plans Class 1 are also required for any proposed change in use, Addition or accessory Building to any other principal Building, or minor modifications to a previously approved site plan, provided that the use is subordinate and customarily incidental to the principal use and provided that:

1. For an accessory building on the same lot as a single-family or two-family dwelling:
  - A. a Site Plan Class 1 may be approved by the Zoning Enforcement Officer provided that the footprint of such accessory building does not exceed seventy-five percent (75%) of the footprint of the associated primary building or one thousand (1000) square feet, whichever is less.
  - B. the Commission may, after review of a Site Plan Class 1, authorize an accessory building having a footprint greater than seventy-five percent (75%) of the footprint of the associated primary building or one thousand (1000) square feet, when such building is situated on the property in such a way as to minimize visibility from the street and to minimize any adverse impacts on neighboring properties.
2. For any other accessory building, building addition or site improvement, such accessory building, building addition or site improvement does not exceed twenty-five percent (25%) of the Floor

Area of the ~~existing buildings~~ associated primary building or fifteen hundred (1500) square feet, whichever is less.

3. Such building or site improvement conforms to all requirements of the district in which it is located.
4. The Zoning Enforcement Officer may refer any Site Plan Class 1 application to the Commission for review and determination of the proper application process.
5. Copies of the Site Plan Class 1 shall be submitted to the Zoning Enforcement Officer at the required scale on sheet size prescribed by the Zoning Enforcement Officer and shall show the following:
  1. Boundaries, dimensions and area of the property.
  2. Locations of all existing and proposed Buildings and uses, including but not limited to Driveways, parking areas, and abutting Streets, and locations of light and telephone poles or other utility appurtenances.
  3. Dimensions of all Yards, as required by these Regulations
  4. Location and description of water supply and sewage disposal facilities.
  5. Square footage of proposed structure and number of stories.
  6. Wetland and/or Floodplain limits.

#### 20.4 DEFINITIONS

**FLOOR AREA:** Any enclosed portion of a structure or Building with a finished ceiling to floor height of not less than seven (7) feet, excluding any ~~area above the first floor stairway, and excluding~~ cellar, basement, porch, garage ~~and or~~ utility areas ~~and areas in an Accessory Building~~.

**FOOTPRINT (BUILDING):** The area of ground that is occupied by a building as measured along the perimeter of exterior walls or the building foundation, excluding any porches, decks, patios or similar appurtenances.

**ACCESSORY BUILDING:** A detached subordinate Building, the use of which is incidental to and customary in connection with the principal Building or use, and which is located on the same Lot with such principal Building or use. An Accessory Building shall be one which is not attached to the principal Building by any covered porch, breezeway, or other roofed structure.

**ACCESSORY USE:** A customary use, clearly incidental and subordinate to ~~the a~~ principal ~~Building or land~~ use and which is located on the same Lot ~~with the principal Building or~~ as a principal ~~land~~ use.

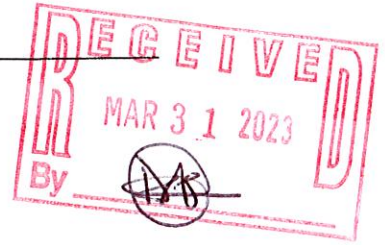
**PRINCIPAL BUILDING:** A building in which is conducted the principal use of the lot on which it is located.

**PRINCIPAL USE:** The primary or predominant use of any lot or parcel.



P&ZC Application No. \_\_\_\_\_

**PLANNING & ZONING COMMISSION  
TOWN OF COLCHESTER, CONNECTICUT  
APPLICATION FOR ZONE CHANGE**



This application form, applicable fee(s), five (5) sets of plans and all required supporting documentation shall be submitted to the Planning & Zoning Commission Office no later than noon (12:00P) on the Monday before the next regularly scheduled meeting (the first and third Wednesday of the month excepting Holiday periods). The Applicant shall submit a copy of the Assessor's Map showing all properties and zoning districts within 500 feet of the subject property and a list of the names and addresses of the owners of all properties within 500 feet of the subject property. Public Hearing is required.

NAME OF APPLICANT: ASW, LLC  
(Please Print)

MAILING ADDRESS: 143 Merrow Rd, Tolland, CT 06084

EMAIL ADDRESS: adwct@aol.com TELEPHONE: 860-930-9930

OWNER(S) OF RECORD: See Addendum Attached  
(Please Print)

MAILING ADDRESS: See Addendum Attached

STREET ADDRESS OF SUBJECT PROPERTY (IES): See Addendum Attached

ASSESSOR'S MAP \_\_\_\_\_ LOT(S) See Addendum Attached

IS THIS PROPERTY WHOLLY OR PARTIALLY LOCATED IN ANY OF THE FOLLOWING (Check all that apply):

- AQUIFER PROTECTION AREA (APA)     AQUIFER PROTECTION ZONE (APZ)
- HISTORIC DISTRICT (HD)             HISTORIC PROTECTION OVERLAY ZONE (HPOZ)

EXISTING ZONING DISTRICT DESIGNATION(S): FD

PROPOSED ZONING DISTRICT DESIGNATION(S): SU

ENGINEER/SURVEYOR: David Ziaks, FA Hesketh TELEPHONE: 860-653-8000

MAILING ADDRESS: 6 Creamery Brook, East Granby, CT 06026

**CONTACT PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED:**

NAME: Dorian R. Famiglietti, Kahan, Kerensky, Capossela LLP  
(Please Print) (Firm Name, if Applicable)

MAILING ADDRESS: 45 Hartford Tnpk, Vernon, CT 06066

EMAIL ADDRESS: dfamiglietti@kkc-law.com TELEPHONE: 860-812-1765

<u><i>Dorian R. Famiglietti</i></u> <u>3/31/2023</u>	<u>See Attached</u>
APPLICANT(S) SIGNATURE                      DATE	OWNER(S) SIGNATURE                      DATE

**\*\* IF THE APPLICANT IS NOT THE RECORD OWNER, A SIGNED LETTER OF AUTHORIZATION MUST ACCOMPANY THIS APPLICATION \*\***

**FOR OFFICIAL USE ONLY BELOW THIS LINE**

DATE APPLICATION SUBMITTED: <u>3-31-23</u>	P&ZC FEE PAID: \$ <u>610.</u>	CK# <u>15124</u>
DATE OF RECEIPT BY P&ZC: _____	PUBLIC HEARING START DATE: _____	
PUBLIC HEARING END DATE: _____	DATE OF DECISION: _____	
NOTICE OF DECISION PUBLISHED: _____	ENGINEERING REVIEW FEES PAID: _____	

## APPLICATION ADDENDUM

### Parcels Included Within Zone Change FD to SU

Assessor's Map/Block/Lot	Street Address	Owner of Record	Approx Acreage
03-09-049	Lake Hayward Rd	Roaring Brook Advisors LLC 554 Boston Post Rd Madison, CT 06443	19 ac
03-09-52B	Lake Hayward Rd	Kathleen B. Fabian 279 Long Hill Rd Andover, CT 06232	18 ac
03-09-52A	Lake Hayward Rd	Patrick Shugrue 75 Hunting Hill Ave Middletown, CT 06457	20 ac

### Consistency with Colchester 2015 Plan of Conservation & Development (POCD)

The above three (3) parcels are presently located in the Future Development (FD) Zone and designated in the POCD for future commercial and industrial development (see page 82). However, as noted in the POCD itself, the POCD is an *advisory* document (see page 2), intended to guide conservation and development activities; but it is also intended to be *flexible* in order to allow for adjustments so that the ultimate goals and objectives in the POCD may be achieved (see page 81). As such, the POCD may be amended or modified by the Commission when time or experience indicates a need for a change. For at least the past 2 decades, time and experience have shown that there has been limited interest or opportunity for commercial development of FD zoned parcels lying westerly of Route 11.

The POCD's stated goals and recommendations include (1) guiding uses to appropriate locations and (2) growing Colchester's tax base (see page 55). Given the predominantly residential uses existing westerly of Route 11, Applicant suggests that commercial/business development is not appropriate on these parcels and the more appropriate uses to be guided here are those contained in the Suburban Use (SU) Zone. The SU zone

would allow for primarily residential uses, with some complimentary business uses. These types of SU Zone uses, which include multifamily development, retail sales and professional services, could all significantly contribute to Colchester's tax base.

In addition, the POCD recognizes that Colchester would greatly benefit from increased multifamily housing development, not only to meet the housing needs of an aging population, as well as those of younger people who do not yet want a single family home (see page 57), but also by providing more affordable housing options (see page 61). A rezoning of the subject parcels to SU would provide the opportunity for multifamily development on these parcels.



