

Town of Colchester

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PLANNING & ZONING COMMISSION
REGULAR MEETING
Wednesday, March 20, 2024 – 7:00 PM
Town Hall Meeting Room 1
MINUTES

RECEIVED
COLCHESTER, CT
2024 MAR 21 PM 4:01
Alicia Fuzessant
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TOWN CLERK

Members Present: Chairman J. Mathieu, Vice Chair J. Novak, M. Noniewicz, S. Smith, B. Hayn, S. Nadeau
Members Absent: M. Kehoegreen
Also Present: D. Sorrentino, Planning Director, S. Churchill, Land Use Assistant, Applicants, public

1. **Call to Order** – Chairman Mathieu called the meeting to order at 7:00 pm
2. **Additions or Deletions to the Agenda** - None
3. **Minutes of Previous Meeting**
 - A. Regular Meeting 3/6/24 – Motion by B. Hayn to approve minutes as written. 2nd by S. Smith. Vote was unanimous, motion carried.
4. **Public Hearings**
 - D. Sorrentino read the legal notice for both public hearings. Chairman Mathieu went over the public hearing procedures for the members of the audience, and asked if there were any concerns with commissioners seated for the hearings. None were heard.
 - A. **PZC 2024-002** of Hop Culture Farms & Brew Co., LLC (Owner/Applicant) – Modification of existing Special Permit to allow fee-based outdoor recreation in the form of semi-primitive overnight camping as an accessory use to the existing farm brewery on 37.28± acres located at 144 Cato Corner Road (Assessor's ID 05-12-024-000). Zoning District: Rural Use (RU) – S. Nadeau recused himself from this public hearing due to his relationship with the applicants and sat in the audience. Heather Wilson, Hop Culture Farms, stated that they are applying for a modification to their existing special permit for the brewery for a proposed semi-primitive campground as an expansion of their agricultural use. She and Sam Wilson, Hop Culture Farms, spoke of the desire to bring people into the experience of farming. As farmers age and farms are dying, they want to expand the agricultural aspects of their business as well as the other farms on Cato Corner Road including Cato Corner Cheese, Cugno's and Savitsky's.
Chairman Mathieu asked for testimony from those in favor of the application.
 - Timothy Carney, Colchester, spoke about being a patron of Hop Culture, business, and farming.
 - Darren Cugno, Cugno Farm, spoke about the variety of farms on Cato Corner and offered his full support of the Wilsons' proposal.
 - Cyryl Belza, Colchester, spoke about Right to Farm and believes this will serve as an economic boost. He is in favor of farms vs. corporations.
 - Pam Gonzales, Prospect Hill Rd, asked questions about hours of operation.
 - Anton Smith, Gary Ln, spoke to the character of the Wilsons as a patron of Hop Culture.Chairman Mathieu asked for testimony in opposition.

- Joanne Magyarik, Skyview Dr, spoke about traffic, speeding, road rage. Believes the brewery changed Cato Corner Rd negatively and has impacted their lives due to noise from the music played there. She feels there is a lack of police presence for enforcement.
- Dennis Apelquist, Cato Corner Rd, spoke of the history of Cato Corner Rd and how it has changed. He believes this will create more traffic.
- Kathy Lynch Mussen, Skyview Dr, stated this will have a negative impact on their home value. She spoke about traffic, environmental concerns, drinking, weapons, drugs, lighting, and noise. She feels the commission is changing the rules and Hop Culture will expand further.
- Michael Clark, Prospect Hill Rd, has concerns about the water table and traffic.
- Jason Scherff, Skyview Dr, stated that while he is a fan of the brewery and its owners and supports small businesses, he fears an increase in traffic and does not feel camping has anything to do with farming.
- Leslie Sokoloski, Skyview Dr, spoke about the possible negative impacts from traffic and noise.
- Paul Baldinger, 284 Prospect Hill Rd, likes Hop Culture and supports development, but has similar concerns about noise, traffic, campfires, supervision, trash. Wants to see plans.
- Kathy Lynch Mussen asked about the number of camp sites.
- Leslie Sokoloski spoke about bears in the area.

Chairman Mathieu asked the applicant to speak to some of the testimony and the concerns expressed. The applicants discussed the proposed location of the camping area. There will be at least a 50-foot buffer as required by the state. They have a desire to expand their business and add value to the community. They spoke about agri-tourism and the farming experience. Noise concerns were addressed. The town has no noise ordinance; however they will have self-imposed restrictions and quiet hours. They dispute the idea that their business is solely responsible for the traffic on Cato Corner Rd. They are looking to create 25 camp sites in a 2-acre area with most of those 2 acres to be left wooded. They desire to keep things under control and avoid liability. They answered questions about fire safety, sanitation, and trash removal. No more than 4 people will be allowed per camp site. They believe this may reduce any possible drunk driving by allowing an overnight stay option. They are able to recognize signs of over-serving. Signs will be posted notifying all campers the rules regarding trespassing on neighboring properties, outside alcohol, quiet hours, and trash removal. RVs and campers will not be allowed. Camping will be on Friday and Saturday nights only.

Additional public comment:

- Paul Baldinger still has concerns and asked about enforcing the rules. Wants limitations set. Chairman Mathieu explained the approval process and conditions can be put in place.
- Alexis Devlin, Colchester, asked about outside alcohol.
- Joanne Magyarik feels an additional traffic study should be done.
- Kathy Lynch Mussen requested a clarification of the camp site diagram.

Applicants provided additional answers to questions and went over the camp site location on the property, security concerns, outside alcohol prohibition.

Motion by M. Noniewicz to close public hearing PZC2024-002. 2nd by B. Hayn. Vote was unanimous, motion carried. The applicant requested urgency in the approval due to a deadline for the Chatham Health application that will be required.

S. Nadeau rejoined the commission at the table.

- B. **PZC 2023-015** of the Town of Colchester Planning & Zoning Commission (Applicant) – Proposed amendments to the Colchester Land Development (Zoning) Regulations for the following: Part A: Amendments to Sections 3.2, 3.3, 4.2, 4.3, 5.3.1, 6.2, 6.3, 7.3, 8.4, 8.8.9, 8.8.15, 8.10.4, 10.1, 10.5,

14.1, and 20.4 to achieve consistency with PA21-1, PA21-29, PA21-34, PA21-163, PA22-25 & PA23-142; Part B: Amendments to Sec. 8.2.1 the Standard Affordable Housing Requirement (10%), to create Sec. 8.2.2 Multi-Family Affordable Housing Incentive (30%) and Sec. 20.4 to create a definition of "Affordable Housing Unit"; and Part C: Amendments to Sections 3.3, 4.3, 13.6, 20.4 and to create Sec. 8.13 Manufactured Home Park (MHP). D Sorrentino stated this public hearing must stay open due to the required 30-day notice to abutting municipalities and the regional council of governments. He went over the proposed regulation changes that must be put in place in response to several public acts passed by the state. Changes include, cannabis, accessory dwellings, family childcare homes, multi-family dwelling unit restrictions, swimming pool location, RV/boat storage, required number of parking spaces per dwelling unit, EV charging availability, elimination of the minimum floor area for houses, Affordable Housing, multi-family affordable housing incentives and manufactured home parks.

Chairman Mathieu asked if there was anyone who wished to speak in favor of the application. Hearing none, he asked if there was anyone who wished to speak in opposition.

- Cyril Belza asked about the manufactured home parks. D. Sorrentino clarified that currently no more manufactured home parks are allowed in Colchester. This removes that restriction. They must be owner-occupied with no rentals or corporate ownership allowed. There are design standards in place.
- Chris Bourque, Westchester Rd, asked how many parcels this would apply to.

Motion by M. Noniewicz to continue the public hearing until the next regular meeting on 4/17/24 to allow for additional testimony. 2nd by J. Novak. Vote was unanimous, motion carried.

5. Five Minute Session for the Public – None

6. Pending Applications

- A. **PZC 2024-002** of Hop Culture Farms & Brew Co., LLC (Owner/Applicant) – Modification of existing Special Permit to allow fee-based outdoor recreation in the form of semi-primitive overnight camping as an accessory use to the existing farm brewery on 37.28± acres located at 144 Cato Corner Road (Assessor's ID 05-12-024-000). Zoning District: Rural Use (RU) – S. Nadeau again recused himself and sat with the audience. Members discussed the need for a traffic study and determined it is not warranted. Traffic concerns should be a police issue. They would cap the number of camp sites allowed as a condition of the approval along with other items like fire, sanitation, number of campers per site, days of operation.

Motion by M. Noniewicz to postpone action on application PZC 2024-002 so staff may develop a list of special permit requirements. 2nd by B. Hayn. Vote was unanimous, motion carried. S. Nadeau rejoined.

- B. **PZC 2023-015** of the Town of Colchester Planning & Zoning Commission (Applicant) – Proposed amendments to the Colchester Land Development (Zoning) Regulations for the following: Part A: Amendments to Sections 3.2, 3.3, 4.2, 4.3, 5.3.1, 6.2, 6.3, 7.3, 8.4, 8.8.9, 8.8.15, 8.10.4, 10.1, 10.5, 14.1, and 20.4 to achieve consistency with PA21-1, PA21-29, PA21-34, PA21-163, PA22-25 & PA23-142; Part B: Amendments to Sec. 8.2.1 the Standard Affordable Housing Requirement (10%), to create Sec. 8.2.2 Multi-Family Affordable Housing Incentive (30%) and Sec. 20.4 to create a definition of "Affordable Housing Unit"; and Part C: Amendments to Sections 3.3, 4.3, 13.6, 20.4 and to create Sec. 8.13 Manufactured Home Park (MHP). Motion by M. Noniewicz to postpone action due to the public hearing still being open. 2nd by B. Hayn. Vote was unanimous, motion carried.

7. New Applications

- A. **PZC 2024-003** of Anton Smith (Applicant) and Robia Kruse (Owner) – Zone Change to establish an Arterial Commercial (AC) District Overlay upon 5.5± acres of land located at 475 Parum Road (CT Route #354) (Assessor’s ID 03-05/019-000). Zoning District: Rural Use (RU) - Application was received by the commission and a public hearing will be scheduled for 4/17/24.

8. Preliminary Reviews – None

9. Old Business - None

10. New Business – None

11. Planning Issues and Discussions

- A. Inquiry regarding scooter/motorcycle sales and service in the Town Center (TC) District and Sec. 5.3.1.2 “Commercial development except auto-related uses (sales, service, repair) and oil, propane sales/service”. B. Hayn left the meeting room due to his interest in this topic at a property he owns. Members discussed the previous decision to not allow any more auto-related uses in the town center. They agree that “auto” included motorcycles and any other motor vehicle that may be driven on roads and requires a license plate. This use is prohibited. B. Hayn returned to the meeting room.
- B. Plan of Conservation & Development Update – Adopt by June 2025 – D. Sorrentino will be meeting with the SCCOG to discuss administering a community survey as well as updated mapping for the POCD.

12. Correspondence – None

13. Adjournment – Motion by M. Noniewicz to adjourn. 2nd by J. Novak. Vote was unanimous, meeting adjourned at 9:17 pm.

Respectfully submitted by: S. Churchill, Land Use Assistant