TOWN OF EAST HADDAM Updated 5/9/23

ITEMS TO CONSIDER WHEN PERMITTING FARM STANDS AND FARM STORES

Intent: To develop a set of regulations that are clear and concise that allows farms to be on a level playing field. This will require time and patience to develop a set of regulations that work. The intent is not to eliminate farm stands but to provide guidance to better market the products grown and raised on the farms. Farm stands were never intended to become convenience stores selling products unrelated to a farm operation.

Step #1 Regulation development will require an understanding of what is allowable from the following entities before regulations are drafted.

Ct Department of Agriculture – research exemptions and how they apply.

Ct Department of Consumer Protection / Cottage Food Operation Guidelines – Cottage Food Operations require the following; a. an application with the CT Dept of Consumer Protect, b. Private water supply test, c. Qualified Food Operator / Food Safety Course, d. Types of food limited & labeling required, e. Zoning approval as a Home Occupation.

Chatham Health District / Ct Public Health Code

Step #2 Once the rules to play by are better understood, draft regulations can be developed with the input from the following.

Planning and Zoning Commission

Agriculture Commission

Economic Development Commission

RiverCOG Regional Agriculture Council

Area Farmers

Review of other agricultural communities zoning regulations

EXISTING REGULATIONS - FARM STANDS – RESIDENTIAL

9.2.10 – Farm and garden produce: The display and sale of farm and garden produce raised on a residential property. For such purposes one stand not over two-hundred (200) square feet in area and not more than two signs aggregating not over twelve (12) square feet in area advertising such produce may be erected. Such stand or signs shall be on the premises and not less than ten (10) feet from any street line.

This regulation has been in place for decades. Designed only for products grown or raised on someone's property. That is all that is allowed presently under the East Haddam Zoning Regulations.

OTHER REGULATIONS IN THE ZONING REGULATIONS

Accessory Uses to Agriculture: The following activities are recognized as a normal part of agriculture uses and are therefore allowed as a Permitted Use: 1) retail sale of agricultural products produced on a Farm, including dairy products, vegetable, fiber, poultry, beef, and other customary agricultural products. No less than twenty-five (25) percent of the products (both by volume and by product type) shall be raised or produced on the Farm. The maximum square footage of a Farm Stand, including both enclosed and outdoor display areas, shall be seventy-five (75) square feet for each acre of land on the same lot with the Farm which is under cultivation.

ALLOWED IN THE Industrial General District – But not in the Residential Districts
Retail of crafts and products associated with East Haddam's traditional agricultural heritage: A Principle use, or an Accessory Use to Farm, for the retail sale of hand-made products at least twenty-five (25%) of which shall be produced on the premises from raw material locally grown or produced, or comparable to raw materials available in East Haddam, such as wood, plants, plant products, minerals, clay, wool, natural dyes, or animal products. Such crafts and products may include, by way of illustration, ornamental planters, ornamental iron work, sign carving, and woodworking. **Do we include on a limited basis in residential districts?**

Existing Definition - Agriculture: Means "agriculture" as defines in the §1-1(q) of the Connecticut General Statutes as amended: Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement, or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or clearing land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operation, or the harvesting of mushrooms, the hatching of poultry, or the construction, operation, or maintenance of ditches, canals, reservoirs, or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges,

greenhouses, hoop houses, and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels, and other molluscan shellfish, on leased, franchised, and public underwater farmlands. Nothing herein shall restrict the power of a local zoning authority under chapter 124 of the Connecticut General Statutes. See Section 30.

Existing Regulations - Accessory Uses to Agriculture: The following activities are recognized as a normal part of agriculture uses and are therefore allowed as a Permitted Use: 1) retail sale of agricultural products produced on a Farm, including dairy products, vegetable, fiber, poultry, beef, and other customary, agricultural products. No less than twenty-five (25) percent of the products (both by volume and by product type) shall be raised or produced on the Farm. The maximum square footage of a Farm Stand, including both enclosed and outdoor display areas, shall be seventy-five (75) square feet for each acre of land on the same lot with the Farm which is under cultivation.

Other activities that may have greater public participation such as corn mazes, horse shows, seminars/meetings, a tasting or sampling room, on site tours for the public to see the operation or production of the product, training and lessons for individuals, public events (such as rentals for weddings, showers, etc.), and artist exhibitions shall require a Special Exception Review and approval as an accessory use by the Planning and Zoning Commission. Such activities are to be complementary and subordinate to the principal agricultural use. The Commission will be reviewing the proposed frequency of events, event traffic, parking, lighting, noise levels, and the sanitation facilities needed. The accessory activities may be permitted as a Special Exception provided the activity is in harmony with the surrounding properties with respect to scale and density of development, shall not depreciate surrounding property values, and shall blend with the historical character of surrounding buildings and landscape. See Section 30

THINGS TO CONSIDER - PLEASE REVIEW THE OTHER COMMUNITIES' REGULATIONS. IT SHOULD BE NOTED MOST ADDRESS FARM STANDS BUT VERY FEW SPEAK TO FARM STORES

1. **Our Farm Stand regulation section 9.2.10 is very similar to other communities. It allows property owners to sell products grown and raised on the property only and limited to a 200 square foot building. Even allows the building to be closer to the property line than a normal building.**
2. **Farm Stores – Different and potentially larger than a Farm Stand. This is a category that does not exist in the present regulations, but should it be? That doesn't mean that the end regulation will be permitting bakeries, convenience stores, and general store markets.**
    a. **Should there be a minimum acreage of the farm? 5 acres, 10 acres, 20 acres??**
    b. **Should there be a maximum size to the Farm Store? 500 sq ft, 750 sq ft, 100 sq ft. This doesn't include production barns and greenhouses.**

c. **Should there be a minimum percentage of the product grown or raised on the property? Some communities say between 50% to 100%. Some say within a 25-mile radius of the property. By volume or value?**

d. **Should all of the items sold have Agriculture or Crafts and Products of East Haddam background. Should a very small percentage allow merchandise such as hats and t-shirts of the farm? Hand made craft and Holiday specialty items?**

e. **Should any other products be at least Connecticut Grown Farm Products?**

f. **Hours of Operation?**

g. **Other factors – Parking, sightlines, setbacks, signage, exterior lighting**

h. **Do we create a separate category for Farm Brewery / Farm Distillery / Farm Winery?**

Items that are not permitted in other communities due to the public health code or uses not permitted in a residential zone.

1. **Prepared foods by the farm beyond what is permitted in the Cottage Food Requirements.**
2. **Hardware - Tools, planting soil & fertilizer purchased commercially.**
3. **Soda, chips, and other purchased food items that are found in a grocery store.**

Residential Farm served as a primary residence for the owner of such property.

Typical items in a Farm Stand – Fresh vegetables, fruits, berries, flowers, plants, shrubs, & trees, permitted dairy, beef, poultry, and other customary agricultural products.

Key notes – CGS Sec. 21a-24a -Only Jams, Jellies & Preserves, CGS Sec. 21a-24b – Maple Syrup. Does not included baked goods, popcorn, nuts, and other items permitted in the Cottage Food Operations

To sell Jams, Jellies, & Preserves you still need the following;

A water test on the private well.

A pH test on the products sold.

A Qualified Food Operators Certificate / Food Safety Course.

All documents to be available for local health department or Department of Consumer Protection.

Sec. 21a-24a. Sale of acidified food products, jams, jellies and preserves. (a) As used in this section:

(1) "Acidified food product" means a food item, with a pH value of 4.6 or less upon completion of the recipe for such product, **including, but not limited to, pickles, salsa and hot sauce, produced on the premises of a residential farm. "Acidified food product" does not include food consisting in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacean ingredients or other ingredients,** including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

(2) "Jam" means a food, with a pH value of 4.6 or less, made by cooking fruit or vegetables with sugar to a thick mixture.

(3) "Jelly" means a food, with a pH value of 4.6 or less, made by cooking fruit or vegetable juice that has been boiled with sugar.

(4) "Preserves" means a food, with a pH value of 4.6 or less, consisting of fruit or vegetables preserved whole by cooking with sugar.

(5) "Residential farm" means property (A) being utilized as a farm, as defined in subsection (q) of section 1-1, and (B) serving as the primary residence of the owner of such property.

(b) Notwithstanding the provisions of sections 21a-91 to 21a-120, inclusive, and section 19-13-B40 of the regulations of Connecticut state agencies, the preparation and sale of acidified food products, jams, jellies or preserves on a residential farm shall be allowed in a room used as living quarters and exempt from inspection by any state or local agency, provided such acidified food products, jams, jellies or preserves are prepared with fruit or vegetables grown on such farm and in the case of acidified food products, provided **(1) the water supply** of such residential farm comes from a public water supply system or, **if from a private well, is tested and tests negative for coliform bacteria, (2) a pH test of such acidified food products is performed by a**

laboratory after completion of the recipe for such acidified food products, (3) use of the kitchen where such acidified food products are prepared is restricted from nonprocessing individuals, pets, children or any other potential contaminants during such preparation, and (4) the preparer of such acidified food products **(A) possesses documentation of such preparer's successful completion of an examination concerning safe food handling techniques administered by an organization approved by the Department of Public Health for qualified food operators**, or possesses documentation indicating successful completion of an approved course concerning safe food processing techniques administered by an organization approved by the Department of Consumer Protection, and (B) **such documentation is made available to the local health department or the Department of Consumer Protection upon request.** If the local health department or the Department of Public Health has reason to believe that a private well used pursuant to subdivision (1) of this subsection may be contaminated with coliform bacteria, such department may require such private well to be retested for the presence of coliform bacteria. Each container of acidified food products, jam, jelly or preserves offered for sale on such farm shall have on its label, in ten-point type: "Not prepared in a government inspected kitchen".

(P.A. 94-23; P.A. 10-103, S. 3; P.A. 11-59, S. 4.)

History: P.A. 10-103 amended Subsec. (a) by adding new Subdiv. (1) defining "acidified food product", redesignating existing Subdivs. (1) to (4) as Subdivs. (2) to (5) and adding reference to vegetables in redesignated Subdivs. (2) to (4), and amended Subsec. (b) by adding provisions re sale of acidified food products, effective January 1, 2011; P.A. 11-59 made technical changes, effective July 1, 2011.

Sec. 21a-24b. Sale of maple syrup. (a) As used in this section, "residential farm" means property (1) being utilized as a farm, as defined in subsection (q) of section 1-1, and (2) serving as the primary residence of the owner of such property.

(b) Notwithstanding the provisions of sections 21a-91 to 21a-120, inclusive, and any regulations adopted thereunder, the preparation and sale of maple syrup on a residential farm shall be allowed in a room used as living quarters and shall be exempt from inspection by any state or local agency. Each container of maple syrup offered for sale on such farm shall have on its label, in ten-point type: "Not prepared in a government-inspected kitchen." (P.A. 95-319.)

Meat Requirements

Except for special exempt cases, all meat and processed poultry sold in Connecticut must be USDA inspected. This requirement extends to the slaughter, processing and packaging stages. Any meat that is slaughtered, processed or packaged outside of USDA inspection is not legal for sale in Connecticut Slaughtering and processing

All meat and poultry products sold in the state of Connecticut must be slaughtered and processed under USDA inspection. Please be aware that just because an animal has been slaughtered in a USDA inspected facility does not mean that the carcass can be taken to another facility to be cut and packaged unless that facility is also under USDAFSIS inspection and the processing takes place under USDA inspection.

Packaging and labeling requirements apply. CGS Sec. 21a-100

Dairy and Frozen Desserts Requirements – Department of Consumer Protection

Dairy products are one of the most regulated foods and must be handled properly at all stages of production, distribution and use in order to be safe for human consumption.

The following recommendations are critical in maintaining safe, quality product.

Milk Refrigeration is the single most important factor in maintaining the quality of milk. By law, Grade A milk must be maintained at a temperature below 40F. to prevent the growth of spoilage bacteria. It is critical that these temperatures be maintained through warehousing, distribution, delivery, handling and storage. It is wise to refrigerate milk promptly after purchase and each use. Properly refrigerated, milk should last 3-5 days beyond the sell date. The colder milk is kept the longer it lasts.

According to Section 22-133-132 of the Regulations of the State of Connecticut, each raw milk container that is not pasteurized and is offered for retail sale must bear a label that conspicuously and legibly bears the exact language below in letters no less than 1/8 inch in height and be of a color that contrasts with the rest of the label:

Licenses The following licenses are required in the State of Connecticut Department of Consumer Protection:

Retail Raw Milk, Raw Milk Cheese Mfg If you produce, retail raw milk and/or manufacture raw milk cheese.

Milk Dealer License If you want to process or distribute milk, yogurt, egg nog, cheese, and dry milk.

Cheese Manufacturer If you pasteurize milk and manufacture cheese.

Milk, Distributor If you want to distribute (only) fluid milk and/or yogurt.

Retail Dairy Store License If you sell fluid milk and milk products at retail.

CGS 22-127 through 22 – 203z – Ct Department of Agriculture

CGS 21a – through 21a – 58 – CT Department of Consumer Protection

Raw Milk

Sec. 22-173a. Registration of retail raw milk producers and retail raw milk cheese manufacturers. Denial, suspension and revocation of permits. Cheese manufacturing. Regulations. (a) No person, firm or corporation shall engage in the production of retail raw milk or the manufacture of retail raw milk cheese, which milk or retail raw milk cheese or the products thereof are to be used or disposed of elsewhere than on the premises where such milk or retail raw milk cheese is produced, without first registering with the Commissioner of Agriculture in a manner prescribed and on forms furnished by the commissioner for such registration. Such registration may be renewed annually not later than the thirtieth day of June. The commissioner shall establish fees for such registration pursuant to section 22-128a.

(b) Registrations required pursuant to subsection (a) of this section shall be designated "Retail Raw Milk Producer Permit" or "Raw Milk Cheese Manufacturer Permit" and may be denied, suspended or revoked by the commissioner for cause.

(c) Retail raw milk shall only be offered for sale in its unprocessed state, with no ingredients added or removed.

(d) The manufacturing of cheese from unpasteurized milk shall be conducted only on premises and by firms or individuals authorized by the commissioner to produce retail raw milk.

(e) The Milk Regulation Board shall adopt regulations, in accordance with the provisions of chapter 54, establishing standards for sanitation, production, sale, labeling, handling and storage of retail raw milk and the manufacture of raw milk cheeses.

Cider and Juices (Unpasteurized) Requirements

Packaged or bottled raw (unpasteurized) cider and juices of all types may only be sold at retail in accordance with state and federal laws and must bear the federal warning label. The statement must appear on the label prominently, conspicuously and must appear in a minimum type size of one-sixteenth inch. The statement must appear in a box set off by hairlines. The word "warning" must appear in bold capital letters.

Unpasteurized cider and juices may not be sold to other retail or to food service establishments.

Bottled non-acid juices such as but not limited to carrot or kale may not be sold unless they are kept and labeled prominently that they require refrigeration. Such products may be for immediate consumption as provided for by the local health department.

Please be advised that if you plan to allow the public to sample unpasteurized cider or unpasteurized juices that have not yet been bottled and have been prepared for immediate consumption, you are subject to the provisions of the of the Connecticut Public Health Code, Section 19-13-B42.
If a vendor chooses to sample these items, they are strongly encouraged to include a notice to the public warning them that the product is unpasteurized and may potentially contain harmful bacteria that could cause serious illness in children, the elderly and persons with weakened immune systems.

Producers of cider must annually register with the Department of Consumer Protection, as inspection of the production area is required in order to obtain a license to sell cider.
Inspection and Regulations Concerning Apple Juice and Cider License Issuing Agency:
Department of Consumer Protection Division of Food and Standards
The State of Connecticut Departments of Public Health, Consumer Protection and Agriculture strongly advise against the service/sampling of unpasteurized cider.
WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that may cause serious illness in children, the elderly, and persons with weakened immune systems.

EGGS - Eggs sold directly to consumers in Connecticut must be in cartons that are labeled with the farm name and address, and the safe handling statement: SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.

Eggs must also be refrigerated at 45 degrees or less.

SHELLFISH - Approved shellfish sources

All shellfish must be from an approved source. An approved source is defined as a shellfish harvester or dealer licensed by the state control authority and is listed in the US Food & Drug Administration (USFDA) interstate Certified Shellfish Shipper List (ICSSL) which is accessible online: http://www.fda/Food /GuidanceRegulation/FederalStateFoodPrograms/ucm2006753.htm

Finfish, lobsters, sea scallops, or squid Anyone wishing to sell finfish, lobsters, sea scallops or squid landed in Connecticut at a Connecticut farmers' market must have the appropriate commercial fishing license from the Connecticut Department of Environmental Protection (CT DEEP) and/or Federal permits issued by the National Marine Fisheries Service. The following is a list of the specific licenses issued by the CT DEEP that may be required depending upon the operation:

- Commercial Blue Crab Fishing License, • Commercial Shad Fishing License
- Commercial Landing Vessel Operator's License, • Restricted Commercial Fishing License
- Restricted Commercial Lobster Pot Fishing License
- Whelk Fishing License, • Principal Commercial Fishing License
- Commercial Lobster Pot Fishing License, • General Commercial Fishing License
- Seafood Dealer's License

Additionally, fishermen who wish to land and sell summer flounder, scup and black sea bass must qualify for and be in possession of the corresponding quota managed species license endorsement.

Seafood is considered "Farm Products" as defined by state statute. The CT Seafood Council and the DEEP have an understanding that CT seafood being caught/harvested by fisherman in boats that are landed in Connecticut is to be considered Connecticut Caught.

Connecticut Cottage Food Requirements to prepare food in one's house.

a. an application with the CT Dept of Consumer Protection,

b. Private water supply tested,

c. Qualified Food Operator / Food Safety Course (renewed every 5 yrs)

d. Zoning approval as a Home Occupation.

e. Types of food limited & labeling requirement,

Foods include the following (list is not inclusive)

Loaf breads, rolls and biscuits,

Non-potentially hazardous cakes including celebration cakes (e.g. birthday cake, but not cheese cake), Non-potentially hazardous pastries and cookies,

Fruit pies (not pumpkin)

Jams, jellies and preserves (must meet the Standards of Identity in 21CFR150),

Dried fruits, Coated or uncoated nuts, Dry herbs, seasoning, and mixtures,

Non-potentially hazardous cereals, trail mixes and granola,

Vinegar and flavored vinegars,

Popcorn and popcorn balls, Cotton candy,

Roasted Coffee Beans

Sec. 21a-62b. Definitions. For the purposes of this section and sections 21a-62c to 21a-62h, inclusive:

(1) "Commissioner" means the Commissioner of Consumer Protection or an authorized agent of the commissioner;

(2) "Cottage food operation" means any person who produces cottage food products only in the home kitchen of such person's private residential dwelling and only for sale directly to the consumer and who does not operate as a food service establishment pursuant to section 19a-36 or regulations adopted pursuant to section 21a-101, or a food retailer, distributor or manufacturer as defined in subsection (b) of section 21a-92 and section 21a-151;

(3) "Cottage food products" means nonpotentially hazardous baked goods, jams, jellies and other nonpotentially hazardous foods produced by a cottage food operation. "Cottage food products" does not include maple syrup or honey;

(4) "Food service establishment" means any establishment in which food is stored, offered for sale, processed or prepared, and includes the transportation of any food;

(5) "Private residential dwelling" means an owner or resident occupied dwelling. "Private residential dwelling" does not include any group or communal residential setting within any type of structure or outbuilding, shed, barn or other similar structure;

(6) "Home kitchen" means a kitchen designed and intended for use by the residents of a home but that is also used by a resident for the production of cottage food products and that may contain one or more stoves or ovens, which may be a double oven, designed for residential use. "Home kitchen" does not include commercial equipment typically used for large wholesale manufacturing;

(7) "Permitted area" means the portion of a private residential dwelling that contains a home kitchen where the preparation, packaging, storage or handling of cottage food products occurs; and

(8) "Potentially hazardous food" means a food that requires time and temperature control for safety to limit pathogenic microorganism growth or toxin formation, which controls shall be consistent with the United States Food and Drug Administration's Food Code definition for time and temperature control for safety food, as amended from time to time, and adopted by reference by the commissioner pursuant to section 19a-36h.

(P.A. 18-141, S. 13; P.A. 19-18, S. 1; 19-177, S. 38.)

Sec. 21a-62c. Cottage food operations. Examination of premises. Licensure requirements. (a) All cottage food operations shall be licensed annually by the Commissioner of Consumer Protection. The license application form shall be developed by the commissioner. The license shall specify the food products allowed to be produced by the cottage food operation. The annual license fee for cottage food operations shall be set by the Commissioner of Consumer Protection, provided such fee shall not exceed one hundred dollars.

(b) Prior to licensing, the commissioner shall, within existing resources, examine the premises of the cottage food operation to determine it to be in compliance with the provisions of this section and sections 21a-62b and 21a-62d to 21a-62h, inclusive.

(c) Any cottage food operation shall comply with all applicable municipal laws and zoning ordinances when conducting a business from a private residential dwelling. Upon request by the commissioner, the cottage food operation shall provide written verification, from a credible recognized source, as determined by the commissioner, of compliance with all local, state and federal laws regarding on-site wastewater systems.

(d) Any cottage food operation with a private water supply shall have the supply tested prior to receiving a license in order to demonstrate that the water supply is potable. Subsequent testing of such private water supplies shall be required at a frequency determined by the commissioner.

(e) Prior to receiving a license, each cottage food operation shall have attended and completed a food safety training program that includes training in food processing and packaging. A list of food safety training programs that are recognized by the commissioner shall be maintained on the Department of Consumer Protection's Internet web site. (P.A. 18-141, S. 14.)

Sec. 21a-62d. Limitation on total annual gross sales. Direct sale to consumer. Authorized food products. Display of license. (a) Total annual gross sales for a cottage food operation shall not exceed fifty thousand dollars per calendar year. If annual gross sales exceed the maximum

annual gross sales amount allowed, the cottage food operation shall either obtain a food manufacturing establishment license or cease operations. The commissioner may request documentation to verify the annual gross sales figure of any cottage food operation.

(b) Products produced by a cottage food operation shall be sold directly to the consumer. Direct sales at point of production, farmers markets, local fairs and festivals, and charitable organization functions are permitted. Advertising and sales by Internet, mail and phone are permissible, provided the cottage food operator or their designee shall deliver, in person, to the customer within the state. No such operation shall engage in consignment or wholesale sales. The following additional locational sales by any such cottage food operation shall be prohibited: (1) Grocery stores; (2) restaurants; (3) long-term care facilities; (4) group homes; (5) day care facilities; and (6) schools. A cottage food operation may not operate as a food service establishment, a retail establishment engaged in the sale of food, a food manufacturing establishment, as defined in section 21a-151, or a food warehouse, as defined in section 21a-151.

(c) A cottage food operation may only produce those specific food products listed on its license.

(d) Any such license shall be displayed at every location where the operation's cottage food products are sold.

(P.A. 18-141, S. 15; P.A. 22-8, S. 1.)

History: P.A. 22-8 amended Subsec. (a) by increasing cap on total annual gross sales for a cottage food operation from $25,000 to $50,000 per calendar year.

Sec. 21a-62e. Inspection of cottage food operation. (a) The commissioner may inspect a cottage food operation at any time to ensure compliance with the provisions of this section, sections 21a-62c, 21a-62d and sections 21a-62f to 21a-62h, inclusive.

(b) Nothing in this section, section 21a-62c or 21a-62d or sections 21a-62f to 21a-62h, inclusive, shall be construed to prohibit the local director of health or duly authorized agents of the director from investigating the permitted area of a cottage food operation in response to a foodborne illness outbreak, consumer complaint or other public health emergency. (P.A. 18-141, S. 16.)

Sec. 21a-62f. Authorized food items. Prohibited food items. (a) A cottage food operation may produce food items that are not potentially hazardous food.

(b) A cottage food operation shall not produce:

(1) Potentially hazardous food items; and

(2) Food items that present a food safety risk, such as acidified foods, low acid canned foods, garlic in oil, fresh fruit or vegetable juices and beverages. (P.A. 18-141, S. 17.)

Sec. 21a-62g. Prepackaged food products. Labels. If a cottage food operation sells cottage food products that are prepackaged, such packaging shall include an affixed label that contains the following information and that is printed in English:

(1) The name and address of the cottage food operation;

(2) The common or usual name of the cottage food product;

(3) The ingredients of the cottage food product, in descending order of predominance by weight or volume;

(4) Allergen information, as specified by federal labeling requirements, such as milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans; and

(5) The following statement printed in at least ten-point type in a clear and conspicuous manner that provides contrast to the background label: "Made in a Cottage Food Operation that is not Subject to Routine Government Food Safety Inspection." (P.A. 18-141, S. 18.)

Sec. 21a-62h. Cottage food operation requirements. License suspension and revocation. Hearing. Cost of inspection. (a) Each cottage food operation shall comply with the following requirements and any failure to comply shall be deemed a violation of this section and sections 21a-62b to 21a-62g, inclusive:

(1) No person, other than the person licensed to produce cottage food products or a person under his or her direct supervision, may engage in the processing, preparing, packaging or handling of any cottage food products;

(2) No preparation, packaging or handling of cottage food products shall occur in the home kitchen concurrently with any other domestic activities such as family meal preparation, clothes washing or ironing, kitchen cleaning, or guest entertainment;

(3) No pets, infants or children under the age of twelve shall be in the home kitchen during the preparation, packaging or handling of any cottage food products;

(4) All food contact surfaces, equipment and utensils used for the preparation, packaging or handling of any cottage food products shall be washed, rinsed and sanitized before each use;

(5) All food preparation and food and equipment storage areas shall be maintained free of rodents and insects; and

(6) All persons involved in the preparation and packaging of cottage food products:

(A) Shall not be ill while working in the home kitchen;

(B) Shall wash their hands before any food preparation and food packaging activities; and

(C) Use single-service gloves, bakery papers, tongs or other utensils in order to not have bare hand contact with ready-to-eat foods.

(b) A cottage food operation license may be suspended or revoked by the commissioner for any violation of this section or sections 21a-62b to 21a-62g, inclusive, after a hearing conducted in accordance with chapter 54. A cottage food operation license may be summarily suspended pending such a hearing if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action. Upon issuing a summary suspension, the commissioner shall schedule a hearing to determine whether to reinstate the license of the cottage food operation. Following said hearing, the commissioner shall either void such suspension or

order revocation of the cottage food operation license. Any person or business entity whose license was revoked shall not be permitted to apply to the department for a new license for a period of one year from the date of decision of license revocation by the commissioner. The cost of any inspections necessary to determine whether or not an applicant whose license was revoked is entitled to have a new license granted shall be borne by the applicant at such rates as the commissioner may determine. The commissioner may refuse to grant any cottage food operation license if the commissioner finds that the applicant has evidenced a pattern of noncompliance with the provisions of this section or sections 21a-62b to 21a-62g, inclusive. Prima facie evidence of a pattern of noncompliance shall be established if the applicant has operated, controlled or managed two or more cottage food operations for which such a license has been revoked. (P.A. 18-141, S. 19.)

Honey & Maple Syrup - Regulated by Ct Department of Agriculture

Statement of Purpose Public Act 19-18 transferred the responsibility to regulate the production and sale of Honey and Maple Syrup from the Connecticut Department of Consumer Protection to the Connecticut Department of Agriculture. Honey and Maple Syrup are products covered by the federal Food, Drug and Cosmetic Act as amended by the Food, Safety Modernization Act (FSMA). and the Food and Drug Administration's (FDA) Current Good Manufacturing Practice, Risk Based Preventive Controls for Human Food rules. The FDA rules are published as Title 21, Part 117 of the Code of Federal Regulations. Note: FSMA has provisions built into the federal rule that provide for certain exemptions from the requirement to have a food safety plan.

The exemptions are based on the relative risk of the food being produced, and/or income from the sale of food. Because honey and maple syrup are considered low risk foods for microbial contamination and other hazards, producers of honey and maple syrup are exempted from certain requirements of Title 21, Part 117 of the Code of Federal Regulations, notably the requirement for a hazard analysis and written food safety plan.

Additionally, a vast majority of honey and maple syrup producers in this state either qualify as small businesses with sales of less than 1 million dollars in food or sales of less than 500,000 thousand dollars in food with > 50% of those sales being made to qualified end users, also exempting these producers from the requirement for a hazard analysis and written food safety plan.

Section 1 of the regulations defines additional terms used in these regulations.

Section 2 of these regulations contains the provisions for registration and requires a $50.00 annual registration fee for producers of honey and maple syrup with annual gross revenues over $25,000. Honey and maple syrup producers required to register have to comply with Current Good Manufacturing Practices, including subpart B of Title 21, Part 117, incorporated into section 3(a) of the proposed regulations.

All producers of honey and maple syrup (as any food manufacturer) will be required to comply with the labeling requirements of Title 21, Part 101 of the Code of Federal Regulations, incorporated in section 3(c) of these proposed regulations.

Section 4 prohibits the sale of adulterated or misbranded product and authorizes the commissioner to investigate any such complaints.

Section 5 authorizes the commissioner to inspect any product and any building, lot, location, and equipment under a producer's control used to process, pack, or hold product, excluding private residences. Section 6 establishes enforcement by issuance of orders pursuant to the commissioner's powers in Connecticut General Statute section 22-4c and a hearing process for those aggrieved by an order and civil penalties for violations of these regulations, and sections 7-10 are reserved for future use.

Glastonbury

For the purposes of this regulation, a storage container is defined as a portable enclosure that is mounted, or can be mounted on wheels or can be transported over a public highway that is utilized for the storage of goods only.

7.2 Accessory Uses & Structures Associated With Principal Farming Uses In Any Zone.

a. Permitted Accessory Uses and Structures. Farm markets, buildings or structures used for the storing, processing and manufacturing of agriculture and forestry products produced on the farm, necessary motor vehicles and equipment used on the farm, and the buildings or structures used for the storage of such vehicles and equipment, and buildings used for the housing of farm animals and poultry.

b. Location. All buildings and structures containing livestock of poultry shall be located a minimum distance of one hundred (100) feet from any street line or the property line of any property under separate ownership. All other accessory buildings and structures associated with the principal farming uses shall conform to the required side, rear and front yards for that zone. AMENDED EFFECTIVE JUNE 13, 1975.

c. Farm Market. The intent of this section shall be to continue and promote the orderly growth of farming in Glastonbury in accordance with Section 12 of these Regulations. Farm markets shall be located on the premises of a farm. They shall be located a minimum distance of twenty-five (25) feet from any street line and one hundred (100) feet from any street or road intersection. Such farm market shall also meet the side yard requirements for a principal building for the zone in which it is located. Any enlargement or alteration of an existing farm market shall be deemed a minor change as defined in Section 12.9. New farm markets shall be subject to Section 12 of this Regulation and shall sell only perishable items (such as fruits and vegetables) some of which must be grown on the premises of the farm. The addition of non-perishables to a new farm market shall be subject to Special Permit in accordance with Section 12.9 of these Regulations.

Farm markets registered with the Office of Community Development (as of June 30, 1981) shall be considered conforming uses as shown and defined in the application form approved by the Town Plan and Zoning Commission as a Special Permit. AMENDED EFFECTIVE MAY 30, 1981.

7.3 Accessory Uses And Structures Associated With Excavation Operation In Any Zone

Any accessory use or structure associated with excavation operation in any zone shall abide by the conditions set forth in Section 6.2 of these Regulations.

7.4 Principal Non-Residential Uses, Except Excavation Operations, In Residence Zone

Any accessory use or structure associated with any principal non-residential uses in the residence zone (excepting excavation operations) shall abide at a minimum by the requirements set forth in this Section 7 for residential accessory uses and structures and, in addition, to any other conditions which may be required in their review of the principal use by the Town Plan and Zoning Commission or Zoning Board of Appeals, whichever the case may be, because of the nature of such accessory use or structure and the principal use with which it is associated.

7.5 Non-Residence Zones

Any accessory use or structure associated with any principal use in the non-residence zones shall be subject to such conditions as may be required in their review of the principal use by the Town Plan and Zoning Commission or the Zoning Board of Appeals, whichever the case may be, because of the nature of such accessory use or structure and the principal use with which it is associated.

East Granby

b. Bazaars, festivals, auctions, carnivals, circuses and other similar, temporary activities in compliance with all state and local ordinances and regulations.

c. Stands for the year-round sale of Connecticut farm products provided that all of the following conditions are met

1. the stand is on the premises of, and accessory to, an active farm of at least 15 acres,
2. no sales shall be made before 7:00 A.M. or after 8:00 P.M. on any day,
3. at least 50 percent of the products sold, based on gross dollar sales, are grown or produced on the premises or elsewhere in Connecticut or 25 mile radius from the Town of East Granby,
4. the Commission has approved the generic categories of items to be sold on the premises which may, with approval of the Commission, include dairy or food products prepared primarily from products grown or produced on farms in Connecticut or within 25 mile radius from the Town of East Granby,
5. total sales area shall be located within an existing farm structure or in a separate attractive, rural, barn-like structure and shall not exceed 20 square feet per acre of land in production, unless modified by the Commission,
6. the sales area shall meet the yard requirements established in the R-40 zone,
7. adequate off-street parking spaces are provided for all employees and at least six (6) customer vehicles,
8. adequate and appropriate provision has been made for access and egress through one curb cut, paved apron, parking, screening, and dust control,
9. total signage for the farm stand shall not exceed 24 square feet and the location and size shall be shown on the site plan,
10. any exterior lighting for the stand or any signage shall be clearly shown on the site plan,
11. any public health, public safety, archeological or environmental concerns are adequately addressed, and
12. the approval to sell farm products shall be voided if any of the above conditions are no longer met.

d. Farm Winery and Vineyard in accordance with Section IX, Subsection J of these Regulations.

5. Bulk & Area Requirements

Minimum Frontage	175 feet
Minimum Lot Area	120,000 square feet

8.15.17.7 The Commission may grant a Special Permit for the following, subject to Section 8.2 and the following criteria;

8.15.17.7.1 Farm Store subject to the following:

- A Farm Store may sell agricultural products, including but not limited to, fruits, vegetables, plants, and similar items, processed foods such as preserves, pickled foods, honey, maple syrup, baked goods, animal products and similar products, and related merchandise. The majority of agricultural products sold in the Farm Store are to be grown or produced on the property where the farm is located, but may be supplemented with products that are grown or produced in Granby or other farms. The Farm Store may provide seating for the public and tables where food and beverages may be consumed. The Farm Store may also sell alcoholic beverages that are produced on-site from products that are grown or produced on-site or on nearby farms. The farm store may also sell alcoholic beverages that are produced on other farms. If a farm store sells alcoholic beverages it may be considered a farm brewery, farm distillery, or farm winery and is subject to the following: The farm brewery, distillery or winery shall use an average crop not less than twenty-five per cent of a combination of grapes, fruits, hops, barley, cereal grains, honey, flowers or other fermentables grown or malted within the state of Connecticut in the manufacture of their product;

- The farm store shall be confined to an area within an existing barn or similar structure or, if new construction is proposed, the scale and design shall be compatible with the residential/agricultural area;

- Entertainment may be permitted in conjunction with a farm store provided the entertainment is clearly secondary to the farm store. Unless further limited by the Commission, live or recorded music and any other entertainment may not start prior to 10:00 AM and shall cease no later than 9:00 PM. If outdoor entertainment is provided, which is entertainment that is not located in a permanent structure, the entertainment shall be at a level where persons not located in the outdoor entertainment area can hold a conversation without raising their voices. The outdoor entertainment area must be clearly shown on a site plan. The Commission may set conditions on entertainment to mitigate potential negative impacts on surrounding properties. Conditions may include, but are not limited to, frequency, time of day, use of amplified equipment, outdoor lighting, proposed structures or tents to be used, duration of entertainment. Unless entertainment is specifically permitted within the Special Permit, it shall be prohibited;

- Events are subject to Section 8.15.17.7.2.

East Windsor

305.4 FARM STORES

Permitted by Special Use Permit on Commercial farms with the following provisions:

a. The footprint of the farm store and all retail areas shall be compatible in size and scale with the neighborhood.
b. At least 50% of gross sales shall be from agricultural goods produced on the owner's farm, or processed products made from raw materials that were produced on the owner's farm. Related products such as gardening tools, fertilizers, soil planting pots, hand made crafts, and holiday specialty items not derived from the farm may be included.
c. Off street parking with adequate ingress and egress must be provided. Parking shall be provided at a rate 5 spaces per 1,000 square feet of building footprint, with a 5 space minimum. Permeable parking surfaces are encouraged.
d. Appropriate Zoning and Building permits, and Wetlands Permit if warranted, must be obtained.

305.5 FARM STANDS

Temporary Farm stands are permitted by right on all farms with the following conditions:

a. Temporary seasonal structures and sales area shall be compatible in size and scale with neighboring uses.
b. The maximum size of the seasonal structure must not exceed 300 square feet. (per 404.i.2)
c. At least 70% of gross sales shall be from agricultural goods produced on the owner's or lessee's farm, or processed products made from raw materials that were produced on the owner's or lessee's farm.
d. The Seasonal farm stand must cease for at least six consecutive weeks in one year.
e. Parking must be provided off of the public right–of-way, with a safe ingress and egress.
f. The temporary structure must be 10 feet back from the front property line, must meet underlying zones side yard setbacks, and shall not cause a nuisance or unsafe conditions. Permanent structures not entirely mobile shall require a building permit.

305.6 SIGNAGE

a. Permanent Signs

One permanent free-standing or attached sign may be permitted for a farm, or farm stand with the following conditions:

1. Maximum size is 16 square feet for non commercial farms, and 32 square feet commercial farms.
2. Freestanding signs must be located 10 feet back from front property line, and meet the underlying zones side yard setbacks.
3. One sign per farm.
4. Signs may not be internally lit.
5. All other sign standards as set forth in Section 602 of these zoning regulations shall be followed.

F. The use of a Cultural Educational Center shall be limited to scheduled, special events and shall not include regularly scheduled daily public activity. The standards for granting Special Permit as contained in **Section 8.3.2** shall apply to any application.

Section 7.14 Agricultural Uses *(Added 11-22-10, Effective 12-15-10; Modifications Effective 6-15-16)*

7.14.1 Statement of Purpose. Agriculture has played and continues to play a significant role in Ellington. It enhances the quality of life for residence and is a strong element of Ellington's diverse community character. It is the purpose of this regulation to promote the economic and operational viability of agricultural businesses, to support programs that preserve farming and farmland, and to allow more flexible farm use regulations.

7.14.2 Permitted Uses: Any reference to minimum or maximum lot size shall be construed to mean contiguous acreage under single ownership and/or leasehold in any zone. Agricultural uses shall not be permitted on common interest properties (e.g. condominium and apartment complexes), unless approved as a permitted accessory use or structure on a site plan approved by the commission.

A. **Agriculture.** All uses in Section 7.14 shall require a minimum of 3 acres, unless a minimum acreage is specifically defined.

B. **Agricultural enclosures, buildings, or structures** except farm stores and seasonal farm stands, as long as the setback of the underlying zone is met for the street property line, when located at least 50 feet from any side or rear property line and subject to the issuance of a Zoning Permit. *(Amended 12-30-13, Effective 1-15-14)*

C. **Seasonal Farm Stand** provided that 70% of gross sales shall be from agricultural goods produced on the owner's farm, or processed products made from raw materials that were produced on the owner's farm, for at least three of the immediately preceding five years; the farm stand shall cease operations for a minimum of six consecutive weeks on an annual basis; and adequate parking with safe ingress and egress is present and is located outside of the public right-of-way.

D. **Keeping of Horses:** *(Added 5-23-16, Effective 6-15-16)*

a. **Applicability:** This section shall apply to the keeping of horses, donkeys, ponies, miniature horses, and similar members of the equine family, and any reference to "horse" shall be inclusive of all of these animals.

b. **Minimum lot size:** A property must have at least 3 contiguous acres in order to keep horses.

c. **Number of horses and other equine:** A property with at least 3 contiguous acres may keep 2 horses or equine. An additional horse may be kept for each additional acre of contiguous land (e.g., a property with 4 acres may keep 3 horses). For the purposes of calculation, acreage shall be rounded down to the nearest acre (e.g. a property with 5.6 acres may keep 4 horses).

d. **Structures for the Keeping of Horses:** All structures and enclosures for the keeping of horses shall comply with the requirements of Section 7.14.2.B and/or Section 7.14.3.A, as applicable.

c. **Management:** An adequate on-site source of water for the bees shall be provided.

7.14.3 Special Permit Uses:

The Commission may approve an application for special permit for the following:

A. **Agricultural enclosures, buildings, or structures** including farm stores and seasonal farm stands when closer than 50 feet from any side or rear property line as long as the setback of the underlying zone is met. *(Amended 12-30-13, Effective 1-15-14)*

B. **Farm Store** when a minimum of 3 contiguous acres under single ownership and/or leasehold in any zone and subject to the following standards: *(Amended 5-23-16, Effective 6-15-16)*

1. At least 20% of gross product sales shall be from farm products produced on the owner's farm or processed products made from raw materials that were produced on the owner's farm, and an additional 20% of gross product sales from Connecticut-Grown farm products or products made from raw materials produced from Connecticut-Grown farm products. Farm products produced on land owned by the owner of the farm store separate from the farm store land or processed products made from raw materials on other land owned by the owner of the farm store separate from the farm store land shall be counted towards meeting minimum gross product sales.
2. Adequate off-street parking and safe ingress and egress is provided to ensure public safety. A reasonable parking area not to exceed three square feet for every one square foot of store area (where products are displayed for sale whether inside or outside of a structure), shall be provided. Permeable parking surfaces are recommended.
3. Farm stores may be used to support farmers' market activities, promote agricultural ideals, and host agricultural related workshops.
4. Farm stores may include kitchen facilities for the preparation and sale of food for consumption on or offsite and shall be subject to approval from the Health Officer and in accordance with applicable federal, state and local codes.

C. **Horse Boarding / Riding Arena** if it finds that the proposal will conform to the following standards:

1. A minimum of 10 contiguous acres under single ownership and/or leasehold.
2. The use is conducted only by the resident of the premises as an accessory use.
3. The primary and any accessory structures shall not be less than two hundred (200) feet from any street line, side, and rear lot lines.

In considering such special use, the Commission shall weigh the agricultural and rural aspects of the area, as well as the residential or commercial character or potential of the area, and shall find that the granting of such land use shall result in an appropriate use of the land and will not have a detrimental effect on the value or enjoyment of existing residential or other uses in the area. *(Amended: 22 December 2006)*

D. **Farm Brewery, Cidery, Distillery and Winery** *(Approved 11/23/2020, Effective 12/1/2020)*

1. **Permitted uses** include tastings, tours, retail and wholesale sales of products grown or manufactured on the premises, sale of merchandise related to the products grown or manufactured on the premises or sale of merchandise unrelated to the products grown or

Mansfield

2. Agricultural uses such as field crops and orchards are permitted by right provided the following standards are met (special provisions apply to the on-site display and sales of agricultural products):

a. All State and Federal requirements, including pest control and provisions for the storage and use of fertilizers, pesticides, fungicides and other chemicals, shall be met. Each property owner shall be responsible for maintaining records and data required by State or Federal agencies that pertain to the subject agricultural or horticultural use, including information on fertilizers, pesticides, fungicides and chemical uses onsite. All agricultural uses are encouraged to utilize practices recommended by the USDA National Resources Conservation Service, the USDA National Organic Program Standards, the State Department of Agriculture, the University of Connecticut Cooperative Extension Service, the University of Connecticut Animal Science and Plant Science Departments, the Connecticut Agricultural Experiment Station and/or the Connecticut Department of Environmental Protection;

b. All other applicable sections of Mansfield's Zoning Regulations, including the Performance Standards cited in Article 6, Section B shall be met;

c. All agricultural uses involving onsite display and sales of products, including seasonal retail outlets, pick-your-own operations or permanent retail sales outlets shall comply with the standards listed below. It is the intent of these standards to allow the on-site retailing of agricultural products primarily grown or produced on the subject property or other land owned, leased or used by the subject property owner and a limited amount of related products. Furthermore, these standards are designed to prevent retail operations where a significant portion of the products displayed and sold are grown or produced on sites that are not owned, leased or used by the subject property owner, as this type of retail operation is more appropriately located in one of the Town's commercial zones.

It is recognized that for certain periods each year, due to seasonal or weather related issues or cooperative arrangements between agricultural property owners that the display and sale of products grown on land not owned, leased or used by the subject property owner may exceed a limited amount and may be considered significant. Any questions regarding whether the display and sale of agricultural products is in compliance with the intent of these regulations or the provisions listed below shall be resolved by the Planning and Zoning Commission.

1. The on-site display and sales of products shall be limited to agricultural products grown on the premises or on other land owned, leased or used by the property owner, a limited amount of agricultural products grown off-site on land not owned, leased or used by the property owner, and a limited amount of products that are accessory and associated with the agricultural products sold on the subject site. Examples of accessory products include but are not limited to: wreaths or tree stands associated with a Christmas tree farm; jams, jellies, herb vinegars or cider associated with a fruit or vegetable farm; maple syrup associated with a sugar bush; and seeds, fertilizers, peat moss and other soil amendments;

2. To address traffic safety concerns, adequate off-street parking shall be provided so that customers and employees do not park on the travel portion of town or state roads. A minimum of one off street parking space for each five feet of stand or building length shall be provided pursuant to Article 10, Section D. Except for authorized seasonal retail outlets, all parking spaces shall meet the setbacks contained in the Schedule of Dimensional requirements cited in Article 8, Section A, or be 100 feet from existing dwelling units on adjacent properties, whichever setback is greater, unless these setbacks are waived by the Commission after a referral to the Agriculture Committee and consideration of potential neighborhood impacts and safety problems;

Agricultural commodity: Same meaning as "Farm products."

Commercial Farm: A farm producing farm products for sale by wholesale, or for sale at locations (not including farmers' markets) other than the farm property on which they were produced.

Farm: A tract of land used principally for agriculture, with or without an associated single-family dwelling. In zoning districts in which a farm is allowed, both the agricultural activities and any single-family dwelling that may exist shall be deemed to be permitted, joint principal uses.

Farm pond: A pond used as an accessory to an agricultural use.

Farm products: Any products of agriculture, including fruits; vegetables; mushrooms; nuts; shell eggs; honey or other bee products; maple syrup or maple sugar; flowers; nursery stock; Christmas trees; other horticultural commodities; livestock food products, including meat, milk, cheese and other dairy products; food products of "aquaculture," as defined above, including, but not limited to, all plant food, fish, oysters, clams, mussels and other molluscan shellfish; products from any tree, vine or plant and their flowers; or any such products that have been processed by a farmer, including, but not limited to, baked goods made with farm products.

Farmers' market: A for-profit or nonprofit cooperative, enterprise, or association that regularly occupies a given location, and that operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers.

Farm Store: Retail sales of farm products, the majority of which are produced in North Stonington.

Seasonal Roadside Stand: A building or other structure, not to exceed a gross floor area of 200 square feet, from which agricultural products, primarily produced on the owner's premises in North Stonington, are sold.

Advertising: Any wording, logo, or other representation that, directly or indirectly, names, identifies, announces, or calls attention to a business, product, service, or other commercial activity.

Adventure Park (Outdoor): An Outdoor Recreational Facility which can contain a wide variety of elements, such as rope climbing courses, obstacle courses and zip-lines, and other non-motorized rides intended for recreation. Rides primarily propelled by gravity such as an alpine slide, a mountain coaster, and other similar rides are not considered to be motorized nor mechanical and are permitted in an Outdoor Adventure Park. (See also Recreational Facility, Outdoor)

Aircraft: Any machine or device now known or hereafter invented for use in or designed for navigation of or flight in air.

Aircraft Landing Field: A lot, or portion thereof, used for the purpose of landing, parking, storing, or launching aircraft.

Alteration: Any construction, reconstruction, or other action resulting in a change in the structural parts or height, number of stories, size, use, or location of a building or other structure, as well as any excavation, grading, or filling of land.

Amusement Park: A park that features various attractions, including mechanical and motorized rides and devices (such as a merry-go-round, Ferris wheel, roller coaster, etc.), booths for games and refreshments, and other events for entertainment purposes. A theme park is a type of amusement park that bases its structures and attractions around a central theme, often featuring multiple areas with different themes.

7B.3 COMMERCIAL AGRICULTURAL OPERATIONS

and accessory uses thereto, where permitted, shall be consistent with additional standards. The following activities may be considered as a commercial agricultural operation:

7B.3.1 The raising of field and garden crops, vineyard and orchard farming and the maintenance of nurseries.

7B.3.2 The keeping, breeding and raising of fish, cattle, sheep, goats, pigs, fowl, horses and similar livestock provided:

(1) The "gross lot area" on which such activity occurs is at least five (5) acres, and

(2) No pond, stable, livestock pen or similar animal housing, exercise area, or the storage of manure or other odor or dust producing substances is located within 50 feet of any street or lot line.

7B.3.3 Barns, silos and related structures, provided such buildings conform to the minimum lot requirements for principal buildings.

7B.3.4 One-story buildings for the display and retail sale of agricultural products raised primarily on the lot, provided such building does not exceed 500 square feet in floor area and is set back at least 25 feet from any street or lot line.

7B.3.5 The Commission may allow living accommodations for full-time farm employees by Special Permit. Individual living units shall not have more than two bedrooms and shall not exceed one living unit for every twenty acres of farmed land.

7B.4 COMMERCIAL BOARDING AND/OR RIDING STABLES,

where permitted, shall be consistent with the following additional standards:

7B.4.1 The gross lot area on which such activity occurs is at least ten (10) acres in size;

7B.4.2 No structure, pasture or pen housing animals and no runway, stable or animal exercise pen shall be located within 50 feet of any street or within 50 feet of any lot line;

7B.4.3 The maximum numbers of animals kept shall be limited as determined by the Commission with due regard for impact on adjoining property owners, the general character of the neighborhood, and other appropriate considerations, provided that the operator of such an establishment can show evidence that all applicable provisions of the State and Town Building, Health and Sanitation Codes and Ordinances have been met to the satisfaction of the officials charged with the responsibility of administering such codes and ordinances.

7B.4.4 The Commission may allow living accommodations for full-time farm employees by Special Permit. Individual Living units shall not have more than two bedrooms and shall not exceed one living unit for every twenty acres used for boarding, training and lessons.

East Hampton

ARTICLE 4 RESIDENTIAL ZONES

Section 4.1 Permitted Uses

Permitted uses in Residential Zones are listed in the table below, and all other uses are prohibited except as stated herein.

Table 4.1 Permitted Uses Residential Zones

P = permitted by right in the zone **SP = permitted only by special permit**

S = permitted subject to approval of a Site Plan **N = not permitted in the zone**

Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6

Permitted Use	R-10	R-15	R-25	RR
Accessory Buildings and Uses	P	P	P	P
Bed and Breakfast [1]	P	P	S	SP
Buildings, Uses, and Facilities of the Town of Portland	SP	SP	SP	SP
Buildings, Uses, and Facilities of the State of Connecticut and Federal Government	SP	SP	SP	SP
Cemeteries	SP	SP	SP	SP
Churches, Places of Worship	SP	SP	SP	SP
Convalescent Homes, Hospitals, and Health Care Institutions	SP	SP	SP	SP
Day Care Home, Family	P	P	P	P
Day Care Group	S	S	S	S
Day Care Center	SP	SP	SP	SP
Dwelling, Single Family: Not more than 1 such dwelling per lot	P	P	P	P
Dwelling: Accessory Apartments	P	P	P	P
Dwelling: Accessory Apartments, Detached	S	S	S	S
Dwelling: Two-Family (see Section 4.2.4 Two-Family Dwellings)	S	S	S	S
Dwellings, up to 4 families: Conversion of existing buildings from single to four-family dwelling (See Section 9.3 Conversions), not more than 1 such dwelling per lot	SP	N	N	N
Earth Material Operations (See Section 9.5 Earth Material Operations)	SP	SP	SP	SP
Facilities and Uses of Fraternal, Social, Civic, Philanthropic, Charitable, Agricultural, Historical, and Cultural Organizations or Societies not conducted as a business or for profit	SP	SP	SP	SP
Farms and Roadside stands for sale of farm produce and products accessory to the farm on which the stand is located; maximum floor area of stand shall be 400 sq. ft.	P	P	P	P
Farm Winery [7]	N	N	SP	SP
Farm Brewery [6, 7]	N	N	SP	SP
Golf Courses, 18 holes or larger with a restaurant and cocktail lounge (See Section 9.13: Seasonal Outdoor Dining Areas)	N	N	SP	SP
Home Occupations & Home Offices [2]	P	P	P	P
Kennels/Veterinary Hospitals/Grooming Facilities [3]	SP	SP	SP	SP

(3) At their nearest point the shelter shall be no less than fifty (50) feet from any dwelling on any adjacent lot. All such buildings or structures shall be constructed and all food products kept so as to prevent offensive odors and the presence of pest and predators. Waste to be composted or disposed of offsite.

(4) No roosters shall be kept in the Moderate Density District (R-30)

(5) The keeping of hens shall be conducted in a manner consistent with and in compliance with the Public Health Code.

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Agriculture - The growing of crops; raising of livestock; and, the storing processing and sale of agricultural and horticultural products and commodities, including those defined in CGS § 1-1q as incidental to agricultural operations.

Agricultural Buildings and Structures - Buildings or structures used in connection with agriculture, including greenhouses, shelter for livestock and storage for farm machinery, equipment and supplies.

Farm - A parcel, or parcels, of land containing not less than three (3) acres under single ownership and/ or lease-hold and used for agriculture..

Limited Farm - A parcel of land of less than 3 acres under single ownership or leasehold and used for agriculture.

Livestock - Grazing animals kept either in open fields or structures including cattle, horses, sheep, goats, llamas, alpacas and poultry.

Farm Stand, Limited – A structure, not more than 200 square feet, located on a residential or agricultural farm for the display and sale of agricultural products raised only on such farm. Sales of such products shall be limited to not more than six (6) months in any calendar year.

Farm Stand, General – A structure located on a farm, for the seasonal display and sales of agricultural products. Products sold shall have been grown on such farm or purchased from other farms or farmers markets.

Farmers Market – A seasonal public market use, the primary purpose of which is for farmers to offer for sale pro-duce, vegetables, flowers, orchard products, breads and similar agricultural products directly to consumers. Additional vendors, demonstrations and presentations are permitted as being accessory to such market, how-ever such vendors, or booths, in aggregate shall not account for more than 50% of the market.

3.3.B. PERMITTED AS OF RIGHT

1. Agricultural and Animal Related Uses & Structures

a. **Agriculture and farming operations.**

b. **Storage of vehicles and equipment** necessary for, used for, and accessory to agriculture and farming op-erations on a farm, provided such vehicles and equipment shall not be used elsewhere for non-farming purposes except for snow plowing.

c. **Limited Farm Stand** – A farm stand less than 40 square feet in area for the sale of agricultural products grown on the premises. Any such structure may be located in the front yard and shall be located at least ten feet (10') from any side lot line.

d. **Accessory Agricultural Buildings and Structures** provided that: