East Haddam Planning & Zoning Regulations - DRAFT NOV 2023

Discussion about Farm Stores, Wineries, & Breweries

TOWN OF EAST HADDAM Updated 11/6/23

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

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 current Farm Stand regulation section 9.2.10 is very similar to other communities. It allows property owners <u>to sell products grown and raised on the property only</u> and limited to a 200 square foot building. The regulation 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 on 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 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? Handmade craft and Holiday specialty items?**
    e. **Should any other products be at least Connecticut Grown Farm Products?**
    f. **Should it be on a State Highway or major road?**
    g. **Hours of Operation?**
    h. **Other factors – Parking, sightlines, setbacks, signage, exterior lighting**
    i. **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.**

Temporary/seasonal directional signs.

Create a regulation that would allow up to 2? 4? temporary directional signs at major intersections. Signs to be no larger 18" x 24".

10.5. Other Bulk Regulations

[**10.5.1. Agriculture, farming, forestry, truck or nursery** gardening including greenhouses incidental thereto, provided that all buildings designed for those uses shall be built not less than 100 feet from the street line and 75 feet from the nearest line of a lot under separate ownership.]

To be deleted and refer to Section 30

10.5.2. The display and sale of farm and garden produce that is raised on the premises. For such purposes one stand not over 200 square feet in area and not more than two signs aggregating not over 12 square feet in area, advertising such produce, may be erected. Such stands or signs shall be on the premises and not less than ten feet from any street line. **Keep for residential districts.**

East Haddam Zoning Regulations (Proposed new in *bold & italics),* [Removed in brackets and grey]

Uses Permitted in Residential Districts R ½, R 1, R 2, R 4

9.2.9 – Agriculture and farming provided it meets the requirements of Section 30 – Agriculture and Agricultural Uses. See Section 30 for specific details for agricultural uses.

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 more than twelve (12) square feet in area advertising such produce may be erected. Such stands or signs shall be on the premises and not less than ten (10) feet from any street line. ***Provisions are to be made for adequate off-street parking.***

Uses Permitted in Residential / Resort District - R

9.3.11 – Agriculture and farming provided it meets the requirements of Section 30 – Agriculture and Agricultural Uses. See Section 30 for specific details for agricultural uses.

9.3.12 – 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 more than twelve (12) square feet in area advertising such produce may be erected. Such stands or signs shall be on the premises and not less than ten (10) feet from any street line. ***Provisions are to be made for adequate off-street parking.***

Uses Permitted in Residential Lake Districts - L

9.4.9 – Agriculture and farming provided it meets the requirements of Section 30 – Agriculture and Agricultural Uses. See Section 30 for specific details for agricultural uses.

Amendment 9.4.10 – Farm and garden product: 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 more than twelve (12) square feet in area advertising such produce may be erected. Such stands or signs shall be on the premises and not less than ten (10) feet from any street line. ***Provisions are to be made for adequate off-street parking.***

IG 2 - Farm (Permitted use), Greenhouse, Nursery, Wholesale Associated with a Farm, Farm Stand

IG 3 – Accessory to Residential Uses See Section 30 for specific details for agricultural uses.

C-3 – Accessory to Residential Uses See Section 30 for specific details for agricultural uses.

C/B/IG – Accessory to Residential Uses See Section 30 for specific details for agricultural uses.

SECTION 30 - AGRICULTURE AND AGRICULTURAL USES

30.1 Purpose - It is the purpose of these Regulations to permit and support agricultural activities within the Town of East Haddam in a way that is compatible with the overall character of existing residential and commercial areas, not to degrade the natural environment, or negatively impact the public health, safety, and property values. These regulations also set minimum standards for the keeping of animals that are consistent with best management practices.

The intent of this regulation is to also allow for economic diversity and sustainability of agricultural uses, to preserve agricultural activities, and to protect neighboring property owners from disruptions caused by these agricultural activities. The uses permitted as accessory use to an agricultural operation and should remain subordinate and incidental to the primary agricultural use. This regulation is not intended to limit the growing, producing, or distributing of agricultural products allowed under Connecticut General Statutes Sec. 1-1(q).

30.2 Definitions

Agriculture: Means "agriculture" as defined in Section 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.

Commercial Slaughtering Facility: The slaughtering of animals for other than home use by the owner. The slaughtering of livestock and poultry, as an accessory use to a Farm, is permitted, provided that all stock slaughtered are raised on the Farm. The facility is also subject to review and approval of the United States Department of Agriculture (USDA), Connecticut Department of Agriculture, and the

Connecticut Department of Health. The facility used to slaughter animals shall be 100 feet from any property line.

The slaughtering of livestock and poultry, as an accessory use to a Farm, is permitted, provided that all stock slaughtered are raised on the Farm. The facility used to slaughter animals shall be 100 feet from any property line.

Cottage Food Operator: ***A person licensed by the Connecticut Department of Consumer Protection who (1) produce cottage food products only in their private residential dwelling's home kitchen and for sale directly to the consumer and (2) do not operate as a food service establishment (e.g., restaurant), food retailer, distributor, or manufacturer.***

Commercial Livery and Boarding Stables; Riding Academies. The feeding, housing, exercising, and training of horses, including horses not owned by the owner of the Lot, and where the owner may receive compensation for such Use. The Use may include the giving of lessons for horses and their riders in the equestrian arts. See Section 30.3.I

"Connecticut-Grown": Means produce and other farm products that have a traceable point of origin within Connecticut. (b) Only farm products grown or produced in Connecticut shall be advertised or sold in Connecticut as "Connecticut-Grown".

Craft Café: ***A permanent building, kept, used, maintained, advertised, and held out to the public to be a place where alcoholic liquor and food is served at retail for consumption on the premises. See Section 30.3.G&H.***

Farm: see Agriculture

Farm Brewery*: "farm brewery" means any place or premises that is located on a farm in the state in which beer is manufactured and sold. See Section 30.3.G&H.*

Farm Distillery: *"farm distillery" means any place or premises that is located on a farm in the state in which distilled spirits or alcohol are manufactured and sold.*

Farm Market: ***A permanent structure located on a farm and used for seasonal or year-round sale of agricultural products, the majority of which are produced on the farm. See Section 30.3***

[Farm Stand: see Accessory Uses to Agriculture**]**

Farm Stand: ***A permanent or temporary structure used for the sale of farm products produced on the property. See Section 30.3***

Farm Store: ***A permanent structure located on a farm and used for seasonal or year-round sale of agricultural products, the majority of which are produced on the farm. See Section 30.3.***

Farm Winery: *"Farm Winery" means any place or premises that is located on a farm in the state in which wine is manufactured and sold. See Section 30.3.G&H.*

Feed and Grain: Food for livestock, mixtures prepared for livestock.

Greenhouse: ***a usually permanent climate-controlled structure enclosed (as by glass or plastic) and used usually year-round for the cultivation or protection of tender plants.***

Hobby Farm: – A parcel of property that does not contain enough property to set buildings that house agricultural animals one hundred (100) feet from the front property line and seventy-five (75) feet from the side or rear property line ***as required in a larger farm operation***. A Hobby Farm is permitted to raise only two large-bodied livestock; four small-bodied livestock; poultry; and rabbits as a hobby and not for commercial purposes. See Section 30.3.A

Intensive Commercial Farm Operation: includes raising at one time for commercial purposes on the property of more than two hundred (200) poultry, or **[**twenty (20)**]** ***forty*** **(40)** large-bodied livestock, **[**thirty (30)**]** ***fifty (50)*** adult small-bodied livestock, one hundred adult rabbits, ten or more adult swine, any Fur-Bearing Animal Farms such as mink and fox, or the requirement to construct a building exceeding a 5,000 square foot footprint.

Large-Bodied Livestock*:* Includes, but is not limited to, bovine animals, horses, reindeer, mules, and other larger hoofed animals**.**

Nursery: Land or greenhouses used to raise flowers, shrubs, and plants for sale. See Greenhouse.

Pigs, Swine, Pigsty*:* Per Connecticut Health Code 19-13-B23(a) "No pigsty shall be built or maintained on marshy ground or land subject to overflow, nor within three hundred feet of any inhabited house or public meeting house upon the property other that of the proprietor of the pigsty." Properties with ten or more adult swine shall be subject to the Agricultural Buffers required for Intensive Commercial Farming operations.

Poultry: Includes but is not limited to domestic fowl such as chickens, turkeys, guinea fowl, pheasant or game birds, ducks, and geese, raised for flesh, eggs, or show.

Retail of crafts and products associated with East Haddam's traditional agricultural heritage: A Principle use ***in the IG District***, or an Accessory Use to ***a*** Farm ***in the residential districts***, 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.

Riding Stable, Academy: A building in which horses, ponies and similar equestrian animals may be kept for remuneration, hire or sale together with accessory uses such as riding rings, indoors or outdoors, and tack shop.

Small-bodied livestock: Sheep, goats, alpacas, llamas, miniature horses and other similar small-hoofed animals along with poultry and rabbits.

Signage Non-Residential Uses: On lots containing a farm, church, place of worship, parish hall, cemetery, museum, school, college, university, membership club, philanthropic institution, hospital, recreation facility, nature preserve, wildlife sanctuary, convalescent home, sanitarium, public utility facility, or building, use or facility of the Town of East Haddam, or other non-residential use permitted in residential zones by these Regulations, one (1) sign not exceeding twenty (20) square feet

Tack Store: ***A Tack Store is an equestrian supply store. These stores are accessory use to the equestrian operation that are directly complimentary to the primary agricultural use and meet the requirements under the standards in Section 30.3.***

Wholesale Associated with a Farm: An Accessory Use on a Farm for the wholesaling of agricultural products produced on a Farm, including, but not limited to, dairy products, vegetables, fiber, poultry, beef, and other customary agricultural products; but excluding the sale of agricultural equipment, rendering of fat or lard, or other industrial processing of agricultural products not customarily carried on a Farm.

30.3 Permitted Uses

A. Farms - Farms **[**with large-bodied animals that don't exceed nineteen (19) adult animals – **]** ***are*** permitted in all Zones and Districts except the East Haddam Village District and the C-3 District. Structures that house large bodied animals shall be built not less than one hundred (100) feet from the street line and seventy-five (75) feet from the side and rear property line.

B. Farm Stand - The display and sale of farm and garden produce which of eighty (80) percent is raised on a residential property. Twenty (20) percent can be for the sale of farm and garden products but must be Connecticut Grown. For such purposes one stand not over two hundred (200) square feet in area and not more than two signs aggregating not more than twelve (12) square feet in area advertising such produce may be erected. Such stands or signs shall be on the premises and not less than ten (10) feet from any street line. Please note that a zoning permit will be needed for any permanent structures with roofing. Provision are to be made for adequate off-street parking.

This also includes foods produced under the State of Connecticut Cottage Food Operators Guides and acidified jams, jellies, and preserves with the proper licensing, water testing, and qualified Food Operators Certificate requirements. See Connecticut General Statutes Section 21a-24a – acidified foods, jams, jellies and preserves, Section 21a-24b – maple syrup, Public Act 19-18 for honey, and Section 21a-62b – h as amended Cottage Food Operators.

C. Farm Store - A permanent structure located on a farm and used for seasonal or year-round sale of agricultural products, at least fifty (50) percent of which are produced on the farm. Farm stores are permitted as an accessory use to an agricultural operation provided at least fifty percents (50%) of the items offered for sale are products grown or produced on the premises.

This also includes foods produced under the State of Connecticut Cottage Food Operators Guides and acidified jams, jellies, and preserves with the proper licensing, water testing, and qualified Food Operators Certificate requirements. See Connecticut General Statutes Section 21a-24a – acidified foods, jams, jellies and preserves, Section 21a-24b – maple syrup, Public Act 19-18 for honey, and Section 21a-62b – h as amended Cottage Food Operators.

Additional 'CT Grown" products not produced on the property may be sold, up to 50% of gross sales.

Any other sales that are directly complimentary to the primary agricultural use are permitted but are not to exceed twenty percent (20%) of the products and merchandise offered. This could include the retail of crafts and products associated with East Haddam's traditional agricultural heritage. Textiles, cloth, fabric, pottery, jewelry, art, woodworking, carving, souvenirs, and seasonal novelty items.

The minimum acreage shall be four (4) acres of owned or leased properties.

The Farm Store cannot exceed five hundred (500) square feet and is subject to a Special Exception Review and approval process.

D. <u>Farm Market</u> - A permanent structure located on a farm and used for seasonal or year-round sale of agricultural products, at least 50% of which are produced on the farm. Farm Markets are permitted as an accessory use to an agricultural operation provided at least fifty percents (50%) of the items offered for sale are products grown or produced on the premises.

This also includes foods produced under the State of Connecticut Cottage Food Operators Guides and acidified jams, jellies, and preserves with the proper licensing, water testing, and Qualified Food Operators Certificate requirements. See Connecticut General Statutes Section 21a-24a – acidified foods, jams, jellies and preserves, Section 21a-24b – maple syrup, Public Act 19-18 for honey, and Section 21a-62b – h as amended Cottage Food Operators.

Products may be supplemented with products that are grown or produced elsewhere but must be "Connecticut Grown" products.

Any other sales that are directly complimentary to the primary agricultural use are permitted but are not to exceed twenty percent (20%) of the products and merchandise offered. This could include the retail of crafts and products associated with East Haddam's traditional agricultural heritage. Textiles, cloth, fabric, pottery, jewelry, art, souvenirs, and seasonal novelty items.

Farm Markets may also apply for additional product sales such as bakery or café permits with the proper Chatham Health District and State of Connecticut licensing requirements as amended and Department of Consumer Protection licensing requirements.

The minimum acreage shall be eight (8) acres of owned or leased property.

Farm Markets are not to exceed one thousand (1000) square feet and are subject to a Special Exception Review and approval process.

E. Hobby Farms – A parcel of property that does not contain enough property to set buildings that house agricultural animals one hundred (100) feet from the front property line and seventy-five (75) feet from the side or rear property line ***as required to a larger farm operation***. Small-bodied livestock, poultry, rabbits - permitted in all Zones and Districts - Structures that house said animals are to be seventy-five (75) feet from the street line and forty (40) feet from the side and rear

property line. Hobby farms are permitted to have up to four (4) small-bodied livestock and no more than a total of twenty-five poultry and / or rabbits in aggregate. Hobby farms may have up to two large-bodied farm animals if the structure houses them is seventy-five (75) feet from the street line, forty (40) feet from the side and rear property line, and at least one hundred (100) feet from any existing neighboring residence.

F. **Intensive Commercial Farm Operations** – permitted in all Zones and Districts by Special Exception Review (See Section 14a and 14b) except in the East Haddam Village District, the C-3 District, and the C/B/IG District. Intensive Commercial Farm Operation includes raising at one time for commercial purposes on the property of more than two hundred (200) poultry, or **[**twenty (20)**]** ***forty (40)*** large-bodied livestock, **[**thirty (30)**]** ***fifty (50)*** adult small-bodied livestock, one hundred adult rabbits, ten or more adult swine, any Fur-Bearing Animal Farms such as mink and fox, or the requirement to construct a building exceeding a 5,000 square foot footprint.

Agricultural Buffer for Proposed Intensive Commercial Farming Operation. For Proposed Intensive Commercial Farm Operations no building or any animal waste storage or treatment area shall be located closer than 225 feet from the street line or 300 feet from any other property line, except that the distance may be reduced to 100 feet when the adjoining property is deeded open space or land physically unsuitable for building purposes, as determined by the Commission. The Commission may also require a 100-foot buffer planted with trees and shrubs from any property line.

Tack Stores: ***Tack stores are permitted as an accessory use to an equestrian agricultural operation that are directly complimentary to the primary equestrian agricultural use and meet the requirements under standards. Tack Shops are not to exceed one thousand (1000) square feet and are subject to a Special Exception Review and approval process.***

G. **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. **]**

Need to discuss – in conflict with a Farm Stand – 200 sq ft. 75 square feet per acre? 1500 Sq feet for 20 acres, 3000 sq ft for 40 acres and so on. Recommend deleting.

1. Other activities that may have greater public participation such as ***Farm Stores, Farm Markets, Breweries, Wineries,*** corn mazes, ***snow shoeing, hiking tours,*** 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, ***farm to table events,*** 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.

2. ***In a Special Exception Review t***he Commission will be reviewing the proposed frequency of events, ***hours of operation,*** 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.

3. ***Residential property farm stands*** are not to be more than two hundred (200) square feet in area and not have more than two signs aggregating not more than twelve (12) square feet in area advertising the farm products raise on site. Such stands or signs shall be on the premises and not less than ten (10) feet from any street line. ***Provisions are to be made for adequate off-street parking.***

4. ***Additional Standards for Farm Stores, Farm Markets, and Tack Stops.***

a. Dimensional Requirements - All minimum standards and setbacks of the underlying zone shall be met. Setbacks shall be applicable to all buildings, patios, parking areas and driveways. Increased setbacks may be required depending on the site conditions.

b. The farm store or farm market must be located on the property that is actively under agricultural use and a tack store must be located on the property that is actively under equestrian operation.

c. Applicant shall propose hours of operation for the farm stores, farm markets, or tack store. Maximum hours of operation shall be no more than 8 am to 6 pm. Sunday through Saturday.

d. Additional screening may be required in order to reduce disturbances to adjacent residential uses.

e. One sign complying with the requirements found in Section 12.5A.3 shall be permitted. (Not to exceed 20 sq ft)

f. Parking shall be 5 spaces for every 1000 sq ft of retail space per Section 11 – Parking Regulations. No off-site parking is allowed.

g. Adequate lighting shall be provided in all parking and pedestrian areas. No light shall be shed beyond the boundaries of the subject property. See Section 26 – Lighting Regulations

h. The applicant shall be in compliance with the Chatham Health District guidelines, Connecticut Consumer Protection Regulations, and Connecticut General Statutes.

i. Food trucks and events are prohibited unless otherwise approved by the Planning and Zoning Commission under the Agricultural Events Regulation in Section G as a Special Exception Application and Approval.

j. An agricultural or farming principal use will be determined by the Commission. Supporting documentation, to be provided by the applicant, may include:

1. The location of existing or proposed agricultural use on the site plan.

2. The Tax Assessor's designation of the parcel as PA 490 (Farmland, Open Space, Forest Land).

3. Aerial photography or satellite mapping of the property.

4. A business plan (with financial data redacted) for new agricultural business.

5. Proof of an existing agricultural business.

k. In the event the principal agricultural or equestrian use is abandoned and/or discontinued (growing of the crops or raising of livestock required for the store) the accessory uses approved under this section approval shall immediately cease, subject to enforcement action. If the principle agricultural or equestrian use is restarted, the accessory use can resume.

H. Farm Winery, Brewery, Farm Manufacturing of wine, cider, beer, mead, and spirits.

1. ***Purpose.***
To allow for diversity and sustainability of agricultural uses and to preserve farm activity in East Haddam, this section is intended to allow for the use of farmland for winery and vineyard use and production of cider, beer, mead, and spirits, therefore, allowed by Special Exception Review and approval. Such farm wineries and producers of other beverages and spirits are permitted to have certain complimentary uses that will help create a viable agricultural endeavor. All activities associated with the manufacture, storage, bottling, production, distribution or sale of wine, beer, cider, mead, and spirits shall be in accordance with all Zoning Regulations, Health District Regulations, State and Federal laws or regulations governing such activities. See Connecticut Liquor Control Commission and CGS Section 30-16 as amended.

A. Minimum Land Requirements. A farm winery or beverage manufacturers of farm products shall be located on a lot or lots having a minimum aggregate area of ten (10) acres under single ownership and management. The lot(s) must include and maintain a minimum of five acres of planted area of grapes, hops, or other fruit and vegetable products used for the manufacturing of wine, cider, beer, mead, and spirits.

B. Minimum Crop Requirements in making of beverages. The farm winery and beverage manufacturers shall grow on the premises of the farm winery and beverage manufacturer an average crop of grapes, hops, fruit, or vegetable products equal to not less than twenty-five per cent of the annual average crop of the grapes, hops, fruit, and vegetable products used in the manufacture of the farm beverage. **(Note – Follows Connecticut General Statutes)**

C. Permitted Uses – Special Exception Review and Approval Required

1. ***Retail Sale of Wine and Farm Manufactured Beverages and Tasting Room: A building or a portion of a building located on the farm may be established for the sale of wine, winery by-products, and manufactured beverages from the farm by the glass, bottle or barrel and related distilled products, provided that the percentage of the products produced on the premises and the percentage of wine, cider, beer, mead, and distilled spirits by-products made from grapes, hops, other fruit, or vegetables grown on the premises shall be in accordance with the laws of the State of Connecticut and the regulations for a farm liquor permit for the Connecticut Liquor Control Commission. Said area may include the retail sale of wine and spirits featured as products produced at the farm and the tasting of products produced on the premises.***

2. ***Farm Beverage Retail Store: The farm beverage producer may include the accessory sale of beverage related goods to the public including beverage related food products, locally produced products, dry goods, decorations, household goods, clothing, art, wine barrels, and furnishings. The area of retail sales must be located within or contiguous to the wine tasting area. See CGS Section 30-16. See Section 30.C & D - Farm Stores and Farm Markets of the East Haddam Zoning Regulations for specific standards.***

3. ***Public Events, Accessory Food Service, and Craft Café' Licenses all require a Special Exception Review and Approval by the Commission. See Section 30.3.G and Section 14B of the East Haddam Zoning Regulations.***

I. Commercial Livery and Boarding Stables; Riding Academies.

1. ***Minimum Parcel Size. Commercial livery and boarding stables and riding academies shall be permitted on a parcel of five (5) acres or more in area. Facilities which propose to have shows and other special events are required to have ten (10) acres or more in area.***

2. ***Use of Buildings. The use of temporary Buildings, Trailers, or tents for the stabling of horses is prohibited. All materials, supplies, and feed, excluding hay, shall be enclosed within a permanent Building.***

3. ***Noise. The premises shall be designed and used so as to avoid noise levels which are a nuisance to surrounding property owners. Public address systems and other noise from events shall not exceed 48 decibels at the property lines.***

4. ***Lighting. There shall be no floodlighting which transmits light outside the lot upon which it originates.***

5. ***Fire. All Buildings and Structures shall be reviewed and approved by the Fire Marshal to insure the adequacy of fire prevention measures.***

J. **Best Management Practices**: All farms shall utilize Best Management Practices (BMPs) as recommended by the University of Connecticut Extension Service, the Natural Resources Conservation Service (NRCS), the United States Department of Agriculture (USDA), or other agencies associated with proper agricultural practices. Best Management Practices are needed for animal welfare, animal density, manure management, stormwater management, pasture rotation, soil erosion and nutrient runoff. Several publications in Best Management Practices are available through the agencies listed above. Farms that do not follow best management practices can be hazardous to the welfare of the animals, can degrade the natural environment, and negatively impact public health and property values. Such properties can be reported to the Connecticut Department of Agriculture, the local health district, the local wetlands agent for remediation, and the Zoning Enforcement Officer**.**

K. Deed restrictions, restrictive covenants, and association by-laws. When it comes to livestock, East Haddam Zoning Regulations do not supersede or override deed restrictions, restrictive covenants, and association by-laws.

EAST HADDAM SUBDIVISION REGULATION

Existing - 4.18.03 - Agriculture Buffer Areas

Buffers adjacent to actively farmed land shall be established around residential subdivisions. Said buffer areas shall be one hundred feet (100) in width but may be reduced to no less than fifty (50) feet in width as directed by the Commission, depending on the type of agricultural or farm use, the topography, existing vegetation and the proposed design and plantings of such areas. It shall be the responsibility of the developer, subject to approval by the Commission, to provide an effective barrier that will reasonably protect adjacent farming area. It shall be the responsibility of the individual lot owners where such buffers are established on their lots, to maintain the buffer in accordance with the designed intent, such responsibility to be implemented and enforced by a declaration of covenants and restrictions in a form to be approved by the Commission and approved in a final version by its legal counsel. In addition, the following statement shall be noted on the subdivision plan: "This property abuts or is in proximity to an active agricultural or farming operation which is a permitted zoning use. The policy of the Town is to encourage agricultural uses, which are an integral component of the existing community character. Agricultural operations sometimes emit such things as noise, odor, or dust which are unavoidable byproducts of such operations." If the abutting actively farmed land changes use to residential, commercial, or industrial development, then these requirements shall be voided, and the implementing declaration and covenant shall so provide.