

Eric Trott

From: Brian Murray <brianmurray29@gmail.com>
Sent: Tuesday, March 29, 2022 10:22 PM
To: Eric Trott
Subject: [EXTERNAL] Cassidy Hill Vineyard Section 7.05 of the Zoning Regulations around Special Permit 11-12S

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Eric,

Thanks for taking the time to address my questions. As we discussed at the meeting, I am providing you and the Commission written detail of my concerns around the expiration of permit 11-12S based on Section 7.05 of the zoning regulations. The Statement of Use says it is for an "add on-site tent" and the Chipkin's said "they have not had a tent event in 10 years". This is past the one year mark defined in the regulations. Furthermore, based on the town on site inspection the Chipkins never commenced any work to make this permit active within the 2 year period required under Section 7.05.

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- **Section 7.05 Expiration of Permits and Approvals**

A zoning permit or special permit shall expire two (2) years following its issuance if the construction, development, or other activity allowed under such permit has not been actually commenced. A zoning permit or special permit shall expire five (5) years following its issuance if the construction or development allowed thereunder has not been completed. The Commission, upon written request and for good cause shown, may extend either or both of these periods to the extent the Commission deems appropriate. Site preparation alone shall not be deemed to be the actual commencement of the construction, development, or activity under this Section.

A special permit shall also expire (i) upon the abandonment of the building, structure, or use allowed by such special permit, or (ii) if the building or structure has ceased to be used in accordance with such special permit, or (iii) if the use allowed by such special permit has ceased for a continuous period of one year and the owner has not filed with the Commission or its authorized agent a notice of intent to maintain that use.

- **PCZ Meeting Minutes 9-13-2021**

"Mrs. Chipkin said that in their minds when they put down 125 (150) people that was the size of weddings. She said they didn't need any experience to decide that they weren't going to do weddings. Mr. Chipkin said that they were running music back in 2011 and there were more than 150 guests, no questions about it. Mr. Chipkin said he wrote the statement of use and it was his understanding that that applied to Rental Events like weddings, not events that they initiated. Mr. Chipkin said that they have run music for 10 years now without complaint and while he doesn't feel attendance has significantly increased, it has grown some. They have not had a tent event

in 10 years and don't rent the outside space because it is opposed to what else they do, selling wine. It was a misinterpretation on his part, he can see that."

- **Permit # 11-12-S Statement of Use was for a site add on tent facility**

Statement of Use-Cassidy Hill Vineyard

Nature of Use: Cassidy Hill Vineyard proposed to add on-site tent usability for weddings, reunions, and other events, as part of its business operations at its location at 454 Cassidy Hill Road in Coventry, CT.