

August 8, 2022

#22-20S – Special Permit – Cassidy Hill Vineyard

Location: 454 Cassidy Hill Road (Assessor's Map 1, Block 28, Lot 5)

Zone/Lot Size: GR 80 Zone/96.5 acres +/-

Intent: Special Permit Modification

Application Received: June 27, 2022

Application Acknowledged: June 27, 2022

Public Hearing Opened: August 8, 2022

Review: The applicant is seeking a modification to a Special Permit that was granted to the applicant by the Commission in 2011. A detailed narrative of the application has been submitted which outlines the specific requests associated with the social gatherings accessory to a winery –namely outdoor music and other events on the premises. Please refer to the enclosed copy.

The applicant has submitted a Traffic Report, dated June 23, 2022, which provides guidance on the background, capacity analysis, vehicle parking – speeding – management, as well as recommendations and conclusions. Please refer to the enclosed copy. Planning Staff has requested that the Town Engineer review and comment on this information.

The applicant has also submitted accompanying site plans demonstrating the proposed parking scheme as well as other site improvements proposed. Please refer to the enclosed copies.

The IWA approved an application to conduct regulated activities at their April 27, 2022 meeting that allows the applicant to perform driveway improvements and construct drainage amenities in the regulated area. Please refer to the enclosed permit information.

A referral to the Town of Tolland Planning and Zoning Commission is required by CT General Statutes. This notice was sent in a timely fashion and the Tolland Director of Planning provided a response, as well as a copy of the meeting minutes where the matter was discussed. Please refer to the enclosed copies.

The interim Chief of Police submitted his comments on the application as per his email. Please refer to the enclosed copy.

The Fire Marshal submitted his comments on the application as per his email. The applicant provided an email response as well as a revised plan. Please refer to the enclosed copies.

The Sanitarian submitted his comments on the application as per a memo dated July 26, 2022. Please refer to the enclosed copies.

A citizen who resides on Cassidy Hill Road has collected an outline of questions and comments from other residents in the vicinity and has submitted them to the Commission in advance of the meeting to help facilitate answers prior to the meeting. This outline has been shared with the applicant and appropriate Town Staff so they can be aware of the matters and facilitate responses. Please refer to the enclosed copies.

It is Staff's understanding that there are violations with the Winery that have been identified by the State Liquor Commission. The applicant may wish to provide an update and status on these matters. The PZC and State Liquor Commission has separate but parallel jurisdictions. If the Commission intends to approve the application, it would be prudent to apply a condition noting that it is the responsibility of the applicant to address any outstanding violations with the State Liquor Commission.

It will be important for the Commission to consider the conditions and original Special Permit approval to evaluate the proposed modifications, including expansions to what was initially conceived by the applicant. A copy of the original statement of use and 2011 approval letter is enclosed.

The Commission will need to consider Section 4.06.07 a –d (Musical Entertainment) for guidance relative to the outdoor music events. This provides insight and criteria on how to best mitigate impacts associated with these events.

Section 7.03.06 (Standards for Special Permits) a – c criteria must be carefully evaluated (as applicable) by the Commission when considering how the proposed modifications to the use will harmonize with the vicinity.

At the time of the preparation of this memo (July 27), not all staff comments have been received and included in Planning Staff's comments. In addition, not all of the responses to the citizens' comments have been submitted to be included with Planning Staff's comments. It is anticipated that these will be submitted in a timely basis so that they can be forwarded to the Commission and applicant with the agenda packet during the week of August 1.

Ultimately, the Commission has several choices on how to render a decision on the application:

: Approve without modifications

: Approve with conditions

: Deny

If the subject application is denied, the applicant will still have a special permit approval that was previously granted that is valid in order to conduct outdoor social gatherings accessory to a winery on the premises. The approval is conditioned upon compliance with the conditions outlined previously.

Conditions to an approval can be carefully crafted to enable the applicant to proceed with the proposed use/modification to use, but with some containment or management of certain aspects that need to be monitored or evaluated further to insure compliance. These matters that are the substance of conditions will likely be identified during the course of the public hearing. Further, it will be important to be mindful of how enforceable and practical certain conditions will be as they are being executed.

