



East Haddam Planning & Zoning Commission

Town Office Building
1 Plains Road
Moodus, CT 06469
Office: 860-873-5031
Fax: 860-873-1565
Email: landuse@easthaddam.org



Date: March 10, 2024

Town of East Hampton
John Guskowski, Interim Planner
1 Community Drive
East Hampton, CT 06424

Dear Mr. Guskowski,

The East Haddam Planning & Zoning Commission has set a public hearing for April 23, 2024, at 8:00 p.m. in the Municipal Office Complex on 1 Plains Road to discuss proposed changes to the Planning and Zoning Regulations. The proposed changes are as follows:

1. Revision to Regulations to reflect changes to the Gateway Standards in Section 5 Definitions and Section 9.10 Conservation Zone.
2. Revisions to the Regulations pertaining to Child Day Care to reflect changes in the Connecticut General Statutes.
3. Revisions to the Commercial Cutting of Timber Regulations – Section 20 to reflect changes in the Connecticut General Statutes.
4. Revision to the time limits of a Special Exception approval to reflect changes to the Connecticut General Statutes.
5. Revisions to the regulations pertaining to certified mailings versus certificate of mailing requirements when notice is given to abutters.
6. Revisions to the Agricultural Regulations – Section 30 to allow farm stores, farm markets, breweries, wineries, and accessory uses on the farm.

Please see the enclosed Public Hearing Notice.

Sincerely,

Cary Brownell/S
Cary H. Brownell; Chairman
East Haddam Planning and Zoning Commission

CB/SM

REQUEST FOR LEGAL NOTICE

DATE: 03-12-2024

FROM: Susan.magri@easthaddam.org

DEPARTMENT: Planning & Zoning Commission

RUN DATE(S): 04-11-2024 & 04-18-12024

AFFIDAVIT OF PUBLICATION: Yes

TO READ AS FOLLOWS:

TOWN OF EAST HADDAM
PLANNING AND ZONING COMMISSION
LEGAL NOTICE OF PUBLIC HEARING

The East Haddam Planning and Zoning Commission will hold a Public Hearing on April 23, 2024, at 7:45 p.m. at the Municipal Office Complex, Meeting Room #1-2, 1 Plains Road, Moodus, CT, to hear the following:

Proposed Revisions of the Zoning Regulations

1. Revision to Regulations to reflect changes to the Gateway Standards in Section 5 Definitions and Section 9.10 Conservation Zone.
2. Revisions to the Regulations pertaining to Child Day Care to reflect changes in the Connecticut General Statutes.
3. Revisions to the Commercial Cutting of Timber Regulations – Section 20 to reflect changes in the Connecticut General Statutes.
4. Revision to the time limits of a Special Exception approval to reflect changes to the Connecticut General Statutes.
5. Revisions to the regulations pertaining to certified mailings versus certificate of mailing requirements when notice is given to abutters.
6. Revisions to the Agricultural Regulations – Section 30 to allow farm stores, farm markets, breweries, wineries, and accessory uses on the farm.

Crary H. Brownell, Chairman

Dated at East Haddam, CT this 1st day of April 2024.

You may access the YouTube Live link from the Town's website: www.easthaddam.org
The application is posted on the official East Haddam web page, go to the calendar on the bottom right corner, click the meeting date and open the application.

At this hearing interested persons shall be heard and correspondence received.

Questions or comments about this application may be emailed to jventres@easthaddam.org. during the hearing.

April 23, 2024 - Public Hearing

Town of East Haddam Zoning Regulations
Gateway Recommended Changes
(with Additions and Deletions) additional comment in blue

SECTION 5

DEFINITIONS

Coastal Jurisdiction Line (CJL): The location of the topographical elevation of the highest predicted tide from 1983 to 2001, based on the most recent National Tidal Datum Epoch published by NOAA and described in terms of feet of elevation above the North American Vertical Datum of 1988. This replaces “high tide line” as the line of jurisdiction waterward of which State authority occurs. PA 12-101.

Commercial Cutting: Any cutting or removal of forest tree species which isn’t covered under the definition of non-commercial cutting contained herein.

Commercial Cutting Plan: A plan showing the applicant’s property and abutting property owners, a description of the activity to be undertaken, and a certification by a public or consulting forester.

Conservation Area: Environmentally sensitive areas with characteristics such as wetlands, floodplains, unprotected elements of the natural landscape such as steep slopes, mature or productive forestland, contiguous open space or connective green belts, prime farmland, land that protects critical or threatened natural communities and species as identified by the Department of Energy and Environmental Protection, areas that have recreation value as recommended in the Recreation and/or Open Space Plan component of the Plan of Conservation and Development, wildlife habitats, and cultural features such as historic and archeological sites, and scenic views.

Connecticut River: For the purposes of Section 9.9, Conservation Zone (Gateway), those portions of the Connecticut River or any of its tributaries or associated wetlands located within the Conservation Zone.

Conservation Zone: Also known as the Gateway Conservation Zone, is defined in Section 25-102e of the Connecticut General Statutes as it now exists or may thereafter be amended. Such zone is governed by the standards promulgated by the Gateway Standards and is the area in which the Connecticut River Gateway Commission is charged with the protection of the “natural and traditional riverway scene”. See Section 9.9 and 10 of these Regulations.

Developed Area: For the purposes of Section 9.9, Conservation Zone (Gateway), Developed Area shall be defined by one of the following procedures:

1. An area adjacent to the *Connecticut River* which has within the fifty (50) foot *Riparian Area* immediately upland (landward) of the *Coastal Jurisdiction Line (CJL)* is

characterized by buildings and construction of greater density than average in the *Conservation Zone* in such a manner so as to make the retention and replacement of vegetation impractical, infeasible, or inconsistent with the traditional riverway scene, and which has been or may be mapped and designated by the East Haddam Planning & Zoning Commission as a *Developed Area* for the purposes of the Gateway Standards and as approved by the *Gateway Commission*.

Need to revise the Conservation Area Map to include the Town Office Site, GSOH & Gelston House & Parking Area. See Appendix IX.

2. The fifty (50) foot *Riparian Area* will also be considered as a *Developed Area* if clearing or construction has previously occurred in such a manner so as to make the retention and replacement of vegetation within said fifty (50) foot *Riparian Area* impractical, infeasible, or inconsistent with the traditional riverway scene, as determined by the East Haddam Planning & Zoning Commission for the purposes of the Gateway Standards in the context of a pending land use application, and as approved by the *Gateway Commission* prior to the approval of such application.

Earth Materials: Minerals, sand, gravel, clay, bedrock, peat, loam or topsoil.

Earth Materials Removal: The removal, excavation or mining of minerals, sand, gravel, clay, bedrock, peat, loam or topsoil.

Earth Materials Addition: The addition, placement or deposition of minerals, sand, gravel, clay, bedrock, peat, loam or topsoil.

Enlargement, or to Enlarge: Any addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. Any change to an existing structure or structures which in any way enlarges the envelope of a structure or structures, either horizontally or vertically. "To enlarge" is to make an enlargement.

Erosion and Sediment Control Plan: A plan which sets forth measures to be undertaken for the control of erosion and sedimentation as prescribed in the 2002 CT Guidelines for Soil Erosion and Sediment Control as amended and in accordance with Section 14A.2.C of these Regulations.

Gateway Commission: The Connecticut River Gateway Commission as defined in Section 25-102e of the Connecticut General Statutes.

Height: For the purposes of Section 9.9, *Conservation Zone (Gateway)*, the vertical distance between the horizontal plane through the highest point of a building or structure, excluding chimneys, and the lowers point of a building or structure which is visible above existing natural grade prior to site grading. The height of any retaining wall constructed to create a site platform and of any backfill along the foundation in excess of the existing natural grade, will be included as a part of the measured height. **See Section 10.1.4.1 of these regulations.**

Human Occupancy: The use of an enclosed space having a means of egress, light, ventilation and access to sanitary facilities to house any person or persons for the purpose of living, working or playing.

Light Pollution For the purposes of Section 9.9, Conservation Zone (Gateway), light pollution is defined as excessive, misdirected, or obtrusive light from artificial sources emanating from a site shone into the sky, onto the land or into the water column of the Connecticut River and its tributaries, including but not limited to site and architectural lighting, lighting on private residential docks, and up-lighting of trees or other site features, which may result in: brightening of the night sky, inhibiting the observation of stars and planets; light trespass onto neighboring properties including the Connecticut River; visual glare and discomfort; or significant disruptions to wildlife and ecological cycles. See Section 26 – Outdoor Lighting

Marine Facility: A dock, wharf, slip, basin, or similar landing facility for waterborne vessels and/or an open yard for the building, storing, repairing, servicing, or refueling of such vessels, together with any accessory buildings or other structures necessary for the operation of the foregoing that require direct access to the water.

Member Town(s): The Connecticut River Gateway Commission as designated by Chapter 477a, Section 25-102d of the Connecticut General Statutes, the member towns are Chester, Deep River, East Haddam, Haddam, Lyme, Old Lyme, and Old Saybrook, including the Borough of Fenwick.

Non-Commercial Cutting: The cutting or removal of forest tree species on a lot for the purpose of preparing a site for the construction of a building or other structure and/or cutting for the customary maintenance and lot improvement. Sale of cordwood or other incidental forest projects resulting from such maintenance and lot improvement will not constitute commercial cutting.

Non-Commercial Cutting Plan: A plan showing the existing mix of forest tree species, their approximate height, age and density; a description of the cutting or removal activities to be undertaken; and any other information that may be necessary and reasonably required.

Riparian Area: The area upland (landward) of the Coastal Jurisdiction Line (CJL) of the Connecticut River.

Riparian Vegetation Buffer: The natural and traditional plant life indigenous to the Riparian Area as designated and mapped by the East Haddam Planning & Zoning Commission, but not less than fifty (50) feet from the Coastal Jurisdiction Line (CJL), which plant life was legally existing as of the adoption of these Gateway Standards, and not to include grass, gardens and ornamental shrubs and trees.

Site Plan: For the purposes of Section 9.9, Conservation Zone (Gateway), a plan which includes the description and location of all existing and/or proposed buildings, structures and uses on a lot; utility lines, vehicular driveway and parking areas, access, external lighting, drainage and waste disposal facilities adjacent ownership, outstanding physical features, watercourses and

wetlands; any proposed modification or alteration of the lot's natural features, including the disturbance of vegetation and soil cover; and such further information as may be reasonably be required. **See Section 14a of these regulations.**

Town: For the purposes of Section 9.9, Conservation Zone (Gateway), a town and any municipal corporation located therein which as voted to be governed by the provisions of Section 6 to 9 of the Act in accordance with Section 4(b) of the Act.

Total Floor Area: For the purposes of Section 9.9, Conservation Zone (Gateway), the sum of the gross area of all floors in a structure, measured from the exterior faces of exterior walls. For the purposes of this definition, gross floor area includes any area which is capable of being used for human occupancy, including garage or attic space, whether finished or not, provided the area has a structural head room of at least seven (7) feet. A basement or first floor which is located entirely below ground surface will not be included in *Total Floor Area* calculations.

The International Building Code says habitable space requires 7 feet.

Vegetation: The natural and traditional plant life of a region legally existing as of the adoption of the Gateway Standards, and not to include grass, gardens, and ornamental shrubs and trees.

Viewshed Analysis: A visual impact evaluation comprising, at a minimum, topographic maps and photographs showing the site, with such photographs taken from locations along the *Connecticut River* including upriver, downriver and opposite the site.

Zone: An area within which certain uses of land and buildings are permitted, certain others are prohibited, and certain others are designated as uses requiring a Special Exception or Special Permit from the **East Haddam Planning & Zoning Commission** [or the East Haddam Zoning Board of Appeals]; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for all property located within the zone to which they apply.

Only the P&Z Commission reviews Special Exception Applications - Deleted ZBA

Section 9.10 Conservation Zone (Gateway) (with **Additions** and **Deletions**)

9.10.1 Setback

Within the **Conservation Zone**, no building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered within one hundred (100) feet of the **Coastal Jurisdiction Line (CJL)** of the high tide line, as defined in the Connecticut General Statutes, of the **Connecticut River** or any of its tributaries or associated wetlands. At its discretion, upon determination of functional need, the **East Haddam Planning & Zoning Commission** local commission having jurisdiction may issue a special permit **exception** to reduce the setback for **Marine Facilities**, structures that require direct access to the water as an operational necessity such as piers, docks, and boathouses.

9.10.2 Design

1. **Site Plans**. No building permit will be issued in connection with any multi-family project, single family home, or permitted non-residential use in any district unless a *Site Plan* Application has been submitted to and approved by the East Haddam Planning & Zoning Commission.
2. **Erosion and Sediment Control**. An erosion control and sedimentation control plan are to be submitted as part of the supporting documentation filed with a required Site Plan or as one of the required exhibits submitted for land subdivision approval.

Such a plan may be referred to the appropriate soil and water conservation district for its technical review and advisory opinion before approval of the project is granted by the East Haddam Planning & Zoning Commission and is to meet the following criteria:

- a. The development plan should be fitted to the topography and soils so as to create the least erosion potential.
- b. Wherever feasible, natural vegetation should be retained and protected.
- c. Only the smallest practical area of land should be exposed at any time during development.
- d. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
- e. Where necessary, temporary vegetation and/or mulching should be used to protect areas exposed during development.
- f. Sediment basins (debris basins, desilting basins, or silt traps) should be installed and maintained to remove sediment from runoff waters and from land undergoing development.

- g. Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.
- h. The permanent final vegetation and structures should be installed as soon as practical in the development.

9.10.4 Signs [Renumbered]

No sign shall be constructed, reconstructed, enlarged, extended, moved or structurally altered in such a manner so as to move or rotate mechanically or be illuminated by a light source which visibly flashes, oscillates or otherwise automatically changes in intensity or color, nor shall any sign be permitted which calls the attention of the general public to any commercial activities, services or products not available on the premises where the sign is located.

9.10.5 Building Height [Renumbered]

No building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered in such a manner as to exceed a height of thirty-five (35) feet. However, spires, cupolas, towers, flagpoles, and other similar architectural features occupying not more than ten (10) percent of the building footprint and not designed or used for human occupancy may be constructed, reconstructed, enlarged, extended, moved or structurally altered to a reasonable and necessary height upon the granting of a Special Exception by the **East Haddam Planning & Zoning Commission**, provided that the architectural features will not have a significant visual impact on the River scene. Exceptions to the height limitations **within the East Haddam Village District will be by Special Exception and governed by the standards of the district.**

9.10.6 Vegetation Requirements ~~Cutting of Timber~~

1. Riparian Vegetation Buffer ~~Required Vegetative Buffer~~

Within the **Conservation Zone**, there shall be no cutting of vegetation within the **Riparian Vegetation Buffer as defined in these Regulations**, ~~a strip of land extending fifty (50) feet in horizontal distance inland from the high tide line, as defined in the Connecticut General Statutes, of the Connecticut River or any of its tributaries or associated wetlands, except as provided in this section.~~

- a. There shall be no clear-cut openings, and a well distributed stand of trees and other vegetation, including existing ground cover, shall be maintained. Existing vegetation less than three (3) feet in height and other ground cover shall not be removed except to provide for a footpath or other permitted uses. Pruning of tree branches on the bottom third of trees is permitted. Fields which have reverted primarily to shrubs, trees or other woody vegetation shall be regulated under the provisions of this section. Cleared openings legally in existence on the effective date of these regulations may be maintained but shall not be enlarged.

- b. There shall be no timber harvesting within the buffer area except to remove safety hazards. When removal of storm-damaged, diseased, unsafe or dead tree results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present. Prior to cutting of diseased or damaged trees, a determination about the conditions of such trees shall be made to the zoning enforcement officer by a public or consulting forester.
- c. In no event shall an opening be cleared for development, including but not limited to surface regrading, stormwater drainage structures, construction of retention walls, construction of principal or accessory structures, driveway construction, sewage disposal areas, and lawns and gardens.
- d. A footpath not to exceed five (5) feet in width is permitted provided **said footpath and associated clearing is not oriented in a direct downslope manner, a practice which may promote unwanted transport of eroded materials into the Connecticut River.** ~~that a cleared line of sight to the water through the buffer strip is not created.~~
- e. Stairs or similar structures may be allowed with a permit from the Inland Wetlands and Watercourses Commission to provide shoreline access in areas of steep slopes or unstable soils, provided that the structure is limited to a maximum of five (5) feet in width and does not extend below or over the high tide line of the Connecticut River or its tributaries or the upland edge of a wetlands, and the applicant demonstrates that no reasonable access alternative exists on the property.
- f. A **Riparian Vegetation Buffer** ~~vegetated buffer~~ shall not be required for areas within the **Conservation Zone** ~~Distriet~~ which have been mapped and designated as **“Developed Areas”** in accordance with Section 4, **Definitions**. In such **Developed Areas**, property owners are encouraged, where feasible, to maintain a vegetated area of trees and shrubs immediately adjacent to the water to avoid erosion and to enhance the scenic **and ecological quality and health of the Connecticut River** and the River scene. ~~by the Planning and Zoning Commission as “developed areas”. In such developed areas, property owners are encouraged, where feasible, to maintain a vegetated area of trees and shrubs immediately adjacent to the water to avoid erosion and enhance the scenic quality of the River scene.~~

(Note: The Gateway Commission urges each Member Town to identify Developed Areas for the exclusion from this requirement and submit such areas to the Gateway Commission for approval. If Member Towns wish the Gateway Commission to make recommendations as to the location of these areas, please request assistance.)

[Definition, Relocated to Section 4]

Developed Area; An area adjacent to the Connecticut River or its tributaries and associated wetlands within the Conservation Zone which has, within the 50-foot riparian area immediately landward of the high tide line as defined in Section 22a-359(e) CGS, been developed in the sense of being armored through the use of bulkheads, rip-rap or

other structural stabilization methods or materials. The 50-foot riparian area shall also be considered "developed" if clearing and or construction activities have occurred in such a manner so as to make the retention or replacement of vegetation within the 50-foot riparian area impractical, infeasible, or undesirable.

(Note: Developed areas are identified in appendix IX)

2. ~~Timber Cutting~~ Non-Commercial Cutting

- a. *Non-Commercial Cutting.* A non-commercial cutting plan shall be submitted as part of the supporting documentation filed with a required site plan or as one of the required exhibits to be submitted for land subdivision approval.
- b. **Commercial Cutting – Please review the East Haddam Inland Wetlands Watercourses Commission Forestry Practice Regulations.**

~~3. Commercial Cutting – See Section 20 – Commercial Cutting of Timber~~

3. [Relocated] Burning of Undergrowth

The burning of undergrowth shall be in accordance with those regulations of the Connecticut Department of **Energy and Environmental Protection** which are in effect from time to time to control and abate air pollution and in accordance with all other applicable provisions of law.

9.10.7 [Renumbered] Removal of Soil and Earth Materials

- a. **Removal.** The removal of soil and **Earth Materials** shall be prohibited except for:
 - (1) valid non-conforming uses in existence as of May 14, 1974;
 - (2) those exceptions set forth in Section 19.2 of these Regulations. See Section 19, Regulations of Earth Material Operations.
- b. **Addition.** The addition, placement or deposition of **Earth Materials** will be prohibited except for:
 - (1) valid non-conforming uses in existence as of May 14, 1974;
 - (2) foundation, trench and related site excavation or filling performed after the issuance of a building permit and in conformance with all plans submitted in support thereof; and
 - (3) addition, placement or deposition of **Earth Materials** in connection with landscaping and grading of land for a purpose for which a building permit is not required, provided that such addition, placement or deposition will not exceed three hundred (300) cubic yards of such materials in any calendar year.

9.10.8. [Renumbered] Dumping and Storing of Refuse

No dumping or storage of refuse shall be permitted other than the temporary dumping or storage of small amounts of such material for brief periods pending final lawful disposition nor shall any

new public solid waste disposal facility be established, or an existing facility be expanded in area.

9.10.9 [Renumbered] Additional Requirements for Residential Structures over Four Thousand (4,000) Square Feet in Gross-Total Floor Area

To assure that large scale residential structures and significant site modifications located within the Conservation Zone will not cause deterioration of the natural and traditional Connecticut River scene, a special exception **review and approval** is required for all construction, reconstruction, enlargement, or structural alterations of principal and accessory residential structures which results in one or more buildings or structures having a combined Total Floor Area in excess of four thousand (4,000) square feet for all floors except in accordance with the following exceptions:

~~A special exception is required for all construction, reconstruction, enlargement, or structural alterations of principal and accessory residential structures which results in one or more buildings or structures having a combined Gross floor area in excess of four thousand (4,000) square feet of total floor area (all floors). The purpose of this requirement is to assure that large scale residential structures and significant site modifications located within the Gateway Conservation Zone will not cause deterioration of the natural and traditional river scene.~~

1. Exceptions from Special Permit Requirement

a. No exceptions to review by Special Permit are permitted for development on parcels fronting the Connecticut River or only one lot removed from the Connecticut River, nor if significant clearing of natural vegetation is proposed.

b. Site Plan in Lieu of Special Permit. A local authority may, by regulation, choose to allow a Site Plan application instead of a Special Permit review for residential structures over four thousand (4,000) square feet in total floor area under this Section if it can be demonstrated by a Viewshed Analysis that:

i. The proposed structure or structures will not be significantly visible from the Connecticut River due to an intervening land mass or existing permanent structure, OR

ii. The proposed addition to an existing structure is either substantially hidden from view from the Connecticut River by the existing structure or other structures either on- or off-site or the addition does not add significantly to the visual profile of the existing structure even when seen from an angle, OR

iii. The structure's distance from the Connecticut River combined with its elevation/lack of elevation below the ridge line causes it to be of insignificant visual impact.

2. Exemption from both Site Plan and Special Permit requirement. Except as required by Section 1(a) above, a special permit or site plan review will not be required for residential principal or accessory structures over four thousand (4,000) square feet in total floor area and

separated from the Connecticut River by two lots under this Section if it can be demonstrated to the Zoning Enforcement Officer by the applicant that the following are applicable:

- a. An area topographic map and photographs of the property from the Connecticut River showing there is intervening ground at an elevation at least thirty-five (35) feet above ground elevation of the proposed structure.
- b. A plan view map of the property showing a proposed addition to an existing structure where the existing structure or structures on the same property block the view of the addition from the Connecticut River.
 - c. A plan view map of the property showing a proposed addition to an existing structure, or a new structure blocked by a structure or structures located on adjacent properties blocking the view from the Connecticut River.
 - d. Large stands of trees located on an intervening property or properties which will obscure sight of the proposed development from view from the Connecticut River.

~~A special exception under this Section may be waived by the Commission for residential structures over four thousand (4,000) square feet in gross floor area under this Section if it can be demonstrated by the applicant that the proposed structure or structures will not be visible from the Connecticut River. Demonstration that a structure will not be visible from the Connecticut River shall consist of an area topographic map showing that there is intervening ground at an elevation at least thirty-five (35) feet above ground elevation of the proposed structure.~~

- b. **[Renumbered]** Submission:

In addition to other town requirements for special exception applications, the applicant will provide site plans and building elevations prepared by an architect and/or landscape architect which show information on existing and proposed topography, building design and height measurements, proposed grading including cuts, fills and retaining walls, any required buffer area, proposed landscaping and plans for access to the waterfront, if applicable.

- c. **[Renumbered]** Special Exception Criteria: **Also see Section 14B of these Zoning Regulations**
 - i. Proposed site development shall maintain the essential natural characteristics of the site, such as major landforms, natural vegetative and wildlife communities, hydrologic features, scenic qualities, and open space that contributes to a sense of place.
 - ii. Structures shall be adapted to the existing terrain, rather than altering the earth form to create a platformed development site.

Child Care Regulation April 2024

Bold and italics to be added, [in brackets to be removed]

Section 5 Definitions page 14

Child Day Care Services:

1. Child day care center: A facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their homes on a regular basis for part of the twenty-four hours in one or more days in the week. Also see Section 7
2. [Group day care home - A residential home which offers or provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for part of the twenty-four hours in one or more days in the week. Also see Section 7]

Attorney Mark Branse's version

3. ***Group Day Care Home.*** *A use of land or buildings which offers or provides a program of supplementary care for compensation to not less than seven (7) nor more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week; "Group Day Care Home" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Group Day Care Home" includes "Group Day Care Home" as defined in Section 19a-77 of the Connecticut General Statutes, but does not include "Family Day Care Home" or "Child Day Care Center" as defined in said Section. [Must be defined because CGS apply for residential zones.]*
4. [“Family day care home” - A residential home which consists of a private family home caring for not more than six children, including the provider’s own children not in school full time, where the twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three additional children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider’s children shall be permitted. Also see Section 7]

Attorney Mark Branse's version

Family Day Care Home. A dwelling in which care is provided for compensation to not more than six (6) children, including the provider's own children not in school full-time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period, and where care is given on a regularly recurring basis. "Family Day Care Home" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Family Day Care Home" includes "Family Day Care Home" as defined in Section 19a-77 of the Connecticut General Statutes, but does not include "Group Day Care Home" or "Child Day Care Center" as defined in said Section. [Must be defined because it must be allowed in residential zones per CGS.]

Section 7 – General Requirements – Page 30 – delete all

[Group Day Care Home and Family Day Care Home - In residential zones subject to site plan review in Section 14A. Site plan should show parking, screening, and road access. Applicant shall follow the requirements of the Connecticut General Statutes Section 19a-77 as amended.]

Section 9 Uses Permitted in Districts and Zones

9.1. Flood Plain Zone

9.1.12 *Family Day Care Home and Group Day Care Home*

9.2. Uses Permitted in Residence, R-4, R-2, R-1, R-1/2 Districts

9.2.21 *Family Day Care Home and Group Day Care Home*

9.3. R District (Resort)

9.3.14 *Family Day Care Home and Group Day Care Home*

9.4. Uses Permitted in Residence L District (Lake)

9.4.20 *Family Day Care Home and Group Day Care Home*

SECTION 9.5 East Haddam Village District

Accessory to SE SE SE SE SE
 permitted use *except those uses determined as of right under the Connecticut General Statutes*

Section 9.6 Moodus Center District

9.6.1. Permitted uses:

Dwelling, Single or Multi-Family only if in existence on the effective date of this amendment,

Dwelling, Single Family, only as an accessory use to Permitted or Special Exception Use. All new residential uses shall be on the upper stories of a building in the district. Home Occupations accessory to permitted single family dwellings and as permitted under Section 27 of these Regulations.

Family Day Care Home and Group Day Care Home

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

9.6.2. The following uses are permitted by Special Exception approval of the Commission

SP EX = Special Exception Review, NP = Not Permitted

<u>Permitted Uses</u>	<u>Main Commercial Center</u>	<u>Moodus Village</u>
[Adult Day Care Services	NP	SP EX]

C-3 MOODUS PLAINS ROAD COMMERCIAL AREA

9.7 Uses Permitted In Commercial C-3 District:

In order more adequately to maintain and perpetuate the historic character which contributes so much to East Haddam’s charm, there hereby is established a special type of Commercial District as C-3.

9.7.1.1. Dwelling(s) Units

Dwelling, Single Family (1F) - ½ acre

Dwelling, two, three and four family

(provided the lot area for 2F – is at least 1 acre - max. 4 bedrooms

(“ “ “ “ “ 3F – is at least 1 ½ acre - max. 6 bedrooms)

(provided the lot area for 4F – is at least 2 acres - max. 8 bedrooms)

Any additional bedrooms require area of ¼ acre per bedroom.

All 2, 3, & 4 family dwelling units require a Special Exception Review Approval in accordance with Section 14B of these Regulations.

Family Day Care Home and Group Day Care Home

**9.8.3.2 IG-2 District, Uses (Special Exception unless indicated otherwise)
Former IG 2, 3, 4, 6, 7, 9, 11, and a portion of 10.**

Professional Office
F.I.R.E. – Financial, Insurance, Real Estate
Health Care – products and service
Health and Fitness Club, Dance Studio
Restaurant
Bed & Breakfast, Country Inn
Retail Sales, Antique Sales
Retail of Crafts and Products Associated with East Haddam’s Traditional Agricultural Heritage Arts
Craft & Art Galleries
Farm (Permitted use), Greenhouse, Nursery, Wholesale Associated with a Farm, Farm Stand
Landscaping Product
Grocery, Bakery, Liquor Store
Beauty and Barber Shop
Public Facilities and services
**Architectural Review and
Landscaping Required**
Light Industrial **See Appendix VII – Standards for Construction in
the IG District**
Manufacturing sales/repairs
Sales & repair of Industrial Machinery
Warehouse
Commercial Self Storage Buildings
Recreational / Open Space
Dwelling, Single or multi family only if in existence on the effective date of this amendment,
Dwelling, Single family, only as an accessory use to Permitted or Special Exception Use.

Family Day Care Home and Group Day Care Home

No single building area shall exceed 10,000 sq. ft]

**9.8.3.3 IG-3 District, Uses (Special Exception unless indicated otherwise)
Former IG 8 and a portion of IG-10 Same language as existing IG-8 except for
single & multi-family homes**

Building Trade and storage, repair, and office Accessory to Building Trade.
Retail sales accessory to Building Trade (cabinets, plumbing fixtures, and other consumer

products capable of owner installation).
Retail Sale of Landscaping Products.

**Architectural Review and
Landscaping Required**

Light Industrial

**See Appendix VII – Standards for
Construction in
the IG District**

Warehouse

Public Facilities and Services

Commercial Self Storage Buildings

Retail as an accessory use

Agriculture Accessory to residential uses See Section 30 for specific details for agricultural uses.

Dwelling, Single or multi-family only if in existence on the effective date of this amendment,

Dwelling, Single family, only as an accessory use to Permitted or Special Exception Use.

Family Day Care Home and Group Day Care Home

Connecticut General Statutes Sec. 19a-77. “Child care services” defined. Exclusions. Additional license. (a) As used in this section and sections 19a-77a to 19a-80, inclusive, and sections 19a-82 to 19a-87a, inclusive, “child care services” includes:

(1) A “child care center” which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis;

(2) A “group child care home” which offers or provides a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family child care home except that it operates in a facility other than a private family home;

(3) A “family child care home” which consists of a private family home providing care (A) for (i) not more than six children, including the provider's own children not in school full time, without the presence or assistance of an assistant or substitute staff member approved by the Commissioner of Early Childhood, pursuant to section 19a-87b, present and assisting the provider, or (ii) not more than nine children, including the provider's own children, with the presence and assistance of such approved assistant or substitute staff member, and (B) for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two

consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are in school full time, including such provider's own children, shall be permitted, except that if such provider has more than three children who are such provider's own children and in school full time, all of such provider's own children shall be permitted. During the summer months when regular school is not in session, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are otherwise enrolled in school full time shall be permitted if there is such an approved assistant or substitute staff member present and assisting such provider, except that (i) if such provider has more than three such additional children who are such provider's own children, all of such provider's own children shall be permitted, and (ii) such approved assistant or substitute staff member shall not be required if all of such additional children are such provider's own children;

(4) "Night care" means the care provided for one or more hours between the hours of 10:00 p.m. and 5:00 a.m.;

(5) "Year-round" program means a program open at least fifty weeks per year.

(b) For licensing requirement purposes, child care services shall not include such services which are:

COMMERCIAL CUTTING OF TIMBER

add in bold and italics, [delete in brackets]

DEFINITIONS

Commercial forest products: wood products harvested from a tract of forest land in excess of fifty cords or one hundred fifty tons or twenty-five thousand board feet, whichever measure is appropriate, in any twelve-month period.

10.1.4. 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 (Section 9.2.9)

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.

DELETE ALL OF SECTION 20 - COMMERCIAL CUTTING OF TIMBER, TRANSFER DEFINITIONS AND STANDARDS TO THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS REQUIRED PER CONNECTICUT GENERAL STATUTES.

20. Introduction: Harvesting of forest tree species is an integral part of forest management by which wood for human use is obtained and by which forests are established and tended. It is recognized that during harvesting operations, there will be temporary change in the forest environment. It is the purpose of these guidelines to establish harvesting standards which will maintain the productivity of land for continuous forest crops, improve wild life habitat, and minimize negative environmental impact.

20.2. Special Exception Requirement: Within the Conservation Zone (Gateway) commercial cutting of timber, as defined in Section 5, may not be undertaken without a special exception from the Planning and Zoning Commission, except as follows:

20.2.1. Land used for agricultural purposes and cultivation of crops other than forest products;

20.2.2. Land used or being developed for residential, recreational or other non-woodland commercial purposes;

20.2.3. Thinning and clearing in connection with public improvements;

20.2.4. Land used for access to abutting land; and

20.2.5. Cultured Christmas tree area.

20.3. Special Exception Applications: The application for a special exception shall include the following requirements in addition to the customary special exception requirements contained in Section 14:

20.3.1. A site plan showing the applicant's property and the abutting property owners.

20.3.2. A cutting plan indicating the nature of the operations.

20.3.3. A certification of the cutting plan by a public or consulting forester indicating the plan's conformance with the minimum standards set forth herein.

20.3.4. Any other information, as set forth in Section 14 of these regulations, as the Commission may require.

20.3.5. A fee of \$75.00 payable to the Town of East Haddam.

20.4. Water Course Protection:

u/z/P&Z/Regs/ Commercial cutting of timber

20.4.1. During harvest operation water courses shall be protected from siltation. Partial cuttings, designed to create uneven aged stands, will be used within 100 feet of these watercourses. No more than 50% of the merchantable volume will be removed, taking care in selection of leave trees to minimize water temperature increases and visual impact.

20.4.2. Trees shall not be felled into or across streams. Logging debris accidentally dropped into streams and ponds shall be promptly removed.

20.4.3. Harvesting equipment will not be allowed in a stream, and the channel is not to be altered. All stream crossings shall be at a right angle.

20.4.4. After the completion of a harvest operations, banks at stream crossings will be graded and restored to their original condition. Re-seeding with an appropriate grass mixture may be required.

20.5. Logging Roads and Trails: 6/1/95r

The location of all main haul or skid roads, including alternative routes, shall be approved by the Commission or the Land Use Administrator prior to the commencement of harvesting operations.

20.5.1. All roads shall be located so as to minimize construction or use impact on the land.

20.5.2. Grades shall not exceed 10% nor be less than 1%.

20.5.3. Adequate drainage control systems and stabilization systems shall be provided and maintained to control water flow.

20.5.4. Unless otherwise stipulated, all roads, main skid trails, landings and - sites will be stabilized. Temporary culverts will be removed, water bars installed where necessary, ruts filled or graded out and gutters cleaned.

20.5.5. Where required for erosion control or where required for wildlife protection, major skid roads, landings and/or sawmill sites will be limed, fertilized, seeded with an appropriate mixture or grass and legumes.

20.6 Aesthetic Considerations:

20.6.1. Border Strips:

20.6.1.1. Within 100 feet of any automobile road, recreation trail or other recreation area, or boundary line, harvesting of trees will be partial cuttings. Not more than 50% of the merchantable volume may be removed. In high visibility areas, uneven age stands will be required to provide change and variety in scenery.

20.6.1.2. Unique tree specimens, flowering shrubs and trees, or those species that have value as food producers or den sites for birds and wildlife will be preserved as directed by the Commission.

20.6.2. Brush Control:

20.6.2.1. Undesirable sprout growth or brush must be controlled using appropriate herbicide treatments. Chemicals used in performing this practice must carry a Federal registration and be applied strictly in accordance with authorized uses, label directions, and Federal and State regulations.

20.6.2.2. Special consideration shall be given to those border strips in the following situations: 1) screen clearcuts, sheltered cutting or other heavy cuts that would be and 2) screen yarding and loading areas. All debris shall be removed.

20.6.3. Slash:

20.6.3.1. No slash will be left within 50 feet of any automobile road, established recreation trail, pond, lake or stream.

20.6.3.2. Within the remaining width of a border strip, all slash will be chipped or lopped and scattered so that it does not exceed four feet in height.

20.6.3.3. On all other harvest areas, slash, severely bent or broken trees shall be dropped and/or lopped to a height not to exceed six feet.

20.7. **Harvest Methods:** Because of the wide variation in forest types, stand size classes, stocking levels and timber volumes which exist in Connecticut woodlands there are a variety of methods that can be used,

u/z/P&Z/Regs/ Commercial cutting of timber

either singly or in a combination in harvesting and reforestation to meet the stated purpose. These methods include: Clear-cutting with natural reproduction; Direct seeding or planting; Seed-tree cutting; Selection cutting including diameter limit harvesting, shelterwood cutting, and such other methods as shall be consistent with good forestry practice.

Although even-age management is an accepted silvicultural practice, particularly with hardwood species, its use should be practiced judiciously. A clear-cut area presents a severe visual impact to those unfamiliar with this harvest method; therefore, clear-cutting will have the following restrictions:

20.7.1. Maximum of five (5) acres in size.

20.7.2. Irregular in shape - avoid linear cutting bounds.

20.7.3. Soften edges by partial cutting within 50 to 100 feet of clear-cut boundaries.

20.7.4. Screen clear-cut areas with border strips along roads, trails, or other areas of heavy public use.

20.7.5. Leave ridge tops uncut - these areas are the most visible.

20.7.6. In most cases, even-aged management may be accomplished through shelterwood cuttings rather than clear-cutting.

20.8. Fire Control Considerations: Access roads and fire lanes will be left clear of slash when a cutting job is completed. Designated roads will be graded so as to be passable by fire equipment. Where access road construction is included in a harvest operation construction of loading docks and fire water holes at locations deemed strategic by the Commission will be required.

Proposed Gateway Regulations – No timber activity within fifty (50) feet

9.9.6 Vegetation Requirements

1. Riparian Vegetation Buffer

Within the Conservation Zone, there shall be no cutting of vegetation within the Riparian Vegetation Buffer as defined in these Regulations except as provided in this section.

- a. There shall be no clear-cut openings, and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained. Existing vegetation less than three (3) feet in height and other ground cover shall not be removed except to provide for a footpath or other permitted uses. Pruning of tree branches on the bottom third of trees is permitted. Fields which have reverted primarily to shrubs, trees or other woody vegetation shall be regulated under the provisions of this section. Cleared openings legally in existence on the effective date of these regulations may be maintained but shall not be enlarged.
- b. There shall be no timber harvesting within the buffer area except to remove safety hazards. When removal of storm-damaged, diseased, unsafe or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present. Prior to cutting diseased or damaged trees, a determination about the conditions of such trees shall be made to the zoning enforcement officer by a public or consulting forester.

Riparian Vegetation Buffer: The natural and traditional plant life indigenous to the Riparian Area as designated and mapped by the East Haddam Planning & Zoning Commission, but not less than fifty (50) feet from the Coastal Jurisdiction Line (CJL),

u/z/P&Z/Regs/ Commercial cutting of timber

which plant life was legally existing as of the adoption of these Gateway Standards, and not to include grass, gardens and ornamental shrubs and trees.

u/z/P&Z/Regs/ Commercial cutting of timber

COMMERCIAL CUTTING OF TIMBER

add in bold and italics, [delete in brackets]

DEFINITIONS

Commercial forest products: wood products harvested from a tract of forest land in excess of fifty cords or one hundred fifty tons or twenty-five thousand board feet, whichever measure is appropriate, in any twelve-month period.

10.1.4. 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 (Section 9.2.9)

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20.2.1. Land used for agricultural purposes and cultivation of crops other than forest products;

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20.3.1. A site plan showing the applicant's property and the abutting property owners.

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20.3.3. A certification of the cutting plan by a public or consulting forester indicating the plan's conformance with the minimum standards set forth herein.

20.3.4. Any other information, as set forth in Section 14 of these regulations, as the Commission may require.

20.3.5. A fee of \$75.00 payable to the Town of East Haddam.

20.4. Water Course Protection:

u/z/P&Z/Regs/ Commercial cutting of timber

20.4.1. During harvest operation water courses shall be protected from siltation. Partial cuttings, designed to create uneven aged stands, will be used within 100 feet of these watercourses. No more than 50% of the merchantable volume will be removed, taking care in selection of leave trees to minimize water temperature increases and visual impact.

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- b. There shall be no timber harvesting within the buffer area except to remove safety hazards. When removal of storm-damaged, diseased, unsafe or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present. Prior to cutting diseased or damaged trees, a determination about the conditions of such trees shall be made to the zoning enforcement officer by a public or consulting forester.

Riparian Vegetation Buffer: The natural and traditional plant life indigenous to the Riparian Area as designated and mapped by the East Haddam Planning & Zoning Commission, but not less than fifty (50) feet from the Coastal Jurisdiction Line (CJL),

which plant life was legally existing as of the adoption of these Gateway Standards, and not to include grass, gardens and ornamental shrubs and trees.

East Haddam Zoning Regulations – April 2024

Change certified mail to certificate of mailing.

Add in bold and italics, [delete in brackets]

Add to Site Plan Review – page 94

Section 14.A.3.A Notice to Adjoining Owners. *The applicant shall also notify all adjoining landowners and those property owners of record within one hundred (100) feet of the site, as indicated in the current records of the Town Assessor, of the date, time and place of the public meeting of the Commission at which said Site Plan Review is to be considered no less than fourteen (14) days preceding the date of said meeting by proof of mailing by certificate of mailing, and shall submit proof of such notification to the Planning and Zoning Office on or before the date of the public meeting. No notice shall be required for the continuation of a public meeting once it has been opened.*

Section 14B – Special Exception Page 100 Revise

3. Notice to Adjoining Owners. The applicant shall also notify all adjoining landowners and those property owners of record within one hundred (100) feet of the site, as indicated in the current records of the Town Assessor, of the date, time and place of the public hearing of the Commission at which said Special Exception is to be considered no less than fourteen (14) days preceding the date of said hearing by [certified mail] ***proof of mailing by certificate of mailing***, and shall submit proof of such notification to the Planning and Zoning Office on or before the date of the public hearing. No notice shall be required for the continuation of a public hearing once it has been opened.

East Haddam Subdivision Regulations

Section 4.20 – Public Notice page 47

a) Notice to Adjoining Owner The applicant shall notify all owner(s) of parcel(s) (as recorded on the last completed Grand List of the Town of East Haddam) within a distance of one hundred (100) feet from any boundary of said parcel(s) effected. Notification shall be in writing, [certified mail return receipts requested] ***with proof of mailing by certificate of mailing***, not less than fourteen (14) days prior to said hearing. No notice shall be required for the continuation of a public hearing once it has been opened.

East Haddam Zoning Regulations – April 2024

Change certified mail to certificate of mailing.

Add in bold and italics, [delete in brackets]

Add to Site Plan Review – page 94

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APRIL 2024 EAST HADDAM ZONING REGULATION AGRICULTURAL REGULATIONS PROPOSAL

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.

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.**

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 than 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. Provisions 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. Farm Market** - *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.]

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*** the 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 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 manufacturer 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 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.

Background Discussions 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 to sell products grown and raised on the property only 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".

- iii. Structures located above the crest of hillsides facing the Connecticut River shall be held back from the crest of the hill to maintain a clear sense of the hillside brow in its natural condition.
 - iv. Vertical architecture elements shall not be over emphasized in a manner which disrupts the natural silhouette of the hillside. Structures shall be designed so that the slope angle of the roof pitch is generally at or below the angle of the natural hillside or manufactured slope.
 - v. Building forms shall be scaled to the particular environmental setting to avoid excessively massive forms that fail to enhance the hillside character. Massing of structural elements such as large roof areas shall be broken up to approximate natural slopes.
 - vi. Roof lines shall relate to the slope and topography. Rooftop treatment shall be designed to avoid monotony of materials, forms and colors. Dark colored roof treatments, which reduce visual impact of the structure on the landscape, are preferred.
 - vii. Site design shall preserve the existing natural landscape where possible and include new landscaping, which is compatible with existing natural vegetation, the scenic character of the area, and increases visual buffering between the building and the Connecticut River or its tributaries within the Gateway Conservation Zone.
 - viii. Development shall be located to minimize disturbance of sensitive areas. The smallest practical area of land should be exposed at any one-time during development and the length of exposure should be kept to the shortest practical time. Disturbed areas shall be replanted with trees, shrubs and ground cover which are compatible with existing vegetation.
 - ix. Site grading shall avoid straight and unnatural slope faces. Cut and fill slopes shall have curved configurations to reflect as closely as possible the forms and shapes of surrounding topography. At intersections of manufactured and natural slopes, abrupt angular intersections should be avoided, and contours should be curved to blend with the natural slope.
 - x. Within the Conservation Zone, lighting of properties, including site lighting and the illumination of building facades and other architectural features, shall be the minimum necessary for health and safety. The purpose of this standard is to minimize the amount of artificial lighting emanating from Conservation Zone properties in a way that may contribute to light pollution. Also see Section 26 Outdoor Lighting of these Regulations
4. Findings: A special exception shall not be granted until the East Haddam Planning and Zoning Commission has determined that all the following conditions have been satisfied.

- a. Proposed structures and site work have been designed to fit the hillside, rather than altering the hillside to fit the structure and site design.
- b. Disturbance to existing topographic forms is minimized and proposed grading and excavation will not result in soil erosion and silting of lower slopes.
- c. The proposed development retains or enhances the visual character of the site and the area by utilizing proper structural scale and character, varied architectural treatments and appropriate plant material to buffer the mass of the building from the Connecticut River or its tributaries in the Gateway Conservation Zone.
- d. The proposed design preserves or enhances significant natural features and maintains or restores the natural and traditional character of the Connecticut River scene.

East Haddam Zoning Regulations – April 2024

Special Exception Time Limits

2.7. Completion of Construction. For any Special Exception the construction of any building or structure, or the establishment of any use, shall be completed by the applicant, and a Certificate of Zoning Compliance and Certificate of Occupancy, where required, shall be issued, within [thirty-six (36)] *sixty (60)* months / *five (5) years* of the effective date for such approval. For any Site Plan Approval, the construction of any building or structure, or the establishment of any use, shall be completed by the applicant, and a Certificate of Zoning Compliance and Certificate of Occupancy, where required, shall be issued, within sixty (60) months / *five (5) years* of the effective date for such approval. Any such approval not completed within the time limits contained in this section shall be void. *Under the Connecticut General Statutes an extension of an additional five years may be granted by the Commission upon written request.*

