

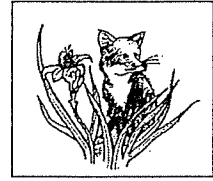


# Town of Coventry

Land Use Office

1712 Main Street • Coventry, CT 06238

Planning • Zoning • Wetlands • Economic Development • Conservation  
Phone: 860 742-4062 Fax: 860 742-8911 Web: [coventryct.org](http://coventryct.org)



CERTIFIED MAIL #7009 1680 0000 3762 6775

August 15, 2011

Mr. Robert Chipkin  
Cassidy Hill Vineyards, LLC  
454 Cassidy Hill Road  
Coventry, CT 06238

Dear Mr. Chipkin,

At its Regular Meeting on July 11, 2011, the Coventry Planning and Zoning Commission made the following decision:

#11-12S – Special Permit application of Robert Chipkin, Cassidy Hill Vineyard, LLC, for social gatherings accessory to a winery; property located at 454 Cassidy Hill Road (Assessor's Map 1, Block 28, Lot 5) GR 80 Zone. **APPROVED WITH CONDITIONS**

Reason for decision: The application complies with the applicable criteria.


Conditions:

- The Town Engineer shall approve the final plans, relative to parking, circulation and signage.
- The final plans shall include the location of handicap parking spaces that are code compliant to Staff's satisfaction.
- A parking lot construction detail shall be provided on the final plans.
- Parking lot wheel stops shall be provided on the final plans along the easterly, westerly ends of the lot and in the middle of the lot to properly delineate the parking spaces. The wheel stops shall be properly anchored and noted as such in the construction detail.
- A key – location map shall be provided on the final plans.
- The soil scientist shall endorse the final plans.
- A PZC signature block shall appear on the final plans.
- Any proposed new signage for the property shall appear on the final plans and be approved by Staff.
- The location of the mobile light fixtures shall be included on the final plans. The illumination factors of the lights shall also be indicated on the final plans that demonstrate compliance with the zoning regulations and provides adequate illumination of the vehicle parking and pedestrian areas.
- The application is approved and conditioned upon the statement of use letter that was submitted as part of the application.

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August 15, 2011  
Mr. Robert Chipkin

Please remember that it will be necessary to file an 8-3d form (available from our office) which will need to be recorded in the Town Clerk's office prior to the issuance of a zoning permit for your project. There is a filing fee which you pay at time of filing with the town clerk's office.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Eric M. Trott  
Director of Planning and Development

## Statement of Use – Cassidy Hill Vineyard

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

Location: The location of such tented events is an area in its vineyard shown in the submitted survey that can accommodate tents of up to 40' by 160' in size.

Hours of Operation: Outdoor facilities are limited by seasonality, proximity to holidays, and are anticipated to only be commercially viable on weekends. We estimate no more than 15 potential weekends are per year (between April 1 and September 30), nor will there be more than one such function per weekend. All private tented activities will be required to stop no later than 10:00 PM and will be limited in size to 150 guests.

Food Service: All food for tented weddings at Cassidy Hill Vineyard will be provided by a licensed caterer. Such caterer will also provide all water necessary for their services, including food preparation and washing dishes and other equipment. On site food preparation (if any) will be done by caterer.

Tents: tents will be rented by the wedding party. They will be put up by the rental company in a time frame sufficient for town inspections prior to the event (if necessary), and will be taken down in a timely manner subsequent to the event.

Sanitary Services: Self-contained Port-o-lets will be rented for such functions and positioned on the concrete pad on the east side of the vineyard barn. The winery's handicapped bathrooms will be made available to handicapped attendees.

Electricity: Electrical service will be required for tented weddings for lighting, catering services and music sound systems. There are both 110V and 220V outlets available at the proposed wedding site with 100 AMP service capability.

Parking and Vehicle Access: From Cassidy Hill Road, there will be a separate new gravel access road built on-site at the west side of the winery to enable wedding reception guests to get to another gravel parking area to the south of the winery. Such parking lot will accommodate 56 vehicles. There will also be parking off the circle in the front of the winery. There will be two (temporary) handicapped parking spots along the east side of the vineyard barn (only available during tented functions).

Lighting: There will be sufficient lighting between the tent area and the parking area to provide safe access to visitors' cars at the end of the evening.

- Anaerobic digester systems shall be designed and constructed in compliance with applicable local, state and federal codes and regulations. Evidence of all federal and state regulatory agencies' approvals shall be included with the application.
- A certified professional, qualified to do such, shall furnish and explain all details of construction, operation, maintenance and necessary controls related to the anaerobic digester system.
- No anaerobic digester system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement. **(Added – Effective 7/23/2021)**

#### **Section 4.06.06 In-Law Apartments**

The Commission recognizes that many families need, on a temporary basis, to provide housing for members of their extended families. In-law apartments, as defined in section 2.02, may therefore be permitted as accessory uses to single-family dwellings and allowed by zoning permit, but only under the following conditions:

- a. The space devoted to the in-law apartment within a single-family dwelling must be interconnected by at least one (1) interior doorway to the remainder of the dwelling, so that a person could gain access to the in-law apartment from an exterior doorway serving the remainder of the house, and vice versa.
- b. The in-law apartment may only be occupied by parents, siblings, grandparents, great grandparents, children, grandchildren, great grandchildren, aunts, uncles, nieces, nephews, or first cousins of one or more persons who occupy the remainder of the dwelling.
- c. The Director of Health or his or her designee must issue a written determination that the in-law apartment does or would not violate any applicable provisions of the Public Health Code.
- d. A standard notice, approved by the Town Attorney, shall be filed on the land records of the Town stating that the property contains an in-law apartment and that it is not approved for use as a two-family dwelling.

#### **Section 4.06.07 Musical Entertainment**

Musical entertainment shall be allowed as an accessory use to a restaurant, café, or other commercial establishment that serves food or beverages, but only upon the issuance of a special permit. In addition to the special permit criteria in Section 7.03 of these regulations, any such musical entertainment must meet the following criteria:

- a. Musical entertainment shall not be permitted between the hours of 1:00 a.m. through 9:00 a.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday; nor shall it be permitted between the hours of 2:00 a.m. through 9:00 a.m. on any Friday or Saturday. The Commission may further restrict such hours as a condition of any special permit if the Commission finds that such restrictions are reasonably necessary to minimize harm or nuisance to surrounding properties.
- b. Musical entertainment shall be allowed only inside the principal building unless the special permit expressly provides otherwise.

c. The musical entertainment shall not be unreasonably loud at the property line. The Commission may require the installation of physical sound buffers or barriers or other methods to reduce sound volume or vibration if the sound levels or vibration would cause a nuisance or otherwise interfere with the reasonable use of nearby property.

d. All special permits issued under this Section 4.06.07 shall be limited to a period of three years and shall be conditioned upon continuous satisfaction of the foregoing criteria and standards. The Commission may revoke, refuse to renew, or place additional conditions on renewal of the special permit if it finds that the applicant has failed to comply with the terms and provisions of the permit or that circumstances in the neighborhood have changed, requiring additional protection of nearby uses.

#### **Section 4.06.08 Farm Labor Living Quarters (Added – Effective 05/11/09)**

A zoning permit or site plan approval may be issued for one or more dwellings serving as accessory uses to a principal agricultural use on a lot, but only under the following conditions:

a. The dwelling(s) shall be used solely to house persons, and the immediate families of persons, whose principal labor during the time of such occupation involves the planting, tending, or harvesting of crops on, or the care of farm animals housed on, the premises on which the dwelling(s) would be established. For the purposes of this regulation, “immediate families” includes only children, grandchildren, parents, grandparents, aunts, uncles, nieces, and nephews.

b. In the event that the applicant proposes to create one or more new dwellings (i.e., independent buildings to be used solely for dwelling purposes), site plan approval by the Commission shall be required. In addition, the applicant must submit, and the Commission must approve, a feasibility plan containing sufficient information for the Commission to find that, if the principal agricultural activities were to cease, the property could be subdivided or otherwise configured in such a manner that each single-family dwelling would be on a separate, conforming lot, and each multi-family dwelling would become a conforming principal use. Such information must include, but shall not necessarily be limited to, proof that an adequate water supply and sewage disposal facilities would be available to each potential lot and that an adequate amount of open space or recreational land could be set aside to meet the requirements of the Subdivision Regulations. In order to help ensure adequacy of lot area, the feasibility plan must demonstrate that the lots are equal to at least 1.5 times the minimum lot size required in the zone where the property is located. The purpose of this condition is to avoid the necessity, and potential financial hardship, of requiring that any dwellings be removed in the event the principal agricultural activities were to cease.

c. A zoning permit may be issued for accessory farm labor living quarters when the proposed new dwelling unit(s) would be created either (i) within an existing principal or accessory building, either by changing the existing use or by increasing the size of such building, or (ii) in a proposed new building (such as, but not limited to, a barn or storage building) that would be used for agricultural accessory purposes other than, and in addition to, the dwelling unit(s). The applicant must provide sufficient information for the Zoning Agent to find that, if the principal agricultural activities were to cease, the property could still be used in full conformance with the Zoning Regulations. In lieu of such proof, the applicant may provide an affidavit, in a form to be provided by the Coventry Land Use Office, acknowledging that, in the event the property is no longer used for agricultural purposes, the dwelling units will have to be removed, and that the Commission or its authorized agent may order such removal, if the dwelling units no longer comply with the Zoning Regulations. The removal of a dwelling unit in a building that is also used for other purposes may be accomplished by the removal of the separate kitchen facilities for such dwelling unit. The affidavit shall be filed in the Coventry Land Records. The applicant must also

- f. A description of vegetation types, including any rare or endangered species, on the lot to be used under the application.
- g. A list of all other federal, state or municipal permits or licenses the applicant will need to implement the uses applied for and the status of any applications for such permits or licenses.
- h. Architectural or engineered drawings of any proposed buildings or structures.
- i. Existing and proposed (finished grade) contours at intervals of no less than two (2) feet.
- j. A description of proposed lighting fixtures, including illumination levels.
- k. A traffic report indicating existing traffic conditions at normal and peak travel times for, at a minimum, all streets abutting or passing through the property affected by the application, and also indicating the projected impact of the proposed use on such traffic conditions.

#### **Section 7.03.06 Standards for Special Permits**

All buildings, structures and uses for which a special permit is required under these Regulations must meet the applicable standards set forth throughout these Regulations, including, but not limited to, the standards set forth in Section 7.02.05.c (Site Plan Review Standards). In addition, the following standards shall apply to special permit uses:

- a. Relation of Buildings to Environment: The size and intensity, as well as the design, of the proposed project or development shall be related harmoniously to the terrain and to the use, scale, and siting of existing buildings in the vicinity of the site. The use shall not create a nuisance to neighboring properties, whether by noise, air, or water pollution; offensive odors, dust, smoke, vibrations, or lighting; or other effects.
- b. Neighboring Properties: The proposed uses shall not unreasonably adversely affect the enjoyment, usefulness and value of properties in the general vicinity thereof, or cause undue concentration of population or structures.
- c. Natural and Historical Resources: The proposed uses shall not unreasonably destroy, damage, or threaten locally significant natural or historical resources. All existing stone walls shall be preserved to the greatest extent possible. In the event that it is required that they be removed, they shall be utilized elsewhere on the property to enhance other stone walls or create new ones to the satisfaction of the Commission. (Revised – Effective 06/15/12)

#### **Section 7.03.07 Conditions**

The Commission may place on any special permit whatever conditions the Commission may reasonably deem necessary to assure that any proposed building, structure, or use (i) will conform to the standards and limitations set forth in these Regulations, including, but not limited to, the Health and Environmental Standards in Section 4.13; (ii) will protect the rights of individuals and the health, safety, welfare, and convenience of local residents and the community; (iii) will protect local property values; and (iv) will meet the specific standards set forth in Section 7.03.06 and other applicable sections of these