

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARINGS/MEETING MINUTES  
WEDNESDAY, JUNE 20, 2018 AT 7:00 PM  
OLD TOWN HOUSE**

**Meeting was opened by Chairman Walter Hinchman at 7:00 pm.**

**I. Public Hearing**

**A. Daniel Nagy, 94 Hampton Road,** application for a text amendment for “Farm Distilleries”. Dan and Aubrey Nagy were in attendance for the public hearing. Also in attendance for the hearing were: Pat Boyd, Ellsworth Chase, Bill Hull, Tony and Martha Emilio, Maureen Nicholson, John Wolchesky, Adam Squire, Bill Wood, and Patrick McCarthy. Discussion ensued. Questions were answered and clarifications were made. Jamie suggested modifications to the text amendment. Discussion ensued. Leigh then motioned to close the public hearing. Bev seconded and motion was approved.

**II. Regular Meeting – W. Hinchman seated L. Grossman for A. Benway**

**A. Roll Call** – W. Hinchman, Chairman; P. Allegretti, Vice Chairman; R. DiBonaventura, Member; B. Champany, Member; R. Wishart, Member; L. Grossman, Alternate. **Staff:** Ryan Brais, ZEO; and James Rabbitt Town Planner. **Absent:** A. Benway, Member; P. Mann, Alternate; and M. Hart, Alternate.

**B. Items to add to the agenda – none.**

**Phil made a motion to seat Leigh for Arty Benway. Walter seconded and the motion carried.**

**C. Approve minutes of May 16, 2018 and special meeting of 6/1/18–** P. Allegretti made a motion to approve 5/16/18 minutes. L. Grossman seconded and it was approved. W. Hinchman moved to approve the 6/1/18 special meeting minutes. P. Allegretti seconded and it was approved.

**D. Pending Application(s)**

**1. Daniel Nagy, 94 Hampton Road,** application for a text amendment for “Farm Distilleries”. Walter made a motion to approve the application with amendment submitted by Jamie Rabbitt. Bev seconded. Discussion ensued and then motion and second were withdrawn. Discussion ensued with Phil, Leigh, Jamie, and others. Rich then made a motion to approve the application. Bev seconded and Jamie read the motion into record. The motion carried. Phil then made a motion to approve the effective date of the new text amendment as July 11<sup>th</sup>, 2018. Bev seconded and it was approved. I am attaching a copy of the amended/corrected text amendment to the end of these minutes for everyone’s perusal.

**III. New Business**

**A. Acceptance of New Application(s) – none**

**B. Citizen's Comments – Patrick McCarthy spoke in favor of the farm distillery**

**C. Correspondence** –read the CRR mail from the Town of Woodstock regarding their new text amendments

**D. ZEO Report – Permits Issued: none**

**1. Complaints**

- a.** Barry Peloquin, 59 Longmeadow Drive – commercial vehicles in a residential zone. No change in conditions. Nothing new to report.

**IV. Commission Business –**

**A. Discussion of Air bnb's:** preliminary discussion held. There will be more discussion next month.

**B. Medical Pods:** temporary medical structure (have Lynn send out information to commission members); add to next month's agenda.

**V. Adjournment** – Motion was made to adjourn. The meeting adjourned at 9:05 pm.

Minutes were taken and recorded by commission secretary Richard DiBonaventura.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved:\_\_\_\_\_

## ATTACHMENT A:

Amend Section 4.2.6 as follows”

4.2.6 Retail outlets for agricultural/horticultural products, where 50% of such products are grown on site.

Amend Section 4.2.12 as follows:

4.2.12 Farm Wineries, Farm Distilleries and Farm Winery Restaurants

Amend Section 12.8 as follows:

12.8 Farm Wineries and Farm Distilleries (Special Permit Required).

12.8.1 Farm Wineries - Definitions and Standards. A farm winery shall be any place or premises in which wine is manufactured and sold and which is located on a farm that includes at least five acres dedicated to vineyards or to the growing of other fruits used on site for creating wine. For purposes of these Regulations, the term “wine” shall include any alcoholic beverage, including brandy, obtained by the fermentation of the natural sugar content of fruits, such as grapes or apples. A farm winery permit issued pursuant hereto shall authorize the permittee (1) to sell wine in bulk from the premises where the wine is manufactured pursuant to such permit; (2) to sell wine manufactured on the farm winery premises to a retailer in original sealed containers of not more than fifteen gallons per container; (3) to sell or deliver such wine to persons outside the state; (4) to offer free samples of such wine to visitors and prospective retail customers for tasting and consumption on the premises; (5) to sell at retail from the premises sealed bottles or other sealed containers of such wine for consumption off the premises; and (6) to sell at retail from the premises wine by the glass and bottle to visitors for consumption on the premises. No farm winery permitted hereunder may sell any such wine not manufactured in such winery. The farm winery permittee shall produce within the state an average crop of fruit equal to not less than fifty-one per cent of the fruit used in the manufacture of the farm winery permittee’s wine. An average crop shall be defined each year as the average yield of the farm winery permittee’s two largest annual crops out of the preceding five years, except that during the first seven years from the date of issuance of a farm winery permit hereunder, an average crop shall be defined as three tons of grapes for each acre of vineyard farmed by the farm winery permittee.

12.8.2 – Farm Distilleries – Definitions and Standards. As used in this section, “farm distillery” means any place or premises located on a farm property in which distilled spirits or alcohol are manufactured and sold. A farm distillery permit issued pursuant hereto shall, at the single principal premises of the farm distillery, authorize (A) the sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit; (B) the sale and

shipment by the holder thereof to a retailer of distilled alcohol or spirits manufactured by the farm distillery permittee in the original sealed containers of not more than fifteen gallons per container; (C) the offering and tasting of free samples of such distilled alcohol or spirits, in amounts not to exceed two ounces per day per person, to visitors and prospective retail customers for consumption on the premises of the farm distillery permittee; and (D) the sale at retail from the premises of sealed bottles or other sealed containers, in amounts not to exceed four and one-half liters per customer per day, of such distilled alcohol or spirits for consumption off the premises. No licensed farm distillery may sell any such distilled alcohol or spirits not manufactured by such distillery. The farm distillery permittee shall grow on the premises of the farm distillery or on property under the same ownership and control of said permittee or leased by the backer of a farm distillery permit or by said permittee within the farm distillery's principal state an average crop of fruit or crops equal to not less than twenty-five per cent of the fruit or crops used in the manufacture of the farm distillery permittee's distilled alcohol or spirits. An average crop shall be defined each year as the average yield of the farm distillery permittee's two largest annual crops out of the preceding five years.

A farm distillery shall:

- a. A farm distillery requires a minimum parcel size of 5 acres, or may be comprised of more than one contiguous parcel under the same ownership totaling 5 acres.
- b. A farm distillery may also contain an area for the retail sale of agricultural/horticultural products, where 50% of such products are grown on site or on other property owned by the operator of such retail outlet located elsewhere within the Town of Pomfret.