

Town of Colebrook
Planning and Zoning Commission
January 14, 2019 Colebrook Town Hall
6:30 pm Regular Meeting
Minutes

Present: Regular members Chairman Ed Lord, Jim Bickford, Ed Allen, Chuck Buchanan, Jim Millar, along with alternate's Marty Neal and Jane Vasaturo. ZEO Michael Halloran sat at the table also.

Ed called the meeting to order at 6:30 and a quorum was established.

Agenda Review:

Ed asked that the deliberation and vote of application 18-020 be moved to after discussion of Old Business, both A. and B. Chuck made a motion seconded by Jim B. to approve the change in the agenda, and the vote to approve was unanimous.

Approval of Minutes:

Minutes from December 10, 2018 regular meeting were presented. Jim B. asked that the word "this" replace the word "tis" on page 4 in the third line of Old Business. Chuck made a motion, seconded by Jim B., to approve minutes with the change. The vote to approve was unanimous.

New Business:

The Public Hearing for application, #18-020 from John Auclair, 204 Stillman Hill Rd. for a modification to a special exception for a farm brewery was continued from December 10, 2018. Ed L. stated that he had viewed the video and read the minutes and felt comfortable with the hearing. Sitting for the Hearing were Ed L., Chair, Jim M., Ed A., Jim B., and Chuck. Ed re-opened the Hearing giving a brief summary of the application and then opened the meeting to the floor. Todd Parsons, from Lenard Engineering gave a brief overview of the work he had presented. He also confirmed that FVHD had approved everything currently on site and that the Brewery is waiting for final approval of proposed work.

Jim B. asked about one of John's proposals, what time would he want to be staying open. John responded that he would be flexible and would be willing to inform the ZEO ahead of time. Ed L. stated that the State of Connecticut restricts hours of operations and certain days that Breweries

must be closed. Jim M. stated that the Commission cannot expand hours that state has limited.

John stated he had been asked by local wineries and distilleries to “showcase” their products and confirmed he would sell them. Jim M. his definition of a tavern and also stated that selling of others product would be outside of Farm Brewery statutes as written by the State. Chuck asked for confirmation that the zoning conditions of approval were that John can only consume and sell product that is produced on site. Jim B. would like a legal opinion as he can see nothing in the state statute that allows selling others alcohol.

Jim M. stated the Commission has taken an oath to obey law whether they like it or not. He mentioned Rock Hall B&B proposal to a Country Inn and that the owners had actually drafted language to change regulations. There was discussion regarding spot zoning. Ed L was concerned with the changes that have happened since the original approvals and what is considered under a Farm Brewery regulation. Ed also wanted to hear from Todd what the parking size was based on, Todd responded that he used Tavern flow based on 160 seats which is what now is being proposed.

Jim B. had questions about amplified sound and retail space. John was vague about the size of retail space and confirmed there would be no amplified sound. John also relayed the sad stories of his loss of apple trees and honey bees, but he actually planted two acres of hops.

The meeting was opened to the public and Kim Scharnberg of 197 Stillman Hill was concerned that precedent was set with the Rock Hall B&B denial. He was concerned about the uptick in noticeable traffic as well as the Town allowing a Tavern to open in the residential zone.

Chris Johnston speaking as a Selectman was concerned that there were only two commercial zones in the town and if the town was ever to grow it needed more commercial zones. He mentioned the “Rock Hall Inn” had been a tavern 100’s of years ago and that there must be progress in a town this size. He wants food truck approval because it is wise if you are serving alcohol. This expansion could also increase neighbor’s property value

Kate Kennedy spoke about the Stillman Hill property and the past proposal of a golf course and convention center and the concerns people had and that the Brewery was not like that at all. She also stated that the YMCA is expanding and there have been no complaints at all. She also stated that food should be served and recommended that the Zoning Commission look at other towns’ regulations.

John Auclair then spoke again about how Dan Jerram, 1st Selectman of New Hartford, had gotten a peddlers' permit and what a money maker it was. Jim B. noted that it was probably an ordinance and not a zoning regulation.

There being no other information and no other questions, Chuck moved to close the Public Hearing which was seconded by Jim M. The motion to close was unanimous and the hearing was closed at 7:20 pm.

Old Business;

There was a brief discussion regarding the meeting with Glenn Chalder from Planimetrics and the regulation updates. There will be several special meetings to make changes and he will then put everything together for review. The next scheduled meeting will be February 20th at 3pm.

There was a discussion about 337 Colebrook River Rd., Michael informed the Commission that he and Duncan Wilber along with Ed Lord did a site walk on Thursday 1/10. The wetlands cease and desist is still in force as the bond has not been paid.

Deliberation regarding closed public hearing began with much discussion. The Commission decided to review all of the requests on the modification and address each separately. The Commission also wanted to find out from Attorney Cusick how to deal with work that has been done beyond what was previously approved. Ed L. suggested everyone review the Farm Brewery regulations so they will be able to meet again to make a determination on what is and is not allowed at a Farm Brewery in a residential zone. It was decided that a special meeting be held on January 23 at 6:30 pm to further deliberate.

Michael brought up Johns request for live music at the farm and Ed l., seconded by Jim M. made a motion that ZEO does not sign the state application until the Commission reviews this proposal.

ZEO report:

None

There being no other business, a motion by Jim M., seconded by Jim B., to adjourn the meeting was made. The motion was approved unanimously. The meeting was adjourned at 8:55 p.m.

Michael J. Halloran

