

# Woodstock Planning & Zoning Commission

---

## REGULAR MONTHLY BUSINESS MEETING

Thursday, March 16, 2023

7:30 PM

WOODSTOCK TOWN HALL, MEETING ROOM 1 & VIRTUAL via Zoom

*The state statute currently allows for in person meetings unless quorum or more requests virtual meetings. Because of virtual attendance, this meeting is being recorded. This procedure has been reviewed and approved by Town Attorney Richard Roberts.*

A recording of this meeting can be viewed at: <https://youtu.be/jwbrEei5IM>

### 1. Call to Order- Chairman Jeffrey Gordon called meeting to order at 7:35 pm

- a. Roll Call- Noted for record: Quorum

Members Present- Jeffrey Gordon (Chair), Joe Polulech, Mark Blackmer, David Morse, Syd Blodgett

Members Present via Zoom - Dwight Ryniewicz, Doug Porter, Joseph Adiletta,

Members Absent- Nancy Fraser, Jeffrey Marcotte, Dean Gould, Timothy Young

Others Present- Delia Fey (Town Planner), Town Attorney Rich Roberts and Recording Secretary Amy Monahan. Several members of the public including Lisa Dalterio, Richard Baron, Sarah Morin, Allison Masley, Eric Nelson, and Megan Miles. Public attendance via Zoom: Kathleen Ellison, Lisa Feinberg, Steven Spencer, Gerry Teja and others.

- b. Designation of Alternates: Doug Porter and Dwight Ryniewicz were seated
- c. Pledge of Allegiance: Jeffrey Gordon led the Pledge of Allegiance

### 2. Chair's Report

- a. Thank you to staff and commissioners for all the work at meetings and for what you do between meetings.
- b. The April Special Meeting will be held on April 13<sup>th</sup> and will be our annual legal training meeting.

### 3. Citizens' Comments

- a. None

### 4. Meeting Minutes

- a. March 2, 2023 Special Meeting
  - i. David Morse made a **\*Motion** to accept the March 2, 2023 Special Meeting minutes as presented. **\*Seconded** by Mark Blackmer. **\*The motion passed unanimously.**
  - ii.

### 5. New Business

- a. #647-03-31M Subdivision Modification, English Neighborhood Road, John Kennison: Request to extend deadline for filing of mylars
  - i. Jeffrey Gordon reviewed brief history of the subdivision modification.
  - ii. Pete Parent from CHA is representing the applicant. He shared that the applicants attorney passed away and obtaining new council requires and extension to the subdivision modification.
  - iii. David Morse made a **\*Motion** to grant the requested 90 extension for #647-03-31M Subdivision Modification, English Neighborhood Road. **\*Seconded** by Mark Blackmer. **\*The motion passed unanimously.**

# Woodstock Planning & Zoning Commission

---

- b. Set effective date for the text amendment
  - i. David Morse made a **\*Motion** to set the effective start date of April 17, 2023 for the text amendment extending the Temporary and Limited Moratorium on Cannabis Establishments. **\*Seconded** by Joe Polulech. **\*The motion passed unanimously.**

## 6. Preliminary Discussion

- a. Tree House Farm & Fermentory, 54 Joy Road: discussion only about proposed beer fermentation and sales
  - i. Jeffrey Gordon stated rules for preliminary discussion. A preliminary discussion is not an application or hearing. It is only a discussion between the potential applicant and the commission to ask questions before submission of an application. Preliminary discussions are non-binding and no votes will be taken.
  - ii. The commission members have been distributed multiple documents to reference about this proposed change of use.
  - iii. Megan Miles is the Land Use Attorney at Carmody, Torrance, Sandak & Hennessy LLP is representing Tree House Farm & Fermentory. She has additional photos that she would like to have entered for the record and they will be shared electronically. Jeffrey Gordon noted that additional documents have been received by the commission and will be filed for future discussion if application is submitted.
  - iv. Doug Porter has recused himself from this agenda item.
  - v. Sarah Morin (Chief of Staff at Treehouse), Allison Masley Regulatory (Specialist for Treehouse), Eric Nelson (Head Farmer) introduced themselves and their roles at Tree House.
  - vi. Sarah Morin noted the Town of Woodstock and Agriculture are very dear to Tree House.
  - vii. Megan Miles noted that the property at Joy Road currently operates as a farm and does ferment hard cider on the premises. Treehouse is now looking to incorporate fermenting beer into the operations. She noted that title search shows the property as deed restricted farmland and that the Department of Agriculture would need to approve the proposed operation for the PDR farmland as a permitted use. She noted for the record that the Department of Agriculture has approved the requested use as presented for the Joy Road site.
  - viii. Photos of site were displayed on the screen. The site is approximately 94 acres and 18 acres of which are currently being farmed. The current structures on site were reviewed and explained by Megan Miles. No additional infrastructure would be needed for fermenting of the beer. This location is a marriage of the product and the farm. There are 1200 various fruit trees, 1400 grapes vines of 4 different varieties and 5000 miscellaneous planting of berries currently growing on the farm and many of the new trees are just beginning to bear fruit. The products on site are small scale specialty beverages. There are currently 4 employees onsite and they partner with the Uconn Ag Extension. Access to this site is a beautiful gravel driveway off of Joy Road and this is the reason that the facility is open seasonally by reservation only. Treehouse purchased this site to be an active farm allowing experimentation with different flavors.
  - ix. Megan reviewed the fermentation process for the commission. She noted that no one has questioned if making hard cider is an application of agriculture. Making beer follows the same process as making cider. No additional equipment or construction is needed. The operations would remain exactly the same as they are currently.
  - x. Megan noted that agricultural use is currently permitted in the residential/community district as use by right. Because this is an agricultural site, the operations will never become similar to the Charlton Treehouse site. The capacity limit will not change for the Joy Road site. Woodstock is not the only site that limits visitors as there is a location in Sandwich that also limits visitors by reservations successfully.

## Woodstock Planning & Zoning Commission

---

- xi. David Morse noted that cider is from products grown on the farm but beer materials will have to be imported. He asked what ingredients for the beer will be grown on the farm. David also noted that Treehouse stated in the past that they were not interested in brewing beer. David would like to know what the max area allowable land use for structures/non agriculture activities would be under the deed restriction for this property.
  - 1. Megan Miles noted that growing grains on the treehouse site is not economically feasible. The required imported materials will be imported from other Connecticut farms. Eric Nelson noted that hops are in the ground on site but cannot sustain all brewing needs and require 3 years to mature for harvest.
  - 2. Megan Miles noted that the reservations are based on the 49 in building capacity limit and larger crowds are not anticipated. The parking lot also does not allow for increased capacity.
  - 3. Megan noted that she will follow up with the figure requested by David Morse.
- xii. Delia Fey noted that many wineries in CT do not grow all of their own grapes and have to bring in grapes to make their wine. She feels that making beer seems reasonable to follow same concept.
- xiii. Joe Adiletta noted the reference of small batches and limited productions by Treehouse and he wondered if those references could be given actual numbers. He also asked for clarification that the equipment currently being used would remain the only equipment needed. This was confirmed. He has concern with uses of the words “currently and at this time” in the discussion. He is concerned with consideration of not using the reservation process. He noted that special permit allows for better understanding of agricultural use and future growth.
  - 1. Megan Miles noted that the definition of agricultural does include limited retail operations.
  - 2. Megan Miles noted that she has cider numbers for production. Charlton produced 31,000 barrels of cider to the Woodstock production of 500 barrels in 2020. Treehouse will share projection numbers for this site as requested by Joe Adiletta.
- xiv. Joe Polulech asked if there are any plans for additional buildings or infrastructure and also would like to see the actual number of area that can be developed per deed restriction. It was stated that there are currently no plans to expand infrastructure.
- xv. Syd Blodgett noted that the Charlton site is very impressive. He wanted to revisit the capacity number of 49 and noted the reference to limit 49 per “site”. He wanted clarification that the site number would be limited, not just the building capacity. Syd would like numbers to show the potential increase do to introduction of beer.
  - 1. Sarah Morin noted the guest experience is paramount for Treehouse and that a crowd would not be beneficial to the experience. The maximum number of visitors to the Woodstock site for any day of operation do date is 40 people.
- xvi. Syd Blodgett referenced farm brewery regulations document and areas of concern such as not being able to charge for tastings and statement that town may prohibit tasting and sales.
  - 1. Megan Miles noted that the term farm brewery has been confused between legal classification and marketing certification definitions. The document that Syd Blodgett had referenced was determined to have been updated by the State.
- xvii. Syd Blodgett shared the following thoughts explaining that the Planning & Zoning Commission has a broader mission and considers many things. He sees a close parallel between cannabis and beer as both are grown on farm, processed, packaged and sold. He is concerned when the product is consumed on site as people would be under the influence and now on our public roads in our community. This is a big issue for us and he feels consumption on site is not agricultural use.

# Woodstock Planning & Zoning Commission

---

1. Sarah Morin noted that the number one complaint of all treehouse location is that people are cut off after 3 drinks. Every employee is certified in responsible alcohol consumption and they are very serious about alcohol consumption concerns.
- xviii. Jeffrey Gordon noted that there is a distinction between growing, processing and selling. He notes that the Department of Agriculture noted that the processing of beverages on site is agricultural. He noted the cannabis is not considered agricultural by the State of Connecticut.
- xix. Jeffrey Gordon asked if there is an actual permit from the Town of Woodstock stating that sale of hard cider is allowable. He asks because that would show a previously established process to permit the sale of beer.
  1. It was stated that the acting ZEO signed the liquor permit application. Megan Miles noted that because this is agricultural use permitted as of right and does not require additional zoning approval.
  2. Delia Fey noted the historically, agricultural use in Woodstock does not require permits, only the addition of structures. She also noted that there are not standards for Agriculture in current regulations.
- xx. Jeffrey Gordon asked if the cider production would continue or if beer would replace that production.
  1. Sarah Morin noted that production would depend on what is available from the farm. She noted that they are at production capacity now and no additional production quantity is possible.
- xxi. Jeffrey Gordon confirmed with the Treehouse representatives that scope of business would not change and the access driveway would not change.
- xxii. Delia Fey asked if any fruits grown are sold to other operations. Eric Nelson noted that all produce grown is used in the Woodstock Treehouse Ecosystem. He noted that there are 4-8 people farming onsite and only one person fermenting.
- xxiii. Mark Blackmer noted small batch and limited production reference and would like to quantify those words. It was noted that at the Woodstock site, the small batch is designated by the crops produced in that season. They are also limited to the number of barrels that they have available to use onsite and the time needed to ferment each barrel.
- xxiv. Joe Adiletta asked about the bottle/can operation on site and that the tasting is only items made on site.
  1. Allison noted that only products made on site are available for tasting or purchase. They are not allowed to import from any other Treehouse site.
- xxv. Jeffrey Gordon confirmed that there will be not additional adverse impact on the land with the change in process being proposed. Jeffrey Gordon specifically asked Tree House about environmental impacts and if the Department of Agriculture did not raise environmental concerns. Tree House replied that there were no expected environmental concerns.
- xxvi. Jeffrey Gordon also asked Tree House if there were any plans to serve food. Tree House has no plans to serve food at this facility.

## **7. Old Business**

- a. Air BNB's will not be discussed tonight due to the time at this point in the meeting.

## **8. Land Use Department/Zoning Enforcement Officer Reports**

- a. Office
  - i. Dan Malo will remain ZEO until April 20, 2023
- b. Permits

# Woodstock Planning & Zoning Commission

---

- i. Permits have been submitted to the commissioners for review. There are no questions at this time.
- c. Enforcement
  - i. Supreme Sheds has until May to submit application to the Commission.
  - ii. A letter has been sent to Buck's Soft Serve advising them that their current home occupation permit expires April 27, 2023

## 9. Budget Review & Bills

- a. None to discuss at this time

## 10. Citizens' Comments

- a. None

## 11. Correspondence

- a. None

## 12. Adjournment

- a. Joe Polulech made a **\*Motion** to adjourn. **\*Seconded** by David Morse. **\*The motion passed unanimously**. The meeting adjourned at 10:08 pm.

\*Respectfully submitted by Amy Monahan, Recording Secretary. DISCLAIMER: These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's meeting for approval/amendments.