



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: May 13, 2025

TITLE: Staff Report: Zoning Regulation Amendment – Application PL-25-6
Sections 3.41, 3.41.2(f) and 3.41.2(n) – Agri-tourism

EXECUTIVE SUMMARY

This application has been submitted by the applicant, Robert Schacht pursuant to Section 28.2 of the Waterford Zoning Regulations to amend Sections 3.41, 3.41.2(f) and 3.41.2(n) of the Zoning Regulations relative to Agri-tourism.

The proposed modification to Section 3.41 is to add an event classification for multi-day uses, with each multi-day use not exceeding three consecutive days. The proposed modification to Section 3.41.2(f) is to increase the number of events in one calendar year from 20 to 25 with each multi-day event to count toward the maximum number of events permitted in a calendar year. The proposed modification to Section 3.41.2(n) reduces the number of days an applicant can apply for a Zoning Compliance Permit for each event or activity from 30 days to seven days prior to the event or activity.

This application was received by the Commission on April 8, 2025.

The application was posted in the Office of the Waterford Town Clerk on April 9, 2025.

The Public Hearing was advertised in The Day newspaper on April 29, 2025 and May 6, 2025.

The date of Public Hearing was May 13, 2025.

BACKGROUND

Pertinent Regulations

Connecticut General Statutes

CGS 8-3(a)

Waterford Zoning Regulations

Section 3.41 – AGRI-TOURISM (Effective Date: 1/29/18)

Purpose:

The purpose of this regulation is to allow Agri-tourism uses in Waterford, while maintaining rural character, preserving farmland, and protecting the health, safety and welfare of the citizens. Agri-tourism presents a

unique opportunity to combine aspects of tourism and agriculture to provide a number of financial, educational and social benefits to the community while allowing farmers to supplement their farming activities with activities and events directly related to the farm and farming. Activities are multi-day seasonal uses which include, but are not limited to u-pick operations, hay rides, corn mazes, petting zoo, cut you own Christmas trees, farmer's markets, wine tasting, horseback riding, carriage rides, sleigh rides, ice cream facilities, and garden tours. Events are single day uses with a defined start and end time. Agri-tourism activities and events may be permitted only in the RU-120 Zone District.

Section 3.41.2(f) - *No more than one (1) Agri-Tourism event shall take place simultaneously, no more than two events shall take place in any week running from Monday to Sunday, and no more than one event shall take place on any weekend running from Friday through Sunday. No more than 20 total Agri-tourism events may be permitted in a calendar year. The Commission may impose conditions to further limit the number and time of activities and events to mitigate adverse impacts to neighboring properties.*

Section 3.41.2(n) - *A Zoning Compliance Permit shall be required for any activity or event to ensure compliance with the Special Permit. Applications for Zoning Compliance shall be made at least 30 days prior to the event.*

Section 28 – Amendments

DISCUSSION

Section 3.41 & 3.41.2(f)

The regulation amendment as proposed is to account for those Agri-tourism uses that are a single event that may extend for more than one day. Currently the Zoning Regulations for Agri-tourism define “Event” as single-day uses with a defined start and end time. The proposed regulation amendment adds a multi-day use as an “Event”. A multi-day event shall be considered as one event, taking place over multiple days not to exceed three consecutive days and shall continue to be regulated by the language in accordance with Section 3.41.2(f) relative to the number of events taking place in any week or weekend. Examples of multi-day events may include “farm-to-table” events, classes or workshops. The existing language contained in section 3.41.2(f) will continue to limit the number of events to no more than one event at a time, no more than two events in any week from Monday to Sunday and no more than one event on any weekend from Friday to Sunday.

Section 3.41.2 (f)

The regulation amendment to increase the total number of events that can take place in any calendar year from 20 to 25 creates increased opportunity for an applicant to conduct Agri-tourism events. Each multi-day event for which a Zoning Compliance Permit is issued shall count toward the maximum number of events permitted for the calendar year.

Section 3.41.2(n)

The proposed reduction in the number of days prior to an event from 30 to seven in which an applicant is required to submit an application for a Zoning Compliance Permit will streamline the review process.

An applicant shall still be required to submit a Special Permit and Site Plan application to the Planning and Zoning Commission to allow Agri-tourism related activities and events in accordance with Section 3.41, 22 and 23 of the Zoning Regulations.

Since the Agri-tourism regulation became effective in 2018, the Commission has approved one Special Permit and Site Plan to allow Agri-tourism related activities and events. There has been interest from other parties to allow for events that may occur over multiple days.

The Commission previously enacted Agri-tourism regulations in 2018 in order to encourage the preservation of undeveloped farmland and by allowing the continuation of farms with income generating activities and events directly related to the farms and farming operations. The regulation amendments as proposed increase the ability of farms and farming operations to remain sustainable by providing additional opportunities for events, which directly relate to the farm, and farming operations.

Pursuant to Connecticut General Statutes Section 8-3a, before the Commission acts upon an application to amend the Zoning Regulations of the Town of Waterford, it must find whether or not the amendments being proposed are consistent with the goals, policies and objectives contained in the 2012 Waterford Plan of Preservation, Conservation and Development, herein after called the Plan.

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. Application PL-25-6 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-25-6 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
3. The proposed regulation amendments are consistent with the Plan in meeting the stated goals of the Sustainability/Resiliency Chapter (Pg. 42) by encouraging additional means to continue to support local farmers and farming.

Proposed Motion:

That the Commission approve Application #PL-25-6 to amend Zoning Regulations Sections 3.41, 3.41.2(f) and 3.41.2(n) – Agri-tourism and adopt the findings 1 thru 3 of the Staff Report dated May 13, 2025.

Effective Date: June 4, 2025

ENHANCE

Sustainability / Resiliency

GOAL

Promote activities that are more sustainable over the long term and help to create a resilient community.

For this Plan, “sustainability” refers to the philosophy of encouraging activities that allow present generations to meet their needs without compromising the ability of future generations to meet their needs. The term “resiliency” refers to the community’s ability to readily recover from sudden changes or adversity.

Although the future cannot be determined with certainty, it is becoming more apparent that resource availability and utilization will likely have greater importance. This will undoubtedly impact residents and businesses in Waterford in ways we may not yet fully foresee. To ensure it is a “resilient” community, Waterford should start investigating and implementing, as appropriate, sustainability measures to preserve resources and maintain a healthy quality of life for future generations.

The Town of Waterford should be a leader in sustainable practices.

Residential Solar Collector



Sustainability



C. Encourage Farms and Farming

Having more food grown locally and available locally helps make Waterford a more sustainable and a more resilient community.

Waterford should seek ways to support local farmers and farming since this could provide a number of health, nutrition, and economic benefits for residents. In addition to the farmer's market, it might also include roadside farm stands.



Farm Stand



Farm Produce

