



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: July 22, 2025

TITLE: Staff Report: Zoning Regulation Amendment – Application PL-25-12
Sections 1- Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2

EXECUTIVE SUMMARY

This application has been submitted by the Waterford Planning and Zoning Commission pursuant to Section 28.2 of the Waterford Zoning Regulations to amend Sections 1 - DEFINITIONS, 3.41, 3.41.1, 3.41.2(b), (c), (f), (n), 3.41.3 and Section 6.1.2 of the Zoning Regulations relative to Agri-tourism

The proposed modifications to Section 1 and Section 3.41 including the above reference subsections are to more clearly establish the distinctions between those Agri-tourism uses which are listed as events and those which are listed as activities. The uses that are listed as activities within Section 3.41 are considered accessory to the farming operation and are not subject to the requirements of a Special Permit. Uses which are listed as events will still be subject to the requirements of a Special Permit. Once a Special Permit is granted for an Agri-tourism event space, all events conducted on the property will continue to be permitted through the administrative issuance of a zoning compliance permit by the Zoning Official. This procedure is required in order to verify that the operation of the event is consistent with the conditions and stipulations assigned to the overall Special Permit approval.

This application was received by the Commission on June 10, 2025.

The application was posted in the Office of the Waterford Town Clerk on June 5, 2025.

The Public Hearing was advertised in The Day newspaper on July 8, 2025 and July 15, 2025.

The date of Public Hearing was July 22, 2025.

BACKGROUND

Pertinent Regulations

Connecticut General Statutes

CGS 8-3(a)

Waterford Zoning Regulations

Added Text ~~Deleted Text~~ Existing text to remain

Section 1 – DEFINITIONS (Effective Date: 10/4/24)

Farm Promotional Events:

Events that are open to the general public including but not limited to Farm-to-Table Dining Experience, Educational Farm Tours and Workshops

Farm Catering and Banquet Events:

Private events such as weddings, private parties and similar uses not open to the general public.

Section 3.41- AGRI-TOURISM (Effective Date, 1/29/18, Revised 6/4/25)

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. Agri-tourism aActivities are multi-day seasonal uses ~~which~~ that are accessory to the Farm and Farming Operation. They include, but are not limited to u-pick operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, ~~farmer's markets~~, wine tasting, horseback riding, carriage rides, sleigh rides, ~~ice cream facilities~~, and garden tours. Agri-tourism activities are not subject to the issuance of a Special Permit. Agri-tourism eEvents are single day uses or multi-day uses with each day having a defined start and end time. Agri-tourism events may include Farm Promotional Events in addition to Farm Catering and Banquet Events. Multi-day ~~uses~~ events shall not exceed three consecutive days. Agri-tourism activities and events may be permitted only in the RU-120 Zone District.

- 3.41.1. ~~At a minimum,~~ Agri-tourism activities events shall be permitted in accordance with the provisions contained herein, subject to the issuance of a Special Permit in conformance with Section 23 of these Regulations.
- 3.41.2(b) - Agri-tourism ~~activities and~~ events shall be limited to the areas as shown on an approved Site Plan, including outdoor and indoor areas of the farm property.
- 3.41.2(c) – All parking ~~and~~ areas associated with activities and events shall be no closer than 150 feet from all property lines.
- 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 25 total Agri-tourism events may be permitted in a calendar year. Each multi-day event shall count toward the maximum number of Agri-tourism events 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.

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 7 days prior to the event.

3.41.3 - Submission requirements:

In addition to the requirements of Section 22 & 23, the Special Permit Application to conduct Agri-tourism events shall also include, at a minimum, the following information:

6.1.2 - Farming, except piggeries and the raising of animals for the production of pelts.

An Agri-tourism activity as defined in Section 3.41 shall be considered an accessory use to the principal farming use and shall include but not be limited to seasonal activities such as pick-your-own operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, wine tasting, horseback riding, carriage rides, sleigh rides, garden tours and other similar activities

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located, All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

Section 28 – Amendments

DISCUSSION

Section 1 - DEFINITIONS

The regulation amendments as proposed introduce two uses listed as events. These events, “Farm Promotional Events” and “Farm Catering and Banquet Events”, are currently not defined within the Zoning Regulations. As such, the addition of these uses must be defined within the context of the Zoning Regulations.

Section 3.41- AGRI-TOURISM

The regulation amendments proposed are designed to distinguish between those Agri-tourism uses which are activities and those which are events. While the existing regulations established these uses as distinct types of uses, the permitting process for the two types were similar. They both required a Special Permit and Site Plan review and approval by the Planning and Zoning Commission (Commission). The purpose of the regulation amendments proposed throughout Section 3.41 and its subsections is to remove Special Permit and Site Plan review and approval for Agri-tourism activities only and to list them as accessory uses associated with a farm or farming operation. By establishing Agri-tourism activities as accessory uses they are considered to be customary and incidental to the farm or farming use. An Accessory Use is defined within the Town of Waterford Zoning Regulations as “a subordinate use which is clearly incidental to and customary in connection with the main building or use and which is located on the same lot with such main building or use.” The accessory uses that are proposed to be listed within Section 6.1.2 are incidental and customary to a farm or farming use in that they cannot operate unless a farm or farming operation occurs as a principal use on the parcel.

Proposed language within Section 3.41 also states that, “*Agri-tourism activities are not subject to the issuance of a Special Permit*”. This proposed language further clarifies that any of the uses listed as Agri-tourism activities within Section 3.41.2 and 6.1.2 do not require review and approval of a Special Permit and Site Plan by the Commission.

Proposed text changes for Sections 3.41.1, 3.41.2(b), 3.41.2(f) and 3.41.2(n) removes “Agri-tourism activities” from being subjected to Special Permit review and approval while still requiring “Agri-tourism events” as listed within Section 3.41, subject to the issuance of a Special Permit.

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 which are the subject of this application further increase the ability of farms and farming operations to remain sustainable by providing additional opportunities for Agri-tourism activities.

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-25-12 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-25-12 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. 40).
4. The proposed regulation amendments further encourage additional means to continue to support local farmers and farming by allowing Agr-tourism defined activities to operate as an accessory use to a farm and farming operation without being subject to the requirements of a Special Permit and Site Plan review (Pg. 42).

Proposed Motion:

That the Commission approve Application #PL-25-12 to amend Zoning Regulations Sections 1 – Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2 and adopt the findings 1 thru 4 of the Staff Report dated July 22, 2025.

Effective Date: August 14, 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

