

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, February 7, 2022 6:30pm



- I. CALL TO ORDER 6:30pm
Members present: Karl Walton, Jill Conklin, Chris Locatelli, Dan Fraro, Jim Formica.
Also Jennifer Roy, Staff Liaison and Carl Landolina Town Attorney

- II. DISCUSSION/POSSIBLE DECISION:
Application #21-002 Applicant: Mark and Karen Murdoch d/b/a Worthington Vineyards LLC, Owner: Somers Mountain Properties LLC, 359 Mountain Road, Somers; seeking a Special Use Permit for a Farm Vineyard and Winery pursuant to Section 6.12 of the Somers Zoning Regulations to allow the operation of a tasting room and sale of wine for consumption on and off premises.

Carl Landolina addressed the commission, and reviewed draft motions for approval or denial. Attorney Landolina explained that he prepared the drafts based on his understanding of the commissions discussions at their last meeting.

Discussion was held among the commission members regarding the suggested conditions of approval; as well as the reasons for denial. Further discussion included the applicant placing directional signs warning visitors of the winery that the entrance was ahead.

Jill Conklin made a motion; that the Zoning Commission approves the Special Use Permit application #21-002 of Mark and Karen Murdoch, 359 Mountain Road, Somers, for a farm winery under Section 6.12 of the Zoning Regulations. The Commission specifically finds that the application meets the requirements of Section 6.12. The Commission also specifically finds that the site plan submitted with the application meets the requirements of Section 9.3 of the regulations and as set forth in Appendix to the regulations specifically "Site Plan Application Checklist, and "Special Use Permit Application Checklist". As the Special Use Permit application does not involve the construction of any additional buildings or structures at the site and does not seek to increase impervious coverage, the Commission expressly waives, pursuant to Section 9.4(B)(2) of the regulations, its right to review any erosion and sedimentation control plans.

The Commission also specifically finds that the application and supporting plans, and information is sufficient and finds that the considerations contained in Section 9.4 E of the regulations have been met.

The Commission's approval is subject to the following conditions intended to protect the health, safety, welfare and property values of the community:

1. Hours of operation of the tasting room and for retail sales either for on-site or off-site consumption are as set forth in Section 6.12 (B)(2).
2. As the applicant's property is currently subject to a previous Special Use Permit allowing the premises to be used as an Outdoor Recreational Facility with the ability to hold public and private functions as accessory uses and the sale of alcoholic beverages at these accessory events is not permitted, the applicant shall not sell at retail for onsite consumption any alcoholic beverages from the winery or allow free sampling while there is an event being held pursuant to the prior special permit.
3. Parking for the winery is limited to 30 vehicles. No additional parking spaces shall be created, and no other property shall be used for parking without the prior approval of the Commission.
4. No food trucks are allowed, other food vendors not requiring generators are permitted.
5. Amplified music outside is not permitted.
6. No tents shall be permitted.
7. The provisions of Sections 7.3, 7.4 and 7.11F shall apply; and the applicant shall buffer propane tanks, refuse receptacles, and any mechanical equipment from view as required by section 7.4, and the Zoning Enforcement Officer shall ensure compliance.
8. Applicant shall place 2 directional signs along their frontage as approved by the Zoning Enforcement Officer.
9. All service of alcohol shall take place within the tasting room.

Dan Fraro seconded the motion; members Walton, Conklin and Fraro vote in favor; members Formica and Locatelli abstain. Motion carries, application approved.

- III. MINUTES: January 2, 2022 and January 18, 2022. Dan Fraro made a motion to approve the January 2 and 18, 2022 minutes as written. Jill Conklin seconded, members Fraro, Walton, Conklin and Locatelli in favor, Formica abstains, motion carries, minutes approved.
- IV. ADJOURNMENT
Jill Conklin made a motion to adjourn, Dan Fraro seconded, all in favor, motion carried.
Meeting adjourned at 7:18pm

Respectfully submitted,
Jennifer Roy

*****MINUTES ARE NOT OFFICIAL UNTIL APPROVED A SUBSEQUENT MEETING*****