

## SECTION 6 USE-RELATED PROVISIONS

### 6.12 FARM WINERY / FARM BREWERY / FARM DISTILLERY

#### A. PURPOSE

This Section is intended to establish standards relative to a farm winery, farm brewery, and/or farm distillery as an accessory use to a farm in order to allow for diversity and sustainability of agricultural uses and to preserve farm activity.

#### B. STANDARDS

1. **Uses Permitted** - A farm winery, farm brewery, or farm distillery shall be allowed as an accessory use to a farm provided:
  - a. A farm winery shall be accessory to a vineyard growing grapes and such grapes shall be used for the production of wine in accordance with a “manufacturer’s permit for a farm winery” as provided by CGS Section 30-16(e).
  - b. A farm brewery shall be accessory to the growing of beer ingredient(s) and such ingredient(s) shall be used for the production of beer in accordance with a “manufacturer’s permit for a farm brewery” as provided by CGS Section 30-16(f).
  - c. A farm distillery shall be accessory to the growing of the principal ingredient used for the production of distilled spirits in accordance with a “manufacturer’s permit for a farm distillery” as provided by CGS Section 30-16(i).
2. **Uses Not Permitted** - A “manufacturer’s permit for a brew pub” (CGS Section 30-16(g)) and/or a “manufacturer’s permit for beer and a brew pub” (CGS Section 30-16(h)) are not considered accessory to a farm and any such facility:
  - a. May be located in business or industrial zones, and
  - b. Shall not be allowed by this Section of the Regulations.
3. **Curtailments**– For a farm winery, farm brewery, or farm distillery, the Commission hereby specifically curtails (as authorized in CGS Section 30-16) the offering of free samples and/or direct sale of wine, beer, and/or distilled beverages for consumption on or off the premises:
  - a. Outside the hours of 10:00 AM to 6:00 PM from Sunday to Thursday and from 10:00 AM to 8:00 PM on Friday and Saturday.
  - b. Without approval of a **Site Plan** by the Commission.

A Site Plan does not get filed on the land records.

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- 4. **Uses Limited** - No other event or activity (including, but not limited to, private parties or events, corporate meetings, non-profit events, or wedding parties) shall be considered to be accessory to a farm winery, farm brewery, or farm distillery unless:
  - a. Specifically listed and allowed by this Section of the Regulations, or
  - b. Specifically approved by the Commission on an **event-by-event basis**.
  
- 5. **One Annual Event** - Notwithstanding #4 above, each farm winery, farm brewery, and farm distillery may host one event per year per facility as a product-related festival (i.e., a winefest, beerfest, etc.) provided:
  - a. Such event conforms to the hours of operation specified above,
  - b. Such event shall not exceed three consecutive days,
  - c. Such event involves other wine, beer, or distilled spirits from Connecticut, and
  - d. Such event obtains a Mass Gathering Permit from the Town of Somers.
  
- 6. **Event Permit(s) Required** – Any event or activity on the property (whether related to the farm winery, farm brewery, or farm distillery activity or not) shall have obtained a Zoning Permit and, if applicable, a Mass Gathering Permit prior to the event if such event meets or exceeds any of the following thresholds:
  - a. Any gathering or event which exceeds the normal rated capacity, as determined by the Fire Marshal, of the specific room or combination of rooms in a specific building (one building only) where the event or activity will take place.
  - b. Any gathering or event which attracts one thousand (1,000) persons or more during the course of the event or five hundred (500) persons on site at any one time.
  - c. Any gathering or event that will require a liquor permit other than the permit for the farm winery, farm brewery, or farm distillery.
  - d. Any gathering or event that needs to have on site Emergency Medical Services.
  - e. Any gathering or event which will result in a temporary road closure or lane restrictions, including any parking on a public roadway or right-of-way.

Mass Gathering Permit
<ul style="list-style-type: none"> <li>• Applications are required to be submitted at least 60 days prior to the event (although a calendar of events may be filed for an entire year)</li> <li>• Permit may require police presence, sanitation provisions, emergency medical presence, etc. at the applicant's expense.</li> <li>• Application requires indication of serving of food, erecting of tent(s), fireworks, sale of merchandise, amusement rides, etc.</li> </ul>

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7. **Music / Catering Limitations** - No event or activity at the site shall involve or include:
- Any amplified music or sound unless such noise or sound is in compliance with the noise limitations contained in Section 7.11.E of these Regulations.
  - Any food trucks, any tents for food service, or any tents or other temporary structure(s) for activities outside of a building unless:
    - The Commission shall have approved such activity as part of the **Site Plan** application:
      - Food trucks (number, size, location, etc.).
      - Tents for food service (number, size, location, etc.).
      - Other temporary structure(s) (number, size, location, etc.).
    - Any such facilities shall use wired electrical connections and not use generators of any kind.
    - Any such facilities shall be specifically declared as part of the Zoning Permit application and, if applicable, the Mass Gathering application.
8. **Accessory Sales / Service** - As part of a farm winery, farm brewery, or farm distillery, the following accessory activities are allowed **within a building**:
- Serving of food snacks within the tasting room as an accessory use,
  - Sale of by-products directly related to the farm winery, farm brewery, or farm distillery (such as clothing, accessories, paraphernalia, etc.),
  - Sale of food products which are directly related to the beer, wine, or distilled spirits produced (such as cheese, crackers, etc.), and/or
  - Sale of products produced or manufactured in Somers.
9. **Parking** – Adequate off-street parking shall be provide as part of a farm winery, farm brewery, or farm distillery in accordance with the following:
- A minimum of 30 permanent parking spaces are required for a farm brewery, farm winery, and/or farm distillery and such permanent parking spaces shall be paved or approved gravel parking.
  - Additional areas shall be set aside for overflow parking spaces and, to help maintain the aesthetic nature of the site, the Commission may:
    - Allow portions of the temporary parking spaces to be maintained as lawn parking, and/or
    - Require installation and maintenance of reinforced pavers or similar methods for all or portions of the proposed temporary parking in grass areas.
  - Adequate provision shall be made for parking for any event or activity conducted at the site and any application may be denied if such adequate provision has not been demonstrated:
    - For a Site Plan application, to the satisfaction of the Commission, or
    - For a Zoning Permit, to the satisfaction of the Zoning Enforcement Official.