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.
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**
- 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)
- Permit may require police presence, sanitation provisions, emergency medical presence, etc. at the applicant’s expense.
- Application requires indication of serving of food, erecting of tent(s), fireworks, sale of merchandise, amusement rides, etc.
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7. **Music / Catering Limitations** - No event or activity at the site shall involve or include:
   a. 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.
   b. 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:
        o Food trucks (number, size, location, etc.).
        o Tents for food service (number, size, location, etc.).
        o 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:
   a. Serving of food snacks within the tasting room as an accessory use,
   b. Sale of by-products directly related to the farm winery, farm brewery, or farm distillery (such as clothing, accessories, paraphernalia, etc.),
   c. Sale of food products which are directly related to the beer, wine, or distilled spirits produced (such as cheese, crackers, etc.), and/or
   d. 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. 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.
   b. 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.
   c. 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.