

Jennifer Roy

From: George Schober <gcslaw@cox.net>
Sent: Monday, March 15, 2021 8:25 PM
To: Jennifer Roy
Cc: keelhulled@hotmail.com; Ayapo2014
Subject: Murdoch Wedding and Event Center on Mountain Road
Attachments: Alcohol CD Order (1).jpg

Please add the attached Cease and Desist Order to the record for both the zoning regulation public hearing on March 22, 2021 (specifically for Section 6.12 of the revised zoning regulations known as the Murdoch Wedding and Event Center on Mountain Road) as well as for the text amendment for the Murdoch Wedding and Event Center public hearing on April 5, 2021 Jen.

Thank you.

Geo.

Attorney George C. Schober
352 Billings Road
Somers, CT 06071
860-749-0026
860-749-0453 (fax)

The information contained in this email is confidential and privileged and is considered attorney work product. The information is only intended for the use of the person named in the email.

TOWN OF SOMERS

ZONING COMMISSION

P.O. BOX 308
SOMERS, CONNECTICUT 06071

CEASE AND DESIST ORDER

DATE: June 29, 2004

YOU ARE HEREBY NOTIFIED that the conditions described herein, at the following location, are in violation of section 214-87.D. of the Somers Zoning Regulations.

LOCATION: 359 Mountain Road

NAME OF OWNER: Worthington Pond Farm, LLC, Dan Roulier

ADDRESS OF OWNER: P.O. Box 823, Somers, CT 06071

NATURE OF VIOLATIONS: The sale of alcoholic liquors for consumption on the subject premises is not a permitted use.

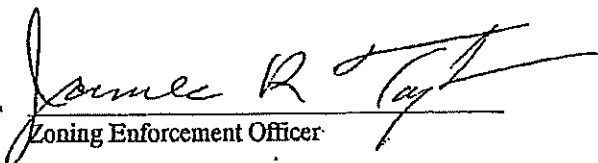
NECESSARY STEPS TO BE TAKEN: Cease all sales of alcoholic liquors for consumption on the the subject premises.

Failure to comply with this order within ten (10) days of receipt of this order (or immediately, if the violation involves grading of land or removal of earth), will subject you to a fine pursuant to the provisions of Section 8-12 of the Connecticut General Statutes. Each day the violation continues will subject you to a separate fine.

Any recurrence of this violation will be considered a continuance of the same violation.

This order may be appealed to the Zoning Board of Appeals under Section 214-101 of the Somers Zoning Regulations, providing such appeal is filed within thirty (30) days (Section 8-7 of the Connecticut General Statutes) of receipt of this order, on a form available in the Zoning Department.

If you have any questions, please contact me at the Zoning Office.


Zoning Enforcement Officer

cc: Town Attorney

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED: 7099 3400 0002 0648 2341

Jennifer Roy

From: ken prior <keelhulled@hotmail.com>
Sent: Monday, March 15, 2021 5:29 PM
To: Jennifer Roy
Cc: George Schober
Subject: Re: temporary food service permit

Jennifer,

Please make my email with attachments part of the record for both 3/22 zoning reg hearing as well as Murdoch text amendment hearing on 4/5.

Thank you

Ken Prior

From: ken prior <keelhulled@hotmail.com>
Sent: Monday, March 15, 2021 4:35 PM
To: Steve Jacobs <SJacobs@somersct.gov>; Jennifer Roy <jroy@somersct.gov>
Cc: George Schober <gcslaw@cox.net>
Subject: Re: temporary food service permit

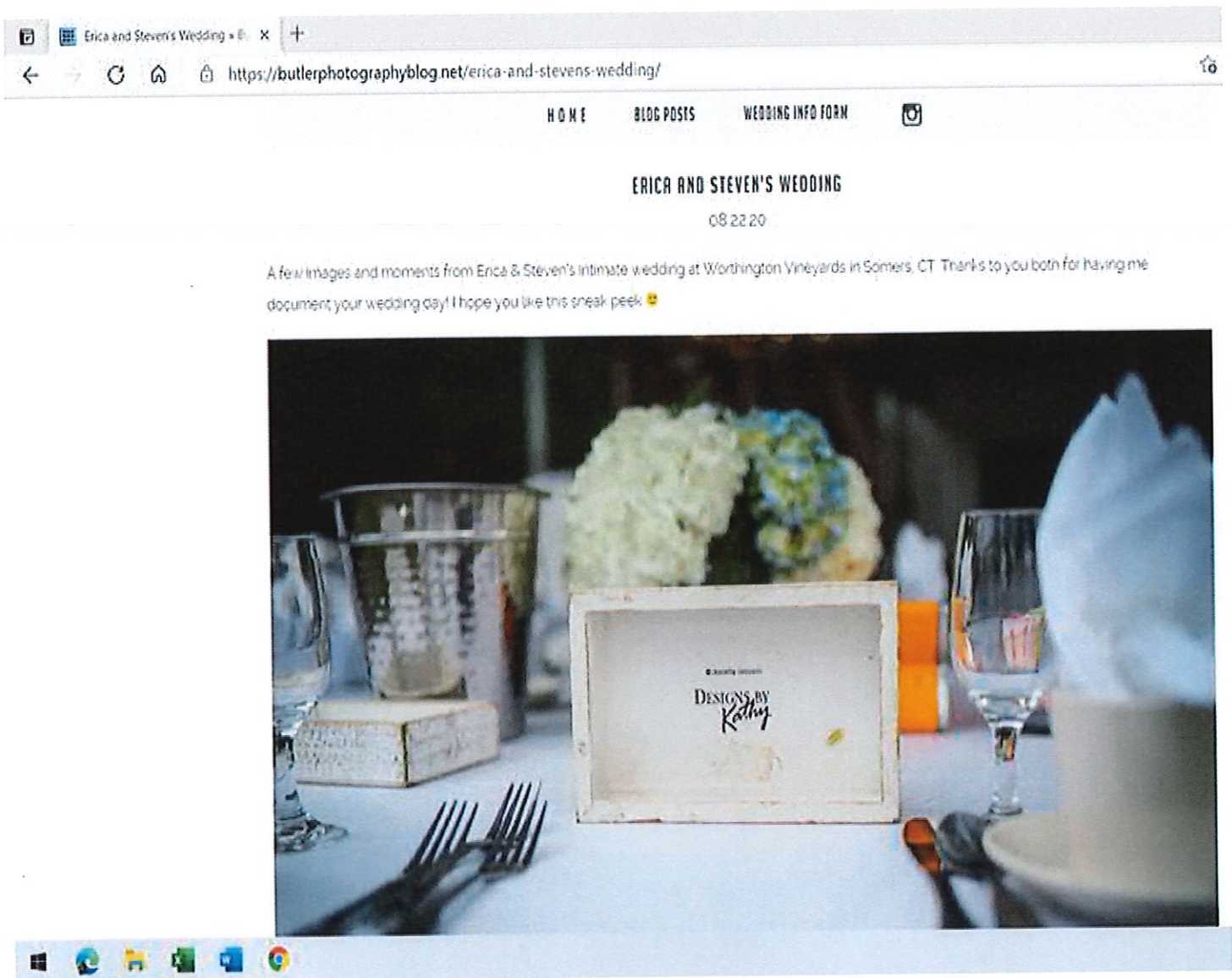
Jennifer and Steve,

A cease & desist order was issued to Worthington pond June 2004 for sale of alcohol (attached). In 2006 zoning denied a permit to erect a tent on the facility which was upheld in court (attached).

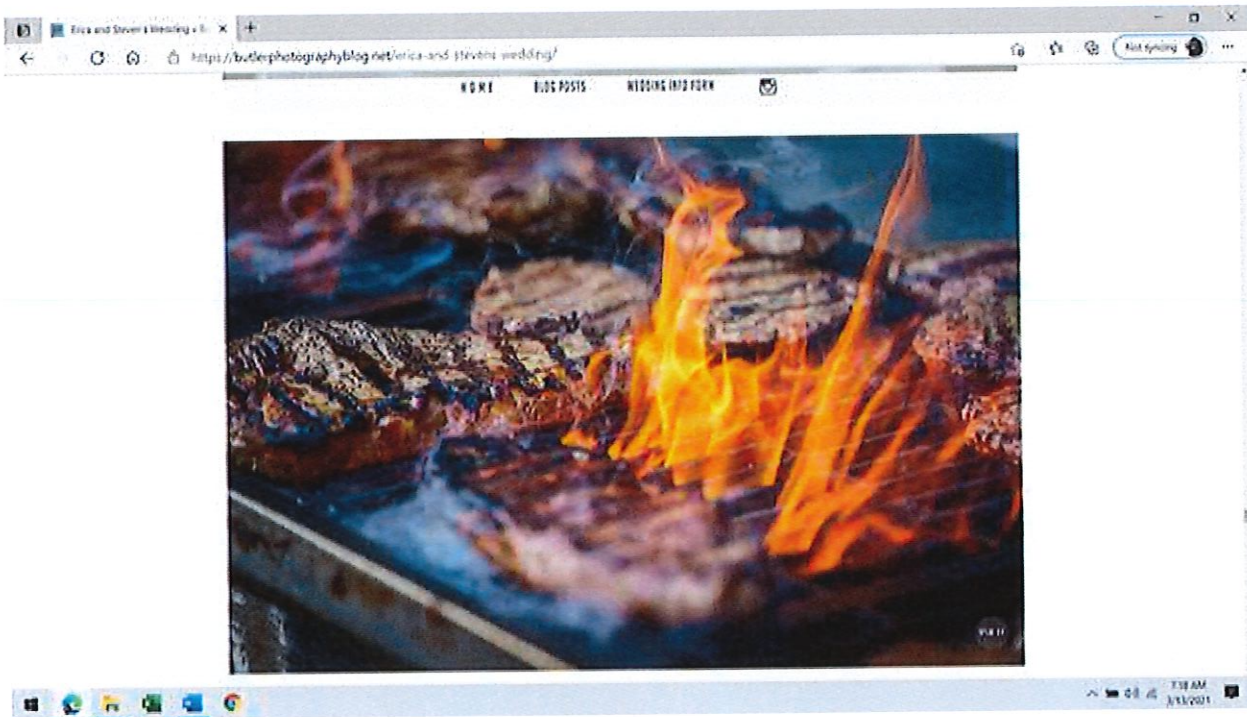
According to the link below a wedding occurred on the property Aug 22, 2020, you can clearly see beer, wine, champagne being consumed, and food being cooked. Also, a tent which was the center point of the 2006 court action. According to Steve email below a temporary food service permit was not applied for either.

Although the property was not owned by the Murdoch's in August 2020 you can clearly see on the first picture the event was "at Worthington Vineyards in Somers". I want to lodge a formal complaint against the facility for violating cease & desist order for sale of alcohol, erecting a tent, not applying for a temporary food service permit, and violation of COVID restrictions.

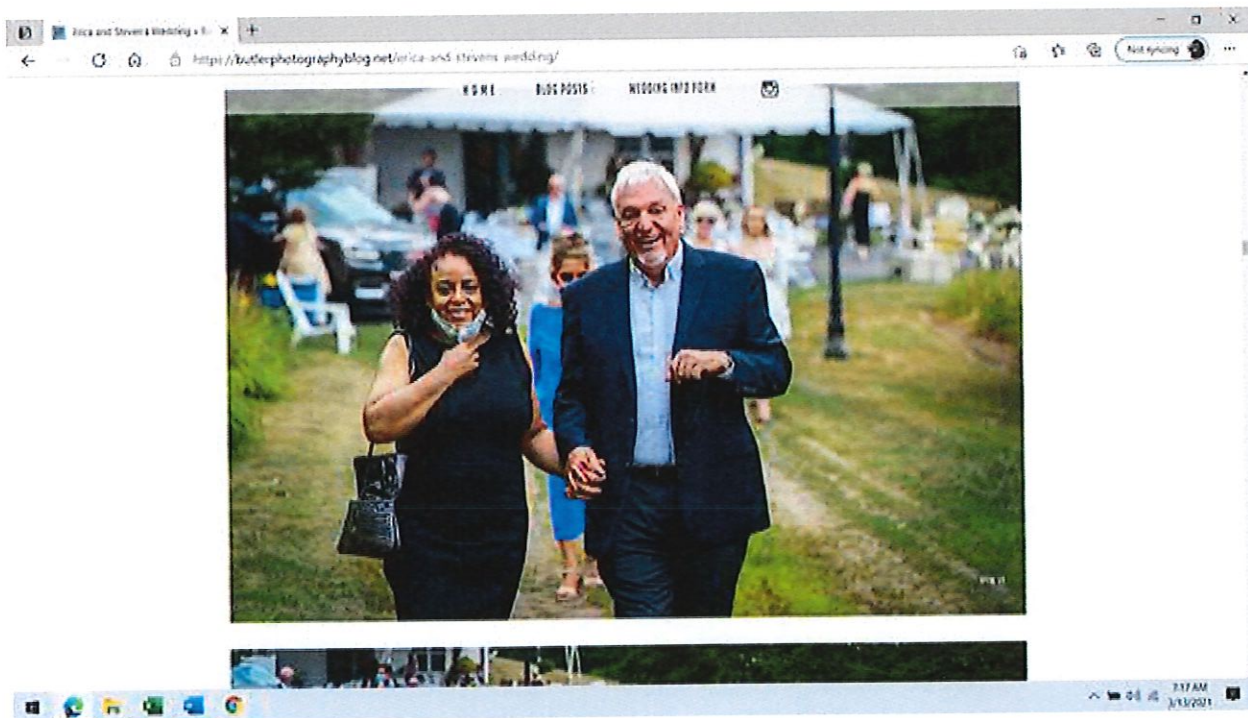
<https://butlerphotographyblog.net/erica-and-stevens-wedding/>

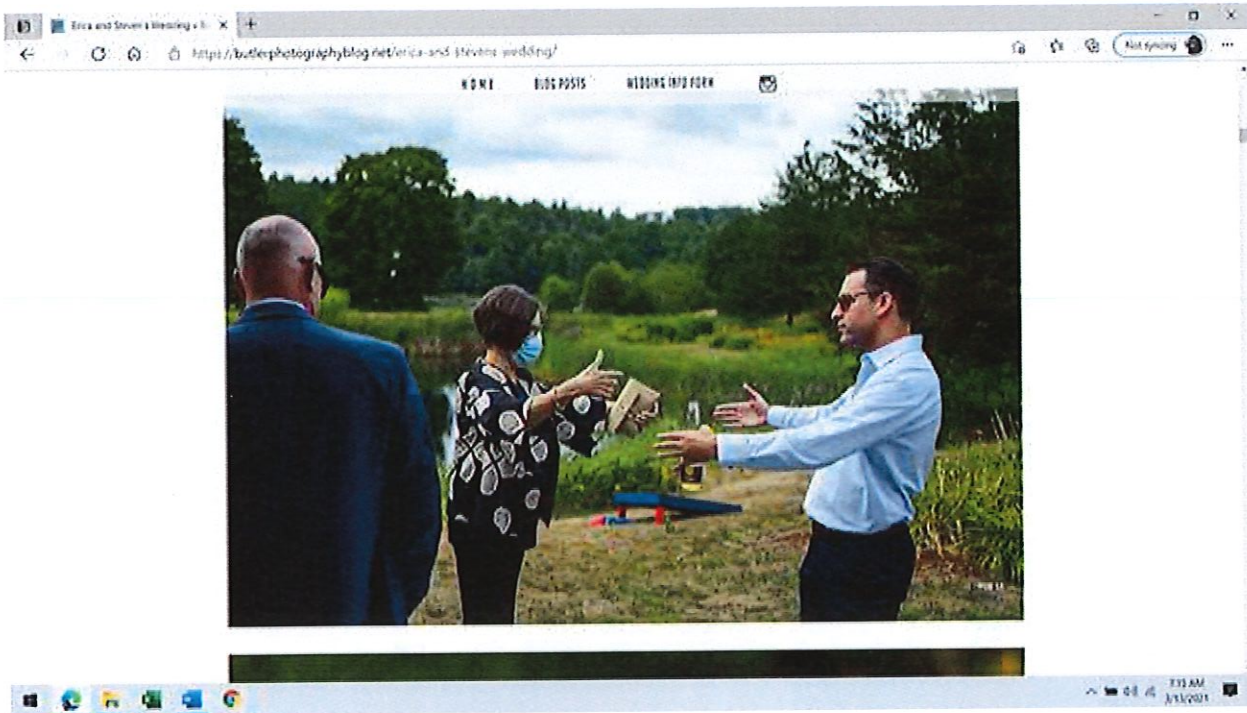


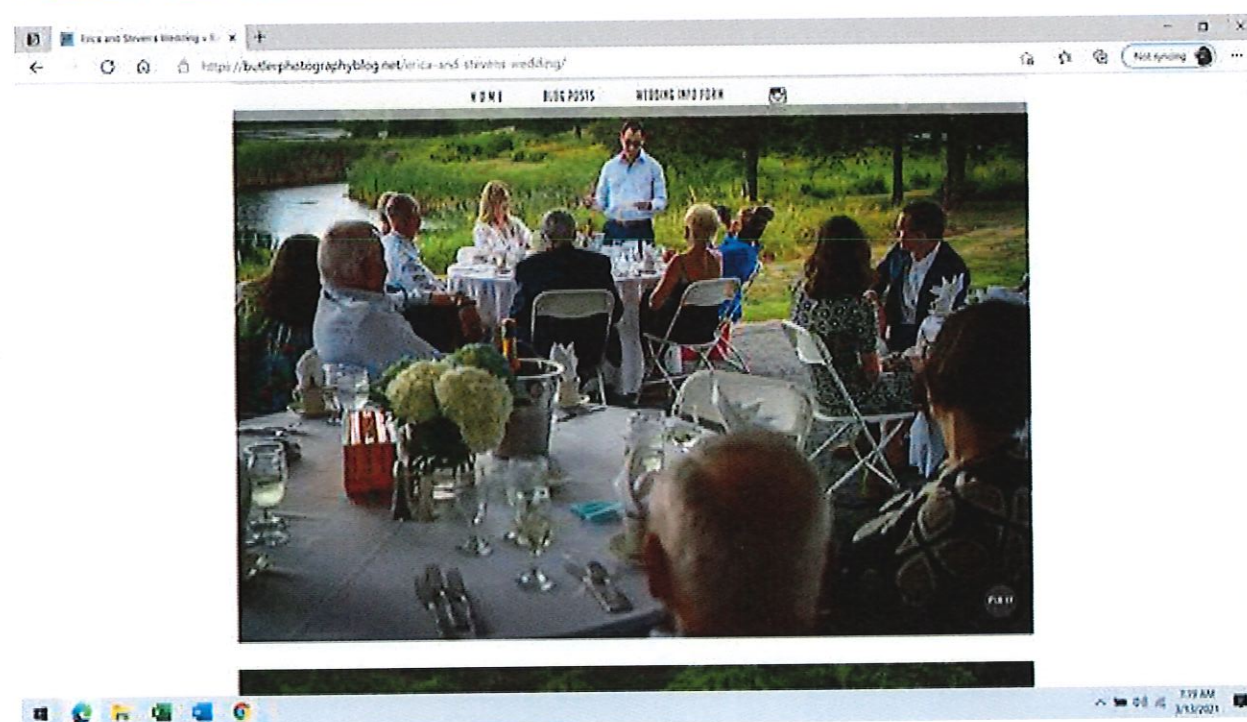
Food service

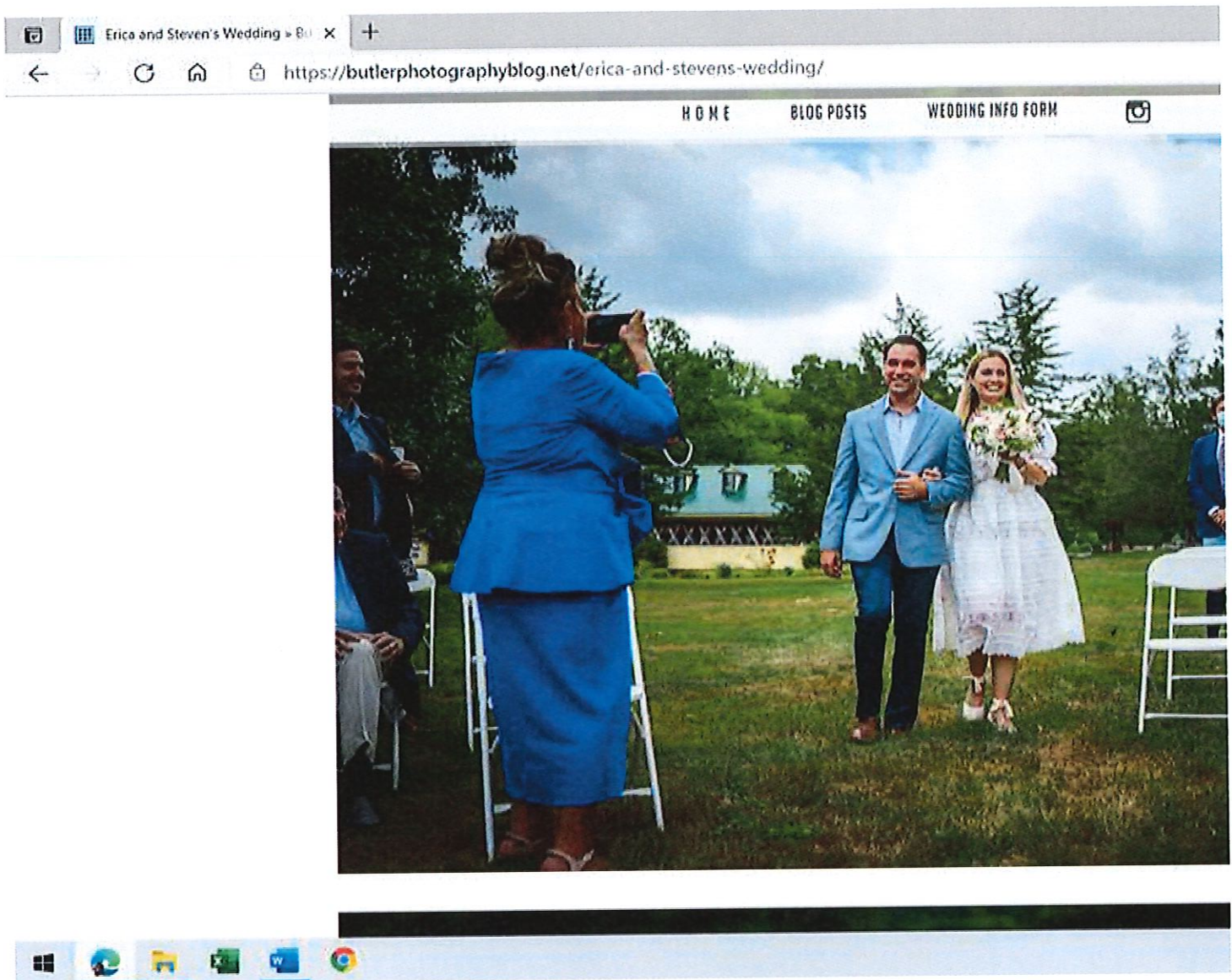


Tent









R/

Ken Prior

From: Steve Jacobs <SJacobs@somersct.gov>
Sent: Monday, March 15, 2021 8:28 AM
To: 'ken prior' <keelhulled@hotmail.com>
Subject: RE: temporary food service permit

I have no record of a permit issued for that date. Most events were canceled last year due to COVID.

Steven Jacobs, R.S.

Somers Health Department &
Water Pollution Control
600 Main St
Somers, CT 06071
Phone: 860-763-8216

Fax: 860-763-8223

Email: sjacobs@somersct.gov

From: ken prior [mailto:keelhulled@hotmail.com]

Sent: Saturday, March 13, 2021 7:35 AM

To: Steve Jacobs <SJacobs@somersct.gov>

Cc: George Schober <gcslaw@cox.net>

Subject: temporary food service permit

Good morning Steve,

How do I find out if any temporary food service permits were issued for Aug 22, 2020? If so, who they were issued to?

R/

Ken Prior

Court denies tent appeal

By Lisa Cook
Journal Inquirer

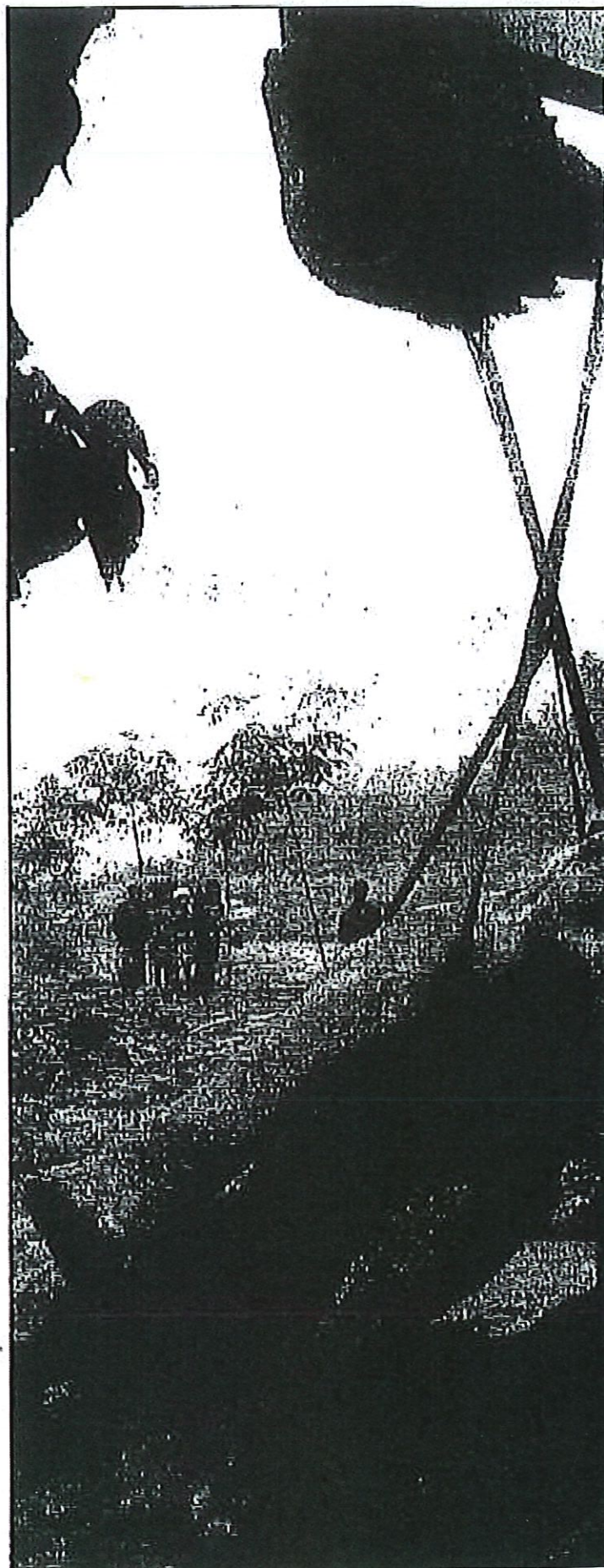
SOMERS — A judge in Vernon Superior Court has dismissed an appeal from local landowner Dan Roulier, who sought to overturn a zoning decision that denied the addition of a tent to his Worthington Pond Farm property.

At least one resident involved in the dispute, which has stretched on for roughly two years, doesn't expect this month's ruling to be the end of it, though.

Kenneth Prior, who owns property adjacent to Worthington Pond and has adamantly opposed Roulier's development plans, said he was pleased with the court's ruling.

"We're elated with the decision," Prior said today. "What was done by the Zoning Commission in the past was correct and proper according to the regulations and the judge's opinion."

Prior, who was named as a defendant in the appeal, said he expects disputes over the use of Worthington Pond to continue, saying Roulier can still seek permits to expand use of the facility.



Wineries at center of debate on revising Somers zoning rules

By Erika Purdy

epurdy@journalinquirer.com

SOMERS — Discussion over a proposal to permit farm wineries, breweries, and distilleries in town dominated the conversation at the Zoning Commission public hearing on its proposed update of its regulations.

The commission plans to meet next Wednesday, March 10, to revise the proposed regulations, then present them to the public for more feedback at a later date.

During the hearing last month, several people spoke specifically about local couple Mark and Karen Murdoch's desire to open a farm winery on their property at Worthington Pond, despite Chairwoman Jill Conklin's admonition that the hearing was on the proposed regulations, not a specific application.

Commission member Karl Walton said the proposed regulation on wineries, breweries, and distilleries was drafted in line with the town's 2004 plan of conservation and development. He summarized the plan by saying that "people in town were interested in trying to encourage uses that kept open spaces open and let us keep our rural characteristics."

Some members of the public, including Gregory Altieri and Kyle Hughes, backed the proposed regulations, saying a winery would be a beneficial addition to the town.

Altieri said the regulations should include minimal restrictions to allow for "creative freedom for the sake of ultimate hospitality" for the owner. He said a farm winery would be an important addition to the cultural and artistic needs of Somers, adding that its positives far outweigh its negatives.

Hughes said the regulation would allow the town to transform unused properties. He mentioned Powder Hallow Brewery in the Hazardville section of Enfield, which he said took "old buildings that just sat there and turned them into small local community places."

But other speakers, including Judy Schober and Ken Prior,

ZONING DEBATE

ISSUE: Revision of zoning regulations would allow farm wineries, breweries, and distilleries with a special-use permit.

STATUS: Zoning Commission will revise the draft and schedule another public hearing.

opposed the regulation.

Schober said she would love to visit a winery but said many Somers roads are winding and not designed for the density of traffic that maybe might come from a development.

"I'm a little bit worried about being able to peacefully enjoy our property the way that we thought it would be," Schober said. She said the town wants to be business friendly but suggested that the commission needs to look at all the people affected and their understanding of what the town was before they moved in.

Prior opposed the entire regulation, saying it would create an enforcement nightmare to the detriment of neighbors. He said farm wineries are commercial uses not appropriate for residential zones, adding that he hadn't heard a farmer endorse the regulation, only an engineer and a business owner.

Mark Murdoch said the town came to him and his wife about opening a winery in town, which prompted Prior to question the ethics of such a discussion.

"I find it interesting that town employees are making promises regarding zoning regulation changes to businesses and real estate developers," Prior said in an email to the Journal Inquirer. "Not exactly transparent or ethical."

In response, First Selectman C.G. "Bud" Knorr said: "The Murdochs approached me and inquired if there was available land for sale in Somers that would be suitable for a proposed winery they were thinking of establishing. I suggested that they contact Dan Rouiler since I was aware that Worthington Pond was on the market. That was the extent of my involvement."

JI
3/4/21

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