

MEMORANDUM

OFFICE OF COMMUNITY DEVELOPMENT

SECTION 13.2.b REFERRAL FROM THE ZONING BOARD OF APPEALS TO THE
TOWN PLAN AND ZONING COMMISSION FOR A REPORT WITH RECOMMENDATIONS
FOR A USE VARIANCE FOR RECREATION USES, FOR PROFIT, IN THE
RURAL RESIDENCE ZONE
63 WOODLAND STREET
MEETING DATE—DECEMBER 8, 2020

REGULAR MEETING ITEM# 5
12-08-2020 AGENDA

EXECUTIVE SUMMARY

To:
Town Plan and Zoning
Commission

From:
Office of Community
Development Staff

Memo Date:
December 4, 2020

Zoning District:
Rural Residence Zone

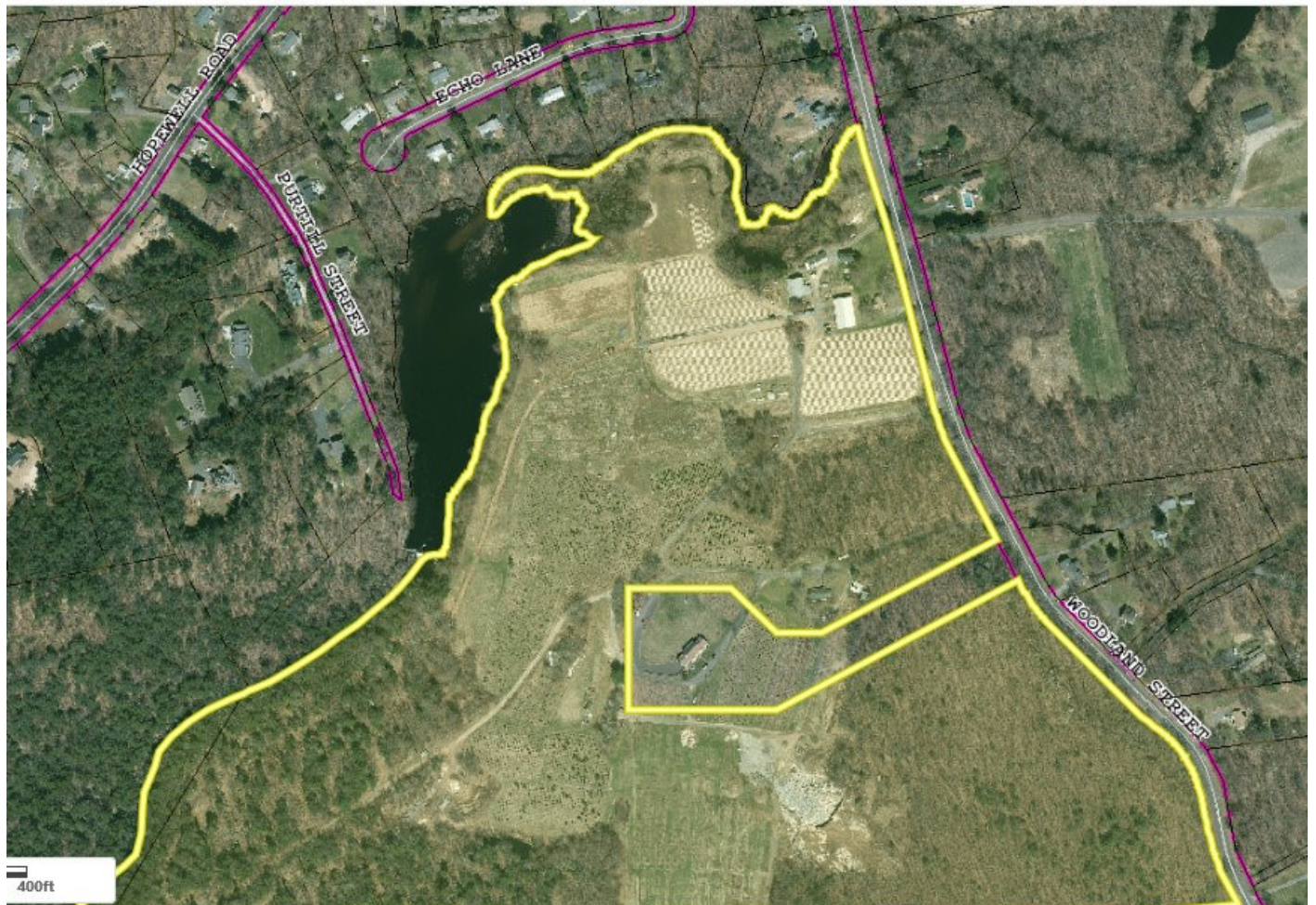
Applicant/Owner:
Paul Cavanna

- The applicant is seeking a use variance from the following section of the Glastonbury Building-Zone Regulations:
 - Section 4.2.1—Permitted Uses in the Rural Residence Zone
- The location for the proposed use variance is 63 Woodland Street.
- The application provided by the applicant requests a variance from Section 5.4 instead of section 4.2.1. It also lists the address as 80 Woodland Street when the location of the proposed use variance is 63 Woodland Street.
- The Office of Community Development recommends that the TPZ condition the recommendation such that the applicant, if they have not already done so, revises their application to accurately reflect the address and the sections of the zoning regulations for the variance.
- The variance request is to permit recreational uses, for profit in the Rural Residence Zone where such use is not permitted.
- The applicant has submitted a narrative detailing their request for a use variance.
- Section 13.2.b of the Building– Zone Regulations states: “No application for a variance from the use provisions of these Regulations (as distinguished from the area, frontage, yard, coverage, height, etc. provisions hereof) shall be voted upon until a report with recommendations thereon has been received from the Town Plan and Zoning Commission....”
- Should the applicant’s variance be granted by the Zoning Board of Appeals the use will require site plan review by the Town Plan and Zoning Commission.

REVIEW

Included for Commission review are the following:

- A copy of the application to the Zoning Board of Appeals which includes a project narrative.



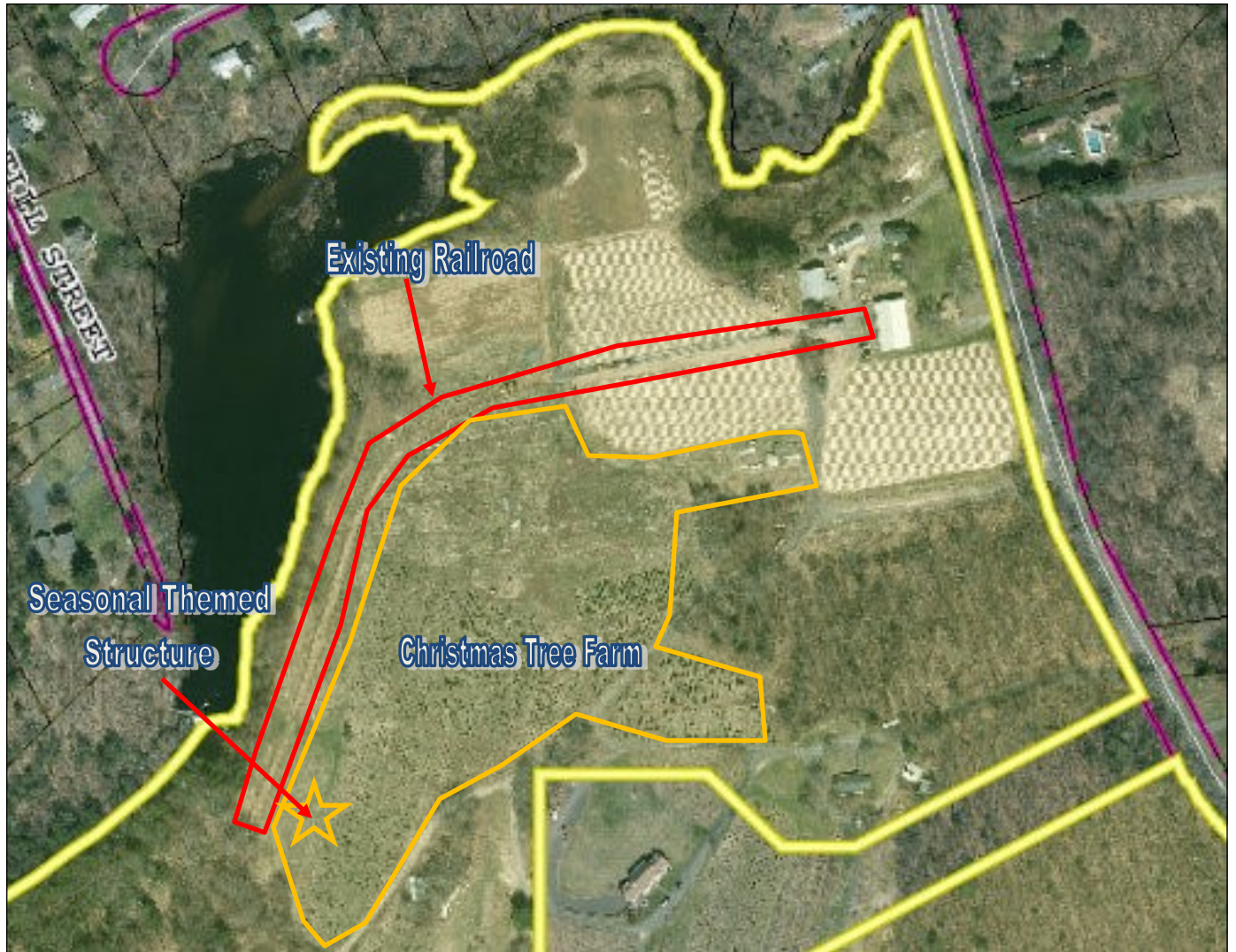
Aerial view of 63 Woodland Street looking north

SITE DESCRIPTION

The site is a 75-acre parcel on the east side of Woodland Street. The site has several agricultural uses including a Christmas tree farm and also has excavation operations. The northern portion of the site contains various agricultural uses and the excavation site is located at the southern end.

ADJACENT USES

The site is surrounded on all sides by farmland and single family residences.



Proposed Seasonal-Themed, For Profit, Recreation Use at 63 Woodland Street

Ten copies of this Application are required

ZONING BOARD OF APPEALS
APPLICATION

REFERRED TO TP&Z _____

Applicant Paul Cavanna
Street 80 Woodland Street Town Glastonbury
Telephone 860-398-8929
Legal Representative (if any)
Address 80 Woodland Street, Glastonbury, CT, 06073

Date Filed & Fee Paid _____
Date Hearing Scheduled _____
Sign Deposit Paid On _____
Will Post Own
Sign Taken On _____
Sign Inspected on Site _____

Exact Location of Property Involved 80 Woodland Street, South Glastonbury, CT, 06073
Assessor's Key # (If No Street # Indicated)
Legal Property Owner Paul Cavanna

Under the provisions of Section 8-7, Connecticut General Statutes, the undersigned hereby appeals:

- 1. For relief (a variance) from the restrictions imposed in Section(s) 5.4 of the Glastonbury Zoning Regulations.
- 2. For a special exception as provided in Section 5.4 of the Glastonbury Zoning Regulations.
- 3. From an adverse ruling by the Building Official, Glastonbury.
- 4. For the approval required by the State of Connecticut agency named below.

Describe in detail (in space provided on page 2 or on a separate sheet) what it is you want to do. State why this violates the Section(s) of the Glastonbury Zoning Regulations cited above. If a variance is sought, what hardship related to your particular property is claimed? If a special exception is sought, explain how all requirements for this exception have been met. If this is an appeal from a ruling of the Building Official/ Zoning Enforcement Officer state why you feel the ruling is wrong. (Use back of this form, if necessary)

We/I hereby depose and say that all the above statements contained in any papers submitted herewith are true to the best of my knowledge and belief.

Paul Cavanna
Applicant

Paul Cavanna
Owner, If Not Applicant
(Required)

11/09/2020
Date

11/09/2020
Date

SEE PERTINENT INFORMATION ON NEXT PAGE

include TEN (10) copies of everything submitted including the application and a map of the property involved. Locate all structures thereon and their relation to buildings on adjacent property and to the highway with approximate distances therefrom. Floor plans of buildings which you desire to erect or to alter must be provided in sufficient detail to make intelligent presentation of your plans. Also, include ten (10) copies of all supporting documentation.

FILING FEE OF \$185.00 tendered herewith. Applicants whose cases come under Section 14-55, 14-322, Connecticut General Statutes will be charged an additional fee to pay the cost of publication and the expenses of the public hearing.

DESCRIPTION IN DETAIL:

My son has constructed a railroad at my farm to transport patrons to different crops throughout the year. It has been brought to my attention that with the addition of a Santa's North Pole situated in the middle of the Christmas tree field the riding of the train to visit Santa becomes "recreational for profit" and is no longer "not for profit recreational". With the zoning board's approval I would like to be able to use the railroad for "profit recreation" such as rides to meet Santa in the Christmas trees.

I would like to be allowed to have full service food trucks (that hold valid licenses) to sell their products "to include mixed alcoholic beverages such as eggnog, and warm hard cider" at the farm where folks board the train.

I would like to have a licensed kitchen at the farm someday like surrounding farms, such as Donderos and Woodland Farms so we can bake pies, cookies and produce jellies from items we grow and harvest on the property. I do not currently have plans to build a kitchen but would like to perhaps request the permission to do so in the future.

My son is a huge collector and restorer of antique farming and railroad equipment. I would like to be able to open a non-traditional working and moving museum on the property "no brick and mortar" so he can showcase all of the antique historical equipment he has restored and operates. Such as the trolley museum, the Naugatuck railroad or the Zagray farm in Colchester. My son John currently is involved in multiple programs such as the Police Athletic League, the Girl Scouts, Boy Scouts and Gateway College where he offers both educational, and historical demonstrations and well as training programs for free.

Thank you so much for you time and consideration in these requests.

Ten copies of this Application and all supporting documentation are required