

Town of Stonington  
Economic Development Commission  
November 30, 2016 10:00 am  
FINAL  
Special Meeting Minutes

**Present:**, Kevin Bowdler, Ward Smith

**Guests:** Jane Meisner

**Meeting Called to Order:** 10:00 am

**Discussed proposed Agricultural Heritage District zoning change.**

Here is the proposed text.

**7.24 AGRICULTURAL HERITAGE DISTRICT**

**7.24.1 General.**

7.24.1.1 The Planning and Zoning Commission may establish site specific Agricultural Heritage Districts ("AHD") for those properties encompassing and abutting farms which have been used continually for agricultural purposes for at least 25 years, by approving a Master Plan in conformance with Section 7.24.4.

7.24.1.2 The AHD is a floating zone governed by a Master Plan, prepared in accordance with Section 8.4.3 of these Regulations. The Master Plan will be subject to review and approval by the Commission as a zone change, subject to a public hearing and all other applicable terms and conditions of these Regulations. It is recognized that the Master Plan may require certain fluidity in order to accommodate market changes during the complete development of any project. Notwithstanding the foregoing, any substantial and material change will be subject to the same procedural requirements for a zone change as required by the original zone change application adopting the AHD. Once enacted, the AHD will supercede all pre-existing zoning, and any development on the zoned property will be subject to the specific AHD requirements set forth herein.

7.24.1.3 In that the approval of an AHD constitutes a change of zone, it calls for the Commission to act in its legislative capacity, and to exercise legislative discretion. By filing an application for an AHD, the applicant acknowledges and accepts the nature of such application, and the level of discretion which the Commission possesses in such applications.

#### **7.24.2 Statement of Purpose.**

Agricultural Heritage Districts are intended to preserve Stonington's cultural landscape, ensure the continuation of agricultural industry by creating opportunities for locally produced food, protect historic agricultural character and scenic resources, maintain long-term viability and sustainability of farmland by permitting flexible economic use, and provide an alternative to the undesirable conversion of agricultural lands to residential subdivisions. Factors to be considered by the Commission in approving an AHD include:

- 7.24.2.1 That the location, uses and layout of the proposed AHD are in conformance with the intent of, and the goals and objectives contained in, the Plan of Conservation and Development.
- 7.24.2.2 Preservation, to the maximum feasible extent, of cultural landscapes, including buildings and building elements possessing historic or architectural significance.
- 7.24.2.3 Integration of existing, enhanced and new agricultural uses with other compatible land uses designed to promote the economic viability and sustainability of the subject property. Since each farm is unique in terms of its location and characteristics, there shall be no mandatory area ratio of agricultural use versus other use; rather, the type and placement of each proposed use shall be indicated in the Master Plan.
- 7.24.2.4 Harmony between the various uses that are proposed for the property, compatibility with neighboring land uses, enhancement of both agricultural lands and the built, natural and human environment, promotion of pedestrian safety, provision for adequate parking, and minimized impact of motor vehicles.
- 7.24.2.5 Furtherance of the policies of the Coastal Management Act, as applicable.

#### **7.24.3 Establishment of District.**

The Commission shall establish an AHD by approving a Master Plan, which while not intended to be a substitute for detailed documentation associated with a site plan, does provide sufficient information to determine if the proposal is in conformance with Section 7.24.2 and the Plan of Conservation and Development. Such adoption shall constitute a zoning map amendment in accordance with Section 9.4 of these Regulations.

- 7.24.3.1 Numbering of Agricultural Heritage Districts. Each AHD shall be numbered and depicted sequentially on the official zoning map in accordance with the date of adoption as AHD-1, AHD-2 and so forth.
- 7.24.3.2 District Eligibility. The area proposed for an AHD shall be located in any existing residential zoning district and shall encompass a minimum of 35 acres of contiguous land in one or more parcels under common

ownership or other arrangement satisfactory to the Commission. Included within this minimum acreage shall be a farm or a portion of a farm in continual operation for at least 25 years prior to application. Evidence of continual operation may be provided by historical documents, photographs, testimony or other means. In recognition of the historic relationship between agricultural lands and inland wetland areas, watercourses and water bodies, the proration provisions of Section 7.5 shall not apply to the calculation of the minimum acreage requirement.

7.22.3.3 Additions and Alterations. Any additions or alterations to the Master Plan must comply with the criteria established in Sections 7.24.2 and 8.4.3, and any such change shall be made in a manner which will accomplish the purposes stated in Section 7.24.2 hereof.

7.24.3.4 District Expiration. Approval of the zone change shall become null and void unless a site plan for the AHD is approved within 24 months of the date of zone change approval. The Commission may grant one or more extensions of this period upon written request of the applicant, but in no event will the extensions exceed 24 additional months.

#### **7.24.4 Master Plan.**

The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 7.24.2 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the bulk and dimensional characteristics of the AHD and its uses. All graphic elements of the Master Plan shall be professionally prepared in accordance with Section 8.4.3 of these regulations.

#### **7.24.5 Site Plan.**

After Master Plan approval and establishment of an AHD by the Commission, an application for a site plan must be submitted for approval, following provisions contained in Article VIII of these Regulations. The implementation of a Master Plan approval may be phased by the filing of multiple site plan applications. A public hearing shall be held for any site plan application filed under this section.

#### **7.24.6 Specific Design Standards.**

The following design standards shall apply to all AHD Districts:

7.24.6.1 Area and Bulk Requirements. All bulk and dimensional requirements shall be established by the Master Plan. The preservation of historic buildings and the integration of agricultural uses with other land uses requires substantial flexibility, and existing historic structures located within the AHD shall be deemed to be conforming in terms of any encroachments on front, side and rear yard setbacks, maximum height and floor area ratio. Existing historic buildings may be enlarged provided

that such expansion is consistent with the structure's exterior architecture.

- 7.24.6.2 Architectural Design. All new construction and replacement buildings, where existing buildings are deemed inappropriate for re-use, shall be architecturally compatible with any remaining historic structures located on the property and the surrounding neighborhood, when and where feasible. Nothing in this section shall be construed to prohibit the construction of functional buildings for agriculture operations, such as sheds and pre-fabricated structures, or the inclusion of other architectural styles for other ancillary uses, including modern designs.
- 7.24.6.3 Signage. A sign plan evidencing a unified signage program for the AHD, including the general position, size, content and appearance of signs visible from any public right of way shall be included in the Master Plan application and shall be approved by the Commission.
- 7.24.6.4 Parking. On-site parking areas shall be adequate for the uses proposed. Specific parking standards shall be established as part of the Master Plan. Parking standards shall be based on a study of estimated parking demand to be considered by the Commission. Parking should be located onsite to the extent feasible, but not lead to excessive impervious coverage. Design of parking areas should maximize landscaping and prevent large expanses of impervious area and alternative parking surfaces are encouraged where beneficial. Stormwater management shall be designed to handle anticipated run-off without creating negative impacts on adjacent properties or natural resources.
- 7.24.6.5 Permitted Uses. Permitted uses shall be established by the Master Plan and implemented by site plan approval. The following list of uses is permitted in the AHD, but it is not exclusive. The Commission may approve other uses, provided said uses are not prohibited by Section 7.24.6.6 and it is determined said uses are consistent the purposes of the AHD.
- .1 Cultivation of land, greenhouses, raising of livestock, boarding facilities, and grazing.
  - .2 Agricultural equipment storage, fueling, and repair facilities.
  - .3 Boutique inns and bed and breakfast facilities.
  - .4 Craft and artisan manufacturing, production and processing of food products, including flour, notwithstanding the prohibition of Section 2.12.2.2.

- .5 Wineries, microbreweries, and craft distillery operations.
- .6 Event facilities hosting weddings, farm dinners, corporate gatherings, performances and other special events and celebrations.
- .7 Farm markets and roadside stands involving the retail sale of agricultural products produced on or off the premises.
- .8 Museums, passive recreation, trails, and small-scale educational activities.
- .9 Residential uses, not to exceed five (5) total units within any AHD.
- .10 Restaurants only as an accessory to a principal use.
- .11 Retail sales only as an accessory to a principal use.
- .12 Off-street parking only as accessory to a principal use.
- .13 Site access and circulation drives, stormwater management structures, and small accessory structures (not to exceed 500 square feet).

7.24.6.6 Prohibited Uses. In addition to the prohibited uses listed in Section 2.12, the Commission has determined that the following uses are prohibited in the AHD.

- 7.22.8.1 Gasoline filling stations not associated with agricultural operations.
- 7.22.8.2 Motor vehicle, trailer coach and boat sales, leasing and renting.
- 7.22.8.3 Auto repair maintenance and paint shops.
- 7.22.8.4 Car washes.
- 7.22.8.5 Water parks, theme parks and amusement parks.
- 7.22.8.6 Retail sales not accessory to a principal use.

7.24.6.7 Buffers. The purpose of buffer areas is to provide privacy from noise, headlight glare and visual intrusion to residential dwellings in all locations where uses in the AHD abut a residential district exterior to the AHD. A buffer area shall be required between any area in the AHD which is used for other than agricultural or single family residential purposes which is abutting or directly across a street (other than a

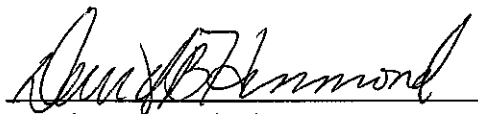
limited access highway) from any lot used for residential purposes in a residential district exterior to the AHD. Buffer requirements do not apply to internal property lines which are part of the AHD and do not border adjacent property. The Commission may allow the buffering to be located on adjacent property with the consent of the affected property owner; provided that the right to maintain such buffering and/or screening is memorialized by a permanent easement filed for record in the Stonington Land Records. Such buffer areas shall comply with the following minimum standards:

- .1 Buffers from adjacent residential uses. The minimum width of the buffer area shall be 25 feet from the property line. In the event that the buffer area is not currently vegetated or in agricultural production, the Commission shall have the discretion to require the Applicant to install screening within the buffer area.
- .2 Screening, if required, shall consist, at minimum, of plantings not less than six (6) feet in height planted at intervals of ten (10) feet on center and other evergreen and deciduous shade trees and shrubs as may be appropriate. As an alternative, an earthen berm, stabilized with appropriate groundcover and plantings, may be permitted by the Commission in order to adequately buffer adjoining residentially used property.
- .3 The following accessory uses shall be allowed within buffer areas provided that they are adequately screened from abutting residential properties: access roads, walking paths, utilities, mailboxes and approved signs.

**7.24.7 Preservation of Agricultural Lands.**

The Commission recognizes that ensuring the economic viability and sustainability of agricultural land requires substantial flexibility in the use and restrictions placed upon such properties. While the Commission encourages the preservation agricultural lands in perpetuity via fee simple conveyance, deed restriction, conservation easement or other similar means, the Commission shall not require the dedication of any agricultural land as a requirement of or exaction related to any Master Plan approval.

**Adjourn 11:00 am**



David Hammond, Chairman

Approved 12/7/2016