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Sue J. Deane
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APPENDIX IV
SOUTH FARMS – AGRI-TOURISM PDD
SOUTH FARMS- AGRI-TOURISM PLANNED DEVELOPMENT DISTRICT
AMENDMENT TO THE ZONING REGULATIONS OF THE TOWN OF MORRIS, CONNECTICUT
EFFECTIVE DATE _____

1. **GENERAL:** This Amendment pursuant to Section 55 of the Zoning Regulations of the Town of Morris, hereinafter referred to as the "Regulations," provides for the establishment of a Planned Development District on (3) three parcels of land now owned by Paletsky Farm, LLC. on Watertown and Higbie Road. The parcel of land contains 10.8+/- acres. The Planned Development District will be known as the "South Farms Agri-Tourism Planned Development District" hereinafter referred to as PDD-SF."

Section 55 of the Regulations, as revised May 15, 2020, permits the modification of the strict application of the plan, standards, and provisions of the Regulations for the following purposes:

- 1.1 "To permit tracts of land of considerable size to be developed and designed as harmonious units consistent with the character of the Town and the neighborhood, the purposes of these Regulations and any Plan of Development which may have been adopted by the Commission; "
- 1.2 "To permit the establishment of uses by Special Exception that are not permitted under these Regulations, but which would be beneficial to and consistent with the orderly development of the Town and the neighborhood;"
- 1.3 "To permit the design and construction of buildings, other structures and facilities that, by virtue of their location, orientation, texture, materials, landscaping, and other features, that would be consistent with the character of the Town and the neighborhood and would show unusual design merit."

PDD-SF meets all three of the above purposes.

PDD-SF is consistent with the 2009 Town of Morris, Town Plan of Conservation and Development (hereinafter referred to as the "Plan"), specifically goal number Two (2).

PDD-SF is consistent with the proposed 2021 Town of Morris, Town Plan of Conservation and Development (hereinafter referred to as the "Proposed Plan"), specifically related to Economic Development.

For the purposes of this Amendment, the Morris Planning and Zoning Commission will be referred to as the "Commission."

2. **PURPOSE:** the purpose is to allow South Farms to operate Agri-Tourism. An Agri-Tourism use is to promote preservation of large farm properties that have existed since prior to the adoption of zoning in Morris and that are now threatened to disappear due to the endangered economics of traditional farming.

3. **BOUNDARIES:** PDD-SF's lot boundary is delineated in yellow on a plot of land over (10) ten acres on included "Maps of Samuel J. Estates" Section 1 ~ Subdivision of Property of Samuel J. Paletsky and Ruth S. Paletsky sheet 1 of 2, dated April 25, 1977, prepared by Robert G Snell. This location is known as "PDD-SF Site Location" which is inclusive of 116 Watertown Road, 124 Watertown Road and a designation portion of 21 Higbie Road.

4. **REQUIREMENTS:**

- (a.) Statement of Use;
- (b.) Site Plan;
- (c.) The site plan shall show adequate facilities for personal sanitation and refuse disposal subject to review and approval by the TAHD (Torrington Area Health District);
- (d.) The site plan shall provide detailed information regarding the location and appearance of all structures and lighting;
- (e.) Traffic. Vehicular traffic projected as a result of the use, including traffic to and from and in the vicinity of the use, will operate within the capacity of the roadways servicing the property.
- (f.) In making its determination with respect to this criterion, the Commission shall consider the proposed location, the size and layout of the Special Exception use, its nature and the intensity of operations involved, and its relation to local streets providing access to the site;
- (g.) The applicant shall demonstrate that noise generated by such outdoor concert or performance shall be a reasonable for concerts and performances of this nature;
- (h.) Any such concert or comedy shall end not later than 10:00 p.m. and 10:30 p.m. respectively and all patrons must be off site by 10:45 P.M.

5. **GENERAL STANDARDS:** Except as modified by the provisions of this PDD-SF amendment as set forth below, all other provisions of the Regulations applicable to the property, and/or the uses permitted thereon will apply.

6. **PERMITTED USES:**

- 6.1 In accordance with Section 22, which is inclusive of Section 21 the Regulations;
- "Schools, parks playgrounds, and open space lands of the Town of Morris"
 - "Farms, including truck gardens, nurseries, greenhouses, forestry, and the keeping of livestock and poultry, horses or ponies, subject to the provision of Section 8.
 - Single family dwelling for one family

7. **USES PERMITTED BY SPECIAL EXCEPTION:**

- 7.1 Agri-Tourism, is defined as the use of farm property operating on more than 5 acres minimum to conduct outdoor concerts, movies, and performances.

8. **ACCESSORY USES:** All other accessory uses customary and incidental to the aforesaid permitted and accessory uses and as permitted by the Regulations.

- 8.1 Seasonal food and beverage service for ticketed patrons
- 8.2 Artist demonstrations

9. SPECIFIC STANDARDS:

- 9.1** Lot Area, Shape and Frontage: The subject property has the minimum area, shape and frontage required for PDD-SF. Minimum lot area should be (10) ten acres. Minimum lot frontage shall be 200'.
- 9.2** Height: No building or other structure will exceed a height of thirty-five (35) feet or two and one-half (2-1/2) stories, except as permitted in Section 7 of the Regulations.
- 9.3** Setbacks: All structures constructed or placed on the property will comply with the following setbacks:
 - 9.3..1** Minimum setback – principal and detached accessory buildings and structures from the street line: (35) Thirty-Five Feet
 - 9.3..2** Minimum setback – principal and detached accessory buildings and structures from the street line: (15) Fifteen Feet
- 9.4** Lot Coverage:
 - 9.4..1** The maximum coverage by buildings and structures will be 20% of the property.
 - 9.4..2** The maximum floor area ratio will be 25% of the property.

10. WETLANDS AND WATERCOURSES: No activities will occur within any wetland or watercourse.

11. UTILITIES AND LIGHTING: Utilities and outside lighting will be shown on a site plan to be submitted with the Special Exception Application.

12. EROSION AND SEDIMENT CONTROL: Erosion and sediment control will be in compliance with Section 51 of the regulations. An Erosion and Sediment Control plan will accompany the application if applicable.

13. SANITIZATION AND POTABLE WATER: Sanitation and potable water requirements will meet or exceed all public regulations governed by Torrington Area Health District.

14. GROUND WATER PROTECTION: Ground water protection within PDD-SF will be in compliance with Section 67 of the regulations.

15. PARKING AND LOADING: All parking and loading spaces will be on-site, off-street, and will be in compliance of Section 61 of Regulations, except for sub-section 3 "Landscaping".

- 15.1** Landscaping: parking areas and pass-ways will maintain rural and open-farmland character.

16. SIGNAGE: will be in compliance with Section 62 of the Regulations.

17. SITE DEVELOPMENT: Structures and Site Layout: the final plans will be submitted with the Special Exception Application. Modifications in the final plans and specifications from the Site

Development Plan submitted will be permitted for changes necessary to meet the general limitations of the site itself with regard to the PDD-SF uses as permitted under this Amendment, the purposes or terms of this Amendment, or the requirements of other commissions, agencies, or regulatory bodies, such as the Torrington Area Health District or the Morris Inland Wetlands Commission, which may have jurisdiction over this project. Fixed structures will complement the area's farmland character.

18. **CESSATION OF PDD-SF USE:** Should the PDD-SF Special Exception use be permanently discontinued, the identified lot should revert to its prior zoning designation.
19. **PROCEDURE AND SPECIAL EXCEPTION PERMIT REQUIREMENTS:** The approval of this PDD-SF zoning amendment will be considered a change of zone and zoning boundary with respect to the property. All uses in the PDD-SF will be subject to issuance of a Special Exception Permit as set forth in Section 53, of the Regulations. In reviewing the Special Exception application, the Commission will determine that the plans, specifications, and other required information and documentation submitted with that application are consistent with this PDD-SF amendment and in compliance with the general standards and provisions set forth in Section 52 of the Regulations. In accordance with Section 52 of the Regulations and Site Plans will be submitted with the Special Exception application as required in Section 53 of the Regulations and shall refer to Section 53 as it existed at the time of submission of this Amendment except as modified for purposes of this Amendment.

