

TOWN OF DURHAM
Planning and Zoning Commission
P.O. Box 428
Durham, Connecticut 06422
NOTICE OF REGULAR MEETING

Wednesday, October 7, 2020
7:30 p.m.

MEETING WILL BE HELD VIA ZOOM- A REMOTE TELECONFERENCING MEDIA PLATFORM

Topic: PZC October 7, 2020

Time: Oct 7, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89026989654?pwd=K3k1RDBXemllYUFTbHJNTzZqZmVoZz09>

Meeting ID: 890 2698 9654

Passcode: 846359

One tap mobile

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Dial by your location

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Meeting ID: 890 2698 9654

Find your local number: <https://us02web.zoom.us/u/k5e8DPiZ3>

AGENDA:

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Amendments to Agenda
5. Approval of Agenda
6. Public Comment
7. Zoning Enforcement Officer's Report

Public Hearing

1. Torrison Stone & Garden, Text Amendment, Section 5, Commercial Zones, 5.3 Permitted Uses, to add Accessory Commercial Use-Small Event Center.

Documents for public hearings can be found here: <https://www.townofdurhamct.org/PZ-Public-Hearing>

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8. Torrison Stone, Text Amendment, Section 5, Commercial Zones, 5.3 Permitted Uses, to add Accessory Commercial Use-Small Event Center.
 9. Payment of Bills
 10. Minutes of Previous Meeting(s): September 16, 2020
 11. Town Planner's Report
 12. Miscellaneous
 13. Adjournment

/jap
10/02/2020

cc: P&ZC Members and Alternates
First Selectman
Bascom and Benjamin, LLC
ZBA Members
J. Russ
R. Newton

K. Garvis
B. Curtis, P.E.
J. Corona, Esq.
S. Ciofalo, Torrison Stone & Garden
A. LaPointe
K. Eddinger

TOWN OF DURHAM

PLANNING AND ZONING COMMISSION

PETITION FOR ZONE CHANGE

Applicant's Name: Torrison Stone : Garden Phone: 860-349-0119

Address: 422 Main Street Durham

Record Owner: The Gerry Group LLC

Address: 422 Main Street Durham

AMENDMENT TO ZONING BOUNDARY

1. Existing Zone: _____ Proposed Zone: _____
2. Approximate Number of Acres in Zone Change: _____
3. Assessor's Map No.: _____ Block No.: _____ Lot No.: _____
4. Attach Map Showing Dimensions of the Perimeter Boundaries
5. Legal Description of Proposed Change: _____

(attach additional page(s) if needed)

AMENDMENT TO ZONING REGULATIONS

1. Text of Proposed Amendment: (please see attached)

(attach additional page(s) if needed)

FEE: \$100.00 CK. 757712

Date: 8/25/20 Suzanne M. Ciofalo
Applicant's/Owner's Signature

(For use by Planning and Zoning Commission)

Date Received: 9/2/2020 Date of Public Hearing: 10/07/2020

Proposed Text Amendment to Section 5 Commercial Zones - 5.3 Permitted Uses of the Durham Zoning Regulations

Add the following to Section 5.3 Permitted Uses:

Accessory Commercial Use - Small Event Center

Temporary rental (up to 5 hours, occurring between the hours of 9 a.m. and 11 p.m.) of buildings* within the commercial district no more than once a week for educational, business, entertainment and private social gatherings of no more than 50 people where on-site parking, building code, health code and max occupancy code per the fire marshal support this capacity. Events/rentals not to exceed one day. Alcoholic beverages will only be supplied or served by professionals with a catering liquor license.

*Building as defined in Section 2.2 of the Town of Durham Zoning Regulations: An independent structure having a roof supported by columns or walls resting on its own foundations and including shed, garage, stable, greenhouse or other accessory building. A detached building is one separated on all sides from adjacent buildings by open spaces from the ground up.

- In the SWOT Analysis Results of the Visioning Charrette, one of the main weaknesses identified was the "Need for more businesses, services and destination points." (Fifth largest theme identified on the SWOT Analysis)
- According to the 2020 Durham Economic Development Survey, the second greatest economic strength identified by 314 respondents (62% of responses) was the "Durham Fair - Attracts Many to the Town"
- Several of the individual responses noted a need for attractions to bring people from out of town to Durham.

The above proposed text amendment will benefit the town of Durham in the following ways:

- Small Events held at businesses within the Durham Commercial district will promote a healthy influx of people coming from surrounding towns, increasing patronage to Durham small businesses more frequently than just once a year (the Durham Fair). Adds destination points to Durham - but they are only temporary (fixed length of time events)
- Allow businesses, small interest clubs, and groups to rent and meet in a location that is easier for social distancing if their indoor space doesn't allow for adequate social distancing measures during COVID. This opens up the opportunity for these groups to meet at a remote location that allows for safe, social distancing measures.

Pertaining to the Liquor Permit -----

Kelly Eddinger (email to CT Liquor Board dated 8/20, 1:30 p.m.): We have a small event center that we rent to private parties and businesses here in Durham, CT. I just wanted to verify that our company, Torrison Stone & Garden would not be responsible for holding a liquor permit for these events. It's my understanding that it's up to the caterer to hold the liquor permit. So, when our clients rent our space, they must hire a caterer with an off-premise liquor license in order to serve their guests alcohol.

If I'm incorrect in my understanding, could you kindly let me know how this would work. I greatly appreciate any guidance on this matter.

Rep at CT Liquor Control Board (response email dated 8/20, 1:58 p.m.): You are correct. The off site caterer should hold the liquor permit and be hired to provide their service and notify the department for each event.

It's important to note that Torrison's special exception application to follow will be subject to the following criteria from the Town of Durham Zoning Regulations.

16.6 Special Exception Decision Criteria

An application for special exception shall be considered and evaluated by the Commission pursuant to these regulations and the following criteria:

- a) The size and intensity of the proposed development and its effect on the conformity to the Plan of Development, Zoning Regulations, Subdivision Regulations and any other applicable regulations or ordinances;
- b) The existence of other land uses in the area and the effect thereon from the proposed development;
- c) The capability of adjacent and feeder streets to accommodate the projected traffic volumes;
- d) The obstruction of light or air; the emission of noise, smoke, odor, gas, dust, vibration or waste material;
- e) The overall effect on property values in the area;
- f) The physical characteristics of the land;
- g) The nature, location and height of buildings, walls, stacks, fences and landscaping on the site;
- h) The location of any points of ingress and egress, and arrangement of off-street parking facilities;
- i) The extent and demand for police and fire protection;
- j) The availability and adequacy of public utilities such as, electricity, telephone, gas and water;
- k) Any other criteria in the interest of public health, safety and welfare, as prescribed by these Regulations.