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**PLANNING AND ZONING COMMISSION  
AGENDA  
REGULAR MEETING – VIRTUAL  
June 25, 2025 at 7:00 P.M.**

**Planning and Zoning Commission**

Jun 25, 2025, 7:00 – 10:00 PM (America/New\_York)

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**REGULAR MEETING**

- I. Call to Order / Roll Call
- II. Approval of Minutes
  - A. May 28, 2025 Public Hearing / Regular Meeting
- III. Recognition of Guests / Public Comments (non-Agenda items)
- IV. Action on Pending Applications
- V. Old Business
  - A. Follow-up discussion on changes to Hebron Zoning Regulations Section 5.O.3 re: Temporary Liquor Permits
- VI. New Business
  - A. New Applications
    - 1. **Petition 2025-14** – Petition of the Hebron Planning and Zoning Commission to revise Section 2.D.10 of the Hebron Zoning Regulations to permit recreational facilities along the side of principal dwellings subject to approval of a Zoning Permit in Residential Districts.
    - 2. **Petition 2025-15** – Petition of the Hebron Planning and Zoning Commission to revise Section 5.O.1 and 5.O.6 of the Hebron Zoning Regulations to add “miniature golf course” to the list of uses eligible for liquor permit and to

**PLANNING AND ZONING COMMISSION**  
**AGENDA**  
**REGULAR MEETING – VIRTUAL**  
**June 25, 2025 at 7:00 P.M.**

eliminate “walk-up windows” from the list of uses prohibited from selling alcohol.

3. **Petition 2025-16 & 17** – Petition of Savy & Sons to construct a 20,000 square foot storage building at Parcel #10-10 and 612 Church Street on 3.44 acres in accordance with Section 3.E.2.5.1 of the Hebron Zoning Regulations, Amston Village District

*Application plans and documents are provided for your review at the following link: [Petition 2025-16 & 17 Savy & Sons](#)*

B. Set Public Hearing Date

1. **Petition 2025-14**
2. **Petition 2025-15**
3. **Petition 2025-16 & 17**

C. Other New Business

1. Hebron Veterinary Hospital Development Concept

VII. Correspondence

- A. Inquiry from Cathyann Schulte of Countryside Realty regarding residential use of 30 Main Street

VIII. Public Comment (non-Public Hearing applications)

IX. Adjournment

Next Meetings:                      July 9, 2025  
    August 20, 2025

**TOWN OF HEBRON  
PLANNING AND DEVELOPMENT DEPARTMENT**

**TO:** Planning and Zoning Commission

**FROM:** Matthew Bordeaux, Town Planner

**DATE:** June 19, 2025

**RE:** Planner's Report for June 25, 2025 Regular Meeting

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***New Business***

**New Applications**

**Petition 2025-14** – Petition of the Hebron Planning and Zoning Commission to revise Section 2.D.10 of the Hebron Zoning Regulations to permit recreational facilities along the side of principal dwellings subject to approval of a Zoning Permit in Residential Districts.

This Commission discussed the proposed changes to the Hebron Zoning Regulations at the May 28, 2025 and directed Town staff to prepare a new application. As the proposed change could impact properties adjacent to neighboring towns, notification of the proposed change was sent to each abutting town and to the CT Regional Council of Governments (CRCOG) per state statute.

I recommend the Commission schedule to hold a public hearing at the next regularly scheduled meeting on July 9, 2025.

**Petition 2025-15** – Petition of the Hebron Planning and Zoning Commission to revise Section 5.O.1 and 5.O.6 of the Hebron Zoning Regulations to add “miniature golf course” to the list of uses eligible for liquor permit and to eliminate “walk-up windows” from the list of uses prohibited from selling alcohol.

The proposed change to the Hebron Zoning Regulations comes following the approval of Petition 2025-05 & 06 from Bria Comer to construct a miniature golf course in Town. Pursuant to Section 5.O.6, alcoholic beverages are prohibited from being sold at “walk-up windows.” The proposed change would create a permitting path (via Special Permit) for the use.

Again, as the change could affect property anywhere alcoholic beverages are sold, a notification was provided to surrounding towns and to CRCOG.

I recommend the Commission schedule to hold a public hearing at the next regularly scheduled meeting on July 9, 2025.

**Petition 2025-16 & 17** – Petition of Savy and Sons to construct a new 20,000 square foot storage building at Parcel #10-10 and 612 Church Street on 3.44 acres in accordance with Section 3.E.2.5.1 of the Hebron Zoning Regulations, Amston Village District.

A new application was received on June 18, 2025. In accordance with Hebron Zoning Regulations Section 3.E.2.5.1, “warehouse and storage” are Industrial-Type Uses permitted in the Amston Village District subject to special permit approval. The proposed new construction is within the 300’ upland review area of regulated inland wetlands associated with the Raymond Brook Marsh and will require an inland wetlands permit from the Hebron Conservation Commission. Additionally, the subject site is located in the Groundwater Protection Overlay (GPO) District and will therefore be subject to the provision of Section 4.B of the Hebron Zoning Regulations. As staff has only just started their review, the applicant has been informed that additional information will be required to satisfy the provision of Section 4.B.

The Commission has until August 29, 2025 to open a public hearing or get an extension. As the Conservation Commission must render a decision and make a referral to the Planning and Zoning Commission before the PZC can act on the Special Permit application, I recommend the Commission tentatively schedule to hold a public hearing at the August meeting and Town staff can keep an eye on progress with the inland wetlands permit.

*Application plans and documents are provided for your review at the following link: [Petition 2025-16 & 17 Savy & Sons](#)*

## **Other New Business**

### **Hebron Veterinary Hospital Concept Plan**

Dr. Kimberly Mordasky of the Hebron Veterinary Hospital would like to discuss a proposed development concept plan for use of the Town-owned Rifkin Parcel at Parcel #69-5 West Main St. Dr. Mordasky will share a presentation with the Commission.

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## ***Old Business***

### **Follow-up discussion on changes to Hebron Zoning Regulations Section 5.O.3 re: Temporary Liquor Permits**

As the Commission discussed on May 28, 2025, the Hebron Lions Agricultural Society’s Hebron Harvest Fair requires a Special Permit approval for Temporary Liquor Permits each year in accordance with Hebron Zoning Regulations Section 5.O.3. Since the conditions of the use remain the same, the applicant has expressed an interest modifying the Regulations so that they don’t have to process a new Special Permit every year.

Section 5.O.3 is broken down into two subsections; the first applies to any zone, the second applies to Recreational Facilities in Residence Districts. While the two sections are substantially similar, after further review, I don’t see an effective way to combine the two subsections without a thorough rewrite. Considering the number of applications the Commission has processed under this Section, I don’t think a rewrite is worth the effort at this time.

Therefore, as the Commission discussed at the last meeting, the simplest solution to allowing subsequent Temporary Liquor Permits when conditions have not change to be reviewed and approved by Town staff can be done by simply including the addition of language providing the ZEO the authority to renew permits similar to subsection 1. Draft language is attached.

If the Commission is comfortable with this approach, I can prepare a new application accordingly and refer the proposal to CRCOG. It is possible that a public hearing could be scheduled for the August meeting.

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### *Correspondence*

Cathyann Schulte of Countryside Realty LLC has relocated her offices and left 30 Main Street vacant. Ms. Schulte's former office space is a stand-alone building in the Hebron Center Commons commercial complex including Hebron Eye Care, professional offices and a nail salon and spa. Ms. Schulte indicates that she has been trying to find a commercial occupant for the space for some time and would like to know if the Commission would consider allowing residential uses to occupy the space, as she has received numerous inquiries from folks seeking housing options in Hebron.

In 2024, the Planning and Zoning Commission adopted amendments to Section 4.C of the Hebron Zoning Regulations related to the Mixed-Use Overlay District. A copy of the Section is attached. The use of 30 Main Street is inconsistent with certain aspects of the Section. Ms. Schulte is requesting the Commission's consideration of further changes.

MRB

H:\Planning Department\Boards & Commissions\PZC\2025\06-25-2025\Planners Report.docx

Attachments

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Public Hearing / Regular Meeting (Virtual)  
May 28, 2025 - 7:00 PM**



**MINUTES**

**ATTENDENCE:**

**Planning and Zoning Commission (Present):** Frank Zitkus (Chair), David Sousa (Vice Chair), Janet Fodaski (Secretary), Chris Cyr, Davis Howell (Alternate), Brad Franzese (Alternate)

**PZC (Absent):** Devon Garner

**Staff:** Matthew Bordeaux

**Guests:** John Johnson Jr., Lilli Rhodes, Russ Strumskas

**PUBLIC HEARING**

F. Zitkus opened the hearing and introduced members in attendance. B. Franzese was seated for D. Gardner. J. Fodaski read the first notice into record.

**I. Petition 2025-04** – Petition of Hebron Lions Agricultural Society for the sale of beer and wine during the Hebron Harvest Fair from September 4th through 7th, 2025 pursuant to Section 5.O.3 of the Hebron Zoning Regulations, on premises located at 347 Gilead St, Residence-1 District.

**A. Presentation & Commission Discussion**

J. Johnson Jr, representing the Lion Club, presented. The application is largely the same as the past 8-10 years, with minor layout changes within the tent reviewed. Checks on overserving of customers, as well as security and ID verification, will continue as in previous years, with similar hours of operation. M. Bordeaux updated the record, noting letters of support from both the chief of police and fire marshal, and no outstanding concerns from Town staff.

**B. Public Comment**

**1. Lilli Rhodes (106 Slocum Rd)** – Thanked the Lions for enacting bans on hateful material and divisive imagery in their vendor contracts, a reaction to concerns from residents in past years.

**C. Additional Discussion**

D. Sousa echoed Ms. Rhodes' comments. C. Cyr noted excellent security and enforcement of rules. There were no further comments or questions.

F. Zitkus closed the Public Hearing for the application. J. Fodaski read the second petition into record.

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Public Hearing / Regular Meeting (Virtual)  
May 28, 2025 - 7:00 PM**

- II. Petition 2025-12** – Petition Hebron Lions Agricultural Society for the installation of outdoor lighting exceeding 14’ in height at Parcel #24-27 East Street pursuant to Section 5.F.2.8 of the Hebron Zoning Regulations, Residence-1 District.

**A. Presentation & Commission Discussion**

J. Johnson Jr., again presented on behalf of the Lions, stating that six telephone poles were installed last year by members, then topped with lights, which are powered by a single generator for use only during the Harvest Fair. The poles are around 20-22 feet tall and angled downward, primarily to illuminate a corner parking lot. C. Cyr raised numerous concerns regarding the installation, many related to wiring. M. Bordeaux updated the record, sharing one letter received today from Ms. A. Boardman, expressing her dissatisfaction with the Lions Club lighting.

**B. Public Comment**

None.

**C. Additional Discussion**

Following a question from C. Cyr, J. Johnson confirmed the poles were installed by Lions Club members, not Eversource.

F. Zitkus closed the Public Hearing on the application.

**REGULAR MEETING**

**I. Call to Order/Roll Call**

F. Zitkus began the meeting. Present were F. Zitkus, D. Sousa, J. Fodaski, C. Cyr, D. Howell, and B. Franzese. B. Franzese was seated for D. Gardner.

**II. Approval of Minutes**

**A. May 14, 2025 – Public Hearing / Regular Meeting**

- 1.** D. Sousa noted two instances where “Ceder” should be corrected to “Cedar”.  
There was discussion on the wording of condition #6 in the approval for  
Petition 2025-10 & 11.

**Motion by D. Sousa and seconded by J. Fodaski to approve the minutes of May 14<sup>th</sup> as amended. The motion passed unanimously (4-0-1, with C. Cyr abstaining).**

**III. Recognition of Guests / Public Comments (non-Agenda items)**

None.

**IV. Action on Pending Applications**

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Public Hearing / Regular Meeting (Virtual)  
May 28, 2025 - 7:00 PM**

- A. Petition 2025-04** – Petition of Hebron Lions Agricultural Society for the sale of beer and wine during the Hebron Harvest Fair from September 4<sup>th</sup> through 7<sup>th</sup>, 2025 pursuant to Section 5.O.3 of the Hebron Zoning Regulations, on premises located at 347 Gilead St, Residence-1 District.

**Motion by D. Sousa and seconded by J. Fodaski to approve Petition 2025-04, with the following conditions:**

- 1. The sale of beer and wine is permitted at the Hebron Harvest Fair during the period of September 4<sup>th</sup> through September 7<sup>th</sup>, 2025.**
- 2. The approval is subject to all the operational aspects contained in the Narrative submitted with this application.**
- 3. The location, layout, and enclosure of the area for the sale and consumption of beer and wine shall be as shown on the Site Plan and drawings submitted with the application.**
- 4. The hours of operation for the sale of beer and wine shall be limited to: Thursday: 5 pm – 10 pm; Friday: 1 pm – 11 pm; Saturday: Noon – 11 pm; and Sunday: Noon – 6 pm, but in no case later than one (1) hour before the Fair closes for the day, and**
- 5. Proof of dram shop liability protection shall be submitted to Town Staff.**

**The motion passed unanimously (5-0).**

**Action: Approved, with conditions.**

Reason for approval: Consistency with POCD Section J, Goal A to offer and promote recreation and leisure services to a broad base of the Hebron population and to visitors.

- B. Petition 2025-12** – Petition of Hebron Lions Agricultural Society for the installation of outdoor lighting exceeding 14' in height at Parcel #24-27 East Street pursuant to Section 5.F.2.8 of the Hebron Zoning Regulations, Residence-1 District.

**Motion by D. Sousa and seconded by J. Fodaski to approve Petition 2025-12, with the following conditions:**

- 1. The lights shall only be illuminated to provide safe access to visitors' parking during the Hebron Harvest Fair.**
- 2. The lights shall be installed in compliance with applicable building codes and a permit shall be issued by the Building Official.**
- 3. Light angles shall be adjusted in the field to minimize glare and light trespass offsite.**



**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Public Hearing / Regular Meeting (Virtual)  
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Discussion: C. Cyr's wiring concerns were discussed further, with a friendly amendment agreed upon.

**Friendly amendment by D. Sousa and seconded by J. Fodaski to amend the second condition to read as follows:**

**2. The lights and wiring shall be installed in compliance with applicable building codes and a permit shall be issued by the Building Official.**

**The motion passed (3-2, with D. Sousa, J. Fodaski, and B. Franzese voting YES, and F. Zitkus and C. Cyr voting NO).**

**Action: Approved, with conditions.**

Reason for approval: Consistency with POCD Section J, Goal A to offer and promote recreation and leisure services to a broad base of the Hebron population and to visitors.

**V. Old Business**

None.

**VI. New Business**

**A. New Applications**

None.

**B. Set Public Hearing Date**

None.

**C. Other New Business**

**1. Review Draft Zoning Regulation Amendment Section 2.D.10 Recreational Facilities**

Suggested revisions were included in the Planner's Report in the agenda, with the main change requiring pools to be behind the front plane of the house, rather than the rear plane. Commissioners agreed to send the suggested changes to Public Hearing, following referral to CRCOG.

**2. Discussion regarding proposed revisions to Hebron Zoning Regulations Section 5.O Alcoholic Beverages**

Currently, no permitting path exists for the sale of alcohol via walk-up window. There was also discussion on temporary liquor permits, such as that sought by the Lions each year. M. Bordeaux will draft revisions to the section concerning both items. D. Sousa suggested sunseting automatic reapprovals of temporary permits.

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Public Hearing / Regular Meeting (Virtual)  
May 28, 2025 - 7:00 PM**

**3. Discussion regarding recent correspondence: Email dated April 30, 2025  
to Donna Lanza from Jean Tulumieri**

Commissioners discussed concerns raised over the Town's use of land for construction of the dog park, and agreed no action is necessary by PZC.

**VII. Correspondence**

There was brief discussion on a referral from Andover pertaining to agritourism regulation amendments.

**VIII. Public Comment (non-Public Hearing applications)**

**A. Chris Cyr** – Speaking as a citizen, asked if hunting had ever been discussed on Open Space land.

**B. David Sousa** – Inquired if a public announcement would be made regarding DG Market dropping their appeal of PZC's decision.

**IX. Adjournment**

**Motion by D. Sousa and seconded by J. Fodaski to adjourn. The motion passed unanimously (5-0).**

Meeting adjourned at 9:23 p.m.

Respectfully submitted,  
Hannah Walcott (Board Clerk)



Town Office Building  
15 Gilead Street; Hebron, Connecticut 06248  
Phone: (860) 228-5971 Fax: (860) 228-5980



## ZONING / SUBDIVISION REGULATION AMENDMENT APPLICATION

### Regulation to be Amended:

☐ Subdivision ☒ Zoning

Section: 2.D.10

### Applicant Information:

Name: Town of Hebron Planning and Zoning Commission

Address: 15 Gilead St., Hebron, CT 06248

Phone: 860-228-5971

Fax: \_\_\_\_\_

Email: mbordeaux@hebronct.com

### Proposed Amendment:

Revise Section 2.D.10, Subsections 1 + 2 to recalibrate  
the location that Recreation Facilities may be permitted  
as established by a plane drawn along the front wall  
of the principal building, rather than the rear wall.

This means that Recreational Facilities could be permitted  
alongside a principal residence, subject to Zoning Permit,  
rather than exclusively behind the house.

\* If necessary, attach a copy of the proposed changes. Please clearly indicate new wording, and text to be deleted. Attached.

**Purpose of Amending Regulation:**

Reduce the application process for the location of  
Recreational Facilities that are unlikely to have a significant  
impact on neighbors and that could easily be an  
administrative process.

**How is the Proposed Amendment Compatible to the Plan of Conservation and Development?**

The provisions of Section 2.D.10 maintain adequate safeguards  
to minimize potential impacts on the property values of  
neighbors.

**Additional Information:**

Does the proposed amendment affect any uses permitted in any zoning district within 500 feet of the Town  
Boundary? ☒ yes ☐ no

**Fees:**

\$150 (Town Fee) + \$10 Processing Fee + \$60 (State Fee) = \$ 220

**Signatures:**

Signature of Applicant(s) M. R. Bath for Frank Zithers Date: 6/3/2025

<del>2.D.1.</del> 2.D.10 RECREATIONAL FACILITIES	R-1	R-2	AL
<p>1. Private tennis court, paddle tennis court, swimming pool (including any accessory bathhouse) or similar recreational facility provided:</p> <ul style="list-style-type: none"> <li>a. it shall be located entirely behind a plane established by the <del>rear-front</del> wall of the principal building;</li> <li>b. it shall be located behind all front yard setbacks;</li> <li>c. it shall be located a minimum of twenty (20) feet from any side or rear property line; and</li> <li>d. it shall be located in such a way as to minimize annoyance to adjacent properties.</li> </ul> <p>Alternatively, for rear lots, lots larger than five (5) acres, or lots where the house is located 500 feet or more from the street, such facility may be located to the side or to the front of the house provided that it is located:</p> <ul style="list-style-type: none"> <li>• no closer to the road than ½ the existing distance from the street to the house;</li> <li>• no closer than 250 feet from the street; and</li> <li>• at least 100 feet from a neighbor's house.</li> </ul> <p>Any such facility shall be screened from neighbor views and/or public views by the use of fencing, evergreen screening, or similar method acceptable to the Director of Planning.</p>	Zoning Permit (Staff)	Zoning Permit (Staff)	Zoning Permit (Staff)
<p>2. Private tennis court, paddle tennis court, swimming pool (including any accessory bathhouse) or similar recreational facility where, in the opinion of the Commission:</p> <ul style="list-style-type: none"> <li>• unique conditions exist that limit the ability to place such facility behind the plane established by the <del>rear-front</del> wall of the principal building on the lot; and</li> <li>• placement of such facility in another location on the lot would result in it not being generally visible from the street, nor create an annoyance to adjacent neighbors.</li> </ul> <p>Any such facility shall be screened from neighbor views and/or public views by the use of fencing, evergreen screening, or similar method acceptable to the Commission.</p>	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)



Town Office Building  
15 Gilead Street; Hebron, Connecticut 06248  
Phone: (860) 228-5971 Fax: (860) 228-5980

## ZONING / SUBDIVISION REGULATION AMENDMENT APPLICATION

### Regulation to be Amended:

☐ Subdivision ☒ Zoning

Section: 5.0.1 and 5.0.1.6

### Applicant Information:

Name: Town of Hebron Planning and Zoning Commission

Address: 15 Gilead St. Hebron, CT 06248

Phone: 860 228 5971

Fax: \_\_\_\_\_

Email: mbordeaux@hebronct.com

### Proposed Amendment:

Revise Section 5.0.1 to include "miniature golf course"  
in list of uses that could be issued a liquor permit  
associated with the serving of open alcoholic beverages  
subject to Special Permit approval by the Commission.  
Additionally, delete "walk-up windows" in Section 5.0.1.6  
from list of uses prohibited from the sale of opened  
alcoholic beverages.

The proposed amendment provides a permitting path  
for the sale of open alcoholic beverages from  
a walk-up window whereas it is currently prohibited.

\* If necessary, attach a copy of the proposed changes. Please clearly indicate new wording, and text to be deleted. Attached.



**Purpose of Amending Regulation:**

Provide opportunity for prospective miniature golf course  
to apply for Special Permit for sale of opened  
alcoholic beverages

**How is the Proposed Amendment Compatible to the Plan of Conservation and Development?**

Support Economic Development in appropriately located  
areas via responsible permitting process.

**Additional Information:**

Does the proposed amendment affect any uses permitted in any zoning district within 500 feet of the Town  
Boundary? ☒ yes ☐ no

**Fees:**

\$150 (Town Fee) + \$10 Processing Fee + \$60 (State Fee) = \$ 220

**Signatures:**

Signature of Applicant(s) Walter R. R. for Frank Zitkus, Chair Date: 6/3/2025

## 5.O ALCOHOLIC BEVERAGES

### SALE OF OPEN ALCOHOLIC BEVERAGES

Liquor permits associated with the serving of open alcoholic beverages (such as at a restaurant, farm brewery, brew pub, hotel, motel, club, miniature golf course or golf course) may be permitted by Special Permit granted by the Planning and Zoning Commission when specifically permitted within the applicable zone and in accordance with the following requirements.

1. The retail sale of open alcoholic beverages shall be subordinate to the principal use.
2. The sale of open alcoholic liquors shall only be for consumption on the premises.
3. For a restaurant, the retail sale of open alcoholic beverages shall be subordinate to the principal use which shall be a restaurant providing table service with hot meals; and, where subordinate shall mean that no more than 20% of the floor area of the restaurant is devoted to a bar or cocktail lounge area.
4. For a restaurant or similar use, live or recorded entertainment shall cease no later than 1 A.M. Sunday through Thursday and 2 A.M. on Friday and Saturday, except that the Commission may further limit these hours where live or recorded entertainment has the potential to become a nuisance to the area.
5. For a restaurant, outdoor seating areas allowed only as specifically shown on a Site Plan and approved by the Commission and where the Commission may further restrict the hours noted in Section 5.O.1.2 in order to achieve compatibility with adjoining uses.
6. ~~Walk-up windows and d~~Drive-through windows are prohibited at any facility selling open alcoholic beverages.
7. In determining the appropriateness of the use and if necessary, specifying a time limit, the Commission may consider the following conditions:
  - a. traffic safety;
  - b. density of similar establishments;
  - c. the size of the facility;
  - d. service of alcoholic liquor;
  - e. type of entertainment provided;
  - f. proximity to residences;
  - g. proximity to residential zone boundaries;
  - h. appropriateness of abutting land uses;
  - i. any proposed fencing or buffering;
  - j. architectural quality; and
  - k. details of the building and site.
8. The foregoing regulations set forth in this Section shall not be deemed to be retroactive, except that any location actually being used for the sale of open alcoholic liquors on the date of adoption of these Regulations, whether conforming or not to the provisions of these Regulations, and at which location said selling of alcoholic liquors is discontinued by the designated permittee for such location, shall not be permitted to again be used for the sale of alcoholic liquors except in conformity with the provisions set forth in this Section.



## TEMPORARY LIQUOR PERMIT

1. A Special Permit for a temporary liquor permit may be granted in any zone provided:
  - a. the temporary liquor permit is for a non-profit or non-commercial organization;
  - b. the liquor permit is for one event of up to four (4) days duration;
  - c. a non-profit or non-commercial organization may apply for more than one such permit;
  - d. the initial approval for the event shall be granted by the Commission;
  - e. a Zoning Permit for the same event in subsequent years may be granted by the Zoning Enforcement Officer provided the event is substantially the same as originally approved by the Commission or is less intensive and further provided that the Zoning Enforcement Officer may choose to refer any renewal request to the Commission;
  - f. all applications shall submit a sketch of the event indicating where parking is located, where liquor and any food will be served, arrangements for sanitary facilities, etc.;
  - g. all applications shall be referred to the Police, Fire, Building, Planning, and, if food is to be cooked, Health; and
  - h. should the property change ownership, a new Zoning Permit must be sought from the Commission.
2. Temporary Liquor Permits associated with a Recreational Facility (as defined in these Regulations) in a Residence District may be permitted only as an accessory use by Special Permit issued to a non-profit organization subject to compliance with all applicable state statutes and regulations regarding the sale of alcoholic beverages and further subject to the following minimum requirements:
  - a. said Special Permit for a Temporary Liquor Permit may be approved for up to three events per calendar year, per property, where such event may be one day or multiple consecutive days as set forth in the Special Permit, and said Special Permit shall expire at the end of such event; ~~reapplication for subsequent events in subsequent years shall require a new Special Permit application and approval by the Commission~~; and, for each application the Commission shall include, but not be limited to, consideration of the following criteria as part of their Special Permit review: the projected attendance for the event; the length of time of each event; and, the potential impacts on the surrounding neighborhood particularly from traffic and noise levels; and
  - b. the Special Permit application for such Temporary Liquor Permit for a Recreational Facility shall be accompanied by:
    - i. a Site Plan which shall show 1) the single proposed location where alcoholic beverage sales and consumption shall be conducted on the property, 2) the entire property and acreage, and 3) the nearest distance to property boundaries and to the nearest residential property;
    - ii. a detailed map of the enclosed area where sales and consumption of alcoholic beverages shall take place including serving area, seating layout, area for standing patrons, enclosures for the facility to prevent unauthorized access and security control; and
    - iii. a Narrative which shall include but not be limited to identification of the permittee, an explanation of the operation of the proposed use including the exact dates and hours of operation, the products intended for sale, the security plan as proposed, the training undertaken by servers, the capacity of the sales and consumption area, the plan to limit consumption in a manner that would be consistent with a Recreational Facility open to the general public, and any efforts to promote Connecticut grown and produced beverages.

- c. sales and consumption to be limited to beer and wine;
- d. sales are to be made only in an enclosed space used exclusively for the sale and consumption of food and beverages; and, consumption of alcoholic beverages shall occur only in such enclosed space;
- e. the sales and consumption shall operate only during limited hours defined in the Special Permit approved by the Commission; however in no event shall such sales commence earlier than noon on any day of operation and sales shall terminate no less than one hour prior to close of the Recreational Facility for the day;
- f. the area designated for sales and consumption shall have a controlled access point, monitored by the permittee and patrolled by police to insure that minors and intoxicated persons are denied entry;
- g. the applicant shall employ a sufficient number of uniformed police officers to oversee security and procedural enforcement of operational rules, regulations and protocol in such manner as the Hebron Police Chief shall determine is appropriate; and this enforcement plan shall be included in detail in the required "Narrative";
- h. prior to any favorable action on the application, at minimum the Commission shall receive comments and recommendations of the Hebron Fire Marshal and the Hebron Police Chief as to safety and security and operational control issues, but shall also reserve the right to request additional comment from other authorities as is deemed appropriate; and,
- i. the Recreational Facility shall be fully insured for any dram shop liability.
- ~~i. Reapplication for subsequent events in subsequent years may be granted by the Zoning Enforcement Officer provided the event is substantially the same as originally approved by the Commission or is less intensive and further provided that the Zoning Enforcement Officer may choose to refer any renewal request to the Commission.~~

## 4.C. MIXED-USE OVERLAY DISTRICT

### 4.C.1 PURPOSE

The Mixed-Use Overlay District is intended to allow the integration of a variety of housing into the Town Center, and other business districts, in village-style development in keeping with the scale and character of the Town, under design standards that minimize conflict and enhance synergy between the various types of land uses.

**Mixed-Use is defined in Section 9.C.**

### 4.C.2 NATURE OF DISTRICT

1. As a “permissive” overlay district, the Mixed-Use Overlay District allows alternative forms of development, including mixed use development and including multi-family dwellings and attached housing in different patterns, which are not otherwise allowed in the underlying zoning district.
2. Prior to submitting a formal application, a potential applicant is encouraged to:
  - a. discuss the development concept in detail with the Director of Planning and Development and other Town staff as appropriate;
  - b. schedule an informal discussion with the Planning and Zoning Commission through the Director of Planning and Development; and
  - c. due to the compact nature of such developments at higher densities than would otherwise be possible, building plans shall be provided by an architect licensed in the State of Connecticut.

### 4.C.3 PERMITTED USES

Within the Mixed-Use Overlay District, the following uses are permitted in addition to the uses permitted in the underlying zoning district:

4.C.3.1. OTHER ACTIVITIES	MUOD
1. Multi-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
2. Two-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
3. Single-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
4. Uses and structures which are customary, subordinate, and incidental to a permitted principal residential use are permitted as provided in Section 2.D.	As provided in Section 2.D

#### 4.C.4 DESIGN STANDARDS

##### 4.C.4.1 ZONE SPECIFIC STANDARDS

1. Within the Main Street District -
  - a. All new buildings which are part of a Mixed-Use Development shall be located no more than 25 feet from the street line except that the Commission may allow:
    - buildings to be located up to 50 feet from the street line when the site conditions or the design of the integrated mixed-use plan warrant a deeper setback; and/or
    - cluster-type developments of sufficient scale to be oriented to an internal system of private roads, drives, parking and pedestrian amenities to utilize a different setback.
  - b. Residential uses shall not generally be permitted on the ground level floor of any building, except that the Commission may allow a residential use on the ground level of a building located more than one hundred and fifty (150) feet from the Street Line when it finds, based on information submitted by the applicant, that:
    - the site and building plans foster a true, functionally-integrated mixed use concept, rather than the mere location of residential and commercial buildings in the same development; and
    - the residential uses are augmenting, and not displacing, the commercial uses for which the Town Center, and other business districts, should be primarily dedicated and reserved; and
    - the safety and quality of life for residents will be enhanced by the use of first floor levels for residential use.
  - c. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to Main Street;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.
2. Within the Hebron Green (HG) District -
  - a. In addition to complying with the Design Standards in the Regulations, any new building or addition to an existing building as part of a Mixed-Use Development shall be compatible in scale, size, height and architectural style to other buildings in the Hebron Green (HG) District within 200 feet of the site in question;
  - b. **Residential uses will not be located on the first floor of the building facing Main Street where pedestrian oriented, retail and similar store-front business uses are strongly encouraged.**
  - c. Pedestrian access shall be provided to connect with adjacent uses and buildings.
  - d. **Residential units shall be provided with individual outdoor private space (for example: patio, deck or yard).**
  - e. Also, except for cluster type developments of sufficient scale to be oriented to an internal system of private roads, drives, parking and pedestrian amenities, all new buildings shall be located no more than 25 feet from the street line; however, the Commission may, by Special Permit, allow buildings to be located up to 50 feet from the street line.

## Approved Amendments to Hebron Zoning Regulations

Approved 7/23/2024; Effective 8/11/2024

NOTE: Approved language is bold and underlined

3. Within the Neighborhood Convenience District -
  - a. The Site Development plan for a Mixed-Use Development shall provide direct pedestrian access to the business uses in the District.
  - b. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to an **arterial street**;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.
4. Within the Amston Village District -
  - a. Any new construction or modifications to existing buildings as part of a Mixed-Use Development shall:
    - be compatible with any historic mill buildings existing on the site, as applicable, at the time of application; or
    - adhere to the Design Standards in these Regulations if no historic mill buildings exist on the site, as applicable, at the time of application.
  - b. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to an **arterial street**;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.

### 4.C.4.2 OTHER DESIGN STANDARDS

1. **Residential Area And Mix -**
  - a. At least of **50%** of the residential units within the entire proposed MUOD development shall consist of a combination of efficiency, one-bedroom and two-bedroom units.
2. **Setbacks -**
  - a. Minimum yard setbacks shall be the same as the underlying zoning district; however, the Commission may, by Special Permit, reduce any required yard area by four (4) affirmative votes when doing so will help accomplish the purposes of the District.

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### 3. Building / Site Design -

- a. The design of all buildings shall be in accordance with the design guidelines incorporated in Section 5.A of these Regulations.
- b. The development plan shall integrate residential and non-residential uses so that they share the site in harmony and so that parking areas, landscaped areas, and other site amenities benefit all the uses on the site.
- c. Mixed-use should involve designing the site so that the residential and non-residential components are part of a common design that allows the various uses to function together.
- d. Two story buildings are encouraged in the Mixed-Use Overlay District. The Commission may approve a cluster development with a mix of building of various heights, provided the Commission finds that the overall plan complies with the design guidelines incorporated in Section 5.A of these Regulations and that such variation is essential to the overall design theme of the development.
- e. The Commission may require a higher first floor height for single-story development to create a compatibility of façade heights where a mix of one and two-story buildings occur in proximity to each other in a unified development.
- f. Each residential unit shall have direct access to a private outdoor balcony, porch or patio space.
- g. Each residential unit shall have unobstructed direct access to the outside separate from any business activity.
- h. Soundproofing shall be designed and installed to isolate the normal sounds of business activity from the residential uses.

### 4. Curb Cuts:

- a. Driveways onto streets shall be minimized, and shall be designed to serve existing or future uses on adjacent sites.

### 5. Parking:

- a. Parking lots shall be designed to interconnect with existing or future parking lots on adjacent sites.
- b. Provisions shall be made for parking spaces reserved for residents so that customers of commercial uses on the site do not occupy parking spaces that are most convenient to residential access points.
- c. As the intent of this Overlay District is to provide for a mixture of land uses and flexibility to encourage the long term sustainability of these developments, in lieu of the parking requirements found in Section 5.C all mixed-use developments shall provide parking at the rate of 5 spaces per 1,000 SF and **one (1) parking space for each studio or one-bedroom dwelling unit and two (2) parking spaces for each dwelling unit with two or more bedrooms.**
- d. These parking requirements may be reduced when exemplary pedestrian connections are provided within the site and to adjacent business and public facilities and when:
  - the applicant demonstrates to the satisfaction of the Commission that the mix of uses on the site (such as residential, office, and retail) will experience peak parking demands at different times of the day and day of week so that the full complement of parking spaces will not be necessary; and/or
  - the applicant demonstrates to the satisfaction of the Commission that a “shared parking” arrangement with one or more adjacent properties (based on a suitable parking management plan and legal agreement, recorded on the land records, assuring the continued availability of the shared parking spaces on the affected properties for the life of the proposed development or use) will mean that the combined sites will experience peak parking demands at different times of the day and day of week so that the full complement of parking spaces will not be necessary.

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### **6. Landscaping / Buffers / Screening -**

- a. Landscape buffers shall be provided as part of the site design where a development approved under this Section abuts property in a residential district.
- b. Such buffer shall consist of a preserved existing year-round vegetated buffer or a planted year-round buffer meeting the requirements of Section 5.D of these Regulations as well as the design guidelines incorporated in Section 5.A of these Regulations.

## **4.C.5 DECISION CONSIDERATIONS**

1. In approving a Special Permit for a Mixed-Use Development as defined in these Regulations, the Commission shall consider whether the Commission finds that:
  - a. the requirements of this Section of the Regulations, and the Special Permit standards and criteria of Section 7.D are satisfied in accordance with the intent of the underlying District;
  - b. the mixed-use and higher density development can be located on the specific parcel in a manner that is compatible to the surrounding neighborhood;
  - c. the residential and mixed-uses will enhance the design of the buildings or the site;
  - d. the proposed design and layout meets the intent of the design guidelines incorporated in Section 5.A of these Regulations;
  - e. the need exists within the Town for a different type of housing unit than is permitted under conventional zoning and there is a documented need for the number and type of market rate and/or affordable housing units suggested; and
  - f. the proposed mixed-use development will allow the integration of a variety of housing into the Town Center or other business districts, in village-style development in keeping with the scale and character of the Town, under design standards that minimize conflict between varying uses and enhances synergy between the various types of land uses.