


Written Comments Re: SP#257 Ridgeway Application for Cidery and Accessory Dwelling Unit

Gordon Senzer <gsenzer@gmail.com>

Thu 9/21/2023 10:23 AM

To:Land use <landuse@cornwallct.gov>

 1 attachments (68 KB)

Ridgeway Farm Cidery Permit Impact Statement.pdf;

PFA written comments for inclusion in public commentary regarding the SP257 special permit application. Submitted 09/21/20023 10:22am EST.

Sincerely,

Gordon Senzer

37 Cogswell Rd

W Cornwall CT 06796

860-672-6898

The Ridgeway Farm application tells us everything we need to know. **The plan starts with 2000 gallons but has to move quickly to 10,000 to support the investment required to acquire equipment, build a barn with a tasting room and operate.**

Based on the stated hours of operation, **traffic between noon and 7pm on Friday evenings and Sat afternoons can be expected to increase in the neighborhood by 85 cars per hour.** This assumes that 75% of the cidery's annual business occurs during the 6 peak weeks of foliage season on Fridays and Saturdays afternoon with the other 25% spread over the rest of the operating season.

A septic system designed to support 25 patrons is a major project that will require solid waste tanks, pumps and a large leach field. Based on proposed siting, this **commercially-sized septic system will be located approximately 250 feet from the nearest neighbors.**

The additional **traffic will impact Cream Hill Rd, Lake Rd, Town St and Cogswell Rd. No other area in Cornwall is significantly impacted.** Neighbors of the Cidery on Town St. will feel the full brunt of the increased traffic. Town St would be most significantly impacted as all traffic from south of Cornwall Bridge is routed by GPS up Town St. Westerly traffic from Dutchess County, Sharon and Salisbury is routed via Cogswell Rd and traffic from the North is routed over Cream Hill.

As of 2023, the [average cost](#) to build a finished building in CT ranges from \$166 to \$220 per square foot. Therefore a 3600 sq foot barn with finished tasting room and apartment will cost between \$598K and to \$720K. Acquisition and installation of cider equipment (canning/bottling, tanks, presses), is roughly \$30K to \$90K. A septic system designed to support peak load generated by 25 people will cost between \$40K and \$60K. The total capital cost still ranges from \$670K to \$870K.

A \$500,000 capital investment costs \$3,700 monthly or \$42,000 a year for 30 years.

At current rates, the wholesale price of a gallon of cider is \$2.60. Fancy 750ml bottles retail for as much as \$25 and a 12oz "tasting" goes for as much as \$8. Cidery start-up studies advise that the margin on cider manufacturing is approximately 40%. Note that the wholesale price for cider is so low and there are so many suppliers that it's **unlikely the wholesaling of cider will prove viable.**

Simple math indicates that a **2000 gallon output generates about \$52K in profit before the cost of the building, taxes, and alcohol liability insurance are accounted for.** Subtract the \$42K for the annual cost of capital (mortgage), \$10K for alcohol liability insurance and, there's **an operating loss.**

At 2000 gallons annual output, the cidery loses money unless all the cider is sold at retail.. Therefore, **production will be increased immediately and the application tacitly admits this by citing 10,000 gallons as a likely production output.**

It's clear that Cornwall values its agrarian roots and cideries, breweries, specialty growers and craft products are the only feasible agrarian options in the rocky hills of New England. It's also clear that these craft agrarian producers must have their own retail outlets to derive the operating profit needed to survive.

Retail operations create a significant impact on neighboring lives. Residential zoning in Cornwall recognizes this and explicitly prohibits retail operations from R3 zones (Table 4.8). The provisions for special permits do not include a clause permitting retail establishments although "farming activities" are cited as justification for a zoning exception (special permit).

The state of CT includes "retail operations" in its definition of a cidery by including a tasting room within the definition of a cider house. Note that the state definition actually uses the words "retail operations" in the definition of a cidery.

The purpose of land use laws in general is to protect the rights of property owners from activities that negatively impact assets and quality of life. Clever zoning laws enable freedom to use one's property while simultaneously protecting the rights and property of abutters and the neighborhood in general. Cornwall's representatives worked hard to create regulations that balance these two, often contradictory interests.

Using the State of Connecticut's definition of a cidery (which includes an on-site retail operation) to skirt the Town's prohibition on retail operations in residential areas is simply subversion of a regulation. As a victualer of alcohol, specific liability insurance is required and, this is evidence that the retail operation is not agrarian.

As I have illustrated, the presence of a retail operation that serves alcohol in a residential neighborhood creates a significant, detrimental impact to the neighborhood.. The economics dictate that a cidery must be of significant size and have retail operations to survive financially. To be viable, the cidery's production and retail operations will be significantly larger than 2000 gallons per year.

Granting a special use permit does not prevent the permittee from growing their business after it's opened. The CT permit for a cidery explicitly grants the permittee the right to produce up to 100,000 gallons. The land owned by the applicant is large enough to support an orchard that can supply vast quantities of raw materials. It's unlikely that the permit will need to scale to 100,000 gallons but it would be legal unless the Special Permit can explicitly limit output.

There is no doubt about the applicants' family contribution to Cornwall. There's no doubt that the residents of Cornwall strongly support small businesses, especially agriculture.

There are far better options for the establishment of a retail operation or "tasting room" in a residential area. The Village of West Cornwall is aching for a retail cluster. Including a cider tasting room as an anchor in W. Cornwall or Cornwall Bridge is likely to be more viable and profitable while supporting Cornwall's strategic plans. An agrarian cidery could be located at an

alternative site on the permittees property without impacting neighbors. The cidery could scale-up it's retail operations in the village and provide a healthy, long-term income for a most important Cornwall farm family.

Letter opposing proposed Town Street cidery

Linda Buckley <linda_buckley@me.com>

Thu 9/21/2023 10:43 AM

To:Land use <landuse@cornwallct.gov>

As a resident of Town Street, I would like to add my support to the opposition of the public bar commercial portion of the proposed cidery on Town Street. Living on Town Street, it is clear it is not a street set up to support a commercial retail bar. Creating an apple farm and making cider are all consistent with the farming that goes on and has gone on in North Cornwall for generations. The addition of a public commercial bar/alcoholic beverage retailer is the issue. It seems that portion of the plan would be better suited located in Cornwall's existing commercial zones. I would urge the Commission to not approve this proposal.

Thank you.

Linda Buckley
191 Town Street

Additional comments in opposition to the Ridgway application as proposed - Brian Savin

Brian Savin <siwanoy@aol.com>

Thu 9/21/2023 11:33 AM

To: Anna Timell <atnevermorefarm@gmail.com>; Karen Nelson <cwlanduse@optonline.net>

Dear Members of the Planning and Zoning Commission:

I am prompted by the last public hearing on this application to provide additional comments for the purpose of clearing up the record and making additional comments and requests. Chief of these is to urge the Commission to request that applicants engage in further discussions with protesting neighbors about the various concerns they have properly raised. Other very thoughtful commentators have also made this request to you. Holding this application in abeyance is necessary to promote progress along these lines, I believe.

Virtually all of the concerned comments submitted to the Commission about this application are squarely within the P&Z responsibilities to consider seriously and necessarily.

The potential adverse impact on neighborhood property values is a **NECESSARY, NOT OPTIONAL** matter for the Commission to consider. In fact, this point has been thoughtfully and thoroughly addressed by multiple exhaustive submissions on this topic.

The dual issues of the commercial sale and premises consumption of alcohol are also issues critical to your responsibilities to assess and address. The only sure solution to ensure safety is to not permit it as a zoning matter. It is not sufficient to leave that issue to police or liquor authorities in this rural area. That subject has also been exhaustively and for many of us conclusively addressed in the record before you.

I have requested our Board of Selectmen to review traffic safety in this neighborhood, and I will submit a copy of that request for your consideration in connection with the Ridgway application. I believe that review is warranted without regard to their application, but I note that the Ridgways viewed the matter necessary to address in their application to you as I believe was appropriate and necessary for you to consider:

"We do not believe the farm store/cidery will add much traffic due to its limited hours. Also, our customers will largely continue to be Cornwall residents and lake visitors who are already traveling Town Street and stopping by our vegetable stand for produce. We will simply be increasing the offerings so Cornwall residents may actually have to drive less to acquire necessary food." Page 5 of Ridgway application.

I ask the Commission to adopt restrictions on their property use that ensure the Ridgway vision in this regard.

Thank you.
Sincerely,

Brian Savin
67 Scoville Road
West Cornwall

Fw: Request for Traffic Study - Brian Savin

Brian Savin <siwanoy@aol.com>

Thu 9/21/2023 11:49 AM

To: Anna Timell <atnevermorefarm@gmail.com>; Karen Nelson <cwlanduse@optonline.net>

As referenced in my submission to P&Z this morning. Please consider this an "attachment" thereto. Thank you.
Brian Savin

----- Forwarded Message -----

From: Brian Savin <siwanoy@aol.com>

To: Jane Hall <assistant@cornwallct.gov>

Sent: Tuesday, September 19, 2023, 03:58:26 PM EDT

Subject: Request for Traffic Study - Brian Savin

Hi Jane

I was one of those who did not receive your meeting notice until today. I ask that you submit my letter below to the Selectmen for tonight's meeting requesting authorization of a traffic study. I think the request speaks for itself and has been supported by the submissions to the Planning and Zoning folks. Thank you.

Best

Brian Savin

To: Sectmen of the Town of Cornwall

Dear Folks:

There is need for a traffic study in North Cornwall to understand the continuing needs for safe traffic on our rural residential roads in this immediate area. None of these roads are commercial roads or state roads; all have multiple blind curves and narrow passages that are dangerous if driven at excessive speeds or with inattention to vehicle placement. This has been evidenced by submissions to P&Z

As you are aware, this area is home to an extremely large number of senior residents who do not possess quick reflexes in sudden unexpected confrontations with careless drivers. We have experienced increased traffic since the pandemic due to the influx of full time residents. However, this traffic is the traffic of neighbors who all know the roads and overwhelmingly respect the neighborhood through cautious driving.

Our local commercial centers are all directly connected to state commercial roads. North Cornwall is very different. There are no commercial roads. Significant traffic is dangerous to these roads. There are VERY FEW of them. We are approaching leaf season and there is a proposal to create a commercial destination attracting non resident traffic, including the serving and selling of alcohol. We need to address the safe traffic considerations. This study needs to include traffic coming off Route 43 to Lake Road, traffic coming off Route 128 to Town Street, and traffic coming off Route 7 through Cream Hill Road and across Scoville Road, Cogswell Road and Rattlesnake Road. It should also include incidental consideration of impact of trespassing and lake access abuse, about which there have been multiple concerns over the years.

Sincerely,

Brian Savin

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