

Town of East Lyme

Received

108 Pennsylvania Ave.
Niantic, CT 06357
Ph. (860) 691-4114
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Zone TA Permit # IAN 21 2026

Town of East Lyme
Land Use

APPLICATION FOR ZONING REGULATION TEXT AMENDMENT

Date of Application: 1/20/2026 Email:@gmail.com

Applicant's Name: NATHANIEL BODNAR

Applicant's Address: 32 COREY LANE, NIANATIC, CT 06357 Telephone: ---

Text Amendment of Section #: 1.90 - BREW PUB DEFINITION

DESCRIPTION OF TEXT AMENDMENT OF ZONING REGULATIONS REQUESTED {must comply all other applicable Zoning Regulations of the Town of East Lyme}:

Update section 1.90, which is the definition of a Brew Pub, to include all alcoholic beverages under Connecticut General Statutes 30-16 and not just beer.

Signature of Applicant: [Handwritten Signature]

Below this line for Office Use Only:

Attach a copy of what is being changed, omitted or added to the Zoning Regulations.

AMENDMENT PROPOSAL ATTACHED YES NO

PERMIT FEE: TEXT AMENDMENT \$300.00

STATE FEE: \$60.00

CHECK #: 619

TOTAL DUE: \$ 360

Date Approved: _____ Date Denied: _____
Approval subject to conditions below:

Dated: _____
East Lyme Zoning Commission

Nathaniel Bodnar
32 Corey Lane
Niantic, CT 06357

January 14, 2026

Bill Mulholland
Zoning Official
P.O. Box 519
Niantic, CT 06357

Dear Mr. Mulholland & East Lyme Zoning Board,

I am writing to request an amendment to the Town of East Lyme Zoning Regulations last amended through November 10, 2025.

Section 1.90 currently defines a Brew Pub as the following:

1.90 BREW PUB- A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute beer. Such facility may sell beer or wine to be consumed on the premises, with or without food, and may sell beer brewed on premises in sealed containers for consumption on or off premises.

I would like to propose that section 1.90 be updated to the following wording:

1.90 BREW PUB- A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute alcohol beverages, such as beer, cider, wine, mead, spirits, or other beverages as authorized pursuant to a manufacturing permit defined in Section 30-16 of the Connecticut General Statutes. Such facility may sell alcoholic beverages manufactured on premises or off premises to be consumed on the premises, with or without food, and may sell alcoholic beverages manufactured on premises in sealed containers for consumption on or off premises.

Thank you for your review and consideration of this amendment.

Regards,



Nathaniel Bodnar
Foxglove Cider LLC
203-565-8097

Town of

Zoning Department



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357

(860) 691-4114

Fax (860) 691-0351

MEMO TO: East Lyme Zoning Commission

FROM: William Mulholland, Zoning Official *WML*

RE: Proposed Zoning Regulation
Text Amendment Section 1.90 Brew Pub

DATE: March 17, 2026

The applicant, Nathaniel Bodnar, is applying to the commission to amend Section 1.90 of the Zoning Regulations. This section defines a “Brew Pub” as:

Section 1.90 A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute beer. Such facility may sell beer or wine to be consumed on the premises, with or without food, and may sell beer brewed on premises in sealed containers for consumption on or off premises.

Mr. Bodnar is proposing to modify the regulation as follows:

Section 1.90 A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute alcohol beverages, such as beer, cider, wine, mead, spirits or other beverages as authorized pursuant to a manufacturing permit defined in Section 30-16 of the Connecticut General Statutes. Such facility may sell alcoholic beverages manufactured on premises or off premises to be consumed on the premises, with or without food, and may sell alcoholic beverages brewed on premises in sealed containers for consumption on or off premises.”

At question is whether the new language as proposed allows activities that are appropriate in Zones that allow Brew Pubs. Presently Brew Pubs are permitted only in the Light Industrial (LI) Zoning Districts.

A review of the proposed new language as written would permit the addition of cider, wine, mead, spirits and other beverages as authorized pursuant to a manufacturing permit defined in Section 30-16 of the Connecticut General Statutes. It would also, in my view, allow a manufacturer to sell an alcoholic beverage for consumption on or off premises.

This regulation would essentially allow a manufacturer to set up a bar on part of their operation and sell any and all alcoholic beverages for consumption on or off the premises.

The commission should carefully evaluate the proposal to ensure it is written in the best interest of the community. I note here that East Lyme does not permit “bars” in any district.

Motion to Approve: Application of Nathaniel Bodnar for a proposed Text Amendment to Section 1.90 of the East Lyme Zoning Regulations, to update the definition of a Brew Pub to include all alcoholic beverages.

Motion to Deny: Application of Nathaniel Bodnar for a proposed Text Amendment to Section 1.90 of the East Lyme Zoning Regulations, to update the definition of a Brew Pub to include all alcoholic beverages.

Received

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Town of East Lyme
Land Use

Brew Pub Definition Section 1.90 Text Amendment

Presented by Nate Bodnar

Foxglove Cider LLC

March 19, 2026

Background

- Foxglove Cider LLC desires to open a manufacturing facility and location to serve alcoholic beverages classified as cider and apple wines permitted by Section 30-16 of the Connecticut General Statutes
- Space for said facility is available at 11 Freedom Way in Niantic, which is classified as a Light Industrial (LI) District
- Section 11 of the Town of East Lyme Zoning Regulations allows Brew Pubs to be established in LI spaces via Special Permit (Section 11.2.11)
- The Brew Pub, defined in Section 1.90, currently allows for a similar facility to what Foxglove Cider LLC desires to open, but is currently limited to only beer production and sale
- The proposed text amendment to Section 1.90 changes the text to not limit the definition of Brew Pub to beer, but to allow for the production and sale of all alcoholic beverage categories permitted by Section 30-16 of the Connecticut General Statutes

The Proposed Text Amendment

- Town of East Lyme Zoning Regulations last amended through November 10, 2025, Section 1.90 currently defines a Brew Pub as the following:

1.90 BREW PUB- A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute beer. Such facility may sell beer or wine to be consumed on the premises, with or without food, and may sell beer brewed on premises in sealed containers for consumption on or off premises.

- The proposed text amendment for Section 1.90 is as follows:

1.90 BREW PUB- A manufacturing facility authorized pursuant to Section 30-16 of the Connecticut General Statutes which manufactures, stores, sells and may distribute **alcoholic beverages, such as beer, cider, wine, mead, spirits, or other beverages as authorized pursuant to a manufacturing permit defined in Section 30-16 of the Connecticut General Statutes.** Such facility may sell **alcoholic beverages manufactured on premises or off premises** to be consumed on the premises, with or without food, and may sell **alcoholic beverages manufactured** on premises in sealed containers for consumption on or off premises.

Breakdown of Section 30-16 of the Connecticut General Statutes

- [Section 30-16](#) defines the available manufacturing permits and regulations for alcoholic beverages
 - 4 Permit Categories
 - Spirits (Section 30-16 (a))
 - Beer (Section 30-16 (b))
 - Farm Winery (Section 30-16 (c)) - Similar to a Wine, Cider, and Mead permit but requires 25% of the fruit used in manufacturing to be grown on any premise owned by the permittee and not specifically the LI space
 - Wine, Cider, and Mead (Section 30-16 (d))

Other Regulations that Reference Brew Pub

- Section 22.1.7 - OFF STREET PARKING AND LOADING
 - STANDARD RESTAURANT, CAFÉ, TAVERN, BREW PUB- One (1) space for each 50 square feet of public floor area.
- Section 25.5 - TABLE OF MINIMUM CONTROLS FOR SPECIFIC SPECIAL PERMIT
 - BREW PUB
 - Zone(s): LI
 - Controls:
 - 1. Public service/sales area shall not exceed 40% of the gross floor area of the facility.
 - 2. The Commission may establish hours of operation for service/sales of beverages for consumption on the premises.
 - 3. Non-premises produced beer and/or wine shall not exceed 40% of the gross sales of beer and/or wine for consumption on the premises.

Sec. 30-16. Manufacturer permit for spirits. Manufacturer permit for beer. Manufacturer permit for a farm winery. Manufacturer permit for wine, cider and mead.

(a)(1) As used in this subdivision, “proof gallon” has the same meaning as provided in section 12-433. A manufacturer permit for spirits shall allow the manufacture of spirits and the storage, bottling and wholesale distribution and sale of spirits manufactured or bottled to permittees in this state and without the state as may be permitted by law; but no such permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection. The holder of a manufacturer permit for spirits who produces less than fifty thousand proof gallons of spirits in a calendar year may sell at retail from the premises sealed bottles or other sealed containers of spirits manufactured on the premises for consumption off the premises, provided such holder shall not sell to any one consumer more than three liters of spirits per day nor more than five gallons of spirits in any two-month period. Retail sales by a holder of a manufacturer permit for spirits shall occur only on the days and times permitted under subsection (d) of section 30-91. A holder of a manufacturer permit for spirits, alone or in combination with any parent or subsidiary business or related or affiliated party, who sells more than ten thousand gallons of spirits in any calendar year may not sell spirits at wholesale to retail permittees within this state. Such permit shall also authorize the offering and tasting, on the premises of the permittee, of free samples of spirits distilled on the premises. Such free samples of spirits distilled on the premises may be offered for consumption in combination with a nonalcoholic beverage. Tastings shall not exceed two ounces per patron per day and shall not be allowed on such premises on Sunday before eleven o'clock a.m. and after eight o'clock p.m. and on any other day before ten o'clock a.m. and after eight o'clock p.m. No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person. A holder of a manufacturer permit for spirits may apply for and shall receive an out-of-state shipper's permit for manufacturing plants and warehouse locations outside the state owned by such manufacturer or a subsidiary corporation thereof, at least eighty-five per cent of the voting stock of which is owned by such manufacturer, to bring into any of its plants or warehouses in the state spirits for reprocessing, repackaging, reshipment or sale either: (A) Within the state to wholesaler permittees not owned or controlled by such manufacturer; or (B) outside the state. The annual fee for a manufacturer permit for spirits shall be one thousand eight hundred fifty dollars.

(2) A holder of a manufacturer permit for spirits issued under this subsection may sell and offer free tastings of spirits manufactured by such permittee at a farmers' market, as defined in section 22-6r, that is operated as a nonprofit enterprise or association, provided such farmers' market invites such holder to sell spirits at such farmers' market and such holder has a farmers' market sales permit issued by the commissioner in accordance with the provisions of section 30-37o.

(b) (1) A manufacturer permit for beer shall allow the manufacture of beer and the storage, bottling and wholesale distribution and sale of beer manufactured or bottled on the premises of the permittee to permittees in this state and without the state as may be permitted by law, but no such

permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection. A holder of a manufacturer permit for beer who sells beer brewed on such premises at wholesale to retail permittees within this state shall make such beer available to all holders of a package store permit issued pursuant to section 30-20 and to all holders of a grocery store beer permit held pursuant to said section in the geographical region in which the holder of the manufacturer permit for beer self distributes, subject to reasonable limitations, as determined by the Department of Consumer Protection. Such permit shall also allow: (A) The retail sale of such beer, and beer brewed in collaboration with at least one other holder of such a permit, to be consumed on the premises with or without the sale of food; (B) the selling at retail from the premises of sealed bottles or other sealed containers of beer brewed on such premises, or in collaboration with at least one other holder of such a permit, for consumption off the premises; and (C) the sale of sealed bottles or other sealed containers of beer brewed on such premises to the holder of a wholesaler permit issued pursuant to section 30-17, provided the holder of such permit produces at least five thousand gallons of beer on the premises annually. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than nine gallons of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for beer shall be one thousand four hundred dollars. For the purposes of this subdivision and section 30-22d, "collaboration" means an arrangement, other than contract brewing or an alternating proprietorship, under which the holder of a manufacturer permit for beer issued under this subsection works together with at least one other such permit holder to manufacture beer by, among other things, sharing the beer recipe or at least forty-nine per cent of the ingredients or labor necessary to manufacture such beer.

(2) A holder of a manufacturer permit for beer issued under this subsection may sell and offer free tastings of beer manufactured by such permittee at a farmers' market, as defined in section 22-6r, that is operated as a nonprofit enterprise or association, provided such farmers' market invites such holder to sell beer at such farmers' market and such holder has a farmers' market sales permit issued by the commissioner in accordance with the provisions of section 30-37o.

(c) (1) A manufacturer permit for a farm winery shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to wine and brandies distilled from grape products or other fruit products, including grappa and eau-de-vie. As used in this section, "farm winery" means any place or premises that is located on a farm in the state in which wine is manufactured and sold.

(2) Such permit shall, at the single principal premises of the farm winery, authorize: (A) The sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit; (B) as to a manufacturer who produces one hundred thousand gallons of wine or less per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by the farm

winery permittee in the original sealed containers of not more than fifteen gallons per container; (C) the sale and shipment by the holder thereof of wine manufactured by the farm winery permittee to persons outside the state; (D) the offering and tasting of free samples of such wine or brandy, dispensed out of bottles or containers having capacities of not more than two gallons per bottle or container, to visitors and prospective retail customers for consumption on the premises of the farm winery permittee; (E) the sale at retail from the premises of sealed bottles or other sealed containers of such wine or brandy for consumption off the premises; (F) the sale at retail from the premises of wine or brandy by the glass and bottle to visitors on the premises of the farm winery permittee for consumption on the premises; and (G) subject to the provisions of subdivision (3) of this subsection, the sale and delivery or shipment of wine manufactured by the permittee directly to a consumer in this state. Notwithstanding the provisions of subparagraphs (D), (E) and (F) of this subdivision, a town may, by ordinance or zoning regulation, prohibit any such offering, tasting or selling at retail at premises within such town for which a manufacturer permit for a farm winery has been issued.

(3) A permittee, when selling and shipping wine directly to a consumer in this state, shall: (A) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that such signer is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (C) not ship more than five gallons of wine in any two-month period to any person in this state; (D) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales; (E) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (F) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; and (G) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit.

(4) No licensed farm winery may sell any such wine or brandy not manufactured by such winery, except a licensed farm winery may sell from the premises: (A) Wine manufactured by another farm winery located in this state; and (B) brandy manufactured from fruit harvested in this state and distilled off the premises in this state.

(5) (A) Except as provided in subparagraph (B) of this subdivision, the farm winery permittee shall grow on the premises of the farm winery or on property under the same ownership and control of said permittee or leased by the backer of a farm winery permit or by said permittee within the farm

winery's principal state an average crop of fruit equal to not less than twenty-five per cent of the fruit used in the manufacture of the farm winery permittee's wine. An average crop shall be defined each year as the average yield of the farm winery permittee's two largest annual crops out of the preceding five years, except that during the first seven years from the date of issuance of a farm winery permit, an average crop shall be defined as three tons of grapes for each acre of vineyard farmed by the farm winery permittee. Such seven-year period shall not begin anew if the property for which the farm winery permit is held is transferred or sold during such seven-year period. In the event the farm winery consists of more than one property, the aggregate acreage of the farm winery shall not be less than five acres.

(B) If a farm winery permittee sustains a significant loss of the farm winery permittee's crop of fruit, such farm winery permittee shall, not later than December thirty-first of the year in which such farm winery permittee sustains such significant loss, certify to the Commissioner of Consumer Protection, in a form and manner prescribed by the commissioner, that such farm winery permittee has sustained such significant loss. If the commissioner determines, in the commissioner's discretion, that such farm winery permittee sustained such significant loss through no fault of such farm winery permittee, such farm winery permittee's lost crop of fruit shall, for the year in which such farm winery permittee sustained such significant loss, be deemed to satisfy the average crop requirement established in subparagraph (A) of this subdivision. For the purposes of this subparagraph, the commissioner shall, in the commissioner's discretion, determine whether a qualitative or quantitative reduction in crop yield suffered by a farm winery permittee constitutes a significant loss.

(6) A holder of a manufacturer permit for a farm winery, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(7) A holder of a manufacturer permit for a farm winery may sell and offer free tastings of wine manufactured from such winery at a farmers' market, as defined in section 22-6r, that is operated as a nonprofit enterprise or association, provided such farmers' market invites such holder to sell wine at such farmers' market and such holder has a farmers' market wine sales permit issued by the Commissioner of Consumer Protection in accordance with the provisions of section 30-37o.

(8) A holder of a manufacturer permit for a farm winery may, with the prior approval of the Department of Consumer Protection, sell wine, brandies, grappa and eau-de-vie manufactured by such farm winery permittee at not more than three retail outlets in addition to such farm winery permittee's permit premises, provided (A) each such retail outlet is located on land that is leased or owned by the backer of the farm winery permit and such farm winery permittee utilizes such land to grow fruit and produce alcoholic beverages manufactured exclusively by the farm winery, and (B) no such retail outlet is located within a grocery store, as defined in section 30-20, or any other retail outlet unless otherwise permitted under the general statutes.

(9) The annual fee for a manufacturer permit for a farm winery shall be three hundred dollars.

(d) (1) A manufacturer permit for wine, cider and mead shall allow the manufacture of wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy, eau-de-vie and mead and the storage, bottling and wholesale distribution and sale of wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy, eau-de-vie and mead manufactured or bottled by the permit holder to permittees in this state and without the state as may be permitted by law; but no such permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection.

(2) Such permit shall, at a single principal premises, authorize: (A) The sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit; (B) as to a manufacturer who produces one hundred thousand gallons or less per year of products manufactured pursuant to such permit, the sale and shipment by the holder thereof to a retailer of such products manufactured by the permittee in the original sealed containers of not more than fifteen gallons per container; (C) the sale and shipment by the holder thereof of such products manufactured by the permittee to persons outside the state; (D) the offering and tasting of free samples of such products, dispensed out of bottles or containers having capacities of not more than two gallons per bottle or container, to visitors and prospective retail customers for consumption on the premises of the permittee; (E) subject to the provisions of subsection (d) of section 30-91, the sale at retail from the premises of sealed bottles or other sealed containers of such products for consumption off the premises; (F) the sale at retail from the premises of such products by the glass and bottle to visitors on the premises of the permittee for consumption on the premises; and (G) subject to the provisions of subdivision (3) of this subsection, the sale and delivery or shipment of such products manufactured by the permittee directly to a consumer in this state. Notwithstanding the provisions of subparagraphs (D), (E) and (F) of this subdivision, a town may, by ordinance or zoning regulation, prohibit any such offering, tasting or selling at retail at premises within such town for which a manufacturer permit has been issued.

(3) A permittee, when selling and shipping a product produced pursuant to this permit, directly to a consumer in this state, shall: (A) Ensure that the shipping labels on all containers of such products shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that such signer is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (C) not ship more than five gallons of product produced pursuant to this permit in any two-month period to any person in this state; (D) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of products produced pursuant to this permit to consumers in this state, and file, with said department, all sales tax returns

and alcoholic beverage tax returns relating to such sales; (E) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (F) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; and (G) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit.

(4) No holder of a manufacturer permit for wine, cider and mead may sell any product not manufactured by such permit holder, except such permittee may sell from the premises: (A) Wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy and eau-de-vie and mead manufactured by another such permit holder located in this state; and (B) brandy manufactured from fruit harvested in this state and distilled off the premises in this state.

(5) A holder of a manufacturer permit for wine, cider and mead, when advertising or offering products for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(6) A holder of a manufacturer permit for wine, cider and mead may sell and offer free tastings of products produced pursuant to such permit that are manufactured by such permit holder at a farmers' market, as defined in section 22-6r, that is operated as a nonprofit enterprise or association, provided such farmers' market invites such holder to sell such products at such farmers' market and such holder has a farmers' market sales permit issued by the Commissioner of Consumer Protection in accordance with the provisions of section 30-37o.

(7) The annual fee for a manufacturer permit for wine, cider and mead shall be two hundred dollars.